| | | |
|---|---|---|
| IN RE: PETITION FOR VARIANCE<br>N/S Gray Haven Road, 30' W<br>centerline of Creek Road<br>12th Election District<br>7th Councilmanic District<br>(8066 Gray Haven Road) | *<br><br>*<br><br>*<br><br>* | BEFORE THE<br><br>ZONING COMMISSIONER<br><br>OF BALTIMORE COUNTY<br><br>CASE NO. 03-489-A |
| Anita Shupe & Joseph E. Carland, Jr.<br>*Petitioner* | * | |

* * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Variance for the property located at 8066 Gray Haven Road in the Gray Haven subdivision in Dundalk. The petition was filed by Joseph E. Carland, Jr. and Anita Shupe, his wife, property owners. Variance relief is requested from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 4 in. in lieu of the required 2 ½ ft. and from Section 400.1 of the B.C.Z.R., to permit a rear yard setback of 8 ft. 6 inches from the centerline of an alley in lieu of the required 17 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the petition for variance.

Appearing at the requisite public hearing held for this case was Joseph E. Carland, Jr., Co-Petitioner. There were no protestants or other interested persons present.

Testimony and evidence presented was that the subject property is a rectangularly shaped lot, approximately 16 ft. wide and 103 ft. deep. The property is improved with an existing townhouse dwelling known as 8066 Gray Haven Road. This is an inside unit with houses on either side. Mr. Carland indicated that he has owned and resided on the property for 12 years and that this property is located in an older community that was developed a number of years ago.

The subject of the variance petition is a 10 ft. x 24 ft. wooden shed, which is situated in the back yard. As shown on the site plan and photographs submitted at the hearing, the shed is

located 4 inches from the side property line and approximately 6 inches from the rear property line. There is a 16 ft. wide concrete alley to the rear of the property, therefore, the subject shed is located 8 ft. 6 in. from the centerline of that alley. Mr. Carland indicated that he purchased the shed several months ago from a manufacturer. The shed was acquired to provide needed storage area. Mr. Carland indicated that he owns a motorcycle, which is typically stored on the property. Other household items may be stored within the shed. He was unaware of the requirements for a building permit when the shed was ordered. He was not advised of those requirements by the manufacturer.

After the installation of this prefabricated structure, a complaint was made by a resident of the community. That resident did not appear at the hearing and lives down the street. Mr. Carland indicated that the immediate adjacent neighbors do not object to the shed.

Photographs were submitted at the hearing of both the subject shed and the community. There are numerous sheds throughout the neighborhood. Most are located immediately adjacent to side and rear property lines. Although somewhat larger than many sheds in the community, the placement of the shed on this lot is not inconsistent with conditions in the neighborhood.

Based upon the testimony and evidence presented, I am persuaded to grant variance relief. In my judgment, the Petitioners have met the requirements of Section 307 of the B.C.Z.R. and the case law.

The Petitioner was advised that the granting of the variance would render the citation issued moot. He was also instructed, however, that a building permit must be obtained. Bruce Seeley, a representative of the Department of Environmental Protection & Resource Management (DEPRM), attended the hearing. He advised the Petitioner that the subject property is within the Chesapeake Bay Critical Area and is subject to those regulations and other environmental standards. It was explained to the Petitioner that during the permitting process

6/16/03 S. Jameson

that DEPRM would review the proposal. The Petitioner shall thus be bound by that agency's recommendations.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 16th day of June, 2003, by this Zoning Commissioner, that the Petitioner's request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 4 in. in lieu of the required 2 ½ ft. and from Section 400. of the B.C.Z.R., to permit a rear yard setback of 8 ft. 6 inches from the centerline of an alley in lieu of the required 17 ft. be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1) Compliance with any Zoning Advisory Committee (ZAC) recommendations made by DEPRM.

2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

6/16/03
R. Jameson

Baltimore County
Zoning Commissioner

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

June 16, 2003

Mr. Joseph E. Carland, Jr.
Ms. Anita Shupe
8066 Gray Haven Road
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 03-489-A
Property: 8066 Gary Haven Road

Dear Mr. Carland & Ms. Shupe:

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

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

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

c: Mr. James Rawls, Sr.
8036 Gray Haven Road
Baltimore, MD 21222

# Petition for Variance

## to the Zoning Commissioner of Baltimore County

amend

**for the property located at** 8066 Gray Haven Rd. Balto. MD. 21222

**which is presently zoned** D.R. 10.5

**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 to permit a side yard setback of 4 inches in lieu of the required 2.5 ft. and Section 400.2 to permit a rear yard setback of 8'6" inches in lieu of the required 15 ft. from the centerline of an alley for an existing shed.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) If shed Adheres to set back it will be useless.

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

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

***Contract Purchaser/Lessee:***

Name - Type or Print

Signature

Address — Telephone No

City — State — Zip Code

***Attorney For Petitioner:***

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

***Legal Owner(s):***

Joseph Ellwood Carland JR.
Name - Type or Print

Joseph Ellwood Carland Jr.
Signature

Anita Shupe
Name - Type or Print

Anita Shupe
Signature

8066 Gray Haven Rd. HO-284-5839
Address — Telephone No.

Balto. MD. 21222
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** BR **Date** 4/18/03

**Case No.** 03-489-A

REV 9/15/98

6/16/03 R Jameson

# ZONING DESCRIPTION

Zoning Description For 8066 Gray Haven Road

Beginning at a point on the North side of Gray Haven Road which is 60 feet wide at the distance of 30 feet west of the centerline of the nearest improved intersecting street Creek Road which is 60 feet wide. Being Lot # 44, Block E, section #1 in the subdivision of Gray Haven as recorded in Baltimore County Plat Book # 19, Folio 1, containing 1,600 square feet. Also known as 8066 Gray Haven Road and located in the 12th Election District, 7th Councilmanic District.

#489

**BALTIMORE COUNTY, MARYLAND**
**OFFICE OF BUDGET & FINANCE**
**MISCELLANEOUS RECEIPT**

No. 23627

DATE 4/18/03 ACCOUNT [illegible]

AMOUNT $ 65.00

RECEIVED FROM: Joe Gontrum

FOR: Zoning Variance

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 489

PAID RECEIPT

| BUSINESS | ACTUAL | TIME | MCD |
|---|---|---|---|
| 4/18/2003 | 4/18/2003 | 09:59:12 | 7 |

PLU 002 MAIL JEWA JEE
4 1.00 B 265299 4/18/2003 OILK
Rec# 5 ZONING VERIFICATION
Ur No. 023627
Recpt Tot $65.00
.00 CK 65.00 CA
Baltimore County, Maryland

**CASHIER'S VALIDATION**

**NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case. #03-489-A
8066 Gray Haven Road
N/side Gray Haven Road 30 feet west centerline Creek Road
12th Election District
7th Councilmanic District
Legal Owner(s): Joseph Ellwood Garland, Jr. and Anita Shupe
**Variance:** to permit a side yard setback of 4 inches in lieu of the required 2.5 feet and to a rear yard setback of 6 inches in lieu of the required 15 feet from the centerline of an alley for an existing shed.
**Hearing: Friday, June 13, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

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

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

5/420 May 29 C606540

# CERTIFICATE OF PUBLICATION

5/29/, 2003

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 5/29/, 2003.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: 03-489-A

Petitioner/Developer: JOSEPH ELLWOOD CARLAND JR + ANITA SCHUPE

Date of Hearing/Closing: 6/13/03

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

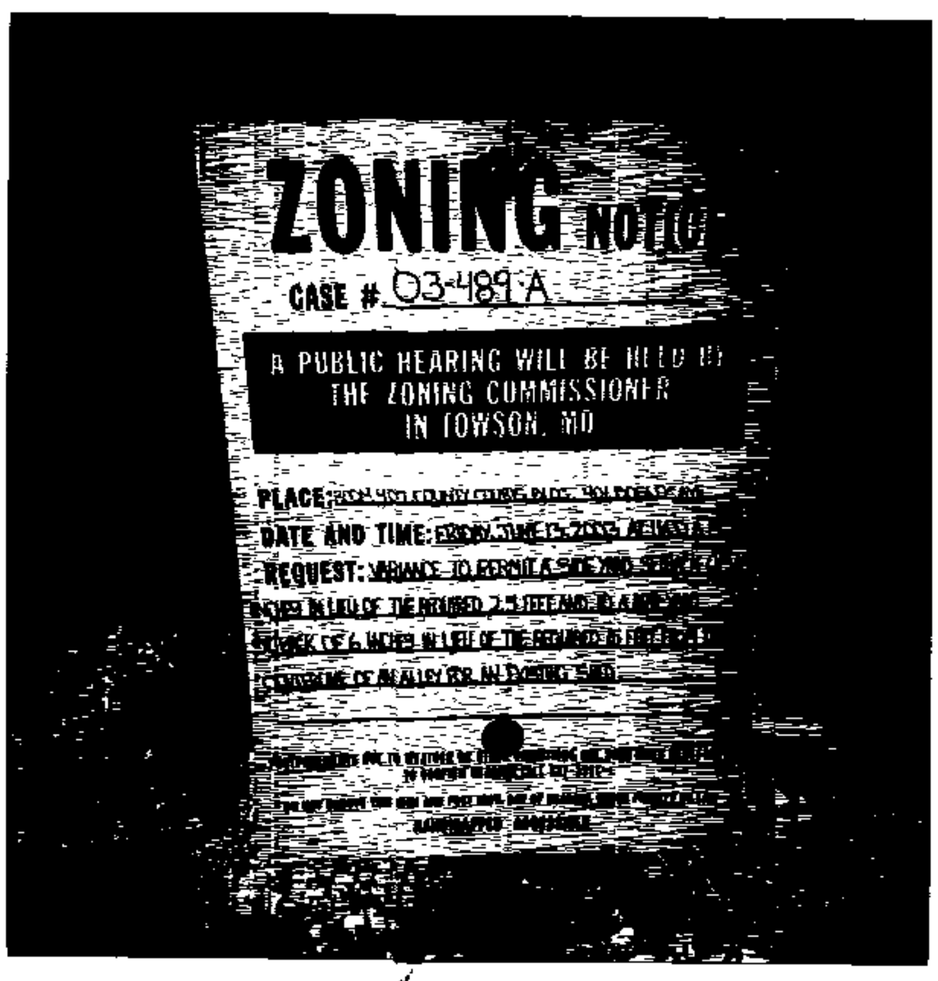
ATTN: Becky Hart {(410) 887-3394}

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: 8066 GRAY HAVEN RD

The sign(s) were posted on 5/29/03
(Month, Day, Year)

Sincerely,




(Signature of Sign Poster) 5/29/03 (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

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 29, 2003

# 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: 03-489-A**
8066 Gray Haven Road
N/side Gray Haven Road 30 feet west centerline Creek Road
12th Election District – 7th Councilmanic District
Legal Owners: Joseph Ellwood Garland, Jr. and Anita Shupe

Variance to permit a side yard setback of 4 inches in lieu of the required 2.5 feet and to a rear yard setback of 6 inches in lieu of the required 15 feet from the centerline of an alley for an existing shed.

Hearings: Friday, June 13, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: Joseph Ellwood Garland, Jr., Anita Shupe, 8066 Gray Haven Road, Baltimore 21222

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 29, 2003.**
(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
Thursday, May 29, 2003 Issue - Jeffersonian

Please forward billing to:
Joseph Ellwood Garland, Jr.
8066 Gray Haven Road
Baltimore, MD 21222

410-284-5839

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## 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: 03-489-A**
8066 Gray Haven Road
N/side Gray Haven Road 30 feet west centerline Creek Road
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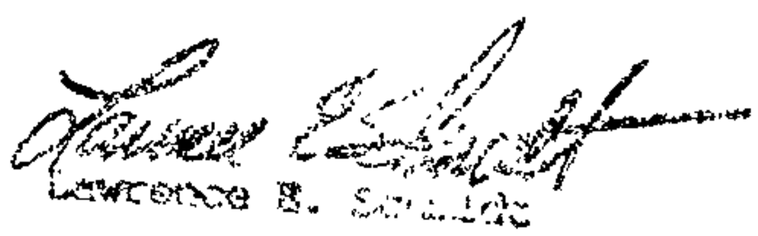
Hearings: Friday, June 13, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

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: 03-489-A

Petitioner: Joseph Ellwood Carland JR.

Address or Location: 8066 Gray Haven Rd. Balto. MD. 21222

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joseph Ell wood Carland JR.

Address: 8066 Gray Haven Rd. Balto. MD. 21222

Telephone Number: 410-284-5839

Revised 2/20/98 - SCJ

copy of sign posters given to applicant

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

June 6, 2003

Joseph Ellwood Carland, Jr.
Anita Shupe
8066 Gray Haven Road
Baltimore, MD 21222

Dear Mr. Carland and Ms. Shupe:

RE: Case Number: 03-489-A, 8066 Gray Haven Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 18, 2003.

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.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.1.03

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

RE: Baltimore County
Item No. 489 BR

Dear. Ms. Hart:

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,

L. J. Gredlein

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

Baltimore County
Fire Department

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 28, 2003

Item No.: 478-480, 483-487, 489-490, 492-495

Dear Ms. Hart:

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.*

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

cc: File

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** May 29, 2003

RECEIVED
MAY 29 2003
ZONING COMMISSIONER

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

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 03-489 and 03-491**

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:** Lyn Lanham

AFK/LL:MAC

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** May 6, 2003

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

**SUBJECT:** Zoning Advisory Committee Meeting
For May 5, 2003
Item No. 489

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

The flood protection elevation for this site is 10.4 feet.

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

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

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

RWB:CEN:jrb

cc: File

| | | | |
|---|---|---|---|
| RE: | PETITION FOR VARIANCE<br>8066 Gray Haven Road; N/side Gray Haven Rd, 30' W c/line Creek Road<br>12th Election & 7th Councilmanic Districts<br>Legal Owner(s): Joseph Ellwood Carland & Anita Shupe<br>Petitioner(s) | *<br>*<br>*<br>*<br>* | BEFORE THE<br>ZONING COMMISSIONER<br>FOR<br>BALTIMORE COUNTY<br>03-489-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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
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 6th day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to, Joseph Ellwood Carland & Anita Shupe, 8066 Gray Haven Road, Baltimore, MD 21222, Petitioner(s).

RECEIVED
MAY 06 2003
Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: May 1, 2003

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

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

| | | |
|---|---|---|
| SUBJECT: | Item No.: | 489 |
| | Legal Owner/Petitioner | Joseph E. Carland Jr. & Anita Shupe |
| | Contract Purchaser: | n/a |
| | Property Address: | 8066 Gray Haven Rd. |
| | Location Description: | n/side Gray haven Rd, 30' w centerline Creek Rd. |

| | | |
|---|---|---|
| VIIOLATION INFORMATION: | Case No. | 03-1600 |
| | Defendants: | Joseph Carland Jr. & Anita Shupe |

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 |
|---|---|
| James Ralls, Sr. | 8036 Gray Haven Rd.<br>Dundalk, Md 21222 |

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)
☐ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
X 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
X 9. Correction Notice/Code Violation Notice
X 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/gk
C: Code Enforcement Officer

Closed 2d

# CODE ENFORCEMENT REPORT

NOF

DATE: 3/27/03 INTAKE BY: JG CASE #: 03-1600 INSPEC: 15

COMPLAINT LOCATION: 8066 GRAY HAVEN RD

ZIP CODE: 21222 DIST: 12

COMPLAINANT NAME: JAMES RALLS, SR PHONE #: (H) 410.284.7193 (W)

ADDRESS: 8036 GRAY HAVEN RD ZIP CODE: 21222

PROBLEM: SHED - OVER 100 SQ FT

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

TAX ACCOUNT #: ~~[illegible]~~ 12 10 095360 ZONING:

INSPECTION: 3/28/03 - VISITED SITE, ISSUED CORR. NOTICE FOR LARGE SHED IN REAR OF TOWNHOUSE. SPOKE WITH COMPLAINTANT. OWNER CALLED RETURNED CALL, LEFT MESSAGE ON ANSWER MACHINE. POSTED COPY AT SITE. R/C 4/8/03 M. Kidd. MR. CARLAND RETURNED CALL, ~~REINSPECTION:~~ SAID HE WILL APPLY FOR PERMIT. JK

GB

REINSPECTION:

REINSPECTION:

Code Enforcement - Daily Workshee

Inspector - G. DD

| Area | Case # | Location | Apt | Zip | Date Rec | Reinsp Dt |
|---|---|---|---|---|---|---|
| 001 | 03-1600 | 8066 GRAY HAVEN RD | | 21222 | 3/27/2003 | |

Tax Acct #: 1210095260

Complainant Name: (Last) RALLS SR (First) JAMES
Addr: 8036 GRAY HAVEN RD
Str # Dir Street Name Type Apt
BALTIMORE MD 21222
City ST Zip
Phone: (Home) 410/284-7193 (Work)

Problem: SHED - OVER 100 SQ FT

Need to close - Duplicate.?

O.K

| | | | | | |
|---|---|---|---|---|---|
| /U ate | | | Closed Date | | Gary F to update |
| nonymous omplaint | Complainant Updated | | Updated by voice message | Unable to update | Update not necessary |
| xecutive office omplaint | **Yes** | **No** | If Yes is Executive memo attached? | **Yes** | **No** |

```
DATE: 04/29/2003                STANDARD ASSESSMENT INQUIRY (1)                                RA1001
TIME: 07:46:50
PROPERTY NO.  DIST  GROUP  CLASS  OCC. HISTORIC                    DEL   LOAD DATE
12 10 095360   12    3-1   04-00   H      NO                             01/08/03
CARLAND JOSEPH ELLWOOD,JR          DESC-1.. IMPS
SHUPE ANITA                        DESC-2.. GRAY HAVEN
8066 GRAY HAVEN RD                 PREMISE. 08066   GRAY HAVEN          RD
                                                                      00000-0000
BALTIMORE                MD 21222-3446  FORMER OWNER: PHILLIPS DARRELL D
------------ FCV -------------   ---------------- PHASED IN ----------------------
           PRIOR    PROPOSED                    CURR        CURR        PRIOR
LAND:     21,500     21,500                      FCV      ASSESS       ASSESS
IMPV:     49,320     51,020    TOTAL..        71,386      71,386       70,820
TOTL:     70,820     72,520    PREF...             0           0            0
PREF:          0          0    CURT...        71,386      71,386       70,820
CURT:     70,820     72,520    EXEMPT.                         0            0
DATE:     10/99      07/02
----- TAXABLE BASIS ----        FM DATE
03/04 ASSESS:     71,386       11/09/02
02/03 ASSESS:     70,820       05/30/02
01/02 ASSESS:     70,600       06/01/01
 ENTER-INQUIRY2  PA1-PRINT  PF4-MENU  PF5-QUIT   PF7-CROSS REF
                                                                                            RA1001
DATE: 04/29/2003                STANDARD ASSESSMENT INQUIRY (2)
TIME: 07:46:58
PROPERTY NO.  DIST  GROUP  CLASS  OCC. HISTORIC                    DEL  LOAD DATE
12 10 095360   12    3-1   04-00   H      NO                            01/08/03
LOT....     44     BOOK.... 0019   MAP..... 0104    LOT WIDTH........   16.00
BLOCK..      E     FOLIO... 0001   GRID.... 0007    LOT DEPTH........  100.00
SECTION..    1                     PARCEL.. 0230    LAND AREA..      1600.000 S
PLAT..                                              YEAR BUILT......... 00
----------TRANSFER DATA---------     -------------EXEMPT DATA-------------
NUMBER................... 066358    STATUS.........................
DATE.................... 01/22/92   CLASS CODE...................... 000
PURCHASE PRICE......      74,500    STATE EXEMPT CODE............... 000
GROUND RENT............        0    COUNTY EXEMPT CODE.............. 000
DEED REF LIBER........... 09034     CURR STATE EX ASMT....            0
DEED REF FOLIO........... 0385      PRIOR STATE EX ASMT...            0
CONVEYED IND................ 1     CURR COUNTY EX ASMT...            0
TOT-PART TRAN IND........... T      PRIOR COUNTY EX ASMT..            0
GRANTOR ACCT NO.. 12-10-095360
 CRITICAL      NEW CONST    CARD     -------STRUCTURE------
 AREAS CODE      YEAR        NO        CODE      SQ. FEET
                            07348                     928
 ENTER-INQUIRY3  PA1-PRINT  PF2-INQUIRY1  PF4-MENU  PF5-QUIT  PF7-CROSS REF
```

RA1001B

DATE: 03/26/2003 STANDARD ASSESSMENT INQUIRY (1)
TIME: 14:58:14

| PROPERTY NO. | DIST | GROUP | CLASS | OCC. | HISTORIC | DEL | LOAD DATE |
|---|---|---|---|---|---|---|---|
| 12 10 095360 | 12 | 3-1 | 04-00 | H | NO | | 01/08/03 |

CARLAND JOSEPH ELLWOOD,JR
SHUPE ANITA
8066 GRAY HAVEN RD

DESC-1.. IMPS
DESC-2.. GRAY HAVEN
PREMISE. 08066 GRAY HAVEN RD
00000-0000

BALTIMORE MD 21222-3446 FORMER OWNER: PHILLIPS DARRELL D

| | FCV PRIOR | FCV PROPOSED | | PHASED IN CURR FCV | CURR ASSESS | PRIOR ASSESS |
|---|---|---|---|---|---|---|
| LAND: | 21,500 | 21,500 | | | | |
| IMPV: | 49,320 | 51,020 | TOTAL.. | 71,386 | 71,386 | 70,820 |
| TOTL: | 70,820 | 72,520 | PREF... | 0 | 0 | 0 |
| PREF: | 0 | 0 | CURT... | 71,386 | 71,386 | 70,820 |
| CURT: | 70,820 | 72,520 | EXEMPT. | | 0 | 0 |
| DATE: | 10/99 | 07/02 | | | | |

| ---- TAXABLE BASIS ---- | | FM DATE |
|---|---|---|
| 03/04 ASSESS: | 71,386 | 11/09/02 |
| 02/03 ASSESS: | 70,820 | 05/30/02 |
| 01/02 ASSESS: | 70,600 | 06/01/01 |

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

Balti County
Department of Permits and
Development Management

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

DIST 12

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

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

## BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

| Citation/Case No. | Property No. | Zoning: |
|---|---|---|
| 03-1600 | R10095360 | N/A |

Name(s): CARLAND JOSEPH ELLWOOD JR. & OWNERS
SHUPE ANITA

Address: 8066 GRAY HAVEN RD, DUNDALK, MD 21222

Violation Location: 8066 GRAY HAVEN RD

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
I.R.C. 105.1, B.C.Z.R 101, 102.1, 400

(1) OBTAIN ~~FOR~~ PERMIT FOR LARGE SHED IN REAR PROPERTY OF TOWNHOUSE.

(2) MUST ADHERE TO ZONING SETBACKS.

(3) SHED APPEARS TO be PRE-BUILT by MANUFACTURE.

ANY QUESTIONS PLEASE CALL. OFFICE HRS. 8:00-10/3:30-4:00

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

| On or Before: | Date Issued: |
|---|---|
| 4/9/03 | 3/28/03 |

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: GRANT KIDD

INSPECTOR: Grant Kidd

## 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:

AGENCY

Baltimore County
Department of Permits and
Development Management

Code Inspection and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204
DIST 12

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953
Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

# BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

| Citation/Case No. | Property No. | Zoning: |
|---|---|---|
| 03-1600 | 1210095360 | N/A |

Name(s): CARLAND, JOSEPH ELLWOOD, JR, OWNERS
SHUPE, ANITA

Address: 8066 GRAYHAVEN RD, DUNDALK, MD 21222

Violation Location: 8066 GRAYHAVEN RD.

Violation Dates: 3/28/03 THROUGH 4/29/03

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

I.R.C 105.1, B.C.Z.R. 101, 102.1, 400

1. OBTAIN PERMIT FOR LARGE SHED IN REAR PROPERTY OF TOWNHOUSE.
2. MUST ADHERE TO ZONING SET-BACKS.
3. SHED APPEARS TO be PRE-BUILT by MANUFACTURE.

Pursuant to Section 1-8, Baltimore County Code, a civil penalty has been assessed, as a result of the violation cited herein, in the amount indicated: $ 9,000.00

A quasi-judicial hearing has been pre-scheduled in Room 116, 111 West Chesapeake Avenue, Towson, Maryland, for: JUNE 17, 2003

Date: 6/17/03
Time: 9:00 AM

Citation must be served by: 5/15/03
Date: 5/15/03

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

Print Name: GRANT KIDD

4/29/03 Grant Kidd
Date Inspector's Signature

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

## NOTICE OF INTENTION TO DEFEND

Print Name: Citation/Case No.:

Address:

Date Defendant's Signature

AGENCY

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 22, 2003

# 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: 03-467-A**
13 Lombardy Drive
E/side of Lombardy Drive at the distance of 750 feet east of the centerline of west Woodwell Road
12th Election District – 7th Councilmanic District
Legal Owner: Roy A. Young, Roy A. Young, Deceased, and Ruth A. Goldsborough

Variance to permit an existing addition with a minimum side yard setback of 30 inches in lieu of the required 10 feet and a front yard setback of 12 feet in lieu of the required front average setback of 30 feet.

Hearings: Wednesday, June 11, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

G. Kidd
02-8681

Arnold Jablon
Director

AJ:rlh

C: Roy A. Young, Ruth A. Goldsborough, and Roy A. Young, Deceased, 13 Lombardy Drive, Baltimore 21222

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 27, 2003.**
(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

02-8681

# PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

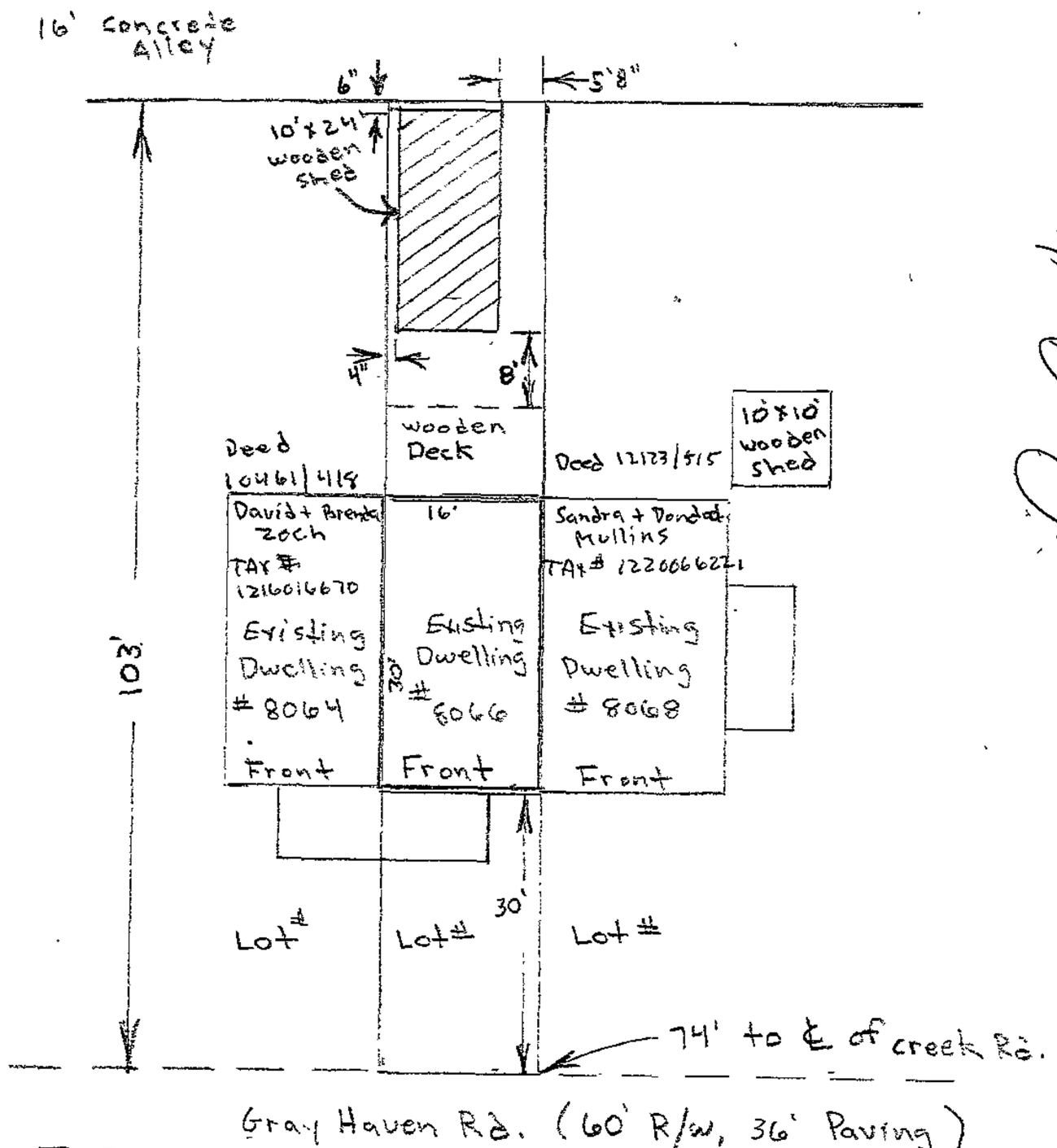
PROPERTY ADDRESS 8066 Gray Haven Rd

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Gray Haven

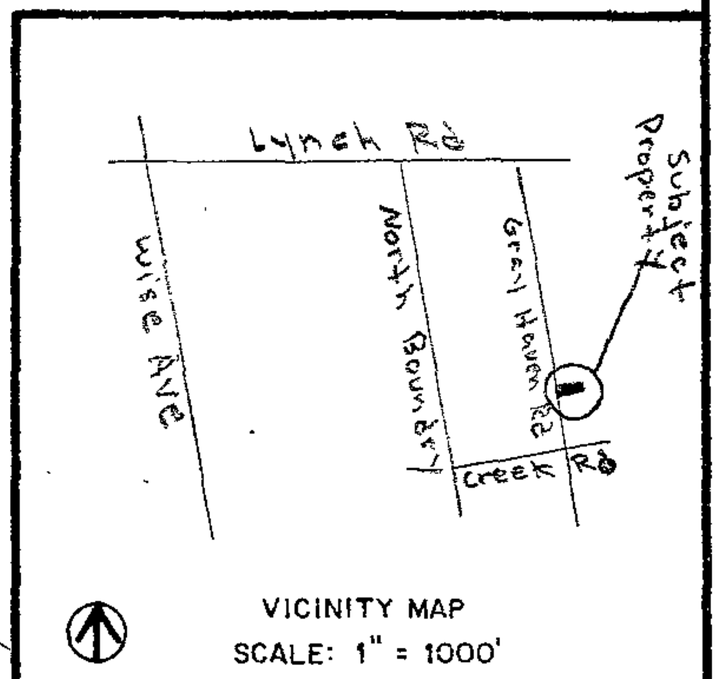
PLAT BOOK # 19 FOLIO # 1 LOT # 44 SECTION # 1

OWNER Joseph Carland + Anita shupe




PREPARED BY J. E. C.

SCALE OF DRAWING: 1" = 20'




VICINITY MAP
SCALE: 1" = 1000'

## LOCATION INFORMATION

ELECTION DISTRICT 12

COUNCILMANIC DISTRICT 7

1"=200' SCALE MAP # SE 3-G

ZONING D.R.-10.5

LOT SIZE 0.0378328 ACREAGE 1648 SQUARE FEET

| | PUBLIC | PRIVATE |
|---|---|---|
| SEWER | ☑ | ☐ |
| WATER | ☑ | ☐ |

| | YES | NO |
|---|---|---|
| CHESAPEAKE BAY CRITICAL AREA | ☒ | ☐ |
| 100 YEAR FLOOD PLAIN | ☐ | ☒ |
| HISTORIC PROPERTY/ BUILDING | ☐ | ☒ |

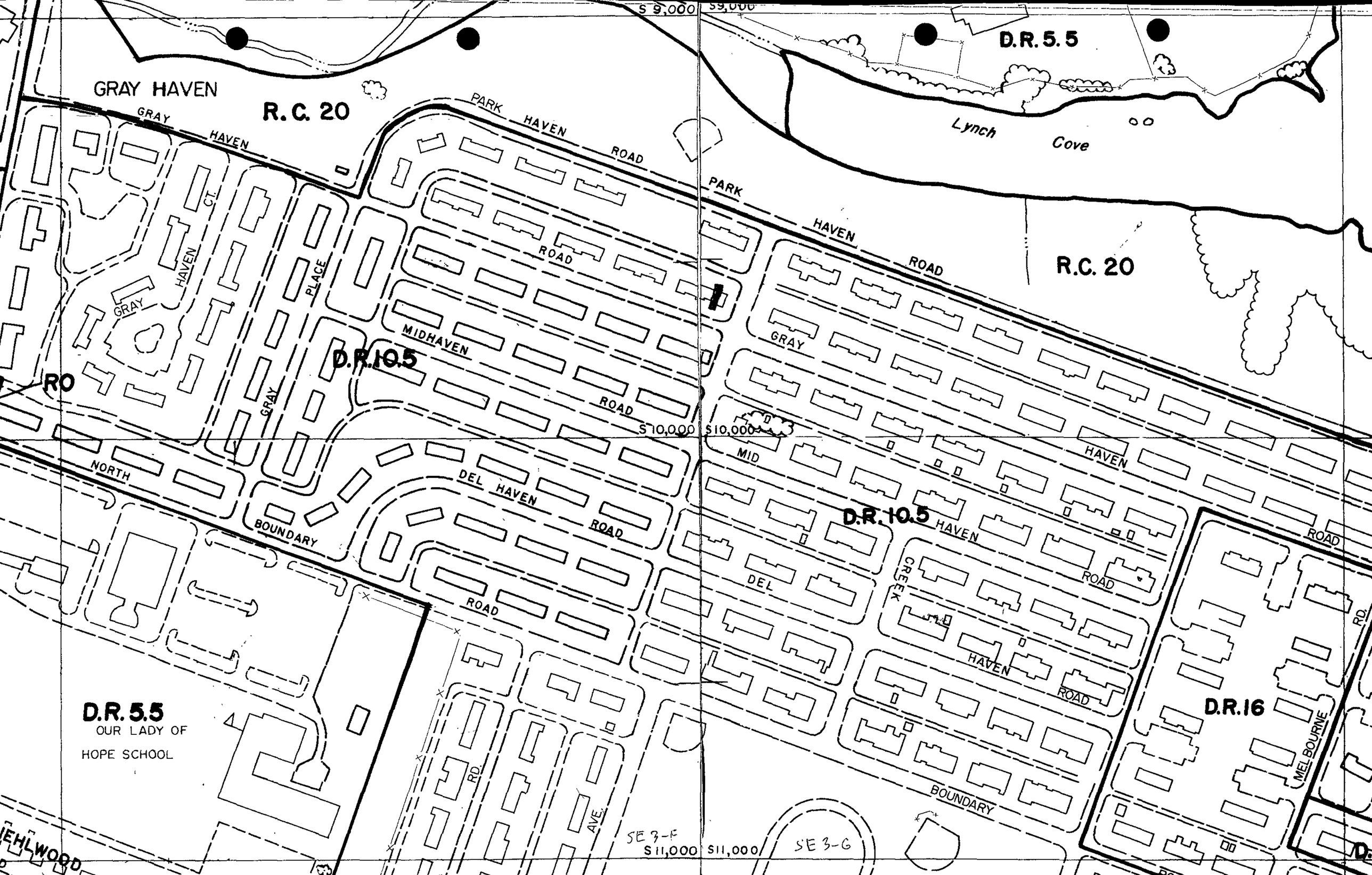
PRIOR ZONING HEARING violation 63-1600

ZONING OFFICE USE ONLY

| REVIEWED BY | ITEM # | CASE # |
|---|---|---|
| | | |

Petitioner's Ex. #1

-15-


S 9,000
S9,000
D.R. 5.5
GRAY HAVEN
R.C. 20
GRAY HAVEN
PARK HAVEN ROAD
Lynch Cove
PARK HAVEN ROAD
R.C. 20
GRAY HAVEN CT.
GRAY PLACE
ROAD
MIDHAVEN ROAD
D.R.10.5
RO
S 10,000
S10,000
GRAY
MID HAVEN
NORTH BOUNDARY
DEL HAVEN ROAD
D.R.10.5
HAVEN ROAD
ROAD
DEL CREEK
HAVEN ROAD
D.R.16
MELBOURNE RD.
D.R. 5.5
OUR LADY OF
HOPE SCHOOL
RD.
AVE.
BOUNDARY
SE 3-F
S11,000
S11,000
SE 3-G
EHLWOOD

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

Photographs
#03-489-A