IN THE MATTER OF THE APPLICATION OF FRANCIS X. POGGI –LEGAL OWNER FOR VARIANCES ON PROPERTY LOCATED ON THE S/S JOPPA ROAD, 2200' NE OF C/L BELLONA AVENUE (1415 W JOPPA ROAD) 9TH ELECTION DISTRICT 4TH COUNCILMANI DISTRICT	* * * * * *	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Case No. 99-466-A

* * * * * * * * *

ORDER OF DISMISSAL OF PETITION and DISMISSAL OF APPEAL

This case comes to the Board on appeal filed by Michael J. Moran, Esquire, from the September 14, 1999 Order of the Deputy Zoning Commissioner in which the subject Petitions were granted with restrictions; and from the subsequent Amended Order of the Deputy Zoning Commissioner dated July 18, 2000 which amended Restriction #3 of the prior Order.

WHEREAS, the Board is receipt of a Stipulation and Consent filed May 16, 2001 and executed by Michael J. Moran, Counsel for Protestant /Appellant, Stephen Seymour, and by Thomas P. Dore, Counsel for Francis X. Poggi, Petitioner (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Petitioner requests that the Petition for Variance to allow the construction of a fitness center with a footprint larger than the principal structure be withdrawn as of May 16, 2001; and

WHEREAS, in consideration of the withdrawal of the above-referenced Petition for Variance, Counsel for Protestant /Appellant requests that the appeal filed from the Petition for Variance to allow the existing tennis courts to remain be withdrawn as of May 16, 2001, all as agreed in the attached Stipulation and Consent;

IT IS THEREFORE. this 23rd day of May, 2001, by the County Board of Appeals of Baltimore County

ORDERED that said Petition for Variance filed in Case No. 99-466-A to allow the construction of a fitness center with a footprint larger than the principal structure be and the same is **WITHDRAWN AND DISMISSED** and that portion of the Deputy Zoning Commissioner's Order in which said variance was granted, including any and all relief granted therein with regard to this variance request, is rendered **null and void;** and it is further

ORDERED that the appeal filed from that portion of the Deputy Zoning Commissioner's Order that granted the side yard variance to allow the existing tennis court to remain be and the same is hereby **WITHDRAWN AND DISMISSED**, thereby allowing that portion of the Deputy Zoning Commissioner's Order to remain in effect subject to the conditions set forth in said Order.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence S. Wescott, Chairman

Lawrence M. Stahl

Richard K. Irish

In the Matter of:
S/S West Joppa, 2200' NE
Of centerline Bellona Avenue
9th Election District
4th Counselmanic
(1415 West Joppa Road)
Francis X. Poggi
Petitioner

Case No. 99-466-A

STIPULATION AND CONSENT

WHEREAS, the parties desire to resolve the instant controversy without resort to further litigation; and

WHEREAS, in consideration of the Petitioner's withdrawal of its Petition for Variance to allow the construction of a fitness center with a footprint larger than the principal structure, the Protestant agrees to withdraw its appeal from that portion of the Deputy Zoning Commissioner's Order granting the Petitioner's request for variance to allow the existing tennis court to remain in the side yard in lieu of the required rear yard, subject to the conditions imposed by the Deputy Zoning Commissioner's Order relative to the tennis court.

NOW THEREFORE, the Petitioner and Protestant do hereby stipulate and agree:

1. The Petitioner's request for variance from Section 101.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow the construction of the fitness center with a footprint larger than the principal structure is hereby withdrawn, thus rendering that portion of the Deputy Zoning Commissioner's decision null and void.

2. The Protestant dismisses its appeal from that portion of the Deputy Zoning Commissioner's Order that granted the sideyard variance to allow the existing tennis court to remain.

3. It is agreed between the parties that the provisions of the Zoning Commissioner's Order with respect to Petitioner's request for a variance from section 400.2 of the B.C. Z. R. to allow the existing tennis court to remain in the side and front yard in lieu of the required rear yard

shall remain in effect subject to the conditions set forth in the Deputy Zoning Commissioner's Order.

Michael J. Moran, Counsel
For Protestant, Stephen Seymour

Thomas P. Dore, Counsel
For Francis X. Poggi
Petitioner

Poggiorder.doc

IN RE: PETITION FOR VARIANCE S/S West Joppa road, 2200' NE centerline Bellona Avenue 9th Election District 4th Councilmanic District (1415 West Joppa Road)	* * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 99-466-A
Francis X. Poggi Petitioner	*	

* * * * * * * * * * * * * * * *

AMENDED ORDER

This matter originally came before this Deputy Zoning Commissioner for a public hearing on September 9, 1999. Thereafter, an Order was issued approving the Petitioner's Variance Request to allow existing tennis courts to remain in the side yard of the subject property and approval for the construction of a proposed fitness center that was larger than the footprint of the principal structure on the property. The approval was granted by way of a decision dated the 14th day of September, 1999. Restriction No. 3 of my Order required the Petitioner to submit within thirty (30) days from the date of my Order an approved landscaping plan that was agreed upon by his neighbors, Mr. Melfa and Mr. Eby. After the issuance of my Order, substantial negotiations ensued concerning the appropriate landscaping for this project. However, as of this date, the Petitioner and his neighbors were unable to fully agree on an acceptable landscaping plan.

Therefore, I believe it is appropriate to amend Restriction No. 3 of my previous decision to require the Petitioner to submit a detailed landscaping plan to Mr. Avery Harden, Landscape Architect for Baltimore County, for his full review and approval. It shall be within Mr. Harden's sole discretion as to the amount, type and location of appropriate landscaping to help mitigate and screen the fitness center which is to be constructed on the Petitioner's property. Mr. Harden has great expertise in resolving matters of this nature and I have full confidence in his capabilities.

ORDER RECEIVED FOR FILING
Date 7/18/02
By N. Jernigan

THEREFORE, IT IS ORDERED this 18th day of July, 2000, by this Deputy Zoning Commissioner, that Restriction No. 3 of my previous decision dated September 14, 1999, be amended to require the Petitioner to submit to Mr. Avery Harden, Landscape Architect for Baltimore County, within thirty (30) days, a landscape plan indicating the amount, type and location of materials to be planted in an effort to mitigate the effects of the fitness center on surrounding properties.

IT IS FURTHER ORDERED that any appeal from this decision must be made within thirty (30) days from the date of this Amended Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 7/18/00
By R. Jamesta

IN RE: PETITION FOR VARIANCE S/S West Joppa Road, 2200' NE of centerline Bellona Avenue 9th Election District 4th Councilmanic District (1415 West Joppa Road) Francis X. Poggi Petitioner	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 99-466-A

* * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for variance filed by the legal owner of the subject property, Francis X. Poggi. The Petitioner is requesting a variance for property he owns located at 1415 West Joppa Road, which property is zoned D.R.2. The variance request is from Sections 400.2 and 101.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing tennis court to remain in the side and front yard in lieu of the required rear yard and to construct a proposed fitness center that is larger in footprint than the principal structure.

Appearing at the hearing on behalf of the variance request were: Francis Poggi, property owner; Thomas Gamper, professional architect and Thomas Dore, attorney at law, representing the Petitioner. Appearing as interested citizens were: Larry Melfa, Martin Eby and Phyllis Meyers. Appearing as a neutral party was Peggy Squitieri on behalf of the Ruxton/Riderwood/Lake Roland Area Improvement Association.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 7.25 acres, more or less, and is zoned D.R.2. The subject property is located on the south side of West Joppa Road in the Ruxton Ridge area of Baltimore County. The subject property is improved with a 2 ½ story dwelling which was constructed at the turn of the century. Also existing on the property is a tennis court which was installed approximately 25 years ago. The

ORDER RECEIVED FOR FILING
Date 9/14/99
By R. Jamestown

variance for the tennis court is to approve an existing condition that was created at the time the tennis court was installed some 25 years ago. The additional variance request is for a fitness center that Mr. Poggi proposes to construct on his property in the area shown on Petitioner's Exhibit No. 1, the site plan of the property.

Testimony and evidence indicated that Mr. Poggi intends to construct a 3,333 sq. ft. fitness center on his property which would contain a basketball court, fitness center and other accessory recreational uses. Mr. Poggi indicated that the fitness center would be for his personal use only.

Prior to the taking of testimony and evidence, the neighbors in attendance had an opportunity to discuss the development proposal with Mr. Poggi. The neighbors in attendance are not opposed to the construction of the fitness center as was shown on the exhibits presented at the hearing. However, certain conditions and restrictions were agreed upon between the parties in an effort to mitigate the affects of this fitness center on the surrounding neighbors. Those conditions and restrictions shall be imposed at the end of this order and shall be enforceable by Baltimore County in the event it becomes necessary to do so.

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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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).

ORDER RECEIVED FOR FILING
Date 9/14/99
By

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 14th day of September, 1999, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Sections 400.2 and 101.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing tennis court to remain in the side and front yard in lieu of the required rear yard and to construct a proposed fitness center that is larger in footprint than the principal structure, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1) The Petitioner may apply for the building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall be prohibited from installing nighttime lighting on the tennis courts for use in nighttime play. The Petitioner shall be permitted to install such security lighting as is necessary for the protection of the fitness center, as well as his property in general.

ORDER RECEIVED FOR FILING
Date 9/14/99
By R. Jemison

3) The Petitioner shall be required to install landscaping along the south and east elevation of the fitness center. The Petitioner shall submit to this Deputy Zoning Commissioner, within thirty (30) days from the date of this Order, an agreed upon landscape plan which shall be reviewed and approved by Mr. Melfa and Mr. Eby. These neighbors shall agree upon the amount and type of materials to be planted in an effort to mitigate the affects of the fitness center on their homes.

4) The construction of the fitness center on the property shall not adversely affect the stream or drainage swale which is located within close proximity to the proposed fitness center.

5) The Petitioner shall make any attempt possible to lower the elevation of the proposed fitness center during the construction of the building so as to further mitigate the visibility of the fitness center from the surrounding properties.

6) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 9/14/99
By R. Jameson

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1415 W. Joppa Rd.
which is presently zoned DR - 2

This Petition shall be filed with the Department of Permits and 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 & 101.B TO PERMIT AN EXISTING TENNIS COURT TO REMAIN IN SIDE & FRONT YARD, IN LIEU OF THE REAR YARD AND A PROPOSED FITNESS STRUCTURE THAT IS LARGER IN FOOTPRINT THAN THE PRINCIPAL STRUCTURE IN LIEU OF SUBORDINATE IN FOOTPRINT

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Francis X. Poggi
Name - Type or Print

Signature

Name - Type or Print

Signature

1415 W. Joppa Rd. 410- 296- 6605 (W)
Address — Telephone No.

Ruxton, MD 21204
City — State — Zip Code

Attorney For Petitioner:

Tom Dore, Esq.
Name - Type or Print

Signature

Covahey & Boozer
Company

614 Bosley Ave. 410-828-5525
Address — Telephone No.

Towson MD 21204
City — State — Zip Code

Representative to be Contacted:

Thomas O. Gamper, AIA
Name

306 E. 33rd Street 410 -235- 2992
Address — Telephone No.

Baltimore, MD 21218
City — State — Zip Code

A Public Hearing having been formally ~~demanded and/or~~ found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 2nd day of July, 1999 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

TMK
Dep. Zoning Commissioner of Baltimore County

CASE NO. 99-466-A

Reviewed By JJM **Date** 5-19-99

Estimated Posting Date 5-30-99

REV 9/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1415 W. Joppa Rd., Ruxton, MD 21204
Address

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):

(See attached statement from the Owner)

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

Signature

Signature

Francis X. Poggi
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of May, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Francis X. Poggi

the Affiant(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

5-14-99
Date

Dawn F. Schwerman (Dawn F. Schwerman)
Notary Public

My Commission Expires 1-28-01

REV 09/15/98

May 19
1999

To whom it may concern :

My family and I are very athletic and health conscious, and we wish to promote and nurture this aspect of family life within the safety, convenience and comfort of an on - site auxiliary fitness structure. The building will contain a downsized half - court basketball court , a weight room , a changing area , spa tub and steam room.

The building has been sized appropriately for its interior spaces and for its site and is subordinate in purpose to the main building (my house) -- though its footprint is larger than that of the house. It meets all other criteria for an accessory structure. The building can not be made any smaller for practical reasons and to separate uses would create additional practical difficulties resulting in substantial financial hardship due to site constraints and the cost of building systems.

Furthermore, the planned building will be located where a large former stable stood. It will be designed with quality - as it will elegantly echo the spirit of the agrarian architecture of the old stable as well as that of the existing out - buildings, which along with the main house, have been undergoing extensive renovation and restoration since I purchased the property in May of 1998.

Should you have any quetions, please contact me or one of my representatives. Thank you for your time and consideration.

Sincerely,

Francis X. Poggi
1415 W Joppa Rd.
Ruxton, MD 21204

ZONING DESCRIPTION FOR 1415 W. JOPPA RD.

Northeast from the center of the intersection of Bellona Ave and W Joppa Rd , approximately 2200 ft., located on the south side of W. Joppa Rd., as recorded in Liber No. 6839, Folio 630, and more particularly described as follows :

Beginning at a pipe found at the end of the first or N 86 27' 35" W, 206.9 ft. line of the parcel, thence :

N 86 36' 35" W , 41 2 ft., S 01 14 ' 30", 82 03 ft , S 88 05' 36" W 393.08 ft., N 01 54' 24" W , 57.39 ft., N 70 21' 24" W, 49.50 ft., N 67 51' 24', 59,40 ft., N 44 36' 24" W, 47.87 ft., N 86 03' 27" W, 4.29 ft., N 09 10' 20" W, 368.17 ft , N 79 49' 28" E , 606 49 ft., S 13 07' 30" W, 14.37 ft , S 36 58' 00" E, 23.58 ft , S 22 05' 00" E, 23.80 ft., S 09 53' 00" E, 35.30 ft , S 04 04' 39" E, 35.72 ft., S 23 09' 27" W, 34.57 ft., S 28 05' 30" W, 17.38 ft., S 36 06' 30" W , 41.49 ft., S 03 33' 25 " W, 243.95 ft. to the point of the beginning - containing 7.2537 Acres more or less Also known as 1415 W. Joppa Rd .and located in the Nineth Election District , Fourth Councilmanic District.

99-466-A

466

TO: PATUXENT PUBLISHING COMPANY
July 15, 1999 Issue – Jeffersonian

Please forward billing to:
Tom Dore, Esquire 410-828-5525
Covahey & Boozer
614 Bosley Avenue
Towson, MD 21204

NOTICE OF ZONING 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: 99-466-A
1415 West Joppa Road
S/S West Joppa Road, 2200' NE of centerline Bellona Avenue
9th Election District – 4th Councilmanic District
Legal Owner: Francis X. Poggi

Administrative Variance to permit an existing tennis court to remain in the side and front yard in lieu of the rear yard and a proposed fitness structure that is larger in footprint than the principal structure.

HEARING: Monday, August 2, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99-466-A Address 1415 W. JOPPA RD.

Contact Person: JOHN R ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5-19-99 **Posting Date:** 5-30 **Closing Date:** 6-14.

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99-466-A Address 1415 W. JOPPA RD

Petitioner's Name FRANCIS X. POGGI Telephone 410-296-6605.

Posting Date: 5-30-99 **Closing Date:** 6-14-99.

Wording for Sign: To Permit AN EXISTING TENNIS COURT TO REMAIN IN THE SIDE'S FRONT YARD IN LIEU OF THE REAR YARD, AND A PROPOSED FITNESS STRUCTURE THAT IS LARGER IN FOOTPRINT THAN THE PRINCIPAL STRUCTURE IN LIEU OF SUBORDINATE IN FOOTPRINT

WCR - Revised 7/2/98

466

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) ~~and placement of~~ a ~~notice in a newspaper of general circulation in the County~~, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-466-A

Petitioner: Francis X. Poggi

Address or Location: 1415 W. Joppa Rd., Ruxton, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

Name: Franci X. Poggi

Address: 1415 W. Joppa Rd. , Ruxton, MD 21204

Telephone Number: 410 - 296 - 6919

Revised 2/20/98 - SCJ

466

NOTICE OF ZONING 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: #99-466-A
1415 West Joppa Road
S/S West Joppa Road, 2200' NE of centerline Bellona Avenue
9th Election District
4th Councilmanic District
Legal Owner(s): Francis X. Poggi

Administrative Variance: to permit an existing tennis court to remain in the side and front yard in lieu of the rear yard and a proposed fitness structure that is larger in footprint than the principal structure.

Hearing: Monday, August 2, 1999 at 11:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

7/257 July 15 C325394

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/15, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/15, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 99-466-A

Petitioner/Developer: Francis X. Poggi

Date of Hearing/Closing: 6/14/99

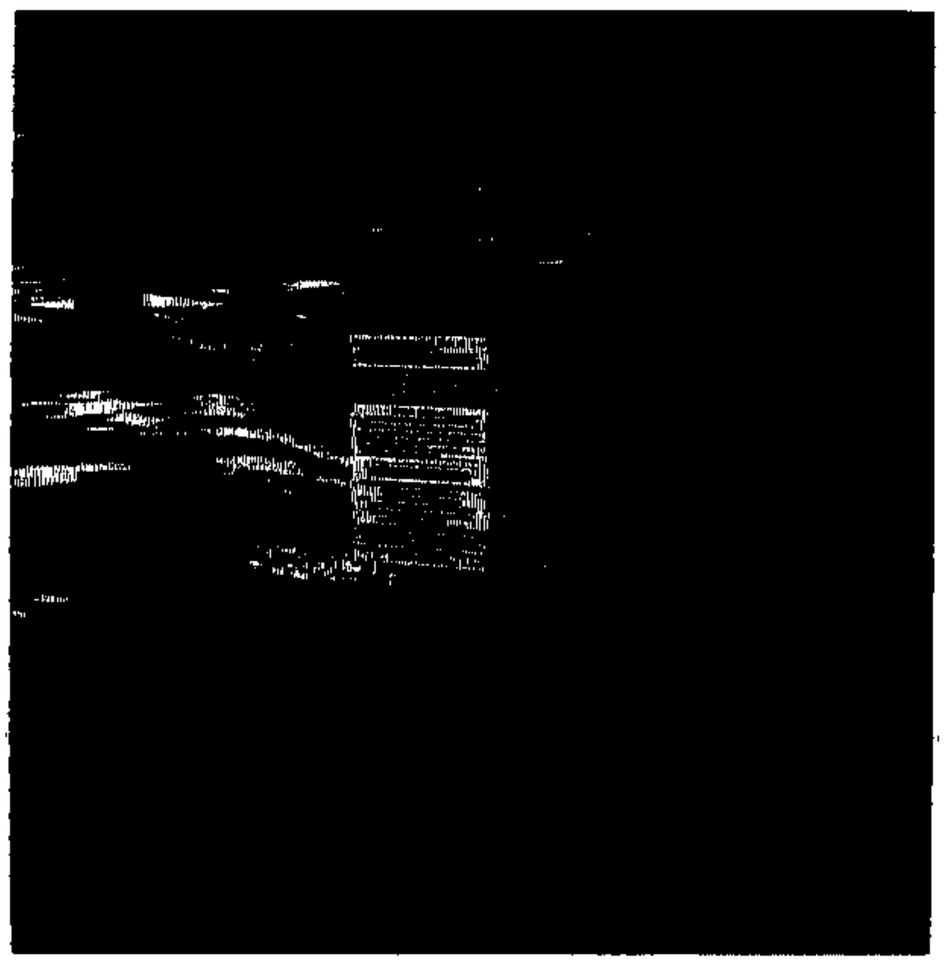
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 1415 W. Joppa Rd. Towson, MD 21204

The sign(s) were posted on 05/25/99
(Month, Day, Year)



Sincerely,

Stacy Gardner
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784
(City, State, Zip Code)

410-781-4000
(Telephone Number)

Shannon
Baum
Signs, Inc.

Quality Signs & Graphics Since 1950

Traffic Control Materials -- Reflective Products
105 Competitive Goals Drive -- Eldersburg, Maryland 21784
Phone: (410) 781-4000 Toll Free: 1-800-368-2295 Fax: (410) 781-4673
www.shannonbaum.com

August 9, 1999

Baltimore County Dept. of
Permits and Development Management
County Office Building, Room 111
111 W. Chesapeake Ave.
Towson, MD 21204

To Whom It May Concern:

Please accept this letter as a Certificate of Posting for a Baltimore County zoning sign, as I have run out of your certificates. Our company posted the following sign on August 9, 1999.

CASE # 99-466-A

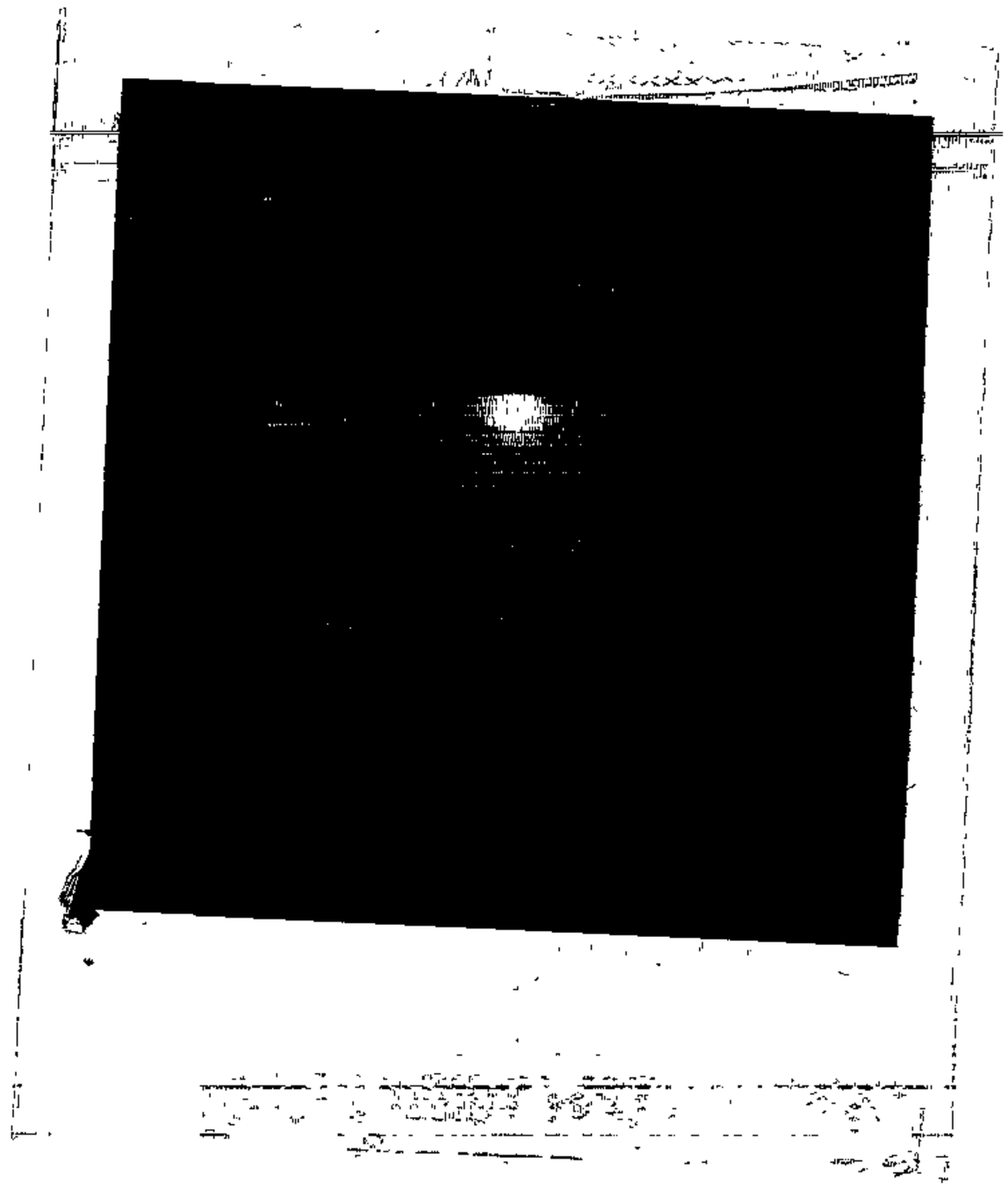
FRANCIS POGGI
1415 W. JOPPA RD.
BALTIMORE, MD

If you have any questions regarding this posting, please feel free to contact me.

Sincerely,

Stacy Gardner

Stacy Gardner



RECEIVED
AUG 12 1999
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

466

No. 066379

DATE 5-19-99 ACCOUNT R001-6150

AMOUNT $ 50.00

RECEIVED FROM: Francis X. Poggi

FOR: Reg. Admin. Var. 50.00
Total 50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Smith

PAID RECEIPT
PROCESS ACTUAL TIME
5/19/1999 5/19/1999 11:07:01
REG W002 CASHIER LSNI LXS DRAWER 2
Dept 5 528 ZONING VERIFICATION
Receipt # 094153 OFLN
CR NO. 066379
Recpt Tot 50.00
50.00 CK .00 CA
Baltimore County, Maryland

99-466-A

CASHIER'S VALIDATION

To Jim
Date 10/14 Time 11:00

While You Were Out

M Mr. Dore
of 834
Phone 410-828-5525
AREA CODE NUMBER EXTENSION

TELEPHONED		PLEASE CALL	
CALLED TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		URGENT	
RETURNED YOUR CALL			

Message #99-466-A
W. Joppa Rd.
(Francis Poggi)

Needs ext. for landscaping
30 days expires
today.
Letter was received from Dorsey.

Operator

IMPORTANT MESSAGE

FOR Jim
DATE 8/8 TIME 8:50 A.M. P.M.
M Lorrie Melfa
OF
PHONE 410-337-0900
AREA CODE NUMBER EXTENSION
☐ FAX
☐ MOBILE
AREA CODE NUMBER TIME TO CALL

TELEPHONED		PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE If appeal runs 30 days after date of Order, what happens if they (protestants) etc. aren't happy with the landscape architects plan?

SIGNED

TOPS FORM 3002P MADE IN U.S.A.

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

*** **HEARING ROOM** – *Room 48* ***
Basement –Old Courthouse
400 Washington Avenue

w ch

APPEAL HEARINGS SCHEDULED FOR THE WEEK OF **MAY 14, 2001**

TUESDAY 05/15 **10 a.m.** Patricia & Kenneth Perholtz
SE of c/l Trumps Mill Road
00-375-SPH 5701 & 5709 Trumps Mill Road
14th E.D.; 6th C.D.

WEDNESDAY 05/16 (00-481-XA /Pick – Petitions withdrawn by Petitioner)

" " (Out of Cycle Reclass to be reassigned)

THURSDAY 05/17 **9:30 am** Patricia L. Shaneybrook & Susan H. Basso -
(720 Back River Neck Road) 15th E; 5th C
00-139-X
Public Deliberation (hearing 4/03; 4/18; and 5/02/01)

" " **10 am** Francis X. Poggi – Legal Owner
S/s W. Joppa Road, 2200' NE of c/l Bellona Ave.
99-466-A 1415 W. Joppa Road 9th E; 4th C

VAR –To allow existing tennis courts in side & front yds ilo req'd rear yard; and to construct proposed fitness center larger in footprint than principal structure

---

c: Executive Office
Law Office
Director /PDM
People's Counsel
Planning Office
Court Info. Desk
County Council
Board Members
Court Reporter

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

September 6, 2000

Thomas P. Dore, Esquire
Covahey & Boozer P.A.
606 Baltimore Avenue, Ste 302
Towson, MD 21204

Dear Mr. Dore:

RE: Petition for Administrative Variance, Case No. 99-466-A, 1415 W. Joppa Road, 9th District, Francis X. Poggi - Petitioner

Please be advised that an appeal of the above referenced case was filed in this office on 08/17/00 by Michael J. Moran, Esquire. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call the Board of Appeals at 410-887-3180.

NOTE: **The subject property will be posted with the date, time, and location of the appeal hearing. If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.**

Sincerely,

Arnold Jablon
Director

AJ:rsj

c: Lawrence A. Melfa, Esquire, 401 Allegheny Avenue, Towson, MD 21204
Peggy Squiteri, P.O. Box 204 , Riderwood, MD 21139
Michael J. Moran, Esquire, 401 Allegheny Avenue, Towson, MD 21204
Phyllis Meyers, 1400 W. Joppa Road, Baltimore, MD 21204
People's Counsel MS 2010
Zoning Commissioner
Arnold Jablon

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 19, 1999

Thomas P. Dore, Esquire
Covahey & Boozer, P.A.
Annex Office
606 Baltimore Avenue
Suite 302
Towson, MD 21204

Dear Mr. Dore:

RE: Case Number 99-466-A, 1415 West Joppa Road

The above matter, previously scheduled for August 2, 1999, has been postponed at your request. The hearing has been **rescheduled for Thursday, September 9, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue**.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. As soon as possible, a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon
Director

AJ:scj

C: Francis X. Poggi
Thomas O. Gamper, AIA
Ruxton-Riderwood-Lake Roland Area Improvement Association
Stephen D. Seymour
Martin J. Eby

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 6, 1999

Tom Dore, Esquire
Covahey & Boozer
614 Bosley Avenue
Towson, MD 21204

Dear Mr. Dore:

RE: Demand for Public Hearing, Case Number 99-466-A, 1415 W. Joppa Road

The purpose of this letter is to officially notify you that the zoning commissioner is requiring a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:scj

C: Francis X. Poggi
Thomas O. Gamper, AIA

bean ink
ed Paper

Michael J. Moran
Attorney at Law
401 Allegheny Avenue
Towson, Maryland 21204
(410) 828-4800
FAX (410) 337-0916

17 August 2000

RECEIVED
AUG 17 2000
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Arnold Jablon, Director
Office of Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Amended Notice of Appeal of In re: PETITION FOR VARIANCE, etc., Case No. 99 466 A.

Dear Mr. Jablon:

Please accept this Amended Notice of Appeal in Case No. 99 466 A on behalf of the Respondents Martin Eby and Steven Seymour. Attached is the Amended Order of the Deputy Zoning Commissioner dated 18 July 2000. Also attached is a document entitled Findings of Fact and Conclusions of Law, issued by the Deputy Zoning Commissioner, dated 14 September 1999.

Appellants wish to make clear that they are appealing the grant of variance, under cover of 14 September 1999, the findings of fact and conclusions of law contained therein, and the conditions precedent attached to that variance.

Appellants also note an appeal from the final Amended Order in the same case dated 18 July 2000, and the modifications to the conditions precedent contained in the Amended Order dated 18 July 2000.

The case is in a somewhat unusual posture. As of the date of the Amended Order, the conditions precedent, to the variance relief requested, particularly condition number 3, had not been fulfilled Because subsequent proceedings occurred in that same case, under that same case number, without the filing of any new petition, the 14 September 1999 decision is incorporated in the subsequent Amended Order, dated 18 July 2000. As a result, the final order from which the appeal may be taken is the Amended Order, 18 July 2000 and Appellants appeal the grant of variance and conditions precedent attached to the variance, and the modifications to the condition no. 3

Thank you.

Very Truly Yours,

Michael J. Moran

MJM:mjm
Enclosure
C: Kathleen Bianco, Administrative Assistant, Baltimore County Board of Appeals
Timothy Kotroco, Deputy Zoning Commissioner

RE: PETITION FOR VARIANCE S/S West Joppa road, 2200' NE centerline Bellona Avenue 9th Election District 4th Councilmanic District (1415 West Joppa Road)	*	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
	*	CASE NO. 99-466-A
Francis X. Poggi Petitioner	*	

* * * * * * * * * * * * * * * *

AMENDED ORDER

This matter originally came before this Deputy Zoning Commissioner for a public hearing on September 9, 1999. Thereafter, an Order was issued approving the Petitioner's Variance Request to allow existing tennis courts to remain in the side yard of the subject property and approval for the construction of a proposed fitness center that was larger than the footprint of the principal structure on the property. The approval was granted by way of a decision dated the 14th day of September, 1999. Restriction No. 3 of my Order required the Petitioner to submit within thirty (30) days from the date of my Order an approved landscaping plan that was agreed upon by his neighbors, Mr. Melfa and Mr. Eby. After the issuance of my Order, substantial negotiations ensued concerning the appropriate landscaping for this project. However, as of this date, the Petitioner and his neighbors were unable to fully agree on an acceptable landscaping plan.

Therefore, I believe it is appropriate to amend Restriction No. 3 of my previous decision to require the Petitioner to submit a detailed landscaping plan to Mr. Avery Harden, Landscape Architect for Baltimore County, for his full review and approval. It shall be within Mr. Harden's sole discretion as to the amount, type and location of appropriate landscaping to help mitigate and screen the fitness center which is to be constructed on the Petitioner's property. Mr. Harden has great expertise in resolving matters of this nature and I have full confidence in his capabilities.

ORDER RECEIVED FOR FILING
Date 7/15/99
By

THEREFORE, IT IS ORDERED this 18th day of July, 2000, by this Deputy Zoning Commissioner, that Restriction No. 3 of my previous decision dated September 14, 1999, be amended to require the Petitioner to submit to Mr. Avery Harden, Landscape Architect for Baltimore County, within thirty (30) days, a landscape plan indicating the amount, type and location of materials to be planted in an effort to mitigate the effects of the fitness center on surrounding properties.

IT IS FURTHER ORDERED that any appeal from this decision must be made within thirty (30) days from the date of this Amended Order.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 7/18/00
By

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 15, 1999

Tom Dore, Esq.
Covahey & Boozer
614 Bosley Avenue
Towson, MD 21204

Dear Mr. Dore:

RE: Case No.: 99-466-A, Petitioner: Poggi, Location: 1415 W. Joppa Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 19, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

c: Thomas O. Gamper, 306 E. 33rd Street, Baltimore 21218

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: June 21, 1999

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

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 466

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffrey W. Long

AFK/JL

C:\JEFF_L\466.doc

HER
R.
LD
S.

STUDIO
3·0·6

Architecture

Interiors

Landscape

Consultation

CLIENT

AMY AND BIFF POGGI

PROJECT

AUXILIARY FITNESS SPACE

SHEET • TITLE

ZONING PLAT

THOMAS GAMPER AIA
306 • EAST • 33RD • STREET
BALTIMORE, MD. 21218 • 410-235-2992

DATE 5/19/99

SCALE AS SHOWN

REVISIONS

SHEET • NUMBER

SP-1

PET. EX. 1

The Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.
Post Office Box 204
Riderwood, Maryland 21139
Telephone/FAX: 410-377-4700

June 17, 1999

VIA FAX

Mr. Francis X. Poggi
1415 W. Joppa Road
Baltimore, MD 21204

Dear Mr. Poggi:

RE: 1415 W. Joppa Road
Case No. 99-466A

As I mentioned to you in our telephone conversation, one of my responsibilities is to notify property owners when there is a zoning variance request that may affect them. I have done this in connection with your proposed fitness structure. I did not request a formal zoning hearing in the hopes that we could facilitate a meeting with you and your neighbors. Since there are a few questions that I cannot answer, you graciously agreed to invite your neighbors to your home to present your plans. I am providing contact information for most, but feel I should contact those with unlisted numbers. If you will notify me of the date, time, and place of this meeting, I will be happy to call them.

In an effort to give you a little advanced warning about some of the concerns and to not put anyone on the spot, would you please address the size of the structure, screening from neighbors, and its use being limited to family members.

If I am available, I will be happy to attend the meeting. Please feel free to call on me if I can be of assistance.

Sincerely,

Peggy Squitieri

Peggy Squitieri
Executive Director

cc: Zoning Commissioner of Baltimore County

The Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.
Post Office Box 204
Riderwood, Maryland 21139
Telephone/FAX: 410-377-4700

June 18, 1999

VIA FAX

Zoning Commissioner of Baltimore County
Suite 405
County Courts Building
401 Bosley Avenue
Towson, MD 21204

Dear Sir:

RE: Case No. 99-466A
1415 W. Joppa Road

When I am aware of a zoning variance request, it is my responsibility to notify our residents who may be affected. I am not formally notified of administrative variances and do not find out about them until I happen to see a sign posted or until someone brings it to my attention. Due to the size of this property and since the proposed development is taking place in the rear of the property, it was difficult for me to ascertain the identities of those who may be impacted. Therefore, on June 14, 1999, the last day to request a hearing, I placed a letter in the file asking that you delay making your decision until you received a formal response from us.

I have now identified and contacted those residents on W. Joppa Road, Charles Ridge Garth, and Wine Spring Lane. Some had questions and concerns I could not answer so I contacted Mr. Poggi who offered to meet with these neighbors and share his plans. I am sure this meeting will take place very soon and any concerns will be immediately communicated to you.

We appreciate your consideration of our request.

Sincerely,

Peggy Squitieri

Peggy Squitieri
Executive Director

cc: Francis X. Poggi

Post-it® Fax Note 7671	Date 6/18/99	# of pages ▶ 3
To Zoning Comm.	From Peggy Squitieri	
Co./Dept.	Co. RRLRAIA	
Phone #	Phone # 377-4700	
Fax # 887-3796	Fax #	

Thank you for your attention to this matter

Sincerely,

Martin J. Eby
Two Charles Ridge Garth
Baltimore, MD 21204-3610
(410) 337-7575 (ext. 12)

Cc: Baltimore County of Planning & Zoning, Tim Kotroco
Mr. Melfa
Mrs. Poggi
Mr. Seymour
Ruxton Ridge Community Association
Ruxton – Riderwood Community Association

Thank you for your consideration in this matter.

Very truly yours,

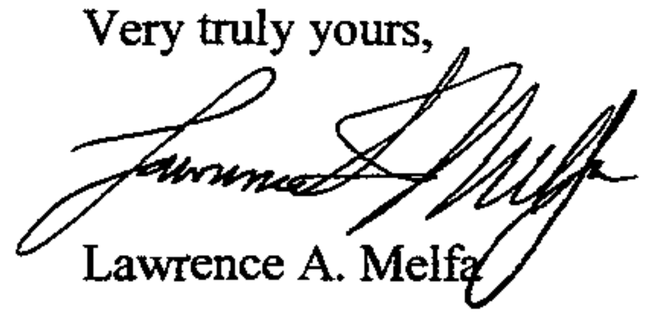
Thomas P. Dore

TPD/eyb

cc: Mr. & Mrs. Francis Poggi
cc: Lawrence A. Melfa, Esquire
cc: Mr. Thomas O. Gamper, AIA
cc: Mr. Martin Eby
cc: Mr. Stephen Seymour
cc: Ms. Phyllis Meyers
cc: Ms. Peggy Squitere
Ruxton/Riderwood/Lake Roland
Area Improvement Association

set in a hearing, since your Order appears to be contingent on an Agreed Landscaping Plan being filed with your office.

Very truly yours,



Lawrence A. Melfa

LAM/llc
cc: Mr. Stephen Seymour
Mr. Martin Eby
Mr. & Mrs. Francis Poggi
Mr. Thomas O. Gamper, AIA
Thomas P. Dore, Esq.
Ms. Peggy Squitiere
Ruxton/Riderwood/Lake Roland
Area Improvement Association

December 13, [illegible]

Baltimore Co[illegible]ept. of Planning and Zoning
Mr. Timothy [illegible]oco
Deputy Plan[illegible]ssioner
County Cou[illegible]ilding, Suite 405
401 Bosley Avenue
Towson, MD 21204

13

RE: Petition for Variance
Case Number 9-466-A
Property: 1415 West Joppa Road

Dear Mr. Kotroco:

The governing board of the Ruxton Ridge Community Association wishes to go on record as objecting to the landscaping plan put forth in an effort to shield the 6,600 square foot "recreation center" structure. The Association can cite numerous reasons why work should not progress on this building:

1. The structure is taking the residential nature of the neighborhood and it's preserved beauty in a different direction. If adequate landscaping cannot be accomplished, it should not be built.

2. It appears that planting cannot adequately screen the structure from the view of the residents of Ruxton Ridge and other adjoining properties because it looms two stories tall on that side. Even the proposed berm with landscaping is not tall enough to lessen its impact.

3. The proposed plantings will not survive and grow in the area around the structure because:

   a. The area's land is always saturated with water
   b. The area is shaded 9 months out of the year by large towering trees
   c. The area is surrounded by large trees that have branches that are constantly falling and destroying smaller plantings in their way
   d. It would take decades to hide the structure even if any of the above circumstances were overcome.

4. The placement of the structure near a stream/swail and a flood area probably is not permissible. <u>This major point continues to be overlooked</u>. Because there are numerous streams and small lakes downstream from this area, we request that an environmental impact evaluation be performed to assess potential damage to these resources.

5. Outside of the landscaping issues, we feel that granting the variance would set a bad precedent. There are several adjoining Joppa Road properties similar to the property in question that could potentially be granted similar variances if this is permitted. It could have a

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 6·4·99

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

RE: Baltimore County
Item No. 466 JRA

Dear. Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Chief
Engineering Access Permits Division

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

serious domino effect and destroy the current serene setting and, potentially, the property values, of surrounding landowners.

. The association board would object much less strenuously if the structure were smaller and more suited to the area, and if it were placed elsewhere on the property, not immediately adjacent to and in the direct line of sight of our residents. Since the inadequacy of the proposed landscaping is obvious, we would hope that the Poggis will reconsider this project.

Thank you for hearing and responding to our concerns. Please feel free to contact me by mail or phone at the numbers below.

Sincerely,

Janet S Hall

Janet S. Hall
President, Ruxton Ridge Community Association

1223 Wine Spring Lane
Baltimore, MD 21204

Day (410)328-5791 Evening (410)337-8691.

COVAHEY & BOOZER, P. A.
ATTORNEYS AT LAW
ANNEX OFFICE
606 BALTIMORE AVENUE
SUITE 302
TOWSON, MARYLAND 21204
AREA CODE 410
828-5525

FAX 410-296-2131

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
ANTHONY J. DiPAULA *
THOMAS P. DORE
ROGER J. SULLIVAN
MICHAEL T. PATE

* ALSO ADMITTED TO D. C. BAR

MAIN OFFICE
614 BOSLEY AVENUE
TOWSON, MD. 21204

16

Writer's Direct Dial Ext. is 834

December 15, 1999

Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Md. 21204

Re: Petition for Variance
Case No. 99-466-A
Property: 1415 West Joppa Road

Dear Mr. Kotroco:

I am in receipt of a copy of correspondence to you from Lawrence A. Melfa dated December 7, 1999 regarding the above-referenced case.

Prior to reverting this matter back for a hearing, I believe it might be helpful to have the matter referred to the County's landscape people review the plan to see if it is reasonable. Candidly, it is our position that building a burm is not landscaping. This would require the re-engineering of the entire site and the project. As you will recall, there was some concern regarding the drainage swale located to the rear of the property. Clearly, construction of a burm would have an effect upon the drainage area. Accordingly, we believe that the Office of Planning and the landscape people can review the plan and discuss it with Mr. Melfa and his client and determine if it is a reasonable plan.

Stephen D. Seymour
1308 Winespring Lane
Baltimore, MD 21204

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
401 Bosley Avenue, Suite 405
Towson, MD 21204

Re: Petition for Variance
Case No. 9-466-A
Property: 1415 West Joppa Road

Dec. 17, 1999

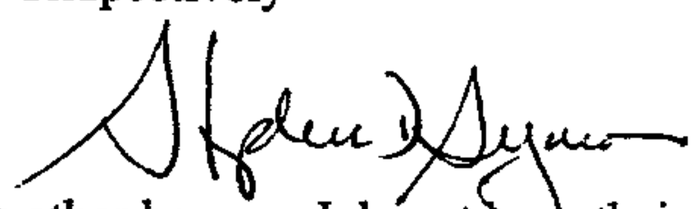
Dear Mr. Kotroco:

My family resides in the house that is immediately behind the proposed structure. I have lived in my house for close to twenty years. My kids have played in the stream that divides the property in question from my own, however the stream apparently is now being called a drainage ditch. When I visited the property in question, it was quite apparent that the area in question is low, extremely wet, and darkly covered by age-old hard wood trees. Without raising the ground to create proper drainage, and to get some sunlight, any planting in the area would be a waste of time and money. I do not feel we are being unreasonable in requesting a "burm". Without it no landscape barrier can be created.

I, too, would recommend some one from the county come out to the site because I can not understand how something new can be built in a "critical" area. The proposed structure is less then the necessary distance from a stream, is in or close to a wet land, and the proposed structure far exceeds the footprint of the existing house.

I do not want to be an obstructionist, but to "wordsmith" such as Mr. Dore is doing over whether the directive included a "burm" or not, seems a little disingenuous.

Respectively



P.S. This letter has not been sent to the other because I do not have their addresses.

February 3, 2000

FEB - 4

Covahey and Boozer, P.A.
Thomas P. Dore, Esquire
606 Baltimore Avenue
Towson, MD 21204

RE: Poggi Gymansium on West Joppa Road

Dear Mr. Dore:

I am following up on the proposed variance for the gym and my letter of 12/17/99. This whole matter seems to be getting no where; all I have seen is a bunch of letters being written. The matter at hand is pretty simple. At this juncture, all we need is a satisfactory landscape plan to approve or disapprove.

A satisfactory plan is one that convinces us that newly planted trees will hide the gymnasium (when they are planted; not in years to come) and have a good chance to live for quite some time. I have not seen Maxalea's written assurance that the trees have a good chance to survive.

1. I still do not have a landscape plan which identifies the actual plantings (height, type, etc.). We agreed to approve a satisfactory landscape plan and have maintained this agreement all along. As stated, a satisfactory plan is one that convinces us that newly planted trees will hide the gymnasium from the view of some of the concerned property owners which include Bentz, Eby, Harris, Melfa, and Seymour. I have not seen Maxalea's written assurance that the trees have a good chance to survive. (when they are planted; not in years to come) and have a good chance to live for quite some time.

2. I was under the impression there would be a follow up hearing since the majority of the parties involved have not accepted the proposed informal landscape plan. Perhaps it is because there still isn't a formal landscape plan to approve or disapprove! Kindly advise of status of the hearing.

3. I am in receipt of Mrs. Poggi's letter of 1/15/00 accusing us of being unreasonable and persistent. I am flummoxed over these comments for I believe we are simply following our part of the agreement. Far from being persistent, I believe we have been remarkably laid back about the entire matter through its course so far. I have not insisted on a burm; it is just that I have been told this is the only solution available in order to give trees a chance to grow. Additionally, we did not select Maxalea as a group; we even let the Poggi's determine whom to use as a consultant on the matter. However, I would assume that, when we do receive an actual plan, we will have the opportunity to consult with another independent landscaper (one that does not represent the Poggis or the county), so we can obtain objective advice.

Michael J. Moran
Attorney at Law
401 Allegheny Avenue
Towson, Maryland 21204
(410) 828-4800
FAX (410) 337-0916

17 August 2000

RECEIVED
AUG 17 2000
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Arnold Jablon, Director
Office of Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Amended Notice of Appeal of In re: PETITION FOR VARIANCE, etc., Case No. 99 466 A.

Dear Mr. Jablon:

Please accept this Amended Notice of Appeal in Case No. 99 466 A on behalf of the Respondents Martin Eby and Steven Seymour. Attached is the Amended Order of the Deputy Zoning Commissioner dated 18 July 2000. Also attached is a document entitled Findings of Fact and Conclusions of Law. issued by the Deputy Zoning Commissioner, dated 14 September 1999.

Appellants wish to make clear that they are appealing the grant of variance, under cover of 14 September 1999, the findings of fact and conclusions of law contained therein, and the conditions precedent attached to that variance.

Appellants also note an appeal from the final Amended Order in the same case dated 18 July 2000, and the modifications to the conditions precedent contained in the Amended Order dated 18 July 2000.

The case is in a somewhat unusual posture. As of the date of the Amended Order, the conditions precedent, to the variance relief requested, particularly condition number 3, had not been fulfilled Because subsequent proceedings occurred in that same case, under that same case number, without the filing of any new petition, the 14 September 1999 decision is incorporated in the subsequent Amended Order, dated 18 July 2000. As a result, the final order from which the appeal may be taken is the Amended Order, 18 July 2000 and Appellants appeal the grant of variance and conditions precedent attached to the variance, and the modifications to the condition no. 3

Thank you.

Very Truly Yours,

Michael J. Moran

MJM:mjm
Enclosure
C: Kathleen Bianco, Administrative Assistant, Baltimore County Board of Appeals
Timothy Kotroco, Deputy Zoning Commissioner

COVAHEY & BOOZER, P. A.
ATTORNEYS AT LAW
ANNEX OFFICE
606 BALTIMORE AVENUE
SUITE 302
TOWSON, MARYLAND 21204
AREA CODE 410
828-5525

FAX 410-296-2131

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
ANTHONY J. DiPAULA *
THOMAS P. DORE
ROGER J. SULLIVAN
MICHAEL T. PATE

* ALSO ADMITTED TO D. C. BAR

MAIN OFFICE
614 BOSLEY AVENUE
TOWSON, MD. 21204

APR 18

Writer's Direct Dial Ext. is 834

April 14, 2000

Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Md. 21204

Re: Petition for Variance
Case No. 99-466-A
Property: 1415 West Joppa Road

Dear Deputy Commissioner Kotroco:

On September 14, 1999 you issued approval of the variance request of my clients with respect to the above-captioned property. In the granting of the relief, one of the conditions was that my clients install landscaping on the south and east elevation of the fitness center. You requested that we submit a landscape plan to be reviewed and approved by Mr. Melfa and Mr. Eby. Subsequently, Your Honor granted us an extension to complete and to submit an acceptable landscape plan to Mr. Eby and Mr. Melfa. On February 6, 2000, my clients submitted a final plan to the other parties. As of this date, the parties have failed to approve or reject same.

My clients now wish to proceed with pulling their permits. Therefore, I am enclosing and forwarding to you the landscape plan and contract with Maxalea Nurseries, Inc. which my clients have submitted and which meets the requirements of your Order. We would ask that as you remarked at the time of the hearing you submit the plan to the appropriate people in the Office of Planning and Landscape Department for their review of same. I am sure they will tell you is quite effective and

reasonable. I am forwarding the plan to you in the hope that we can avoid any problems when we pull the permits as to whether this condition has been satisfied.

Would you please let me know if the plan has been approved by the Office of Planning and Landscape Department. Otherwise, I would request that you bring us in for a hearing on this issue that we may resolve it once and for all.

Thank you for your assistance in this matter.

Very truly yours,

Thomas P. Dore

TPD/eyb
Enclosure

cc: Mr. & Mrs. Francis X. Poggi
Mr. Thomas O. Gamper, AIA
Lawrence A. Melfa, Esquire
Mr. Martin Eby
Ms. Phyllis Meyers
Ms. Peggy Squitieri
Ruxton/Riderwod/Lake Roland
Area Improvement Association

13eyb.03

Maxalea is an active member
(MNA) Maryland Nurseryman's Association
(LCA) Landscape Contractor's Association
(ALCA) Associated Landscape Contractor's of America

MHIC # 71551
Depart. of Agriculture # 1832

410 – 377 – 7500

MAXALEA NURSERIES, INC.
900 Oak Hill Road
Baltimore, Maryland 21239
WWW.Maxalea.com

410 – 377 – 6864 – f

'TERMS AND CONDITIONS'

PLANT MATERIAL GUARANTEE

All trees, shrubbery, perennials, installed by Maxalea Nurseries are guaranteed for one full year (12 months). Labor cost to install plant material is guaranteed for 6 months.

All bulbs, seasonal plants (i.e. annuals, grass seed), all transplanted plant material such as trees, shrubs, perennials, or sod are not guaranteed.

All plant material planted in pots or containers, raised planters, and plant material used for holiday decoration (i.e. Christmas trees, etc.) are not guaranteed.

For all plant material guarantees to be in effect all accounts must be paid in full and up to date. All plant material must be properly cared for by the owner. This includes watering all plant material at least twice a week during dry periods. All plantings must be well maintained to include weeding on a regular basis and fertilized a minimum of two times per year.

Maxalea Nurseries does not guarantee any plant material that has been damaged by chemicals, animals, vandalism, inadequate drainage, storms, hail, drought, insects, exceptional or untimely freeze or ice, wind, floods or any other acts beyond Maxalea's control.

All plant material is planted according to standard practices of the American Association of Nurseryman

HARDSCAPE GUARANTEE

Installation of all patios, walkways, walls, decks, steps, drains, water features, lighting, and boulders are guaranteed for one full year (12 months) for labor, workmanship and material.

SUB-CONTRACTORS GUARANTEE

All workmanship, and materials by sub-contractors hired by Maxalea Nurseries will be guaranteed for one full year (12) months and the sub-contractor will carry all necessary insurance i.e. liability, and workman's compensation.

PLANT MATERIAL SUBSTITUTIONS

At times, there may be a need to substitute certain varieties of plant material due to availability from suppliers, therefore, Maxalea Nurseries reserves the right to substitute an originally specified plant with another genius, species, or variety.

UTILITIES PRIVATE and PUBLIC

All private utilities are the responsibility of the home owner. These would include, but not limited to the following: invisible pet fencing, landscape lighting, irrigation, plumbing, drainage, septic systems, wells, or other underground utility or feature. Maxalea is not responsible for any repairs or repair costs due to damage during hardscape or softscape installation.

All public utility marking such as electric lines, telephone lines, gas lines, water lines, or cable lines, will be marked by Miss Utility. Maxalea Nurseries will notify Miss Utility when these items need to be marked. There will be a charge of $35.00 for this service, as Maxalea Nurseries is charged for all markings. This fee will be itemized on the customers final billing.

CONCEALED CONTINGENCIES

The correction of undisclosed subsurface conditions such as rocks, roots, stumps, water, concrete, clay pan, soil contaminated with toxic substances or other obstacles encountered in excavation work, which are not apparent at the time of estimating the job, will result in additional cost to the homeowner. The homeowner will be notified of the additional cost.

CONTRACT SUM / DEPOSITS

A signed contract and a one-third deposit of the total sum of the contract is required by Maxalea prior to the work being scheduled. Balance will be due upon completion of work and receipt of invoice. If a sub-contractor is hired by Maxalea, such as stone mason, electrician, irrigation, carpenter and / or any other sub-contractor, payment is to be paid upon completion of said sub-contracting work (i.e. - if stone mason is used for patio installation, and this part of the contract has been completed, the customer will be invoiced out for the stone work even though there is planting and other work to be completed. Payment for the sub-contract work is expected upon receipt.

If job is delayed through no fault of Maxalea Nursery or a sub-contractor, a progress payment may be asked for.

FINANCE CHARGES

Finance charges of 1.5% per month, 18% per annum will be charged on all accounts not paid within ten (10) days of receipt of invoice. A past due account is an account that has gone beyond (10) ten days.

If account is not paid within thirty (30) days, owner (client) agrees to pay all reasonable legal fees relating to collecting said debt, in an amount not less than 15% of the amount due.

Maxalea Nurseries reserves the right to withdrawal any contract that has not been accepted within thirty (30) days from date of contract. If a contract is accepted after thirty (30) days from date of contract, Maxalea reserves the right to modify the contract total sum.

Upon signing the 'Contract', and returning to Maxalea the customer is agreeing to all statements on the "Terms and Conditions" page.

LAW OFFICES

HOWARD BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204-4256

DICKEE M. HOWARD
WILLIAM N. BUTLER
LAWRENCE A. MELFA

ROBERT W TAYLOR, JR.

TELEPHONE
(410) 337-0900

FAX NO.
(410) 337-0916

May 11, 2000

MAY 12

Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
County Courts Building
401 Bosley Avenue, Suite 405
Towson, MD 21204

RE: Petition for Variance
Case No. 99-466-A
Property: 1415 West Joppa Road

Dear Deputy Commissioner Kotroco:

I have reviewed Mr. Dore's request of April 14th, 2000, for a hearing and I hardly concur that all parties are attempting to amicably resolve this issue. I agree with Mr. Eby that a hearing is necessary and it would be necessary to bring in someone from the office of Planning and Landscape Department to review the submitted plans. I believe at a hearing we could hammer out any lingering concerns as to the adequacy and the anticipated duration of the landscaping. Mrs. Poggi has done an excellence job in documenting the plan and requesting a tree warranty from Maxalea. Maxalea will now provide a five (5) year maintenance plan for monitoring care and warranty. Certainly this would give the requested landscaping time to root and grow.

By a copy of this letter to Mr. Dore, Mr. Eby, Tom Gamper, Steven Seymour and Peggy Squitieri, I will notify them of my concurrence with the spirit of Mr. Dore's letter of April 14th, 2000.

Very truly yours,

Lawrence A. Melfa

Lawrence A. Melfa

LAM/llc

LAW OFFICES

HOWARD BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204-4256

DICKEE M. HOWARD
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ROBERT W. TAYLOR, JR.

TELEPHONE
(410) 337-0900

FAX NO.
(410) 337-0916

August 4, 2000

Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
County Courts Building
401 Bosley Avenue, Suite 405
Towson, MD 21204

RE: Amended Order
Case No. 99-466-A
Property: 1415 West Joppa Road
(Poggi Property)

Dear Deputy Commissioner Kotroco:

Thank you for your copy of your letter to Mr. Dore and your decision.

Please be advised that Steven & Sharon Seymour, 1308 Winespring Lane, Towson, MD 21204 should be added to the list of Protestants. I clearly indicated at the first hearing and meeting that I was counsel for Mr. & Mrs. Seymour who were away on vacation at that time. I have already taken the step to send them a copy of your Amended Order. Mr. & Mrs. Seymour have an interest, as do I, because we both have building lots that already have been approved by Baltimore County, which abut the proposed gymnasium.

Thanking for your consideration in advance, I remain

Very truly yours,

Lawrence A. Melfa

LAM/llc
cc: Thomas P. Dore, Esquire
Mr. Martin Eby
Mr. & Mrs. Seymour
Mr. Avery Harden

December 17, 1999

Covahey and Boozer, P.A.
Mr. Thomas P. Dore, Esquire
606 Baltimore Avenue
Towson, MD 21204

RE. Poggi Gymnasium

Dear Tom:

Thank you for copying me on the letter to Tim Kotroco.

So far, my neighbors in Ruxton Ridge, as well as the Melfas and Seymours, have tried to be cooperative in working with the Poggis in meeting their goal of building the sports complex. While it will be unsightly, set bad precedent, and take away the reason all of us bought our properties (the view from the back); it seemed only neighborly to work with Amy and Biff on this matter.

Upon receipt of your letter, I was quite disappointed; feel as if we have been "hoodwinked"; and can only surmise that the lawyer tactics have begun. We try to be open minded and fair; all we get is your angling to free the Poggis from their agreement based on a possible technicality (jousting over the definition of a burm and if it is part of a landscaping plan). We do not want the structure, but, as a conciliation, said they could have the variance if it could be hidden. I guess nice guys finish last, but at least we can live with ourselves, as well as our conscience, in dealing fairly with people.

In any event, I am strongly opposed to the variance. Please be advised once again that the landscape plan, which was never sent to me directly (but have reviewed as of last Friday thanks to Mr. Melfa) as agreed, is absolutely not satisfactory.

Sincerely,

Martin J. Eby

MJE.Dore12-17-99

DICTATED BUT NOT READ

Stephen D. Seymour
1308 Winespring Lane
Baltimore, MD 21204

JUN 21

Mr. Lawrence Schmidt
Zoning Commissioner
Suite 405
County Courts Building
401 Bosley Avenue
Towson, MD 21204

June 18, 1999

Dear Commissioner,

My name is Stephen D. Seymour and my wife Sharon and I have lived since 1981 at 1308 Winespring Lane. The property is adjacent to the here to fore Martin and Teresa Knott property, 1415 W. Joppa Ave. I am writing you because it has come to my attention an Administrative Variance has been requested, Case No. 99-466A on the property. My wife and I have some concern.

The area requested for the Variance is one of the few remaining low density, open areas in Riderwood. I am not opposed to the property owner constructing reasonable structures on his property, however the proposed "out building" of 3,300 square feet at the proposed height is so close to neighbors' property lines, it would seems to violate the character of the neighborhood. Is there any way some of the structure can be erected below ground, or moved closer to Joppa Avenue in an effort to reduce the visual impact on the neighbors? In the summer there is a tree buffer, but when the leaves fall, we will be over powered by a commercial like building in our back yard.

I sincerely believe that through more sensitive planning a more workable solution can be reached. **Please do not issue the Variance as requested.**

Sincerely,

Stephen D. Seymour

June 29, 1999

Baltimore County Zoning Office
County Courts Building
#405
401 Bosley Avenue
Towson, MD 21204

RE: #99-466A

Dear Sir:

Please be advised that we, as well as the Harris and Melfas, strongly object to the proposed structure at Gabriel Poggi's residence on West Joppa Road. The structure will be an extreme eyesore (35' high by 80' by 41'!) and will devalue our properties. Additionally, we question the intended use of the facility and the effect on traffic on Joppa Road, as well as at the rear of our properties.

Our group will be in contact shortly. Kindly advise if we need to do anything at this time.

Sincerely,

Martin J. Eby

2 Charles Ridge Garth
Towson, MD 21204
(410)337-7575

RECEIVED
JUN 29

7/14/99
cf
SJ
OK

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
ANNEX OFFICE
606 BALTIMORE AVENUE
SUITE 302
TOWSON, MARYLAND 21204
AREA CODE 410
828-5525

FAX 410-296-2131

EDWARD C. COVAHEY, JR.
F VERNON BOOZER *
MARK S. DEVAN
ANTHONY J. DiPAULA *
THOMAS P. DORE
ROGER J. SULLIVAN
MICHAEL T. PATE

* ALSO ADMITTED TO D. C. BAR

MAIN OFFICE
614 BOSLEY AVENUE
TOWSON, MD. 21204

July 14, 1999

Writer's Direct Dial Ext. is 834

HAND DELIVERED

Arnold Jablon, Director
Department of Permits and Development Management
Development Processing
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case Number 99-466-A
1455 West Joppa Road
S/S West Joppa Road, 2200' NE of centerline Bellona Ave.
9th Election District - 4th Councilmanic District
Legal Owner: Francis X. Poggi

Dear Mr. Jablon:

Please treat this as a request for postponement of the hearing scheduled for August 2, 1999 at 11 a.m. in Room 407 with respect to the above-referenced matter. My client, Francis X. Poggi, the property owner, has scheduled a pre-planned trip and will be out of state for the entire month of August. Therefore, we respectfully request that this matter be re-set after September 1, 1999. If there is any difficulty with this request, please advise me immediately. Unfortunately, I do not have addresses for the Ruxton-Riderwood-Lake Roland Area Improvement Association and the other individuals carbon copied on your hearing notice. Otherwise, I would forward a copy of this letter to them. I would ask that you notify them, if appropriate, of my request for a postponement.

Very truly yours,

Thomas P. Dore

TPD/eyb
cc: Mr. Francis X. Poggi
13eyb.12

99-1881

COVAHEY & BOOZER, P. A.
ATTORNEYS AT LAW
ANNEX OFFICE
606 BALTIMORE AVENUE
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EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
ANTHONY J. DiPAULA *
THOMAS P. DORE
ROGER J. SULLIVAN
MICHAEL T. PATE

* ALSO ADMITTED TO D. C. BAR

MAIN OFFICE
614 BOSLEY AVENUE
TOWSON, MD. 21204

OCT 12

Writer's Direct Dial Ext. is 834

October 12, 1999

VIA HAND DELIVERY

Timothy M. Kotroco, Deputy Zoning Commissioner
Baltimore County Department of Planning and Zoning
County Courts Building, Suite 405
401 Bosley Avenue
Towson, Maryland 21204

Extension Granted.
Timothy Kotroco
10/15/99

RE: Petition for Variance
Case No. 99-466-A
Property: 1415 West Joppa Road

Dear Mr. Kotroco:

Please be advised that I have been contacted by my client who indicated that a meeting to come up with a landscape plan in connection with the above-captioned matter has now been scheduled for October 13, 1999. The thirty (30) days set forth in your letter will expire on October 14, 1999. In an effort to avoid any confusion or problems concerning these dates, I would request that Your Honor grant an extension of time until November 14, 1999 for us to complete the landscape plan. We envision that it will take some time for Maxalea, the landscape company, to provide us with a plan and to circulate it for approval among all the interested parties.

Your consideration regarding this request is greatly appreciated.

Very truly yours,

Thomas P. Dore

Thomas P. Dore (eyb)

TPD/eyb

cc: Mr. & Mrs. Francis Poggi
Lawrence A. Melfa, Esquire
Mr. Thomas O. Gamper, AIA
Mr. Martin Eby
Ms. Phyllis Meyers
Ms. Peggy Squitiere
Ruxton/Riderwood/Lake Roland
Area Improvement Association

11eyb.05

LAW OFFICES
HOWARD BUTLER & MELFA P. A.
401 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204-4256

DICKEE M. HOWARD
WILLIAM N. BUTLER
LAWRENCE A. MELFA

ROBERT W. TAYLOR, JR.

TELEPHONE
(410) 337-0900

FAX NO.
(410) 337-0916

18

October 14, 1999

VIA FACIMILE AND MAIL
410/887-3468

Timothy M. Kotroco,
Deputy Zoning Commissioner
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Variance
Case No.: 99-466-A
Property: 1415 West Joppa Road

Dear Commissioner Kotroco:

I have received a request from Tom Dore to extend by thirty (30) days the time for filing of an agreed landscaping plan.

Please be advised that on behalf of myself, Mr. Eby and Mr. Seymour, the three (3) concerned neighbors, that we have no objection to this. In reviewing your Order, it appears to be contingent on an agreed landscaping plan being filed with your office. Last night we were at the site and unfortunately Maxala did not attend even though they were scheduled to be there. Because of the low site elevation at the bottom of the hill, Mr. Seymour pointed out that unless a burm were built as part of the anticipated landscaping there would be no chance of it receiving sun light and would most likely not survive. Various alternatives to solving this problem were discussed, one of which was possibly sliding the gymnasium further back into the hill and possibly taking part of it closer to the side yard. We however, are in agreement that if it is necessary to slide the building towards the side yard that there would be no objection on our part as long as the burm and adequate landscaping could be accomplished. This would have the further benefit of allowing the Poggis to keep the old barn at the rear of their property. We believe that all of these matters can be handled administratively and shortly we will be following the agreed landscaping plan.

Pursuant to your Order, please consider this letter as a Petition to Modify and/or to extend the time for appeal until the agreed upon plan can be filed.

Very truly yours,

Lawrence A. Melfa

LAM/llc
cc: Tom Dore, Esq.
Covahey & Boozer, P.A.
410/296-2131
Thomas O. Gamper, AIA
410/235-2992
Mr. Martin Eby
Mr. Stephen D. Seymour

LAW OFFICES

HOWARD BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204-4256

DICKEE M. HOWARD
WILLIAM N. BUTLER
LAWRENCE A. MELFA

ROBERT W. TAYLOR, JR.

TELEPHONE
(410) 337-0900

FAX NO.
(410) 337-0916

December 7, 1999

Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
County Courts Building, Suite 405
401 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Variance
Case No. 9-466-A
Property: 1415 West Joppa Road

Dear Mr. Kotroco:

At the end of November a Landscaping Plan was presented to me by Mrs. Poggi. I copied that and sent it on to Mr. Eby and Mr. Seymour. It is apparent from my conversations with the parties that an agreement can not be reached at this time on the Landscaping Plan. Both Mr. Eby and Mr. Seymour indicate to me that they object to the plan. A discussion was had a couple of months ago about building a burm behind the gymnasium and putting the landscaping on top of that. Due to the low elevation of the gymnasium and where the plants would be placed, it would take many years for any screening to be effective. As you know, the residences behind the Poggi resident and proposed gymnasium are at a much higher elevation and unless a burm and landscaping on top of that were provided the planting of trees would be meaningless.

According to Mr. Eby, he has similar concerns as does the Community Association of Ruxton Ridge. I believe the only way to bring this matter to a head is to

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

May 23, 2001

Michael J. Moran, Esquire
401 Allegheny Avenue
Towson, MD 21204

RE: *In the Matter of: Francis X. Poggi*
Case No. 99-466-A /Withdrawal of Petition and
Withdrawal of Appeal /Stipulation & Consent

Dear Mr. Moran:

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

Very truly yours,

Charlotte E. Radcliffe for

Kathleen C. Bianco
Administrator

Enclosure

cc: Thomas P. Dore, Esquire
Francis X. Poggi
Thomas O. Gamper /AIA
Stephen Seymour
Martin Eby
Lawrence A. Melfa, Esquire
Peggy Squiteri /RRLR Area Improvement Assn
Phyllis Meyers
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM

Printed with Soybean Ink
on Recycled Paper

Case No. 99-466-A

VAR –To allow existing tennis courts in side & front yd ilo req'd rear yd and to construct proposed fitness center larger in footprint than principal structure.

7/18/00 – DZC's Order which amended Restriction #3 of prior Order of DZC dated 9/14/99 in which variance was granted with restrictions.

2/26/2001 –Notice of Assignment sent to following; assigned for hearing on Thursday, May 17, 2001 at 10 a.m..:

Michael J. Moran, Esquire
Martin Eby
Steven Seymour
Thomas P. Dore, Esquire
Francis X. Poggi
Thomas O. Gamper /AIA
Lawrence A. Melfa, Esquire
Peggy Squiteri /RRLR Area Improvement Assn
Phyllis Meyers
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

5/11/01 –FAX from Thomas Dore, Esquire; requested variance for accessory structure larger than principal structure "is going to be withdrawn"; also working on consent order with respect to variance re tennis court. Hearing on 5/17/01 "should not be necessary." Awaiting further correspondence /communication regarding this matter.

5/16/01 – Stipulation and Consent agreement filed by Thomas P. Dore, Esquire (corrected case number – incorrectly shown on hearing notice; should be 99-466-A (ilo 00-003-A). Order of Dismissal to be issued; case pulled from schedule.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Thomas Dine	Cowden's Corner PA 17406
Francis X Poggi	1415 W. Arch Road
Thomas O. Gamper	306 E. 3rd Street

Printed with Soybean Ink
on Recycled Paper

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Lally Melfa	1302 Winwood
Martin Eby	2 Charlesridge Ct
Lally Melfa Atty For Steve Seymour	1304 Winwood
Peggy Squitieri	RR1 Box 214
	PO Box 204
	Riderwood 21139
Phyllis Meyers	1400 W. Joppa Rd
	Balt., Md 21204

Ruxton - Riderwood - Lake Roland
Area Improvement Assoc.
P.O. Box 204
Riderwood, MD 21139
410-377-4700

June 14, 1999

Zoning Commissioner

Re: 1415 W. Joppa Rd Case No 99-466-A

We were recently made aware of the Administrative Variance for the referenced Property.

Since this is such a large lot, it has taken a while to locate all property owners who may be impacted by development and provide answers to their questions. I am therefore requesting additional time to prepare formal comments for your review and consideration.

Sincerely,

Peggy Squiteri
Executive Director

LAW OFFICES

HOWARD BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204-4256

DICKEE M HOWARD
WILLIAM N. BUTLER
LAWRENCE A MELFA

ROBERT W TAYLOR, JR

TELEPHONE
(410) 337-0900

FAX NO
(410) 337-0916

May 11, 2000

MAY 12

Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
County Courts Building
401 Bosley Avenue, Suite 405
Towson, MD 21204

RE: Petition for Variance
Case No. 99-466-A
Property: 1415 West Joppa Road

Dear Deputy Commissioner Kotroco:

I have reviewed Mr. Dore's request of April 14th, 2000, for a hearing and I hardly concur that all parties are attempting to amicably resolve this issue. I agree with Mr. Eby that a hearing is necessary and it would be necessary to bring in someone from the office of Planning and Landscape Department to review the submitted plans. I believe at a hearing we could hammer out any lingering concerns as to the adequacy and the anticipated duration of the landscaping. Mrs. Poggi has done an excellence job in documenting the plan and requesting a tree warranty from Maxalea. Maxalea will now provide a five (5) year maintenance plan for monitoring care and warranty. Certainly this would give the requested landscaping time to root and grow.

By a copy of this letter to Mr. Dore, Mr. Eby, Tom Gamper, Steven Seymour and Peggy Squitieri, I will notify them of my concurrence with the spirit of Mr. Dore's letter of April 14th, 2000.

Very truly yours,

Lawrence A. Melfa/llc

Lawrence A. Melfa

LAM/llc

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Petition W/D by Petitioner (fitness center)
Appeal W/D by Protestant (tennis court)
Dismissal per consent issued

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

February 26, 2001

NOTICE OF ASSIGNMENT

CASE #: ~~**00-003-A**~~ 99-466-A

IN THE MATTER OF: FRANCIS X. POGGI –Legal Owner
1415 W. Joppa Road 9th Election District; 4th Councilmanic

8/16/00 –Appeal of DZC's Amended and original Orders
8/17/00 –Amended Notice of Appeal

7/18/00 – DZC's Order which amended restriction #3 of DZC's Order dated 9/14/99 in which variance was granted with restrictions.

ASSIGNED FOR: **THURSDAY, MAY 17, 2001 at 10:00 a.m.**

NOTICE: **This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.**

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Counsel for Appellants /Protestants : Michael J. Moran, Esquire
Appellants /Protestants : Martin Eby
Steven Seymour

Counsel for Petitioner : Thomas P. Dore, Esquire
Petitioner : Francis X. Poggi
Thomas O. Gamper /AIA

Lawrence A. Melfa, Esquire
Peggy Squiteri /RRLR Area Improvement Assn
Phyllis Meyers

People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Printed with Soybean Ink
on Recycled Paper

COVAHEY, BOOZER, DEVAN & DORE, P. A.

ATTORNEYS AT LAW

ANNEX OFFICE

606 BALTIMORE AVENUE

SUITE 302

TOWSON, MARYLAND 21204

AREA CODE 410

828-5525

FAX 410-296-2131

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
THOMAS P. DORE
MICHAEL T. PATE
STACIE D. TRAGESER

* ALSO ADMITTED TO D. C. BAR

MAIN OFFICE
614 BOSLEY AVENUE
TOWSON, MD 21204

Writer's Direct Dial Ext. is 834

May 16, 2001

01 MAY 16 PM 4:10

COUNTY BOARD OF APPEALS

VIA HAND DELIVERY

County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, Md. 21204

Attn: Kathleen C. Bianco, Administrator

Re: Case #~~00-003~~-A 99-466-A
In the Matter of Francis X. Poggi - Legal Owner
1415 W. Joppa Road
9th Election District, 4th Councilmatic

Dear Ms. Bianco:

Enclosed herewith please find Stipulation and Consent executed by counsel for the parties regarding the above-captioned matter. In accordance therewith, the hearing scheduled before the Board for May 17, 2001 at 10:00 a.m. will not be necessary.

Thank you for your cooperation.

Very truly yours,

Thomas P. Dore

TPD/eyb
15eyb.03
cc: Michael J. Moran, Esquire
cc: Mr. Martin Eby
15eyb.03

LAW OFFICES

HOWARD BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204-4256

DICKEE M. HOWARD
WILLIAM N. BUTLER
LAWRENCE A. MELFA
ROBERT W. TAYLOR, JR

TELEPHONE
(410) 337-0900

FAX NO.
(410) 337-0916

August 4, 2000

Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
County Courts Building
401 Bosley Avenue, Suite 405
Towson, MD 21204

RE: Amended Order
Case No. 99-466-A
Property: 1415 West Joppa Road
(Poggi Property)

Dear Deputy Commissioner Kotroco:

Thank you for your copy of your letter to Mr. Dore and your decision.

Please be advised that Steven & Sharon Seymour, 1308 Winespring Lane, Towson, MD 21204 should be added to the list of Protestants. I clearly indicated at the first hearing and meeting that I was counsel for Mr. & Mrs. Seymour who were away on vacation at that time. I have already taken the step to send them a copy of your Amended Order. Mr. & Mrs. Seymour have an interest, as do I, because we both have building lots that already have been approved by Baltimore County, which abut the proposed gymnasium.

Thanking for your consideration in advance, I remain

Very truly yours,

Lawrence A. Melfa

LAM/llc
cc: Thomas P. Dore, Esquire
Mr. Martin Eby
Mr. & Mrs. Seymour
Mr. Avery Harden

COVAHEY, BOOZER, DEVAN & DORE, P. A.

ATTORNEYS AT LAW

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606 BALTIMORE AVENUE

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TOWSON, MARYLAND 21204

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EDWARD C. COVAHEY, JR
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STACIE D. TRAGESER

* ALSO ADMITTED TO D. C. BAR

MAIN OFFICE
614 BOSLEY AVENUE
TOWSON, MD 21204

Writer's Direct Dial Ext. is 834

May 11, 2001

COUNTY BOARD OF APPEALS
01 MAY 14 PM 12: 29

VIA FACSIMILE (410) 887-3182
AND FIRST CLASS MAIL

County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, Md. 21204

Attn: Kathleen C. Bianco, Administrator

Re: Case #~~00-003~~ 99-466-A-A
In the Matter of Francis X. Poggi - Legal Owner
1415 W. Joppa Road
9th Election District, 4th Councilmatic

Dear Ms. Bianco:

Please be advised that the requested variance in the above-captioned matter for an accessory structure larger than the principal structure is going to be withdrawn. Additionally, I believe we have worked out a consent order with respect to the variance regarding the tennis court. Therefore, the hearing presently set for May 17, 2001 at 10:00 a.m. should not be necessary.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Thomas P. Dore

TPD/eyb
cc: Michael J. Moran, Esquire
cc: Mr. Martin Eby

02eyb.05

Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

September 6, 2000

Thomas P. Dore, Esquire
Covahey & Boozer P.A.
606 Baltimore Avenue, Ste 302
Towson, MD 21204

Dear Mr. Dore:

RE: Petition for Administrative Variance, Case No. 99-466-A, 1415 W. Joppa Road, 9th District, Francis X. Poggi - Petitioner

Please be advised that an appeal of the above referenced case was filed in this office on 08/17/00 by Michael J. Moran, Esquire. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call the Board of Appeals at 410-887-3180.

NOTE: The subject property will be posted with the date, time, and location of the appeal hearing. If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

Sincerely,

Arnold Jablon
Director

AJ:rsj

c: Lawrence A. Melfa, Esquire, 401 Allegheny Avenue, Towson, MD 21204
Peggy Squiteri, P.O. Box 204 , Riderwood, MD 21139
Michael J. Moran, Esquire, 401 Allegheny Avenue, Towson, MD 21204
Phyllis Meyers, 1400 W. Joppa Road, Baltimore, MD 21204
People's Counsel MS 2010
Zoning Commissioner
Arnold Jablon

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on Recycled Paper

7/16/02 ✓
Exc-see me

7013 Charles Ridge Road
Ruxton, Maryland 21204

July 15, 2002

Mr. Arnold Jablon
111 W. Chesapeake Ave, Room 111.
Towson, Md. 21204.

Dear Mr Jablon:

Herewith is the information which Mr. Case Richards suggested that I seek to you regarding a zoning appeal sign on the property at 1415 W Joppa Road. An appeals hearing was scheduled, and later postponed, and was not re-instated. No one seems to know the outcome of that appeal.

The Case Number is: (99-466-A.)

Location 1415 W. Joppa Road.

A person who is familiar with this case, and is active with the Burton-Ridgewood Improvement Association is:

Peggy Aquitieri
Telephone: 410-377-5722.

Thank you for any assistance you can give us,

Sincerely,
Patricia G. McNeil

Telephone:
410-296-7773.

ORDER OF DISMISSAL
12-21-01
MAY 2001.

BD OF APPEALS - DISMISSAL
410-887-3180

CALLED PATRICIA MCPHAIL & RECEIVED THE FOLLOWING

APPEAL DISMISSED MAY 23, 01.
STIPULATIONS & CONSENT
CONSTRUCT NON-CONFORMING TENNIS CT.
TO RETAIN.

1. COMMISSIONERS DECISION FOR VAR. FOR
SIZE OF PROPOSED FITNESS CENTER REVERSED
HULL & VOID - PETITIONER WITHDREW

2. PROTESTANT DISMISSED APPEAL FROM ENFORCEMENT
OF ORDER RE. TENNIS COURT, FORWARDED
IT TO COUNSEL

MS. MCPHAIL WAS PLEASED TO HEAR
THIS. - THE WORD HAD BEEN SPREAD IN
THE COMMUNITY WHAT IT WAS TO BE A
COMMERCIAL FACILITY TO BE USED AS
A SCHOOL, AND THAT TRAFFIC WOULD
DESTROY - THE NEIGHBORHOOD.
SHE EXPLAINED - THAT THEY HAD APPLIED
FOR A PERSONAL RESIDENTIAL USE -

SHE THANKED US AND
SAID SHE WAS SATISFIED.

RECEIVED
02-2242
JUL 16 2002
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

LAW OFFICES

HOWARD BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204-4256

DICKEE M HOWARD
WILLIAM N. BUTLER
LAWRENCE A. MELFA

ROBERT W. TAYLOR, JR.

TELEPHONE
(410) 337-0900

FAX NO
(410) 337-0916

Sph - File

8/11/99
LO
LO CR

August 6, 1999

Baltimore County
Department of Permits and
Development Management
Arnold Jablon, Director
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Varience Case No.: 99-466-A
1415 West Joppa Road
Legal Owner: Francis X. Poggi

Dear Mr. Jablon:

Please enter my appearance for Stephen D. Seymour and provide me withnotices of any and all postponements or hearing dates. I understand the matter has now been set for September 9th, 1999 at 9:00 am in Room 407 of the County Courts Building.

I am also a neighbor and I am entering my appearance, pro se, for myself and my wife who have an interest in this matter.

Very truly yours,

Lawrence A. Melfa /llc

Lawrence A. Melfa

LAM/llc
cc: Stephen D. Seymour

99-2101

February 3, 2000

FEB - 4

Covahey and Boozer, P.A.
Thomas P. Dore, Esquire
606 Baltimore Avenue
Towson, MD 21204

RE: Poggi Gymansium on West Joppa Road

Dear Mr. Dore:

I am following up on the proposed variance for the gym and my letter of 12/17/99. This whole matter seems to be getting no where; all I have seen is a bunch of letters being written. The matter at hand is pretty simple. At this juncture, all we need is a satisfactory landscape plan to approve or disapprove.

A satisfactory plan is one that convinces us that newly planted trees will hide the gymnasium (when they are planted; not in years to come) and have a good chance to live for quite some time. I have not seen Maxalea's written assurance that the trees have a good chance to survive.

1. I still do not have a landscape plan which identifies the actual plantings (height, type, etc.). We agreed to approve a satisfactory landscape plan and have maintained this agreement all along. As stated, a satisfactory plan is one that convinces us that newly planted trees will hide the gymnasium from the view of some of the concerned property owners which include Bentz, Eby, Harris, Melfa, and Seymour. I have not seen Maxalea's written assurance that the trees have a good chance to survive. (when they are planted; not in years to come) and have a good chance to live for quite some time.

2. I was under the impression there would be a follow up hearing since the majority of the parties involved have not accepted the proposed informal landscape plan. Perhaps it is because there still isn't a formal landscape plan to approve or disapprove! Kindly advise of status of the hearing.

3. I am in receipt of Mrs. Poggi's letter of 1/15/00 accusing us of being unreasonable and persistent. I am flummoxed over these comments for I believe we are simply following our part of the agreement. Far from being persistent, I believe we have been remarkably laid back about the entire matter through its course so far. I have not insisted on a burm; it is just that I have been told this is the only solution available in order to give trees a chance to grow. Additionally, we did not select Maxalea as a group; we even let the Poggi's determine whom to use as a consultant on the matter. However, I would assume that, when we do receive an actual plan, we will have the opportunity to consult with another independent landscaper (one that does not represent the Poggis or the county), so we can obtain objective advice.

Thank you for your attention to this matter

Sincerely,

Martin J. Eby
Two Charles Ridge Garth
Baltimore, MD 21204-3610
(410) 337-7575 (ext. 12)

Cc: Baltimore County of Planning & Zoning, Tim Kotroco
Mr. Melfa
Mrs. Poggi
Mr. Seymour
Ruxton Ridge Community Association
Ruxton – Riderwood Community Association

Stephen D. Seymour
1308 Winespring Lane
Baltimore, MD 21204

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
401 Bosley Avenue, Suite 405
Towson, MD 21204

Re: Petition for Variance
Case No. 9-466-A
Property: 1415 West Joppa Road

Dec. 17, 1999

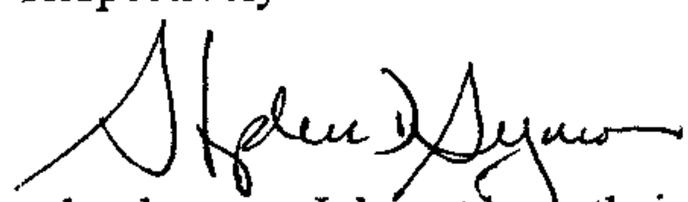
Dear Mr. Kotroco:

My family resides in the house that is immediately behind the proposed structure. I have lived in my house for close to twenty years. My kids have played in the stream that divides the property in question from my own, however the stream apparently is now being called a drainage ditch. When I visited the property in question, it was quite apparent that the area in question is low, extremely wet, and darkly covered by age-old hard wood trees. Without raising the ground to create proper drainage, and to get some sunlight, any planting in the area would be a waste of time and money. I do not feel we are being unreasonable in requesting a "burm". Without it no landscape barrier can be created.

I, too, would recommend some one from the county come out to the site because I can not understand how something new can be built in a "critical" area. The proposed structure is less then the necessary distance from a stream, is in or close to a wet land, and the proposed structure far exceeds the footprint of the existing house.

I do not want to be an obstructionist, but to "wordsmith" such as Mr. Dore is doing over whether the directive included a "burm" or not, seems a little disingenuous.

Respectively



P.S. This letter has not been sent to the other because I do not have their addresses.

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
ANNEX OFFICE
606 BALTIMORE AVENUE
SUITE 302
TOWSON, MARYLAND 21204
AREA CODE 410
828-5525

FAX 410-296-2131

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
ANTHONY J. DiPAULA *
THOMAS P. DORE
ROGER J. SULLIVAN
MICHAEL T. PATE

* ALSO ADMITTED TO D.C BAR

MAIN OFFICE
614 BOSLEY AVENUE
TOWSON, MD. 21204

16

Writer's Direct Dial Ext. is 834

December 15, 1999

Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Dept. of Planning & Zoning
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Md. 21204

Re: Petition for Variance
Case No. 99-466-A
Property: 1415 West Joppa Road

Dear Mr. Kotroco:

I am in receipt of a copy of correspondence to you from Lawrence A. Melfa dated December 7, 1999 regarding the above-referenced case.

Prior to reverting this matter back for a hearing, I believe it might be helpful to have the matter referred to the County's landscape people review the plan to see if it is reasonable. Candidly, it is our position that building a burm is not landscaping. This would require the re-engineering of the entire site and the project. As you will recall, there was some concern regarding the drainage swale located to the rear of the property. Clearly, construction of a burm would have an effect upon the drainage area. Accordingly, we believe that the Office of Planning and the landscape people can review the plan and discuss it with Mr. Melfa and his client and determine if it is a reasonable plan.

Thank you for your consideration in this matter.

Very truly yours,

Thomas P. Dore

TPD/eyb

cc: Mr. & Mrs. Francis Poggi
cc: Lawrence A. Melfa, Esquire
cc: Mr. Thomas O. Gamper, AIA
cc: Mr. Martin Eby
cc: Mr. Stephen Seymour
cc: Ms. Phyllis Meyers
cc: Ms. Peggy Squitere
Ruxton/Riderwood/Lake Roland
Area Improvement Association

LAW OFFICES

HOWARD BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204-4256

DICKEE M HOWARD
WILLIAM N. BUTLER
LAWRENCE A MELFA

ROBERT W. TAYLOR, JR

TELEPHONE
(410) 337-0900

FAX NO.
(410) 337-0916

OCT 18

October 14, 1999

VIA FACIMILE AND MAIL
410/887-3468

Timothy M. Kotroco,
Deputy Zoning Commissioner
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Variance
Case No.: 99-466-A
Property: 1415 West Joppa Road

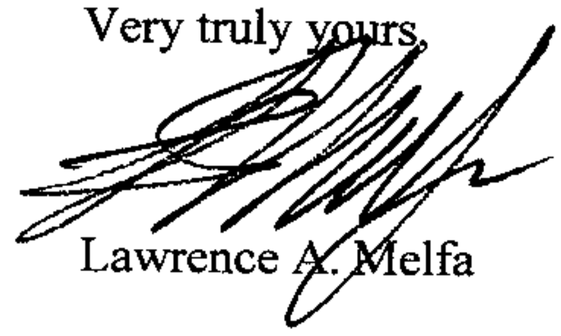
Dear Commissioner Kotroco:

I have received a request from Tom Dore to extend by thirty (30) days the time for filing of an agreed landscaping plan.

Please be advised that on behalf of myself, Mr. Eby and Mr. Seymour, the three (3) concerned neighbors, that we have no objection to this. In reviewing your Order, it appears to be contingent on an agreed landscaping plan being filed with your office. Last night we were at the site and unfortunately Maxala did not attend even though they were scheduled to be there. Because of the low site elevation at the bottom of the hill, Mr. Seymour pointed out that unless a burm were built as part of the anticipated landscaping there would be no chance of it receiving sun light and would most likely not survive. Various alternatives to solving this problem were discussed, one of which was possibly sliding the gymnasium further back into the hill and possibly taking part of it closer to the side yard. We however, are in agreement that if it is necessary to slide the building towards the side yard that there would be no objection on our part as long as the burm and adequate landscaping could be accomplished. This would have the further benefit of allowing the Poggis to keep the old barn at the rear of their property. We believe that all of these matters can be handled administratively and shortly we will be following the agreed landscaping plan.

Pursuant to your Order, please consider this letter as a Petition to Modify and/or to extend the time for appeal until the agreed upon plan can be filed.

Very truly yours,



Lawrence A. Melfa

LAM/llc
cc: Tom Dore, Esq.
Covahey & Boozer, P.A.
410/296-2131
Thomas O. Gamper, AIA
410/235-2992
Mr. Martin Eby
Mr. Stephen D. Seymour

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
ANNEX OFFICE
606 BALTIMORE AVENUE
SUITE 302
TOWSON, MARYLAND 21204
AREA CODE 410
828-5525

FAX 410-296-2131

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S DEVAN
ANTHONY J. DiPAULA *
THOMAS P. DORE
ROGER J. SULLIVAN
MICHAEL T. PATE

* ALSO ADMITTED TO D. C. BAR

MAIN OFFICE
614 BOSLEY AVENUE
TOWSON, MD. 21204

RECEIVED
OCT 12

Writer's Direct Dial Ext. is 834

October 12, 1999

VIA HAND DELIVERY

Timothy M. Kotroco, Deputy Zoning Commissioner
Baltimore County Department of Planning and Zoning
County Courts Building, Suite 405
401 Bosley Avenue
Towson, Maryland 21204

Extension Granted.
Timothy Kotroco
10/15/99

RE: Petition for Variance
Case No. 99-466-A
Property: 1415 West Joppa Road

Dear Mr. Kotroco:

Please be advised that I have been contacted by my client who indicated that a meeting to come up with a landscape plan in connection with the above-captioned matter has now been scheduled for October 13, 1999. The thirty (30) days set forth in your letter will expire on October 14, 1999. In an effort to avoid any confusion or problems concerning these dates, I would request that Your Honor grant an extension of time until November 14, 1999 for us to complete the landscape plan. We envision that it will take some time for Maxalea, the landscape company, to provide us with a plan and to circulate it for approval among all the interested parties.

Your consideration regarding this request is greatly appreciated.

Very truly yours,

Thomas P. Dore

Thomas P. Dore (eyb)

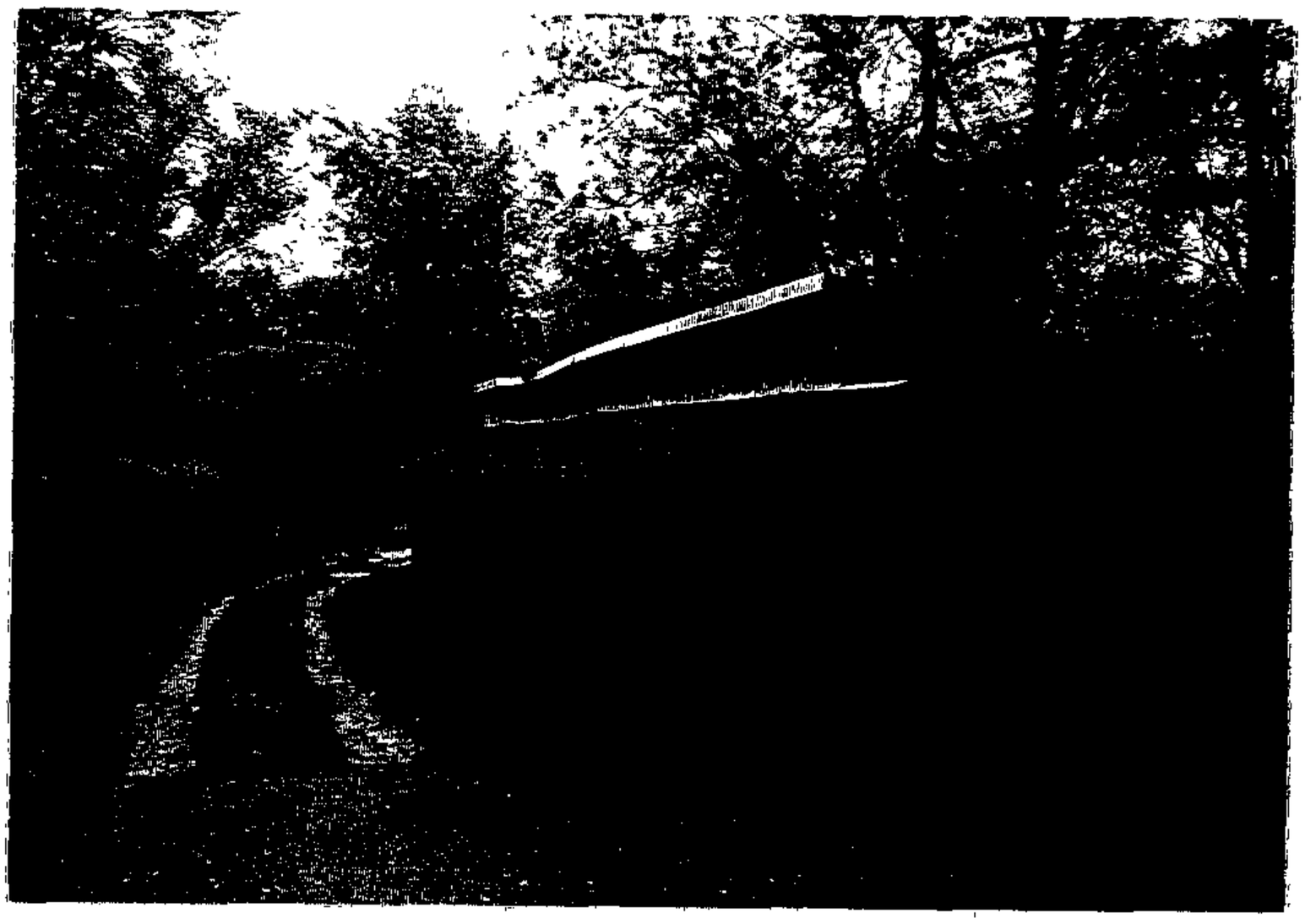
TPD/eyb

cc: Mr. & Mrs. Francis Poggi
Lawrence A. Melfa, Esquire
Mr. Thomas O. Gamper, AIA
Mr. Martin Eby
Ms. Phyllis Meyers
Ms. Peggy Squitiere
Ruxton/Riderwood/Lake Roland
Area Improvement Association

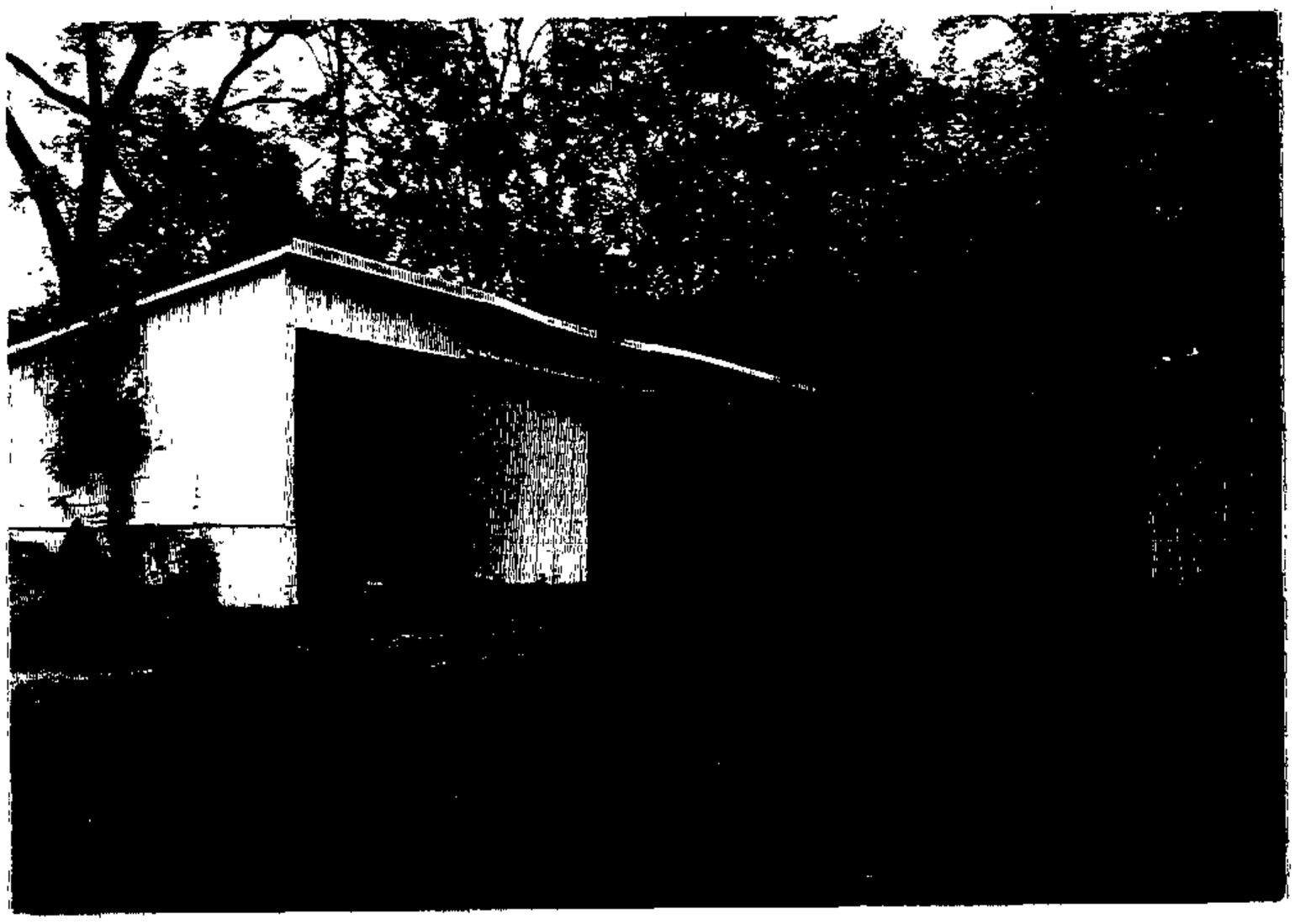
11eyb.05

99.466.A

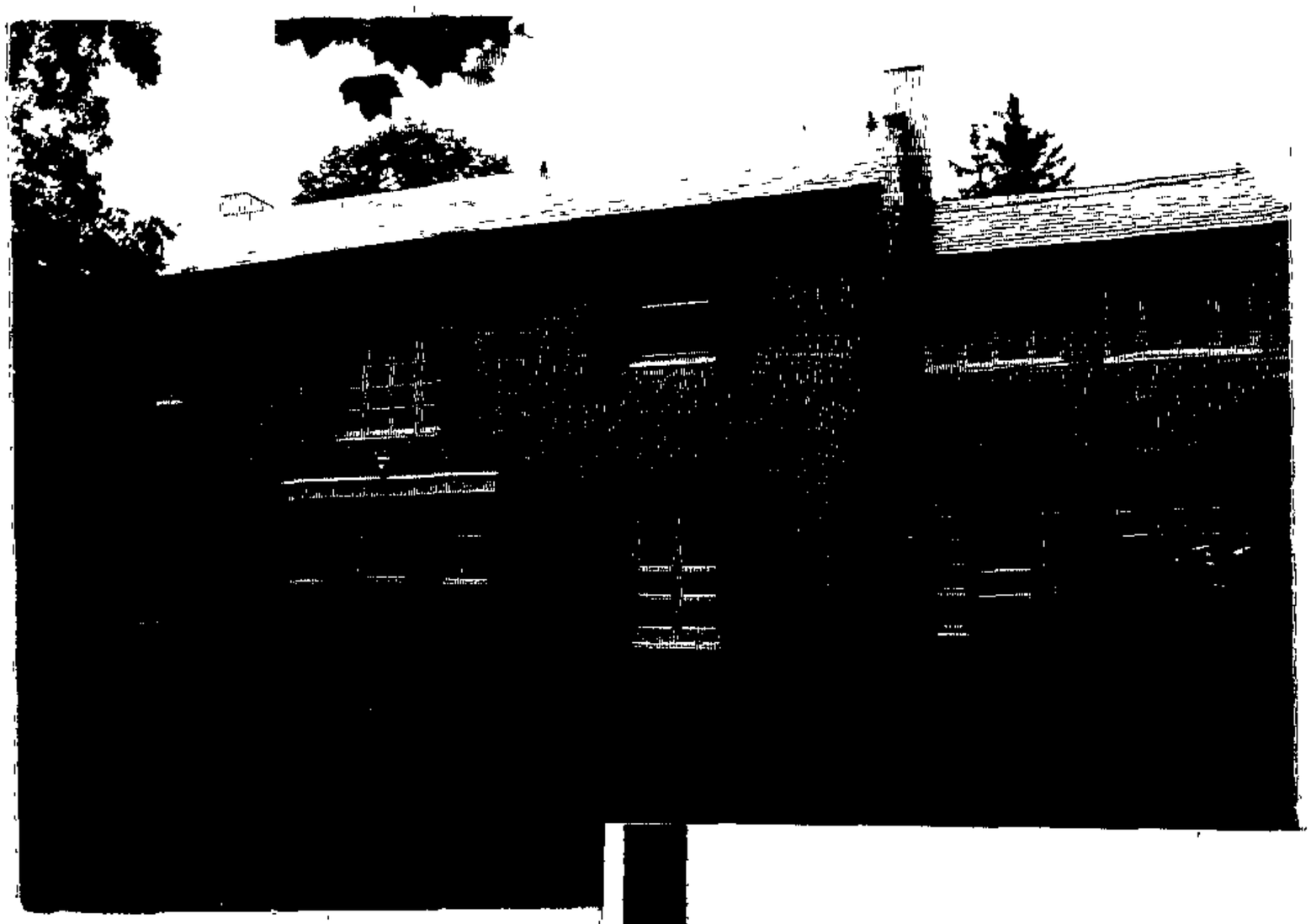
99.466-A



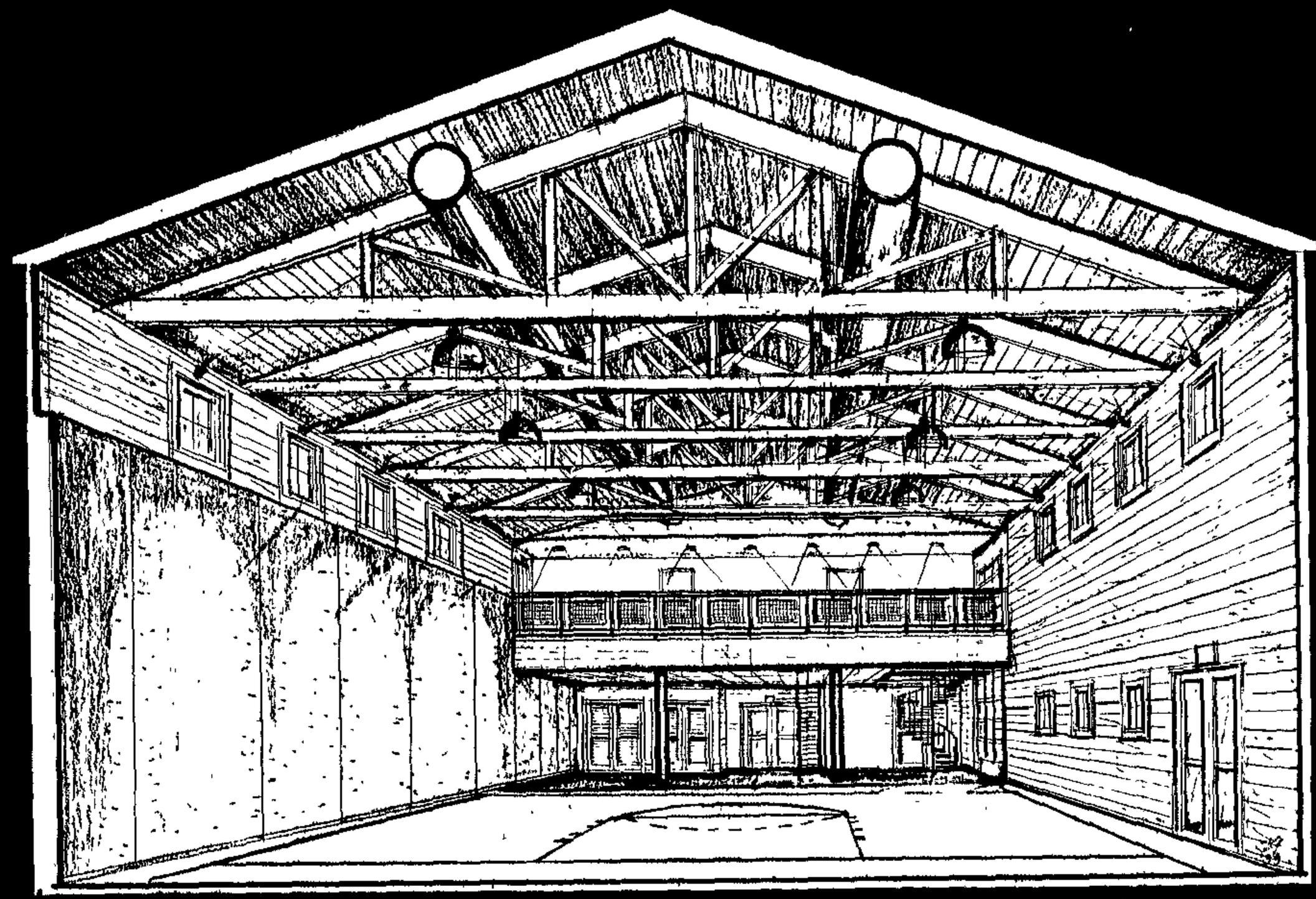
99.466-A



99.466-A



99.466-A



Poggi Fitness Structure

99-466-A

APPEAL

Petition for Administrative Variance
1415 W. Joppa Road
S/S West Joppa Road, 2200' NE of centerline Bellona Avenue
9th Election District – 4th Councilmanic District
Francis X. Poggi – Legal Owner
Case No. 99-466-A

Petition for Administrative Variance (filed 05/30/99)

Zoning Description of Property

Notice of Zoning Hearing (dated 07/06/00)

Certification of Publication (The Jeffersonian 07/15/00)

Certificate of Postings (posted 05/25/99 and 08/09/00 by Stacy Gardner)

Petitioner's Sign-In Sheet

Protestant's Sign-In Sheet

Zoning Advisory Committee Comments

Petitioner's Exhibit:
1. Plat to Accompany Administrative Variance (dated 05/19/99)

Miscellaneous (not marked as exhibits):
1. Entry of Appearance for Stephen D Seymour (dated 08/06/99)
2. 11 Photographs of Property

Letters to Zoning Commissioner from Peggy Squitier (dated 06/14/99, 06/17/99, and 06/18/99)

Letter to Lawrence E. Schmidt from Stephen D. Seymour (dated 06/18/99)

Letter to Baltimore County Zoning Office from Martin J. Eby (dated 6/29/99)

Letter to Arnold Jablon from Thomas P. Dore, Esquire (dated 07/14/99)

Letter from Timothy M. Kotroco with enclosures to Thomas P. Dore, Esquire (dated 09/14/99)

Deputy Zoning Commissioner Order dated 09/14/99 (GRANTED)

Letters to Timothy M. Kotroco from Thomas P. Dore, Esquire (dated 10/12/99 and 12/15/99)

Letters to Timothy M. Kotroco from Lawrence A. Melfa, Esquire (dated 10/14/99 and 12/07/99)

Letter to Timothy M. Kotroco from Janet S. Hall (dated 12/13/99)

Letter to Timothy M. Kotroco from Stephen D. Seymour (dated 12/17/99)

Letter to Thomas P. Dore, Esquire, from Martin J. Eby (dated 02/03/00)

Letter to Timothy M. Kotroco from Thomas P. Dore, Esquire with enclosures (dated 04/14/00)

Letters to Timothy M. Kotroco from Lawrence A. Melfa, Esquire (dated 05/11/00 and 08/04/00)

Letter to Thomas P. Dore, Esquire, from Timothy M. Kotroco (dated 07/18/00)

Deputy Zoning Commissioner Amended Order dated 07/18/00

Notice of Appeal from Michael J. Moran, Esquire, dated 08/16/00

Amended Notice of Appeal from Michael J. Moran, Esquire, dated 08/17/00

c: Thomas P. Dore, Esquire, Covahey & Boozer, P.A., 606 Baltimore Avenue, Ste 302, Towson, MD 21204
Francis X. Poggi, 1415 W. Joppa Road, Towson, MD 21204
Thomas O. Gamper, AIA, 306 E. 33rd Street, Baltimore, MD 21218
Lawrence A. Melfa, Esquire, 401 Allegheny Ave, Towson, MD 21204
Peggy Squiteri, PO Box 204, Riderwood, MD 21139
Phyllis Meyers, 1400 W. Joppa Road, Baltimore, MD 21204
Martin Eby, Two Charles Ridge Garth, Baltimore, MD 21204
Michael J. Moran, Esquire, 401 Allegheny Avenue, Towson, MD 21204
Peoples Council MS 2010
Zoning Commissioner
Arnold Jablon

Poggi Residence - Auxiliary Fitness Structure

OWNER

[illegible] POGGI
1415 W. [illegible]
Baltimore, MD. 21224

ARCHITECT

THOMAS O. GAMPER AIA
306 E. 33RD ST.
BALTIMORE, MD. 21218
410-235-2992

CONTRACTOR

KOTACK CONSTRUCTION, INC.
P.O. BOX 20805
BALTIMORE, MD. 21209
410-367-5416
ATTN: JIM MACKO

STRUCTURAL ENGINEER

SKADDEN AND ASSOC. INC
2439 CHARLES ST.
BALTIMORE, MD. 21218
410-366-9384
ATTN: DOUG KETTERMAN

GENERAL NOTES

GOVERNING CODES

1. All work shall be done according to all local governing agencies, codes, regulations and specifications.
2. The contractor is responsible for identifying and complying with all local governing agencies, codes, regulations, and specification that impact this project.
3. The contractor is responsible for obtaining all permits that impact this project and taking all the necessary steps to schedule submission of permits to minimalize delays.

EXISTING CONDITIONS

4. The contractor shall limit his use of the premises to the work indicated.
5. The contractor is responsible for repairing, replacing and/or reimbursing the Owner for any damage caused by construction operation. Take all precautions necessary to protect all existing areas not involved in the work indicated. Precautions to be approved by Owner and Architect before work begins.
6. Confine Stockpiling of materials, etc., to areas approved by the Owner and Architect.
7. Keep access to the site clear and available at all times.
8. Owner and Architect will have complete access to the entire site at any time. Provisions for ease of movement will be maintained, within reason, throughout the construction period.

CONTRACT DOCUMENTS

9. Any discrepancies or omissions on the drawings and specifications shall be reported immediately upon discovery to the Architect, by telephone and followed in writing, during the bidding and construction process; otherwise it shall be understood that the drawings and specifications are perfectly clear as to what is intended.
10. The Architect will only interpret the drawings and specification based on their intent.
11. By submitting a bid, the bidder agrees and warrants that he has examined the existing conditions, drawings, and specifications and has found them completely adequate for proper compleat of this project without any additional charges to the Owner or Architect.
12. By submitting a bid, the bidder acknowledges that he understands the full scope of work as it pertains to the drawing and specifications. No extra charges will be allowed due to the misunderstanding of the drawings and specifications by the bidder.
13. Contractor to keep a complete set of drawings on the site at all times.

SUBSTITUTIONS

14. Requests by the Contractor will be considered when reasonable, timely, fully documented and qualifying under one or more of the following circumstances:
    A. Related to an "or equal" or similar provision in contract documents.
    B. Required product cannot be supplied in time for compliance with the contract time requirements.
    C. Required product is not acceptable to governing authority, or is determined to be incompatible, or cannot be properly coordinated, warranted, or has other recognized deficiency as certified by the contractor.
    D. Substantial advantage (financial or other) so offered by the owner after deducting offsetting disadvantages including delays, additional compensation, to Architect/Engineer for redesign, investigation, evaluation, and other necessary services and/or similar considerations.
15. Submittals are to include full documentation including product data, samples where appropriate and/or requested, detailed performance comparisons and elevation information for proposed Change Order, and any other useful or necessary documentation.
16. Approval of substitutions is possible only by Change Order procedure. Changes that do not receive Owner and Architect approval will be the responsibility of the contractor to rectify and or to bear with regard to any additional cost.

COORDINATION

17. Contractor is responsible for appropriate communications and coordination w/ utility companies for disconnection and reconnection of services, sizing of service, and evaluation of existing service.
18. Contractor is responsible for all costs that may occur because of unintentional disruption of service.
19. The contractor is responsible for complete coordination of all trades and is held responsible for damage repairs of one trade's work to another.
20. The Contractor is responsible for the coordination of not only his contracted work, but also the coordination of work by separate sub-contractors.
21. Contractor is required to have all installers of each major unit of work inspect substance and conditions before installation. Correct all unsatisfactory conditions, inspect each product immediately prior to installation, and do not install damaged or defective products, materials, or equipment, Schedule deliveries to minimize long term storage.
22. Contractor is required to receive, store, and handle all products, materials, and equipment in a manner which will prevent loss, deterioration, and damage.
23. Contractor is required to clean each element of work at the time of installation. Provide sufficient maintenance and protection during construction to ensure freedom from damage and deterioration at time of substantial completion. Appliances, hardware, cabinetry, fixtures, and finished surfaces (i.e. floors, etc.) should be properly covered with building paper, masonite, and other appropriate materials.
24. Contractor is also required to provide inspection, protection, and cleaning of other work or items provided by Owner or other Contractors.

QUALITY

25. All workmanship and materials shall conform to the most recent standard adopted by the local governing agencies and/or building, mechanical, or other trade associations.
26. Owner and Architect have the right to request quality control testing and inspections if so deemed necessary. The Contractor will be responsible for employing and paying for an independent agency as well as reimbursement for any time delays due to the scheduling of such inspections and testing, should workmanship and/or product be found to be deficient or lacking in anyway. The Owner will be responsible for testing, should the workmanship and/or product be found to meet all specified and standard requirements.
27. The Contractor shall engage prequalified inspection and testing agencies to comply with the American Council of Independent Laboratories.
28. The Contractor will submit a certified, written report to each inspection, test, or similar service in duplicate to the Architect/Engineer stating:

* Name of testing agency
* Dates and locations of samples/test or inspection
    * Names of individuals present
    * Test results
    * Interpretations
    * Recommendations

29. The Contractor upon the final completion of the inspection and based on the results, will be required to repair damaged work and restore substrates and finishes. The Owner also has the right to collect outside bids for repairs. The Contractor would then be responsible for the reimbursement for the work necessary to repair damages.

TEMPORARY FACILITIES

30. The Contractor is responsible for providing temporary facilities in compliance with governing agencies, codes, and specifications.
31. The Contractor is responsible for administrating the use of temporary facilities in a manner which conserves energy, but without delaying work or endangering persons or property; comply with reasonable requests by Owner and Architect.
32. The Contractor is responsible for costs associated with temporary facilities (to be included in the contract sum) including power/fuel/water usage, rentals until time of substantial completion of each major area of the project. The temporary facilities remain the property of the contractor. Erection and removal are the Contractor's responsibility.
33. The Contractor is to provide facilities and services as necessary to effectively protect from losses and personal injury during the course of construction.
34. The Contractor as the construction progresses and as it becomes feasible to secure the project against intrusions, will provide temporary security enclosure, doors and locks as necessary to prevent unauthorized entrance.
35. The Contractor is to provide (A) Special project warranties where required, countersigned by the installer or other recognized entity involved in the performance of the work; (B) Specified product warranty issued by a manufacturer or fabricated for compliance with requirements in contract documents; and (C) Coincidental product warranty available on a product incorporated into the work, by virtue of manufacturer's publication of warranty without regard for application requirements.
36. The Contractor is to restore or remove and replace warranted work to its originally specified condition, at such time during warranty as it does not comply with or fulfill terms of warranty. Restore or remove and replace other work which has been damaged by failure of warranted work, or which must be removed and replaced to gain access to warranted work. Cost restoration or removal-and-replacement is the contractor's obligation, without regard to whether Owner has already benefited from use of failing work.
37. The Contractor is to reinstate the warranty by issuing newly executed form, for at least the remaining period of time or for not less than half of the original warranty period.
38. The Owner reserves the right to reject coincidental product warranties considered to be conflicting with or detracting from requirements of the contract documents.

PROJECT close-out

39. The Contractor may request Architect's inspection for substantial completion of the work only when the following are completed:
    A. Submit executed warranties, workmanship bonds, (if req'd.) maintenance agreements, inspection certificates for specific units of work, all of which enable Owner's unrestricted occupancy and use.
    B. Submit record documentation, maintenance manuals, tools, spare parts, keys and similar operational items.
    C. Complete instructions of start-up of systems and operation to Owner. To include labeling all valves, appliances, circuit breakers, controls or other operational devices.
    D. Complete final cleaning and removes temporary facilities and tools.
    E. Keys to an existing site will be supplied by the Owner. These keys will be returned to the Owner at the close-out. In the event that the keys have been lost or destroyed, the G.C. will be held responsible to re-key the locks affected throughout the property.
40. Upon Contractor's request, the Architect will produce a punklist of prerequisites not fulfilled and incomplete items and unacceptable conditions. For the Contractor, this procedure will repeat itself until the Architect, upon completion of reinspection, recommends final acceptance and final payment.
41. The Contractor is to maintain a complete set of prints of contact drawings and shop drawings for record mark-up purposes throughout the contract duration. Sign and date each mark-up which, at the final payment, became the property of the Owner.
42. The Contractor is to provide the Owner with a manual outlining the required maintenance items, including operating and maintenance instructions and appropriate data for each system or equipment item.
43. The Contractor is also required from each installer to provide the Owner with on location instruction sufficient to ensure safe, secure, efficient, non-failing utilization and operation of systems. Provide instructions for the following categories of work:

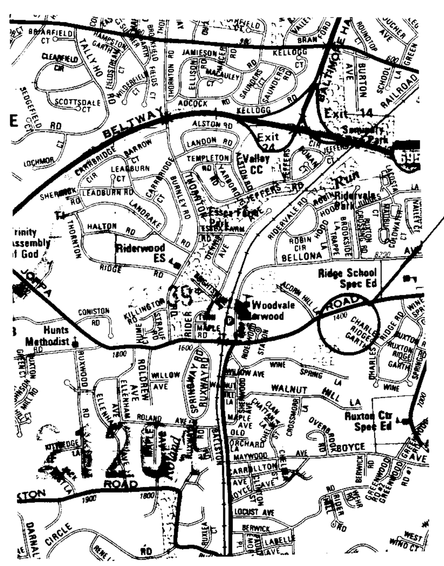
*Mechanical/electrical/electronic systems
*Plumbing, shut-offs, supplies, bleeding, etc...
* Roofing, flashing, joint sealers
* Painting
* Appliances and fixtures
* Caulking
* Doors and windows
* Floor cleaning
* Hardware (general) and cabinetry
* Water system
* Waste system
* Driveway
* Live plant materials and lawns

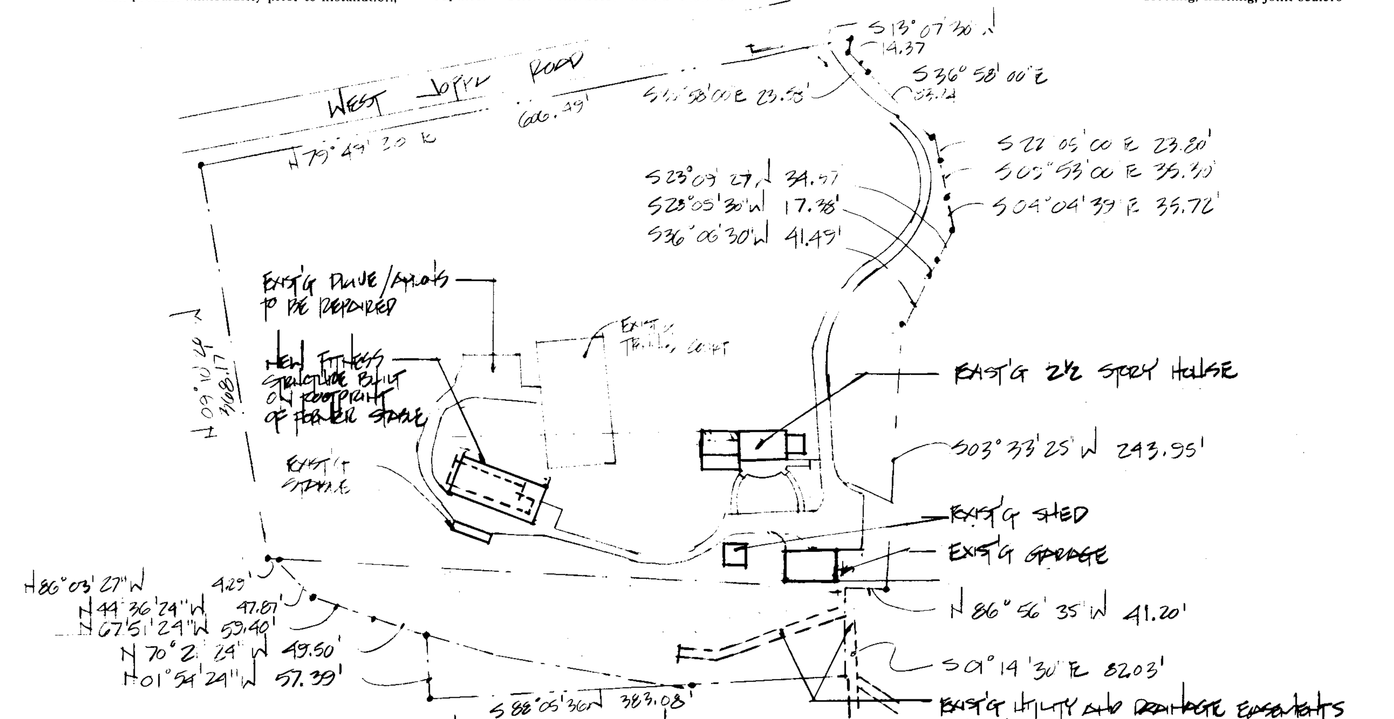
44. The Contractor is responsible for providing cleaning or recleaning of entire work area to a normal level for "First class cleaning". Remove non-permanent protection and labels, polish glass, clean exposed finishes, touch up mirrors, finish damaged goods and/or areas, clean or replace filter of mechanical system, remove debris, and broom clean non-occupied spaces, sanitize plumbing, clean light fixtures and replace burned out dimmed lamps, sweep and wash paved areas, police yards and grounds and perform similar clean up operation needed to produce a "clean" condition as judged by the Architect and Owner.
45. If any of the notations renders themselves unreadable due to the reproduction process, contact the Architect for clarification.

GENERAL

46. Do not scale from drawings.
47. Chalk mark on floor all locations of cabinetry and plumbing in order to coordinate location of plumbing pipes, HVAC ducts, door swings, etc. All Appliances and plumbing fixtures will be located and O.K.'d in the field before installation of pipes, cabinetry, ducts, NO EXCEPTIONS

VICINITY MAP





1
T-1
STE PLAN - 1415 WEST JOPPA RD.
1" = 100'-0"

NOTE: STE PLAN IS BASED ON LOCATION WITH ALTA SURVEY BY W.T. SCHUCK, INC. DATED JULY 7, 1975 AS PROVIDED TO THE ARCHITECT BY THE OWNER.

SHEET INDEX

TITLE	GENERAL NOTES, CONSULTANTS, SITE PLANS

FROM [illegible]
SE
5/12/99

99.466-A

CONSTRUCTION TYPE: 5-B
USE: TYPE II - ACCESSORY BLDG
PUBLIC HEALTH
PURPOSE GENERAL
ZONING: D-R
LOWER LEVEL: 3334 SQ.FT.
MEZZANINE: 1000 SQ.FT.

STUDIO

3·0·6

Architecture
Interiors
Landscape
Consultation

CLIENT
ANY ALTA [illegible] 1991

PROJECT
GARAGE

SHEET • TITLE
TITLE, GENERAL NOTES, CONSULTANTS, SITE PLANS

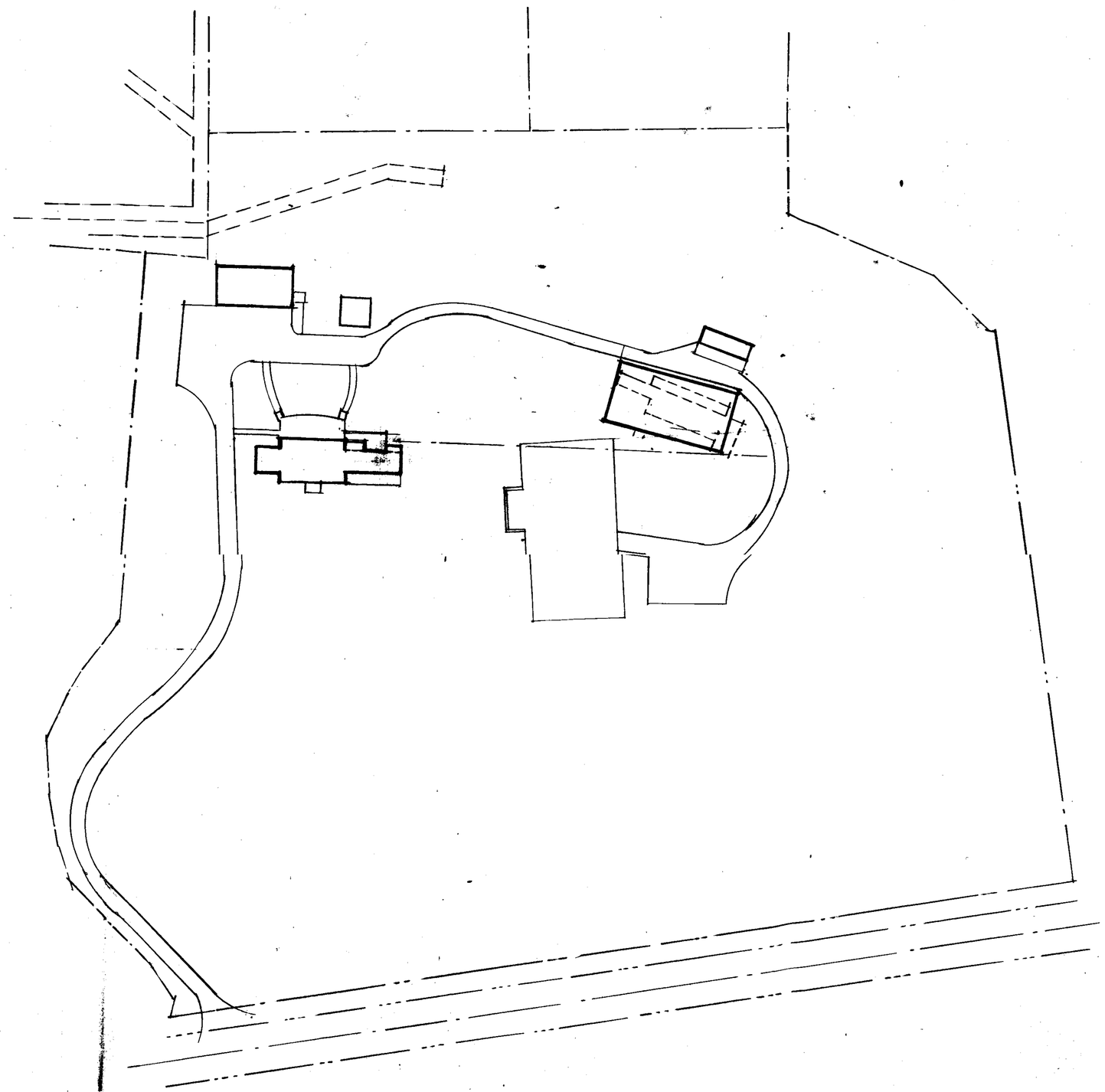
THOMAS GAMPER AIA
306 • EAST • 33RD • STREET
BALTIMORE, MD. 21218 • 410-235-2992

DATE SCALE

REVISIONS

NOT FOR CONSTRUCTION
THOMAS O. GAMPER, AIA

SHEET • NUMBER
TITLE
466



STUDIO
3·0·6

Architecture
Interiors
Landscape
Construction

CLIENT

PROJECT

SHEET • TITLE

THOMAS GAMPER AIA
306 • EAST • 33RD • STREET
BALTIMORE, MD. 21218 • 410-235-2992

DATE SCALE

REVISIONS

NOT FOR CONSTRUCTION
THOMAS O. GAMPER, AIA

SHEET • NUMBER

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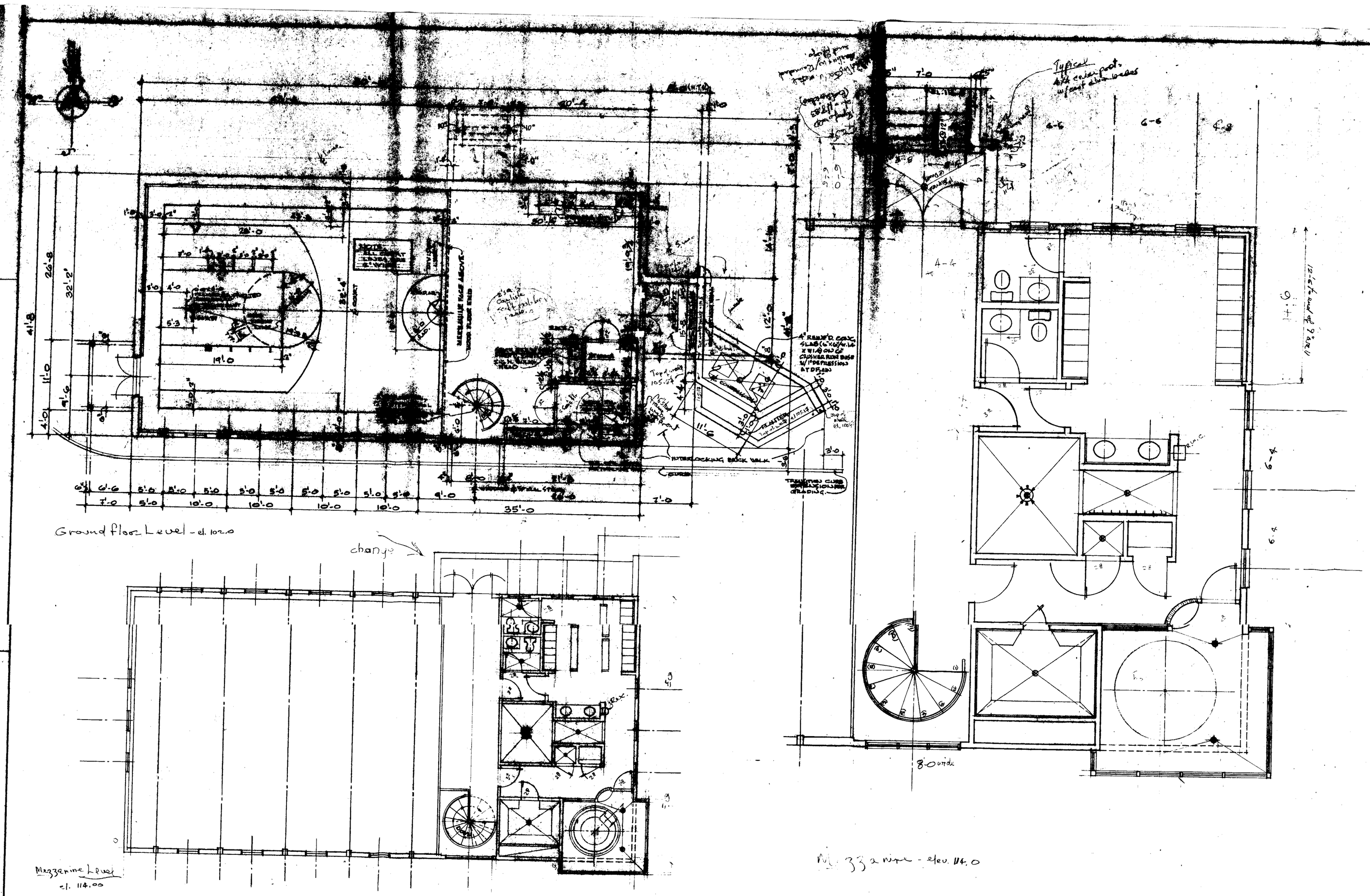


STUDIO
3·0·6

Architecture
Interiors
Landscape
Consultation

CLIENT

PROJECT
POGGI RESIDENCE:
AUXILIARY FITNESS STRUCTURE

SHEET • TITLE

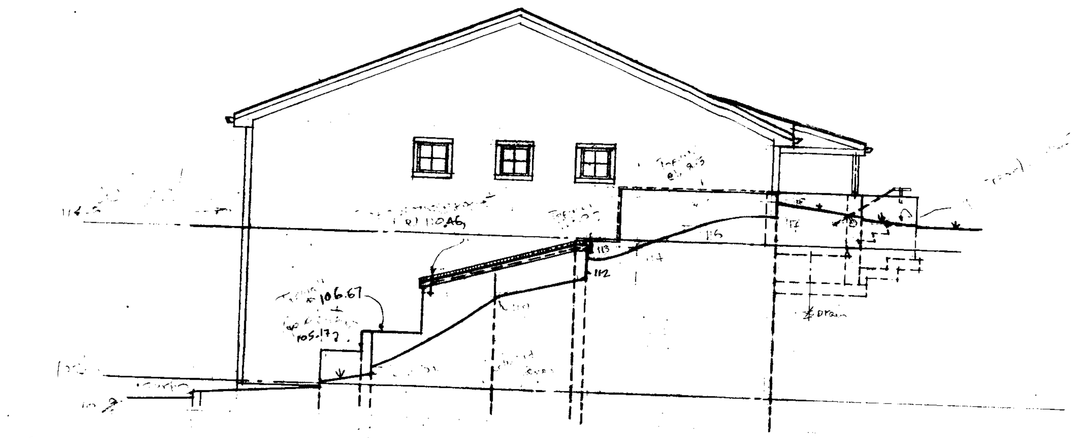
THOMAS GAMPER AIA
306 • EAST • 33RD • STREET
BALTIMORE, MD. 21218 • 410-235-2992

DATE SCALE

REVISIONS

NOT FOR CONSTRUCTION
THOMAS O. GAMPER, AIA

SHEET • NUMBER



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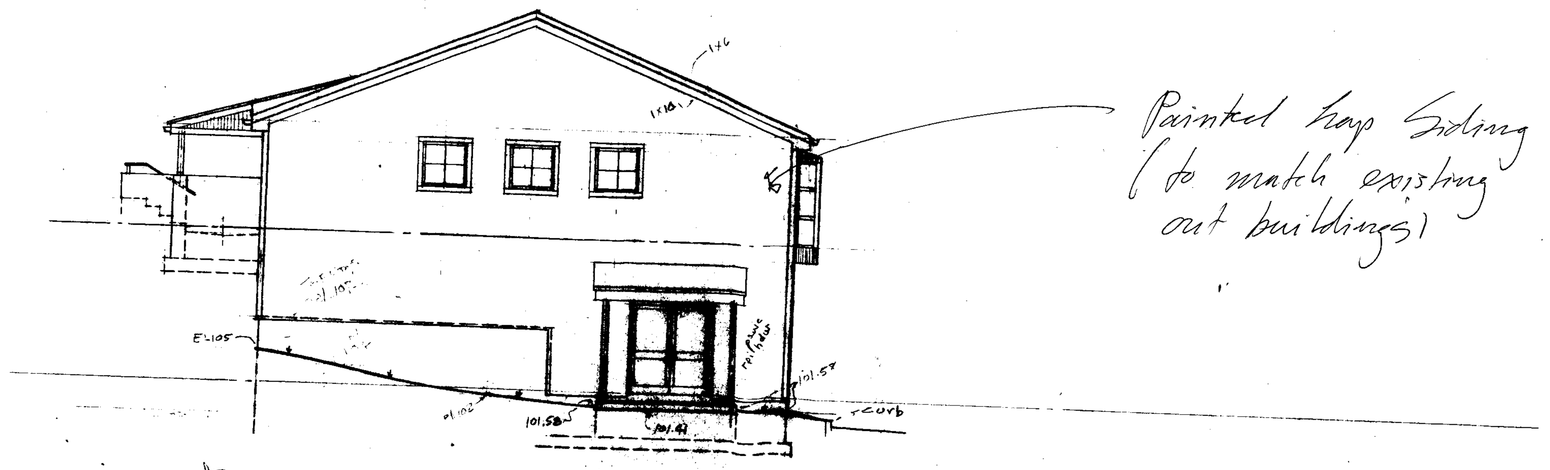

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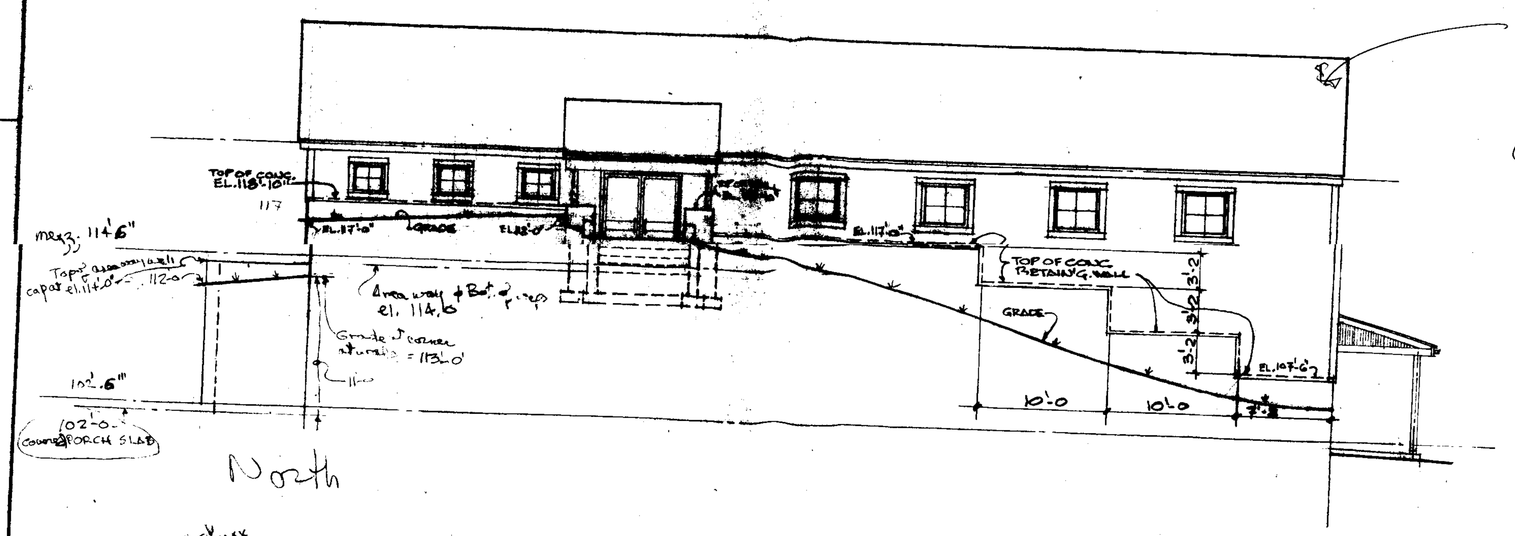


North

South

STUDIO
3·0·6

Architecture
Interiors
Landscape
Consultation

CLIENT

PROJECT
POGGI
AUXILLARY BLDG

SHEET • TITLE

THOMAS GAMPER AIA
306 • EAST • 33RD • STREET
BALTIMORE, MD. 21218 • 410-235-2992

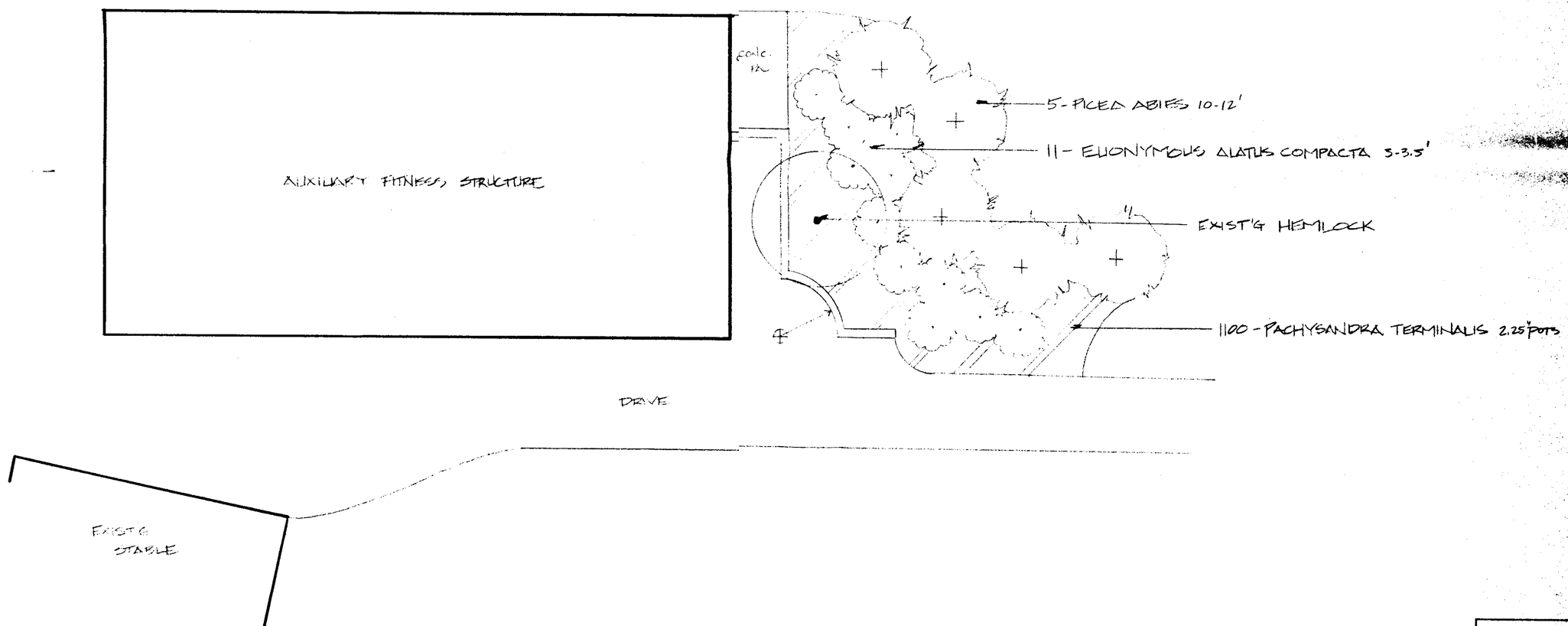
DATE SCALE

REVISIONS

NOT FOR CONSTRUCTION
THOMAS O. GAMPER, AIA

SHEET • NUMBER

466



REVISIONS

SHT 1 OF 1

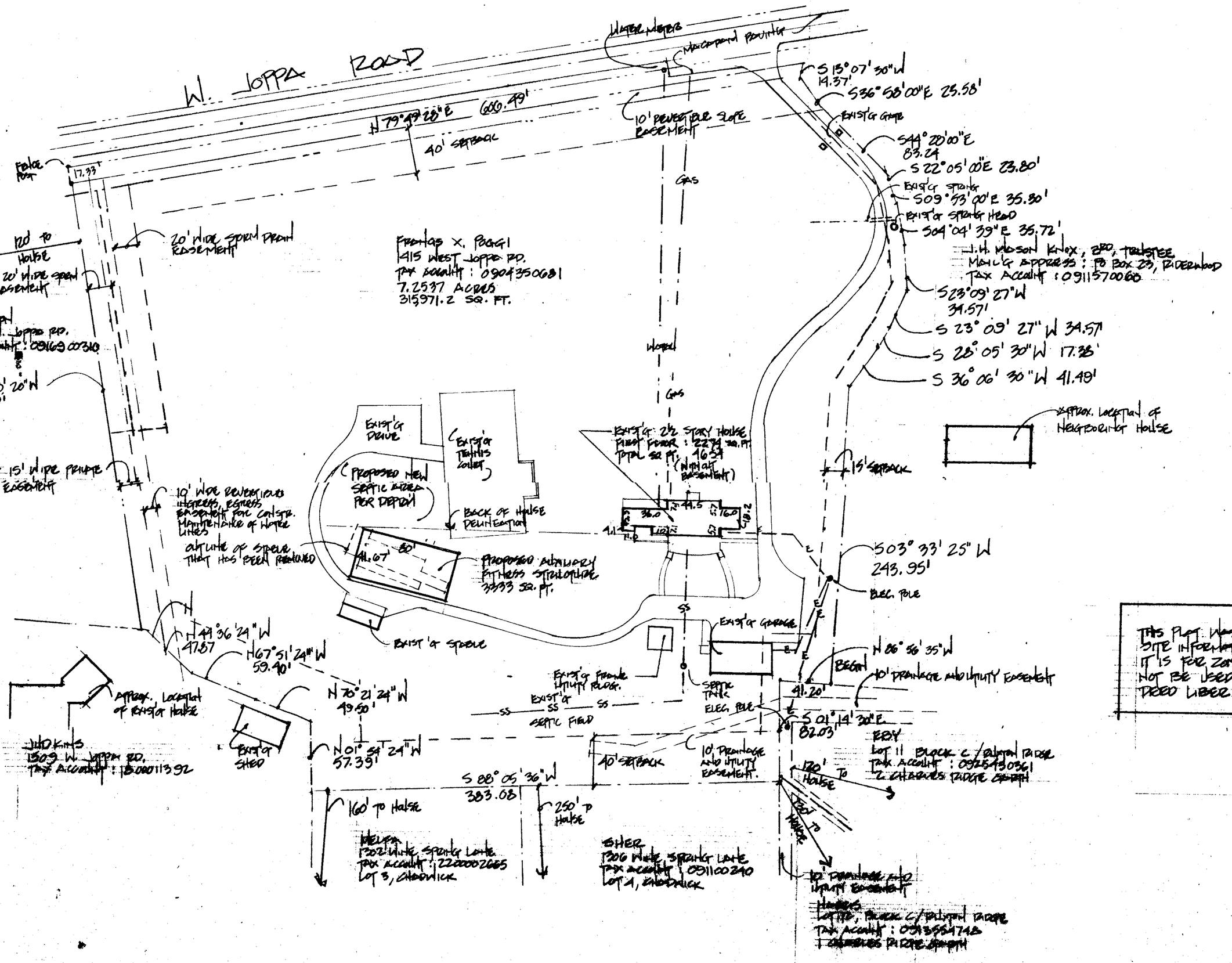
Plat to accompany Petition for Zoning [X] Variance [ ] Special Hearing

PROPERTY ADDRESS: 1415 W. Joppa Rd.

Subdivision name: NA

plat book# 6839 folio# 630 lot# ____ section# ____

OWNER: Francis X. Poggi



SITE PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE

1" = 50'-0"

VICINITY MAP

1" = 2000'

LOCATION INFORMATION

Election District: Nineth

Councilmanic District: Fourth

1"=200' scale map#: 11- A NW
11- B NW

Zoning: DR -2

Lot size: 7.25 acreage 315,971.2 square feet

	public	private
SEWER:	☐	☒
WATER:	☒	☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: No

Zoning Office USE ONLY!

reviewed by: ____ ITEM #: ____ CASE#: ____

THIS PLAT WAS BASED ON THE DEED AND OTHER SITE INFORMATION AS PROVIDED BY THE OWNER. IT IS FOR ZONING PURPOSES ONLY AND SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES. DEED LIBER NO. 6839 FOLIO 630.

STUDIO 3·0·6

Architecture
Interiors
Landscape
Consultation

CLIENT
Andy and Biff Poggi

PROJECT
Auxiliary Fitness Structure

SHEET TITLE
Zoning Plat

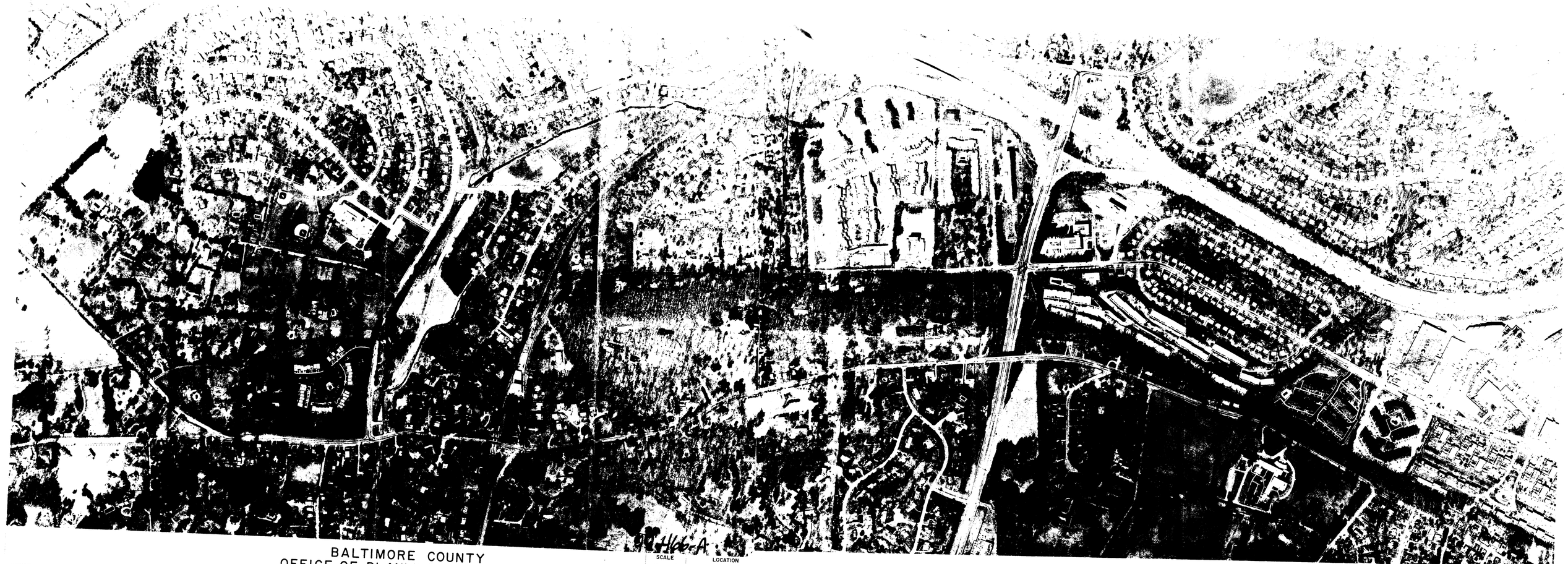
THOMAS GAMPER AIA
306 • EAST • 33RD • STREET
BALTIMORE, MD. 21218 • 410-235-2992

DATE 5/19/99 SCALE NO SCALE

REVISIONS

T EX 1

2.466-A



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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION
1" = 200'±	RIDERWOOD
DATE OF PHOTOGRAPHY JANUARY 1986	

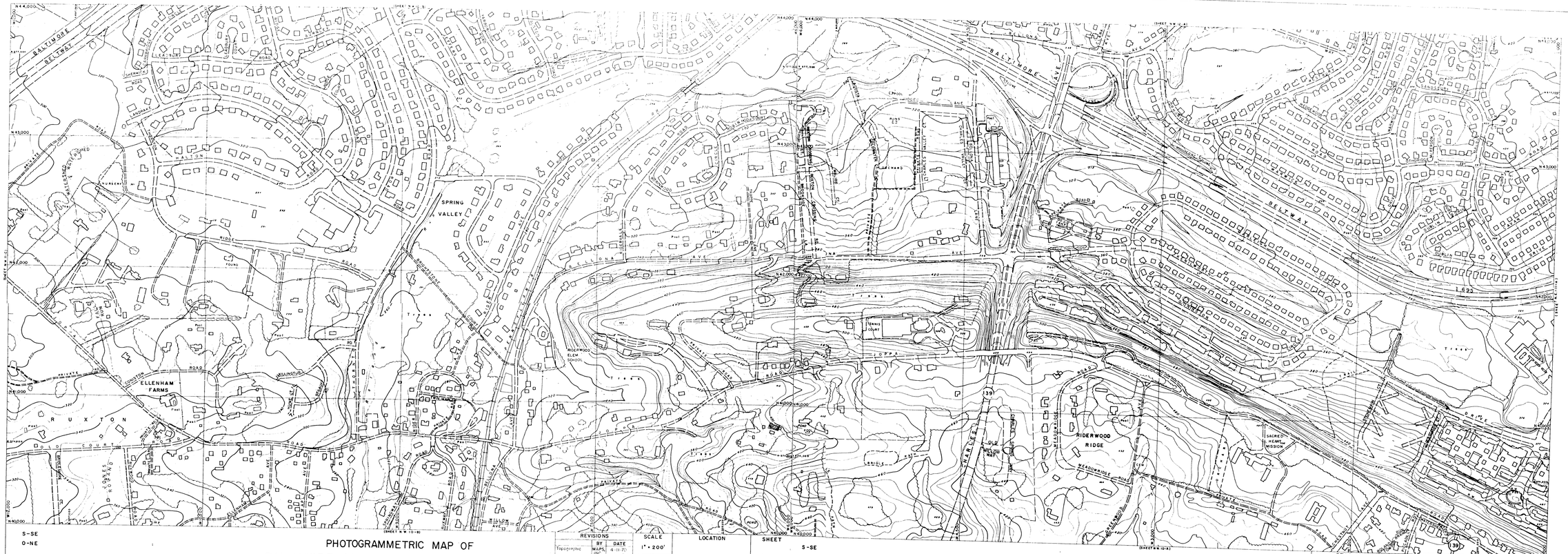
466-A

466

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'±	TOWSON	N.W. 11-A
DATE OF PHOTOGRAPHY JANUARY 1986		



S-SE
O-NE

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
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Topographic	MAPS, INC.	4-11-70			
			DATE OF PHOTOGRAPHY APRIL 1953		

Topography Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION-PHILADELPHIA, PA.

99-466-A

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
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Topographic	MAPS, INC.	4-11-70 6-4-79			
			DATE OF PHOTOGRAPHY APRIL 1953		

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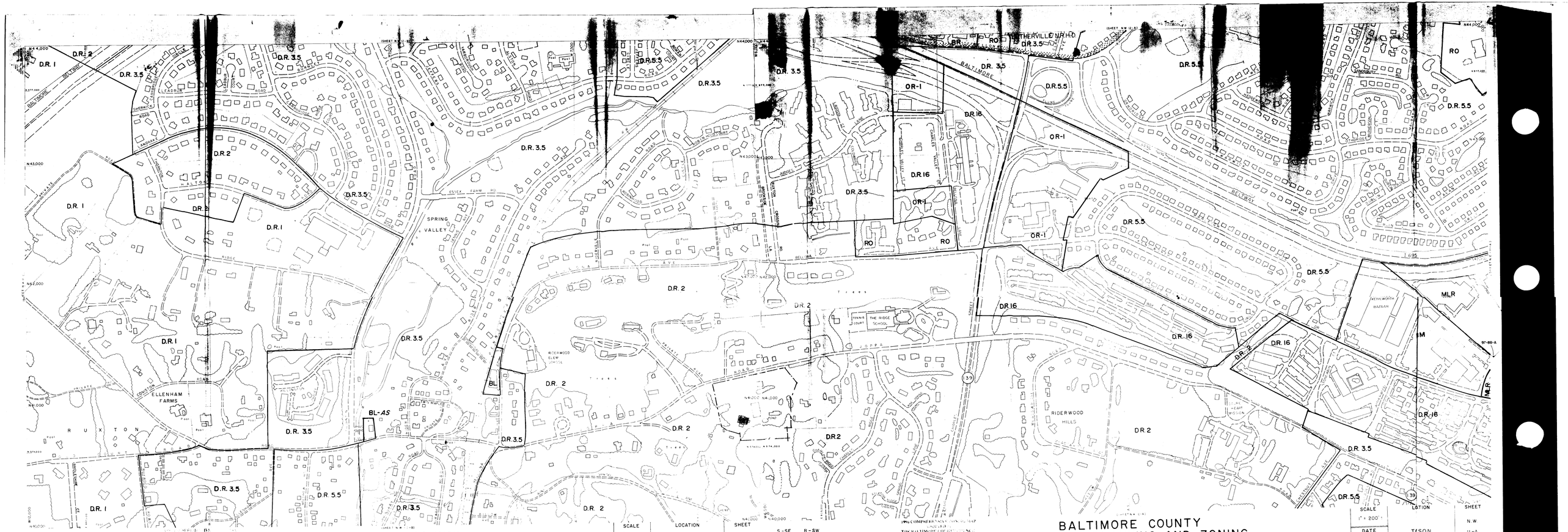
AERO SERVICE CORPORATION-PHILADELPHIA, PA.


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP
SCALE 1" = 200'
DATE OF PHOTOGRAPHY JANUARY 1986
LOCATION RIDERWOOD
SHEET N.W. II-B
S-SE O-NE R-SW N-NW
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE MD 21210
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP
SCALE 1" = 200'
DATE OF PHOTOGRAPHY JANUARY 1986
LOCATION TISON
SHEET N.W. II-A
D.R. 1
D.R. 2
D.R. 3.5
D.R. 5.5
D.R. 16
OR-1
RO
BL
BL-AS
MLR
M
ELLENHAM FARMS
SPRING VALLEY
RIDERWOOD HILLS
THE RIDGE SCHOOL
TENNIS COURT
BELTWAY
BALTIMORE
ESSEX FARM RD
HALTON
RUXTON
TOWSON
39

99-466-A 466