

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Nottingwood Road, 120 ft.
NW of c/l Spotswood Road * ZONING COMMISSIONER
9211 Nottingwood Road
14th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
Legal Owner: Sophie M. Rucker * Case No. 97-6-A
Contract Purchaser: M. Joan
Buedel, Petitioners
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 9211 Nottingwood Road in the Nottingham subdivision of Baltimore County. The Petition is filed by Sophie M. Rucker, property owner and her daughter, M. Joan Buedel. Variance relief is requested from Section 104.3 of the Baltimore County Zoning Regulations (BCZR) to allow a nonconforming addition to a residence that exceeds 25% of the ground floor area of the existing building or, in the alternative, a variance from Section 1B02.3.C.1 of the BCZR to allow a 10.5 ft. minimum side yard setback and a 21 ft. minimum of both side yards, in lieu of the 15 and 40 ft. side yard setbacks, respectively. The subject property and requested relief is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case were M. Joan Buedel and Sophie M. Rucker, Petitioners. Appearing in opposition to the request was Marie Simoes, an adjacent property owner. Ms. Simoes was represented by John Gontrum, Esquire. Other residents of the area opposed to the Petition also appeared, including E.G. and D.E. Chapolini, Helen Smith, Elsie and C.J. Siwa and Mrs. and Mrs. Ben Topa.

Ms. Buedel testified on behalf of the Petitioners and presented the site plan. That plan shows that the subject property is .14 acres in area, zoned D.R.2. The property is a rectangularly shaped lot in the subdivision known as Nottingham. The lot fronts Nottingwood Road and

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Date

By

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bears the address 9211 Nottingwood Road. The lot is 100 ft. in width and approximately 200 ft. in depth. Presently, the property is improved with an existing one story brick dwelling. Several photographs of the dwelling were submitted at the hearing. Those photographs and the testimony presented by Ms. Buedel was that the dwelling contains an attached garage, a basement and two bedrooms. Ms. Buedel also testified that her elderly mother resides on the property, as well as a disabled sister. Ms. Buedel testified that her mother has owned the property and resided thereon since the mid 1950s.

Ms. Buedel indicated that the Petitioners propose constructing a substantially sized addition to the rear of the structure. The area of the addition is clearly shown on the site plan. The addition will be large enough to accommodate two additional bedrooms, three bathrooms and a family room. This living space will be added to the two bedrooms, kitchen area, living room, dining room and single bath presently in the house. Ms. Buedel also indicated that the addition would be a single story, owing to her mother's age and sister's disability. It is envisioned that Ms. Buedel will come to live with these members of her family to assist them with their daily activities. Ms. Buedel further testified that she believes that the addition, where proposed, is the only suitable location for same.

Testifying on behalf of Ms. Simoes was William G. Ulrich, a registered professional land surveyor. Mr. Ulrich has visited the subject site and surveyed the property. His findings are shown on Protestant's Exhibit No. 4. Specifically, he testified that the existing residence owned by the Petitioner is 10-1/2 ft. (+/-) from the property line. He noted that the existing house is 27 ft. deep and that the proposed addition will add

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Date

By

5/15/96
C. J. Sparks

an additional 45 ft. of depth to the house. Mr. Ulrich's findings are clearly shown on Protestant's Exhibit No. 4.

Ms. Simoes also testified. She indicated that she has resided on her lot for 36 years. She testified that the Petitioner's lot is average for the neighborhood and similar to other lots in the community. She testified that the property at issue is not unique. She also noted that her house, which is immediately next door, fronts Spotswood Road; thus, the rear of her dwelling faces the Petitioner's property. She believes that the addition, as proposed, will detrimentally affect her property. Specifically, she indicated that if the addition is completed, her back porch and rear windows will face an unbroken wall 72 ft. in width. She believes that this will disrupt her view and is inappropriate for the community.

The consideration of variances by the Zoning Commissioner is governed by Section 307 of the BCZR. That section requires that the Petitioner demonstrate that a practical difficulty or undue hardship would result if the variance relief were denied. Moreover, there must be a showing that relief can be granted without detriment to the surrounding properties.

Section 307 has been construed by the Appellate Courts of this State. Most recently, the section was analyzed by the Court of Special Appeals in Cromwell v. Ward, 102 Md. App. 691 (1995). In that opinion, the Court noted the standards set forth in Section 307 of the BCZR. The Court also opined that the first step in adjudging any variance is to determine whether the property under consideration is unique. Specifically, the Court opined that variance relief can only be granted if special conditions or circumstances exist which are peculiar to the subject site, giving it a unique characteristic.

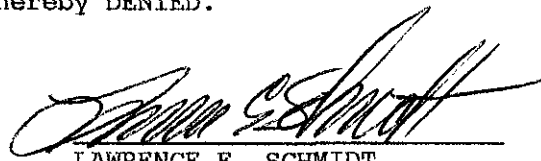
8/15/96
M. G. Ward

In this case, there can be no finding of uniqueness. The property is similar to others in the area. Thus, the variance relief cannot be granted.

Moreover, I am also persuaded by Ms. Simoes' concerns regarding the proposed addition. An unbroken wall, approximately 72 ft. in depth, is inappropriate for this neighborhood. Certainly, a property owner should be permitted to make improvements to his/her property, including enlarging and rehabilitating existing dwellings. However, the improvements here are entirely too large and out of scale with the existing neighborhood. As proposed, I believe that it would cause a detrimental effect to the Simoes property. For all of these reasons, the requested variance 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 Zoning Commissioner for Baltimore County this 15th day of August, 1996 that a variance from Section 104.3 of the Baltimore County Zoning Regulations (BCZR) to allow a nonconforming addition to a residence that exceeds 25% of the ground floor area of the existing building or, in the alternative, a variance from Section 1B02.3.C.1 of the BCZR to allow a 10.5 ft. minimum side yard setback and a 21 ft. minimum of both side yards, in lieu of the 15 and 40 ft. side yard setbacks, respectively, be and is hereby DENIED.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

IN THE MATTER OF
W/s Nottingwood Road, 120 ft.
NW of c/l Spotswood Road
(9211 Nottingwood Road)
14th Election District
6th Councilmanic District
Legal Owner: Sophie M. Rucker
Contract Purchaser: M. Joan
Buedel, Petitioners

* BEFORE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 97-6-A

* * * * *

O P I N I O N

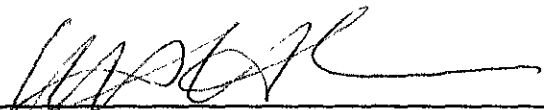
This matter comes before the Board on appeal from a decision of the Zoning Commissioner dated August 15, 1996 in which the Petition for Variance was DENIED.

WHEREAS, the Board is in receipt of a letter filed November 14, 1996 by M. Joan Buedel, Appellant /Applicant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeal filed in the above-referenced matter be dismissed as of November 14, 1996,

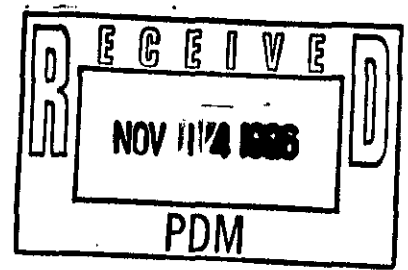
IT IS HEREBY ORDERED this 12th day of March, 1997 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Kristine K. Howanski, Acting Chairman


Harry E. Buchheister, Jr.


Charles L. Marks



520 Chalcot Square
Baltimore, MD 21221
410--687-7988
13 November 1996

Department of Permits & Development Management
111 W Chesapeake Avenue, Room 111
Towson, MD 21204

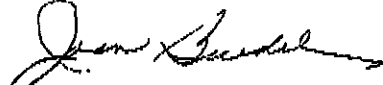
Attn: Ms. Julie Winiarski

Re: 97-6A

Gentlemen:

Please cancel my request for an appeal in the case listed above. The permit has been reissued. Thank you for your attention.

Regards,


M. JOAN BUEDEL



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 12, 1997

Ms. M. Joan Buedel
520 Chalcot Square
Baltimore, MD 21221

RE: Case No. 97-6-A
Sophie M. Rucker, L.O.
M. Joan Buedel, C.P.

Dear Ms. Buedel:

Enclosed please find a copy of the final Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Please note that this appeal was originally filed under Case No. 96-6-A, a case from which no appeal was ever taken.

Very truly yours,

Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

encl.

c: Sophie M. Rucker
John Gontrum, Esquire
Marie Q. Simoes
People's Counsel for Baltimore County
Pat Keller /Planning Director
Lawrence E. Schmidt /Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 15, 1996

Ms. M. Joan Buedel
Ms. Sophie M. Rucker
9211 Nottingwood Road
Baltimore, Maryland 21237

RE: Case No. 97-6-A
Petition for Zoning Variance
Property: 9211 Nottingwood Road

Dear Ms. Buedel and Ms. Rucker:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: John Gontrum, Esquire, 814 Eastern Boulevard, Balto. Md. 21221
c: Ms. Marie Q. Simoes, 1314 Spotswood Road, Balto. Md. 21237

MICROFILMED



RE: PETITION FOR VARIANCE
9211 Nottingwood Road, W/S Nottingwood
Road, 120' NW of c/l Spotswood Road
14th Election District, 6th Councilmanic

Legal Owner(s): Sophie M. Rucker
Contract Purchaser: M. Joan Buedel
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-6-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to Sophie M. Rucker, 9211 Nottingwood Road, Baltimore, MD 21237, and to M. Joan Buedel, 520 Chalcot Square, Baltimore, MD 21221, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

97-6-A

9211 NOTTINGWOOD ROAD 21237

which is presently zoned

DR2

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 Section 104.3 of the Baltimore County Zoning Regulations (BCZR) to allow a nonconforming building or alternatively, a variance to Section 1B02.3.c.1, BCZR, to allow a 10.5-foot minimum side yard setback and a 21-foot minimum of both side yards in lieu of 15 and 40 feet side setbacks.

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

SEE PAGE TWO.

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.

Contract Purchaser/Lessee:

M. JOAN BUEDEL

(Type or Print Name)

Signature

520 CHALCOT SQUARE

Address

BALTIMORE, MARYLAND

City

State

21221

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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.

Legal Owner(s):

SOPHIE M. RUCKER

(Type or Print Name)

Signature

N/A

(Type or Print Name)

Signature

9211 NOTTINGWOOD ROAD 410--686-3855

Address

Phone No.

BALTIMORE, MARYLAND

City

State

21237

Zipcode

Name, Address and phone number of representative to be contacted.

M. JOAN BUEDEL

Name

(DAUGHTER)

520 CHALCOT SQUARE

Address

W 410--636-4632

R 410--687-7988

BALTIMORE, MD

21221

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following date

Next Two Months

ALL

OTHER

REVIEWED BY: SM

DATE

7-2-96



Printed with Soybean Ink
on Recycled Paper

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97-6-A

EXISTING HOUSE HAS 1432 SQ FT OF LIVING SPACE. ADDITION OF 1279 SQ FT WHICH WILL INCLUDE TWO BEDROOMS AND A FAMILY ROOM. ADDITION WILL EXTEND THE WEST WALL OF EXISTING HOUSE. WEST WALL OF EXISTING HOUSE IS 27' AND EXTENSION WALL WILL BE 45' FOR A TOTALY OF 72'. EAST WALL OF EXTENSION IS 27' AND 34' ACROSS BACK WALL OF EXISTING HOUSE. NORTHWEST CORNER OF EXISTING HOUSE IS 10'6" FROM PROPERTY LINE. SOUTHWEST CORNER OF EXISTING HOUSE IS 13' FROM PROPERTY LINE. WHEN ADDITION IS COMPLETED THE SOUTHWEST CORNER WILL THEN BE 16' FROM PROPERTY LINE. IN ADDITION, HOUSE ON LOT #30 NORTHEAST CORNER IS 24' FROM LINE; WHILE SOUTHEAST CORNER IS 27' FROM PROPERTY LINE. THE NEW ADDITION TO HOUSE ON LOT#29 WILL BE TO THE BACK OF HOUSE ON LOT #30. THE GROUNDS OF LOT #30 IS LEVEL WITH LOT #29 ON NOTTINGWOOD ROAD. LOT #29 SLOWLY RAISES A FOOT HIGHER FROM NOTTINGWOOD ROAD TO THE REAR OF PROPERTY. WHILE LOT #30 IS LEVEL WITH LOT #29 ON NOTTINGWOOD ROAD IT HAS A QUICK RISE TO 4.5' HIGHER THAN LOT #29 AND GRADUALLY DECLINES TO MEET REAR OF LOT #29. (SEE PICTURES).

I LIVE 4½ MILES FROM MY MOTHER AND SISTER AND I AM FINDING IT DIFFICULT MANAGING TWO HOMES WHILE WORKING. I WILL MOVE FROM MY HOME TO THE NEW ADDITON. MY MOTHER IS 81 AND IS BECOMMING MORE FORGETFUL AS THE DAYS PASS. MY SISTER IS 47 YEARS OLD IS A CP CHILD AND NOT INDEPENDENTLY MOBILE. SHE MUST HOLD ON TO SOMEONE OR SOMETHING TO AMBULATE. HER MENTALITY IF THAT OF AN EIGHT YEAR OLD. SHOULD MYMOTHER PASS AND I WOULD STILL BE WORKING, I WOULD HAVE TO HIRE SOMEONE TO LIVE IN AND USE SPARE BEDROOM OR MAKE A SMALL APARTMENT OUT OF TWO EXISTING BEDROOMS. FAMILY ROOM WILL ALSO BE USE AS AN EXERCISE/THERAPY ROOM. THE POSSIBILITY OF BUILDING UP WILL NOT WORK BECAUSE MY SISTER DOES NOT DO STAIRS WELL NOR SHOULD MY MOTHER. PLANNED EXTENSION CANNOT BE SHIFTED OVER 5' BECAUSE OF EXISTING STAIRWAY TO BASEMENT.

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3

ZONING DESCRIPTION FOR 9211 NOTTINGWOOD ROAD

BEGINNING AT A POINT ON THE WEST SIDE OF NOTTINGWOOD ROAD WHICH IS 50 FEET
WIDE AT THE DISTANCE OF 120 FEET NORTHWEST OF THE CENTERLINE OF THE NEAREST
IMPROVED INTERSECTING STREET SPOTSWOOD ROAD WHICH IS 50 FEET WIDE, BEING
LOT #29, BLOCK _____, SECTION # _____ IN THE SUBDIVISION
OF NOTTINGHAM AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #14, FOLIO #037,
CONTAINING 20,000 SQUARE FEET. ALSO KNOWN AS 9211 NOTTINGWOOD ROAD AND
LOCATED IN THE 14 ELECTION DISTRICT, 6 COUNCILMANIC DISTRICT.

MICROFILMED

3

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 97-6-14
Towson, Maryland

District 14th

Date of Posting 7/17/96

Posted for: Variano

Petitioner: Sophie Buckner Jones Blvd

Location of property: 9211 Nothingwood Rd

Location of Sign: Facing roadway on property being zoned

Remarks: _____

Posted by: [Signature]

Signature

Date of return: 7/18/96

Number of Signs: 1

MICROFILMED

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 #97-6-A

(Item 3)
9211 Nottingham Road
W/S Nottingham Road, 120'
NW of c/s Spotswood Road
14th Election District,
6th Councilmanic

Legal Owner(s):
Sophie M. Rucker
Contract Purchaser:
M. Joan Bueck

Variance to allow a nonconforming addition to a residence that exceeds the 25% ground floor area of the existing building or alternatively, to allow a 10.5 foot minimum side yard setback and a 21-foot minimum of both side yards in lieu of 15 and 40 foot side setbacks.
Hearing: Friday, August 2, 1996 at 11:00 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-2353.
(2) For information concerning the file and/or Hearing, Please Call 887-5391.

7/17/96 July 18 06/756

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/18, 1996

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 1 successive weeks, the first publication appearing on 7/18, 1996.

THE JEFFERSONIAN,

A. H. Enidman
LEGAL AD. - TOWSON

UNRECORDED

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

No. 922380

97-6-A

DATE 07-02-96 ACCOUNT R-001-6150

AMOUNT \$ 85.00

RECEIVED FROM: Ms. Joan Buckel 9211 NOTTINGWOOD RD.

FOR: 010 VARIANCE 1.50
080 SIGN 35
TOTAL 185

RV +
SIGN

03A91HD472MICHR

MICROFILMED

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

SIA #3

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

No. 024809

DATE 8/23/96 ACCOUNT R-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: Sophie Buckel + Joan Buckel

FOR: VARIANCE APPEAL 175.00
SIGN 35.00
210.00

97-6-A
MICROFILMED

03A91HD472MICHR

\$210.00

VALIDATION OR SIGNATURE OF CASHIER

RYE

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

No. 024809

DATE 8/23/96 ACCOUNT R-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: Sophie Buckel + Joan Buckel

FOR: VARIANCE APPEAL 175.00
SIGN 35.00
210.00

97-6-A

03A91HD472MICHR

\$210.00

VALIDATION OR SIGNATURE OF CASHIER

RYE

DISTRIBUTION
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.: 5 Petitioner: SOPHIA M. RUCKER

Location: 9211 NOTTINGWOOD ROAD, BALTIMORE, MD 21237

PLEASE FORWARD ADVERTISING BILL TO:

NAME: M. JOAN BUEDEL

ADDRESS: 520 CHALCOT SQUARE

BALTIMORE, MD 21221

PHONE NUMBER: W 410--636-4632 R 410--687-7988



Baltimore County
Department of Permits and
Development Management

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

July 11, 1996

July 15, 1996 - Change of date

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: 97-6-A (Item 3)
9211 Nottingwood Road
W/S Nottingwood Road, 120' NW of c/l Spotswood Road
14th Election District - 6th Councilmanic
Legal Owner(s): Sophie M. Rucker
Contract Purchaser: M. Joan Buedel

Variance to allow a nonconforming addition to a residence that exceeds the 25% ground floor area of the existing building or alternatively, to allow a 10.5 foot minimum side yard setback and a 21-foot minimum of both side yards in lieu of 15 and 40 foot side setbacks.

HEARING: FRIDAY, AUGUST 9, 1996 at 11:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: M. Joan Buedel

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.

NOT RECORDED



TO: PUTUXENT PUBLISHING COMPANY
July 18, 1996 Issue - Jeffersonian

Please forward billing to:

M. Joan Buedel
520 Chalcot Square
Baltimore, Maryland 21221
636-4632

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
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HEARING: FRIDAY, AUGUST 2, 1996 at 11:00 a.m. in Room 106, County Office Building.

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.

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Baltimore County
Department of Permits and
Development Management

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

July 11, 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
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Variance to allow a nonconforming addition to a residence that exceeds the 25% ground floor area of the existing building or alternatively, to allow a 10.5 foot minimum side yard setback and a 21-foot minimum of both side yards in lieu of 15 and 40 foot side setbacks.

HEARING: FRIDAY, AUGUST 2, 1996 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Sophie M. Rucker
M. Joan Buedel

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





Baltimore County
Department of Permits and
Development Management

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

August 5, 1996

Ms. Sophie M. Rucker
9211 Nottingwood Road
Baltimore, MD 21237

RE: Item No.: 3
Case No.: 97-6-A
Petitioner: Sophie M. Rucker

Dear Ms. Rucker:

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 July 2, 1993.

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 dark ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



Baltimore County Government
Department of Community Development
Livability Code Enforcement Office



One Investment Place Suite 800
Towson, MD 21204

887-4032
Fax 887-5696

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: July 11, 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 No. 521, 2, (3), 4, 5, 6, and 7

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:

Barry L. Kerns

PK/JL

MICROFILMED

ITEM521A/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 3 (JRA)

Dear Ms. Watson:

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

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 217 • Baltimore, MD 21203-0217

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: 7-15-96

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

Item #'s:

1
2
3
4
5
6

R. Bruce Seeley

7-9-96

RBS:sp

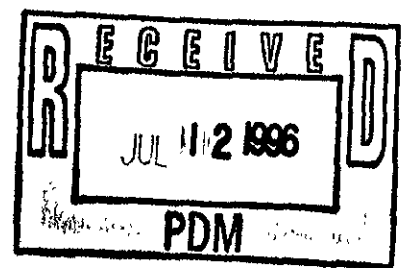
BRUCE2/DEPRM/TXTSBP

MICROFILMED

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: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 15, 1996.

Item No.: SEE BELOW

Zoning Agenda:

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: 2, 3, 4, 5, 6 and 7.

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

cc: File

MICROFILMED



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: August 5, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 9211 Nottingwood Road

INFORMATION:

Item Number:

3

97-6-A

Petitioner:

Sophie M. Rucker

Property Size:

Zoning:

DR-2

Requested Action:

Variance

Hearing Date:

/ /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, staff believes that it will be incumbent upon the Petitioner to prove hardship or practical difficulty in this case.

Prepared by:

Jeffrey W. Long

Division Chief:

Dennis Wertz for Gary Kerns

PK/JL

*Bob MADDOX
give correction
Notice + copy of this
Letter to owner
RSD*

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: June 19, 1996

TO: John R. Reisinger
County Buildings Engineer

FROM: John R. Alexander *JRA*
Planner II

SUBJECT: Permit #B-268251
9211 Nettingwood Road
14th Election District

Please rescind this office's approval of the above referenced building permit. It has been determined to have exceeded the 25% maximum ground floor area of a structure with a non-conforming setback per Section 104.3, BCZR.

JRA:scj

c: Rick Wisnom

3.

MICROFILMED

PETITION PROBLEMS

#3 --- JRA

1. No signature for contract purchaser.

#4 --- JRA

1. No telephone number for legal owner.

July 8, 1996

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 18, 1997
Permits & Development Management

FROM: Charlotte E. Radcliffe *CR*
County Board of Appeals

SUBJECT: Closed File: Case No. 97-6-A
 SOPHIE M. RUCKER, L.O. and
 M. JOAN BUEDEL, C.P.
 14th E; 6th C

As no further appeals have been taken in the above captioned case, which was dismissed by Order dated March 12, 1997, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-6-A)

SOPHIE M. RUCKER, L.O. AND
M. JOAN BUEDEL, C.P.

#97-6-A

W/s Nottingwood Road, 120' NW of
c/l Spotswood Road
(9211 Nottingwood Road)

6th E.D.

Case History

August 23, 1996 Notice of Appeal received from Joan Buedel and
Sophie M. Rucker, Petitioners/Appellants.

Note: Appellants incorrectly noted case No.
96-6-A. All materials relative to 96-6-A
forwarded to the CBA by Rosalyn/ PDM 8/27/97.

November 14, 1996 Letter from M. Joan Buedel requesting
dismissal of case No. 97-6-A, since permit has
been reissued.

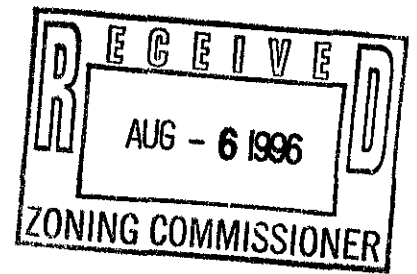
November, 1996 T/C to Julie Winiarski /PDM by Charlotte
Radcliffe /CBA, requesting a copy of file
under case No. 97-6-A in order to open and
dismiss the correct case. Julie informed that
she would send copy once file was found.

February, 1997 Copy of Case No. 97-6-A (partial file)
received from Gwen Stephens /PDM.

March 12, 1997 Order of Dismissal issued by the Board.
(Robert Cannon notified that his case #96-6-A
was never appealed)

✓E

9918 Philadelphia Road
Baltimore, MD 21237
July 31, 1996



Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Old Courthouse
400 Washington Avenue
Towson, MD 21204

Re: Case 97-6-A

Dear Mr. Schmidt:

Since the 1950's, I have resided in the community of Nottingham. My home at 9918 Philadelphia Road is located in Plat 1 of the subdivision, and my lot is adjacent to the back of lot 29 and lot 30 at 9211 and 9209 Nottingham Road respectively.

I understand that Ms. Joan Buedel, daughter of Sophie Rucker, is planning a large addition to the home at 9211 Nottingham. In this community, we are proud of our homes and the open space of our sites. I feel that this addition which almost doubles the size of the existing home will have negative impacts on that open space. It also may set a precedent for future projects in our neighborhood.

My age and health prevent my attending the hearing on this case scheduled for August 9. However, I wanted you to know that I am opposed to the size of this proposed addition and feel that the variance for its construction should be denied.

Thank you for considering my opinion on this issue.

Sincerely,

A handwritten signature in dark ink, appearing to read "Philip N. Schuler", with a stylized flourish at the end.

Philip N. Schuler

MICROFILMED

Nottingham Improvement Association, Inc.

(NOTTINGHAM)

Baltimore, Maryland 21237

9207 Nottingwood Road

August 1, 1996

Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Old Court House
400 Washington Avenue
Towson, MD 21204



Re: Case 97-6-A

Dear Mr. Schmidt:

On June 9, 1996, the following members of the Board of Directors of the Nottingham Improvement Association met to discuss the proposed addition to 9211 Nottingwood Road and its compliance with the covenants of our subdivision:

Debbie Babikow	Eileen Sfakianakis
Leah Bark	Marie Simoes
Richard DeSimone	Helen Smith

After discussion, consensus was reached by the Board that this addition, if approved by Baltimore County, should comply with the setback of 15 feet from any side lot line as stipulated by Baltimore County regulations as well as our covenants. Two members of the Board, Ernest Chapolini and Elsie Siwa, were unable to attend the meeting and expressed their views by phone earlier. The only other Board member, Betty Chaubert, was vacationing and unable to participate.

As a result of the Board's consensus, the enclosed letter was sent to Ms. Buedel. As of August 1, the Nottingham Association has not heard from Ms. Buedel regarding this issue.

When my home at 9207 Nottingwood Road was built by my in-laws, the trenches for the foundation were excavated too close to the side lot line of 9205 Nottingwood Road. Immediately, the plan was required to be adjusted to the proper 15-foot setback, and the foundation was moved accordingly. My personal experience reminded me of the importance of setbacks in our community. I feel that all development, including the addition at 9211 Nottingwood Road, should comply with Baltimore County regulations as well as our subdivision's covenants. Any exception or variance simply opens the door for more to come.

I appreciate your consideration.

Sincerely yours,

Richard DeSimone
vice-president

RECORDED

Nottingham Improvement Association, Inc.

(NOTTINGHAM)

Baltimore, Maryland 21237

1314 Spotswood Road
Baltimore, MD 21237
June 9, 1996

M. Joan Buedel
520 Chalcot Square
Baltimore, MD 21221

Dear Ms. Buedel:

Enclosed is a copy of the Covenants governing Plats I and II of the subdivision of Nottingham established in 1947. Recently, we were made aware of your plans to build an addition to the existing structure on lot 29 at 9211 Nottingwood Road.

Section 10 of the Covenants states the following:

No building shall be located on a lot nearer than forty feet to the front line; nor nearer than fifteen feet to any side lot line, except porches attached to a dwelling and buildings in the rear of a dwelling.

When the structure at 9211 Nottingwood Road was built in the early 1950's, the builder provided only 10.5 feet as a setback at the side lot line adjacent to lot 30 at 9209 Nottingwood Road.

We understand that your planned addition to the existing structure at 9211 Nottingwood Road will extend from the said structure along the established setback of 10.5 feet. At this time, the Board of Directors of the Nottingham Improvement Association, Inc. is requiring compliance with the Covenants which establish 15 feet as a setback from any side lot line.

We are hoping that plans for this addition at 9211 Nottingwood Road will be amended to satisfy the stated requirements. However, the Nottingham Improvement Association, Inc. and/or any other interested party reserve the right to pursue non-compliance as a civil matter.

Sincerely,

Marie Quintana Simoes

Marie Quintana Simoes
president

Nottingham Improvement Association, Inc.

Nottingham Improvement Association, Inc.

(NOTTINGHAM)

Baltimore, Maryland 21237

~~1314 Spotswood Road~~
Baltimore, MD 21237
June 9, 1996

9209 Nottingwood Road

M. Joan Buedel
520 Chalcot Square
Baltimore, MD 21221

Dear Ms. Buedel:

Enclosed is a copy of the Covenants governing Plats I and II of the subdivision of Nottingham established in 1947. Recently, we were made aware of your plans to build an addition to the existing structure on lot 29 at 9211 Nottingwood Road.

Section 10 of the Covenants states the following:

No building shall be located on a lot nearer than forty feet to the front line; nor nearer than fifteen feet to any side lot line, except porches attached to a dwelling and buildings in the rear of a dwelling.

When the structure at 9211 Nottingwood Road was built in the early 1950's, the builder provided only 10.5 feet as a setback at the side lot line adjacent to lot 30 at 9209 Nottingwood Road.

We understand that your planned addition to the existing structure at 9211 Nottingwood Road will extend from the said structure along the established setback of 10.5 feet. At this time, the Board of Directors of the Nottingham Improvement Association, Inc. is requiring compliance with the Covenants which establish 15 feet as a setback from any side lot line.

*Signature
Vote?*

We are hoping that plans for this addition at 9211 Nottingwood Road will be amended to satisfy the stated requirements. However, the Nottingham Improvement Association, Inc. and/or any other interested party reserve the right to pursue non-compliance as a civil matter.

Sincerely,

Marie (Quintana) Simoes

Marie Quintana Simoes
president

3.
MICROFILMED

Covenants, conditions, restrictions and agreements governing
Nottingham Plats I and II;

(1) It is hereby expressly stated and provided that nothing herein contained shall constitute a dedication of any street, lane or road now or hereafter shown on said plat, the title to all such streets, lanes or roads being hereby expressly reserved to the Grantor, its successors and assigns, nor shall any deed from the Grantor hereafter made, conveying any part of the land included in said tract, be held to convey the title to or to dedicate the bed of any street, lane or road except where expressly so conveyed or dedicated in the deed. The Grantor reserves to itself, its successors and assigns, the right to grade, change the grade of and regrade any and all streets, lanes, or roads now or hereafter shown on said plat; also the right to dedicate to public use and the right to convey to any public authority or to any corporation having power to acquire the same, all its right, title and interest in and to any street, lane or road shown on said plat or hereafter laid out in said tract, subject to the rights of persons acquiring land included in said tract as hereinafter mentioned. The Grantor hereby gives and grants to any person acquiring land included in said tract the right to such use of the streets, lanes or roads shown on said plat as may be necessary for the reasonable and convenient ingress to and egress from the land so acquired.

(2) The Grantor reserves to itself, its successors and assigns, the right and easement to construct, maintain and repair, on a five-foot strip along the rear of each of said lots, poles, wires, anchors and guys, with their attachments which may be necessary in furnishing electric current, telephone, or other public utility services, to the occupants of said tract. The said strips may also be used for the construction, maintenance and repair of pipes or conduits to carry such wires below ground, and for the construction and maintenance of storm water drains, land drains, sewers, pipe lines supplying gas, water or heat, and for any other public or quasi-public utility or function conducted, maintained, furnished or performed in any method beneath the surface of the ground. The Grantor, its successors and assigns, shall have the right to enter upon said strips of land for any of the purposes for which said easements and rights-of-way are reserved, and also to prune and trim any tree or shrub on any lot that interferes with the construction, maintenance or efficiency of said electric current, telephone or other public utility service. The Grantor further reserves to itself, its successors and assigns, the right to grant, assign or convey easements to, in and over said reservations to any public authority or to any corporation having power to acquire the same. The Grantor, however, assumes no liability or obligation to install or maintain any of the aforesaid services.

(3) The land included in said tract shall be used for private residence purposes only, and no building of any kind whatsoever shall be erected or maintained thereon except (a) detached, single private dwelling houses designed for occupancy by not more than two families; (b) private garages for the sole use of the respective owners or occupants of the lots upon which said garages are erected; and (c) such other non-commercial buildings as may be in keeping with these covenants, conditions, restrictions and agreements. This restriction shall not preclude a physician or dentist from having an office in his home.

(4) No building shall be erected, altered, placed or permitted to remain on said tract until the external design and location thereof have been approved in writing by the Grantor, its successors and assigns, or its duly appointed architect. The Grantor reserves the right to itself, its successors and assigns, at its option, to delegate the aforesaid right of approval to a neighborhood committee composed of lot owners in said tract on such terms and conditions as it may deem proper.

(5) No dwelling costing less than ^{Seven} ~~Five~~ Thousand (~~\$5,000~~) Dollars shall be erected or maintained on any lot; nor shall the ground floor area of any dwelling be less than 650 square feet.

(6) No dwelling shall be erected or placed on any lot which has an area of less than 15,000 square feet or a width of less than 75 feet at the front building setback line. No lot shall be divided or sub-divided except by the Grantor, its successors and assigns.

(7) No trailer, basement, tent, shack, garage, barn or other outbuilding erected or maintained on any lot shall at any time be used as a residence temporarily or permanently nor shall any structure of a temporary character be used as a residence.

(8) No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

(9) No sewage disposal systems shall be constructed or maintained on said tract other than septic tanks.

(10) No building shall be located on any lot nearer than forty feet to the front lot line; nor nearer than fifteen feet to any side lot line, except porches attached to a dwelling and buildings in the rear of a dwelling.

(11) At no time shall the land included in said tract, or any part thereof, or any building erected thereon, be occupied by a person of any race other than the white race; provided, however, that this prohibition shall not preclude occupancy by persons of a race other than the white race while employed in or about the premises by the owner or occupant of any land included in said tract.

(12) No live-stock or domestic animals, except those ordinarily kept as pets, shall be kept on said tract; nor shall such pets or any fowl be kept for commercial purposes, nor in numbers that in the opinion of the Grantor are obnoxious to health, peace and quiet, provided, however, that this prohibition shall not preclude the Grantor from maintaining draft animals on this tract during the development thereof.

(13) It is covenanted and agreed between the parties hereto that all covenants, conditions, restrictions and agreements herein set out, shall be held to run with and bind the land or lots subject thereto and all subsequent owners and occupants thereof until June 1, 1966, and shall be enforceable by the Grantor, its successors and assigns, as hereinafter set forth, or by the owner of any lot or lots subject thereto, except that the Grantor, its successors and assigns, shall have the sole rights relative to streets, roads and easements. The said covenants, conditions, restrictions and agreements shall be automatically extended for successive periods of ten years from June 1, 1966, unless by a vote of the majority of the then owners of the lots, it is agreed to change them in whole or in part. The violation of any of the provisions herein contained is hereby declared to be a nuisance, which may be remedied by the Grantor, its successors and assigns, or by the owner of any lot or lots subject thereto, with the exceptions above mentioned, by appropriate legal proceedings.

(14) The owner of any portion of said land or of any lot or lots shall be entitled to prosecute proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, conditions, restrictions and agreements herein contained, and either prevent him or them from so doing or recover damages for such violation.

(15) Any failure by any party entitled to enforce any of the covenants, conditions, restrictions and agreements herein contained, shall in no event be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior or subsequent thereto.

(16) Should any court or public authority of competent jurisdiction invalidate any of the foregoing covenants, conditions, restrictions and agreements, such action shall in no wise affect those not invalidated, which shall remain in full force and effect.

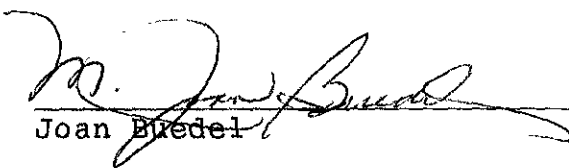
The above are still in force except where superseded by County, State, or Federal law.

August 23, 1996

Honorable Lawrence R. Schmidt
Zoning Commissioner
Court House
Towson, Maryland 21204

Dear Commissioner Schmidt:

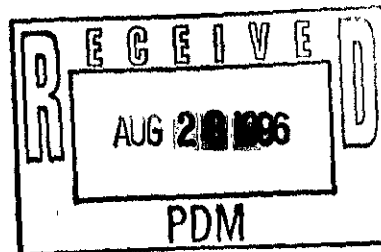
Please note an appeal to the Board of Appeals from your Opinion and Order of August 15, 1996, in 96-6-A. My check in the amount of \$210.00, ie \$175.00 and \$35.00, is enclosed.


Joan Buedel


Sophie M. Rucker

9211 NOTTINGWOOD RD.
BALTIMORE, MD 21237

cc: People's Counsel
John Gontrum, Esquire
Marie Simoes



Appeal was prepared based on the incorrect case no. 96-6-A.
Joan Buedel indicated that the appeal would be withdrawn.

MICROFILMED

520 Chalcot Square
Baltimore, MD 21221
410--687-7988
13 November 1996

Department of Permits & Development Management
111 W Chesapeake Avenue, Room 111
Towson, MD 21204

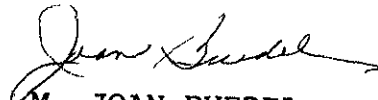
Attn: Ms. Julie Winiarski

Re: 97-6A

Gentlemen:

Please cancel my request for an appeal in the case listed above. The permit has been reissued. Thank you for your attention.

Regards,


M. JOAN BUEDEL

MICROFILM

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

E. F. CHAPLIN

9203 RAVENWOOD RD

D. E. CHAPLIN

9203 RAVENWOOD RD

Helen Smith

9230 RAVENWOOD Rd

ELsie Siwa

9202 RAVENWOOD Rd

C. J. Siwa

9202 RAVENWOOD Rd

Ben Topa

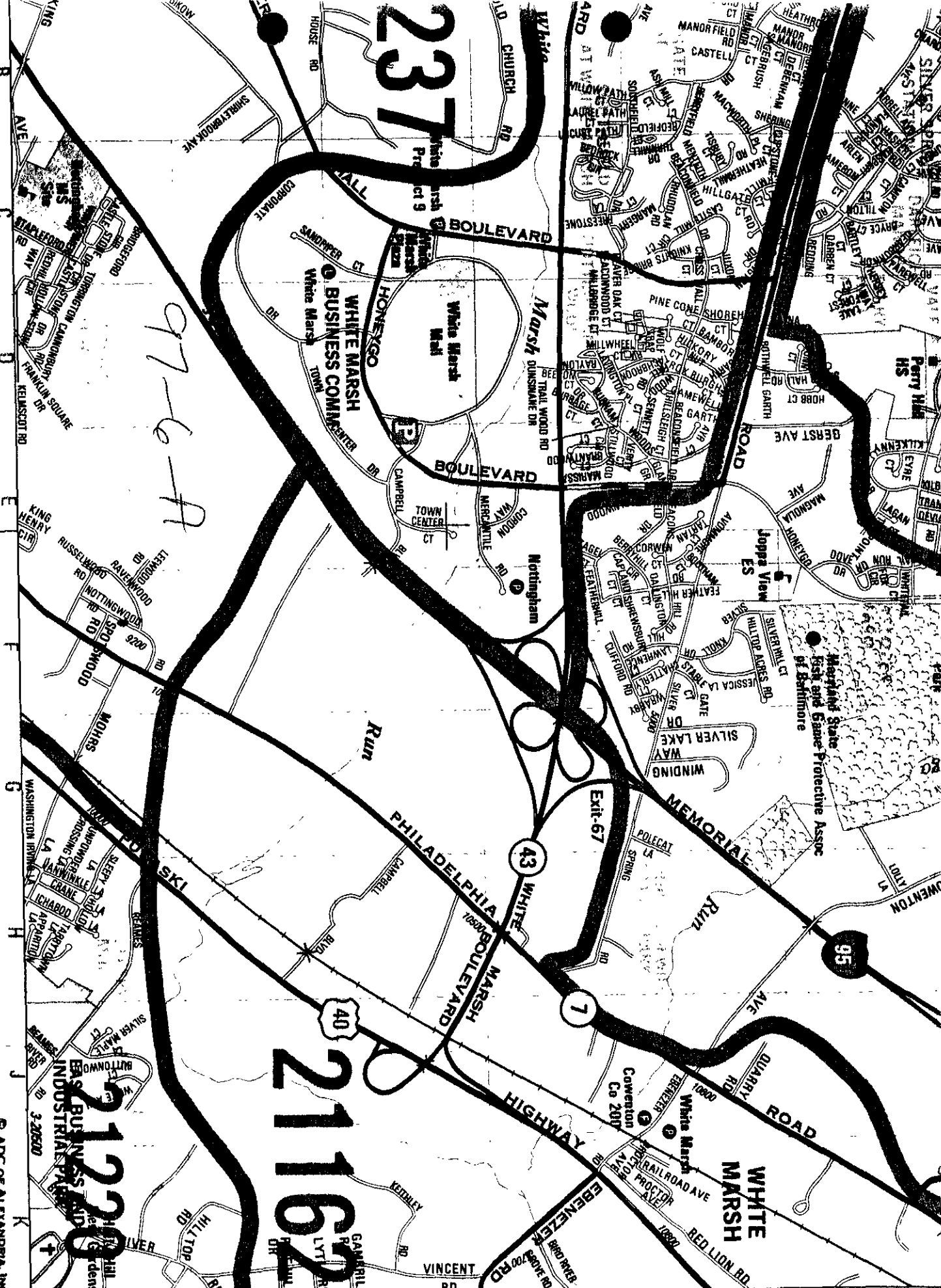
9213 Nottingwood RD

Marie D. Simoes

1314 Spotswood Rd. at 9209 Nottingwood Rd.

John Gontars

MICROFILMED



950,000 FT Joins Map 37 76°27'30"

MD GRID 960,000 FT #3

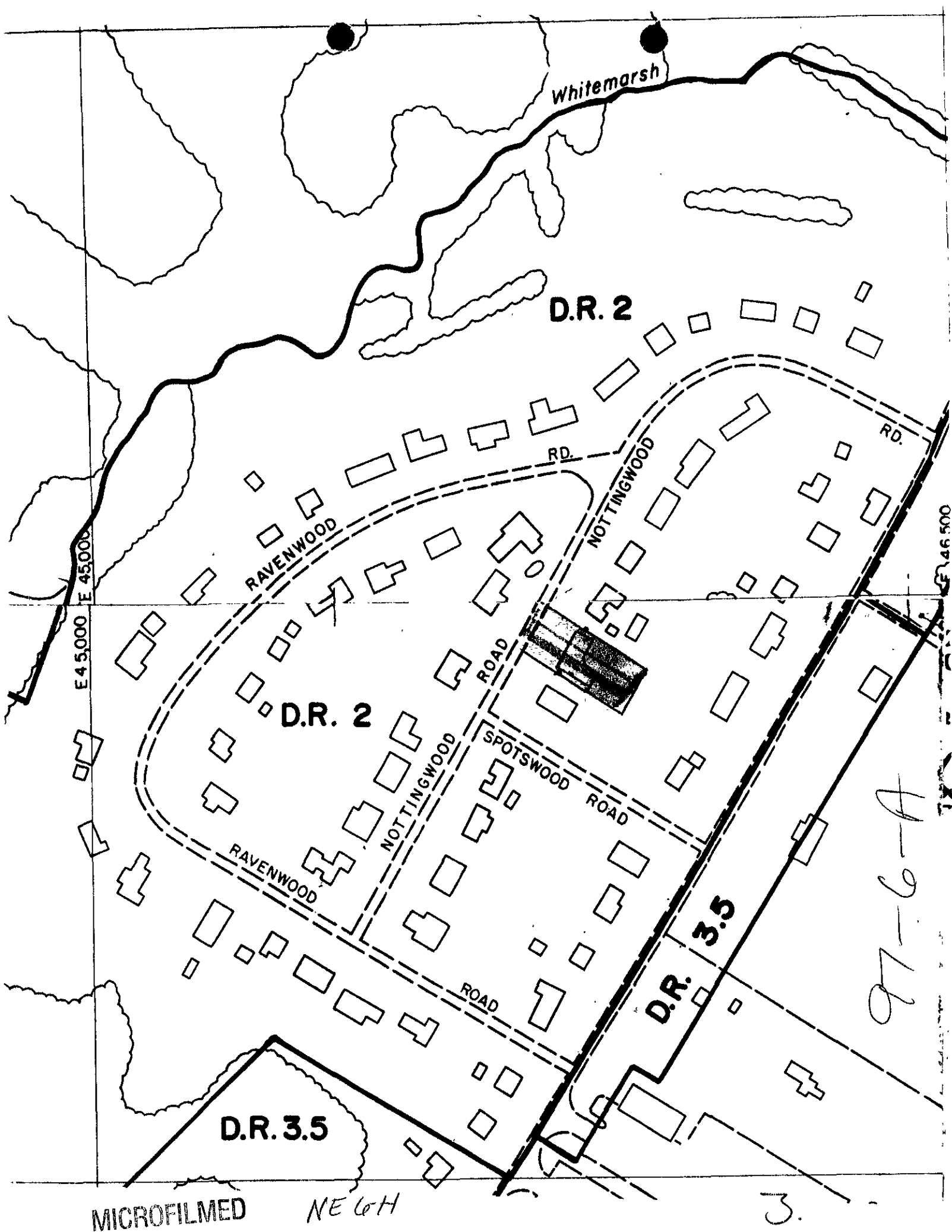
© ADC OF ALEXANDRIA, INC.

MICROFILMED

MD GRID 560,000 FT

39°22'30"

Join



Whitemarsh

D.R. 2

D.R. 2

D.R. 3.5

D.R. 3.5

MICROFILMED

NE 6H

97-6-A

3.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

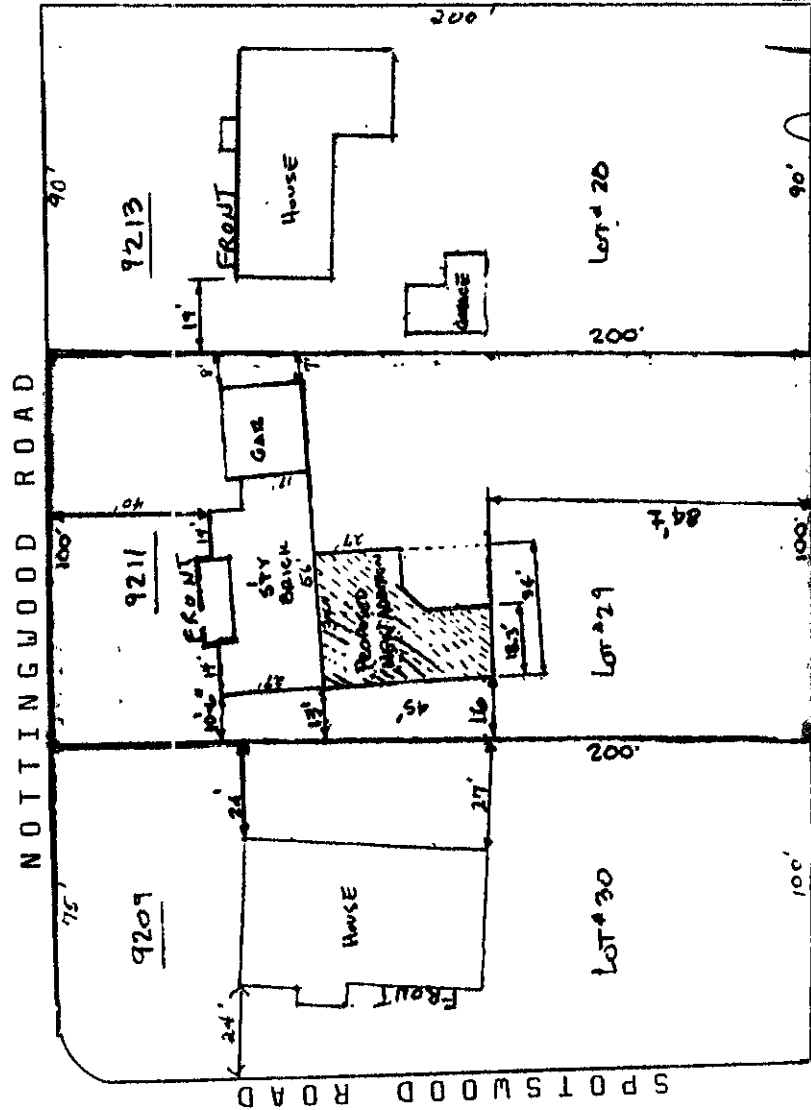
PROPERTY ADDRESS: 9211 NOTTINGWOOD ROAD

Subdivision name: NOTTINGHAM

plat book # 14, folio # 037, lot # 29, section #

OWNER: SOPHIA M. RUCKER

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



North

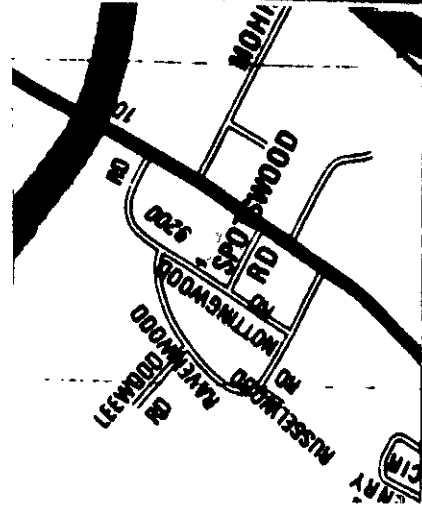
date: 02 JUL 96

prepared by: J. BUEDEL

Scale of Drawing: 1" = 50'

97-6-A

101



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: 14

Councilmanic District: 6

1"=200' scale map #: NUG-H

Zoning: DR-2

Lot size: 0.14 20,000
acres square feet

SEWER: ☒ public ☐ private
WATER: ☒ yes ☐ no
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: JULIA ITEM #: 3 CASE #:

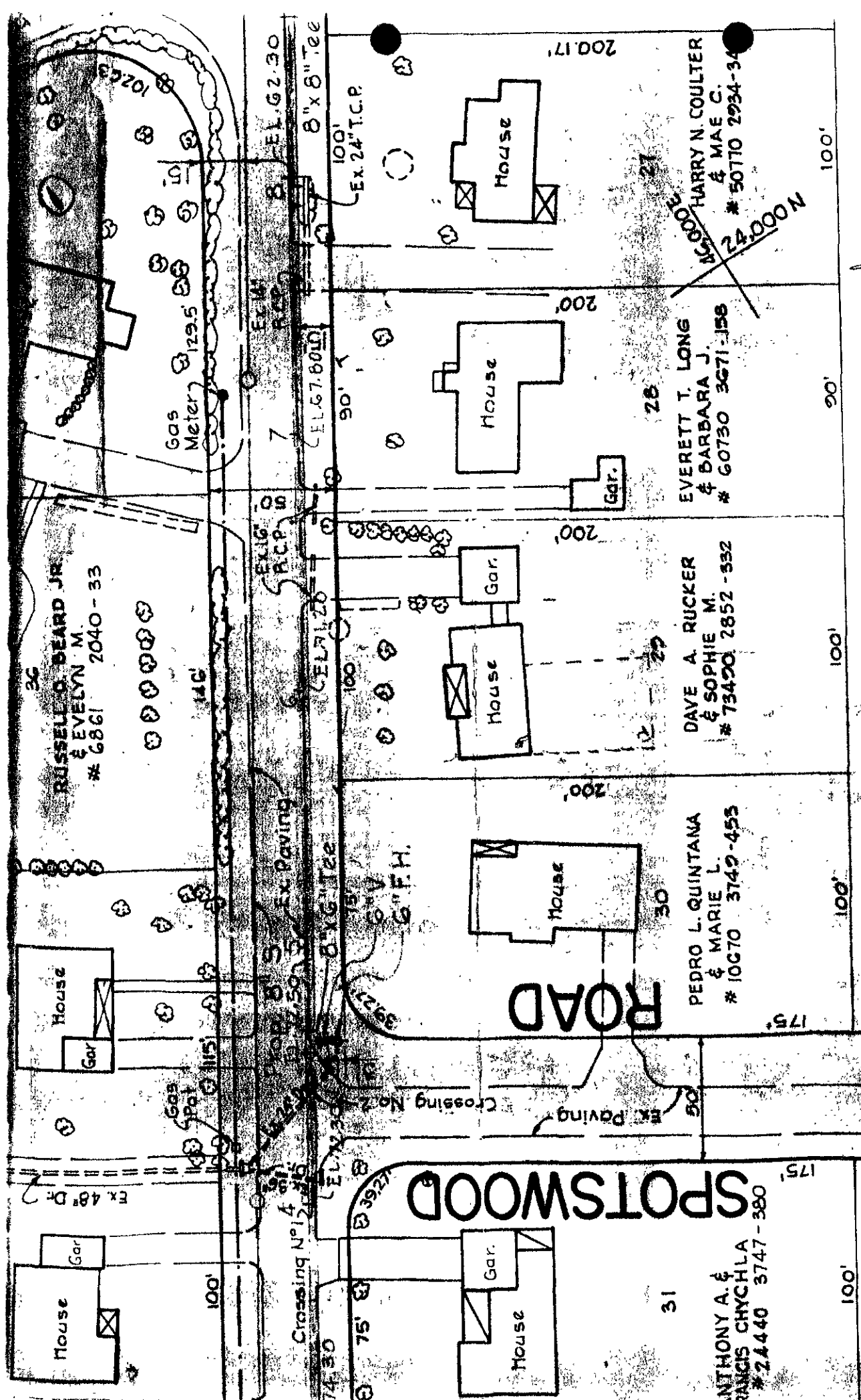
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97-6-A

MICROFILMED

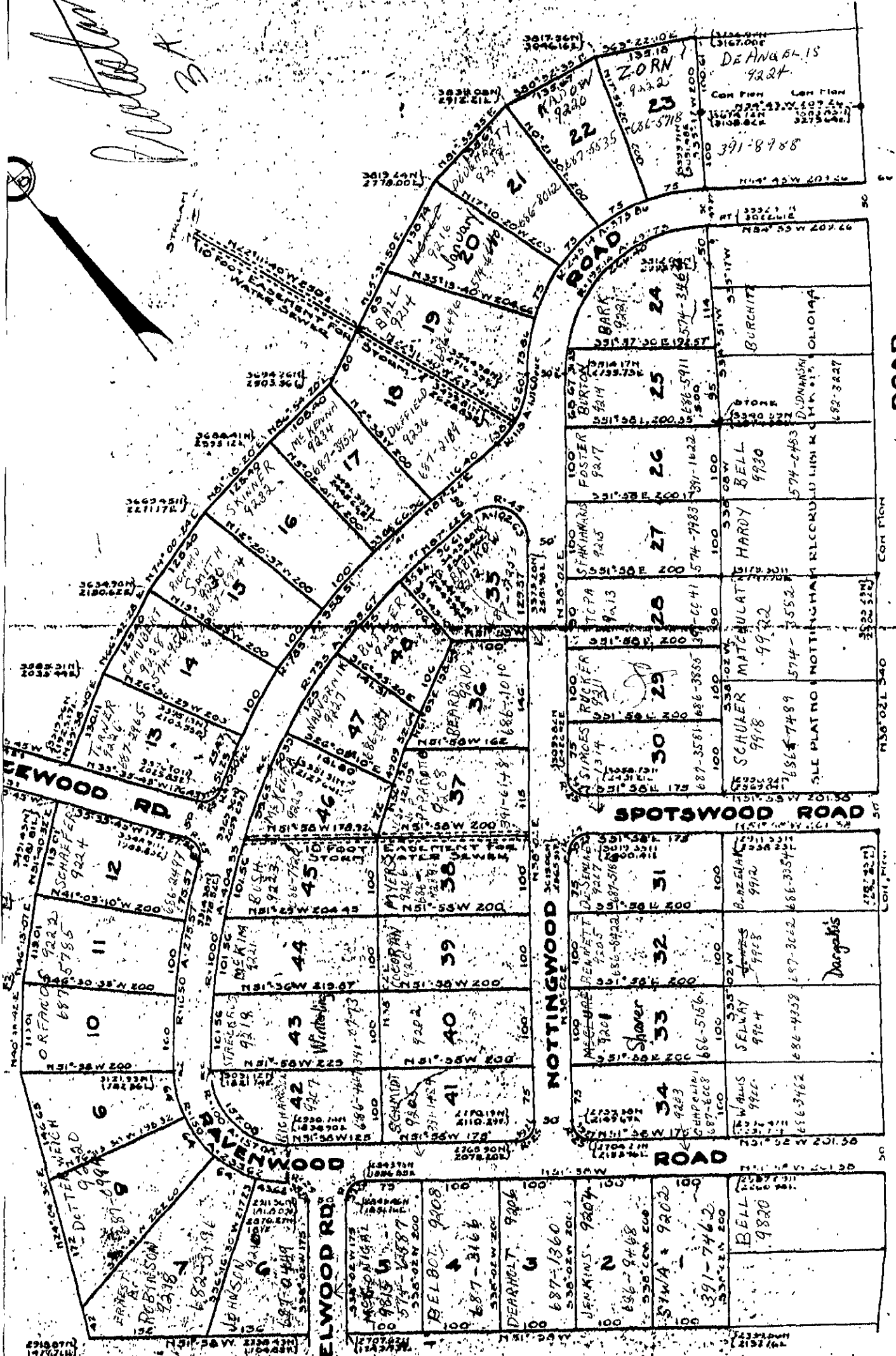


MICROFILMED

97-6-A
PLAN
 Scale: 1" = 50'

Ind. No. 3

Nottingham
3A



PLAT NO. 2
NOTTINGHAM

A SUBDIVISION OF NOTTINGHAM VILLAGE, INCORPORATED.
14TH, DISTRICT BALTO. CO., MD.

MICROFILMED

Black German Dew

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+ 5 across Phil.
62

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Richardson
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WATER MAIN

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NOTTINGWOOD

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N 38° 02' E

N 38° 02' E

ROAD

SPOTSWOOD ROAD

CHIAPOLNI

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MICROFILMED

RECORDED LIBER CNA

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Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 9211 NOTTINGWOOD ROAD

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

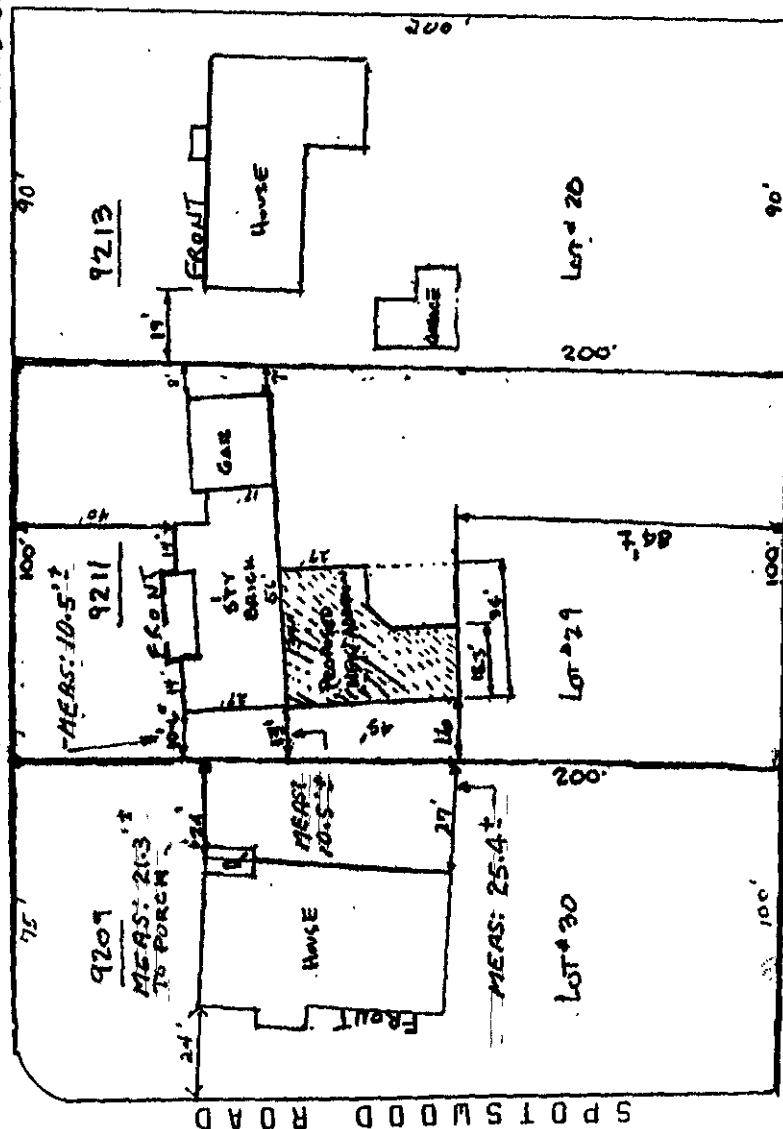
Subdivision name: NOTTINGHAM

plat book # 14, folio# 037, lot# 29, section#

OWNER: SOPHIA M. RUCKER

NOTE: FIGURES IN RED
ARE FIELD MEASUREMENTS
8-2-96 BY

NOTTINGWOOD ROAD GERHOLD CROSS # ETZEL
PROFESSIONAL LAND SURVEYORS



LOCATION INFORMATION

Election District: 14

Councilmanic District: 6

11-200' scale map#: NLG-H

Zoning: DR-2

Lot size: 0.14 20,000
acres square feet

Chesapeake Bay Critical Area:

public	☒	private	☐
SEWER:	☒	yes	☐
WATER:	☒	no	☒

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

1000

Scale of Drawing: 1" = 50'

North

date: ~~02~~ JUL 96
prepared by:

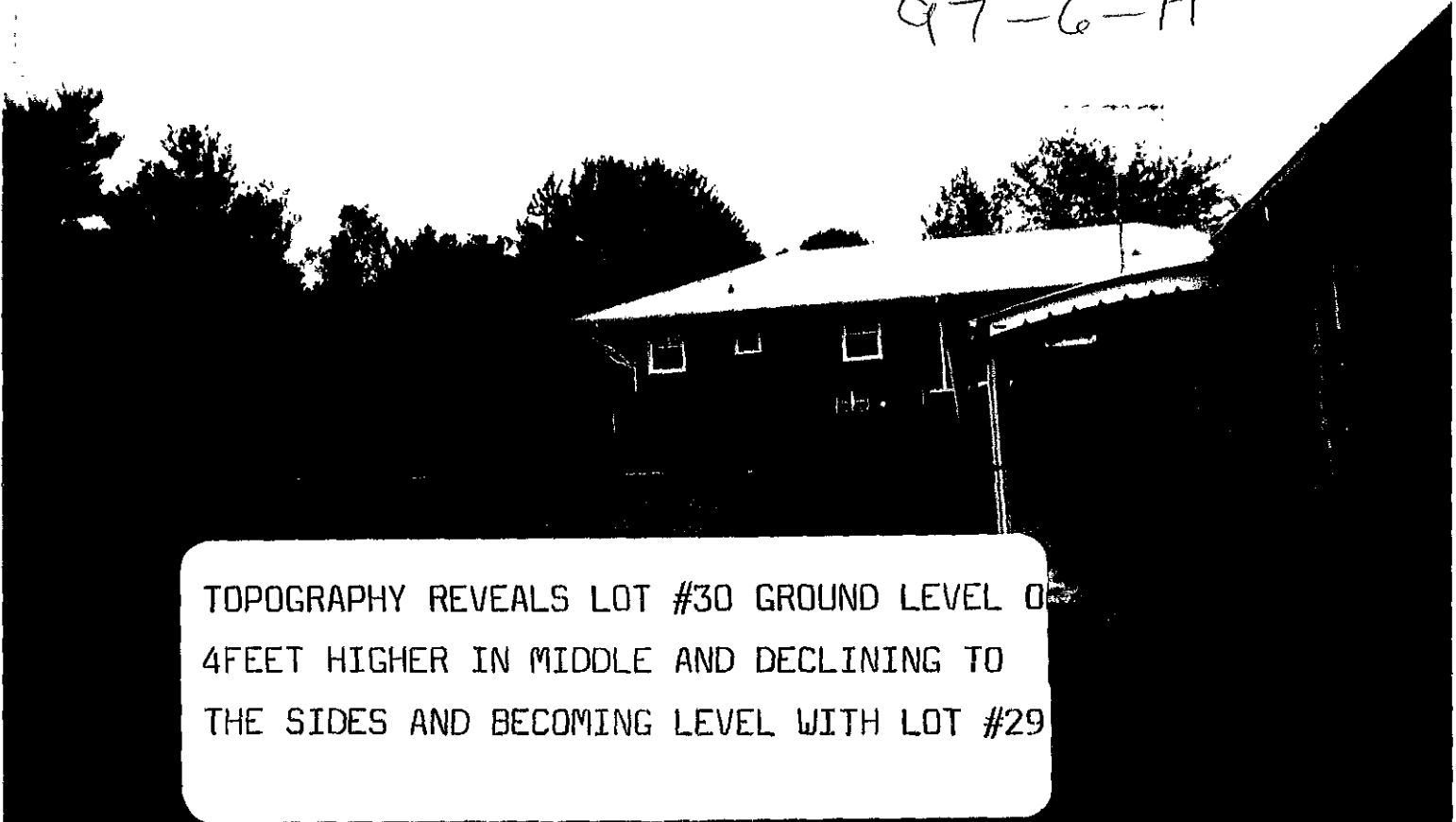
prepared by: J. BIEDER

MICROFILMED 96

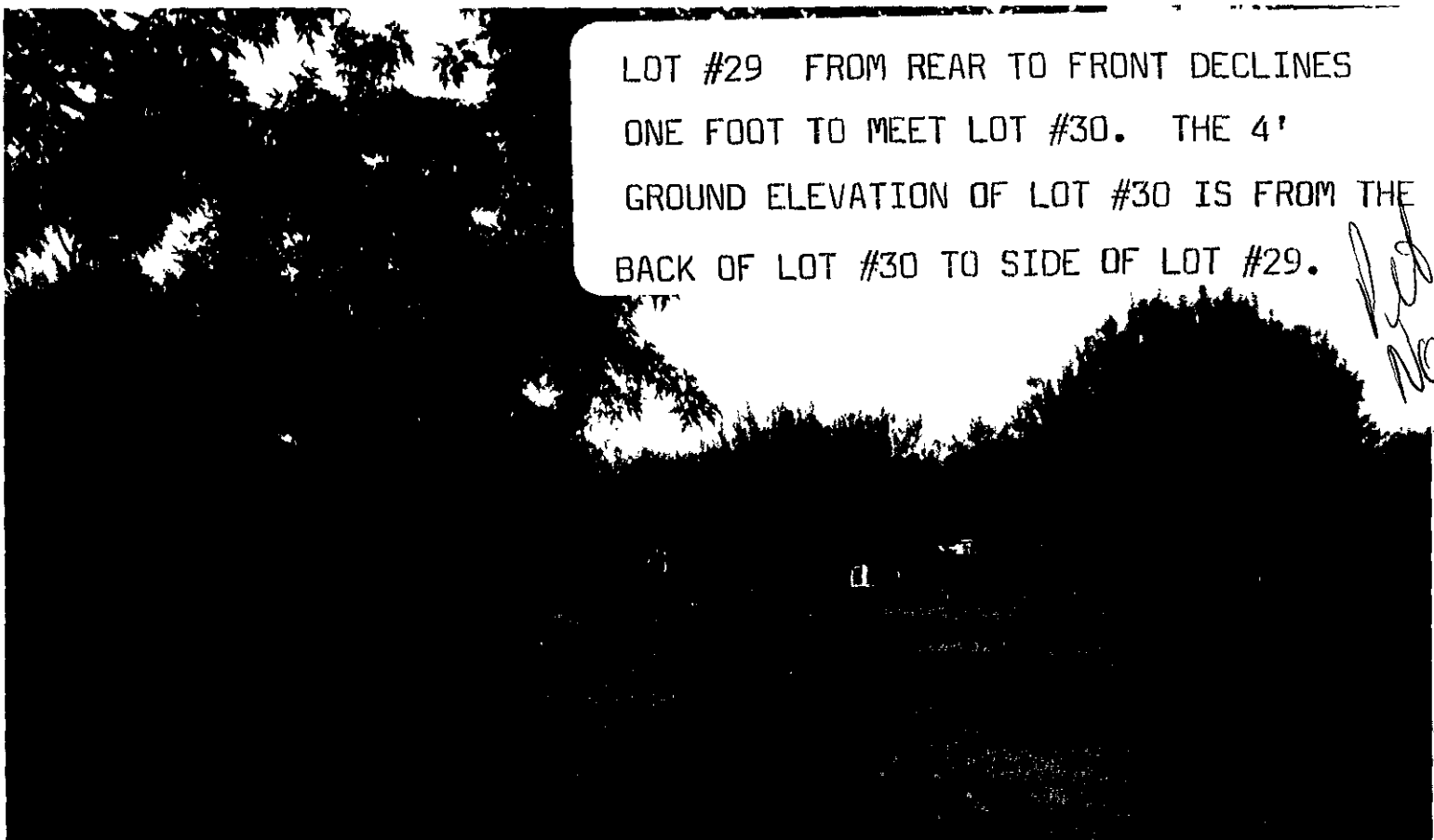
97-6-A 02 + #4

VIEW FROM FRONT OF HOUSE REVEALS LOT #29
RISES 1' FROM ROAD TO REAR OF PROPERTY

97-6-A



TOPOGRAPHY REVEALS LOT #30 GROUND LEVEL 0'
4 FEET HIGHER IN MIDDLE AND DECLINING TO
THE SIDES AND BECOMING LEVEL WITH LOT #29



LOT #29 FROM REAR TO FRONT DECLINES
ONE FOOT TO MEET LOT #30. THE 4'
GROUND ELEVATION OF LOT #30 IS FROM THE
BACK OF LOT #30 TO SIDE OF LOT #29.

Red
No 2



97-6-A



WICGEL MED

3

97-6-A

BACK OF 9211 NOTTINGWOOD ROAD.
LINES TO SHOW PLANNED ADDITION.

9209

STAKES MARKING PROPERTY LINE AND
DISTANCES BETWEEN TWO HOMES. BACK VIEW.

9211

24'

10'6"

VIEW FROM BACK OF HOUSE ON LOT 30 IS
OVER ROOF OF HOUSE ON LOT 29. HOUSE ON
LOT 30 IS 8 FEET HIGHER THAN HOUSE ON
LOT 29. ADDITION WILL NOT BLOCK VIEW.

FRONT BIEW OF TWO EXISTING HOMES SHOWING
DISTANCE BETWEEN HOMES. PICTURE TAKEN
FROM ROAD.

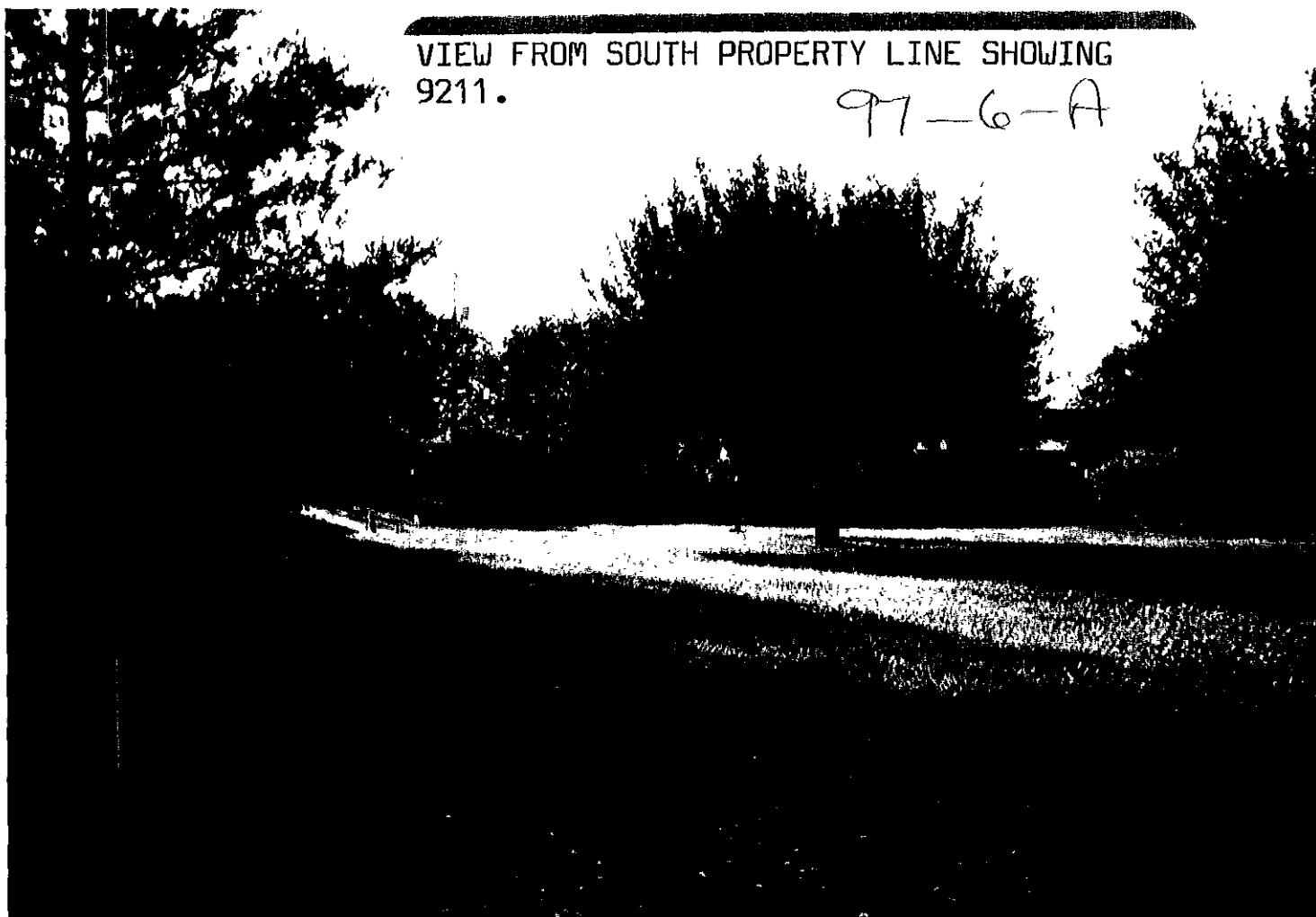
9209

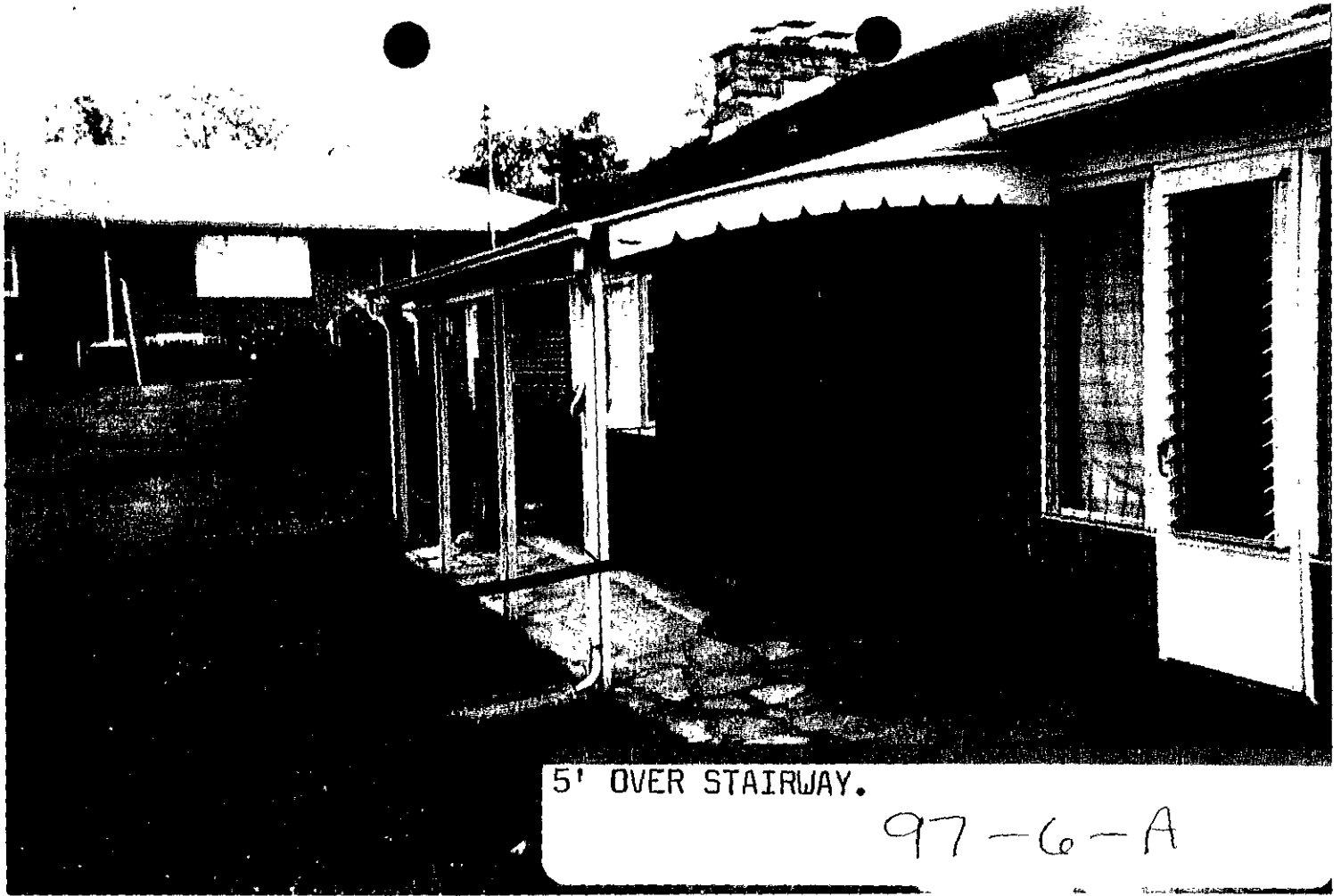
9211



VIEW FROM SOUTH PROPERTY LINE SHOWING
9211.

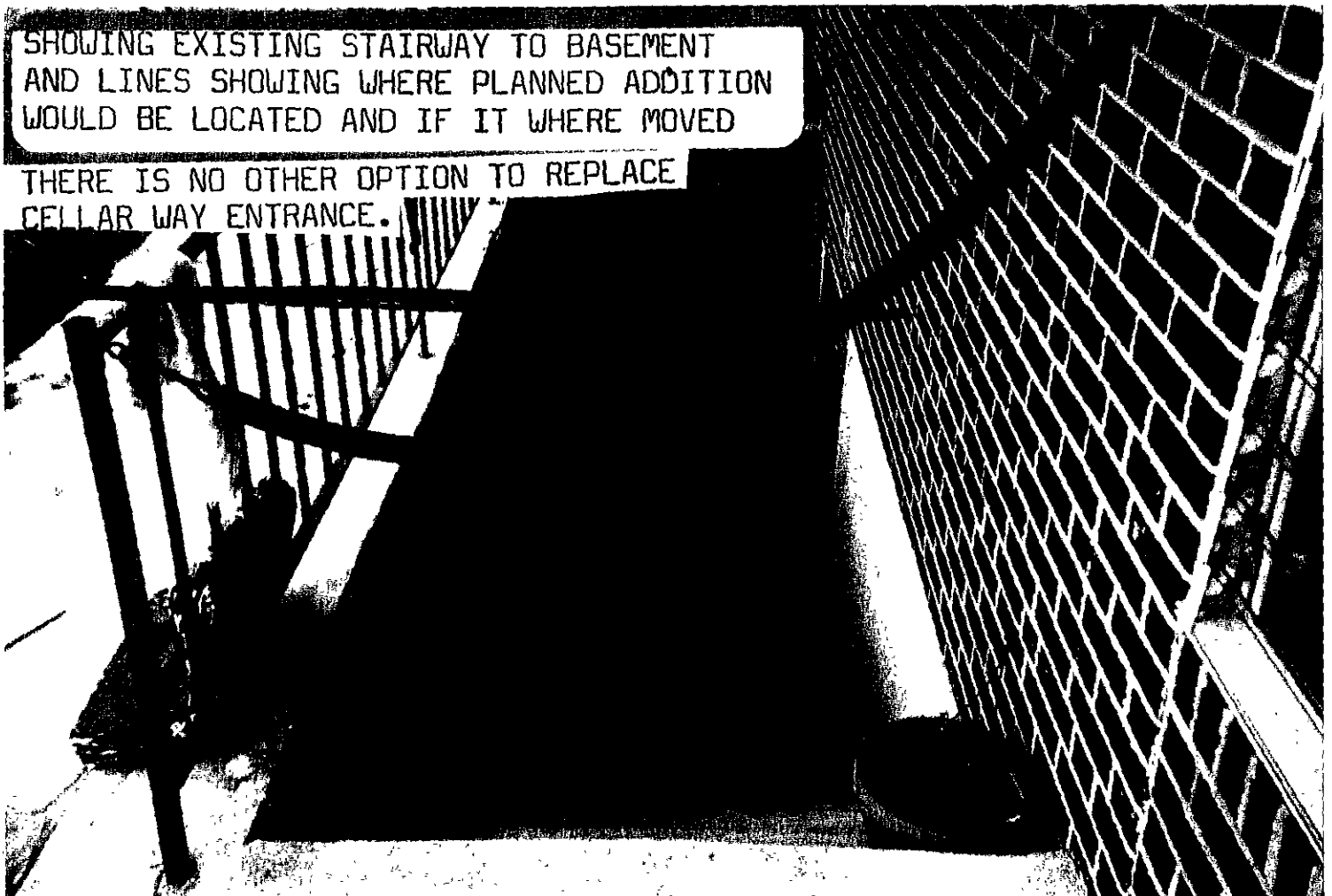
97-6-A





5' OVER STAIRWAY.

97-6-A



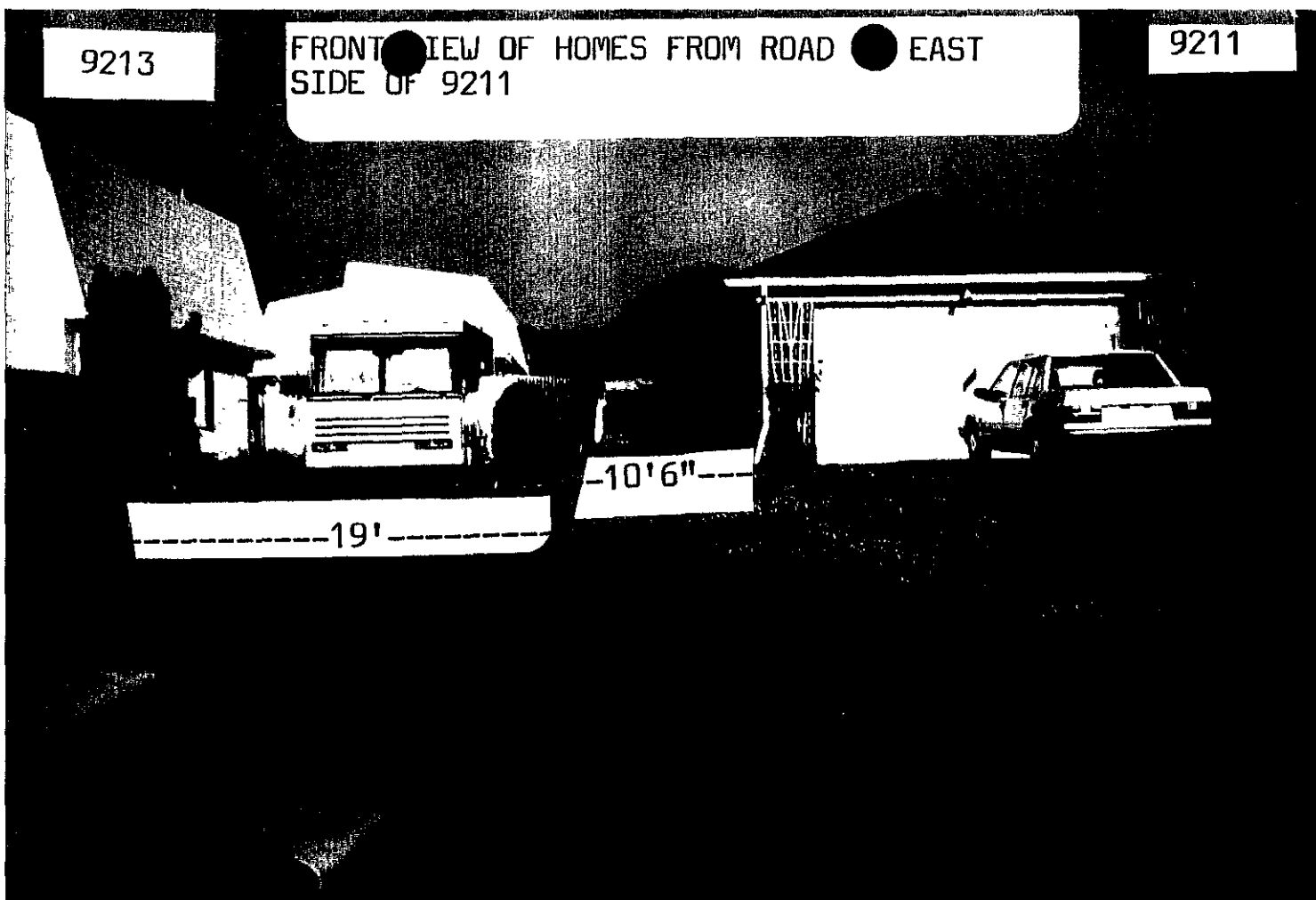
SHOWING EXISTING STAIRWAY TO BASEMENT
AND LINES SHOWING WHERE PLANNED ADDITION
WOULD BE LOCATED AND IF IT WERE MOVED

THERE IS NO OTHER OPTION TO REPLACE
CELLAR WAY ENTRANCE.

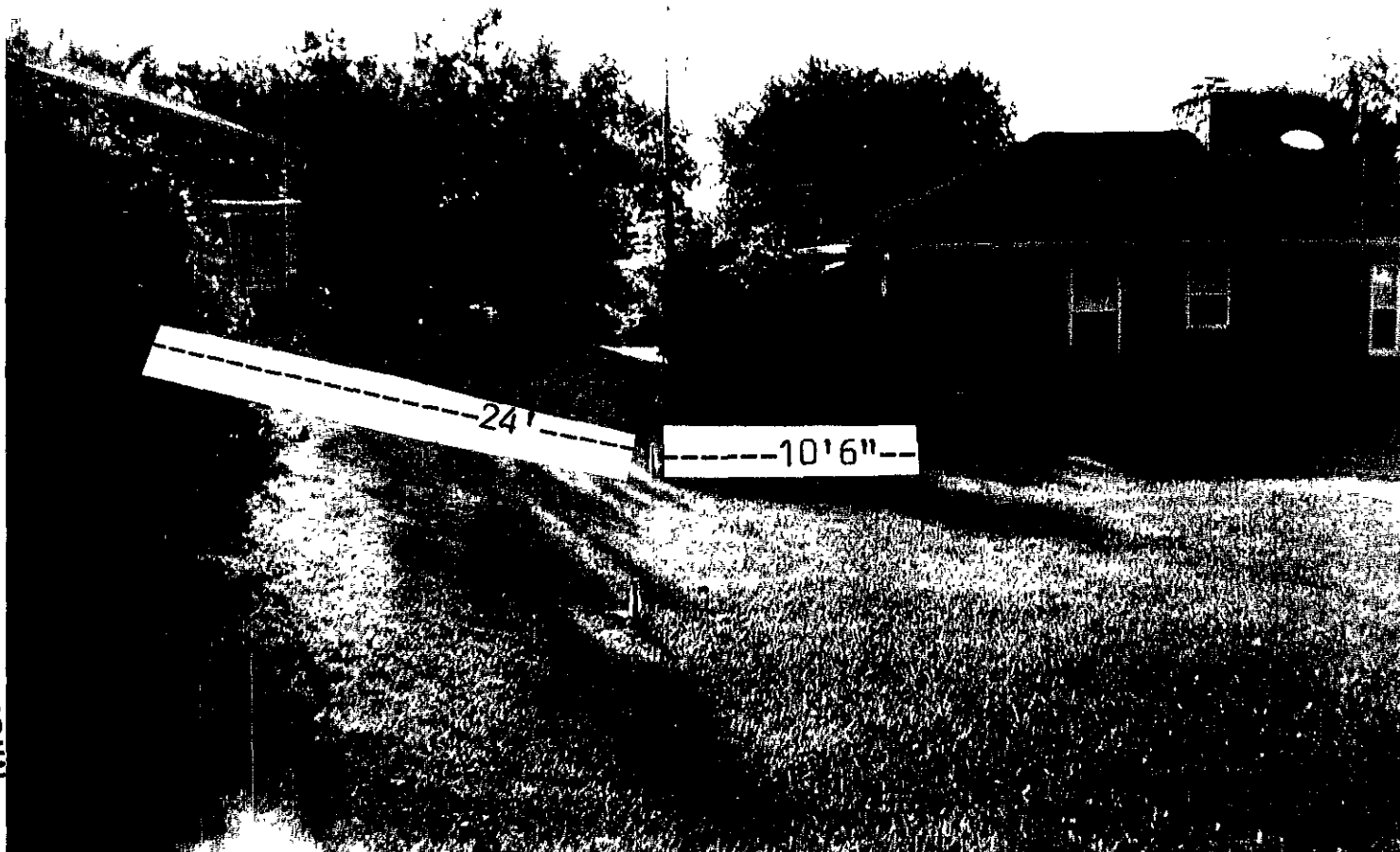
9213

FRONT VIEW OF HOMES FROM ROAD EAST
SIDE OF 9211

9211



97-6-A



MICROFILMED

520 Chelcut Square
Baltimore, MD 21221
15 July 1996

Baltimore County Dept of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Gentlemen -

Case No: 97-6-A (Item 3)
9211 Nottingham Road

Hearing scheduled for variance to allow a nonconforming
addition to above residence and minimum side yard setback
is not suitable to my plans. Variation August 1-6, 1996.

Request hearing date for Friday, August 2, 1996 @ 11:00 a.m. be
rescheduled. I remain -

Sincerely,

M. Jean Buddaly

MICROFILMED

9213 WOODEN SECURITY FENCE ON PROPERTY
LINE BETWEEN 9211 AND 9213

9213

9211

9213

97-6-A

---10'6"---

BACK VIEW SHOWING EAST AND SOUTH SIDE
OF 9211.

MICROFILMED

3

RE: PETITION FOR VARIANCE
9211 Nottingwood Road, W/S Nottingwood
Road, 120' NW of c/l Spotswood Road,
14th Election District, 6th Councilmatic
Legal Owner(s): Sophie M. Rucker
Contract Purchaser: M. Joan Buedel
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-6-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

George S. Demilio
GEORGE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to Sophie M. Rucker, 9211 Nottingwood Road, Baltimore, MD 21237, and to M. Joan Buedel, 520 Chalcot Square, Baltimore, MD 21221, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 9211 Nottingwood Road 312-37
97-6-A which is presently zoned DR2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in Section 104.3 of the Baltimore County Zoning Regulations (BCZR) to allow a nonconforming building or alternatively, a variance to Section 1802.3.c.1, BCZR, to allow a 10.5-foot minimum side yard setback and a 21-foot minimum of both side yards in the lot covering requirements in Section 104.3, to the following reasons: (indicate hardship or practical difficulty)

SEE PAGE TWO.

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.

Contract Purchaser/Lessee:

M. JOAN BUEDL
(Type or Print Name)

Signature

520 CHALCOT SQUARE
Address

BALTIMORE, MARYLAND 21221
City State Zip

Attorney for Petitioner:

Signature

Address

City State Zip

Address

City State Zip

Address

City State Zip

Address

City State Zip

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City State Zip

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City State Zip

Legal Owner(s):
SOPHIE M. RUCKER
(Type or Print Name)

Signature

N/A
(Type or Print Name)

Signature

9211 NOTTINGWOOD ROAD 410-686-3855
Address

BALTIMORE, MARYLAND 21237
City State Zip

Name, Address and phone number of representative to be contacted:

M. JOAN BUEDL (DAUGHTER)
Name

U 410-636-4632
520 CHALCOT SQUARE R 410-687-7988
BALTIMORE, MD 21221 Phone No.

ESTIMATED LENGTH OF HEARING

the following dates: _____ Next Two Months

ALL OTHER _____

REVIEWED BY: SSB DATE: 7-2-96

MICROFILMED

97-6-A
EXISTING HOUSE HAS 1432 SQ FT OF LIVING SPACE. ADDITION OF 1279 SQ FT WHICH WILL INCLUDE TWO BEDROOMS AND A FAMILY ROOM. ADDITION WILL EXTEND THE WEST WALL OF EXISTING HOUSE. WEST WALL OF EXISTING HOUSE IS 27' AND EXTENSION WALL WILL BE 45' FOR A TOTAL OF 72'. EAST WALL OF EXTENSION IS 27' AND 34' ACROSS BACK WALL OF EXISTING HOUSE. NORTHWEST CORNER OF EXISTING HOUSE IS 10'6" FROM PROPERTY LINE. SOUTHWEST CORNER OF EXISTING HOUSE IS 13' FROM PROPERTY LINE. WHEN ADDITION IS COMPLETED THE SOUTHWEST CORNER WILL THEN BE 16' FROM PROPERTY LINE. IN ADDITION, HOUSE ON LOT #30 NORTHEAST CORNER IS 24' FROM LINE. WHILE SOUTHEAST CORNER IS 27' FROM PROPERTY LINE. THE NEW ADDITION TO HOUSE ON LOT#29 WILL BE TO THE BACK OF HOUSE ON LOT #30. THE GROUNDS OF LOT #30 IS LEVEL WITH LOT #29 ON NOTTINGWOOD ROAD. LOT #29 SLOWSLY RAISES A FOOT HIGHER FROM NOTTINGWOOD ROAD TO THE REAR OF PROPERTY. WHILE LOT #30 IS LEVEL WITH LOT #29 ON NOTTINGWOOD ROAD IT HAS A QUICK RISE TO 4.5' HIGHER THAN LOT #29 AND GRADUALLY DECLINES TO MEET REAR OF LOT #29. (SEE PICTURES).

I LIVE 4 1/2 MILES FROM MY MOTHER AND SISTER AND I AM FINDING IT DIFFICULT MANAGING TWO HOMES WHILE WORKING. I WILL MOVE FROM MY HOME TO THE NEW ADDITION. MY MOTHER IS 81 AND IS BECOMING MORE FORGETFUL AS THE DAYS PASS. MY SISTER IS 47 YEARS OLD IS A CP CHILD AND NOT INDEPENDENTLY MOBILE. SHE MUST HOLD ON TO SOMEONE OR SOMETHING TO AMBULATE. HER MENTALITY IF THAT OF AN EIGHT YEAR OLD. SHOULD MY MOTHER PASS AND I WOULD STILL BE WORKING, I WOULD HAVE TO HIRE SOMEONE TO LIVE IN AND USE SPARE BEDROOM OR MAKE A SMALL APARTMENT OUT OF TWO EXISTING BEDROOMS. FAMILY ROOM WILL ALSO BE USED AS AN EXERCISE/THERAPY ROOM. THE POSSIBILITY OF BUILDING UP WILL NOT WORK BECAUSE MY SISTER DOES NOT DO STAIRS WELL NOR SHOULD MY MOTHER. PLANNED EXTENSION CANNOT BE SHIFTED OVER 5' BECAUSE OF EXISTING STAIRWAY TO BASEMENT.

MICROFILMED

3

2.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 143 Date of Posting: 7/18/96
Posted for: Variances
Petitioner: Sophie Rucker + Joan Buedel
Location of property: 9211 Nottingwood Rd
Location of Sign: Along Nottingwood Rd Property 6173 7000 C
Remarks:
Posted by: [Signature] Date of return: 7/18/96
Number of Signs: 1

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 024809
DATE 8/23/96 ACCOUNT R-001-6150
AMOUNT \$ 210.00
RECEIVED FROM: Sophie Rucker + Joan Buedel
FOR: VARIANCE APPEAL 133.00
SIGN 71.00
MICROFILMED
03A9180472M1CHRD
VALIDATION OF SIGNATURE OF CASHIER
DATE: 8/23/96 TIME: AGENCY YELLOW - CUSTOMER
RGE



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/neighborhood 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.
- 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.: 5 Petitioner: SOPHIE M. RUCKER

Location: 9211 NOTTINGWOOD ROAD, BALTIMORE, MD 21237

PLEASE FORWARD ADVERTISING BILL TO:

NAME: M. JOAN BUEDL

ADDRESS: 520 CHALCOT SQUARE

BALTIMORE, MD 21221

PHONE NUMBER: U 410-636-4632 R 410-687-7988

Printed with Soybean Ink
on Recycled Paper

5.



Baltimore County
Department of Permits and
Development Management

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

July 11, 1996
July 18, 1996 - Check of date

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: 97-6-A (Town 3)
9211 Nottingwood Road,
W/S Nottingwood Road, 120' NW of c/l Spotswood Road
14th Election District - 6th Councilmatic
Legal Owner(s): Sophie M. Rucker
Contract Purchaser: M. Joan Buedel

Variance to allow a nonconforming addition to a residence that exceeds the 25% ground floor area of the existing building or alternatively, to allow a 10.5 foot minimum side yard setback and a 21-foot minimum of both side yards in line of 15 and 40 foot side setbacks.

HEARING: FRIDAY, AUGUST 9, 1996 at 11:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: M. Joan Buedel

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 887-3333.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper

MICROFILMED

4.

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:

CERTIFICATE OF PUBLICATION

TOWSON, MD. 7/18, 1996

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 1 successive weeks, the first publication appearing on 7/18, 1996.

THE JEFFERSONIAN,
A. Henikson
LEGAL AD. - TOWSON

MICROFILMED

TO: FUTURE PUBLISHING COMPANY
July 18, 1996 Issue - Jeffersonian
Please forward billing to:
M. Joan Ruckel
320 Calvert Square
Baltimore, Maryland 21221
636-4632

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: 97-6-A (Item 3)
9211 Nottingwood Road
9/8 Nottingwood Road, 120' W of c/1 Spoutwood Road
14th Election District - 6th Councilmanic
Legal Owner(s): Sophie M. Rucker
Contract Purchaser: M. Joan Ruckel

Variance to allow a nonconforming addition to a residence that exceeds the 25% ground floor area of the existing building or alternatively, to allow a 10.5 foot minimum side yard setback and a 21-foot minimum of both side yards in lieu of 15 and 40 foot side setbacks.

HEARING: FRIDAY, AUGUST 1, 1996 at 11:00 a.m. in Room 106, County Office Building.

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 THIS FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

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

July 11, 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: 97-6-A (Item 3)
9211 Nottingwood Road
9/8 Nottingwood Road, 120' W of c/1 Spoutwood Road
14th Election District - 6th Councilmanic
Legal Owner(s): Sophie M. Rucker
Contract Purchaser: M. Joan Ruckel

Variance to allow a nonconforming addition to a residence that exceeds the 25% ground floor area of the existing building or alternatively, to allow a 10.5 foot minimum side yard setback and a 21-foot minimum of both side yards in lieu of 15 and 40 foot side setbacks.

HEARING: FRIDAY, AUGUST 1, 1996 at 11:00 a.m. in Room 106, County Office Building.

Carl John

Arnold Jablon
Director

cc: Sophie M. Rucker
M. Joan Ruckel

NOTES: (1) HEARING TIME & 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 THIS FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

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

August 5, 1996

Ms. Sophie M. Rucker
9211 Nottingwood Road
Baltimore, MD 21237

RE: Item No.: 3
Case No.: 97-6-A
Petitioner: Sophie M. Rucker

Dear Ms. Rucker:

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 July 2, 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,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: July 11, 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 No. 521, 2, 3, 4, 5, 6, and 7

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: *Pat Keller*

PK/JL

MICROFILMED

ITEMS21A/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 3 (JRA)

Dear Ms. Watson:

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

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for impaired Hearing or Speech
1-800-735-2268 Statewide Toll Free
Mailing Address: P.O. Box 117, Baltimore, MD 21203-0117

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: 7-15-96

DATE: 7-9-96

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

Item #'s:

1
2
3
4
5
6

Robert

7-9-96

RBS:sp
BRUCEZ/DEPRM/TXTSPP

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-3500

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: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 15, 1996.

Item No.: SEE BELOW Zoning Agenda:

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: 2, 3, 4, 5, 6 and 7.

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

cc: File

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on Recycled Paper

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: August 5, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 9211 Nottingwood Road

INFORMATION:

Item Number: 3 *97-6-A*

Petitioner: Sophie M. Rucker

Property Size: _____

Zoning: DR-2

Requested Action: Variance

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, staff believes that it will be incumbent upon the Petitioner to prove hardship or practical difficulty in this case.

Prepared by: *Jeffrey W. Long*
Division Chief: *Pat Keller*

PK/JL

Bob Mardeck
9-2-96
Notice of Appeal
Letter
File

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: June 19, 1996
TO: John R. Reisinger
County Buildings Engineer
FROM: John R. Alexander
Planner II
SUBJECT: Permit #B-268251
9211 Nettingwood Road
14th Election District

Please rescind this office's approval of the above referenced building permit. It has been determined to have exceeded the 25% maximum ground floor area of a structure with a non-conforming setback per Section 104.3, BCZR.

JRA:scj

c: Rick Wisnom

3.

MICROFILMED

PETITION PROBLEMS

#3 --- JRA

1. No signature for contract purchaser.

#4 --- JRA

1. No telephone number for legal owner.

July 8, 1996

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits & Development Management
DATE: November 18, 1997
FROM: Charlotte E. Radcliffe
County Board of Appeals
SUBJECT: Closed File: Case No. 97-6-A
SOPHIE M. RUCKER, L.O. and
M. JOAN BUEDEL, C.P.
14th E; 6th C

As no further appeals have been taken in the above captioned case, which was dismissed by Order dated March 12, 1997, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-6-A)

SOPHIE M. RUCKER, L.O. AND
M. JOAN BUEDEL, C.P.
W/s Nottingwood Road, 120' NW of
c/l Spotswood Road
(9211 Nottingwood Road)

#97-6-A
6th E.D.

Case History

August 23, 1996 Notice of Appeal received from Joan Buedel and Sophie M. Rucker, Petitioners/Appellants.
Note: Appellants incorrectly noted case No. 96-6-A. All materials relative to 96-6-A forwarded to the CBA by Rosalyn/ PDM 8/27/97.
November 14, 1996 Letter from M. Joan Buedel requesting dismissal of case No. 97-6-A, since permit has been reissued.
November, 1996 T/C to Julie Winiarski /PDM by Charlotte Radcliffe /CBA, requesting a copy of file under case No. 97-6-A in order to open and dismiss the correct case. Julie informed that she would send copy once file was found.
February, 1997 Copy of Case No. 97-6-A (partial file) received from Gwen Stephens /PDM.
March 12, 1997 Order of Dismissal issued by the Board. (Robert Cannon notified that his case #96-6-A was never appealed)

✓E

9918 Philadelphia Road
Baltimore, MD 21237
July 31, 1996
Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Old Courthouse
400 Washington Avenue
Towson, MD 21204

Re: Case 97-6-A

Dear Mr. Schmidt:

Since the 1950's, I have resided in the community of Nottingham. My home at 9918 Philadelphia Road is located in Plat 1 of the subdivision, and my lot is adjacent to the back of lot 29 and lot 30 at 9211 and 9209 Nottingwood Road respectively.

I understand that Ms. Joan Buedel, daughter of Sophie Rucker, is planning a large addition to the home at 9211 Nottingwood. In this community, we are proud of our homes and the open space of our sites. I feel that this addition which almost doubles the size of the existing home will have negative impacts on that open space. It also may set a precedent for future projects in our neighborhood.

My age and health prevent my attending the hearing on this case scheduled for August 9. However, I wanted you to know that I am opposed to the size of this proposed addition and feel that the variance for its construction should be denied.

Thank you for considering my opinion on this issue.

Sincerely,
Philip M. Schuler

Philip M. Schuler

MICROFILMED

Nottingham Improvement Association, Inc.

(NOTTINGHAM)

Baltimore, Maryland 21237
9207 Nottingwood Road
August 1, 1996

Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Old Court House
400 Washington Avenue
Towson, MD 21204

Re: Case 97-6-A

Dear Mr. Schmidt:

On June 9, 1996, the following members of the Board of Directors of the Nottingham Improvement Association met to discuss the proposed addition to 9211 Nottingwood Road and its compliance with the covenants of our subdivision:

Debbie Babikow Eileen Sfakianakis
Leah Bark Marie Simoes
Richard DeSimone Helen Smith
After discussion, consensus was reached by the Board that this addition, if approved by Baltimore County, should comply with the setback of 15 feet from any side lot line as stipulated by Baltimore County regulations as well as our covenants. Two members of the Board, Ernest Chapolini and Elsie Sims, were unable to attend the meeting and expressed their views by phone earlier. The only other Board member, Betty Chaubert, was vacationing and unable to participate.

As a result of the Board's consensus, the enclosed letter was sent to Ms. Buedel. As of August 1, the Nottingham Association has not heard from Ms. Buedel regarding this issue.

When my home at 9207 Nottingwood Road was built by my in-laws, the trenches for the foundation were excavated too close to the side lot line of 9205 Nottingwood Road. Immediately, the plan was required to be adjusted to the proper 15-foot setback, and the foundation was moved accordingly. My personal experience reminded me of the importance of setbacks in our community. I feel that all development, including the addition at 9211 Nottingwood Road, should comply with Baltimore County regulations as well as our subdivision's covenants. Any exception or variance simply opens the door for more to come.

I appreciate your consideration.

Sincerely,
Richard DeSimone

Richard DeSimone
vice-president

MICROFILMED

Nottingham Improvement Association, Inc.

(NOTTINGHAM)

Baltimore, Maryland 21237

1314 Spotswood Road
Baltimore, MD 21237
June 9, 1996

M. Joan Buedel
520 Chalcot Square
Baltimore, MD 21221

Dear Ms. Buedel:

Enclosed is a copy of the Covenants governing Plats I and II of the subdivision of Nottingham established in 1947. Recently, we were made aware of your plans to build an addition to the existing structure on lot 29 at 9211 Nottingwood Road.

Section 10 of the Covenants states the following:
No building shall be located on a lot nearer than forty feet to the front line; nor nearer than fifteen feet to any side lot line, except porches attached to a dwelling and buildings in the rear of a dwelling.

When the structure at 9211 Nottingwood Road was built in the early 1950's, the builder provided only 10.5 feet as a setback at the side lot line adjacent to lot 30 at 9209 Nottingwood Road.

We understand that your planned addition to the existing structure at 9211 Nottingwood Road will extend from the said structure along the established setback of 10.5 feet. At this time, the Board of Directors of the Nottingham Improvement Association, Inc. is requiring compliance with the Covenants which establish 15 feet as a setback from any side lot line.

We are hoping that plans for this addition at 9211 Nottingwood Road will be amended to satisfy the stated requirements. However, the Nottingham Improvement Association, Inc. and/or any other interested party reserve the right to pursue non-compliance as a civil matter.

Sincerely,

Marie Quintana Simoes
Marie Quintana Simoes
president

Nottingham Improvement Association, Inc.

(NOTTINGHAM)

Baltimore, Maryland 21237

1314 Spotswood Road
Baltimore, MD 21237
June 9, 1996

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520 Chalcot Square
Baltimore, MD 21221

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Sincerely,

Marie Quintana Simoes
Marie Quintana Simoes
president

MICROFILMED

Covenants, conditions, restrictions and agreements governing Nottingham Flats I and II:

(1) It is hereby expressly stated and provided that nothing herein contained shall constitute a dedication of any street, lane or road now or hereafter shown on said plat, the title to all such streets, lanes or roads being hereby expressly reserved to the Grantor, its successors and assigns, nor shall any deed from the Grantor hereafter made, conveying any part of the land included in said tract, be held to convey the title to or to dedicate the bed of any street, lane or road except where expressly so conveyed or dedicated in the deed. The Grantor reserves to itself, its successors and assigns, the right to grade, change the grade of and regrade any and all streets, lanes, or roads now or hereafter shown on said plat; also the right to dedicate to public use and the right to convey to any public authority or to any corporation having power to acquire the same, all its right, title and interest in and to any street, lane or road shown on said plat or hereafter laid out in said tract, subject to the rights of persons acquiring land included in said tract as hereinafter mentioned. The Grantor hereby gives and grants to any person acquiring land included in said tract the right to such use of the streets, lanes or roads shown on said plat as may be necessary for the reasonable and convenient ingress to and egress from the land so acquired.

(2) The Grantor reserves to itself, its successors and assigns, the right and easement to construct, maintain and repair, on a five-foot strip along the rear of each of said lots, poles, wires, anchors and guys, with their attachments which may be necessary in furnishing electric current, telephone, or other public utility services to the occupants of said tract. The said strips may also be used for the construction, maintenance and repair of pipes or conduits to carry such wires below ground, and for the construction and maintenance of storm water drains, land drains, sewers, pipe lines supplying gas, water or heat, and for any other public or quasi-public utility or function conducted, maintained, furnished or performed in any method beneath the surface of the ground. The Grantor, its successors and assigns, shall have the right to enter upon said strips of land for any of the purposes for which said easements and rights-of-way are reserved, and also to prune and trim any tree or shrub on any lot that interferes with the construction, maintenance or efficiency of said electric current, telephone or other public utility services. The Grantor further reserves to itself, its successors and assigns, the right to grant, assign or convey easements to, in and over said easements and rights-of-way are reserved, and also to prune and trim any tree or shrub on any lot that interferes with the construction, maintenance or efficiency of said electric current, telephone or other public utility services. The Grantor, however, assumes no liability or obligation to install or maintain any of the aforesaid services.

(3) The land included in said tract shall be used for private residence purposes only, and no building of any kind whatsoever shall be erected or maintained thereon except (a) detached single private dwelling houses designed for occupancy by not more than two families; (b) private garages for the sole use of the occupants of the lots upon which said garages are erected; and (c) such other non-commercial buildings as may be in keeping with these covenants, conditions, restrictions and agreements. This restriction shall not preclude a physician or dentist from having an office in his home.

(4) No building shall be erected, altered, placed or permitted to remain on said tract until the external design and location thereof have been approved in writing by the Grantor, its successors and assigns, or its duly appointed architect. The Grantor reserves the right to itself, its successors and assigns, at its option, to delegate the aforesaid right of approval to a neighborhood committee composed of lot owners in said tract on such terms and conditions as it may deem proper.

(5) No dwelling costing less than \$20,000 shall be erected or maintained on any lot; nor shall the ground floor area of any dwelling be less than 600 square feet.

(6) No dwelling shall be erected or placed on any lot which has an area of less than 15,000 square feet or a width of less than 75 feet at the front building setback line. No lot shall be divided or sub-divided except by the Grantor, its successors and assigns.

(7) No trailer, basement, tent, shack, garage, barn or other outbuilding erected or maintained on any lot shall at any time be used as a residence temporarily or permanently nor shall any structure of a temporary character be used as a residence.

August 23, 1996

Honorable Lawrence R. Schmidt
Zoning Commissioner
Court House
Towson, Maryland 21204

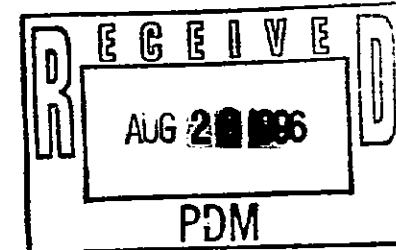
Dear Commissioner Schmidt:

Please note an appeal to the Board of Appeals from your Opinion and Order of August 15, 1996, in 97-6-A. My check in the amount of \$210.00, ie \$175.00 and \$35.00, is enclosed.

Joan Buedel
Joan Buedel

Sophie M. Rucker
Sophie M. Rucker
9211 NOTTINGWOOD RD.
BALTIMORE, MD 21237

cc: People's Counsel
John Gottrum, Esquire
Marie Simoes



Appeal was prepared based on the incorrect case no. 96-6-A.
Joan Buedel indicated that the appeal would be withdrawn.

Department of Permits & Development Management
111 W Chesapeake Avenue, Room 111
Towson, MD 21204

Attn: Ms. Julie Winiarski

520 Chalcot Square
Baltimore, MD 21221
410-687-7988
13 November 1996

Re: 97-6A

Gentlemen:

Please cancel my request for an appeal in the case listed above. The permit has been reissued. Thank you for your attention.

Regards,

Joan Buedel
M. JOAN BUDEL

520 Chalcot Square
Baltimore, MD 21221
15 July 1996

Baltimore County Dept. of Permits and
Development Management
Development Planning
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Baltimore -

Case No. 97-6-A (Item 3)
9211 Nottingham Road

Being scheduled for variance to allow a nonconforming
addition to above residence and minimum rear yard setbacks
as not suitable to my plans. Vacation August 1-6, 1996.

Request being made for Sunday, August 2, 1996 @ 11:00 a.m. to
reschedule. I remain -

Joan Buedel
M. Joan Buedel

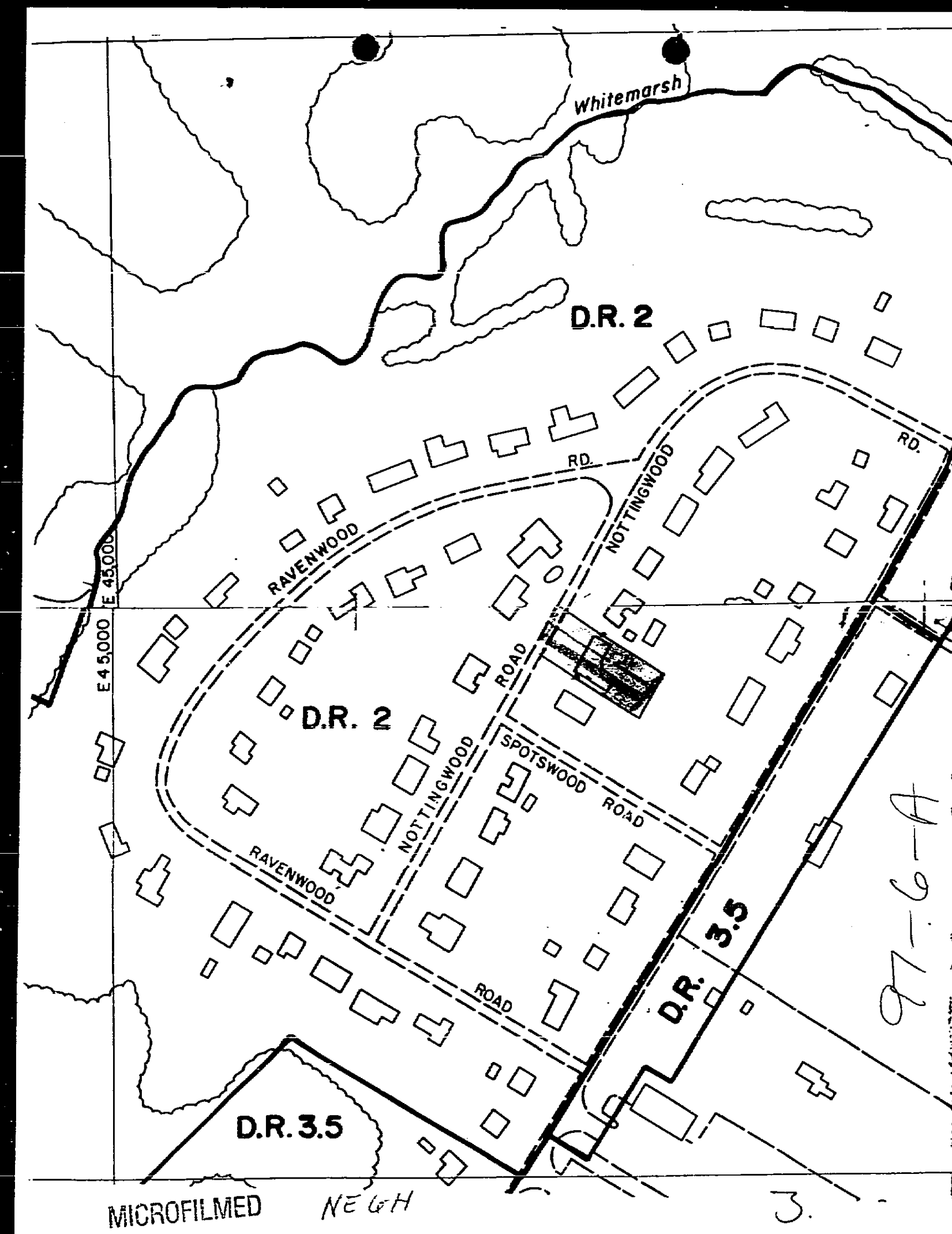
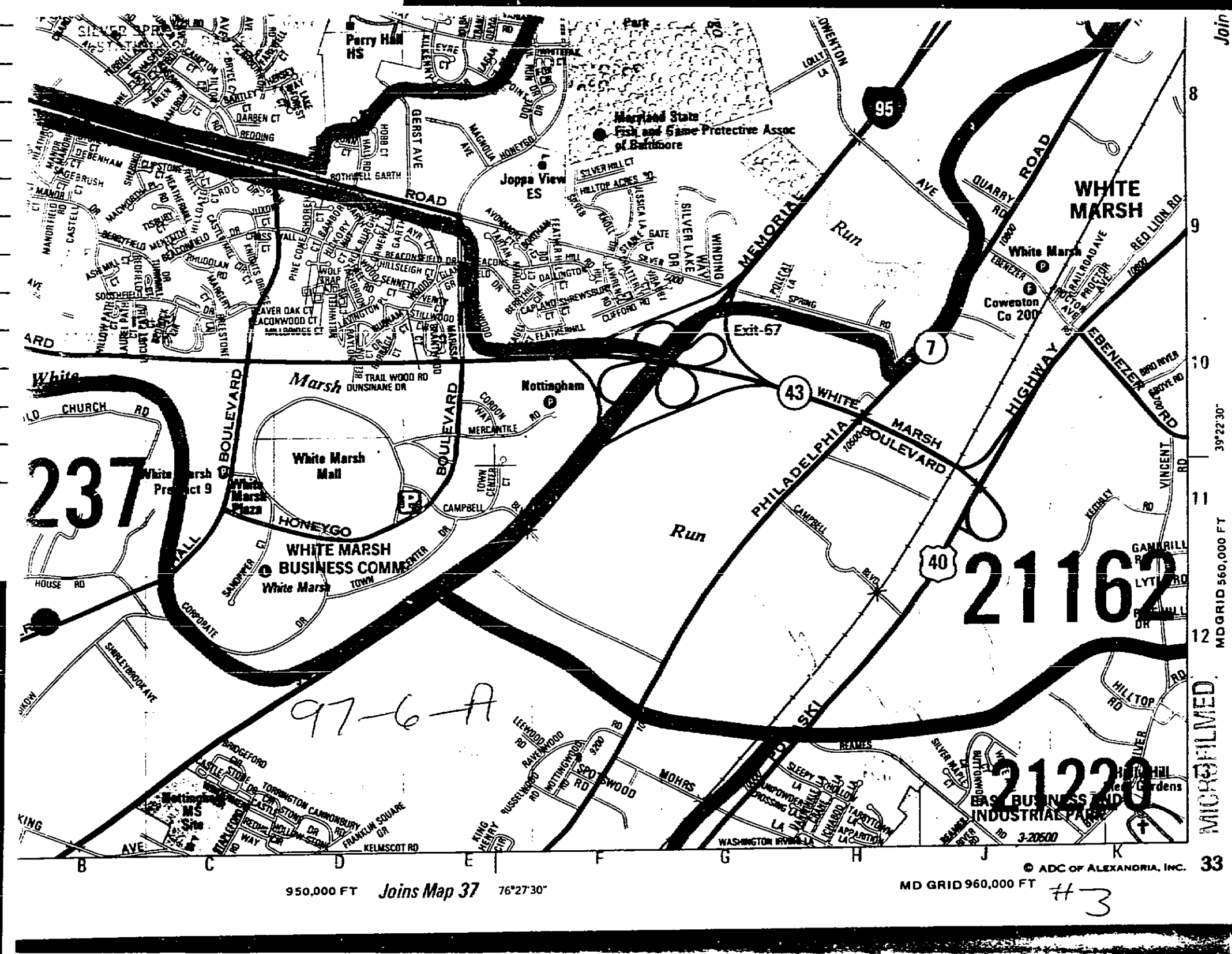
MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
K. E. P. P. P.	9211 Nottingham Rd
D. E. P. P. P.	9211 Nottingham Rd
F. E. P. P. P.	9211 Nottingham Rd
G. E. P. P. P.	9211 Nottingham Rd
H. E. P. P. P.	9211 Nottingham Rd
I. E. P. P. P.	9211 Nottingham Rd
J. E. P. P. P.	9211 Nottingham Rd
K. E. P. P. P.	9211 Nottingham Rd
L. E. P. P. P.	9211 Nottingham Rd
M. E. P. P. P.	9211 Nottingham Rd
N. E. P. P. P.	9211 Nottingham Rd
O. E. P. P. P.	9211 Nottingham Rd
P. E. P. P. P.	9211 Nottingham Rd
Q. E. P. P. P.	9211 Nottingham Rd
R. E. P. P. P.	9211 Nottingham Rd
S. E. P. P. P.	9211 Nottingham Rd
T. E. P. P. P.	9211 Nottingham Rd
U. E. P. P. P.	9211 Nottingham Rd
V. E. P. P. P.	9211 Nottingham Rd
W. E. P. P. P.	9211 Nottingham Rd
X. E. P. P. P.	9211 Nottingham Rd
Y. E. P. P. P.	9211 Nottingham Rd
Z. E. P. P. P.	9211 Nottingham Rd

John Gottrum



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 9211 NOTTINGWOOD ROAD

Subdivision name: NOTTINGHAM

plat book: 14, folio: 037, lot: 29, section: 29

OWNER: SOPHIA M. RUCKER

LOCATION INFORMATION

Election District: 14

Councilmanic District: 6

1"=200' scale map: NUG-H

Zoning: DR-2

Lot size: 0.14 20,000 square feet

SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearing: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

JOAN 3

Scale of Drawing: 1"=50'

