

3579-95

7/28/95

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: James H. Thompson
Supervisor, Code Enforcement

DATE: July 26, 1995

FROM: Kathleen C. Weidenhammer
County Board of Appeals

SUBJECT: Case No. 94-217-SPHA /Arthur Smith, et ux
Your Memo of July 5, 1995

In response to your inquiry of July 5th, and upon review by the remaining Board member who sat on the panel for the hearing in the subject matter, Protestants Exhibit No. 11, prepared by Spellman, Larson & Associates, Inc., is the survey plat upon which the Board's decision was based.

Should you have any further questions, please contact me.

7.28.95

Craig
pull public
hearing
RECEIVED

JUL 27 1995

ZADM

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

DATE: June 14, 1995

TO: Michael B. Sauer
S. Diane Levero
Board of Appeals

FROM: Craig McGraw
Zoning Enforcement

RE: Case No. 94-217-SPHA
Arthur Smith, et ux
15th Election District

Please be advised that the above property was inspected on June 13, 1995, to check compliance with the Board's order in this case following a complaint filed by Mr. Earl Mitchell. The order states that shed or sheds encroaching on the Mitchell property are to be removed. Attached are four photographs of the property showing what has been done.

Please advise as to whether or not the property complies with the Board's intentions.

CMG/hek

Attachment

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: June 7, 1995

FROM: Kathleen C. Weidenhammer
County Board of Appeals

SUBJECT: Closed File: Case No. 94-217-SPHA (V93-422-SPH)
Arthur Smith, et ux -Petitioners
15th E; 5th C

As no further appeals have been taken regarding the subject case, we are closing the file and returning same to you herewith.

Attachment

cc: James Thompson /Zoning Enforcement

IN THE MATTER OF THE
THE APPLICATION OF
ARTHUR SMITH, ET UX
FOR A SPECIAL HEARING AND
VARIANCE ON PROPERTY LOCATED
ON THE NORTHEAST SIDE SENECA
PARK ROAD, 400' EAST OF THE
CENTERLINE OF NANETTE LANE
(950 SENECA PARK ROAD)
15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 94-217-SPHA
*

* * * * *

O P I N I O N

This case comes to this Board on appeal from the decision of the Deputy Zoning Commissioner dated February 10, 1994 wherein a Petition for Special Hearing and a Petition for Variance were approved. The Petitions were combined for the purpose of the de novo hearing before this Board. The Petitions were filed by Arthur and Arlene Smith, owners of the subject property in these proceedings. They were represented by Francis X. Borgerding, Jr., Esquire. The Protestants and adjacent property owners to the subject property, Barbara, Earl, Robert and Paul Mitchell, appeared represented by Michael P. Tanczyn, Esquire.

Lengthy testimony was taken in these proceedings consisting of two days, and numerous exhibits were offered into evidence. All of this matter comes before this Board because, in a nutshell, one of two utility sheds located on the Smiths' property is actually .66 foot from the property line separating the Smith and Mitchell properties, when it should in fact be 1 foot from the property line. As a result of its misplacement, a portion of the utility shed gutter encroaches over the property line onto the Mitchell property.

Testimony indicated that the Smiths acquired the property known as 950 Seneca Park Road in 1970. The property is pie-shaped, fronts on Seneca Creek, and is approximately .25 acre zoned R.C. 5. It is improved with a single-family dwelling and two sheds.

Prior to this case, the Smiths filed for a variance setback of 1 foot in lieu of the required 50 feet for the side yard adjacent to the Mitchell property, and the 1-foot variance was granted by the Deputy Zoning Commissioner in Case No. 92-365-A on June 8, 1992. The purpose of the requested variance was to allow for the construction of two sheds.

The Petitioners are now seeking to amend the variance relief previously granted to them in Case No. 92-365-A because it has been determined from field surveys that the location of the property line between the Smith and Mitchell properties is not as it was represented to be in the previous proceedings. After surveys were done, it was discovered that the two sheds are closer to the property line than originally determined. Testimony indicated that one of the utility sheds is exactly .66 foot from the property line. The Petitioner now requests that the variance of 1 foot in lieu of 50 feet be reduced to zero.

Because the Petitioner was required to install rain gutters and downspouts on the two sheds in the prior Case No. 92-365-A, the Petitioner in these proceedings is requesting that he be relieved of restriction #3 requiring the installation of rain gutters and downspouts and be permitted to remove them, since they encroach upon the Mitchells' property.

Testimony in the Smiths' case has established that the sheds are considered part of the house, and that they were constructed for the purpose of storing lawn furniture and equipment, trash cans, and water sports equipment. One shed also houses an oil tank. The sheds as they presently exist on the property are 4 inches from the property line. It is the Smiths' position that their practical difficulty and undue hardship is the cost of \$10,000 to construct the sheds should they be required to be removed, and that there is no other logical or legal location, taking into consideration County regulations, to place the sheds. The Smiths believe that the sheds located alongside the dwelling do not interfere with anyone, including the Mitchells.

The Mitchells, in their case, clearly established testimony that the rain gutters encroach upon their property, and that the two sheds are less than 1 foot from the property line. They do not want their property encroached upon, and indicated that the previously granted variance of 1 foot was inappropriate and, in their opinion, too close to the property line to permit the building of the sheds.

There is no question in this Board's mind, after hearing all the testimony, that this is a spite case existing between two adjacent property owners. It is unfortunate and a sad commentary that two adjoining neighbors residing on waterfront property in a peaceful and serene setting cannot enjoy what the property was intended to provide for them.

After giving due consideration to the evidence and testimony

presented before the Board, we cannot conclude that a variance of 0 feet should be granted in these proceedings so as to basically legalize the existence of the two utility sheds, to the extent that they are within the 1 foot area, and further to the extent that they encroach or overhang onto the adjacent property owner's property. There is some question in this Board's mind as to whether the original variance of 1 foot should have been granted to permit the two sheds. However, the Board is not going to disturb the previous granting of the 1-foot variance to this property. We are, however, denying the request for the 0-foot variance on the basis that the present hardship the Petitioner alleges to be suffering under was self-imposed or self-created. It was the Petitioner who constructed the two sheds at their present location at his own economic expense. Unfortunately, for his sake, the construction turned out to be only .66 foot from the property line and not 1 foot as required by the previously granted variance. No one other than the Petitioner has caused this hardship. It appears to this Board that the Petitioner is building a structure where he wants it, and when it is determined that it is in an improper location from a zoning regulation point of view, he is then permitted to claim hardship. This Board believes that the hardship could have been avoided by the placing of the shed somewhere else on the property.

In addition to the Board's belief that this is a self-induced hardship, the evidence further fails to establish that there are any special circumstances or conditions existing which are peculiar

to the Petitioner's land or structure which is the subject of the variance request. We see no reason from the outset why the shed or sheds could not have been constructed 1 foot from the property line. In doing so, the Petitioners have not only exceeded the 1-foot area but have allowed one of the sheds to encroach over the property line, which is injurious to the adjacent property owner and certainly is not in harmony with the spirit and intent of the zoning laws.

For the reasons set out above, the Board's ruling is that the requested variance of 0 feet in lieu of the previously granted variance of 1 foot is denied. The Board will further order that the shed or sheds, to the extent that they encroach upon the Mitchells' property and to the extent that they are built less than 1 foot from the property line, shall be removed. The Board further finds that the requested special hearing that the Petitioner be relieved of compliance with restriction #3 of the Deputy Zoning Commissioner's Order dated June 8, 1992 in Case No. 92-365-A is denied. With the reinstatement of the 1-foot setback as was granted by the Deputy Zoning Commissioner in 1992, the Board is reimposing restriction #3.

O R D E R

THEREFORE, FOR THE REASONS AS STATED ABOVE, it is this 2nd day of March, 1995 by the County Board of Appeals for Baltimore County

ORDERED that the Petition for Variance to permit a side yard setback of 0 feet in lieu of the 1 foot granted in Case No. 92-365-

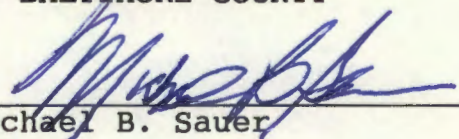
A for the two existing sheds be and is hereby DENIED; and that the previously granted variance of 1 foot in Case No. 92-365-A for the two sheds is reinstated; and it is further

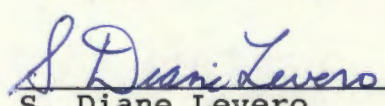
ORDERED that the shed or sheds to the extent that they encroach upon the Mitchells' property and are within 1 foot of the property line shall be removed within ninety (90) days from the date of this Opinion and Order; and it is further

ORDERED that the special hearing request that the Petitioner be relieved of restriction #3 of the Deputy Zoning Commissioner's Order dated June 8, 1992 in Case No. 92-365-A is DENIED.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



Michael B. Sauer

S. Diane Levero

IN THE MATTER OF
THE APPLICATION OF
ARTHUR SMITH, ET UX -Petitioners
FOR A SPECIAL HEARING AND VARIANCE
ON PROPERTY LOCATED ON THE NORTH-
EAST SIDE SENECA PARK ROAD, 400' E
OF CENTERLINE OF NANETTE LANE
(950 SENECA PARK ROAD
15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 94-217-SPHA

* * * * *

DISSENTING OPINION

This Board member will respectfully dissent from the majority opinion for the following reasons.

Case No. 92-365-A granted a 1 ft. setback for the purpose of erecting sheds in that location. Based on the 1 ft. setback, permits were issued and the sheds were erected. The location of the property line in regard to the erection of the sheds was brought up, and new surveys were instituted. These surveys showed that, in fact, one corner of the sheds was not 1 ft. from the property line, but was merely .6 ft. from the property line.

It is the opinion of this Board member that to require the existing sheds as erected to be within 1 ft. of the now properly-established property line creates a hardship for the Smiths, due to the apparent error of the location of the property line at the time of construction, and that the variance as requested to permit a side yard setback of 0 ft. in lieu of the 1 ft. should be granted. However, the gutters and downspouts which extend beyond the now-existing property line should be removed from the two sheds.

It is therefore the opinion of this Board member that the testimony and evidence indicates that the variance of 0' in lieu of the 1' should be granted, and the gutters and downspouts from the two sheds that trespass on the Mitchell property should be removed.

BY: William T. Hackett
William T. Hackett, Chairman

DATE: March 2, 1995



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 2, 1995

Michael P. Tanczyn, Esquire
606 Baltimore Avenue
Suite 106
Towson, MD 21204

RE: Case No. 94-217-SPHA
Arthur Smith, et ux

Dear Mr. Tanczyn:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter. Also enclosed is a copy of Mr. Hackett's Dissenting Opinion.

Very truly yours,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Ms. Barbara E. Mitchell
Mr. Earl Mitchell
Mr. Robert Mitchell
Mr. Paul Mitchell
Mr. Eugene Schmidt
Francis X. Borgerding, Jr., Esquire
Mr. & Mrs. Arthur Smith
Chesapeake Bay Critical Areas Commission
People's Counsel for Balto. County
Pat Keller
Lawrence E. Schmidt
James H. Thompson /Zoning Enforcement
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director/ZADM



4/13/94 -Notice of Assignment for hearing scheduled for Tuesday, July 12, 1994 at 10:00 a.m. sent to following:

Ms. Barbara E. Mitchell
Mr. Earl Mitchell
Mr. Robert Mitchell
Mr. Paul Mitchell
Mr. Eugene Schmidt
Michael Marino, Esquire
Francis X. Borgerding, Jr., Esq.
Mr. & Mrs. Arthur Smith
People's Counsel for Balto. County
P. David Fields
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

5/10/94 -Letter dated April 22, 1994 received this date from Earl Mitchell, Appellant in the above matter; requesting postponement of hearing date /after 7/15/94 (other than week of 8/08/94).

-FYI copy sent to Frank Borgerding, counsel for Mr. Smith.

5/26/94 -No comment received from F. Borgerding; request granted; Notice of PP and Reassignment sent to parties; case rescheduled to Wednesday, August 3, 1994 at 10:00 a.m.

7/19/94 -Letter from F. Borgerding, Esquire --requesting postponement of hearing scheduled for 8/03/94; Petitioners will be out of town that date.

7/20/94 -Request for postponement granted. Second Notice of PP and Reassignment sent to parties; case reset to Wednesday, August 24, 1994 at 1:00p.m..

8/24/94 -Hearing before Board; continued to Day #2 /Tuesday, September 13, 1994 at 10:30 a.m. upon confirmation with parties of availability. (M.Sauer to request PP of DCt case scheduled for 1:00 p.m. that afternoon; case will proceed on Day #2 at 10:30 a.m., with length of proceeding to be determined by Mr. Sauer's success in obtaining postponement from DCt.

8/25/94 -Notice of Assignment sent to parties; scheduled for Day #2 on Tuesday, September 13, 1994 at 10:30 a.m. (Also noted file /Michael P. Tanczyn entered appearance on 8/24/94 as counsel for appellants/protestants)

9/13/94 -Hearing concluded before the Board. To be deliberated on Wednesday, September 28, 1994 at 10:00 a.m.; notices to be sent to parties. (H.S.M.)

9/13/94 -Notice of Deliberation sent to all parties; scheduled for Wednesday, 9/28/94 at 10:00 a.m.

9/28/94 -Deliberated. Variance to be DENIED /majority decision by Sauer & Levero; Hackett to Dissent; would grant same. Written Opinion and Order to be issued; appellate period to run from date of written Opinion/Order.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: Arthur Smith, et ux
Case No. 94-217-SPHA

DATE : September 28, 1994 at 10:00 a.m.

BOARD /PANEL : William T. Hackett (WTH)
Michael B. Sauer (MBS)
S. Diane Levero (SDL)

SECRETARY : Kathleen C. Weidenhammer
Administrative Assistant

Among those present at the deliberation were Francis X. Borgerding, Jr., Esquire, on behalf of Petitioners; and Michael P. Tanczyn, Esquire, on behalf of Appellants /Protestants. Peter Max Zimmerman, People's Counsel for Baltimore County, was also present.

PURPOSE --to deliberate issues and matter of petition for special hearing and variance presented to the Board; testimony and evidence taken at hearing on August 24 and September 13, 1994. Written Opinion and Order to be issued by the Board.

Opening comments by Chairman Hackett as to case name and number, and issues to be deliberated in this matter; reminded those present that there were almost two days of testimony and a number of witnesses. Also, advised those present to remember that the only matters before the Board in this special hearing are the removal of downspouts and gutters and the variance to permit 0' setback in lieu of the 1' previously granted. Also reiterated to a small extent his thoughts on the public deliberation process.

WTH: Indicated that he has reviewed personal notes, the file in this matter, and the exhibits, photographs and plats submitted; reviewed the history of this matter leading to the appeal filed with this Board in the instant case; discussed the erroneous survey by which the construction took place and the later survey which proved differently. Also cited the testimony of expert witness Paul Lee to which he gives considerable weight; that testimony was that water direction and volume from sheds have not changed; would divert itself in the same way on the Mitchell property, even without the sheds. WTH also indicated that, in his opinion, it was Mr. Mitchell's desire to obtain relief from the water that flows onto his property; ponds. It was his testimony that DEPRM will not permit him to fill in and divert to Seneca Creek. Testimony and evidence indicates that removal of gutters and downspouts must be done; those items are on the Mitchell property; no contrary testimony to that fact. In summary -- since the sheds were built on a survey that showed them to be 1' from

the property line and it turns out that, through no fault of either Mr. Smith or Mr. Mitchell, the property line was not accurately designated, this Board member would grant the 0' variance with some restrictions. There is no doubt that the gutters and downspouts must be removed, but rest of sheds can remain. Also pointed out, not as part of Board's decision but only for comment, that he is puzzled by how these sheds will be maintained without trespassing on the Mitchell's property.

Summary: Would grant 0' setback; remove gutters and downspouts.

MBS: Has reviewed and considered evidence and testimony presented; sad commentary that two property owners are not getting along; argument over .66'; only issues before the Board are zoning issues; is of the opinion that Petitioners failed to satisfy him that practical difficulty and undue hardship exists; believes that 1' setback was sufficient and is proper granting; referenced discrepancy in surveys; however, seems uncontradicted that corner of shed and gutters hang over property line; his opinion that Petitioners will have to remove shed; self-created hardship; finds it would be detrimental to the adjacent property owner.

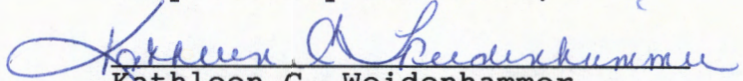
Summary: Variance request should be denied.

SDL: Also believes that Petitioners have created a self-imposed hardship; Petitioners' counsel indicated this was all over a few inches; Protestants' counsel indicated that all Petitioner has to do is chop off the overhang on the roof; upon review of testimony and evidence, was not convinced that denying variance would create hardship; however, granting it would.

Summary: Requested variance of 0' in lieu of 1' should be denied.

Closing statement by Chairman Hackett: Two members are inclined to deny variance, and his original thoughts were that the variance should be granted. He has not been persuaded to change that opinion. Therefore, Board will issue written Opinion and Order that petition for variance is denied, with a dissenting opinion being written by Chairman Hackett. Appellate period runs from date of written Opinion and Order and not from today's date.

Respectfully submitted,


Kathleen C. Weidenhammer
Administrative Assistant



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 22, 1994

Mr. Arthur Smith
950 Seneca Park Road
Baltimore, MD 21220

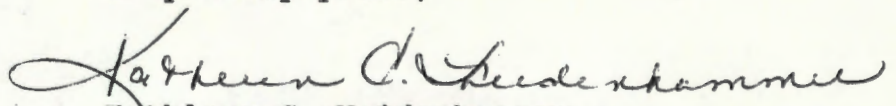
Re: Case No. 94-217-SPHA
Arthur Smith, et ux -Petitioners

Dear Mr. Smith:

In response to your telephone request this morning, enclosed is a copy of the Order for Appeal which was filed by Barbara Mitchell, Earl Mitchell, Robert Mitchell and Paul Mitchell in the above-referenced matter.

If you have any additional questions, please call me at 887-3180.

Very truly yours,


Kathleen C. Weidenhammer
Administrative Assistant

Enclosure

cc: Ms. Barbara E. Mitchell
Messrs. Earl, Robert and Paul Mitchell



RECEIVED
COUNTY BOARD OF APPEALS

94 MAR 14 PM 3:34

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 14, 1994

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, MD 21204

RE: Petition for Special Hearing and Variance
NE/X Seneca park Road, 400' E of the c/l of
Nanette Lane
(950 Seneca Park Road)
15th Election District
5th Councilmanic District
Arthur Smith, et ux-Petitioner
Case No. 94-217-SPHA V93-422-SPH

Dear Mr. Borgerding:

Please be advised that an appeal of the above-referenced case was filed in this office on March 10, 1994 by Barbara E. Mitchell, Earl Mitchell, Robert Mitchell and Paul Mitchell for the variance portion only. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON
Director

AJ:jaw

c: Michael Marino, Esquire
Mr. Eugene Schmidt
Mr. & Mrs. Arlene Smith
Chesapeake Bay Critical Areas Commission
People's Counsel



94 MAR 14 PM 3:34

APPEAL

Petition for Special Hearing and Variance
NE/S Seneca Park Road, 400" E of c/l of Nanette Lane
(950 Seneca Park Road)
15th Election District - 5th Councilmanic District
Arthur Smith, et ux-PETITIONER
Case No. 94-217-SPHA (V93-422-SPH)

- ✓ Petition(s) for Variance (only variance portion being appealed)
- ✓ Description of Property
- ✓ Certificate of Posting
- ✓ Certificate of Publication
- ✓ Zoning Plans Advisory Committee Comments
- ✓ Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: ✓ 1 - Plat to Accompany Petition

✓ 2 - One photograph

✓ 3 - Plat to Accompany Petition for variance

✓ 4 - Lot No. 72 Record Plat

✓ 5 - One photograph

✓ 6 - Lots No. 72 & 73 Record Plat

Protestant's Exhibits: 1. NONE SUBMITTED TO BOA (Cm 3-15-94)

- ✓ Deputy Zoning Commissioner's Order dated February 10, 1994 (Granted)
- ✓ Notice of Appeal received on March 10, 1994 from Barbara E. Mitchell, Earl Mitchell, Robert Mitchell and Paul Mitchell.

c: Francis X. Borgerding, Jr., Esquire, 409 Washington Ave., St. 600, 21204
~~Michael Marino, Esquire, 609 Bosley Avenue, Towson, MD 21204~~
Mr. Eugene Schmidt, 220 Bosley Avenue, Towson, MD 21204
Mr. & Mrs. Arlene Smith, 950 Seneca Park Road, Baltimore, MD 21204
Chesapeake Bay Critical Areas Commission, 45 Calvert Street, 2nd Floor, Annapolis, MD 21401

* { Ms. Barbara E. Mitchell, 8107 Analee Avenue, Baltimore, MD 21237
Mr. Earl Mitchell, 13 Hartack Court, Baltimore, MD 21236
Mr. Robert Mitchell, 13 Hartack Court, Baltimore, MD 21236
Mr. Paul Mitchell, 13 Hartack Court, Baltimore, MD 21236
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204 ✓ E

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM
JAMES THOMPSON, ZONING ENFORCE.

* COUNSEL FOR APPELLANTS/PROTESTANTS
Michael P. Tanczyn, Esquire
606 Baltimore Avenue
Towson, MD 21204

Entered appearance day of
hearing 8-24-94

APPEAL

Petition for Special Hearing and Variance
NE/S Seneca Park Road, 400" E of c/l of Nanette Lane
(950 Seneca Park Road)
15th Election District - 5th Councilmanic District
Arthur Smith, et ux-PETITIONER
Case No. 94-217-SPHA V93-422-SPH

Petition(s) for Variance (only variance portion being appealed)

Description of Property

Certificate of Posting

Certificate of Publication

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Plat to Accompany Petition
2 - One photograph
3 - Plat to Accompany Petition for variance
4 - Lot No. 72 Record Plat
5 - One photograph
6 - Lots No. 72 & 73 Record Plat

Protestant's Exhibits: 1.

Deputy Zoning Commissioner's Order dated February 10, 1994 (Granted)

Notice of Appeal received on March 10, 1994 from Barbara E. Mitchell,
Earl Mitchell, Robert Mitchell and Paul Mitchell.

c: Michael Marino, Esquire, 609 Bosley Avenue, Towson, MD 21204
Mr. Eugene Schmidt, 220 Bosley Avenue, Towson, MD 21204
Mr. & Mrs. Arlene Smith, 950 Seneca Park Road, Baltimore, MD 21204
Chesapeake Bay Critical Areas Commission, 45 Calvert Street, 2nd
Floor, Annapolis, MD 21401
Ms. Barbara E. Mitchell, 8107 Analee Avenue, Baltimore, MD 21237
Mr. Earl Mitchell, 13 Hartack Court, Baltimore, MD 21236
Mr. Robert Mitchell, 13 Hartack Court, Baltimore, MD 21236
Mr. Paul Mitchell, 13 Hartack Court, Baltimore, MD 21236
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM

Appealed for variance only

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE - N/E Seneca	*	
Park Road, 400' E of the c/l	*	DEPUTY ZONING COMMISSIONER
of Naette Lane	*	OF BALTIMORE COUNTY
(950 Seneca Park Road)	*	
15th Election District	*	Case Nos. 94-217-SPHA and
5th Councilmanic District	*	V93-422-SPH
Arthur Smith, et ux	*	
Petitioners	*	

* * * * *

ORDER FOR APPEAL

Barbara E. Mitchell, Earl Mitchell, Robert Mitchell and Paul Mitchell, Protestants, order an appeal from the final judgment entered in this action on February 10, 1994.

Barbara Mitchell
Barbara E. Mitchell
8107 Analee Avenue
Baltimore, MD 21237
(410) 866-8107

Earl Mitchell
Earl Mitchell
13 Hartack Court
Baltimore, MD 21236
(410) 882-4005

Robert Mitchell
Robert Mitchell
13 Hartack Court
Baltimore, MD 21236

Paul Mitchell
Paul Mitchell
13 Hartack Court
Baltimore, MD 21236

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 28 day of February, 1994, a copy of the foregoing Order of Appeal was mailed, postage prepaid, to Francis X. Borgerding, Esquire, 409 Washington Avenue, Towson, Maryland 21204, attorney for Petitioners.

Earl Mitchell
Earl Mitchell

Jes
1/10

IN RE: PETITIONS FOR SPECIAL HEARING	* BEFORE THE
AND VARIANCE - NE/S Seneca Park	
Road, 400' E of the c/l of	* DEPUTY ZONING COMMISSIONER
Nanette Lane	
(950 Seneca Park Road)	* OF BALTIMORE COUNTY
15th Election District	
5th Councilmanic District	* Case Nos. 94-217-SPHA and
	V93-422-SPH
Arthur Smith, et ux	*
Petitioners	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as combined Petitions for Special Hearing and Variance in Case No. 94-217-SPHA and Petition for Special Hearing in Case V93-422-SPH for the subject property, known as 950 Seneca Park Road. The Petition in Case No. V93-422-SPH was filed by the Zoning Administration and Development Management (ZADM) office concerning a violation of the Order issued in prior Case No. 92-365-A as to compliance with side yard setback requirements for two sheds on the property, and the encroachment of the required gutters and downspouts thereon into the adjoining property. Thereafter, the owners of the subject property, Arthur and Arlene Smith, were advised to file the Petitions in Case No. 94-217-SPHA in order to resolve the issues raised in Case No. V93-422-SPH. In Case No. 94-217-SPHA, the Petitioners request a special hearing to approve the removal of Restriction No. 3 from the Order issued in Case No. 92-365-A, dated June 8, 1992, to permit the removal of the gutters and downspouts from the two sheds in question and a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the 1 foot granted in Case No. 92-365-A for the two sheds in question, as more particularly described on Petitioner's Exhibits 1 and 3.

Appearing at the public hearing held on behalf of the Petitioners were Arthur L. and Arlene Smith, the property owners, and Paul Lee, Professional Engineer. The Petitioners were represented by Francis X. Borgerding, Jr., Esquire. Appearing as Protestants in the matter were Paul, Earl, Barbara, and Sue Mitchell, adjacent property owners, and Eugene Schmidt. The Protestants were represented by Michael Marino, Esquire.

Testimony indicated that the subject property, known as 950 Seneca Park Road, consists of 0.52 acres, more or less, zoned R.C. 5 and is improved with a single family dwelling and two sheds, which are the subject of this case. This property is located within the Chesapeake Bay Critical Areas on Seneca Creek. As noted above, this property was the subject of prior Case No. 92-365-A in which a side yard setback of 1 foot was granted for the two sheds by this Deputy Zoning Commissioner on June 8, 1992. The Petitioners now seek to amend the relief previously granted due to ongoing disputes between themselves and the adjacent property owners. Both the Petitioners and the adjoining property owners have invested considerable sums of money for the preparation of field surveys to determine the location of the property line between their respective properties. The Petitioners hired Paul Lee, a Registered Professional Engineer, to engage a Registered Property Line Surveyor to prepare a plat of the existing improvements on the property and its boundary lines. The Protestants hired Spellman, Larson & Associates to prepare a field survey of existing conditions on the Smith property. Subsequently, the parties discovered that the sheds in question were actually closer to the property line than originally determined and that the previously granted variance of 1 foot was inadequate. To be more exact, the utility shed closest to the water is actually situated .66 feet from the property line. In the previous

case, I required that the Petitioners install rain gutters and downspouts on the two sheds to channel any water runoff away from the neighboring property. Mr. Smith proceeded to install the required gutters and downspouts. However, due to the sheds being located closer to the property line than originally determined, the gutters and downspouts now overhang onto the Protestants' property.

In addition to the requested modification of the variance relief granted in the prior Order, the Petitioners seek removal of Restriction No. 3 thereof to permit removal of these gutters and downspouts which would eliminate encroachment onto their neighbors' property as noted above.

Testimony revealed that no changes have been made to this property since the prior hearing held in April 1992. However, it has since been determined that the property line is not in the location where it was previously thought to be located. Specifically, the Petitioners and the Protestants have discovered that the property line is approximately 4 inches from the utility sheds and not 1 foot as previously believed. Therefore, the Petitioners seek a modification of the relief granted in the prior Order.

As noted above, the Mitchell family appeared at the hearing in opposition to the Petitioners' request. However, the Protestants did not offer any testimony as to why the relief requested should not be granted. Inasmuch as the facts and circumstances presented in this case revealed that there has been no change in the improvements on the Smith property since the hearing held in Case No. 92-365-A, the relief requested herein shall be granted.

As to the special hearing relief sought, the Petitioners find themselves in an unusual situation. Pursuant to the previous Order, they

were directed to install gutters and downspouts on the sheds in question in order to divert any water runoff away from their neighbors' property. Now, however, these gutters and downspouts encroach upon their neighbors' property. Testimony presented by Mr. Paul Lee, the Petitioners' engineer, revealed that the only gutter which technically overhangs the property line is the one on the shed located closest to the water. The gutters and downspouts on the other shed do not pose a problem. Inasmuch as I cannot require the Petitioners to make an improvement on their property that will result in their trespassing onto their neighbors' property, the special hearing relief requested herein shall be granted to allow the Petitioners to remove the gutters and downspouts from the shed closest to the water. However, the gutters and downspouts on the other shed shall not be removed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result

if the special hearing relief, as modified, and variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

In light of the subject property existing within the Chesapeake Bay Critical Areas, Sections 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) must also be examined. However, since no expansion or intensification of the sheds in question is planned, the relief requested is not subject to the requirements of Critical Areas legislation. Furthermore, there were no comments submitted to the contrary by the Department of Environmental Protection and Resource Management (DEPRM).

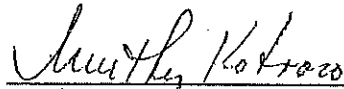
Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing relief, as modified, and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of February, 1994 that the Petitioners shall be permitted to remove the gutters and downspouts from the shed closest to the water on the east side of their property, in accordance with Petitioner's Exhibits 1 and 3, and as such, the Petition for Special Hearing filed in Case No. 94-217-SPHA to approve the removal of Restriction No. 3 from the Order issued June 8, 1992 in Case No. 92-365-A, as

modified herein, be and is hereby GRANTED and the Petition for Special Hearing filed in Case No. V93-422-SPH is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the 1 foot granted in Case No. 92-365-A for the two existing sheds, in accordance with Petitioner's Exhibits 1 and 3, be and is hereby GRANTED, subject to the following restrictions:

- 1) The 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 relief granted herein shall be rescinded.
- 2) Only the gutters and downspouts on the shed closest to the water on the easternmost portion of the subject property shall be removed. The gutters and downspouts on the other shed shall remain in place.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

February 10, 1994

(410) 887-4386

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
NE/S Seneca Park Road, 400' E of the c/l of Nanette Lane
(950 Seneca Park Road)
15th Election District - 5th Councilmanic District
Arthur Smith, et ux - Petitioners
Case Nos. 94-217-SPHA V93-422-SPH

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing, as modified, and the Petition for Variance in Case No. 94-217-SPHA have been granted and the Petition for Special Hearing filed in Case No. V93-422-SPH has been dismissed as moot in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Michael Marino, Esquire
609 Bosley Avenue, Towson, Md. 21204

Mr. Eugene Schmidt
220 Bosley Avenue, Towson, Md. 21204

Mr. & Mrs. Arlene Smith
950 Seneca Park Road, Baltimore, Md. 21220

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

People's Counsel; File

#207



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 950 Seneca Park Rd., Baltimore, MD 21220

94-217-5PHA

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the removal restriction number three from the Order of the Deputy Zoning Commissioner in case number #92-365-A dated June 8, 1992 so that gutters and downspouts on the existing sheds that overhang the existing property line can be removed.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Francis X. Borgerding, Jr.
(Type or Print Name)

Signature

409 Wash. Ave., Ste. 600 296-6820
Address Phone No.

Towson, MD 21204
City State Zipcode

Legal Owner(s):

Arthur Smith
(Type or Print Name)

Signature

Arlene Smith
(Type or Print Name)

Signature

950 Seneca Park Rd. 335-6615
Address Phone No.

Baltimore, MD 21220
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Francis X. Borgerding, Jr.
Name

409 Washington Ave., Ste. 600, Towson,
Address Phone No. MD 21204

296-6820
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates 1 hr. + Next Two Months

ALL ☒ OTHER

REVIEWED BY: MDA DATE 11/15/92

RECEIVED FOR FILING

By



207



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

950 Seneca Park Rd., Baltimore, MD 21220

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & 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) 1A04.3.B.3 of the Baltimore County Zoning Regulations to revise a side yard setback of one foot (1') (granted in case number #92-365-A) for two (2) utility sheds to a 0' side yard setback

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

1. Shape and configuration of the property;
2. Such other and further reasons to be presented at the hearing of this matter.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Francis X. Borgerding, Jr.

(Type or Print Name)

Signature

409 Wash. Ave, Ste. 600 296-6820

Address

Phone No.

Towson, MD

21204

City

State

Zipcode

Legal Owner(s):

Arthur Smith

(Type or Print Name)

Signature

Arlene Smith

(Type or Print Name)

Signature

950 Seneca Park Rd. 335-6615

Address

Phone No.

Baltimore,

MD

21220

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

11/15/93

ORDER RECEIVED FOR FILING

Date

By



Paul Lee, P.E.

Paul Lee Engineering Inc.

304 W. Pennsylvania Ave.

Towson, Maryland 21204

410-821-5941

DESCRIPTION

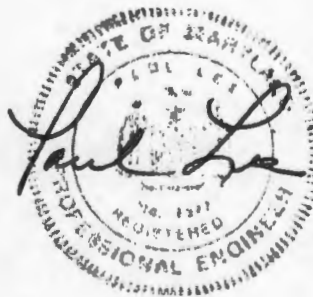
94-217-SPHA

#950 SENECA PARK ROAD

15th ELECTION DISTRICT - BALTIMORE COUNTY, MD.

Beginning for the same on the north side of Seneca Park Road at the division line between Lots 71 & 72 as shown on the plat of Seneca Park Beach, said plat being recorded among the Land Records of Baltimore County in Plat Book 8 folio 45 and known as Lots 72 & 73.

Containing 0.52 acres of land more or less.



#207

11-3-93
J.O. 93-021

Engineers — Surveyors — Site Planners



111 West Chesapeake Avenue
Towson, MD 21204

94-217-SPHA

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 207

Petitioner: Arthur and Arlene Smith

Location: 950 Seneca Park Rd Baltimore, md 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Arthur and Arlene Smith

ADDRESS: 950 Seneca Park Rd Baltimore, md 21220

PHONE NUMBER: 335-6615

AJ:ggs

(Revised 04/09/93)



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

94-217-SPHA

District 15th Date of Posting 12/17/93

Posted for: Special Hearing + Variance

Petitioner: Arthur + Arlene Smith

Location of property: 930 Service Port Rd., N/E/S

Location of Signs: Facing road abg. on property being zoned

Remarks: _____

Posted by M. Stealy Date of return: 12/17/93
Signature

Number of Signs: 2



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

94-217-SPHA

District 15TH Date of Posting 3/20/94
Posted for: Appeal
Petitioner: Arthur Smith, et al
Location of property: NE's Seneca Park Rd, 950, 400' E/ Norwethorne
Location of Signs: Facing road way, on property being appealed
Remarks: _____
Posted by [Signature] Date of return: 3/23/94
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 139756

DATE 3/10/14 ACCOUNT R-001-1-150

AMOUNT \$ 210.00

RECEIVED FROM: Robert Mitchell

FOR: Appraisal

02740/80030KCHPC

4218.00

BA 00044180403 10 54

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 13, 1994

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 94-217-SPHA

ARTHUR SMITH, ET UX -Petitioner
NE/s Seneca Park Road, 400' E of c/l of
Nanette Lane (950 Seneca Park Road)
15th Election District
5th Councilmanic District

SPH -To approve removal of Restriction #3 from Order in #92-365-A /removal of gutters and downspouts from two sheds; VAR -to permit side yd setback of 0' in lieu of 1' granted in #92-365-A for two sheds. (Petitions filed to resolve issues raised in Case No. V93-422-SPH /violation of Order in #92-365-A.)

12/13/93 -D.Z.C.'s Order in which Petitions for Special Hearing and Variances were GRANTED with restrictions.

ASSIGNED FOR:

TUESDAY, JULY 12, 1994 at 10:00 a.m.

cc: Ms. Barbara E. Mitchell Appellant /Protestant
Mr. Earl Mitchell " "
Mr. Robert Mitchell " "
Mr. Paul Mitchell " "
Mr. Eugene Schmidt Protestant
Michael Marino, Esquire
Francis X. Borgerding, Jr., Esq. Counsel for Petitioners
Mr. & Mrs. Arthur Smith Petitioners
Chesapeake Bay Critical Areas Commission
People's Counsel for Balto. County
P. David Fields
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

May 26, 1994

NOTICE OF POSTPONEMENT & REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 94-217-SPHA

ARTHUR SMITH, ET UX -Petitioner
NE/s Seneca Park Road, 400' E of c/l of
Nanette Lane (950 Seneca Park Road)
15th Election District
5th Councilmanic District
SPH -To approve removal of Restriction #3 from
Order in #92-365-A /removal of gutters and
downspouts from two sheds; VAR -to permit side
yd setback of 0' in lieu of 1' granted in #92-
365-A for two sheds. (Petitions filed to
resolve issues raised in Case No. V93-422-SPH
/violation of Order in #92-365-A.)

12/13/93 -D.Z.C.'s Order in which Petitions
for Special Hearing and Variances were GRANTED
with restrictions.

which was scheduled for hearing on July 12, 1994 has been POSTPONED at
the request of Appellant /Protestant; and has been

REASSIGNED FOR: WEDNESDAY, AUGUST 3, 1994 at 10:00 a.m.

cc: Ms. Barbara E. Mitchell	Appellant /Protestant
Mr. Earl Mitchell	" "
Mr. Robert Mitchell	" "
Mr. Paul Mitchell	" "
Mr. Eugene Schmidt	Protestant
Michael Marino, Esquire	
Francis X. Borgerding, Jr., Esq.	Counsel for Petitioners
Mr. & Mrs. Arthur Smith	Petitioners
Chesapeake Bay Critical Areas Commission	
People's Counsel for Balto. County	
Pat Keller	
Lawrence E. Schmidt	
Timothy H. Kotroco	Docket Clerk /ZADM
W. Carl Richards, Jr. /ZADM	Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

July 20, 1994

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 94-217-SPHA

ARTHUR SMITH, ET UX -Petitioner
NE/s Seneca Park Road, 400' E of c/l of
Nanette Lane (950 Seneca Park Road)
15th Election District
5th Councilmanic District
SPH -To approve removal of Restriction #3 from
Order in #92-365-A /removal of gutters and
downspouts from two sheds; VAR -to permit side
yd setback of 0' in lieu of 1' granted in #92-
365-A for two sheds. (Petitions filed to
resolve issues raised in Case No. V93-422-SPH
/violation of Order in #92-365-A.)

12/13/93 -D.Z.C.'s Order in which Petitions
for Special Hearing and Variances were GRANTED
with restrictions.

which was scheduled for hearing on August 3, 1994 has been POSTPONED at
the request of Counsel for Petitioners; and has been

REASSIGNED FOR: WEDNESDAY, AUGUST 24, 1994 at 1:00 p.m.

cc: Ms. Barbara E. Mitchell	Appellant /Protestant
Mr. Earl Mitchell	" "
Mr. Robert Mitchell	" "
Mr. Paul Mitchell	" "
Mr. Eugene Schmidt	Protestant
Michael Marino, Esquire	
Francis X. Borgerding, Jr., Esq.	Counsel for Petitioners
Mr. & Mrs. Arthur Smith	Petitioners
Chesapeake Bay Critical Areas Commission	
People's Counsel for Balto. County	
Pat Keller	
Lawrence E. Schmidt	
Timothy H. Kotroco	
W. Carl Richards, Jr. /ZADM	Docket Clerk /ZADM Arnold Jablon, Director /ZADM

ADDED → JAMES H. THOMPSON /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

August 25, 1994

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 94-217-SPHA

ARTHUR SMITH, ET UX -Petitioner
NE/s Seneca Park Road, 400' E of c/l of
Nanette Lane (950 Seneca Park Road)
15th Election District
5th Councilmanic District

Day #2 from 8/24/94

SPH -To approve removal of Restriction #3 from
Order in #92-365-A /removal of gutters and
downspouts from two sheds; VAR -to permit side
yd setback of 0' in lieu of 1' granted in #92-
365-A for two sheds. (Petitions filed to
resolve issues raised in Case No. V93-422-SPH
/violation of Order in #92-365-A.)

12/13/93 -D.Z.C.'s Order in which Petitions
for Special Hearing and Variances were GRANTED
with restrictions.

ASSIGNED FOR:

TUESDAY, SEPTEMBER 13, 1994 at 10:30 a.m.

cc: Michael P. Tanczyn, Esquire	Counsel for Appellants/Protestants.
Ms. Barbara E. Mitchell	Appellant /Protestant
Mr. Earl Mitchell	" "
Mr. Robert Mitchell	" "
Mr. Paul Mitchell	" "
Mr. Eugene Schmidt	Protestant

Francis X. Borgerding, Jr., Esq.	Counsel for Petitioners
Mr. & Mrs. Arthur Smith	Petitioners

Chesapeake Bay Critical Areas Commission
People's Counsel for Balto. County
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
James H. Thompson /ZADM

Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

September 13, 1994

NOTICE OF DELIBERATION

As indicated at the conclusion of the hearing on September 13, 1994, the Board has scheduled the following date and time for deliberation in the matter of:

ARTHUR SMITH, ET UX -PETITIONER
CASE NO. 94-217-SPHA

DATE AND TIME : Wednesday, September 28, 1994 at 10:00 a.m.
LOCATION : Room 48, Basement, Old Courthouse

cc: Michael P. Tanczyn, Esquire	Counsel for Appellants/Protestants.
Ms. Barbara E. Mitchell	Appellant /Protestant
Mr. Earl Mitchell	" "
Mr. Robert Mitchell	" "
Mr. Paul Mitchell	" "
Mr. Eugene Schmidt	Protestant

Francis X. Borgerding, Jr., Esq.	Counsel for Petitioners
Mr. & Mrs. Arthur Smith	Petitioners

Chesapeake Bay Critical Areas Commission
People's Counsel for Balto. County
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
James H. Thompson /ZADM

Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

May 10, 1994

Francis X. Borgerding, Jr., Esquire
DINENNA AND BRESCHI
Suite 600
Mercantile-Towson Building
409 Washington Avenue
Towson, MD 21204

Re: Case No. 94-217-SPHA
Arthur Smith, et ux

Dear Mr. Borgerding:

Enclosed is a copy of a letter received by the Board this date from Earl Mitchell, Appellant/Protestant in the subject matter, requesting a postponement of this case scheduled for hearing on July 12, 1994. Your prompt response to this request would be appreciated.

Should you have any questions, please call me at 887-3180.

Very truly yours,

A handwritten signature in cursive script, reading "Kathleen C. Weidenhammer".

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Mr. Earl Mitchell
People's Counsel for Baltimore County



COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

APRIL 22, 1994

DEAR DOCKET CLERK /ZADM:

93-422-SPH
E

WE RECEIVED THE NOTICE OF ASSIGNMENT FOR CASE NO. 94-217-SPHA

ON JULY 12, 1994 AT 10:00 A.M..

DUE TO PRIOR COMMITMENTS BEYOND OUR CONTROL WE NEED TO CHANGE
THE HEARING DATE. ANY DATE AFTER JULY 15, 1994, BUT NOT AUGUST
8-15, 1994, WILL BE ACCEPTABLE.

THANK YOU FOR YOUR COOPERATION.

SINCERELY,

Earl Mitchell

EARL MITCHELL
946 SENECA PARK ROAD
BALTIMORE, MD. 21220

RECEIVED
COUNTY BOARD OF APPEALS
94 MAY 10 PM 1:50

DiNENNA AND BRESCHI

ATTORNEYS AT LAW

GEORGE A. BRESCHI
ROBERT A. BRESCHI

OF COUNSEL

FRANCIS X. BORGERDING, JR. ‡

‡ ALSO MEMBER OF DISTRICT OF
COLUMBIA BAR

MERCANTILE BLDG. - SUITE 800
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 296-6820
FAX (410) 296-6884

S. ERIC DiNENNA
(1938-1991)

OF COUNSEL

JENKINS & AWALT

July 18, 1994

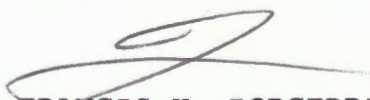
County Board of Appeals
of Baltimore County
Old Court House, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: Case No.: 94-217-SPHA
Petitioner: Arthur Smith, et ux.
Hearing Date: Wednesday, August 3, 1994
@ 10:00 a.m.

Gentlemen/Ladies:

I am writing this correspondence on behalf of my clients, Arthur and Arlene Smith, to request a postponement of the above-referenced matter which is set for hearing on Wednesday, August 3, 1994, at 10:00 a.m. The reason for this request for postponement is that my clients have informed me they will be out of town August 3, 1994. I apologize for any inconvenience this may cause the Board. Thank you very much for your consideration in this matter.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Mr. and Mrs. Arthur Smith
Ms. Barbara E. Mitchell

RECEIVED
COUNTY BOARD OF APPEALS
94 JUL 19 PM 12:01

OK TO 8/24/94 1:00 PM



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

CRITICAL receipt

Account: R-001-6150

Number

Date 11/15/93

217
94-~~217~~-SPHA

Item Number: 207
Taken In By: JMK

Arthur Smith — 950 Seneca Park Rd.

# 010 - Variance - Res. Lot	—	\$ 50.00
# 030 - Sp. Hearing - Res. Lot	—	\$ 50.00
# 080 - 2 signs (\$ 35.00 each)	—	\$ 70.00
Total	—	\$ 170.00

03A03H0287MICHRC
BA C011:40AM11-15-93

\$170.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 94-217-SPHA (Item 207)

950 Seneca Park Road
NE/S Seneca Park Road,
400' E of c/l Nannette Lane
15th Election District
5th Councilmanic

Petitioner(s):

Arthur Smith and
Arlene Smith

HEARING: TUESDAY,
JANUARY 11, 1994 at 9:00
a.m. in Rm. 118, Old
Courthouse.

Special Hearing: to approve the removal of restriction #3 from the order of the Deputy Zoning Commissioner in zoning case #92-365-A dated June 8, 1992 so that gutters and downspouts on the existing sheds that overhang the existing property line can be removed. **Variance:** to revise a side yard setback of 1 ft. (granted in case #92-365-A) for two utility sheds to a zero ft. side yard setback.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

12/049 December 2.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

12/2, 1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/2, 1993

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOVEMBER 24, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-217-SPHA (Item 207)
950 Seneca Park Road
NE/S Seneca Park Road, 400' E of c/l Nannette Lane
15th Election District - 5th Councilmanic
Petitioner(s): Arthur Smith and Arlene Smith

Special Hearing to approve the removal of restriction #3 from the order of the Deputy Zoning Commissioner in zoning case #92-365-A dated June 8, 1992 so that gutters and downspouts on the existing sheds that overhand the existing property line can be removed. Variance to revise a side yard setback of 1 ft. (granted in case #92-365-A) for two utility sheds to a zero ft. side yard setback.

AND

CASE NUMBER: V-93-422-SPH (C/93/672)
950 Seneca Park Road
15th Election District - 5th Councilmanic
Property Owner(s): Arthur Smith

Special Hearing to determine if side yard setbacks for utility sheds are in compliance with order issued in Case No. 92-365-A and whether metal guttering on existing shed encroaches onto 946 Seneca Park Road.

HEARING: TUESDAY, JANUARY 11, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Arthur and Arlene Smith
Francis X. Borgerding, Jr., Esq.
Michael Marino, Esq.
Earl Mitchell
Eugene Smith

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 21, 1993

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: Case No. 94-217-SPHA, Item No. 207
Petitioner: Arthur Smith, et ux
Petitions for Special Hearing and Variance

Dear Mr. Borgerding:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on November 15, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

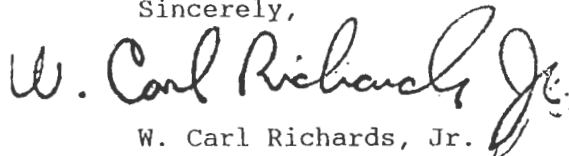
1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Zoning Plans Advisory Committee Comments
Francis X. Borgerding, Jr., Esquire (Item 207)
Date: December 21, 1993
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Coordinator

WCR:cm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 29, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 200, 202, 204, 205, 206, 207, 208, 209, 210, 213, 216 and 217.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Sam L. Kerns

PK/JL:lw



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

11-24-93

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *207 (MTK)*

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

- Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

DAVID N. RAMSEY, Acting Chief
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

IN THE MATTER OF

*

BEFORE THE

ARTHUR SMITH, et ux, Petitioner
NE/s Seneca Park Road
400' E of c/l of Nanette Lane
950 Seneca Park Road
15th Election District
5th Councilmanic District

*

COUNTY BOARD OF APPEALS

*

FOR BALTIMORE COUNTY

*

Case No. 94-217-SPHA

*

* * * * *

SUBPOENA DUCES TECUM

PLEASE issue a Subpoena for the following person to appear and testify before the County Board of Appeals for Baltimore County on Wednesday, August 24, 1994, at 1:00 p.m. to testify for the Protestants before the County Board of Appeals for Baltimore County, Hearing Room 48, Old Courthouse, 400 Washington Avenue, Towson, Maryland, 21204:

CRAIG McGRAW, Zoning Inspector
Office of Zoning Administration & Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

and to bring with him all files, drawings and information in Case No. C-93-672.

Michael P. Tanczyn
MICHAEL P. TANCZYN, ESQ.
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204
Telephone: (410) 296-8823
Attorney for the Protestants

Kathleen D. Pendergast
SECRETARY, COUNTY BOARD OF APPEALS

94 AUG 19 PM 2:00
RECEIVED
COUNTY BOARD OF APPEALS

IN THE MATTER OF

*

BEFORE THE

ARTHUR SMITH, et ux, Petitioner
NE/s Seneca Park Road
400' E of c/l of Nanette Lane
950 Seneca Park Road
15th Election District
5th Councilmanic District

*

COUNTY BOARD OF APPEALS

*

FOR BALTIMORE COUNTY

*

Case No. 94-217-SPHA

*

* * * * *

SUBPOENA DUCES TECUM

PLEASE issue a Subpoena for the following person to appear and testify before the County Board of Appeals for Baltimore County on Wednesday, August 24, 1994, at 1:00 p.m. to testify for the Protestants before the County Board of Appeals for Baltimore County, Hearing Room 48, Old Courthouse, 400 Washington Avenue, Towson, Maryland, 21204:

CUSTODIAN OF RECORDS
Department of Permits & Licenses
111 West Chesapeake Avenue
Towson, Maryland 21204

and to bring with him/her all files, drawings and information regarding 940 Seneca Park Road, which is the subject of this hearing, including Permit Nos. B142190, for shed additions; B124825 issued 4/7/92; B029002 issued 8/25/89; 97505 issued 8/26/87; B170027; B130693.

Michael P. Tanczyn
MICHAEL P. TANCZYN, ESQ. (e)

606 Baltimore Avenue, Suite 106
Towson, Maryland 21204
Telephone: (410) 296-8823
Attorney for the Protestants

Kathleen A. Beidenhammer
SECRETARY, COUNTY BOARD OF APPEALS

00:2 PM 19 94 AUG 26
RECEIVED
COUNTY BOARD OF APPEALS

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Francis X. Bergerding, Jr.
Arthur A. Smith
Greene Smith
Paul Lee

409 Washington ave suite 600 Towson
MD 21204
950 Seneca Park Rd 21220
950 Seneca PARK Rd 21220
304 W. Pennsylvania Ave 21204



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

PAUL F MITCHELL

Earl L. Mitchell

Barbara E MITCHELL

Sue Mitchell

Michael MARINO

EUGENE SCHMIDT

9512 DUNDAS RD 21236

13 Hartack Ct. 21236

8107 ANALEE AVE 21237

13 HARTACK CT 21236

609 Bosley Ave Towson MD 21204

220 BOSLEY AVE TOWSON MD 21204

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

911-217-5211

District 15th Date of Posting 12/12/23
Posted for: Special Hearing + Variance
Petitioner: Arthur + Arlene Smith
Location of property: 930 Service Park Rd, N/E/S
Location of Signs: Facing road by property being zoned
Remarks: _____
Posted by M. Stealy Date of return: 12/17/23
Signature
Number of Signs: 2



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

9A-217-SPHA

District 15th Date of Posting 3/20/94
Posted for: Appeal
Petitioner: Arthur Smith, et al
Location of property: NE 1/2 Sec 10, T. 10 N., R. 10 E., 950' H.C. E. / Nonothome
Location of Signs: Facing road way, or property being appealed
Remarks: _____
Posted by [Signature] Date of return: 3/25/94
Signature
Number of Signs: 1



IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - NE/S Seneca Park Road, 400' E of the c/t of Nanette Lane (950 Seneca Park Road) 15th Election District 5th Councilmanic District

* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

* Case Nos. 94-217-SPHA and V93-422-SPH

Arthur Smith, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as combined Petitions for Special Hearing and Variance in Case No. 94-217-SPHA and Petition for Special Hearing in Case V93-422-SPH for the subject property, known as 950 Seneca Park Road. The Petition in Case No. V93-422-SPH was filed by the Zoning Administration and Development Management (ZADM) office concerning a violation of the Order issued in prior Case No. 92-365-A as to compliance with side yard setback requirements for two sheds on the property, and the encroachment of the required gutters and downspouts thereon into the adjoining property. Thereafter, the owners of the subject property, Arthur and Arlene Smith, were advised to file the Petitions in Case No. 94-217-SPHA in order to resolve the issues raised in Case No. V93-422-SPH. In Case No. 94-217-SPHA, the Petitioners request a special hearing to approve the removal of Restriction No. 3 from the Order issued in Case No. 92-365-A, dated June 8, 1992, to permit the removal of the gutters and downspouts from the two sheds in question and a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the 1 foot granted in Case No. 92-365-A for the two sheds in question, as more particularly described on Petitioner's Exhibits 1 and 3.

Appearing at the public hearing held on behalf of the Petitioners were Arthur L. and Arlene Smith, the property owners, and Paul Lee, Professional Engineer. The Petitioners were represented by Francis X. Borgerding, Jr., Esquire. Appearing as Protestants in the matter were Paul, Earl, Barbara, and Sue Mitchell, adjacent property owners, and Eugene Schmidt. The Protestants were represented by Michael Marino, Esquire.

Testimony indicated that the subject property, known as 950 Seneca Park Road, consists of 0.52 acres, more or less, zoned R.C. 5 and is improved with a single family dwelling and two sheds, which are the subject of this case. This property is located within the Chesapeake Bay Critical Areas on Seneca Creek. As noted above, this property was the subject of prior Case No. 92-365-A in which a side yard setback of 1 foot was granted for the two sheds by this Deputy Zoning Commissioner on June 8, 1992. The Petitioners now seek to amend the relief previously granted due to ongoing disputes between themselves and the adjacent property owners. Both the Petitioners and the adjoining property owners have invested considerable sums of money for the preparation of field surveys to determine the location of the property line between their respective properties. The Petitioners hired Paul Lee, a Registered Professional Engineer, to engage a Registered Property Line Surveyor to prepare a plat of the existing improvements on the property and its boundary lines. The Protestants hired Spellman, Larson & Associates to prepare a field survey of existing conditions on the Smith property. Subsequently, the parties discovered that the sheds in question were actually closer to the property line than originally determined and that the previously granted variance of 1 foot was inadequate. To be more exact, the utility shed closest to the water is actually situated .66 feet from the property line. In the previous

- 2 -

case, I required that the Petitioners install rain gutters and downspouts on the two sheds to channel any water runoff away from the neighboring property. Mr. Smith proceeded to install the required gutters and downspouts. However, due to the sheds being located closer to the property line than originally determined, the gutters and downspouts now overhang onto the Protestants' property.

In addition to the requested modification of the variance relief granted in the prior Order, the Petitioners seek removal of Restriction No. 3 thereof to permit removal of these gutters and downspouts which would eliminate encroachment onto their neighbors' property as noted above.

Testimony revealed that no changes have been made to this property since the prior hearing held in April 1992. However, it has since been determined that the property line is not in the location where it was previously thought to be located. Specifically, the Petitioners and the Protestants have discovered that the property line is approximately 4 inches from the utility sheds, and not 1 foot as previously believed. Therefore, the Petitioners seek a modification of the relief granted in the prior Order.

As noted above, the Mitchell family appeared at the hearing in opposition to the Petitioners' request. However, the Protestants did not offer any testimony as to why the relief requested should not be granted. Inasmuch as the facts and circumstances presented in this case revealed that there has been no change in the improvements on the Smith property since the hearing held in Case No. 92-365-A, the relief requested herein shall be granted.

As to the special hearing relief sought, the Petitioners find themselves in an unusual situation. Pursuant to the previous Order, they

- 3 -

were directed to install gutters and downspouts on the sheds in question in order to divert any water runoff away from their neighbors' property. Now, however, these gutters and downspouts encroach upon their neighbors' property. Testimony presented by Mr. Paul Lee, the Petitioners' engineer, revealed that the only gutter which technically overhangs the property line is the one on the shed located closest to the water. The gutters and downspouts on the other shed do not pose a problem. Inasmuch as I cannot require the Petitioners to make an improvement on their property that will result in their trespassing onto their neighbors' property, the special hearing relief requested herein shall be granted to allow the Petitioners to remove the gutters and downspouts from the shed closest to the water. However, the gutters and downspouts on the other shed shall not be removed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result

- 4 -

If the special hearing relief, as modified, and variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

In light of the subject property existing within the Chesapeake Bay Critical Areas, Sections 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) must also be examined. However, since no expansion or intensification of the sheds in question is planned, the relief requested is not subject to the requirements of Critical Areas legislation. Furthermore, there were no comments submitted to the contrary by the Department of Environmental Protection and Resource Management (DEPRM).

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing relief, as modified, and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of February, 1994 that the Petitioners shall be permitted to remove the gutters and downspouts from the shed closest to the water on the east side of their property, in accordance with Petitioner's Exhibits 1 and 3, and as such, the Petition for Special Hearing filed in Case No. 94-217-SPHA to approve the removal of Restriction No. 3 from the Order issued June 8, 1992 in Case No. 92-365-A, as

- 5 -

modified herein, be and is hereby GRANTED and the Petition for Special Hearing filed in Case No. V93-422-SPH is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the 1 foot granted in Case No. 92-365-A for the two existing sheds, in accordance with Petitioner's Exhibits 1 and 3, be and is hereby GRANTED, subject to the following restrictions:

- 1) The 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 relief granted herein shall be rescinded.
- 2) Only the gutters and downspouts on the shed closest to the water on the easternmost portion of the subject property shall be removed. The gutters and downspouts on the other shed shall remain in place.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjs

Petition for Special Hearing

Case #: V-93-422-SPH
to the Zoning Commissioner of Baltimore County
for the property located at 950 SENECA PARK ROAD
which is presently zoned R.C.5

This Petition shall be filed with the Office of Zoning Administration & Development Management, Baltimore County, Maryland, for a Special Hearing under Sections 26.3 and 26.12(1)(a) of the County Code and Section 500.6 of the Zoning Regulations of Baltimore County, for the Zoning Commission to consider a hearing involving a variance or alleged violation or non-compliance with any zoning regulations or order issued by the Zoning Commission, Board of Appeals or Court, or for the proper administrative hearing, under applicable law.

- Section number(s): 26-119 Baltimore County Code
102.1; 1A04.2A; and 1A04.3B.3 Baltimore County Zoning Regulations
- Nature of violation(s):
1. Side yard setbacks for utility sheds not in compliance with order issued in Case No. 92-365A.
 2. Metal guttering on existing shed encroaches onto 940 Seneca Park Road.

I do solemnly affirm that the contents stated above are correct to the best of my knowledge, information and belief.

Date June 14, 1993 *[Signature]*
Office of Zoning Administration Representative

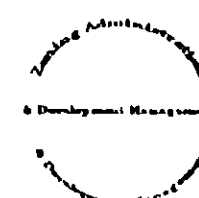
SUMMONS

ISSUED TO: ARTHUR L. AND ARLENE SMITH
ADDRESS: 950 Seneca Park Road
Baltimore, Maryland 21220

To appear and testify in the matter of an alleged zoning violation or for the purpose of a proper interpretation of the zoning regulations or order of the Zoning Commission, Board of Appeals or Court.

Hearing Date: Friday, 7/2/93 Time: 9:00 am/pm Location: Rm. 106, County Office Bldg.

Please be advised that your failure to appear at the date, time and location stated above could result in your attachment.



ESTIMATE FEE FOR HEARING

NOTICE

to the Director of Zoning Administration & Development Management

Special Hearing # V-93-422-SPH

Date 6/11/93

I hereby acknowledge receipt of the attached Petition for Special Hearing

Date 6/11/93 Signature *[Signature]*
Address _____

Phone # 887-5765

RETURN TO:

Director of Zoning Administration and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 15, 1993

NOTICE OF REASSIGNMENT

CASE NUMBER: V-93-422-SPH (C/93/672)
950 Seneca Park Road
15th Election District - 5th Councilmanic
Property Owner(s): Arthur Smith

Special Hearing to determine if side yard setbacks for utility sheds
are in compliance with order issued in Case No. 92-365-A and whether
metal guttering on existing shed encroaches onto 946 Seneca Park Road.

HEARING: WEDNESDAY, AUGUST 4, 1993 at 9:00 a.m. in Rm. 118,
Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Arnold Jablon

ARNOLD JABLON
DIRECTOR

cc: Arthur L. Smith
Francis X. Borgerding, Jr., Esq.
Earl Mitchell



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 29, 1993

NOTICE OF REASSIGNMENT

Rescheduled from 7/2/93 and 8/4/93
CASE NUMBER: V-93-422-SPH (C/93/672)
950 Seneca Park Road
15th Election District - 5th Councilmanic
Property Owner(s): Arthur Smith

Special Hearing to determine if side yard setbacks for utility sheds
are in compliance with order issued in Case No. 92-365-A and whether
metal guttering on existing shed encroaches onto 946 Seneca Park Road.

HEARING: THURSDAY, AUGUST 19, 1993 at 2:00 p.m. in the County Office
Building, Rm. 106, 111 W. Chesapeake Avenue, Towson, Maryland.

Arnold Jablon

ARNOLD JABLON
DIRECTOR

cc: Arthur L. Smith
Francis X. Borgerding, Jr., Esq.
Earl Mitchell
Eugene Schmidt



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 16, 1993

NOTICE OF REASSIGNMENT

Rescheduled from 8/19/93
CASE NUMBER: V-93-422-SPH (C/93/672)
950 Seneca Park Road
15th Election District - 5th Councilmanic
Property Owner(s): Arthur Smith

Special Hearing to determine if side yard setbacks for utility sheds
are in compliance with order issued in Case No. 92-365-A and whether
metal guttering on existing shed encroaches onto 946 Seneca Park Road.

HEARING: THURSDAY, SEPTEMBER 23, 1993 at 2:00 p.m. in Rm. 118, Old
Courthouse, 400 Washington Avenue, Towson, MD 21204.

NO FURTHER POSTPONEMENT

Arnold Jablon

ARNOLD JABLON
DIRECTOR

cc: Arthur and Arlene Smith
Earl Mitchell
Francis X. Borgerding, Jr., Esq.
Eugene Schmidt



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 21, 1993

NOTICE OF REASSIGNMENT

RESCHEDULED FROM 1/2/93; 8/4/93; 8/19/93; and 9/23/93
CASE NUMBER: V-93-422-SPH (C/93/672)
950 Seneca Park Road
15th Election District - 5th Councilmanic
Property Owner(s): Arthur Smith

Special Hearing to determine if side yard setbacks for utility sheds
are in compliance with order issued in Case No. 92-365-A and whether
metal guttering on existing shed encroaches onto 946 Seneca Park Road.

HEARING: FRIDAY, NOVEMBER 19, 1993 at 9:00 a.m. in Rm. 106, County
Office Building.

Arnold Jablon

ARNOLD JABLON
DIRECTOR

cc: Arthur and Arlene Smith
Earl Mitchell
Francis X. Borgerding, Jr., Esq.
Eugene Schmidt



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOVEMBER 24, 1993

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of
Baltimore County, will hold a public hearing on the property identified herein in Room 118, Old Courthouse,
400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-217-SPH (11th 207)
950 Seneca Park Road
NE/8 Seneca Park Road, 400' E of c/l Monette Lane
15th Election District - 5th Councilmanic
Petitioner(s): Arthur Smith and Arlene Smith

Special Hearing to approve the removal of restriction 81 from the order of the Deputy Zoning Commissioner
in zoning case #92-365-A dated June 8, 1992 so that gutters and downspouts on the existing sheds that
overhang the existing property line can be removed. Variance to revise a side yard setback of 1 ft.
(granted in case #92-365-A) for two utility sheds to a zero ft. side yard setback.

AND

CASE NUMBER: V-93-422-SPH (C/93/672)
950 Seneca Park Road
15th Election District - 5th Councilmanic
Property Owner(s): Arthur Smith

Special Hearing to determine if side yard setbacks for utility sheds are in compliance with order issued
in Case No. 92-365-A and whether metal guttering on existing shed encroaches onto 946 Seneca Park Road.

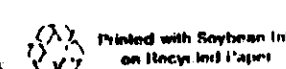
HEARING: TUESDAY, JANUARY 11, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.

Arnold Jablon

ARNOLD JABLON
DIRECTOR

cc: Arthur and Arlene Smith
Francis X. Borgerding, Jr., Esq.
Michael Marion, Esq.
Earl Mitchell
Eugene Smith

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 9, 1993

Mr. Earl Mitchell
946 Seneca Park Road
Baltimore, Maryland 21220

Re: Case No. V-93-422-SPH
950 Seneca Park Road
15th Election District

Dear Mr. Mitchell:

Enclosed is a copy of the special hearing petition issued to the
property owner for the referenced case.

Baltimore County has established a time, date, and location for this
hearing that will be addressed either before the zoning commissioner or
deputy zoning commissioner.

The possibility does exist that this case may be continued due to the
failure of the property owner (defendant) to acknowledge service or the
request of a continuance by their attorney.

The Office of Zoning Administration and Development Management will
make every effort to update you of all subsequent developments relative to
this matter.

Sincerely,

Arnold Jablon
Arnold Jablon
Director

A1/cmm
Enclosure



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 7, 1993

Mr. Arthur L. Smith
950 Seneca Park Road
Baltimore, Maryland 21220

Re: Case Nos. V-93-422-SPH and 93-151
950 Seneca Park Road
15th Election District

Dear Mr. Smith:

You have previously requested that this office supply you with a
copy of the survey performed by Spellman, Larson & Associates, Incorporated
of the plat prepared for Earl Mitchell's property of 946 Seneca Park
Road. Unfortunately, the copy that was supplied to the enforcement
division has been misfiled. Having consulted with Joseph L. Larson, vice
president of Spellman, Larson & Associates, Incorporated, the attorney
representing Earl Mitchell has stated to his client that Baltimore County
cannot receive an additional copy of the plat until the day of the public
hearing.

I am not pleased with the fact that our office misplaced the original
survey. However, I can assure you that this plat did not agree with the
one prepared by surveyor Frank S. Lee. Hopefully, the upcoming hearing
will resolve this matter once and for all.

Sincerely,

James H. Thompson
James H. Thompson
Zoning Enforcement Coordinator

JHT/cmm

cc: Francis X. Borgerding, Jr., Esquire
Craig McGraw



FOR: <i>Smith</i>	
DATE: <i>10/6/93</i>	TIME: <i>1:00 P.M.</i>
BY: <i>Earl Mitchell</i>	
CP: _____	_____
PHONE: <i>1-800-367-8722</i>	_____
FAX: _____	_____
C/M: _____	_____
MESSAGE: <i>V-93-422-SPH</i>	
<i>Variance filed</i>	
<i>11-15-93</i>	

received
7-9-93

FROM: ARTHUR L. & ARLENE SMITH
950 SENECA PARK ROAD
BALTIMORE, MD. 21220

TO: DIRECTOR OF ZONING ADMINISTRATION,
AND DEVELOPING MANAGEMENT
111 WEST CHESAPEAKE AVENUE
SUITE 109
TOWSON, MD. 21204

REF: SPECIAL HEARING # V-93-422-SPH
ATTN: TIM THOMPSON

MR. THOMPSON,

THIS LETTER IS TO INFORM YOU THAT WE ARE REQUESTING A
POSTPONEMENT ON THE ABOVE SAID HEARING, CASE# V-93-422-SPH,
DUE TO THE FACT THAT WE ARE IN THE PROCESS OF OBTAINING A
SURVEY OF THE CORRECT PROPERTY LINES.

MR. FRANCIS BORGERDING, 409 WASHINGTON AVENUE, TOWSON, MD. 21204
WILL BE REPRESENTING ARTHUR L. AND ARLENE SMITH IN THIS
MATTER.

ALSO, I STILL HAVE NOT RECEIVED COPIES OF THE SURVEYS
TAKEN BY SPELLMAN LARSON AND ASSOCIATES, INC.. FROM YOU AS
OF THIS DATE. ANYTHING YOU COULD DO TO EXPIDITE THIS MATTER
WOULD BE GREATLY APPRECIATED. THANK YOU FOR YOUR COOPERATION.

SINCERILY,

ARTHUR L. SMITH

RECEIVED
JUN 25 1993
ZADM

DiNENNA AND BRESCHI
ATTORNEYS AT LAW

GEORGE A. BRESCHI
FRANCIS X. BORGERDING, JR.
ROBERT A. BRESCHI
BALTIMORE MEMBER OF DISTRICT OF
COLUMBIA BAR

MERCANTILE BLDG., SUITE 900
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 506-6880
FAX (410) 506-6884

S. ERIC DINENNA
(1930-1993)
OF COUNSEL
JENKINS & AWALT

July 20, 1993

Arnold Jablon
Director of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Suite 109
Towson, Maryland 21204

RE: Special Hearing No.: V-93-422-SPH
Hearing Date: August 4, 1993 @
9:00 A.M.

Dear Mr. Jablon:

The purpose of this correspondence is to request a postponement
of the above-referenced hearing. The reason for the request for
postponement is that my client, Arthur Smith, will be out of the
state on August 4, 1993.

Thank you very much for your cooperation in this matter.

Very truly yours,

FRANCIS X. BORGERDING, JR.

FXBJr:bjk
cc: Mr. Arthur Smith

RECEIVED
JUL 22 1993
ZADM

DiNENNA AND BRESCHI
ATTORNEYS AT LAW

GEORGE A. BRESCHI
FRANCIS X. BORGERDING, JR.
ROBERT A. BRESCHI
BALTIMORE MEMBER OF DISTRICT OF
COLUMBIA BAR

MERCANTILE BLDG., SUITE 900
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 506-6880
FAX (410) 506-6884

S. ERIC DINENNA
(1930-1993)
OF COUNSEL
JENKINS & AWALT

July 20, 1993

The Honorable Timothy M. Kotroco
Deputy Zoning Commissioner
Office of the Zoning Commissioner
for Baltimore County
Court House
Towson, Maryland 21204

RE: Special Hearing V-93-422-SPH
950 Seneca Park Road
Baltimore, Maryland 21220

Dear Mr. Kotroco:

I am writing on behalf of my clients, Arthur and Arlene Smith
who own the above-referenced property and are being asked to defend
the allegations raised in the above-referenced special hearing.
Critical to the allegations raised by the Petitioner in the
above-referenced special hearing, which include deficient side yard
setbacks and encroachment onto 946 Seneca Park Road is a survey
prepared by Joseph L. Larson of Spellman, Larson and Associates, Inc.
It is my understanding that a copy of this survey was forwarded to
the Office of Zoning Administration and Development Management in
support of the above-referenced special hearing. Per the
correspondence of Mr. James H. Thompson attached hereto, this survey
has been misplaced and Petitioner's counsel refuses to allow my
client to inspect said survey until the time of the above-referenced
special hearing.

In my opinion it is impossible for my client to adequately
prepare to defend the allegations raised by the Petitioner in regard
to the above-referenced special hearing without having my clients'
surveyor review and comment on Mr. Larson's survey prior to the time
of the hearing of this matter. I am therefore requesting a ruling
prior to the hearing of this matter requiring the Petitioner to
provide another copy of Mr. Larson's survey to the Office of Zoning
Administration and Development Management in order that my client may
be permitted to review same to adequately prepare for the hearing of
this matter.

RECEIVED
23 1993
ZONING COMMISSIONER

DiNENNA AND BRESCHI
ATTORNEYS AT LAW

The Honorable Timothy M. Kotroco
Page 2
July 20, 1993

Thank you very much for your cooperation in this matter.

Very truly yours,

FRANCIS X. BORGERDING, JR.

FXBJr:bjk
Enclosure
cc: C. Eugene Schmidt, Esquire
Mr. Arthur Smith

DiNENNA AND BRESCHI
ATTORNEYS AT LAW

GEORGE A. BRESCHI
FRANCIS X. BORGERDING, JR.
ROBERT A. BRESCHI
BALTIMORE MEMBER OF DISTRICT OF
COLUMBIA BAR

MERCANTILE BLDG., SUITE 900
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 506-6880
FAX (410) 506-6884

S. ERIC DINENNA
(1930-1993)
OF COUNSEL
JENKINS & AWALT

October 4, 1993

Timothy M. Kotroco
Deputy Zoning Commissioner for
Baltimore County
Suite 113
Court House
400 Washington Avenue
Towson, Maryland 21204

RE: Case No.: V-93-422-SPH and
93-151
950 Seneca Park Road
15th Election District

Dear Mr. Kotroco:

Pursuant to our recent telephone conversation, I am writing this
correspondence on behalf of my clients, Arthur and Arlene Smith,
confirming that they will shortly file for amended zoning variance
concerning the above-referenced property. As their variance request
directly relates to the above-referenced cases, counsel for Earl
Mitchell, Michael Marino, Esquire, agreed to jointly consent to a
postponement of the hearing which was set for October 23, 1993 at
2:00 P.M. Once my client's zoning variance petition has been filed,
I will request that the variance petition along with the
above-referenced matters be heard at the same time in order that we
may avoid necessitating two separate hearings concerning this overall
matter.

Thank you very much for your cooperation in this matter.

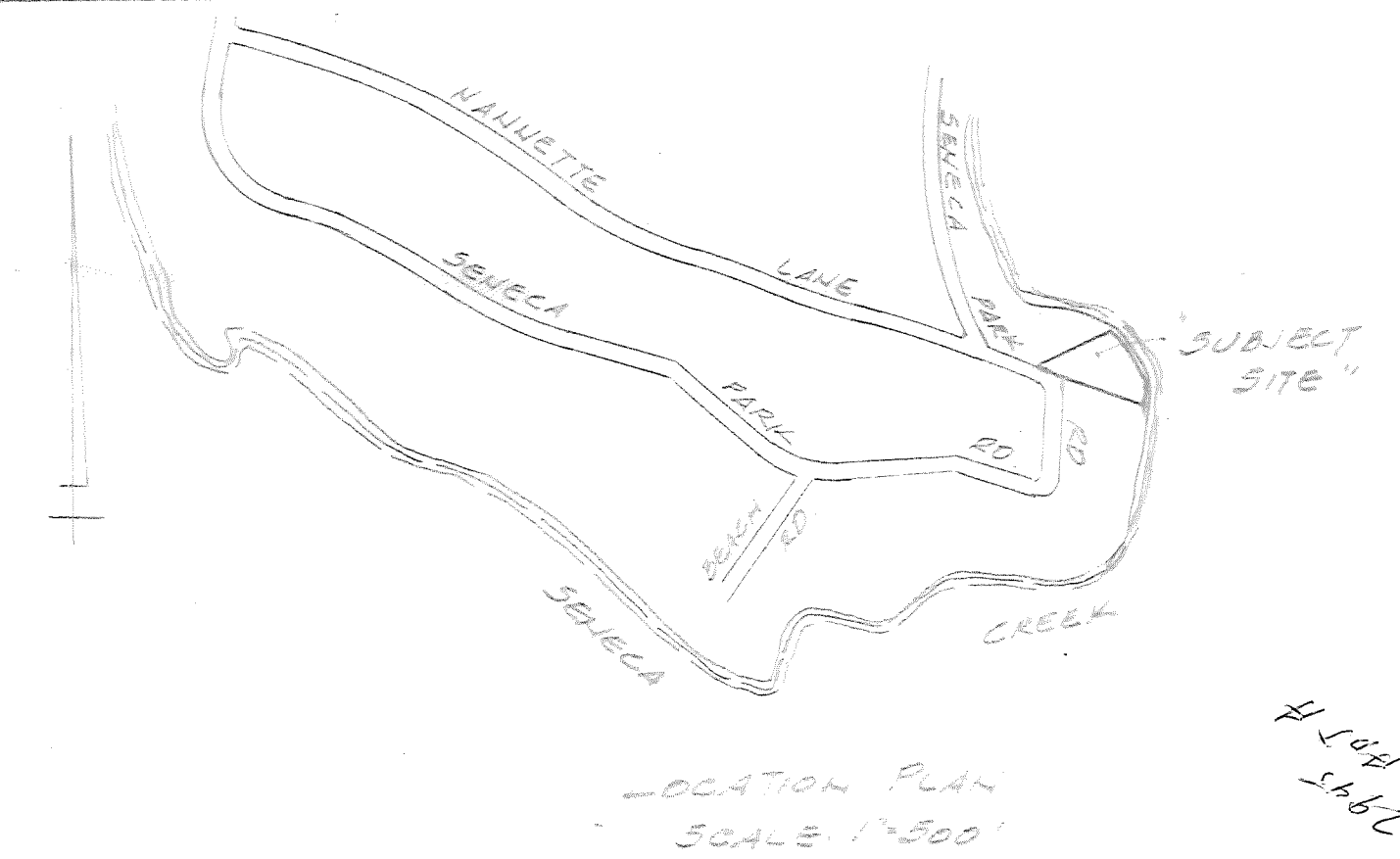
Very truly yours,

FRANCIS X. BORGERDING, JR.

FXBJr:bjk
cc: Mr. and Mrs. Arthur Smith
Michael Marino, Esquire

RECEIVED
8 1993
ZONING COMMISSIONER

RECEIVED OCT 27 1993



GENERAL NOTES

1. AREA OF PROPERTY = 22,565.57² (0.52 AC.±)
2. EXISTING ZONING OF PROPERTY = "RC-5"
3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
4. PROPOSED ZONING OF PROPERTY = "RC-5"
5. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
6. SIDE YARD VARIANCE OF 1' IN LIEU OF REQUIRED 50' FOR EXISTING SHEDS GRANTED CASE # 92-365-A, JUNE 8, 1992.
7. PETITIONER REQUESTING A VARIANCE IN PURSUANT TO SECTION 10-1-1 OF THE CITY OF BALTIMORE TO REMOVE RESTRICTION #3 FROM THE ORDER SO THAT GUTTERS AND DOWNSPOUTS ON THE EXISTING SHEDS THAT OVERHANGS THE EXISTING PROPERTY LINE CAN BE REMOVED.
8. PROPERTY SERVED BY PUBLIC WATER.

94-217-SPHA

PLAT TO ACCOMPANY PETITION

FOR
SPECIAL HEARING & PT.
VARIANCE

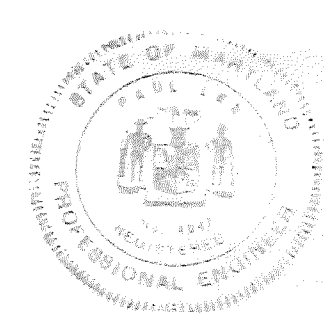
#950 SENECA PARK ROAD

ELECT. DIST. 15 BALTIMORE CO, MD
SCALE: 1"=30' NOV 3, 1993

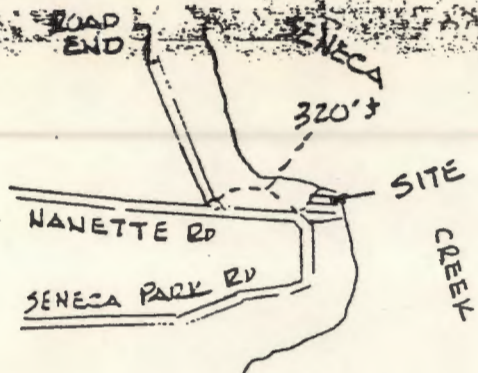
PETITIONER'S
EXHIBIT 1

#207

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



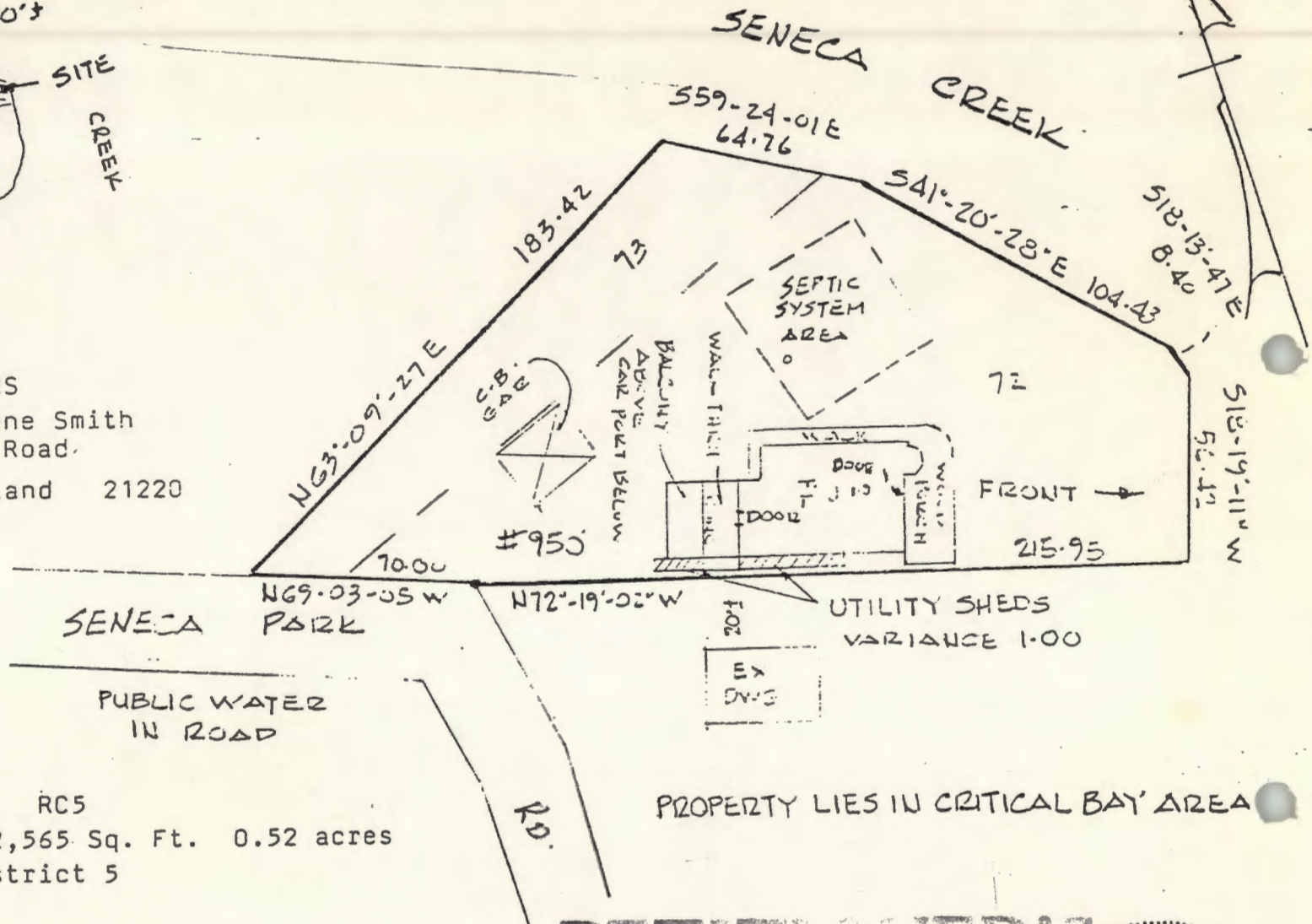




LOCATION MAP
SCALE 1" = 1000'

OWNERS

Arthur L. & Arlene Smith
950 Seneca Park Road
Baltimore, Maryland 21220



EXISTING ZONING RC5
Area of Lot = 22,565 Sq. Ft. 0.52 acres
Councilmatic District 5

PLAT TO ACCOMPANY PETITION FOR A SIDE YARD VARIANCE
1 Foot inlieu of the required 50 feet

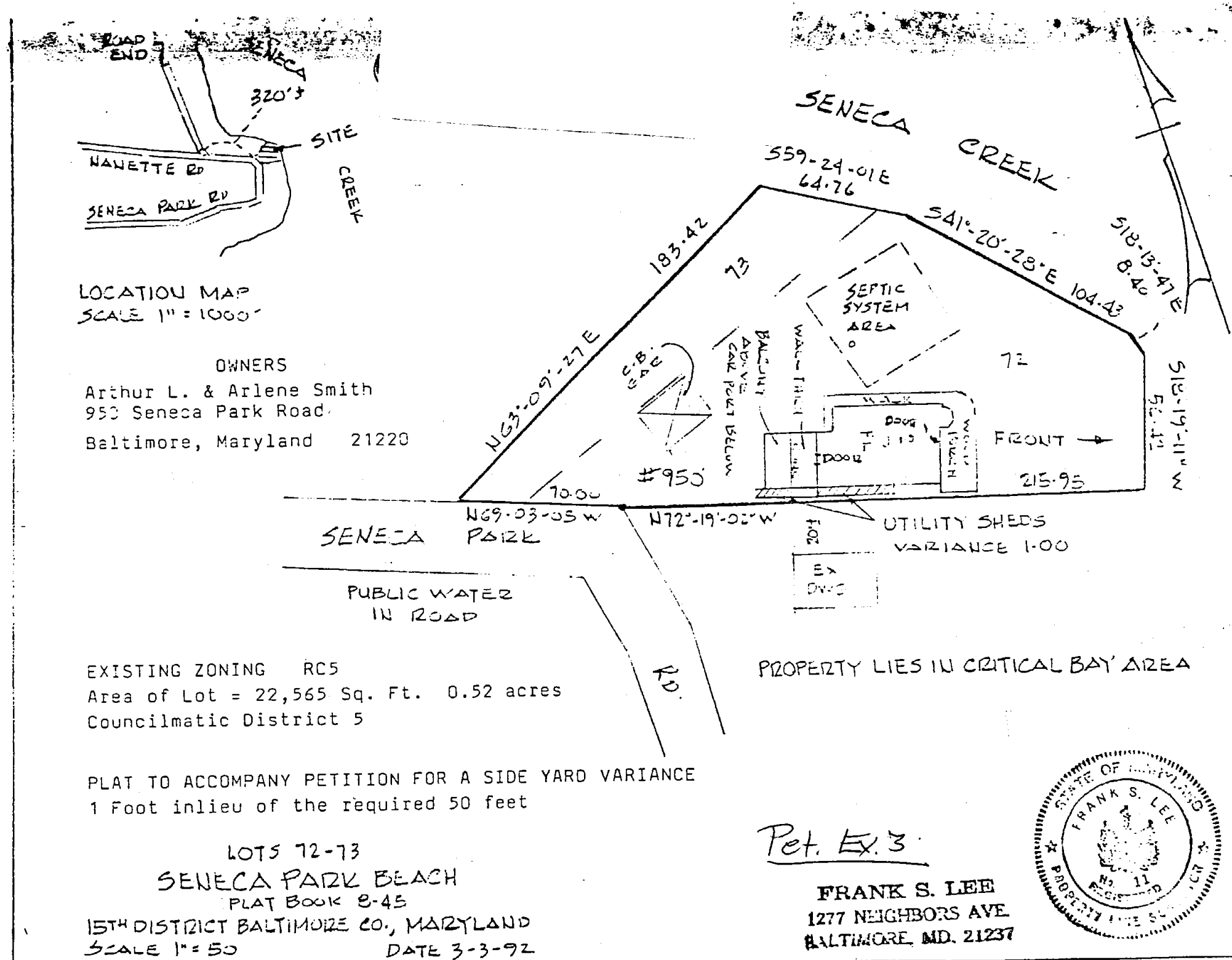
LOTS 72-73
SENECA PARK BEACH
PLAT BOOK 8-45

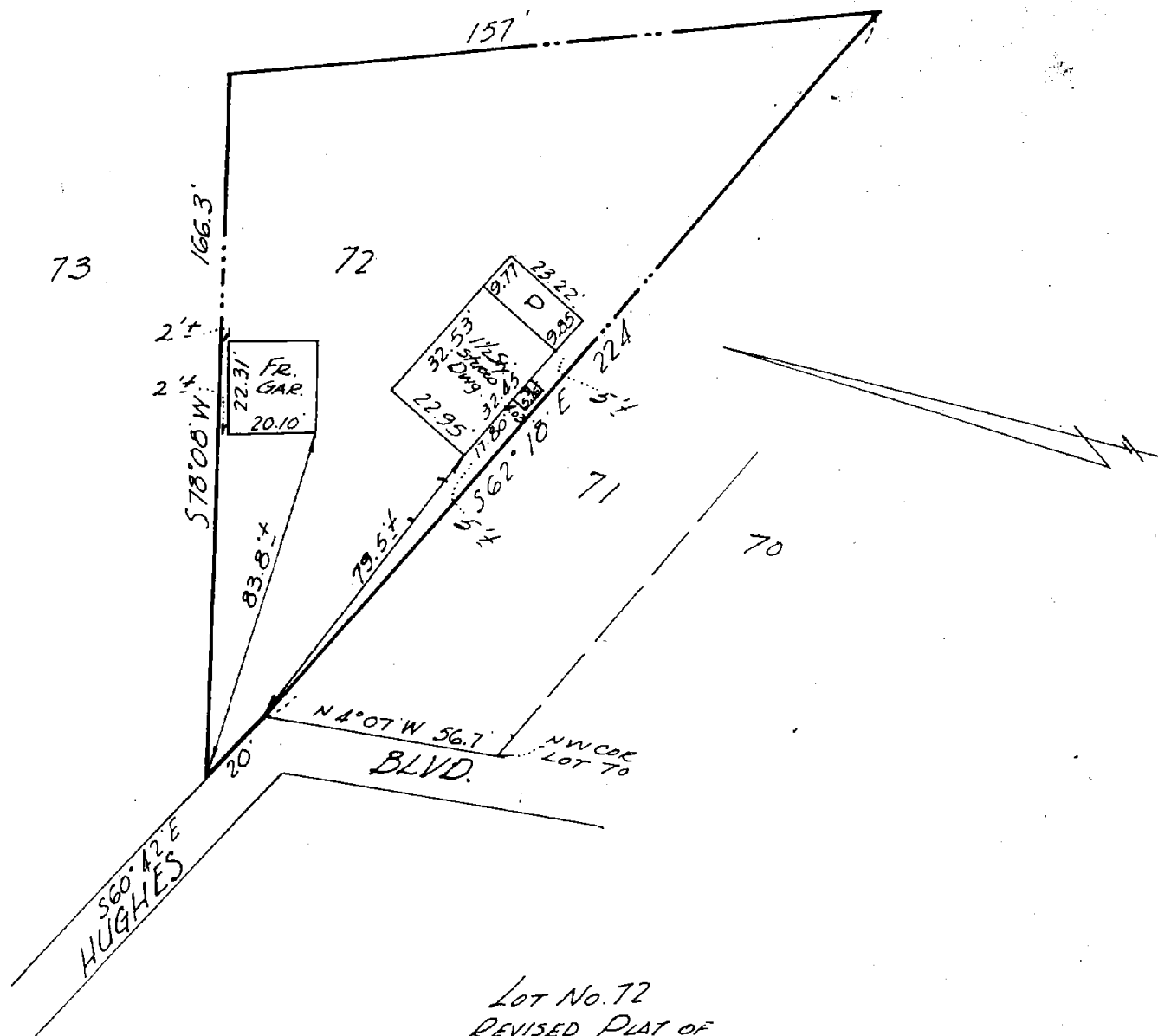
15TH DISTRICT BALTIMORE CO., MARYLAND
SCALE 1" = 50 DATE 3-3-92

PETITIONER'S
EXHIBIT 3

FRANK S. LEE
1277 NEIGHBORS AVE
BALTIMORE, MD. 21237







Lot No. 72
REVISED PLAT OF
SENECA PARK BEACH
P.B. 8-45

PETITIONER'S EXHIBIT 4

Property known as Hughes Blvd.
Balto. Co. Md.

The information on this Plat shows only that the improvements indicated hereon are contained within the outlines of the Lot upon which they are erected, and is not to be construed as an establishment of property lines.

Reg. Prof. Engr. & Land Surveyor

THOMPSON, GRACE & MAYS
ENGINEERS

Fidelity Trust Building
York Road Towson 4, Md.

Scale: 1" = 40' Date: Aug. 7, 1956

LOT No. 72
REVISED PLAT OF
SENECA PARK BEACH
P.B. 8-45

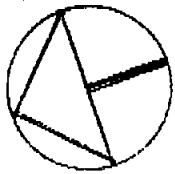
Property known as Hughes Blvd.
Balto. Co. Md.

The information on this Plat shows only that the improvements indicated hereon are contained within the outlines of the Lot upon which they are erected, and is not to be construed as an establishment of property lines.

Reg. Prof. Engr. & Land Surveyor

THOMPSON, GRACE & MAYS
ENGINEERS
Fidelity Trust Building
York Road Towson 4, Md.

Scale: 1" = 40' Date: Aug. 7, 1956



S 18° 19' 11" W. 56.42'

P.K. NAIL FOUND

218.98'

2 STORY

FRAME

WOOD SHED

3.4' x 32.2'

1.0' ±

WOOD SHED

4' x 15.6'

1.3' ±

GUARD ON R.

SET ON R.

0.65 NORTH R.

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

LOT 72 & 73

WOOD FENCE

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

1.5' ±

PIPE FOUND



Reference:
LOTS 72 & 73
"SENECA PARK BEACH"
PLAT BOOK B, FOLIO 45.

PETITIONER'S EXHIBIT 6

The property shown hereon is subject to any and all agreements, easements, rights of way and/or covenants of record and law.

SURVEYOR'S CERTIFICATE

I hereby certify that the position of all the existing improvements shown on the above described property has been carefully established by field survey and are located as shown.

Herbert Malmud

Herbert Malmud
Professional Land Surveyor
Maryland # 7558

LOCATION SURVEY

SHEDS AND HOUSE AT:
950 SENECA PARK RD.
BALTIMORE COUNTY, MD.

Date July 14, 1993 Scale 1" = 30'
Job # 8905 Reference 3867

H. MALMUD & ASSOCIATES, INC.
100 Church Lane
Baltimore, Maryland 21208
Telephone (410) 653-9511

IN RE: PETITION FOR ZONING VARIANCE
E/S Seneca Park Road, 320' E
Nanette Road
(950 Seneca Park Road)
15th Election District
5th Councilmanic District

Arthur Smith, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-365-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance in which the Petitioners request relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1 foot in lieu of the required 50 feet for two utility sheds attached to the dwelling on the subject property, in accordance with Petitioner's Exhibit 2.

The Petitioner, Arthur Smith, appeared and testified on behalf of himself and his wife and was represented by Francis X. Borgerding, Jr., Esquire. Also appearing on behalf of the Petitioners was Jerry Ricker, a nearby resident of the area. Appearing and testifying as a Protestant in the matter was Barbara Mitchell, adjoining property owner, and her son, Earl Mitchell. Ms. Mitchell was represented by C. Eugene Schmidt, Esquire.

Testimony indicated that the subject property, known as 950 Seneca Park Road, consists of 0.52 acres zoned R.C. 5 and is improved with a single family dwelling, swimming pool and detached garage. Said property is located within the Chesapeake Bay Critical Areas on Seneca Creek. The Petitioners filed the instant Petition upon receipt of a stop work order that was issued for two utility sheds which are attached to the existing dwelling approximately 1 foot from the west side property line. Arthur Smith testified that he has lived on the subject property for the past 20

years and that he purchased the property from his mother-in-law. He testified that he applied for and obtained a building permit from Baltimore County to raise the original dwelling, which was about 45 years old, and construct a new dwelling on the original foundation. Mr. Smith introduced two photographs of the property as it existed at the time of purchase and as it exists today, marked Petitioner's Exhibits 4 and 1C, respectively. Mr. Smith testified that when he applied for his building permit, the subject sheds were shown on the plan submitted with his building permit application but that the permit had expired prior to his completion of all improvements. Testimony indicated that from time to time, Mr. Smith had to renew the building permit due to the fact that the construction of the present dwelling took a number of years to complete. Mr. Smith stated that the subject sheds extend 4 feet out from the side of the new dwelling and project approximately the same distance as the porch that was attached to the original dwelling as shown on Petitioner's Exhibit 4. Further testimony indicated that when Mr. Smith applied for his building permit, Baltimore County required that the new dwelling be built on the old foundation.

Mr. Smith testified concerning other improvements made to the subject property. He testified that he also replaced the old rotted split rail fence that had existed on the property for many years with a new stockade fence that runs the entire length of the property line adjoining the Protestants' property. Mr. Smith testified that Baltimore County required the subject fence because of the inground swimming pool located on his property. Petitioner's Exhibits 4 and 1C indicate that the replacement fence is situated in approximately the same location as the original split rail fence. Mr. Smith testified that he applied for and obtained a building permit for everything he has constructed on his property. He

stated that he employed Newton Williams, Esquire to assist him in obtaining the necessary permits to construct the new dwelling, and that since he was issued the stop work order, he has ceased completing construction of the sheds pending the outcome of this hearing.

Jerry Ricker appeared and testified in support of the relief requested. Mr. Ricker testified that he has lived approximately four doors away from the subject property for the past 10 years. Mr. Ricker testified that he does not see any harm in allowing the subject utility sheds to exist on the side of the dwelling. Mr. Ricker testified that he is in favor of the sheds remaining in that they will allow the Petitioner to store various lawn tools and equipment inside as opposed to outside on the property.

Appearing and testifying in opposition to the relief requested was Barbara Mitchell. Ms. Mitchell owns the adjoining property, which is improved with a single family dwelling that is used as a summer home by her family. Ms. Mitchell testified that the improvements made by the Petitioner have depreciated the value of her own property. She stated that his improvements interfere with her view of the water and that water runoff from the subject utility sheds has caused problems on her property. Ms. Mitchell testified that irrespective of the fact that a stop work order was issued to Mr. Smith, he continued to work on the utility sheds. Testimony later revealed that the Petitioner had contacted Robert Maddox, the building inspector who issued the stop work order and asked permission to finish the roofs of the two utility sheds in question to mitigate any damage that might occur while awaiting the outcome of this hearing. Testimony indicated that Mr. Maddox agreed to let the Petitioner finish the roof work necessary to prevent damage to the structures. Ms. Mitchell

testified that she spoke with Frank Gunther, Mr. Maddox' supervisor, and stated that she was upset that Mr. Smith was permitted to continue to work on the subject sheds, given the fact that a stop work order was issued. Testimony revealed that Mr. Gunther also gave permission to the Petitioner to place roofing paper on the subject sheds to prevent any water damage. Ms. Mitchell testified that she is generally opposed to any variance being granted to the Petitioner.

Also appearing and testifying in opposition to the relief requested was Earl Mitchell, Barbara Mitchell's son. Mr. Mitchell testified that while he does not live next door to the subject property, he believes that the two utility sheds in question will devalue his mother's property and may prevent her property from being sold one day. He testified that in his opinion, the two sheds are about 6 inches closer to the property line than the brick wall from the original porch on the old house. He further testified that in his opinion, his family will be prevented from selling their property because of the location of the stockade fence.

Robert Maddox, Building Inspector, and Craig McGraw, Zoning Inspector, were also called as witnesses in the Protestants' case. Both of these witnesses testified as to field inspections made of the subject property in the course of their duties as employees of Baltimore County. Each witness offered limited, if any, testimony regarding the requested variances at issue.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a

permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

It is clear that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, in the opinion of this Deputy Zoning Commissioner, the relief requested should be granted. It is clear from the testimony presented by the Petitioner that he obtained valid building permits from Baltimore County to make the subject improvements to his property. It is also clear from the

Petitioner's testimony that it was always his intention to construct these utility sheds and that they were included in the building plans submitted along with his permit application. There was no testimony offered to the contrary. The new dwelling was constructed on the original foundation, as required by Baltimore County and therefore, is not any closer to the Protestants' property line than the original dwelling. In addition, the utility sheds that are attached to the principal structure are located in approximately the same location as the old porch that was attached to the original dwelling as indicated in the photographs marked Petitioner's Exhibits 4 and 1C. Furthermore, when comparing the pictures depicting the location of the old fence with the newly constructed stockade fence, it is clear that the improvements made by the Petitioner encroach no closer to the Protestants' property than the original structures. Finally, I cannot find that there has been any devaluation of the Protestants' property caused by the improvements made by the Petitioner. The photographs submitted would indicate that the improvements made to the subject property have certainly increased the value of this particular lot and should only have a positive effect on property values elsewhere in the neighborhood.

This property is located within the Chesapeake Bay Critical Areas and as such is subject to any recommendations made by the Department of Environmental Protection and Resource Management upon completion of their review as to Critical Areas requirements.

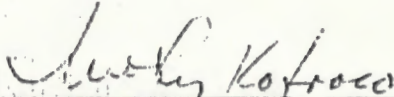
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

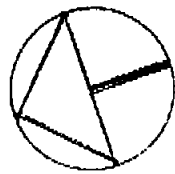
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of June, 1992 that the Petition for Zoning

Variance requesting relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1 foot in lieu of the required 50 feet for two utility sheds attached to the dwelling, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The granting of the relief requested herein is contingent upon Petitioner's compliance with any and all recommendations made by DEPREM upon completion of their findings regarding Critical Areas requirements.
- 3) The Petitioner shall install rainspouts on the utility sheds and all overhangs to prevent any water runoff from passing onto the Protestant's property.
- 4) When applying for any future permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County



S 18° 19' 11" W 56.42'

P.K. NAIL FOUND

218.98'

2 STORY
FRAME

WOOD SHED
34' x 32.2'

GUARD
SET ON 18'
CORNER SHED
0.65 NORTH E

1.0'±

WOOD
SHED
4.4' x 15.6'

GUARD
SET ON 12'
CORNER SHED
0.15 NORTH E

LOTS 72 &
73

WOOD
FENCE

N 72° 19' 02" W

PIPE FOUND



Reference:

LOTS 72 & 73

"SENECA PARK BEACH"

PLAT BOOK 8, FOLIO 45.

The property shown hereon is subject to any and all agreements, easements, rights of way and/or covenants of record and law.

SURVEYOR'S CERTIFICATE

I hereby certify that the position of all the existing improvements shown on the above described property has been carefully established by field survey and are located as shown.

Herbert Malmud

Herbert Malmud
Professional Land Surveyor
Maryland # 7558

LOCATION SURVEY

SHEDS AND HOUSE AT:
350 SENECA PARK RD.
BALTIMORE COUNTY, MD.

Date July 14, 1993

Scale 1" = 30'

Job # 8305

Reference 3957

H. MALMUD & ASSOCIATES, INC.
100 Church Lane
Baltimore, Maryland 21209
Telephone (410) 651-9511

CONTRACTOR'S NOTE: The Contractor must verify all such information as his own satisfaction.

LONG DISTANCE TELEPHONE CABLES IN THIS AREA
BEFORE STARTING WORK
Call 3-2700 Ext. 553 or 554
for Telephone Company Representative

CONTRACTOR'S NOTE: The Contractor must verify all such information as his own satisfaction.



NOTE: USE FULL TRENCH COMPACTION FOR COMPLETE LIMITS OF THIS PROJECT
26 1/20/65
OPW DIRECTIVE #210

ROAD PERMIT AND GRADES	
PERMIT REQUESTED	PERMIT NUMBER
GRADE ESTABLISHED	PROFILE NUMBER
DATE RIGHT OF WAY REF.	DATE
RW 04-718	

APPROVED FOR CITY OF BALTIMORE	
ENGINEER	DATE
DESIGNED	WILL
DRAWN	WILL
CHECKED	WILL
DATE	11-25-64

DEPARTMENT OF PUBLIC WORKS	
APPROVED	DATE
12/1/64	12/1/64

BUREAU OF ENGINEERING					
STORM DRAIN	WATER	SEWER	HIGHWAYS	STREET LINES	OTHER
12-15-64	12-15-64	12-15-64	12-15-64	12-15-64	12-15-64

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU	
FIELD LOCATION	DATE
12/1/64	12/1/64

52+80	8.0	8.0	4.8
53+00	8.3	8.3	4.8
54+00	9.6	9.6	4.8
2	S.N.F.H.		
2	Valves		
2	Trees		
1	1/8 Bend		
4	1/4 Bend		

30' C.I. Pipe
830' C.I. Pipe

NOTE: FROM STATION 45+00 TO STATION 52+50 WATER MAIN SHALL HAVE A 40' COVER BELOW EXISTING GRADE

16W
1170.00 U.C./H.U.
9/8/61

REVISED AS PER RECORD PRINT
JQ 3-2-257
2-26-69 AU

MICROFILMED

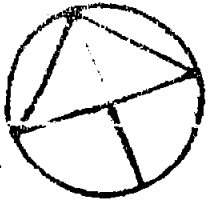
C.W.O. 35709

DRAWING COMPLETED	
KEY SHEET	SHEET
Z NW	NO. 5
POSITION SHEET	NO. 6
DATE	FILE
10-11-64	12-15-64

SENECA
HUGHES BOULEVARD
FROM SENECA PARK ROAD EASTERLY 4700'

PARK RD.
ELECTION DISTRICT 15

950-W

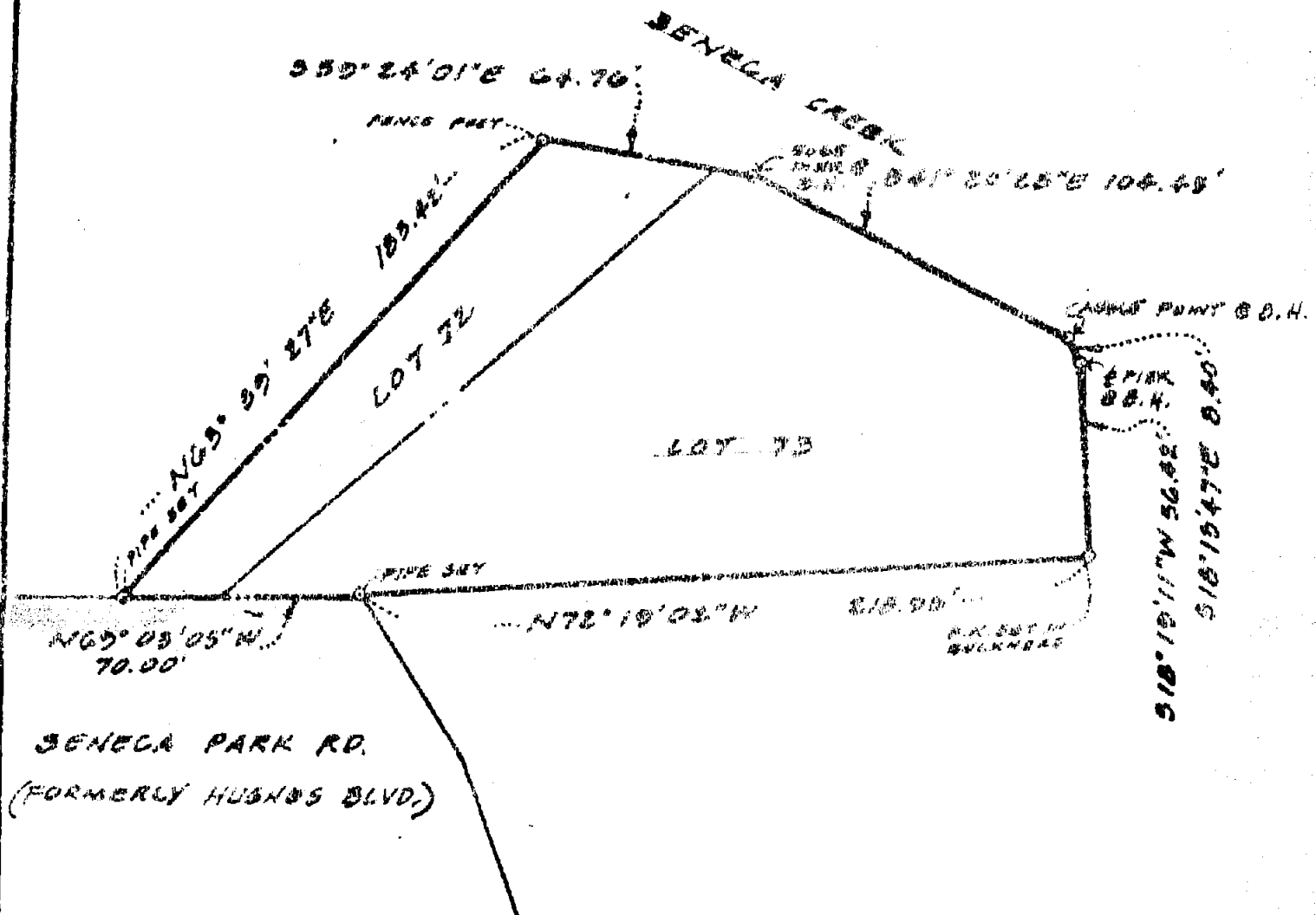


Pet. Ex. 7-B

THE PROPERTY SHOWN HEREON IS SUBJECT
TO ANY AND ALL EASEMENTS, RIGHTS OF
WAY AND/OR COVENANTS OF RECORD & LAW.

NOTES:

1. KNOWN & DESIGNATED AS LOTS 72 & 73
PLAT ENTITLED "SENECA PARK BEACH"
PLAT BOOK 512, FOLIO 48
2. ALSO REFERRED TO AS LOTS 8 & 9
ON AN UNRECORDED PLAT OF SENECA
PARK BEACH
3. AREA = 10,001 SQ. FT. OR
0.233 ACRES



THE BEARINGS SHOWN HEREON ARE REFERRED TO THE COORDINATE
SYSTEM AS ESTABLISHED BY BALTIMORE COUNTY AND ARE BASED ON
THE FOLLOWING TRAVERSE STATIONS:

* 10037	N 8713.50	E 68501.71
* 10860	N 6794.07	E 68946.90
* 10861	N 8716.82	E 67143.72



OWNER AND/OR DEVELOPER:
ARTHUR L. SMITH &
ARLENE SMITH

DEED REFERENCE:
LIBER 5570 FOLIO 0440
LIBER 5185 FOLIO 0665

PLAT OF SURVEY
930 SENECA PARK ROAD

Election District 15
Baltimore County, MD.

Scale: 1" = 50' DATE: MAY 29, 1961

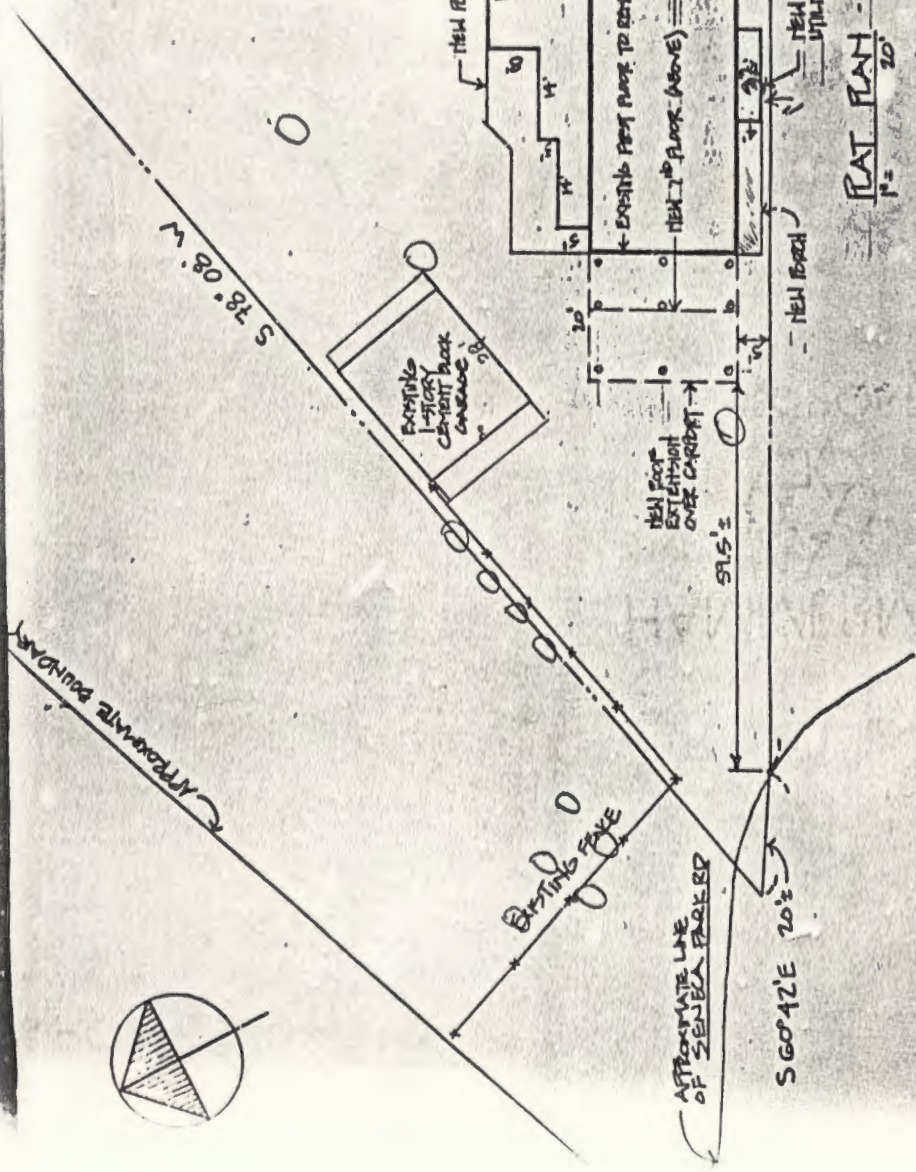
PREPARED BY:
H. MALMUD & ASSOCIATES, INC.
100 Church Lane
Baltimore, Maryland 21208
Telephone: (301) 633-7311

8905





SETHIC AREA



FLAT PLAN - PROPOSED

9 MAY

B124825



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES
TOWSON, MARYLAND 21204

John R. Ring
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B124825 CONTROL #: MR
DATE ISSUED: 04/07/92 TAX ACCOUNT # 1519320180
PLANS: CONST 0 FLD 1 R PLAT 0 DATA 0
LOCATION: 950 SENECA PARK RD
SUBDIVISION: SENECA PARK BEACH
OWNERS INFORMATION
NAME: SMITH, ARTHUR L. SR & ARLENE
ADDR: 950 SENECA PARK RD 21220

DIST: 15
FREC: 08
CLASS: 04
ELEC NO PLUM NO

TENANT:
CONTR: OWNER
ENGR: WORK
SELLR:
WORK:

ERECT 4'-6" HIGH WOOD FENCE ALONG SIDE & REAR
YARD OF PROPERTY. 194 LF. CANNOT FENCE ANY
WALKWAY OR ACCESS EASEMENTS. IF FENCE IS TO BE
ERECTED WITHIN ANY OTHER EASEMENTS IT MUST BE
REMOVED AT OWNERS EXPENSE IF NECESSARY.
DOES NOT ABUT ANY FRONT YARDS.

BLDG. CODE: BOCA CODE
RESIDENTIAL CATEGORY: DETACHED
PROPOSED USE: SFD & FENCE
EXISTING USE: SFD

ESTIMATED \$ 1500.00
NEW BUILDING CONSTRUCTION
TYPE OF IMPRV: RESIDENTIAL
USE: OTHER
FOUNDATION: PRIVATE EXISTING
SEWAGE: PRIVATE EXISTING

LOT SIZE AND SETBACKS
SIZE: 020/157X224/166

FRONT STREET: NC
SIDE STREET: NC/NC
FRONT SETB: NC
SIDE SETB: NC
SIDE STR SETB: NC
REAR SETB: NC

OWNERSHIP: PRIVATELY OWNED

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

DEA: JK
HISTORIC DISTRICT/BLDG

PERMIT # B124805
RECEIPT # 4-187981
CONTROL # JK
XREF #

PROPERTY ADDRESS 960 Seneca Park Rd

YES ☐ NO ☒

SUBDIV: Seneca Park Beach

DO NOT KNOW ☐

TAX ACCOUNT # 1519320 RD

DISTRICT/PRECINCT 10

OWNER'S INFORMATION (LAST, FIRST)

NAME: Smith, Arthur L & Helen

ADDR: 960 Seneca Rd 21840

FEE: 10.00
PAID BY: Owner
PAID BY: Owner
INSPECTOR: JK

APPLICANT INFORMATION

NAME: Helen Smith

COMPANY: 960 Seneca Park Rd

ADDR: 960 Seneca Park Rd

ADDR2: 21220

PHONE # 335-6615

MHC LICENSE #

APPLICANT SIGNATURE: [Signature]

BLOCK 2

PLANS: CONST 0 PLAT 0 DATA 0

PL 2 PL 2

TENANT

CONTR: Owner

ENGR:

SELLR:

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS

BUILDING: 1 OF 2 FAM

CODE: BOCA CODE

TYPE OF IMPROVEMENT

1. ☒ NEW BLDG CONST

2. ☐ ADDITION

3. ☐ ALTERATION

4. ☐ REPAIR

5. ☐ WRECKING

6. ☐ MOVING

7. ☐ OTHER

TYPE OF USE

RESIDENTIAL

01. ☐ ONE FAMILY

02. ☐ TWO FAMILY

03. ☐ THREE AND FOUR FAMILY

04. ☐ FIVE OR MORE FAMILY

05. ☐ (ENTER NO. UNITS)

06. ☐ SWIMMING POOL

07. ☐ GARAGE

08. ☐ OTHER fence

TYPE OF FOUNDATION

1. ☐ SLAB

2. ☐ BLOCK

3. ☐ CONCRETE

BASEMENT

1. ☐ FULL

2. ☐ PARTIAL

3. ☐ NONE

DESCRIBE PROPOSED WORK:

6' x 6' high wood fence
along side & rear of property. 19' x 19'
cannot fence any other way because
of fence has to be within any measurements
it must be removed at owners expense

NON-RESIDENTIAL

08. ☐ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY

09. ☐ CHURCH, OTHER RELIGIOUS BUILDING

10. ☐ FENCE (LENGTH, HEIGHT)

11. ☐ INDUSTRIAL, STORAGE BUILDING

12. ☐ PARKING GARAGE

13. ☐ SERVICE STATION, REPAIR GARAGE

14. ☐ HOSPITAL, INSTITUTIONAL, NURSING HOME

15. ☐ OFFICE, BANK, PROFESSIONAL

16. ☐ PUBLIC UTILITY

17. ☐ SCHOOL, COLLEGE, OTHER EDUCATIONAL

18. ☐ SIGN

19. ☐ STORE, MERCANTILE, RESTAURANT

20. ☐ SPECIFY TYPE

21. ☐ SWIMMING POOL

22. ☐ SPECIFY TYPE

23. ☐ TANK, TOWER

24. ☐ TRANSIENT HOTEL, MOTEL (NO. UNITS)

25. ☐ OTHER

TYPE OF CONSTRUCTION

1. ☐ MASONRY

2. ☐ WOOD FRAME

3. ☐ STRUCTURE/STEEL

4. ☐ REINFC CONCRETE

TYPE OF HEATING/FUEL

1. ☐ GAS

2. ☐ ELECTRICITY

3. ☐ COAL

4. ☐ OIL

TYPE OF SEWAGE DISPOSAL

1. ☐ PUBLIC SEWER

2. ☐ PRIVATE SYSTEM

3. ☐ SEPTIC

4. ☐ PRIVY

CENTRAL AIR: 1500.00

ESTIMATED COST: 1500.00

OF MATERIALS AND LABOR

PROPOSED USE: 6' x 6' fence

EXISTING USE: 19'

OWNERSHIP

1. ☒ PRIVATELY OWNED

2. ☐ PUBLICLY OWNED

3. ☐ RAIL

4. ☐ RENTAL

RESIDENTIAL CATEGORY

1. ☐ DETACHED

2. ☐ SEMI-DT

3. ☐ GROUP

4. ☐ TOWNHOUSE

5. ☐ MIDRISE

6. ☐ HIGHRISE

7. ☐ DETACHED

8. ☐ SEMI-DT

9. ☐ GROUP

10. ☐ TOWNHOUSE

11. ☐ MIDRISE

12. ☐ HIGHRISE

13. ☐ DETACHED

14. ☐ SEMI-DT

15. ☐ GROUP

16. ☐ TOWNHOUSE

17. ☐ MIDRISE

18. ☐ HIGHRISE

BUILDING SIZE

1. ☐ 1-2

2. ☐ 3-4

3. ☐ 5-6

4. ☐ 7-8

5. ☐ 9-10

6. ☐ 11-12

7. ☐ 13-14

8. ☐ 15-16

9. ☐ 17-18

10. ☐ 19-20

11. ☐ 21-22

12. ☐ 23-24

13. ☐ 25-26

14. ☐ 27-28

15. ☐ 29-30

16. ☐ 31-32

17. ☐ 33-34

18. ☐ 35-36

19. ☐ 37-38

20. ☐ 39-40

21. ☐ 41-42

22. ☐ 43-44

23. ☐ 45-46

24. ☐ 47-48

25. ☐ 49-50

26. ☐ 51-52

27. ☐ 53-54

28. ☐ 55-56

29. ☐ 57-58

30. ☐ 59-60

CORNER LOT

1. ☐ YES

2. ☐ NO

ZONING

1. ☐ R-1

2. ☐ R-2

1. ☐ R-1

2. ☐ R-2

3. ☐ R-3

1. ☐ R-1

2. ☐ R-2

3. ☐ R-3

1. ☐ R-1

2. ☐ R-2

3. ☐ R-3

1. ☐ R-1

2. ☐ R-2

3. ☐ R-3

1. ☐ R-1

2. ☐ R-2

3. ☐ R-3

1. ☐ R-1

2. ☐ R-2

3. ☐ R-3

1. ☐ R-1

2. ☐ R-2

3. ☐ R-3

1. ☐ R-1

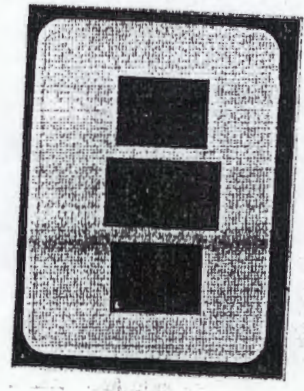
2. ☐ R-2

3. ☐ R-3

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

NO PERMIT FEE REFUND

B029002 MK
8-25-89

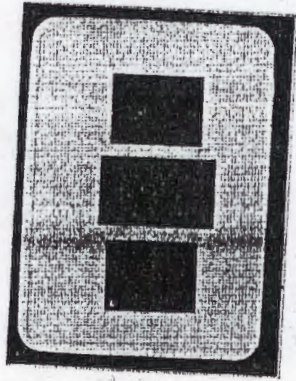


alt.

RECEIVED
FBI
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

exp
for 12-21-89
in 1-5-90

B029002 MR
8-25-89



alt.

DO NOT REUSE

exp
for 12-21-89
no 1-5-90

TO: TIL
Su 40
TO

Protestants' 1

" 2

" 3

" 4

" 5

" 6

" 7

" 9A-9K

" 10

" 12A-12G

Protestants# 13A-13I

" 14A-14C

" 15A-15C

94-217-SPHA

Arthur Smith

et ux

(Photographs)

TO: TIL
Su 401
TO

Protestants' 1

" 2

" 3

" 4

" 5

" 6

" 7

" 9A-9K

" 10

" 12A-12G

Protestants# 13A-13I

" 14A-14C

" 15A-15C

94-217-SPHA

Arthur Smith

et ux

(Photographs)

Prot. Ex 8A

2		4		15-19-320-180	
APPLICATION FOR PERMIT BALTIMORE COUNTY MARYLAND OFFICE OF THE BUILDING ENGINEER B TOWSON, MARYLAND 21204					
BUILDING ADDRESS		950 SENECA PARK RD.			
OWNER'S NAME		ARTHUR & ARLENE SMITH			
MAILING ADDRESS OF OWNER		950 SENECA PARK RD. BALTO MD. 21222			
TENANT					
BUILDING CONTRACTOR		ARIES BLDRS. 1131 ENGELBERTH RD. BALTO MD. 21221 MHIC 12369			
ENGINEER OR ARCHITECT					
IF UNDER CONTRACT OF SALES GIVE SELLER'S NAME AND ADDRESS					
TRANSFER DESCRIPTION		S/S SENECA PARK RD. 1500 S. OF CARROLL ISLAND			
A. TYPE OF IMPROVEMENT			C. TYPE OF USE		
1 ☐ NEW BUILDING CONSTRUCTION 2 ☒ ADDITION 3 ☐ ALTERATION 4 ☒ REPAIR 5 ☐ WRECKING (ENTER NO UNITS DEDUCTED) 6 ☐ MOVING 7 ☐ OTHER			RESIDENTIAL 01 ☒ ONE FAMILY 02 ☐ TWO FAMILY 03 ☐ THREE AND FOUR FAMILY 04 ☐ FIVE OR MORE FAMILY (ENTER NO UNITS) 05 ☐ SWIMMING POOL 06 ☐ GARAGE 07 ☐ OTHER		
DESCRIBE PROPOSED WORK XXX AND 2FAM CODE			NON-RESIDENTIAL		
ALTERATIONS TO EXISTING SFD CONST. IN 1940'S. REMOVE & RELOCATE PARTITIONS. 1SR FL. WILL REMAIN KITCHEN, DININGROOM, LIVING ROOM & POWDER ROOM. 1ST FL. BEDROOM TO BECOME LAUNDRY & MUD ROOM. INSTALL 2 DOORWAYS & REMOVE 2ND FL. 2ND FL. WILL HAVE 3 BEDROOMS & 2 BATHROOMS & SITTING ROOM. OPEN WOOD DECK ON 2ND LEVEL. CONSTRUCT CARPORT ON SIDE OF DWELLING DECK ON SIDE OF DWELLING ON 1ST FLOOR. PERMIT 9274 OWNERS CHANGE IN CONST & SITE PLANS.			08 ☐ AMUSEMENT RECREATION PLACE OF ASSEMBLY		
ESTIMATED COST OF MATERIAL & LABOR			09 ☐ CHURCH OTHER RELIGIOUS BUILDING		
REVISION 00			10 ☐ FENCE (LENGTH HEIGHT)		
			11 ☐ INDUSTRIAL STORAGE BUILDING		
			12 ☐ PARKING GARAGE		
			13 ☐ SERVICE STATION REPAIR GARAGE		
			14 ☐ HOSPITAL INSTITUTIONAL NURSING HOME		
			15 ☐ OFFICE BANK PROFESSIONAL		
			16 ☐ PUBLIC UTILITY		
			17 ☐ SCHOOL COLLEGE OTHER EDUCATIONAL		
			18 ☐ SIGN		
			19 ☐ STORE ☐ MERCANTILE ☐ RESTAURANT		
			20 ☐ SWIMMING POOL (MD HEALTH DEPT APPR REQ.)		
			21 ☐ TRANSIENT HOTEL MOTEL INO UNITS		
			22 ☐ OTHER		
			23 ☐ OTHER		
			24 ☐ PROPOSED USE(S)		
			EXISTING USE(S)		
			SFD		
D. TYPE OF CONSTRUCTION			E. RESIDENTIAL ONLY		
1 ☐ MASONRY 2 ☐ WOOD FRAME 3 ☐ STRUCTURE STEEL 4 ☐ REINF CONCRETE			TYPE OF WATER SUPPLY		
TYPE OF HEATING FUEL			1 ☒ PUBLIC SYSTEM ☒ EXISTS ☐ PROPOSED		
1 ☐ GAS 2 ☐ OIL 3 ☐ ELECTRICITY 4 ☐ LOCAL			2 ☐ PRIVATE SYSTEM ☐ EXISTS ☐ PROPOSED		
TYPE OF SEWAGE DISPOSAL			IS THERE CENTRAL AIR CONDITIONING		
1 ☐ PUBLIC SEWER ☐ EXISTS ☐ PROPOSED			1 ☐ YES 2 ☐ NO		
2 ☒ PRIVATE SYSTEM ☒ EXISTS ☐ PROPOSED			IS THERE AN INCINERATOR		
SEPTIC ☐ EXISTS ☐ PROPOSED			1 ☐ NO 2 ☐ YES WITH AIR POLLUTION CONTROL		
PRIVY ☐ EXISTS ☐ PROPOSED			3 ☐ YES WITHOUT AIR POLLUTION CONTROL		
			NO OF ELEVATORS TO BE INSTALLED		
			NUMBER OF OFF STREET PARKING SPACES		
			ENCLOSED OUTDOORS		
F. DIMENSIONS -			G. HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE AND THAT BY FILING THIS WITHIN ALL PRESCRIBED BY THE BUILDING CODES AND APPROPRIATE STATE REGULATIONS WILL BE EXEMPTED FROM THE PERMIT TO MAIL PERMIT TO.		
GARAGE DISPOSAL			ARIES BLDRS. 7-28-87		
YES NO			COMPANY OR OWNER		
POWDER ROOMS BATHROOMS KITCHENS			1131 ENGELBERTH RD. BALTO MD. 21221		
ALT. 2162			ADDRESS CITY STATE ZIP		
LOT SIZE			JAY ARKUSZESKI ☒ AGENT ☐ OWNER 391-5570		
20/157X224/166.30			SIGNATURE OF APPLICANT		
PROPERTY LINE SETBACKS			MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND		
FRONT SIDE			PERMIT FEE \$50. REVISION FEE A14246		
82 NC/50			RECEIPT NO A14246		
SIDE STREET REAR			DATE 7-28-87		
59'6"			AGENCY APPROVAL SIGNATURE DATE		
IN LINE WITH EXISTING BLDGS			FIRE PREVENTION		
YES NO			CONSTRUCTION		
CORNOR LOT			DATE 7-28-87		
LOT NUMBERS			DATE 7-28-87		
ZONING INFORMATION			DATE 7-28-87		
RC5			DATE 7-28-87		
ASSESSMENT LAND			DATE 7-28-87		
SUBDIVISION NAME			DATE 7-28-87		
HSENECA PARK BEACH			DATE 7-28-87		
BLOCK SECTION			DATE 7-28-87		
8 45			DATE 7-28-87		
TOTAL IMPROVED			DATE 7-28-87		
34			DATE 7-28-87		

Prot. Ex 8A

2	4								
TAX ACCOUNT NUMBER 15-19-320-180									

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
 OFFICE OF THE BUILDING ENGINEER B
 TOWSON, MARYLAND 21204

DATE ISSUED	8/26/87
RK/SMM	
97505	
MR	15
	8

BUILDING ADDRESS	950 SENECA PARK RD.
OWNER'S NAME	ARTHUR & ARLENE SMITH
MAILING ADDRESS OF OWNER	950 SENECA PARK RD. BALTO MD. 21222
TENANT	
BUILDING CONTRACTOR	ARIES BLDRS. 1131 ENGELBERTH RD. BALTO MD. 21221 MHIC 12369
ENGINEER OR ARCHITECT	
IF UNDER CONTRACT OF SALES GIVE SELLER'S NAME AND ADDRESS	
TRANSFER DESCRIPTION	S/S SENECA PARK RD. 1500 S. OF CARROLL ISLAND

A. TYPE OF IMPROVEMENT		C. TYPE OF USE	
1 ☐ NEW BUILDING CONSTRUCTION 2 ☒ ADDITION 3 ☐ ALTERATION 4 ☒ REPAIR 5 ☐ WRECKING (ENTER NO UNITS DEDUCTED) 6 ☐ MOVING 7 ☐ OTHER	RESIDENTIAL 01 ☒ ONE FAMILY 02 ☐ TWO FAMILY 03 ☐ THREE AND FOUR FAMILY 04 ☐ FIVE OR MORE FAMILY (ENTER NO UNITS) 05 ☐ SWIMMING POOL 06 ☐ GARAGE 07 ☐ OTHER	NON-RESIDENTIAL 08 ☐ AMUSEMENT RECREATION PLACE OF ASSEMBLY 09 ☐ CHURCH OTHER RELIGIOUS BUILDING 10 ☐ FENCE (LENGTH _____ HEIGHT _____) 11 ☐ INDUSTRIAL STORAGE BUILDING 12 ☐ PARKING GARAGE 13 ☐ SERVICE STATION REPAIR GARAGE 14 ☐ HOSPITAL INSTITUTIONAL NURSING HOME 15 ☐ OFFICE BANK PROFESSIONAL 16 ☐ PUBLIC UTILITY 17 ☐ SCHOOL COLLEGE OTHER EDUCATIONAL 18 ☐ SIGN 19 ☐ STORE ☐ MERCANTILE ☐ RESTAURANT 20 ☐ SWIMMING POOL (MD HEALTH DEPT APPR REQ.) 21 ☐ TRANSIENT HOTEL MOTEL (NO UNITS) 22 ☐ OTHER	
DESCRIBE PROPOSED WORK XXX AND 2 FAM CODE ☐ BOCA CODE ☐ ALTERATIONS TO EXISTING SFD CONST. IN 1940'S. REMOVE & RELOCATE PARTITIONS. 1SR FL. WILL REMAIN KITCHEN, DININGROOM, LIVING ROOM & POWDER ROOM. 1ST FL. BEDROOM TO BECOME LAUNDRY & MUD ROOM. INSTALL 2 DOORWAYS & REMOVE 2ND FL. 2ND FL. WILL HAVE 3 BEDROOMS & 2 BATHROOMS & SITTING ROOM. WOOD DECK ON 2ND LEVEL. CONSTRUCT CARPORT ON SIDE OF DWELLING ON SIDE OF DWELLING ON 1ST FL. CANCEL PERM 92740M CHANGE IN CONST & SITE PLANS.			
1 ☐ PRIVATELY OWNED 2 ☐ PUBLICLY OWNED ESTIMATED COST OF MATERIAL & LABOR REVISION		24 PROPOSED USE(S) SAME & ADD & ALTERATION EXISTING USE(S) SFD	

D. TYPE OF CONSTRUCTION		E. RESIDENTIAL ONLY	
1 ☐ MASONRY 2 ☐ WOOD FRAME 3 ☐ STRUCTURE STEEL 4 ☐ REINF CONCRETE TYPE OF HEATING FUEL 1 ☐ GAS 2 ☐ OIL 3 ☐ ELECTRICITY 4 ☐ COAL TYPE OF SEWAGE DISPOSAL 1 ☐ PUBLIC SEWER 2 ☒ PRIVATE SYSTEM 3 ☐ SEPTIC 4 ☐ PRIVY	TYPE OF WATER SUPPLY 1 ☒ PUBLIC SYSTEM 2 ☐ PRIVATE SYSTEM IS THERE CENTRAL AIR CONDITIONING 1 ☐ YES 2 ☐ NO IS THERE AN INCINERATOR 1 ☐ NO 2 ☐ YES WITH AIR POLLUTION CONTROL 3 ☐ YES WITHOUT AIR POLLUTION CONTROL NO OF ELEVATORS TO BE INSTALLED _____ NUMBER OF OFF STREET PARKING SPACES _____ ENCLOSURE _____ OUTDOORS _____	SINGLE FAMILY UNITS 1 TOTAL NO OF BEDROOMS _____ MULTI FAMILY UNITS HOW MANY APARTMENTS HAVE 1 EFFICIENCY (NO SEPARATE BEDROOMS) _____ 2 ONE BEDROOM _____ 3 TWO BEDROOMS _____ 4 THREE BEDROOMS OR MORE _____ 5 TOTAL NO OF BEDROOMS _____ 6 TOTAL NO. OF APARTMENTS _____	

F. DIMENSIONS -		G. ARIES BLDRS. 7-28-87	
GARAGE DISPOSAL ☐ YES ☐ NO LOT SIZE 20/157X224/166.30 PROPERTY LINE SETBACKS FRONT 82 SIDE NC/50 REAR 59'6" IN LINE WITH EXISTING BLDGS ☐ YES ☐ NO ZONING INFORMATION RC5 ASSESSMENT LAND RC5 IMPROVEMENTS TOTAL IMPROVED 34 BUILDINGS 34	SIZE - LARGEST OVERALL DIMENSIONS INCLUDING BASEMENT WIDTH DEPTH HEIGHT STORIES CENTER LINE OF TRAIL - NEW STREET - EXISTING FRONT STREET SIDE STREET SUBDIVISION NAME HSENECA PARK BEACH BLOCK SECTION LIBER FOLIO 8 45 PETITION NO _____ DATE _____ MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND PETIT FEE \$50 REVISION FEE A14246 DATE 7-28-87 AGENCY APPROVAL SIGNATURE DATE ZONING 7-28-87 PLANNING 7-28-87 HEALTH DEPT 7-28-87 CONSTRUCTION PLANS REVIEW 7-28-87 FIRE PREVENTION 7-28-87 INSURANCE SUPERVISOR 7-28-87		

OFFICE

2-14
TAX ACCOUNT NUMBER 15-19-320180

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

DATE ISSUED
9/15/87
MR 158

Building Address 950 Seneca Park Rd.
Owners Name Arthur + Arlene Smith
Mailing Address 950 Seneca Park Rd 21222
TENANT
BUILDING CONTRACTOR
ENGINEER OR ARCHITECT
IF UNDER CONTRACT OF SALES GIVE SELLER'S NAME AND ADDRESS
TRANSFER DESCRIPTION 48 Seneca Park Rd 1500' S of Carroll Island.

A. TYPE OF IMPROVEMENT

- 1 NEW BUILDING CONSTRUCTION
- 2 ADDITION
- 3 ALTERATION
- 4 REPAIR
- 5 WRECKING (ENTER NO. UNITS DEDUCTED)
- 6 MOVING
- 7 OTHER

RESIDENTIAL

- 01 ONE FAMILY
- 02 TWO FAMILY
- 03 THREE AND FOUR FAMILY
- 04 FIVE OR MORE FAMILY (ENTER NO. UNITS)
- 05 SWIMMING POOL
- 06 GARAGE
- 07 OTHER

C. TYPE OF USE

NON-RESIDENTIAL

- 08 AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
- 09 CHURCH, OTHER RELIGIOUS BUILDING
- 10 FENCE (LENGTH HEIGHT)
- 11 INDUSTRIAL, STORAGE BUILDING
- 12 PARKING GARAGE
- 13 SERVICE STATION, REPAIR GARAGE
- 14 HOSPITAL, INSTITUTIONAL, NURSING HOME
- 15 OFFICE, BANK, PROFESSIONAL
- 16 PUBLIC UTILITY
- 17 SCHOOL, COLLEGE, OTHER EDUCATIONAL
- 18 SIGN
- 19 STORE MERCANTILE RESTAURANT
SPECIFY TYPE
- 20 SWIMMING POOL (MD. HEALTH DEPT. APPR. REQ.)
- 21 TANK, TOWER
- 22 TRANSIENT HOTEL, MOTEL (NO. UNITS)
- 23 OTHER

1 OR 2 FAM. CODE 1978 BOCA CODE
Alterations to existing 2 story brick house. 1st floor will remain kitchen, dining room, living room, 1st floor bathroom. 2nd floor will be removed and replaced with 2nd floor. 2nd floor will be 2 bedrooms, 2 bathrooms, living room. 2nd floor will be 2 bedrooms, 2 bathrooms, living room. 2nd floor will be 2 bedrooms, 2 bathrooms, living room.

B. OWNERSHIP

OWNER	GROUP	FORM	AND	NO.
1	2	3	4	5

USED USE (S) 1 USE (S) SED

USE IN 10 AND 11 FOR NEW BUILDINGS, ADDITIONS AND ALTERATIONS ONLY

E. OF WATER SUPPLY

- 1. PUBLIC SYSTEM EXISTS PROPOSED
- 2. PRIVATE SYSTEM EXISTS PROPOSED
- 3. SEPTIC SYSTEM EXISTS PROPOSED
- 4. PRIVATE SYSTEM EXISTS PROPOSED
- 5. CENTRAL AIR CONDITIONING
- 6. NO
- 7. HERE AN INCINERATOR
- 8. NO 2 YES - WITH AIR POLLUTION CONTROL
- 9. YES - WITHOUT AIR POLLUTION CONTROL
- 10. NO OF ELEVATORS TO BE INSTALLED
- 11. NUMBER OF OFF STREET PARKING SPACES
- 12. ENCLOSED OUTDOORS

E. RESIDENTIAL ONLY

- 1. SINGLE FAMILY UNITS
- 2. TOTAL NO. OF BEDROOMS
- 3. MULTI FAMILY UNITS
- 4. HOW MANY APARTMENTS HAVE
- 5. EFFICIENCY (NO SEPARATE BEDROOMS)
- 6. ONE BEDROOM
- 7. TWO BEDROOMS
- 8. THREE BEDROOMS OR MORE
- 9. TOTAL NO. OF BEDROOMS
- 10. TOTAL NO. OF APARTMENTS

TYPE OF SEWAGE DISPOSAL

- 1. PUBLIC SEWER
- 2. PRIVATE SYSTEM EXISTS PROPOSED
- 3. SEPTIC SYSTEM EXISTS PROPOSED
- 4. PRIVATE SYSTEM EXISTS PROPOSED

F. DIMENSIONS

Garbage Disposal YES NO
BUILDING SIZE LARGEST OVERALL DIMENSIONS INCLUDING BASEMENT
LOT SIZE 20'157 X 224'146.30
PROPERTY LINE SETBACKS 82' 10' 50' 596'
IN LINE WITH EXISTING BLDGS YES NO
ZONING INFORMATION R-1
ASSESSMENT LAND
IMPROVEMENTS
TOTAL 139

G. I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.
ARIES BLDGS 7/25/87
COMPANY DATE
1131 ENGELBERT RD PARK RD 21221
ADDRESS STATE ZIP
1131 ENGELBERT RD PARK RD 21221
AGENT 391-5570
SIGNATURE OF APPLICANT OWNER PHONE
MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND
50-NEWSPAPER 14246
AGENCY APPROVAL SIGNATURE DATE
PRELIMINARY INSPECTION
ZONING
PLANNING
BUREAU OF PUBLIC SERVICES
DEPARTMENT OF HEALTH
CONSTRUCTION PLANS REVIEW
BAND CHIEF

INVESTIGATION FEE NO PERMIT FEES REFUNDED OCCUPANCY FEE

21 90% of original fee 25.00 Zoning Per. 113

2. 90% of original fee

$\frac{25}{0.5}$ Training Pns. 112

exp 5029002

existing
fireplace pt 4-1-88
threat 4-25-88

MR 97502-

X-8-26-88 8126187



MR 97502-

exp 5029002

X-8-26-88 8/26/87

existing
fireplace ft 4-1-88

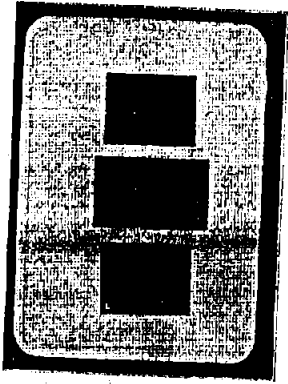
throat 4-25-88



exp

for 12-21-89
no 1-5-90

B029002 MK
8-25-89



alt.

FORM 11-85

Prot. Ex. 8B
B029002



BALTIMORE COUNTY MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

John R. King
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B029002 CONTROL #: MR DIST: 15 PREC: 00
DATE ISSUED: 08/25/89 TAX ACCOUNT #: 1519320180 CLASS: 34

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 950 SENECA PARK RD
SUBDIVISION: SENECA PARK BEACH

OWNERS INFORMATION
NAME: SMITH, ARLENE & ARTHUR
ADDR: 950 SENECA PARK RD

TENANT:
CONTR: ARIES BLDG. 1131 ENGLEBERTH RD. 21221

ENGR:
BELL:

WORK: INT. ALT TO SFD REMOVE & RELOC. PART 1ST FL.
KIT. TO REMAIN. BEDRM TO BECOME LAUNDRY/MUD RM.
& POWDER RM. INSTALL 2 DOORWAYS 2ND FL. TO BE
3 BEDRMS. 2 BATHRMS & BTR RM. OPEN WOOD DECK
ON 2ND FL. ADD CARPORT ON REAR & DECK ON SIDE.
THIS PERM. REPLACES EXP. 97505 FTRB. INGP. 4/88

BLDG. CODE: 1 AND 2 FAM. CODE
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SAME & ADD. & A.L.T.
70,000.00 EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE: PRIV. EXISTB.

BASEMENT:

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 620/157X224/166

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC/50

SIDE BTR SETB:

REAR SETB: 59.6

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

Prot. Ex. 8B
B029002



BALTIMORE COUNTY MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

John R. Rany
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B029002 CONTROL #: MR DIST: 15 PREC: 00
DATE ISSUED: 08/25/89 TAX ACCOUNT #: 1519320100 CLASS: 34

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 930 SENECA PARK RD
SUBDIVISION: SENECA PARK BEACH

OWNERS INFORMATION

NAME: SMITH, ARLENE & ARTHUR
ADDR: 930 SENECA PARK RD

TENANT:

CONTR: ARIES BLDGS. 1131 ENGLEBERTH RD. 21221

ENGR:

SELLR:

WORK:

INT. ALT. TO SFD REMOVE & RELOC. PART 1ST FL.
KIT. TO REMAIN. BEDRM. TO BECOME LAUNDRY/MUD RM.
& POWDER RM. INSTALL 2 DOORWAYS. 2ND FL. TO BE
3 BEDRMS, 2 BATHRMS & B.T. RM. OPEN WOOD DECK
ON 2ND FL. ADD CARPORT ON REAR & DECK ON SIDE.
THIS PERM. REPLACES EXP. 97505 FTRB. INGP. 4/88.

BLDG. CODE: 1 AND 2 FAM. CODE

RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SAME & ADD. & ALT.
70,000.00 EXISTING USE: SFD

TYPE OF IMPRV. ADDITION

USE: ONE FAMILY

FOUNDATION

SEWAGE: PRIV. EXISTB.

BASEMENT

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 620/137X224/166

FRONT STREET

SIDE STREET

FRONT SETB: NC

SIDE SETB: NC/50

SIDE BTR SETB:

REAR SETB: 59.6

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

MAIL

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

Red Stamp
DATE 12/23/84

PERMIT # B009002
RECEIPT # A74727
CONTROL # NK
XREF #

PROPERTY ADDRESS 950 Solera Park Pl
BALTO MD 21222
SUBDIV

FEE: 45.00
PAID: 45.00
PAID BY: AKB

TAX ACCOUNT # 1519-220120 DISTRICT/PRECINCT 16
OWNER'S INFORMATION (LAST, FIRST)
NAME: SEITZ, Arthur A
ADDR: 950 Solera

INSPECTOR: AKB
I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

APPLICANT INFORMATION
NAME: Werner Smith
COMPANY: owner
ADDR: 950 Solera Park Pl
ADDR: BALTO MD 21222
PHONE #1: 335-6615 MHC LICENSE #1: 12345
APPLICANT SIGNATURE: Werner Smith BLOCK
PLANS CONST 2 PLOT 2 PLAT 2 DATA CS RL PL
TENANT
X CONTR: Werner Smith 1131 Englewood Rd Apt 212
ENGR:
SELLR:

BUILDING 1 of 2 FAM
CODE CODE X
BOCA CODE

- TYPE OF IMPROVEMENT
1. NEW BLDG CONST
2. X ADDITION
3. X ALTERATION
4. REPAIR
5. X WRECKING
6. MOVING
7. OTHER

DESCRIBE PROPOSED WORK:
Wno att to add remove & relocate part
of 1st floor kitchen & bathroom to be located
mid way between 2 doorways and floor
to be 3 bedrooms 2 bathrooms & sitting room
open wood deck on 2nd level add carpet
non-residential on 2nd & deck on 2nd

TYPE OF USE

- RESIDENTIAL
01. X ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY
(ENTER NO. UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

- NON-RESIDENTIAL
08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE, MERCANTILE, RESTAURANT
20. SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

- TYPE FOUNDATION BASEMENT
1. SLAB 10. FULL
2. BLOCK 21. PARTIAL
3. CONCRETE 31. NONE

TYPE OF CONSTRUCTION

1. MASONRY
2. WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS 3. ELECTRICITY
2. OIL 4. COAL

TYPE OF SEWAGE DISPOSAL

1. PUBLIC SEWER
2. PRIVATE SYSTEM
3. SEPTIC
4. PRIVY
EXISTS PROPOSED
EXISTS PROPOSED
EXISTS PROPOSED

CENTRAL AIR: 1. YES 2. NO
ESTIMATED COST: 70,000

TYPE OF WATER SUPPLY

1. PUBLIC SYSTEM
2. PRIVATE SYSTEM
EXISTS PROPOSED
EXISTS PROPOSED

OF MATERIALS AND LABOR
PROPOSED USE:
EXISTING USE:

same as old & add

OWNERSHIP

1. PRIVATELY OWNED 2. PUBLICLY OWNED

RESIDENTIAL CATEGORY

1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
6. HIGHRISE

FAMILY BEDROOMS

1. FAMILY BEDROOMS

GARBAGE DISPOSAL

1. YES 2. NO

POUNDER ROOMS

1. YES 2. NO

BATHROOMS

1. BATHROOMS

KITCHENS

1. KITCHENS

BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR 1240 SIZE 30167
WIDTH 10 FRONT STREET
DEPTH 35 SIDE STREET
HEIGHT FRONT SETBK 10
STORIES SIDE SETBK 10
LOT 1 SIDE STR SETBK
CORNER LOT REAR SETBK

APPROVAL SIGNATURE DATE
BLD INSP
BLD PLAN
FIRE
SEED CIVIL
ZONING
PUB SERV
ENVRNT
PLANNING
PERMITS

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND NO PERMIT FEES REFUNDED

113,321,100 122

PLOT PLAN

OWNER

Arlene & Arthur Smith

B029002

Application No.

ADDRESS

950 Inca Park Dr

PLEASE SHOW BELOW

- property line dimensions and easements,
- existing buildings,
- existing well/septic. (show distance to nearest structure)
- road names and location of alleys,
- if your property is in a tidal or riverine flood area, indicate elevation of lowest floor of proposed work,
- the proposed work and the setback distances to the proposed work.

Front yard setback

NC

Left side setback

NC

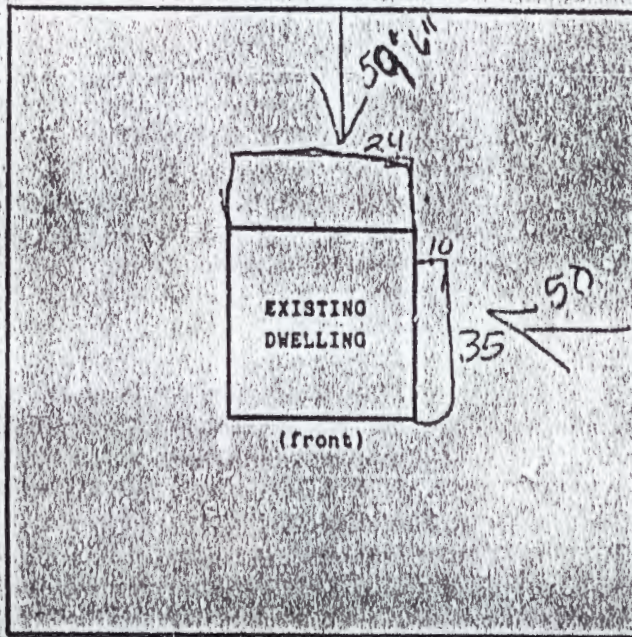
Rear yard setback

50

Right side setback

50

NOTE: 1. If a fence is to be closer than 2 feet to any existing fence or wall, adequate access must be provided for maintenance.
2. Cannot fence access easements.



ROAD NAME

PLOT PLAN

OWNER

Arlene & Arthur Smith

B029002
Application No.

ADDRESS

950 Inessa Park Dr

PLEASE SHOW BELOW:

- property line dimensions and easements.
- existing buildings.
- existing well/septic. (show distance to nearest structure)
- road names and location of alleys.
- if your property is in a tidal or riverine flood area, indicate elevation of lowest floor of proposed work.
- the proposed work and the setback distances to the proposed work.

Front yard setback

NC

Left side setback

NC

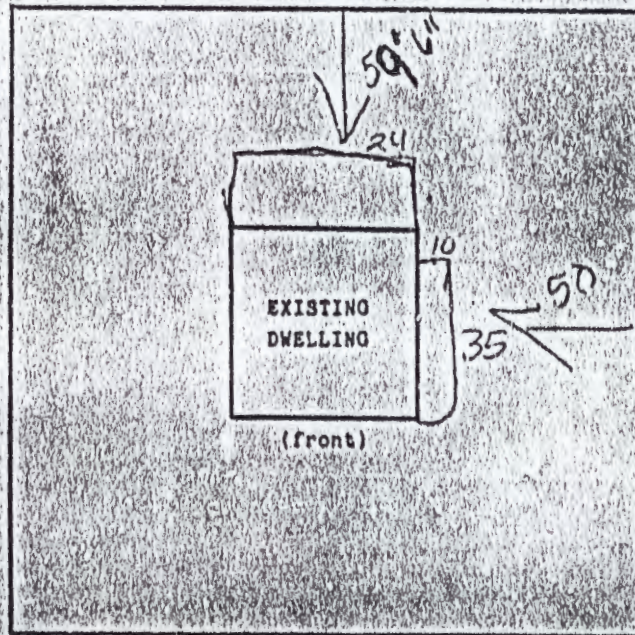
Rear yard setback

24' 9"

Right side setback

50

NOTE: 1. If a fence is to be closer than 2 feet to any existing fence or wall; adequate access must be provided for maintenance.
2. Cannot fence access easements.



ROAD NAME

Prot. Ex 8C

B124825



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

John R. Ring
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B124825 CONTROL #: MR DIST: 15 FREC: 08
DATE ISSUED: 04/07/92 TAX ACCOUNT: 1519320180 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 950 SENECA PARK RD
SUBDIVISION: SENECA PARK BEACH

OWNERS INFORMATION

NAME: SMITH, ARTHUR L. SR & ARLENE
ADDR: 950 SENECA PARK RD 21220

TENANT

CONTR: OWNER

ENGR:

SELLR:

WORK

ERECT 4'-6' HIGH WOOD FENCE ALONG SIDE & REAR
YARD OF PROPERTY. 194 LF. CANNOT FENCE ANY
WALKWAY OR ACCESS EASEMENTS. IF FENCE IS TO BE
ERECTED WITHIN ANY OTHER EASEMENTS IT MUST BE
REMOVED AT OWNERS EXPENSE IF NECESSARY.
DOES NOT ABUT ANY FRONT YARDS.

BLDG. CODE: BOCA CODE

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SFD & FENCE
1500.00 EXISTING USE: SFD

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: OTHER - RESIDENTIAL

FOUNDATION:

BASEMENT:

SEWAGE: PRIV. EXISTS

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 620/157X224/166

FRONT STREET:

SIDE STREET:

FRONT BETB: NC

SIDE BETB: NC/NC

SIDE STR BETB:

REAR BETB: NC

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

APPLICATION FOR PERMIT
BALTIMORE COUNTY, MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

HISTORIC DISTRICT/ALC

PERMIT
RECEIPT
CONTROL

PROPERTY ADDRESS 1600 N. ...
CITY Baltimore
COUNTY Baltimore
DISTRICT ...

DATE 10/10/...

PROJECT ...

APPLICANT ...

OWNER ...

DESIGNER ...

CONTRACTOR ...

REMARKS ...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

APPLICATION FOR PERMIT
BALTIMORE COUNTY, MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

UOA 5
HISTORIC DISTRICT/BLDG

PERMIT # B124825
RECEIPT # 4-147951
CONTROL # 146
XREF #

PROPERTY ADDRESS 950 Green Park Rd

SUBDIV Green Park Beach

TAX ACCOUNT # 151934070

OWNER'S INFORMATION (LAST, FIRST)

NAME Smith, Arthur L Jr + Helen

ADDR 950 Green Park Rd 21830

DISTRICT/PRECINCT

10 18

FEE 10.00
PAID 10.00
PAID BY applicant
INSPECTOR DM

APPLICANT INFORMATION

NAME Helen Smith

COMPANY

ADDR1 950 Green Park Rd

ADDR2 21830

PHONE 335-6615

MHC LICENSE #

APPLICANT SIGNATURE [Signature]

PLANS: CONST 0 FLOOR 1 PLAT 0 DATA 0

TENANT

CONTR OWNER

ENGR

SELLER

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS

BUILDING 1 OF 2 FAM

CODE CODE

BOCA CODE

TYPE OF IMPROVEMENT

1. NEW BLDG CONST

2. ADDITION

3. ALTERATION

4. REPAIR

5. WRECKING

6. MOVING

7. OTHER

TYPE OF USE

RESIDENTIAL

01 ONE FAMILY

02 TWO FAMILY

03 THREE AND FOUR FAMILY

04 FIVE OR MORE FAMILY

(ENTER NO. UNITS)

05 SWIMMING POOL

06 GARAGE

07 OTHER fence

TYPE OF FOUNDATION

1. SLAB

2. BLOCK

3. CONCRETE

BASEMENT

1. FULL

2. PARTIAL

3. NONE

DESCRIBE PROPOSED WORK 6' high wood fence along side + rear of property 194 ft. Cannot fence any sidewalk or access easements. If fence is to be erected within any other easement it must be removed at owner's expense.

NON-RESIDENTIAL

08 AMUSEMENT, RECREATION, PLACE OF ASSEMBLY

09 CHURCH, OTHER RELIGIOUS BUILDING

10 FENCE (LENGTH, HEIGHT)

11 INDUSTRIAL, STORAGE BUILDING

12 PARKING GARAGE

13 SERVICE STATION, REPAIR GARAGE

14 HOSPITAL, INSTITUTIONAL, NURSING HOME

15 OFFICE, BANK, PROFESSIONAL

16 PUBLIC UTILITY

17 SCHOOL, COLLEGE, OTHER EDUCATIONAL

18 SIGN

19 STORE, MERCANTILE, RESTAURANT

20 SPECIFY TYPE

21 SWIMMING POOL

22 SPECIFY TYPE

23 TANK, TOWER

24 TRANSIENT HOTEL, MOTEL (NO. UNITS)

25 OTHER

TYPE OF CONSTRUCTION

1. MASONRY

2. WOOD FRAME

3. STRUCTURE STEEL

4. REINFORCED CONCRETE

TYPE OF HEATING FUEL

1. GAS

2. OIL

3. ELECTRICITY

4. COAL

TYPE OF SEWAGE DISPOSAL

1. PUBLIC SEWER

2. PRIVATE SYSTEM

3. SEPTIC

4. PRIVY

CENTRAL AIR

ESTIMATED COST \$500.00

OF MATERIALS AND LABOR

PROPOSED USE Wood Fence

EXISTING USE

OWNERSHIP

1. INDIVIDUALLY OWNED

2. PUBLICLY OWNED

3. LEASE

4. RESTAURANT

RESIDENTIAL CATEGORY

1. DETACHED

2. SEMI-DETACHED

3. GROUP

4. TOWNHOUSE

5. MIDRISE

6. HIGHRISE

7. FAMILY BEDROOM

8. GARAGE DISPOSAL

9. BATHROOMS

10. KITCHENS

11. POOL

12. OTHER

13. ZONING

14. ZONING

15. ZONING

16. ZONING

17. ZONING

18. ZONING

19. ZONING

20. ZONING

21. ZONING

22. ZONING

23. ZONING

24. ZONING

APPROVAL SIGNATURES

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

NAME THE \$6.00 PAYABLE TO BALTIMORE COUNTY, MARYLAND NO PERMIT FEE REFUND

GENEVA CREEK

B124825

~~Don't turn it~~

3



ॐ नमो भगवते वासुदेवाय

—How Best—

1946-1947

12/22/2012

42nd St

567°18'E - 774'4"

567° 18' E 774'

卷一百一十五

॥ श्रीगणेशाय नमः ॥

SALES

PLAT PLAN - PROPOSED

448 Highgate.



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES
TOWSON, MARYLAND 21204

John R. King
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B130693 CONTROL #: MR DIST: 15 PREC: 08
DATE ISSUED: 05/20/92 TAX ACCOUNT #: 1519201180 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 950 SENECA PARK RD
SUBDIVISION: SENECA PARK BEACH

OWNERS INFORMATION
NAME: SMITH, ARTHUR L. SR & ARLENE
ADDR: 950 SENECA PARK RD 21220

TENANT:
CONTR: OWNER
ENGR:
SELLR:
WORK:

ERECT 4' HIGH WOOD FENCE IN FRONT YARD TO
ENCLOSE EX INGROUND POOL PER CODE/ 80 LF
WATERFRONT PROPERTY/ IF FENCE IS TO BE ERRECTED
WITHING ANY EASEMENTS IF MUST BE REMOVED AT
OWNER'S EXPENSE IF NECESSARY/ LMC ESSEX OFFICE

BLDG. CODE: HQCA CODE
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SFD & FENCE ADD
500.00 EXISTING USE: SFD & FENCE

TYPE OF IMPRV: ADDITION
USE: OTHER - RESIDENTIAL
FOUNDATION:
SEWAGE: PRIV. EXISTS

BASEMENT:
WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 020/157X224/166
FRONT STREET:
SIDE STREET:
FRONT SETB: 0'
SIDE SETB: 0'/NC
SIDE STR SETB:
REAR SETB: NC

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES
TOWSON, MARYLAND 21204

John R. King
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B130693 CONTROL #: MR DIST: 15 PREC: 08
DATE ISSUED: 05/20/92 TAX ACCOUNT #: 1519201180 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 950 SENECA PARK RD
SUBDIVISION: SENECA PARK BEACH

OWNERS INFORMATION
NAME: SMITH, ARTHUR L. SR & ARLENE
ADDR: 950 SENECA PARK RD 21220

TENANT:
CONTR: OWNER

ENGR:
SELLR:

WORK: ERECT A 4' HIGH WOOD FENCE IN FRONT YARD TO
ENCLOSE EX INGROUND POOL PER CODE/ BO LF
WATERFRONT PROPERTY/ IF FENCE IS TO BE ERECTED
WITHIN ANY EASEMENTS IF MUST BE REMOVED AT
OWNER'S EXPENSE IF NECESSARY/ LMC ESSEX OFFICE

BLDG. CODE: HQCA CODE
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SFD & FENCE ADD
500.00 EXISTING USE: SFD & FENCE

TYPE OF IMPRV: ADDITION
USE: OTHER - RESIDENTIAL
FOUNDATION:
SEWAGE: PRIV. EXISTS

BASEMENT:
WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 020/157X224/166
FRONT STREET:
SIDE STREET:
FRONT SETB: 0'
SIDE SETB: 0'/NC
SIDE STR SETB:
REAR SETB: NC

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

OEA:
HISTORIC DISTRICT/BLDG.

PERMIT #: B130693
RECEIPT #: 102013
CONTROL #: AK
XREF #:

PROPERTY ADDRESS 950 Seneca Park Road YES ☐ NO ☐
SUBDIV: Seneca Park Road DO NOT KNOW ☐
TAX ACCOUNT #: 15-19800150 DISTRICT/PRECINCT
OWNER'S INFORMATION (LAST, FIRST) 15 8

FEE: 10.00
PAID: 10.00
PAID BY: owner
INSPECTOR: BM

NAME: Slush Arthur L. Sr. & Arlene
ADDR: 950 Seneca Park Rd. 21270

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

APPLICANT INFORMATION

NAME: Arlene Slush

COMPANY:

ADDR1: 950 Seneca Park Road

ADDR2:

PHONE #: 335-1615 MHC LICENSE #:

SIGNATURE: Arlene Slush

PLANS: CONST PLOT PLAT DATA

TENANT

CONTR: OWNERS

ENGR:

SELLR:

BUILDING 1 or 2 FAM.

CODE CODE

BOCA CODE

TYPE OF IMPROVEMENT

1. NEW BLDG CONST

2. ADDITION

3. ALTERATION

4. REPAIR

5. WRECKING

6. MOVING

7. OTHER

TYPE OF USE

RESIDENTIAL

01. ONE FAMILY

02. TWO FAMILY

03. THREE AND FOUR FAMILY

04. FIVE OR MORE FAMILY

(ENTER NO UNITS)

05. SWIMMING POOL

06. GARAGE

07. OTHER fence

TYPE FOUNDATION

1. SLAB

2. BLOCK

3. CONCRETE

BASEMENT

1. FULL

2. PARTIAL

3. NONE

DESCRIBE PROPOSED WORK: Erect high wood fence in front yard to enclose it and ground pool per code. Waterfront property, if fence is to be created with any easement, it must be removed at owner's expense. \$80 LF

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY

09. CHURCH, OTHER RELIGIOUS BUILDING

10. FENCE (LENGTH HEIGHT)

11. INDUSTRIAL, STORAGE BUILDING

12. PARKING GARAGE

13. SERVICE STATION, REPAIR GARAGE

14. HOSPITAL, INSTITUTIONAL, NURSING HOME

15. OFFICE, BANK, PROFESSIONAL

16. PUBLIC UTILITY

17. SCHOOL, COLLEGE, OTHER EDUCATIONAL

18. SIGN

19. STORE, MERCANTILE, RESTAURANT

SPECIFY TYPE

20. SWIMMING POOL

SPECIFY TYPE

21. TANK, TOWER

22. TRANSIENT HOTEL, MOTEL (NO. UNITS)

23. OTHER

TYPE OF CONSTRUCTION

1. MASONRY

2. WOOD FRAME

3. STRUCTURE STEEL

4. REINFC. CONCRETE

TYPE OF HEATING FUEL

1. GAS

2. OIL

3. ELECTRICITY

4. COAL

TYPE OF SEWAGE DISPOSAL

1. PUBLIC SEWER

2. PRIVATE SYSTEM

SEPTIC EXISTS PROPOSED

PRIVY EXISTS PROPOSED

CENTRAL AIR: 1. 2.

ESTIMATED COST:

OF MATERIALS AND LABOR

PROPOSED USE:

EXISTING USE:

OWNERSHIP

1. PRIVATELY OWNED

2. PUBLICLY OWNED

3. SALE

4. RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. MIXED

1 FAMILY BEDROOMS

GARBAGE DISPOSAL: 1. 2. N

POUNDER ROOMS

BATHROOMS

KITCHENS

CLASS

LIBER

FOLIO 45

BUILDING SIZE

FLOOR 0

WIDTH

DEPTH

HEIGHT 41

STORIES

LOT # 72

CORNER LOT

1. Y 2. N

LOT SIZE AND SETBACKS

SIZE 20157x2241166

FRONT STREET

SIDE STREET

FRONT SETBK 10'-110

SIDE SETBK 10'-110

SIDE STR SETBK

REAR SETBK

ZONING

APPROVAL SIGNATURES

DATE

Bldg Insp:

Bldg Plan:

FIRE:

SEDI CTL:

ZONING: Noted to be in final 2014

PUB SERV:

ENVRNT:

PERMITS: Permits Completed 2/20/14

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

PLOT PLAN

6130693
Application No.

OWNER _____

ADDRESS _____

PLEASE SHOW BELOW:

- property line dimensions and easements.
- existing buildings.
- existing well/septic. (show distance to nearest structure)
- road names and location of alleys.
- if your property is in a tidal or riverine flood area, indicate elevation of lowest floor of proposed work.
- the proposed work and the setback distances to the proposed work.

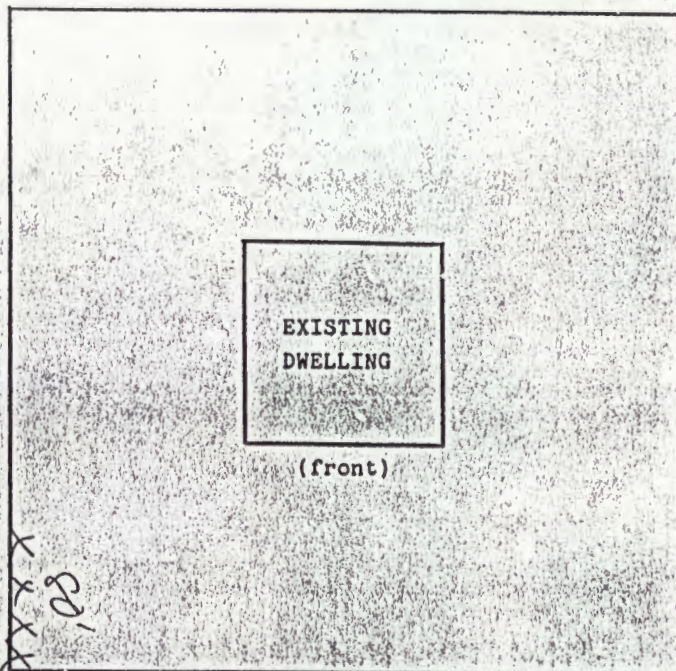
Front yard setback _____ Left side setback _____

Rear yard setback _____ Right side setback _____

NOTE:

Cannot fence access easements.

950 Seneca Park Rd.



ROAD NAME Waterfront

6/91

PLOT PLAN

B130693
Application No.

OWNER _____

ADDRESS _____

PLEASE SHOW BELOW:

- property line dimensions and easements.
- existing buildings.
- existing well/septic. (show distance to nearest structure)
- road names and location of alleys.
- if your property is in a tidal or riverine flood area, indicate elevation of lowest floor of proposed work.
- the proposed work and the setback distances to the proposed work.

Front yard setback _____ Left side setback _____

Rear yard setback _____ Right side setback _____

NOTE:

Cannot fence access easements.

95 Seneca Park Rd.



ROAD NAME Waterfront

6/9/

Prot Ex 8E

B142190



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

John R. Ring
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B142190 CONTROL #: MR DIST: 15 PREC: 08
DATE ISSUED: 09/04/92 TAX ACCOUNT #: 1519320180 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 950 SENECA PARK RD
SUBDIVISION: SENECA PARK BEACH

OWNERS INFORMATION

NAME: SMITH, ARTHUR & ARLENE
ADDR: 950 SENECA PARK RD, 21220

TENANT:
CONTR: OWNER
ENGR:
SELLR:

WORK: CONSTR. ADD. ON SIDE OF EX. SFD FOR STORAGE.
4'X32'X7'±128' MUST COMPLY WITH THE 3
RESTRICTIONS IN DZC'S ORDER CASE #92-365-A.

BLDG. CODE: 1 (AND 2 FAM. CODE)
RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

ESTIMATED & PROPOSED USE: SFD AND ADDITION
1,500.00 EXISTING USE: SFD

TYPE OF IMPRV: ADDITION
USE: ONE FAMILY
FOUNDATION: SLAB
SEWAGE: PRIV. EXISTS

BASEMENT: NONE
WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 020/157X224/166
FRONT STREET:
SIDE STREET:
FRONT SETB: NC
SIDE SETB: 1/NC
SIDE STR SETB:
REAR SETB: NC

QUIT NUMBER WHEN MAKING INQUIRIES.

Prot Ex 8E

B142190



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

John R. King
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B142190 CONTROL #: MR DIST: 15 PREC: 08
DATE ISSUED: 09/04/92 TAX ACCOUNT #: 1519320180 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 950 SENECA PARK RD
SUBDIVISION: SENECA PARK BEACH

OWNERS INFORMATION

NAME: SMITH, ARTHUR & ARLENE
ADDR: 950 SENECA PARK RD, 21220

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK:

CONSTR. ADD. ON SIDE OF EX. SFD FOR STORAGE.
4'X32'X7'=128'. MUST COMPLY WITH THE 3
RESTRICTIONS IN DZC'S ORDER CASE #92-365-A.

BLDG. CODE: 1 (AND 2 FAM. CODE)

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

ESTIMATED * PROPOSED USE: SFD AND ADDITION

1,500.00 EXISTING USE: SFD

TYPE OF IMPRV. ADDITION

USE: ONE FAMILY

FOUNDATION: SLAB

SEWAGE: PRIV. EXISTS

BASEMENT: NONE

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 020/157X224/166

FRONT STREET

SIDE STREET

FRONT SETB: NC

SIDE SETB: 1/NC

SIDE STR SETB

REAR SETB: NC

QUIT NUMBER WHEN MAKING INQUIRIES.

9-3-92

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

OEA: CB/me
HISTORIC DISTRICT/BLDG.

PERMIT #: B142190
RECEIPT #: A 165048
CONTROL #: MR
XREF #:

PROPERTY ADDRESS: 950 Seneca Park Rd
BALTO MD 21220

SUBDIV: Seneca Park Beach

TAX ACCOUNT #: 15-19-320180

YES ☐ NO ☐
DO NOT KNOW ☐

DISTRICT/PRECINCT

OWNER'S INFORMATION (LAST, FIRST)

NAME: SMITH ARTHUR & ARICUE

ADDR: 950 Seneca Park Rd 21220

FEE: 50.5

PAID: 55

PAID BY: appl

INSPECTOR: DM

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

BUILDING 1 or 2 FAM.

CODE CODE

BOCA CODE

TYPE OF IMPROVEMENT

1. NEW BLDG CONST

2. ADDITION

3. ALTERATION

4. REPAIR

5. WRECKING

6. MOVING

7. OTHER

TYPE OF USE

RESIDENTIAL

01. ONE FAMILY

02. TWO FAMILY

03. THREE AND FOUR FAMILY

04. FIVE OR MORE FAMILY

(ENTER NO UNITS)

05. SWIMMING POOL

06. GARAGE

07. OTHER

TYPE FOUNDATION

1. SLAB

2. BLOCK

3. CONCRETE

BASEMENT

1. FULL

2. PARTIAL

3. NONE

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY

09. CHURCH, OTHER RELIGIOUS BUILDING

10. FENCE (LENGTH HEIGHT)

11. INDUSTRIAL, STORAGE BUILDING

12. PARKING GARAGE

13. SERVICE STATION, REPAIR GARAGE

14. HOSPITAL, INSTITUTIONAL, NURSING HOME

15. OFFICE, BANK, PROFESSIONAL

16. PUBLIC UTILITY

17. SCHOOL, COLLEGE, OTHER EDUCATIONAL

18. SIGN

19. STORE, MERCANTILE, RESTAURANT

20. SWIMMING POOL

21. TANK, TOWER

22. TRANSIENT HOTEL, MOTEL (NO. UNITS)

23. OTHER

case # 92-365-A

DESCRIBE PROPOSED WORK: Construct addition on side of existing SFD. 4'x32'x7' = 128 sq ft to be used for storage. must comply with the 3 restrictions in DZC's order

TYPE OF CONSTRUCTION

1. MASONRY

2. WOOD FRAME

3. STRUCTURE STEEL

4. REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS 3. ELECTRICITY

2. OIL 4. COAL

TYPE OF SEWAGE DISPOSAL

1. PUBLIC SEWER

2. PRIVATE SYSTEM

SEPTIC

PRIVY

CENTRAL AIR: 1. 2.

ESTIMATED COST: \$1500

OF MATERIALS AND LABOR

PROPOSED USE: SFD addition

EXISTING USE: SFD

OWNERSHIP

1. PRIVATELY OWNED

2. PUBLICLY OWNED

3. SALE

4. RENTAL

RESIDENTIAL CATEGORY:

1. DETACHED

2. SEMI-DET.

3. GROUP

4. TOWNHSE

5. MIDRISE

#FET: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 5. HIRISE

1 FAMILY BEDROOMS

GARBAGE DISPOSAL 1. Y 2. N

POWDER ROOMS

BATHROOMS

KITCHENS

CLASS

LIBER

FOLIO

04

08

045

APPROVAL SIGNATURES

DATE

BUILDING SIZE

FLOOR

WIDTH

DEPTH

HEIGHT

STORIES

LOT # 8

CORNER LOT

1. Y 2. N

LOT SIZE AND SETBACKS

SIZE

FRONT STREET

SIDE STREET

FRONT SETBK

SIDE SETBK

SIDE STR SETBK

REAR SETBK

ZONING

BLD INSP

BLD PLAN

FIRE

SEDI CTR

ZONING

PUB SERV

PERMIT

PERMITS

047

09/11/92 FINAL 9/21/92

09/11/92 FINAL 9/21/92

09/11/92 FINAL 9/21/92

09/11/92 FINAL 9/21/92

09/11/92 FINAL 9/21/92

09/11/92 FINAL 9/21/92

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

GENECA CREEK

B124825

~~Remains and Temple~~

18.08.77

Example -
grey block

100% Pure
ESTABLISHED
OVER 100 YEARS

— ११४४ —

Roller
Koko-1 May -

卷之四

Remondy Old | w | 4 1/2" High
New Zealand

562° 18' E- 224' ±

卷一百一十五

S 62° 18' E - 234' ±

PLAT PLANT - PROPOSED

4844 577

Prot Ex.8F
B170027

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

OEA:
HISTORIC DISTRICT/BLDG.

PERMIT #: B170027
RECEIPT #: 7193587
CONTROL #: MC
REF #:

PROPERTY ADDRESS: 930 Beacon Blvd YES ☐ NO ☐
SUBDIV: Shaw's Park Mobile DO NOT KNOW ☐
TAX ACCOUNT #: 15-14-22154 DISTRICT/PRECINCT: 15

FEE: 10.00
PAID: 10.00
PAID BY: Owner
INSPECTOR:

OWNER'S INFORMATION (LAST, FIRST)
NAME: SHAW, ARTHUR J.
ADDR: 930 Beacon Blvd

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PREVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

APPLICANT INFORMATION
NAME: Shaw
COMPANY:
ADDR1:
ADDR2:
PHONE #: 395-6615 MHIC LICENSE #:
APPLICANT: Arthur Shaw
SIGNATURE: Arthur Shaw TRACT: BLOCK:
PLANS: CONST PLOT PLAT DATA EL. PL
TENANT:
CONTR: Owner
ENGR:
SELR:

BUILDING 1 or 2 FAM.
CODE CODE
BOCA CODE
TYPE OF IMPROVEMENT
1. NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

DESCRIBE PROPOSED WORK:
Replac 4'6" high wood fence along side of rear yard
of property 194 L.F. cannot fence any walkway or
access easements.

TYPE OF USE
RESIDENTIAL
01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY
(ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER fence

NON-RESIDENTIAL
08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, HOUSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE, MERCHANDISE, RESTAURANT
20. SWIMMING POOL
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

TYPE FOUNDATION BASEMENT
1. SLAB 1. FULL
2. BLOCK 2. PARTIAL
3. CONCRETE 3. NONE

TYPE OF CONSTRUCTION TYPE OF HEATING FUEL TYPE OF SEWAGE DISPOSAL
1. MASONRY 1. GAS 3. ELECTRICITY 1. PUBLIC SEWER EXISTS PROPOSED
2. WOOD FRAME 2. OIL 4. COAL 2. PRIVATE SYSTEM
3. STRUCTURE STEEL
4. REINF. CONCRETE
TYPE OF WATER SUPPLY
1. PUBLIC SYSTEM EXISTS PROPOSED
2. PRIVATE SYSTEM EXISTS PROPOSED

CENTRAL AIR: 1. 2/20
ESTIMATED COST: 1500
OF MATERIALS AND LABOR
PROPOSED USE: 2/20 + fence
EXISTING USE: 2/20 + fence

OWNERSHIP
1. PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL
RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS 6. MIRISE

1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS CLASS 4 FOLIO 45
POWDER ROOMS KITCHENS LIBER 8

BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR 0 SIZE 20'15'120'1166
WIDTH
DEPTH
HEIGHT 4+6
STORIES
LOT #S 72
CORNER LOT
1. Y 2. N ZONING
BLD INSP :
BLD PLAN :
FIRE :
SEDI CTL :
ZONING :
PUB SERV :
ENVRMNT :
PERMITS Arthur Shaw 7/15/83

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Prot Ex. 8F
B170027

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

OFA:
HISTORIC DISTRICT/BLDG.

PERMIT #: B170027
RECEIPT #: 7193987
CONTROL #: NR
REF #:

PROPERTY ADDRESS: 200 Bacon Ave YES ☐ NO ☐
SUBDIV: Wine & Park DO NOT KNOW ☐
TAX ACCOUNT #: 15-14-22115 DISTRICT/PRECINCT: 15

FEES: 10.00
PAID: 10.00
PAID BY: Owner
INSPECTOR:

OWNER'S INFORMATION (LAST, FIRST)
NAME: SMITH ACTHUR H
ADDR: 930 Seaton Green Rd

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PREVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

APPLICANT INFORMATION

NAME: John
COMPANY: John
ADDR1: John
ADDR2: John

PHONE #: 395-6665 MHIC LICENSE #:
APPLICANT SIGNATURE: John TRACT: BLOCK:

BUILDING 1 or 2 FAM.

CODE CODE
BOCA CODE

TYPE OF IMPROVEMENT

1. NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

PLANS: CONST PLOT PLAT DATA
TENANT
CONTR: Owner
ENGR:
SELLER:

DESCRIBE PROPOSED WORK:

REAR 4'6" HIGH WOOD FENCE ALONG SIDE & REAR YARD
ADJACENT 194 L.F. CANNOT EXCEED ANY WALKWAY OR
ACCESS EASEMENTS

TYPE OF USE

RESIDENTIAL

01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY
(ENTER NO. UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER fence

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, HOUSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE, MERCHANDISE RESTAURANT
20. SWIMMING POOL
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

TYPE FOUNDATION

1. SLAB
2. BLOCK
3. CONCRETE
BASEMENT
1. FULL
2. PARTIAL
3. NONE

TYPE OF CONSTRUCTION

1. MASONRY
2. WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS 3. ELECTRICITY
2. OIL 4. COAL

TYPE OF SEWAGE DISPOSAL

1. PUBLIC SEWER EXISTS PROPOSED
2. PRIVATE SYSTEM
SEPTIC EXISTS PROPOSED
PRIVY EXISTS PROPOSED

CENTRAL AIR: 1.

ESTIMATED COST: 1500

OF MATERIALS AND LABOR

PROPOSED USE:
EXISTING USE:

OWNERSHIP

1. PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL

RESIDENTIAL CATEGORY:

1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. HIRISE
1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS CLASS 4 FOLIO 45
POWDER ROOMS KITCHENS LIBER 5

BUILDING SIZE

FLOOR 0
WIDTH 4x6
DEPTH 92
HEIGHT 4x6
STORIES 92
LOT #'S 92
CORNER LOT
1. Y 2. N ZONING

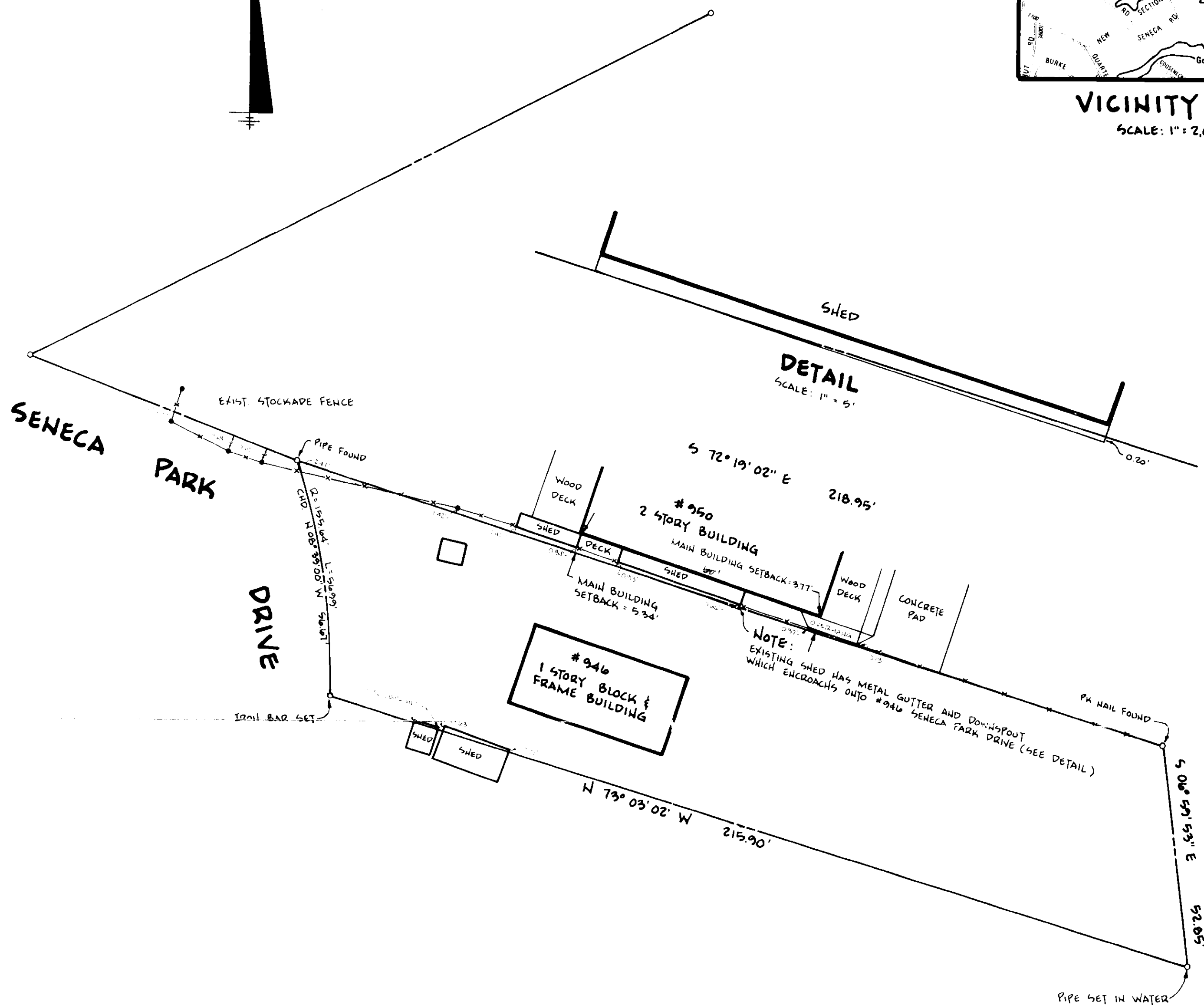
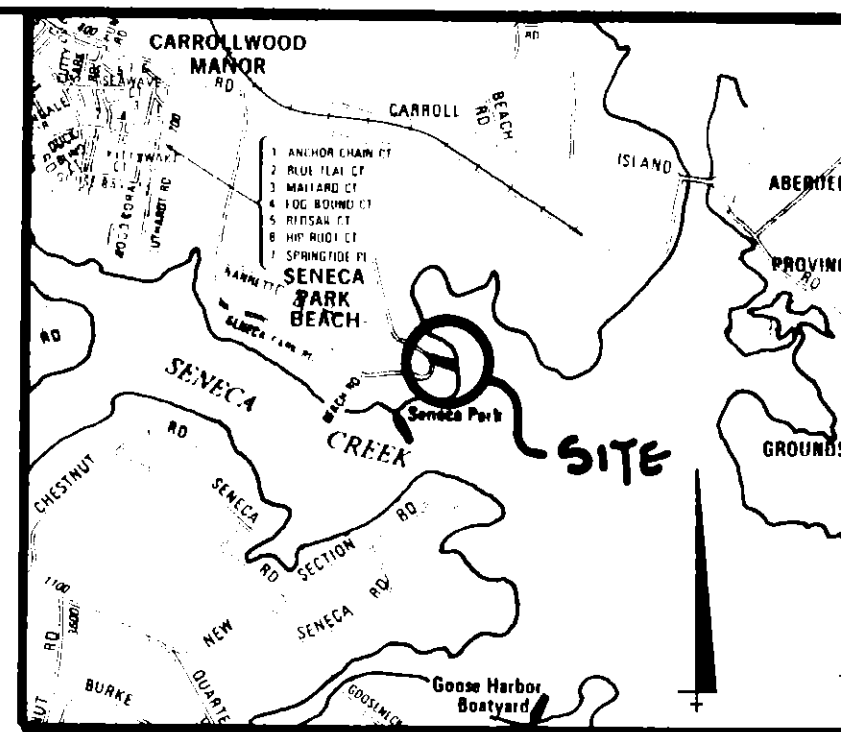
LOT SIZE AND SETBACKS

SIZE 20/15/20/11/66
FRONT STREET
SIDE STREET
FRONT SETBK
SIDE SETBK
SIDE STR SETBK
REAR SETBK

BLD INSP:

BLD PLAN
FIRE
SEDI CTL
ZONING
PUB SERV
ENVRMT
PERMITS John 7-15-83

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED



REVISIONS		
NO	DATE	DESCRIPTION
1	5-26-93	ADDED ADDITIONAL DETBACK DATA (PER OWNER)

**SPELLMAN, LARSON
&
ASSOCIATES, INC.**
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 109, JEFFERSON BLDG, TOWSON, MD., 21204
PHONE 823-3535

Prot. Ex. 11

OUTLINE SURVEY PLAT

#946 SENECA PARK DRIVE

ELECTION DISTRICT 15

BALTIMORE COUNTY, MD.

SCALE: 1" = 20'

DATE: MAY 17, 1993

DES. BY: -

DRN BY: JMB

SHT. 1 OF 1

Prot. Ex. 16-A

MR RISINGER ROOM 100
111 WEST CHESAPEAKE ST.
TOWSON, MD.
21204

DEAR MR RISINGER;

THIS LETTER IS IN RESPONSE TO OUR PHONE CONVERSATION
ABOUT THE FENCE CONSTRUCTED BY MR AUTHOR SMITH AT 950
SENECA PARK RD.

THE PERMIT CALLS FOR A FENCE 48 INCHES IN HEIGHT. I
MEASURED MR SMITHS FENCE SATURDAY (APRIL 2, 1992). THE
POSTS ARE 66 INCHES AND THE SLATS RANGE FROM 60 INCHES
TO 52 INCHES IN HEIGHT.

THIS FENCE HAS A NEGATIVE EFFECT ON OUR VIEW OF THE
WATER SO WE WOULD LIKE TO SEE IT COMPLY WITH THE PERMIT
(48 INCHES IN HEIGHT).

ENCLOSED YOU WILL FIND SOME PICTURES AND A DRAWING WITH
THE ACTUAL DIMENSIONS.

SINCERELY,
Earl Mitchell
EARL MITCHELL
13 HARTACK CT
BALTIMORE, MD.
21236
(410) 882-4005

MR RISINGER ROOM 100
111 WEST CHESAPEAKE ST.
TOWSON, MD.
21204

DEAR MR RISINGER;

THIS LETTER IS IN RESPONSE TO OUR PHONE CONVERSATION
ABOUT THE FENCE CONSTRUCTED BY MR AUTHOR SMITH AT 950
SENECA PARK RD.

THE PERMIT CALLS FOR A FENCE 48 INCHES IN HEIGHT. I
MEASURED MR SMITHS FENCE SATURDAY (APRIL 2, 1992). THE
POSTS ARE 66 INCHES AND THE SLATS RANGE FROM 60 INCHES
TO 52 INCHES IN HEIGHT.

THIS FENCE HAS A NEGATIVE EFFECT ON OUR VIEW OF THE
WATER SO WE WOULD LIKE TO SEE IT COMPLY WITH THE PERMIT
(48 INCHES IN HEIGHT).

ENCLOSED YOU WILL FIND SOME PICTURES AND A DRAWING WITH
THE ACTUAL DIMENSIONS.

SINCERELY,
Earl Mitchell
EARL MITCHELL
13 HARTACK CT
BALTIMORE, MD.
21236
(410) 882-4005

1" EQUAL A FOOT

2"

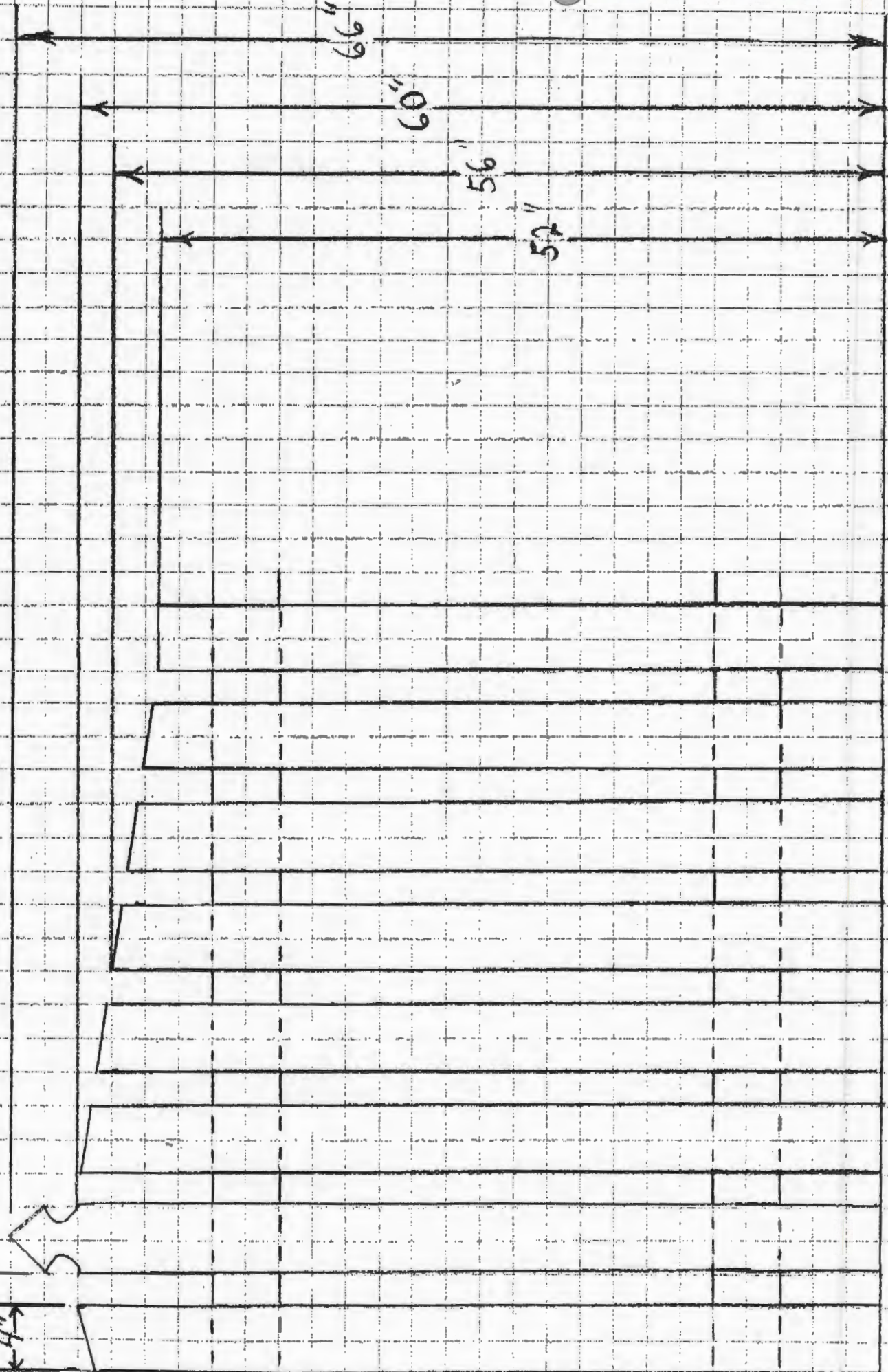
4"

66"

60"

56"

52"



1" EQUAL A FOOT

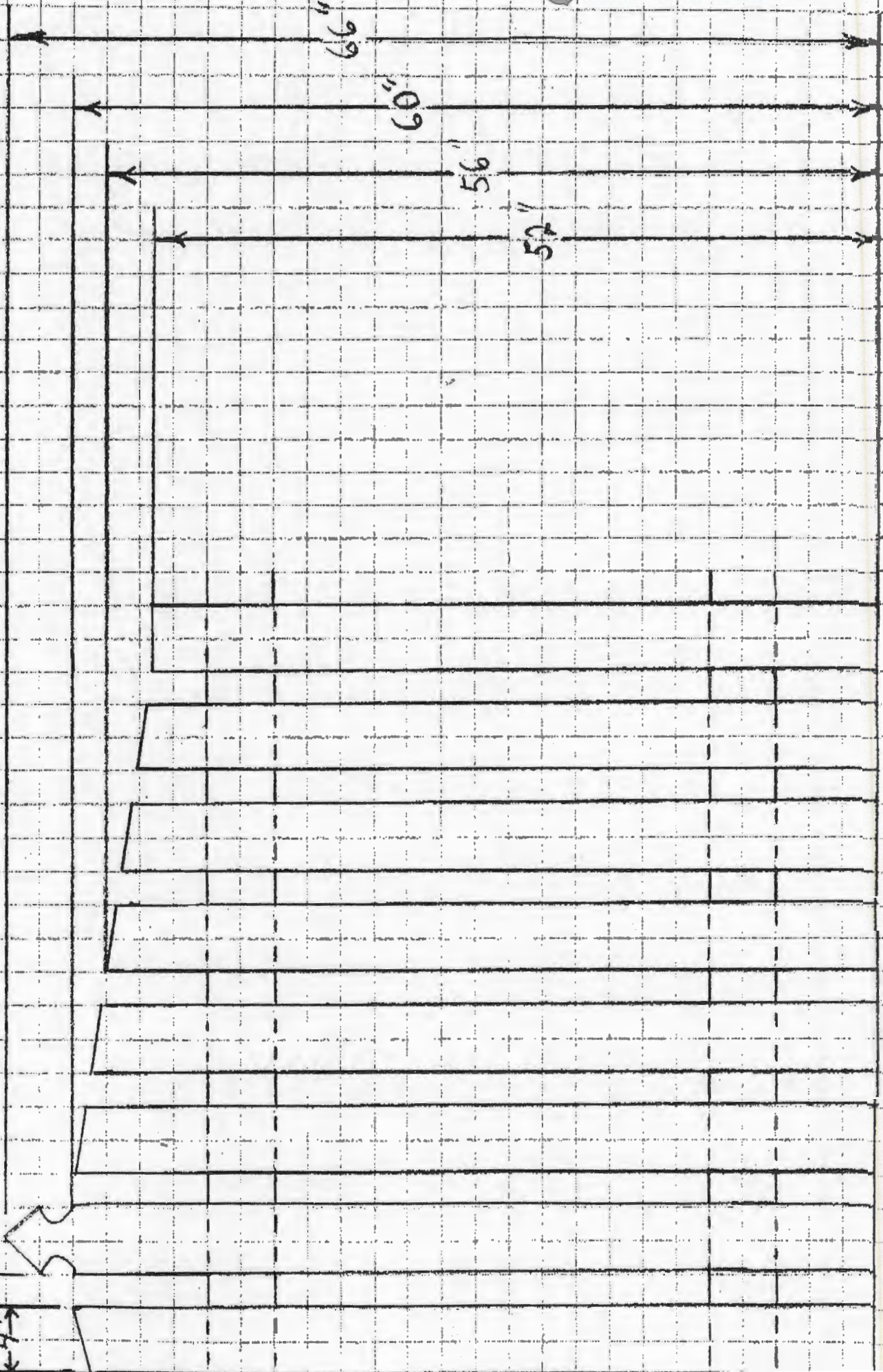
2"
4"

66"

60"

56"

52"



Baltimore County Government
Department of Permits and Licenses

Prot. Ex. 17



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

May 12, 1992

Mr. Earl Mitchell
13 Hartack Ct.
Baltimore, MD 21236

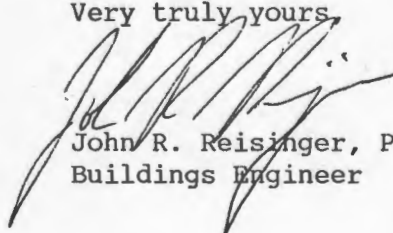
Re: 950 Seneca Park Road
Fence Construction

Dear Mr. Mitchell:

Your letter and photographs indicate that the fence shown consists of standard panels that vary from 48" to 52" in height. To allow for maintenance, and cleaning, as well as to prevent rot, fence panels should be installed several inches off the ground, as these were. The result is that a 48" fence made with 48" panels will almost always be several inches higher than 48". The only part of the fence in question, then, is the portion above the top of the lowest slat. Cutting off the fence at this level would destroy the aesthetics of the fence while having almost no impact on visibility. For these reasons, we will approve the fence as being in compliance with the law.

If you do not concur with this decision, you may file an appeal with the Baltimore County Board of Appeals within 15 days of the date of this letter. The appeal must be in writing and state concisely why you feel the order is improper. Address the appeal to the Baltimore County Board of Appeals but send to me, accompanied by a check in the amount of \$75.00 to cover the appeal fee. Make your check payable to Baltimore County.

Very truly yours,


John R. Reisinger, P.E.
Buildings Engineer

JRR/nmg

cc: Niles Jones
correspondence

887-3180

Baltimore County Government
Department of Permits and Licenses

Prot. Ex. 17



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

May 12, 1992

Mr. Earl Mitchell
13 Hartack Ct.
Baltimore, MD 21236

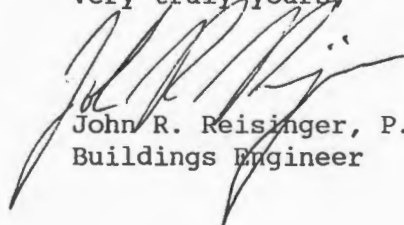
Re: 950 Seneca Park Road
Fence Construction

Dear Mr. Mitchell:

Your letter and photographs indicate that the fence shown consists of standard panels that vary from 48" to 52" in height. To allow for maintenance, and cleaning, as well as to prevent rot, fence panels should be installed several inches off the ground, as these were. The result is that a 48" fence made with 48" panels will almost always be several inches higher than 48". The only part of the fence in question, then, is the portion above the top of the lowest slat. Cutting off the fence at this level would destroy the aesthetics of the fence while having almost no impact on visibility. For these reasons, we will approve the fence as being in compliance with the law.

If you do not concur with this decision, you may file an appeal with the Baltimore County Board of Appeals within 15 days of the date of this letter. The appeal must be in writing and state concisely why you feel the order is improper. Address the appeal to the Baltimore County Board of Appeals but send to me, accompanied by a check in the amount of \$75.00 to cover the appeal fee. Make your check payable to Baltimore County.

Very truly yours,


John R. Reisinger, P.E.
Buildings Engineer

JRR/nmg

cc: Niles Jones
correspondence

887-3180











July 1994



SEPT 11 1994



SEPT 11, 1994

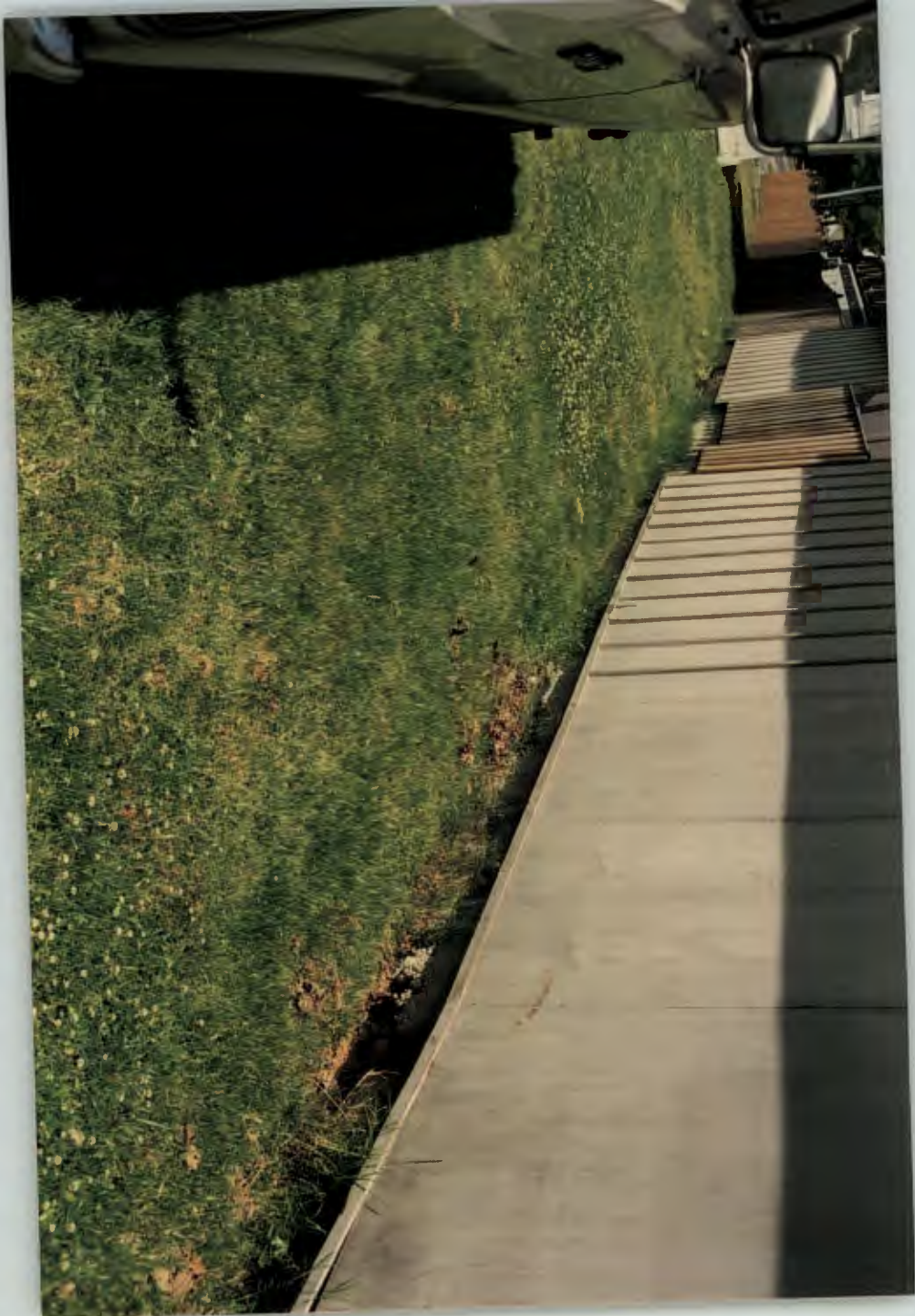




















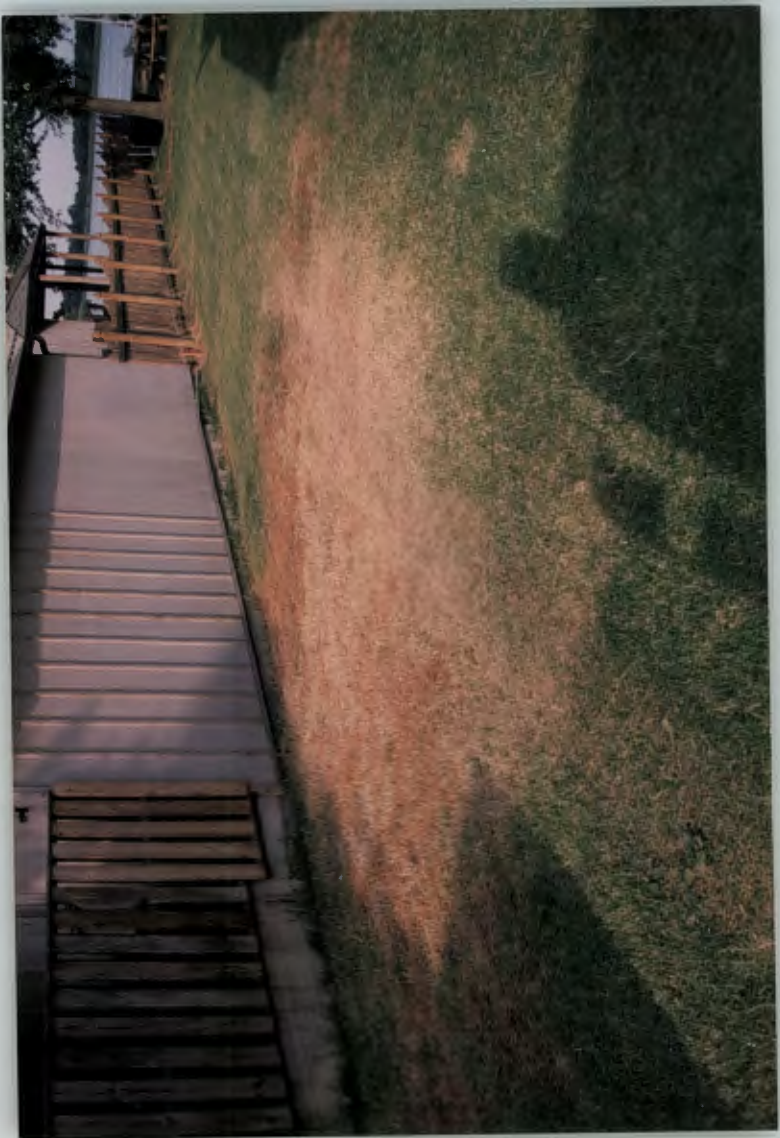






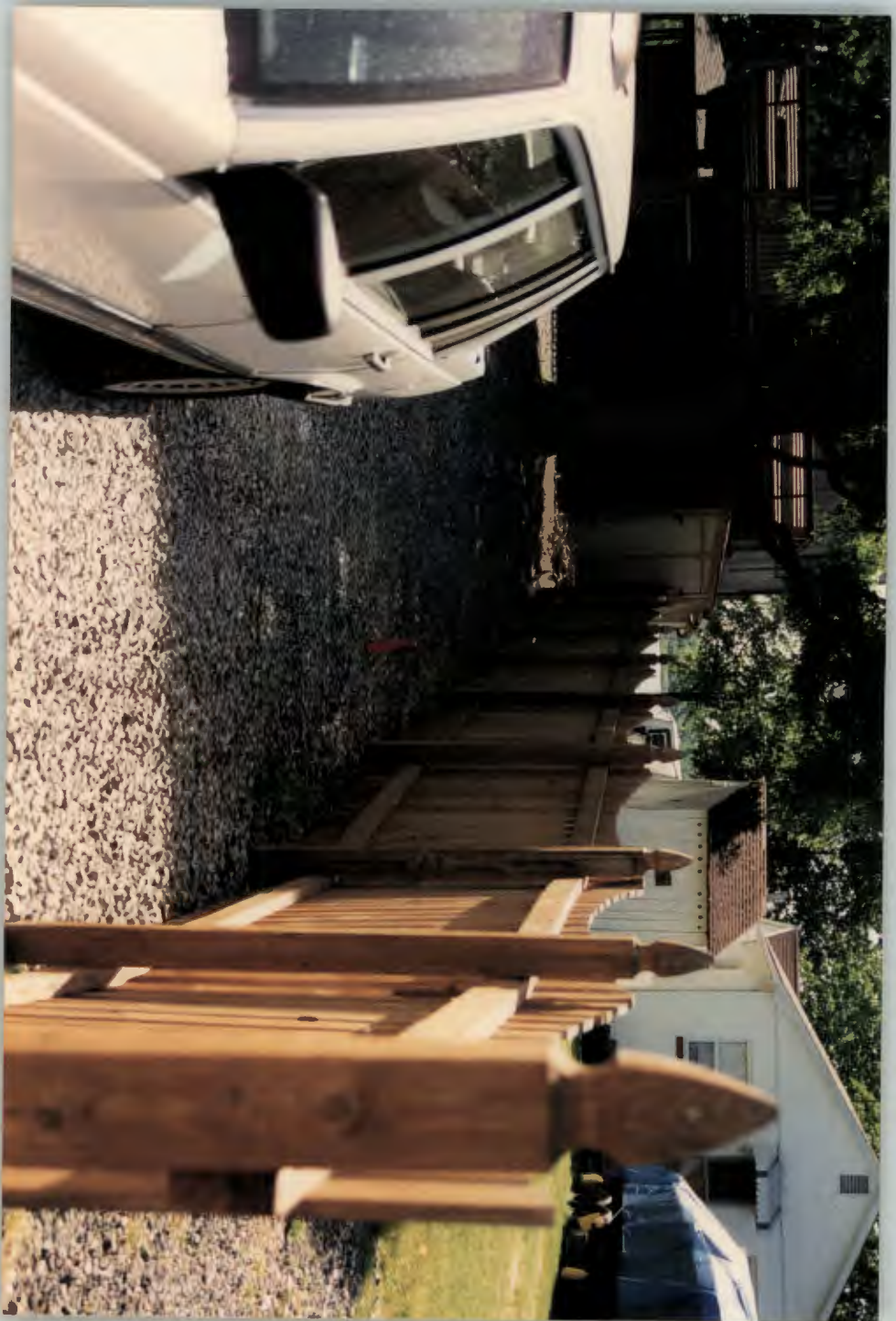


















D.R. 5.5

R.C. 5

NANETTE LANE

SENECA

PARK

SENECA

PARK

RD.

BMB

BEACH RD

WALL

SENECA

"SUBJECT SITE"

92-265-A

WALL

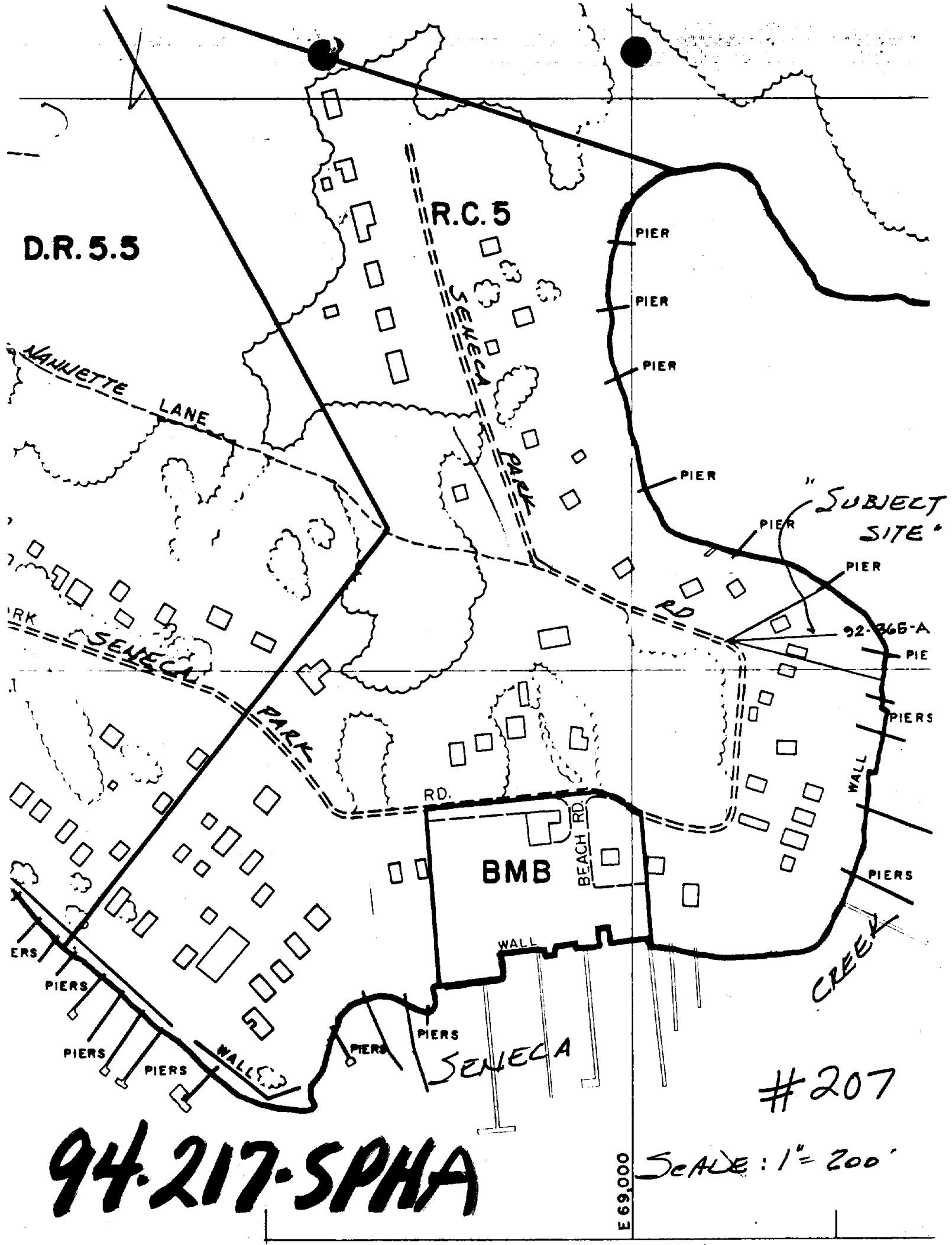
CREEK

#207

94-217-SPHA

E 69,000

SCALE: 1" = 200'



D.R. 5.5

R.C. 5

WANNETTE

LANE

SENECA

PARK

PIER

PIER

PIER

PIER

PIER

PIER

92-365-A

PIE

PIERS

WALL

PIERS

CREEK

BMB

BEACH RD.

RD.

WALL

PIERS

SENECA

PIERS

WALL

#207

94-217-SPHA

E 69,000

SCALE: 1" = 200'

