IN RE: PETITION FOR VARIANCE
S/S Harford Road, 420' SE
centerline of Mt. Vista Road
11th Election District
5th Councilmanic District
(12245 Harford Road)

Bettina L. & Ronald W. Gray, II Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 03-301-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, Bettina and Ronald Gray, II. The Petitioners are requesting variance relief for property they own at 12245 Harford Road. The property is zoned R.C.2. The variance request is to allow a side yard setback of 28 ft. in lieu of the required 35 ft. for a proposed 7 ft. addition to an existing dwelling.

Appearing at the hearing on behalf of the variance request were Bettina and Ronald Gray, owners of the property. Paul Lee, a professional engineer with Century Engineering, appeared on behalf of the property owners. Frank Borgerding, attorney at law, represented the Petitioners. Appearing in opposition to the Petitioners' request were George Hutschenreuter and Debra Tello, who appeared on behalf of the adjacent property owner, George and Joyce Hutschenreuter. Carol Shaw appeared on behalf of the Long Green Valley Association.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 1.310 acres, more or less, zoned R.C.2. The property is improved with an existing single-family residential dwelling wherein Mr. & Mrs. Gray reside. The Grays are interested in creating a 7 ft. x 14 ft. addition which is proposed to be constructed on the side of their dwelling in the fashion depicted on Petitioners' Exhibit No. 1, the site plan submitted into

evidence. This is a one-story addition, the purpose of which is to provide a means of ingress and egress for the occupants of this home, as well as to provide a mud room for the residents and their guests to hang their coats and shoes prior to entering the house. In order to proceed with the construction of this one-story addition, the variance request is necessary.

The testimony and evidence offered on behalf of the Petitioners demonstrated that the dwelling which exists on the property has been constructed within the entire building envelope for this property. That is, given the narrow configuration of the lot as it was created at the time of its subdivision, the home in question was constructed on the 35 ft. side yard setback line of the property located immediately to the west. The property also abuts the 35 ft. building setback line to the rear of the home. Furthermore, the front corner of the dwelling, that being the northeast corner of the structure, also is situated on the 35 ft. side yard setback line. In essence, there is little if any area for any expansion to this home without the approval of variance relief.

As stated previously, appearing in opposition to the Petitioners' request were George Hutschenreuter and Debra Tello. These two protestants are the children of Mr. & Mrs. Hutschenreuter who reside on the property immediately to the west of the subject site. Mr. & Mrs. Hutschenreuter were unable to attend the public hearing due to the health of Mrs. Hutschenreuter. They are currently residing at their winter home in Holiday, Florida. However, their strong opposition to this variance request was evidenced by the letter submitted to this office by registered mail and via facsimile transmission and also by testimony offered by their two children at the hearing before me. Furthermore, Ms. Carol Shaw, appearing individually and on behalf of the Long Green Valley Association, opposed the variance request.

The cumulative testimony of the protestants who appeared indicated that they are in strong opposition to the granting of any variance which would allow improvements to be

constructed any closer than the 35 ft. setback allowed for this property. The protestants believe this proposed addition to be an infringement on the property rights of the neighboring property owners. The protestants indicated that the area where the addition is proposed is very visible from the kitchen area of their family home. Furthermore, the protestants believe that the Grays could have designed their home originally to accommodate this mud room prior to the time the home was constructed on the lot. They believe that the Grays can continue to occupy their home as they have for the past number of years. They, therefore, ask that the variance be denied.

It should be noted that prior to the filing of the variance in this case, the property owners, Mr. and Mrs. Gray, requested variance relief to allow an addition and garage to be constructed on the side of their dwelling much closer to the common property line shared with Mr. & Mrs. Hutschenreuter than this request. By my Order, the previous petition for variance was denied. As a result of the denial of the prior application, the property owners, Mr. & Mrs. Gray, have filed a new variance request seeking much lesser relief than that which was previously requested. All that is requested at this time is a 7 ft. addition to the side of their home.

As the testimony demonstrated, the addition proposed to the side of the Petitioners' dwelling is a one-story bump-out attached to the side of the dwelling by way of a slanted or sloped roof. This addition is similar to what one would commonly find as a small porch on the side of houses. If this were a 7 ft. porch proposed to be constructed on the side of this dwelling, it would be permitted as a matter of right and no variance would be necessary. That is because open projections such as porches are permitted to extend into the side yard setback up to 25% or in this case 8.75 ft. Accordingly, the Petitioners would be permitted to construct a porch on the side of their home that extends 8.75 ft. away from their home. This porch would have the same sloped roof and would be attached to the home the same as this proposed addition.

E9/1/

What differentiates this situation from an open projection is the fact that the Petitioners wish to fully enclose this addition. Open projections by their definition are attached to the principal dwelling, but remain open on all three sides. It should be noted that the addition in this case is proposed to extend from the house only 7 ft.

The purpose of reciting this explanation is to simply state that I see little or no detrimental impact to the adjacent property owners by virtue of Mr. & Mrs. Gray constructing this addition on the side of their home than if they had constructed an open projection porch on the side of their dwelling. The porch could be constructed without a variance and could extend closer to the property owned by Mr. & Mrs. Hutschenreuter.

It should also be noted that while Mr. & Mrs. Gray's home is visible from the property owned by Mr. & Mrs. Hutschenreuter, there does exist some screening between the two properties which can help soften or mitigate the impact of constructing this addition. In the summer months, the foliage that exists along the property line may serve to completely screen this proposed small addition. However, in an effort to further screen the Petitioners' existing home and the proposed addition, I shall require that Mr. & Mrs. Gray plant an evergreen screen on their property along their property line with Mr. & Mrs. Hutschenreuter. This evergreen screen will serve to enhance the privacy that Mr. & Mrs. Hutschenreuter have enjoyed on this property for many decades.

THEREFORE, IT IS ORDERED, this 14 day of March, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request to permit a side yard setback of 28 ft. in lieu of the required 35 ft. for a proposed 7 ft. addition to the side of their dwelling, be and is hereby GRANTED, subject, however, to the following conditions and restrictions:

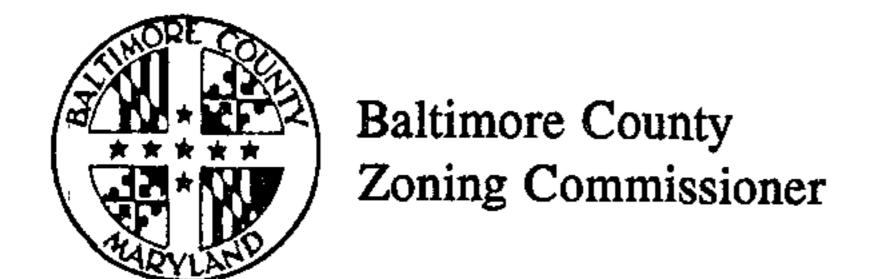
- 1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioners shall be required to install an evergreen screen along their property line shared with Mr. & Mrs. Hutschenreuter. Accordingly, they shall submit to Mr. Avery Harden, Landscape Architect for Baltimore County, a landscape plan for his full review and approval.
- 3. The addition to be constructed pursuant to this variance relief shall be a one-story addition utilizing the same building materials as are found on their home at this time. The final elevations of the small addition to be constructed shall be submitted to the Office of Planning for their review and approval.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

March 14, 2003

Frank Borgerding, Esquire 409 Washington Avenue, Suite 600 Towson, Maryland 21204

Re: Petition for Variance

Case No. 03-301-A

Property: 12245 Harford Road

Dear Mr. Borgerding:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing 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 Office of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Musty Hotroco

TMK:raj Enclosure

Copies to:

Mr. & Mrs. Ronald W. Gray, II 12245 Harford Road Glen Arm, MD 21057

Paul Lee, P.E. Century Engineering, Inc. 32 West Road Towson, MD 21204

Mr. & Mrs. George Hutschenreuter 4319 H Tahitian Garden Circle Holiday, FL 34691

George P. Hutschenreuter 8525 Winter Pasture Way Columbia, MD 21045

Debra Tello 5216 Leavers Court Baltimore, MD 21237

Carol Shaw 7 Country Hill Court Kingsville, MD 21087



Petition for Wariance

to the Zoning Commissioner of Baltimore County

for the property located at 12245 HARFORD ROAD

which is presently zoned RC.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) 1A01.3.B.3 OF THE BCZR TO PERMIT A SIDE YARD SETBACK OF 28' FROM A PROPOSED 7' ADDITION TO AN EXISTING DWELLING IN LIEU OF THE REQUIRED 35' (A VAR. OF 7').

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

TO BE ADDRESSED AT HEARING

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.

COMPACY PRINCIPLE RECEIVED THE ENGINEER: PAUL LEE, CENTURY ENGINEERING, INC. Name - Type of Prior Signature 410-823-8070 32 WEST ROAD Telephone No. Address 21204 TOWSON MD Zip Code State City Attorney For Petitioner: FRANK BORGERDING Name, - Type or Print/ Dorganders Signature 410-296-6820 409 WASHINGTON AVENUE Telephone No. Address TOWSON MD21204 Zip Code State City : Vo. 03-30/-A

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.

Legal Owner(s):

ROMALD WEST GRAY II

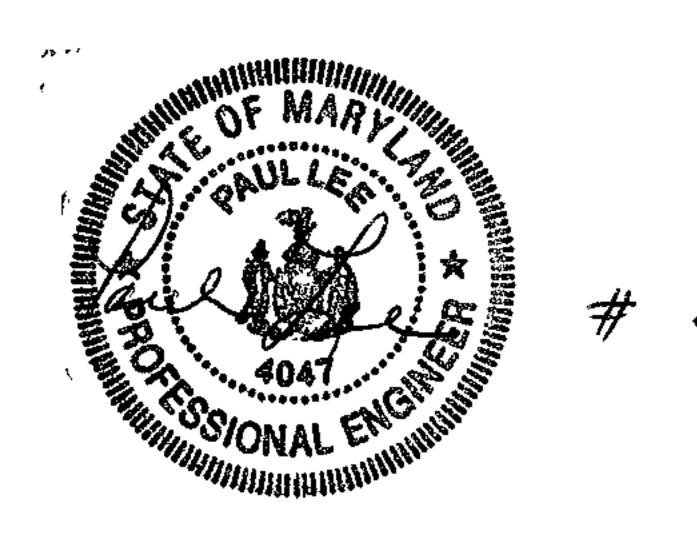
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Signature	7	
BETTINA LEE GRAY		<u>) </u>
Name - Type or Print:		
12tha The	18 ay	
Signature		
12245 HARFORD ROAD	411	2-8-8070
Address		Telephone No
GLEN ARM	MD	21057
City	State	Zip Code
Representative to be Co.	ntacted:	
PAUL LEE, CENTURY ENG	INEERING,	INC.
Name		
32 WEST ROAD	4	10-823-8070
Address		Telephone No.
TOWSON	MD	21204
		7.4 (7.445
City	State	Zio Code
		210 Code
City	E ONLY	
City OFFICE US	E ONLY HEARING ING	12/24/02

DESCRIPTION 12245 HARFORD ROAD PROJECT # 22260.00 ELECTION DIST. 11C5 BALTIMORE CO., MD

BEGINNING FOR THE SAME at a point on the South side of Harford Road, said point also being the intersection of lots 1 & 2 as shown on the Minor Subdivision Plat of the Hutschenreuter Property (#96-160-M) and as filed among the records of the Department of Environmental Protection and Resource Management; and as located 420'± Southeasterly from the paving of Mt. Vista Road; thence running with and binding on said South side of Harford Road (1) S72° 41' 45" W - 91.64', thence leaving said Harford Road and running with the boundary of Lot 1 the following 7 courses and distances:

- (2) S03° 49' 44" W 443.32,
- (3) S85° 29' 58" E 156.80',
- (4) N00° 16′ 10″ E 218.78′,
- (5) N47° 20' 53" W 34.93',
- (6) N12° 02' 02" W 98.19'
- (7) N16° 36' 19" E 46.60',
- (8) N04° 17' 20" W 99.03' to the South side of Harford Road and said point of beginning

Being Lot 1 as shown on the Minor Subdivision Plat of the Hutschenreuter Property (#96-160-M) and containing 1.310 acres of land more or less.



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: #03-301-A
12245 Harford Road
S/side of Harford Road at the
distance of 420 ±/- to the
centerline of Mt. Vista Road
2nd Election District
2nd Councilmanic District
Legal Owner(s): Ronald and
Bettina Gray
Variance: to permit a side
yard setback of 28 feet in
lieu of the required 35 feet.
Hearing: Monday, February 24, 2003 at 11:00 a.m.
in Room 407, County
Courts Building, 401 Boslay 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-

C586181

2/013 Feb. 6

ley Avenue.

CERTIFICATE OF PUBLICATION

26,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 26 ,2003.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Willing

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

No.16378

DATE 12-24-02 ACCOUNT OCI-006-6/50

AMOUNT \$ 50.00

FROM: CENTRY ENTING

12245 Harbord Rd.

ITHEM #30/

TAKEN BY: JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

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CASHIER'S VALIDATION

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4-1

RE:	Case No.: 03-301-A
	Petitioner/Developer: West-GRAY
	ETAL
	Date of Hearing/C sing: FEBUARY 24, 2003

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

ATTENTION: BECKY HART
887-5708

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 12245 HAR FORD R				
The sign(s) were posted on	January 31, 2003 (Month, Day, Year)			

Sincerely,

PATRIC M. O'KEEFE

(I inted Name)

523 PL NNY LANE

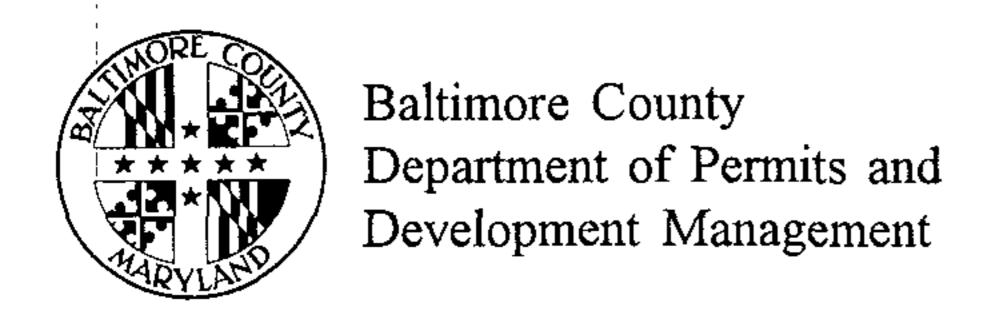
(Address)

HUNT 'ALLEY, MD, 21030

(City. State, Zip Code)

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

(Teli phone Number)



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

Fax: 410-887-5708

January 14, 2003

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: 03-301-A

12245 Harford Road

S/side of Harford Road at the distance of 420 +/- to the centerline of Mt. Vista Road 2nd Election District – 2nd Councilmanic District

Legal Owner: Ronald and Bettina Gray

Variance to permit a side yard setback of 28 feet in lieu of the required 35 feet.

Hearings: Monday, February 24, 2003 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

.^ mold Jablon

Director

AJ:rlh

C: Frank Borgerding, 409 Washington Ave., Suite 600, Towson 21204 Mr. and Mrs. Ronald Gray, 12245 Harford Road, Glen Arm 21057 Paul Lee, Century Engineering, Inc., 32 West Road, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 8, 2003.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO:

PATUXENT PUBLISHING COMPANY

Thursday, February 6, 2003 Issue - Jeffersonian

Please forward billing to:

Ronald W. Gray, II 12245 Harford Road Glen Arm, MD 21057 410-823-8070

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:

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Building, 401 Bosley Avenue

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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

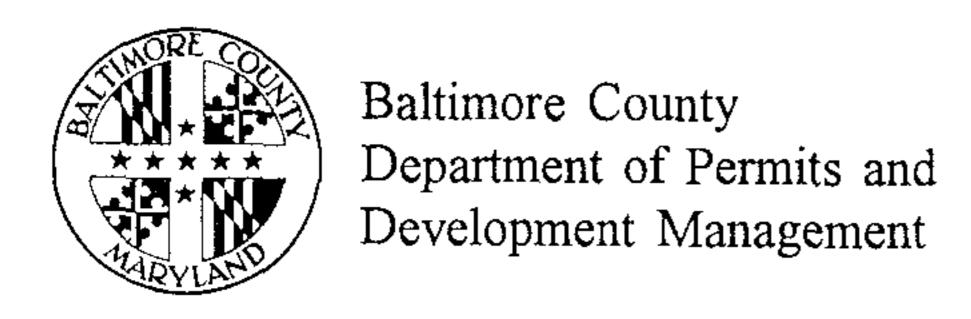
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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: <u>03-30/-</u> 本
Petitioner: RONALD W. GRAY II
Address or Location: 12245 HARFORD RD. 21057
PLEASE FORWARD ADVERTISING BILL TO:
Name: RONALD W. GRAY II
Address: 12245 HARFORD R.D.
BACTIMORE, MD. 21:57

Revised 2/20/98 - SCJ



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

February 20, 2003

Mr. Frank Borgerding 409 Washington Avenue Towson, MD 21204

Dear Mr. Borgerding:

RE: Case Number 03-301-A 12245 Harford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 24, 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: MY
Enclosures

Ronald West Gray II and Bettina Lee Gray 12245 Harford Road C: Glen Arm Road MD 21057 Paul Lee Century Engineering, 32 West Road Towson, MD 21204 People's Counsel



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams
Administrator

Date: 1.17.23

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

RE: Baltimore County

Item No. 301

JRF

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US / 47. are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

1-

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



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

January 14, 2002

ATTENTION: Rebecca Hart

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

291, 298-301), 303 +304

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

S/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 16, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

M16 13

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-301

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:

Section Chief:

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 27, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 21, 2003 Item Nos. 291, 292, 295, 297

302, and 304

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE * BE

12245 Harford Road; Sside of Harford Rd at the distance of 420 +/- to ctrline Mt. Vista Rd*

11th Election District

5th Councilmanic District

Legal Owner(s): Ronald & Bettina Gray

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 03-301-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 14th day of January, 2003, a copy of the foregoing

Entry of Appearance was mailed to, Paul Lee, Century Engineering, Inc, 32 West Road, Towson,

MD 21204 & Frank Borgerding, 409 Washington Avenue, Suite 600, Towson, MD 21204,

Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

November 20, 2002

Baltimore County
Zoning Commissioner
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
Attn: Timothy M. Kotroco
Zoning Commissioner

Dear Mr. Kotroco:

As of 8:05 a.m. this morning, we currently have a filing interview scheduled for December 10, 2002 at 3 p.m. I would like to know if we have to go through posting a sign for the variance as well as posting the hearing sign. It seems to me a waste of time and money considering the Hutschenruter's are in Florida and have already contacted you concerning the 7 feet addition for the new entrance way into our home and they want to contest it. Is it possible to just post the sign for a hearing and take it from there?

If you could contact us at your earliest convenience to discuss this matter prior to the filing interview date, we would be greatly appreciative! You can reach my husband during the day by cellphone at 410-404-1332 and if he does not answer, please call his office at 410-335-1025 to leave a msg. Thank you once again, for your assistance in this matter.

Respectfully,

Bettina Gray

November 19, 2002

Baltimore County
Zoning Commissioner
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
Attn: Timothy M. Kotroco
Zoning Commissioner

NOV 2 0

Dear Mr. Kotroco:

Per our conversation, Tuesday, November 5, 2002, I called and physically walked over to our neighbors home to speak with them concerning the "bump out" which was overlooked at the zoning hearing and found that they were not home, and in fact, had left for Florida. I sent a letter on November 8, 2002 to their Glen Arm address and tried to forward a copy to there address in Florida and had misplaced their address. We then left a message on their answering machine for their son to contact us to get the address and had no luck. On Monday, November 18, 2002 at 2p.m., my husband called Florida and spoke with Mrs. Joyce Hutschenruter. During the conversation with my husband, Mrs. Hutschenruter let it be known that she never had a problem with the addition for the separate entrance way. He then let her know that we would send pictures to show exactly where the new entrance way would be, that way there would be no misunderstandings. Ms. Hutschenruter agreed and gave us her Florida address and said she would discuss this with Mr. Hutschenruter and get back to us. Today at 11:15 a.m., I overnighted a letter and pictures of the 7 feet addition for the new entrance way. At 8p.m. this evening we received a called from Mr. George Hutschenruter and he spoke with my husband. Mr. Hutschenruter then let it be known that he had called you today and said he told you, "he didn't want to give us 2 inches"! He said he felt we waited till he went to Florida to start all this. My husband explained that the contractor has been working for several months at our business site remodeling and was scheduled to come to our home upon completion. The builder is now almost done and had gone over our permit for our home and he realized that it did not have the 7 feet addition for the new entrance way. We did not wait till they left for Florida to start this. Mr. Hutschenruter then informed my husband that if he had to fly back to Baltimore to fight us, he will, and he is also going to try to request a postponement until they return in the spring. My husband let him know at that point, we were sorry it was going to be this way, but we will apply for the variance anyway, end of conversation.

As you can imagine we are getting upset. It does not seem fair that our neighbor's only reside in Maryland six months out of the year (April until October) and they can dictate what they do or do not want on our property! The 7 feet we are asking for is in an area that currently has shrubs on the side of our home which in the summer time, when they return, cannot been seen due to the overgrowth and woods between the properties!

November 18, 2002

Dear Mrs. Hutschenruter:

Per our conversation today, enclosed you will find pictures of the area that we were discussing concerning the laundry room "bump out" or "addition" for the new entrance way. As you can see by the pictures, it will come out only 7 feet from the side of the house and will not extend into the driveway. It will only be in the small area where the shrubs are now as shown in the pictures. The side of the addition will have the same siding and small window as it currently looks now. The van will remain parked as always where it is now. The new door will face Harford Road. The reason for the "laundry room bump out" is to add a separate entrance way instead of going through the garage when we need to enter the house. It really has nothing to do with the laundry room, unfortunately that is the only area to go through to add a separate entrance. Again, please call us as soon as possible to let us know of your decision or any other concerns you may have. You can reach me during the day by cellphone at 410-404-1332. If for some reason I do not answer, call 410-335-1025 and leave a message with my secretary. You can also try after 5:30 p.m. at home, 410-592-1110. Thank You!

Sincerely,

Wes Gray

November 8, 2002

Dear Mr.George & Mrs. Joyce:

We are writing to you unfortunately to bring up a sore subject that we have to address. We called to come over to speak to you personally on Wednesday, November 6th and realized that you must have already gone to Florida for the winter. The construction for the garage had been delayed due to the contractor working currently on our business location. We started getting things in order to start the construction at home and realized that a major subject was over looked in the conversation at the hearing and is not on the permit. We were all so caught up in the location of the garage that we failed to discuss the bump out for the laundry room. The original plan was to attach the garage to the home since we were adding an additional 7 feet to the laundry room. Since the decision came down that we couldn't attach the garage to the home but could build it by detaching it, no further discussion was made in reference to the 7ft addition to the laundry room. The permit was issued with no mention of the 7ft bump out on the laundry room. Tuesday, November 5th, Bettina went to the county office for permits to discuss this matter and they have informed her to contact the Zoning Commissioner, Mr. Kotroco, who resided over the matter. She left that office and went over the Zoning Commissioners office and spoke with Mr. Kotroco personally. He has informed her that it is something that WAS overlooked during the hearing and that if we discussed with the Hutschenruter's the situation, and they agreed, we could send a letter called "A Spirit and Intent Letter", explaining the situation and he could grant the request for the 7ft variance for the laundry room bump out AFTER verifying with the Hutschenruter's, their agreement to allow the 7 feet. However, if you disagree, or we couldn't reach you, he explained we can file for another variance, this time just for the 7 feet. Bettina explained to him that we hadn't seen either of you recently and that it was possible you both may have already left for Florida for the winter. Unless someone made you aware of the posting for the variance you wouldn't know. He said they were the only options. Therefore, we are writing to make you aware of what has transpired. We are doing this because we respect and care for you as neighbors and wouldn't do this behind your back! We are not going through this process without your knowledge. We are hoping however that you will not want to contest the 7 feet and we can get through this as quickly as possible without having to request for a variance and possible hearing. Again, our intentions are not to upset and fight you. We have only wanted to enhance our home and will do so as tastefully as possible. Please feel free to call us to discuss this issue. You may try reaching me, Wes, during the day by cellphone 410-404-1332 or at home after 5pm during the week. The weekends are a little hectic with the children but leave a message if we are not home and we will return your call as quickly as possible.

Sincerely,

Wes & Bettina Gray

cc: Hutschenruter's Glen Arm and Florida address

Attached are pictures and all correspondence that has transpired since I met with you on November 5, 2002. We have done everything possible to get this situation resolved without having to refile for another variance and was not successful. At this time, we will start the process of requesting a variance for the 7 feet, however, we are hoping (begging) that the Hutschenruter's will not be granted a postponement until they return in the spring (if that is possible) as not to lose the time we have already setup with the builder to start building the garage, as well as the addition for the separate entrance way. This was to start once he was finished at our business location, which is currently about 3 weeks away from completion. We are hoping that this can be resolved within the next two months before the construction of the garage is completed. If this gets drug out and we are awarded the variance, I could very well lose the builder because of other jobs he has lined up.

Please contact us to let us know if there are any other measures we can take to resolve this matter. We appreciate the time you have recently taken with us on this matter.

Respectfully,

Bettina Gray

IV. 22.002 (09-545-A) 2/2/103 27 (#03-301-A) Dear Mr Kotroco as a follow-up to our telephone conversation on Tuesday 11-19-02 concerning the varience mu Gray is seeking for his residence at 12245 Hartord Rd Glen am Maufond 21057, we wish to go on record as protesting any type of addition since their home is already only 35 feat from om property line my husband called me Gray Tuesday evening 11/19/02 and told him we would protest any change, so use will work to see if any zoning notice is posted since me Gray hung up on my husband Hopefully me en ll be made aware Il this happens since we are in Florida sor en eniver Surearly Sherranter Joyce Hult scherranter

Tay # 410-887-3468

TO: Mr. L. Kotroco

From: Joyce Hutschenkenter

RE: Case # 03-301-A

Page 1 of 4

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HOLIDAY, PLORIDA 34690

(727) 9370229

The state of the s

Feb 10-2003

To whom it may concern.

Pl. JOYCE A. HUTSCHEN REUTER SS#212-28-7944

Dear Sir.

The above is my Patient and at this Time She is unable to Travel chie to has illness and is using for 24 hour exigen Swee She left the Hospital.

Do to his illness I don't know who long at Take To recover.

93835

720/2003 12:

RECEIVED 4319 HOTalubian Gdn Cir Holiday FL 34691 Jay 2-10-03 2/24 FEB 2 0 2003 Wear My KARBERMINISSIONER as following to my tellephore call to your office 2-3-03 to confirm that a variance réquests Case# 03-301-A Kad been made by mit mus Gray for their residence at 12245 Harford Rd Glenam 21057, Due wish to go on record as protesting any type of addition to their home which infringes on current 35 gtp from our property line my husband and I are the forda where I was recently thospet al ized for I days and remain under Wockors care eiseth medicine and oxygen 24 hours a day for bronchial problems due to Chronic Obstructional Pulmony Licease and ens ou formen enals epons manno E enic Ja Carsers as smit with the sman nutter all ables our children will appear at the hearing Feb 24th 11 AM also Charlotte Pine and Bard Show well attend on our Dehall

George + Jayce Hutschementer



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

January 14, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda 01/21/03 re: case numbers 03-291-A, 03-292-SPHA, 03-293-A, 03-294-A, 03-295-A, 03-296-A, 03-297-SPHA, 03-299-A, 03-300-SPH, 03-301-A/03-302-SPHXA, 03-303-SPHXA, 03-304-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 01/14/03. 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

Winide Staffe Go

Local Planning Assistance Unit

cc: Mike Nortrup

CASE NAME GRAY

CASE NUMBER 03-301-A

DATE 2/24/03

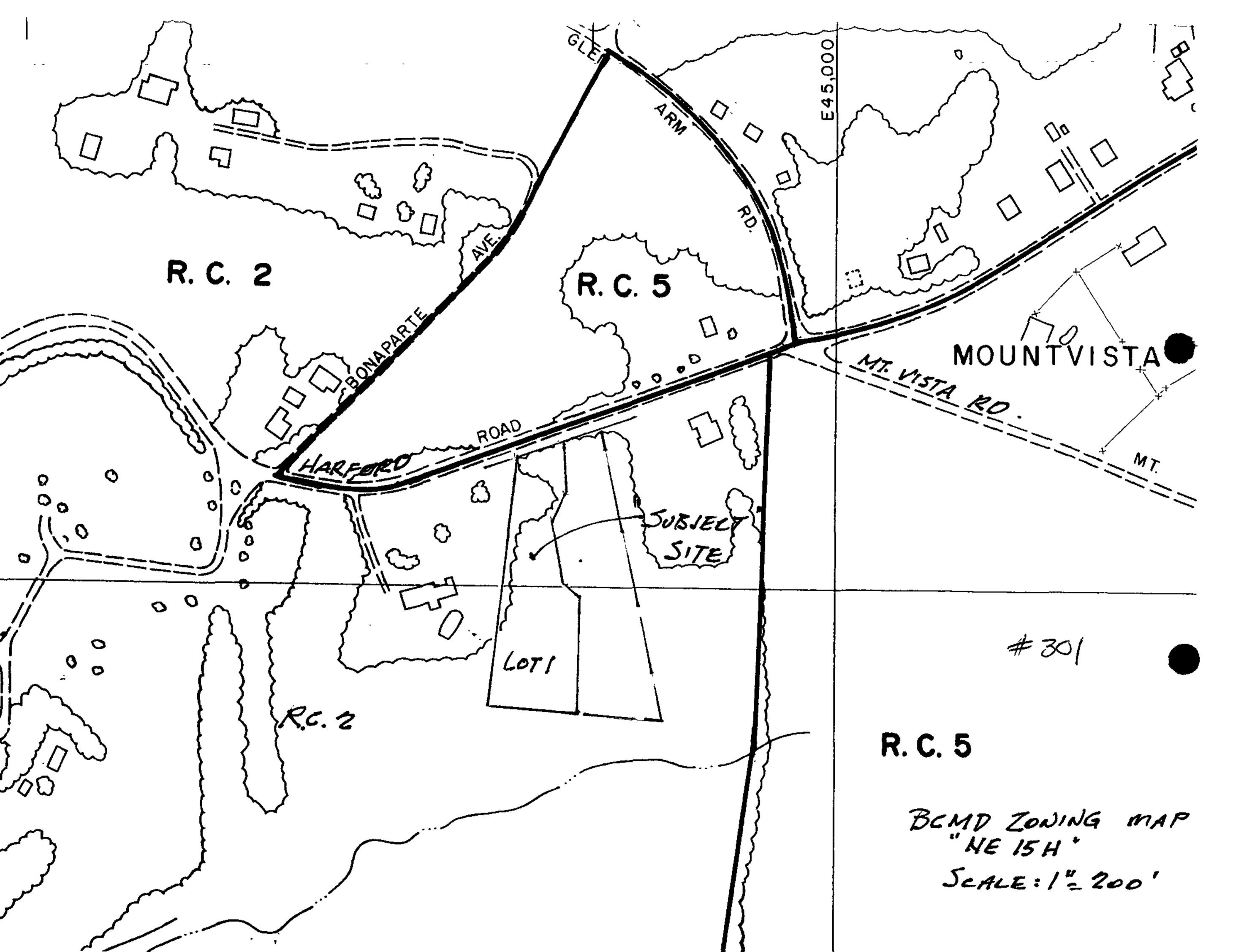
PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
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ROTING LEE	12245 Nahad Vd	Den Arm MD 21204	**************************************
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CASE	NAME_GRAY	
CASE	NUMBER 03-301-A	,
DATE	2/24/03	

CITIZEN'S SIGN-IN SHEET

NAME	ADDREŞS	CITY, STATE, ZIP	E- MAIL
CACOL SHAW	7 Country bell Of	Ringsville, ML 21087	P001H215T@al.C
George P. Hutschenreute	8525 Winter Pasture Way	Columbia mel 21045	
DEBLA TELLO	8525 Winter Pasture Way 5216 Leavers Ct	Balto. ND 21230	ECKHOCT DOCPAKATZ. NET
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2/24/03



(00r)

TAKEN FROM
PROPERTY LINE
TOWARDS FRONT
OF NEIGHBOR'S HOUSE
2/26/03



(3) (000r)



(00 or)



(3) (00tr) TAKEN FROM INSIDE

KITCHEN SLIDING DOOR
WHERE HITCHEN TABLE

15 LOCATED

2/26/03



(D) (D) (D)

4200+ SF NOT INCLUDING FINISHED BASEMENT

FRONT FROM
RD
HARFORD RD

Pet Ex 4A



This is the area that would be "bumped out" It will stop just before the american flag. The door will face front.



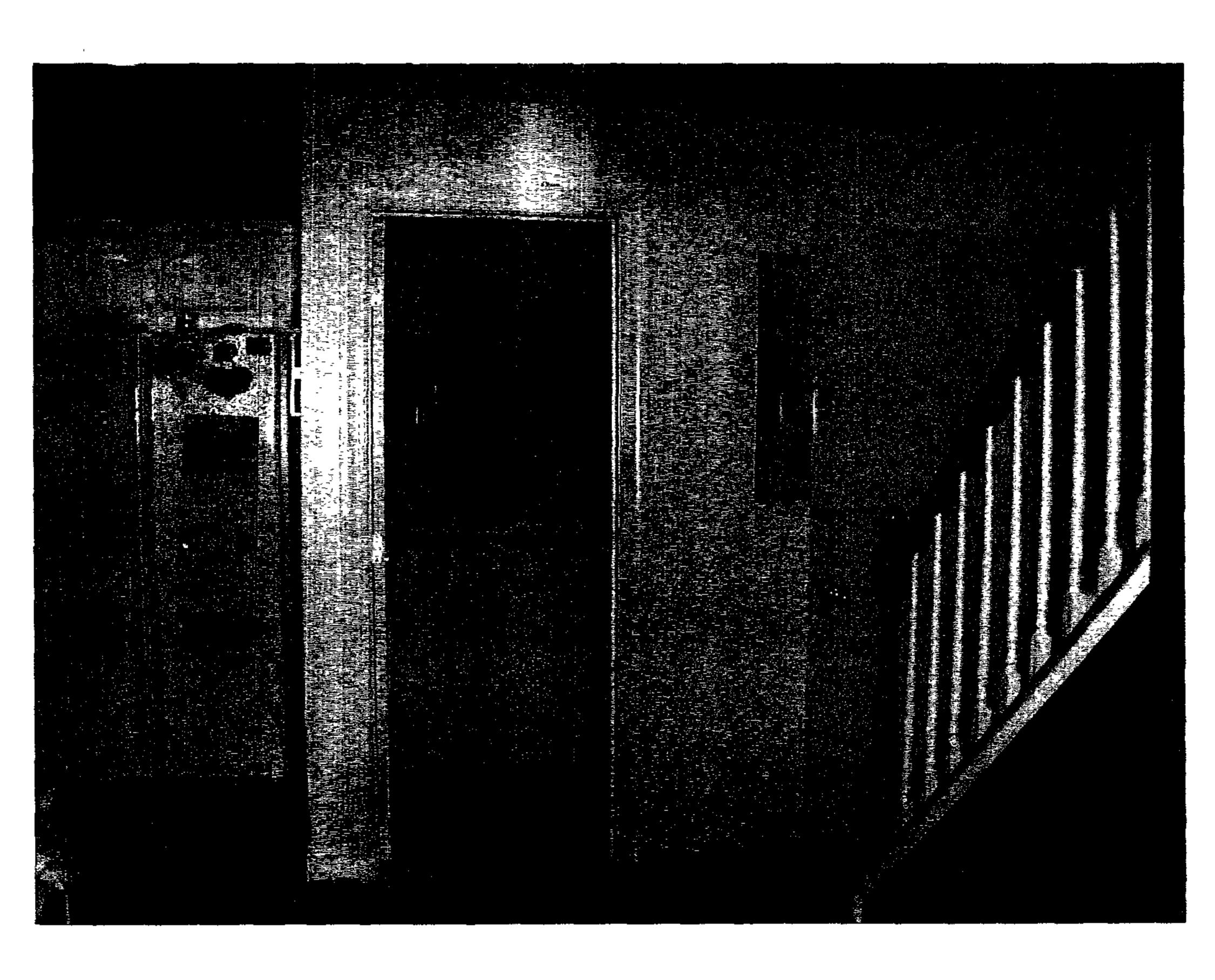
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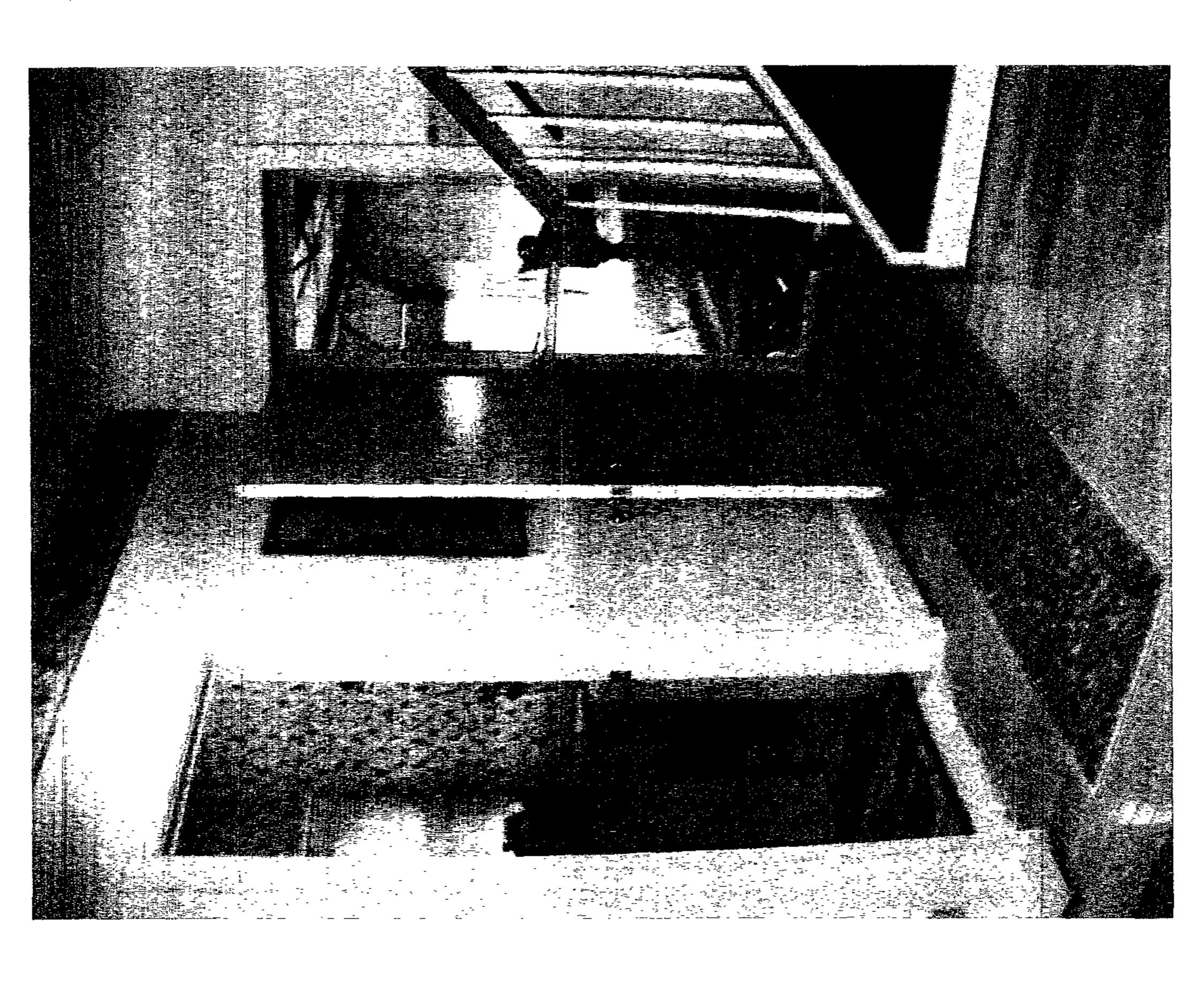
The driveway does not change in Any way. The door will face front, like the front of the van. The window will nieve to the Side of the addition that faces ym, waters as it is now or we can leave the window out if you disagree.




The window circled is the laundry room. This picture was taken from your yard facing our house (side).

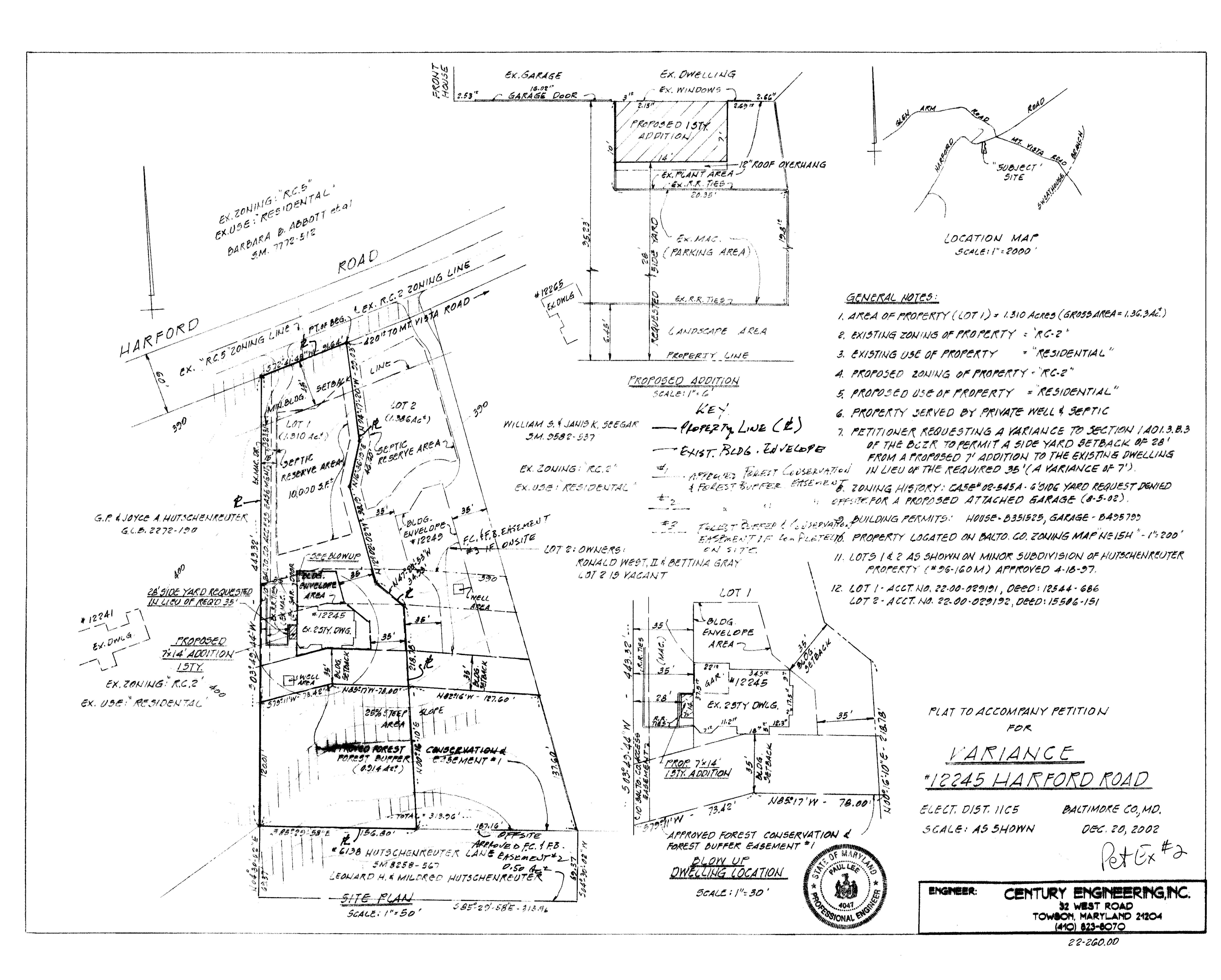


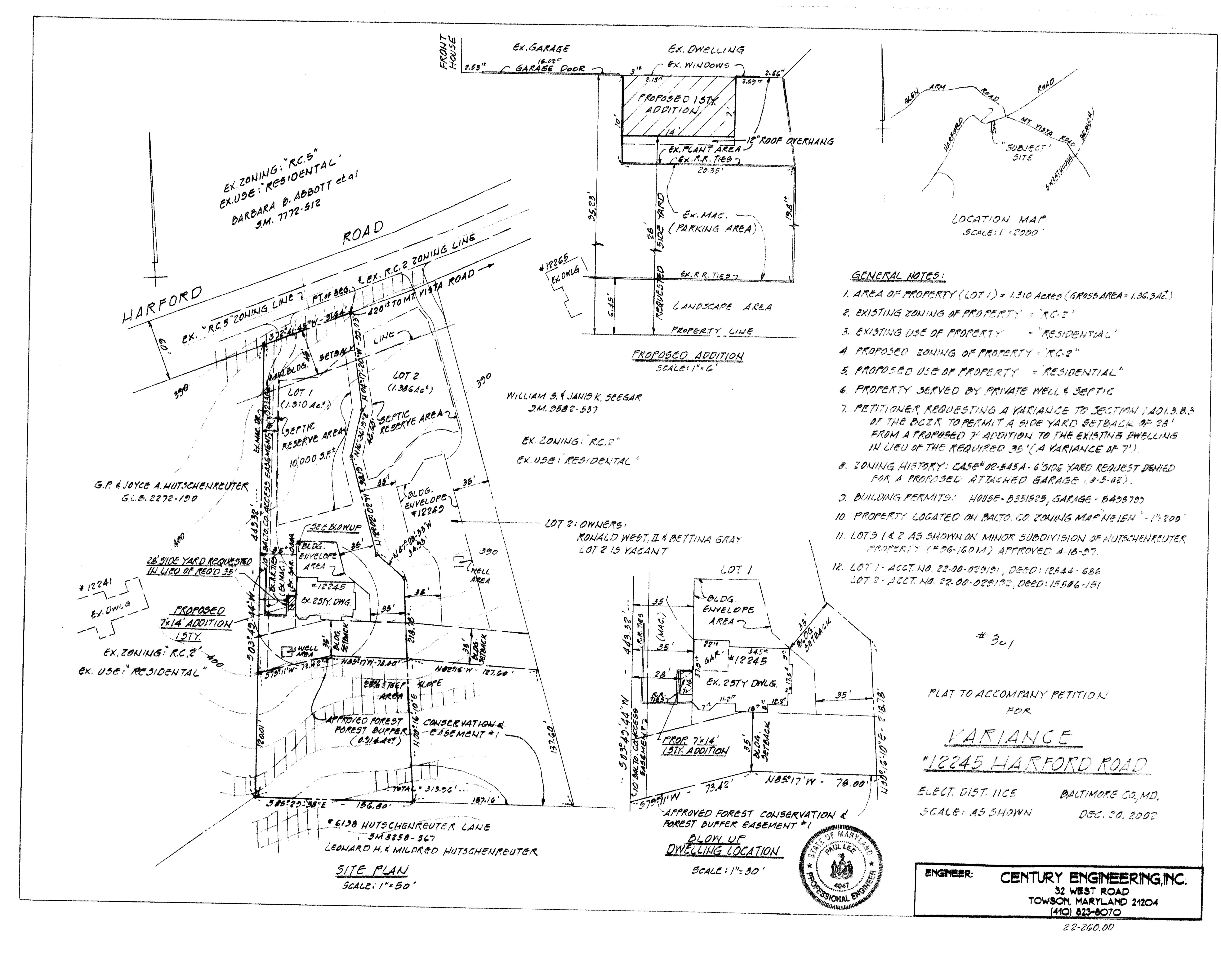
4-













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

January 14, 2002

ATTENTION: Rebecca Hart

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

291, 293-301, 303 +304

298

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

cc: File

TAKEN FROM
PROPERTY LINE
2/26/03

•

TAKEN FROM END OF DECK

2/24/03