IN RE: PETITION FOR ADMIN. VARIANCE SE/ side of Lincoln Drive, 27' N/E of c/l of Selma Avenue 13th Election District 1st Councilmanic District	* * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
(4603 Lincoln Drive)	*	CASE NO. 06-214-A
Louis A. and Stephanie T. Romeo *Petitioners*	*	

* * * * * * * * * * * * * * * *

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, Louis A. and Stephanie T. Romeo. The variance request is for property located at 4603 Lincoln Drive in the Halethorpe area of Baltimore County. The variance request is from Sections 400.1 and 427 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a proposed accessory structure (in-ground pool) to be located "partially" within the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street "only", and to permit a residential occupancy fence to be erected in the rear yard of a lot which adjoins the front yard of another with a fence height of 72 inches (6 feet) in lieu of the maximum allowed 42 inches (3 ½ feet). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

Zoning Advisory Committee

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 29, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

However in reviewing the file, a question arose as to the possible impact of the 6 foot privacy fence on the adjoining property owners. The subject property is at the intersection of Selma Avenue and Lincoln Drive. This Deputy Zoning Commissioner expressed concern by letter dated November 14, 2005 that the Carr Family might have their view of Selma Avenue blocked by the fence.

In reply the Petitioner presented a letter indicating that existing trees already block this view and that the Carr Family was not opposed to the variance as shown by the letter of support accompanying the Petitioner's reply.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 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 compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 29 day of November, 2005, that a variance from Sections 400.1 and 427 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a proposed accessory structure (in-ground pool) to be located "partially" within the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street "only", and to permit a

residential occupancy fence to be erected in the rear yard of a lot which adjoins the front yard of another with a fence height of 72 inches (6 feet) in lieu of the maximum allowed 42 inches (3 ½ feet), be and is hereby GRANTED, subject, however, to the following restrictions 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

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

ORDER RECEIVED FOR FILING
Date 11-29-95
By

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4603 Lincoln Drive Halethorpe
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 and 427, BCZR, to permit a proposed accessory structure (in-ground pool) to be located "partially" within the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street "only", and to permit a residential occupancy fence to be erected in the rear yard of a lot which adjoins the front yard of another with a fence height of 72 inches (6 feet) in lieu of the maximum allowed 42 inches (3½ feet)

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):

Louis A. Romeo
Name - Type or Print

Signature

Stephanie T. Romeo
Name - Type or Print

Stephanie T. Romeo
Signature — (H) 410-247-5944

4603 Lincoln Dr. (W) 410-247-4545
Address — Telephone No.

Halethorpe — MD — 21227
City — State — Zip Code

Representative to be Contacted:

Louis A. Romeo
Name

4603 Lincoln Drive (H) (410) 247-5944 (W) (410) 247-4545
Address — Telephone No.

Halethorpe — MD — 21227
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

ORDER RECEIVED FOR FILING
Date 10-26-05
By

CASE NO. 06-214-A

Reviewed By JNP **Date** 10/21/05

Estimated Posting Date 10/30/05

REV 10/25/01

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 4603 Lincoln Drive
Address
Halethorpe MD 21227
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):

(e) trees and fence will hide pool from Selma Ave, so not visible from Selma Ave.

(1) Pool - Corner Lot
(a) Increased cost due to further digging & need for retaining wall due to topography behind garage.
(b) Cannot fit the pool in one half of the yard farthest from the corner
(c) Shortening of pool decreases depth and prohibits safe diving.
(d) Existing garage on side opposite Selma Ave.

(2) Fence - Rear yard adjoins residential front yard
Requesting 6' 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.

Signature

Louis A. Romeo
Name - Type or Print

Signature

Stephanie T. Romeo
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of September, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Louis A Romeo + Stephanie T. Romeo the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

BARBARA M. CASSEL
NOTARY PUBLIC
ANNE ARUNDEL COUNTY
MARYLAND
My Commission Expires Feb. 1, 2008

Barbara M Cassel
Notary Public

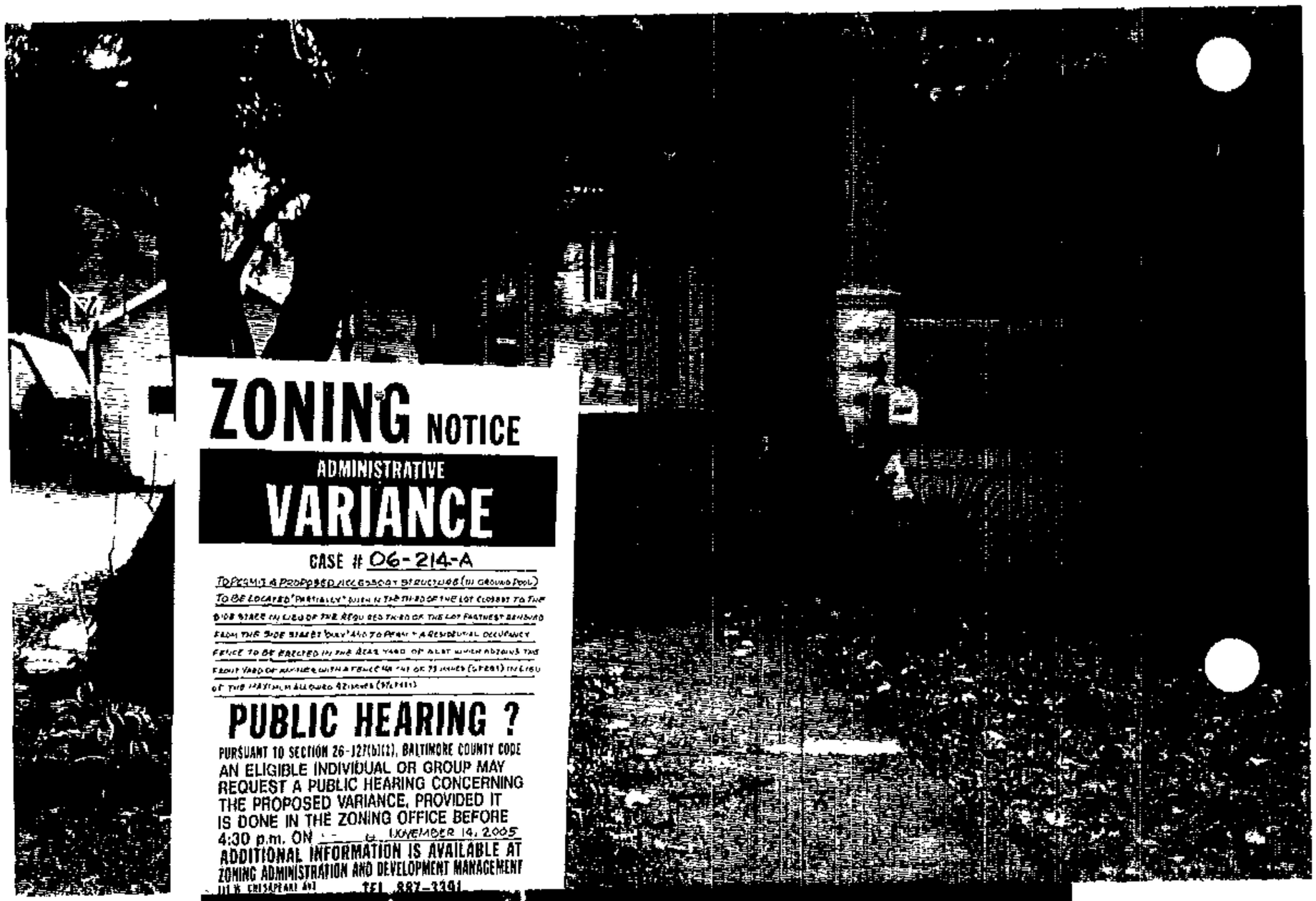
My Commission Expires Feb 1, 2008

REV 10/25/01

Zoning description for 4603 Lincoln Drive Halethorpe, Maryland 21227

Beginning at a point on the southeast side of Lincoln Drive which is 25 feet wide at the distance of 27 feet northeast of the centerline of the nearest improved intersecting street Selma Ave which 50' wide. Being Lot #6 in the subdivision of Halethorpe as recorded in the Baltimore County Plat Book #8, Folio #64, containing 9825 square feet. Also known as 4603 Lincoln Drive and located in the 13th Election District, 1st Councilmanic District.

06-219-A



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 06-214-A

TO PERMIT A PROPOSED ACCESSORY STRUCTURE (IN-GROUND POOL) TO BE LOCATED "PARTIALLY" WITHIN THE THIRD OF THE LOT CLOSEST TO THE SIDE STREET IN LIEU OF THE REQUIRED THIRD OF THE LOT FARTHEST REMOVED FROM THE SIDE STREET "ONLY" AND TO PERMIT A RESIDENTIAL OCCUPANCY FENCE TO BE ERECTED IN THE REAR YARD OF A LOT WHICH ADJOINS THE FRONT YARD OF ANOTHER WITH A FENCE HEIGHT OF 72 INCHES (6 FEET) IN LIEU OF THE MAXIMUM ALLOWED 42 INCHES (3½ FEET).

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON NOVEMBER 14, 2005
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 887-3391

MEETING IS HANDICAP ACCESSIBLE

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 0342

DATE 10/21/05 ACCOUNT R 001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: Stephanie Romeo

FOR: Var. Var. - 4603 Linden Dr.

D6-214 - A / Romeo

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

[illegible]

Rcpt. tot. $65.00

[illegible] CK $ 65.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-214-A

Petitioner/Developer: ROMEO

Date of Hearing/Closing: NOV. 14, 2005

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

Attention: **Christen Matthews**

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 propery located at

#4603 LINCOLN DRIVE
HALETHORPE

The sign(s) were posted on OCT. 29, 2005
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-214 -A Address 4603 Lincoln Drive

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/21/05 **Posting Date:** 10/30/05 **Closing Date:** 11/14/05

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 06-214 -A Address 4603 Lincoln Drive

Petitioner's Name Louis & Stephanie Romeo Telephone 410-247-5944(H) 410-247-4545

Posting Date: 10/30/05 **Closing Date:** 11/14/05

Wording for Sign: *To Permit* a proposed accessory structure (in-ground pool) to be located "partially" within the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street "only" and to permit a residential occupancy fence to be erected in the rear yard of a lot which adjoins the front yard of another with a fence height of 72 inches (6 feet) in lieu of the maximum allowed 42 inches (3½ feet).

WCR - Revised 6/25/04

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4603 Linda Dr Halethorpe 21227
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 and 427, BCZR, to permit a proposed accessory structure (in-ground pool) to be located "partially" within the third of the lot closest to the side street in lieu of the required third of the lot farthest removed from the side street "only" and to permit a residential occupancy fence to be erected in the rear yard of a lot which adjoins the front yard of another with a fence height of 72 inches (6 feet) in lieu of the maximum allowed 42 inches (3½ feet).
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):

Louis A. Romeo
Name - Type or Print

Signature

Stephanie T. Romeo
Name - Type or Print

Stephanie T. Romeo
Signature (H) 410-247-5944

4603 Lincoln Dr (W) 410-247-4545
Address Telephone No.

Halethorpe MD 21227
City State Zip Code

Representative to be Contacted:

Louis A. Romeo
Name

4603 Lincoln Drive (H) (410) 247-5944 (W) (410) 247-4545
Address Telephone No.

Halethorpe MD 21227
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. 06-214-A

Reviewed By JNP **Date** 10/21/05

Estimated Posting Date 10/30/05

REV 10/25/01

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 4603 Lincoln Drive
Address
Halethorpe MD 21227
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):

(e) trees and fence will hide pool from Selma Ave, so not visible from Selma Ave.

① Pool – Corner Lot

(a) increased cost / topography

(b) Cannot fit the pool in one half of the yard farthest from the corner

(c) Existing garage on side opposite Selma Ave.

(d) Shortening pool decreases depth & prohibits safe diving. need for further digging & necessary retaining wall

② Fence – Rear yard adjoins residential front yard. Requesting a 6' 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.

Signature: Louis A. Romeo
Name - Type or Print: Louis A. Romeo

Signature: Stephanie T. Romeo
Name - Type or Print: Stephanie T. Romeo

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of September, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Louis A. Romeo + Stephanie T. Romeo, the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

BARBARA M. CASSEL
NOTARY PUBLIC
ANNE ARUNDEL COUNTY
MARYLAND
My Commission Expires Feb. 1, 2008

Barbara M. Cassel
Notary Public

My Commission Expires Feb 1, 2008

REV 10/25/01

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

November 14, 2005

Louis A. Romeo
Stephanie T. Romeo
4603 Lincoln Drive
Halethorpe, Maryland 21227

Dear Mr. and Mrs. Romeo:

RE: Case Number: 06-214-A, 4603 Lincoln Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 21, 2005.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 9, 2005

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 31, 2005
Item Nos. 204, 205, 206, 208, 209, 211, 213, 214, 215, 216,

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-11092005.doc

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

November 2, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: **October 24**, 2005

Item No.: **204-218** (214)

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 J.D.Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

County Office Building, Room 123
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

NOV. 02, 2005

ATTENTION:

Distribution Meeting of: OCTOBER 24, 2005

Item No.: 204 -218 (214)

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.

1. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Insp. PACK
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 4, 2005

RECEIVED

NOV - 8 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-214- 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 Curtis Murray in the Office of Planning at 410-887-3480.

Prepared By: Curtis Murray

Division Chief: Lyn Lanham

CM/LL

W \DEVREV\ZAC\6-214.doc

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 10-31-05

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

RE: Baltimore County
Item No. 214 JNP

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

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

November 18, 2005

Louis A. Romeo
Stephanie T. Romeo
4603 Lincoln Drive
Halethorpe, Maryland 21227

Re: Petition for Administrative Variance
Case No. 06-214-A
Property: 4603 Lincoln Drive

Dear Mr. and Mrs. Romeo:

Your request for a variance was given to me for review. I think I understand the need to locate the pool as shown on your Plat to Accompany. However, the 6-ft. fence in the front yard of the Carr's house is another matter. Quite often we hear complaints from neighbors like the Carr's that their view of Selma Avenue from the front of their house is blocked by your fence. The County regulation of 42 inches is based on the height which neighbors like the Carr's can still see the street.

Before I approve your request, I want to be sure the Carr's will not be harmed by the height of the fence. Would you review your plan with the Carr's and let me know in writing if they agree.

Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw

c: Case File

To: Mr. John V. Murphy
Deputy Zoning Commissioner

Ph: 410-887-3868

Fax: 410 887-3468

From: Louis Romeo

Ph: 410-247-5944

Fax. 410-247-5252

Re: Variance Case # 06-214-A

Pgs: 3

John V. Murphy
Deputy Zoning Commissioner
401 Bosley Avenue
Towson, MD 21204

November 24, 2005
Case No. 06-214-A
Property: 4603 Lincoln Drive

Dear Mr. Murphy:

Thank you for taking the time to review our request for an administrative variance. When we first found out that we would have to go through a variance process for the pool and fence, I asked the Carr's and Brown's, the two neighbors directly impacted, if they would approve of our plans. They both signed letters stating that they had no objections, which I have faxed over with this letter. The fence will not block their view of Selma Avenue. It will be approximately 5 feet inside the property line, behind a row of trees that currently line our side property line along Selma. The trees are over 7 feet tall, so the fence will have no impact on their sight line as the trees are actually higher than the fence. Again, thank you for your time and hopefully this clears up any concerns the county has of our plans.

Sincerely,

Louis Romeo

To whom it may concern,

We are writing in regards to Louis and Stephanie Romeo's plans to install an inground pool and six foot high privacy fence around the perimeter of their backyard, located at 4603 Lincoln Drive. We live directly behind the Romeos at 1717 Selma Avenue. We have no objections to their having a pool or a six foot high fence along their back property line, which runs parallel to our front yard. We hope this aids in their plans for their backyard.

Sincerely,

Jeff Carr

Carla Carr

Carla Carr

****
***** ACTIVITY REPORT *****
****

TRANSMISSION OK

TX/RX NO.	5271
CONNECTION TEL	94102475252
CONNECTION ID	
START TIME	11/29 15:06
USAGE TIME	01'30
PAGES	4
RESULT	OK

Order faxed to Romero at their request

Would like to receive fax copy of order 410.247.5252 wife's home phone

Phone call 11/29

AT TO ACCOMPANY PETITION FOR ZONING ☑ VARIANCE ☐ SPECIAL HEARING

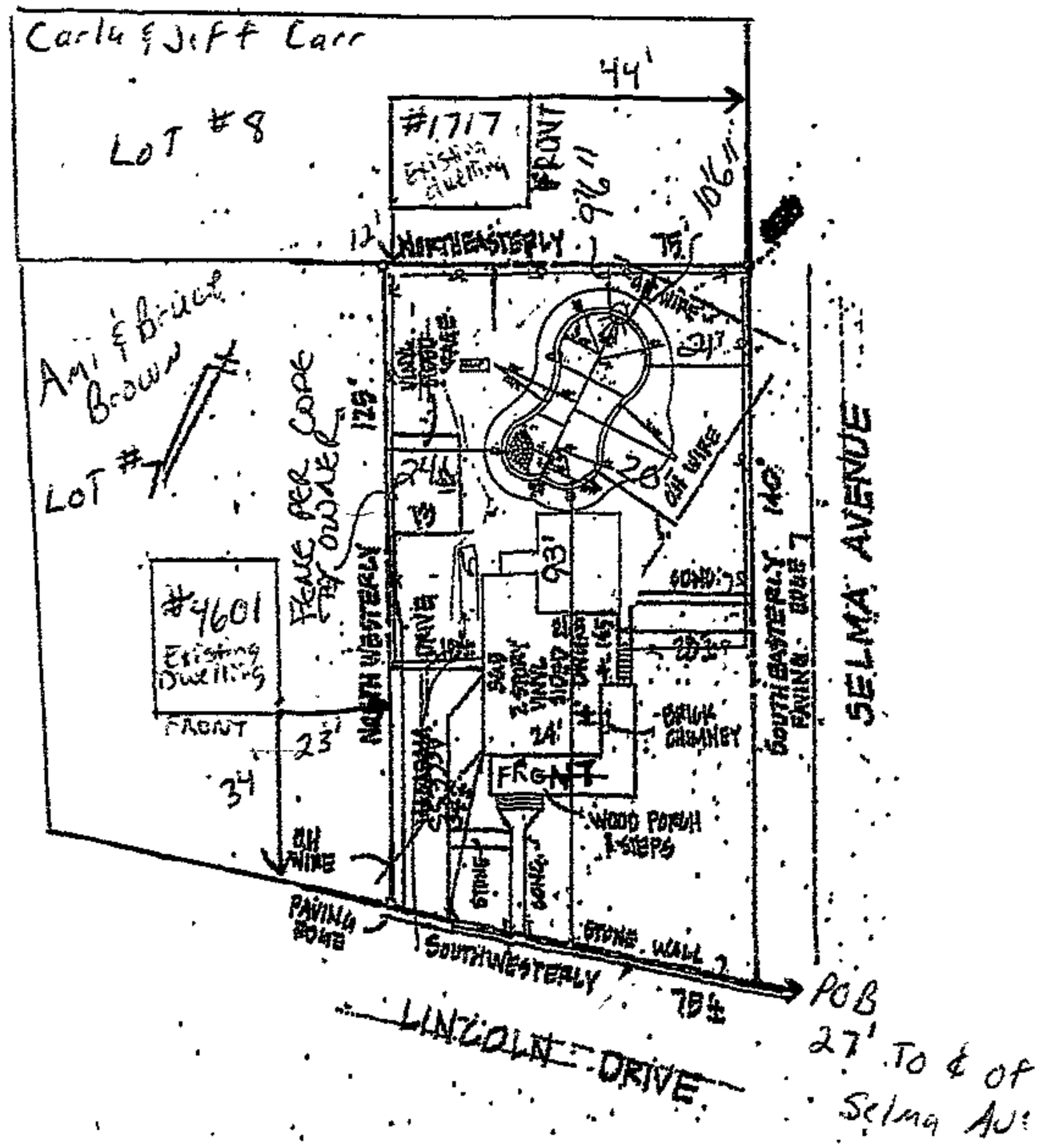
ROPERTY ADDRESS 4603 LINCOLN DR.

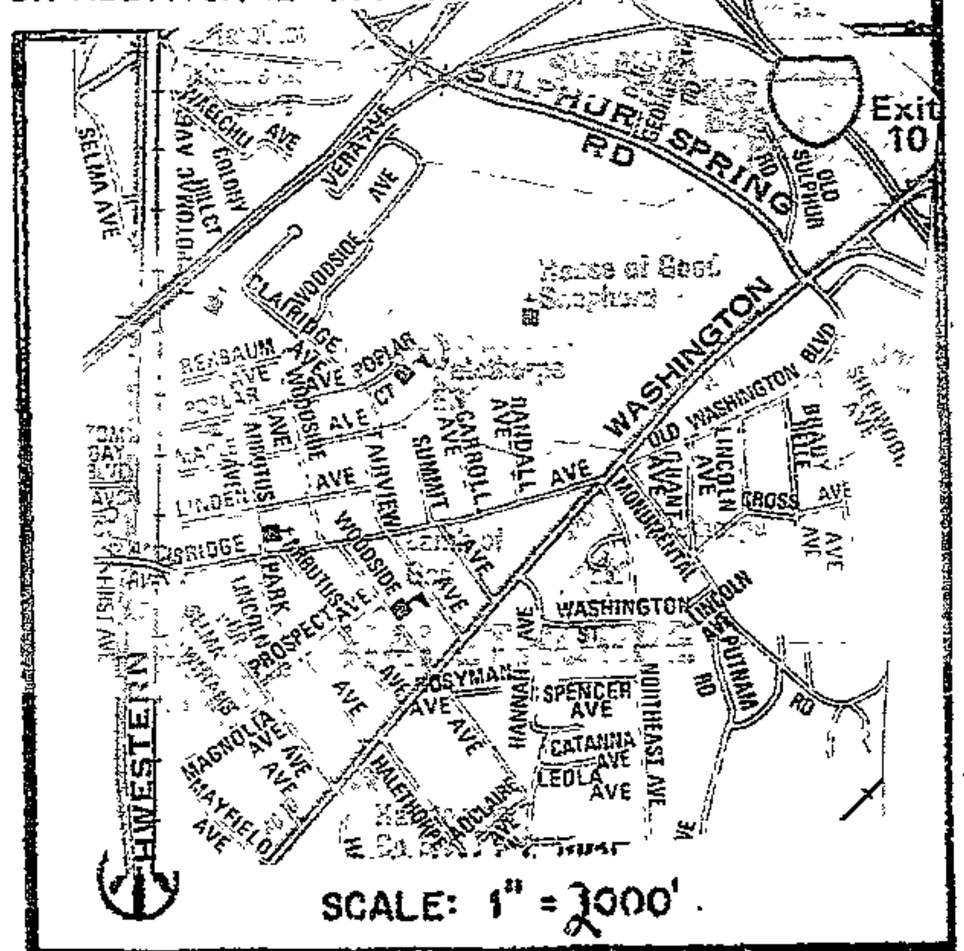
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Hale Thorp

PLAT BOOK # 8 FOLIO # 69 LOT # 6 SECTION # ___

OWNER Louis & Stephanie Ranco





LOCATION INFORMATION

ELECTION DISTRICT 13th

COUNCILMANIC DISTRICT 1st

1"=200' SCALE MAP # SW-6D

ZONING DR 5.5

LOT SIZE .23 ACREAGE 9825 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☑	☐
WATER	☑	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☑
100 YEAR FLOOD PLAIN	☐	☑
HISTORIC PROPERTY/ BUILDING	☐	☑

PRIOR ZONING HEARING NONE

NORTH

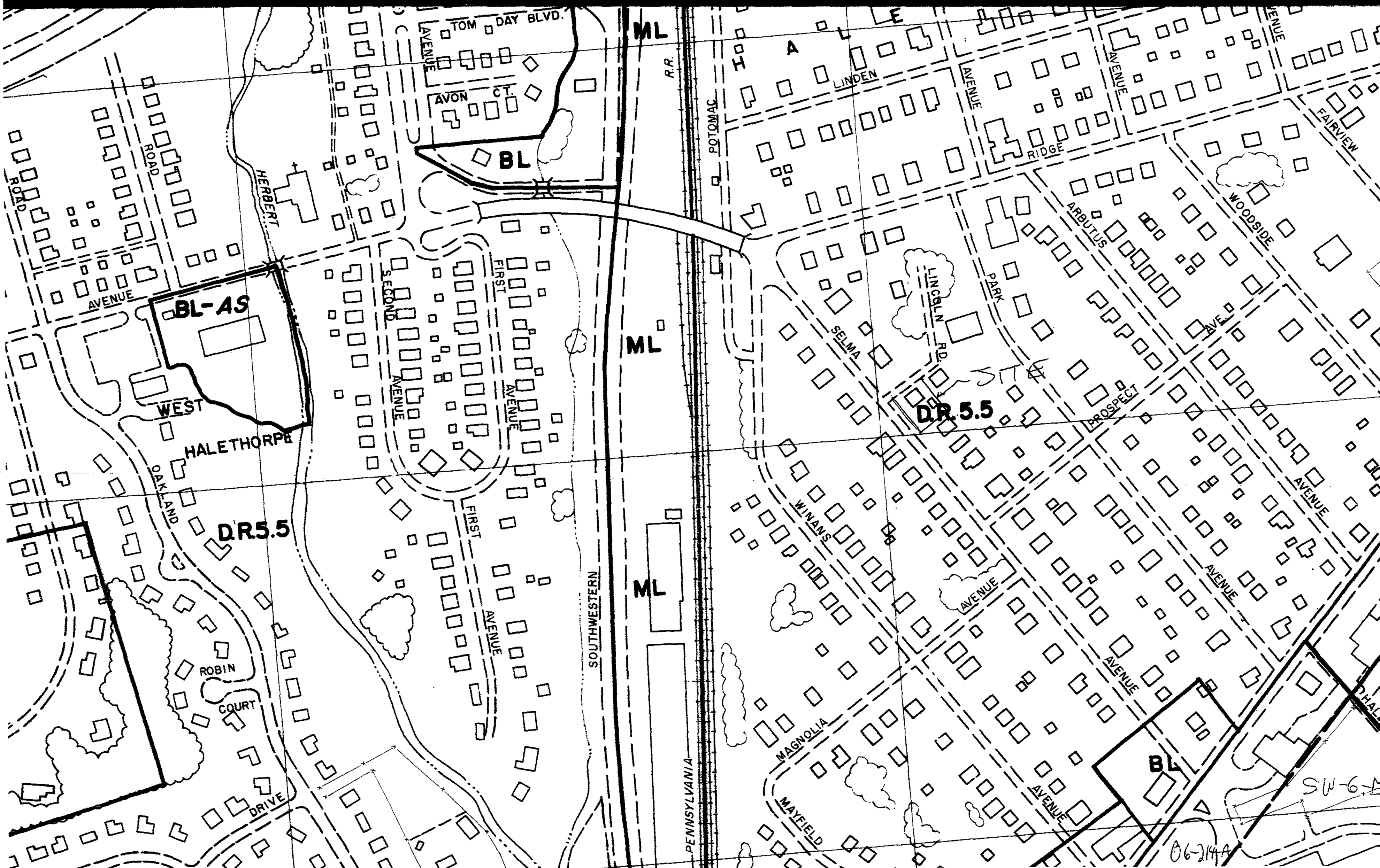
REPARED BY B. Wyels

SCALE OF DRAWING: 1" = 50'

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
JNP	214	06-214-A

Pet. Exh. 1


TOM DAY BLVD.
AVENUE
AVON CT.
BL
ML
R.R.
POTOMAC
HALE
LINDEN
AVENUE
RIDGE
FAIRVIEW
WOODSIDE
ARBUTUS
PARK
LINCOLN RD.
SELMA
PROSPECT
AVE.
D.R.5.5
SITE
HERBERT
ROAD
AVENUE
BL-AS
WEST
HALETHORPE
OAKLAND
FIRST
SECOND
AVENUE
SOUTHWESTERN
PENNSYLVANIA
WINANS
MAGNOLIA
MAYFIELD
ROBIN
COURT
DRIVE
SW-6-A
06-214-A

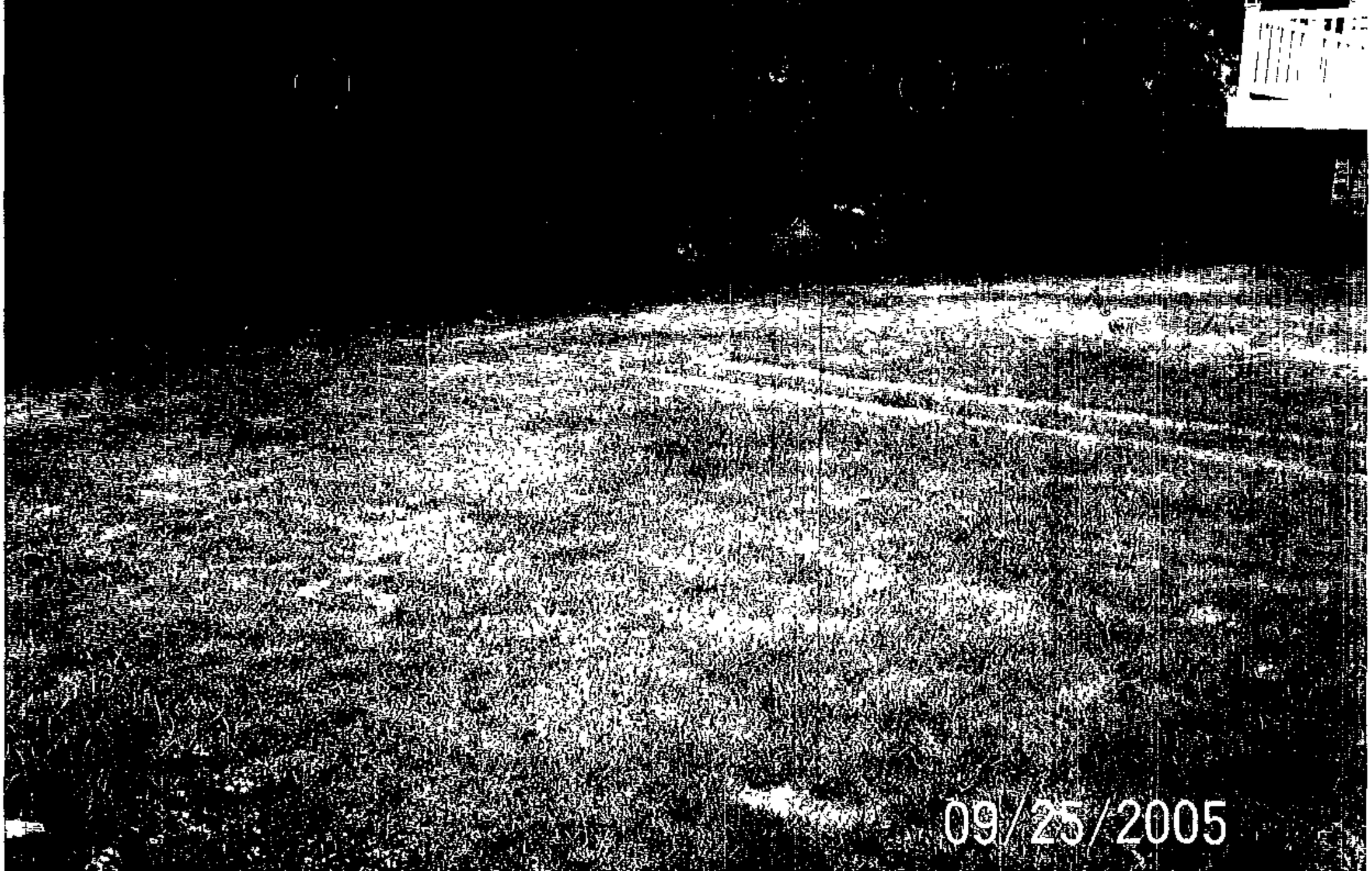
Add #3 to variance description
something showing
"hardship & difficulty"
as to why we need variance.

* increased cost

* shortening pool, decreases depth & prohibits safe diving

- topography
* existing garage
- cost of pool / size (enjoyment)
- trees & fence will hide pool from Selma Ave. so not visible from Selma Ave.

Fri.
Oct. 21st
8:00 am



GL 214-5

View of
Backyard with
View of Selma Ave.

Gallery-A

Backyard with view of
1717 Selma Ave home & their
backyard (Carla & Jeff Carr)

06-214-A

Backyard
with view of
neighbors front yard
(for 6' fence)

- 1717 Selma Ave.
Carlan Jeff Carr

G-314/4

View of
Backyard
from Selma Ave.

06-2147-A

View of backyard from deck.

ビーバイ

Selma Ave

W side of Backyard

on left.

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

November 18, 2005

Louis A. Romeo
Stephanie T. Romeo
4603 Lincoln Drive
Halethorpe, Maryland 21227

Re: Petition for Administrative Variance
Case No. 06-214-A
Property: 4603 Lincoln Drive

Dear Mr. and Mrs. Romeo:

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

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: People's Counsel; Case File