

IN RE: PETITION FOR VARIANCE

E/S Magledt Road, 285' E
Of centerline Goldenrod Lane
11th Election District
6th Councilmanic District
(9733 Magledt Road)

William L. & Jane M. Thompson
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-013-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 9733 Magledt Road in the Cloverfield Manor subdivision in Parkville. The Petition was filed by William L. and Jane M. Thompson, his wife, property owners. Variance relief is requested from Section 415.A.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle to be stored in the front yard in lieu of the required rear yard or sideyard 8 ft. behind the front foundation line of the dwelling. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the petition for zoning variance.

Appearing at the requisite public hearing held for this case were William L. and Jane M. Thompson, property owners. Appearing in opposition to the request was Frank B. Lampe, on behalf of the Cloverfield Homeowners' Association. This association consists of property owners within a townhouse community located adjacent to the property.

Testimony and evidence presented was that the subject property is approximately .253 acres in area, zoned D.R.3.5. The lot is rectangular in shape, approximately 85 ft. wide by 130 ft. in depth. The site is improved with an existing single family dwelling known as 9733 Magledt Road. Mr. & Mrs. Thompson have resided therein for approximately 12 years. The property also features an attached wood deck and concrete patio to the rear. The dwelling also has an attached two-car garage and a concrete driveway is shared with the adjacent lot owner at 9735 Magledt Road.

ORDER RECEIVED FOR FILING

Date

9/28/99

By

J.P. Ganeason

The subject of the petition is a recreational vehicle which was purchased by the Petitioners in February, 1999. The vehicle is a motor home manufactured by the Jayco Company. The vehicle measures 32 ft. in length, is 12 1/2 ft. high and 8 ft. wide. Photographs of the vehicle were submitted at the hearing and are contained within the case file.

The Petitioners indicate that they use the vehicle for vacation and other recreational purposes. When not in use the vehicle is parked in the front yard on the driveway.

In support of the variance request the Petitioners submitted photographs of their rear yard. Those photographs show the existence of the wood deck and concrete patio. Moreover, the rear of the yard is significantly sloped so as to make the construction of a driveway or parking area difficult. For these reasons, the Petitioners request variance relief. They also note that the construction of an area of impervious surface (parking pad) in the rear yard could cause drainage problems and runoff to houses behind their property.

Although Mr. Lampe's community association does not include the subject property, the access to his community is by way of Magledt Road. He opposes the storage of the vehicle in the front yard, believing that same presents a negative visual impact.

After examining the photographs submitted at the hearing, I am persuaded that the storage of the vehicle in the front yard is inappropriate. This is an attractive neighborhood of well kept single family houses. The motor home is quite large and disrupts the residential character and view of the neighborhood. Clearly, it should not be stored in the front yard.

Nonetheless, strict compliance with the Zoning Regulations is not possible. The uniqueness of this property relates to the topography of the rear yard and the significant slope therein. It is not practical for the Petitioners to store the vehicle in the rear yard.

A zoning violation case is presently pending in the Division of Code Inspections and Enforcement. In a letter written by Mrs. Thompson to that Division on June 21, 1999, she indicated that the Petitioners were preparing to asphalt an area in the rear yard to park the vehicle. This letter contradicts the statements made at the hearing that such an arrangement was not possible.

In my judgment, the vehicle should be parked in the side yard. Although the rear yard may not be practical, construction of a permeable asphalt surface or crushed stone driveway could be completed, along the side of the house. This will permit the vehicle to be stored out of the front yard so as to not detrimentally impact the visual aesthetics of the community, while not creating drainage problems.

Based upon the testimony and evidence offered, I will grant modified variance relief. I will not require the Petitioners to park the vehicle in the rear yard. Moreover, it need not be set back 8 ft. from the side yard from the front foundation wall. Rather, I will require that the Petitioners park the vehicle in the sideyard so that no part of the vehicle extends beyond the front foundation line. That is, the vehicle can be parked so that no portion thereof shall extend beyond the front foundation line. The type of surface which the Petitioners desire to construct to park the vehicle will be at their discretion. There are numerous options (e.g. crushed stone, permeable asphalt, etc.). I believe this is an appropriate alternative based on the testimony and evidence offered.

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

ORDER RECEIVED FOR FILING

Date

9/28/99

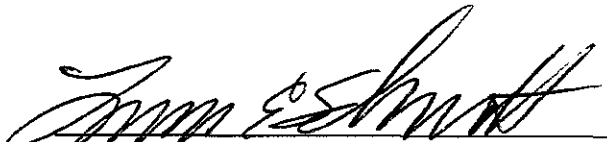
By

J.P. Jameson

THEREFORE, IT IS ORDERED this 28th day of September, 1999, by this Zoning Commissioner, that a variance from Section 415.A.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a recreational vehicle to be stored in the side yard, even with the front foundation line of the dwelling, be and is hereby GRANTED, subject however, to the following restrictions which are a condition precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners shall submit a revised site plan incorporating the modified relief granted herein to the Department of Permits & Development Management for inclusion in the case file.
3. When applying for any permits, the site plan filed must reference this case.

IT IS FURTHER ORDERED, that the Petition for Variance seeking relief from Section 415.A.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a recreational vehicle to be stored in the front yard in lieu of the required rear yard or sideyard 8 ft. behind the front foundation line of the dwelling, be and is hereby DENIED.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING

Date

9/28/99

By

R. Johnson

IN RE: PETITION FOR VARIANCE
E/S Magledt Road, 285' E of the c/l
Goldenrod Lane
(9733 Magledt Road)
11th Election District
6th Councilmanic District

William L. Thompson, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-013-A
*

* * * * *

ORDER ON THE MOTION FOR RECONSIDERATION

This matter comes before this Zoning Commissioner on a Motion for Reconsideration of the Findings of Fact and Conclusions of Law issued by me in the above-captioned matter on September 28, 1999. The Motion for Reconsideration was filed by Jane Thompson, co-Owner/Petitioner of the subject property, and received in this office on October 13, 1999.

By way of background, the Petitioners filed a Petition for Variance for their property located at 9737 Magledt Road, seeking relief from Section 415.A.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.). That Section requires that on a lot occupied by a single family dwelling, a recreational vehicle must be stored/parked in the rear yard or the side yard, no closer than 2½ feet to the respective rear or side property line. Additionally, if stored in the side yard, the regulation requires that the vehicle be situated at least 8 feet to the rear of the lateral projection of the front foundation line of the dwelling.

The Petitioners filed for relief from that Section, seeking approval to park the vehicle in the front yard on an existing driveway. At the hearing, the Petitioners testified that parking the vehicle in the rear yard would be problematic, due to the location of existing improvements on the property. In addition, testimony indicated that drainage problems and water runoff onto neighboring properties might result if an impervious parking area for the vehicle was constructed to the rear of the site. Following the public hearing, I denied the variance requested; however, granted a modified relief. Specifically, I allowed the Petitioners to park the vehicle in the side

DATE FILED FOR PUBLIC HEARING
11/22/99
[Signature]

yard, even with the lateral projection of the front foundation line of the dwelling. Thus, the Petitioners could park the vehicle in the rear yard (which is permitted by right and for which no variance is needed) or in the side yard, pursuant to the relief granted in my Order.

By letter dated October 8, 1999, Mrs. Thompson requested a reconsideration of my decision, essentially seeking approval of their original request. The letter quotes my finding, which was based upon their testimony, that "...it is not practical for the Petitioners to store the vehicle in the rear yard" and then immediately states, "I am confused as to how we gave you that impression...", that parking the vehicle in the rear yard would be problematic.

In consideration of the Petitioners' Motion now before me, I have reviewed the testimony and evidence offered in this case. I have also visited the site. I walked the side and rear yard, and also inspected the property from across the street. In my judgment, storage of the vehicle in the front yard is inappropriate. The vehicle is very large; indeed, it blocks the entire view of the house when viewed from across the street. Furthermore, it detracts from the aesthetics of not only the subject property, but also the view from other houses in the vicinity. In my view, it is simply incompatible with the residential character of the neighborhood.

Therefore, I stand by my prior decision. If the Petitioners desire to store the vehicle in the rear yard, they may do so without variance relief, for so long as the vehicle is stored 2½ feet from the nearest property line. Moreover, if they wish to store the vehicle in the side yard, they may do so for so long as any portion of the vehicle does not extend into the front yard beyond the lateral projection of the front foundation line of the dwelling. It is of note that neither the dwelling owned by the Petitioners nor their neighbors' dwelling has windows facing the affected side yard. Thus, it does not appear that parking the vehicle in that side yard would adversely impact either dwelling from an aesthetic standpoint.

THEREFORE, IT IS ORDERED by this Zoning Commissioner for Baltimore County this 27th day of October, 1999 that the Motion for Reconsideration in the above-captioned matter be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the terms and conditions of the Order issued on September 28, 1999 remain in full force and effect; and,

IT IS FURTHER ORDERED that if the Petitioners are dissatisfied with the decision rendered herein, they may file an appeal of this decision to the Board of Appeals within thirty (30) days of the date hereof.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. William L. Thompson
9733 Magledt Road, Baltimore, Md. 21234
Mr. Frank B. Lampe
13 Redare Court, Baltimore, Md. 21234
People's Counsel; Case File

RECEIVED
10/29/99
JAC



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 28, 1999

Mr. & Mrs. William L. Thompson
9733 Magledt Road
Baltimore, Maryland 21234

Re: Petition for Variance
Case No. 00-013-A
Property: 9733 Magledt Road

Dear Mr. & Mrs. Thompson:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", with a long, sweeping horizontal line extending to the right.

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

c: Mr. Frank B. Lampe
c/o Cloverfield Homeowners' Association
13 Redare Court
Baltimore, Maryland 21234

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on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9733 MAGLEDT ROAD

which is presently zoned D.R. 3.5

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) ~~101, 102, 103~~, 415A.1.A

TO PERMIT A RECREATIONAL VEHICLE TO BE STORED IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD OR SIDE YARD 8' FEET BEHIND THE FRONT FOUNDATION LINE OF THE DWELLING.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Parking the recreational vehicle in accordance with current zoning regulations would create a hardship for the property owners:

- The current slope and grade of the land next to the residence cannot be safely maneuvered.
- The current slope and grade of the land provides adequate drainage for the driveways of 9733 and 9735.
- The property would require major and expensive landscaping to create a safe passageway and adequate management of water drainage.
- The engine noise from driving the RV between the two dwellings would be a disturbance to the adjacent (9735) residence since their major living areas are only 8 feet from the property line.

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

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

WILLIAM L. THOMPSON

Name - Type or Print

Signature

JANE M. THOMPSON

Name - Type or Print

Signature

9733 MAGLEDT RD. 410-882-6251

Address

Telephone No.

BALTIMORE

MD.

21234

City

State

Zip Code

Representative to be Contacted:

JANE THOMPSON

Name

9733 MAGLEDT RD

410-882-6251

Address

Telephone No.

BALTIMORE

MD.

21234

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By LTM/JRF Date 7-12-99

Case No. 00-13-A

REV 9/15/98

ORDER RECEIVED FOR FILING

9/28/99

Date

Zoning Description

ZONING DESCRIPTION FOR _____ 9733 Magledt Rd _____

Beginning at a point on the _____ East _____ side of
_____ Magledt Road _____ which is _____ 40 feet _____
wide at the distance of _____ 285 feet East _____ of the
centerline of the nearest improved intersecting street _____ Goldenrod Lane _____
which is _____ 30 feet _____ wide. Being lot # 2,
Block ___ A ___, Section _____ in the subdivision of _____ Cloverfield Manor _____
as recorded in Baltimore County Plat Book # _____ 53 _____, Folio # _____ 90 _____,
containing _____ .253 acres _____. Also known as _____ 9733 Magledt Rd _____
and located in the _____ 11th _____ Election District, _____ 6th _____ Councilmanic District.

00-013-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 070426

DATE 7-12-99 ACCOUNT R-001-615-000
AMOUNT \$ 50.00

RECEIVED FROM: William & Jane Thompson
9733 Magleott Rd. ITEM 13
FOR: 01 Variance Taken by: JRF/LJM

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS DATE TIME
7/12/1999 7/12/1999 10:30:27
REF #5005 CASHIER NOTE MES DRAWER 5
DEPT 5 528 ZONING VERIFICATION
Receipt # 110436
CR NO. 070426
Receipt Tot 50.00
50.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

00-013-A

**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: #00-013-A
8733 Magleth Road
E/S Magleth Road, 285' E of
centerline Goldenrod Lane,
11th Election District
6th Councilmanic District
Legal Owner(s): Jane M.
Thompson & William L.
Thompson

Variante to permit a recreational vehicle to be stored in the front yard in lieu of the required rear yard or side yard 8 feet behind the front foundation line of the dwelling.

Hearing: Wednesday, August 25, 1999 at 9:00 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) 897-4386.

(2) For information concerning the file and/or hearing, contact the Zoning Review Office at (410) 897-3391.

JTU 8/24/99 Aug 10 C330898

*See
8/25/99*

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/12/, 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 Tues 8/10/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 00-013-A

Petitioner/Developer: _____

JANE & WILLIAM THOMPSON

Date of Hearing/Closing: 8-25-99

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 _____

9733 MAGLEDT ROAD

The sign(s) were posted on AUGUST 6TH 1999
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

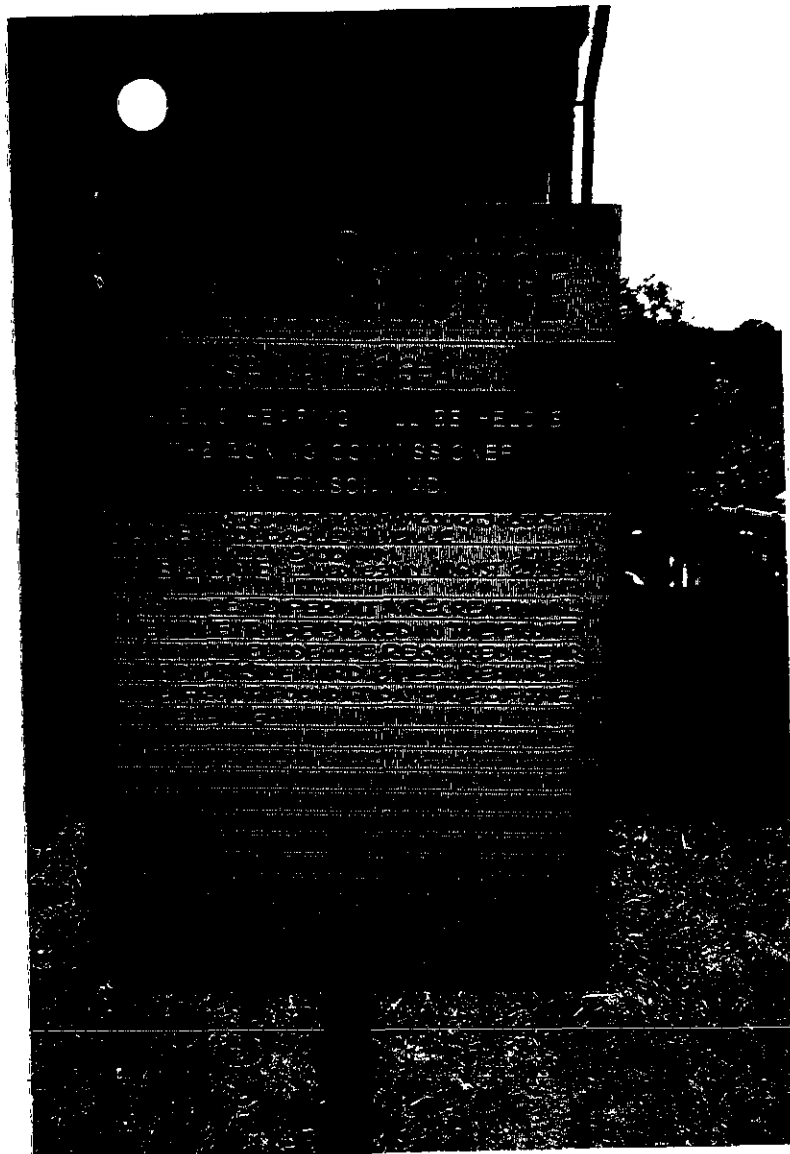
(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



RE: PETITION FOR VARIANCE
9733 Magledt Rd, E/S Magledt Rd,
285' E of c/1 Goldenrod Lane
11th Election District, 6th Councilmanic

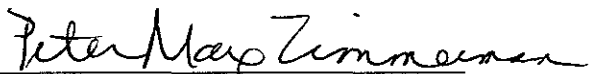
Legal Owner: William L. and Jane M. Thompson
Petitioner(s)

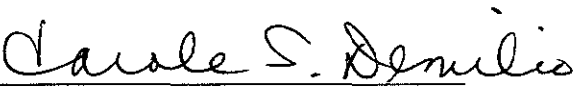
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-13-A

* * * * *

ENTRY OF APPEARANCE

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


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of August, 1999 a copy of the foregoing Entry of Appearance was mailed to William L. and Jane M. Thompson, 9733 Magledt Rd, Baltimore, MD 21234, Petitioners.


PETER MAX ZIMMERMAN



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 28, 1999

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: 00-013-A
9733 Magledt Road
E/S Magledt Road, 285' E of centerline Goldenrod Lane
11th Election District – 6th Councilmanic District
Legal Owner: Jane M. Thompson & William L. Thompson

Variance to permit a recreational vehicle to be stored in the front yard in lieu of the required rear yard or side yard 8 feet behind the front foundation line of the dwelling.

HEARING: Wednesday, August 25, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon". Below the signature is a circled number "59".

Arnold Jablon
Director

c: Jane & William Thompson, 9733 Magledt Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 10, 1999.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

Come visit the County's Website at www.co.ba.md.us



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TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 10, 1999 Issue – Jeffersonian

Please forward billing to:

Jane Thompson
9733 Magledt Road
Baltimore, MD 21234

410-882-6256

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: 00-013-A

9733 Magledt Road

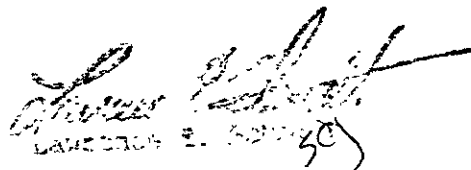
E/S Magledt Road, 285' E of centerline Goldenrod Lane

11th Election District – 6th Councilmanic District

Legal Owner: Jane M. Thompson & William L. Thompson

Variance to permit a recreational vehicle to be stored in the front yard in lieu of the required rear yard or side yard 8 feet behind the front foundation line of the dwelling.

HEARING: Wednesday, August 25, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT

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.

**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: 00-13-A

Petitioner: William & Jane Thompson

Address or Location: 9733 MAGLEDT ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: JANE THOMPSON

Address: 9733 MAGLEDT ROAD

BALTIMORE, MD 21234

Telephone Number: 410-882-6256

Revised 2/20/98 - SCJ



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

August 20, 1999

Mr. & Mrs. William L. Thompson
9733 Magledt Road
Baltimore, MD 21234

Dear Mr. & Mrs. Thompson:

RE: Case No.: 00-13-A
Petitioner: William and Jane Thompson
Location: 9733 Magledt Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 12, 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,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: August 4, 1999

FROM: Robert W. Bowling, Supervisor *RWB/DAB*
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for July 26, 1999
Item Nos. 525, 526, 528, 529, 530,
531, 532, 001, 002, 003, 004, 005,
006, 007, 009, 010, 011, 012, 013
and 014

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

July 21, 1999

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 19, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

525, 526, 528, 529, 531, 532, 002, 003, 004, 007, 008,
009, 010, 011, 012, AND 013.

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

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: July 26, 1999

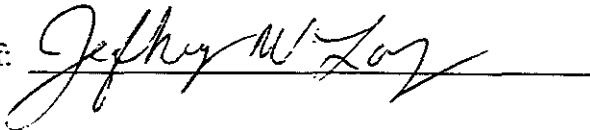
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 527, 529, 530, 002, 009, and 013

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:



AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7.20.99

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

RE: Baltimore County
Item No. 013

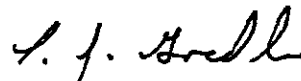
JRF/LTM

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,


/s/ 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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 7-24-00

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

RE: Baltimore County
Item No. 013 JLL

Dear Ms. Jackson:

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

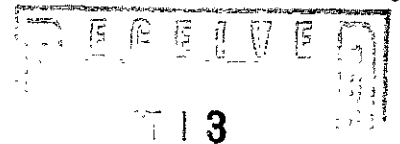
Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

9733 Magledt Road
Baltimore, MD 21234
October 8, 1999



Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Variance Case No. 00-013-A

Dear Mr. Schmidt:

I want to thank you for taking the time to listen to our case for a variance. Although you granted a variance to us, it was not as we requested. I'm sure you carefully thought out your decision and made what seemed to be an appropriate decision. However, I am unclear as to how you could grant us the variance that you did (i.e. to allow us to park our RV in a side yard even with the front foundation of the house.).

You stated in your decision that "... it is not practical for the Petitioners to store the vehicle in the rear yard." and your reasoning for this was "...the uniqueness of this property relates to the topography of the rear yard and the significant slope therein.". I am confused as to how we gave you that impression because upon examination, I'm sure that you could see at least 32 feet of relatively flat terrain to park the RV in the rear yard. The slope causing the problem arose in two other locations.

Initially, there is approximately a 10-foot slope on the side of the house (where you granted us a variance to park the vehicle). This hill would make any driveway to the rear yard be at approximately a 27 degree angle according to my calculations. This constitutes a rather steep incline to park a 14000-pound vehicle on. In order to utilize this area for storage of the vehicle, the area would have to be leveled which would include moving in a large amount of dirt along with building retaining walls. Not only would this be a very expensive condition, but it would create a very negative visual impact on our neighbors at 9735 Magledt since their house is only 8 feet from our property line. Also, this hill next to our house is needed for the runoff of not only our driveway but also the driveway for 9735 Magledt. Clearly, other means of eliminating rainwater, etc. would have to be implemented at a significant cost.

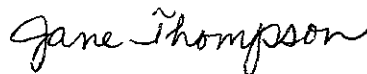
The other hill that weighed in your decision was the hill at the rear of our yard and includes the hill of the neighbors to our back (on Denrob). Since their houses are downhill from all the ones on Magledt, all the runoff drains onto their property. Although this hill does not directly impact our ability to park our RV in our rear yard, changing the terrain to withstand the weight of the RV for extended periods of time in varied temperature ranges does affect the runoff, thus causing problems for these neighbors on Denrob.

I am unclear by your decision as to whether you did a site visit before rendering a decision. I want to invite you back to do so if you did not. I feel that had you seen the slope of the hills and the condition of some of the other houses in the area, you would have made a different decision. (Note that you state in your decision that "...this is an attractive neighborhood of well kept single family homes.". Although I like to believe that is true, a quick glance at my neighbor's house at 9731 Magledt would prove that statement untrue. For at least the last six months, the rain gutter has been missing from the front of their house; shutters, siding, and roofing has been missing; the screens in their windows have been torn; they have had broken glass in the windows of their garage; and they have had an untagged vehicle in their driveway.)

Please contact me as soon as possible to inform me of your actions regarding this. I may be contacted by mail at the address above or by phone at 410-882-6256.

Thanks for your help with this. I look forward to hearing from you.

Sincerely,


Jane Thompson

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Bill & JANE Thompson

9733 MAGLEDT RD 21234



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

FRANK B. LAMPE
CHERRYFIELD HOMEOWNERS

13 Redare Court
BALTIMORE, MD. 21234



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

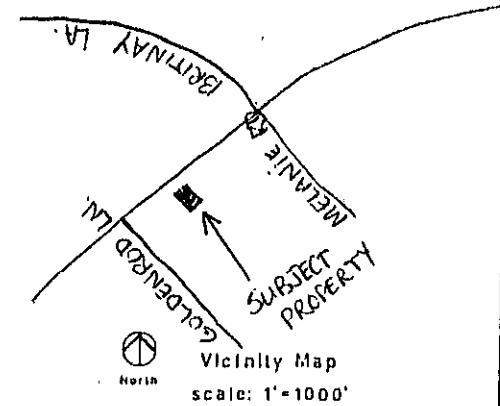
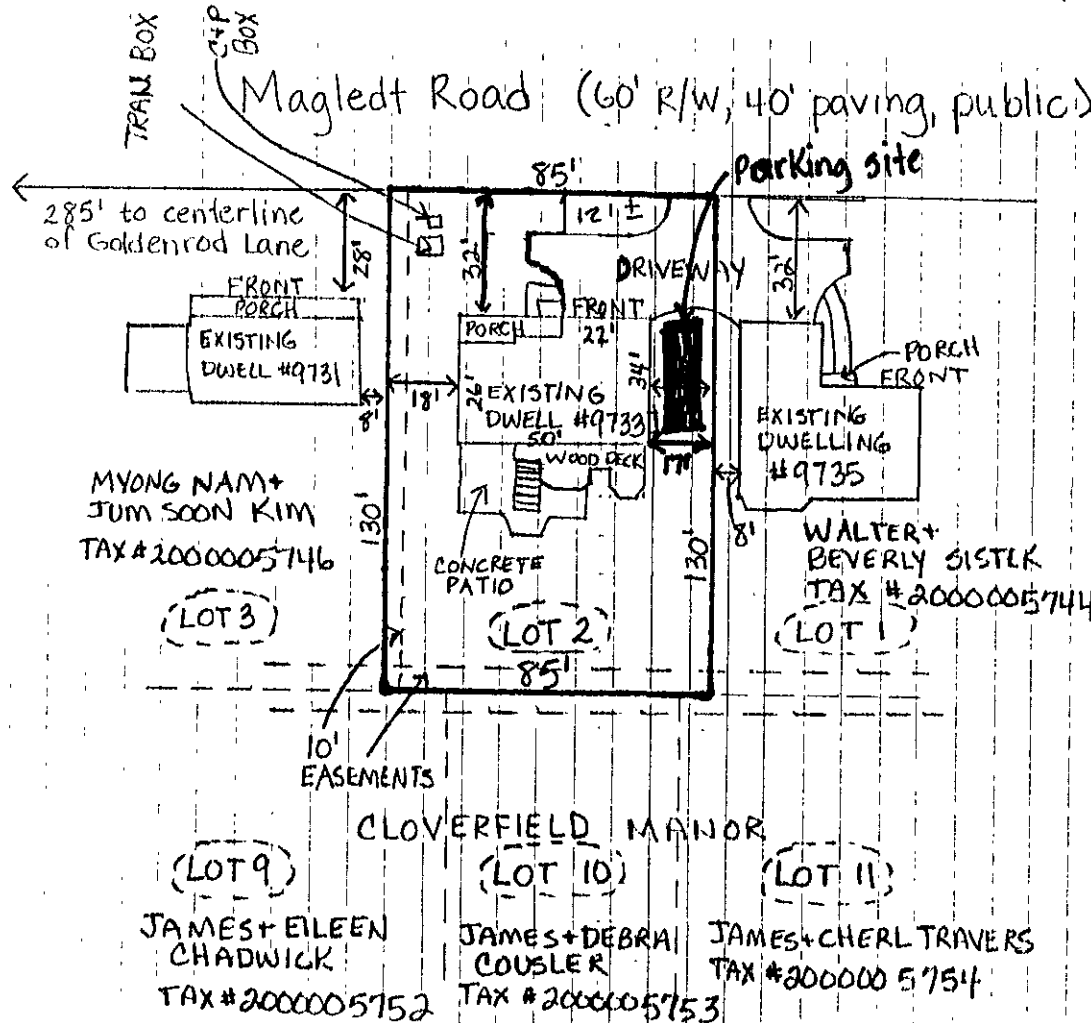
PROPERTY ADDRESS: 9733 MAGLEDT ROAD

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

Subdivision name: CLOVERFIELD MANOR

plat book # 53, folio # 90, lot # 2, section #

OWNER: JANE M. + WILLIAM L. THOMPSON



LOCATION INFORMATION

Election District: 11
 Councilmanic District: 6
 1"=200' scale map #: NE 10F
 Zoning: D.R. 3.5
 Lot size: 1.253 acreage 10890 square feet

SEWER: ☒ public ☐ private
 WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ ☒
 Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: JRP ITEM #: 13 CASE #: 00-13-A
LTM

North
 date: 10/15/99

prepared by: JANE THOMPSON Scale of Drawing: 1"= 50'

APPROVED REVISED PLAN PER ZONING Commissioner. JRP 12/14/99

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 9733 MAGLEDT ROAD

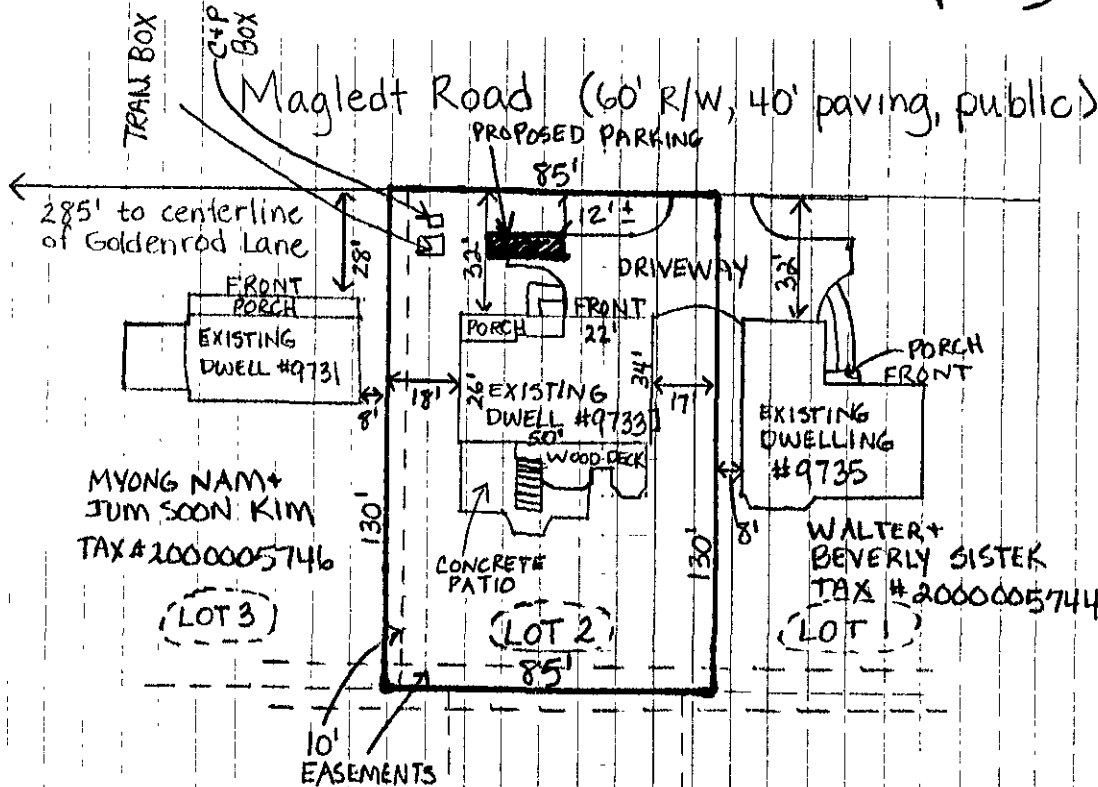
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CLOVERFIELD MANOR

plat book # 53, folio # 90, lot # 2, section # _____

OWNER: JANE M. + WILLIAM L. THOMPSON

Feb No 1



MYONG NAM + JUM SOON KIM
TAX # 2000005746

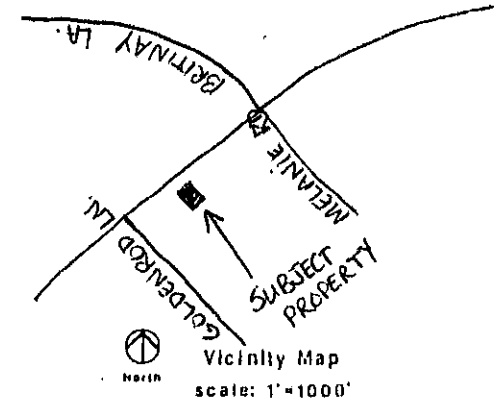
(LOT 3)

CLOVERFIELD MANOR

(LOT 9)
JAMES + EILEEN CHADWICK
TAX # 2000005752

(LOT 10)
JAMES + DEBRA COUBLER
TAX # 2000005753

(LOT 11)
JAMES + CHERL TRAVERS
TAX # 2000005754



LOCATION INFORMATION

Election District: 11
 Councilmanic District: 6
 1" = 200' scale map #: NE 10F
 Zoning: D.R. 3.5
 Lot size: 253 acreage 10890 square feet

SEWER: ☒ public ☐ private
 WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

NONE

Zoning Office USE ONLY!

reviewed by: JRF ITEM #: 13 CASE #: 00-13-A
 LTM

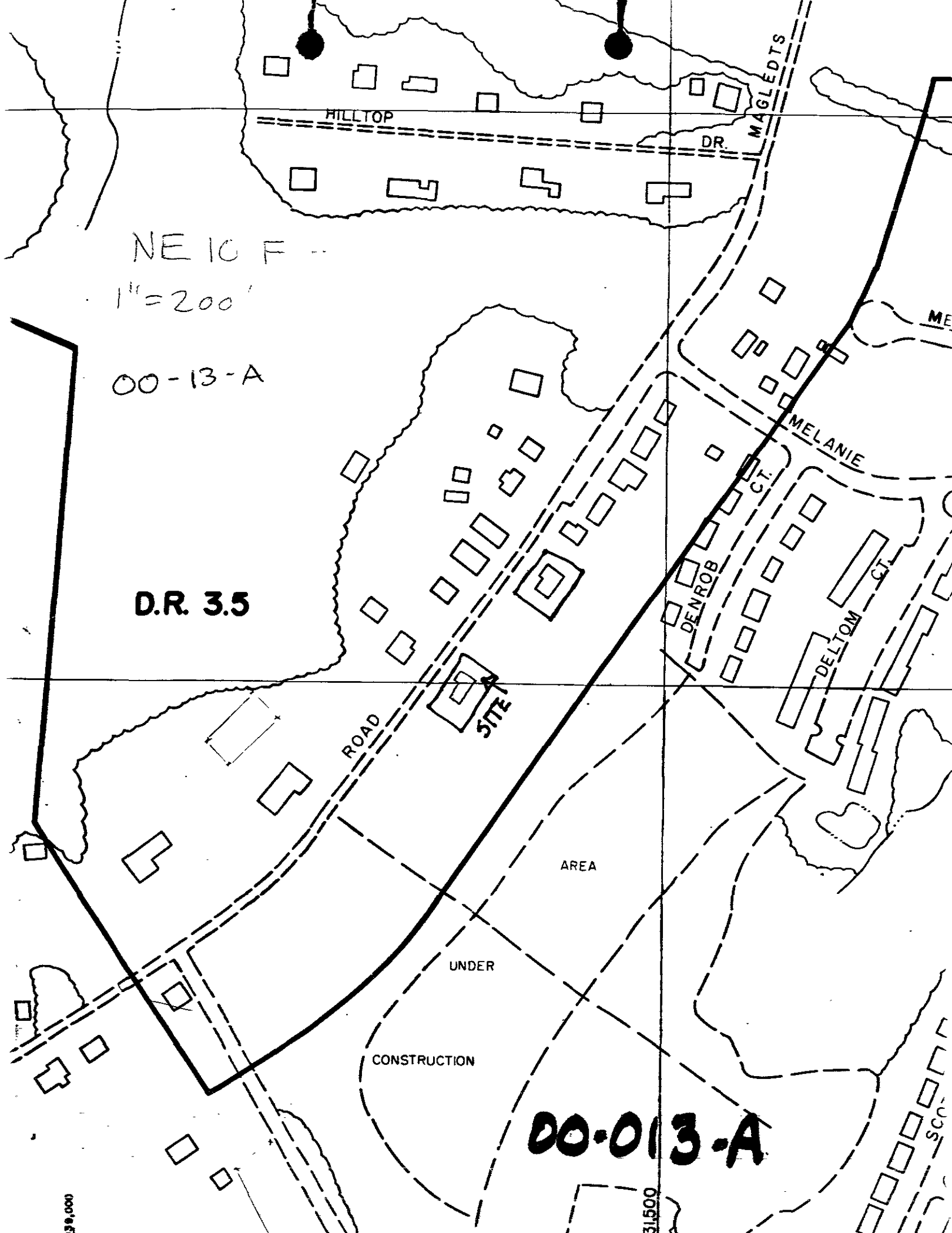


North

date: 6/27/99

prepared by: JANE THOMPSON

Scale of Drawing: 1" = 50'





Baltimore County Zoning Commissioner
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Printed with Soybean Ink

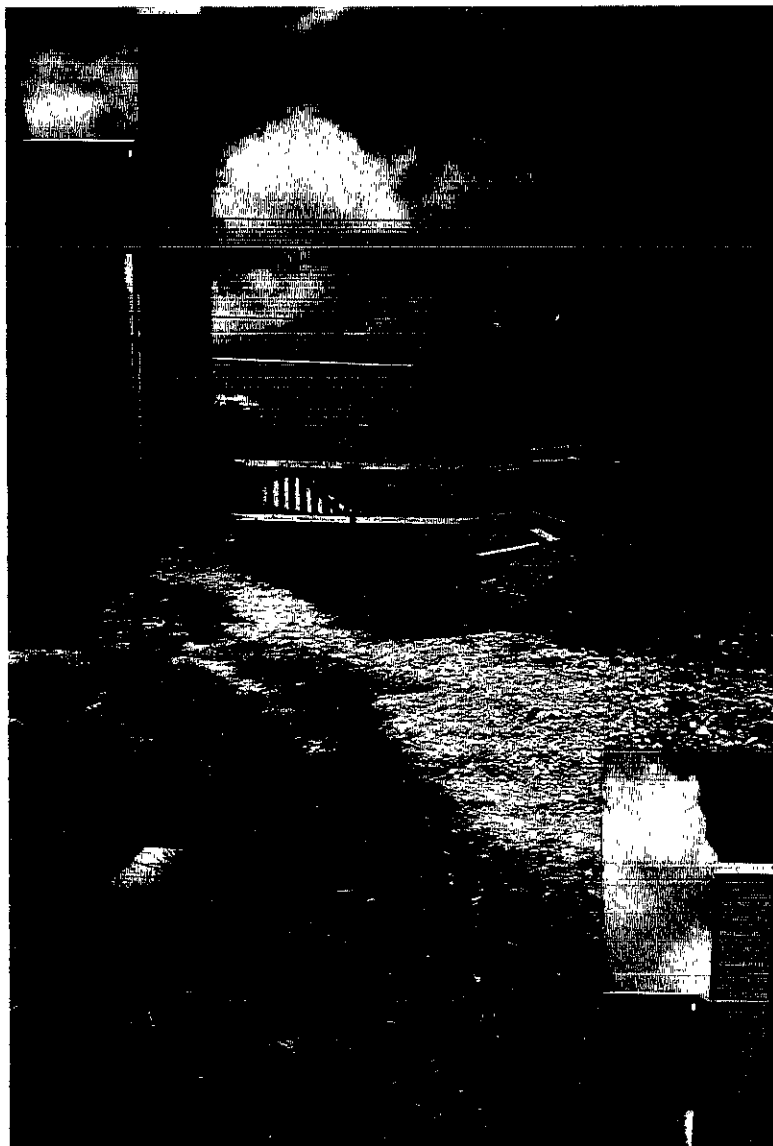
Photographs

#00-13-A

A-61000







Slope and grade
between subject
property (9733) and
adjacent property (9735)



00-013-A



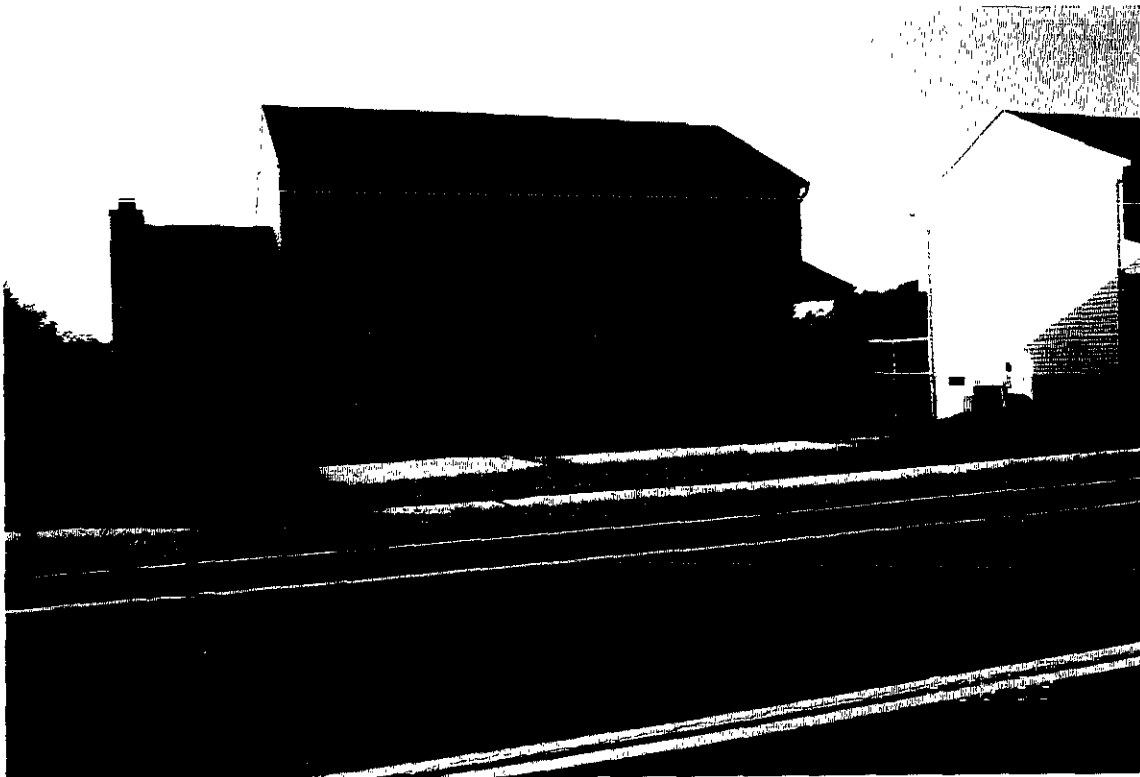
Proposed RV parking site. View of adjacent property (9731) and subject property (9733).



View of proposed parking site from garage of adjacent property (9735).

13

00-013-A



Subject property (9733) and proposed parking site



Subject property and adjacent property (9735)
as seen from Thagledt Road.



view of subject property (9733) and adjacent properties.



view of adjacent property (9735) from proposed parking site.