

IN RE: PETITION FOR VARIANCE
N/S Summerson Road, 225'
E of Coppersmith Road
3rd Election District
2nd Councilmanic District
(2516 Summerson Road)

Etta and Norman Friedman
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-305-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, Etta and Norman Friedman. The Petitioners are requesting a variance to allow an existing deck attached to the subject dwelling to have a side yard setback of 0 ft. in lieu of the required 6 ft. setback.

Appearing at the hearing on behalf of the variance request were Tony Goldenberg, the contractor who constructed the deck at the subject property and Howard Alderman, Jr., attorney at law, representing the property owners. Appearing in opposition to the Petitioners' request were Jerome A. Gross, attorney at law, appearing on behalf of his mother-in-law, Doris Shor and Linda Gross, Mrs. Shor's daughter.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.1576 acres, more or less, zoned DR 5.5. The subject property is improved with an existing single-family residential dwelling. The owners of the property recently constructed a deck on the side of their dwelling adjacent to the property owned by Mrs. Shor. The deck itself extends off the west side of the Petitioners' dwelling and is situated on the property line. Therefore, the existing deck has a 0 ft. setback at this time. At the hearing held before me, Mr. Alderman indicated that the Petitioners were withdrawing their variance request for the 0 ft. setback and in lieu thereof are requesting that the deck be permitted to exist 2 ft. off of the common property line shared with Mrs. Shor.

ORDER RECEIVED FOR FILING

Date

7/27/01

By

R. J. Jernigan

Testimony was offered by Tony Goldenberg, the contractor who constructed the deck on the Petitioners' dwelling. Mr. Goldenberg testified that the deck in question was constructed with a valid Baltimore County building permit. However, his testimony did reveal that the setback designation was not on the permit itself. The subject deck was constructed on the Petitioners' dwelling and is shown in Petitioners' Exhibit 2A, the photographs submitted at the hearing. Mr. Goldenberg testified that the deck in question is of similar size and construction to many other decks along Summerson Road and elsewhere within this subdivision. Furthermore, Mr. Goldenberg indicated that he and/or the Friedman's had discussions with Mrs. Shor regarding this deck. It was his understanding, as well as the Friedman's, that Mrs. Shor was not opposed to the deck existing on the property. Thereafter, further discussions lead Mr. Goldenberg and the Friedman's to believe that Mrs. Shor would not object to a deck with a 2 ft. setback. However, shortly before the hearing, the Petitioners' learned that the adjacent property owner now insists upon a 6 ft. setback for the deck in question.

As stated previously, Mr. Jerome Gross and Linda Gross appeared on behalf of Doris Shor, adjacent property owner. Testifying on behalf of Mrs. Shor, Mr. and Mrs. Gross indicated that she is 86 years old and is opposed to any variance being granted for the construction of this deck. She originally was willing to consider a 2 ft. setback. However, the relationship between these neighbors has deteriorated as a result of the construction of this deck and, therefore, she is not willing to compromise her position at this time. Furthermore, Mr. and Mrs. Gross testified that Mrs. Shor was not contacted prior to the construction of this deck and was unaware of it until such time as construction had begun. She, therefore, feels that the method by which the Friedman's proceeded to construct this deck was unneighborly and discourteous. She, therefore, asks that no variance be granted and the Petitioners maintain the full 6 ft. setback.

UNFILED
RECEIVED FOR FILING
Date 7/27/01
By J. J. Jenson

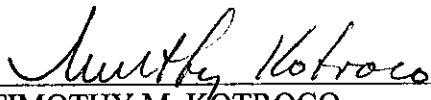
After considering the testimony and evidence offered at the hearing and the manner in which the Petitioners' contractor originally constructed the deck, I find that the request for variance to allow a 2 ft. setback from the side property line in lieu of the required 6 ft. should be denied. Had this variance request come in prior to the construction of the deck on the property, I may have viewed this request differently. Additionally, I would gladly reconsider my decision in the event the neighbors are able to work out a compromise to this issue. However, in light of the testimony offered at the hearing, I find that the variance request should be denied.

THEREFORE, IT IS ORDERED this 27th day of July, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance to allow an open projection deck to have a side yard setback of 2 ft. in lieu of the required 6 ft., be and is hereby DENIED.

IT IS FURTHER ORDERED, that the Petitioners shall be required to modify the deck structure to bring it into compliance with the 6 ft. setback requirement within sixty (60) days from the date of this Order.

IT IS FURTHER ORDERED, that in the event the parties are able to reach a compromise on the situation regarding the deck, then a modification of this Order would be appropriate.

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 7/27/01
By R. J. Gannon



Baltimore County
Zoning Commissioner

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

July 27, 2001

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-305-A
Property: 2516 Summerson Road

Dear Mr. Alderman:

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. & Mrs. Norman Friedman
2516 Summerson Road
Baltimore, MD 21209

Geoffrey Schultz, VP
McKee & Associates, Inc.
Five Shawan Place
Hunt Valley, MD 21030

Mr. Tony Goldenberg
6203 Wallis Avenue
Baltimore, MD 21215

Mrs. Doris Shor
2518 Summerson Road
Baltimore, MD 21209

Jerome A. Gross, Esquire
Gross, Mendelsohn & Associates, P.A.
18th Floor, Charles Center South
36 S. Charles Street
Baltimore, MD 21201-3172



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2516 Summerson Road
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)

SEE ATTACHED

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:

Howard L. Alderman, Jr.
Name - Type or Print _____ City _____
Signature Howard L. Alderman, Jr.
Levin & Gann, P.A.
Company _____
502 Washington Ave. 410-321-0600
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Norman R. Friedman
Name - Type or Print _____
Signature Norman R. Friedman
Etta M. Friedman
Name - Type or Print _____
Signature Etta M. Friedman
2516 Summerson Road 410-653-8432
Address _____ Telephone No. _____
Baltimore MD 21209
City _____ State _____ Zip Code _____

Representative to be Contacted:

Geoffrey Schultz, VP
Name _____
McKee & Associates, Inc.
Address _____
Five Shawan Place 410-527-1555
Address _____ Telephone No. _____
Hunt Valley MD 21030
City _____ State _____ Zip Code _____

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. 01 305 A

Reviewed By JL

Date 1/29/01

REV 9/15/98

Estimated Posting Date 2/11/01

ORDER RECEIVED FOR FILING

Date

By

VIOL. # 121748

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 2516 Summerson Road
Address
Baltimore MD 21209
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):

SEE ATTACHED

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.

Norman R. Friedman
Signature

Norman R. Friedman
Name - Type or Print

Etta M. Friedman
Signature

Etta M. Friedman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of June, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Norman R. and Etta M. Friedman

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

June 28, 2001
Date

Mark W. Hart
Notary Public

My Commission Expires June 22, 2002

REV 09/15/98

Mark W. Hart
Notary Public, State of Maryland
Baltimore City
My Commission Expires June 22, 2002

Mark W. Hart

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.

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Address
Baltimore MD 21209
City State Zip Code

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SEE ATTACHED

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Norman R. Friedman
Signature

Norman R. Friedman
Name - Type or Print

Etta M. Friedman
Signature

Etta M. Friedman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of June, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Norman R. and Etta M. Friedman

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

June 25, 2001
Date

Mark W. Hart
Notary Public

My Commission Expires June 22, 2002

REV 09/15/98

Mark W. Hart
Notary Public, State of Maryland
Baltimore City
My Commission Expires June 22, 2002



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2516 Summerson Road
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)

SEE ATTACHED

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:

Howard L. Alderman, Jr.
Name - Type or Print _____ City _____
Signature Howard L. Alderman, Jr.
Levin & Cann, P.A.
Nottingham Centre, 8th Floor
Company _____
502 Washington Ave. 410-321-0600
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Norman R. Friedman
Name - Type or Print _____
Signature Norman R. Friedman
Etta M. Friedman
Name - Type or Print _____
Signature Etta M. Friedman
2516 Summerson Road 410-653-8432
Address _____ Telephone No. _____
Baltimore MD 21209
City _____ State _____ Zip Code _____

Representative to be Contacted:

Geoffrey Schultz, VP
Name _____
McKee & Associates, Inc.
Five Shawan Place 410-527-1555
Address _____ Telephone No. _____
Hunt Valley MD 21030
City _____ State _____ Zip Code _____

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. 01 305 A Reviewed By JL Date 1/29/01

REV 9/15/98

Estimated Posting Date 2/11/01

V10L # 121748

Attachment 1

PETITION FOR ADMINISTRATIVE VARIANCE

CASE NO: 01- -A

Address: 2516 Summerson Road

Legal Owners: Norman & Etta Friedman

Present Zoning: DR 5.5

REQUESTED RELIEF

211.2 (1988 BCZR) (A)
A variance from: BCZR §§ ~~1902.36.1~~ and 301.1 ~~to~~ to permit a side yard setback of ~~0~~ *2' JMK* feet for an existing, open projection in lieu of the ~~75~~ *6.0* feet otherwise required as shown *AA* on the Plan to Accompany this Petition.

JUSTIFICATION ATTACHED TO AFFIDAVIT:

Our existing, open deck was constructed over a portion of our paved parking pad. The deck was constructed in the only place that would permit us to access it from any of our current exterior doorways. We purchased the lot, with our existing home, and have not changed the lot lines since purchasing it. The lot is long and narrow, with a modest size home. Due to the narrowness of our lot, if we are required to maintain the required setback, the deck would be only 4.5 feet wide; an unusable size and, moreover, the required access stairway could not be constructed.

While the physical constraints of our existing lot differentiate it from other properties in the area, thereby evidencing the uniqueness of our lot, the enclosed pictures depict that other owners have constructed similar projections on the side of their homes (one of which appears to be enclosed), thus the requested relief can be granted to us while doing substantial justice to our neighbors. The requested relief is the minimum relief necessary to permit us to maintain our deck as lesser relief would permit only an unusable deck which would not meet required building standards.

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

January 23, 2001

305

**ZONING DESCRIPTION
FOR 2516 SUMMERSON ROAD
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point on the north side of Summerson Road, which is 60 feet wide at a distance of 225 feet West, to the centerline of the nearest improved intersecting street Coppersmith Road, which is 50 feet wide. #11

BEING Lot 22, Plat 1 and a resubdivision of Part of Section 1, Plat 1, Plat 3 and Plat 5 in the subdivision at Pickwick as recorded in Baltimore County Plat Book 29, folio 30 containing 0.158 acres of land, more or less.

ALSO BEING known as 2516 Summerson Road and located in the 3rd Election District, 2nd Councilmanic District.

01-305-A

JL 305

No.

9068

ACCOUNT 20016150

\$ 50.00

NORMAN FRIEDMAN

VARIANCE FILING

YELLOW - CUSTOMER

01-305-A

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: #01-305-A
2516 Summerson Road
N/S Summerson Road
225' E of Coppersmith Road
3rd Election District
2nd Councilmanic District
Legal Owner(s): Etta and Norman Friedman

Administrative Variance: to permit a side yard setback of zero feet for an existing open projection in lieu of the 6 feet required.

Hearing: Thursday, April 19, 2001 at 9:00 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 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.

JT/A/620 Apr. 3 C460435

CERTIFICATE OF PUBLICATION

4/5/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/3/, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

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HEARING**

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Case: #01-305-A
2516 Summerson Road
N/S Summerson Road, 225'
E of Coppersmith Road
3rd Election District
2nd Councilmanic District
Legal Owner(s): Etta M. &
Norman R. Friedman

Administrative Variance: to permit a side yard setback of zero feet for an existing, open projection in lieu of the 6 feet required.

Hearing: Friday, July 6, 2001 at 9:00 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 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.

6/168 June 21 C475929

CERTIFICATE OF PUBLICATION

6/21, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/21, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-305-A

Petitioner/Developer: _____

NORMAN & ETTA FRIEDMAN

Date of Hearing/Closing: 2/26/2001

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

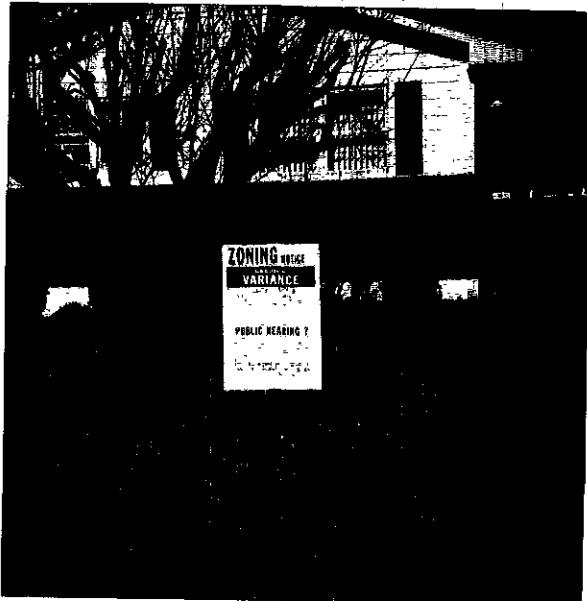
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

2516 SUMMERSON RD.

The sign(s) were posted on 2/10/2001
(Month, Day, Year)

CASE # 01-305-A



2516 SUMMERSON RD
POSTED 2/10/2001

Richard E. Hoffman 2/10/01

Sincerely,

Richard E. Hoffman 2/10/01
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 01-305-A

Petitioner/Developer: _____

NORMAN & ETTA FRIEDMAN

Date of Hearing/Closing: 2/26/2001

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

2516 SUMMERSON RD.

The sign(s) were posted on 2/10/2001
(Month, Day, Year)

CASE # 01-305-A



2516 SUMMERSON RD

POSTED 2/10/2001

Richard E. Hoffman 2/10/01

Sincerely,

Richard E. Hoffman 2/10/01
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(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/neighborhood 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: 01-305-A
Petitioner: NORMAN & ETTA FRIEDMAN
Address or Location: 2516 SUMMERSON ROAD 21209

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr & Mrs Norman Friedman
Address: 2516 Summers Road
Baltimore MD 21209

Telephone Number: 410 653 8432

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 305 -A

Address 2516 SUMMERSON ROAD

Contact Person: JOHN LEWIS
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 1/29/01

Posting Date: 2/11/01

Closing Date: 2/26/01

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 01- 305 -A

Address 2516 SUMMERSON RD

Petitioner's Name ~~THE~~ NORMAN AND ETTA FRIEDMAN Telephone 410 653 8432

Posting Date: ~~1~~ 2/11/01

Closing Date: 2/26/01

Wording for Sign: To Permit A SIDE SETBACK OF 0 FT. FOR AN EXISTING OPEN PROJECTION (DECK) IN LIEU OF THE REQUIRED 6 FT.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 3, 2001 Issue – Jeffersonian

Please forward billing to:

Howard L Alderman Jr
Levin & Gann
502 Washington Ave 8th Floor
Towson MD 21204

410 321-0600

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: 01-305-A

2516 Summerson Road

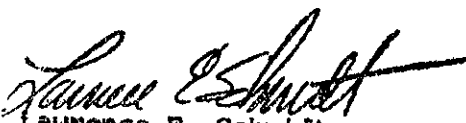
N/S Summerson Road, 225' E of Coppersmith Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Etta & Norman Friedman

Administrative Variance to permit a side yard setback of zero feet for an existing, open projection in lieu of the 6 feet required.

HEARING: Thursday, April 19, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT

GDZ

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

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

March 15, 2001

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: 01-305-A
2516 Summerson Road
N/S Summerson Road, 225' E of Coppersmith Road
3rd Election District -- 2nd Councilmanic District
Legal Owners: Etta & Norman Friedman

Administrative Variance to permit a side yard setback of zero feet for an existing, open projection in lieu of the 6 feet required.

HEARING: Thursday, April 19, 2001 at 9.00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon", with the number "672" written below it.

Arnold Jablon
Director

C: Howard L Alderman Jr Esquire, Levin & Gann, 502 Washington Avenue 8th Floor
Towson 21204
Etta & Norman Friedman, 2516 Summerson Road, Baltimore 21209
Geoffrey Schultz VP, McKee & Associates Inc, Five Shawan Place,
Hunt Valley 21030
Jerome A Gross Esquire, Attorney at Law, Charles Center South,
18th Floor, 36 South Charles Street, Baltimore 21201
Doris Shor, 2518 Summerson Road, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 3, 2001.**
(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.





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

June 4, 2001

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: 01-305-A
2516 Summerson Road
N/S Summerson Road, 225' E of Coppersmith Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Etta M & Norman R Friedman

Administrative Variance to permit a side yard setback of zero feet for an existing, open projection in lieu of the 6 feet required.

HEARING: Friday, July 6, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon 672
Director

C: Howard L. Alderman Jr, Levin & Gann, 502 Washington Ave, Towson 21204
Etta M & Norman R Friedman, 2516 Summerson Road, Baltimore 21209
Geoffrey Schultz VP, McKee & Associates Inc, Five Shawan Place, Hunt Valley 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 21, 2001**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Thursday, June 21, 2001 Issue – Jeffersonian

Please forward billing to:
Norman R Friedman
2516 Summerson Road
Baltimore MD 21209

410 653-8432

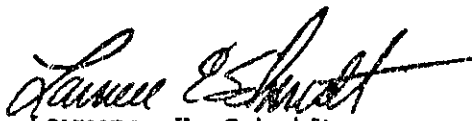
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3rd Election District – 2nd Councilmanic District
Legal Owners: Etta M & Norman R Friedman

Administrative Variance to permit a side yard setback of zero feet for an existing, open projection in lieu of the 6 feet required.

HEARING: Friday, July 6, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z
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

February 26, 2001

Howard L Alderman Jr
Levin & Gann
502 Washington Avenue, 8th Floor
Towson MD 21204

Dear Mr. Alderman:

RE: Case Number: 01-305-A, 2516 Summerson Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 29, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Etta M & Norman R Friedman, 2516 Summerson Road, Baltimore 21209
Geoffrey Schultz VP, McKee & Associates Inc, 5 Shawan Road, Hunt Valley 21030
People's Counsel





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

April 13, 2001

Howard L Alderman Jr
Levin & Gann
502 Washington Avenue
Towson MD 21204

Dear Mr. & Mrs. Alderman:

RE: Case Number: 01-305-A, 2516 Summerson Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 11, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Etta & Norman Friedman 2516 Summerson Road, Baltimore 21209
Geoffrey Schultz VP, McKee & Associates Inc, Five Shawan Place,
Hunt Valley 21030
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 9, 2001

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-305**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Lee

AFK/JL:MAC



**Baltimore County
Fire Department**

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

February 13, 2001

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 February 12, 2001

Item No.: See Below

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

305, 306, 307, 309, 310, 311, 312, 313,

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

cc: File

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: March 7, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For February 20, 2001
Item Nos. 305, 306, 307, 309, 310, 311,
and 312

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

RWB:HJO:jrb

cc: File



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.13.01

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

RE: Baltimore County
Item No. 305 JLL

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, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *AMS*

DATE: March 19, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of February 12, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
305	2516 Summerson Road
306	710 Maplehurst Lane
307	14921 Tanyard Road
310	11701 Reisterstown Road
311	10812 Reisterstown Road
312	6324 Baltimore National Pike
314	1229 North Rolling Road

PN
2/26

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 9, 2001

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

2/9/01

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-305

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Loe

AFK/JL:MAC

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 01-305-A

Date Completed/Initials

2-13-01

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)

6-4-01

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)

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)

6-1-01

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)

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)

G.D.Z

4-13-01

2-26-01

4-13-01

6-4-01



**Baltimore County
Zoning Commissioner**

June 21, 2001

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

Mr. & Mrs. Norman R. Friedman
2516 Summerson Road
Baltimore, Maryland 21209

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Summerson Road, 225' E of Coppersmith Road
(2516 Summerson Road)
3rd Election District – 2nd Council District
Norman R. Friedman, et ux - Petitioners
Case No. 01-305-A

Dear Mr. & Mrs. Friedman:

As a follow-up to our recent telephone conversations regarding the above-captioned matter, I have reviewed the case file and documents contained therein and have determined the following:

On or about January 29, 2001, you and your wife filed a Petition for Administrative Variance for your property at 2516 Summerson Road. Relief is requested from Sections 211.2 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the required 6 feet for an existing open projection (deck), pursuant to the site plan which accompanied the Petition. That Petition was filed with the Department of Permits and Development Management, which is the administrative branch of Baltimore County Government which handles the filing and processing of requests for relief from the zoning regulations.

The request for administrative variance relief was filed pursuant to Section 26-127 of the Baltimore County Code. That Section sets out the administrative variance process. Essentially, under that Section, the owner/occupant of a residential property can request that a variance be granted from a particular section(s) of the B.C.Z.R. without a public hearing. Specifically, notice of the requested variance is to be posted on the subject property for a period of 15 days. During that time, any person who owns property or resides within 1,000 feet of the subject site can request a public hearing.

In this case, the sign advising of your administrative variance request was posted on your property on February 10, 2001. On or about February 26, 2001, a letter was received from attorney Jerome A. Gross, who represents the adjacent property owner, Mrs. Doris Shor. That letter indicated that Mrs. Shor opposed the variance request and demanded that a public hearing be held. Although the letter was received one day outside the 15-day posting period, it was received prior to the date the Deputy Zoning Commissioner, Timothy M. Kotroco, evaluated the Petition for Variance. In view of the request, Deputy Commissioner Kotroco ordered that the matter be set in for a public hearing, in accordance with Section 26-127 of the Code. The matter was then scheduled by DPDM for a public hearing before the Zoning Commissioner's Office for Thursday,

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



Mr. & Mrs. Norman R. Friedman (Case No. 01-305-A)

June 21, 2001

Page 2

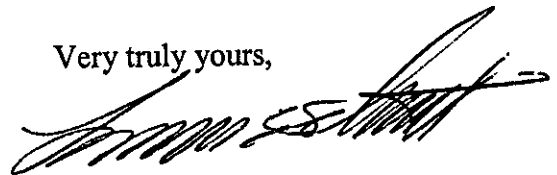
April 19, 2001. Under DPDM's rules, the property owner/Petitioner is required to re-post the property with notice of the public hearing date and arrange for the insertion of a legal advertisement in the Jeffersonian Newspaper. This was apparently done by you.

On or about April 17, 2001, Mr. Gross requested a postponement of the April 19, 2001 hearing, by letter dated February 26, 2001; however, postmarked April 17, 2001. Your attorney, Howard L. Alderman, Jr., Esquire, agreed to the postponement and thus, the request was granted. The matter has since been rescheduled for a hearing on July 6, 2001 at 9:00 AM in Room 407 of the County Courts Building in Towson. In prior conversations with both you and representatives of DPDM, it was agreed that since you were required to pay for the posting of the first sign giving public notice of the administrative variance request, and the sign for the April 19, 2001 hearing, that the party requesting the postponement (Mr. Gross on behalf of Ms. Shor) should pay for the third sign giving notice of the hearing on July 6, 2001. Unfortunately, based upon the Notice of Hearing dated June 4, 2001, it appears that Mr. Gross has not been advised of the new hearing date. Moreover, that Notice indicates that you are responsible for having the third sign posted on your property.

Under the circumstances, I am directing that no additional sign be posted and am sending a copy of this letter to Mr. Gross. It is expected that all parties and/or their counsel be present at the hearing on July 6, 2001 at 9:00 AM to present testimony and evidence in support of or in opposition to the requested relief. The matter is scheduled before Deputy Commissioner Kotroco on that date and his written decision on the merits of the variance request will follow shortly thereafter.

In the event anyone has any further questions on the subject, please do not hesitate to contact me.

Very truly yours,



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Howard L. Alderman, Jr., Esquire
Levin & Gann, Nottingham Centre, 502 Washington Ave., 8th Floor, Towson, Md. 21204
Jerome A. Gross, Esquire
Charles Center South, 36 South Charles Street, 18th Floor, Baltimore, Md. 21201
Mr. Geoffrey Schultz, McKee & Assoc., Inc., 5 Shawan Place, Hunt Valley, Md. 21030
Mr. George Zahner, DPDM; People's Counsel; Case File

Mr. & Mrs. Norman R. Friedman (Case No. 01-305-A)
June 21, 2001
Page 2

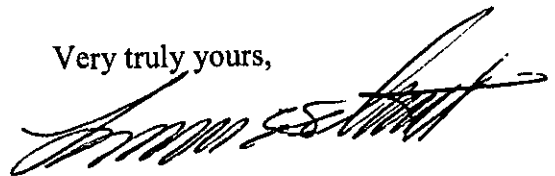
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Very truly yours,



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Howard L. Alderman, Jr., Esquire
Levin & Gann, Nottingham Centre, 502 Washington Ave., 8th Floor, Towson, Md. 21204
Jerome A. Gross, Esquire
Charles Center South, 36 South Charles Street, 18th Floor, Baltimore, Md. 21201
Mr. Geoffrey Schultz, McKee & Assoc., Inc., 5 Shawan Place, Hunt Valley, Md. 21030
Mr. George Zahner, DPDM; People's Counsel; Case File

JUN 22 2001



Baltimore County
Zoning Commissioner

June 21, 2001

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

Mr. & Mrs. Norman R. Friedman
2516 Summerson Road
Baltimore, Maryland 21209

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Summerson Road, 225' E of Coppersmith Road
(2516 Summerson Road)
3rd Election District – 2nd Council District
Norman R. Friedman, et ux - Petitioners
Case No. 01-305-A

Dear Mr. & Mrs. Friedman:

As a follow-up to our recent telephone conversations regarding the above-captioned matter, I have reviewed the case file and documents contained therein and have determined the following:

On or about January 29, 2001, you and your wife filed a Petition for Administrative Variance for your property at 2516 Summerson Road. Relief is requested from Sections 211.2 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the required 6 feet for an existing open projection (deck), pursuant to the site plan which accompanied the Petition. That Petition was filed with the Department of Permits and Development Management, which is the administrative branch of Baltimore County Government which handles the filing and processing of requests for relief from the zoning regulations.

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In this case, the sign advising of your administrative variance request was posted on your property on February 10, 2001. On or about February 26, 2001, a letter was received from attorney Jerome A. Gross, who represents the adjacent property owner, Mrs. Doris Shor. That letter indicated that Mrs. Shor opposed the variance request and demanded that a public hearing be held. Although the letter was received one day outside the 15-day posting period, it was received prior to the date the Deputy Zoning Commissioner, Timothy M. Kotroco, evaluated the Petition for Variance. In view of the request, Deputy Commissioner Kotroco ordered that the matter be set in for a public hearing, in accordance with Section 26-127 of the Code. The matter was then scheduled by DPDM for a public hearing before the Zoning Commissioner's Office for Thursday,

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





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 15, 2001

Howard L Alderman Jr Esquire
Levin & Gann
Nottingham Centre 8th Floor
502 Washington Avenue
Towson MD 21204

Dear Mr. Alderman:

RE: Demand for Public Hearing, Administrative Variance, Case Number 01-305-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 2516 Summerson Road 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.

W. Carl Richards, Jr. GDZ
Supervisor
Zoning Review

WCR: gdz

C: Etta & Norman Friedman, 2516 Summerson Road, Baltimore 21209
Geoffrey Schultz VP, McKee & Associates, Inc, Five Shawan Place, Hunt Valley
21030
Jerome A Gross Esquire, Attorney At Law, Charles Center South 18th Floor
36 South Charles Street, Baltimore 21201
Doris Shor, 2518 Summerson Road, Baltimore 21209

Jerome A. Gross, Esquire
Attorney-at-Law
18th Floor, Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

(410) 685-5512
FAX - (410) 752-5042

February 26, 2001

Mr. Timothy Kotroco
Deputy Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Maryland 21204

SENT BY FACISIMLE (hard copy to follow) (410) 887-3468

Re: Case 01-305-A

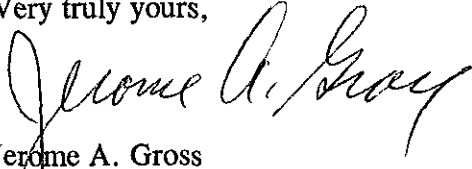
Dear Mr. Kotroco:

On behalf of my client Mrs. Doris Shor, we respectfully request the hearing scheduled for April 19, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave. be postponed for a period of not less than 60 days.

We are presently negotiating with the contractor, who constructed the deck, and the owners of the property, Norman and Etta Friedman, to modify the deck to our satisfaction. They have made an offer to us that appears satisfactory but we have not seen actual plans. This and the modification of the deck could all be accomplished in the period requested for the postponement. If the all goes to my client's satisfaction, we will notify you that our objection should be withdrawn and that we would agree to the zoning variance.

Please fax to me your acknowledgement of this request.

Very truly yours,



Jerome A. Gross

JAG:dmh

Dr. Joel A. Sinsky
2512 Summerson Road
Baltimore, Maryland 21209

AV
2/26
FEB 22

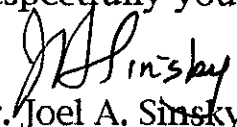
Feb. 18, 2001

Baltimore County Zoning Commissioner
Towson, Maryland
Ref: Case # 01-305-A
Dear Sir:

This letter is in support of Mr. and Mrs. Norman Friedman, 2516 Summerson Rd., Baltimore County, Md. 21209. They have recently constructed a deck that extends from their house on the back and on the side. The deck is tastefully done and enhances the appearance of their house. There are other houses in the neighborhood with similarly attractive extensions, decks, and sheds. All of these additions to the original houses are within the parameters of good taste and, I believe, increase the value of the houses and make the neighborhood a more desirable place in which to live.

My address is 2512 Summerson Road.

Respectfully yours,


Dr. Joel A. Sinsky
Adjunct Prof. of Physics
University of Maryland,
Baltimore County

AN
2/26

Batsheva N. Atlas
2514 Summerson Road
Baltimore, Maryland 21209

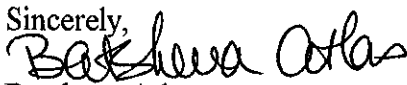
February 20, 2001
Ref: Case # 01-305-A

Baltimore County Zoning Commissioner
Towson, Maryland

Dear Sir or Madam:

I am writing this letter in support of Mr. and Mrs. Norman Friedman, 2516 Summerson Road. Not long ago, they had a deck built off the side and back of their house. The deck was built beautifully and enhances the look of the entire house. Many other houses in our neighborhood have the same type of deck. The extensions, decks, and sheds in our neighborhood are built sturdily and add to the neat look of our area.

My address is 2514 Summerson Road, right next door to the Friedmans.

Sincerely,

Batsheva Atlas

653 2 2

AN
2/26

2503 Summerson Road
Baltimore, MD 21209
February 16, 2001

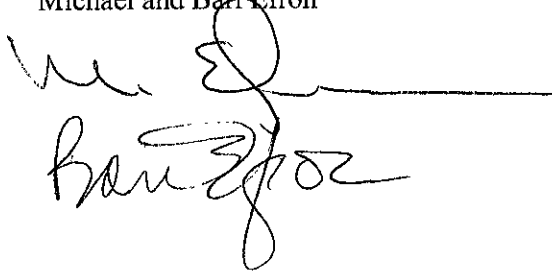
Baltimore County Zoning Commissioner
401 Bosley Rd
Towsen, MD 21204
Suite 405

FEB 20

Ref: 01-305a

I am a neighbor of the disputants of the case above. I reside at 2503 Summerson Road, and have seen no problems caused by the extended porch at the home of the Mr. And Mrs. Norman Friedman, 2520 Summerson Road. In our opinion, the house's appearance has been enhanced, the value of the property is enhanced, and the neighborhood is enhanced. The porch faces a windowless wall of the neighbor next door, and does not block any passageway, view or access. Thank you for your attention to this matter.

Michael and Bari Efron

Handwritten signatures of Michael and Bari Efron. The signature of Michael Efron is on the left, and the signature of Bari Efron is on the right, both in cursive script.

FEB 23

Mr. & Mrs. George Strum
2507 Summerson Road
Baltimore, Maryland 21209

AV
2/26

2/20/01

Dear Commissioner,
Re Case # 01-305-A, the sun deck
at 2520 Summerson Rd. owned by
Mr. + Mrs. Norman Friedman:

Our home of 28 years is directly
across from that residence. That deck
is very presentable, good-looking and
certainly enhances that residence
as well as our block. The house
at 2522 has no main floor (a ranch)
windows looking onto this deck
except very small windows to a
below-ground basement. The owner
is in her eighties and over the years
has instigated other disputes with
her neighbors (former 2520 owner)
on both sides of her.

Sincerely,
Berda Strum
Agent

BALTIMORE COUNTY ZONING COMMISSION
401 BOSKEY AVE, SUITE #405
TOWSON MD 21204

2/23/2001

FEB 26

DEAR SIRS:

WITH RESPECT TO CASE #01-305-A, RE
THE PROPERTY AT 2520 SUMMERSON AVE
BALTIMORE MD 21209

WE HAVE BEEN LIVING IN OUR PRESENT HOME
ON THE 2500 BLOCK SUMMERSON AVE
FOR 12 1/2 YEARS. IN THAT TIME, WE
HAVE WITNESSED AND ADMIRERD THE MANY
DECKS BUILT BY VARIOUS HOMETOWNERS
IN THE NEIGHBORHOOD. WE HAVE ALWAYS
ADMIRERD THESE DECKS, GENERALLY BUILT ON
THE SIDES OF HOMES, AS HAVING ADDED TO BOTH
THE ATTRACTIVENESS AND VALUE OF THE
PROPERTIES. THE DECK IN QUESTION IS
PARTICULARLY HANDSOME, WHILE NOT AT ALL
INTERFERING WITH THE NEXT RESIDENCE
WHICH NO WINDOWS ON THE EXTERIOR WALL
FACING THE DECK. FROM A NEIGHBORHOOD

RESIDENT POINT OF VIEW, WE SEE NO
JUSTIFICATION IN OBJECTING TO THE
STRUCTURE. ON THE CONTRARY, WE
BELIEVE IT BRINGS A GREATER OPPORTUNITY
FOR CIVIC "TOGETHERNESS" TO OUR BLOCK
FROM WHICH WE WILL ALL BENEFIT.

SINCERELY



TRACI SHANA MILLSTONE
2508 SUMMERSON RD
BALTIMORE MD 21209

VIOLATION 121748

ITEM # 305 NOTE TO FILE.

Mr Alderman advised me that he was told that he could ~~file~~ file for an admin. variance by Mr. Gee of code enforcement. This was confirmed to me by Mr Rick Wrisom of code enforcement. Mr Wrisom stated that since ~~Mr~~ Mr. Alderman advised me that the ^(after talking to Mr. Gee) complaint was not pursuing the case, ~~the~~ the administrative variance would be ~~accept~~ acceptable.

JOHN LEWIS

NOTE IN FILE PER WCR,

1/29/01

01-305-A

Case Number 01-305-A

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

Revised 4/17/00

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

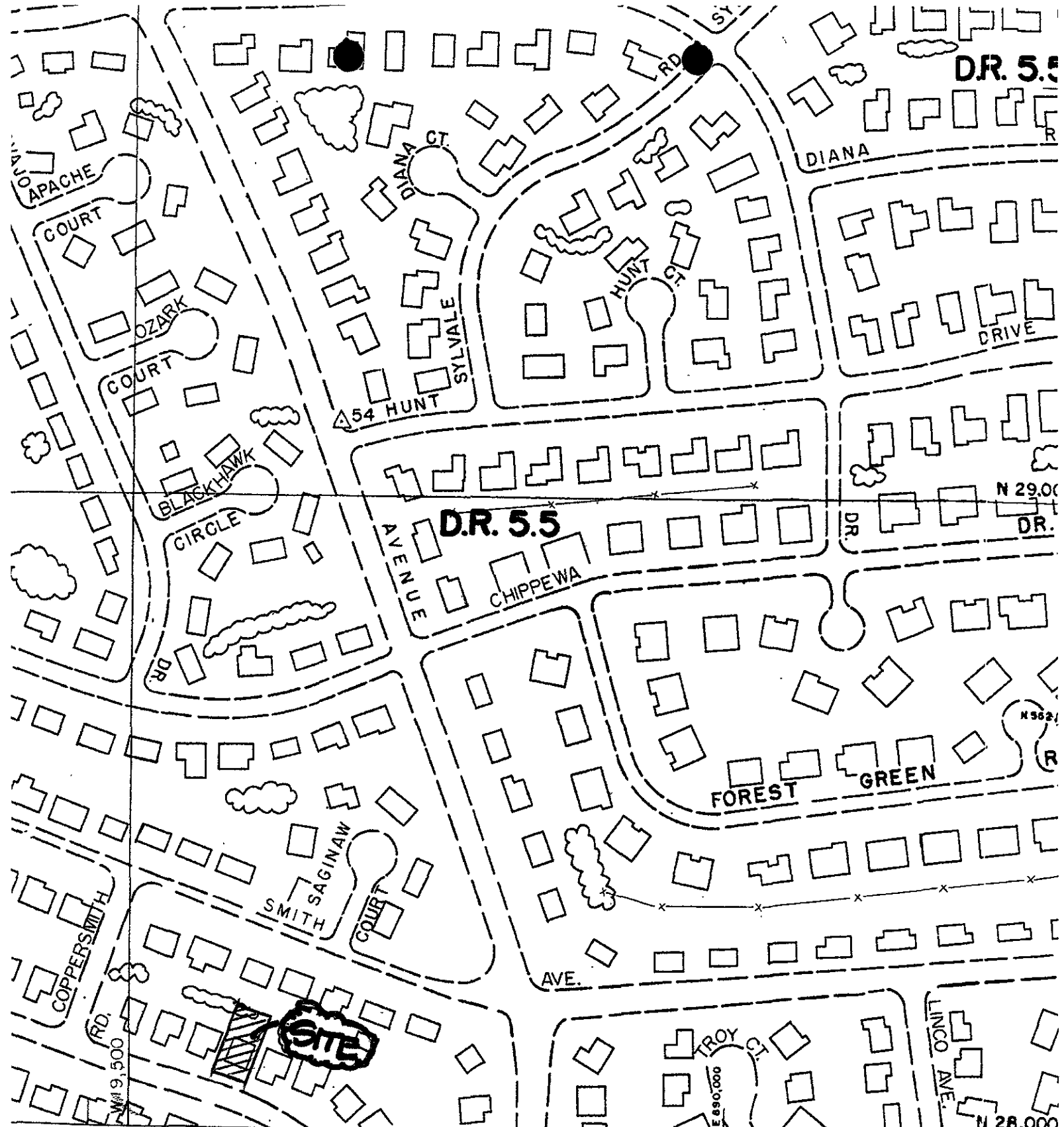
ADDRESS

TONY Goldenberg
HOWARD L. ALDERMAN-R

6203 WALLIS AVE Balt 21215
LEVIN & GANN 502 Washington Ave
Suite 500
Towson MD 21204



Printed with Soybean Ink
on Recycled Paper



SCALE

1" = 200' ±

LOCATION

PIKESVILLE

SHEET

N. W.

DATE
OF
PHOTOGRAPHY
JANUARY
1986

AREA

01-305-A

8-D

Plot E7 #1

Jerome A. Gross, Esquire
Attorney-at-Law
18th Floor, Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

(410) 685-5512

February 26, 2001

Mr. Timothy Kotroco
Deputy Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Maryland 21204

SENT BY FACISIMLE (hard copy to follow)

Re: Case 01-305-A

Dear Mr. Kotroco:

On behalf of my client Mrs. Doris Shor, she opposes the granting of a zoning variance on the property located at 2516 Summerson Road. Mrs. Shor lives directly next door at 2518 Summerson Road. Mrs. Shor is my mother-in-law.

The owners of the property located at 2516 Summerson Road, built a deck that extends from their house to her property line. They contracted to build the deck without first conferring with Mrs. Shor and discussing with her the effect that it will have on her property. My understanding is that the deck was constructed in approximately three days. The deck was built by their contractor without it being inspected by the county at each required stage of its construction. The first time that Mrs. Shor knew of the deck was after it was completed and she saw that it abutted her property line. According to the county code there should have been a six-foot set back from the edge of the property to the side of the deck.

Because the owners of the property did not observe the six-foot set back, the existence of the deck in its present form has substantially decreased the value of Mrs. Shor's property. Secondly, the deck covers the prime traffic area that people use in walking between the front and the back of 2516 Summerson Road. With the deck obstructing this natural walkway, people will have to walk on Mrs. Shor's property in order to walk between the front and back of the property. Thirdly, the fact that the deck abuts her property line significantly reduces her ability to enjoy the use of her property. In Mrs. Shor's opinion the deck is an eyesore and will always be visible to her when she sits on her front porch. Furthermore, the fact that the deck comes within six feet of her front porch will impair her ability to have quiet enjoyment of her property. In addition, it will be difficult to mow the lawn and maintain shrubs on the side of her house.

Mr. Kotroco

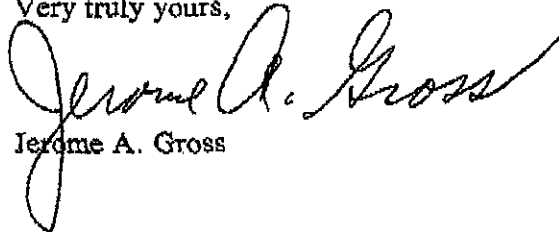
Page Two

February 26, 2001

I am enclosing photographs of the two properties and the deck that was built.

If you are unable to determine that the variance should not be granted, I hereby respectfully request that a public hearing be granted on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jerome A. Gross". The signature is fluid and cursive, with the first name "Jerome" being more prominent and the last name "Gross" following in a similar style. The signature is written over the typed name "Jerome A. Gross".

Jerome A. Gross

JAG:dmh

Enclosures

S:\EMP\DMh\Kotroco\022601.doc





March 12, 2001

W. Carl Richards, Jr.
Supervisor, Zoning Review
Baltimore County Department of Permits and Development Management

Dear Mr. Richards,

RE: Case Number: 01-305-A, 2516 Summerson Road

In regards to the above referenced petition, I have received correspondence from our attorney, Howard L. Alderman, Jr., copy of which I have enclosed.

It would appear from this letter that the Deputy Zoning Commissioner for Baltimore County has felt that he has but two options regarding the Case: deny the Petition or set the matter in for a hearing.

It would seem that the sum and substance of the possibility of the denial of the Petition would be that a neighbor's opposition is that the deck built at 2516 Summerson Road required people to trespass onto the neighbor's property if they wanted to go from the front of my home to the rear of my home because they had to walk around the deck. This really is outrageous: NEVER HAVE PEOPLE GONE ONTO HER PROPERTY TO GET TO THE REAR OF MY HOUSE. If it would be necessary to persons to get to the rear, they would CERTAINLY cross to the rear upon the deck. Since the deck has both front and rear stairs, there would be no reason what so ever to cross on the adjoining property

The second reason for the opposition states that the variance request would cause a decrease in property values in the neighborhood. Although I cannot quote data from recent sales of properties in the neighborhood, I can say that sales prices of homes in the neighborhood have risen dramatically even in the last year since we have purchased our home. Homes in the \$140,000 range now sell for \$180,500 and above. The homes in this neighborhood are constantly in demand, due to the nature of the Orthodox Jewish influx and the availability of Orthodox Synagogues within walking distance.

Pet Ex 3

I would ask, considering the true facts of this Petition, that you delay ruling on this Petition for Variance, until you fully consider these facts. I realize that you may have received letters from interested neighbors attesting to the fine construction and appearance of this deck addition. If anything, it is an enhancement to the neighborhood.

Because of financial restraints, I find it practically impossible to continue further legal representation. In addition to the initial construction cost of \$4000.00 +, additional costs have now put the price of the deck close to \$6000.00.

If there is anything further that I may advise you or your office concerning this matter, I can be contacted during the day at work, 301 496 7511, or home phone, 410 653 843

Very truly yours,

Mr. and Mrs. Norman R. Friedman
2516 Summerson Road
Baltimore, Maryland 21209-2516

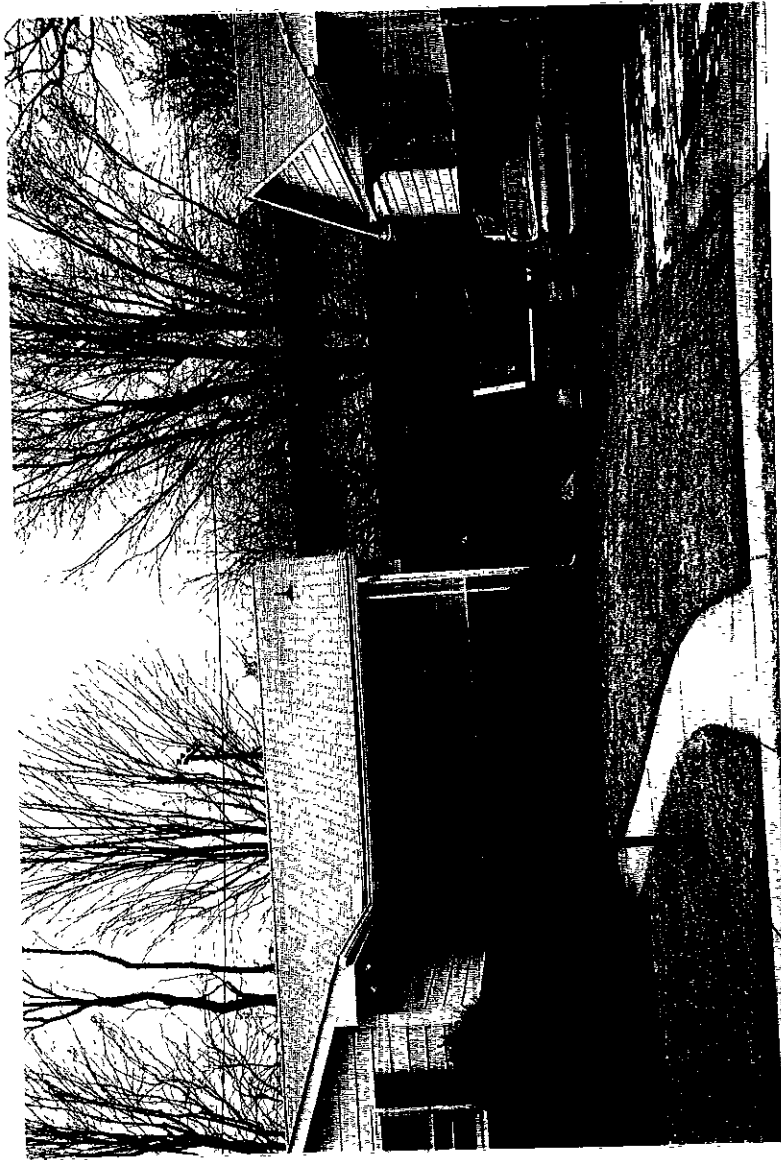
cc: Mr. Howard L. Alderman, Jr.
Mr. Tony Goldenberg



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

Photographs
#01-306-A







2516 Summerson Road
Petition for Administrative
Picture of SUBJECT PROPERTY



2516 Summerson Road
Petition for Administrative Variance
Picture of SUBJECT PROPERTY

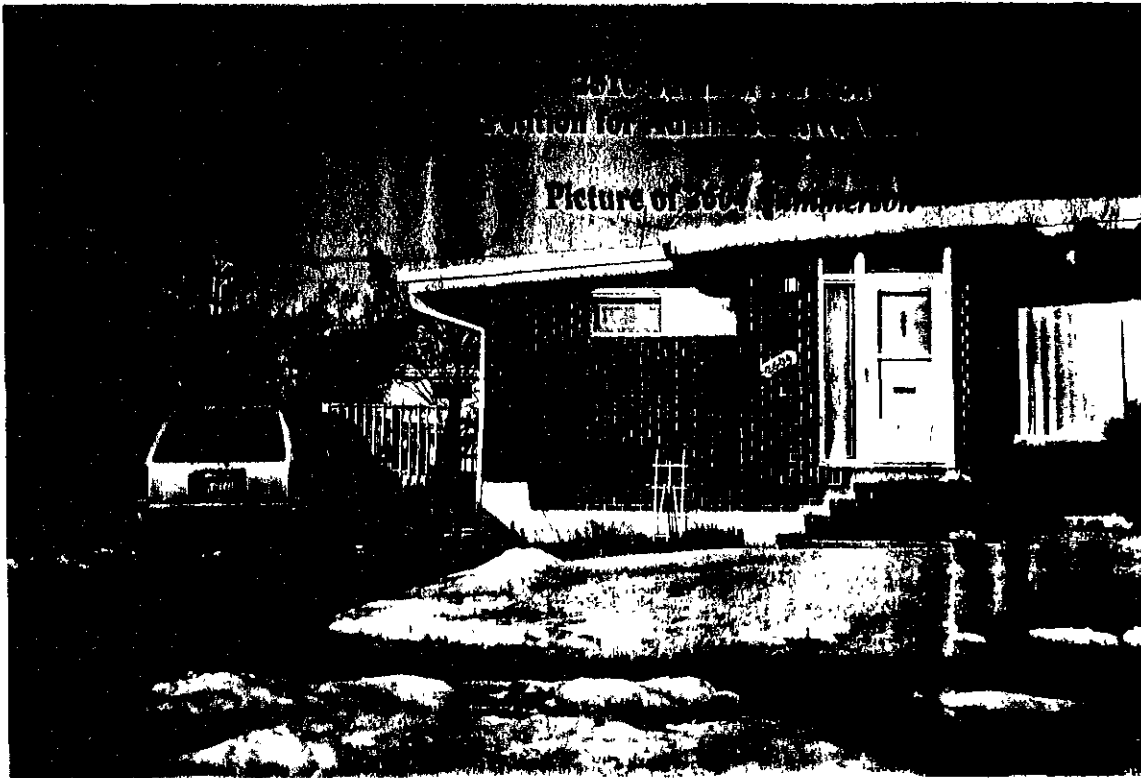
01-305-A

Pet
34

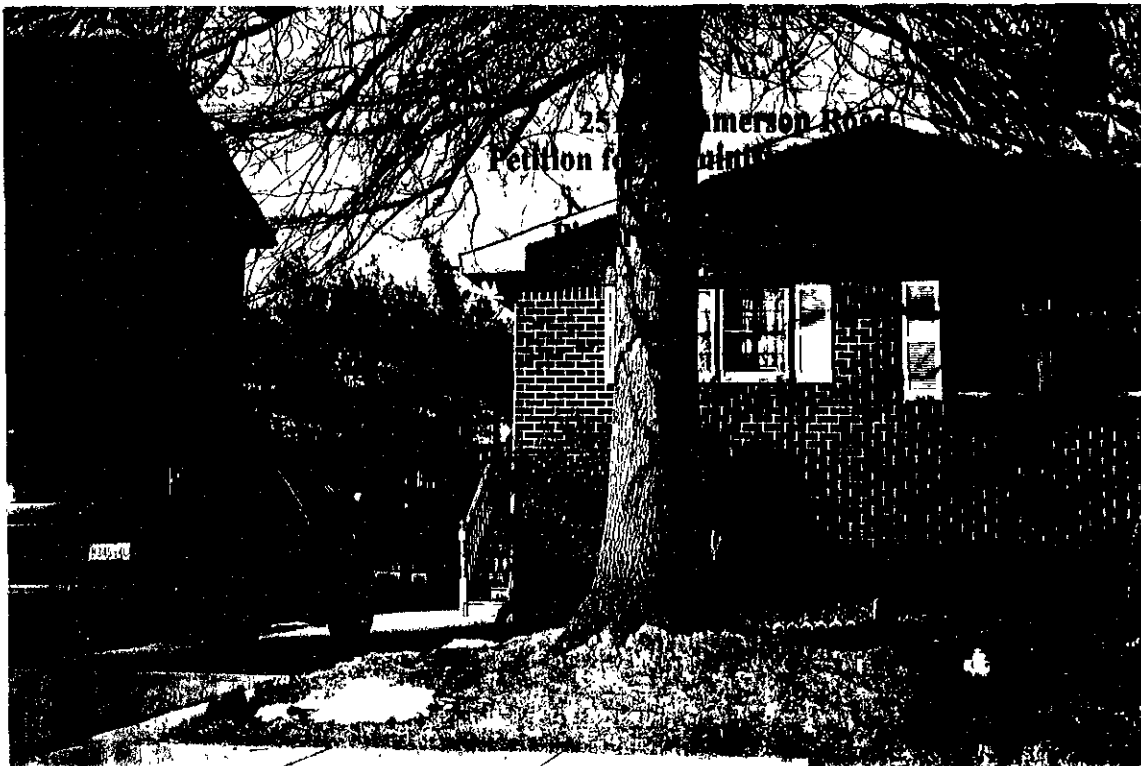
305
2A



305
20



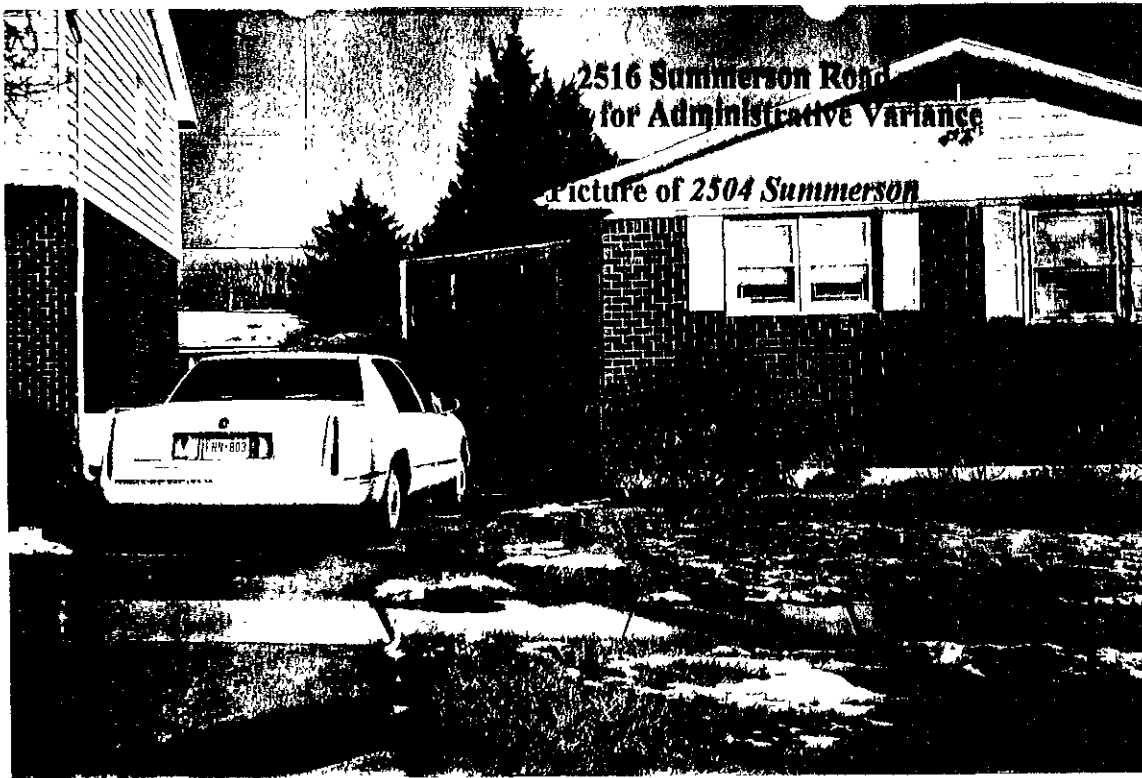
Picture of 2001 Emerson



125 Emerson Road
Petition for maintenance

01-305-A

305
2B

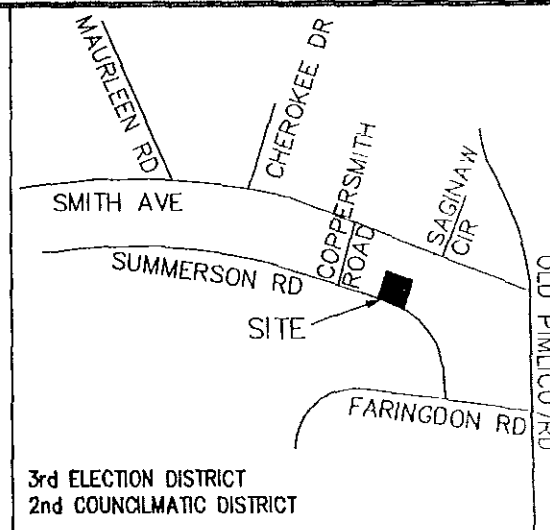


01-305-A

305
3A

GENERAL NOTES

1. COUNCILMANIC DISTRICT: 2nd
2. EXISTING ZONING: DR 5.5 ~~HA~~
3. TO THE BEST OF OUR KNOWLEDGE THERE ARE HAVE BEEN NO PRIOR ZONING HEARINGS ON THIS SITE.
4. BEING LOT 22, A RESUBDIVISION OF PART OF SECTION 1, PLAT 1, PLAT 3 AND PLAT 5
5. THIS SITE DOES NOT LIE WITHIN THE 100 YEAR FLOOD ELEVATION RANGE.
6. THIS SITE IS SERVED BY PUBLIC WATER AND SEWER.



VICINITY MAP
1"=1000'

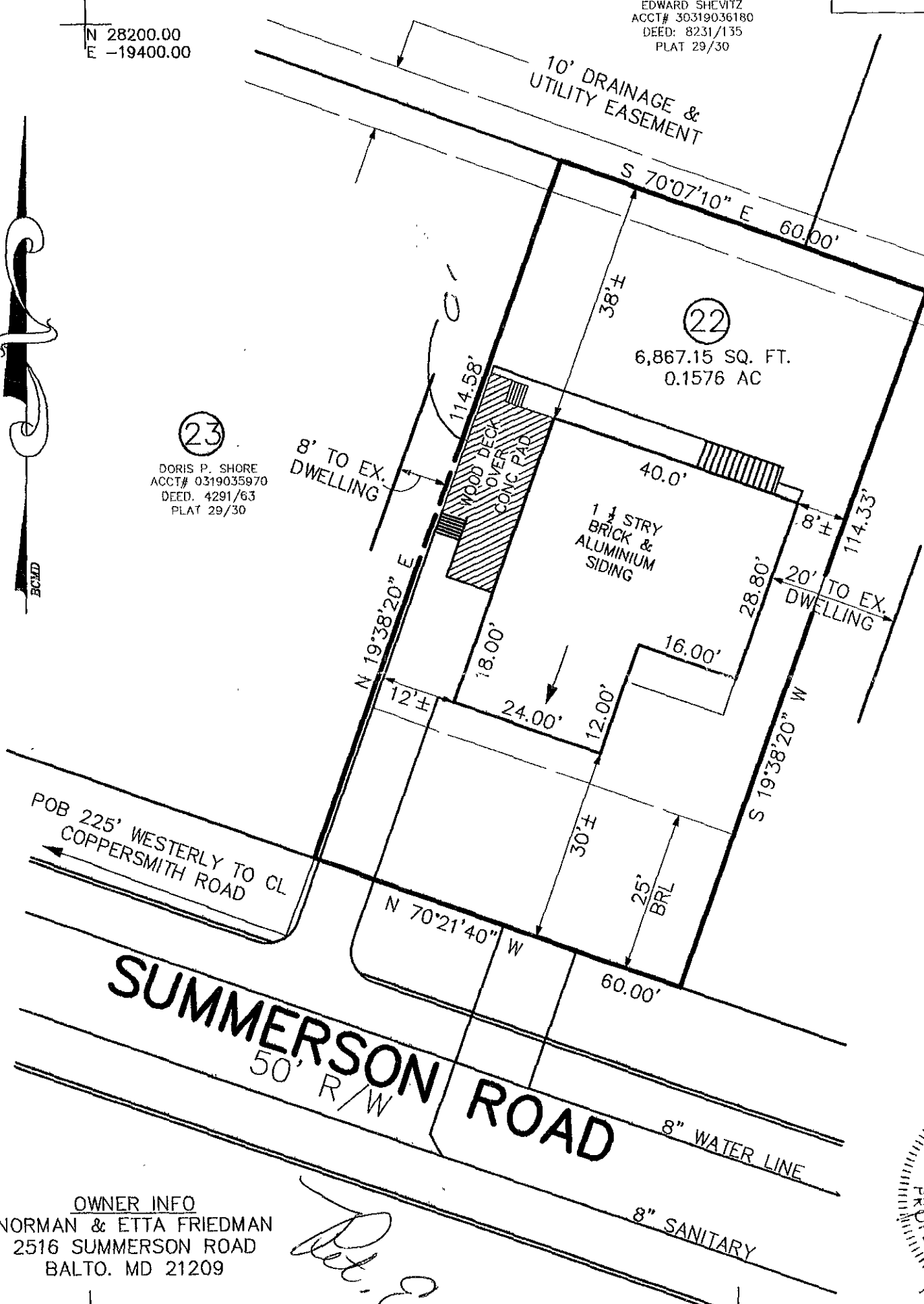
N 28200.00
E -19400.00

③
EDWARD SHEVITZ
ACCT# 30319036180
DEED: 8231/135
PLAT 29/30

④
SIDNEY & BARBARA WILSON
ACCT# 30323051140
DEED: 4478/191
PLAT 29/30

②③
DORIS P. SHORE
ACCT# 0319035970
DEED: 4291/63
PLAT 29/30

②①
BARRETT E. HATFIELD
ACCT# 032000107
DEED: 12714/17
PLAT 29/30



POB 225' WESTERLY TO CL
COPPERSMITH ROAD

SUMMERSON ROAD
50' R/W

OWNER INFO
NORMAN & ETTA FRIEDMAN
2516 SUMMERSON ROAD
BALTO. MD 21209

N 28000.00
E -19400.00

N 28000.00
E -19300.00

JAMES W. MCKEE
MD REG. No. 9012

DATE

MCKEE & ASSOCIATES, INC.
Engineering - Land Planning - Land Surveying

Natural Resource Planning - Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

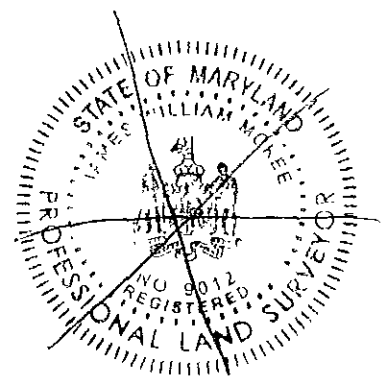
PLAN TO ACCOMPANY
PETITION FOR ZONING
VARIANCE

2516 SUMMERSON ROAD

3rd ELECTION DISTRICT
SCALE: 1" = 20'

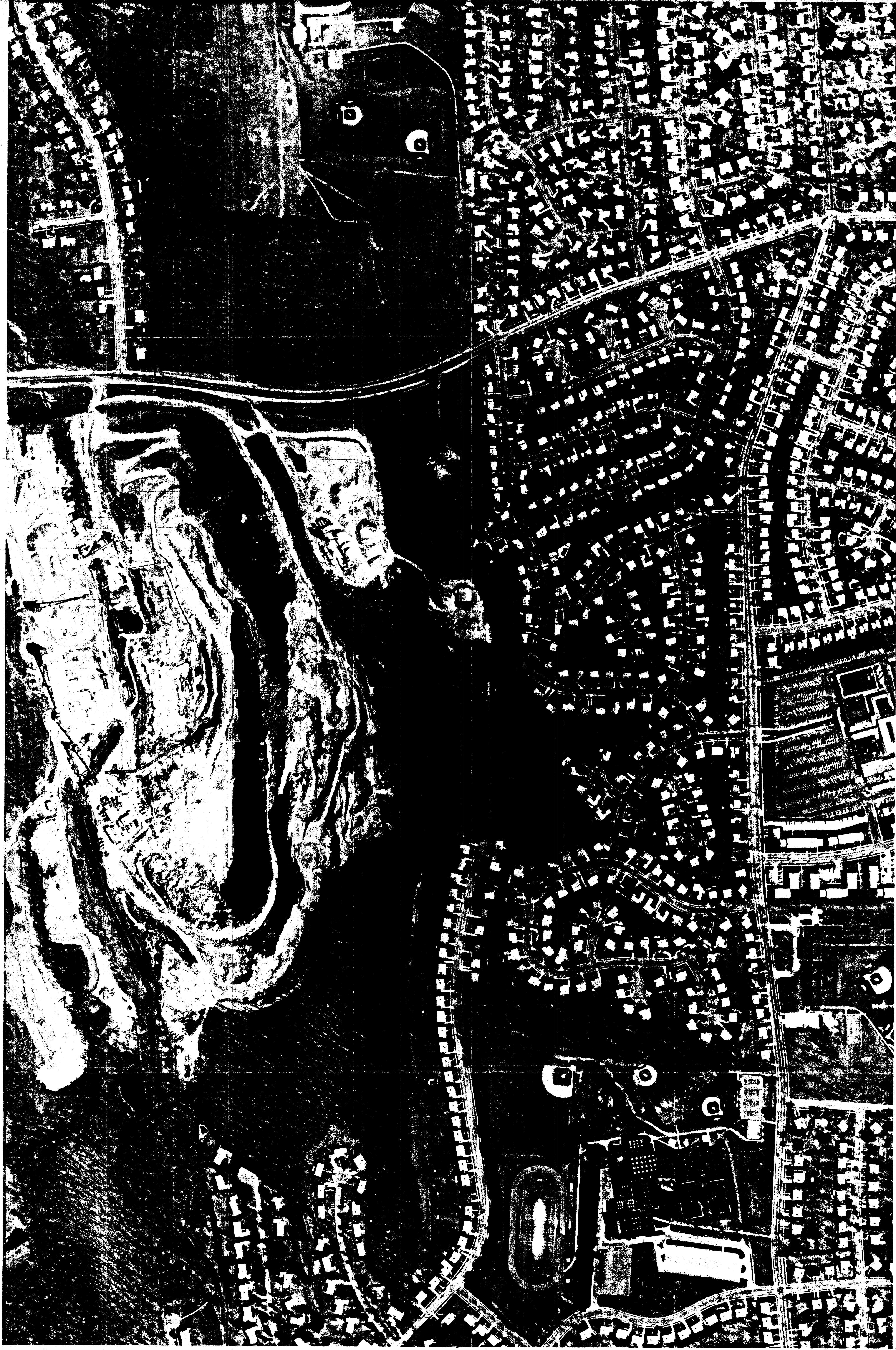
LOT 22
RESUBDIVISION OF PART OF SECTION 1,
PLAT 1, PLAT 3 & PLAT 5
DEED REF: 29/30

BALTIMORE COUNTY, MARYLAND
DATE: NOVEMBER 23, 1999



305

01-305-A



MICROFILMED

SCALE 1" = 200' ±	LOCATION 01-305-A PIKESVILLE AREA 305	SHEET N.W. 8-D
DATE OF PHOTOGRAPHY JANUARY 1986		

514

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP