IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Wood Valley Drive, 25 ft. E
centerline of Burning Wood Road
3rd Election District
2nd Councilmanic District
(3608 Wood Valley Drive)

Janet and Robert L. David Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 05-087-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, Janet and Robert L. David. The variance request is for property located at 3608 Wood Valley Drive in the "Longmeadow West" subdivision of Baltimore County. The variance request is from Section 205.2 (1955 B.C.Z.R.) and Sections 1B02.3C.1 and 504.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side street setback of 24 ft. in lieu of 40 ft. for an addition. 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 19, 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

A FRENCH FOR FOR FINE

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 18 day of October, 2004, that a variance from Section 205.2 (1955 B.C.Z.R) and Sections 1B02.3C.1 and 504.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side street setback of 24 ft. in lieu of 40 ft. for an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

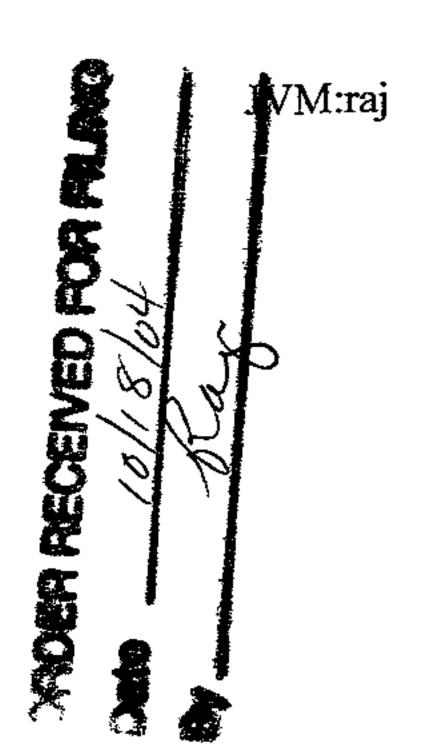
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

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



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

October 13, 2004

Mr. & Mrs. Robert L. David 3608 Wood Valley Drive Pikesville, Maryland 21208

> Re: Petition for Administrative Variance Case No. 05-087-A Property: 3608 Wood Valley Drive

Dear Mr. & Mrs. David:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Richard Schaefer & Sharon Miller
 c/o Apollo Design
 823 E. Baltimore Street
 Baltimore, MD 21202



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





to the Zoning Commissioner of Baltimore County

THE PARTY OF THE P	for the property located at	3608 Woodvalley Drive
		presently zoned DR.2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 205, 2 (1955 BCZ.P) 1302.3C 1 1504.7 To Permit A SLDESTREET SETBARK OF ZUFT. Which of 40 FT

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 declar perjury, that I/we are the is the subject of this Pe	e legal owner(s) of the	
Contract Purchase	r/Lessee:		Legal Owner(s):		-
Name - Type or Print		<u> </u>	Robert L. Day	vid	
Signature			Signature		
			Janet David	-)	
Address		Telephone No.	Name Type or Print	W	· - · · · · · · · · · · · · · · · · · ·
City	State	Zip Code	Signature		
Attorney For Petitic	oner:		3608 Woodvall	ley Drive 41	0.486.7334
	······································		Address		Telephone No.
			Pikesville	Maryland	21208
Name - Type or Print			City	State	Zip Code
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Signature	_		Richard Schae	 	n Miller
Corpany			Name		· ··· · · · · · · · · · · · · · · · ·
				esign 823 E.	Baltimore St
Addess		Telephone No.	Address Baltimore, MI	21202 41	Telephone No
City	State	Zip Code	City	State	Zip Code
A Public Hearing having b day of equilations of Baltimore Cou	19112	at time comment formities for t	required, it is ordered by the his petition be set for a public h	Zoning Commissioner of earing, advertised, as re-	of Baltimore County, quired by the zoning
			Zoning Commis	sioner of Baltimore Coun	ty

Reviewed By

Estimated Posting Date



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 the 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 3608 Woodvalley Drive

	Address	•	
	Pikesville,	Maryland	21208
	City	State	Zip Code
That based upon personal knowledge, the formation of the second second control of the se	_	-	st for an Administrative
When we bought hour house, twelve our children marry, move out of town, and ha children and grandchildren visit often, and withem. We love our neighborhood and want thouse is built on a slab, we are unable to explication and extensive basement. The interior side yard or our house is next door. There is, however, ample room of setback for an addition that will be 16' wide, I house on the side of the street opposite our process.	th such a large extend to stay here, but in order and within the existing a virtually at the setbacent the other side, and where the leaving 24' remaining in	n. We anticipate even more graned family, we need more living sper to do so, we must add living sper footprint without incurring unmark line, with very little space between addition to the 60' County right-	ace to accommodate ace. And, as our nageable costs for en it and the house of-way. The nearest
That the Affiant(s) acknowledge(s) that if a for fee and may be required to provide additiona	l'information.	Must Shud	posting and advertising
Signature	Si	gnàture	
Robert L. David Name - Type or Print		anet David ame - Type or Print	
STATE OF MARYLAND, COUNTY OF BAL HEREBY CERTIFY, this day of formal of Maryland, in and for the County aforesaid, personally known or satisfactors. AS WITNESS my hand and Notarial Seal	mly sonally appeared Tanel	en R. Charg	ary Public of the State
	My Commi	ssion Expires 3-1-0	8
	MIA COULTE	SOLUEI L'ADITES	

My Commission Expires_

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 the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

3608 Woodvalley Drive

Address

That the Affiant(s) does/do presently reside at

	Pikesville,	Maryland	21208_
,	City	State	Zip Code
That based upon personal knowledge, Variance at the above address (indicate		•	est for an Administrative
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house is built on a slab, we are unable digging an extensive basement.	to expand within the existing	footprint without incurring unm	anageable costs for
The interior side yard or our ho	•		
next door. There is, however, ample ro	-	• • • • • • • • • • • • • • • • • • •	
setback for an addition that will be 16' v	•	- - -	-
house on the side of the street opposite	e our proposed addition woul	d be approximately 120 away,	down a steep incline.
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That the Afficience's pakeoutledge(s) that i	if a formal domand is filed. Aff	iont(e) will be required to day a r	enecting and adverticing
That the Affiant(s) acknowledge(s) that if fee and may be required to provide add		iai it(5) wiii be required to pay a r	eposing and adventising
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1 E-C		MUN VICE	
Signature	Sk	páture	
Pohert I. Bavid	ia	net David	
Robert L. David Name - Type or Print		me - Type or Print	,
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STATE OF MARYLAND, COUNTY OF	HOWANDE to with	tt klistinin saki	11 k 114 l 16 l 30 l l l l l
4 -			
I HEREBY CERTIFY, this <u>26</u> day of Maryland, in and for the County aforesaid	y of <u>fally</u>	, 200/, before me, a N	otary Public of the State
Robert A	and a Pare	of David	
the Affiant(s) herein, personally known or s	atisfactority identified to me as s	such Affiant(s).	
-			
AS WITNESS my hand and Notarial Se	al O	i. K. Mark	·
	Notary Publ	ic / Congre	' \\



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3608 Woodvalley Drive

	which is presently zoned <u>DR.2</u>
This Petition shall be filed with the Department of Permit owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section For Section County A Care Sales County County and White County A Care Sales County	its and Development Management. The undersigned, legal ch is described in the description and plat attached hereto and ion(s) 205.2 (ASSBC Z.R.), 1802, 30 Pek of 24FT. In Lieu of 40F
	THE THET IN LIEU OF 40F
of the zoning regulations of Baltimore County, to the zoning la of this petition form.	aw of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the all, or we, agree to pay expenses of above Variance, advertising, por regulations and restrictions of Baltimore County adopted pursuant to	sting, etc. and further agree to and are to be bounded by the zoning
	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:	Legal Owner(s):
Name - Dime - Dime	Robert L. David
Name - Type or Print	Name - Type or Print
Signature	Signature Janet David
Address Telephone No.	Name/ Type or Phint
City State Zip Code	Sign/ature
Attorney For Petitioner:	3608 Woodvalley Drive 410.486.7334
	Address Telephone No
Name - Type or Print	Pikesville Maryland 21208 City State Zip Code
	Representative to be Contacted:
Signature	Dichard Cohactor or Charon Millor
Company	Richard Schaefer or Sharon Miller Name
Address Telephone No.	c/o Apollo Design 823 E. Baltimore
nusicas releptione no.	Address Telephone No. Baltimore, MD 21202 410.752.7438
City State Zip Code	City State Zip Code
A Public Hearing having been formally demanded and/or found to be	
	Zoning Commissioner of Baltimore County
CASE NO. <u>05-087-</u> Rev	riewed By 500 Date 09-12-04



Description of Parcel for Variance Request
David Residence
3608 Woodvalley Drive
Pikesville, Maryland 21208

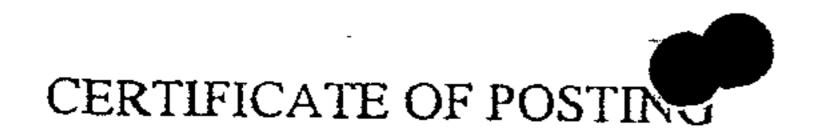
3rd Election District, 2nd Councilmanic District
Baltimore County, Maryland
Tax Account #03-08-068720

Beginning at a point on the north side of Woodvalley Drive, which is 60' wide at a distance of 25' east from the centerline of Burning Wood Road, which is 50' wide. Being lot #10, block "B", Plat #3 of Longmeadow West, which is recorded among the land records of Baltimore County in plat book W.J.R. 26, Folio 8, the improvements thereon being known as 3608 Woodvalley Drive.

Containing 26,572 sq.ft (.625 acre) more or less.

This description is intended for zoning purposes only.

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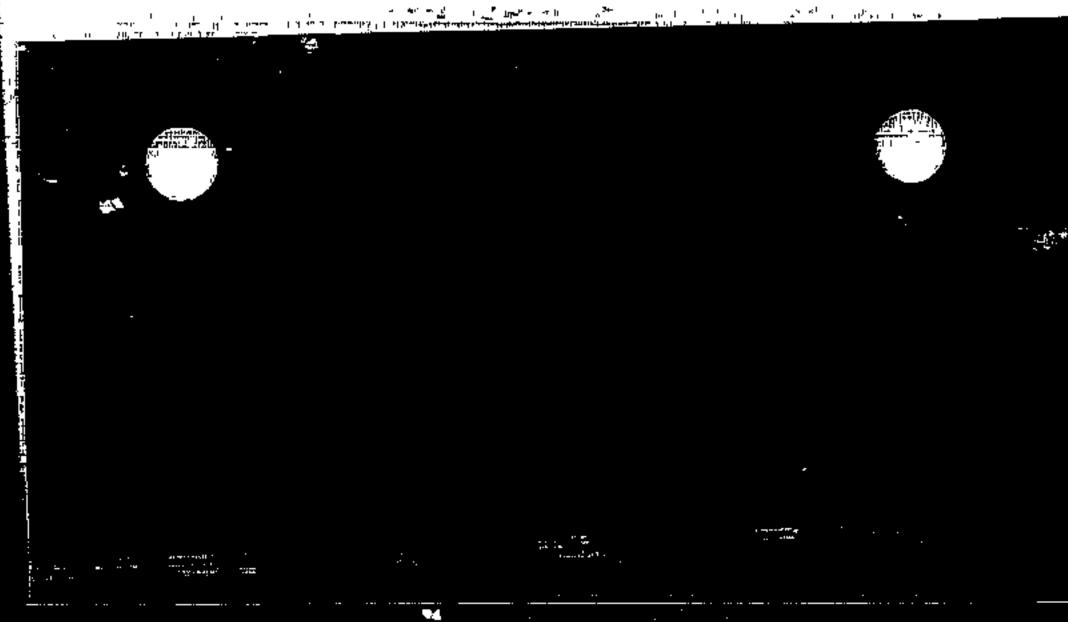
altimore County Department of comits and Development Management punty Office Building, Room 111 1 West Chesapeake Avenue owson, MD 21204
tention: Becky Hart
dies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by
w were posted conspicuously on the property located at #3608 Wood Valley Drives
e sign(s) were posted on AU(1, 10), 7004 (Month, Day, Year)
Sincerely,
Signature of Sign Poster and Date)
GARLAND E. Mooro (Printed Name)
3225 RYERSON CIRCLE (Address)
PAUTINIARE, MD. 21227 (City, State, Zip Code)
(Telephone Number)

RE: Case No.: 05-687-A

Petitioner/Developer: ROBENT & JAINET DAVID

Date of Hearing/ Closing: SEPT, 67H 2004





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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number
Petitioner: ROPERT JANET DAVID.
Address or Location. 3608 WOODUAUEY DR. 21200
PLEASE FORWARD ADVERTISING BILL TC
Name: POBERT L. DAVID
Address 3608 WOODUALLEY DRIVE
BALTO., MD. 21202
•
Telephone Number: 410-486. 7334
-05.087-D

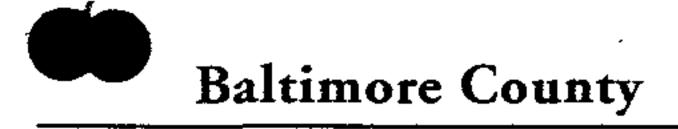
ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-	087	-A	Address	3608	WOOD JACKEP TRIK
Contact Person: _	Planner,	Please Print Your Nam	KANKU ne	<u>Pho</u>	one Number: 410-887-3391
Filing Date:	3-1204	Posting	g Date: 💆	- ZZ·OK	Closing Date: 09 - 06 - 0
Any contact made through the contact	with this offi person (plant	ce regarding the c	he status o ase number	f the adminis	strative variance should be
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	wood for a Du	ate is the dead blic hearing. , the process is	PIPACE IINA	OFCTOMM THAT	vner within 1,000 feet to file even if there is no formal sing date.
order that the (typically with	e matter be in 7 to 10 day	set in for a pusing	ublic hearing	let; (b) deny g. You will	e zoning or deputy zoning the requested relief; or (c) receive written notification petition has been granted, by First Class mail.
commissioner changed giving	r), notification	Will be forward hearing date	rded to you	The sign	nust go to a public hearing zoning or deputy zoning on the property must be hen the sign was originally sign must be forwarded to
			ng Dotted Line)		
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	· ···				05-087-A

Department of Permits Development Management

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





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

September 7, 2004

Robert L. David Janet David 3608 Woodvalley Drive Pikesville, Maryland 21208

Dear Mr. and Mrs. David:

RE: Case Number: 05-087-A, 3608 Woodvalley Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 12, 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.

U. Calliball

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Richard Schaefer/Sharon Miller c/o Apollo Design 823 E. Baltimore Street Baltimore 21202



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 of: August 23, 2004

Item No.:

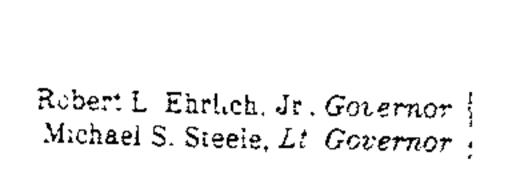
073, 078, 082-089

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.

5. 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. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date:

8.20.04

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

RE:

Baltimore County

Item No. 087

JRA

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

19/6

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr JPO

DATE:

September 14, 2004

SEP 1 4 2004

ZONING COMMISSIONER

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 23, 2004

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

05-073 04-082 04-083 04-084 04-085 04-087

Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 30, 2004

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-087 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



E. Philip Schleider 3606 Woodvalley Drive Pikesville, Maryland 21208 410-486-1244

July 27, 2004

Zoning Commissioner of Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue Room 111
Towson, Maryland 21204

Dear Sir:

I am the owner of the house at 3606 Woodvalley Drive, which, although it is next door to 3608 Woodvalley Drive, is actually situated behind 3608. Bob and Janet David's house is visible from the side of our house. We have discussed the Davids' plans for an addition to their house, and we do not object.

E. Philip Schleider

05087 A





Mandell Bellmore, M.D. 3609 Woodvalley Drive Baltimore, Maryland 21208

27 July 2004

Zoning Commissioner of Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue Room 111
Towson, Maryland 21204

Dear Sir:

We are the owners of the house located at 3609 Woodvalley Drive, across from Bob & Janet David. We are aware of their plans for an addition to their house, which will face ours, and we have no objection.

Yours trally,

Mandell Bellmore





Iill Rosenstein

July 27, 2004

Zoning Commissioner of Baltimore County Department of Permits & Development Management 111 West Chesapeake Avenue Room 111 Towson, Maryland 21204

Dear Sir:

My husband and I live opposite the home of Robert and Janet David, who a requesting a variance to construct an addition. We are aware of their plans for the addition, and we have no objection.

Yours truly,

Jill Rosenstein



Robert & Judy Schwartz 8318 Burning Wood Road Baltimore, Maryland 21208 410.484.2033

July 26, 2004

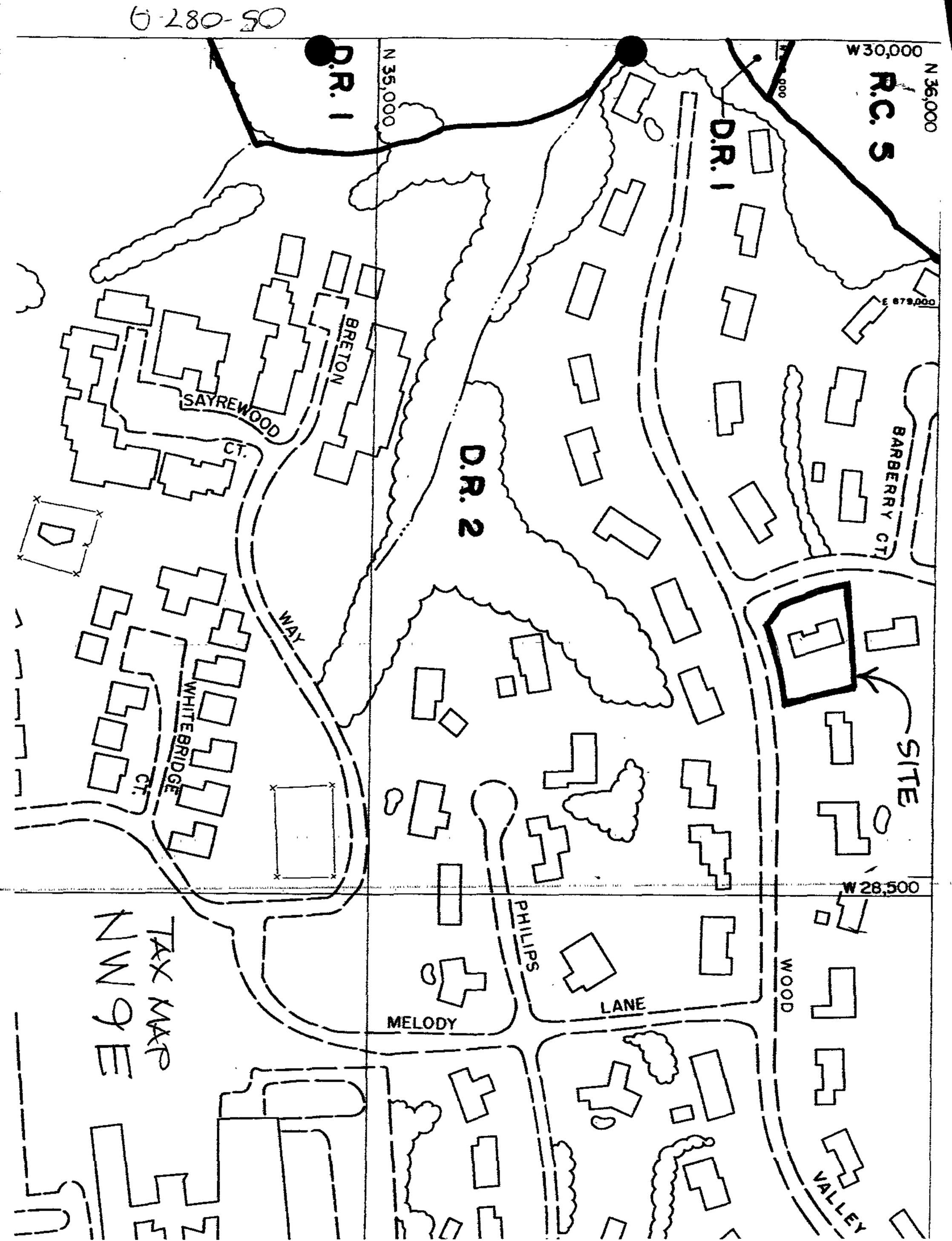
Zoning Commissioner of Baltimore County 111 West Chesapeake Avenue Towson, Maryland 21204

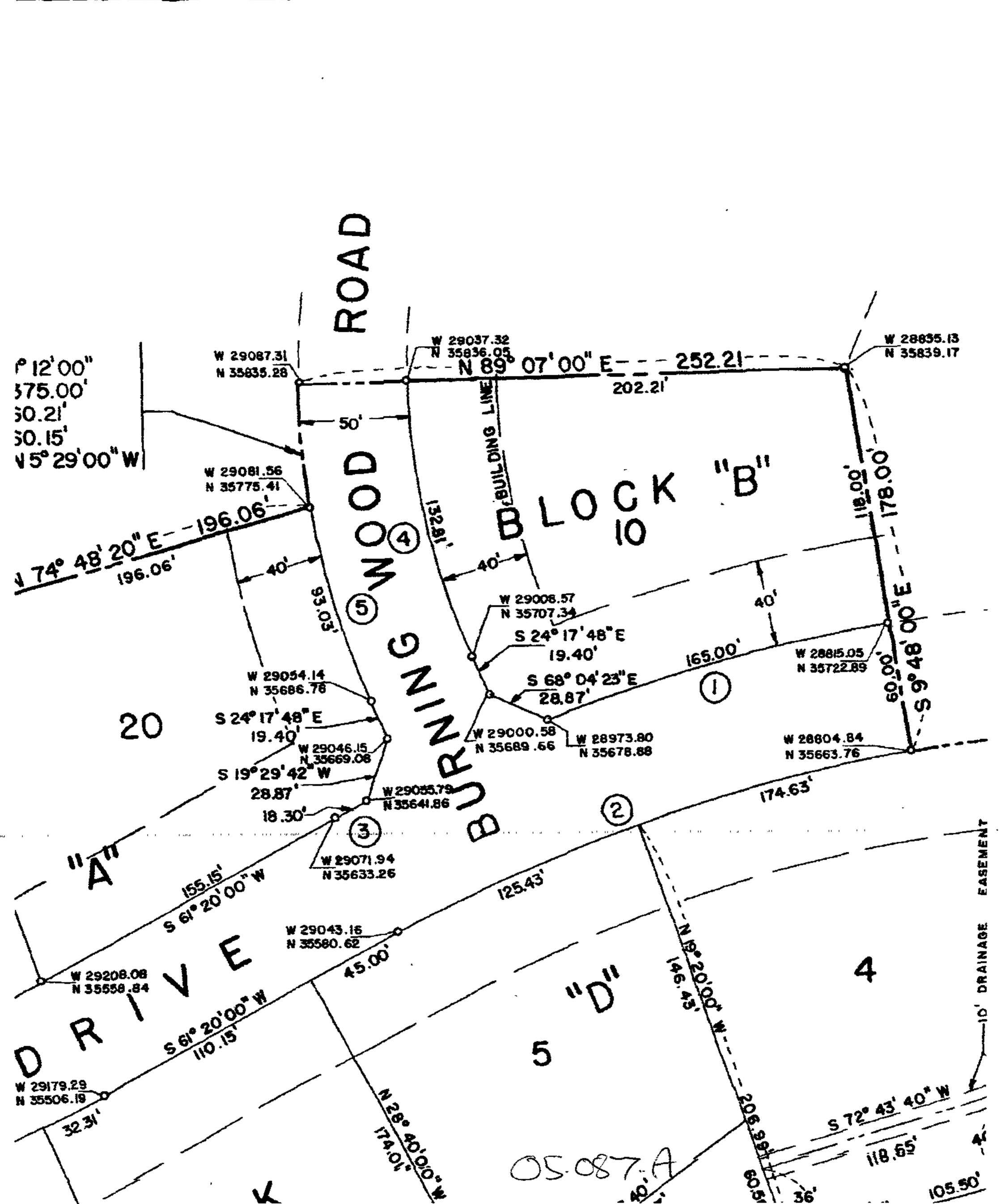
Dear Sir or Madam:

We live next door to Robert and Janet David, and we understand that they wish to construct and addition to their house. We have seen their proposed plans, and we have no objection to them.

Sincerely,

Judith Schwartz





RECAINED 1.

DEC 29 1958 at P.M. same day recorded in Alber W.J.R. No. folio One of the Records of Baltimore County and examined, per

NGMEADOW

TION DISTRICT NO.3, BALTIMORE COUNTY, FOR

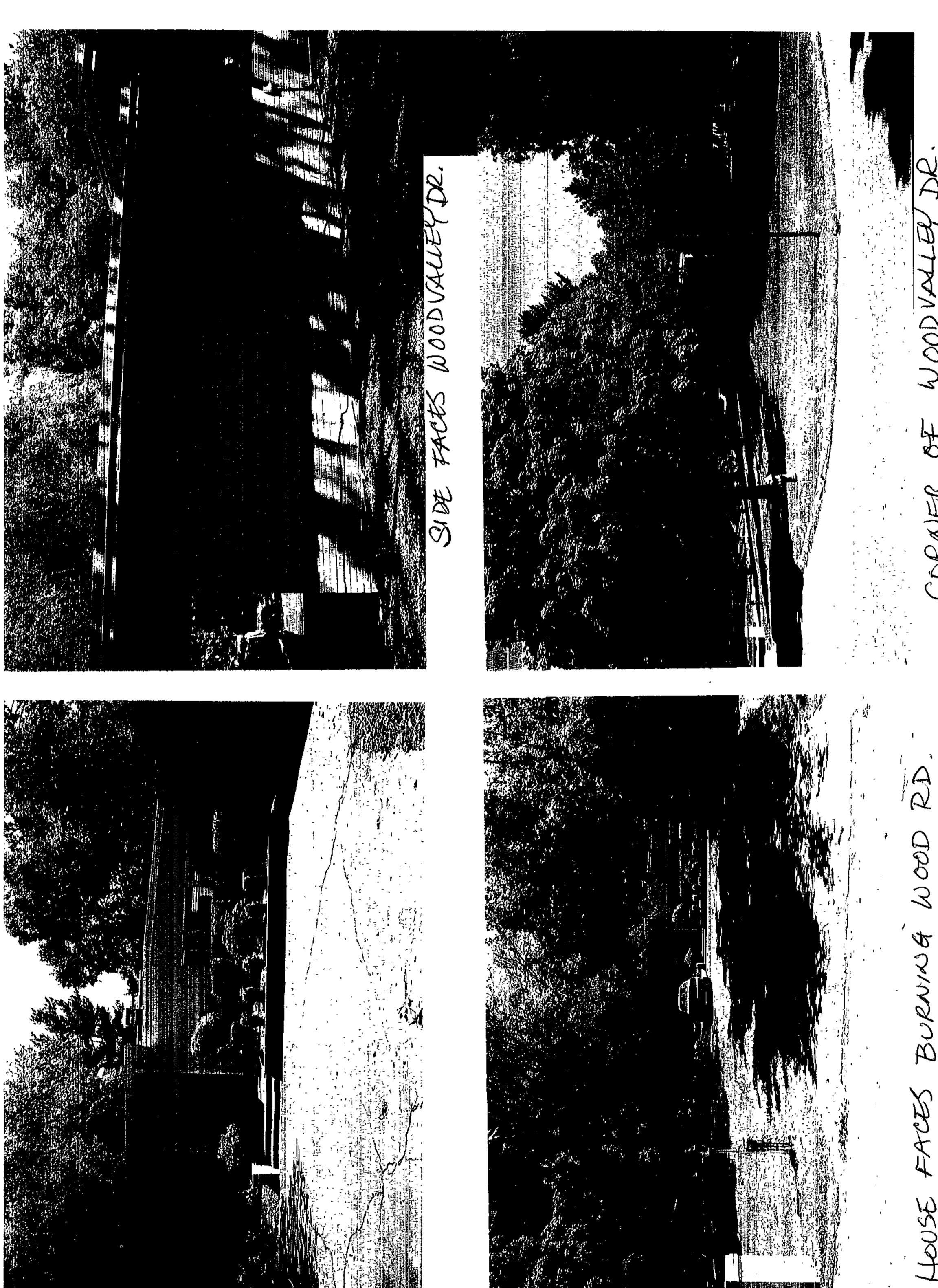
LONGMEADOW WEST INC. 8201 PUMPKIN SEED COURT PIKESVILLE,

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