

IN RE: PETITION FOR SPECIAL HEARING
N/S Island View Road, 800' W of the c/l
Barrison Point Road
(2504 Island View Road)
15th Election District
5th Council District

The Estate of George Bean
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-259-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, The Estate of George Bean, through their Executor, Norma D. Bean. The Petitioners request a special hearing seeking approval of a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), of Sections 3112.0 of the Baltimore County Building Code and Sections 26-276, 26-670, and 26-172(a)(3) of the Baltimore County Code, to retain an existing basement underneath a replacement single-family dwelling located in a tidal floodplain. 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 on behalf of the Petitioners was James L. Grace, who appeared on behalf of Thomas E. Phelps, the Surveyor who prepared the site plan. Apparently Mr. Phelps was ill and was unable to attend the hearing. Additionally, it was indicated that Norma D. Bean, as Personal Representative for the Estate of George Bean, no longer owned the subject property and had conveyed same to Lorri Barnby prior to the hearing. A Notice of Hearing contained within the case file indicates that in fact, there are four owners of the subject property, namely Carol C. Treas, Shelly Rohrback, Lorri Barnby and Dawn D. Beckett, all of who are listed as residing on the adjacent property, known as 2506 Island View Road. Thus, the Petition was amended accordingly.

ORDER RECEIVED FOR FILING

Date

By

2/27/04

Rep

Testimony and evidence offered revealed that the subject property is a rectangular shaped, waterfront lot, approximately 40 feet wide by 300 feet in dimension, located on the north side of Island View Road, just west of Barrison Point Road in eastern Baltimore County. The property has frontage on Browns Creek, not far from Hawk Cove near Back River, and contains a gross area of 13,735 sq.ft., more or less, zoned R.C.5. By way of background, this property was the subject of prior zoning Case No. 02-472-A, in which the previous owners (George H. Bean, Jr., and his wife, Helen Mary Bean) were granted relief from Section 1A04.3.B.2 of the B.C.Z.R. to permit a minimum side yard setback of 12 feet in lieu of the required 50 feet for a proposed dwelling reconstruction. As noted in that case, the property had been improved with a single family dwelling; however that structure was destroyed by fire. The Petitioners were desirous of rebuilding the house on the exact footprint where the old foundation existed; however, the new house was proposed to be 2 feet wider than the previous house. Thus, variance relief was necessary to allow construction of the new dwelling as proposed. By opinion and Order dated January 25, 2002, then Deputy Zoning Commissioner Timothy M. Kotroco granted relief as set forth above; however, attached as conditions to the approval several restrictions. These included that redevelopment of the site comply with Chesapeake Bay Critical Areas regulations, as set forth in the recommendations of the Department of Environmental Protection and Resource Management, dated June 21, 2002, and all floodplain regulations applicable to this property. It is these floodplain regulations from which relief is now being requested.

In this regard, photographs submitted at the hearing show that the proposed modular home will be located on a concrete foundation. The photographs also show that this foundation has a series of flood vents as required under the floodplain regulations, which allow floodwaters to flow under and through the foundation area beneath the living quarters. In this regard, all utilities, including the HVAC and electric, are located above the minimum floodplain elevation for this site. Additionally, it was indicated that this open area within the foundation has no intended use and will not be converted for living space.

John M. Joyce of the Maryland Department of the Environment has also reviewed this application. Mr. Joyce works within the Coordinating Office of the State's National Flood Insurance Program (NFIP). In a letter dated December 11, 2003, Mr. Joyce indicated that his agency is opposed to the request as set forth within the Petition. Subsequently, a Zoning Advisory Committee comment was received from the Department of Public Works. That comment indicates that Dave Thomas of that office had reviewed this application with Thomas Phelps, the Surveyor who prepared the site plan for this property. Mr. Phelps apparently advised Mr. Thomas during that review that the area under consideration is an open vented area below the dwelling and is not classified as a basement. Indeed, Mr. Phelps advised Mr. Thomas that this open area was intended to serve as an open vented area and would not be used as living quarters.

Thus, under the circumstances, it appears that the Petition for Special Hearing is moot in that the area beneath the house is not a basement. The Petitioner may retain the flood vents and open area beneath the dwelling as it presently exists; however, this area cannot be used as a basement, nor for living quarters or storage, etc.

It is also to be noted that the subject Petition was filed as a result of a citation issued by the Code Enforcement Division of the Department of Permits and Development Management. In this regard, it appears that the violation does not relate specifically to the issue presented in the Petition for Special Hearing. It was indicated that Mr. Bean had commenced construction of the new dwelling in the spring of 2003; however, died prior to its completion and the family hired a contractor to complete construction. In the meantime, the property was not being maintained and was being used as a contractor's storage yard. Meanwhile, the dwelling became occupied before a final inspection had been accomplished. It was during the course of the final inspection that these violations came to light and an issue was raised regarding the area beneath the dwelling. The Petitioners then filed the instant Petition, during which time the property was sold. To the extent that the new owners have addressed the concerns noted above, it appears that the property is not in violation as to the use of the existing foundation. Thus, the Petition for Special Hearing shall be

ORDER RECEIVED FOR FILING
Date 2/24/04
By [Signature]

dismissed as moot. Furthermore, if the Petitioners clean up the site and cure the alleged violations, a final use and occupancy permit can be issued.

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 dismissed.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of February 2004 that the Petition for Special Hearing to approve a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), of Sections 3112.0 of the Baltimore County Building Code and Sections 26-276, 26-670, and 26-172(a)(3) of the Baltimore County Code, to retain an existing basement underneath a replacement single-family dwelling located in a tidal floodplain, be and is hereby DISMISSED; and,

IT IS FURTHER ORDERED that the area beneath the dwelling shall remain open as it presently exists; however, it cannot be used as a basement, nor for living quarters or storage, etc.

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



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 2/24/04
By [Signature]

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

February 24, 2004

Ms. Lorri Barnby
2506 Island View Road
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING
N/S Island View Road, 800' W of the c/l Barrison Point Road
(2504 Island View Road)
15th Election District – 5th Council District
Lorri Barnby, et al - Petitioners
Case No. 04-259-SPH

Dear Ms. Barnby:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been dismissed as moot, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. James L. Grace
2527 Barrison Point Road, Baltimore, Md. 21221
Mr. Thomas Phelps, 945 Barron Avenue, Essex, Md. 21221
Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
Mr. Dave Thomas, Department of Public Works
Code Enforcement Division, DPDM; DEPRM; People's Counsel; Case File

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2504 ISLAND VIEW ROAD
which is presently zoned RC 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a waiver pursuant to Section 500.6, BCZR; Section 3112.0, Baltimore County Building Code; and Sections ²⁶⁻²⁷⁶ 26-670, 26-172(a)(3), Baltimore County Code to retain an existing basement underneath a replacement single-family dwelling in a tidal floodplain.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

Representative to be Contacted:

Name

Address

City

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr.

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 11-24-03

ORDER RECEIVED FOR FILING

Date 11/24/03
By [Signature]
REV 9/15/98

Case No. 04-259-SPH

THOMAS E. PHELPS & ASSOCIATES, INC.

945 Barron Avenue
Baltimore, Maryland 21221-5202
(301) 574-6744

LAND SURVEYING

LAND PLANNING

ZONING DESCRIPTION FOR 2504 ISLAND VIEW RD
(address)

Beginning at a point on the NORTH side of
(north, south, east or west)

ISLAND VIEW ROAD which is 30'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 800 WEST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street BARRISON POINT RD
(name of street)

which is 30 wide. *Being Lot # 18
(number of feet of right-of-way width)

Block _____, Section # B in the subdivision of BARRISON POINT
(name of subdivision)

as recorded in Baltimore County Plat Book # 7, Folio # 176.

containing 13,725. Also known as 2504 ISLAND VIEW
(square feet or acres) (property address)

and located in the 15 Election District, 6 Councilmanic District.

2591

11-24-03

Case/Petition # 04-259 SPH
2504 Island View Rd.

No fee required (left) + Tom P. as paid 325.00
to DRC! *J.R. R.*

TOPS FORM 45806 ©

RECEIPT		DATE <u>11-24-03</u>		5636	
RECEIVED FROM <u>Tom Phelps</u>					
ADDRESS <u>Re - Bean Property</u>		DOLLARS \$ <u>325.00</u>			
FOR <u>wave of public works</u>					
ACCOUNT		HOW PAID			
AMT. OF ACCOUNT		CASH			
AMT. PAID		CHECK	<u>50.00</u>	<u>275.00</u>	<u>325.00</u>
BALANCE DUE		MONEY ORDER			
		BY <u>J.R. R.</u>			

**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: #04-259-SPH
2504 Island View Road
N/side of Island View Road,
800 feet west of Barrison
Point Road
15th Election District
6th Councilmanic District
Legal Owner(s): Norma Bean
Special Hearing: for a
waiver to retain an existing
basement underneath a re-
placement single-family
dwelling in a tidal floodplain
Hearing: Wednesday, Feb-
ruary 4, 2004 at 11:00
a.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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/1/708 Jan. 20 C645714

CERTIFICATE OF PUBLICATION

1/21, 2004

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 1/20, 2004.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 1/26/04

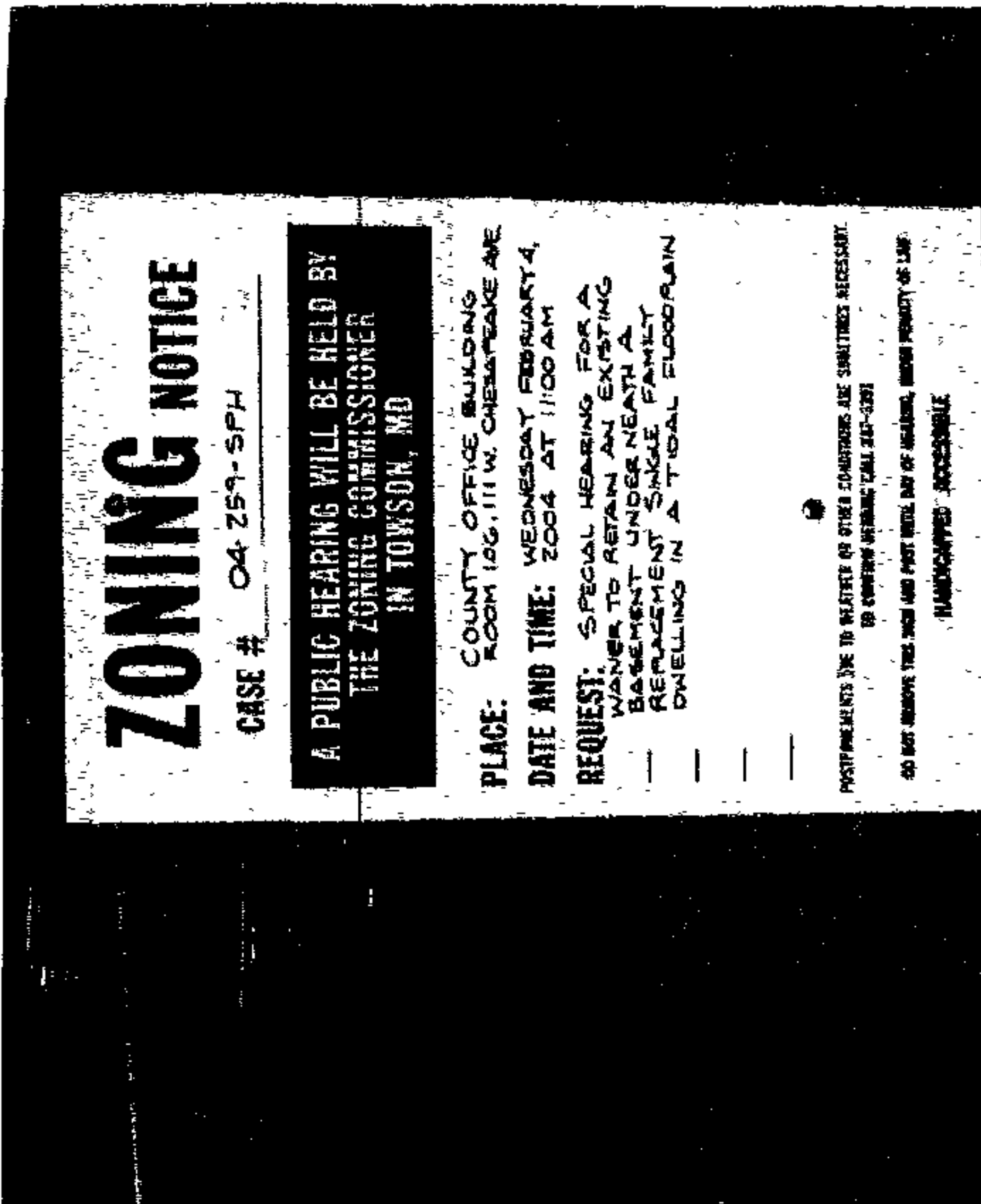
RE: Case Number: 04-259-SPH

Petitioner Developer: BARNISY

Date of Hearing Closing: FEB 4, 2004

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 2504 ISLAND VIEW ROAD

The sign(s) were posted on 1/19/04
(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**

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



Baltimore County

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

December 23, 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: 04-259-SPH

2504 Island View Road
N/side of Island View Road, 800 feet west of Barrison Point Road
15th Election District – 6th Councilmanic District
Legal Owner: Norma Bean

Special Hearing for a waiver to retain an existing basement underneath a replacement single-family dwelling in a tidal floodplain.

Hearing: Wednesday, February 4, 2004, at 11:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue


Timothy Kotroco
Director

new owners

TREAS CAROL C ROHRBACK SHELLY
BARNBY LORRI BECKETT DAWN D, ETAL
2506 ISLAND VIEW RD

BALTIMORE

MD 21221-6411

TK:klm


~~C: Norma Bean, 1314 Spotswood Road, Baltimore 21220~~
Tom Phelps, 945 Barrow Avenue, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 20, 2004.**
- (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.

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 20, 2004 Issue - Jeffersonian

Please forward billing to:
Tom Phelps
945 Barron Avenue
Baltimore, MD 21221

410-574-5978

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: 04-259-SPH

2504 Island View Road
N/side of Island View Road, 800 feet west of Barrison Point Road
15th Election District – 6th Councilmanic District
Legal Owner: Norma Bean

Special Hearing for a waiver to retain an existing basement underneath a replacement single-family dwelling in a tidal floodplain.

Hearing: Wednesday, February 4, 2004, at 11:00 a.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 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 04-259 SPH
Petitioner NORMA D. Bean
Address or Location: 2504 Island View Rd

PLEASE FORWARD ADVERTISING BILL TO

Name Tom Phelps
Address 945 BARRON AVE.
BALTO, MD, 21221
Telephone Number: 410-574-5978

**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*

January 30, 2004

Lori Barney
2504 Island View Road
Baltimore, MD 21221-6411

Dear Ms. Barney:

RE: Case Number: 04-259-SPH, 2504 Island View Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 24, 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 that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Thomas Phelps, 945 Barron Avenue, Essex 21221

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



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

December 9, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: December 8, 2003

Item No: 249, 256-266

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

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



State Highway
Administration

Driven to Excel

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12.9.03

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

RE: Baltimore County
Item No. 259 228

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

INTER-OFFICE CORRESPONDENCE

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

DATE: December 12, 2003

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

SUBJECT: Zoning Advisory Petition(s): Case 04-259, 04-260 and 04-261

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:

Arnold F. Keller

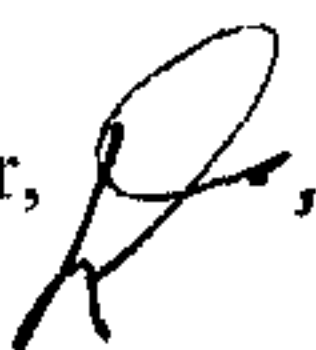
AFK/LL

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

TO: Timothy Kotroco, Director,
Permits & Development Management

ATTN: Rebecca Hart
MS 2007

FROM: Edward Adams, Director, 
Public Works

DATE: December 19, 2003

SUBJECT: Case No. 04-259 SPH
Floodplain Waiver to retain existing basement for
house to be replaced following ~~Isabel flood~~ damage
fire

Section 26-670 of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office of the water resources administration and the county department of public works must be taken into account and maintained with the permit file."

I am forwarding attached a copy of the letter dated December 11, 2003 from the State Coordinating Office recommending denial of the subject waiver. I concur with this recommendation.

Dave Thomas of my office has contacted the applicant's representative, Mr. Thomas Phelps P.L.S. It is Dave's understanding of their conversation of December 15, 2003 that the basement could be made to comply with building code requirements as an open, vented area below the dwelling not classified as a basement. Mr. Phelps indicated this is the actual use intended. I recommend that the applicant pursue this approach and withdraw the waiver request.

If there are questions, please contact Dave at (410) 887-3984.

ECA/DLT/s

Attachment

CC: Norma D. Bean, Thomas E. Phelps, John Joyce, Rick Wisnom, John Reisinger (attn.: Plans Review)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 24, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For December 15, 2003
Item No. 259

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

The flood protection elevation for this site is 11.2 feet.

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

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.

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

Flood-resistant construction shall be in accordance with requirements of B.O.C.A. *International Building Code* adopted by the county.

RWB:CEN:jrb

cc: File

ZAC-12-15-2003-ITEM NO 259-12242003

RE: PETITION FOR SPECIAL HEARING
2504 Island View Rd; N/side Island View
Rd, 800' W Barrison Point Rd
15th Election & 6th Councilmanic Districts
Legal Owner(s): Norma D Bean
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 04-259-SPH

* * * * *

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 and 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 12th day of December, 2003, a copy of the foregoing Entry of Appearance was mailed to Thomas Phelps, 945 Barron Avenue, Essex, MD 21221, Representative for Petitioner(s).

RECEIVED

DEC 12 2003

Per.....

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

CONFIDENTIAL
CITY OF BIRMINGHAM
ENFORCEMENT REPORT

DATE: 6/11/03 INTAKE BY: LAM CASE #: 03-4337 INSPEC:

COMPLAINT LOCATION: 2504 Island View Rd

ZIP CODE: DIST:

COMPLAINANT NAME: ANONYMOUS/BALT. CO. PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: OCCUPANCY W/O FINAL GARAGE/SHED W/O PERMIT

OWNER/TENANT INFORMATION: George Jr + Helen Bean

TAX ACCOUNT #: 15 11150560 ZONING:

INSPECTION: 5/29/03 - VISIT SITE TO PERFORM FRAMING INSPECTION ON B495828 FOR STORAGE ADDITION. ADDITION NOT LISTED ON PERMIT. HOUSE OCCUPIED W/O FINAL INSPECTION. FOOTING NOT INSPECTED FOR DECK OR ADDITION. ISSUED CORRECTION NOTICE/STOP WORK ORDER.

REINSPECTION: 6/11/03 - NO CORRECTIONS MADE. ISSUED CIVIL CITATION
KH R/C 6/29/03 LAM
CB

REINSPECTION:

REINSPECTION:



Baltimore County
Department of Permits and
Development Management

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

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION
SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Case No. 03-4337 Property No. 15 11150560 Zoning: res 2004

Name(s): NORMA BEAN - EXECUTOR FOR THE ESTATE OF GEORGE BEAN

Address: 1314 SPOTSWOOD RD. BALTIMORE, MD 21237

Violation Location: 2504 ISLAND VIEW RD

Violation Dates: 5/20/03 through 7/29/03 8/4/03 77 DAYS

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

I.R.C. R110.1 - BCZR101.102.11; 1B01.1A; 405A; 1B01.1D
FAILURE TO OBTAIN FINAL INSPECTION AND
APPROVAL BEFORE OCCUPYING BUILDING
OPEN DUMP; ILLEGAL CONTRACTORS STORAGE YARD

BCC 32-5 BCZR

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:

\$ 5000.00

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

Date: 9/18/03

Time: 9 AM

Citation must be served by:

Date: 8/19/03

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: LEWIS A. MAYER

Date: 8/4/03 Inspector's Signature: Lewis A. Mayer

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name: _____ Citation/Case No.: 03-4337

Address: _____

Date _____ Defendant's Signature _____

AGENCY

DATE: 06/11/2003 STANDARD ASSESSMENT INQUIRY (1)
 TIME: 08:25:19
 PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
 15 11 150560 15 3-1 34-00 N NO 03/05/03
 BEAN GEORGE H, JR DESC-1.. 1MPS
 BEAN HELEN MARY DESC-2.. BARRISON POINT
 2506 ISLAND VIEW RD PREMISE. 02506 ISLAND VIEW RD

00000-0000

BALTIMORE MD 21221-6411 FORMER OWNER: BEAN GEORGE H, SR

----- FCV ----- PHASED IN -----
 PRIOR PROPOSED CURR CURR PRIOR
 LAND: 98,930 98,930 FCV ASSESS ASSESS
 IMPV: 3,720 4,160 TOTAL.. 102,796 102,796 102,650
 TOTL: 102,650 103,090 PREF... 0 0 0
 PREF: 0 0 CURT... 0 0 0
 CURT: 0 0 EXEMPT.. 0 0 0
 DATE: 10/99 08/02

----- TAXABLE BASIS ----- FM DATE
 03/04 ASSESS: 102,796 03/04/03
 02/03 ASSESS: 102,650 05/30/02
 01/02 ASSESS: 154,986 06/01/01

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

RA1001C

DATE: 06/11/2003 STANDARD ASSESSMENT INQUIRY (2)
 TIME: 08:25:30
 PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
 15 11 150560 15 3-1 34-00 N NO 03/05/03
 LOT.... 18 BOOK.... 0008 MAP.... 0105 LOT WIDTH..... 40.00
 BLOCK.. FOLIO... 0082 GRID.... 0009 LOT DEPTH..... .00
 SECTION.. B PARCEL.. 0080 LAND AREA.. 13725.000 S
 PLAT.. YEAR BUILT..... 00

-----TRANSFER DATA-----
 NUMBER..... 073320
 DATE..... 05/22/92
 PURCHASE PRICE..... 0
 GROUND RENT..... 0
 DEED REF LIBER..... 09269
 DEED REF FOLIO..... 0728
 CONVEYED IND..... 9
 TOT-PART TRAN IND..... T
 GRANTOR ACCT NO.. 15-11-150560

-----EXEMPT DATA-----
 STATUS.....
 CLASS CODE..... 000
 STATE EXEMPT CODE..... 000
 COUNTY EXEMPT CODE..... 000
 CURR STATE EX ASMT.... 0
 PRIOR STATE EX ASMT... 0
 CURR COUNTY EX ASMT... 0
 PRIOR COUNTY EX ASMT.. 0

CRITICAL NEW CONST CARD
 AREAS CODE YEAR NO
 15709

-----STRUCTURE-----
 CODE SQ. FEET

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001D

DATE: 06/11/2003 STANDARD ASSESSMENT INQUIRY (3)
 TIME: 08:25:36
 PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
 15 11 150560 15 3-1 34-00 N NO 03/05/03

-----STATE----- GEO CODE N/A LAND-USE
 REC CREATE DATE.. 10/23/92 82 NO R
 DELETE CODE..... A
 DATE DELETED.....
 LAST FM DATE..... 03/04/03
 LAST FM TYPE..... C
 PREV FM DATE.....
 PREV FM TYPE.....

----- COUNTY -----
 LAST LOAD DATE... 03/05/03
 PRIOR LOAD DATE.. 03/05/03

STATE TAXABLE ASSESS
 03/04 ASSESS: 102,796

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

In the Matter of
Norma Bean, Executor
of the estate of George Bean

Civil Citation No 03-4337
2504 Island View Road

Respondent

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 18 September 2003, for a hearing on a citation for violations under the Baltimore County Zoning Regulations and Baltimore County Code for occupying a dwelling before final inspection and approval, operating an open dump and maintaining a contractor's storage yard on residential property located at 2504 Island View Road.

L. Mayer, code enforcement inspectors stated that the County received a complaint concerning the use and occupancy of the property.

On 1 July 2003, a written correction notice was issued pursuant to §1-7(c), Baltimore County Code, (hereinafter "BCC"), which described with particularity the nature of the violation and the manner of correction. The correction notice was marked in evidence as Plaintiff's Exhibit 1 and was served on the Respondent.

On 4 August 2003, a code enforcement citation was issued pursuant to §1-7(d), Baltimore County Code. The citation was marked in evidence as Plaintiff's Exhibit 2 and was legally served on the Respondent.

The citation described the violations as follows: I.R.C, R110.1, Baltimore County Zoning Regulations, §102.1; 1B01.1A; 405; 1B01.1D, *failure to obtain final inspection and approval before occupying building, open dump, illegal contractor's storage yard.*

Further, the citation proposed a civil penalty of \$5000 to be assessed. A code enforcement hearing date was scheduled for 18 September 2003

Timothy P. Knepp, Esquire appeared on behalf of the Respondent, Executor.

L. Mayer, code enforcement inspector also testified.

Testimony and evidence presented shows that the deceased, George Bean, was constructing a house at 2504 Island View Road.

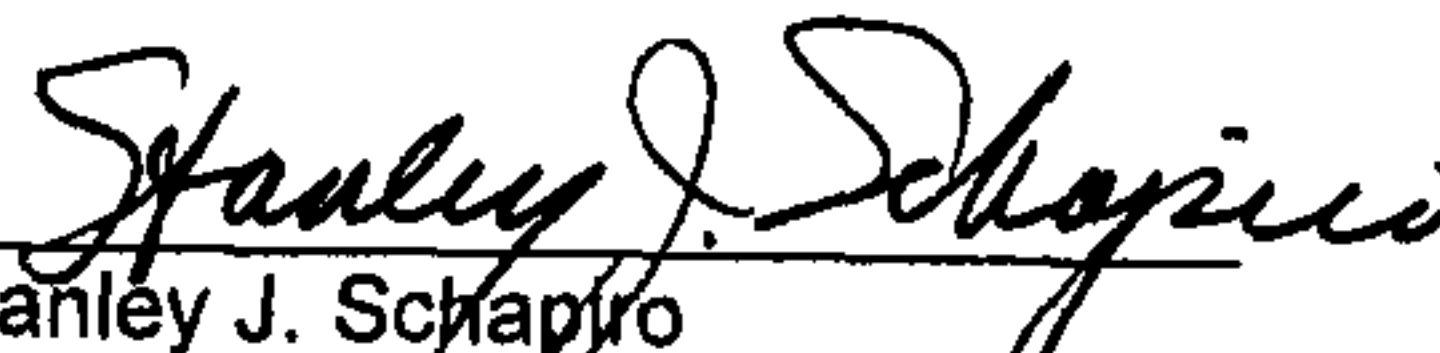
George Bean died before he could finish the dwelling. In the meantime, one of the children of the deceased moved into the property. The estate has hired a contractor to complete the work. The property will be transferred from the estate to all of the children of the deceased.

IT IS ORDERED by the Code Enforcement Hearing Officer, this 23 day of September 2003 that a civil penalty be imposed in the amount of \$5000.

IT IS FURTHER ORDERED that the civil penalty in the amount of \$5000 shall be suspended on condition the Respondent removes all the junk, trash and debris, removes the contractor's equipment and obtains final inspection and approval of the building on or before 19 December 2003.

If the Respondent fails to maintain the property free of code violations in the time allotted, then the civil penalty be imposed in the amount of \$5000.

IT IS FURTHER ORDERED that the inspector, monitor the property to determine whether the violation has been corrected.

Signed: 
Stanley J. Schapiro
Code Enforcement Hearing Officer

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

Inspector - _____

Area Case # Location Apt Zip Date Rec Reinsp Dt
 015 03-4337 2504 ISLAND VIEW RD 6/11/2003 9/16/2003

Tax Acct #: 1511150560

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

Str # Dir Street Name Type Apt
 City ST Zip
 Phone: (Home) (Work)

Problem: OCCUPANCY W/O FINAL GAR/SHED W/O PERMIT; CHECK FOR TRASH &
 DEBRIS, OPEN DUMP, UNTAG ORANGE VEH

Notes:

05/20/03 VISIT SITE TO PERFORM FR INSP ON B495828 FOR STORAGE
 E ADD. ADD. NOT LISTED ON PERMIT. LHOUSE OCC. W/O FINAL INSP
 . FTG. NOT INSP. FOR DK. OR ADD. ISSUED CORR. NO./SWO.L.MAYER
 /KH.*** ***11/03
 NO CORR. MADE. ISSUED CIVIL CITATION. R/C 06/29/03 L.MAYER/
 KH.*** ***6/29/03 SERVICE NOT OBTAINED. P/U 07/14/03. L
 .MAYER/KH.*** ****6/30/03, 2ND COMPL - CHE
 CK FOR TRASH & DEBRIS, O/D, UNTAG VEH, DG/CO**** 07/01/03
 VISIT SITE. ISSUED CORR. NO. FOR OPEN DUMP, TRASH & DEBRIS
 & UNTAGGED VEHICLES. P/U 07/14/03. L.MAYER/KH.***
 7/15/03 VISITED SITE. ALL JU
 NK, TRASH, DEBRIS, LUMBER & COMMERCIAL VEHICLES NOT REMOVED. RE
 /ISSUE CITATION TO INCLUDE 2ND CORR. NOTICE. P/U 7/31/03 L.MA
 YER/NS*** 8/4/03 SERVICE NOT OBTAINED. P/U 8/12/03 L.MAYER
 /NS*** 8/7/03 PUT ON DOCKET FOR 9/1
 8/03. PUT FILE IN BLDG INSP BOX. KITTY*** 8/12/03
 SET FOR HEARING ON 9/18/03 SERVICE ATTAINED P/U 9/16/03 L.MA
 YER/JB***

9/17/03 Visit Site, Took Photos of Present Conditions,

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

County Office Building, Room 119
111 West Chesapeake Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, Plaintiff, vs. ESTATE OF GEORGE BEAN, Defendant

Case # 03-4337 Violation Address 2504 ISLAND VIEW RD Zip 21221

Hearing Date 9/18/03 Issued Date 8/14/03 Expiration Date 8/19/03

Author of Citation LEWIS MAYER

REQUEST FOR SERVICE

Please serve the attached process on the person shown.

ORDER FOR SERVICE

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

PROOF OF SERVICE

I hereby CERTIFY that:

☐ A Citation and all other papers filed with it were served by restricted delivery mail, return card attached.

☒ A Citation and all other papers filed with it were served by personal delivery to NORMA BEAN - EXECUTOR
Individual or agent served

1314 SPOTSWOOD RD Zip 21237 on 8/17/03 1:30 a.m./(p.m.)
At this address Date Time

Description of Person Served: Race W Sex: M (F) Height: 5 ft. 8 in. Wt. _____ lbs.
Age: 60+ yrs. Other: _____

Telephone verification of citation acknowledgment from _____ on ____/____/____.

I was unable to serve:

1 st Attempt	____/____/____	____ a.m./p.m.	because _____	____
				Initials
2 nd Attempt	____/____/____	____ a.m./p.m.	because _____	____
				Initials
3 rd Attempt	____/____/____	____ a.m./p.m.	because _____	____
				Initials

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

111 W. Chesapeake Ave. Towson, MD 21204
Server's Address

410-887-3351
Telephone

Lewis Mayer
Server's Name (Print)

8/17/03
Date

Lewis Mayer
Server's Signature



Baltimore County
Department of Permits and
Development Management

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

Code Enforcement:
Building Inspection:

410-887-3351
410-887-3953

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-4337	Property No. 151150560	Zoning:
------------------------------	---------------------------	---------

Name(s):
NORMA BEAN

Address:

Violation Location:
2504 ISLAND VIEW RD

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCZR 101: 102.1; 1301.1A; 405A ~~1301.1D~~

Bcc: 32-5 BCZR

OPEN DUMP / ILLEGAL CONTRACTORS STORAGE YARD
UNTAGGED MOTOR VEHICLE

REMOVE ALL JUNK, TRASH, DEBRIS
UNTAGGED VEHICLES AND LAWN EQUIPMENT
FROM PROPERTY

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

On or Before: 7/15/03	Date Issued: 7/1/03
--------------------------	------------------------

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: Lewis MAYER

INSPECTOR: Lewis Mayer

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

PER



Baltimore County
Department of Permits and
Development Management

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

Code Enforcement:
Building Inspection:

410-887-3351
410-887-3953

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-4337	Property No. 1511150560	Zoning:
------------------------------	----------------------------	---------

Name(s):
NORMA BEAN

Address: 1314 SPOTSWOOD RD BALT. MD 21237

Violation Location: 2504 ISLAND VIEW RD

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCZR 101: 102.1, 1301.1A, 405A ~~1301.1D~~

BOC: 32-5 BCZR

OPEN DUMP / ILLEGAL CONTRACTORS STORAGE YARD

UNTAGGED MOTOR VEHICLE

REMOVE ALL JUNK, TRASH, DEBRIS
UNTAGGED VEHICLES AND LAWN EQUIPMENT
FROM PROPERTY

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

On or Before: 7/15/03	Date Issued: 7/1/03
--------------------------	------------------------

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: Lewis Mayer

INSPECTOR: Lewis A. Mayer

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

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION
SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Case No. 03-4337	Property No. 15 11 150560	Zoning:
-------------------------------------	-------------------------------------	---------

Name(s): NORMA BEAN - EXECUTOR FOR THE ESTATE OF GEORGE BEAN
--

Address: 1314 SPOTSWOOD RD. BALT, MD 21237
--

Violation Location: 2504 Island View Rd

Violation Dates: 5/20/03 through 7/29/03 8/4/03 7/20/03

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

I.R.C. RTD.1 - BCZR 101.102.11.130.1A.1A.1B.1C.1D.1E.1F.1G.1H.1I.1J.1K.1L.1M.1N.1O.1P.1Q.1R.1S.1T.1U.1V.1W.1X.1Y.1Z.1AA.1AB.1AC.1AD.1AE.1AF.1AG.1AH.1AI.1AJ.1AK.1AL.1AM.1AN.1AO.1AP.1AQ.1AR.1AS.1AT.1AU.1AV.1AW.1AX.1AY.1AZ.1BA.1BB.1BC.1BD.1BE.1BF.1BG.1BH.1BI.1BJ.1BK.1BL.1BM.1BN.1BO.1BP.1BQ.1BR.1BS.1BT.1BU.1BV.1BW.1BX.1BY.1BZ.1CA.1CB.1CC.1CD.1CE.1CF.1CG.1CH.1CI.1CJ.1CK.1CL.1CM.1CN.1CO.1CP.1CQ.1CR.1CS.1CT.1CU.1CV.1CW.1CX.1CY.1CZ.1DA.1DB.1DC.1DD.1DE.1DF.1DG.1DH.1DI.1DJ.1DK.1DL.1DM.1DN.1DO.1DP.1DQ.1DR.1DS.1DT.1DU.1DV.1DW.1DX.1DY.1DZ.1EA.1EB.1EC.1ED.1EE.1EF.1EG.1EH.1EI.1EJ.1EK.1EL.1EM.1EN.1EO.1EP.1EQ.1ER.1ES.1ET.1EU.1EV.1EW.1EX.1EY.1EZ.1FA.1FB.1FC.1FD.1FE.1FF.1FG.1FH.1FI.1FJ.1FK.1FL.1FM.1FN.1FO.1FP.1FQ.1FR.1FS.1FT.1FU.1FV.1FW.1FX.1FY.1FZ.1GA.1GB.1GC.1GD.1GE.1GF.1GG.1GH.1GI.1GJ.1GK.1GL.1GM.1GN.1GO.1GP.1GQ.1GR.1GS.1GT.1GU.1GV.1GW.1GX.1GY.1GZ.1HA.1HB.1HC.1HD.1HE.1HF.1HG.1HH.1HI.1HJ.1HK.1HL.1HM.1HN.1HO.1HP.1HQ.1HR.1HS.1HT.1HU.1HV.1HW.1HX.1HY.1HZ.1IA.1IB.1IC.1ID.1IE.1IF.1IG.1IH.1II.1IJ.1IK.1IL.1IM.1IN.1IO.1IP.1IQ.1IR.1IS.1IT.1IU.1IV.1IW.1IX.1IY.1IZ.1JA.1JB.1JC.1JD.1JE.1JF.1JG.1JH.1JI.1JJ.1JK.1JL.1JM.1JN.1JO.1JP.1JQ.1JR.1JS.1JT.1JU.1JV.1JW.1JX.1JY.1JZ.1KA.1KB.1KC.1KD.1KE.1KF.1KG.1KH.1KI.1KJ.1KK.1KL.1KM.1KN.1KO.1KP.1KQ.1KR.1KS.1KT.1KU.1KV.1KW.1KX.1KY.1KZ.1LA.1LB.1LC.1LD.1LE.1LF.1LG.1LH.1LI.1LJ.1LK.1LL.1LM.1LN.1LO.1LP.1LQ.1LR.1LS.1LT.1LU.1LV.1LW.1LX.1LY.1LZ.1MA.1MB.1MC.1MD.1ME.1MF.1MG.1MH.1MI.1MJ.1MK.1ML.1MM.1MN.1MO.1MP.1MQ.1MR.1MS.1MT.1MU.1MV.1MW.1MX.1MY.1MZ.1NA.1NB.1NC.1ND.1NE.1NF.1NG.1NH.1NI.1NJ.1NK.1NL.1NM.1NN.1NO.1NP.1NQ.1NR.1NS.1NT.1NU.1NV.1NW.1NX.1NY.1NZ.1OA.1OB.1OC.1OD.1OE.1OF.1OG.1OH.1OI.1OJ.1OK.1OL.1OM.1ON.1OO.1OP.1OQ.1OR.1OS.1OT.1OU.1OV.1OW.1OX.1OY.1OZ.1PA.1PB.1PC.1PD.1PE.1PF.1PG.1PH.1PI.1PJ.1PK.1PL.1PM.1PN.1PO.1PP.1PQ.1PR.1PS.1PT.1PU.1PV.1PW.1PX.1PY.1PZ.1QA.1QB.1QC.1QD.1QE.1QF.1QG.1QH.1QI.1QJ.1QK.1QL.1QM.1QN.1QO.1QP.1QQ.1QR.1QS.1QT.1QU.1QV.1QW.1QX.1QY.1QZ.1RA.1RB.1RC.1RD.1RE.1RF.1RG.1RH.1RI.1RJ.1RK.1RL.1RM.1RN.1RO.1RP.1RQ.1RR.1RS.1RT.1RU.1RV.1RW.1RX.1RY.1RZ.1SA.1SB.1SC.1SD.1SE.1SF.1SG.1SH.1SI.1SJ.1SK.1SL.1SM.1SN.1SO.1SP.1SQ.1SR.1SS.1ST.1SU.1SV.1SW.1SX.1SY.1SZ.1TA.1TB.1TC.1TD.1TE.1TF.1TG.1TH.1TI.1TJ.1TK.1TL.1TM.1TN.1TO.1TP.1TQ.1TR.1TS.1TT.1TU.1TV.1TW.1TX.1TY.1TZ.1UA.1UB.1UC.1UD.1UE.1UF.1UG.1UH.1UI.1UJ.1UK.1UL.1UM.1UN.1UO.1UP.1UQ.1UR.1US.1UT.1UU.1UV.1UW.1UX.1UY.1UZ.1VA.1VB.1VC.1VD.1VE.1VF.1VG.1VH.1VI.1VJ.1VK.1VL.1VM.1VN.1VO.1VP.1VQ.1VR.1VS.1VT.1VU.1VV.1VW.1VX.1VY.1VZ.1WA.1WB.1WC.1WD.1WE.1WF.1WG.1WH.1WI.1WJ.1WK.1WL.1WM.1WN.1WO.1WP.1WQ.1WR.1WS.1WT.1WU.1WV.1WW.1WX.1WY.1WZ.1XA.1XB.1XC.1XD.1XE.1XF.1XG.1XH.1XI.1XJ.1XK.1XL.1XM.1XN.1XO.1XP.1XQ.1XR.1XS.1XT.1XU.1XV.1XW.1XX.1XY.1XZ.1YA.1YB.1YC.1YD.1YE.1YF.1YG.1YH.1YI.1YJ.1YK.1YL.1YM.1YN.1YO.1YP.1YQ.1YR.1YS.1YT.1YU.1YV.1YW.1YX.1YY.1YZ.1ZA.1ZB.1ZC.1ZD.1ZE.1ZF.1ZG.1ZH.1ZI.1ZJ.1ZK.1ZL.1ZM.1ZN.1ZO.1ZP.1ZQ.1ZR.1ZS.1ZT.1ZU.1ZV.1ZW.1ZX.1ZY.1ZZ.

BC 32-582R

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: \$ **5000.00**

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

Date:	9/18/03
Time:	9 AM

Citation must be served by: _____ Date: **8/19/03**

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: **LEWIS A. MAYOR**

Date: **8/14/03** Inspector's Signature: **Lewis A. Mayor**

SEE REVERSE SIDE FOR ADDITIONAL DETAIL AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name:	Citation/Case No:
-------------	-------------------

Address:

Date:	Defendant's Signature:
-------	------------------------

DEFENDANT

259

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: December 12, 2003

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

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

SUBJECT: Item No.: 4-259-sph
Legal Owner/Petitioner Norma D. Bean
Contract Purchaser: N/A
Property Address: 2504 Island View Rd.
Location Description:

VIIOLATION INFORMATION: Case No. 03-4337
Defendants: Norma D. Bean

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
Lewis Mayer Building Inspection	111 W Chesapeake Ave M.S. 1009

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

- | | | |
|--------------------------|-----|---|
| | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 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) |
| X | 12. | Final Order of the Code Official/Hearing Officer (if applicable) |
| ☐ | 13. | Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| X | 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/lm
C: Code Enforcement Officer



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.
Governor

December 11, 2003

Kendl P. Philbrick
Acting Secretary

Michael S. Steele
Lt. Governor

Hearing Officer
Zoning Advisory Committee, Rm. 123 III
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

RE: Norma D. Bean, 2504 Island View Road, Case #4-259-SPH

Dear Sirs:

Thank you for the opportunity to comment on a request by Ms. Norma D. Bean to replace a residential structure at 2504 Island View Road in the tidal floodplain of Brown's Creek. The applicant wishes a waiver to retain an existing basement below the 100-year elevation in the new home.

Under its floodplain management ordinance and Building Code, Baltimore County must require a new or substantially improved structure to comply with all current code requirements governing floodplain construction, including elevation, venting, and no basement. This requires that the existing basement be filled in, and a crawl space that is above grade be created, as a condition of issuing a permit. Basements and their contents are extremely subject to flood damage, and good floodplain management would dictate that a condition prohibiting basements in the floodplain not be waived.

We cannot support a variance to waive the floodplain construction requirements in the Baltimore County Building Code, especially pertaining to basements. To do so would in opposition to the requirements for Baltimore County to be in the National Flood Insurance Program.

I hope that the above comments will assist Baltimore County in its consideration of this waiver request. Thank you for your attention to good floodplain management.

Please feel free to contact me at (410) 537-3914 if you have questions or need additional assistance.

Sincerely,

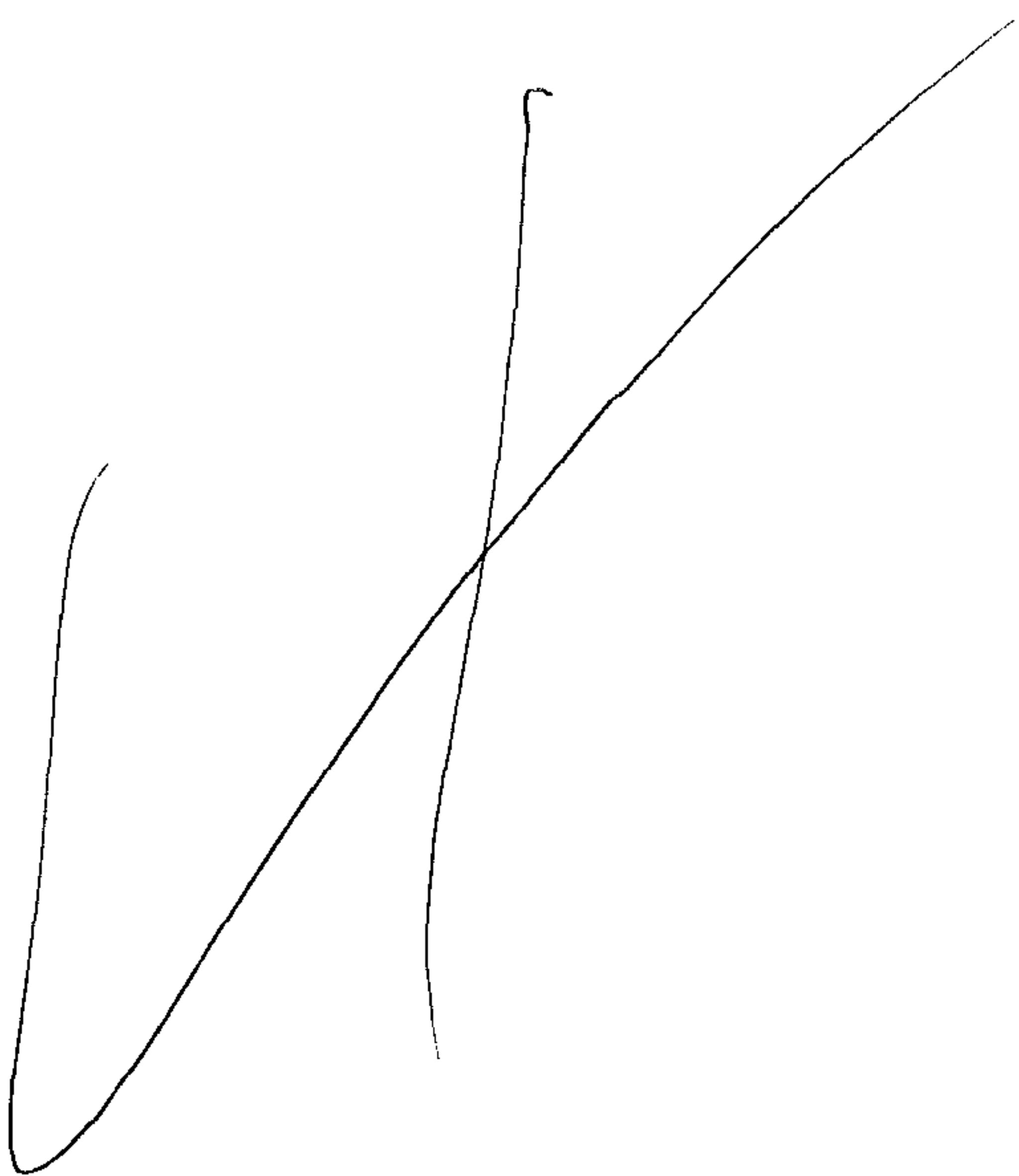
John M. Joyce
State NFIP Coordinating Office

JMJ

Cc: Mr. Dave Thomas, Department of Public Works
Mr. Raymond S. Wisnom, Code Inspections and Enforcement

December 30, 2003

John, this person Norma D. Bean the P.R. on the Petition 04-259-SPH called 12/30/03 to advise that she is no longer the owner of this property. The name of the owner she gave me was Lorri Barney of 2504 Island View (this is the address on this petition). Please advise Lorrie accordingly. Thanks Rose.

A large, handwritten 'X' mark is drawn across the lower half of the page. It is composed of two intersecting diagonal lines, with the left line starting from the bottom left and the right line starting from the top right, meeting in the center.

CASE NAME _____
CASE NUMBER _____
DATE _____

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

CREEK

BALLISTON POINT

BL

PIERS

PIER

PIER

ISLAND

WALL

WALL

WALL

WALL

PIERS

PIER

PIER

PIER

PIER

PIER

R. C. 5.

ROAD

ISLAND VIEW

ROAD

POINT

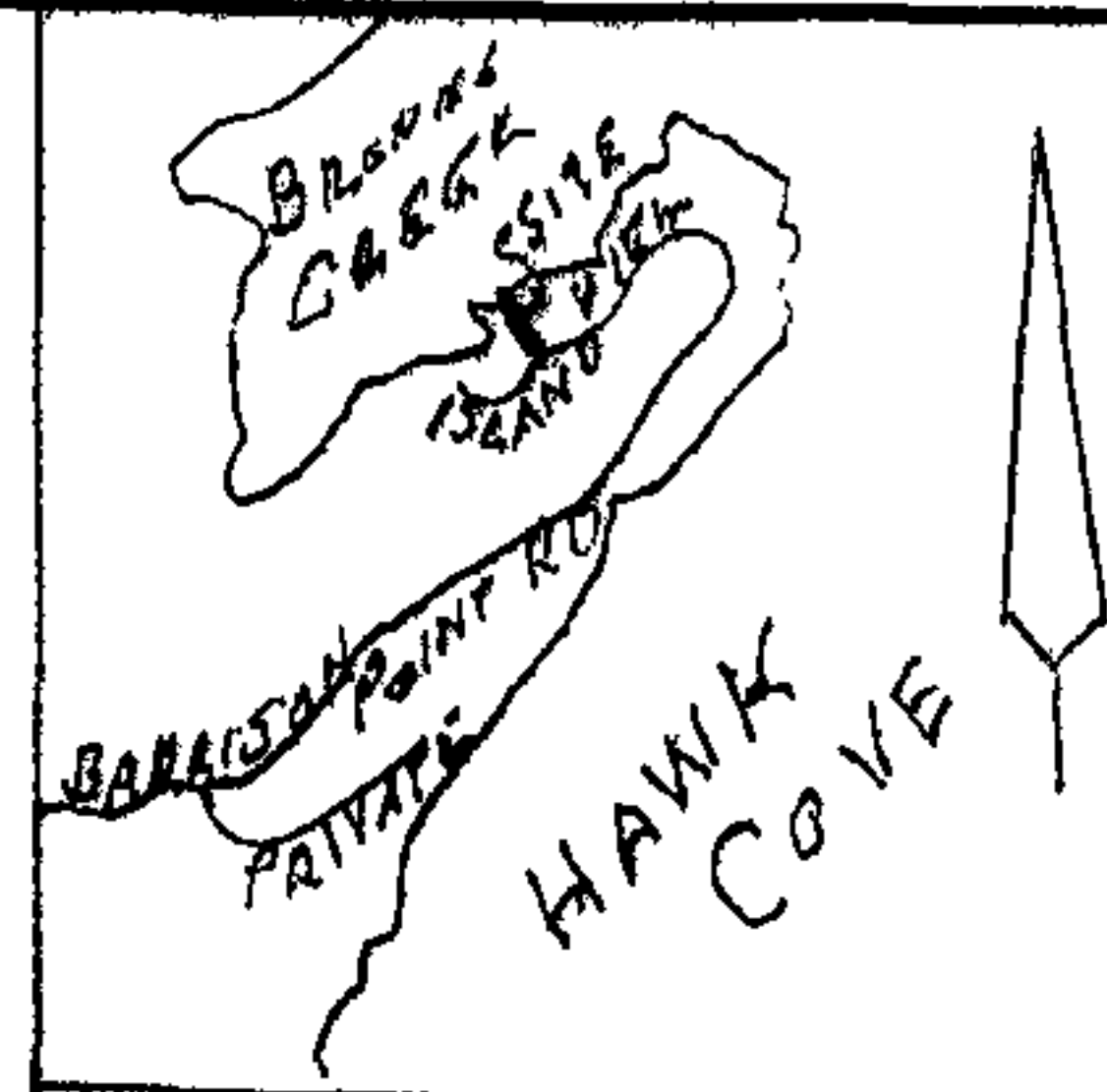
BARRISON

E 61,500

PIER

#259

SE 3 K



VICINITY MAP
SCALE 1"=2,000'

ELEC. DIST 15
COUNCIL DIST 5
PRECINCT 19
ZONING RC5
1"=200 SCALE SE 3K
LOT SIZE 13,725 SQ FT
SEWER PRIVATE
WATER PRIVATE
CBCA YES
180 YR FLSOP FR M445B
PLAIN "B"
HISTORIC NO 02-472A
PRIOR ZONING ~~RC5~~
EFFEX 11.4

2' setback approved
by Zoning Hearing
#02-472(VAR).

#259

DEED 9269/428
TAXMAP 105-09-80
TAX #15-11-150560
PHONE 410 391 1923

LOCATION SURVEY

Owner: NORMA D. BEAN
2534 ISLAND VIEW ROAD
LOT 18, BARRISON POINT
BALTIMORE COUNTY, MD
Plat Book 7 Folio 176

Scale 1"=50' Date 04/25/02

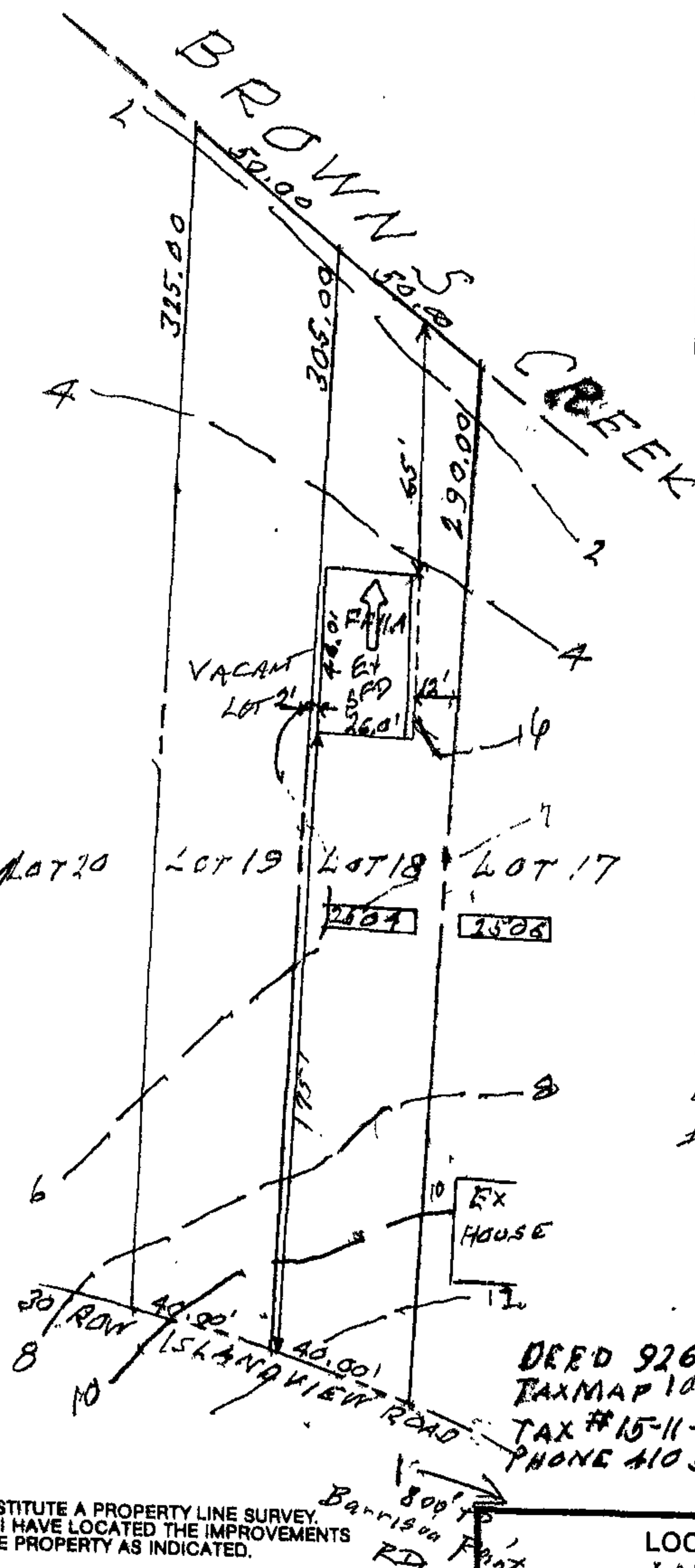
Ref No 1



THIS DOES NOT CONSTITUTE A PROPERTY LINE SURVEY.
THIS WILL CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS
ON THE ABOVE PROPERTY AS INDICATED.

Thomas E. Phelps

THOMAS E. PHELPS AND ASSOCIATES, INC.
REGISTERED PROPERTY LINE SURVEYORS
845 BARRON AVENUE
BALTIMORE, MARYLAND 21221
OFFICE: (301) 574-6744



Barrison Point
RD

