WED FOR FIL

* * * * * * * * * *

* Case No. 94-168-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 803 Katesford Road. The Petition was filed by the owners of the property, Gary C. and Lea Anne The Petitioners seek relief from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 19 feet in lieu of the maximum permitted 15 feet for a proposed garage in accordance with Petitioner's Exhibit 1.

As indicated above, this Petition was filed as an Administrative Variance pursuant to Section 26-127 of the Baltimore County Code. That Section permits consideration of certain variances for owner-occupied properties without mandating a public hearing. Rather, notice of such a Petition for Administrative Variance may be posted on the property, and if a public hearing is not requested by an interested neighbor, or required by the Zoning Commissioner within the requisite 15-day posting period, the Petition can be considered without a hearing. In this case, a request for public hearing was received from Mr. Richard Full, a nearby neighbor to the subject property. Therefore, a hearing to discuss the merits of the relief requested was scheduled.

Appearing on behalf of the Petition were Gary C. and Lea Anne Dunton, legal owners, and their attorney, Robert A. Hoffman, Esquire.

Also appearing on behalf of the Petition were Patty Tovell and Vance Gudmundsen, nearby property owners. Mrs. Philip I. Buddemeyer appeared as an interested party. Mr. Richard Full, who requested the public hearing, appeared in opposition.

Testimony indicated that the subject property, known as 803 Kates ford Road, consists of 1.074 acres, more or less, zoned R.C. 5 and is improved with a two-story single family dwelling. This property is located in Cockeysville near Padonia Road in the Laurelford subdivision which is comprised of expensive homes on substantial lots and is among the more exclusive neighborhoods in Baltimore County. The Petitioners purchased the property approximately one year ago and moved into the residence thereon in April, 1993. Although the existing dwelling contains an attached three-car garage, Mr. Dunton testified that one of the car bays is not Apparently, the prior owner of the property expanded the laundry room inside the house, the result of which made utilization of one of the bays for automobile storage impossible. Desirous of storing a third car on the property, the Petitioners decided to construct a detached garage to the rear of the property, 20 feet by 18 feet in dimension, in accordance with Petitioner's Exhibit 1. They retained the services of a builder. identified as Donald Johnson, to construct the subject building and handle the necessary permits for same. Apparently, when Mr. Johnson secured the requisite permits from Baltimore County, he indicated on the application for the permit that the garage would be 14 feet in height. As noted above, Section 400.2 of the B.C.Z.R. restricts detached structures to a limit of 15 feet in height. In that the structure was proposed to be less than the maximum allowed, a permit was issued. Testimony revealed that during the course of construction, the property owners were advised that the proposed

- 2-

EINED FOR

garage had not been approved by the Architectural Committee of the Laurelford Community Association. Subsequently, this approval was obtained as evidenced by Petitioner's Exhibit 2. There is no doubt that the Laurelford community contains strict covenants regarding proposed construction, one of which requires detached structures to be constructed of similar materials as the main structure. Moreover, the pitch of the roof is to be consistent with that of the main structure. This requirement as to the pitch of the roof is particularly significant in this case. As shown on the photographs submitted, the roof pitch is significantly angled on the main house. Thus, in order to build a garage with a sufficient footprint to house one vehicle, the height of the detached garage must be in excess of 15 feet. That is, in order for the Petitioner to comply with the covenants of the homeowners' association, the roof of the garage must be significantly steeped. The angle required, when coupled with the necessary dimensions of the garage in order to house one car, results in a garage height of 19 feet. Thus, the Petitioners have come before me seeking a variance from the strict application of the B.C.Z.R.

The witnesses produced by the Petitioners included two of their neighbors. The neighbors believe that compliance with the architectural standards of the neighborhood is important and that the variance requested should be granted. In their view, consistency in the architectural scheme of all structures on the property is more important than technical requirements as to the height limitations imposed by the B.C.Z.R. It is to be noted that the photographs of the garage clearly show same to be an attractive structure. Moreover, the Petitioners' property is very well-kept.

As noted above, Mr. Full requested a public hearing on this Petition and presented his reasons for opposition at the hearing. Quite frank-

- 3-

ly, it is difficult to determine why he is opposed to this request. First and foremost, he lives a significant distance away from the subject site. Apparently, the garage is visible from a portion of his property during the winter months when the trees are without leaves. He is not an ammediate neighbor and not as directly affected as the neighbors who support the variance. His real concern appears to be the process by which the Peti tioners constructed the garage and their failure to follow the appropriate procedures. That is, he complains that construction of the garage was completed without first obtaining approval from the Architectural Commut tee. Also, he argues that the requested variance should have been obtained before construction began. Admittedly, the Petitioners and their builder should have first requested both a variance and approval from the Architectural Committee prior to construction. However, they did not and their Counsel admitted that the Petition before me cannot be more favorably considered because the construction is completed. That is, the doctrine of equitable estoppel was not offered by the Petitioners as a theory in support of their case. Regardless of the procedural difficulties, I must now adjudge the merits of the Petition by the standards enunciated in Section 307 of the B.C.Z.R. Therein, the Petitioners must meet three tests in order for the variance to be granted.

First, a showing must be made that a denial of the relief request ed would constitute a practical difficulty upon the Petitioners. The concept of practical difficulty has been addressed by the appellate courts of this State. See McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the fol-

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a

permitted purpose or render conformance unnecessarily

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

Secondly, the Petitioners must prove that the relief can be granted so as not to be detrimental to the surrounding locale. Thirdly, a variance can be granted only if the relief afforded is within the spirit and intent of the regulations.

In the instant case, I am entirely persuaded that the Petition should be granted. As noted at the hearing, the Petitioners are, in fact, "between a rock and a hard place". To comply with the architectural guidelines in the Laurelford community, a height variance is required. If strict adherence to the height limitation contained in the B.C.Z.R. is mandated, a useable garage could not be constructed. The footprint of any garage under 15 feet in height, compatible with the required angle of roof pitch, would be unusable. Moreover, it is entirely clear that the spirit and intent of the ordinance has been followed and that there will be no detrimental impact on the surrounding locale. In fact, the property and environs seem to be improved by the construction of this garage.

require. Mr. Full also requested that screening of the garage be imposed. However, I decline to order same. The photographs submitted show that the garage is already surrounded by a significant strand of trees and is buffered from neighboring properties. Furthermore, the photographs show that the Patitioner has already substantially upgraded the property through landscaping. Additional screening does not appear appropriate or warranted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Juday of January, 1994 that the Petition for Administrative Variance seeking relief from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 19 feet in lieu of the maximum permitted 15 feet for a proposed garage in accordance with Petitioner's Exhibit 1, be and is hereby GRAWFED, subject, however, to the following restrictions:

> 1) The Petitioners are hereby made aware that prodeeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted berein shall be restinded.

> 2) The Patitioners shall not allow or cames the detached garage to be converted to a second exelling unit and/or apartments. The garage shall centain no living or eleeping quarters, and no kitchen or bethroom facilities.

> When applying for any parmits, the site plan

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

January 3. 1994

Mr. & Mrs. Gary C. Dunton 803 Katesford Road Cockeysville, Maryland 21030

RE: PETITION FOR ADMINISTRATIVE VARIANCE 8/8 Katesford Road, 430' E of the c/l of Michaelsford Road (803 Katesford Road) 8th Election District - 3rd Councilmanic District Gary C. Dunton. et ux - Petitioners Case No. 94-168-A

Dear Mr. & Mrs. Dunton:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Menagement office at 887-3391.

Bening Comblectoner

on: Mr. Richard L. Pull

Petition for Administrative Variance to the Zoning Commissioner of Baltimore Count for the property located at 803 Kalufud Road

which to presently seems RC-5 This Petition shall be filled with the Office of Zoning Administration & Development Management.

The undereigned, legal connerts) of the property effusive in Baltimere County and which is described in the description and plat situated hardle and made a part hereof, hereby patition for a Variance from Section(s) 400 2; BCZR, TO TERMIT AN ACCESSORY STRUCTURE WITH A HEIGHT OF MIN LICH OF THE REQUIRED 15'.

of the Zening Regulations of Beltimero County, to the Zoning Law of Baltimero County: for the following reasons. Endosto hardship or passing illifounds: SEE REUMISS MA SIME OF

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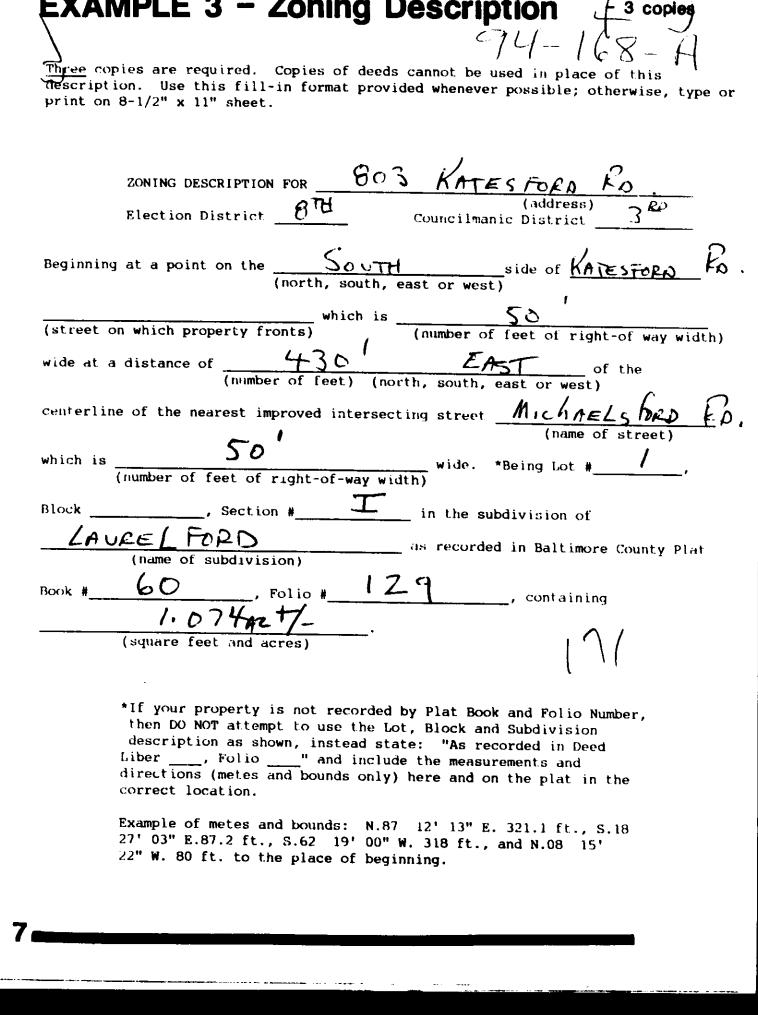
Preparty is to be posted and advertised as prescribed by Zoning Regulations. i, or wa, agree to pay expenses of above Variance advertising, peeting, etc., upon filing of this position, and further agree to end are to be bound by the zoning regulations and restrictions of Baltimore County adepted pursuant to the Zening Law for Baltimore County

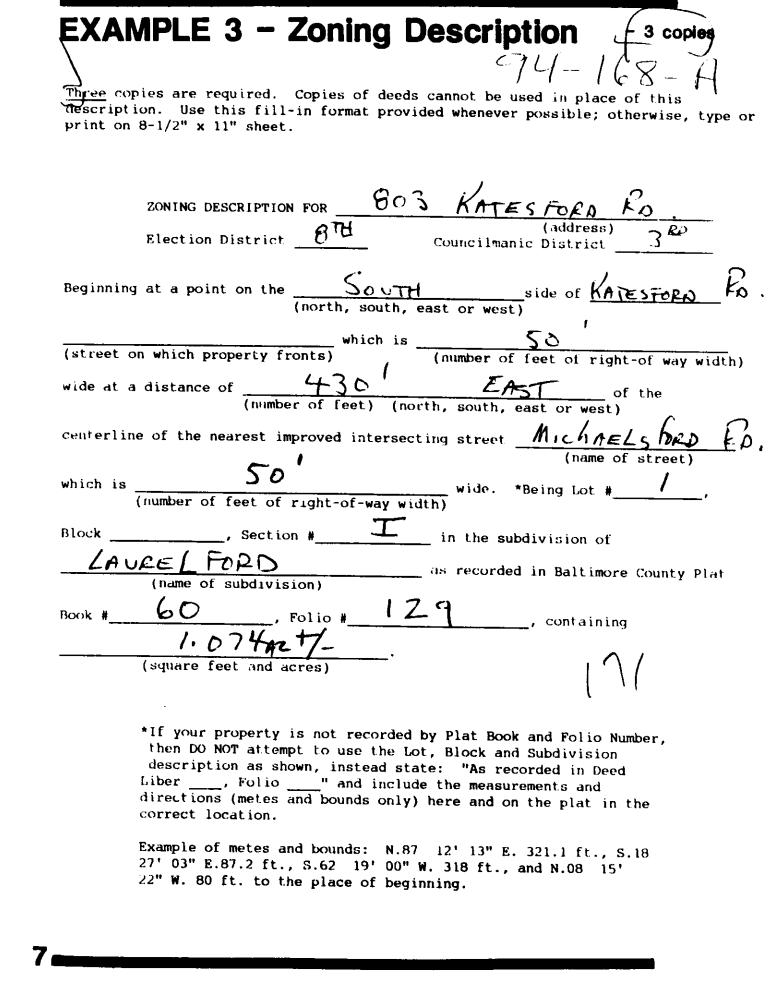
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-	GHEY C. DANTON
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	LEA ANNE DUNTON
	Leopher Durker
live	803 Katerford Road G67-4
	Cockeyeville, MD 21050
	Name Address and phase number of expensional line in the confession
	Leadin Dinto
	BOS KALETFORD Rd GG7-4

FD FOR

Affidavit in support of Administrative Variance The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 803 Kalks for a hoad That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) The rense for feel of hanged of the groups is for many spice. We have a growing family that is received sing Species and we will suffer is househop if decided. That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. (type or print name) (signature) (type or print name) (type or print name) 1 HEREBY CERTIFY, this 3 day of Siptimber, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Hay C Llunton & Lectionse Munton the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal. 9/23/93

Three co	MPLE 3 - Zoning Description opies are required. Copies of deeds cannot be used in place of this tion. Use this fill-in format provided whenever possible; otherwise, in 8-1/2" x 11" sheet.	•
	,	
	ZONING DESCRIPTION FOR 803 KATES FORD RO	
	ZONING DESCRIPTION FOR 803 KATES FORD RO. [address] Councilmanic District 3 RO.	
Beginnir	ng at a point on the South side of KALESTORE	7_
	on which property fronts) which is 58 (number of feet of right-of way	
	on which property fronts) (number of feet of right-of way	W
wide at	a distance of 430 EAST of the (number of feet) (north, south, east or west)	
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	(name of street))
which is	(number of feet of right-of-way width) wide. *Being Lot #	<i>'</i>
Block	, Section # in the subdivision of	
LA	USE (FOR	
	(name of subdivision) as recorded in Baltimore County	Ρl
Book #	60 Folio # 129 , containing	
	1.074get/-	
	(square feet and acres)	
	*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber, Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.	
	Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.	





ZONING DESCRIPTION FOR 803 KATES FORD RO [address] Councilmanic District 3 RO
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which is
the is (number of feet of right-of-way width) Michaels DRD F.D. (name of street) (number of feet of right-of-way width)
in the subdivision of LAUREL FORD as recorded in Baltimore County Plat (name of subdivision)
(#
*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber, Folio" and include the measurements and directions (metes and bounds only) here and on the plat in the
Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

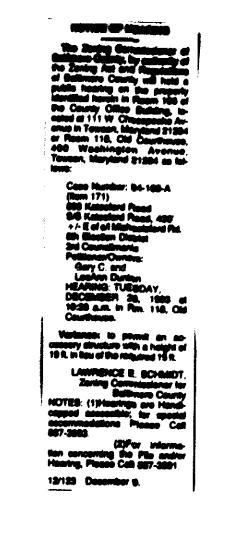
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Posted by Millaria Date of return: 11/1/2> Sumber of Signe: CERTIFICATE OF POSTING ZONNOO DEPARTMENT OF BALTIMORE COUNTY Towner, Maryland Date of Posting 11/1/93 Posted for: Language County Posted for: Language County Location of property: 103 Antage County Location of Signer (2004) (2004) Remarks:			~~~~		
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CERTIFICATE OF POSTING

Bury to londing fonlay

ZONING DEPARTMENT OF BALTIMORE COUNTY 911-162-14

Date of Posting 11/5/93



CERTIFICATE OF PUBLICATION

TOWSON, MD. THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____successive weeks, the first publication appearing on 12 19 13

THE JEFFERSONIAN.

Developm 112 to an Chi 15 on, Mar	dministration & nent Management respects to not cylant 21204	TEM 171		receipt -/68-A
GARY D. ADMIN. U	-93 unton 803 . (c10)	KATES TORO	Romer J(Romer)	27
POSTING	(080)_			35.00
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03A03N0038N1CHRC Please Make Checks Payable Te: Baltimere County

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

DECEMBER 1, 1993

(410) 887 3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 M. Thomapeake Avenue in Transin, Maryland 21234

Room 118, Old Courthouse, 100 Mashington Avenue, Tommen, Maryland 21204 as follows:

CASE SUMMER: 94-168-A (Items 171) 803 Katesford Road S/S Katemford Road, 4301 /- E of c/l Michaelsford Road 8th Election District 3rd Councilmanic Petitioner/Owners: Gary C. and LeeAnn Dunton

Variance to permit an accessory structure with a height of 19 ft, in lieu of the required 15 ft.

HEARING: TUESDAY, DECEMBER 28, 1993 at 10:30 a.m. in Rm. 118, 31d Jourthouse.

cc: Gary and Lea Anne Dunton Richard L. Full Robert A. Hoffman, Kay.

NOTES: (1) BONING SIGN & POST HUST BE RETURNED TO RM. 104, 111 M. CHESAPEARE AVERUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL REF 1353.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT REF 1391.

REQUEST FOR HEARING TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY: Re: Case Number: 94-16:A Petitioner(s): GARY & LEA ANNE DUNTON Location: 803 KATESFORD RICHARD LITULE

Name(s) —— (TYPE OR PRINT) | Logal Owners (X) Residents, of 12309 MICHAELSFORD ROAD COCKEYSUILLE MD 21030 (410)628 5343 which is located approximately 1,000 feet from the property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

	Baltimore County Government Office of Zoning Administration and Development Management
resap	cake Avenue
D 212	(110) 007-5555
	ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES
	Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.
	This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.
	PAYMENT WILL BE MADE AS FOLLOWS:
	 Posting fees will be accessed and paid to this office at the time of filing.
	2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
	NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.
	ARNOLD JABLON, UTRECTOR
	For newspaper advertising:
	Item No.:
	Petitioner: GAPY DYNTON
	modetion: 803 Katestopo Po. Colleguille, M. 21030
	PLEASE FORWARD ADVERTISING BILL TO:
	NAME:
	ADDRESS: SAME
	PHONE NUMBER: 667-4762
	AJ:ggs (Revised 04/09/93)
	·

70:	PUTUKENT PUBLISHING COMPANY
	December 9, 1993 Issue - Jeffersonian
Ple	ase foward billing to:
Gar	y and Lea Anne Dunton
	Katesford Road
Coci	keysville, Maryland 21030
410-	-667-4762
	NOTICE OF HEARING
The	Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltim
	county, will noid a public hearing on the property identified begain in
	soom 106 of the County Office Building, 111 W. Chesupsake Avenue in Towson, Maryland 21204
	or Room 118, Old Courthouse, 400 Weshington Avenue, Towson, Maryland 21204 as follows:
	Total Property and
CASE	MARKE: 94-168-A (Item 171)
803	Katesford Road
S/8	Ratesford Road, 430'+/- E of c/l Hichaelsford Road
8th	Election Bistrict - 3rd Councilmanic
PW()	tioner/Owners: Gary C. and Leekon Dunton
Varia	ance to permit an accessory structure with a height of 19 ft. in lieu of the required 15 ft.
HEAR	DNG: TUESDAY, DECEMBER 26, 1993 at 10:30 a.m. in Nm. 118, Old Courthouse.
	NCK E. SCHOOT
	S CONSIDERIORE FOR BALTINORE COUNTY
HOTES	(1) HEARTHUS ARE HANDICAPPED ACCEMETALS; FOR SPECIAL ACCOMMENSATIONS PLEASE CALL 307-3353.
	(2) FOR IMPORMATION CONCERNES THE FILE AND/OR HEARING, PLEASE CALL 867-3391.

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

November 12, 1993

Mr. and Mrs. Gary C. Dunton 803 Katesford Road Cockeysville, Maryland 21030

> RE: Case No. 94-168-A, Item No. 171 Petitioner: Gary C. Dunton, et ux Petition for Administrative Variance

Dear Mr. and Mrs. Dunton:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on October 20, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

State Highway Administration

O. James Lighthizer Hal Kassoff Administrator

16-2975

Ms. Charlotte Minton Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Baltimore County Item No.: * /// (5011)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, DAUTO N. RAMSEY, ACTING CHIEF **Engineering Access Permits**

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 BALTIM RE COUNTY, MARYL ND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

DATE: November 1, 1993 SUBJECT: 803 Katesford Road

Petitioner:

Property Size: Zoning:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, staff recommends the following condi-

- The Petitioner shall not convert the storage structure to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

ZAC. 171/PZCNE/ZAC1

Baltimore County Government Department of Permits and Licenses

(410) 887 W(1)

Towson, MD 21204 Arnold Jablon Director Zoning Administration and

111 West Chesapeake Avenue

Development Management Baltimore County Office Building Towson, MD 21204

MEETING OF NOVEMBER 1, 1993

NOVEMBER 12, 1993

Property Owner: MHL Realty Company Location: #1504 Reisterstown Poad Item No.: +168 (WCR)

Property Owner: John Buxton and Margaret Puxton Location: #7702 Park Drive * 169 (RT)

Item No.: Property Owner: Edward C. Chavatel & Virginia H. Chavatel

Location: #32 Pleasant Hill Poad Item No.: + 170 (RT) Property Owner: Lea Anne Dunton & Gary C. Dunton

#803 Katesford Road Item No.: *171 (JMC) Property Owner: Steven W. Heiger &v Peggy A. Heiger

#23 Glasshouse Garth Item No.: *172 (JRF)

Property Owner: Powerline Investments, Inc. #1704 Middleborough Road Location: Item No.: 173 (JEL)

Property Owner: Powerline Investments, Inc. #1702 Middlehorough Road Location: Item No.: 174 (JLL)

Carol A. Grillo and Philip R. Grillo Location: #100 Armagh Drive Item No.: * 175 (JCM)

Property Owner: Margaret Chenoweth & Donald L. Chenoweth & Edward Chenoweth Location: Lot Behind #2927 Chenoak Avenue Item No.: +176 (RT)

Location:

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

Lea Anne and Gary C. Dunton 803 Katesford Road

111 West Chesapeake Avenue

OCTOBER 29, 1993

Towson, MD 21204

Cockeysville, Maryland 21030

ITEM NUMBER:

803 Katesford Road

Pursuant to review by Mr. Richards and/or his staff, the above matter has been

incompletely rendered. Notwithstanding, it was processed through the system; enclosed you will find either a "Notice of Hearing" or "Notice of Case Number Be advised that the closing/hearing date, as indicated on the enclosed "Notice",

will stand only if proper documentation is received within two weeks of the date of this letter. Alternatively, this case will be moved four to five weeks further out. To avoid such a delay, you must provide the following:

New petition forms (signed by all parties) listing "hardship" on the front of the

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

111 West Chesapeake Avenue

Lea Anne Dunton and Gary C. Dunton 803 Katesford Road Cockeysville, Maryland 21030

S/S Katesford Road, 430'+/- E of c/l Michaelsford Road 8th Election District - 3rd Councilmanic

number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process. 1) Your property will be posted on or before November 7, 1993. The closing date (November 22, 1993) is the

deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) dany the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

may, many times. We do not see authing objection-

Mr. & Mrs. Storm Dairs

should be made to charge fit. It fets in well with their home and lot. Should you -

Angie Davis

We are neighbors of

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The also do not see any

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driven by their garage

12/18/93

Dear Surs:

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To Whom it may Canceen:

804 Kates for Real Carpennele, m. d. 21030

Regarding Zoning Notice # 94-168-A

De neighbre deverly acres from

on 803 Katos fra Read. Carkeymerle M.D.

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We have the mest desut inc

na abjection to the new garage or

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Charming Addedin to the surgesty.

12/15/93

I am writing in reference to the conflict over gary and Lea Anne Dunton's garage at 803 katesford Road. Cockleville.

I am aware of the fact that it does not conform to the specified guidelines and is four safety. bearing the aesthetics nor safety. bearing the aesthetics nor safety. Furthermore, it is within keeping of the house and by no means diffacts in any way from the neighborhood. It appears to be a top quality of the property. Original to the property.

Structure and it is as if it was original to the property. I hope this issue is ressolved in an appropriate fashion.

Thank you for your autention.

・ A Transaction of the Application of the Application (Application of the Application o

RICHARD S. ALLEN
12319 Michaelsford Road
Hunt Valley, Maryland 21030

December 1, 1993

Mr. and Mrs. Gary Dunton 803 Katesford Road Hunt Valley, MD 21030

Dear Gary and LeAnne,

Lori and I are aware that you are in the process of seeking approval for the building of your free-standing garage. I am writing to let you know that you can count on us for any support you might need during this process. The garage is in keeping with the good taste of the neighborhood, is consistent with the color and style of your house and has no negative features which we consider bothersome.

I am glad there are building codes to protect us from poor judgment and bad taste, but what you have built is in keeping with our common sense standard of a good-looking addition to your property.

Please let us know if there is anything else we can do to assist you.

Very Truly Yours,

Richard S. Allen

GREEN SPRING VALLEY HUNT CLUB

November 30, 1993

To whom it may concern:

As a neighbor of Gary Dunton, I am aware of the construction of a separate garage near his residence at 803 Katesford Road. It was completed in a timely manner and I feel the design, size and location blends well with his home as well as the neighborhood.

Sincerely,

Sincerery.

Curtis Mabry 806 Katesford Road Cockeysville, MD 21030

30 Green Spring Valley Road • P.O. Box 563 • Owings Mills, Maryland 21117
Phone: 410-363-0433 • Fey: 410-363-0400

November 29, 1993

To: Honorable Members of the Zoning Board Baltimore County

Re: <u>Dunton Variance</u>

I write in support of our neighbor, Gary Dunton, in the matter of his request for a four foot height variance to the Zoning Regulations with respect to his newly constructed garage at 803 Katesford Road. I am a resident of Mr. Dunton's subdivision, Laurelford, having just moved to 12321 Michaelsford Road on September 3, 1993.

In my opinion, the new garage is an aesthetic and tasteful solution to Mr. Dunton's need of garage space. The garage is clearly meant to reflect the architectural style of the house, using the same building materials and design angles. I enjoy seeing it each day as I leave and return to the subdivision

If Mr. Dunton had built a 20-foot roller coaster in his yard, or an authentic replica of the Viet Nam War Memorial, I would understand (and support) any neighbor's objections to such construction. But we are talking about a garage in this case, one built with style to resemble Mr. Dunton's home. It seems silly that I would have to write at all.

Nevertheless, I respectfully urge you to approve Mr. Dunton's request for a variance. My wife and family join me in the substance of this letter. Thank you for considering our opinions.

.

New Chydenude.

Vance C. Gudmundsen

To Whom It May Concern,

November 27, 1993

RE: Zoning Variance on 803 Katesford Road

We live in Laurelford and pass by this property many times a day. Since the Dunton's have moved in, they have expended a great deal of energy on landscaping projects. The addition of a separate garage was designed and built with details identical to the main house and is in keeping with the architectural spirit of the neighborhood. The garage is set back on the property in such a way to make the issue of roof height inconsequential.

To Whom It May Concern,

The roof on Sary & do Cune

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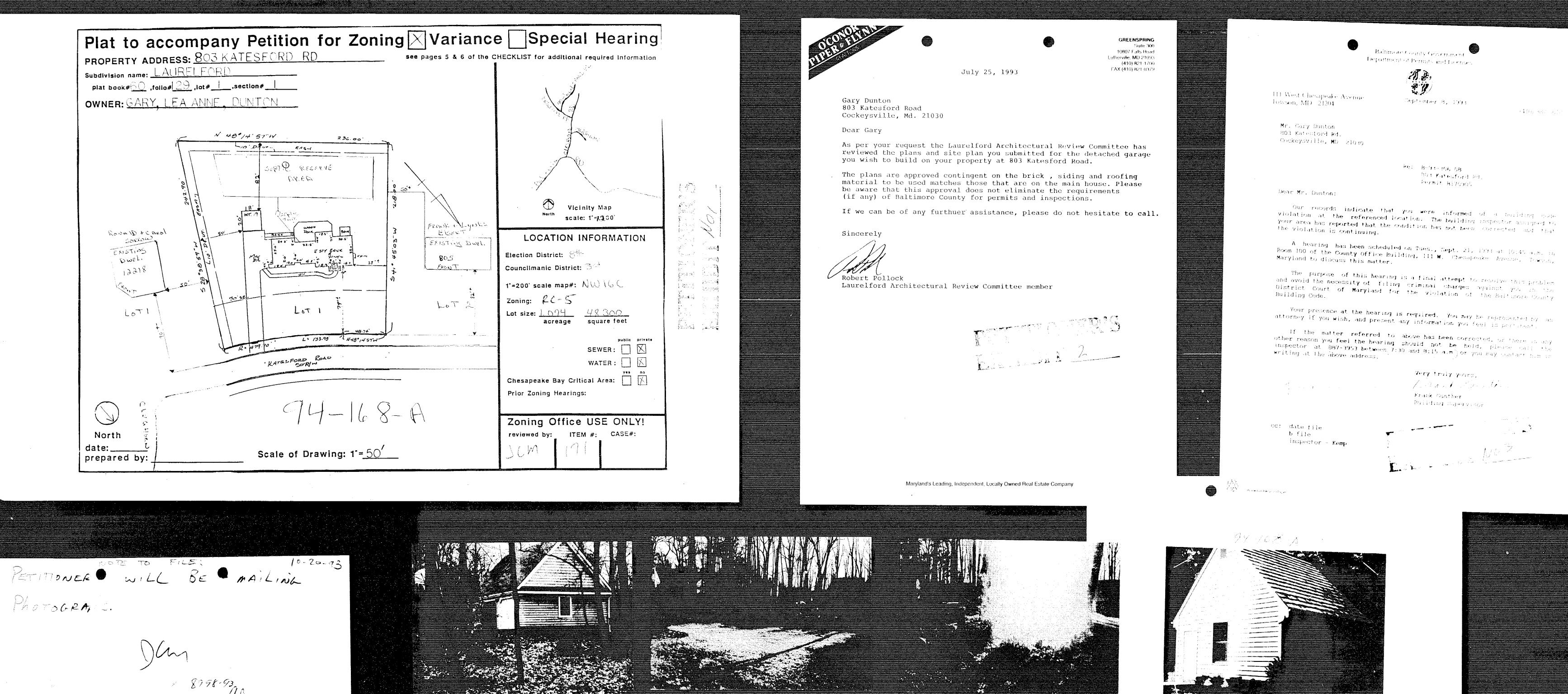
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Lee Tary
12317 Michaelsford Road

Sincerely,,

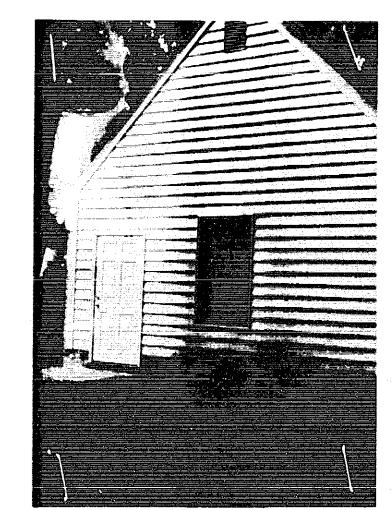
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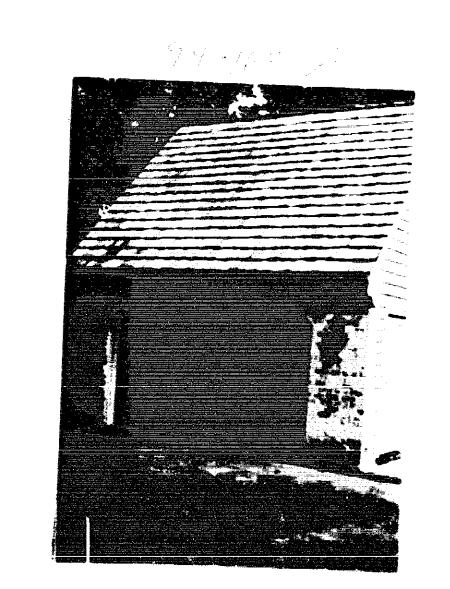
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PLEASE PRINT CLEARLY	PETITIONER(S) S	IGN-IN SHEET
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RICHARD L FULL 123	ADDRESS RO (CKEYIV)
LEASE PRINT CLEARLY CITIZEN	SIGN-IN SHEET
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Baltimore County Covernment Department of Permits and Decises,

Sept. (60) 87, 1993.

He: 8-93-306 08

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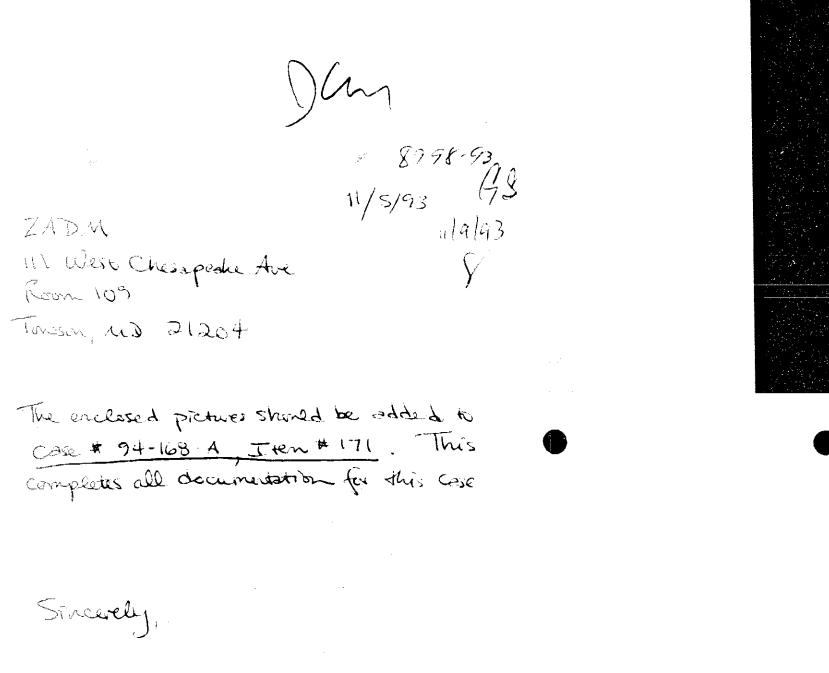
Very truly yours,

Frank Gunther

Land and Same Sie

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Petitioner's delibits 4A-94-168-A photographs



