

IN RE: PETITION FOR SPECIAL HEARING

S/S Blenheim Road, 1050' E
centerline Dance Hill Road
10th Election District
6th Councilmanic District
(3825 Blenheim Road)

Doris Menges Hardesty, Legal Owner
and Nicholas & Karen Trionfo,
Contract Purchasers
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 01-026-SPH

*

CASE NO. 01-027-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a special hearing request and variance request for property located at 3825 Blenheim Road. The petitions were filed by the legal owner of the subject property, Doris Menges Hardesty and the contract purchasers, Nicholas and Karen Trionfo. The first special hearing request is from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a home office as an accessory use which is not physically situated within the principal residence, but rather in an existing unattached building. The second special hearing request is to approve the continued use of 2 dwellings on a single lot. That particular special hearing request was withdrawn at the hearing. Finally, a variance is requested to permit a 0 ft. rear yard setback in lieu of the required 2 ½ ft. for an accessory building.

Appearing at the hearing on behalf of the special hearing and variance requests were Bruce Doak with Gerhold, Cross & Etzel, the firm who prepared the site plans of the property, Mr. and Mrs. Nicolas Trionfo, purchasers of the property, Scott Breza and Deborah Dopkin, attorneys at law representing the Petitioners. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 2.356 acres, more or less, zoned RC 4. The subject property is

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Date

9/18/00

By

J.R. Jamerson

situated on the south side of Blenheim Road east of Dance Mill Road in Phoenix. The property is improved with 3 separate buildings, all of which were dwellings up until the time of this hearing. The Trionfo's are interested in purchasing the entire property and utilizing the main 2 ½ story dwelling as their principal residence. They further intend to convert the other 2 dwellings on the property to accessory uses to their principal dwelling. They have no intention of continuing to utilize the other structures as living quarters. They will remove whatever facilities are necessary in order to convert the other structures to accessory uses.

As stated previously, the Petitioners originally requested a special hearing to approve 2 structures as residential dwellings as non-conforming uses. However, that particular request was withdrawn at the hearing, based on the agreements that have been reached between the Trionfo's and their adjacent neighbors. An agreement was submitted into evidence as Petitioners' Exhibit No. 3 and has been signed by many of the neighbors, as well as the contract purchasers herein. At this time, the plans of the Trionfo's are as follows. They intend to live in the 2 ½ story dwelling, will utilize the existing structure situated on the rear property line as a home office for Mr. Trionfo, and will utilize the third structure along the southern property line as a storage building. In order to accomplish these plans, the special hearing to allow the home office to be located within an accessory structure not attached to the principal dwelling is necessary. Furthermore, a variance for that structure to exist on the property line as it has for many years is also necessary.

Based on the agreements reached between the contract purchasers and the surrounding residents, as well as the testimony and evidence offered at the hearing, I find that the special hearing and variance should be granted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and their 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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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).

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of September, 2000, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a home office as an accessory use which is not physically situated within the principal residence, but rather in an

ORDER RECEIVED FOR FILING
Date 9/18/00
By R. J. Jenson



Baltimore County
Zoning Commissioner

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

September 15, 2000

Deborah Dopkin, Esquire
409 Washington Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case Nos. 01-026-SPH and 01-027-SPH
Property: 3825 Blenheim Road

Dear Ms. Dopkin:

Enclosed please find the decision rendered in the above-captioned cases. The Requests for Special Hearing and Variance have 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

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 Special Hearing

to the Zoning Commissioner of Baltimore County

3825 Blenheim Road
for the property located at Phoenix, Maryland 21131
which is presently zoned R6-4

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 Special Hearing under Section 600.7 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner should approve the continued use of two (2) dwellings on a single lot under Baltimore County Zoning Regulation 1A03 as a legal pre-existing, non-confirming use.

*withdrawn by
petitioner*

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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:

Nicholas Trionfo, Karen Trionfo

Name - Type or Print

Signature

4406 Sweet Air Road

Address

Phoenix, Maryland 21131

City

State

Telephone No.

Zip Code

Attorney For Petitioner:

Scott M. Breza, Esq.

Name - Type or Print

Signature

WARTZMAN, OMANSKY, ELIBALM,
SIMONS, CASSIN & SAGAL, P.A.

Company

105 W. Chesapeake Avenue

Address Suite 400

Towson, Maryland 21204

City

State

Telephone No.

Zip Code

Legal Owner(s):

Doris Menges Hardesty

Name - Type or Print

Signature

DORIS MENGES HARDESTY

Name - Type or Print

Signature

3825 Blenheim Road

Address

Phoenix, Maryland 21131

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Scott M. Breza

Name

105 W. Chesapeake Ave

Address

Towson

City

State

410823-0111

410337-0753

Telephone No.

21204

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

BH

Date

7/19/00

please combine with case 01-027-SPH

RECEIVED FOR
9/1/00
2000/9/1/00

JUL-13-2000 13:18

P.04



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3825 Blenheim Road, Phoenix, MD 21131
which is presently zoned RB-4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situated 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) 1403.4. B. 2. a to permit a 0 ft. rear setback in lieu of the required 25 ft. for 2 1/2 for

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

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:

Nicholas Trionfo, Karen Trionfo
Name - Type or Print
Nicholas Trionfo
Signature
4406 Sweet Air Road
Address
Baldwin, MD 21013
City State Zip Code
Telephone No.

Attorney For Petitioner:

Scott M. Breza, Esquire
Name - Type or Print
Scott M. Breza
Signature
WOBBS
Company
105 W. Chesapeake Ave 410.823.0111
Address
Towson, MD 21204
City State Zip Code
Telephone No.

Legal Owner(s):

Doris Menges Hardesty
Name - Type or Print
Doris Menges Hardesty
Signature
DORIS MENGES HARDESTY
Name - Type or Print

Signature
3825 Blenheim Road
Address
Phoenix, Maryland 21131
City State Zip Code
Telephone No.

Representative to be Contacted:

Scott M. Breza Esquire
Name
105 W Chesapeake Ave 410.823.0111 Day
Address
Towson, MD 21204
City State Zip Code
Telephone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 01-026-SPHA

UNAVAILABLE FOR HEARING

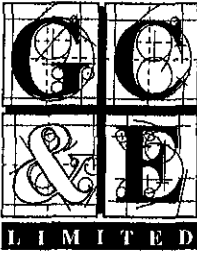
Reviewed By BA

Date 7/19/00

REV 8/15/98

TOTAL P.04

combine with case # 01-027-SPH



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

July 17, 2000

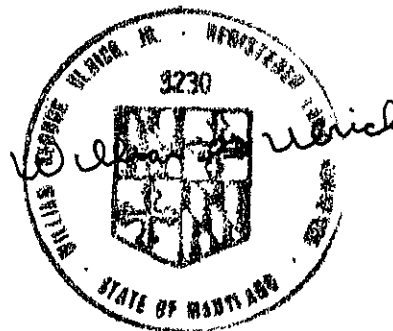
ZONING DESCRIPTION OF THE HARDESTY PROPERTY

Beginning for the same at a point measured southerly along a private driveway 270 feet more or less from the intersection of the center line of said driveway with the centerline of Blenheim Road, said intersection being measured northeasterly 1040 feet more or less from the centerline of Dance Mill Road and running thence and binding on the Northeast side of a private drive, (1) South 16 degrees 04 minutes 40 seconds East 222.20 feet, thence binding on the land of the here in petitioner the six following courses, viz: (2) South 5 degrees 51 minutes 38 seconds East 70.20 feet, (3) North 83 degrees 08 minutes 22 seconds East 133.42 feet, (4) South 68 degrees 06 minutes 30 seconds East 111.68 feet and (5) North 73 degrees 12 minutes 00 seconds East 112.38 feet, (6) North 11 degrees 06 minutes 53 seconds west 330.00 feet and (7) South 82 degrees 39 minutes 52 seconds West 351.90 feet to the place of beginning.

Containing 2.356 Acres of land, more or less.

Intending to be all of the Doris P. Menges Hardesty property as described in deed Liber S.M. No. 13301, folio 312 and Liber S.M. No.13301, folio 317

Note: This description satisfies zoning requirements only is not intended for conveyance purposes.



C:\My Documents\hardestyzoningdesc..doc

01-026-SPHA

#026

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083546

DATE 7/19/00 ACCOUNT Root 6150
AMOUNT \$ 100.00

RECEIVED FROM: Montgomery Community Bldg. Rm 412 P.A.

FOR: role 010 - variance
role 030 - Special Hearing

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 626

PAID RECEIPT

PAYMENT	ACTUAL	TIME
7/19/2000	7/19/2000	10:59:50
PES M003	CASHIER LMTL LOW	DRIVER
Dept	5	520 JONING VERIFICATION
Receipt #	190700	OPEN
CP NO.	083546	

Receipt Tot 100.00
100.00 OK .00 OK
Baltimore County, Maryland

01-026-SPHA

CASHIER'S VALIDATION

01-058-26HY

CERTIFICATE OF POSTING

**RE: CASE # 01-026-SPHA
PETITIONER/DEVELOPER
(Nicholas Trionfo)
DATE OF Hearing
(9-8-00)**

**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**

3825 Blenheim Road Phoenix, Maryland 21131_____

THE SIGN(S) WERE POSTED ON _____ 8-23-00 _____
(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: #01-026-SPHA

3825 Blenheim Road

S/S Blenheim Road, 1050 feet E of centerline Dance Hill Road

10th Election District -- 6th Councilmanic District

Legal Owner(s): Doris Menges Hardesty

Contract Purchaser: Nicholas and Karen Trionfo

Special Hearing: to approve the continued use of two dwellings on a single lot as, non-conforming use. **Variance:** to permit a zero foot rear setback in lieu of the required 25 feet.

Hearing: Friday, September 8, 2000 at 2:30 p.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.

8/25/ August 24

C414324

CERTIFICATE OF PUBLICATION

TOWSON, MD, 8/25/, 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 8/24/, 2000.

THE JEFFERSONIAN,

J. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
3825 Blenheim Road, S/S Blenheim Rd,
1050' E of c/l Dance Hill Rd
10th Election District, 6th Councilmanic

Legal Owner: Doris M. Hardesty
Contract Purchasers: Nicholas & Karen Trionfo
Petitioner(s)

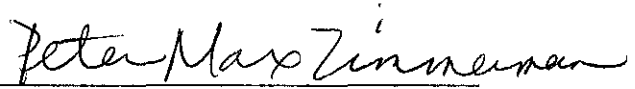
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. ~~01-26-SPHA~~

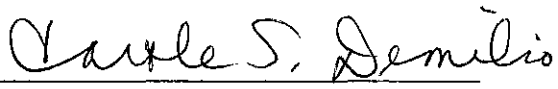
* * * * *

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.

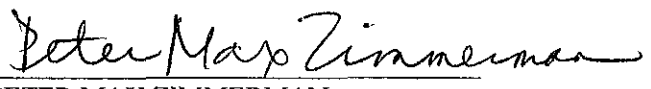
All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


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 1st day of August, 2000 a copy of the foregoing Entry of Appearance was mailed to Scott M. Breza, Esq., Wartzman, Omansky, Blibaum, 105 W. Chesapeake Avenue, Suite 400, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

ZONING NOTICE

Case # 01-026-SHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE *Rm 407 Con. T. 146 N. 10. 10. 10.*

TIME & DATE: 2:12 PM SEP 6 1964

[illegible]

3825 Blenheim 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

August 8, 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: 01-026-SPHA
3825 Blenheim Road
S/S Blenheim Road, 1050 feet E of centerline Dance Hill Road
10th Election District – 6th Councilmanic District
Legal Owner: Doris Menges Hardesty
Contract Purchaser: Nicholas and Karen Trionfo

Special Hearing to approve the continued use of two dwellings on a single lot as non-conforming use. Variance to permit a zero foot rear setback in lieu of the required 25 feet.

HEARING: Friday, September 8, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon". Below the signature, the initials "GDZ" are printed.

Arnold Jablon
Director

C: Scott Breza, Esquire, Wartzman, Omansky, Blibaum, Simons, Cassin & Sagal, P.A.,
105 W. Chesapeake Avenue, Suite 400, Towson 21204
Doris Menges Hardesty, 3825 Blenheim Road, Phoenix 21131
Nicholas & Karen Trionfo, 4406 Sweet Air Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 24, 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
August 24, 2000 Issue – Jeffersonian

Please forward billing to:

Scott Breza
105 W. Chesapeake Avenue
Towson, MD 21204

410-823-0111

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: 01-026-SPHA

3825 Blenheim Road

S/S Blenheim Road, 1050 feet E of centerline Dance Hill Road

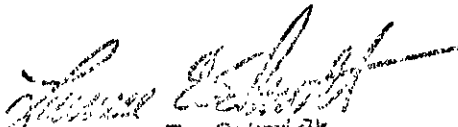
10th Election District – 6th Councilmanic District

Legal Owner: Doris Menges Hardesty

Contract Purchaser: Nicholas and Karen Trionfo

Special Hearing to approve the continued use of two dwellings on a single lot as, non-conforming use. Variance to permit a zero foot rear setback in lieu of the required 25 feet.

HEARING: Friday, September 8, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt
GDZ

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: 00-026-SPHA
Petitioner: Doris Hardesty, Nicholas & Karen Tricanto
Address or Location: 3825 Blenheim Road, Phoenix, MD 21131

PLEASE FORWARD ADVERTISING BILL TO:

Name: Scott Breza
Address: 105 West Chesapeake Avenue
Towson, MD 21204
Telephone Number: 410 823-0111

Revised 2/20/98 - SCJ

01-026-SPHA



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 2000

Scott Breza, Esquire
Wartzman, Omansky, Blibaum, Simons, Cassin & Sagal, P.A.
105 W. Chesapeake Avenue, Suite 400
Towson, MD 21204

Dear Mr. Breza:

RE: Case Number: 01-026 SPHA, 3825 Blenheim Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 19, 2000.

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

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Doris Menges Hardesty, 3825 Blenheim Road, Phoenix 21131
Nicholas & Karen Trionfo, 4406 Sweet Air Road, Phoenix 21131
People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 17, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 7, 2000
Item Nos. 022, 023, 024, 026, 027, 028
030, 031, 032, 033, 034, 035, 036

and

00-550-A, Revised 7/14/2000

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

August 8, 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 July 31, 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:

023, 026, 028, 030, 031, 032,

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: August 2, 2000

SUBJECT: Zoning Item #026
3825 Blenheim Road

Zoning Advisory Committee Meeting of July 31, 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.
- X 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).
- X Agricultural Preservation: If this petition is approved, it is recommended that the engineer submit a plan indicating the maximum building envelope that will comply with a 10% limitation on the building area. If approval is granted, include a condition to restrict all additional impervious uses to those areas as limited by the 10% coverage limit.

Reviewer: Wally Lippincott

Date: August 2, 2000

sent
9/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 14, 2000

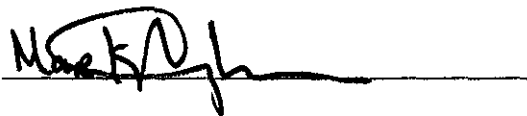
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-026 & 01-027

The Office of Planning has reviewed the above referenced case and has no comments to offer.

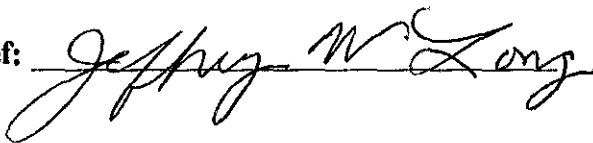
For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



AUG 17

Section Chief:



AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7-31-00

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

RE: Baltimore County
Item No. 026 BR

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,

 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

LAW OFFICES

WARTZMAN, OMANSKY, BLIBAUM,
SIMONS, CASSIN & SAGAL, P.A.

SAMUEL BLIBAUM
MICHAEL H. SIMONS
STUART L. SAGAL
HOWARD CASSIN
ALVIN J. FILBERT, JR.
DANIEL W. QUASNEY
SUSAN D. CAMPBELL
SCOTT M. BREZA

THE JEFFERSON BUILDING - SUITE 400
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

Telephone: 410-823-0111

Fax: 410-823-8032

Please address correspondence to:

P.O. Box 6724

Towson, Maryland 21285-6724

COUNSEL TO THE FIRM

PAUL WARTZMAN
JOSEPH H. OMANSKY

OF COUNSEL

STANLEY I. MORSTEIN
MINDA F. GOLDBERG
SUSAN M. WILKINS
JONATHAN VAN HOVEN

RONALD L. SCHREIBER
(1934-1980)

July 19, 2000

Ms. Sophia Jennings
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Violation Notice No.: 120349 -
Case Nos.: 01-026-SPHA
01-027-SPH
Address: 3825 Blenheim Road, Phoenix, MD 21131-2101

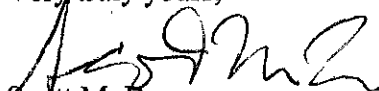
Dear Ms. Jennings:

I represent the property owner concerning the above referenced Notice of Violation and our petition for a special hearing and petition for a variance (Case No. 01-026-SPHA). In addition, the contract purchasers, represented by Debra Dopkin, have also submitted a petition for a special hearing (Case No. 01-027-SPH).

The owner and purchasers are requesting the three petitions be heard simultaneously (our petition for special hearing, our petition for variance and the purchasers petition for special hearing).

We are requesting an expedited hearing due to the unfortunate circumstances in this matter. The owner, Doris Hardesty, is an elderly lady with failing health who is selling her home to move in with her children. This delay in the sale of her home and the necessity of going through this process has been traumatic on her. In light of this, we are requesting an expedited hearing to resolve these issues. If you have any questions please do not hesitate to contact me.

Very truly yours,



Scott M. Breza

SMB/dak

dak\smb\68907.02\jennings, sephia 07-19-00.ltr

01-026-SPHA

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: August 8, 2000

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

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

SUBJECT: Item No.: 026
Legal Owner/Petitioner: Doris Menges Hardesty
Contract Purchaser: Nicolas & Karen Trionfo
Property Address: 3825 Blenheim Rd
Location Description: S/S Blenheim Rd., 1050 ft of centerline of Dance Hill Rd

VIOLATION INFORMATION: Case No.: 00-3069
Defendants: Doris Menges Hardesty

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
Donald Pfarr	3833 Blenheim Rd., Randallstown, MD 21131 MAILED COPY OF NOTICE OF HEARING 62 8-11

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)
- x 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- x 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)
- x 8. Photographs including dates taken
- x 9. Correction Notice/Code Violation Notice
- x 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).
- x 15. Other: Correspondence, Zoning Commissioner Policy Manual

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/co
C: Code Enforcement Officer

DE ENFORCEMENT REPO

1/10F

DATE: 5/12/2000 INTAKE BY: G.H. CASE #: 00-3069 INSPIC: 12

COMPLAINT LOCATION: 3325 Blenheim Rd

ZIP CODE: 21131 DIST:

COMPLAINANT NAME: Donald P. Farr PHONE #: (H) 410-593-5038 (W)

ADDRESS: 3833 Blenheim Rd ZIP CODE: 21131

PROBLEM: Property being illegally used for rentals home out buildings - stables

Selling For Sale Prudential - 27-3336

Owner: 410-8553 property manager Ted + Gale

OWNER/TENANT INFORMATION: E. Larry G. G. 410 592-2505

TAX ACCOUNT #: FOX 547-6695 ZONING:

INSPECTION: 5/15/00 - living -

pop 6/15/00 - 2nd RC 81 years old
Stuart Sagal - 410-823-0110 ext 115 - PO Box 6724
plot 5/22/00 - BW 21285-

REINSPECTION: 3 acres for RC 4 5/1-100 6724

record plot built 1953 - 823-8032

Client - ask

Green E. Seeman

PO Box 183

REINSPECTION:

Phoenix 21131
cc: Stuart Sagal

vacate
Special hearing

REINSPECTION:

33-37 years
35 years

12/25/00
7/20/01

faxed 5/30/02 -

CODE ENFORCEMENT REPORT

NCF

DATE: 5/12/2000 INTAKE BY: G.H. CASE #: 00-3069 INSPEC: 12

COMPLAINT
LOCATION:

3825 Blemheim Rd

ZIP CODE: 21131 DIST:

COMPLAINANT
NAME:

Donald Pfarr

PHONE #: (H) 410-592-5088 (W)

ADDRESS:

3833 Blemheim Rd

ZIP CODE: 21131

PROBLEM:

Property being illegally use for rentals

home out buildings - stables

Selling For Sale Prudential - 527-3336

Doreen H. 527-8533 property manager

OWNER/TENANT
INFORMATION:

Edison man

Larry Bainer

Ted + Gale

Mc Ginnity

410 592-2505

TAX ACCOUNT #:

ZONING:

INSPECTION:

5/15/00 - living -

5/16/00

zoned RCH. 81 years old

Strait Segel - 410-823-0110 ext 115

plot

AB

REINSPECTION:

6-15-00 SPOKE TO LAWYER MR. IREZA HE DOESN'T WANT

THE CERTION ISSUED NOW BUT WAIT FOR THE COMPLIANCE
DATE (SEE COMPUTER)

REINSPECTION:

REINSPECTION:

W/25C
zoned RCH

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Dr Rec: 5122000 Intake: Act: Case #: 00-3069

Inspector: JACOBSON, H Inspection Group: ENF Inspection Area: 12

Address: 3825 BLENHEIM RD Apt #: Zip: 21131

Problem Descript.: PROP BEING ILL USE FOR RENTALS;

Date of Reinspection: 8232000 Date Closed: Delete Code (X):

Insp./Hear. Notes: MRS EIBERMAN WANTS TO GO THRU OUR HEARING PROCESS, THEY DO NOT WANT TO ELIMINATE OR REMOVE THE TENANTS LIVING IN THE TWO HOUSES, PROPERTY BEING SOLD, MAIN HOUSE IN FRONT WILL BE LIVED IN BY OWNER, HOUSE CONNECTED TO BARN WILL BE LIVED IN BY BROTHER IN LAW, SINGLE HOUSE TURNED INTO OFFICE WHEN

V 01: NEW OWNER MOVES IN, PLANS TO	V 02: FILE FOR HEARING W/ZONING COMM
V 03: ISH, MRS EIBERMAN WANTS COPY	V 04: OF CITATION, MR BREZA DOESN'T
V 05: WANT CITATION PRIOR TO COMPLIA	V 06: NCE DATE ON THE VIOLATION NOTI
V 07: CE, C FRINK, CITATION ISSUED	V 08: HEARING 8/23/00 9:00 AM, KWOOD
V 09:	V 10:

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

RA1001B

DATE: 05/16/2000

STANDARD ASSESSMENT INQUIRY (1)

TIME: 15:50:33

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
10 13 040360	10	2-2	04-00	D	NO		04/25/00

HARDESTY DORIS P MENGES

DESC-1.. IMPS2.356 AC NES

DESC-2.. 5900 S GREENTREE RD

3825 BLENHEIM RD

PREMISE. 03825 BLENHEIM

RD
00000-0000

PHOENIX

MD 21131-2101 FORMER OWNER: MENGES HUBERT T

----- FCV -----		----- PHASED IN -----				
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	79,450	79,450		FCV	ASSESS	ASSESS
IMPV:	146,320	147,320	TOTAL..	226,436	90,570	90,440
TOTL:	225,770	226,770	PREF...	0	0	0
PREF:	0	0	CURT...	162,020	64,800	64,800
CURT:	163,980	162,020	EXEMPT.		0	0
DATE:	07/95	06/98				

---- TAXABLE BASIS ----		FM DATE
00/01 ASSESS:	90,570	03/03/99
99/00 ASSESS:	90,440	06/04/99
98/99 ASSESS:	90,300	06/05/98

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

RA1001B

DATE: 05/12/2000

STANDARD ASSESSMENT INQUIRY (1)

TIME: 10:23:18

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
10 13 040360	10	2-2	04-00	D	NO		04/25/00

HARDESTY DORIS P MENGES

DESC-1.. IMPS2.356 AC NES

DESC-2.. 5900 S GREENTREE RD

3825 BLENHEIM RD

PREMISE. 03825 BLENHEIM

RD

00000-0000

PHOENIX

MD 21131-2101 FORMER OWNER: MENGES HUBERT T

----- FCV -----		----- PHASED IN -----				
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	79,450	79,450		FCV	ASSESS	ASSESS
IMPV:	146,320	147,320	TOTAL..	226,436	90,570	90,440
TOTL:	225,770	226,770	PREF...	0	0	0
PREF:	0	0	CURT...	162,020	64,800	64,800
CURT:	163,980	162,020	EXEMPT.		0	0
DATE:	07/95	06/98				

----- TAXABLE BASIS -----		FM DATE
00/01 ASSESS:	90,570	03/03/99
99/00 ASSESS:	90,440	06/04/99
98/99 ASSESS:	90,300	06/05/98

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

TIME: 15:51:30 AUTOMATED PERMIT TRACKING SYSTEM PANEL BP1006M
DATE: 05/16/2000 PLUMBING DETAIL SCREEN 1 LAST UPDATE 04/07/2000
PDM 13:19:59

PERMIT #: P411240 SEWAGE DISPOSAL 2
JOE #: DRAWING #:

TYPE OF BUILDING: SFD OLD OR NEW (O OR N) 0
LOT #: BLOCK: SECTION: NUMBER OF
TOWN OR VICINITY: PHOENIX GAS METERS:

GAS PERMIT: RANGE: WATER FURNACE OTHERS SIZE OF
BTU: HEATER PIPE

SEWER LOC: DEPTH: LINEAL FEET OF
Y BRANCH DEPTH: HOUSE CONNECTION 000300

PRIVATE DISPOSAL:

REMARKS TLB...

PASSWORD:

ENTER - NEXT DETAIL PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 15:52:18 AUTOMATED PERMIT TRACKING SYSTEM PANEL BP1003M
DATE: 05/16/2000 GENERAL PERMIT APPLICATION DATA LAST UPDATE 04/18/2000
PDM 15:37:45

PERMIT #: P412442 PROPERTY ADDRESS
RECEIPT #: A405558 3825 BLENHEIM RD
SUBDIV:
XREF #: P412442 TAX ACCOUNT #: DISTRICT/PRECINCT 10 00
OWNERS INFORMATION (LAST, FIRST)
FEE: 43.00 NAME: HARDESTY, DORIS M
PAID: 43.00 ADDR:
PAID BY: APPL
DATES APPLICANT INFORMATION
APPLIED: 04/18/2000 NAME: THOMAS G HARRIS
ISSUED: 04/18/2000 COMPANY: HARRIS SEPTIC
OCCPNY: ADDR1: P O BOX 394
ADDR2: 21111
INSPECTOR: 10B PHONE #: 472-4613 LICENSE #: 5026
NOTES: TLM

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 15:52:21 AUTOMATED PERMIT TRACKING SYSTEM PANEL BP1006M
DATE: 05/16/2000 PLUMBING DETAIL SCREEN 1 LAST UPDATE 04/18/2000
PDM 15:35:51

PERMIT #: P412442 SEWAGE DISPOSAL 2
JOB #: DRAWING #:

TYPE OF BUILDING: SFD OLD OR NEW (O OR N) O
LOT #: BLOCK: SECTION: NUMBER OF
TOWN OR VICINITY: PHOENIX GAS METERS:
GAS PERMIT: RANGE: WATER FURNACE OTHERS SIZE OF
BTU: HEATER PIPE

SEWER LOC: DEPTH: LINEAL FEET OF
Y BRANCH DEPTH: HOUSE CONNECTION 000000
PRIVATE DISPOSAL:

REMARKS ...ILM
OK TO RECONSTRUCT PER R POWELL PASSWORD:

ENTER - NEXT DETAIL PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 15:51:25 AUTOMATED PERMIT TRACKING SYSTEM PANEL BP1003M
DATE: 05/16/2000 GENERAL PERMIT APPLICATION DATA LAST UPDATE 04/07/2000
PDM 13:19:24

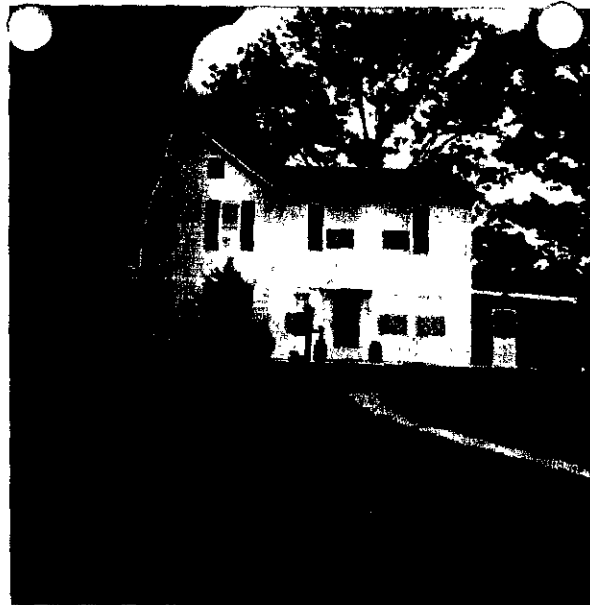
PERMIT #: P411240 PROPERTY ADDRESS
RECEIPT #: A405006 3825 BLENHEIM RD
SUBDIV:
XREF #: TAX ACCOUNT #: DISTRICT/PRECINCT 10 00
OWNERS INFORMATION (LAST, FIRST)
FEE: 43.00 NAME: HARDESTYM DORIS M
PAID: 43.00 ADDR:
PAID BY: APPL
DATES APPLICANT INFORMATION
APPLIED: 04/07/2000 NAME: THOMAS G HARRIS
ISSUED: 04/07/2000 COMPANY: HARRIS SEPTIC SYSTEMS
OCCPNY: ADDR1: PO BOX 394
ADDR2: BALTIMORE, MD 21111
INSPECTOR: 10B PHONE #: 410-472-4613 LICENSE #: 5026
NOTES: TLB

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY



WMA address HA
 43375 Red Coat Lane
 house in picture, no address



House in picture
 43375 Red Coat Lane



Tenant home 5 5 5
 1-2



Baltimore County
Department of Permits and
Development Management

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

Code Enforcement: 410-887-3351 Extension 7305
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.

120349

Case No.:

00-3069

Election District _____ Permit No. _____

Name(s) Doris P MENGES-HARDESTY

Address 3825 Blenheim Rd Phoenix, MD 21131-2101

Location of Violation (if different than address) _____

Vehicle License No. _____ Vehicle ID. _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ _____
§§ _____

Zoning Regulations:

§§ 404.2 polycymannual
§§ 1A03 (RC. 4 zone previously
zoned R Sc

Building Code (BOCA):

§§ _____
§§ _____

Liability Code (18-66):

§§ _____
§§ _____

Investment Property Act (7-66):

§§ _____

Electrical Code (NEC):

§§ _____

Plumbing Code (NSPC):

§§ _____

Dwelling (CABO):

§§ _____

Other: §§ _____

COMMENTS OR OTHER VIOLATIONS:

File for special hearing to allow 2 additional
dwellings on one lot, or remove or
discontinue use i.e. - converted barn to
dwelling and tenant house.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
6/30/00 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 6/1/00 INSPECTOR: Hope Jacobson

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

6/7/00

Scott Brea - spoke w/ him to explain in depth issues of the case. H8



Baltimore County
Department of Permits and
Development Management

voicemail

Code Enforcement: 410-887-3351 Extension 7305
Building Inspection: 410-887-3953

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

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
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Violation Notice No.

120349

Case No.:

00-3069

Election District _____ Permit No. _____

Name (s) Doris P MENGES-HARDESTY

Address 3825 Blenheim Rd Phoenix, MD 21131-2101

Location of Violation (if different than address) _____

Vehicle License No.: _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ _____
§§ _____

Zoning Regulations:

§§ 404.2 policy manual
§§ 1A03 (RC.4 zoning previolated
zoned R-5)

Building Code (BOCA):

§§ _____
§§ _____

Livability Code (18-66):

§§ _____
§§ _____

Investment Property Act (7-66):

§§ _____

Electrical Code (NEC):

§§ _____

Plumbing Code (NSPC):

§§ _____

Dwelling (CABO):

§§ _____

Other: §§ _____

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File for special hearing to allow 2 additional
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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.

Post-It* Fax Note	7671	Date	5/30/00	# of pages	2
To	Hurt Sagal	From	Hope Jacobson		
Co./Dept.		Co.	BAUT CO		
Phone #	410-823-0110	Phone #	410-887-3351		
Fax #	410-823-8032	Fax #	410-887-2824		

7/17/00 HJ

9:35 am

Left message on Scott Brea's
voicemail to ask him
about notation.

by
Frank



Baltimore County
Department of Permits and
Development Management

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

Code Enforcement: 410-887-3351, Extension 7305
Building Inspection: 410-887-3953
E-Mail: Pdmnforce@co.ba.md.us

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960
Pdminspect@co.ba.md.us

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

SERVE ON RESIDENT AGENT/CORPORATE OFFICER (IF APPLICABLE)

Citation/Case No.

00-3069

Name (s) Doris P. Menges
Address 3825 Benheim Rd Phoenix MD 21131-2101

Owner ☒ Occupant ☐ Other _____ Related Citations _____

Location and Date (s) of Violation: 6-1-00 thru 6-30-00

Vehicle License No.: _____ Vehicle ID: _____

IT IS FORMALLY CHARGED BY BALTIMORE COUNTY THAT THE ABOVE NAMED PERSON(S) DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS (CIRCLE RELEVANT ZONE BELOW, IF APPLICABLE):

1B01(DR)	1A01(RC2)	1A02(RC3)	1A03(RC4)	1A04(RC5)
200(RAE)	202(ROA)	204(RO)	205(OR1)	206(OR2)
207(O3)	210(SE)	216(BMM)	221(BMB)	229(CB)(BLR)
230(BL)	233(BM)	236(BR)	240(MR)	247(MLR)
253(ML)	256(MH)	properly zoned RC.4		

~~BC2 R~~ Sec. 1A03.3A The following is not permitted as a special exception in zone RC.4.

- 1) Failure to remove dwelling lot, or
- 2) multiple (additional) dwelling lot, or
- 3) 2) dwelling on a
- 4) Single family
- 5) discontinue use.
- 6) 2) failure to apply
- 7) for a special hearing.
- 8) for a special hearing.

* Zoning Commissioner's Policy Manual Sec. 404.2
(Unless otherwise noted, all references are to zoning regulations.)

IMPORTANT TO READ REVERSE FOR IMPORTANT INFORMATION AND DIRECTIONS AGENCY

NOTICE TO DEFENDANT

1) Pursuant to Section 1-8, Baltimore County Code, a penalty has been assessed as a result of the violation cited herein in the amount indicated.

\$ 10,400.00

If you do not contest this citation, you must pay this penalty by check or money order, payable to the director of finance, Baltimore County, Maryland, and return a copy of this citation with payment to

Director of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

2) If you contest this citation or proposed assessment of penalty, you must file a written request for a quasi-judicial hearing before the code official or designee within fifteen (15) days from the date of service of this citation. A quasi-judicial hearing has been pre-scheduled in Room 106 of the County Office Building for:

DATE 8/23/00
TIME 9 Am

At this hearing, you are entitled to be represented by an attorney, present witnesses and evidence and cross-examine any witnesses against you. An attorney can be helpful to you by: (a) explaining the charges in this citation, (b) helping you at trial, and (c) helping you to get a fair penalty if found in violation.

3) This pre-scheduled hearing will be canceled if you choose to pay the assessed penalty or if you fail to request the hearing in writing within the time required. Failure to contest the citation or proposed assessment of penalty, if any, by either not paying the penalty or by not requesting the quasi-judicial hearing shall result in the citation and its penalty becoming a non-appealable, final order of the code official. Failure to appear at the requested hearing will also result in the citation and civil penalty becoming a non-appealable, final order of the code official.

4) If you are the owner of the property, failure to pay the assessed penalty shall constitute a lien on the property and shall be collectible in the same manner and to the same extent as real estate taxes. In addition, failure to correct the violation(s) shall result in appropriate judicial action for enforcement, including civil contempt which could result in imprisonment.

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

Date

7/6/00

Inspector's Signature

Hope Jones

Citation must be served by:

7/21/00

Detach and send the completed form below to:

Director of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Citation Number:

00-3069

NOTICE OF INTENTION TO DEFEND

I hereby elect to stand trial before the code official or designee for the violation(s) charged in this citation.

Date

Defendant (Please Print Your Name and Sign)

Address

THIS DEED, made this 15th day of August, in the year 1967,
by ✓ROLAND C. BEST and ✓LILLIAN BEST, his wife, of Baltimore
County, State of Maryland.

WITNESSETH that for and in consideration of the sum of Ten
Dollars and other good and valuable consideration, the receipt
of which is hereby acknowledged, the said Roland C. Best and
Lillian Best, his wife, do hereby grant and convey unto ✓HUBERT
T. MENGES and ✓DORIS P. MENGES, his wife, of the aforesaid County
and State, all that certain lot or parcel of land situate in
the Tenth Election District of Baltimore County, and being more
particularly described as follows:

Beginning for the same at a point on the Southeast
side of a right of way secondly described in a deed
dated April 21, 1961 and recorded among the Land Records
of Baltimore County in Liber W.J.R. #3832, folio 512,
etc. was conveyed by Eugene R. Johnston and wife to
Roland C. Best and wife, said point of beginning being
in and distant 70.00 feet South 16 degrees 04 minutes
40 seconds East from the end of the fifth or North 16
degrees 04 minutes 40 seconds West 292.20 foot line of
that tract of land firstly described in aforesaid con-
veyance, thence binding on the said Southeast side of
said right of way with the use thereof in common with
others entitled thereto and running reversely with and
binding on part of said fifth line

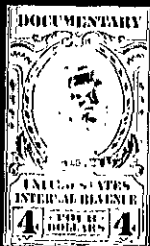
1. South 16 degrees 04 minutes 40 seconds East
222.20 feet, thence running reversely with and binding
on the fourth line and reversely with and binding on
part of the third line of the said tract of land first-
ly described in the aforesaid conveyance the two follow-
ing courses and distances:

2. South 68 degrees 06 minutes 30 seconds East
262.44 feet and

3. North 73 degrees 12 minutes 00 seconds East
112.38 feet, thence for a line of division to and bind-
ing on the Northeasternmost edge of the roof overhang
of an existing tack house located on the property here-
in described

4. North 11 degrees 06 minutes 53 seconds West
330.00 feet, thence for a line of division

5. South 82 degrees 39 minutes 52 seconds West
351.90 feet to the place of beginning, all as shown on
the plat attached hereto.



PAID 72 16 AUG 18

200.00 MSC

Pet Ex 2

Containing 2.356 acres of land more or less.
 Being part of that tract of land firstly described in a deed dated April 21, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. #3832, folio 512 etc. was conveyed by Eugene R. Johnston and wife to the grantors.

Together with the use in common of the area between the said existing tack house on the property herein described and the existing barn on the remainder of the Best property to the Northeast as a right of way between the owners of both properties as a means of ingress and egress to said tack house and barn.

Together with the right of use of the well on the adjoining property of the grantor for such period as permitted by Valley North, Inc., which corporation, however, reserves the right to discontinue the use of said well on 30 days notice to the grantees herein.

TOGETHER with the buildings and improvements thereon and the rights, roads, ways, waters, privileges and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said HUBERT T. MENGES and DORIS P. MENGES, his wife, as tenants by the entireties, their assigns, the survivor of them, and the heirs and assigns of such survivor, forever in fee simple.

AND the said grantors do hereby covenant to warrant specially the lands and premises herein described and intended to be conveyed, and to execute such other and further assurances thereof as may be necessary or requisite.

AS WITNESS our hands and seals.

Witness:

J. Wilmer Cronin
 J. Wilmer Cronin

Roland C. Best (SEAL)
 Roland C. Best

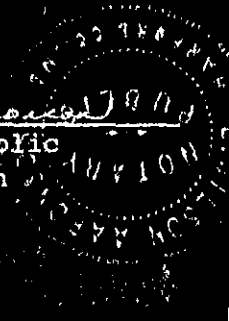
Lillian Best (SEAL)
 Lillian Best

STATE OF MARYLAND, COUNTY OF HARFORD, Sct.

I HEREBY CERTIFY, that on this 15th day of August, 1967,
before me, the subscriber, a Notary Public of the State of
Maryland, in and for Harford County, duly commissioned and
qualified, personally appeared ROLAND C. BEST and LILLIAN BEST,
his wife, and they each acknowledged the foregoing deed to be
their respective act and deed.

AS WITNESS my hand and Notarial Seal:


Notary Public
E. Wilson Aaronson



BLenheim

ROAD

S 62° 18' 00" W - 50.58'

BEHNER

BEGINNING

2.356 ACRES ±

EX. 2 1/2 STY.
FR. DWLG.

TACK
HOUSE

EX. BARN

NORTHEASTERNMOST EDGE
OF ROOF OVERHANG OF TACK
HOUSE ON LINE

N 73° 55' 20" E
20.00'

HUB SET

N 73° 12' 00" E
112.34'

1 PIPE SET

Rec'd for record AUG 18 1967 at 10¹⁵ ^{PM}

By Orville T. Cosnell, Clerk

Mailed to J. Wilmer Cronin

Receipt No. 134902 \$ 10⁰⁰

PROPERTY TO BE CONVEYED BY

ROLAND C. BEST & WIFE

10th ELECTION DIST., BALTIMORE CO., MD.

SCALE: 1" = 100'

AUGUST 3, 1967

OFFICE OF
CHARLES D. GRACE
LAND SURVEYING AND PLANNING
121 ALLEGHANY AVENUE
TOWSON, MD. 21204

Ref EX 3

AGREEMENT OF NEIGHBORS

Department of Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

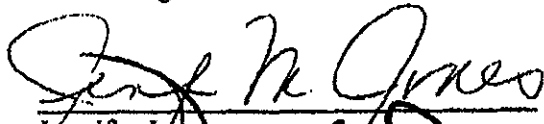
RE: Violation Notice No.: 120349 --
Case Nos.: 01-026-SPHA
01-027-SPH
Deed Reference: S.M. No. 13301 Folio 312
S.M. No. 13301 Folio 317
Address: 3825 Blenheim Road, Phoenix, MD 21131-2101

To Whom It May Concern:

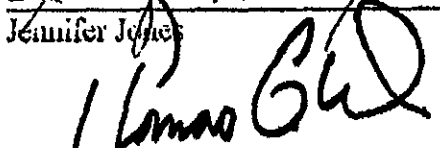
We, the undersigned, immediate adjoining neighbors of 3825 Blenheim Road, have been apprised of the Notice of Zoning Violation for the above referenced property. The Purchaser-Petitioners, Nicholas and Karen Trionfo, have met with us and represented the following:

1. That they intend to use the property as their primary residence;
2. That the two existing outbuildings will not be used as rental dwellings, and such use will terminate upon conveyance of the property to the Petitioners;
3. That the outbuildings will be used for only those purposes as permitted and limited by the Baltimore County Zoning Regulations;
4. Petitioners will use the barn as a home office and for other uses accessory to the principal dwelling.

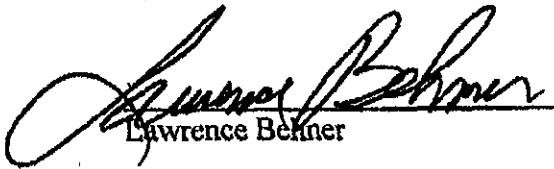
In consideration of the representations made by the Petitioners, the undersigned support the Petitions for Variances in the above captioned cases and agree not to appeal any approval of the Zoning Commissioner that includes the conditions and restrictions listed above.


Jennifer Jones

Stacey Baxter


Thomas Ward

Joan Ward


Lawrence Behner


Ann Behner

(signatures continued on following page)

Donald Pfarr

Marlene Pfarr

Yunsook Lee
Yunsook Lee

Su Cherl Lee
Su Cherl Lee

Nicholas Trionfo
Nicholas Trionfo

Karen Trionfo
Karen Trionfo

Edward McGinity
Edward McGinity

Jean McGinity
Jean McGinity

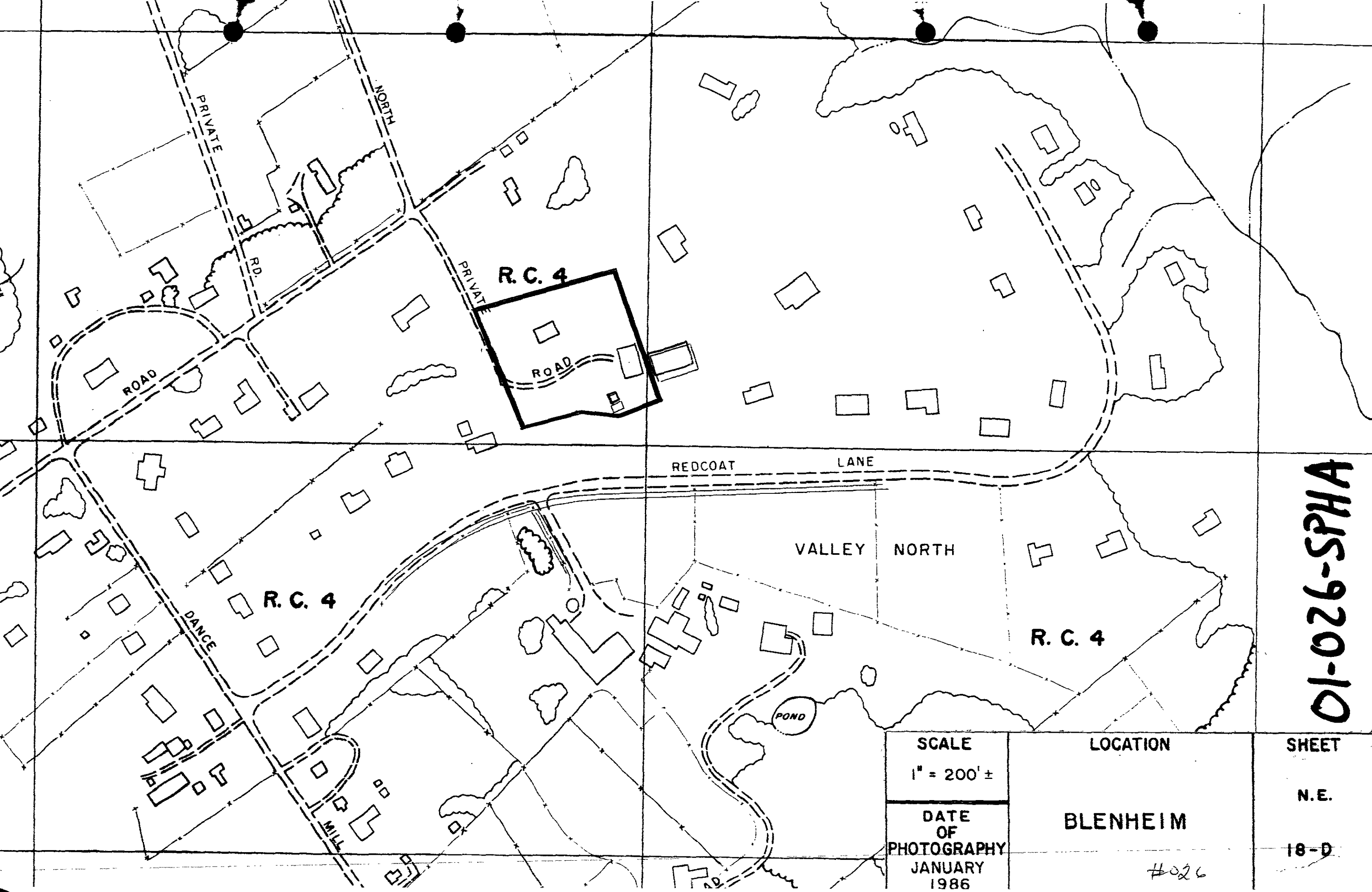
STATE OF MARYLAND, CITY/COUNTY OF _____, to wit:

I HEREBY CERTIFY that, on this _____ day of _____, 2000, before me, the subscriber, a Notary Public in and for the State and City/County aforesaid, personally appeared **STACEY BAXTER, THOMAS and JOAN WARD, LAWRENCE and ANN BEHNER, DONALD and MARLENE PFAR, YUNSOOK and SU CHERL LEE, JENNIFER JONES, NICHOLAS and KAREN TRIONFO, and EDWARD and JEAN McGINITY**, known to me, or satisfactorily proven, to be the persons whose names appear in the aforesaid instrument for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: _____



01-026-SPHA

SCALE 1" = 200' ±	LOCATION BLENHEIM	SHEET N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	#026	18-D

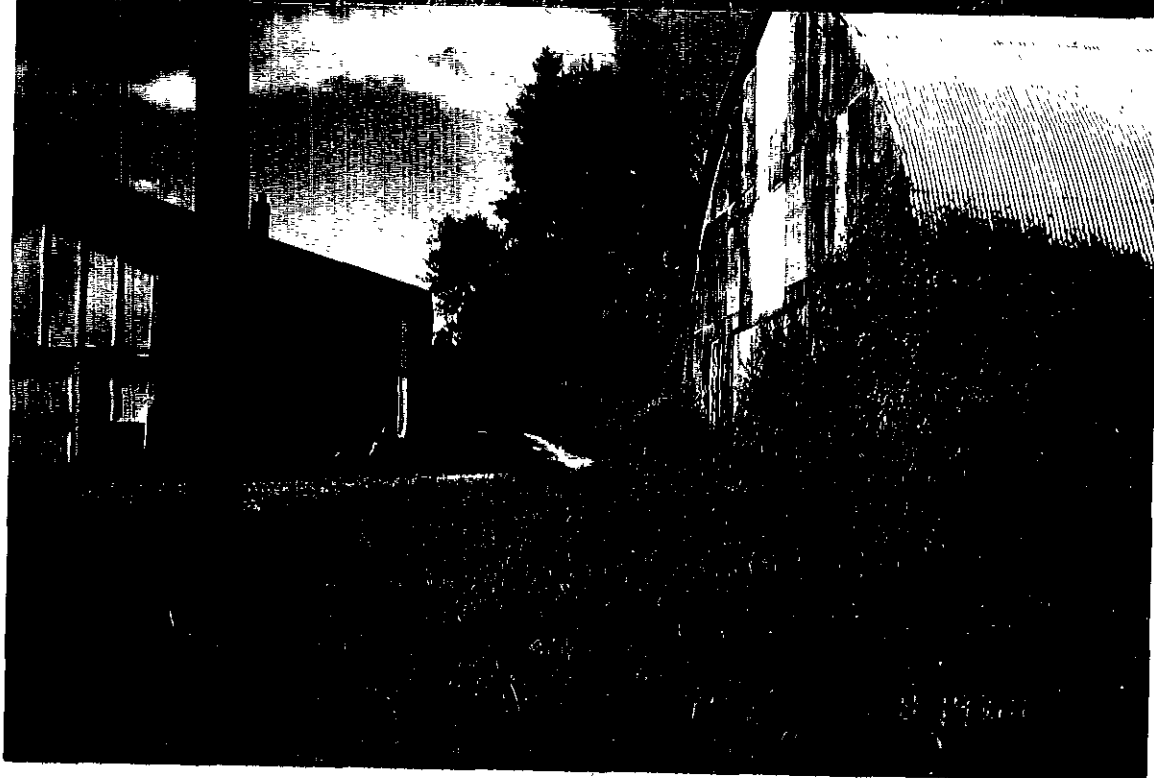
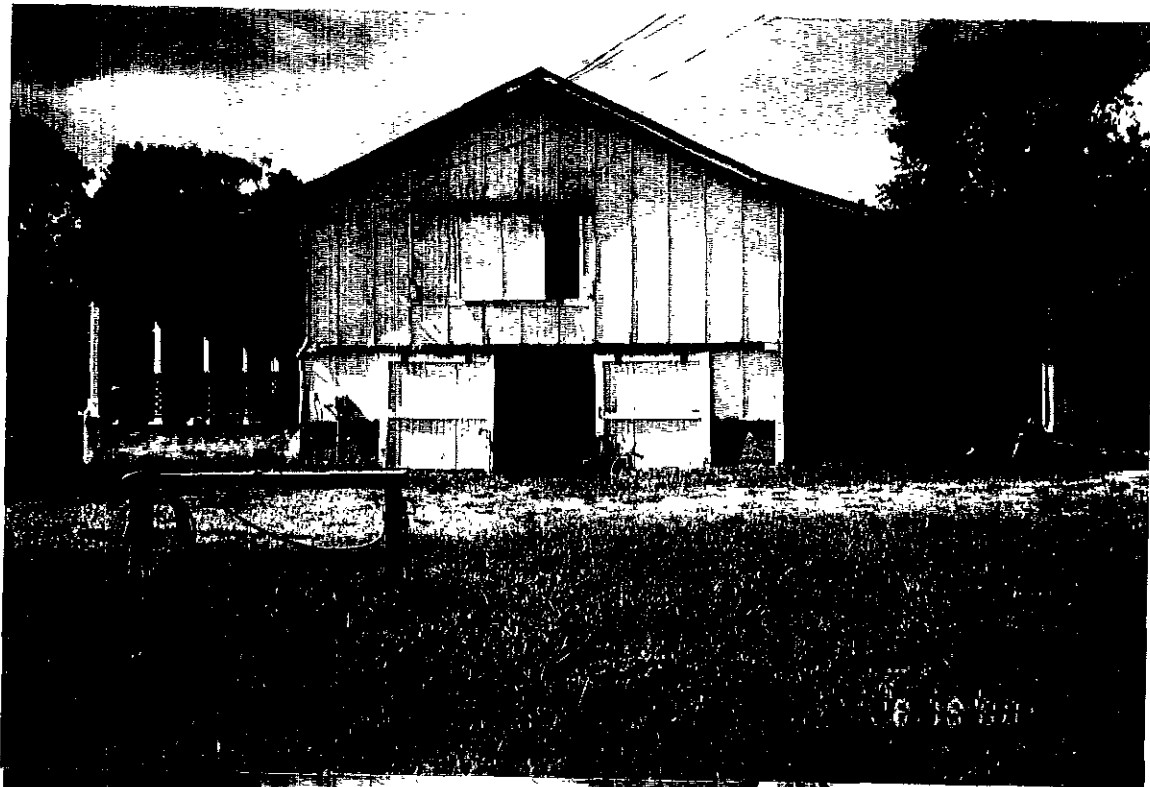


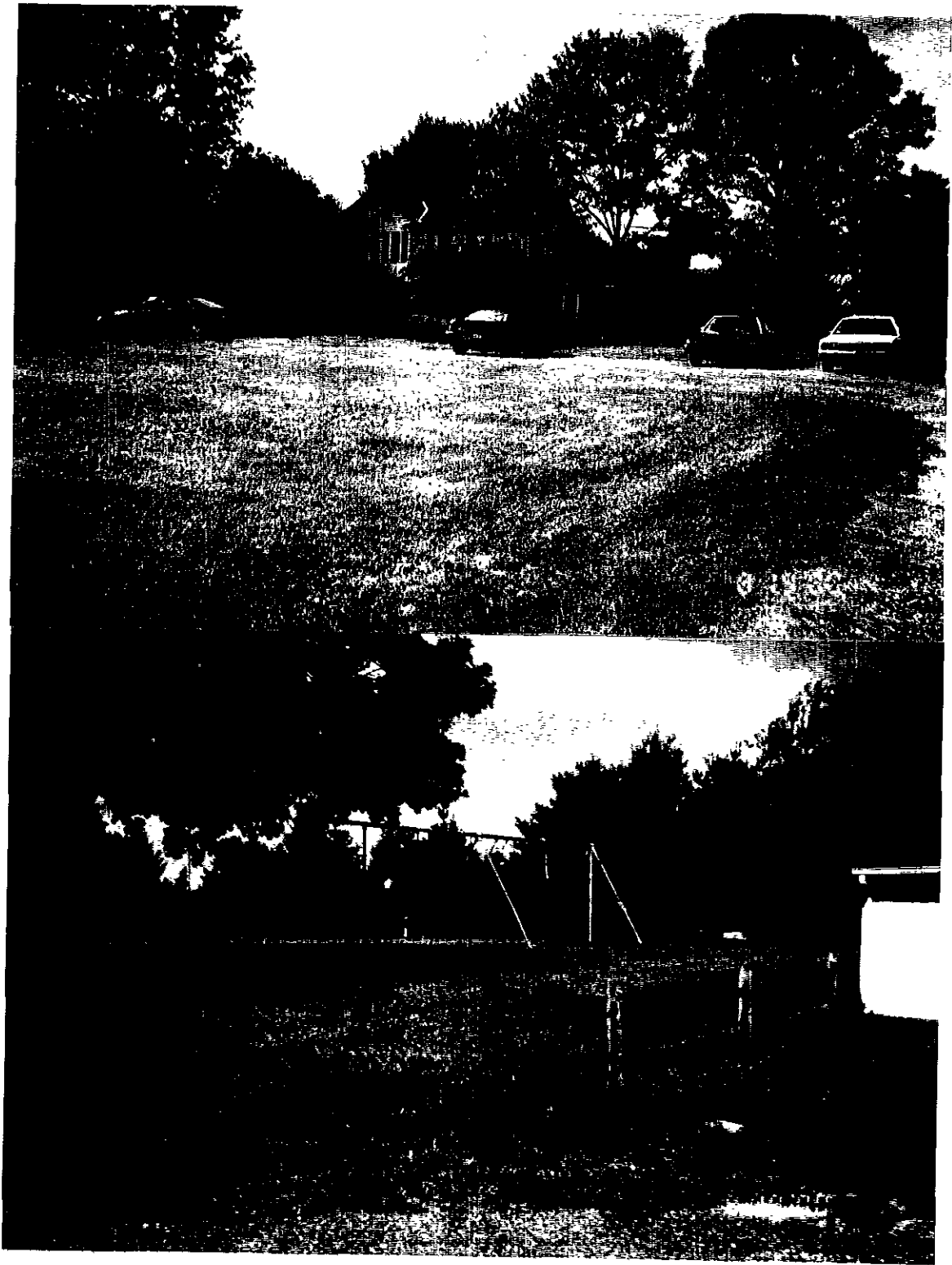
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

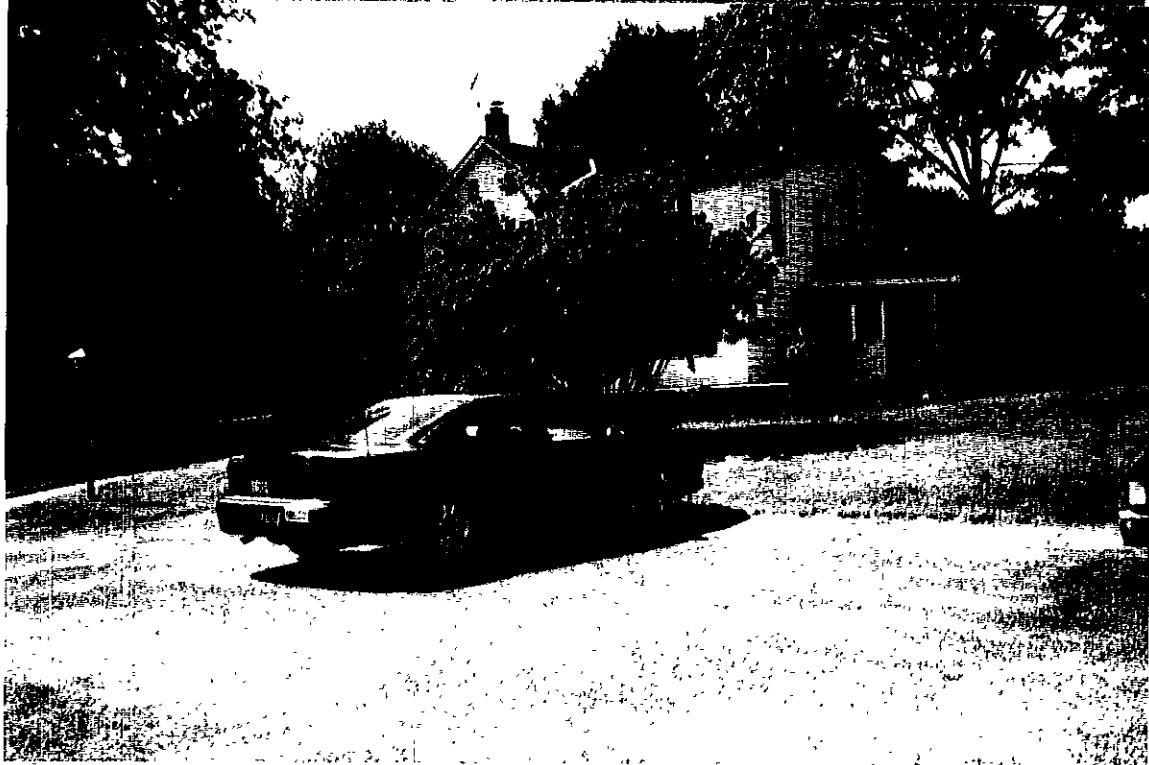
Photographs
#01-026-SPA
#01-027-SPA
Census 2000 ★





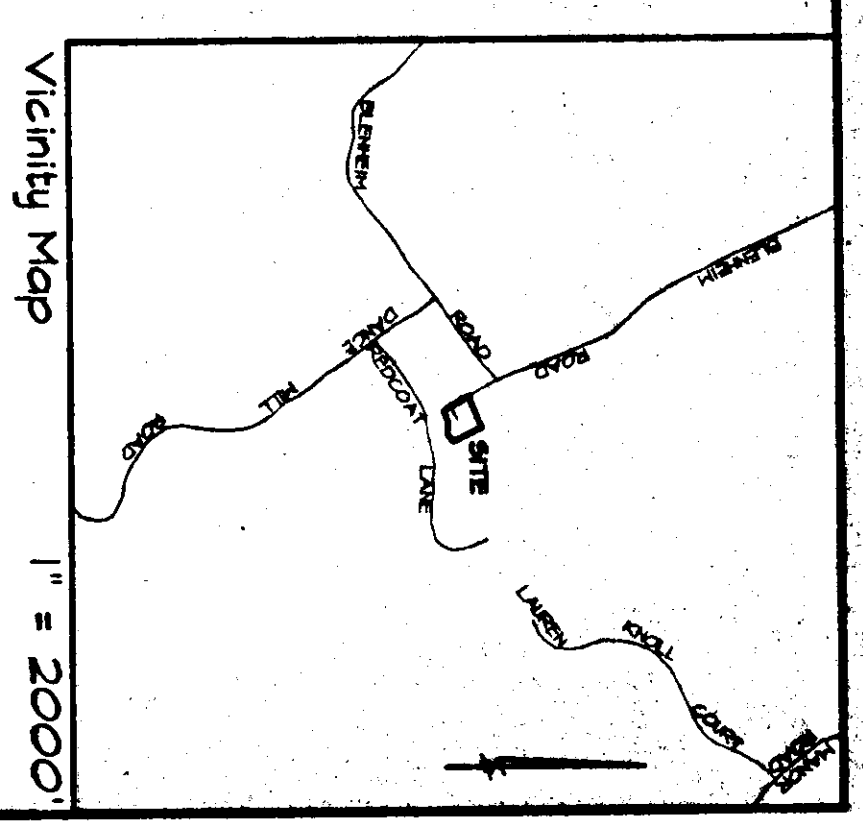
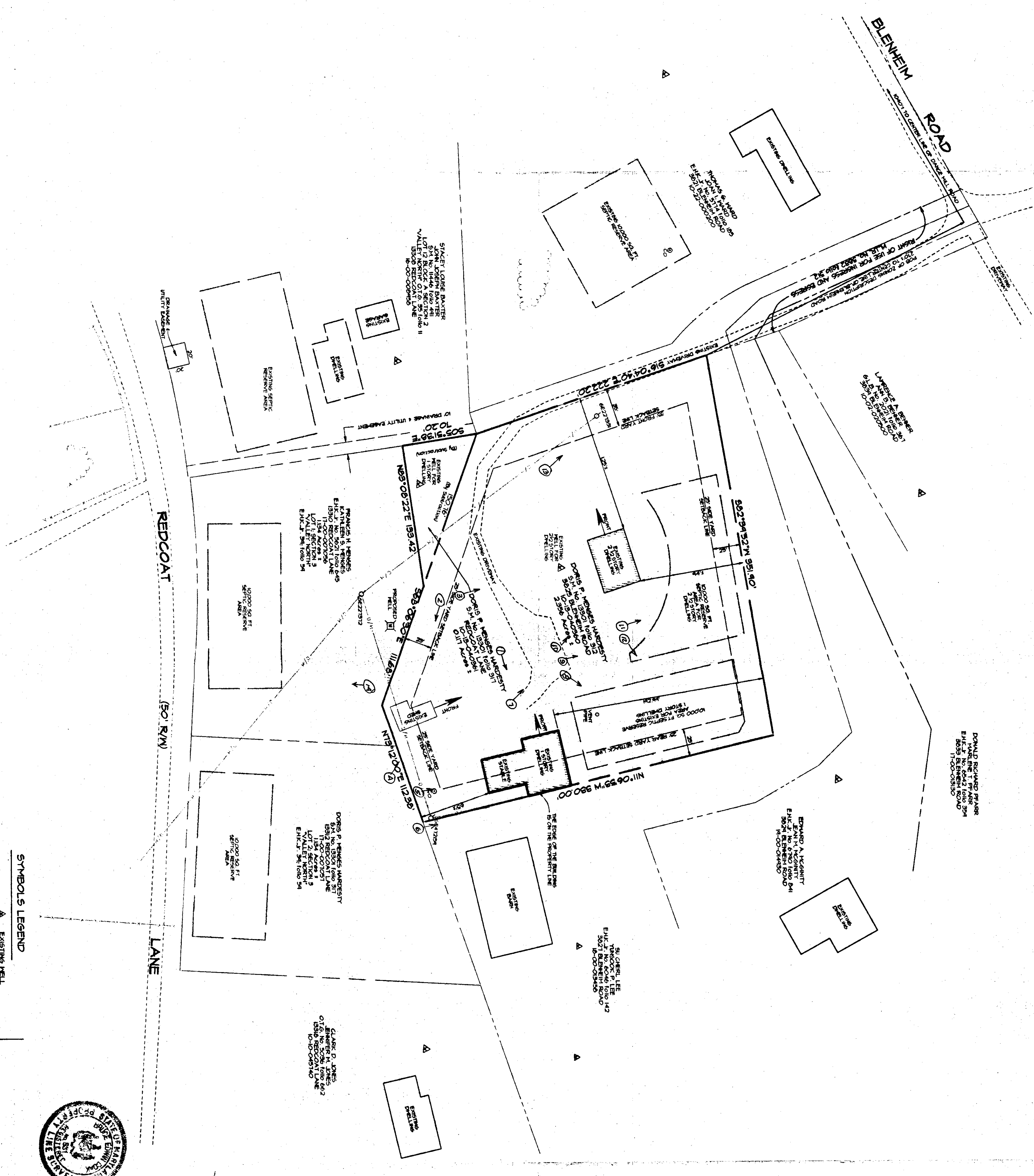
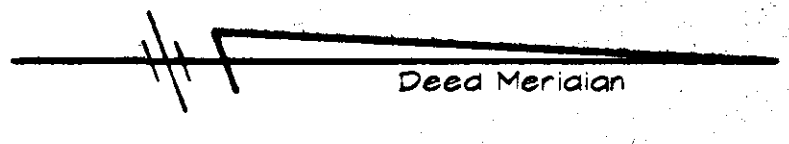












GENERAL NOTES

1. OWNER: DORIS P. HARDESTY, 3825 BLENHEIM ROAD, BALTIMORE, MD 21208
2. TAX ACCOUNT NO. 10-13-040360 AND 10-13-040361
3. TITLE DEED 1, LEBER S. M. 13501, FOLIO 312
4. TOTAL AREA: 2,250 ACRES
5. THE PROPERTY IS ZONED R.C. 4
6. 200' SCALE ZONING MAP NO. NE 18-A
7. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED
8. A BOUNDARY HAS NOT BEEN PERFORMED BY GERHOLD, CROSS & ETZEL, LTD.
9. A.D. MAP A, GRID 402, BALTIMORE CITY, MARYLAND
10. REGIONAL PLANNING DISTRICT 305
11. THIS SITE IS SERVED BY SEPTIC AND WELL
12. NO PRIOR ZONING CASES

PETITION FOR A SPECIAL HEARING

TO APPROVE THE CONTINUED USE OF 2 DWELLINGS ON A SINGLE LOT IN THE CITY OF BALTIMORE, MARYLAND, IN VIOLATION OF THE CITY ZONING REGULATIONS IN AS A LEGAL PRE-EXISTING NON-CONFORMING USE

PETITION FOR A VARIANCE

A 10' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' REAR YARD SETBACK UNDER BALTIMORE COUNTY ZONING REGULATION 1003.4.2.A.

Paul W. Heermann, Boardman

FOR A COMPANION A PETITION FOR A SPECIAL HEARING AND VARIANCE

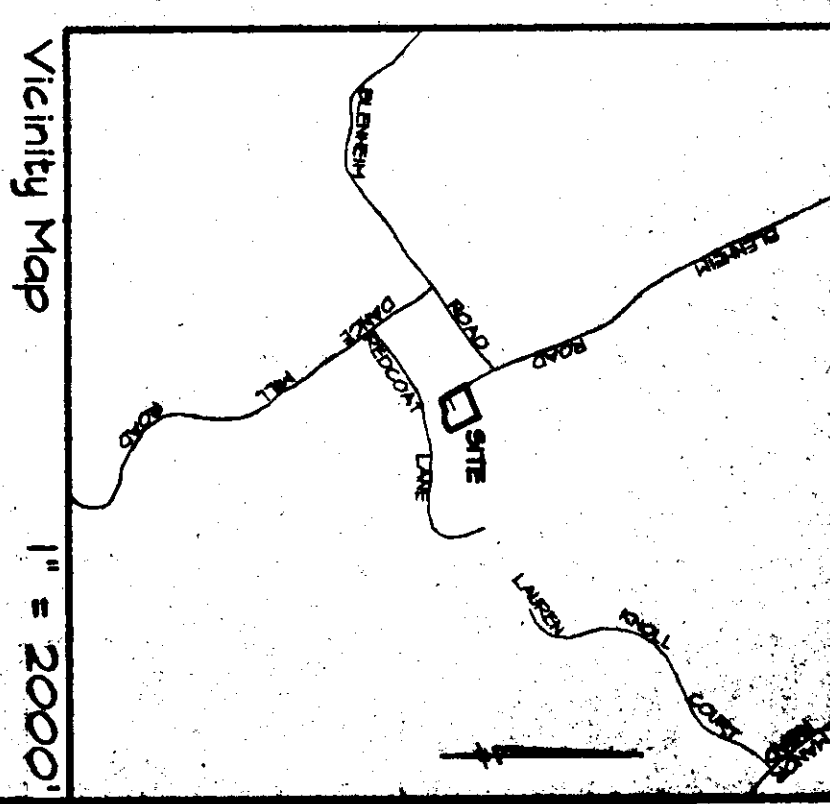
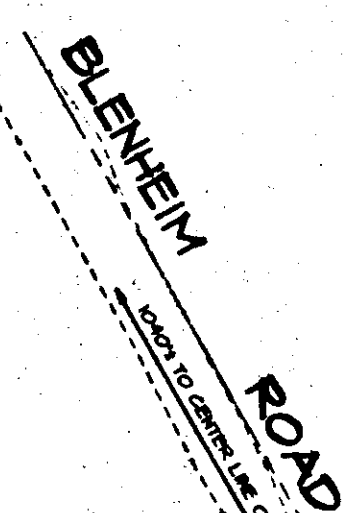
HARDESTY PROPERTY
3825 BLENHEIM ROAD
Deed Ref: S.M. No. 13501 Folio 312
Tax Account Nos.: 10-13-040360
10-13-040361
Zoned R.C. 4, Map No. NE 18-D
Tax Map 44, Grid 14, Parcel 302
10th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



Scale: 1" = 50'

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Tomsontown Boulevard
Tomsontown, Maryland 21286
(410) 823-4470

REVISION	DATE	TECHNICAL MAN	FILE NUMBER



1. OWNER, DORIS P. HENES HARVEST
3022 BLANCKEN ROAD
MARIETTA, GA 30067
(404) 171-8500
2. TAX ACCOUNT NAL-13-00-0360 AND 0-13-00-40361
3. TITLE DEED LIBER 5, M 1850, P 1410 312
4. TOTAL ACRES 2.4
5. THE PROPERTY IS ZONED R-2, 4.
6. 2007 SCALE ZONING MAP NO. 16-B-A
7. THE BOUNDARY SURVEY IS FROM THE TITLE DEED.
A BOUNDARY WAS NOT PERFORMED BY DONALD CROSBY & FETZER LTD.
1. GENERAL TRACT 4002
2. SAVED DISTRICT 56
3. REGIONAL PLANNING DISTRICT 20-C-3
4. THIS SITE IS SERVED BY SEPTIC AND WELL.
5. NO PRIOR ZONING CASES.

TO APPROVE THE USE AS ACCESSORY TO THE PRINCIPAL RESIDENCE
IN AN EXISTING UNATTACHED BUILDING.

A O' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' REAR YARD SETBACK UNDER BALTIMORE COUNTY ZONING REGULATION SECTION 400.

PLATO ACCOMPANY A PETITION
FOR A SPECIAL HEARING
AND VARIANCE
HARDESTY PROPERTY

3825 BLENHEIM ROAD
Deed Ref: S.M. No. 19301 Folio B12
S.M. No. 19301 Folio B17
Tax Account Nos.: 0-15-040360
0-15-040361
Zoned R.C. 4 Map No. NE 18-D
Tax Map 44, Grid 14; Parcel 302
10th ELECTION DISTRICT
6th CONG/COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

July 13, 2000

GERHOLD, CROSS & ETZEL, LTD
REGISTERED PROFESSIONAL LAND SURVEYORS

320 East Tomsontown Boulevard

Towson, Maryland 21286

DATE	TECHNICIAN, MEA, CRN & BD	FILE: X:\vordash\ZONES-11.prc
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LAW OFFICES

WARTZMAN, OMANSKY, BLIBAUM,
SIMONS, CASSIN & SAGAL, P.A.

SAMUEL BLIBAUM
MICHAEL H. SIMONS
STUART L. SAGAL
HOWARD CASSIN
ALVIN J. FILBERT, JR.
DANIEL W. QUASNEY
SUSAN D. CAMPBELL
SCOTT M. BREZA

THE JEFFERSON BUILDING - SUITE 400
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

Telephone: 410-823-0111
Fax: 410-823-8032

Please address correspondence to:
P.O. Box 6724
Towson, Maryland 21285-6724

COUNSEL TO THE FIRM
PAUL WARTZMAN
JOSEPH H. OMANSKY

OF COUNSEL

STANLEY I. MORSTEIN
MENDA F. GOLDBERG
SUSAN M. WILKENS
JONATHAN VAN HOVEN

RONALD L. SCHREIBER
1934-1988

July 3, 2000

Ms. Hope Jacobson
Code Enforcement Inspector
Department of Code Inspections
and Enforcement
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

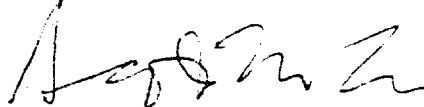
*Re: checked
for 7/12/50*

RE: Violation Notice No.: 120349 -- Case No.: 00-3069
Address: 3825 Blenheim Road, Phoenix, MD 21131-2101

Dear Ms. Jacobson:

Pursuant to our prior conversations concerning the above-referenced violation notice, I wish to advise that I have scheduled an appointment with the Zoning Department for July 12, 2000 at 9:00 a.m. concerning the violation notice received. We will be pursuing a special hearing concerning this notice. I greatly appreciate your cooperation in this regard, and, if you have any further questions, please do not hesitate to contact me.

Very truly yours,


Scott M. Breza

SMB/dak
dak'smb:68907.02\Jacobson.ltr



SECTION

404.2 ACCESSORY FARM STRUCTURES/USES

- A. Farm buildings or accessory farm buildings on property that meets the farm or farmette definition are subject to principal building setbacks of the zone in which they are located.
- B. Barns and other farm buildings will be permitted on property without a dwelling that meets the farm definition, but they must meet other principal building setbacks in D.R. zones and principal building setbacks in R.C. zones.
- C. When farms or parcels of land that meet the farm definition are reduced by subdivision, sale, or otherwise, all existing buildings or uses that will remain on the property must meet all provisions of the Baltimore County Zoning Regulations prior to zoning approval. Compliance may be obtained by, i.e. conversion to another use (meeting all applicable regulations), removal or discontinuance of the use, a re-justification of the farm uses that are to continue on a smaller scale including tenant houses which must be approved by the Baltimore County Agricultural Land Preservation Board (see form on Page 4-6.1), or a variance or special hearing before the Zoning Commissioner.
- D. See the following case: 86-506A

404.7 NURSERIES (TREE OR PLANT FARMS) & GREENHOUSES

- A. Nurseries (tree or plant farms) including greenhousing is permitted on a farm property that meets the zoning regulations and specifically meets the definition of a farm in Section 101 B.C.Z.R.; and
- B. Only trees, plants, bushes, flowers, vegetables, and other items grown on the property, may be sold retail or wholesale on the property, provided:
 - (1) that all items available for sale on the property actually be grown, cultivated, or maintained on the farm as a product of the farm;
 - (2) if seeds, seedlings, immature plants or trees are delivered to the farm, they cannot be available for sale until they have been grown, cultivated, propagated, or maintained as a product of the farm.
Any plants/trees, except annuals shall receive a minimum of six weeks of cultivation procedures prior to sale. In general, the following guidelines should apply: plants, such as trees, fruit trees, roses, azalea, evergreens, etc. should receive a minimum of 12 months cultivation; bushes and shrubs such as forsythia, spiria, bridal wreath, japonica, etc. a minimum of six months; house plants such as Swedish ivy, geranium, spider plant, etc., a minimum of six weeks (83-17V).
 - (3) as a farm use, it shall be illegal to have any item delivered to the farm for the purpose of resale without first being grown or produced on that particular farm.
 - (4) that the only equipment allowed on the farm property is that needed purely for the farm operation as for

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

100-026-SPH

NAME

ADDRESS

BRUCE E. DOAK - GERHOLD, CROSS & EVERS, LTD. 320 E. TOWNSHIP BLVD TOWSON, MD 21286

MR. & MRS. Nicholas TRIONTO 4406 Sweet Air Pt. Baldwin MD 21013

Scott Breza

105 W Chesapeake Ave suite 400

Deborah Dopkin

Towson, MD 21204

→ 409 Washington Ave 21204

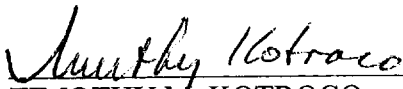


existing unattached building, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The agreement entered into between the Trionfo's and adjacent property owners, submitted into evidence as Petitioner's Exhibit No. 3, shall be incorporated into this Order and enforceable as if part of this Order.
2. The Petitioner shall be permitted to utilize the detached accessory structure as a home office for his business. However, he shall not in any way store any construction equipment or building materials anywhere on this property.
3. The Petitioner shall discontinue utilizing either of the accessory buildings as residential dwellings and shall take whatever steps are necessary to remove such facilities, so as to make those structures accessory to the principal dwelling on the property.

IT IS FURTHER ORDERED that the variance requested to permit a 0 ft. rear yard setback in lieu of the required 2 ½ ft. for an accessory building, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
9/18/00
R. Jameson