

IN RE: PETITION FOR VARIANCE
NE/S Hollins Avenue, 550'
N of centerline Lake Avenue
9th Election District
4th Councilmanic District
(2 Hollins Avenue)

Kyle P. & Benson E. Legg
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-088-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Mr. & Mrs. Benson Legg. The variance request is for property located at 2 Hollins Avenue located in the Lake Roland area of Baltimore County. The Petitioner is seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure (sport court, pool house and swimming pool), all of which are to be located in the front yard in lieu of the required rear yard and from Section 400.3 to permit the pool house to be 19 ft. 6 in. in height, in lieu of the required 15 ft. Furthermore, the Petitioners are requesting an amendment to the previously approved site plan in Case No. 94-308-A.

Appearing at the hearing on behalf of the variance request were Ben Legg, property owner, Jeffrey Penza and Laura Penza, architects, J. Robert Jackson, professional landscaper, and Howard Alderman, attorney at law, representing the Petitioner. Appearing in opposition the Petitioners' request were Robert and Shirley Sussman, nearby neighbors. Appearing as an interested party was Peggy Squitieri, a representative of the Ruxton/Riderwood/Lake Roland Area Improvement Association.

ORIGINAL FILED FOR FILING

DATE

BY

11/3/99

J.R. Jackson

The Petitioners originally requested variance relief through the administrative variance process. A formal demand for hearing was made by Robert and Shirley Sussman, nearby property owners. Accordingly, a public hearing was held on this matter on the 20th day of October, 1999 at 3:00 p.m. in Room 106 of the County Office Building.

Testimony and evidence offered by the Petitioners demonstrated that the property owners are desirous of constructing an in-ground swimming pool and pool house in the front yard of their property. The Petitioners' property comprises 2.61 acres, more or less, split-zoned D.R.2 and D.R.1. The property is improved with an existing single family dwelling wherein the Petitioners reside. The Petitioners' dwelling is served by a long driveway which connects to Hollins Avenue. The Petitioners' home is somewhat unusual in that the front of the dwelling does not face towards Hollins Avenue, the public street which services the property. The front of the Petitioners' house actually faces towards the north. Mr. & Mrs. Legg are desirous of constructing their swimming pool and pool house in the front yard adjacent to the existing sport court which has existed on the property for many years. As a practical matter, the front yard of the Petitioners' property appears to be the most appropriate area wherein to locate the swimming pool, given that the front yard of the site is rather large. The rear yard of the Petitioners' property is very small and for the most part, unusable. The rear yard already contains an existing septic system and a portion of the driveway that services the property. Given these restrictions, the family has proposed to locate the pool as shown on Petitioners' Exhibit No. 1, which is the front yard of their property. In order to proceed with their plans, the variance is necessary.

The Petitioners have provided a detailed landscape plan showing the pool, pool house and landscaping which they intend to install on the property. In addition to the installation of these

ADDED TO RECORD FOR FILING

Date

11/3/99

By

[Signature]

amenities, the Petitioners are also intending to install a large trench drain which is proposed to be located adjacent to the existing sport court. The purpose of installing this drain is to catch any stormwater runoff that is generated from the existing sport court. The trench itself is proposed to be 60 ft. in length, 4 ft. in depth and 2 ft. in width. It will be filled with large rip rap stone and filter cloth which is designed to catch and manage water runoff from the Petitioners' property. The purpose of installing this infiltration system is to mitigate existing water flow that currently drains to the lower end of the Petitioners' property which ultimately crosses the property of Mr. & Mrs. Sussman, the Protestants.

Mr. & Mrs. Legg were aware that the Protestants, Mr. & Mrs. Sussman, have been experiencing a great amount of storm water running through their property during large storm events. The drainage swale which services this particular water shed traverses through the lower end of the Petitioners' property and the Sussman property. The Sussmans have been experiencing erosion on their property and have installed a tremendous amount of stone rip rap in an effort to alleviate this erosion. The Sussmans are protesting the location of the Petitioners' swimming pool and pool house in that they fear that additional runoff will be generated by an increase in the impervious surface associated with this swimming pool facility. They believe additional construction on the Petitioners' property will exacerbate the erosion problems they currently experience.

Photographs of the existing conditions, both on the Sussman property and the Legg property were submitted into evidence at the hearing before me. However, in an attempt to better understand the testimony and evidence presented, I made a site visit to the property and investigated both the Sussman property as well as the Petitioners' property. The problems complained of by the Sussmans were clearly evident during my site inspection. It was obvious that the Sussmans

ORDER RECEIVED FOR FILING

Date 11/3/99

By J.R. Jensen

currently experience a great deal of stormwater runoff at the lower end of their property. Also evident was the great deal of effort put forth by Mr. Sussman to mitigate the erosion of his property.

As stated previously, the Sussmans are concerned that this new construction on the Legg property will generate additional stormwater runoff further eroding the lower area of their property. While it is true that the construction of the pool house and decking around the swimming pool will cause additional stormwater runoff, these affects will be mitigated by the installation of the large infiltration trench which is to be constructed on the property. The Petitioners, knowing the concerns of the Protestants, designed and propose to install this large infiltration trench. In my opinion, this trench will cause a reduction in the amount of runoff emanating from the Petitioners' property, even after the pool house and pool are constructed.

In an effort to further manage the additional stormwater runoff created by the installation of this swimming pool facility, I shall require the Petitioners to install rain gutters on the roof of the proposed pool house. These gutters shall collect the rainwater and convey it through downspouts, into the proposed infiltration trench. This will ensure that not only will the existing stormwater runoff from the sport court be captured by this infiltration trench, but also the additional runoff caused by the roof of the pool house itself. Because of this, I believe the location of the swimming pool facility in the front yard will not cause any adverse affects on the existing drainage patterns and the erosion currently experienced by the Sussmans. Therefore, the variance shall be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners 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;

ORDER RECEIVED FOR FILING

Date 11/3/99

By J. R. Sussman

- 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 Petitioners seek 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 Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 3rd day of November, 1999, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure (sport court, pool house and swimming pool), all of which are to be located in the front yard in lieu of the required rear yard, and from Section 400.3 to permit the pool house to be 19 ft. 6 in. in height, in lieu of the required 15 ft., and the Petitioners request for an amendment to the previously approved site plan in Case No. 94-308-A, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

ORDER RECEIVED FOR FILING

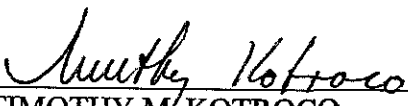
Date

11/3/99

By

[Signature]

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, 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) The Petitioners shall be required to install the drainage trench as shown on the landscaping plan submitted at the hearing. Said trench shall be constructed and located as shown on that plan. Additionally, the Petitioners shall be required to pipe all stormwater runoff generated by the roof of the pool house into the drainage trench.
- 3) When applying for a building permit, the site plan/landscape plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

DATE RECORDED FOR FILING
DATE 11/13/99
BY R. J. JAMESON



Baltimore County
Zoning Commissioner

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

November 2, 1999

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

Re: Petition for Variance
Case No. 00-088-A
Property: 2 Hollins Avenue

Dear Mr. Alderman:

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 cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

Copies to:

Mr. & Mrs. Benson Legg
2 Hollins Avenue
Baltimore, Maryland 21210

Mr. Jeffrey Penza, AIA
Ms. Laura T. Penza, AIA
401 Woodbourne Avenue
Baltimore, Maryland 21212

Mr. J. Robert Jackson
Jackson Landscapes, Inc.
11436 Cronridge Drive, Suite H
Owings Mills, Maryland 21117

Mr. & Mrs. Robert Sussman
6 Hollins Avenue
Baltimore, Maryland 21210

Ms. Peggy Squitieri
Ruxton/Riderwood/Lake Roland Improvement Assn.
P. O. Box 204
Riderwood, Maryland 21139

Copies to:

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2 Hollins Avenue
Baltimore, Maryland 21210

Mr. Jeffrey Penza, AIA
Ms. Laura T. Penza, AIA
401 Woodbourne Avenue
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Mr. J. Robert Jackson
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Owings Mills, Maryland 21117

Mr. & Mrs. Robert Sussman
6 Hollins Avenue
Baltimore, Maryland 21210

Ms. Peggy Squitieri
Ruxton/Riderwood/Lake Roland Improvement Assn.
P. O. Box 204
Riderwood, Maryland 21139



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

2 Hollins Avenue
for the property located at Baltimore, Md 21210

which is presently zoned dr-1 for .1ac

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 TO PERMIT DETACHED

ACCESSORY STRUCTURES: (SPORT COURT & SWIMMING POOL) TO BE LOCATED IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD

400.3 TO PERMIT THE POOL HOUSE TO BE 19'6" IN LIEU OF 15 FT.
AND TO AMEND THE PREVIOUS PLAN AND ORDER (94-308-A)

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

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Kyle Prechtel Legg

Name - Type or Print

Signature

Benson E. Legg

Name - Type or Print

Signature

2 Hollins Avenue (w) 410 539-3400
(h) 410 377-4193

Address

Baltimore, Md 21210

City

State

Zip Code

Representative to be Contacted:

Bob Jackson Landscapes, Inc.

Name

11436 Cronridge Drive, Suite H

Address

Telephone No.

Owings Mills, Md 21117 410 356-1620

City

State

Zip Code

attn: Lloyd Martin

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of 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.

Zoning Commissioner of Baltimore County

CASE NO. 00-88-A

REV 9/15/98

Reviewed By SL Date 8/27/99

Estimated Posting Date 9/5/99

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 2 Hollins Avenue

Address

Baltimore, Md

21210

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):

The Baltimore County Zoning Regulations cannot be met for a swimming pool and pool house in the backyard of this property for the following reasons:

1) Swimming pool and pool house will violate the setback distance for the septic field area.

2) The backyard orientation being in close proximity to a public road (Hollins Ave.) would create a safety problem from pool seeking trespassers.

3) LIMITED PRACTICAL USE OF BACKYARD AREA. I AM

Wish to bring the existing sports court into compliance with the Baltimore County Zoning Regulations.

REQUEST A VARIANCE ON THE HEIGHT OF THE POOL HOUSE (PAVILION) TO MAINTAIN THE STRONG DESIGN CHARACTER.

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.

Kyle Prechtel Legg

Signature

Name - Type or Print

Signature

Benson E. Legg

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of June, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

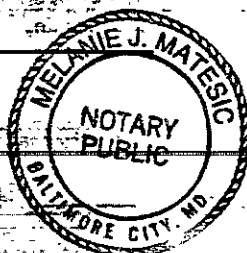
Kyle Prechtel Legg & Benson E. Legg
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Date

Notary Public

My Commission Expires



REC'D 09/15/98

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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 2 Hollins Avenue
Address
Baltimore, Md 21210
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):

The Baltimore County Zoning Regulations cannot be met for a swimming pool and pool house in the backyard of this property for the following reasons:

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Wish to bring the existing sports court into compliance with the Baltimore County Zoning Regulations.

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Kyle Prechtel Legg
Signature
Kyle Prechtel Legg
Name - Type or Print

Benson E. Legg
Signature
Benson E. Legg
Name - Type or Print

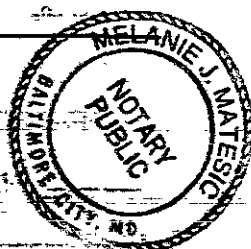
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of June 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Kyle Prechtel Legg & Benson E. Legg
of Maryland City of Baltimore
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

6/30/99
Date



Melanie J. Matesic
Notary Public
My Commission Expires 7/1/02



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

2 Hollins Avenue
for the property located at Baltimore, Md 21210

which is presently zoned dr-1 for .1ac

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 TO PERMIT DETACHED

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400.3 TO PERMIT THE POOL HOUSE TO BE 19'-6" IN LIEU OF 15 FT.

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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

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Kyle Prechtel Legg

Name - Type or Print

Signature

Benson E. Legg

Name - Type or Print

Signature

2 Hollins Avenue (w) 410 539-3400
(h) 410 377-4193

Baltimore, Md 21210
City State Zip Code

Representative to be Contacted:

Bob Jackson Landscapes, Inc.

Name

11436 Cronridge Drive, Suite H

Address

Telephone No.

Owings Mills, Md 21117 410 356-1620

City

State

Zip Code

attn: Lloyd Martin

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of 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.

Zoning Commissioner of Baltimore County

CASE NO. 00-88-A

Reviewed By JL Date 8/27/99

RED 9/15/98

Estimated Posting Date 9/5/99

Zoning Description for: 2 Hollins Avenue
Baltimore, MD 21210

As recorded in Deed Liber 3443, Folio 81:

Beginning on the northeast side of Hollins Avenue (50' r/w) ~~in the~~ ^{AT A DISTANCE OF 550'}
~~land described in a deed from the Land Records of Baltimore~~ ^{/ N. OF LAKE AVE,}
~~County deed liber 1885 folio 216 at N 23 10' W 20.5 ft. located 59~~ ^{THENCE THE}
ft. southeasterly from a stone set at the beginning of said land, N ^{FOLLOWING}
53 47' E 186.4 ft., N 32 28' E 140.4 ft. to the southwest corner of ^{COURSES AND}
garage on the adjoining land to the northwestward; thence, binding ^{DISTANCES;}
on the southwest side of the garage, S 72 22' E 20.6 ft. to the ^{LBM}
center of the stone partition wall, between said garage and the
garage on the land now being described; thence, along the center of
said partition wall, N 17 40' 30" E 21.9 ft., N 30 22' E 99.32 ft., N
42 28' E 297.0 ft., S 4 19' 35" E 220.31', thence running
southwesterly by a line curving toward the west with a radius of
160 ft. and a chord which bears S 26 11' W 162.46 ft., the distance
of 170.4 ft., southwesterly by a line curving toward the south with
a radius of 200.0 ft., and a chord which bears S 44 30' 35" W
84.42 ft., the distance of 85.06', S 32 19' 30" W 91.28 ft., S 32 19'
30" W 91.87 ft., N 82 08' 10" W 39.0 ft., N 88 16' 30" W 242.94
ft., to the point of beginning.

00-088-A

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

88 ✓ No. 069861

DATE 8/27/99 ACCOUNT R0016150

AMOUNT \$ 50.00

RECEIVED FROM:

KP + BE LEGG

FOR:

RV ELIAR

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

00-088-A

CASHIER'S VALIDATION

PAID RECEIPT

PROCESSED

ACTUAL

TIME

REQD. 02/1/99

9/27/1999

09:40:41

DEPT

0203

CASHIER

PER. MEMBER

RECEIPT #

5

528 ZORING

OFFICE

UP NO.

069861

096613

09/27/99

Receipt Tot

50.00

OK

50.00

Baltimore County, Maryland

00 00

A-880-00

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **072255**

DATE 9/20/99 ACCOUNT 001-6150

AMOUNT \$ 40.00

RECEIVED FROM: Shirley & Robert Sussman

FOR: Formal Demand for Hearing

2 Hollins Avenue #00-88-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
 09/21/1999 9/21/1999 16:22:49
 DEPT 5003 CASHIER PAYS PERM DEPT 5003
 RECEIPT # 099092
 CR 40.072255
 Receipt tot 40.00
 40.00 CR
 Baltimore County, Maryland

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **072255**

DATE 9/20/99 ACCOUNT 001-6150

AMOUNT \$ 40.00

RECEIVED FROM: Shirley & Robert Sussman

FOR: Formal Demand for Hearing

2 Hollins Avenue #00-88-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

9/21/1999 9/21/1999 14:22:49

REG 4803 CASHIER PAGES PER DRAWER 3

DEPT 5 528 ZONING VERIFICATION

Receipt # 099092 DEPT

CR NO. 072255

Receipt Tot 40.00

40.00 OK .00 CR

Baltimore County, Maryland

CASHIER'S VALIDATION



FORMAL DEMAND FOR HEARING

CASE NUMBER: 00-88-A

Address: 2 Hollins Ave

Petitioner(s): Kyle Legg

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Robert + Shirley Sussman
Name - Type or Print

(☒) Legal Owner OR (☒) Resident of

6 Hollins Ave
Address

Baltimore MD 21210
City State Zip Code

410-377-8244
Telephone Number

which is located approximately _____ feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

Shirley Sussman 9.20.99
Signature Date

Signature Date
Revised 9/18/98 - wcr/scj

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: 00-088-A

2 Hollins Avenue

NES Hollins Avenue, 550' N of centerline Lake Avenue

9th Election District - 4th Councilmanic District

Legal Owner: Kyle Precinct Legg & Benson E. Legg

Administrative Variance: to permit detached accessory structures (sport court and swimming pool) to be located in the front yard in lieu of the required rear yard; to permit the pool house to be 19 feet, 6 inches in lieu of 15 feet; and to amend the previous plan and order (94-308-A).

Hearing: Wednesday, October 20, 1999 at 3:00 p.m. in Room 109, 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) 887-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3291.

JULY 1994, Oct. 6

C344251

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/8/, 19 99

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 10/5/, 19 99.

THE JEFFERSONIAN.

S. Williams

LEGAL ADVERTISING

CERTIFICATE OF POSTING

AD. MIN. HRG.

RE: Case No. 00-88-A

Petitioner/Developer: LEGG, ETAL

H- 10/20/99

Date of Hearing/Closing: 10/20/99

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 #2 - HOLLINS AVE.

The sign(s) were posted on

10/4/99
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 10/12/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

ZONING NOTICE

Case # 00-88-A

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

PLACE

TIME & DATE

CERTIFICATE OF POSTING

RE Case No

00-88-A

Petitioner/Developer

LEGG

Date of Hearing/Closing

09/20/99

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 #2 HOLLINS AVE

The sign(s) were posted on

(Month, Day, Year)

10/4/99

Sincerely,

Patrick M. O'Keefe
10/12/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)

ZONING NOTICE

Case #: 00-088-A

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

PLACE: 111 WEST CHESAPEAKE AVENUE
ROOM 106 COUNTY OFFICE BUILDING

TIME & DATE: 10:30 AM TO 12:30 PM

ADMINISTRATIVE USE
ACCESSORY STRUCTURE
SWIMMING POOL
IN LIEU OF THE RES
THE POOL HOUSE TO BE
15 FEET, AND TO ADJACENT
(94-308-A)

#2 HOLLINS

RETURN SIGN AND POST TO: P. O'KEEFE, JR.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

CERTIFICATE OF POSTING

AD MIN- VAR.

RI Case No.: 00-88-A

Petitioner/Developer. POOLS, ETAL
c/o P. O'KEEFE

Date of Hearing/Closing 9/20/99

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 #2 HOLLINS AVE

The sign(s) were posted on

9/5/99

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 9/8/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

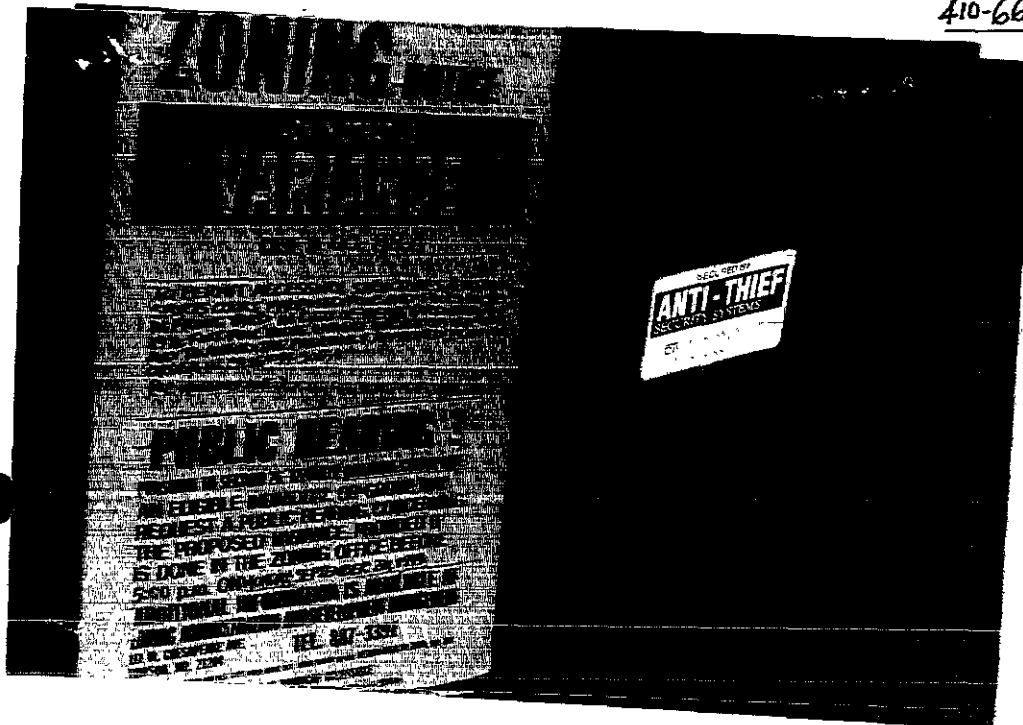
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 88 -A Address # 2 HOLLINS AVE.

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

Filing Date: 8/27/99 Posting Date: 9/5/99 Closing Date: 9/20/99

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 00- 88 -A Address # 2 HOLLINS AVE

Petitioner's Name KYLE & BENSON LEAG Telephone 410 539 3400

Posting Date: 9/5/99 Closing Date: 9/20/99

Wording for Sign: To Permit ACCESSORY STRUCTURES (EXISTING SPORTS COURT,
PROPOSED POOL AND POOL HOUSE IN FRONT YARD IN LIEU OF REAR YARD AND A
19 1/2 FT POOL HOUSE HEIGHT IN LIEU OF 15 FT. AND TO AMEND THE PREVIOUSLY APPROVED
PLAN AND ORDER IN CASE# 99-308-A.



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 27, 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: 00-088-A

2 Hollins Avenue

NE/S Hollins Avenue, 550' N of centerline Lake Avenue

9th Election District – 4th Councilmanic District

Legal Owner: Kyle Prechtel Legg & Benson E. Legg

Administrative Variance to permit detached accessory structures (sport court and swimming pool) to be located in the front yard in lieu of the required rear yard; to permit the pool house to be 19 feet, 6 inches in lieu of 15 feet; and to amend the previous plan and order (94-308-A).

HEARING: Wednesday, October 20, 1999 at 3:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon" with a stylized flourish at the end.

Arnold Jablon
Director

c: Kyle & Benson Legg, 2 Hollins Avenue, Baltimore 21210

Bob Jackson Landscapes, Inc., 11436 Cronridge Drive, Suite H, Owings Mills 21117

Robert & Shirley Sussman, 6 Hollins Avenue, Baltimore 21210

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 5, 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, October 5, 1999 Issue – Jeffersonian

Please forward billing to:

Kyle Prechtel Legg & Benson E. Legg 410-377-4193
2 Hollins Avenue
Baltimore, MD 21210

NOTICE OF ZONING HEARING

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HEARING: Wednesday, October 20, 1999 at 3:00 p.m. in Room 106, County Office Building, 111 West Chesapeake 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: 88
Petitioner: BENSON E. & KYLER P. LEGG
Address or Location: 2 HOWINS AVENUE BALTIMORE, MD 21210

PLEASE FORWARD ADVERTISING BILL TO:

Name: KYLE FRECHTEL LEGG AND BENSON E. LEGG
Address: 2 HOWINS AVENUE
BALTIMORE, MD 21210
Telephone Number: 410 377-4193



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

September 21, 1999

Kyle Prechtel Legg
Benson E. Legg
2 Hollins Avenue
Baltimore, MD 21210

Dear Petitioners:

RE: Demand for Public Hearing, Case Number 00-088-A, 2 Hollins Avenue

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on September 20, 1999 for 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:scj

C: Shirley & Robert Sussman, Protestants



root Ex 1B

- #1 White pine tree on Cronin property ~71 feet "up stream" from Sussman/Cronin line
- #2 Gabion stone at Sussman/Cronin property line
- #3 Black Walnut tree ~ 50 feet "down stream" from Sussman/Cronin property line
- #4 Tulip Poplar trees ~ 100 feet "down stream" from Sussman/Cronin property line

Robert and Shirley Sussman
6 Hollins Ave.
Baltimore, MD 21210
410-377-8244

September 20, 1999

Zoning Administration and Development
111 W. Chesapeake Ave
Towson, MD 21204

Re: Case # 00-88-A
2 Hollins Ave.

Commissioner of Zoning:

We request that issues concerning water runoff be addressed before a variance is granted in this case. Currently there is an unacceptable amount of water runoff causing extensive erosion damage on down stream properties. Any further land disturbance will only serve to exacerbate the problem. We would like to see this issue addressed and remedied before there is any additional construction on site.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Robert & Shirley Sussman". The signature is written in dark ink and is positioned above the printed name.

Robert and Shirley Sussman

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

Peggy SOUTIERI

ADDRESS

Ruxton Riderwood Lake
Roland Area Imp Ash
P.O. Box 204
Riderwood MD 21139

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Shirley Sussman
Robert Sussman

6 Hollins Ave.
Balt, MD 21210



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Laura Thul Penza, AIA
J. ROBERT JACKSON

401 Woodborne Ave. Balto 21212
~~MR.~~ JACKSON LANDSCAPES INC
11436-H CROFTIDGE DR.
OWINGS MILLS, MD. 21117

JEFFREY PENZA, AIA
HOWARD L. ADDERMAN JR ESQ

401 WOODBORNE 21212
LEVIN & GANN PA
305 W. Chesapeake Ave #113
TOWSON MD 21204

Ben Legg

2 HOLLINS AVE
BALTO., MD. 21210



CODE ENFORCEMENT I SIGN-IN SHEET

DATE: August 22, 2000

TUESDAY

NAME	In	Initials	Out	Initials	Remarks - Include approved initialed time worked over	Total Hrs worked
annerman, L.	9:30	LB	4:40	LB		6
ell, B.	7:40	BB	4:00	BB		7 hrs.
raddy, E.					7 Z	
hen, J.	8:50	JL	5:00	JL		7
lark, R.	8:00	RL	4:15	RL		7:45
ohen, P.	8:55	PC	5:00	PC		7 HRS
reed, E.					7 S	
aniels, R.	8:30	rahd	4:30	rahd		7 hours
ahl, H.	7:25	HH	4:00	HH		7:45
rink, C.	9:00	CH	5:00	CH		7 HRS
lorioso, J.	8:15	JL	4:30	JL		7 hours
ucik, G.	8:15	GA	4:15	GA		7 HRS
icobson, H.	8:05	HJ	4:10	HJ		7 hrs
elly, S.					60 min 7	
diase, C.	8:45	CO	5:00	CO		7
eruzovic, J.	8	JP	4	JP		7
ious, D.	6:50	DR	4:10	DR		7
osendale, J.	7:40		4:00		made early inst for hearing GP	7
hepers, S.	7:50	SS	4:00	SS		7
sigounis, J.	9:00	IT	5:30	IT		2

00-088^A

FRENCH DRAINAGE
to be installed
not right dimensions

→ SUSMAN

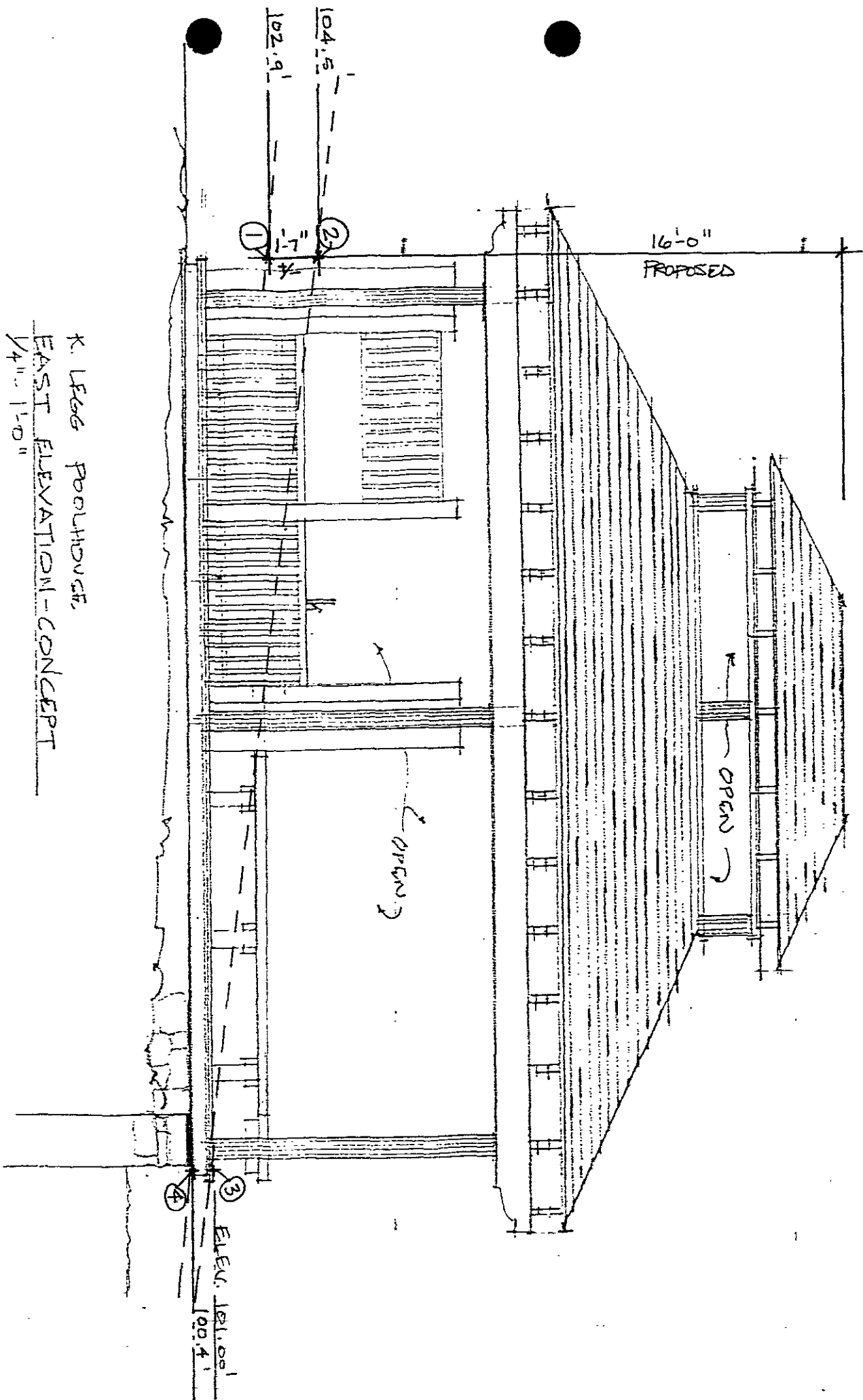
Robert
L.
SUSMAN

410-377-4833

6 Hollins Ave
BALTO. MD. 21210

~~410-377-4833~~





K. LEGG POOLHOUSE

EAST ELEVATION - CONCEPT

1/4" = 1'-0"

8/14/99

PERIZA ASSOC. ARCHITECTS, INC.

LINE OF NATURAL GRADE
INDICATED

PG 2 A

21'-0"

19'-0"

1'-0"

1'-0"

12'-6"

27'-0"

12'-6"

1'-0"

STORAGE

STORAGE

SHOWER

TOILET/
CHANGING

O.F.D.

T.V.

LINE OF
OPEN CLOSETTER
ABOVE

O.F.D.

TILE FLOOR, TYP.
SLOPE TO DRAIN

PROPOSED
ELEV.
101.00'

O.F.D.

SNACK BAR

REFR/FRZ-ICE

MICRO

BENCH



(2)

(1)

(4)

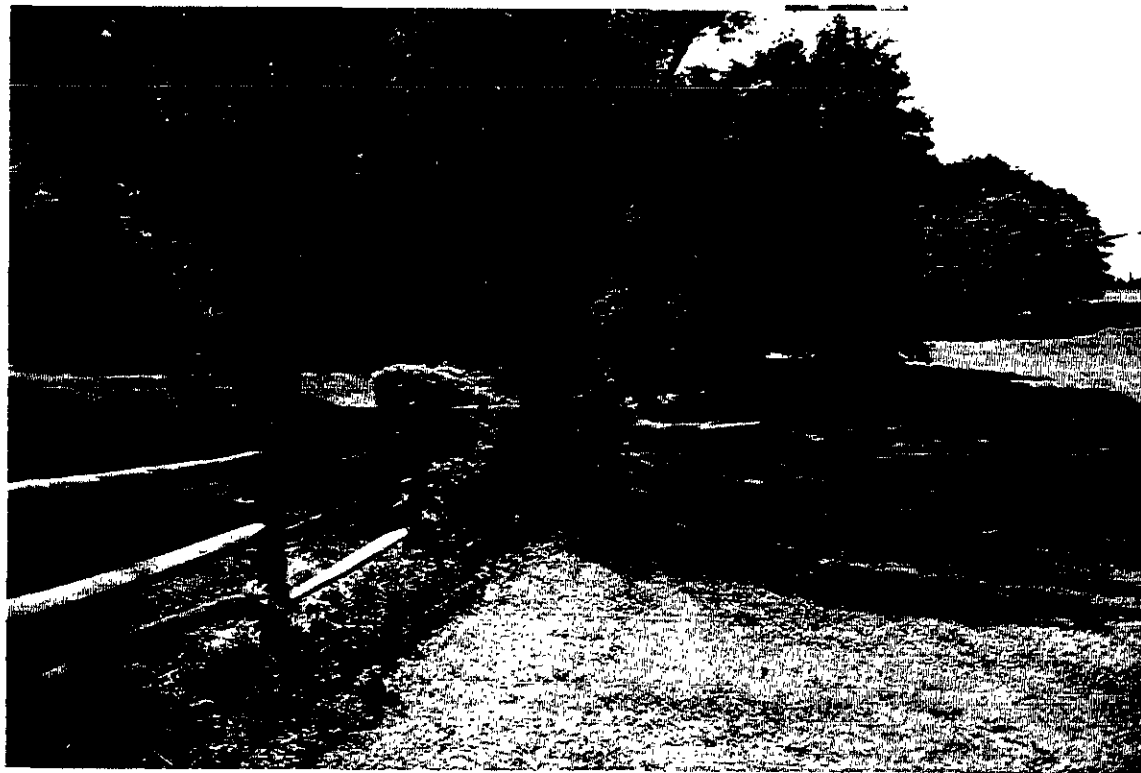
(3)

8/14/99
PENNA ASSOC. ARCHITECTS, INC.

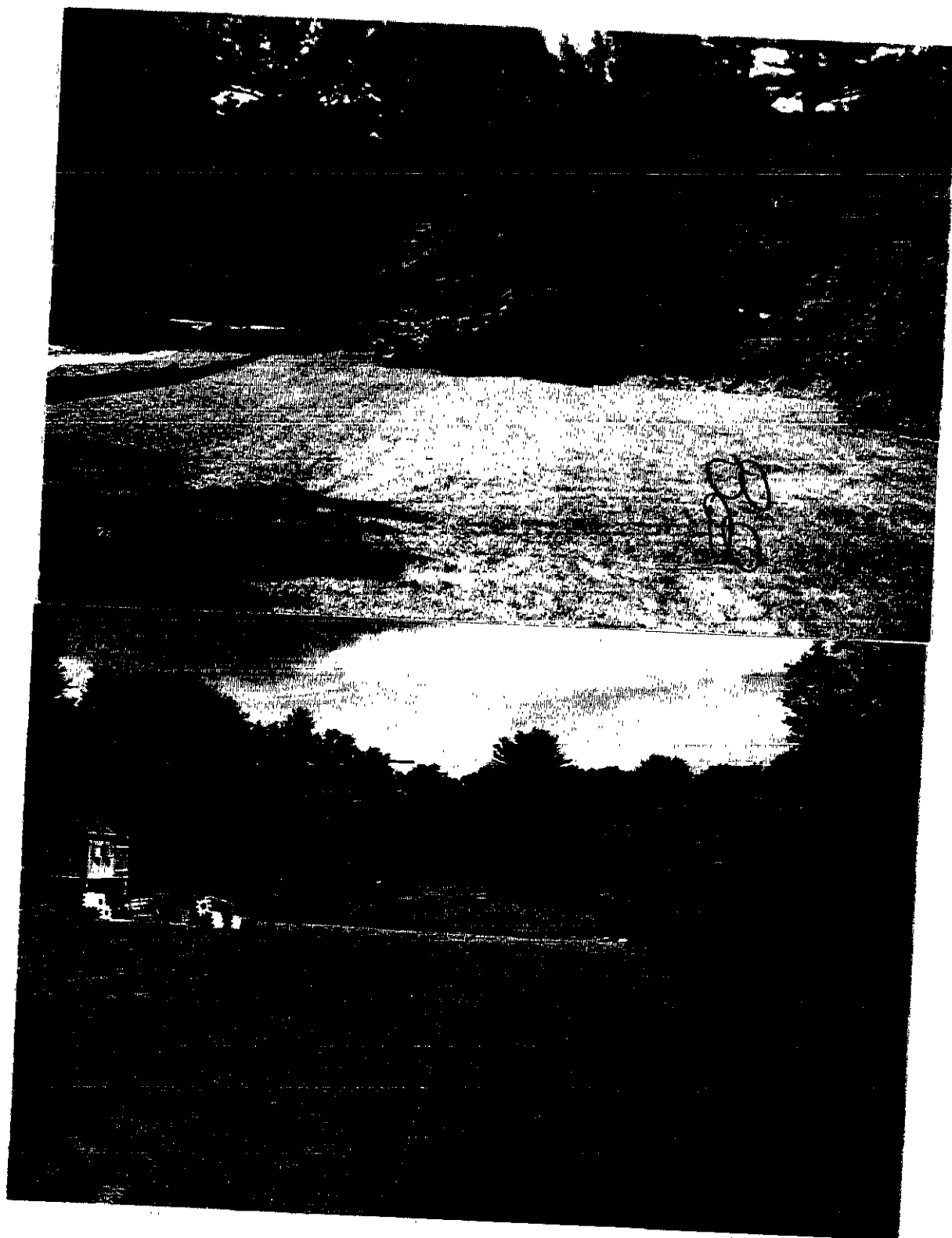
K. LEGG POOLHOUSE
PLAN
1/4" = 1'-0"

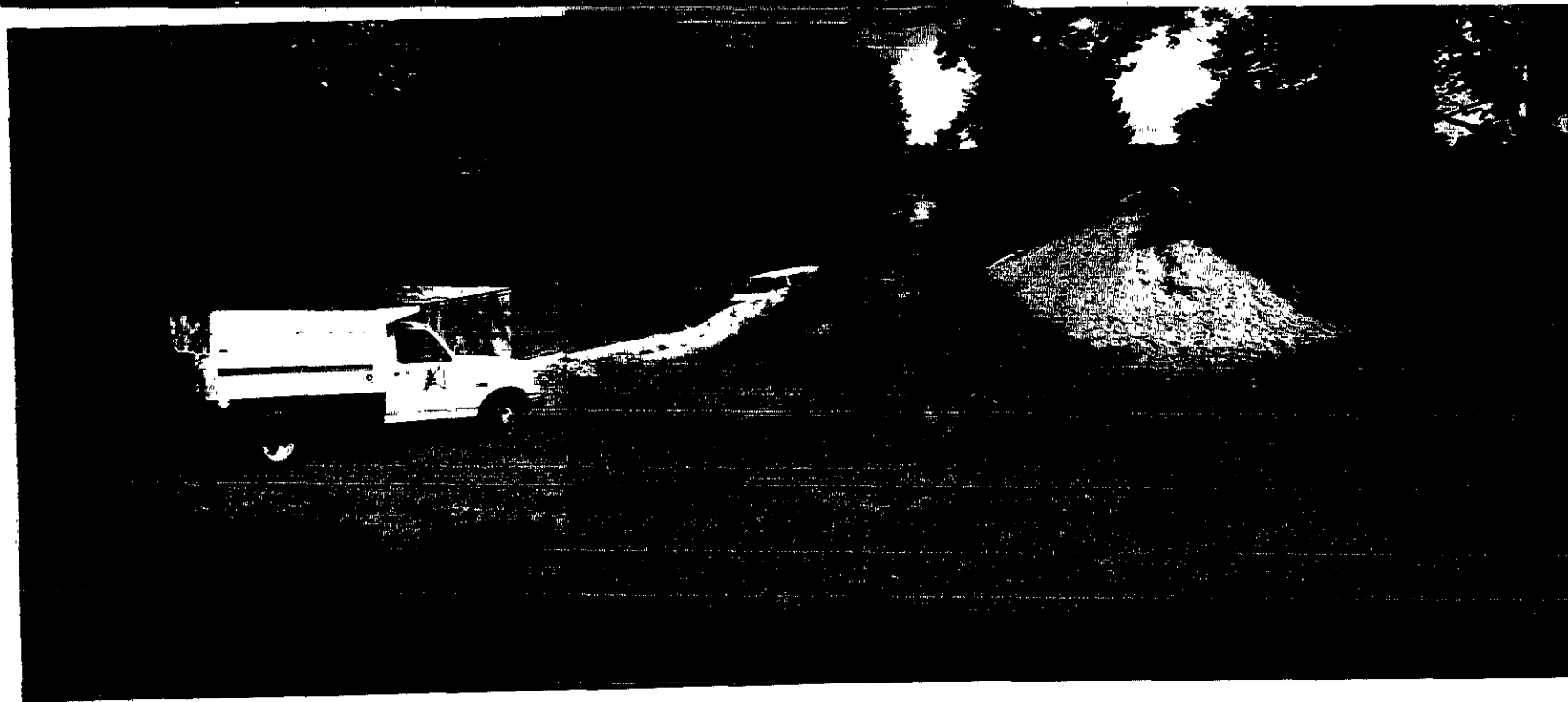
Pool

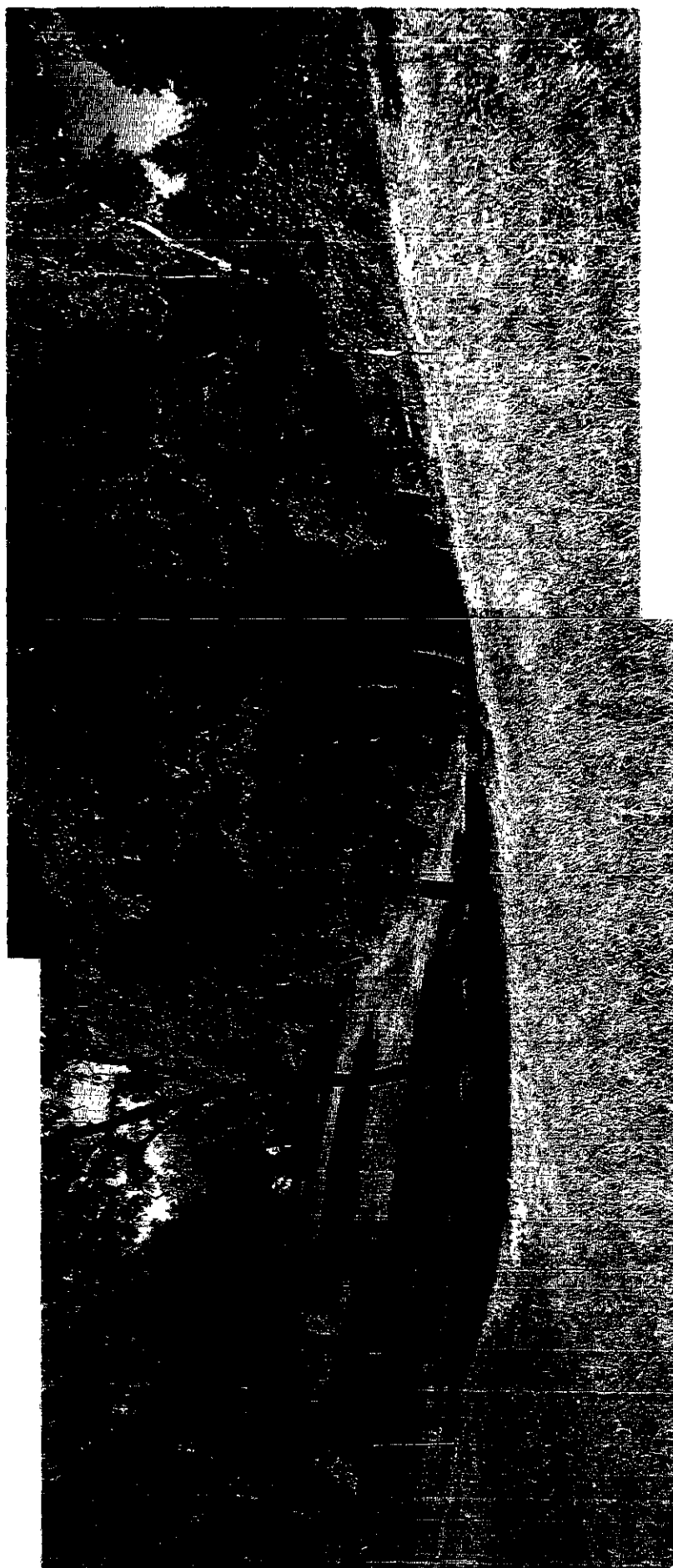




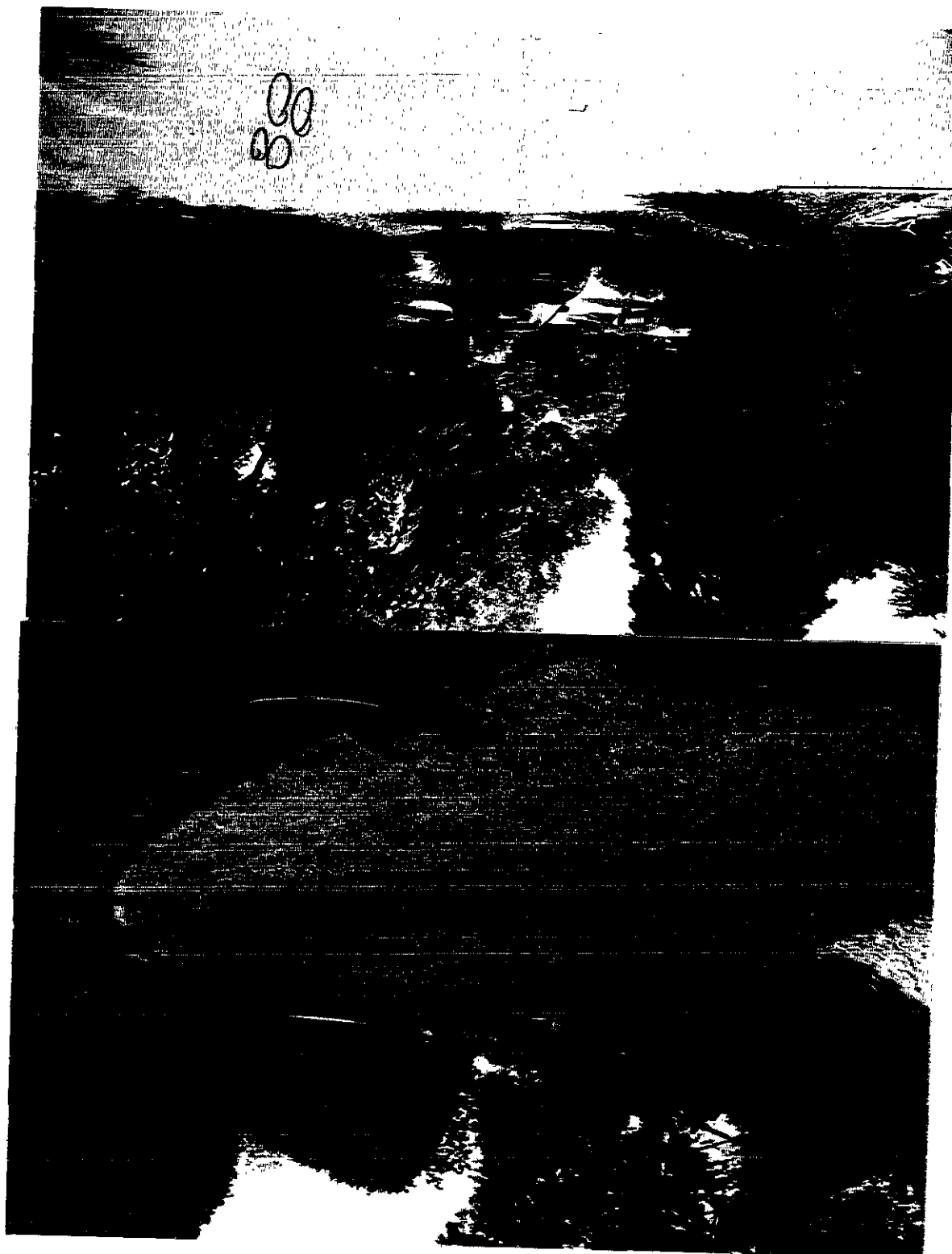


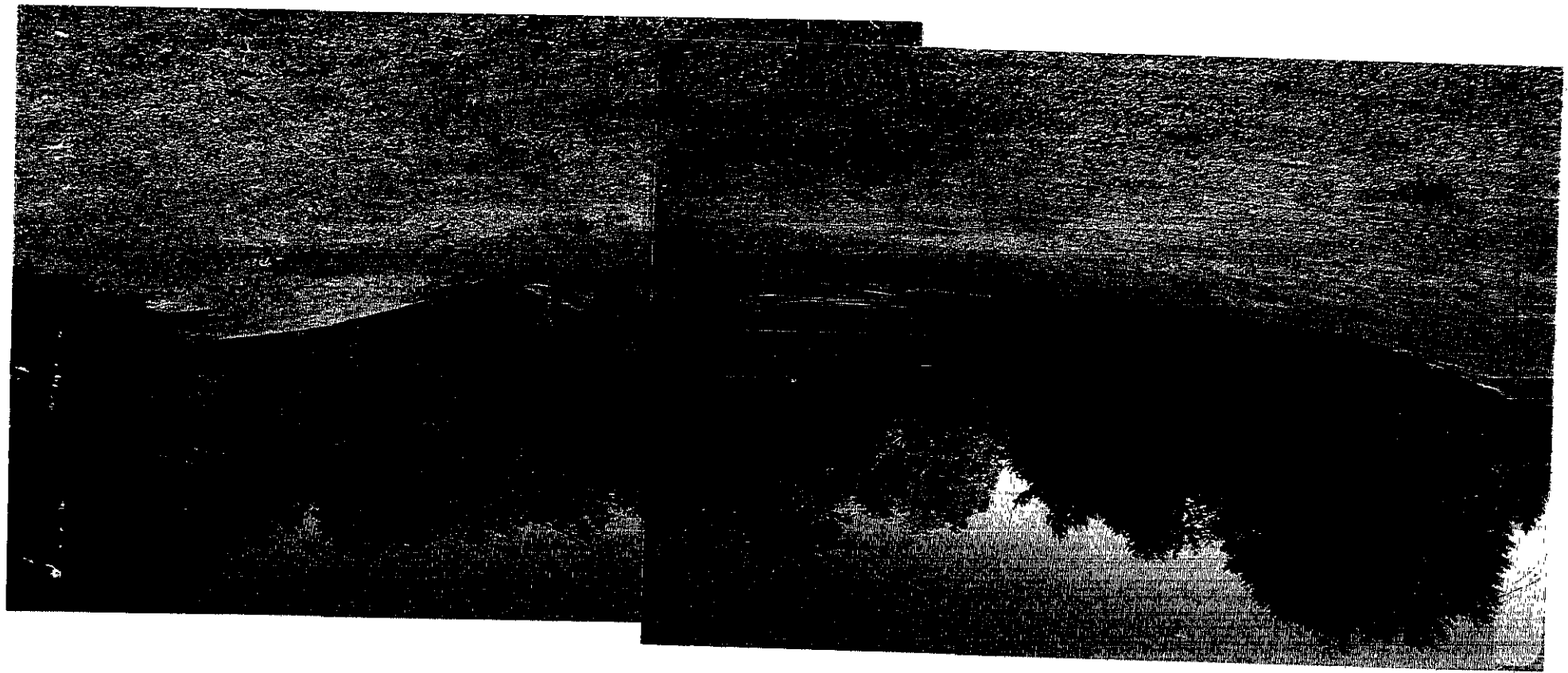


















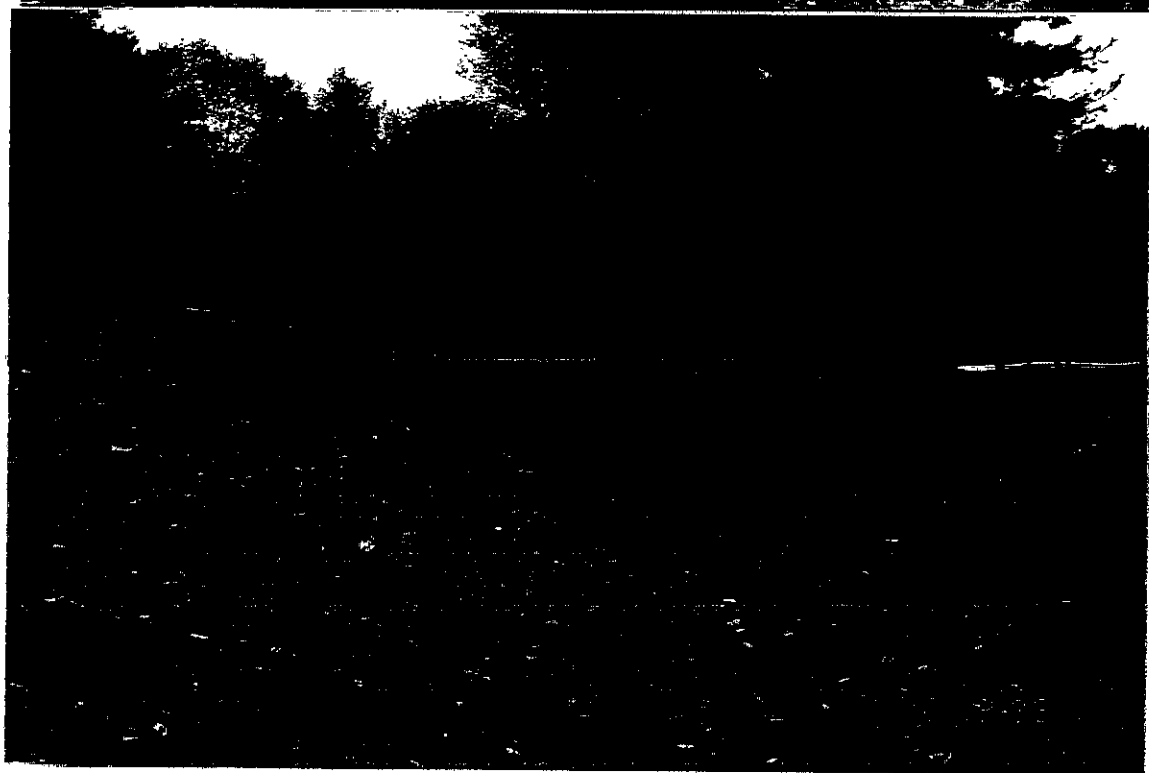
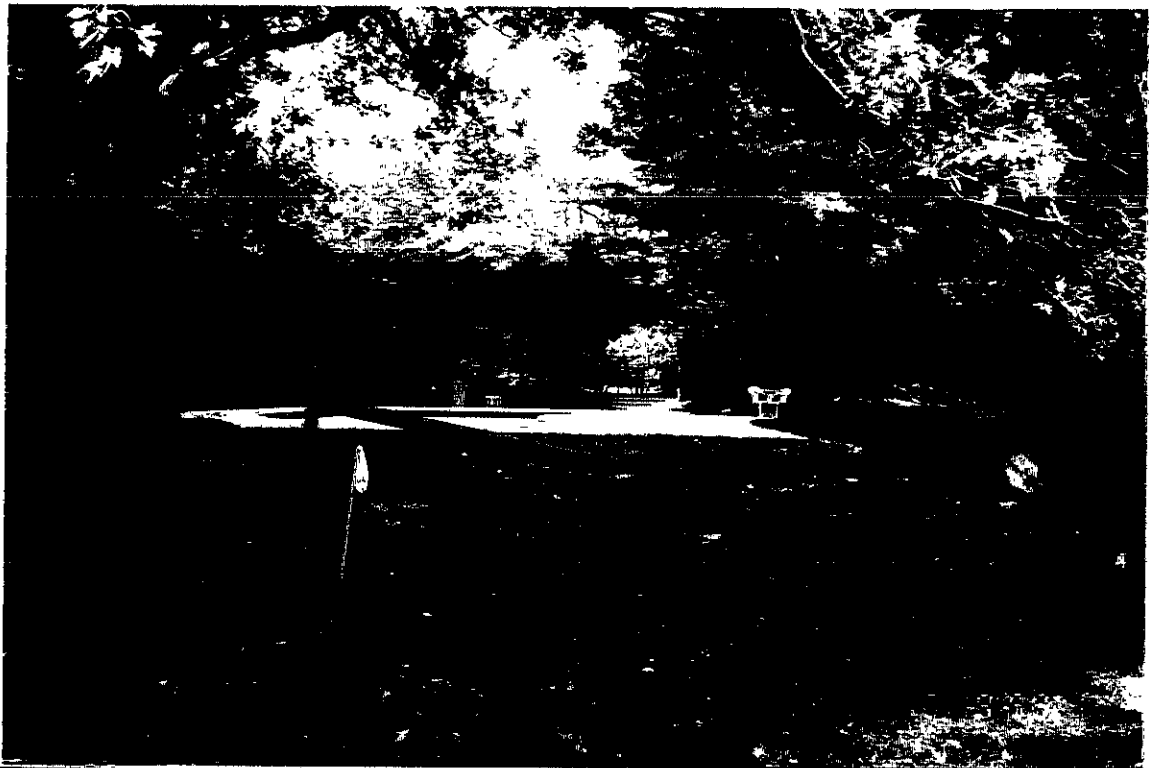
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Printed with Soybean Ink

PHOTOGRAPHS

#00-088-A

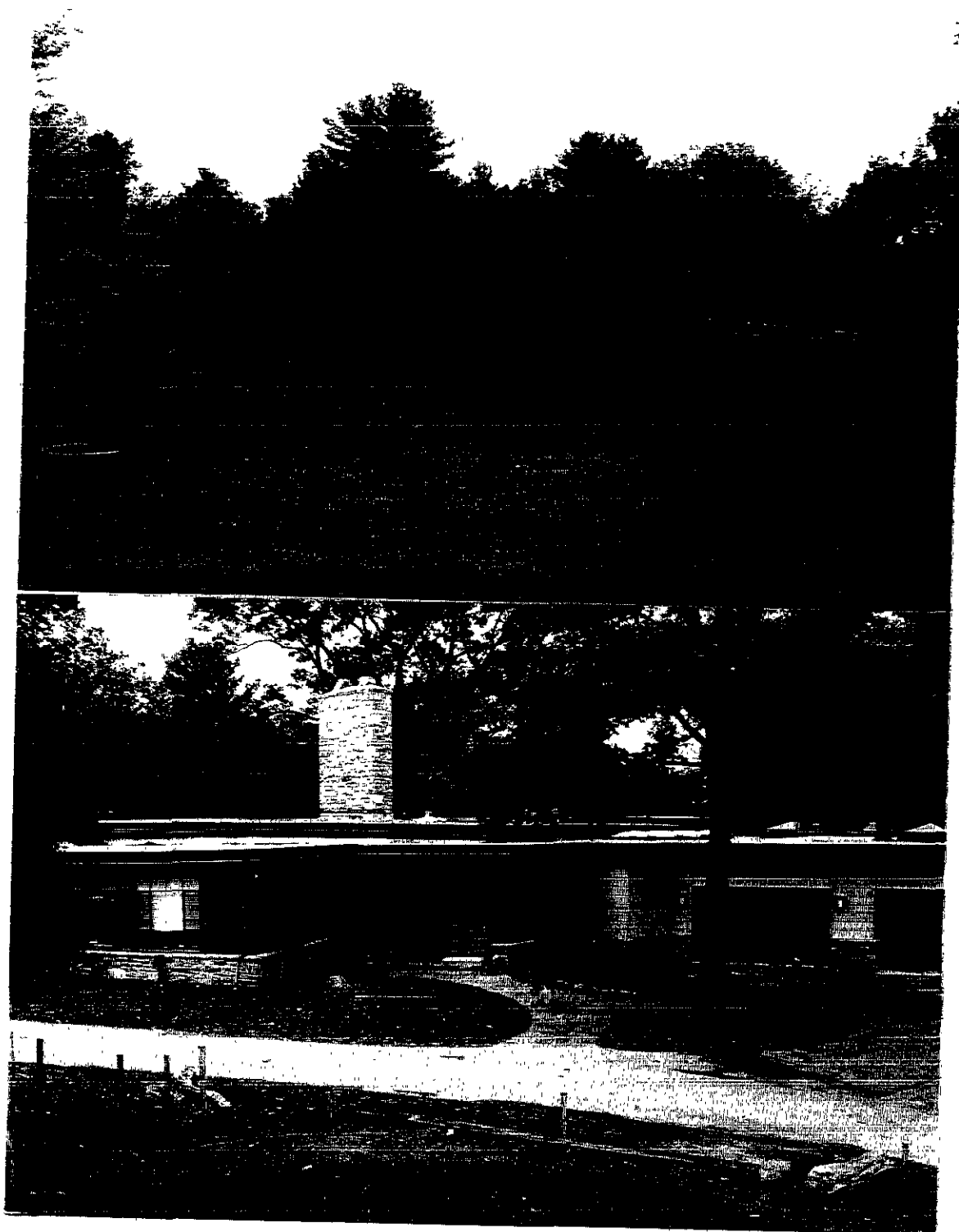
LEGG



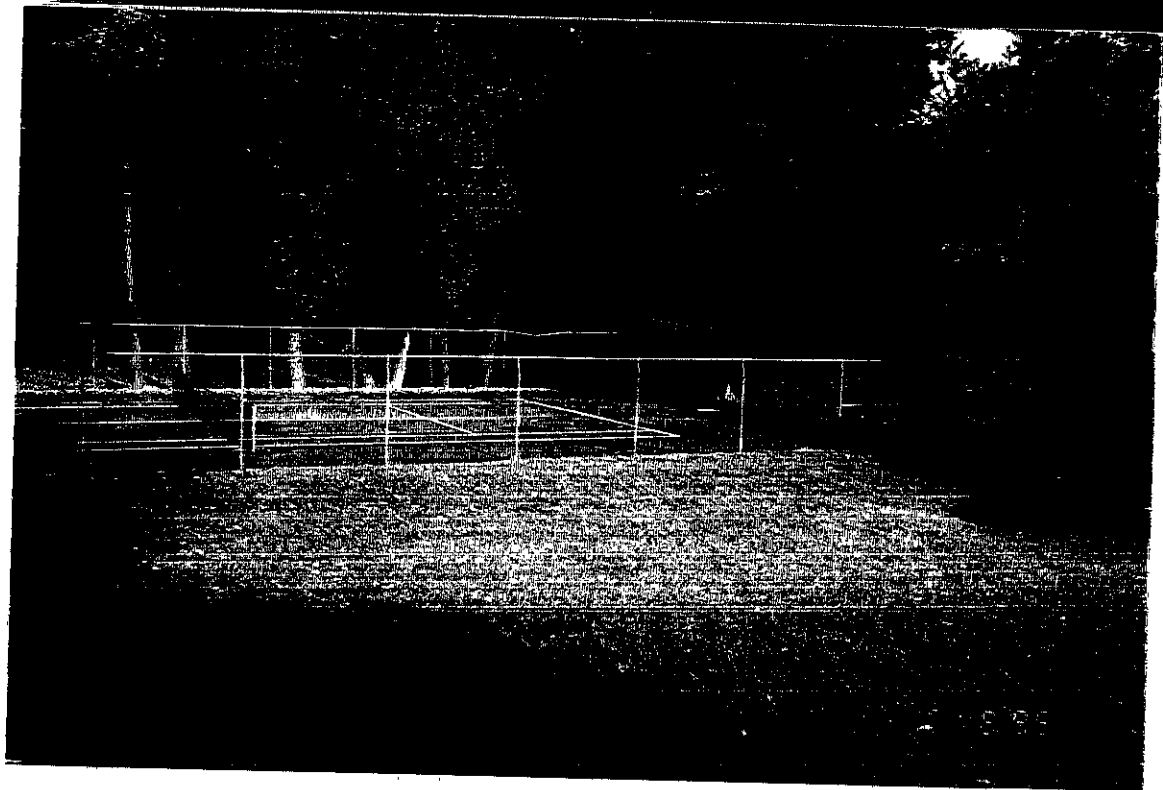


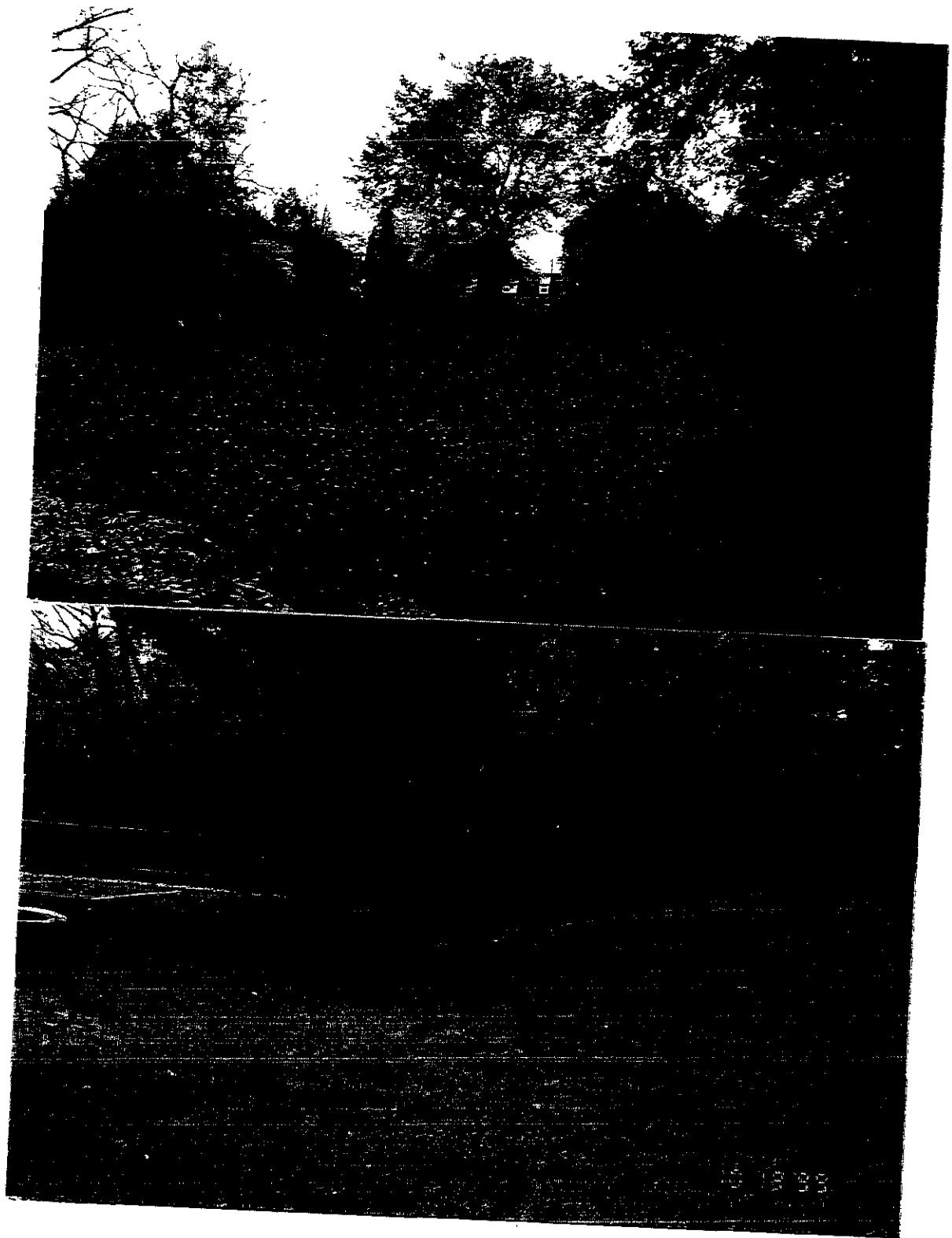




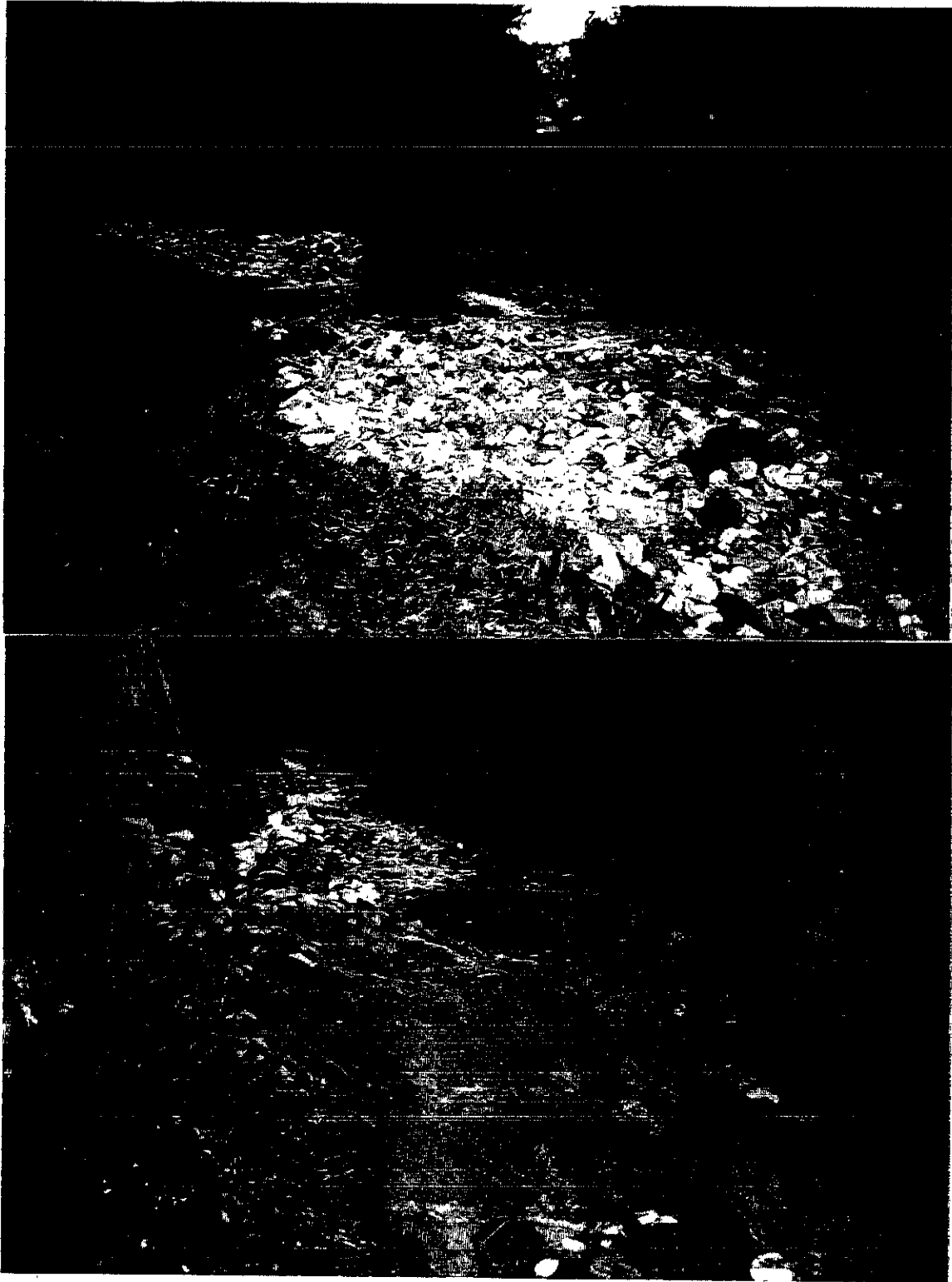












☐ SPECIAL HEARING

TAX #: 09 15 81 0370
DEED BOOK #: 6812 PAGE: 192
LIBER #: 3443 FOLIO: 81



CONGRATULATIONS

1977

REVIEWED BY: ITEM# CASE#



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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LAKE ROLAND AREA	N.W. 8-B
DATE OF PHOTOGRAPHY JANUARY 1986	00-088-A	

MICROFILMED

#88



