

IN RE: PETITION FOR VARIANCE
N/S Waldman Avenue, 1087' W
centerline of Ketchum Avenue
15th Election District
7th Councilmanic District
(7304 Waldman Avenue)

Lorraine & William G. Spivey
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-164-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the property, Lorraine and William G. Spivey. The variance request involves property located at 7304 Waldman Avenue. The subject property is a waterfront lot situated on Jones Creek in eastern Baltimore County. The variance request is from Section 417.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow 2 existing pilings to be located 7.84 ft. and 9.62 ft. from the divisional line in lieu of the minimum required 10 ft.

Appearing at the hearing on behalf of the variance request were William and Lorraine Spivey, owners of the property, Michael Spivey, their son and J. Finley Ransone, registered land surveyor. Appearing in opposition to the Petitioners' request were Bruce and Mona Miskimon, adjacent property owners.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.25 acres, more or less, zoned D.R.5.5. The subject property is improved with an existing single-family residence wherein Mr. & Mrs. Spivey live. There are other buildings on the subject property. At issue in this case are 2 mooring pilings which are shown on the site plan submitted into evidence. The pilings in question are shown on the survey prepared by Mr. Ransone as being situated 7.84 ft. and 9.62 ft. from the divisional line. These mooring pilings have existed on the subject property for approximately 5 years. Problems have arisen

2/25/02
R. Ransone

between these neighbors where each have filed complaints against the other with the Code Enforcement Section of Baltimore County. Those complaints have resulted in the petition for variance that is being requested at this time.

As mentioned previously, Mr. and Mrs. Miskimon, who reside adjacent to the Petitioners' property, appeared in opposition to the Petitioners' request. They argued that the pilings in question were installed without the benefit of a permit at the time they were installed 5 years ago. They, therefore, ask that the poles be removed. Furthermore, the Protestants disagree with the method utilized by Mr. Ransone for extending the divisional lines between these two properties into Jones Creek. Mr. and Mrs. Miskimon believe that the divisional line actually passes further to the east than that which is drawn on the site plan. If true, other portions of the Petitioners' pier would be called into question. The reason for the difference of opinion regarding these divisional lines results from Mr. and Mrs. Miskimon modifying their shoreline approximately 10 years ago. With proper permits, Mr. Miskimon constructed a new bulkhead on his property at an angle which was different than the natural shoreline at that time. Some erosion had occurred and the Miskimons were permitted to reclaim a portion of the shoreline which had washed away. In doing so, they, in effect, angled their shoreline which had an affect on the method by which their divisional line was drawn. They, therefore, argue that the divisional line shown on the Petitioner's plat is incorrect and that the 2 poles in question should be removed.

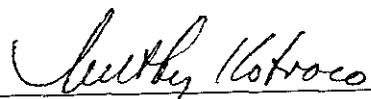
After considering the testimony and evidence offered at the hearing, I find that the survey prepared by Mr. Ransone is appropriate for this particular application only. The pilings in question, given their distance from the divisional line shown on the site plan, should be permitted to remain where they have existed for the past 5 years. However, I shall require, as a condition of approving this variance, that the pilings be cut off to a height consistent with the other

mooring pilings located around the Petitioners' pier. The pilings, as they exist, are very tall and give the illusion that a boathouse or boatlift may be constructed on them. This shall not be permitted to occur. These poles should be cut off and used only for purposes of mooring a boat. There shall not be any additional structures or walkways attached to these 2 poles in question. As to their location, the requested variance shall be granted to allow them to remain in their present location.

THEREFORE, IT IS ORDERED this 25th day of February, 2002, by this Deputy Zoning Commissioner, that the variance requested by Petitioners, pursuant to Section 417.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow 2 existing pilings to be located 7.84 ft. and 9.62 ft. from the divisional line in lieu of the minimum required 10 ft., be and is hereby APPROVED.

IT IS FURTHER ORDERED, that within 60 days from the date of this Order, the height of the 2 pilings in question shall be shortened so as to be consistent with the other mooring pilings found on the Petitioners' property. In addition, there shall be no additional construction occurring to the pilings in question, such as catwalks, boatlifts, or any other type of structures. These pilings shall be used for the purpose of mooring a boat only.

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

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

February 25, 2002

Mr. & Mrs. William G. Spivey
7304 Waldman Avenue
Baltimore, Maryland 21219

Re: Petition for Variance
Case No. 02-164-A
Property: 7304 Waldman Avenue

Dear Mr. & Mrs. Spivey:

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

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: J. Finley Ransone
P. O. Box 10160
Towson, MD 21285

Mr. & Mrs. Bruce Miskimon
7302 Waldman Avenue
Baltimore, MD 21219

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



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7304 WALDMAN AVE - 21219

which is presently zoned DR-5.5

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) 417.4 To allow existing

pylons to be located 7.84 ft. & 9.62 ft. from the divisional line in lieu of the minimum required 10 ft.

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

The pilings have been there at least 5 yrs. and cannot be removed easily. Also the expense, as we are retired and live on a fixed income.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 02-164-A

REV 9/15/98

Legal Owner(s):

WILLIAM G. SPIVEY

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1:00 hr.

UNAVAILABLE FOR HEARING

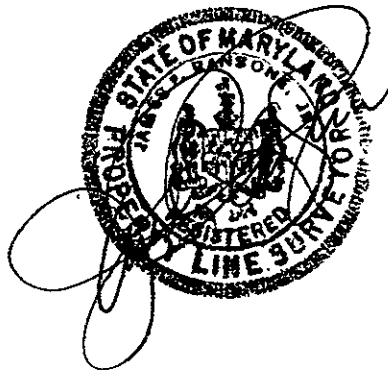
Reviewed By [Signature]

Date 10-22-01

Zoning Description
Spivey Property
7304 Waldman Avenue
15th Election District Baltimore County Maryland

September 21, 2001

Beginning at a point on the north side of Waldman Avenue, 30 feet wide, at the intersection of the division line between Lot No's. 28 and 29, as shown on the plat entitled "Chesapeake Terrace, Section B, which plat is recorded among the Plat Records of Baltimore County in Platbook W.P.C. No. 5 folio 36; said point being distant westerly 1,087.5 feet from the intersection of the north side of Waldman Avenue with the center of Ketchum Avenue, thence binding on the north side of Waldman Avenue, and binding on the outlines of the property of the petitioners, Due East, 29.83 feet, thence leaving said road, North 11 degrees 54 minutes 35 seconds East 207.33 feet to the waters of Jones Creek, thence binding on said creek, North 82 degrees 47 minutes 58 seconds West 73.19, thence leaving said creek, Due South 212.04 feet to the place of beginning.



164

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Use No. 06650
02-164-A

DATE 10-22-01

ACCOUNT

R-001-006-6150

AMOUNT \$

50.00

RECEIVED FROM

Waldman Spivey

FOR

Residential Variance Filing Fee
7304 Waldman Ave. (21219)

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT

ACTUAL

TIME

10/23/2001 10/22/2001 14:29:25

REP MS01 CASHIER JRIC JWR DROWER

>> RECEIPT # 080602

DEPT 5 528 ZONING VERIFICATION

DEPT 1

CR NO. 006620

Receipt Tot

.00

50.00

CA

Baltimore County, Maryland

CASHIER'S VALIDATION

**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 #02-164-A.

7304 Waldman Avenue
NS Medium Density, 1087 W
centennial of Ketchum Avenue
15th Election District
7th Councilmanic District
Legal Owner(s): William G. &
Lorraine Spivey

Variances: to allow existing
piling to be located 7.84
feet and 8.62 feet from the
divisional line in lieu of the
minimum required 10.

Hearing: Friday, December
21, 2001 at 10:30 a.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue.

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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3381.
J712/658 Dec 11 0510052

CERTIFICATE OF PUBLICATION

12/14, 2001

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 12/11, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Williams

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-164-A

Petitioner/Developer: WILLIAM G.

+ LORRAINE SPIVEY

Date of Hearing/Closing: 12/21/01

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 7304 WALDMAN AVE

The sign(s) were posted on 12/6/01
(Month, Day, Year)

Sincerely,

[Signature] 12/6/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

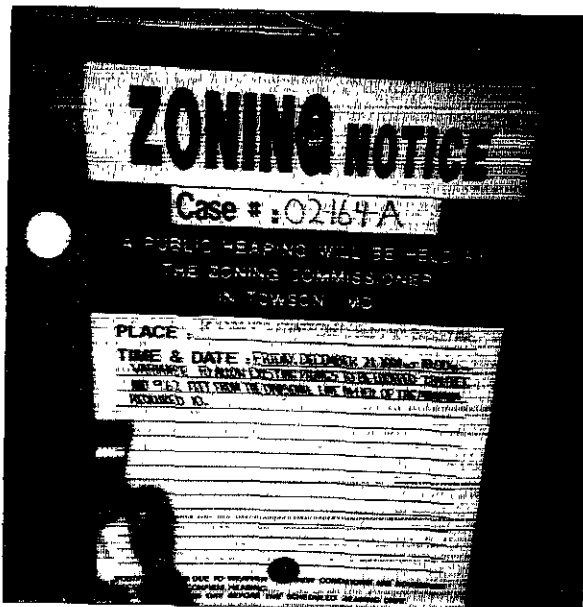
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: 02-164-A
Petitioner: William G. Spivey
Address or Location: 7304 Waldman Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. & Mrs. Wm. Spivey
Address: Same
Balto, Md, 21219

Telephone Number: (410) 477-3325

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 6, 2001 Issue – Jeffersonian

Please forward billing to:
William Spivey
7304 Waldman Avenue
Baltimore MD 21219

410 477-3325

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: 02-164-A
7304 Waldman Avenue
N/S Waldman Avenue, 1087' W centerline of Ketchum Avenue
15th Election District – 7th Councilmanic District
Legal Owner: William G & Lorraine Spivey

Variance to allow existing pilings to be located 7.84 feet and 9.62 feet from the divisional line in lieu of the minimum required 10.

HEARING: Friday, December 21, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G32
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

November 30, 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: 02-164-A
7304 Waldman Avenue
N/S Waldman Avenue, 1087' W centerline of Ketchum Avenue
15th Election District – 7th Councilmanic District
Legal Owner: William G & Lorraine Spivey

Variance to allow existing pilings to be located 7.84 feet and 9.62 feet from the divisional line in lieu of the minimum required 10.

HEARING: Friday, December 21, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon G.D.Z.
Director

C: Lorraine & William G Spivey, 7304 Waldman Avenue, Baltimore 21219

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 6, 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

January 17, 2002

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: 02-164-A
7304 Waldman Avenue
N/S Waldman Avenue, 1087' W centerline of Ketchum Avenue
15th Election District – 7th Councilmanic District
Legal Owners: William G & Lorraine Spivey

Variance to allow existing pilings to be located 7.84 feet and 9.62 feet from the divisional line in lieu of the minimum required 10 feet.

HEARING: Thursday, February 14, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon GDZ
Director

A handwritten note enclosed in a hand-drawn oval. The text inside reads: "POSTED 1/30/02", "SEE PHOTO", and "GF".

POSTED 1/30/02
SEE PHOTO
GF

C: William & Lorraine Spivey, 7304 Waldman Avenue, Baltimore 21219
Mr & Mrs Bruce Miskimon, 7302 Waldman Avenue, Baltimore 21219

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 30, 2002.**
(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.

THURS.





Baltimore County
Department of Permits and
Development Management

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

December 14, 2001

Lorraine & William G Spivey
7304 Waldman Avenue
Baltimore MD 21219

Dear Mr. & Mrs. Spivey:

RE: Case Number: 02-164-A, 7304 Waldman Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 22, 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. G.D.Z.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

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



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

February 8, 2002

William & Lorraine Spivey
7304 Waldman Avenue
Baltimore MD 21219

Dear Mr. & Mrs. Spivey:

RE: Case Number: 02-164-A, 7304 Waldman Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 22, 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. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Mr. & Mrs. Bruce Miskimon, 7304 Waldman Avenue, Baltimore 21219
People's Counsel



RS
12/21
p.p.
Jim
2/14

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director **DATE:** December 20, 2001
Department of Permits & Development Mgmt.

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

SUBJECT: Zoning Advisory Committee Meeting
For December 3, 2001
Item Nos.* 151, 152, 155, 157, 161, 
165, 167, 168, 170, 171, 172, 173, 174,
and 175

JAN - 7

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

*Items number 153 and 154 were not designated.

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

December 10, 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 November 26, 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:

151, 152, 155, 156, 157, 159, 161, ~~164~~, 165, 166, 167, 168, 169,
170, 171, 172, 173, 174, and 175

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



JS
12/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 7, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-164, 02-166 & 02-170

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

- 7 -



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.3.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. [REDACTED] JJS

Dear Mr. Zahner:

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,

K 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
7304 Waldman Avenue, N/S Waldman Ave,
1087' W of c/l Ketchum Ave
15th Election District, 7th Councilmanic

Legal Owner: William G. & Lorraine Spivey
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-164-A

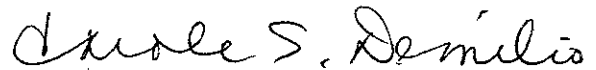
* * * * *

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 10th day of December, 2001 a copy of the foregoing Entry of Appearance was mailed to William G. & Lorraine Spivey, 7304 Waldman Avenue, Baltimore, MD 21219, Petitioners.



PETER MAX ZIMMERMAN

TO: Case File #02-164-A

DATE: December 21, 2001

FROM: Lawrence E. Schmidt
Zoning Commissioner



SUBJECT: PETITION FOR VARIANCE
7304 Waldman Avenue
William G. Spivey, et ux – Petitioners/Property Owners
Case No. 02-164-A

This matter was scheduled for a public hearing before me on December 21, 2001 for consideration of a Petition for Variance seeking relief to allow two existing pilings to remain where presently located. On December 20, 2001, Mrs. Spivey, through Mr. Arnold Jablon, Director of the Department of Permits and Development Management (DPDM), requested a postponement of the case. Apparently, Mr. & Mrs. Spivey retained J. Finley Ransome, a Registered Land Surveyor, to assist them in this matter and he is not be available on December 21st. Therefore, it was agreed that the case would be postponed until some time after the first of the year.

A review of the case file revealed that Bruce and Mona Miskimon, adjacent property owners, are Protestants in this matter. As a courtesy, I telephoned their home and spoke directly with Mr. Miskimon on December 20th to advise him that the matter was being postponed and he had no objections. Thus, the file will be returned to Mr. George Zahner in DPDM with the request that he reschedule the matter as the docket permits. By copy of this letter to Mr. Zahner, it is requested that he notify all parties to the case, including Mr. & Mrs. Miskimon, of the rescheduled hearing date, time and location.

cc: Mr. & Mrs. William G. Spivey
7304 Waldman Avenue, Baltimore, Md. 21219
Mr. & Mrs. Bruce Miskimon
7302 Waldman Avenue, Baltimore, Md. 21219
Mr. George Zahner, DPDM
People's Counsel

CODE ENFORCEMENT REPORT

10:2100 INTAKE BY: N. SHELTON CASE #: 00-7517 INSPEC: H. Rowe

PLAINT LOCATION: 7302 Waldman Ave

ZIP CODE: 21219 DIST: 15R

COMPLAINANT NAME:

William Spivey

PHONE #: (H) 410-477-3272 (W)

ADDRESS:

ZIP CODE:

PROBLEM:

Building a pier on adjoining property

IS THIS A RENTAL UNIT?

YES

NO

IF YES, IS THIS SECTION 8?

YES

NO

OWNER/TENANT

INFORMATION:

TAX ACCOUNT #:

15-19 070522

ZONING:

INSPECTION:

10/3/00 Site Insp. w/ HR, Irregular shore line, Questionable set backs, Engineered Survey required for new piling being driven under B415483. Hunter informed

REINSPECTION:

Mr. Spivey at this + rec'd permission for surveyor to go on property JK

10/13/00 rec'd survey JK

10/14/00 met w/ HR in site. Explained to both

REINSPECTION:

parties that Mr. Miskimons pier is not over Mr. Spivey's extended property line and that the survey in fact shows just the opposite. Mr. Miskimons declined to file counter-complaint. No Cause for

REINSPECTION:

Action Case Closed JK

Code Enforcement - Closing Report

Inspector - ROWE, H

Activity

Date Closed 10/19/2000

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: December 5, 2001

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

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

SUBJECT: Item No.: 164
Legal Owner/Petitioner William G. & Lorraine Spivey
Contract Purchaser: N/A
Property Address: 7304 Waldman Ave.
Location Description: N/S Waldman Ave. 1087' W of centerline of
Ketchum Ave..

VIOLATION INFORMATION: Case No. 01-4494
Defendants: William G. & Lorraine Spivey

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
Bruce & Mona Miskimon	7302 Waldman Ave.

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

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

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

RSW/ee

C: Code Enforcement Officer

CODE ENFORCEMENT REPORT

NCT

DATE: 7/13/01 INTAKE BY: JHT CASE #: 01-4494 INSPEC: 1

COMPLAINT LOCATION: 7304 Waldman Ave.

21219 ZIP CODE: 21219 DIST:

COMPLAINANT NAME: Bruce & Mona Miskimon PHONE #: (H) 410-477-2738 (W)

ADDRESS: 7302 Waldman Ave. ZIP CODE:

PROBLEM: OWNER OF 7304 WALDMAN AVE. HAS TWO PIERS WITHIN THE WATER RIGHTS OF 7302 WALDMAN AVE - SEE ATTACHED PLAN

IS THIS A RENTAL UNIT? YES NO

IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 15 04 502610 ZONING:

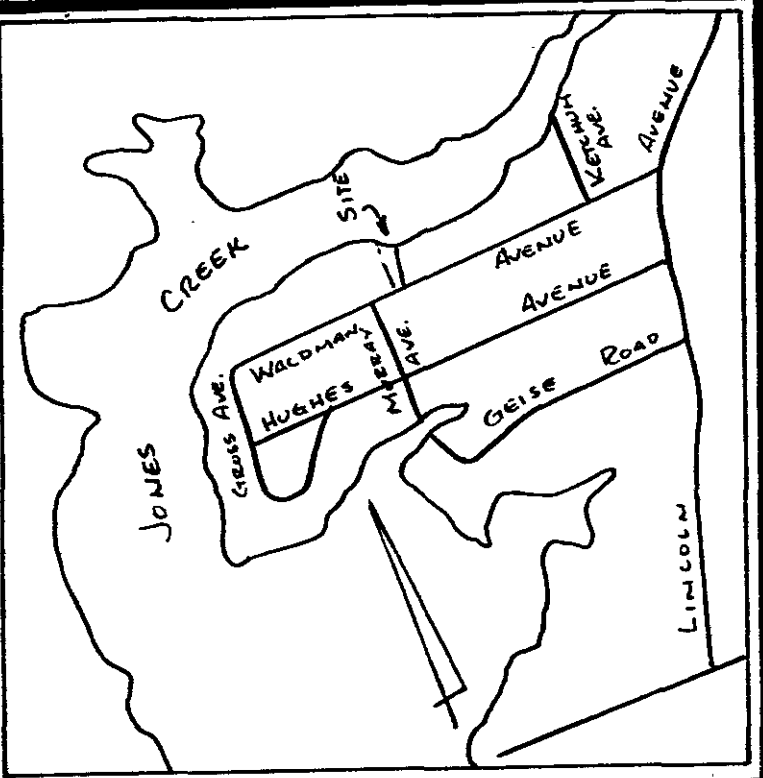
INSPECTION: NOTE: PER RICK, SEND TO ALTMAYER'S PEOPLE

REINSPECTION:

REINSPECTION:

REINSPECTION:





VICINITY MAP

THIERS

0128/03

0120/01

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Dt Rec: 7132001 Intake: THOMPSON, J Act: Case #: 01-4494
Insp: ECKER, E Insp Grp: ENF Insp Area: 15 Tax Acct: 1504502610
Address: 7304 WALDMAN AVE Apt #: Zip: 21219
Problem Descript.: OWNER OF 7304 WALDMAN AVE. HAS TWO PIERS WITHIN THE WATER RI
GHTS OF 7302 WALDMAN AVE. SEE ATTACHED PLAN. NOTE: PER RICK, SEND TO ALTMAYER'S
PEOPLE. RE-OPEN 7/23/01

Complainant Name (Last): MISKIMON(MONA) (First): BRUCE
Complainant Addr: 7302 WALDMAN AVE
Complainant City: BALTIMORE State: MD Zip: 21219
Complainant Phone (H): 4104772738 (W):
Date of Reinspection: 11052001 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: 07/18/01 CALLED COMPL. DISCUSSED SITE PLAN, HIS PIER ALSO IN VIO.
ACCORDING TO SITE PLAN SENT, WISHES TO WITHDRAW COMPLAINT. CASE CLOSED. JKEMP/KH.
*** 07/23/01 VISITED SITE WITH J.KEMP. WE WERE VIDEO TAPED
ENTIRE MEETING. THERE ARE TWO MOORING PILES THAT NEED A PERMIT. WROTE SWO TO
SPIVEY RESIDENCE (7304 WALDMAN) P/U 08/06/01.E.ECKER.***
8/7/01 CALLED OWNER, SURVEYOR COMING ON THE 13TH, DIRECTED BY JMA TO WAIT
TILL THEN FOR OUT COME OF DEFENDENT'S SET BACK. P/U 8/14/01 E. ECKER/JM***
8/15/01 SURVEYOR DID NOT SHOW BECAUSE OF RAIN. COMING 8/16/01, RECHECK 8/17/01
AS PER JMA. P/U 8/17/01 E. ECKER/JM***
8/21/01 VISITED SITE, NO ONE HOME, SON CALL & SURVEY HAS BEEN DONE. WILL APPLY
FOR PERMIT, NEXT MONDAY. WILL PROBABLY NEED VARIANCE. P/U 8/27/01 E. ECKER/JM*
** ***** 8/28/01 MR SPRING IS GOING TO A MEETING W/MR HOBBS & MR. JABLON.
P/U 9/28/01 E. ECKER/JM***
10/2/01 CONTACTED ZONING AND OWNER OF 7304. THEY HAVE HAD 2 MEETINGS TO APPLY
FOR VARIANCE. HAVE ANOTHER MEETING ON 10/9/01. CALLED COMPLAINANT AGAIN LEFT
MESSAGE THAT 7304 IS APPLYING FOR VARIANCE. P/U 11/5/01. E. ECKER/JM***
NEXT PAGE

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Notes 2: *****10/23/01 JOHN SULLIVAN GAVE INFORMATION ON VARIANCE, 02-164-A
ACCEPTED ON 10/22/01. HE WILL CALL ERROL. /HEK*****

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

Code Enforcement - Closing Report

Inspector -	Activity	Date Closed	7/18/2001
Area Case #	Location	Apt Zip	Date Rec Reinsp Dt
001 01-4494	7304 WALDMAN AVE	21219	7/13/2001

Tax Acct #: 1504502610

Complainant Name: (Last) MISKIMON (MONA) (First) BRUCE
 Addr: 7302 WALDMAN AVE
 Str # Dir Street Name Type Apt
 BALTIMORE MD 21219
 City ST Zip
 Phone: (Home) 410/477-2738 (Work)

Problem: OWNER OF 7304 WALDMAN AVE. HAS TWO PIERS WITHIN THE WATER RIGHTS OF 7302 WALDMAN AVE. SEE ATTACHED PLAN. NOTE: PER RICK, SEND TO ALTMAYER'S PEOPLE.

Notes:

07/18/01 CALLED COMPL. DISCUSSED SITE PLAN, HIS PIER ALSO IN VIO. ACCORDING TO SITE PLAN SENT, WISHES TO WITHDRAW COMPLAINT. CASE CLOSED. JKEMP/KH.***

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

#02-164-A
2/14/02 Hearing

NAME

ADDRESS

LORRAINE SPIVEY

7304 WALDMAN AVE

WILLIAM SPIVEY

7304 WALDMAN AVE

MICHAEL SPIVEY

7206 WALDMAN AVE 21219

J FINCEY RANSOME

PO Box 10160 TOWSON 21285



Revised 4/17/00

NTT Associates Inc.
16205 Old Frederick Rd.
Mt. Airy Md. 21771
410 442 2031

J. Carl Huggins PLS #96



SCHAFER
7228
L 5888/ F 349
ZONED DR 5.5

MURRAY AVENUE

EXISTING PIER

BOAT RAMP

McCALMONT
7300
L 5406/ F 760
ZONED BL

BULKHEAD &
MEAN LOW TIDE

EXISTING PIER

MISKIMON
7302 WALDMAN AV.
L 6875/ F 746
ZONED DR 5.5

EXISTING PIER

SPIVEY
7304
L 5302/ F 144
ZONED DR 5.5

EXISTING PIER

DAVIS
7306
L 10949/ F 128
ZONED DR 5.5

EXISTING PIER

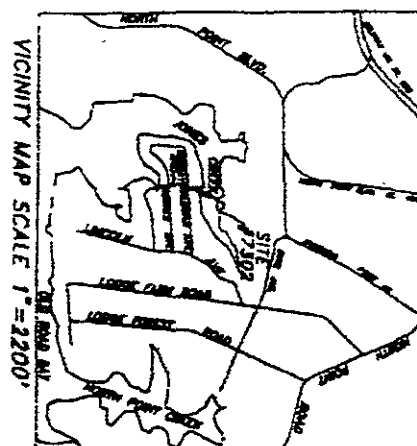
REHAK
7308

EXISTING PIER

JONES CREEK

DIVISIONAL PROPERTY LINES

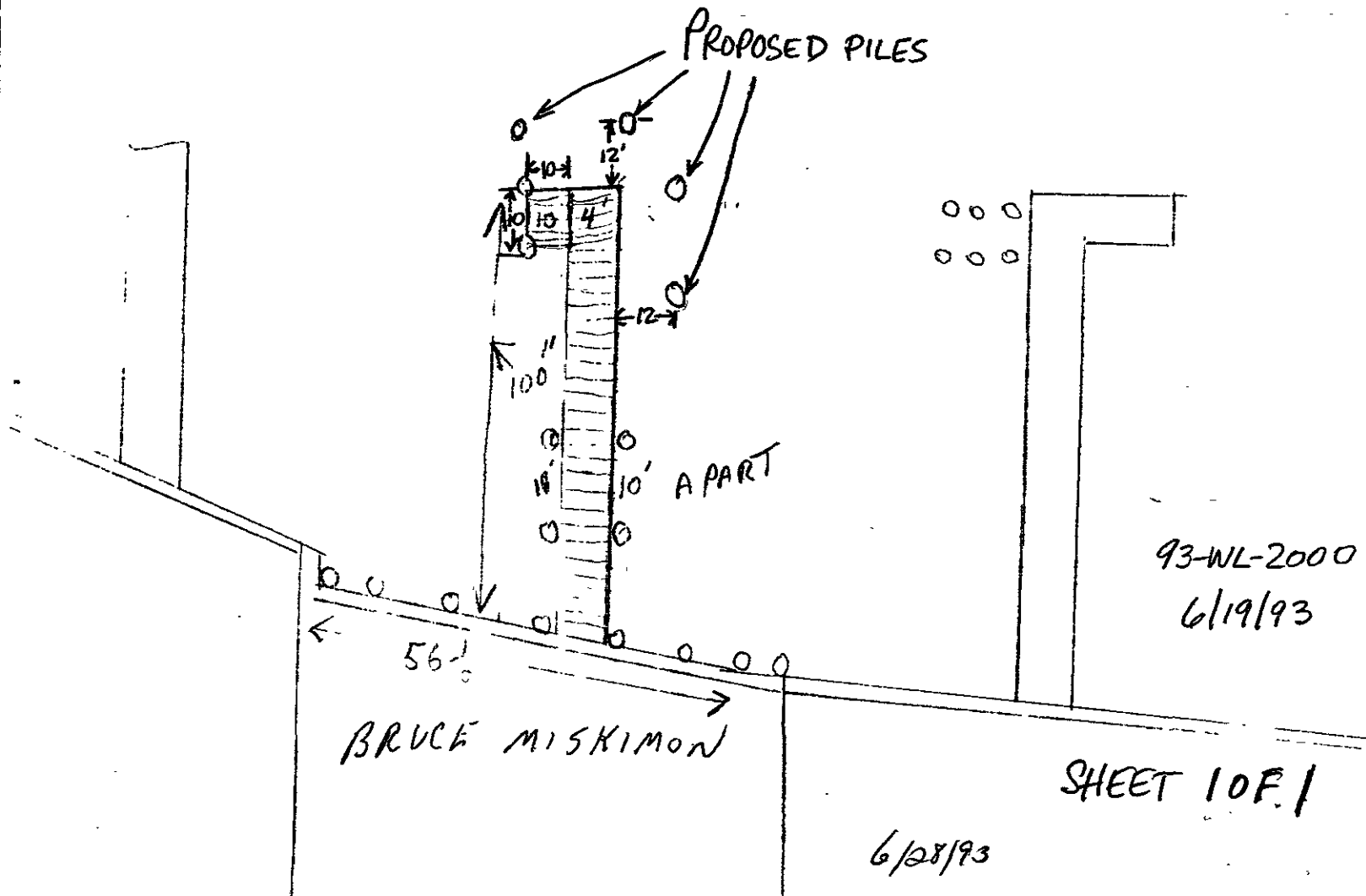
20' OPEN AREA



PIER & BULKHEAD
LOCATION SURVEY
7302 WALDMAN AVENUE
LOT 28 CHESAPEAKE TERRACE
TAX MAP 111 PARCEL 128
SCALE 1"=40' DATE 10/11/00

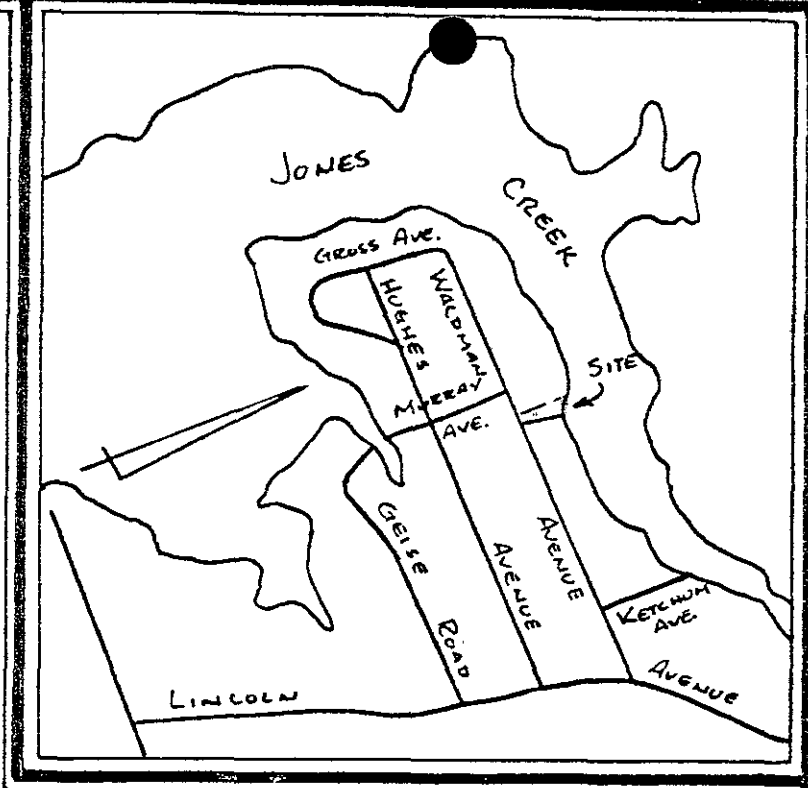
CONSTRUCTION OF PIER

PIER 100' LONG
4' WIDE
POLES 10' APART

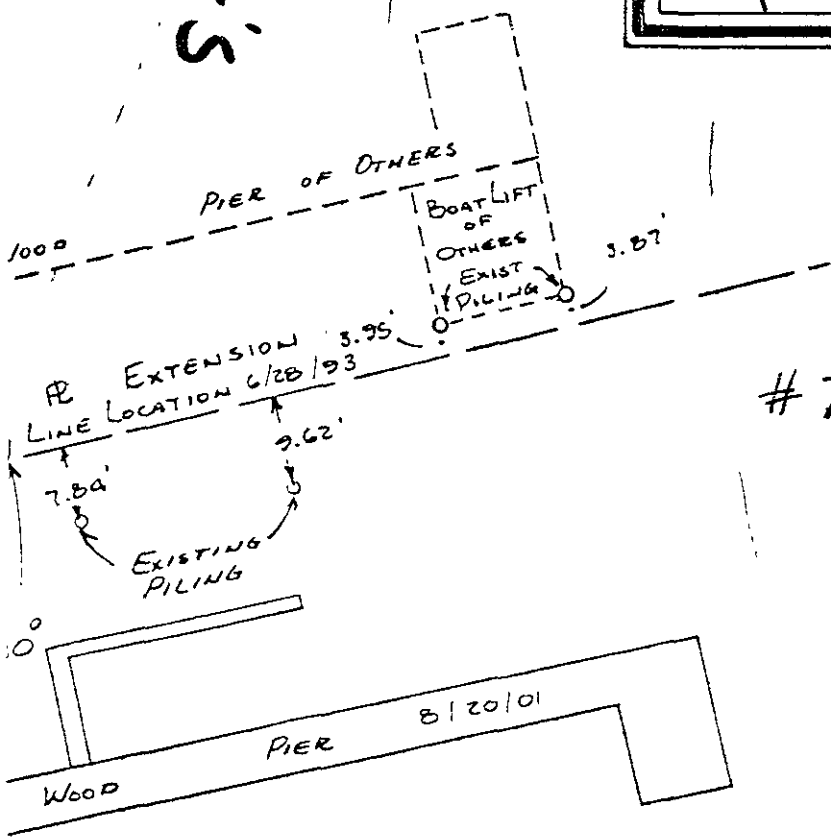


45E11

JONES



VICINITY MAP

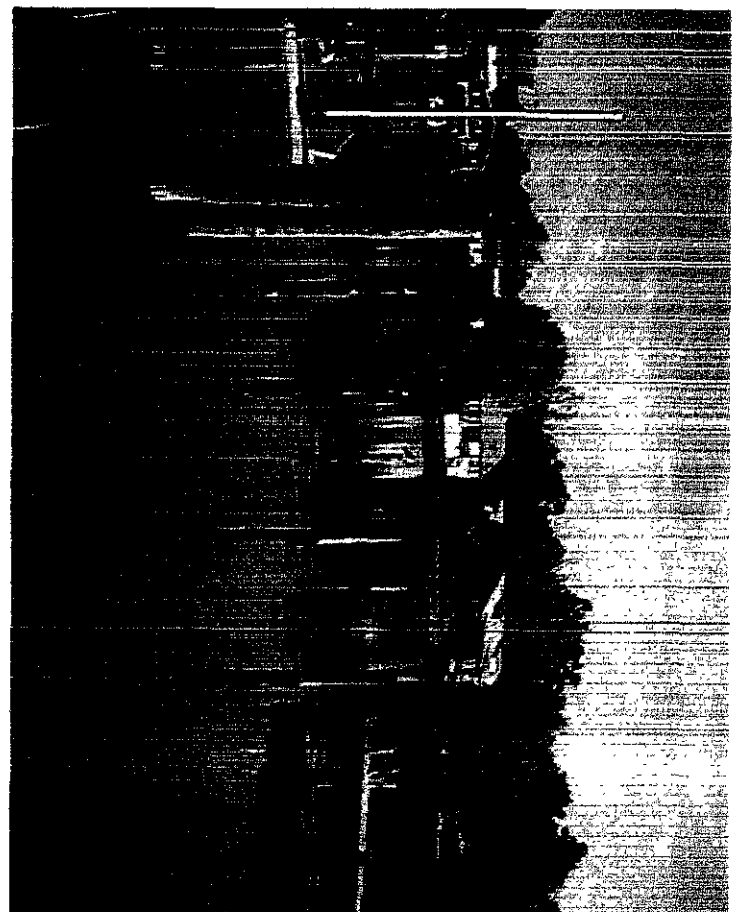
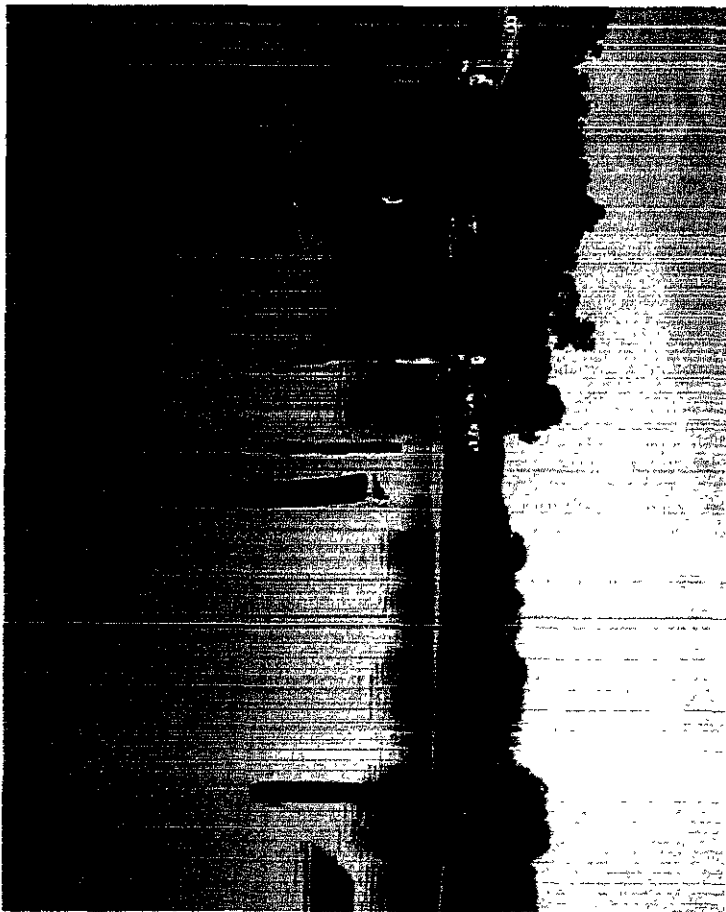


#7304 Waldman Ave

Item # 164

CREEK

PLAT OF A SURVEY OF
PROPERTY OF
WILLIAM G. SPIVEY
&
WIFE







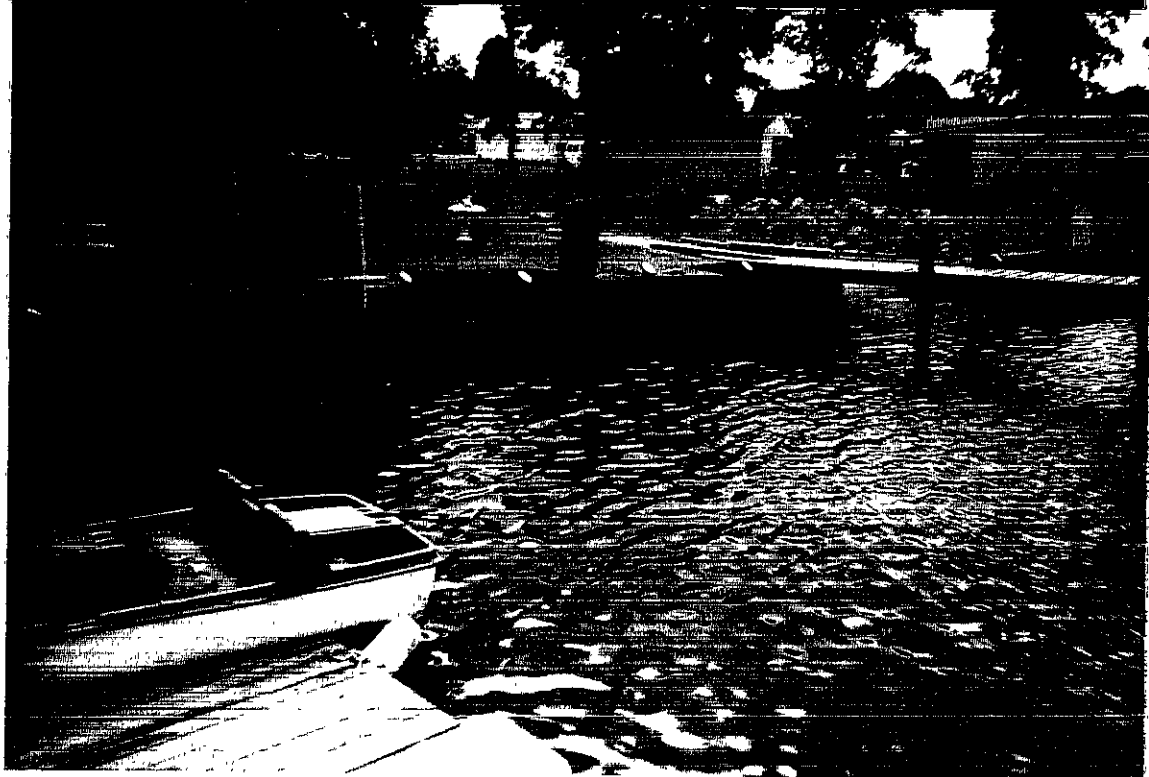
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

*Photographs
02-164-A
2/14/02 hearing*

Pillings (Existing for 5 YRS)









FILE: 15B-070

SPIVEY PROPERTY - 7304 WALDMAN AVENUE
SE 14

'86 Aetec

#164



