

IN RE: PETITION FOR VARIANCE

SE corner of Lamport Road and
Tydyman Road
4th Election District
3rd Councilmanic District
(106 Lamport Road)

Irvin S. and Debra C. Sass
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2010-0084-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Irvin and Debra Sass. Petitioners are requesting Variance relief from Section 415A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle on a residential lot to be stored and situated 6.5 feet forward in lieu of 8 feet to the rear of a lateral projection of the front foundation wall of the dwelling. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioners Irvin and Debra Sass. As the property is located in the Reisterstown area, George Harman and Mary Molinaro with the Reisterstown-Owings Mills-Glyndon Coordinating Council appeared as interested citizens. Also appearing as a Protestant opposed to the requested relief was Calvin Reter of 326 Cherry Chapel Road in Reisterstown.

Testimony and evidence offered revealed that the subject property is primarily square-shaped, with a slight outward taper on the south side of the property, and consists of approximately 10,890 square feet or 0.25 acre, more or less, zoned D.R.3.5. The property is located at the southeast corner of Lamport Road and Tidyman Road, west of Main Street (a/k/a

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Reisterstown Road), south of Butler Road, and west of Central Avenue in the Reisterstown area of Baltimore County. As shown on the site plan, the property is improved with a split foyer single-family dwelling built in 1965 and situated on a corner lot. The property is part of an older subdivision known as "Crandon" and many of the homes date from the 1960's. As also shown in the photographs that were marked and accepted into evidence as Petitioners' Exhibits 2A through 2E, the property is fairly wooded, with two very large, mature trees located in the front yard at the property line between the subject property and the adjacent property to the south at 238 Tidyman Road. It is also noteworthy that although the subject property is located at the corner of Lamport Road and Tidyman Road and has a street address of 106 Lamport Road, the dwelling actually fronts on Tidyman Road and the driveway running along the southern boundary fronts on Tidyman Road as well.

Petitioners explained that they have resided at the subject property since 1986. Approximately 5 years ago, they purchased a recreational vehicle ("RV"). The RV is a 1993 Winnebago "Minnie Winnie" model and is approximately 24 feet long. Petitioners customarily make extensive use of the RV during the summer months and intermittently during the fall and spring seasons. When not in use, Petitioners have parked and stored the RV in their driveway at the side of their home. At some point this past summer, the County's Bureau of Code Enforcement and Inspections received a complaint that the RV was improperly parked in Petitioners' driveway. A Code Inspector observed the property on August 7, 2009 and issued a Correction Notice for illegal parking of the RV in the driveway pursuant to Section 415A of the B.C.Z.R.¹ Shortly thereafter, Petitioners filed for the instant variance relief seeking to park their RV approximately 6.5 feet forward of the front foundation wall of the dwelling.

¹ Case No. CO 0065941.

In support of the variance request, Petitioners point out several unique features of the property that contribute to the need for variance relief. First, they indicate that the property is located on a corner lot. This virtually rules out storing the RV anywhere but where it is presently parked. If the RV were somehow parked on the Lamport Road side of the property, it would have significantly more visual impact than the present location. Second, the property is wooded, with a number of trees and shrubs throughout. The trees, especially the five or six mature trees located at the end of Petitioners' driveway, limits the extent to which Petitioners can park the RV further into the rear yard, unless those trees were removed and the driveway extended. Although this could be done, it would be costly, but in their view would unnecessarily take away mature, healthy trees that also act as a buffer. Also in support of the variance request, Petitioners submitted a petition signed by a number of nearby neighbors that indicates they have no problem with Petitioners parking their RV in the driveway as it stands presently. This petition, marked and accepted into evidence as Petitioners' Exhibit 3, was signed by Betty McCormick of 238 Tidyman Road, the neighbor immediately adjacent to the subject property and most affected by the presence of the RV in the driveway, as well as neighbors located at 104, 105, 107, 109, 117, and 120 Lamport Road.

Testifying in opposition to the requested relief was Calvin Reter of 326 Cherry Chapel Road. Mr. Reter resides in the Chartley North subdivision that is located just south of the subject property. Mr. Reter indicated that he is a longtime resident (almost 40 years) of the community and is a past president of the Chartley Homeowners Association and the Reisterstown-Owings Mills-Glyndon Coordinating Council ("ROG"). He indicated that he filed the initial complaint with Code Enforcement concerning the parking of Petitioners' RV. His daughter lives on Tidyman Road and the parking of the RV, as well as the general poor condition of Petitioners'

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12-21-09

property, has been a sore spot for some time. Mr. Reter submitted several photographs that were marked and accepted into evidence as Protestant's Exhibits 1A through 1G. These photographs show several views of the subject property from Tidyman Road and Lamport Road. From the front of the property on Tidyman Road, the rear of the RV can clearly be seen. From the side views of the property, the RV is much more hidden from view by the trees and shrubs.

Mr. Reter explained that as a past leader in the community, he is very concerned that the Zoning Regulations be followed in order to maintain the consistency of neighborhoods and to keep communities stable. In his view, the Zoning Regulations are one of the single most effective tools that communities have in countering overdevelopment and neighbors who wish to make changes to their properties without regard to the community as a whole. He believes the Zoning Regulations should be strictly applied, especially in this case. One of the main reasons for this stance is what he contends is the generally poor condition of Petitioners' home and yard. The previously introduced photographs (Protestant's Exhibits 1A through 1G) show that Petitioners' property does have some overgrown shrubs and also has a chain link fence surrounding the rear yard that is old and rusted. The photographs also show Petitioners' home in need of some attention, with a deck that appears to have seen its better days and some peeling paint on one of the gable ends.

Also testifying as interested citizens were Mary Molinaro and George Harman. Ms. Molinaro is past president of the Chartley Homeowners Association and is President of ROG. Mr. Harman is past president of ROG and is currently the Zoning Committee Chair for ROG. They expressed general concerns with Petitioners' variance request and echoed Mr. Reter's testimony regarding adherence to the Zoning Regulations for the benefit of communities. In addition, although the subject property is not part of a homeowners association, Ms. Molinaro

expressed concerns on behalf of two homes very close to the subject property that are part of the Chartley Homeowners Association.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated September 28, 2009 that indicates they do not oppose the variance request provided that screening is planted along the southern property boundary. This will create a visual barrier between the recreational vehicle and adjacent home at 238 Tidyman Court, which is the dwelling that is the most impacted by the parking of the recreational vehicle.

Section 415A.1.A of the B.C.Z.R. states that one recreational vehicle may be stored on a residential lot occupied by a single-family detached or semi-detached dwelling, and when in a side yard it must be situated at least eight feet to the rear of a lateral projection of the front foundation line of the dwelling. In the instant matter, Petitioners have requested variance relief in order to park their RV in the side yard, but 6.5 feet in front of the lateral projection of the front foundation line.

Considering all the testimony and evidence presented, I am persuaded to grant the variance relief. Although this Commission has often taken a dim view and is generally dubious toward the parking and storage of RV's in the front and side yards, in this case, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. In reviewing the record of this case, I find that the location of the subject property on a corner lot, combined with presence of mature trees throughout the property, especially the two trees at the southern property line and the five trees at the end of Petitioners' driveway, cause the Zoning Regulations to disproportionately impact the subject property as compared with others in the District. I therefore find the property unique in a zoning sense. I

12-21-09

also find that these factors limit the ability to Petitioners to strictly comply with the requirements of Section 415A of the B.C.Z.R. and would cause Petitioners undue prejudice and unreasonable hardship if the variance request was not granted. In particular, Petitioners would need to remove the trees at the end of the driveway and extend the impervious surface of the driveway at least 15 more feet in order park the RV as required by the Regulations. In my judgment, this would only accentuate the presence of the RV and would be environmentally imprudent. I further find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Although I can appreciate Mr. Reter's testimony regarding what he believes is a general lack of maintenance on the part of Petitioners toward their property, and is borne out to an extent by the photographs he introduced (Protestant's Exhibits 1A through 1G), this is more an issue that Petitioners should address themselves as good members of a community that desires attractive, well cared for homes and consistent property values. Moreover, if there are violations such as excessive high grass or vegetation or structural issues with the dwelling, then it is a matter best handled by the Code Inspections and Enforcement Bureau.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 21st day of December, 2009 by this Deputy Zoning Commissioner, that Petitioners' Variance request from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle on a residential lot to be stored and situated 6.5 feet forward in lieu of 8 feet to the rear of a lateral projection of the front foundation wall of the dwelling be and is hereby **GRANTED**, subject to the following:

1. Petitioners are advised that they may apply for any required building permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners shall install landscape screening such as trees or shrubs along the southern property boundary to create a visual barrier between the recreational vehicle and the adjacent home at 238 Tidyman Court.

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

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12-21-09



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 21, 2009

IRVIN AND DEBRA SASS
106 LAMPORT ROAD
REISTERSTOWN MD 21136

Re: Petition for Variance
Case No. 2010-0084-A
Property: 106 Lamport Road

Dear Mr. and Mrs. Sass:

Enclosed please find the decision rendered in the above-captioned case.

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,

A handwritten signature in black ink, appearing to read "J. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Dave Kirby, Baltimore County Division of Code Enforcement
George Harman, 5429 Wywood Drive, Reisterstown MD 21136
Mary Molinaro, 215 Chartley Drive, Reisterstown MD 21136
Calvin Reter, 326 Cherry Chapel Road, Reisterstown MD 21136



* ORIGINAL KEEP IN FILE TAX. ACCOUNT # 0419000741

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 106 LAMPORT RD., 21136

which is presently zoned DR 3.5

VIOLATION CASE #
CO 0065941

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)

415A.1 BCZR TO PERMIT A RECREATIONAL VEHICLE ON A RESIDENTIAL LOT TO BE STORED AND SITUATED TO BE 6.5 FT. FORWARD IN LIEU OF 8 FT TO THE REAR OF A LATERAL PROJECTION OF THE FRONT FOUNDATION WALL OF THE DWELLING.

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

TO BE DETERMINED AT HEARING.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

MR. IRVIN S. SASS

Name - Type or Print

Signature

MRS. DEBRA C. SASS

Name - Type or Print

Signature

106 LAMPORT RD. 410-526-4626

Address

Telephone No.

REISTERSTOWN, MD. 21136

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR.

UNAVAILABLE FOR HEARING

Reviewed By

Date 9/09/09

0084

Zoning Description for 106 Lamport Rd. Reisterstown, Md. 21136

BEGINNING AT A POINT ON THE INTERSECTION OF
TIDYMAN ROAD AND LAMPORT ROAD AT THE SOUTH
EAST CORNER

Being Lot # 3, Block E, Section # in the subdivision of Crandon as recorded
in the Baltimore county Plat Book Ref. # 28/106, containing approx.
.25 acres, & also known as 106 Lamport Rd. Reisterstown, Md. 21136, and
located in the 4th election district, and the 3rd councilmanic district.

Owners Irvin & Debra Sass

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: 2010 0084 A
Petitioner: x IRVIN + DEBRA SASS
Address or Location: x 106 LAMPORT RD.

PLEASE FORWARD ADVERTISING BILL TO

Name: IRVIN + DEBRA SASS
Address: 106 LAMPORT RD.
BEISTERSTOWN, MD. 21136
Telephone Number: ^{H+W} 410-526-4626, CELL PHONE 410-470-8440

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

16
0024

No. 14777

Date: 9/21/09

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		1150					65.00

Total: 65.00

Rec
From:

For:

5000
 R/V 106 Computer AD

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**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: # 2010-0084-A

106 Lamport Road

S/east corner of Lamport Road and Tydman Road

4th Election District — 3rd Councilmanic District

Legal Owner(s): Irvin & Debra Sass

Variance: to permit a recreational vehicle on a residential lot to be stored and situated to be 6.5 feet forward in lieu of the 8 feet to the rear of a lateral projection of the front foundation wall of the dwelling.

Hearing: Friday, November 13, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake 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) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/523 October 29

219301

CERTIFICATE OF PUBLICATION

10/29/, 2009

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 10/29/, 2009.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/29/09

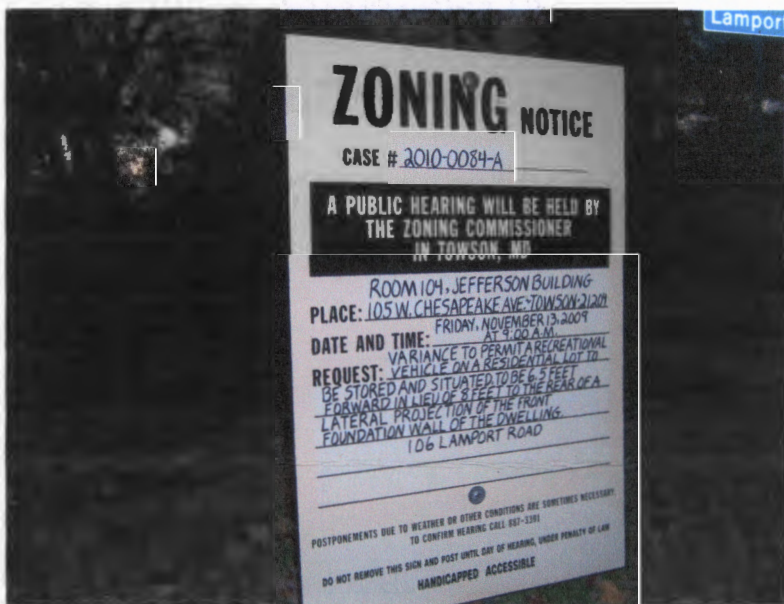
Case Number: 2010-0084-A

Petitioner / Developer: IRVIN & DEBRA SASS

Date of Hearing (Closing): NOVEMBER 13, 2009

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:
106 LAMPORT ROAD

The sign(s) were posted on: OCTOBER 28, 2009



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

410 - 666 - 5366
(Telephone Number of Sign Poster)



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
October 13, 2009

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: 2010-0084-A

106 Lamport Road
S/east corner of Lamport Road and Tydyman Road
4th Election District – 3rd Councilmanic District
Legal Owners: Irvin & Debra Sass

Variance to permit a recreational vehicle on a residential lot to be stored and situated to be 6.5 feet forward in lieu of 8 feet to the rear of a lateral projection of the front foundation wall of the dwelling.

Hearing: Friday, November 13, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Timothy Kotroco
Director

TK:klm

C: Irvin & Debra Sass, 106 Lamport Road, Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 29, 2009.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 29, 2009 Issue - Jeffersonian

Please forward billing to:
Irvin & Debra Sass
106 Lamport Road
Reisterstown, MD 21136

410-526-4626

NOTICE OF ZONING HEARING

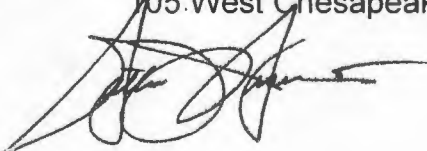
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2010-0084-A

106 Lamport Road
S/east corner of Lamport Road and Tydyman Road
4th Election District – 3rd Councilmanic District
Legal Owners: Irvin & Debra Sass

Variance to permit a recreational vehicle on a residential lot to be stored and situated to be 6.5 feet forward in lieu of 8 feet to the rear of a lateral projection of the front foundation wall of the dwelling.

Hearing: Friday, November 13, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake 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 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 3, 2009

Irvin& Debra Sass
106 Lamport Rd
Reisterstown, MD 21136

Dear: Irvin& Debra Sass

RE: Case Number 2010-0084-A, 106 Lamport Rd

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 09, 2009. 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 black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

September 9, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: **September 6, 2010**

Item No.:

Administrative Variance: 2011-0084A, 0086A-0087A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

TB 11/13
9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 28, 2009

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

RECEIVED

SUBJECT: 106 Lamport Road

SEP 29 2009

INFORMATION:

Item Number: 10-084

ZONING COMMISSIONER

Petitioner: Irvin and Debra Sass

Zoning: DR 3.5

Requested Action: Variance

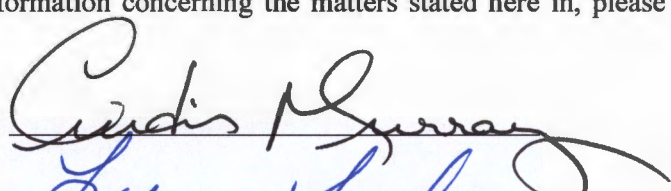
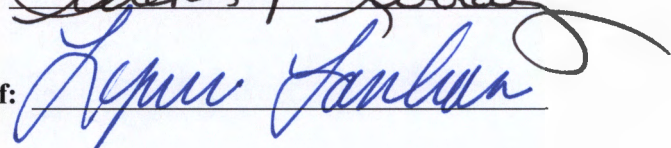
The petitioner requests a variance from Section 415A.1 of the BCZR to permit a recreational vehicle on a residential lot to be stored and situated to be 6.5 feet forward in lieu of the 8 feet to the rear of a lateral projection of the front foundation wall of the dwelling.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the above variance request, provided that screening is planted along the southern property boundary. This will create a visual barrier between the recreational vehicle and adjacent home at 238 Tidyman Court, which is the dwelling that will be the most impacted by the parking of the recreational vehicle.

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

Prepared by:

Division Chief:
AFK/LL: CM

TB 11/13
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 29 2009

ZONING COMMISSIONER

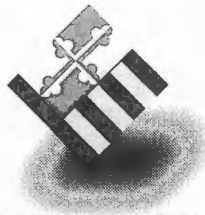
TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 29, 2009
SUBJECT: Zoning Item # 10-084-A
Address 106 Lamport Road
(Sass Property)

Zoning Advisory Committee Meeting of September 14, 2009

 X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL

Date: 9/29/09



BALTIMORE COUNTY
MARYLAND

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

September 18, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 14. 2009

Item Numbers 067,068,070,071,072,073,074,075,076,077,079,080,081,082,083,084
and 0085

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 21, 2009

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 21, 2009
Item Nos. 10-068, 069, 072, 073, 074, 075,
076, 081, 082, 083, 084, 085 and 086

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09212009(b) -NO COMMENTS.doc



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT, 22, 2009

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

RE: Baltimore County
Item No. 2010-0084-A
106 LAMPORT ROAD
SASS PROPERTY
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. 2010-0084-A.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "Steven D. 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.sha.maryland.gov



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 8, 2010

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

RE: Baltimore County
Item No. 2011-0084-A
1203 MAPLE LEAF CT.
IMMLER PROPERTY
ADMIN. 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. 2011-0084-A.

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

Very truly yours,

¹Steven D. Foster, Chief
For 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.sha.maryland.gov

RE: PETITION FOR VARIANCE * BEFORE THE
106 Lamport Road; SE corner of Lamport *
Road & Tydyman Road * ZONING COMMISSIONER
4th Election & 3rd Councilmanic Districts *
Legal Owner(s): Irvin & Debra Sass * FOR
Petitioner(s) * BALTIMORE COUNTY
* 10-084-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

SEP 23 2009

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of September, 2009, a copy of the foregoing Entry of Appearance was mailed to Irvin and Debra Sass, 106 Lamport Road, Reisterstown, MD 21136, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY CODE ENFORCEMENT
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204
(410) 887-3351

FACSIMILE TRANSMITTAL SHEET

TO:

Patty

FROM:

Christina

COMPANY:

DATE:

11-6-09

FAX NUMBER:

410 887-3468

TOTAL NO. OF PAGES INCLUDING COVER:

4

PHONE NUMBER:

SENDER'S REFERENCE NUMBER

RE:

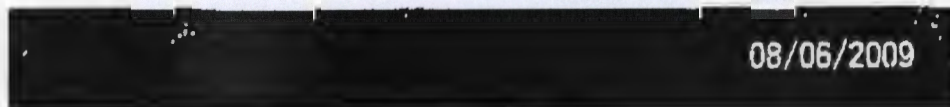
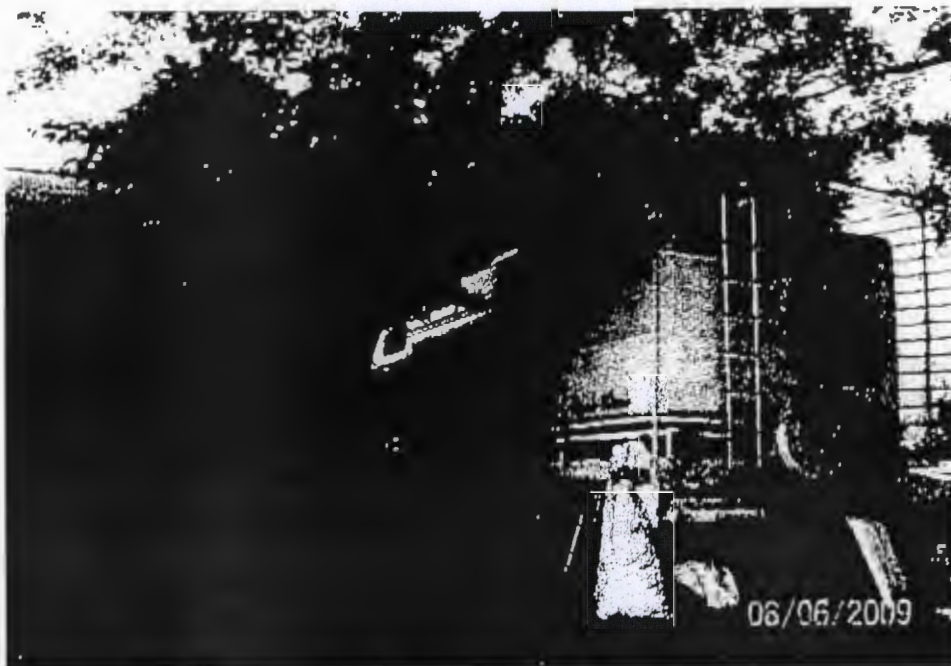
YOUR REFERENCE NUMBER:

106 Lampert Rd

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

NOTES/COMMENTS

PHOTOGRAPHIC RECORD

Facility No.: FA 0263780 Record No.: CO 0063941Date of Photograph(s): 8/06/09 106 LAMPORT RD

I HEREBY CERTIFY that I took 4 photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above referenced Facility/Record Number on the date set above.

Dave Kirby
(Enforcement Officer)

Code Inspections and Enforcement
County Office Building, Rm.
111 West Chesapeake Ave.
Towson, Maryland 21204



Code Enforcement 410-887-3351
Building Inspection 410-887-3953
Electrical Inspect 410-887-3960
Plumbing Inspect. 410-887-3620
Signs/Fences 410-887-3896

CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER CO 0065941	PROPERTY TAX ID 0419000741	DATE ISSUED 8/07/09
NAME(S) IRVIN SASS		
MAILING ADDRESS DEBRA C. SASS		
CITY 106 LAMFOLT RD		
STATE KEISTERMAN MD		ZIP CODE 21236
VIOLATION ADDRESS SAME		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- ☐ DR1 ☐ DR2 ☐ DR3.5 ☐ DR3.5 ☐ DR10.5 ☐ DR16
☐ RC2(1A01) ☐ RC4(1A03) ☐ RC20 & 30 (1A05) ☐ RC6(1A07)
☐ RC3(1A02) ☐ RC5(1A04) ☐ RCC (1A06) ☐ RC7 (1A08)
☐ OTHER: _____

NON-RESIDENTIAL CLASSIFICATION

- ☐ RL (230) ☐ BR (336) ☐ RM (233)
☐ MR (240) ☐ ML (253) ☐ MH (356)
☐ OTHER: _____

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-3-102; 32-3-402; 32-3-603; 32-4-114

- | | |
|---|---|
| ☐ 101; 102.1: Definitions; general use | ☒ 415A: License/ remove untagged recreation vehicle |
| ☐ 1801.1: DR Zones-use regulations | ☒ 415A: Improperly parked recreation vehicle |
| ☐ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s) | ☐ 410: Illegal Class II trucking facility |
| ☐ 1801.1D: Remove open dump/ junk yard | ☐ 400: Illegal accessory structure placement |
| ☐ 431: Remove commercial vehicle(s) | ☐ 1802.1; 270; 421.1: Illegal kennel. Limit 3 dogs |
| ☐ 181; 102.1: Remove contractors equip. storage yard | ☐ 182.5: Residential site line violation/ obstruction |
| ☐ 101; 102.1; ZCPM: Cease service garage activities | ☐ 408B: Illegal rooming/ boarding house |
| ☐ 402: Illegal conversion of dwelling | ☐ BCC: 32-3-102; 500.9 BCZR; ZCPM: |
| ☐ 101; 102.1; ZCPM: Illegal home occupation | Violation of commercial site plan and/or zoning order |

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|--|--|
| ☐ 13-7-112: Cease all nuisance activity | ☐ 35-2-301: Obtain building/ fence/ sign permit |
| ☐ 13-7-115: County to abate nuisance & lien costs | ☐ 18-2-401: Remove all obstruction(s) at street, alley, road |
| ☐ 13-7-310: Remove all trash & debris from property | ☐ 13-7-310(2): Remove bird seed / other food for rats |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 32-3-102: Violation of development plan/ site plan |
| ☐ 13-7-201(2): Cease stagnant pool water | ☐ FBC 115: BCBC 115: Remove/ Repair unsafe structure board and secure all openings to promise |
| ☐ 12-3-106: Remove animal feces daily | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 35-5-208(a)(c): Seal exterior openings from rodents & pests | |
| ☐ 13-4-201(h)(d): Store garbage in containers w/ tight lids | |

OWNER OCCUPIED HOUSING (B.C.C.)

- | | |
|---|--|
| ☐ 35-5-302(a)(1): Unsanitary conditions. | ☐ 35-5-302(a)(2): Store all garbage in trash cans |
| ☐ 35-5-302(a)(3): Cease _____ information from prop. | ☐ 35-5-302(b)(1): Repair exterior structure |
| ☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc | ☐ 35-5-302(b)(1)(3): Repair exterior extensions |
| ☐ 35-5-302(b)(1)(4): Repair chimney & similar extensions | ☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces |
| ☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s) | ☐ 35-5-302(b)(1)(7): Repair defective fence |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|--|---|
| ☐ 35-2-404(a)(1)(i): Remove hazardous or unsafe condition | ☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(1)(iii): Repair roof or horizontal members | ☐ 35-2-404(a)(1)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof / foundations |
| ☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair / remove defective exterior sign(s) | ☐ 35-2-404(a)(1)(4): Board & secure. Material to match building color of structure |

OTHER VIOLATIONS OR REMARKS:

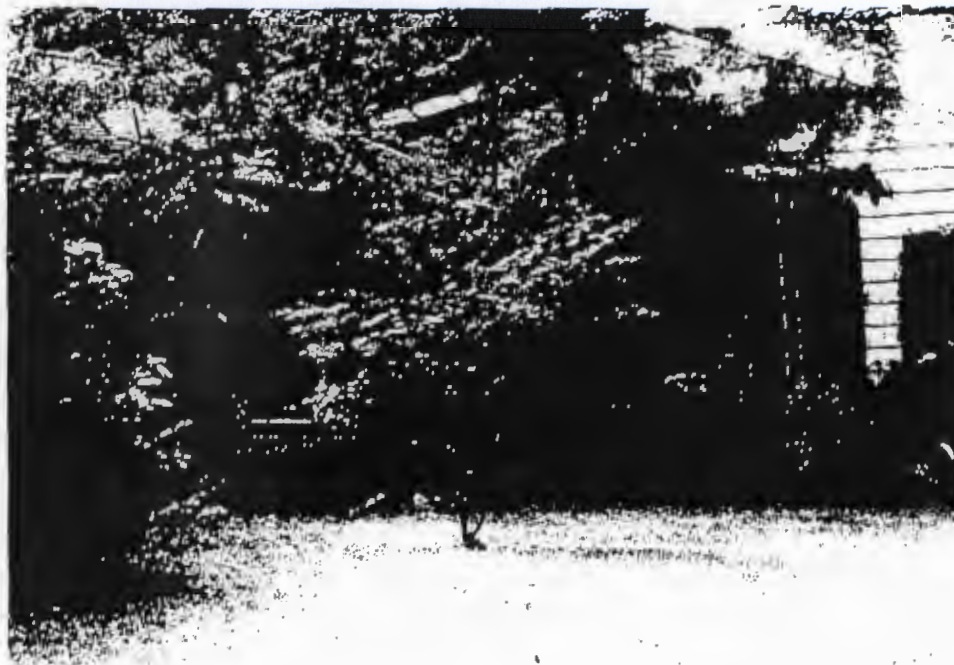
RV ILLEGALLY PARKED IN DRIVEWAY AS DISCUSSED.

NOTICE POSTED AND MAILED

POTENTIAL FINE: \$200 ☐ \$500 ☐ \$1000 per day, per violation and to be placed as a lien upon your tax bill.COMPLIANCE DATE: **8/28/09** INSPECTOR NAME: **DAVID W. KIRBY**

AGENCY

PHOTOGRAPHIC RECORD

Facility No. FA 0263780 Record No. CO 0065941Date of Photograph(s): 8/31/09 106 LANPORT RD

I HEREBY CERTIFY that I took 1 photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above referenced Facility/Record Number on the date set above.

Dave Kirby
(Enforcement Officer)

CASE NAME _____
CASE NUMBER 2010-0084-A
DATE 12-13-09

[illegible]

Case No.: 2010-0084-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	Calvin Kete's Photos of subject property
No. 2	Photos of subject Property	
No. 3	Petition signed by neighbors in support of variance	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Petition as to RV located at 106 Lamport Road. Reisterstown, Md. 21136

I do not find any problem with Mr. & Mrs. Sass parking their Winnebago Minnie Winnie RV in their driveway as it stands presently.

- 1- Betty McCormick - Betty McCormick
(238 Tidgman Ct.)
- 2- Chip Thornton - 104 Lamport Rd.
- 3- Bernadette Thornton - 104 Lamport Rd.
- 4- Judy Dalrow - 105 Lamport Rd.
- 5- Margaret Folkest - 107 Lamport Rd.
- 6- John ABEL - 109 Lamport Rd.
- 7- Robert B Hedrick - 117 Lamport Rd.
- 8- W. Neal Haynie - 120 Lamport Rd.

PETITIONER'S

EXHIBIT NO.

3

Property: 106 Lamport Road Reisterstown, MD 21136

Picture Addendum

Picture taken from
front side plane of
house
Trees block view of
RV

A

09/08/2009

Clos
prop
of
an

09/08/2009



LAMPORT ROAD LOOKING NORTH
TOWARDS REAR OF HOUSE

C



East side of house looking from Lamport Road

D



Rear of house from Lamport road

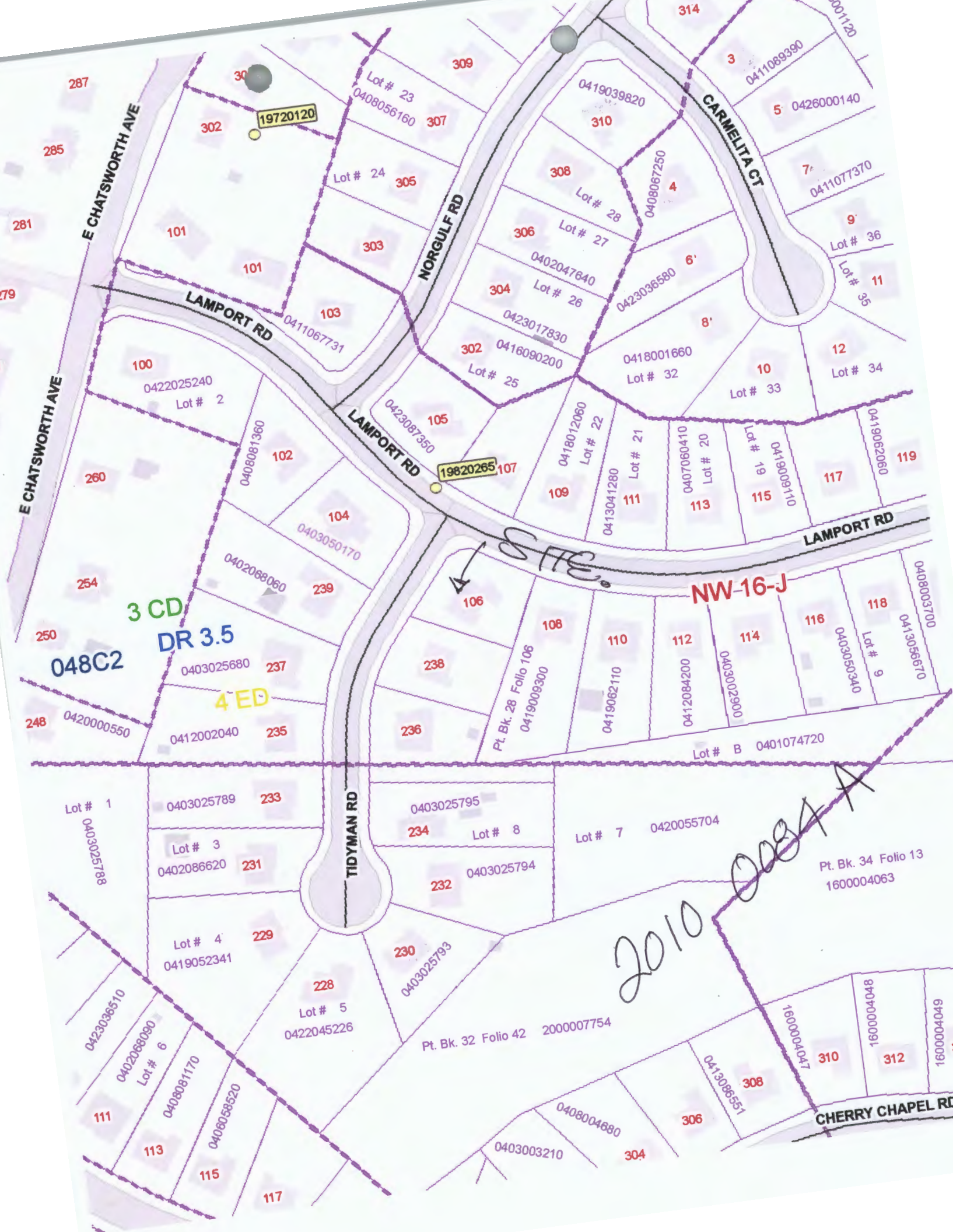
E



F



G



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 106 LAMPORT ROAD, REISTERSTOWN, MD 21136

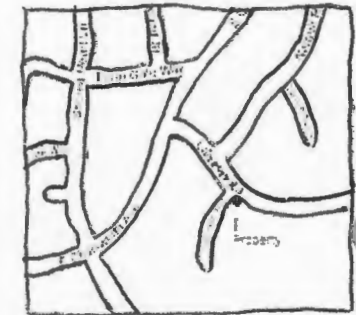
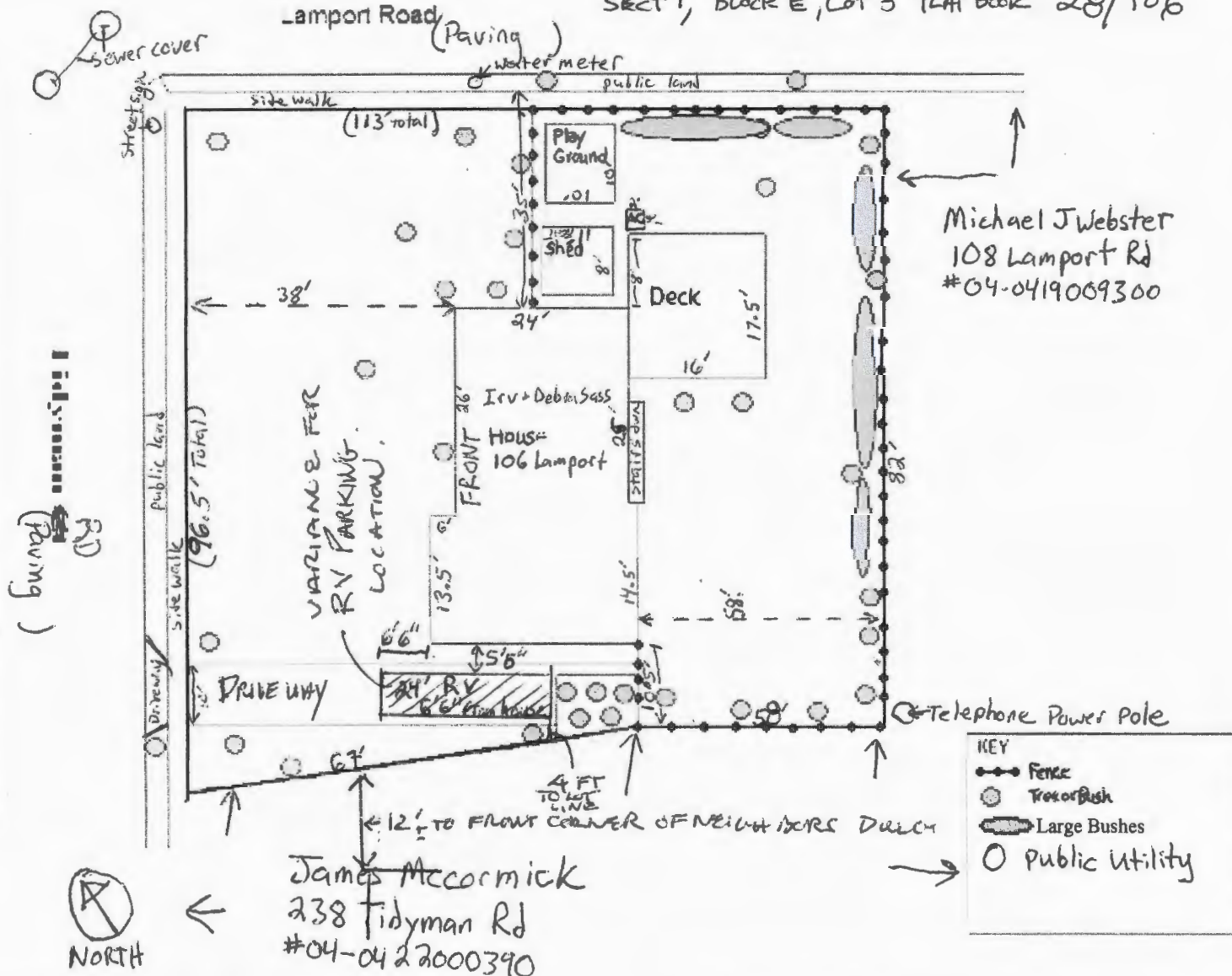
OWNER: IRVIN & DEBRA SASS

VIOLATION CASE # CO 0065941

PETITIONER'S

EXHIBIT NO. 1

SUBDIVISION CRANDON
SECT 1, BLOCK E, LOT 3 PLAT BOOK 28/106



VICINITY MAP
SCALE 1" = 500'



LOCATION INFORMATION

ELECT ON D.C. RIG 4
COUNCILMAN'S DISTRICT 3

ZONING PR 3.5
LOT SIZE .25 10890.05
ACREAGE 50 ARE Feet

SEWER ☒
WATER ☒

NO
☒
1" NEAR FLOOD PLAIN
☒
H. 100' PROPERTY
☒
FR. OR TONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED TEM #

JL 2010 0084 A

PREPARED BY: AARON SASS

SCALE OF DRAWING: 1" = 20'