IN THE MATTER OF
THE APPLICATION OF
CHRISTOPHER & SALLY PFAEFFLE
-LEGAL OWNERS /PETITIONERS FOR
VARIANCE ON PROPERTY LOCATED
ON THE E/S MEREDITHS FORD ROAD,
130' S OF C/L ST FRANCIS ROAD
(1217 MEREDITHS FORD ROAD)

9TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT

- * BEFORE THE
 - * COUNTY BOARD OF APPEALS
 - * OF
 - * BALTIMORE COUNTY
 - * CASE NO. 06-320-A

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OPINION

This case comes before the Baltimore County Board of Appeals on appeal from an order of the Zoning Commissioner dated March 7, 2006 denying a request from the Petitioners for a variance seeking relief from § 1B02.3.C.1 and § 301 of the Baltimore County Zoning Regulations (BCZR) to permit an open projection carport with a side yard setback of 5 feet in lieu of the required 15 feet and a rear yard setback of 30 feet in lieu of the required 37.5 feet. The Petitioners, Christopher and Sally Pfaeffle, 1217 Merediths Ford Road in the Third Councilmanic District, were represented by Leslie Pittler, Esquire. Protestant, Tara Ann Cheikh, appeared *pro se*. A public hearing was held on May 31, 2007, and a public deliberation was held on June 28, 2007.

Testimony and Evidence

Mr. Pfaeffle testified that he is a licensed architect in the State of Maryland. Petitioner's Exhibit 2, which is a site map, shows the location of the proposed carport and a brick wall and fence to the immediate rear of the proposed carport. The exhibit also shows the present dwelling and its off-centered location in relation to the property lines. Mr. Pfaeffle testified that every house in the Hampton Village Development, except his, has either a garage or a carport. His property is zoned. D.R. 1, which allows for a carport; however, because of the off-centered location of his dwelling, he could not build a carport without the requested variance. Petitioner's Exhibit 3 shows

the difference in the configuration of the subject property in relation to the other properties in the development.

Mr. Pfaeffle testified that he could not place the carport anywhere else on the property. Mr. Pfaeffle further stated that his next-door neighbor, Darielle Greenberg, Psy.D., supports the project on both setback requirements. This support was stated in Dr. Greenberg's letter dated February 15, 2006 to the Department of Permits and Development Management (PDM) and was submitted as Exhibit 3 at the zoning hearing. Mr. Pfaeffle testified that, as an experienced architect, he would not do anything to take away from the neighborhood. He stated that the carport would not be visible from the street due to the grading of his property.

Under cross-examination by Ms. Cheikh, Mr. Pfaeffle testified that the neighbor who supports the variance has their house for sale and that he, Mr. Pfaeffle, bought the house knowing that it did not have a carport. Ms. Cheikh stated that there is one other property located at 1404 Gateshead Road that does not have a carport.

Tara Ann Cheikh then testified as a Protestant and submitted as Protestants' Exhibit #1 a letter dated May 24, 2007 from Douglas G. Ober, President of the Hampton Improvement Association, requesting that Ms. Cheikh be allowed to testify in his absence. Mr. Pittler objected to the letter because it refers to a special exception rather than a variance. There were no Rule 8 papers submitted on behalf of Ms. Cheikh, so she was allowed to testify as an interested party in lieu of as a representative of the Hampton Improvement Association.

Ms. Cheikh objected to the request for the variance on the basis that if granted it would set a precedent for other variances to be granted in the Hampton Village development, which consists of 67 residences. She submitted as Protestants' Exhibit #5 a letter from Mary Ellen Elias dated April 17, 2006, who lives at 1214 Merediths Ford Road. Ms. Elias objects to the request for variance on

the basis that it will set a precedent for other requests and that there is no evidence of condition or characteristics unique to this property that make a variance necessary.

Under cross-examination, Ms. Cheikh testified that she had no documentation that a carport would have an adverse effect on property values in the development. She testified that there are 67 houses in Hampton Village and that the residence at 1404 Gateshead, cited previously as not having a carport or a garage, is not in the Hampton Village development.

Decision

Section 307 of the BCZR states, in pertinent part that:

...(T)he 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...., and only in such manner as to grant relief without injury to public health, safety, and general welfare....

Testimony and evidence presented indicate that the property located at 1217 Merediths Ford Road is unique from the other properties in Hampton Village because of the off-centered location of the residence to the property lines created by the unusual configuration of the property. Because of this uniqueness, a carport could not be built without the relief of the requested variance and therefore would create an unreasonable hardship on the Petitioners because of the lack of use of a carport that is enjoyed by the other residents in the development. The angle of Petitioners' house, as constructed by the Developer due to the unique configuration of the property, made the Petitioners' property unique and thus causes the Petitioners practical difficulty. There was no evidence presented to indicate that the granting of the variance would have a negative effect on the property values in the Hampton Village development.

The Protestants' argument that granting the variance would set a precedent for other

Christopher & Sally Fraeffle - Legal Owners /Case No. 06-320-A

requests in the development is without merit since all of the residences in the development already have either a carport or a garage. Mr. Pfaeffle testified as an experienced architect that he would not do anything to take away from the neighborhood. He testified that, because of the grading of his property, the carport would not be visible from the street.

The Board concludes that because of the uniqueness of the property as described and with no evidence presented to dispute this finding of uniqueness and because of the hardship placed on the Petitioners, the granting of the requested variance would be in order.

ORDER

THEREFORE, IT IS THIS /4 Th day of County day of Appeals of Baltimore County

ORDERED that the variance requested from the Baltimore County Zoning Regulations to permit an open projection carport with a side yard setback of 5 feet in lieu of the required 15 feet and a rear yard setback of 30 feet in lieu of the required 37.5 feet be and the same is **GRANTED**.

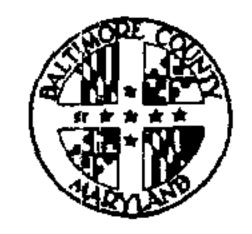
Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Lawrence M. Stahl, Panel Chairman

Robert W. Witt

Edward W. Crizer, Jr.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

August 14, 2007

Leslie M. Pittler, Esquire 25 Wandsworth Bridge Way Lutherville, MD 21093

RE: In the Matter of: Christopher and Sally Pfaeffle Case No. 06-320-A

Dear Mr. Pittler:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all subsequent Petitions for Judicial Review filed from this decision should be noted under the same civil action number as the first Petition.

If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Kathleen C. Bianco Administrator

Enclosure

c: Christopher and Sally Pfaeffle

Tara Ann Cheikh

Livio Broccolino

Mary Ellen Pease

Michelle Roberts

Mary Ellen Elias

Kendall Strout

Todd Sanft

Lois Barrows

Office of People's Counsel

William J. Wiseman III /Zoning Commissioner

Pat Keller, Planning Director

Timothy M. Kotroco, Director/PDM



FILING

IN RE: **PETITION FOR VARIANCE**

E/S Merediths Ford Road, 130' S of the c/l

St. Francis Road

(1217 Merediths Ford Road)

9th Election District

3rd Council District

Christopher Pfaeffle, et ux Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 06-320-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, Christopher Pfaeffle and his wife, Sally Pfaeffle. The Petitioners seek relief from Sections 1B02.3.C.1 and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (carport) with a side yard setback of 5 feet in lieu of the required 15 feet and a rear yard setback of 30 feet in lieu of the required 37.5 feet. 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 was Christopher Pfaeffle, property owner. Numerous residents appeared in opposition to the request. They included Tara Ann Cheikh, Mary Ellen Pease, Michelle Roberts, Mary Ellen Elias, Kendall Strout and Stodd Sanft. As much of the Protestants' testimony was duplications, it will be summarized below.

Testimony and evidence offered disclosed that the subject property is a roughly square shaped parcel located on the east side of Merediths Ford Road, south of St. Francis Road in Hampton. The property contains a gross area of .344 acres, more or less, zoned D.R.1 and is improved with a single family dwelling. The Petitioners are desirous of constructing a 20' x 25' carport addition on the north side of their property. However, due to the location of the existing house and the unique shape of the property, it is not possible to locate the carport where proposed without the requested variance relief. Mr. Pfaeffle indicated that in his opinion, the carport would

JADER REOFINED FOR

be located sufficiently deep on his lot so that it would not be visually obtrusive to his neighbors. His neighbors vehemently disagree.

Testifying on behalf of the Hampton Improvement Association was Ms. Mary Ellen Pease. She testified at length regarding the private community covenants in this neighborhood which, in her opinion, prohibit this type of addition. She testified that the carport would have a negative impact on the neighborhood and would be visually overbearing on the subject lot, given the fact that many of the lots in this vicinity are very small. They also object to the style of the addition and fears that a grant of the relief would set a precedent for the neighborhood.

Also testifying in opposition to the request was Mary Ellen Elias, who lives directly across the street from Mr. Pfaeffle. She testified that she has lived at this address since 1975 and that the community has been very active in preventing additions contrary to the Association's covenants. She objects to the requested carport and asks that the requested relief be denied.

Prior to discussing the rationale for my decision, I want to make very clear that the community covenants mentioned by the Protestants are private agreements between the homeowners association and the individual property owners that are party to the contract that contains the covenants. Baltimore County is not a party to these types of covenants and does not have any legal jurisdiction to enforce them. Any party aggrieved by such a covenant must take the matter up in the civil courts. This is not a zoning enforcement matter and I therefore have no jurisdiction over it, nor has it been given any consideration in my deliberation of this matter.

In any event, I must consider the request in accordance with the mandate of <u>Cromwell v. Ward</u>, 102 Md. 691 (1995) and Section 307 of the B.C.Z.R. The Court interpreted the regulation to require that two tests be met in order for variance relief to be granted. First, it must be shown that the property is unique in some manner and that this uniqueness drives the need for variance relief. Secondly, upon the determination that the property is unique, then it must be considered whether compliance with the regulation would cause a practical difficulty upon the property owner and be unnecessarily burdensome. In my judgment, there is no evidence of unusual conditions or characteristics that are unique to this property. Although the immediately affected neighbors have

ORDER RECEIVED/FOR FILLING
By
By

no objections to the proposal, I am persuaded by the Protestants' testimony that the proposed carport would be out of character with the community and would adversely impact the surrounding locale. Thus, I am persuaded to deny the variance.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2 day of March, 2006 that the Petition for Variance seeking relief from Section 1B02.3.C.1 and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection carport with a side yard setback of 5 feet in lieu of the required 15 feet and a rear yard setback of 30 feet in lieu of the required 37.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.

Zoning Commissioner

for Baltimore County



JAMES T. SMITH, JR. County Executive

March 7, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Mr. & Mrs. Christopher Pfaeffle 1217 Merediths Ford Road Towson, Maryland 21286

RE: PETITION FOR VARIANCE

E/S Merediths Ford Road, 130' S of the c/l St. Francis Road
(1217 Merediths Ford Road)

9th Election District – 3rd Council District
Christopher Pfaeffle, et ux - Petitioners
Case No. 06-320-A

Dear Mr. & Mrs. Pfaeffle:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied, 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,

Zoning Commissioner

for Baltimore County

WJW:bjs

cc: Ms. Tara Ann Cheikh, 1307 Gateshead Road, Baltimore, Md. 21286

Ms. Mary Ellen Pease, 704 Stone Barn Court, Baltimore, Md. 21286

Ms. Michelle Roberts, 1215 Merediths Ford Road, Towson, Md. 21286

Ms. Mary Ellen Elias, 1214 Merediths Ford Road, Towson, Md. 21286

Ms. Kendall Strout, 522 Hampton Lane, Towson, Md. 21286

Mr. Todd Sanft, 1208 Merediths Ford Road, Towson, Md. 21286

People's Counsel; Case/File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MARYLAND	for the property located at	1217 MENDO17	THS FOUR ROAD
	which	h is presently zoned	DR.1
This Petition shall be filed with the Downer(s) of the property situate in Baltimade a part hereof, hereby petition for a	nore County and which is described	I in the description and	plat attached hereto and
To permit an open j	projection addition	(carport)	301.1) a side
yard setback of	5 in hed of the	required 1.	5' and a
rear yard setbac	t of 30% in lieu	of the regu	ire of 37.5.
of the zoning regulations of Baltimore Co of this petition form.	ounty, to the zoning law of Baltimor		ns indicated on the back

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.

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

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. Legal Owner(s): Contract Purchaser/Lessee: Name - Type or Print Name - Tyr Signature Signature Telephone No. Name - Type or Print **Address** Zip Code City State Signature 410-404-0091 Attorney For Petitioner: Telephone No. Address 21286 MSUSON Zip Code State City Name - Type or Print Representative to be Contacted: Signature Name Company Addiess Telephone No. Address Telephone No. City Zip Code Zip Code State City State

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of regulations of Baltimore County and that the property be reposted.

Zoning Commissioner	of Baltimore	Count
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	(A)	- /

OF Date 1/2/23/05 Reviewed By ___ Estimated Posting Date ____/-/-06

CALDER

ASE NO. 06 320 -A

Affida Vit in Support of Administrative Variance

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

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 testily thereto in the event that a public hearing is scheduled in the future with regard thereto. 1211 MEMEDITHS FOMO ROMO

	Address	State	21286 Zip Code
That based upon personal knowledge, the Variance at the above address (indicate har	following are the facts upon which dship or practical difficulty):		•
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That the Affiant(s) acknowledge(s) that if advertising fee and may be required to provide Signature CHUI Place (Le Name - Type or Print)	a formal demand is filed, Affia	nt(s) will be required to	
STATE OF MARYLAND, COUNTY OF BAIL HEREBY CERTIFY, this day of for Maryland, in and for the County aforesaid	nersonally appeared		ary Public of the State
the Affiant(s) herein, personally known or sa	itisfactorily identified to me as su	cn Affiant(s).	1.
AS WITNESS my hand and Notarial Seal NOTARY PUBLIC PUBLIC NOTARY REV 10/25/01	Notary Public My Commission Ex	pires 7-08-	1h. 09

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	1217 Merec	liths Ford Rd	
	TANKON.	.	21286
	City	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship	ip or practical difficult	y):	·
The practical difficulty	, resides in	the fact tha	+ The
existing house does	not sit on	ithe lot in a	manner to.
: allow a carport or	garage, a	s opposed to	all other
houses in the neighbo	rhood. 7	he hardship i	s that we.
have a young family	that ree	ds a covered	parking
area adjacent to 4	he house.		
• •	• •		•
That the Affiant(s) acknowledge(s) that if a for advertising feet and may be required to provide	ormal demand is file additional information	d, Affiant(s) will be required	to pay a reposting and
		Jah Rayth	·
Signature De a Cole	Sign	nature of the file	
Name - Type or Print	Nan	ne - Type or Print	
	MODE : to with	, ,	
STATE OF MARYLAND, COUNTY OF BALTIF I HEREBY CERTIFY, this 33 day of of Maryland, in and for the County aforesaid, pe	<i>j</i>)	2,005_, before me, a N	Notary Public of the State
		6 660 - 44 - 1	
the Affiant(s) herein, personally known or satisf	actorily identified to fr	ne as such Amani(s).	
AS WITNESS my hand and Notarial Seal	Mi		
JERINE S. POOR	Notary Pub	lic Hope	min
NOTARY	My Commi	ssion Expires 4.08.	09
REV 10/25/01 PUBLIC &			•



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 177 MEWB17145 FOLL Which is presently zoned DR. 1

This Petition shall be filed owner(s) of the property situated made a part hereof, hereby p	ate in Baltimore	County and	which is describ	ed in the descri	intion and nlat attac	hed hereto and
TO PERMIT A						
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15' ANDA R	EAR YA	NO SE	THACK	OF 30	- NULIE	OFTH
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of the zoning regulations of B of this petition form.	•	, to the zoni	ng law of Baltin	nore County, for	the reasons indica	ted on the back
Property is to be posted and a l, or we, agree to pay expenses regulations and restrictions of Ba	of above Variance	e, advertising	, posting, etc. an	d further agree to		led by the zoning
			perjury,	,	e and affirm, under the legal owner(s) of the tion.	•
Contract Purchaser/Less	see:		<u>Legal</u>	Owner(s):		
			CH	INISTOPAL	R PFARFFL	E
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Signature			Signatur		[] [
Address		Telephone No.	Name - T	Type of Print	10 <u> </u>	
City	State	Zip Code	Signature		1/- 1/-	410
Attorney For Petitioner:			Ac'dress		iths tails	Telephone No.
Name Tune of Orient			City	50N	State	Zip Code
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Signature			1115010	SCIPLULIVE TO A	o oundoud.	
Company	·_	 	Name			
Address	T	elephone No.	Adcress			Telephone No.
City	State	Zip Code	City		State	Zip Code
A Public Hearing having been for this day of regulations of Baltimore County and	that the	a subject matter	o be required, it is r of this petition be	s ordered by the Z set for a public hea	oning Commissioner of tring, advertised, as req	Baltimore County, uired by the zoning
	_ ~ _			Zoning Commissio	oner of Baltimore Count	23/2-
CASE NO	20-4	<u> </u>	Reviewed By_	JF_	_ Date	
REV 10/25/01		1	Estimated Pos	ting Date	1-1-00	·

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - <u>DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"</u>. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 1217 MEMERITHS FOM FOAD (address)
Beginning at a point on theside ofside ofsouth, east-or west)
MENERITHS FOUR RD. which is 50'-0" (name of street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 190-0" +/-
centerline of the nearest improved intersecting street <u>GT. FPANCIS</u> (name of street)
which is wide. *Being Lot #, (number of feet of right-of-way width)
Block, Section # in the subdivision of HAMPTON JIVVAGE (name of subdivision)
as recorded in Baltimore County Plat Book #, Folio #,
containing 15000 Also known as 1217 MEMEN 17Hs Form Pf (square feet or acres) Also known as (property address)
and located in the Election District, Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber___, Folio__" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

#320

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Address 1217 MEREDITHS FORD

Case Number 06- 320

Conta	ct Pers	on:				rint Your Name	· 		Number:	410-887-3391
pre-11.	5 (12	- 12				1-8-0			1-23-06
Filing	Date:	12	-23	-01		Posting Date	s: <u>1-1-06</u>	Cle	osing Date	: 1-16-06
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									WCR -	Revised 6/25/04

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 06 - 32\$ - x
Petitioner: 1HW PRAKKUK
Address or Location: 1211 MELEDITHS FORD ROAD
PLEASE FORWARD ADVERTISING BILL TO:
Name: CHUS PFREFILE
Address: 1217 MENEOLTHS FOUN 120
TOWSON MD 21286
Telephone Number: 40400000
Telephone Number: 410 404 009/

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: # 06-320-A

1217 Merediths Ford Road at the distance of 130 feet south of the centerline of St. Francis Road 9th Election District 3rd Councilmanic District Legal Owner(s): Sally & Christopher Pfaerfie 9th Election District 3rd Councilmanic District Legal Owner(s): Sally & Christopher Pfaerfie 9th Election District 3rd Councilmanic District Legal Owner(s): Sally & Christopher Pfaerfie 9th Election District 3rd Councilmanic District Legal Owner(s): Sally & Christopher Pfaerfie 9th Election District 3rd Councilmanic Office at 11:00 a.m. in required 15 feet, and a rear yard setback of 5 feet in lieu of the required 37.5 feet.

Hearing: Tuesday, February 21, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County NOTES: (1) Heárings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3891.

20023 Feb. 2

Econtact the Zoning Review Office at (410) 887-3391.

J 20D/2

FY, that the annexed advertisement was published successive weeks, the first publication appearing ' newspaper published in Baltimore County, Md., in the following weekly THIS IS TO CERTI once in each

The Jeffersonian 炫 lle Times Catonsví

Times

Arbutus

- Times Towson
- Owings Mills Times
- NE Booster/Reporter
- North County News

1 Juling

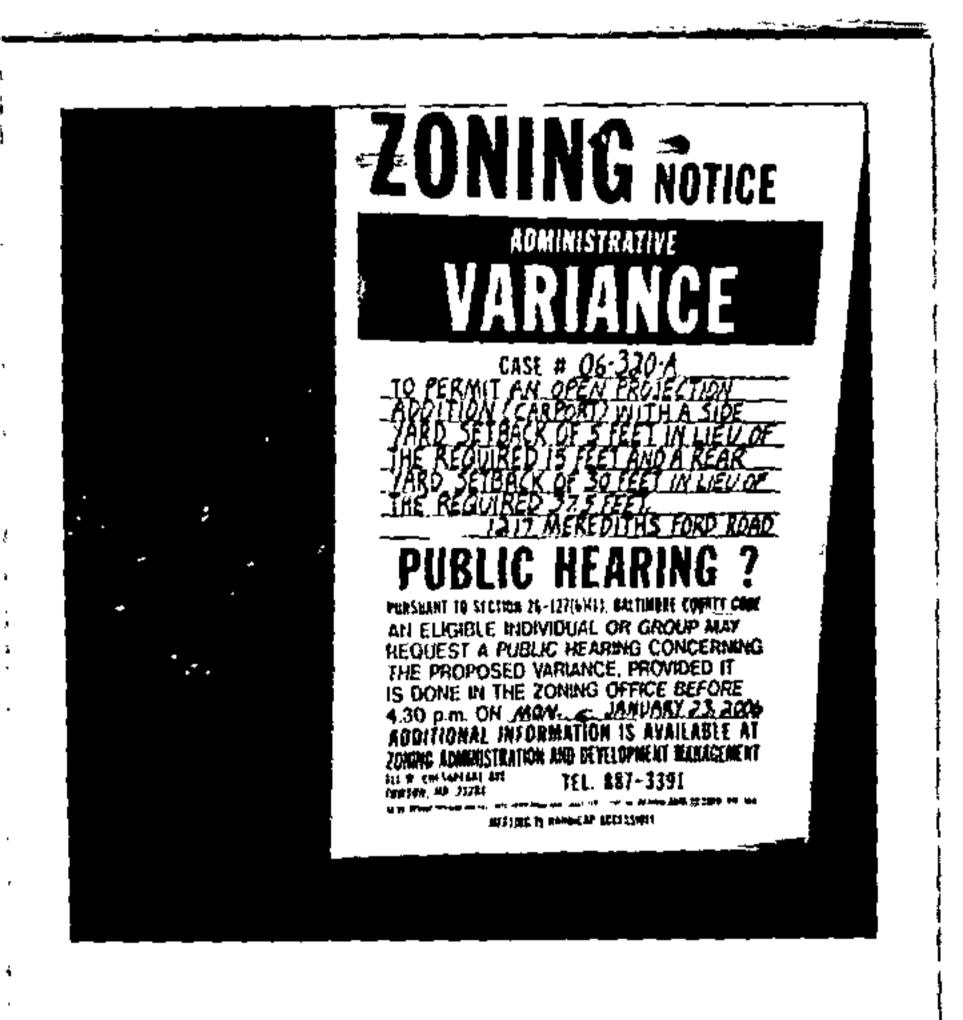
LEGAL ADVERTISING

CERTIFICATE OF POSTING

Case Number: 08-320-A
Petitioner/Developer: CHRISTOPHER & SALLY PFAEFFLE
Date of Hearing (Closing): 01/23/06

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 1217 MEREDITHS FORD ROAD

The sign(s) were posted on: 1/07/06



(Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

ALTIMORE COUNTY, MAR FFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT			No.	2323	»4	PAID A DEBTES 12/27/2016
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) t	AMOUNT	\$ 65	<u> </u>		. <u></u>	Rectyl t
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Att 72.127 Core			-	•		
OR:	•				· ;	

THE MAN IN THE MAN IN

Recht int 185.00 to 185.00

CASHIER'S VALIDATION



Baltimore County Office of Zoning 111 W. Chesapeake Avenue Room 111 Towson, Maryland 21286

Re: Variance request for 1217 Merediths Ford Road, Towson, Maryland 21286 Hampton Village Plat Liber 14, Folio 7B

Case # 06-320-A

To Whom It May Concern:

This letter is to advise you that the Hampton Community Association (HIA) strongly objects to the granting of the proposed variance request on the captioned property.

Please notify us when a hearing date is scheduled. Enclosed is a check in the amount of \$50 payable to Baltimore County Government.

Thank you for your attention to this matter.

Sincerely,

Livio Broccolino

Acting HIA President

RECEIVED

JAN 2 3 2006

Per.....

			CASHIER'S WALIDATION
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	ACCOUNT S		DISTRIBUTION! WHITE - CASHIER PINK AGENCY YELLOW - CUSTOMER



1

FORMAL DEMAND FOR HEARING

CASE NUMBER: 66.326
Address: 12 17 Marie Feed PD
Petitioner(s): Chus & Sau CFAZIFICE
TO THE ZONING COMMISSIONER OF PALTY CO.
IWe HAPPEN INEROUEMENT ASSOCIATION Name - Type or Print
() Legal Owner OR (TResident of Address
City State 2/284 VIO - 32/-77/3
Telephone Number
which is located approximatelyfeet from the property, which is the subject of the above petition, do hereby formally demand that a public hearing be set in this matter. ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.
Signature 1/22/06 Date
Signature Revised 9/18/98 - wcr/scj Date

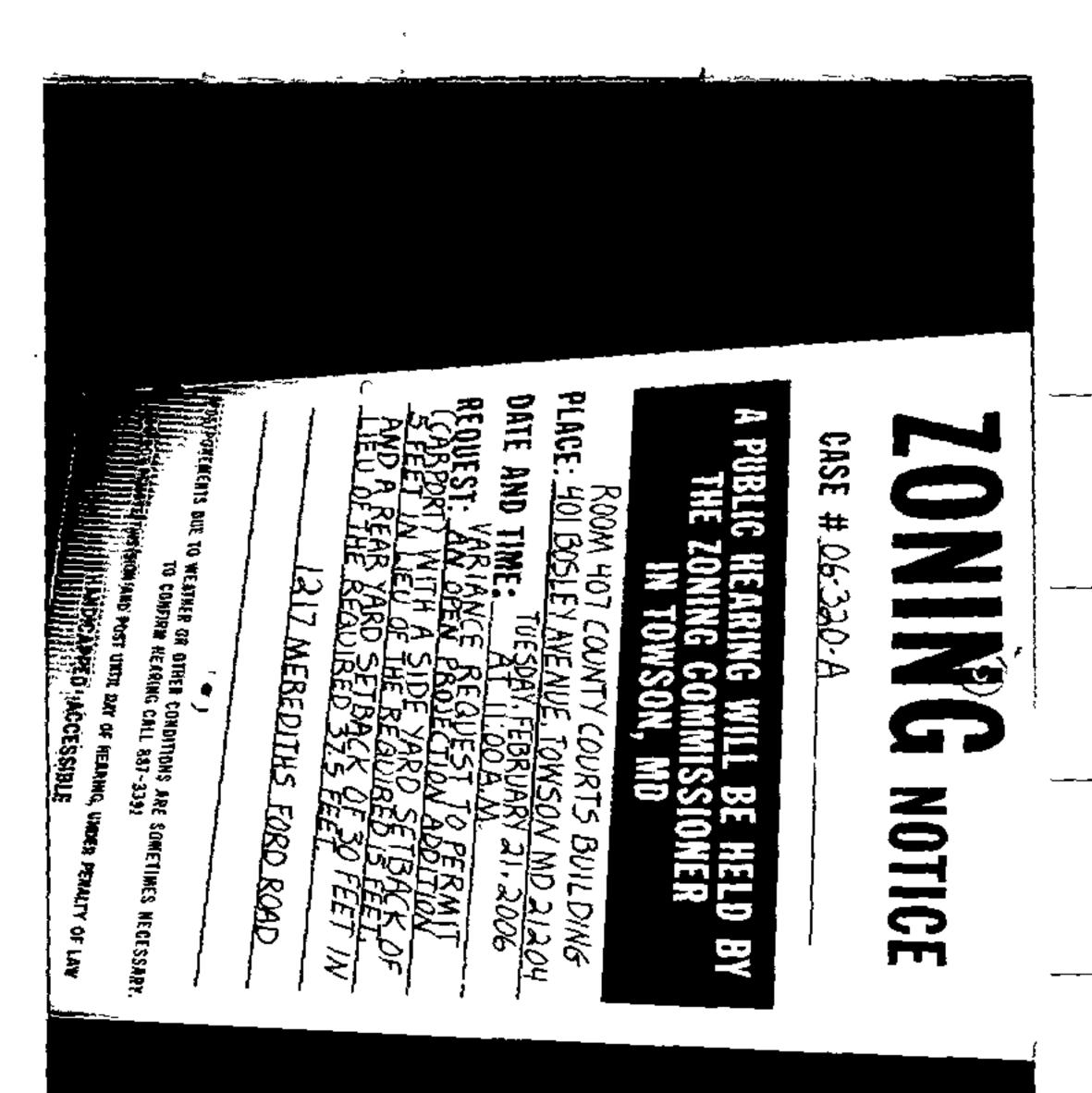
Case Number: 06-320-A

Petitioner/Developer: MR. & MRS. CHRISTOPHER PFAEFFLE

Date of Hearing (Closing): 2/21/2006

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 1217 MEREDITHS FORD LANE

The sign(s) were posted on: 2/4/06



Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366 (Telephone Number of Sign Poster) June 5, 2006

Mr. & Mrs. Christopher Pfaeffle 1217 Merediths Ford Road Towson, MD 21286

Permits & Development Management **Baltimore County Zoning Office** 111 W. Chesapeake Avenue Room 111 Towson, MD 21204

Re: Petition for Variance 1217 Merediths Ford Road Case No. 06-320-A

To Whom It May Concern:

We have found the decision rendered in our Case No. 06-320-A unfavorable and therefore request an appeal.

Very truly yours,

Christopher & Sally Pfaeffle

RECEIVED

JUN 0 / 2006 Per. + W

FITIMORE COUNTY, MARYLAND U. ICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	17.31 (17.31) 17.31 (25)
DATE 17/7-10 (- ACCOUNT (1)/-000-(0/30	TO PICE WEEKIN NOT TO OPICETPY C AAGO - スパマグでの マネー ち (22) 740年3月7日で1年1日)。
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FOR: (50)	
1017 Muredilles Fed Rol	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

T.,

•

APPEAL SIGN POSTING REQUEST

CASE NO. 06-320-A

1217 MEREDITHS FORD ROAD

9TH ELECTION DISTRICT.

APPEALED: 6/7/2006

ATTACHMENT - (Plan to accompany Petition - Petitioner's Exhibit No. 1)

COMPLETE AND RETURN BELOW INFORMATION*

CERTIFICATE OF POSTING

MAPZTEB

TO: Baltimore County Board of Appeals 400 Washington Avenue, Room 49 Towson, MD 21204

Attention: Kathleen Bianco

Administrator

CASE NO.: 06-320-A

LEGAL OWNER: CHRISTOPHER & SALLY PFAEFFLE

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

1217 MEREDITHS FORD ROAD

The sign was posted on , 2006.

By: (Signature of Sign Poster)

(Print Name)

Retiden 11:15 an. 06-320-10110

DECENTED

BALTIMORE COUNTY BOARD OF APPEALS

(410)-494-0387

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 2, 2006 Issue - Jeffersonian

Please forward billing to:

Christopher Pfaeffle

(410-404-0091)

1217 Merediths Ford Road

Towson, MD 21286

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: 06-320-A

1217 Merediths Ford Road

E/S of Merediths Ford Road at the distance of 130 feet south of the centerline of St. Francis Road 9th Election District, 3rd Councilmanic District

Legal Owners: Sally & Christopher Pfaeffle

Variance request to permit an open projection addition (carport) with a side yard setback of 5 feet in lieu of the required 15 feet, and a rear yard setback of 30 feet in lieu of the required 37.5 feet.

Hearing: Tuesday, February 21, 2006 @ 11:00 a.m. in Room 407 County Courts Building, 401 Bosley Avenue Towson, MD 21204

WILLIAM WISEMAN, III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits Development Management

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





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

January 24, 2006

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: 06-320-A

1217 Merediths Ford Road

E/S of Merediths Ford Road at the distance of 130 feet south of the centerline of St. Francis Road 9th Election District, 3rd Councilmanic District

Legal Owners: Sally & Christopher Pfaeffle

Variance request to permit an open projection addition (carport) with a side yard setback of 5 feet in lieu of the required 15 feet, and a rear yard setback of 30 feet in lieu of the required 37.5 feet.

Hearing: Tuesday, February 21, 2006 @ 11:00 a.m. in Room 407 County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco

Director

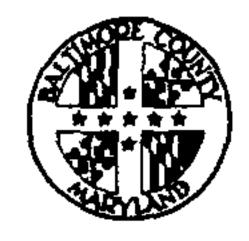
TK:raj

C: Mr. & Mrs. Christopher Pfaeffle, 1217 Merediths Ford Road, Towson, MD 21286 Hampton Improvement Association, P. O. Box 9735, Towson, MD 21284

- NOTES: (1) THE PETITIONERS MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 6, 2006.
 - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
 - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

April 16, 2007

NOTICE OF ASSIGNMENT

CASE #: 06-320-A

IN THE MATTER OF: CHRISTOPHER & SALLY PFAEFFLE Legal Owners / Petitioners 1217 Merediths Ford Road

9th Election District; 3rd Councilmanic District

3/07/06 - Z.C.'s Order in which requested special exception request was DENIED.

ASSIGNED FOR:

THURSDAY, MAY 31, 2007 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c: Appellants /Petitioners

: Christopher and Sally Pfaeffle

Interested Citizens

: Livio Broccolino
Tara Ann Cheikh
Mary Ellen Pease
Michelle Roberts
Mary Ellen Elias
Kendall Strout
Todd Sanft
Lois Barrows

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

June 1, 2007

NOTICE OF DELIBERATION

IN THE MATTER OF:

CHRISTOPHER & SALLY PFAEFFLE – Legal Owners

<u>Case No. 06-320-A</u>

Having heard this matter on 5/31/07, public deliberation has been scheduled for the following date /time:

DATE AND TIME

THURSDAY, JUNE 28, 2007 at 9:30 a.m.

LOCATION

Hearing Room 48, Basement, Old Courthouse

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Kathleen C. Bianco Administrator

c:

Counsel for Appellants /Petitioners

Appellants /Petitioners

: Leslie Pittler, Esquire

: Christopher and Sally Pfaeffle

Interested Citizens

: Livio Broccolino
Tara Ann Cheikh
Mary Ellen Pease
Michelle Roberts
Mary Ellen Elias
Kendall Strout
Todd Sanft
Lois Barrows

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

FYI: 2-6-7

Department of Permits and Development Management

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





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

January 23, 2006

Christopher Pfaeffle Sally Pfaeffle 1217 Merediths Ford Road Towson, Maryland 21286

Dear Mr. and Mrs. Pfaeffle:

RE: Case Number: 06-320-A, 1217 Merediths Ford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 23, 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,

u. Callibal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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



JAMES T. SMITH, JR. County Executive

May 9, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Mr. & Mrs. Christopher Pfaeffle 1217 Merediths Ford Road Towson, Maryland 21286

RE: PETITION FOR VARIANCE

E/S Merediths Ford Road, 130' S of the c/l St. Francis Road (1217 Merediths Ford Road)

9th Election District – 3rd Council District
Christopher Pfaeffle, et ux - Petitioners
Case No. 06-320-A

Dear Mr. & Mrs. Pfaeffle:

As previously set forth in my letter to you of April 11, 2006 based upon the relevant information submitted both for and against your request for zoning relief, the following comments are offered. Essentially, there is simply nothing new presented to justify a reconsideration of my previous Order dated March 7, 2006. Given that there is always a natural impetuous to try to resolve land use controversies by negotiation, agreements, covenants, and the like, I allowed you and the Hampton Improvement Association's Architectural Review Committee time to fully process your request. Unfortunately, an agreement was not made that would provide facts to be reconsidered forming a basis to supersede the decision-making process in this case.

This letter shall be considered an Order denying your Motion for Reconsideration. I realize that negotiation and deal making are ever-present in the background of the zoning process, however, opposition continues and the reasons for my denial of your requests have been outlined in my Order. Any appeal from this decision must be filed within thirty (30) days from the date of this letter should you desire to do so. I am sorry I cannot respond more favorably.

VILLIAMI. WISEMAN, III

Zoning Commissioner for Baltimore County

Very truly your

WJW:dlw

c: Mr. Livio Broccolino, President, The Hampton Improvement Association, P.O. Box 9735, Baltimore, Md. 21284

Ms. Tara Ann Cheikh, 1307 Gateshead Road, Baltimore, Md. 21286

Ms. Mary Ellen Pease, 704 Stone Barn Court, Baltimore, Md. 21286

Ms. Michelle Roberts, 1215 Merediths Ford Road, Towson, Md. 21286

Ms. Mary Ellen Elias, 1214 Merediths Ford Road, Towson, Md. 21286

Ms. Kendall Strout, 522 Hampton Lane, Towson, Md. 21286

Mr. Todd Sanft, 1208 Merediths Ford Road, Towson, Md. 21286

People's Counsel; Case File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 10, 2006

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 2, 2006

Item Nos. 315, 317, 318, 319, and 320

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-01102006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

RECEIVEE: January 5, 2006

JAN 0 9 2008

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case(s) 6-162- 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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL



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

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

Maryland Department of Transportation

Date:

1.3.01

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

RE:

Baltimore County

DR.

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

1. J. South

Engineering Access Permits Division

Department of Permits and Development Management

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





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

July 11, 2006

Christopher Pfaeffle Sally Pfaeffle 1217 Merediths Ford Road Towson, MD 21286

Dear Mr. & Mrs. Pfaeffle:

RE: Case: 06-320-A, 1217 Merediths Ford Road

Please be advised that this office received your appeal of the above-referenced case filed in this office on June 7, 2006. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Timothy Kotroco

Director

TK:klm

C: William J. Wiseman III, Zoning Commissioner Timothy Kotroco, Director of PDM People's Counsel Livio Broccolino, Hampton Improvement Assoc., P.O. Box 9735, Baltimore 21284 Tara Ann Cheikh, 1307 Gateshead Road, Baltimore 21286 Mary Ellen Pease, 704 Stone Barn Court, Baltimore 21286 Michelle Roberts, 1215 Merediths Ford Road, Towson 21286 Mary Ellen Elias, 1214 Merediths Ford Road, Towson 21286 Kendall Strout, 522 Hampton Lane, Towson 21286 Todd Sanft, 1205 Meredits Ford Road, Towson 21286



APPEAL

Petition for Administrative Variance
1217 Merediths Ford Road
E/s Merediths Ford Road, 130' S of c/l St. Francis Road
9th Election District – 3rd Councilmanic District
Legal Owners: Christopher & Sally Pfaeffle

Case No.: 06-320-A

V	Petition for A	dministrative Variance (January 1, 2006)	
/	Zoning Descr	ription of Property	•
V	Formal Dema	and for Hearing – January 23, 2006 by Hampton Improve	ment Association
/	Notice of Zon	ing Hearing (January 24, 2006)	
V	Certification of	of Publication (February 2, 2006 – The Jeffersonian)	
1	Certificate of	Posting (February 4, 2006) by Linda O'Keefe	-
	Entry of Appe	earance by People's Counsel (None in File)	
V	Petitioner(s)	Sign-In Sheet One Sheet	
4	Protestant(s)	Sign-In Sheet - None	
V	Citizen(s) Sig	n-In Sheet – One Sheet	•
V	Zoning Adviso	ory Committee Comments	
	Petitioners' E		REGUYE
	12.	Site Plan Revised Site Plan with Attached Photos	JUL 1 1 2006
	Dratasta Sal E	Letter of Support from most affected neighbor	BALTIMORE COUNTY
	Protestants' E	Photos of Adjacent Neighbors Homes	BOARD OF APPEALS
	1/2/	Photos of Adjacent Neighbors Homes	
	18/	Photos of Other Residences in Neighboring Location	
	4.11	Letter from Sarah Burton	, ·
	5 //	Photo of Petitioners home under improvement	
	ð.	Aerial Photo of surrounding homes in Hampton Village	
		s (Not Marked as Exhibit)	•
		Real Property Search	•
	\Z:\\	Request for Motion for Reconsideration dated April 5, 2	006 ∮
	18.	Acceptance of Motion dated April 11, 2006 by Zoning C	ommissioner
		Zoning Commissioner's Order – DENIED – May 9, 2006	Ď į
		Letter dated April 19, 2006 from Mary Ellen Elias Letter dated April 24, 2006 from Michelle Roberts	\
		Letter dated May 1, 2006 from The Hampton Improvem	ent Association
	. 18/	7 photographs	eur Vaacciariou
		15.	Ţ
V	Zoning Comm	nissioner's Order (DENIED -	
	Notice of App	eal received on June 7, 2006 from Christopher & Sally Pf	faeffle
		unsel of Baltimore County, MS #2010 nissioner/Deputy Zoning Commissioner	•

C: People's Counsel of Baltimore County, MS #2010

Zoning Commissioner/Deputy Zoning Commissioner

Timothy Kotroco, Director of PDM

Livio Broccolino, Hampton Improvement Assoc., P.O. Box 9735, Baltimore 21284

Tara Ann Cheikh, 1307 Gateshead Road, Baltimore 21286

Mary Ellen Pease, 704 Stone Barn Court, Baltimore 21286

Michelle Roberts, 1215 Merediths Ford Road, Towson 21286

Mary Ellen Elias, 1214 Merediths Ford Road, Towson 21286

Kendall Strout, 522 Hampton Lane, Towson 21286

Todd Sanft, 1205 Meredits Ford Road, Towson 21286

LOLS Marrows - 1216

January Marrows - 1216

Matter Struct Road, Roa

CASE #: 06-320-A

IN THE MATTER OF: CHRISTOPHER & SALLY PFAEFFLE Legal Owners / Petitioners 1217 Merediths Ford Road

9th Election District; 3rd Councilmanic District

VAR – To permit an open projection (carport) with a side yd setback of 5' ilo required 15' and a rear yd setback of 30' ilo required 37.5'

"variance" relief requested

3/07/06 – Z.C.'s Order in which requested special exception request was DENIED.

4/16/07 -- Notice of Assignment sent to following; assigned for hearing on Wednesday, May 31, 2007 at 10:00 a.m.:

Christopher and Sally Pfaeffle

Livio Broccolino

Tara Ann Cheikh

Mary Ellen Pease

Michelle Roberts

Mary Ellen Elias

Kendall Strout

Todd Sanft

Lois Barrows

Office of People's Counsel

William J. Wiseman III /Zoning Commissioner

Pat Keller, Planning Director

Timothy M. Kotroco, Director /PDM

5/31/07 - Board convened for hearing (Stahl, Witt, Crizer); completed case this date; confirmed and verified for the record that the zoning relief requested was for "variance" relief - clerical error on notice indicated differently - corrected for the record. No memos to be filed; public deliberation to be scheduled and notice sent.

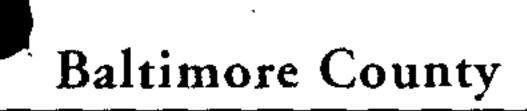
-- Notice of Deliberation sent this date; assigned for Thursday, June 28, 2007 at 9:30 a.m. FYI copy to 2-6-7.

6/28/07 - Board convened for public deliberation (Stahl, Witt, Crizer); unanimous decision - variance request was GRANTED; written opinion and order to be issued; appellate period to run from date of written Order. (6)

Department of Permits Development Managemen

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





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

January 24, 2006

Mr. & Mrs. Christopher Pfaeffle 1217 Merediths Ford Road Towson, Maryland 21286

RE: Demand for Public Hearing, Administrative Variance, Case Number 06-320-A

Dear Mr. & Mrs. Pfaeffle:

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand by the Hampton Improvement Association requiring a public hearing concerning the above-proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

The property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact Jun Fernando at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr. Supervisor

u. Callibal)

Zoning Review

WCR:raj

c: Hampton Improvement Association P. O. Box 9735 Towson, MD 21284





JAMES T. SMITH, JR. County Executive

April 11, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Mr. & Mrs. Christopher Pfaeffle 1217 Merediths Ford Road Towson, Maryland 21286

RE: PETITION FOR VARIANCE

E/S Merediths Ford Road, 130' S of the c/l St. Francis Road

(1217 Merediths Ford Road)

9th Election District – 3rd Council District Christopher Pfaeffle, et ux - Petitioners

Case No. 06-320-A

Dear Mr. & Mrs. Pfaeffle:

In response to your letter of April 5, 2006 concerning my decision in the above-captioned matter, the following comments are offered:

Your letter has been accepted as a Motion for Reconsideration as provided for in Rule 4K of the Rules of Practice and Procedure before the Zoning Commissioner. Essentially, that rule provides that a final decision on the Motion should be made within thirty (30) days from the date of its acceptance and that the filing of your Motion stays all further proceedings including the deadline for filing an appeal until such ruling is made.

In reading the grounds and reasons for your request, it appears that there is some contingency for additional review and action by the Architectural Review Committee of your homeowners association. Accordingly, it is imperative that you provide any matters that you want me to consider prior to May 3rd. By copy of this letter, I am advising those persons who appeared in opposition to your request that they have until that date to provide me with any written concerns that they may want me to consider.

I trust that I have addressed the matter in which this Motion will proceed.

Very truly yours,

WHILLIAM 5. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw

c: Ms. Tara Ann Cheikh, 1307 Gateshead Road, Baltimore, Md. 21286

Ms. Mary Ellen Pease, 704 Stone Barn Court, Baltimore, Md. 21286

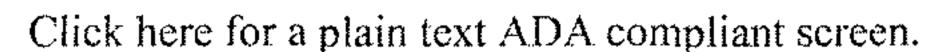
Ms. Michelle Roberts, 1215 Merediths Ford Road, Towson, Md. 21286

Ms. Mary Ellen Elias, 1214 Merediths Ford Road, Towson, Md. 21286

Ms. Kendall Strout, 522 Hampton Lane, Towson, Md. 21286

Mr. Todd Sanft, 1208 Merediths Ford Road, Towson, Md. 21286

People's Counsel; Çase File





Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map **New Search Ground Rent**

Account Identifier:

District - 09 Account Number - 0920800630

Owner Information

Owner Name:

PFAEFFLE CHRISTOPHER SCOTT

PFAEFFLE SALLY ANN

Use:

RESIDENTIAL

Principal Residence:

Mailing Address:

1217 MEREDITHS FORD RD

BALTIMORE MD 21286-1321

Deed Reference:

1) /18840/ 313

YES

Location & Structure Information

Section

Premises Address

Map Grid Parcel

1217 MEREDITHS FORD RD

Legal Description

1217 MEREDITHS FORD RD

HAMPTON VILLAGE

Assessment Area

323 61 21 Town Ad Valorem **Special Tax Areas**

1952

Sub District

Tax Class

Primary Structure Built Enclosed Area

Subdivision

Property Land Area

County Use

04

14/7

1,692 SF 15,000.00 SF **Exterior Basement** Type

Stories

YES

STANDARD UNIT

Block Lot

BRICK

Plat No:

Plat Ref:

Value Information

Base Phase-in Assessments Value Value As Of As Of

01/01/2005 122,250 07/01/2005

As Of 07/01/2006

98,250 Land: Improvements: 174,150 231,940

272,400 354,190

299,663

326,926

Transfer Information

HOLLJES JONATHAN L Seller:

IMPROVED ARMS-LENGTH

Total:

Date: 09/24/2003 Deed1: /18840/ 313

\$369,500 Price:

Deed2:

Type: 03/29/2000 Seller: HOLLIES HENRY W D Date: **NOT ARMS-LENGTH** Type:

Deed1: /14379/ 289 06/06/1984 Date:

Price: \$0 Deed2:

\$119,000

NGEOW YIN KEONG Seller: IMPROVED ARMS-LENGTH Type:

Preferential Land:

Deed1: / 6724/ 210

Price:

Deed2:

Exemption Information

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

Tax Exempt: Exempt Class: NO

Special Tax Recapture:

* NONE *



BOARD OF APPEALS OF BALTIMORE COUNTY MINUTES OF DELIBERATION

IN THE MATTER OF:

CHRISTOPHER & SALLY PFAEFFLE 217 MEREDITHS FORD ROAD 9TH E:3RD C

DATE:

June 28, 2007

BOARD/PANEL

Lawrence Stahl, Chairman

Robert Witt

Edward W. Crizer, Jr.

RECORDED BY:

Linda B. Fliegel/Legal Secretary

PURPOSE:

To deliberation the request for a variance to allow a carport.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

1) Is the property in any unique?

2) Is this a case of practical difficulty?

Would granting the variance, which would allow the construction of a carport, have a negative impact on property values?

STANDING

- All properties in this development, with the exception of the Petitioners, have a carport.
- Without the granting of a variance, which would allow an additional 5', the Petitioners will not be able to construct a carport.
- The only other option for the Petitioners would be a smaller carport.
- The Board members noted that the position of the house, as constructed by the developer, was angled on the property.
- All of the homes in the development face straight ahead, however, the Petitioners home is the only home that is on an angle.
- The angle of the house on the property is a factor in causing them to need a variance.
- The angle of the house causes less of a side yard setback.
- The Board stated that the angle of the house on the property is a case for uniqueness, as well as practical difficulty.
- The practical difficulty comes into play because without the granting of a variance the Petitioners are not able to use their property as they would like.
- The Board felt by granting a variance to allow the construction of a carport should not have an impact on property, values.

DECISION BY BOARD MEMBERS: The Board concluded that the angle of the Petitioners house, as constructed by the developer on their lot, made their property unique and caused them practical difficulty.

Christopher & Sally Pfaffle – Petitioners Deliberation Notes: June 28, 2007 Page 2

FINAL DECISION: After a thorough review of the facts, testimony and law in the matter, the Board unanimously decided to GRANT Petitioners' request for variance relief.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place that date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted

Linda B. Fliegel

County Board of Appeals

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

January 25, 2008

TO:

Timothy Kotroco, Director

Permits & Development Management

FROM:

Linda B. Fliegel

Board of Appeals

SUBJECT:

CLOSED APPEAL CASE FILES

The following case(s) have been finalized and the Board of Appeals is closing the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	PDM FILE NUMBER	NAME	LOCATION
06-063-A	Same	Joseph F. Baird	1009 Bowleys Quarters Road
06-070-A	Same	Ann C. Shepter	611 Piccadilly Road
06-320-A	Same	Charisopher & Sally Pfaeffle	1217 Merediths Ford Road
06-421-X	Same	Omnipoint Communications CAP	4000 Offutt Road
06-315-SPH	Same	Mark D. Loy	4714 Mt. Carmel Road
06-108-SPH	Same	Benjamin A. & Kayren P. Governale	39 Glenbrook Road
CBA-06-050	DRC #100306	Hilgartner Property a/k/a Park Heights Avenue	11964 Park Heights Avenue

Mr. & Mrs. Christopher Pfaeffle 1217 Merediths Ford Road Towson, MD 21286

Mr. William J. Wiseman, III Zoning Commissioner County Courts Building 401 Bosley Avenue, Ste 405 Towson, MD 21204

Re: Petition for Variance 1217 Merediths Ford Road Case No. 06-320-A

Dear Mr. Wiseman,

The following is a request for a motion to reconsider your decision in regard to our case. Our request is based on the following:

- 1. Letters of support & approval from additional immediate neighbors.
- 2. Anticipated letter of support & approval from Architectural Review Committee.
- 3. Further clarification to distinguish the confusion of the Hampton Improvement Association in regards to our 2nd floor addition versus the carport variance.
- 4. Additional drawings & photomontages to further clarify the impact, or lack of impact, of the proposed open structure carport.

The above can be presented to you after our next neighborhood association meeting currently scheduled for May 1, 2006.

Thank you in advance for taking the time to reconsider this matter.

Very truly yours,

Christopher & Sally Pfaeffle

cc. Livio Broccolino, President - Hampton Improvement Association

cc. Neil J. Ruther, Esq.

Pfaeffle 1217 Merediths Ford Road Towson, MD 21286

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Zoning Commissioner County Courts Building Mr. William J. Wiseman, III 401 Bosley Avenue, Ste 405 Towson, MD 21204

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ZONING COMMISSIONER

1214 Merediths Ford Rd. Towson, MD 21286 April 17, 2006

Mr. William J. Wiseman, III Zoning Commissioner County Courts Building 401 Bosley Ave. Suite 405 Towson, MD 21204 Dear Mr. Wiseman,

In response to your letter of April 11, 2006, you have requested that I provide you with any written concerns for you to consider in the matter of Case No. 06-320-A.

Although I think the addition is unattractive, my objection is as I stated at the hearing. Namely that a variance to build 5 feet from the property line sets a precedent for all of Hampton and should not be granted..

I have lived in Hampton for 30 years. When you buy property here, you are aware of the covenants. These are promises to maintain the neighborhood, its' desirability and value.

As you stated in your decision, there is no evidence of conditions or characteristics unique to this property that make a variance necessary.

Whether or not an immediate neighbor objects is not the whole issue, but rather a Hampton issue that may influence variances in the future.

Sincerely,

Mary Ellen Elias

Mary Ellen Elias

ELIAS
1214 Meredith's Ford Rd.
Towson, MD 21286

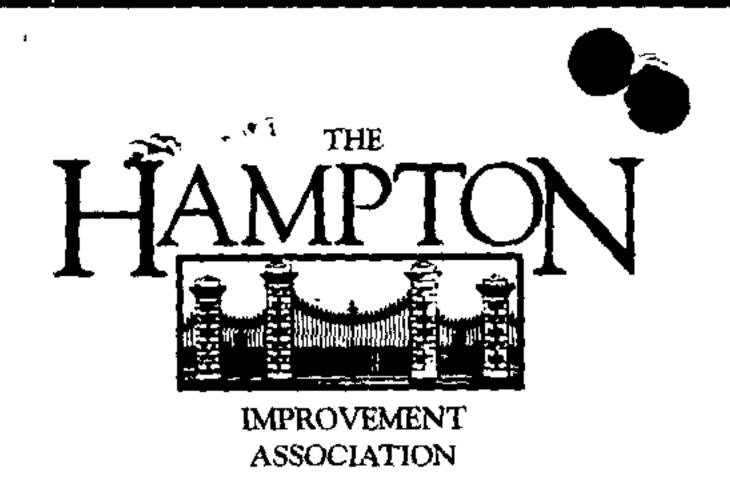
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May 1, 2006

Mr. William Wiseman Zoning Commisioner County Courts Building 401 Bosley Ave., Suite 405 Towson, Maryland 21204

Re: 1217 Meridiths Ford Road

Christopher Pfaeffle - property owner

Case No 06-320-A______

Dear Mr. Wiseman:

I am writing on behalf of the Hampton Improvement Association (HIA) in reply to your letter of April 11, 2006 regarding Mr. Pfaeffle's request for a motion to reconsider your decision in regard to case no. 16-320-A.

The HIA remains opposed to the construction of the carport because its location (5 feet from the property line) is in violation of the required neighborhood set-back covenant restriction. As this is such a clear and objective standard the HIA is without discretion to change its position.

There should be no confusion between the carport issue and the improvements undertaken by Mr. Pfaeffle to the house proper. That matter, so far as I know, is not before the Commission. The Commission, as I understand it, is only addressing the request for a variance pertaining to the positioning of the carport. With respect to that issue the HIA's position is, necessarily, opposed for the reasons already stated and as expressed in the testimony of the HIA representatives at the prior public hearing. Consequently there can be no hope of a supporting letter from its Architectural Review Committee (ARC). In addition, as of today, the carport question has not been submitted to the ARC and, therefore, is not presently before that body for consideration.

Finally, the HIA, as an association representing the interests of the community, noted the opposition to the carport expressed at the prior hearing of some of Mr. Pfaeffle's neighbors and is unaware of any change in that sentiment.

I hope this clearly expresses the position of the HIA on this matter.

Please feel free to call me with any questions.

Very Truly Yours

Livio Broccolino President

410-321-6368 (H)

410-998-5737 (O)

CC:

Secretary HIA

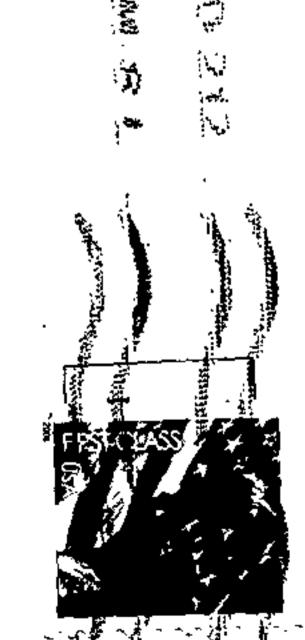
Mr. & Mrs. Chris Pfaeffle

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P.O. BOX 9735, BALTIMORE, MD 21284-9735 IMPROVEMENT ASSOCIATION

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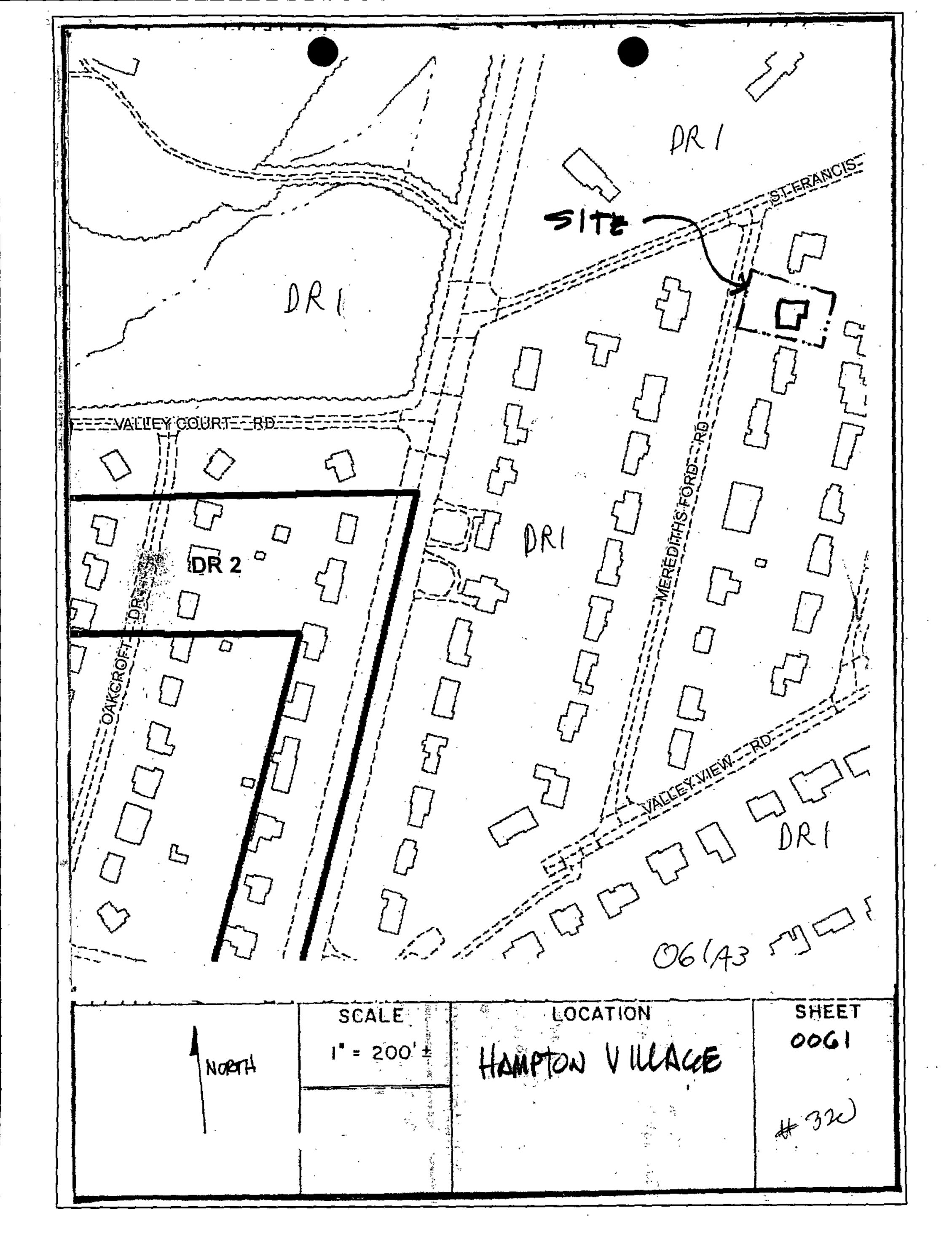
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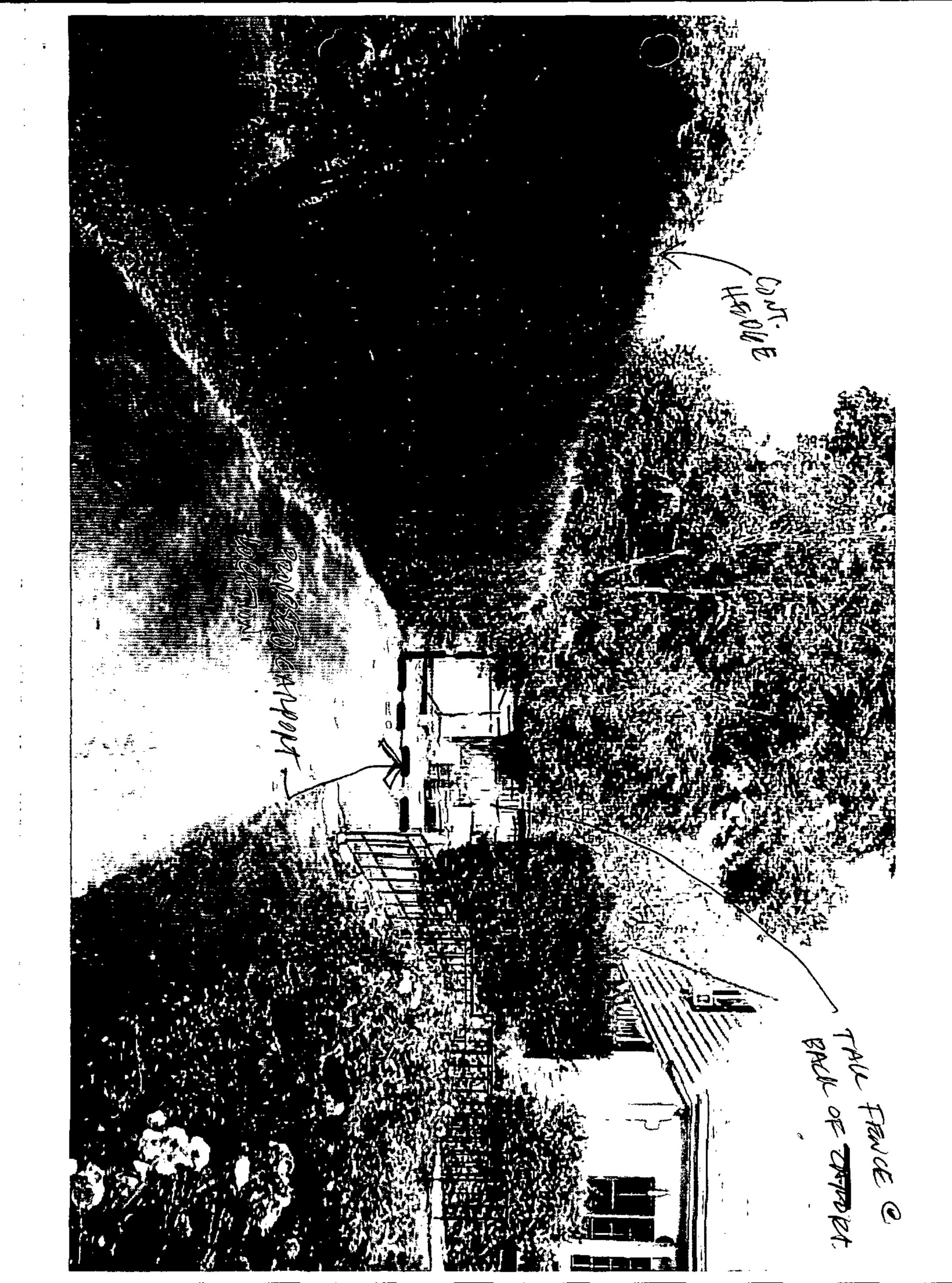
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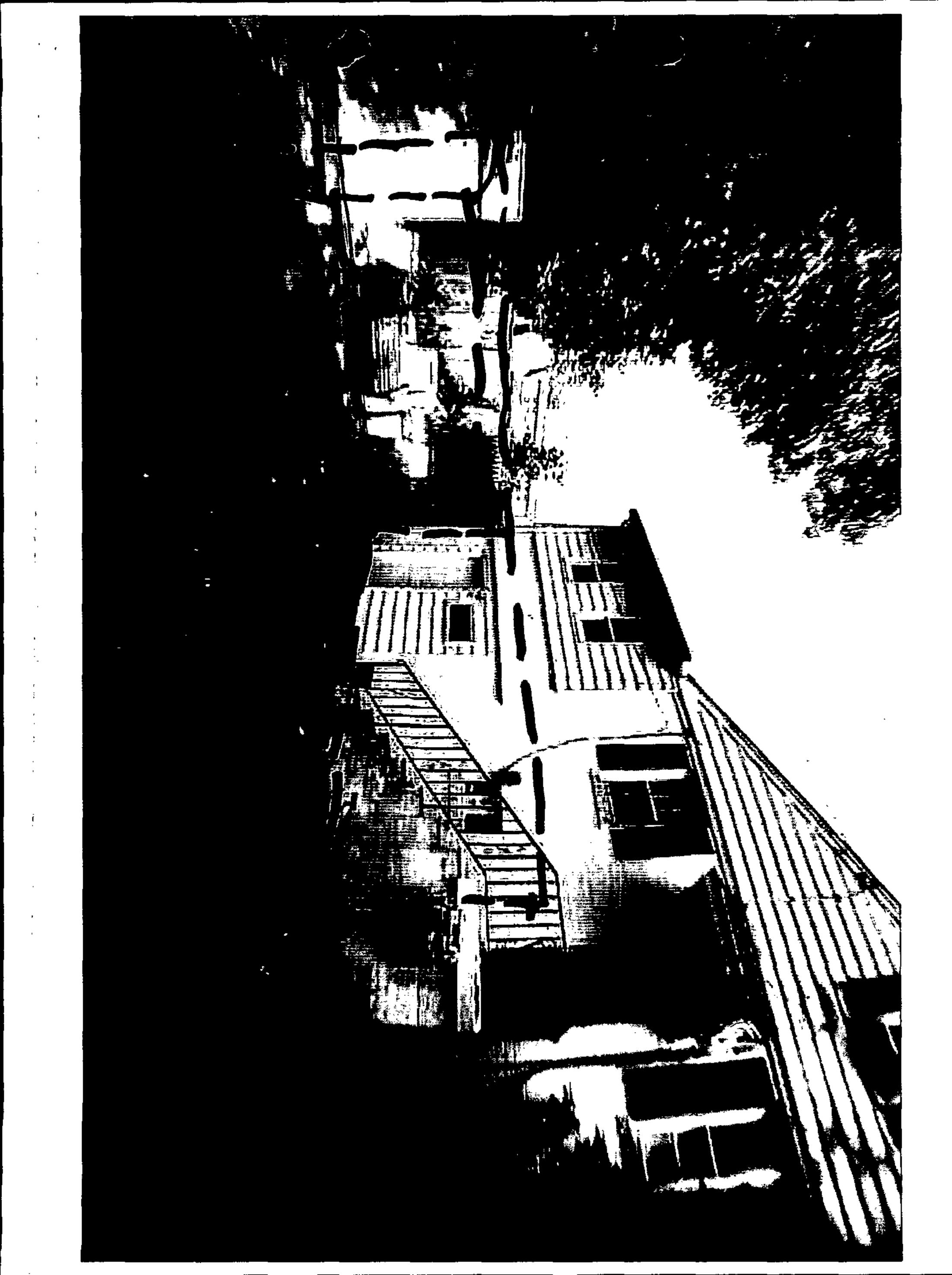
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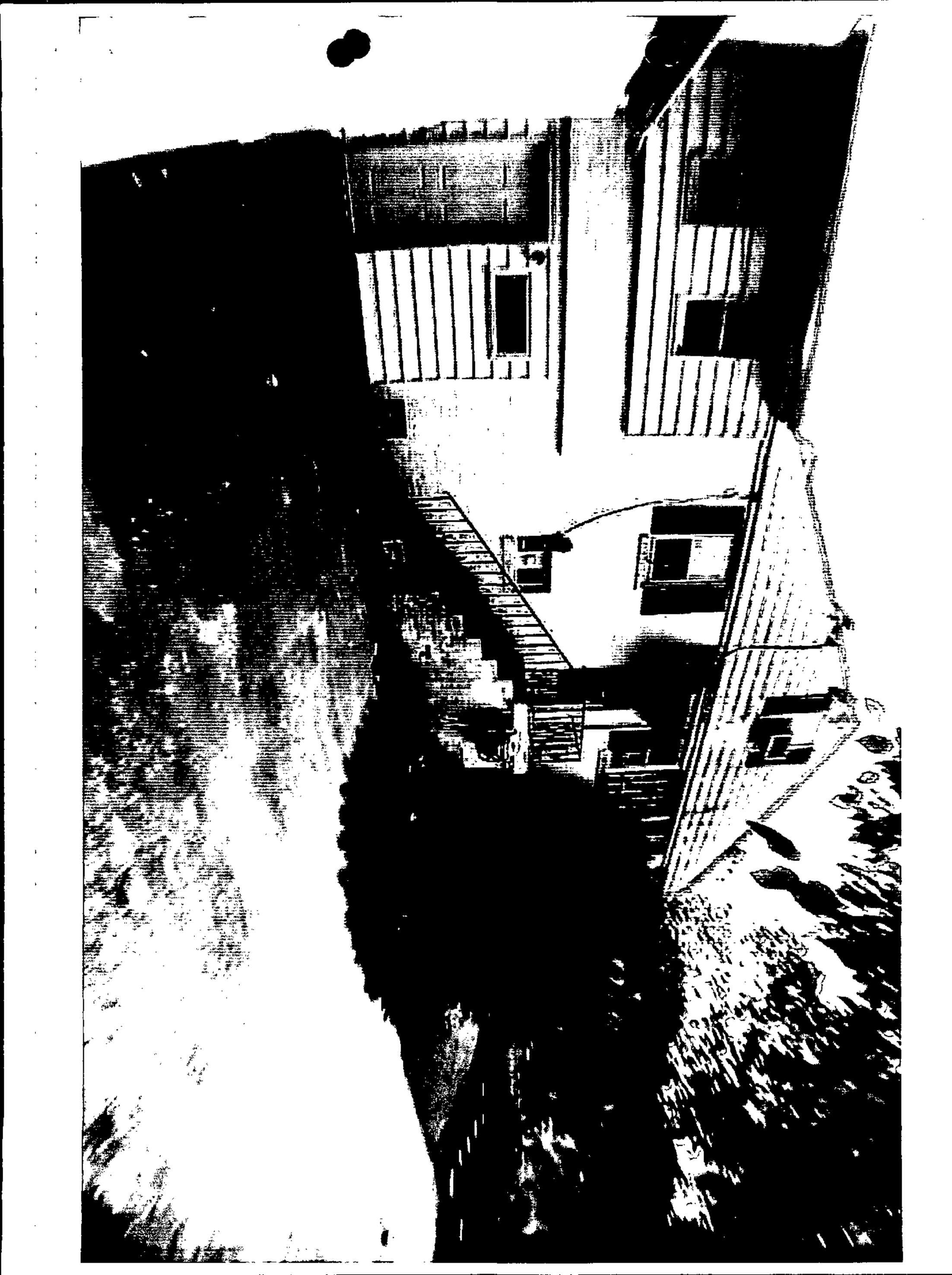
CITIZEN'S SIGN-IN SHEET

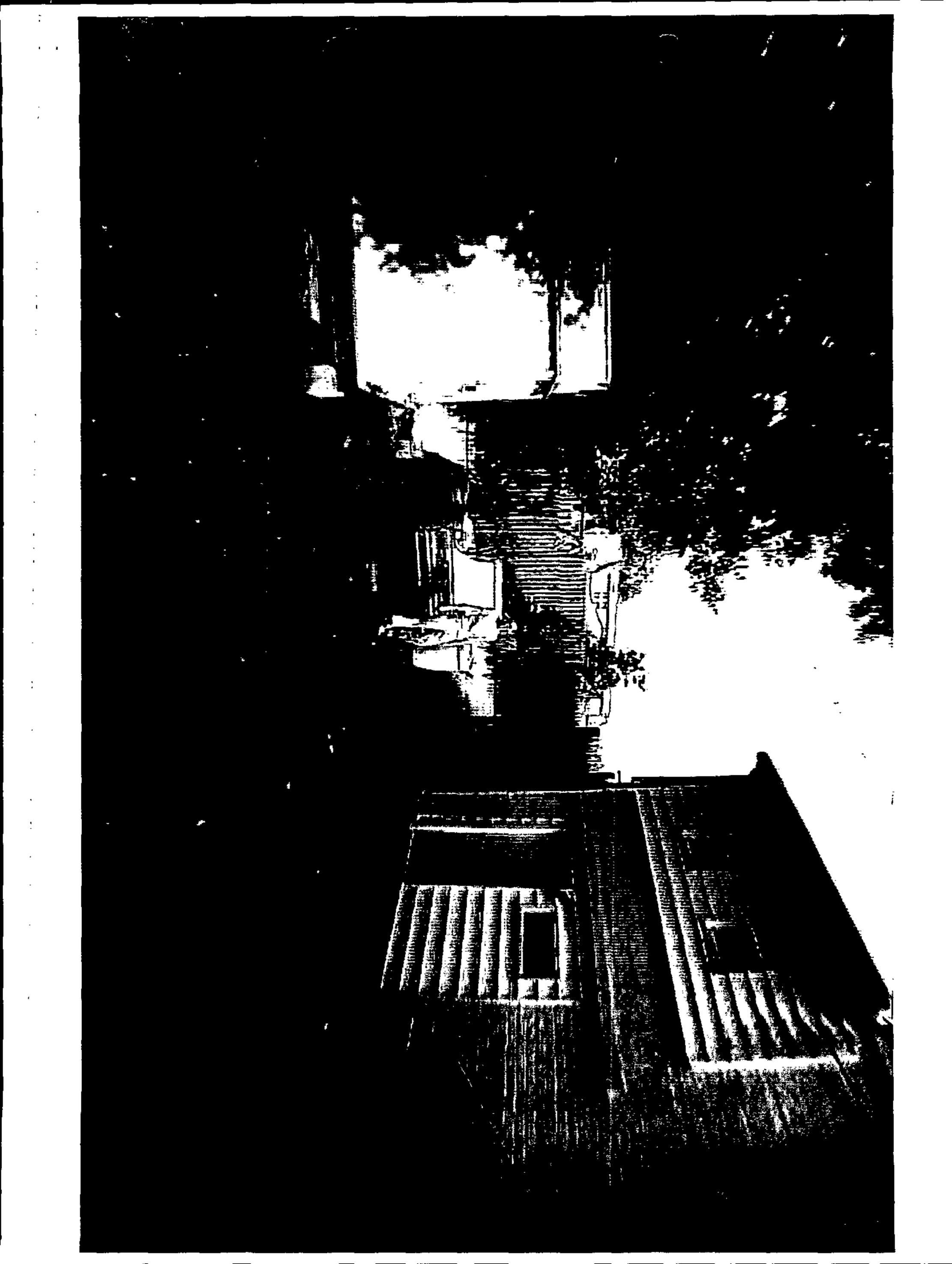
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ADDRESS	1207 Gateshead Road	IN Storie Bu	1215 MEREDME FORDRD	1214 MEREDITHS FOOR PR	522 HAMPTOH LANE	~								
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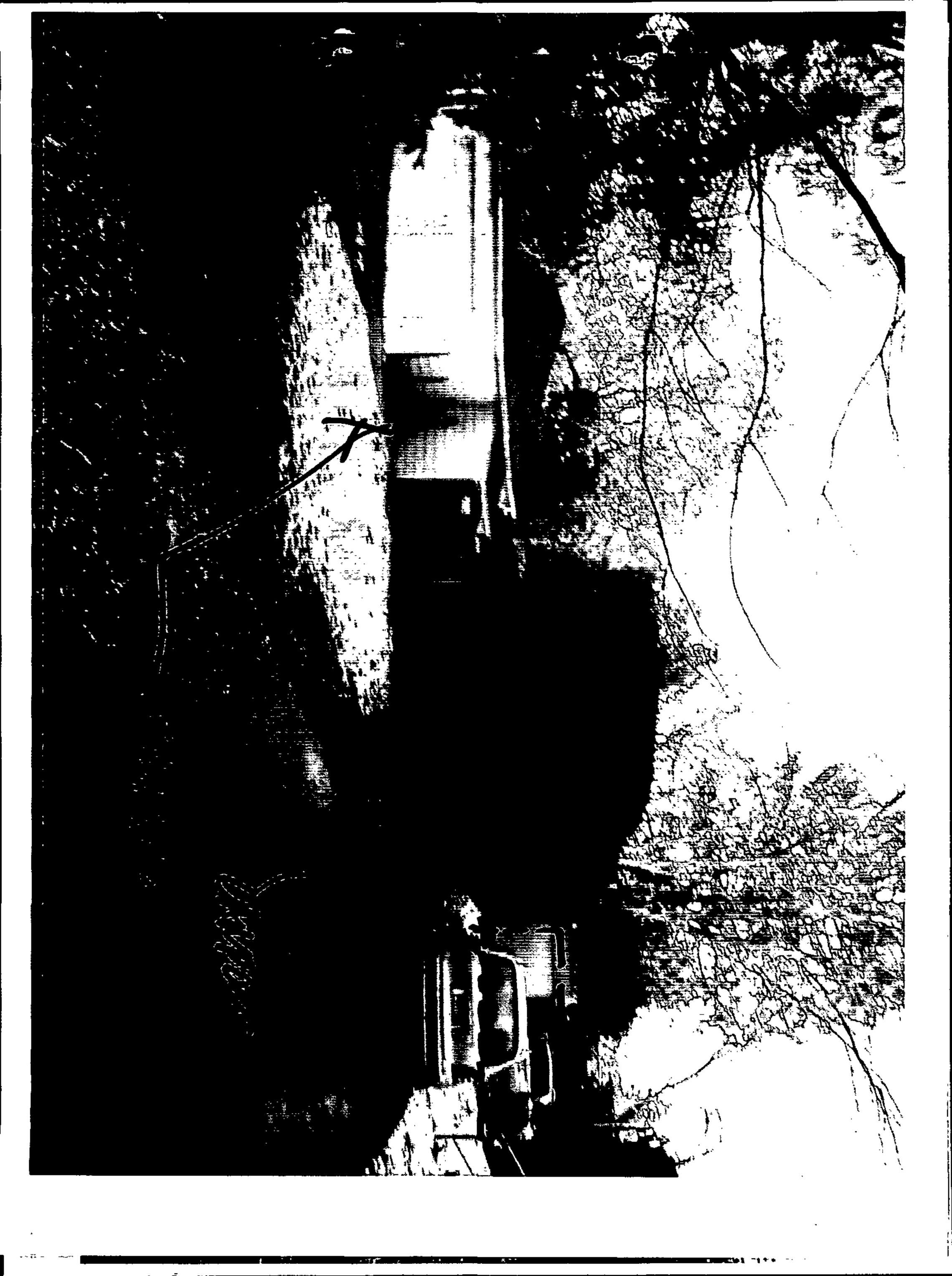


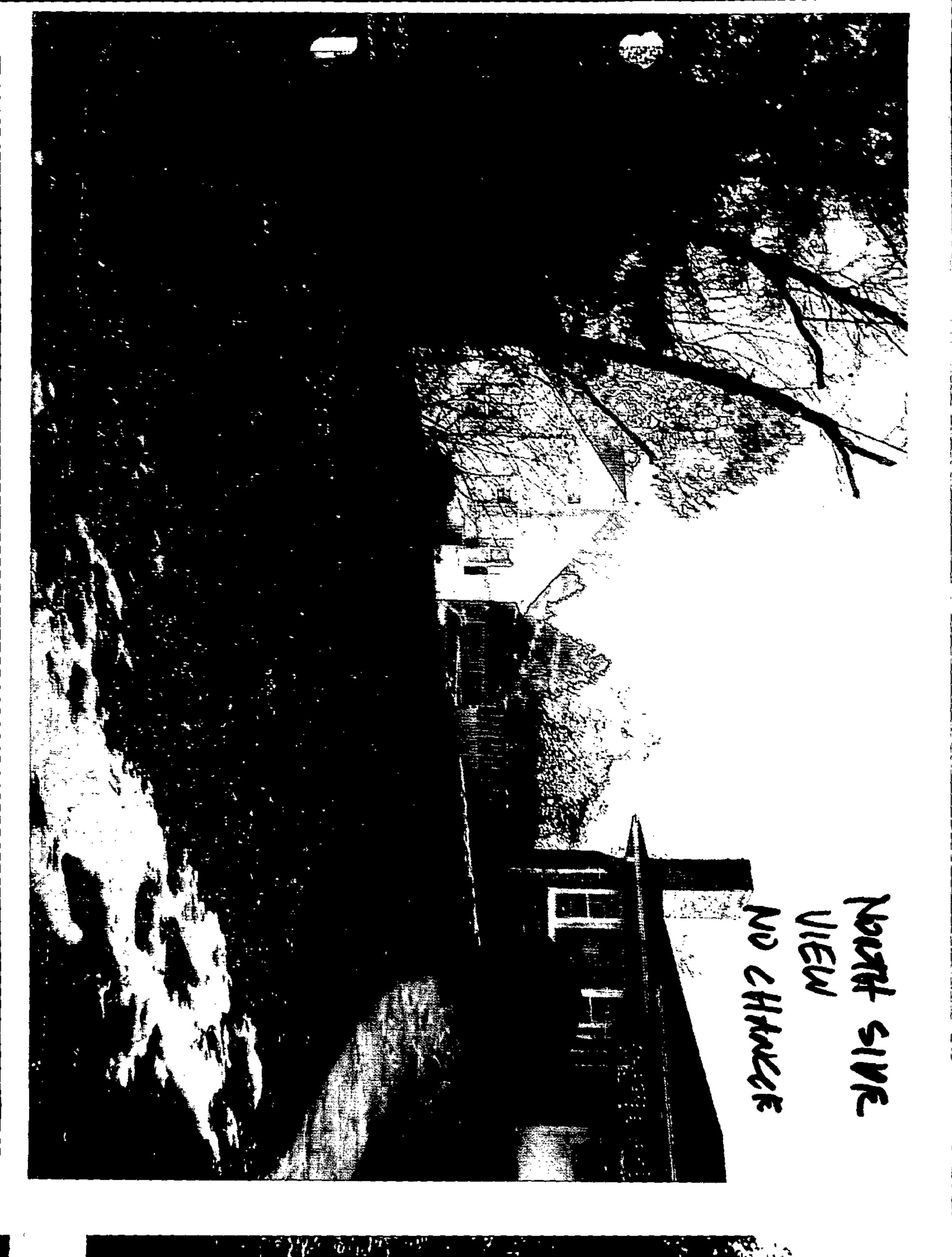


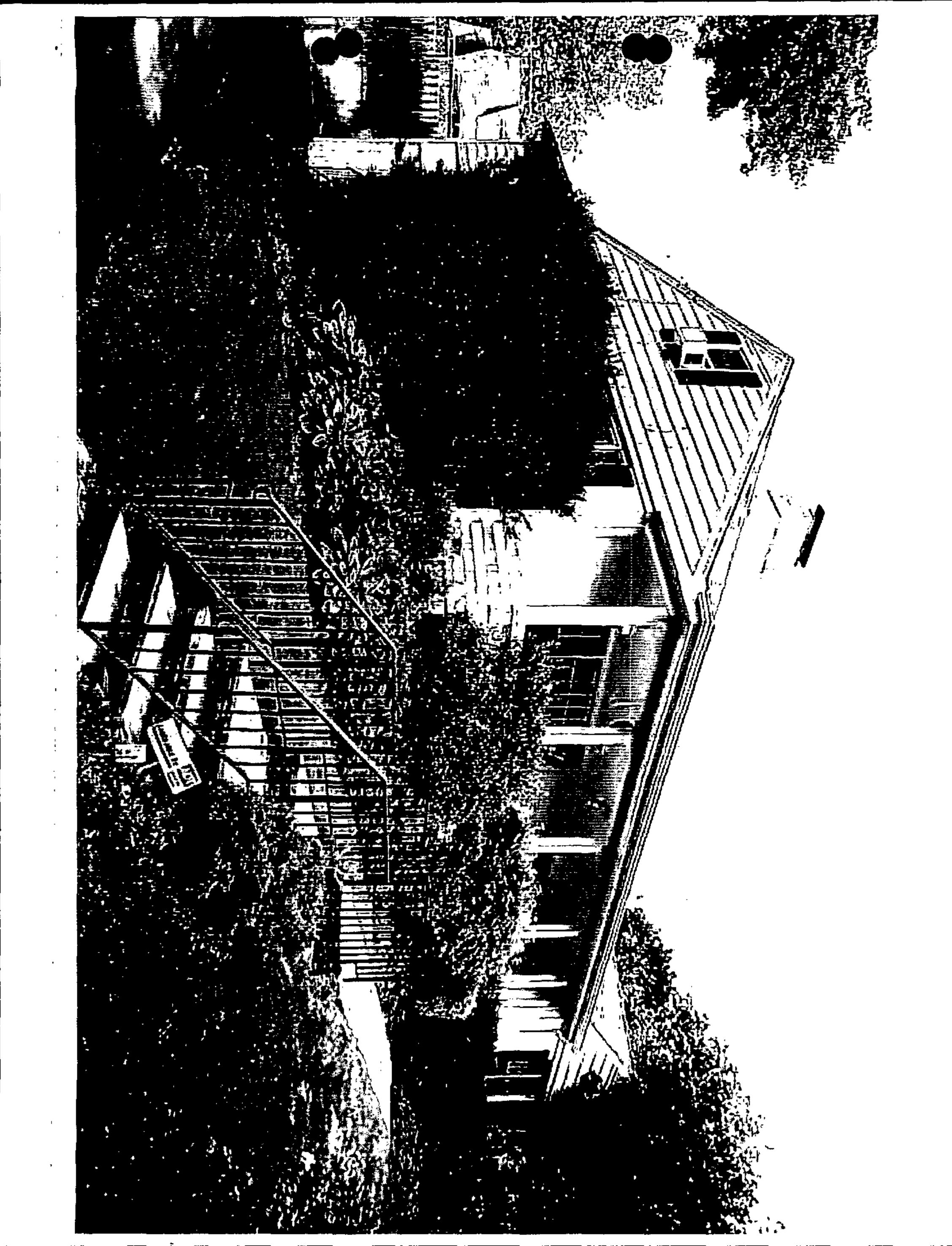












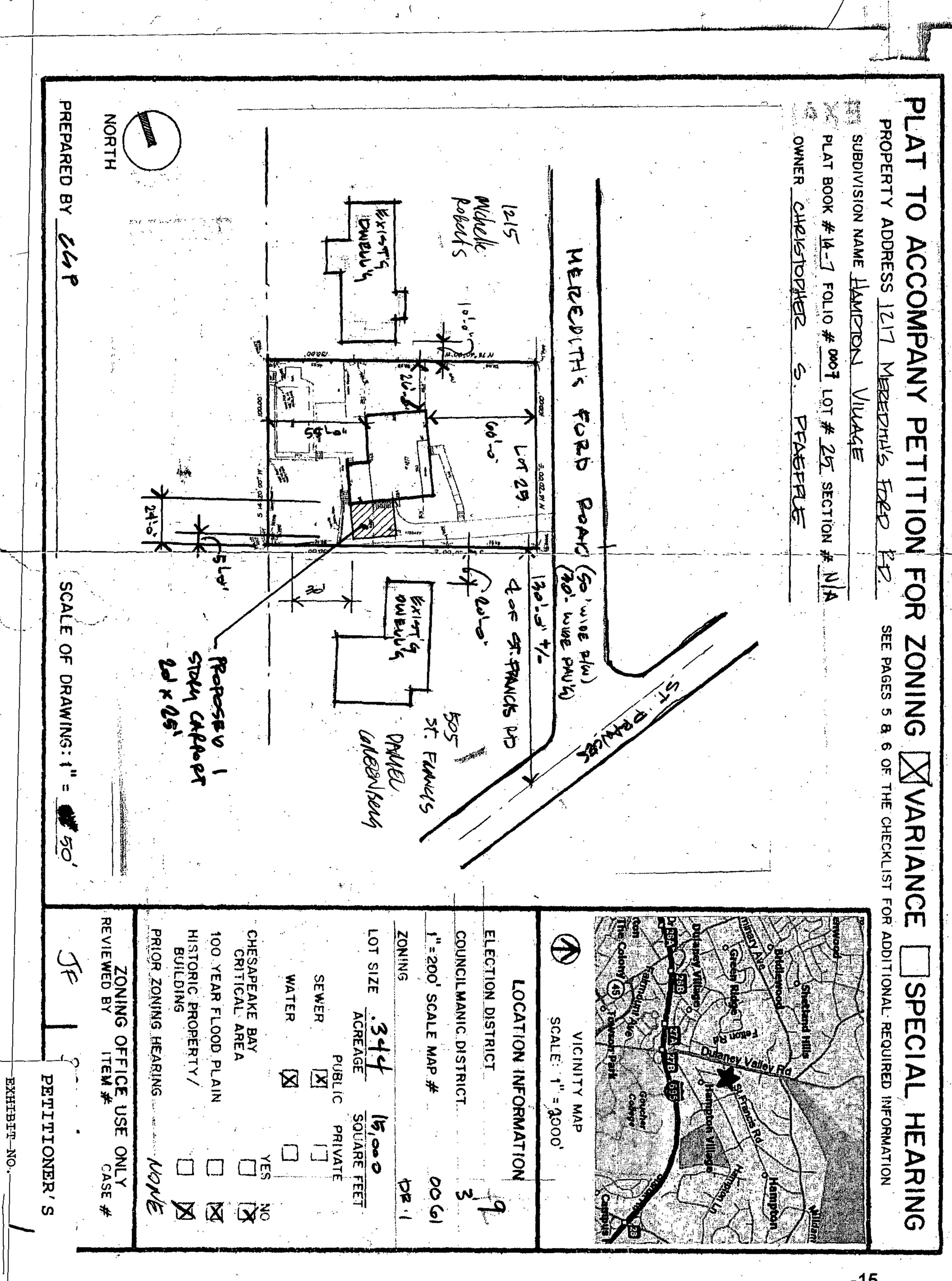
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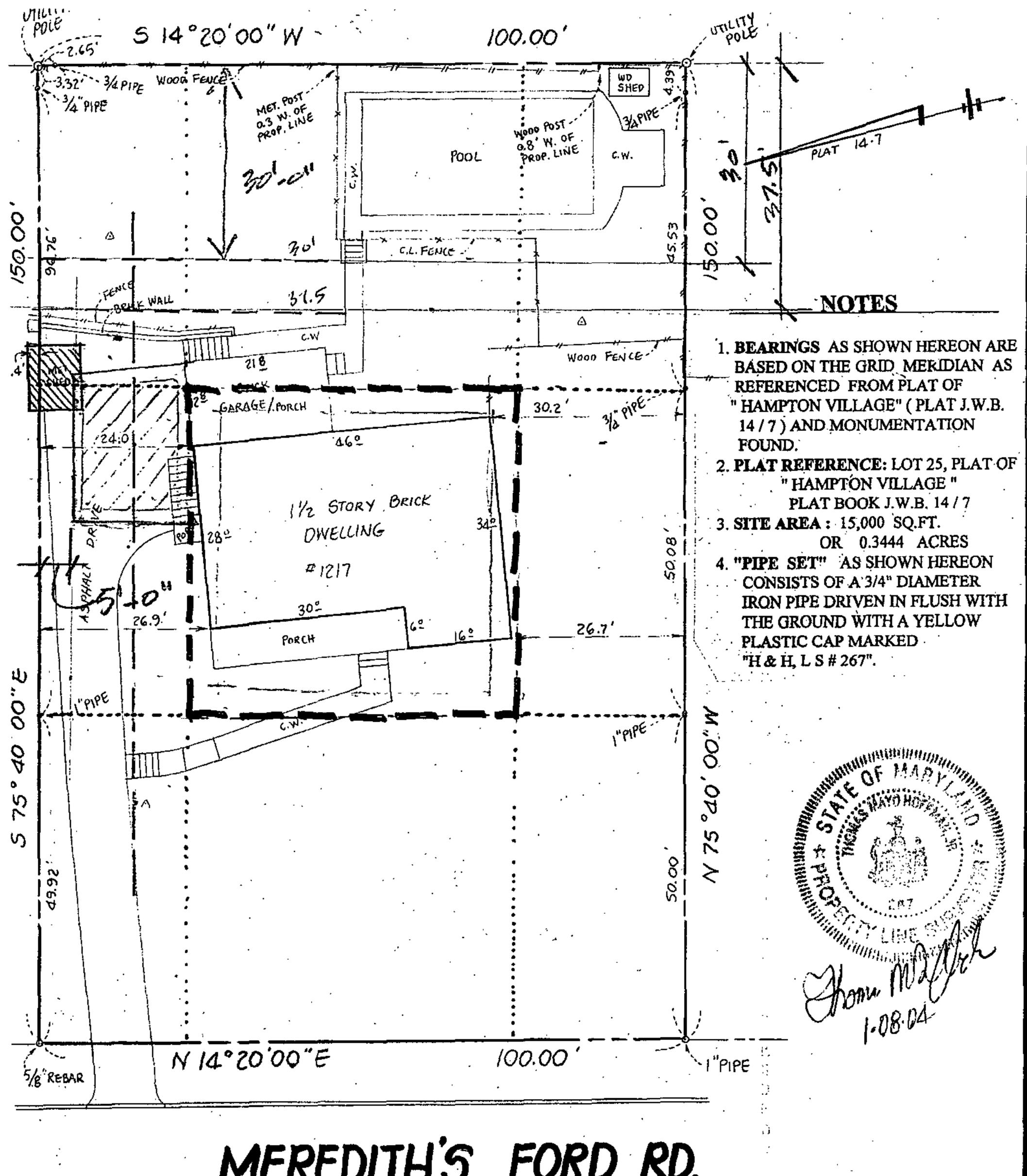
Exhibit Sheet

Petitioner/Developer

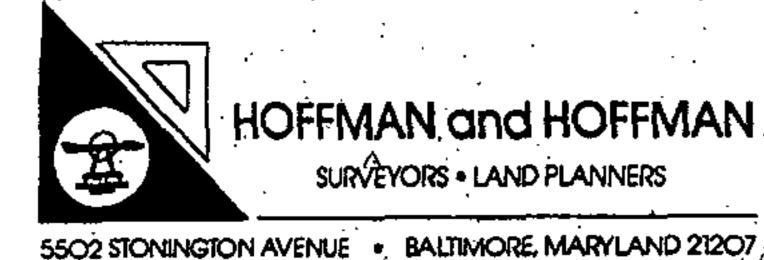
Protestant

No. 1	SITE PLAN	Phops of adjacent neighbors homes
No. 2	REVISED SITE PLAN WITH AttachED PHOTO'S	Photo's of Petitioners Home
No. 3	Letter OF SUPPORT FROM MOST EFFECTED NEIGHBOR	Photo's - other
No. 4		Letter from Sarah Buston
No. 5		Photo of Betitioners Home- undergoing improvements
No. 6		Revield surronding Homes Hampton Village - Location of neighbor present
No. 7		- LOCATION OF MUSINA JUNEAU
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





MEREDITH'S FORD RD.



(50' WIDE R/W)
(30' WIDE PAVING)

PROPERTY LINE SURVEY

BALTIMORE COUNTY, MARYLAND

SCALE: 1"= 20'

JAN. 8, 2004

February 15, 2006

Dr. Darielle Greenberg 505 St. Francis Road Towson, MD 21286

Department of Permits and Development Management Development Processing County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Case Number: 06-320-A Re: 1217 Merediths Ford Road

To Whom it May Concern,

Please be advised that I am the adjacent property owner located next to the proposed carport addition located at the property listed above. I fully understand that this structure will encroach on the Baltimore County side yard setback as well as the covenants associated with the Hampton Village Properties. Chris and Sally Pfaeffle, home owners of 1217 Merediths Ford Road, have reviewed their intentions with me personally and I understand the design.

Let it be known that I am in full support of their project encroaching on both set back requirements and am in full support of the Counties previous approval of the requested varience.

Yours Sincerely,

Darielle Greenberg, PsyD

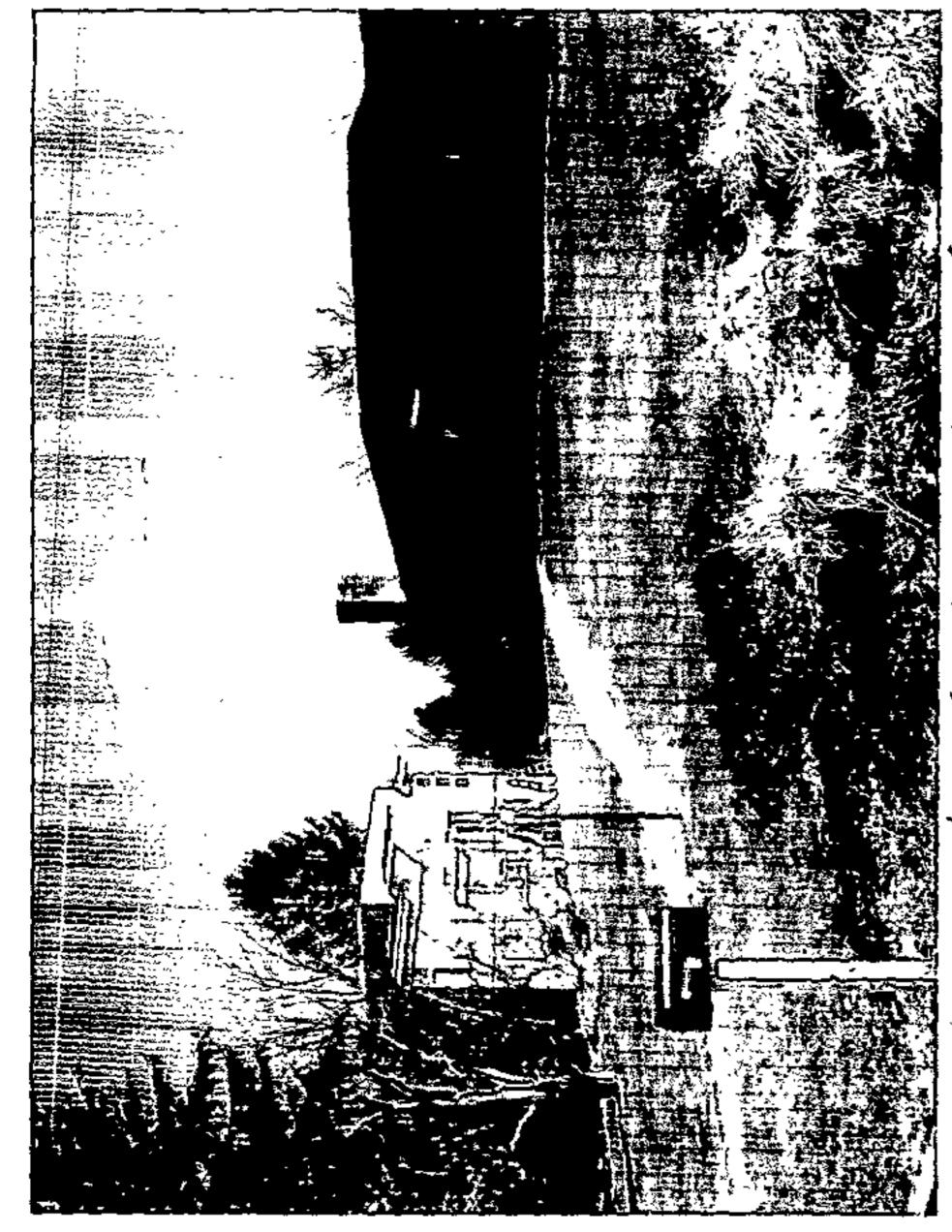
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EXHIBIT





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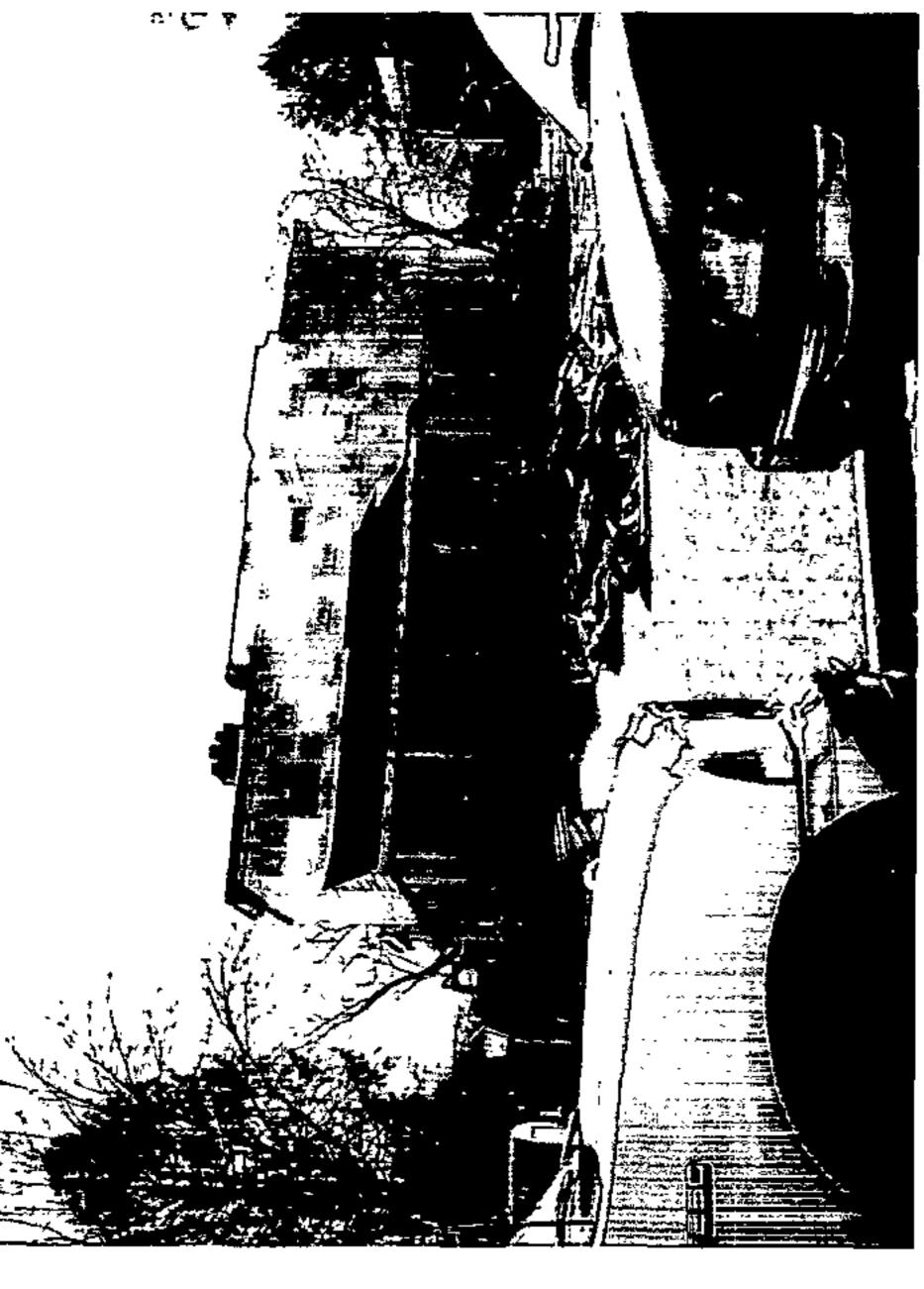




PROTESTANT'S

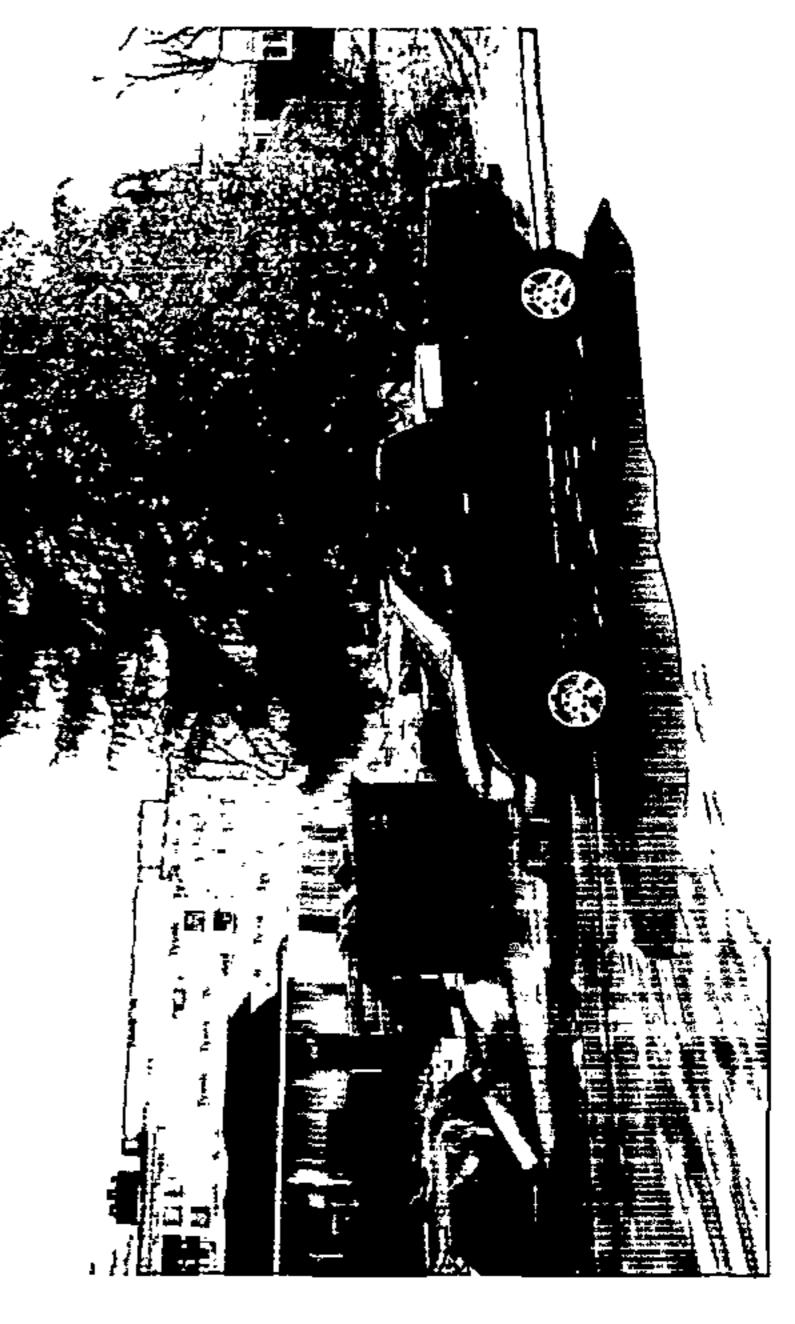
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PROTESTANT'S

EXHIBIT NO.









Sarah L. Burton Michael Todd Wunder 1215 Dulaney Valley Road Towson, Maryland 21286 PROTESTANTS
BALTIMORE COUNTY

EXHIBIT NO.

February 19, 2006

Mr. Livio Broccolino, Acting President Hampton Improvement Association

Re: Case #06-320-A 1217 Meridith's Ford Road - Administrative Variance

Dear Mr. Broccolino:

Thank you for allowing us the opportunity to participate in the above referenced hearing. Before making any recommendation, we visited the property to get an idea of how this variance would impact the neighborhood.

To say the least, we were appalled at the condition of this property. It is a disgrace to the entire community. Clearly, the current residents of 1217 Meridith's Ford Road show no regard for the covenants of the community, or respect for the rights of their neighbors. It is painfully obvious that they did not present the plans for their second story addition to the Hampton Improvement Association. What an eyesore! We question that it so much as met with County Zoning standards, let alone those of Hampton Village. The addition of a carport would further degrade the appearance and value of this property.

As residents of the Piat in question, we would like to go on record in opposition to this and all other unapproved variances to the existing covenants of Hampton Village. These rules are in place to ensure that the integrity of the community is maintained and safeguarded against inappropriate and unfavorable alterations.

It is certainly not unusual that private communities hold their residents to higher standards than those set forth by the County Government. They are exactly what make Hampton Village and other upscale neighborhoods more attractive to discriminating buyers. These rules enable us to protect our investment and benefit the value of ours and surrounding properties.

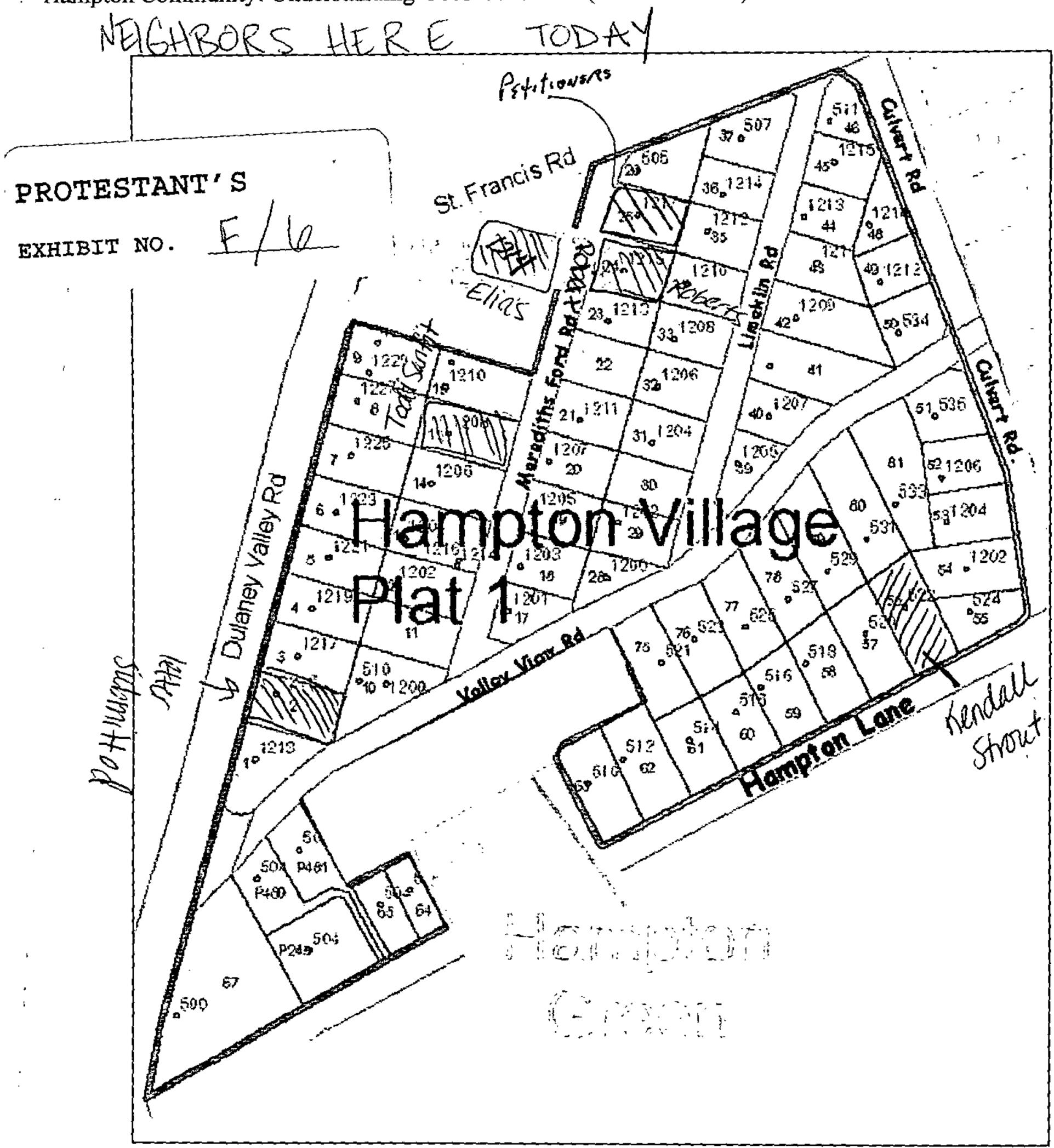
Each new resident of Hampton Village is made aware of the rules and regulations that govern our community. It is unfortunate that some residents do not appreciate the privilege of living in this community and must be compelled, by legal action, to comply.

Thank you for your diligence in this matter. We firmly believe that the Hampton Association is acting appropriately, and lend you our complete support.

Sarah L. Burton

Michael Todd Wunder

- - - Figure Tyvek Tyvek Ø PROTESTANT' М О EXHIBIT



Below are some details of your covenants.

Covent ant Source Deed Reference	Dogument Date	Setback (in feet)				
Liber Number	Document Date	front	side	rear		
1560	1947	50	10	10		

Please refer to Covent ant Source Deed Reference Liber Number (above) for more information about your covenants. This document can be obtained from the Baltimore County Courthouse Archives (will supply link here).

06-320-A Rotestants Exhibits 1. letter from Douglas Ober May 24,2007 12. A+B lictures of Subject site 13. A+B litteres of Sobject site 14. Hanpton Village Parcel Map 15. Letter from Many Ellen Elias 4-17-2006



May 24, 2007

County Board of Appeals of Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, MD 21204

Re: Case # 06-320-A

Dear Sirs/Madams:

The Hampton Improvement Association is the community association representing those persons residing in Hampton, which includes all of Merediths Ford Road. As such, we wish to be heard regarding the appeal of the Zoning Commission's denial of the special exception requested by Christopher and Sally Pfaeffle, the owners of 1217 Merediths Ford Road.

I was elected by the members of the Hampton Improvement Association to be President of the association on May 7, 2007. I am, however, unable to attend the hearing on May 31, 2007 and ask that Yara Cheikh, the duly elected Secretary of the Hampton Improvement Association, be allowed to speak at the hearing in my absence.

Thank you for your consideration,

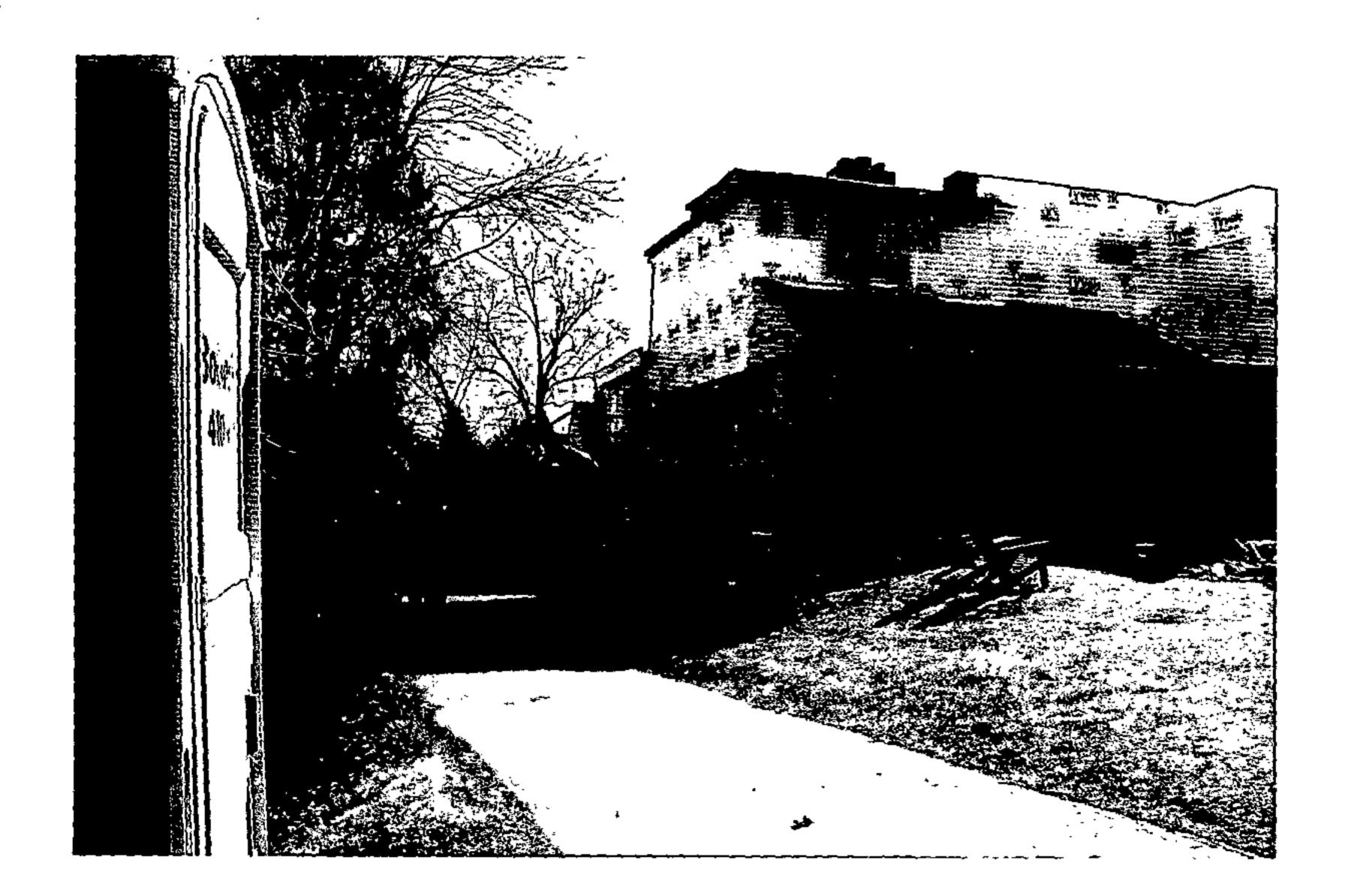
Douglas G. Ober

President

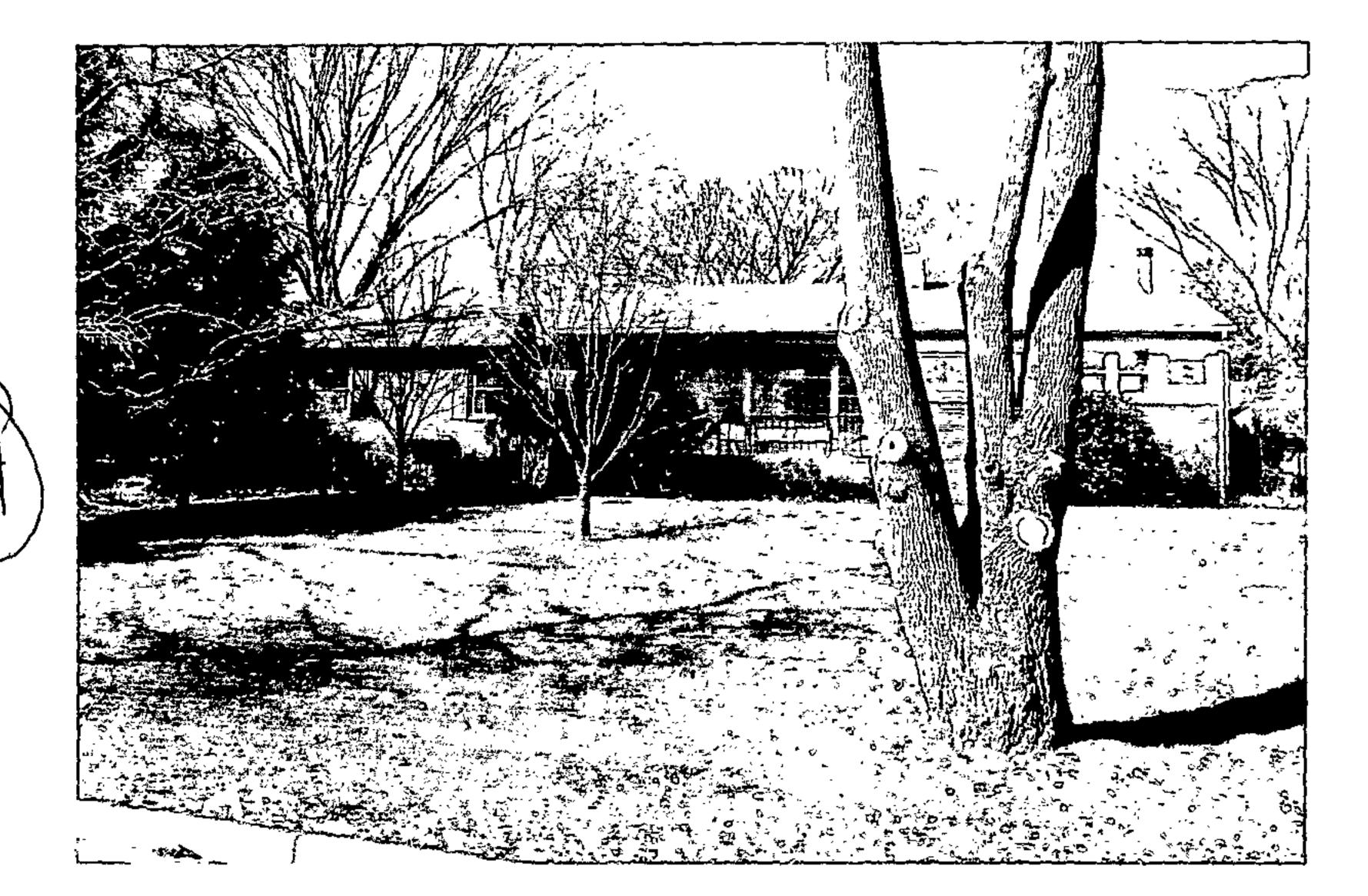
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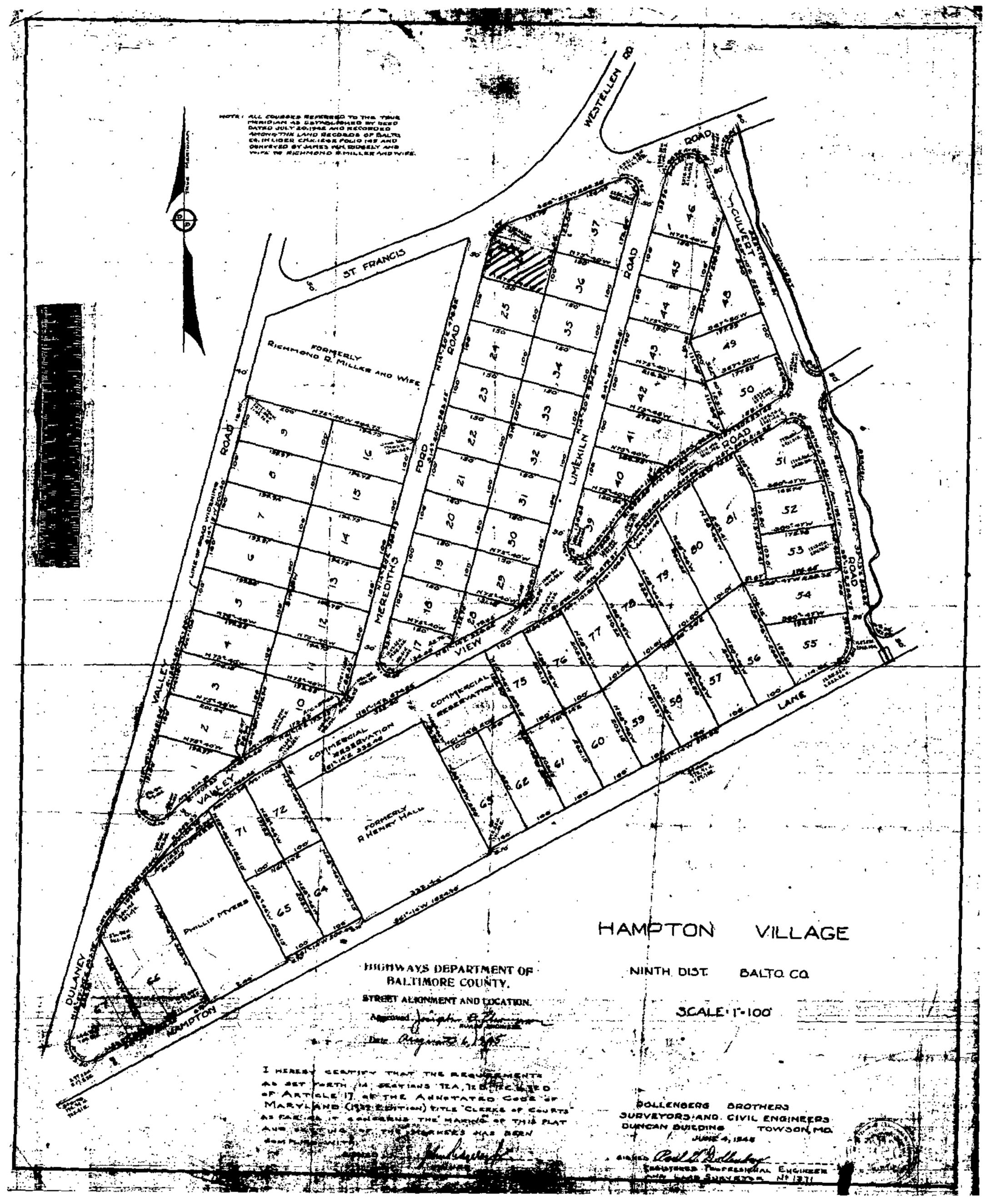


10.Ex #2





110-Ex #3



Pro Ex# 9

1214 Merediths Ford Rd. Towson, MD 21286 April 17, 2006

Mr. William J. Wiseman, III Zoning Commissioner County Courts Building 401 Bosley Ave. Suite 405 Towson, MD 21204 Dear Mr. Wiseman,

In response to your letter of April 11, 2006, you have requested that I provide you with any written concerns for you to consider in the matter of Case No. 06-320-A.

Although I think the addition is unattractive, my objection is as I stated at the hearing. Namely that a variance to build 5 feet from the property line sets a precedent for all of Hampton and should not be granted..

I have lived in Hampton for 30 years. When you buy property here, you are aware of the covenants. These are promises to maintain the neighborhood, its' desirability and value.

As you stated in your decision, there is no evidence of conditions or characteristics unique to this property that make a variance necessary.

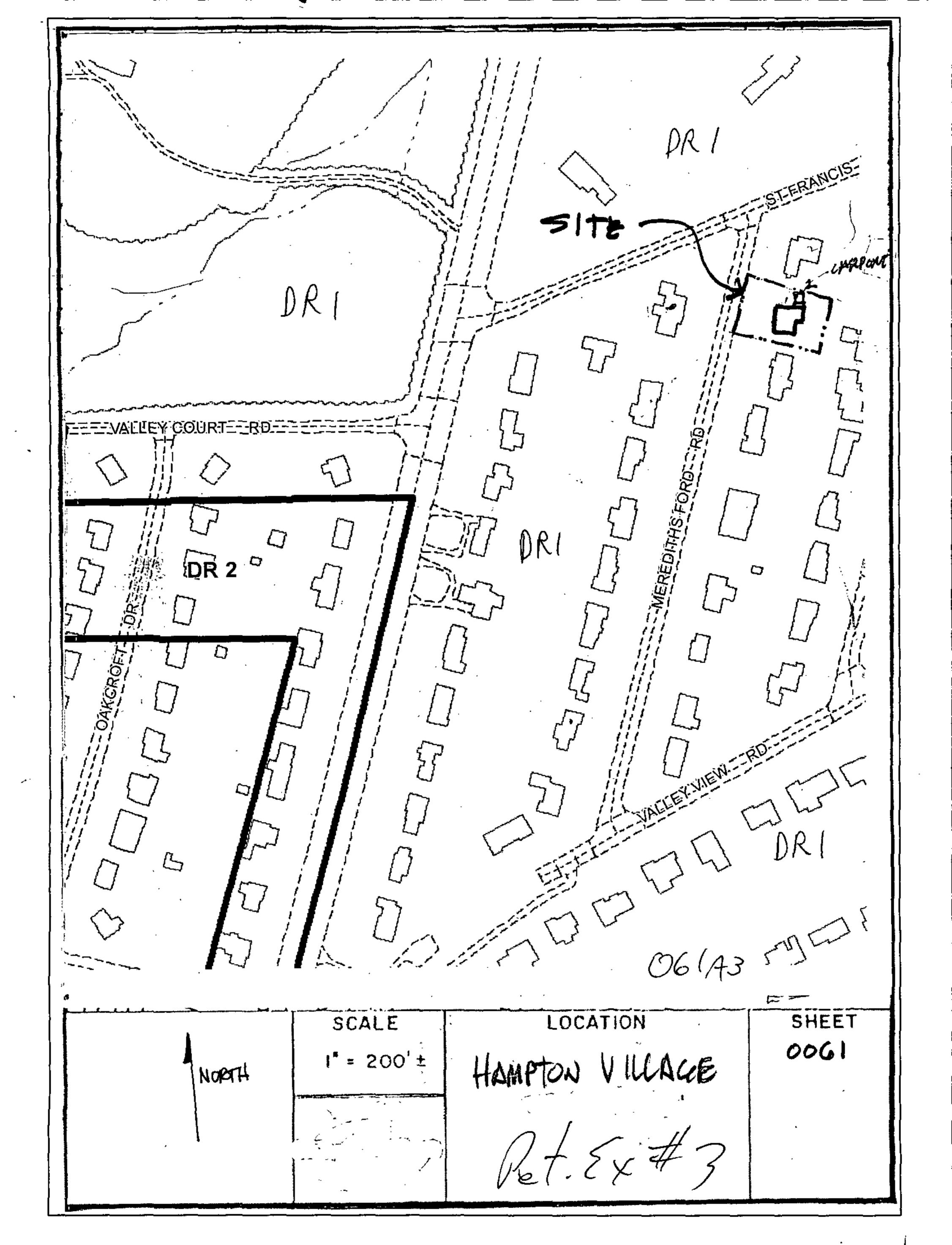
Whether or not an immediate neighbor objects is not the whole issue, but rather a Hampton issue that may influence variances in the future.

Sincerely,

Mary Ellen Elias

Mo, Ex. # 5.

Ob-320 A proeffe Petitioner Exhibits 1. Article in The Son 2. Property Like Survey 3. Area drawing



RECEMbelle Andre Roberts

APR 2 6 2006

APRIL 24, 2006

ZONING COUNTY
BALTIMORE COUNTY
COUNTY COURTS 2120H
TOWSON, MD 2120H

RE: 1217 MEREDITHS FORD ROAD

RE: 1217 MEREDITHS FORD ROAD

CASE NO. 06-320-A

CASE NO. 06-320-A

DEAR MR. WISEMAN, THE FIVE (5)

PLEASE DENY THE FIVE (5)

FOOT SETBACK FOR CONSTRUCTION

FOOT SETBACK FOR CONSTRUCTION

FOOT SETBACK FOR THE HOUSE,

OF A CARPORT AT THE HOUSE,

OF A CARPORT DOOR TO MY HOME.

OF A CARPORT AT THE

LOCATED NEXT DOOR TO MY HOME.

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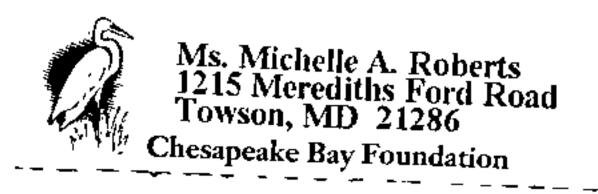
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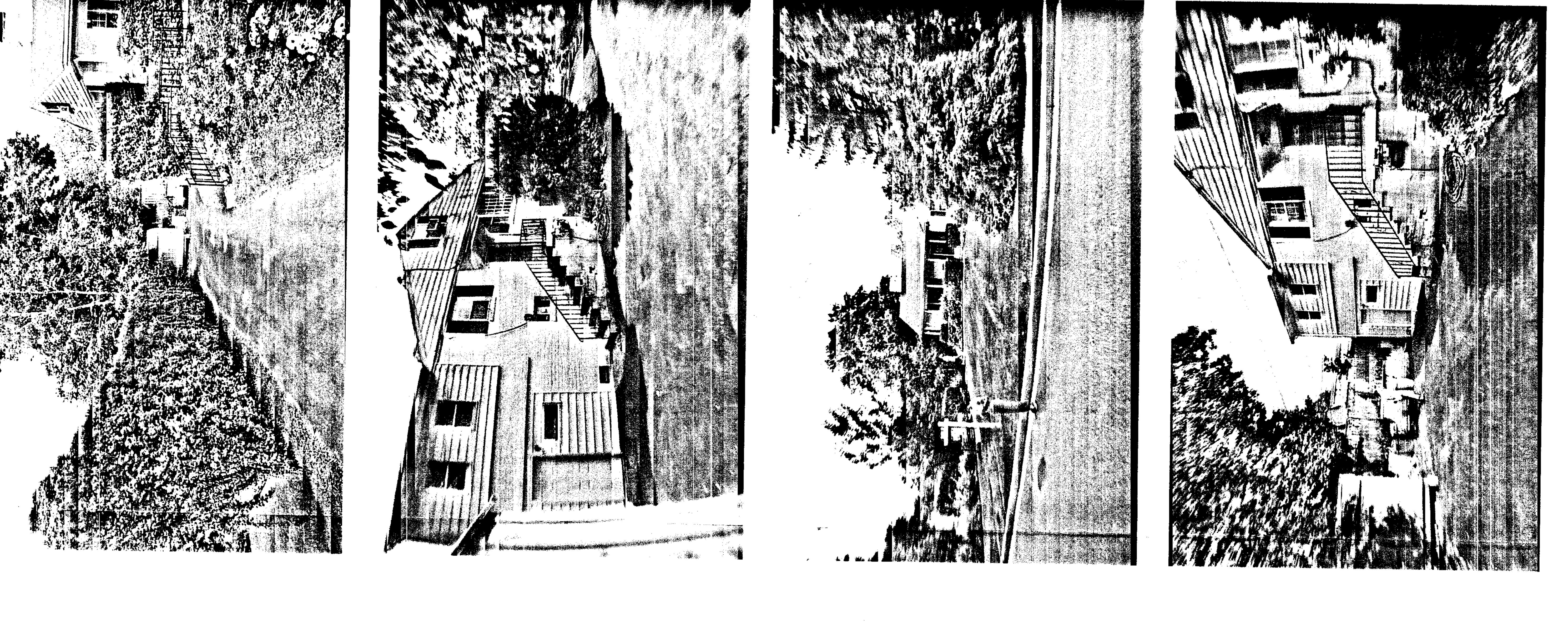
PARENTS PREVIOUSLY OWNED

Michelle Andre Roberts OUR FAMILY HOVED TO THE HAMPTON COMMUNITY BECAUSE IT 15. CHAMING AND HAS REMAINED SO FOR OVER SO MEN MRS CHRISTOPHER PEREFFLES THE OWNERS OF 1217, HAVE RECENTLY ADDED TO THIS HOUSE AND IT. 15 COMPLETELY OUT OF HARMONY WITH THE EXISTING HOMES, IN THE NEIGHBORHOOD. THE ADDITION 15 CONSTRUCTED AND NO PLANTS WERE SUBMITTED TOTHE HAMPTON IMPROVEMENT ASSOCIATION'S. ARCHITECHTURAL REVIEW COMMITTEE UNTIL RECENTLY. MR. PFAEFFLE 15 AN ARCHITECT, AND HE VERY BLATANTLY IGNORED THE COVENAUTS THAT "RUN WITH THE LAND". THE, ADDITION WAS NEVER APPROVED BY THE HAMSTON IMPROVEMENT ASSOCIATION! -AND A_ CARPORT MADITION SET A PRECEDENT FOR THERS THE PETITION FOR VARIANT





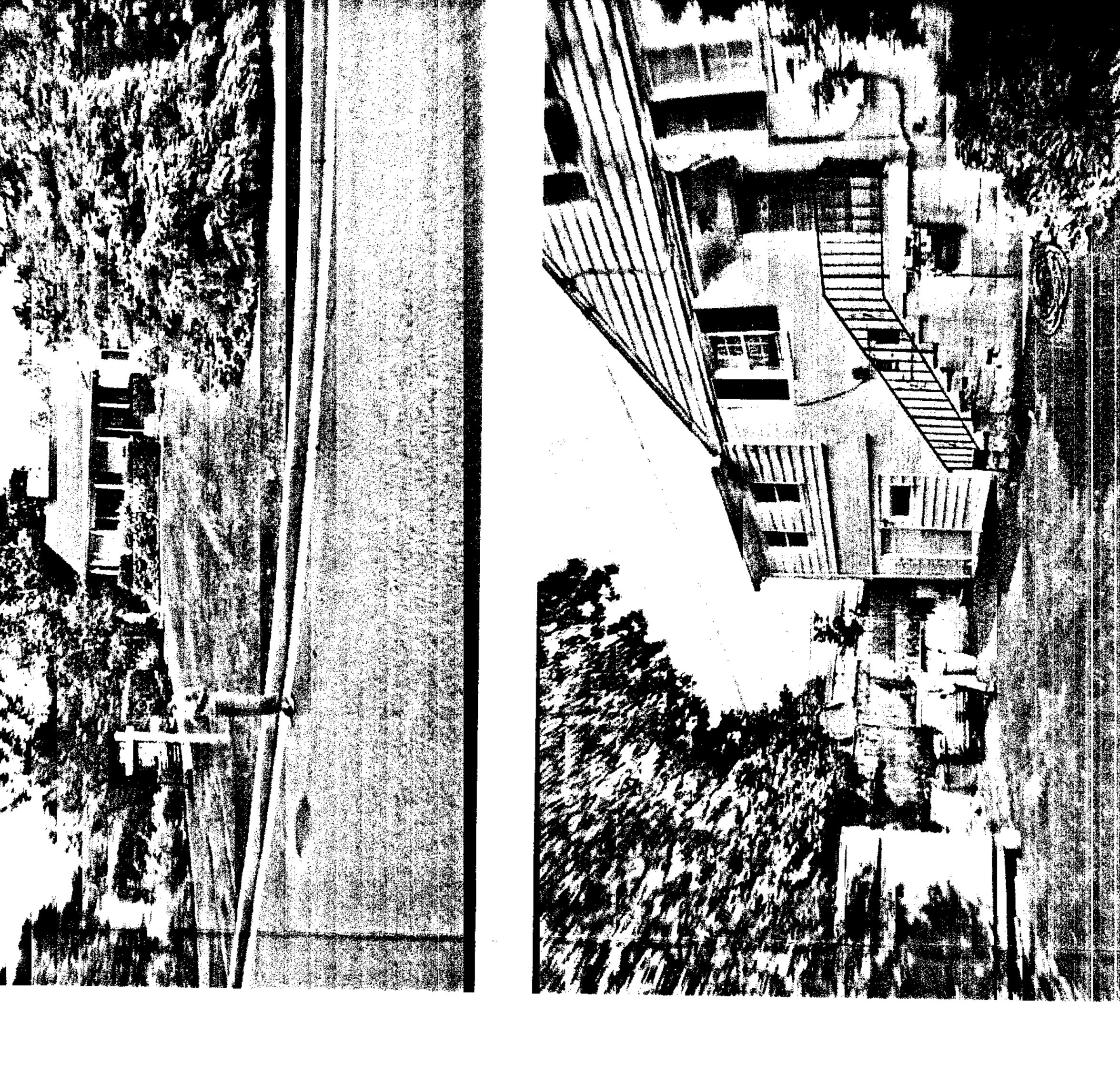
MR. WILLIAM J. WISEMAN JIL LONING COMMISSIONER COUNTY CONSTS BLDG, STE HOS HOI BOSLEY AVENUE TOWSON, MD 21204



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

January 4, 2006

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

ATTENTION: Zoning Review planners

Distribution Meeting of: December 26, 2005

Item No.: 315,316,317,318,319,320

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

Acting Lieutenant william F Connolly, Jr. Fire Marshal's Office (410) 887-4880 MS-1102F

cc: File