

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Millridge Road, 200' E of the c/l
Marbrook Road
(2214 Millridge Road)
3rd Election District
3rd Council District

Joel I. Goldberg, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-402-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Joel I. and Myrna I. Goldberg. The Petitioners seek relief from Section 202.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1955-71 Regulations) to permit a side yard setback of 15 feet in lieu of the required 20 feet for a proposed garage addition. The subject property and requested relief are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners filed their request through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, which allows an individual to obtain variance relief for an owner-occupied property without a public hearing. Under that process, the Petition and related documents are filed with the Zoning Review Division of the Department of Permits and Development Management (DPDM). Thereafter, notice of the requested relief is posted on the property for a period of 15 days, after which the file is forwarded to the Zoning Commissioner/Deputy Zoning Commissioner for consideration. If any adjacent property owner requests a hearing, or if the Zoning Commissioner deems that a hearing is necessary to determine the appropriateness of the relief requested, the matter is scheduled for a public hearing. If no hearing is requested or deemed necessary, relief can be granted without the necessity of a public

ORDER RECEIVED FOR FILING

Date

By

hearing. In this case, however, the adjoining property owners, Alan and Nancy Gilbert, requested that a hearing be held. Thus, the matter was scheduled for a public hearing on June 8, 2001.

Appearing at that hearing in support of the request were Joel and Myrna Goldberg, property owners, and Dave Recchia, Architect. Appearing as a Protestant in the matter was Alan Gilbert, adjacent property owner. There were no other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped lot, located on the north side of Millridge Road, southeast of the intersection of Marbrook Road and Caves Road in Greenspring Valley. The property contains approximately .95 acres in area, zoned R.C.5, and is improved with a single family dwelling, which features an attached carport on the west side, and a concrete patio and in-ground swimming pool to the rear. The Petitioners are desirous of replacing the existing carport with a 29' x 24' attached garage as shown on the site plan. Due to the irregular shape of the lot and the location of the existing dwelling, the garage will be located 15 feet from the common property line shared with the Gilbert property. Testimony indicated that the garage cannot be located in the rear of the property due to the existence of the in-ground swimming pool and concrete patio, and locating the garage on the other side of the house would not work with the existing floor plan. Moreover, the proposed location for the garage will allow continued use of an existing asphalt driveway that leads into the interior of the property from Millridge Road. The proposed garage is necessary to provide much needed storage space, as well as provide sufficient parking for the family's vehicles. Moreover, the garage has been designed to match the architectural scheme of the existing dwelling and the building materials used thereon. In response to their neighbors' concerns, the Petitioners submitted photographs which indicate that there is a dense vegetative screen that screens their property from the Gilberts' property. Thus, the proposed garage should not be very visible to their neighbors.

Mr. Gilbert's testimony indicated that he is not opposed to the garage, per se. He did express certain concerns over the precise location of the property line which separates his property from his neighbors. As I indicated at the hearing, the Zoning Commissioner cannot quiet questions of title or issue rulings resolving individual property disputes. I am persuaded, based upon the

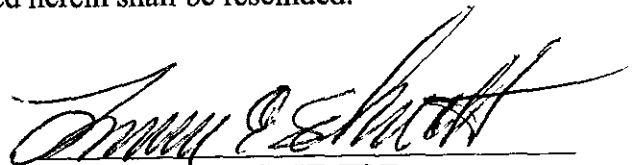
testimony and evidence presented, that the proposed garage will be located at least 15 feet from the property line. Moreover, it appears from the site plan that only the rear corner of the proposed garage will be located within the required 20-foot setback. Thus, the relief requested will have minimal impact on the adjacent property.

In my judgment, the Petitioners have satisfied the requirements set out in Section 307 of the B.C.Z.R. for variance relief to be granted. The property is unique by virtue of its configuration and features. Moreover, a practical difficulty would be suffered if relief were denied as there is no other appropriate location for the garage, given the layout of the dwelling and the location of existing improvements on the property. Due to the size of the lot and existing vegetation, I find that the grant of the variance will not be detrimental to adjacent properties, specifically including Mr. Gilbert's lot. Thus, the variance shall be granted.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of June, 2001 that the Petition for Administrative Variance seeking relief from Section 202.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1955-71 Regulations) to permit a side yard setback of 15 feet in lieu of the required 20 feet for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/28/01
By [Signature]



Baltimore County
Zoning Commissioner

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

June 28, 2001

Mr. & Mrs. Joel I. Goldberg
2214 Millridge Road
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Millridge Road, 200' E of the c/l Marbrook Road
(2214 Millridge Road)
3rd Election District – 3rd Council District
Joel I. Goldberg, et ux - Petitioners
Case No. 01-402-A

Dear Mr. & Mrs. Goldberg:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Dave Recchia, c/o Rubeling & Assoc., Inc.
401 Jefferson Avenue, Towson, Md. 21286
Mr. & Mrs. Alan Gilbert
11401 Marbrook Road, Owings Mills, Md. 21117
People's Counsel; Case File





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2214 Millridge Road
which is presently zoned RC 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) 202.3 (1955-71 BC2R) TO PERMIT ASIDEYARD SETBACK FOR A PROPOSED ADDITION OF 15 FT IN LIEU OF
THE REQ'D 20 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):

Joel I. Goldberg
Name - Type or Print _____
Joel I. Goldberg
Signature _____
Myrna I. Goldberg
Name - Type or Print _____
Myrna I. Goldberg
Signature _____
2214 Millridge Road #410363-
Address _____ Telephone No. _____
Owings Mills, MD 21117 #410866-
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
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. 01 402 A

Reviewed By JL Date 4/04/01

REV 9/15/98

Estimated Posting Date 4/15/01

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

2214 Millridge Road
Address
Owings Mills, MD 21117
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):

We would like to build a garage and need a 16 foot+ Setback. The garage would be attached to the house. (Please see attached diagram) The garage is needed as protection against falling tree limbs and severe weather conditions as well as property improvement.

— See attached reasons for variance.

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.

Joel I. Goldberg
Signature
Joel I. Goldberg
Name - Type or Print

Myrna I. Goldberg
Signature
Myrna I. Goldberg
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

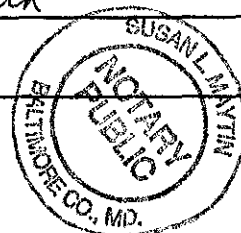
I HEREBY CERTIFY, this 17 day of March, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JOEL I. GOLDBERG AND MYRNA I. GOLDBERG
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

3/17/01
Date

Susan L. Martin
Notary Public
My Commission Expires 3/1/03



The Goldberg Residence
Administrative Variance for the Sideyard Setback Distance
Reasons for Variance

- 1 The property was originally zoned R-40 which had a 20' maximum sideyard setback. It has been rezoned to RC-5 which has a 50' sideyard setback. The existing house is non-conforming and therefore any addition will be non-conforming.
- 2 The design of the existing house has the kitchen and side entrance on the "south" side of the house and therefore the garage should be located on this side of the house.
- 3 The existing driveway is also on the "south" side of the house.
- 4 The rear of the house has an in-ground pool which precludes the garage from being located in the rear of the house.
- 5 Locating the garage to the "north" side of the house doesn't work with the existing floor plan and , if it did, would require a variance.
- 6 The length of the garage from the house is predicated on the existing exterior basement. These step and associated retaining walls are all cast in place concrete and would be very costly to relocate. The garage allows for minimal clearances around the existing steps.
- 7 Locating the garage to the east (front) of the house cannot be done because of the existing septic area.
- 8 The existing car port (to be removed) is existing on the "south' side of the house.

✓

Zoning Description

Zoning Description for 2214 Millridge Road

Beginning at a point on the North side of Millridge Road which is ^{MBH} 200'± East of the centerline of the nearest improved intersecting street Marbrook Rd. Being Lot 2 Block E Section 3 in the subdivision of Caves Park as recorded in Baltimore County Plat Book #32, Folio# 144. Also known as 2214 Millridge Road and located in the 3rd Election District, 3rd Councilmanic District. 95Ac ± ^{MBH}

402

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

No. 02810

DATE 4/04/01 ACCOUNT DOL 006-6150
AMOUNT \$ 50.00

RECEIVED FROM: GOLDBERG
FOR: RV

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
1/04/2001	4/04/2001	09:30:03
REC: 404	CASHIER DIAL DND	DRAWER 2
RECEIPT # 136453		
Dept: 5	528 ZONING VERIFICATION	
CR 10	092810	
Recpt Tot:		50.00
.00	CK	100.00 CA
		50.00- CG

Baltimore County, Maryland

CASHIER'S VALIDATION

402

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 92856

DATE

4/30/01

ACCOUNT

Bm1-006-6150

AMOUNT \$

40.00

RECEIVED
FROM:

Dylan Gilbert

FOR:

Demand for Cleaning

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
4/30/2001 4/30/2001 15:59:17

REC 0003 CASHIER LWL LDW DROWER 3
RECEIPT N 181763 OFLH

Dest 5 520 ZONING VERIFICATION
CR/NO. 092056

Receipt tot 40.00

.00 CK 40.00 CA

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: #01-402-A
2214 Millridge Road
N/S Millridge Road, 200' E
Marbrook Road
3rd Election District
3rd Councilmanic District
Legal Owner(s): Myrna I. &
Joel I. Goldberg
Administrative Variance: to
permit a side yard setback
for a proposed addition of
15 feet in lieu of the re-
quired 20 feet.
Hearing: Friday, June 8,
2001 at 9:00 a.m. in Room
407, County Courts Build-
ing, 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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/5/755 May 22 C470509

CERTIFICATE OF PUBLICATION

5/24/, 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 5/22/, 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.: 01-402-A

Petitioner/Developer: _____

JOEL & MYRNA GOLDBERG

Date of Hearing/Closing: 4/30/01

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 _____

2214 MILLRIDGE RD.

The sign(s) were posted on 4/15/01
(Month, Day, Year)

Sincerely,

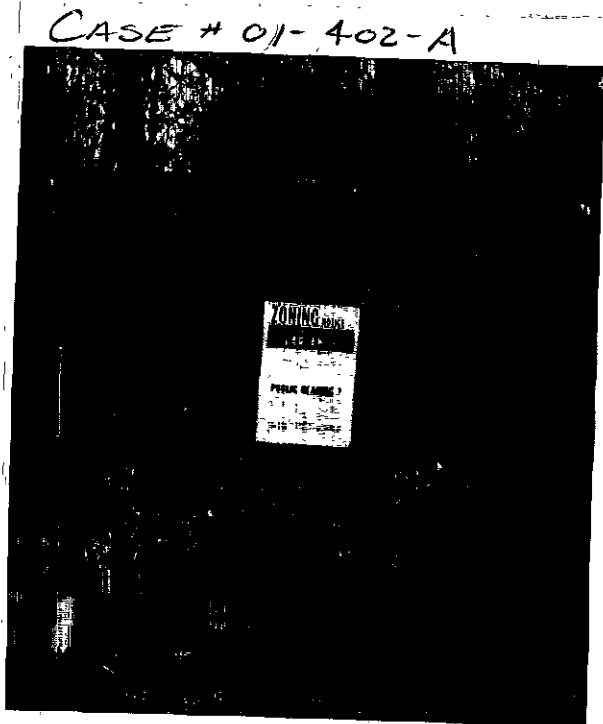
Richard E. Hoffman 4/15/01
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR
(Address)

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

(410) 879-3122
(Telephone Number)



2214 MILLRIDGE RD

POSTED 4/15/01

Richard E. Hoffman 4/15/01

CERTIFICATE OF POSTING

RE: Case No.: 01-402-A

Petitioner/Developer: _____

MYRNA & JOEL GOLDBERG

Date of Hearing/Closing: 6/10/01

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 _____

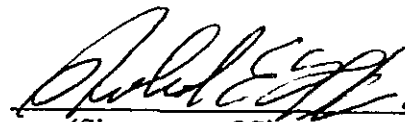
2214 MILLRIDGE RD

The sign(s) were posted on _____

5/22/01

(Month, Day, Year)

Sincerely,

 5/22/01
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047

(410) 879-3122
(Telephone Number)

01-402-A
CASE # 01-402-A



2214 MILLRIDGE RD.

POSTED 5/22/01

**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: 402
Petitioner: Joel and Myrna Goldberg
Address or Location: 2214 Millridge Road, Owings Mills, MD 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: Myrna and Joel Goldberg
Address: 2214 Millridge Road
Owings Mills, MD 21117
Telephone Number: 410-363-2034

402

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 402 -A Address 2214 MILLRIDGE RD.
Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/04/01 Posting Date: 4/15/01 Closing Date: 4/30/01

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- 402 -A Address 2214 MILLRIDGE RD.
Petitioner's Name ~~JOEL AND MYRNA GOLDBERG~~ JOEL AND MYRNA GOLDBERG Telephone 410/363/2034
Posting Date: 4/15/01 Closing Date: _____
Wording for Sign: TO PERMIT A SIDE YARD SETBACK FOR A PROPOSED ADDITION OF
15 FT. IN LIEU OF THE REQUIRED 20 FT.



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

May 3, 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: 01-402-A
2214 Millridge Road
N/S Millridge Road, 200' E Marbrook Road
3rd Election District – 3rd Councilmanic District
Legal Owners: Myrna I & Joel I Goldberg

Administrative Variance to permit a side yard setback for a proposed addition of 15 feet in lieu of the required 20 feet.

HEARING: Wednesday, June 6, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G72
Director

C: Myrna I & Joel I Goldberg, 2214 Millridge Road, Owings Mills 21117
Alan & Nancy Gilbert, 11401 Marbrook Road, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 22, 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
Tuesday, May 22, 2001 Issue – Jeffersonian

Please forward billing to:
Joel I Goldberg
2214 Millridge Road
Owings Mills MD 21117

410 363-2034

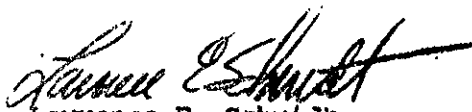
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HEARING: Wednesday, June 6, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *CDZ*
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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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

May 8, 2001

NOTICE OF ZONING HEARING

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Legal Owners: Myrna I & Joel I Goldberg

Administrative Variance to permit a side yard setback for a proposed addition of 15 feet in lieu of the required 20 feet.

HEARING: Friday, June 8, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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Arnold Jablon GJZ
Director

C: Myrna I & Joel I Goldberg, 2214 Millridge Road, Owings Mills 21117
Alan & Nancy Gilbert, 11401 Marbrook Road, Owings Mills 21117

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TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 22, 2001 Issue – Jeffersonian

Please forward billing to:

Joel I Goldberg
2214 Millridge Road
Owings Mills MD 21117

410 363-2034

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2214 Millridge Road

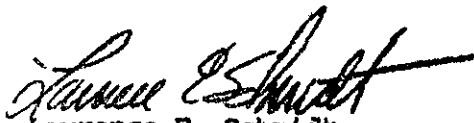
N/S Millridge Road, 200' E Marbrook Road

3rd Election District – 3rd Councilmanic District

Legal Owners: Myrna I & Joel I Goldberg

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HEARING: Friday, June 8, 2001 at 9:00 a.m. in Room 407, County Courts Building,
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Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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Baltimore County
Department of Permits and
Development Management

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

April 30, 2001

Myrna & Joel Goldberg
2214 Millridge Road
Owings Mills MD 21117

Dear Mr. & Mrs. Goldberg:

RE: Case Number: 01-402-A, 2214 Millridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 4, 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,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

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

WCR: gdz

Enclosures

c: People's Counsel





Baltimore County
Department of Permits and
Development Management

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

June 1, 2001

Myna I & Joel I Goldberg
2214 Millridge Road
Owings Mills MD 21117

Dear Mr. & Mrs. Goldberg:

RE: Case Number: 01-402-A, 2214 Millridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 4, 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: People's Counsel



HEARING 6/6
6/8
DIV 4/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 7, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-402 & 411

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. Long

AFK/JL:MAC



Baltimore County
Fire Department

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

April 17, 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 April 16, 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:

379, 383, 395, 396, 397, 398, 399, 400, 402, 404, 405, 406, 407,
409, and 411

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





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.12.01

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

RE: Baltimore County
Item No. 402

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



FORMAL DEMAND FOR HEARING

CASE NUMBER: 01-402 A

Address: 2214 Millridge Rd

Petitioner(s): ALAN & NANCY GILBERT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We ALAN & NANCY GILBERT
Name - Type or Print

☒ Legal Owner OR ☐ Resident of

11401 MARBROOK ROAD
Address

OWINGS MILLS MD 21117
City State Zip Code

410-356-0318
Telephone Number

which is located approximately ADJACENT 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.

[Signature] 4-30-01
Signature Date

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



Baltimore County
Department of Permits and
Development Management

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

May 2, 2001

Myrna & Joel Goldberg
2214 Millridge Road
Owings Mills MD 21117

Dear Mr. & Mrs. Goldberg

RE: Demand for Public Hearing, Administrative Variance, Case Number 01-402-A

The purpose of this letter is to officially notify you that a demand for a formal hearing from Alan & Nancy Gilbert has resulted in a timely demand on 2214 Millridge 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. 602
Supervisor
Zoning Review

WCR gdz:

C: Alan & Nancy Gilbert, 11401 Marbrook Road, Owings Mills 21117





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

May 8, 2001

Myrna & Joel Goldberg
2214 Millridge Road
Owings Mills MD 21117

Dear Mr. & Mrs. Goldberg:

RE: Case Number 01-402-A, 2214 Millridge Road

The above matter, previously scheduled for Wednesday, June 6, 2001 at 11:00 a.m., has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, 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).

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, sweeping "A" and "J".

Arnold Jablon
Director

AJ: gdz

C: Alan & Nancy Gilbert, 11401 Marbrook Road, Owings Mills 21117



ALAN & NANCY GILBERT

11401 Marbrook Road
Owings Mills, MD 21117

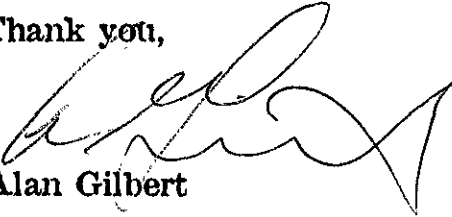
April 30, 2001

Baltimore County Office of Zoning
111 West Chesapeake Ave.
Towson, MD 21204

re: case 01-402A

I am a direct neighbor of the property owner requesting the variance referenced above. I would like to request a hearing on the variance requested.

Thank you,

A handwritten signature in black ink, appearing to read 'Alan Gilbert', with a large, sweeping flourish at the end.

Alan Gilbert

Alan
Gilbert
Photography

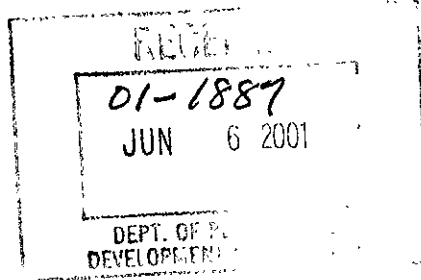
3524 Keswick Rd, Baltimore, MD 21211
phone: 410.467.9159, fax: 410.467.7553
email: alan@photopian.com

6/6/01
cf
wcr
to file
Res
6/8
To: George
File

June 3, 2001

Joel and Myrna Goldberg
2214 Millridge Road
Owings Mills, MD. 21117

re: CASE NUMBER 01-402-A



Dear Joel and Myrna,

When we last spoke on May 2, 2001, regarding the zoning variance you are requesting, we asked that you have a survey done and clearly mark the entire borderline between our properties. We cannot make an informed decision regarding your request until we have the chance to judge the impact that the granting of the variance would have on our property and its value.

We do not believe our request for a current survey is unreasonable. Should no current survey be in place by the hearing date, we will no choice but to oppose your request for the variance.

Please understand that we do not, per se, oppose your desire to build a garage on your property. The granting of a variance is far broader than the specific project you have planned at this time, and has permanent impact, once granted.

As the hearing date is set for this Friday, June 8, please call to show us the survey markings and documentation of the surveying company.

Sincerely,

Alan and Nancy Gilbert

JUN 11

cc: Arnold Jablon, Director
Baltimore County Department of Permits and Development Management
Director's Office County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204



ALBERT W. RUBELING, JR., FAIA
JOHN J. DI MENNA, AIA
DAVID P. RECCHIA, AIA
MITCHELL L. NELSON, CSI
JAMES C. MILLS, AIA

June 6, 2001

Mr. Arnold Jablon
Baltimore County Department of Permits and Development Management
Director's Office County Office Building
111 West Chesapeake Avenue
Towson, Maryland
21104

RE: Administrative Zoning Variance
Case Number 01-402-A

Dear Mr. Jablon,

I have been working with Dr. and Mrs. Goldberg on the design of their proposed garage. They have sent me a copy of the letter from Alan and Nancy Gilbert regarding the Gilbert's request to have the property surveyed and staked, which is the reason for this reply. When the Goldberg's received the original request from the Gilberts, the request was discussed. The cost for having a surveyor research the deeds, find a benchmark and stake the property is excessive compared to the cost of the proposed project. However, the Goldberg's felt compelled to respond to the Gilbert's request in identifying the property line between the properties. To assist them, I have used a location survey supplied by the Goldberg's bank, to establish two stakes along the common property line. I also verified the location of the common fencepost between all of the properties in the rear of the Goldberg's yard.

The two stakes along the common property line are in a densely vegetated area, particularly the stake closest to the rear yard. The position of the stakes indicate a substantial buffer of bamboo and other trees and shrubs that are mostly on the Gilbert's property and would shield the proposed garage from sight. The common fence post in the rear yard is located in conformance with the house location survey.

The Goldbergs have called the Gilberts to tell them of the stakes that I have located, and with a copy of this letter I am informing them of the current status of their request. It is the hope of the Goldberg's that this effort is sufficient with the Gilberts and will garner their endorsement of the variance.

Sincerely,
RUBELING & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'D. Recchia', written over the company name.

David P. Recchia, AIA
Vice President
Principal

cc: Alan and Nancy Gilbert
via fax 410-467-7553

Joel and Myrna Goldberg
via fax 410-866-5584

DPR/dr

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Joel + Myrna Goldberg
Dave Reardon c/o Ruben's Assoc

2214 Millridge Rd. Owings Mills MD 21117
401 Jefferson Ave Towson 21286



Case Number

01-402-A

PRINT

PROTESTANT'S SIGN-IN SHEET

Name

Address

City, State

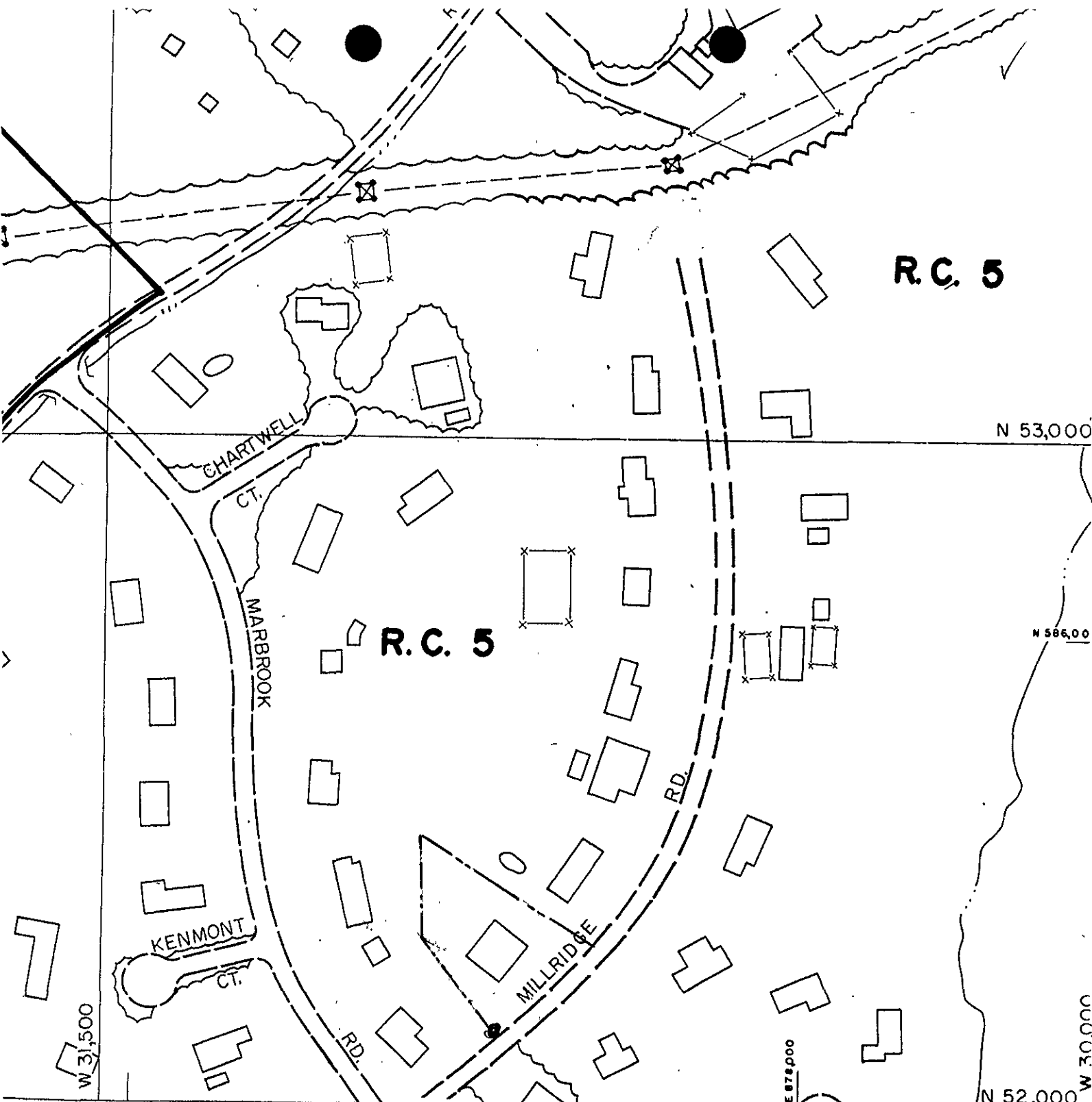
Zip Code

ALAN GILBERT

11401 MARBROOK RD

OWINGS MILLS, MD 21117

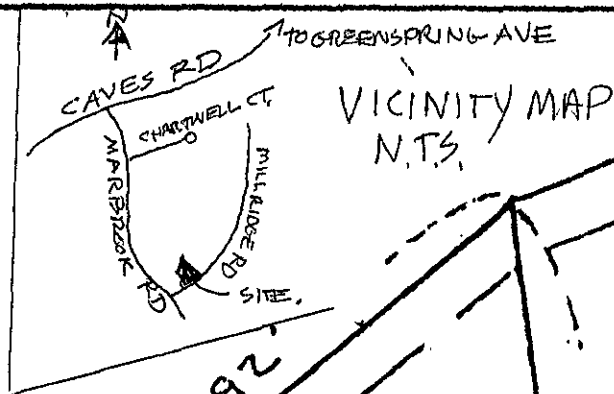
Revised 4/17/00



402	SCALE 1" = 200' ±	LOCATION THE CAVES	SHEET N. W. 14-F
	DATE OF PHOTOGRAPHY JANUARY 1986		

1 copy

PLAN FOR ZONING-VARIANCE
 2214 MILLRIDGE DRIVE (AKA ROAD)
 OWNERS JOEL AND MYRNA GOLDBERG
 ZONE RC 5
 LOT SIZE .95 AC ±
 PRIVATE WELL AND SEPTIC AREAS,
 COUNCIL DIST. 3
 ELEC. DIST. 3
 NO PRIOR HEARINGS,
 NOT IN 100 YEAR FLOOD PLAIN.



NOTE: PORTION OF FENCE
 MAY LIE OVER LOT
 LINE

402

N 03° 29' 35" E

5' DRAIN UTIL. EASMT

150.92'

295.41'

FENCE

2

OF WELL

IN GROUND
POOL

PROP. ADDITION,
(GARAGE)

SHED

29'

SLATE

CONC

CAR

PORT

#2214

8' COV STONE
PATIO

FRONT

53' ± 4'

50' SIDEYARD
SETBACK

SEPTIC
AREAS

80' ± 4'

SCALE 1"=20'

MILLRIDGE RD.

50' RW.

171.88 FT

OWNERS
GILBERT

150' TO
 ADJ. RESIDENCE
 TURNING RADIUS
 REQ'D FOR
 SIDE APPROACH.

15' PROPOSED
SETBACK

23' EX.
SETBACK

20' ASPHALT
DRIVE

20' SETBACK

50' SIDEYARD
SETBACK

20' SETBACK

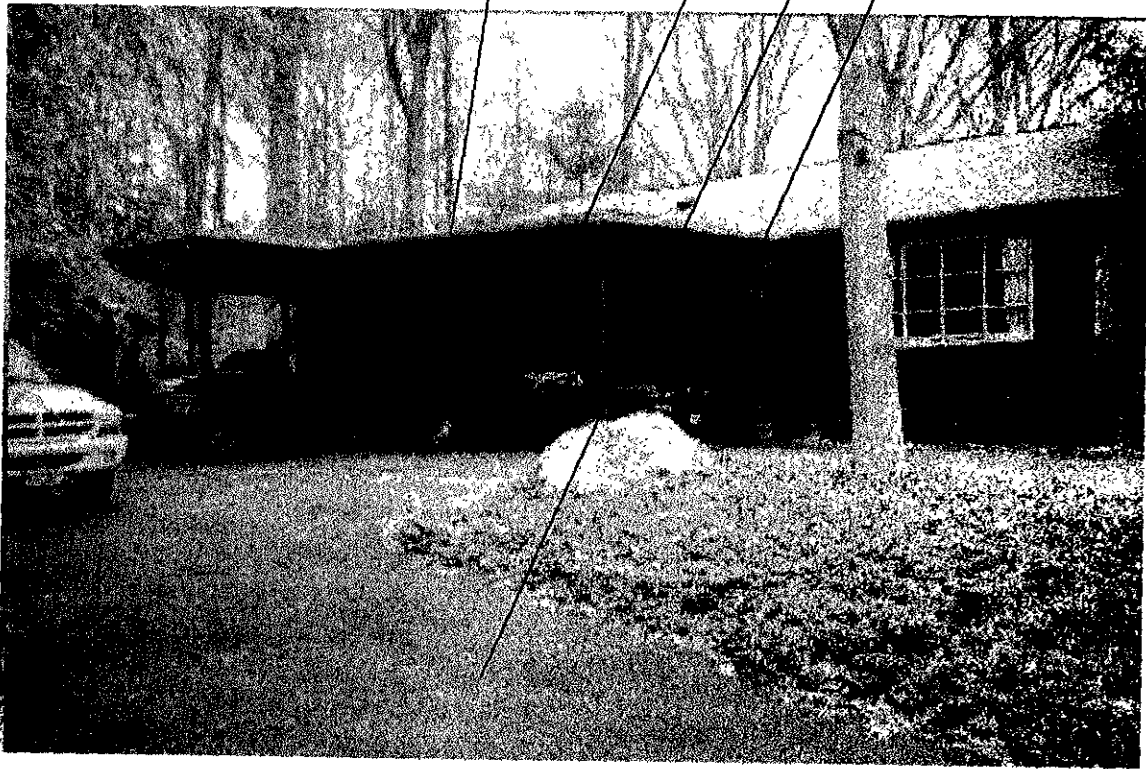
20' SETBACK

EXISTING KITCHEN DOOR BEHIND SCREENWALL

EXISTING DRIVEWAY

EXISTING CARPORT

EXISTING AREAWAY



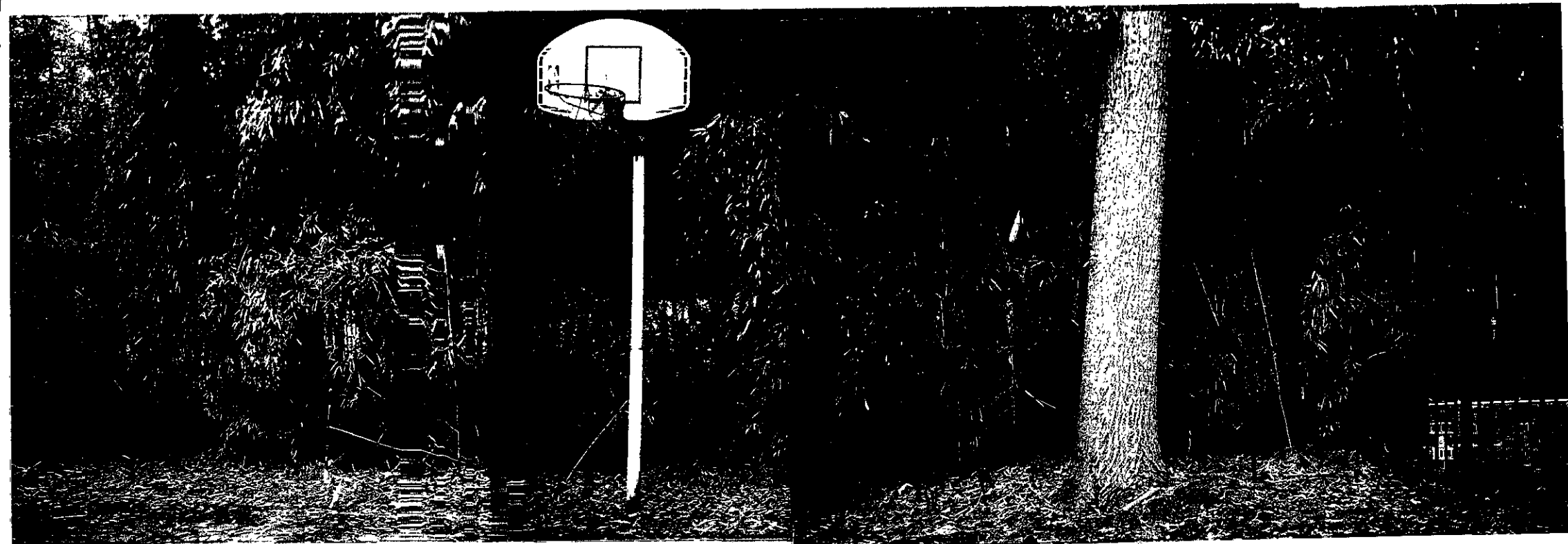
402

GOLDBERG RESIDENCE



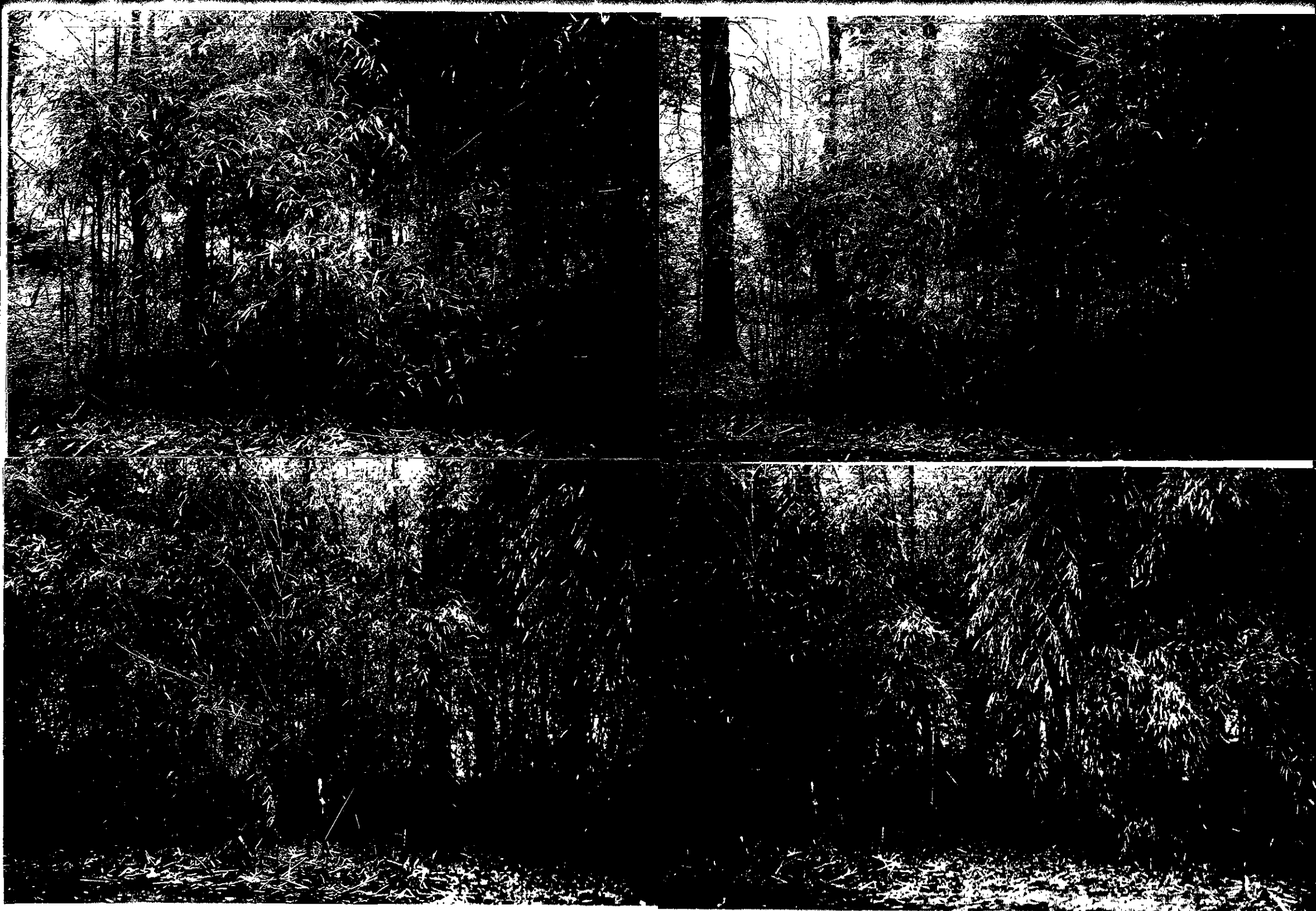
EXISTING AREAWAY UNDER CARPORT

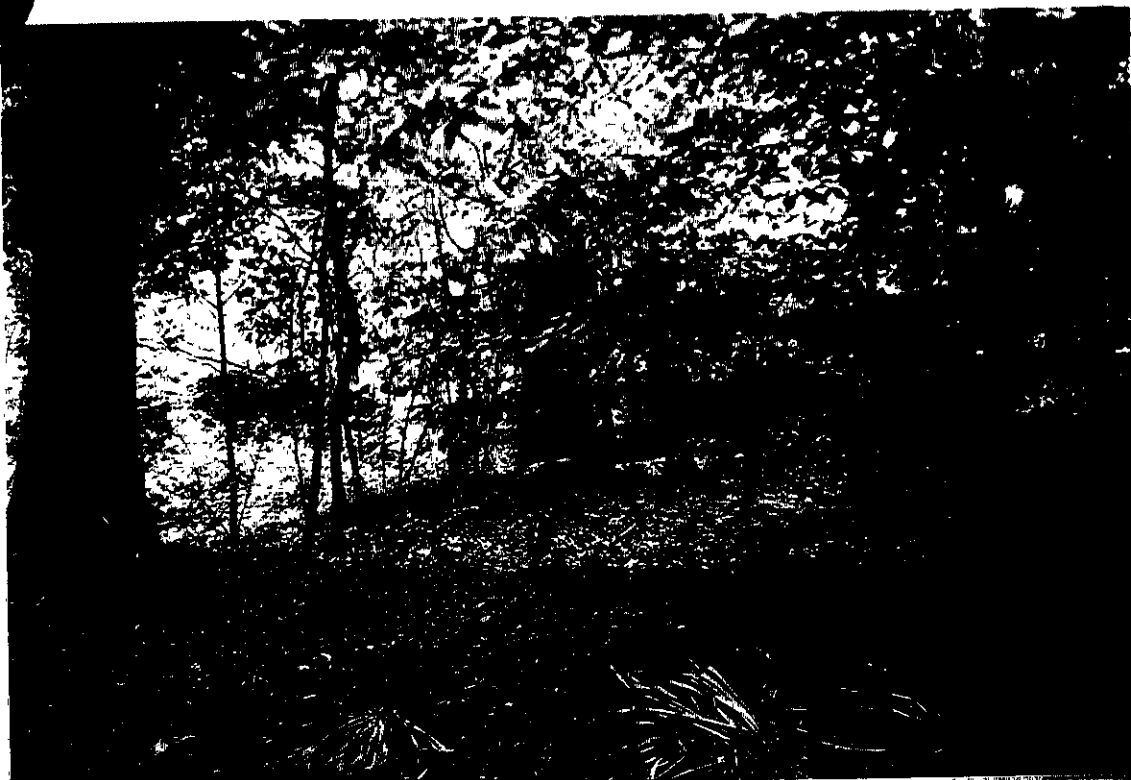
402











*Revised
Exhibit No 1*



WITZ & ASSOCIATES
 GENERAL SURVEYING CO.
 4131 KAHLESTON ROAD
 BALTIMORE, MD 21236
 (410) 256-8428

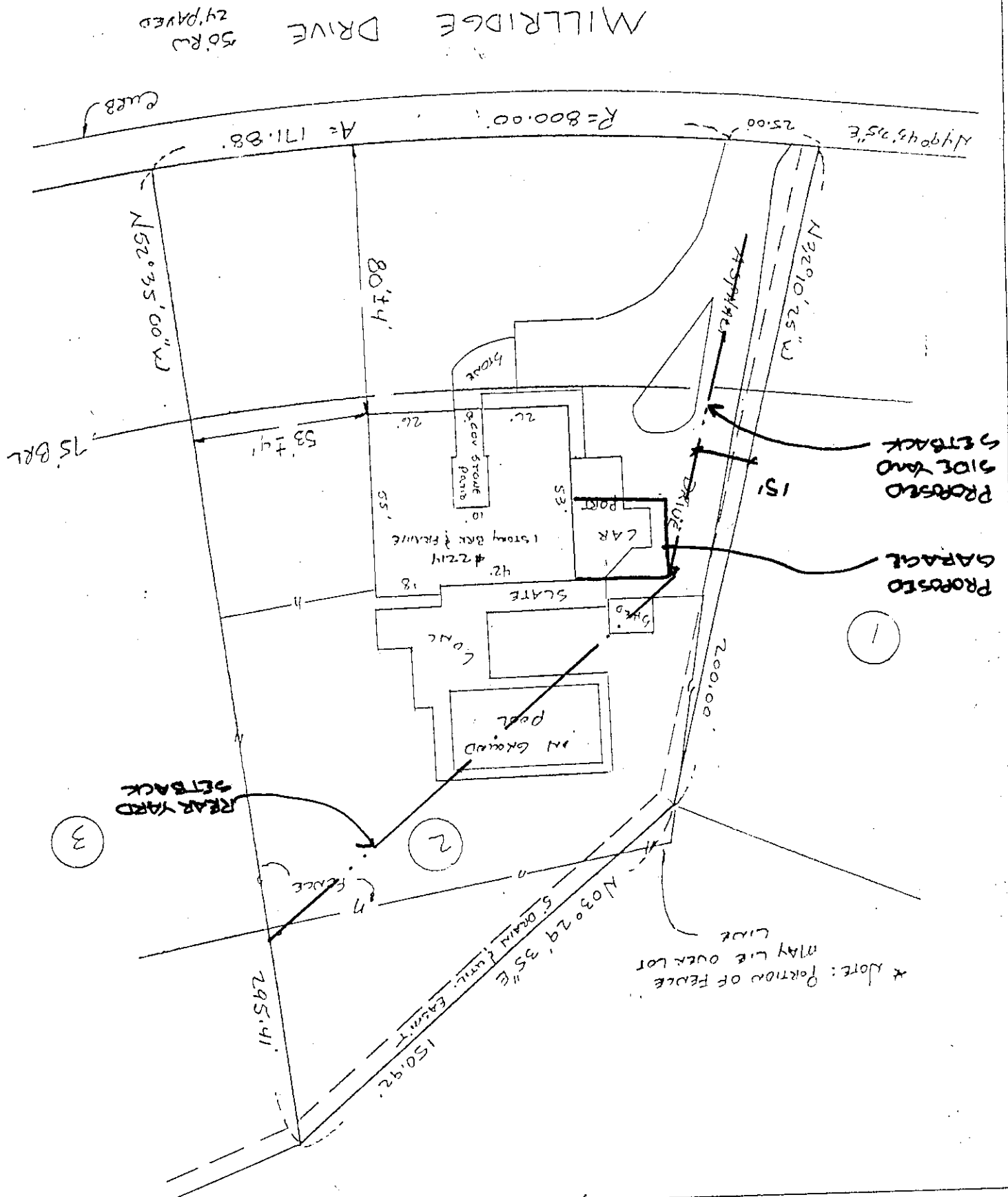
SCALE 1"=40'
DATE 2.21.99
JOB No. 99-219

LOCATION CERTIFICATION

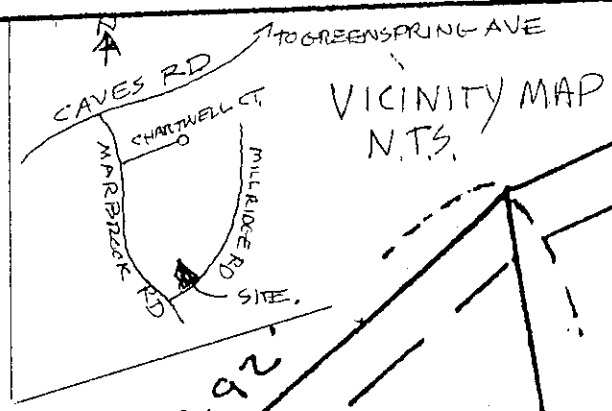
THE LOT SHOWN HEREON IS IN FLOOD ZONE C PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL #2400100034P.

The plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. The plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. The plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.

2214 MILLBRIDGE DRIVE
 LOT 2 BLOCK E CAVES PARK
 PLAT 3 SECTION 3 P.B. OR 32/144
 BALTIMORE COUNTY MARYLAND

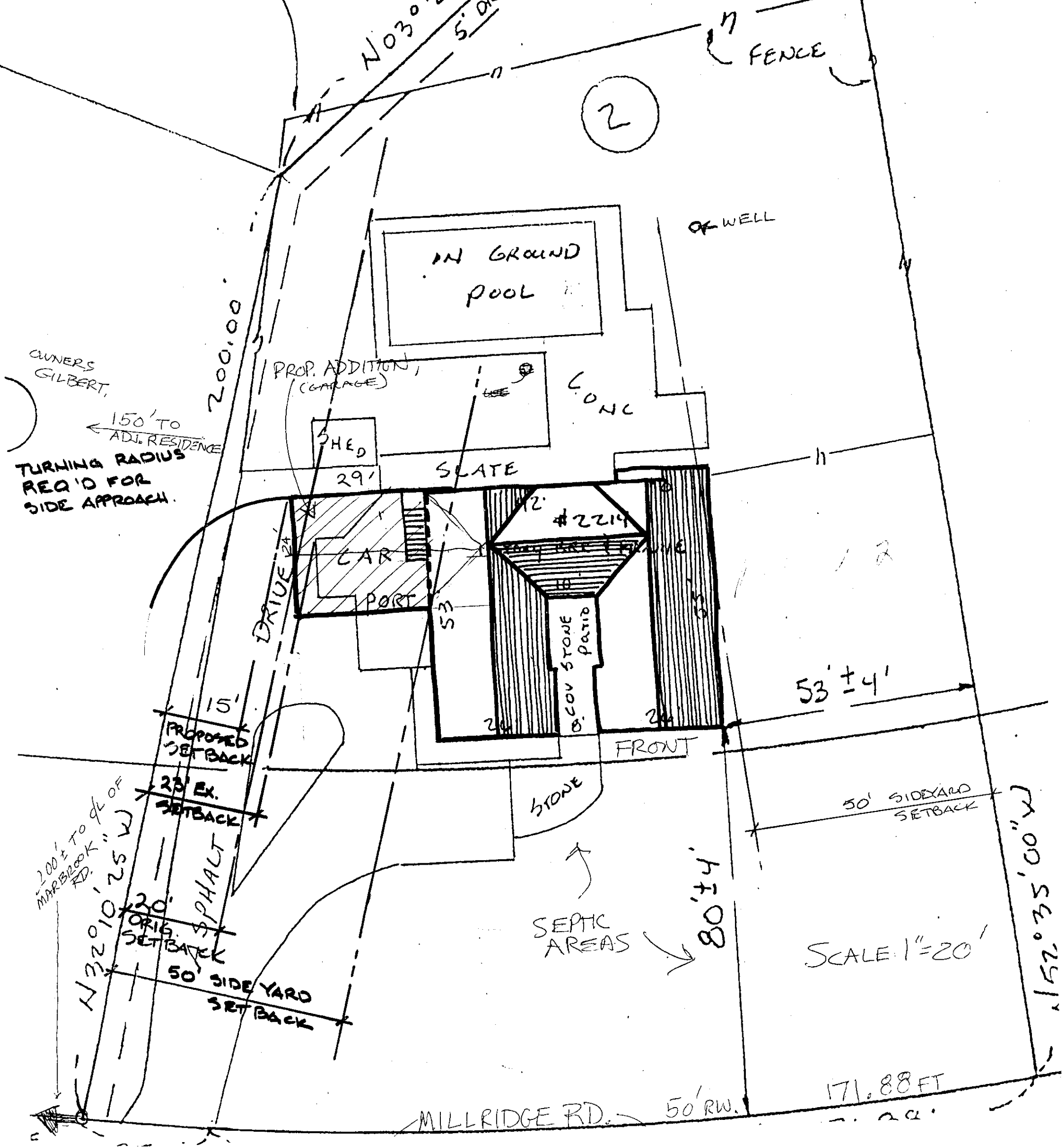


PLAN FOR ZONING VARIANCE
2214 MILLRIDGE DRIVE (AKA ROAD)
OWNERS JOEL AND MYRNA GOLDBERG
ZONE RC 5
LOT SIZE .95 AC ±
PRIVATE WELL AND SEPTIC AREAS,
COUNCIL DIST. 3
ELEC. DIST. 3
NO PRIOR HEARINGS,
NOT IN 100 YEAR FLOOD PLAIN.



NOTE: PORTION OF FENCE
MAY LIE OVER LOT
LINE

402



SCALE 1"=20'

MILLRIDGE RD. 50' RW.

171.88 FT

152°35'00" W

80'±4'

53'±4'

50' SIDEYARD SETBACK

SEPTIC AREAS

STONE

FRONT

8" COV STONE PATIO

PORT

CAR

SLATE

CONC

PROP. ADDITION (GARAGE)

SHEED

IN GROUND POOL

WELL

FENCE

N 03°29'35"E
5' DRAIN UTIL. EASMT

2

200.00

OWNERS GILBERT

150' TO ADJ. RESIDENCE

TURNING RADIUS REQ'D FOR SIDE APPROACH.

PROPOSED SETBACK

25' EX. SETBACK

20' ORIG. SETBACK

SPHALT

50' SIDEYARD SETBACK

200'± TO CL OF MARBROOK RD.

N 22°10'25" W



402

SHEET
NW
14-F
LOCATION
THE CAVES
SITE
SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP