

IN RE: PETITION FOR VARIANCE

SE/S Community Road, 145' S of the c/l
University Drive, W of South River Drive
(12905 Community Road)
15th Election District
5th Council District

Lanny R. Heffner, et ux
Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 02-169-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, Lanny R. and Sharon L. Heffner. The Petitioners seek relief from Section 1B02.3.C.1 (Chart) to permit a rear yard setback of 6 inches in lieu of the required 30 feet and a side yard setback of 1 foot in lieu of the required 10 feet. In addition, the Petitioners request relief from Section 427 of the B.C.Z.R. to permit a 6-foot high privacy fence, in lieu of the maximum allowed 42 inches, in the side yard of a lot that adjoins the front yard of another lot on which a residence has been built. 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.

Appearing at the requisite public hearing in support of the request were Lanny and Sharon Heffner, property owners. Appearing as Protestants in the matter were Jane Adams, adjacent property owner, and her son, Richard Adams. There were no other interested persons present.

Testimony and evidence presented revealed that the subject property is a rectangular shaped waterfront lot, located on the southeast side of the dead-end of Community Road, approximately 130 feet south of that road's intersection with University Drive, and approximately 50 feet west of South River Drive in Harewood Park. The property has frontage on Swan Creek/Railroad Creek near Middle River, and contains a gross area of 0.19 acres, more or less, zoned D.R.5.5, and is improved with a single family dwelling with an attached garage. In addition,

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Date

By

1/14/02
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the dwelling features a carport/shed which were recently constructed adjacent to the existing garage on the northeastern end of the dwelling. This construction is located immediately adjacent to the common property line shared with the corner property, known as 6701 University Drive and owned by Phil Sellman, and Ms. Adam's property, known as 6705 South River Drive. In addition to the carport/shed, the Petitioners propose constructing a 6-foot high privacy fence along the property's eastern property line, from the corner of the shed to the end of the dwelling.

It is to be noted that Ms. Adams' property is located where South River Drive and University Drive merge, and is accessed by way of a driveway off of South River Drive. Her home is oriented to face the water and is located in close proximity to the improvements at issue. In fact, the Petition was filed in response to a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management by Ms. Adams relative to the subject improvements, which were apparently constructed without benefit of a permit. The Petitioners were advised to file the instant Petition and obtain the necessary permits.

At the hearing, testimony revealed that the Petitioners have owned and resided on the property since September 1999. Mr. Heffner indicated that when he and his wife purchased the property, the lot was also improved with a freestanding shed, which may have been located on or over the eastern property line adjacent to the Adams property. In any event, Mr. & Mrs. Heffner removed the shed, which had deteriorated and was no longer suitable for use. Mr. Heffner also indicated that his home has little storage area. There is an attached garage; however, the dwelling has neither a basement nor an attic. In order to provide more storage space, Mr. Heffner commenced construction of the subject carport with the attached shed. In this regard, Mr. Heffner testified that he was initially advised that a permit was not necessary because the improvements represented a replacement of the detached shed. However, he now recognizes that a permit is necessary, in view of the recent Code Violation Notice.

The nature of the improvements is twofold. First is the construction of a carport-type structure along the northern end of the property, adjacent to the existing garage. As noted above, this carport structure is near the common property line shared with both the Sellman property and

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Date 1/14/12
By [Signature]

the Adams property. During a site visit by this Zoning Commissioner after the hearing, it appears that the Sellman property is nearly developed to its maximum potential. There is the existing dwelling known as 6701 University Drive in which Mr. Sellman resides, as well as a large deck and swimming pool to the rear.

In any event, Mr. Heffner indicated that the carport-type structure is envisioned for use as an area where his boat and lawn equipment can be stored. As noted above, the property is waterfront and there is a pier leading from the end of the property into Swan Creek/Railroad Creek. Mr. Heffner indicated that the boat would be stored under cover in the new carport area out of season. The shed was constructed in such a manner as to be built into the house and carport, as more particularly shown in photographs submitted at the hearing. Additionally, with both parties' consent, I visited the site after the hearing and examined the shed and walked both the Heffner and Adams' properties. Mr. Heffner indicated that the shed is needed for storage purposes. As proposed, the shed will be 14' x 20' in dimension, slightly larger than the old detached shed, which was approximately 10' x 14' in dimension. In addition to the carport/shed, the Petitioners also propose to construct a 6-foot high privacy fence along their property line shared with the Adams' property. It was indicated that the fence would provide privacy as well as screen the outside HVAC units that serve the Heffner property. The proposed fence is taller than that permitted by Section 427 of the B.C.Z.R. It should also be noted that there is an existing privacy fence on the Sellman property, along the common property line shared with the Heffner property.

In any event, prior to determining whether variance relief is warranted, several other findings are in order regarding the subject property and the adjacent lot owned by Ms. Adams. First, a determination must be made of the orientation of the house and the location of the front, rear and side yards for this lot. For most properties in Baltimore County, the front yard is determined to be that area between the dwelling and the public road upon which the site adjoins. However, waterfront property is unique. Obviously, the value of this property is largely driven by its location on the water. Additionally, it appears that the Heffner house is oriented towards Railroad Creek. There is a large deck on that side of the house facing the water, which the

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By

Petitioners no doubt utilize during the warmer months. Based on these factors, I find that the front yard of the subject property is that area between the dwelling and the water. Having reached this conclusion, the rear yard is therefore, by necessity, that area between the Heffner house and the Sellman property. The one side yard is therefore that area of the lot between the house and the public road known as Community Road, and the other side yard is that area of the lot between the Heffner house and the Adams property. This determination is significant in that different setbacks are required for the front, rear and side yards, respectively.

It is also to be noted that Ms. Adams and her son testified regarding the location of the property line which separates the Adams lot from the Heffner property. In this regard, Ms. Adams submitted a copy of a survey that was recently done for her property that establishes the location of the common property line she shares with the Heffner lot. That survey was accepted into evidence as Protestants' Exhibit 1. Indeed, I saw evidence of that survey, specifically, stakes in the ground, during my site visit.

As was indicated at the hearing, the Zoning Commissioner does not have the authority to establish property lines or quiet questions of title. The authority of the Zoning Commissioner arises from the provisions of the Baltimore County Code and the B.C.Z.R. Only a judge of the Circuit Court of Baltimore County can decide questions of title and determine the exact location of property lines. Thus, I cannot enter any finding accepting or rejecting the correctness of the survey offered by Ms. Adams. Any variance relief granted will be measured from the property line, wherever that might be. As was suggested in open hearing, I urge both parties to reach some disposition on the location of that line to avoid further controversy now and in the future.

Turning to the variances that have been requested, I am first persuaded to grant relief to permit a rear yard setback of as little as 6 inches in lieu of the required 30 feet for the improvements generally described herein as the carport. This structure is located adjacent to the Sellman property line. As noted during my site inspection, the Sellman property is improved nearly up to the common property line shared with the Heffner lot, by virtue of the swimming pool and deck. Additionally, a tall privacy fence has apparently been erected on the Sellman side of

that property line. In my judgment, these factors, as well as the uniqueness of the property as a waterfront lot, justify a variance from the rear yard setback requirements. Moreover, it is to be noted that a letter of support was received from Mr. Sellman. For all of these reasons, I shall grant the variance to allow a setback of 6 inches from the property line shared with the Sellman lot.

Secondly, I will deny the variance from Section 427 of the B.C.Z.R. to permit a 6-foot high privacy fence along the Adams/Heffner property line. If Ms. Adams supported that request, I might be inclined to grant relief in that it would provide a buffer and screening for her property. However, she opposes that relief. There is no evidence in the record of this case which supports a compelling or justifiable need for this relief. A fence height consistent with the zoning regulations (42 inches) will screen the HVAC equipment on the Heffner property, and the Petitioners are permitted to construct a fence to that height. However, in that variance relief cannot be granted for matters of mere convenience, this portion of the request must be denied.

The third variance sought is the most difficult. This variance requests a setback of as little as 1 foot from the Adams property line for the shed. I paid particular attention to this variance during my site visit. In this regard, the Adams property does feature a freestanding shed, which, to a certain extent, blocks the view of the Heffner's shed from the Adams' residence. The Adams' residence features a screened in porch which faces the water and immediately abuts an open deck. From some locations on the deck and porch, the view of Mr. Heffner's shed is blocked by the Adams' shed and by existing vegetation and mature trees which run along the property line. Indeed, the character of that property line is most interesting. Ms. Adams testified that a number of years ago, her husband piped an area along her property line from University Drive to a location near her shed to allow drainage from the roadway into the river. Both ends of that pipe were found during my site visit. Between the end of the pipe and the Adams yard and the water, there exists a natural swale, which I observed during my site visit. Although I visited the property during the winter and the water was frozen over, it appears that an active drainage condition exists in that swale area. I also particularly noted both the scrub vegetation and mature trees that exist along this

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By [Signature]

property line. Complicating this determination is the fact that the precise location of the property line is unclear, as noted above.

At the hearing, Mr. Heffner indicated that he could reduce the shed by 2 feet so that a setback of 3 feet could be provided from the Adams property line. In that variance relief cannot be granted for matters of convenience, I must accept his offer as an admission that the 1-foot variance requested in the Petition is not absolutely necessary. It appears that a 3-foot setback could therefore be maintained.

Upon due consideration of all of the testimony and evidence presented, I am persuaded to grant a modification of the third variance requested to permit a side yard setback of 3 feet from the property line to the shed. I again cautioned the parties that the precise location of the shed is dependent upon an ultimate determination of the location of the property line. However, once determined, I believe that a setback of 3 feet is appropriate. This would allow for an open strip of land to insure that the drainage swale can continue to function to carry water from the street to the river without blockage. Moreover, I believe it would be an appropriate resolution to the Heffner's storage needs.

In conclusion, variance relief will therefore be granted in part and denied in part. A variance will be granted to allow a rear yard setback of 6 feet from the Sellman property and a modified variance to allow a 3-foot setback to the Adams property will be allowed. However, a variance for a higher fence than that permitted is denied.

It should also be noted that certain Zoning Advisory Committee comments were received which will be incorporated as part of the relief granted. Obviously, the property is within the Chesapeake Bay Critical Areas and thus, the site and all improvements thereon must be developed in accordance with those regulations and any other appropriate environmental standards. Relief will therefore be granted subject to the review and approval of any permits issued and regulations enforced by the Department of Environmental Protection and Resource Management. Secondly, a ZAC comment was received from the Bureau of Development Plans Review regarding

ORDER FILED FOR E.A.S.
Date 1/14/12
By [Signature]

the flood elevation for this site. The Petitioners shall comply with the requirements as set forth in that comment, a copy of which is attached hereto and made a part hereof.

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 in part and denied in part, as set forth below.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of January, 2002, that the Petition for Variance seeking relief from Section 1B02.3.C.1 (Chart) to permit a rear yard setback of 6 inches in lieu of the required 30 feet, and a side yard setback of 3 feet in lieu of the required 10 feet, as modified herein, be and is hereby GRANTED, subject to the following restrictions:

- 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.
- 2) The Petitioners shall comply with the ZAC comment submitted by the Bureau of Development Plans Review, dated December 20, 2001, a copy of which is attached hereto and made a part hereof. Moreover, the Petitioners shall comply with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) relative to Chesapeake Bay Critical Areas regulations.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B02.3.C.1 (Chart) to permit a side yard setback of 1 foot in lieu of the required 10 feet, and from Section 427 of the B.C.Z.R. to permit a 6-foot high privacy fence, in lieu of the maximum allowed 4 feet, in the side yard of a lot that adjoins the front yard of another lot on which a residence has been built, be and is hereby DENIED.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 1/14/02
By [Signature]



Baltimore County
Zoning Commissioner

January 11, 2002

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

Mr. & Mrs. Lanny R. Heffner
12905 Community Road
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
SE/S Community Road, 145' S of the c/l University Drive, W of South River Drive
(12905 Community Road)
15th Election District – 5th Council District
Lanny R. Heffner, et ux - Petitioners
Case No. 02-169-A

Dear Mr. & Mrs. Heffner:

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", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Jane Adams
6705 South River Drive, Baltimore, Md. 21220
Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401
DEPRM; Bureau of Development Plans Review; Code Enforcement Division, DPDM
People's Counsel; Case File



CBCA Flood PLAIN

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12905 Community RD

which is presently zoned DR S.S

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) 1B02.3C.1 (CHART) TO PERMIT A REAR YARD SETBACK OF 6' INSTEAD OF 30 FT. & A SIDE YARD SETBACK OF 1 FT. INSTEAD OF 10 FT. AND SEC. 427 TO PERMIT A 6 FT. HIGH INSTEAD OF 42 IN. HIGH WOOD ADJACENT TO THE FRONT YARD OF ANOTHER LOT WHICH A RESIDENCE HAS BEEN BUILT of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) ① EXISTING SHED FOR STORAGE DETERIORATED BEYOND REPAIR

② NO BASEMENT OR ATTIC STORAGE - CHESAPEAKE BAY CRIT. AREA

③ DESPERATELY NEED STORAGE SPACE FOR LAWN EQUIP & PERSONAL ITEMS

④ ADDING 64 LIN. FT. OF 6' WPF FOR PRIVACY TO COVER OIL TANK & A/C UNITS

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):

LARRY R. HEFFNER
Name - Type or Print

Larry R. Heffner
Signature

Sharon R. Heffner
Name - Type or Print

Sharon R. Heffner
Signature

12905 Community RD 410
Address Telephone No.

BALTO. MD 21220
City State Zip Code

Representative to be Contacted:

LARRY HEFFNER
Name

12905 Community RD 410
Address Telephone No.

BALTO. MD 21220
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By 8009 Date 10-26-05

ORDER RECEIVED FOR FILING

Date

By

Case No. 02-169-A

RECEIVED 9/15/98

ZONING DISCRIPTION

LANNY AND SHARON HEFFNER
12905 COMMUNITY ROAD
MIDDLE RIVER, MARYLAND 21220
(410) 335-1769

ZONING DISCRIPTION FOR 12905 COMMUNITY ROAD

Beginning at a point NORTH/EAST side of Community Road which is 15 feet wide at the distance of approximately 145 feet North of the centerline of the nearest intersecting street University Drive which is 20 feet wide.

Being lot #'s 133 & 134 in the subdivision of Harewood Park as recorded in the Baltimore County Plat Book # 7, Folio # 131 containing 5564 square feet Also known as 12905 Community Road and located in the 15th Election District, 5th Councilmatic District.

Plus an additional portion of land that was added prior to 1960.

Supported by Bulkhead, dimensioned at 45 ft. on Community Road 60 ft. on side of property, and 50 ft water front. a total of an additional 2625 sq. ft, for a total of 8189 sq. ft of land or 0.19 acres.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 5127 06674

DATE 10-26-01 ACCOUNT ROC1006615C
AMOUNT \$ 50.00

RECEIVED FROM: Mrs. LANNY HEARNOL
FOR: Res. VAUGHN

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

02-1697

PAID RECEIPT

PAYMENT ACTUAL TIME
10/26/2001 10/26/2001 11:10:35
REC MSG# CASHIER DND DND DND DND
RECEIPT # 162171
Dept 5 528 ZONING VERIFICATION
CR MD. 006624

Receipt Tot 50.00
50.00 OK .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: #02-169-A

12905 Community Road

S/E end of Community Road

15th Election District - 5th Councilmanic District

Legal Owner(s): Lanny R. & Sharon L. Heffner

Variance: to permit a rear yard setback of 6 inches in lieu of 30 feet and a side yard of 1 foot in lieu of 10 feet and to permit a 6 foot privacy fence in a side yard of lot which adjoins the front yard of another on which a residence has been built.

Hearing: Thursday, January 3, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bostley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

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

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

JT 12/673 Dec 18

C511577

CERTIFICATE OF PUBLICATION

12/20, 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 12/18, 2001.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-169-A

Petitioner/Developer: LANNY R +

SHARON L HEFFNER

Date of Hearing/Closing: 1/3/02

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 12905 Community
RD

The sign(s) were posted on 12/16/01
(Month, Day, Year)

Sincerely,

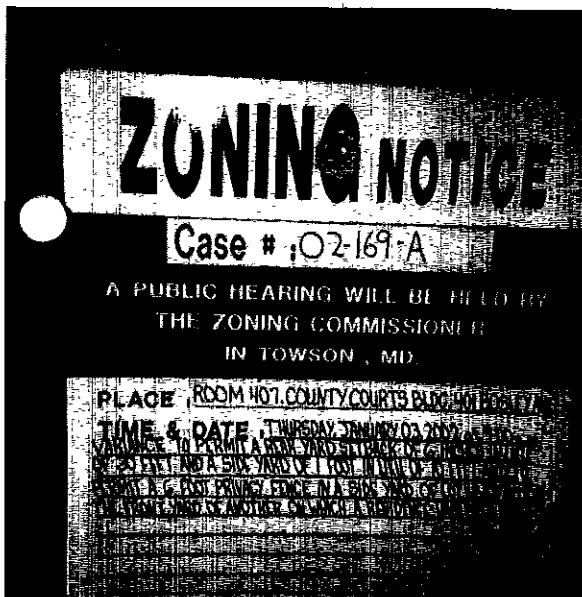
[Signature] 12/16/01
(Signature of Sign Poster and Date)

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: 02-169-A

Petitioner: LANNY HEEFNER

Address or Location: 12905 Community Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: LANNY HEEFNER

Address: 12905 Community Rd
BALTO. MD 21220

Telephone Number: 410-335-1769

Revised 2/20/98 - SCJ

02-169-A

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 18, 2001 Issue – Jeffersonian

Please forward billing to:
Lanny Heffner
12905 Community Road
Baltimore MD 21220

410 335-1769

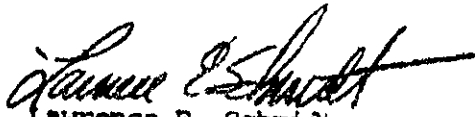
NOTICE OF ZONING HEARING

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: 02-169-A
12905 Community Road
S/E end of Community Road
15th Election District Road – 5th Councilmanic District
Legal Owner Lanny R & Sharon L Heffner

Variance to permit a rear yard setback of 6 feet in lieu of 30 feet and a side yard of 1 foot in lieu of 10 feet and to permit a 6 foot privacy fence in a side yard of lot which adjoins the front yard of another on which a residence has been built.

HEARING: Thursday, January 03, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 672
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: 02-169-A
12905 Community Road
S/E end of Community Road
15th Election District Road – 5th Councilmanic District
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HEARING: Thursday, January 03, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon GJZ
Director

C: Lanny R & Sharon L Heffner, 12905 Community Road, Baltimore 21220

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

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

December 28, 2001

Sharon L & Lanny Heffner
12905 Community Road
Baltimore MD 21220

Dear Mr. & Mrs. Heffner:

RE: Case Number: 02-169-A, 12905 Community Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 20, 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: People's Counsel

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For December 3, 2001
Item No. 169

The Bureau of Development Plans Review has reviewed the subject zoning item.

The flood protection elevation for this site is 11.2 feet.

The rear of the buildings may not be constructed within 20 feet of the flood plain as established for a 100-year flood level with a 1-foot freeboard. *See Plate D19 in the Baltimore County Design Manual.*

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

In accordance with *Bill No. 18-90, Section 26-276*, filling within a flood plain is prohibited.

The developer is responsible for the cost of temporary structures and measures required in the event of sectional development.

Flood resistant construction shall comply with B.O.C.A. International Building Code adopted by the county.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with the materials resistant to flood damage.

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: Todd G. Taylor TGT
DATE: 11/30/01
SUBJECT: Zoning Item 169
Address 1290J Community Road

Zoning Advisory Committee Meeting of 11/26/01

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

Reviewer: Glen Shaffer

Date: 12/3/01

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 30, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-152, 02- 155 & 02-169

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: 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. ~~100~~

J R A

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,

14

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
12905 Community Road, SE end of
Community Rd
15th Election District, 5th Councilmanic

Legal Owner: Lanny R. & Sharon L. Heffner
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-169-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.**



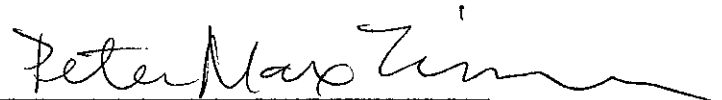
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 Lanny R. & Sharon L. Heffner, 12905 Community Road, Baltimore, MD 21220, Petitioners.



PETER MAX ZIMMERMAN

Lanny and Sharon Heffner
12905 Community Road
Middle River, Maryland 21220
(410) 335-1769

REF; Construction of shed, Garage roof extension and new Privacy fence

I the undersigned have no objection to the construction of the
above items listed above at 12905 Community Road.

In my opinion the construction has no impact on me or the community.

Signed Roland E. Ruhl

Print Name ROLAND RUHL

Address PO BOX 321 KINGSVILLE MD

Phone 410 - 592 - 8086

Date 10-22-01

02-169. A

Lanny and Sharon Heffner
12905 Community Road
Middle River, Maryland 21220
(410) 335-1769

REF; Construction of shed, Garage roof extension and new Privacy fence

I the undersigned have no objection to the construction of the
above items listed above at 12905 Community Road.

In my opinion the construction has no impact on me or the community.

Signed Grace Crue

Print Name Grace Crue

Address 12902 Community Rd.

Phone 410-335-3958

Date 10-22-01

02-169.A

Lanny and Sharon Heffner
12905 Community Road
Middle River, Maryland 21220
(410) 335-1769

REF; Construction of shed, Garage roof extension and new Privacy fence

I the undersigned have no objection to the construction of the
above items listed above at 12905 Community Road.

In my opinion the construction has no impact on me or the community.

Signed *Laura Winstead*

Print Name *Laura Winstead*

Address *12906 Community Drive*

Phone *410-344-0951*

Date *10/22/01*

Baltimore County
Department Of Permits and
Development Management

1/11/02
was JH
78
to you
IT?
to

January 7, 2002
Lanny and Sharon Heffner
12905 Community Drive
Middle River, Maryland
21220
(410) 335-1769

RE: Case Number 02-169A

22-
1/3
file

Dear Sir;

We would like to first, THANK YOU, for your Professionalism and manner in which you Presided over our case on January 3, 2002.

As suggested, we approached the Adams who was present at the hearing, to attempt to resolve the issue of their concern. A meeting was scheduled for Sunday, January 6, 2002 in hopes of a compromise. We received a phone call on the day of the scheduled meeting from Ms. Adams, stating " Lets wait until the decision is made before we talk "

Due to the nature of this case, we wanted to keep you abreast of our efforts and circumstances as they develop.

Also in your consideration, there is structures similar to our case in the immediate vicinity. (1) at 12910 Community Drive, a carport on the property line., and (2) a shed within inches of a property line at 6729 South River Drive.

Thank you for your co-operation.

Sincerely

Lanny Heffner
Sharon Heffner

CC: Ms. Jane Adams

02-115
JAN 11 2002

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: December 4, 2001

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

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

SUBJECT: Item No.: 02-169 A
Legal Owner/Petitioner Lanny R. & Sharon L. Heffner
Contract Purchaser: N/A
Property Address: 12905 Community Rd.
Location Description: SE end of Community Rd.

VIOLATION INFORMATION: Case No. 01-6131
Defendants: Lanny R. & Sharon L. Heffner

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
Jane Adams	6705 S. River Dr. Balto. Md. 21220

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/jk
C: Code Enforcement Officer

CODE ENFORCEMENT REPORT

Page 1 of 2

DATE: 9/16/01 INTAKE BY: Hopkins, K CASE #: 01-6131 INSPEC: Kemp, J

COMPLAINT

LOCATION: 12905 Community Rd.

ZIP CODE: 21220 DIST: 15

COMPLAINANT

NAME: ~~Anonymous~~ Jane Adams PHONE #: (H) 335 2472 (W)

ADDRESS: 6705 S. River Dr. ZIP CODE:

PROBLEM: Bldg. add w/o permit

IS THIS A RENTAL UNIT? YES _____ NO _____
IF YES, IS THIS SECTION 8? YES _____ NO _____
OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: 15 06 330710 ZONING: _____

INSPECTION: 9/17/01 Site Insp - Addition being built
and fence installed, No Permit on file,
SWO Posted & Mailed, RC 9/21/01

REINSPECTION: 9/21/01 B46174 Applied for, being held
per EIR, RC 10/5/01 JR

REINSPECTION: 10/5/01 Permits obtained, Viol. Abated,
Case Closed, JR
Re-Open Case

10/11/01 Add Complainant's Name to file,

REINSPECTION: Site Insp. - Mrs. Adams provided eng.

survey, work being done not in compliance w/
permit, SWO handed to owner, RC 10/25/01 JR
10/19/01 Mrs. Adams called - Mr. Hettner continuing w/ const.
10/22/01 Site Insp. - work done exceeds SWO, Unlawful continuing

DATE: 1/1 INTAKE BY: CASE #: 01-6131 INSPEC: Kemp

COMPLAINT

LOCATION: 12905 Community Rd

ZIP CODE: DIST:

COMPLAINANT

NAME: see p. 1 PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM:

OWNER/TENANT
INFORMATION:

TAX ACCOUNT #: ZONING:

INSPECTION: 10/25/01 Site Insp. - Enforcement Citation

written and handed to Mr. Larry Hettner.

I informed Mr. Hettner I would take photos

~~tomorrow~~ 10/26/01 Hearing 11/27/01, RC 11/23/01

REINSPECTION: 10/26/01 Six Photos taken, Mr. Hettner

came to off. ic, Gave Glen Berry letter and

KN "Notice of Intent to Detain"

given to Kitty to put on docket

REINSPECTION: 11/27/01 Hearing Held, RC 12/1/01 for

Final order, JK

12/4/01 "Final Order" not yet written.

REINSPECTION:

DATE: 09/06/2001

STANDARD ASSESSMENT INQUIRY (1)

RA10C13

TIME: 12:41:03

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
15 06 350710 15 3-2 34-00 H NO 01/08/01

HEFFNER LANNY

DESC-1.. IMPSLT 133-134

HEFFNER SHARON

DESC-2.. HAREWOOD PARK

12905 COMMUNITY RD

PREMISE. 12905 COMMUNITY

RD

00000-0000

BALTIMORE

MD 21220-1013 FORMER OWNER: KRISTIANSEN TORE S

FCV		PHASED IN			
	PRIOR	PROPOSED	CURR	CURR	PRIOR
LAND:	55,640	87,500	FCV	ASSESS	ASSESS
IMPV:	95,180	147,600	TOTAL..	207,006	207,006
TOTL:	150,820	235,100	PREF...	0	0
PREF:	0	0	CURT...	207,006	207,006
CURT:	150,820	235,100	EXEMPT.	0	0
DATE:	10/96	09/99			

TAXABLE BASIS		FM DATE
01/02 ASSESS:	207,006	09/30/00
00/01 ASSESS:	71,560	06/01/00
99/00 ASSESS:	60,320	06/04/99

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



Baltimore County
Department of Permits and
Development Management

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

15 23

Code Enforcement: 410-887-3351

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620

Electrical Inspection: 410-887-3960

Any? Call me 410-887-3953 or 3-4 P.M.
BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 01-6131	Property No. 15 06 350710	Zoning:
-------------------------------------	-------------------------------------	---------

Name(s):

Address:

Violation Location: **12905 Community Rd. 21220**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
**Balto. Co. Code 7-36 Fines for construct-
ion w/o permits; BOCA 107.0 Permit required**

**Addition being built and fence
installed w/o permits. Please, obtain
permits or remove.**

- 1) \$1,000.00 Fine**
- 2) Subject to \$200.00/Day Fine if not
brought into compliance.**

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

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

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATION(S),
UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED, YOU
RESUME ALL WORK. APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT.
THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN

Not Later Than: 9/21/01	Date Issued: 9/21/01
-----------------------------------	--------------------------------

INSPECTOR:

James Z. Kuyf (Jim Kemp)



Baltimore County
Department of Permits and
Development Management

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

15th

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. 01-6131	Property No. 15 06 350 710	Zoning:
------------------------------	-------------------------------	---------

Name(s):
Hettner Larry
Hettner Sharon

Address:

Violation Location:
12905 Community Rd Balto. Md 21220

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
BOCA 111.3 "Compliance w/ Permit"

Storage shed being built does not comply w/ permit B-461241. The shed is attached, is excessive in size and property line set-backs do not comply w/ permit. Please have permit revised to reflect work being done or remove.

OK to tar paper roof sheathing already in place and brace loose trusses only

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

On or Before:	Date Issued:
---------------	--------------

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

INSPECTOR:

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: 10/25/01	Date Issued: 10/25/01
-----------------------------	--------------------------

INSPECTOR: Jim Kumpf (Jim Kumpf)
AGENCY



Baltimore County
Department of Permits and
Development Management

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

15-72

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

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

8-9:30 A.M. or 3-4 P.M.

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 01-6131	Property No. 15 06 350710	Zoning:
-------------------------------------	-------------------------------------	---------

Name(s): **Hoffner Lanny**
Hoffner Sharon

Address: **Same**

Violation Location: **12905 Community Drive Baltimore 21220**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
Balto. Co. Code 7-36 "Fines for construction w/o permits" BOCA 117.2 "Unlawful Continuance"
(Total roof sheathed windows & doors installed)
Construction Continued beyond limitations of "Stop Work Order"

- 1) **\$1,000.00 Fine - "Working w/o permit"**
- 2) **Plus \$1,000.00 Fine for "Unlawful continuance"**

Fines to be paid before permit can be issued.

"Cease All Construction"

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

On or Before:	Date Issued:
---------------	--------------

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

INSPECTOR: _____

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: 10/25/01	Date Issued: 10/22/01
------------------------------------	---------------------------------

INSPECTOR: **[Signature]** (J.M. Kemp)
AGENCY



Baltimore County
Department of Permits and
Development Management

Code Inspections 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 CITATION
SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Case No. 01-6131	Property No. 15 06 350710	Zoning:
Name(s): Heffner Lanny Heffner Sharon		
Address: Same		
Violation Location: 12905 Community Drive Balto. Blad220		
Violation Dates: 9/7/01 thro 10/25/01 71 Days		

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

**Balto. Co. Code 2-36; BOCO 107.0, 112.2
111.3**

**Failure to obtain permits, Failure
to Comply w/ permit, Failure to
comply w/ stop work order"**

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:

\$ 17,200.00

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

Date: **11/27/01**

Time: **9:00 AM**

Citation must be served by:

Date: **10/25/01**

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:

James L. Kemp Jr.

Date: **10/25/01**

Inspector's 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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, Plaintiff, vs. Hettner, Lanny + Sharon, Defendant

Hearing Date 11/27/01 Issued Date 10/25/01 Expiration Date 10/25/01

REQUEST FOR SERVICE

Please serve the attached process on the person shown.

ORDER FOR SERVICE

You are hereby commanded to serve the attached process and to make your return promptly on this Order if served, and if you are unable to serve, you are to make your return on this Order and return the original process no later than the last day following the termination of the validity of the process.

PROOF OF SERVICE

I hereby CERTIFY that:

☐ A Citation and all other papers filed with it were served by restricted delivery mail, return card attached.☒ A Citation and all other papers filed with it were served by personal delivery to Lanny Hettner
Name

_____, on 10/25/01, at _____ a.m./p.m.
Title Date Time

Description of defendant: Race wh Sex M Height 5'8"Weight 160 Age 47 Other _____

____ The premises at _____ were posted.

____ I was unable to serve because _____

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief, and do further affirm that I am a competent person over 18 years of age and not a party to the case.

(Jim Kemp)
Jim Kemp
Signature
111 W. Chesapeake Ave
Address

Code Enforcement Officer
Title
410-887-3953
Telephone No.

10/28/01
Date

Time a.m./p.m.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

LARRY + Sharon
Heffner

ADDRESS

12905 Community Rd
21220



Revised 4/17/00

Lanny and Sharon Heffner
12905 Community Road
Middle River, Maryland 21220
(410) 335-1769

REF; Construction of shed, Garage roof extension and new Privacy fence

I the undersigned have no objection to the construction of the
above items listed above at 12905 Community Road.

In my opinion the construction has no impact on me or the community.

Signed Philip Sellman

Print Name Philip Sellman

Address 6701 University Dr.

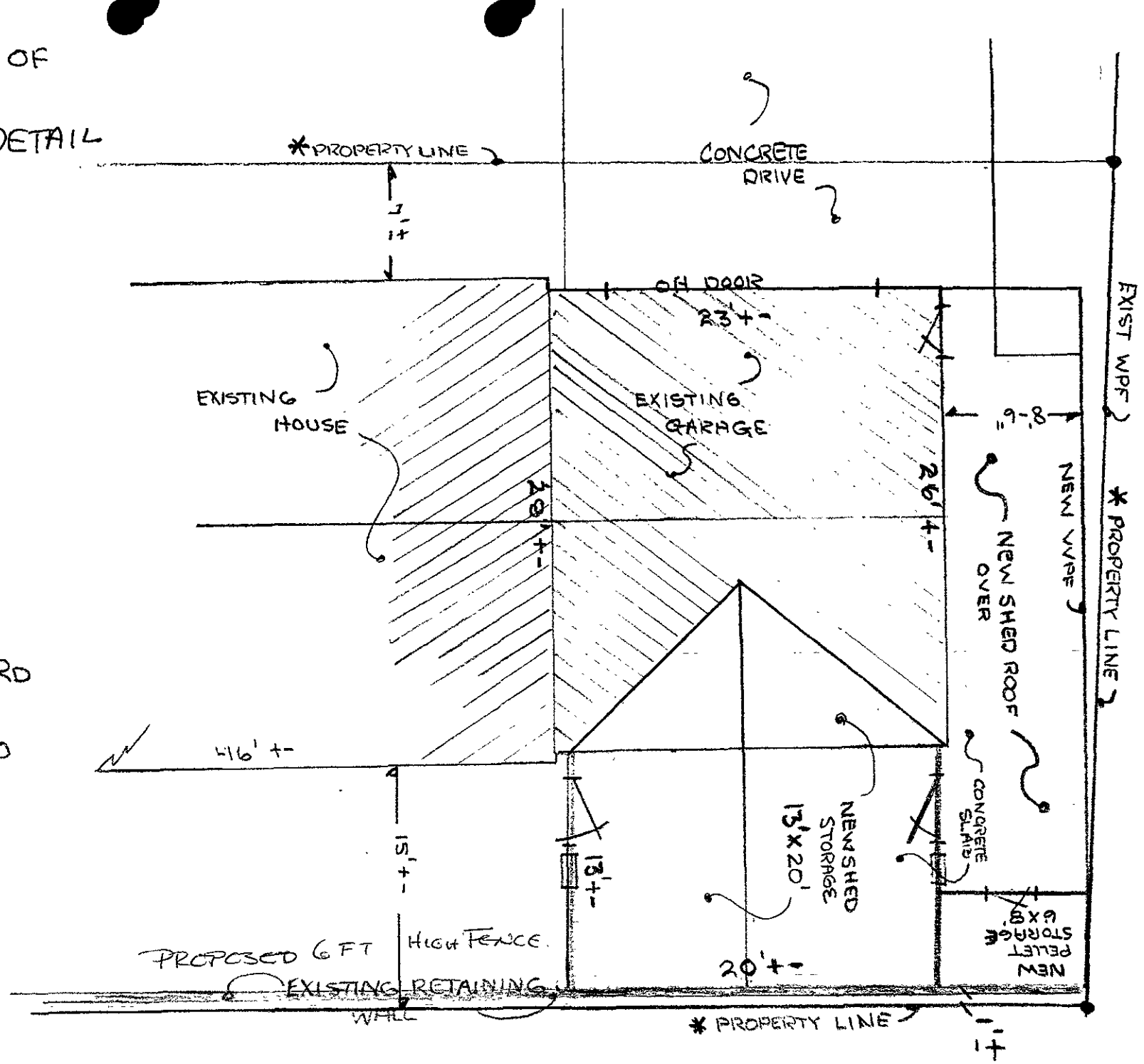
Phone 410-335-4879

Date 10-22-01

02-169.17

*
EXPLODED VIEW OF
SITE PLAN
SHOWING DETAIL

H-691-20



REVISED"
12905 COMMUNITY RD
LOTS 133 & 134
BALTO. MD 21220

PERMIT #
13461741

Plat ☒ accompany petition for Zoning ☒ Variance ☐ Special Hearing

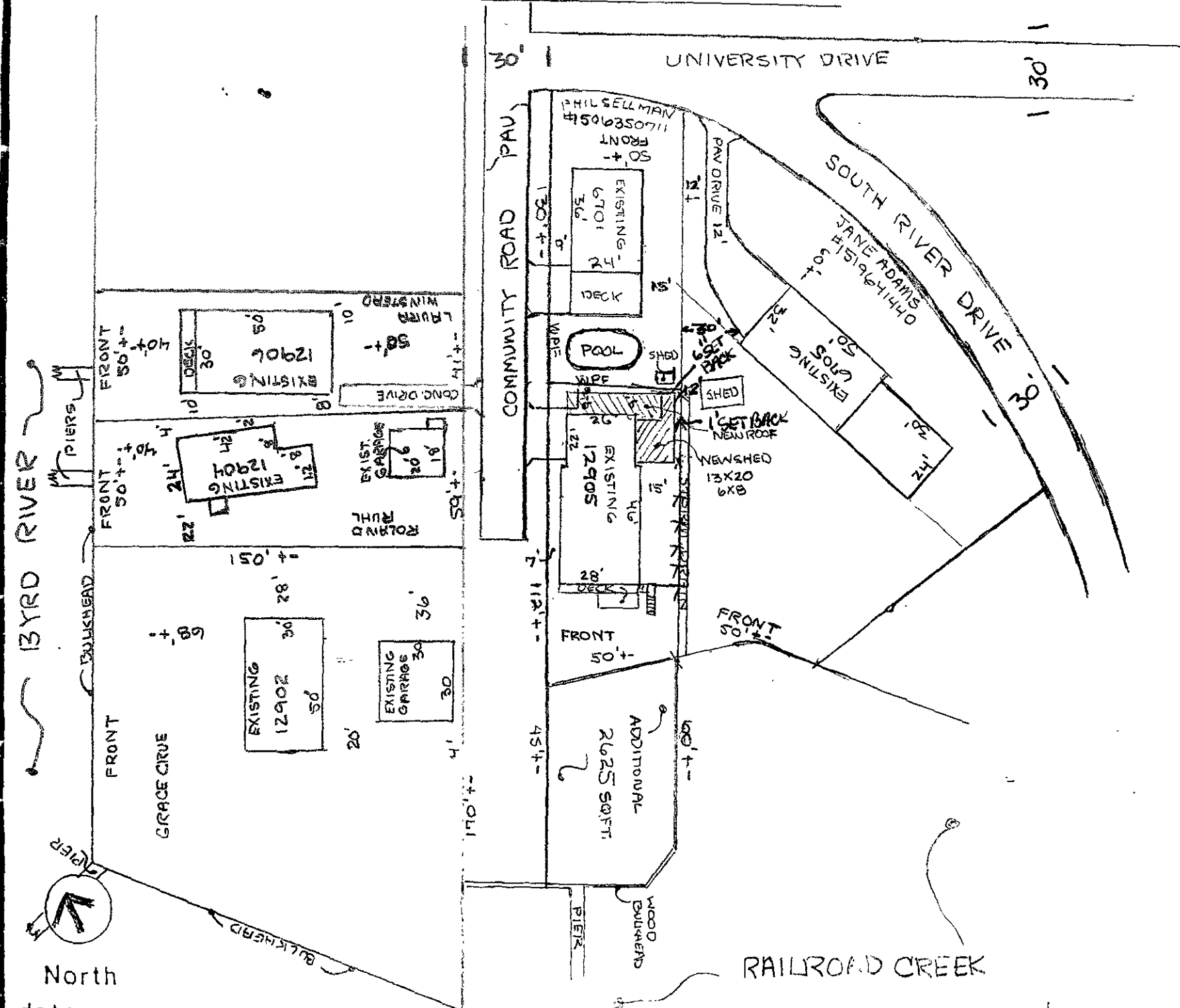
PROPERTY ADDRESS: 12905 COMMUNITY ROAD

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HAREWOOD PARK

plat book # 7, folio # 131, lot # 134, section # 33

OWNER: LANNY & SHARON HEFFNER



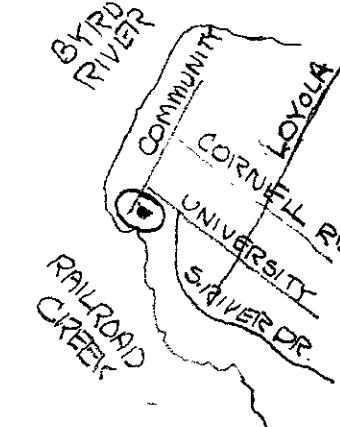
North

date: _____

prepared by: L.H.

Scale of Drawing: 1" = 50'

MAP BC30H07



vicinity map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1" = 200' scale map #: NE-8L

Zoning: DR. S.S

Lot size: 0.19
acres

8189 APPROX
square feet

	PUBLIC	PRIVATE
SEWER:	☒	☐
WATER:	☒	☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings:

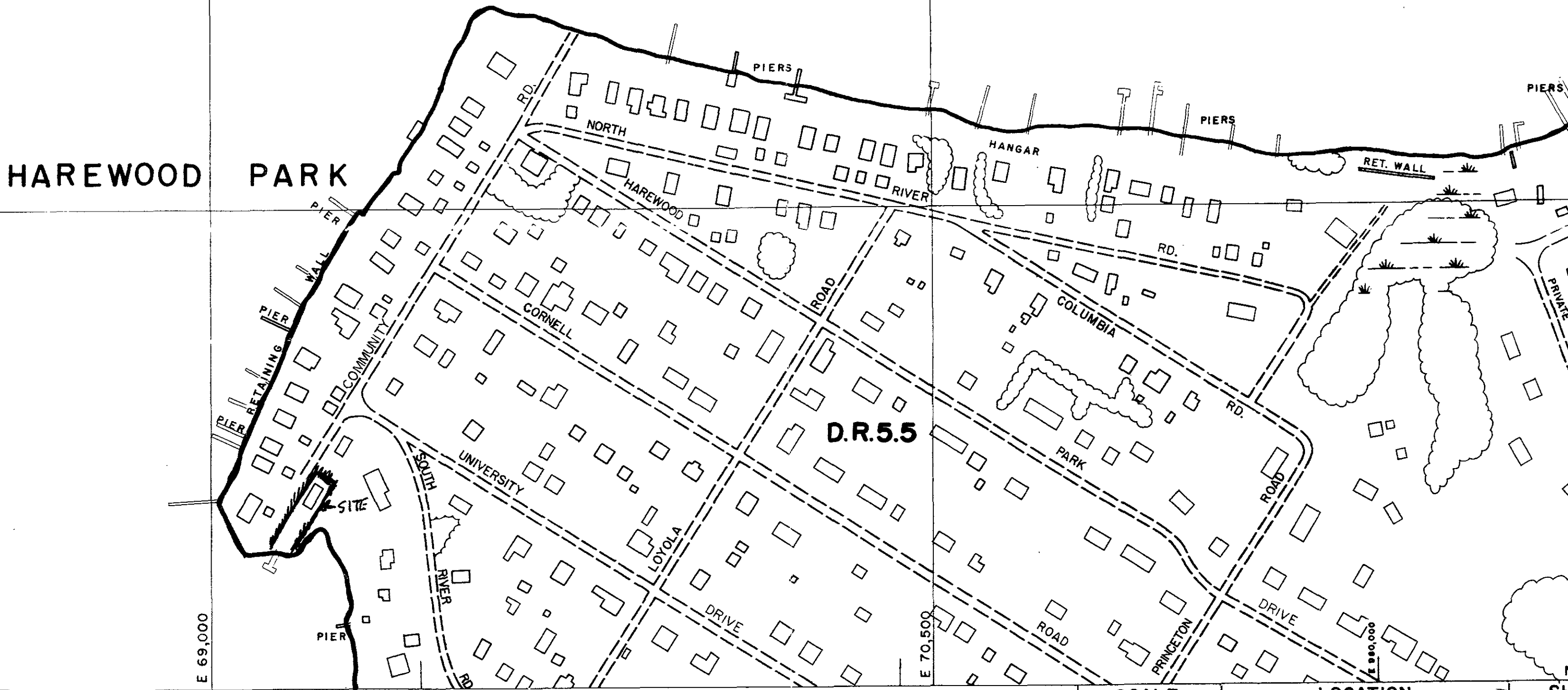
#88-301-A NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

SOJA

02-169-A



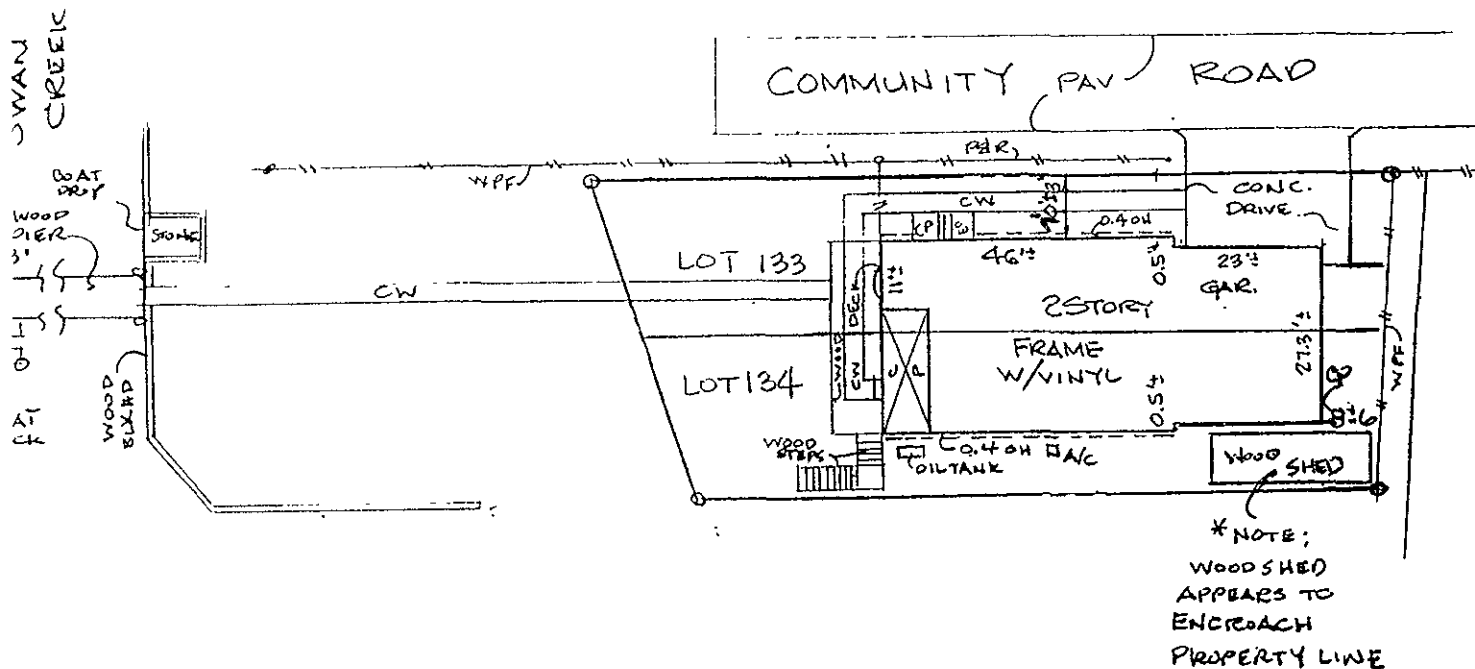
(SHEET N.E. 7-L)

BALTIMORE COUNTY DEPARTMENT OF PLANNING AND ZONING

02-169-A

SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY

LOCATION HAREWOOD PARK
NE 8-L



NOTE: NO BEARINGS & DISTANCES
SHOWING ON RECORDED PLAT

plat is of benefit to a consumer only insofar as it is required by a lender or
le insurance company or its agent in connection with contemplated transfer,
ncing or refinancing. The plat is not to be relied upon for the establishment
ocation of fences, garages, buildings, or other existing or future
rovements. The plat does not provide for the accurate identification of
erty boundary lines, but such identification may not be required for the
sfer of title or securing financing or refinancing.

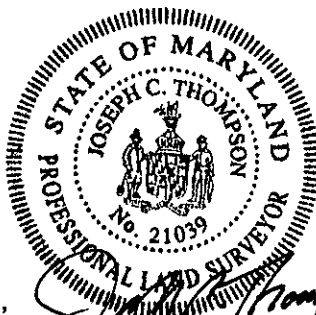
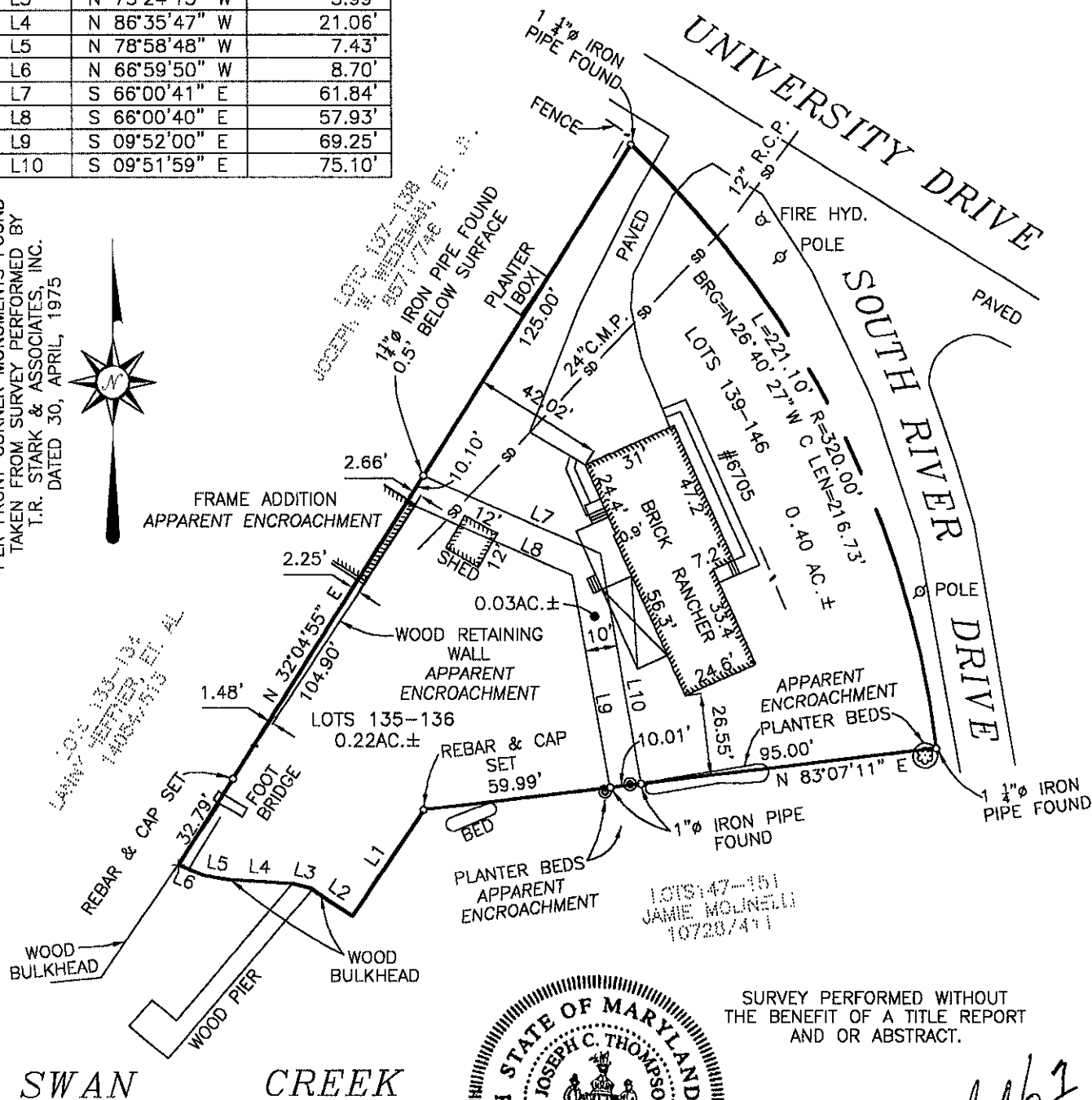
3 LOT SHOWN HEREON IS IN FLOOD ZONE A10 PER F.E.M.A.
OOD INSURANCE RATE MAP PANEL # 240010-0315 B

12905 COMMUNITY ROAD
LOTS 133 & 134
"PLAT OF HAREWOOD PARK"
PLATBOOK WPC 7-131
BALTIMORE CO., MARYLAND

SCALE 1" = 30'	LOCATION CERTIFICATION		
DATE -8-99	WITZ & ASSOCIATES GENERAL SURVEYING CO.		
JOB No. 9-1632	7222 KENNEBUNK ROAD BALTIMORE, MD 21244 (410) 597-9995	4131 KAHLSTON ROAD BALTIMORE, MD 21236 (410) 256-8428	

LINE	BEARING	DISTANCE
L1	N 33°40'36" E	41.20'
L2	N 56°06'18" W	16.15'
L3	N 75°24'15" W	5.99'
L4	N 86°35'47" W	21.06'
L5	N 78°58'48" W	7.43'
L6	N 66°59'50" W	8.70'
L7	S 66°00'41" E	61.84'
L8	S 66°00'40" E	57.93'
L9	S 09°52'00" E	69.25'
L10	S 09°51'59" E	75.10'

NORTH
PER FRONT CORNER MONUMENTS FOUND
TAKEN FROM SURVEY PERFORMED BY
T.R. STARK & ASSOCIATES, INC.
DATED 30, APRIL, 1975



SURVEY PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT
AND OR ABSTRACT.

hab61

1-2-2002

BOUNDARY SURVEY
LOTS 135, 136 & 139-146
HAREWOOD PARK
PLAT W.P.C. 7/131
DEED REFERENCE: E.H.K., Jr. 5521/147
#6705 SOUTH RIVER DRIVE
15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

JOSEPH C. THOMPSON ASSOCIATES

REGISTERED PROFESSIONAL LAND SURVEYORS

1500 DUNDEE COURT
BEL AIR, MARYLAND 21014

(410) 803-0696

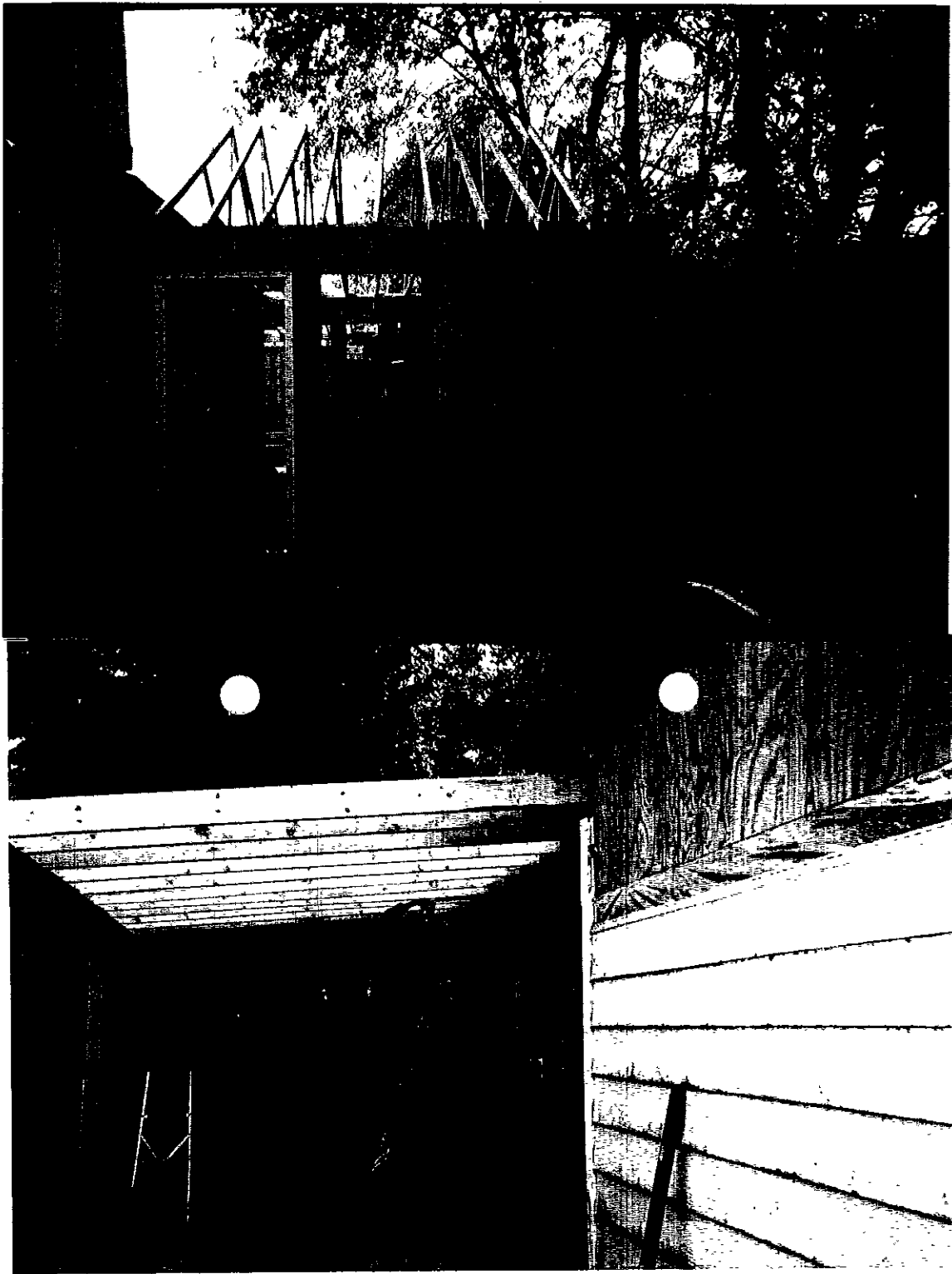
DATE: 1/2/02

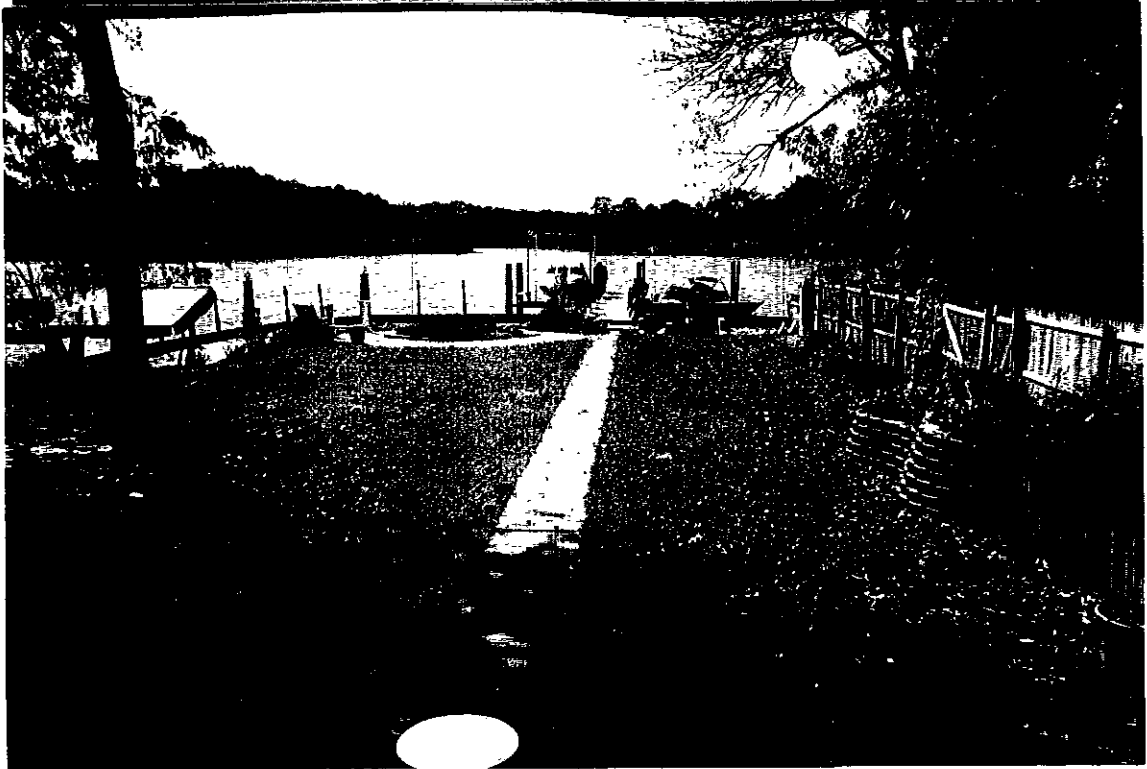
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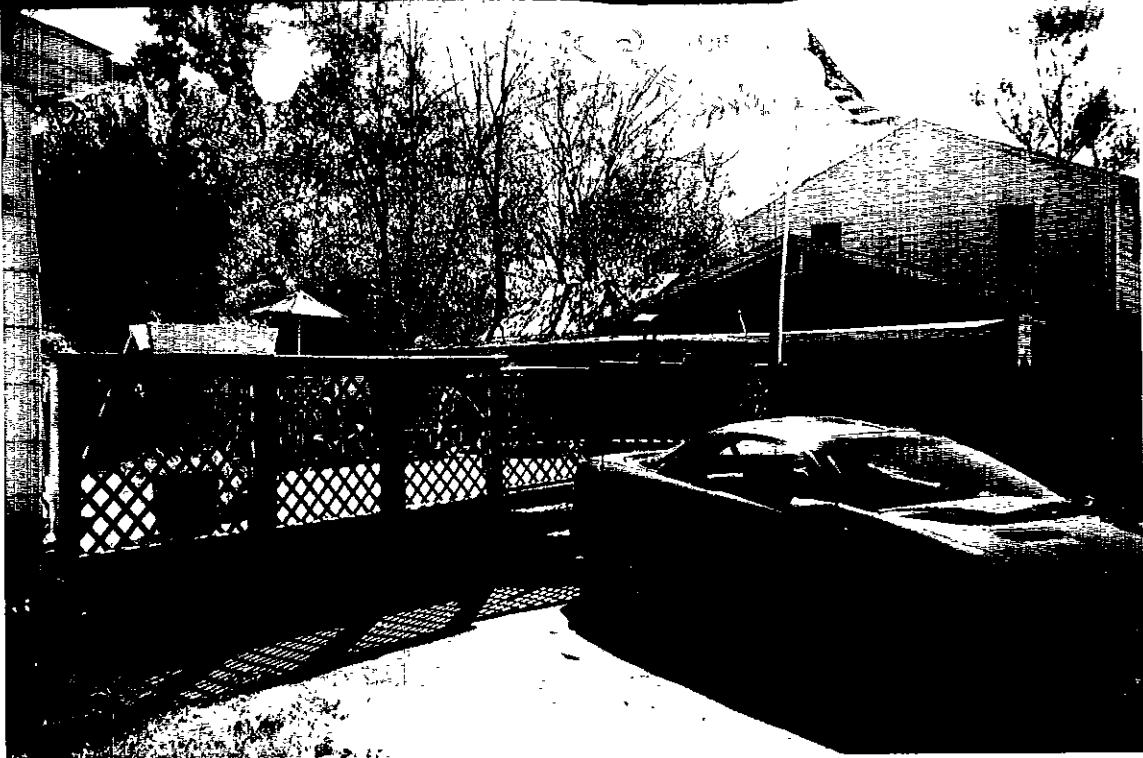
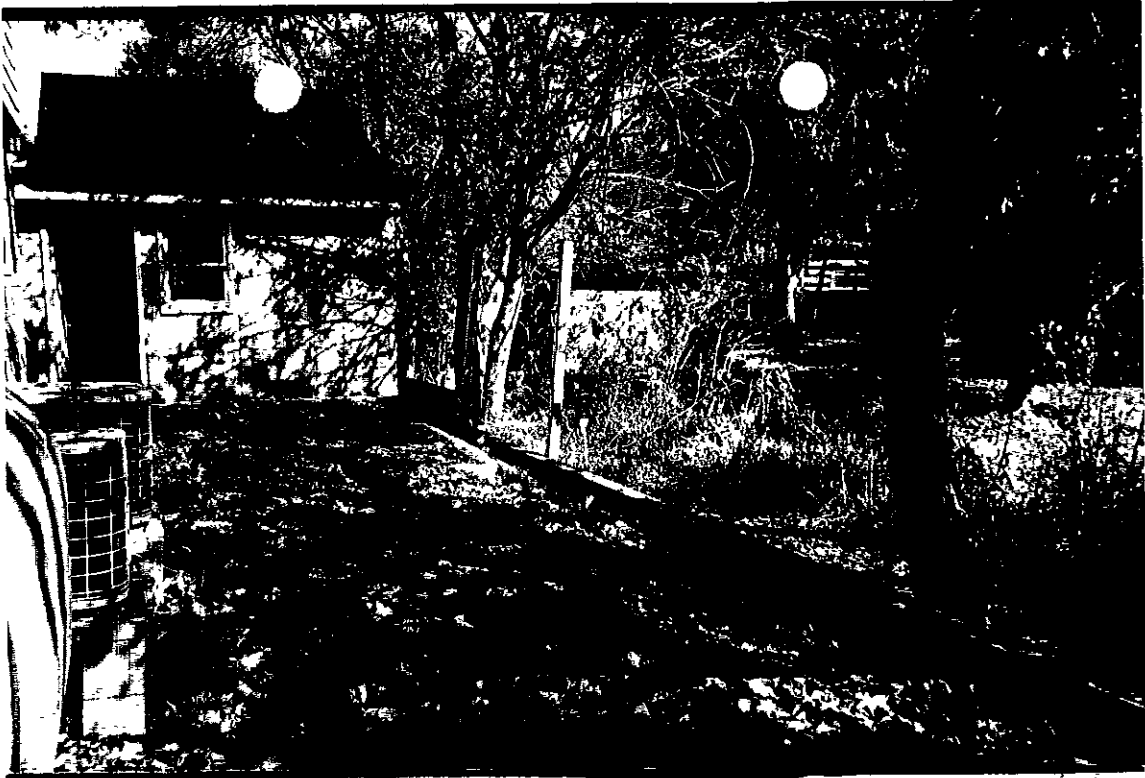
SCALE: 1"=50'

BNDY.DWG

NOTE: SEE T.R. STARK FILE #448

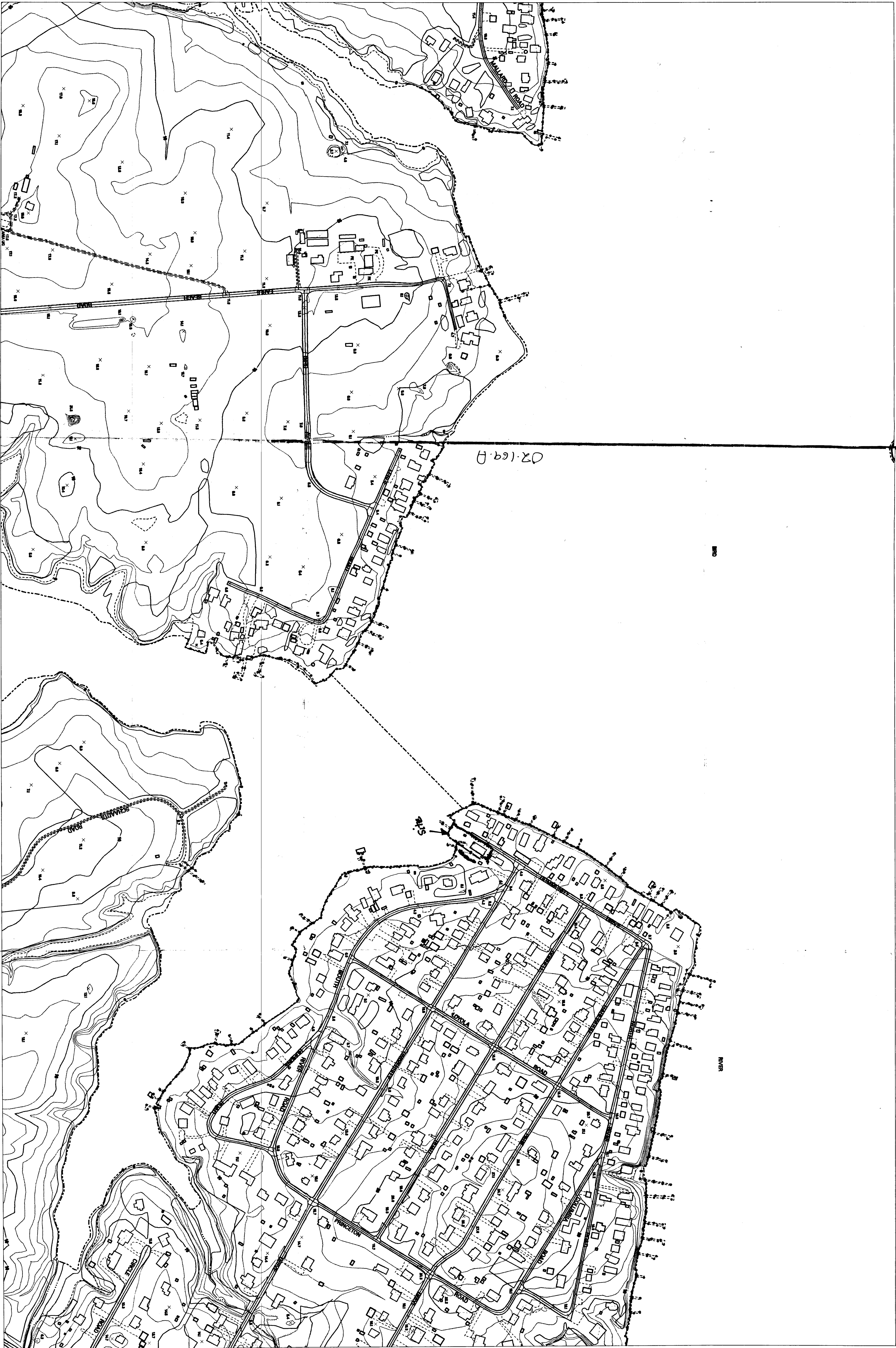








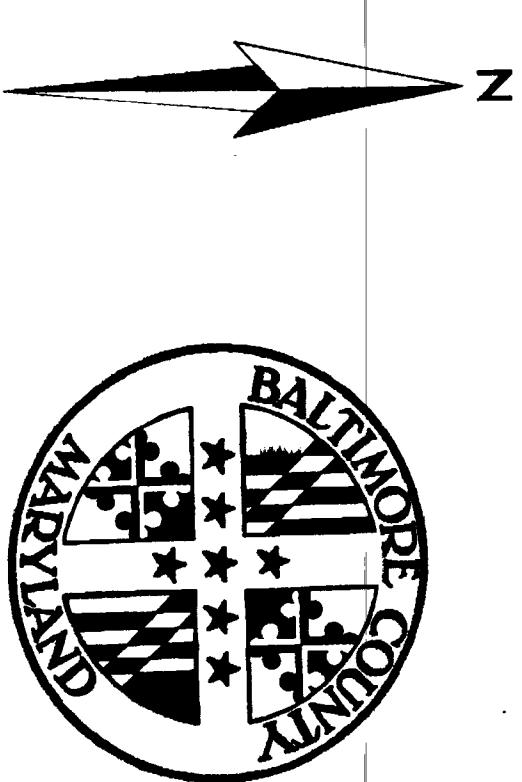
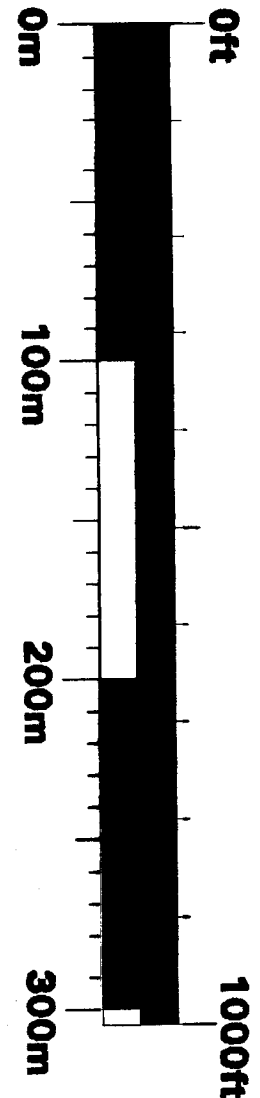
PLANIMETRICS PLOT



Legend

Mapsheet Index	Ramp Centrifuges
Residential Buildings	Recreational Areas, Golf Courses
Commercial Buildings	Commercial Pools
Institutional Buildings	Bluff-Hillie Areas
Garages and Other Structures	Athletic Fields, Tennis Courts, Playgrounds
Buildings Under Construction	Natural Hydrography
Toll Booths and Rail Stations	Reservoirs
Water Towers and Storage Tanks	SW Retention Ponds
Cuts	Bay Area
Paved Roads	Boat Ramps, Piers, Dams, and Bulkheads
Unpaved Roads	Drainage Constrictor
Paved Alleys	Culverts
Unnamed Roads	Headwall/Floodwall
Hidden Roads, Roads Under Construction	Hidden Hydrography
Road Intersections	Index Contour
Paved Parking Lots, Driveways, Runways, Taxiways	Intermediate Contour
Bridges and Overpasses	Index Depression Contour
Tunnel Portal	Intermediate Depression Contour
Rail Line	Obscured Index Contour
Hidden Rail Line	Obscured Intermediate Contour
Abandoned Rail	Obscured Index Depression Contour
Metro Rail	Obscured Intermediate Depression Contour
Light Rail	Hidden Contour
Transmission Line	Neatline
Pipeline	Radio Towers
Junkyards, Landfills, Quarries, Gravel and Sand Pits	Transmission Towers
Areas Under Construction, IPower Stations	Microwave Transmitters
Race Tracks, Cemeteries	Spot Elevations
Wooded Areas, Orchards/Nurseries	Water Elevations
Trees Rows	Bridge Elevations
Wetlands/Swamps	Floodtop Elevations
State Plane Grid Lines	
Street Centrifuges	
Alley Centrifuges	

1:2400



Baltimore County - OIT GIS Services Unit

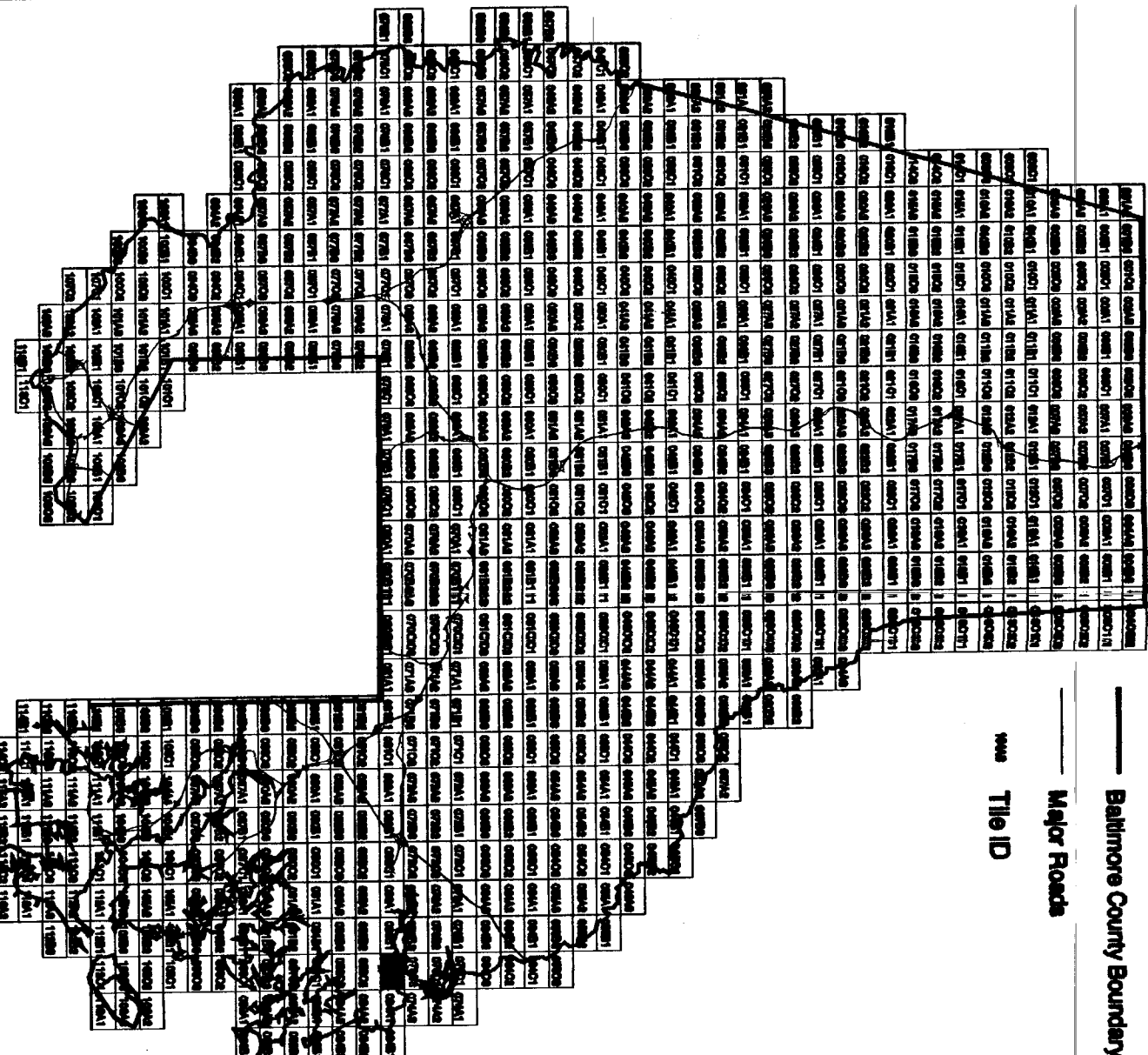
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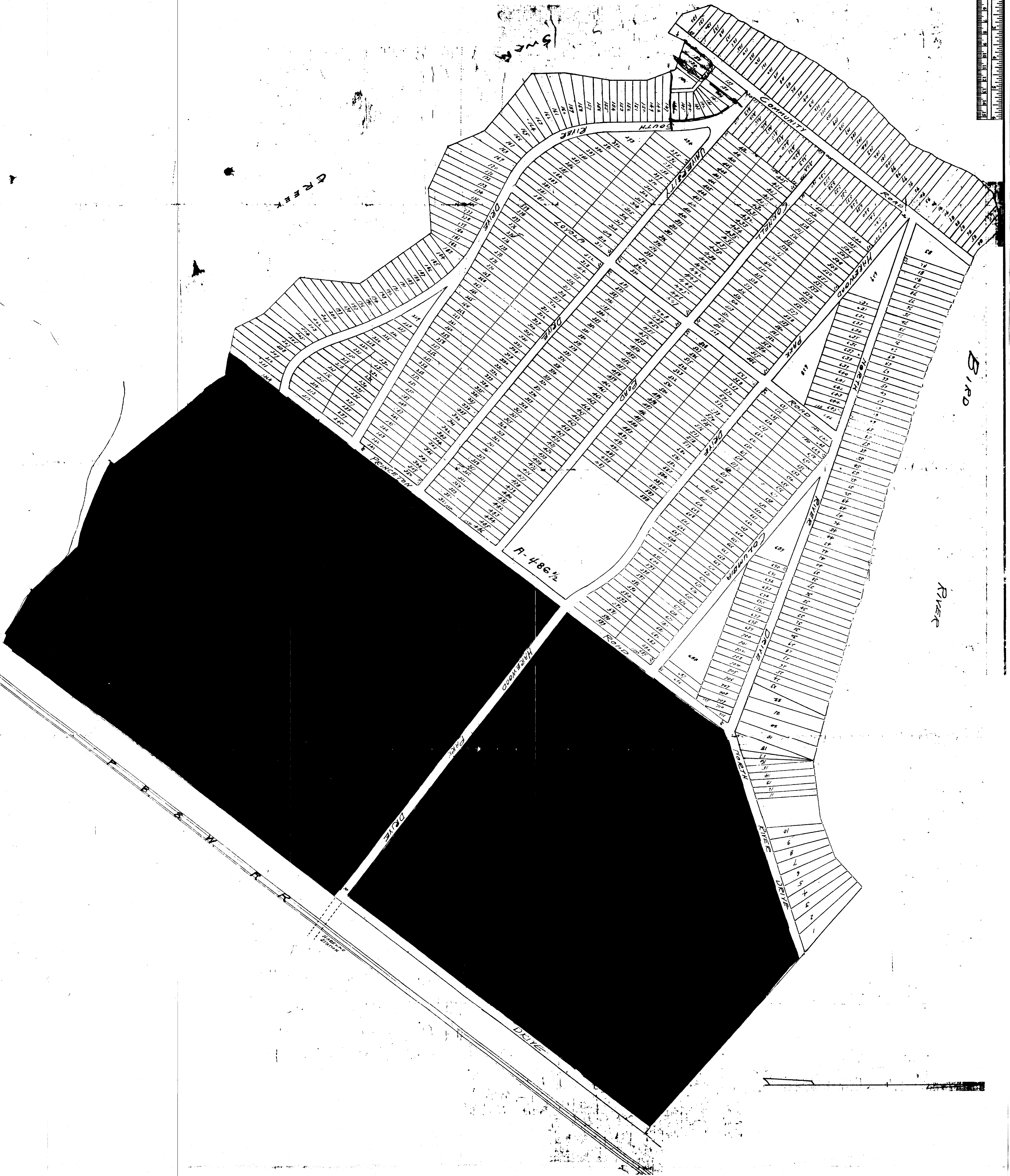
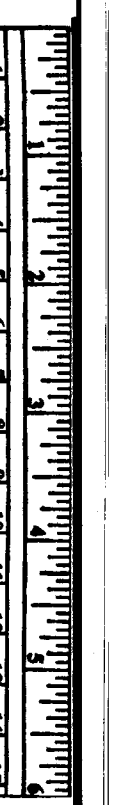
INDEX, BLDG, ROADS, CLINE, TRANS
CULT, VEG, REC, HYDROL, HYDROP
CCOMM, SPOT, TOPO

Coordinate System:

Maryland State Plane: NAD83/91 Horiz. Datum
Elevations in Feet: NAVD88 Vertical Datum
Date of Data Capture: March 1995

Tile IID: 083C1





Drawn, verified & laid
out by
County Engineer to plat &
from the field notes