IN RE: PETITION FOR VARIANCE NE/S of Circle Road, 270' NW centerline of Lake Roland Drive 9th Election District 4th Councilmanic District (1714 Circle Road) Isobel M. & Bruce L. Cleland Petitioners	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-005-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, Isobel M. and Bruce L. Cleland. The Petitioners are requesting variance relief for property they own at 1714 Circle Road, located in the Ruxton area of Baltimore County. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations, to allow an accessory structure (pool house) to have a height of 25 ft. in lieu of the required 15 ft.

Appearing at the hearing on behalf of the request were Isobel Cleland, one of the owners of the property and Bruce Doak, her representative who prepared the site plan of the property. Appearing as interested citizens in the matter were Anne Chapin, Mary Gorman and Peggy Squitieri. Ms. Squitieri appeared on behalf of the Ruxton/Riderwood/Lane Roland Area Improvement Association (RRLRAIA).

Testimony and evidence indicated that the property, which is the subject of this variance request, comprises 3.28 acres, more or less, zoned D.R.1. The subject property is improved with a three-story stone and stucco single-family dwelling, a tennis court, swimming pool and pool house, all of which are shown on Petitioners' Exhibit No. 1, the site plan submitted into evidence. The property owners at this time are renovating and reconstructing the swimming pool and pool house. The old swimming pool and pool house have existed on this property for many

ORDER RECEIVED FOR FILING
Date 9/25/02
By

decades. From the photographs submitted into evidence and the testimony offered, the pool and pool house have deteriorated over time and are in need of replacement. The old pool house was built into an earthen embankment and consisted of concrete block with a stucco facing. The property owner is hopeful of replacing the old pool house facility with a new building which is depicted in the architectural renderings submitted into evidence as Petitioners' Exhibit No. 3.

The new building proposes an enclosed facility which can be accessed from the pool level. The building stands one story above the swimming pool itself. However, the rear of the proposed pool house, given that it has been constructed into an earthen embankment, stands approximately 25 ft. at its tallest point. In essence, the pool house, while being only one story on the side facing the pool, is actually two stories on the rear side as a result of the topography of the ground. The Baltimore County Zoning Regulations requires that the measurements for the height of the pool house be taken at its highest point. Therefore, the pool house stands a total of 25 ft. on the rear side and approximately 15 ft. on the front side. In order to construct the pool house as shown on the elevation drawings, the variance request is necessary.

As stated previously, Ms. Gorman and Ms. Chapin appeared out of concern for the variance request. The property adjacent to the Petitioners' is owned by Ms. Chapin. She is concerned over the appearance of the pool house and the view that she will see while pulling into her driveway. The site plan indicates that her driveway passes adjacent to the pool house in question. Her view of the pool house will be from the rear elevation which will stand 25 ft. in height. She is also concerned over the loss of some screening and vegetation that occurred during the reconstruction of the pool and pool house facility.

After considering the testimony and evidence offered at the hearing, I find that the variance request should be granted to allow the pool house to consist of a height of 25 ft. on the

rear elevation. The reconstruction of the pool house will be an improvement to the property over and above that which exists on the property today. As a result of the topography of the property, the pool house will stand two stories at the rear elevation. However, I believe appropriate landscaping can be installed to help buffer the two-story effect of this pool house on Ms. Chapin, the adjacent property owner. Therefore, as a condition of approval of this variance, I shall require the Petitioners to submit a landscape plan to Mr. Avery Harden, Landscape Architect for Baltimore County. In addition, the Petitioners shall also submit a lighting plan to Mr. Harden for his review. Mr. Harden shall require such landscaping as is necessary to help mitigate and buffer the effects of this two-story pool house on the adjacent property owner.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will

unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED this 25th day of September, 2002, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.3 of the Baltimore County Zoning Regulations, to allow an accessory structure (pool house) to have a height of 25 ft. in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners shall be required to submit a landscape and lighting plan to Avery Harden, Landscape Architect for Baltimore County, for his review and approval. The purpose of submitting the landscape plan is to provide appropriate screening around the rear portion of the pool house, in order to buffer its visual effect on surrounding properties.

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

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

PLEASE RETURN TO ZONING
DATE 9/25/02
BY N. Jamison

Baltimore County
Zoning Commissioner

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

September 25, 2002

Mr. & Mrs. Bruce L. Cleland
1714 Circle Road
Ruxton, Maryland 21204

Re: Petition for Variance
Case No. 03-005-A
Property: 1714 Circle Road

Dear Mr. & Mrs. Cleland:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Copies to:

Bruce E. Doak
Gerhold, Cross & Etzel
320 E. Towsontown Boulevard
Towson, MD 21286

Peggy Squitieri
RRLRAIA
P. O. Box 204
Riderwood, MD 21139

Anne A. Chapin
1720 Circle Road
Ruxton, MD 21204

Mary S. Gorman
1719 Gorman Road
Ruxton, MD 21204

Copies to:

Bruce E. Doak
Gerhold, Cross & Etzel
320 E. Towsontown Boulevard
Towson, MD 21286

Peggy Squitieri
RRLRAIA
P. O. Box 204
Riderwood, MD 21139

Anne A. Chapin
1720 Circle Road
Ruxton, MD 21204

Mary S. Gorman
1719 Gorman Road
Ruxton, MD 21204

Baltimore County
Zoning Commissioner

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

September 25, 2002

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1714 Circle Road
Ruxton, Maryland 21204

Re: Petition for Variance
Case No. 03-005-A
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Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1714 CIRCLE ROAD

which is presently zoned DR 1

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)

400.3 BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW AN ACCESSORY STRUCTURE (POOL HOUSE) TO HAVE A HEIGHT OF 25' IN LIEU OF THE REQUIRED 15'

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

WITH THE FOOT PRINT OF THE PROPOSED ACCESSORY STRUCTURE THAT IS NEEDED, A HEIGHT OF 25' IS NEEDED TO CONFORM WITH ARCHITECTUAL DESIGN OF THE NEIGHBORHOOD.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

BRUCE L. CLELAND
Name - Type or Print

Signature

ISOBEL M. CLELAND
Name - Type or Print

Isobel M. Cleland
Signature

1714 CIRCLE ROAD — 410-583-9054
Address — Telephone No.

TOWSON MARYLAND 21204
City — State — Zip Code

Representative to be Contacted:

BRUCE E. DOAK
GERHOLD, CROSS & ETZEL, LTD.
Name SUITE 100

320 E. TOWSONTOWN BLVD — 410-823-4470
Address — Telephone No.

TOWSON, MARYLAND 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____
Reviewed By LTM Date 7/2/07

Case No. 03-005-A

ORDER RECEIVED FOR FILING
Date 9/15/98
By
REV 9/15/98

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone. (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

June 28, 2002

ZONING DESCRIPTION
CLELAND PROPERTY

Beginning for the same at a point on the center of Circle Road, said point of beginning being distant northwesterly 270 feet, more or less, measured along the centerline of Circle Road from the centerline of Lake Roland Drive, thence running and binding on the centerline of Circle Road, the five following courses and distances, viz: (1) North 84 degrees 36 minutes West 41.61 feet, (2) North 67 degrees 05 minutes West 50.00 feet, (3) North 58 degrees 05 minutes West 50.00 feet, (4) North 53 degrees 05 minutes West 60.00 feet, and (5) North 47 degrees 30 minutes 435.85 feet, thence leaving Circle Road and running, the seven following courses and distances, viz: (6) North 27 degrees 41 minutes 30 seconds East 76.52 feet, (7) North 23 degrees 17 minutes 30 seconds East 67.00, (8) North 64 degrees 48 minutes 40 seconds East 138.45, (9) South 72 degrees 25 minutes East 248.82 feet, (10) South 09 degrees 35 minutes 30 seconds East 89.94 feet, (11) South 14 degrees 51 minutes 30 seconds East 199.50 feet, and (12) South 35 degrees 23 minutes 33 seconds East 239.11 feet to the place of beginning.

Containing 3.28 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

STATE OF MARYLAND
BRUCE EDWIN DONALDSON
No. 53
REGISTERED
PROFESSIONAL LAND SURVEYOR

7/1/02

clelandzoningdesc

#005

MORE COUNTY, MARYLAND
OF BUDGET & FINANCE
SCELLANEOUS RECEIPT

No. 14374

DATE 7/2/02 ACCOUNT R001 006 6150

AMOUNT $ 50.00

RECEIVED FROM: GERHOLD, CROSS - ETZEL

FOR: 03-005-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
7/02/2002 7/02/2002 11:20:29
REG WS04 WALKIN DOOL DAD DRAWER 2
RECEIPT # 185555 7/02/2002 OFLI
DEPT 5 533 ZONING VERIFICATION
CR NO. 014374
Recpt Tot $50.00
50.00 CK .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: #03-005-A
1714 Circle Road
NE/S of Circle Road, 270' NW centerline of Lake Roland Drive
9th Election District
4th Councilmanic District
Legal Owner(s): Isobel M. & Bruce L. Cleland
Variance: to allow an accessory structure (poolhouse) to have a height of 25 feet in lieu of the required 15 feet.
Hearing: Friday, August 23, 2002 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.
8/116 Aug. 8 C554920

CERTIFICATE OF PUBLICATION

8/8/, 2002

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 8/8/, 2002.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

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1714 Circle Road
NE/S of Circle Road, 270' NW centerline of Lake Roland Drive
9th Election District
4th Councilmanic District
Legal Owner(s): Isobel M & Bruce L Cleland
Variance: to allow an accessory structure (poolhouse) to have a height of 25 feet in lieu of the required 15 feet.
Hearing: Friday, September 6, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391
8/292 Aug 22 C557631

CERTIFICATE OF PUBLICATION

8/22/, 2002

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 8/22/, 2002.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

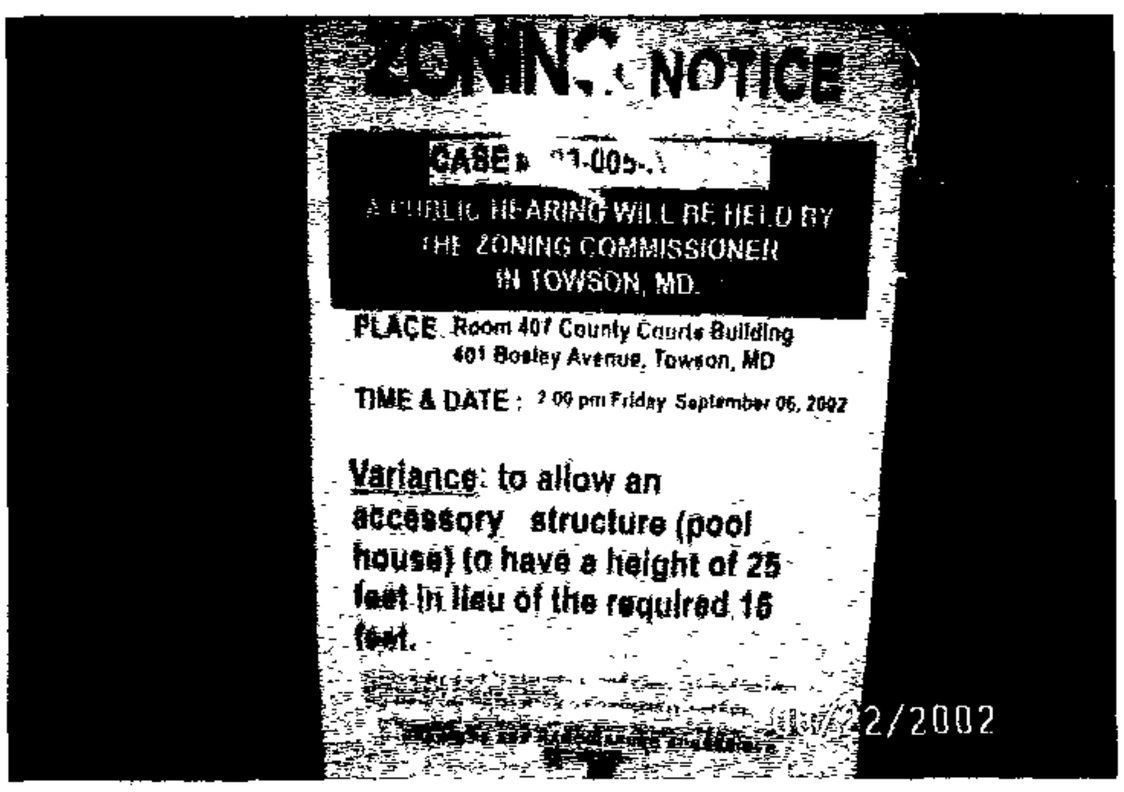
RE: CASE # 03-005-A
PETITIONER/DEVELOPER
Isobel M & Bruce L Cleland
DATE OF HEARING
September 6, 2002

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

ATTENTION: GEORGE ZAHNER

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



POSTED ON August 22, 2002

LOCATION
1714 Circle Road

DATE
August 23, 2002

Bruce E. Doak

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

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: 03-005-A

Petitioner: BRUCE & ISOBEL CLELAND

Address or Location: 1714 CIRCLE ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: BRUCE & ISOBEL CLELAND

Address: 1714 CIRCLE ROAD

TOWSON, MARYLAND 21204

Telephone Number: 410-583-9054

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 8, 2002 Issue – Jeffersonian

Please forward billing to:
Mr. & Mrs. Bruce Cleland
1714 Circle Road
Towson MD 21204

410 583-9054

NOTICE OF ZONING HEARING

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NE/S of Circle Road, 270'NW centerline of Lake Roland Drive
9th Election District – 4th Councilmanic District
Legal Owner: Isobel M & Bruce L Cleland

Variance to allow an accessory structure (poolhouse) to have a height of 25 feet in lieu of the required 15 feet.

HEARING: Friday, August 23, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
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

July 17, 2002

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: 03-005-A
1714 Circle Road
NE/S of Circle Road, 270'NW centerline of Lake Roland Drive
9th Election District – 4th Councilmanic District
Legal Owner: Isobel M & Bruce L Cleland

Variance to allow an accessory structure (poolhouse) to have a height of 25 feet in lieu of the required 15 feet.

HEARING: Friday, August 23, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GDZ
Director

C: Mr. & Mrs. Bruce L Cleland 1714 Circle Road, Towson 21204
Bruce E Doak, Gerhold Cross & Etzel LTD, Suite 100, 320 E Towsontown Blvd, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 8, 2002.**
(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.

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on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 22, 2002 Issue – Jeffersonian

Please forward billing to:
Mr. & Mrs. Bruce Cleland 410 583-9054
1714 Circle Road
Towson MD 21204

NOTICE OF ZONING HEARING

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1714 Circle Road
NE/S of Circle Road, 270'NW centerline of Lake Roland Drive
9th Election District – 4th Councilmanic District
Legal Owner: Isobel M & Bruce L Cleland

Variance to allow an accessory structure (poolhouse) to have a height of 25 feet in lieu of the required 15 feet.

HEARING: Friday, September 06, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

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

August 6, 2002

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CASE NUMBER: 03-005-A
1714 Circle Road
NE/S of Circle Road, 270'NW centerline of Lake Roland Drive
9th Election District – 4th Councilmanic District
Legal Owner: Isobel M & Bruce L Cleland

Variance to allow an accessory structure (poolhouse) to have a height of 25 feet in lieu of the required 15 feet.

HEARING: Friday, September 06, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Mr. & Mrs. Bruce L Cleland 1714 Circle Road, Towson 21204
Bruce E Doak, Gerhold Cross & Etzel LTD, Suite 100, 320 E Towsontown Blvd, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 22, 2002.**
(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.

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on Recycled Paper

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

August 6, 2002

Mr. Bruce E Doak
Gerhold Cross & Etzel
320 E Towsontown Blvd
Suite 100
Towson MD 21286

Dear Mr. Doak:

RE: Case Number 03-005-A, 1714 Circle Road

The above matter, previously scheduled for Friday, August 23, 2002 at 9:00 a.m. in Room 407, 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,

Arnold Jablon GDZ
Director

AJ: gdz

C: Mr. & Mrs. Bruce L Cleland 1714 Circle Road, Towson 21204

Printed with Soybean Ink
on Recycled Paper

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 30, 2002

Mr. & Mrs. Bruce L Cleland
1714 Circle Road
Towson MD 21204

Dear Mr. & Mrs. Cleland:

RE: Case Number: 03-005-A, 1714 Circle Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 02, 2002.

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: Bruce E Doak, Gerhold Cross & Etzel, 320 E Towsontown Blvd, Ste 100,
Towson 21286
People's Counsel

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on Recycled Paper

Baltimore County
Fire Department

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

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

July 18,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 15, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:
583; 001-005; 007+008; 010-013; 015

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

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 5, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For July 22, 2002
Item Nos. 583, 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 015, and 016

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS ITLT

DATE: July 22, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 15, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

005

583, 001-008, 011, 014, 016

Sign 8/23 9/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 30, 2002

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

SUBJECT: Zoning Advisory Petition(s): **Case(s)03-005 & 03-007**

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: Lynn Lanham

AFK/LL:MAC

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7·16·02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 05 LTM

Dear. Mr. Zahner:

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

RE:	PETITION FOR VARIANCE. NE/South of Circle Road 270 NW of centerline of Lake Roland Drive 9th Election District 4th Councilmanic District Legal Owner: Bruce & Isobel Cleland Petitioner (s)	* * * * *	BEFORE THE ZONING COMMISSIONE FOR BALTIMORE COUNTY 03-005-A

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of July, 2002, a copy of the foregoing Entry of Appearance was mailed to Bruce & Isobel Cleland, 1714 Circle Road, Towson ,Maryland 21204 Petitioner(s).

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

9/6

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, MD 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

July 26, 2002

George Zahner
Baltimore County Office of Zoning
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Re: Case No. 03-005-A
1714 Circle Road

Dear George:

Due to our expert witness having a scheduling conflict we will not be able to have the hearing on August 28, 2002. Therefore, please re-schedule our hearing to the earliest date and time in September.

Thank you for your attention to this matter.

Sincerely,

Bruce E. Doak
Principal

The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

P. O. Box 204
Riderwood, Maryland 21139
Phone / FAX: 410-494-RRLR
office@rrlraia.org

August 15, 2002

RE: 1714 Circle Road
Case No. 03-05-A

Mr. and Mrs. Bruce Cleland desire to build a 25' high poolhouse on their property at 1714 Circle Road. Since the proposed structure exceeds the 15' height allowed by Baltimore County zoning regulations, a variance has been requested and a hearing date has been set before the Baltimore County Zoning Commissioner:

Friday, September 6, 2002
(Note: This is a change from the previously-scheduled August 23, 2002 hearing)
2 p.m.
Room 407
County Courts Building
401 Bosley Avenue
Towson

Mr. and Mrs. Cleland invite you to call them at 410-583-9054 if you have any questions or concerns. You may review the file in the Zoning Office at 111 West Chesapeake Avenue (we suggest calling 410-887-3391 in advance). Of course, you may also contact our office . If you plan to attend the hearing, it is a good idea to check with our office the day before to make sure the date has not been changed.

Sincerely,

Peggy Squitieri
Executive Director

Distribution:

1708 Circle Road (Fisher)
1710 Circle Road (Cromwell)
1712 Circle Road (Wilkinson)
1713 Circle Road (Keener)
1715 Circle Road (Chapman)
1716 Circle Road (Baker)
1717 Circle Road (Whitescarver)
1717 A Circle Road (Cashman)
1719 Circle Road (Lindsey)
1719 A Circle Road (Gorman)
1720 Circle Road (Chapin)
1721 Circle Road (Curran)
1724 Circle Road (Dryden)

Mr. and Mrs. Bruce L. Cleland

William A. Fisher, III
1708 Circle Road
Ruxton, Maryland 21204

September 1, 2002

Baltimore County Zoning Commissioner
County Courts Building, Room 407
401 Bosley Avenue
Towson, Maryland 21204

Dear sir:

I am writing concerning Case No. 03-05-A (1714 Circle Road) which is scheduled before you on Friday, September 6.

Mr. and Mrs. Cleland have kindly shared their property improvement plans with me, and I am in full support of their efforts. The proposed structure is attractively designed and will be an enhancement to the Cleland's property and our neighborhood as a whole.

Thank you for considering this letter of endorsement for the Cleland's plans.

Very truly yours,

W A Fisher

Case Number 03-005-A
9/6/02

PLEASE *PRINT* LEGIBLY

PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
BRUCE E. DOAK GORHOLD CROSS & ETZEL	320 E. TOWSONTOWN BLVD	TOWSON MD	21286
ISOBEL CLELAND	1714 CIRCLE RD (TOWSON)	LUTHERVILLE, MD	21204
IRENE GILLESPIE	113 ST. DUNSTAN'S RD	BALTIMORE, MD	21212

Revised 4/17/00

03-005-A
9/6/02.

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME	ADDRESS
DAVID PINNING	OFFICE OF PLANNING

(4)

(3)

(1)

(2)

3A

(5)

(6)

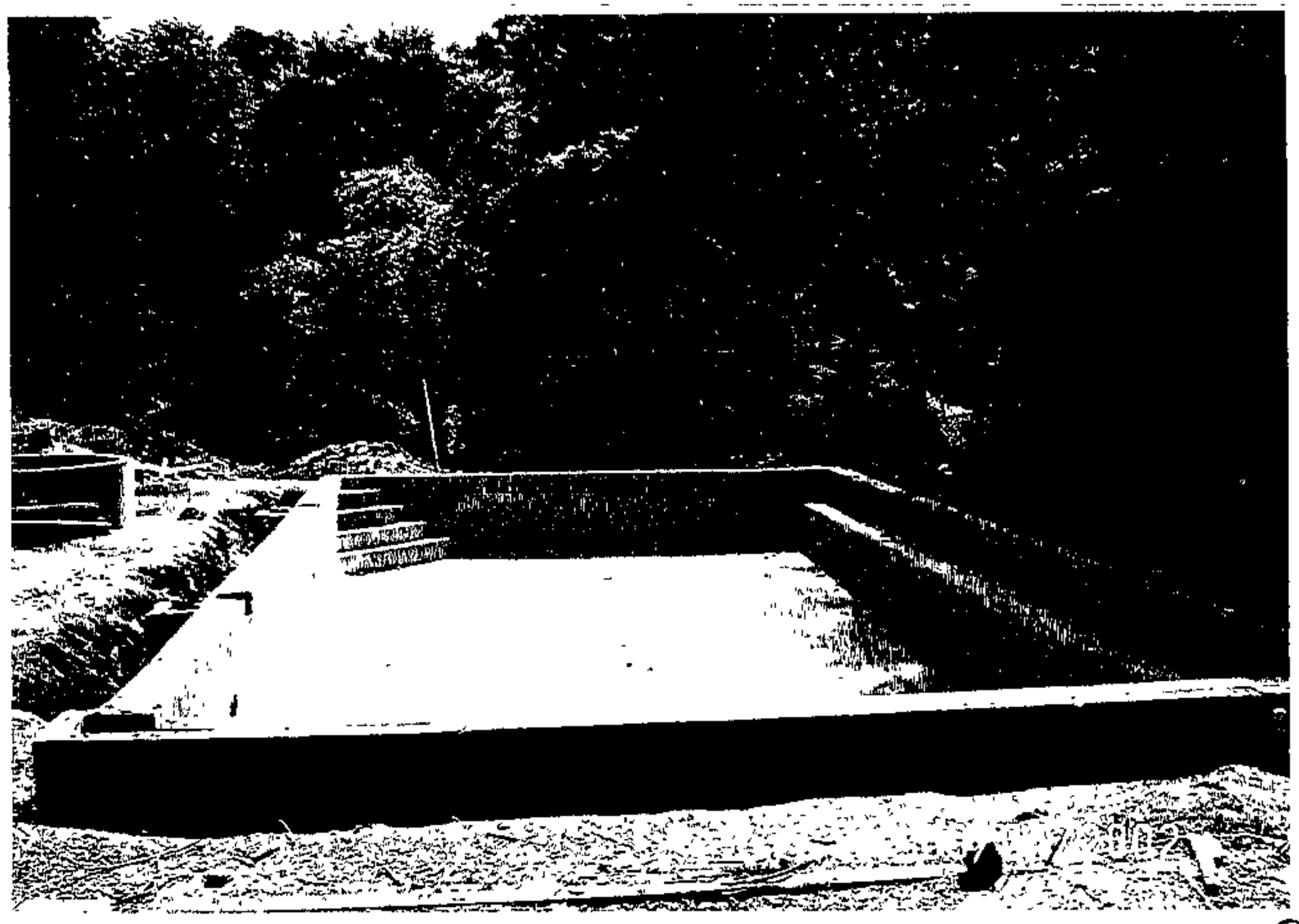
(7)

(8)

2B

(9)

(10)



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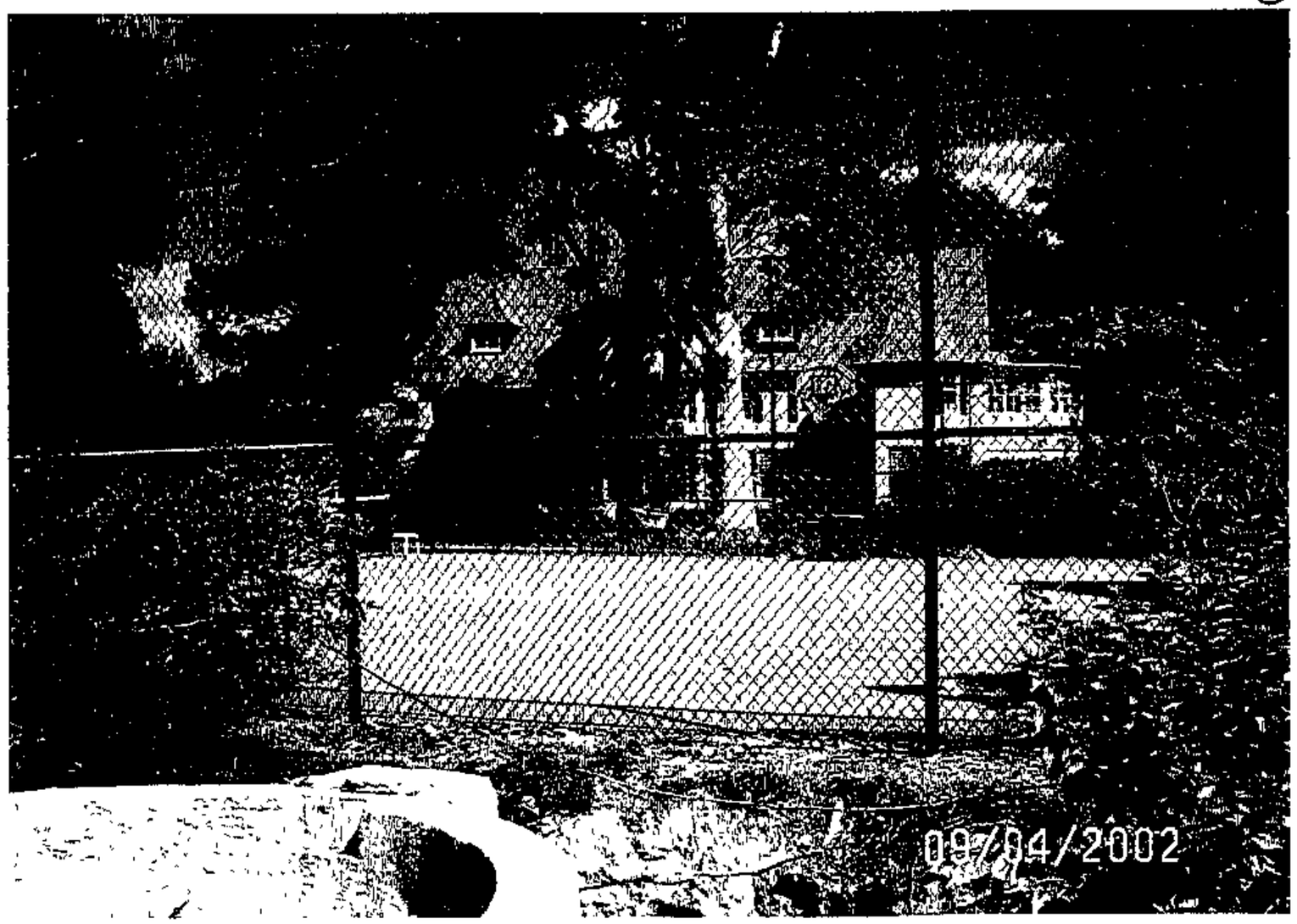

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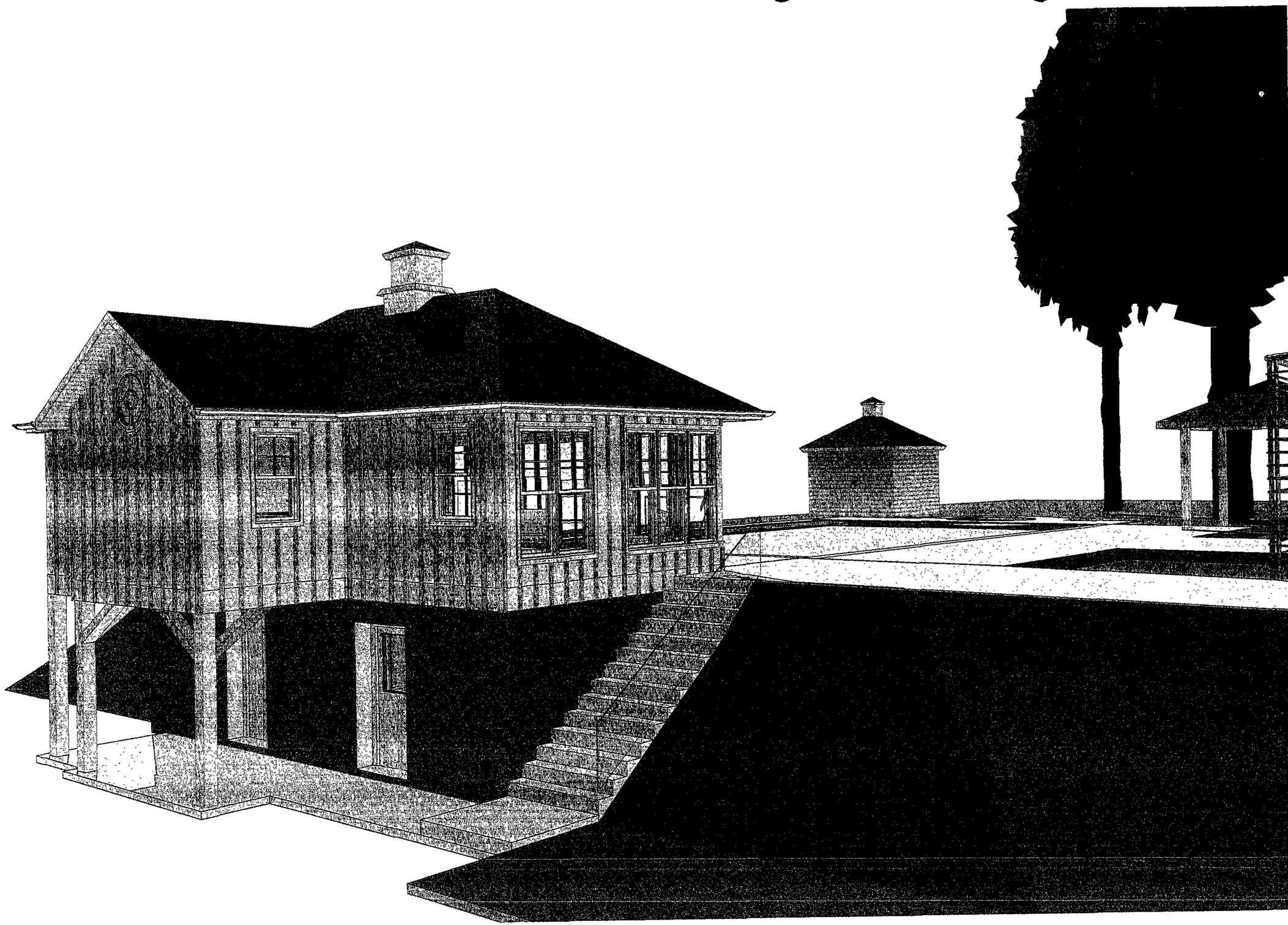

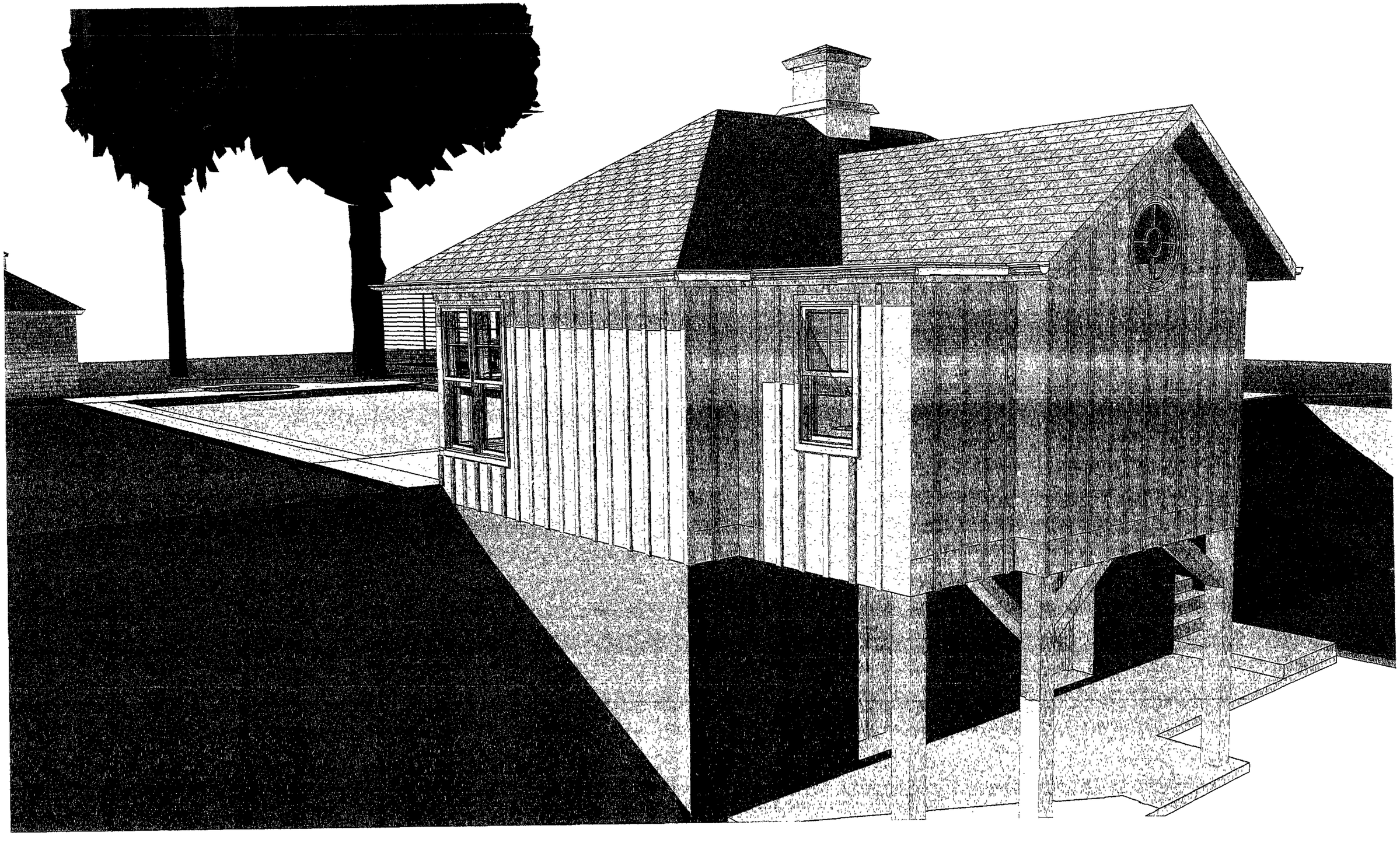

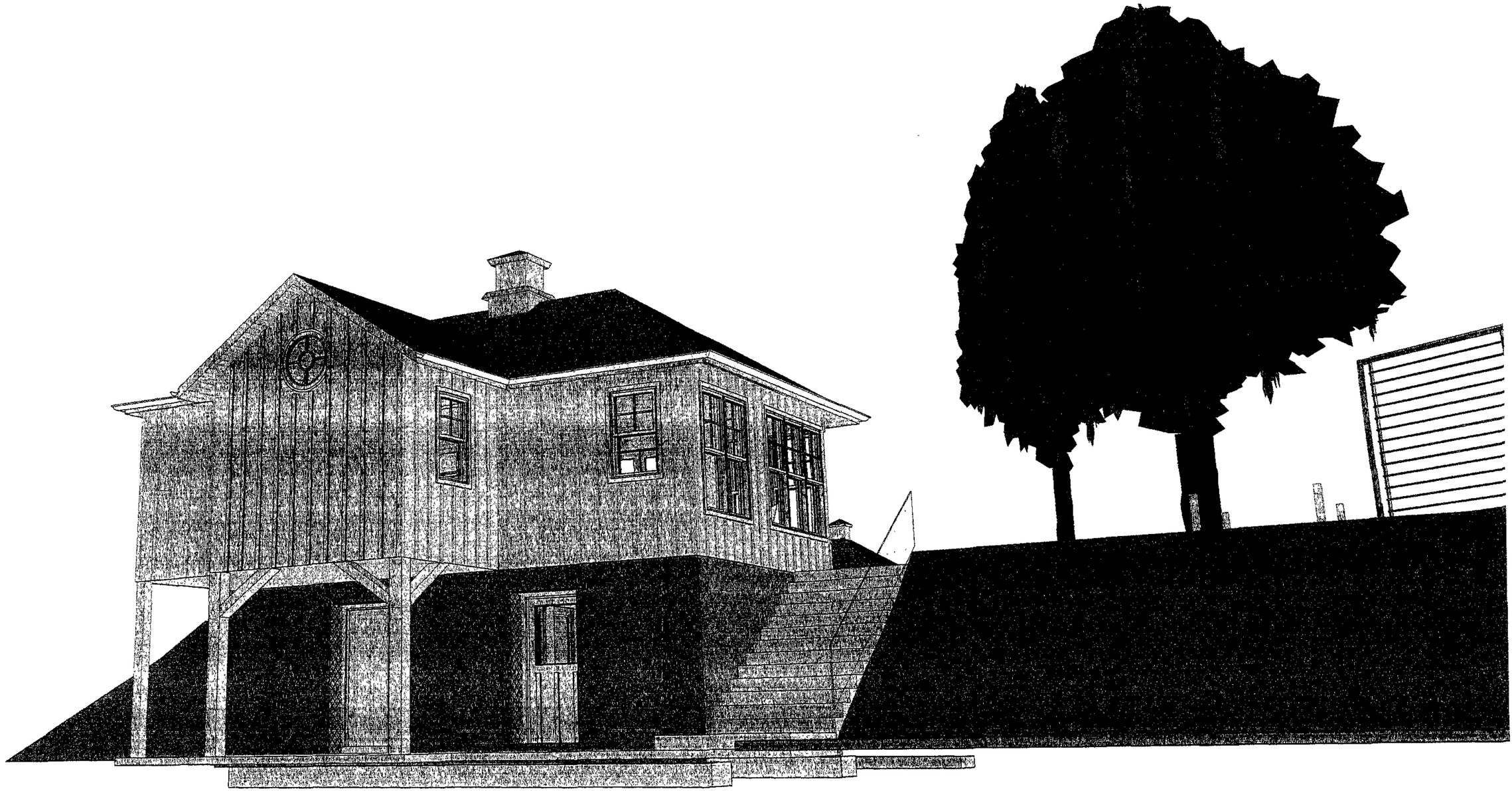

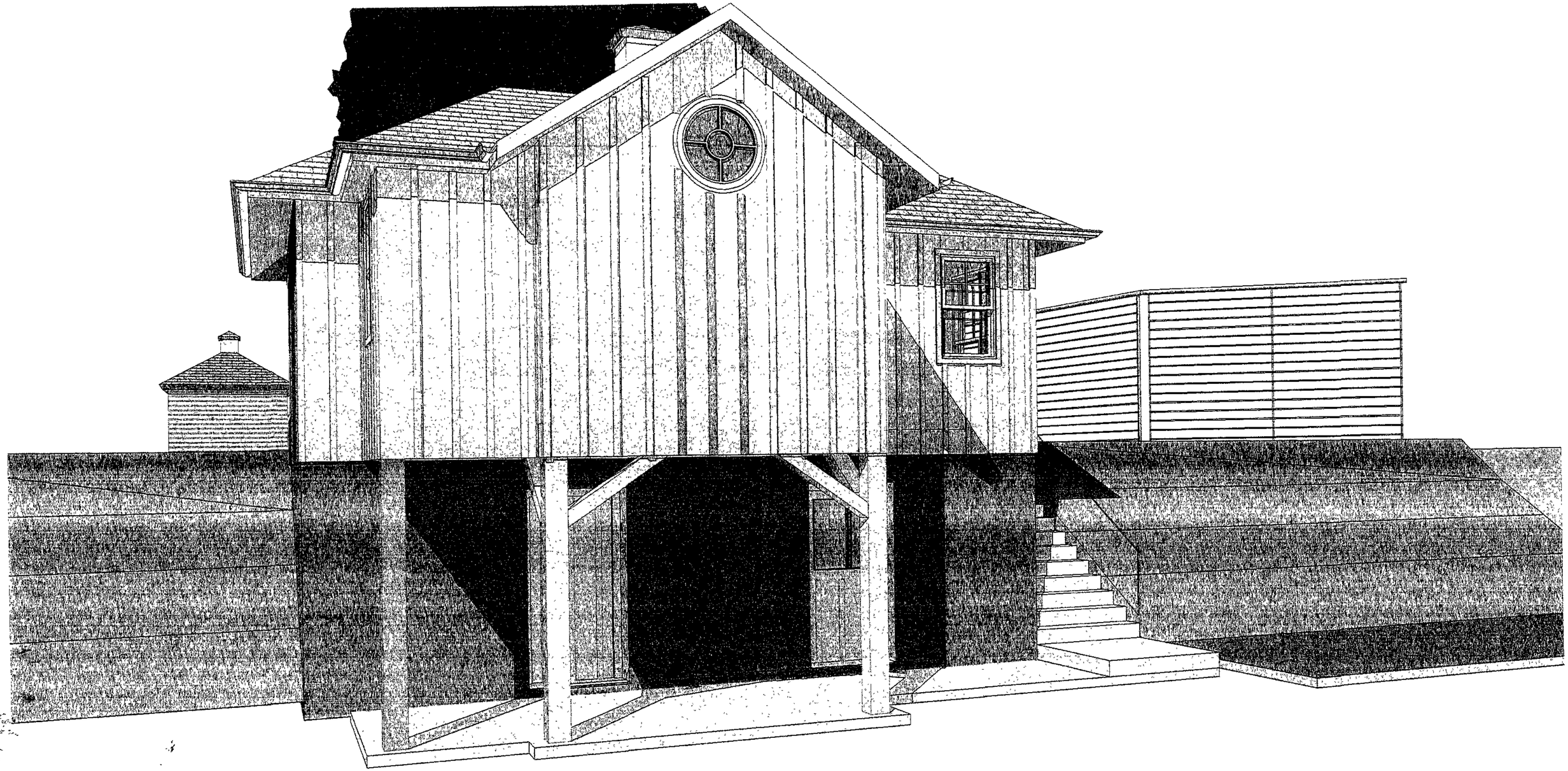

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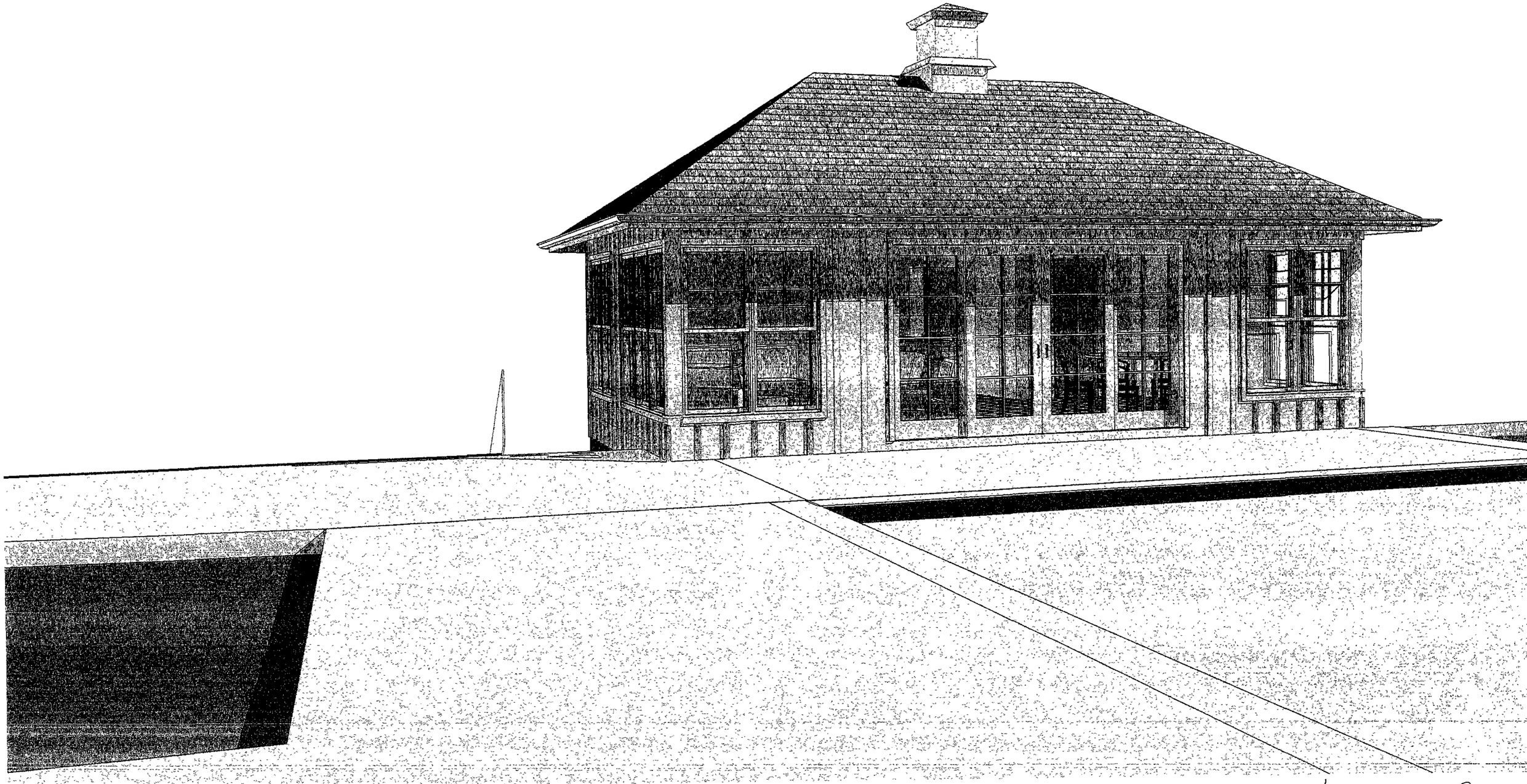
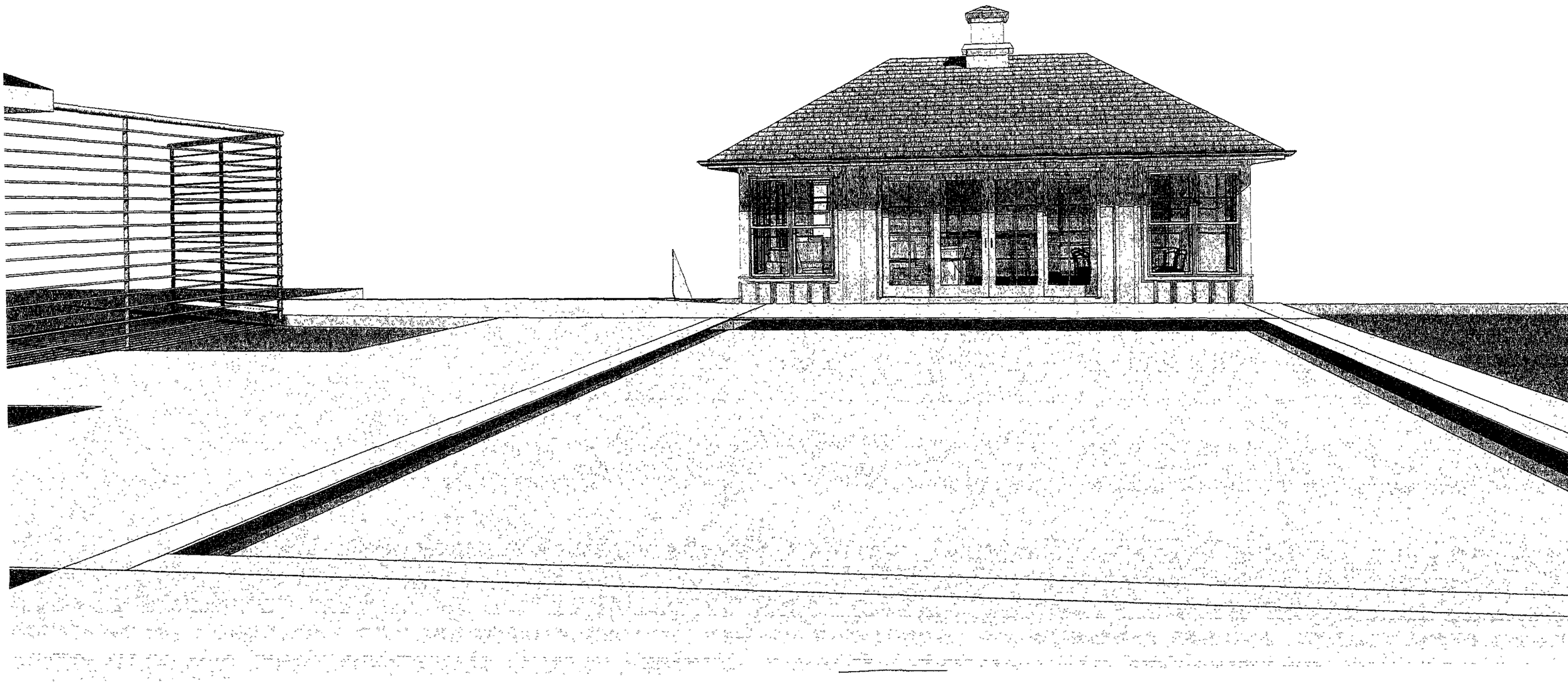


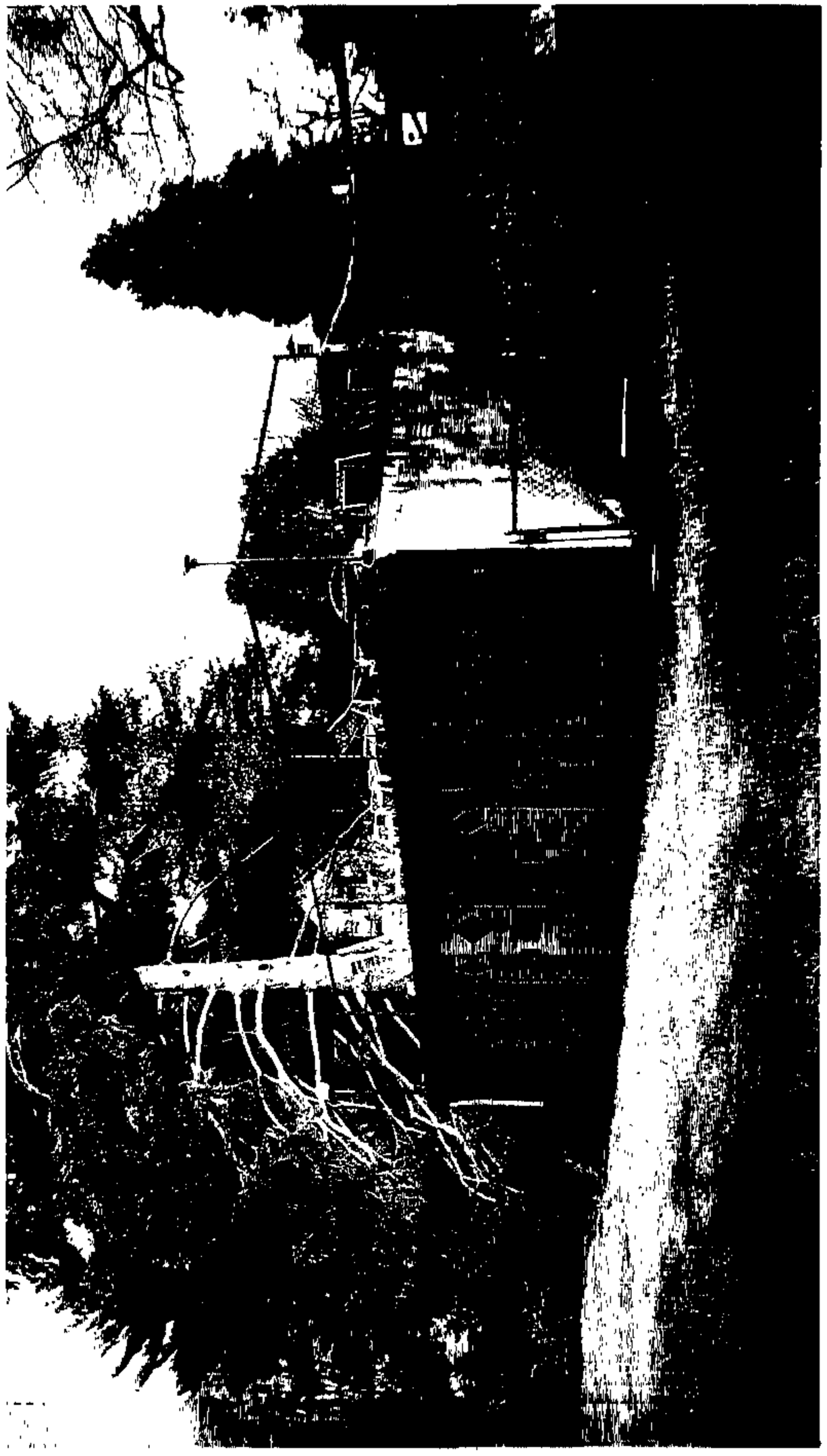
#03-005-A
9/6/02

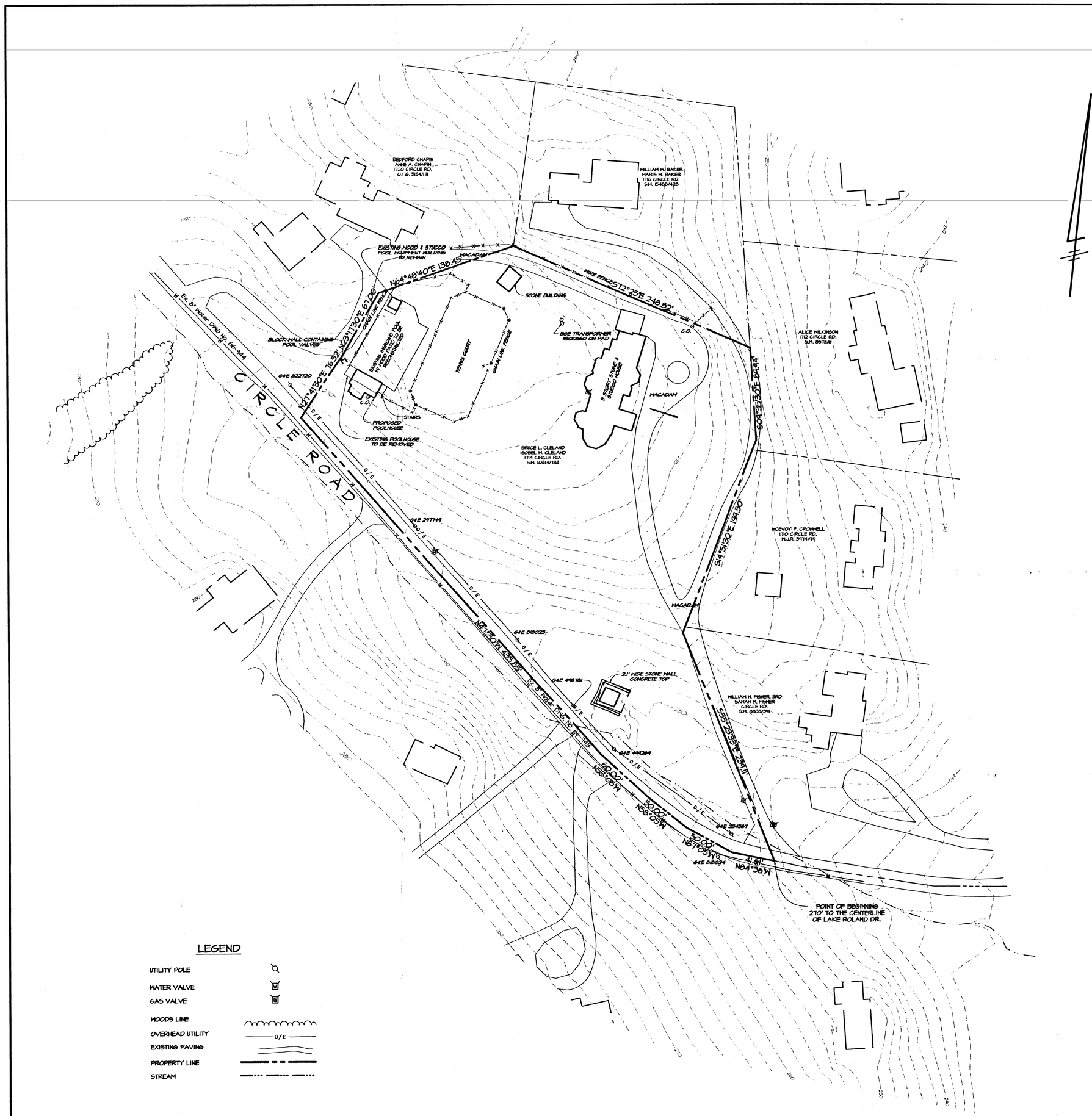


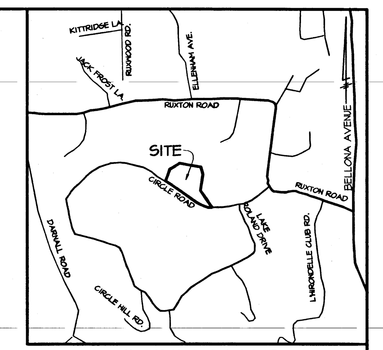
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Photographs
Exhibits 4A-4H
CASE #03-005-A
9/6/02

Printed with Soybean Ink







VICINITY MAP
1" = 1000'

GENERAL NOTES

1. OWNER: BRUCE L. CLELAND
   1714 CIRCLE ROAD
   TOWSON MD, 21204
2. TAX ACCOUNT No. 0920000691
3. TITLE DEED LIBER S.M. No. 10314 folio 733
   TOTAL AREA = 3.28 AC.
4. THE PROPERTY IS ZONED D.R.-1
5. 200' SCALE ZONING MAP No. NW 10-B.
6. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED. A BOUNDARY HAS NOT PERFORMED BY GERHOLD CROSS & ETZEL LTD.
7. FEATURES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY GIS PANEL 064B2
8. CENSUS TRACT 4904 A.D.C. MAP & GRID 2666
   SCHOOL DISTRICT 161 REGIONAL PLANNING DISTRICT 814
9. THIS SITE IS SERVICED BY PUBLIC SEWER AND WATER.
10. THIS SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
11. NO PRIOR ZONING CASES.

LEGEND

UTILITY POLE
WATER VALVE
GAS VALVE
WOODS LINE
OVERHEAD UTILITY — O/E —
EXISTING PAVING
PROPERTY LINE
STREAM

VARIANCE REQUESTED

VARIANCE OF SECTION 400.3 B.C.Z.R. TO ALLOW AN ACCESSORY STRUCTURE (POOLHOUSE) TO HAVE A HEIGHT OF 25' IN LIEU OF THE REQUIRED 15'.

OWNER\DEVELOPER

BRUCE L. CLELAND
ISOBEL M. CLELAND
1714 CIRCLE RD.
TOWSON, MD 21204
410-583-9054

Pet Ex #1

PLAT TO ACCOMPANY A PETITION FOR A VARIANCE OF THE

CLELAND PROPERTY

1714 CIRCLE RD.
Deed Ref: S.M. 10314 folio: 733
Tax Account No.: 0920000691
Zoned DR.- 1; Map: NW 10-B
Tax Map 69; Grid 9; Parcel 363
9th ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

STATE OF MARYLAND — BRUCE EDWARD ETZEL — No. 5231 — PROFESSIONAL LAND SURVEYOR
7/1/02

Scale: 1"= 50' Date: June 12, 2002

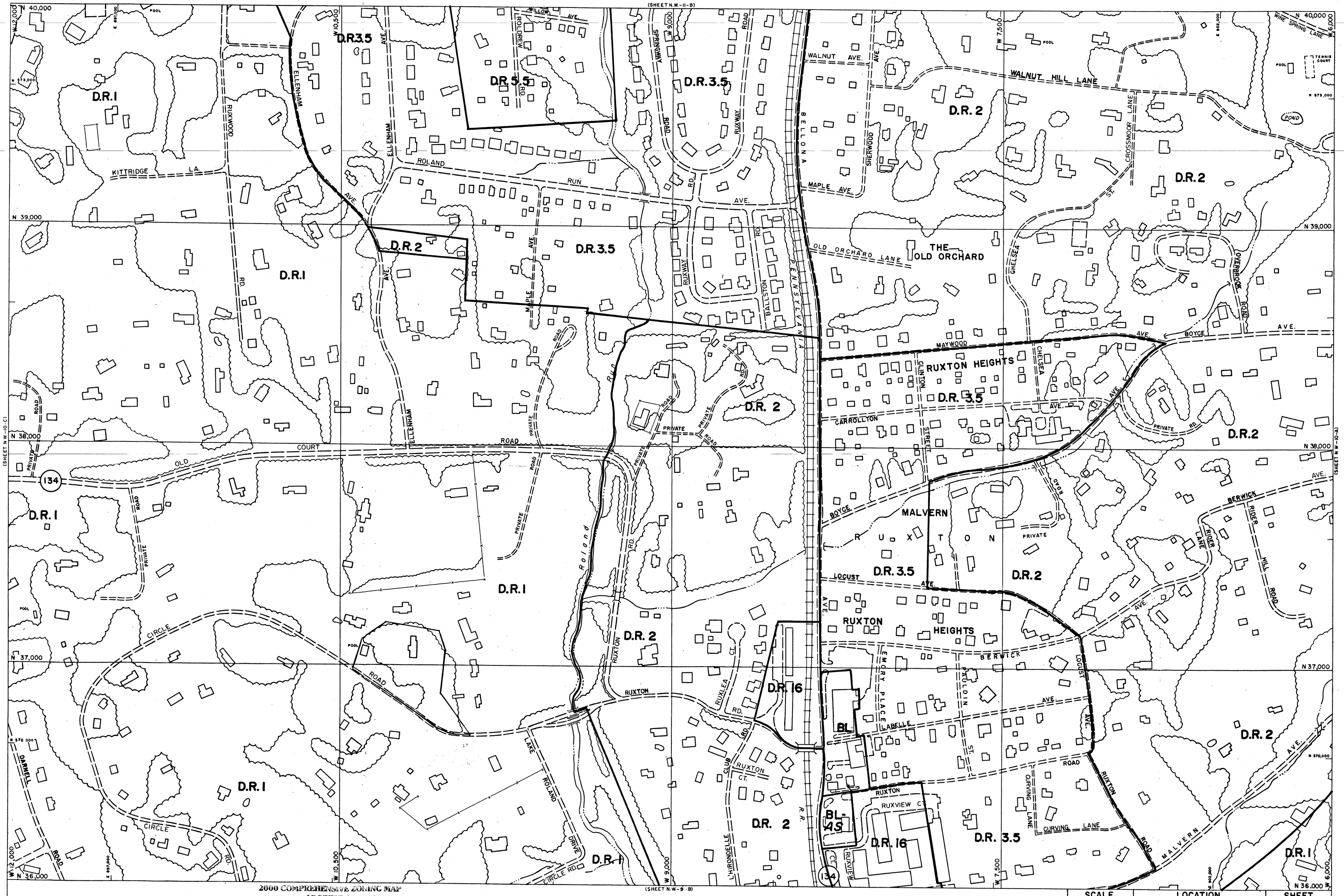
GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE

COMPUTED: S.A.L.	DRAWN: ETM	CHECKED: B.E.D.	FILE:X:\CLELAND\ZONING.pro

JUL 1, 2002

005 LTM



O-NE

S-SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 16, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

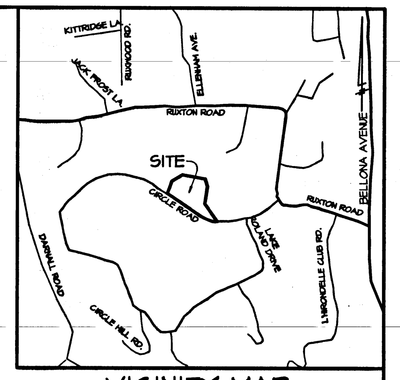
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	RUXTON	N. W. 10-B
DATE OF PHOTOGRAPHY JANUARY 1986		

NW 10 B

005



VICINITY MAP
1" = 1000'

GENERAL NOTES

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   TOWSON MD, 21204
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7. FEATURES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY GIS PANEL 064152
8. CENSUS TRACT 4904 A.D.C. MAP & GRID 2666
   SCHOOL DISTRICT 161 REGIONAL PLANNING DISTRICT 314
9. THIS SITE IS SERVICED BY PUBLIC SEWER AND WATER.
10. THIS SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
11. NO PRIOR ZONING CASES.

LEGEND

- UTILITY POLE
- WATER VALVE
- GAS VALVE
- WOODS LINE
- OVERHEAD UTILITY — O/E —
- EXISTING PAVING
- PROPERTY LINE
- STREAM

VARIANCE REQUESTED

VARIANCE OF SECTION 400.3 B.C.Z.R. TO ALLOW AN ACCESSORY STRUCTURE (POOLHOUSE) TO HAVE A HEIGHT OF 25' IN LIEU OF THE REQUIRED 15'.

OWNER\DEVELOPER

BRUCE L. GLELAND
ISOBEL M. GLELAND
1714 CIRCLE RD.
TOWSON MD 21204

Pet Ex #2

PLAN TO ACCOMPANY PHOTOGRAPHS

PLAT TO ACCOMPANY A PETITION FOR A VARIANCE OF THE

CLELAND PROPERTY

1714 CIRCLE RD.
Deed Ref: S.M. 10314 folio: 733
Tax Account No.: 0920000691
Zoned DR.- 1; Map: NW 10-B
Tax Map 69; Grid 9; Parcel 363
9th ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"= 50' Date: June 12, 2002

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE	COMPUTED: S.A.L.	DRAWN: ETM	CHECKED: B.E.D.	FILE:X:\CLELAND\ZONING.pro

Jun 12, 2002

Case # 03005A
9/6/02

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME	ADDRESS
Peggy Squitieri	RRLRAHA P.O. Box 204, Riderwood MD 21139
Anne A. Chapin	1720 Circle Rd - 21204
Mary S. Gorman	1719A Circle Rd. 21204