

IN RE: PETITION FOR VARIANCE
N/S of Woodbine Avenue, 200 ft. +/-
9th Election District
5th Councilmanic District
(626 Woodbine Avenue)

Mary L. & Champ B. Pursley
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-189-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Mary L. & Champ B. Pursley. The Petitioners are requesting variance relief for property located at 626 Woodbine Avenue in the Towson area of Baltimore County. Variance relief is requested from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (shed) with a setback of 12 inches and 18 inches in lieu of the minimum required setback of 2.5 ft., respectively.

The property was posted with Notice of Hearing on November 21, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on November 20, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign 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. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances.

12/19/03
D. G. G. G.

Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated November 10, 2003, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request were Mary and Champ Pursley, Petitioners. Michael McGeady, adjacent property owner also appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case. Correspondence dated November 11, 2003 was received from the West Towson Neighborhood Association indicating that the shed not be removed, but rather that a fence and plantings be erected by the Petitioners to mitigate the visual impact of the shed on the neighboring properties. Correspondence dated December 2, 2003 was received from the West Towson Neighborhood Association indicating that the zoning regulations should be upheld and the shed should be removed.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, is zoned DR 5.5 and is improved by a single-family dwelling. According to the Petitioners the shed, which is 12 ft. x 16 ft., was erected by Mr. Pursley without knowing that the location violated the zoning regulations. The required setback is 2.5 feet from the property lines. The shed is located 1.0 and 1.5 feet from the property lines. Said another way, if the Petitioners could move the shed 1 ft. in one direction and 1.5 feet in the other they would not need a variance.

12/19/03
R. Garrison

The Petitioners testified that the shed was exceptionally heavy to move and would require equipment that they would be unable to fit into their back yard. More importantly, they located it in the only flat spot in their very small back yard. To move the shed would harm an existing maple tree, which already hangs over it. Finally, if the shed were moved away from the McGeady yard, it could endanger the row of evergreen trees in the neighbor's yard behind the Petitioners' yard.

The neighbor most affected by the shed is Mr. McGeady who presented photographs to show that the shed was much too large for the location. However, the size of the shed apparently meets all County regulations and so is not an issue here. Mr. McGeady was asked a rhetorical question regarding the impact on his property if the shed were moved a foot, thus not requiring a variance. Mr. McGeady indicated that his principal goal was to screen the shed from his back yard.

A lengthy discussion ensued regarding the usefulness of installing a 72-inch privacy fence on the side of the shed for screening purposes. The Office of Planning requested same. However, as the discussion unfolded both sides agreed that the most effective screen would be fast growing evergreens, some planted in the McGeady yard and some in the Petitioners' yard, rather than installing a fence as proposed by the Office of Planning. Again, after some discussion, the parties decided to refer the matter to Avery Harden, Landscape Architect for Baltimore County, for his recommendation. Even though this would burden his land, Mr. McGeady specifically agreed to have some trees planted on his property. The Petitioners specifically agreed to pay the cost of installation of all trees.

Findings of fact and conclusions of law

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Furthermore, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations,

12/9/03
D. P. Jamison

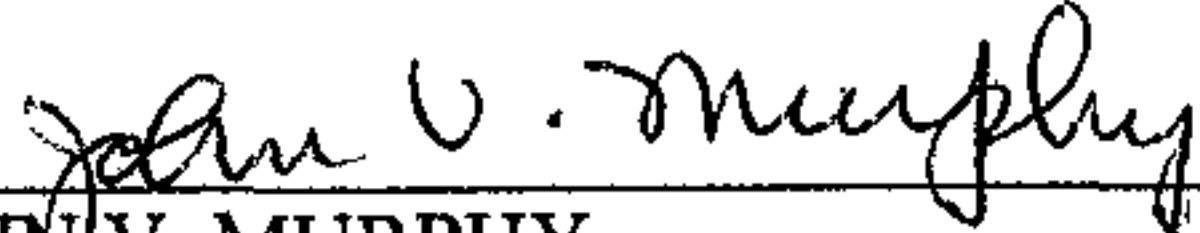
and in such manner as to grant relief without injury to the public health, safety and general welfare. However, I will require that the parties consult with Avery Harden, Landscape Architect for Baltimore County, for the most effective screening

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 9th day of December, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (shed) with a setback of 12 inches and 18 inches in lieu of the minimum required setback of 2.5 ft., respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners shall submit a landscape plan for review and approval by Avery Harden, Landscape Architect for Baltimore County. This landscape plan shall provide year round screening of the shed from the McGeady property and include reasonable plantings on the McGeady property;
2. The Petitioners shall pay the cost for such plantings;

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

December 9, 2003

Mr. & Mrs. Champ B. Pursley
626 Woodbine Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 04-189-A
Property: 626 Woodbine Avenue

Dear Mr. & Mrs. Pursley:

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

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Michael C. McGeedy
624 Woodbine Avenue
Towson, MD 21204

Visit the County's Website at www.baltimorecountyonline.info





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 626 WOODBINE AVENUE
which is presently zoned DR 55

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 BCZR

To permit an accessory structure (shed) with a setback of 12" and 18" in lieu of the minimum required setback of 2.5', respectively.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) SHED is already constructed. It would be very costly to move.
BUILDING WAS CONSTRUCTED AS TO NOT DAMAGE EXISTING TREES WHICH ARE SANCTUARY FOR A NUMBER OF BIRDS

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. 04-189-A

REV 9/15/98

Legal Owner(s):

Mary Louise Hamilton-Pursley
Name - Type or Print _____
Mary Louise Hamilton-Pursley
Signature _____
Champ B. Pursley
Name - Type or Print _____
Champ B Pursley
Signature _____
626 Woodbine Ave 410-825-0406
Address Telephone No. _____
Towson MD 21204
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 JRF Date 10/15/03

LEGAL DESCRIPTION for 626 Woodbine Avenue

Beginning for the same on the Northwest side of Woodbine Avenue at the beginning of the last line of a parcel of land, which by Deed dated August 3, 1942, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1240, folio 446, was conveyed by James C. L. Anderson to Charles E. Jackson, Sr. and wife; thence running West and binding on a part of said last line and binding on the Northwest side of Woodbine Avenue North 32 degrees, 50 minutes East 70 feet; thence leaving said avenue and running for a line of division North 57 degrees, 17 minutes West 124.45 feet to an iron pipe set in the second line of the aforesaid parcel of land; and thence running with and binding on part of said second line and on the third line of said parcel of land, which was conveyed by Anderson to Jackson the two following courses and descriptions, viz: South 32 degrees, 50 minutes West 70 feet and South 57 degrees 17 minutes East 124.45 feet to the place of beginning. The improvements thereon being known as No. 626 Woodbine Avenue.

#189

BALTIMORE COUNTY MARYLAND
OFFICE OF BUDGET & FINANCE
SCELANEGOS RECEIPT

No. 200091

DATE _____ ACCOUNT _____

AMOUNT \$ 15.00

RECEIVED FROM _____

FOR _____

REMARKS
TO: CASHIER
FROM: AGENCY
YELLOW: CUSTOMER

PAID TO THE

OFFICE OF BUDGET & FINANCE
BALTIMORE COUNTY, MARYLAND
1000 E. CALVERT STREET
BALTIMORE, MD 21202
(410) 396-1000

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: #04-189-A
626 Woodbine Avenue
N/Side of Woodbine Avenue at
the distance of 200 feet +/-
9th Election District
5th Councilmanic District
Legal Owner(s): Champ and
Mary Louise Pursley
Variance: to permit an ac-
cessory structure (shed)
with a setback of 12 inches
and 18 inches in lieu of the
required 2.5 feet for each.
Hearing: Monday, Decem-
ber 8, 2003 at 10:00 a.m.
in Room 407, County
Courts Building, 401 Bos-
ley 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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

11/186 Nov. 20 0637724

CERTIFICATE OF PUBLICATION

Nov. 20, 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 Nov. 20, 2003.

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

P. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 11/21/03

RE: Case Number: 04-189-A

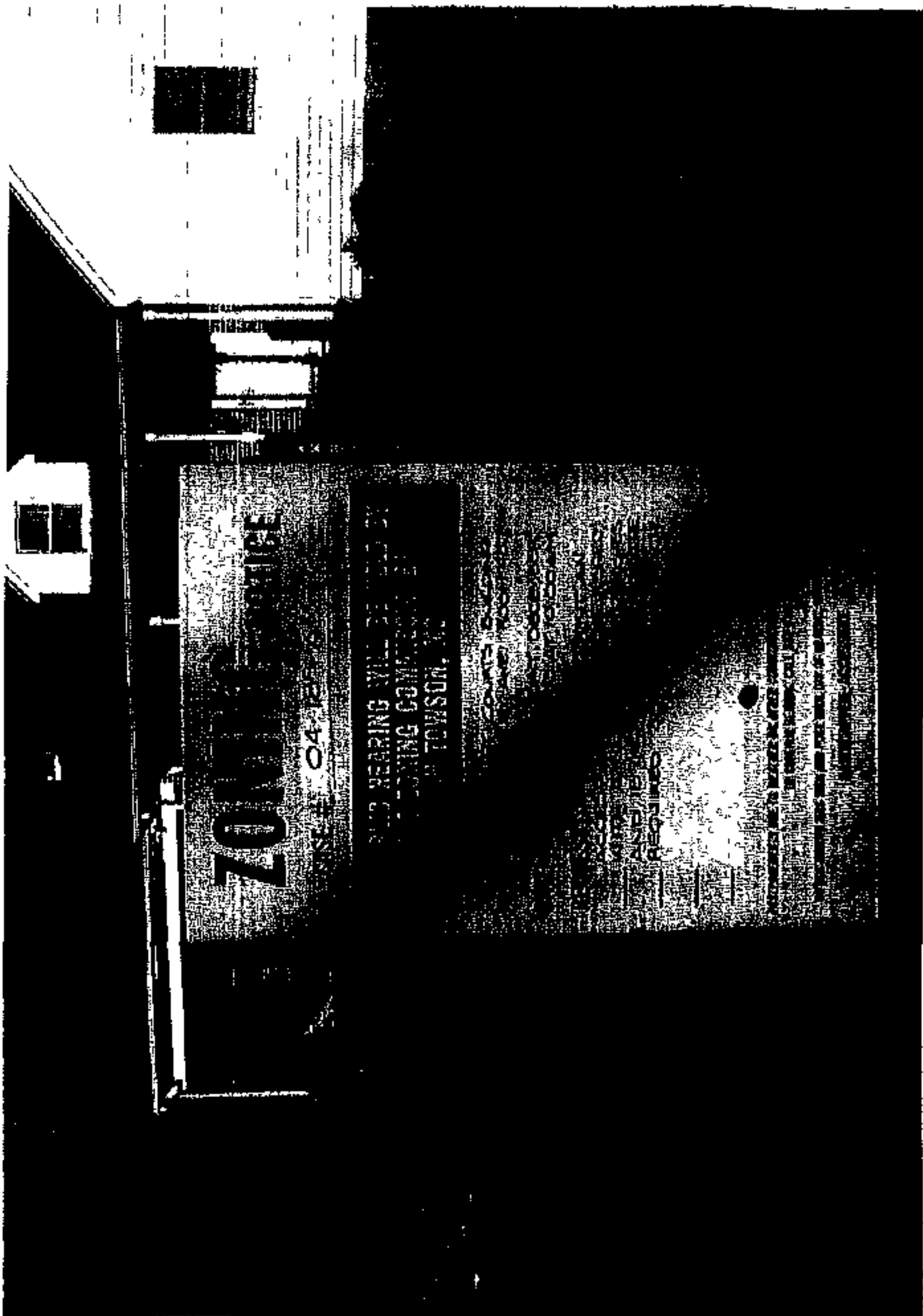
Petitioner/Developer: CHAMP & MARY LOUISE PURSLEY

Date of Hearing/Closing: DEC 8 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 626 WOODBINE AVENUE

The sign(s) were posted on Nov. 21 2003

(Month, Day, Year)



Charles E. Merritt
(Signature of Sign Poster)

Charles E. Merritt
9831 Magledt Road
Baltimore, MD 21234
410-665-5562

**Department of Permits and
Development Management**



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

October 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: 04-189-A

626 Woodbine Avenue

N/side of Woodbine Avenue at the distance of 200 feet +/-

9th Election District – 5th Councilmanic District

Legal Owners: Champ and Mary Louise Pursley

Variance to permit an accessory structure (shed) with a setback of 12 inches and 18 inches in lieu of the required 2.5 feet for each.

Hearings: Monday, December 8, 2003, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Champ and Mary Louise Pursley, 626 Woodbine Avenue, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, NOVEMBER 22, 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, November 20, 2003 Issue - Jeffersonian

Please forward billing to:

Champ and Mary Louise Pursley
626 Woodbine Avenue
Towson, MD 21204

410-825-0406

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: 04-189-A

626 Woodbine Avenue

N/side of Woodbine Avenue at the distance of 200 feet +/-

9th Election District – 5th Councilmanic District

Legal Owners: Champ and Mary Louise Pursley

Variance to permit an accessory structure (shed) with a setback of 12 inches and 18 inches in lieu of the required 2.5 feet for each.

Hearings: Monday, December 8, 2003, at 10:00 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.

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 #04-189-A

Petitioner MARY LOUISE HAMILTON-PURSLEY * CHAMP B. PURSLEY

Address or Location 626 WOODBINE AVENUE

PLEASE FORWARD ADVERTISING BILL TO

Name MARY LOUISE HAMILTON-PURSLEY * CHAMP B. PURSLEY

Address 626 WOODBINE AVENUE
TOWSON, MD 21204

Telephone Number: 410-825-0406

**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

December 4, 2003

Mary Louise Hamilton-Pursley
Champ Pursley
626 Woodbine Avenue
Towson, MD 21204

Dear Mr. and Mrs. Pursley:

RE: Case Number: 04-189-A, 626 Woodbine Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 15, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." The signature is fluid and cursive, with a large, stylized "W" and "C".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

Visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: November 10, 2003

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

RECEIVED

NOV 10 2003

SUBJECT: 626 Woodbine Avenue

INFORMATION:

Item Number: 04-189

ZONING COMMISSIONER

Petitioner: Mary Louise Hamilton-Pursley

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The subject shed is already constructed. However, the petitioner should be required to mitigate its negative visual impact on adjoining properties by replacing the existing chain link fence with an attractive board-on-board fence.

Prepared by:

Mark A. Cunningham

Section Chief:

John J. [Signature]

AFK/LL:MAC:

12/19/03
R. [Signature]



**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

October 27, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 27, 2003

Item No.: 183-194 (189)

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





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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10.28.03

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

RE: Baltimore County
Item No. 189 JRF

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,

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: November 13, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For November 3, 2003
Items Nos. 183, 184, 185, 186, 187,
188, 189, 190, 191, 192, 193, and 194

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE
626 Woodbine Avenue; N/side Woodbine
Avenue 200' +/- East
9th Election & 5th Councilmanic Districts
Legal Owner(s): Mary Louise Hamilton-
Pursley & Champ B. Pursley
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 04-189-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.

RECEIVED

NOV 03 2003

Per.....

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 3rd day of November, 2003, a copy of the foregoing Entry of Appearance was mailed to, Mary Louise Hamilton-Pursley & Champ B. Pursley, 626 Woodbine Avenue, Towson, MD 21204, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

WEST TOWSON NEIGHBORHOOD ASSOCIATION

**P.O. BOX 502
RIDERWOOD, Maryland 21139-0502**

December 2nd, 2003

**Lawrence Schmidt, Esq. Zoning Commissioner
for Baltimore County**

**401 Bosley Avenue
Towson, MD 21204**

John
12/8
RECEIVED

DEC 2 2003

ZONING COMMISSIONER

Dear Mr. Schmidt:

This refers to case # 4-189-A, coming up for a hearing on December 8th, 2003. After considerable discussion on Monday, December 1st, the board of the West Towson neighborhood Association voted to rescind the approval of the variance request by the Pursleys, 626 Woodbine Avenue, as reflected in my letter to Timothy Kotroco, Esq, Director, PADM, dated November 11th, 2003.

The board indicated that it wished that all county regulations as they concerned the securing of building permits before construction, and the observance of legally required setbacks from neighboring properties be followed. To do otherwise is to set a bad example and send others the wrong signal. The subject shed as it presently stands, detracts from neighboring properties.

The board of the West Towson Neighborhood Association respectfully asks that the Commissioner deny the request and order compliance from the owners.

Yours sincerely

Richard Parsons

Richard Parsons, President

Cc: Board of the West Towson Neighborhood Association

WEST TOWSON NEIGHBORHOOD ASSOCIATION

**P.O. BOX 502
RIDERWOOD, Maryland 21139-0502**

November 11, 2003

**Timothy Kotroco, Esq., Director
Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204**

Dear Mr. Kotroco:

An issue involving 626 Woodbine Avenue will be coming to your and the Zoning Commissioner's attention shortly. This involves a petition for variance filed on October 5, 2003, by petitioners Mary Louise Pursley and Champ B. Pursley.

(Case 04-189-A)

The point at issue is a shed which apparently was constructed without a permit; the petitioners are asking for a variance to allow the shed to remain in place. The shed, which is at the foot of a 124.45 foot lot cannot not be seen from the street but may be a visible intrusion for certain neighbors.

We do not suggest removal of the shed. However, we do suggest replacement of the chain link fence with a tasteful and attractive alternative fence of a sufficient height, and the planting of a non damaging vine or creeper such as Virginia Creeper, or even an espaliered fruit tree, to mitigate the appearance of the shed.

Yours sincerely

Richard Parsons

Richard Parsons, President

**Cc: Board of the West Towson Neighborhood Association
Ms. Karin Brown, Office of Planning**

*please forward
to Z.C.'s office
and include a copy
in the zoning file.
Fin K.
Jack 12/8*

RECEIVED

NOV 17 2003

ZONING COMMISSIONER

RECEIVED

NOV 17 2003

ZONING COMMISSIONER

RECEIVED

NOV 13 2003

03-5780

**DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT**

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: November 20, 2003

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

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

SUBJECT: Item No.: 4-189-a
Legal Owner/Petitioner Mary L. Hamilton & Champ B. Pursley
Contract Purchaser: n/a
Property Address: 626 Woodbine Ave
Location Description: N/side Woodbine Ave at distance of 200 ft +/- E

VIIOLATION INFORMATION: Case No. 03-8056
Defendants: Mary L. Hamilton & Champ B. Pursley

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 |
| ☐ | 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 |
| ☐ | 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/ph
C: Code Enforcement Officer



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. **03-8056** Property No. **09-23-00050** Zoning: **DR-5.5**

Name(s): **MARY LOUISE HAMILTON PURSLEY**
CHAMP B. PURSLEY

Address: **626 WOODBINE AVE. BALTO. MD. 21204**

Violation Location: **" SAME AS ABOVE "**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

102.1; 1301.1A; 500.6- BCLZR
26- 121(a) - B.C.C

Failure to comply
with the APPROVED LANDSCAPE
plan.

Bring property into
compliance with such plan
by the COMPLIANCE date.

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

On or Before: **6-1-04** Date Issued: **5-13-04**

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: **E. AVERY GARDEN**
(410-887-3751)

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: _____

AGENCY

Inspector - Hohn

Area Case # Location Apt Zip Date Rec Reinsp Dt
015. 03-8056 626 WOODBINE AVE 21204 9/29/2003

Tax Acct #: 0923000500

Complainant Name: (Last) ANONYMOUS (First)
Addr:

Str # Dir Street Name Type Apt

City ST Zip
Phone: (Home) (Work)

Problem: STORAGE SHED AGAINST FENCE LINE & VERY LARGE (16X10)

10/3/03. issued cv for shed w/o permit approx 10x16

also possible set back violation ordered to obtain permit

Recheck 10/17/03

10/6/03 entered Bar

1/1/04
b7

JIM-

04-189 A IS IN
VIOLATION OF ITS
ZONING ORDER.
AUFAY

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	Yes is Executive memo attached?	Yes	No



Baltimore County
Department of Permits and
Development Management

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

9

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. 03-8056	Property No. 0923000500	Zoning:
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Name(s): Hamilton Pursley Mary Louise Pursley Champ B
Address: 626 Woodbine Ave
Violation Location: Tamp

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Enc Sec 105.1 - Shed built with
out building permit - Obtain permit

MCZR 101 102.1 & 400 - Shed
Max require variance - to close
to property line set back
Violation
Shed requires proper roof

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

On or Before: 10/12/03	Date Issued: 10/3/03
------------------------	----------------------

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 Paul Hohac

INSPECTOR: *[Signature]*

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

CODE ENFORCEMENT REPORT

NCF

DATE: 9, 29, 03 INTAKE BY: SCJ CASE #: 03-8056 INSPEC: #15

COMPLAINT LOCATION: 626 Woodbine Ave

ZIP CODE: 2/204 DIST: 9

COMPLAINANT NAME: anon PHONE #: (H) _____ (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: Storage shed against fence line & very large (16x10)

IS THIS A RENTAL UNIT? YES _____ NO _____
IF YES, IS THIS SECTION 8? YES _____ NO _____

OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: 09 23 000500 ZONING: _____

INSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

DATE 09/29/2003

STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:13:49

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
09 23 000500	09	2-2	04-00	H	NO		01/08/03

HAMILTON PURSLEY MARY LOUISE

DESC-1.. IMPSNWS WOODBINE AV

PURSLEY CHAMP B

DESC-2.. SW JOPPA RD

626 WOODBINE AV

PREMISE. 00626 WOODBINE

AVE

00000-0000

BALTIMORE

MD 21204-3825 FORMER OWNER: WALTRUP BEATRICE J

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
				FCV	ASSESS	ASSESS
LAND:	62,170	62,170				
IMPV:	134,220	183,270	TOTAL..	229,090	229,090	212,740
TOTL:	196,390	245,440	PREF...	0	0	0
PREF:	0	0	CURT...	229,090	229,090	212,740
CURT:	196,390	245,440	EXEMPT.	0	0	0
DATE:	09/98	07/01				

---- TAXABLE BASIS ---- FM DATE

03/04 ASSESS: 229,090 08/05/02

02/03 ASSESS: 212,740 05/30/02

01/02 ASSESS: 196,390 06/01/01

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

CASE NAME

04-189-A

1803

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

MARY LOUISE FORSEY 626 WOODBINE AVE	TOWSON, MD 21204
-------------------------------------	------------------

11

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二

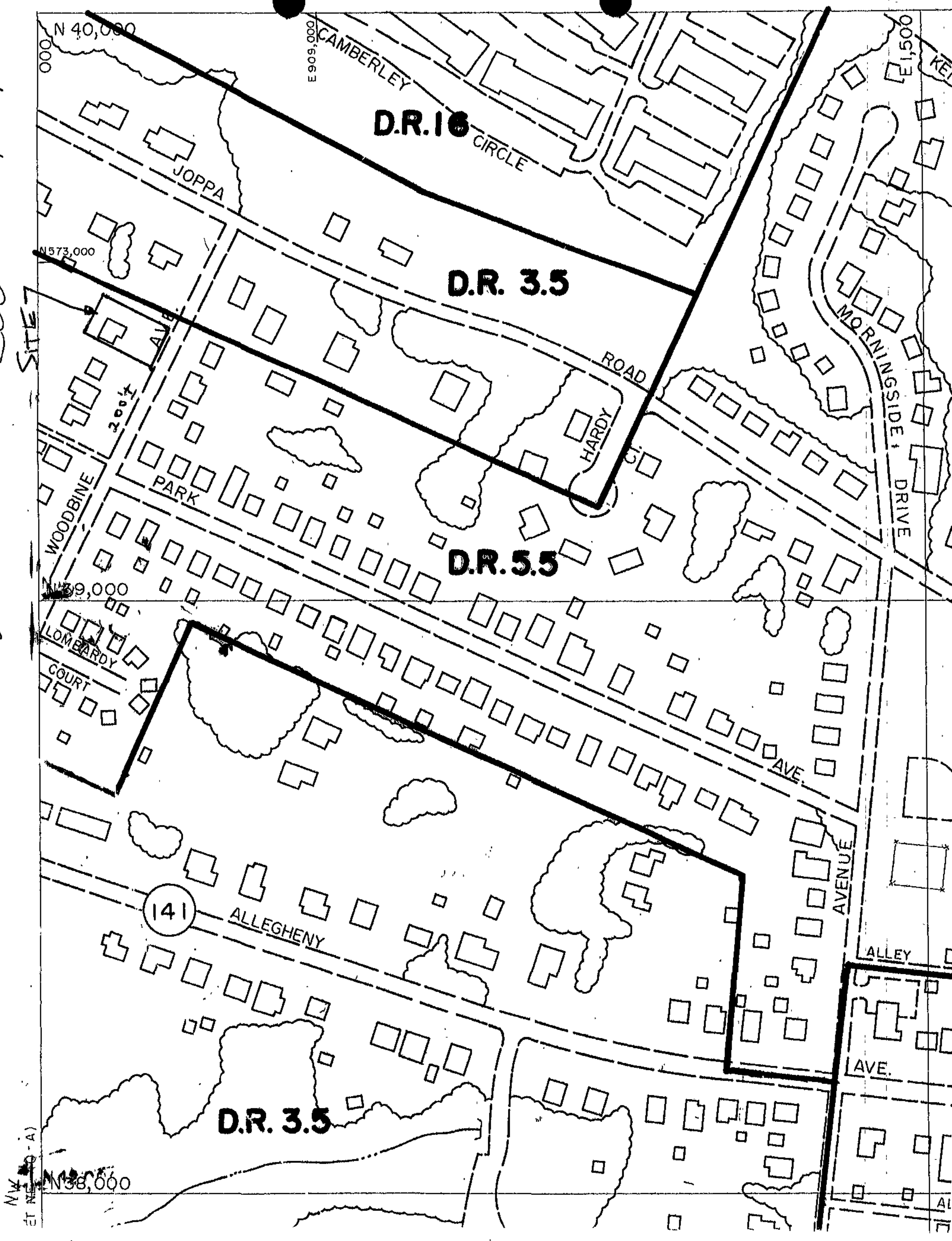
DATE _____

E-MAIL

mcgeedy@comcast.net

NE 10A 1" = 200'

#189



STREET VIEW



B



A

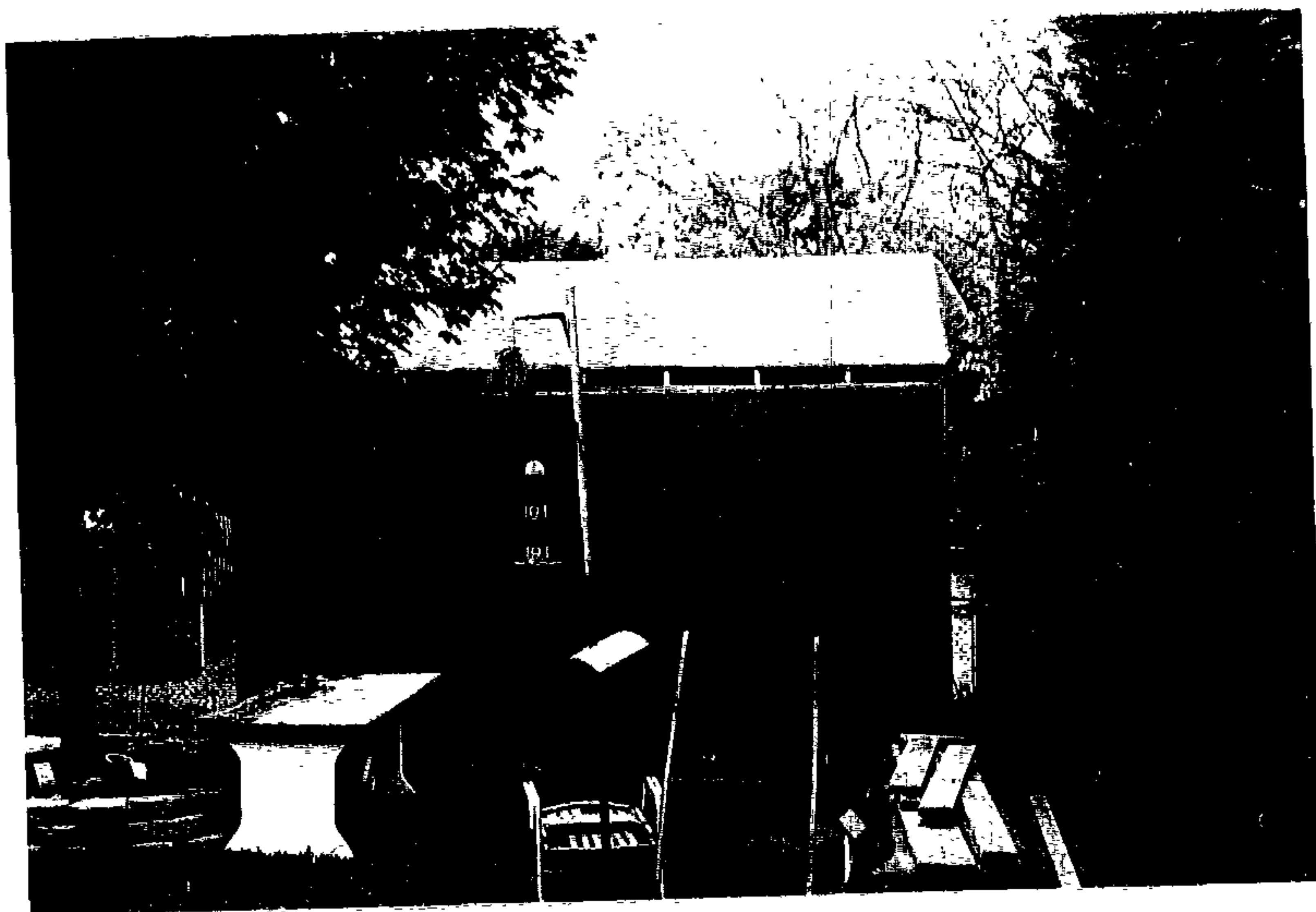
#189

Pet #2

● FRONT VIEW ●



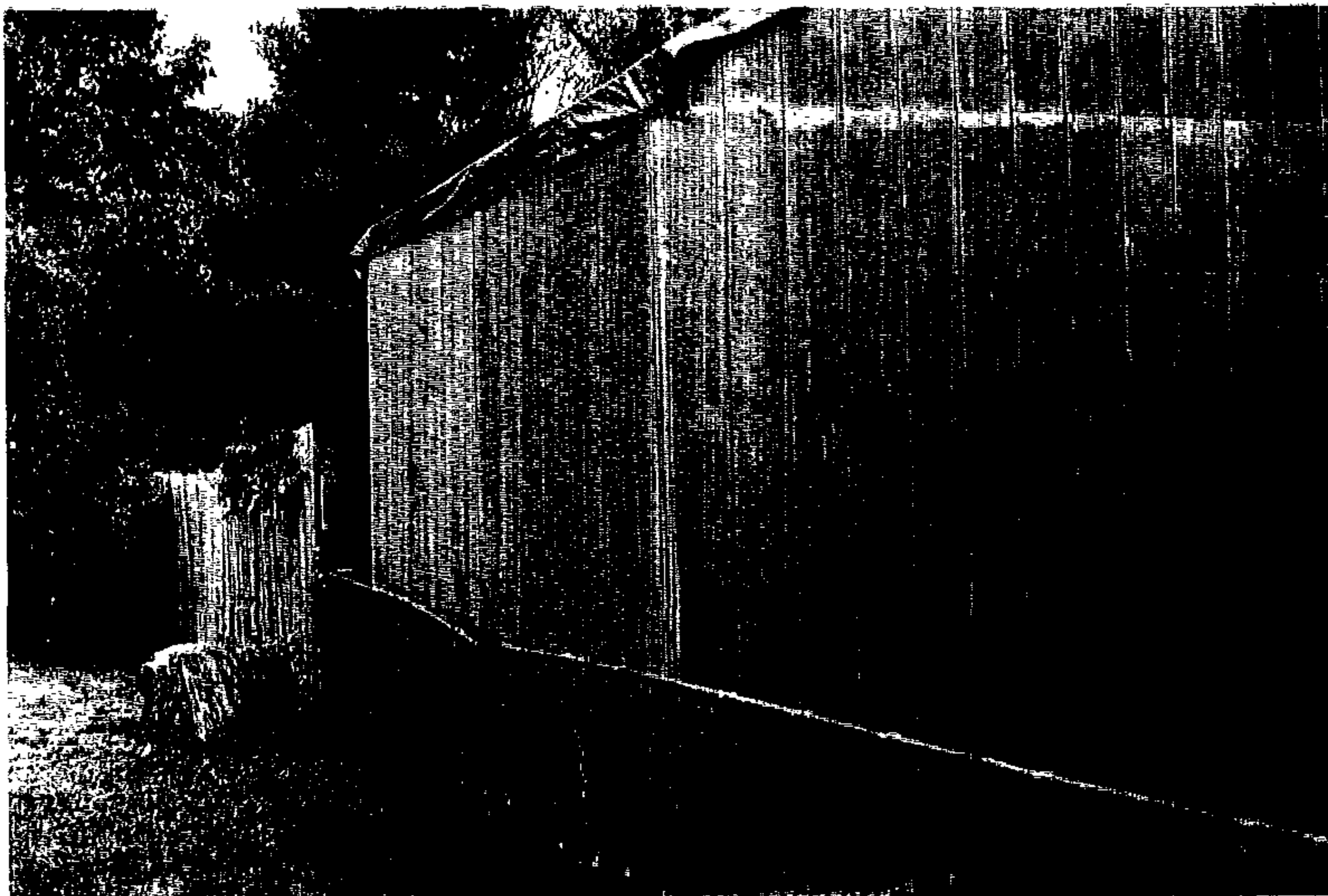
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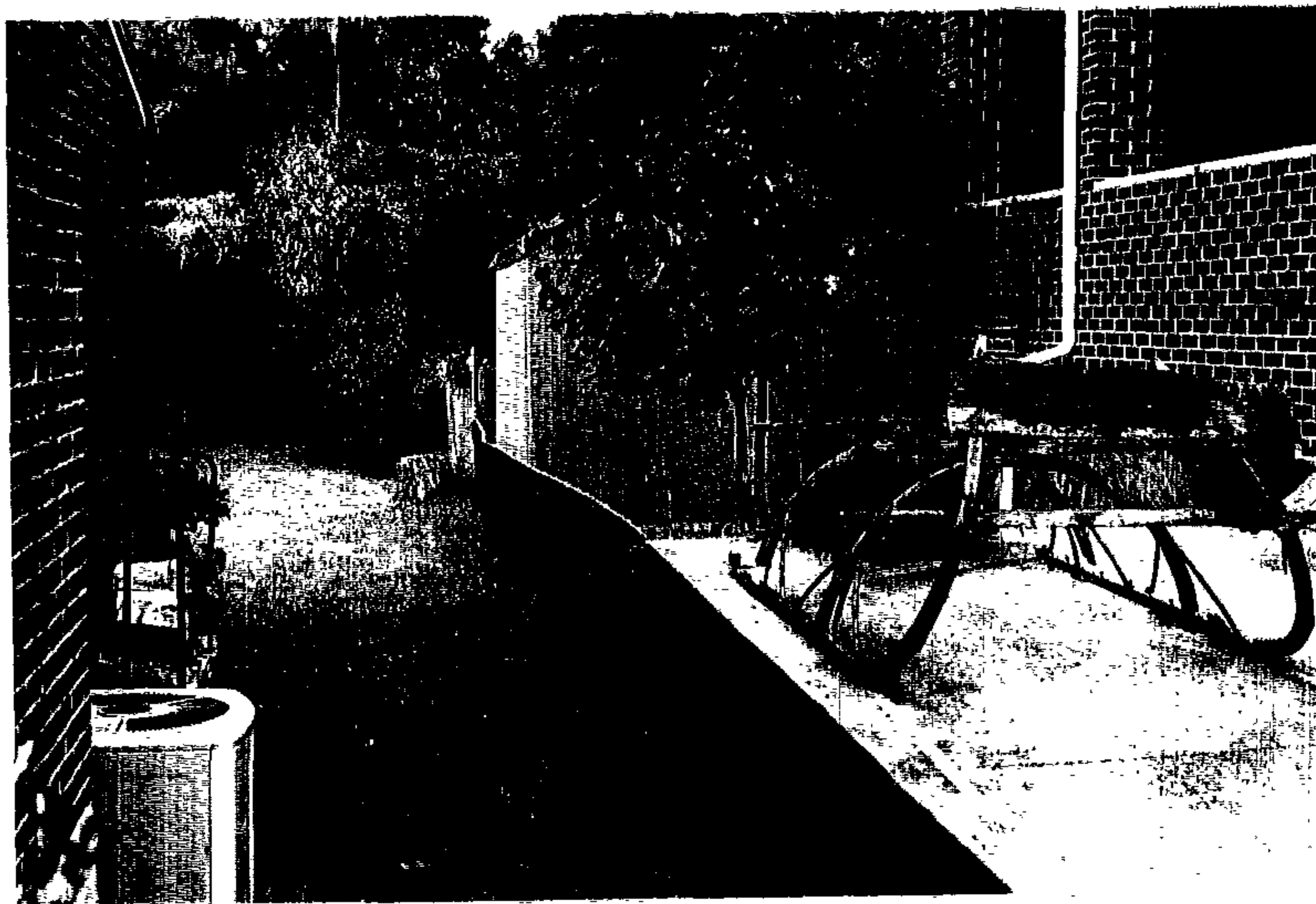
C

#189

● Rear View ●



17

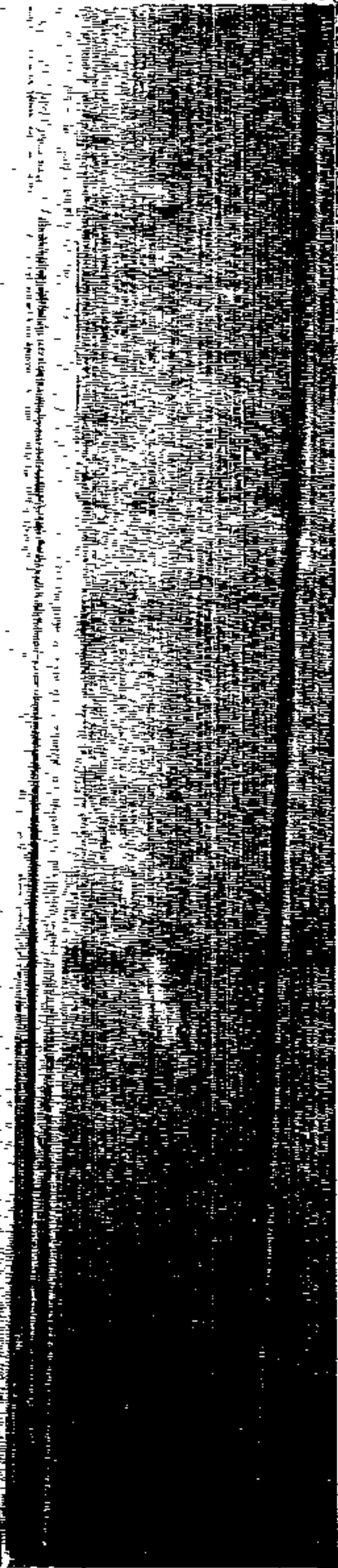
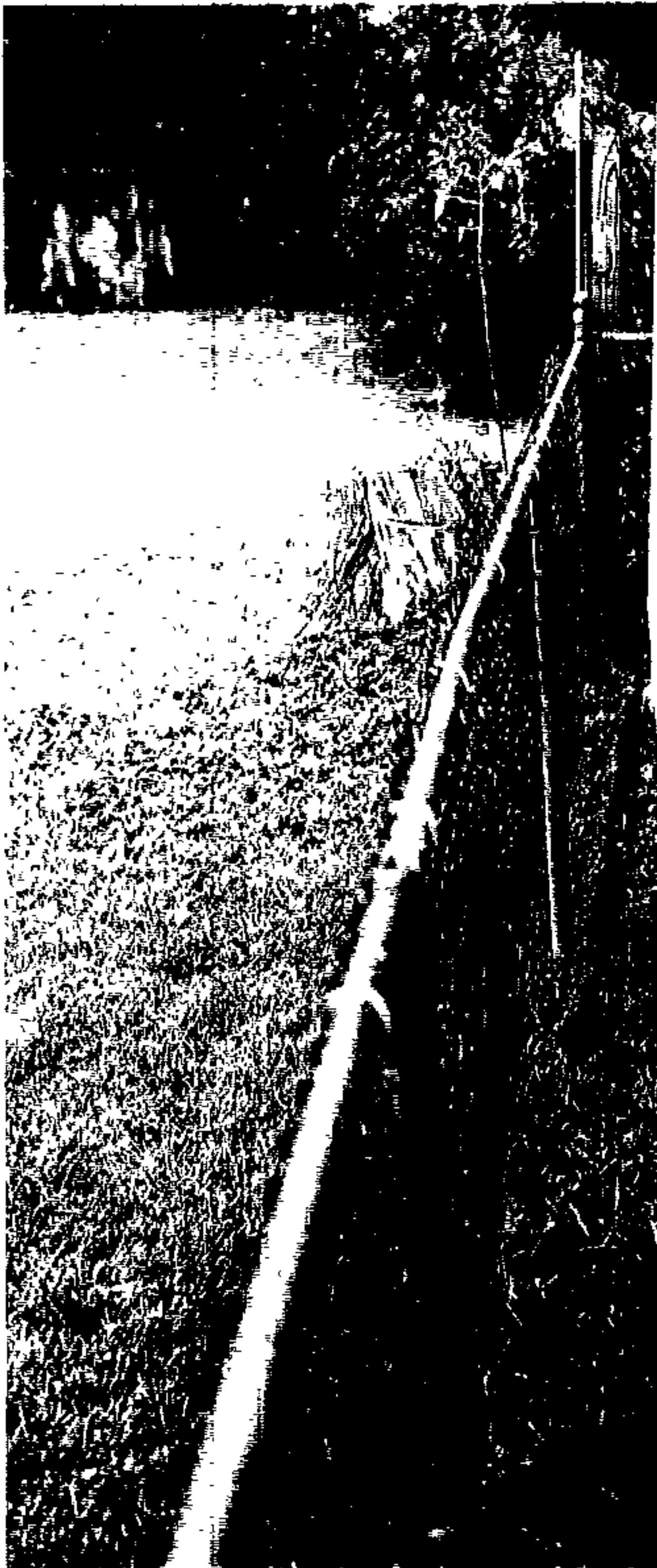


18

#189

REAR
VIEW

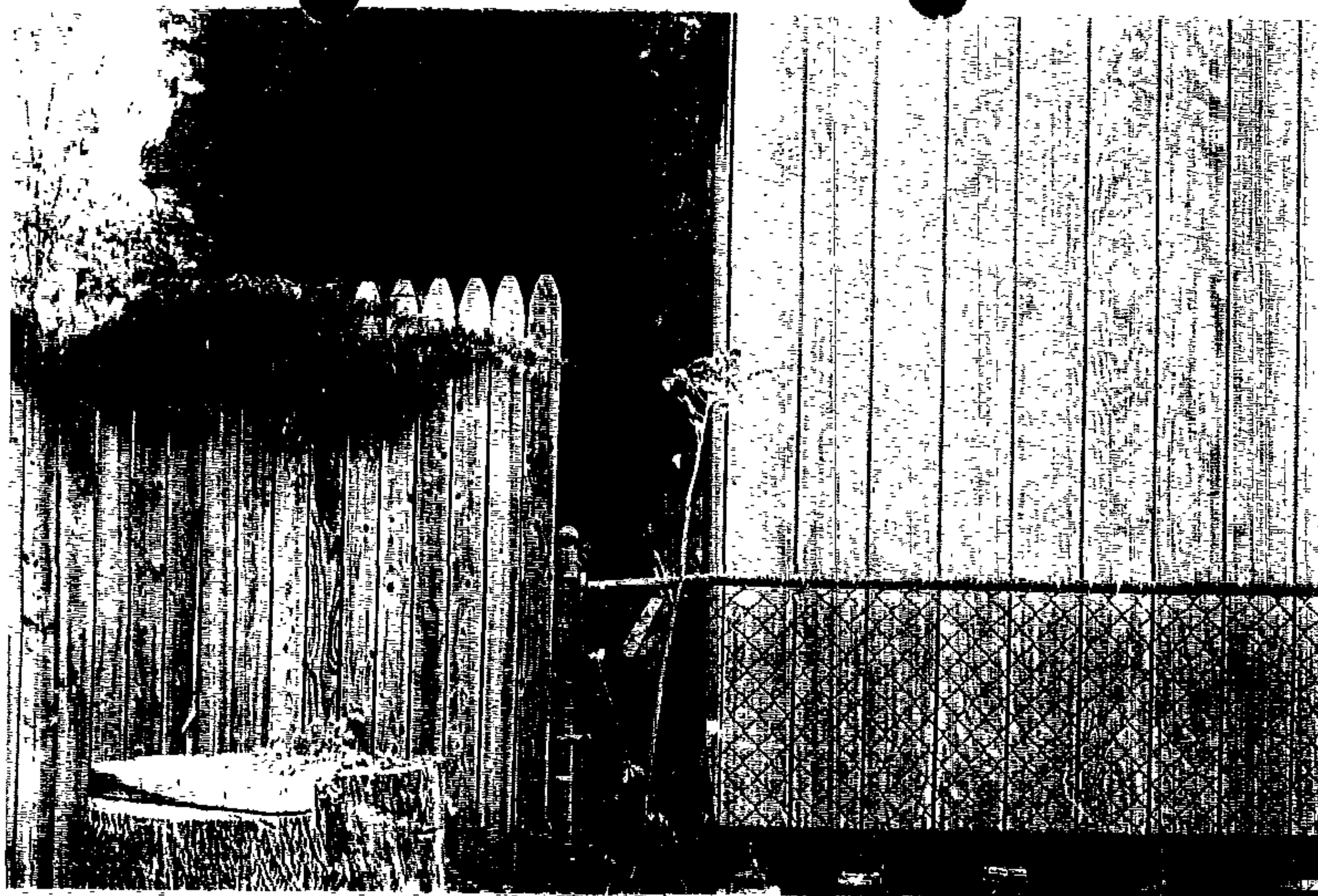
H



G

#187

SIDE
VIEW
FROM
NEIGHBOR
(#24)



7

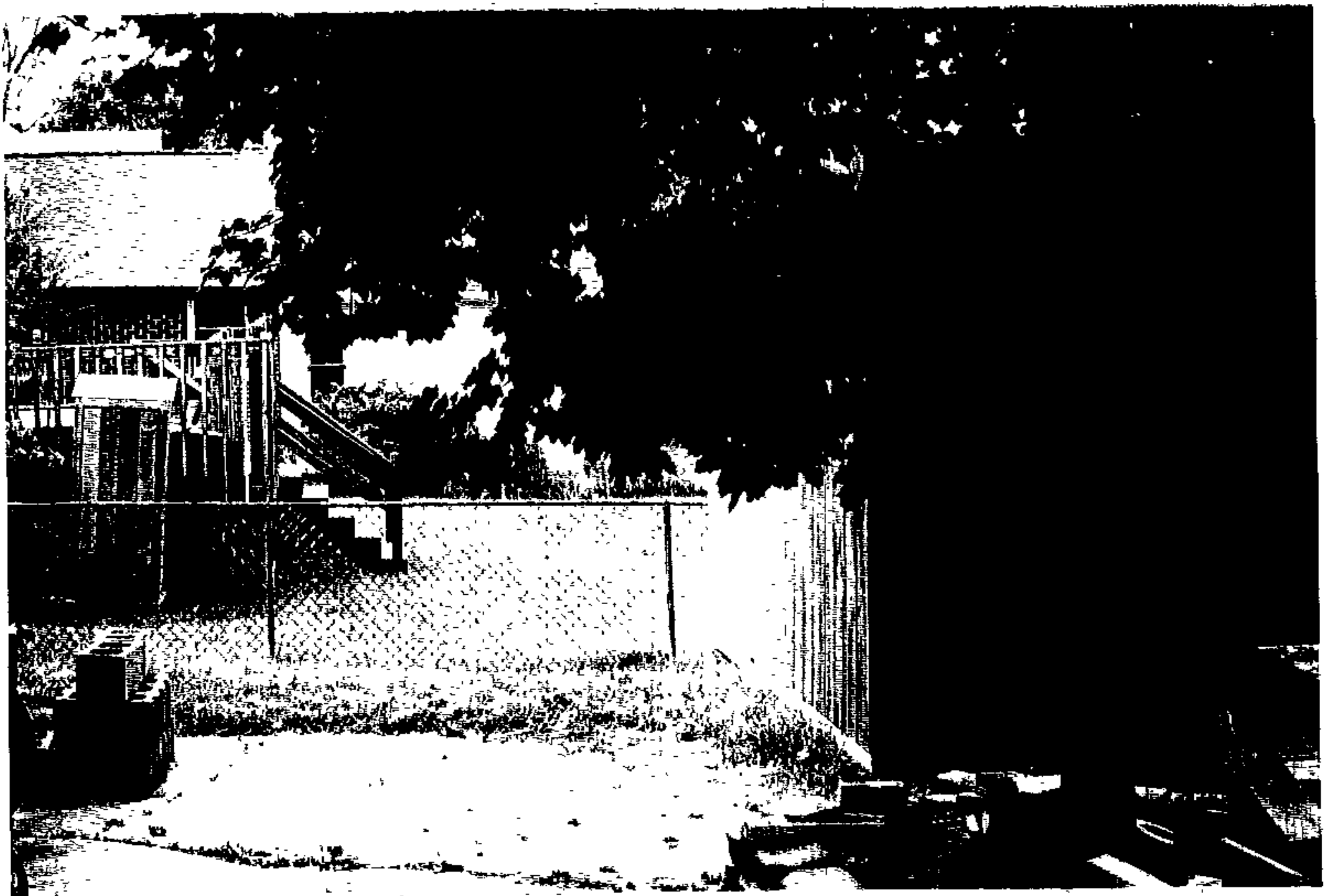
SIDE
VIEW



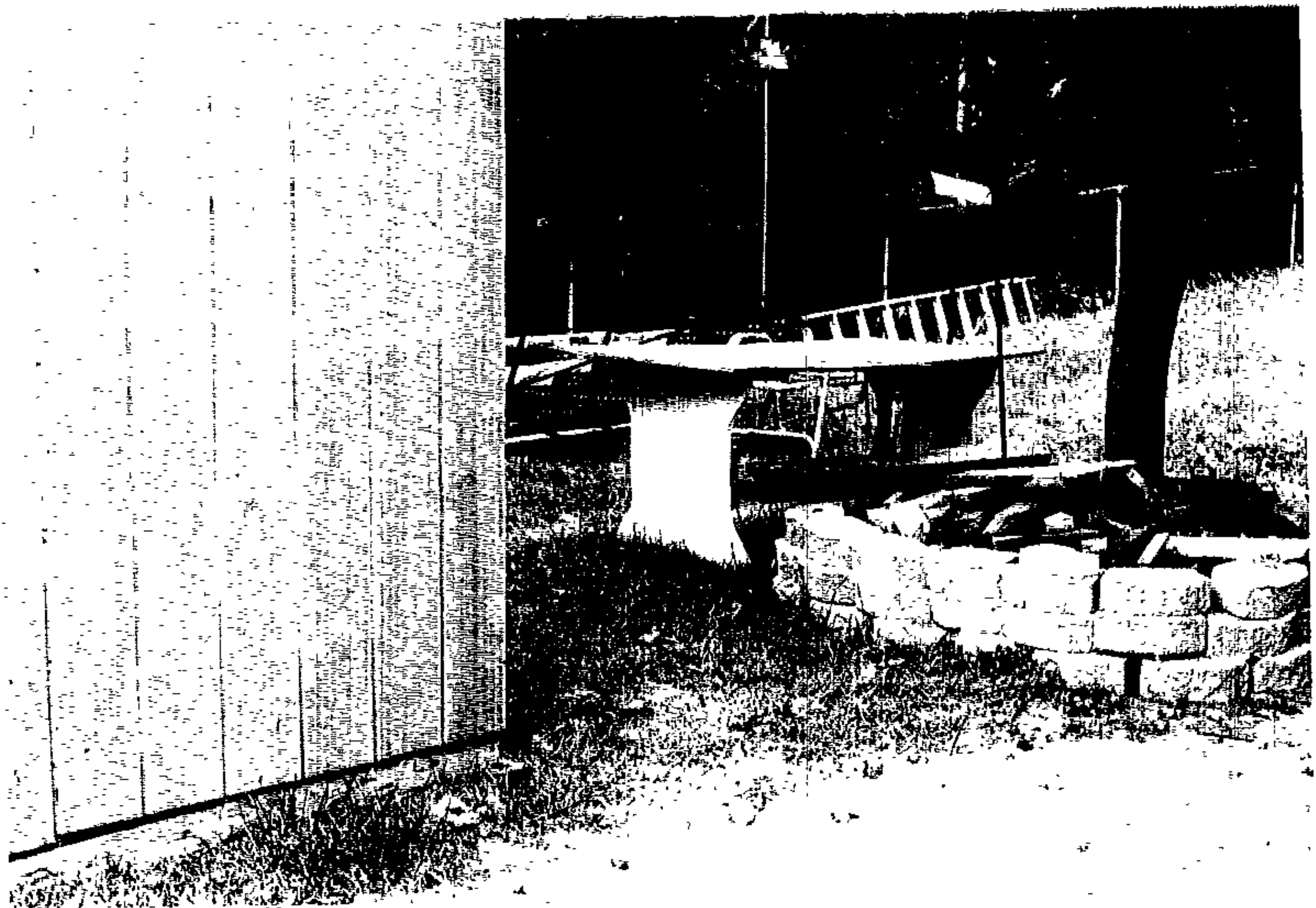
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#189

TREE

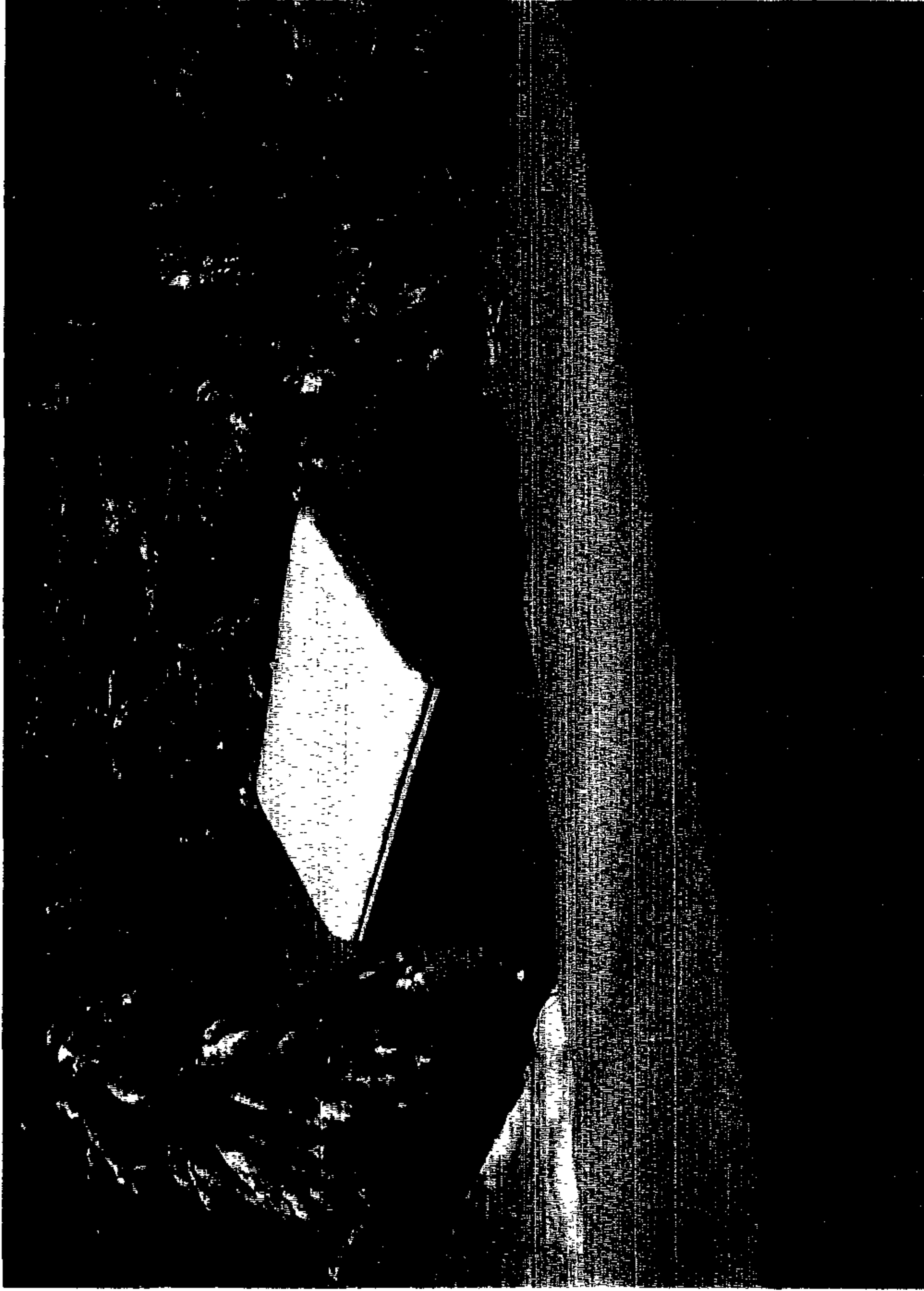


L



K

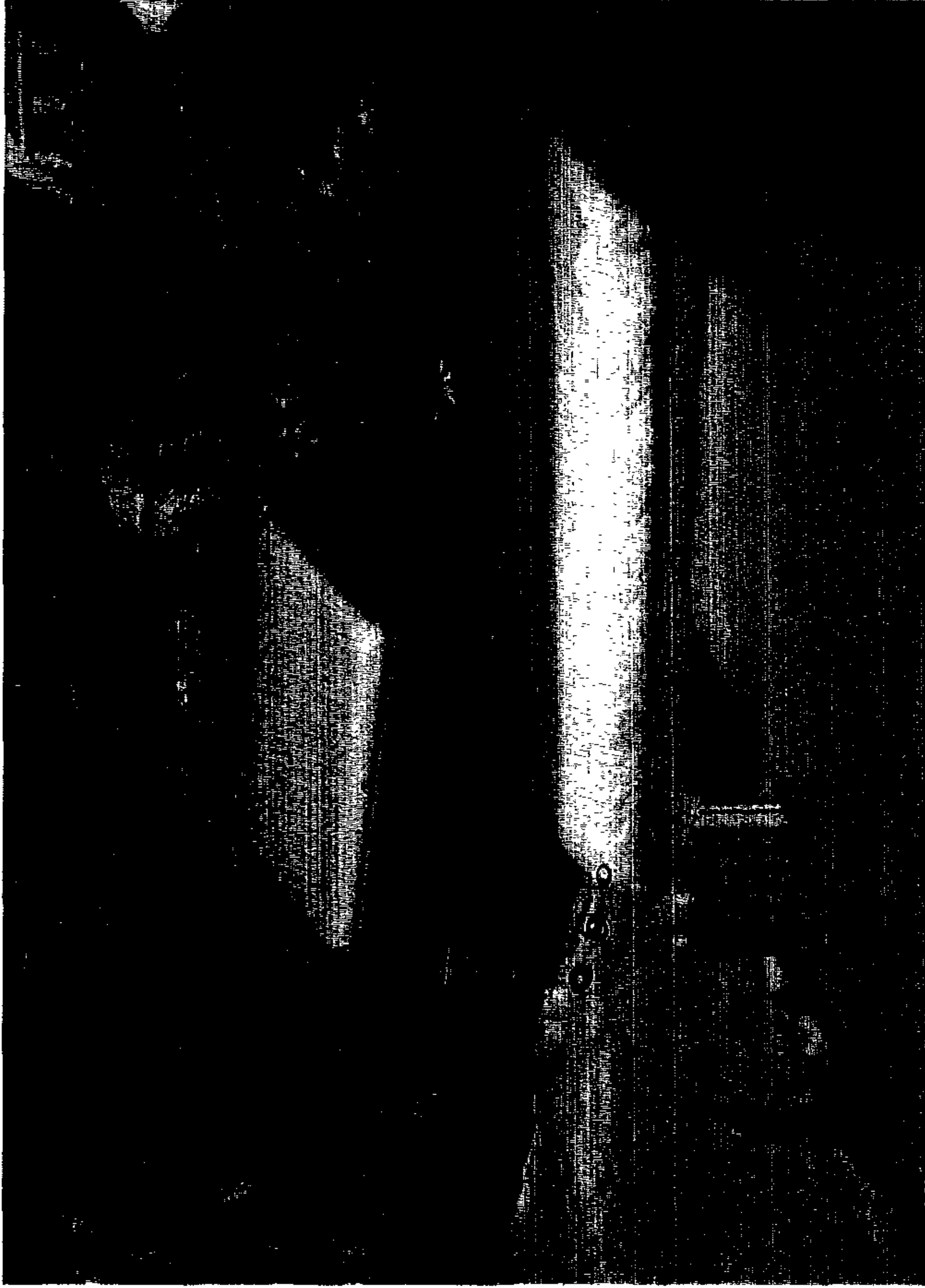
#1807



1. View from second floor rear of 624 Woodbine Avenue

1

CND
\$



2. Second view from second floor rear of 624 Woodbine Avenue

1-B



3. Third view from second floor rear of 624 Woodbine Avenue

1-e



4. View from Woodbine Avenue

P-1



5. Second view from Woodbine Avenue



6. View from back yard of 624 Woodbine Avenue

1-11

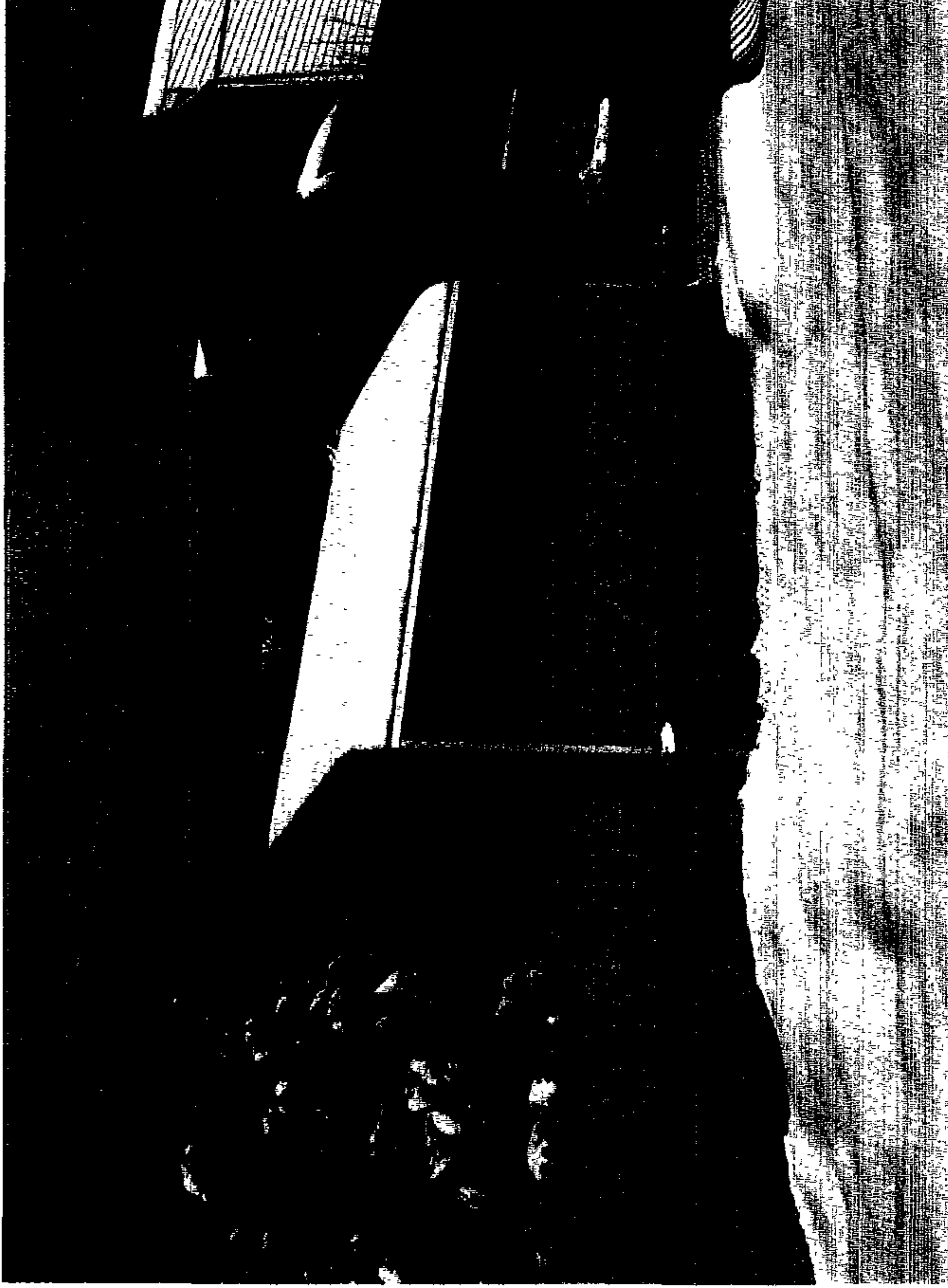


7. View from back deck of 624 Woodbine Avenue



8. Second view from back deck of 624 Woodbine Avenue

1-1



9. Third view from back yard of 624 Woodbine Avenue

1-1



10. Fourth view from back yard of 624 Woodbine Avenue

✓



11. View from between 624 & 626 Woodbine Avenue

9-✓