

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Parkwood Road, 270 ft. SW
of Page Drive
12th Election District
7th Councilmanic District
(204 Parkwood Road)

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-015-A

Richard Gerard Bittner, Jr.
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Richard Gerard Bittner, Jr. The administrative variance is requested for property located at 204 Parkwood Road in the eastern area of Baltimore County. The administrative variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 2 ft. side yard setback for an addition in lieu of the required 10 ft. and to amend the previous variance in Case No. 00-470-A. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 17, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

FILED
8/13/04
Ray

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code.

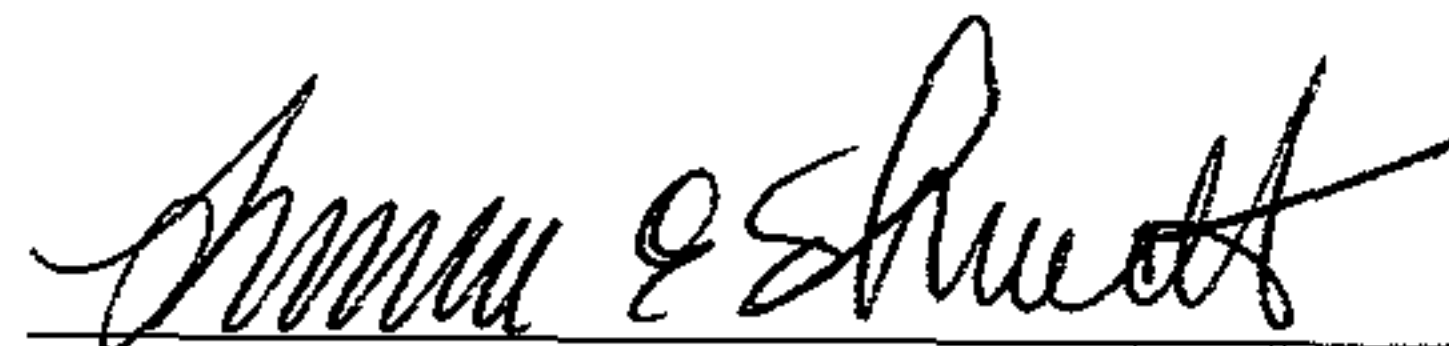
A letter was received from a nearby property owner which included a series of photographs of the property. These photographs show that the site plan that was submitted by the Petitioner is inaccurate. Specifically, the photographs show that there are two detached sheds in the rear yard, as well as a trampoline. Neither of the sheds nor the trampoline is shown on the site plan. The site plan also does not show the fence that runs along the perimeter of the property. Additionally, the letter from the neighbor expresses concerns about potential storm water runoff. That is, that there is so little pervious surface left in the yard because of these improvements that there is a concern that rain water will flow onto adjacent properties because of the lack of pervious surface left on the property. Obviously, the proposed addition will create more impervious surface and increase runoff from the property onto adjacent properties.

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

8/5/04
Ray

THEREFORE, IT IS ORDERED, this 5th day of August, 2004, by this Zoning Commissioner, that the Petitioner's request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 2 ft. side yard setback for an addition in lieu of the required 10 ft. and to amend the previous variance in Case No. 00-470-A, be and is hereby DENIED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING
Date 8/5/04
By Raj

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 ⁵/₄, 2004

Mr. Richard Gerard Bittner, Jr.
204 Parkwood Road
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 05-015-A
Property: 204 Parkwood Road

Dear Mr. Bittner:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

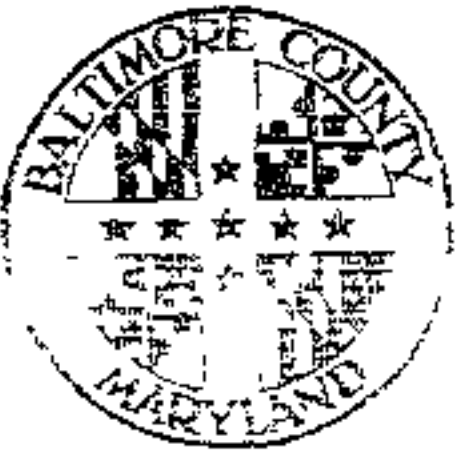
Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

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



ORIGINAL KEEP IN FILE



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 204 Parkwood Rd
which is presently zoned D.R. 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) 1 BO 2.3. C. 1

A 21' side YARD Set Back for An Addition in
Lieu of the Required 10 ft and to Amend
The Previous Variance in Case # 00-470-A.
1 BO 2.3. C. 1

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Richard Gerard Bittner Jr.
Name - Type or Print

Signature

Name - Type or Print

Signature

204 Parkwood Rd 410-282-0010
Address Telephone No.

Baltimore MD 21222
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

Reviewed By JL

Date 7/08/07

Estimated Posting Date 7/18/07

CASE NO. 05 015 A

DATE 8/5/07

ORDER RECEIVED FOR FILING

ORIGINAL
KEEP IN FILE

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 204 Parkwood Rd
Address
Baltimore MD 21222
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

1. Can not stay the required footage from fence line.
2. Extend Addition from Addition that has already been constructed to the front of the House.
3. Utilize wasted space.
4. Have existing pool can't go back
5. need also to expand due to family growth.
6. Already has been variance for Rear Addition which is set 2' from fence

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard Gerard Bittner Jr.
Signature
Richard Gerard Bittner Jr.
Name - Type or Print

Signature

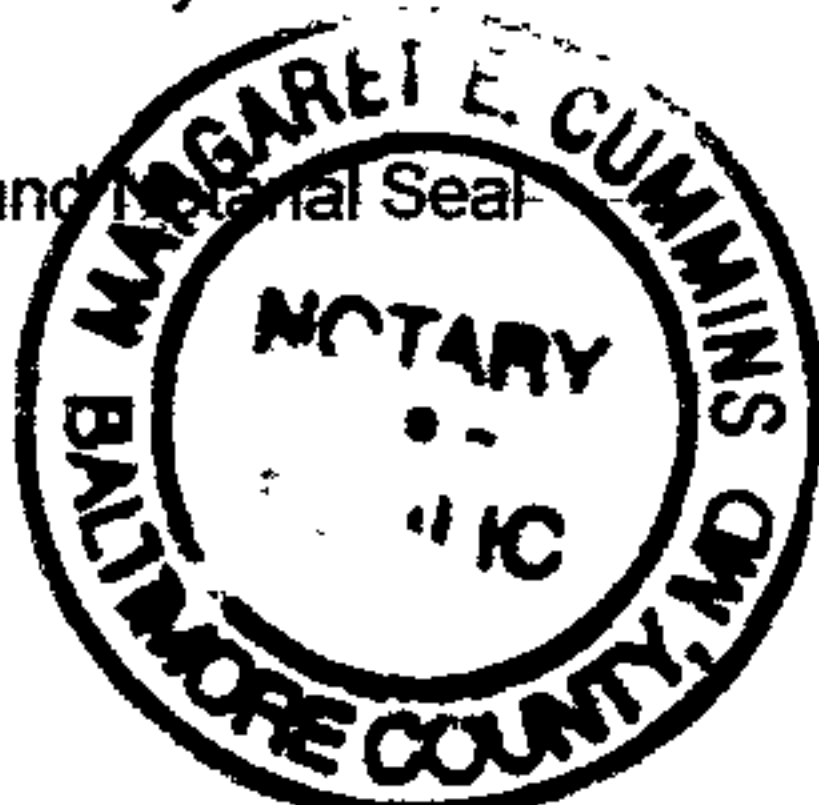
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of JUNE JULY, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RICHARD GERARD BITTNER JR.
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Margaret E. Cummins
Notary Public
My Commission Expires 10/1/07

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 204 Parkwood Rd
Address
Baltimore MD 21222
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

1. CAN NOT STAY THE REQUIRED FOOTAGE FROM FENCE LINE.
2. EXTEND ADDITION FROM ADDITION THAT HAS ALREADY BEEN CONSTRUCTED TO THE FRONT OF THE HOUSE.
3. UTILIZE WASTED SPACE.
4. HAVE EXISTING POOL CAN'T GO BACK
5. NEED ALSO TO EXPAND DUE TO FAMILY GROWTH.
6. ALREADY HAS BEEN VARIANCE FOR REAR ADDITION WHICH IS SET 2' FROM FENCE

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard Gerard Bittner Jr.
Signature
Richard Gerard Bittner Jr.
Name - Type or Print

Signature

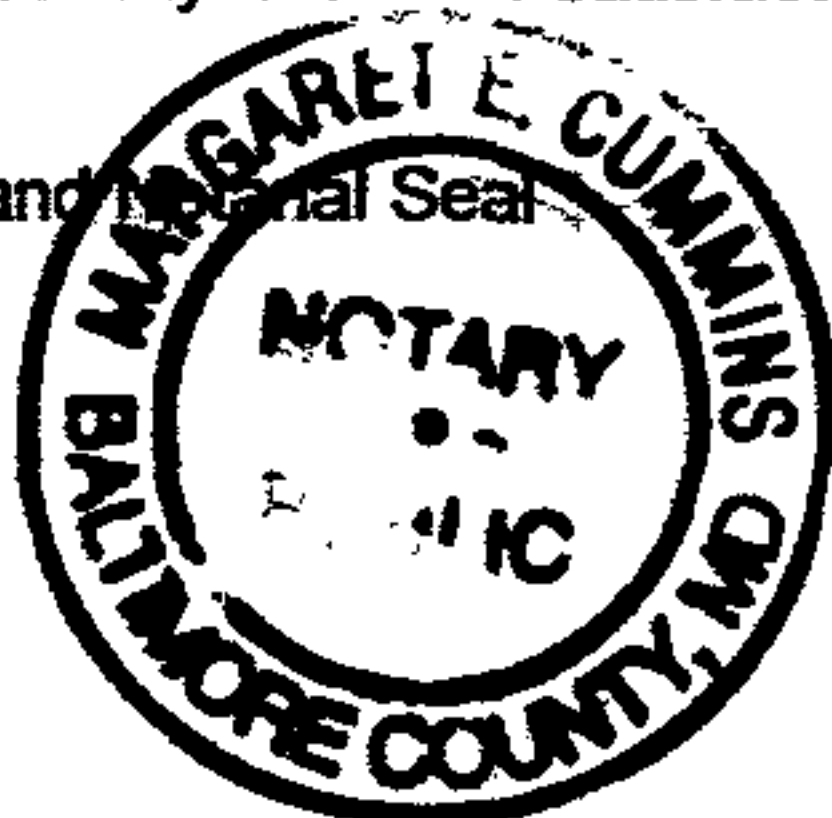
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of JUNE 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RICHARD GERARD BITTNER JR.
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Margaret E. Cummins
Notary Public
My Commission Expires 10/1/07



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 204 Parkwood Rd
which is presently zoned D.R. 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) * 1B02.3.C.1

A 2' side YARD Set Back for An Addition in
Lieu of the Required 10 ft and to Amend
The Previous Variance in Case # 00-470-A.
1B02.3.C.1

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No

City State Zip Code

Legal Owner(s):

Richard Gerard Butner Jr
Name - Type or Print

Paul David Butner Jr
Signature

Name - Type or Print

Signature

204 Parkwood Rd 410-282-0010
Address Telephone No

Baltimore MD 21222
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 05 day of July that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 05 015 A

Reviewed By [Signature] Date 7/08/07

Estimated Posting Date 7/18/07

ZONING DESCRIPTION FOR 204 PARKWOOD RD, BALTIMORE, MD 21222

BEGINNING AT A POINT ON THE SOUTH SIDE OF PARKWOOD ROAD WHICH IS 50 FEET WIDE AT THE DISTANCE OF 270 FEET SOUTHWEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, PAGE DRIVE WHICH IS 55 FEET WIDE.

BEING LOT #278 BLOCK N/A SECTION N/A, IN THE SUBDIVISION OF GRAY MANOR AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #13, FOLIO #34, CONTAINING 6,000 SQUARE FEET. ALSO KNOWN AS 204 PARKWOOD RD AND LOCATED IN THE 7TH ELECTION DISTRICT, 12TH COUNCILMANIC DISTRICT 7

015

~~470~~

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 35909

DATE 7/9/04

ACCOUNT

015
001 006 6150

RECEIVED
FROM

BUTLER

FOR

RV

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

AMOUNT

65.00

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS ACTIVITY

7/19/2004 7/09/2004 14157454

800 WALKIN WALKIN KRM

>>RECEIPT # 270114 7/09/2004

Dept 5 550 ZINING VERIFICATION

CA NO. 030905

Receipt Tot

4.00 US

Baltimore County, Maryland

\$65.00

\$65.00 CA

CERTIFICATE OF POSTING

RE: Case No.: 05-015-A

Petitioner/Developer: RICHARD

BITTNER JR.

Date of Hearing/Closing: 8/2/04

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

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

204 PARKWOOD RD

The sign(s) were posted on

7/17/04
(Month, Day, Year)

Sincerely,

Robert Black 7/17/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

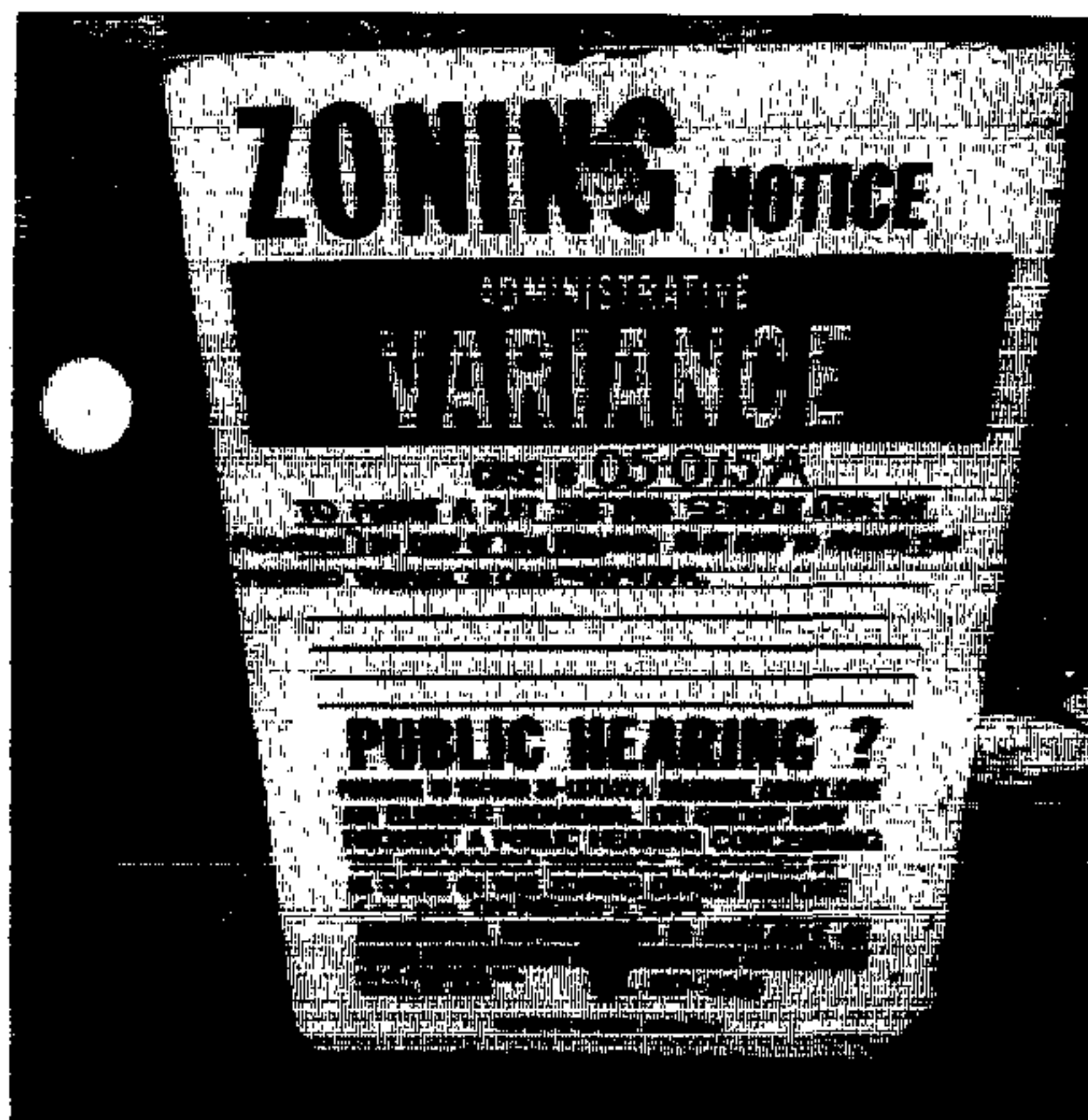
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 015 -A

Address 204 PARKWOOD RD.

Contact Person: JOHN LEWIS
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 7/08/04

Posting Date: 7/18/04

Closing Date: 8/02/04

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 05- 015 -A

Address 204 PARKWOOD RD.

Petitioner's Name RICHARD BITTNER JR.

Telephone 410 282 0010

Posting Date: 7/18/04

Closing Date: 8/02/04

Ordering for Sign: To Permit A 2 FT. SIDE YARD SETBACK (FOR AN ADDITION)

IN LIEU OF THE REQUIRED 10 FT. AND TO AMEND THE PREVIOUS VARIANCE
IN CASE # 00 - 470 - A.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: x 05 015 A

Petitioner: x Bittner

Address or Location: x 204 Parkwood Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: x Richard Gerard Bittner Jr.

Address: > 204 Parkwood Rd.

x Baltimore MD 21222

Telephone Number: x 410-282-0010

**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 2, 2004

Richard Gerard Bittner, Jr.
204 Parkwood Road
Baltimore, Maryland 21222

Dear Mr. Bittner:

RE: Case Number: 05-015-A, 204 Parkwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 8, 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 faint, circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

July 19, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: July 19, 2004

Item No.: 001, 003-016

Dear Ms. Mathews:

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.

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

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

c: File



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

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

Maryland Department of Transportation

Date: 7.16.04

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

RE: Baltimore County
Item No. 015 JLL

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,

Steven D. Foster, Acting 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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr
DATE: July 23, 2004
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of July 19, 2004

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

05-004
05-005
05-006
05-007
05-008
05-009
05-013
05-014
05-015

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 28, 2004

RECEIVED

AUG - 2 2004

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-015 – Administrative Variance

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:



Division Chief:



MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 23, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For July 26, 2003
Item Nos. 001, 003, 004, 005, 006,
007, 008, 009, 010, 012, 013, 014,
015, and 016

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

RWB:CEN:jrb

cc: File

July 30, 2004

ATTN: Larry E. Schmidt
Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Case # 05-015-A
Richard Bittner

To whom it may concern,

From what I understand, a variance cannot be granted if it is going to bring hardship on your neighbor. Since the day he moved in, Richard Bittner and his wife have brought nothing but hardship to me and the people who live around him. This man has absolutely no concern for anyone except for himself. He has told me right to my face, "it doesn't matter what anybody thinks, says or does, I will do what I want, when I want, anyway I feel like doing it". The first thing he did when he moved in was to fill his backyard so that the lowest portion is at least 8" higher than everyone else's, and in some places probably close to 18" built up around the pool (Picture 1 and 2). The addition on the back of his house has no foundation what so ever and it is just a closed-in patio (picture 3), which is 14' from the back of his house. Then, there is an additional 10' of poured concrete patio (picture 2) and this addition and the patio run nearly the entire width of the yard. So you can imagine how much open ground is left. Next, you have to consider the pool (Picture 1), which is at least 30' across, and every time it rains and fills too high, it over flows into what is left of the yard. Behind that, there are 2 sheds (picture 1) in the very back of the yard with a trampoline in between them. Then, the entire other side of his house is a driveway (picture 5) which runs from the back of the house all the way to the street.

The amount of ground coverage in his yard definitely exceeds 60% and this creates a major water problem with my property. The entire back of the roof, both over the main house and the addition all drain at the fence (picture 3) behind the Jacuzzi, which has created a hole so the house (picture 6 and 7), the pool, and the patio all drain into my yard in a matter of 20 feet. Then, all the water that runs off the sheds runs into my yard. Continuing up my side of his house you will find his sump pump outlet, which drains into the one place in his yard that doesn't have something in it. When it finally floods, and runs across my driveway, the water eventually will end up running into my basement. You can stand outside and watch the flow of water coming from his property, and I have tried repeatedly talking to Mr. Bittner about the entire water problem he is causing and he basically just doesn't care.

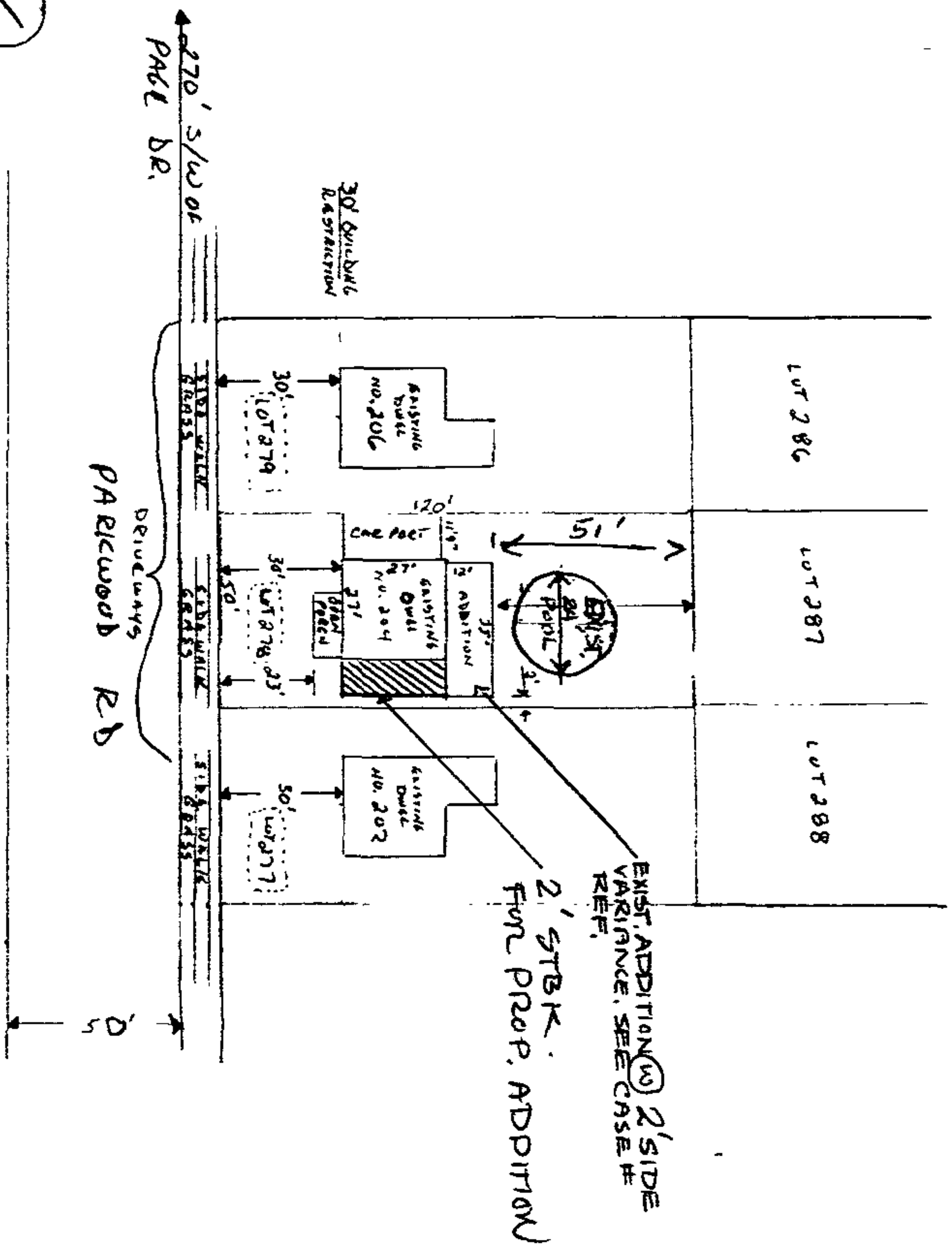
Even in his front yard (picture 5 and 14), there is something covering all the available space he has. Starting with a front porch, which he has been extended to the entire length of the house, with no permit. Then, he has a pond, cattail weeds and then the rest of the driveway.

PROPERTY ADDRESS: 204 Parkwood Rd.

Subdivision name: GEARY MAXIOR

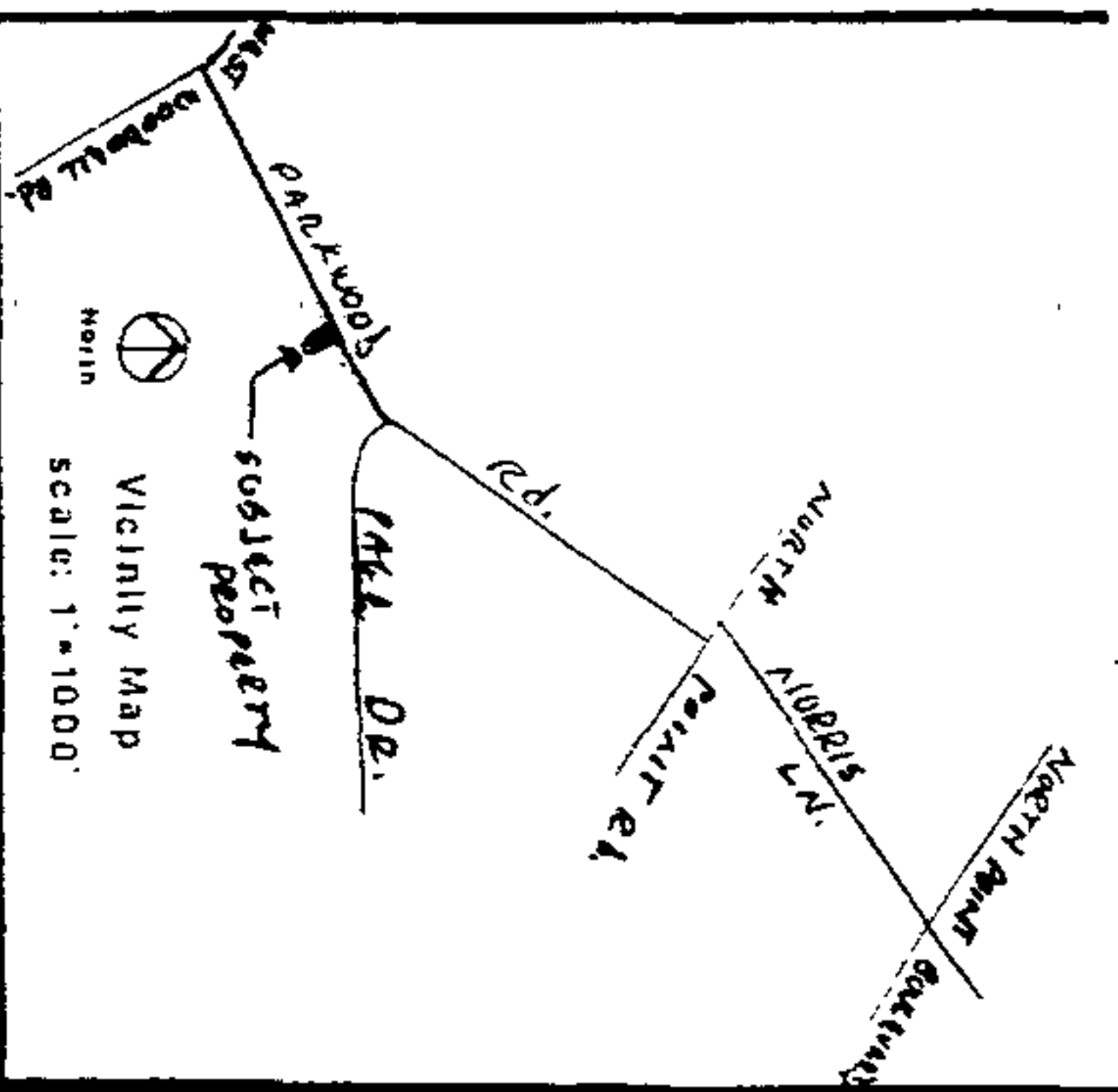
plat book # 13, folio # 34, lot # 278, section #

OWNER:



North
date: July 8, 2004
prepared by: DB

Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Election District. **7**

Councilman District. 12

1:200 scale map: **Sheet**

Zoning: DR5.5

Lot size: .14 6000.00
-acreage square feet

Zone C

BLUE, 30 FT.

Chesapeake Bay Critical Areas:

Prior Zoning Hearings:

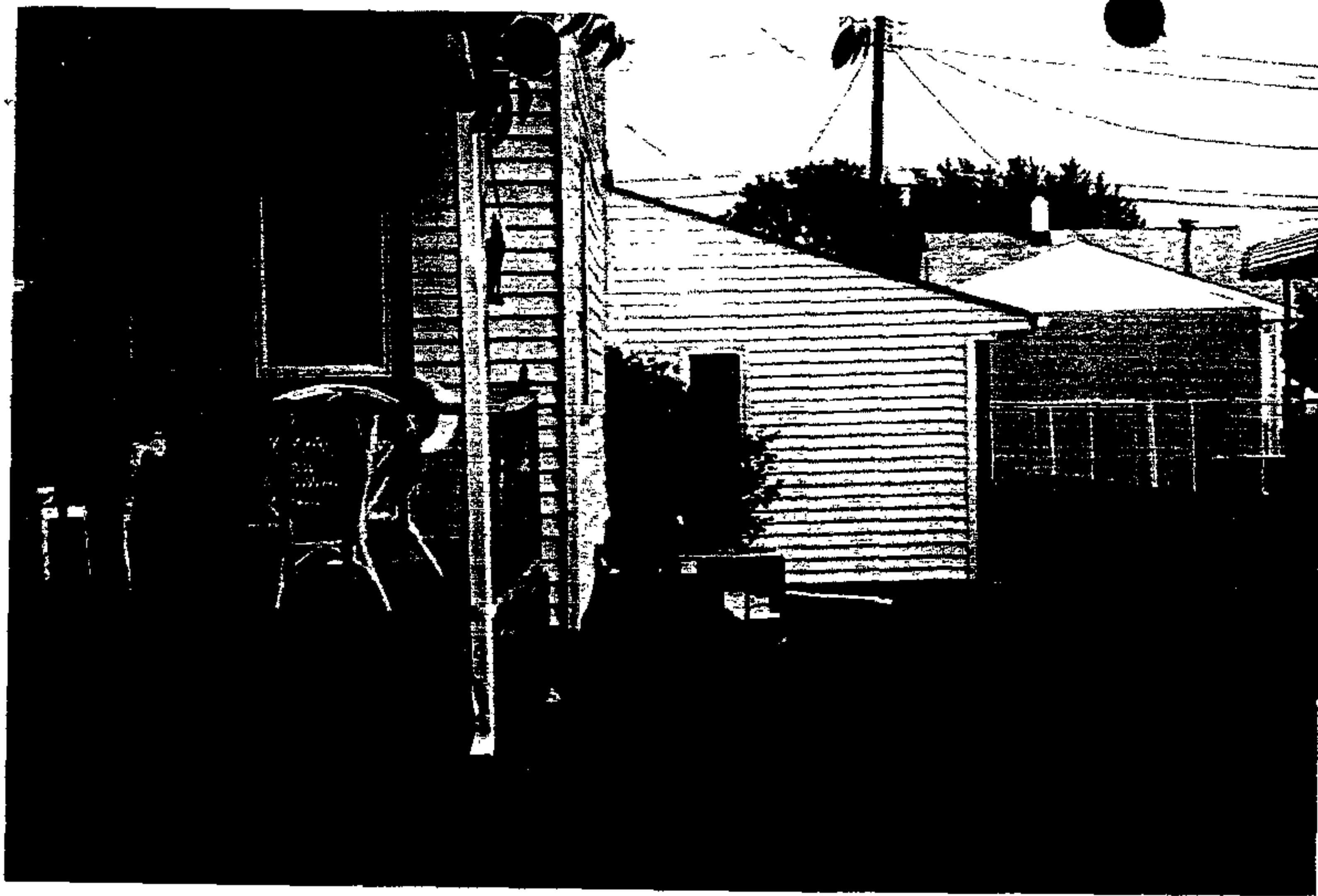
00-470-A

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

05-015-K
JL

Ret. Ex. #1



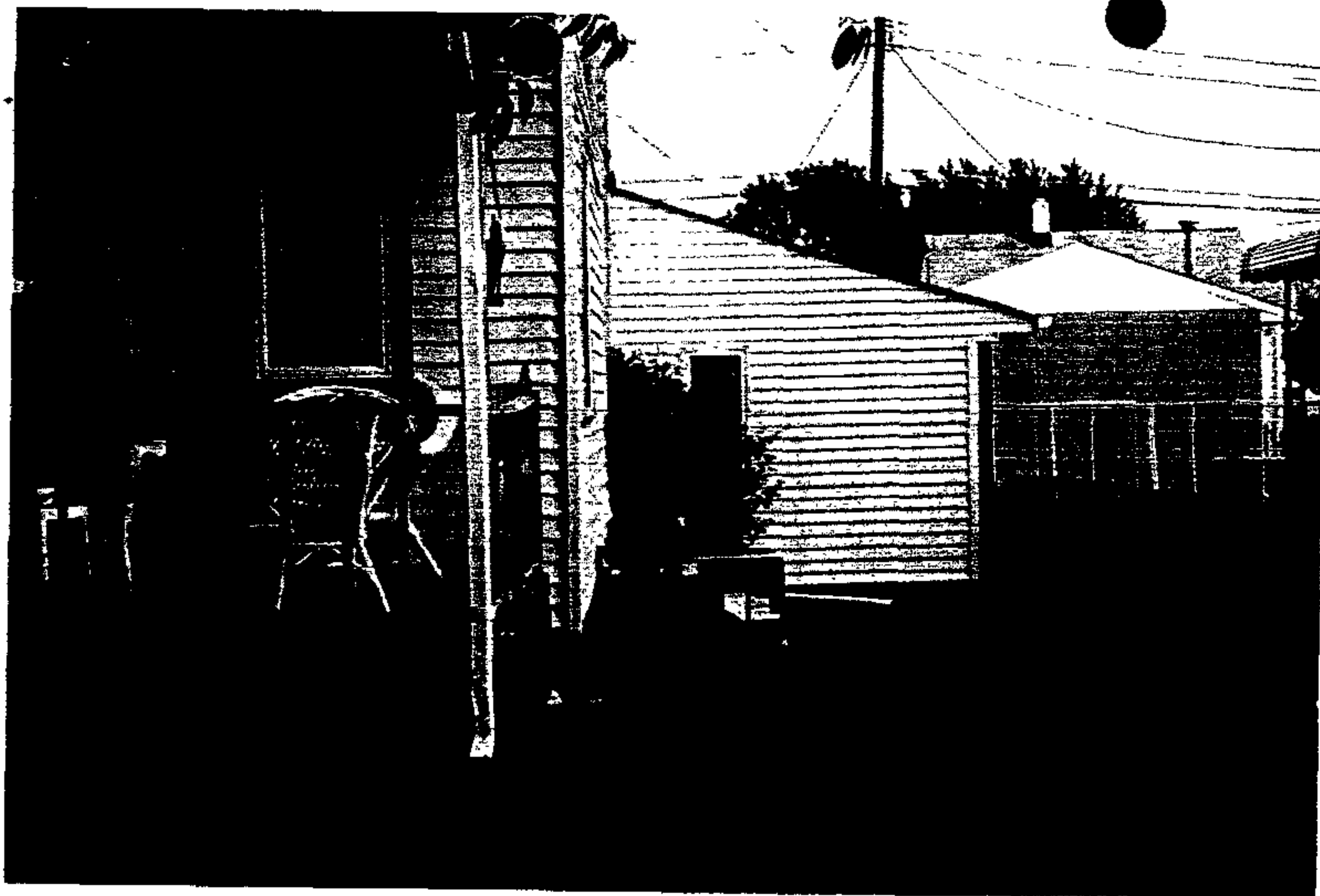
This is the
Existing Addition
That ~~was~~ Had
A VARIANCE
Already. It will
Add to the glth
of the family. (Front
View Looking to Rear)

015



(Rear View Looking
to Front).
you can see A
2' set Back Already

—
—
—

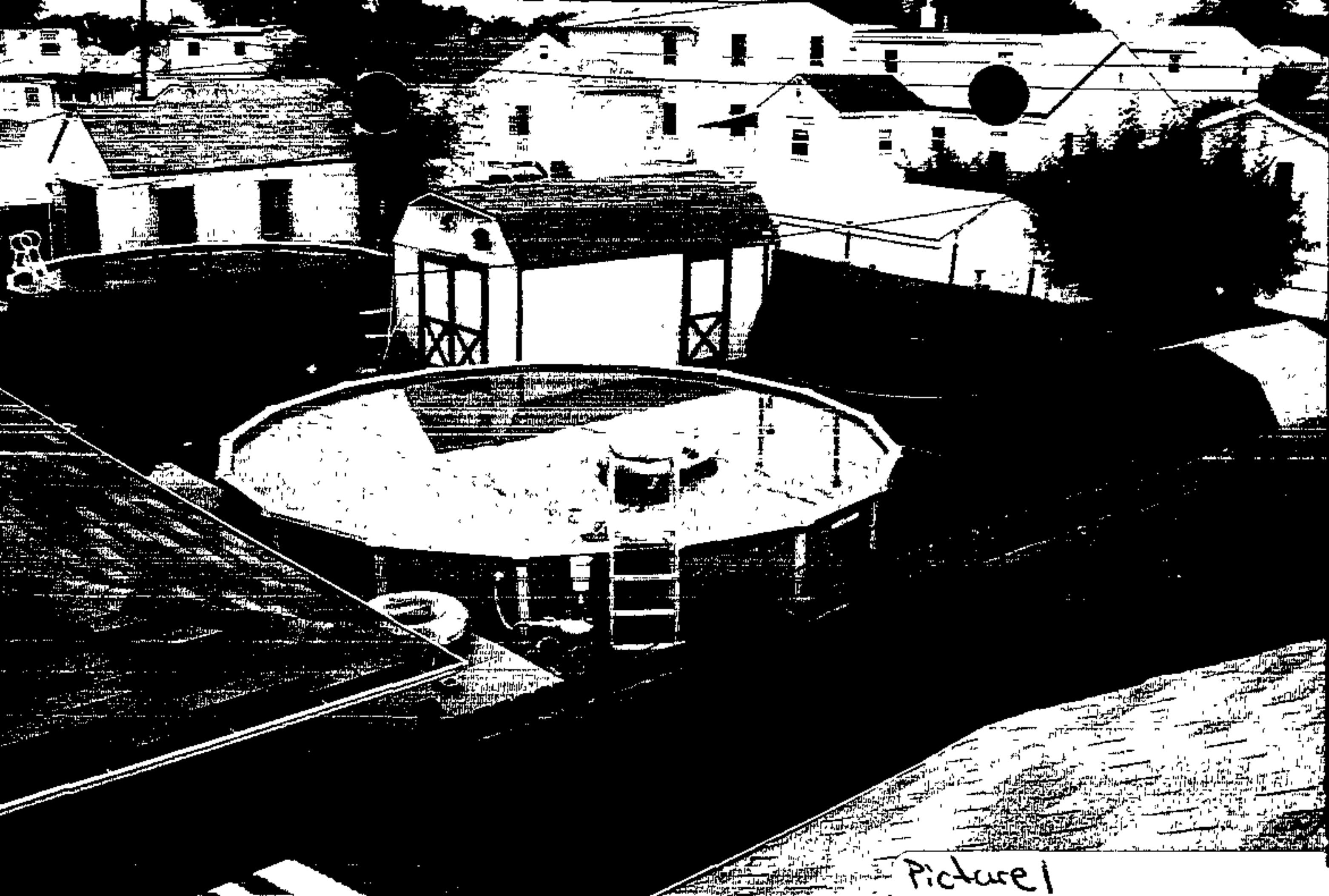


111

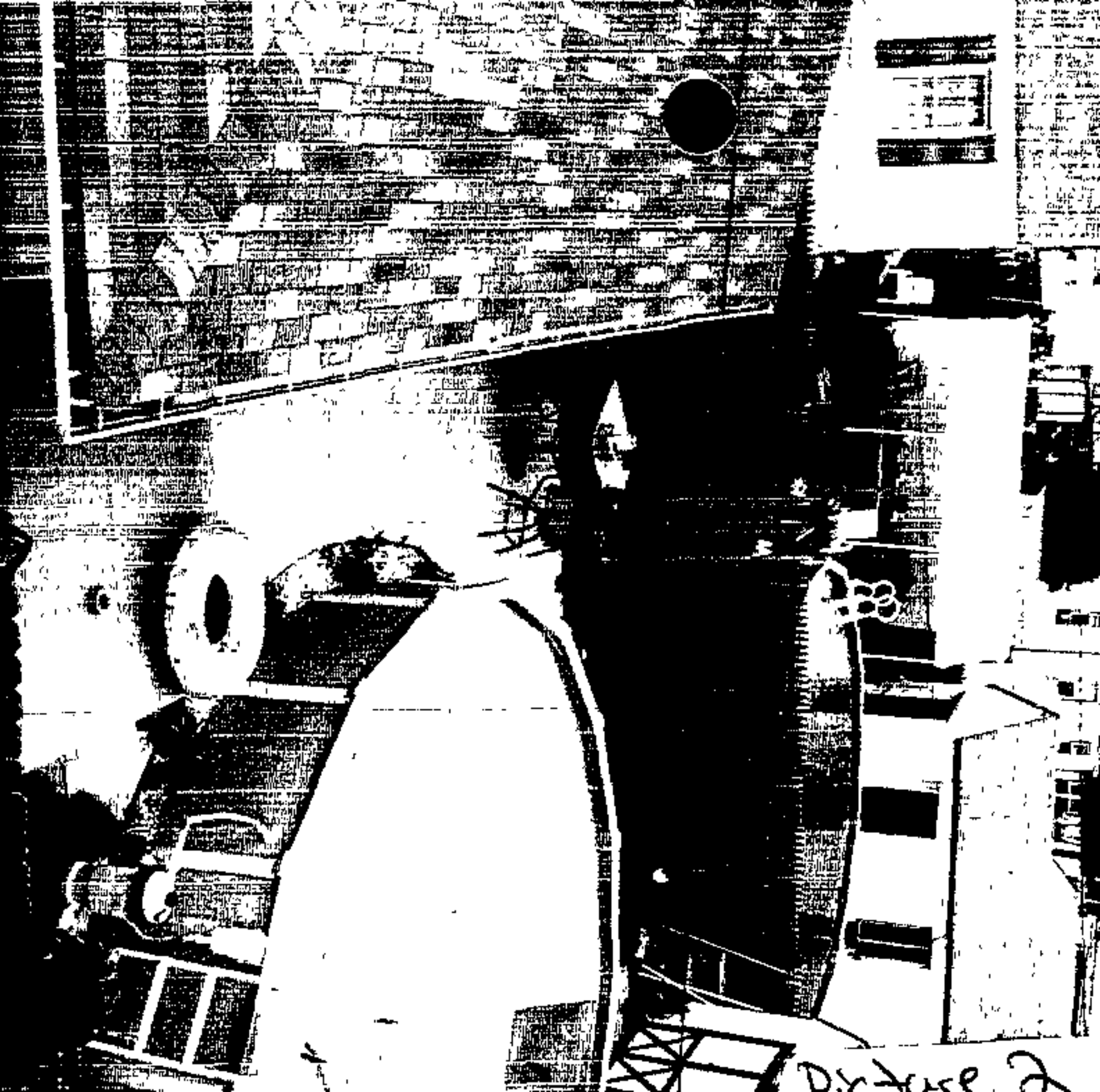
015



111



Picture 1



Dr. J. R. 2

PICTURES OF BACKYARD

Picture 2



closed in
patio →

for hanging

Picture 3



Picture 4

BUTTD Down Spouts

DRAINING TO ONE CORNER
OF THE HOUSE

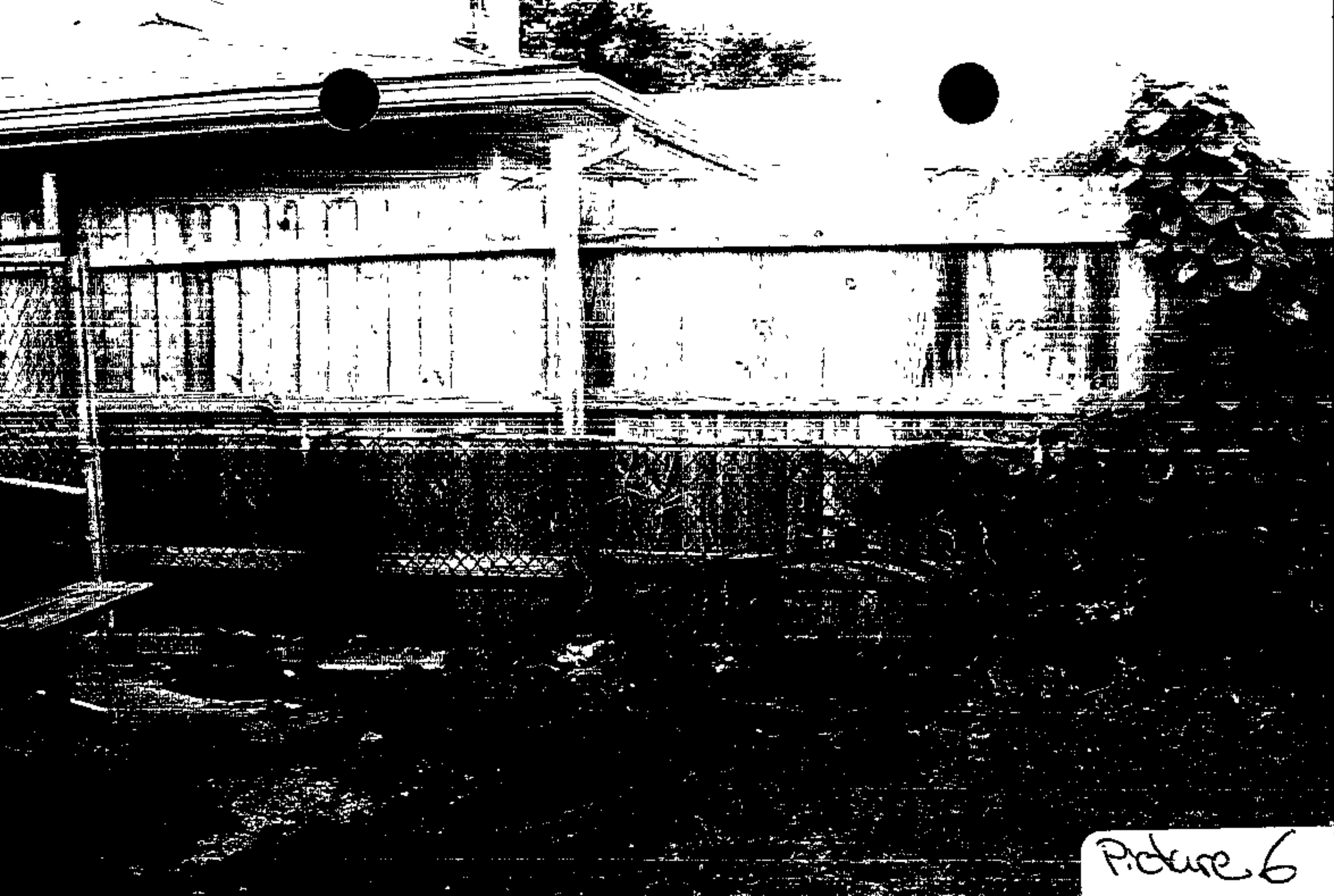
Picture 4



Picture 5

Picture of Front
Yard

Picture 5



Picture 6

Hole CREATED FROM
~~THIS~~ ROOF DRAINING

picture 6



Picture 7

Hole CREATED Floor

Roof Driveway

Picture 7



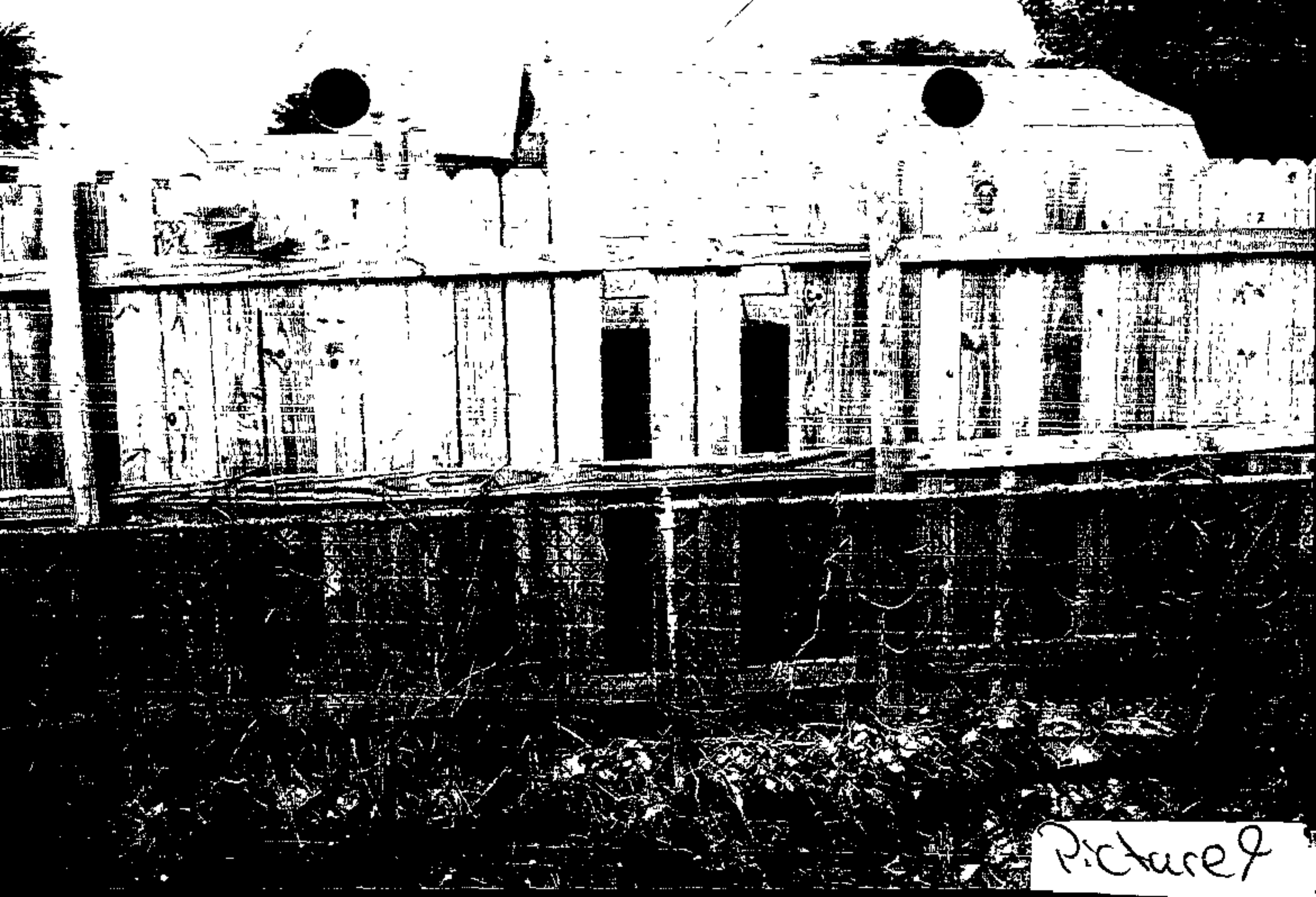
Picture 8

PRIVACY FENCE WITH A

UNFINISHED SIDE TO

me (NO PERMIT)

picture ~~of~~ 8



Picture 7

FADING Down FENCE

picture BQ

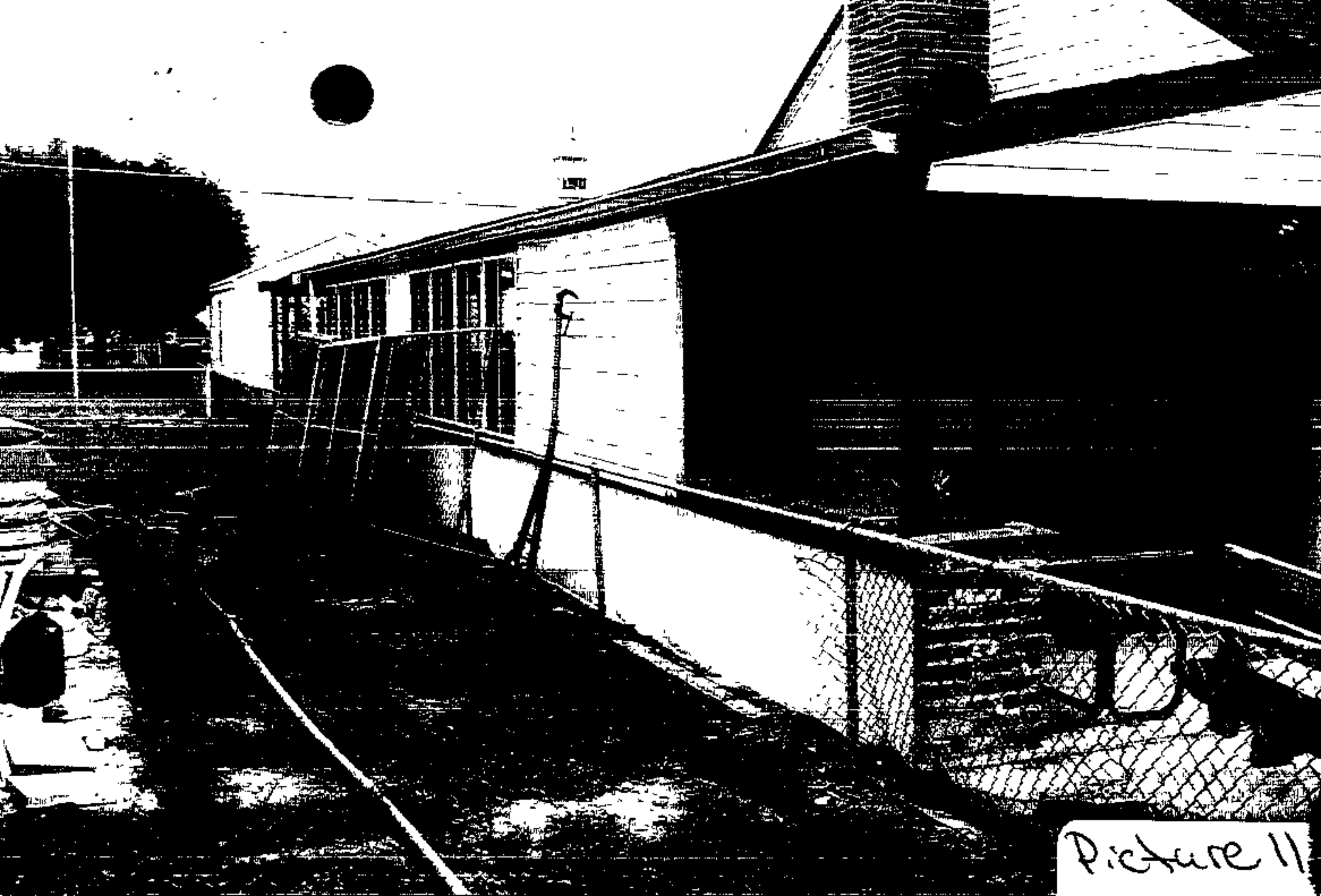
Eventual
Carport



Picture
10

EVE ~~OVER~~ HANGING ON ~~TO~~ my
PROPERTY

Picture 10.



Picture 11

NEIGHBOR ON THE OTHER SIDE
OF ME

Picture 11



Picture 12



picture 13

Porch AND WHAT IS LEFT
OF THE BITTNER yard which
he WANTS TO FILL.

picture B



Picture
14

CONT POACH OF BITTNER
USE (NO PERMIT)

14