

IN RE: PETITION FOR VARIANCE
S/S of Cider Mill Road, 343' E
centerline of Waltham Woods Road
9th Election District
6th Councilmanic District
(2107 Cider Mill Road)

Theodore & Mary Jane D'Amico
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-369-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Theodore & Mary Jane D'Amico. The variance request is for property they own at 2107 Cider Mill Road. The property is zoned D.R.5.5 The Petitioners are requesting a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a principal side yard setback of 3 ft. in lieu of the required 10 ft. to construct a garage.

Appearing at the hearing on behalf of the variance request were Ted D'Amico, property owner, Jill Zupancic, a resident of the neighborhood and Frank Ambrosino, the contractor who has been retained to construct the garage. Appearing in opposition to the Petitioners' request were several residents of the surrounding community, namely Catherine & Ross Frederick, Joe Ford, Frances Fuller and Jimmy Lolley.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 8,748 sq. ft., zoned D.R.5.5. The subject property is improved with a two-story dwelling wherein Mr. and Mrs. D'Amico reside. The D'Amico's have lived at the subject property for the past ten years. At this time, Mr. D'Amico is desirous of constructing a 16 ft. x 20 ft. single car garage on the side of his dwelling where the driveway currently exists. The Zoning Regulations mandate that the Petitioner maintain a 10 ft. setback along his side property line. However, the garage to be constructed

ORDER RECEIVED FOR FILING

Date 5/24/00

By R. J. J. J.

would be situated only 3 ft. from Mr. D'Amico's side yard line. Therefore, the variance request is necessary in order for an attached single car garage to be built on the property.

Mr. D'Amico further testified that he would like to have a garage in order to keep his vehicle stored out of inclement weather. Furthermore, he testified that his vehicle was recently vandalized in that the window was busted out while the vehicle was parked on Cider Mill Road. For security reasons, as well as to store the vehicle out of bad weather, Mr. D'Amico would like permission to construct the garage on the side of his dwelling. He further testified that he has a very small rear yard on his property and is unable to construct a single car garage in his rear yard. The only feasible and practical area to construct this garage would be on the side of the dwelling as shown on the site plan submitted.

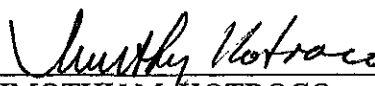
As stated previously, several residents from the surrounding community appeared in opposition to Mr. D'Amico's request. The cumulative testimony of the protestants was that they object to the construction of the garage on the side of the dwelling in that it will be situated too close to the dwelling located at 2105 Cider Mill Road. That dwelling is occupied by Mrs. Laverne Plassnic. It should be noted, however, that Mrs. Plassnic provided a written statement indicating that she in fact has no objection to the construction of the garage by Mr. D'Amico. However, the other residents of the neighborhood who attended the hearing feel that the garage would cut down the amount of open space between these two homes and give the feel that the neighborhood is becoming closed in. Furthermore, they object to the fact that the garage will extend some 4 ft. beyond the front foundation wall of Mr. D'Amico's house. Cider Mill Road curves at the location of Mr. D'Amico's house, therefore, the garage itself would appear to protrude even further out toward Cider Mill Road, given the curvature of the road itself. In addition, the residents object to a garage being constructed with the building materials chosen by Mr. D'Amico. He proposes to utilize a white vinyl siding on the side of the garage which would be most visible to the motorists traveling on Cider Mill Road. The residents

object to the use of vinyl siding, given that the houses are constructed out of brick. The protestants ask that the variance be denied.

After considering the testimony and evidence offered at the hearing, as well as my site visit to the property, I find that the variance request should be denied. I can fully understand Mr. D'Amico's wish to have a single car garage within which to park his vehicle. However, the property simply does not lend itself to the construction of a garage on the side of the dwelling. The lot itself is very small considering the large size of the dwelling situated on it. The pie shaped nature of the property itself also hampers the ability to construct a garage on the side of the dwelling. The proposed garage addition would leave only 3 ft. from the side of the garage to Mr. D'Amico's property line. This leaves barely enough room to push a lawnmower around that side of the house without trespassing onto the property owned by Mrs. Plassnic. Therefore, given the totality of the testimony offered at the hearing, I find that the variance request should be denied.

THEREFORE, IT IS ORDERED this 24th day of May, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a principal side yard setback of 3 ft. in lieu of the required 10 ft. to construct a garage, be and is hereby DENIED.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

Date

5/24/00

By



MK:raj



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2107 Cider Mill Rd
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02.301 To Permit A Principal
SIDE YARD SETBACK OF 3 FT. IN LIEU OF THE REQUIRED 10 FT.

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):

Name - Type or Print
Signature
Name - Type or Print
Signature
Address Telephone No
City State Zip Code

Representative to be Contacted:

Name
Address Telephone No
City State Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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 - 369 - A

Reviewed By 8007 Date 03-10-00

Estimated Posting Date 03-19-00

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

Address 2107 Cider Mill Rd
City Balto State Md Zip Code 21234

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): *That due to the pie shaped layout of the property, along with the layout of the rear yard and a permanent covered porch attached to the rear of the house, there is no other feasible place to build a garage except in the side yard as indicated. Therefore the request is being made to allow the variance of the side yard set back to be 3 feet instead of 10 feet. The purpose of the garage is to protect the car from vandalism. (2 police reports are on file for previous vandalism incidents)*

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.

Signature

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of March 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mary Jane Damico
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

REV 09/15/98

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

Address 3107 Cider Mill Rd
Baltimore Md 21234
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): *That due to the pie shaped layout of the property, along with the layout of the rear yard, and as well a permanent covered porch attached to the rear of the house, there is no other feasible place to build a garage except in the side yard as indicated. Therefore the request is being made to allow the variance of the side yard set back to be 3 feet instead of 10 feet. The purpose of the garage is to protect the car from vandalism. (there are two police reports on fire from previous incidents)*

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Theresa Ashley D'Amico
Signature
Theresa Ashley D'Amico
Name - Type or Print

Mary Jane D'Amico
Signature
MARY JANE D'AMICO
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of March 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MD
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

3/8/2000

Notary Public

My Commission Expires

9/1/2001



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2107 Cider Mill Rd
which is presently zoned QA5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 BOZ.3C.1 to Permit a Principal
SIDE YARD SETBACK OF 3 FT. IN LIEU OF THE REQUIRED
10 FT.

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):

Name - Type or Print MARY JANE D'AMICO
Signature Mary Jane D'Amico
Name - Type or Print MARY JANE D'AMICO
Signature Mary Jane D'Amico
Address 2107 Cider Mill Rd Telephone No. 410-6685743
City Baltimore State MD Zip Code 21239

Representative to be Contacted:

Name Frank Ambrosio
Address 2610 N. Woodwell Rd Telephone No. 410-385-1946
City Baltimore State MD Zip Code 21222

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. 00-369 A

Reviewed By 8007 Date 03-10-00

Estimated Posting Date 03-19-00

REV 9/15/98

Zoning Description

Zoning description for 2107 Cider Mill Rd.

Beginning at a point on the ~~west~~ ^{south} side of Cider Mill Rd which is 40 feet wide at the distance of 343' East of the centerline of the nearest improved intersecting street Waltham Woods Rd. which is 70 wide. Being lot #7, Block K, Section #2 in the subdivision of Perring Park as recorded in Baltimore County Plat Book # 28, Folio #19, containing 8748.36 sq. feet. Also known as 2107 Cider Mill Rd and located in the 9 election district, 6 Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 078934

DATE 07-15-00 ACCOUNT R C C C C C C C

AMOUNT \$ 50.00

RECEIVED FROM: Frank Charlesino

FOR: R C C C C C C C

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

THIS RECEIPT
ISSUED BY THE
BALTIMORE COUNTY OFFICE OF BUDGET & FINANCE
ON 07/15/00 FOR \$50.00
TO FRANK CHARLESINO
FOR R C C C C C C C
OFFICE OF BUDGET & FINANCE
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION



FORMAL DEMAND FOR HEARING

CASE NUMBER: 00369A

Address: 2107 CIDER MILL LN.

Petitioner(s): _____

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We JOE FORD
Name - Type or Print

() Legal Owner OR () Resident of

2110 CIDER MILL RD.

Address

PARKVILLE MD 21234

City State Zip Code

882-2170

Telephone Number

which is located approximately 100 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.**

Joe Ford 3/28/00
Signature Date

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

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

No. **080419**

DATE 3/28/00 ACCOUNT 2011-2000

AMOUNT \$ 4112

RECEIVED FROM: Ford

FOR: 2000 Ford Excursion 4.6L V8

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
CASHIER: [Signature] DATE: 3/28/00
AMOUNT: \$4,112.00
FOR: 2000 Ford Excursion 4.6L V8
FROM: Ford
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: #00-369-A
2107 Cider Mill Road
S/S Cider Mill Road, 343' E
of Waltham Woods Road
9th Election District
6th Councilmanic District
Legal Owner(s): Mary Jane
D'Amico & Theodore Ashley
D'Amico

Administrative Variance:
to permit a principal side
yard setback of 3 feet in lieu
of the required 10 feet.

Hearing: Tuesday, April
25, 2000 at 2:00 p.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue.

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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at: (410) 887-
3391.

4/025 Apr. 6 C381904

CERTIFICATE OF PUBLICATION

TOWSON, MD, 4/7/, 2000

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 4/6/, 2000.

THE JEFFERSONIAN,
S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 00-369-A
PETITIONER/DEVELOPER
[Mary Jane D'Amico]
DATE OF Closing
[Apr. 3, 2000]

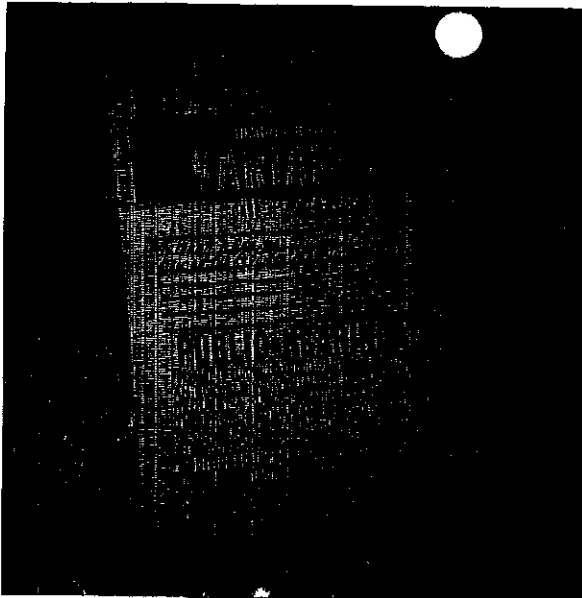
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

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
2107 Cider Mill Road Baltimore, Maryland 21234_____

The sign(s) were posted on_____ 3-17-00 _____
[Month, Day, Year]



Sincerely,

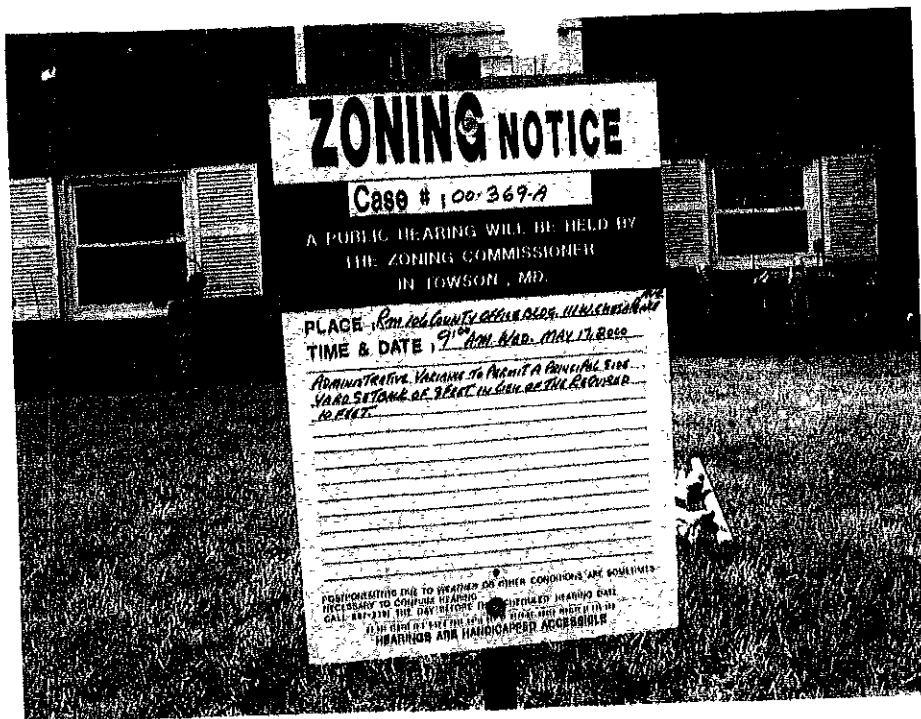

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

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



Posted at 2107 Cider Mill Road

CERTIFICATE OF POSTING

**RE: CASE # 00-369-A
PETITIONER/DEVELOPER
(Mary Jane D'Amlco)
DATE OF Hearing
(5-17-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

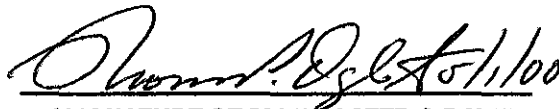
LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

2107 Cider Mill Road Baltimore, Maryland 21234_____

THE SIGN(S) WERE POSTED ON _____ 5-1-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)



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

March 29, 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: 00-369-A

2107 Cider Mill Road

S/S Cider Mill Road, 343' E of Waltham Woods Road

9th Election District – 6th Councilmanic District

Legal Owner: Mary Jane D'Amico & Theodore Ashley D'Amico

Administrative Variance to permit a principal side yard setback of 3 feet in lieu of the required 10 feet.

HEARING: Tuesday, April 25, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

C: Mary & Theodore D'Amico, 2107 Cider Mill Road, Baltimore 21234
Frank Ambrosino, 2610 W. Woodwell Road, Baltimore 21222
Joe Ford, 2110 Cider Mill Road, Parkville 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY APRIL 10, 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.**



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 369 -A Address 2107 Cider Mill Rd
Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 03-10-00 Posting Date: 03-19-00 Closing Date: 04-03-00

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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.
- 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- 369 -A Address 2107 Cider Mill Rd
Petitioner's Name MARY JANE D'AMICO Telephone 410-668-5743
Posting Date: 03-19-00 Closing Date: 04-03-00
Wording for Sign: To Permit A SIDE YARD SETBACK OF 3 FT. IN
LEW OF THE REQUIRED 10 FT IN ADJ. S.S. ZONE.

**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: 00-369-A
Petitioner: Theodore D'Amico
Address or Location: 2107 Cider Mill Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Theodore D'Amico
Address: 2107 Cider Mill Rd
Badro Md 21234
Telephone Number: 410 668-5743

Revised 2/20/98 - SCJ

00-369-A

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 6, 2000 Issue – Jeffersonian

Please forward billing to:
Theodore D'Amico
2107 Cider Mill Road
Baltimore, MD 21234

410-668-5743

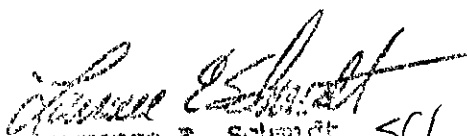
NOTICE OF ZONING HEARING

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: 00-369-A
2107 Cider Mill Road
S/S Cider Mill Road, 343' E of Waltham Woods Road
9th Election District – 6th Councilmanic District
Legal Owner: Mary Jane D'Amico & Theodore Ashley D'Amico

Administrative Variance to permit a principal side yard setback of 3 feet in lieu of the required 10 feet.

HEARING: Tuesday, April 25, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt SC/

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.



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

May 12, 2000

Mr. Frank Ambrosiro
2610 W. Woodwell Road
Baltimore MD 21222

Dear Mr. Ambrosiro:

RE: Case Number 00-369-A , 2107 Cider Mill Road

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

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

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 21, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For March 27, 2000
Item Nos. 362, 363, 366, 367, 368,
and 369

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

RWB:HJO:jrb

cc: File

ZAC-3-27-2000-NO COMMENT ITEMS



Baltimore County
Fire Department

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

March 21, 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: SEE BELOW

Location: DISTRIBUTION MEETING OF MARCH 20, 2000

Item No.: 362, 364, 365, 366, 367, 368, 369

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.

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

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: April 10, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of March 20, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
362	7901 Comes Avenue
363	8432 Pulaski Highway
367	9712 and 9714 Magledt Road
368	321 North Beaumont Avenue
369	2107 Cider Mill Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MAR 21

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

Date: March 20, 2000

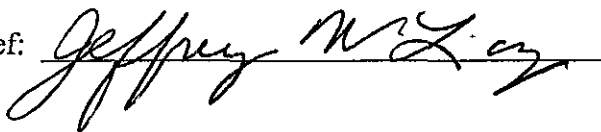
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 334, 362, 363, and 369

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

Section Chief:



AFK/JL



Maryland Department of Transportation
State Highway Administration

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

Date: 3-22-00

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

RE: Baltimore County
Item No. 369 JRA

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



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

March 29, 2000

Mr. & Mrs. Theodore D'Amico
2107 Cider Mill Road
Baltimore, MD 21234

Dear Mr. & Mrs. D'Amico:

RE: Demand for Public Hearing, Administrative Variance, Case Number 00-369-A

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on March 28, 2000 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,

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:scj

C: Joe Ford, 2110 Cider Mill Road, Parkville 21234





Baltimore County
Department of Permits and
Development Management

Robin - FYH 5/17
Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 24, 2000

APR 25

Mr. & Mrs. Theodore D'Amico
2107 Cider Mill Road
Baltimore, MD 21234

Dear Mr. & Mrs. D'Amico:

RE: Case Number 00-369-A, 2107 Cider Mill Road

The above matter, previously scheduled for April 25, 2000, has been postponed, as the property was not posted. The hearing has been **rescheduled for Wednesday, May 17, 2000 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.**

Please be advised that the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,


Arnold Jablon
Director

AJ:scj

C: Frank Ambrosino, 2610 W. Woodwell Road, Baltimore 21222
Joe Ford, 2110 Cider Mill Road, Parkville 21234



4/3/00 AV
Hearing Demanded
4/25

MAR 30

March 29, 2000

Mr. & Mrs. Theodore D'Amico
2107 Cider Mill Road
Baltimore, MD 21234

Dear Mr. & Mrs. D'Amico:

RE: Demand for Public Hearing, Administrative Variance, Case Number 00-369-A

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on March 28, 2000 for a public hearing concerning the above proposed administrative procedure.

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If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:scj

C: Joe Ford, 2110 Cider Mill Road, Parkville 21234

April 12, 2000

Baltimore County Zoning Office
Ms. Sofie Jennings

Re: Case number 00-369-A

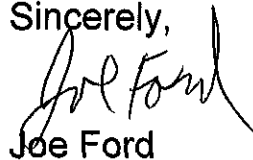
The purpose of this letter is to inform the Zoning office that a sign was not posted by the Petitioner as of April 10. This was a requirement reflected on a letter received from the Zoning Office.

Please help me to ensure that the sign is posted so the other neighbors are aware of the date of the public Hearing.

The Hearing date may also need to be postponed since the posting was not accomplished by the required date of April 10.

Thank you for your valued assistance.

Sincerely,



Joe Ford

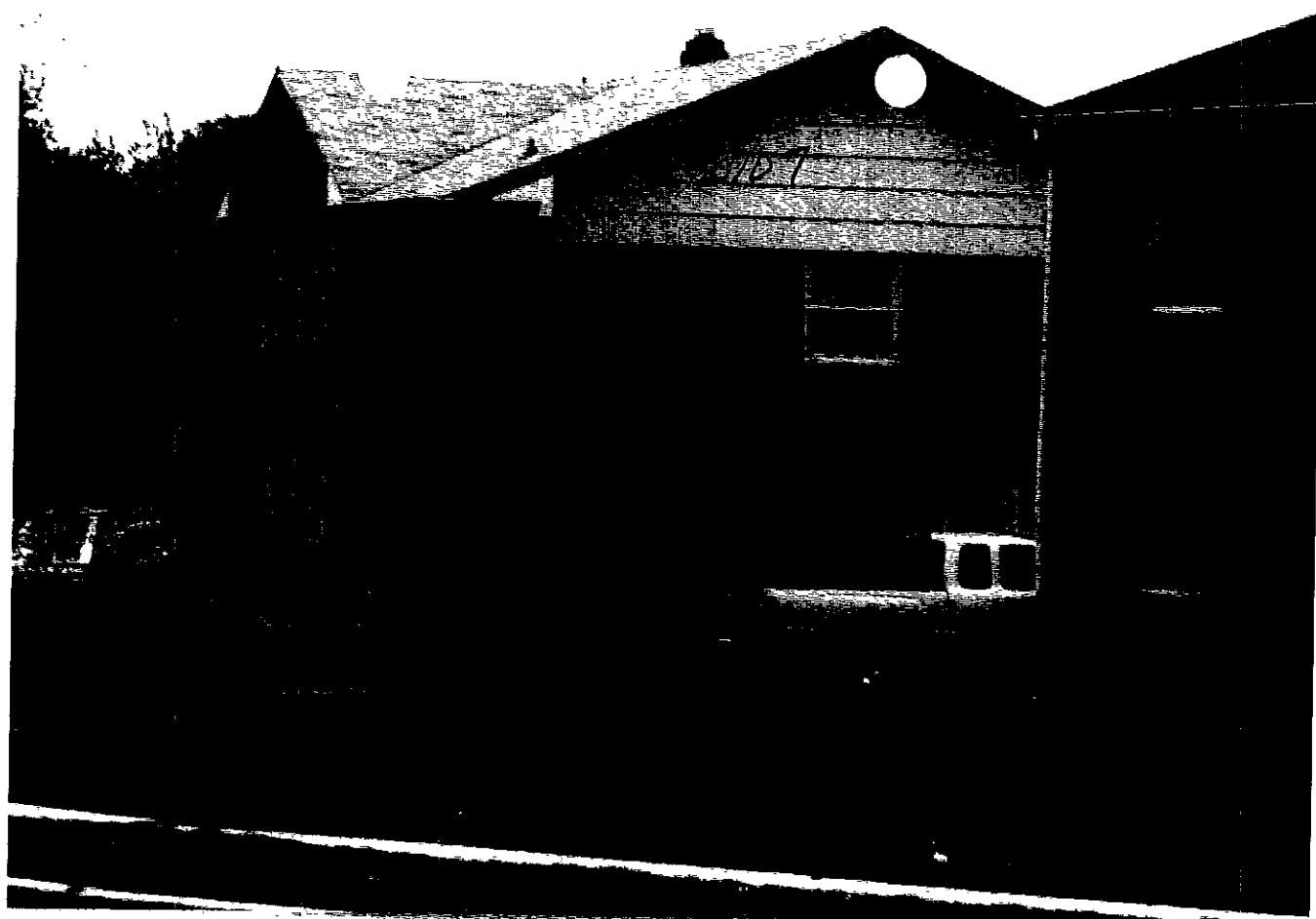
~~2110 Cider mill rd.~~
2110 Cider mill rd.
PARKVILLE MD. 21234

March 15, 2000

To Whom It May Concern:

I, Leanne Plasing, 2105 Coker
Mill Road, Baltimore, Maryland -
21234, wish to state that I do
not oppose the building of a
garage by my neighbor, Ted
D'Amico, of 2107 Coker Mill
Road. If need be, you can
contact me by mail or by phone
410-661-8794.

Sincerely,
Mrs. Leanne Plasing



CRIME VICTIMS AND WITNESSES:

Your Rights and Services

BALTIMORE COUNTY

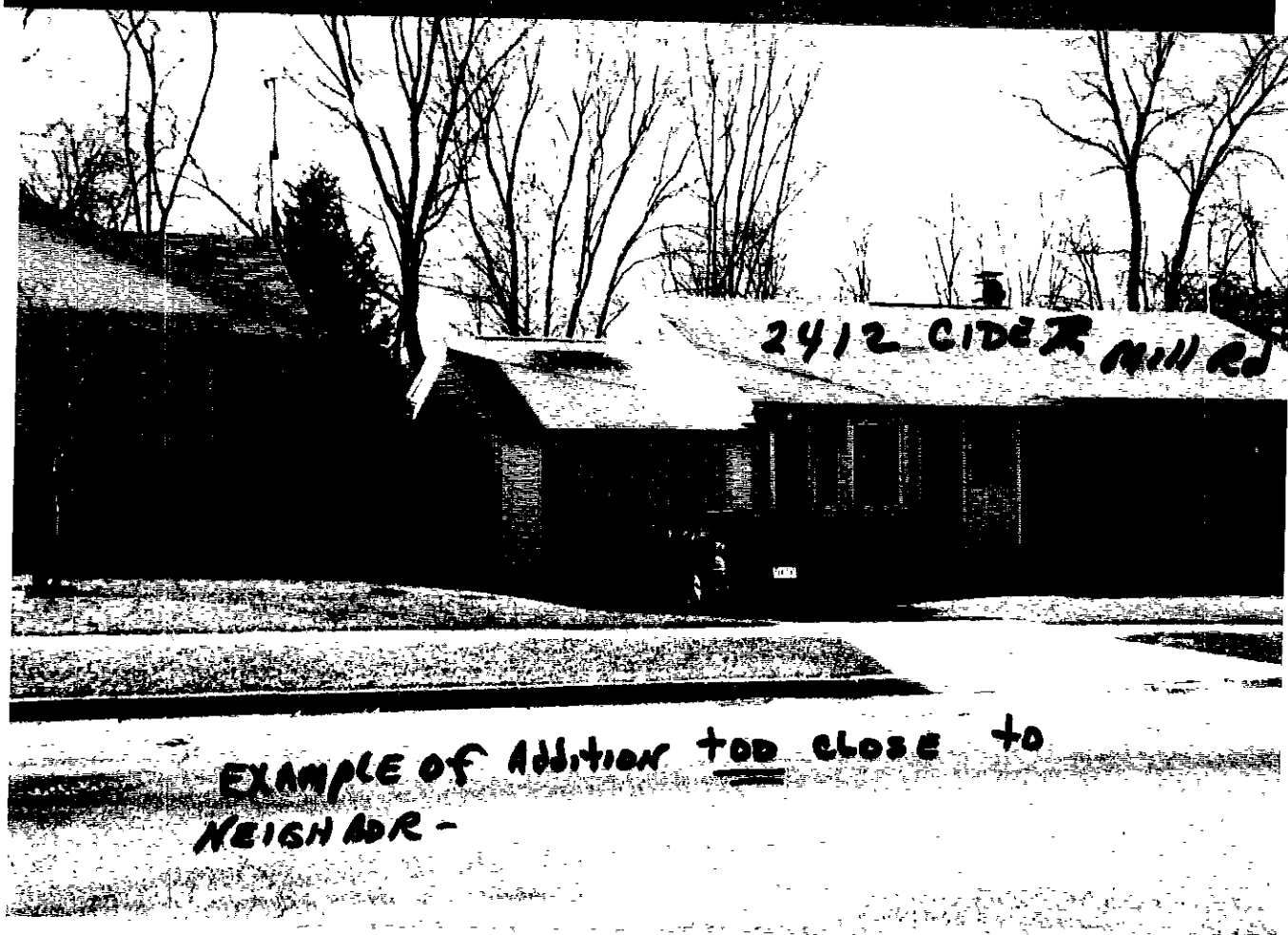
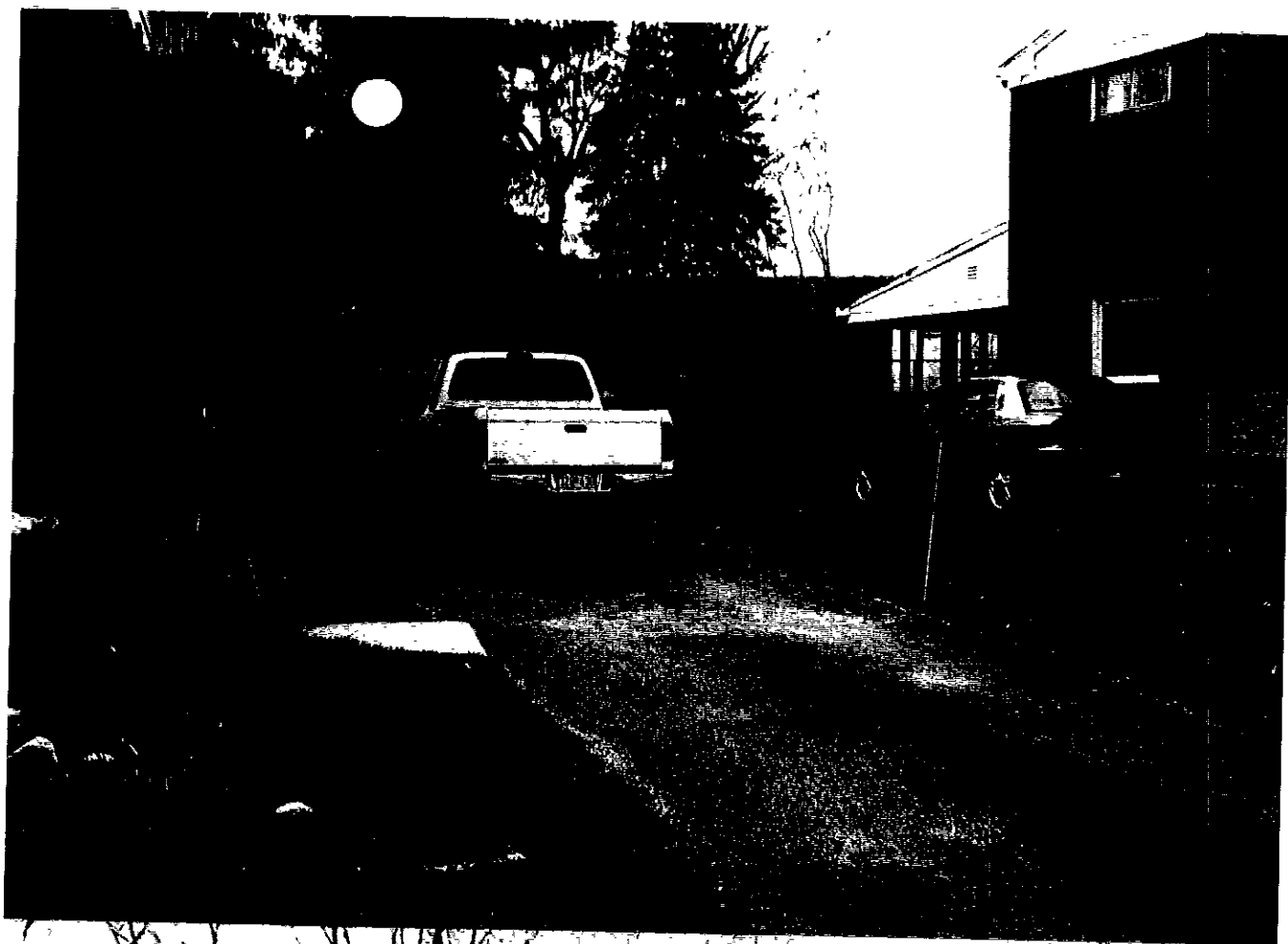
Officer P. DAVIS

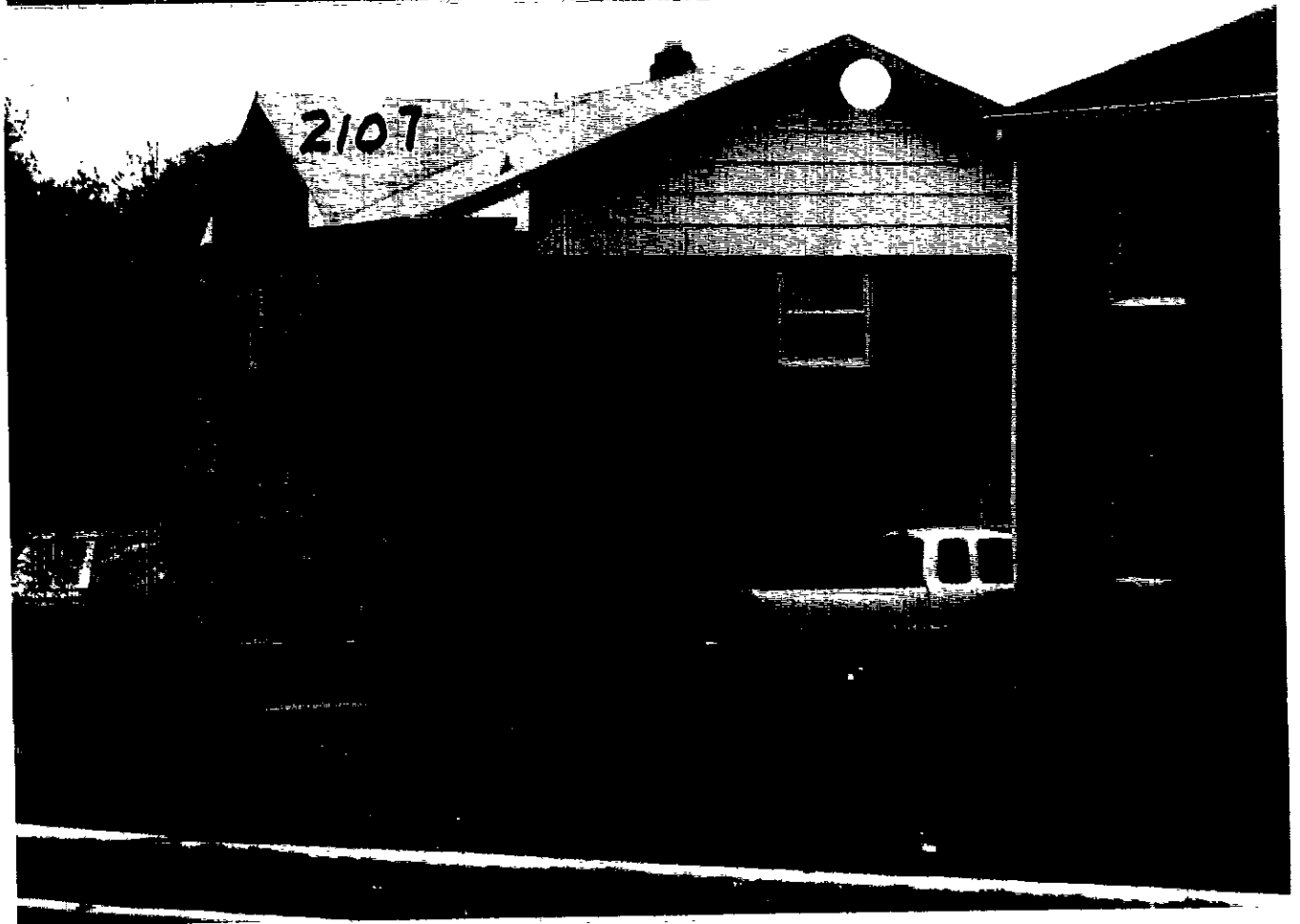
Complaint # 99-330-0362

Phone # 410-887-5310

Investigator _____

Phone # _____

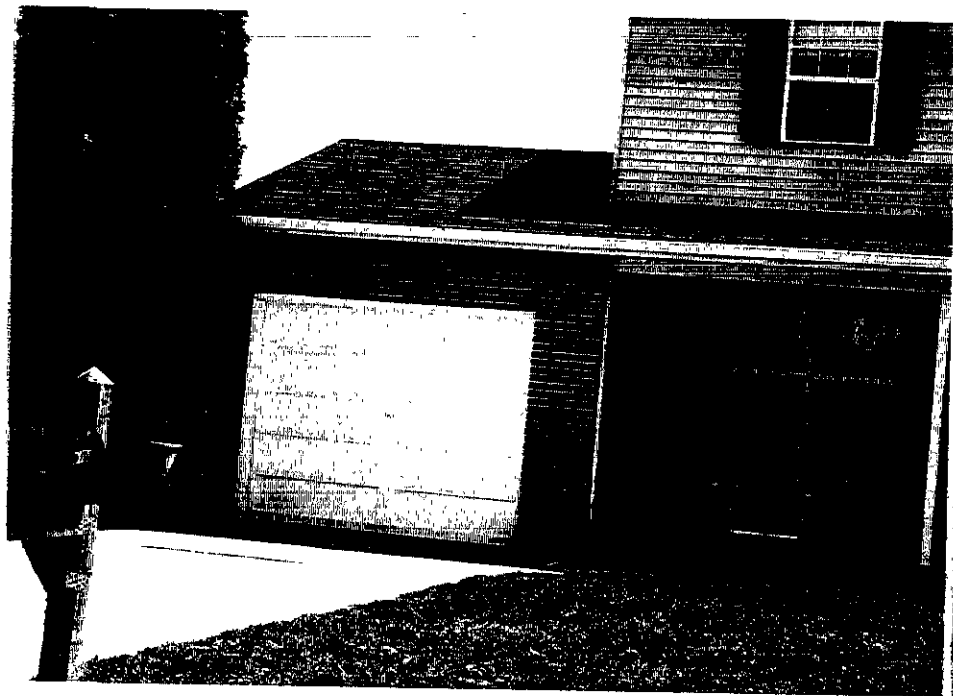


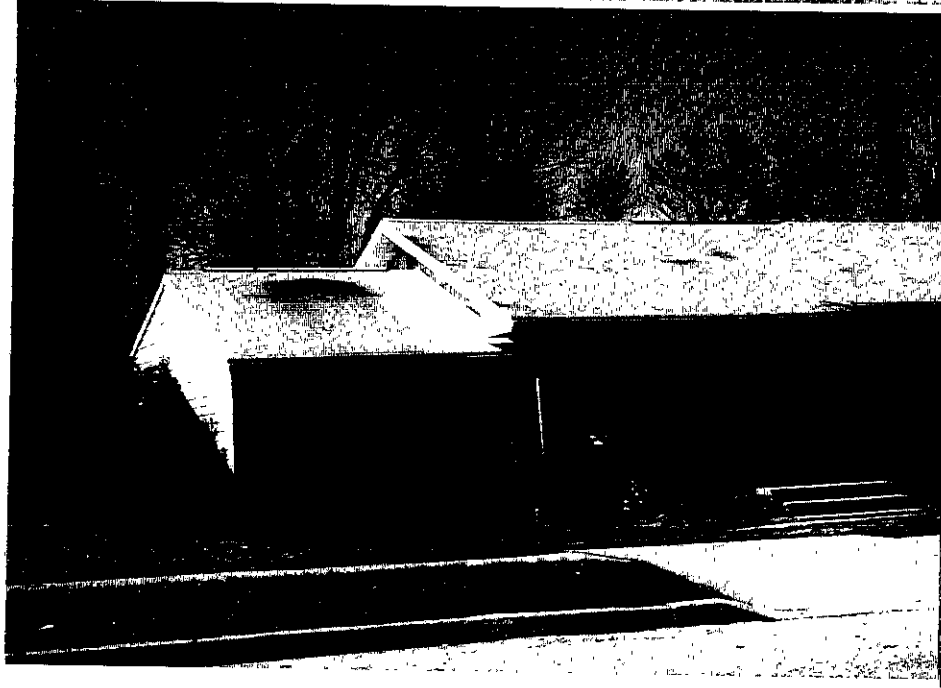


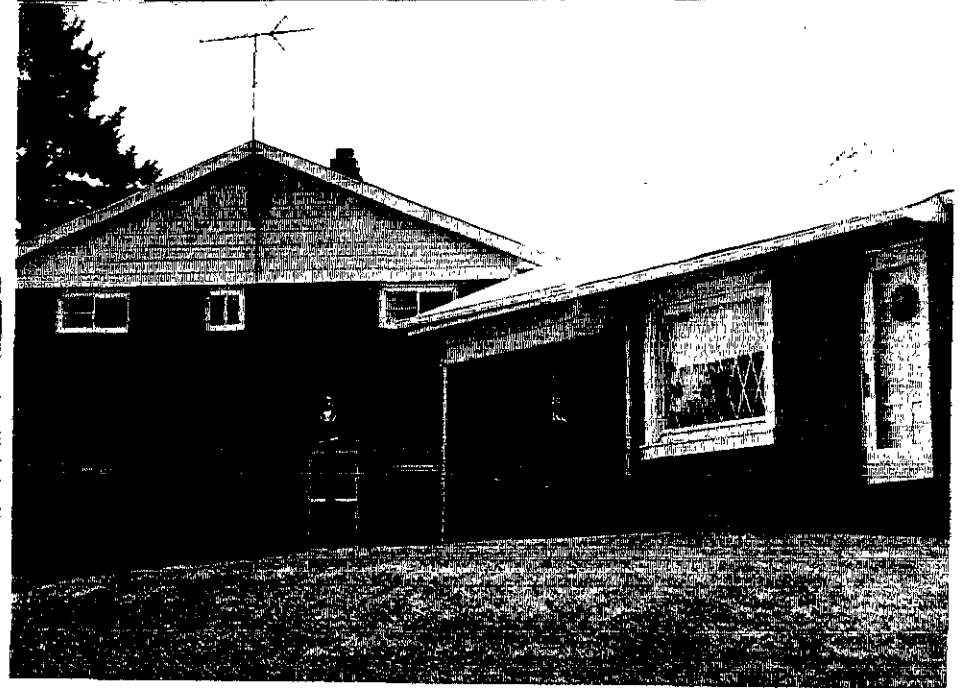
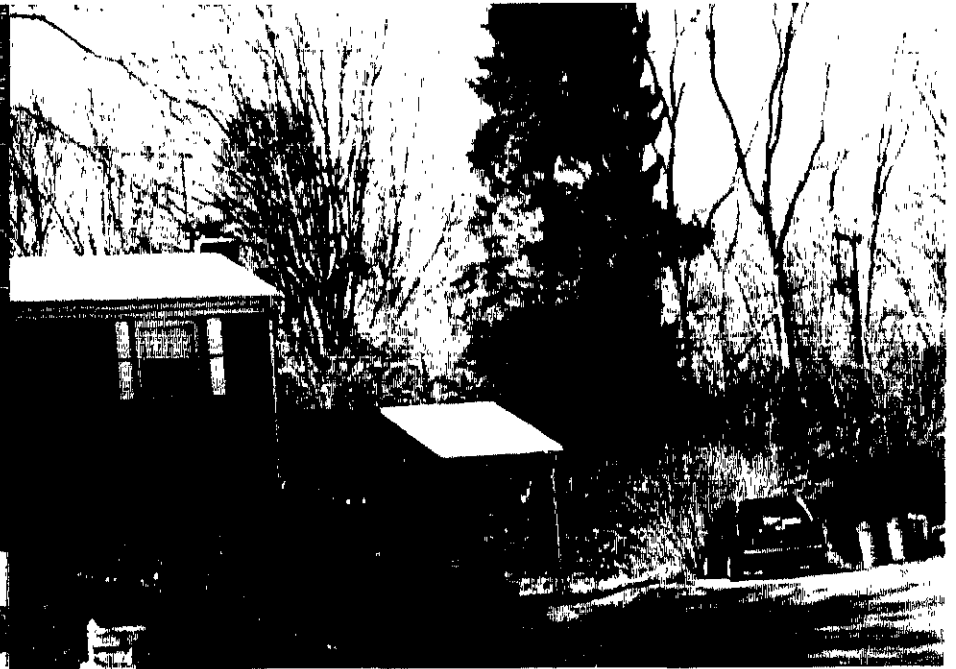


Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

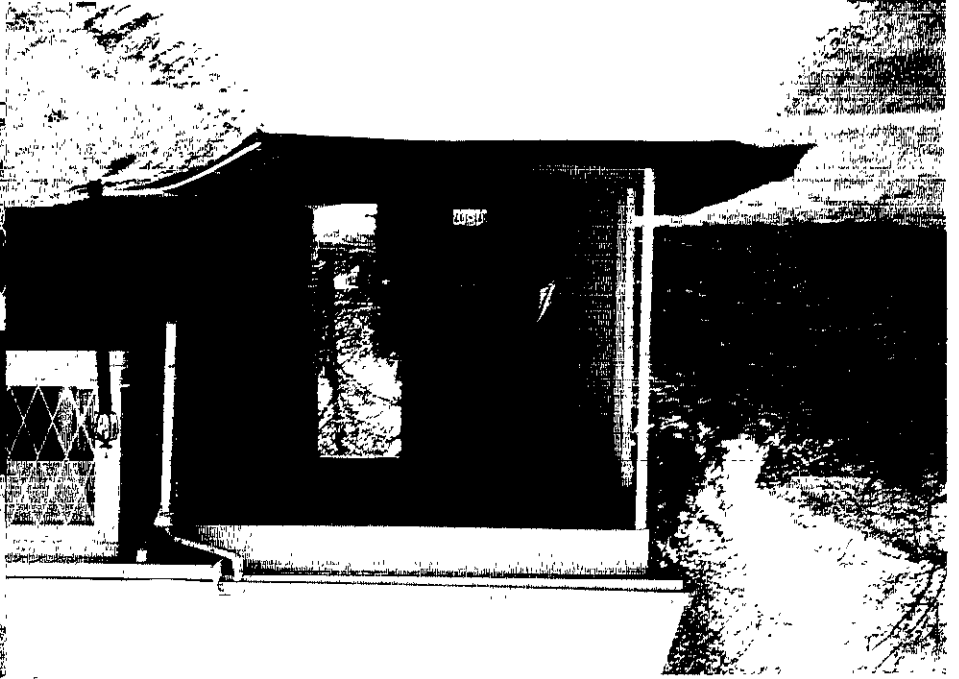
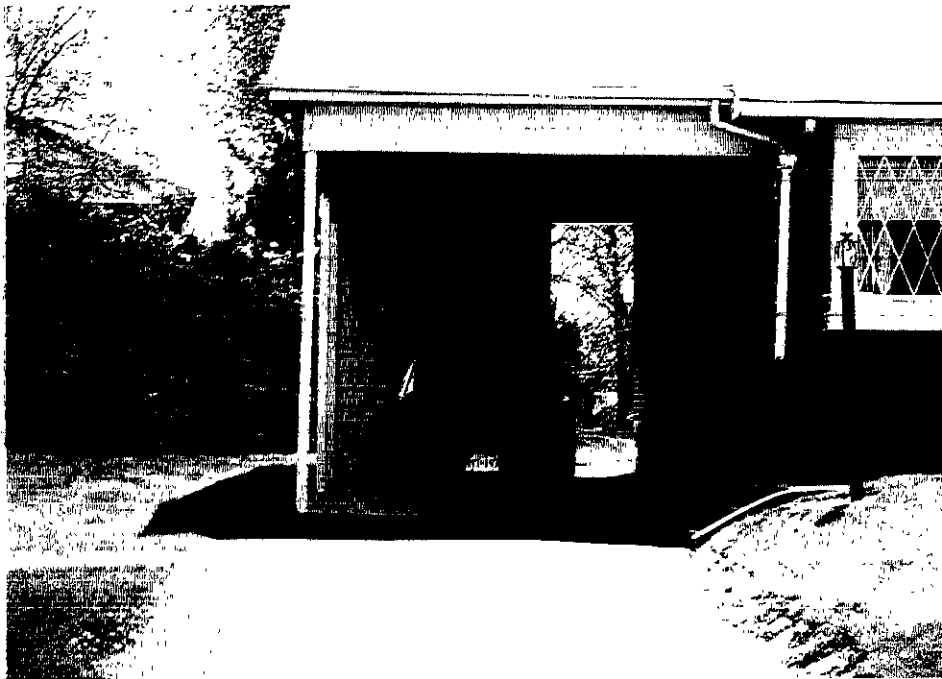
Photographs
00-369-A
Census 2000 ★

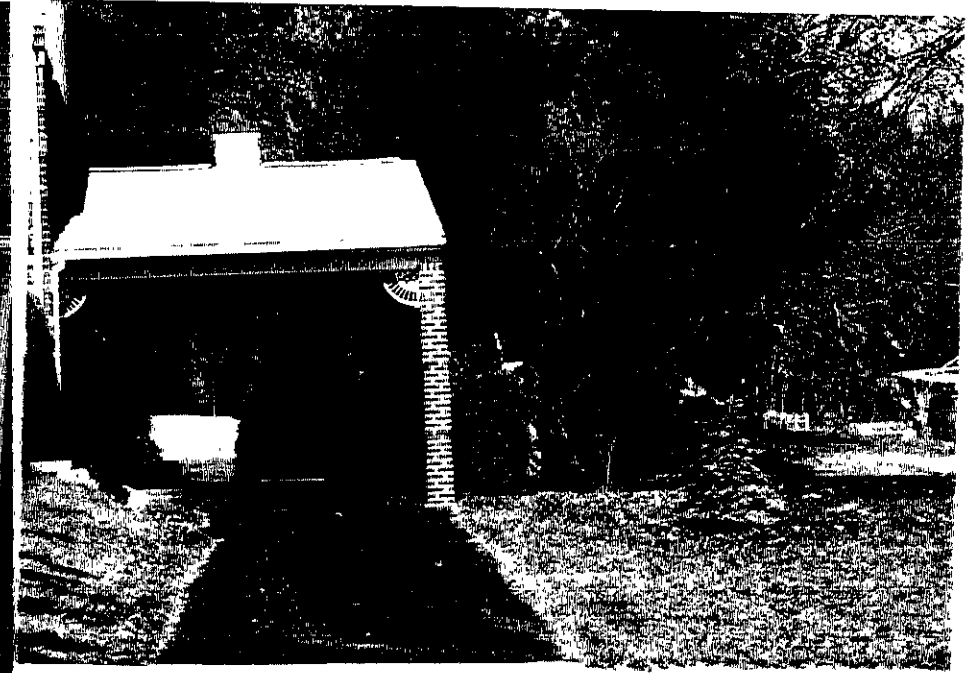
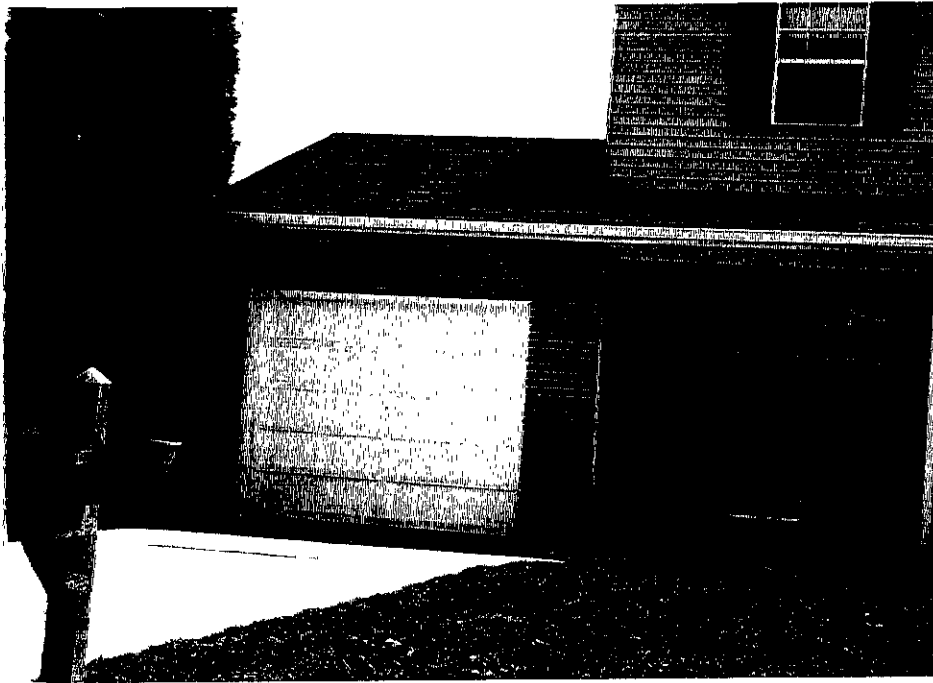




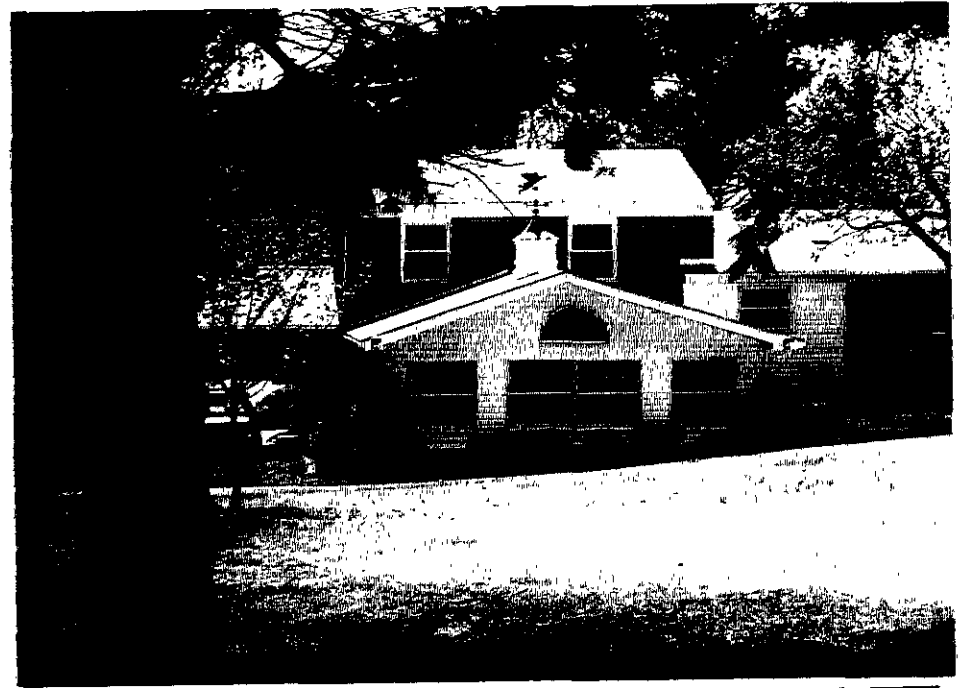












Ret Ex 2A



00-369-A

LB



00-369-A



2c



00-369-A

CATHERINE R. FREDERICK

2206 CIDER MILL RD.

BALTO., MD. 21234

AGAINST
PETITION

ROSS FREDERICK

2206 CIDER MILL RD

BALTO., MD 21234

JOE FORD

2110 CIDER MILL RD.

PARKVILLE MD 21234

Frances Fuller

2321 Covered Bridge Park

Balto., MD 21234

Jimmy C Lolley

2106 CIDER MILL Rd

PARKVILLE, MD 21234

[illegible]

The following factors represent a summary of the objections to the proposed zoning variance - Case number 00-369-A

1. The proposed garage would be only 15 feet from the adjoining house.
2. The proposed garage will also extend 6 feet from the front of the existing house creating an eyesore – especially viewable from the main entrance into the development.
3. Additionally, the proposed garage would extend 8 feet from the front of the neighboring house.
4. The proposed garage will upset the already very close proximity of the neighboring houses – The approximately .168 acre lot is infeasible to accommodate any side additions – especially a proposed 16-foot wide garage.
5. The proposed garage will sit too close to the property line, and will cause the property to be too cluttered and would produce a “closed – in” effect to the neighborhood.
6. There are no private covenants and restrictions that apply to the houses in the neighborhood – given the age of the development. We would greatly appreciate the efforts of the Baltimore County Zoning Office to assist in maintaining the character and integrity of the neighborhood.
7. A survey has not performed – Therefore; it is impossible to determine the accuracy of the proposed 3-foot side setback from the property line. Frontage set backs are also in question (please see item #3 above).
8. The petitioner recently had a “tent like blue polypropylene carport” erected in the driveway - demonstrating a lack of awareness of the need to preserve the original look of the neighborhood.
9. The proposed garage will create an irreversible eyesore that will not blend in with the overall look of the neighborhood.
10. The neighbor located next door to the petitioner was recently denied a similar variance. (Please reference case number 00 – 295 – A)

In conclusion, I strongly object to the approval of any side additions.

Pet Ex #1

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2107 Cider Mill Rd

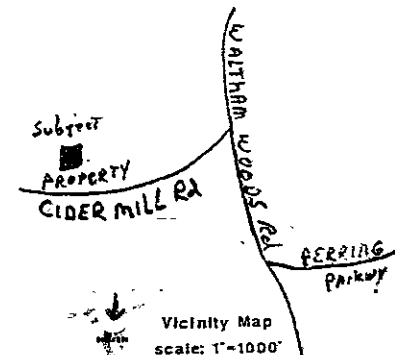
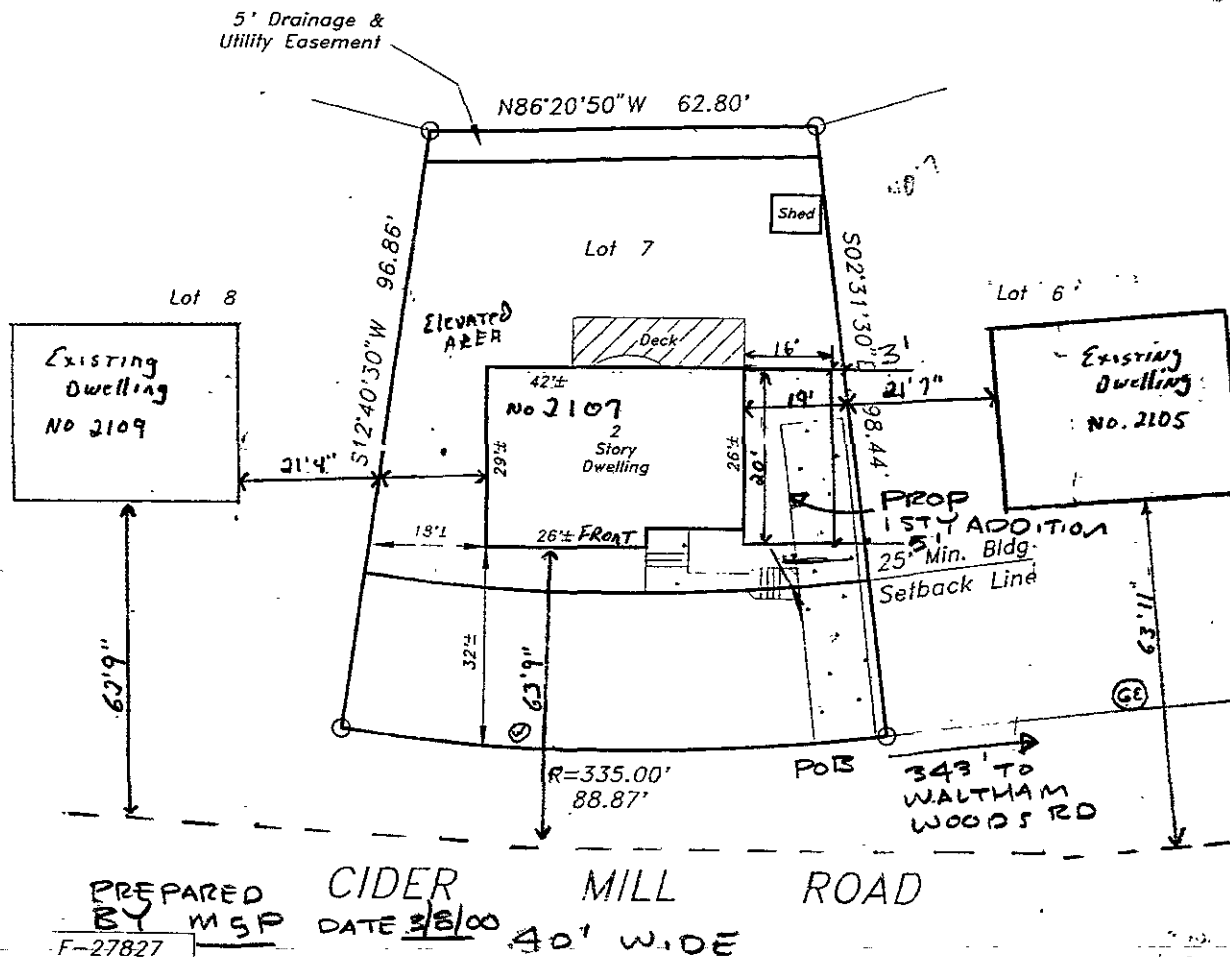
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Perring Park

plat book # 28, folio # 19, lot # 7, section # K/2

OWNER: Mary Jane D'Amico

1"=30'



LOCATION INFORMATION

Election District: 9
Councilmanic District: 6
1"=200' scale map: N.E.P.D.
Zoning: DRS.5
Lot size: 0.0 acreage 8748.36 square feet

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

Chesapeake Bay Critical Area: ☐ public ☒ private

Prior Zoning Hearings:

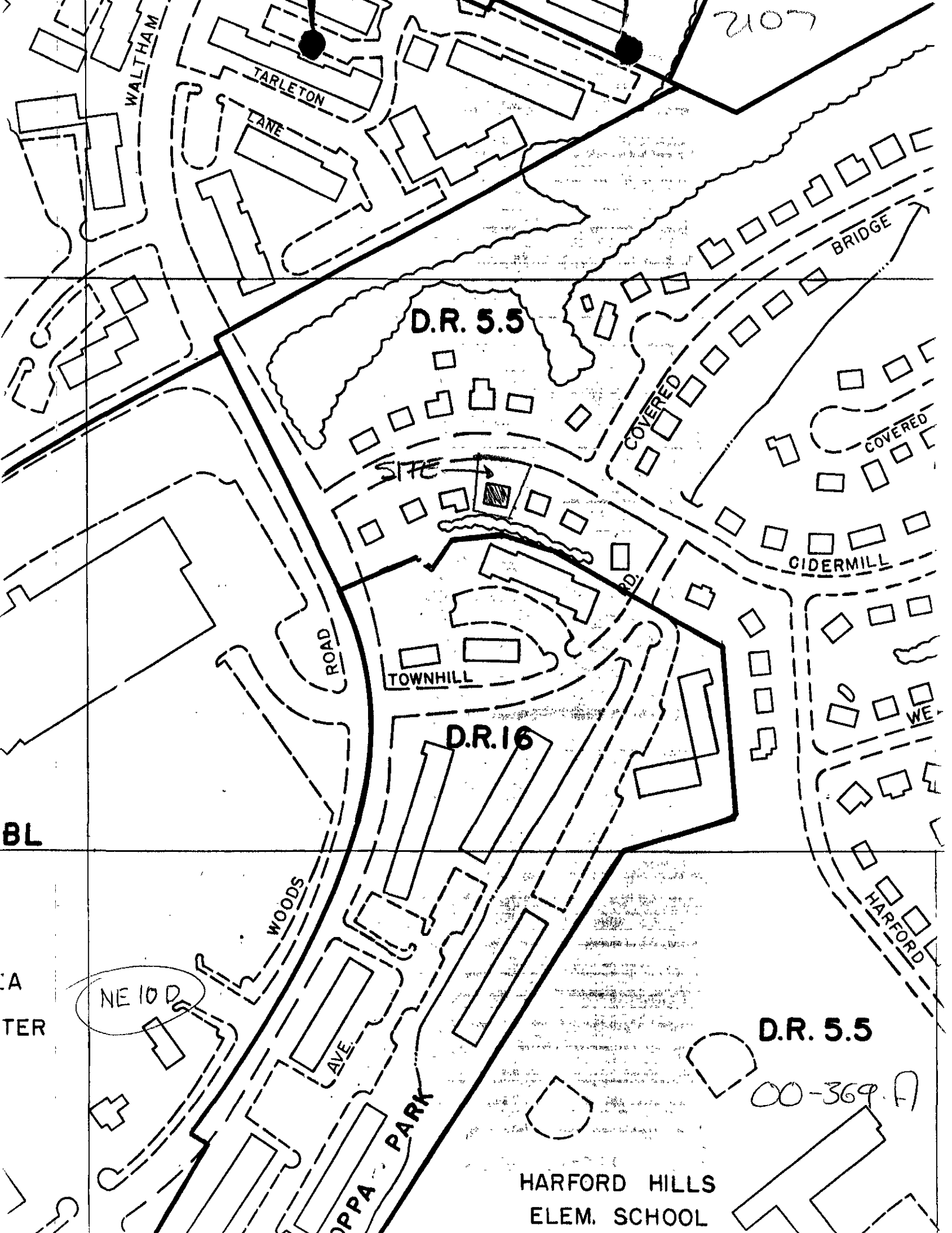
None

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

8007 369 00-369A

PREPARED BY MSP DATE 3/8/00 40' WIDE



2107

WALTHAM

TARLETON

LANE

D.R. 5.5

SITE

COVERED

COVERED

CIDER MILL

ROAD

TOWNHILL

D.R. 16

WE

HARFORD

D.R. 5.5

00-369.A

HARFORD HILLS
ELEM. SCHOOL

NE 100

AVE

OPPA PARK

BL

CA
TER

Ted D'Amico
2107 CIDER MILL Rd. 21234

Jill Zupancic
2109 Cider Mill Rd 21234

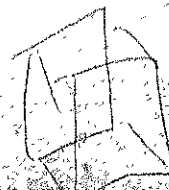
James Tridone
2103 CIDER MILL Rd 21234

Frank Ambrosio
2610 W. Woodwell Rd
21222

[illegible]



THE HOME BOOK



PREPARED BY:

LINDA Y. CAPERNA

2107 CIDER MILL RD.
BALTIMORE, MD. 21234





A-933
SHEPARD & AIR PHOTOGRAPHICS, INC.
BARTONSVILLE, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CARNEY	N.E. 10-D
DATE OF PHOTOGRAPHY JANUARY 1986		



Baltimore County
Zoning Commissioner

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

May ²⁴23, 2000

Mr. & Mrs. Theodore D'Amico
2107 Cider Mill Road
Baltimore, Maryland 21234

Re: Petition for Variance
Case No. 00-369-A
Property: 2107 Cider Mill Road

Dear Mr. & Mrs. D'Amico:

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:

Mr. Frank Ambrosino
2610 W. Woodwell Road
Baltimore, Maryland 21222

Ms. Jill Zupancic
2109 Cider Mill Road
Baltimore, Maryland 21234

Mr. & Mrs. Ross Frederick
2206 Cider Mill Road
Baltimore, Maryland 21234

Mr. Joe Ford
2110 Cider Mill Road
Baltimore, Maryland 21234

Ms. Frances Fuller
2321 Covered Bridge Garth
Baltimore, Maryland 21234

Mr. Jimmy C. Lolley
2106 Cider Mill Road
Baltimore, Maryland 21234