

IN RE: PETITION FOR SPECIAL HEARING
N/S of Chenoak Avenue, 320 ft. W
centerline of Harford Road
9th Election District
5th Councilmanic District
(2920 Chenoak Avenue)

Michael Gallagher and
Laurie A. & David J. Testa
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* CASE NO. 05-312-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by Michael Gallagher and Laurie A. & David J. Testa, the legal owners of the subject property. The Petitioners are requesting special hearing relief for property they own at 2920 Chenoak Avenue in Baltimore County. The special hearing is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to store/park 2 recreational vehicles on the property.

The property was posted with Notice of Hearing on January 22, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on January 25, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

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

"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

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2/23/05

By

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."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated January 18, 2005 recommending denial of this request, a copy of which is attached hereto and made a part hereof. In addition, A ZAC comment was received from the Bureau of Development Plans Review dated January 21, 2005, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request were Laurie and David Testa, Petitioners. There were no Protestants or citizens at the hearing in opposition to the request. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 04-5812) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the Petitioners cannot use the fact that two recreational vehicles are presently stored on the property to set a precedent in order to allow it to continue. Nor does the fact that it may be costly to remove one vehicle come into consideration of the zoning case. The reason for this is that this condition is clearly self-imposed and as such cannot be a basis for the hardship or practical difficulty required by Section 307 of the B.C.Z.R. Conversely, the fact that something may have been done which could violate the law is not held against the Petitioners as

ORDERED FOR FILING
DATE 2/23/05
BY [Signature]

some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this office.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance, is a 44 ft. x 142 ft. lot improved by the Petitioners' single-family dwelling. Petitioners' Exhibit 1 indicates that the lot is zoned DR 5.5 and is approximately 7,700 sq. ft. in area. The Petitioners indicated that they own four recreational vehicles two of which are in storage and two of which are on the subject property. The Petitioners' indicated that the two RV's are parked in their rear yard and are not bothering anyone. They note that one of the owners of an RV stored on their property belongs to Mr. Gallagher who lives next door and who obviously supports the Petition. Mr. Gallagher owns four vehicles and has a swimming pool in his back yard. Consequently, there is no room on the adjacent property to store the second RV, which is the subject of this Petition. The Petitioner also noted that neither RV will fit inside the existing garage on the property. The Petitioners indicated that they wanted the two RV close by their home so they could keep an eye on these valuable assets. In addition, they cited the cost of storing the additional RV as a hardship. The Office of Planning recommends that the Petition be denied because they feel it would set a negative precedent in the neighborhood to allow both to remain.

Findings of Fact and Conclusions of Law

Petitioners' Exhibit 1 shows a typical DR 5.5 neighborhood with modest homes improving lots less than 0.2 acres. This lot also contains a large garage which is unfortunately too small to hold one of the RV's. In short, there is precious little room for anything like the storage of two ponderous recreational vehicles on this property. Mr. Gallagher's property next door has a swimming pool and four vehicles. There is no room here for one of the vehicles.

ORDER RECOMMENDATION FOR PLANNING
2/23/05
By: [Signature]

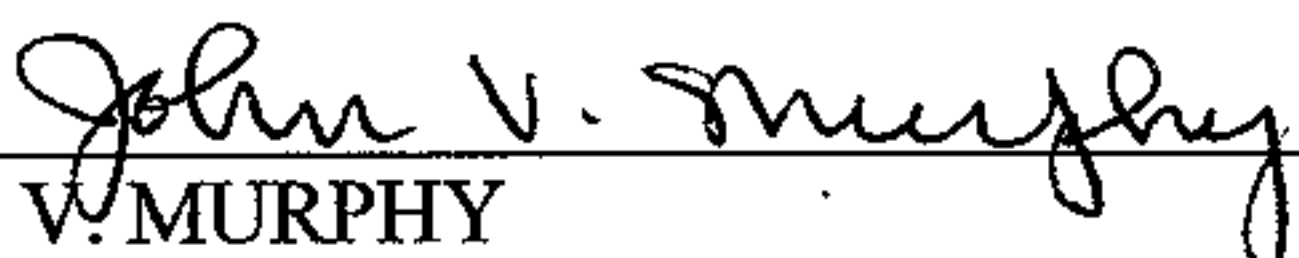
The only hardship here is economic. The Petitioners thankfully already have two RV's in storage. I am sympathetic to their need to safely store valuable machinery, but clearly their own experience tells them that they can store RV's safely somewhere else other than in their back yard.

Considering the evidence and testimony before me, I find that parking two RV's on the subject property will adversely affect the neighborhood as the Office of Planning points out.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' special hearing request should be denied.

THEREFORE, IT IS ORDERED, this 23 day of February, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for special hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to store/park 2 recreational vehicles on the property, be and is hereby DENIED.

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
2/23/05
Ray

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
William J. Wiseman III, Zoning Commissioner

February 23, 2005

Mr. & Mrs. David Testa
2920 Chenoak Avenue
Baltimore, Maryland 21234

Re: Petition for Special Hearing
Case No. 05-312-SPH
Property: 2920 Chenoak Avenue

Dear Mr. & Mrs. Testa:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing 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 cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Michael Gallagher, 2920 Chenoak Avenue, Baltimore, MD 21234





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2920 Chenook Ave
which is presently zoned DR 55

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

STORAGE/parking 2 recreational vehicles on property.

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

I, or we, agree to pay expenses of above Special Hearing, 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

2920 Chenook Ave 466-4319
Address Telephone No.

Balto MD 21234
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Laurie A Testa / David S Testa
Name Type or Print

Laurie A Testa / David S Testa 416-6-4319
Signature Telephone No.

2920 Chenook Ave 588-6799
Address Telephone No.

Balto MD 21234
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 12/22/04

ORDER RECEIVED FOR FILING
2/23/05
By [Signature]
REV 9/15/98

Case No. 05-312-SPH

Zoning Description for **2920 Chenoak Avenue**

Beginning at a point on the north side of Chenoak Avenue which has a 30-Foot right-of-way at a distance of 320-feet west of the centerline of Harford Road. Being Lot #6 in the subdivision known as "Fullerdale" as recorded in Baltimore County Plat Book #5, Folio #12 containing 7,744 square feet.

Also known as 2920 Chenoak Avenue and located in the 9th Election District, 5th Councilmanic District.

05-312-SPH

**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: #05-312-SPH
2920 Chenoak Avenue
N/side of Chenoak Avenue,
320 feet west of centerline
of Harford Road
9th Election District
5th Councilmanic District
Legal Owner(s): Michael
Gallagher, Laurie A. and
David J. Testa

Special Hearing: to permit
storage/parking 2 recrea-
tional vehicles on property
in lieu of the allowed one.

Hearing: Tuesday, Febru-
ary 8, 2005 at 10:00 a.m.
in Room 106, County Of-
fice Building, 111 W.
Chesapeake Avenue,
Towson 21204.

WILLIAM WISEMAN
Zoning Commissioner for
Baltimore County

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

(2) For information con-
cerning the File and/or
Hearing, Contact the Zon-
ing Review Office at (410)
887-3391.

JT/1/745 Jan. 25 37004

CERTIFICATE OF PUBLICATION

1/26/, 2005

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 1/25/, 2005.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

5

DATE 12/22/04 ACCOUNT 0010066100

AMOUNT \$ 45.00

RECEIVED FROM: AUDIE FESTA

FOR: PAID #1212 105-412-5PH

2220 WILKINSON AVE 24 THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED BY: ACTUAL TIME: 11:00 DATE: 12/22/04
BY: 0303 000000 12/22/04
RECEIPT # 000000 12/22/04
P.D. 041075

Receipt Amt. 45.00
45.00 CK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-312-SPH

Petitioner/Developer: MICHAEL

GALLAGHER, LAURIE A & DAVID TESTA

Date of Hearing/Closing: 2/8/05

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:

2920 CHENOAK AVE

The sign(s) were posted on

1/22/05
(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

1/24/05
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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

January 4, 2005

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: 05-312-SPH

2920 Chenoak Avenue

N/side of Chenoak Avenue, 320 feet west of centerline of Harford Road

9th Election District – 5th Councilmanic District

Legal Owners: Michael Gallagher, Laurie A. and David J. Testa

Special Hearing to permit storage/parking 2 recreational vehicles on property in lieu of the allowed one.

Hearing: Tuesday, February 8, 2005 at 10:00 a.m. in Room 106, County Office Building,
401 Bosley Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Michael Gallagher/Laurie & David Testa, 2920 Chenoak Avenue, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 24, 2005.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 25, 2005 Issue - Jeffersonian

Please forward billing to:

Mr. Michael Gallagher
2920 Chenoak Avenue
Baltimore, MD 21234

410-588-6798

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: 05-312-SPH

2920 Chenoak Avenue

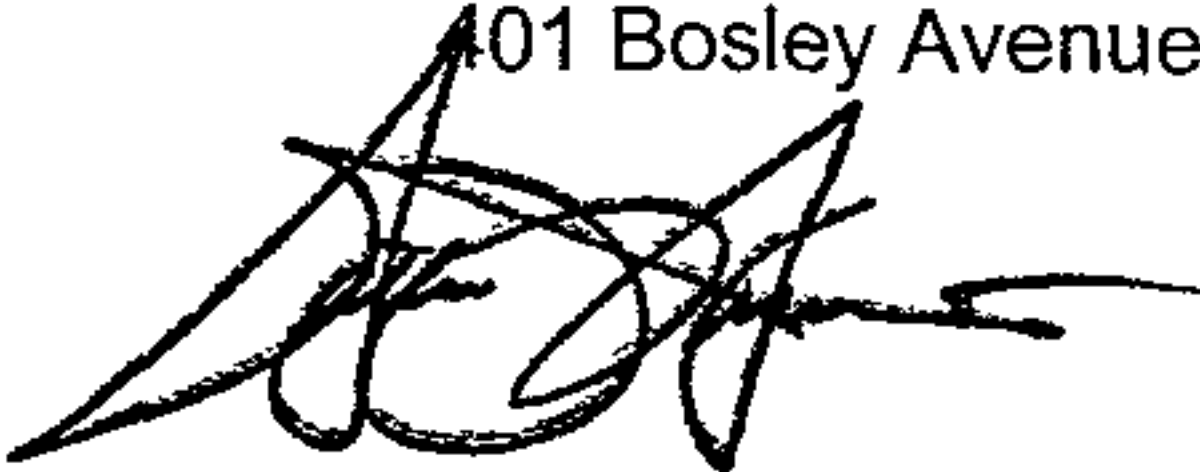
N/side of Chenoak Avenue, 320 feet west of centerline of Harford Road

9th Election District – 5th Councilmanic District

Legal Owners: Michael Gallagher, Laurie A. and David J. Testa

Special Hearing to permit storage/parking 2 recreational vehicles on property in lieu of the allowed one.

Hearing: Tuesday, February 8, 2005 at 10:00 a.m. in Room 106, County Office Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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.

**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: 05-312-SPH

Petitioner: GALLAGHER / TESTA

Address or Location: 2920 CHENOAK AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. MICHAEL GALLAGHER

Address: 2920 CHENOAK AVE.

BAKTO. MD 21234

Telephone Number: 410-588-6798

**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*

February 2, 2005

Michael Gallagher
Laurie Testa
David Testa
2920 Chenoak Avenue
Baltimore, Maryland 21234

Dear Mr. Gallagher and Mr. and Mrs. Testa:

RE: Case Number: 05-312-SPH, 2920 Chenoak Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 22, 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 that reads "W. Carl Richards, Jr." The signature is stylized with a large, flowing "W" and a prominent "J" at the end.

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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 10, 2005

Item No.: 305, 306, 308-309, 311-318

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.

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

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper

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



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

Maryland Department of Transportation

Date: 1.3.05

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

RE: Baltimore County
Item No. 312 DT

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, 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
PDM

FROM: John D. Oltman, Jr JDO
DEPRM

DATE: February 3, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 3, 2005.

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

05-305

05-306

05-308

05-309

05-310

05-312

05-313

05-316

05-317

05-317

Reviewers: Sue Farinetti, Dave Lykens

JTB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 18, 2005
RECEIVED

JAN 19 2005

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

ZONING COMMISSIONER

SUBJECT: 2920 Chenaok Avenue

INFORMATION:

Item Number: 5-312

Petitioner: Michael Gallagher

Zoning: DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

Provisions for storage, parking, and setbacks for recreational vehicles pertain to a single recreational vehicle only (Section 415.A.1 of the BCZR). A site visit of the subject property revealed that the petitioner is currently storing two (2) recreational vehicles (a traditional recreational vehicle and a racing trailer).

This office is of the opinion that allowing the storage of two (2) recreational vehicles on the subject property would set a negative precedent in this community. Therefore, the Office of Planning recommends the petitioner's request be **DENIED**.

Prepared by:

Mark A. Cump

Division Chief:

John L. Larkin

AFK/LL:MAC:

NOT RECORDED FOR FILING

2/23/05

Ray

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For January 10, 2005
Item No. 312

DATE: January 21, 2005

The Bureau of Development Plans Review has reviewed the subject-zoning item.

The minimum right-of-way for all public roads in Baltimore County is 40 feet.
This plan shall be modified accordingly.

RWB:CEN:jrb

cc: File

ZAC-01-10-2005-ITEM NO 312-01212005

RECEIVED FOR FILING
JAN 23 2005
RWB

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

TO: Christina Frink
Code Enforcement
DPDM

DATE: March 23, 2005

FROM: John V. Murphy *J.V. Murphy*
Deputy Zoning Commissioner

SUBJECT: Case No. 05-312-SPH
Code Enforcement Case No. 04-5872
Property: 2920 Chenoak Avenue
Petitioners: Michael Gallagher & Laurie & David Testa

The above-captioned case was heard by this Deputy Zoning Commissioner on February 8, 2005. Thereafter, this office issued an order dated February 23, 2005 denying the petitioners request to store 2 recreational vehicles on their property. The 30-day appeal period in this case expires today.

My secretary received a call from Laurie Testa yesterday stating that the petitioners were not in a position to appeal my decision, but requested additional time in which to relocate the 2 recreational vehicles.

I do not believe that I have jurisdiction to grant an extension of time to comply with a Zoning Enforcement Order and have indicated that she should call your office (410-887-8999) to work out a time by which the recreational vehicles should be removed.

If you have any questions or require any additional information in this matter, I can be reached at Extension 3868. Thank you for your attention to this matter.

JVM:raj
Encl.

RE: PETITION FOR SPECIAL HEARING
2920 Chenoak Avenue; N/side Chenoak
Avenue, 320' W c/line Harford Road
9th Election & 5th Councilmanic Districts
Legal Owner(s): Michael Gallagher,
Laurie A & David J Testa
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 05-312-SPH

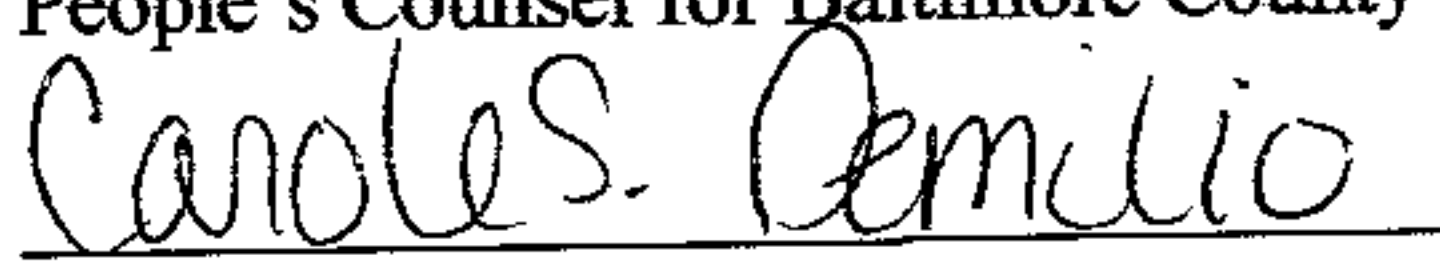
* * * * *

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 and documentation filed in the case.

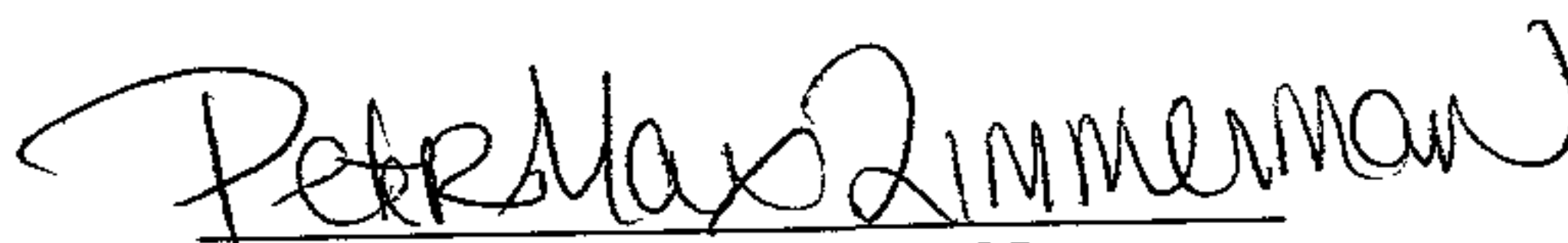
RECEIVED

Per.....


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 7th day of January, 2005, a copy of the foregoing Entry of Appearance was mailed to Michael Gallagher, Laurie & David Testa, 2920 Chenoak Avenue, Baltimore, MD 21234, Petitioner(s).


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Re: Case #05312
2920 Chenoak Ave

I am unable to obtain leave from work to attend the hearing; however, I hope you will give my written concern consideration

Chenoak Avenue is a narrow street, one lane in which to drive, and parking on one side. The resident has in his possession three vehicles: a large enclosed trailer (resembling perhaps a box car of a train), a camper, and a large boat. All three are parked in the rear yard of the property. The property is not that large. Visually, it's cluttered looking for those of us neighboring homes within view. It might be different if the property was larger; it would not seem so crammed.

Maneuvering such large vehicles in and out of the driveway creates inconveniences as well. Some examples would be other neighbors needing to move their parked cars on the street, and traffic not being able to pass through during this time. Due to the limited space, it is necessary at times for one vehicle to be hitched, moved, unhitched and parked at the lot at the end of the street then returning to hitch up the next one, move it, park it, etc. return the other to the yard. This is a good bit of activity occurring on a quiet street, and there is frequent activity during the warmer weather months. Is he able to maneuver these without having to ride up on curbs potentially damaging property? How many motorists have had to wait until he is finished parking to pass?

The large trailer is equipped with a safety back-up signal. Having to listen to the signal "beeps" while the trailer is backing into the yard is rather disturbing. This type of vehicle is not meant for a residential neighborhood. This is the type of sound you are accustomed to hearing from commercial vehicles. It's a nuisance having to listen to it.

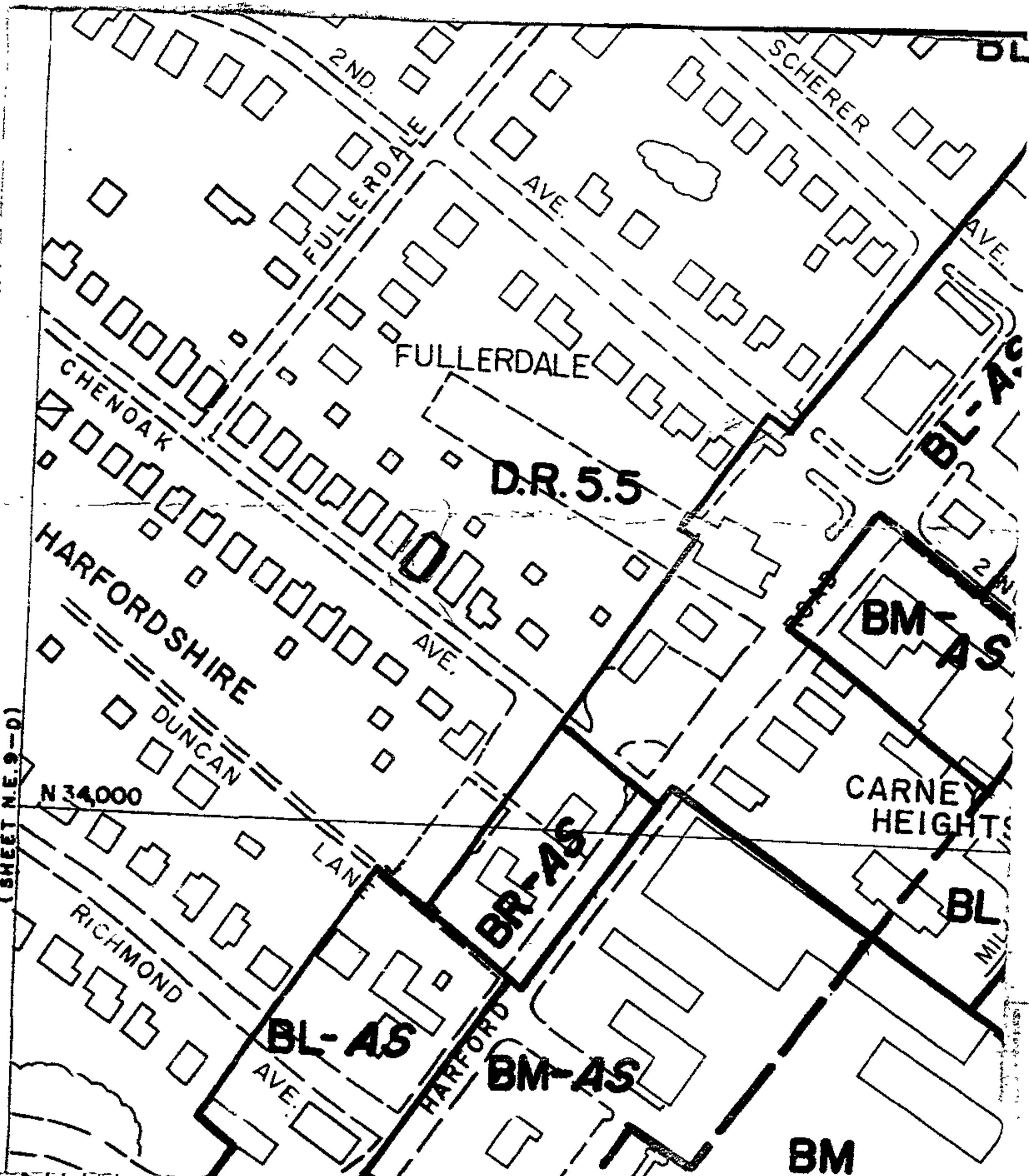
I don't want to infringe upon anyone's liberties nor do I begrudge their wanting to boat, camp, etc. I just think that our neighborhood is too small to accommodate three such large vehicles. Again, if our homes were on larger pieces of land, we had more space, it may be different. I know others who have voiced these similar concerns. I'm not really sure what special permission he is seeking. The posted sign says permission for two recreational vehicles instead of the allowed one. Which two is he wanting to keep? I am not clear since he has three. Anyway, thank you for your time.

Michele Burgamy, 2922 Chenoak Avenue

CASE NAME 05-312-SPH
CASE NUMBER 05-312-SPH
DATE 2-8-05

PETITIONER'S SIGN-IN SHEET

[illegible]



	SCALE 1" = 100' ±	LOCATION FULLERDALES	SHEET N.E. 9-D
	DATE OF PHOTOGRAPHY JANUARY 1986		

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
William J. Wiseman III, Zoning Commissioner

FAX COVER SHEET

DATE:

3/23/05

NO. OF PAGES INCLUDING COVER SHEET:

2

TO:

Laurie & David Sesta

FROM:

John U. Murphy
Zoning Comm. Officer

PHONE:

PHONE:

410-887-3868

FAX NO.:

410-288-9656

FAX NO.:

C:

REMARKS: ☐ URGENT ☐ FOR YOUR REVIEW ☐ REPLY ASAP ☐ PLEASE COMMENT

Re: 05-312-SPH

Code Violation #04-5872

2920 Chenook Drive



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
William J. Wiseman III, Zoning Commissioner

FAX COVER SHEET

DATE: 3/23/05

NO. OF PAGES INCLUDING COVER SHEET:

TO:

Christina Slink
Code Enforcement

FROM:

Jack Murphy
Zoning Comm. Office

PHONE:

PHONE:

3868

FAX NO.:

2824

FAX NO.:

C:

REMARKS: ☐ URGENT ☒ FOR YOUR REVIEW ☐ REPLY ASAP ☐ PLEASE COMMENT

Re: #04-5872 (code violation #)

#05-312-SPH (Zoning Comm #)

2920 Chenook Drive



Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 2920 CHENOAK AVE

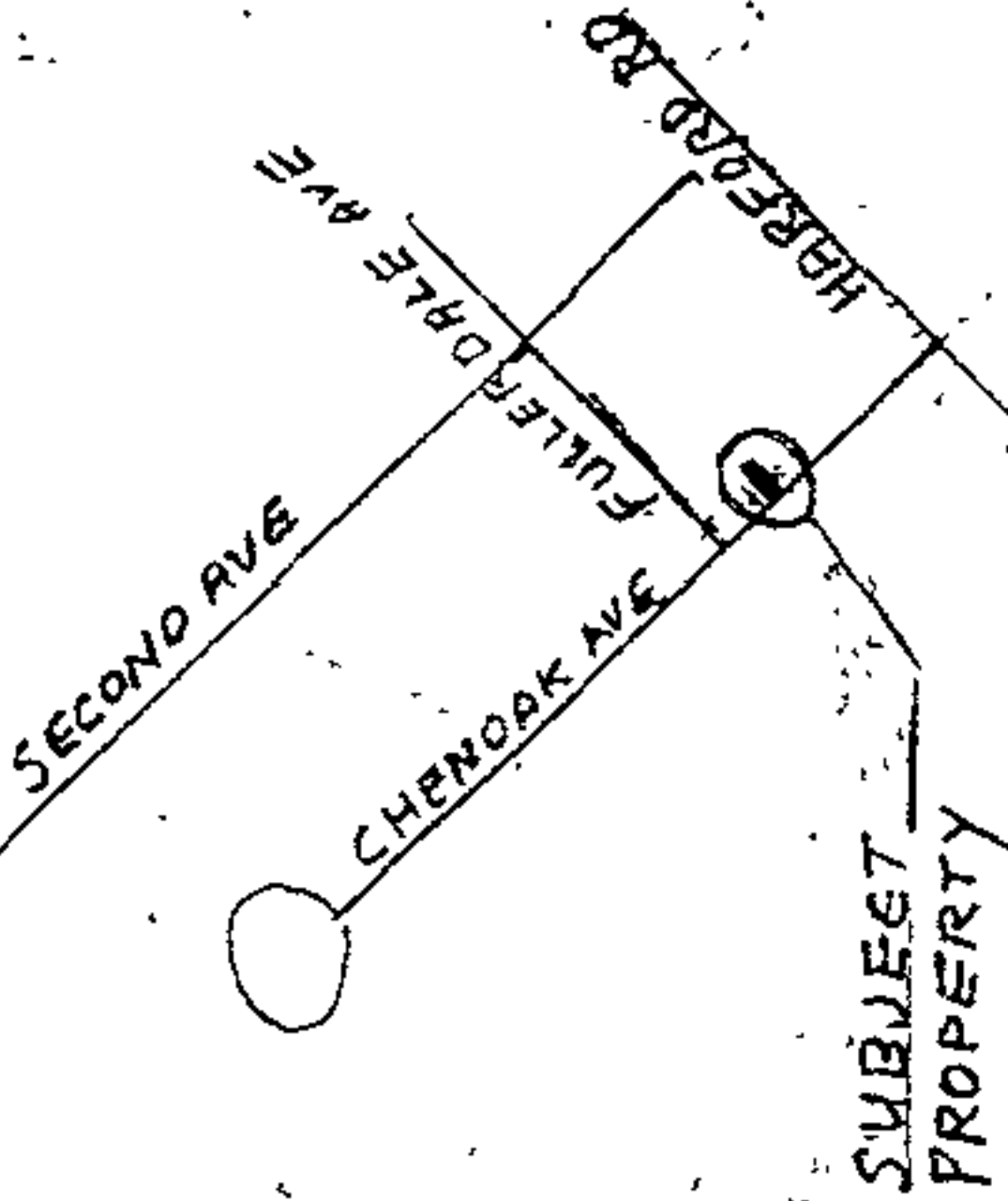
Subdivision name: FULLERDALE

plat book # 5, folio # 12, lot # 6, section # DR

OWNER: MICHAEL J. GALLAGHER / DAVE/LAURIE TESTA

see pages 5 & 6 of the CHECKLIST for additional required information

2ND AVE



North
Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

Election District: 9

Councilmanic District: 5

1"=200' scale map #: N.E. 9 D

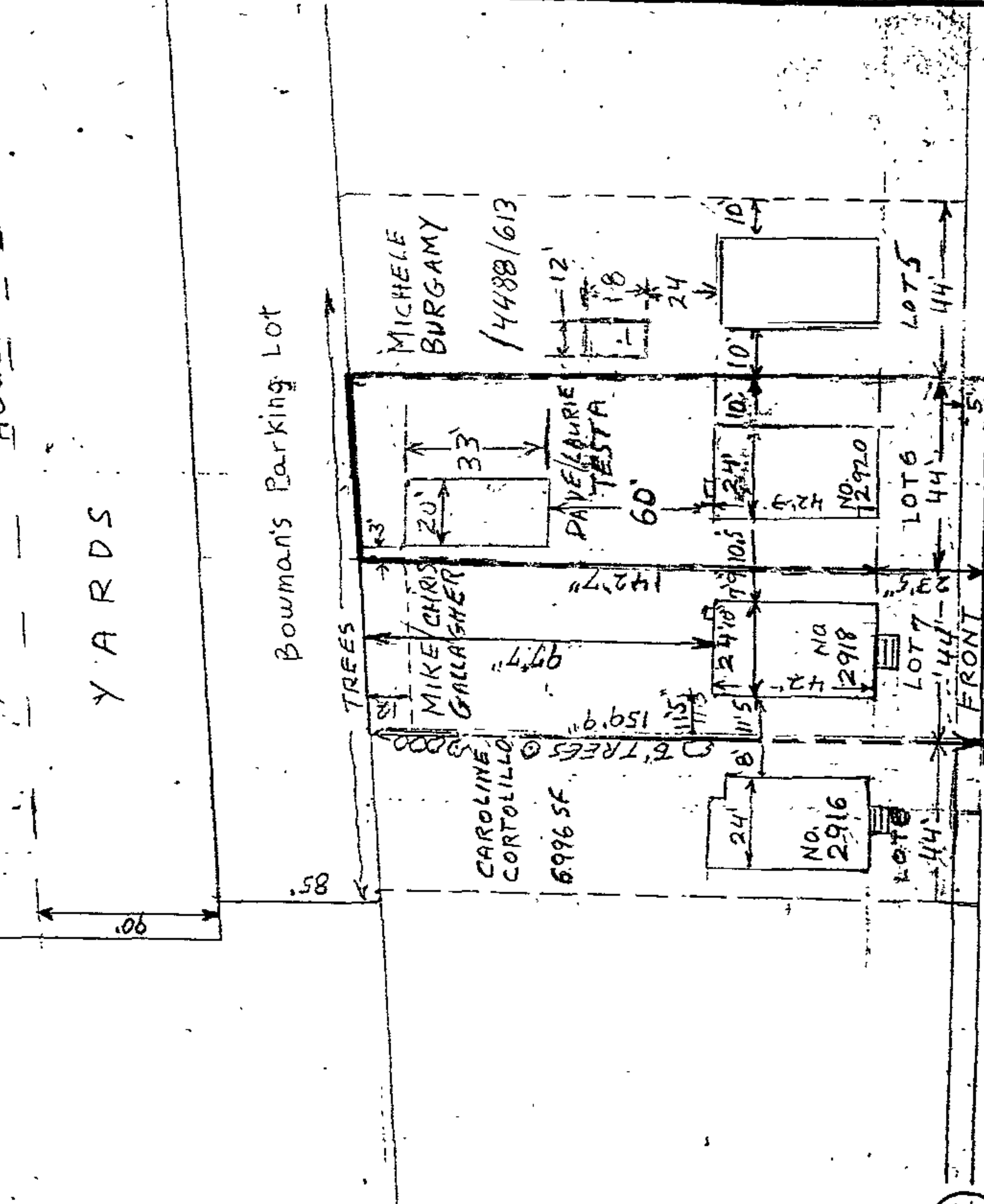
Zoning: DR 5.5

Lot size: 0.19 acreage
7744 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☐ ☒
Prior Zoning Hearings: ☐ ☒

Zoning Office USE ONLY

reviewed by: D.T. ITEM #: 312 CASE #: 05-212-50H



North 15' CHENOAK AVE 15' TO HARFORD RD.

date: 12/22/04 (PUBLIC)

prepared by: M. Gallagher

Scale of Drawing: 1"=50'

Handwritten signature/initials