

IN RE: PETITION FOR VARIANCE
N/S New Forge Road, 50' E of
centerline Forge View Road
11th Election District
5th Councilmanic District
(5002 & 5004 New Forge Road)

Josephine T. Mattingly Revocable Trust
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-040-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 owners of the subject property, the Josephine T. Mattingly Revocable Trust. The variance request is for property located at 5002 and 5004 New Forge Road, located in the Perry Hall area of Baltimore County. The variance request is from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 40 ft. in lieu of the required 60 ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit No. 1.

Appearing at the hearing on behalf of the variance request were Alonzo Childress, registered professional engineer, Josephine T. Mattingly, on behalf of the revocable trust, and Adriene Ry. Mr. Dennis Eckard, appearing on behalf of the Perry Hall Improvement Association appeared in opposition to the Petitioner's request.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.933 acres, more or less, zoned DR.2.H. The subject property has been subdivided into two separate lots consisting of approximately 20,000 sq. ft. each. The Petitioner is requesting a front yard setback variance for each of these lots which are unimproved at this time. The purpose of the variance is to locate the houses closer to New Forge Road which will provide

ORDER RECEIVED FOR FILING

Date

By

10/17/99

By [Signature]

better access to the public sewer which was recently extended in this area. The setback required for these lots is 60 ft. The 60 ft. setback is determined by averaging the front yard setbacks of the other houses surrounding the subject lots. Most of the houses along New Forge Road are set back a fair distance from the street, which provide rather large front yards in this neighborhood. The objection raised to the granting of a variance by Mr. Eckard was that the adjacent property owners, David and Nellie Slater, would be detrimentally affected due to the fact that the house to be constructed on Lot No. 2 (with a front yard setback of only 40 ft.) would be situated basically in the front yard of the Slater's property. Therefore, Mr. Eckard, on behalf of the Perry Hall Improvement Association, opposes any variance granted for Lot No. 2 for that reason. He further believes that the diminished front yard setback would be out of character with the other houses in the neighborhood which are set back quite a distance from New Forge Road.

Testimony from the developer indicated that Mrs. Mattingly has owned the subject property for the past 40 years. It has remained unimproved that entire time. Recently, as a result of the extension of sewer to the area, the property has become developable. It has proceeded through the minor subdivision process and has been approved for two separate lots. There is a builder interested in purchasing one of the lots from Mrs. Mattingly and building a house thereon.

After considering the testimony and evidence offered at the hearing, I find that the requested front yard setback of 40 ft. for Lot No. 1 should be granted. Lot No. 1 is a narrow lot with a small building envelope, due to the fact that it is sandwiched between the intersection of New Forge Road and Forge Road. A variance is appropriate for Lot No. 1 in order for a house to be built thereon. However, as to Lot No. 2, the variance to allow that house to be situated 40 ft. from New Forge Road should be denied. Allowing that house to be situated just 40 ft. from New Forge Road would cause that house to be constructed virtually in the front yard of Mr. & Mrs. Slater. Therefore, that

ORIGINAL SUBMITTED FOR FILING

Date 10/7/99

By R. Johnson

variance should be denied. In addition, there is ample room on that lot, which is much deeper than Lot No. 1, in order to construct the house further back on the lot without the need for any variance being granted. Therefore, the relief requested herein shall be granted in part and denied in part.

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

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.

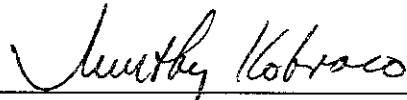
As stated previously, a variance is appropriate for Lot No. 1, to allow a front yard setback of 40 ft. in lieu of 60 ft. Therefore, the variance relief requested shall be granted for Lot No. 1. However, as stated above, the variance request for Lot No. 2 shall be denied and the Petitioner shall be required to maintain a 60 ft. front yard setback for that house.

ORDER RECEIVED FOR FILING
Date 10/17/99
By [Signature]

THEREFORE, IT IS ORDERED this 7th day of October, 1999, by this Deputy Zoning Commissioner, that the Petitioner's request for variance for Lot No. 1, be and is here GRANTED.

IT IS FURTHER ORDERED that the Petitioner's request for variance for Lot No. 2, be and is hereby DENIED and that the Petitioner shall be required to maintain a 60 ft. front yard setback for any house to be constructed on Lot No. 2.

IT IS FURTHER ORDERED that any party has the right to file an appeal within thirty (30) days of the date of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 10/2/99
By R. J. Gannon



Baltimore County
Zoning Commissioner

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

October 7, 1999

Ms. Josephine T. Mattingly,
952 Bermuda Lane
Annapolis, Maryland 21401-6840

Re: Petition for Variance
Case No. 00-040-A
Property: 5002 & 5004 New Forge Road

Dear Ms. Mattingly:

Enclosed please find the decision rendered in the above-captioned case.

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 "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure
c: Mr. Alonzo Childress
713 Pheasant Drive
Forest Hill, Maryland 21050

10/20/99 { Mr. Dennis Eckard
39 Bangert Avenue
Perry Hall, Maryland 21128

Ms. Adriene Ry
9105 Belair Road
Baltimore, Maryland 21236

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



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5002 & 5004 New Forge Road, Baltimore, MD 21128

which is presently zoned DR 2 H

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)

303.1 of the BCZR to permit a front yard setback of 40 feet in lieu of the required 60 feet.

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

New houses were recently constructed on three neighboring properties with front yard setbacks that vary from 69 feet to 82 feet from the front property line. These large front yard setbacks place an undue hardship and practical difficulty to the owner / petitioner for the following reasons:

#5002 : The size and shape of the property is such that the lot is un-buildable with the required 60' front yard setback; thereby creating an undue hardship.

#5004 : The existing ground slopes away from New Forge Road and the house must be located near the New Forge Road to connect into the existing public sewer system with a gravity house connection. Also several large trees in the middle of the property will be impacted by the required 60' front yard setback ; thereby creating a practical difficulty.

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:

NONE

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

Case No. 00-40A

Legal Owner(s): Josephine T. Mattingly Revocable Trust

Josephine T. Mattingly, Trustee

Name - Type or Print

Signature

E. Allen Mattingly, Co-Trustee

Name - Type or Print

Signature

952 Bermuda Lane

410-974-6211

Address

Annapolis, Md. 21401-6840

Telephone No.

City

State

Zip Code

Representative to be Contacted:

ALONZO CHILDRESS

Name

713 PHEASANT DR 410 8030304

Address

FOREST HILL MO

Telephone No.

21050

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By Jim

Date 7.28.99

7/12/99

ZONING DESCRIPTIONS FOR 5002 NEW FORGE ROAD (LOT 1)

Beginning at a point on the North side of New Forge Road, which is 70 feet wide, at the distance of 50 feet East of the centerline of Forge View Road (formerly known as Butt Road) which is 50 feet wide. As recorded in the Land Records of Baltimore County, Maryland in Deed 12441 Folio 027 (and as subdivided by the approved Minor Subdivision No. 98-133-M, Lot 1, containing 20,057 square feet). Also known as 5002 New Forge Road and located in the 11th Election District, 5th Councilmanic District. Said property leaving the north side of New Forge Road for the following 6 courses and distances:

1. Curve: R = 20.01 feet, Arc = 33.95 feet, Tangent = 22.69 feet
 2. North 31 degrees 59 minutes 40 seconds East 55.30 feet
 3. North 79 degrees 04 minutes 20 seconds East 152.98 feet
 4. South 13 degrees 44 minutes 34 seconds West 108.87 feet
 5. South 04 degrees 54 minutes 08 seconds East 85.00 feet
 6. North 60 degrees 52 minutes 40 seconds West 175.62 feet
- To point of beginning

ZONING DESCRIPTIONS FOR 5004 NEW FORGE ROAD (LOT 2)

Beginning at a point on the North side of New Forge Road, which is 70 feet wide, at the distance of 226 feet East of the centerline of Forge View Road (formerly known as Butt Road) which is 50 feet wide. As recorded in the Land Records of Baltimore County, Maryland in Deed 12441 Folio 027 (and as subdivided with the approved Minor Subdivision No. 98-133-M, Lot 2, containing 20,620 square feet). Also known as 5004 New Forge Road and located in the 11th Election District, 5th Councilmanic District. Said property leaving the north side of New Forge Road for the following 5 courses and distances:

1. North 04 degrees 54 minutes 08 seconds West 85.00 feet
 2. North 13 degrees 44 minutes 34 seconds East 108.87 feet
 3. North 79 degrees 04 minutes 20 seconds East 65.56 feet
 4. South 04 degrees 54 minutes 08 seconds East 262.55 feet
 5. North 60 degrees 52 minutes 40 seconds West 120.66 feet
- To point of beginning



This description is for zoning purposes only and is not for the conveyance of title.

Alonzo Childress
R. Alonzo Childress
Professional Engineer
Maryland P.E. No. 10227

40

00-040-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 hereinafter as follows:

Case: #00-040-A
5002 & 5004 New Forge Road
N/S New Forge Road, 50'E of
centerline Forge View Road
11th Election District

5th Councilmanic District
Legal Owner(s): Josephine T.
Mattingly Revocable Trust

Variance: to permit a front
yard setback of 40 feet in lieu
of the required 60 feet.

Hearing: Wednesday, Sep-
tember 18, 1999 at 10:00
a.m. in Room 106, County
Office Building, 111 West
Chesapeake 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) 887-4388.

(2) For information concern-
ing the File and/or Hearing,
contact the Zoning Review Of-
fice at (410) 887-3391.

JTU/8742 Aug 31 0336270

*Ink 9/15
240*

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/2, 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. 8/31, 19 99.

THE JEFFERSONIAN,

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE #00-040-A
PETITIONER/DEVELOPER:
[Josephine Mattingly]
DATE OF Hearing
[Sept. 15, 1999]

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 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
5002 & 5004 New Forge Road Baltimore, Maryland 21128_____

The sign(s) were posted on_____ 8-31-99 _____
[Month, Day, Year]

Sincerely,

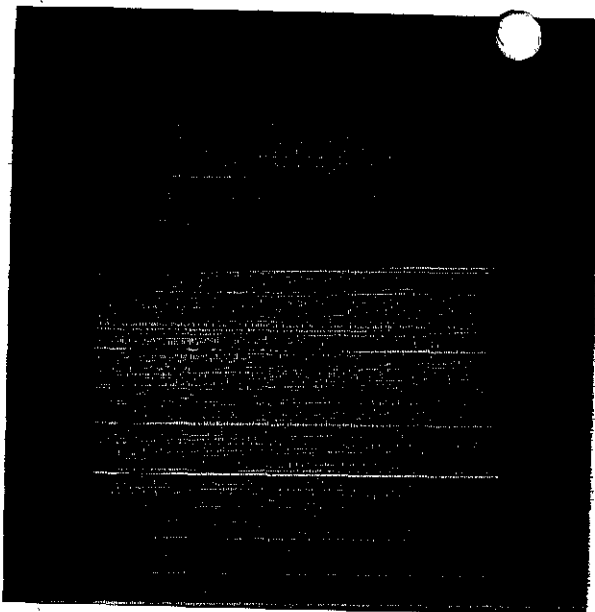

[Signature of Sign Poster & Date]

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ [410]-687-8405 _____
[Telephone Number]



RE: PETITION FOR VARIANCE
5002-04 New Forge Road, N/S New Forge Rd,
50' E of c/l Forge View Rd
11th Election District, 5th Councilmanic

Legal Owner: Josephine T. Matingly Revocable Trust
Petitioner(s)

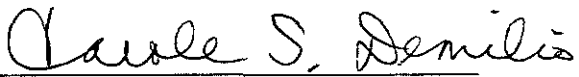
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-40-A

* * * * *

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 19th day of August, 1999 a copy of the foregoing Entry of Appearance was mailed to Alonzo Childress, 713 Pheasant Drive, Forest Hill, MD 21050, representative for Petitioners.


PETER MAX ZIMMERMAN



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

August 12, 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: 00-040-A
5002 & 5004 New Forge Road
N/S New Forge Road, 50' E of centerline Forge View Road
11th Election District – 5th Councilmanic District
Legal Owner: Josephine T. Mattingly Revocable Trust

Variance to permit a front yard setback of 40 feet in lieu of the required 60 feet.

HEARING: Wednesday, September 15, 1999 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

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

Arnold Jablon
Director

c: Josephine T. Mattingly Revocable Trust, 952 Bermuda Lane, Annapolis 21401
Alonzo Childress, 713 Pheasant Drive, Forest Hill 21050

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 31, 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.**



TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 31, 1999 Issue – Jeffersonian

Please forward billing to:
Josephine T. Mattingly 410-974-6211
952 Bermuda Lane
Annapolis, MD 21401-6840

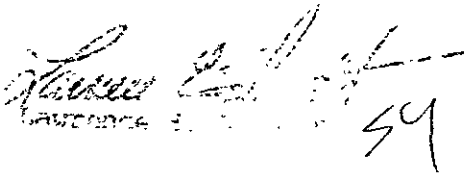
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N/S New Forge Road, 50' E of centerline Forge View Road
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Legal Owner: Josephine T. Mattingly Revocable Trust

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HEARING: Wednesday, September 15, 1999 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", with a large, stylized "59" written below it.

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/neighbor 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: 40
Petitioner: Josephine T Mattingly
Address or Location: 5002 & 5004 New Forge Rd.
Baltimore Md 21128

PLEASE FORWARD ADVERTISING BILL TO:

Name: Josephine T. Mattingly
Address: 952 Bermuda Lane
Annapolis, MD 21401-6840
Telephone Number: 410 974 6211

Revised 2/20/98 - SCJ

DO-040-A



**Baltimore County
Fire Department**

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

August 26, 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 AUGUST 9, 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:

015, 016, 017, 019, 022, 023, 024, 025, 026, 027,

028, 029, 030, 031, 032, 033, 034, 035, 036, 038,

039, 040, 043, 044,

REVIEWER: LT. HERB TAYLOR

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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



lin
9/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: August 13, 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): 17 and 40

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: August 16, 1999

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for August 16, 1999
Item No. 040

The Bureau of Development Plans Review has reviewed the subject zoning item. The variance request should be denied because the adjusted front yard setback would be located within the 10-foot-wide revertible slope easement.

RWB:HJO:jrb

cc: File

*Jim, #00040
Did you see
this comment
from R. Bowling?
rs 10/4/99*

ZAC08169.040



**Maryland Department of Transportation
State Highway Administration**

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

Date: 8.10.99

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

RE: Baltimore County
Item No. 040 JCM

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

Sept. 15, 99

Mattingly Property Case # 00-040A

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

ALONZO CHILDRESS

713 Pleasant Drive Forest Hill Md 21050

Josephine L Mattingly

952 Bermuda Lane Annapolis Md 21401

Adrian By

9105 Belair Rd 21236

DENISE ECKARD

39 BAUGEET AVE 21128

6
Opposition

IMPROVEMENT ASSOCIATION, INC.
P.O. Box 63, Perry Hall, MD 21128

September 13, 1999

Mr. Lawrence Schmidt
Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Schmidt:

The Perry Hall Improvement Association's Board of Directors has voted to oppose Case Number 00-040-A, a variance request to permit a front-yard setback of 40 feet in lieu of the required 60 feet.

Perry Hall Improvement Association Vice President Dennis Eckard will represent the Association at the hearing.

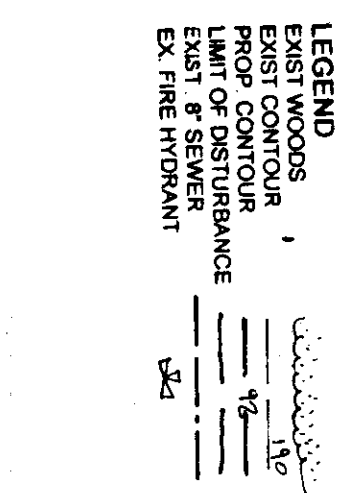
Through the Honeygo Plan and subsequent zoning legislation, the Baltimore County Council has shown its support for large lots and reduced building density in Honeygo. We believe that supporting this variance request would be contrary to the spirit of the Honeygo Plan.

Cordially:



David Marks
President
Perry Hall Improvement Association

(Baltimore County Zoning Map NE/11-1)
SCALE 1"=200'



THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENT EASEMENT, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.

Site Plan

Scale 1"=50'

OWNER / PETITIONER

JOSEPHINE T. MATTINGLY REVOCABLE TRUST
JOSEPHINE T. MATTINGLY, TRUSTEE
E. ALLEN MATTINGLY, CO-TRUSTEE
952 BERMUDA LANE
ANNAPOLIS, MD. 21401 - 6840

PETITION FOR ZONING VARIANCE

LOT 1: TO PERMIT A FRONT YARD SETBACK OF 40 FEET IN LIEU OF THE REQUIRED 60 FEET BASED ON THE AVERAGE SETBACK OF EXISTING ADJACENT BUILDINGS AND ONE VACANT LOT.

#5002

LOT 2: TO PERMIT A FRONT YARD SETBACK OF 40 FEET IN LIEU OF THE REQUIRED 60 FEET BASED ON THE AVERAGE SETBACK OF EXISTING ADJACENT BUILDINGS AND ONE VACANT LOT.

#5004

7. *Wass. Schimper*

Scale: 1"=50' Date: July 12, 1993	DRAWING No. MS-1 SHEET 1 OF 5	JOSEPH R. MATTHEWS 862 REDWATER LAKE ANNAPOLIS, MD 21401-6640 (410) 594-8311	BROOKER: B. R. CHAMBERS & ASSOC. INC. 771 PRESIDENT DRIVE FORT BELLEVILLE, MD 21040-1528 (410) 383-8866
--------------------------------------	--	---	---

Plat to Accompany Petition For Zoning Variance
Matingly Property
5002/5004 New Forge Road
Mirror Subdivision No. 98-133-M
Dist. 11C5
Baltimore County Maryland

Maryland

Date: July 12, 1995

DRAWING No.
MS-1

ZONING NOTES

- A. LOT SIZE: 20,057 SF (0.460 ACRES +/-)
 LOT 1: 20,020 SF (0.473 ACRES +/-)
 LOT 2: 20,020 SF (0.473 ACRES +/-)
 B. ZONING CLASSIFICATION: DR 2H
 C. CO-LOCATING DISTRICTS: 5
 D. ELECTION DISTRICT: 11
 E. TAX ACCOUNT 11 02 001973
 F. DEED REF: 12441 - 027
 G. TAX MAP 72, GRID 6, PARCEL 210
 H. THIS SITE IS ON BALTIMORE COUNTY 200 SATE MAP - "NE 114"
 I. THIS SITE IS NOT WITHIN THE CHESEBROUGH BAY CATCHMENT AREA
 J. PRIOR ZONING HEARINGS: NONE
 K. A TWO LOT MINOR SUBDIVISION (NE 98-1134M) WAS APPROVED BY BALTIMORE COUNTY ON MAY 24, 1999
 L. THE PRECEDENCY IS NOT WITHIN A 100 YD FLOODPLAIN.
 NO STREAM WITHIN 50 FT STATE.

Average Front Yard Setback Calculations D.R.2 Zone (from Cl Paving)
Lot Address Setback from Cl Paving(ft +/-)

5002 New Forge Road	75
5004 New Forge Road	75
5006 New Forge Road	104
5008 New Forge Road	110
5010 New Forge Road	117
Total	481
Sabpack Average =	481/5
	96.2

FRONT YARD SETBACK = 97'-35" (1/2 OF EXIST. 70' R/W)
FRONT YARD SETBACK = 62 ft

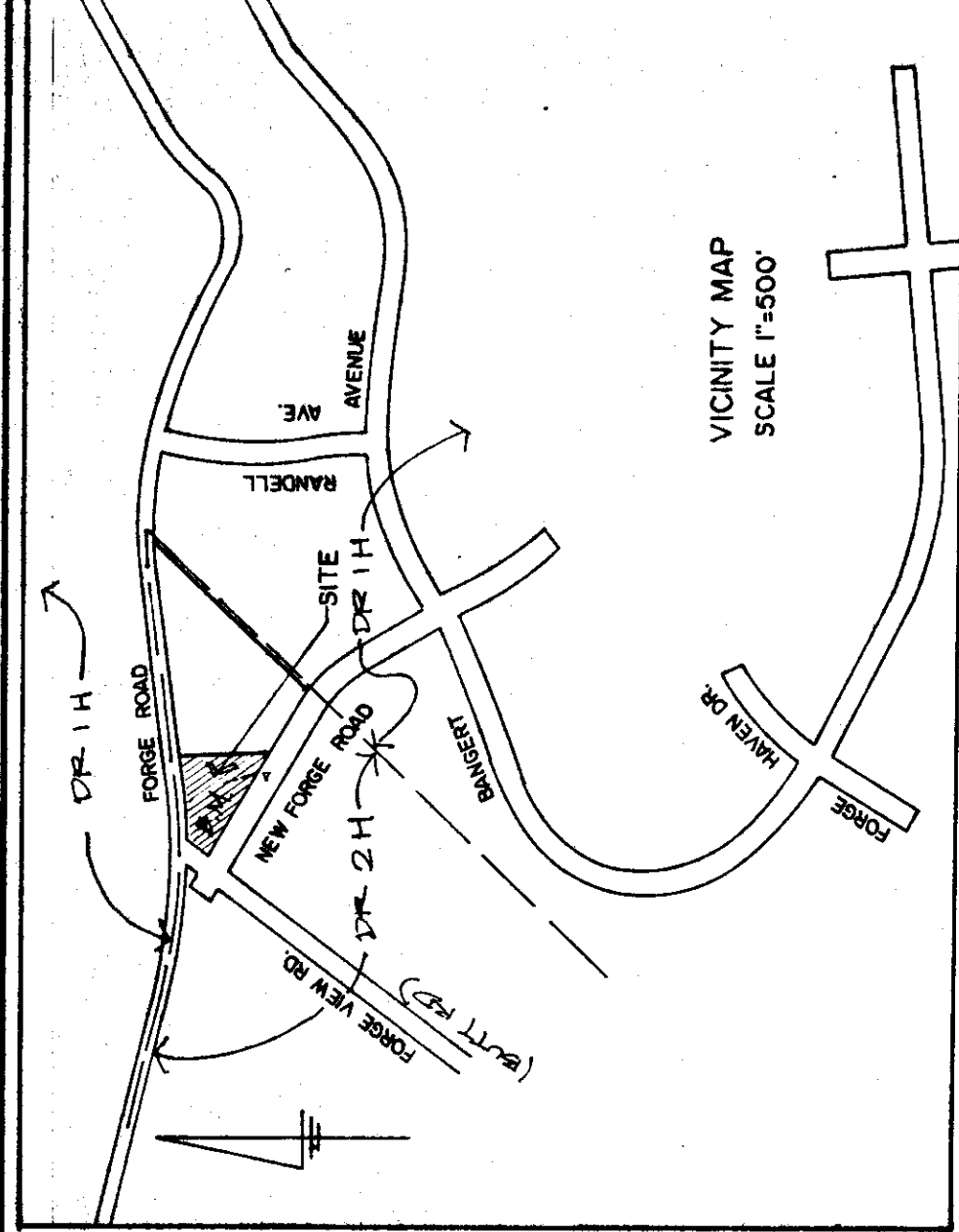
Per Section 303.1 of the BCZR, the maximum required front yard setback is 60 ft.

40 ft from Existing 70' R/W
(35 ft + 40 ft = 75 ft)

ZONING OFFICE USE ONLY

222

A vicinity map showing the proposed site (indicated by a cross-hatched area) located at the intersection of Force View Rd. and Randell Avenue. The map includes labels for Force View Rd., Randell Avenue, and the proposed site. A north arrow is present in the upper right corner. The map is titled "VICINITY MAP" and "SCALE 1"=500'".



ZONING NOTES

- A. LOT SIZE:
 - LOT 1: 20,057 SF (0.460 ACRE +/-)
 - LOT 2: 20,620 SF (0.473 ACRE +/-)
- B. ZONING CLASSIFICATION: DR 2H
- C. CONJUNCTIONAL DISTRICT: 5
- D. ELECTION DISTRICT: 11
- E. TAX ACCOUNT 11 02 001979
- F. DEED REF: 12441 - 027
- G. TAX MAP 72, GRID 6, PARCEL 210
- H. THIS SITE IS ON BALTIMORE COUNTY 200 SCALE MAP: "NE 11-I"
- I. THIS SITE IS WITHIN THE CHEESAPEAKE BAY CRITICAL AREA.
- J. PRIOR ZONING HEARINGS: NONE
- K. A TWO LOT MINOR SUBDIVISION (No. 98-1134M) WAS APPROVED BY BALTIMORE COUNTY ON MAY 24, 1999
- L. THIS PROPERTY IS NOT WITHIN A 100 YD FLOODPLAIN, NO STREAM WITHIN 50' OF SITE.

Average Front Yard Setback Calculations D.R.2 Zone (from CL Paving)	
Lot Address	Setback from CL Paving(ft +/-)
5002 New Forge Road	75
5004 New Forge Road	75
5006 New Forge Road	104
5008 New Forge Road	110
5010 New Forge Road	117

FRONT YARD SETBACK = 97'-35" (1/2 OF EXIST. 70' R/W)

FRONT YARD SETBACK = 62 ft

yard setback is 60 ft.

Front Yard Setback

estimating U R/W
= 75 ft)

ZONING OFFICE USE ONLY:

REVIEWED BY	ITEM No.	CASE No.

00.040.00

Plat To Accompany Petition For Zoning Variance

Mattingly Property

5002/5004 New Forge Road
Minor Subdivision No. 98-133-M

Baltimore County Dist. 11c5 Maryland

Scale: 1"=50'	Date: July 12, 1999
ENGINEER:	OWNER:

A. CHILDRESS & ASSOC. INC.
3 PHEASANT DRIVE
DRETT HILL, MD. 21040-1828

JOSEPHINE T. MATTINGLY
963 BERMUDA LANE
ANNAPOLIS, MD. 21401-6849

DRAWING No.
MS-1

(410) 375-0304
 (410) 375-0311
 SHEET 1 OF 1

OWNER / PETITIONER

JOSEPHINE T. MATTINGLY REVOCABLE TRUST

JOSEPHINE T. MATTINGLY, TRUSTEE

E. ALLEN MATTINGLY, CO-TRUSTEE

952 BERMUDA LANE

PETITION FOR ZONING VARIANCE:

LOT 1:
5000
10 PERMI A FRONT YARD SETBACK OF 20 FEET IN LIEU OF THE
REQUIRED 60 FEET BASED ON THE AVERAGE SETBACK OF EXISTING

#5002 ADJACENT BUILDINGS AND ONE VACANT LOT.

LOT 2: TO PERMIT A FRONT YARD SETBACK OF 40 FEET IN LIEU OF THE

REQUIRED 60 FEET BASED ON THE AVERAGE SETBACK OF EXISTING

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENT

EASEMENT, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.

$\mathcal{H}_1 = \{ \mathbf{h}_1, \mathbf{h}_2, \dots, \mathbf{h}_M \}$ and $\mathcal{H}_2 = \{ \mathbf{h}_{M+1}, \mathbf{h}_{M+2}, \dots, \mathbf{h}_{M+N} \}$ are the two sets of hypotheses. The test statistic $T(\mathbf{y})$ is a function of the observed data $\mathbf{y}$. The decision rule is to choose $\mathcal{H}_1$ if $T(\mathbf{y}) \leq \tau$ and $\mathcal{H}_2$ otherwise, where τ is the threshold. The probability of detection P_D and the probability of false alarm P_{FA} are defined as follows:

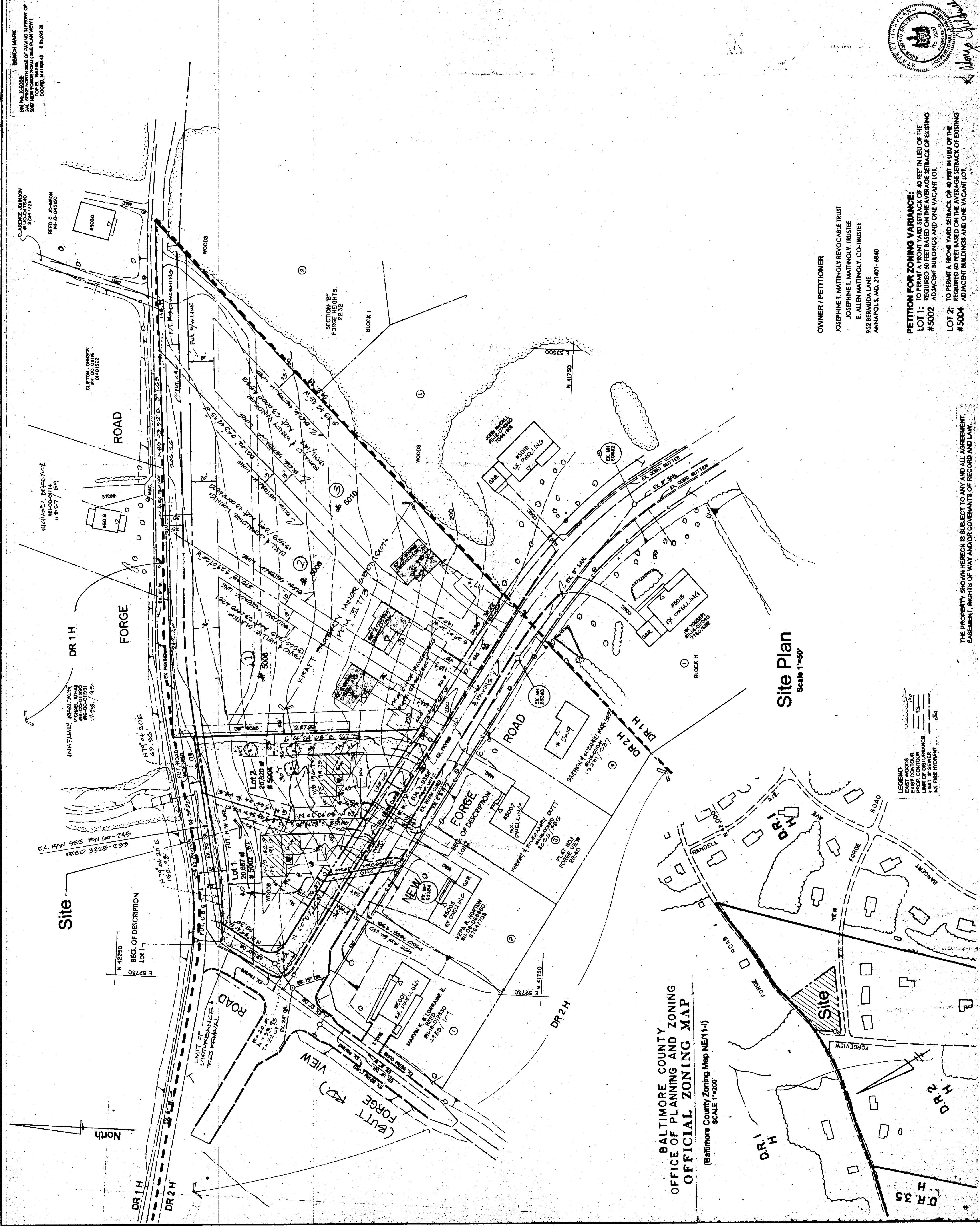
$$P_D = \Pr(T(\mathbf{y}) \leq \tau | \mathbf{h}_i, i = 1, 2, \dots, M)$$

$$P_{FA} = \Pr(T(\mathbf{y}) \leq \tau | \mathbf{h}_j, j = M+1, M+2, \dots, M+N)$$
 The Neyman-Pearson (NP) criterion is to maximize P_D for a fixed P_{FA} . The NP test is the most powerful invariant unbiased test for simple hypotheses. The NP test is also the most powerful invariant unbiased test for composite hypotheses if the hypotheses are simple. The NP test is also the most powerful invariant unbiased test for composite hypotheses if the hypotheses are simple. The NP test is also the most powerful invariant unbiased test for composite hypotheses if the hypotheses are simple.

100

1990

[illegible]



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

(Baltimore County Zoning Map NE/11-1)
SCALE 1"=200'

Site Plan

Scale 1"=50'

OWNER / PETITIONER

JOSEPHINE T. MATTINGLY REVOCABLE TRUST
JOSEPHINE T. MATTINGLY, TRUSTEE
E. ALLEN MATTINGLY, CO-TRUSTEE

952 BERMUDA LANE
ANNAPOLIS, MD. 21401-6840

PETITION FOR ZONING VARIANCE:
LOT 1: TO PERMIT A FRONT SETBACK OF 40 FEET IN LIEU OF THE REQUIRED 40 FEET BASED ON THE AVERAGE SETBACK OF EXISTING ADJACENT BUILDINGS AND ONE VACANT LOT. # 5002
LOT 2: TO PERMIT A FRONT SETBACK OF 40 FEET IN LIEU OF THE REQUIRED 40 FEET BASED ON THE AVERAGE SETBACK OF EXISTING ADJACENT BUILDINGS AND ONE VACANT LOT. # 5004

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENT, EASEMENT, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.

ZONING NOTES

- A. LOT SIZE: LOT 1: 20,057 SF (0.460 ACRE +/-)
LOT 2: 20,620 SF (0.473 ACRE +/-)
- B. ZONING CLASSIFICATION: DR 2H
- C. CONJUNCTIVE ZONING: 5
- D. ELECTION DISTRICT: 11
- E. TAX ACCOUNT 11 02 001979
- F. DEED REF: 1241 - 027
- G. TAX MAP 72, GRID 4, PARCEL 210
- H. THIS SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- I. THIS SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- J. PRIOR ZONING HEARINGS: NONE
- K. A TWO LOT MINOR SUBDIVISION (No. 98-113-M) WAS APPROVED BY BALTIMORE COUNTY ON MAY 24, 1999
- L. THIS PROPERTY IS NOT WITHIN A 100 FT FLOODPLAIN.
NO STREAM WITHIN 50 FT SITE.

Average Front Yard Setback Calculations D.R.2 Zone (from CL Paving)

Lot Address	Setback from CL Paving (ft +/-)
5002 New Forge Road	75
5004 New Forge Road	75
5006 New Forge Road	104
5008 New Forge Road	110
5010 New Forge Road	117

total	481	
ge =	481/5	
=	96.2	
se =	97 ft from CL paving	

FRONT YARD SETBACK = 9'-35" (1/2 OF EXIST. 70' R/W)
FRONT YARD SETBACK = 62 ft
Per Section 303.1 of the BCZR, the max. required front yard setback is 60 ft.
Therefore use 60 ft.

* Vacant Lot Front Yard Setback
40 ft from Existing 70' R/W
(35 ft + 40 ft = 75 ft)

ZONING OFFICE USE ONLY:

REVIEWED BY	ITEM NO.	CASE NO.

00-040-A

Plat To Accompany Petition For Zoning Variance

Mattingly Property
5002/5004 New Forge Road
Minor Subdivision No. 98-133-M

Baltimore County Dist. 11c5 Maryland
Scale: 1"=50' Date: July 12, 1999

OWNER
JOSEPHINE T. MATTINGLY
962 BERBUDA LANE
ANNAPOLIS, MD. 21401 - 6640
(410) - 974 - 6211

ST. LOUIS, MO.
REGISTERED PROFESSIONAL MAIL
No. 100