

IN RE: PETITION FOR ADMIN. VARIANCE *
(6500 Gardenwick Road)
3rd Election District *
2nd Councilmanic District *
Avidan & Ilana Milevsky *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0293-A

* * * * *

ORDER OF DISMISSAL

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owners of the property, Avidan & Ilana Milevsky for property located at 6500 Gardenwick Road. The Variance request is from § 427.B.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 6' high fence in the rear yard with a 0' setback in lieu of the required 42" in height as situated within 10' of the adjoining front yard property line.

This matter was originally filed as an Administrative Variance, with a closing date of July 1, 2013. On June 25, 2013, Jerome H. and Elita S. Clayman (6516 Copperfield Road) requested a formal hearing on this matter. The hearing was subsequently scheduled for Monday, August 5, 2013 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Petitioners failed to appear at the scheduled hearing, and the Petition therefore will be dismissed.

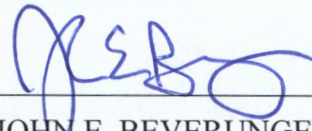
ORDER RECEIVED FOR FILING

Date 8-5-13

By DW

THEREFORE, IT IS ORDERED, this 5th day of August, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 427.B.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 6' high fence in the rear yard with a 0' setback in lieu of the required 42" in height as situated within 10' of the adjoining front yard property line, be and is hereby DISMISSED without prejudice.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 8-5-13

By dlw



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

August 5, 2013

Avidan Milevsky
Ilana Milevsky
6500 Gardenwick Road
Baltimore, Maryland 21209

Re: Petition for Administrative Variance
Case No. 2013-0293-A
Property: 6500 Gardenwick Road

Dear Mr. and Mrs. Milevsky:

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 with the Baltimore County Board of Appeals an appeal within thirty (30) days from the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a faint, larger signature.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Jerome H. and Elita S. Clayman, 6516 Copperfield Road, Baltimore, MD 21209



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2013 0293A

Address: 6500 Gardenwick Rd.
AVIDAN and ILANA
Petitioner(s): MILEVSKY

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

(We) Elita S. and Jerome H. Clayman
Name - Type or Print

☒ Legal Owner OR ☐ Resident of

6516 Copperfield Rd.
Address

City Baltimore State Md Zip Code 21209

Telephone Number 410 484 4759 410 484 4759

which is located approximately 20 feet from the
property, which is the subject of the above petition, do hereby
formally demand that a public hearing be set in this matter.

ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

Jerome H. Clayman 6/25/13
Signature Date

Elita S. Clayman 6/25/13
Signature Date

Revised 9/18/98 - wcr/scj



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 6500 Gardenwick Road which is presently zoned DR 5.5

Deed Reference 33569 / 106 10 Digit Tax Account # 0 3 1 9 0 4 4 4 9 0

Property Owner(s) Printed Name(s) Avidan Milevsky and Ilana Milevsky

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. X ADMINISTRATIVE VARIANCE from section(s) 427.B.2 to permit a 6' high fence IN THE REAR YARD with a 0' setback in lieu of the required 42" IN HEIGHT AS SITUATED WITHIN 10 FEET OF THE ADJOINING FRONT YARD PROPERTY LINE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4-416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners:

Avidan Milevsky / Ilana Milevsky

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

6500 Gardenwick Rd. Baltimore, MD

Mailing Address

City

State

21209

Zip Code

/786-271-4666

Telephone #

/milevsky@kutztown.edu

Email Address

Representative to be contacted:

SAME

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, 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.

Administrative Law Judge of Baltimore County

CASE NUMBER

2013-0293-A

Filing Date

6/4/13

Estimated Posting Date

6/16/13

Reviewer

AT

~7/01/13

Rev 10/12/11

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 6500 Gardenwick Rd. Baltimore MD 21209
Print or Type Address of property. City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

The property is a corner lot with the rear yard of the house being adjacent to the front yard of the neighboring house. Compliance with the 10' setback requirement would severely limit the usable rear yard area, and would result in an irregularly shaped fence line.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Signature of Affiant

Avidan Milevsky

Name- Print or Type

Signature of Affiant

Ilana Milevsky

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of MAY, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

AVIDAN MILEVSKY AND ILANA MILEVSKY
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Deborah Deffen
Notary Public

10/31/14
My Commission Expires

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 6500 Gardenwick Rd. Baltimore MD 21209
Print or Type Address of property. City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

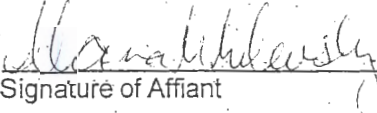
The property is a corner lot with the rear yard of the house being
adjacent to the front yard of the neighboring house.

Compliance with the 10' setback requirement would severely limit the
usable rear yard area, and would result in an irregularly shaped
fence line.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)


Signature of Affiant

Avidan Milevsky
Name- Print or Type


Signature of Affiant

Ilana Milevsky
Name- Print or Type

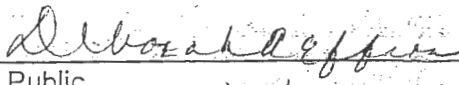
The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of MAY, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

AVIDAN MILEVSKY AND ILANA MILEVSKY
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal


Notary Public

10/31/14
My Commission Expires

ZONING DESCRIPTION

6500 GARDENWICK ROAD

Being Lot #15 in the subdivision of Plat 3, A Resubdivision of Part of Section 1, Plat 4 and Plat 5, PICKWICK as recorded in Baltimore County Plat Book 29, Folio 32, containing 8,985 square feet, or 0.206 acres of Land.

Located in the 3rd Election District and the 2nd Councilmanic District.

2013-0293-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013- 0293 -A Address 6500 GARDENWICK ROAD

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/4/2013 Posting Date: 6/16/13 Closing Date: 7/01/13

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

- 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.
- 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.
- 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.
- 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 2013- 0293 -A Address 6500 GARDENWICK ROAD
Petitioner's Name AVIDAN MILEVSKY Telephone 786-271-4666
Posting Date: 6/16/13 Closing Date: 7/01/13

Wording for Sign: To Permit a 6 FEET HIGH FENCE IN THE REAR
YARD WITH A 0 FEET SETBACK IN LIEU OF THE MAXIMUM
ALLOWED OF 42 INCHES IN HEIGHT AS SITUATED WITHIN
10 FEET OF THE ADJOINING FRONT YARD PROPERTY LINE.

Revised 7/06/11

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

No. **099654**

Date: **6/4/13**

PAID RECEIPT

RECEIVED ACTUAL TIME DRN
 6/5/2013 6/04/2013 14:15:18 5

REC NS07 WALKIN REOS LRB
 RECEIPT # 657129 6/04/2013 OFLJ

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 75 -

5 528 ZONING VERIFICATION
 Recpt Int \$75.00
 \$75.00 OK 1.00 CA
 Baltimore County, Maryland

Total: **\$ 75 -**

Rec From: _____
 For: **6500 GARDENWICK RD**
2013-0293-A

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 06/13/2013

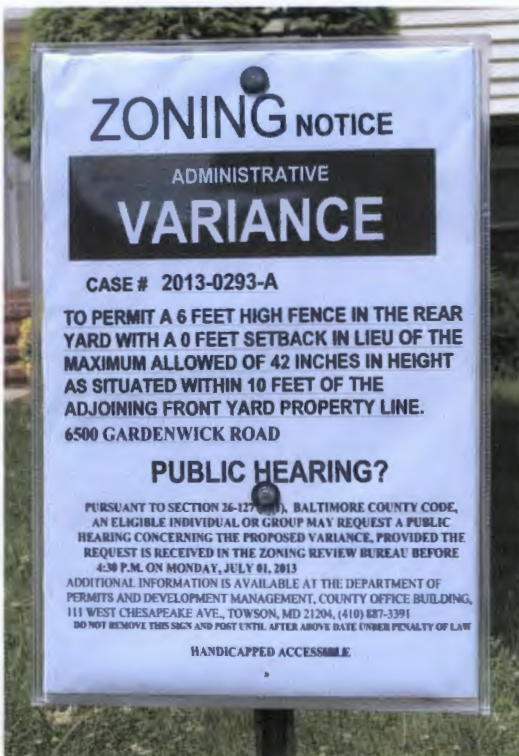
Case Number: 2013-0293-A

Petitioner / Developer: AVIDAN MELEVSKY~COLBERT, MATZ & ROSENFELT, INC.

Date of Hearing (Closing): JULY 1, 2013

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:
6500 GARDENWICK ROAD

The sign(s) were posted on: JUNE 13, 2013



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)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

July 18, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on July 16, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2013-0293-A

6500 Gardenwick Road

N/east corner of Gardenwick Road and Copperfield Road

3rd Election District - 2nd Councilmanic District

Legal Owner(s): Avidan & Ilana Milevsky

Variance: to permit a 6 foot high fence in the rear yard with a 0 foot setback in lieu of the required 42 inches in height as situated within 10 feet of the adjoining front yard property line.

Hearing: Monday, August 5, 2013 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 7/740 July 16 934118



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

June 27, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0293-A

6500 Gardenwick Road

N/east corner of Gardenwick Road and Copperfield Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Avidan & Ilana Milevsky

Variance to permit a 6 foot high fence in the rear yard with a 0 foot setback in lieu of the required 42 inches in height as situated within 10 feet of the adjoining front yard property line.

Hearing: Monday, August 5, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Milevsky, 6500 Gardenwick Rd., Baltimore 21209
Mr. & Mrs. Clayman, 6516 Copperfield Road, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 16, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 16, 2013 Issue - Jeffersonian

Please forward billing to:
Mr. & Mrs. Milevsky
6500 Gardenwick Road
Baltimore, MD 21209

786-271-4666

NOTICE OF ZONING HEARING

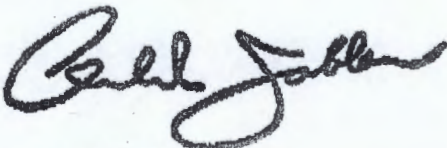
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0293-A

6500 Gardenwick Road
N/east corner of Gardenwick Road and Copperfield Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Avidan & Ilana Milevsky

Variance to permit a 6 foot high fence in the rear yard with a 0 foot setback in lieu of the required 42 inches in height as situated within 10 feet of the adjoining front yard property line.

Hearing: Monday, August 5, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

8/5
11:00 amCASE NO. 2013-0293-AC H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7/17/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>7/1/13</u>	DEPS (if not received, date e-mail sent _____)	<u>No Comment</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6/17/13</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT	Date: <u>7/16/13</u>	
SIGN POSTING	Date: <u>6/13/13</u>	by <u>O'Keefe</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☒	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 03 Account Number - 0319044490

Owner Information

Owner Name:	MILEVSKY AVIDAN MILEVSKY IIANA	Use:	RESIDENTIAL
Mailing Address:	6500 GARDENWICK RD BALTIMORE MD 21209-2500	Principal Residence:	YES
		Deed Reference:	1) /33569/ 00106 2)

Location & Structure Information

Premises Address
6500 GARDENWICK RD
BALTIMORE MD 21209-2500

Legal Description

PICKWICK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
0078	0006	0456		0000		D	15	2	Plat Ref:	0029/ 0032

Special Tax Areas

Town	NONE
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1964	2,031 SF	8,645 SF	04

Stories	Basement	Type	Exterior
2.000000	NO	SPLIT LEVEL 1/2 BRICK FRAME	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2012	07/01/2013
Land	116,160	92,600		
Improvements:	222,600	181,700		
Total:	338,760	274,300	274,300	274,300
Preferential Land:	0			0

Transfer Information

Seller:	SCHULMAN ARTHUR	Date:	05/03/2013	Price:	\$270,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/33569/ 00106	Deed2:	
Seller:	SILBER HARRY	Date:	05/20/1991	Price:	\$135,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/08792/ 00650	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

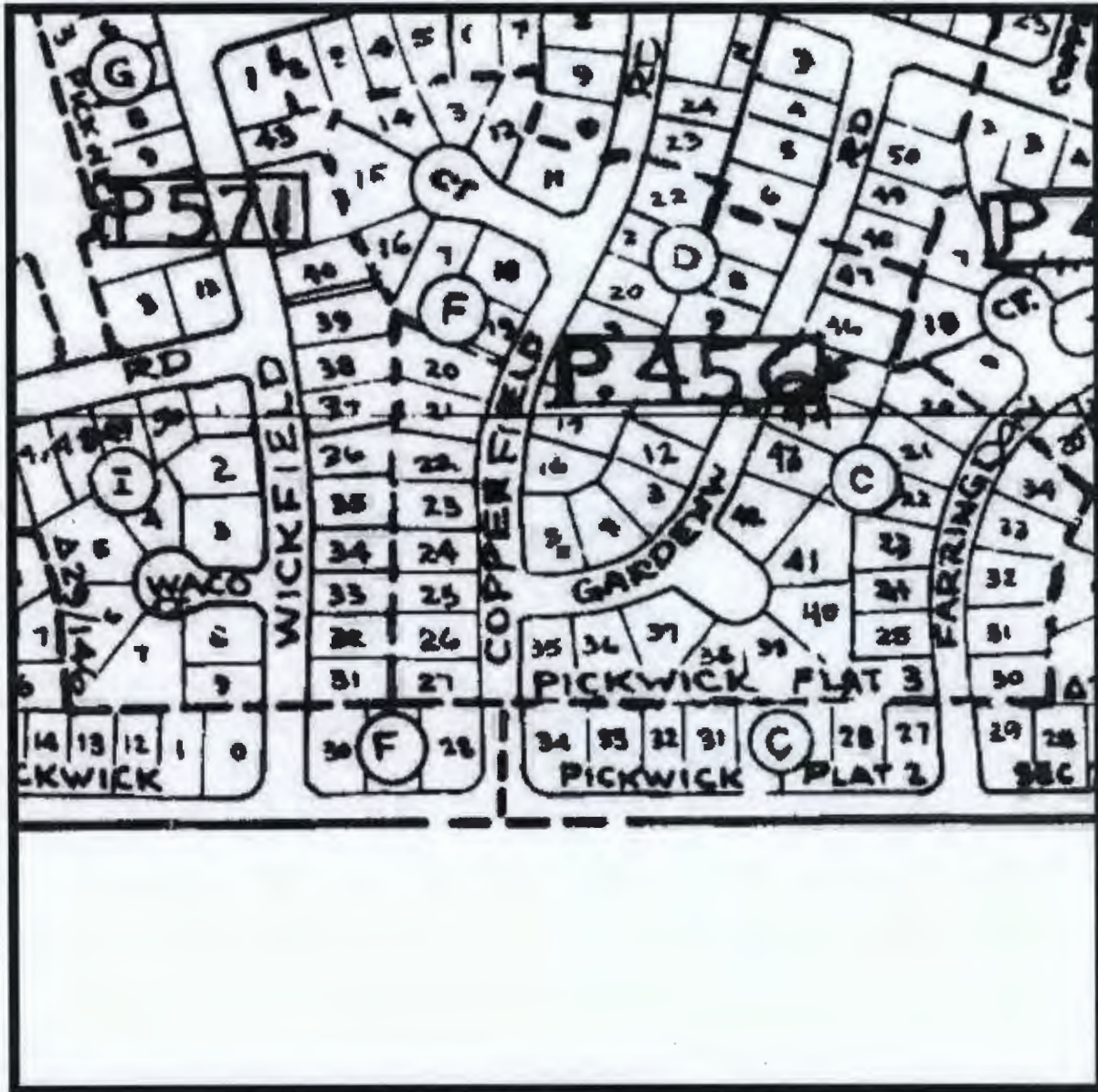
Homestead Application Status: No Application



**Maryland Department of Assessments and
Taxation
BALTIMORE COUNTY
Real Property Data Search**

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

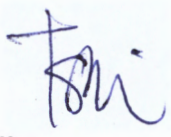
District - 03 Account Number - 0319044490



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

MEMO

From: Aaron Tsui, Planner II  June 4, 2013

To: Administrative Law Judge/File

Re: Case no. 2013-0293-A
6500 Gardenwick Road, 3rd Election District

The Zoning Description, prepared by the representative (the engineer) of the Petitioner, is missing the 1st paragraph known as "Part A", which describes the location of the subject Property. Part A applies to any properties either with a recorded plat or recorded by meads and bounds.

Mr. Carl Richards, the Zoning Supervisor, remarks that the beginning point as described in Part A is a good location indicator and could be used to identify the referenced property and the petition case in the GIS system.

Mr. Ken Corbert, the engineer who prepared the plan, was adamant about adding Part A to provide a full Zoning Description. Mr. Colbert insisted that the description as presented is sufficient and already referencing the record plat of the subject Property.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: June 17, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For June 17, 2013
Item Nos. 2013- 0290,0291,0292,0293,0294 and 0297.

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

DAK:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



JUL 02 2013

OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: July 1, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0293-A
Address 6500 Gardenwick Road
(Milevsky Property)

Zoning Advisory Committee Meeting of June 10, 2013.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston – Development Coordination*

June Fisher - Regarding 6500 Gardenwick Rd., 21209

From: Avidan Milevsky <amilevsky@hotmail.com>
To: "jafisher@baltimorecountymd.gov" <jafisher@baltimorec
Date: 6/26/2013 10:51 AM
Subject: Regarding 6500 Gardenwick Rd., 21209

*E-mails for
and against
the fence*

To whom it may concern,

I am the owner of 6500 Gardenwick Rd. I submitted a variance request for a 6 foot fence in my backyard. I understand from a few of my neighbors that someone in my neighborhood is engaged in an effort to rally around her effort to object to the request. She has even printed out a letter of objection with a sample email to be sent to the county and distributed it around my neighborhood.

Allow me to clarify a few things in support of my request:

1. My immediate neighbors all support my request; I spoke with each of them individually.
2. The woman who is objecting to my request does not live "just down the block" as she claims in her letter. She lives around the corner, down four houses, across the street, and in a cul-de-sac. No part of my home, let alone my backyard, is visible from her home.
3. She objects to the fact that when she takes a walk in the neighborhood and walks by my backyard the "greenery" in my backyard will be obstructed and she will have to walk next to a fence for the 20 second it takes to walk along my yard. The fence we plan on installing will include a nice finish that fits with the motif of the neighborhood. We also value the residential feel of our area and plan on matching the fence with the overall look.
4. We live on a corner lot. Our backyard is completely exposed to the street. Aside from the privacy issue, we have four children who play in the yard and I fear for their safety considering the speed at which cars often drive down Copperfield. Balls are constantly rolling into the street and I fear for the safety of my children and their many neighborhood friends who come to play in our yard. A fence will help create a safe backyard for my children to play in.
5. We purchased this home recently. The previous owners of this home were an elderly couple and hence they were not in need of a safe backyard. We are a young family with children and as a result need to have a fence to accommodate our family.

Thank you for your attention,

Avidan and Ilana Milevsky

2013-0293

June Fisher - Regarding 6500 Gardenwick Rd. 21209

From: Yaakov Langer <yaakov@frammonument.com>
To: <jafisher@baltimorecountymd.gov>
Date: 7/1/2013 1:32 PM
Subject: Regarding 6500 Gardenwick Rd. 21209

Ms. Fisher,
I live a few doors down from said address, and I support the variance request.
Thank you,
Yaakov Langer

--

Sincerely,

Yaakov Langer
Fram Monument Company, Inc.
7020 Reisterstown Road
Baltimore, MD 21215-1400
Tel: (410) 486-8666
Fax: (410) 486-8667
E-mail: Yaakov@FramMonument.com

June Fisher - 6500 Gardenwick Rd, 21209

From: Karyn Gold <karyn613@gmail.com>
To: <jafisher@baltimorecountymd.gov>
Date: 6/30/2013 12:35 PM
Subject: 6500 Gardenwick Rd, 21209

We are neighbors across the street from the Milevskys at 6500 Gardenwick and just wanted to let you know that we support the variance for a fence. We understand that they are doing this for their children and other neighborhood children's safety.

Thank you,
Karyn and Brian Gold

June Fisher - Regarding 6500 Gardenwick Rd. 21209

From: <muab@verizon.net>
To: <jafisher@baltimorecountymd.gov>
Date: 7/2/2013 11:50 AM
Subject: Regarding 6500 Gardenwick Rd. 21209

Dear Mrs. Fisher,

Having verbally discussed plans with my neighbor, Mr Milevesky, I support approval of the variance. In this neighborhood, the backyards of some corner lots; which are exposed to street view of cars and from transients passing between an apartment complex, public transportation stops, and a shopping center from two sides; are fenced with wood fencing or hedges. I much prefer the former as neighborhood homeowners commonly neglect to trim their hedges sufficiently to not impinge on sidewalk pedestrian traffic.

Yours,
Ira Baum
6502 Gardnwick Rd
Baltimore, MD 21209

June Fisher - Attention JuneFisher

From: <elitajerrydancing@verizon.net>
To: <jafisher@baltimorecountymd.gov>
Date: 6/17/2013 8:52 AM
Subject: Attention JuneFisher

This is to complain about a 6 foot fence to be put up at 6500 Gardenwick Rd. Baltimore, Md. 21209
Case # 2013 0293 A.

We have lived here since the homes were built in 1964 and this house's backyard area faces our street and our home. So we would be looking at a 6 foot eyesore all the time. The rule says it seems that a 3.5 foot fence is ok.

However, a 6 foot fence is a true eyesore and it does not belong in a neighborhood of well cared for homes and lawns.

There is no need to ruin the outside of lovely homes for such a tall fence right on the main street of Copperfield Road.

Thank you for your consideration.

Jerome H. and Elita .S. Clayman
6516 Copperfield Rd 21209 email is elitajerrydancing@verizon.net

June Fisher - revision

From: Margie Koretzky
To: jafisher@baltimorecountymd.gov
Date: 6/17/2013 1:59 PM
Subject: revision

I have revised my letter of objection about the fence variance at 6500 Gardenwick Road in order to clarify an important point which I had left out. Please use this as my letter of objection:

Regarding 6500 Gardenwick Road, 21209.

The homeowner has posted a sign requesting a variance to put up a back yard fence which would extend 6 ft. high and to the property line. I live just down the block at 6513 Gardenwick Road and very much object to the fence. The 6500 home is on a corner lot, with the backyard facing Copperfield Road. The fence therefore is not hidden in a back yard behind a house, but rather is visible right on the street.

The homes are within the large development of Pickwick Homes, with borders of Sanzo Road/ Clark's Lane on the West, Greenspring Avenue on the East, Willow Glen Drive on the South, and Smith Avenue on the North. This type of fence does not at all fit in with the aesthetic of this purely residential, green, leafy neighborhood. A high fence will block the view along Copperfield Road of the lovely greenery in the back yard. Walking on the sidewalk, one would have to walk directly next to the fence if extended to the property line.

I have seen only one other fence this high on a corner lot, which also happens to extend to the property line, within the whole development, and it looks very unsightly. In fact the entire development and surrounding neighborhoods have very very few fences at all, of any kind in any location.

I believe that only a border of hedges would be appropriate if the homeowner wants a border securing the yard.

Thank you for your consideration.

Mrs. Margie Koretzky
6513 Gardenwick Road, 21209
Tel. 410-653-6515



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 31, 2013

Avidan & Ilana Milevsky
6500 Gardenwick Road
Baltimore MD 21209

RE: Case Number: 2013-0293 A, Address: 6500 Gardenwick Road

Dear Mr. & Ms. Milevsky:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 4, 2013. 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: jaf

Enclosures

c: People's Counsel

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



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6-17-13

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

RE: Baltimore County
Item No 2013-0293-A
Administrative Variance
Avidan & Iana Milevsky
6500 Gardenwick Road.

Dear Ms. Lewis:

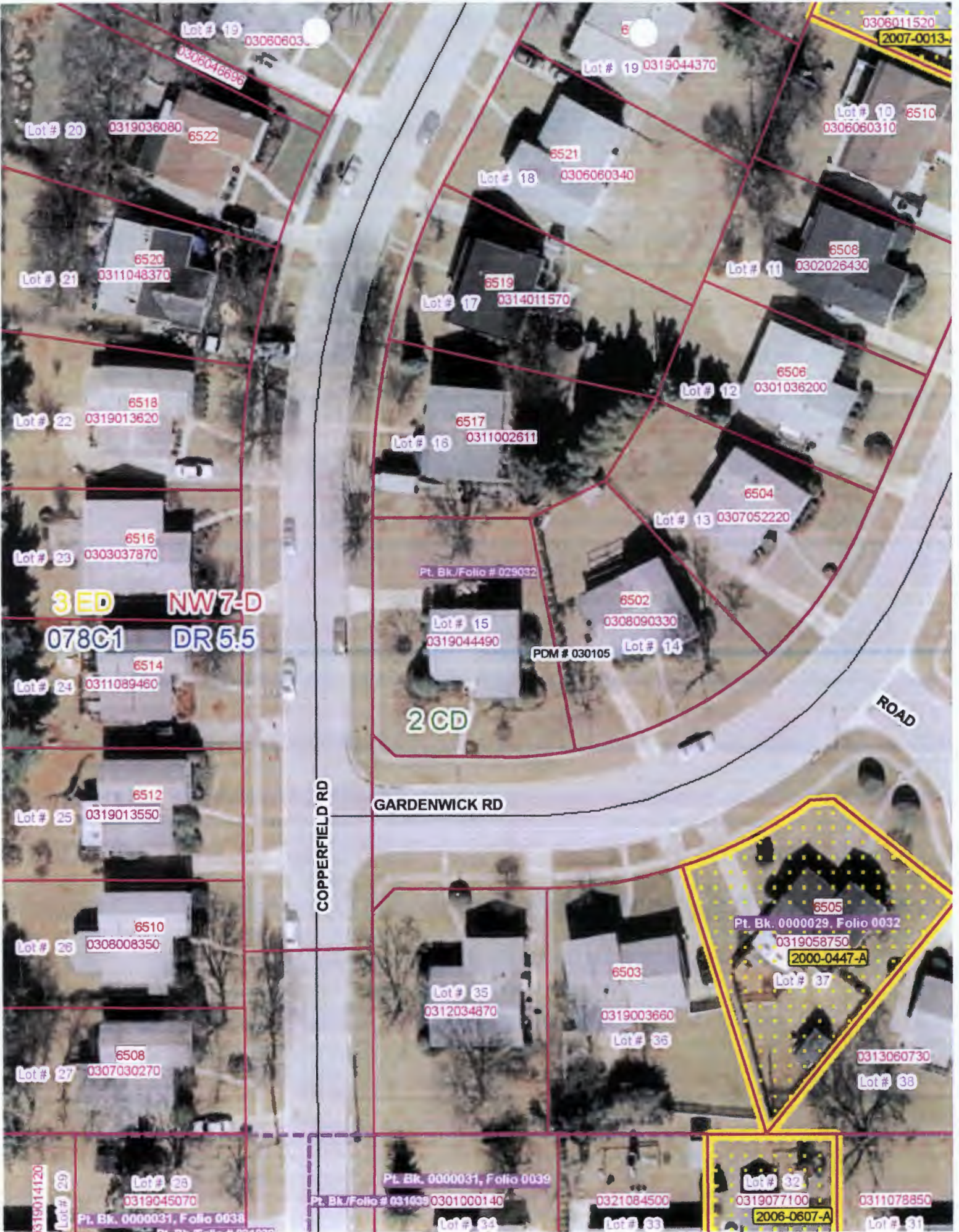
Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0293-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

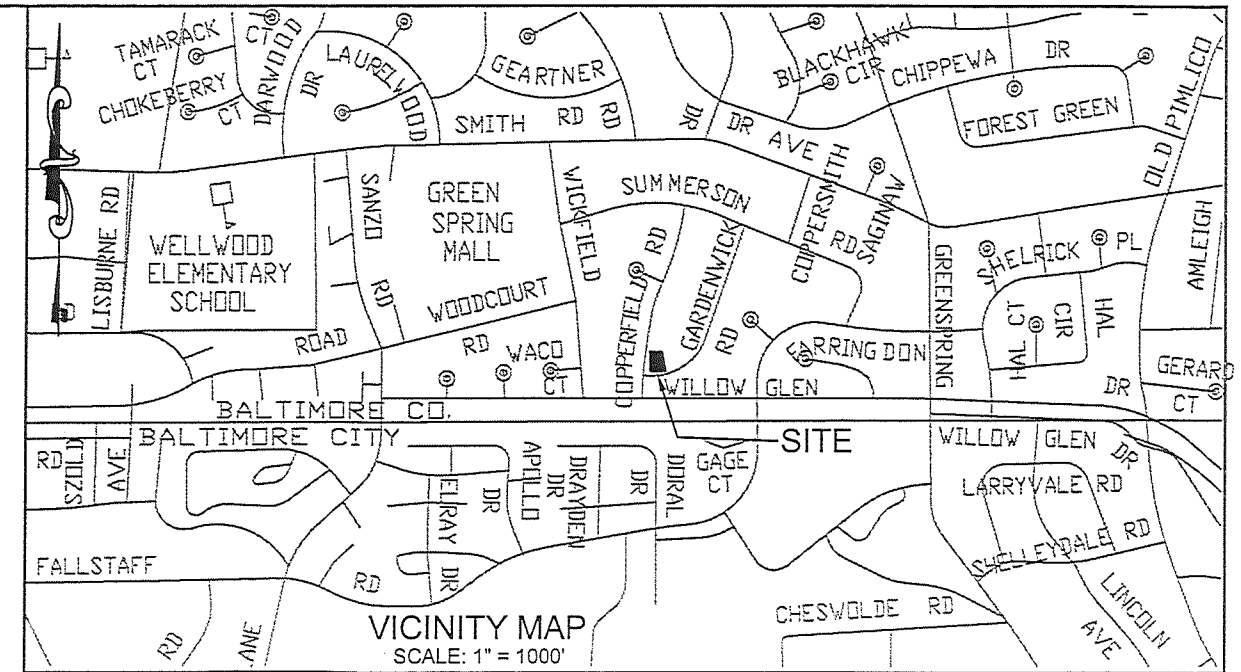
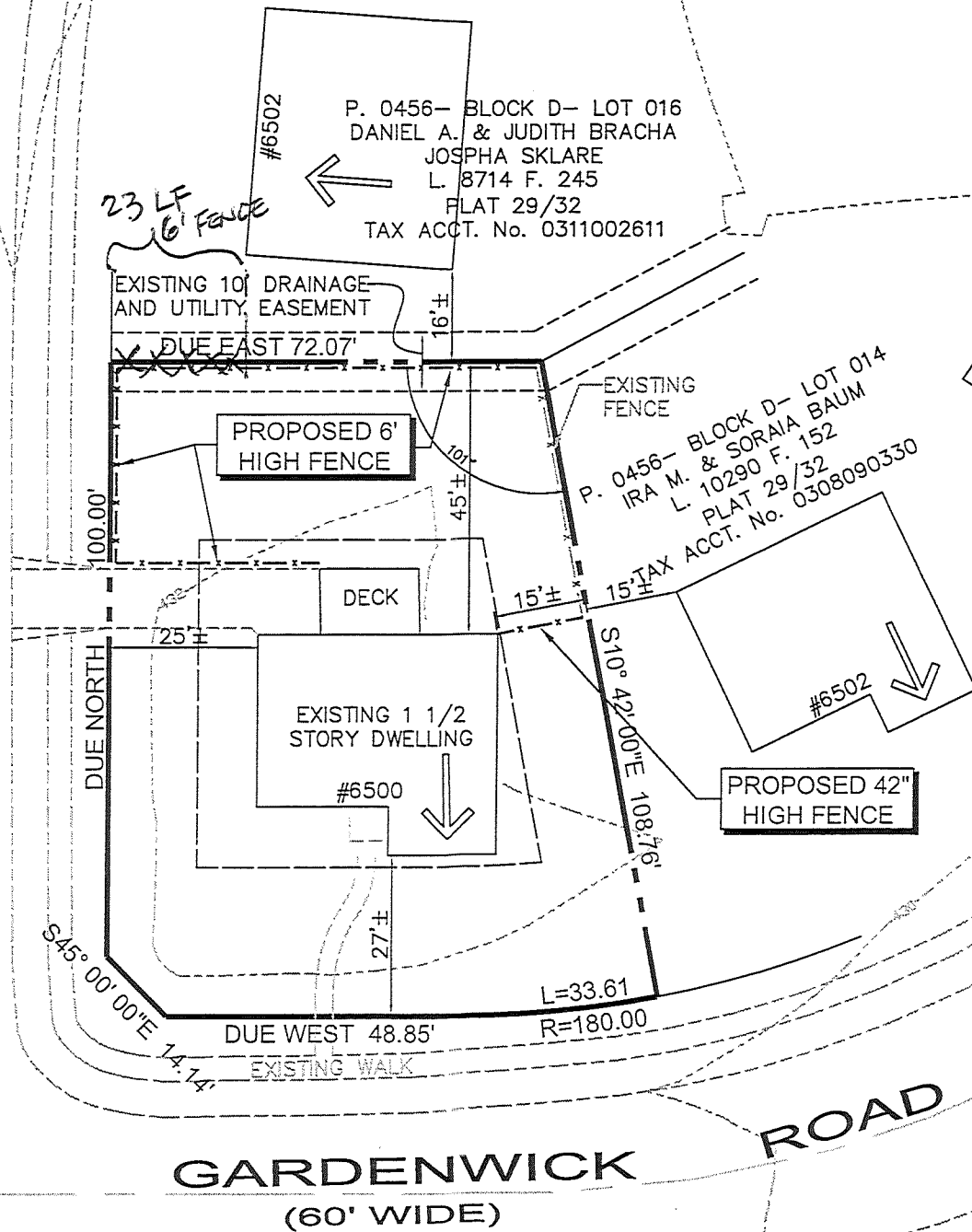

Steven D. Foster, Chief
Access Management Division

SDF/raz





COPPERFIELD ROAD
(60' WIDE)



GENERAL NOTES

1. OWNER/ APPLICANT:
AVIDAN & ILANA MILEVSKY
6500 GARDENWICK ROAD
BALTIMORE, MD. 21209-2500
DEED REF.: JLE 33569/106
PLAT REF.: PLAT No. 3 BOOK 29/32
2. SITE DATA:
TAX ACCOUNT NUMBER: 0319044490 TAX MAP: 0078 PARCEL: 0456
ELECTION DISTRICT: 3 COUNCILMANIC DISTRICT: 2
ZONING: DR 5.5 ZONING MAP (200 SCALE): 078C1
3. SITE AREA: 0.206 AC.± OR 8,985 SQ. FT.±
4. BUILDING SETBACKS:

	REQUIRED	EXISTING
FRONT	25'	27'±
SIDE	10'/15'	15'±/ 25'±
REAR	30'	45'±
5. EXISTING USE: SINGLE FAMILY RESIDENCE
PROPOSED USE: SINGLE FAMILY RESIDENCE
6. PARKING TABULATION:
REQUIRED: 1 SPACE PER DWELLING UNIT
EXISTING: 1 SPACE
7. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON A DEED PLOT AND AVAILABLE BALTIMORE COUNTY GIS INFORMATION AND DOES NOT REPRESENT A FIELD RUN SURVEY.
8. SUBJECT SITE IS SERVED BY PUBLIC WATER AND SEWER.
9. VARIANCE REQUIRED TO SECTION 427.B.2 TO PERMIT A 6' HIGH FENCE WITH A 0' SETBACK IN LIEU OF THE REQUIRED 10'.
10. ZONING HISTORY: NONE
11. THERE ARE NO CURRENT OR OUTSTANDING ZONING VIOLATIONS.
12. THE PROPERTY IS NOT HISTORIC OR LOCATED IN A HISTORIC DISTRICT.

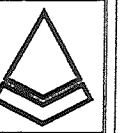
ZONING HEARING PLAN FOR VARIANCE MILEVSKY RESIDENCE

6500 GARDENWICK ROAD
TAX MAP No.: 0078 GRID: 0006 PARCEL: 0456
PICKWICK, PLAT 3, BLOCK D, LOT 15
PLAT BOOK 29, FOLIO 32
BALTIMORE COUNTY, MARYLAND

Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners

2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



SCALE: 1"=30' DATE: 05/30/2013

FILE: 2013130 GIS BASE.dwg

2013-0293-A