IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE

SW/End of Candlewick Lane, 470' W

of the c/l Joppa Road * DEPUTY ZONING COMMISSIONER

(2003 West Joppa Road) 9th Election District

* OF BALTIMORE COUNTY

4th Councilmanic District

Case No. 98-52-A

A. Thomas Ward, III

Petitioner * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, A. Thomas Ward, III. The Petitioner seeks relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fenced, lighted, private tennis court (accessory structure) in an interior, non-public road, front yard/side yard. Pursuant to Section 26-127 of the Baltimore County Code, the Petitioner filed the Petition through the administrative variance process. However, at the request of an adjoining property owner, Thomas E. Carski, a hearing was scheduled to determine the appropriateness of the relief requested.

Appearing at the hearing on behalf of the Petition were Mr. & Mrs. Thomas Ward, and their attorney, Newton A. Williams, Esquire. Appearing in opposition to the request were several residents from the surrounding community, all of whom signed the Protestant's Sign In Sheet. Several of the Protestants were represented by Deborah Dopkin, Esquire.

Testimony and evidence offered revealed that the subject property consists of a gross area of 3.49 acres, zoned D.R.1, and is improved with a single family dwelling, a detached garage, and a cemetery, all of which are historic structures, a swimming pool, pool house, and a water garden. The property is located at the terminus of Candlewick Lane, just west of Joppa Road in the Ruxton/Riderwood area of Baltimore County. Mr. Ward

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Date
By

purchased the subject property in 1980 and has made substantial improvements, not only to the dwelling, but also to the many accessory structures that exist on the property. Mr. Ward is now desirous of constructing a tennis court on the subject property, the size and location of which are shown on the site plan submitted into evidence as Petitioner's Exhibit 1. Testimony indicated that due to the location of existing improvements on the property and the orientation of the dwelling, the only feasible location for the proposed tennis court is in the front yard. Mr. Ward testified that he contacted American Tennis Courts, an apparently well-known tennis court manufacturer and installer. The proposed tennis court will be 40' x 100' in dimension, with a dark green surface, and appropriate fencing around its perimeter. Mr. Ward also proposes to install lighting for night time play. The light standards proposed are 20 feet in height.

As noted above, many residents from the surrounding community appeared in opposition to Mr. Ward's request. Leading the concerned neighbors was Mr. Thomas Carski, who owns the adjacent property located immediately north of the proposed tennis court facility. While Mr. Carski has not yet built his residence on this property, he intends to do so in the near future. Mr. Carski is strongly opposed to the construction of a tennis court in the location proposed due to its close proximity to his front yard. Furthermore, Mr. Carski is concerned that the lighting of the tennis court will spill over, not only onto his property, but also onto his neighbors' properties. Mr. Carski, as well as others in attendance, identified their particular community as a quiet residential community within which there is limited activity. The main road leading to these homes is a dead-end roadway, thus, traffic and activity is at a minimum. In addition, in the evening hours after sunset, the area is quite dark and

the lighted tennis court would be very conspicuous. Therefore, Mr. Carski and others voiced strong opposition, not only to the tennis court itself, but also to the proposed lighting.

Mr. Carski further testified as to the visibility of the tennis court from his property, even in the daytime hours. Mr. Carski has a clear view of the proposed location of this tennis court from the proposed location of his dwelling. One of the major pieces of landscaping relied upon by Mr. Ward in selecting the location for the proposed tennis court was a bush that is located on Mr. Carski's property. Mr. Carski has no vegetation on his property at this time and apparently intends to remove this bush in that it is unsightly and overgrown and is not a landscaping feature that he wishes to maintain. Therefore, the landscape buffer between the proposed location for the tennis court and Mr. Carski's property will be limited.

It was also pointed out by those who appeared in opposition that several trees on Mr. Ward's property would have to be eliminated in order to place the tennis court where proposed. Furthermore, it was noted that the proposed tennis court will actually be located closer to the proposed location of Mr. Carski's house than the Ward house.

Also appearing in opposition to the request was Mr. Rick Huetler, President of the Sunset Knoll Community Association. Speaking on behalf of himself and his association, Mr. Huetler, expressed strong opposition to the proposed tennis court in the location shown on the site plan. Mr. Huetler, as well as others in attendance, feel that the more appropriate location for the proposed tennis court would be in Mr. Ward's rear yard. Mr. Ward indicated that his rear yard could not be used due to the location of a septic reserve area thereon. As to the issue of a septic field

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By

on the property, there was some testimony that Mr. Ward could abandon the septic reserve area on his property in that public sewer has been made available to all of the citizens in this particular area of Baltimore County. Mr. Carski even offered to provide an easement across his property for Mr. Ward to connect into the public sewer system, thereby obviating the need to maintain a septic reserve area in his rear yard. When that issue was discussed by the Petitioners, Mrs. Ward noted that locating the tennis court in that area of the rear yard would reduce the play area for their children and interfere with their ability to walk without obstruction to the swimming pool and pool house. The Petitioners would be forced to walk around the tennis court in order to access the swimming pool and pool house. Therefore, the Ward's wish to proceed with the proposed plan and leave the septic reserve area undisturbed.

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

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I am persuaded to deny the variance. The Petitioners failed to satisfy the burden imposed upon them to justify locating the tennis court in their front yard. Many of the improvements on the Ward property which restrict the placement of the tennis court were constructed by the Petitioner. The garage, which includes a wine tasting room, the swimming pool, pool house, and water garden, are all accessory structures which were added by Mr. Ward to his property. Therefore, some of the hardship and practical difficulty expressed by Mr. Ward is self-created. Furthermore, it appeared from the testimony that Mr. Ward could connect to the public sewer system thereby allowing him to abandon the septic reserve area to the rear of his property. This would make available the rear yard for the tennis court. In my view, locating the tennis court in the rear of the property would buffer the proposed use from surrounding residents, and make the tennis court and use thereof more palatable to Mr. Ward's neighbors.

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

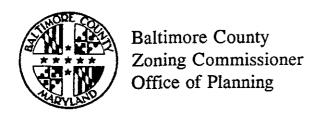
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Standard day of December, 1997 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fenced, lighted, private tennis court (accessory structure) in an interior, non-public road front yard/side yard, 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



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

December 8, 1997

Newton A. Williams, Esquire Nolan, Plumhoff & Williams 502 Washington Avenue, Suite 700 Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/End of Candlewick Lane, 470' W of the c/l Joppa Road
(2003 West Joppa Road)
9th Election District - 4th Councilmanic District
A. Thomas Ward, III - Petitioner
Case No. 98-52-A

Dear Mr. Williams:

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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. & Mrs. A. Thomas Ward, P.O. Box 432, Riderwood, Md. 21139

Deborah Dopkin, Esq., 502 Washington Ave., Suite 220, Towson, Md.21204 Mr. & Mrs. Thomas Carski, 514 Hampton lane, Towson, Md. 21286

Mr. Rick Huether, President, Sunset Knoll Association

5 Hillspoint Court, Riderwood, Md. 21139

Ms. Peggy Squitieri, Ruxton-Riderwood-Lake Roland Area Impr. Assoc.

P.O. Box 204, Riderwood, Md. 21139

People's Counsel; Case Files





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

2003 W. Joppa Road

which is presently zoned

D.R.1.

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) 400.1 to permit a fenced, lighted, private tennis court in an interior, non-public road front yard/side yard.

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

see attached reasons

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.

•			legal owner(s) of the property which			
Contract Purchaser/Lessee			Legal Owner(s).			
			A. Thomas Wa	ard, III		
(Type or Print Name)			(Type or Print Name) (Type or Print Name) (Type or Print Name)			
Signature			Signature	<i>y</i> 000 0 0 <i>m</i> 1		
Address			(Type or Print Name)			
City	State	Zipcode	Signature		· · · · · · · · · · · · · · · · · · ·	
Attorney for Petitioner 1	Newton A. Wi	lliams				
Nolan, Pl	Lumhoff & Wi	lliams	P.O. Box 432	410	-321-1215	
(Type or Print Name)	•		Address		Phone No	
Mounter	a.Willian	us	Riderwood	MD	21139	
Signature 502 Washingt			City Name, Address and phone numbe Newton A. Willi		Zipcode e contacted	
Suite 700 -	Nottingham (Centre 410-823-7800	Nolan, Plumhoff	& Williams		
Address	Pho	ne No	Name 502 Washing	ton Avenue	<u></u>	
Towson	MD	21204	Suite 700		0-823-7800	
City	State	Zipcode	Address Towson, M		Phone No.	

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Zaning Commissioner of Baitimore County

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 a	_{it} 2003 W. Joppa	Road		
	address Luthewill		21093	
	Riderwood	MD	21139	
	City	State	Zip Code	
That based upon personal knowledge, the fell ariance at the above address: (indicate hardship of		/we base the reque	st for an Administrative	
. The property is an inter	rior estate of 3.49	Acres.		_
2. The property is heavily				-
3. The proposed tennis cou	rts' best location	is in a fr	ont/side yard.	-
4. Abutting properties to	south, Boatwright h	nave a tenn	is court at 1930	01d
Court Road and Waidner hav	e a pool on side, of	property,	both Old Court R	load -
properties	·			_
5. If placed in rear yard,	court would crowd	an histori	c house, historic	2
cemetery, Pool and Pool Ho				
				-
A. Thomas Ward, III type or print name:		signature) ype or print name)		- -
STATE OF MARYLAND, COUNTY OF B AI	TIMORE to wit:			
I HEREBY CERTIFY, thisday of Maryland, in and for the County atoresaid.		9 <u>41</u> , before m	e, a Notary Public of the State	e
A. Thomas	Ward, II			
the Affiants(s) herein, personally known or sa that the matters and facts hereinabove set for	itisfactorily identified to me as su th are true and correct to the bes	ich Affiantt(s), and st of his/her/their i	d made oath in due form of la mowledge and belief.	u.
AS WITNESS my hand and Notarial Seal	Α.		, O July	∢.
July 17, 1997	NOTARY PUBLI	dy as	LUTRITORIO NOTARY	常
	My Commission	Expires: 5/12	199 3 PUBLIC	
tank and drainage field.			18	The state of the s
6. The correct location is	as proposed on th	is unique	property as coush	æpe,
existing buildings, cen	metery, etc., and w	ithout the	requested värlan	ce(s

the Wards will sustain practical difficulty and unreasonable hardship.



Petiton for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

2003 W. Joppa Road

which is presently zoned

I/We do solemnly declare and affirm, under the penalties of perjury, that tiwe are the

D.R.1.

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) 400.1 to permit a fenced, lighted, private tennis court in an interior, non-public road front yard/side yard.

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

see attached reasons

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.

	legal owner(s) of the property which is t		Statuti.
Contract Purchaser/Lessee	Legal Owner(s).		
	A. Thomas Ward	i, III	
Type or Print Name!	(Type or Print Name) (Type or Print Name)	het a	
Signature	Signature		
Address	(Type or Print Name)		
City State Zipcode	Signature -		
Attorney for Petitioner Newton A. Williams			
Nolan, Plumhoff & Williams	P.O. Box 432	410-	-321-1215
Type or Print Name:	Address		Phone No
Newton a, Williams	Riderwood	MD State	21139 Zipcode
Signature 502 Washington Avenue	Name, Address and phone number of Newton A. William:		e contacted
Suite 700 - Nottingham Centre 410-823-7800	Nolan, Plumhoff & N		
Address Phone No	Name 502 Washington	n Avenue	
	Suite 700	410	0-823-7800
Towson MD 21204			

REVIEWED BY:



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ITEM #: __

Zoning Commissioner of Baltimore County



MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030 -

Telephone: (410) 527-1555 Facsimile: (410) 527-1563

98-52-A

June 23, 1997

ZONING DESCRIPTION OF 2300 WEST JOPPA ROAD AS RECORDED IN DEED LIBER 6195 FOLIO 785 FOR ARTHUR THOMAS WARD, III

Beginning for the same in the center of Candlewick Road a 30' private right-of-way at a point 470 feet more or less southwesterly from the center of Joppa Road. Thence by a line to the south side of said Candlewick Road

- 1) South 03° 23' East, 15 feet and running; thence around the above mentioned parcel of land the eleven (11) following courses; viz
- 2) South 54° 01' 30" West, 334.44 feet,
- . 3) South 71° 13' West, 377.16 feet,
 - 4) North 00° 09' 30" West, 385.86 feet,
 - 5) North 75° 53' 10" East, 203.65 feet,
 - 6) South 71° 09' 30" East, 183.09 feet, thence binding on the west end of Candlewick Road
 - 7) South 05° 02' 40" East, 47.31 feet, thence along the south side of said right-of-way, the following two (2) courses, viz;
 - 8) South 62° 44' 40" East, 1.50 feet and

ZONING DESCRIPTION OF 2300 WEST JOPPA ROAD June 23, 1997 Page Two

98-52-A

- by a line curving to the left having a radius of 175 feet and an arc lengthh of 15.81 feet and subtended by a chord bearing and distance of South 65° 20' East 15.79 feet; thence to a point in the center of Candlewick Road;
- 10) North 05° 02' 40" West 17.07 feet; thence following said center of Candlewick Road the following two (2) courses viz;
- by a line curving to the left, having a radius of 160 feet and an arc length of 77.78 feet and being subtended by a chord bearing and distance of South 79° 03' 30" East 77.02 feet, and
- 12) North 87° 01' East 163.37 feet to the place of beginning containing 3,555 acres of land more or less.

This description is for zoning purposes only and is not to be used for the conveyance of property.

NOTICE OF HEARING

Case, #88-52-A
2003 West Joppa Road
S/Saind Candlewick Lane, approximately 470° W of West
Joppa Road
SIR Election District
4th Courpellmanic
Legal Owner(s)
A Thomas Ward, III
Verlames: to permit an accessory structure (fennis
court) in the front yard, in leu
Haaring: Weathresdin; Outobar 8, 1897 at 9:00 a.m.
Robin 447 Courts Bidg., 401

LAWRENDE E. SCHMIDT Zoning Commissioner for Baltimore County.

NOTES: (1) Hearings are Handldapped Accessible, for Special accommodations Please Call (410) 887-3353.

(2) For information concerning the File, and/or Hearing.

0174432 9/243 Sept. 18

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was -successive in Towson, Baltimore County, Md., once in each of. weeks, the first publication appearing on XIGPT

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

RIBUTION VIOLET CASHIER PINK - AGENCY YE	#010 - VARIANCE 2003 West Jop 98-52-A	umhoff &	AMOUNT	PATE 8/8/97 ACCOUNT	BALTIMORE COUNTY, MARYLAND	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELL	FOR:	RECEIVED TO THE PROME TO THE PR	AMOUNT	DATE 8 /7 : // ACCOUNT	LTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT
CASHIER'S VALIDATION YELLOW - CUSTOMER	Joppa Road Drop-Off Petition; No Review		\$ 50.00 (WCR)	035918		YELLOW - CUSTOMER			\$ 40,60	01-615	V
CASHIER'S VALIDATION		Haltimore County, Maryland	Kerdelpt # 009736 Fin on there	PROCESS ACTUAL TIME PROCESS ACTUAL TIME 8/11/1997 8/11/1997 00:35:24 REQ WS02 CASHIER JRJC JAR DRAWER 2 5 WISDELLANDUS CASH REDETER	TOTAL TIME TIME	CASHIER'S VALIDATION		Hardensk stung analyng	Receipt # 020.34 (#13)		

CERTIFICATE OF POSTING

The sign(s) were posted on

	RE: Case No.:
	Petitioner/Developer: WARD, ETAL
	C/O NEWTON WILLIAMS, ESG FAX-296-2765 Date of Hearing/Closing: 10/8/97 Q900 AM
Baitimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	ė9°AM
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perj were posted conspicuously on the property locate \mathcal{L} AT SITE C	ury that the necessary sign(s) required by law ed at #2003 W. JOPPA RD. #NDLEWICK RD. (Z) 516NS

2003 W. JOTTE ED. - WARD.

#-10/8/97

(Signature of Sign Poster and Date

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

[410] 666-5366

(Month, Day, Year)

(Telephone Number)

ADMINI VARIANCE

RE: Case No.:

Petitioner/Developer: A.T. WALD_III, ETAL

% NEWTON WILLIAMS, ESQ of Hearing/Closing: 9/2/97

Date of Hearing/Closing:

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law #2003 JOPPA RD. were posted conspicuously on the property located at

Z-SIENS W/ DIRECTIONAL

The sign(s) were posted on

Sincerely,

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

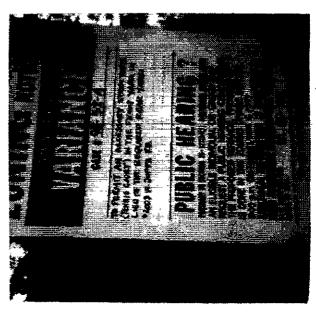
[4] L' 666-5366

Pager (410) 646-8354

(Telephone Number)



#98-52 A. ADMIN. #2003 W. JOPPA RD. A.T. WARD. CL-9/2/97

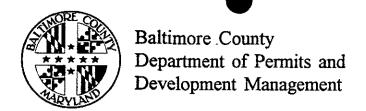


98-52-A (ADMIN. #2003 W. JOPPA R.D.

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:
Re: Case Number:
Petitioner(s): A, THOMAS WACD III
Location: 2003 VA. SOPPO RD

I/WE, THOWAS E. CARSK) Name(s) (TYPE OR PRINT)
Name(s) (ITPL UK PRINT) {\sqrt{\}\}\Legal Owners {\}\ Residents, of
2005 WEST JORPA ROAD.
Address
T = 500 11 PARIS A D 7 1781
Towson, Muzgiand 2/26
tity/state/2ip tate
which is located approximately feet from the
property which is the subject of the above petition, do hereby formally
request that a public hearing be set in this matter.
(1)/2
(1) Miles a) & Sect. 8-27-97
Signature Date
Signature Date
UNILING ADDRESS
514 HAMPTON CANTE
TOWSON, MD 21286
1000 Zen 1000



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

Jugust 22, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-52-A
2003 West Joppa Road

S/S/end Candlewick Lane, approximately 470' W of West Joppa Road

9th Election District - 4th Councilmanic

Legal Owner(s): A. Thomas Ward, III

Post by Date: 08/17/97

Closing Date: 09/02/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

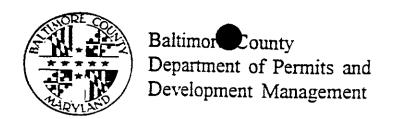
- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

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

Arnold Jablon Director

cc: A. Thomas Ward, III
Newton A. Williams, Esq.





Development Processing County Office Building 111 West Chesapeake Ave Towson, Maryland 21234

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

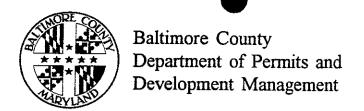
Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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 divertising:			
Item No.: 57			
Petitioner: A. THOMAS WARD, III			
Location: 2003 W, VOPPA RP,		•	
PLEASE FORWARD ADVERTISING BILL TO:			
NAME: O, Thomas Ward, III.	_		
,	*		
ADDRESS: P.O. Box 432 Riderwood, Md. 21139			
PHONE NUMBER: 4/0-823-70/4			
AJ:ggs			
		(Revi	sed 09/24/96)



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

August 8, 1997

Newton A. Williams, Esquire Nolan, Plumhoff & Williams 502 Washington Avenue Suite 700 - Nottingham Centre Towson, MD 21204

RE: Drop-Off Petition (Item #52)

2003 West Joppa Road 9th Election District

Dear Mr. Williams:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper forms pertaining to this. There is a form indicating the posting standards required by Baltimore County, as well as a list of vendors serving the Baltimore County area. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to Gwendolyn Stephens.

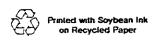
If you have any questions regarding the sign posting, please do not hesitate to contact Gwendolyn Stephens at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor Zoning Review

WCR:sci

Enclosures



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than *8-17-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 98-52-A

ADMINISTRATIVE VARIANCE TO PERMIT AN

ACCESSORY STRUCTURE (TENNIS COURT) IN THE

FRONT YARD IN LIEU OF THE REQUIRED

REAR YARD.

PUBLIC HEARING?

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
September 18, 1997 Issue - Jeffersonian

Please foward billing to:

A. Thomas Ward, III P. O. Box 432 Riderwood, MD 21139 410-823-7014

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 in <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

CASE NUMBER: 98-52-A
2003 West Joppa Road
S/S/end Candlewick Lane, approximately 470° W of West Joppa Road
9th Election District - 4th Councilmanic
Legal Owner(s): A. Thomas Ward, III

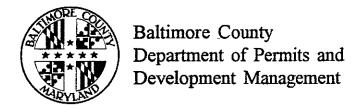
Variance to permit an accessory structure (tennis court) in the front yard in lieu of the required rear yard.

HEARING: WEDNESDAY, OCTOBER 8, 1997 at 9:00 a.m., Room 407 Court Building, 401 Bosley Avenue.

LAWRENCE E. SCHNIDT 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.



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

September 12, 1997

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Legal Owner(s): A. Thomas Ward, III

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Arnold Jablon Director

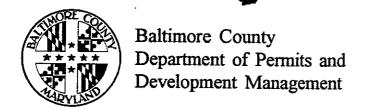
cc: A. Thomas Ward, III

Newton A. Williams, Esq.

David Cromwell Thomas E. Carski

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 23, 1997

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



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

August 27, 1997

Newton A. Williams, Esquire Nolan, Plumhoff & Williams 502 Washington Avenue Suite 700, Nottingham Centre

RE: Item No.: 52

Case No.: 97-52-A

Petitioner: A. Thomas Ward, III

Dear Mr. Williams:

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 August 8, 1997.

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 (410-887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)



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: Que

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

58

60

62

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Department of Permits and Development Management **DATE:** August 25, 1997

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

Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos 52, 53, 55, 56, 57, 60, 61, 62, and 64

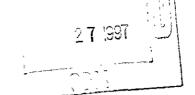
If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by: John W. Long

Division Chief: Gay L. Keins

AFK/JL





Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

AUGUST 25, 1997

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

RE: Property Owner: SEE EELOW

Location: DICTRIBUTION MEETING OF AUGUST 25, 1997

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.

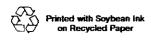
3 The Fire Marehall's Office are or comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

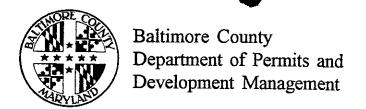
052, 055, 057. 058, 060, 061, AND 064

REVIEWER: LT. POSERT P. SAUEMWALD

Fire Marcha? Strice. PHONE 867-4881, MS-1102F

cc: File





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

September 2, 1997

Newton A. Williams, Esquire 502 Washington Avenue Suite 700 - Nottingham Centre Towson, MD 21204

RE: Drop-Off Petition Review (Item #52)

2003 West Joppa Road 9th Election District

Dear Mr. Williams:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are <u>advisory</u> and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$50.00 revision fee.

The address on the description does not match the address on the plan or the address on the petition form.

If you need further information or have any questions, please do not hesitate

to contact me at 410-887-3391.

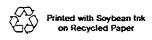
John R. Alexander

Planner II, Zoning Review

JRA:scj

Enclosure (receipt)

c: Zoning Commissioner



LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS CHARTERED

SUITE 700, NOTTINGHAM CENTRE 502 WASHINGTON AVENUE TOWSON, MARYLAND 21204-4528 (410) 823-7800 TELEFAX: (410) 296-2765 52

JAMES D. NOLAN

J. EARLE PLUMHOFF (1940-1988)

RALPH E. DEITZ

WRITER'S DIRECT DIAL

August 7, 1997

Honorable Lawrence E. Schmidt Zoning Commissioner Fourth Floor - Courts Building Towson, Maryland 21204

NEWTON A. WILLIAMS

THOMAS J RENNER

STEPHEN J. NOLAN*

ROBERT L HANLEY, JR.

ROBERT S. GLUSHAKOW

STEPHENM SCHENNING DOUGLAST BURGESS

ROBERT E CAHILL, JR. C WILLIAM CLARK

E BRUCE JONES**

STUART A. SCHADT

"ALSO ADMITTED IN D.C."
""ALSO ADMITTED IN NEW JERSEY

WILLIAM R ENGLEHART, JR.

Honorable Timothy M. Kotroco Deputy Zoning Commissioner Fourth Floor - Courts Building Towson, Maryland 21204

Re: The Ward Property, 2003 West Joppa Road

Request for Administrative Variance to Place Proposed Tennis Court

In Apparent Front Yard (Actually More of A Side Yard)

Dear Commissioner Schmidt and Commissioner Kotroco:

Mr. A. Thomas Ward, III, is the owner of a very attractive, beautifully landscaped 3.49 acre estate property on Candlewick Lane on the west side of Joppa Road, north of Old Court Road, in the Riderwood section of Baltimore County.

This is an <u>interior property</u>, and has no true front yard in the sense that it can be seen from the road, and the apparent front yard actually abuts in turn as follows:

- 1. To the north, an existing spring house vacant property in the development of Sunset Knoll, as well as two homes at the end of a cul de sac, with both of these homes 300 feet or so away and screened by extensive planting.
- 2. To the east, Candlewick Road, and the very long and deep yards of other estate properties, which are screened by a series of trees.
- 3. To the south, the rear yard of the Waidner property which fronts on Old Court Road, and which has an existing swimming pool in the side yard. The Waidner property is more than 250 from the property line, and will be screened and continued to be screened by trees which will remain.
- 4. To the southwest, the Boatwright property, which has its own tennis court immediately adjacent to the house, and which will be more than 320 feet from the proposed tennis court.

Honorable Lawrence E. Schmidt Honorable Timothy M. Kotroco August 6, 1997 page two

. ,

5. To the west, the proposed tennis court will only affect the historic Ward house, which has been beautifully restored, an existing, older cemetery which dates to the 19th Century and the late18th Century, an existing water garden, and an existing swimming pool and pool house and the Ward garage.

As you can see from the site plan, the central, southern and western portions of the property are already taken up by the existing Ward dwelling, the water garden, the existing cemetery, the built-in pool and the existing garage.

Thus, the appropriate place for this tennis court is not in the rear yard, which is occupied by the pool, pool house and garage, as well as the septic area <u>including surface cleanouts</u> as well as sculpture areas, but rather in this front/side yard which abuts the driveway and which is the furthest from all of the Ward neighbors.

I know that the Wards have spoken to the Waidners, and that they have no objections, and it is very unlikely that anyone would have an objection, and of course that will be handled by the appropriate posting.

We would suggest as far as posting, that two signs be posted, one at the entrance on Joppa Road and another at the tip of the property.

Mr. and Mrs. Ward would welcome an opportunity to show either one of you the property, as would I, and we also, of course, have included photographs, a marked plat and other materials. Thanking either and both of you for your consideration of this matter, I am

Respectfully,

Newton A. Williams

nuter Williams

NAW:mao encls.

CC - Mr. A. Thomas Mand, II. J. F. O. Berx 433, Edguror & Md, 21139 CC! Me Kee and Asso. Its, Anderson 5 xhadran p., Sant Hally, Md. 21139

NOLAN, PLUMHOFF & WILLIAMS

M. Carole Jollon Januto Sure 700, NOTINGHAM CENTRE M. And Relands John Sure 700, NOTINGHAM CENTRE POIN And Relands John Sure 700, NOTINGHAM CENTRE POIN County Office Balls 1000 MARYLAND 21204-4528 Right Reland (410) 823-7800 County Office Balls 10043 April 34 1997 County Office Balls 10043 April 10040 M. Sure Cacacteric Antiform (2) Sure Charles of Cathern Ser Remainistrature January Land County And Shawles Johns of State Bans January (410) Respective of State Bans January Deportes. (5) Sureles Gapin of State Bans January Deportes. (6) Carrier of Shirts of the oute and nearly Deportes. (6) Carrier of Shirts of the oute and readings.		7. Cover detecto 2, C. re (Legunst.
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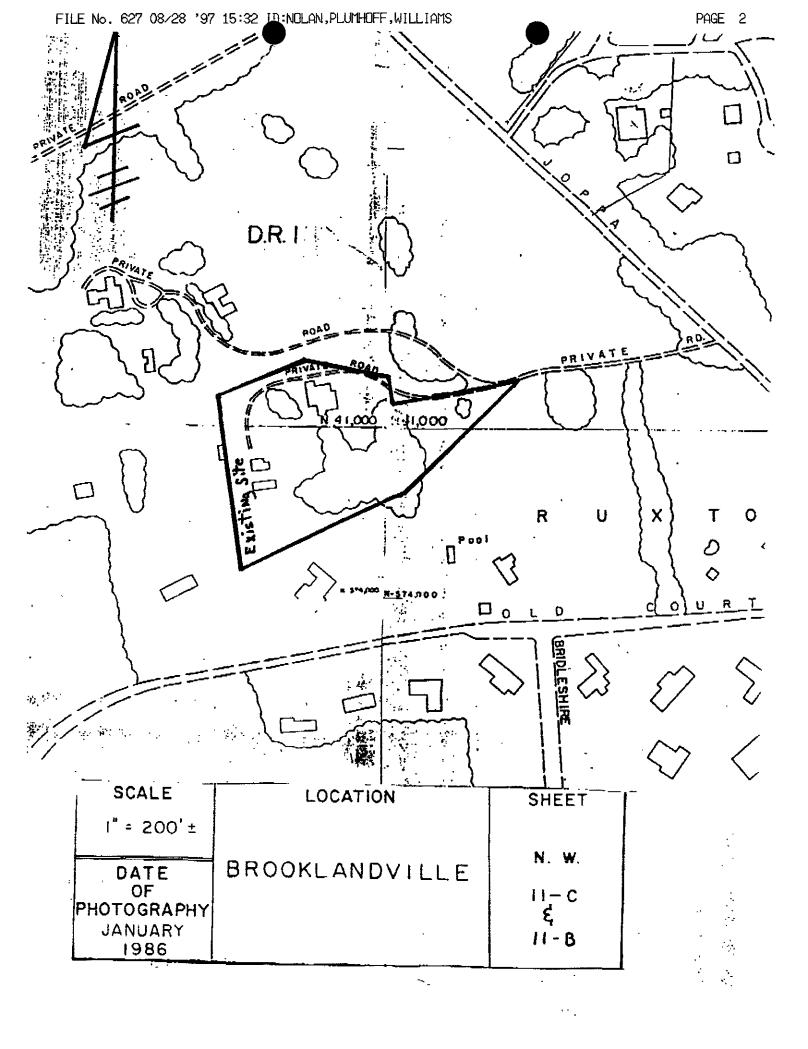
SPECIAL CIRCUMSTANCES AND UNIQUE FEATURES OF THE WARD PROPERTY: 2003 WEST JOPPA ROAD

The Ward home is affected by the following special circumstances and unique features, namely:

- 1. Historic home which has been sensitively restored and added onto, this is a very unique feature. Probably the oldest house in Ruxton/Riderwood.
 - 2. The Ward home is the last property on Candlewick Road, a unique feature.
 - 3. Existing, historic Hunt's Cemetery is a unique feature.
 - 4. Pool and pool house are rather unique features.
 - 5. The Water Garden is a unique feature.
 - 6. The location of the septic area in the rear yard is a limiting feature.
 - 7. The free standing garage/wine tasting and storage building is a unique feature.
- 8. The arrangement of these items on the periphery of the property is a unique feature and special circumstance.
- 9. The combination of all of these factors renders the Ward property very unique and affected by special circumstances.
- 10. The combination of these features amounts to practical difficulty and unreasoanble hardship.
 - 11. The presence of tennis courts on area properties is not a unique feature.

CITIZEN SIGN-IN SHEET

NAME	ADDRESS
DANIEL FEINTHO, M.O.	2 HILLGOINT CT LUTHERVILLE
Barbara Leutaa	MP 2/093
Stephenie Hischtell	1 Sunset Knoll Ct
- RICK HUETER (Pier Susset Knot Asso)	5 Hillspoint Court
Peggy SQUITIERI, Ruston-Rederwood Like	Roland Aver Improvement Assoc
	Riderwood mo 21139
DEBORAH CARSKI OWELER OF LOT 11 HILLS POINT	514 HAMPTON LANE TOWSON ZIJH
- 11 A 1	
Jeffrey Farley	4 Hillspoint Ct.
Richard Howard	8 Hillspoint Ct.
David Crouwell	1932 OCD COURT BD + 10 HILLS POINT CT
LON GORE	2 CONISTON RO
Deborah Dookin	502 Washington Ave 21204
TOM CARSKY	SH HAMPTON LANDS ZIZZL
SAM CRORIEN	10015 and the mark Rd
<u> </u>	Common W



A. Word Home - Larage in boulgasound looking W.

98-52-A

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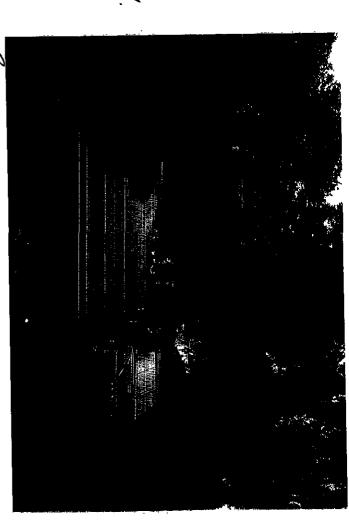
A. Mard Home on M/5 of Property



98-52-A

The Wand Croperty. 2003 West Joppe Rd.

O' Looking Won during buide home.



C. Looking ForWard private divil

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Q, Looking 5 from private drive in simily of proposed court

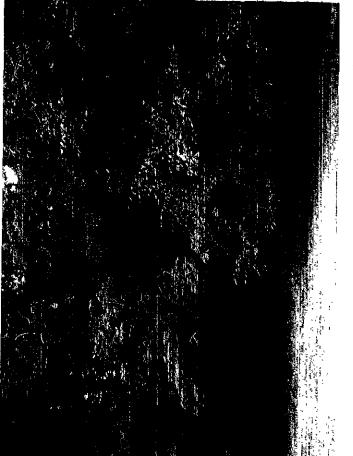
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E. Looking Whom minty of proposed court

98-52-A

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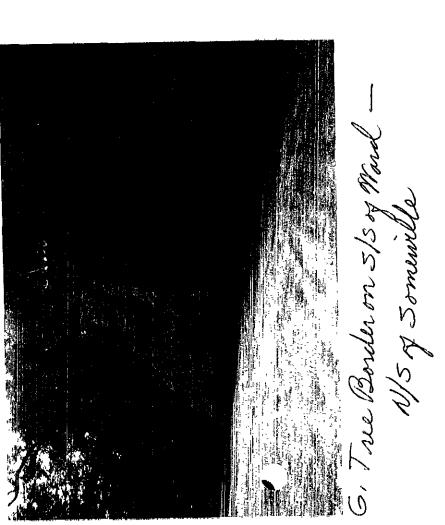
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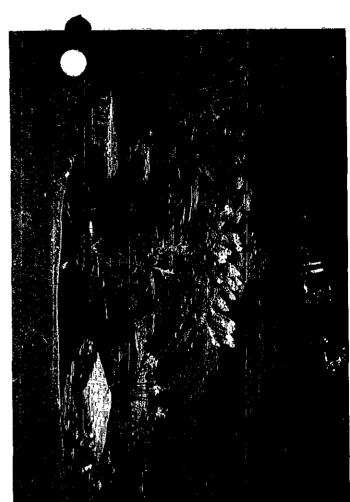
H. Lane showing boundary state

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4-65-86



J. Wate Garden



98-52-A

K. Ober up of Mater Surden sollphire

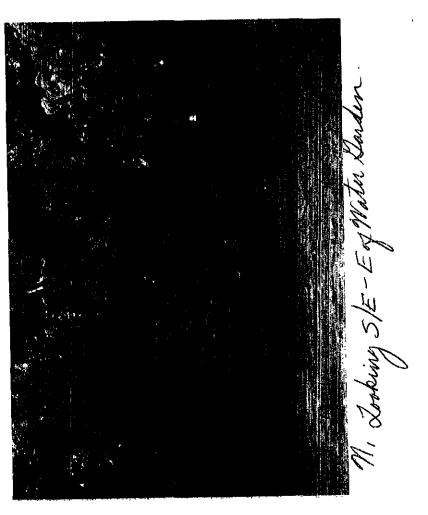
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2, 5 and of Word House.

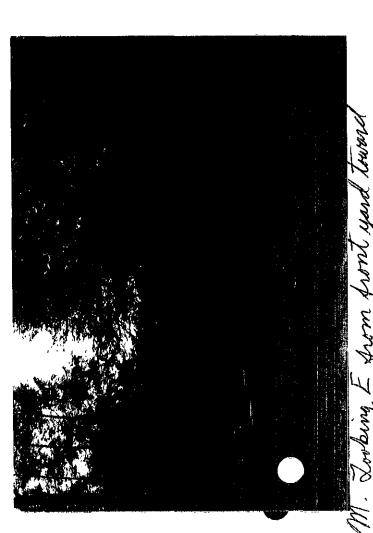
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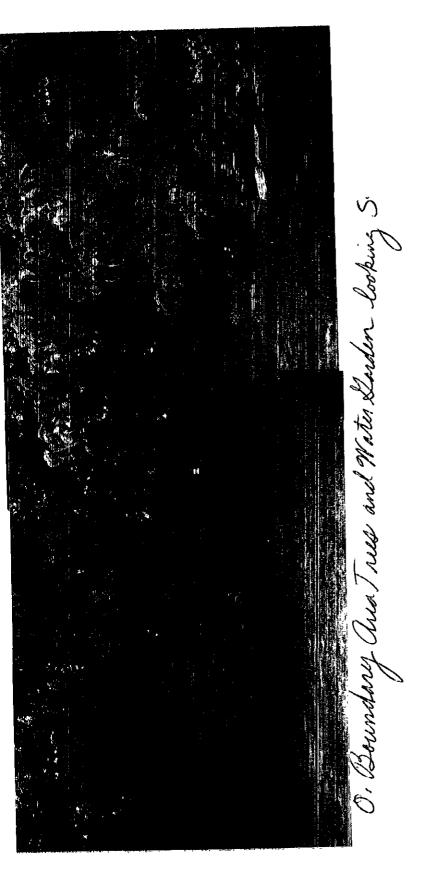


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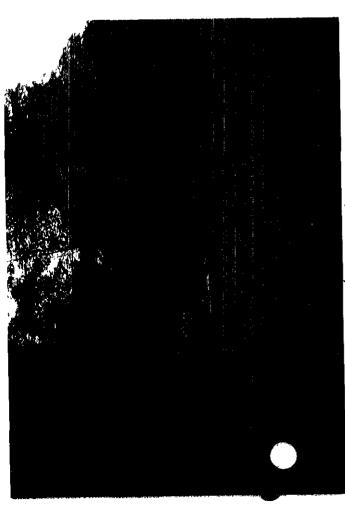
W-75-86



M, Looking Wword - side of house

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V-79-86



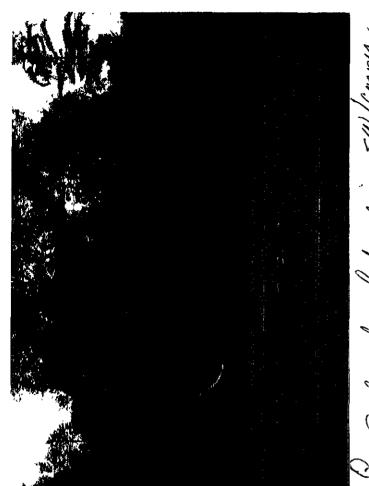
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S. Leptic clean out in now ynd.

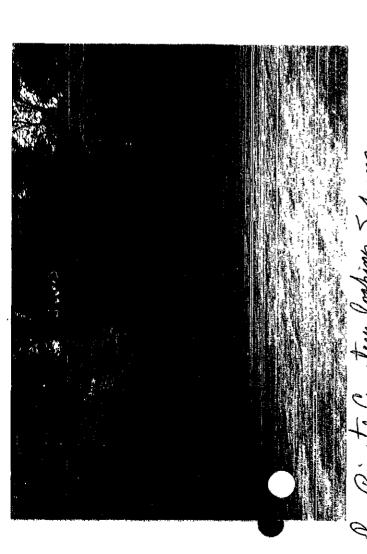
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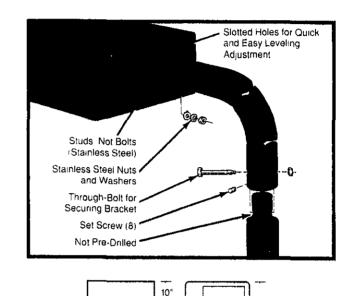
Gool and post bouse in 500/course

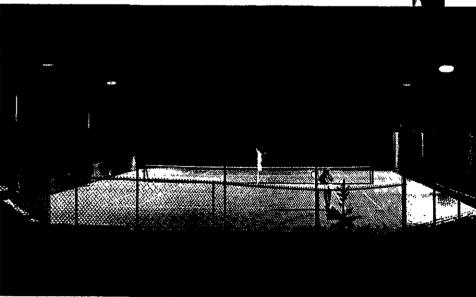
W-79-86



Features

- The one-piece aluminum housing features radiused or square corners which are welded to produce a clean edge while increasing housing strength and ensuring weathertight construction. One-piece construction eliminates the worry of moisture entering from poorly sealed top pans and side panels.
- The Courtsider XL offers a Forward Throw (FT) reflector system designed specifically for perimeter lighting applications to eliminate stray light and produce a sharp backside cutoff.
- The standard finish for the Courtsider XL is tennis green, an appealing finish which blends well into the court environment. DuraGrip®, Courtsider Sports Lighting's revolutionary superior baked-on polyester-powder finishing process, gives the fixture an exceptionally attractive appearance. This unique polyester protection lets the fixture withstand extreme weather changes without cracking or peeling. Finish is guaranteed for five full years.
- The Courtsider XL is designed to utilize a Metal Halide lamp,
- Porcelain sockets feature springreinforced contacts for long life.
- Four-Inch diameter bracket slipfits four-inch diameter tenon pole for a smooth transition.
 Hardware to level the bracket is internally threaded, concealing it from view for a cleaner appearance.
- · Clear flat tempered glass lens.
- Continuous one-piece EPDM gasket for maximum sealing.





Newton - Court will have 10' cut off each





Colifornia Corners







XSPERTS

"Bringing Tennis Technology to the World"
Tel: (516) 767-9114 * Fax: (516) 767-7548





- features rounded corners which are welded and finished to produce a clean, soft edge (a gentle curving of the vertical edges) while increasing housing strength and ensuring weather-tight construction. One piece construction eliminates the worry of moisture entering from poorly sealed top pans and side panels.
- The Courtsider XL offers a Forward Throw (FT) reflector system designed

specifically for perimeter lighting applications to eliminate stray light and produce a sharp backside cutoff.

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 - Porcelain sockets feature spring-reinforced contacts for long life.



98-52-P

SAMUEL CROZIER

Education Ohio State University, Bachelor of Landscape Architecture, 1962

University of Michigan, Master of Landscape Architecture, 1964

Registration State of Maryland / Landscape Architecture

Professional

Background 17 years as principal of Crozier Associates, 10 years with other firms

Qualifications After three years with the Rouse Company working with multidisciplinary teams

on large scale land planning projects in the new town of Columbia, and on land use feasibility studies for projects throughout the country, Sam Crozier began his own firm in Baltimore, Md. Under his guidance, Crozier Associates has developed a

reputation for unique and creative land planning and landscape architecture.

Sam Crozier has successfully completed many public and private projects ranging from zoning, land use and feasibilty studies to detailed site design and construction implementation. He has directed collaborative teams of architects, engineers and environmental consultants on commercial, industrial, institutional, community

design and park planning projects.

His public clients include the City of Baltimore, Howard, Baltimore, Montgomery, Prince George's, and Fairfax Counties as well as the State of Maryland (DGS, SHA, Frederick and Prince George's Community Colleges). Public projects have included campus planning, park and recreation planning and design and highway

projects.

Significant Owings Mills Stream Valley Park System Owings Mills, MD.

Projects The John's Hopkins Bayview Research Campus Community Park Baltimore City

<u>Double Rock Park</u> Baltimore County, MD.

Gwynn Oak Park Baltimore County, MD.

Reedbird Park Baltimore City

Lewinsville Park Fairfax, VA.

Backlick Park Fairfax County, VA

Pointer Ridge Recreation Center Bowie, MD

Huntington South Recreation Center Prince George's County, MD.

Pimlico Good Neighbor Park Baltimore City, MD.

Middle Branch Park System Baltimore City, MD.

Professional Affiliations

American Society of Landscape Architects, member

ASLA Maryland Chapter, past president and current president elect State of Maryland Board of Examiners of Landscape Architects 1982

Baltimore County Master Plan Review Committee, 1990

Baltimore County Steering Committee for the Design Review Panel



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Mard Property 2003 Mr. Japan Rd.

Old Court Rd.

NW NE SW SE

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OF
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JANUARY
1986

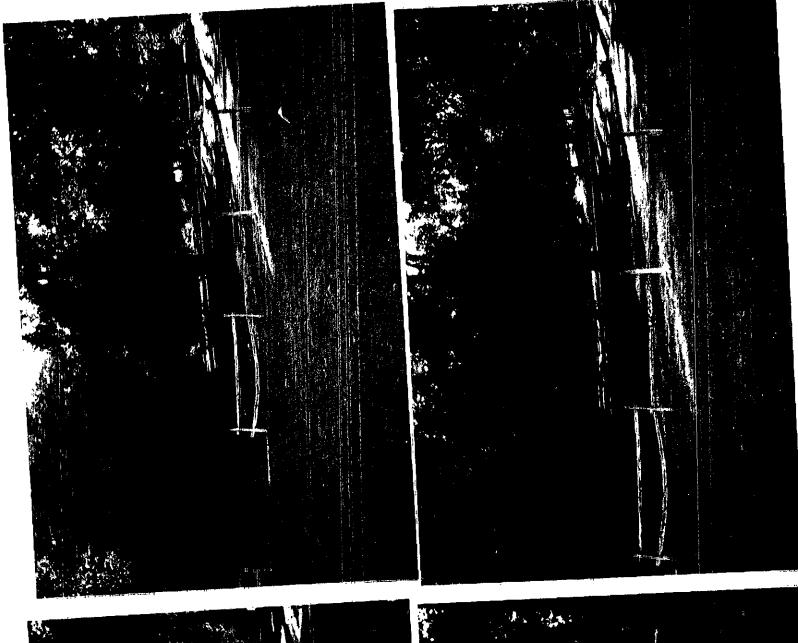
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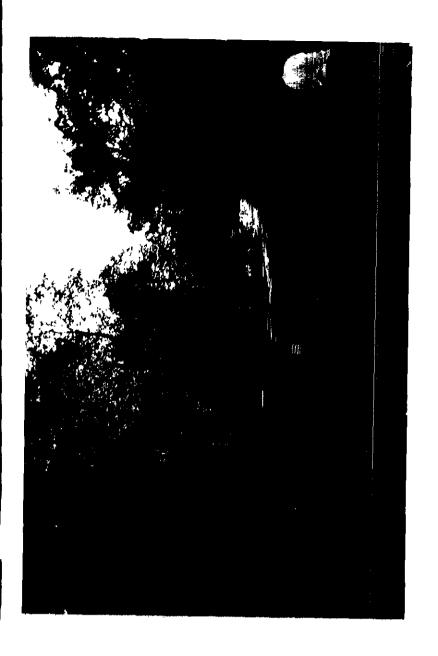
SHEET

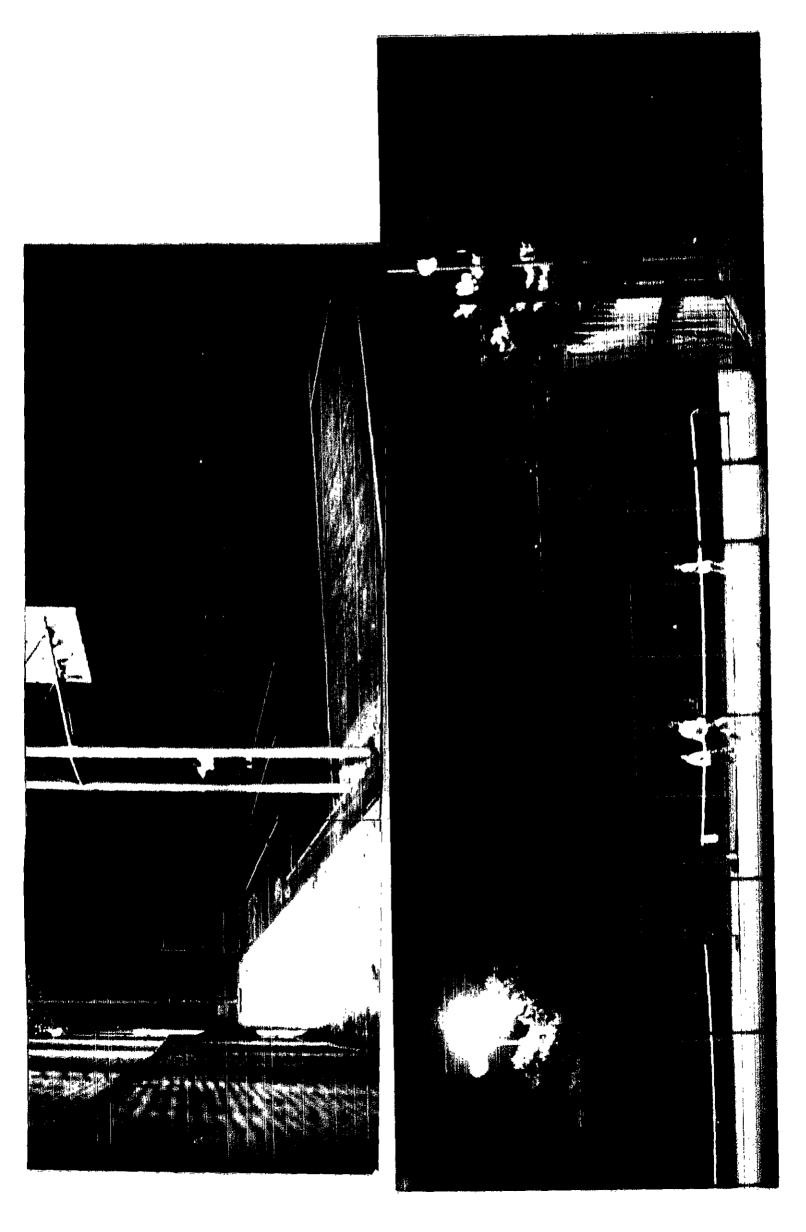
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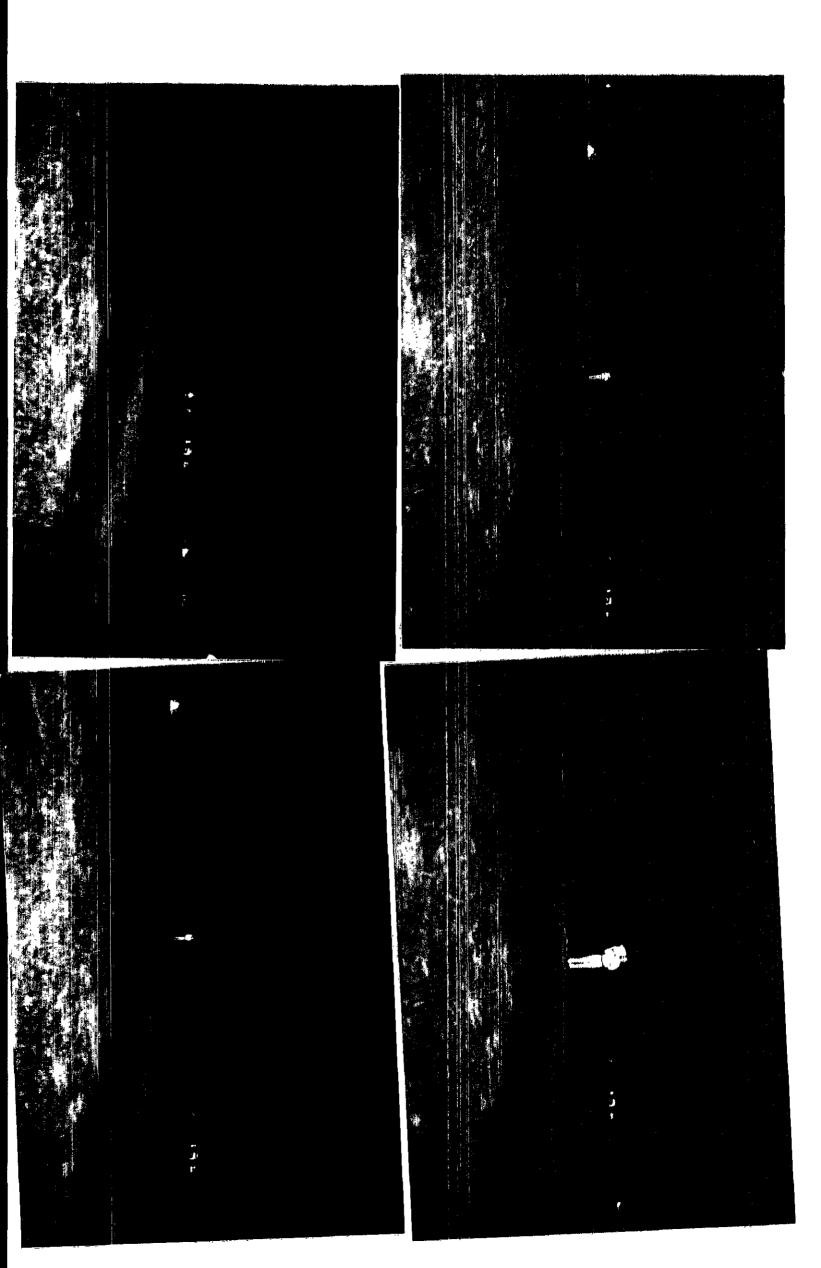
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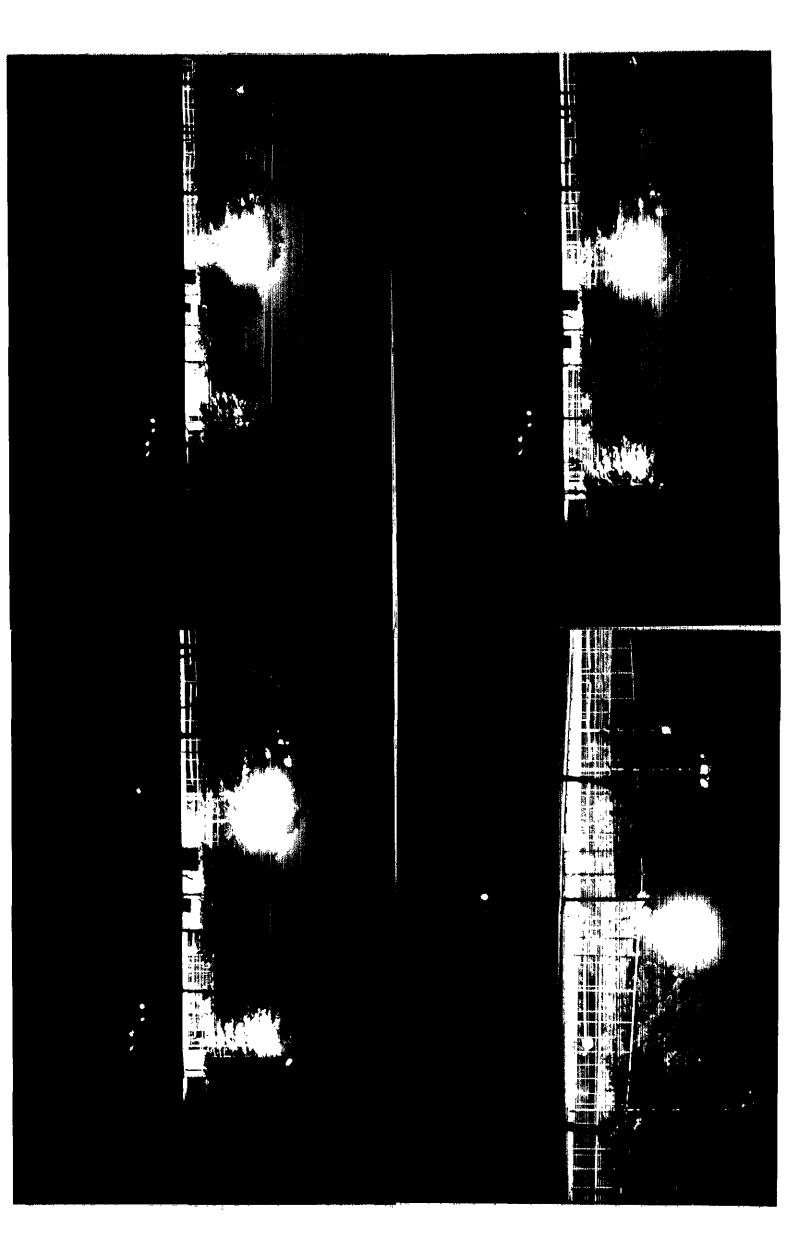


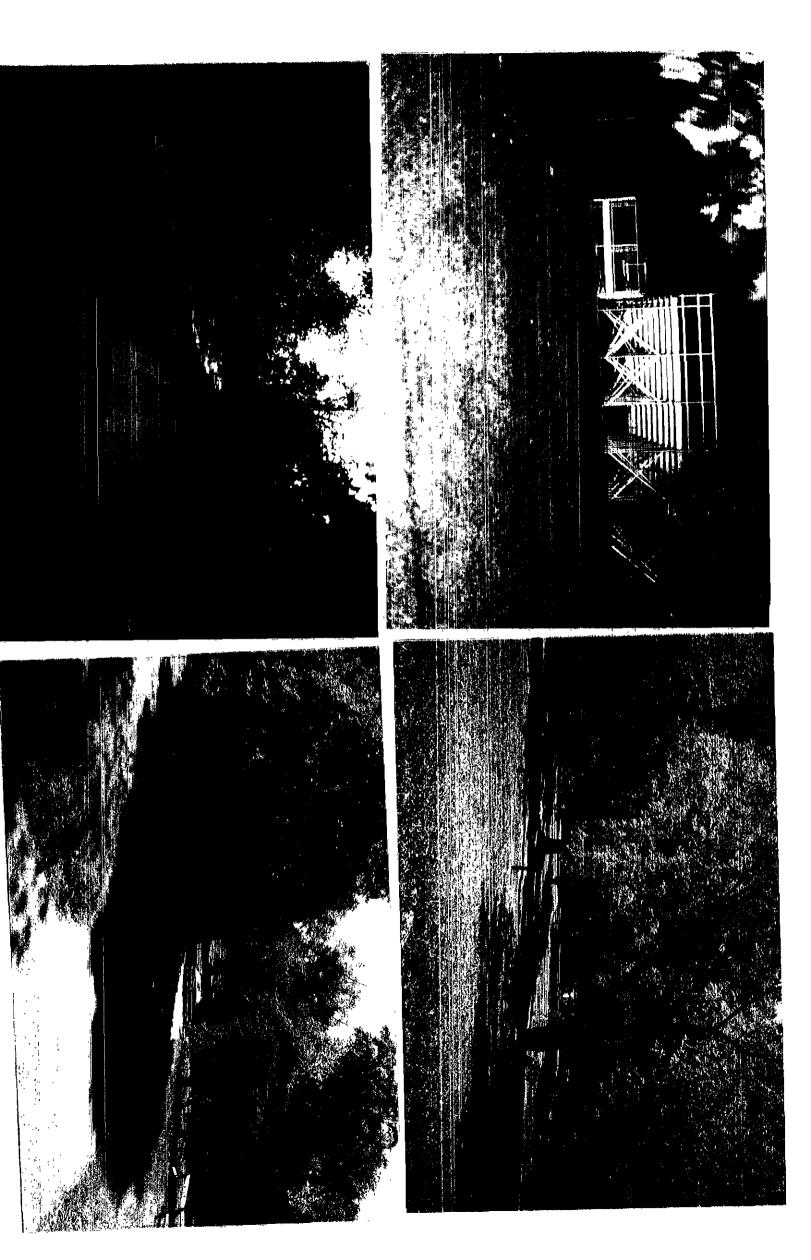


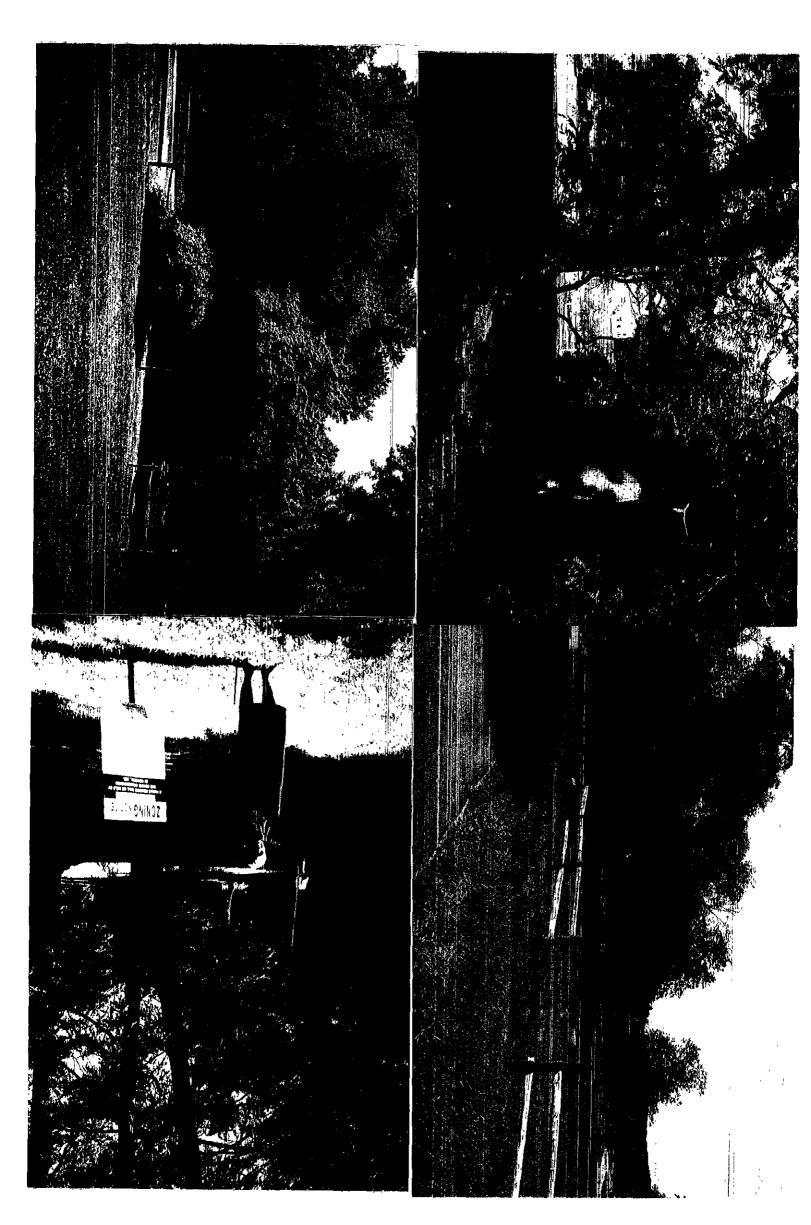


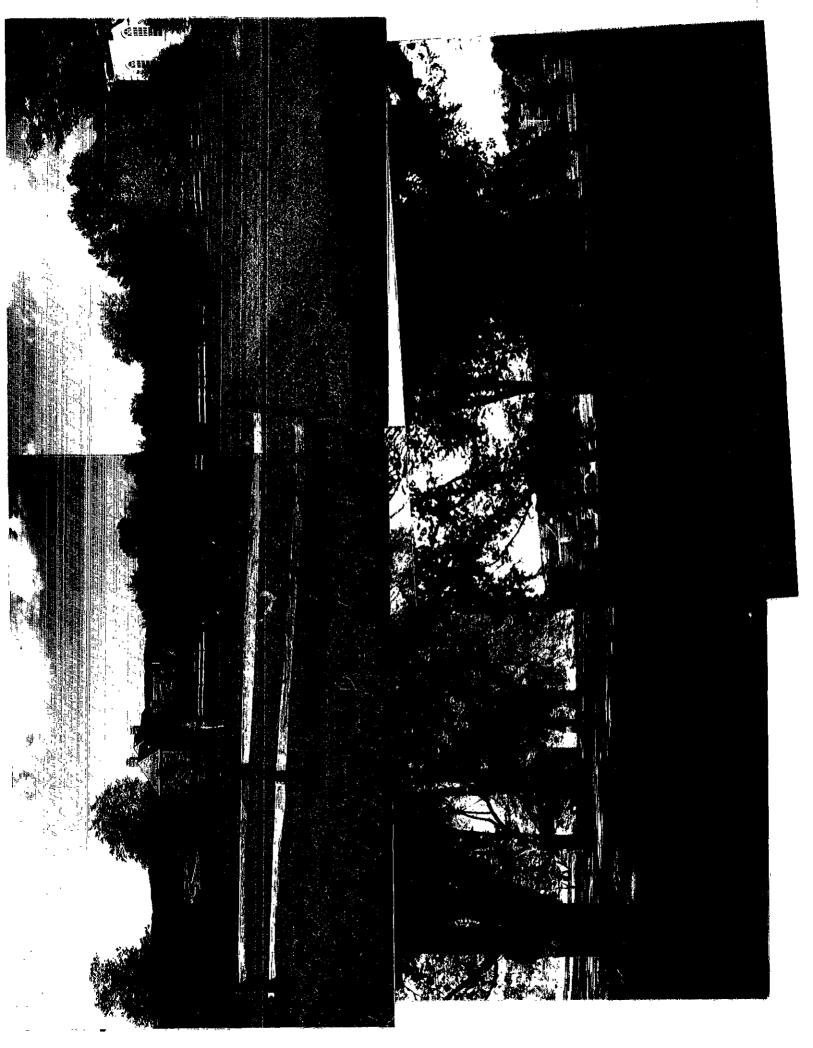












FARLEY Lot #12

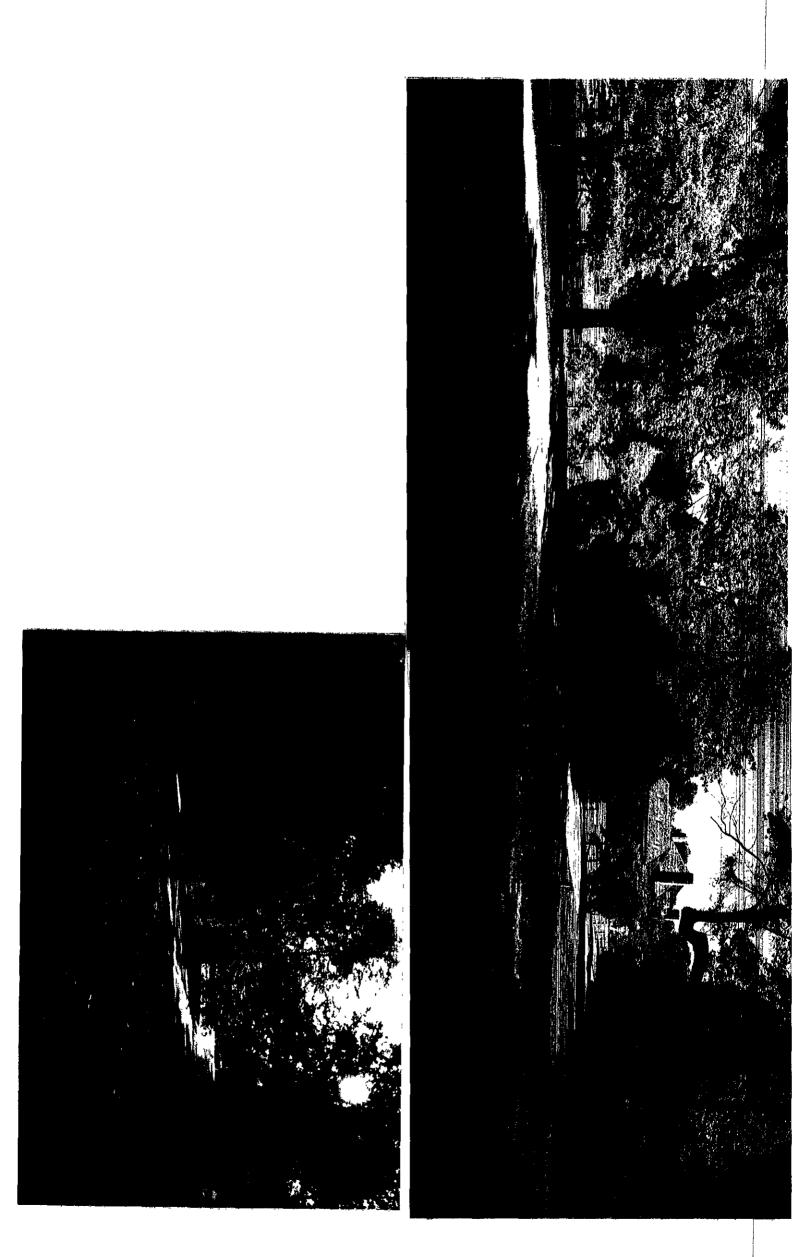
GEORGE Lot #13

HOWARD Lot #14





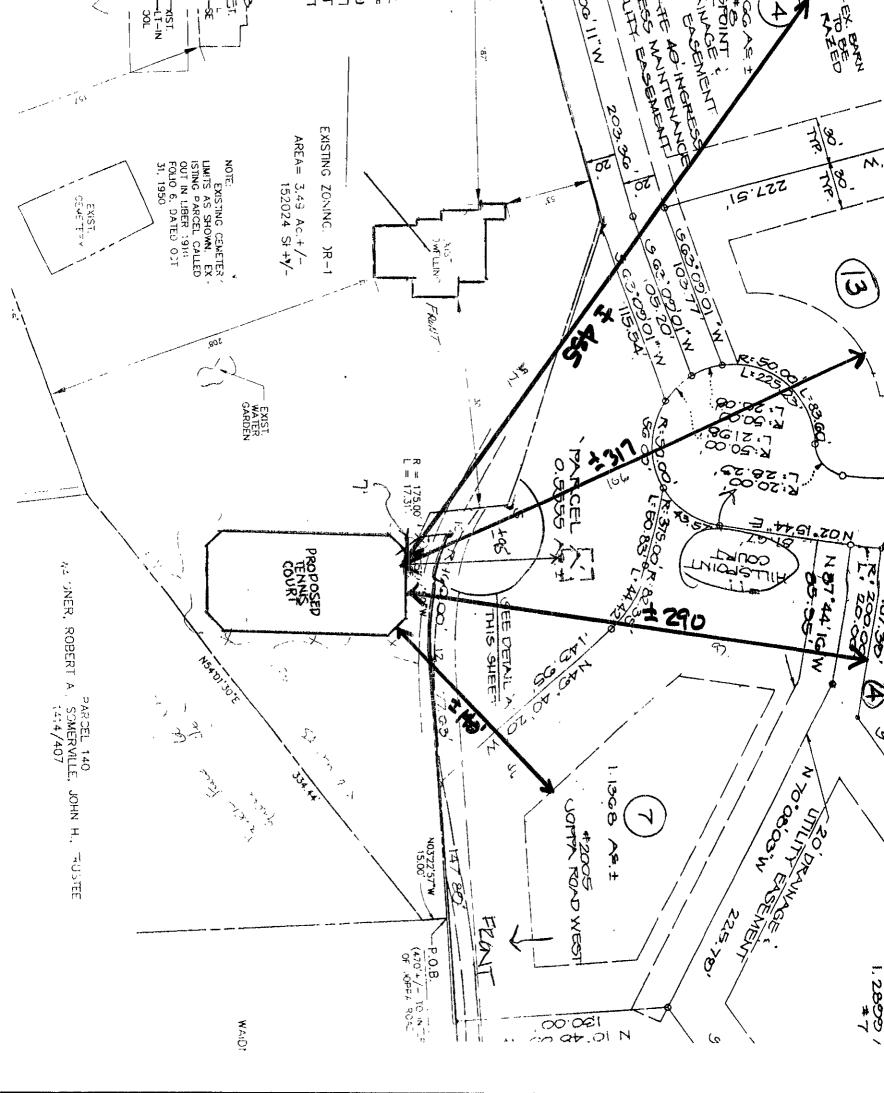












Lighted Tennis Court

