

IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Chestnut Hill Lane, 460 ft. from
centerline of Candor Court Road
4th Election District
2nd Councilmanic District
(96 E. Chestnut Hill Lane)

Nathalie K. & John W. Kovalusky
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-067-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property Nathalie K. and John W. Kovalusky. The variance request is for property located at 96 E. Chestnut Hill Lane in the Reisterstown area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with open projection (deck) to have a side yard setback of 2 ft. in lieu of the required 7.5 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 15, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

ORDER RECEIVED FOR FILING

Date

9/2/04

Ray

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 2 day of September, 2004, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with open projection (deck) to have a side yard setback of 2 ft. in lieu of the required 7.5 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;
2. Compliance with any recommendations, if any, made by the Department of Environmental Protection & Resource Management (DEPRM).
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING

9/2/04

2004

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

September 2, 2004

Mr. & Mrs. John W. Kovalusky
96 E. Chestnut Hill Lane
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 05-067-A
Property: 96 E. Chestnut Hill Lane

Dear Mr. & Mrs. Kovalusky:

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

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

96 E. CHESTNUT HILL LANE
for the property located at REISTERSTOWN, MD 21136
which is presently zoned RESIDENTIAL
DR 3.5

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 BCZR

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH OPEN PROJECTION ^(DECK) TO HAVE A SIDEYARD
SETBACK OF 2' IN LIEU OF THE REQUIRED 7.5'

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):

JOHN W. KOVALUSKY
Name - Type or Print

John W. Kovalusky
Signature

NATALIE K. KOVALUSKY
Name - Type or Print

Natalie K. Kovalusky
Signature

96 E. CHESTNUT HILL LANE
Address Telephone No. 410-833-4410

REISTERSTOWN, MD 21136
City State Zip Code

Representative to be Contacted:

SAME AS ABOVE
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, 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 LM Date 8/4/04

Estimated Posting Date 8/15/04

CASE NO. 05-067-A

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

96 E. CHESTNUT HILL LANE
Address
KEISTERSTOWN MD 21136
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):

THE PROPOSED DECK DOES NOT INFRINGE ON THE ADJOINING PROPERTY AND IS WITHIN A FENCED IN AREA. IF THE DECK AREA IS DECREASED IT WILL BE FUNCTIONALLY AND AESTHETICALLY DEFICIENT.

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.

John W. Kovalusky
Signature

John W. KOVALUSKY
Name - Type or Print

Natalie K. Kovalusky
Signature

Natalie K. Kovalusky
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of August, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John + Natalie Kovalusky
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Joseph W. Mandare
Notary Public

My Commission Expires 4/1/08

ZONING DESCRIPTION FOR 96 E. CHESTNUT HILL LANE

Beginning for the same at a pipe heretofore set on the Northernmost edge of Chestnut Hill Lane, at the end of the first line of the land described in a Deed and recorded among the Land Records of Baltimore County in Liber WJR No. 3455, folio 165; thence running and binding on the Northernmost side of said Lane South 48 degrees 17 minutes 35 seconds West 125.0 feet, running thence for a line of division now made North 41 degrees 42 minutes 25 seconds West 260.0 feet to the rear line of the lots of Block E of Section 2, Academy Acres; thence running along said rear line, North 48 degrees 17 minutes 35 seconds East 125.0 feet to the end of the second line of the land described in the Deed mentioned above; thence running in a reversed direction and binding on said line South 41 degrees 42 minutes 25 seconds East 260.0 feet to the point of beginning. Also known as 96 E. Chestnut Hill Lane and located in the 4th Election District, 2nd COUNCILMANIC DISTRICT.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 39386

DATE 8/4/04 ACCOUNT R001 006 6150

AMOUNT \$ 65.00

RECEIVED FROM N. KOVALUSKY

FOR: 05-067-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	TRM
8/05/2004	8/04/2004	11:19:15	5
REG WROTS	WALKIN	WEL	WAT
>>RECEIPT # 345409 8/04/2004 (DPL)			
Dept	5	520 ZONING VERIFICATION	
CR NO.	039386		
Recpt Tot		165.00	
165.00	CR		1.00 CA
Baltimore County, Maryland			

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-067-A

Petitioner/Developer: _____

JOHN & NATALIE MOYLEY

Date of Hearing/Closing: 8/30/04

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

Attention:

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 _____

96 CHESTNUT HILL LA.

The sign(s) were posted on 8/15/04
(Month, Day, Year)

CASE # 05-067-A

Sincerely,

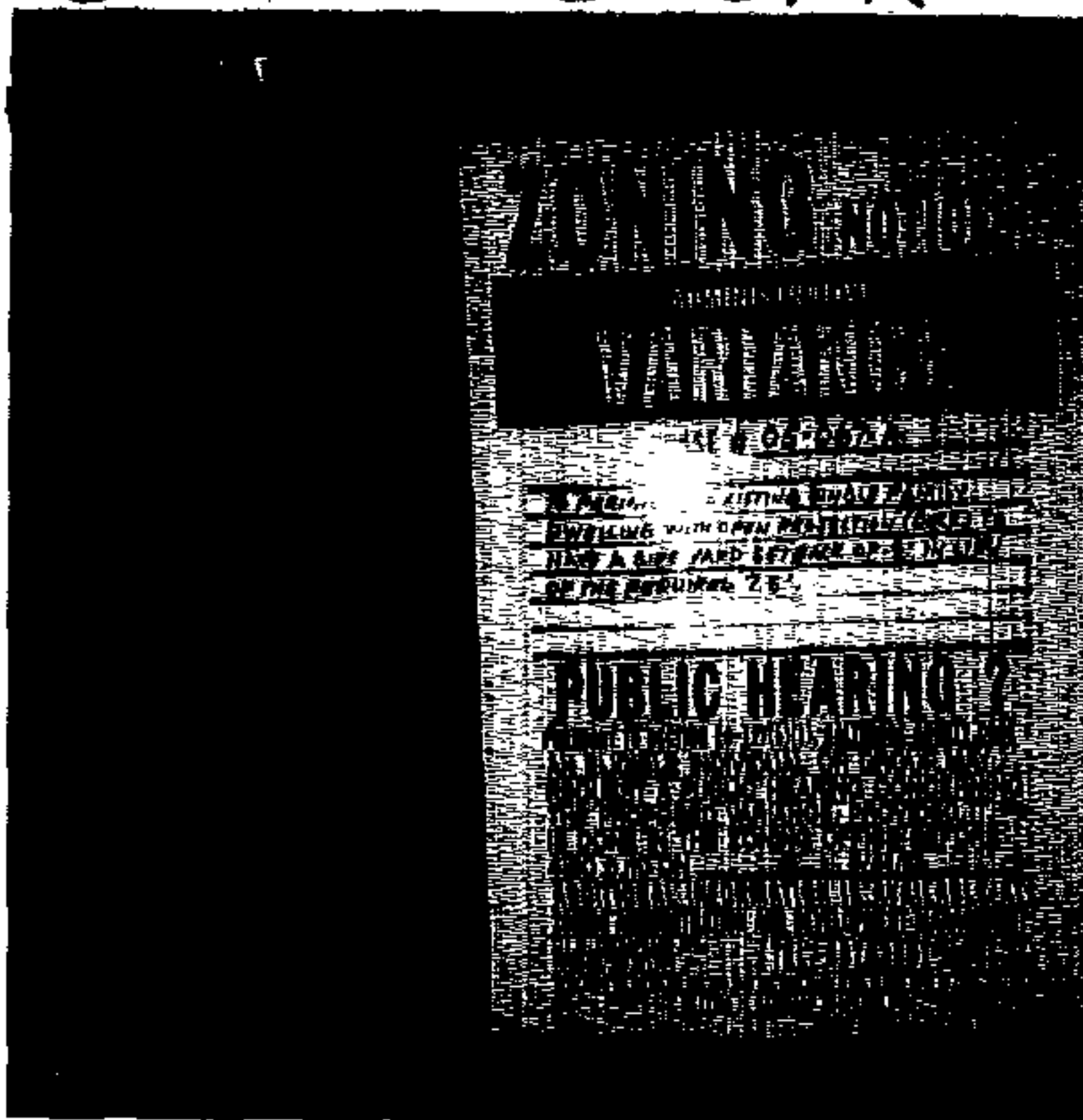
Richard E. Hoffman 8/15/04
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



96 CHESTNUT HILL LA

POSTED 8/15/04

Richard E. Hoffman 8/15/04

Richard E. Hoffman 8/15/04

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 05-067-A

Petitioner John + Natalie Kay Kovalusky

Address or Location 96 E. Chestnut Hill Ln, Reisterstown, MD 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name John + Natalie Kay Kovalusky

Address 96 E Chestnut Hill Lane
Reisterstown, MD 21136

Telephone Number: 410-833-4410

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 067 -A Address 96 E. CHESTNUT LANE ^{HILL}

Contact Person: LYDD T. MUXLEY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/4/04 Posting Date: 8/15/04 Closing Date: 8/30/04

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- 067 -A Address 96 E. CHESTNUT LANE

Petitioner's Name JOHN & NATALIE KOVALUSKY Telephone _____

Posting Date: 8/15/04 Closing Date: 8/30/04

Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
WITH OPEN PROJECTION (DECK) TO HAVE A SIDEYARD
SETBACK OF 2' IN LIEU OF THE REQUIRED 7.5'

FILED
5-17-04
RECEIVED
HILL

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 96 E. CHESTNUT HILL LANE
Address
KEISTERSTOWN MD 21136
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):

THE PROPOSED DECK WILL BE WITHIN A FENCED IN AREA AND DOES NOT INFRINGE UPON THE ADJOINING PROPERTY. IF THE DECK AREA IS DECREASED IT WILL BE FUNCTIONALLY AND ASTHETICALLY DEFICIENT.

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.

John W. Kovalusky
Signature
John W. KOVALUSKY
Name - Type or Print

Natalee K. Kovalusky
Signature
Natalie K Kovalusky
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of August, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John & Natalee Kovalusky
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Joseph W. Mandap
Notary Public
My Commission Expires 7/17/08



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

96 E. CHESTNUT HILL LANE
for the property located at BEISTERSTOWN, MD 21136
which is presently zoned RESIDENTIAL
DR 3.5

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 BOZ.3.C.1 BCZR

TO PERMIT AN EXISTING SINGLE FAMILY
DWELLING WITH OPEN PROJECTION (DECK) TO
HAVE A SIDEYARD SETBACK OF 2' IN LIEU OF THE
REQUIRED 7.5'.

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):

JOHN W. KOVALUSKY
Name - Type or Print _____
John W. Kovalusky
Signature _____
NATALIE K. KOVALUSKY
Name - Type or Print _____
Natalie K. Kovalusky
Signature _____ 410-833-4410
96 E. CHESTNUT HILL LANE
Address _____ Telephone No. _____
BEISTERSTOWN MD 21136
City _____ State _____ Zip Code _____

Representative to be Contacted:

SAME AS ABOVE
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 _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 05-067-A

Reviewed By LTN Date 8/4/04

Estimated Posting Date 8/15/04

**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 30, 2004

John W. Kovalusky
Natalie W. Kovalusky
96 E. Chestnut Hill Lane
Reisterstown, Maryland 21136

Dear Mr. and Mrs. Kovalusky:

RE: Case Number:05-067-A, 96 E. Chestnut Hill Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 4, 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 circular embossed seal. The seal is partially visible and appears to be the official seal of the Zoning Review Supervisor.

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

August 24, 2004

ATTENTION: Zoning Review planners

Distribution Meeting ⁶⁷ of August 16, 2004

Item No.: 061-069, 071, 072, 074, 076-080

Pursuant to your request, the referenced plan(s) have been reviewed 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

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*

Maryland Department of Transportation

Date: 8.13.04

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

RE: Baltimore County
Item No. 067 LTM

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. JDO

DATE: September 3, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 16, 2004

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

05-061
04-062
04-063
~~04-065~~
04-067
04-068
04-069
04-071
04-072
04-077
04-079
04-080
04-081

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 20, 2004

RECEIVED

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

AUG 23 2004

ZONING COMMISSIONER

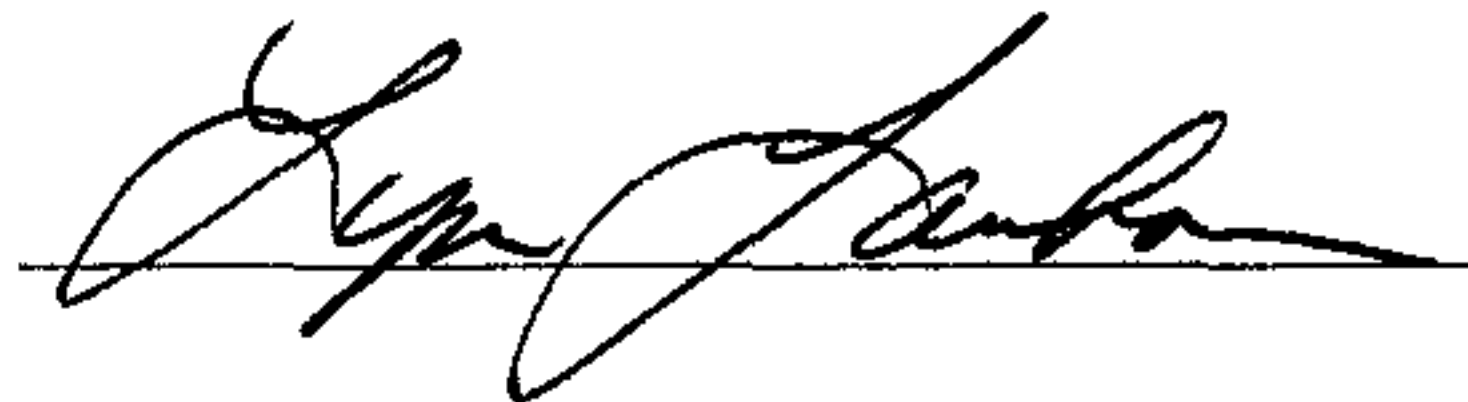
SUBJECT: Zoning Advisory Petition(s): Case(s) 5-067 – Administrative Variance

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: September 1, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For August 23, 2004
Item Nos. 061, 062, 063, 064, 065,
066, 067, 068, 069, 070, 072, 074, 075,
076, 077, 079, 080, and 081

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

RWB:CEN:jrb

cc: File

August 2, 2004

Baltimore County, Maryland
Department of Permits and Development Management
Towson, MD 21204

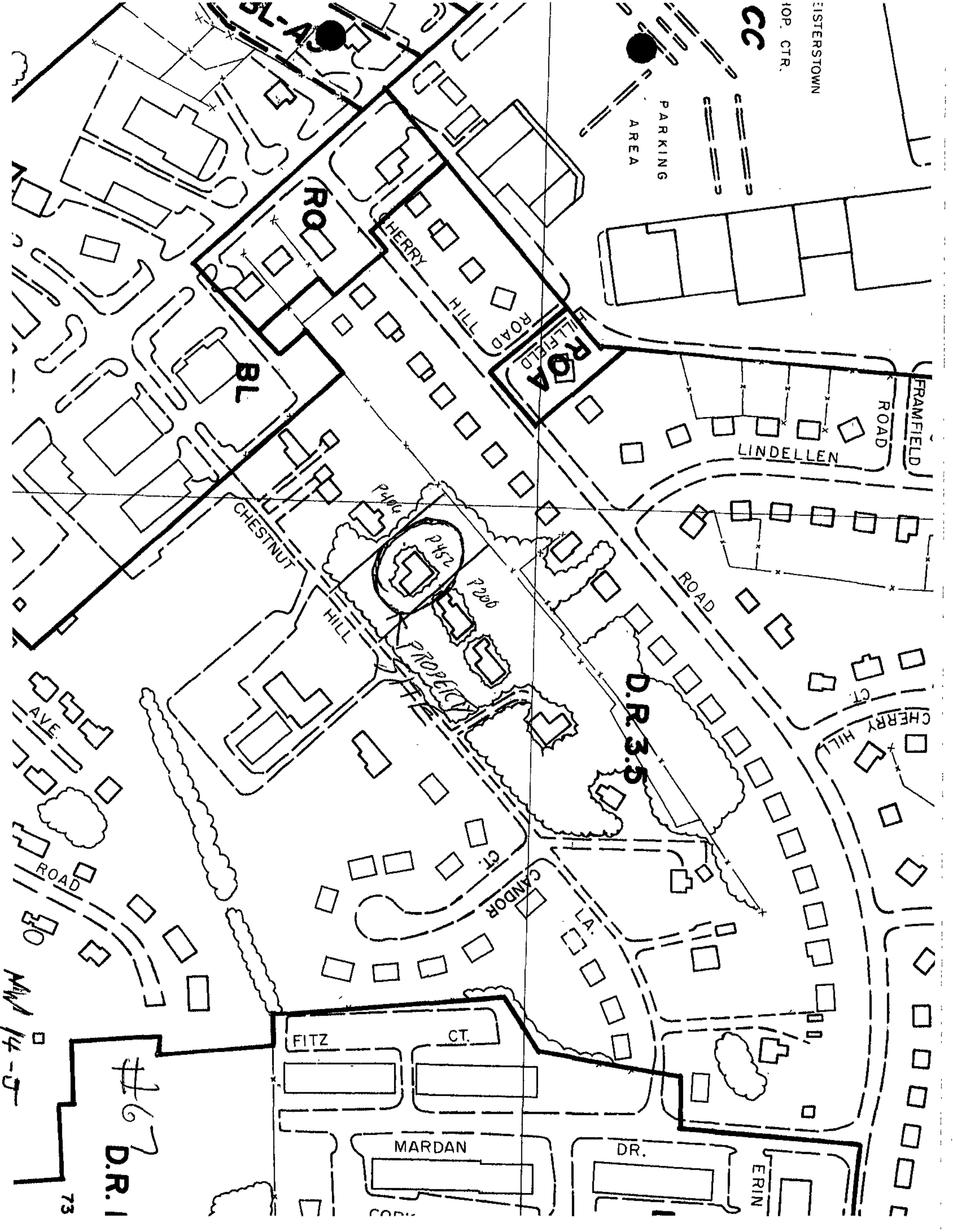
Dear Sir or Madam:

My neighbors, John and Natalie Kay Kovalusky, are requesting a zoning variance to build a deck. They are requesting to build the deck within a fenced-in area in their backyard off the side of their house where there was a previous patio. It is this area that has two doors leading off the side of their house. I understand this is the only logical location for a deck without causing undue construction to create doors leading outside. This area adjoins my property, but is separated by the fence. I do not have any issues with the building of a deck at this location.

Sincerely,

Margaret M. Eline
Mrs. Margaret Eline

#67



SISTERSTOWN

TOP. CTR.

CC

PARKING
AREA

FRAMFIELD
ROAD

LINDLELL

ROAD

CHERRY HILL
CT.

D.R. 3.5

CANDOR
CT.

FITZ

CT.

MARDAN

DR.

ERIN

#67
D.R. 1

73

MAY 14-5

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

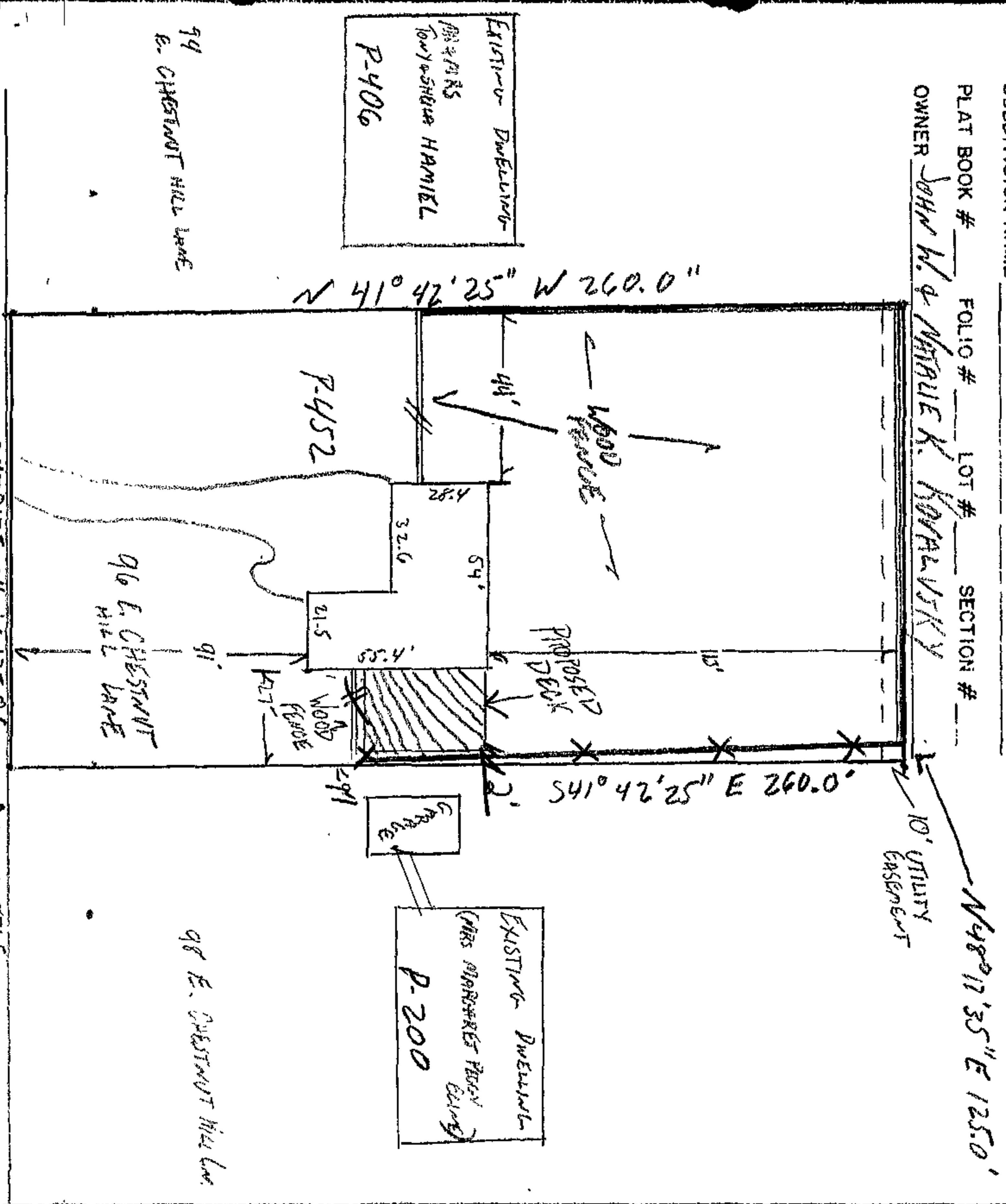
PROPERTY ADDRESS 96 E. CHESTNUT HILL LANE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME

PLAT BOOK # FOLIO # LOT # SECTION #

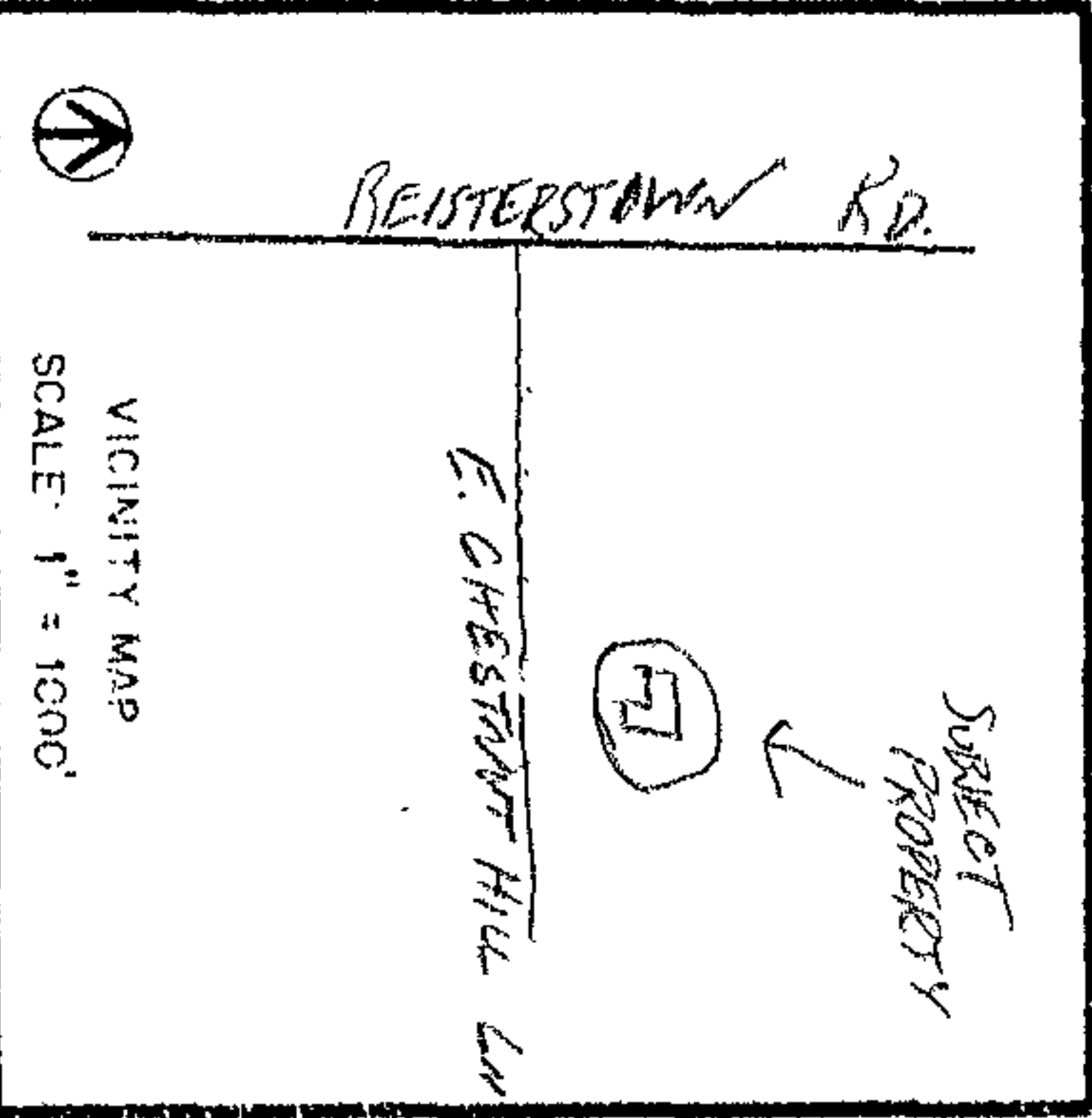
OWNER JOHN W. & ANNA K. KOVALICKY



EXISTING DWELLING
(MRS. MARSHALL PERRY
CLINE)
P-200

PREPARED BY JOHN KOVALICKY

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT	04
COUNCILMANIC DISTRICT	2
1" = 200' SCALE MAP #	NW 14-J
ZONING	DR 3.5
LOT SIZE	0.7759
ACREAGE	33,800
SQUARE FEET	
SEWER	☒ PUBLIC ☐ PRIVATE
WATER	☒ ☐
CHESAPEAKE BAY CRITICAL AREA	☐ YES ☒ NO
100 YEAR FLOOD PLAIN	☐ ☒
HISTORIC PROPERTY / BUILDING	☐ ☒
PRIOR ZONING HEARING	N/A

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

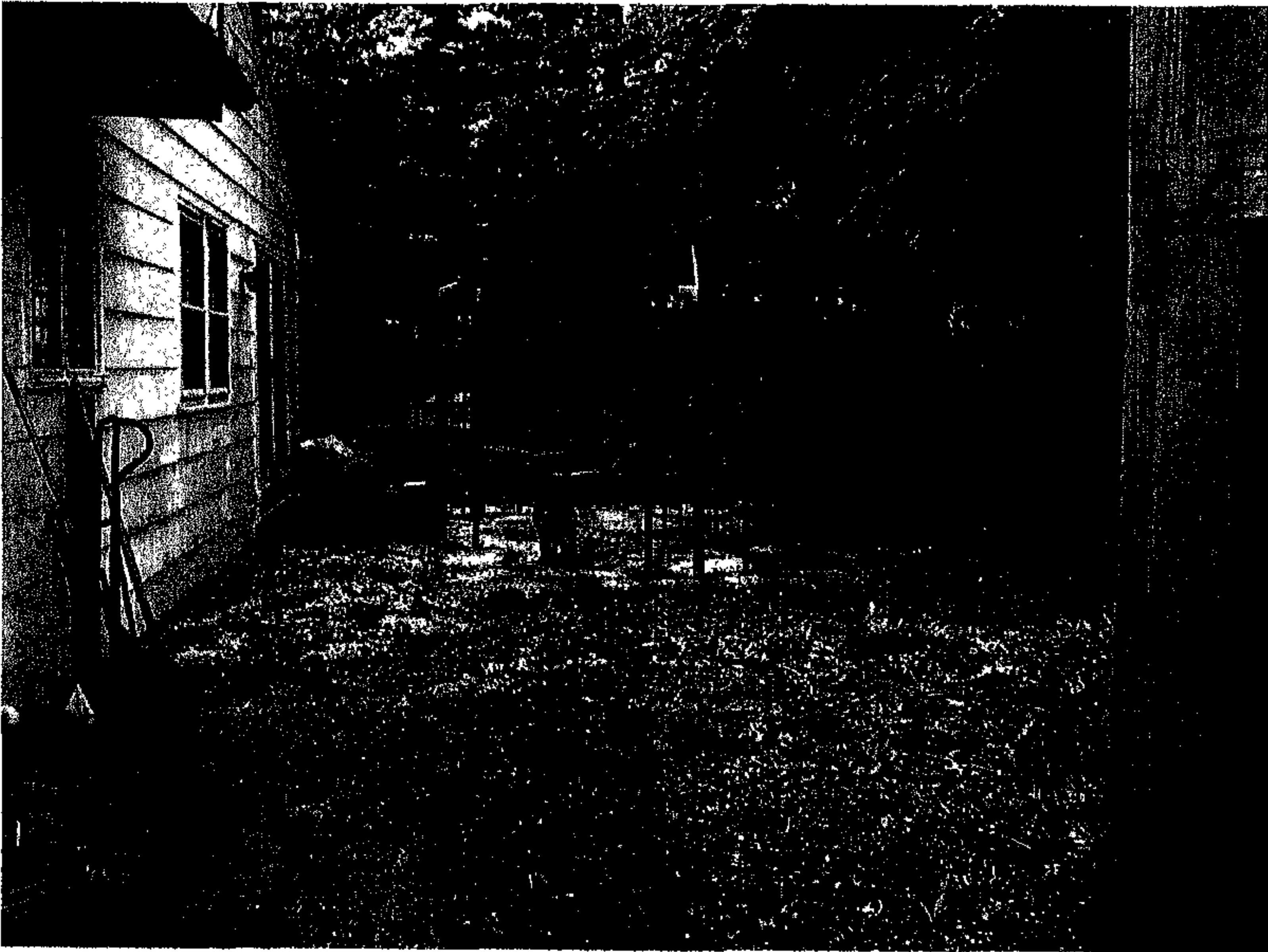
UTM 10671



View of proposed deck site in backyard
off house in fenced area

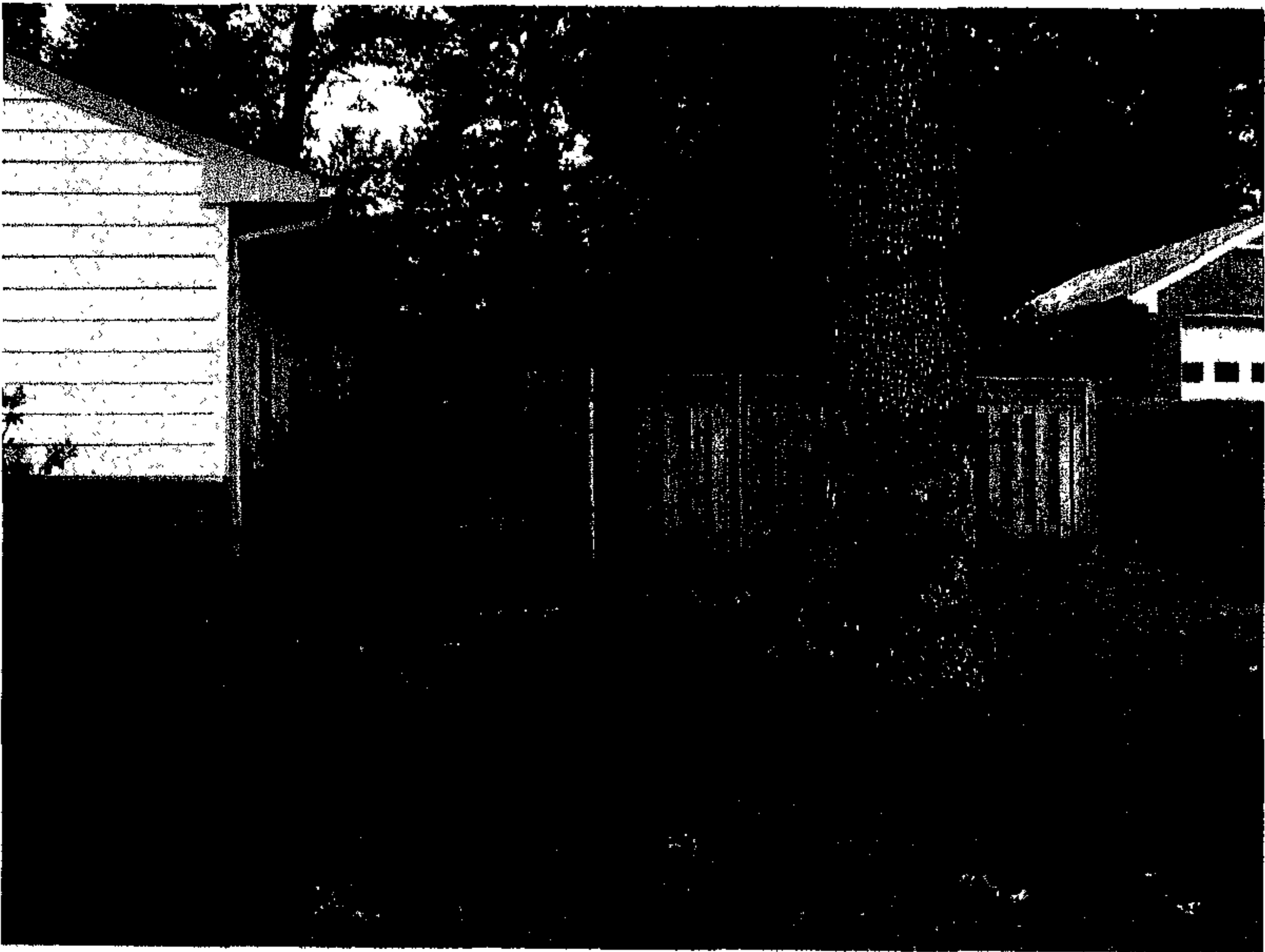


Second view of proposed deck site from
back yard



view of proposed deck site from gate
of fence to front yard.

Gizmo says hi!



Front yard picture of fence that
proposed deck will be behind

pdr_0082 (1600x1200x24b jpeg)



Another view of fenced in area where
deck will hopefully be.



view of corner of property where fence
is that proposed deck site is behind



View of proposed deck area prior
to fence last year



Views of proposed deck site prior to
clearing out patio and brush