

IN RE: PETITION FOR ADMIN. VARIANCE

W side of Emeleton Road; 240 feet S
of the c/l of Fairbridge Court
4th Election District
2nd Councilmanic District
(220 Embleton Road)

Jeanne Linton and Joseph Pilkerton
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0268-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Jeanne Linton and Joseph Pilkerton for property located at 220 Embleton Road. The variance request is from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a carport addition on the side of the existing dwelling with a side setback of 6 inches in lieu of the required 7.5 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a carport measuring 18 feet x 24 feet on a previously constructed concrete parking pad. Petitioners indicate that they wish to have a carport because they both have arthritis and are afraid of falling on the snow and ice as they get in and out of their vehicles.

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 April 20, 2010 which states the lot is a regularly shaped, average size lot in the subdivision known as Suburbia. The reasons provided to not meet the requirements of Section 304 of the B.C.Z.R. The Planning Office discussed with the Petitioners' representative the option of reducing the size of the carport in order to increase the setback to 3 feet. The Petitioners object to any reduction in

ORDER RECEIVED FOR FILING

Date 5.13.10

By pm

the size of the carport. It is the opinion of the Office of Planning that a full variance hearing is needed. The Planning Office requests the scheduling of a hearing at the earliest possible date.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 17, 2010 and there being no request by an interested neighbor for a public hearing, a decision shall be rendered based upon the documentation presented.

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

In particular, Petitioner Jeanne Linton submitted a letter dated April 15, 2010 providing information why the carport is necessary as well as her response to the Office of Planning comments. In summary, Ms. Linton indicated that she purchased the property in 1992. Since that time, Petitioners have maintained their property in "pristine condition" and have made improvements to the interior and exterior of the dwelling and the landscaping. As part of the improvements, Petitioners constructed an 18 foot by 24 foot parking pad at the end of their driveway. They also poured footers for a potential carport in the future. At this juncture, as indicated above, Petitioners desire to construct a carport that would be attached to the northeast side of the property.

ORDER RECEIVED FOR FILING

Date 5.13.10 2

By psj

In support of this request, Ms. Linton also pointed out that a number of other properties in the neighborhood have improvements with similar setbacks. This includes fences, decks, carports, and sheds that are situated very near or at the adjacent property lines. Based on these photographs, it is clear that this neighborhood has an abundance of properties with improvements placed in a manner similar to what is proposed by Petitioners. Petitioners also prepared a short letter and gathered signatures from neighbors expressing that the neighbors have no problem with the building of the carport. It is also noteworthy that notice of Petitioners' variance request was provided to neighbors by way of a sign posted on the property from April 17, 2010 through May 3, 2010 and no neighbors expressed opposition or requested a public hearing on the matter.

While I certainly have the utmost respect for the Office of Planning's review and comments in this matter, in my judgment, a public hearing is not necessary. I believe Petitioners have provided adequate information of their plans and I am persuaded to grant the requested relief.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 13th day of May, 2010 that a variance from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a carport addition on the side of the existing dwelling with a side setback of 6 inches in lieu of the required 7.5 feet is hereby GRANTED, subject to the following:

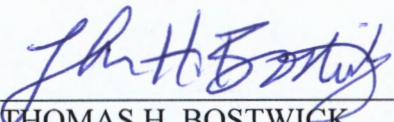
ORDER RECEIVED FOR FILING

Date 5.13.10

By PJ

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall be consistent with an open sided automobile structure and may be connected to the side of the home as shown on the site plan, but it shall not have any sidewalls, but only vertical posts supporting a roof, and shall remain open on the three exposed sides.
3. The carport shall not be converted into an enclosed structure at any time.

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

ORDER RECEIVED FOR FILING

Date 5.13.10

By PZ 4



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 13, 2010

JEANNE LINTON AND JOSEPH PILKERTON
220 EMBLETON ROAD
REISTERSTOWN MD 21136

Re: Petition for Administrative Variance
Case No. 2010-0268-A
Property: 220 Embleton Road

Dear Ms. Linton and Mr. Pilkerton:

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 cursive script, appearing to read "Th. H. Bostwick".
THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Briton Weber, F&W Contractors LLC, 3305 Toggenburg Drive, Finksburg MD 21048



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 220 EMBLETON RD. REISTERSTOWN, MD
which is presently zoned DR, 3.05

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B 02-3.C.1 & 301.1

TO PERMIT A CARPORT ADDITION ON THE SIDE OF THE EXISTING DWELLING WITH A SIDE SETBACK OF 6 INCHES IN LIEU OF THE REQUIRED 7.5 FEET.

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 _____

ORDER RECEIVED FOR FILING
5.13.10

Legal Owner(s):

JEANNE M. LINTON
Name - Type or Print _____
Signature _____
JOSEPH C. PILKERTON
Name - Type or Print _____
Signature _____
220 EMBLETON ROAD 410-388-1463
Address _____ Telephone No. _____
REISTERSTOWN MD 21136
City _____ State _____ Zip Code _____

Representative to be Contacted:

BRYAN A. WIEGER FFW CONTRACTORS LLC
Name _____
3305 TOWEN BURN DR 410-883-7473
Address _____ Telephone No. _____
FINKS BURN MD 21048
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 _____ day of _____ 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. 2010-0268-A

REV 10/25/01

Reviewed By A. TSUI Date 04/06/2010

Estimated Posting Date 4/18/10 - 5/03/10

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 220 EMBLETON ROAD
City REISTERSTOWN State MD Zip Code 21136

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):

MS. JEANNE M. LINTON & MR. JOSEPH C. PILKERTON BOTH HAVE ARTHRITIS AND ARE AFRAID OF FALLING ON THE ICE & SNOW AS THEY GET IN & OUT OF THEIR AUTOS. MS. JEANNE M. LINTON ALSO HAS A-BAD KNEES.

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.

[Signature]
Signature
JEANNE M. LINTON
Name - Type or Print

[Signature]
Signature
JOSEPH C. PILKERTON
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of March, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeanne M. Linton & Joseph C. Pilkerton
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Alissa J. Woodring
Notary Public
Baltimore County, Maryland
My Commission Expires 5/13/13

[Signature]
Notary Public
My Commission Expires 5/13/13

Zoning Description;

Zoning Description for 220 Embleton Road, Reisterstown, Md. 21136.

Beginning at a point on the WEST side of Embleton Road which is 50
Feet wide at the distance of 248 feet SOUTH of the centerline of the
nearest improved intersection street ~~Grant~~ ^{PAIK BRIDGE CT} Road which is 90 feet
wide. *Being Lot # 14, Block A, Section # 5, in the subdivision of Suburbia as
recorded in Baltimore County Plat Book # ~~67~~ 31-~~88~~, Folio # 88.
Containing 11,255 S.F. Also known as 220 Embleton Road and located in the
4th Election District, 2ND councilmanic District.

2010-0268-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0268 -A Address 220 EMBLETON ROAD
Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 04/06/2010 Posting Date: 04/18/10 Closing Date: 05/03/10

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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2010- 0268 -A Address 220 EMBLETON ROAD
Petitioner's Name JEANNE M. LINTON Telephone 410-356-1453
Posting Date: _____ Closing Date: _____
Wording for Sign: To Permit A CARPORT ADDITION ON THE SIDE OF
THE EXISTING DWELLING WITH A SIDE SETBACK OF 6
INCHES IN LIEU OF THE REQUIRED 7.5 FEET.

Revised 8/20/09

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

No. 50212

Date: 11-1-88

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				

Total: 11.50

Rec
From: _____

For: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 04/18/10

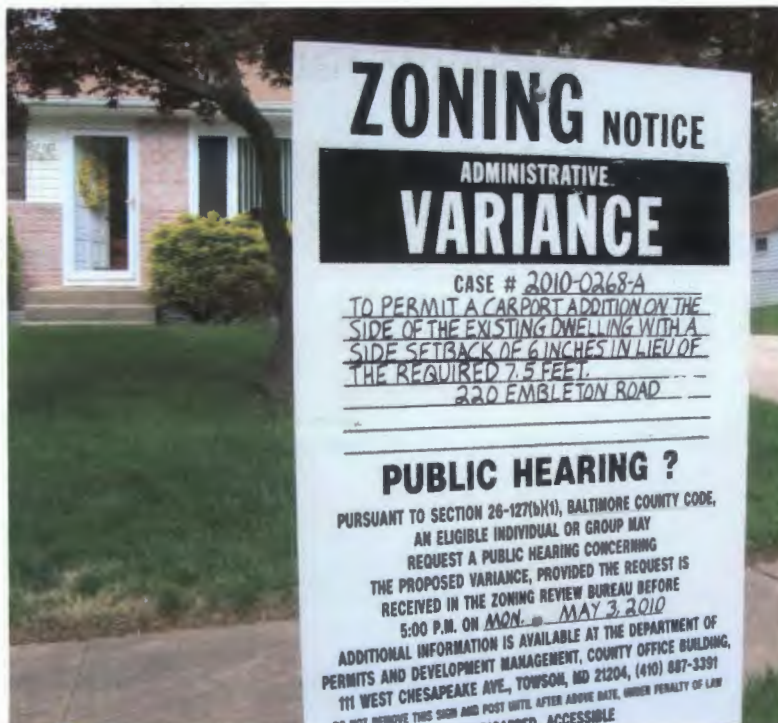
Case Number: 2010-0268-A

Petitioner / Developer: JEANNE M. LINTON~BRIT WEBER of
F. & W. CONTRACTORS, LLC

Date of Hearing (Closing): MAY 3, 2010

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:
220 EMBLETON ROAD

The sign(s) were posted on: APRIL 17, 2010



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

May 5, 2010

Jeanne Linton & Joseph Pilkerton
220 Embleton Rd.
Reisterstown, MD 21136

Dear: Jeanne Linton & Joseph Pilkerton

RE: Case Number 2010-0268-A, 220 Embleton Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 06, 2010. 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 that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Briton A. Weber; 3305 Toggenburg Dr.; Finksburg, MD 21048

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For April 26, 2010
Item Nos. 2010-254, 259, 261, 262,
263, 264, 265, 266, 267, 268 and 272

DATE: April 14, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04262010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 20, 2010

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

RECEIVED

SUBJECT: 220 Embleton Road

APR 21 2010

INFORMATION:

Item Number: 10-268

ZONING COMMISSIONER

Petitioner: Jeanna Linton & Joseph Pilkerton

Zoning: DR 3.5

Requested Action: Administrative Variance

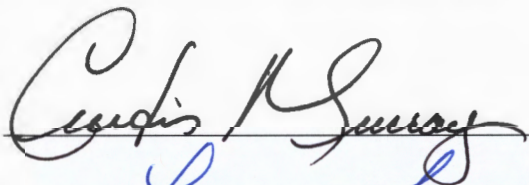
The petitioner requests a side yard variance of 6 inches in lieu of the required 7.5 feet in order to add a carport to the side of the existing dwelling. The lot is a regularly shaped, average size lot in the subdivision known as Suburbia. The reasons provided do not meet the requirements of Section 304 of the BCZR. The Office of Planning discussed with the petitioner's representative the option of reducing the size of the carport in order to increase the setback to 3 feet. The petitioners object to any reduction in size of the carport.

SUMMARY OF RECOMMENDATIONS:

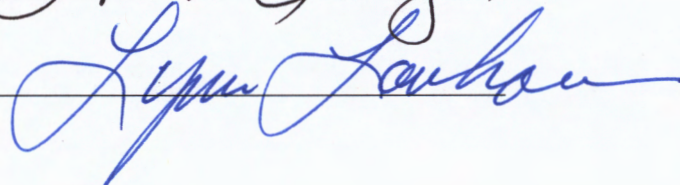
It is the opinion of the Office of Planning that a full variance hearing is needed. The Office of Planning requests the scheduling of a hearing at the earliest possible date.

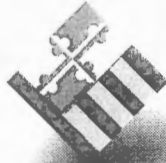
For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

April 19, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 12, 2010

Item Numbers: 0254, 0259, 0261, 0262, 0263, 0264, 0265, 0266, 0267, 0268 and 0272

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



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: APRIL 22, 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. 2010-0268-A
220 EMBLETON ROAD
PILKERTON 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. 2010-0268-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,

For 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

MEMO

From: Aaron Tsui, Planner II



April 22, 2010

To: Zoning Commissioner/File

Re: Variance Case no. 2010-0268-A

220 Embleton Road 4th Election District

The subject petition is for a carport addition on the side of the dwelling.

Mr. Briton Weber, the petitioner's representative, dropped off a letter from the petitioner with signatures from petitioner's neighbors in support of her petition. Mr. Weber also stated his unpleasant experience with Ms. Diana Itter, area planner for the 4th Election District, as follows:

- Ms. Itter called Mr. Weber sometime last week to inform him that she would not **approve** the carport addition with 6" side setback. However, she would like to see a 3-foot side setback. Ms. Itter advised Mr. Weber to inform the petitioner to re-file for a regular variance in lieu of an administrative variance.
- The petitioner has written a letter as attached, gathered signatures from her neighbors, and taken photographs around the neighborhood in support of her petition.
- Mr. Weber stated that the enclosed photographs identified various structures built close to the property lines in the neighborhood.

After consultation with Carl Richards, the Zoning Office offers the following comments:

- Diana Itter may request for a public hearing and the Zoning Commissioner will determine whether a public hearing is warranted; or
- The residents within 1000 feet of the subject property can file a 'Demand for Hearing' within the posting period.

2010-0268-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 04 Account Number - 0404075980

Owner Information

Owner Name: PILKERTON JOSEPH C **Use:** RESIDENTIAL
 LINTON JEANNE M **Principal Residence:** YES
Mailing Address: 220 EMBLETON RD **Deed Reference:** 1) /10362/ 537
 OWINGS MILLS MD 21117 2)

Location & Structure Information

Premises Address **Legal Description**
 220 EMBLETON RD SUBURBIA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
58	2	590			5	A	14	1	1	
									Plat Ref:	31/ 88

Special Tax Areas **Town**
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1966	884 SF	11,055.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	ASBESTOS SHINGLE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2009	07/01/2010
Land	80,760	68,700		
Improvements:	139,560	122,800		
Total:	220,320	191,500	220,320	191,500
Preferential Land:	0	0	0	0

Transfer Information

Seller: DIEHL GEORGE LOUIS	Date: 02/23/1994	Price: \$91,000
Type: IMPROVED ARMS-LENGTH	Deed1: /10362/ 537	Deed2:
Seller: TAYLOR BRUCE L	Date: 06/08/1984	Price: \$52,400
Type: IMPROVED ARMS-LENGTH	Deed1: / 6728/ 666	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

Re: 201 0268-A
Rec'd 4/22/10
by zoning office
4/15/10

To Whom It May Concern:

December, 1992 Purchased 220 Embury Rd.

There was an 18x24 stockade enclosure across the front of the house to the property line and down the property line to the back yard.

We tore it down, contracted with a permit to widen the driveway and make an 18x24 parking pad with footers for a carport in the future.

Next door neighbor had no problem with the pad or future carport on the property line. (6 1/2 inches on our side.)

We keep the house and property in pristine condition with upgrades inside and out.

We have just completed fencing the rest of the back yard with 6 ft. fencing, because the house that sits behind us has used the area behind their pool, shed, motor home and deck as a junk pile and it is an eye sore.

Until about 8 yrs ago I use to go over the chain link fence and clean out brush and branches. I am no longer physically able to do that as I have osteoarthritis in my ankles, knees, neck and shoulders, which is also the reason for a carport so I can have access to my car with some protection from the snow, ice and rain.

Everything we have done, we have driven through CCE and Suburbia to get ideas as to how we can improve our property value and make life simpler and safer as we get older.

I understand the reason for a variance, but having to give a reason for a carport (which is obvious) was a little over the top.

There is plenty of room on our neighbors' side so that the carport would not hinder their access or look cramped.

This County planning lady is very unreasonable.

- #1 She wants us to shorten the width of the carport from 18ft to 15ft.
- #2 This means we would have to spend \$800 more dollars to pour new footers
- #3 This means 3 ft of concrete driveway with footers unusable.
- #4 The carport would be too narrow to park ~~the~~ vehicles.
- #5 We would have to spend another \$700 to demolish the concrete stoop, and build narrower steps ~~sideways~~ sideways facing the back of the house, which means I have to carry groceries and packages farther with no

decent size landing to sit them down).
#6 As for esthetics, the Carport would look stupid, out of proportion and the posts would not line up with the fences posts going down the side of the back yard.

#7 The County planning lady said she drove through the neighborhood and saw many violations, but, in her own words, she said she wasn't going to cite them. She also said that she would not approve the carport because there might be a possibility we would build a wall.

It's not going to happen. we want a carport not at fortress.

#8 We drove through the neighborhood again and saw.

1. Side porches & decks to property ^{lines}
2. Carports on property ^{lines} or less than 3 ft. in
3. Side patios with Metal awnings to property ^{line}
4. Business trucks & Commercial vehicles parked in driveways and on the street.
5. Vehicles parked in yards, on lawns.
6. Travel trailers and Boats squeezed between houses

7. Sheds that are less than 3 feet from property lines
8. Six foot fenced in enclosures on property lines from the houses.

Many of these things are crowded and do not leave as much room between houses.

Not to mention - over grown shrubs + run down buildings.

I can go on forever.

9. We work very hard to maintain our property and its value.

I rest my case.

P.S. See enclosed photos

Thank you,

John Linton

To:

4/16/10

Baltimore County Planning and Zoning.

This is a list of our neighbors who were available to sign this paper.

They have no problem with us building a carport.

MAUR O A. Aguerd

1 Fairbridge Ct. Owings Mills MD 21117

Jeff Woodruff

224 Embleton Rd Owings Mills MD 21117

Harold Rosh

221 Embleton Rd Owings Mills MD 21117

JASON C. & KARYN M. HARRIS

500 GRANLEIGH ROAD, OWINGS MILLS, MD 21117

John & Barb Warden

404 Granleigh Ct. Owings Mills, Md. 21117

222 EMBLETON RD. - OUT OF TOWN



2010-0268-A





















2010-0268-A

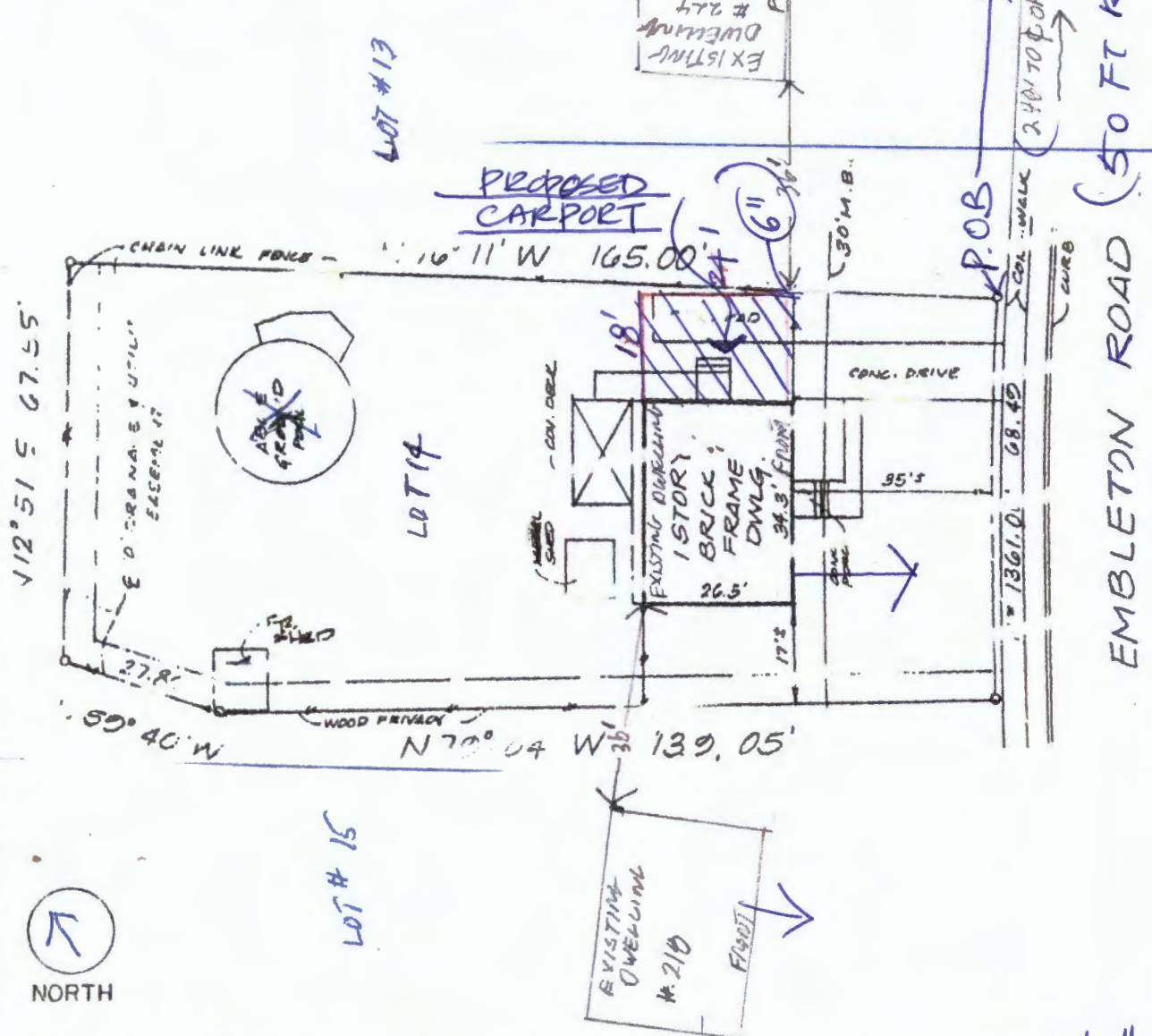
PLAT TO ACCOMPANY PETITION FOR ZONING HEARING

PROPERTY ADDRESS **220 EMBLETON RD. NEWEASTOWN MD 21136**

SUBDIVISION NAME **SUBURBIA**

PLAT BOOK # **31** FOLIO # **88** LOT # **14** SECTION # **5** **BLOCK A**

OWNER **JEANNE M. WINTON & JOSEPH C. PICKERTON**



VICINITY MAP
SCALE 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT **4TH**

COUNCILMANIC DISTRICT **2**

1" = 200' SCALE MAP # **058A1**

ZONING **DR 3.5**

LOT SIZE **11,055**
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY / BUILDING ☐ ☒

PRIOR ZONING HEARING **NONE**

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

A. TSUI 0268 2010-0268-A

PREPARED BY **BRITON A. WEBER**

SCALE OF DRAWING: 1" = 30' 0"