IN RE: PETITION FOR VARIANCE

N/S Millstone Road, 50' N of the c/l

Burr Oak Court (42 Millstone Road) 2nd Election District 2nd Council District

Huey Martin, et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 03-240-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, Huey Martin and his wife, Kimberly Martin, through their attorney, James L. Rouse, Esquire. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (1955 Regulations, Section 205.4, R-20) to permit a rear yard setback of 23 feet in lieu of the minimum required 40 feet for a proposed addition. 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 Huey and Kimberly Martin, property owners, and their attorney, James L. Rouse, Esquire. There were no Protestants or other interested persons present; however, the matter came before me as the result of a zoning violation. Specifically, a complaint was registered with the Code Enforcement Division of the Department of Permits and Development Management by an anonymous neighbor relative to the subject addition, which was being constructed without a building permit, and the possibility of a multi-family dwelling use. A subsequent inspection by a Code Enforcement Inspector revealed that the Petitioners were enclosing an existing patio and that such enclosure encroached into the required rear setback. The Petitioners were advised to file the instant Petition to resolve the matter.

An examination of the site plan submitted shows that the subject property is a triangular shaped parcel located on the northwest side of Millstone Road, across from its intersection with Burr Oak Court in the Hernwood Heights community in Randallstown. The property contains a gross area of .580 acres, more or less, zoned D.R.2, and is improved with a two-story, singlefamily dwelling, which features an attached one story garage on the west side, and a screened porch on the rear, northwest corner of the dwelling. Testimony indicated that Mr. & Mrs. Martin have owned and resided on the property since 1999. At that time, a patio existed to the rear of the dwelling adjacent to the screen porch. The Petitioners recently commenced construction of an addition over the existing patio to enclose the existing porch and provide more interior living space for their family. The addition will only be 12 feet deep, but run the entire length of the house (40 feet). Due to the unusual shape of the property and the location of existing improvements thereon, nearly half of the addition will be located within the required rear yard setback area. It is also to be noted that it appears a portion of the dwelling itself was constructed outside the building envelope for this property; however, there is no record of any prior variance relief being granted for this property. As shown on the site plan, the rear (northeast) corner of the house intrudes into the required setback. In any event, relief is requested to allow a setback of 23 feet.

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. The property is unique by virtue of its unusual configuration. I am persuaded that the Petitioners have met the standards set forth in Section 307 of the B.C.Z.R. for relief to be granted and that strict compliance will result in a practical difficulty and unreasonable hardship. There is no evidence that the grant of the relief would be detrimental to adjacent properties.

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.

this day of March, 2003 that the Petition for Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (1955 Regulations, Section 205.4, R-20) to permit a rear yard setback of 23 feet in lieu of the minimum required 40 feet for a

proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

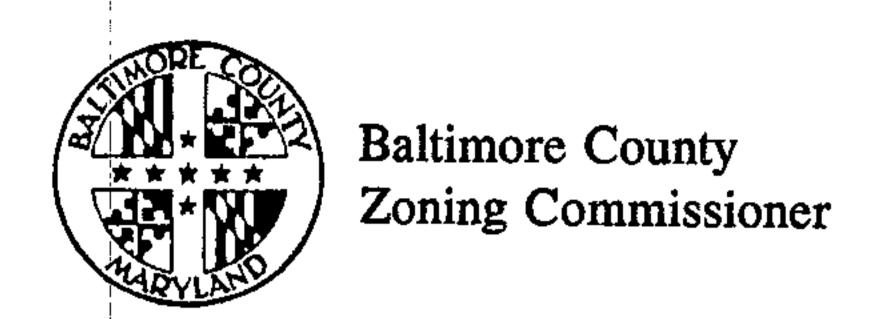
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order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

2) When applying for any permits, 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



March 4, 2003

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

Fax: 410-887-3468

James L. Rouse, Esquire 2516 N. Charles Street Baltimore, Maryland 21218

PETITION FOR VARIANCE RE:

N/S Millstone Road, 50' N of the c/l Burr Oak Court

(42 Millstone Road)

2nd Election District – 2nd Council District

Huey Martin, et ux - Petitioners

Case No. 03-240-A

Dear Mr. Rouse:

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,

LAWRENCE E. SCHMIDT

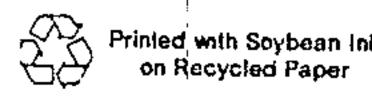
Zoning Commissioner

for Baltimore County

cc:

LES:bjs

Mr. & Mrs. Huey Martin, 42 Millstone Road, Randallstown, Md. 21133 Code Enforcement Division, DPDM; People's Counsel; Case File





Baltimore County Zoning Commissioner

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

Fax: 410-887-3468

January 15, 2003

James L. Rouse, Esquire 2516 N. Charles Street

Baltimore, Maryland 21218

RE: PETITION FOR VARIANCE

N/S Millstone Road, 50' W of the c/l Burr Oak Court

(42 Millstone Road)

2nd Election District – 2nd Council District

Huey Martin, et ux – Petitioners

Case No. 03-240-A

Dear Mr. Rouse:

This letter is to confirm that the above-captioned matter, which was scheduled for a hearing this date, has been postponed at your request, due to a conflict with Jury Trial proceedings that are to commence this afternoon. We agreed to reschedule the matter for Tuesday, February 11, 2003 at 2:00 PM in Room 407 of the Circuit Courts Building in Towson. It was further agreed that you will arrange to have the property re-posted with a new sign reflecting the new date and time of the subject hearing. Thank you for your cooperation in this matter.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. & Mrs. Huey Martin
42 Millstone Road, Randallstown, Md. /21133
Code Enforcement Division, DPDM; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

| for the property located at | 12 Millstone Road | \ \ |
|-----------------------------|-------------------|--------|
| | sently zoned | 205 |

| · · | |
|---|--------------|
| This Petition shall be filed with the Department of Permits and Development Management. The undersigned, leg | nal owner(s) |
| of the property situate in Baltimore County and which is described in the description and plat attached hereto and reference hereby petition for a Variance from Section(s) | made a part |
| hereof, hereby petition for a Variance from Section(s) BOZ. 3.B. (1955 Regs 205.4 R-20) | מש ארבי שני |
| in her of the min inom required 40 ft. | 23.5 Jan |

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 lot of record since approval in 1961, the owner has no contiguous property to comply with zoning regulations.

2. additional space is helpful to accommodate the family's needs, less expensive alternative. 3. granting relief from B.C.Z.R. will not cause injury to the public health, safety and general

welfare.

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: | <u>Legal Owner(s):</u> |
|--|---|
| Name - Type or Print | Huel Martin Name - Type or Print |
| Signature Address Telephone No | Signature Kimberly Martin |
| State Zip Code | Name Type or Print (Mysike Markin Signature |
| Attorney For Petitioner: JAmes L. Rouse | Av Millstone Road A10-922-804 Address Telephone No. |
| Signature | Representative to be Contacted: |
| Liam Offices of JAmes L. Rouse | JAmes L. Rouse |
| Ballimore MD Telephone No. | 2516 N. Charles St. 410-366-666 Address. Telephone No. Paltimore MD. 21218 |
| State Zip Code | City State Zip Code OFFICE USE ONLY |
| Case No. 23-240-7 Reviewed By | UNAVAILABLE FOR HEARING Date 11-18-2-2 |
| Reviewed By | Date //-18 2 |

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: #03-240-A
42 Millstone Road
N/side Millstone Road, 50
feet west of and opposite the
centerline of Burr Cak Court
2nd Election District
2nd Councilmanic District
Legal Owner(s): Huey Martin
Variance: to permit a proposed addition with a rear
yard setback of 23 feet in
lieu of the minimum required 40 feet.
Hearing: Wednesday,
January 15, 2003 at 2:00
p.m. in Room 106, County
Office Building, 111 W.
Chesapeake 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) 887-13391.

JT 12/837 -Dec. 31 C580547

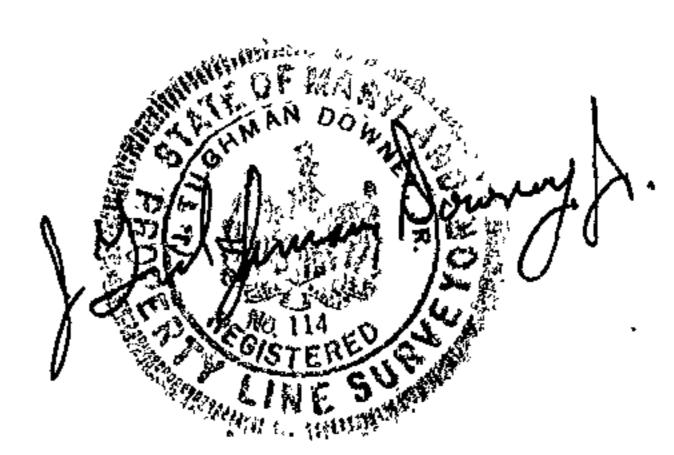
CERTIFICATE OF PUBLICATION

| 1/2,2003 |
|---|
| THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each ofsuccessive weeks, the first publication appearing |
| on 12 31 ,2002. The Jeffersonian |
| Arbutus Times Catonsville Times |
| ☐ Towson Times ☐ Owings Mills Times |
| ☐ NE Booster/Reporter ☐ North County News |
| |

LEGAL ADVERTISING

ZONING DESCRIPTION FOR #42 MILLSTONE ROAD

BEGINNING AT A POINT ON THE NORTH SIDE OF MILLSTONE ROAD WHICH
IS 50 FEET WIDE AT THE DISTANCE OF 50 FEET FROM THE CENTERLINE OF
BURR OAK COURT WHICH IS 50 FEET WIDE. PARCEL 1, BEING LOT NO. 11, BLOCK
C, SECTION 2A IN THE SUBDIVISION OF FOREST HILLS AS RECORDED IN
BALTIMORE COUNTY PLAT BOOK NO. 27, FOLIO NO. 130 AND PARCEL 2, AS
RECORDED IN DEED LIBER NO. 14420, FOLIO NO. 151; THENCE RUNNING 5 72
DEGREES 33 MINUTES 14 SECONDS E, 107.58 FEET; THENCE 9 05 DEGREES 45
MINUTES 13 SECONDS E, 17.55 FEET; THENCE BY A LINE CURVING TO THE LEFT
WITH A RADIUS OF 295.50 FEET FOR A DISTANCE OF 106.77 FEET AND THENCE
N 05 DEGREES 45 MINUTES 13 SECONDS W, 98.63 FEET, CONTAINING 0.711
ACRES, MORE OR LESS. ALSO KNOWN AS #42 MILLSTONE ROAD AND LOCATED
IN THE 2ND. ELECTION DISTRICT, 2ND. COUNCILMANIC DISTRICT.



J. TILGHMAN DOWNEY, JR.

. 24

| BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT 03 240-4 | PATO RECEIPT HERESS ACTUAL THE |
|---|--------------------------------|
| | CEIPT # 114754 11/18/2002 |
| | 9. 014338 Recet lot \$50.00 |
| FROM: Tomas Toward Many and Allers Toward | 80.00 (R |
| FOR: A HAZ MILLY ON PROPERTY. | |
| DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER | CASHIER'S VALIDATION |

A TY A CON From O:

ن 🕶

PAGE

CERTICATE OF POSTING

RE Case No 03-240-A
Pennenci Developer MARTIN

POUSE

Date of Hearing/Closing. 115/03

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

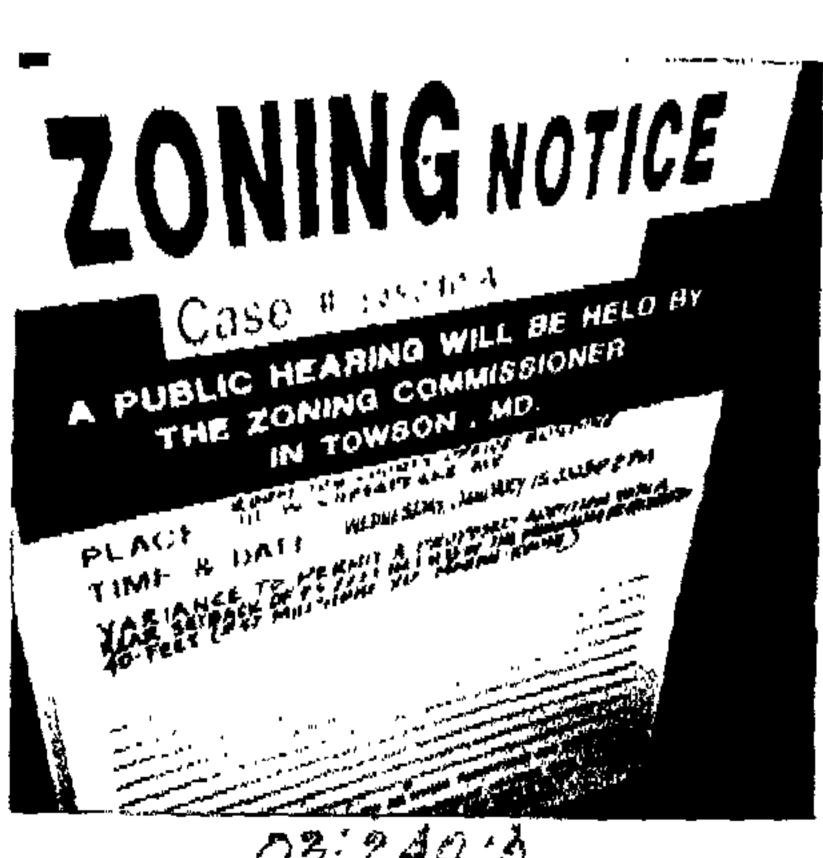
Ladies and Gentlemen

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 # 42- MILL STONE LD

The sign(s) were posted on (Month, Day, Wear)

> PATRICK M. O'KEEFE 1/03 (Printed Name) 523 PENNY LANE (Address) HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571 (Telephone Number)



#147 MILLOTANE

1/15/23



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

January 10, 2003

NOTICE OF ZONING HEARING

Correction

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: 03-240-A

42 Millstone Road

N/side Millstone Road, 50 feet west of and opposite the centerline of Burr Oak Court 2nd Election District – 2nd Councilmanic District

Legal Owner: Huey and Kimberly Martin

Variance to permit a proposed addition with a rear yard setback of 23 feet in lieu of the minimum required 40 feet.

Hearings:

Wednesday, January 15, 2003 at 2:00 p.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jabion Director

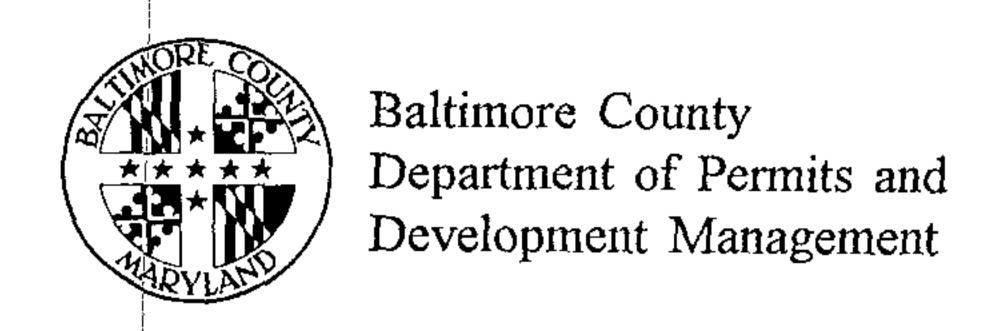
AJ:rlh

C: Mr. and Mrs. Huey Martin, 42 Millstone Road, Randalistown 21133

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY.

(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.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

December 11, 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: 03-240-A

42 Millstone Road

N/side Millstone Road, 50 feet west of and opposite the centerline of Burr Oak Court 2nd Election District – 2nd Councilmanic District

Legal Owner: Huey Martin

Variance to permit a proposed addition with a rear yard setback of 23 feet in lieu of the minimum required 40 feet.

Hearings:

Wednesday, January 15, 2003 at 2:00 p.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

The same of the sa

Arnold Jablon Director

AJ:rlh

C: James L. Rouse, 2516 N. Charles Street, Baltimore 21218
Huey Martin and Kimberly Martin, 42 Millstone Road, Randallstown 21133-1535

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 31, 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, December 31, 2002 Issue - Jeffersonian

Please forward billing to:

James L. Rouse, Esquire 2516 North Charles Street Baltimore, MD 21218

410366-6664

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: 03-240-A

42 Millstone Road

N/side Millstone Road, 50 feet west of and opposite the centerline of Burr Oak Court 2nd Election District – 2nd Councilmanic District

Legal Owner: Huey Martin

Variance to permit a proposed addition with a rear yard setback of 23 feet in lieu of the minimum required 40 feet.

Hearings:

Wednesday, January 15, 2003 at 2:00 p.m. in Room 106, County Office

Building, 111 W. Chesapeake 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: |
|---|
| Petitioner: Huey & Kimberly Martin Address or Location: AV Millstone Road Randallstown, MD. 213: |
| PLEASE FORWARD ADVERTISING BILL TO: Name: |
| Telephone Number: 410-366-664 |

Revised 2/20/98 - SCJ



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

January 10, 2003

Mr. James L. Rouse 2516 N. Charles Street Baltimore, MD 21218

Dear Mr. Rouse:

RE: Case Number: 03-240-A, 42 Millstone Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 18, 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,

U. Cal Ribal D.

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

WCR:rlh

Enclosures

c: People's Counsel

Mr. and Mrs. Huey Martin, 42 Millstone Road, Randallstown 21133



Maryland Department of Transportation State Highway Administration ·

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date:

12.6.02

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

RE:

Baltimore County

Item No. 240

115

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



Baltimore County Fire Department

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

December 11, 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

Property Owner:

Location:

Item No.: Distribution Meeting of 12/9/02

|Dear Mr. Zahner:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

January 14, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of December 9, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

224, 225, 229, 233, 234, 237,239,240

PECENED TEB 72003 72003 MISSON

fp 1/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 7, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-240

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:

Section Chief:

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 16, 2002

Item Nos. 224, 225, 228, 229, 230, 231, 232, 233, 234, 235, 236, 238, 239, and 240)

RECE/VED

DATE: January 17, 2003

FEB 7 2003

NING COMMISSIONER

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

RWB:CEN:jrb

cc: File



Parris N. Glendening Governor Kathleen Kennedy Townsend Lt. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

December 11, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
Count Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop # 1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 12/16/02 re: case numbers 03-224-A, 03-225-SPH, 03-226-SPH, 03-228-A, 03-229-A, 03-230-A, 03-231-SPH, 03-232-SPH, 03-233-SPHA, 03-234-A, 03-235-SPHA, 03-236-A, 03-237-A, 03-238-A, 03-239-A, 03-240-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/11/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

Maka January Julius Juliu

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

RE: PETITION FOR VARIANCE

n a

BEFORE THE

42 Millstone Road; N/side Millstone Rd

50ft W of & opposite ctrline of Burr Oak Ct *

ZONING COMMISSIONER

2nd Election District

2nd Councilmanic District

FOR

Legal Owner(s): Huey & Kimberly Martin

Petitioner(s)

BALTIMORE COUNTY

* 03-240-A

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 Φ day of December, 2002, a copy of the foregoing Entry of Appearance was mailed to, James L. Rouse, Law Off ices of James L. Rouse, 2516 N. Charles Street, Baltimore, MD 21218, Attorney for Petitioner(s).

DECEIVE!

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



Baltimore County Department of Social Services Housing Office

6401 York Road Baltimore, Maryland 21212 410-853-8990

Fax: 410-853-8999 Maryland Relay: 711 (Hearing Impaired Only)

| 9/11/02 | | 561 | 2 |
|---------------------------------|-----------|--------------------------------|-----|
| NORMA 7815 BANK BALTIMORE | IID Darma | nt: 171 nt: 304 Payment: | .00 |

The purpose of this letter is to inform you that your landlord has changed the contract rent on your unit from \$475.00 to \$475.00 per month for the coming lease year. Additionally, your recent certification/recertification indicated a change in your family income. As are sult of these changes, your new tenant rent will be \$171.00. You are to begin paying this amount as of 11/01/02.

Please be advised that you may contact VICKI WOLAK at (410) 853-8990 to request an explanation of the basis of this determination. Having done so, should you disagree with the calculations, you have the right to request an informal hearing. Should you desire to request a hearing, you must notify the informal hearing scheduler, Ms. Heard, in writing at the above address within fifteen (15) days of the date of this letter. A copy of the informal hearing is enclosed for your review.

As this is an extension of the original contract, it will not be necessary for the landlord or tenant to sign any additional documents.

Sincerely,

PROGRAM ELIGIBILITY ANALYST

Enclosure: Informal Hearing Procedures

SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM

EXISTING HOUSING

CONTRACT AND LEASE AGREEMENT AMENDMENT

(For Adjustment of Payments or Continuation of Contract)

9/11/02 Date

| 1 1 | | nd ce i | 3/11/02 |
|--|-------------------------|-------------|-------------------------|
| The HOUSING ASSISTANCE PAYMENTS CONTRACT ("CONTRACT") entered into | | | |
| Between the Owner: WI | LLIAM FINK SR | | |
| and the BCHO, dated: $\underline{1}$ | 1/01/92 | | |
| on behalf of the LEASEE (" | FAMILY"): NORMA | CZYZEWSKI | <u> </u> |
| who holds CERTIFICATE OF F. | AMILY PARTICIPATION NO. | V430056C3F | |
| for the following describe | d unit: | | |
| 7815 BANK ST | BALTIMORE | MD 21224 | - |
| is hereby amended for the | following reason(s): | | |
| Interim adjustment | due to changes in famil | y income, c | omposition, or expenses |
| Changes in allowance | e for utilities and oth | er services | |
| Annual Re-examination | on | | To \$.00 |
| _ Recalculation of and | nual re-examination | | 1 |
| Transfer of unit |] | _ HUD app | roved increase |
| Other | | | |
| ADJUSTMENT IN PAYMENT | | FROM | OT |
| HO to Owner | <u>-</u> - | \$425.00 | \$304.00 |
| Family to Owner | | \$50.00 | \$171.00 |
| Total Contract Rent | | \$475.00 | \$475.00 |
| EFFECTIVE DATE | | | |
| This extension to the House | | | |

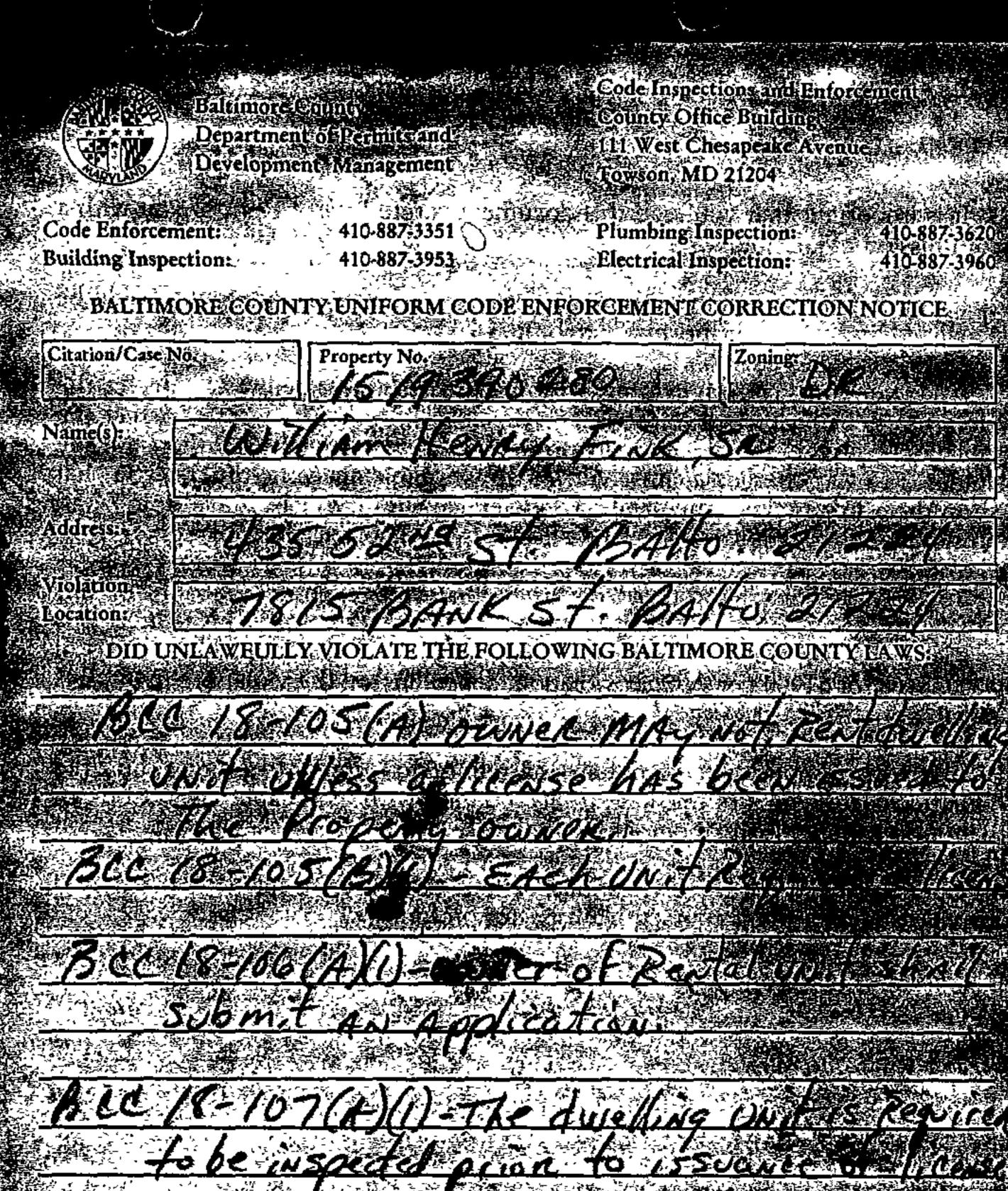
This extension to the Housing Assistance Payments Contract and Lease Agreement will be effective: 11/01/02 through 10/31/03. The next reexamination is due on/before: 11/01/03.

This notice shall be attached to and made a part of your Housing Assistance Payments Contract and/or Lease Agreement. All other covenants, terms, and conditions of the original Housing Assistance Payments Contract and/or Lease Agreement remain the same. VICKI

cc: Owner Tenant

WOLAK

EQUAL HOUSING OPPORTUNITY



| YOU ARE I | HEREBY ORDERED TO C | ORRECT THESE V | IOLATION(S) ON OR | BEPORES" |
|---------------|---|----------------|-----------------------|--|
| On or Before: | 12/10/12 | _ 4_7 | Date Issued: 10/25 | 02 |
| EACH VIO | ・ シーング 6 (1) MER 19 日本 (1944) (1944) (1955) (1957) (1957) (1957) (1968) (1968) (1967) | TO COTENTIAL | FINES OF \$200, \$500 | OR. A CONVICTION FO OR \$1000 PER DAY, PE |
| Print Name | Le The | The state of | | |
| INSPECTO | | SEOF WORK | NOTICE | |

RESIDING WITH STREET APPROVAL OPERATION OF THE PROPERTY OF THE STREET OF

THESE COUNTY ON WHAT THE CONTRACTOR WAS THE TELEVISION OF

DATE: December 17, 2002

TO: W. Carl Richards, Jr.

Zoning Review Supervisor

FROM: Rick Wisnom, Chief

ì

Division of Code Inspections & Enforcement

SUBJECT: Item No.: 240

Legal Owner/Petitioner Martin, Huey & Kimberly

Contract Purchaser: N/A

Property Address: 42 Millstone Rd

Location Description: N/side Millstone Rd 50' W/of & opposite

Centerline Burroak Rd

VIIOLATION INFORMATION: Case No. 03-240a

Defendants: Martin, Huey & Kimberly

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

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:

- X 1. Complaint letter/memo/email/fax (if applicable)
- X 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- X 3. State Tax Assessment printout
- 3 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- X 8. Photographs including dates taken
- X 9. Correction Notice/Code Violation Notice
- X 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- X 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/ph

C: Code Enforcement Officer

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of Hughie M. Martin Kimberly F. Martin

Civil Citation No. 02-3732 42 Millstone Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on 12 November 2002, for a hearing on a citation for violations under the Baltimore County Code, for building an addition in rear of dwelling without a permit on residential property located at 42 Millstone Road.

On 24 September 2002, pursuant to §1-7(d), Baltimore County Code, a code enforcement citation was issued by Paul Hohne, code enforcement inspector. The citation was legally served on the Respondents.

The citation described the violations as follows: Baltimore County Code, §105.1, IBC, §7-36(b), failure to obtain a building permit for addition to dwelling in rear.

Further, the citation proposed a civil penalty of \$9800 to be assessed. A code enforcement hearing date was scheduled for 12 November 2002. The Respondents failed to request a code enforcement hearing or failed to appear after requesting a hearing. Baltimore County Code, §1-7(d) and (e) provides that in case of failure to request a code enforcement hearing or if the violator (Respondents) fail to appear after requesting a hearing then the citation and the civil penalty, shall be a non-appealable Final Order of the Code Official.

IT IS ORDERED by the Code Enforcement Hearing Officer, this 13 day of November 2002, that a civil penalty be imposed in the amount of \$1000.

IT IS FURTHER ORDERED that the civil penalty in the amount of \$1000 shall be reduced to \$100 on condition the Respondents obtain a building permit including plumbing and electrical on or before 30 November 2002.

If the Respondents fail to correct the violations then the civil penalty imposed shall be \$1000.

IT IS FURTHER ORDERED that the inspector, inspect the property to determine whether the violations have been corrected.

Signed:

Stanley J. Schar

Code Enforcement Hearing Officer



Ba. ore County
Department of Permits and
Development Management

AGENCY

Code Enforcement:

410-887-3351

Plumbing Inspection:

410-887-3620 410-887-3960

Building Inspection: 410-887-3953 Electrical Inspection:

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE Zoning: Citation/Case No. Property No. 1050 Name(s): Address: tone Violation Location: DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS: 05 Umb, My YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE: Date Issued: 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 Par 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: Date Issued: INSPECTOR:



Baltimore Cou Department of Permits and Development Management Code Inspections and Enforce ent County Office Building 111 West Chesapeake Avenue Towson, MD 21204

Code Enforcement:

410-887-3351

Plumbing Inspection:

410-887-3620

Building Inspection:

410-887-3953

Electrical Inspection:

410-887-3960

| BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE |
|--|
| Citation/Case No. |
| Name(s): Hughie m Martin Kinberly F Martin |
| Address: 42 Millstone Rd Lendalstoon 21133 |
| Violation Location: Same |
| DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS: |
| BCC 7-36;1RCR105- |
| Obtain bulding funct for addition \$1000 fine of not obtained by 6/10/02 |
| |
| BCC 02-1; 22, 2; 22, 47 |
| Remove refridgerator fun porch by 6/10/92 mailed posted & mailed |
| |
| YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE: On or Before: Date Issued: 5/2/2 |
| 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 SUBJECTS TOO TO POTENTIAL PINES OF \$200, 3500, OR \$1000 PER DAT, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH. |
| Print Name Senda |
| 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: 6 1002 Date Issued: 6/3/02 |
| INSPECTOR: Cosendale |

| A | COTE | ENFORCEMENT REPO | $\frac{\partial \mathbf{RT}}{\partial \mathbf{r}} = \frac{\mathbf{r}}{\mathbf{r}} = \frac{\mathbf{r}}$ | 6238 |
|----|---|--|--|---|
| | SATE: 5/38/2 INTAKE BY: | RM CASE #: 02 | -3737 INSPEC: | |
| | COMPLAINT 42 | Millstone Rd | | |
| - | | | IP CODE: <u>2//33</u> | |
| | COMPLAINANT AME: | PHONE #: (H) | (W) | |
| £ | DDRESS: letter | | ZIP CODE | |
| I | ROBLEM: 1) beilding | | | |
| - | 2) multiple 3) refrière | families living | | |
| I | S THIS A RENTAL UNIT? F YES, IS THIS SECTION 8? WNER/TENANT NFORMATION: | NO NO | Jorch | |
| 7 | AX ACCOUNT #: 02 - 23 - | 00/050 | ZONING: | |
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3/29/62

Attention: Baltimore County Code Enforcement

Date: May 29, 2002

To Whom It May Concern:

I wish to report two code violations at: 42 Millstone Road Randallstown, Maryland 21133

The homeowners are building an addition on to the back of the home without building permits. There is also a possibility that multiple families are living in a home zoned for single-family occupancy.

In addition, this home has had a refrigerator, unplugged on their front porch for two weeks. The door is still attached to the refrigerator, and I am concerned that a child is going to get hurt around it.

RA1001B

DATE: 05/30/2002 STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:53:09

MARTIN HUGHIE M

4'2 MILLSTONE RD

MARTIN KIMBERLY F

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC 02 23 001050 02 1-2 04-00 H NO

DEL LOAD DATE 12/12/01

-00 H NO DESC-1.. IMPS

DESC-2.. FOREST HILLS

PREMISE. 00042 MILLSTONE

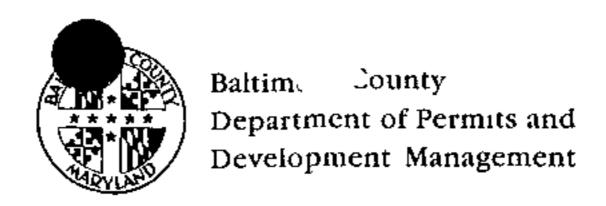
RD 00000-0000

RANDALLSTOWN MD 21133-1535 FORMER OWNER: GWON HOWARD S

-- FCV -----PHASED IN PRIOR PROPOSED CURR PRIOR CURR LAND: 45,310 45,310 FCV ASSESS ASSESS 149,170 161,380 TOTAL.. 202,620 202,620 198,550 194,480 206,690 PREF... 0 0 0 0 0 0 CURT... 202,620 202,620 198,550 IMPV: TOTL: PREF: CURT: 194,480 206,690 EXEMPT. DATE: 12/96 08/00

--- TAXABLE BASIS --- FM DATE 02/03 ASSESS: 202,620 11/09/00 01/02 ASSESS: 198,550 06/01/01 00/01 ASSESS: 77,790 06/01/00

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



de Inspection 1 Enforcement
County Office Bulling
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement:

410-887-3351 410-887-3953 Plumbing Inspection: Electrical Inspection: 410-887-3620 410-887-3960

Building Inspection: 410-887-3953 Electrical Inspection: 410-887-39
BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

| | ESIDENT AGENT, CORPORATE OFFICER, OWNER | |
|------------------------------|--|---------------------------------------|
| Citation/Case No. 02-3732 | Property No. 0223001050 | Zoning: |
| , // | | |
| I TOUR | tin Hughie M tin Kimberly | |
| | T V MOW TY | |
| Address: 42 | M:115tone Rd | |
| /iolation | 111.1. | |
| Location: 42 | Millstone Rd. | |
| Violation Dates: 9/3 | 102 thru 11/10 | 2/02 |
| BALTIMORE CO | INTY FORMALLY CHARGES THAT THE A | |
| UNLAWFULLY VIC سب | LATE THE FOLLOWING BALTIMORE COU | JNTY LAWS OR REGULATIONS: |
| 105,1 + | BC - Failure 7 Permit for A wo of Duelling | o obtain |
| Building | Permit for A | ddition |
| nn ree | en of Duelling | |
| | | |
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| | | |
| | | · |
| | Baltimore County Code, a civil penalty esult of the violation cited herein, in | 50000 |
| the amount indicated: | | 1,800 — |
| <u> </u> | has been pre-scheduled in Room 116, | Date: ///2/02 |
| 111 West Chesapeake A | venue, Towson, Maryland, for: | Time: |
| | | 7.00 AM |
| Citation must be served | l by: | Date: 10/9/17 |
| | | 10///02 |
| • | nd affirm, under the penalty of perjury, that of my knowledge, information, and belief. | at the contents stated above are true |
| Print Namer | 3 4 | |
| Par | 1 Hohne | |
| 9/24/02 | | |
| Date. | Inspector's Signature | |
| SEE REVE | RSE SIDE FOR ADDITIONAL DETAILS | |
| - | NOTICE OF INTENTION TO | |
| Print Name: | | Citation/Case No.: |
| | | |
| Address: | | |
| <u> </u> | | |
| | | |

Date

Defendant's Signature

AGENCY

DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT Local Let 111 W. Chesapeake Avenue, County Office B. ding, Room 106, Towson, Maryland 21204

| BALTIMORE COUNTY | <u> </u> | vs. | Hughic | Mactin |
|--|---|--------------------------------------|--|---|
| WE (DDIG D) // | | , | Defendant | / / |
| HEARING DATE: //// | ISSUE DATE: | 09/14/0 | 2_ EXPIRATI | ION DATE: 10/09/02 |
| 1 | REQU | EST FOR SER | VICE | |
| Please serve the attached pro | ocess on the person shown, | | | |
| | ORD | ER FOR SERV | ICE | |
| You are hereby commanded are unable to serve, you are a following the termination of | | s and to make yo Order and return | our return promptly the original proces | on this Order if served, and if you so no later than the last day |
| | PRO | OF OF SERVI | CE | |
| I CERTIFY | | | | |
| that I served a Citation a | and all other papers filed wit | th it by restr | icted delivery mail. | return card attached |
| that I served by persona | l delivery to | · | - | |
| | on 9/27/02 a | | n) | (name) |
| | of defendant: Race | | | 4 |
| | | Other | | |
| | y of the citation and all other | | th it | <u>- </u> |
| I posted the premises a | | r hahers tited w | icii ic. | |
| I was unable to serve be | | | | |
| arrapic to 301 40 01 | | . | | |
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| solemnly affirm under the particular and do | enalties of perjury that the c further affirm I am a compe | ontents of the fortent person over | oregoing paper are 18 years of age and | true to the best of my knowledge, d not a party to the case. |
| Date 2 | Signature Signature | • | _ Code Ti | To po Ent Office, |
| Time - | Address Address | ke Aje | | |
| | 897-1953 | | | |

Telephone number

PHOTOGRAPHIC RECORD

Citation/Case No.: 02-3732—

Date of Photographs: 08-i2-02



I HEREBY CERTIFY

fairly and accurately citation/case number

otographs

bd

11/14/00

