

IN RE: PETITION FOR VARIANCE
S/S Lombardy Drive, 500' E of the c/l
West Woodwell Road
(26 Lombardy Drive)
12th Election District
7th Council District

Frederick G. Wenker, et al
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-549-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Dolores L. Wenker (now deceased) and her son, Frederick G. Wenker. The Petitioners seek relief from Sections 400.1, 1B02.3C.1 and 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (detached garage) to be located in the front yard in lieu of the required rear yard with a side yard setback of 1 foot in lieu of the minimum required 2½ feet. In addition, relief is requested to permit an existing open deck with side yard setbacks of 5½ feet and 6 feet, in lieu of the minimum required 7½ feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Frederick Wenker, property owner, his wife, Vikki Wenker, and Daniel Blevins, a representative of Whitney, Bailey, Cox & Magnani, LLC, the consultants who prepared the site plan for this property. Also present was Michelle Rosansky, who appeared on behalf of her mother who resides in the neighborhood. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is located on the south side of Lombardy Drive, just east of West Woodwell Road in Gray Manor. The property contains a gross area of 0.25 acres, more or less, zoned D.R.5.5 and is improved with a two-story single family dwelling and detached garage. As shown on the site plan, the property is a pie-

ORDER RECEIVED FOR FILING

Date 8/27/04

By [Signature]

shaped lot, approximately 150 feet wide along Lombardy Drive with an average depth of 122 feet, however, tapers to a point at the rear. The existing dwelling, which was constructed prior to 1945, is approximately 26'6" wide and 44' deep, and is located in essentially the center of the lot. Testimony indicated that Mr. Wenker's parents purchased the property in the 1950s and lived there for many years. His parents are both now deceased, his mother (Dolores L. Wenker) having recently passed away in November 2003. Since that time, the Petitioner and his wife have resided on the property and made numerous improvements to the house, including a second story addition, a wooden covered front porch and a wooden deck to the rear. In addition, the Petitioners constructed a freestanding garage in the northeast corner of the front yard. Apparently, the Petitioners were cited with a violation notice as to the location of the garage and rear deck and were advised to file the instant Petition to legitimize existing conditions on the property.

In this regard, the garage is 25' x 20' in dimension and is located in the front, northeast corner of the lot adjacent to Lombardy Drive. Testimony indicated that the garage was built to provide additional storage space for the family's personal possessions as well as vehicles. Variance relief is necessary however due to its location in the front yard, approximately 1 foot from the side property line. This is a classic variance case in that the unusual configuration of the property drives the need for variance relief. It is clear that due to the shape of the lot, the garage could not be located in the rear yard. As shown on the site plan, there is insufficient area in the rear yard to allow construction of a garage, or provide access thereto given the fact that the lot tapers to a point. The second variance request relates to the wooden deck on the rear of the house. Again, this variance is requested due to the pie-shaped nature of the lot and the location of the existing dwelling thereon. As shown on the site plan, a side setback of only 5 feet is provided from each corner of the rear of the dwelling. For all of these reasons, I am persuaded to grant the requested relief due to the unusual configuration of the lot and because there is so little usable area in the rear yard.

As noted above, Ms. Rosansky appeared at the hearing on behalf of her mother who resides down the street from the subject property and is elderly. She did not object to the proposal

per se, but did express concerns about whether the garage would impact sight distance. As shown on the site plan, the property is located along a curve on Lombardy Drive. A review of the photographs submitted is dispositive to the conclusion that the garage is sufficiently setback from the street so that it does not impede sight distance. However, the Petitioner was advised that a restriction would be added prohibiting the parking of vehicles in front of the garage. The existing driveway is of insufficient length to accommodate parked vehicles in that they would extend over the public sidewalk and possibly into the street. Thus, as a condition of approval, I will add a restriction prohibiting the Petitioners from parking in that location. The Petitioner agreed to the imposition of that restriction.

It is also to be noted that the Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning recommended that if permitted to remain, the west wall of the garage be landscaped along the west wall of the structure. As shown in photographs submitted, the neighbors to the west side of the garage have already landscaped that side of the structure, apparently with the Petitioners' consent. In my view, there is insufficient room on that side of the structure to add more landscaping and the existing plant materials appear sufficient.

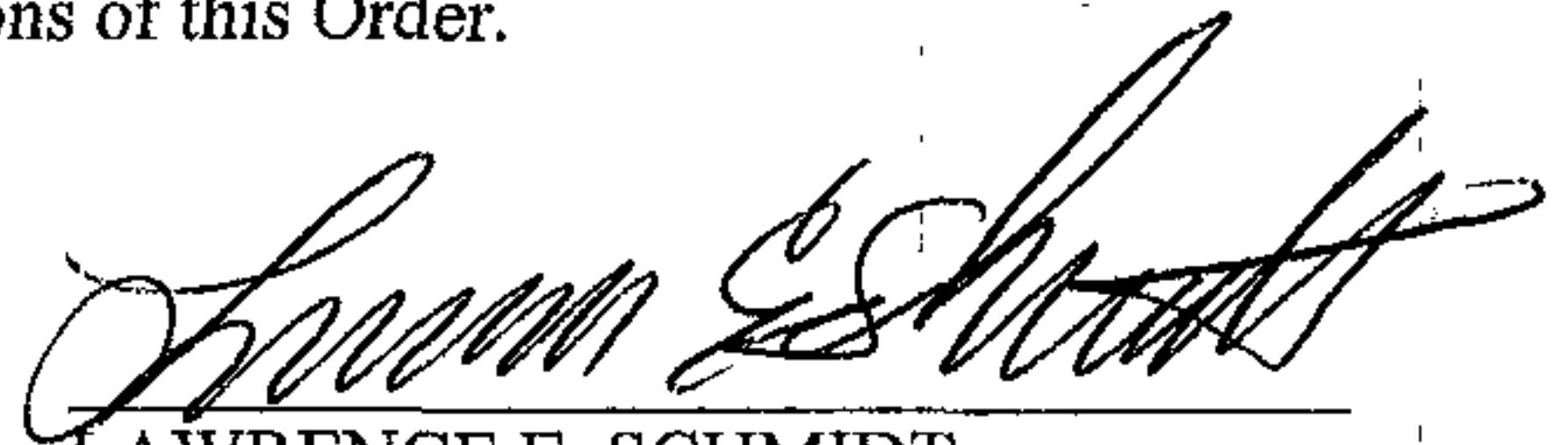
Based upon all of the testimony and evidence presented, I easily find that the Petitioner has satisfied the requirements of Section 307 of the B.C.Z.R. for relief to be granted. There were no adverse comments submitted by any County reviewing agency and apparently no opposition from any of the neighbors. Indeed, several photographs were submitted at the hearing which depict the subject property and surrounding neighborhood and it appears that the garage and deck are consistent with other improvements in the area. Thus, I am persuaded that relief can be granted and that there will be no detrimental impact to the surrounding locale.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of August, 2004 that the Petition for Variance seeking relief from Sections 400.1, 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an

existing accessory structure (detached garage) to be located in the front yard in lieu of the required rear yard with a side yard setback of 1 foot in lieu of the minimum required 2½ feet, and an existing open deck with side yard setbacks of 5½ feet and 6 feet in lieu of the minimum required 7½ feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) No vehicles shall be parked in front of the garage.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

August 27, 2004

Mr. Frederick Wenker
26 Lombardy Drive
Baltimore, Maryland 21222

RE: PETITION FOR VARIANCE
S/S Lombardy Drive, 500' E of the c/l West Woodwell Road
(26 Lombardy Drive)
12th Election District – 7th Council District
Dolores L. Wenker (deceased) and Frederick G. Wenker - Petitioners
Case No. 04-549-A

Dear Mr. Wenker:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Daniel M. Blevins, Whitney, Bailey, Cox, Magnani, LLC
849 Fairmount Avenue, Suite 100, Baltimore, Md. 21286
Ms. Michelle Rosansky
1114 Foxwood Lane, Baltimore, Md. 21221
Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 26 LOMBARDY DRIVE

which is presently zoned DR-5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1, 1802.3.C1, AND 301.1.A TO ALLOW AN EXISTING ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE LOCATED IN THE FRONT YARD AND WITH A SIDE YARD SETBACK OF 1' (ONE FOOT) AND AN OPEN DECK WITH A SIDE YARD SETBACKS OF ~~5' 1/2'~~ 6' IN LIEU OF THE REQUIRED REAR AND SIDE YARD MINIMUM SETBACKS OF ~~3 1/2' THREE FEET~~ AND 7 1/2' (SEVEN & HALF FEET) RESPECTIVELY. *DR*

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

1. PREVIOUS OWNER HAD CONSTRUCTED THE EXISTING GARAGE AND IS NOW DECEASED.
2. CURRENT OWNER IS COMPLYING WITH BUILDING INSPECTOR'S REQUESTS.
3. LOT OF RECORD IS AN IRREGULAR SIZE AND SHAPE FOR ACCESSORY IN REAR YARD.

Property is to be posted and advertised as prescribed by the zoning regulations. I/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.

4. LOT IS LOCATED WITHIN SUBDIVISION WITH EXISTING ACCESSORY BUILDINGS/ GARAGES IN FRONT AND SIDE YARDS.

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.
State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Address Telephone No.
State Zip Code

Legal Owner(s):

DOLORES L. WENKER

Name - Type or Print

(DECEASED)

Signature

FREDERICK G. WENKER

Name - Type or Print

Signature

26 LOMBARDY DRIVE (443) 865-4374

Address

Telephone No.

BALTIMORE

MD.

21222

City

State

Zip Code

Representative to be Contacted:

DANIEL M. BLEVINS

WHITNEY, BAILEY, COX, MAGNANI, LLC.

Name

849 FAIRMOUNT AVENUE

(410) 512-4632

Address

Telephone No.

BALTIMORE

MD.

21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hr

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 5-21-98

ORDER RECEIVED FOR FILING
Date 5/22/98
By [Signature]

5/15/98

ZONING DESCRIPTION FOR #26 LOMBARDY DRIVE

Beginning at a point on the south side of Lombardy Drive, which is 50 feet wide at a distance of 500± east of the centerline of the nearest improved intersecting street of West Woodwell Road, which is 55 feet wide. *Being Lot #251, in the subdivision of Gray Manor, as recorded in Baltimore County Plat Book #13, Folio #34, containing 10,769 SF. Also known as 26 Lombardy Drive and located in the 12th Election District, 7th Councilmanic District.

549

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 5-26-04 ACCOUNT R-001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM: Don Blouin

FOR: Residential Variance Application
for # 26 Lombard St

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME INW
5/27/2004 5/27/2004 08:37:30 1
REG #001 WALKIN JRIC JHR
RECEIPT # 107007 5/27/2004 DFLN
Dpt 5 520 ZONING VERIFICATION
C# NO. 013672

Recpt Tot \$55.00
\$.00 CR \$100.00 CA
\$35.00 CB

Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-549-A
26 Lombardy Drive
E/ of centerline of West Woodell Road
12th Election District - 7th Councilmanic District
Legal Owner(s): Dolores Wenker (Deceased) and
Frederick Wenker

Variance: to allow an accessory structure to be located in the front/side yard and with a side yard setback of one foot in lieu of the required rear yard and 2 1/2 feet and to allow an open deck with side setbacks of 5 1/2 and 6 feet in lieu of the minimum required 7 1/2 feet each.

Hearing: Wednesday, August 11, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT/7/715, July 27 14568

CERTIFICATE OF PUBLICATION

7/28/2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/27/2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Zoning

ATTENTION: KRISTEN MATTHEWS

Date July 29, 2004

RE: Case Number 04-549-A

Petitioner/Developer FREDRICK WENKER/DANIEL BLEVINS/ETAL

Date of Hearing/Closing AUGUST 11, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 26 LOMBARDY DRIVE

The sign(s) were posted on

July 27, 2004

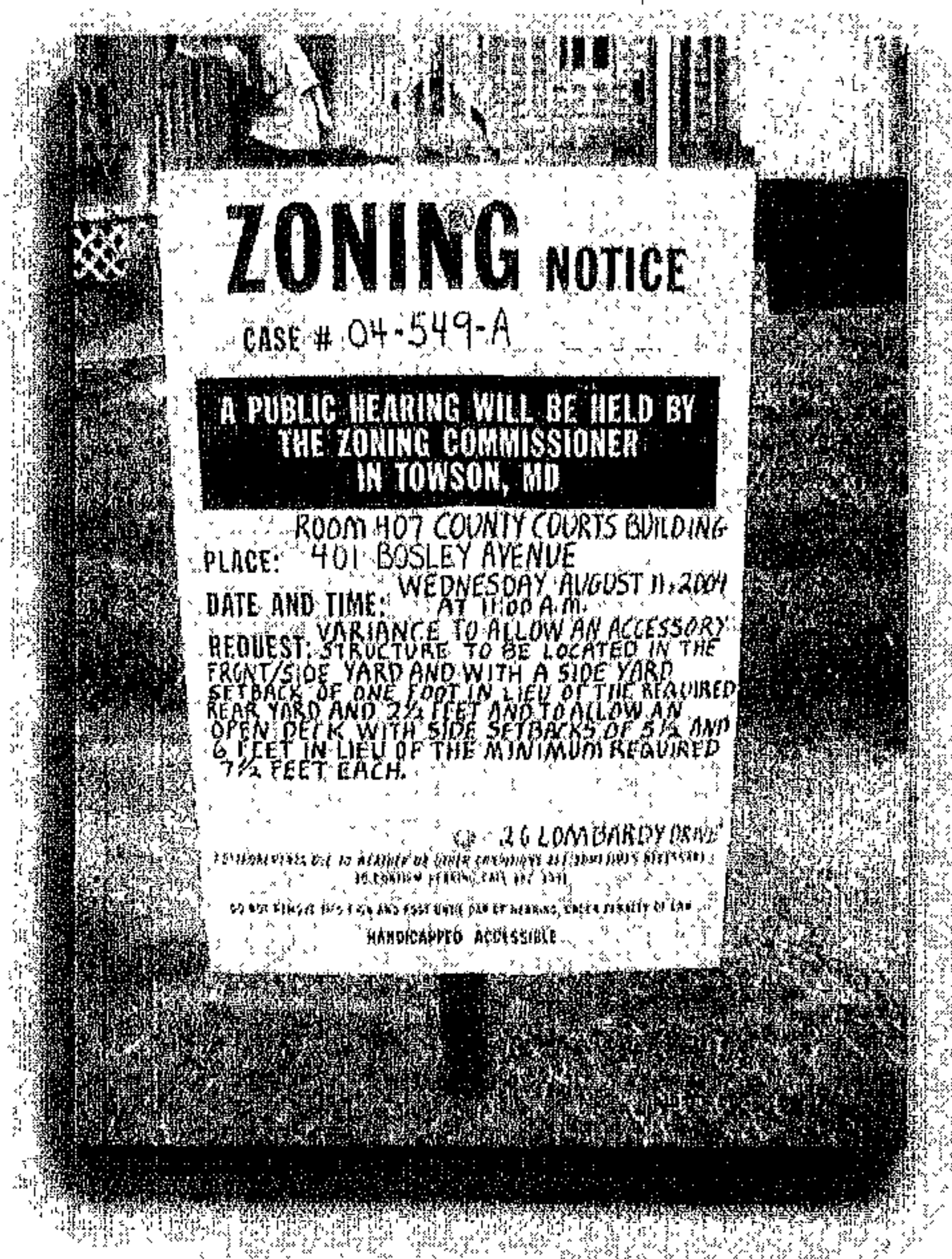
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



RECEIVED

JUL 29 2004

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

RE: PETITION FOR VARIANCE * BEFORE THE
55 Lombardy Drive; E of c/line W Woodell Rd
12th Election & 7th Councilmanic Districts * ZONING COMMISSIONER
Legal Owner(s): Dolores L Wenker (deceased)
and Frederick G. Wenker * FOR
Petitioner(s) * BALTIMORE COUNTY
* 04-549-A

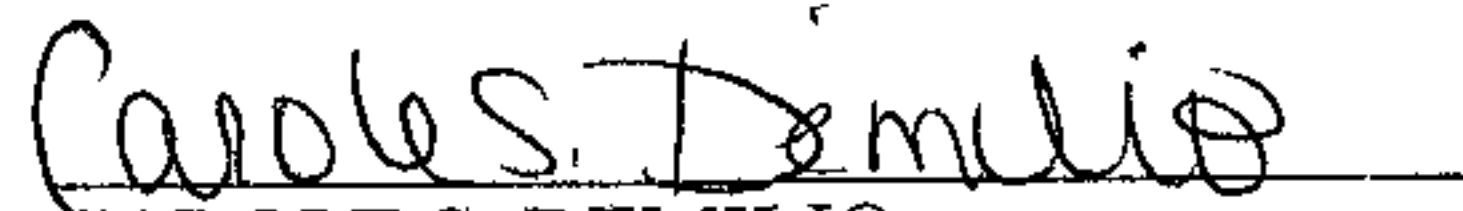
* * * * *

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 15th day of June, 2004, a copy of the foregoing Entry of Appearance was mailed to, Daniel M Blevins, Whitney, Bailey, Cox and Magnani, LLC, 849 Fairmount Avenue, Suite 100, Baltimore, MD 21286, Representative for Petitioner(s).



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

JUN 15 2004

Per.....

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 27, 2004 Issue - Jeffersonian

Please forward billing to:
Frederick Wenker
26 Lombardy Drive
Baltimore, MD 21222

443-865-4394

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: 04-549-A

26 Lombardy Drive
E/of centerline of West Woodell Road
12th Election District – 7th Councilmanic District
Legal Owner: Dolores Wenker (Deceased) and Frederick Wenker

Variance to allow an accessory structure to be located in the front/side yard and with a side yard setback of one foot in lieu of the required rear yard and 2 ½ feet and to allow an open deck with side setbacks of 5 ½ and 6 feet in lieu of the minimum required 7 ½ feet each.

Hearing: Wednesday, August 11, 2004, at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 27, 2004 Issue - Jeffersonian

Please forward billing to:
Frederick Wenker
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443-865-4394

NOTICE OF ZONING HEARING

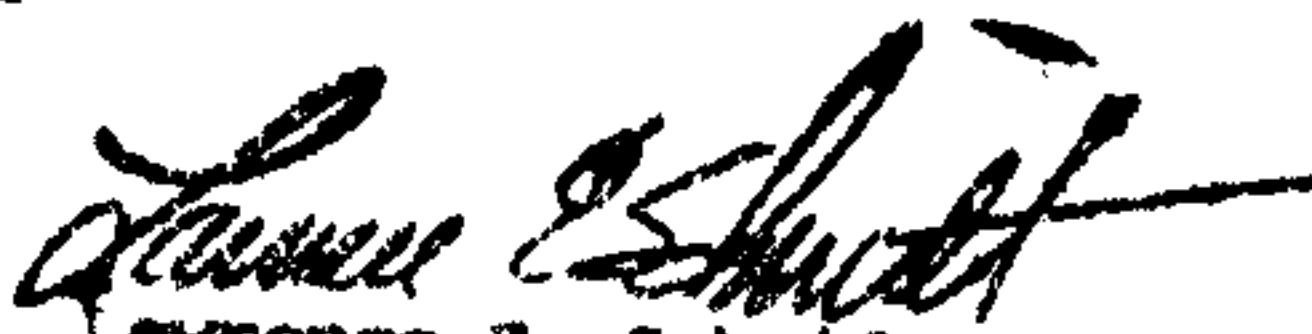
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**Department of Permits and
Development Management**



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

June 10, 2004

Corrected

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: 04-549-A

26 Lombardy Drive

E/of centerline of West Woodell Road

12th Election District – 7th Councilmanic District

Legal Owner: Dolores Wenker (Deceased) and Frederick Wenker

Variance to allow an accessory structure to be located in the front/side yard and with a side yard setback of one foot in lieu of the required rear yard and 2 ½ feet and to allow an open deck with side setbacks of 5 ½ and 6 feet in lieu of the minimum required 7 ½ feet each.

Hearing: Wednesday, August 11, 2004, at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".
Timothy Kotroco
Director

TK:klm

C: Mr. Frederick Wenker, 26 Lombardy Drive, Baltimore 21222
Daniel Blevins, Whitney, Bailey, Cox & Magnani, LLC, 849 Fairmount Ave., Ste. 100, Baltimore 21286

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 27, 2004.**
- (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.

Visit the County's Website at www.baltimorecountyonline.info



June 7, 2004

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: 04-549-A

55 Lombardy Drive

E/of centerline of West Woodell Road

12th Election District – 7th Councilmanic District

Legal Owner: Dolores Wenker (Deceased) and Frederick Wenker

Variance to allow an accessory structure to be located in the front/side yard and with a side yard setback of one foot in lieu of the required rear yard and 2 ½ feet and to allow an open deck with side setbacks of 5 ½ and 6 feet in lieu of the minimum required 7 ½ feet each.

Hearing: Wednesday, August 11, 2004, at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. Frederick Wenker, 26 Lombardy Drive, Baltimore 21222

Daniel Blevins, Whitney, Bailey, Cox & Magnani, LLC, 849 Fairmount Ave., Ste. 100, Baltimore 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 27, 2004.**
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- (3) 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 Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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 04-549-A

Petitioner: Dolores L. Wenker

Address or ^{site} Location: 26 Lombardy DR.

PLEASE FORWARD ADVERTISING BILL TO

Name: Dolores L. Wenker

Address Same

Balto, Md. 21222

Telephone Number: 443-865-4394

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

August 3, 2004

Frederick G Wenker
26 Lombardy Drive
Baltimore, Maryland 21222

Dear Mr. Wenker:

RE: Case Number: 04-549-A, 26 Lombardy Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 28, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Daniel M. Blevins Whitney, Bailey, Cox, Magnani, LLC. 849 Fairmount Avenue
Baltimore 21286

Visit the County's Website at www.baltimorecountyonline.info





**Baltimore County
Fire Department**

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

June 8, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 7, 2004

Item No.: 540-549 552 & 553

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: July 1, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For June 14, 2004
Item Nos. 540, 542, 543, 544, 545,
546, 547, 548, 549, 552, 553, and 558

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

RWB:CEN:jrb

cc: File

YD
8/11

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr
DATE: June 22, 2004
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 7, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-540
04-542
04-543
04-544
04-545
04-546
04-547
04-549
04-551
04-552
04-558

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

hs
8/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: June 16, 2004

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

RECEIVED

JUN 21 2004

SUBJECT: 55 Lombardy Drive

INFORMATION:

Item Number: 4-549

Petitioner: Dolores L. Wenker

Zoning: DR 5.5

Requested Action: Variance

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request to allow an existing detached garage to remain in the front yard. However, if the subject garage is permitted to remain, landscaping should be planted along the western building wall to mitigate its negative impact. In addition, vehicles shall be prohibited from being parked in the driveway as the overhang from said vehicles would impede pedestrian traffic along the sidewalk.

This office does not oppose the request to permit an open deck with a side yard setback of 5 feet and 6 feet.

Prepared by: MasbACumpl

Division Chief: [Signature]

AFK/LL:MAC:

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.5.04

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

RE: Baltimore County
Item No. 549 JSS

Dear Ms. Matthews:

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/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 Phone: 410.545.0300 www.marylandroads.com

CASE NAME 26 Lombardy Dr.
CASE NUMBER 04-549-A
DATE 8/11/04

CASE NAME 26 Lombardy Dr.
CASE NUMBER 04-549-A
DATE 8/11/04

[illegible]

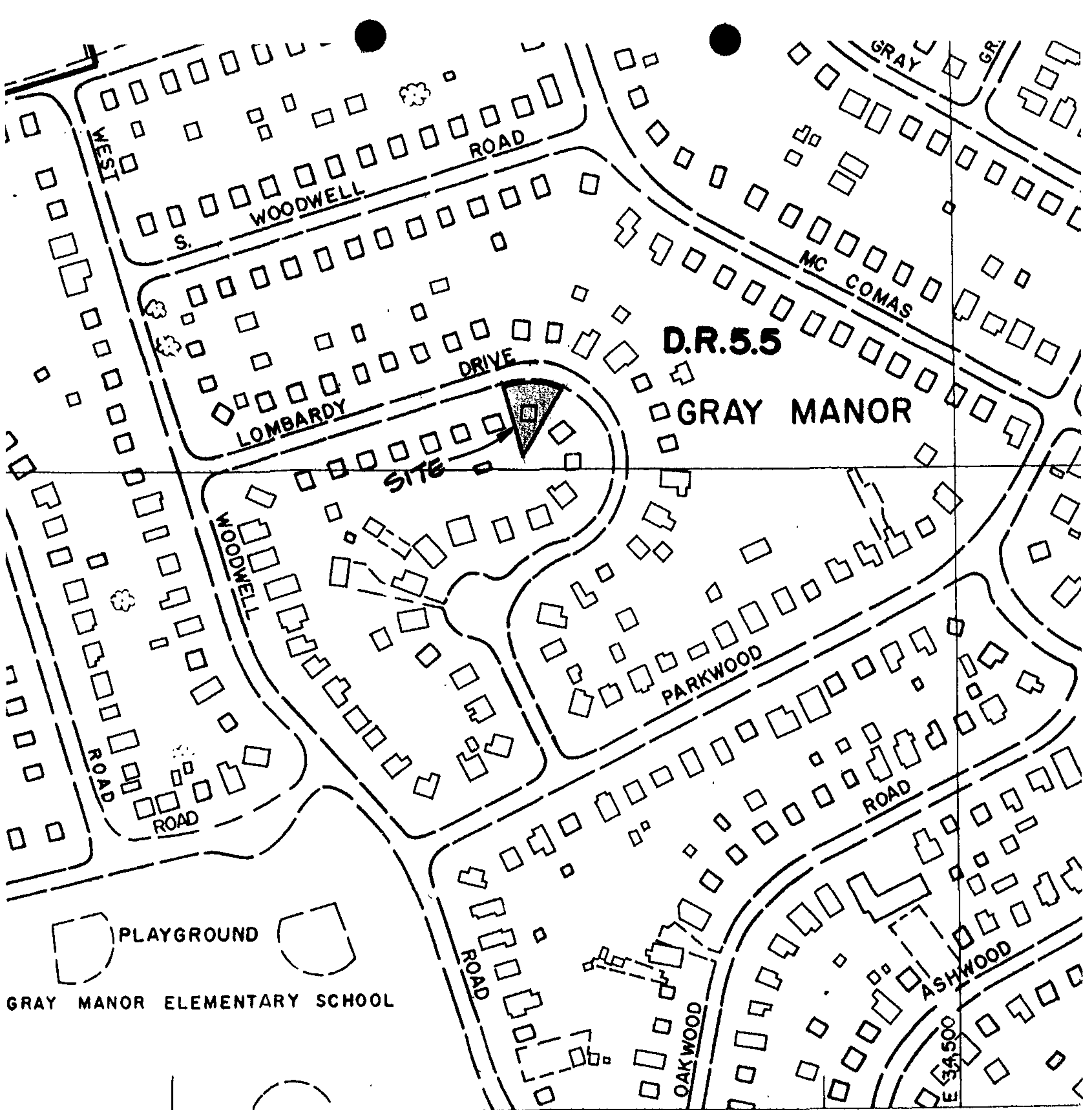
August 2, 2004

RE: Dolores Wenker (Deceased) c/o Frederick Wenker
26 Lombardy Drive
Baltimore, Maryland 21222

We, the undersigned, as adjacent property owners to the above-referenced property, are aware of the Zoning Notice – Case #04-549-A, posted on July 29, 2004. We understand the present owner is requesting a zoning variance to allow the accessory structure (detached garage) to be located in the front/side yard with a side yard setback of one foot and also to allow an open deck with side setbacks of 5½ & 6 feet, in lieu of the minimum required setback of 7½ feet for each side.

We have no objections to this zoning variance and feel the request is in keeping with harmony of the surrounding neighborhood.

	<u>Name</u>	<u>Address</u>
1.	Jane Woly	25 Lombardy Dr. 21222
2.	Robert Hemmitt	27 Lombardy Dr. 21222
3.	Geeta Obernik	24 Lombardy Dr 21222
4.	Thomas Williamson	3 Lombardy Drive
5.	Mabel Luthician	18 Lombardy Dr.
6.	Cathy Black	20 Lombardy Dr.
7.	Louisa Frank	21 Lombardy Drive 21222
8.	Lawn Anderson	23 Lombardy Dr 21222
9.	Barbara Edder	28 Lombardy Dr.
10.	Barbara Edder	29 Lombardy Dr 21222
11.	Alma Gierke	31 Lombardy Dr. 21222
12.	Terri Schumch	33 Lombardy Dr 21222
13.	Lynda Dymoch	36 Lombardy Dr 21222
14.	Kayak Robinson	204 Parkwood Rd 21222
15.	John M. Meyer	35 Lombardy Dr
16.	Barbara Edder	32 Lombardy Dr. 21222
17.	Natalie Boeser	30 Lombardy Dr. 21222
18.		
19.		
20.		



SCALE	LOCATION	SHEET
DATE OF PHOTOGRAPHY JANUARY 1986	NORTH POINT GRAY MANOR	S. E. 2-F

#549

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

Frederick G Wenker
26 Lombardy Drive
Baltimore, Maryland 21222

Dear Mr. Wenker:

RE: Case Number: 04-549-A, 26 Lombardy Drive

August 3, 2004

Job No.	
Not To Be Archived	
AUG 10 2004	
Clerk	

Cal Nor

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 28, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Daniel M. Blevins Whitney, Bailey, Cox, Magnani, LLC. 849 Fairmount Avenue
Baltimore 21286

Visit the County's Website at www.baltimorecountyonline.info

Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

Date: 6.5.04

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

RE: Baltimore County
Item No. 545 JSS

Dear Ms. Matthews:

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



Baltimore County
Fire Department

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

June 8, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 7, 2004

Item No.: 540-549 552 & 553

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.

The Fire Marshal's Office has no comments at this time.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: June 16, 2004

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

SUBJECT: 55 Lombardy Drive

INFORMATION:

Item Number: 4-549

Petitioner: Dolores L. Wenker

Zoning: DR 5.5

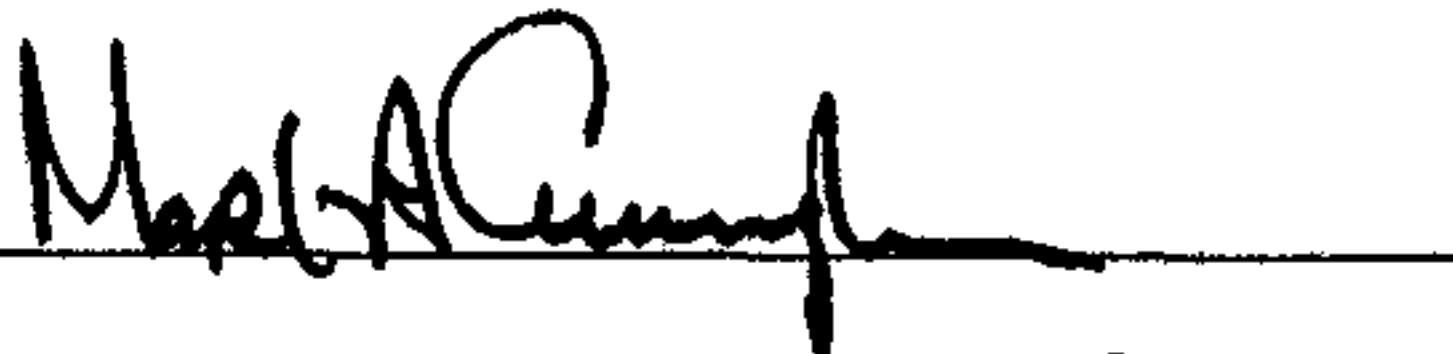
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

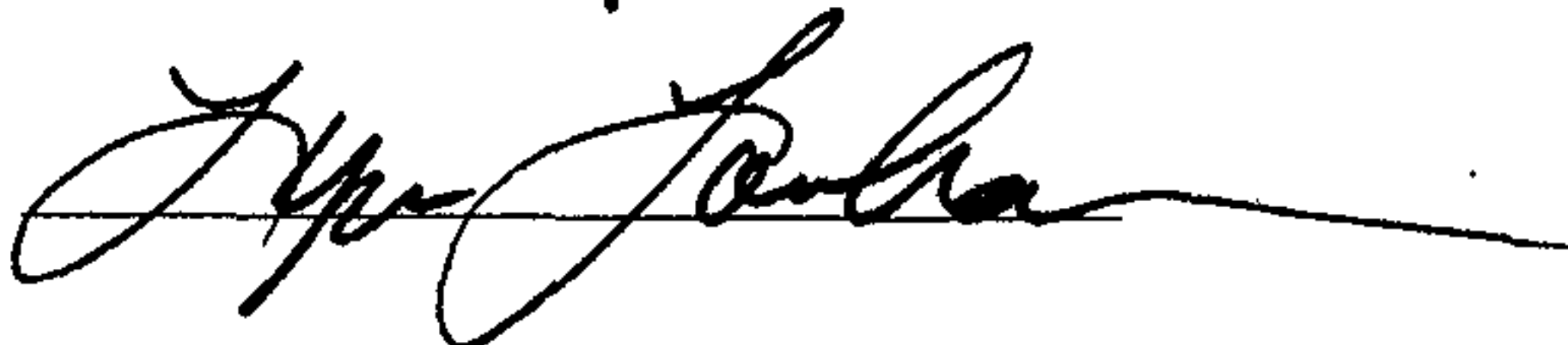
The Office of Planning does not support the petitioner's request to allow an existing detached garage to remain in the front yard. However, if the subject garage is permitted to remain, landscaping should be planted along the western building wall to mitigate its negative impact. In addition, vehicles shall be prohibited from being parked in the driveway as the overhang from said vehicles would impede pedestrian traffic along the sidewalk.

This office does not oppose the request to permit an open deck with a side yard setback of 5 feet and 6 feet.

Prepared by:



Division Chief:



AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: July 1, 2004

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

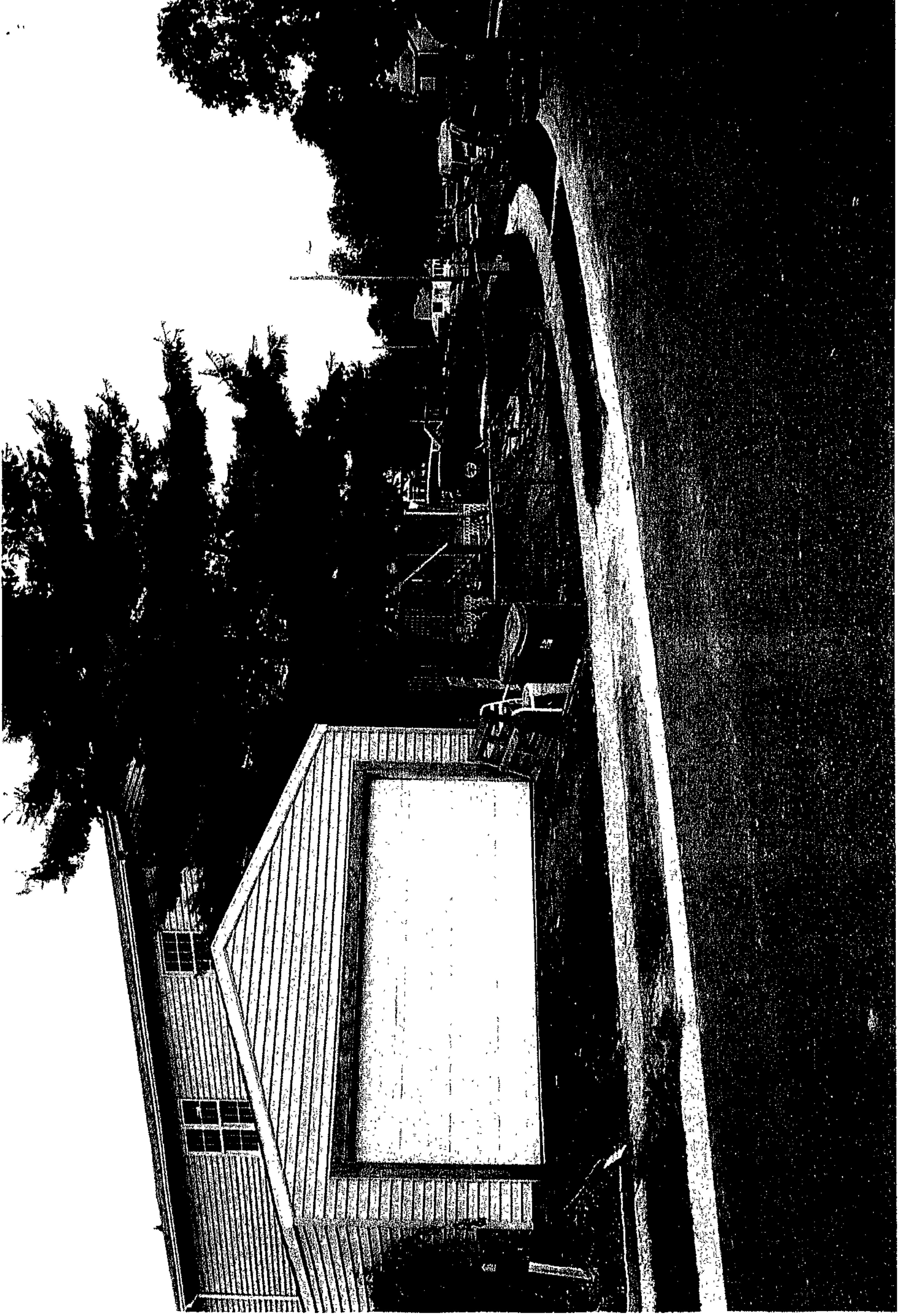
SUBJECT: Zoning Advisory Committee Meeting
For June 14, 2004
Item Nos. 540, 542, 543, 544, 545,
546, 547, 548, 549, 552, 553, and 558

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

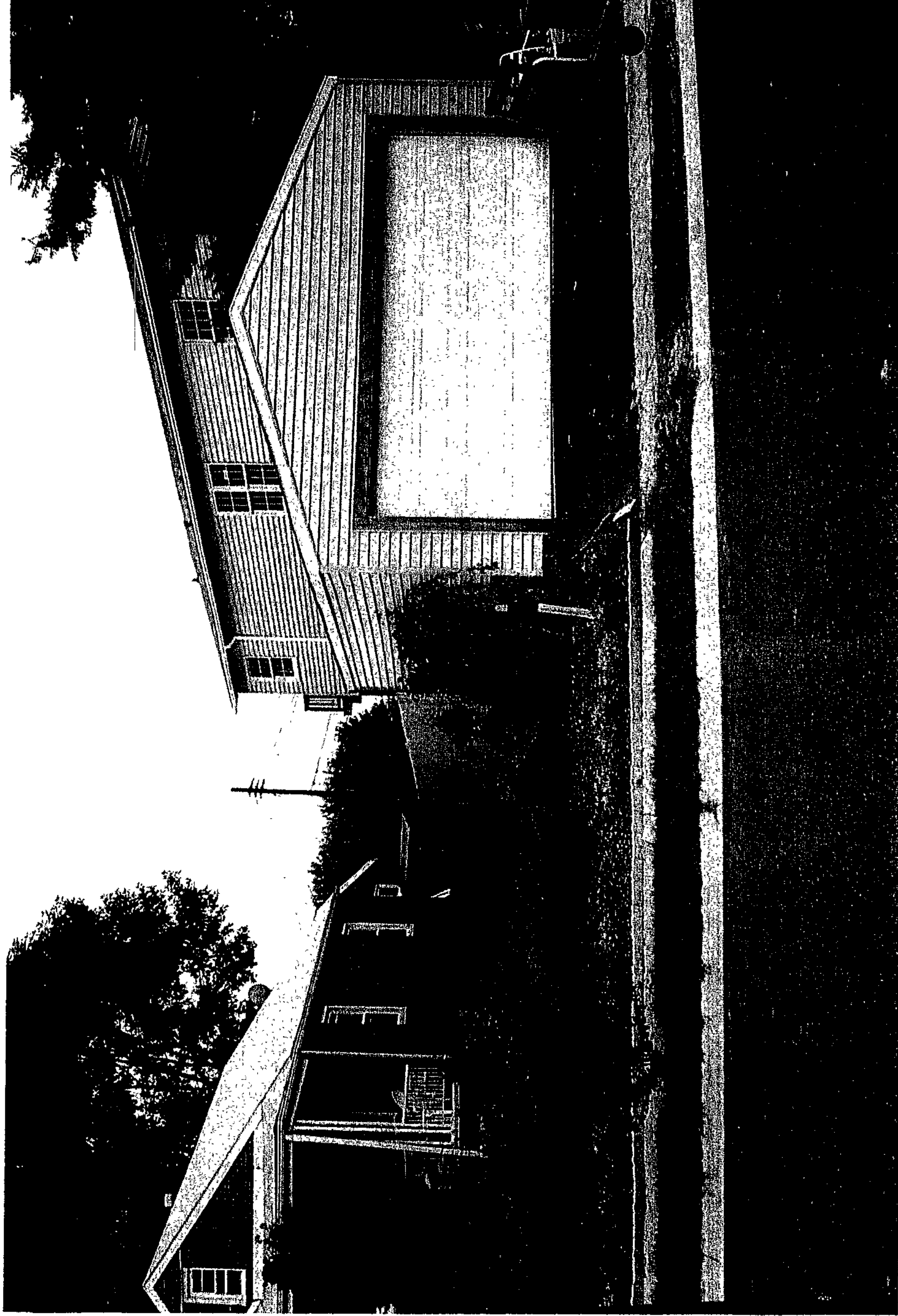
RWB:CEN:jrb

cc: File

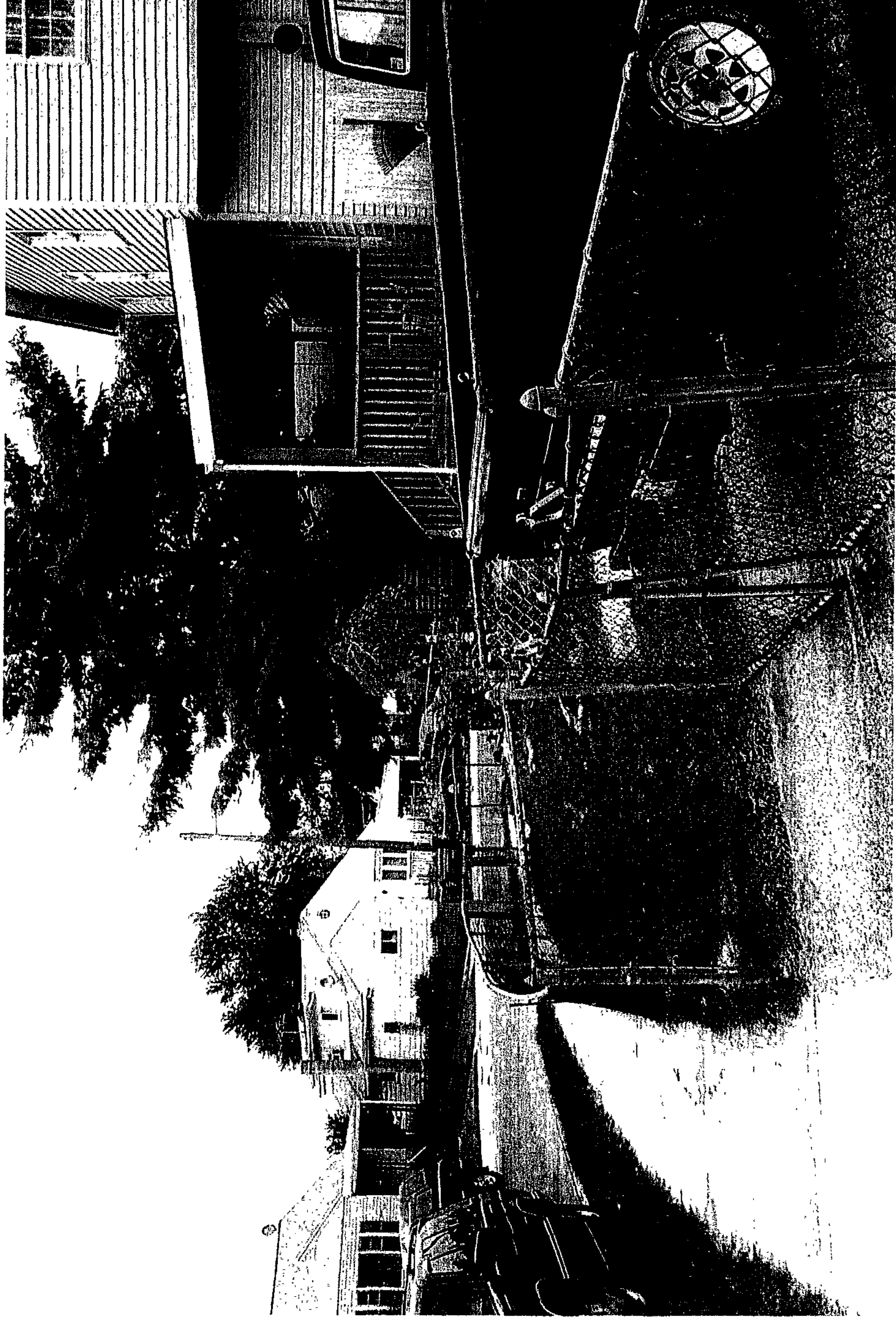
26 Lombardy Drive



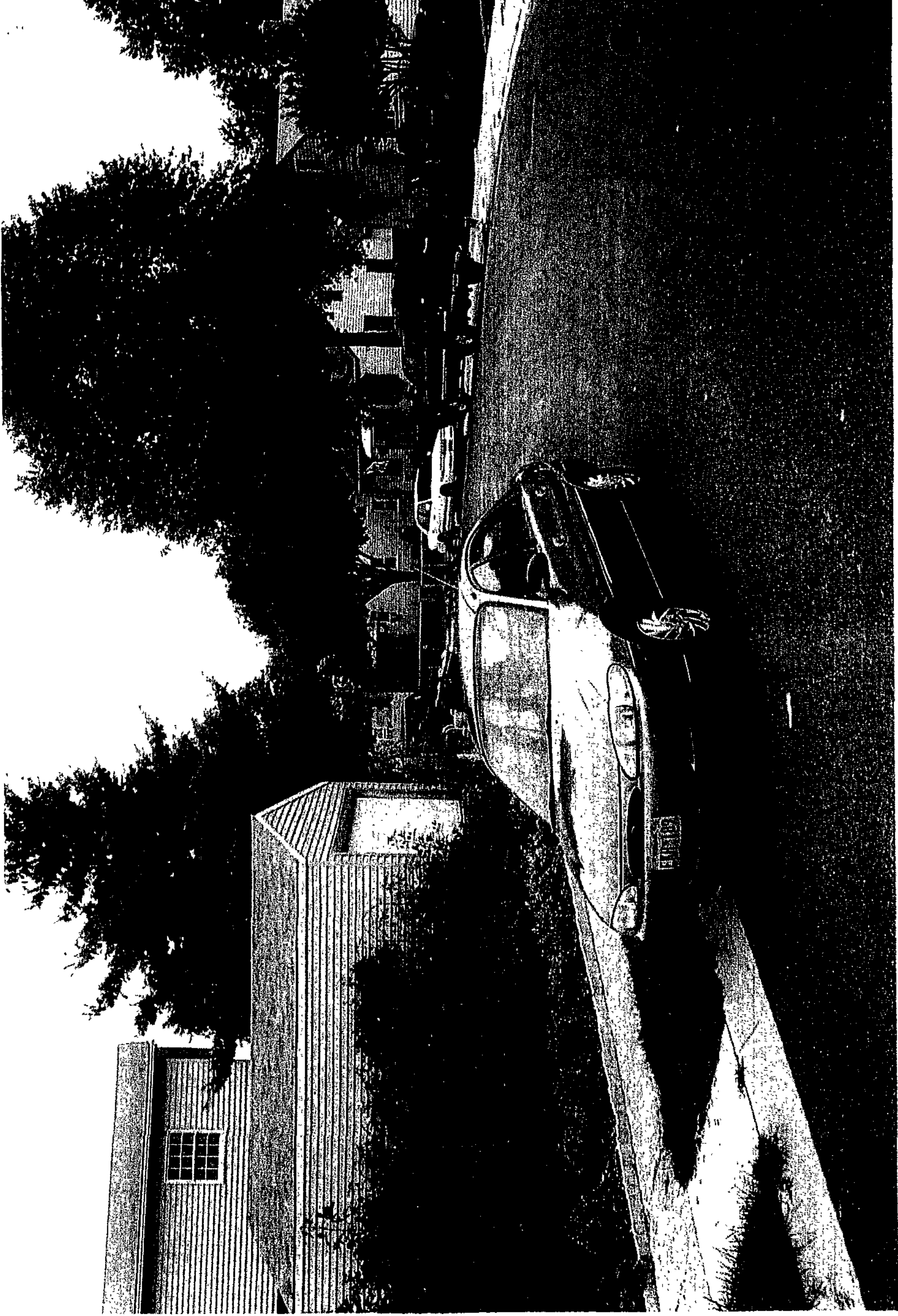
26 Lombardy Drive



Ho Lombardy Drive



26 Homestay Vnwe



DRIVING WEST

26 Lombardy Drive



DRIVING EAST

26 Hombrady Lane

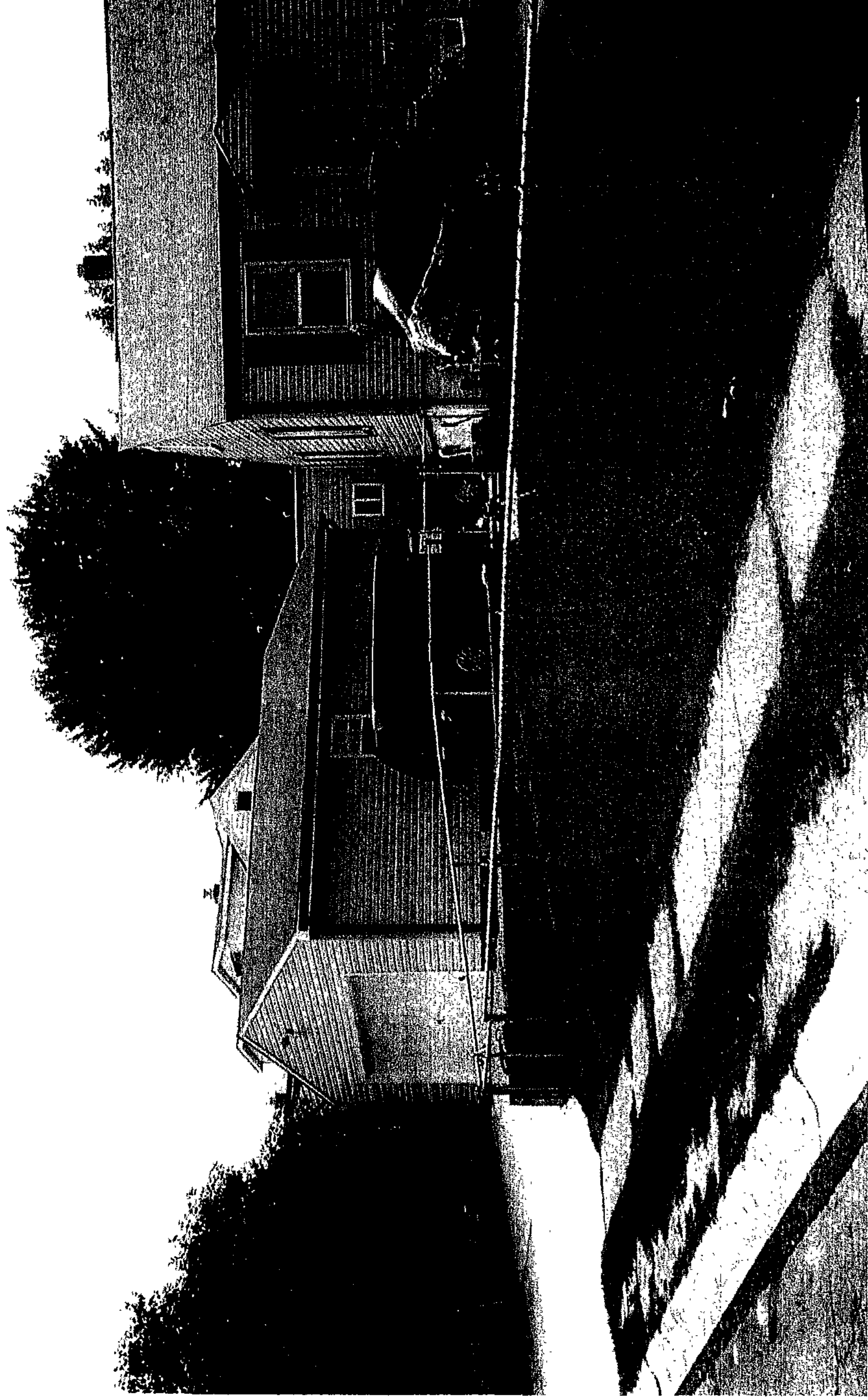


DRIVING EAST

201 Parkwood Road



2807 Woodwell road



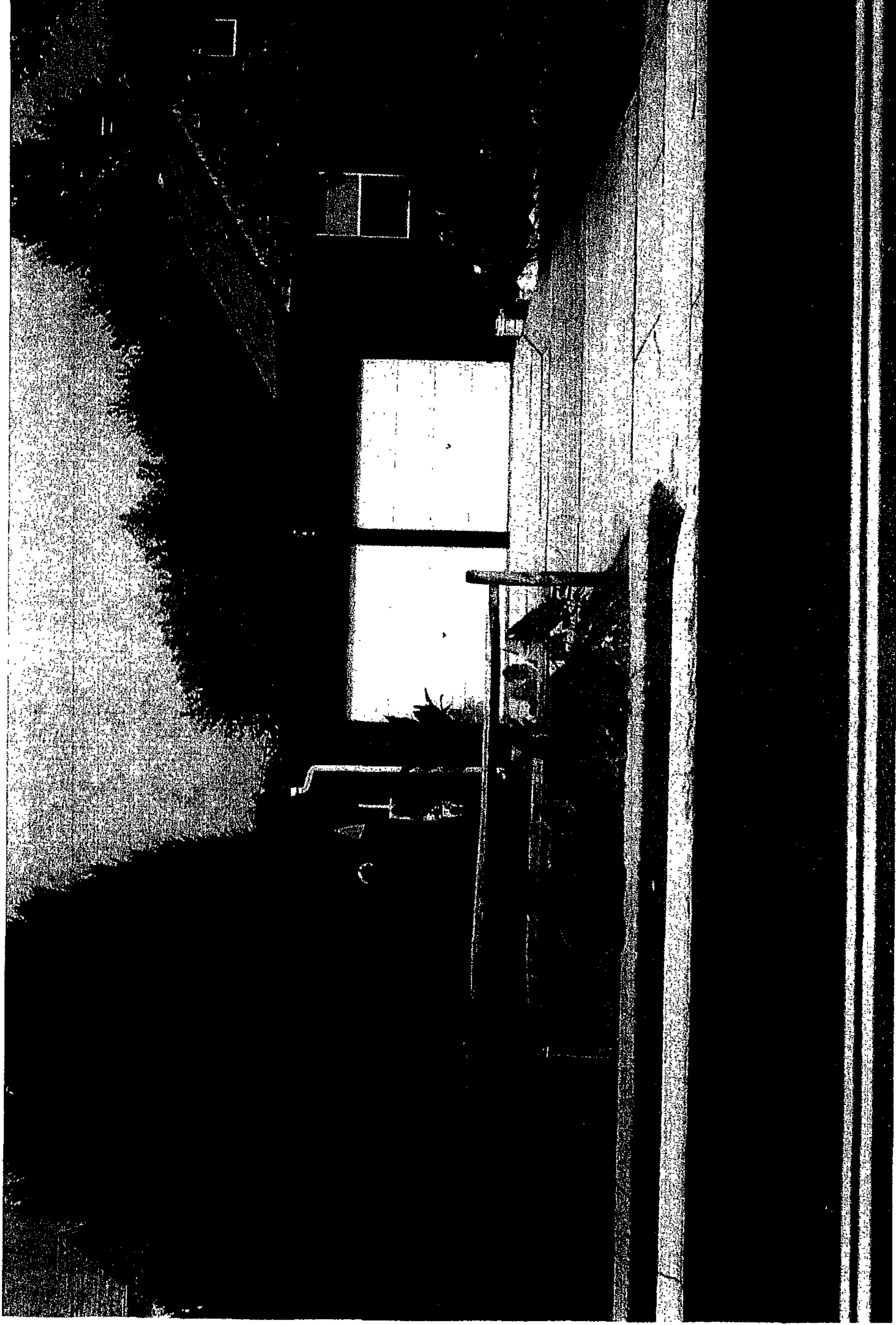
2807 Woodwell Road

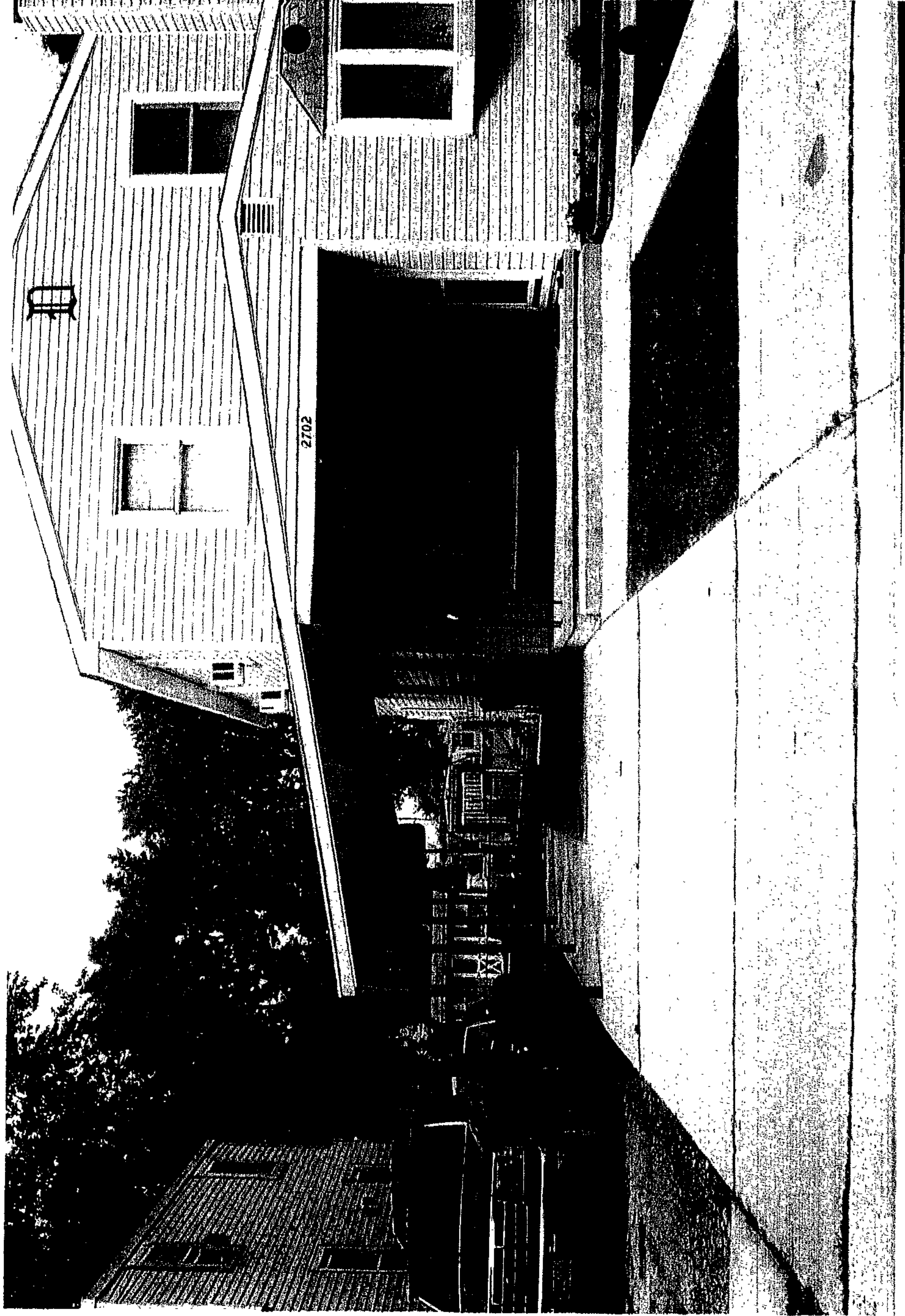


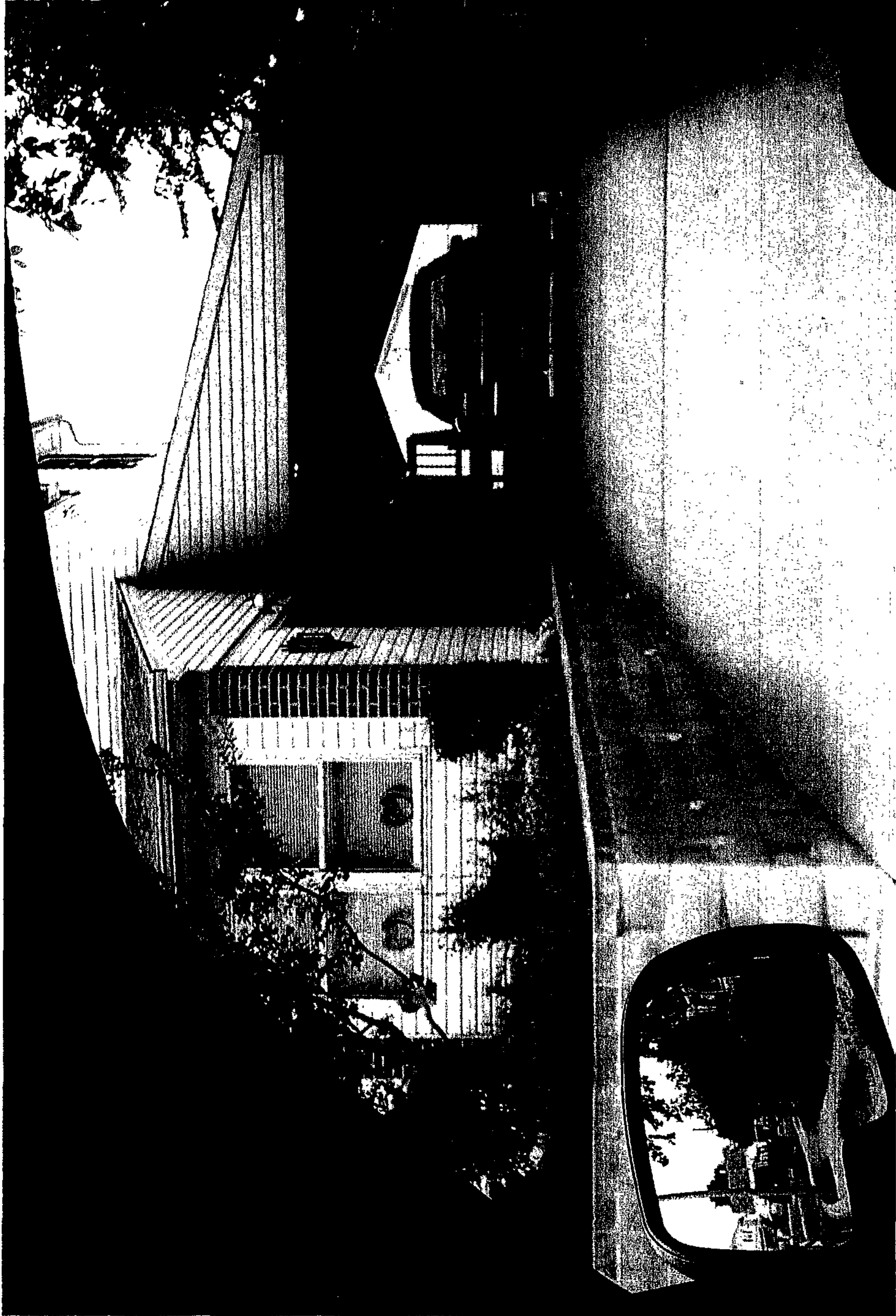
300 Oakwood Road

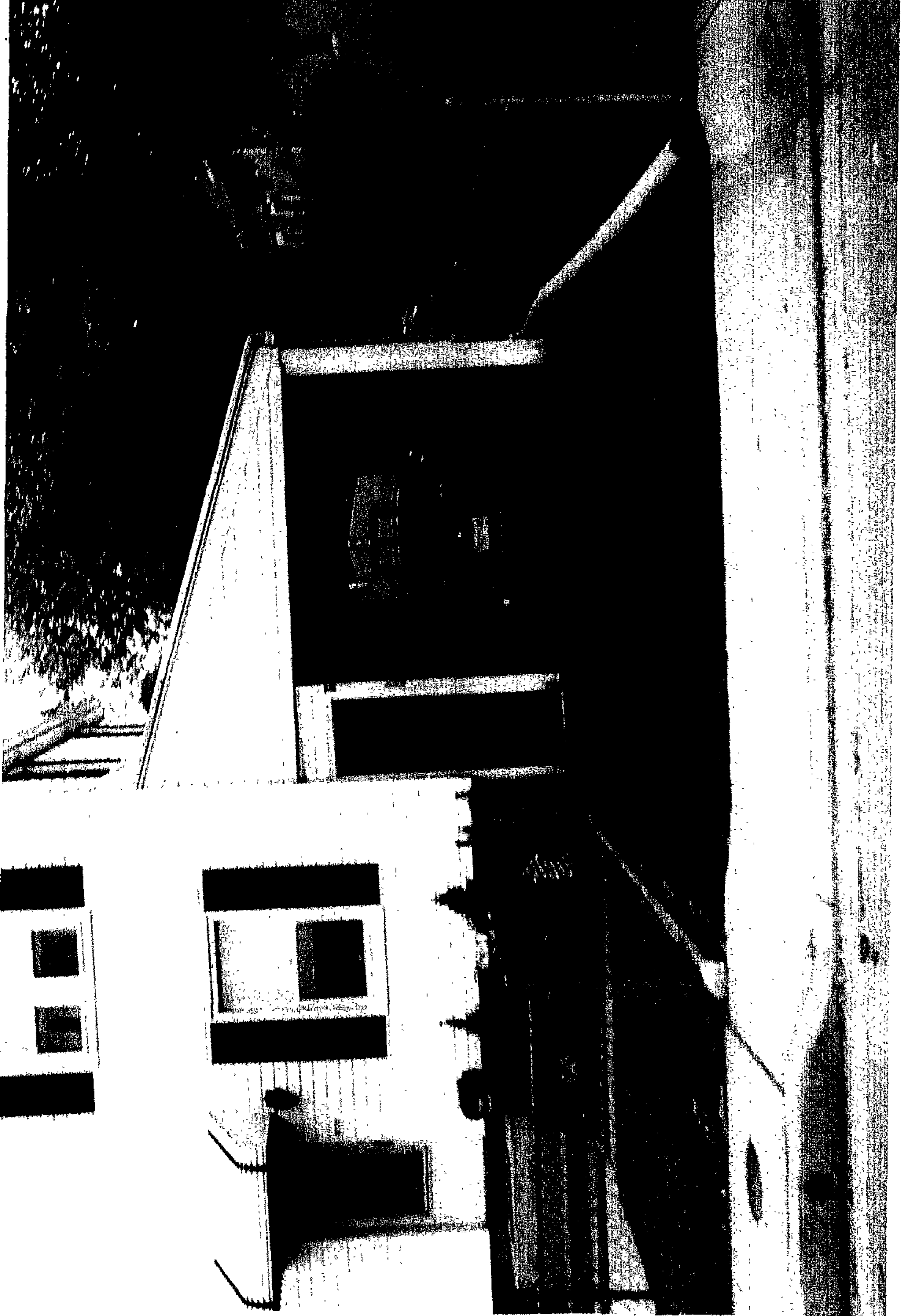


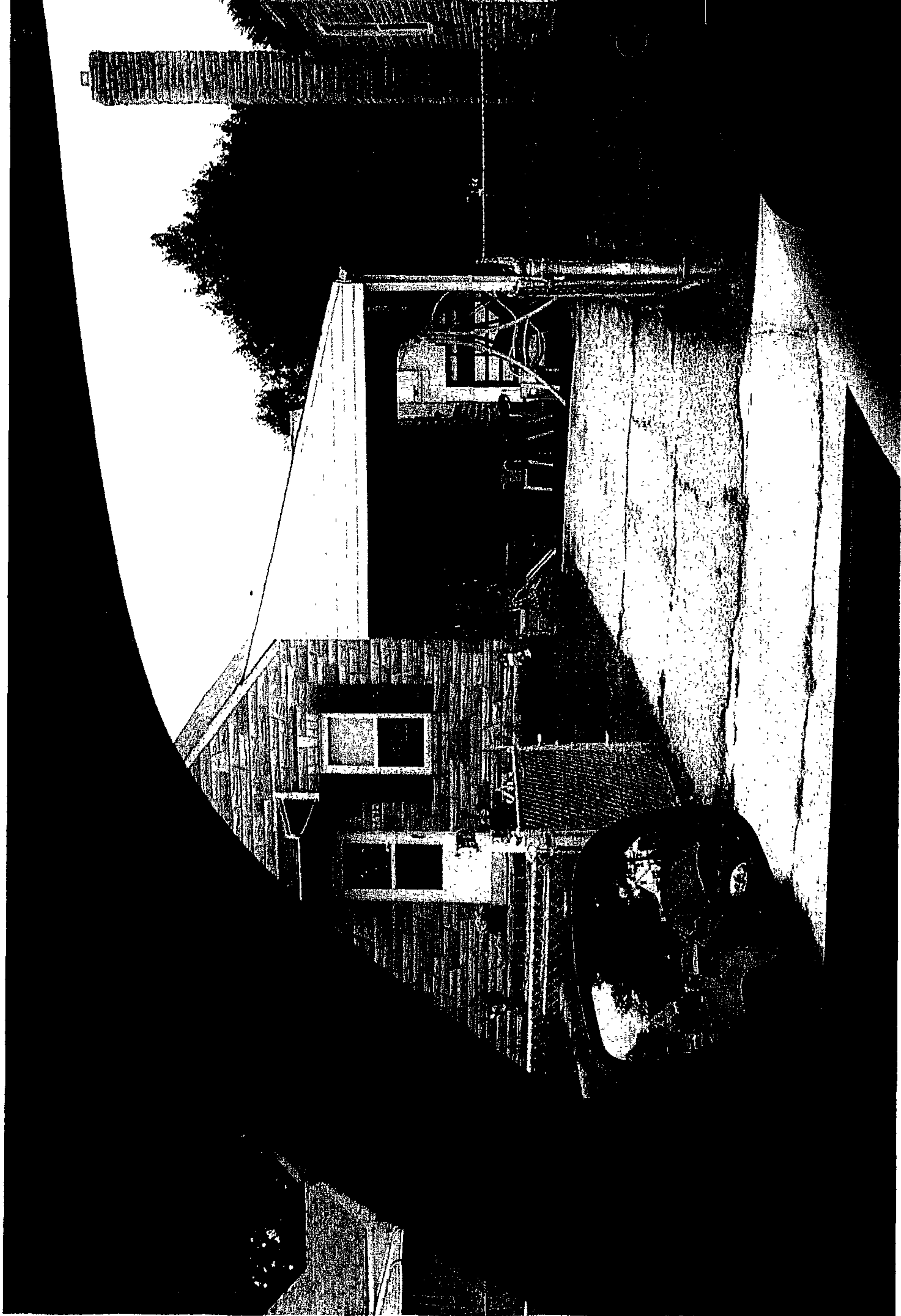
2504 Woodwell Road

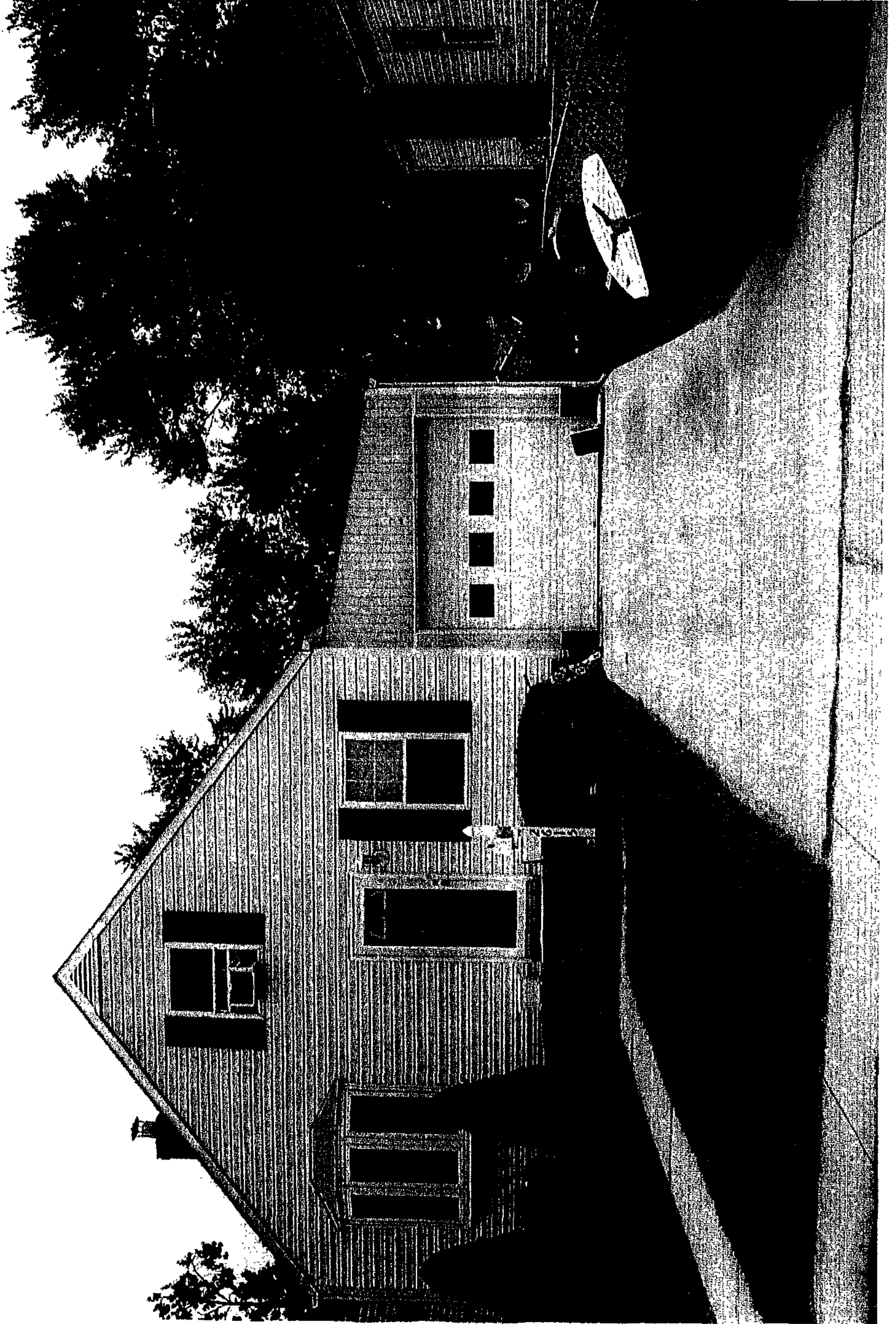


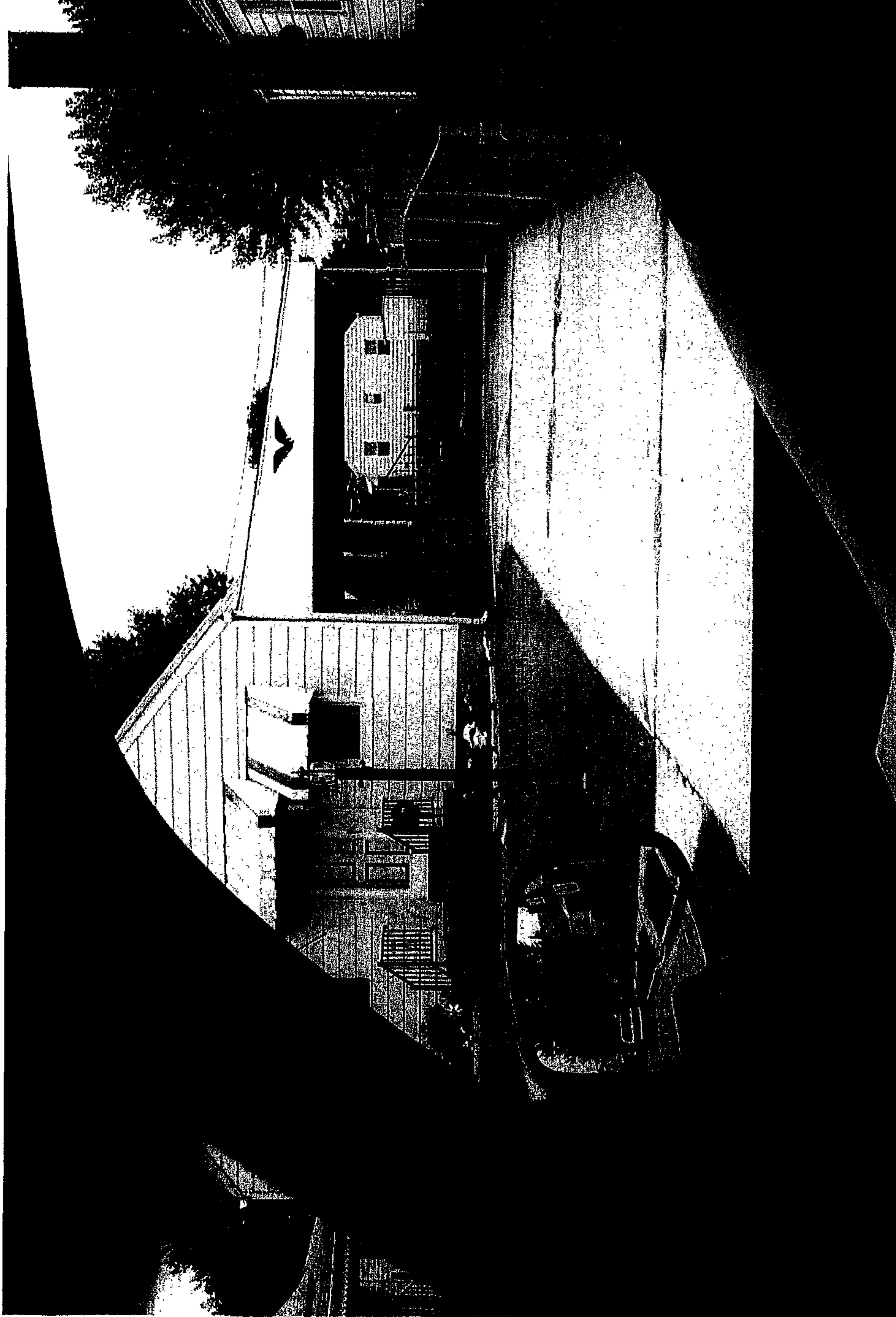


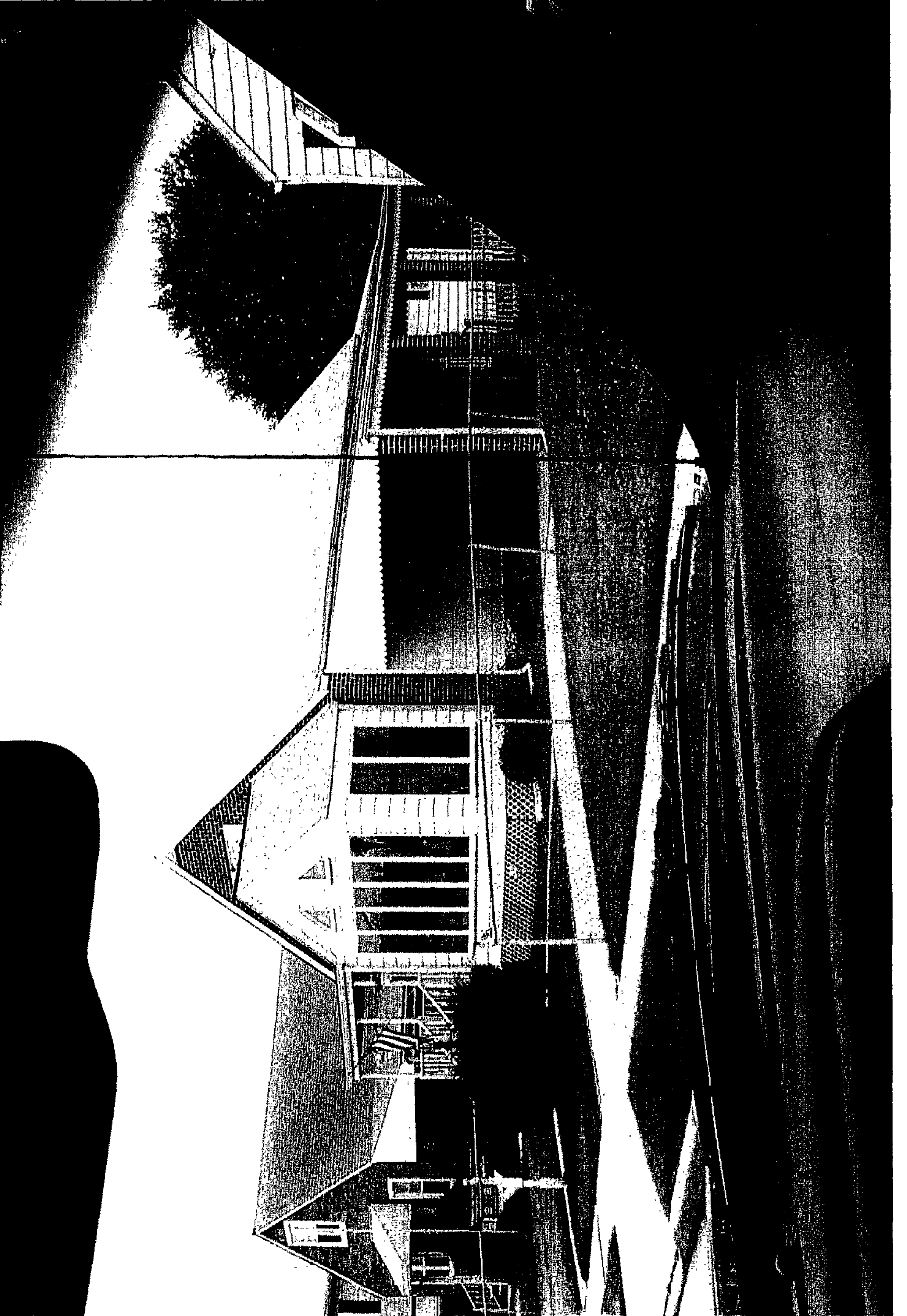


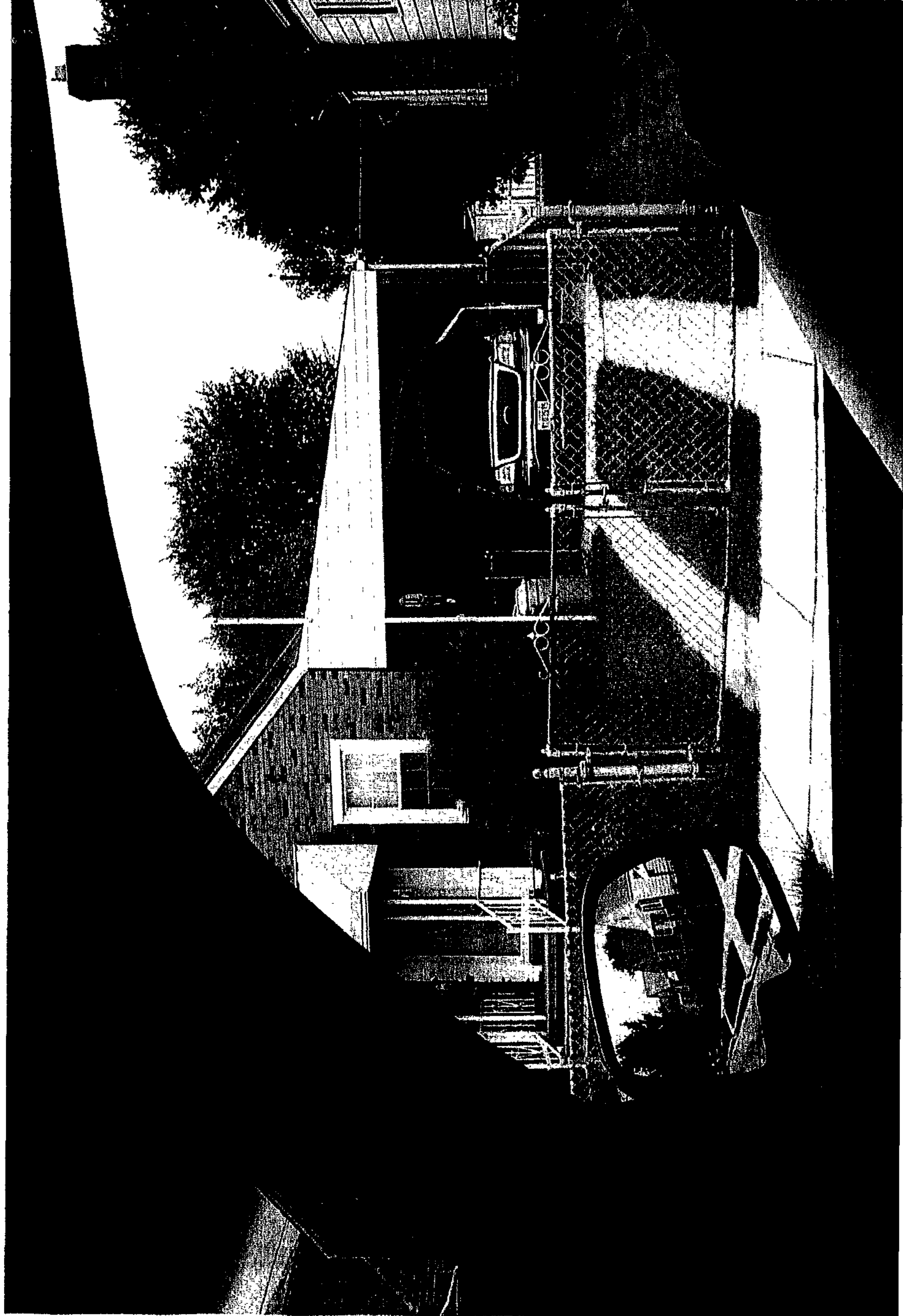




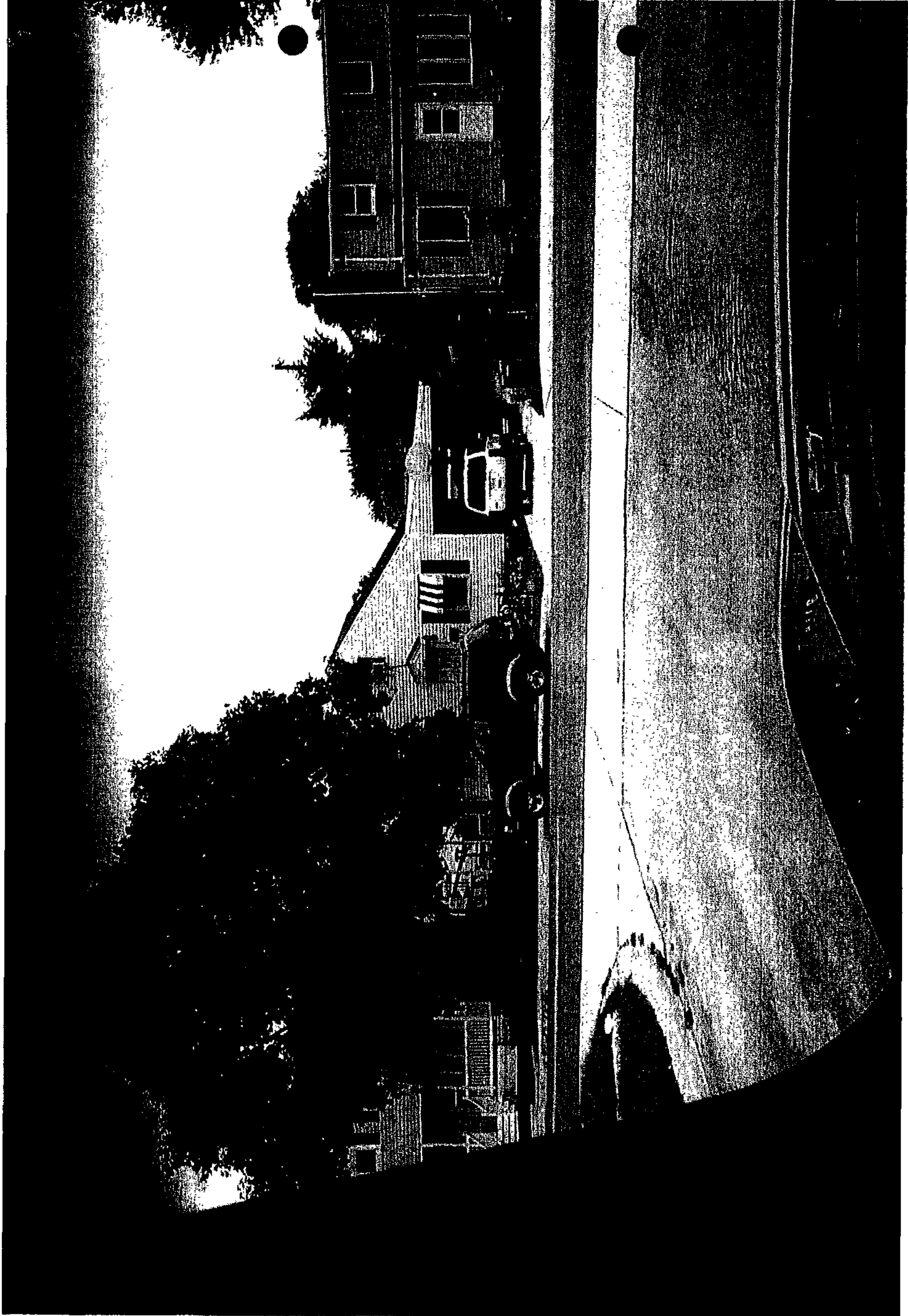




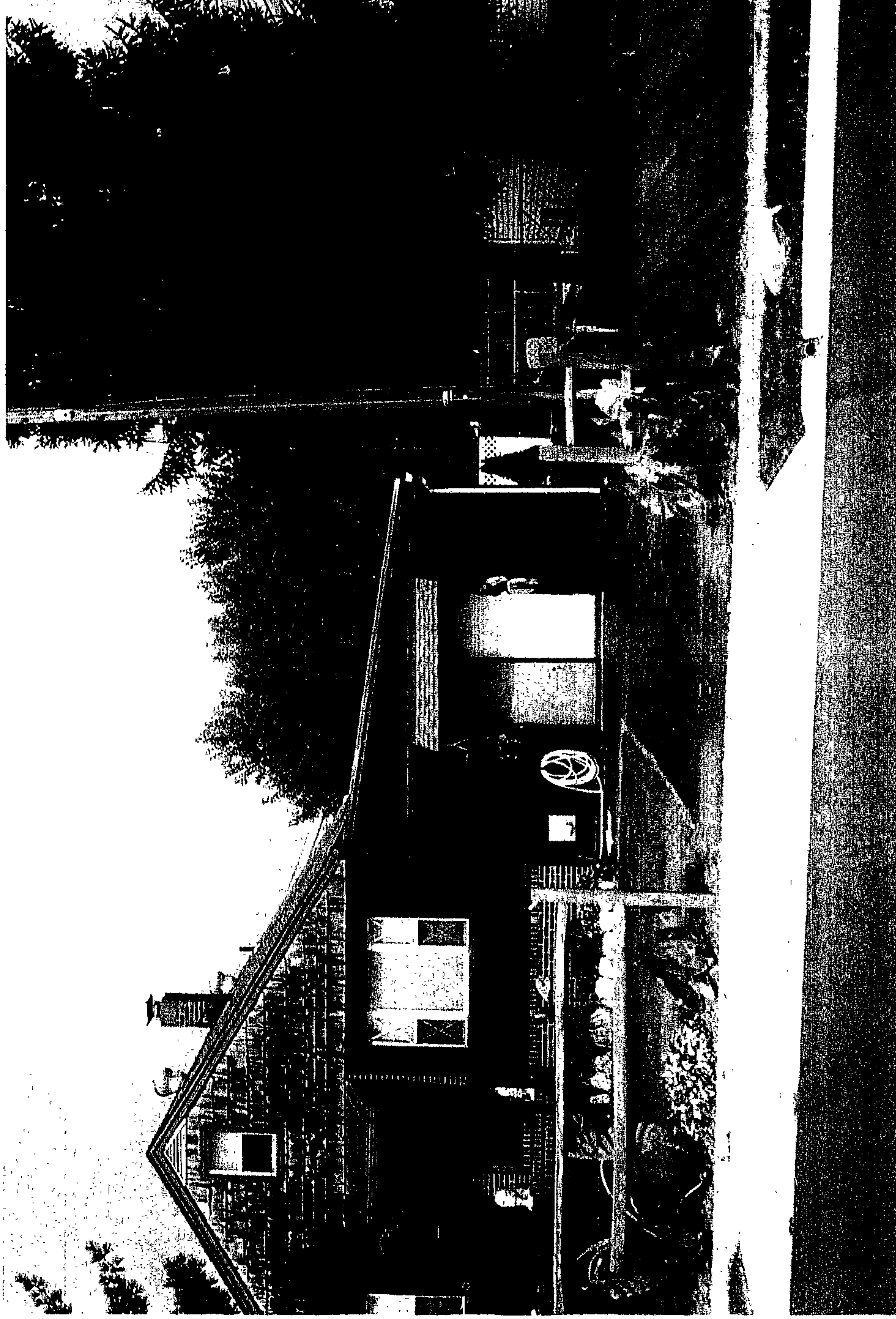








2504 Woodward Road



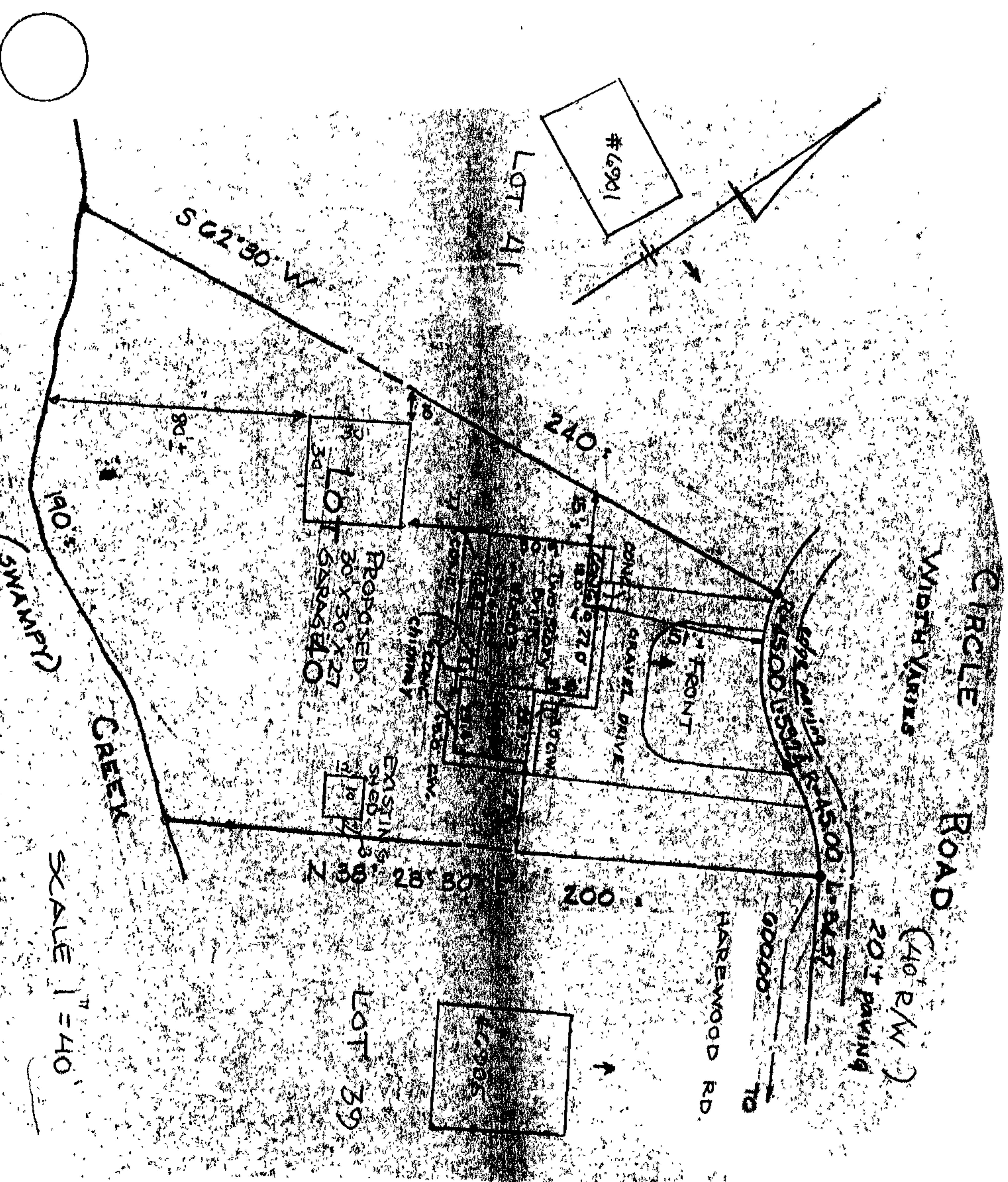
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 6903 CIRCLE RD SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

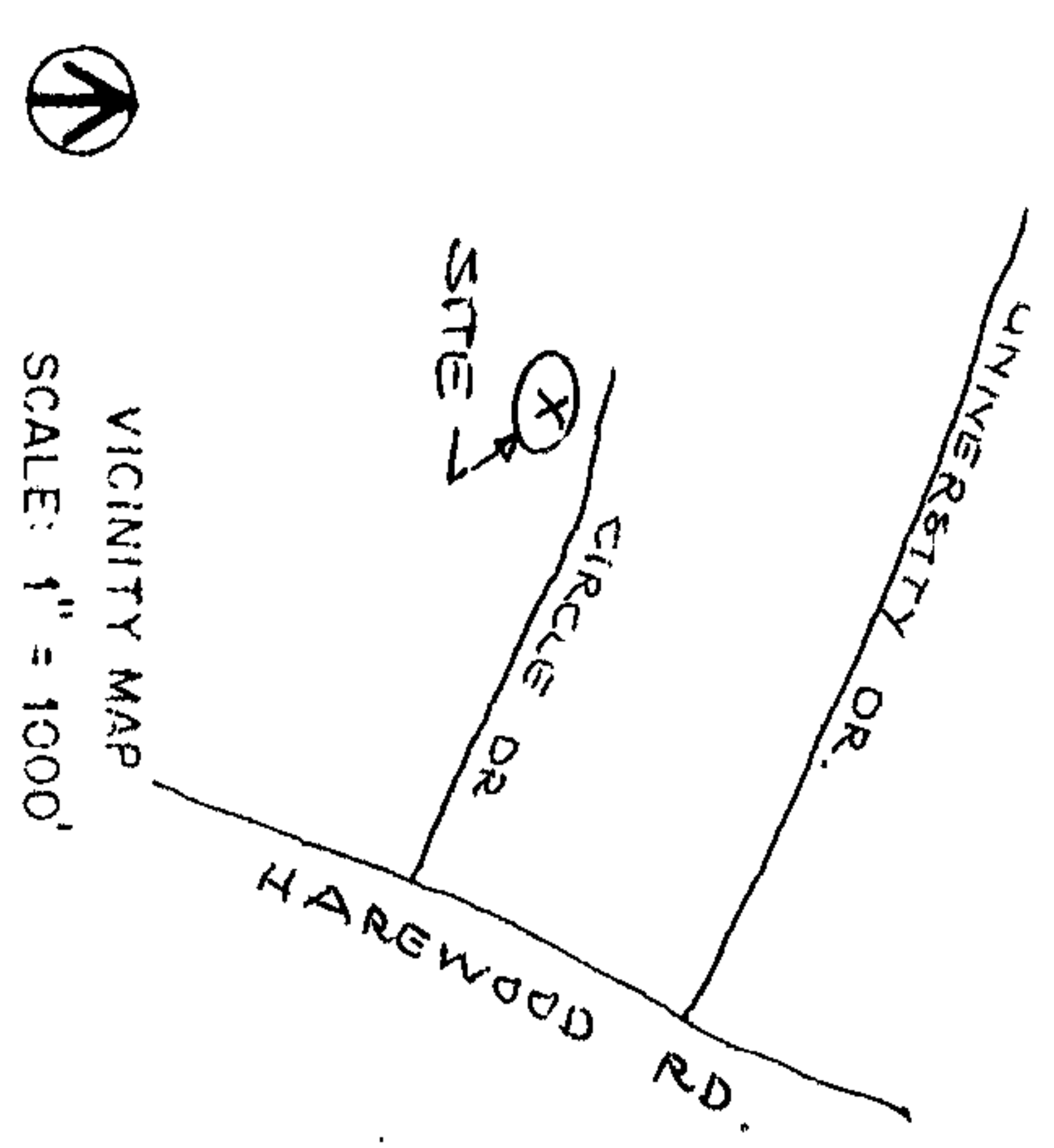
SUBDIVISION NAME HAREWOOD PARK

PLAT BOOK # 13 FOLIO # 144 LOT # 40 SECTION # ---

OWNER GARLAND & DOROTHY HOBSON



PREPARED BY GH SCALE OF DRAWING: 1" = 40'



LOCATION INFORMATION

ELECTION DISTRICT 15 TH

COUNCILMANIC DISTRICT C TH

1"=200' SCALE MAP # NE 7-L

ZONING DR S.S

LOT SIZE	ACREAGE	SQUARE FEET
<u>0.664</u>	<u>28,946</u>	<u>28,946</u>

SEWER	PUBLIC	PRIVATE
☒	☒	☐

WATER	YES	NO
☒	☐	☐

CHESAPEAKE BAY CRITICAL AREA	YES	NO
☐	☐	☐

100 YEAR FLOOD PLAIN	YES	NO
☒	☐	☐

HISTORIC PROPERTY/BUILDING	YES	NO
☐	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY JRF ITEM # 548 CASE # 100