IN RE: PETITION FOR VARIANCE
W/S Forest Grove Avenue, 252'
S centerline Cedar Drive
3rd Election District
2nd Councilmanic District
(3604 Forest Grove Avenue)

Stephanie Y. Bryant Petitioner * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 00-280-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Stephanie Y. Bryant. The Petitioner is requesting a variance for property she owns at 3604 Forest Grove Avenue. The subject property is zoned D.R.5.5. Ms. Bryant is requesting a variance from Section 431.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a commercial vehicle with a gross vehicle weight of 17,560 lbs. in lieu of the 10,000 lbs.

Appearing at the hearing on behalf of the variance request were Stephanie Bryant, owner of the property and her fiancé, Eugene Smith. Appearing in opposition to the Petitioner's request were representatives of the Lochearn Improvement Association, namely Christine Cypress, Judith and Martin Berger and Arthur Jefferson. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request is improved with a single family residential home with an accessory garage located in the rear yard. The property is 50 ft. in width by 150 ft. in depth.

Mr. Smith, who resides at the subject property, is employed as a truck driver. He specifically drives 18-wheel tractor trailers. He owns and operates his own tractor and testified that he recently purchased a 1995 Peterbilt Freightliner tractor. The subject tractor weighs 17,560 lbs. which is in excess of the 10,000 lbs. permitted. Mr. Smith is an independent

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contractor and hires his tractor out to various trucking companies and for the most part hauls petroleum products. He is requesting a variance to allow the storage of his tractor on this residential property.

Mr. Smith testified that he never brings any trailers to the subject property and only parks the subject tractor on site. A photograph of the truck was entered into evidence as Petitioner's Exhibit No. 2. The truck in question is parked in the rear yard of the Petitioner's property behind a fence which was recently installed. The truck in question is barely visible from Forest Grove Avenue. Mr. Smith testified that the tractor he owns is a small vehicle as far as tractor trailers go. The truck in question is not much longer than the Chevrolet Suburban SUV that Mr. Smith owns and parks in his driveway. In addition, it is 2 or 3 feet taller than the Suburban vehicle. The truck in question is a diesel truck which makes a considerable amount of noise when the vehicle travels to and from the property.

Mr. Smith testified that he is very courteous in the operation of his truck and that his vehicle does not disturb any of his immediate neighbors. He submitted into evidence 18 signed statements from his immediate neighbors indicating that they have no objections to the storage of the truck on Mr. Smith's property. Testimony indicated that Mr. Smith spent 7 hours visiting and talking with his neighbors and found that no one was in opposition to the storage of his truck on this property. The subject truck has been on the property for the past two months. Mr. Smith was unaware of the need for this variance until such time he was advised by a zoning inspector of the violation. He testified that his intentions are to be a good neighbor and that he would not be proceeding with this request if any of his immediate neighbors objected to the storage of the vehicle on his property. He testified that he has no other location upon which to store his truck and cannot afford to rent storage at this time, given that he has just gone into business for himself

and just recently purchased this vehicle. He, therefore, requests, by way of this variance, that he be permitted to continue to park the vehicle on the property.

Appearing in opposition to the Petitioner's request were representatives of the Lochean Improvement Association. The position of the improvement association, despite the many letters of support from Mr. Smith's immediate neighbors, was that of strong opposition to the request for variance. These representatives, speaking on behalf of the entire community, were very much concerned about the precedent that would be set in the event Mr. Smith would be permitted to store and maintain this commercial truck on his property. The representatives in attendance did indicate that they received complaints from some neighbors regarding the parking and storage of this truck. Therefore, in an effort to preserve and protect this Lochearn community, they ask that the variance be denied. They further requested that any and all fines that might be pending against Mr. Smith, by virtue of the violation notice issued by the Zoning Enforcement Division of Baltimore County, be forgiven. The testimony at the hearing demonstrated that Mr. Smith is a very kind and courteous neighbor. He and Ms. Bryant recently moved into the neighborhood and are eager to make a good impression on their neighbors and to get along with everyone. Their property is well maintained and considerable improvements have been made to the property in that a new driveway and fencing have been installed to secure the truck in the rear yard. Furthermore, Mr. Smith, at the request of one of his neighbors, is prepared to install privacy slatting in the fence to further screen the truck from view from Forest Grove Avenue.

As I indicated at the hearing before me, Mr. Smith did an excellent job in the preparation and presentation of his case. It was obvious that he takes this matter very seriously and has gone out of his way to be a conscientious neighbor. He voluntarily notified his neighborhood block

2/1/2000 HING

captain, as well as the Lochearn Improvement Association of his intentions to store his truck on his property. He has tried to hide nothing from his neighbors or the association and has proceeded in good faith in this endeavor. I believe that Mr. Smith and Ms. Bryant are assets to this community. However, notwithstanding the honest and good intentions of the Petitioners, the storage of a commercial vehicle of this nature should not be permitted in a residential community such as this. Storing a commercial vehicle of this nature in a neighborhood designated as a community conservation area would be inconsistent with the conservation efforts being undertaken at this time. Therefore, I have to agree with the position of the Lochearn Improvement Association that the variance should be denied.

However, it was obvious from the testimony that Mr. Smith is an extremely considerate neighbor. He operates his truck in a safe and courteous manner which does not impact adversely on his immediate neighbors. This is evidenced by the many letters of support submitted into evidence. While the variance request must be denied, I believe it is reasonable to allow Mr. Smith an appropriate amount of time within which to find a place to store this commercial vehicle. Therefore, I shall afford Mr. Smith ninety (90) days from the date of this Order to make alternative arrangements for the storage of his truck. I shall also order that all fines that may be pending against Mr. Smith or Ms. Bryant be stayed and held in abeyance. In the event Mr. Smith relocates his truck prior to the expiration of this ninety (90) day period, then all fines shall be forgiven.

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

THEREFORE, IT IS ORDERED this day of February, 2000, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 431.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a commercial vehicle with a gross vehicle weight of 17,560 lbs. in lieu of 10,000 lbs. to be parked on a residential lot, be and is hereby DENIED.

IT IS FURTHER ORDERED, that the Petitioner shall have ninety (90) days from the date of this Order within which to make alternative arrangements for the storage of his commercial vehicle. Mr. Smith shall be permitted to continue to park the truck in question on his property during that ninety (90) day period. He must continue to operate the vehicle in a safe, courteous and considerate manner as he has in the past. After the expiration of this ninety (90) day period, the truck must be removed from the property and may no longer be parked on site.

IT IS FURTHER ORDERED, that all fines currently pending against Mr. Smith and/or Ms. Bryant, the property owner, shall be held in abeyance during this ninety (90) day period. In the event the truck is relocated within this ninety (90) day time frame, then all fines currently pending against these parties shall be forgiven.

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

ТІМОТНҮ М. КОТКОСО

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

February 10, 2000

Ms. Stephanie Y. Bryant Mr. Eugene Smith 3604 Forest Grove Avenue Baltimore, Maryland 21207

> Re: Petition for Variance Case No. 00-280-A

> > Property: 3604 Forest Grove Avenue

Dear Ms. Bryant & Mr. Smith:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been denied 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

Copies to:

Ms. Christine Cypress
Lochearn Improvement Association
3810 Lochearn Drive
Baltimore, Maryland 21207

Mr. & Mrs. Martin Berger 3801 Lochearn Drive Baltimore, Maryland 21207

Mr. Arthur Jefferson 3826 Patterson Avenue Baltimore, Maryland 21207

Mr. & Mrs. Wilson 3606 Forest Grove Avenue Baltimore, Maryland 21207



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 3004 Forest Grove Ave.

which is presently zoned

test the estimate declare and effect under the possition of

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)

431. A to permit a commercial vehicle with a gross vehicle weight of 17,560 pounds in lieu of 10,000 pounds; to be parked on a residential lot.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) We would like to have permission to park our tractor in our jard on our paved driveway We will install privacy slats on our left. Fench we operate as an "Owner Operator" other reason to be discussed at the hearing

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.

				perjury, that I/we are the subject of this P	are and animi, under the legal owner(s) of the etition.	property which
	Contract Purchaser/Le	ssee:		Legal Owner(s):		
				Stephanie)	1. Bryant	
	Name - Type or Print			Name Type or Print	J. Bryant	,
	Signature			Signature	p jsejene	
	Address		Telephone No.	Name - Type or Print		<u>, , ,</u>
	City	State	Zip Code	Signature 3/o/4 Fore	st Grove Are	.(410)277-4773
40 mm	Attorney For Petitione	<u>:</u>		Address Gwnn Cak.	<u>51 (1100).</u> MD	Telephone No. 2/267
	Name - Type or Print			City /	State	Zip Code
- · · · · ·	5 3		· 	Representative to	o be Contacted:	
	Signature					
"	Competity	<u>,p.</u>	_	Name		
	Address		Telephone No.	Address		Telephone No.
	City	State	Zip Code	City	State	Zip Code
	A STATE OF THE STA			OFFICE USE ONLY		
-	Case No. 60 - 280 - A			ESTIMATED LEN	GTH OF HEARING	1 hc
	Case No. <u>00 - 2</u>	0 - A		UNAVAILABLE FO	DR HEARING Date	1/7/00
	72 9 9 15 19 8					,

FROM THE DESK OF. EUGENE W. SMITH & STEPHANIE Y. BRYANT

3604 FOREST GROVE AVE. GWYNN OAK MD.21207-6310

Fax 410-277-9226 Home Phone 410-277-4773 Email RACE1966@AOL.COM

00-280-A

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 3604 FOREST GROVE AVE BEGINNING AT A POINT ON THE ____WEST_SIDE OF FOREST GROVE AVE WHICH IS 50 FT. WIDE AT A DISTANCE OF 252 FT. SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET CEDAR DR WHICH IS 50 FT. WIDE. *BEING LOT# 19 , BLOCK E SECTION# 1 IN THE SUBDIVISION OF LOCHEARN AS RECORDED IN BALTIMORE COUNTY PLAT BOOK# 7, FOLIO# 153, CONTAINING 7.500square feet. ALSO KNOWN AS 3604 FOREST GROVE AVE AND LOCATED IN THE 3rd ELECTION DISTRICT, 2nd COUNCILMATIC DISTRICT.

SINCERLY YOURS; tugen I must stephane 'U. Brigant EUGENE W. SMITH & STEPHANIE Y. BRYANT

#280

No. No. 100.		工票的 马	OF CK 50, (40, 40) SO, (40, 40)		CASHIER'S VALIDATION
NTY, MARYLAND & FINANCE S RECEIPT ACCOUNT AMOUNT \$ \$ Control AMOUNT \$ \$ Control AMOUNT \$ \$ AMOUNT \$ \$ Control AMOUNT \$ \$ AMOUNT \$ AMOUNT \$ \$ AMOUNT \$ \$ AMOUNT \$ \$ AMOUNT \$ AMOUN	No. 077919	1-6150		.1	***
	BALTIMORE COUNTY, MARYLAND ICE OF BUDGET & FINANCE MASCELLANEOUS RECEIPT	1 S/or 2850 3 V MJW AMOUNT \$ 5	Sinita	, i	PINK - AGENCY YELLOW - CUSTOME

The Zaning Commissioner of Baltimore County, by authority of the Zaning Act and Regulditions of Baltimore County will hold a public hearing in Towson. Maryland on the property identified herein as follows:

Case: #00-280-A 3804 Forest Grove Ave.. 252' 8 of centerfine Cedar Drive 3rd Eleption District Eggal Oyune(s): Stephanile Y. Bryant Variance: to permit a commercial vehicle with a gross vehicle weight of 17, 560, pounds. In leu of 10,000 pounds. In the or dearled on riskidential for Hearing: Monday, February, 2008 at 11,00 a.m. in Room 407, County Courts Building, 401 Bosley, Avenue.

LAWRENCE E SCHMIDT
Zoning-Commissioner for
Baltimore County
WOTES! (1) Hearlings are
WOTES! (1) Hearlings are
WOTES! (1) Hearlings are
WOTES! (2) For information concerning the File and/or
Hearling the File and/or
Hearling Contact the Zoning
Heview Office at; (410), 8873391.

CERTIFICATE OF PUBLICATION

TOWSON, MD, \

THIS IS TO CERTIFY, that the anútéxed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in _successive weeks, the first publication appearing on Mr. 20 Towson, Baltimore County, Md., once in each of_

THE JEFFERSONIAN,

LEGAL ADVERTISING

RECEIVED JAN 2 4 200

CERTIFICATE OF POSTING

RE: CASE #00-280-A
PETITIONER/DEVELOPER
(Stephanie Y. Bryant)
DATE OF Hearing
[Feb 7, 2000]

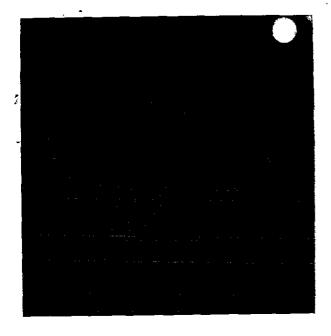
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

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 3604 Forest Grove Ave. Baltimore, Maryland 21207

The sign(s) were posted on 1-21-00 [Month, Day, Year]



Sincerely,

(Signature of Signa oster & Date)

Thomas P. Ogle, Sr._____

325 Nicholson Road

Baltimore, Maryland 21221___

[410]-687-8405

[Telephone Number]

RECEIVED FEB 0 2 2000

#280"

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

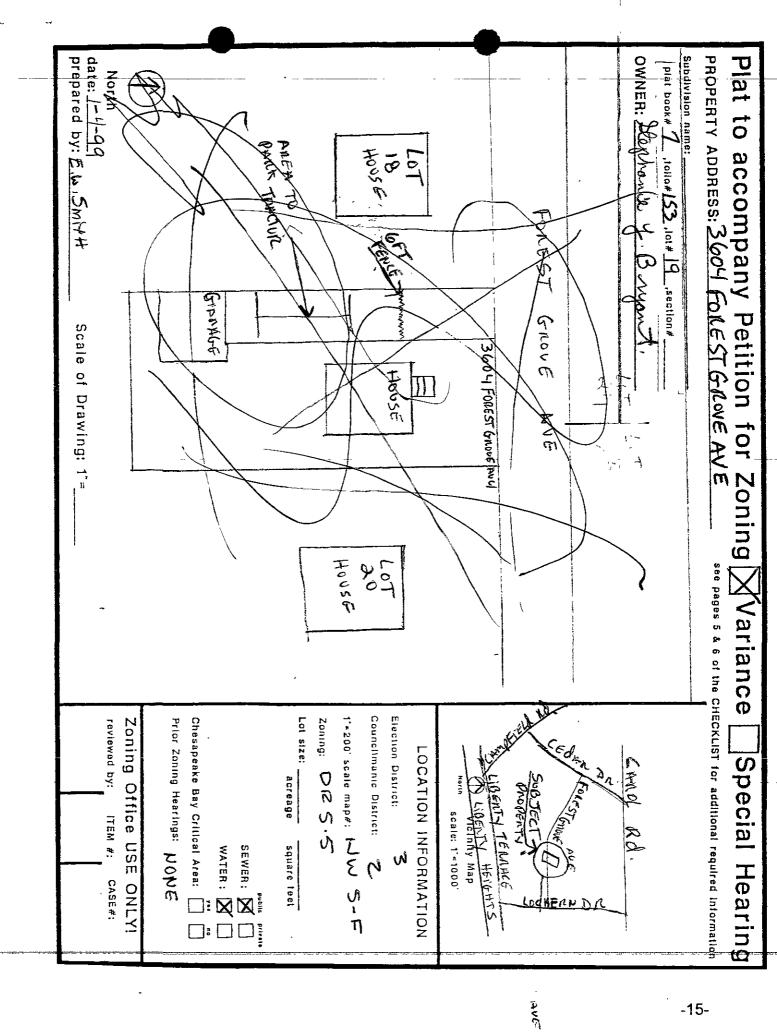
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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:
Petitioner: Lugare W. Smith & Stephanic y. Byant. Address or Location: 3604 Forest Cruze ave. Balty. Ind. 21207-6310
PLEASE FORWARD ADVERTISING BILL TO: Name: Cugene W. Smith . + Stephanie y. Bryant. Address: 3604 Forest. Gene. are. Balto pol. 21207
Telephone Number: 410-277-4773-Home /410-599-3837-Cell.

Revised 2/20/98 - SCJ



TO: PATUXENT PUBLISHING COMPANY

Thursday, January 20, 2000 Issue – Jeffersonian

Please forward billing to:

Eugene W. Smith & Stephanie Y. Bryant 3604 Forest Grove Avenue Baltimore, MD 21207

410-277-4773 (home) 410-599-3837 (cell)

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: 00-280-A 3604 Forest Grove Avenue

W/S Forest Grove Avenue, 252' S of centerline Cedar Drive

3rd Election District – 2nd Councilmanic District

Legal Owner: Stephanie Y. Bryant

Variance to permit a commercial vehicle with a gross vehicle weight of 17,560 pounds, in lieu of 10,000 pounds, to be parked on a residential lot.

HEARING:

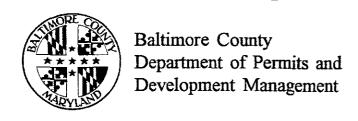
Monday, February 7, 2000 at 11:00 a.m. in Room 407. County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



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

Fax: 410-887-5708

January 11, 2000

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: 00-280-A
3604 Forest Grove Avenue
W/S Forest Grove Avenue, 252' S of centerline Cedar Drive
3rd Election District – 2nd Councilmanic District
Legal Owner: Stephanie Y. Bryant

<u>Variance</u> to permit a commercial vehicle with a gross vehicle weight of 17,560 pounds, in lieu of 10,000 pounds, to be parked on a residential lot.

HEARING: Monday, February 7, 2000 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

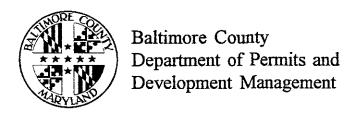
Arnold Jablon Director

c: Stephanie Bryant, 3604 Forest Grove Avenue, Gwynn Oak 21207

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JANUARY 23, 2000.

(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.



February 2, 2000

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

Fax: 410-887-5708

Ms. Stephanie Bryant 3604 Forest Grove Avenue Gwynn Oak MD 21207

Dear Ms. Bryant:

RE: Case Number 00-280-A, 3604 Forest Grove Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 7, 2000.

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:ggs

Enclosures



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

Date: 1.12.00

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

Baltimore County RE:

Item No. 280 MJK

Administrator

RECEIVED JAN 1 4 2000

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

f. J. Dredle

My telephone number is _

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: January 21, 2000

Department of Permits & Development

Management

RECEIVED JAN 2 7 2000

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for January 24, 2000

Item Nos. 273, 274, 276, 277, 279, (280) 281, 282, 283, 284, and 285

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

RWB:HJO:jrb

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

February 15, 2000

RECEIVED FEB 2 5 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: GOODWILL INDUSTRIES OF THE

CHES., INC. - 277

Location: DISTRIBUTION MEETING OF JANUARY 18, 2000

Item No.: 277

Dear Ms. Stephens:

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM NUMBERS:

273, 274, 276, 278, 279 280, 281, 282, 283, 284, AND 285

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

333

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: February 2, 2000

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT:

3604 Forest Grove Road

INFORMATION:

Item Number:

280

Petitioner:

Stephanie Y. Bryant

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has consistently opposed requested variance relief for the parking of commercial vehicles, which exceed the 10,000-pound limitation imposed in the Baltimore County Zoning Regulations. Use of residential property for this particular use is inconsistent with the goals of community conservation; therefore, these requests should be denied.

Section Chief:

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 11, 2000

TO: Larry E. Schmidt

Zoning Commissioner

FROM: James H. Thompson -

Code Enforcement Supervisor

SUBJECT: ITEM NO.: 280

PETITIONER: Stephanie Y. Bryant

VIOLATION CASE NO.: 99-8053

LOCATION OF VIOLATION: W/S of Forest Grove Ave., 252 feet S of centerline

Cedar Dr. (3604 Forest Grove Avenue)

DEFENDANT(S): Stephanie Y. Bryant

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME ADDRESS

Liz Pantzer 3605 Forest Grove Avenue

Baltimore, MD 21207

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/gh/lmh

Land of the

RE: PETITION FOR VARIANCE
3604 Forest Grove Avenue, W/S Forest Grove
Ave, 252' S of c/l Cedar Dr
3rd Election District, 2nd Councilmanic

Legal Owner: Stephanie Y. Bryant Petitioner(s) BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* Case No. 00-280-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 24th day of January, 2000 a copy of the foregoing Entry of Appearance was mailed to Stephanie Y. Bryant, 3604 Forest Grove Avenue, Baltimore, MD 21207, Petitioners.

Peter Max Cimmeinan

RECEIVED FEB 0 2 2000 //

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 18-280-A

Date Completed/Initials

///).	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
101	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder, file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter, make appropriate copies; mail original and copies; send copy to zoning commissioner, file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet) ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
11 12	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
•	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)
	- · · · · · · · · · · · · · · · · · · ·

I/WE ARE NEIGHBORS OF EUGENE AND STEPHANIE LIVING WITHIN IN 1000 FEET OF THEIR PROPERTY. WE HAVE NOT BEEN DISTURBED OR BOTHERED BY THE PARKING OF THEIR TRACTOR OR EUGENE DRIVING IT PAST OUR PROPERTY AT 3621 CAMPFIELD RD. THIS BRIEF STATEMENT IS IN REFERENCE TO THEIR HEARING WITH THE BALTO, CO. ZONING BOARD {CASE#00-280-A}.

SINCERELY YOURS,

I/WE ARE NEIGHBORS OF EUGENE AND STEPHANIE LIVING WITHIN IN 1000 FEET OF THEIR PROPERTY. WE HAVE NOT BEEN DISTURBED OR BOTHERED BY THE PARKING OF THEIR TRACTOR OR EUGENE DRIVING IT PAST OUR PROPERTY AT 36 | 4 CAMPFIELD RD . THIS BRIEF STATEMENT IS IN REFERENCE TO THEIR HEARING WITH THE BALTO, CO. ZONING BOARD {CASE#00-280-A}.

Lowevel Madison Sincerely yours,

UWE ARE NEIGHBORS OF EUGENE AND STEPHANIE LIVING WITHIN IN 1000 FEET OF THEIR PROPERTY. WE HAVE NOT BEEN DISTURBED OR BOTHERED BY THE PARKING OF THEIR TRACTOR OR EUGENE DRIVING IT PAST OUR PROPERTY AT CAMPFIELD RD. THIS BRIEF STATEMENT IS IN REFERENCE TO THEIR HEARING WITH THE BALTO, CO. ZONING BOARD {CASE#00-280-A}.

SINCERELY YOURS,

I/WE ARE NEIGHBORS OF EUGENE AND STEPHANIE LIVING WITHIN IN 1000 FEET OF THEIR PROPERTY. WE HAVE NOT BEEN DISTURBED OR BOTHERED BY THE PARKING OF THEIR TRACTOR OR EUGENE DRIVING IT PAST OUR PROPERTY AT CAMPFIELD RD. THIS BRIEF STATEMENT IS IN REFERENCE TO THEIR HEARING WITH THE BALTO, CO. ZONING BOARD {CASE#00-280-A}.

SINCERELY YOURS,

I/WE ARE NEIGHBORS OF EUGENE AND STEPHANIE LIVING WITHIN IN 1000 FEET OF THEIR PROPERTY. WE HAVE NOT BEEN DISTURBED OR BOTHERED BY THE PARKING OF THEIR TRACTOR OR EUGENE DRIVING IT PAST OUR PROPERTY AT CAMPFIELD RD. THIS BRIEF STATEMENT IS IN REFERENCE TO THEIR HEARING WITH THE BALTO, CO. ZONING BOARD {CASE#00-280-A}.

SINCERELY YOURS,

Many M. Coward

I/WE ARE NEIGHBORS OF EUGENE AND STEPHANIE LIVING WITHIN IN 1000 FEET OF THEIR PROPERTY. WE HAVE NOT BEEN DISTURBED OR BOTHERED BY THE PARKING OF THEIR TRACTOR OR EUGENE DRIVING IT PAST OUR PROPERTY AT SOME CAMPFIELD RD. THIS BRIEF STATEMENT IS IN REFERENCE TO THEIR HEARING WITH THE BALTO, CO. ZONING BOARD {CASE#00-280-A}.

SINCERELY YOURS.

Joseph Cennay 3609 Campfield RL Balt. Md 21207

I/WE ARE NEIGHBORS OF EUGENE AND STEPHANIE LIVING WITHIN IN 1000 FEET OF THEIR PROPERTY. WE HAVE NOT BEEN DISTURBED OR BOTHERED BY THE PARKING OF THEIR TRACTOR OR EUGENE DRIVING IT PAST OUR PROPERTY AT 3604 CED AR AVE. THIS BRIEF STATEMENT IS IN REFERENCE TO THEIR HEARING WITH THE BALTO, CO. ZONING BOARD {CASE#00-280-A}.

SINCERELY YOURS,

ay & Herch

Morre

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO,CO. ZONING BOARD {CASE # 00-280-A }. THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE.I / WE CURRENTLY RESIDE AT FOREST GROVE AVE.AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY.WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS,

I/WE ARE NEIGHBORS OF EUGENE AND STEPHANIE LIVING WITHIN IN 1000 FEET OF THEIR PROPERTY. WE HAVE NOT BEEN DISTURBED OR BOTHERED BY THE PARKING OF THEIR TRACTOR OR EUGENE DRIVING IT PAST OUR PROPERTY AT 3602 CEDAR AVE .THIS BRIEF STATEMENT IS IN REFERENCE TO THEIR HEARING WITH THE BALTO, CO. ZONING BOARD {CASE#00-280-A}.

SINCERELY YOURS,

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO,CO. ZONING BOARD {CASE # 00-280-A }. THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE.I / WE CURRENTLY RESIDE AT 360 / FOREST GROVE AVE.AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY. WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS, Janua Y. Rainey

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO,CO. ZONING BOARD {CASE # 00-280-A }.THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE.I / WE CURRENTLY RESIDE AT

3600 FOREST GROVE AVE.AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY. WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS, Mirram Hayles

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO,CO. ZONING BOARD {CASE # 00-280-A }.THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE.I / WE CURRENTLY RESIDE AT

3608 FOREST GROVE AVE.AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY. WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS,

Kelly lethers

TO WHOM IT MAY CONCERN:

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO,CO. ZONING BOARD {CASE # 00-280-A }.THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE.I / WE CURRENTLY RESIDE AT 3604 FOREST GROVE AVE.AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY.WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS,

Josephine Disterna

TO WHOM IT MAY CONCERN;

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO, CO. ZONING BOARD {CASE # 00-280-A }. THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE. I / WE CURRENTLY RESIDE AT FOREST GROVE AVE. AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY. WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS,

Ausar Pautger * for : Elizabeth Pauter

TO WHOM IT MAY CONCERN;

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO, CO. ZONING BOARD {CASE # 00-280-A }. THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE.I / WE CURRENTLY RESIDE AT 3601 \ FOREST GROVE AVE.AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY. WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS,

Cypetia D. and Gerald D. Mills

P.S. Eugene Smith has agreed to add privacy slats to his existing six-foot fence to decrease the visibility of the tractor-lugur Smul

TO WHOM IT MAY CONCERN:

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO,CO. ZONING BOARD {CASE # 00-280-A }. THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE.I / WE CURRENTLY RESIDE AT 36/0 FOREST GROVE AVE.AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY. WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS,

Vera artes Pay lote

TO WHOM IT MAY CONCERN:

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO, CO. ZONING BOARD {CASE # 00-280-A }. THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE.I / WE CURRENTLY RESIDE AT FOREST GROVE AVE.AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THE PROPERTY. WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS.

TO WHOM IT MAY CONCERN;

THIS BRIEF STATEMENT IS TO LEND MY/OUR SUPPORT TO EUGENE & STEPHANIE IN THEIR EFFORT TO OBTAIN A PERMIT FROM THE BALTO, CO. ZONING BOARD {CASE # 00-280-A }. THAT WOULD ALLOW THEM TO PARK THEIR TRACTOR BEHIND THEIR HOUSE AT 3604 FOREST GROVE AVE. I / WE CURRENTLY RESIDE AT 3606 FOREST GROVE AVE. AND HAVE NO OBJECTIONS OR PROBLEMS WITH THE TRACTOR BEING PARKED ON THEIR PROPERTY. WE ALL AGREE THAT UNDER THE CIRCUMSTANCE'S THE PARKING SHOULD BE ALLOWED.

SINCERELY YOURS,

Lois Shugher Wash

ATTENTION: Deputy Timothy Kotroco

401 Bosely Avenue

Room 405

Towson, MD 21207 February 9, 2000

This letter is concerning a tractor trailer at 3604 Forest Grove Avenue. When the owner starts the tractor early in the morning, it wakes me up out of my sleep. Also, the tractor shakes my windows.

Sincerely,

Mr & Mrs. Wilson 3606 Forest Grove Avenue Plat to accompany Petition for Zoning XVariance PROPERTY ADDRESS: 3604 FOLEST GROVE AVE OWNER: Lagrance 4. Bryant plat sooks 1 , tolice 153, lots 19 , sections *5*0 N13°25' E 00.280-A 20 8 50 LOT#19 BLOCK"E DECK MODD LA#18 LCT*20 LOCATION INFORMATION Ш ELECTION DISTLICT N 25°32'W 12年 N COUNCIL MATIC DISTAGE #2 4 SHNIGLE N 1"= 200' SCOLE MP + N.W 5 f #3604 ZOWING DR.S.S LOT. SIZE 7500 SAFT Public utilities NO PRIOR ZOPING HEARINGS S13°25'11 DEEST GROVE AVE. Pet Gx / 1-4-49 EDGE MAC

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME NAME	ADDRESS 3604 FOR A COMPANY
Ligene W Smith Stephanie Y. Bryant	3604 Forest Give av. 3604 Forest Grove Ave.
· · · · · · · · · · · · · · · · · · ·	





PLEASE PRINT CLEARLY_

PROTESTANT(S) SIGN-IN SHEET

Christine Cypress Jupith BERGER	Lochearn Timprovement Asso 3810 Lochearn De 21207
	3801 LOCHEARN DR 2130
MARTIN BERGER ARTHUR JOSEPH O	2 3801 LOCHERRN PR. 2120 2 3801 LOCHERRN PR. 2120 2000 Colon
	The factor of the
	

LOCHEARN IMPROVEMENT ASSOCIATION, INC.

Prof Ex #1

3810 Locheam Drive 410-298-0518 Fax: 410-298-7599

February 7, 2000

Mr. Lawrence Schmidt Baltimore County Zoning Commissioner 401 Bosley Avenue Towson, Maryland 21204

Re: CASE NUMBER 00-280-A

3604 Forest Grove Ave Location: W/S of Forest Grove Ave., 252 feet S of centerline of Cedar Dr. 3rd Election District, 2nd Councilmanic District

Legal owner: Stephanie Bryant

Variance to permit a commercial vehicle with a gross vehicle weight of 17,500 pounds, in lieu of 10,000 pounds, to be parked on a residential lot.

Dear Commissioner.

The Lochearn Improvement Association, Inc. cannot and will not support any variance that we feel would jeopardize the conservation of the community of Lochearn.

In the spring and summer of 1999, this community conducted a survey to find out the concerns of the resident of our community. Community conservation and traffic were the number one and number two concerns of the residents of our community. In October of 1999 we conducted a community input meeting on traffic and the number one issue at that meeting was the volume of trucks and tractor-trailers that travel and park on our community streets.

While this organization has received complaints regarding Mr. Smith's tractor, we have also received calls praising Mr. Smith for being a good neighbor and friend. The Lochearn Improvement Association, Inc. cannot support a variance to permit a commercial vehicle with a gross weight of 17,560 pounds to be parked on a residential lot in our community. We do however, asked that any extended fines and penalties that may be levied upon Mr. Smith and Ms. Bryant be waived because they are good neighbors and upstanding members of our community.

The Lochearn Improvement Association, Inc. is in the process of developing a community plan with the help of the Office of Planning of Baltimore County. Our goal is community conservation. Allowing this variance would only open the door for the other owners of tractors to park in our community.

Help us conserve Lochearn, not turn our community into a truck stop!

Sincerely,

Christine Cypress

Signature Time Cypuse)

Agenda

Lochearn Improvement Association, Inc. Board Meeting

1/17/00.

Lochearn Presbyterian Church

Meeting called by: Christ

Christine Cypress, President

Type of meeting:

Board Meeting

Facilitator:

Lochearn Presbyterian Church

Note taker:

Olivia Smith

Attendees:

- ✓ Christine Cypress, president
- ✓ Olivia Smith, vice president
- ✓ Harland Williams, treasurer
- ✓ Margaret Harps
- ✓ Anna McLaughlin
- ✓ Cheryl Boston
- ✓ Earl Lowe
- ✓ Wilbert Archie
- ✓ Arthur Jefferson

Agenda topics

Call to order

Discussion: The meeting was called to order by the president, Christine Cypress, at 7:45 p.m.

Reading of minuets from last meeting

Discussion: The meeting from the last meeting was not read. Secretary, Melvin Taylor was not present due to illness.

Conclusions: Christine Cypress and Olivia Smith recorded the minuets.

Orheistine Cypresso Jan. 15,00

New Business				
Discussion: Committee Gathering will be April 8, 00				
Organization Concerns: Mr. Eugene Smith & Ms. Stephanie Bryant of 3604 Forest Grove Avenue have requested a written statement from the Lochearn Improvement Association stating no formal complaints have been made concerning the parking of their tractor in their yard. After reviewing Mr. Smith and Ms. Bryant's letter and the pictures accompanying that letter, the board				
voted to deny the above-mentioned residents their request.	1 0			
Mr. Earl Lowe, Chairperson of the zoning committee has received complaints about the parking of the tractor at 3604 Forest Grove Avenue. A hearing before the zoning board has been scheduled for Monday, 02/07/00 at 11:00 a.m. in room 407 at the County Courts Building, 401 Bosley Avenue, Towson, MD				
Conclusions: This organization cannot support any issue that w Lochearn Community.	ould hinder the conservation	of the		
Action items: Members of the Board and member of the organization will attend the zoning board meeting 02/07/00.	Person responsible:	Deadline:		
Ajourment				
Discussion: The meeting adjourned at 9:15 p.m.				
Observers: Ryan Coleman, Education Chairpers	son & Sedley Williams, Lock	nearn Church		
Resource persons:				
Special notes:				

1999 - 2000 Board Of Directors Officers

Presiden	tt	
	3810 Locheam Drive	(410) 298-0518
Vice Pres	sident	Olivia Smith
	3740 Oak Avenue	(410) 298-8230
Treasure	f	Hadand Williams
	3724 Cedar Drive	(410) 944-5547
Secretary		Helvin Tavior
•	3737 Oak Avenue.	(410) 944-2056
Chand B	<u>DIRECTORS</u>	
Giayi b.	Boston	(410) 281-7710
Mahrin D.		
MEIAIII DI	ikley	(410) 484-3781
4-44	6627 Laurel Drive	
Arthur Je	fferson	(410) 60 2 -1526
	3826 Patterson Avenue	
Dawn Jor	1es	(410) 944-0688
	3700 Patterson Avenue	
Earl S. Lo	We	(410) 944-6459
	3828 Cedar Drive	
Anna C. N	AcLaughlin	(410) 944-7880
	3734 Sylvan Drive	
Cynthia M	lills	(410) 944-4152
	3611 Forest Grove Avenue	
Wilbert Ar	chie	(410) 209-7873
	3615 Sylvan Drive	110/200 10/0
Adele Ray	······································	/410) 507-8304
-	3811 Locheam Drive	(410) 331-0004
Joan Ande	erson	(A10) 200 4000
	6700 Laurel Drive	······································
Margaret i	Harps	(410) 044 0000
	3700 Patterson Avenue	

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

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Census 2000









