

IN RE: **PETITION FOR VARIANCE**
NW/Corner Trimble Hill Court and
Marburg Manor Drive
(2 Trimble Hill Court)
8th Election District
2nd Council District

Martin A. Mishkin and Andrea D. Otter
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 06-258-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Martin A. Mishkin and Andrea D. Otter. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit detached accessory structures (pool, patios and pergola) to be located outside the third of the lot farthest removed from any street. In addition, relief is requested from Section 427 of the B.C.Z.R. to permit a fence to be partially located in the side yard with a height of 6 feet in lieu of the maximum allowed 42 inches, and an amendment to the final development plan for Seminary Overlook, Lot 1, Block J, only, accordingly. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Martin Mishkin and Andrea Otter, property owners, and their adjacent neighbor, Eileen Lin, whose letter of support was submitted into evidence and marked as Petitioner's Exhibit 2. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is an irregular shaped corner lot, located on the north side of Trimble Hill Court and the west side of the intersecting Marburg Manor Drive, in the subdivision of Seminary Overlook in Lutherville. The property contains a gross area of 0.31 acres, more or less, zoned D.R.2 and is improved with a

ORDER RECEIVED FOR FILING
Date 1/24/06
By [Signature]

two-story single family dwelling, which features an attached garage and existing deck in the rear yard. The Petitioners have owned and resided on the property since December 2002 and are desirous of constructing a 20' x 40' in-ground swimming pool in the rear yard. A combination of walkways and patios are proposed to connect the pool area with the existing deck to the rear of the home. Due to the unique configuration of the property and site constraints associated therewith, the proposed pool and patio areas will be partially located in the side yard (east) closest to Marburg Manor Drive. In this regard, testimony and photographs received show that the grade of the property in the rear, western portion of the lot, adjacent to the Lin property, is significantly steeper and would require extensive grading and 6-foot high retaining walls with safety rails to level the area. Testimony indicated that the pool and patio areas have been designed to conform to the natural drainage and topography of the property. Moreover, the depth of the lot at the proposed location (72 feet) is greater than that at the permitted location (46 feet), thereby reducing any impact the proposed construction will have on the subject and adjacent properties. Finally, no neighboring front yards abut the Petitioners' rear yard as that area consists of a forest buffer easement and adjoining local open space.

Further testimony disclosed that a 6-foot high fence along Marburg Manor Drive would provide privacy for pool activities from the adjacent sidewalk and street traffic. In this regard, the Petitioners produced photographs, marked as Petitioner's Exhibits 7 and 8, which demonstrate the existence of a 6-foot fence in the northeast corner of the rear yard adjacent to Marburg Manor Drive, that has apparently existed on the property since their acquisition of same. The Petitioners wish to extend this fence around the entire perimeter of the rear yard/side yards in order to enclose the pool area. Testimony indicated that a landscape plan with proposed plantings will be submitted to the Seminary Overlook Architectural Review Board for their review and approval. County Council Bill No. 65-05 mandates that the maximum height of a residential fence, if erected in the side yard of a lot adjoining a public road, shall be 42 inches. Thus, the requested variance relief is necessary.

COPIES RECEIVED FOR FILING
Date 1/24/16
By [Signature]

After due consideration of all of the testimony and evidence presented, I am persuaded to grant the requested relief. I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted and that strict compliance with the regulations would result in a practical difficulty an unreasonable hardship. As noted above, the neighbors support the proposal and there were no adverse comments submitted by any County reviewing agency. The variance requested is minimal and will not adversely impact the adjacent properties or surrounding locale. However, within its Zoning Advisory Committee (ZAC) comments, the Office of Planning has requested that landscaping be provided along the exterior side of the proposed fence. Therefore, as a condition of the relief granted, such landscaping shall be incorporated into the plan to be submitted to the Seminary Overlook Architectural Review Board. A copy of the approved plan shall be submitted to the Office of Planning, prior to the issuance of any permits.

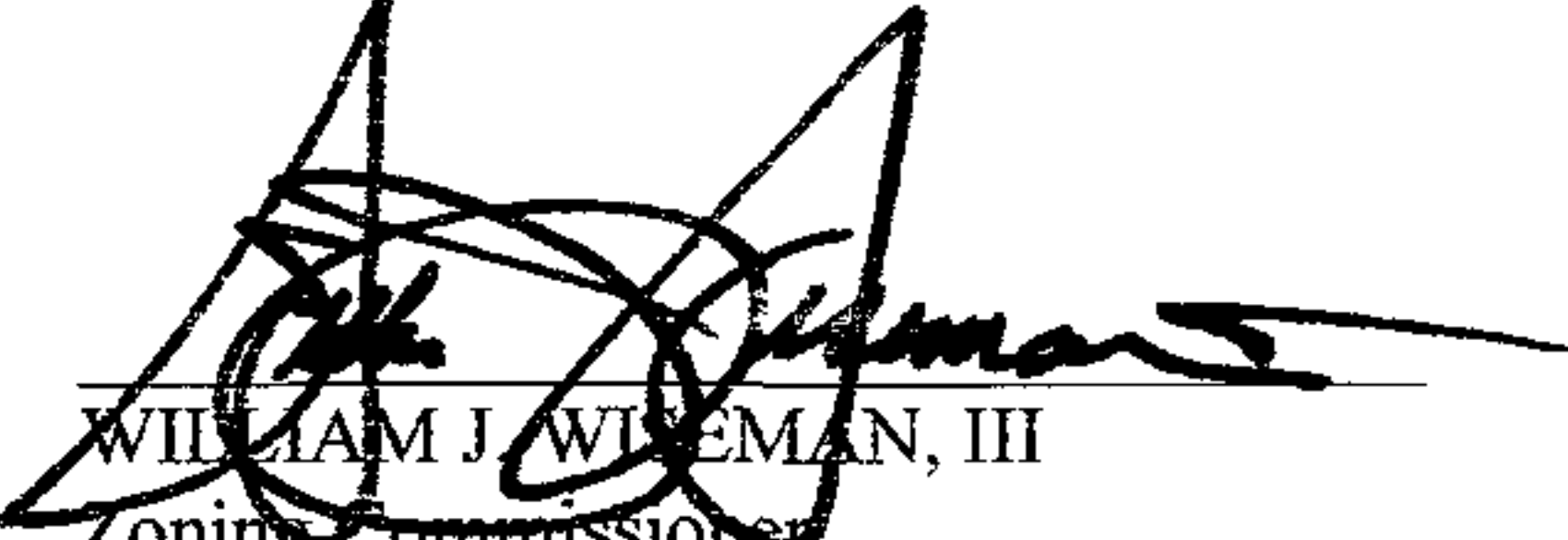
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of January 2006 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit detached accessory structures (pool, patios and pergola) to be located outside the third of the lot farthest removed from any street, and from Section 427 of the B.C.Z.R. to permit a fence to be partially located in the side yard with a height of 6 feet in lieu of the maximum allowed 42 inches, and an amendment to the final development plan for Seminary Overlook, Lot 1, Block J, only, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their sign 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

ORDER RECEIVED FOR FILING
Date 1/24/06
By [Signature]

- 2) Prior to the issuance of any building permits, Petitioners shall submit a copy of the landscape plan approved by the Seminary Overlook Architectural Review Board to the Office of Planning. Said plan shall indicate that planting will be provided on the exterior side of the proposed fence.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
1/24/06
bjs



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

January 24, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. Martin A. Mishkin
Ms. Andrea D. Otter
2 Trimble Hill Court
Lutherville, Maryland 21093

RE: **PETITION FOR VARIANCE**
NW/Corner Trimble Hill Court and Marburg Manor Drive
(2 Trimble Hill Court)
8th Election District – 2nd Council District
Martin A. Mishkin & Andrea D. Otter - Petitioners
Case No. 06-258-A

Dear Mr. Mishkin & Ms. Otter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Office of Planning; People's Counsel; Case File



Petition for Variance

to the **Zoning Commissioner of Baltimore County**

for the property located at 2 Trimble Hill Court

which is presently zoned DR2

Cover lot

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 BCZR TO ALLOW DETACHED ACCESSORY STRUCTURES (PROPOSED POOL, PATIO, AND PERGOLA) TO BE LOCATED OUTSIDE OF THE THIRD OF THE LOT FARTHEST REMOVED FROM ANY STREET AND FROM SECTION 427 BCZR TO PERMIT A FENCE PARTIALLY LOCATED INSIDE YARD WITH A HT OF 6 FT IN LIEU OF 42 INCHES, AND TO AMEND THE FINAL DEVELOPMENT FOR SEMINARY OVERLOOK LOT 1, SECTION J,

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TBD at hearing

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

Legal Owner(s):

MARTIN A. MISHKIN
Name - Type or Print
Signature
ANDREA D. OTTER
Name - Type or Print
Signature

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

2 Trimble Hill Court (410) 823-8668
Address Telephone No.
Lutherville, MD 21093
City State Zip Code

Representative to be Contacted:

Name
Address Telephone No.
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING -

Reviewed By JL Date 11/15/05

ORDER RECEIVED FOR FILING
NOV 15 2005
Case No. 06 258 A

Zoning Description

ZONING DESCRIPTION FOR 2 Trimble Hill Court

Beginning at a point on the North side of Trimble Hill Court which is 50' wide at the distance of 65' ^{west} of the centerline of the nearest improved intersecting street Marburg Manor Drive which is 50' wide. Being Lot # 1, Block J in the subdivision of Seminary Overlook as recorded in Baltimore County Plat Book # 66, Folio # 53, containing 0.31 Ac. Also known as 2 Trimble Hill Court and located in the ~~8~~ Election District, 2 Councilmanic District.

8

AKD 11/15/05

258

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: #05-258-A

2 Trimble Hill Court

Northwest corner of Trimble Hill Court and Marburg Manor Drive

8th Election District - 2nd Councilmanic District

Legal Owner(s): Martin A. Mishkin & Andrea D. Otter

Variance: to allow detached accessory structures (proposed pool, patios and pergola) to be located outside of the third of the lot farthest removed from any street and to permit a fence partially located in the side yard with a height of 6 feet in lieu of 42 inches and to amend the Final Development Plan for Seminary Overlook, Lot One, Section J, only.

Hearing: Monday, January 9, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21284.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations, 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.

12/22/05 Dec. 22

7RQ11

CERTIFICATE OF PUBLICATION

12/22/2005

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 12/22/2005.

- 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. 1805

258

DATE 11/15/05

ACCOUNT 101 006 6150

AMOUNT \$ 130.00

RECEIVED MISHKIN

FROM FOR MARRIAGE & DOMESTIC HELP

2 THOMAS HILL CT

DISBURSAL
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

DATE: 11/15/05
TIME: 11:20 AM
BY: [Signature]
OFFICE: BUDGET & FINANCE
BALTIMORE, MARYLAND

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-258A

Petitioner/Developer: MARTIN A.

MISKIN & ANDREA D. OTTER

Date of Hearing/Closing: JAN 9, 2006

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

ATTN: KRISTEN 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 property located at: _____

2 TRIMBLE HILL COURT

The sign(s) were posted on 12-24-05
(Month, Day, Year): _____

Sincerely,

Robert Black 12-28-05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

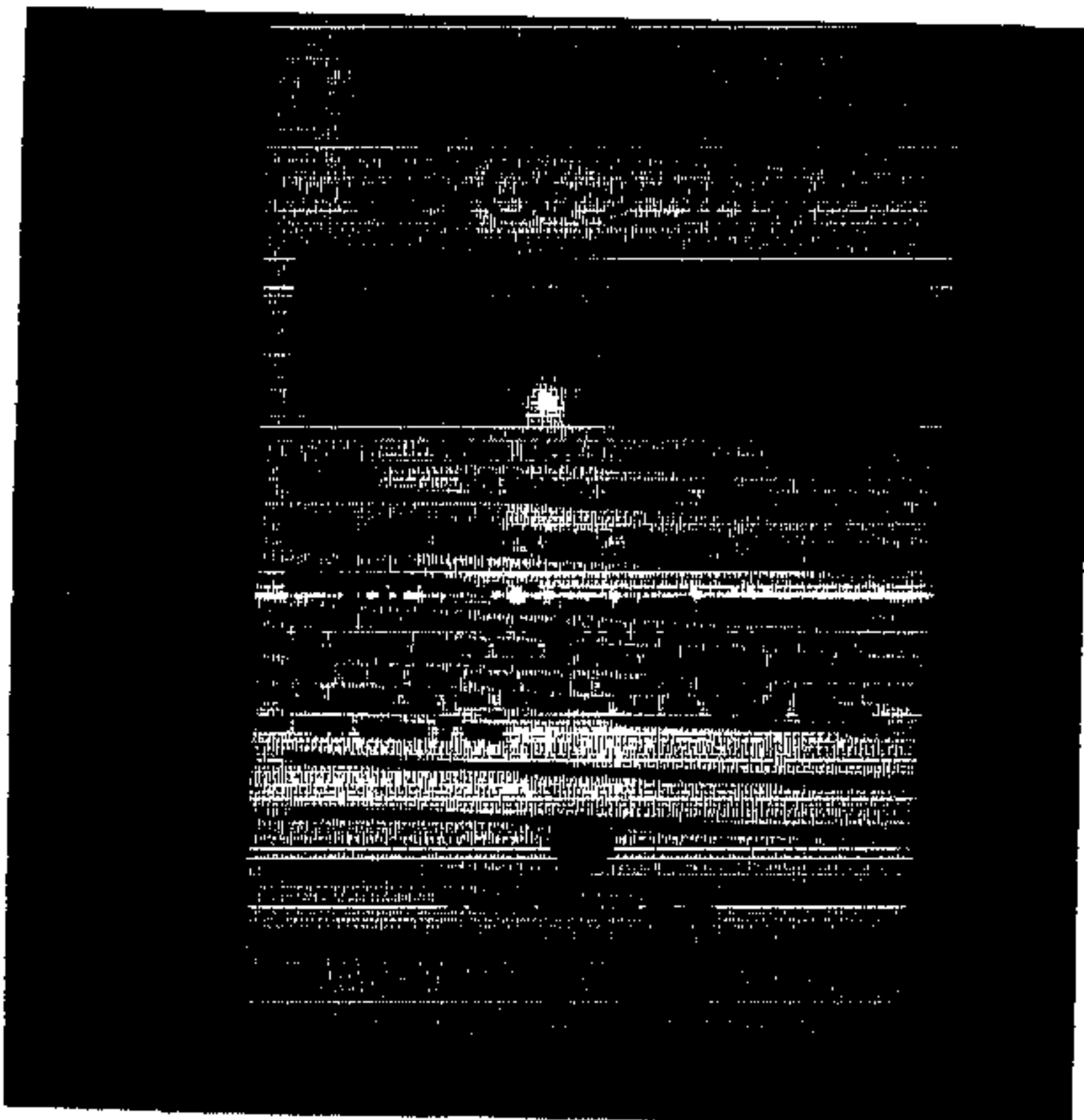
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



2 TRIMBLE HILL CT.



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

December 2, 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: 06-258-A

2 Trimble Hill Court
Northwest corner of Trimble Hill Court and Marburg Manor Drive
8th Election District – 2nd Councilmanic District
Legal Owners: Martin A. Mishkin & Andrea D. Otter

Variance to allow detached accessory structures (proposed pool, patios and pergola) to be located outside of the third of the lot farthest removed from any street and to permit a fence partially located in the side yard with a height of 6 feet in lieu of 42 inches and to amend the Final Development Plan for Seminary Overlook, Lot One, Section J, only.

Hearing: Monday, January 9, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Martin Mishkin & Andrea Otter, 2 Trimble Hill Court, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 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
Thursday, December 22, 2005 Issue - Jeffersonian

Please forward billing to:
Andrea Otter
2 Trimble Hill Court
Lutherville, MD 21093

410-823-8668

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: 06-258-A

2 Trimble Hill Court

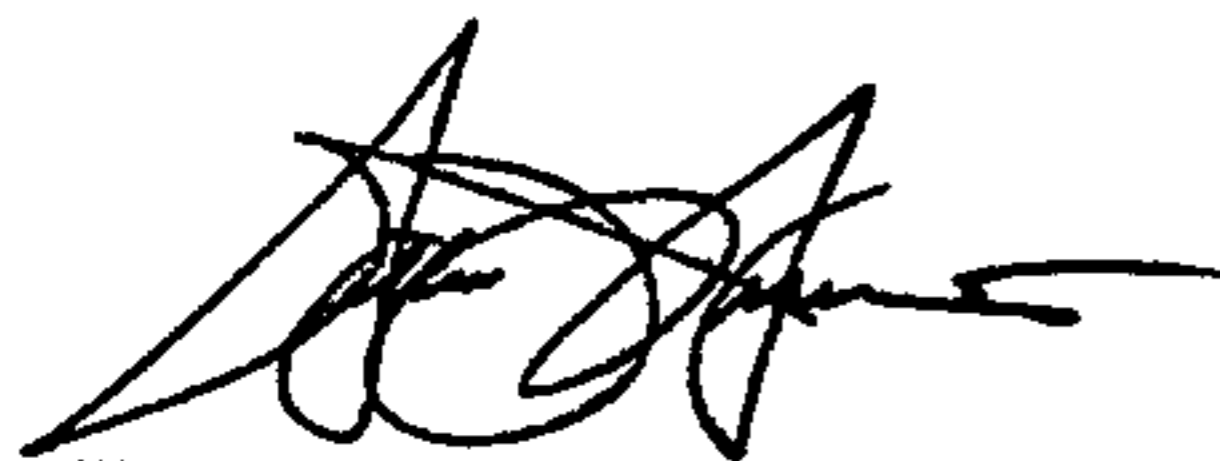
Northwest corner of Trimble Hill Court and Marburg Manor Drive

8th Election District – 2nd Councilmanic District

Legal Owners: Martin A. Mishkin & Andrea D. Otter

Variance to allow detached accessory structures (proposed pool, patios and pergola) to be located outside of the third of the lot farthest removed from any street and to permit a fence partially located in the side yard with a height of 6 feet in lieu of 42 inches and to amend the Final Development Plan for Seminary Overlook, Lot One, Section J, only.

Hearing: Monday, January 9, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM JWISEMAN III
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/neighborhood 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 06 258 A
Petitioner Oter
Address or Location 2 Trimble Hill Court

PLEASE FORWARD ADVERTISING BILL TO

Name: Andrea Oter
Address 2 Trimble Hill Court
Lutherville, MD 21093

Telephone Number: (410) 823-8668

**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

January 9, 2006

Martin A. Mishkin
Andrea D. Otter
2 Trimble Hill Court
Lutherville, Maryland 21093

Dear Mr. Mishkin and Ms. Otter:

RE: Case Number: 06-258-A, 2 Trimble Hill Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 15, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." in a cursive style.

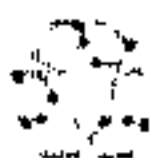
W. Carl Richards, Jr.
Supervisor, Zoning Review

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

November 29, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: November 14, 2005

Item No.: 250, 252, 253, 254, 255, 256, 257, 258, 260, 262.

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.

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 5, 2005

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 21, 2005
Item Nos. 103, 250, 256, 257, 258, 259,
260 and 262

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-12052005.doc

BW
1/9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 1, 2005

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

DEC 1 2005

SUBJECT: 2 Trimble Court

INFORMATION:

Item Number: 6-258

Petitioner: Martin Mishkin & Andrea Otter

Zoning: DR 2

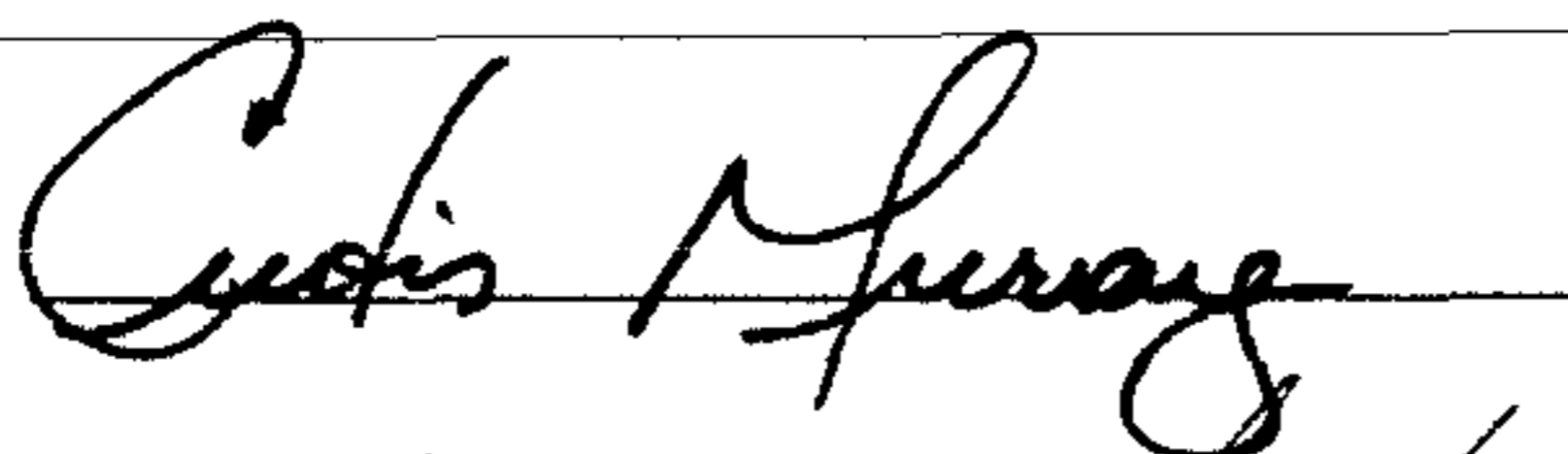
Requested Action: Variance

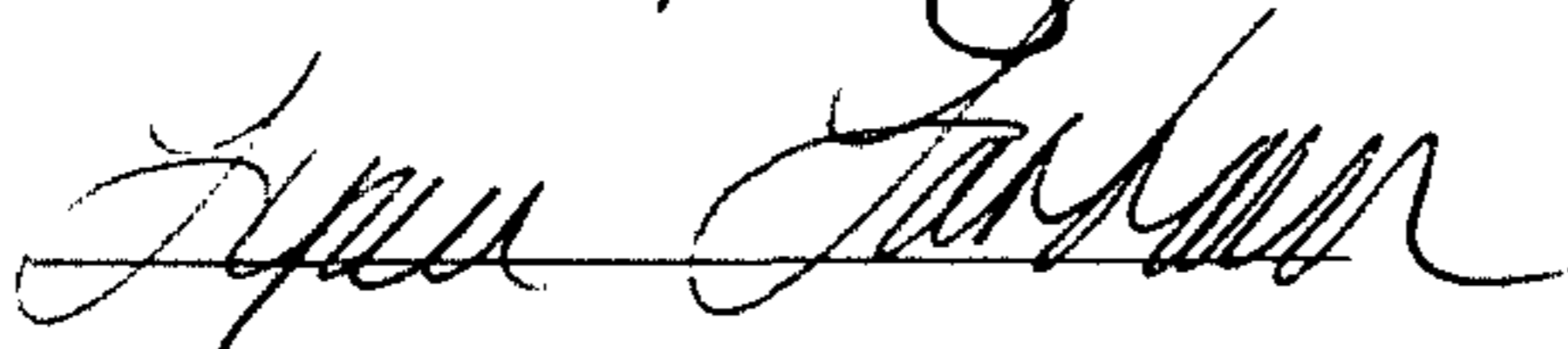
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioners request and offers the following comment:

It is unclear why the petitioner is requesting a 6-foot high fence in lieu of 42 inches. However, if the petitioner's request is granted the Office of Planning recommends that the petitioner provide a landscape plan that indicates planting will be provided on the exterior side of the proposed fence.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by: 

Division Chief: 

AFK/LL: CM



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

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

Maryland Department of Transportation

Date: 11.28.05

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

RE: Baltimore County
Item No. 258 JLL

Dear Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR VARIANCE
2 Trimble Hill Court; NW corner Trimble
Hill Court & Marburg Manor Drive
8th Election & 2nd Councilmanic Districts
Legal Owner(s): Martin A. Mishkin
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 06-258-A

* * * * *

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 sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 29th day of November, 2005, a copy of the foregoing Entry of Appearance was mailed to, Martin Mishkin & Andrea Otter, 2 Trimble Hill Court, Lutherville, MD 21093, Petitioner(s).

RECEIVED

NOV 29 2005

Per KEM

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.:

06-258 A

Exhibit Sheet

Petitioner/Developer

Protestant

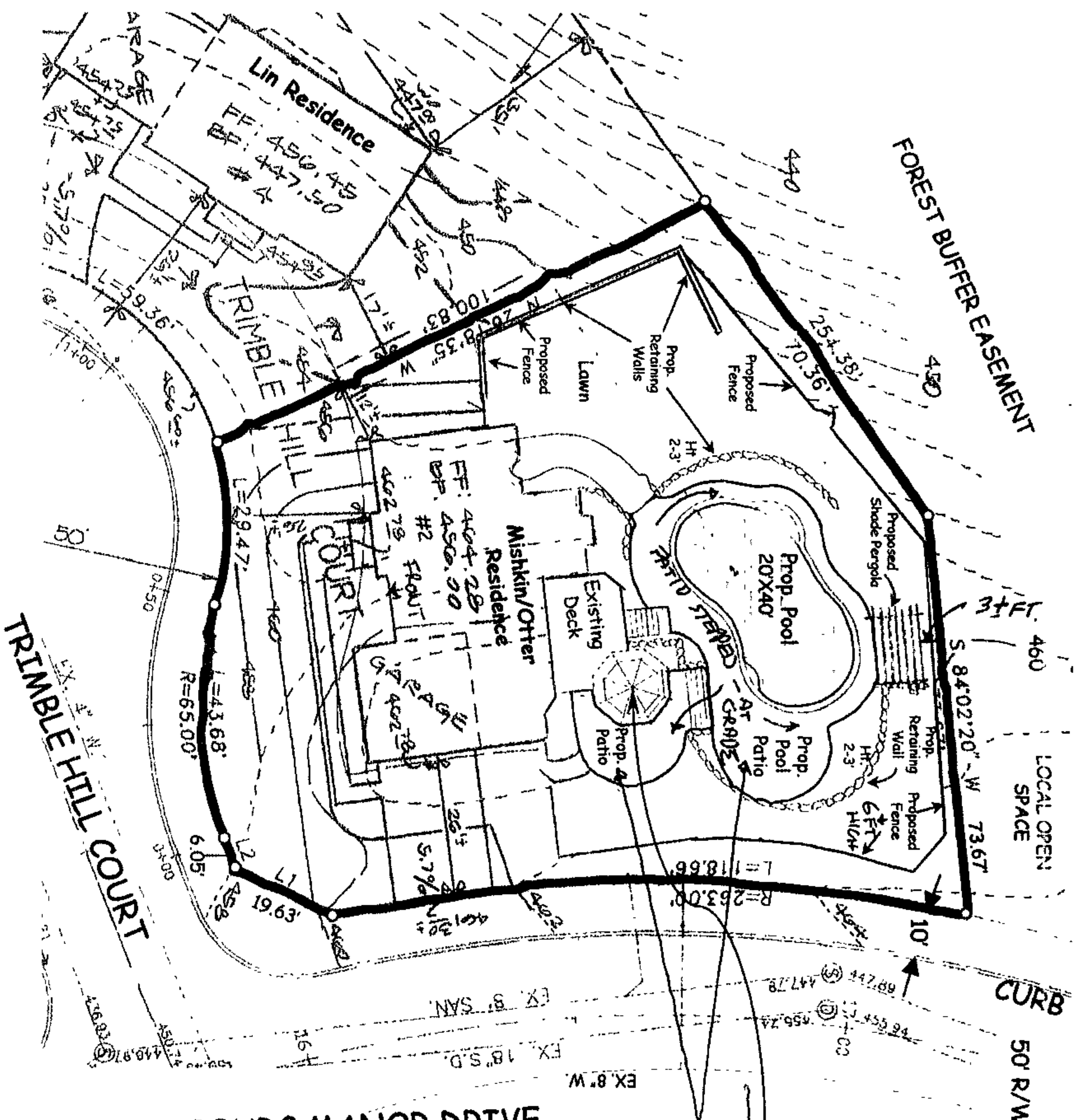
No. 1	SITE PLAN	
No. 2	EILEEN LIN Adjacent Neighbor	
No. 3	PHOTO - STEEP GRADE IN AREA POOL COULD GO WITHOUT Variance Relief	
No. 4	PHOTO - LEVEL AREA Pool could be located behind the home	
No. 5	Diagram - Constraints on rear yard distances on west side as opposed to eastern property - also	elevation change
No. 6	Photo - Location closer to road much more preferable to neighbors than in permitted location	
No. 7	Existing 6' fence and NO impact to neighbors	
No. 8	Existing fence and area from Marburg Manor -	
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

PROPERTY ADDRESS **2 TRIMBLE HILL COURT**

SUBDIVISION NAME **SEMINARY OVERLOOK**

PLAT BOOK # **66** FOLIO # **53** LOT # **1** SECTION # **J**



Proposed Roof over Existing Octagonal Deck

THE PROPOSED PATIOS ARE TO BE LOCATED AT THE (GROUND) GRADE LEVELS ESTABLISHED BY THE NECESSARY TERRACING FOR THE CONSTRUCTION.

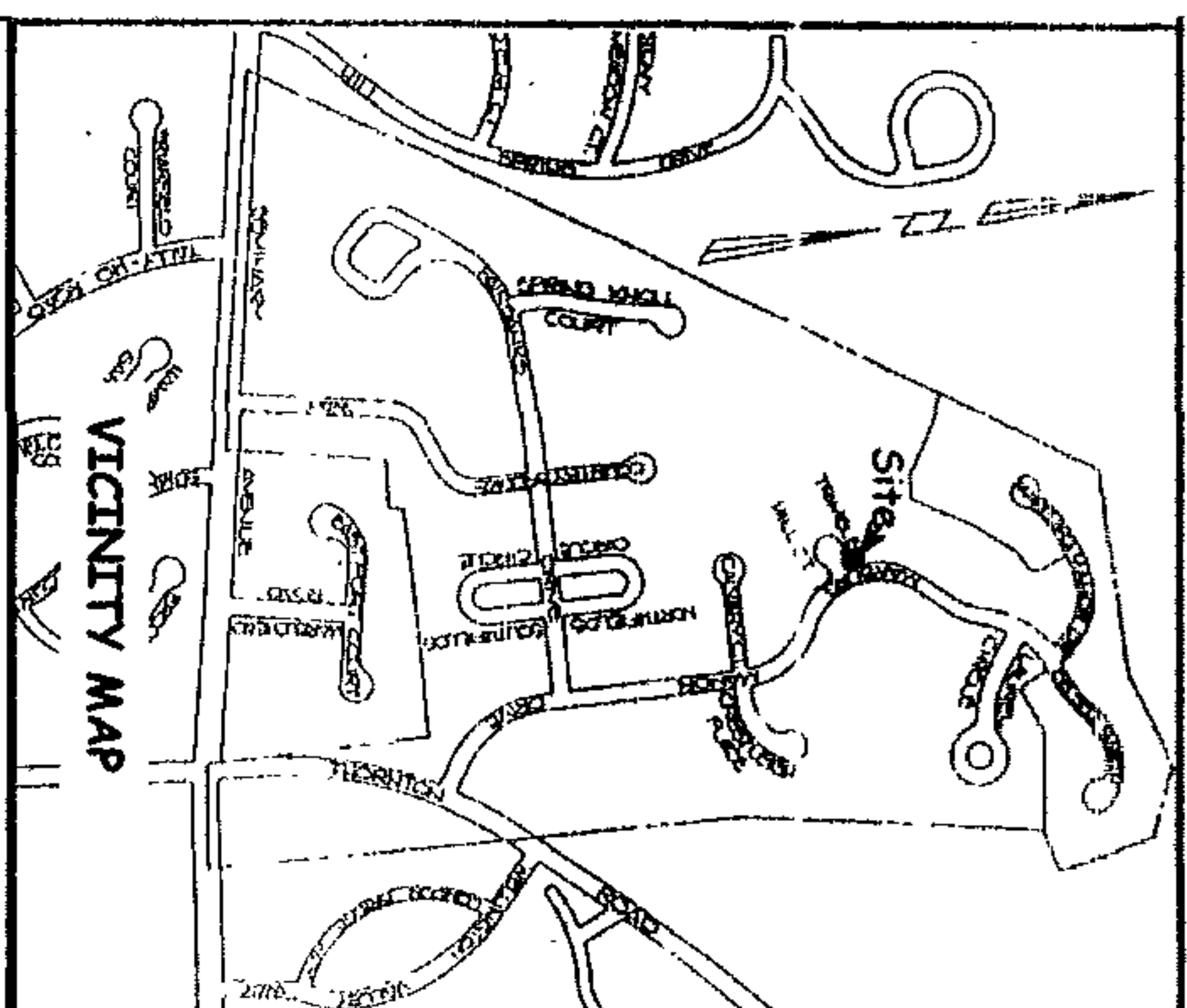
THE INTENT OF THIS IS TO MAINTAIN THE PATIOS AT ~~GRADE WITH~~ THE NATURAL GRADE TO THE MAXIMUM EXTENT POSSIBLE

MARBURG MANOR DRIVE

PETITIONER'S EXHIBIT NO. _____

SCALE OF DRAWING 1" = 30'

REV. *ABC* DATE *11/15/05*



LOCATION INFORMATION

ELECTION DISTRICT: 8
 COUNCILMANIC DISTRICT: 2
 1"=30' SCALE MAP # 060B2
 ZONING DR: 2
 LOT SIZE: 0.31 Acre 13,503 ft²

SEWER Public Private
 WATER
 CHESAPEAKE BAY CRITICAL AREA YES NO
 100 YEAR FLOOD PLAIN
 HISTORIC PROPERTY/ BUILDING
 PRIOR ZONING HEARING: NONE

LOCATION INFORMATION
 Reviewed By *JL* Item # 06-258A Case # _____
 Purchased 12/20/02

November 13, 2005

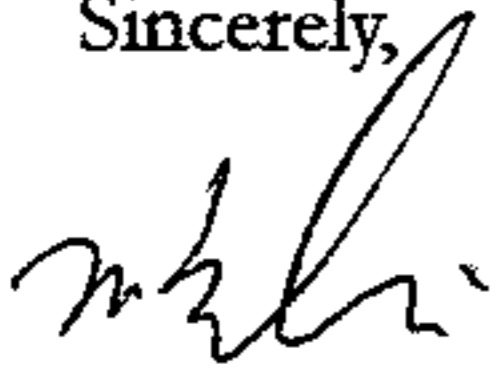
Zoning Review
Dept. of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

SUBJECT: NEIGHBOR SUPPORT FOR OTTER/MISHKIN POOL/PERGOLA PLAN
AND VARIANCE REQUEST

Dear Zoning Reviewer,

As the only next door neighbors of Andrea Otter and Marty Mishkin, we are writing this letter to inform you that we have reviewed their proposed pool/pergola and landscape improvement plan and they have our full support for this proposal. They have also informed us that they are applying to the county for a variance to place the pool and pergola on the half of their backyard closest to Marburg Manor Drive. Granting their variance request to place the pool and pergola on the street half of their backyard would serve to maximize privacy for our collective households.

Sincerely,



Eileen Lin

~~258~~

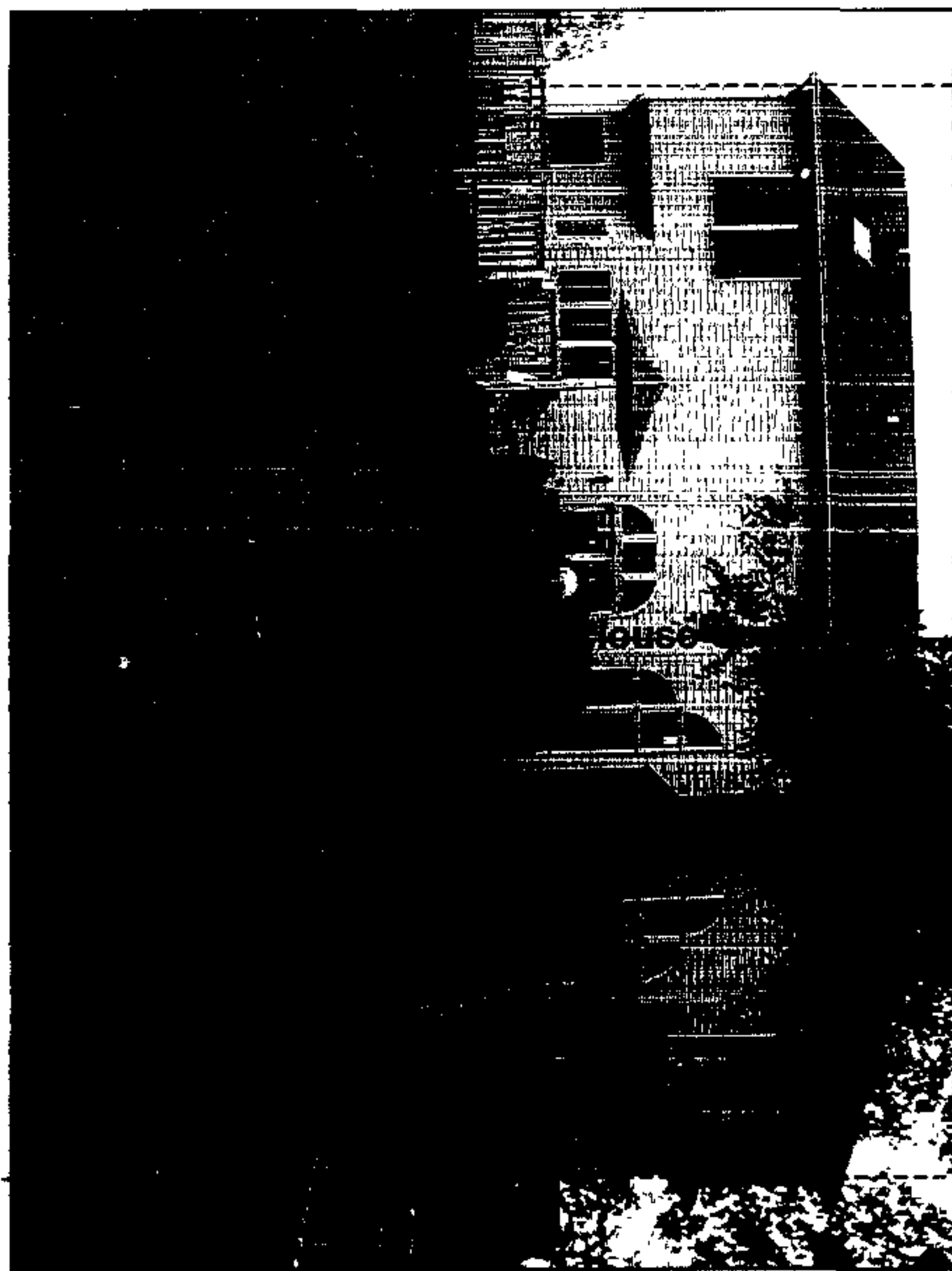
4 TRIMBLE HILL COURT
LUTHERVILLE, MD 21093

PETITIONER'S

EXHIBIT NO. *2*

Diagram 1a: Grade

View from back yard.
West side of yard has steeper grade.



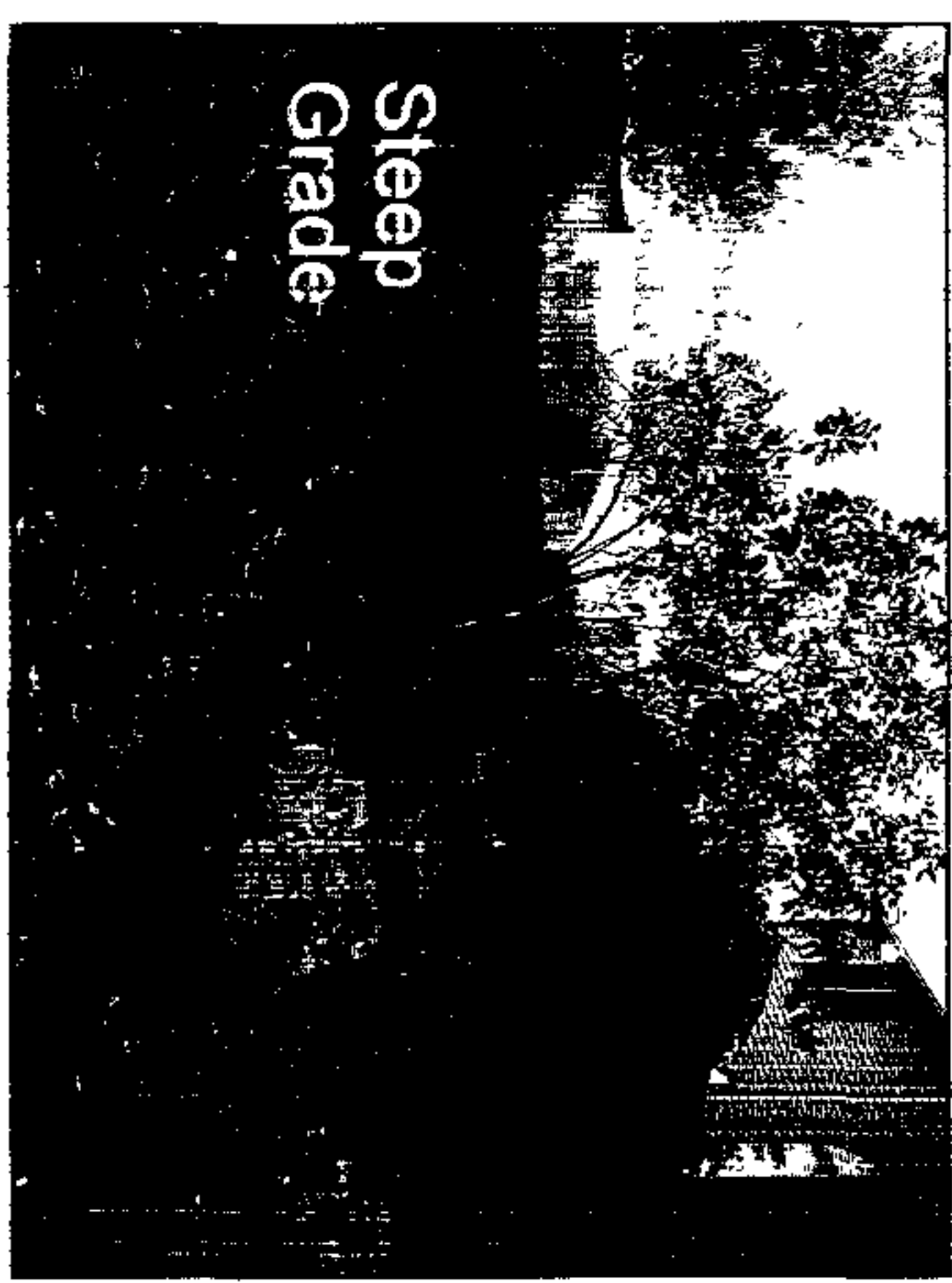
↑ East

West ↓

Case #258
Mishkin/Otter Residence
2 Trimble Hill Court
Lutherville, MD 21093

PETITIONER'S

EXHIBIT NO. 3



View from west side of back yard.



View from west side of back yard.

Diagram 1b: Grade

PETITIONER'S

EXHIBIT NO. 4

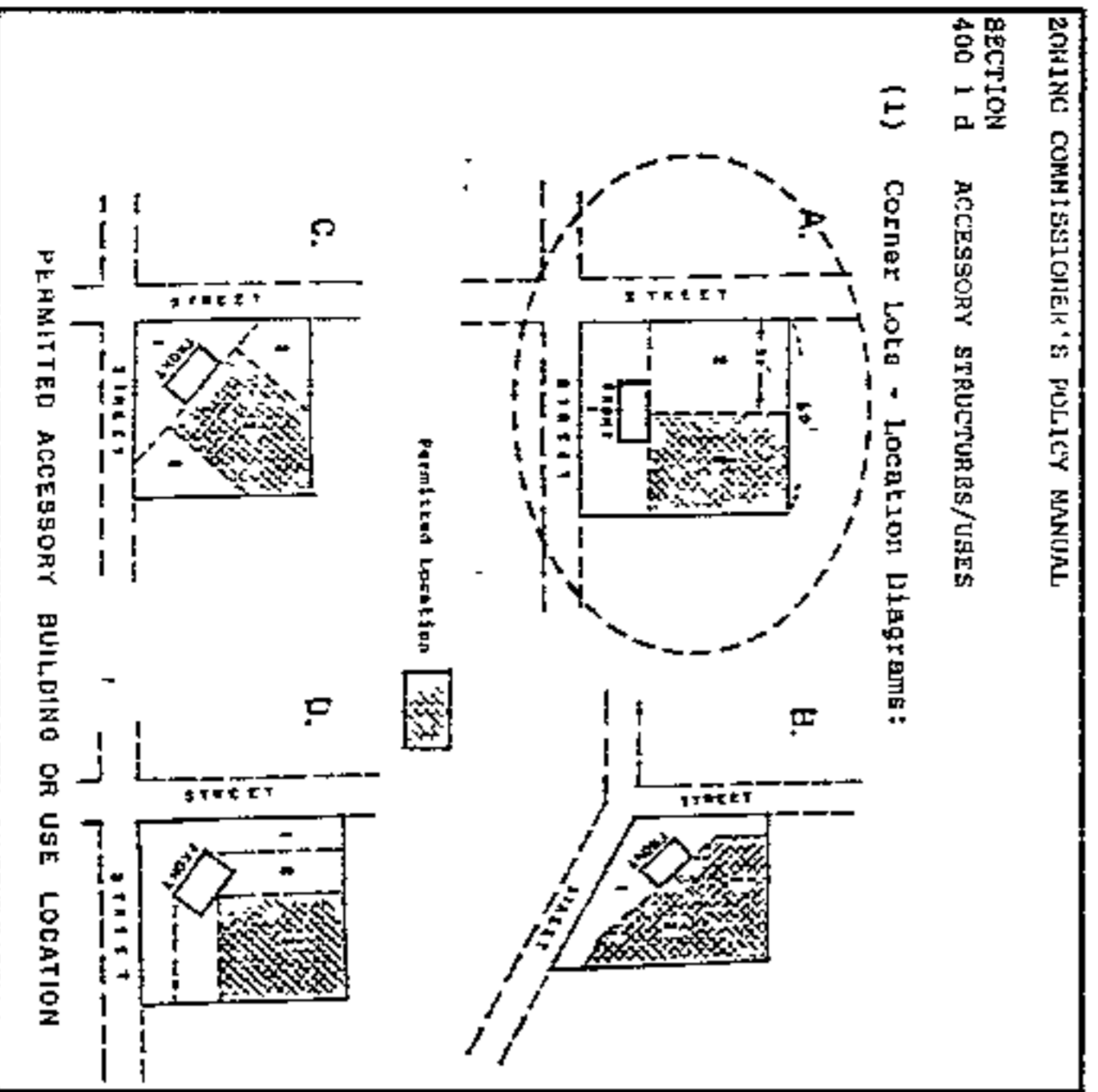
Case #258

Mishkin/Otter Residence
2 Trimble Hill Court
Lutherville, MD 21093

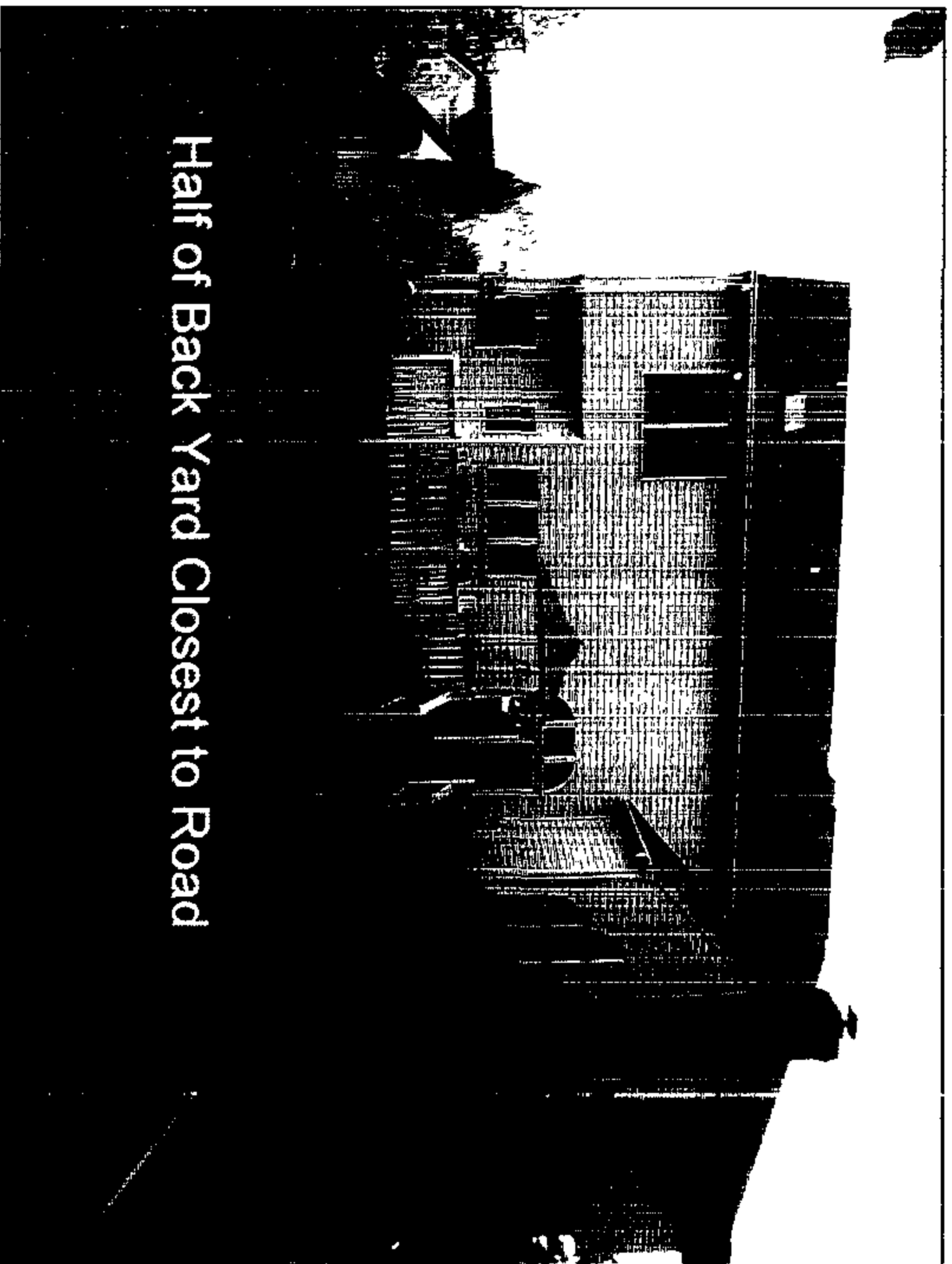
Photo from Back of House: East side of back yard is more flat.

East →

West →

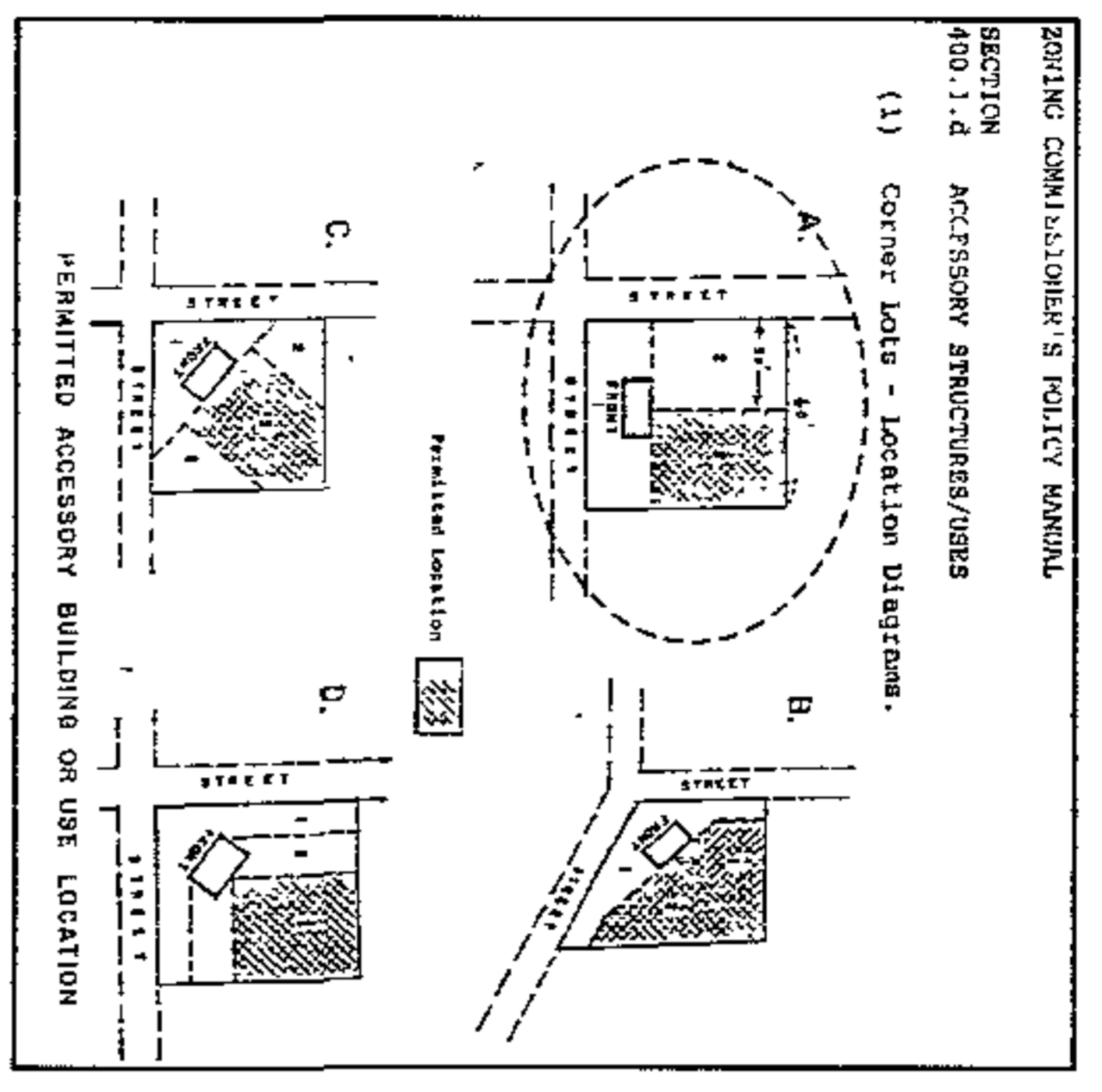


Corner Lots - Permitted Location Diagrams



Half of Back Yard Closest to Road

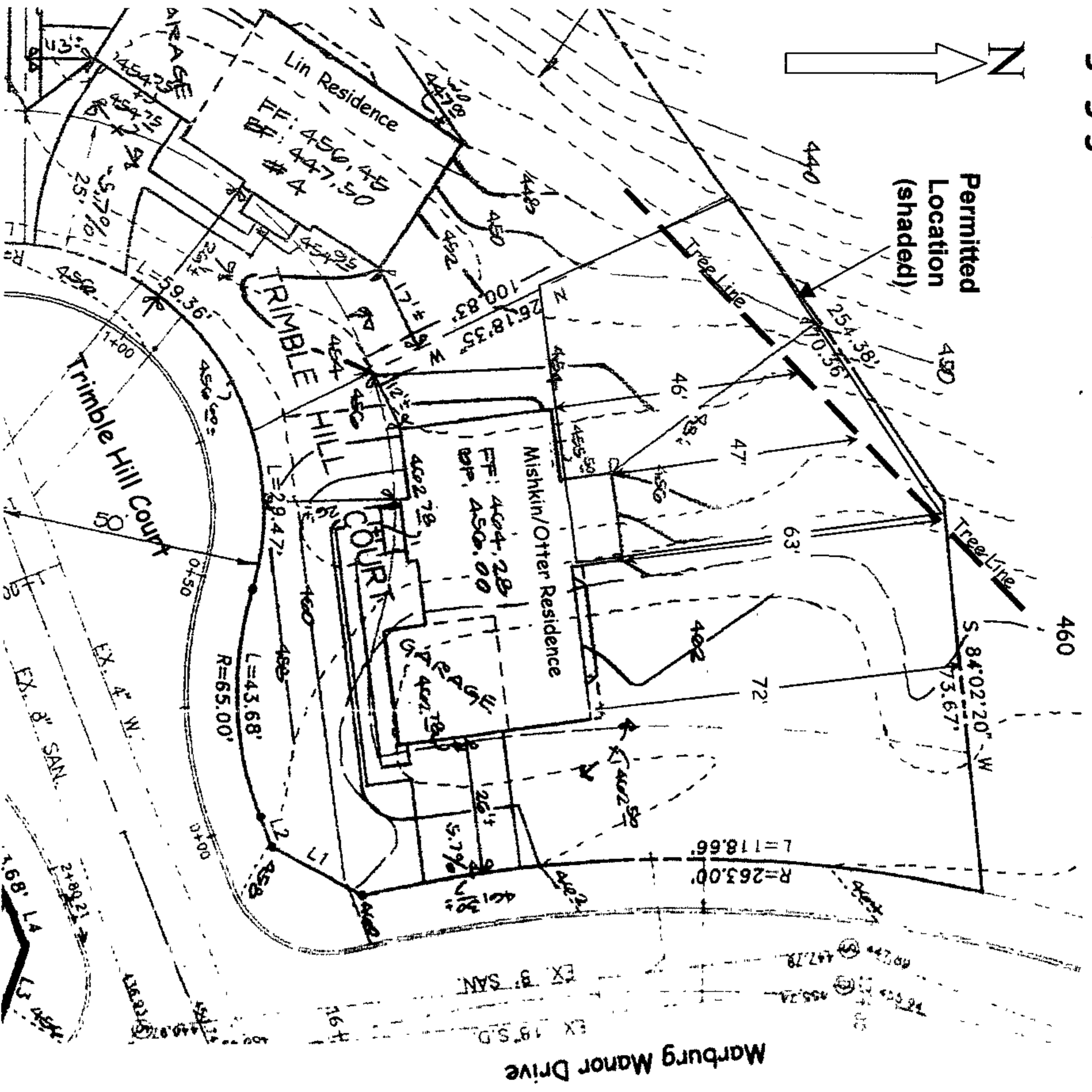
Diagram 2: Left/west half of lot has narrow depth and more challenging grade.



Corner Lots - Permitted Location Diagrams

Case #258

Mishkin/Otter Residence
2 Trimble Hill Court
Lutherville, MD 21093



PETITIONER'S

EXHIBIT NO.

6

Case #258

Mishkin/Otter Residence
2 Trimble Hill Court
Lutherville, MD 21093

Diagram 3: Neighbor (Lin residence) privacy

View from back yard looking westward toward abutting neighbor



Mshkin/Otter Residence
2 Trimble Hill Court
Lutherville, MD 21093

No Abutting Lot

Diagram 4: No Neighboring Front Yard Impacted

View from Southeast – Corner of Marburg Manor & Trimble Hill Court
– No Abutting Neighbor

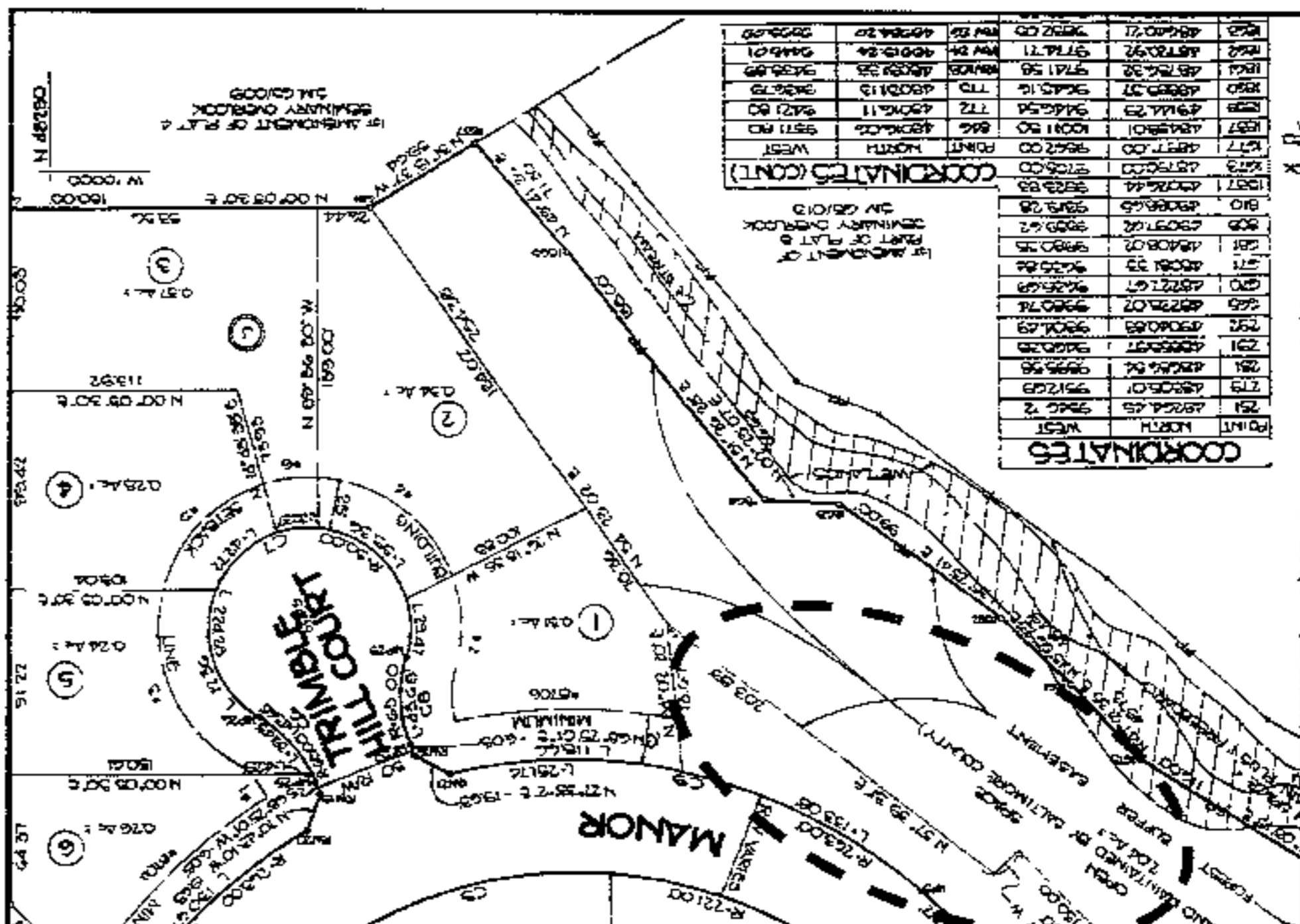
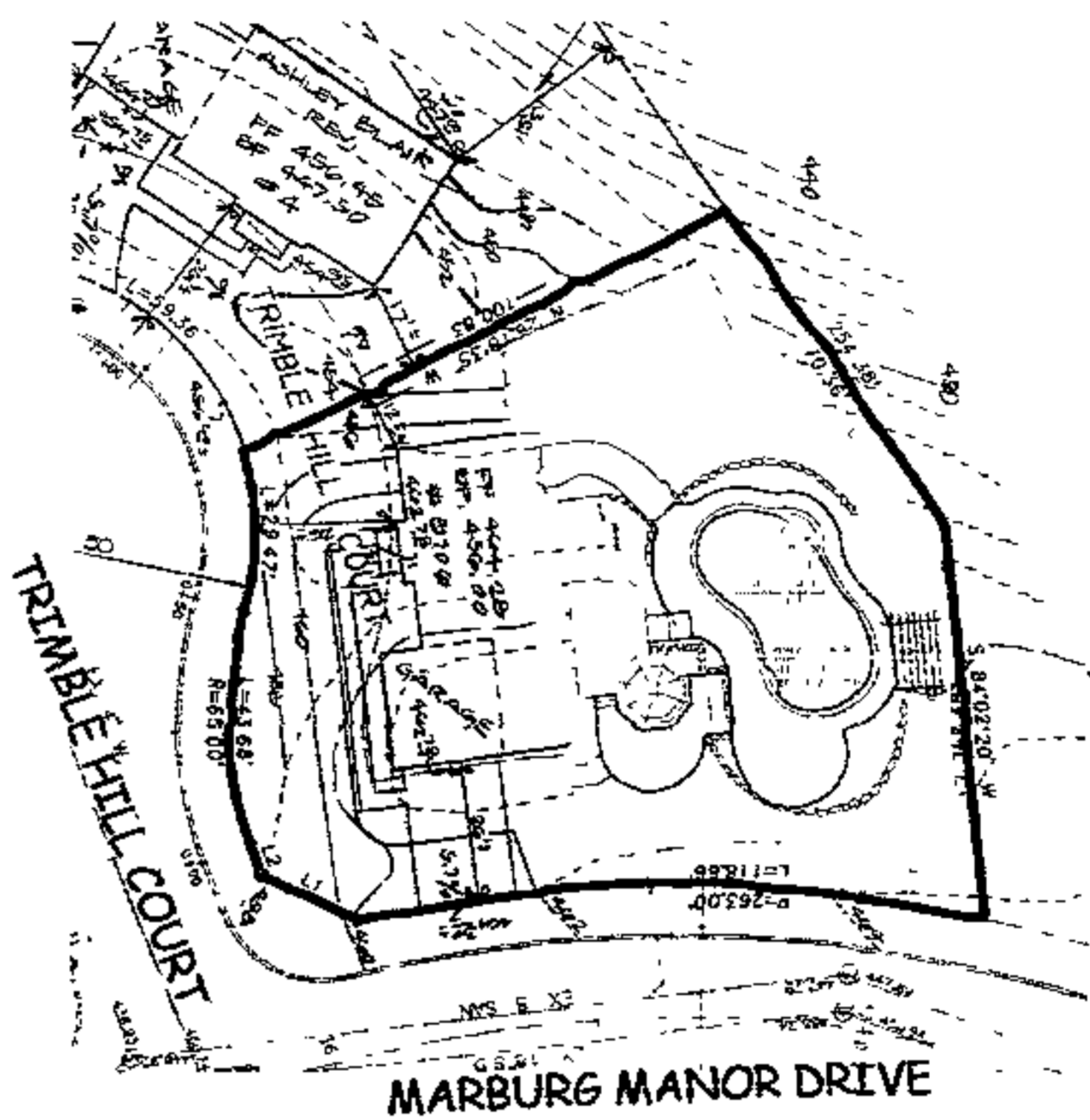


Diagram 5: Fence for Privacy

Case #258

Mishkin/Otter Residence
2 Trimble Hill Court
Lutherville, MD 21093



Side view from southeast on Marburg Manor Drive



Rear view from northeast on Marburg Manor Drive



Side view from east on Marburg Manor Drive

Click here for a plain text ADA compliant screen.

	Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search Ground Rent
---	---	--

Account Identifier: District - 08 **Account Number -** 2200020153

Owner Information

Owner Name:	MISHKIN MARTIN A OTTER ANDREA D	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	2 TRIMBLE HILL CT LUTH-TIMONIUM MD 21093-3982	Deed Reference:	1) /17261/ 543 2)

Location & Structure Information

Premises Address 2 TRIMBLE HILL CT	Legal Description .31 AC 2 TRIMBLE HILL CT SEMINARY OVERLOOK
--	--

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
60	15	886				J	1	2	Plat Ref: 66/ 53

Special Tax Areas	Town Ad Valorem Tax Class
--------------------------	----------------------------------

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1994	3,220 SF	13,503.00 SF	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value		
		As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	142,370	202,370		
Improvements:	272,830	395,540		
Total:	415,200	597,910	476,103	537,006
Preferential Land:	0	0	0	0

Transfer Information

Seller: FALLON CHRISTOPHER J Type: IMPROVED ARMS-LENGTH	Date: 12/20/2002 Deed1: /17261/ 543	Price: \$565,000 Deed2:
Seller: FALLON CHRISTOPHER J Type: NOT ARMS-LENGTH	Date: 12/18/2001 Deed1: /15871/ 268	Price: \$0 Deed2:
Seller: FALLON CHRISTOPHER J Type: NOT ARMS-LENGTH	Date: 08/30/1999 Deed1: /13992/ 595	Price: \$0 Deed2:

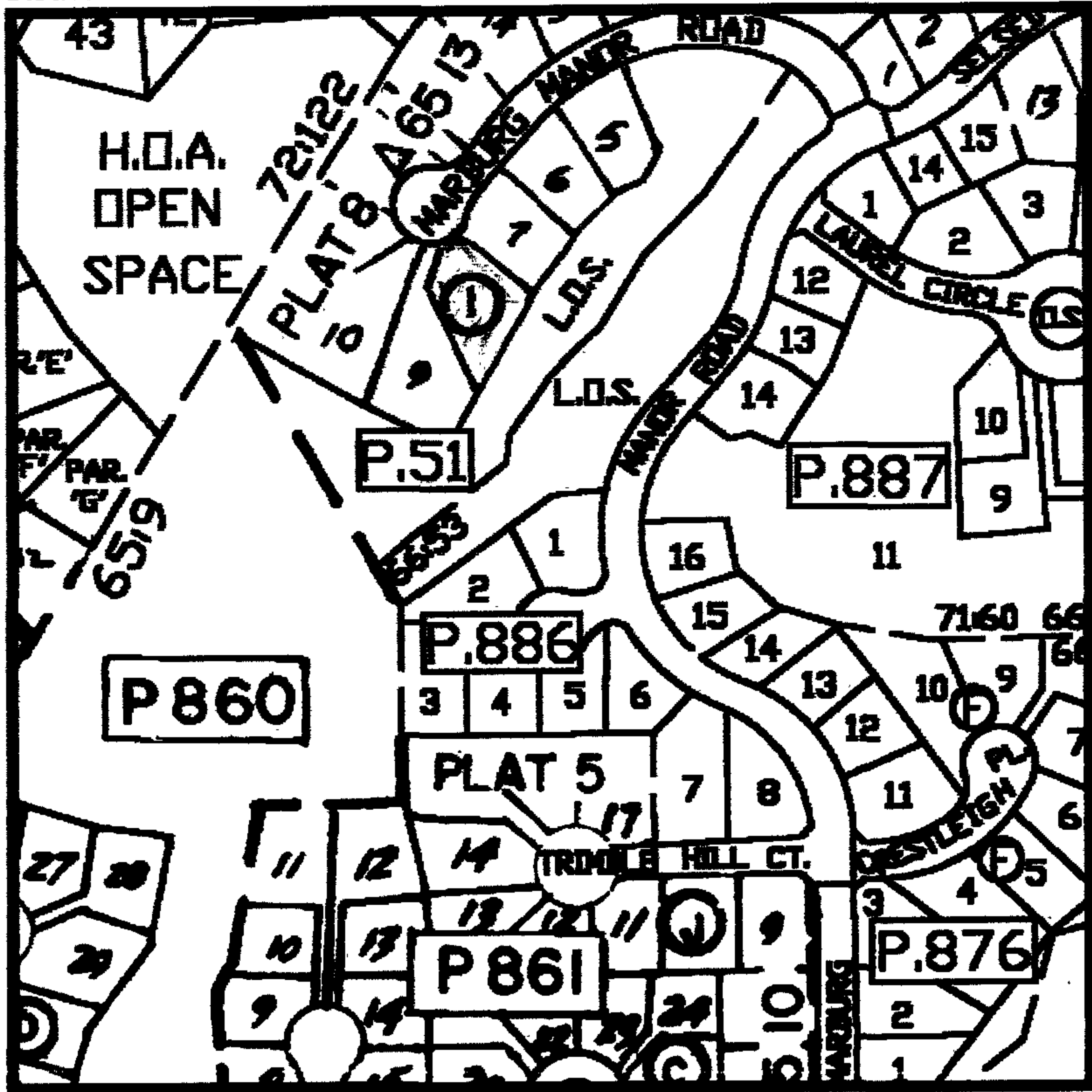
Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO Exempt Class:	Special Tax Recapture: * NONE *
---	---

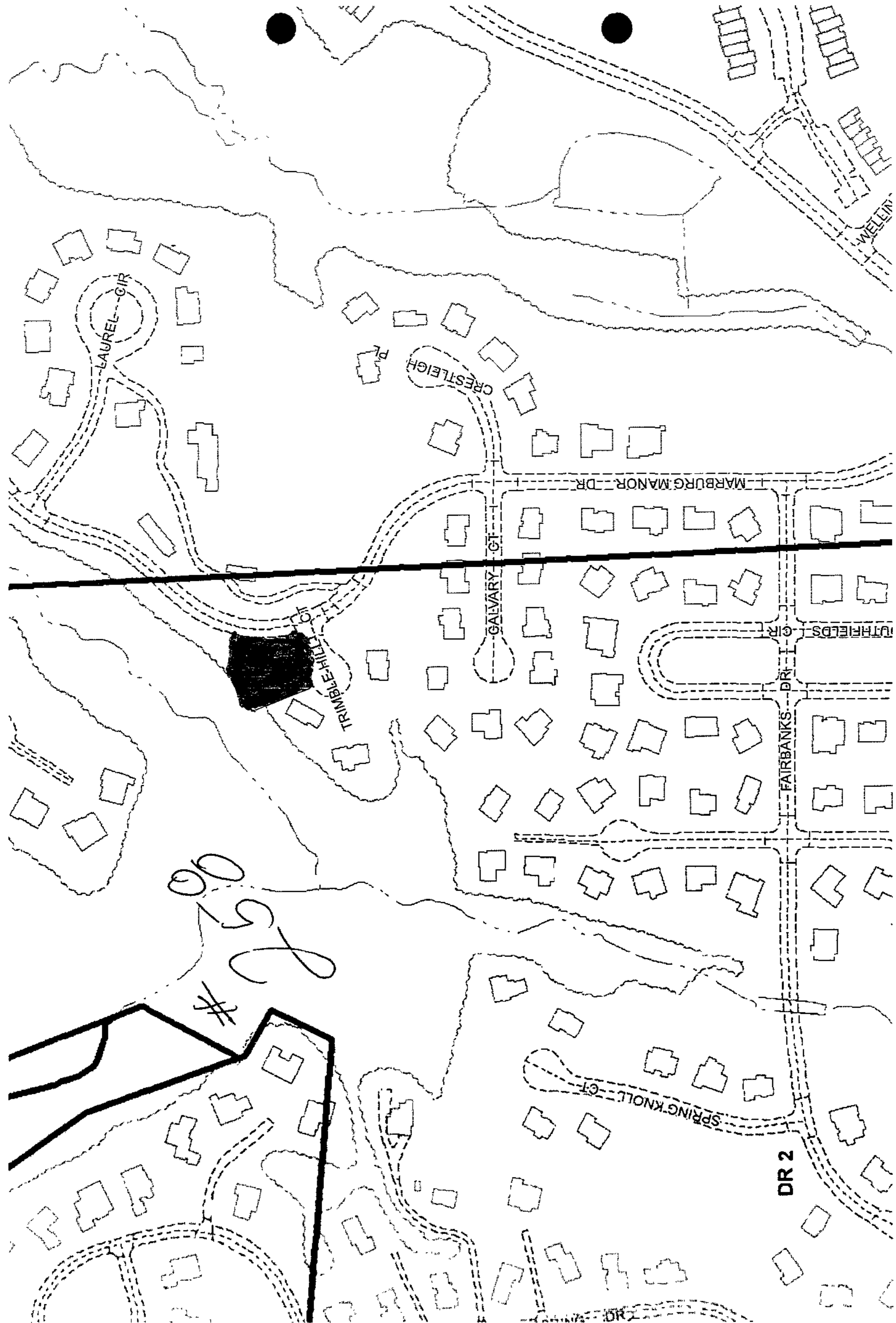
	Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search
--	--	---

District - 08 Account Number - 2200020153



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning
web site at www.mdp.state.md.us/webcom/index.html

1" = 200'



00
50

map # 060132