IN RE: PETITION FOR ADMIN. VARIANCE

SE corner of Denberg Road and

Calypso Court

쨔.

3<sup>rd</sup> Election District

2<sup>nd</sup> Councilmanic District

(7219 Denberg Road)

Gary and Susan Talles

Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

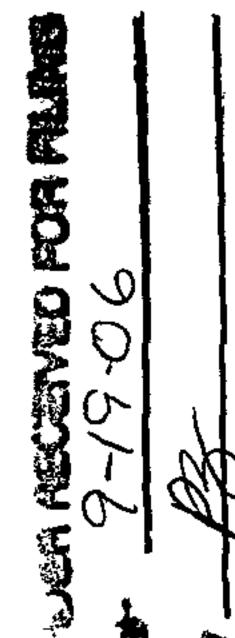
CASE NO. 07-023-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Gary and Susan Talles. The variance request is for property located at 7219 Denberg Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 27 feet in lieu of 40 feet required. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that the configuration of the existing house determines the location of the proposed addition. The existing Baltimore County Drainage and Utility Easement encumbers the area between the house and the northerly property line and limits expansion in the rear of the house. A swimming pool and other numerous improvements are in the rear of the house. The proposed location of the 14 foot projection is the only practical solution and does not change the character of the neighborhood.

## Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the Office of Planning dated August 2, 2006 which contains restrictions; copy of which is attached hereto and made a part hereof.



### Applicable Law

T. F. C.

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

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

### Findings of Fact and Conclusions of Law

Upon review of the Petition, a letter dated August 29, 2006 from the undersigned posed questions to the Petitioner why the addition proposed for the front of the Petitioner's homes could not be placed either on the side or rear of the home. A response from the Petitioner's engineer, Richard Matz, indicated the addition could not be built in any other place than proposed because of the active public sewer right of way across the rear and side of the house. In addition the Petitioner has an existing patio, pergola and pool in the rear yard as shown on photographs 10, 11 and 12 presented with the reply. Finally Mr. Matz points out that the houses on this block are not aligned in the front and the proposed addition will not be visible from the street to any degree by the mature trees and plantings on the property.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 28, 2006 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented initially and response to questions asked. I am satisfied that the Petitioner has no other reasonable location for the

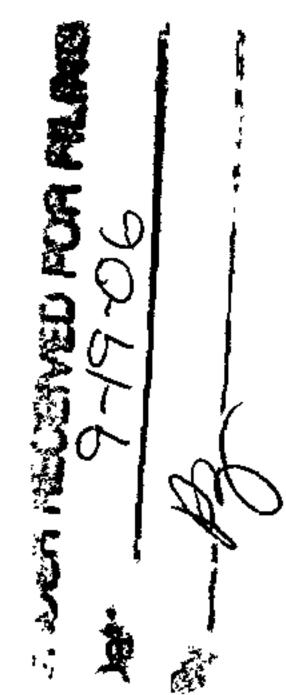
addition and that the addition will not adversely affect the community even if it is located in the front of the home in these circumstances.

The Petitioners have filed the supporting affidavits and photographs as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the supplemental information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 19<sup>th</sup> day of September, 2006, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 27 feet in lieu of 40 feet required be and is hereby GRANTED, subject to the following:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. A landscape plan shall be submitted to the Office of Planning for review and approval showing the existing location and type of vegetation in the front yard. Every effort should be made to retain significant trees and shrubs.
- 3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



Any appeal of this decision must be made within thirty (30) days of the date of this Order.

OMN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz

TOPOSTER EN



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III Zoning Commissioner

September 19, 2006

GARY AND SUSAN TALLES 7219 DENBERG ROAD BALTIMORE MD 21209

> Re: Petition for Administrative Variance Case No. 07-023-A Property: 7219 Denberg Road

Dear Mr. and Mrs. Talles:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

John v. Svierpling

JVM:pz

c: Richard E. Matz, P.E., Colbert Matz Rosenflet, Inc., 2835 Smith Avenue, #G, Baltimore MD 21209



# Petition for Administrative Variance

# to the Zoning Commissioner of Baltimore County

for the property located at	7219	Denberg	Road	
			PR-	DR-2

I/We do solemnly declare and affirm, under the penalties of

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)

1B.02.3.C.1, BCZR, for a front setback of 27 feet in lieu of 40 feet required.

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.

9/14-06

, 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.

			perjury, that I/we are the is the subject of this Peti	legal owner(s) of tion.	the property which.
Contract Purchaser/L	essee:		Legal Owner(s):		
Name - Type or Print	<u> </u>		Gary Talles Name - Type or Print	111	
Signature	<del></del>		Signature	eg.	
Address		Telephone No.	Susan Walles Name - Type or Print	(dell	2
City	State	Zip Code	Signature		
Attorney For Petition	er:		7219 Denberg R	oad 41	0-486-5350
	<del>,-</del>		Address		Telephone No.
Name - Type or Print		<del></del>	Baltimore City	MD State	21209 Zip Code
Signature			Representative to Richard E. Mat Colbert Matz R	z, P.E.	-
Address		Telephone No.	2835 Smith Ave Address	. #G 410	-653-3838 Telephone No.
City	State	Zip Code	<u>Baltimore</u> Cily	MD State	21209 Zip Code
A Public Hearing having bee this day of regulations of Baltimore County	n formally demande that and that the propert	ed and/or found to be t the subject matter of the y be reposted.	required, it is ordered by the Zanis petition be set for a public hea	Zoning Commission aring, advertised, as	er of Baltimore County, sequired by the zoning
			Zoning Commissi	oner of Baltimore C	ounty
CASE NO	-023-A	Revi	iewed By	Date7_/	19/06
REV 10/25/01	こうしゅう しゅうしょうしょく	<b>i Pilipit</b> o Estin	mated Posting Date	7/30/06	

# 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/	o presently reside a
---------------------------	----------------------

7219 Denberg Road

Address

Baltimore MD 21209

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):

The configuration of the existing house determines the location of the proposed addition, and the existing sanitary sewer easement limits expansion in the rear.

That the Affiant(s) acknowledge(s) that if a formal dadvertising fee and may be required to provide addition	
Tany Takes	See en Jalle
Signature	Signature
Gary Talles	Susan Talles
Name - Type or Print	Name - Type or Print
HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, personally the Affiant(s) herein, personally known or satisfactorily in the Affiant(s) mand and Notarial Seal	when the State appeared  Susaw Taller  dentified to me as such Affiant(s).
REV 10/25/01	Notary Public  My Commission Expires 4/1/09

# 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.

competent to testify moreto in the event and a p			
That the Affiant(s) does/do presently reside at	7219 Denbe	erg Road	<del></del>
	Baltimore	MD	21209
	City	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts ip or practical diffic	s upon which I/we base the required the required the requirements (in the control of the control	iest for an Administrative
The configu <b>a</b> tion of the exis	ting house	determines the locat	tion of the

The configuration of the existing house determines the location of the proposed addition, and the existing sanitary sewer easement limits expansion in the rear.

That the Affiant(s) acknowledge(s) that if a formal deadvertising fee and may be required to provide additional	emand is filed, Affiant(s) will be required to pay a reposting and all information.
Signature	Signature
Gary Talles	Susan Talles
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to I HEREBY CERTIFY, this // day of	, 2006, before me, a Notary Public of the State appeared
	Sym Lefts Notary Public  My Commission Expires 6/1/09



# Petition for Administrative Variance

# to the Zoning Commissioner of Baltimore County

for the property located at	7219	Denberg	Road	
which is	prese	ntly zoned	PR-L	DR-L

is the subject of this Petition.

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which.

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)

1B.02.3.C.1, BCZR, for a front setback of 27 feet in lieu of 40 feet required.

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.

Contract Purchaser/Les	ssee:		Legal Owner(s):		
Name - Type or Print	<u>.                                    </u>	·····	Gary Talles Name - Type or Print		<del></del>
Signature	- <del></del>	<del></del>	Signature	2	
Address		Telephone No.	Susar Talles Name Type or Print	à D	<del>,</del> —
City	State	Zip Code	Signature	<u> </u>	<del></del>
Attorney For Petitioner.	<u>.</u>		7219 Denberg Ro	ad 41	0-486-5350
	-		Address		Telephone No.
	_, <del>,,</del>		Baltimore	MD	21209
Name - Type or Print			City	State	Zip Code
<del></del>		<del></del>	Representative to be	e Contacted:	
Signature			Richard E. Matz	, P.E.	
Company			<u>Colbert Matz Ro</u> Name	senfelt,	Inc.
				#C 410	652 2020
Address	<del></del>	Telephone No.	<u>2835 Smith Ave.</u> Address	#G 410	-653-3838 Telephone No.
		_	Baltimore	MD	21209
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been for this day of regulations of Baltimore County and	, in	at the subject matte	o be required, it is ordered by the Zor of this petition be set for a public hear	ning Commissione ing, advertised, as	er of Baltimore County required by the zoning
			Zoning Commission	ner of Baltimore Co	วนกรุง
CASE NO	023-A		Reviewed By	Date 7	[19/06
REV 10/25/01	979-06	)	Estimated Posting Date	7/30/06	·

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



### ZONING DESCRIPTION 7219 DENBERG ROAD

Beginning at a point on the east side of Denberg Road, which is 50 feet wide, at a point 115 feet, more or less, south of the centerline of Calypso Court, which is 50 feet wide.

Being Lot 1 in Section 3, Block E of the subdivision of Green Gate, as recorded in Baltimore County Plat Book 36, Folio 16, and containing 34,160 square feet (0.78 acre). Also known as 7219 Denberg Road and located in the 3<sup>rd</sup> Election District, 2<sup>nd</sup> Councilmanic District.



MAR RECEIP PINK - AGENCY COUNT ANEOUS BUDGET BALTIMORE WHITE - CASHIER 9 DISTRIBUTION MISCELI OFFICE DATE

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# CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS DATE: 7/31/06 Case Number: 07-023-A Petitioner/Developer: GARY & SUSAN TALLES ~~ COLBERT, MATZ & ROSENFELT Date of Hearing (Closing): 08/14/06 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: 7219 DENBERG ROAD The sign(s) were posted on: 7/28/06 (Signature of Sign Poster) ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDIN 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391 PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE Linda O'Keefe THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON MON. AUGUST 14, 2006

AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING

OFFICE BUILDING

ERG ROAD

(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)

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case 1	Number	07-	023	-A	Addres	SS	7219	Dehberg	RD.
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# 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: 07-023-A  Petitioner: Gary Talles
Address or Location: 7219 Deulaeng Road
PLEASE FORWARD ADVERTISING BILL TO: Name: Mn Gary Talles
Address:
Telephone Number: 410-486-5350



JAMES T. SMITH, JR. County Executive

August 15, 2006

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Gary Talles Susan Talles 7219 Denberg Road Baltimore, MD 21209

Dear Mr. and Mrs. Talles:

RE: Case Number: 07-023-A, 7219 Denberg Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 19, 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

U. Callibal)

WCR:amf

Enclosures

c: People's Counsel Richard E. Matz. P.E. Colbert Matz Rosenfelt, Inc. 2835 Smi

Richard E. Matz. P.E. Colbert Matz Rosenfelt, Inc. 2835 Smith Avenue, #G Baltimore 21209

410-484-8698

July 3, 2006

Zoning Commissioner, Baltimore County 401 Bosley Avenue Towson, Md. 21204

To the County Zoning Commissioner:

We reside at 7221 Denberg Road. We have seen the plans for the addition to Mr. and Mrs. Talles' house at 7219 Denberg Road, and we have no objections to the addition.

Yours truly,

Howard Davidov

Maureen Davidov

7221 Denberg Road Baltimore, Md. 21208 July 3, 2006

Zoning Commissioner, Baltimore County 401 Bosley Avenue Towson, Md. 21204

To the County Zoning Commissioner:

We reside at 7217 Denberg Road. We have seen the plans for the addition to Mr. and Mrs. Talles' house at 7219 Denberg Road, and we have no objections to the addition.

Yours truly,

Sheila Goldberg

7217 Denberg Road Baltimore, Md. 21208



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

August 29, 2006

GARY AND SUSAN TALLES 7219 DENBERG ROAD BALTIMORE MD 21209

> Re: Petition for Administrative Variance Case No. 07-023-A Property: 7219 Denberg Road

Dear Mr. and Mrs. Talles:

Your request for administrative variance has been given to me for review. I am very concerned about locating the proposed addition in the front of your home. Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) requires that the front yard setbacks be averaged. The intent of the regulations is to smooth out the line of homes along a street. Your request would result in your home jutting out more than the average setback which I think will not only be very noticeable, but could change the pattern of development in the neighborhood.

There appears to be sufficient room on the side of the home to place the proposed addition at that location. Please provide information to me why the proposed addition cannot be placed on the side of the home.

Would you kindly address these concerns in writing at your convenience.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz

c: Richard E. Matz, P.E., Colbert Matz Rosenflet, Inc., 2835 Smith Avenue, #G, Baltimore MD 21209



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

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

Maryland Department of Transportation

Date:

7.21.06

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

RE:

**Baltimore County** 

Item No. 023

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

1. 1. Heal

## BALTIMORE COUNTY, MARYLAND

## INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 31, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 31, 2006

Item Nos. 06-010, 06-176, 07-012, 013, 016, 017, 018, 020, 021, 022, and 023

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-07282006.doc

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** August 2, 2006

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

7219 Denberg Road

RECEIVED

**INFORMATION:** 

Item Number:

7-023

AUG 1 8 2006

**Petitioner:** 

Gary and Susan Talles

ZONING COMMISSIONER

Zoning:

DR 1 and DR 2

Requested Action:

Administrative Variance

The petitioners request a front yard setback of 27 feet in lieu of the required 40 feet for a room addition.

The existing sanitary sewer easement traverses the rear yard along a diagonal line, making it impractical for the addition to be constructed in the rear yard. There are significant plant materials in the front yard in the vicinity of the proposed addition.

#### SUMMARY OF RECOMMENDATIONS:

A landscape plan should be submitted to the Office of Planning for review and approval showing the existing location and type of vegetation in the front yard. Every effort should be made to retain significant trees and shrubs.

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

Prepared by:

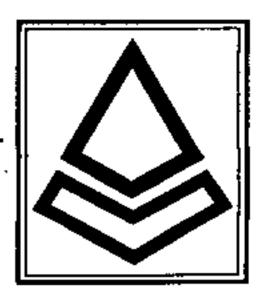
**Division Chief:** 

AFK/LL: CM

W:\DEVREV\ZAC\7-023.doc

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



September 14, 2006

Mr. John V. Murphy Deputy Zoning Commissioner 410 Bosley Avenue, Suite 405 Towson, Md. 21204

Re:

Case No. 07-023-A 7219 Denberg Road CMR No. 96007 RECEIVED

SEP 1 4 2006

ZONING COMMISSIONER

Dear Commissioner Murphy,

I am responding, on behalf of Mr. and Mrs. Talles, to your letter of August 29, 2006.

The proposed addition cannot be placed on the north side of the house (i.e., in the same general area as proposed) because a public Baltimore County Drainage and Utility easement encumbers the area between the house and the northerly property line, and in fact, an active public sewer is in that easement. Please find enclosed a portion of the zoning plan with the sewer easement shown in hatching and a copy of the Baltimore County sewer plan. I believe this creates an unnecessary hardship and practical difficulty in this case.

In addition, you say that the intent of the regulations is to "smooth out the line of homes along the street". However, the house at #7221 to the north of this property does not visually "line up with" #7219 because it is on the cul-de-sac, where the pavement curves away from the street. Further, #7219 is hardly visible from the south, in the vicinity of #7217, because of existing mature landscaping and the curve of the street. Please find enclosed photographs of the subject site taken from various angles on the street. They indicate that the front of the house is hardly visible from either direction. In addition, the zoning plan indicates that #7219 does not "line up" with #7221.

The rear of the house is also encumbered by the public Drainage and Utility easement, as well as a swimming pool and numerous improvements, as can be seen in the enclosed photographs.

Mr. John V. Murphy 9/14/06 page -2-

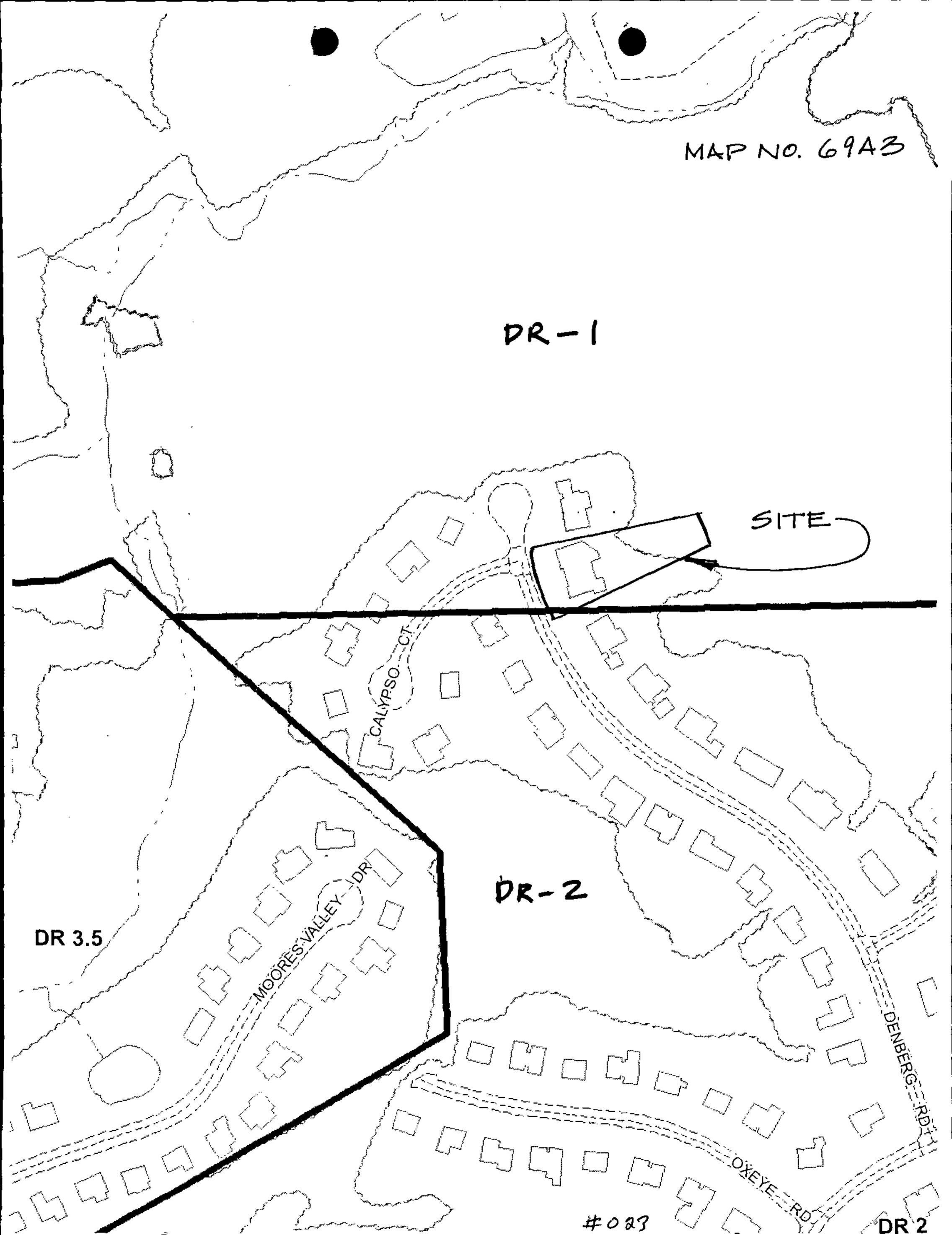
Thus, the proposed location of the modest 14-foot projection is the only practical solution and certainly does not change the character of the neighborhood.

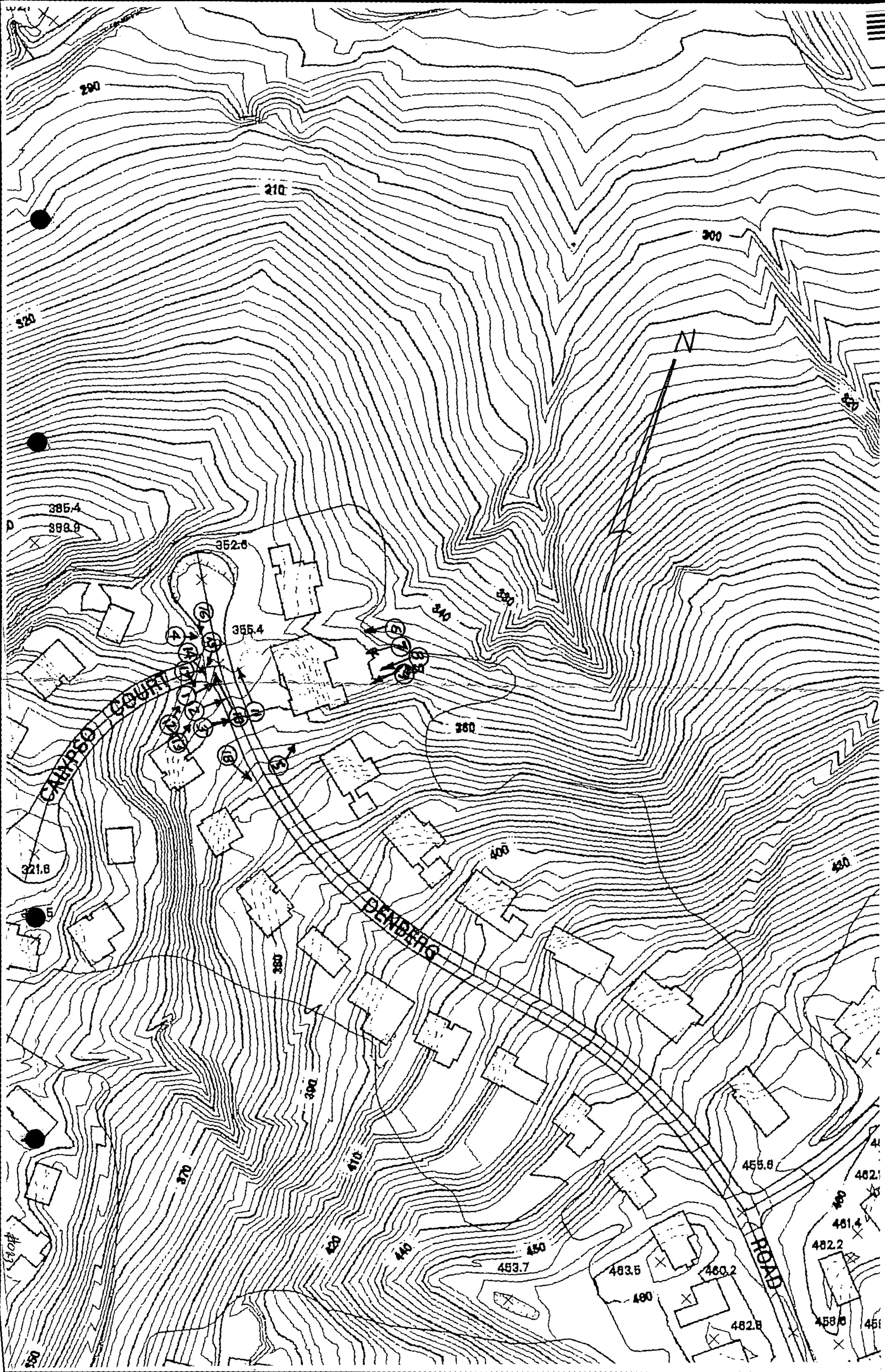
Yours truly,

Richard E. Matz, P.E.

cc: Mr. and Mrs. Gary Talles

Enc.

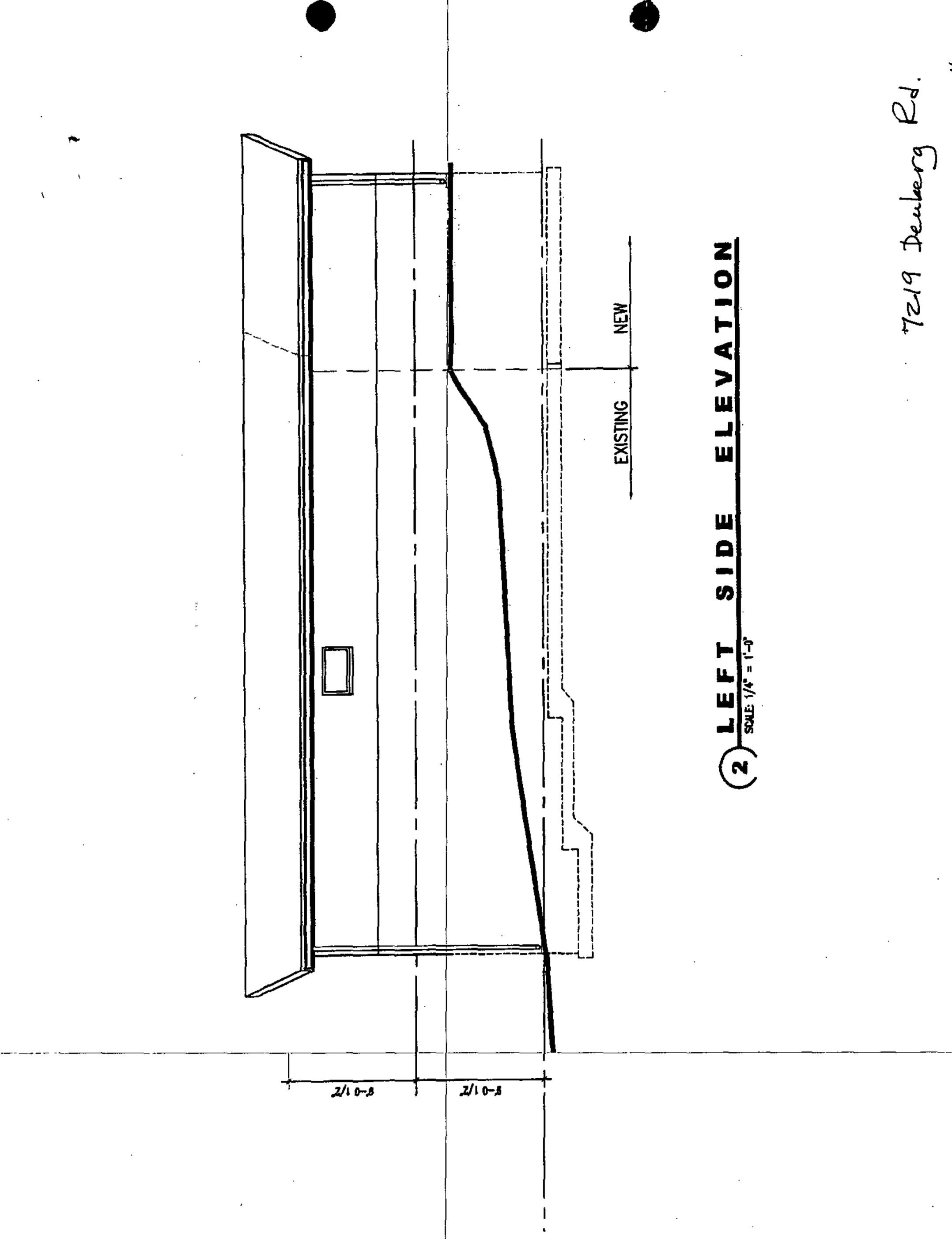




BECK POWELL PARSONS

1996-828-015 17:01 9002/90/20

BECK FOWELL PARSONS



1996-878-017 17:01 9007/50/20



#7219 Deuberg Road from driveway at #7221, on cul-de-5ac.



#7219 Deuberg Road (on left) from cul-de-sac.



# 7219 Deuberg Road - south side.



Lookning toward col-de-sac on Deuberg Road #7217 on right #7819 hidden beyond trees



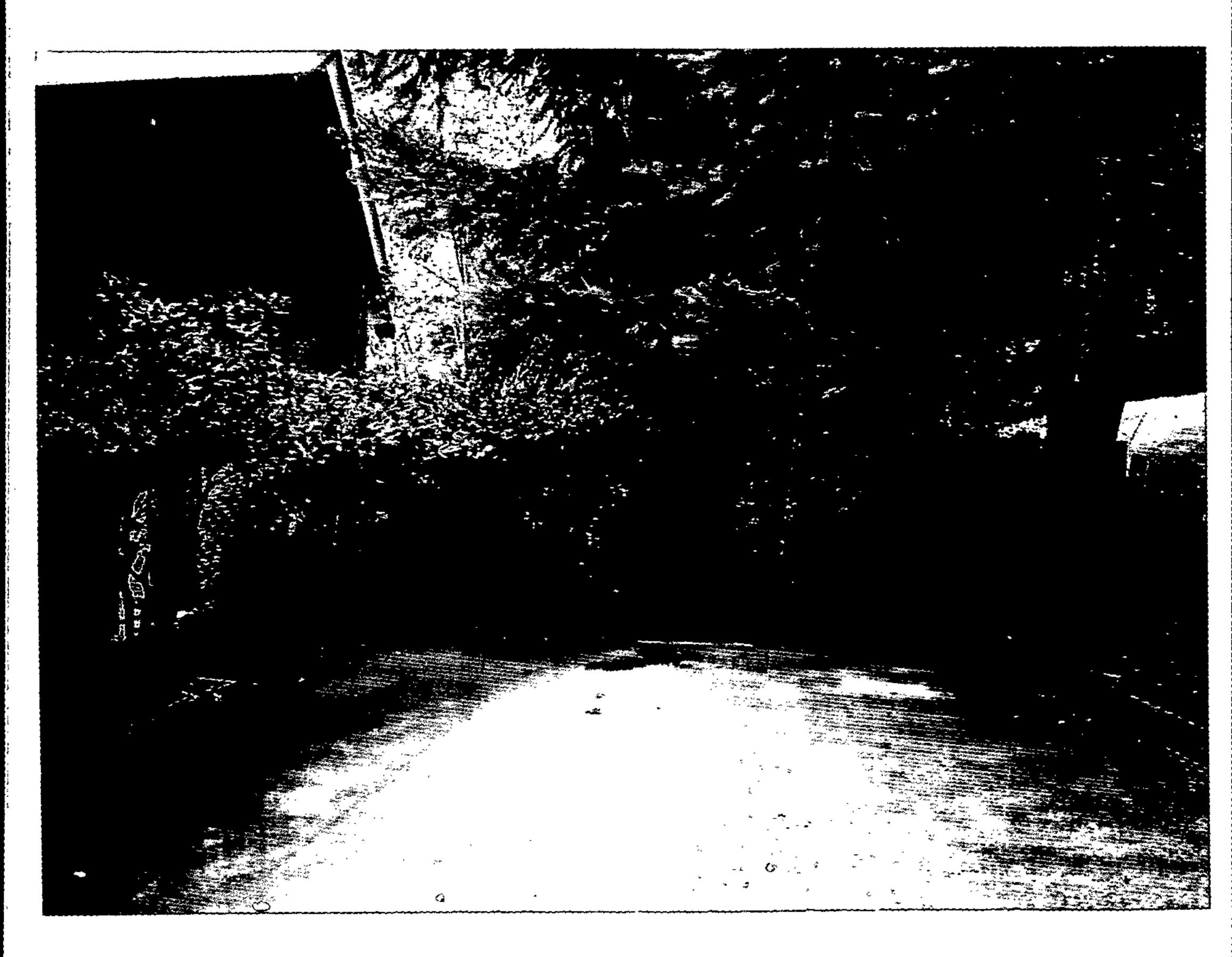
Looking toward out-de-sac on Denberg Road # MZIM on right # MZIM beyond traes



#17219 Demberg Road driveway on left

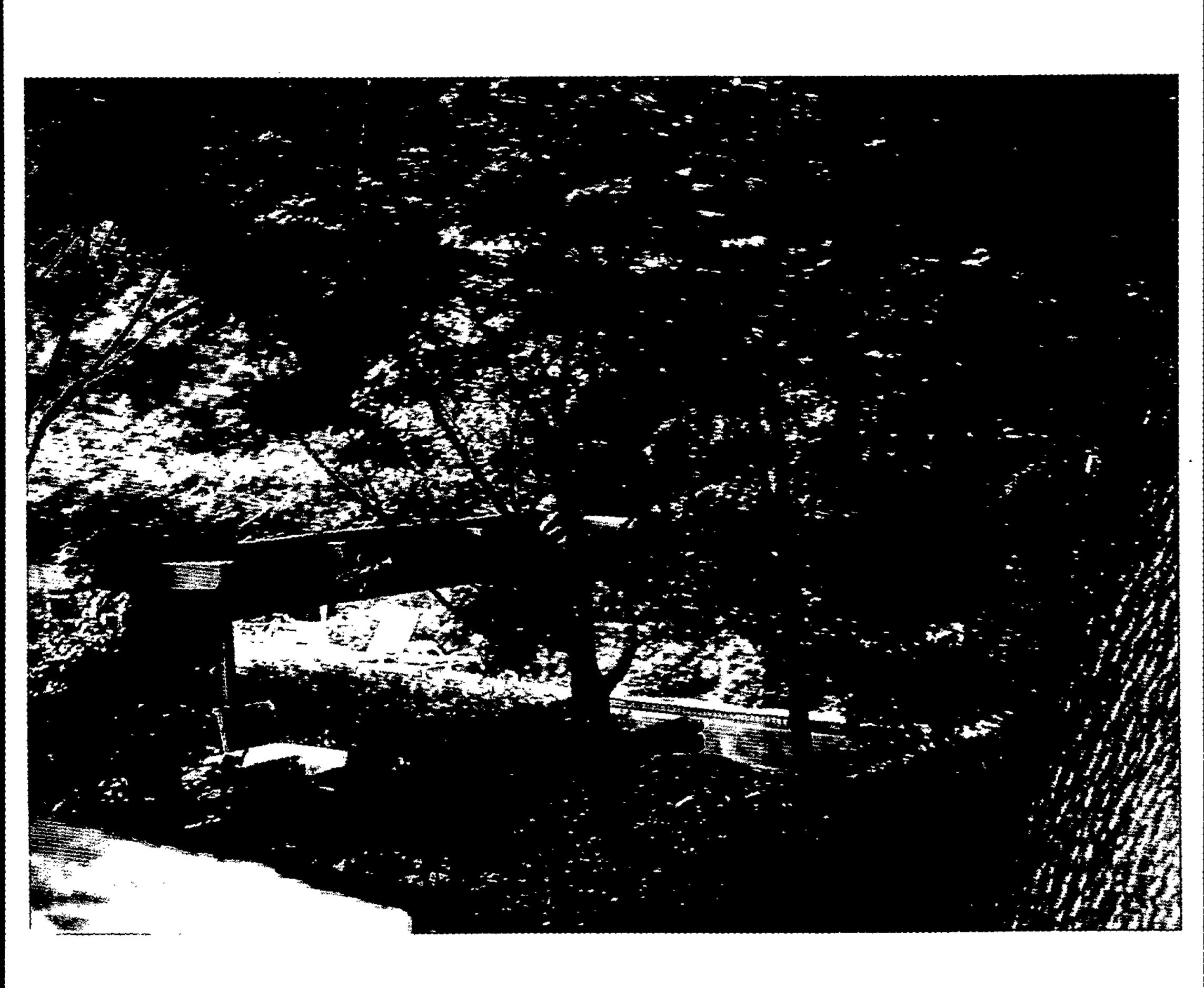


#7219 Deuberg Road-from north. Parkingarea at front.



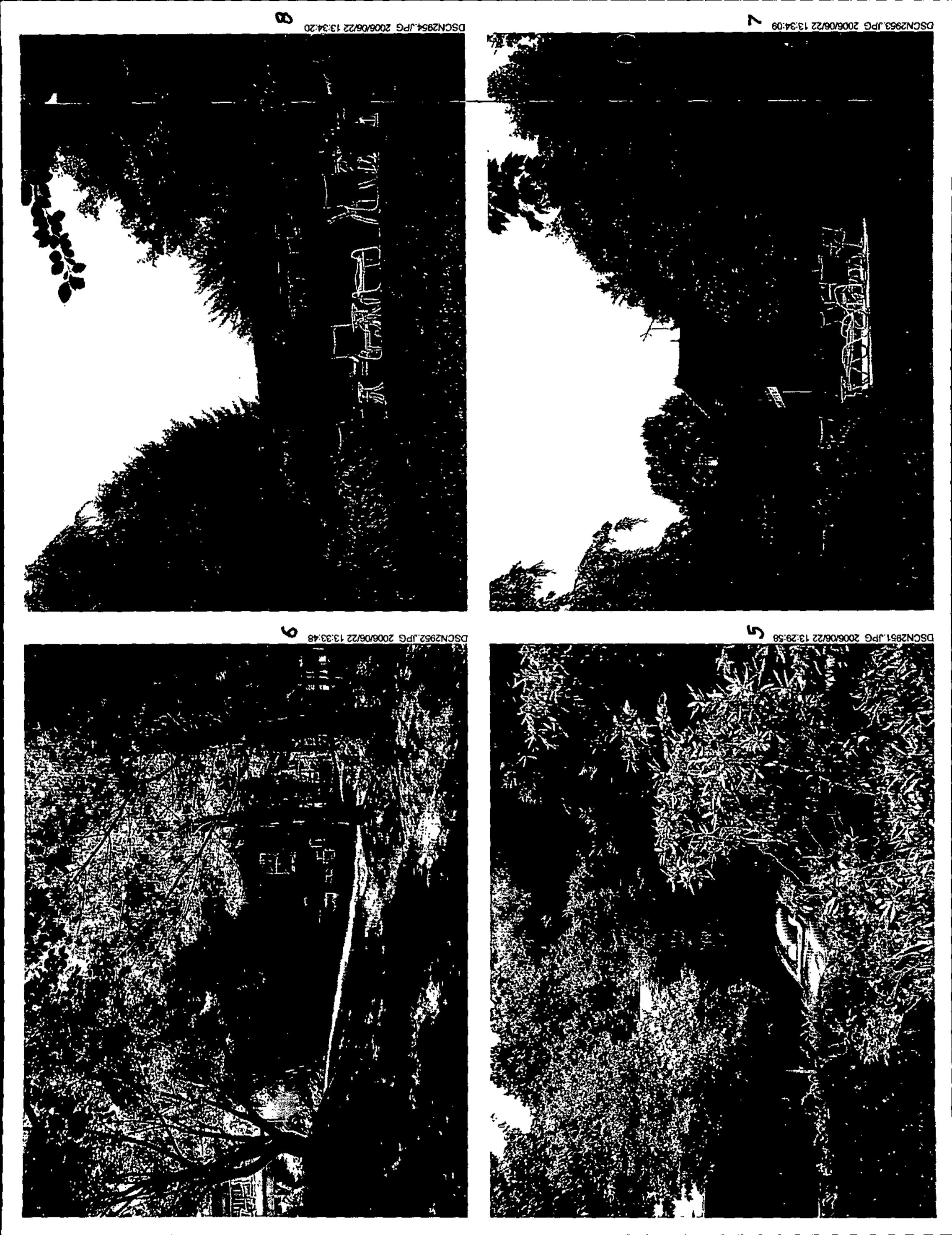
Left (south) side of house Fence & Gate to Rear Yard

9

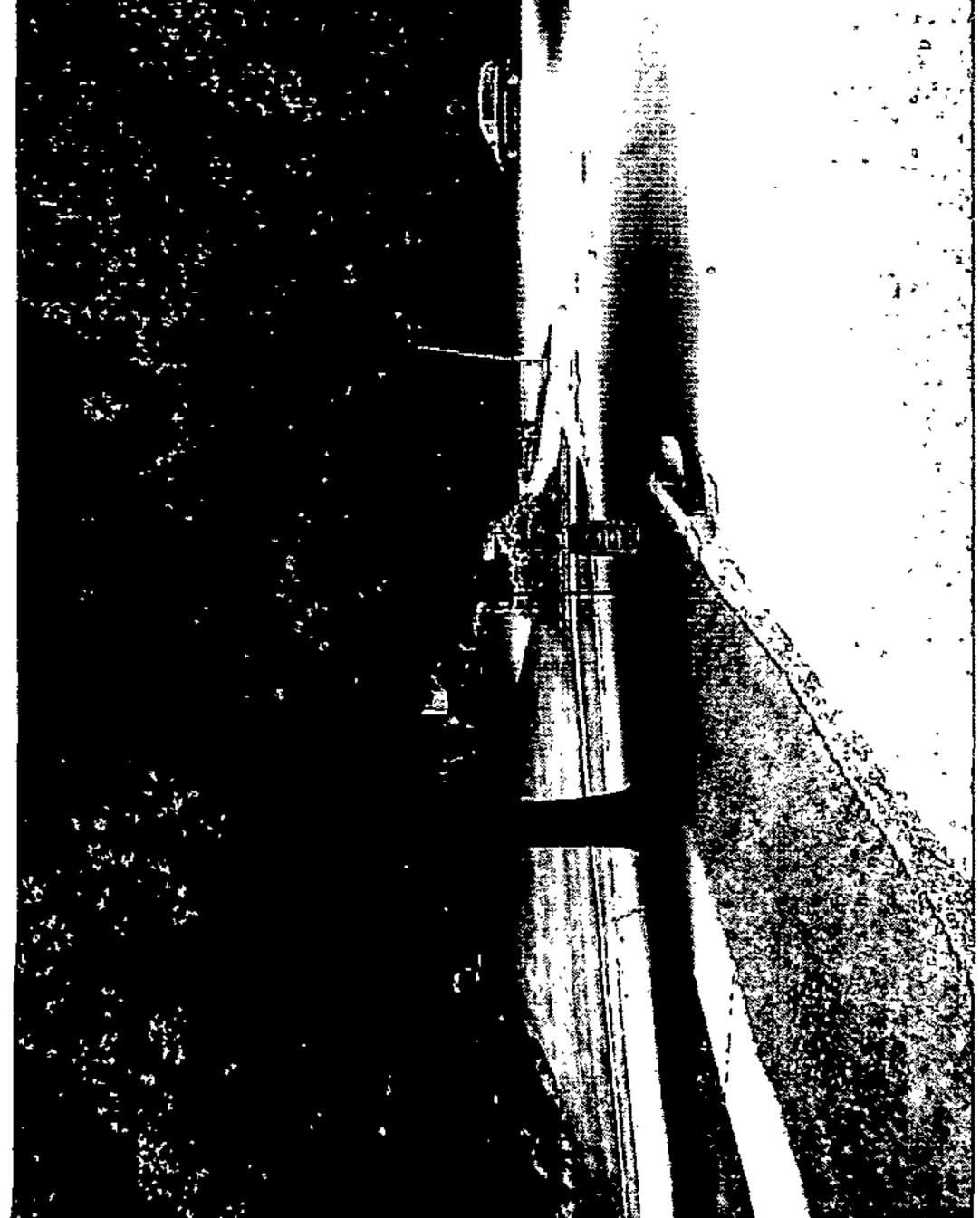


Rear yard - Pergola & Pool



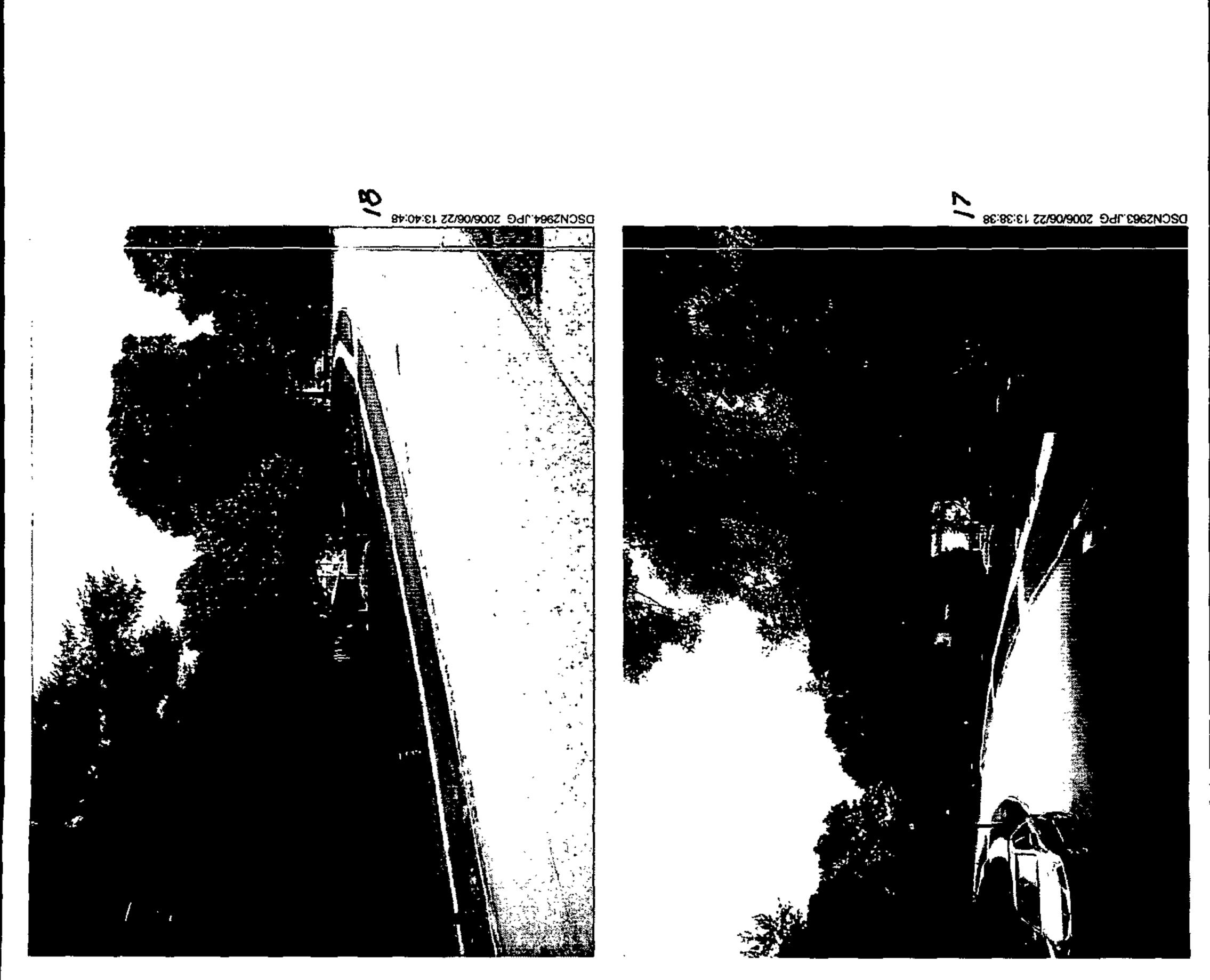






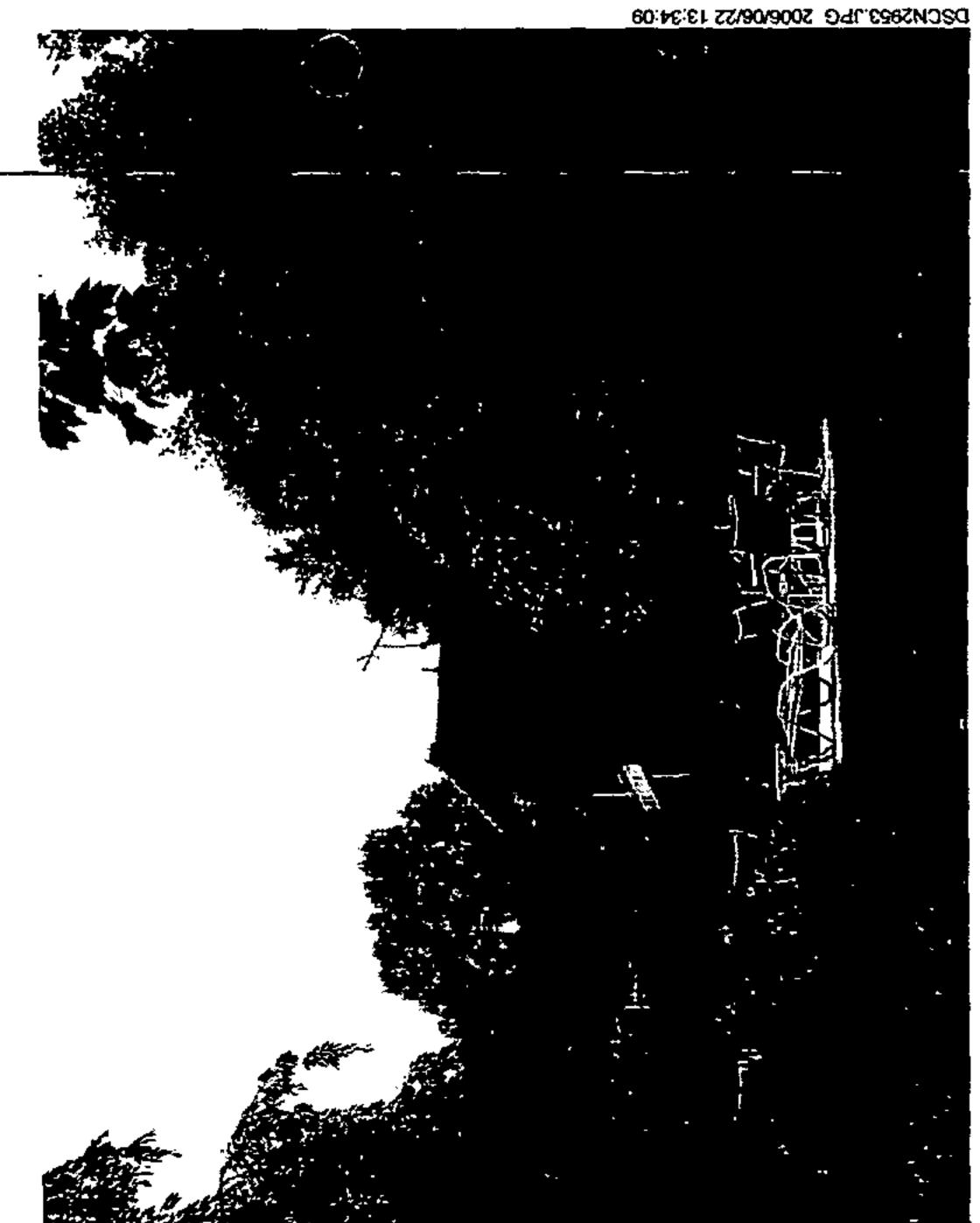






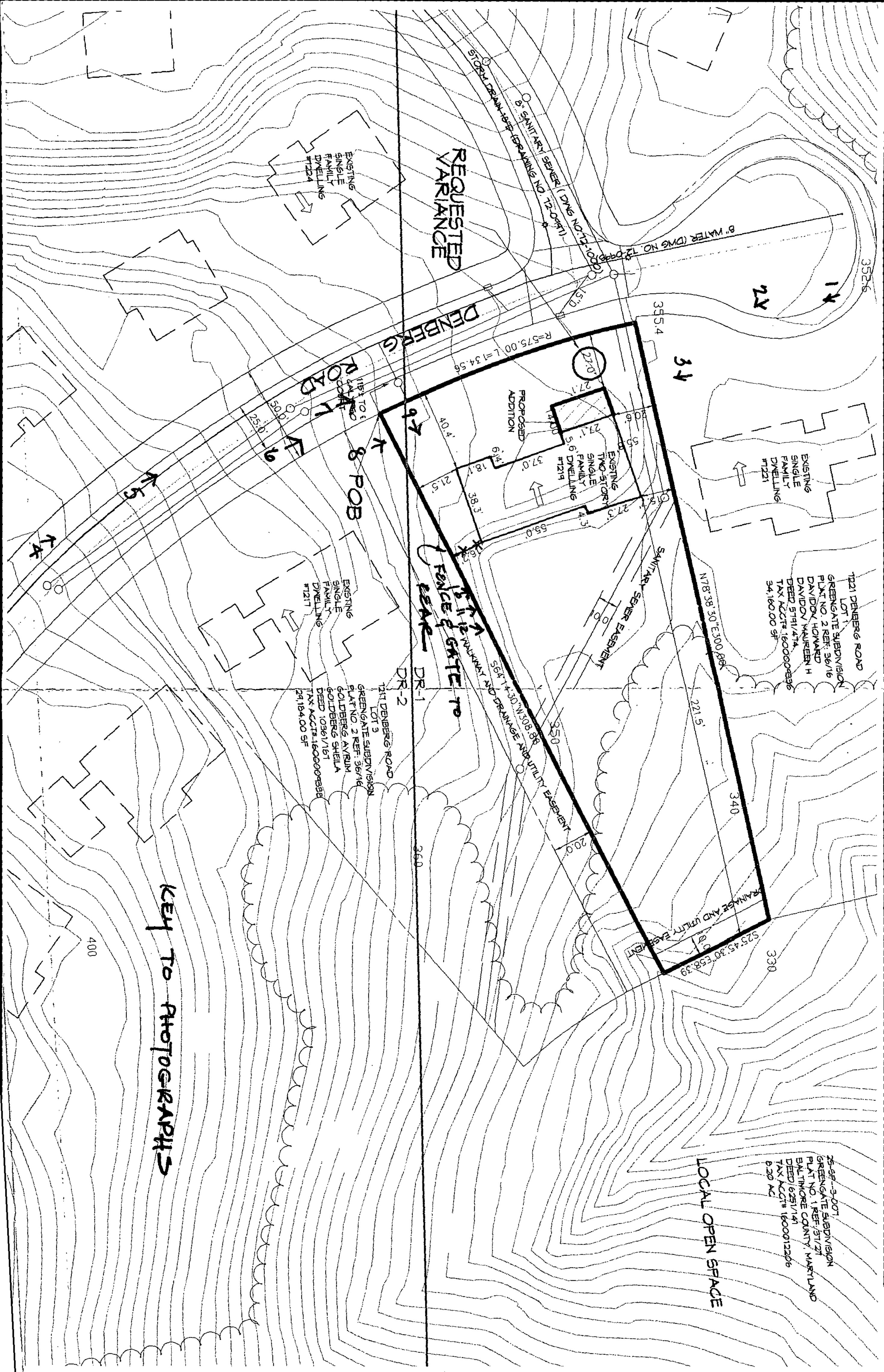


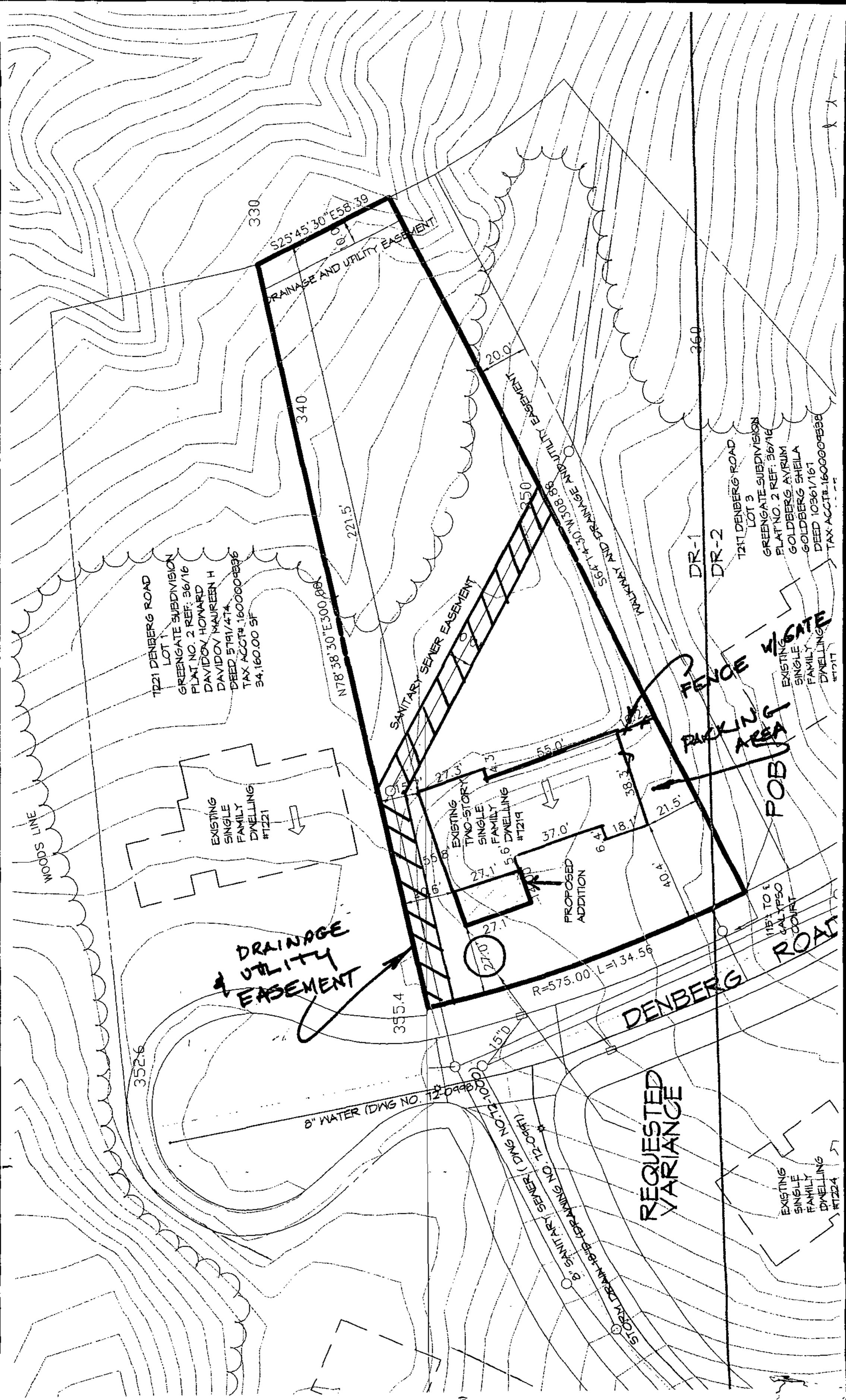












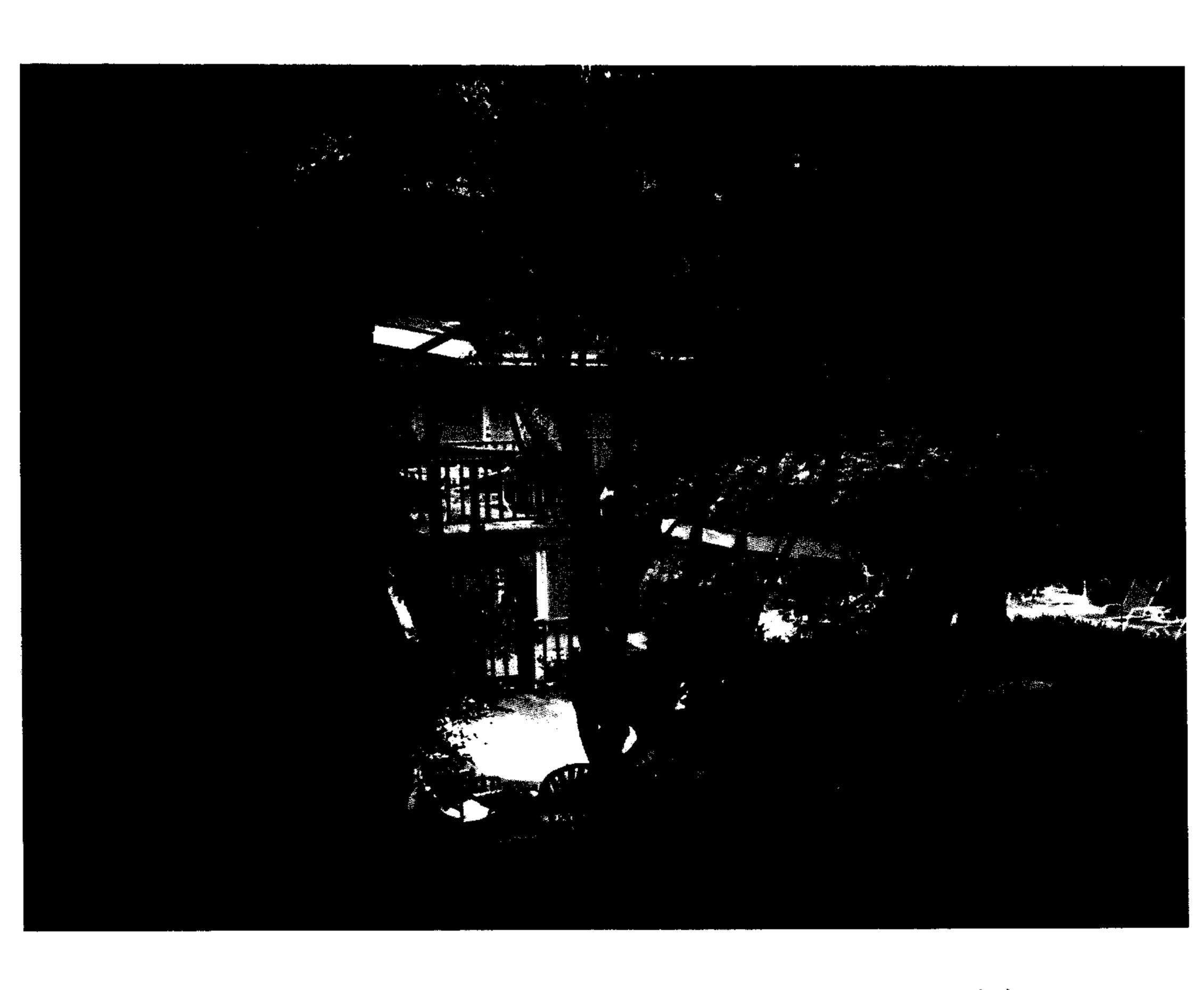








Looking toward out-de-sac on Denberg Road from South of #7219. # 7219 hidden berond trees



Kear Yard (fence at left)
Upper deck, patio at ground
level, pergola at night

hear yard -

