

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Clarion Court, 1,056' W of
the c/l of Sherwood Road
(20 Clarion Court)
8th Election District
3rd Councilmanic District

Richard Kistner
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-523-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 20 Clarion Court, located in the vicinity of Sherwood Road and York Road in Cockeysville. The Petition was filed by the owner of the property, Richard Kistner, through the administrative variance process. However, at the request of Dave Hanna, an adjacent property owner, the matter was scheduled for a public hearing to determine the appropriateness of the relief sought. The Petitioner seeks relief from Section 1B01.2.C.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to property line setback of 10 feet in lieu of the required 15 feet, and a window to window setback of as close as 25 feet in lieu of the required 40 feet, and to amend the Final Development Plan for The Abbey at Sherwood, Lot 11 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Richard and Gail Kistner, legal owners of the property, and Mr. Mauro, a representative of Patio Enclosures, Inc., builder. Appearing in opposition to the relief requested was David Hanna, a nearby resident.

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Date

By

MICROFILMED

Testimony and evidence offered revealed that the subject property consists of .217 acres, more or less, zoned D.R.2, and is improved with a two-story brick and frame dwelling. The Petitioners recently commenced construction of a 16' x 12' patio enclosure on the rear of the existing dwelling. The rear of their property and proposed patio faces and abuts the home of Mr. Hanna who resides at 16 Clarion Court, which is located approximately behind the subject property. Testimony indicated that the Petitioners had discussed their plans with Mr. Hanna at their property prior to commencement of construction; however, following a complaint from Mr. Hanna, the Petitioners received a notice from the Department of Permit and Development Management (DPDM) that a variance from the regulations cited above would be necessary in order to complete construction. Photographs submitted show the house and property in question as well as the homes in the immediate vicinity. The photographs also show the framing which was started to support the proposed patio; however, the photographs do not adequately reflect that the proposed patio will be located on the second floor of the dwelling. Further testimony revealed that Mr. Hanna raises honey bees on his property and Mrs. Kistner is allergic to bees. In order to have a deck of any kind and enjoy the outdoors to the extent possible, a patio enclosure such as that proposed is necessary.

Mr. Hanna, who appeared in opposition to the proposed patio, testified that he did not realize the impact the proposed addition would have on his home until construction commenced. He testified that the patio will have too much of a negative visual impact upon his house and will lower his property values.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

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Date 4/2/96
By [Signature]

his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 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 (1974).

After due consideration of the testimony and evidence presented, I am persuaded to deny the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. In the opinion of this Deputy Zoning Commissioner, the proposed structure will have a negative impact upon Mr. Hanna's property, which is located a short 25 feet away, and will be detrimental to the surrounding locale. Therefore, the relief requested must be denied.

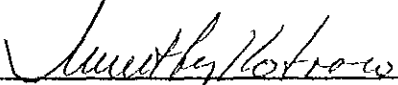
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of September, 1996 that the Petition for Variance seeking relief from Section 1B01.2.C.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to property line setback of 10 feet in lieu of the required 15 feet, and a window to window

ORDER RECEIVED FOR FILING
Date 9/2/96
By [Signature]

setback of as close as 25 feet in lieu of the required 40 feet, and to amend the Final Development Plan for The Abbey at Sherwood, Lot 11 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/5/16
By [Signature]

ENCLOSURE

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 5, 1996

Mr. & Mrs. Richard Kistner
20 Clarion Court
Cockeysville, Maryland 21030

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Clarion Court, 1,056' W of the c/l of Sherwood Road
(20 Clarion Court)
8th Election District - 3rd Councilmanic District
Richard Kistner - Petitioner
Case No. 96-523-A

Dear Mr. & Mrs. Kistner:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been denied 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 Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Patio Enclosures, Inc.
224 8th Avenue N.W., Glen Burnie, Md. 21061

Mr. Dave Hanna
16 Clarion Court, Cockeysville, Md. 21030

People's Counsel

✓ File

MICROFILMED





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 20 Clarion Ct.

96-523-A

which is presently zoned DR.2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

504 (V.B.G.C. Code) & 1301.2.C.2.b. (V.B.G.C. Code) to permit a window to property line of 10' and a window to window as close as 2.5' in line of 15' and 40', respectively, and amend the FOP

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See reverse side

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Richard Kistner

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

XXXX
Attorney for Petitioner.

Patio Enclosures Inc.
(Type or Print Name)

20 Clarion Ct. (410) 628-7747
Address Phone No.

Signature

R.L. Tice Agent

City

State

Zipcode

Name, Address and phone number of representative to be contacted

224 8th. Ave N.W. (410) 760-1919
Address Phone No.

Patio Enclosures Inc.
Name

Glen Burnie, MD 21061
City State Zipcode

224 8th. Ave. N.W. (410) 760-1919
Address Phone No.

Glen Burnie, MD 21061

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____ 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

MICROFILMED

Zoning Commissioner of Baltimore County

REVIEWED BY: *m76*

DATE: 6/26/96

ESTIMATED POSTING DATE: 7/7/96

Printed with Soybean Ink
on Recycled Paper

ITEM #: 515

ORDER RECEIVED FOR FILING

Date

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 20 Clarion Ct.
address
Cockeysville, MD 21030
City State Zip Code

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)

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce outside noise.
4. A place to sit out and not be concerned with the weather, bugs, mosquitoes, flies, etc.
5. Improve appearance of house.

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.

x Richard Kistner
(signature)

Richard Kistner
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28 day of May, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard Kistner

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(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.

date

5/28/96

NOTARY PUBLIC

My Commission Expires:

Frank Lay

FRANK LAY
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 1, 1999

96-523-A

Legal Discription of Property

Beginning on the North side of Clarion Ct. (cul-de-sac) 50' wide at a distance of 1,056' west of the centerline of Sherwood Rd. and running 107.28' NW then running 151.73' NE, then 99.48' SW and 51.24' NW to the place of beginning. The improvements being known as 20 Clarion Ct.

RECORDED

515

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-523.17

District... 7th Date of Posting... 7/2/96
Posted for: Variano
Petitioner: Richard Kistner
Location of property: 20 Clanton Ct.
Location of Signs: Facing road way on property being zoned
Remarks: _____
Posted by [Signature] Date of return: 7/12/96
Number of Signs: 1

MICROFILMED



REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 96-523-A

Petitioner(s):

Location:

I/WE, David R. Harris
Name(s) (TYPE OR PRINT)

(X) Legal Owners () Residents, of

16 Clarion Ct
Address

Cockeysville MD 21030
City/State/Zip Code

10 feet from the
which is located approximately

property which is the subject of the above petition, do hereby formally
request that a public hearing be set in this matter.

David R. Harris
Signature
7/22/96
Date

Signature

Date

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-523-A

District 8th Date of Posting 8/2/96
Posted for: Variance
Petitioner: Richard Kistner
Location of property: 20 Clorion Ct
Location of Signs: Facing road way on property being zoned
Remarks: _____
Posted by [Signature] Date of return: 8/9/96
Number of Signs: 1



MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

96-523-A

DATE 8/26/96 ACCOUNT 8/26/96
By: [Signature]
Check # 515 AMOUNT \$ 850.00

RECEIVED 20 Clorion Ct
FROM: 610 - Res Variance - \$300.00
200 - 1 sign posting - \$550.00
FOR: \$850.00

RN+
Sign

10/10/96
96-523-A

483 00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

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 _____, 1996.

Q. A. Hendon

NOTICE OF HEARING

The zoning commission of Baltimore County, by authority of the zoning act and subtitle 1 of the zoning ordinance of Baltimore County will hold a public hearing on the proposed rezoning herein in room 100 of the County Office Building, 1100 North Beach Avenue, Baltimore, Maryland 21204, at 10:00 a.m. on Wednesday, August 18, 1988. The hearing is open to the public.

Case: #88-00000-A
20 Clifton Court
1/8 Clifton Court, 10560 W
at Sharpwood Road
8th District
Legal Counsel
Richard Kliner
Verdette, to permit a win-
dow to property line of 10 feet
and a window to window as
close as 25 feet in lieu of the
10 feet and 40 feet required
and to amend the ZCP
1988 at 3:00 p.m. in Rm. 118,
Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
handicapped accessible for
special accommodations
Please Call 887-8363
(2) For information concern-
ing the file and/or hearing,
Please Call 887-8361.

6/03/88 August 1, 070811

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ON

MICROFILMED

ACCOUNT 01/19/2021

96-523-A

AMOUNT \$

00.07

RECEIVED
FROM: _____

30

Revised/Revised 96-523-A

CONTENTS

139 045

96-22-70472-1007 49

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DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION ON SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 024794

DATE 8/20/96 ACCOUNT R 001-6150
AMOUNT \$ 35.00

RECEIVED FROM: Kistner

FOR: Reposting 96-523-A

01A00H0251MICHR \$35.00
BA 001120AM08-21-96

VALIDATION OR SIGNATURE OF CASHIER

DISCOUNT
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 024794

DATE 8/20/96 ACCOUNT R 001-6150
AMOUNT \$ 35.00

RECEIVED FROM: Kistner

FOR: Reposting 96-523-A

01A00H0251MICHR \$35.00
BA 001120AM08-21-96

VALIDATION OR SIGNATURE OF CASHIER

DISCOUNT
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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:

- 1) 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, DIRECTOR

For newspaper advertising:

Item No.: 515 Petitioner: Richard Kistner

Location: 20 Clarion Ct.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Richard Kistner

ADDRESS: 20 Clarion Ct.

Cockeysville, MD 21030

PHONE NUMBER: (410) 444-628-7747



TO: PUTUXENT PUBLISHING COMPANY
August 1, 1996 Issue - Jeffersonian

Please forward billing to:

Richard Kistner
20 Clarion Court
Cockeysville, MD 21030
628-7747

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 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-523-A (Item 515)
20 Clarion Court
N/S Clarion Court, 10560' W of c/l Sherwood Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Richard Kistner

Variance to permit a window to property line of 10 feet and a window to window as close as 25 feet in lieu of the 15 feet and 40 feet, respectively and to amend the FDP.

HEARING: TUESDAY, AUGUST 20, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

WILLIAM J. BROWN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 26, 1996

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 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-523-A (Item 515)
20 Clarion Court
N/S Clarion Court, 10560' W of c/l Sherwood Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Richard Kistner

Variance to permit a window to property line of 10 feet and a window to window as close as 25 feet in lieu of the 15 feet and 40 feet, respectively and to amend the FDP.

HEARING: TUESDAY, AUGUST 20, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Richard Kistner
Patio Enclosures, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

CONDITIONS OF EMPLOYMENT

Employees of the Division of Code Inspections and Enforcement are prohibited from engaging in any type of endeavor that is considered a conflict with your official duties or in conflict with the interests of the department.

Employees are prohibited from requesting licensed contractors or general contractors to use their name and license number or by requesting that permits be pulled by any contractor on behalf of the employee.

Any employee who owns rental property shall maintain these properties to code standards whether the properties are owned in Baltimore County or elsewhere.

No inspector may perform any work including physical labor, consultation, or providing advice, inside or outside of Baltimore County for compensation or for gratuities. Employees will be able to work on their own properties, i.e. construct your own home or renovate rental property. If the employee is a licensed plumber or electrician, the department will make provisions for the licensed county employee with a shelved license to pull a permit for their principal residence only.

If an inspector wishes to work, as defined above, on a project other than their principal residence, the property of a relative, or for a non-profit organization, without compensation or gratuity, permission must be requested from both John Altmeyer and Rick Wisnom.

Employees are prohibited from inspecting his or her own property or the property of relatives.

Acceptance of any gratuities for any purpose is prohibited.

An employee may not testify as an expert witness in a court proceeding concerning a private matter. The employee may testify only as to the facts and only if summons has been served. An employee may testify as an expert only for and on behalf of the county and with knowledge of the Chief of the Division of Code Inspections and Enforcement.

A violation of any of these policies will result in immediate termination.

3/27/96

FITTS, TIMOTHY



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 3, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-523-A (Item 515)
20 Clarion Court
N/S Clarion Court, 10560' W of c/l Sherwood Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Richard Kistner

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case 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 July 6, 1996. The closing date (July 22, 1996) 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) deny 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.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE 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.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Richard Kistner
Patio Enclosures, Inc.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 18, 1996

Mr. Richard Kistner
20 Clarion Court
Cockeysville, MD 21030

RE: Item No.: 515
Case No.: 96-523-A
Petitioner: Richard Kistner

Dear Mr. Kistner:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



9/27/95
THE FAMILY AND MEDICAL LEAVE ACT OF 1993
(FMLA)

WHAT IS IT? - The law requires Baltimore County general government to provide up to twelve (12) weeks of unpaid, job protected leave to eligible employees in any twelve (12) month period for the following reasons:

1. to care for the employee's child following birth, placement for adoption or authorized foster care, in the twelve (12) month period immediately following the birth or placement,
2. to care for the employee's spouse, child, or parent, with a serious health condition,
3. for a serious health condition that makes the employee unable to perform the employee's job

WHO IS ELIGIBLE? - Employees who have worked for Baltimore County general government for at least one (1) year and for 1,250 hours over the previous twelve (12) months.

WHAT BENEFITS ARE PROVIDED UNDER FMLA? - The County will continue to pay its portion of the employee's health insurance premiums, provided the employee pays a portion of the employee's portion. If an employee elects not to return to work following a period of FMLA, they must reimburse the County for its share of the medical premiums.

Employees will return to the classification held immediately preceding FMLA leave. Benefits accrued prior to the start of an employee's leave will not be lost.

WHAT DOES AN EMPLOYEE NEED TO DO TO TAKE LEAVE COVERED BY FMLA? - If the leave is foreseeable, the employee must provide thirty (30) days advance notice. If the leave is to be taken because of the employee's own serious health condition, or that of a family member, medical certification, on the required form, must be submitted. The County may, at its expense, require second or third opinions. The County will require a "fitness for duty" report to return to work, as well as a visit to Employees Health Services. Requests for all unpaid leave must be in writing.

DOES AN EMPLOYEE NEED TO USE EMPLOYEE'S OWN ACCRUED LEAVE BEFORE TAKING UNPAID LEAVE UNDER FMLA? - Baltimore County's policy requires employees to use their accrued leave as part of the twelve (12) weeks provided under FMLA prior to unpaid leave; sick leave can only be used when allowed under current regulations. The maximum leave period, including both paid and unpaid leave, is twelve (12) weeks.

UNDER CERTAIN CIRCUMSTANCES MAY AN EMPLOYEE TAKE FMLA LEAVE ON AN INTERMITTENT

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: July 9, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 497, 501, 509, 510, 512, 514, 515, 517, 518, 519 and 520

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 7-9-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 7-8-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 510 521
511 522
513 523
514 524
515 525
516
517
519

RBS:sp

BRUCE2/DEPRM/TXTSBP

Bruce Seeley
7-9-96

MICROFILMED

cc: File

100-110000

100-110000

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 07/12/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: PAUL E. FEILD, JR.

Location: E/S HARFORD RD., 510' FROM CENTERLINE SUNSHINE AVE.
(12619 HARFORD RD.)

Item No.: 509

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 510, 511, 512, 513, 514, 515,
516, 517, 518, 519, 520, 521, 522, 523, 524 AND 525.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MAILED
JUL 13 1996



John Alexander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: July 16, 1996

FROM: *[Signature]* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
For July 15, 1996
Item Nos. 510, 511, 512, 513, 515, 516,
518, & 521

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE17

ENCLOSURE

Rescheduled from 1/16/96
CASE NUMBER: 96-245-SPH (Item 245)
7200 Green Bank Road
N/S Green Bank Road, 25' E of c/l Choptank Road
15th Election District - 5th Councilmanic
Legal Owner: Paul D. Kiebler and Jean A. Kiebler

Special Hearing to determine whether the divisional lines established on the plat accompanying this Petition are in compliance with the provisions of Section 417.3 and such other actions which will be required to construct the piers as shown on the plat; further to determine that the adjacent properties designated as Lot #31 and #32 are not in compliance with the provisions of B.C.Z.R. contained in Section 417; and to determine such items which may be presented at the hearing relative to this issue.

HEARING: WEDNESDAY, APRIL 3, 1996 at 9:00 a.m. in Room 106, County Office Building.

Rescheduled from 11/29/95 and 2/21/96
CASE NUMBER: 96-168-SPHA (Item 162)
2260 Cromwell Bridge Road
Sanders Corner
NW/S. Cromwell Bridge Road, 78' SW of c/l Loch Raven Road
9th Election District - 6th Councilmanic
Legal Owner: Ronald Sanders

Special Hearing to allow commercial parking in a residential zone; to amend a previous site plan dated 10/23/90 (case #91-256-SPH); to confirm an existing non-conforming use; and to approve a modified parking plan. Variance to allow for a reduction in the required number of parking spaces from 72 to 39.

HEARING: WEDNESDAY, APRIL 3, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

CASE NUMBER: 96-317-SPH (Item 316)
5 Celebrie Court
E/S Celebrie Court, approximately 500' S of Glenbaur Road
11th Election District - 5th Councilmanic
Legal Owner: Sharon L. Rose

Special Hearing to approve an addition for an in-law apartment with self-contained facilities and kitchen for owner's parents.

HEARING: WEDNESDAY, APRIL 3, 1996 at 11:00 a.m. in Room 106, County Office Building.

CASE NUMBER: 96-318-A (Item 319)
1633 Jeffers Road
S/S Jeffers Road, 145' NE of c/l Thornton Road
8th Election District - 4th Councilmanic
Legal Owner: Charles M. Hughes and Lynnallen Hughes

Variance to permit two storage sheds to be situated in the side yard in lieu of the rear yard.

HEARING: WEDNESDAY, APRIL 3, 1996 at 2:00 p.m. in Room 106, County Office Building.

CASE NUMBER: 96-319-SPH (Item 318)
600 Reisterstown Road
4th Election District - 3rd Councilmanic
Legal Owner: Pikesville Plaza Building Company
Contract Purchaser/Lessee: L & J Associates, Inc.

Special Hearing to approve the use of the premises as a beauty shop with accessory massage services.

HEARING: THURSDAY, APRIL 4, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

CASE NUMBER: 96-320-SPH (Item 328)
600 Reisterstown Road
NWC Reisterstown Road and Slade Avenue
4th Election District - 3rd Councilmanic
Legal Owner: Frank Scarfield/Pikesville Plaza Building Company
Contract Purchaser/Lessee: Progressive Ambulance Company/Millard C. Sheppard

Special Hearing to approve an amendment to the site plan and parking variance granted in case #74-232-A to allow a total of 161 spaces provided in lieu of the total 172 spaces permitted and to reduce the total by 12 spaces used for storage and parking by ambulances and limousines for a new total of 149 spaces. Special Exception to permit a service garage providing for storage and parking of ambulances and limousines.

HEARING: THURSDAY, APRIL 4, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

PETITION PROBLEMS

#514 --- MJK

1. No telephone number for legal owner.
2. No special hearing fee was charged to amend the FDP.

#515 --- MJK

1. No special hearing fee was charged to amend the FDP.

#517 --- JCM

1. No legal owner information - no name, address, telephone number, or signature.
2. No acreage on folder.
3. Petition refers to a letter -- where is the letter?

#520 --- JJS

1. Notary section incomplete - only one signature notarized.

#522 --- JJS/WCR

1. No signature for legal owner.
2. No telephone number for legal owner.
3. No original signature for contract purchaser.
4. No original signature for attorney.
5. No councilmanic district on folder.

MICROFILMED

July 2, 1996



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 26, 1996

Richard Kistner
20 Clarion Court
Cockeysville, Maryland 21030

Re: Case Number: 96-523-A

Dear Petitioners:

A formal REQUEST FOR PUBLIC HEARING has been filed in your case. Formal notification of the hearing date will be forwarded to you shortly.

As you recall, it now becomes necessary to repost the property and run notice of the hearing in a newspaper of general circulation. This office will ensure that the legal requirements for posting and advertising are satisfied.

Posting charges in the amount of \$35.00 are now due. Your check in this amount should be made payable to "Baltimore County, Maryland" and immediately mailed to this office.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

Please be further advised that non-payment of fees will stay the issuance of the Zoning Commissioner's Order.

If you have any questions concerning this letter, you may contact Gwen Stephens at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

ARNOLD JABLON, DIRECTOR

MICROFILMED



Page 2 of 2
Ronald Kane, Esquire
March 26, 1996

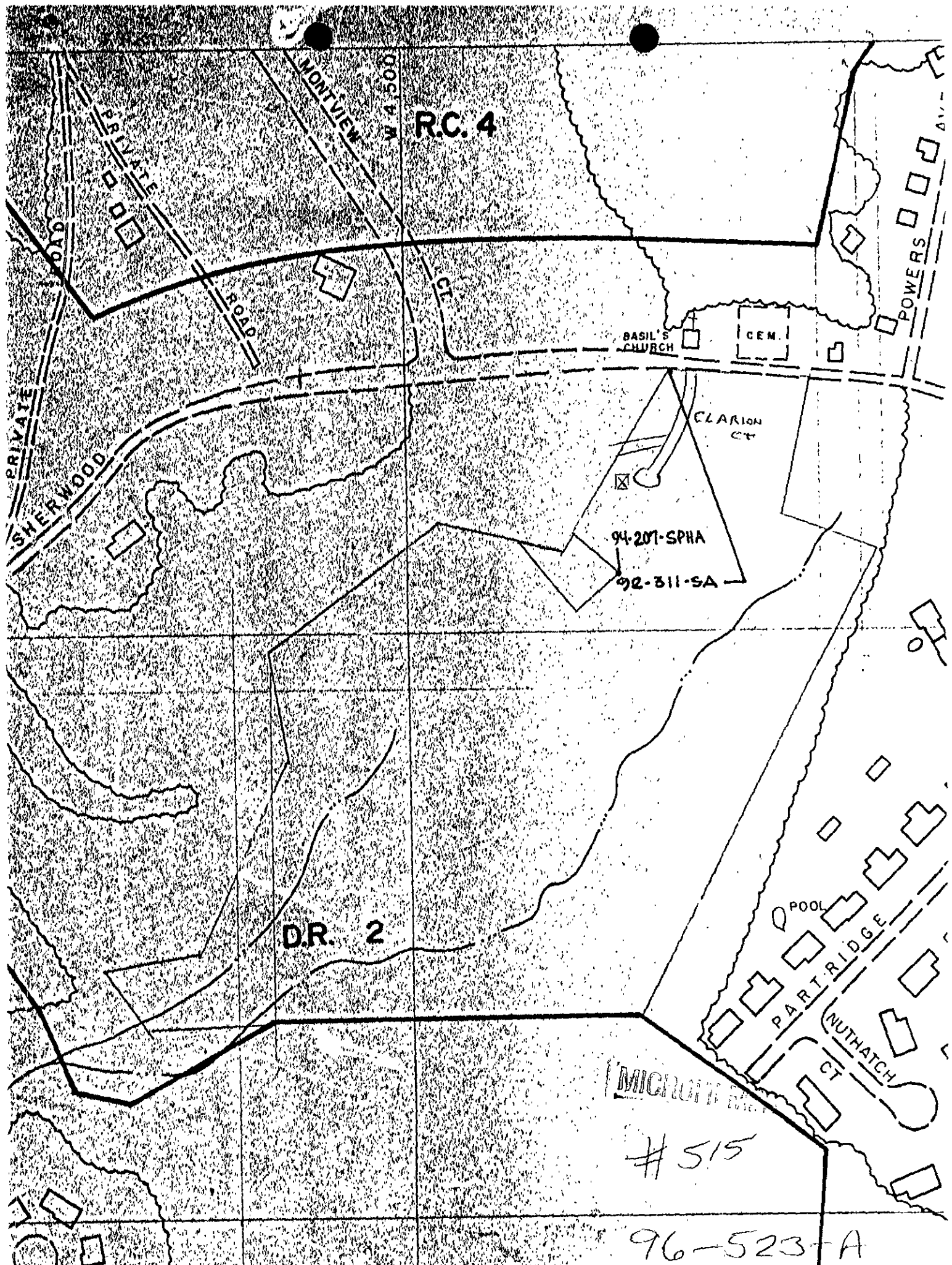
units together per entrance. Should we tally by apartment unit, the numbers would rise dramatically.

I could fax the tally sheets showing the individual unit addresses and checklists of defects, if you so request. They consist of 20 legal size pages. If you require those prior to our meeting, please call me at (410) 887-3373.

Sincerely,

Raymond S. Wisnom, Jr., Chief
Division of Code Inspections
and Enforcement

RSW/nmn



R.C. 4

DR. 2

BASIL'S CHURCH

CEM.

CLARION CT

94-201-SPHA

92-311-5A

POOL

PART RIDGE

NUTHATCH CT

MICROTT

#515

96-523-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

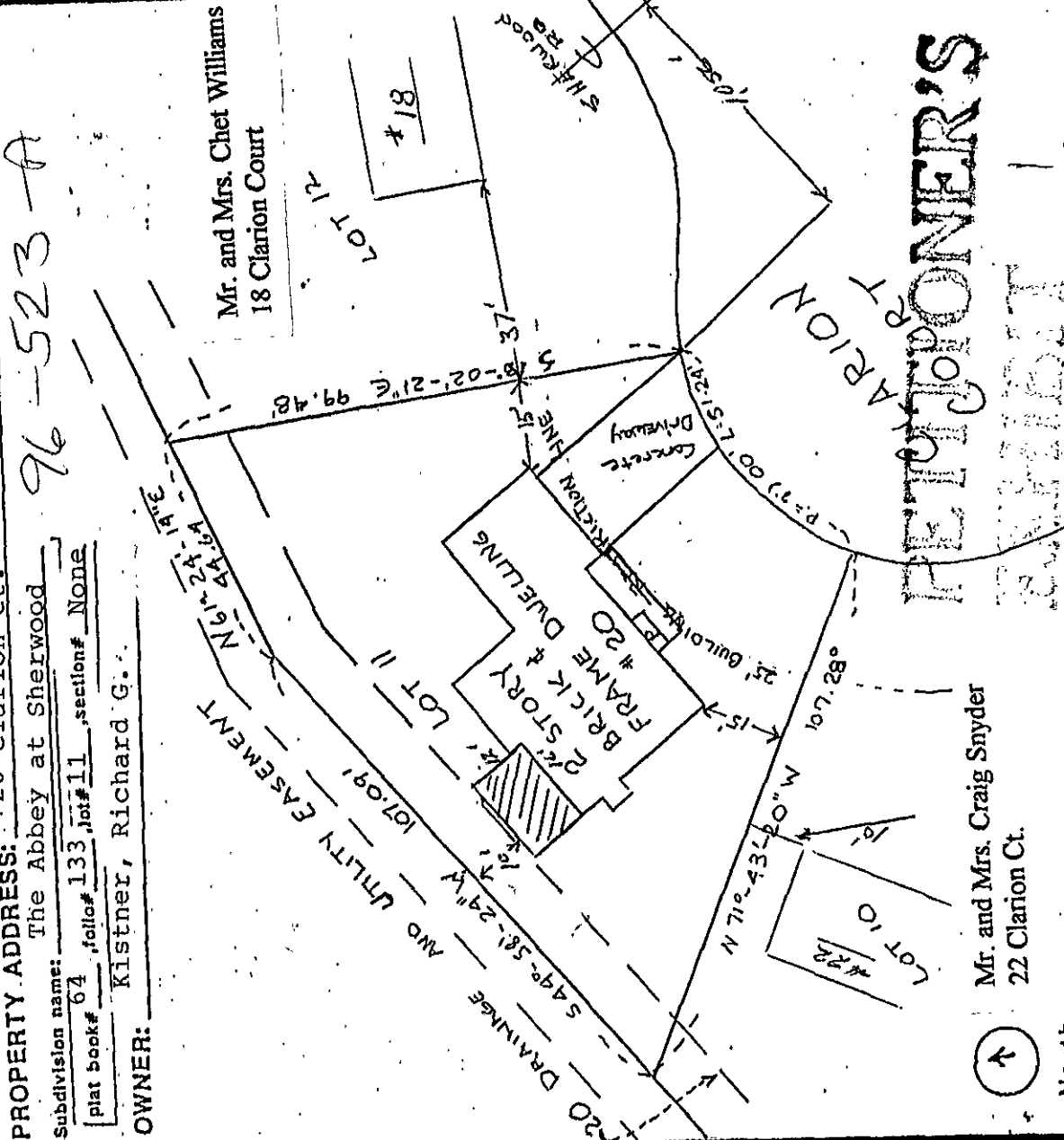
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 20 Clarion Ct.

Subdivision name: The Abbey at Sherwood

[plat book# 64, folio# 133, lot# 11, section# None]

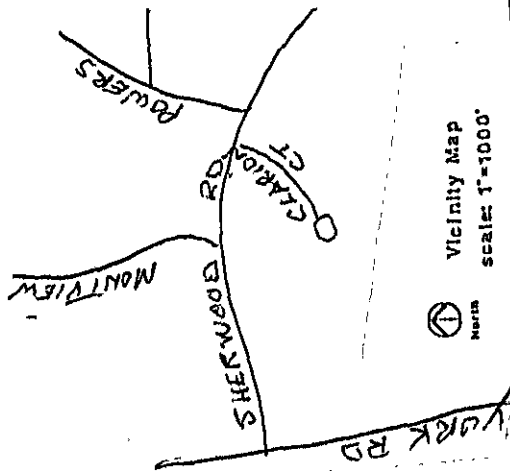
OWNER: Kistner, Richard G.



Mr. and Mrs. Craig Snyder
22 Clarion Ct.

North
date: 6/17/96
prepared by: R.L. Tice

Scale of Drawing: 1"=30'



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: .08

Councilmanic District: 3

1"=200' scale map# NW-a-17 Attached

Zoning: DR.2

Lot size: .217 acreage

square feet 9441

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☒ Yes ☐ No

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

5/5

PETITIONER'S
EXHIBIT 2

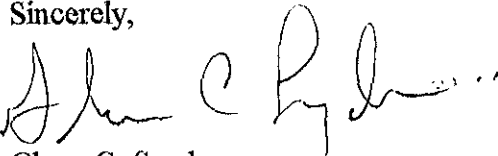
August 15, 1996

Dear Zoning Commissioner:

I am writing concerning Mr. and Mrs. Richard Kistner's variance request to build a deck on the back of their home. We live next door to the Kistner's at 22 Clarion Court, and we have absolutely no objection to this project being approved.

Mr. Kistner approached us, as he did the other neighbors, when he first considered the addition to see if we had any objections. We did not then and we still do not.

Sincerely,



Glenn C. Snyder



Karen L. Snyder
22 Clarion Court
Cockeysville, MD 21030

MICROFILMED

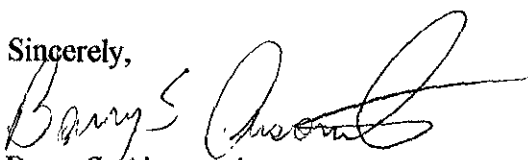
Barry S. Ainsworth
14 Clarion Ct.
Hunt Valley, Maryland 21030

August 19, 1996

To whom it may concern:

Concerning the proposed structure at 20 Clarion Court, I am aware of the design and feel that it would cause no problem for me or detract from the neighborhood.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barry S. Ainsworth", written in dark ink.

Barry S. Ainsworth

August 19, 1996

Dear Richard,

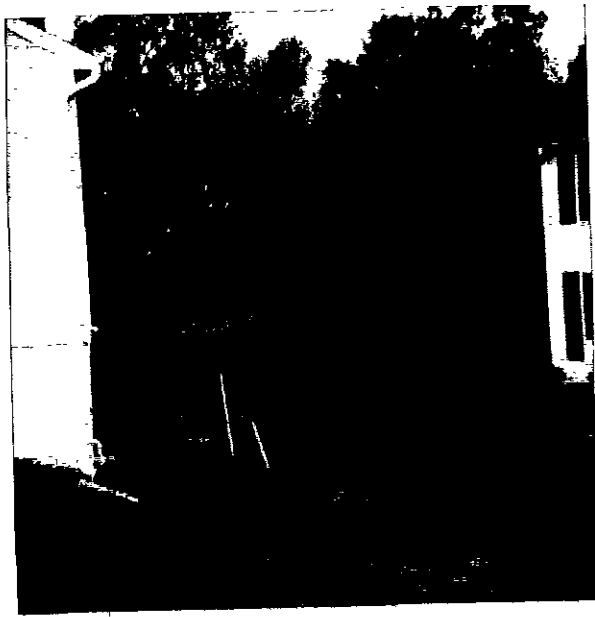
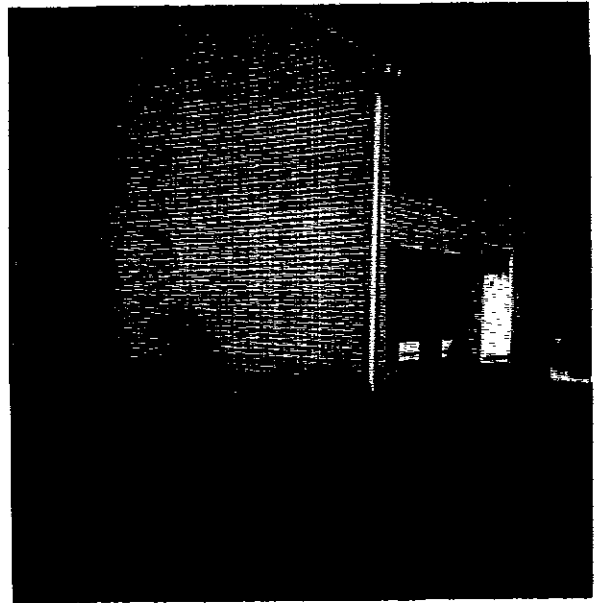
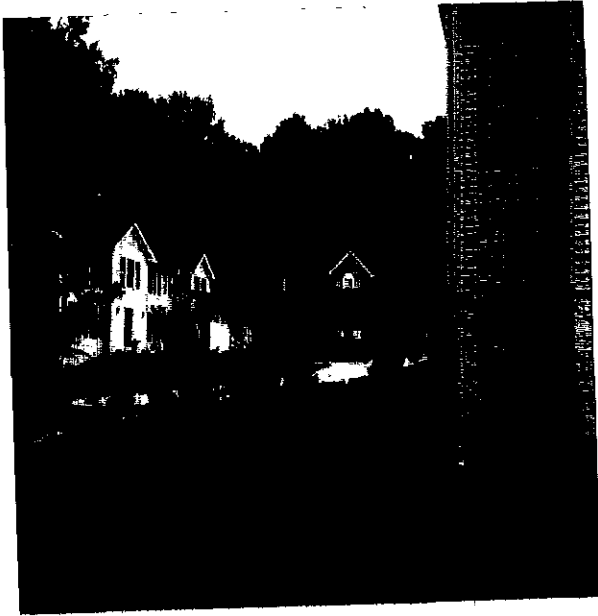
As a resident of this community and your neighbor, it concerns me to hear the conflicts you are faced with in building your new addition. I had hoped, when purchasing my home, I would be ingratiated in the community and given the latitude to develop my home and property as I saw fit. I am understanding of the need to appease our neighbors and be sensitive to their comfort and property values. However, based on what you had discussed with me, I am appalled that one of our neighbors would try to interfere with your plans. The attempt to block your plans seems selfish and far-fetched. Please keep me informed as to how this is resolved, and let me know if I can be of assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chet Williams", followed by a long horizontal flourish.

Chet Williams
18 Clarion Court

96-523-A



96-503-A

his wife and C. Morton Stewart and Josephine S. Stewart his wife and severally acknowledged the foregoing deed to be their respective act and deed.

James E. Ingram Jr. J. P.
as to acknowledgments of
John Waters, Mary E. Waters
James E. Ingram and Mary A
Ingram and the rest whose
signatures are hereto affixed

State of Tennessee

Franklin County

Personally appeared before me Elff Conger a Notary Public in and for said County and State, the within named C. Piggott the bargainer with whom I am personally acquainted and who acknowledged that he executed the within deed. Instrument for the purposes therein contained.

Witness my hand and Official seal at Sewanee Tennessee this 24th day of August 1897.

Elff Conger Notary Public

Notary Seal

Recorded Dec. 28th 1897 at 3.30 P. M. and examined per H. Bosley Merryman Clerk.

Adam Glueckert

wf.

Deed to
Mary Katherine Kohnmann
husb

This Deed made this 28th day of July in the year one thousand eight hundred and ninety seven by Adam Glueckert & Mary Ann Glueckert his wife of Baltimore County State of Maryland. Witnesseth, that in consideration of the sum of five dollars the said Adam Glueckert and Mary Ann Glueckert his wife doth grant unto Mary Katherine Kohnmann and Frank Kohnmann of Baltimore County their heirs and assigns in fee simple all that piece or parcel of ground situate lying and being in Second District Balto. Co. aforesaid and described as follows to wit:

Beginning for the — — — Being lot No. 4. as shown by a plat of the division of a part of the land of Adam Glueckert located in the 2nd district of Baltimore County State of Maryland as surveyed by Chas. B. McLean for J. D. O'Neil in April 1897 described as follows bounding on the west by Annie E. Stanfield and Adam Glueckert and separated therefrom by a 16 ft Ave to be left open for the use of persons residing thereon and on the south by Charles Glueckert and Herman Glueckert and on

168
Delivered for ticket
March 31/98

Petitioner's
Exhibit 3

photograph

96-523-A

MICROFILMED





