



Appearing at the public hearing held for this case were Allan L. Cooper and Tamara M. Cooper, Petitioners/property owners. Appearing in opposition to the request was David A. Mays. There were no other Protestants or interested persons present.

Testimony and evidence presented was that the subject property is approximately .34 acres in area, zoned D.R.3.5. The property is an irregularly shaped lot adjacent to Mineral Avenue not far from Francis Road in the Arbutus community of eastern Baltimore County. Mr. and Mrs. Cooper testified that they have owned the property for approximately 12 years and reside thereon. The site is improved with a split foyer single family dwelling. In addition to the dwelling, there are two sheds in the rear yard, one of which is used to store firewood and the other to store household items. At this time, the property does not feature a garage.

The subject of the variance is a proposed garage which will be built to be attached to the side of the dwelling. The proposed garage will be 24 ft. in width and 24 ft. in depth. The depth of the garage will be the same as the dwelling. Mr. and Mrs. Cooper also indicated that the garage will be designed to be compatible and to match the existing house and will be used to store vehicles and household items. In this regard, they indicated that there were several large oak trees on Mr. Mays' property which is adjacent to the subject site and immediately abutting where the garage will be located. Mr. and Mrs. Cooper indicated that these trees cause damage to their cars, specifically from sap and falling acorns. Thus, the garage is proposed in order to provide a secure area where the Coopers' vehicles will not be damaged.

Lastly, the Petitioners also testified that when they had the house originally constructed, same was located towards the other side property

11/13/97  
David A. Mays

line so as to provide room for the proposed garage. That is, they indicated that it has always been their intention to add an attached garage.

Mr. Mays testified in opposition. He resides immediately next door and believes that the proposed garage is inappropriate for the neighborhood and will cause a detrimental impact to his property and the surrounding locale. In this regard, he offered a copy of an appraisal which had been undertaken by a certified residential appraiser. The report, which was offered into the record of this case without objection, concludes that the proposed garage is out of place and will have a negative effect on the value of Mr. Mays' home. The contents of this report were not rebutted.

In addition to the testimony and evidence offered, as set forth above, I conducted a site visit of the property. As noted during that visit, the grade of the Cooper property is somewhat unusual. Presently, there is a retaining wall in the Coopers' side yard adjacent to the Mays' property. In this regard, Mr. Cooper indicated that the wall would be removed and the ground excavated in order to provide room for the garage.

Consideration of variances is governed by Section 307 of the BCZR. This section has been construed by the appellate courts of this State, notably by the Court of Special Appeals in Cromwell v. Ward, 102 Md. 691 (1995). In Cromwell, supra, the Court of Special Appeals set out a three pronged test which must be considered before variance relief can be granted. First, the Petitioners must establish that their property is unique and that the variance request is triggered by this uniqueness. Second, it must be shown that the Petitioner would suffer a practical difficulty if variance relief were denied. Third, there can be no detrimental impact on neighboring or surrounding locale occasioned by the grant of the variance.

ORDERED AND RECORDED BY CLERK  
Date 11/13/97  
By M. Spork

Addressing the third test first, I am not persuaded that the Petitioners have met their burden. To the contrary, the uncontradicted report prepared by the appraiser is dispositive that the proposed construction would cause detriment to Mr. Mays' property. This conclusion was buttressed by my site visit. The Cooper dwelling is on a higher elevation than the Mays property. Construction of the garage where proposed would overwhelm the Mays property. Thus, the Petition for Variance should and must be denied. Having concluded that a grant of the variance would cause a detrimental impact on the adjoining property, there is no need to consider the property's uniqueness or the issue of practical difficulty.

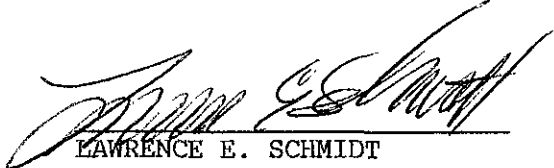
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13<sup>th</sup> day of November 1997 that a variance from Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (BCZR) and Section V.B.5.A of the Comprehensive Manual of Development Policy (CMDP) to allow a building to tract boundary setback of 8 ft., in lieu of the required 30 ft., be and is hereby DENIED.

Any appeal from this decision must be taken in accordance with the applicable provisions set forth in Section 26-132 of the Baltimore County Code.

ORDERED FOR FILING  
Date 11/13/97  
By M. Spork

LES/mmn

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County



Baltimore County  
Zoning Commissioner  
Office of Planning

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

November 12, 1997

Mr. and Mrs. Allan L. Cooper  
5745 Mineral Avenue  
Baltimore, Maryland 21226-4210

RE: Case No. 98-85-A  
Petition for Variance  
Property: 5745 Mineral Avenue

Dear Mr. and Mrs. Cooper:

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 887-3391.

Very truly yours,

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

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

c: Mr. and Mrs. David A. Mays  
5743 Mineral Avenue  
Baltimore, Maryland 21227-4210



# REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 98-85-A  
Petitioner(s): COOPER  
Location: 5745 MINERAL AVE  
\*\*\*\*\*

I/WE, David & Robyn Mays  
Name(s) ----- (TYPE OR PRINT)

Legal Owners  Residents, of

5743 Mineral Avenue  
Address

Baltimore MD 21227  
City/State/Zip Code  
(Shareline) 410 247-7998  
Phone

which is located approximately 0 ft 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.

[Signature] 9/15/97  
Signature Date

\_\_\_\_\_  
Signature Date

Do Not Set  
Set in three months

( over )



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at

5745 MINERAL AVE

which is presently zoned D.R. 3.5

98-85-A

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) 1801.2.C.2.a (1993) and II. B.5.a. (old MDP) to allow a building to TRACT BOUNDARY SETBACK of 8' in lieu of the required 30'.

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 SHEET

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

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

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

Contract Purchaser/Lessee

ALLAN & TAMARA COOPER  
(Type or Print Name)

ALLAN & TAMARA COOPER  
Signature

5745 MINERAL AVE  
Address

BALTO MD 21227-4210  
City State Zipcode

Attorney for Petitioner

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address Phone No.

\_\_\_\_\_  
City State Zipcode

Legal Owner(s).

ALLAN L. COOPER  
(Type or Print Name)

ALLAN & COOPER  
Signature

TAMARA M. COOPER  
(Type or Print Name)

TAMARA M. COOPER  
Signature

5745 MINERAL AVE 410 242-1838  
Address Phone No.

BALTO MD 21227-4210  
City State Zipcode

Name, Address and phone number of representative to be contacted

ALLAN TAMARA COOPER  
Name

5745 MINERAL AVE 410-242-1838  
Address Phone No.

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

Zoning Commissioner of Baltimore County

REVIEWED BY \_\_\_\_\_ DATE \_\_\_\_\_

ESTIMATED POSTING DATE: \_\_\_\_\_



Printed with Soybean Ink on Recycled Paper

ITEM #: 85

# Affidavit in support of 98-85-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 5745 Mineral Cove  
address  
BALTO MD 21227-4210  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

AT ABOVE ADDRESS (WE) ALLAN + TAMARA  
COOPER REQUEST A VARIANCE OF 5FT FROM  
THE PROPERTY LINE TO INSTALL A 2 CAR  
GARAGE. TO BE ATTACHED TO OUR HOUSE. IN  
WHICH WILL BE 24FT BY 32FT GARAGE AT  
THE END OF OUR DRIVEWAY. APPROX. DISTANCE  
FROM HOUSE TO PROPERTY LINE IS 30FT.  
SEE ATTACHED SHEET

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Allan Cooper  
(signature)  
ALLAN COOPER  
(type or print name)



Tamara M. Cooper  
(signature)  
TAMMY M. COOPER  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of Aug, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Allan Tamara Cooper

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8-4-97  
date

Ch. A. Karbis  
NOTARY PUBLIC

My Commission Expires: July 3, 2000



ALSO THERE IS TWO VERY LARGE OAK TREES  
BESIDE MY NEIBONS HOUSE THESE OAK TREES  
DROP A LOT OF ACORNS ALL OVER  
MY CARS CAUSING DAMAGE TO THE  
PAINT. AND IT ALSO DROPS ~~LEAVES~~  
LIMBS & BRANCHES ALL OVER OUR  
CARS. I COULDN'T HAVE A DETACHED GARAGE  
AT MY HOUSE BECAUSE IF IT WAS TO BE PLACED  
~~THE~~ THE ONLY PLACE TO INSTALL THE GARAGE  
WOULD BE IN THE BACKYARD. MY NEIBORS  
WOULD NOT GIVE ME ANY ACCESS TO THE  
BACK OF THE PROPERTY OR OF THEIR ~~DRIVEWAY~~  
DRIVEWAY WITH OUT BE 100% LIABLE FOR THEIR  
DRIVEWAY. ALSO THERE IS A LOT OF BREAK-  
INS AROUND THE NEIBORHOOD WITHIN THE  
PAST YEAR. INCLUDING MY PLACE, & MY  
NEIBONS ON BOTH SIDES OF MY HOUSE ALL  
THE CARS WERE BROKEN INTO. THERE  
WAS A LOT OF PROPERTY TAKEN.

98-85-A

85

Zoning Description

98-85-A

Zoning Description FOR 5745 Mineral Avenue

Beginning AT A POINT ON THE South side of

Mineral Avenue which is 40 feet wide AT

the distance of 286.82' EAST OR S/EAST OF

the centerline of the nearest improved

intersecting street Francis Ave which is

60' wide. Being Lot # 2 Block \_\_\_\_\_ Section

# 3-108 in the subdivision of Bunny Hill AS

Recorded in Baltimore County Plat Book # F.H.K. JR-56

Folio # 81 containing 15,0166.77 Also known

AS 5745 Mineral Avenue and located in the

13<sup>th</sup> Election District, 1st Councilmanic District.



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 (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 advertising:

Item No.: 85

Petitioner: Cooper

Location: 5745 MINERAL AVE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ALLAN COOPER

ADDRESS: 5745 MINERAL AVE  
BALTO MD 21227

PHONE NUMBER: 410 242-1838

AJ:ggs

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 043341

DATE 5 Sept 97 ACCOUNT R-001-6150  
CAM AMOUNT \$ 50.00

RECEIVED FROM: COOPER  
FOR: 5745 M. NEDAL AVE  
ADMIN VAC

DISTRIBUTION  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

PAID RECEIPT

PROCESS --- ACTUAL --- TIME  
9/05/1997 9/05/1997 10:45:16  
REG 4802 CASHIER JRIC JMR ORANER  
MISCELLANEOUS CASH RECEIPT  
Receipt # 012510  
CR NO. 043341

50.00 CHECK  
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No.

042693

DATE 9/15/97

ACCOUNT R001-6150

AMOUNT \$ 40.00

RECEIVED FROM: David Mark

FOR: Request Hearing '98-85-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME  
9/15/1997 9/15/1997 14:03:27

REG MS02 CASHIER JRIC JWR DRAWER 2

MISCELLANEOUS CASH RECEIPT

Receipt # 013726

CR NO. 042693

DFLH

40.00 CASH

Baltimore County, Maryland

CASHIER'S VALIDATION

# CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 25, 1997

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 Sept. 25, 1997.

THE JEFFERSONIAN,

*A. Henickson*

LEGAL AD. - TOWSON

## 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 Towson, Maryland, on the property identified herein as follows:

Case: 98-85-A  
5745 Mineral Avenue  
S/S Mineral Avenue 206.82' E

of Francis Avenue  
13th Election District  
1st Councilmanic

Legal Owner(s):

Allan & Tamara Cooper

Variance: to allow a building to tract boundary setback of 8 feet in lieu of the required 30 feet.

Hearing: Tuesday, October 14, 1997 at 2:00 p.m., Room 407 Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

9/340 Sept. 25 C176204

98-85A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than \*9/14/97

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

# ZONING NOTICE

## ADMINISTRATIVE VARIANCE

Case No.: 98-85-A

To ALLOW A Building to tract Boundary  
A setback of 8' in lieu of the Required  
30'

### PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

\* 29 Sept 97

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**

RE: Case No.: 98-85-A

Petitioner/Developer: \_\_\_\_\_

ALLEN L. COOPER

Date of Hearing/Closing: 9-29-97

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

9/15/97  
8

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 were posted conspicuously on the property located at \_\_\_\_\_

5745 MINERAL AVE.

The sign(s) were posted on \_\_\_\_\_

SEPT. 13, 1997

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

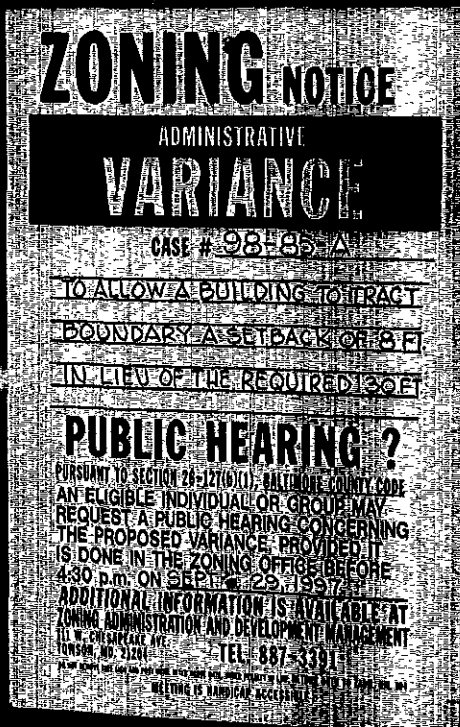
(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)





# CERTIFICATE OF POSTING

RE: Case No.: 98-85-A

Petitioner/Developer: \_\_\_\_\_

ALAN & TAMARA COOPER

Date of Hearing/Closing: 10-14-97

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 were posted conspicuously on the property located at \_\_\_\_\_

5745 MINERAL AVE.

The sign(s) were posted on SEPT. 28<sup>TH</sup> 1997  
(Month, Day, Year)

Sincerely,

Garland E. Moore  
(Signature of Sign Poster and Date)

GARLAND E. MOORE  
(Printed Name)

3225 RYERSON CIRCLE  
(Address)

BALTIMORE, MD. 21227  
(City, State, Zip Code)

(410) 242-4263  
(Telephone Number)

## ZONING NOTICE

Case #: 98-95-A

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.

PLACE: ROOM 407 COURTS BUILDING  
401 BOSLEY AVENUE  
2:00 P.M.

TIME & DATE: TUESDAY, OCTOBER 14, 1997

VARIANCE TO ALLOW A BUILDING  
TO TRACT BOUNDARY SETBACK  
OF 8 FEET IN LIEU OF THE  
REQUIRED 30 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES  
NECESSARY TO CONFIRM HEARING  
CALL 887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE  
DO NOT REMOVE THIS SIGN A POST UNTIL DAY OF HEARING UNDER PENALTY OF THE LAW  
HEARINGS ARE HANDICAPPED ACCESSIBLE



Baltimore County  
Department of Permits and  
Development Management

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

September 18, 1997

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 Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-85-A  
5745 Mineral Avenue  
S/S Mineral Avenue, 286.82' E of Francis Avenue  
13th Election District - 1st Councilmanic  
Legal Owner(s): Allan & Tamara Cooper

Variance to allow a building to tract boundary setback of 8 feet in lieu of the required 30 feet.

HEARING: TUESDAY, OCTOBER 14, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

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

Arnold Jablon  
Director

cc: Allan Cooper  
David and Robyn Mays

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 29, 1997.  
(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.





Baltimore County  
Department of Permits and  
Development Management

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

September 17, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-85-A  
5745 Mineral Avenue  
S/S Mineral Avenue, 286.82' E of Francis Avenue  
13th Election District - 1st Councilmanic  
Legal Owner(s): Allan & Tamara Cooper  
Post by Date: 9/14/97  
Closing Date: 9/29/97

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

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

Arnold Jablon  
Director

cc: Allan Cooper





Baltimore County  
Department of Permits and  
Development Management

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

September 26, 1997

Mr. and Mrs. Allan Cooper  
5743 Mineral Avenue  
Baltimore, MD 21227

RE: Item No.: 85  
Case No.: 97-85-A  
Petitioner: Allan Cooper, et ux

Dear Mr. and Mrs. Cooper:

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 September 5, 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,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)





**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

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

RE: Baltimore County 5-16-97  
Item No. 085 Cam

Dear Ms. Eubanks:

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

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*L. J. Gredlein*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

LG

My telephone number is \_\_\_\_\_

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

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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

TO: PDM

DATE: 9/15/97

FROM: R. Bruce Seeley.  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: SEP 15, 97

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

Item #'s: 78  
81  
82  
85

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Dept. of Permits & Development Management

DATE: September 16, 1997

FROM: Arnold F. 'Pat' Keller, III, Director  
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 83 & 85

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Carol L. Keller*

AFK/JL



Baltimore County  
Fire Department

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

September 22, 1997

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

RE: Property Owner: Allan & Tamara Cooper  
Stella Maris, Inc.  
Yvonne McMahon

Location: DISTRIBUTION MEETING OF SEPTEMBER 15, 1997

Item No.: Listed 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:

085, 083, and 081

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

cc: File





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

I N T E R O F F I C E   C O R R E S P O N D E N C E

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

Date:   September 19, 1997

FROM: *RWB* Robert W. Bowling, Chief  
          Bureau of Developer's Plans Review

SUBJECT:   Zoning Advisory Committee Meeting  
            for September 22, 1997  
            Item Nos. 082, 083, and 085

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc:   File

ZONE922.NOC



Baltimore County  
Department of Permits and  
Development Management

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

September 17, 1997

Re: CASE NUMBER: 98-85-A  
5745 Mineral Avenue  
S/S Mineral Avenue, 286.82' E of Francis Avenue  
13th Election District - 1st Councilmanic

Dear Petitioners:

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

As informed at the time of filing your petition, it now becomes necessary to run notice of the hearing in a newspaper of general circulation. This office will place the newspaper advertising on your behalf. Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

Upon receipt of the Notice of Hearing, you must contact one of the sign posting vendors, in order to have a new sign posted.

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

Very truly yours,

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

ARNOLD JABLON, DIRECTOR



**D'Argenio Appraisal Service**  
1036 Circle Drive, Suite 101  
Sykesville, Maryland 21784  
Phone: (410) 781-6403  
Fax: (410) 781-6536

---

Planning and Zoning Commission  
C/O Mr. David Mays  
5743 Mineral Avenue  
Baltimore, Maryland 21227  
October 8, 1997

To Whom It May Concern:

A property's value is not solely determined by its improvements on and the condition of the site; it is also greatly influenced by nearby amenities and developments on adjoining sites. In many cases, and I believe this to be such a case, changes made to a neighboring property can have a greater effect on value than upgrades or improvements made by a homeowner to his specific property.

After inspecting the property at 5743 Mineral Avenue; Baltimore, Maryland 21227 for Mr. David Mays, my professional opinion is that allowing a variance at 5745 Mineral Avenue for a two-car garage would seriously and negatively influence the value of Mr. May's property.

Mr. Mays has a mere 8.93 feet between the east side of his house and a use-in-common driveway leading to homes behind his property, a fact that already cuts his backyard into a pie shape that limits use. To allow the construction of an elevated (eight feet) 24x32 foot structure on the west side would squeeze the subject property and detrimentally affect its privacy, appeal and marketability. This garage is a 768 square foot structure that is roughly half the size of both houses.

Furthermore, let us not assume that a garage is the only addition to 5745 Mineral Avenue. A split foyer design could allow the homeowner to later extend his house over the garage and further affect the value of the neighboring site.

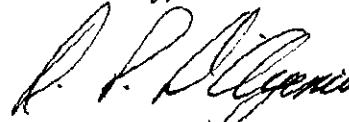
Zoning and planning required a 30-foot distance for a good reason. These homes sit back from Mineral Avenue with the greatest portion of yard in front of the house. The zoning and planning department knew the effect smaller side yards would have on the appeal and marketability of the property and its overall liveability.

The planning and zoning department also understood that the physical characteristics of a residential neighborhood exerts enormous influence on the attractiveness, or lack of attractiveness, of a place to live. These characteristics include appearance, drainage, conformity of houses and physical setting - all under assault by the addition of this structure.

If the variance is allowed it could possibly affect the drainage of both properties, but it will certainly affect the appearance and physical setting. The addition of a 768 square foot structure, with the possibility of future construction over it, between two modest size homes is simply not compatible with the overall neighborhood.

A building, from an architectural and site standpoint, should be in harmony with the general proportions and scale of other homes. This structure is out of place and, in my opinion, will have a negative effect on the market value of Mr. Mays' home.

Sincerely,

A handwritten signature in black ink, appearing to read "D. R. D'Argenio". The signature is fluid and cursive, written over a light blue horizontal line.

Dennis R. D'Argenio  
Certified Residential Appraiser

\*\* PUBLIC RECORD \*\*

Tax ID#: 1323350020

County: BC

PROPERTY ADDRESS: 5743 MINERAL AVE, , BALTIMORE, MD 21227-4210

OWNER: DAVID A MAYS,

Phone #: ()

Abs Owner: N

MAIL ADDRESS: 5743 MINERAL AVE, , BALTIMORE, MD 21227-4210

LEGAL DESCRIPTION: IMPS LOT SS MINERAL AV 5743 MINERAL AVE SS 263 S FRANCIS AV

Mag/Dist #: 13

Lot:

Block/Square:

Tax Map:

Elec Dist: 13

Legal Unit #:

Grid: 0011

Map: 108

Parcel: 391

TOTAL TAX BILL: \$1,643

County Tax: \$1,498

City Tax:

Levy Yr: 1996

Front Foot Fee:

Spec Tax Assmt: \$145

Refuse:

Rate: 3.07

Homestd/Exempt Status:

ASSESSMENT

Year Assessed

Total Tax Value

Land

Improvement

Land Use

Taxable Assessment

1994

\$48,870

\$38,960

\$83,220

State: \$

Previous

\$48,870

\$47,960

\$82,980

Municipal: \$

Early

City: \$

DEED

Deed Liber: 11069

Deed Folio: 429

Deed Type:

Transfer Date

Price

Grantor

Grantee

05-JUN-1995

\$128,000

GUNN RICHARD A

MAYS DAVID A

23-APR-1984

\$0

JONES WILTON R

GUNN RICHARD A

23-APR-1984

\$75,000

WHITE MILTON

JONES WILTON R /

PROPERTY DESCRIPTION

Year Built: 1952

Zoning:

Census Trct/Bick: 430600/1

Irregular Lot:

Square Feet: 23,842

Acreage: 0.55

Land Use: Residential

Prop Class: R

Prop Use Code: RESIDENTIAL

Building Use: RESIDENTIAL

Frontage: 151

STRUCTURE DESCRIPTION

Construction

Section 1  
Brick

Section 2

Section 3

Section 4

Section 5

Story

Area

1,428

Ext Wall: Brick/Stone

Roofing: Shingle - Composite

Foundation:

Stories: 1.5B

Units:

Style:

Year Remodeled: 1952

Total Building Area:

Living Area: 1,428

Base Sq Ft: 952

Model/Unit Type:

SINGLE FAMILY

# of Dormers: 3

Rooms:

Bsmt Type: Not Specified

Fireplaces:

Garage Type: Built In

Bedrooms:

Bsmt Tot Sq Ft:

Fireplace Type: 50

Garage Sq Ft: 200

Full Baths: 2

Bsmt Fin Sq Ft:

Attic Type:

Garage Const.:

Half Baths:

Bsmt Unfin Sq Ft:

Attic Sq Ft:

Garage Spaces:

Baths: 2

Gas:

Heat: Hot

Sewer: PUBLIC

Electric:

Water: PUBLIC

Underground:

**\*\* PUBLIC RECORD \*\***

**Tax ID#:** 1900010312 **County:** BC  
**PROPERTY ADDRESS:** 5745 MINERAL AVE, , BALTIMORE, MD 21227-4210  
Legal/Recorded Subdivision: BUNNY HILL  
**OWNER:** ALLAN LANE COOPER, Phone #: () Abs Owner: N  
Addtnl: TAMARA MARIE

**MAIL ADDRESS:** 5745 MINERAL AVE, , BALTIMORE, MD 21227-4210

**LEGAL DESCRIPTION:** IMPS 15016 SQ FT 0.3447 A BUNNY HILL  
Mag/Dist #: 13 Lot: 2 Block/Square: Tax Map:  
Elec Dist: 13 Legal Unit #: Grid: 0011 Map: 108  
Parcel: 49

**TOTAL TAX BILL:** \$2,010 County Tax: \$1,690 City Tax: Levy Yr: 1996  
Front Foot Fee: Spec Tax Assmt: \$321 Refuse: Rate: 3.07  
Homestd/Exempt Status:

**ASSESSMENT**

Year Assessed	Total Tax Value	Land	Improvement	Land Use	Taxable Assessment
1994	\$55,130	\$36,750	\$101,080		State: \$
Previous	\$55,130	\$45,750	\$101,660		Municipal: \$
Early					City: \$

**DEED** Deed Liber: 6597 Deed Folio: 658 Deed Type:  
Transfer Date Price Grantor Grantee  
27-SEP-1983 \$15,000 PHELPS CHARLES F, JR COOPER ALLAN LANE

**PROPERTY DESCRIPTION**  
Year Built: 1984 Zoning: Census Trct/Bldk: 430600/1 Irregular Lot:  
Square Feet: 15,016 Acreage: 0.34 Land Use: Residential  
Prop Class: R Plat Liber/Folio: 0050/0081  
Prop Use Code: RESIDENTIAL  
Building Use: RESIDENTIAL

**STRUCTURE DESCRIPTION**

	Section 1	Section 2	Section 3	Section 4	Section 5
Construction					
Story					
Area	1,076	156			
Ext Wall: Siding - Alum/Viny		Roofing: Shingle - Composite		Foundation:	
Stories: S/F Units:		Style: Split Foyer		Year Remodeled: 1984	
Total Building Area:		Living Area: 1,232		Base Sq Ft: 1,232	Model/Unit Type:
<b>SPLIT FOYER</b>					
Patio/Deck Type: DECK		Sq Ft: 240			
Rooms:	Bsmt Type:	Fireplaces: 1		Garage Type:	
Bedrooms:	Bsmt Tot Sq Ft:	Fireplace Type: 5		Garage Sq Ft:	
Full Baths: 2	Bsmt Fin Sq Ft:	Attic Type:		Garage Const.:	
Half Baths:	Bsmt Unfin Sq Ft:	Attic Sq Ft:		Garage Spaces:	
Baths: 2					
Gas:	Heat: Hot		Sewer: PUBLIC		
Electric:	Water: PUBLIC		Underground:		

## RESUME

NAME: Dennis R. D'Argenio

ADDRESS: 1036 Circle Drive, Suite 101  
Sykesville, Maryland 21784  
Phone: (410) 781-6403  
Fax: (410) 781-6536

OCCUPATION: Real Estate Appraiser

COMPANY: D'Argenio Appraisal Service

EXPERIENCE: Thirteen years experience in the real estate profession, full-time work experience in sales and real property appraising.

1984 - PRESENT: Experienced residential appraiser covering single family dwellings, multi-family units, condominiums, relocation and land appraisals, estates and writing of narrative reports.  
Predominate coverage in Carroll, Howard , and southwest Baltimore counties.  
Preparing residential appraisal reports for various banks, mortgage companies, and the Federal Housing Administration, I have gained a working knowledge of FHLMA, FNMA and FHA guidelines and underwriting requirements.

1989 - PRESENT: Certified H.U.D. Appraisal Panel/Chemical Residential Mortgage Corporation and Lender Select List.

OTHER: Licensed Real Estate Appraiser, State of Maryland, since 1992.  
Licensed Real Estate Salesperson, State of Maryland, since 1984.

**EDUCATION:**

1973 - Bachelor of Arts, Long Island University

- 1) "Residential Property Valuation" - Society of Real Estate Appraisers.
- 2) "Applied Residential Property Valuation" - Society of Real Estate Appraisers.
- 3) "Income 5D3) "Income Capitalization" - National Association of Independent Fee Appraisers.
- 4) "Small Residential Income Property Report Writing" - National Association of Independent Fee Appraisers.
- 5) "Subdivision Appraising" - National Association of Independent Fee Appraisers.
- 6) "Standards of Professional Practice" - The Appraisal Institute.
- 7) "Home Inspections: Common Defects In Homes" -National Association of Independent Fee Appraisers
- 8) "Financial Analysis" - National Association of Independent Fee Appraisers

**PROFESSIONAL ASSOCIATIONS:** Appraiser for the Department of Housing and Urban Development - #1036.

The Appraisal Institute - Candidate.

Carroll County Board of Realtors.

Appraisal Foundation



LICENSE, REGISTRATION, OR CERTIFICATION

*State of Maryland*

DEPARTMENT OF LICENSING AND REGULATION

MARYLAND REAL ESTATE APPRAISERS COMMISSION

CERTIFIES THAT  
DENNIS RICHARD DARGENIO

William Donald Schaefer  
Governor

William A. Fogle, Jr.  
Secretary

SIGNATURE OF BEARER

IS AN AUTHORIZED CERTIFIED RESIDENTIAL

LIC REG. CERT. NO.  
1204

EXPIRATION DATE  
12/31/97

EFFECTIVE DATE  
12/19/94

CATEGORY  
03

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES 1931053



*Above  
the  
Crowd!*

Each Office Independently Owned and Operated

September 24, 1997



Shari Jacobs-Hodges  
Multi-Million \$ REALTOR®

**TO: Baltimore County Zoning Office**  
**FROM: Shari Jacobs-Hodges**

**As a full time, professional Realtor selling homes in the Arbutus and Catonsville area since 1987, with an annual sales volume of \$6.0 million dollars per year, it is my opinion that the addition of a 24' x 32' garage to 5745 Mineral Avenue would adversely affect the value and saleability of 5743 Mineral Avenue.**

**Prospective Buyers first base their decision on whether or not to even look at a home based on the appearance of the surrounding homes and neighborhood. This addition to 5745 Mineral Avenue would discourage any prospective Buyers from viewing and buying 5743 Mineral Avenue, therefore, forcing the owner, David Mays to sell his home for much less than the true market value.**

**The greatest number of homes is sold from Buyers driving by the home and calling from the sign in the front yard. This addition would certainly prevent anyone from calling about Mr. Mays home, if it were on the market, because it would be an eyesoar and is not characteristic with the neighborhood. It is my recommendation that you deny the request for this addition to 5745 Mineral Avenue.**

Sincerely,

*Shari Jacobs-Hodges*

**Shari Jacobs-Hodges, Realtor**  
**RE/MAX**

**RE/MAX** Ellicott City Office  
8450 Baltimore National Pike  
Ellicott City, Maryland 21043  
(410) 461-3200  
Res: (410) 781-9048  
Fax: (410) 461-4498



DAVID A. & ROBYN E. MAYS  
5743 MINERAL AVENUE  
BALTIMORE, MD 21227-4210

October 14, 1997

Zoning Commissioner  
Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, MD 21204

RE: Case Number 98-85-A  
5745 Mineral Avenue

Mr. Commissioner:

Making the choice to purchase a single-family home in an established neighborhood versus purchasing a home in a planned community was an easy one. I knew that I would not be made to abide by community plans/rules governing things such as what color my house could be painted, etc. When approached with the aspect of new construction to the adjacent property (5745 Mineral Avenue), I knew I needed to have facts on how this new construction would affect my property both positively and negatively. Also, given the fact that the homes are build on a hill with irregularly shaped lots, issues such as drainage and overall aesthetics became very important. I was told by Mr. Cooper on two separate occasions that "not only will this increase the value of his house, but also mine." At the time, it seemed logical that property tax and assessment would increase, but I was skeptical that an addition the size proposed would increase my property value at all.

I sought professional guidance/opinion from not only the agent who sold me my house (Ms. Shari Jacobs-Hodges, RE/MAX, Ellicott City), but also a licensed appraiser (Dennis D'Argenio, D'Argenio Appraisal Service, Sykesville) who would be better qualified to project a net decrease in property/resale value. I have attached their respective professional opinions on how an addition to 5745 Mineral Avenue would adversely affect my property value, the appearance of the neighborhood, the re-salability of my property, and finally, the future return on investment, if any, which would be realized by the sale of my home in the future.

Given the time constraints of this hearing, D'Argenio Appraisal service was not able to quantitatively demonstrate a decrease in property value, which could be realized by an addition so close to the common property line. In order to quantify, it was estimated that it would take at least 2 months and a lot my money to search public record for a similar

DAVID A. & ROBYN E. MAYS  
5743 MINERAL AVENUE  
BALTIMORE, MD 21227-4210

situation before an exact dollar amount or percent decrease could be rendered to the Zoning Commission.

I agree with the sentiments of the professionals I have approached concerning the proposed 24'x32' garage addition. I agree that the addition will be an "eyesore" to the neighborhood (Hodges), that it will have a negative effect on the market value of my house (D'Argenio), and that the office of planning and zoning make decisions based on the physical characteristics of a residential neighborhood including the attractiveness, appearance, drainage, conformity and physical setting.

Mr. & Mrs. Cooper built their home in 1984 and were aware of the existing trees and required zoning set-backs. Their house is of a design that an "internal" garage could have been incorporated into the plans prior to construction and their lot is of a shape that a structure could have been built off the back side of the existing home. There are other measures for which an owner can protect their property from vandals such as auto and home security systems, both of which Mr. Cooper and I already have in place.

I strongly contest this addition for the above reasons and attached professional opinions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David A. Mays', written in a cursive style.

David A. Mays

October 11, 1997

Thierry and Nora Jeannier  
5747 Mineral Avenue  
Baltimore, MD 21227

Zoning Commission  
Towson, Maryland

Zoning Commission Members:

We reside at 5747 Mineral Avenue and have lived next to the Cooper family since 1986. Allan and Tammy Cooper have informed us about their plans to build a two-car garage and the need to request a change in zoning. We support their decision to build this garage and encourage your commission to grant permission for construction.

As long-time residents on Mineral Avenue, we can assure the commission that a garage is a necessity for any car owner on this street due to the abundant trees. We have ten very tall oak trees and several other types of trees on our property alone. Tree sap falls onto our cars in the Spring and acorns fall and dent our cars in the fall. I cannot tell you how many times people have asked us if our car and truck were damaged by a hail storm. Unfortunately, we cannot build a garage at this time because we are still restoring our 90 year-old farmhouse. As soon as we can afford to build a garage, we will. In the meantime, we drive around in automobiles with a lot of dings.

If the Coopers were able to attach their garage to the side of their house closest to our property, we would have no problem with this; however, there is obviously not enough property at this location to build any size garage. The Coopers have no option but to build on the side of the house closest to their other neighbor. We are confident in the Coopers' judgment to build a garage that is appropriate and pleasing to the eye. They have one of the nicest homes on the street, and we are certain that their garage will enhance their property and the look of the properties surrounding them.

If you have any questions or need additional information, please contact us at 410/247-0296.

Sincerely,



Thierry Jeannier  
Nora Jeannier

PAUL & JOYCE GIORDANO

5746 Mineral Avenue  
Baltimore, MD 21227  
410-242-7801

October 10, 1997

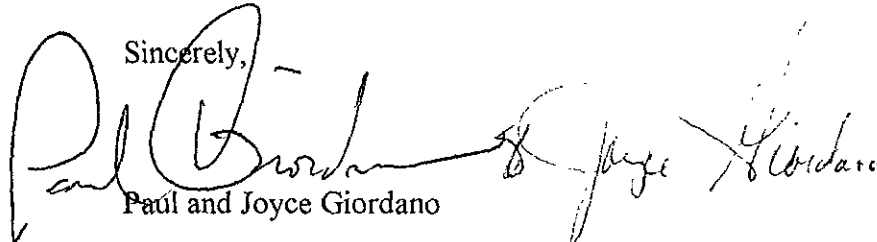
Baltimore County Office of Planning  
401 Bosley Avenue  
Towson, Maryland 21204

**RE: Tammy and Alan Cooper  
5745 Mineral Avenue  
Baltimore, MD**

Dear Mr. Commissioner:

This letter certifies that we, Joyce and Paul Giordano, currently residing at 5746 Mineral Avenue support the decision for Tammy and Alan Cooper to build a 24 ft. attached garage to their home. Our home is across the street from the Coopers and we feel that it will not adversely affect the aesthetics or the value of the neighboring properties.

Sincerely,

  
Paul and Joyce Giordano

jsg

5751 Mineral Ave.  
Baltimore, MD 21227  
October 3, 1997

Dear Mr. Commissioner:

I am writing this letter in reference to a variance hearing for Mr. and Mrs. Cooper. I can understand and support their desire for a 24 foot garage. I also have one as I feel it is necessary to shelter our vehicles from the tree sap and acorns throughout the summer.

The construction of a garage by Mr. and Mrs. Cooper will enhance the neighborhood as well as increase property values.

Thank you for your time regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Sovero', with a long horizontal flourish extending to the right.

Richard Sovero

Louis and Lou Retta Ihrle  
1207 Francis Ave.  
Baltimore, MD 21227

OCTOBER 7, 1997

TO WHOM IT MAY CONCERN:

THIS LETTER IS TO INFORM YOU THAT THE APPLICATION SUBMITTED BY MR. & MRS. COOPER FOR A VARIANCE FOR THE CONSTRUCTION OF A TWO CAR GARAGE AT 5745 MINERAL AVE. CERTAINLY IS ACCEPTABLE TO OUR FAMILY. WE FEEL THAT THIS WOULD ENHANCE THE PROPERTY. WE ARE A NEIGHBOR RESIDING AT THE CONNER OF FRANCIS AVE. & MINERAL AVE.

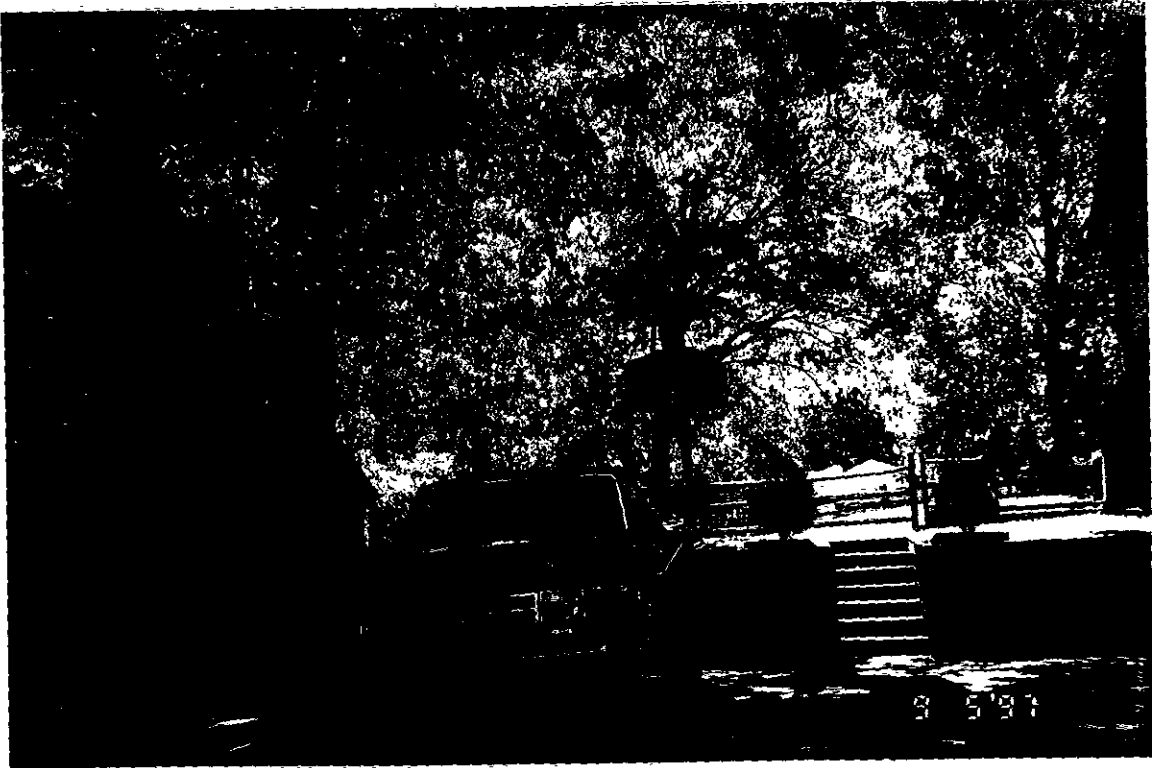
SINCERELY,

MR. & MRS. LOUIS IHRLE

*Louis H. Ihrle*



98-85-A



BETTER  
VIEW OF  
THE 27"  
WHITE OAK  
TREE THAT  
DROPS ACORNS  
& BRANCHES

ON THE  
CARS

98-85-A



MY  
Daughter  
IS POINTING  
AT THE STAKE  
WHERE GARAGE  
STOPS



THIS  
IS WHERE  
THE  
GARAGE  
GOES  
WHERE MY DAUGHTER  
IS

1. Assisted living facilities, Class A. The residence shall be located on a lot that will meet all of the density requirements for its size and zone, except that if there will be more than six residents, the following table shall apply: {Bill No. 188, 1993.}

ZONE

SQ. FEET MIN. LOT SIZE	R.C.5/D.R.1	D.R.2	D.R.3.5	D.R.5.5	D.R.10.5/16
Seven Residents	50,000	25,000	12,500	10,000	9,000
Each Additional Resident	5,000	3,800	2,000	1,500	1,200

{Bill No. 188, 1993.}

---

2. Assisted living facilities, Class B. The minimum lot area shall be one acre or 2,000 square feet per resident, whichever is greater. {Bill No. 188, 1993.}

B. Performance standards. {Bill No. 188, 1993.}

1. Standards for Class A and Class B assisted living facilities: {Bill No. 188, 1993.}
  - a. Signs are permitted, subject to Section 450. {Bill No. 89, 1997.}
  - b. Off-street parking shall be provided in accordance with Section 409 and subject to the following conditions, but no parking structure shall be permitted, except for a residential garage, as defined in Section 101. {Bill No. 188, 1993.}
    - (1) Parking shall be at least 10 feet from the property line, except that if the property line abuts an alley, no setback is required provided that the alley does not abut the front or rear yard of a residentially-used property. This requirement shall not apply to spaces existing before the effective date of Bill No. 188-93. {Bill No. 188, 1993.}

98-85-A



ANOTHER  
VIEW  
OF  
WHERE  
GARAGE  
GOES  
NOTICE TRUCK  
UNDER ACORN TREE



DAUGHTER  
SHOWS  
WHERE  
GARAGE  
STOPS

- (2) Parking and delivery areas shall be located in the side or rear only. This requirement shall not apply to parking spaces existing before the effective date of Bill No. 188-93. {Bill No. 188, 1993.}
  
- c. (1) Assisted living facilities, Class A, which involves change to the exterior of the building or reconstruction after the building has been destroyed, is subject to review for compatibility of the proposed changes in relation to existing structures in the immediate vicinity.
  - (a) At the time of application for a building permit, plans or drawings of the building, sufficient to determine compatibility, and photographs representative of the vicinity shall be submitted to the office of zoning administration and development management (ZADM).
  - (b) ZADM shall notify the director of the office of planning and zoning, who may make, within 15 days of the request, written recommendations concerning the compatibility of the proposed changes with regard to: major divisions or architectural rhythm of facades; roof design and treatment; and materials and colors and other aspects of facade texture or appearance.
  - (c) The director of ZADM may approve, disapprove, or modify the building permit based on the recommendations, if any, of the office of planning and zoning.
  
- (2) Enclosure of the porch of a house or the addition of an exterior stairway to the side or rear of a building does not constitute a change to the exterior for purposes of this subsection.

PHOTOGRAPH ADDENDUM

Borrower or Owner **Mr. David Mays**  
Property Address **5743 Mineral Avenue**  
City **Baltimore** County \_\_\_\_\_ State **Md.** Zip Code **21227**  
Lender or Client **Mr. David Mays**



West Side -  
Proposed Garage Site



East Side -  
Use-In-Common Drive



Subject's Rear Yard

PHOTOGRAPH ADDENDUM

Borrower or Owner Mr. David Mays

Property Address 5743 Mineral Avenue

City Baltimore

County

State Md.

Zip Code 21227

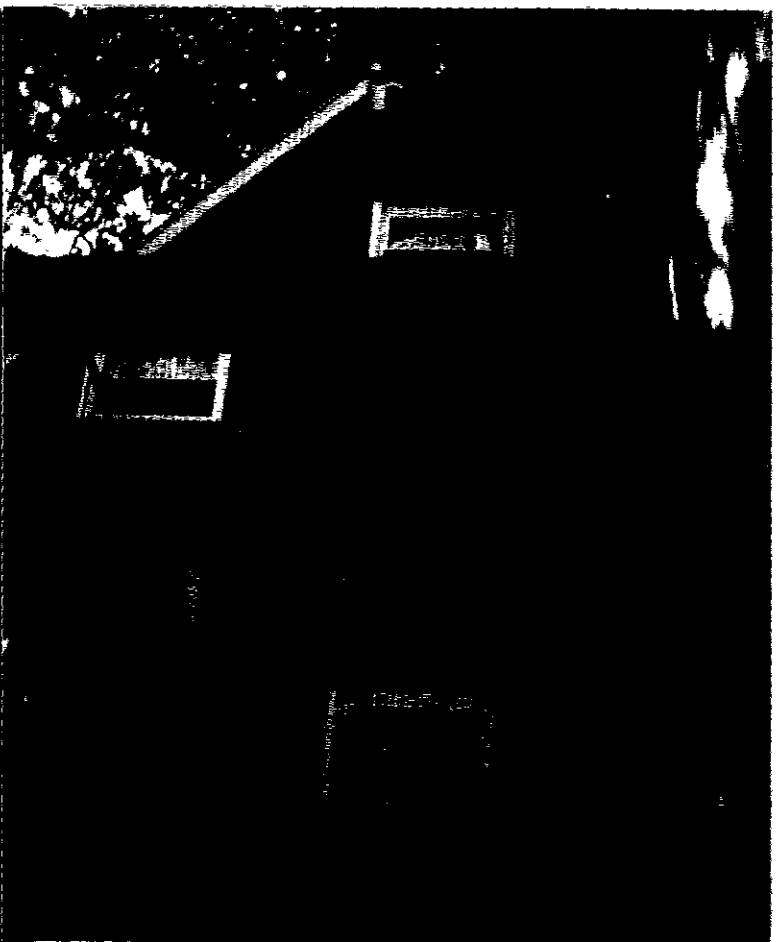
Lender or Client Mr. David Mays



Site of garage - front



Site of garage - rear







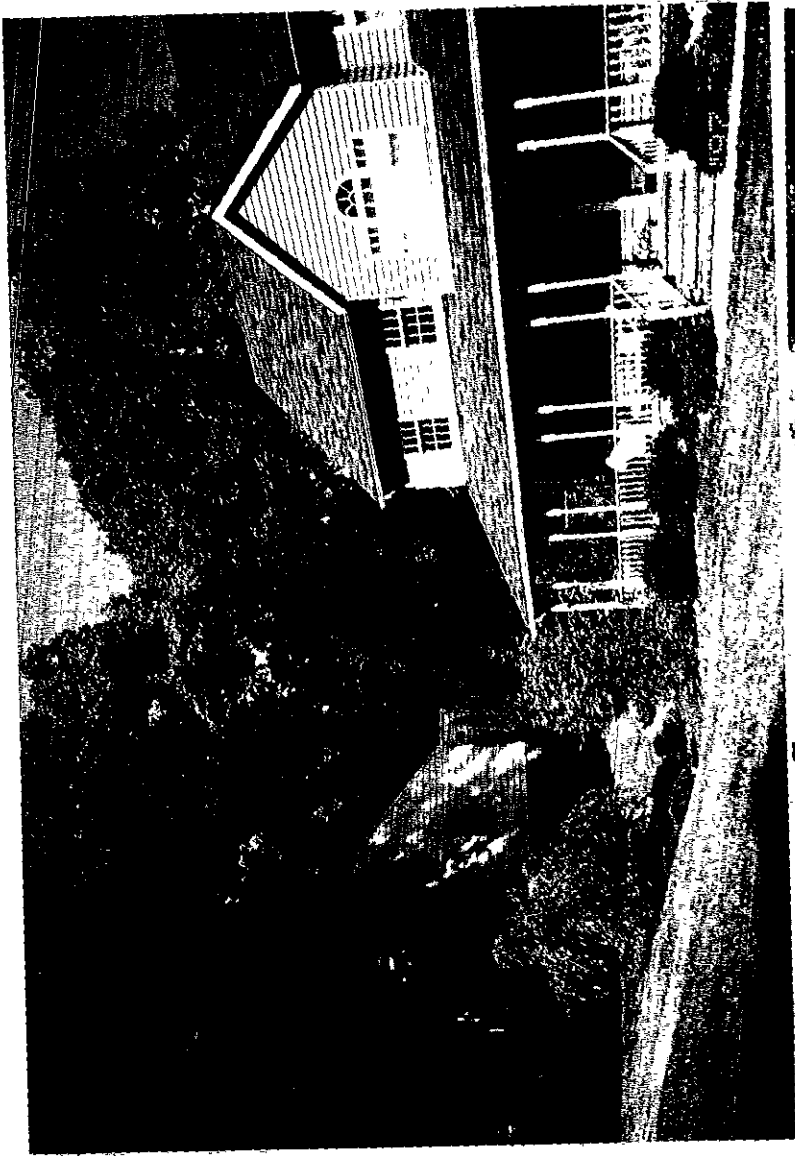
9 15 '97



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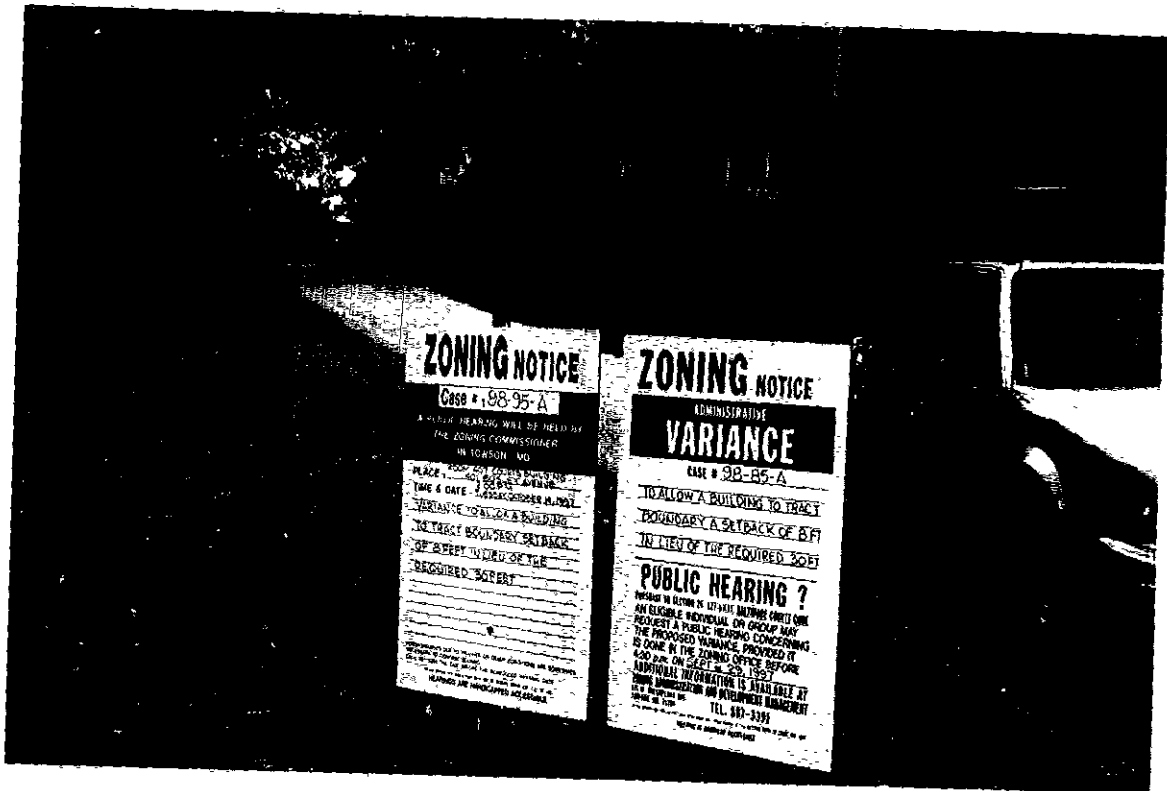
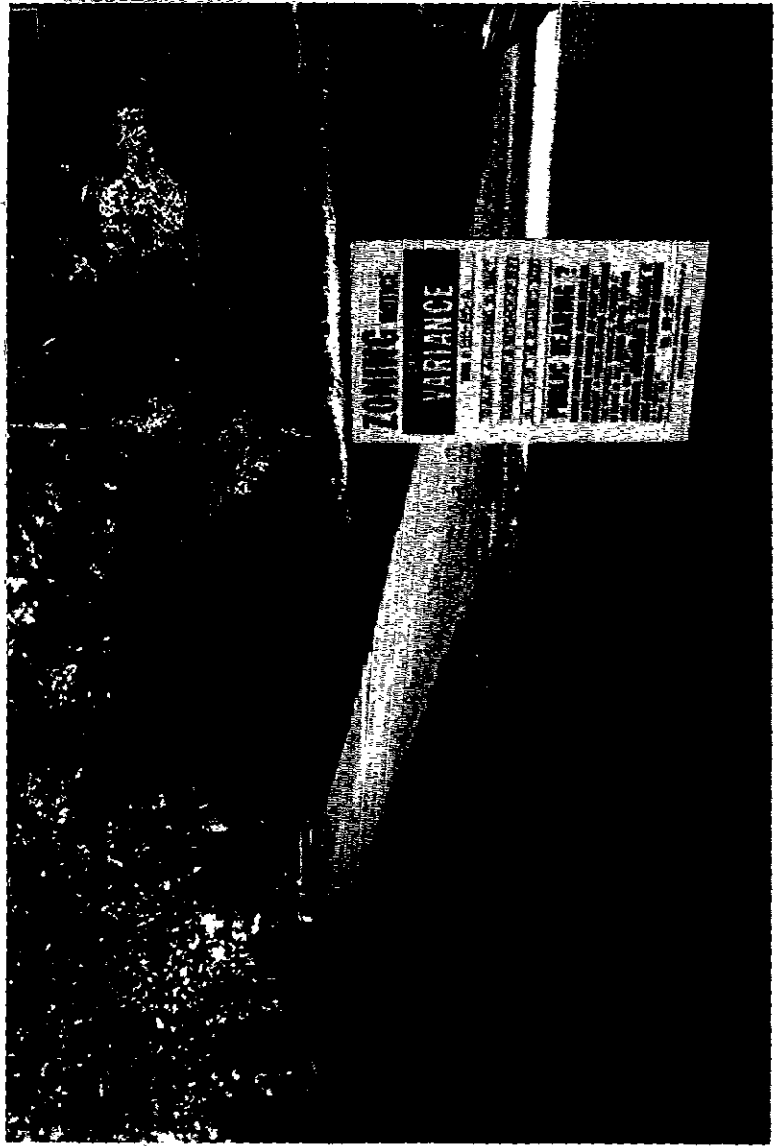
9 15 '97





26122 E







98-85-A

85

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	HALETHORPE	S.W.
DATE OF PHOTOGRAPHY		6-D
JANUARY 1986		

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

JOL

D.R. 5.5

AVENUE

BL-AS

WEST

HALETHO

OAKLAND

D.R. 5

ROBIN

COURT

DRIVE

POLOVER

DRIVE

FLAMINGO

HERON

RAVEN

DRIVE

D.R. 5.5

FRANCIS

MINERAL

HILLS

D.R. 3.5

MINERAL

AVENUE

POLOVER

COURT

POLOVER

S 22,000

S 23,000

N 510,000

(SHEET SW-6-E)

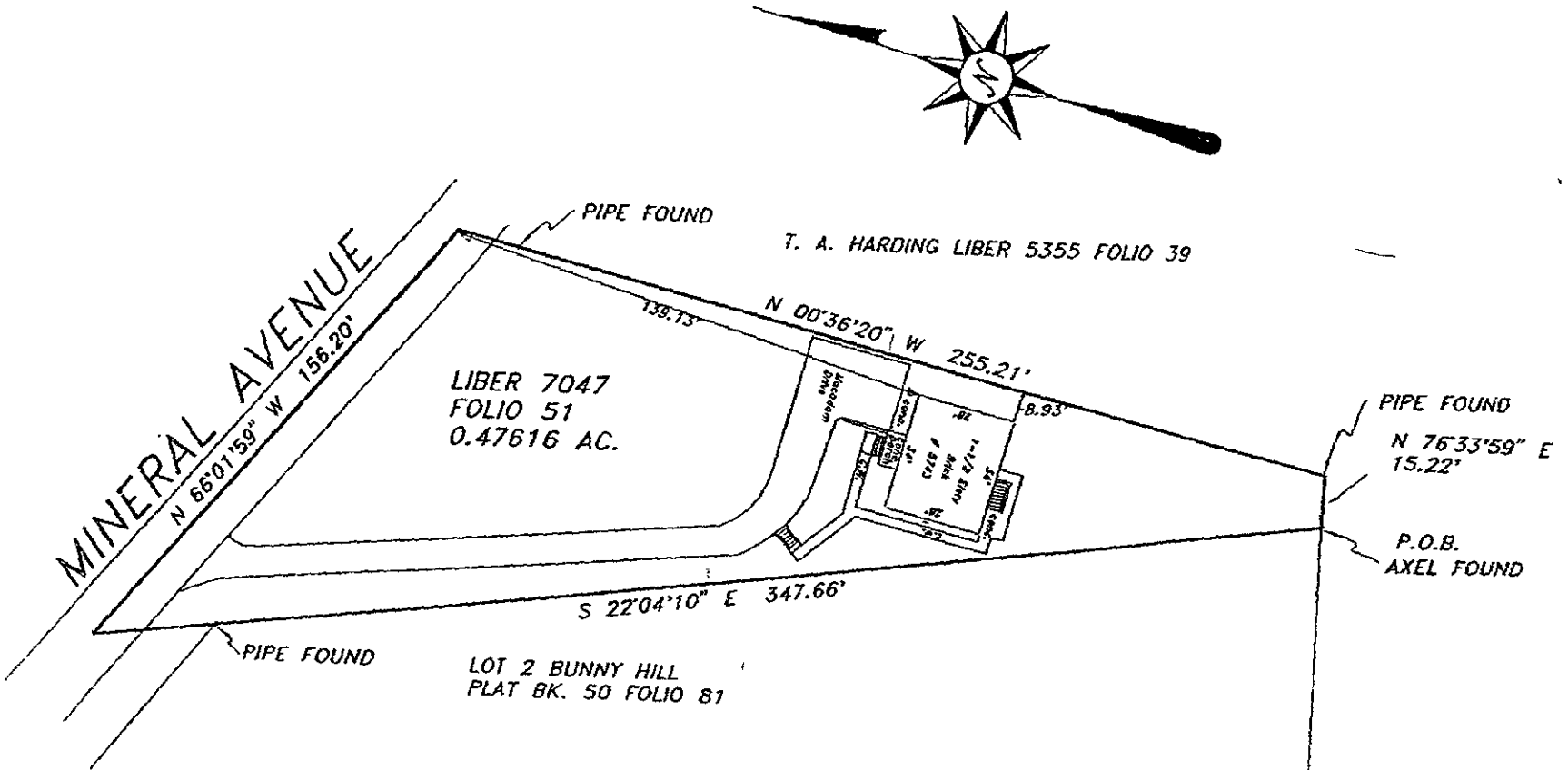
SW 6-D

1" = 200'  
This  
was  
scaled  
at

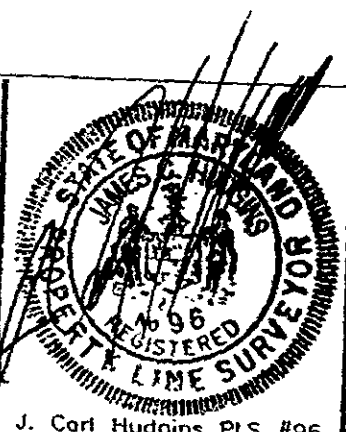
5" = 100'  
Ruler

98-85-A

85



This is to certify that I have surveyed the property shown hereon,  
 being known as 5743 MINERAL AVENUE  
 and recorded among the land records of Baltimore County,  
 Maryland in LIBER 7047, folio 51  
 for the purpose of locating or setting the corners thereof.



J. Carl Hudgins PLS #96

PLAT OF SURVEY  
 5743 MINERAL AVENUE  
 BALTIMORE COUNTY, MARYLAND

Subject property is shown in Zone C  
 on the FIRM Map of Baltimore County  
 Maryland on Community Panel  
 240010 505B Effective MARCH 2, 1981

NTT Associates, Inc.  
 16205 Old Frederick Road  
 Mt. Airy, Maryland 21771  
 Ph. (410)442-2031  
 Fax No. (410)442-1315

Scale:	1" = 50'
Date:	5/30/95
Field By:	JCH
Drawn By:	JCH
Drawing #	951375EC

Plat to accompany Petition for Zoning  Variance  Special Hearing

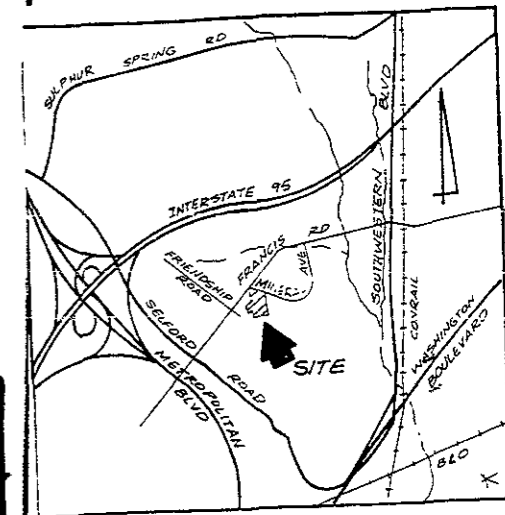
PROPERTY ADDRESS: 5745 MINERAL AVE

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

Subdivision name: BUNNY HILL

plat book# 50, folio# 81, lot# 2, section# 3-108

OWNER: ALLAN & TAMARA COOPER



LOCATION INFORMATION

Election District: 13

Councilmanic District: 1

1"=200' scale map#:

Zoning: DR 3.5

Lot size: 34 acreage 15,016.77 square feet

SEWER:  public  private  
 WATER:

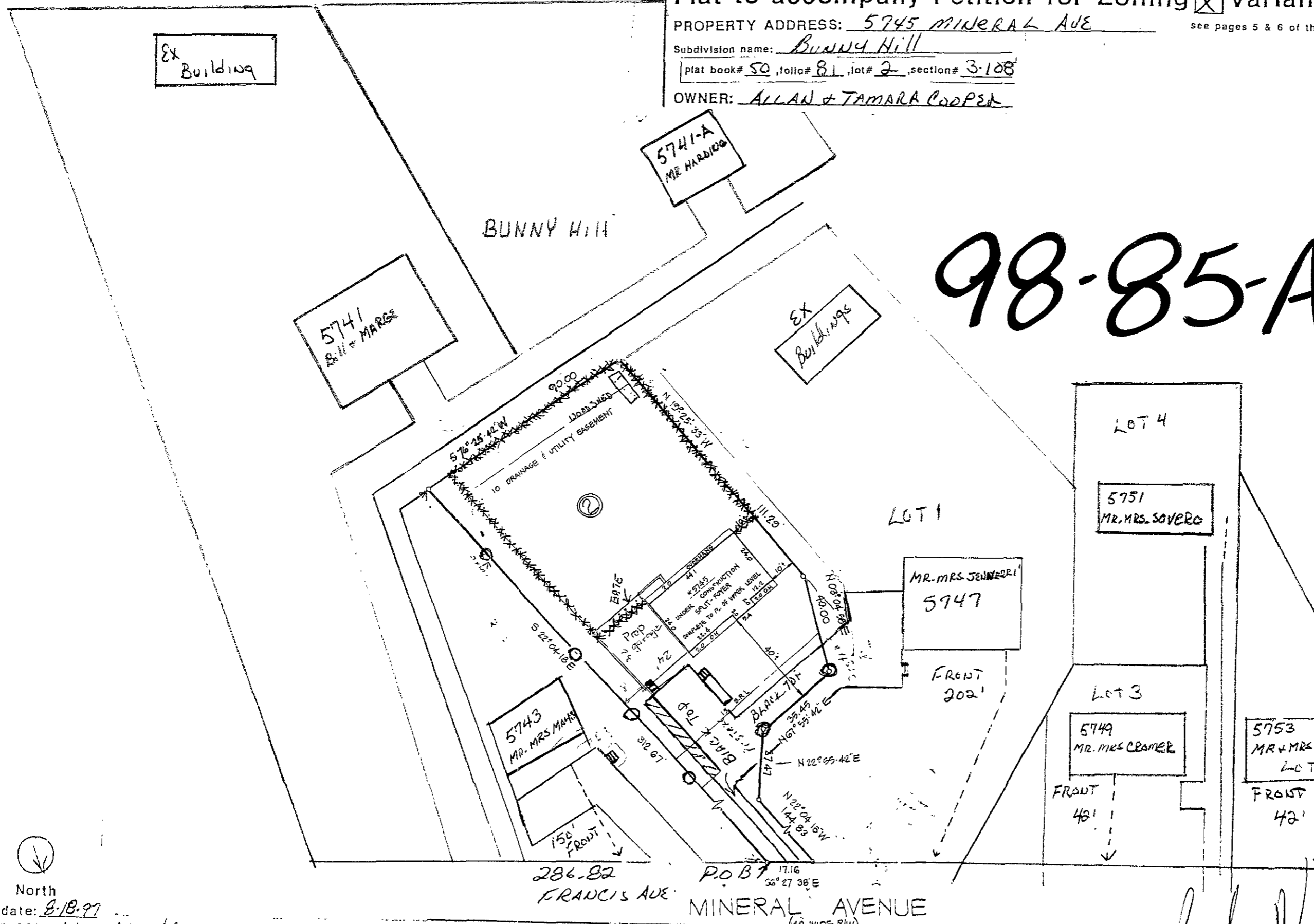
Chesapeake Bay Critical Area:  yes  no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

**98-85-A**



North

date: 8-18-97

prepared by: ALLAN COOPER

Scale of Drawing: 1" = 40'

*fol No 1*