

IN RE: PETITION FOR VARIANCE
SW/S Sassafras Road, 240' W
of centerline Worton Road
15th Election District
5th Councilmanic District
(342 Sassafras Road)

Edward C. & Norman Jean Berry
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-437-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Edward and Norman Jean Berry. The Petitioners are requesting a variance for property they own at 342 Sassafras Road, located in the Essex area of Baltimore County. The Petitioners are requesting a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure to be located in the front yard in lieu of the required rear yard.

Appearing at the hearing on behalf of the variance request were Mr. and Mrs. Berry, along with their son, Jamie. Appearing as interested neighbors in the matter were Charles and Suzanne Otto, adjacent property owners.

Testimony and evidence indicated that the property which is the subject of this variance request consists of 21,000 sq. ft., more or less, zoned DR 3.5. The subject property is improved with a single-family residential dwelling and an in-ground swimming pool which was recently constructed on the property. The swimming pool is located in the rear yard of the site, nearest to Norman Creek. The subject property is a water front lot. On the side of the property nearest Sassafras Road, the Petitioners have a 10 ft. x 12 ft. storage shed which has existed on the property for the past 4 ½ years. This shed is the subject of this variance request in that since the

ORDER RECEIVED FOR FILING

Date

6/9/00

By

J. P. Jameson

installation of the pool, in what is now claimed to be the rear yard of the property, the subject shed is situated in the front yard. Therefore, the variance is necessary.

As stated previously, the adjacent property owners, Charles and Suzanne Otto, appeared out of concern for this request. While they are not generally opposed to the shed in the front yard, they do have a concern regarding the 8 ft. x 12 ft. pump house which was recently installed on the Petitioners' property near their house. The 8 ft. x 12 ft. pump house is used to provide shelter for the pumps and equipment associated with the in-ground pool.

As to the shed, which is the subject of this variance request, I find that the variance to allow it to remain where it has been situated for the past 4 ½ years should be granted. There are other similar type sheds and storage buildings located on the Sassafras Road side of the houses in this community. Therefore, the variance shall be granted to allow the shed to remain as it has for the past 4 ½ years. Causing Mr. Berry to relocate the shed at this time is not warranted and would cause an additional large structure to be located on the water front side of his property which could impede the views of his neighbors and otherwise clutter that portion of the property.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should, therefore, be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORIGINAL FILED FOR FILING
DATE 6/9/00
BY J.R. Jameson

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioners; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioners of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioners any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations (attached herewith) which describe what steps the Petitioners must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would

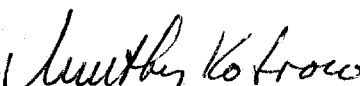
RECEIVED FOR FILING
6/19/00
J.P. Jernett

adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

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

THEREFORE, IT IS ORDERED this 9th day of June, 2000, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure to be located in the front yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for her building permit and be granted same upon receipt of this Order; however, Petitioners is hereby made aware that proceeding at his time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated May 22, 2000, a copy of which is attached hereto and made a part hereof.
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:raj

COPIES DESTROYED FOR FILING
Date 6/19/00
By J.P. Jemison



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 8, 2000

Mr. & Mrs. Edward C. Berry
342 Sassafras Road
Baltimore, Maryland 21221

Re: Petition for Variance
Case No. 00-437-A
Property: 342 Sassafras Road

Dear Mr. & Mrs. Berry:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. & Mrs. Charles Otto
340 Sassafras Road
Baltimore, MD 21221



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 342 SASSAFRAS RD.

which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 TO PERMIT AN

ACCESSORY STRUCTURE (EXISTING - SHED 10' x 12' x 9 1/2') IN THE FRONT
IN LIEU OF REAR YARD.

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

SEE ATTACHED

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 00-437.A

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By SDP

Date 04-18-00

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6/9/00
02/15/98

**Justification of Variance
342 Sassafras Road**

Based upon personal knowledge, the following are the facts upon which we base the request for a variance at the above address.

1. Moving the shed would undermine the aesthetic appearance of the surrounding properties, which have had sheds built/located on the roadside of such properties since moving to the residence (see photo #1).
2. The cost, time and effort of moving the shed, which has been in its place for 3.5 years, to the waterside of the property would amount to undue hardship, practical difficulty, and extreme inconvenience due to a 2-ft. retaining wall. Moving the shed would entail lifting it over a 48" fence and gate, or taking the fence and gate down and re-installation of the fence and gate (see photo #2).
3. Moving the shed to the waterside would further disrupt the aesthetics of the surrounding properties as the shed would impair a neighbor's view of Norman Creek as well as create an unsightly appearance given the various improvements to the waterside of the property and neighboring properties.
4. The roadside of the property facilitates the maintenance of the property, trash and recycling pick-up, and car maintenance. Therefore, the shed on the roadside of the property houses the equipment, tools, and materials that support the above processes.

Zoning Description
342 Sassafras Road

Beginning at a point on the southwest side of Sassafras Road at a distance of 250 feet $\pm$, northwest of the centerline of Worton Road, both 30 RW), being lot #'s 123 and 124 on the plat of Middleborough Land Corp. as recorded in Plat Book W. P. C. No. 4, Folio 191.

Lot site 21,000 sq. ft.

Ed.15, CD. 5.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

00 437 A
No. 080847

DATE 04-15-00 ACCOUNT R-001-6150
AMOUNT \$ 50.00

RECEIVED FROM: EDWARD C. BERRY
FOR: RE UAL 6.50
TOTAL 5.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

5.00

PAID RECEIPT
PAYMENT METHOD
CHECK NO. 11111
DATE 04-15-00
AMOUNT \$ 50.00
TOTAL \$ 50.00
CASHIER'S SIGNATURE
DATE 04-15-00

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

**RE: CASE #00-437-A
PETITIONER/DEVELOPER
(Edward Berry)
DATE OF Hearing
(6-7-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

342 Sassafras Road Baltimore, Maryland 21221_____

THE SIGN(S) WERE POSTED ON _____ 5-23-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

_____ 410-687-8405 _____
(TELEPHONE NUMBER)

**NOTICE OF ZONING
HEARING**

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

Case: #00-437-A
342 Sassafras Road
SW/S Sassafras Road, 240'
W of centerline Worton
Road.

15th Election District
5th Councilmanic District
Legal Owner(s): Norma
Jean & Edward C. Berry

Variance: to permit an accessory structure (existing shed) in the front yard in lieu of the required rear yard.

Hearing: Wednesday, June 7, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JT/5/733 May 23 C393418

CERTIFICATE OF PUBLICATION

TOWSON, MD, 5/26/, 2000

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 5/23/, 2000.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
342 Sassafras Road, SW/S Sassafras Rd,
240' W of c/l Worton Rd
15th Election District, 5th Councilmanic

Legal Owner: Edward C. & Norma J. Berry
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-437-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

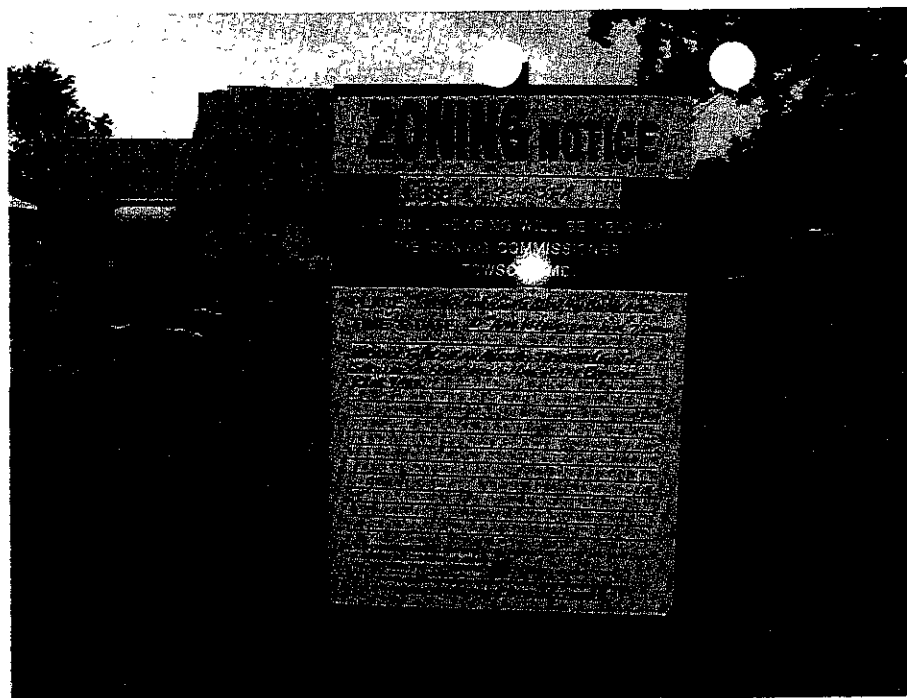

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Edward C. & Norma J. Berry, 342 Sassafras Road, Baltimore, MD 21221, Petitioners.


PETER MAX ZIMMERMAN



Posted at 342 Sassafra Road



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

May 15, 2000

NOTICE OF ZONING HEARING

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

CASE NUMBER: 00-437-A
342 Sassafras Road
SW/S Sassafras Road, 240' W of centerline Worton Road
15th Election District – 5th Councilmanic District
Legal Owner: Norma Jean & Edward C. Berry

Variance to permit an accessory structure (existing shed) in the front yard in lieu of the required rear yard.

HEARING: Wednesday, June 7, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with the number "54" written below it.

Arnold Jablon
Director

C: Norma Jean & Edward Berry, 342 Sassafras Road, Baltimore 21221
Charles Otto, 340 Sassafras Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 23, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 23, 2000 Issue – Jeffersonian

Please forward billing to:

Edward C. Berry
342 Sassafras Road
Baltimore, MD 21221

410-687-7806

NOTICE OF ZONING HEARING

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

CASE NUMBER: 00-437-A

342 Sassafras Road

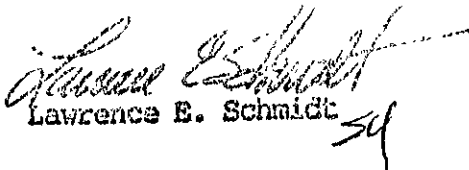
SW/S Sassafras Road, 240' W of centerline Worton Road

15th Election District – 5th Councilmanic District

Legal Owner: Norma Jean & Edward C. Berry

Variance to permit an accessory structure (existing shed) in the front yard in lieu of the required rear yard.

HEARING: Wednesday, June 7, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-437-A

Petitioner: EDWARD C. BERRY

Address or Location: 342 SASSAFRAS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD C. BERRY

Address: 342 SASSAFRAS ROAD

BALTO. MD. 21221

Telephone Number: 410 687-7806

Revised 2/20/98 - SCJ

00-437-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 2, 2000

Mr. Edward Berry
342 Sassafras Road
Baltimore MD 21221

Dear Mr. Berry:

RE: Case Number 00-437-A , 342 Sassafras Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 18, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

May 1, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 17, 2000

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

433, 434, 435, 436, 437, 439, 440,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS*
DATE: May 22, 2000
SUBJECT: Zoning Item #437
342 Sassafra Road

Zoning Advisory Committee Meeting of May 8, 2000

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- ☐ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Reviewer: Keith Kelley

Date: May 22, 2000

DATE RECEIVED
6/9/00
By: *R. Seeley*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: May 8, 2000

RECEIVED MAY 10 2000

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

SUBJECT: 342 Sassafras Road

INFORMATION:

Item Number: 437

Petitioner: Edward C. and Norma Jean Berry

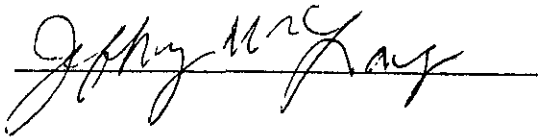
Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit an accessory structure in the front yard in lieu of the rear yard.

Prepared by: 

Section Chief: 

AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 5.1.00

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

RE: Baltimore County
Item No. 437 JRA

RECEIVED MAY 05 2000

Dear Ms. Jackson:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

00-437-A

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 28, 2000

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

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

SUBJECT: Item No.: 00-437-A
Legal Owner/Petitioner: Edward Berry
Contract Purchaser:
Property Address: 342 Sassafras Rd.
Location Description:

VIOLATION INFORMATION: Case No.: 00-0813
Defendants: Edward & Norma Jean Barry

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

NAME	ADDRESS
Charles Otto	340 Sassafras Rd. Balto., MD 21221

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

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

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

RSW/mc
C: Jeremy Rosendale, Code Enforcement Officer

DATE: 2 / 24 / 00 INTAKE BY: JG CASE #: 00-0813 INSPEC: JRCOMPLAINT LOCATION: 342 SASSAFRAS RD.ZIP CODE: 21221 DIST: _____COMPLAINANT NAME: CHARLES OTTO PHONE #: (H) 410-391-3212 (W) _____ADDRESS: 340 SASSAFRAS RD ZIP CODE: _____PROBLEM: SHED LOCATED IN WRONG AREA -WATER FRONT PROPERTYSEE COMPLAINANT FIRST

OWNER/TENANT INFORMATION: _____

1515 270070TAX ACCOUNT #: ~~1515 530330~~ ZONING: _____

INSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

DATE: 2/24/00 INTAKE BY: JG CASE #: 00-0813 INSPEC: JR

COMPLAINT LOCATION: 342 SASSAFRAS RO.

ZIP CODE: 21221 DIST:

COMPLAINANT NAME: CHARLES OTTO PHONE #: (H) 410.391.3212 (W)

ADDRESS: 340 SASSAFRAS RD ZIP CODE:

PROBLEM: SHED LOCATED IN WRONG AREA - WATER FRONT PROPERTY

* SEE COMPLAINANT FIRST

OWNER/TENANT INFORMATION:

15 15 270070

TAX ACCOUNT #: 15 15 550330 ZONING:

INSPECTION: 2/28- no violation seen - shed is in rear yard with new pool + deck (permits obtained)

REINSPECTION: 3/6- sent copy of zoning regs for accessory structures to complainant

3/8- determined that front of house is on road side - sent a notice to owner to move or abate shed on street side

REINSPECTION: 3/9- issued notice

3/14- use permit issued
3/13- rec'd permit from Mr. Barry (see attached)
REINSPECTION: issued for using shed

- spoke to Mr. Barry - told him to come in for mtg for variance for shed in front yard
3/24- Mr. Barry came in to zoning office

CODE ENFORCEMENT REPORT

INSPECTION:

4/6 - Mr Barry spoke to G. Freund - j d left message for Mr Barry that he still needs variance; rec'd message from Mr Barry that he was in for paper work

REINSPECTION:

4/10 - called Mr Otto

REINSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

RA1001B

DATE: 02/24/2000 STANDARD ASSESSMENT INQUIRY (1)

TIME: 10:20:05

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 15 270070	15	3-1	34-00	H	NO		02/16/00

BERRY EDWARD C DESC-1.. IMPSLT 123,124

BERRY NORMAN JEAN DESC-2.. MIDDLEBOROUGH

342 SASSAFRAS RD PREMISE. 00342 SASSAFRAS

RD

00000-0000

BALTIMORE

MD 21221-3023 FORMER OWNER: OHARE DAVID L

FCV			PHASED IN		
PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND: 94,520	94,520		FCV	ASSESS	ASSESS
IMPV: 65,580	86,430	TOTAL..	167,050	66,820	64,040
TOTL: 160,100	180,950	PREF...	0	0	0
PREF: 0	0	CURT...	167,050	66,820	64,040
CURT: 160,100	180,950	EXEMPT.		0	0
DATE: 10/96	08/99				

TAXABLE BASIS		FM DATE
00/01 ASSESS:	66,820	11/21/99
99/00 ASSESS:	64,040	06/04/99
98/99 ASSESS:	63,420	06/05/98

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



SR 34 2 Jessafine Rd
21021
020813 3/8/00



Baltimore County
Department of Permits and
Development Management

Code Inspection and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension 7303
Building Inspection: 410-887-3953

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

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No.
122238

Case No.:
00-0813

Election District 15 Permit No. _____

Name (s) Edward + Norman Berry

Address 342 Sassafras Rd Balt 21221

Location of Violation (if different than address) Same

~~Tax ID~~ Vehicle License No.: 15-15-270070

Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ _____
§§ _____

Zoning Regulations:

§§ 101, 102.1; 400
§§ _____

Building Code (BOCA):

§§ _____
§§ _____

Livability Code (18-66):

§§ _____
§§ _____

Investment Property Act (7-66):

§§ _____

Electrical Code (NEC):

§§ _____

Plumbing Code (NSPC):

§§ _____

Dwelling (CABO):

§§ _____

Other: §§ _____

COMMENTS OR OTHER VIOLATIONS:

Remove or variance accessory structure
in front yard

\$200 fine per day

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
4/9/00 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 3/7/00

INSPECTOR: Rosendale

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER
PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE
INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: _____

DATE ISSUED: _____

INSPECTOR: _____

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE.
PLEASE READ CAREFULLY.

AGENCY

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-437-A

Date Completed/Initials

5/15/00 SCJ

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

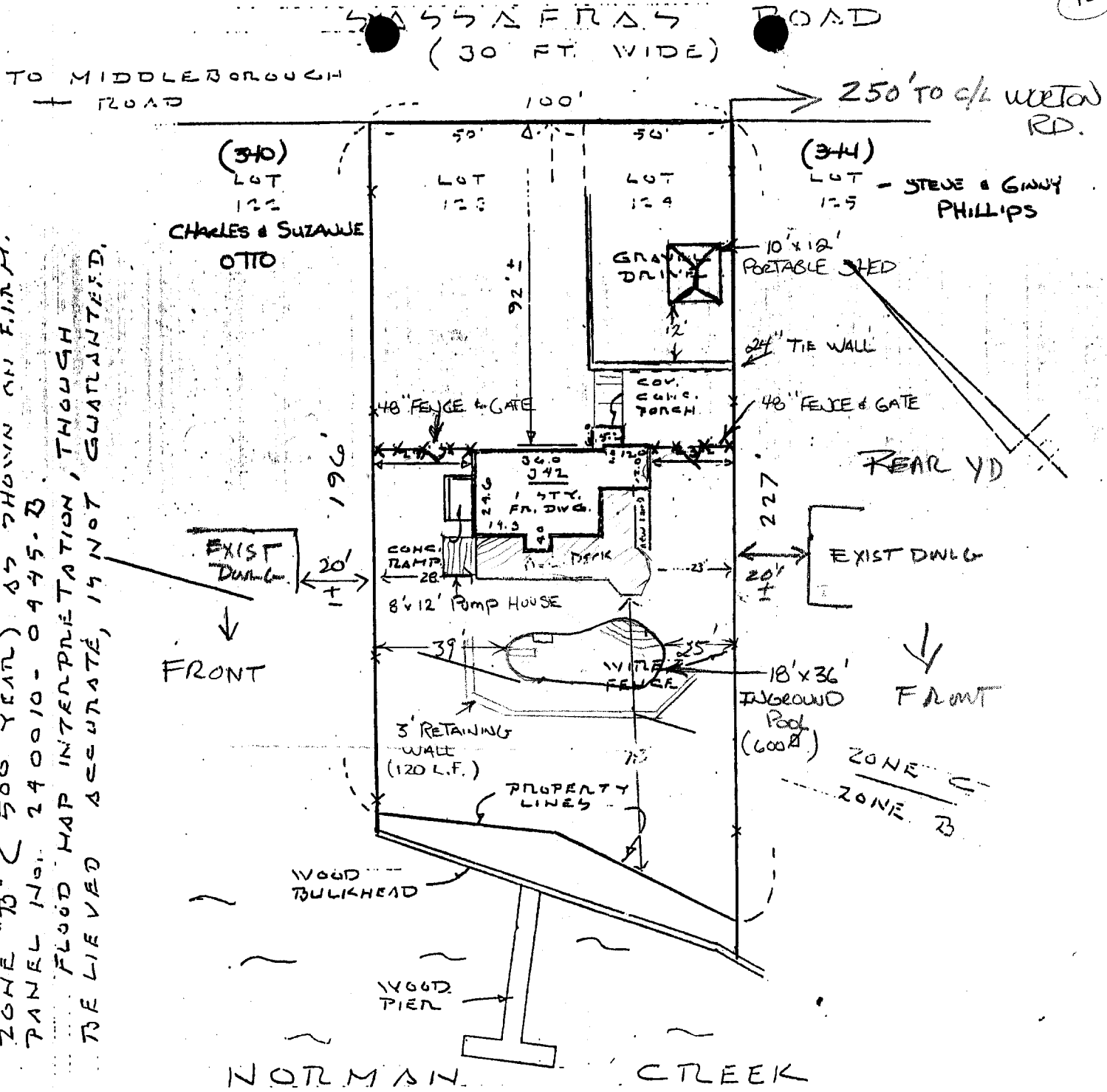
RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)



A PORTION OF THIS LOT LIES IN FLOOD ZONE "B" (500 YEAR) AS SHOWN ON FIRM. PANEL No. 240010-0445-B. FLOOD MAP INTERPRETATION, THOUGH BELIEVED ACCURATE, IS NOT GUARANTEED.

PLAN FOR ZONING VARIANCE.

OWNER/ADDRESS:
BERRY, EDWARD C & Norma J.
342 SASSAFRAS RD.

TAX ACCT# - 15-15-270070

ZONING: DR 3.5 NE I-I
ED: 15, CD: 15
LOT SIZE: 21,000 ±

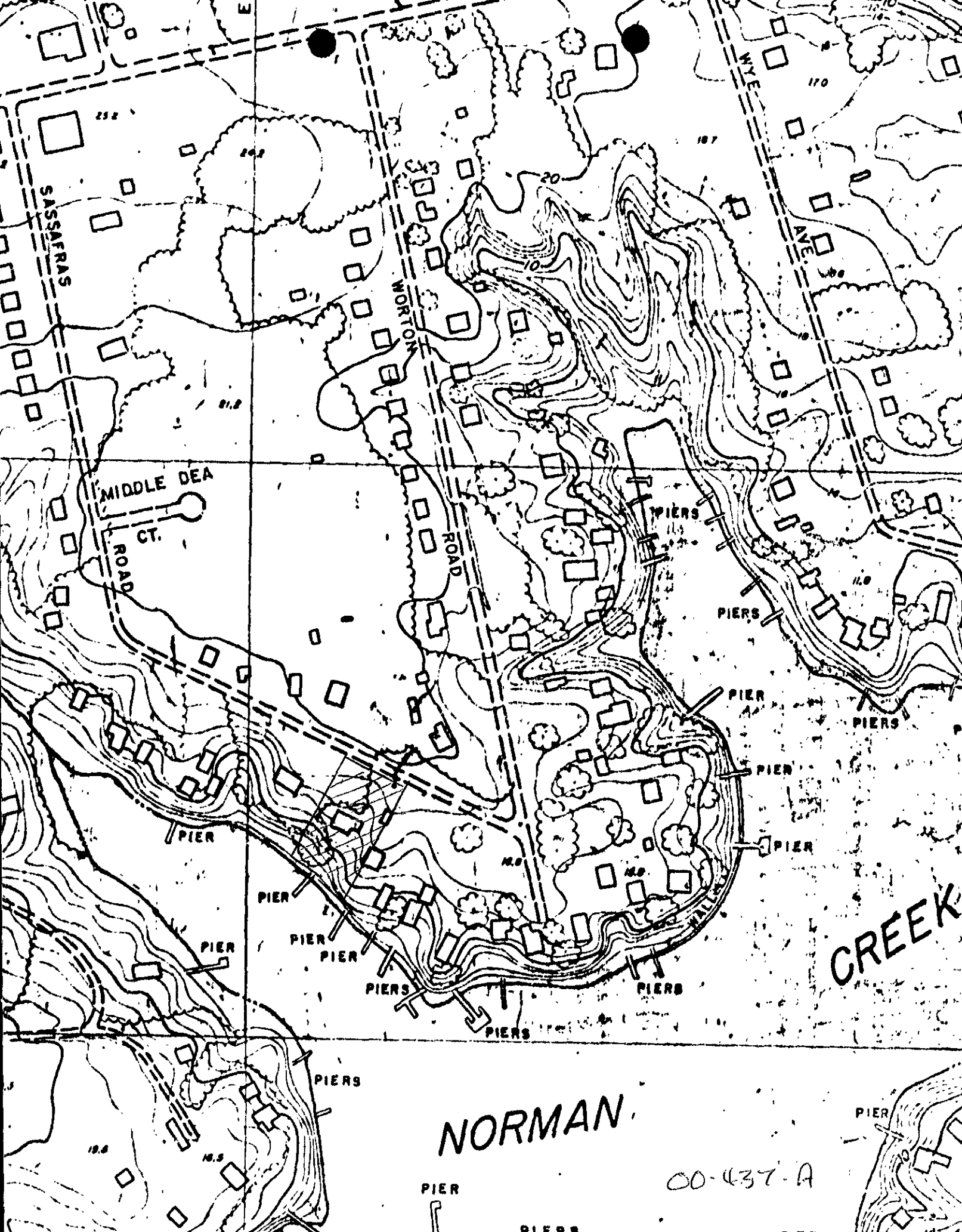
SCALE 1" = 40'

20 LOTS 123 & 124, PLAT OF THE PROPERTY OF MIDDLEBOROUGH LAND CORPORATION OF BALTIMORE COUNTY, PLAT BOOK 1475, No. 4, FOLIO 191

VICINITY MAP N.T.S.



MIDDLEBOROUGH RD



NORMAN

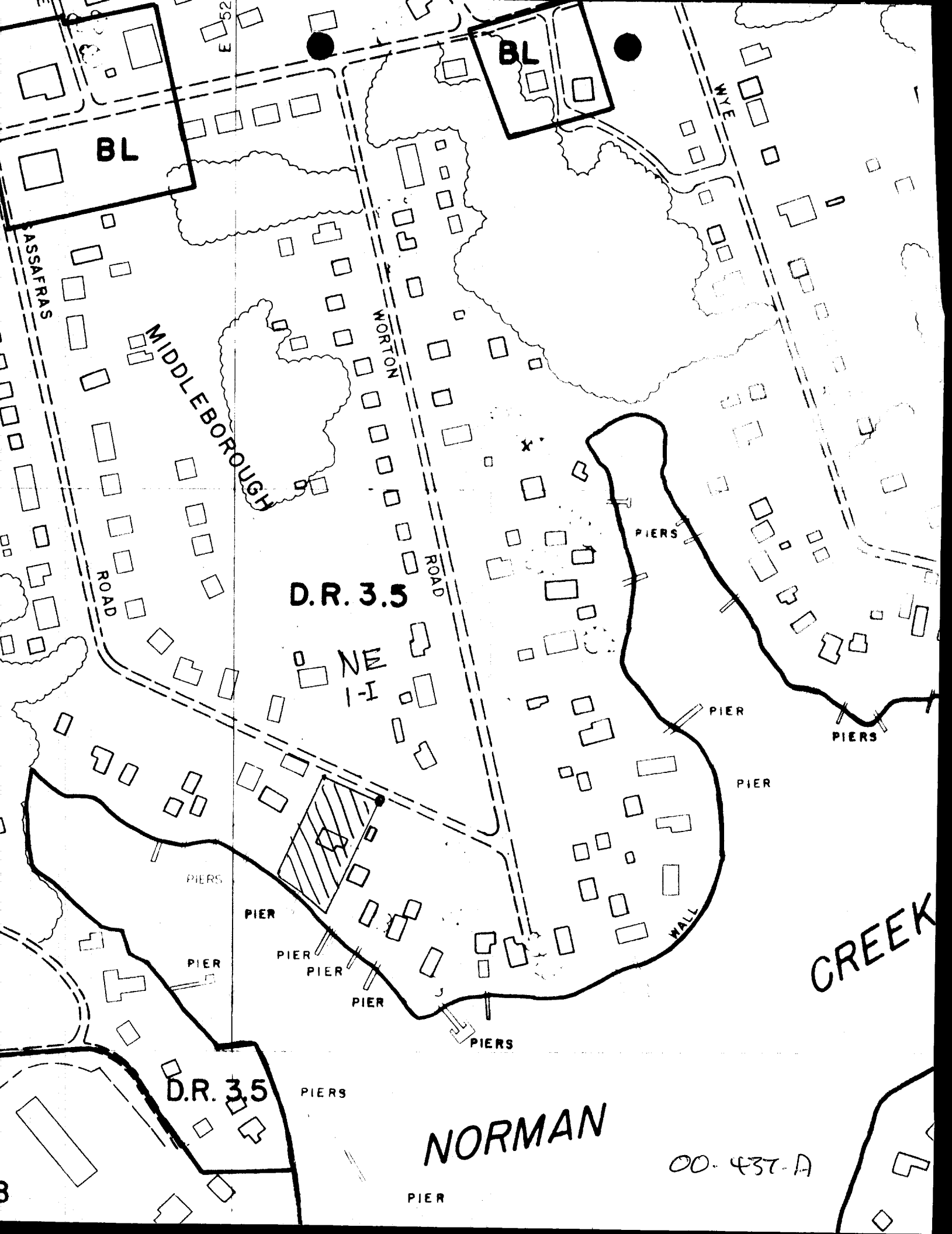
00-437-A



Pct Ex 2



00-437-A



BL

BL

SASSAFRAS

MIDDLEBOROUGH

WORTON

ROAD

ROAD

D.R. 3.5

NE
1-1

PIERS

PIER

PIERS

PIER

PIERS

PIER

PIER

PIER

PIER

PIER

PIERS

WALL

CREEK

D.R. 3.5

PIERS

NORMAN

PIER

00-437-A