RE: PETITION FOR VARIANCE

5704 Mt. Gilead Road; Nside Mt. Gilead Rd

2,270' NW Maryland Rt 30

4th Election & 3rd Councilmanic District

Legal Owner(s): Kenneth & Andrea Burkom*

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

° 03-376-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

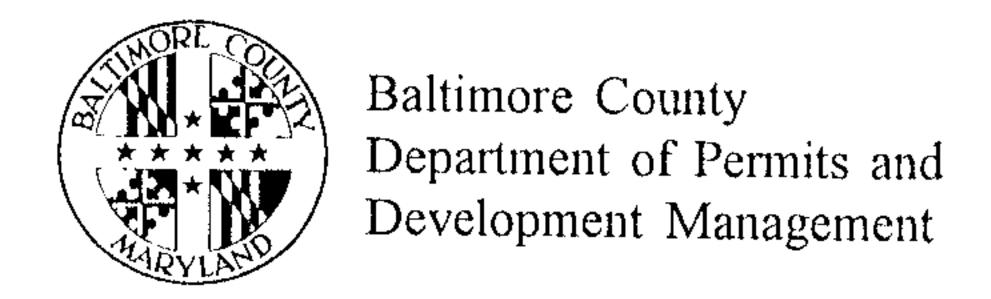
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this <u>lo</u> day of March, 2003, a copy of the foregoing Entry of Appearance was mailed to, Ron Friedenberg, 14011 Woodens Lane, Reisterstown, MD 21136, Representative for Petitioner(s).

TETER MAX ZIMMERMAN

People's Counsel for Baltimore County



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

Fax: 410-887-5708

March 5, 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: 03-376-A

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5704 Mt. Gilead Road

N/side of Mt. Gilead Road, 2, 270 feet northwest of Maryland Rte. 30.

4th Election District – 3rd Councilmanic District Legal Owners: Kenneth and Andrea Burkom

<u>Variance</u> to permit a dwelling setback as close as 11 feet to a property line and 44 feet to a R.C. 2 zone in lieu of 25 feet and already varianced 50 feet respectively. To amend the plan and order in Case # 01-279-A and the Final Development Plan for Taylors Glen, Lot 4.

Hearings:

Monday, March 31, 2003 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

Director

AJ:rlh

C: Kenneth and Andrea Burkom, 11109 Baskerville Road, Reisterstown 21136 Ron Friedenberg, 14011 Woodens Lane, Reisterstown 21136

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 15, 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 FICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, March 13, 2003 Issue - Jeffersonian

Please forward billing to:

Taylors Glen, LLC 14011 Woodens Lane Reisterstown, MD 21136

410-526-0023

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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5704 Mt. Gilead Road

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LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5704 MT. GILEAD RS which is presently zoned Resident ARCA

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) (AO3, 4B, 2 AND of TO PERMIT IN TOWALL IN 9 SETERCE IN 9

AFAS CARDSE PAS 11 FT TO A PROPERY LINE AND HY FT. TOP TEZZONE LINE IN LIEU OF DESPECTIVELY, ALSO TO AMEND THE PLANTOD ORDER IN CASE FF @1-279- A AND THE FINAL DEVELOPMENT PLANTOR TRYLORS GUEN LOT4

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

ATTATELLED PLEASE FIND THE DESCRIPTION OF HARDSHIP FOR THIS APPLICATION

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.

		is the subject of this Peti	tition.
Contract Purchaser/Lessee:			<u>Legal Owner(s):</u>
			KENNETH B. BURKOM
Name - Type or Print	······································	· · · · · · · · · · · · · · · · · · ·	Name - Type or Print
Signature			Signature ANDREA N. BURKOM
Address	······································	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature
Attorney For Petition	er:		11109 BASKERVILLE RD. 410517.224
			Address Telephone No. [CEISTERSTOWN, MO 21136]
Name - Type or Print	***************************************	1 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	City State Zip Code
Signature		· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted:
			RON FRIEDENBERG
Company			Name 14011 WOODENS LANE 410526.0023
Address		Telephone No.	Address Telephone No.
City	State	Zip Code	REISTERSTOWN, MO 21136 City State Zip Code
			OFFICE USE ONLY
Case No. <u>033</u>	76 A		ESTIMATED LENGTH OF HEARING 1/2 HR
Ouse 110			UNAVAILABLE FOR HEARING
REV 9/15/98		Reviewed By	· · · · · · · · · · · · · · · · · · ·
		s.et w	ith 03-375-A

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

The current layout of our new home encroaches on the 35' Forrest Conservation Buffer. We have been granted, under separate application, that this encroachment will be allowed if we construct fencing along the entire length or perimeter of this conservation area. The overall length of this fencing is about 400' and will cost about \$4,000 for proper installation. I am in no financial position to pay for this required addition to my property. I feel that this fencing will take away from the natural beauty and views of the forest area on the rear portion of our lot. As homeowners we understand the definition of the conservation area and have no intention of disturbing anything within these natural boundaries.

The current location of our dwelling, on the property; was of course dictated by the county originally. The overall design of our house fits the growing needs of our family, and the potential to reduce the size of the house is not feasible and will force us to incur further financial hardship (re-engineering and additional settlement costs). We feel that a mutually agreeable solution can be attained without any additional financial burden or further delays in construction. We therefore, propose to redesign the dwelling and pull the garage structure 2' forward on the house. This should not affect the esthetic quality of our overall design.

It has also come to our attention that the zoning laws for a one-story porch are different then a two-story porch structure, which is part of our house design. Section 301, bill nos. 150-1983; 2-1992 allows for a single story porch to be 25% of the overall front yard of the property. We also understand that the house has to be 50'from the proposed right of A S CLOSE way (driveway). We would like to petition the County to allow us to move the home 60 towards the front of the property, therefore, reducing the set-back to 4# from the right of way. At the same time this (relocation of the building pad, and the movement of the garage structure) would nullify the encroachment into the 35' Forrest Buffer on the rear of the house. The current depth of the front yard is 38', and the overall depth of the proposed porch is 7'. Section 301 states that the porch can only be 25% of the overall depth of the front yard is this case we are well within these guidelines. Therefore, if we reduce the front yard from 38' to 35' we will still be within the proper ratio of 25%.

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44 TO RCZ

20NA LINA

We understand from previous applications that the house may be rotated within the proposed building pad and fit on the property. Unfortunately, the way this pad is aligned the front porches of our house would be facing the rear of an adjacent dwelling. We would very much like to take advantage of the natural views across Mt. Gilead road; in lieu of looking out at the rear of another home. It is for this reason that we have rotated the home on the building pad.

As stated previously; no more financial hardships will be incurred by us if the home is allowed to be moved be closer to the proposed right of way. We would not incur the cost of the fencing, and additional costs for re-engineering the home, and the 35' Forest Buffer will remain undisturbed. We feel that this application shows good will on our part, and hope the County will show the same in return.

Zoning Description

ZONING DESCRIPTION FOR: 5704 Mt. Gilead Road Reisterstown, MD 21136

Road which is 18' wide at the distance for MT. Gilead Road which is 18' wide at the distance for Maryland Rte 30 which is 45' wide. Being Lot #4 Frank 15, Section 1 Taylor's Glen subdivision as recorded in Baltimore County Plat Book 1990, folio #200 containing 1.268 Acres, Also known as 5704 Mt. Gilead Road and located in the 4th Election District, 3rd Council manic District.

RE COUNTY, MARYLAND
BUDGET & FINANCE
ANEOUS RECEIPT

ACCOUNT 601 00C 6150

AMOUNT \$ 130,00

TOA ATT (100000 (21))

William of the state of the sta

YELLOW - CUSTOMER

PINK - AGENCY

CASHIER'S VALIE

NOTICE OF ZOMING HEARING

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N/side of Mt. Gilead Road, 2,270 feet northwest of Maryland Rte. 30.

4th Election District - 3rd Councilmanic District
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Hearing: Menday, March 31, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

7.7 2012

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Counting in missioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

(U
W
2003

in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY, that the annexed advertisement was published successive weeks, the first publication appearing

1 SWAM

LEGAL ADVERTISING

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: 03 376 A
Petitioner: $BURKOM$.
Address or Location: 5704 MT. G-ILEAD RD
PLEASE FORWARD ADVERTISING BILL TO: Name: TAYLOUS GLOWN LLC
Address: 14011 WOODENS LANE
Reisters Town mo 21136
Telephone Number: 4/0 526-6023

Revised 2/20/98 - SCJ



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

March 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 3, 2003

Item No.:

359, 369, 370, 374-380, 382, 383, 386

Dear Ms. Hart:

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.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: March 14, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 10, 2003

Item Nos. 359, 369 REVISED, 370 REVISED, 372, 373, 374, 375, 876, 377, 378, 379, 380,

381, 382, 383, and 386

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 /767

DATE:

May 19, 2003

SUBJECT:

Zoning Item

375/376

Address

5704 Mount Gilead Road

Zoning Advisory Committee Meeting of March 3, 2003

__X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

This property was overdeveloped with too much density for the site constraints.

Reviewer: Wally Lippincott

Date: April 18, 2003

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeley RBS /TGT
DATE:	May 5, 2003
SUBJECT:	Zoning Item 376 Address 5704 Mount Gilead Road (Lot 4, Taylor's Glen)
Zoning	g Advisory Committee Meeting of March 3, 2003
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
· · · · · · · · · · · · · · · · · · ·	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
<u>X</u>	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
<u> </u>	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
X	Additional Comments:
DEPRM supp RC-2 Zone lin	orts the zoning variance to reduce the setback from the property line and ne.

Reviewer: John Russo Date: 4/23/02

Mil

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE March 2003

MAR

6 2003

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-375 & 03-376

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



MARYLAND DEPARTMENT OF TRANSPORTATION Robert L. Ehrlich, Jr., Governor • Michael S. Steele, Lt. Governor • Trent M. Kittleman, Acting Secretary

RE:

Date: 3 · 4 · 0 3

Item No.

Baltimore County

376

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

Dear. Mr. Zahner:

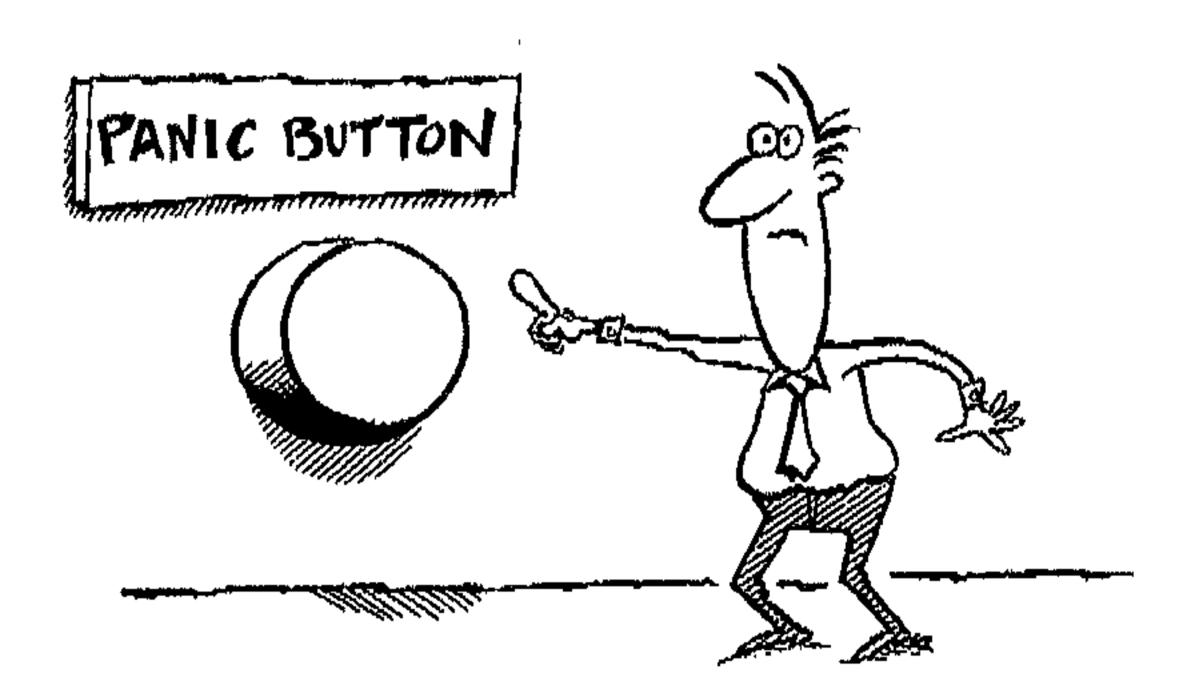
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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,

1-

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



MESSAGE:

CANCEL 03-376-A

QUCSTIONS 4/10-526-0023

MAR 1 4 2005

Ron Friedenberg's Homeowners Select Incorporated

Phone: @H, Fax: @A

From @s Ron Full endoug

Fax Number: @X 87-7824

Pages: @N 2_

Date: @D 3 /14/ 63



Attn: Arnold Jablon Director of PDM

3/14/03

This is a request to withdraw Zoning Hearing for case # 03-376-A set for March 31st at 10:00 a.m.

Ron Friedenberg, President

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. <u>03-376-A</u>

Date Completed/Initials	
2-28-03	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp of front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
·	POSTPONEMENTS (type postponement letter; make appropriate copies, mail origina and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
— ———	RESCHEDULING (determine hearing date, type letter confirming new date, make appropriate copies; mail original and copies, file copy in hearing file, update hearing calendar and ZAC in computer, refile hearing folder)
— — - · · · · · · · · · · · · · · · · ·	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file, make copies, type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

