

IN RE: PETITION FOR SPECIAL HEARING

E/S Cross Road and
S/S Forge Road
11th Election District
5th Councilmanic District
(9 Leonard Court)

J. William & Chevelle M. Ruppert
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-172-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, J. William & Chevelle Ruppert. The variance request is for property located at 9 Leonard Court, located at the intersection of Cross Road and Forge Road in Perry Hall. The subject property is zoned D.R.3.5H. The variance request is from Section 259.9B.2C of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a house to be constructed on an unimproved lot with a 30 ft. side yard setback from a collector road in lieu of the required 40 ft. side yard setback and to amend the last approved final development plan.

Appearing at the hearing on behalf of the request were John Gontrum, attorney at law, representing the Petitioners and Beverly Long, a representative of the Perry Hall Improvement Association. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, is an unimproved lot consisting of 0.364 acres, more or less, zoned D.R.3.5H. The subject lot is part of a 6 lot residential subdivision located on Leonard Court. The purchasers of the subject lot are desirous of constructing a two-story single family residential dwelling thereon. In order to proceed with the construction of the house on the property, the variance request is necessary.

At the hearing before me, the variance request was contested by the Perry Hall Improvement Association, by its representative Beverly Long. Mr. Gontrum requested a continuance of the case in

RECEIVED FOR FILING
2/4/2000
By: J. R. [Signature]

an effort to resolve the differences between his client and that association. By letter dated January 28, 2000, which was hand-delivered by Mr. Gontrum to this office, the parties have resolved their differences concerning the placement of a house on this vacant lot. Therefore, I shall incorporate the agreement between the parties at the end of this Order as a condition of approval of the variance herein.

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;
- 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 Petitioners' request 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 these petitions held, and for the reasons given above, the special hearing and variance request should be granted.

2000-01-28
2/4/2000
P. Gontrum

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of February, 2000, that the Petitioners' Request for Special Hearing and Variance from Section 259.9B.2C of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a house to be constructed on an unimproved lot with a 30 ft. side yard setback from a collector road in lieu of the required 40 ft. side yard setback and to amend the last approved final development plan, be and is hereby GRANTED; subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 property owners of 9 Leonard Court shall be required to install landscaping along the perimeter of the lot facing the adjoining property owner to the south, identified as the Heine Property and along Forge and Cross Roads. Said landscaping shall consist of Leland Cypress trees approximately 30" to 36" in height, spaced 10 ft. apart along said perimeter. Said planting shall occur upon final grading of the site which shall coincide with the occupancy of the dwelling to be constructed. Furthermore, the property owners shall place a covenant and restriction in the deed which transfers title to the subject lot so that any and all future owners of the subject property shall be bound by this restriction. The subject trees planted in accordance with this restriction shall be perpetually maintained by any future property owner. Any tree that may die shall be replaced immediately by the property owner.
3. When applying for any permits, 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



Baltimore County
Zoning Commissioner

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

February 3, 2000

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, Maryland 21221

Re: Petitions for Special Hearing & Variance
Case No 00-172-SPHA
Property: 9 Leonard Court

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case. The Requests for Special Hearing and Variance have 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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. & Mrs. J. William Ruppert
9654A Belair Road
Baltimore, Maryland 21236-1107

Ms. Beverly Long
17 Silver Gate Court
Perry Hall, Maryland 21128

* Copy of letter and order also sent to Dennis Eckard, Perry Hall Improve. Assn.

Census 2000

For You, For Baltimore County

Census 2000





Petition for Variance

+ Special Hearing
to the Zoning Commissioner of Baltimore County

for the property located at 9 LEONARD COURT

which is presently zoned DR 3.5H

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) 259.9B.2C to allow for a thirty (30) foot sideyard setback from a collector road in lieu of a forty (40) foot sideyard setback from a collector road, and to amend the last approved final development plan

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

Building envelope approved on plans filed prior to setback regulations. The lot is configured in such a way that sizing the house to meet current regulations will result in a structure that is out of character with the balance of the neighborhood.

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:

JOHN B. GONTRUM

Name - Type or Print

Signature

ROMADKA, GONTRUM & McLAUGHLIN

Company

814 EASTERN BLVD.

410-686-8274

Address

BALTIMORE, MD

Telephone No.

21221

State

Zip Code

Legal Owner(s):

J. WILLIAM RUPPERT

Name - Type or Print

Signature

CHEVELLE MARIE RUPPERT

Name - Type or Print

Signature

9654A BEL AIR ROAD

410-256-0793

Address

BALTIMORE, MD

Telephone No.

21236-1107

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr

UNAVAILABLE FOR HEARING

Reviewed By mjk

Date 10/28/99

Case No. 00-172 -SPHA

REV 9/15/98

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



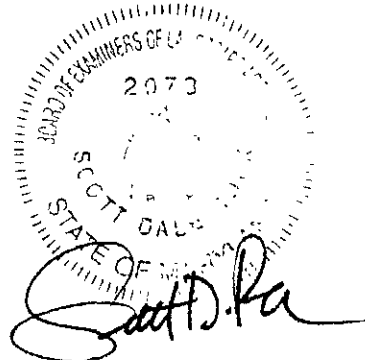
Zoning Description
.364 Acre Parcel of Land
"The Cross & Forge Property, Lot 6"
Election District 11
Councilmanic District 5
Baltimore County, Maryland

Beginning at a point on the east side of Cross Road, which is 60 feet in width, at the distance of 42 feet $\pm$ from the centerline intersection of Forge Road, which is 60 feet in width, thence binding on Lot 6 of a Plat entitled "Final Plat, Cross and Forge Road Property" recorded in the Land Records of Baltimore County, Maryland in Plat Book SM 70 at folio 42, the following 8 courses and distances, viz:

1. North $70^{\circ}30'51''$ East, 14.05 feet,
2. South $81^{\circ}32'59''$ East, 169.48 feet,
3. South $12^{\circ}24'49''$ West, 90.46 feet,
4. North $77^{\circ}35'11''$ West, 120.00 feet,
5. North $41^{\circ}10'45''$ East, 17.08 feet,
6. South $47^{\circ}25'18''$ East, 79.00 feet,
7. North $02^{\circ}25'18''$ West, 14.14 feet,
8. North $42^{\circ}34'42''$ West, 38.08 feet to the place of beginning,

0-172 -
SPHA

sdr sdr\11303\ 364acre\092199



☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☐ 110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9792 (301) 776-1690
FAX (410) 792-7395

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 073236

DATE 10/25/99 ACCOUNT 01-6150
Item 172
By: MTK AMOUNT \$100.⁰⁰

RECEIVED FROM: Ruppert House / RG+m - 9 Leonard Ct.
010 - Res Var. ——— \$ 50.⁰⁰
030 - Res Sp Hearing ——— \$ 50.⁰⁰
FOR: \$ 100.⁰⁰

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
10/28/1999 10/23/1999 11:46:45
REG 4806 CASHIER MSTE RES DRAWER
Dept 5 528 ZONING VERIFICATION
Receipt # 108398
CP NO. 073236
Receipt Tot 100.00
100.00 TX 100 TR
Baltimore County, Maryland

CASHIER'S VALIDATION

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

No. **073236**

DATE 10/25/99 ACCOUNT 01-6150

Item. 172

By: MTK

AMOUNT \$ 100.⁰⁰

RECEIVED FROM: Report Memo / RG+m - A. Leon-L. C.

FOR: 010 - Res Var. \$ 50.⁰⁰
030 - Res Sp. Hous. \$ 50.⁰⁰
\$ 100.⁰⁰

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

10/25/1999 10/26/1999 11/04/99
REG. REC'S COUNTER NOTE REC. MOUNTED
Dept. 5 S28 IDATING VERIFICATION
Receipt # 128398
OR NO. 073236
Receipt Tot. 100.00
100.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

**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: #00-172-SPHA
9 Leonard Court
E/S Cross Road and S/S
Forge Road
11th Election District
5th Councilmanic District
Legal Owner(s): Chevelle
Marie Ruppert and J.
William Ruppert

Variance: to allow a 30 ft. side yard setback from a collector road in lieu of 40 feet.

Special Hearing: to amend the last approved Final Development Plan.

Hearing: Monday, December 6, 1999 at 2:00 p.m. in Room 407, County Courts Bldg., 401 Besley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

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

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

11/114/Nov 11 C352571

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11/12, 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 11/11, 1999.

S. Williams
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 00-172-SPHA
PETITIONER/DEVELOPER
(J. William Ruppert)
DATE OF Hearing
(Dec. 6, 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
9 Leonard Court Baltimore, Maryland 21128__

The sign(s) were posted on 11-17-99
(Month, Day, Year)

Sincerely,

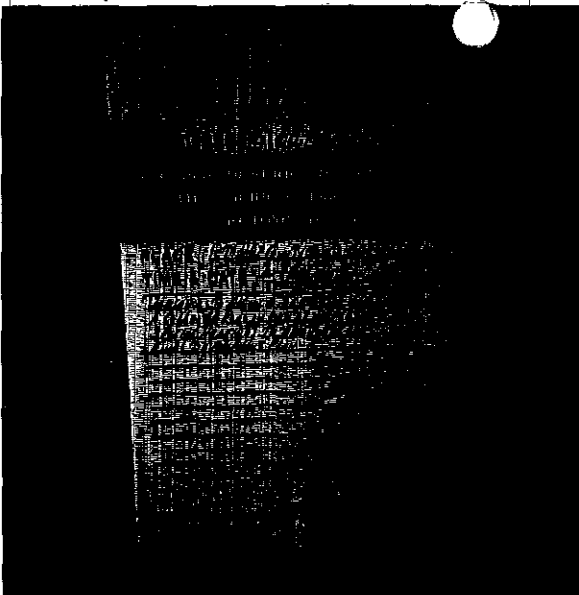

(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. ____

____ 325 Nicholson Road ____

____ Baltimore, Maryland 21221 ____

____ (410)-687-8405 ____
(Telephone Number)



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: 00-172-SPHA

Petitioner: Bill Ruppert

Address or Location: 9 Leonard Court

PLEASE FORWARD ADVERTISING BILL TO:

Name: Bill Ruppert

Address: 9654 A Belair Road

Baltimore, MD 21236

Telephone Number: 410-256-0793

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE

9 Leonard Court, Corner E/S Cross Rd
and S/S Forge Rd
11th Election District, 5th Councilmanic

Legal Owner: J.W. and C.M. Ruppert
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-172-SPHA

* * * * *

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 9th day of November, 1999 a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioners.

Peter Max Zimmerman

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

November 5, 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: 00-172-SPHA

9 Leonard Court

E/S Cross Road and S/S Forge Road

11th Election District - 5th Councilmanic District

Legal Owner(s): Chevelle Marie Ruppert and J. William Ruppert

VARIANCE: to allow a 30 ft. side yard setback from a collector road in lieu of 40 feet.

SPECIAL HEARING: to amend the last approved Final Development Plan.

HEARING: MONDAY, DECEMBER 6, 1999 at 2:00 P.M. IN ROOM 407 COUNTY COURTS BUILDING, 401 BOSLEY AVENUE.

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

Arnold Jablon
Director

cc: Mr. & Mrs. J. William Ruppert
John B. Gontrum, Esq.

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY NOVEMBER 21, 1999.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT 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
November 11, 1999 Issue - Jeffersonian

Please forward billing to:

Mr. Bill Ruppert
9654A Belair Road
Baltimore MD 21236
410-256-0793

NOTICE OF ZONING HEARING

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E/S Cross Road and S/S Forge Road

11th Election District - 5th Councilmanic District

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HEARING: MONDAY, DECEMBER 6, 1999 at 2:00 P.M. IN ROOM 407 COUNTY COURTS BUILDING, 401 BOSLEY AVENUE.



LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



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

December 3, 1999

Mr. John Gontrum
Romadka, Gontrum & McLaughlin
814 Eastern Blvd.
Baltimore, Maryland 21221

Dear Mr. Gontrum:

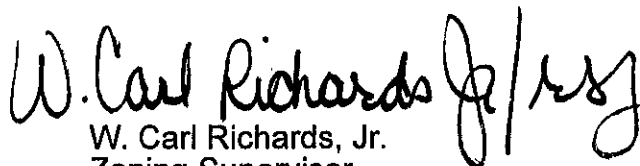
RE: 00-172-SPHA , 9 Leonard Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 10/28/99.

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, please do not hesitate to contact the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures

c: J. William Ruppert



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: November 16, 1999

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

SUBJECT: Zoning Advisory Committee Meeting
for November 15, 1999
Item Nos. 172, 173, 175, 177, 178,
179 & 182

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

RWB:HJO:cab

cc: File

ZAC11159.NOC

Simple

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

Date: November 16, 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): 161, 166, 172, and 178

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

Section Chief:

Jeffrey M. Long

AFK/JL



**Maryland Department of Transportation
State Highway Administration**

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

Date: 11.5.99

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

RE: Baltimore County
Item No. 172

MJK

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,

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

ROMADKA, GONTRUM & MCLAUGHLIN, P.A.

***814 EASTERN BOULEVARD
BALTIMORE, MARYLAND 21221***

PHONE: 410-686-8274

FAX: 410-686-0118

ATTORNEYS:

ROBERT J. ROMADKA

JOHN B. GONTRUM

J. MICHAEL McLAUGHLIN*

****admitted Maryland and D.C.***

January 28, 2000

Timothy Kotroco, Esq.
Deputy Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 00-172-SPHA
Ruppert Property, 9 Leonard Court

Dear Mr. Kotroco:

By this letter we wish to confirm that an agreement has been reached with the Perry Hall Improvement Association, who appeared in the above-referenced case to protest the variance requested.

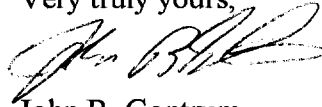
After discussion with the Board and members of the Association my client has agreed to landscape along the perimeter of the lot facing the adjoining property owner to the South, identified as the Heine property and along Forge and Cross Roads by placing Leland Cypress trees, approximately 30-36 inches in size about 10' apart along the perimeter. This will mean a planting of about 30 trees to occur upon final grading of the site coincident with the occupancy permit. In addition, my client has agreed to place a restriction in the deed to the property pertaining to the requested condition in the order in this case pertaining to the planting and to the maintenance of the planted trees. The deed will contain the following wording:

"Title is being conveyed subject to conditions contained in an Order of the Zoning Commissioner of Baltimore County dated Feb. 4th, 2000, in Zoning Case No. 00-172-SPHA, a copy of which is attached hereto and made a part hereof."

Maintenance of the planting after it occurs is a concern of the Association, and we have agreed that the property owners in the future will be responsible for maintenance of the trees..

Please confirm the above with Mr. Dennis Eckard, vice-President of the Association, with whom I have worked on this matter, if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "John B. Gontrum", written in a cursive style.

John B. Gontrum

cc. Dennis Eckard

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



November 2, 1999

Mr. Arnold Jablon, Director
Department of Permits and
Development Management
111 Chesapeake Avenue
Room 123
Towson, MD 21204

Subject: Cross & Forge Road Property
Case # 00-172-SPHA

Dear Mr. Jablon:

On behalf of our client, Mr. William Ruppert, we hereby request an expedited hearing for the above case. This expedited hearing will enable our client to commence construction of a home to be built on Lot #9 under a contract of sale entered into by Mr. Ruppert. The normal time taken to process the desired variance was not fully explained to Mr. Ruppert and he therefore contracted to constructed to build a home for the buyer. The buyer is currently renting a property and is applying pressure to Mr. Ruppert to commence construction.

Since we do not believe that the request will generate any community opposition and as such the hearing should be relatively quick we are asking your assistance in obtaining an expedited hearing date. We would appreciate any assistance that you could give in this matter.

Very Truly Yours,

MORRIS & RITCHIE ASSOCIATES, INC.

A handwritten signature in black ink, which appears to be 'Donald N. Mitten', is written over the printed name.

Donald N. Mitten, P.E.
Associate

#9788

cc: Bill Ruppert
Jake Ruppert
Bob Bradley

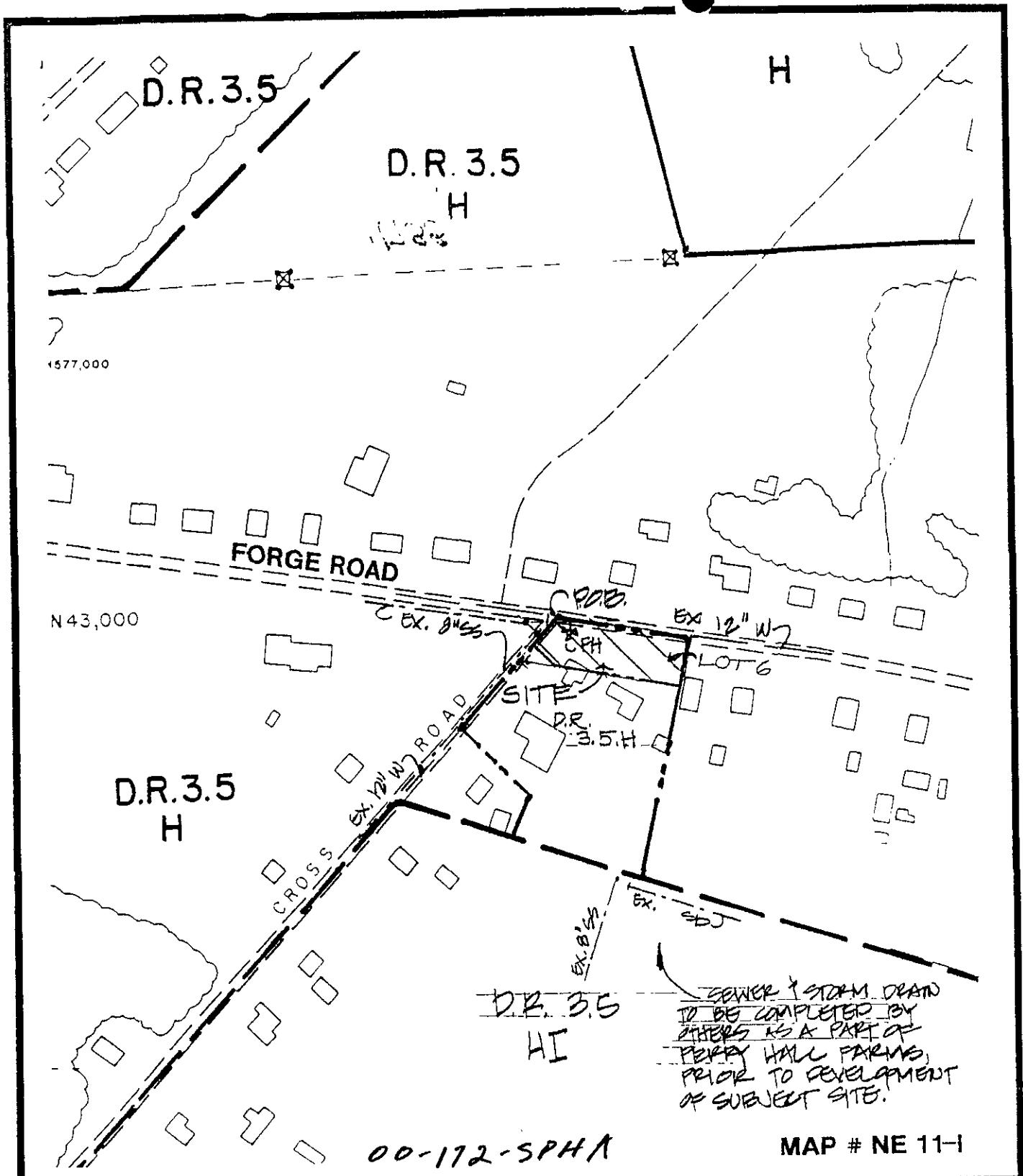
DNM :mak\s\9788\hearing.wpd\110299

☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792 9792 (301) 776-1690
FAX (410) 792-7395

99.2822

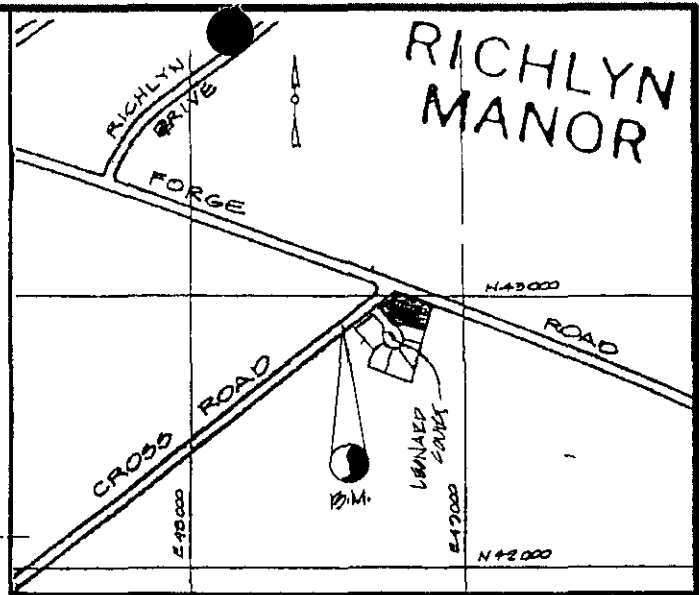


MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS PLANNERS SURVEYORS AND LANDSCAPE ARCHITECTS
 110 WEST ROAD
 Towson, Maryland 21204
 Tel: 410 821-1690
 Fax: 410 821-1748

**BALTIMORE COUNTY
 ZONING MAP
 CROSS & FORGE
 PROPERTY**

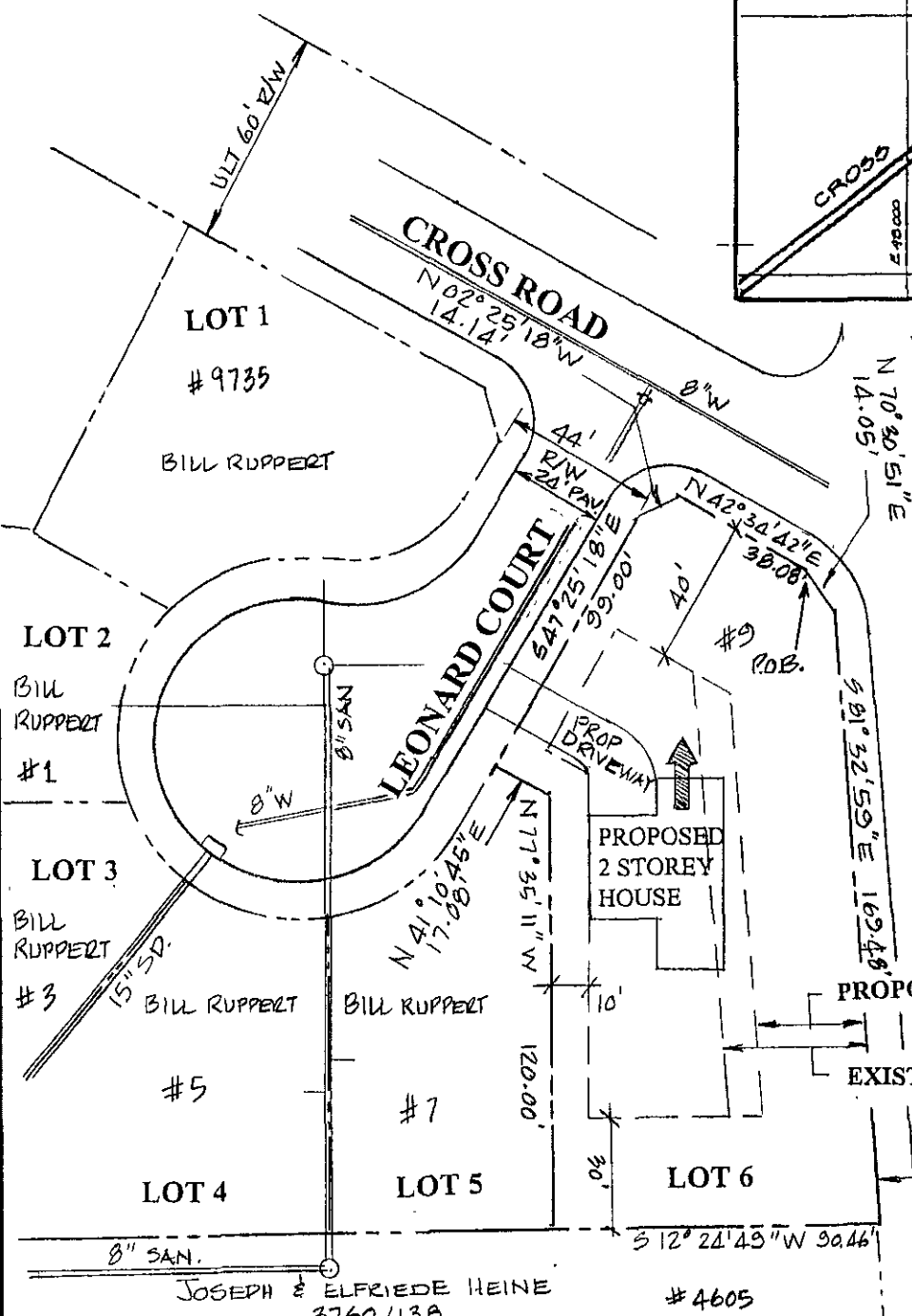
SCALE 1" = 200'	DATE 1/21/99	DRAWN BY KAT	DESIGN BY KAT	REVIEW BY	JOB NO 9700
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A VARIANCE IS REQUESTED FROM SECTION 259.9 B.2.C. TO ALLOW FOR A 30 FOOT SIDE YARD SETBACK FROM A COLLECTOR IN LIEU OF THE 40 FOOT REQUIRED SIDE YARD SETBACK.



VICINITY MAP

SCALE 1" = 1000'



OWNER: MR BILL RUPPERT
9654A BELAIR RD
BALTIMORE MD
21236.

00-172-
5PMA

Ref 1

SHEET 1 OF 3



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

110 West Road, Suite 245
Towson, Maryland 21204
(410)821-1690
Fax: (410)821-1748

**PLAT TO ACCOMPANY ZONING VARIANCE
& SPECIAL HEARING REQUEST FOR LOT 6
CROSS & FORGE ROAD PROPERTY**

11TH ELECTION DISTRICT BALTIMORE COUNTY
5TH COUNCILMANIC DISTRICT MARYLAND

SCALE: 1" = 50'	DATE: OCT 1999	DRAWN BY: DNM	DESIGN BY: -	REVIEW BY: -	JOB NO. 9788
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#172

0:\data\lala\starch\mra8x11t.dwg

1 OWNER/DEVELOPER:
C/O MR. BILL RUPPERT
9654 A BELAIR ROAD
BALTIMORE, MD 21236

2 MRA CONTACT:
DON MITTEN
410 821-1690

3 EXISTING PROPERTY INFORMATION: LOT 6
GROSS ACREAGE 0.364 ACRES ±
NET ACREAGE 0.364 ACRES ±
EXISTING ZONING D R. 3.5 H ZONING
ADDRESS #9 LEONARD CT

4. GENERAL INFORMATION:
HONEYGO SUBAREA: BEAN RUN SUB AREA
COUNCILMANIC TRACT: 5
CENSUS TRACT: 4113.04
ELECTION DISTRICT: 11
TAX ACCOUNT NO.: 2300002293
DEED REFERENCES: SM 70/42
TAX MAP REFERENCES: MAP 63 GRID 23
ADC MAP REFERENCE: PARCEL 428 LOT #6
WATERSHED: MAP 29 G-4
TOPO & ZONING MAP NO.: GUNPOWDER
SUBSEWERSHED: NE 11-I
BEAN RUN

5 THE FOLLOWING ZONING VARIANCES AND WAIVERS OF
STANDARDS CASE NO. XI-756 97-236-A WERE REQUESTED AND
APPROVED IN A LETTER DATED MARCH 31, 1997. FOR THE
ENTIRE CROSS & FORGE PROPERTY.

- A. A VARIANCE FROM SECTION 259.9 B.2.C. TO PERMIT THE
EXISTING RESIDENCE ON LOT 1, TO BE 18 FEET ± IN LIEU
OF 40 FEET FROM A COLLECTOR ROAD, WAS REQUESTED
AND GRANTED.
- B. A VARIANCE FROM SECTION 303.1 TO PERMIT AN 18'
FRONT SETBACK IN LIEU OF 34 FEET FRONT AVERAGE,
WAS REQUESTED AND GRANTED.
- C. A VARIANCE FROM THE RESIDENTIAL STANDARDS FOR
SINGLE FAMILY DETACHED DWELLING OF THE C.M.D.P. TO
PERMIT THE EXISTING RESIDENCE A SIDE YARD SETBACK
OF 10 FEET ± IN LIEU OF 15 FEET AND A REAR YARD
SETBACK OF 10 FEET IN LIEU OF 30 FEET FROM RIGHT OF
WAY, WAS REQUESTED AND GRANTED.
- D. A WAIVER OF PUBLIC WORKS STANDARDS TO PERMIT A 24'
ROAD ON A 44' PUBLIC RIGHT OF WAY FOR THE PROPOSED
CUL-DE-SAC, WAS REQUESTED AND GRANTED.

THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD
INTACT SINCE 1970. THE DEVELOPER'S ENGINEER HAS
CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS
PROPERTY AS SHOWN ON THIS PLAN HAS EVER BEEN
UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA
TO SUPPORT ANY OFFSITE DWELLINGS. OTHER THAN THE
CROSS & FORGE PROPERTY.

7 ACCESS. ALL SIX LOTS HAVE ACCESS ONTO CROSS ROAD
THROUGH THE PUBLIC CUL-DE-SAC. A WAIVER IN ROAD
DESIGN STANDARDS WAS APPROVED TO PERMIT A 24' PUBLIC
ROAD ON A 44' RIGHT OF WAY, IN THE CONCEPT PLAN
COMMENTS DATED 3/20/96.

8 ZONING SETBACKS REQUIRED:

A. HONEYGO DESIGN GUIDELINES MINIMUM SETBACK
REQUIREMENTS:

10 FT. FRONT YARD SETBACK.
4 FT. REAR YARD SETBACK FROM ALLEY R/W
40 FT. SETBACK FROM THE R/W OF AN ARTERIAL OR
COLLECTOR

HONEYGO DESIGN GUIDELINES:

600 SF. REAR YARD

ROOF PITCH MUST MEET THE MINIMUM 6/12 ROOF PITCH
REQUIRED BY THE HONEYGO PLAN

B. C.M.D.P. MINIMUM SETBACK GUIDELINES:

20' BUILDING-TO-BUILDING DISTANCE
(FOR BUILDINGS OVER 20' IN HEIGHT)

30' REAR YARD TO TRACT BOUNDARY OR PUBLIC R/W

15' SIDE YARD TO TRACT BOUNDARY OR PUBLIC R/W

TYPICAL BUILDING ENVELOPES SHOWN ON THESE SINGLE
FAMILY LOTS DICTATE A SPECIFIC ORIENTATION WHICH
ALLOWS COMPLIANCE WITH THE BALTIMORE COUNTY
ZONING REGULATIONS. SHOULD THE ORIENTATION
CHANGE, THE ABOVE REQUIRED SETBACKS MUST BE MET.

9. THERE ARE NO KNOWN FLOOD PLAINS, WETLANDS, OR
STREAMS LOCATED ON SITE.

10. THE GRADING PERMIT NUMBER FOR THE CROSS & FORGE
PROPERTY IS B-352178.

11. THERE ARE NO KNOWN EXISTING WELLS, SEPTIC TANKS OR
UNDERGROUND STORAGE TANKS ON SITE.

12. THE EXISTING SIGN IS IN COMPLIANCE WITH SECTION 413 E 1,
102.5 AND 259.9 OF THE B.C.Z R

13. THERE ARE NO KNOWN ARCHEOLOGICAL OR HISTORIC
STRUCTURES ON SITE.

14. THERE ARE NO KNOWN HAZARDOUS MATERIALS ON SITE

00-172-S PHA

SHEET 2 OF 3



MORRIS & RITCHE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

110 West Road, Suite 245
Towson, Maryland 21204
(410)821-1690
Fax: (410)821-1748

**PLAT TO ACCOMPANY ZONING VARIANCE
& SPECIAL HEARING REQUEST FOR LOT 6
CROSS & FORGE ROAD PROPERTY**

11TH ELCTION DISTRICT BALTIMORE COUNTY
5TH COUNCILMANIC DISTRICT MARYLAND

SCALE: N/S

DATE: OCT 1999

DRAWN BY: DNM

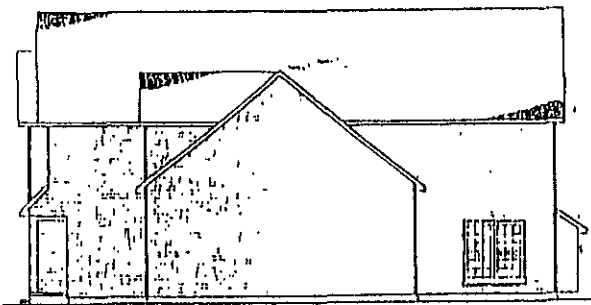
DESIGN BY: —

REVIEW BY:

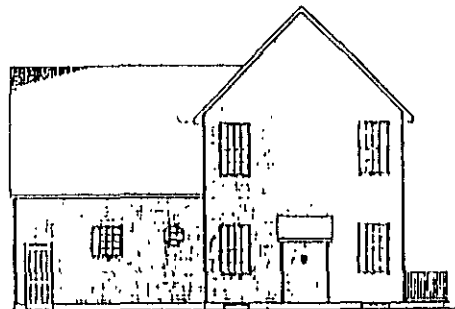
JOB NO. 9788



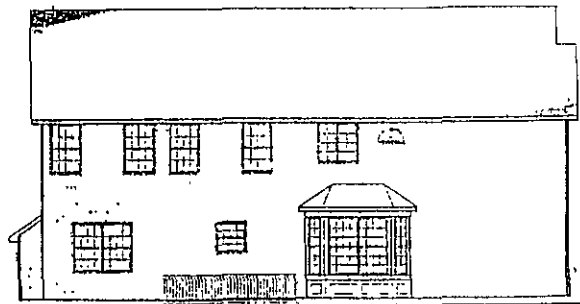
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

00-172-5PHA

SHEET 3 OF 3



MORRIS & RITCHE ASSOCIATES, INC.

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Towson, Maryland 21204
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Fax: (410)821-1748

PLAT TO ACCOMPANY ZONING VARIANCE
& SPECIAL HEARING REQUEST FOR LOT 6
CROSS & FORGE ROAD PROPERTY

11TH ELECTION DISTRICT BALTIMORE COUNTY
5TH COUNCILMANIC DISTRICT MARYLAND

SCALE: N/S

DATE: OCT 1999

DRAWN BY: DNM

DESIGN BY: -

REVIEW BY:

JOB NO. 9788

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

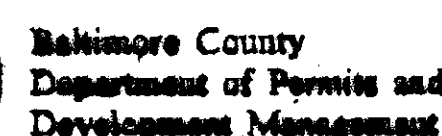
NAME

Beverly Long

ADDRESS

17 Silver Gate Ct Perry Hall 21128





Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
admission@dn.md.us

July 28, 1966

Robert A. Hoffman, Esquire
Veronica, Esq., and Howard, LLP
210 Maryland Avenue
P. O. Box 5517
Tampa, FL 33655-5517

Dear Mr. Hoffmann:

RE: The Transfer of Exemptions from Perry Hall Farms to The Cross and Forge Road Property, 11th Election District

Please be advised that I am in receipt of your letter of July 20, 1988, in which you requested the transfer of 5 exemptions from Perry Hall Farms, Section 3 to the Crook and Perry Road Property. I also received your submission of a copy of the recorded plat of the Crook and Perry Road Property (S.M. 70, Page 42) along with certification from the engineer that the 5 single-family dwellings, shown on the plat, have access to public water and sewer services.

Based upon all of the information you have provided and pursuant to Section 200.7-C-3 of the Baltimore County Zoning Regulations, on behalf of the Director, the Office of Permits and Development Management will permit the requested transfer. This office will also administer and issue a new exemption to Perry Hall Farms, Section 3 to realize those of the requested transfer.

Prior to the transfer of the 5 exemptions, there was a remainder of 31 for the Perry Hall Farms development. Since 5 have been transferred from Perry Hall Farms, Section 3 and then replaced by the exemptions that remain, the amended remainder is 26.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-667-3391.

Sincerely,

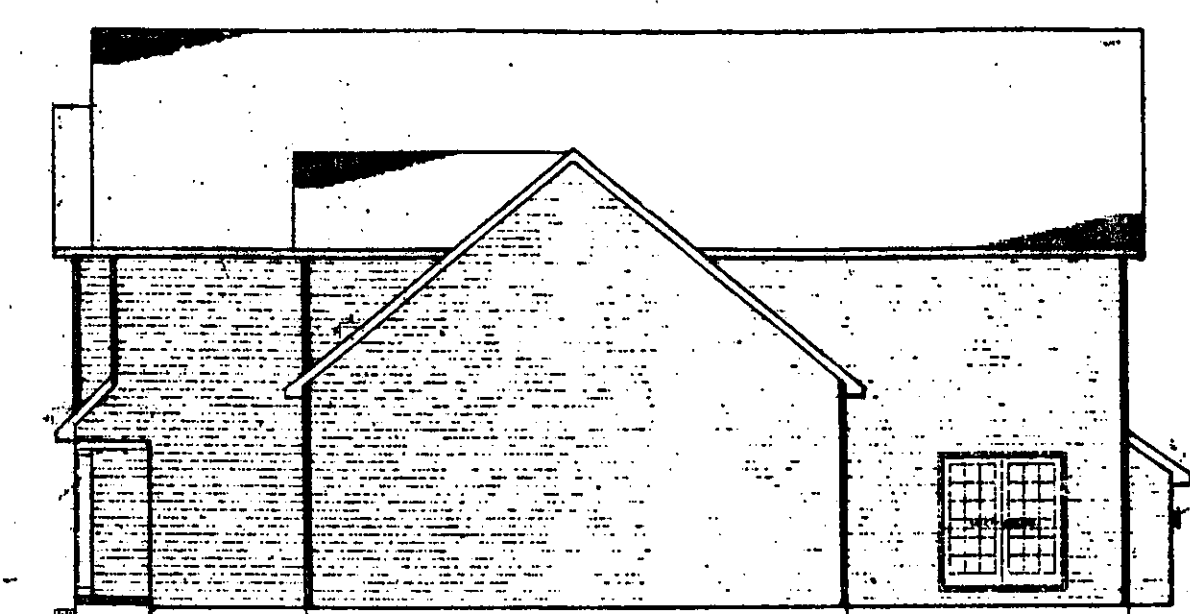
Mitchell J. Kellman
Planner II
Zoning Review

MJK:rsj

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



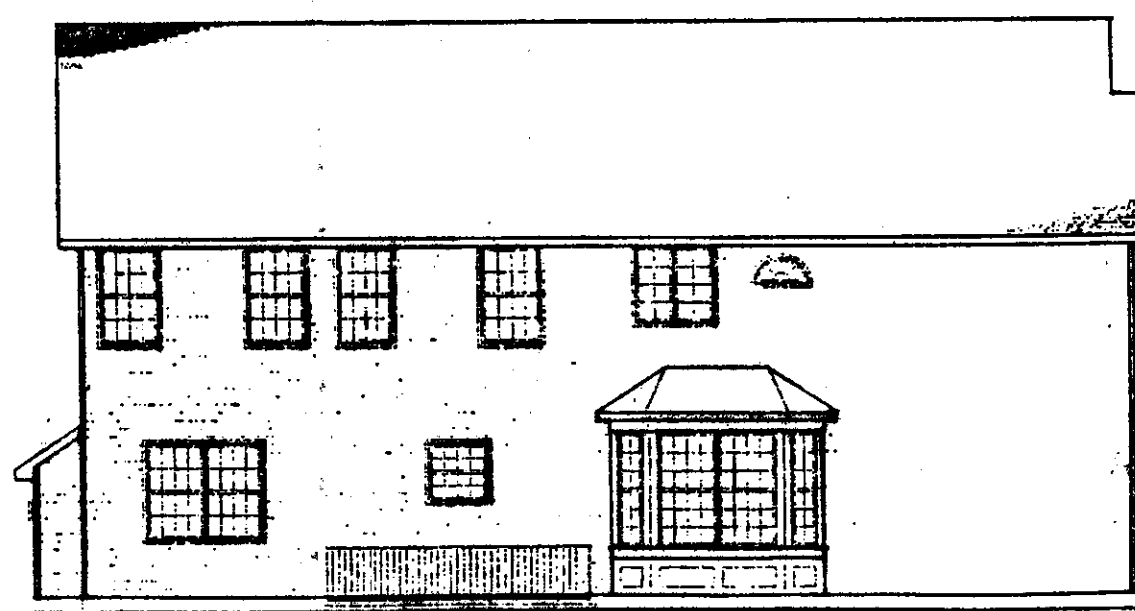
FRONT ELEVATION
SCALE 1"=10'



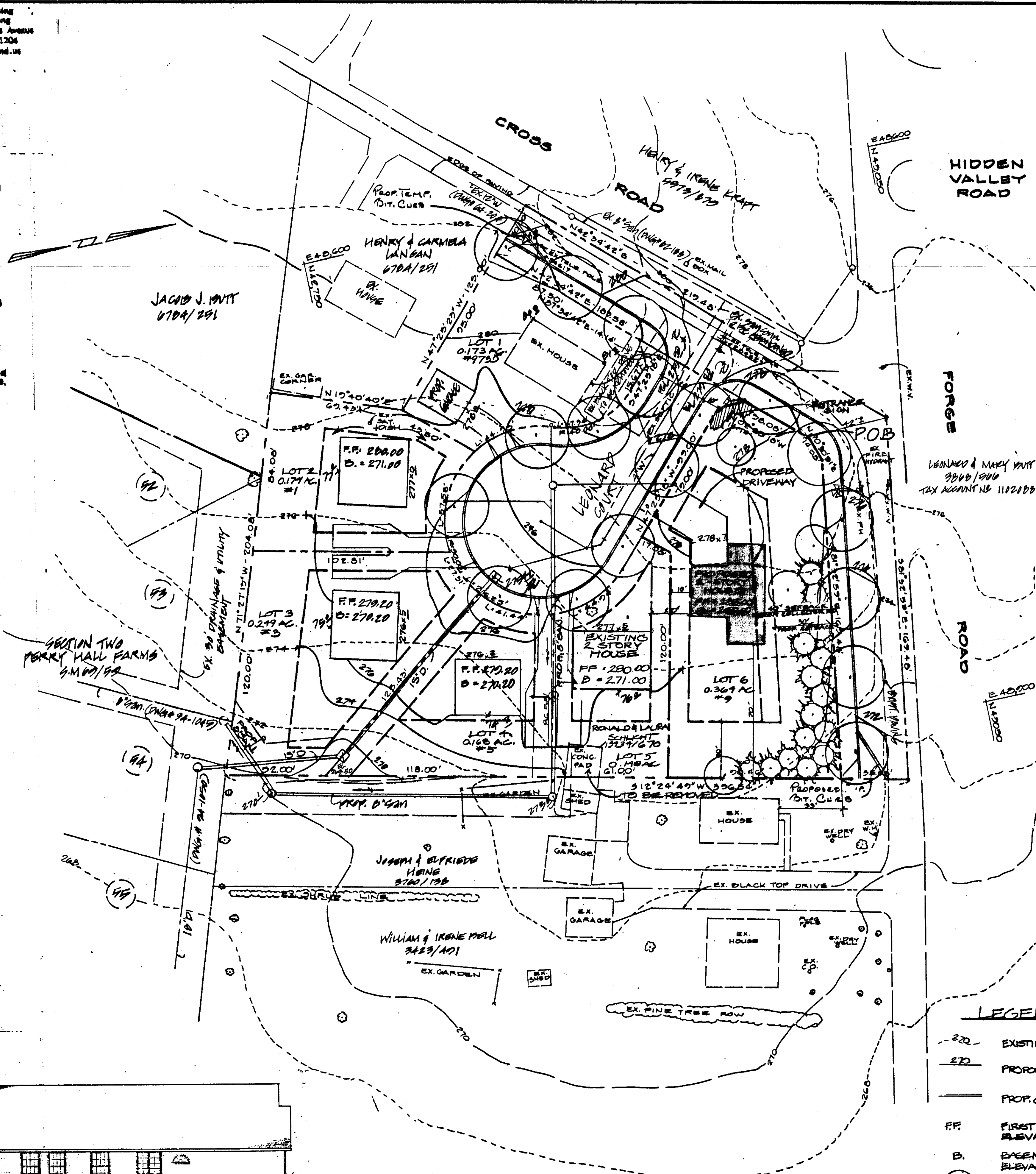
RIGHT SIDE ELEVATION
SCALE 1"=10'



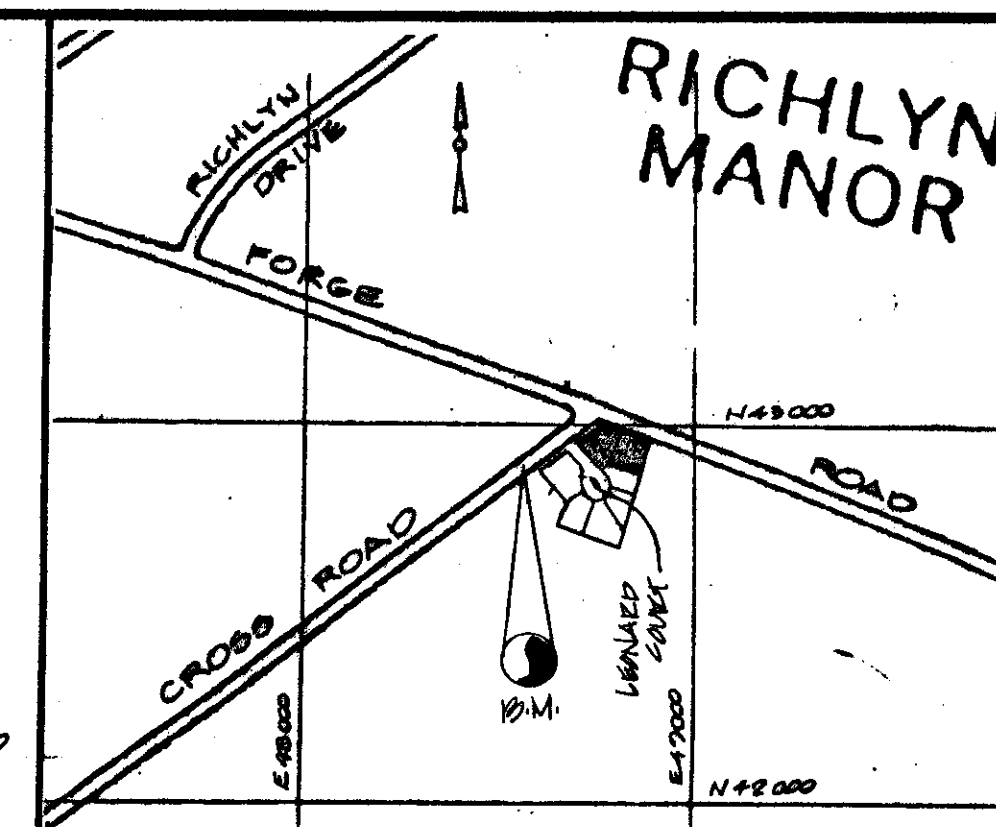
REAR ELEVATION
SCALE 1"=10'



LEFT SIDE ELEVATION
SCALE 1"=10'



BENCHMARK:
 BALTIMORE COUNTY HWY NO. 17260
 RR SPIKE IN MAGADAM ON SE
 SIDE OF FORGE ROAD ELEV. 202.478



VICINITY MAP
SCALE: 1" = 500'

- [illegible]

VARIANCE REQUEST
A VARIANCE IS REQUESTED FROM
SECTION 259.9 B.2.C. TO ALLOW
FOR A 30' SIDYARD SETBACK
FROM A COLLECTOR ROAD IN LIEU
OF A 40' SIDYARD SETBACK FROM
A COLLECTOR.

SPECIAL HEARING REQUEST
A SPECIAL HEARING IS REQUESTED
TO MODIFY VARIANCES APPROVED
UNDER CASE NO. XI-756 & 97-236 A

LEGEND

- 220--
- 220
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROP. CURB & GUTTER
- FF.
- FIRST FLOOR ELEVATION
- B.
- BASEMENT ELEVATION
- MAJOR SHADE TREE
- MINOR SHADE TREE
- EVERGREEN TREE
- SHRUBS



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

□ 139 N. MAIN ST., SUITE 200, BEL AIR, MARYLAND 21014
(410) 879-1690 FAX (410) 879-1820

■ 110 WEST ROAD, SUITE 249 TOWSON, MARYLAND 21204
(410) 821-1690 FAX (410) 821-1748

**PLAT TO ACCOMPANY ZONING VARIANCE &
SPECIAL HEARING REQUEST FOR LOT 6**

CROSS & FORGE ROAD PROPERTY

11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY MARYLAND

DATE	REVISIONS	JOB NO: 9788
		SCALE: 1"=30'
		DATE: SEPT. 1999
		DRAWN BY: JCL
		DESIGN BY: KAD
		REVIEW BY: SR
		SHEET: 1 OF 1