

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
NW/S Chatsworth Avenue, 230' E		
centerline of Railroad Avenue	*	DEPUTY ZONING COMMISSIONER
4th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(15 Chatsworth Avenue)		
	*	CASE NO. 03-102-A
Eugene G. Ricks		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Eugene G. Ricks, the legal owner of the subject property. The Petitioner is requesting variance relief for property he owns at 15 Chatsworth Avenue in the Glyndon area of Baltimore County. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 0 ft. side yard setback in lieu of the permitted 2 ½ ft. and a building height of 20 ft. in lieu of 15 ft. for an accessory structure. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

Appearing on behalf of the request were Mr. and Mrs. Ricks, the owners of the subject property. No one appeared in opposition at the hearing.

Testimony and evidence indicated that the property, which is the subject of this administrative variance request, consists of 0.315 acres, more or less, zoned D.R.2. The subject property is improved with a 2-½-story dwelling wherein the property owners reside. To the rear of the subject site there exists an old garage. The property owners are interested in tearing down the old garage and replacing it with a new building. The property owners are interested in constructing the new garage over the existing footprint of the old one. The old garage currently has a 0 ft. side yard setback to the property line. They simply wish to reconstruct this new building where the old garage is situated. Furthermore, they intend to have a steeper pitched roof

11/18/02
R. J. J. J.

on the new structure to be built. Accordingly, the peak of the roof will stand at 20 ft. in height in lieu of the permitted 15 ft. for an accessory structure. After considering the testimony and evidence offered at the hearing, I find that the variance should be granted to allow the Ricks' to move forward with their plans.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner 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 Petitioner seeks 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.

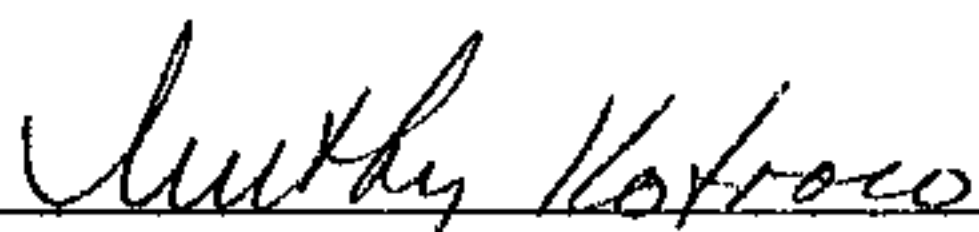
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

11/18/02

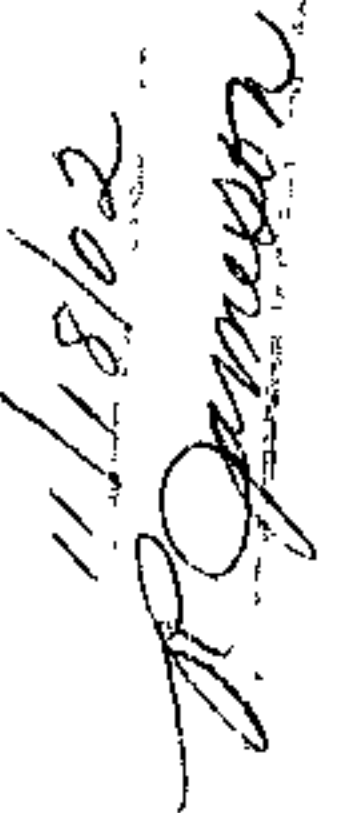
R. J. [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of November, 2002, that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 0 ft. side yard setback in lieu of the permitted 2 ½ ft. and a building height of 20 ft. in lieu of 15 ft. for an accessory structure, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall be prohibited from converting the accessory structure into separate living quarters. In addition, the accessory structure should not be used for commercial purposes.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

11/18/02




Baltimore County
Zoning Commissioner

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

November 18, 2002

Mr. & Mrs. Eugene G. Ricks
15 Chatsworth Avenue
Glyndon, Maryland 21071

Re: Petition for Administrative Variance
Case No. 03-102-A
Property: 15 Chatsworth Avenue

Dear Mr. & Mrs. Ricks:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative 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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Sheldon Forcheimer
9474 Deereco Road
Timonium, MD 21093

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



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on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 15 Chatsworth Ave
which is presently zoned DR2

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)

400.1 and 400.3, BCZR to permit a 0' side setback in lieu of 2 1/2' and a 20' height in lieu of 15' for an accessory structure (garage).

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11/18/02 day of November 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.

Legal Owner(s):

* EUGENE G. RICKS
Name - Type or Print

* [Signature]
Signature

* [Signature]
Name - Type or Print

* [Signature]
Signature

* 15 CHATSWORTH AV 410-526-7405
Address Telephone No.

* GLYNDEN MD 21071
City State Zip Code

Representative to be Contacted:

* Sheldon Forchheimer
Name

* 9474 Deereco Rd 410-252-4663
Address Telephone No.

* TIMONIUM MD 21093
City State Zip Code

Zoning Commissioner of Baltimore County

Reviewed By JNP Date 9/3/02

Estimated Posting Date 9/16/02

CASE NO. 03-102-A

REV 10/25/01

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.

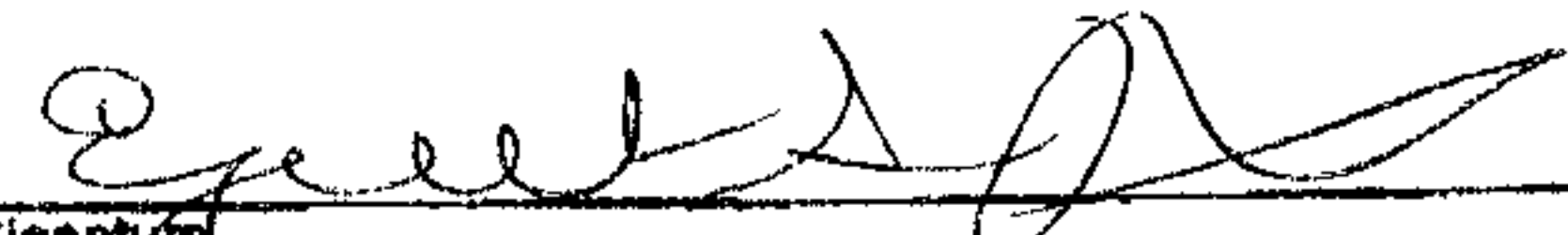
That the Affiant(s) does/do presently reside at

15 CHATS WORTH AV
Address
GAYNDEN MD 21071
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):

- ① Existing garage to be razed is 0' to property line
- ② Existing driveway is 0' to property line (to garage)
- ③ Lot is long and narrow.
- ④ Need extra height for needed storage space.

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.

x 
Signature
EUGENE G. RICKS
Name - Type or Print

x _____
Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

x I HEREBY CERTIFY, this 16th day of August, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Eugene G. Ricks.
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

x 
Notary Public
My Commission Expires MELVIN A. COHEN

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

15 CHATS WORTH AV
Address
GUYMON MD 21071
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):

- ① Existing garage to be razed is 0' to property line
- ② Existing driveway is 0' to property line (to garage)
- ③ Lot is long and narrow
- ④ Need extra height for need storage space.

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.

x Eugene G. Ricks
Signature

x EUGENE G. RICKS
Name - Type or Print

x _____
Signature

x _____
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

x I HEREBY CERTIFY, this 16th day of August, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Eugene G. Ricks
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

x Melvin A. Cohen
Notary Public

My Commission Expires MELVIN A. COHEN



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 15 Chatsworth Ave
which is presently zoned DR 2

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)

400.1 and 400.3, BCZR to permit a 0' side setback in lieu of 2 1/2' and a 20' height in lieu of 15' for an accessory structure (garage).

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):

* EUGENE G RICKS
Name - Type or Print

* [Signature]
Signature

* _____
Name - Type or Print

* _____
Signature

* 15 CHATS WORTH RD 410-526-7465
Address Telephone No.

* GYNDON MD 21071
City State Zip Code

Representative to be Contacted:

* Sheldon Forchheimer
Name

* 9474 Deereco Rd 410-252-4663
Address Telephone No.

* Timonium MD 21093
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.

03-102-A

Reviewed By

JNP

Date

9/3/02

Estimated Posting Date

9/16/02

Zoning Description For
15 Chatsworth Avenue

Beginning on the northwest side of Chatsworth Avenue, 50 feet wide, at the distance of 230 feet east of the centerline of Railroad Avenue with a deed reference of 9203/339. Not part of a recorded subdivision but known as 15 Chatsworth Avenue containing .315 acres in the 4th Election District and 3rd Councilmanic District.

N 38° 30' W 247 Feet, N 51° 30' E 55.5 Feet, S 38° 30' E 247 feet, S 51° 30' W 55.5 feet
to the point of beginning.

03-102-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 10035

DATE 9/3/02

ACCOUNT K-001-006-6150

AMOUNT \$ 50.00

RECEIVED FROM:

Honolulu Contractors Inc.

FOR:

Adon Variance 03-02-A (Ricks)

15 Chatsworth Avenue

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

DATE RECEIVED
PAID RECEIPT

BUSINESS

ACTUAL

TIME

8/30/2002 8/30/2002 11:17:19

RECEIVED BY: BALTIMORE COUNTY OFFICE

RECEIVED BY: BALTIMORE COUNTY OFFICE

RECEIVED BY: BALTIMORE COUNTY OFFICE

CP NO. 016258

Receipt Tot

\$50.00

50.00 OF

.00 OF

Baltimore County, Maryland

CASHIER'S VALIDATION

RE: Case No.: 03-102-APetitioner/Developer: RICKS/M^{SK}FLORSHEIMERDate of Hearing/Closing 10/1/02

812-8464

252-4663

410
603-722A

ADMIN.

GEORGE ZAYNER
887-2824Baltimore County Department of
Permits and Development Management
County Office Building, Room
111 West Chesapeake Avenue
Towson, MD 21204

Attention:

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 #15 CHATSWORTH AVE

The sign(s) were posted on

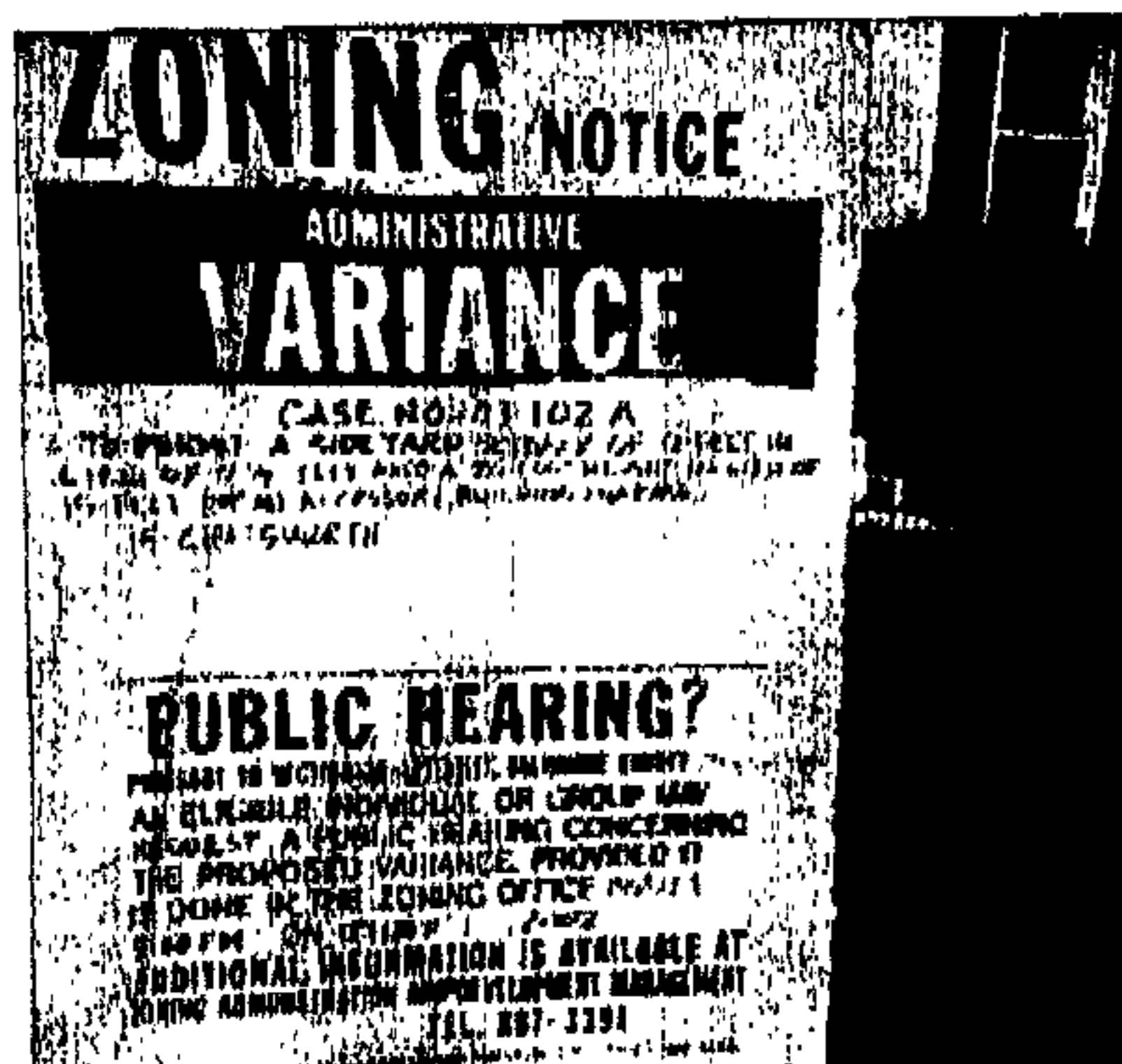
9/13/02

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 9/29
(Signature of Sign Poster and Date)PATRICK M. O'KEEFE
(Printed Name)523 PENNY LANE
(Address)HUNT VALLEY, MD. 21030
(City, State, Zip Code)410-666-5366 ; CELL 410-905-857
(Telephone Number)

Date	From	To	Phone #	Fax #
7/6/01	ROBIN	ZONING	666-5366	887-3468
Post-it Fax Note				



03-102-A

15-CHATSWORTH

RICKS-

10/1/02

CERTIFICATE OF POSTING

RE Case No 03-102-A
 Petitioner/Developer RICKS

Date of Hearing/Closing 10/21/02
NEW DATE

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

Attention

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 # 15 CHATSWORTH AV

The sign(s) were posted on 10/6/02 - FIXED 10/10
 (Month, Day, Year) 10/14

Sincerely,

PMD 10/14/02
 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

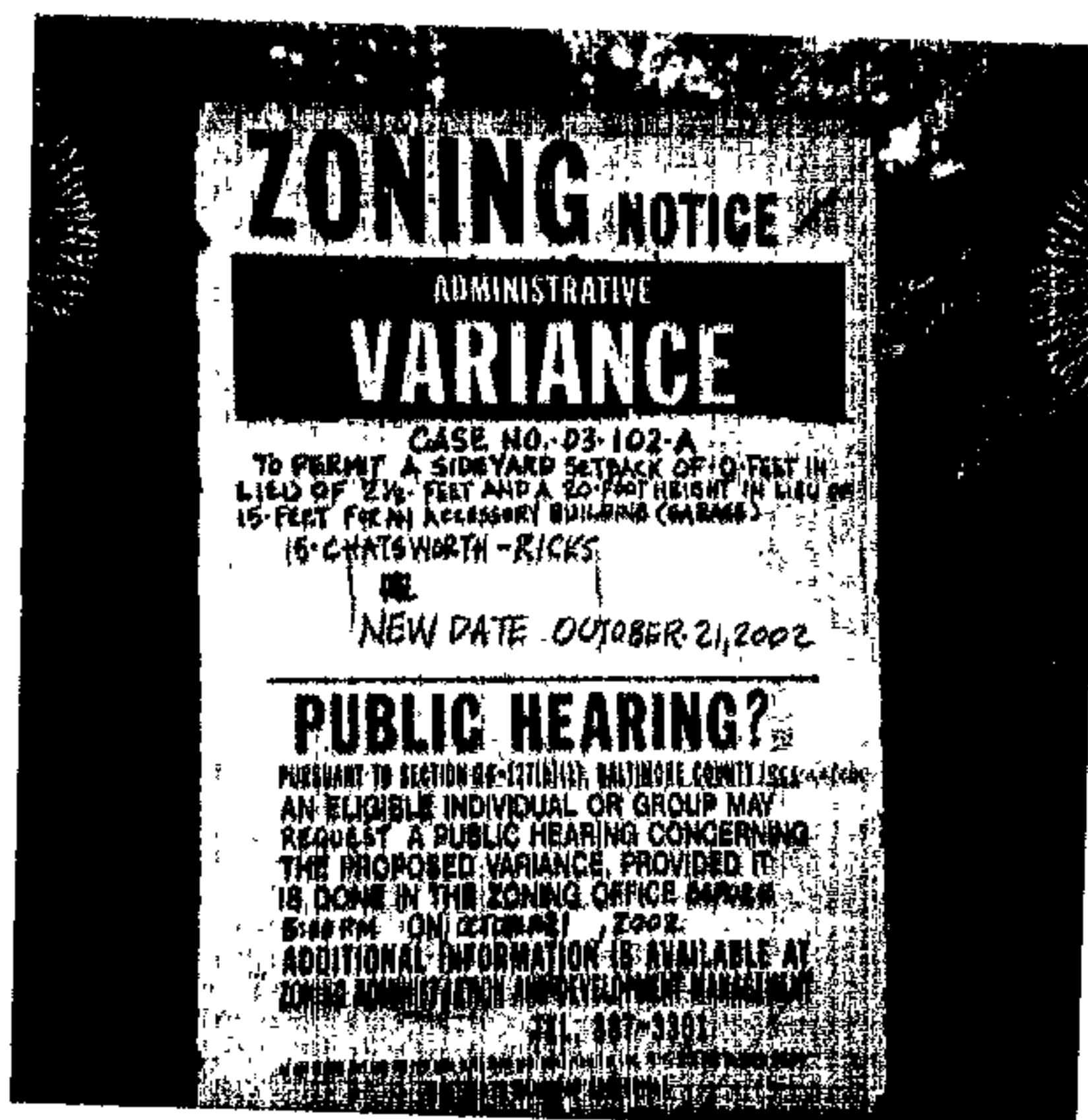
HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)

# of pages ▶ 1	
To <u>BETTY OR ROBIN</u>	From <u>O'KEEFE</u>
Co. <u>ZONING - COMM</u>	Co.
Dept.	Phone # <u>512 4621</u>
Fax # <u>887-3468</u>	Fax #



02-102-A
#15 CHATSWORTH
10/21/02

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 102 -A Address 15 Chatsworth Avenue
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner Please Print Your Name
Filing Date: 9/3/02 Posting Date: 9/16/02 Closing Date: 10/1/02

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

2002-09-03 10:00 AM

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 102 -A Address 15 Chatsworth Avenue
Petitioner's Name Ricks Telephone 410-526-7405
Posting Date: 9/16/02 Closing Date: 10/1/02
Wording for Sign To Permit a 0 feet side setback in lieu of 2 1/2 feet and a 20 feet height in lieu of 15 feet for an accessory building (garage)



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

October 21, 2002

Mr. Eugene G. Ricks
15 Chatsworth Avenue
Glyndon, MD 21071

Dear Mr. Ricks:

RE: Case Number: 03-102-A, 15 Chatsworth Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 3, 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.
Supervisor, Zoning Review

WCR:rjc
Enclosures

c: Sheldon Forcheimer 9474 Deereco Rd. Timonium MD 21093
People's Counsel

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 18, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For September 9, 2002
Item Nos. 094, 095, 099, 100, 101,
and 102

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

RWB:CEN:jrb

cc: File

*Zoning
Requester PV
10/1*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 9, 2002

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

SEP 11 2002

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-100 & 03-102

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:

Allen Jenkins

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John Reisinger
Buildings Engineer

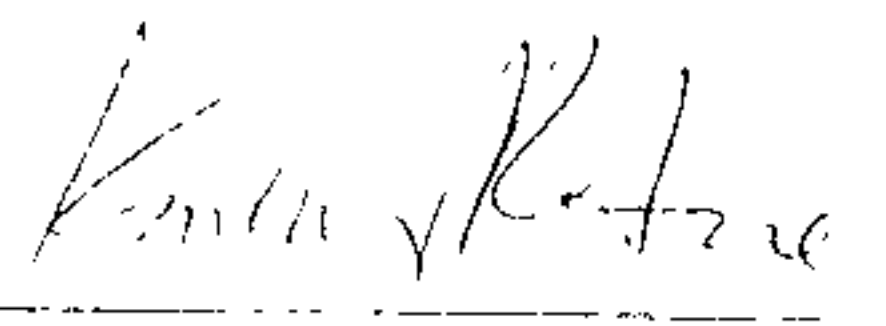
DATE: September 12, 2002

FROM: Kimberly Abe, Administrative Secretary
Landmarks Preservation Commission

SUBJECT: No. 15 Chatsworth Avenue, Glyndon

At its June 13, 2002 meeting, the Baltimore County Landmarks Preservation Commission unanimously approved the proposal for the demolition of the existing garage and the proposed new garage. Additionally, they approved the addition of a small back porch.

This memo constitutes a "notice to proceed" as required by Baltimore County Code, 1988, as amended, Section 26-545.



Kimberly Abe

KA:kra



Maryland Department of Planning

Parris N. Glendening
Governor
Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kientz
Secretary
Mary Abrams
Deputy Secretary

September 9, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
County Office Building
Mail Stop #1105
Towson MD 21204

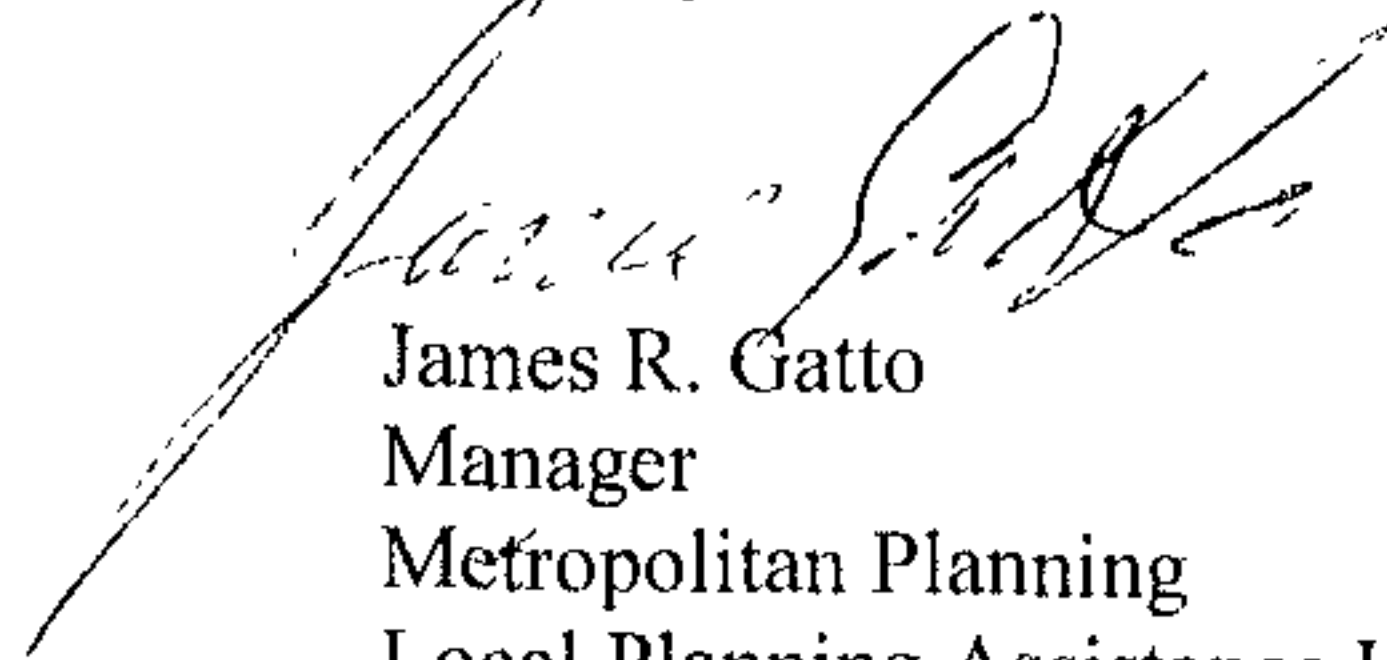
Re: Zoning Advisory Committee Agenda re: case numbers 03-094-A, 03-095-SPHA, 03-096-A, 03-097-A, 03-098-SPG, 03-099-A, 03-100-A, 03-101-SPH, 03-102-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 9/09/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,



James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup



**Baltimore County
Zoning Commissioner**

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

October 28, 2002

Mr. Eugene G. Ricks
15 Chatsworth Avenue
Glyndon, Maryland 21071

RE: Petition for Administrative Variance
Case No. ~~02-102-A~~ 03-102-A
Property: 15 Chatsworth Avenue

Dear Mr. Ricks:

This office is in receipt of letters of opposition regarding the above-captioned matter. In addition, it has come to our attention that the property was not adequately posted as required. Because of this turn of events, we are obligated to set the matter in for hearing.

Please be advised that this case has been set in for hearing on Monday, November 18, 2002 at 11:00 a.m. in Room 407 of the County Courts Building. By copy of this letter, all interested parties have been notified of the scheduled hearing date and time.

In the meantime, should you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj

c: John and Ann O'Neill, P.O. Box 5, Glyndon, MD 21071
Katharine Giancola, 17 Glyndon Avenue, Glyndon, MD 21071
Marti Clements, 200 Central Avenue, Glyndon, MD 21071

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



Printed with Soybean Ink
on Recycled Paper

PO Box 5
Glyndon, MD 21071
October 18, 2002

Mr. Lawrence E. Schmidt
Office of Zoning
County Courts Bldg., Suite 405
410 Bosley Ave.
Towson, MD 21204

Dear Mr. Schmidt:

I am writing to express two concerns about zoning variances #03-102-A being sought for construction on the property at 15 Chatsworth Avenue in Glyndon by the property owners Gene Ricks and Barbara MacLellan. I live next door, directly adjacent, at 19 Chatsworth Avenue.

First of all, the proper procedure for posting the official zoning variance notice has not been followed. I was told by the Office of Zoning that the sign must be posted for 15 consecutive days. With the deadline of October 21, the sign has yet to be posted for 15 consecutive days, nor can it be by that date. I do not know the exact date the sign first was posted, although my husband first noticed it on September 17, but it was taken down by the property owners the morning of September 20 and I know that not nearly 15 days had passed. Granted there was a wedding being held on the property that day, but the sign was not reposted until a full week later, on September 27, and that was because a representative of the Office of Zoning called the owners and told them they had to repost it. However, they did not put it in the ground and the storm that evening blew it down. It remained face down on the ground through the weekend. It was then reposted but it was totally removed on October 4. When I called Zoning to inquire about this, the representative said he felt it would not be of any use to call Mr. Ricks and Ms. MacLellan because from his past experience in dealing with them regarding this matter, he did not believe they would follow the required procedure. He suggested I write a letter to you documenting this information. However, the sign did appear again, just this week, on October 15 around noon. Between that date and October 21, the deadline, are only six days, not the required 15 consecutive ones. This lack of regard for following County policy bothers me because other members of our community who have sought zoning variances over the years have followed the proper procedure. Also, the sign was down for four consecutive weekends, and weekends are the time when community members are out and about and most likely to see the sign.

My second concern regards the request for a 5-foot variance above the zoned 15-foot height for a garage building. Ms. MacLellan has told me and at least three other

neighbors that I know of that her intention is to construct a building to house a game room for pool and a sleeping loft for her children and eventual grandchildren. I understand that Baltimore County's definition of a garage does not require garage doors nor does it require that the building be used to house vehicles. However, the representative from the Planning Office that spoke with me on the phone said that a garage structure may not be used for sleeping purposes. My fear is that this game room with a sleeping loft will become an apartment. My one-block-long street in the Glyndon Historic District already has a number of apartments and rental houses in what is supposed to be a primarily single-family-dwelling community.

Regarding the second request for a zoning variance --the zero-foot setback on the one side rather than the required 2-1/2-foot setback--does not pose a problem for me as long as this is where the previous garage was that was demolished by Mr. Ricks and Ms. MacLellan. According to the next-door-neighbor adjacent to the other side of the property, Mrs. Carrie Hefflin, it has always been her understanding that the previous garage stood on the property line. She does not object to the new building being located on the same line. However, something to note is that, according to the elderly Mrs. Hefflin, Ms. MacLellan told her that she was building a garage with overhead storage and never said anything about a game room and sleeping loft.

I hope that you will consider my above concerns when making your decision about granting the zoning variances requested by Mr. Ricks and Mrs. MacClellan.

Sincerely,



Ann B. O'Neill
(H)410-526-5147
(W) 410-887-1123
annoneill@mac.com

14 Glyndon Ave.
Glyndon, Md. 21071

Mr. Lawrence E. Schmidt
Office of Zoning
County Courts Bldg., Suite 405
410 Bosley Ave.
Towson, Md. 21204

Dear Mr. Schmidt,

I am writing in regards to the zoning variances #03-102-A being sought by the property owners at 15 Chatsworth Ave. in Glyndon. As a resident and homeowner in this historic town, I am concerned that the owners are not following proper procedure in seeking this variance. The zoning sign required to be posted for 15 consecutive days has, in fact, not been posted for more than several days at a time and only, it seems, under duress. The homeowners, from the onset of this process, seem to be demonstrating an unwillingness to follow the rules of the zoning office.

This leads me to my second concern. As a board member of the Historic Glyndon Association, I had the opportunity to hear the property owner's detailed description of the proposed new construction. It's intended use was clearly described as a game room and sleeping loft, not to reach the height of two full stories. Subsequently the property owners have described it to community members as a garage - a use incompatible with sleeping areas according to the zoning code. They are also requesting a height variance, unknown to most community members. It is my concern that the completed project will be different in structure and use from the one described or zoned for. It is also my concern that the structure will ultimately be converted to apartment use, in violation of the existing zoning laws.

Please take our concerns in consideration when reviewing the zoning variance (#03-102-A) for this property.

Sincerely,


Katharine Giancola
14 Glyndon Ave.
(H) 410-517-0854

Dear Sir,

Because the town of Glyndon is a Baltimore County Historic District, anytime there is a zoning change request, I urge you to take particular care to see that all requirements have been met, and that the proper procedure has been followed. In this case, the plans have been reviewed by the Landmarks Commission, but please make sure all zoning issues have been resolved.

Thank you,

A handwritten signature in cursive script that reads "Marti Clements".

Marti Clements

Glyndon, Md.

October 17, 2002

John M. O'Neill
19 Chatsworth Ave
PO Box 5
Glyndon, MD 21071

Arnold Jablon, Director
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland, 21204

Dear Director Jablon,

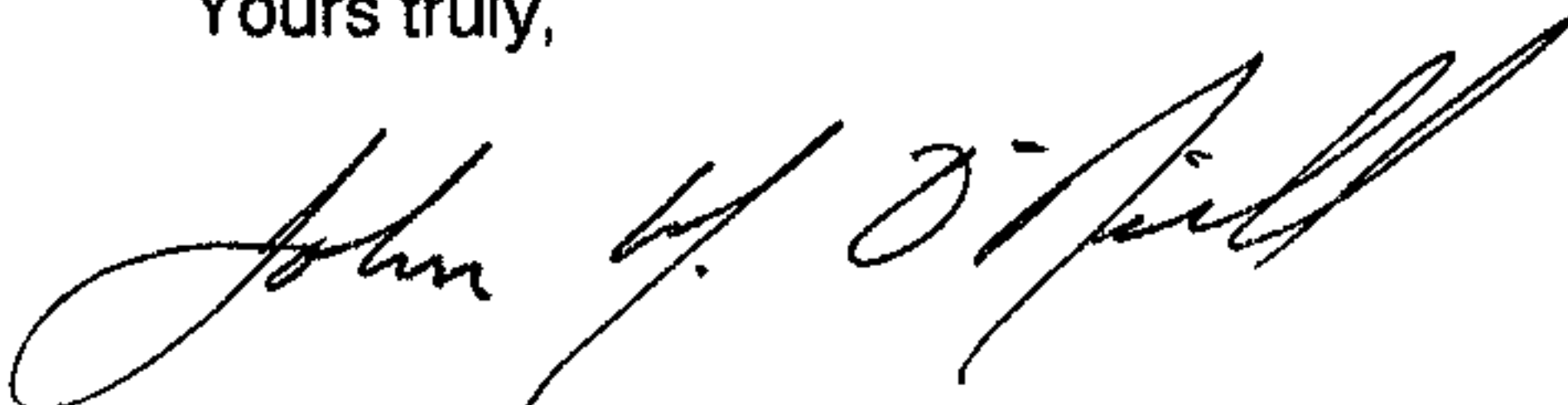
I am writing in reference to zoning variance # 03-102-A, for my neighbor at 15 Chatsworth Ave. Glyndon, MD 21071. I am asking you not to grant either variance. This is my next-door neighbor, even though they are #15 and I live at #19. If there were a number 17 it would be in my side yard.

I am opposed to granting a variance of zero setback on the property line in lieu of the present requirement of 2 and 1/2 feet.

I am also opposed to granting a variance of a height of 20 feet in lieu of the present restriction of 15 feet.

I am concerned with my neighbor's plan to use this new building as a sleeping facility and game room for their large family. I am further concerned that in the future the building will become a second residence on the property.

Yours truly,

A handwritten signature in cursive script, reading "John M. O'Neill". The signature is fluid and stylized, with the first and last names being more prominent than the middle initial.

John M. O'Neill

PO Box 5
Glyndon, MD 21071
November 10, 2002

11/18

14

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
Suite 405, County Courts Bldg.
Towson, MD 21204

Dear Mr. Kotroco:

We recently wrote to your office regarding concerns we have with the request for zoning variances (Case No. 03-102-A, 15 Chatsworth Avenue, Glyndon) by our next-door neighbors Gene Ricks and Barbara MacLellan. We did not request a hearing; we simply asked that our concerns be considered in your decision.

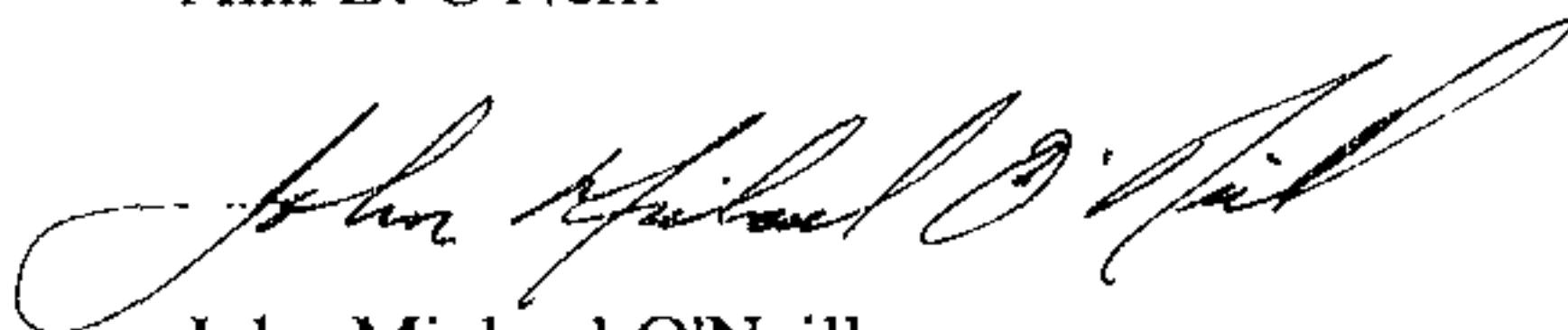
We recently received notice that a hearing regarding this matter will be held November 18, 2002. Neither of us will be able to attend; however, we ask that the concerns we outlined in our previous letters be considered when a decision is rendered.

Thank you.

Sincerely,



Ann B. O'Neill



John Michael O'Neill

Gene Ricks and Barbara MacLellan
CAMP CHATSWORTH
15 Chatsworth Avenue
P. O. Box 163
Glyndon, Maryland 21071

Item #
102

October 7, 2002

Homeview Contractors
9474 Deereco Road
Timonium, MD 21093-2102

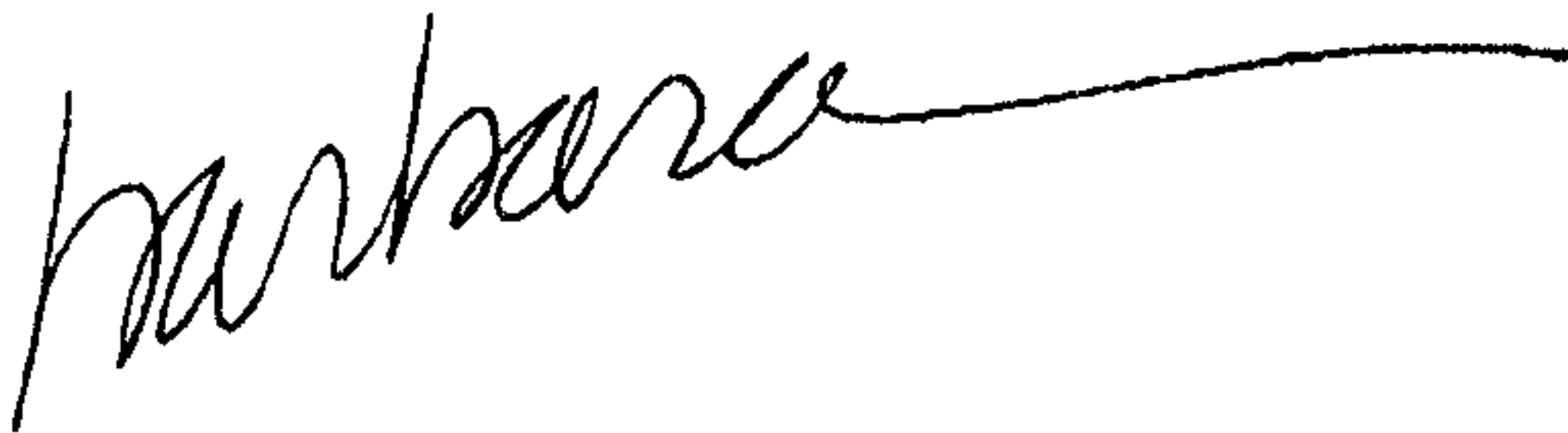
Attn: Sheldon

Dear Sheldon,

Here is the letter from my neighbor regarding the variance required to build the new building on the old site.

Let me know if you need anything else.

Regards,



Item # 102

To Whom it May Concern

Regarding Variance Requested for 15 Chatsworth Avenue, Glyndon, MD 21071

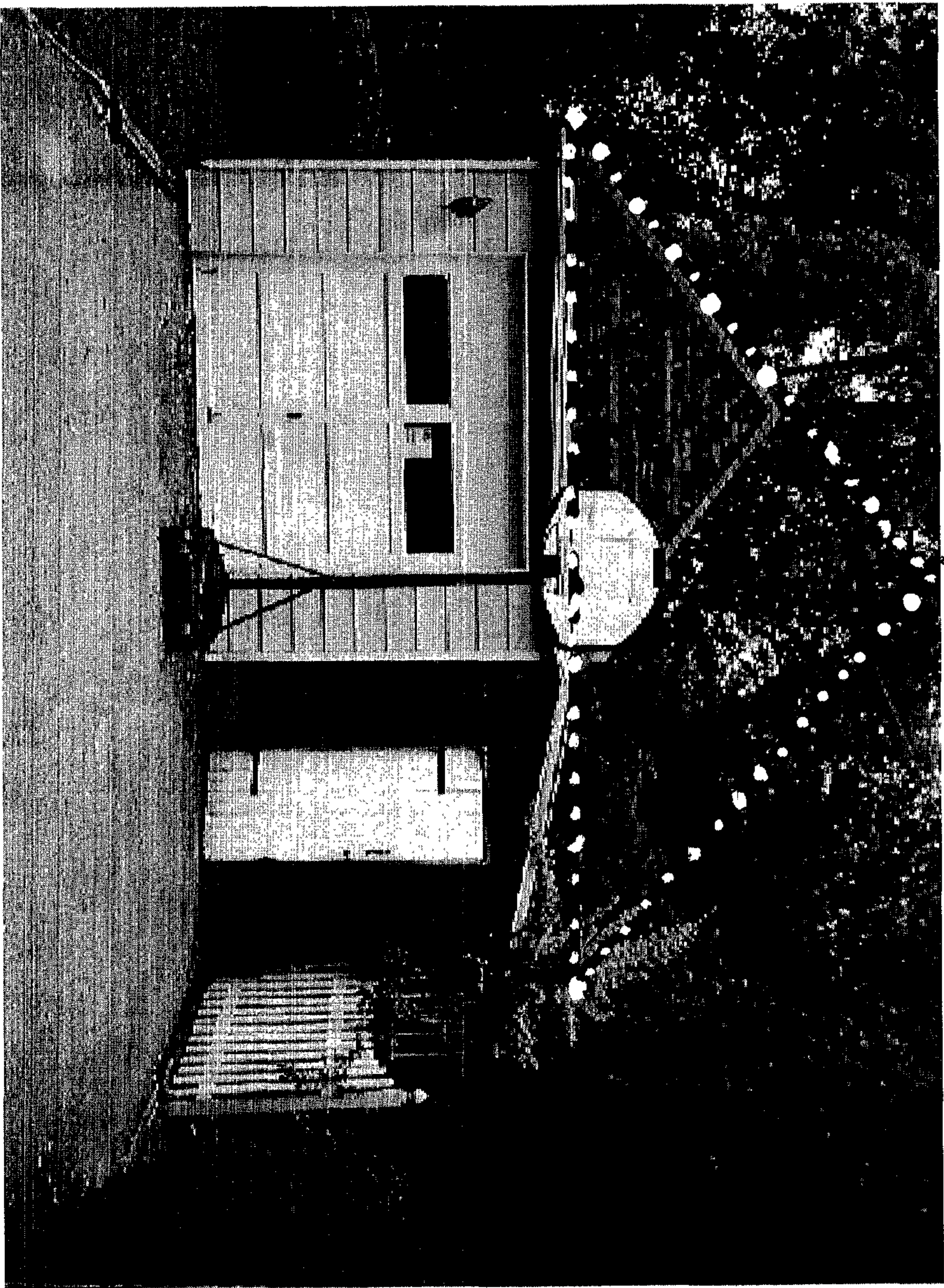
As the neighbor who shares the property line where a variance has been requested,
I have no difficulty with the new, proposed construction or it being placed where the
former stucture existed for more than 50 years.

Carrie S. Heflin

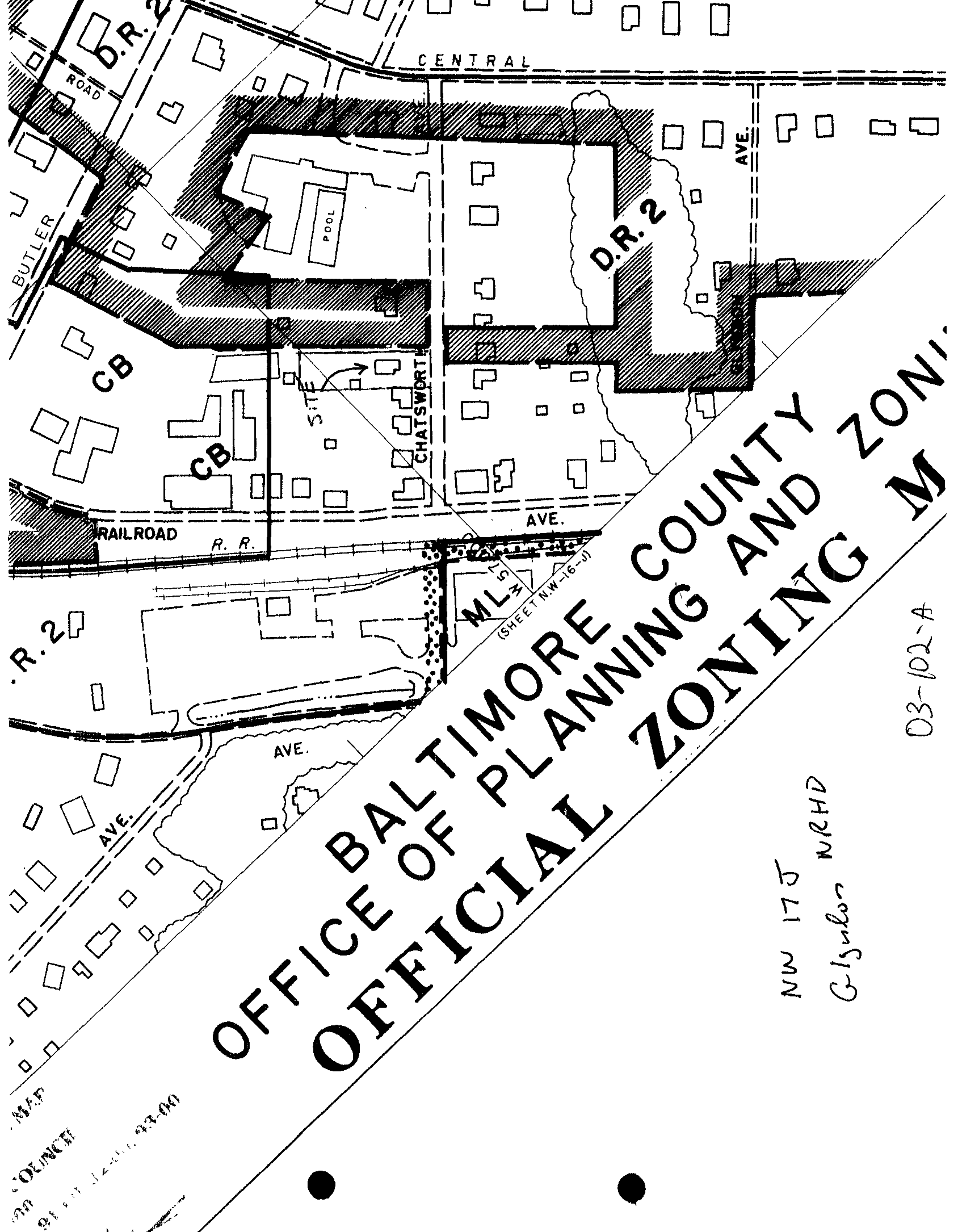
Mrs. Carrie Heflin

10 Chatsworth Avenue

Glyndon, MD 21071



Phot Ex #2



OFFICE OF BALTIMORE COUNTY PLANNING AND ZONING M

NW 17J
G-1500 WRHD

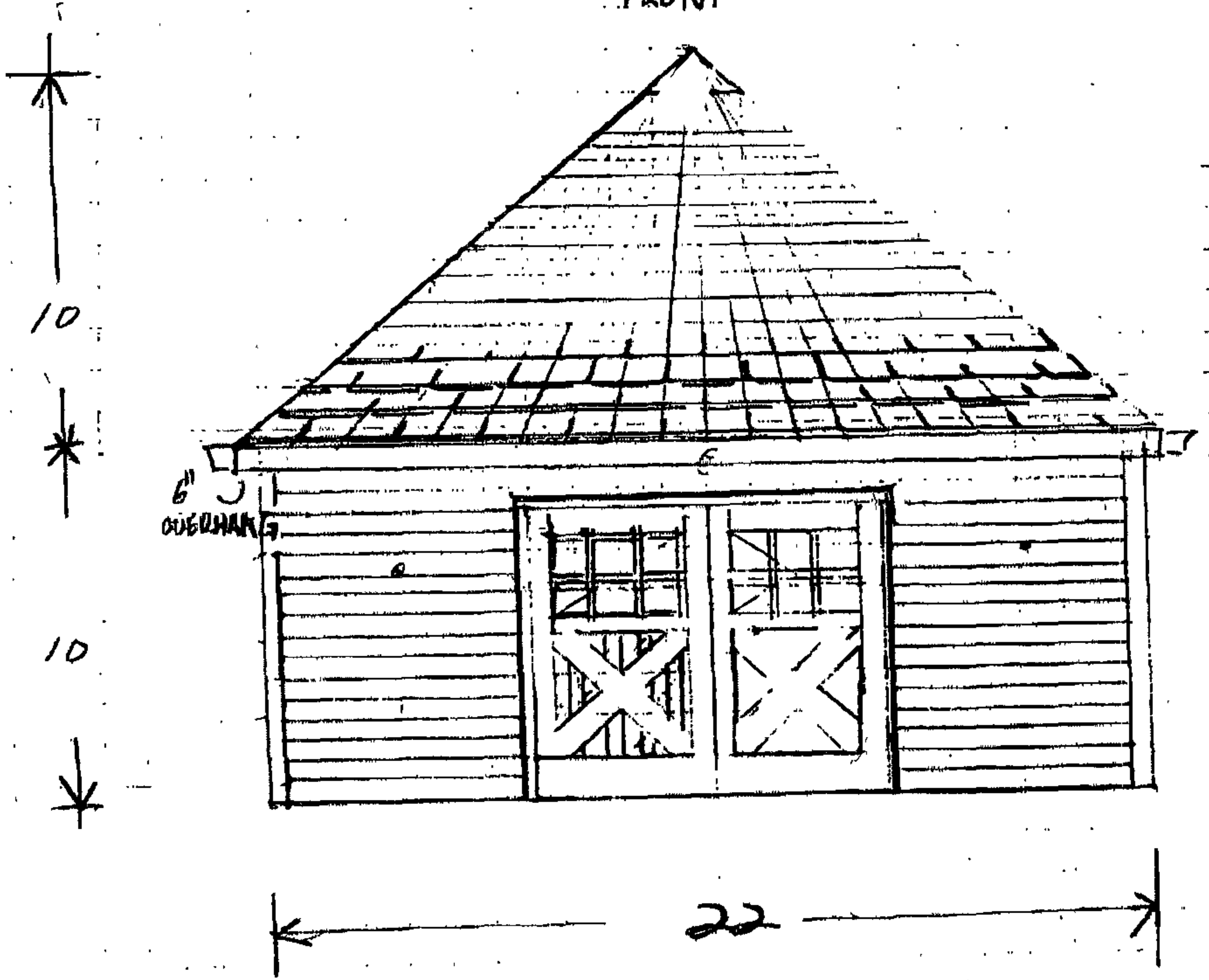
03-102-A

MAP
COUNTY
93-00

Detail

605H

FRONT

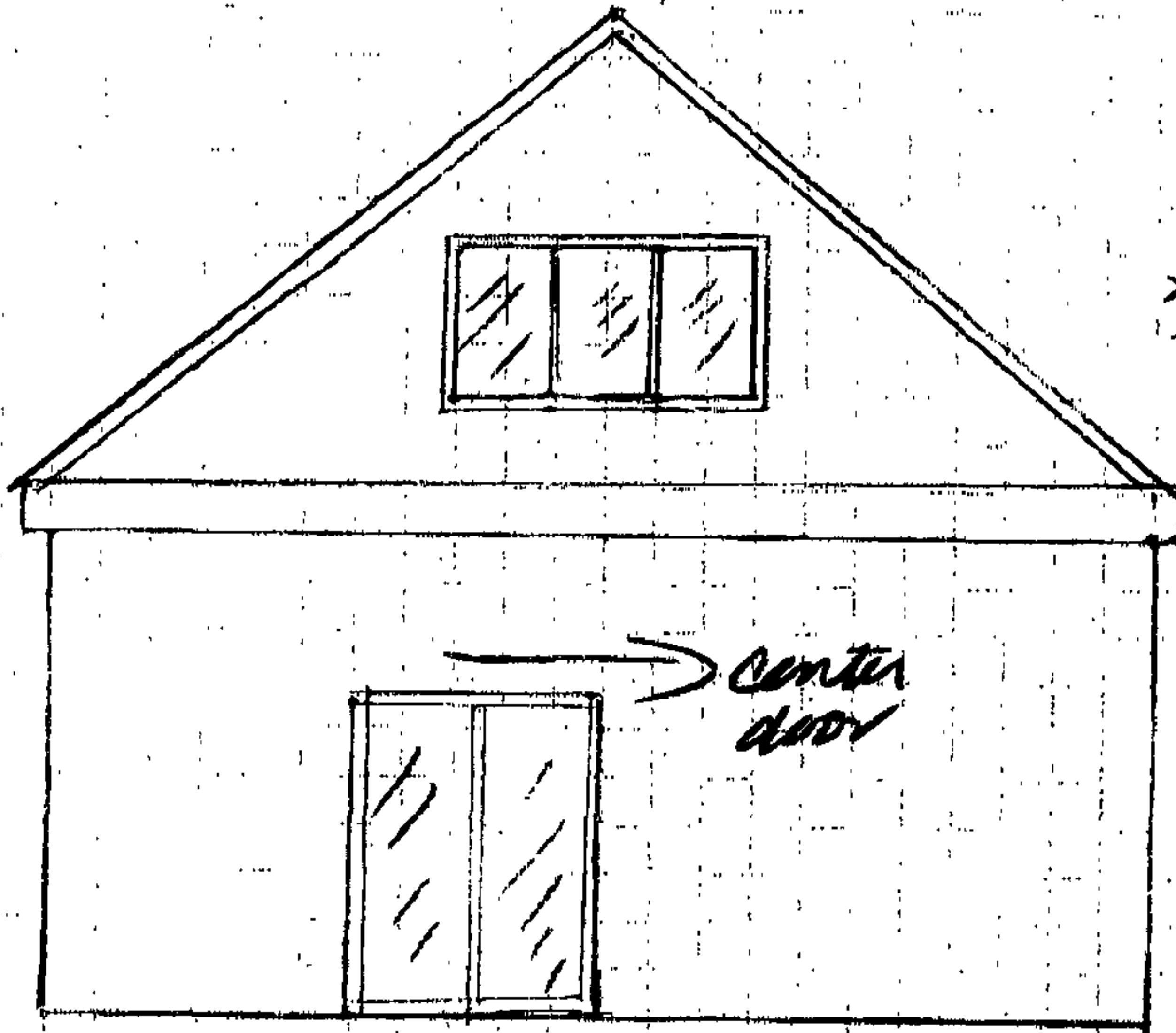


Rear

03-102-A

50 Gm

NORTH



ANDERSON
TRIPLE
CASEMENT
(SLIDING)
1 2 FENTING
WINDOWS

72 3/8 N x 36 1/2 H

ANDERSON
GLIDING
PATIO
DOORS

60" W x 80" H

22x25

↑
this
is
sliding
panel

ok
one

front

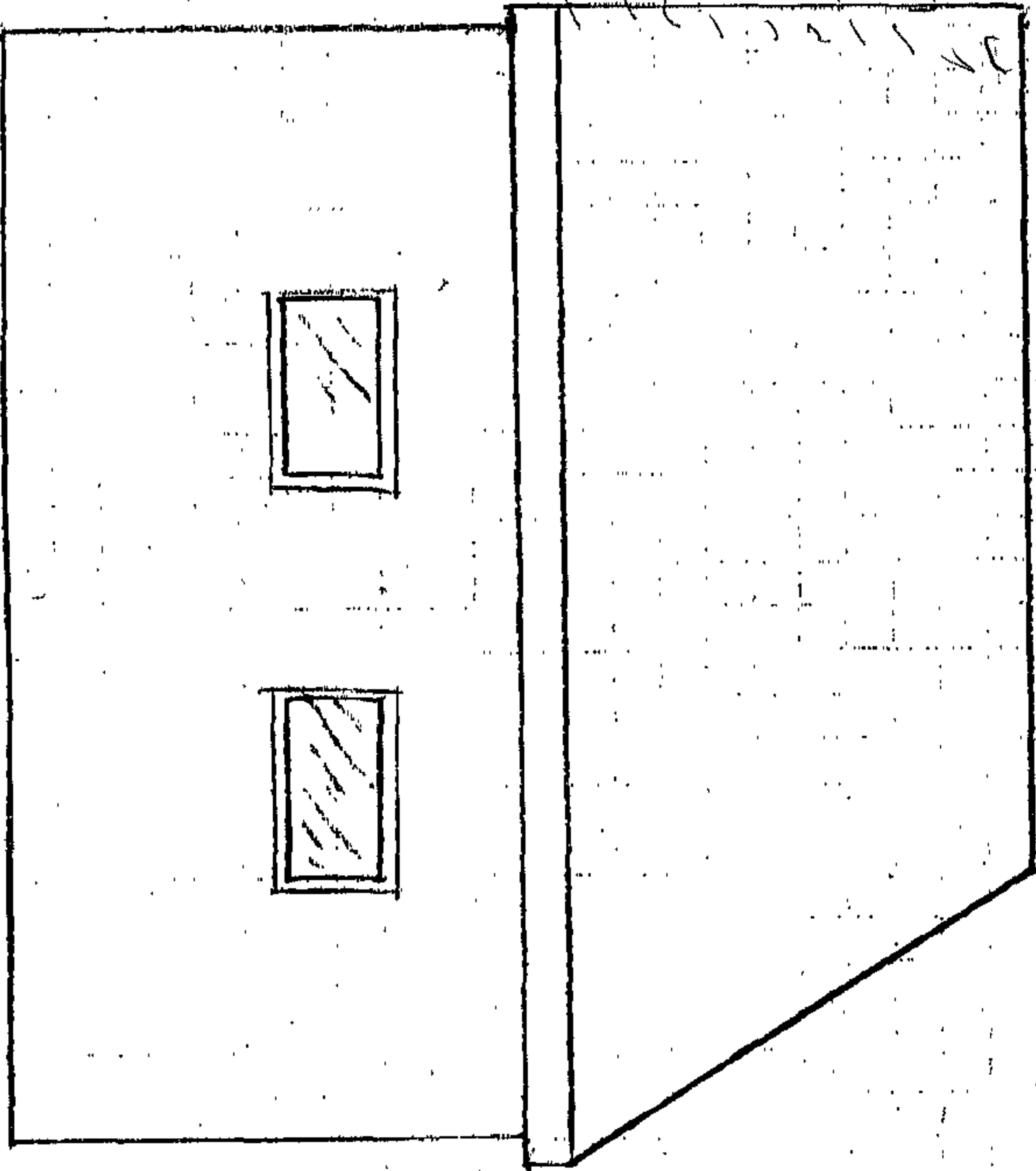
03-102-A

Fax to Susan Keeney
410 833 6803

West Gate

03-102-A

REAR #9



REAR

OK
(initials)

ADDRESS ROOMING CHAMBERS
43 1/2" W x 24 3/8" H

ALL THREE WINDOWS
REMOVING ON 4/4

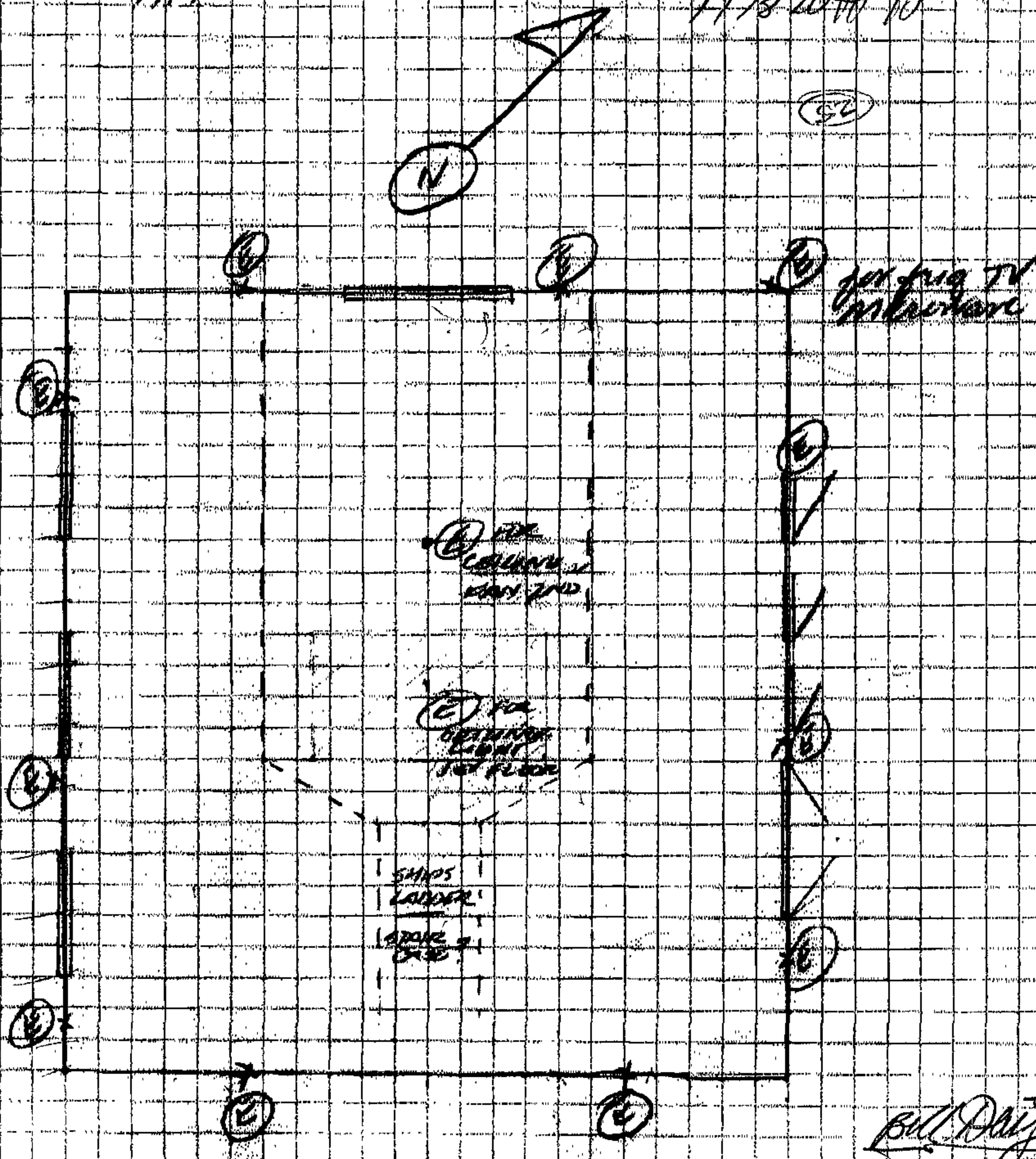
LPI

More Joints 2x4

LPI 36 PERIS 14" DEEP
16" ON CH 23'6" = 2.50

11/7

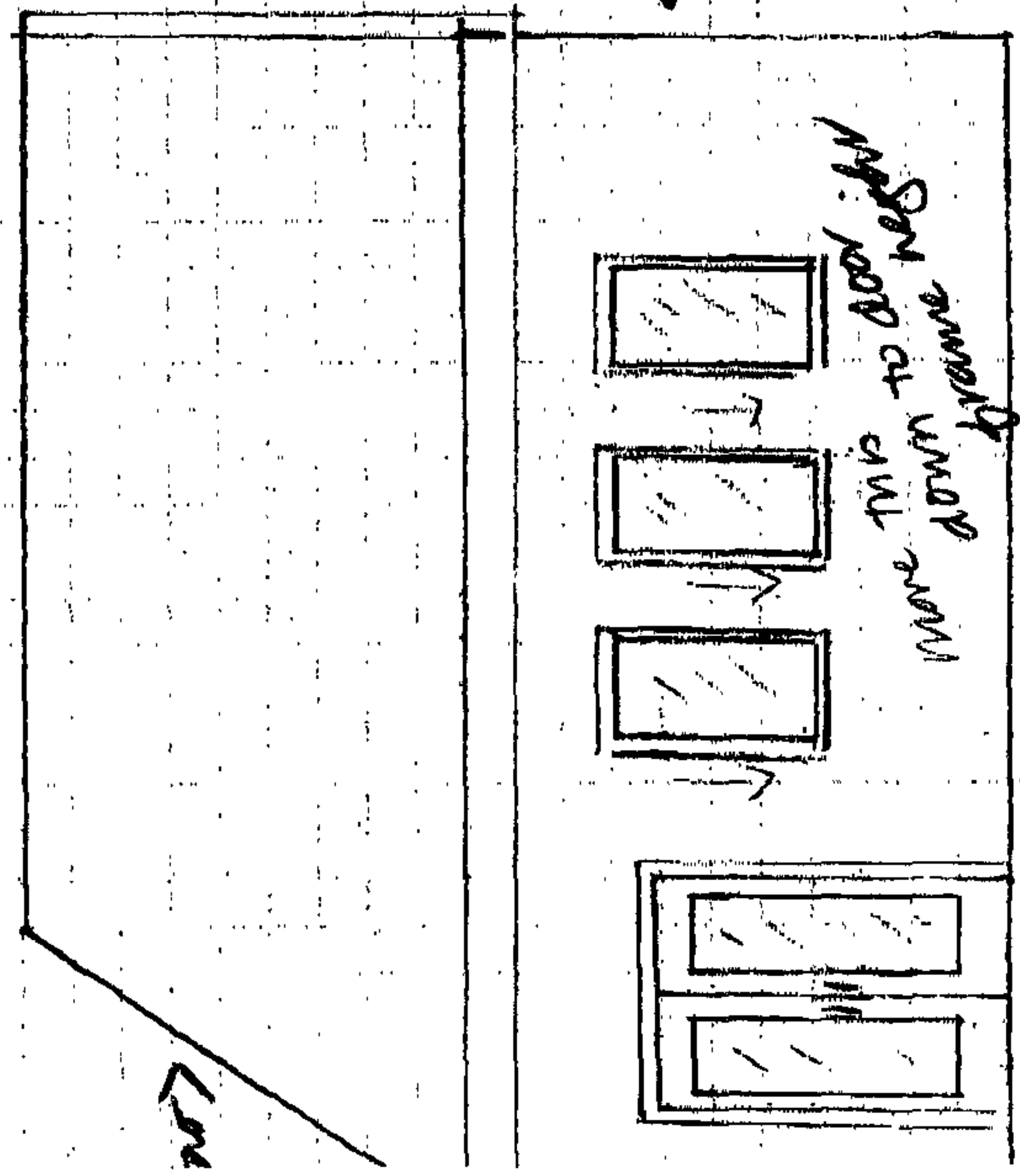
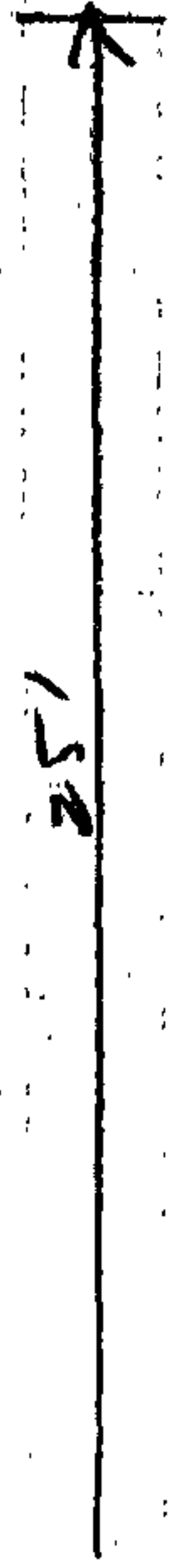
11/8 20ft 10



Bull Day

03-102-A

EXIST



ANDERSON
LEFT ~~ANDERSON~~ WINDOW from outside view
CASEMENT
24 5/8" W x 45 1/2" H

MD
JAN

EXIST

ANDERSON 60" W x 80" H
OUT SWINGING
FRENCH DOOR

Eugene^G Ricks

Barbara J. MACLELLAN
MACLELLAN
15 CHATSWORTH AVE.
GLYDON, MD 2107)

Tues
7-8
6:80 AM

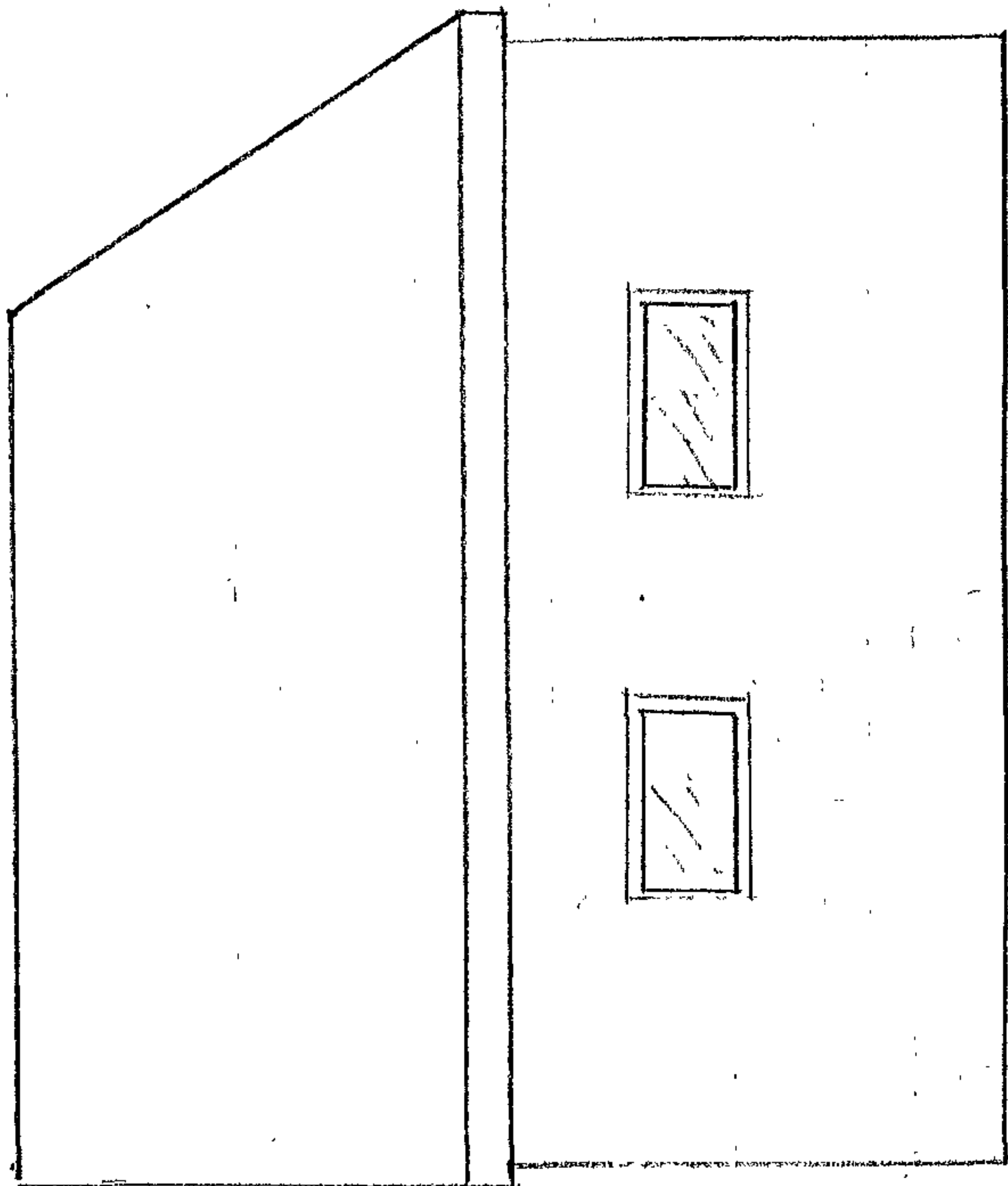
SHEL

C 812 8464

H 653 1511

O 252 4663

F - 410 - 683 - 7224

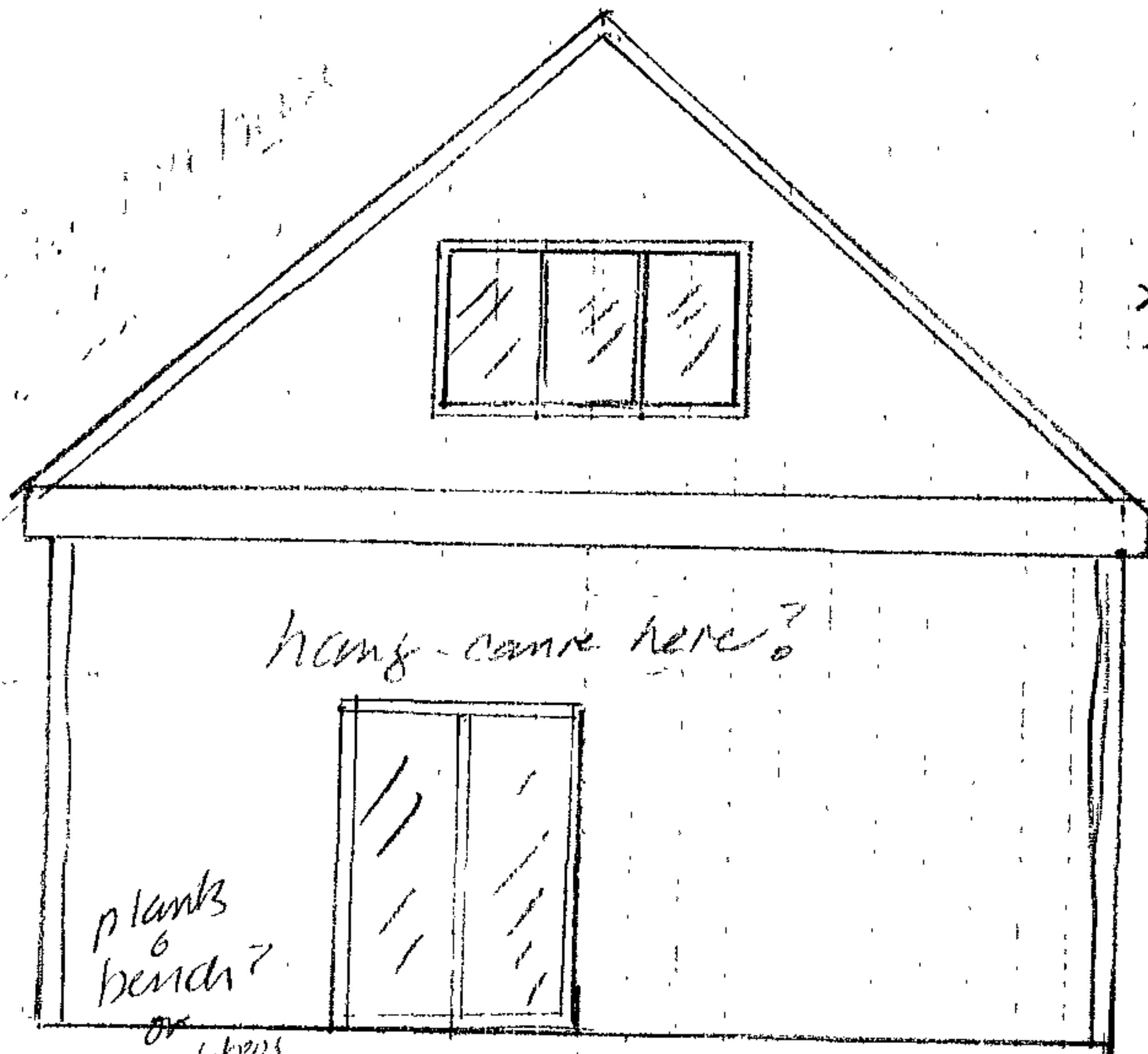


FRONT

REAR

XUDRESEN RIVINGTON CASEMENTS
43 1/2" W x 24 3/8" H

[Handwritten signature]



ANDERSON
TRIPLE
CASEMENT
WINDOWS
1 2 VENTING
WINDOWS
72 3/8" W x 36 1/2" H

ANDERSON
GLIDING
PATIO
DOORS

60" W x 80" H

hang - can't here?

plank
bench?
or
scrubbers

wood
pile

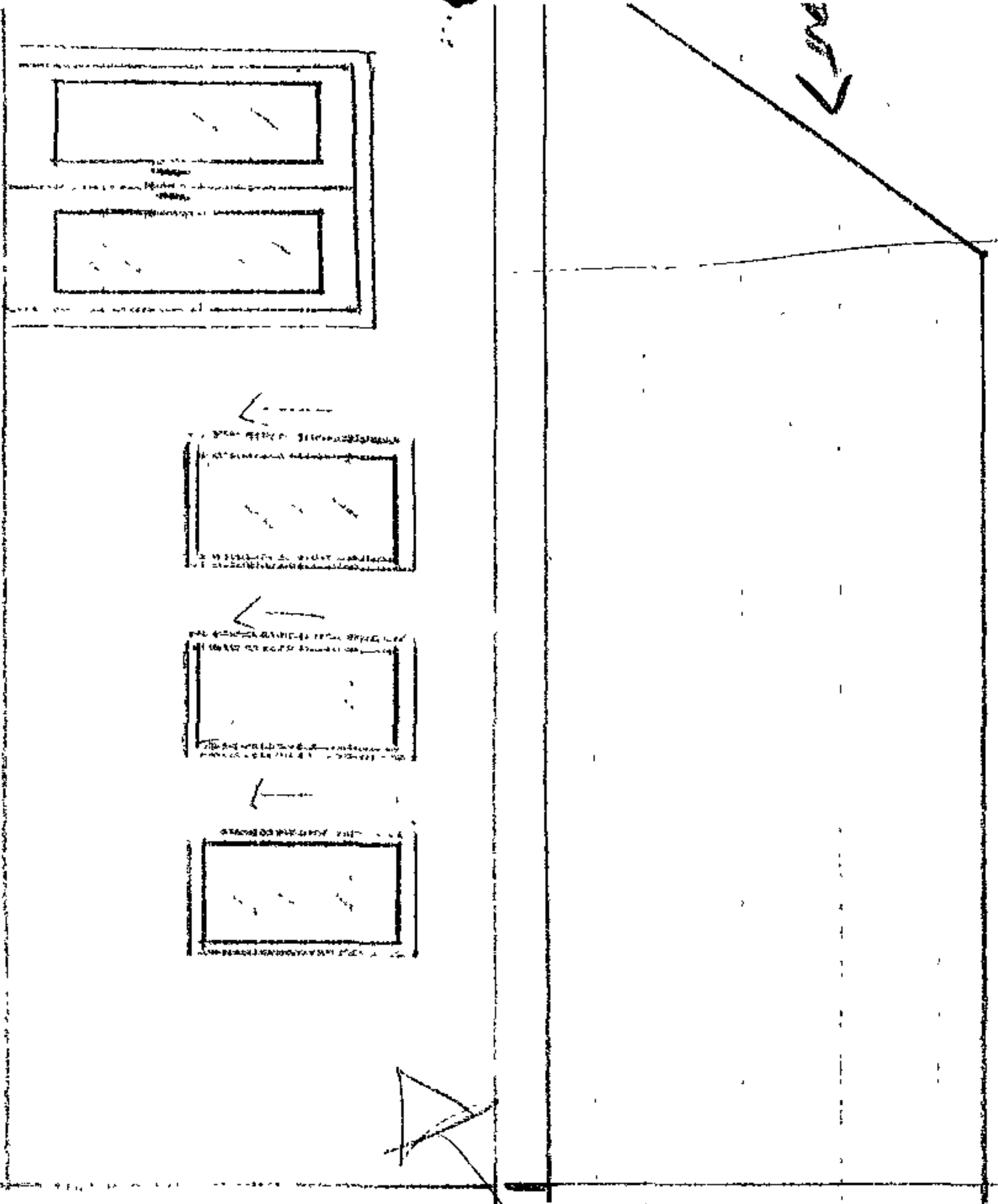
consider trellis & train
material over it (keep slightly
away from house so it doesn't
creep into side)

greenhouse?

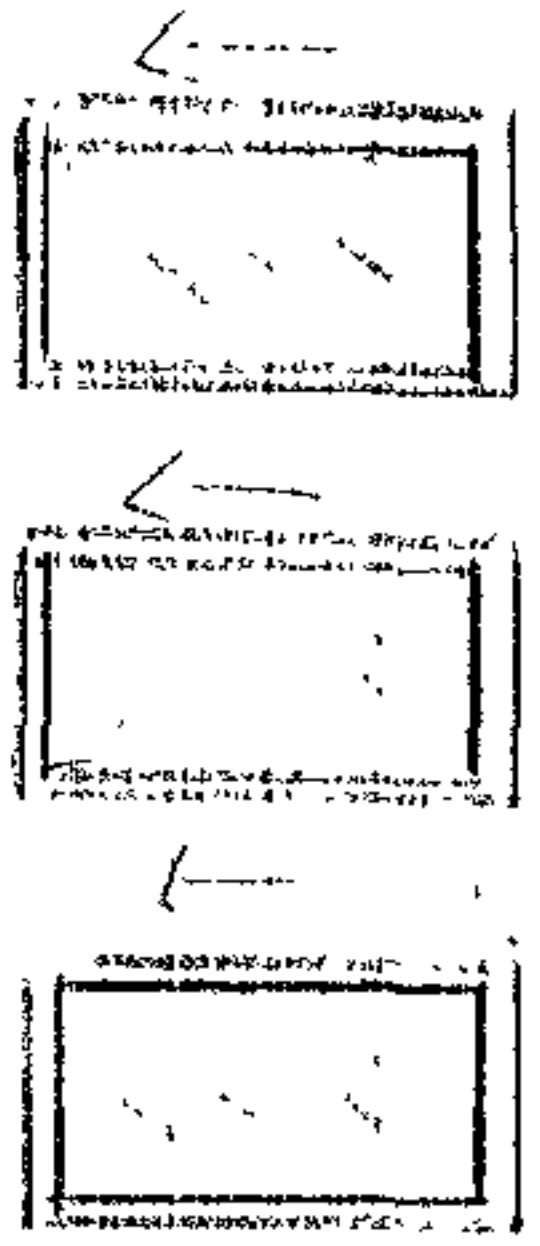
ok
me

251

257



2. ALUMINUM
OUT SWING
1. REAR DINING

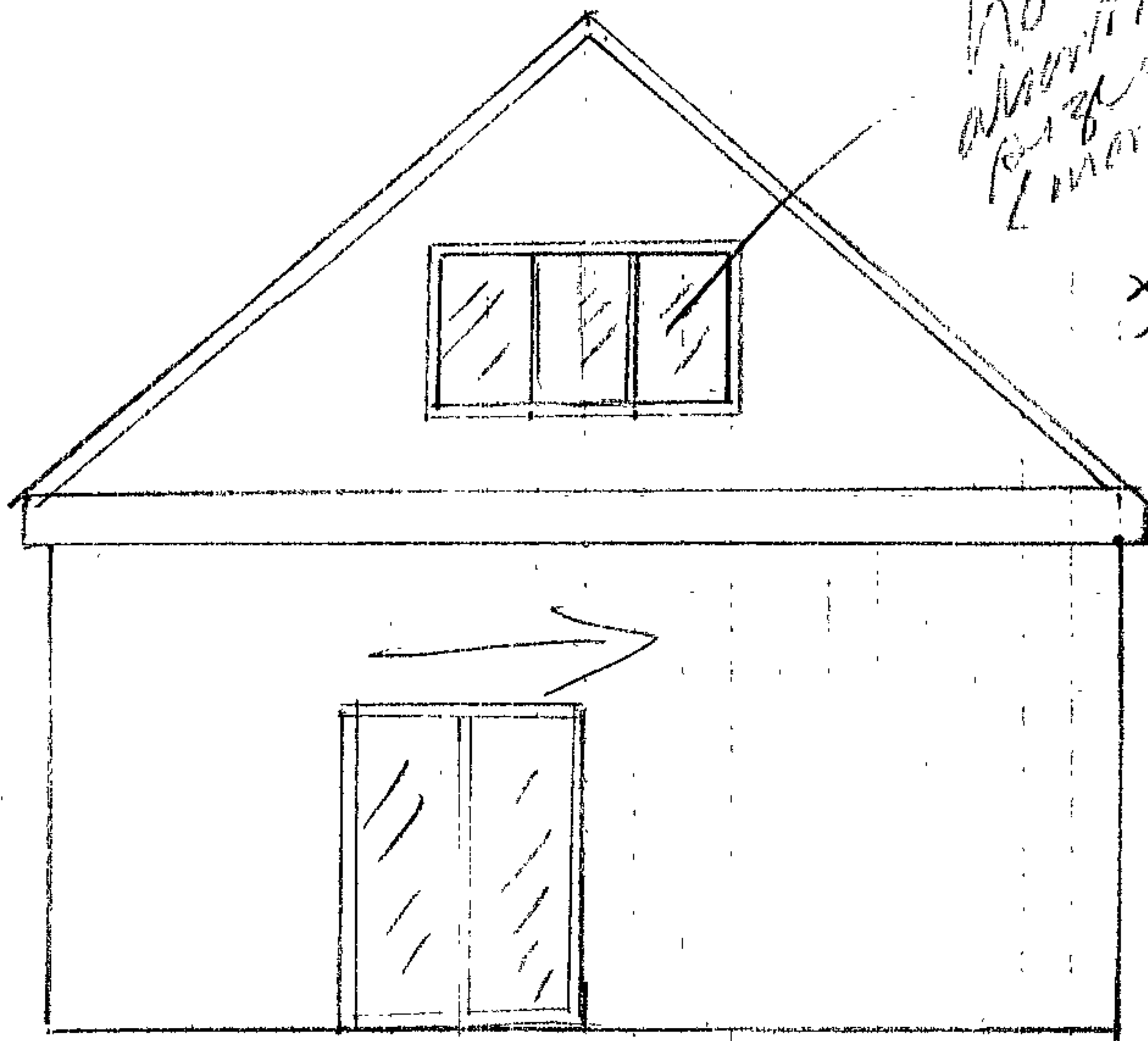


REAR

ALUMINUM
LEFT OPENING
CLOSURE
24 5/8 W x 45 1/2 H

ALUMINUM
OUT SWING
1. REAR DINING

257



How
about painting
the siding
& more awning?

ANDERSON
TRIPLE
CASEMENT
- STAINLESS
1 2 VENTING
WINDOWS

ANDERSON
GLIDING
PATIO
DOORS.

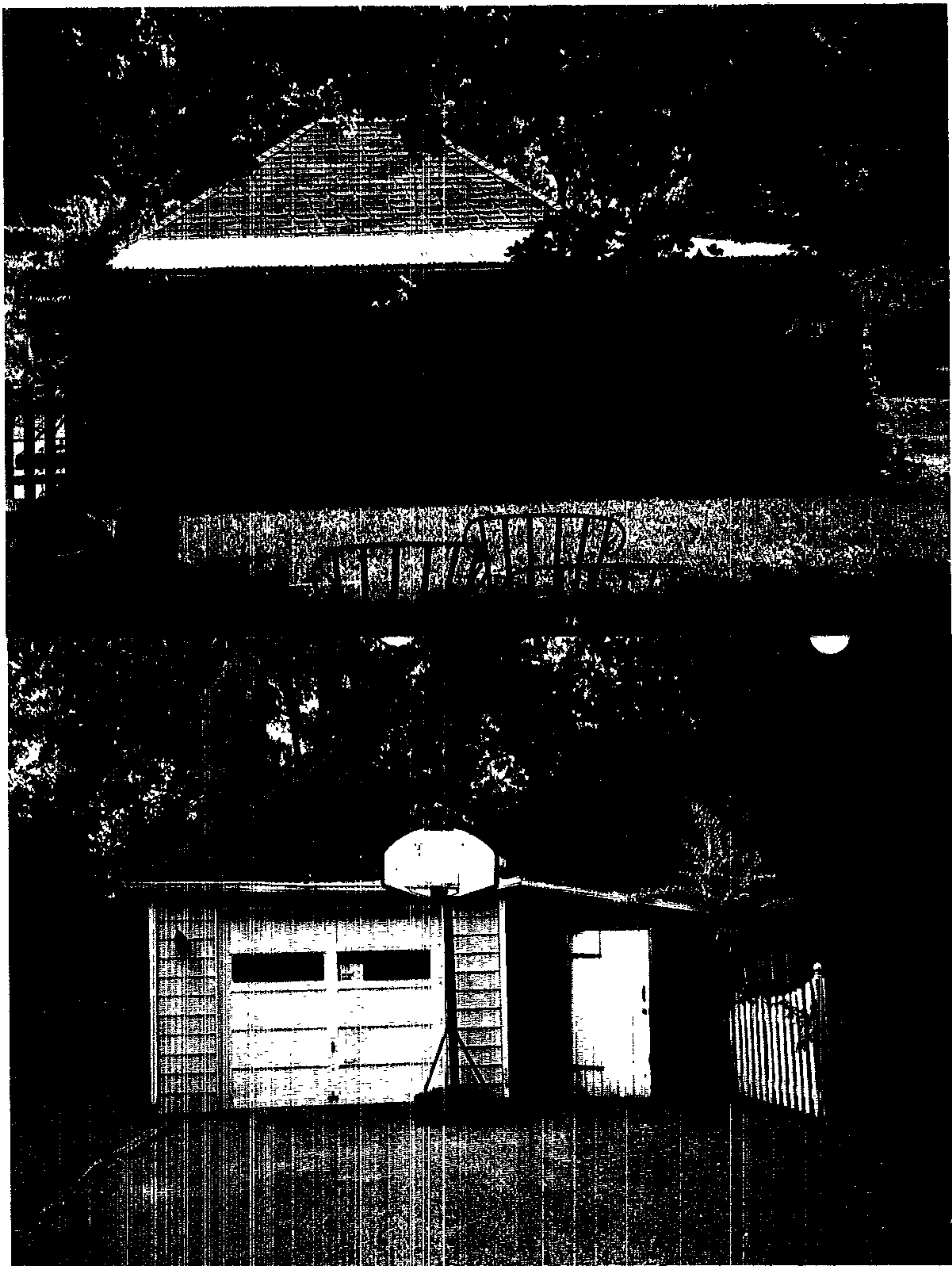


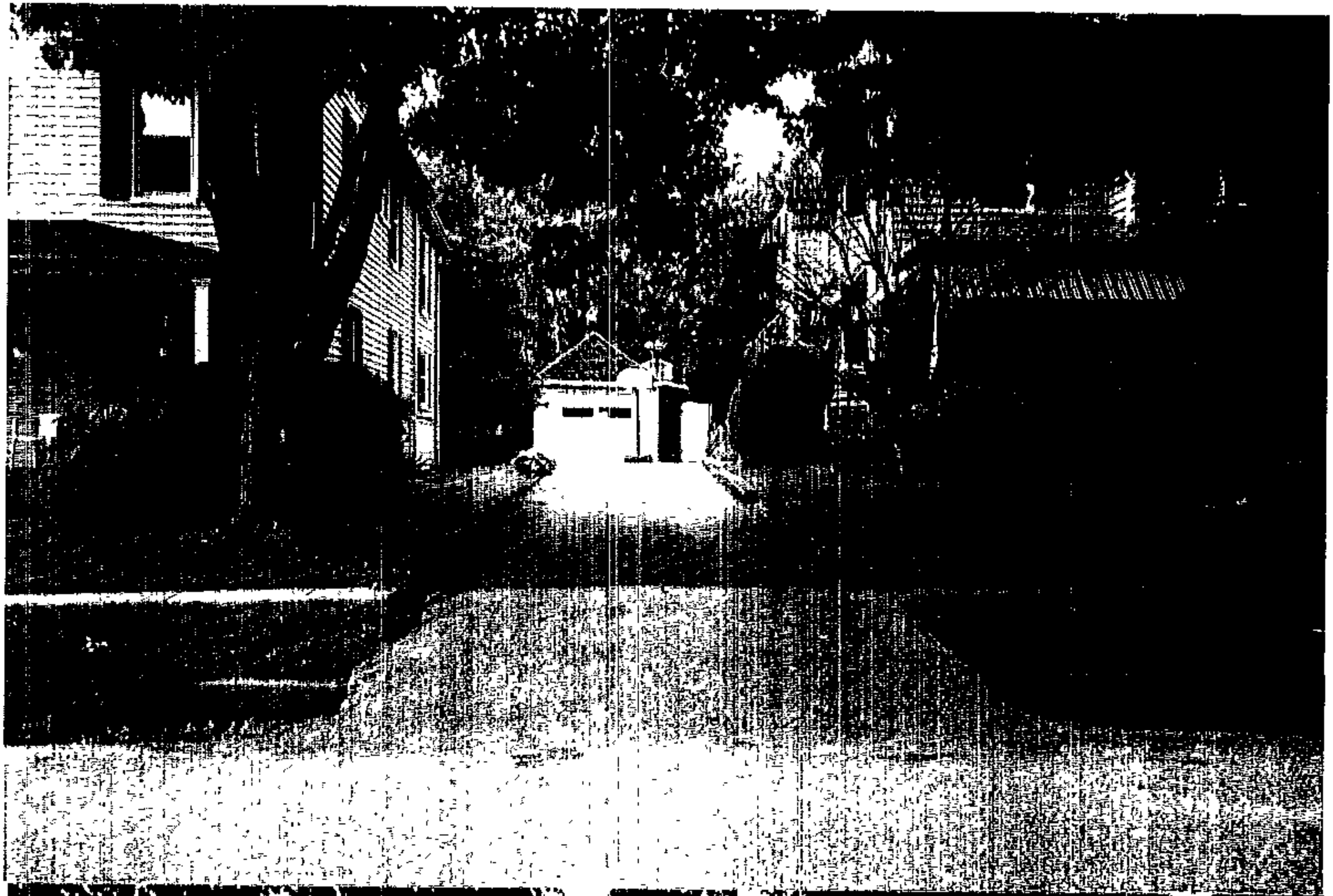
Baltimore County
Department of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

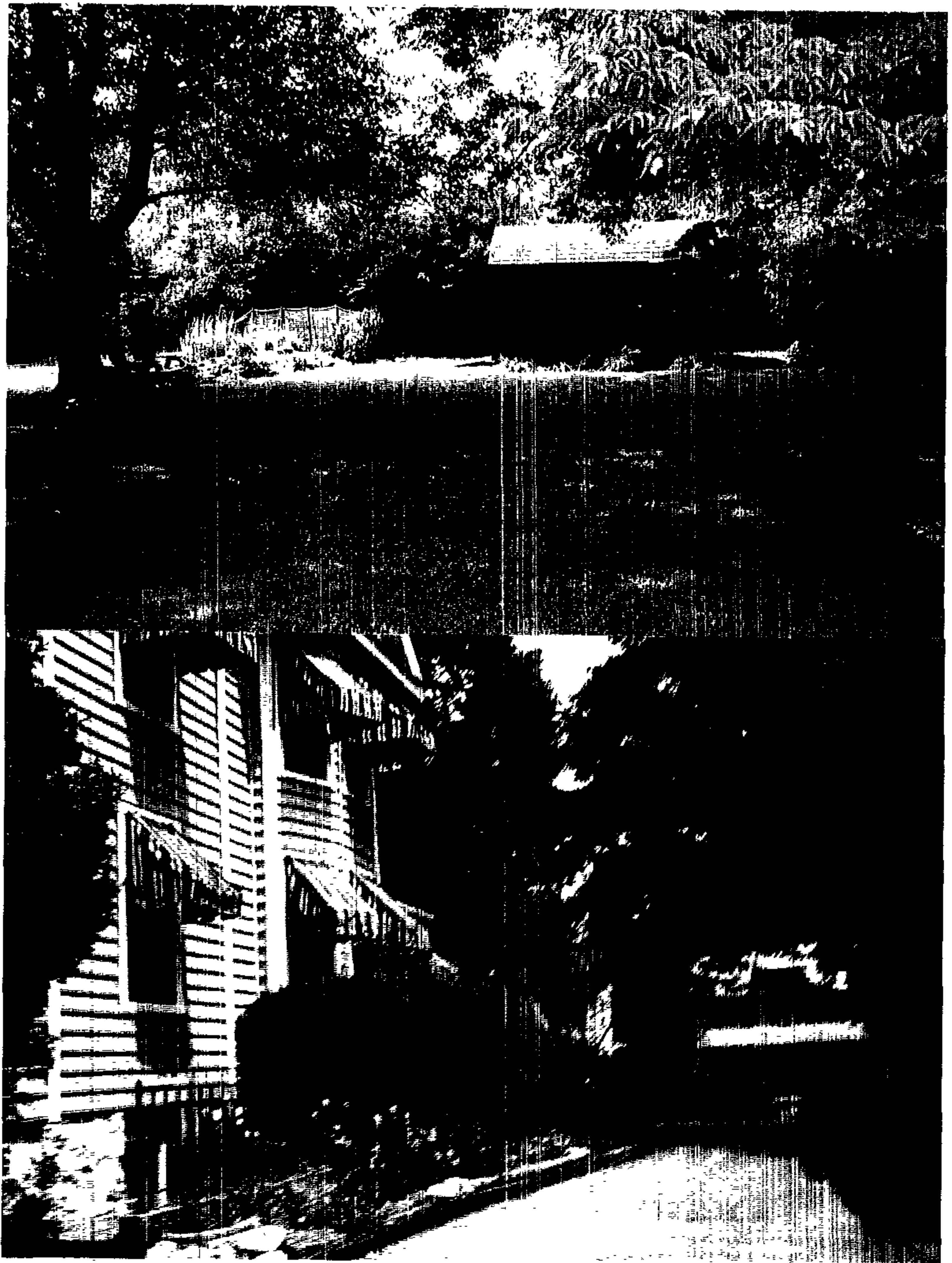
Return Service Requested

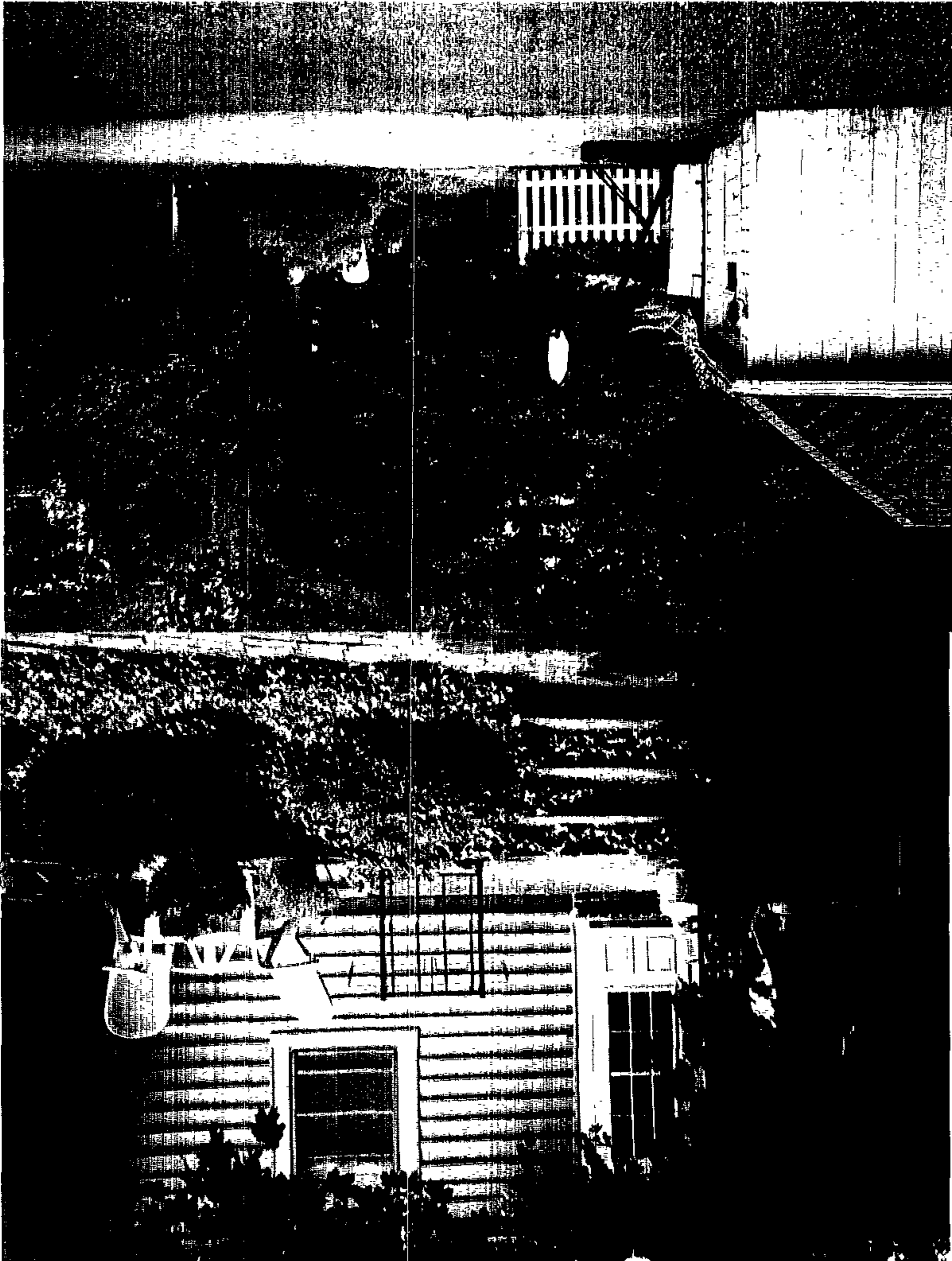
03-102-A

PHOTOS





















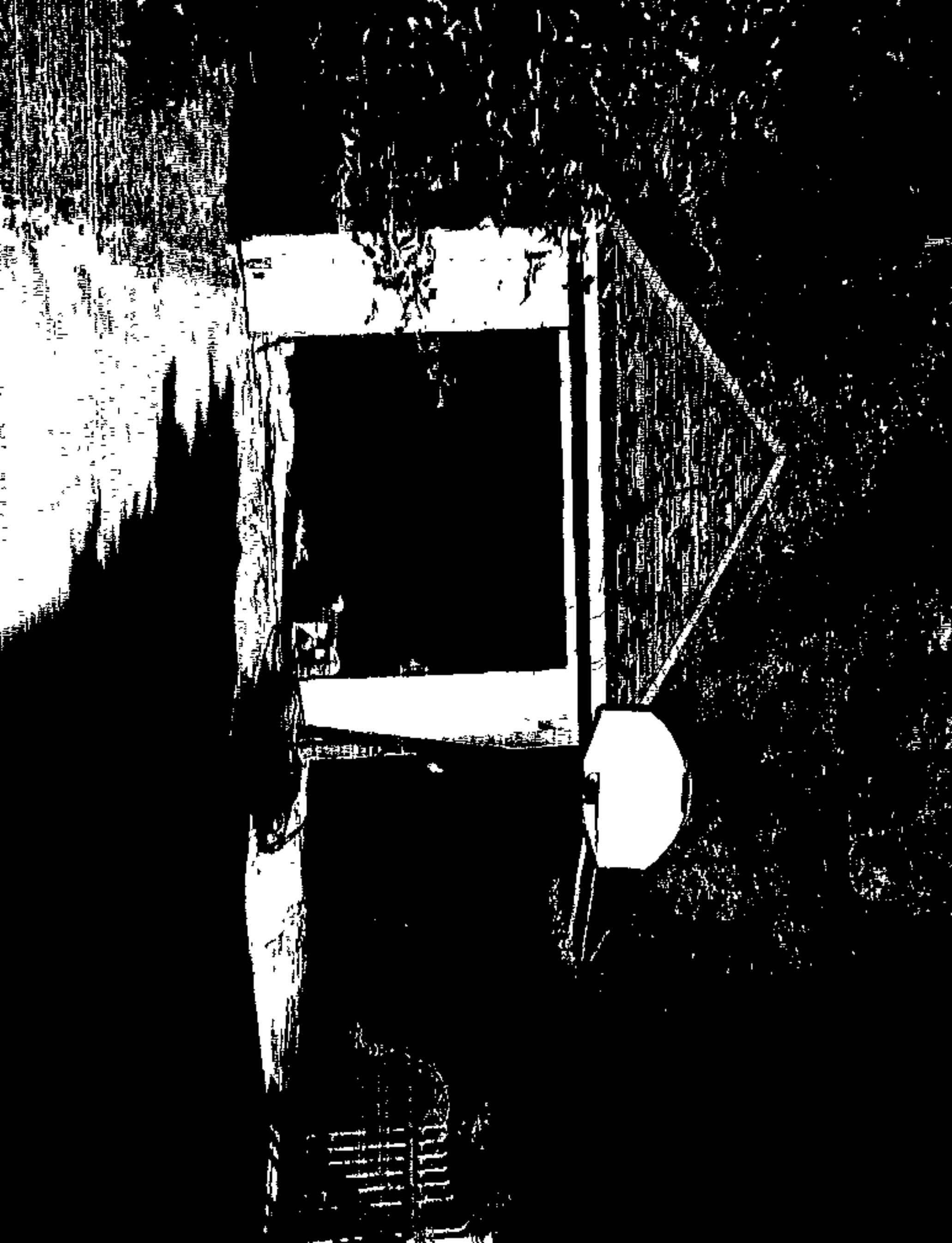
03-102-A

Existing garage
to be razed

1

1

03-102A



03-102 X

where ~~Garage~~ ~~Garage~~
where ~~Garage~~ ~~Garage~~
where ~~Garage~~ ~~Garage~~

Existing garage
to be razed

11-11-11



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 9.6.02

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

RE: Baltimore County
Item No. 102

JNP

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,

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

03-102-A

NO. 152

Existy
garage to
be razed

5044

NO. 152

Rear yard

<No. 233D>

8838

ME GANON DNB 0 0439

03-102-A

03-102-A

8888

<DEN>

Rear
Yard

HA 00000000 0 0439

03-02-A

8842

(No. 229)

Exotic garage to be razed

NA OAHON NHH- 3 0439