

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

DATE: May 16, 2003

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton *trs*
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

<u>BOARD OF APPEALS CASE NUMBER</u>	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-03-189	<i>R-03-189 Cycle IV 2002</i>	GREMPER REALTY	1515 SULPHUR SPRING ROAD
02-184-SPH	<i>02-184-SPH</i>	WAL-MART STORES INC.	2399 NORTH POINT BOULEVARD
02-319-A	<i>02-319-A</i>	M/M DOUGLAS G. KARMASEK	1611 ROSEDALE HEIGHTS AVENUE

Attachment: SUBJECT FILE(S) ATTACHED

2/20/03

IN THE MATTER OF
THE APPLICATION OF
DOUGLAS G. & CHARLOTTE KARMASEK
FOR VARIANCE ON PROPERTY
LOCATED ON THE NW/S OF ROSEDALE
HEIGHTS AVENUE, 190' W C/L
PHILADELPHIA ROAD (1611 ROSEDALE
HEIGHTS AVENUE)
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 02-319-A

* * * * *

AMENDED ORDER

On January 22, 2003, this Board issued an Opinion and Order in the above-captioned matter. The Board, pursuant to Rule 10, has reviewed its Opinion and Order issued in the proceedings and finds that a paragraph was inadvertently omitted from its Order; i.e., the 120 days given the Petitioner to remove the accessory structure was not included as part of the Order. Therefore, the Board's Order dated January 22, 2003 shall be amended as follows (underscore indicates correction):

...that the Petitioner's request for variance seeking relief from § 400.1 of the *Baltimore County Zoning Regulations* to permit an accessory structure (shed/pavilion) to be located 6 inches from the south side property line, as modified, 1 foot 4 inches from the north side property line, and 2 feet from the rear property line in lieu of the required 2.5 feet from each be and the same is hereby **DENIED**; and it is further

ORDERED that the Petitioner shall remove the aforementioned accessory structure (shed/pavilion) within 120 days from the date of this Order.

No other changes having been made, the 120 days shall run from January 22, 2003; and any Petition for Judicial Review will be filed from the date of the Board's original Opinion and Order issued January 22, 2003.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Charles L. Marks, Chairman


Lawrence M. Stahl


Melissa Moyer Adams

FILED: February 20, 2003

1/22/03
IN THE MATTER OF
THE APPLICATION OF
DOUGLAS G. & CHARLOTTE KARMASEK
FOR VARIANCE ON PROPERTY
LOCATED ON THE NW/S OF ROSEDALE
HEIGHTS AVENUE, 190' W C/L
PHILADELPHIA ROAD (1611 ROSEDALE
HEIGHTS AVENUE)
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 02-319-A

* * * * *

OPINION

This case comes before the Board of Appeals of Baltimore County on appeal from a decision of the Zoning Commissioner for Baltimore County, granting a variance from § 400.1 of the *Baltimore County Zoning Regulations* (BCZR) to permit an accessory structure (shed/pavilion) to be located 6 inches from the south side property line, as modified, 1 foot 4 inches from the north side property line, and 2 feet from the rear property line in lieu of the required 2.5 feet from each, subject to four additional restrictions.

A *de novo* hearing on the appeal before the Board was heard on December 12, 2002, and a public deliberation was held the same day. Petitioners, Douglas and Charlotte Karmasek, appeared in proper person, and the Appellant /Protestant, Margaret Hammonds, was represented by Stacie D. Trageser, Esquire.

After opening statements, Charlotte Karmasek was called and testified that she and her husband had lived on the subject property for approximately 5 years. She described the shed/pavilion which is the subject of the Petition for Variance, and described and entered as evidence a number of photographs showing the location, construction, and structure of the subject project. She further related that they had notified both adjacent neighbors of the construction, and had taken steps to respond to any issues or concerns either neighbor might raise concerning the new structure. She confirmed that the project, for which they provided the labor themselves, was undertaken without a permit, and that, other than for some cosmetic completion work, the project was finished when the Stop Work Order was issued by Baltimore County and received by them. She further stated that the Petitioners completed the cosmetic work after receipt of the Stop Work Order and confirmed that they were aware that they did so at their own risk.

While describing the proffered photographs, the witness suggested that the subject property was unique in that it was not a rectangle as were other properties in the area, and that its sides tapered toward one end. She concluded her testimony by stating that she and her husband properly maintained the property, took steps to control run off and debris, and have taken a number of other steps to insure that the project was not detrimental to the neighborhood or their immediate neighbors.

Douglas Karmasek next appeared as a witness and reaffirmed his wife's opinion that their property was unique in that its shape was different from that of the neighboring properties because it tapered from wider to narrower. He also observed that the area was not a "cookie cutter" neighborhood and that the properties located in the area came in all shapes and sizes. He confirmed that he had not obtained a permit for the project before beginning construction and that virtually all of the project was completed when the Stop Work Order was issued.

Mr. Scott Moffett, the neighbor immediately adjacent to the subject site on the opposite side as that of the Protestant, Mrs. Hammonds, was called by Petitioners, and offered to the Board that the completed project neither impeded nor was detrimental to his use and enjoyment of his property. In fact, he related that he was of the belief, based on the evaluation of others, that the shed/pavilion project had actually enhanced his property's value. He described the neighborhood as generally unique, giving several examples of items and structures located on various home sites in the area.

Finally, the file and documents presented by Petitioners at the Zoning Commissioner's hearing were placed into evidence for the Board's review.

Margaret Hammonds, an 8-year adjacent resident to the subject site, testified as Protestant. She stated that she became gradually aware of the subject construction in the spring of 2002 and related that she had been assured by the Petitioners that they had obtained a permit for the work. She presented a number of complaints concerning the project, including flooding and puddles of water on her property,

debris caught between the project and the property fence, and the apparent disappearance of at least one surveyor marker between the two properties. Finally, she noted that a number of "cook outs" occurred at the project site, attended by "35 or 40" people who parked their vehicles on the neighborhood streets.

Charlotte Karmasek returned to the stand in rebuttal. She denied that Mrs. Hammonds had ever been told a permit existed and that, as far as they were aware, they had not intentionally removed or otherwise affected any surveyor markers. She stated that social gatherings took place at their house prior to the construction of the shed/pavilion, but that, in any event, those occasions included far less people than that described by Mrs. Hammonds. She concluded by noting that she and her husband had also encountered the puddling and water difficulties testified to by Mrs. Hammonds. However, she described that, after their lawn was properly graded and fill dirt added, the problems abated. She suggested the same would probably be the case for Mrs. Hammonds' property.

Mr. Scott Moffett was briefly called in rebuttal to confirm that social gatherings of the size described by Charlotte Karmasek had in fact taken place on the subject property prior to the project's construction. He further noted that he had suffered no difficulties as a result of those activities. Beverly Karmasek, Mr. Karmasek's mother, also briefly testified to confirm the happening of these gatherings before the shed/pavilion was constructed.

Variances may be granted by the Baltimore County Board of Appeals under the authority granted in § 307 of the BCZR, which states in part:

Section 307.1 of the Baltimore County Zoning Regulations states, in pertinent part, as follows:

...(T)he County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations...only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area...regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare....

In making its determination, the Board enjoys the guidance provided by the Court of Special Appeals in *Cromwell v. Ward*, 102 Md.App. 691 (1995), wherein the Court writes:

...The Baltimore County ordinance requires "conditions ...peculiar to the land...and...practical difficulty...." Both must exist. ...However, as is clear from the language of the Baltimore County ordinance, the initial factor that must be established before the practical difficulties, if any, are addressed, is the abnormal impact the ordinance has on a specific piece of property because of the peculiarity and uniqueness of that piece of property, not the uniqueness or peculiarity of the practical difficulties alleged to exist. It is only when the uniqueness is first established that we then concern ourselves with the practical difficulties...." *Id.* at 698.

In requiring a pre-requisite finding of "uniqueness", the Court, in defining the term, stated:

In the zoning context the "unique" aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. "Uniqueness" of a property for zoning purposes requires that the subject property has an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.... *Id.* at 710.

Based upon the testimony and evidence presented, the Board finds that the Petitioner has given no evidence to prove that the subject property is unique, and, therefore, he has not met his burden of proof pursuant to § 307.1 of the BCZR and *Cromwell v. Ward*.

Only when "uniqueness" has been established, the second criteria set forth in § 307.1, that of practical difficulty or unreasonable hardship, is addressed.

In the instant case, this Board has reviewed the testimony, photographs, drawings and other evidence presented to it, and unanimously finds that the Petitioners, in constructing the subject shed/pavilion without first obtaining a permit to do so, created the zoning violation for which they seek a variance at this time. Moreover, based upon the testimony, exhibits, and other evidence presented by the Petitioners as to the shape and size of the subject site and the surrounding area, they have failed to carry the burden of establishing that the subject property is unique under § 307 of the *Baltimore County Zoning*

Regulations or the definition set forth in *Cromwell*. We further find that whatever practical difficulty exists is unfortunately the result of the Petitioners' own self-created action in not obtaining a permit prior to construction.

Having therefore not met the burden, this Board unanimously finds that the requested variance be denied.

ORDER

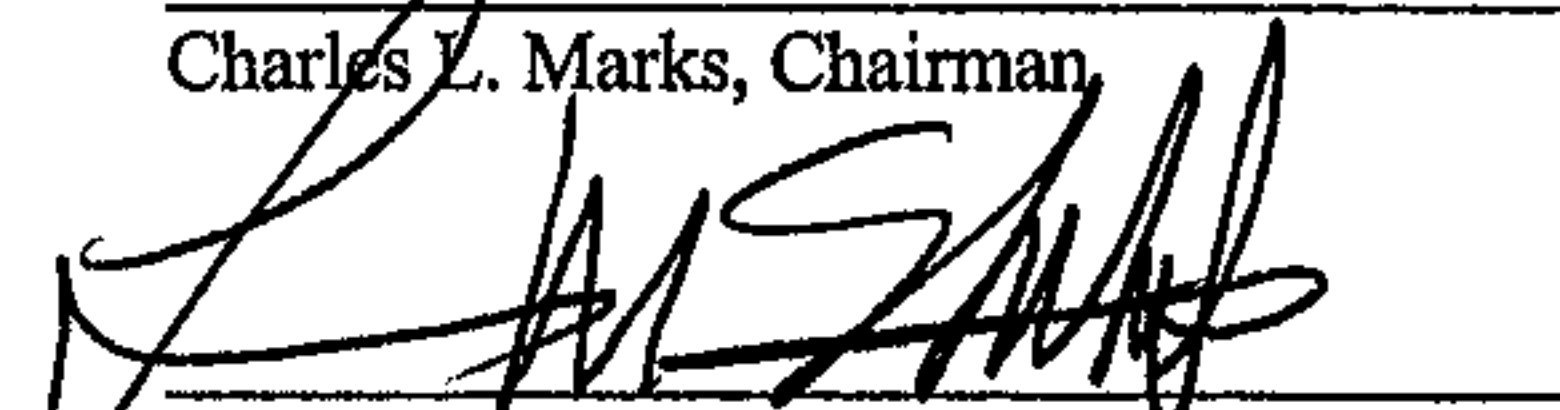
THEREFORE, IT IS THIS 22nd day of January, 2003 by the County Board of Appeals of Baltimore County

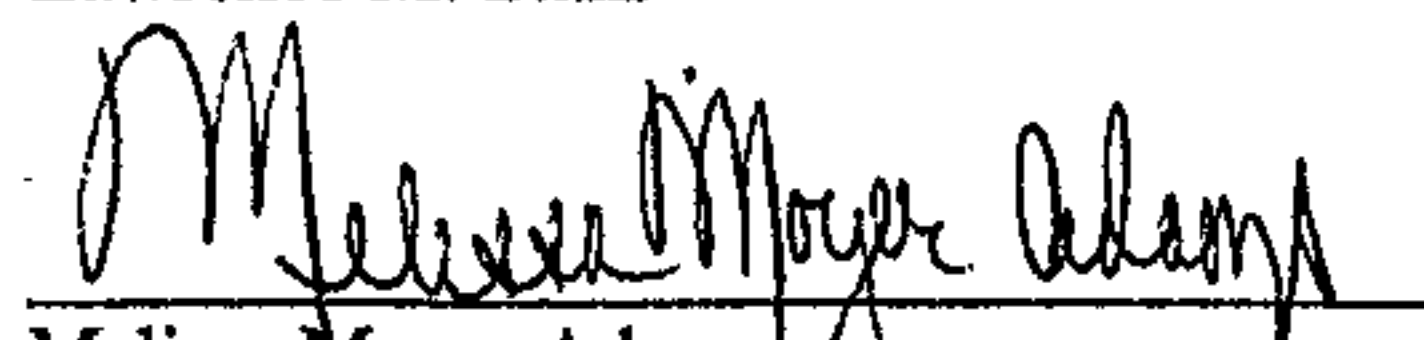
ORDERED that the Petitioner's request for variance seeking relief from § 400.1 of the *Baltimore County Zoning Regulations* to permit an accessory structure (shed/pavilion) to be located 6 inches from the south side property line, as modified, 1 foot 4 inches from the north side property line, and 2 feet from the rear property line in lieu of the required 2.5 feet from each be and the same is hereby **DENIED**.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Charles L. Marks, Chairman


Lawrence M. Stahl


Melissa Moyer Adams



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

January 22, 2003

Stacie D. Trageser, Esquire
COVAHEY & BOOZER, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: *In the Matter of: Douglas G. Karmasek, et ux - Legal Owners*
Case No. 02-319-A

Dear Ms. Trageser:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Kathleen C. Bianco / *th*

Kathleen C. Bianco
Administrator

Enclosure

c: Margaret Hammonds
Mr. and Mrs. Douglas G. Karmasek
Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
James H. Thompson, Code Enforcement [Enforcement Case #02-0149]
Arnold Jablon, Director /PDM

Case No. 02-319-A

VAR – To permit accessory structure (shed/pavilion) 1'4" from side property line and 2' from rear property line ilo required 2.5' from each.

4/05/2002 –D.Z.C.'s decision in which variance was GRANTED with restrictions.

5/16/02 – Letter from Stacie D. Trageser, Esquire, COVAHEY & BOOZER, P.A., entering appearance on behalf of Ms. Margaret Hammonds, Protestant /Appellant. File noted.

9/06/02 –Notice of Assignment sent to following; assigned for hearing on Thursday, December 12, 2002 at 10:30 a.m.:

Stacie D. Trageser, Esquire
Margaret Hammonds
Mr. and Mrs. Douglas G. Karmasek
Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
James H. Thompson, Code Enforcement [**Enforcement Case #02-0149**]
Arnold Jablon, Director /PDM

12/12/02 – Board convened for hearing (Marks, Stahl, Adams); concluded hearing. Deliberated after lunch break; variance request DENIED. Order to be issued.



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

April 17, 2002

Mr. & Mrs. Douglas G Karmasek
1611 Rosedale Heights Avenue
Baltimore MD 21237

Dear Mr. & Mrs. Karmasek:

RE: Case No. 02-319-A, 1611 Rosedale Heights Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on April 15, 2002 by Margaret Hammonds. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

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

Arnold Jablon GDZ
Director

AJ: gdz

c: People's Counsel

02 APR 18 PM 4:26

2002-04-18 16:26

APPEAL

Petition For Variance

1611 Rosedale Heights Avenue
NW/S of Rosedale Heights Avenue, 190' W centerline Philadelphia Road
15th Election District – 7th Councilmanic District
Mr. & Mrs. Douglas G. Karmasek - Legal Owner
Case No.: 02-319-A

- ✓ Petition for Variance (dated 01/31/02)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (dated 02/26/02)
- ✓ Certification of Publication (The Jeffersonian issue dated 03/12/02)
- ✓ Certificate of Posting (dated 03/10/02 posted Patrick M. O'Keefe)
- ✓ Entry of Appearance by People's Counsel (02/25/02)
- ✓ Petitioner(s) Sign-In Sheet (1 page)
- ✓ Protestant(s) Sign-In Sheet (1 page)
- ✓ Citizen(s) Sign-In Sheet (none)
- ✓ Zoning Advisory Committee Comments
- ✓ Petitioners' Exhibits:
 - 1. Plat to Accompany Petition for Variance
- ✓ Protestants' Exhibits:
 - 1. Boundary Survey 1609 Rosedale Heights Ave dated 03/19/02
- Miscellaneous (Not Marked as Exhibits):
 - ✓❖ Division of Code Inspections and Enforcement Active Violation Case Documents dated 02/25/02
 - ✓❖ Letter to W. Carl Richards, Jr, Zoning Review Supervisor from Rick Wisnom, Chief dated 04/13/02
- ✓ Zoning Commissioner's Order (dated 04/05/02 – GRANTED with restrictions)
- ✓ Notice of Appeal received on 04/15/02 from Margaret Hammonds

c: Mr. & Mrs. Douglas G. Karmasek
James H. Thompson, Code Enforcement (Enforcement Case No. 02-0149)
People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

Mr. and Mrs. Douglas G. Karmasek
1611 Rosedale Heights Avenue
Baltimore, MD 21237

PETITIONER

* Margaret Hammonds - *APPELLANT*
1609 Rosedale Heights Avenue
Baltimore, MD 21237

Stacie D. Trageser, Esquire
COVAHEY & BOOZER, P.A.
614 Bosley Avenue
Towson, MD 21204

* *Counsel for Appellant.*

IN RE: PETITION FOR VARIANCE
NW/S Rosedale Heights Avenue,
190' W of the c/l Philadelphia Road
(1611 Rosedale Heights Avenue)
15th Election District
7th Council District

Douglas S. Karmasek, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-319-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, Douglas S. and Charlotte M. Karmasek. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (shed/pavilion) to be located 1'4" from the side property lines and 2' from the rear property line in lieu of the required 2.5 feet from each. The Petition was filed in response to a complaint registered by an adjacent property owner with the Code Enforcement Division of the Department of Permits and Development Management (DPDM) relative to the location of the subject structure. 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 Douglas and Charlotte Karmasek, property owners. Margaret Hammonds, adjacent property owner, and her son-in-law, William Chavis, appeared as Protestants in the matter.

Testimony and evidence offered demonstrated that the subject property is located on the northeast side of Rosedale Heights Avenue, just north of Philadelphia Road in Rosedale. The property is an irregular shaped parcel, approximately 55' wide in the front along Rosedale Heights Avenue, and tapering to a width of 34.7' along the rear property line. The property contains a gross area of .23 acres, more or less, zoned D.R.5.5 and is improved with a one-story brick and frame

ORDER RECEIVED FOR FILING

Date 4/15/02

By [Signature]

dwelling in which the Petitioners have resided for the past 5 years. The subject of the Petition is a combination shed/pavilion located in the rear of the property, near the rear and side property lines. The location of the structure is more particularly shown on the site plan submitted by the Petitioners, and on a survey that was prepared at the request of Ms. Hammonds by APR Associates, Inc., registered land surveyors/engineers, as well as in numerous photographs submitted at the hearing. The shed, which is an enclosed structure, is approximately 12'8" x 14' in dimension and the pavilion is 19'6" x 14' and is situated on a concrete slab. That area of the slab on which the shed is not located constitutes the pavilion. As shown in the photographs submitted, the roof of the shed is extended over that area of the slab to form the roof of the pavilion. Overall, the structure is roughly 32'2" x 14' in dimension, and approximately 13.5' tall.

Mr. Karmasek testified that he began constructing this structure last summer. As shown on the site plan, the structure is located 1'4" from the side property line shared with the residence known as 1613 Rosedale Heights Avenue. It is to be particularly noted that this lot is not the Hammonds lot, but is located on the other side of the subject property. In addition, the structure is located 2' from the rear property line. Testimony indicated that the shed would be used for storage purposes. It is envisioned that lawn equipment and outdoor furniture would be stored therein, and that the pavilion will be used for picnics, cookouts, etc. Although unfinished, it appears that the structure will be attractive when completed.

Mrs. Hammonds testified in opposition to the request. She indicated that the subject structure is an eyesore. With all due respect, that does not appear to be a well-founded assertion. It appears that the building will be an attractive structure when completed. Moreover, adjacent to the rear yard of the subject property and the Hammonds lot is the rear of an adjacent business and its gravel-covered parking lot. Thus, from an aesthetic standpoint, the subject structure does not appear inappropriate with that adjacent property. Mrs. Hammonds further indicated that she was concerned about water runoff from the structure. In this regard, the Zoning Commissioner does have the authority to add conditions or restrictions upon the grant of any relief. Under the circumstances, it would be appropriate to require the Petitioners to install gutters and downspouts

ORDER RECEIVED FOR FILING

Date

By

to capture and direct all water runoff from the subject structure away from the Hammonds property. Those downspouts could empty on the other side (north) side of the lot and be directed towards the rear of the subject lot or the adjacent parking lot to the rear. This would actually improve existing drainage conditions affecting the Hammonds property.

Finally, Mrs. Hammonds indicated that the area between the concrete slab and her fence fills with debris, including leaves, trash, etc. The resolution of this concern is simple. The Petitioners shall be required to keep that area clear and free of all trash and debris. Testimony and evidence offered at the hearing indicated that the Petitioners already maintain their property up to the fence line, irrespective of the fact that the fence is actually constructed slightly into the interior of Mrs. Hammonds' property.

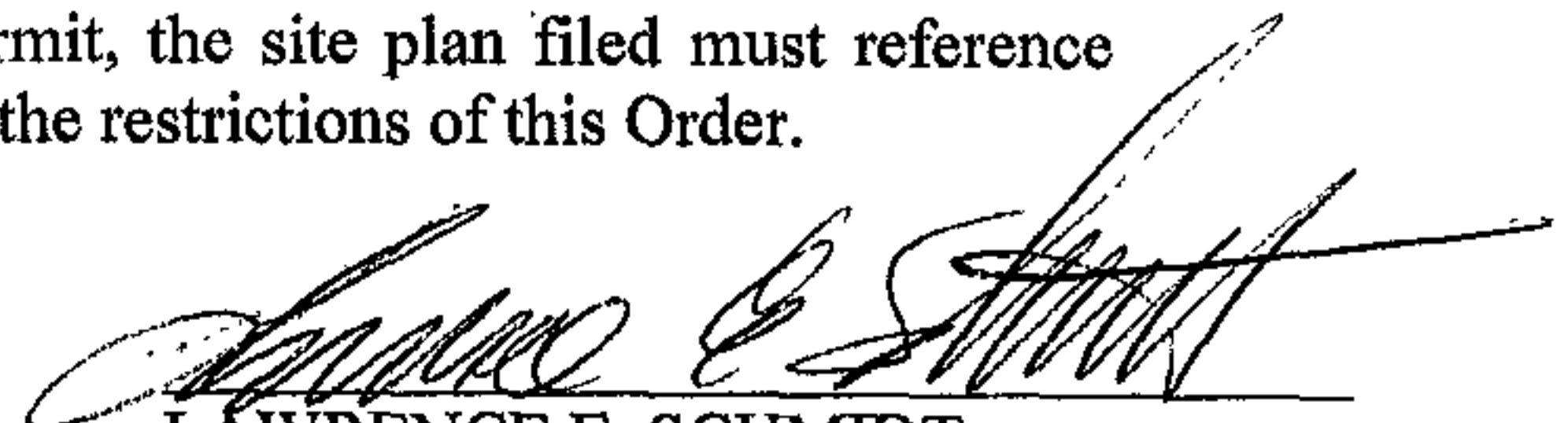
Variance relief can be granted only if the requirements of Section 307 of the B.C.Z.R. can be met. That Section requires that the Petitioner demonstrate that the property is unique and as such, its unique characteristics justify the need for variance relief. The uniqueness in this case is the unusual configuration of the property. As noted above, the lot tapers towards the rear so that the rear property line is the narrowest area of the lot. This characteristic is unique to this property and justifies the variance. Secondly, it must be shown that the Petitioners would suffer a practical difficulty if relief were denied. I believe the Petitioners have met this burden in that the proposed use is a permitted accessory to the primary use of the property as a residence. Finally, relief cannot be granted if such would be detrimental to the surrounding neighborhood. As noted above, there will be no adverse impact upon adjacent properties, if appropriate conditions are imposed and met.

Based upon the testimony and evidence presented, I am persuaded to grant the relief. In my judgment, the grant of the variance is appropriate in this instance and will not be detrimental to the surrounding properties. However, the relief being granted is a modification of that originally requested to reflect actual site conditions as set out in the survey offered by Mrs. Hammonds. Specifically, that survey shows the closest corner of the pavilion to be 6" from her property line. However, there is no evidence that the shed/pavilion or concrete slab actually infringe onto adjacent properties. Nonetheless, relief will be granted in accordance with that survey.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County his 5th day of April, 2002, that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (shed/pavilion) to be located 6" from the south side property line, as modified, 1'4" from the north side property line, and 2' from the rear property line in lieu of the required 2.5 feet from each, in accordance with Petitioner's Exhibit 1, 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) Within sixty (60) days of the date of this Order, Petitioner shall install gutters and downspouts on the shed/pavilion to direct all water runoff to the rear of the subject property and away from the Hammonds property.
- 3) That area between the pavilion and fence adjacent to the Hammonds property shall be regularly maintained and kept free and clear of all trash and debris.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 4/5/12
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1611 ROSEDALE HEIGHTS AVE., 21237
which is presently zoned D.R.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) 400.1 (B.C.Z.R.)

TO PERMIT AN ACCESSORY STRUCTURE (SHED/PAVILION) TO BE LOCATED
1'-4" FROM SIDE PROPERTY LINES AND 2' FROM REAR PROPERTY LINE IN
LIEU OF THE REQUIRED 2'-6" FROM PROPERTY LINE.

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

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

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

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

Contract Purchaser/Lessee:

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. 02-319-A

REV 9/15/98

Legal Owner(s):

DOUGLAS G. KARMASEK

Name - Type or Print

Douglas G. Karmasek

Signature

CHARLOTTE M. KARMASEK

Name - Type or Print

Charlotte Karmasek

Signature

1611 ROSEDALE HEIGHTS AVE 410-866-7838

Address

Telephone No.

BALTIMORE

MD

21237

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By D. THOMPSON Date 1/31/02

ZONING DESCRIPTION

01/31/02

The land referred to in this description is situated in the County of Baltimore, State of Maryland. The zoning description for 1611 Rosedale Heights Avenue is as follows:

Beginning at a point on the Northwest side of Rosedale Heights Avenue which is 19 feet wide of paving and 30 feet wide at a distance of 190 feet West of the centerline of the nearest improved intersecting street Philadelphia Road which is 30 feet wide.

As recorded in the Deed Liber 5500, Folio 0103 the measurements are as follows:

N 51°57' 00" W 55.00', N 60°20' 00" E 185.90', S 37°47' 00" ^{→ E 34.70'}, S 54°27' 00" W 170.83'

7/140

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 - 319 - A

Petitioner: KARMASEK

Address or Location: 1611 ROSEDALE HEIGHTS AVE., 21237

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. DOUGLAS KARMASEK

Address: 1611 ROSEDALE HEIGHTS AVE.

BALTO. MD 21237

Telephone Number: 410 - 866 - 7838

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **07825**

DATE 1/31/02 ACCOUNT R0010066150
AMOUNT \$ 50.00

RECEIVED FROM: DOUGLAS KARMASEK

ITEM 319
FOR: 02-319-A 1611 ROSEDALE HEIGHTS AVE.

TAKEN IN BY D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
2/01/2002 1/31/2002 14:49:15
REG 0906 CASHIER KEN KAH DCHER
>> RECEIPT # 004636
DEPT 5 528 ZONING VERIFICATION
CR NO. 007825

Recpt Tot 50.00
50.00
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: #02-319-A

1611 Rosedale Heights Avenue

NW/S of Rosedale Heights Avenue, 190' W centerline of Philadelphia Road

15th Election District - 7th Councilmanic District

Legal Owner(s): Douglas G. Karmasek

Variance: to permit an accessory structure (shed) pavilion to be located 1 foot 4 inches from side of property lines and 2 feet from rear property line in lieu of the required 2 1/2 feet from property lines.

Hearing: Tuesday, March 26, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Basley 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.

BT 3/6/02 March 12

0525402

CERTIFICATE OF PUBLICATION

3/14/2002

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 3/12/2002.

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

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-319-A

Petitioner/Developer: KARMASEK, ETAL

Date of Hearing/Closing: 3/26/02

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

Attention: Ms. Gwendolyn Stephens / GEORGE ZAKNER

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 #1611 ROSEDALE HEIGHTS AVE.

The sign(s) were posted on 3/10/02
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 3/10/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21036
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-857
(Telephone Number)

ZONING NOTICE

CASE # 02-319-A

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

ROOM 407, COUNTY COURTS
PLACE: BLDG. 401 BOSLEY AVENUE

DATE AND TIME: TUESDAY, MARCH 26, 2002 AT 9:00 A.M.

REQUEST: VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (SHED) PAVILLION TO BE LOCATED 1 FOOT FROM
FROM SIDE OF PROPERTY LINES AND 2 FEET FROM REAR
PROPERTY LINE IN LIEU OF THE REQUIRED 2 1/2 FEET FROM
PROPERTY LINES - WITH ROSEDALE HEIGHTS AVE - VARIANCE

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONTINUE HEARING CALL 410-331-1351

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



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 26, 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: 02-319-A

1611 Rosedale Heights Avenue

NW/S of Rosedale Heights Avenue, 190' W centerline of Philadelphia Road

15th Election District – 7th Councilmanic District

Legal Owner: Douglas G Karmasek

Variance to permit an accessory structure (shed) pavilion to be located 1 foot 4 inches from side of property lines and 2 feet from rear property lie in lieu of the required 2 ½ feet from property lines.

HEARING: Tuesday, March 26, 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
Director

C: Charlotte M & Douglas G Karmasek, 1611 Rosedale Heights Avenue,
Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 11, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 12, 2002 Issue – Jeffersonian

Please forward billing to:

Mr. & Mrs. Douglas Karmasek
1611 Rosedale Heights Avenue
Baltimore MD 21237

410 866-7838

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: 02-319-A

1611 Rosedale Heights Avenue

NW/S of Rosedale Heights Avenue, 190' W centerline of Philadelphia Road

15th Election District – 7th Councilmanic District

Legal Owner: Douglas G Karmasek

Variance to permit an accessory structure (shed) pavilion to be located 1 foot 4 inches from side of property lines and 2 feet from rear property lie in lieu of the required 2 ½ feet from property lines.

HEARING: Tuesday, March 26, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48

Old Courthouse, 400 Washington Avenue

September 6, 2002

NOTICE OF ASSIGNMENT

CASE #: 02-319-A

IN THE MATTER OF: *Mr. and Mrs. Douglas G. Karmasek*
- Legal Owners Petitioners 1611 Rosedale Heights Avenue
15th Election District; 7th Councilmanic District

4/05/2002– Petition for Variance GRANTED with restrictions by
Deputy Zoning Commissioner.

ASSIGNED FOR:

THURSDAY, DECEMBER 12, 2002 at 10:30 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Counsel for Appellant /Protestant : Stacie D. Trageser, Esquire
Appellant /Protestant : Margaret Hammonds

Petitioners : Mr. and Mrs. Douglas G. Karmasek

Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
James H. Thompson, Code Enforcement **[Enforcement Case #02-0149]**
Arnold Jablon, Director /PDM





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

March 22, 2002

Mr. & Mrs. Douglas G Karmasek
1611 Rosedale Heights Avenue
Baltimore MD 21237

Dear Mr. & Mrs. Karmasek:

RE: Case Number: 02-319-A, 1611 Rosedale Heights Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 31, 2002.

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. GSZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



Baltimore County
Fire Department

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

February 28, 2002

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

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 25, 2002

Item No.:

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.

The Fire Marshal's Office has no comments at this time regarding the following items.

314, 315, 316, 319, 321, 323, 325, 326, 328

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





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.22.02

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

RE: Baltimore County
Item No. 319

DT

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,

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB5/TBT*

DATE: March 25, 2002

Zoning Advisory Committee Meeting of February 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

319

285, 314-325, 327-329

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 21, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
for March 4, 2002
Item Nos. 314, 315, 316, (319) 320,
321, 322, 323, 324, 327, 328 and
329

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

RWB:HJO:cab

cc: File

ZAC-3-4-2002-NO COMMENT ITEMS-03212002.doc

Les
3/26

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 27, 2002

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

FEB 27

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-285 and 02-319

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/LL:MAC

RE: PETITION FOR VARIANCE
1611 Rosedale Heights Avenue, NW/S Rosedale
Heights Ave, 190' wide of c/l Philadelphia Rd
15th Election District, 7th Councilmanic

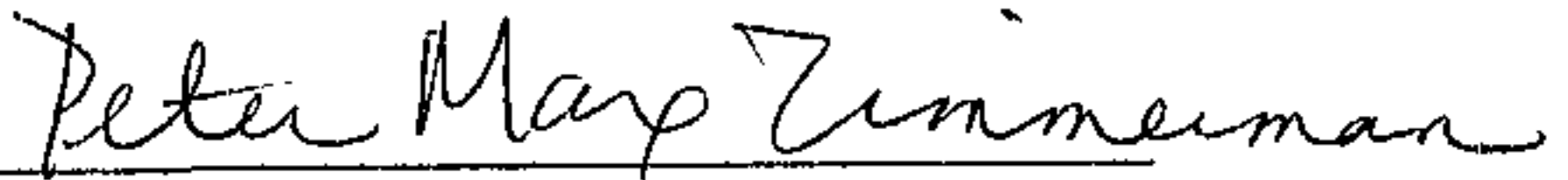
Legal Owner: Douglas & Charlotte Karmasek
Petitioner(s)

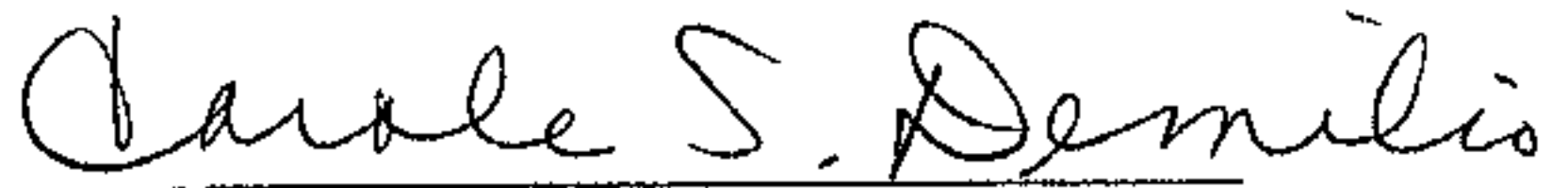
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-319-A

* * * * *

ENTRY OF APPEARANCE

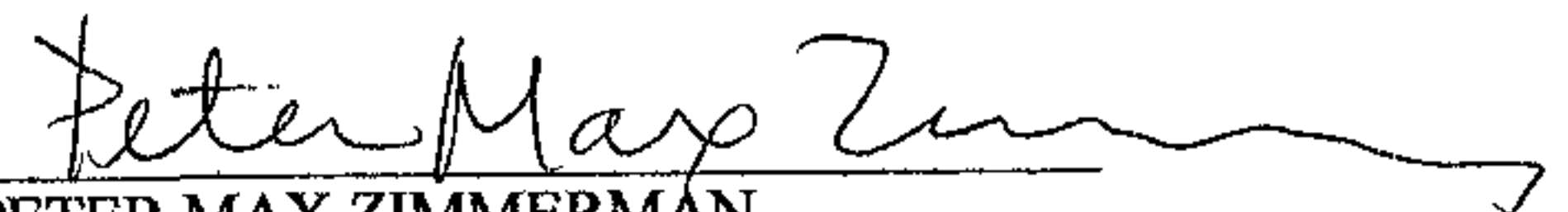
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 25th day of February, 2002 a copy of the foregoing Entry of Appearance was mailed to Douglas G. & Charlotte M. Karmasek, 1611 Rosedale Heights Avenue, Baltimore, MD 21237, Petitioners.


PETER MAX ZIMMERMAN

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 13, 2000
TO: W. Carl Richards, Jr.
Zoning Review Supervisor
FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.:
Legal Owner/Petitioner: Douglas & Charlotte Karmasch
Contract Purchaser:
Property Address: 1611 Rosedale Heights Ave
Location Description: Map #36 E8
VIOLATION INFORMATION: Case No. Zoning Case #02-319-A Bldg. Case #02-0149
Defendants: Douglas & Charlotte Karmasch

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 Mrs. Hansen (Complainant) ADDRESS
1609 Rosedale Heights Ave
Balt. Md. 21237

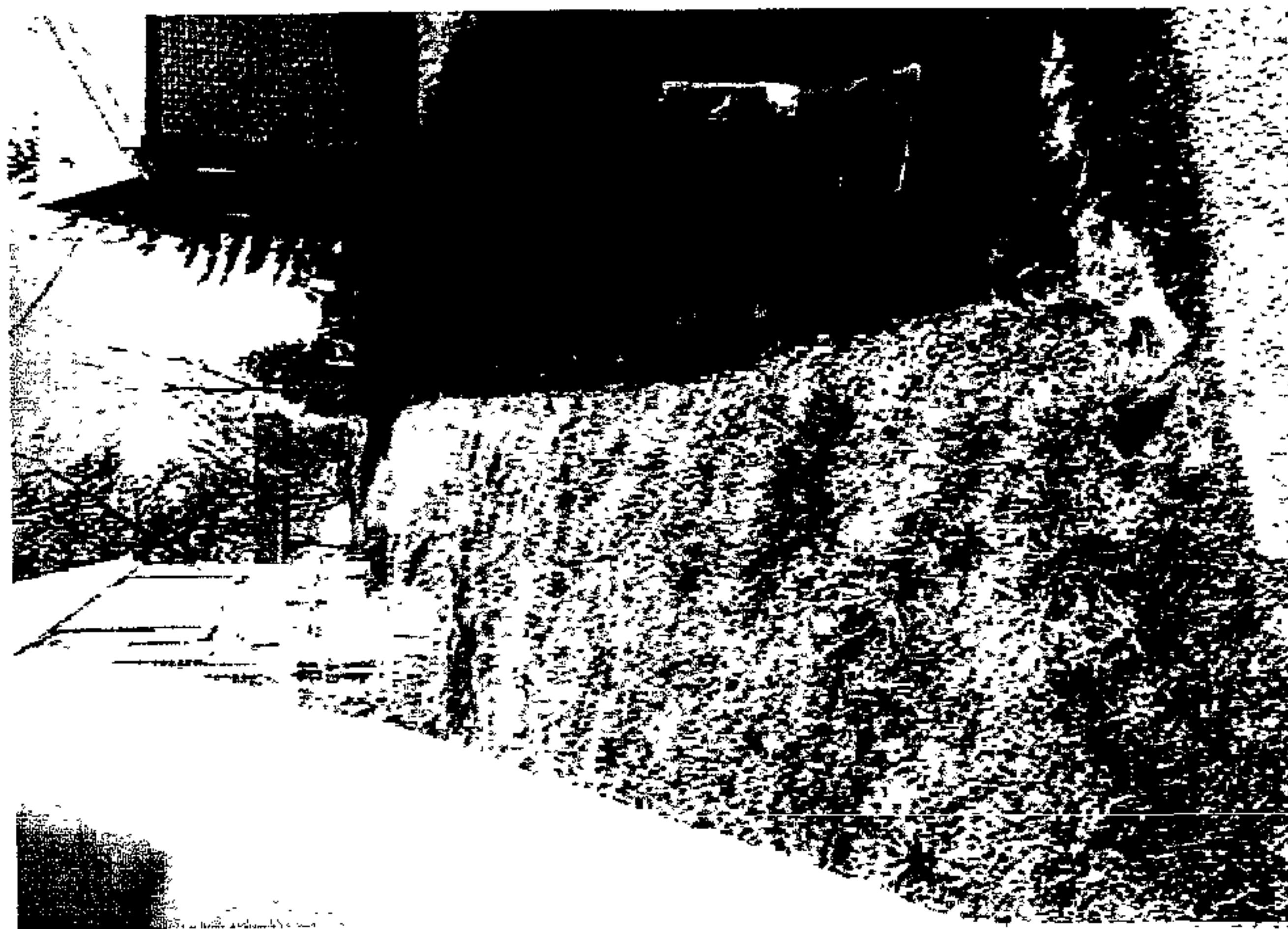
In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☐ 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(s) 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).

Survey done by
Complainant -
Additional
Pictures
For
File

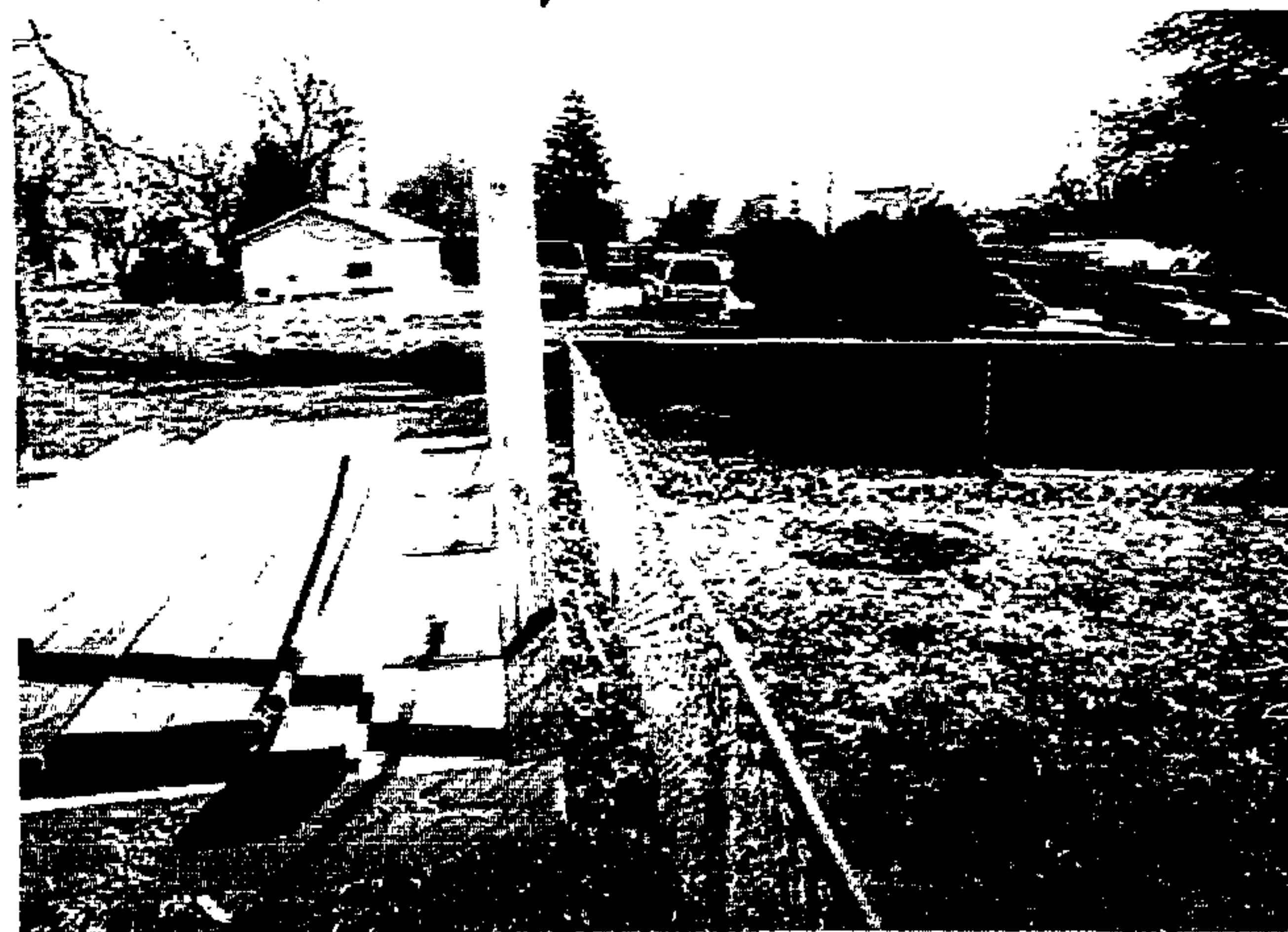
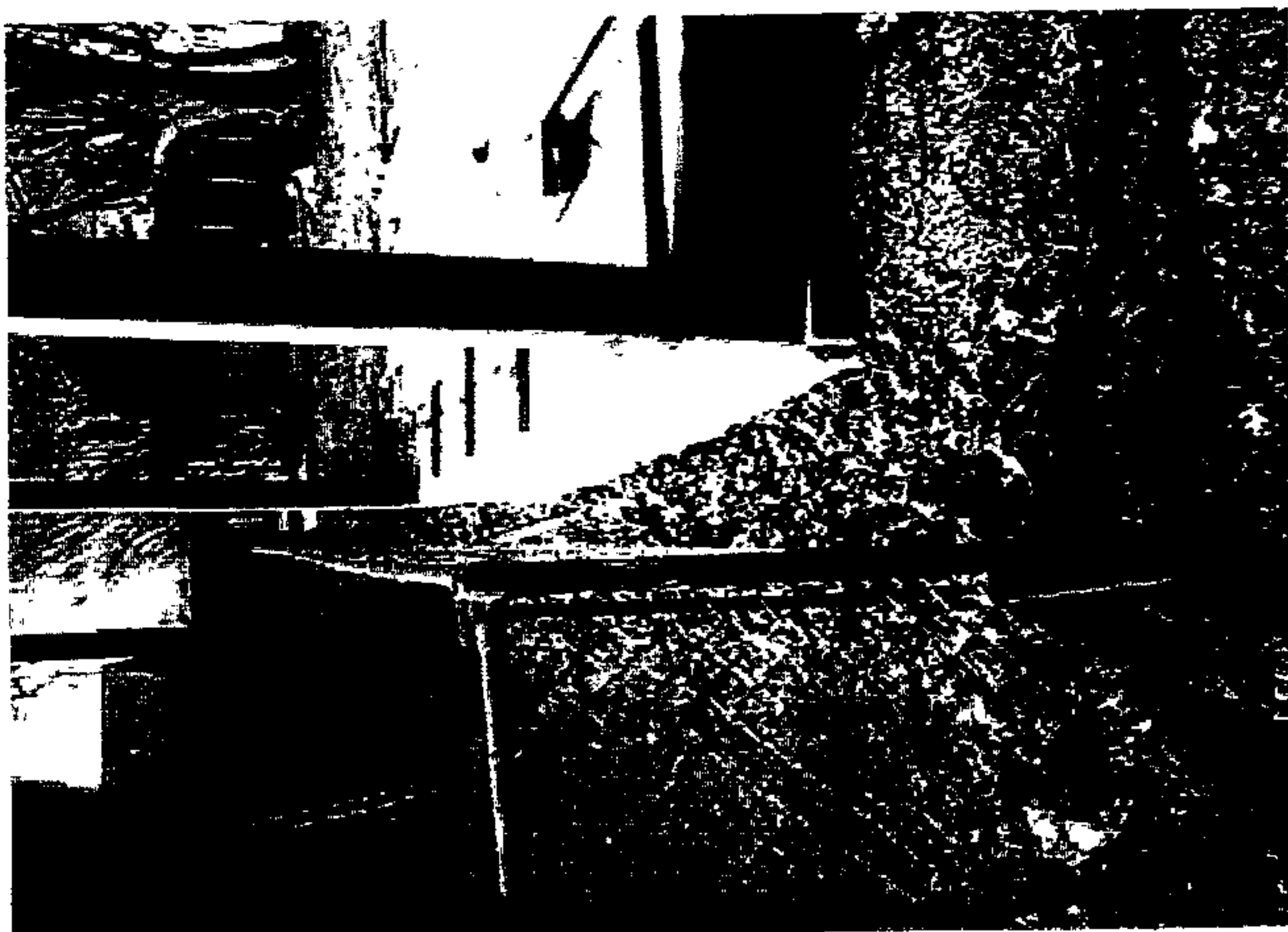
After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/
C: Code Enforcement Officer



3.4.2002

Survey Stakes -



BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: February 25, 2002

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

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

SUBJECT: Item No.: 319
Legal Owner/Petitioner Douglas & Charlotte Karmasek
Contract Purchaser: N/A
Property Address: 1611 Rosedale Heights Ave.
Location Description: N/side Eastern Ave. at 1,100' +/- W of centerline of
Diamond Point Rd.

VIOLATION INFORMATION: Case No. 02-0149
Defendants: Douglas & Charlotte Karmasek

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
Mrs. Hammon	1609 Rosedale Heights Ave. Balto. Md. 21237

MAILED
2-28

Jim Garland	Bldg. Insp. M.S. 1009
-------------	-----------------------

copy
sent 2-28

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/jg
C: Code Enforcement Officer

Code Enforcement - Daily Worksheet

Inspector -

Garland

Area Case # Location Apt Zip Date Rec Reinsp Dt
 015 02-0149 1611 ROSEDALE HEIGHTS AVE 21237 1/15/2002 1/26/2002
 Tax Acct #: 1419041690

Complainant Name: (Last) HAMMON (First) MRS.
 Addr:

Str # Dir Street Name Type Apt

City ST Zip
 Phone: (Home) 410/488-3131 (Work)

Problem: BUILDING IN REAR PROPERTY W/O PERMIT

Notes:

1/16/02 ON SITE INSP. ISSUED STOP WORK TO FILE FOR PERMIT. ACCESSORY STRUCTURE APPROX. 12'X32' IN REAR YARD. SIDE & REAR SETBACK MUST BE MET. CALLED COMPLAINANT W/RESULTS. COMPLAINTANT WANTS TO BE NOTIFIED AT THIS TIME ABOUT PROGRESS OF PERMIT. P/U 1/26/02 J. GARLAND/NS***

1-29-02 Mr. KARMAK - states 1-31-02 has preliminary
 Hearing w/ Zoning to File Variance - recheck 2-11-02
 Called Complainant w/ results
 2-8-02 spoke w/ Mr. KARMAK states all required
 paper work filed - awaiting hearing date
 For Variance case - 2-21-02 *[initials]* + recheck
 Also called complainant w/ update -
 2-22-02 Called Complainant w/ hearing date 3-26-02
 9:AM RM 407 Courts Bldg.

P/U Date		Closed Date		Gary F to update	
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary	
Executive office Complaint	Yes	No	If Yes is Executive memo attached?	Yes	No

CODE ENFORCEMENT REPORT

DATE: 1/13/02 INTAKE BY: Miller, J. CASE #: 02-0149 INSPEC: _____

COMPLAINT LOCATION: 1611 Rosedale Heights Ave (rear)

ZIP CODE: 21237 DIST: 14

COMPLAINANT NAME: Mrs. Hammon PHONE #: (H) 410-488-3131 (W) MAP 36 E8

ADDRESS: _____ ZIP CODE: _____

PROBLEM: ~~Construction~~ building in rear w/o permit

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

TAX ACCOUNT #: 14 19 041690 ZONING: _____

INSPECTION: 1.16.02 on site inspection - issued stop work to file for permit. Accessory structure approx 12' x 32' in rear yard - Side & rear setbacks must be met - Called complainant w/ results -

REINSPECTION: Recheck 1.26.02 Complainant wants to be notified @ this time - About progress of permit.
[Signature]

REINSPECTION: 2-22-02 DUCKINS KARMASEK REVIEWED
FILED 9:15 AM

REINSPECTION: _____



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 CORRECTION NOTICE

Citation/Case No. 02-0149	Property No. 14 19 041690	Zoning:
-------------------------------------	-------------------------------------	---------

Name(s): **Douglas Karmasch**
Charlotte Karmasch

Address: **1611 Rosedale Heights Ave**

Violation Location: **1611 Rosedale Heights Ave**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

I.B.C. 2000 Sec. 113.1 & 114.1

MUST FILE FOR PERMIT TO CONSTRUCT
APPROX 12' x 32' ACCESSORY
STRUCTURE IN REAR YARD.
SIDEYARD & REAR SETBACKS
FROM PROPERTY LINES MUST BE MET!
FOOTING INSPECTION REQUIRED

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

On or Before: 1.26.02	Date Issued: 1.16.02
---------------------------------	--------------------------------

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: **JAMES GARLAND**

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: 1.26.02	Date Issued: 1.16.02
-----------------------------------	--------------------------------

INSPECTOR:

AGENCY

RA1001B

DATE: 01/15/2002

STANDARD ASSESSMENT INQUIRY (1)

TIME: 10:27:58

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
14 19 041690	14	3-3	04-00	H	NO		12/12/01

KARMASEK DOUGLAS I

DESC-1.. IMPS

KARMASEK CHARLOTTE M

DESC-2.. E H SCHLUDERBERG

1611 ROSEDALE HEIGHTS AVE

PREMISE. 01611 ROSEDALE HEIGHTS AVE

00000-0000

BALTIMORE

MD 21237-1306 FORMER OWNER: SIIMSEN EDWARD

FCV			PHASED IN			
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	29,010	29,010		FCV	ASSESS	ASSESS
IMPV:	56,540	59,910	TOTAL..	88,920	88,920	87,796
TOTL:	85,550	88,920	PREF...	0	0	0
PREF:	0	0	CURT...	88,920	88,920	87,796
CURT:	85,550	88,920	EXEMPT.		0	0
DATE:	12/96	02/99				

TAXABLE BASIS		FM DATE
02/03 ASSESS:	88,920	09/30/00
01/02 ASSESS:	87,796	06/01/01
00/01 ASSESS:	34,660	06/01/00

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

Item Number: 318 Case Number: 02-318-XA Type: Commerical Reviewer: JRF
Owner: Alan Smith
Contract Purchaser: Richard S. Tanner
Critical Area: No Election District: 15th Councilmanic District: 7th
Property Address: 8100 Eastern Avenue
Location: N/side of Eastern Avenue at the distance of 1,100 feet +/- west of the centerline of Diamond Point Road
Existing Zoning: B.R. Area: 5.28 acres
Proposed Zoning: SPECIAL Exception for living quarters in a commerical building and 30 between building setback variances and rear yard and parking setback variances.

Attorney: David K. Gildea

Miscellaneous:

Item Number: 319 Case Number: 02-319-A Type: Residential Reviewer: DT
Legal Owner: Douglas G. Karmasek

Contract Purchaser:

Critical Area: No Election District: 15th Councilmanic District: 7th
Property Address: 1611 Rosedale Heights Avenue
Location: N/west side of Rosedale Heights Avenue 190 feet wide of centerline of Philadelphia Road
Existing Zoning: D.R. 5.5 Area: .23 acre
Proposed Zoning: VARIANCE to permit an accessory structure (shed) pavilion to be located 1 foot 4 inches from side of property lines and 2 feet from rear property line in lieu of the required 2 1/2 feet from property lines.

J. Garland 02-0149

Attorney:

Miscellaneous: Violation

02-319-A
Turn 3-26
9 AM Rm 407
COUNTY CTS BLDG
401 BUSLEY AVE

entered *pm*

CODE ENFORCEMENT REPORT

DATE: 1/15/02 INTAKE BY: Miller, J. CASE #: 02-0149 INSPEC: _____

COMPLAINT LOCATION: 11611 Rosedale Heights Ave (rear)

ZIP CODE: 21237 DIST: 14

COMPLAINANT NAME: Mrs Hammon PHONE #: (H) ⁴¹⁰ 488-3131 (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: ~~construction~~ building in rear w/o permit

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

TAX ACCOUNT #: 14 19 041690 ZONING: _____

INSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____



02-11-2002



BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF:

Mr. and Mrs. Douglas G. Karmasek
Case No.: 02-319-A

DATE:

December 12, 2002

BOARD/PANEL:

Charles L. Marks	CLM
Melissa Moyer Adams	MMA
Lawrence M. Stahl	LMS

RECORDED BY:

Theresa R. Shelton / Legal Secretary

PURPOSE:

To deliberate the Petition for Variance filed by Douglas and Charlotte Karmasek to permit an accessory structure (shed/pavilion) to be located 1' 4" from side property lines and 2' from rear property line ilo the req'd 2 1/2' from the property lines.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

- Board is objective and has to make specific finding according to the law
- Cromwell vs. Wade, 307; 2 prong requirement
 - 1) property has to be unique and must be proved at the hearing; and
 - 2) unreasonable hardship
- First prong must be met before the second prong can even be considered
- uniqueness must apply to the land itself, not what is ON the land
- this property is slightly different in shape (narrow/tapers); however, the property does not rise to uniqueness required in Cromwell
- the variance is needed because permits were not applied for prior to the work being initiated; some situations can be brought on yourself
- according to the law – an infringement is an infringement
- the standard is uniqueness and statutory law and case law must be followed
- petitioners did not prove uniqueness

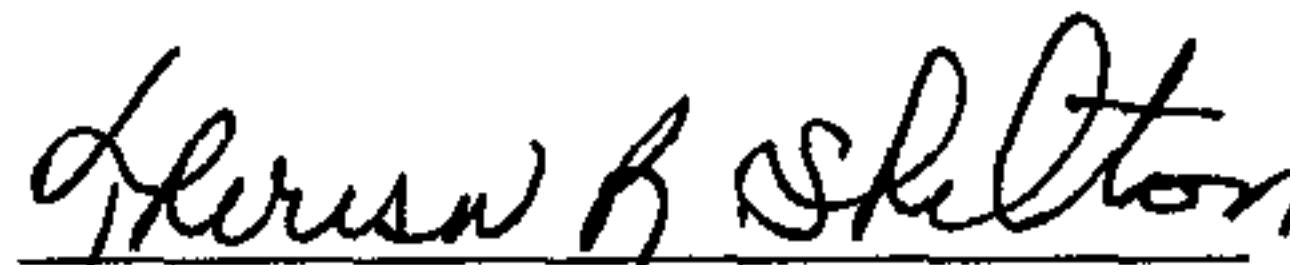
DECISIONS BY BOARD MEMBERS: Unanimous decision that the property did not meet the definition for uniqueness as set forth in Cromwell; Petition for Variance DENIED.

FINAL DECISION:

That the Petition for Variance filed by Douglas and Charlotte Karmasek to permit an accessory structure (shed/pavilion) to be located 1' 4" from side property lines and 2' from rear property line ilo the req'd 2 1/2' from the property lines is DENIED.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place that date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by this Board.

Respectfully submitted,



Theresa R. Shelton
County Board of Appeals

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828-9441

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
THOMAS P. DORE
MICHAEL T. PATE
STACIE D. TRAGESER

FAX 410-823-7530

ANNEX OFFICE
SUITE 302
606 BALTIMORE AVE.
TOWSON, MD 21204

* ALSO ADMITTED TO D. C. BAR

May 16, 2002

Hand Delivered

Ms. Kathleen Bianco
Baltimore County
Board of Appeals
Room 49
400 Washington Avenue
Towson, MD 21204

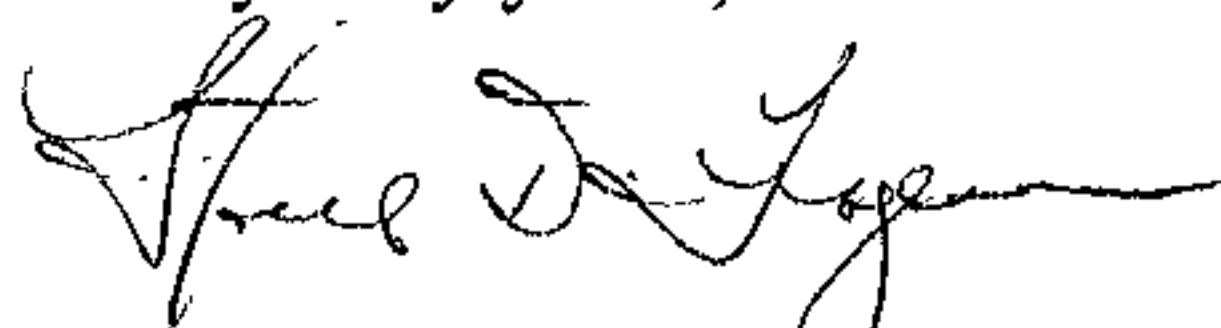
RE: IN THE CASE OF THE PETITION FOR
VARIANCE NW/S ROSEDALE HEIGHTS
AVENUE, 190' W OF THE c/I PHILADELPHIA
ROAD (1611 ROSEDALE HEIGHTS AVENUE)
DOUGLAS S. KARMASEK, ET UX,
PETITIONERS - CASE NO. 02319-A

Dear Ms. Bianco:

Please be advised that this office has been retained to represent Ms. Margaret Hammonds, Protestant, in connection with the above captioned matter.

Thank you for your attention to this matter. If you have any questions, do not hesitate to contact my office.

Very truly yours,



STACIE D. TRAGESER

0516gab12

02 MAY 16 2002

APR ASSOCIATES, INC.
7427 Harford Road
BALTIMORE, MARYLAND 21234
(410) 444-4312
FAX (410) 444-1647

March 19, 2002

*Ms. Margaret A. Hammonds
1609 Rosedale Heights Avenue
Baltimore, Maryland 21237-1306*

**INVOICE # 2659 FOR OUR PROJECT # 22018
1609 ROSEDALE HEIGHTS AVENUE**

For Professional Services Rendered:

*For the boundary survey of property located at
1609 Rosedale Heights Avenue*

Field Surveys -- \$ 450.00

Preparing Plat -- \$ 50.00

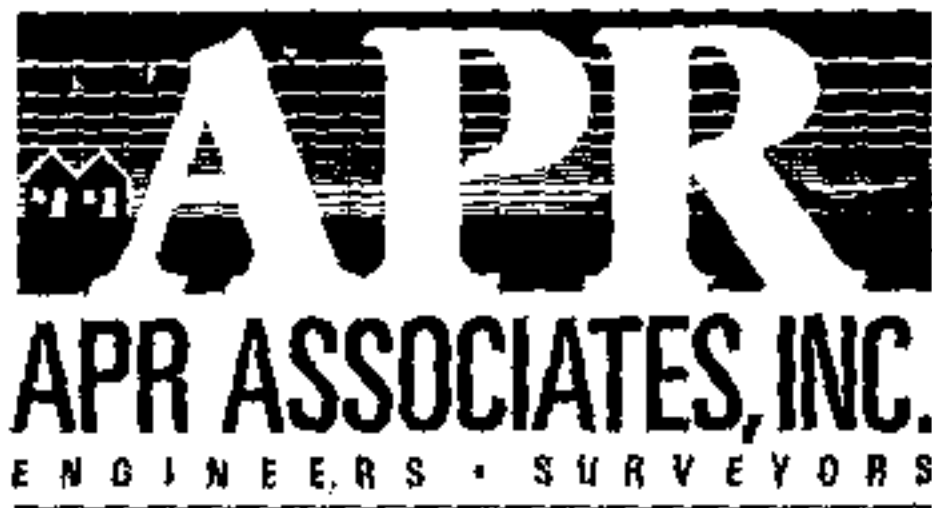
\$ 500.00

***Total Amount Due This Invoice -- \$ 500.00
Payable Upon Receipt.***

INTEREST WILL ACCRUE AT A RATE OF 1.5% PER 30 DAYS.

PLEASE INCLUDE OUR PROJECT AND INVOICE #'S ON YOUR CHECK.

THANK YOU



March 19, 2002

*Ms. Margaret A. Hammonds
1609 Rosedale Heights Avenue
Baltimore, Maryland 21237-1306*

Dear Ms. Hammonds:

We have completed the boundary survey of your property at 1609 Rosedale Heights Avenue. Enclosed are three copies of our plat showing the existing improvements and corner markers found.

The garage under construction on the adjacent property is only 0.6 feet of the property line at its Southwest corner.

Please let us know if we can be of any additional service.

*Sincerely yours,
APR Associates, Inc.*

A handwritten signature in cursive script, appearing to read "Alexander P. Ratych".

*Alexander P. Ratych, Prof. L.S.
President*

APR/sf

7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647

April 15, 2002

Mr. Arnold Jablon
Director of P.D.M.
111 West Chesapeake Ave
Towson, Md 21204

Dear Sir,

I am appealing the decision of the
Zoning Commission for case # 02-319A.

Please advise.

Thank you
Margaret Hammonds
1609 Rosedale Heights Ave
Balto, Md 21237

Phone # 410-488-3131

Rec'd 4/15/02
JCM Zoning

check #210.00
incl.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DOUGLAS G. KARMASEK
Charlotte M. Karmasek

1611 Rosedale Heights Ave ²¹²³⁷
1611 Rosedale Heights Avenue ²¹²³⁷



Case Number _____

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

0011581 431

DEED — FREE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM RETURN TO:

CHESAPEAKE TITLE GROUP
106 N. Marlyn Avenue
Baltimore, Md 21221

PROPERTY ID #14-19-041690

This Deed, MADE THIS 29th day of April

in the year one thousand nine hundred and Ninety-Six by and between

EDUARD SIIMSEN

of Baltimore County, State of Maryland, party of the first part, and

DOUGLAS G. KARMASEK and CHARLOTTE M. KARMASEK, parties

of the second part.

WITNESSETH, That in consideration of the sum of SEVENTY-FIVE THOUSAND SIX HUNDRED and 00/100ths (\$75,600.00) DOLLARS, and other good and valuable considerations, the receipt of which is hereby acknowledged,

the said party of the first part

do es grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, the survivor's

heirs
personal representatives/~~successors~~ and assigns, in fee simple, all

that lot of ground situate in Baltimore County, Maryland

and described as follows, that is to say:

BEGINNING for the same at an iron pipe heretofore set on the northeast side of Rosedale Heights Avenue laid out fifteen feet wide, said beginning being also at the end of South fifty-four degrees, twenty-seven minutes West 170.83 foot line described in a Deed dated January 17, 1953, recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2236, Folio 102, etc., which was a conveyance from Frederick H. Schludenberg and wife to Dante E. Lovera and wife, running thence along the easternmost side of said avenue and binding on part of the South fifty-one degrees, fifty-seven minutes East 300.5 foot line described in the eighth parcel of a Deed dated May 22, 1959 and recorded among the Land records of Baltimore County in Liber T.B.S. No. 1836, Folio 553, etc., which was a conveyance from Katherine D. Eckmeyer, Trustee, to Frederick H. Schludenberg, reversely North fifty-one degrees, fifty-seven minutes West 55 feet to and iron pipe now set thence, leaving said avenue and crossing the land of Frederick H. Schludenberg and wife, for a line of division now made North sixty degrees, two minutes East 185.9 feet to an iron pipe now set on the North thirty-seven degrees, forty-seven minutes West 164.25 feet line described in said Deed, Katherine D. Eckmeyer to Frederick H. Schludenberg, running thence and binding on the said line reversely South thirty-seven degrees forty-seven minutes East 34.7 feet to an iron pipe heretofore set at a corner of the land of the aforesaid Dante E. Lovera and running along the land of the Lovera, and on the first named line in this description south fifty-four degrees twenty-seven minutes West 170.83 feet to the place of beginning. The improvements thereon being known as No. 1611 Rosedale Heights Avenue.

BEING THE SAME LOT of ground described in a Deed dated November 1st, 1965 and recorded among the Land Records of Baltimore County in Liber 4540 folio 572 by and between MARTHA VIOLA LANGENFELDER, CONRAD J. LANGENFELDER and EDWARD H. LANGENFELDER, MIRIAM LANGENFELDER unto EDUARD SIIMSEN and LEIDA A. SIIMSEN. THE SAID LEIDA A. SIIMSEN HAVING DEPARTED THIS LIFE ON THE 16th DAY OF AUGUST, 1992.

The grantee's have never owned residential real property in Maryland and they will occupy the property as their primary residence.

Douglas G. Karmasek
DOUGLAS G. KARMASEK

Charlotte M. Karmasek
CHARLOTTE M. KARMASEK

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

DATE 5/14/96

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

5/14/96

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND To HOLD the said described lot of ground and premises to the said parties of the second part as tenants by the entireties, their assigns, the survivor of them, the survivor's

heirs
personal representatives/~~successors~~

and assigns, in fee simple.

AND the said part Y of the first part hereby covenant that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantor

Test:

Michelle Renae Dorsey

Edward Siimsen (SEAL)
EDUARD SIIMSEN

____ (SEAL)

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this 29th day of April, in the year one thousand nine hundred and Ninety-Six, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared

EDUARD SIIMSEN

known to me (or satisfactorily proven) to be the person whose name is/are subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:

May 1, 2000

Michelle Renae Dorsey
MICHELLE RENAE DORSEY Notary Public



This is to certify that the within instrument has been prepared (i) by or under the supervision of the undersigned Maryland attorney, or (ii) by a party to this instrument.

Timothy P. Knepp TIMOTHY P. KNEPP
(Signature of attorney admitted to practice in Maryland if the instrument has been prepared by or under the supervision of such attorney, or signature of a party to the instrument if such party has prepared the instrument)

0011581 433

041,729 MAY 14 1996

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: BALTO

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

1 Type(s) of Instruments	☐ Check Box if Addendum Intake Form is Attached.				IMP FD SURE 5.00 RECORDING FEE 28.00 RECORDATION 388.00 TR TAX STATE 189.00 TOTAL 594.00 Rec'd BADA Rec'd 16814 SN IN Bk 1701 May 14, 1996 11:36 am
	☒ Deed ☐ Deed of Trust ☐ Improved Sale ☒ Unimproved Sale ☐ Multiple Accounts ☐ Not an Arms-Length Sale	☐ Mortgage ☐ Lease ☐ Arms-Length (1) ☐ Arms-Length (2) ☐ Arms-Length (3)	☐ Other ☐ Other	☐ Other	
2 Conveyance Type Check Box					
3 Tax Exemptions (if Applicable)					
Cite or Explain Authority					
4 Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only		
	Purchase Price/Consideration \$ 75,600.00 Any New Mortgage \$ Balance of Existing Mortgage \$ Other: \$ Other: \$ Full Cash Value \$ 75,600.00		Transfer and Recordation Tax Consideration Transfer Tax Consideration \$ 756.00 X (1.5) % = \$ 1,134.00 Less Exemption Amount - \$ 33.00 Total Transfer Tax = \$ 804.00 Recordation Tax Consideration \$ X () per \$300 = \$ TOTAL DUE \$		
5 Fees	Amount of Fee		Dec. 1		
	Recording Charge \$ 25.00 Surcharge \$ State Recordation Tax \$ 280.00 State Transfer Tax \$ 789.00 County Transfer Tax \$ 804.00 Other \$ Other \$		Dec. 2 \$ 25.00 Tax Bill: Pd C.B. Code: R65241/132.91 Ag. Tax/Other:		
6 Description of Property	SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).				
	District: 14 Property Tax ID No. (1): 14A041690 Subdivision Name: Rosedale Heights Lot (3a): 21257 Block (3b): Sect/ARC(3c): Plat Ref.: SqFt/Acreage (4): Location/Address of Property Being Conveyed (2): 1611 Rosedale Heights Ave Other Property Identifiers (if applicable): Residential ☒ or Non-Residential ☐ For Single ☒ or Group ☐ Amount: Partial Conveyance? ☐ Yes ☒ No Description/Amt. of SqFt/Acreage Transferred: If Partial Conveyance, List Improvements Conveyed: Dec. 1 - Grantor(s) Name(s): EDWARD S. TIMSEN Dec. 2 - Grantor(s) Name(s): Dec. 1 - Owner(s) of Record, if Different from Grantor(s): Dec. 2 - Owner(s) of Record, if Different from Grantor(s): Dec. 1 - Grantor(s) Name(s): DOUGLAS G. KARMAKIS Dec. 2 - Grantor(s) Name(s): CHARITTE M. KARMAKIS New Owner's (Grantor) Mailing Address: SAME AS ABOVE Dec. 1 - Additional Names to be Indexed (Optional): Dec. 2 - Additional Names to be Indexed (Optional):				
7 Transferred From					
8 Transferred To					
9 Other Names to Be Indexed					
10 Contact/Mail Information	Instrument Submitted by or Contact Person Name: Michelle Dorsey Firm: P.O. Box 340, 9 Address: 2122 Phone: (410) 686-5151 ☒ Return to Contact Person ☐ Hold for Pickup ☐ Return Address Provided				
11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	Assessment Information ☒ Yes ☐ No Will the property being conveyed be the grantor's principal residence? ☐ Yes ☒ No Does transfer include personal property? If yes, identify: ☒ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required). Assessment Use Only - Do Not Write Below This Line ☐ Terminal Verification ☐ Architectural Verification ☐ Whole ☐ Part ☐ Trans. Process Verification Transfer Number: 18 Date Received: 18 Year: 18 Land: 18 Building: 18 Total: 18 Remarks: Distribution: White - Clerk's Office Green - SDAT Pink - Office of Finance Gold/Red - Proprietor AOC-GG-300 (8/86)				

 03491400101181X
 BA 0010:16AM05-14-96

\$804.00

Space reserved for County Verifier

THIS ASSIGNMENT, Made this 28th day of April in the year one thousand nine hundred and ninety-nine, by and between Lewis Marvin Madison and Mary Irene Madison, hereinafter referred to as "Grantor" of the first part, and Scott J. Moffett, sometimes hereinafter referred to as "Grantee" of the second part.

WITNESSETH, That in consideration of the sum of ONE HUNDRED TWENTY-FIVE THOUSAND NINE HUNDRED DOLLARS (\$125,900.00), which includes the amount of any outstanding mortgage or deed of trust, if any, the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey unto the said party of the second part, as sole tenant, his assigns, survivors of him, his or her personal representatives and assigns, in leasehold, all that lot or parcel of ground situate and lying in Baltimore County, State of Maryland:

See Attached Legal Description

BEING all of that property which by Assignment dated April 30, 1964, and recorded among the Land Records of Baltimore County in Liber No. 4294, folio 630 was granted and conveyed by The Kenneth L. Deinlein Company to Lewis Marvin Madison and Mary Irene Madison, the herein named Grantors.

TOGETHER with the buildings and improvements thereupon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in any wise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said party of the second part, as sole tenant, his personal representatives and assigns, in leasehold; subject to the payment of the annual rent of One Hundred Eighty Dollars (\$180.00) payable half-yearly on the 9th days of February and August in each and every year.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said Grantors:

WITNESS:

Sharon Duncan

Lewis Marvin Madison (Seal)
Lewis Marvin Madison

Sharon Duncan

Mary Irene Madison (Seal)
Mary Irene Madison

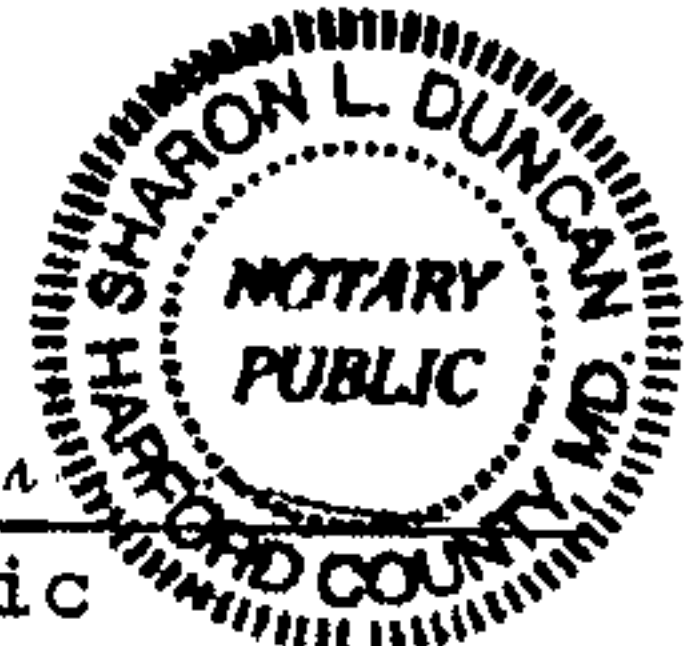
STATE OF MARYLAND, HARFORD COUNTY, to wit:

I HEREBY CERTIFY, That on this 28th day of April in the year of one thousand nine hundred and ninety-nine, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Lewis Marvin Madison and Mary Irene Madison and they acknowledged the foregoing Assignment to be their act.

As Witness my hand and Notarial Seal.

My Commission expires: 3-12-02

Sharon Duncan
Notary Public



My Commission Expires
March 12, 2002

LEGAL DESCRIPTION:

Beginning for the same at an iron pipe now set on the northeast side of Rosedale Heights Avenue, laid out fifteen feet wide, and in the South fifty-one degrees fifty-seven minutes East, three hundred and five-tenths feet line described in the eighth parcel in a deed dated May 22, 1950, and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1836, folio 553, conveyed by Katherine D. Eckmeyer, Trustee, to Frederick H. Schluderberg, said point being one hundred eighty-five and five-tenths feet from the beginning of the said line; running thence and binding reversely on said line North fifty-one degrees fifty-seven minutes West fifty-five feet to an iron pipe now set; thence crossing the land of the said Frederick H. Schluderberg for a line of division North sixty-four degrees forty-four minutes East two hundred two and four-tenths feet to an iron pipe now set in the North thirty-seven degrees forty-seven minutes West one hundred sixty-four and twenty-five one-hundredths foot line described in said deed at a distance of thirty-four and eighty-five one-hundredths feet from the end of said line; running thence and binding reversely on said line South thirty-seven degrees forty-seven minutes East thirty-four and seven-tenths feet to an iron pipe now set; thence crossing the land of the said Frederick H. Schluderberg for a line of division now made South sixty degrees two minutes West one hundred eighty-nine and nine-tenths feet to the place of beginning. Containing eight thousand one hundred twenty-eight square feet, as per survey made by A. A. Raphel, Registered Engineer and Land Surveyor. The improvements thereon being now known as No. 1613 Rosedale Heights Avenue.

02-3197

Karmasek

12-12-02

Proletariat

- ✓ 1. Photos 1-14
- ✓ 2. Deeds

02-319-A
Karmasek

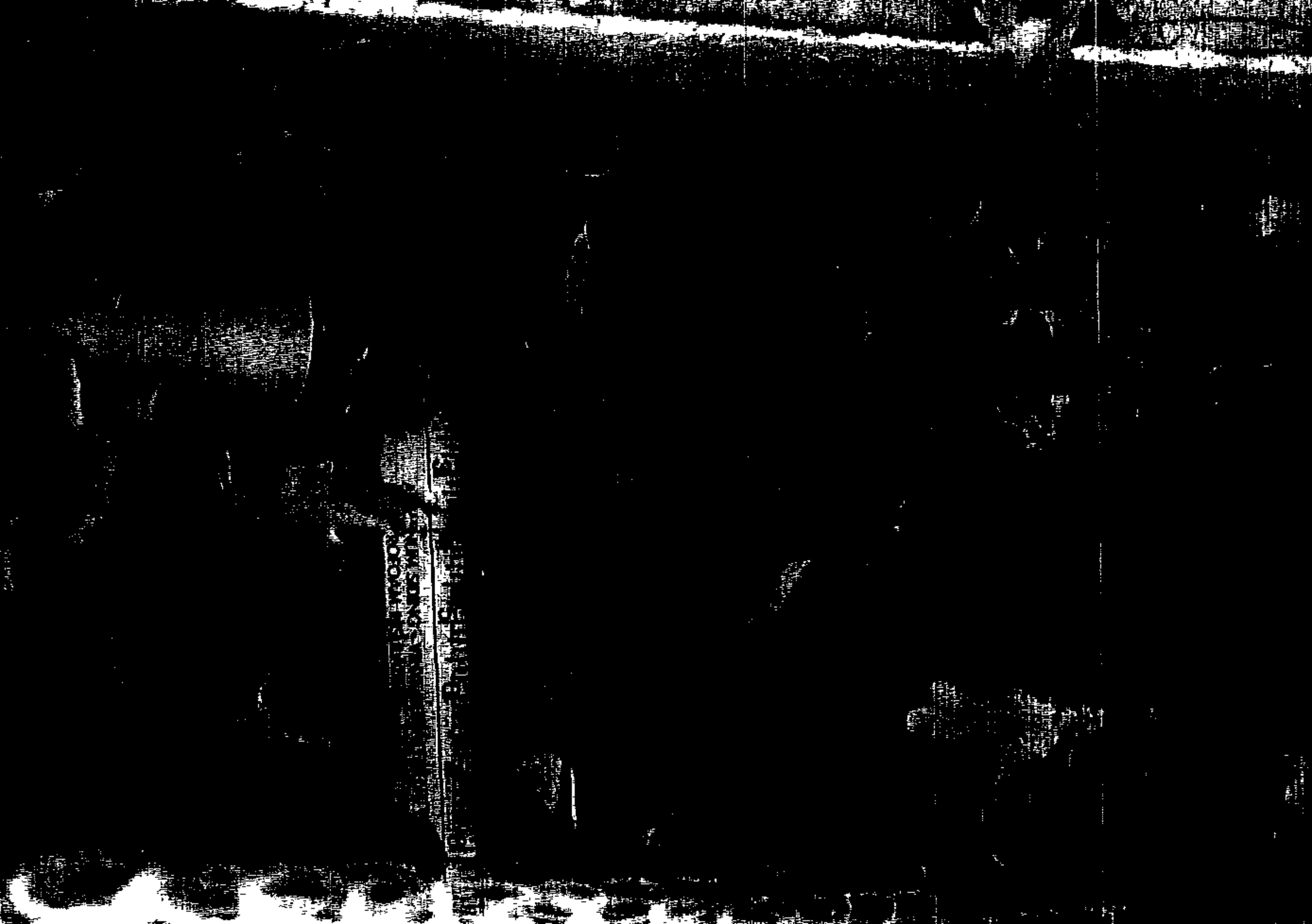
12-12-02

EVID

Let
✓ 1. Photos 1-35
✓ 2. Photos 1-11

~~Pres~~
~~1. Photos~~
~~2. Decis of ppty - but is a negative~~

Potkiner's &
Brookland's Photograph
#02-319-A

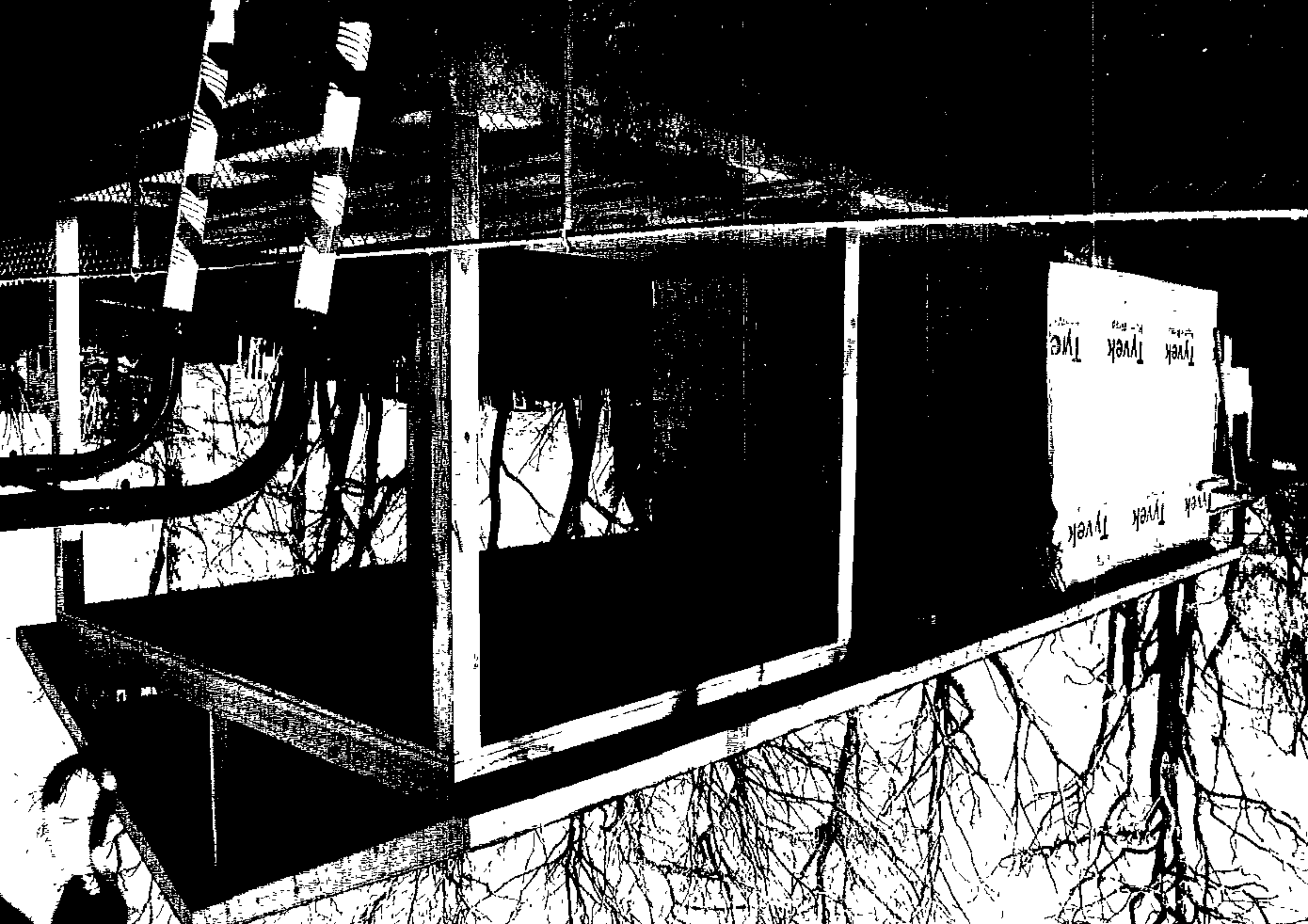




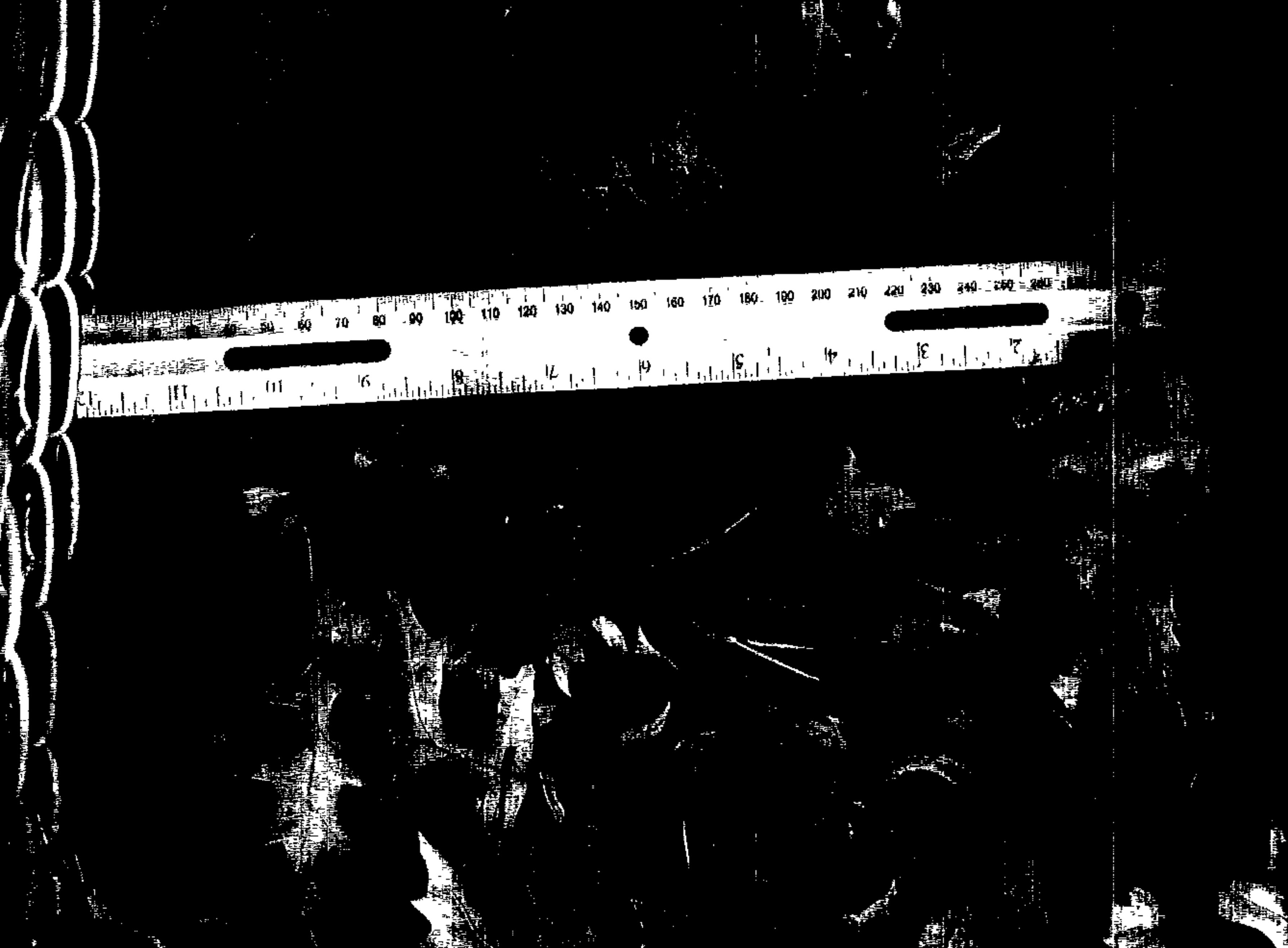












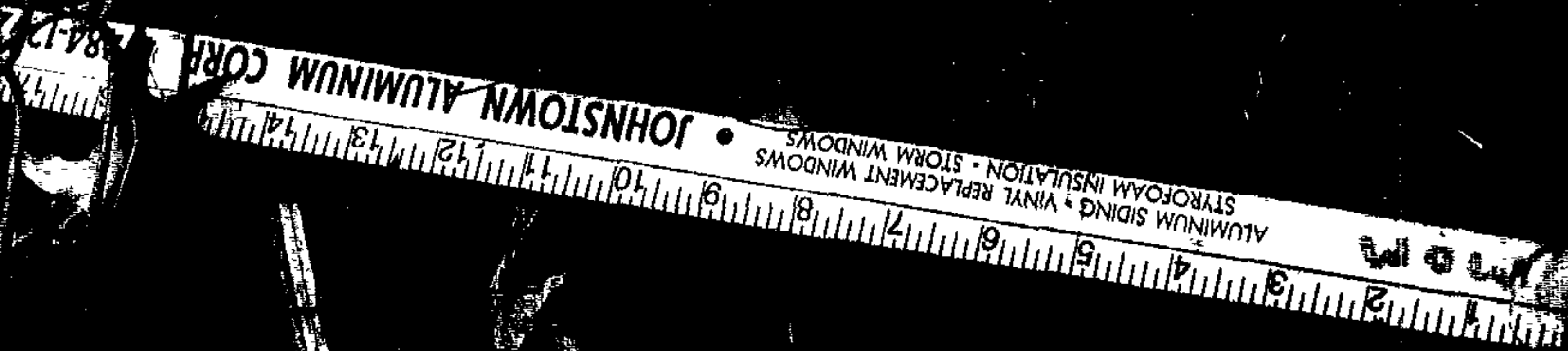
11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100







ALUMINUM SIDING
STYROFOAM IN



JOHNSTOWN ALUMINUM CORP.

ALUMINUM SIDING • VINYL REPLACEMENT WINDOWS

STYROFOAM INSULATION • STORM WINDOWS

84-1272

PROPERTY 12' PIPE
CORNER

PROPERTY 1/2" PIP
CORNER



PROPERLY PLANT

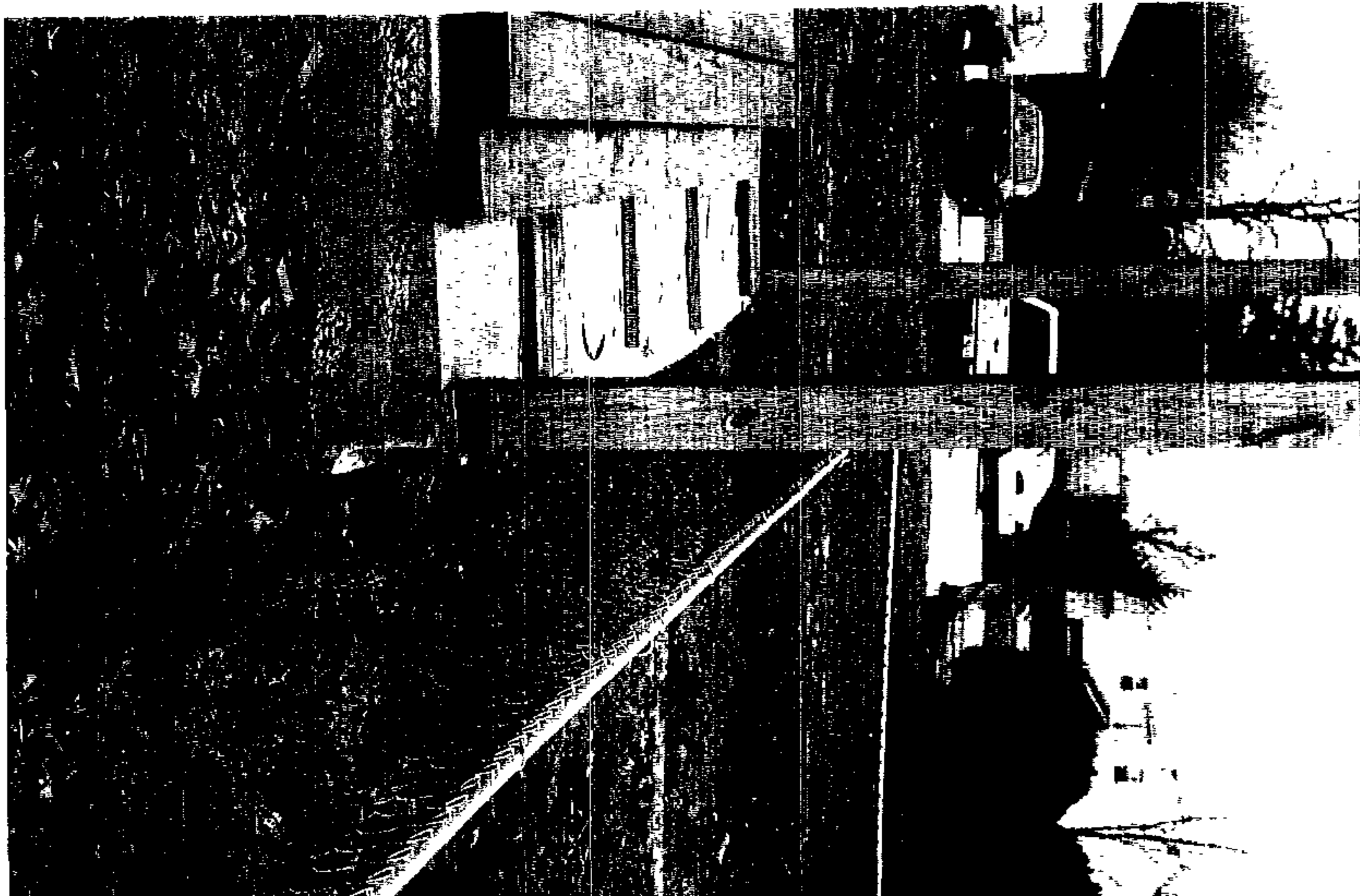
COVER

THE

PROPERTY 1/2" PIPE
CORNER









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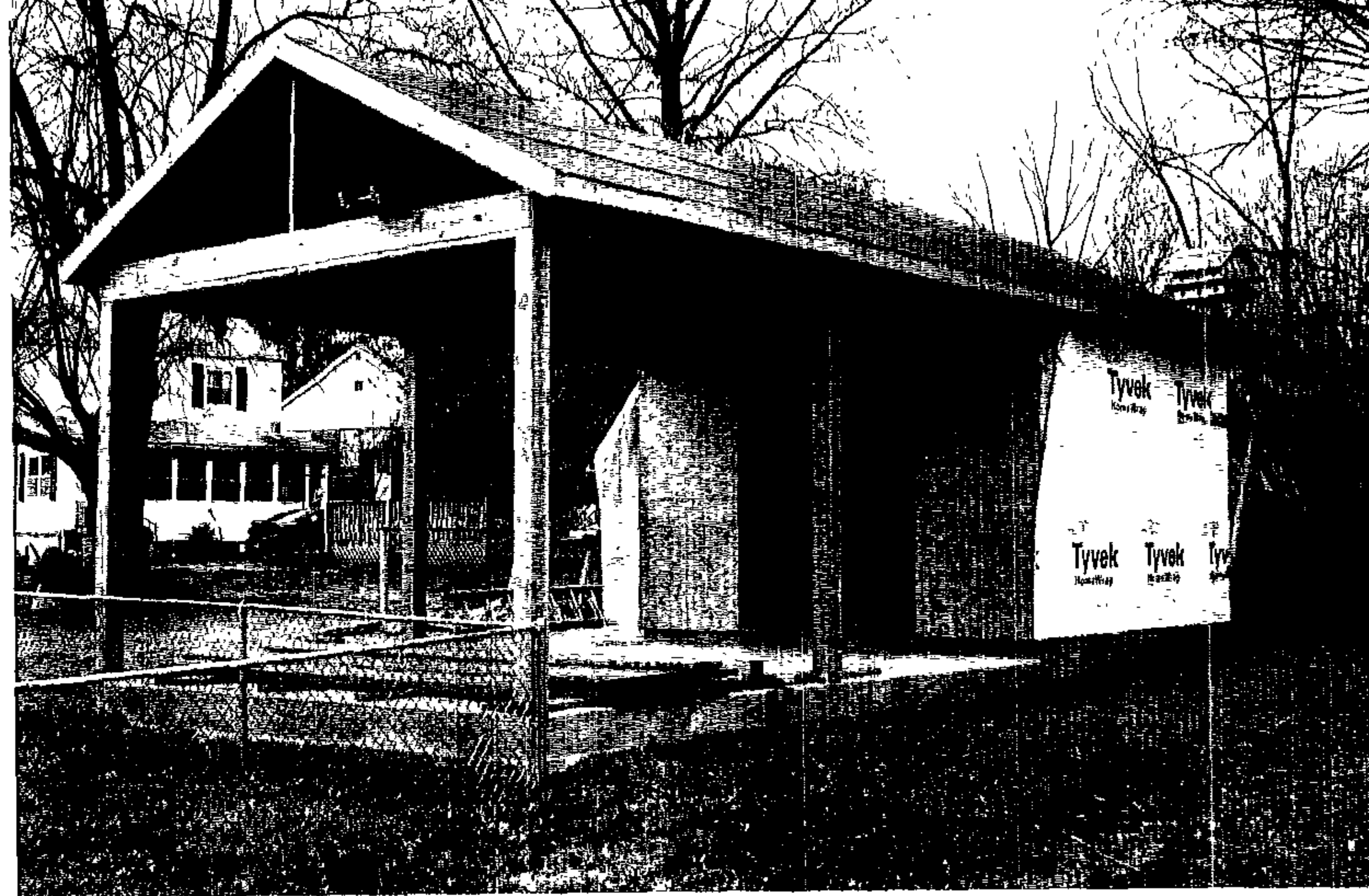
Tyvel

Wrap

200 1/2 x 12 1/2

Reel 1000









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HomeWrap

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A WEEK OF RAIN

A WEEK OF RAIN

The rain fell steadily for a week, and the ground was saturated. The trees were bare, and the leaves were brown. The rain was a relief after a long dry spell, but it was also a nuisance. The ground was muddy, and the roads were slick. The rain was a double-edged sword.

Continued on page 10

Petitioners 1 (35 photos)
→ 2 (11 photos)

02-319-A
Karmasek

Tyvek
HomeWrap

Tyvek
HomeWrap

Tyvek
HomeWrap

Tyvek

HomeWrap

Tyvek

Tyvek

Tyvek

HomeWrap







Tyvek
The Tyvek Building Envelope System
The Tyvek Building Envelope System
The Tyvek Building Envelope System

100% GASTIGHT



TY

100% GASTIGHT





TYSON

AGRICULTURAL
4070 53RD AVE
CHICAGO, ILL. 60630

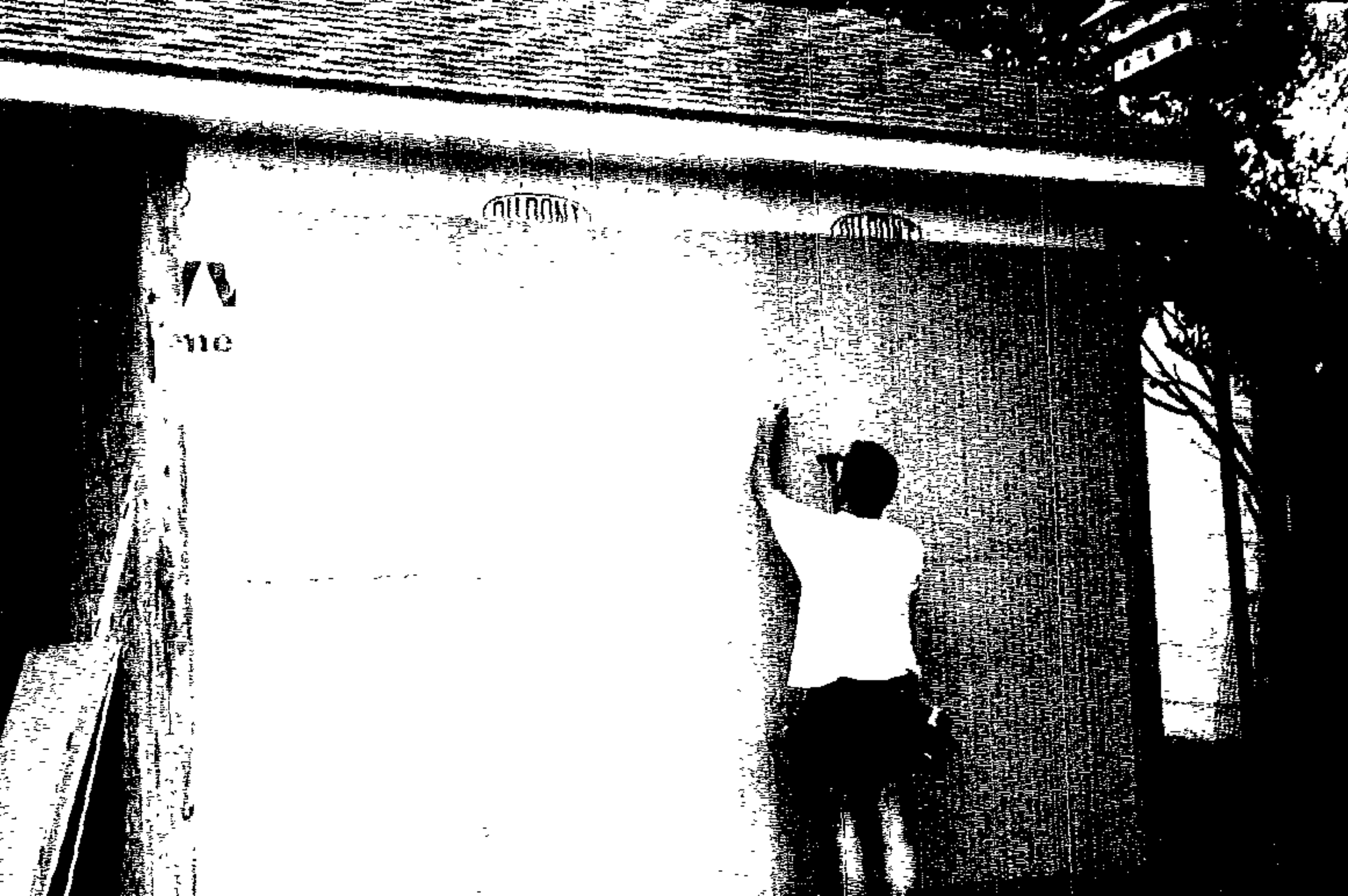
CHICKEN

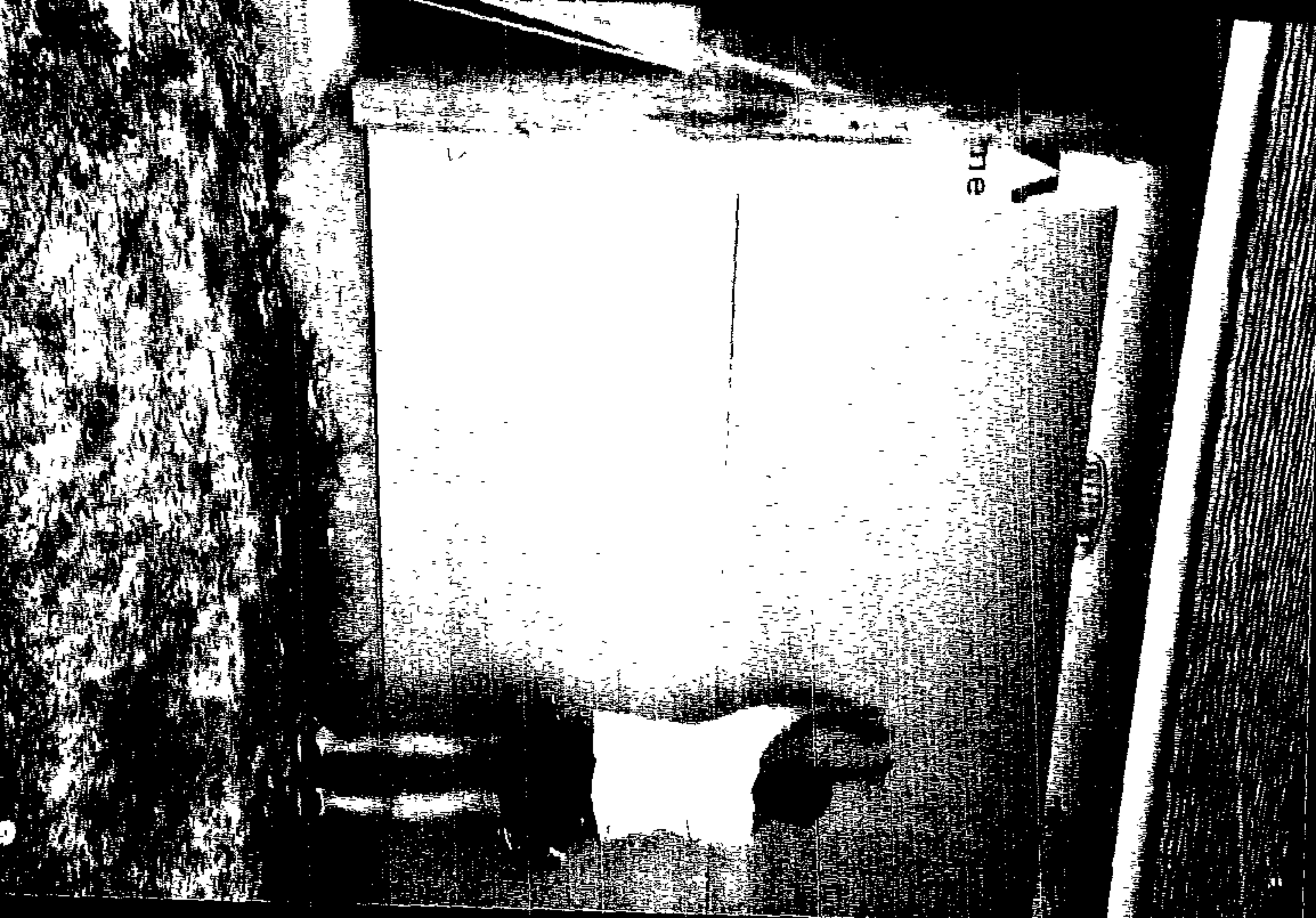
TYSON

















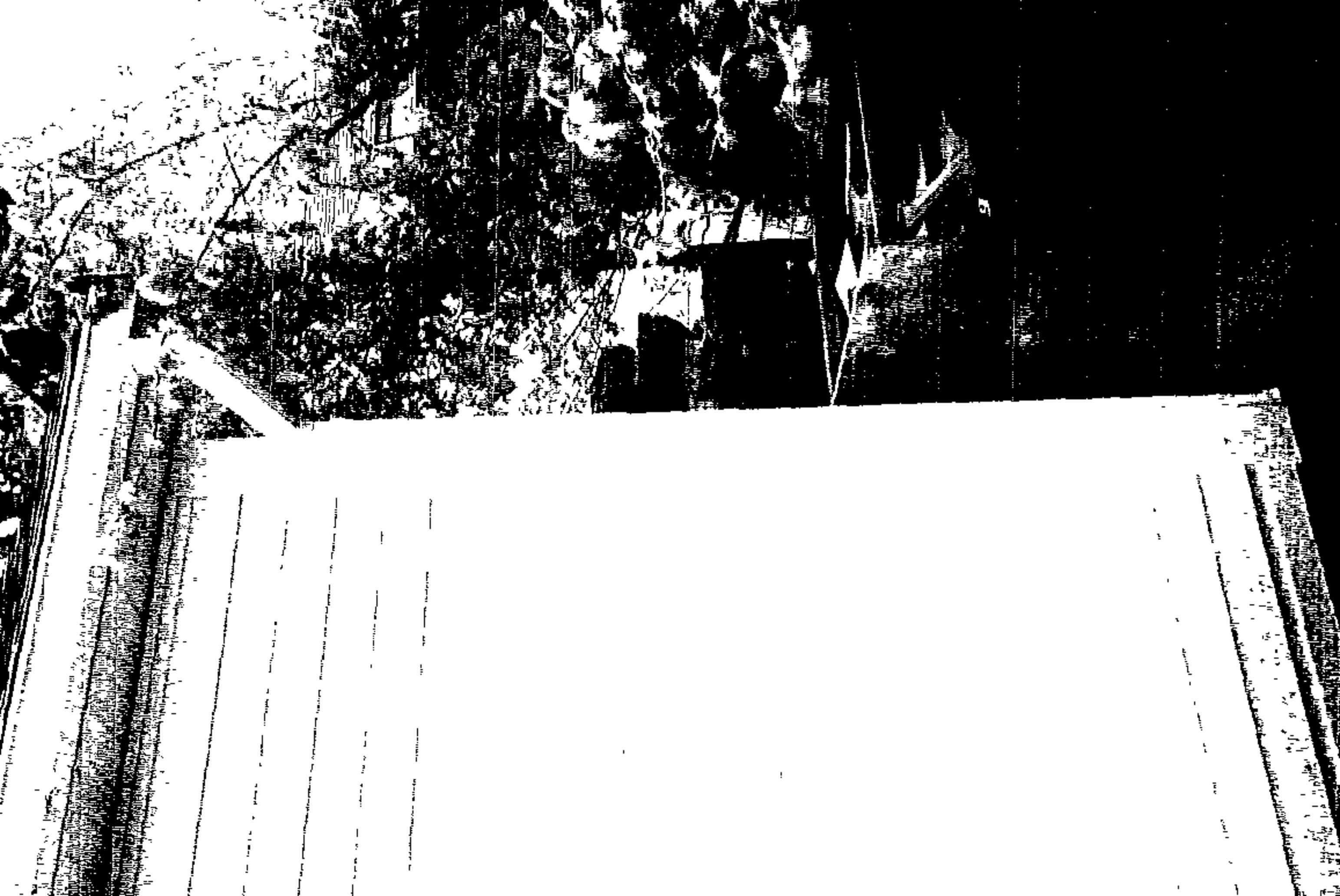


















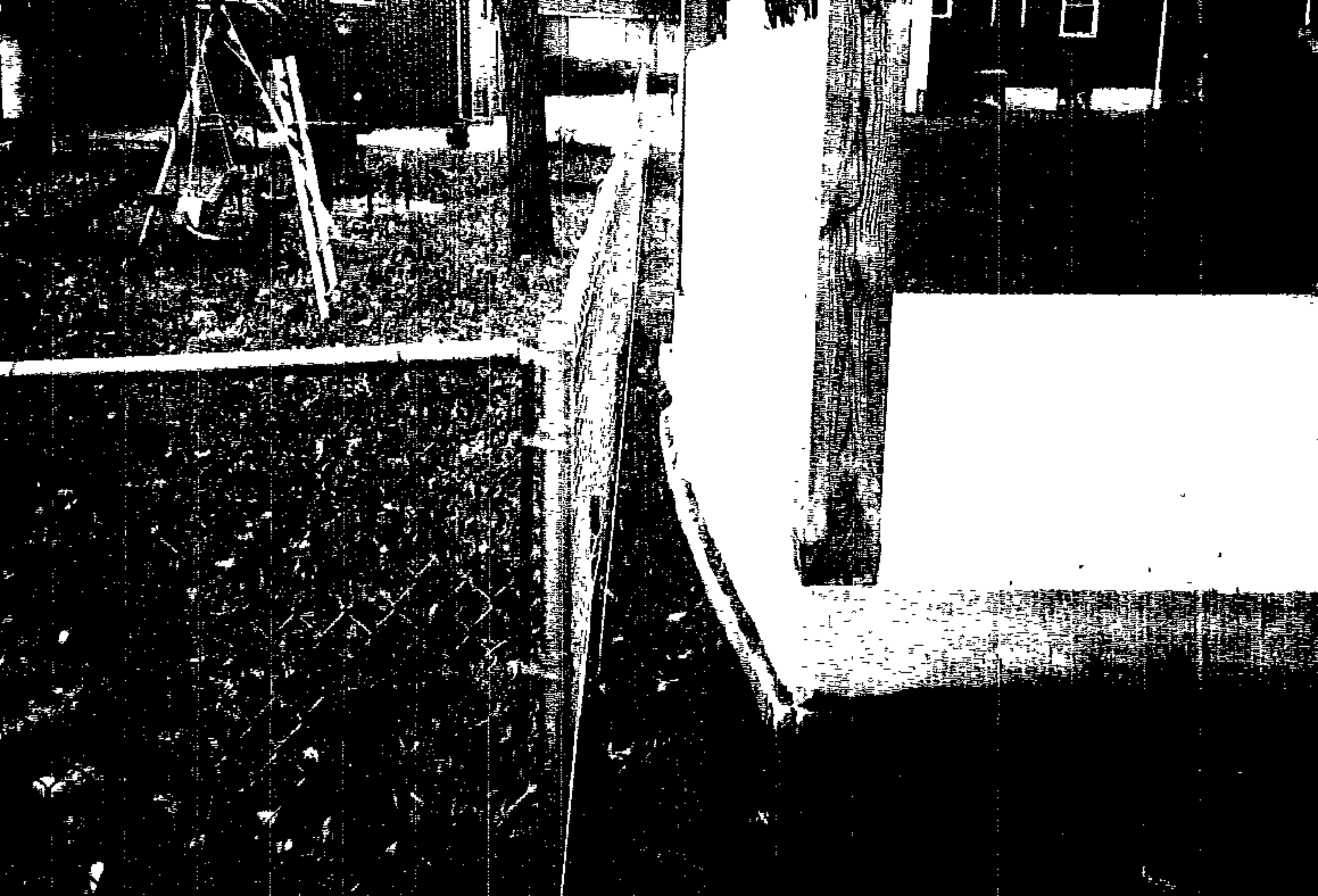


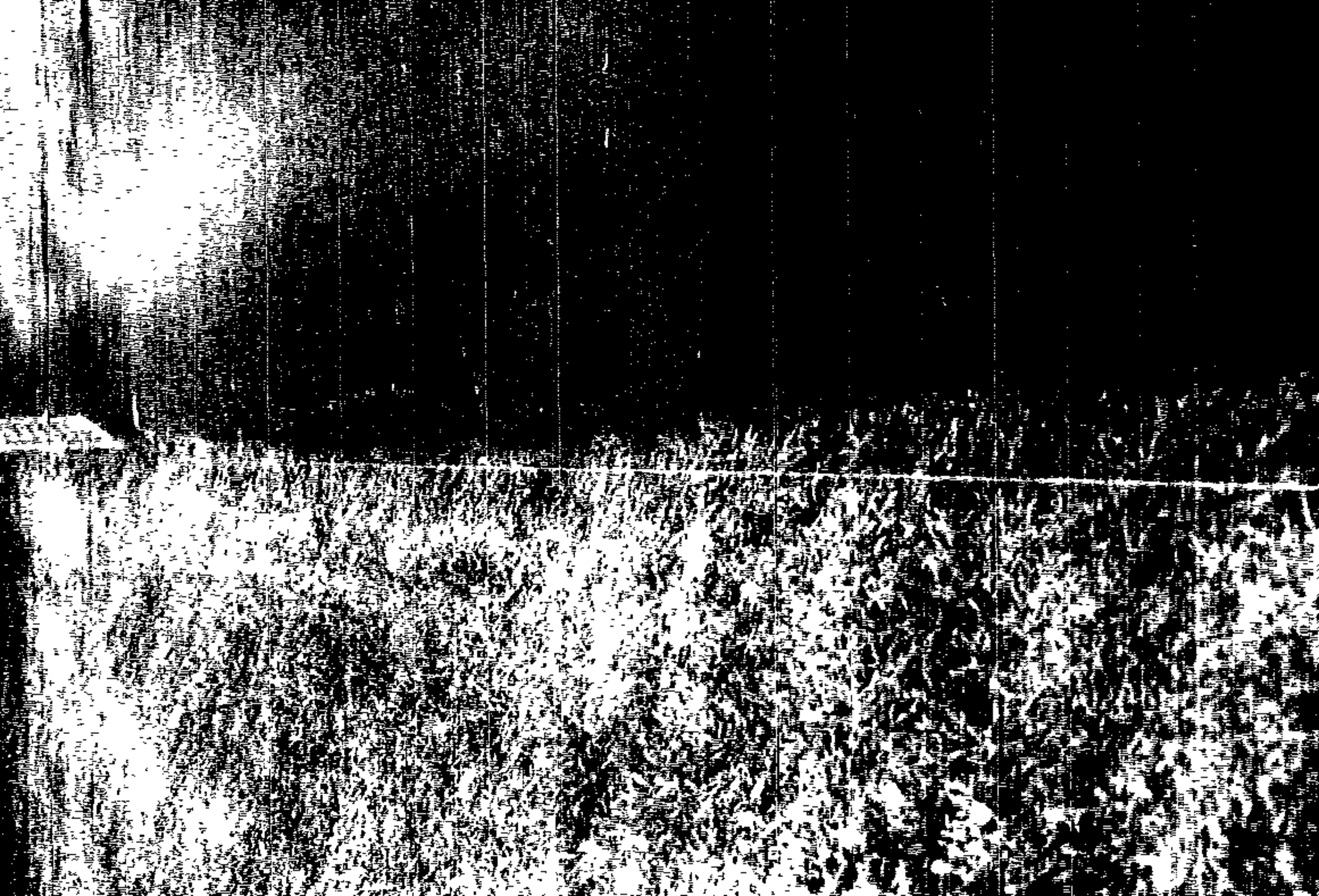


PROPERTY
CORNER



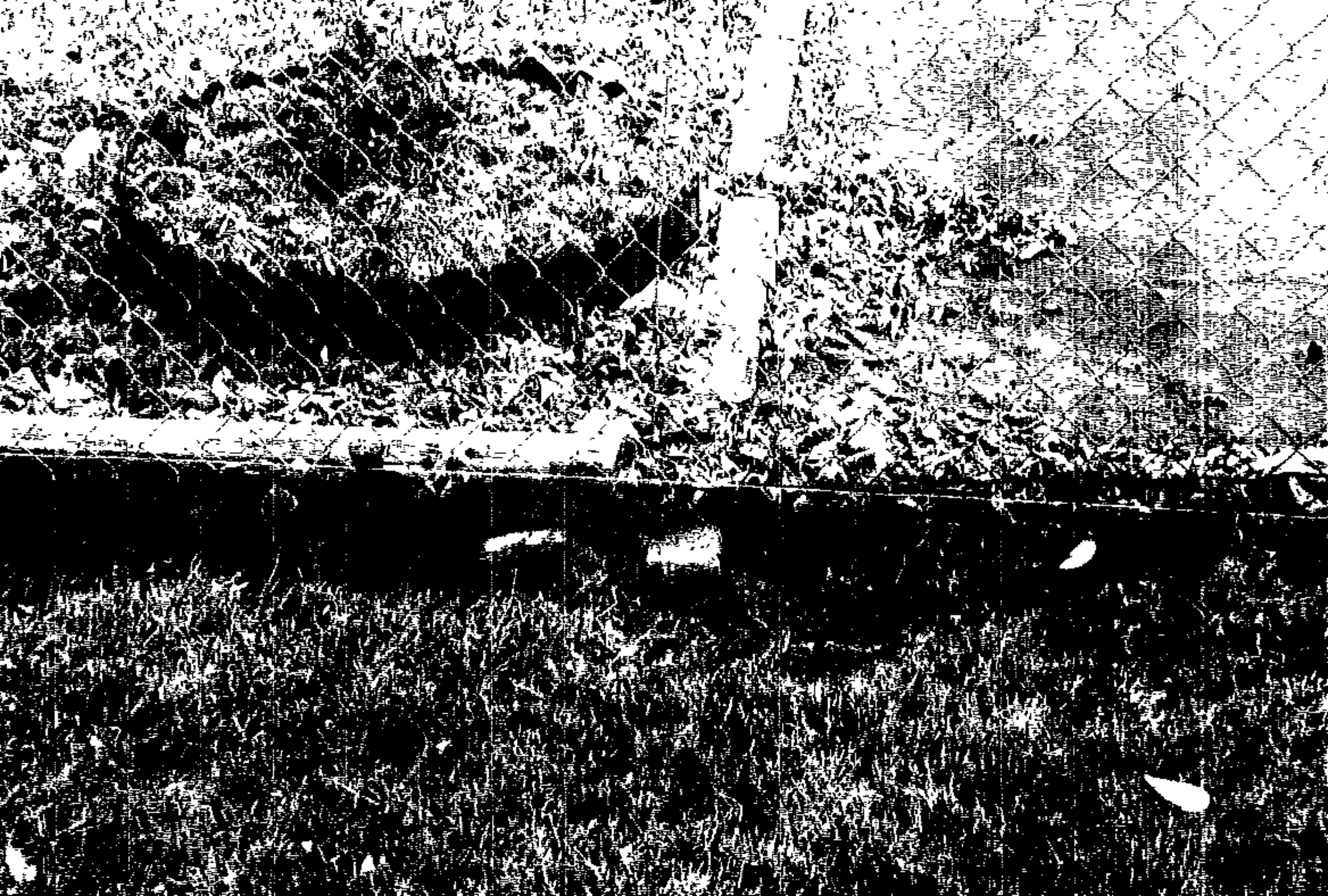


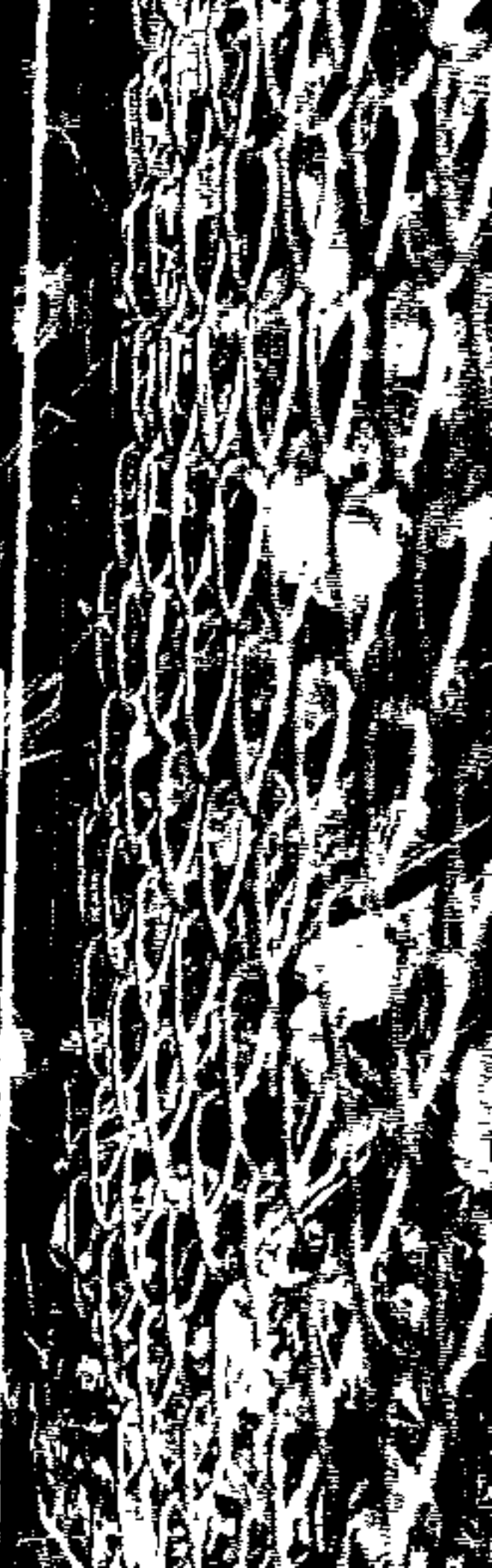










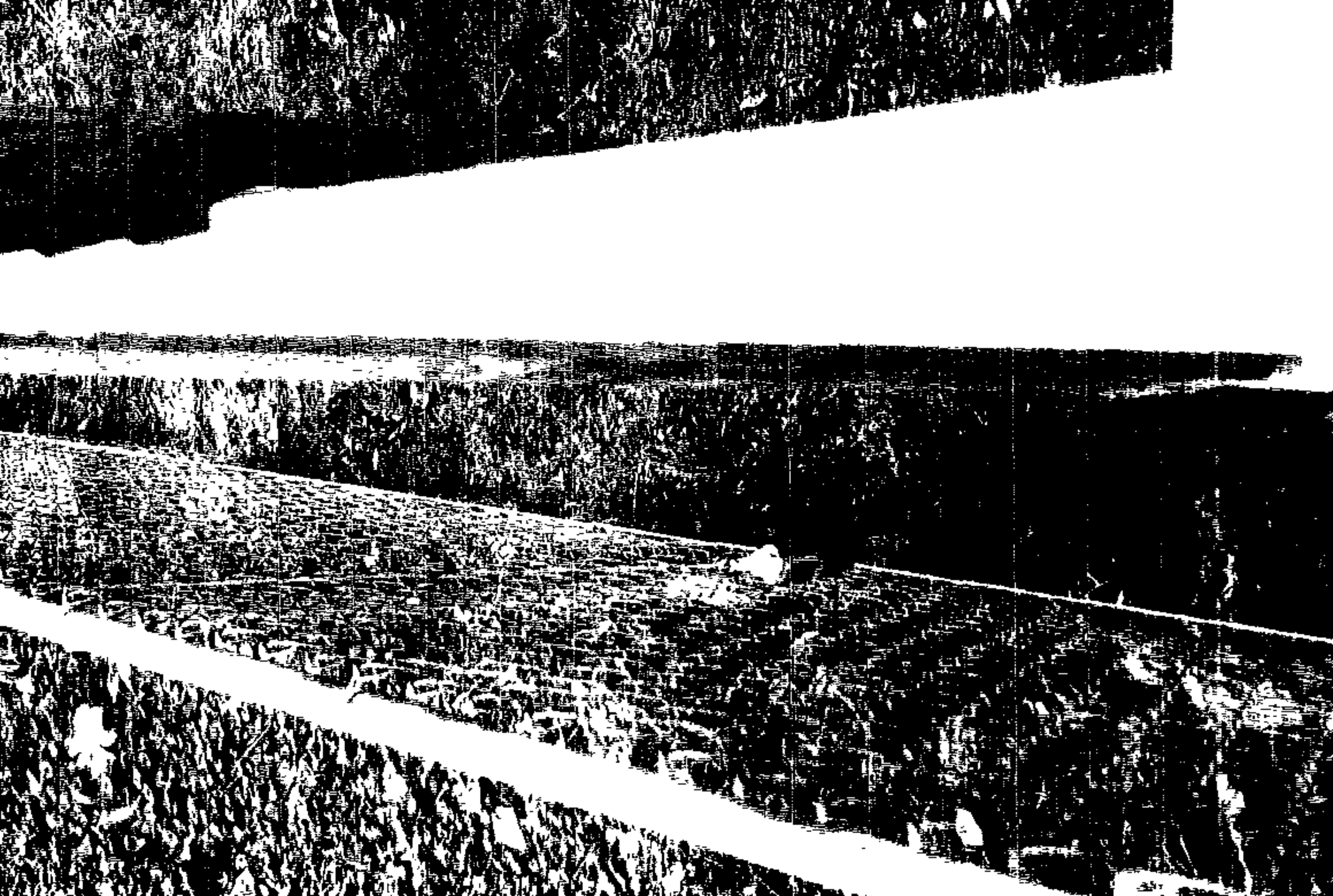


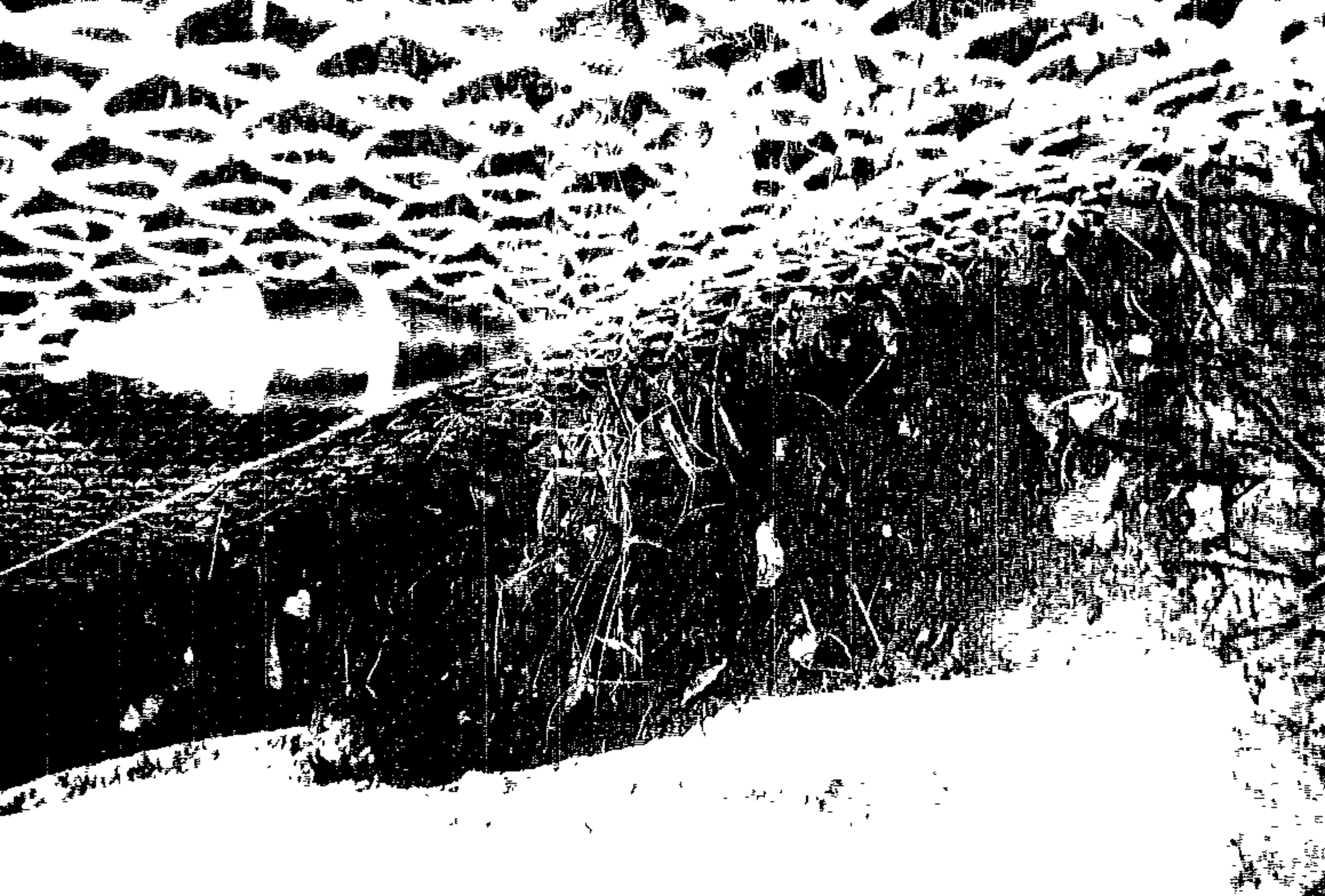


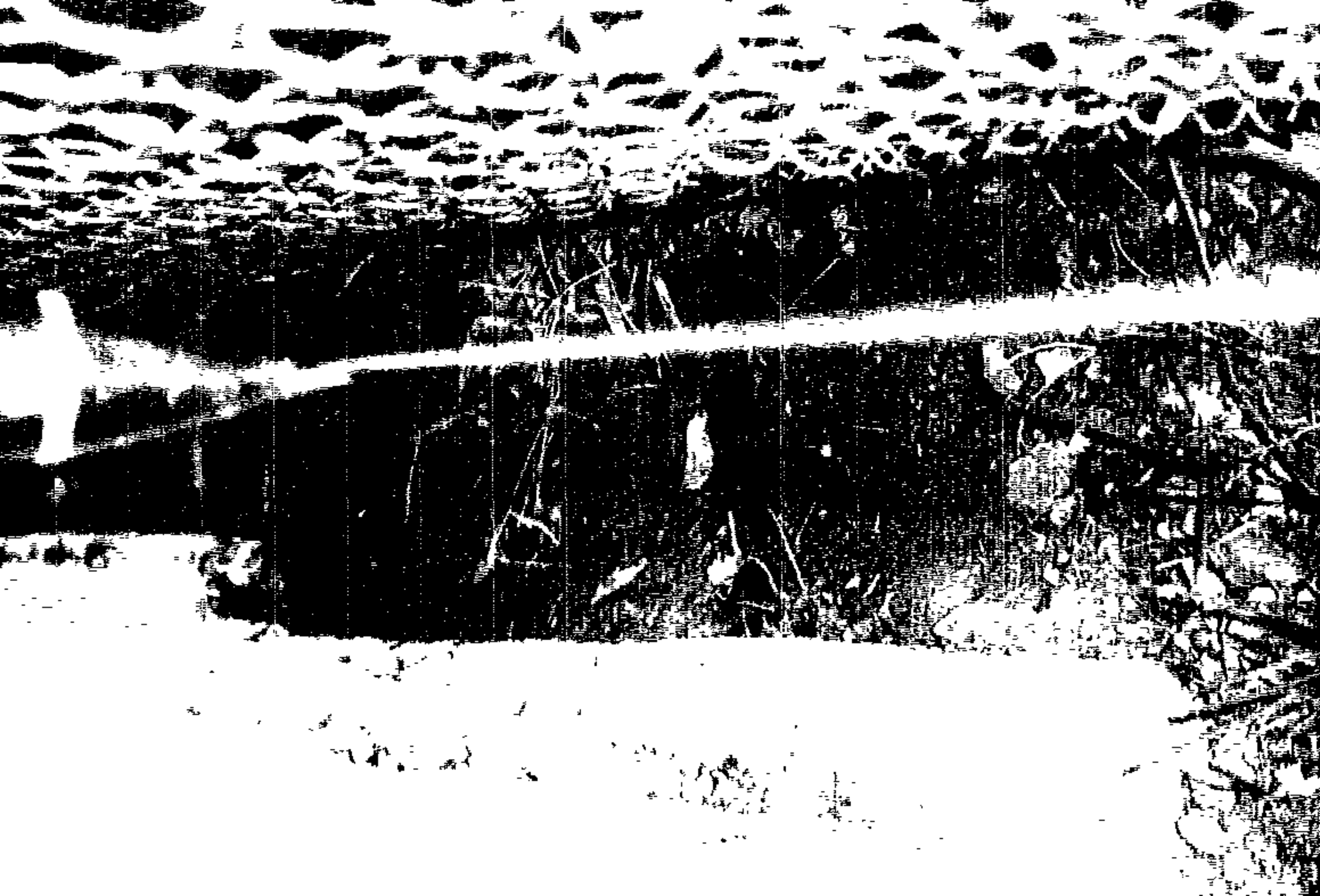


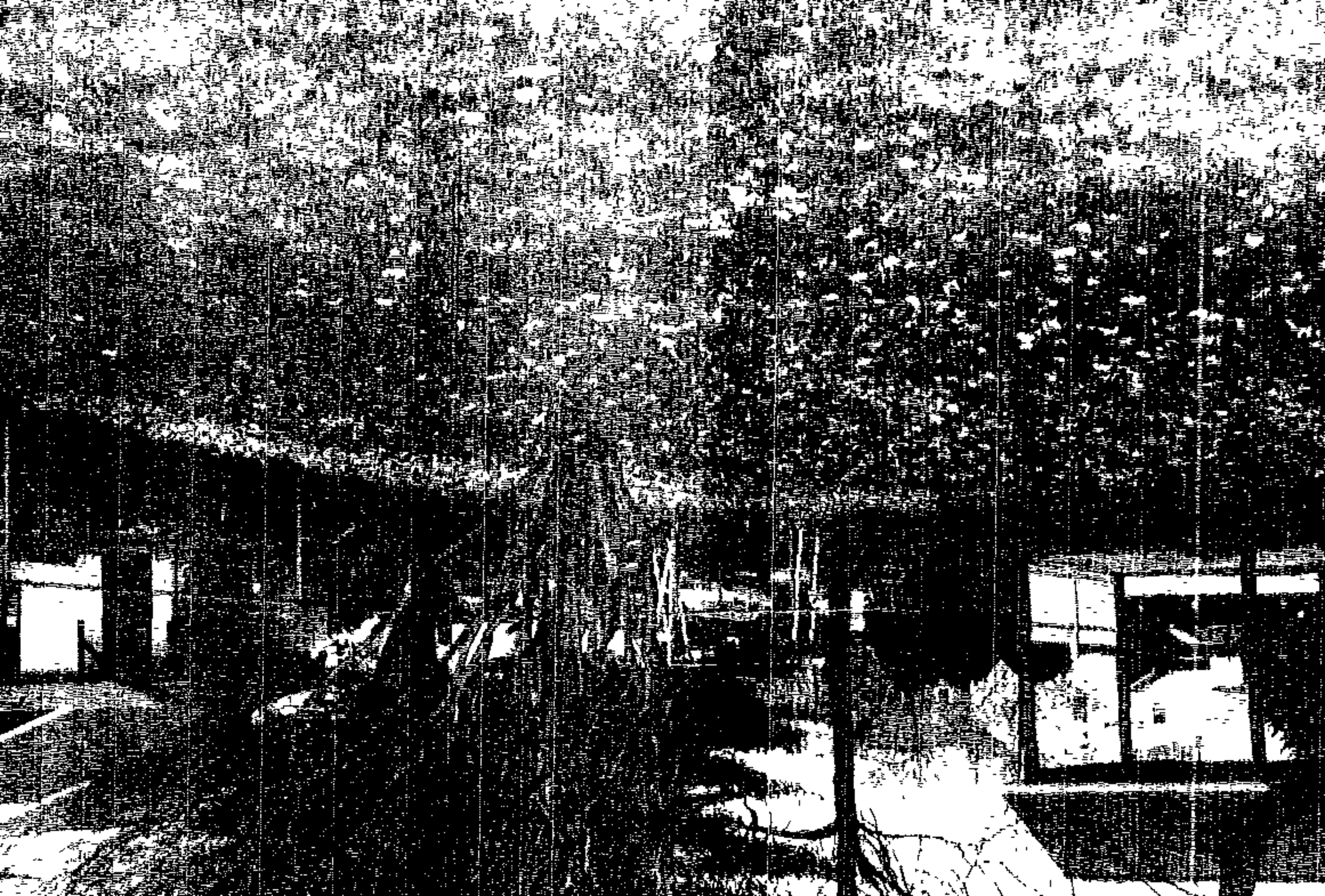


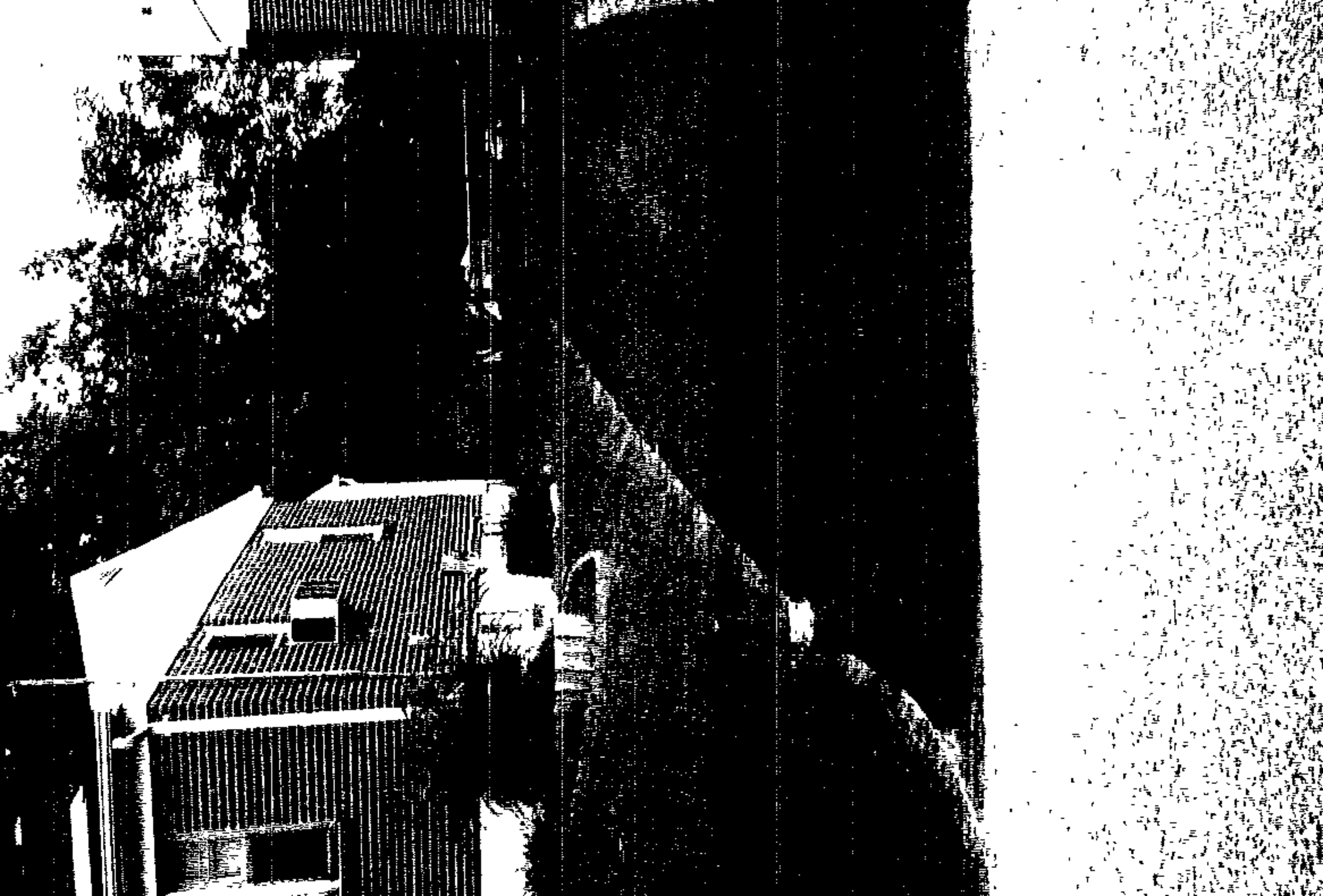


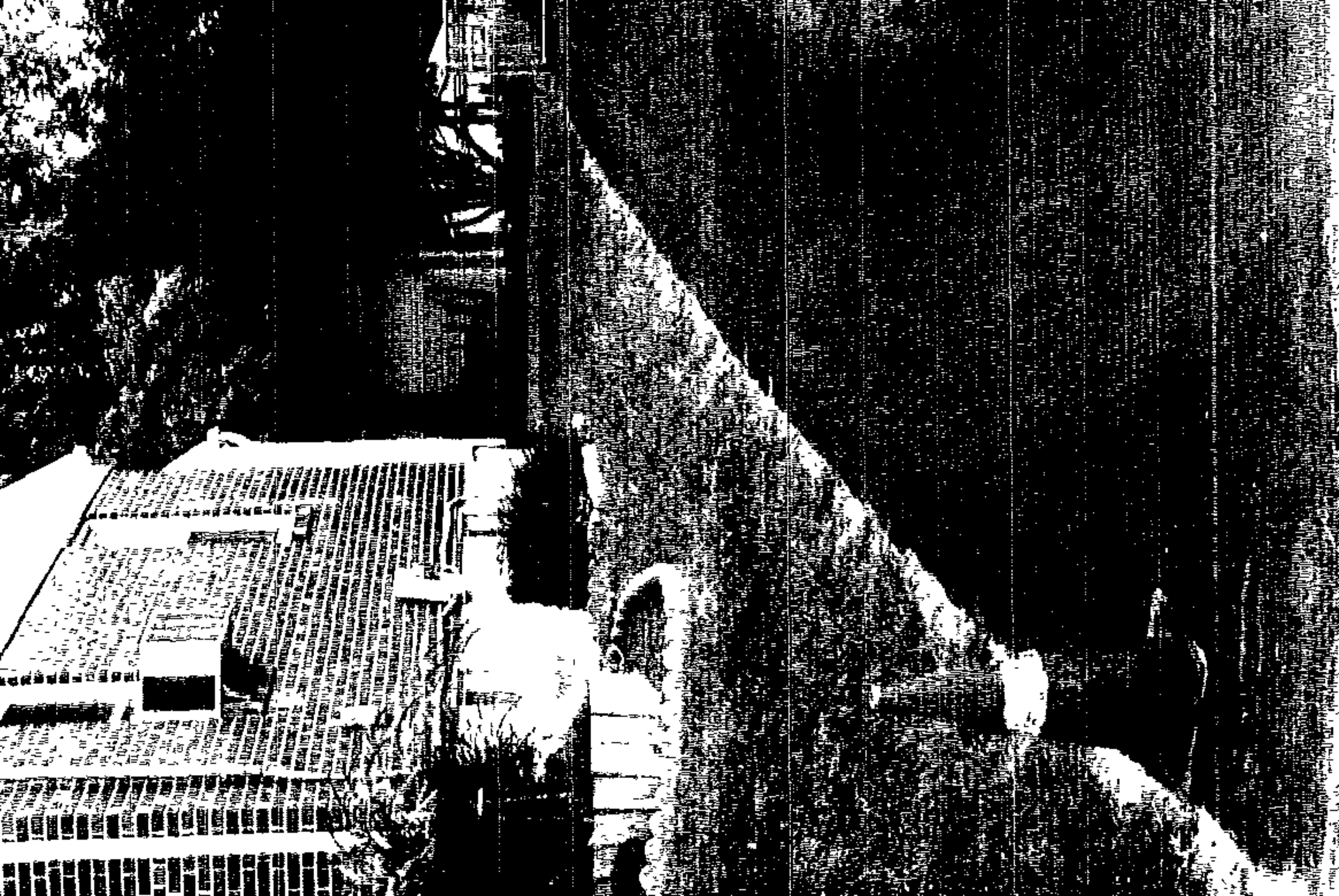


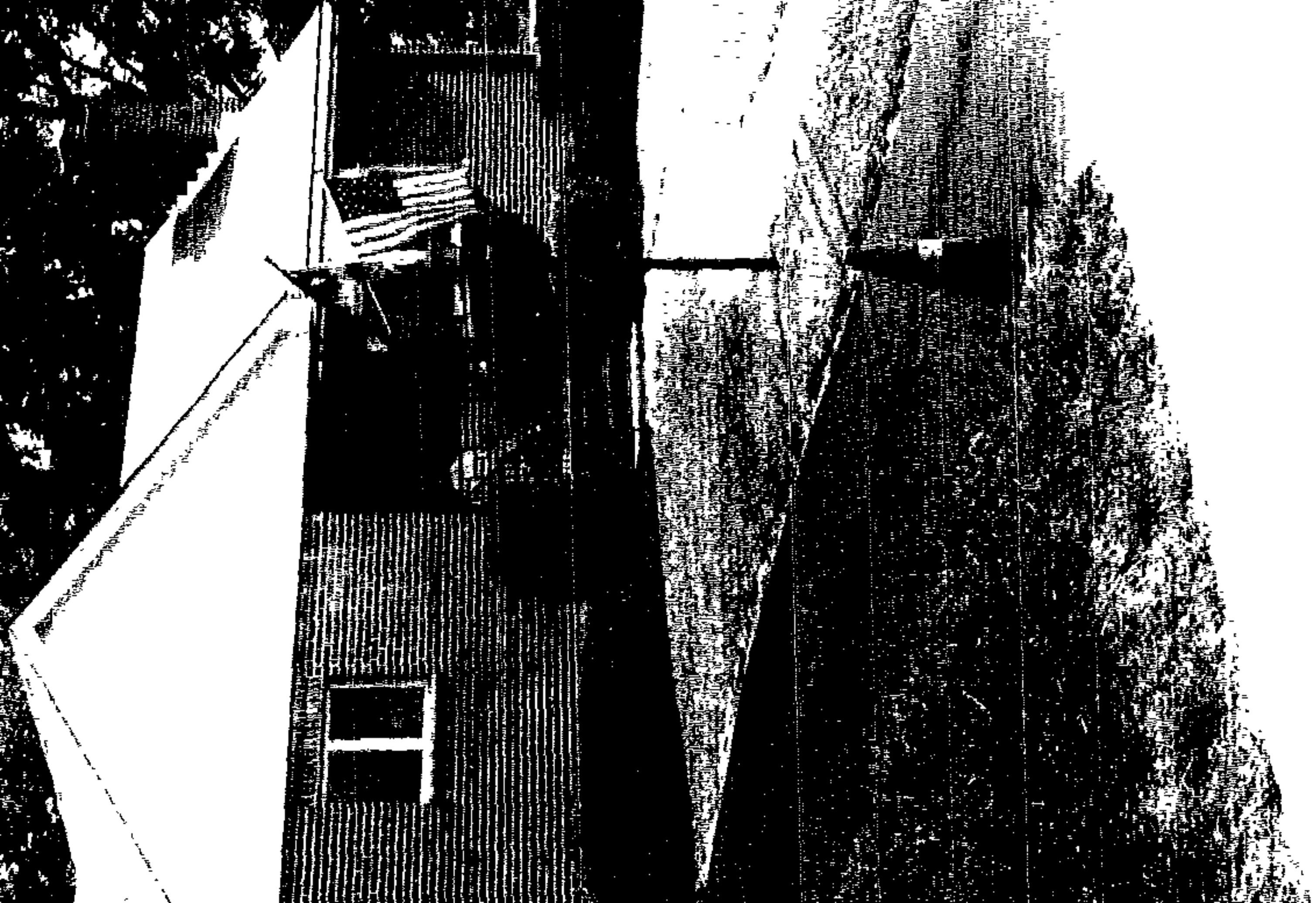














02-319-H

farmasek

Protestants 1 (photos - 14)



Protestant
1-14-1













PROPERTY
CORNER

1/2" PIPE



7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

ALUMINUM SIDING VINYL TERRAZZO
FLOORING PROGRAM INSULATION

1 2 3 4 5 6 7

ALUMINUM SIDING
STYROFOAM INSULATION

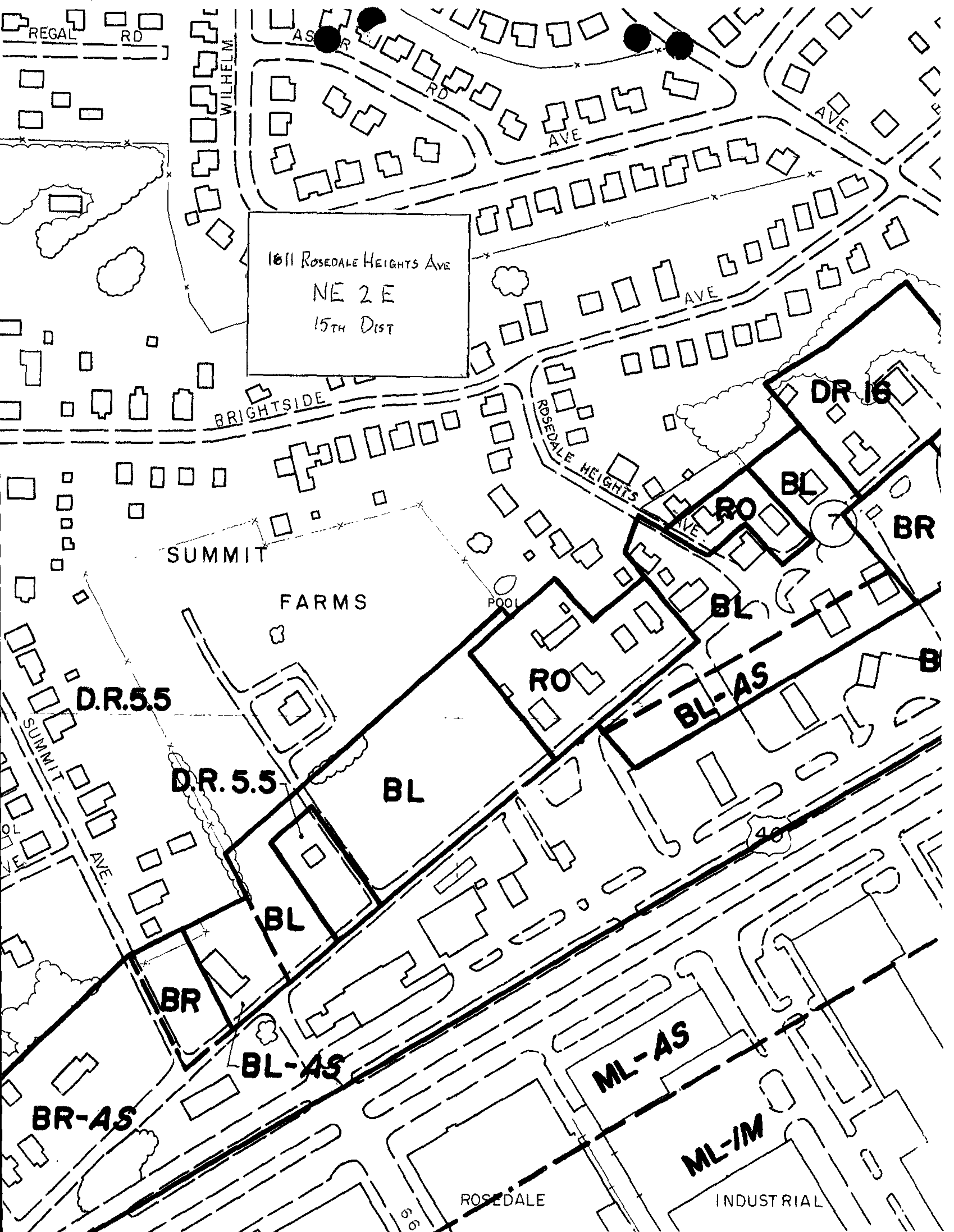


ALUMINUM SIDING - VINYL REPLACEMENT WIN
STYROFOAM INSULATION - STORM WINDC

FORIES INC. - MUMM







REGAL RD

WILHELM

1611 ROSEDALE HEIGHTS AVE
NE 2 E
15TH DIST

BRIGHTSIDE

SUMMIT

FARMS

POOL

D.R. 5.5

D.R. 5.5

BL

BL

BR

BL-AS

BR-AS

ML-AS

ML-IM

ROSEDALE

INDUSTRIAL

DR 16

BL

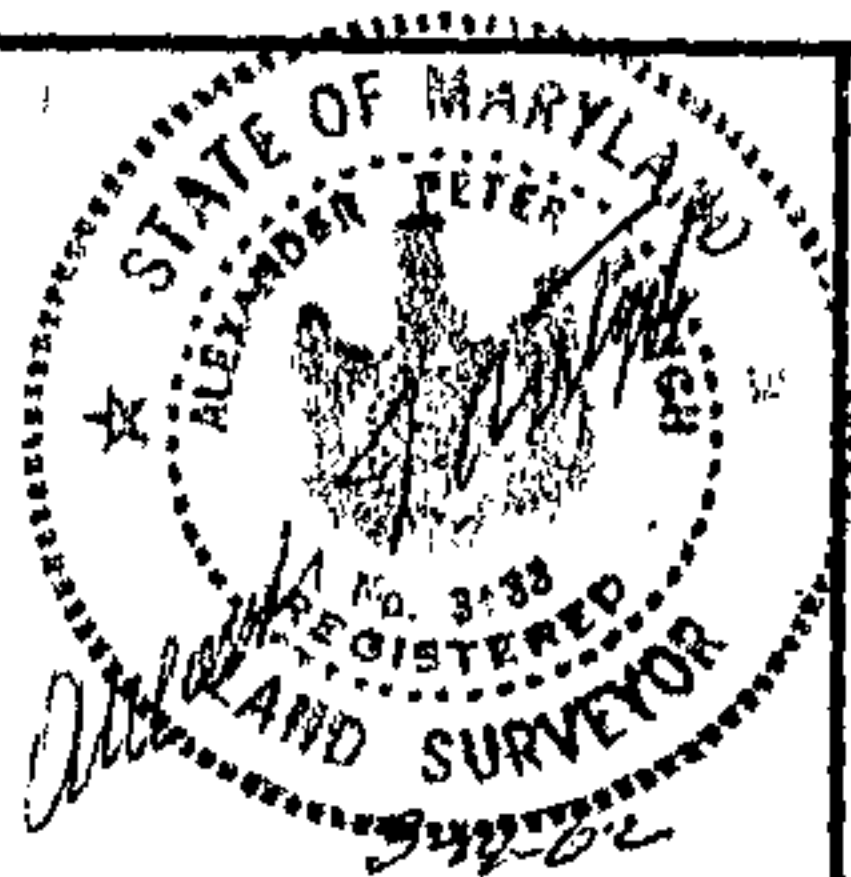
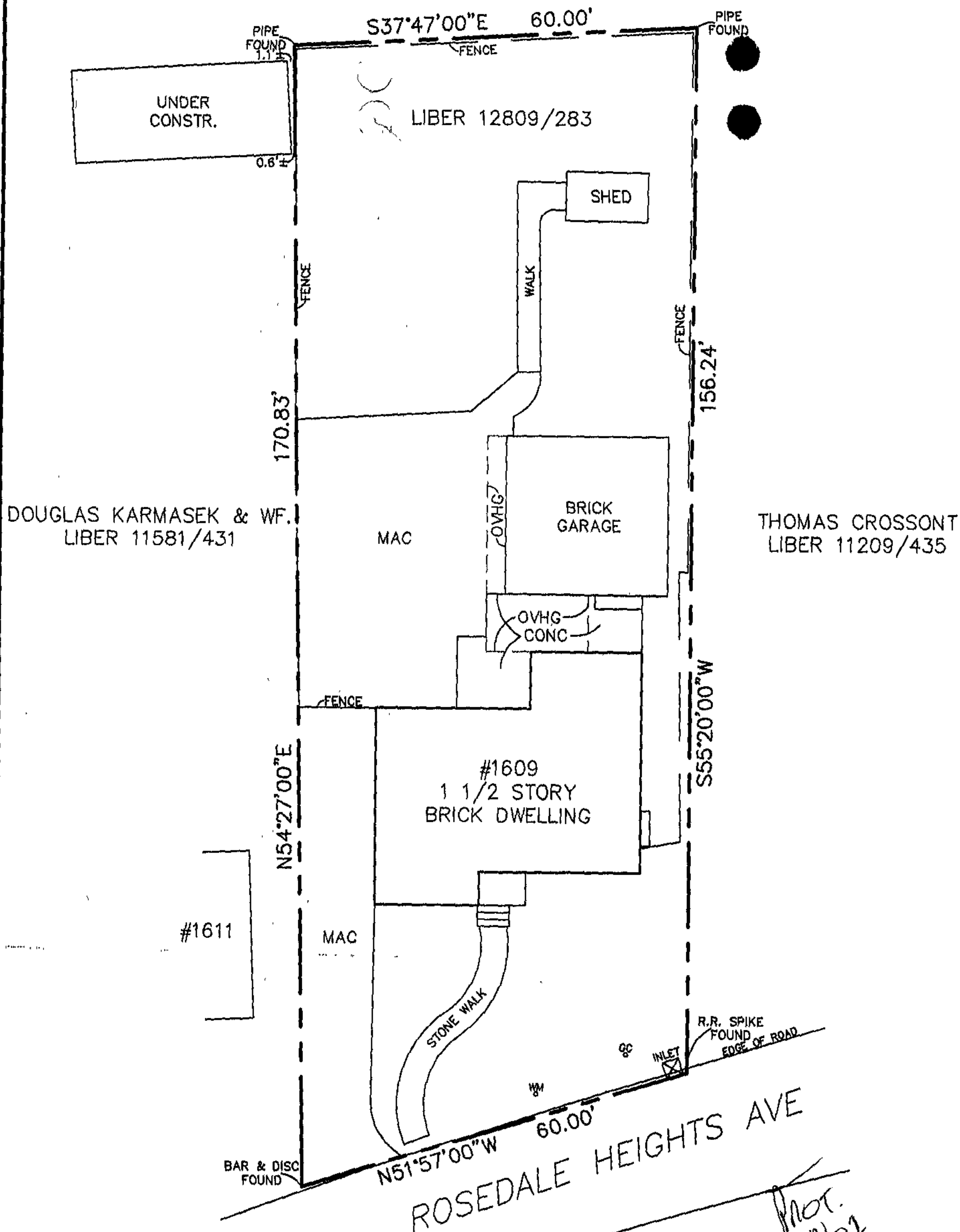
RO

BR

BL

RO

BL-AS



APR ASSOCIATES, INC.
 SURVEYORS • ENGINEERS
 7427 Harford Road Baltimore, Maryland 21234-7160
 (410) 444-4312 FAX: (410) 444-1847
 E mail : apr444@erols.com

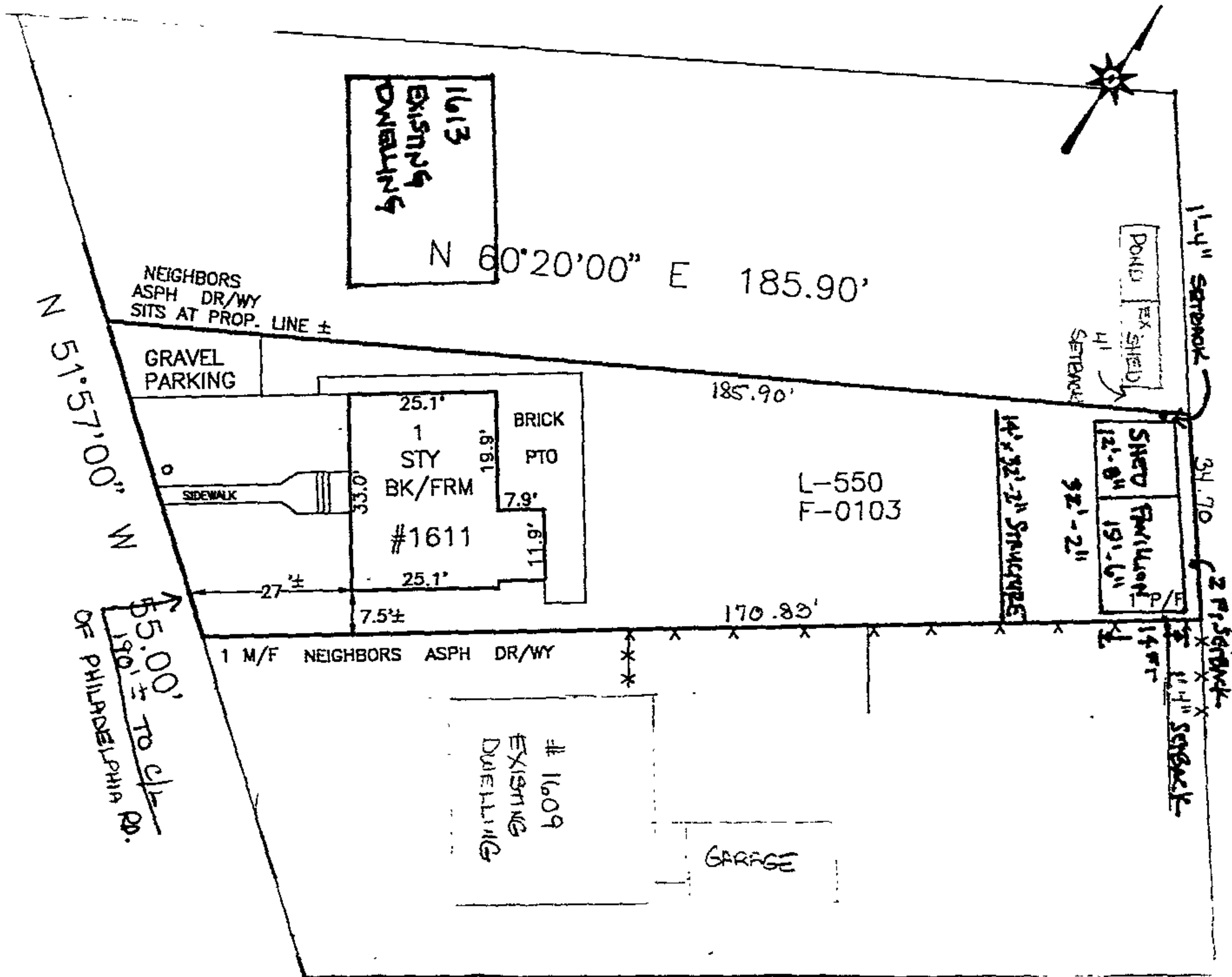
BOUNDARY SURVEY
 1609 ROSEDALE HEIGHTS AVE
 14th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND
 DATE: MARCH 19, 2002 SCALE: 1"=20'

22018

PLAT TO ACCOMPANY PETITION FOR ZONING X VARIANCE SPECIAL HEARING
PROPERTY ADDRESS - 1611 ROSEDALE HEIGHTS AVENUE
SUBDIVISION NAME - SUMMIT FARMS
LIBER 5500 FOLIO 0103
OWNER - DOUGLAS & CHARLOTTE KARMASEK



ROSEDALE
HEIGHTS
AVENUE
30' R/W



LOCATION INFORMATION		
ELECTION DISTRICT - 15		
COUNCILMANIC DISTRICT - 7		
1" = 200' SCALE MAP - NE 2E		
ZONING - D.R. 5.5		
LOT SIZE	.23	9396
	ACREAGE	SQUARE FEET
SEWER	X	
WATER	X	
		YES NO
CHESAPEAKE BAY		
CRITICAL AREA		X
100 YEAR FLOOD PLAIN		X
HISTORIC PROPERTY/ BUILDING		X
PRIOR ZONING HEARING		X

ZONING OFFICE USE ONLY

REVIEWED BY : D. THOMPSON
ITEM # : 319
CASE # : 02-319-A