

IN RE: PETITION FOR ADMIN. VARIANCE

S side Old Court Road, 5280 feet +/- W
of c/l Ridge Road
2nd Election District
4th Councilmanic District
(9233 Old Court Road)

Carol and Rodney Wyndham
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-187-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Carol and Rodney Wyndham. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (garage) to be located in the front yard of the dwelling in lieu of the required rear. The subject property and requested relief are more particularly described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

On November 19, 2007, the Undersigned called for a formal hearing on this matter based on a code enforcement violation associated with the matter as well as a comment letter from the adjacent property owners, Ronald C. Sherrill Sr. and Kathleen Sherrill. The hearing was subsequently scheduled for Wednesday, January 30, 2008 at 2:00 PM in Room 407 of the County Courts Building, 401 Bosley Avenue, Towson, Maryland.

Appearing in support of the requested relief were Petitioners Carol and Rodney Wyndham. Appearing as Protestants opposed to the requested relief were Ronald C. Sherrill Sr. and Kathleen Sherrill. There were no other interested persons in attendance at the hearing.

~~RECEIVED FOR FILE~~
1-31-08


This matter is currently the subject of an active violation case (Case No. 07-7396) in the Division of Code Inspections and Enforcement. A citation for code violation was issued because the required building permits for the detached garage were not obtained. It should be noted that the fact that a code enforcement violation is issued is generally not relevant in this zoning case. This means that Petitioner cannot use the fact that a structure has been built or is under construction to set a precedent in order to allow it to continue. Nor does the fact that a structure may be costly to remove or modify come into consideration of the zoning case. Conversely, the fact that something may have been done which could violate the zoning regulations is not held against Petitioner as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law, and is not the province of this office.

The subject property contains 1.21 acre of property zoned R.C.2 and is improved with Petitioners' existing dwelling located on Old Court Road, south of Liberty Road near Granite/Woodstock in the Windsor Mill area of Baltimore County. Petitioners purchased the home in 2002 and completed various renovations. They constructed an addition on the east side of the house, built a retaining wall on the west side that backs up to the rear yard. The house is a rancher-style dwelling constructed in the 1950's with no garage. Petitioners desire to build a three-car garage in the front area of the house at the northwest corner of the property, adjacent to the existing driveway.

Testimony offered by Petitioners indicates they cannot comply with the zoning regulations because the property's grading slopes down and away from the back of the house. The tree line to the west side in the back of the house makes it too close on the side. There is also a septic system in the rear yard of the house that precludes placing the garage in the rear yard. Another reason

RECEIVED FOR FILE

1-31-08

PB

why they cannot attach the garage next to the house on the west side is because they have electrical service wires that run underground and into the house, and this would make it impossible to construct the garage at that location. Petitioners also say if they had a garage in that location it would preclude access to the back of the house for septic servicing.

Mr. Wyndham indicated that they have three vehicles. One vehicle is a truck that he uses for work, as he owns an electrical contracting business, another vehicle is his wife's Lincoln LX, and the third vehicle is an Infiniti. They desire to put the three vehicles in the garage to protect them from the elements. In response to concerns about running a business from the garage, Petitioner indicated that he would not run his electrical contracting business from the garage or store any inventory or keep any of his business vehicles there. His truck does not have any logos. Petitioner keeps all his business supplies and inventory at 12012 Bonita Avenue.

The site plan shows a triangular-shaped parcel which is wider at Old Court Road and then narrows to a point at the rear of the property. The site plan was accepted into evidence as Petitioners' Exhibit 1. Petitioners' Exhibits 2A through 2E are photographs of the property and the surrounding properties. Petitioners' Exhibits 3A and 3B show the entrance to their home from both the east and west sides of Old Court Road. Petitioners' Exhibit 4 is perhaps the best photograph of the front side of the house and the location of the proposed garage. The garage would face the driveway so it would basically face the side of the house. Petitioner also presented an architectural drawing of the three-car garage showing that it will measure 40 feet wide by 32 feet deep. It would be of similar materials and look as the existing house and it appears that the garage would be tastefully done. When asked why he started to proceed building the garage not only in the front of the house, but also without any permits, Petitioner indicated that he did not realize he needed a permit for the detached garage nor was he aware of the setback and location

RECEIVED FOR FILE
1-31-08
PB

requirements. Even though Petitioner is an electrical contractor, he indicated he does mostly commercial work and did not realize that for a residential situation, he would need permits to construct the detached garage.

Appearing in opposition to the request was the neighbor to the immediate west located at 9235 Old Court Road, Mr. and Mrs. Sherrill. They live in a newer home and their concerns are outlined in a letter from Ronald C. Sherrill Sr. dated November 13, 2007. This letter and its concerns was one of the reasons for the hearing, and was marked and accepted into evidence as Protestant's Exhibit 1. It indicates that he and his wife are opposed to the request for several reasons. The first is that the structure would block their view of Old Court Road and is not in keeping with the community where no one else has a structure of this size in their front yard and so close to the road. Second, that Petitioner is a licensed electrician and his business vehicles would possibly be in the front yard because Mr. Sherrill has seen the business trucks parked there before. Third, they feel the structure is too close to Old Court Road and would cause a traffic hazard when Mr. Sherrill and other vehicles approach the driveway and cannot see vehicles coming in and out. Fourth, Mr. Sherrill indicates that there is plenty of room on the side of the house to attach the garage, rather than having it sit separately in the front. Finally, he believes that allowing such a large structure in the front yard will affect the market value of his residence and cause it to decline, hence he is opposed to the location of the garage.

Next to testify was Mrs. Sherrill and she also introduced photographs which were marked and accepted into evidence as Protestant's Exhibits 2A through 2H. These photographs show various views of the west side of Petitioners' property and dwelling, as well as where the cinderblocks and the footers have already been located for this proposed garage. The photographs show that there is room on the west side of Petitioners' house for the garage if they wanted to

~~FILED FOR RECORD~~

1-31-08

build it there. Mrs. Sherrill echoed her husband's sentiments that she believes having such a large structure in the front yard sets a bad precedent and would not be attractive no matter how nice the garage itself is -- it would still be a large eyesore in the front of the yard so close to the road. Also, she believes that some of the reasons Petitioners cannot place the garage on the side of the house are of their own making. Mrs. Sherrill indicated the driveway used to be on the other side of the house, but that Petitioners put an addition on the left side of the house and switched the driveway location to where it is now. Petitioners also ran the electrical themselves underneath to where it enters the house on the side, and they did not give proper thought to where the garage would be located at that time, even though Petitioners testified they had been contemplating a garage for some time. Therefore she believes that the hardship they are discussing is really of their own making. She is sympathetic to their desire to have a garage, but she does not believe that this particular garage has been sited properly. Finally, she introduced as Protestant's Exhibit 3 a photograph of a house in the area at 2832 Granite Road in Woodstock, Maryland which has a similar configuration as the Petitioners' home and where that owner did locate a detached garage on the side rather than the front area of the house. She believes that Petitioners should be able to do the same thing if they really want a garage. She believes that a three-car garage will dwarf the house as well as other structures in the surrounding area. When people drive by, the first and only thing they will see is the large garage. She and her husband are obviously opposed to the relief and they would like the request denied.

Considering all the testimony and evidence presented, I am not persuaded to grant the requested variance relief. I do not find any special circumstances or conditions to exist that are peculiar to the land or structure which is the subject of the variance request, nor do I find the property unique in a zoning sense. There has been no showing of uniqueness or special

~~NOT RECORDED FOR FILE~~

1-31-08

PB

circumstances that would indicate that the variance should be granted. The purpose of the regulation is to keep these structures in the rear yard or at least in the side yard and to preserve consistency in the area, and to ensure that accessory structures do not dominate the frontage of properties. As such, it does not meet the requirements for a finding of uniqueness as set forth in *Cromwell v. Ward*, 102 Md.App. 691 (1995) and Section 307.1 of the B.C.Z.R. Having determined that no uniqueness exists as to Petitioners' property to justify practical difficulty or undue hardship, I must therefore deny the variance requested by Petitioners.

Finally, based on the testimony of the Protestants and information contained in the file and presented at the hearing, I find that granting this variance may be detrimental to the public health, safety and general welfare of the locale. Any undue hardship appears to be self-inflicted in terms of financial resources already spent to pour the footers and obtain the concrete block. Petitioners have already essentially started the project without first obtaining required permits or variance approval.

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 denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 31st day of January, 2008 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (garage) to be located in the front yard of the dwelling in lieu of the required rear is hereby DENIED, subject to the following:

1. Petitioners are directed to remove, at their own cost and expense, any and all evidence of the existence of a garage at the subject location, including any footers and concrete block, within the next sixty (60) days.

RECEIVED FOR FILED
1-31-08
ms

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

RECEIVED FOR FILING
1-31-08
RM



TAX. ACCO # 0223153210

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9233 Old Court Rd
which is presently zoned RC2

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 - to permit a proposed

detached accessory structure (garage) to be located in the front yard of the dwelling in lieu of the required rear

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10 day of October, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

CASE NO. 08-187-A

REV 10/25/01

1.31.08

pm

Reviewed By RDD Date 10/19/07

Estimated Posting Date

Zoning Commissioner of Baltimore County

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

Address 9233 OLD COURT RD
City WINDSOR MILL State MD Zip Code 21244

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 FOLLOWING REASONS THE ZONING REGULATIONS
CANNOT BE MET ON OUR PROPERTY

- 1) THE GRADING SLOPES DOWN AND AWAY FROM THE BACK OF THE HOUSE.
- 2) TREE LINE TO THE SIDE BACK OF HOUSE
- 3) SEPTIC SYSTEM IN REAR OF HOUSE

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.

Carol Wyndham
Signature

CAROL WYNDHAM
Name - Type or Print

Rodney Wyndham
Signature

RODNEY WYNDHAM
Name - Type or Print

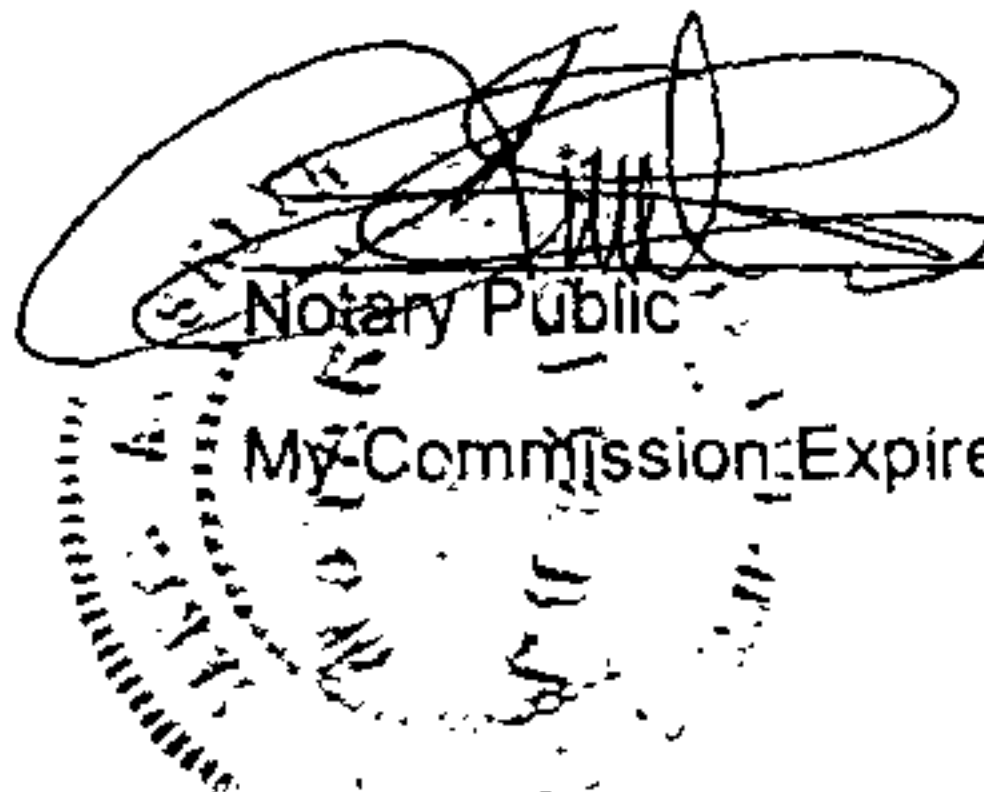
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of October, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Carol Jean Mohan-Wyndham

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

AS WITNESS my hand and Notarial Seal



JANIS A. SMITH
NOTARY PUBLIC STATE OF MARYLAND
County of Anne Arundel
My Commission Expires July 1, 2009

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

9233 OLD COURT RD
Address
WINDSOR MILL MD 21244
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 FOLLOWING REASONS THE ZONING REGULATIONS
CANNOT BE MET ON OUR PROPERTY

- 1) THE GRADING SLOPES DOWN AND AWAY FROM THE BACK
OF THE HOUSE
- 2) TREE LINE TO THE SIDE BACK OF HOUSE
- 3) SEPTIC SYSTEM IN REAR OF HOUSE

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.

Carol Wyndham
Signature

CAROL WYNDHAM
Name - Type or Print

Rodney Wyndham
Signature

RODNEY WYNDHAM
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of October, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Carol Jean Mohan-Wyndham
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires
JANIS A. SMITH
NOTARY PUBLIC STATE OF MARYLAND
County of Anne Arundel
My Commission Expires July 1, 2009



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9233 Old Court Rd
which is presently zoned RCZ

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 - to permit a proposed

detached accessory structure (garage) to be located in the front
yard of dwelling in lieu of the required rear
the

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):

CAROL WYNNDHAM

Name - Type or Print

Signature

RODNEY WYNNDHAM

Name - Type or Print

Signature

9233 OLD COURT RD 410 496 5893

Address

Telephone No.

WINDSOR MILL MD 21244

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10 day of October, 2007, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 08-187-A

Reviewed By RTD

Date 10/19/07

REV 10/25/01

Estimated Posting Date 1-24-08

ZONING DESCRIPTION FOR 9233 OLD COURT RD

BEGINNING for the same at a stake at the end of the eighth line of the land described in the deed from Katherine C Bruce et, al, trustees, to William R Davidson, et, al dated July 31, 1950 and recorded among the Land Records of Baltimore County, Maryland in Libor T.B.S. No. 1897, folio 311, thence running in a reverse direction and binding on a part of said eighth line in the bed of Old Court Road North 77 degrees 20 minutes East 239.3 feet to an iron pin set in the bed of Old Court Road at the beginning point of the first parcel of land described in the deed from William R. Davidson, and wife to Charles H Blocher, and wife July 30 1951 and recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. No. 1998, folio 358; thence running in a reverse direction and binding on the last line of the last mentioned deed South 39 degrees 14 minutes East 456.1 feet to a large poplar tree now standing on the ninth line of the whole tract described in the deed first above, thence running in a reverse direction and binding on the part of the said ninth line and passing over a Chestnut stump standing near the edge of Old Court Road North 52 degrees 53 minutes West 570.85 feet to the point of the beginning. Containing 1.21 acres more or less. Also known as 9233 Old Court Road and is located in the 2 Election District, 4 Councilmanic District.

Item #187

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 06819

PAID RECEIPT

BUSINESS ACTIVITY TYPE
10/19/2007 10/19/2007 12:48:52 4

Date: 10/19/07

DEPT # 50041 10/19/2007 01/11

5 528 JOURNAL REVENUE

Fund	Agcy	Orgn	Sub	Rev	Source	Rev	Sub	Rept	BS	Acct	Amount
001	006			6150							65.00

Total: 65.00

Rec From:

For:

Admin. variance case # 08-187-A

Receipt Tot 65.00
4.00 CAC
Baltimore County, Maryland

CASHIER'S
VALIDATION

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**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: # 08-187-A

9233 Old Court Road
S/Side of Old Court Road,
5280 feet +/- west of
centerline of Ridge Road
2nd Election District
4th Councilmanic District
Legal Owner(s): Carol &
Rodney Wyndham

Variance: to permit a proposed detached accessory structure (garage) to be located in the front yard of the dwelling in lieu of the required rear.

Hearing: Wednesday,
January 30, 2008 at 2:00
p.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 1/740 Jan. 15 160503

CERTIFICATE OF PUBLICATION

1/17/, 2008

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 1/15/, 2008.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 08-187-A

Petitioner/Developer: _____

RODNEY/CAROL WYNHAM

Date of Hearing/Closing: 12/30/08 @ 200pm

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

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

9233 OLD COURT RD

The sign(s) were posted on 1/14/08
(Month/Day/Year)

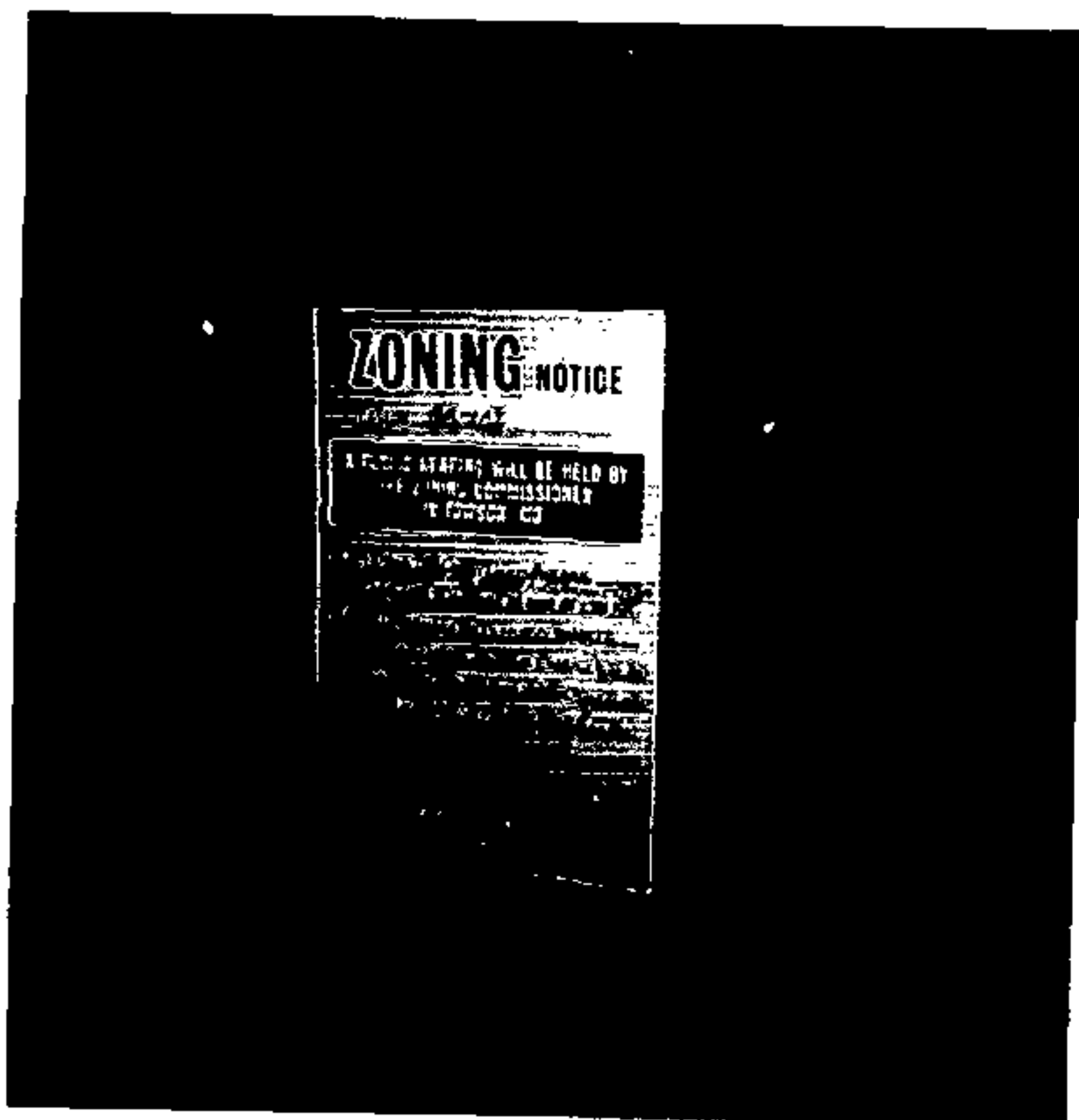
Sincerely,

B Ledden 1/15/08
(Signature of Sign Poster/Date)

B LEDDEN
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

410-781-4000



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 187 -A Address 9233 Old Court Rd
Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/19/07 Posting Date: 10/28/07 Closing Date: 11/12/07

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 08- 187 -A Address 9233 Old Court Rd
Petitioner's Name Rodney Wyndham Telephone 410 496 5893
Posting Date: 10/28/07 Closing Date: 11/12/07
Wording for Sign: To Permit a proposed detached accessory structure
(garage) to be located in the front yard of dwelling in lieu of
the required rear

WCR - Revised 6/25/04

**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.

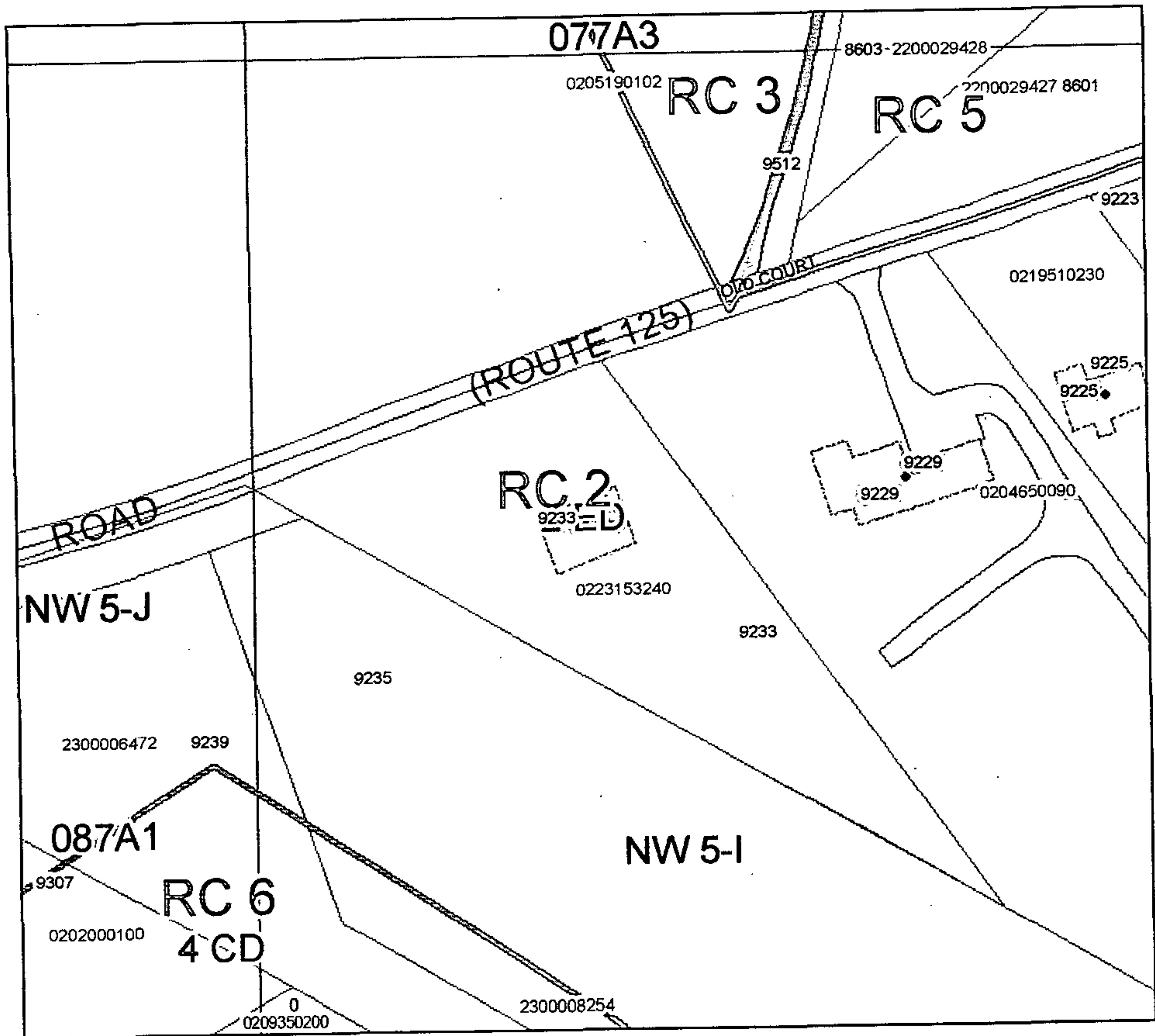
For Newspaper Advertising:

Item Number or Case Number: 08-187-A
Petitioner: RODNEY & CAROL WYNNDHAM
Address or Location: 9233 OLD COURT RD WINDSOR MILL MD 21244

PLEASE FORWARD ADVERTISING BILL TO:

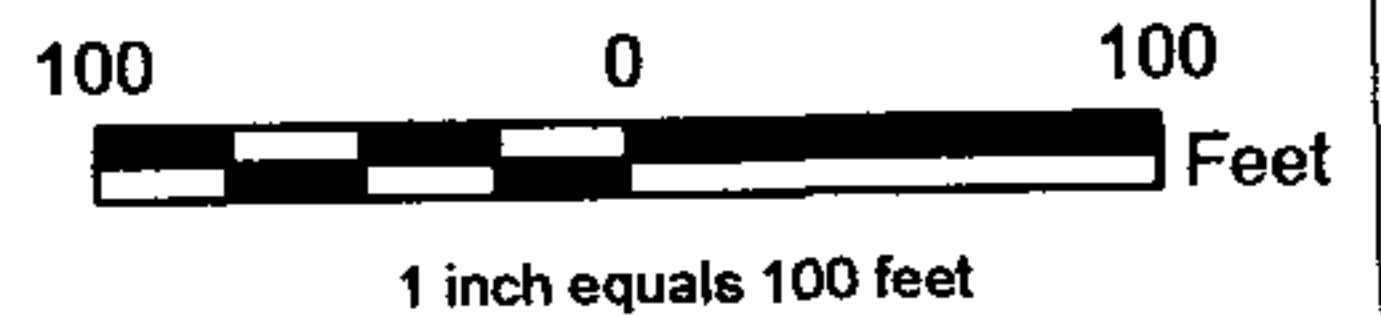
Name: Rodney Wyncham
Address: 9233 OLD COURT
WINDSOR MILL MD 21244
Telephone Number: 410 245 8767

9233 Old Court Rd

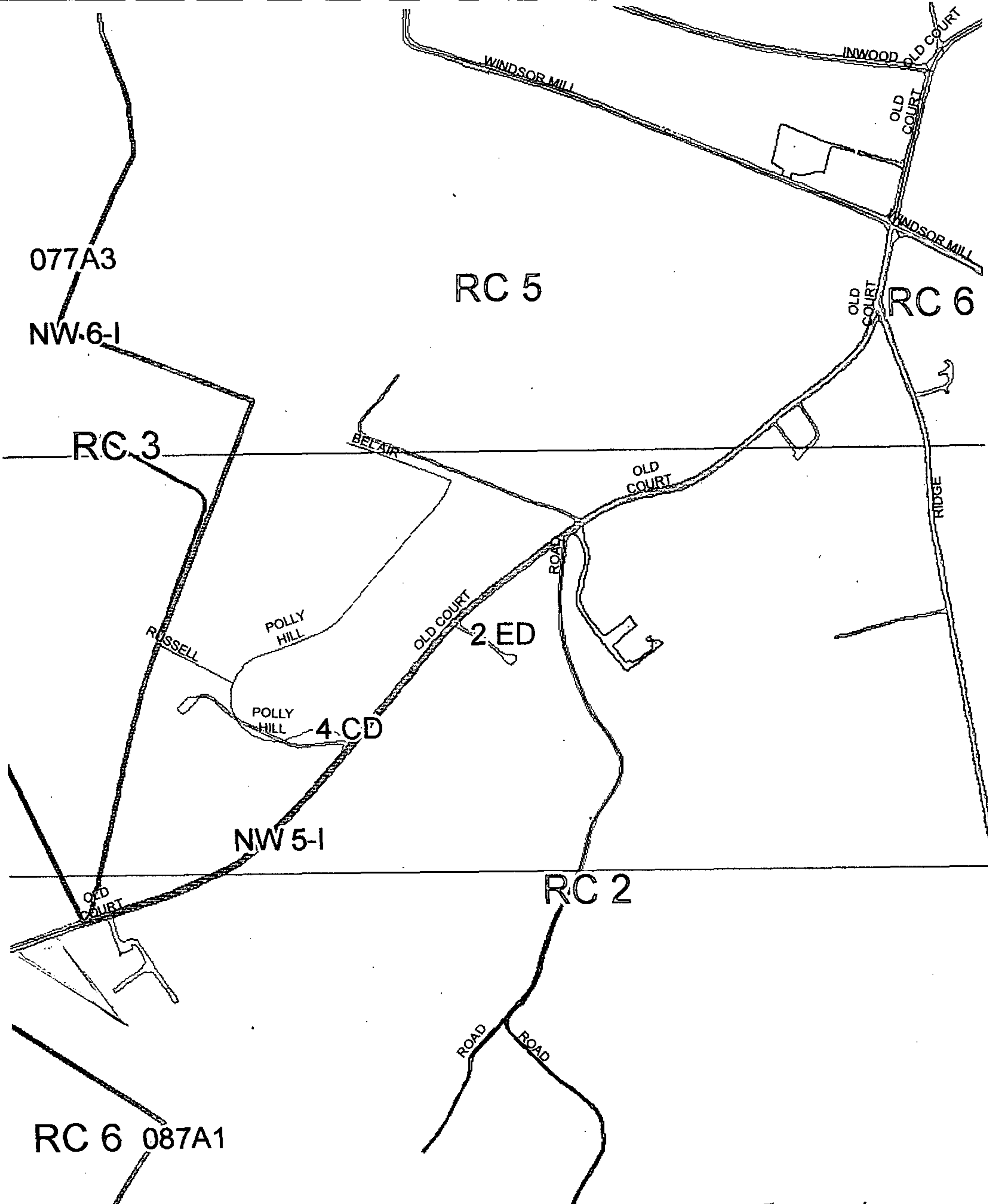


Publication Date: October 17, 2007
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



Item #187



aprox 1" = 400'

Item #187

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

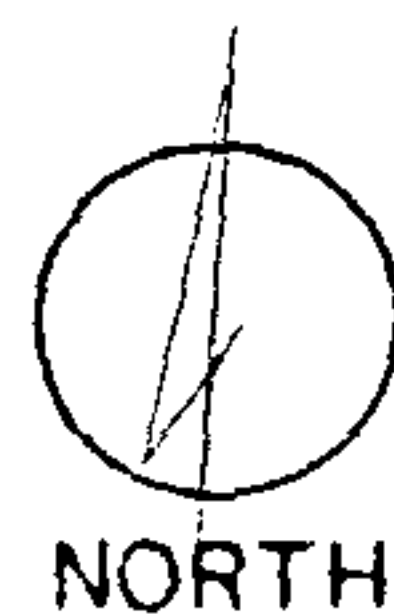
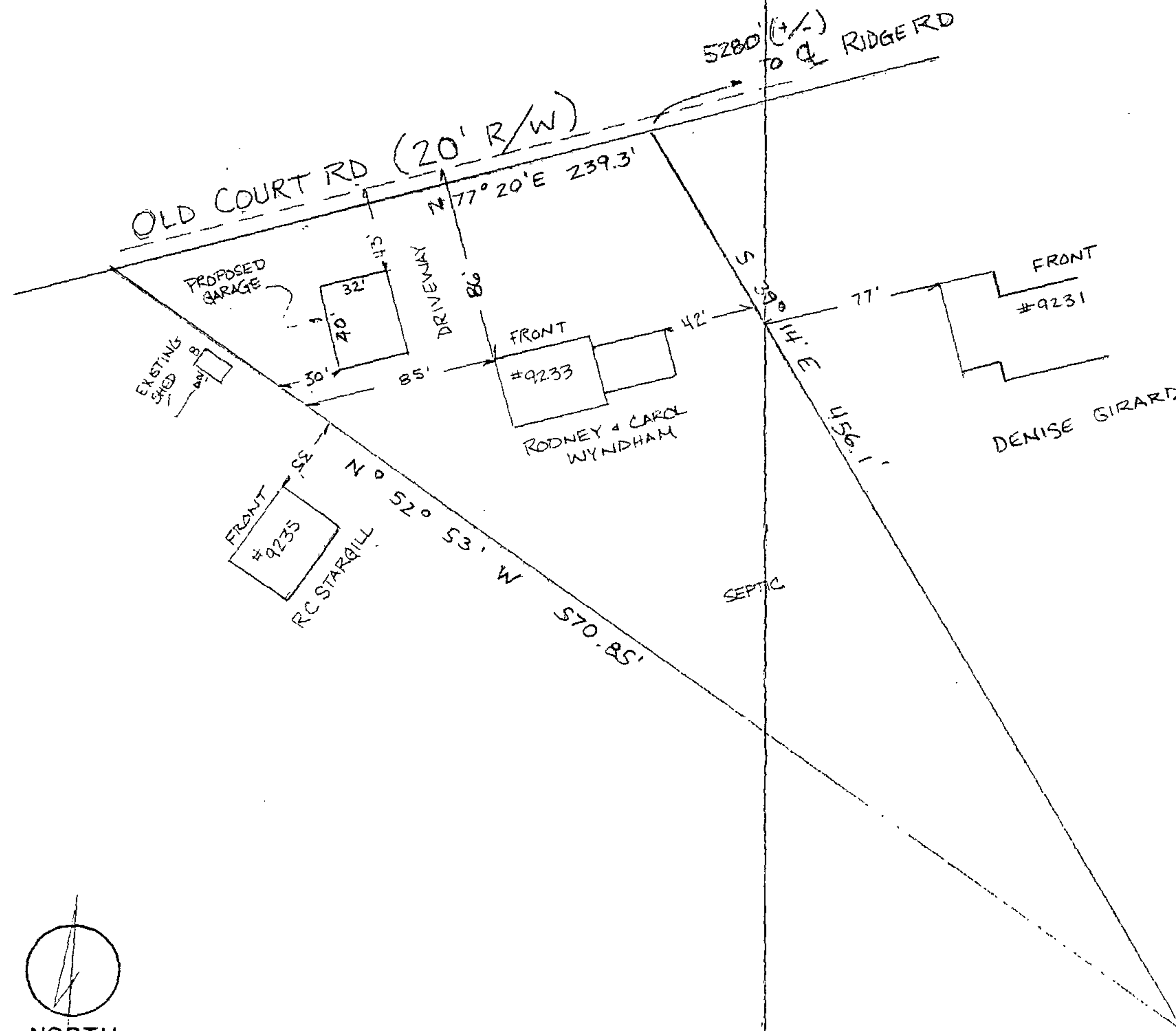
PROPERTY ADDRESS 9233 OLD COURT RD

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

SUBDIVISION NAME N/A

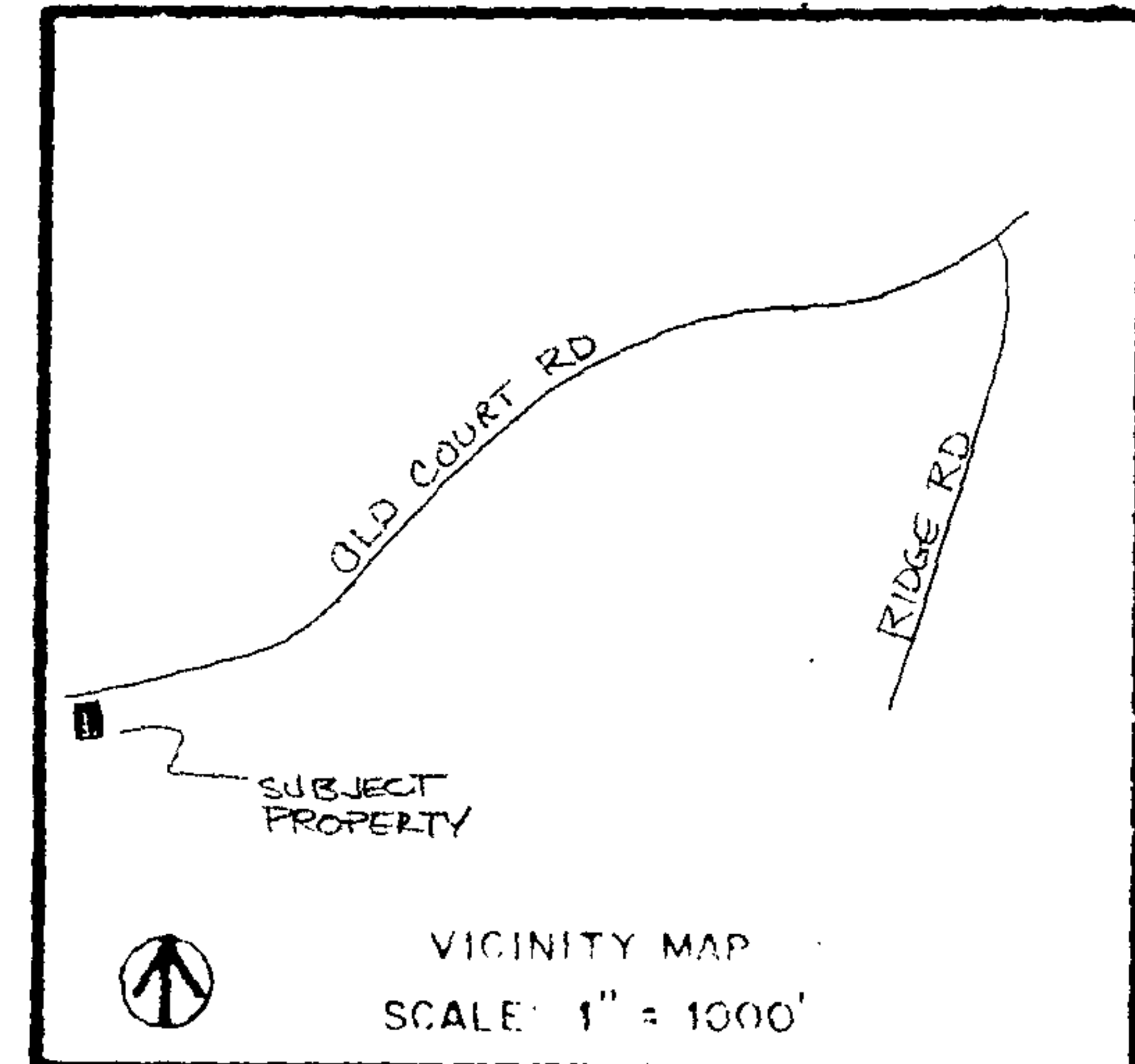
PLAT BOOK # FOLIO # LOT # SECTION #

OWNER RODNEY & CAROL WYNDHAM



PREPARED BY RODNEY WYNDHAM

SCALE OF DRAWING: 1" = 60'



LOCATION INFORMATION

ELECTION DISTRICT 2ND

COUNCILMANIC DISTRICT 4TH

1" = 200' SCALE MAP # 087A1

ZONING RC2

LOT SIZE 1.21

ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING		

ZONING OFFICE USE ONLY

REVIEWED BY <u>[Signature]</u>	ITEM # <u> </u>	CASE # <u>08-187-A</u>
--------------------------------	--------------------	------------------------

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

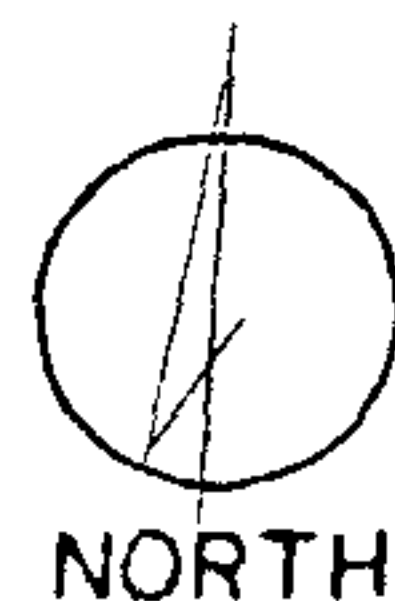
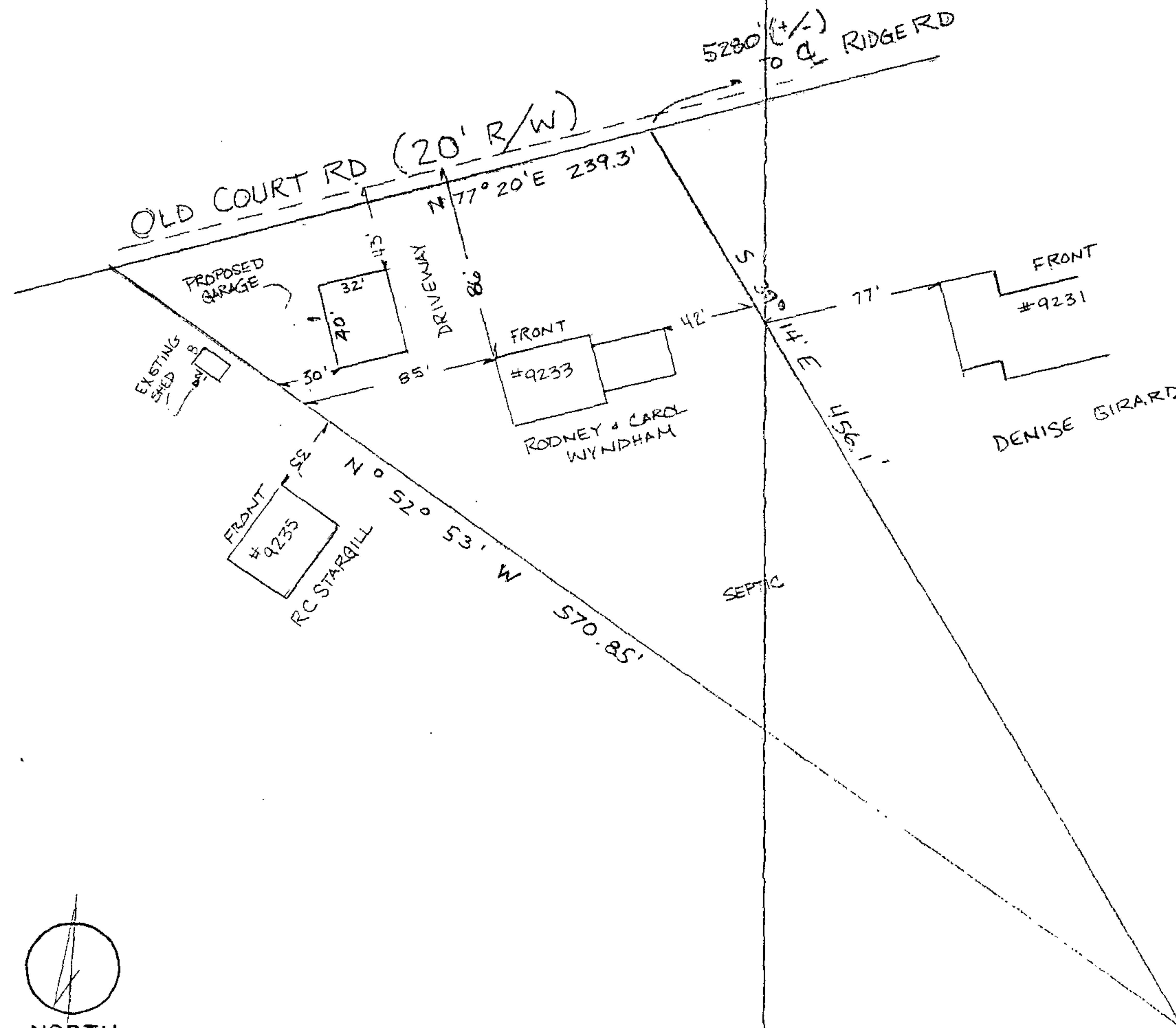
PROPERTY ADDRESS 9233 OLD COURT RD

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

SUBDIVISION NAME N/A

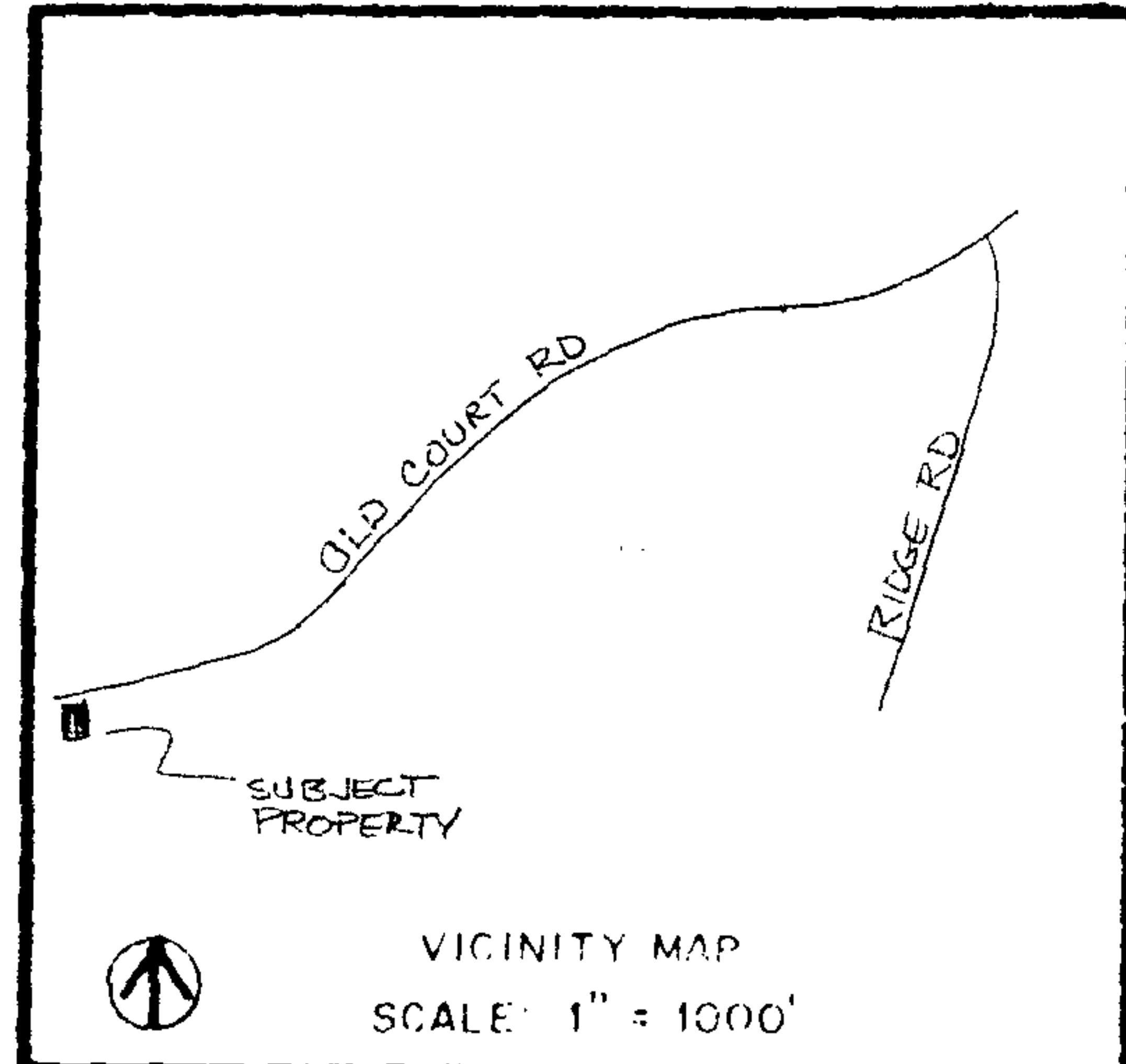
PLAT BOOK # FOLIO # LOT # SECTION #

OWNER RODNEY & CAROL WYNNDHAM



PREPARED BY RODNEY WYNNDHAM

SCALE OF DRAWING: 1" = 60'



LOCATION INFORMATION

ELECTION DISTRICT 2ND

COUNCILMANIC DISTRICT 4TH

1" = 200' SCALE MAP # 087A1

ZONING RC 2

LOT SIZE 1.21
ACREAGE

SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

100 YEAR FLOOD PLAIN	☐	☒
----------------------	--------------------------	-------------------------------------

HISTORIC PROPERTY/BUILDING	☐	☒
----------------------------	--------------------------	-------------------------------------

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
<u>RWD</u>		<u>08-187-A</u>



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

November 13, 2007

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

Rodney Wyndham
Carol Wyndham
9233 Old Court Road
Windsor Mill, Maryland 21244

Dear Rodney and Carol Wyndham:

RE: Case Number: 08-198-A 9233 Old Court Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 19, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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 dark ink, appearing to read "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc
Enclosures

c: Peoples Council
File



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: **NOVEMBER 1, 2007**

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

RE: Baltimore County
Item No. **8-187-A**
9233 OLD COURT ROAD
WYNDHAM PROPERTY
ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. **8-187-A**.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Foster
Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 30, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For November 5, 2007
Item Nos. 08-157, 184, 185, 186, 187
188, 190, 191, 192, 193, 194, and 196

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-10302007.doc

Patricia Zook - 2 Administrative Variance cases - need comments

From: Patricia Zook
To: Kennedy, Dennis
Date: 11/15/2007 10:17 AM
Subject: 2 Administrative Variance cases - need comments

Hello Dennis-

Yesterday I received the case files for the administrative variances that closed November 12. However, two of the files are missing comments from your office. I double checked with Kristen and she didn't have the comments. The case numbers are listed below.

Case 08-186-A, located at 1920 Rollingwood Road
Case 08-187-A, located at 9233 Old Court Road

Feel free to let me know via e-mail.

Thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

Patricia Zook - Case 08-187-A (administrative variance closed 11-12-07) Hearing needed

From: Patricia Zook
To: Matthews, Kristen
Date: 11/19/2007 3:58 PM
Subject: Case 08-187-A (administrative variance closed 11-12-07) Hearing needed
CC: Bostwick, Thomas; Wiley, Debra; Wiseman, Bill

Hi Kristen -

This administrative variance case has a code enforcement violation associated with it as well as a comment letter from the adjacent property owner. Therefore, we will not proceed with this case through the administrative variance process.

Please schedule a hearing for this case. The property will need to be reposted and advertised. Notification of the hearing should be sent to Ronald C. Sherrill, Sr. and Kathleen Sherrill, whose address is listed on the comment letter.

The file will be forwarded to you. Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov



SHANNON-BAUM SIGNS, INC.

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Christen	Bill Leddon bill@shannonbaum.com
COMPANY:	DATE:
Baltimore County Zoning Dept.	11/21/07
PHONE NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER SHEET:
410-887-3391	1
FAX NUMBER:	SENDER'S PHONE NUMBER:
410-887-3048	410-781-4000 or 1-800-368-2295
RE:	SENDER'S FAX NUMBER:
Sign Posting	410-781-4673

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☒ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Hello Christen,

In reference to Case #08-187-A, we were unable to post the appropriate zoning sign by the required date of 12/22/07 due to no fault of our customers, Carol and Rodney Wyndham. Please reschedule the hearing for 01/30/08 @ 2:00 pm. as you mentioned in our phone conversation and we will post the appropriate zoning sign by 01/15/08. I am sorry for any inconvenience. Please fax me information confirming the change in scheduling and contact me with any further steps that I may need to take. Thank you.

-Bill

DATE _____

E-MAIL

ROJESSE 2006 CYAATTOR.
Ksherrillessparch-inc.com

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER 08-187-A

DATE 1-30-08

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

Rodney Carol Wyndham

9233 Old Court Rd

Windsor, N.H. 03094

rywyndham@aol.com

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9233 OLD COURT RD

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

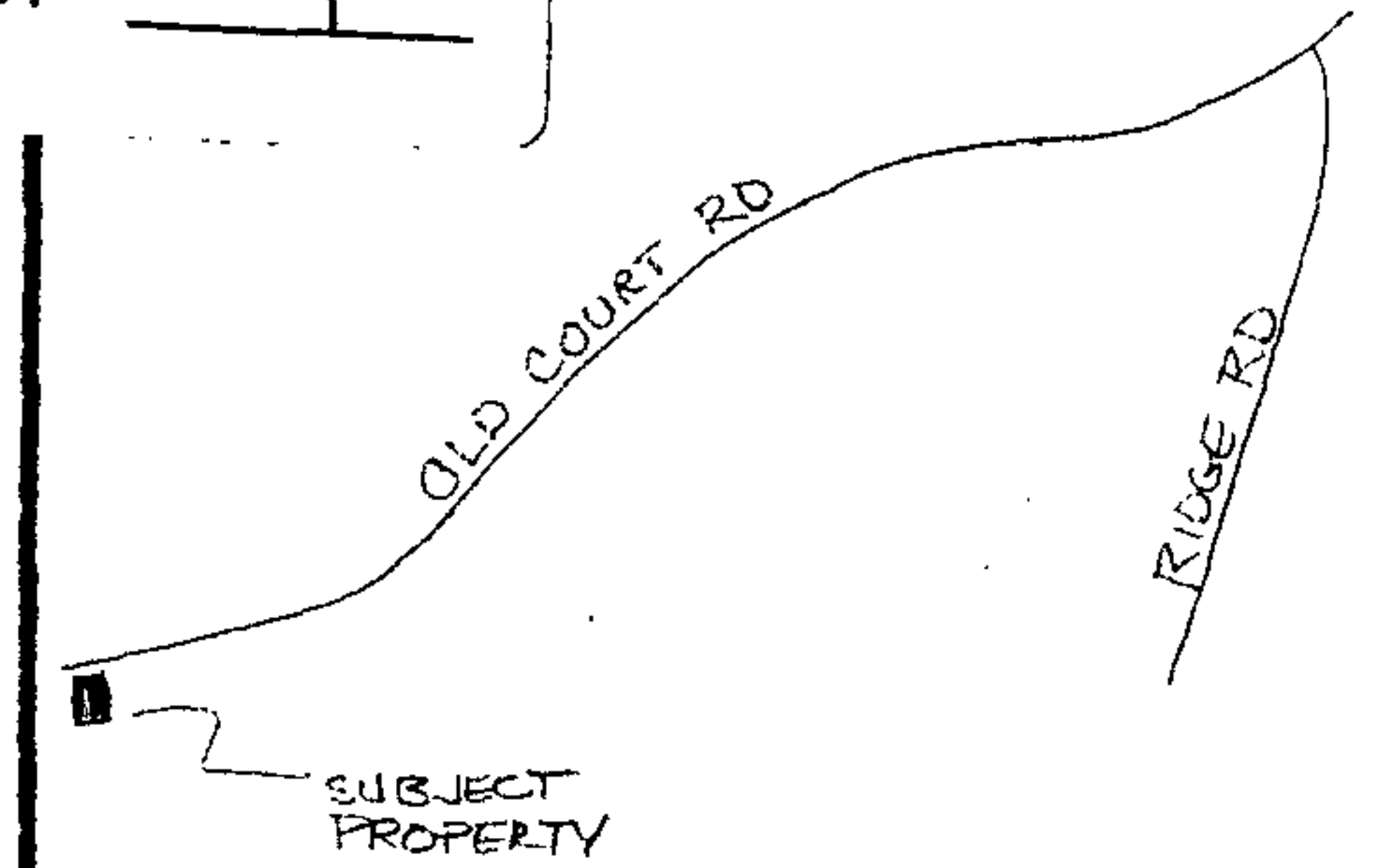
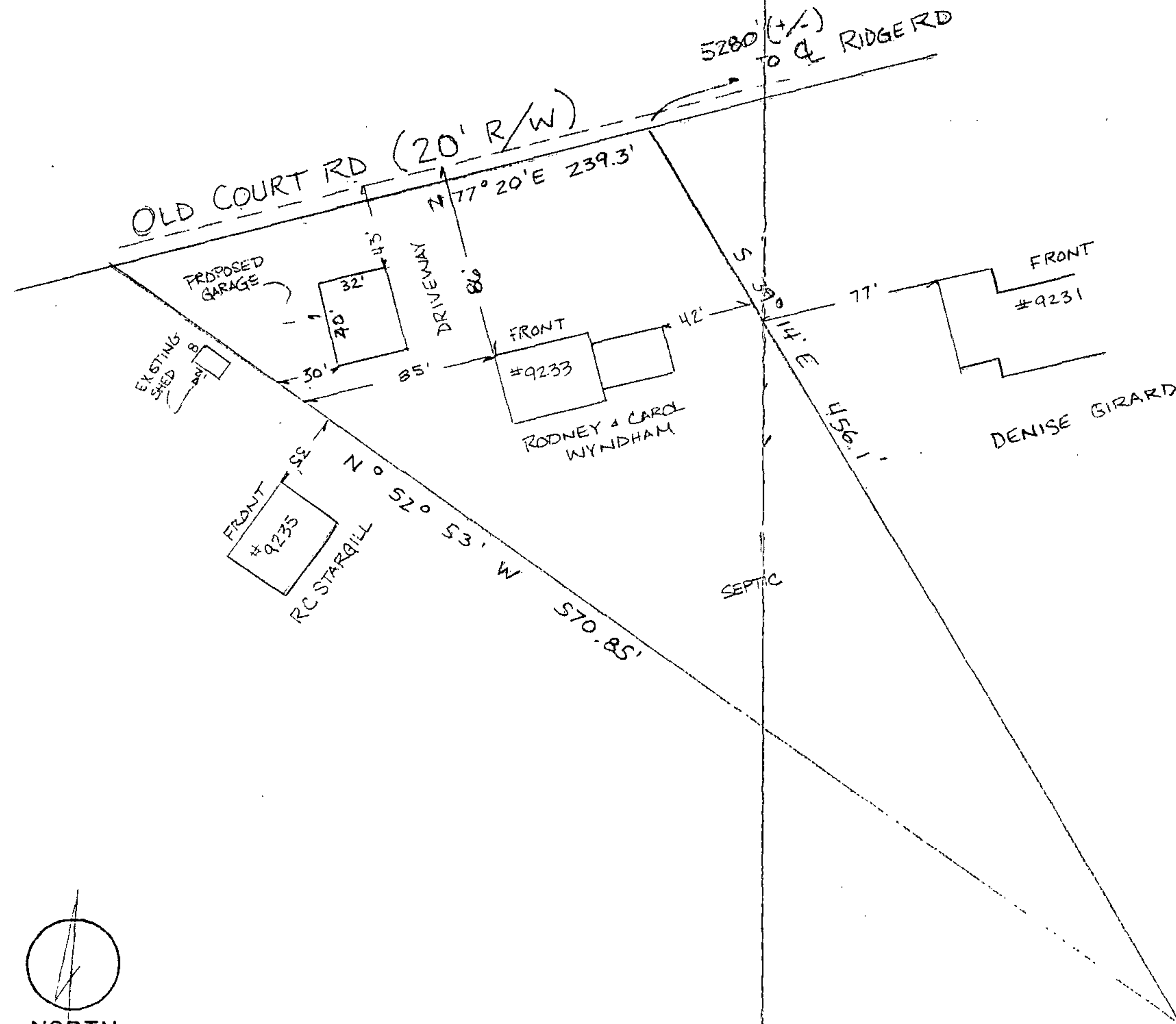
SUBDIVISION NAME N/A

PLAT BOOK # FOLIO # LOT # SECTION #

OWNER RODNEY & CAROL WYNDHAM

PETITIONER'S

EXHIBIT NO. 1



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 2ND

COUNCILMANIC DISTRICT 4TH

1" = 200' SCALE MAP # 087A1

ZONING RC2

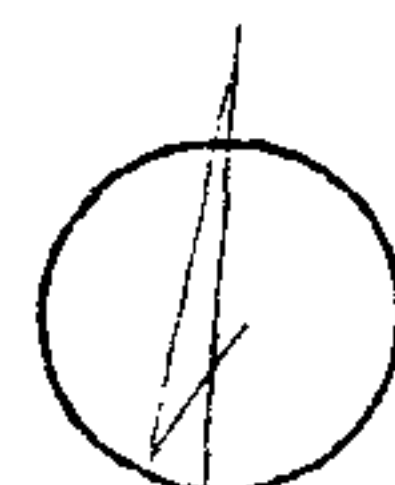
LOT SIZE 1.21
ACREAGE

SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING		

ZONING OFFICE USE ONLY
REVIEWED BY [Signature] ITEM # CASE # 08-187-A



NORTH

PREPARED BY RODNEY WYNDHAM

SCALE OF DRAWING: 1" = 60'

#9233



REAR VIEW OF SUBJECT PROPERTY
SHOWING GRADE OF PROPERTY

PETITIONER'S

EXHIBIT NO. 2A-E

Item #187



LOCATION OF PROPOSED GARAGE : VIEW TOWARDS #9235
NEIGHBOR SHED

Item #187



VIEW FROM FRONT OF #9235 TOWARDS OLD COURT RD

Item # 187



VIEW FROM FRONT
LEFT CORNER OF
#9233 LOT

LOCATION OF PROPOSED
GARAGE

6' +/- HILL

Item # 187

VIEW FROM ROAD TOWARDS #9235



LOCATION OF PROPOSED GARAGE

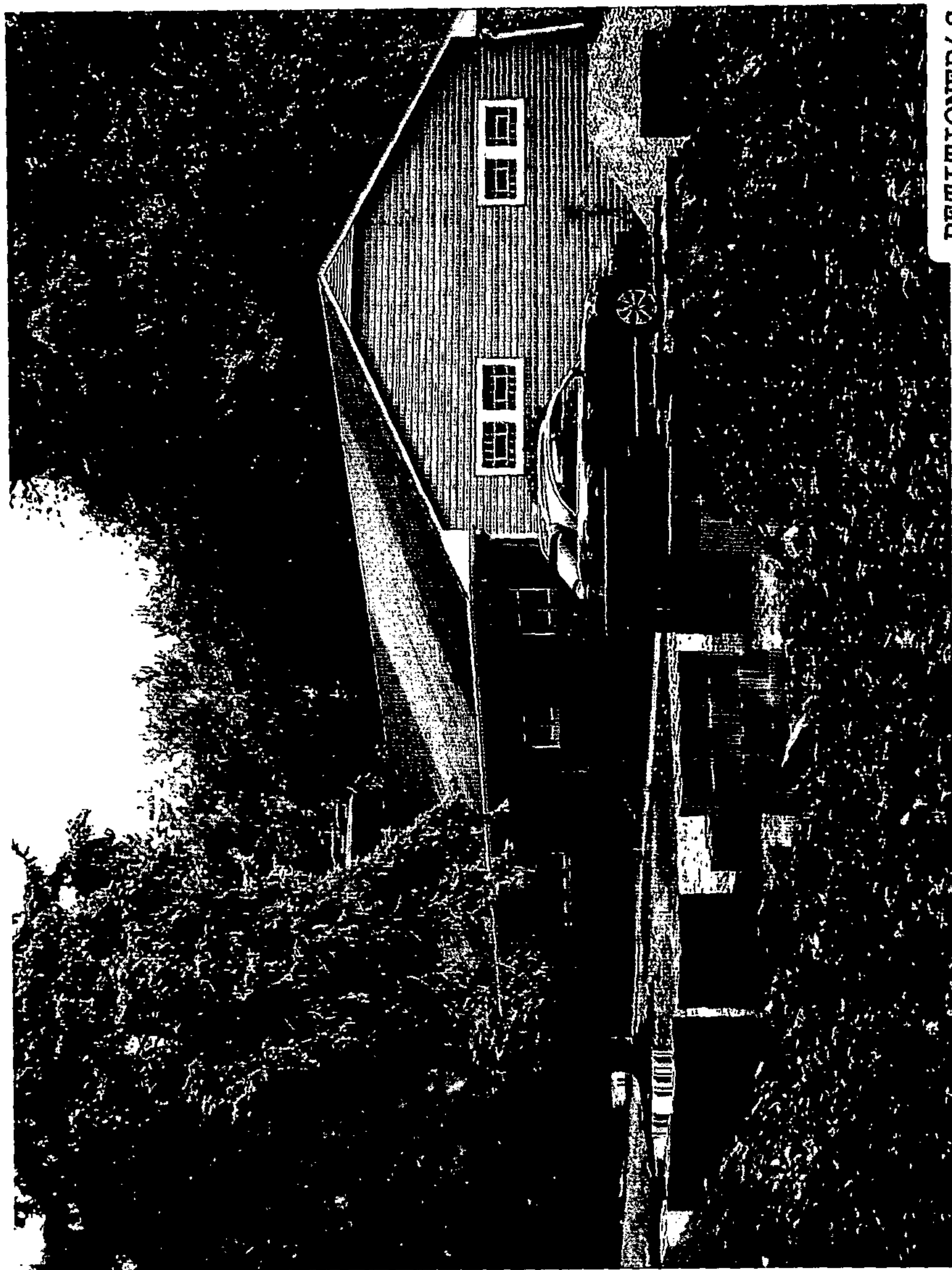
Item #187



PETITIONER'S

EXHIBIT NO. 3A+B





PETITIONER'S

4

EXHIBIT NO.

Fax Transmission
Walter P. Carter Center
Business Office
630 W. Fayette Street
410-209-6010
(Fax) 410-209-6020

DATE: 11/13/07

TO: MS. ROSE CAMPBELL

FAX #: 410-887-3048

FROM: RONALD C. STEWELL SR

SUBJECT: #9233 OLD COURT RD 21244

PAGES (including cover) 07

COMMENTS: _____

PROTESTANT'S

EXHIBIT NO. 1

Ronald C. Sherrill Sr.
Kathleen P.S. Sherrill
9235 Old Court Road
Windsor Mill MD 21244
November 13, 2007

Ms. Rose Campbell
Baltimore County Zoning Office
#111 Chesapeake Ave
Towson, MD 21204

Dear Ms. Rose:

My neighbor located at #9233 Old Court Road in Windsor Mill MD 21244 is planning to build a large three-car garage in the front yard of his property. My wife and I are opposing this structure being build for the following reasons. First, this freestanding structure will block our view of Court road and it is not in keeping with the community, where no one else has a large structure in their front yard and so close to the road. Second, this neighbor is a licensed electrician and his business vehicles will be parked in his front yard. I know this will occur because I see his business truck parked there now and I feel that more of these vehicles will be parked inside of this garage and around it. I'm not even sure if that will be legal or not. Third, I feel this structure is too close to the road of Old Court Rd and will cause a traffic hazard when we and other vehicles approach his driveway and can not see his vehicles coming out. Forth, I noticed there is plenty of room for this neighbor to simply attach this proposed garage/structure to the side of his house, which you can plainly see from the photographs faxed with this letter. Finally, I have serious concerns and fears that the market value of my residence will suffer due to the reasons I stated above. I have lived at my residence for over seven years and lived in Maryland all of my life, and paid my taxes in hopes that my investment will appreciate in value. I feel the building of this structure will economically hurt my family. That this large free standing garage in the front yard of # 9233 Old Court Road will cause me problems when I decide to sell my house in the future. Please contact me for any scheduled meetings in regards to this issue, it is very important to my wife and me. My home phone number is 410-655-6549 and cell is 443-844-1440.

Sincerely,



Ronald C. Sherrill Sr.



9233 OLD COURT RD



9233 OLD COURT RD



9238 OLD COUNTRY RD



9238 OLD COUNTRY RD



9233 OLD COURT RD



9233 OLD COURT RD



9233 OLD COURT RD



9233 OLD COURT RD



9233 SW Long Rd

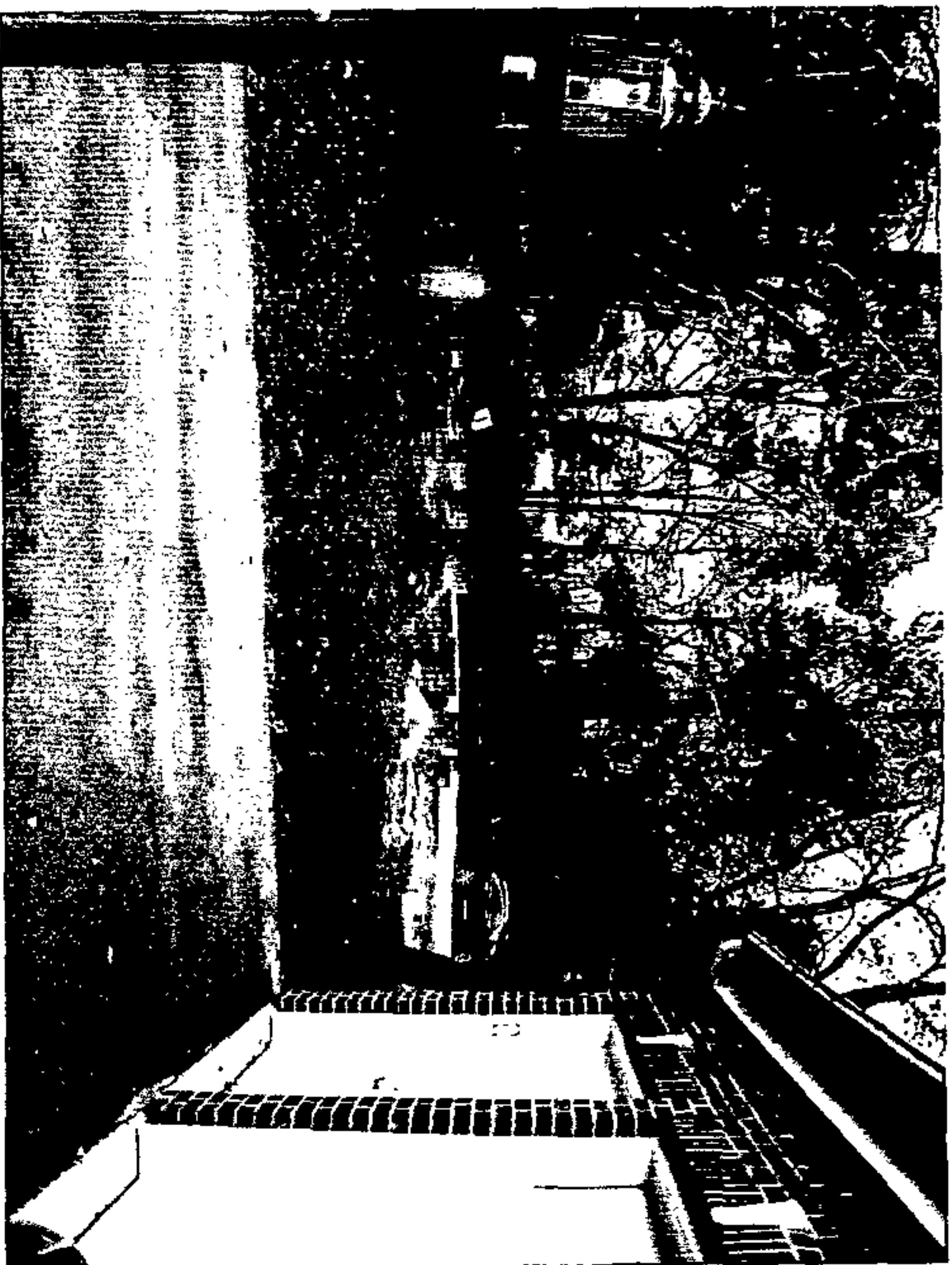


9233 SW Court Rd

9233 & W Court RD



9233 & W Court RD



PROTESTANT'S

EXHIBIT NO.

2A-H

9233 OLD COURT RD



9233 OLD COURT RD

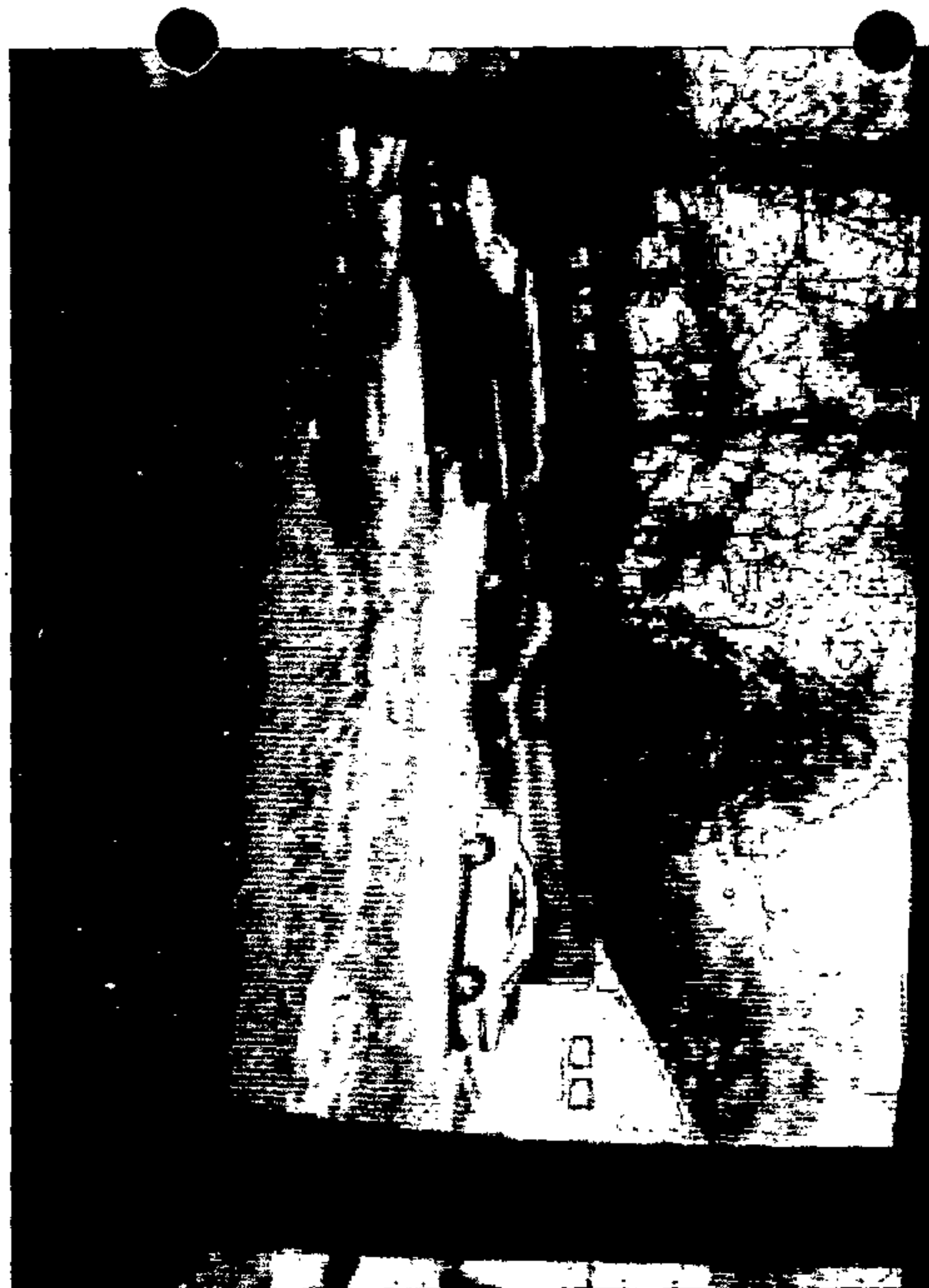


9233 OGD COURT RD



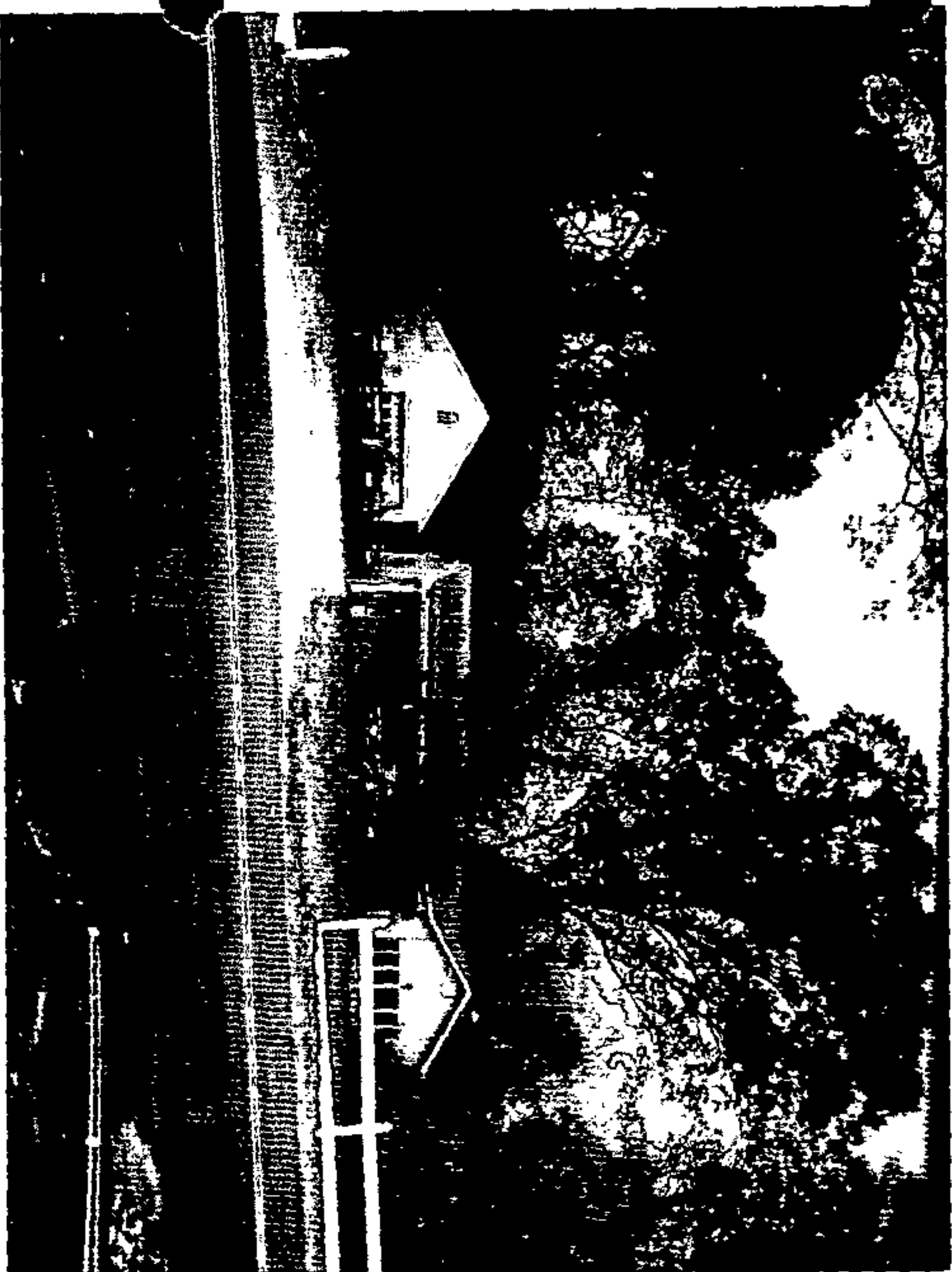
9233 OGD COURT RD







2832 GRANITE ROAD
WOOD STOCK Maryland 21163



PROTESTANT'S

EXHIBIT NO.

3

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: October 31, 2007

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 8-187-A
Legal Owner/Petitioner Wyndam, Rodney & Carol
Contract Purchaser: N/A
Property Address: 9233 Old Court Rd
Location Description: S/side Old Court Rd, 5280' +/- W/side of
centerline Ridge Rd

VIOLATION INFORMATION: Case No. 07-7396
Defendants: Wyndam, Rodney & Carol

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
------	---------

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- | | | |
|--------------------------|-----|---|
| ☐ | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| ☐ | 3. | State Tax Assessment printout |
| ☐ | 4. | State Tax Parcel Map (if applicable) |
| ☐ | 5. | MVA Registration printout (if applicable) |
| ☐ | 6. | Deed (if applicable) |
| ☐ | 7. | Lease-Residential or Commercial (if applicable) |
| ☐ | 8. | Photographs including dates taken |
| X | 9. | Correction Notice/Code Violation Notice |
| ☐ | 10. | Citation and Proof of Service (if applicable) |
| ☐ | 11. | Certified Mail Receipt (if applicable) |
| ☐ | 12. | Final Order of the Code Official/Hearing Officer (if applicable) |
| ☐ | 13. | Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| ☐ | 14. | Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable). |

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/tk
C: Code Enforcement Officer



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 07-7396	Property No. 02-23 153240	Zoning:
Name(s): WYNHAM Rodney J " & CAROL J		
Address: 9233 Old Court Rd		
Violation Location: same		

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

ABC. SECTION 105. PERMITS REQUIRED
Secure Building Permit
for structure in side/front
yard
Subject to \$1,000 fine.
Call DEP 410-887-3953

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before:	Date Issued:
---------------	--------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than: 9-24-07	Date Issued: 9-17-07
----------------------------	-------------------------

INSPECTOR NAME:

Tim Kidd

(PRINT NAME)

Case No: 07-7396

Close: 10/02/2007 Activity: _____ Delete: P

· Problem: FND POURED, BLOCKS IN YARD ?FREE STANDING BLDG IN FRONT. NO PERMITS

CL Address: 00000 _____

CL Home Phone: 410-580-9106 CL Work Phone: _____ Tax Acct. 0223153240

Owner: _____

Enter=Continue F12=Cancel

```
Mode . . . . : CHANGE
File . . . . : PDLV0001
```

Problem Descript.: FDN POURED, BLOCKS IN YARD ?FREE STANDING BLDG IN FRONT. NO
PERMITS

Complainant Name (Last): SHERRILL (First): KATHLEEN
Complainant Addr: _____
Complainant City: _____ State: _____ Zip: _____
Complainant Phone (H): 4105809106 (W): _____
Date of Reinspection: 11052007 Date Closed: _____ Delete Code (P): _____

F6=Select format
F11=Change

View Cases

Case No: 07-7396

Notes: 07-7396 9/17/07 VISITED SITE. ISSUED SWO. SPOKE TO COMPLAINANT. P/U 9/2
2/07 T.KIDD/NS*** 9/24/07 H/O SECURING PERMIT. SHOULD HAVE REAL SOON. GARAGE
TO BE ATTACHED BY BREEZEWAY. SHE CALLED TO INFORM. CALLED TO UPDATE COMPLAINANT.
P/U 10/2/07 T.KIDD/NS***
10/2/07 PERMIT SECURED B677723. CLOSE CASE. T.KIDD/NS***

Enter=Continue F12=Cancel

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Notes: 07-7396 9/17/07 VISITED SITE. ISSUED SWO. SPOKE TO COMPLAINANT. P/U 9/22/07 T.KIDD/NS*** 9/24/07 H/O SECURING PERMIT. SHOULD HAVE REAL SOON. GARAGE TO BE ATTACHED BY BREEZEWAY. SHE CALLED TO INFORM. CALLED TO UPDATE COMPLAINANT. P/U 10/2/07 T.KIDD/NS***

10/2/07 PERMIT SECURED B677723. CLOSE CASE. T.KIDD/NS***

10/29/07 RE-OPEN CASE. KATHLEEN SHERRILL CALLED AFTER I CALLED HER TO INFORM THAT MRS. WYNDHAM HAD SECURED BUILDING PERMIT. SHE SAID THAT THE PERMIT DID NOT MATCH THE SET BACKS. I TOLD HER THAT I WOULD STOP OUT TO CHECK. I FOUND THAT THE FRONT SET-BACK WAS THE SET BACK IN QUESTION. I CALLED MRS. WYNDHAM & ALSO LEFT A STOP WORK. SHE INFORMED THAT SHE WOULD DO WHAT EVER TO COMPLY. P/U 11/5/07 T.KIDD/NS***

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

DATE: 10/30/2007

STANDARD ASSESSMENT INQUIRY (1)

TIME: 07:33:44

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
02 23 153240	02	1-0	04-00	H	NO		10/02/07
WYNDHAM RODNEY J				DESC-1.. IMPSSES OLD COURT RD			
WYNDHAM CAROL J				DESC-2.. 2640 W DOGWOOD RD			
9233 OLD COURT RD				PREMISE. 09233 OLD COURT RD			

00000-0000

BALTIMORE

MD 21244-1023 FORMER OWNER: WYNDHAM RODNEY J

FCV			PHASED IN		
PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	61,260	86,780	FCV	ASSESS	ASSESS
IMPV:	105,910	244,710	TOTAL..	276,716	221,943
TOTL:	167,170	331,490	PREF...	0	0
PREF:	0	0	CURT...	276,716	221,943
CURT:	167,170	331,490	EXEMPT.	0	0
DATE:	06/03	06/06			
TAXABLE BASIS			FM DATE		
ASSESS:	276,716		08/23/07		
ASSESS:	221,943				
ASSESS:	0				

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS