

IN RE: PETITION FOR VARIANCE
E/S Shady Spring Avenue, 1750' N of
the c/l Kenwood Avenue
(5828 Shady Spring Avenue)
14th Election District
6th Council District

Walter M. Kraska, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-517-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Walter M. Kraska, Jr., and his wife, Maria Robin Kraska. The Petitioners request relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an 8' x 8' shed in the side yard of the subject property in lieu of the required rear yard. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

This matter was originally scheduled for a public hearing on August 3, 2001. At that time, Mr. & Mrs. Kraska appeared; however, the matter was continued to August 28, 2001. Mrs. Kraska appeared at the continued hearing. There were no Protestants or other interested persons present on either hearing date. However, it is to be noted that the Petition was filed as the result of a complaint registered by an adjacent property owner, Gregory Reina, with the Code Enforcement Division of the Department of Permits and Development Management (DPDM), relative to the location of the subject shed. The Petitioners were subsequently advised to file the instant Petition to resolve the matter.

Testimony and evidence presented revealed that the subject property is a triangular shaped parcel located on the east side of Shady Spring Avenue, not far from Kenwood Avenue in Rosedale. The property consists of a gross area of 0.268 acres, more or less, zoned D.R.3.5 and is improved with a single family dwelling, and an 8' x 8' shed, which is the subject of the instant

ORDER RECEIVED FOR FILING
Date 9/12/01
By [Signature]

request. As shown on the plan, the property has narrow frontage on Shady Spring Avenue, and widens toward the rear of the lot. In addition, a forest conservation easement is located in the rear portion of the property, and a 24-foot access easement is located along the south side property line, adjacent to an unimproved roadway identified on the plan as Columbus Avenue.

In any event, the Petitioners apparently recently erected the subject shed in their (north) side yard, approximately 3 feet from that property line. Testimony indicated that the shed was needed to provide storage space for lawn and garden tools. Shortly thereafter, the adjacent property owner to the rear of the Petitioners' lot filed a complaint and the Petitioners subsequently filed the instant Petition. The reason behind the complaint is somewhat difficult to fathom in that the shed where located is actually located further away from the complaining neighbor's property than if it were located where required. In any event, variance relief is requested to legitimize the location of the shed.

In this regard, Mrs. Kraska testified that her lot is unique, by virtue of its unusual shape and the existence of the large forest conservation area in the rear yard, which cannot be disturbed. Further testimony indicated that the complaining neighbor was cited with a violation by the Department of Environmental Protection and Resource Management for removing a portion of the forest and trees from the conservation area. This has apparently strained relations between the neighbors. Mrs. Kraska indicated that the shed cannot be located in the rear yard because much of that area cannot be disturbed. The shed was located in the side yard because that portion of the lot is level. Moreover, the shed is located immediately adjacent to another neighbor's shed.

Based upon the testimony and evidence offered, I am persuaded to grant the variance. I find that the property is unique and that the Petitioners would suffer a practical difficulty if relief were denied. It is clear from the site plan and testimony presented that the shape and site constraints associated with this property are significant factors which justify the variance. In my judgment, the relief requested meets the spirit and intent of the zoning regulations and will not be detrimental to the health, safety or general welfare of the surrounding locale.

ORDER RECEIVED FOR FILING

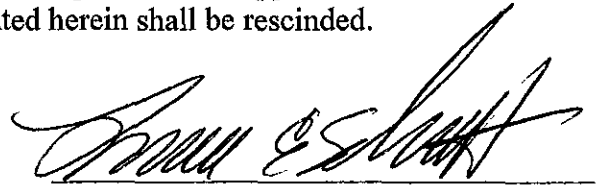
Date

By

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of September, 2001 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing 8' x 8' shed in the side yard of the subject property in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 9/14/01
By [Signature]



Baltimore County
Zoning Commissioner

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

September 14, 2001

Mr. & Mrs. Walter M. Kraska, Jr.
5828 Shady Spring Avenue
Baltimore, Maryland 21237

RE: PETITION FOR VARIANCE
E/S Shady Spring Avenue, 1750' N of the c/l Kenwood Avenue
(5828 Shady Spring Avenue)
14th Election District – 6th Council District
Walter M. Kraska, Jr., et ux - Petitioners
Case No. 01-517-A

Dear Mr. & Mrs. Kraska:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Gregory Reina
5832 Shady Spring Avenue, Rosedale, Md. 21237
Mr. & Mrs. Jackson, 5836 Shady Spring Avenue, Rosedale, Md. 21237
Code Enforcement Division, DPDM; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5828 Shady Spring Ave
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(BCZR)

To put an 8'x8' Shed on Side of property instead of ~~rear of property. Rear of property contains Forest Conservation with NO 35' Set Back.~~

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

TO BE DETERMINED AT HEARING

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

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 Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING
Reviewed By JL Date 06/08/01

Case No. 01-517-A

ORDER RECEIVED FOR FILING
Date 9/15/98
By [Signature]

Zoning Description

517

ZONING DESCRIPTION FOR 5828 SHADY SPRING AVENUE

Beginning at a point on the East side of Shady Spring Avenue which is ultimately 50 feet wide at A DISTANCE OF 1750 FT ± NORTH OF KENWOOD AVE. (P)

Being Lot #1, Block B recorded in the minor subdivision plat called "Shady Spring Avenue" as recorded in Baltimore County Plat Book #12793, Folio #697, containing 0.268 acres. Also known as 5828 Shady Spring Avenue and located in the 14th Election District, 6th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

#517 No.

1729

DATE 6/08/01 ACCOUNT 001 006 6150

AMOUNT \$ 50.00

RECEIVED FROM: KRASKA

FOR: RES VARIANCE FILING

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
6/08/2001 6/08/2001 10:03:18

REF: WS02 CASHIER SWA: SWAT DRAWER 2
RECEIPT # 176577 OFLN

Debt: 5 528 ZONING VERIFICATION
CR NO. 001729

Recpt Tot: 50.00
50.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARINGS**

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 # 11-517-A
5828 Steady Spring Avenue
E/S Steady Spring Avenue
1750'-N N Kenwood Avenue

14th Election District
3rd Councilmanic District
Legal Owner(s): Maria R. & Walter M. Kraska Jr.

Variance: to put an accessory building, 8' x 8' shed on side of property instead of rear of property.

Hearing: Friday, August 3, 2001 at 10:30 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.

7/18/99 July 19 C481622

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published

in the following weekly newspaper published in Baltimore County, Md.,

once in each of 1 successive weeks, the first publication appearing

on 7/19, 2001.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

J. McKinnon

LEGAL ADVERTISING

CERTIFICATE OF POSTING

8/28

RE: Case No.: 02-517-A

Petitioner/Developer: MARIA R +

WALTER M. KRASKA JR

Date of Hearing/Closing: August 3, 2001

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 5828 SHADY SPRING AVE

The sign(s) were posted on July 19, 2001
(Month, Day, Year)

Sincerely,

[Signature] 7/19/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

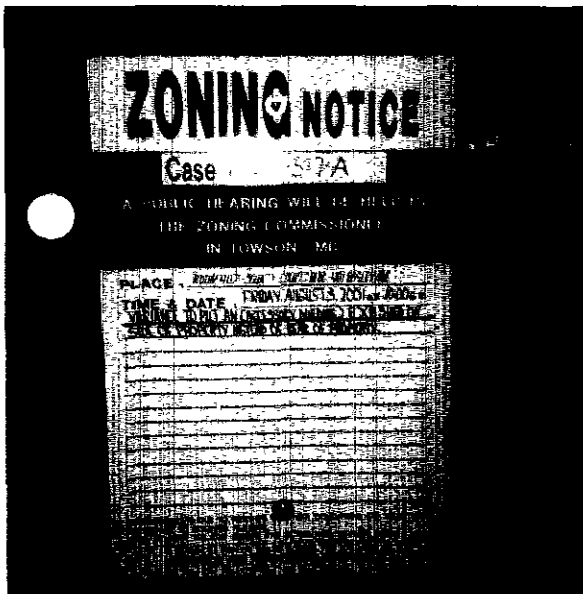
(Address)

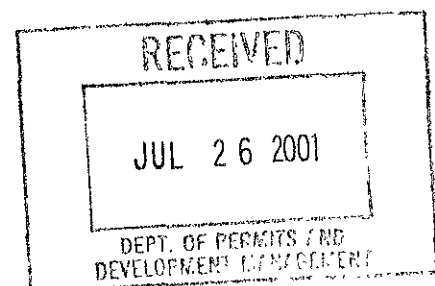
Bowling, Maryland 21208

(City, State, Zip Code)

(410) 782-1940

(Telephone Number)





CERTIFICATE OF POSTING

Date: 8/13/01

RE: Case Number 01-517-A

Petitioner: MARIA / WALTER KRASKA

Date of Hearing: _____

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 5828 SHADY SPRING AVE.

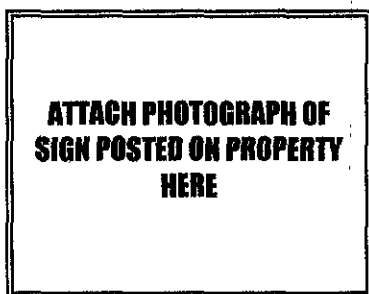
The sign(s) were posted on 8/13/01
(Month, Day, Year)

Gary C Freund
(Signature of Sign Poster)

Gary Freund
(Printed Name of Sign Poster)

Balto. Co. Code Enforcement
(Street Address of Sign Poster)

Towson, MD 21204
(City, State, Zip Code of Sign Poster)



**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: 01-517-A
Petitioner: KRASKA
Address or Location: 5828 SHADY SPRING AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robin Kraska
Address: 5828 Shady Spring Ave
Baltimore, MD 21237
Telephone Number: 410-866-6965

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 19, 2001 Issue – Jeffersonian

Please forward billing to:

Robin Kraska
5828 Shady Spring Avenue
Baltimore MD 21237

410 866-6965

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: 01-517-A

5828 Shady Spring Avenue

E/S Shady Spring Avenue, 1750' +/- N Kenwood Avenue

14th Election District – 3rd Councilmanic District

Legal Owners: Maria R & Walter M Kraska Jr

Variance to put an (accessory building) 8' x 8' shed on side of property instead of rear of property.

HEARING: Friday, August 3, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GJZ
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.



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

June 25, 2001

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: 01-517-A
5828 Shady Spring Avenue
E/S Shady Spring Avenue, 1750' +/- N Kenwood Avenue
14th Election District – 3rd Councilmanic District
Legal Owners: Maria R & Walter M Kraska Jr

Variance to put an (accessory building) 8' x 8' shed on side of property instead of rear of property.

HEARING: Friday, August 3, 2001 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".

Arnold Jablon GDZ
Director

C: Maria R & Walter M Kraska Jr, 5828 Shady Spring Avenue, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JULY 19, 2001.**
- (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.



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 3, 2001

NOTICE OF ZONING HEARING

Due to an error in the scheduling of this case, we had to reschedule again and there is no cost for the posting of the sign. 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: 01-517-A
5828 Shady Spring Avenue
E/S Shady Spring Avenue, 1750' +/- N Kenwood Avenue
14th Election District – 3rd Councilmanic District
Legal Owners: Maria R & Walter M Kraska Jr

Variance to put an (accessory building) 8' x 8' shed on side of property instead of rear of property.

HEARING: Tuesday, August 28, 2001 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon GDL
Director

C: Maria R & Walter M Kraska Jr, 5828 Shady Spring Avenue, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 13, 2001.**
- (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.





Baltimore County
Department of Permits and
Development Management

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

August 24, 2001

Maria R & Walter M Kraska Jr
5828 Shady Spring Avenue
Baltimore MD 21237

Dear Mr. & Mrs. Kraska:

RE: Case Number: 01-517-A, 5828 Shady Spring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 8, 2001.

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. GDR
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 18, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For July 2, 2001
Item Nos. 502, 503, 505, 506, 507, 508,
509, 510, 511, 512, 513, 516, 517, 519,
and 520

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

June 25, 2001

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 June 25, 2001

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:

502, 503, 504, 505, 508, 510, 511, 512, 513, 515, 516, 517,
518, and 519

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

cc: File

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



Printed with Soybean Ink
on Recycled Paper

Yes Jim 8/28

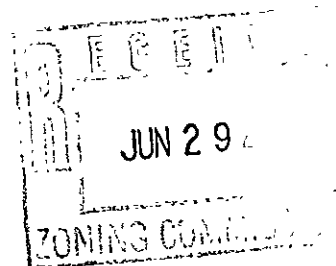
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 29, 2001

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



SUBJECT: Zoning Advisory Petition(s): Case(s) 01-496, 01-510, & 01-517

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 6.25.01

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

RE: Baltimore County
Item No. 517

JLL

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

RE: PETITION FOR VARIANCE
5828 Shady Spring Avenue, E/S Shady Spring
Ave, 1750' +/- N of Kenwood Ave
14th Election District, 3rd Councilmanic

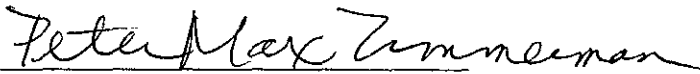
Legal Owner: Walter M. & Maria R. Kraska, Jr.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-517-A

* * * * *

ENTRY OF APPEARANCE

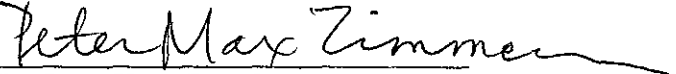
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation 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 13th day of July, 2001 a copy of the foregoing Entry of Appearance was mailed to Walter M. & Maria R. Kraska, Jr., 5828 Shady Spring Avenue, Baltimore, MD 21237, Petitioners.


PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: June 29, 2001

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

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

SUBJECT: Item No.: 517 (01-517-A)
Legal Owner/Petitioner: Maria R & Walter M Kraska Jr
Property Address: 5828 Shady Spring Avenue
Location Description: E/S Shady Spring Avenue, 1750' +/- N Kenwood Avenue

VIOLATION INFORMATION: **Case No.: 01-2564**
Defendants: Maria R. and Walter Kraska

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
Gregory Reina	5832 Shady Spring Avenue, Baltimore 21237

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:

- Complaint Intake Form/Code Enforcement Officer's report and notes
- State Tax Assessment printout
- Photographs including dates taken
- Correction Notice
- Citation

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/scj

c: Code Enforcement Officer Turner

CODE ENFORCEMENT REPO

00-8001

DATE: 05/15/01 INTAKE BY: HLL CASE #: 01-2564 INSPEC: 4

COMPLAINT
LOCATION:

5828 SHADYSPRING

ZIP CODE: 21237 DIST:

COMPLAINANT
NAME:

GREGORY REINA

PHONE #: (H) 410-966-9951 (W)

ADDRESS:

5832 SHADYSPRING AVE.

ZIP CODE: 21237

PROBLEM:

SHED ON SIDE OF HOUSE

IS THIS A RENTAL UNIT?

YES

NO

IF YES, IS THIS SECTION 8?

YES

NO

OWNER/TENANT
INFORMATION:

TAX ACCOUNT #:

1300002724

ZONING:

INSPECTION:

05/16/01 - I Found a Shed ON the Side
OF this property. Shed Need to be place
IN the rear area. Correction Notice was
Written. Complainant was called and updated
Copy of Section was Also Attach)
REINSPECTION: to Notice p/u 06/18/01

(Reinspection Date never pop up in the
Computer

REINSPECTION:

06/26/01 Shed is Still on the Side OF
OF this property. Citation was
Written Need to be served by

p/u 07/11/01

REINSPECTION:

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Dt Rec: 5152001 Intake: UNDERWOOD, H Act: Case #: 01-2564
Insp: TURNER, R Insp Grp: ENF Insp Area: 4 Tax Acct: 2300002724
Address: 5828 SHADY SPRING AVE Apt #: Zip: 21237
Problem Descript.: SHED ON SIDE OF HOUSE

Complainant Name (Last): REINA (First): GREGORY
Complainant Addr: 5832 SHADY SPRING AVE
Complainant City: State: Zip: 21237
Complainant Phone (H): 4108669951 (W):
Date of Reinspection: 7112001 Date Closed: Delete Code (P):

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Notes: **06/26/01 SHED IS STILL ON SIDE OF HOUSE. CITATION WAS WRITTEN. NEEDS
TO BE SERVED BY 7/11/01. COMPLAINANT WAS CALLED AND UPDATED. RT/JF**.

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

RA1001B

DATE: 05/14/2001 STANDARD ASSESSMENT INQUIRY (1)

TIME: 12:34:41

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
23 00 002724 14 3-2 04-00 H NO 01/08/01

KRASKA MARIA ROBIN DESC-1.. IMPS.268 AC PRT LTS 1,2

KRASKA WALTER M,JR DESC-2.. EAST KENWOOD PARK

5828 SHADY SPRING AVE PREMISE. 05828 SHADY SPRING AVE

00000-0000

BALTIMORE MD 21237-2024 FORMER OWNER: OSHEA CUSTOM CONTRACTING I

FCV			PHASED IN		
PRIOR	PROPOSED		CURR	CURR	PRIOR
			FCV	ASSESS	ASSESS
LAND: 37,660	37,660				
IMPV: 106,710	108,540	TOTAL..	145,590	145,590	57,990
TOTL: 144,370	146,200	PREF...	0	0	0
PREF: 0	0	CURT...	145,590	145,590	57,990
CURT: 144,370	146,200	EXEMPT.		0	0
DATE: 09/98	07/99				

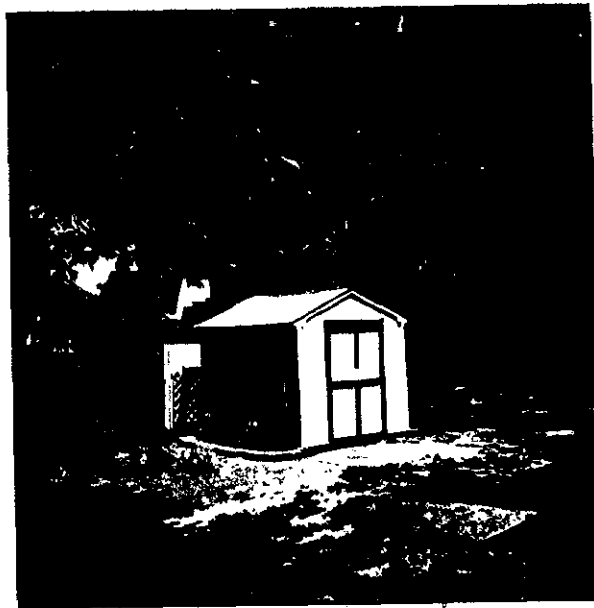
TAXABLE BASIS		FM DATE
01/02 ASSESS:	145,590	09/30/00
00/01 ASSESS:	57,990	06/01/00
99/00 ASSESS:	57,740	06/04/99

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

PHOTOGRAPHIC RECORD

Citation Case Number 01-2564

Date of Photographs 05/16/01



400-1

HEREBY CERTIFY that on the 2 photographs set out above and that these photographs
fairly and accurately depict the condition of the property that is the subject of the above-referenced
citation case number on the date set out above.

Ren Tun
Enforcement Officer



Baltimore County
Department of Permits and
Development Management

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

Code Enforcement: 410-887-3351 ✓
Building Inspection: 410-887-3953

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No.	Property No.	zoning:
01-2564	2300002724	D.R.5.5
Name(s):	Maria R. KRASKA Walter. KRASKA	
Address:	5828 Shady Spring Ave / Baltimore	
Violation Location:	Same MD 21237	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
Section - 400.1

Remove Shed From side of
property to rear of property.
IN NO case shall they be
Located less than 2 1/2 Feet From
and side or rear LOT-Lines.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before:	Date Issued:
06/18/01	05/16/01

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: Ron Turner

INSPECTOR: *Ken Turner*

STOP WORK NOTICE

PURSUANT TO INSPECTION 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.

Not Later Than:	Date Issued:

INSPECTOR: _____

AGE: 0Y



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Bu. 3
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351 ✓
Building Inspection: 410-887-3953

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION
SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Case No.	Property No.	Zoning:
01-2564	230000 2724	D.R.5.5
Name(s):	Maria R. Kraska Walter Kraska	
Address:	5828 Shady Spring Ave/ Baltimore	
Violation		
Location:	Same MD 21237	
Violation		
Dates:	5/16/01 Thru 6/18/01	

BALTIMORE COUNTY FORMALLY CHARGES THAT THE ABOVE-NAMED PERSON(S) DID
UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS:

Section - 400.1
Failure to Remove Shed From
Side of property.

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

\$ 6,000

A quasi-judicial hearing has been pre-scheduled in Room 116,
111 West Chesapeake Avenue, Towson, Maryland, for:

Date: 07/28/01

Time: 9:00 am

Citation must be served by:

Date: 7/11/01

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

Print Name: Ron Turner

Date: 06/26/01 Inspector's Signature: [Signature]

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name: Citation/Case No.:

Address:

Date: Defendant's Signature

AGENCY

Mr. & Mrs. Reina
5832 Shady Spring Avenue
Rosedale, Maryland 21237-2024
Home Phone 410-866-9951

8/27/01
wer
file

LS
8/28

August 26, 2001

Mr. Arnold Jablon
Director
P. D. M.
111 W. Chesapeake Ave.
Room 111
Towson, Md. 21204

CASE # 01-517-A,

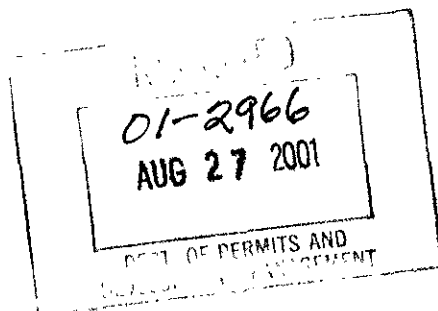
The property owners of 5832 Shady Spring Ave. feel the building variance for the property located at 5828 Shady Spring Ave. CASE # 01-517-A should be denied.

We were told by Baltimore County Code Enforcement that we were not allowed a shed located on the side of our house. Therefore, we feel all the property owners in this minor-subdivision should be forced to adhere to all Baltimore County codes without prejudice.

Sincerely,

Mr & Mrs Greg Reina

Mr & Mrs. Reina



Mr. & Mrs. Jackson
5836 Shady Spring Avenue
Rosedale, Maryland 21237-2024
Home Phone 410-866-3470

8/27/01
Feb
WCF

Les
8/28

August 26, 2001

Mr. Arnold Jablon
Director
P. D. M.
111 W. Chesapeake Ave.
Room 111
Towson, MD. 21204

CASE # 01-517-A

I'm writing to respond to the variance for the shed on the property located at 5828 Shady Spring Ave. CASE # 01-517-A.

I'm totally against the variance for several reasons. One being, myself and my neighbors whom also have sheds, had to obey the same county codes and had to have them located in the rear of their homes.

Secondly, if their the only one's allowed to do this, it takes away from the uniformity of the neighborhood.

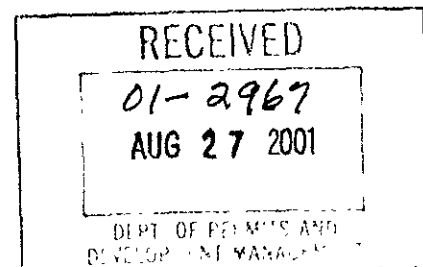
The County will be sending mixed signals that certain people do not have to obey county zoning codes.

The Krsska's have made it their business to make sure others follow County codes or they will have the county inspectors issue violations.

Sincerely:

Willie F. Jackson
Mrs. M. Jackson

Mr. & Mrs. Jackson
5836 Shady Spring Ave.
Rosedale, MD. 21237-2024



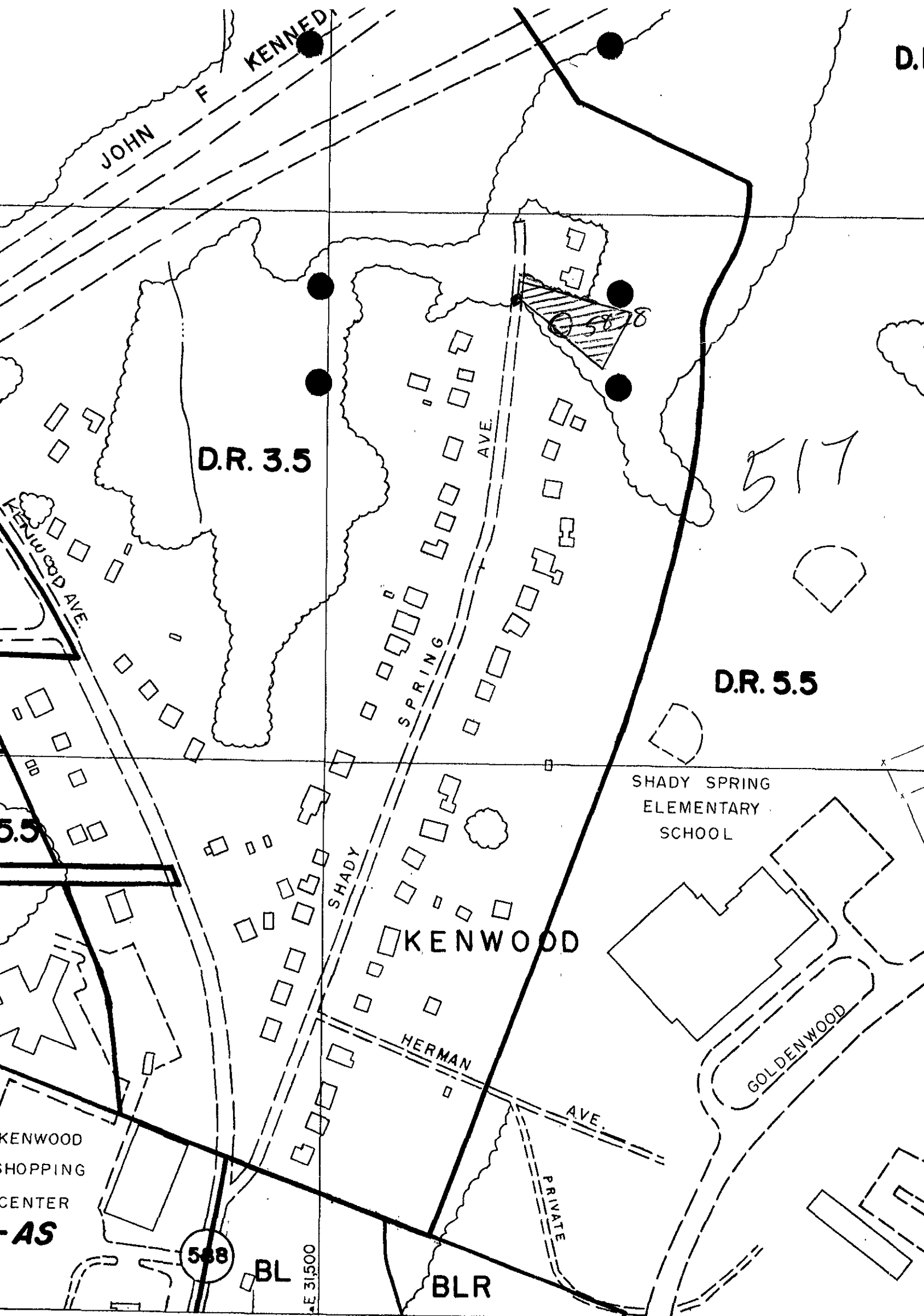
PETITIONER(S) SIGN-IN SHEET

01-517-A
8/3/01
10 AM

NAME	ADDRESS
Walter & Robin Kraska	5828 Gladys Spring Ave Balto, MD 21237



Printed with Soybean Ink
on Recycled Paper



2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000

Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Joseph Battaglia
Chairman, County Council

Northeast 5F

BALTIMORE
OFFICE OF
OFFICIALS

E ROAD 0.011 ACS.
"W 21.45'
"E 27.98'
"E 15.60'
"W 38.70'

EAST KENY.
W.P.C. 71
JOSEPH A. P.
JOSEPHINE PETE
5923/626
1413027870

TIMOTHY R MILLER
KAREN LEE DORSEY
8552/63
1412001550

FOREST
CONSERVATION
EASEMENT
0.32 ACRES

BOARD
BALTIMORE
E.H.K. J

4" CAP
BLOW

MAIL
BOX
TRASH
PAD

LOT 1
0.268 ACS. +/-
EASEMENT FOR
INGRESS, EGRESS
AND UTILITIES

LOT 2
0.358 ACS. +/-
LIMIT OF
DISTURBANCE

LOT 3
0.481 ACS. +/-

PROP. DWELL.
#5832

PROP. DWELL.
#5836

DR 5.5
OR 3.5

LAND
COMMISSION
BUS AVE
(IMPROVED)
30' R/W

HIGHWAY
WIDENING

N 30° 53' 00" W
PROP. 4" WATER SERVICE
PROP. 16' DRIVE

COLUMBUS AVENUE
(UNIMPROVED)

INSTALL 12"x4"
REDUCER AT
EXISTING CAP

SHADY SPRING

MARIE K SCHMIDT
JOHN WALZ, JR
MARIE K GUTERMUTH
11737/222
1412013360

ANTHONY PALATUCCI
MARGARET PALATUCCI
5329/593
1416004380

ALFRED V. CAROLYN
DAWIDOWICZ
9789/701
1404001329
J. ROSEL ST.
TH A ROSEL

20. A
21. DE
22. FO
TU
DA
TI
E,
BU
AS
12

