

IN RE: PETITION FOR VARIANCE
E/S of Lincoln Avenue, 0 ft. N
centerline of Blevins Avenue
17th Election District
7th Councilmanic District
(2239 Lincoln Avenue)

Donna Horn
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-321-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 owner of the subject property, Donna Horn. The Petitioner is requesting variance relief for property located at 2239 Lincoln Avenue in the eastern 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 to be located in the rear third of the yard closest to the street in lieu of the 1/3 of the rear yard farthest removed from the road, and to be located partially in the side yard in lieu of the required rear yard only.

The property was posted with Notice of Hearing on February 29, 2004, 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 March 2, 2004 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

ORDER RECEIVED FOR FILING

Date

3/18/04

By

R. P. J. J. J.

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. 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: None.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 03-9058) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter because of the construction of a carport without a permit or inspections.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the Petitioner cannot use the fact that a structure has been built as a precedent to allow it to continue. Nor does the fact that a structure may be costly to remove or modify come into consideration in the zoning case. The reason for this is that this condition is clearly self-imposed and as such cannot be a basis for the hardship or practical difficulty required by Section 307 of the B.C.Z.R. Conversely, the fact that something may have been done which could violate the law is not held against the Petitioner as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this hearing of this Office.

Interested Persons

Appearing at the hearing on behalf of the variance request was David Emerick and Donna Horn, Petitioner. No Protestants or citizens attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of approximately 7,519 sq. ft. and is zoned D.R.5.5. Petitioner's Exhibit No. 1, plat to accompany, shows the Petitioner owns a home on the corner of Lincoln and Blevins Avenues. The Petitioner erected a carport over an existing gravel parking pad apparently without a permit. The carport is shown in Petitioner's photographs (Exhibit No. 2). The Petitioner indicated that she constructed the carport over an existing parking pad, which already existed, when she purchased the property.

Mr. Emerick proffered that there was not sufficient room in the back yard to locate the carport as there are existing trees and a deck that would have to be removed. As a corner lot, the carport would also have to be located in the rear yard away from Blevins Avenue. This would mean that the Petitioner would have to build a driveway across her yard that would require removing her existing fence. Because she has dogs that are contained by the fence, she would have to have a very unusual gate to allow vehicles to pass through without allowing the dogs loose in the neighborhood. Mr. Emerick also indicated that the carport was open and posed no detriment to drivers on either Blevins or Lincoln Avenues. Finally, he indicated that the lot next door was empty, as is most of Blevins Avenue on this side, so there would be no one directly affected by the request.

ORDER RECEIVED FOR FILING

Date

3/18/04

By

P. R. Zimmerman

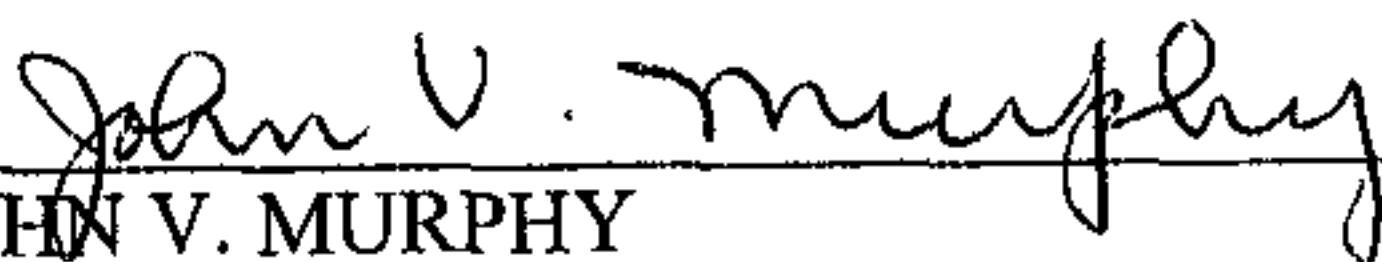
Findings of fact and conclusions of law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request such as the existing trees, deck and fencing which prevent locating the carport in the rear yard furthest from Blevins Avenue. I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Furthermore, I find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

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 Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 18 day of March, 2004, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure to be located in the rear third of the yard closest to the street in lieu of the 1/3 of the rear yard farthest removed from the road, and to be located partially in the side yard in lieu of the required rear yard only, be and is hereby GRANTED.

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

March 18, 2004

Ms. Donna Horn
2239 Lincoln Avenue
Baltimore, Maryland 21219

Re: Petition for Variance
Case No. 04-321-A
Property: 2239 Lincoln Avenue

Dear Ms. Horn:

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,


John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: David Emerick
7925 St. Bridget Lane
Baltimore, MD 21222

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





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 2239 LINCOLN AVE 21219
which is presently zoned D.R.-S.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

see attached

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

To be discussed at the hearing.

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. 04-321-A

Legal Owner(s):

Donna Horn

Name - Type or Print

Donna Horn

Signature

Name - Type or Print

Signature

2239 LINCOLN AVE. 410-477-0508

Address

Telephone No.

BALTO, MD 21219

City

State

Zip Code

Representative to be Contacted:

DAVID EMERICK

Name

7925 ST. BRIDGET CT 410-913-7921

Address

Telephone No.

BALTO, MD 21222

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BA Date 1/13/04

ORDER RECEIVED FOR FILING
Date 3/18/04
By [Signature]
REV 9/25/03

400.1 to permit an accessory structure to be located in the rear third of the yard closest to the street in lieu of the 1/3 of the rear yard farthest removed from the road, and to be located partially in the side yard in lieu of the required rear yard only.

DWE 1/22/04

ZONING DESCRIPTION

Zoning Description For 2239 Lincoln Avenue

Beginning at a point on the east side of Lincoln Avenue which is 50 feet wide at the distance of zero feet north of the centerline of the nearest improved intersecting street Blevins Avenue which is 40 feet wide. Being Lot # 2, in the subdivision of J.W. Hinson as recorded in Baltimore County Plat Book #10, Folio 97, containing 7,519 square feet. Also known as 2239 Lincoln Avenue and located in the 17th Election District, 7th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 28135

DATE 1/12/04 ACCOUNT R 021-006-6150

AMOUNT \$ 65.00

RECEIVED FROM: John Horn

FOR: Zoning Variance

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

John D. 321

PAID RECEIPT

BUSINESS RETURN TIME DATE
1/12/2004 1/12/2004 10:2:23 3

RECEIPT # 269653 1/12/2004 OFLN

DEPT 5 ZONING VERIFICATION
CR NO. 028135

Receipt Tot \$65.00
\$65.00 CR
BALTIMORE COUNTY, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

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

Case: #04-321-A

2239 Lincoln Avenue

Neast corner of Lincoln

and Blevins Avenues

15th Election District

7th Councilmanic District

Legal Owner(s): Donna Horn

Variance: to permit an ac-

cessory structure to be lo-

cated in the rear third of the

yard closest to the street in

lieu of the 1/3 of the rear

yard farthest removed from

the road, and to be located

partially in the side yard in

lieu of the required rear

yard only.

Hearing: Tuesday, March

16, 2004 at 11:00 a.m. in

Room 407, County Courts

Building, 401 Bostley Ave-

nue.

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/3/03 Mar. 2 C652132

CERTIFICATE OF PUBLICATION

3/4/, 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 3/2/, 2004.

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

S. Williams

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-321-A

Petitioner/Developer: DONNA HORN

Date of Hearing/Closing: 3/16/04

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

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

2239 LINCOLN AVE.

The sign(s) were posted on 2/29/04
(Month, Day, Year)

Sincerely,

Robert Black 2/29/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

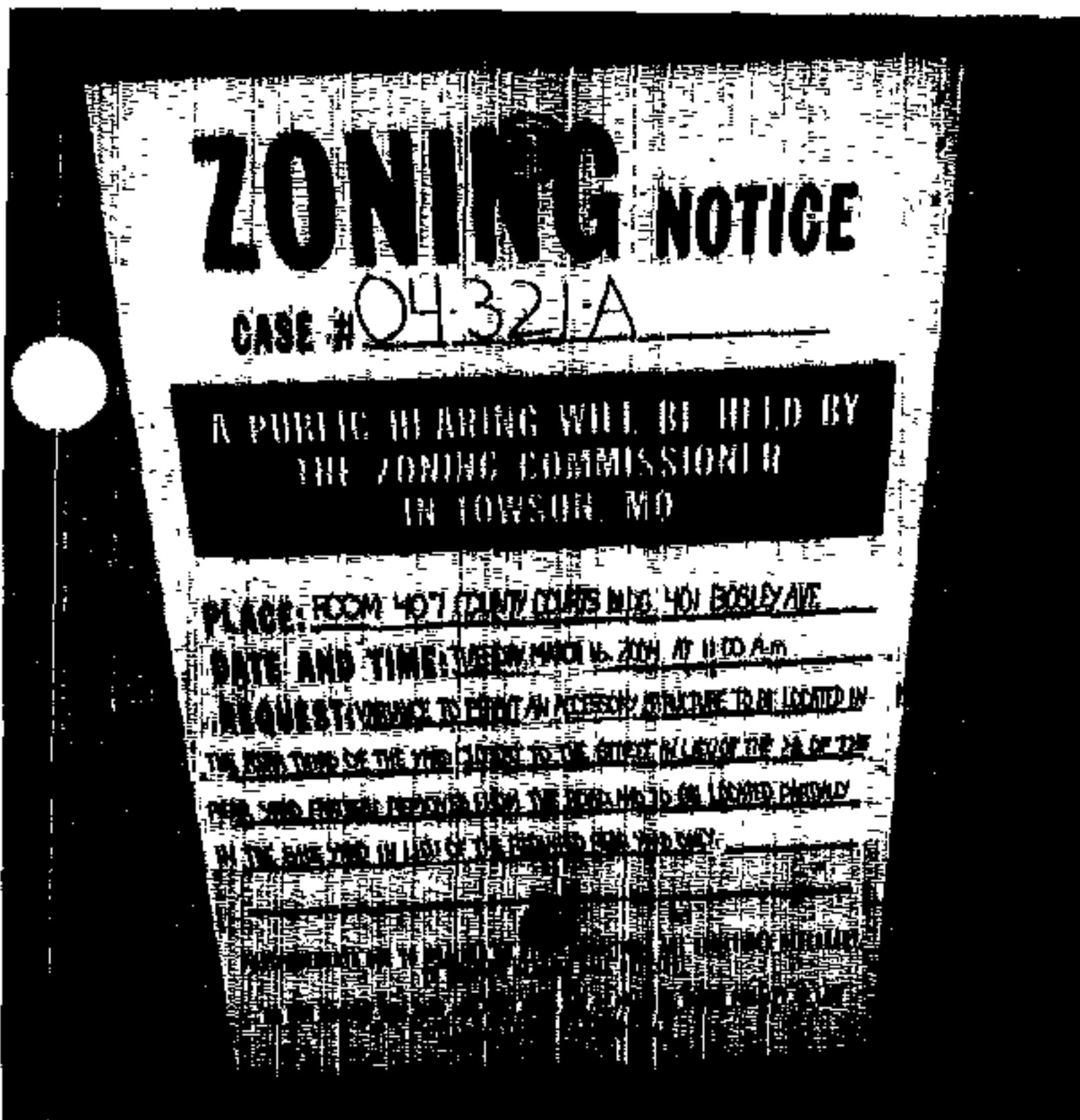
(410) 282-7940

(Telephone Number)

RECEIVED

MAR 5 2004

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT





January 28, 2004

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: 04-321-A

2239 Lincoln Avenue
N/east corner of Lincoln and Blevins Avenues
15th Election District – 7th Councilmanic District
Legal Owner: Donna Horn

Variance to permit an accessory structure to be located in the rear third of the yard closest to the street in lieu of the 1/3 of the rear yard farthest removed from the road, and to be located partially in the side yard in lieu of the required rear yard only.

Hearing: Tuesday, March 16, 2004, at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Donna Horn, 2239 Lincoln Avenue, Baltimore 21219
David Emerick, 7925 St. Bridget Lane, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 1, 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, March 2, 2004 Issue - Jeffersonian

Please forward billing to:
David Emerick
7925 St. Bridget Lane
Baltimore, MD 21222

410-477-4269

NOTICE OF ZONING HEARING

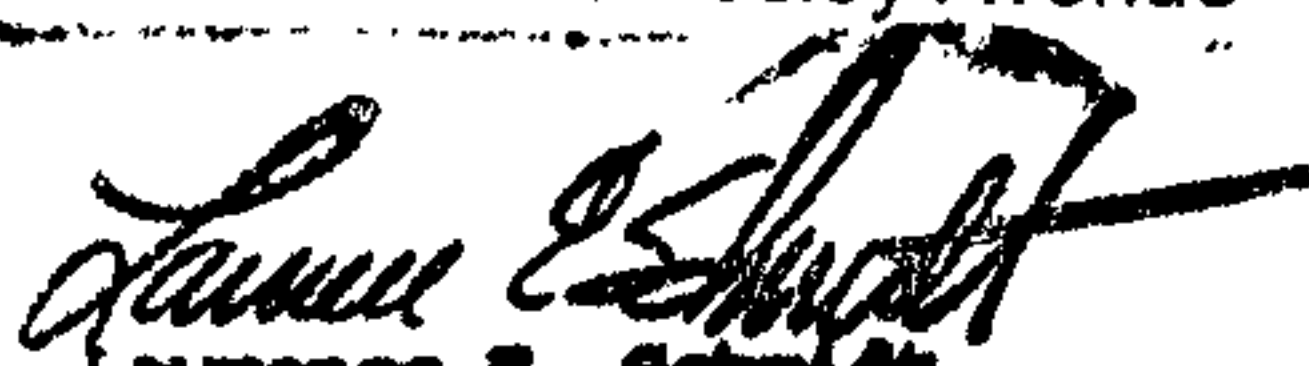
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401 Bosley Avenue



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: 04-321-A
Petitioner: DONNA L. HORN
Address or Location: 2239 LINCOLN AVE 21219

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID EMEBRICK
Address: 7925 ST. BRIDGET LA.
BALTIMORE, MD 21222
Telephone Number: 410-477-4269 / 410-513-7501

**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*

March 9, 2004

Ms. Donna Horn
2239 Lincoln Avenue
Baltimore, Maryland 21219

Dear Ms. Horn:

RE: Case Number: 04-321-A, 2239 Lincoln Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 12, 2004.

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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
David Emepick 7925 St. Bridget Lane Baltimore 21222

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

January 30, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: January 26, 2004

Item No.: 321-328

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.

6. 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



Printed with Soybean Ink
on Recycled Paper



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1.29.04

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

RE: Baltimore County
Item No. 321 BPR

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *rls*

DATE: January 27, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 26, 2004

 X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-321

04-326

04-327

04-328

Reviewers: Sue Farinetti, Dave Lykens

9/2/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 4, 2004

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

RECEIVED
FEB - 5 2004
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case 4-321**

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: Kathy Schlabach

AFK/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 10, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For February 2, 2004
Item Nos. 321, 322, 327, and 328

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 * BEFORE THE
2239 Lincoln Avenue; NE corner of Lincoln *
Avenue & Blevins Avenue * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Donna Horn * FOR

Petitioner(s) * BALTIMORE COUNTY
* 04-321-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of February, 2004, a copy of the foregoing Entry of Appearance was mailed to, David Emerick, 7925 St. Bridget Lane, Baltimore, MD 21222, Representative for Petitioner(s).

RECEIVED

FEB 04 2004

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

The Greater Towson Council of Community Assoc., Inc



GTCCA

P.O. Box 5421, Towson, MD 21295-5421

www.gtcca.org

RESOLVED: That the GREATER TOWSON COUNCIL OF COMMUNITY ASSOCIATIONS, Inc. shall, from January 15, 2004 to January 31, 2005, assign official responsibility for review, representation, and action on all zoning and development matters to the EXECUTIVE BOARD and the Chair and Deputy Chairs of the Zoning Committee, which consist of the following members:

Donald R. Wright, President

Judy Gregory, Vice President

Stacy Weiss, Treasurer



J. Donald Gerding, Zoning Committee Chair

Richard Parsons, Zoning Committee Deputy Chair

Larry Townsend, Zoning Committee Deputy Chair

335 OLD TRAIL
BALTIMORE, MD 21212
PHONE 410-825-0894

AS WITNESS: Our hands and seal this 15th day of January 2004.

ATTEST: GREATER TOWSON COUNCIL OF COMMUNITY ASSOCIATIONS, Inc.

Donald R. Wright

President

Judy A. Gregory

Vice President

Please enter our Association's interest in
this issue - see attached and forward to
me hearing dates ^{and notification notices} & Final Decision copy

Thom L. Gerding
2/23/04

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: February 3, 2004

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

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

SUBJECT: Item No.: 321
Legal Owner/Petitioner: Donna Horn
Contract Purchaser: N/A
Property Address: 2239 Lincoln Ave
Location Description: N/E corner Lincoln & Blevins Ave

VIOLATION INFORMATION: Case No. 03-9058
Defendants: Donna Horn

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
------	---------

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

- | | | |
|--------------------------|-----|---|
| X | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| X | 3. | State Tax Assessment printout |
| ☐ | 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/hr

C: Code Enforcement Officer

CODE ENFORCEMENT REPORT

DATE: 11/20/03 INTAKE BY: HR CASE #: 03-9058 INSPEC: 15

COMPLAINT LOCATION: 2239 LINCOLN AVE

ZIP CODE: _____ DIST: _____

COMPLAINANT NAME: Keith Kelley PHONE #: (H) _____ (W) 3980

ADDRESS: ENTR ZIP CODE: _____

PROBLEM: CAA POAT BUZLT NO PERMIT

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

TAX ACCOUNT #: _____ ZONING: _____

INSPECTION: 11/20/03 CAA POAT BUZLT NO PERMIT OR INSPECTIONS

 REINSPECTION:

REINSPECTION:

REINSPECTION:

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INSPECTION AND ENFORCEMENT
INSPECTION REQUEST

DATE RECEIVED: 11/3/03

SC # _____

Complainant Information

Name: Kerth Kelley 03-9058

Address: DEPRAI

Telephone: Home: () _____ Work: () x3980

Site Information

Location: 2239 LINCOLN AV Election District: (15)

Description: Carport under const. - no permit

Inspector Comments

Inspection Date: _____

Action Taken: 11/5 fwd to Errol Ecker - Bldg Insp.

Completion Date: _____

Inspector: Roy List



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: 410-887-3820
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Case No.	Property No.	Zoning
01-9058	2900 008236	
Name(s)	DOWD, JERRY	
Address	8339 KENNESAW AVE BALT MD 21219	
Violation Location	DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:	

R-1051
Obtain Permit and all necessary
Inspections for work in yard

\$1,000 FINE FOR WORK WITHOUT
PERMIT

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

On or Before:	Date Issued:
12/29/03	11/20/03

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: Powe

INSPECTOR: Paul

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: _____ DEFENDANT

DATE: 11/20/2003

STANDARD ASSESSMENT INQUIRY 1)

TIME: 15:10:24

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
23 00 008236	15	3-2	04-00	H	NO		10/27/03

HORN DONNA L

DESC-1.. IMPS.17 AC PRT LT 02

DESC-2.. J W HINSON

2239 LINCOLN AVE

PREMISE.. 02239 LINCOLN

AVE

00000-0000

BALTIMORE

MD 21219-2017 FORMER OWNER: DEVARY CRAIG D

FCV

PHASED IN

PRIOR

PROPOSED

CURR

CURR

PRIOR

LAND: 28,510 28,510

FCV

ASSESS

ASSESS

IMPV: 100,060 108,180

TOTAL..

133,982

133,982

131,276

TOTL: 128,570 136,690

PREF...

0

0

0

PREF: 0 0

CURT...

133,982

133,982

131,276

CURT: 128,570 136,690

EXEMPT.

0

0

DATE: 05/02 10/02

TAXABLE BASIS

FM DATE

04/05 ASSESS: 133,982

07/10/03

03/04 ASSESS: 131,276

08/03/03

02/03 ASSESS: 128,570

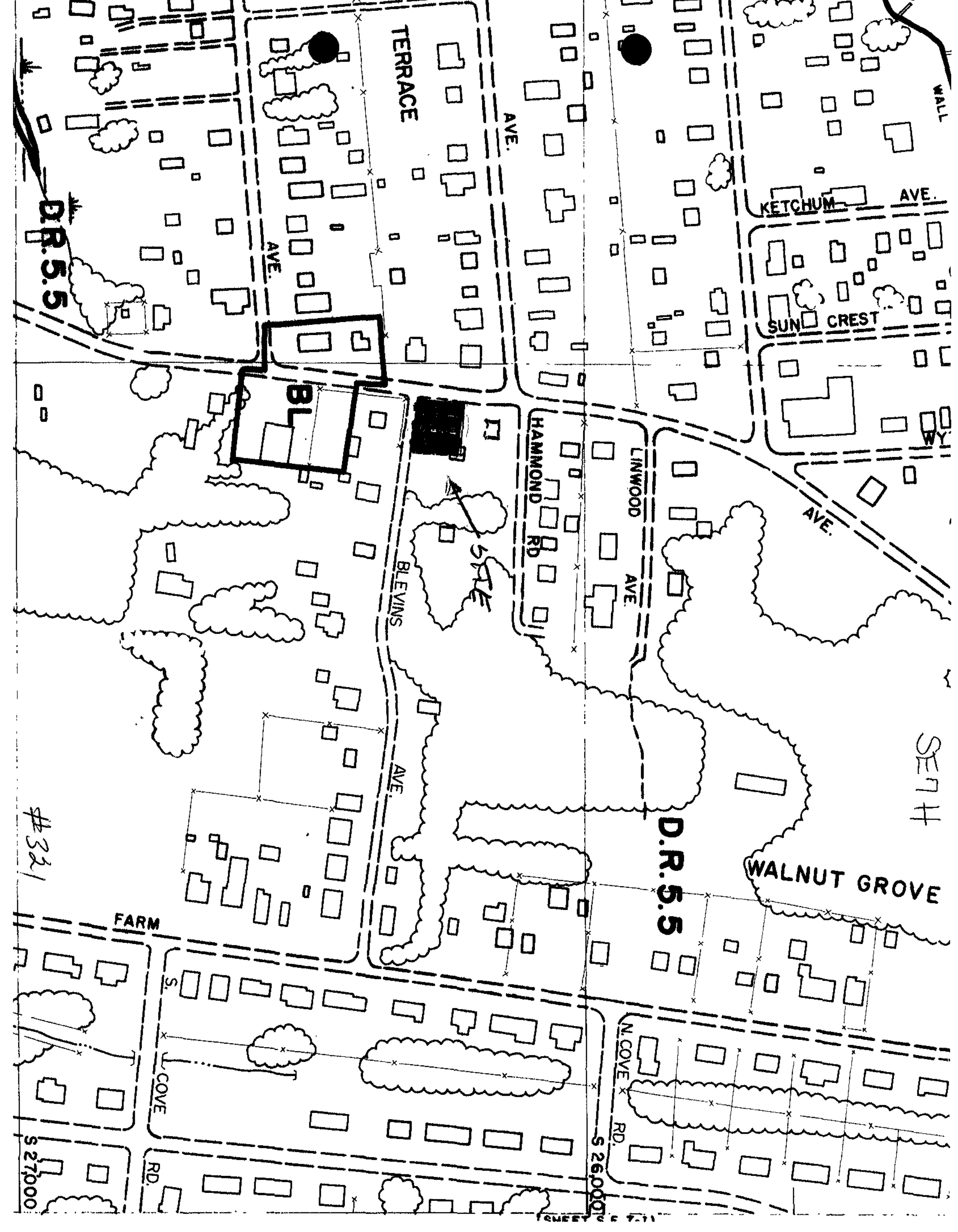
05/30/02

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

DATE 03/15/04

BAGLE MID 2015



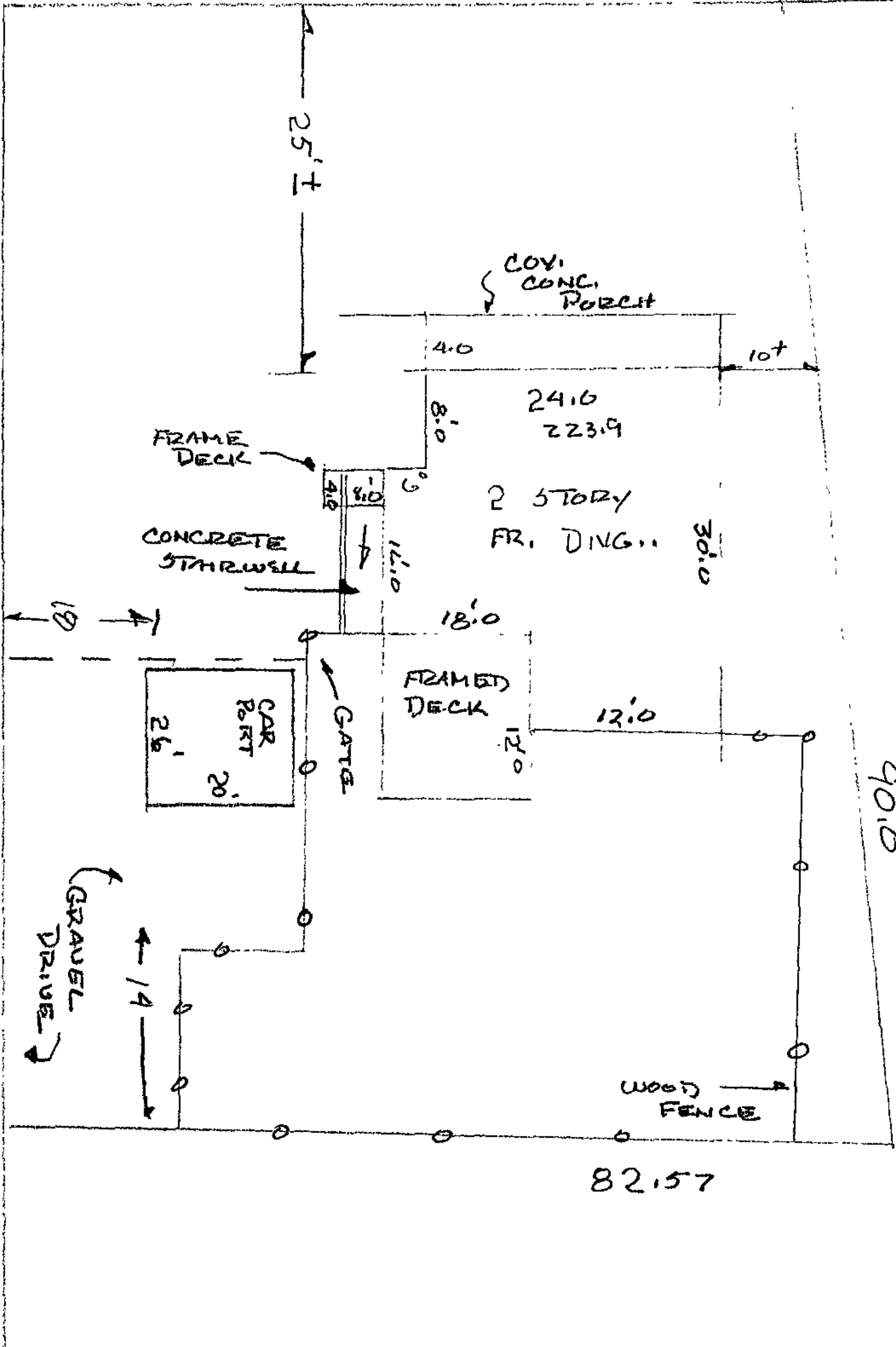


2239 LINCOLN AVE.
(40 FT WIDE)

72.55

BLEVIN AVE.
30' FT. WIDE

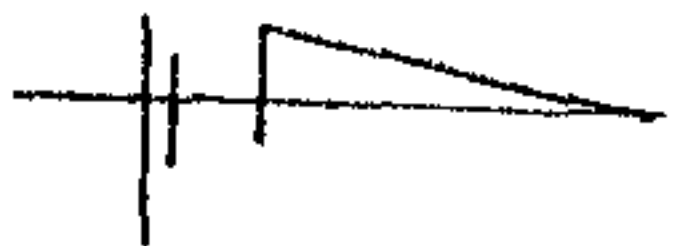
89.80



LOT 1

90.0

82.57

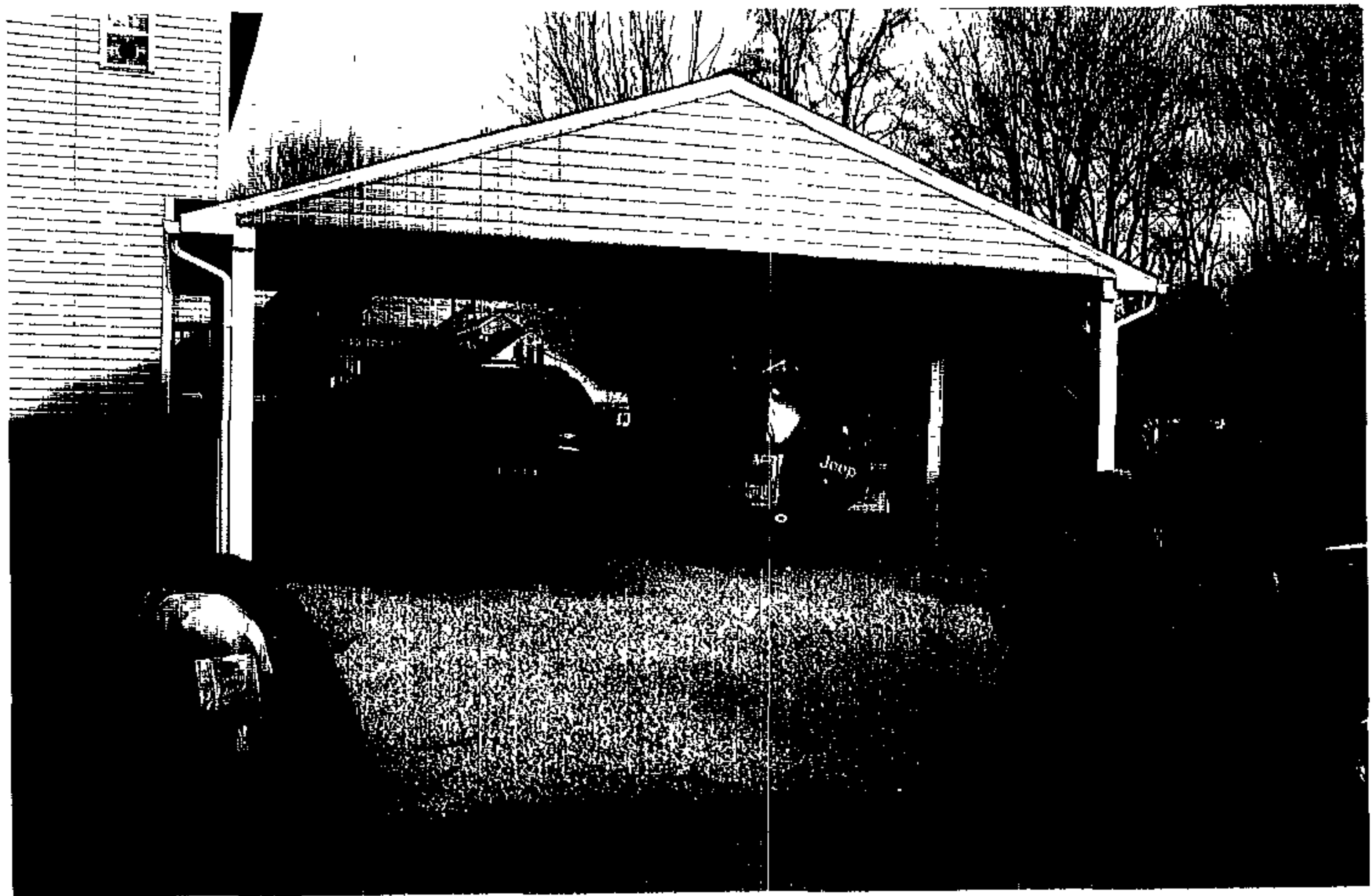




Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

*Photocopies
04-321-A*





ZONING COMMISSIONER'S HEARING SCHEDULE
Updated and Distributed January 29, 2004

Do Not
Scan
T

Greath Touson Council
Don Gerding
2/23/04



CASE NUMBER: 4-321-A

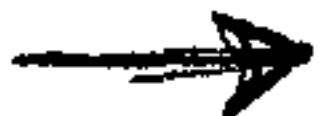
2239 Lincoln Avenue

Location: N/east corner of Lincoln and Blevins Avenues

15th Election District, 7th Councilmanic District

Legal Owner: Donna Horn

Contract Purchaser:



VARIANCE To permit an accessory structure to be located in the rear third of the yard closest to the street in lieu of the 1/3 of the rear yard farthest removed from the road, and to be located partially in the side yard in lieu of the required rear yard only.

Hearing: Tuesday, 03/16/2004 at 11:00:00 AM, County Courts Building, 401 Bosley Avenue, Rm. 407
