

IN RE: **PETITION FOR ADMIN. VARIANCE** * BEFORE THE
NE/S Circle Road, W of the c/l
Ruxton Road * ZONING COMMISSIONER
(1813 Circle Road)
9th Election District * OF BALTIMORE COUNTY
2nd Council District
* **Case No. 06-329-A**
Gregory G. Heard, et ux
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Gregory G. Heard, and his wife, Jill C. Heard. The Petitioners request variance relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (detached garage) to be located in the front yard in lieu of the required rear yard, with a height of 17 feet in lieu of the maximum allowed 15 feet. In addition, the Petitioners request approval of an existing shed partially located in the side yard in lieu of the required rear yard. 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.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate. In this regard, William Neill, III and his wife, Henrietta Neill, adjacent property owners, requested that a public hearing be held, and thus the matter was scheduled for a hearing before the undersigned on March 8, 2006.

MAILED RECEIVED FOR FILING

Date

BY

Appearing at the hearing on behalf of the Petitioners was L. J. Link, Jr., a Board Certified Architect and Land Planning consultant, who prepared the site plan for this property and building elevation drawings of the proposed garage. The issues presented in this case generated significant community interest and a number of individuals who reside in the area appeared in opposition to the request. They included William and Henrietta Neill, Marvin Tenbury, Kimberly Warren, Arthur and Margaret Wheeler, and Nancy Horst, President of the Ruxton-Riderwood-Lake Roland Area Improvement Association (RRLRAIA).

On behalf of the Petitioners, Mr. Link presented the site plan and testified regarding the proposal. Testimony disclosed that the subject property is a roughly square-shaped parcel, located on the northeast side of Circle Road, west of Ruxton Road in Ruxton. The property contains a gross area of 0.750 acres (32,670 sq.ft.), more or less, zoned D.R.1, and is improved with a 1½-story dwelling, and a one-story shed. Mr. Link testified that he has experience in designing projects in historic districts and that he was retained by the Petitioners to design a two-car garage that would be in keeping with the character of the existing dwelling and surrounding locale. As evidenced by correspondence contained within the case file, the Petitioners have been working on developing a design plan for over two years. Originally they planned to construct an addition to the house that would feature a garage with a master suite above; however, decided that this would dramatically change the feel of their home and the character of neighborhood. Thus, they decided to construct a detached garage in the front portion of the property, immediately adjacent to an existing private driveway. The garage was designed in keeping with the character of the surrounding locale and with a roof pitch to match that of the existing dwelling. However, in order to proceed as proposed the requested variance relief is necessary.

In support of the request, Mr. Link noted that the southeast portion of the property along Circle Road is steeply sloped and contains a large drainage easement. Moreover, an accessory shed in the western portion of the site prevents development in that area of the property. He argued that strict compliance with the regulation would prevent construction of the garage in any location on the property without the need for variance relief, given the unique configuration

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3/21/16
[Signature]

of the property and the site constraints associated therewith. Moreover, he noted the orientation of the dwelling. In this regard, the dwelling sits at an angle on the property such that the rear of the house faces Circle Road.

As noted above, several residents from the surrounding community appeared in opposition to the request. Mr. & Mrs. Neill reside immediately across from the proposed location of the garage and strenuously object to the Petitioners' proposal to locate the garage in the front yard. Ms. Horst on behalf of the RRLRAIA expressed concerns about the increase in impervious surface on the property. Mr. Wheeler, who resides immediately across Circle Road to the southeast of the subject site, expressed concern about the location of the garage, noting that a large, mature tree would have to be removed in order to accommodate the proposed construction.

In response to those concerns, Mr. Link noted that given the topography of the property, the proposed garage will be built into a hill and thus will not be as visible to the neighbors as they perceive it will be. He also indicated that he could shift the garage approximately 10 feet further to the southeast in order to eliminate removal of the large tree. However, this would bring the structure out into the open and more into Mr. & Mrs. Neill's line of sight. Thus, there is no other practical location on the property to site the garage.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested variance. In this regard, I must consider the request in accordance with the mandate of Cromwell v. Ward, 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. In this instance, the uniqueness of the property is the orientation of the dwelling, which faces the rear of portion of the lot, and the site constraints associated with this particular lot. 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 opinion, any construction on the subject property would necessitate variance relief, given its unique configuration, the location of existing

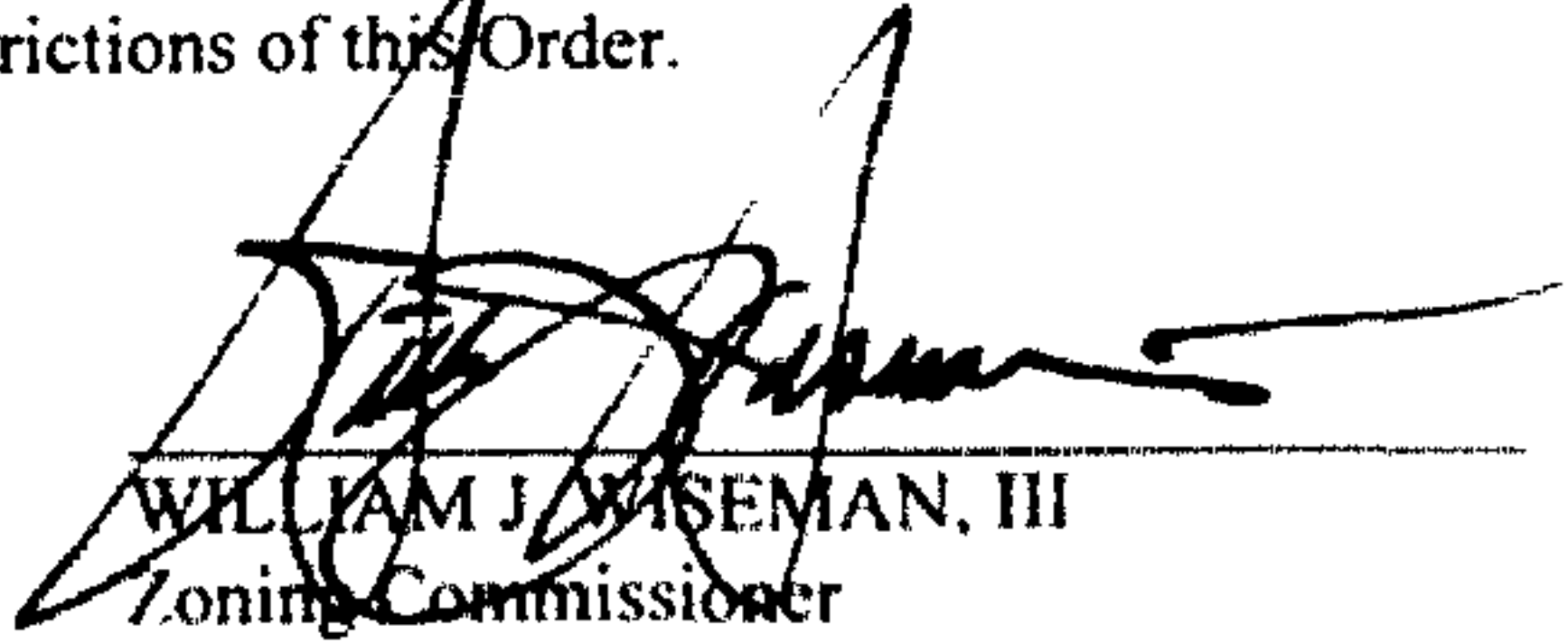
improvements and the site constraints associated therewith. Moreover, I find that the proposed garage has been designed to be compatible with the historic character and nature of the surrounding community and that strict compliance with the regulation would result in a practical difficulty and unreasonable hardship upon the Petitioners. Finally, there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. Thus, I am persuaded that the relief requested is appropriate in this instance and should therefore be granted.

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 shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of March 2006 that the Petition for Administrative Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure (garage) to be located in the front yard in lieu of the required rear yard, with a height of 17 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the 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.
- 2) The garage shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen or bathroom facilities.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:bjs


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

March 17, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. & Mrs. Gregory G. Heard
1813 Circle Road
Ruxton, Maryland 21204

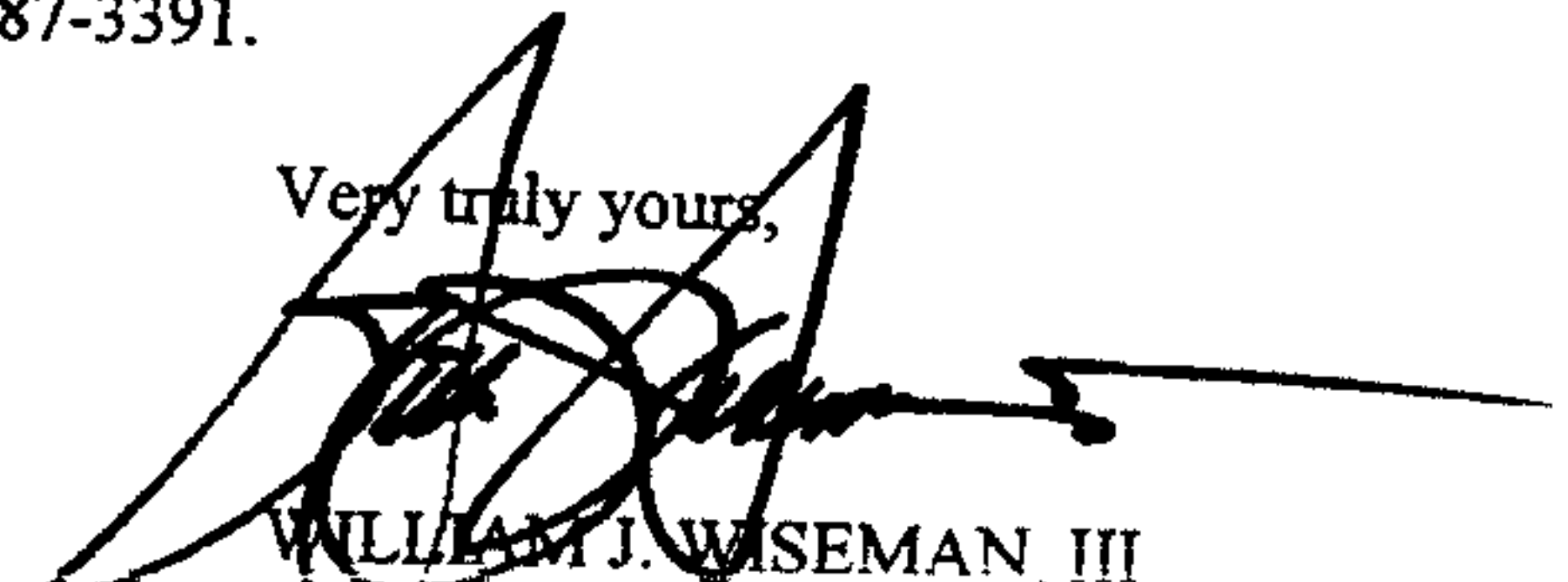
RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
NE/S Circle Road, W of the c/l Ruxton Road
(1813 Circle Road)
9th Election District – 2nd Council District
Gregory G. Heard, et ux - Petitioners
Case No. 06-329-A

Dear Mr. & Mrs. Heard:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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: Mr. L. J. Link, Jr., 2201 Old Court Road, Baltimore, Md. 21208
Mr. & Mrs. William Neill, III, 1809 Circle Road, Ruxton, Md. 21204
Mr. & Mrs. Margaret Wheeler, 1812 Circle Road, Ruxton, Md. 21204
Ms. Nancy Horst, RRLRAIA, P.O. Box 204, Riderwood, Md. 21139
Ms. Kimberly Warren, 405 Meadowridge Road, Baltimore, Md. 21204
Mr. Marvin Tenbury, 12206 Boxer Hill Road, Cockeysville, Md. 21030
People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1813 Circle Rd.
which is presently zoned DR-1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1 and 400.3 to permit a
proposed garage be located in the front yard with a height of 17 ft. in lieu
of the required rear yard and 15 ft. height, and to approve an existing
shed be located in the side/rear yards in lieu of the required
rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By BA

Date 1/5/06

Estimated Posting Date

1/15/06

CASE NO. 06-329

RECEIVED FOR FILING
Date 3/20/06
BY 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1813 Circle Road.
Address
Buxton Md. 21204.
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

garage was designed to match existing architectural character of residence for best pitch & character of Buxton neighborhood.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

X Gregory G. Heard
Signature
Gregory G. Heard
Name - Type or Print

X Jill C Heard
Signature
Jill C Heard
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of December, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jill & Gregory Heard
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

LAWRENCE JOSEPH LINK, JR
NOTARY PUBLIC STATE OF MARYLAND
Baltimore County
My Commission Expires May 1, 2009

REV 10/25/01

Notary Public

My Commission Expires

Zoning description for 1813 Circle Road.

Beginning at the point at the NE corner of Circle Road, east side, which is a 30' County road.

The lot, beginning again,

S 47° 00' E 160.21' to

S 39° 56' E 42.00' to

S 18° 37' E 23.62' to

S 38° 55' W 76.54' to

S 52° 08' W 36.91' to

S 85° 11' W 36.35' to

N 73° 21' W 39.14' to

N 21° 36' W 38.24' to

N 49° 40' W 42.33' to

N 56° 41' W 65.61' to

N 35° 45' E 176.78' to the place of begin.

The lot contains 0.750 Ac (±).
located in district 09, precinct 01
Tax A/c N°. 090747.1440.

L.J. Link Jr., Inc.

Architect

Box 727 Rockland Grist Mill

Brooklandville, Md. 21022

410. 337. 9528

fac 410. 369, 6601

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 2831

DATE 1/15/06 ACCOUNT 6001-001-6150

AMOUNT \$ 65.00

RECEIVED FROM LAUF 61616

FOR Validation Variances

RECEIVED BY

DATE - CASHIER

PRK - AGENCY

YELLOW - CUSTOMER

Item 11 324

PAID RECEIPT

RECEIVED BY DATE
AMOUNT 65.00 FOR
RECEIVED FROM LAUF 61616

RECEIVED BY DATE
AMOUNT 65.00 FOR
RECEIVED FROM LAUF 61616

CASHIER'S VALIDATION



RECEIVED

FEB 13 2006

Per. D.T.

FORMAL DEMAND FOR HEARING

CASE NUMBER: 06-329-A

Address: 1813 CIRCLE RD.

Petitioner(s): HEARD

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Mr. + Mrs. William Neill
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
1809 CIRCLE RD.
Address

Ruxton Md. 21204
City State Zip Code

410-823-4827
Telephone Number

which is located approximately 26 feet 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.**

Hennetta S. Neill 2/13/06
Signature Date

William Neill 2/13/06
Signature Date

No. 1262

AMOUNT \$ 50.00

WIFE + MRS WILLIAM NEILL

06-329-A

PEAK • AGENCY YELLOW • CUSTOMER

CASHIER'S VALIDATION

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: #06-329-A

1813 Circle Road

East side of Circle Road, 3600 Feet west Lake Roland Drive

9th Election District — 2nd Councilmanic District

Legal Owner(s): Jill C. and Gregory Heard

Variance: to permit a proposed garage be located in the front yard with a height of 17 feet in lieu of the required rear yard and 15 foot height and to approve an existing shed to be located in the side/rear yard in lieu of the required rear yard.

Hearing: Wednesday, March 8, 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) Hearings are Handicapped Accessible; for special accommodations 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.

JT 2/682 Feb. 21

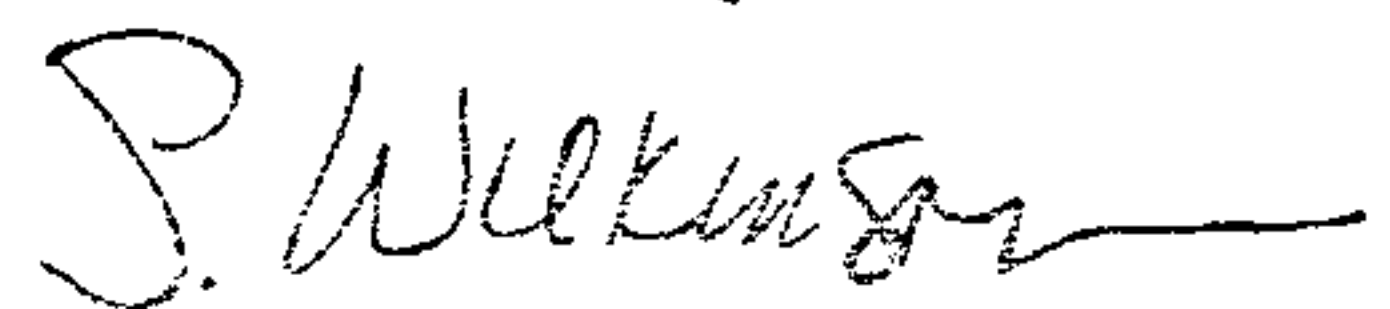
85088

CERTIFICATE OF PUBLICATION

2/23/, 2006

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 2/21/, 2006.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 06-324-A

Petitioner/Developer: Jill C
& GREGORY HEARD

Date Of Hearing/Closing: 3/8/06

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

Attention:

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
at 1813 CIRCLE ROAD

This sign(s) were posted on February 21, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 4/4/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000584 (1152x864x24b jpeg)



mgator 2/21/06

CERTIFICATE OF POSTING

RE: Case No: OL-329-A

Petitioner/Developer: TILL &
GREGORY HEARD

Date Of Hearing/Closing: 2/13/06

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

Attention:

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
at 1813 CIRCLE ROAD

This sign(s) were posted on January 29, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 1/29/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

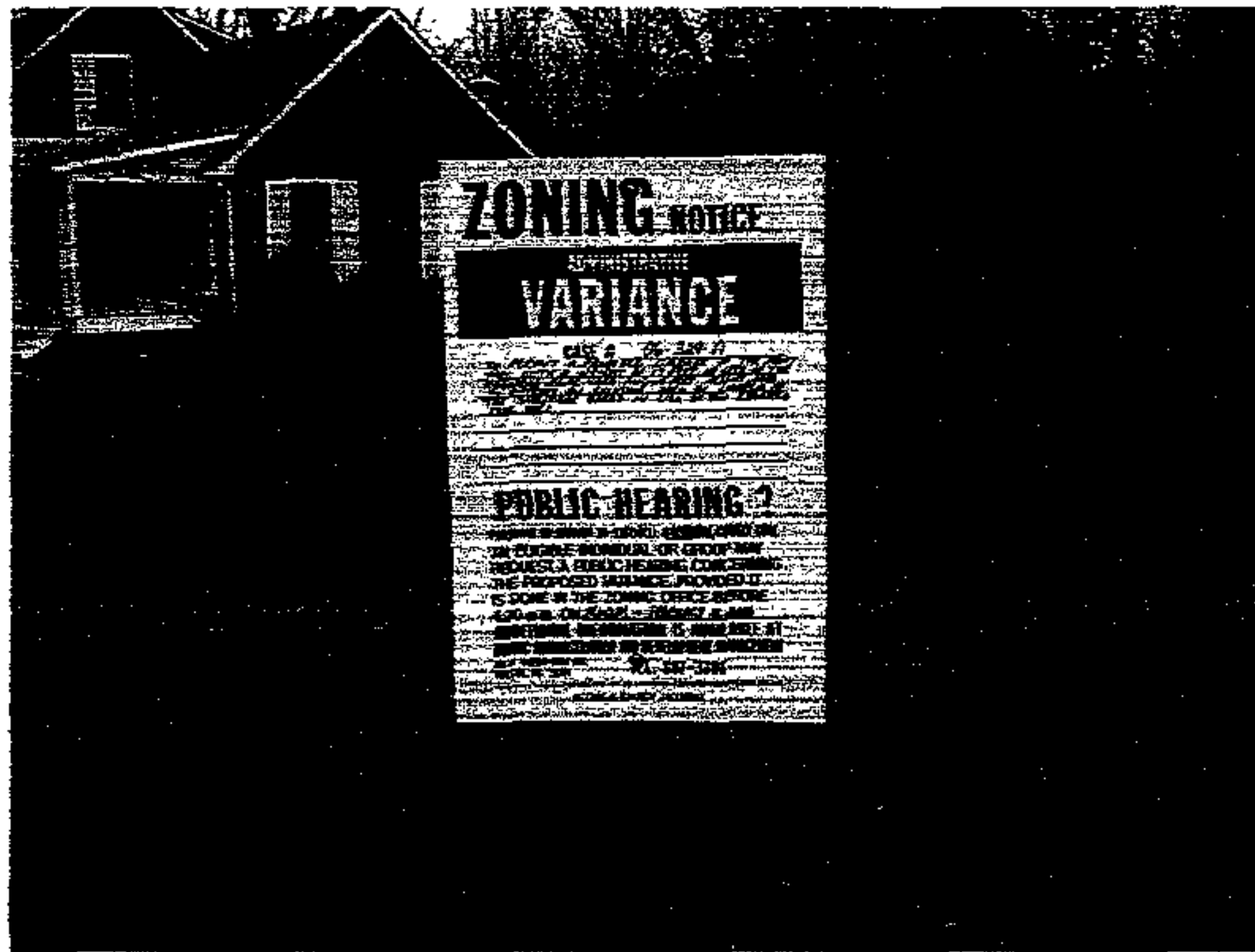
16 Salix Court

Address

Balto, Md 21220

(443-629-3411)

im000570 (1152x864x24b jpeg)



negated 1/29/06

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 21, 2006 Issue - Jeffersonian

Please forward billing to:

L. J. Link, Jr. (410-337-9528)
2201 Old Court Road
Baltimore, MD 21208

NOTICE OF ZONING HEARING

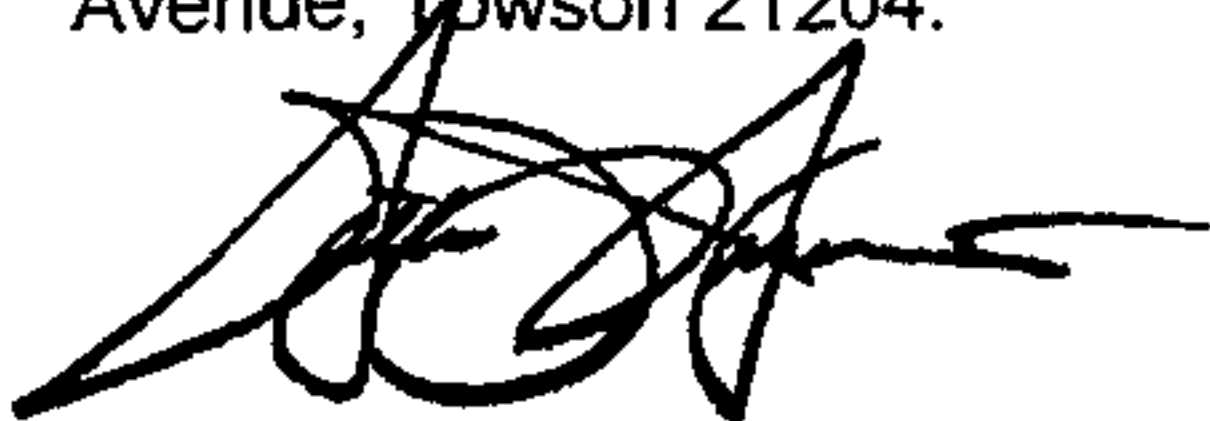
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-329-A

1813 Circle Road
East side of Circle Road, 3600 Feet west Lake Roland Drive
9th Election District— 2nd Councilmanic District
Legal Owners: Jill C. and Gregory Heard

Variance to permit a proposed garage be located in the front yard with a height of 17 feet in lieu of the required rear yard and 15 foot height and to approve an existing shed to be located in the side/rear yard in lieu of the required rear yard.

Hearing: Wednesday, March 8, 2006 @ 11:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.



WILLIAM J. 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 and
Development Management**



Baltimore County

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

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

February 14, 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: 06-329-A

1813 Circle Road
East side of Circle Road, 3600 Feet west Lake Roland Drive
9th Election District— 2nd Councilmanic District
Legal Owners: Jill C. and Gregory Heard

Variance to permit a proposed garage be located in the front yard with a height of 17 feet in lieu of the required rear yard and 15 foot height and to approve an existing shed to be located in the side/rear yard in lieu of the required rear yard.

Hearing: Wednesday, March 8, 2006 @ 11:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK: raj

C: Jill C. & Gregory Heard, 1813 Circle Road, Ruxton, MD 21204
L. J. Link, Jr., 2201 Old Court Road, Baltimore, MD 21208
Henrietta & William Neill, III, 1809 Circle Road, Towson, MD 21204
Office of People's Counsel

- NOTES: (1) **THE PETITIONERS MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY FEBRUARY 21, 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.**

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 06-329-A
Petitioner: Jill & Gregory Heard.
Address or Location: 1813 Circle Rd. 21208.

PLEASE FORWARD ADVERTISING BILL TO:

Name: L. J. Link. Jr.
Address: 2201. Old. Court Rd.
Balto. Md. 21208.

Telephone Number: 410-337-9528

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 329 -A Address 1813 Circle Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/5/06 Posting Date: 1/15/06 Closing Date: 1/30/06

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 06- 329 -A Address 1813 Circle Rd.

Petitioner's Name Jill & Gregory Heard Telephone 410-337-9528

Posting Date: 1/15/06 Closing Date: 1/30/06

Wording for Sign: To Permit a proposed garage in the front yard with a height of 17 ft. in lieu of the required rear yard and 15 ft. height, and to approve an existing shed be located in the side/rear yards in lieu of the required rear yard.

WCR - Revised 6/25/04

**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 30, 2006

Gregory Heard
Jill C. Heard
1813 Circle Road
Ruxton, Maryland 21204

Dear Mr. and Mrs. Heard:

RE: Case Number: 06-329-A, 1813 Circle Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 5, 2006.

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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
LJ Link, Jr. 2201 Old Court Road Baltimore 21208



Baltimore County
Fire Department

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

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

JANUARY 20, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: January 16, 2006

Item No.: 328, 329, 330, 331, 333, 334, 335

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

Acting Lt. David Heath
Fire Marshal's Office
(O) 410-887-4881
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 31, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For January 23, 2006
Item Nos. 328, 329, 330, 331, 332, 333, and 335

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-01312006.doc

INTER-OFFICE CORRESPONDENCE

DATE: January 31, 2006

Figure 1

1

Curtis Murray

John Herbert

總 計 共 計 有 下 列 各 項 之 計 劃

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



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

Maryland Department of Transportation

Date: 1.17.76

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

RE: Baltimore County
Item No. 329 BPR

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

**Department of Permits and
Development Management**

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



Baltimore County

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

February 14, 2006

Gregory Heard
Jill C. Heard
1813 Circle Road
Ruxton, Maryland 21204

Dear Mr. and Mrs. Heard:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 06-329-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand or the zoning commissioner is 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 Bruno Ruditis at 410-887-3391.

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:amf

C: People's Counsel
LJ Link, Jr. 2201 Old Court Road Baltimore 21208

Zoning Commissioner of Baltimore County – Towson, Maryland

Opposition to Request for Variance

Reference: Case Number 06-329-A

Address: 1813 Circle Road - Ruxton, Maryland 21204

Owner: Gregory & Jill Heard

We, the undersigned, long time residents of Circle Road, in close proximity to the subject property, find it necessary to strongly oppose the requested variance by Mr. & Mrs. Heard to build a 30 x 25 foot 2-car garage in the front yard of the DR-1 zoned small-sized lot (0.75 acres).

Zoning Article 4, Section 400.1 states that accessory buildings in residence zones, shall be located only in the rear yard .

Circle Road is a unique residential area known for its historically unspoiled character. The natural beauty of this area with old growth trees has made it an extremely desirable location. The existing zoning restrictions have made it possible for properties to retain their rural atmosphere and their monetary value.

February 13, 2006

Hunter Stuart Neill - 1809 Circle Rd
William Neill - 1809 Circle Rd.

06-329-A

RECEIVED

MAR 15 2006

Reference: Case Number 06-329-A
Address: 1813 Circle Road – Ruxton, Maryland 21204
Owner: Gregory & Jill Heard

1809 Circle Road
Ruxton, Maryland 21204
March 15, 2006

Baltimore County
Zoning Commissioner's Office
401 Bosley Avenue, Room 405
Towson, Maryland 21204
Attn: William J. Wiseman, III

Dear Mr. Wiseman:

Our neighborhood association has long sought to retain the historically unspoiled nature of Ruxton, Riderwood, and other Lake Roland areas in the face of intensifying development. Our reason for protesting the Heard's request for three changes in zoning is our effort to preserve the ever-diminishing open space in our neighborhood. If we succeed in convincing you to reject the request for variances, not only will we benefit but the entire neighborhood will benefit.

The Heard's request is to erect an oversized double garage with an adjacent six-foot porch in the front yard of their undersized (3/4 acre) DR-1 lot. The six families who occupied the house prior to the Heards did not have a hardship without a garage. The Heards should have realized before they purchased the home that they could not put the garage in the rear because of the septic system and steep grade and zoning prohibits a garage in the front of the house. We should note that while the original plat submitted by the Heards indicated the property was served by a sewer, all properties in our area are on septic systems.

We want to reemphasize key issues we tried to bring out at the hearing as noted below:

Aesthetics and Property Value - The garage would be directly in our view from our living room window across the Tate's driveway. The garage not only impacts the aesthetics of our view but we are certain it will negatively impact the value of our property. The enclosed pictures may be helpful but cannot fully show the significant impact of the large garage and added macadam.

Environment – To build the garage, at least one magnificent very large, very old oak tree will be destroyed. The headwaters of the Roland Run Watershed originates on their little piece of land and is directly affected by the water run off of their sloping lot. The added hard surface entrance to the garage off the existing enormous driveway and the garage itself will add in excess of an estimated 2,300 square feet of impervious surface, further adding to runoff problems.

Shed Reclassification Variance Request – We wondered about the rationale for the requested reclassification of the shed's location. On the surface it seems relatively insignificant. However, we believe one possibility is that if the reclassification is approved it could imply that the requested location of the garage would then be on the side of the house rather than the front and then no variance would even be required when applying for a building permit. Therefore, we request that you not approve this variance request.

Win or lose, we sincerely believe our opposition to the Heard's variance requests is the right thing to do for us and our neighborhood.

Sincerely,

Henrietta Stuart Neill

A handwritten signature in cursive script that reads "Henrietta Stuart Neill".

William Neill III

A handwritten signature in cursive script that reads "William Neill III".

Reference Case No. # 06.329-A

MRS. WILLIAM NEILL III
1809 CIRCLE ROAD
RUXTON, MARYLAND 21204

RECEIVED

April 20, 2006

APR 2 2006
Dear Mr. Wiseman,

We wish to request a reconsideration of the ruling of March 20 regarding variance release on the owner occupied property of Mr & Mrs Gregory Heard at 1813 Circle Rd., Ruxton.

We would like to take issue with a number of statements regarding the homeowners' need for a variance and their hardship without a variance.

We tried to point out at the hearing and in our letters to you that the petitioners' reasons for variance were ours exactly for objection. The Heards should

have purchased a property without environmental issues, large enough for a oversized garage or bought one with a garage.

The practical difficulties with the property were well known and six previous owners in our time have not had unreasonable hardship without a garage.

We feel that granting the variance is not in strict harmony with the spirit and intent of the said height and area regulations and will certainly injure the area where we live.

MRS. WILLIAM NEILL III
1809 CIRCLE ROAD
RUXTON, MARYLAND 21204

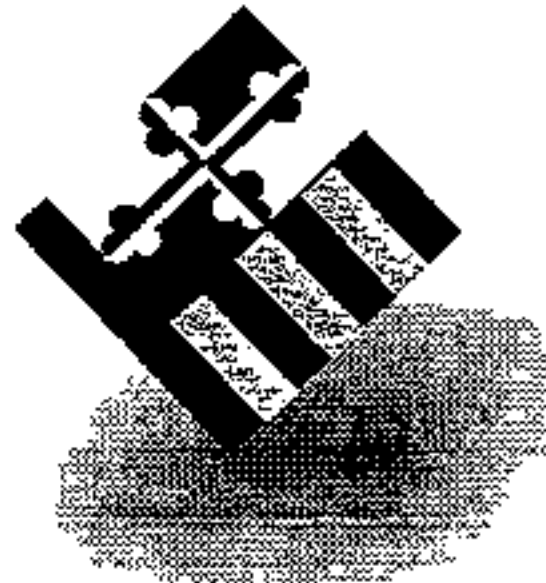
Sadly, we do feel that
variances were granted for
family reasons and hope you
will reconsider them.

We are available to dis-
cuss the matter by phone or
in person -

Sincerely,

Henrietta S. Neill

William Neill III



BALTIMORE COUNTY

M A R Y L A N D
May 9, 2006

JAMES T. SMITH, JR.
County Executive
Mr. & Mrs. William Neill, III
1809 Circle Road
Ruxton, Maryland 21204

WILLIAM J. WISEMAN III
Zoning Commissioner

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
NE/S Circle Road, W of the c/l Ruxton Road
(1813 Circle Road)
9th Election District – 2nd Council District
Gregory G. Heard, et ux - Petitioners
Case No. 06-329-A

Dear Mr. & Mrs. Neill:

In response to your letter of April 20, 2006 concerning the above-captioned matter, the following comments are offered.

Your letter has been accepted as a Motion for Reconsideration of the decision rendered by my Opinion and Ordered dated March 20, 2006. I have considered the representations made in your letter and understand your position. The answer simply rests upon the premise or question as to whether there is a public interest which justifies a serious restriction on the rights of the referenced property owners to the reasonable use of their property. I considered the differing views presented in this case. Albeit, while the facts rendered the decision a difficult one to make, requiring a site visit, there is simply nothing new presented here to justify a reconsideration of the zoning relief granted. The Petitioners purchase of the property, knowing that a variance from the zoning regulations would be required in order to build a garage, does not create a self-created hardship. See *Roeser v. Anne Arundel County* 368 Md. 294 (2002). Additionally, a property owner has a common law right to use his property in a manner so as to realize its highest and best use. *Aspen Hill Venture v. Montgomery County Council* 265 Md. 303 (1972). A garage is a reasonable accessory use to a residence.

Therefore, your Motion for Reconsideration is respectfully denied. This letter shall be considered an Order denying same and any appeal from this decision must be filed within thirty (30) days of the date hereof. I am sorry I could not respond more favorably.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Mr. L. J. Link, Jr., 2201 Old Court Road, Baltimore, Md. 21208
Mr. & Mrs. Margaret Wheeler, 1812 Circle Road, Ruxton, Md. 21204
Ms. Nancy Horst, RRLRAIA, P.O. Box 204, Riderwood, Md. 21139
Ms. Kimberly Warren, 405 Meadowridge Road, Baltimore, Md. 21204
Mr. Marvin Tenbury, 12206 Boxer Hill Road, Cockeysville, Md. 21030
People's Counsel: Carey Pile

RECEIVED FOR FILING
Date 5-9-06
By William J. Wiseman

- Mr. W. Wiseman.
Zoning Commissioner
- Good Morning.
- With regards the above mentioned case, I wish to restate my client's position as to his desire to construct a detached garage in the "front" yard of his property. As stated,
 - 1) the proposed garage represents an improvement to the house & grounds,
 - 2) the addition of a garage functionally meets the needs of my client,
 - 3) the site restricts location of the garage only to the front yard due to environmental considerations &
 - 4) my client wishes to exercise his property rights to improve his property in a sensitive manner as not to be a detriment to the community.
- Your consideration with regards this matter will be greatly appreciated.

◦ Cordially

L. J. Link Jr.
Apr 20/06

L.J. Link Jr., Inc.
Architect
Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
410. 337. 9528
fac 410. 369, 6601

L.J. LINK JR. ARCHITECT

(SIGN IN SHEETS – OPPORTUNITY TO SIGN) - (RECORDER)

Good Morning – My name is Bill Wiseman, I am the Zoning Commissioner for Baltimore County and I've been assigned to hear your case pursuant to Art. 32 of the Baltimore County Code. **THESE PROCEEDINGS ARE BEING RECORDED**

FOR THE RECORD, THIS IS A PUBLIC HEARING ON case number 06-329-A

This is a Petition for ADMINISTRATIVE
Variance
Special Hearing
Special Exception

filed by JILL & GREGORY HEARD for property located at
1813 CIRCLE RD and zoned DR 1.

"Read language from file" READ

The Code requires that notice of today's hearings be provided to neighbors and interested parties by the posting of a sign on the property for at least 15 days prior to the hearing. The sign was posted 2-21-06 by MARTIN OGLE, an approved sign poster and shows the time, date, place and subject matter of the hearing.

The Code further requires that notice be placed in a newspaper of general circulation, in this case the Jeffersonian, and the file contains the requisite certification of publication.

I THEREFORE FIND THAT THE POSTING AND NOTICE REQUIREMENTS HAVE BEEN SATISFIED

IF ATTORNEYS PRESENT, HAVE THEM IDENTIFY THEMSELVES; ASK IF THERE ARE ANY PRELIMINARY MATTERS

LOOK AROUND ROOM – AND ASK – IS ANYONE HERE APPEARING IN OPPOSITION TO THE REQUEST?

NO PROTESTANTS: For the record, no one is here in opposition to the request. Mr./Ms. _____, since there is no opposition, if you want to make AN **INFORMAL PROFFER** of the *testimony* and *evidence*, you're welcome to do so.

IF PROTESTANTS: This is your opportunity to come forward and have a seat at the table. You will be able to see and hear better, so come forward and I have a sign-in sheet here for you to sign so that we can mail you a copy of the decision in this case.

NANCY HORST - Executive Director Ruxton Ridewood - OK

1809 Circle RD - WILLIAM & HENRIETTA NEILL - OPPOSE

EXPLAIN PROCESS:

First the owner of the property will have an opportunity to present testimony and evidence regarding the _____ request for the property at _____.

Listen carefully, if you have any questions that you want to ask of any witness who testifies, I'll give you an opportunity to do so.

Once Petitioner is finished putting forward their testimony, and you've had an opportunity to ask questions, you will be given an opportunity to present testimony and evidence for me to consider in this _____ request. I'll tell you when it's appropriate to ask questions and when it's appropriate to testify – help you along as we proceed.

PRESENT CASE

SWEAR WITNESS – NAME AND ADDRESS – HAVE A SEAT

All right Mr./Ms. _____, please proceed with your case:

TO PROTESTANTS: Do you have any questions about the testimony that Mr./Ms. _____ just gave? I don't want to hear any testimony from you at this point, but if you would like to ask him/her any questions go ahead.

CLOSE OF PETIONERS CASE: This is your opportunity to tell me why you might be opposed to this _____. Where do you live? How long have you lived there? What is it about the _____ that bothers you/or what would you like to tell me about this case.

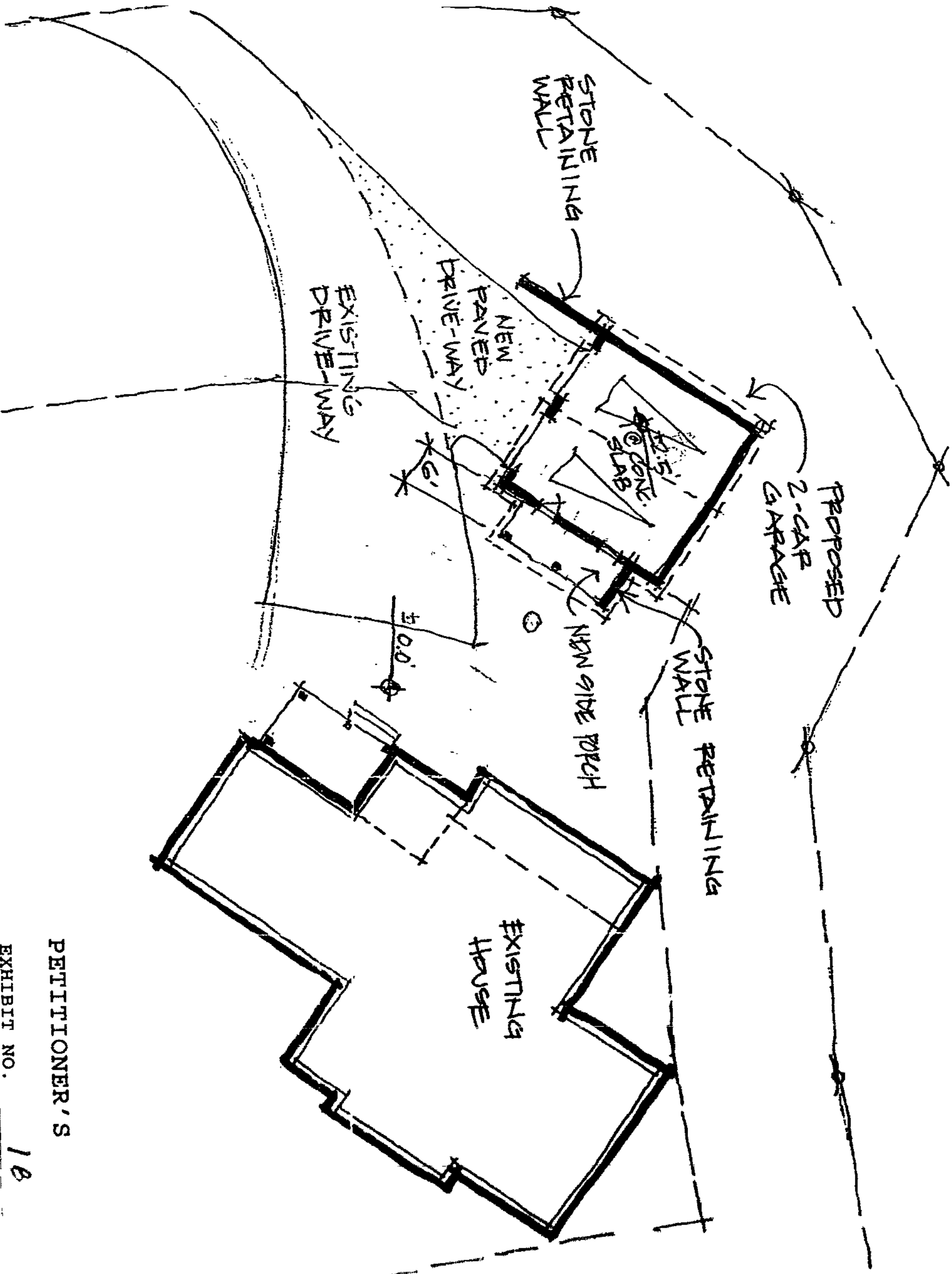
CONCLUSION: ALRIGHT – THANK YOU. THIS WILL CONCLUDE THE MATTER.
THANK YOU FOR ATTENDING

I'm not prepared to make a decision here and now.

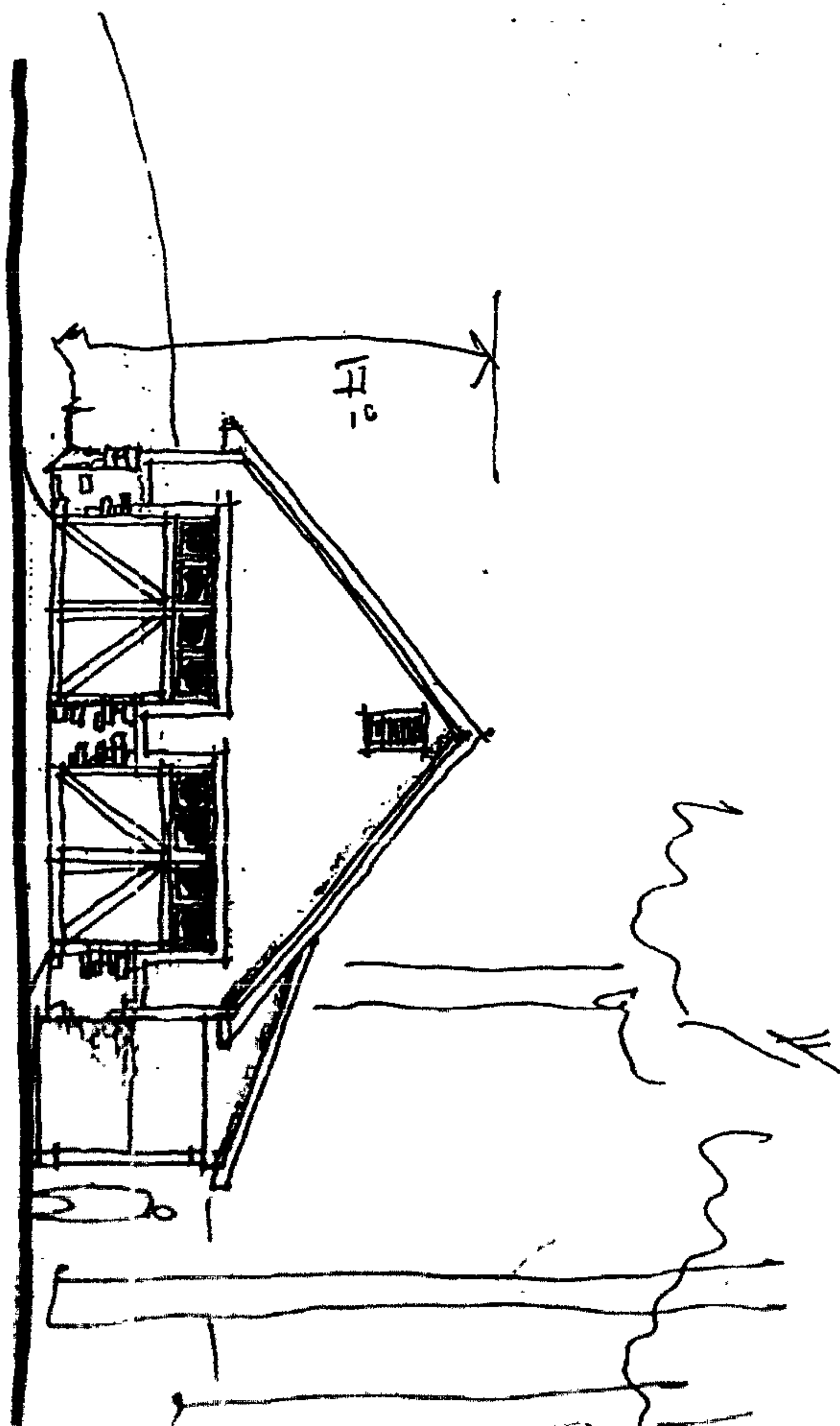
I want some time to think about the evidence presented - might want to look at the property

Hopefully, within a few weeks, I'll issue a written decision in the case

If you do not like my decision, YOU HAVE A RIGHT TO APPEAL TO THE Board of Appeals. This must be done within 30 days from date of my Order.



2 CAR GARAGE



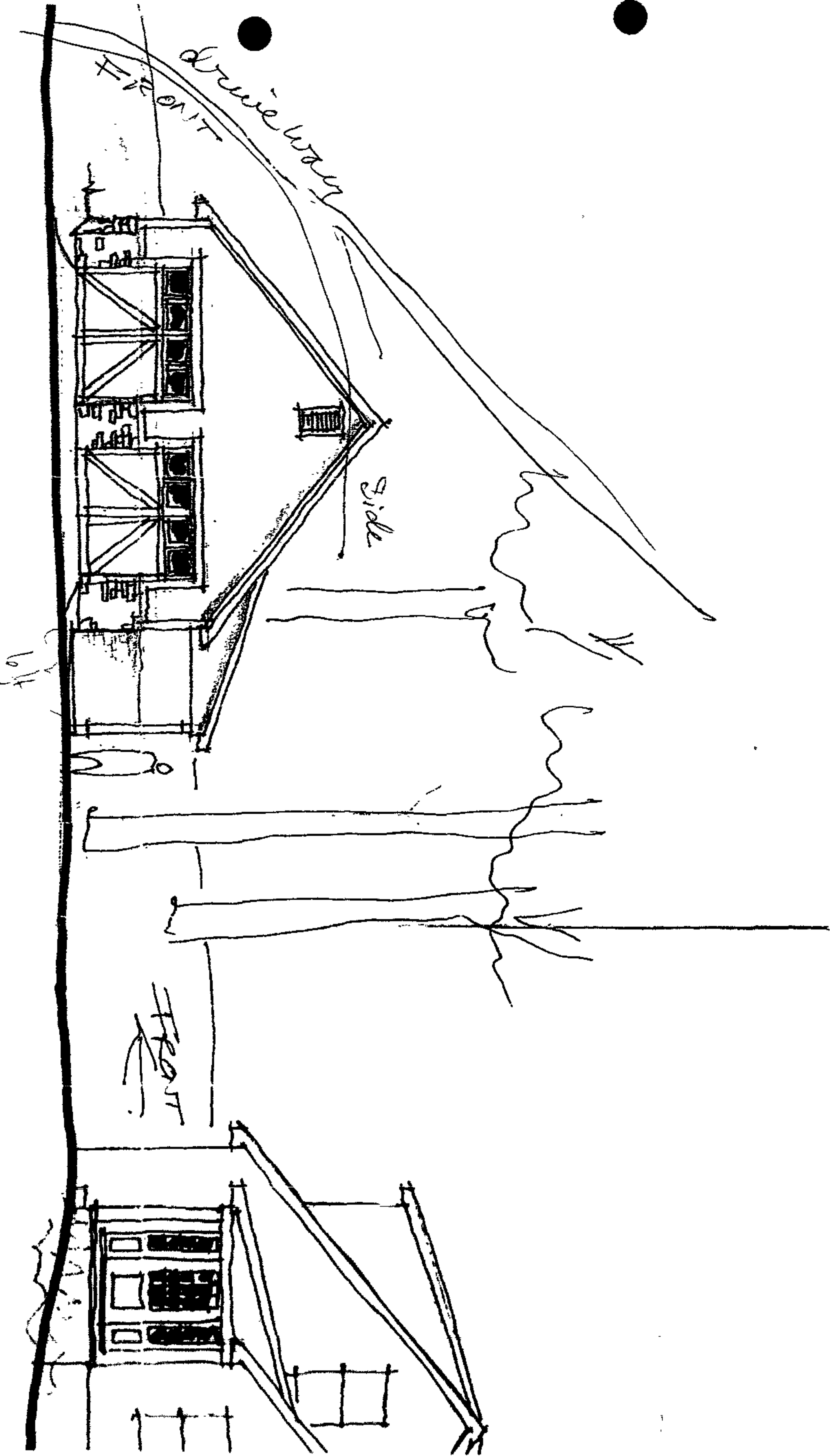
Front Driveway

Side

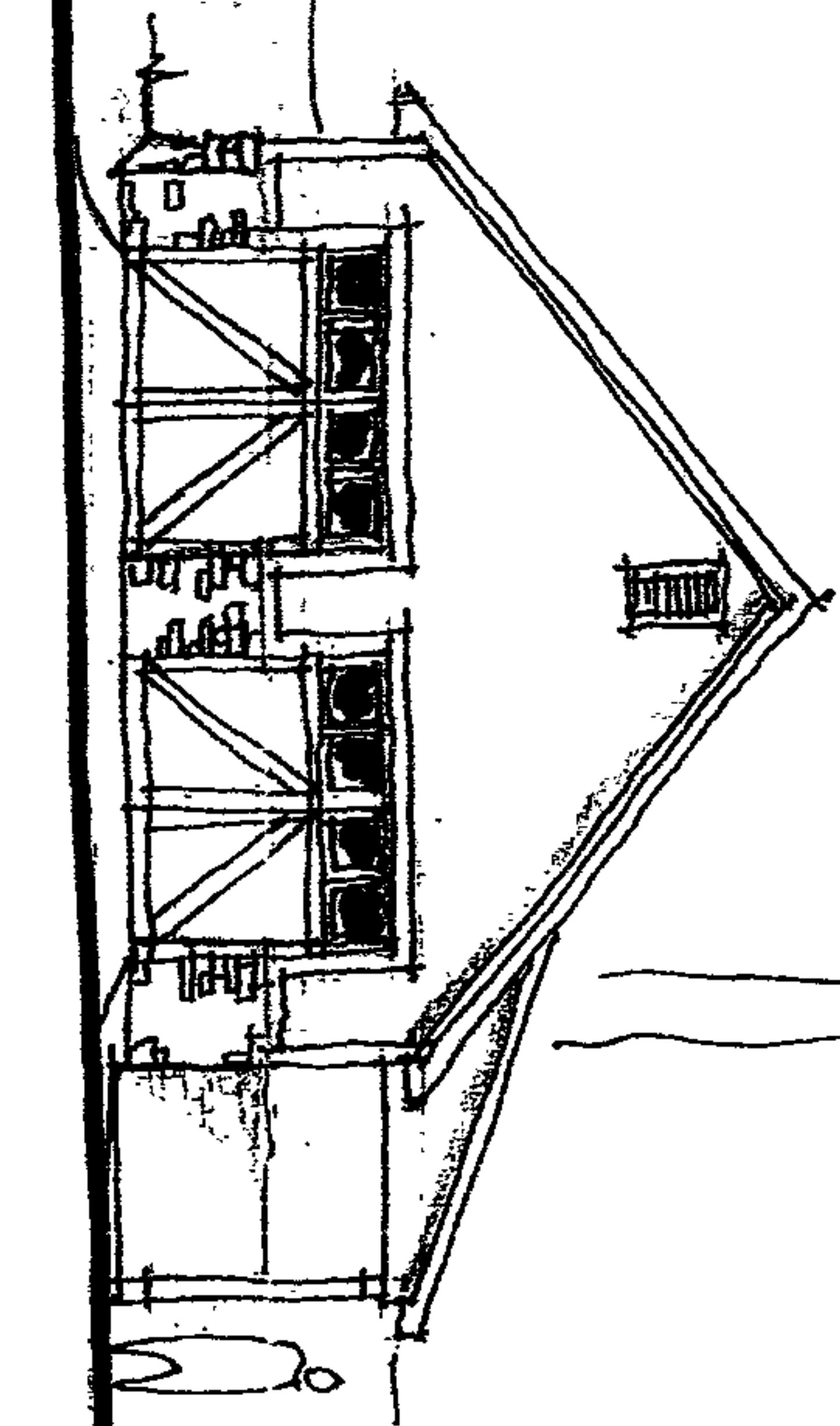
East

2 CAR GARAGE

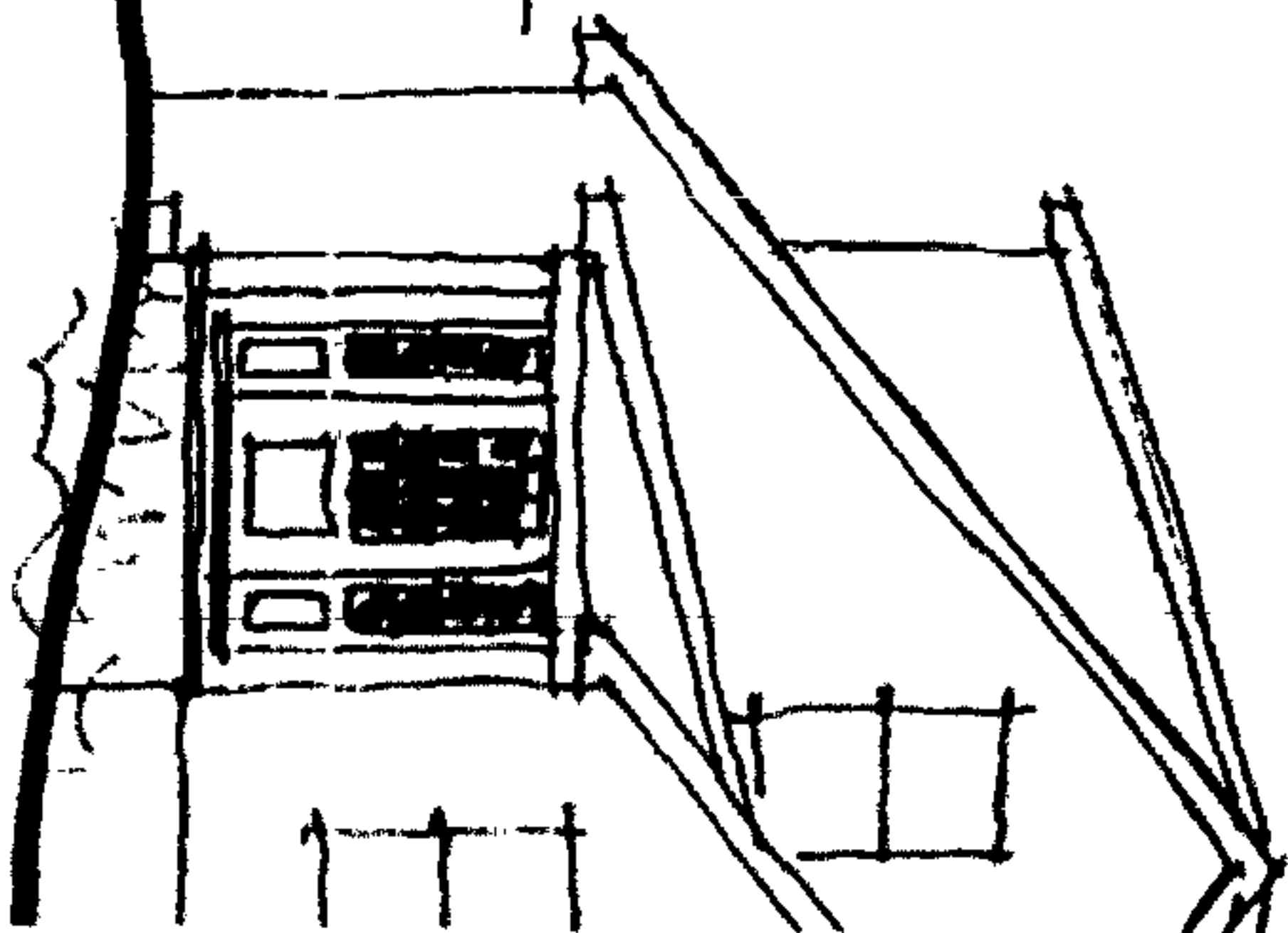
EXISTING



2 CAR GARAGE



EXISTING



3/8 - @ 11:00 AM
06-329 A

Bill

Enclosed find support "letters"
e mails from. Ruxton / Ridewood
Assoc. in support of the variance
on 1813 Cville Road. ---

Thanks.

Larry.

L.J. Link Jr., Inc.
Architect
Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
410. 337. 9528
fac 410. 369, 6601

**Department of Permits and
Development Management**



Baltimore County

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

February 14, 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: 06-329-A

1813 Circle Road
East side of Circle Road, 3600 Feet west Lake Roland Drive
9th Election District— 2nd Councilmanic District
Legal Owners: Jill C. and Gregory Heard

Variance to permit a proposed garage be located in the front yard with a height of 17 feet in lieu of the required rear yard and 15 foot height and to approve an existing shed to be located in the side/rear yard in lieu of the required rear yard.

Hearing: Wednesday, March 8, 2006 @ 11:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

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

Timothy Kotroco
Director

TK: raj

C: Jill C. & Gregory Heard, 1813 Circle Road, Ruxton, MD 21204
✓ L. J. Link, Jr., 2201 Old Court Road, Baltimore, MD 21208
Henrietta & William Neill, III, 1809 Circle Road, Towson, MD 21204
Office of People's Counsel

- NOTES: (1) THE PETITIONERS MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY FEBRUARY 21, 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.

Greg Heard

From: Jill Heard [Jheard@sheltergrp.com]
Sent: Tuesday, January 31, 2006 2:01 PM
To: HOME
Cc: Greg Heard
Subject: FW: Administrative Variance - 1813 circle road

For the files

Jill Heard
Development Associate
410.385.8404
jheard@sheltergrp.com

-----Original Message-----

From: ruxrider [mailto:ruxrider@bcpl.net]
Sent: Monday, January 23, 2006 12:10 PM
To: Jill Heard
Subject: RE: Administrative Variance - 1813 circle road

Jill - You're quite welcome. My husband and I walked by your house over the weekend, and we can see why you need to put the garage in the 'front' yard. Love what you're doing with your house!

Nancy W. Horst

Nancy Worden Horst
Executive Director
RRLRAIA
410/494-7757

>===== Original Message From "Jill Heard" <Jheard@sheltergrp.com> =====

>Hi Nancy -

>

>Just wanted to thank you for the weekend hold on the email/postcard notice. For the direct neighbors that we were not able to speak with, we left them a note with a brief description of our project with the elevation drawings attached.

>

>It was nice speaking with you - please don't hesitate to call if you have any other questions.

>Jill

>

>Jill Heard
>Development Associate
>410.385.8404
>jheard@sheltergrp.com

RECEIVED

MAR 6 2006

By
3/8

March 2, 2006

William J. Wiseman, III

Opposition to Request for Variance

Reference: Case Number 06-329-A

Address: 1813 Circle Road - Ruxton, Maryland 21204

Owner: Gregory & Jill Heard

We are long time residents of Circle Road, living adjacent to the subject property, find it necessary to strongly oppose the requested variance by Mr. & Mrs. Heard to construct an oversized 2-car garage 30 x 26 x 17 feet high with a porch in the front yard of the DR-1 zoned undersized lot (0.75 acres).

We believe the regulation was set forth to protect neighbors from construction that would adversely impact the desirability of their homes and believe the restriction should apply in this case.

Circle Road is a unique residential area known for its historically unspoiled character. The natural beauty of this area with old growth trees has made it an extremely desirable location. The existing zoning restrictions have made it possible for properties to retain their rural atmosphere and their monetary value.

We are concerned that zoning approval of the requested variance will set a precedent for overgrowth.

William Neil III
Henrietta Street Neil

1809 Circle Road
Ruxton, Maryland 21204
March 2, 2006

Baltimore County
Zoning Commissioner's Office
401 Bosley Avenue, Room 405
Towson, Maryland 21204
Attn: William J. Wiseman, III

Reference Case # 06-329-A

Dear Mr. Wiseman:

We want to give you a short history of the once small home at 1813 Circle Road. At one time the little house was home for the farmer on the premises of the home now belonging to Mr. & Mrs. Tate (1811) at the top of the driveway shown on the old map. Over the years the property was sold and divided into smaller plots. The asparagus fields are gone and now Circle Road has perhaps some fifty residences.

The 1813 lot with the little house is 0.75 acres, sold off long before there were zoning specifications. The house has changed owners six times in the many years we have lived on Circle Road. The house has been enlarged on both ends, front, and back. The present owners, the Heards, are in the process of closing in the front porch facing our house (across the Tate's driveway). They have closed off the front doorway and moved the door 90 degrees to face Circle Road. We wonder if they are requesting the variance for the existing shed behind the house to be reclassified "in the side/rear" as they perhaps plan to plead hardship regarding the location of the garage. Mr. Heard's schematic drawing shows the house facing Circle Road. Turning the front door does not turn the house – the front of the house still faces our house.

It would have been wise and considerate, it seems to us, if Mr. Heard had asked for the variance before he incurred considerable expense with an architect. He has advised us that at least one of the large oaks on the front lawn will be cut down much to our distress. Springs and surface water problems have always plagued their property. The macadam needed for entrance to the garage will increase the already large driveway plus the garage itself will result in an estimated 2,000 square feet of additional impervious surface causing even more runoff.

We hope the Zoning Board will deny the variance and help preserve the distinct character of our little part of the world.

Sincerely,

Henrietta Stuart Neill

Henrietta Stuart Neill

William Neill III

William Neill III



Circle Road 1924 - - -

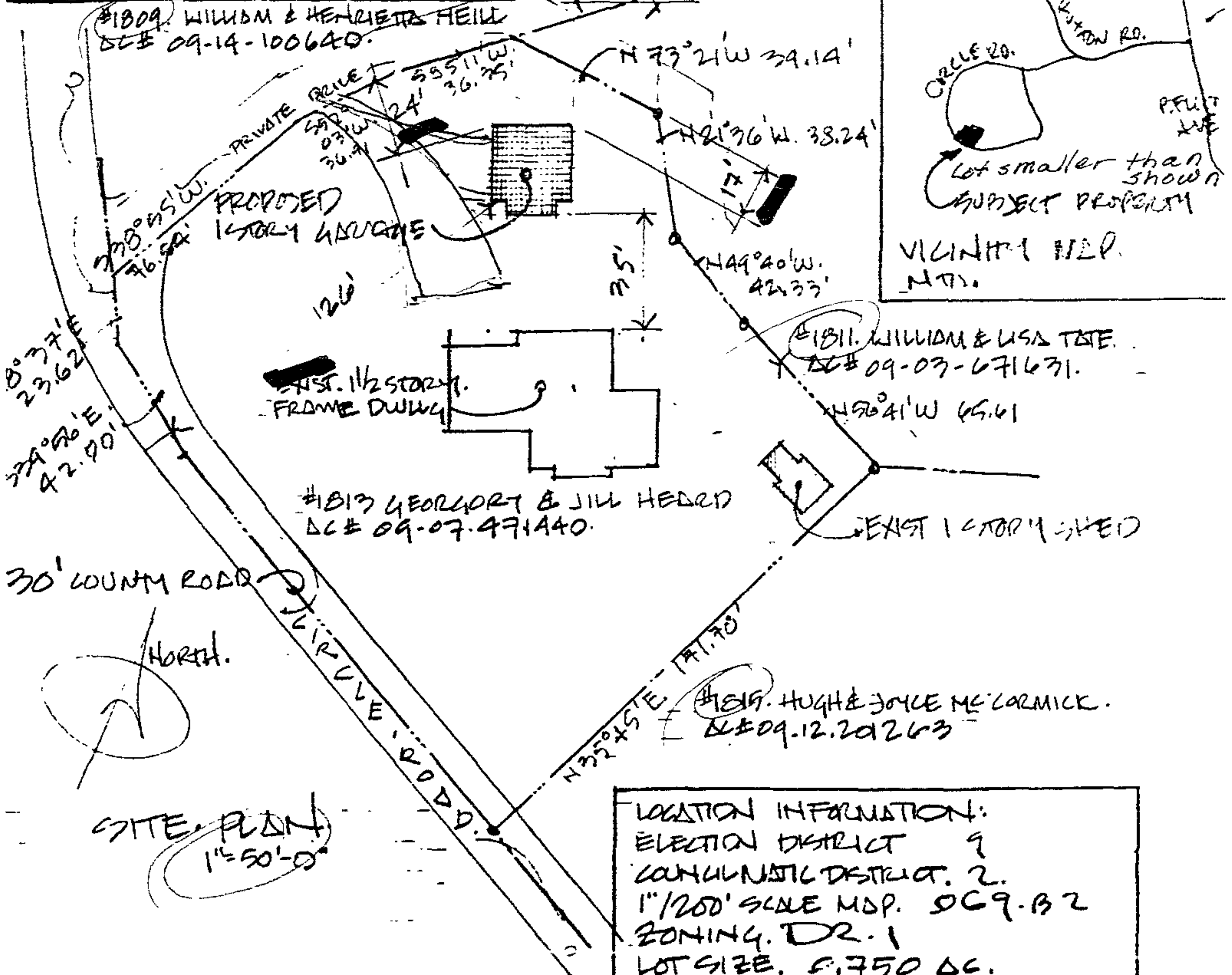
Baltimore County - My Neighborhood



Baltimore County - My Neighborhood



15 TO ACCOMPANY PETITION FOR ZONING. ☒ VARIANCE ☐ SPECIAL HEARING.
 133 CIRCLE ROAD, RUXTON, MD. 21204.
 OWNER: JILL & GREGORY HEARD.



SITE PLAN
 1"=50'-0"

L.J. Link Jr., Inc.
 Architect
 Box 727 Rockland Grist Mill
 Brooklandville, Md. 21022
 410. 337. 9528
 fac 410. 369, 6601

LOCATION INFORMATION:
 ELECTION DISTRICT 9
 CONGRESSIONAL DISTRICT 2.
 1"=200' SCALE MAP. DC 9-B2
 ZONING. DR-1
 LOT SIZE. 5,750 AC.
 32,670 SQ. FT.

SEWER. (E) ☒ NO
 WATER. YES.
 CHECKS FOR CRIT ACES NO.
 100 TR. FLOOD PLAIN NO.
 HISTORIC PROPERTY / BUDY. NO.
 PRIOR ZONING HAZ. NO.
 RUTEX / RIDGEWOOD. ACES. YES.

ZONING OFFICE USE ONLY
 REVIEW. ITEM #. DATE #
 324 DC 329-A

Art Wheeler

From: "Ruxton Riderwood Improvement Association" <ruxrider@bcpl.net>
To: "Ruxton Riderwood Improvement Association" <ruxrider@bcpl.net>
Sent: Monday, January 23, 2006 5:02 PM
Subject: Variance for 1813 Circle Road

Dear Neighbor:

Re: Case #06-329-A

Address: Owner: Gregory & Jill Heard

As a service to our residents, we attempt to notify residents when there is a zoning issue in their neighborhood. The owners of the property noted above have requested an Administrative Variance to permit a proposed garage to be located in the front yard with a height of 17 feet in lieu of the required rear yard and 15 foot height, and to approve an existing shed in the side/rear yard in lieu of the required rear yard. (Information is also provided on the sign posted in front of this property.)

At this time, RRLRAIA has no reason to oppose this variance request; we are merely bringing it to your attention. If you have question, you may wish to speak to the owners of the property; call Baltimore County Zoning (410-887-3391); or contact our office (410-494-7757; email: ruxrider@bcpl.net). You may also review the file at the County Office Building, Room 111, 111 West Chesapeake Ave.

Public meetings are not currently planned for this request. Pursuant to Section 26-127 (B) (1), *Baltimore County Code*, an eligible individual or group may request a public hearing concerning the proposed variance if it is filed **before 4:30 PM on January 30, 2006** at the Zoning Review Office, Baltimore County Office Building, Room 111, 111 West Chesapeake Avenue, Towson, MD 21204. There is a \$50 fee to demand a hearing.

Nancy Worden Horst - Executive Director

1/24/2006

January 22, 2006

Dear Art & Mickey;

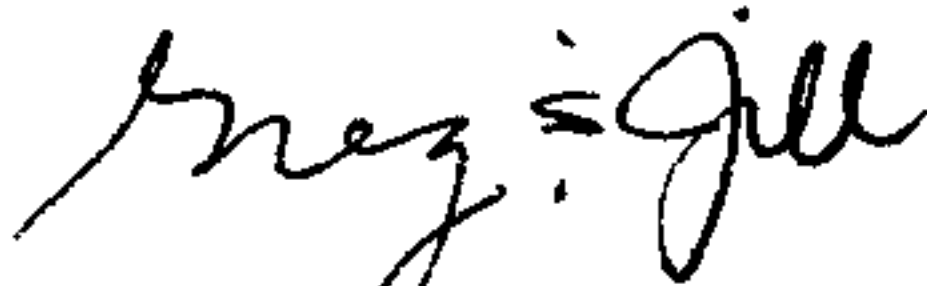
In the coming days, you will be receiving a postcard from the Ruxton-Riderwood-Lake Roland Association notifying you of our application for an administrative variance. We wanted to provide you with a pre-emptive notice of our plans for a two-car garage.

We have been working with architects for over 2 years. Originally, we were going to expand our home through the addition of an attached garage with a master suite above. We decided that plan would too dramatically change the feel of our home and did not fit with the character of the neighborhood. We believe that the current design creates a structure that will look as if it was part of the property forever.

We have attached a schematic drawing of the plans. As you look at our property from Circle Road, the garage will be located on the farside of our driveway. It will be set into our hill at a distance of at least 25 feet from the Tate/McCormick driveways that pass to the rear and side.

We hope that you will support our variance request. If you have any questions, please give us a call at 410.825.3065.

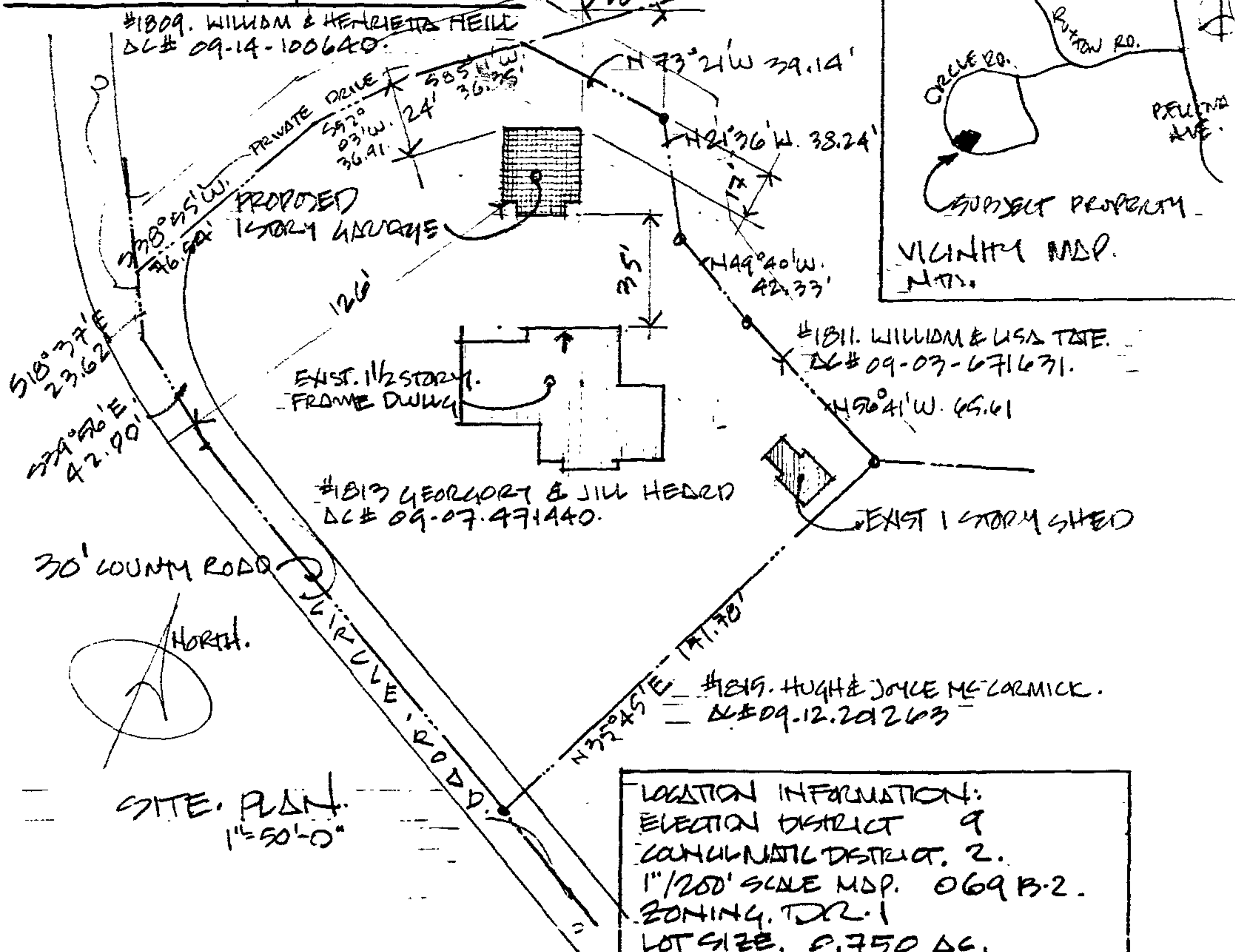
Thanks,



Greg & Jill Heard

PLAT TO ACCOMPANY PETITION FOR ZONING.
 1813 CIRCLE ROAD, RUXTON, MD. 21204.
 OWNER: JILL & GREGORY HEDDER.

☒ VARIANCE ☐ SPECIAL HEARING.



L.J. Link Jr., Inc.
 Architect
 Box 727 Rockland Grist Mill
 Brooklandville, Md. 21022
 410. 337. 9528
 fac 410. 369, 6601

LOCATION INFORMATION:
 ELECTION DISTRICT 9
 CONGRESSIONAL DISTRICT 2.
 1"=200' SCALE MAP. 069 B-2.
 ZONING. TDR-1
 LOT SIZE. 0.750 AC.
 32,670 SQ. FT.

SEWER. YES
 WATER. YES.
 CHECKSHEET FOR CRIT AED NO.
 100 TR. FLOOD PLAIN NO.
 HISTORIC PROPERTY / BUDY. NO.
 PRIOR ZONING HRY. NO.
 RUTEX / RIDELWOOD. AED, YES.

ZONING OFFICE USE ONLY
 REVIEWED. ITEM #. DATE #
 SH 329 06-329-A

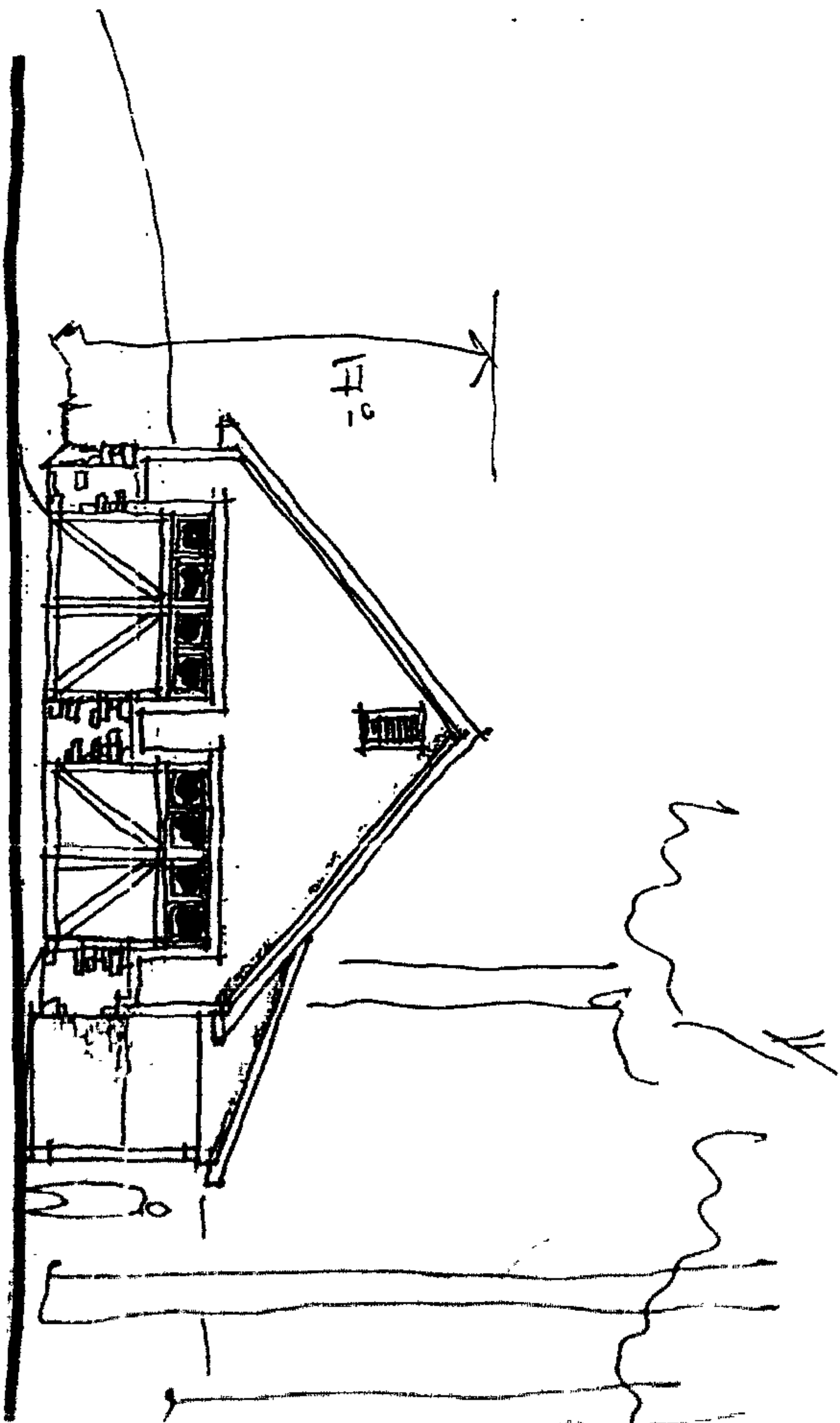
DATE _____

ADDRESS CITY, STATE, ZIP E-MAIL
bx727. Rockland Spirt-Hill. Rocklandville N.Y. 21022

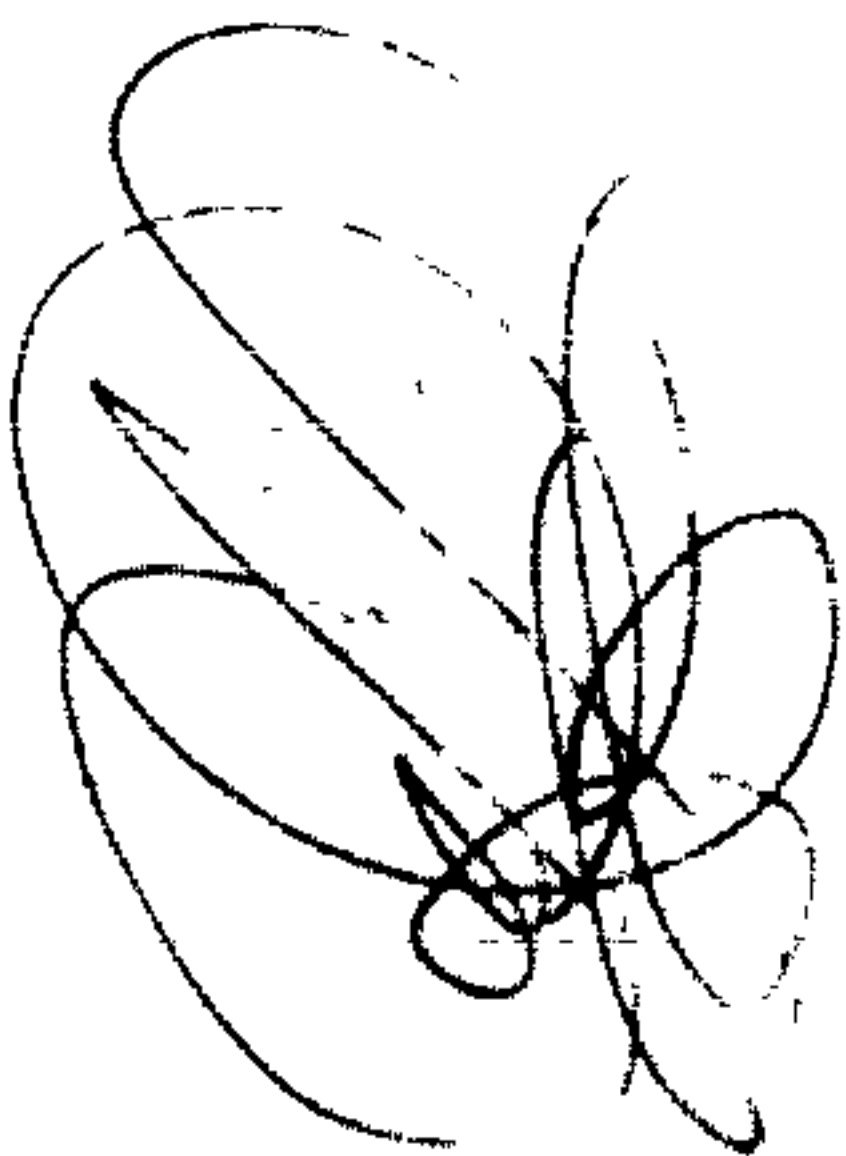
DATE _____

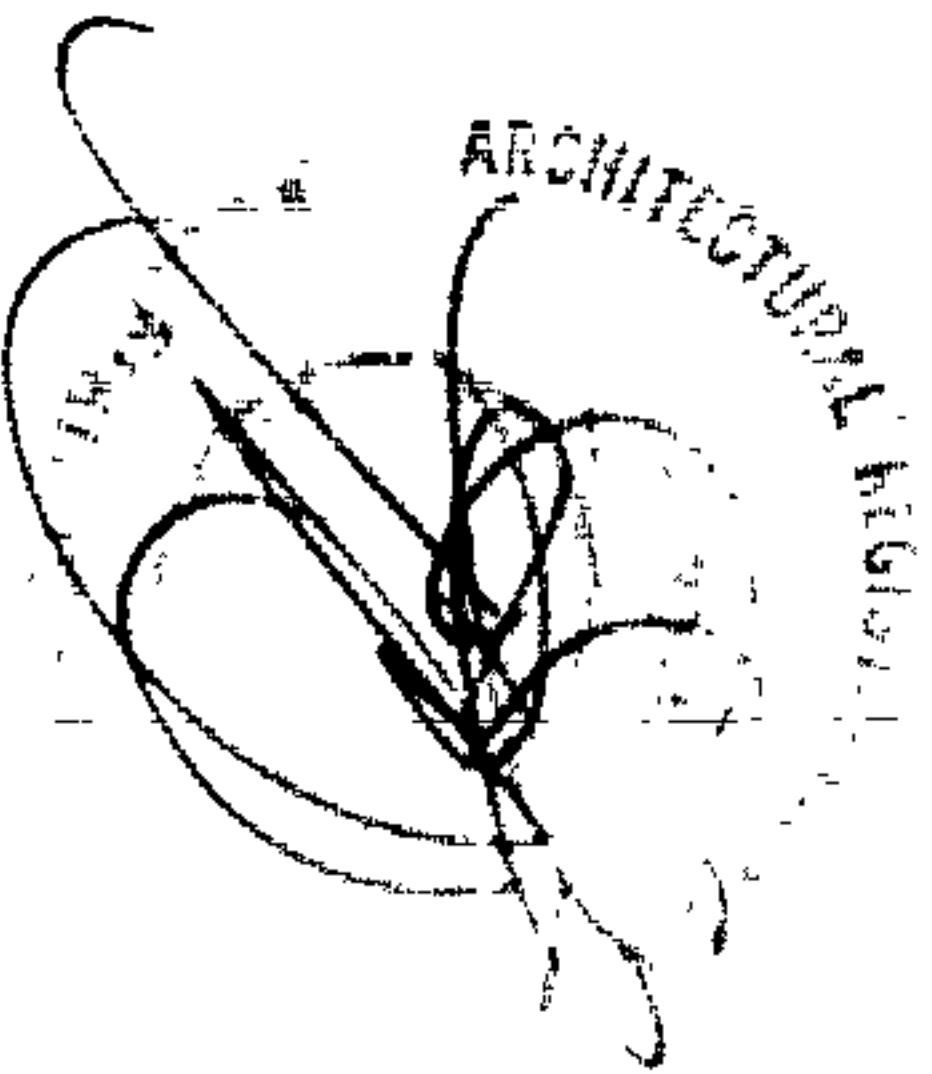
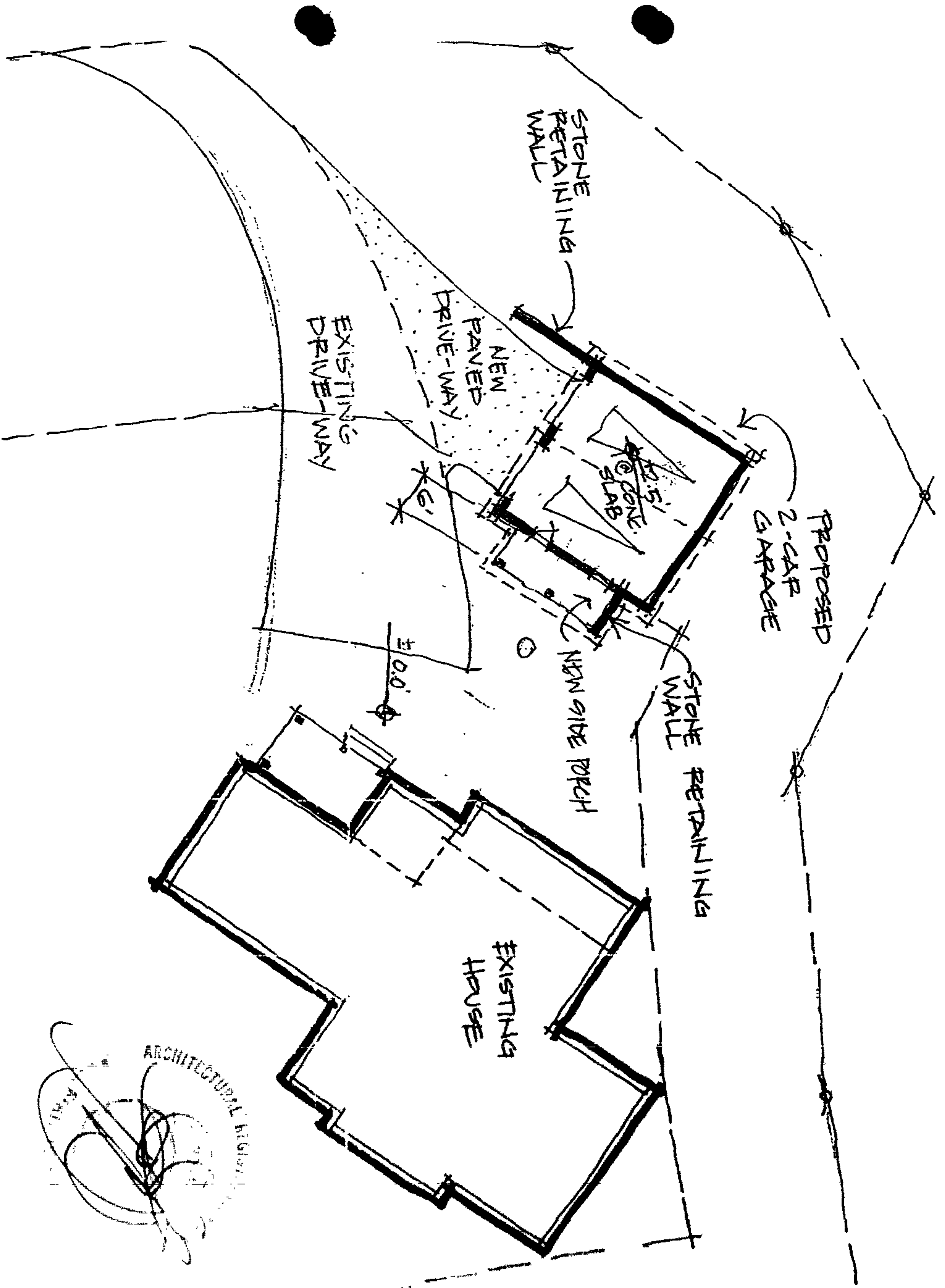
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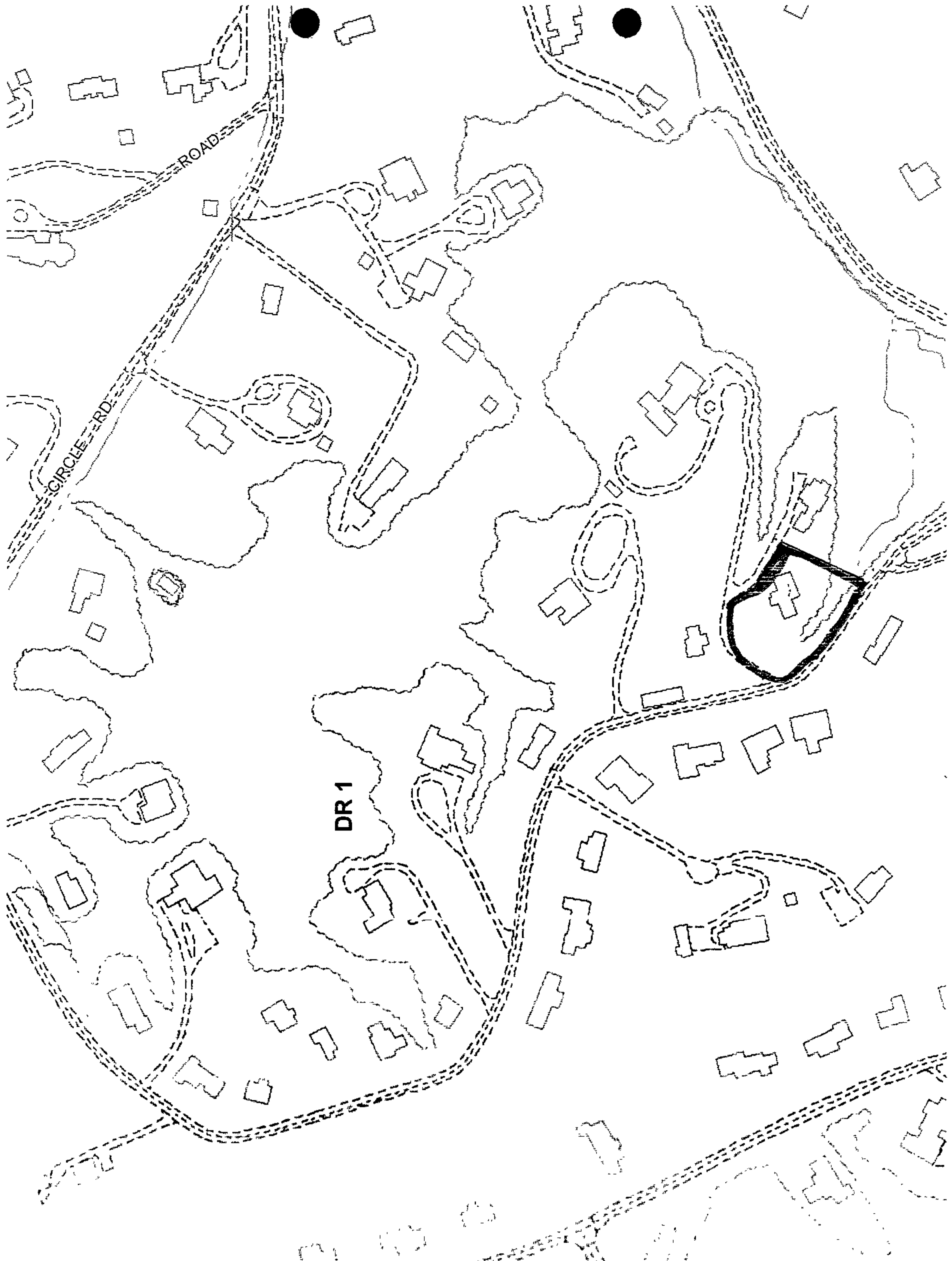
Herbert R. Wheeler William Marvin Tenberg Barry Horst Kimberly Warrin MARGARET WHEELER HERBERT WHEELER	1809 CIRCLE RD " " " 12206 Boxer Hill Rd. P.O. Box 204 405 Meadowsridge Rd 1872 CIRCLE RD 1872 CIRCLE RD	Kerry David 21204 " " " Cockeysville, Md 21039 Ridgewood, MD 21039 Baltimore Md 21204 Towson MD 21204 Towson MD 21204	TAXRIDER@BCPL.NET Kimberly.warrin@aol.com WHECO @ BCPL.NET WHECO @ BCPL.NET
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2 CAR GARAGE



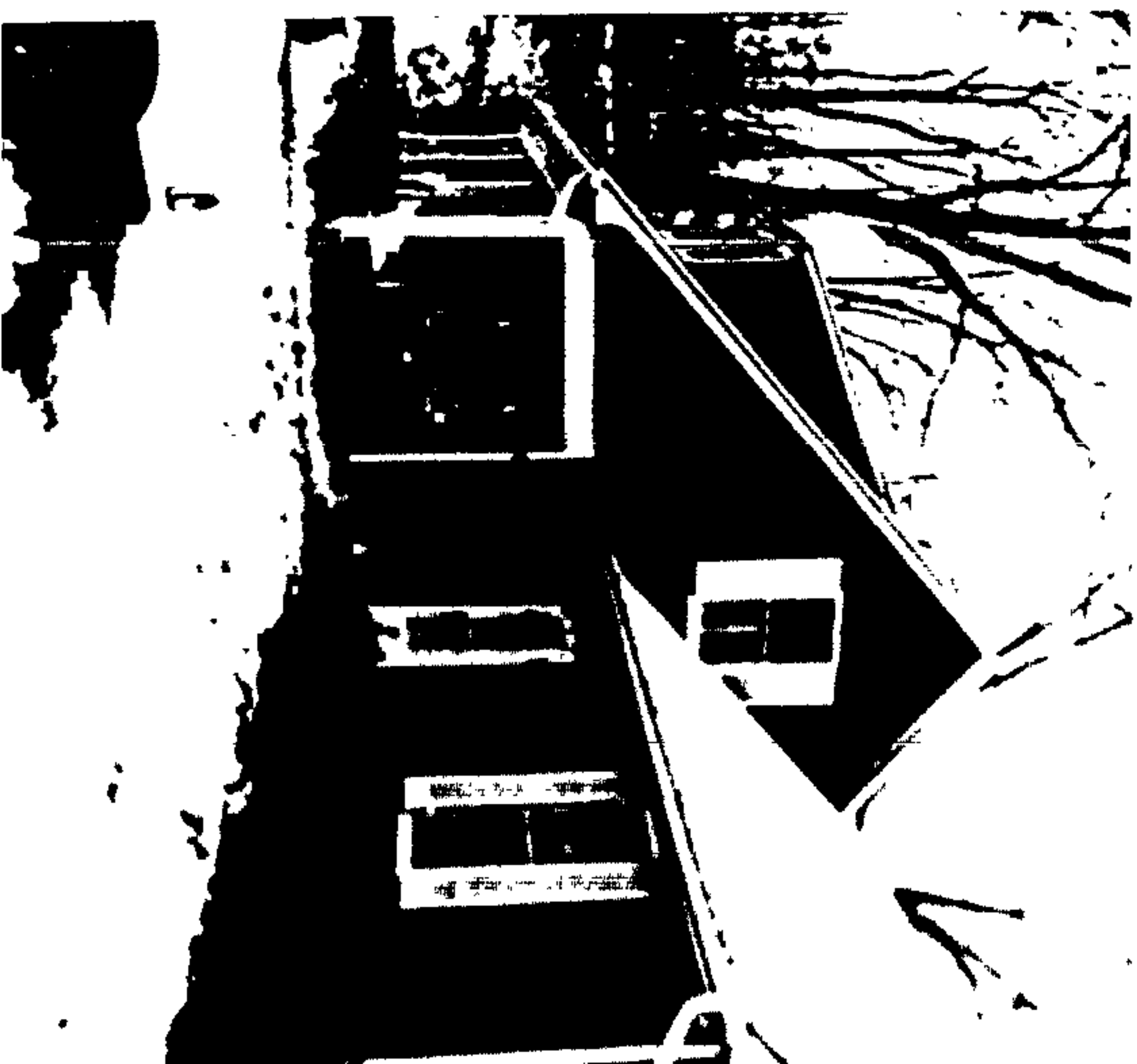


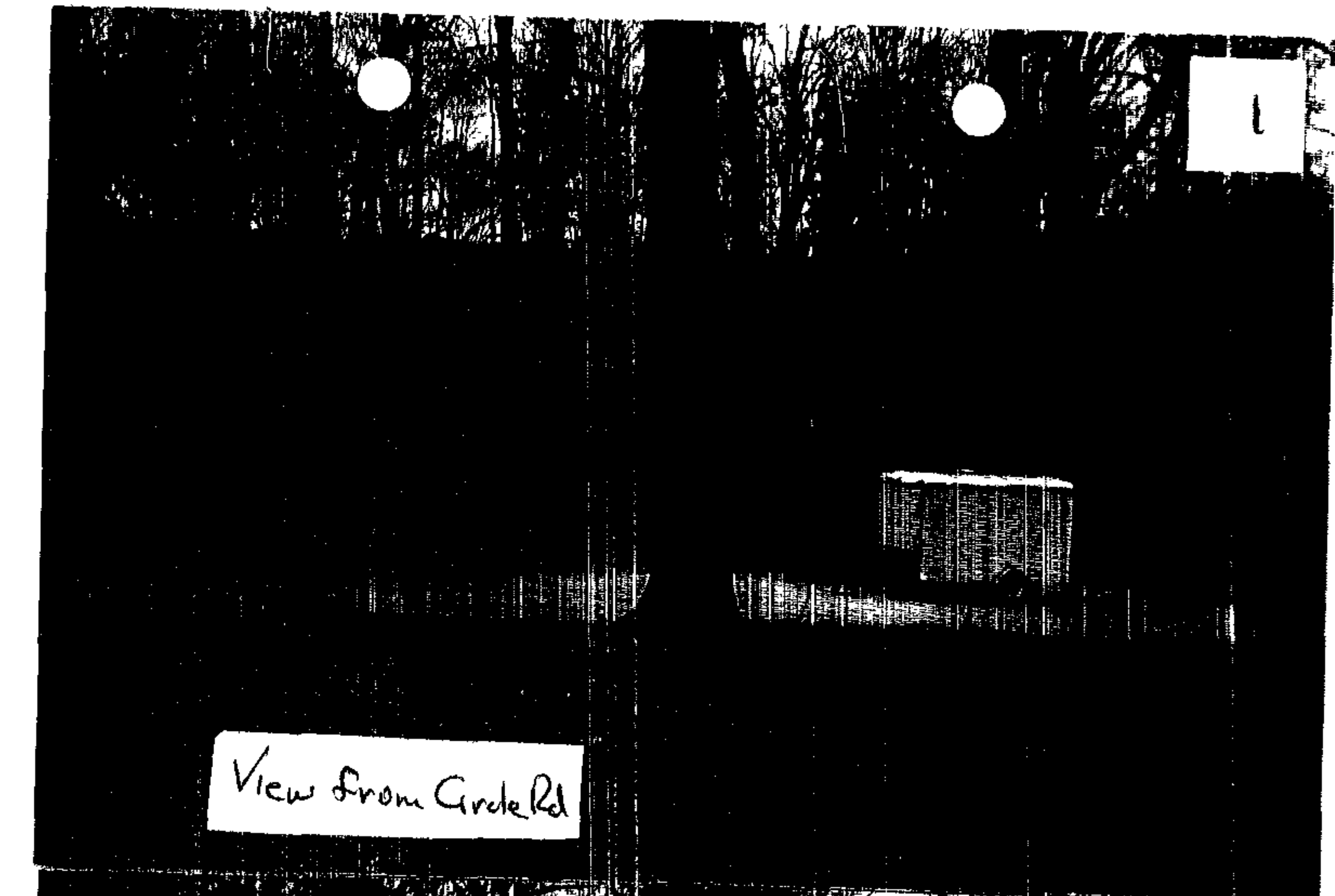


DR 1

map # 089 B2

329



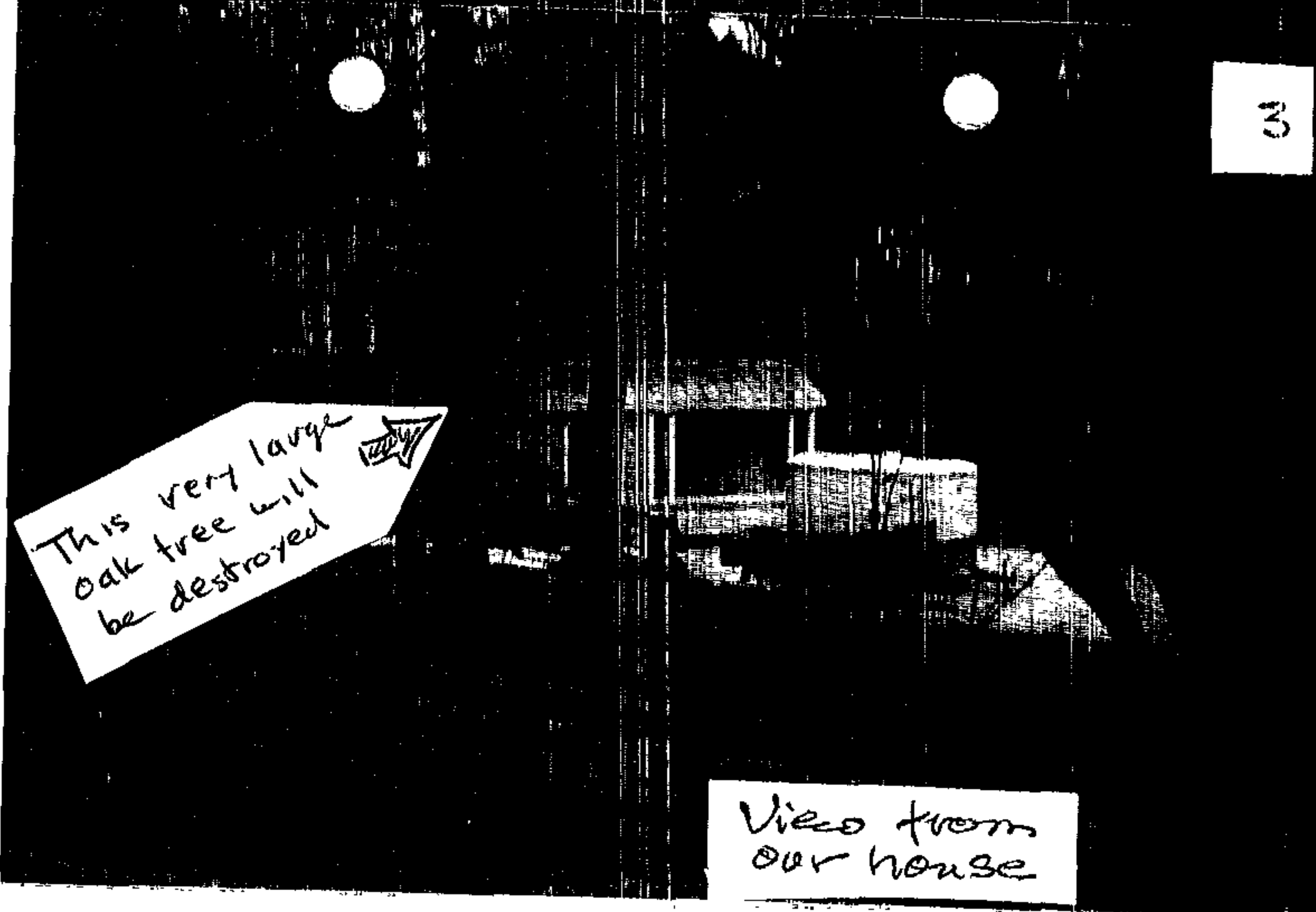


View from Grade Rd



Tree →

Enormous Driveway →



This very large
oak tree will
be destroyed →

View from
our house

2

