

IN RE: PETITION FOR VARIANCE

S/E corner of Fir Drive
and Fourth Road
15th Election District
6th Councilmanic District
(17 Fir Drive)

Rita M. & John H. Moore
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-335-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, Rita M. and John H. Moore. The variance request is for property located at 17 Fir Drive in the "Stansbury Manor, Section IV" subdivision of Baltimore County. The Petitioners are requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing shed (under construction), to be located in the front and side yards in lieu of the required rear third of the lot farthest removed from any street and to permit an existing shed to remain closer to the street in lieu of being located in the required rear third of the lot farthest removed from any street and to allow this shed to remain with a 2 ft. setback from the property line in lieu of the required 2.5 ft.

The property was posted with Notice of Hearing on March 7, 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 9, 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

ORDER RECEIVED FOR FILING

Date

3/24/03

By

H. O. O'Connell

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. 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 Department of Environmental Protection & Resource Management (DEPRM) dated February 10, 2004 stating that the Petitioners must comply with the Chesapeake Bay Critical Area Regulations, a copy of which is attached hereto and made a part hereof.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 03-8602) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter because of a large shed being constructed without a permit.

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 Petitioners cannot use the fact that a structure has been modified as a precedent to allow it to continue. Nor does the fact that modifications may be costly to remove 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 Petitioners as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and

ORDER RECEIVED FOR FILING

Date

3/24/04

By

R. J. Johnson

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 Rita Moore, Petitioner. There were no Protestants or citizens attending 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 7,280 sq. ft. and is zoned DR 5.5. The property is located at the corner of Fir Drive and Fourth Road. However, the home on the lot is situated at an angle to the streets and pushed toward the rear so that little if any room is available to locate any accessory structure in this permitted area. See Petitioner's Exhibit No. 1. The Petitioner explained that homes in this area were built in World War II to house workers at the nearby factories and did not comply with any zoning regulations. The Petitioner testified that she had two sheds on the property but that one was lost and the other damaged in Hurricane Isabel. She stores the material from the destroyed shed in her home and is most anxious to complete building the new shed to relieve the overcrowding.

With regard to moving the shed further away from Fir Drive toward the rear, she indicated that her late husband had three raised garden beds in that area which would be a hardship to lose. In addition, she pointed out that the mature tree near the shed prevents moving the shed very far toward the home. She did indicate that she could move the new shed off the property line six inches so as not to require a variance in this regard, and toward the rear a few feet without harming the raised garden beds. Otherwise, the new shed is basically located in the only place where it can be situated.

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 requested variance. The home is set at a very peculiar angle to the lot boundaries which makes it virtually impossible to locate the new shed in the rear third yard farthest from the two streets. Under these circumstances, I find that strict compliance with the Zoning Regulations would result in practical difficulty or unreasonable hardship. Furthermore, I find that such variances can be granted only in strict harmony with the spirit and intent of regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. However, the Petitioner can move the partially constructed shed off the property boundary six inches so as not to require this variance.

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 23 day of March, 2004, 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 allow an existing shed (under construction), to be located in the front and side yards in lieu of the required rear third of the lot farthest removed from any street, and to permit an existing shed to remain closer to the street in lieu of being located in the required rear third of the lot farthest removed from any street, be is and hereby

APPROVED, subject, however, to the condition set forth below:

1. The Petitioner must comply with the Chesapeake Bay Critical Area Regulations, which recommendation was made by DEPRM in their ZAC comment dated February 10, 2004, a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING

Date

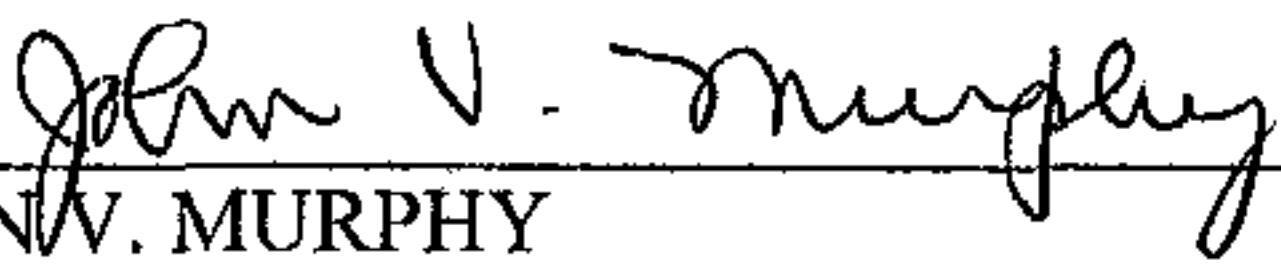
3/23/04

By

R. J. J. J.

IT IS FURTHER ORDERED, that the Petitioners' request to allow this shed to remain with a 2 ft. setback from the property line in lieu of the required 2.5 ft., be and is hereby DENIED.

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

ORDER RECEIVED FOR FILING
Date 3/23/04
By J.R. Quast

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 23, 2004

Mrs. Rita M. Moore
17 Fir Drive
Middle River, Maryland 21220

Re: Petition for Variance
Case No. 04-335-A
Property: 17 Fir Drive

Dear Mrs. Moore:

Enclosed please find the decision rendered in the above-captioned case.

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

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





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 17 FIR DRIVE
which is presently zoned D.R. 5.5

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 ATTACHMENT #1

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

SEE ATTACHMENT #2

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. 04-335-A

Legal Owner(s):

John H Moore
Name - Type or Print _____
John H Moore
Signature _____
Rita M. Moore
Name - Type or Print _____
John M. Moore
Signature _____
17 Fir Drive 410 2380234
Address _____ Telephone No. _____
Middle River Md 21220
City _____ State _____ Zip Code _____

Representative to be Contacted:

Rita Moore
Name _____
17 Fir Drive 410-467-5400
Address _____ Telephone No. _____
Middle River Md 21220
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JRF Date 1/26/04

Attachment #1

Section 400.1 to allow an existing shed (under construction) to be located in the front and side yards in lieu of the required rear third of the lot farthest removed from any street and to permit an existing shed to remain closer to the street in lieu of being located in the required rear third of the lot farthest removed from any street and to allow this shed to remain with a 2' setback from property line in lieu of the required 2.5'.

335

ATTACHMENT #2

Variance Request

This variance is necessitated due to the fact that the proposed shed, which is partially constructed and needed for additional storage area, is located contrary to the requirements of the Baltimore County Zoning Regulations. Because the present dwelling does not have a basement and coupled with the fact that hurricane Isabel destroyed one of two sheds that were located in the rear yard, the petitioners do not have adequate area for storage of their personal items unless this shed is permitted.

Due to the configuration of the subject property, the diagonal location of the existing dwelling and the fact that this is a corner property, an accessory structure cannot be situated on this property without benefit of a variance being granted. In addition, the location of the existing shed along Fourth Road is also being requested to be legalized.

For the above reasons, the petitioners respectfully request that the subject variance request be granted and further submit that unreasonable hardship and practical difficulty would result if this request is denied.

335

Variance Description

Located on the southeast corner of Fir Drive and Fourth Road and known as lot #192 as shown on the Plat of Stansbury Manor, Section IV, which is recorded in the land records of Baltimore County in plat book 13 folio 138. Also known as 17 Fir Drive and located in the 15th Election District and 6th Councilmanic District.

335

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 32625

DATE 1-26-04

ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM:

John Moore

FOR:

17 Fire Drive
Variance

ITEM #335

PAID RECEIPT

BUSINESS ACTION TIME

1/27/2004 1/26/2004 10:13:43

RECEIVED WALKIN 1830 LBS

RECEIPT # 34873 1/26/2004

5 128 ZWINE VERIFICATION

CR NO. 03425

Receipt for

\$65.00

Baltimore County, Maryland

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

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: #04-335-A

17 Fir Drive

S/east corner of Fir Drive and Fourth Road

15th Election District - 6th Councilmanic District

Legal Owner(s): John and Rita Moore

Variance: to permit an existing shed to be located in the front and side yard in lieu of the required rear third of the lot farthest removed from any street and to permit an existing shed to remain closer to the street in lieu of being located in the required rear third of the lot farthest removed from any street and to allow this shed to remain with a 2 foot setback from property line in lieu of the required 2.5 feet.

Hearing: Tuesday, March 23, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

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

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

JT/3/859 Mar. 9

C653509

CERTIFICATE OF PUBLICATION

3/10/, 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 3/9/, 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

RE: Case No.: 04-335-A

Petitioner/Developer: _____

JOHN & RITA MOORE

Date of Hearing/Closing: 3/23/04

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

Attention: KRISTEN MATTHEWS

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 _____

17 FIR DR

The sign(s) were posted on 3/7/04
(Month, Day, Year)

17 FIR DR, CS #04-335-A

Sincerely,

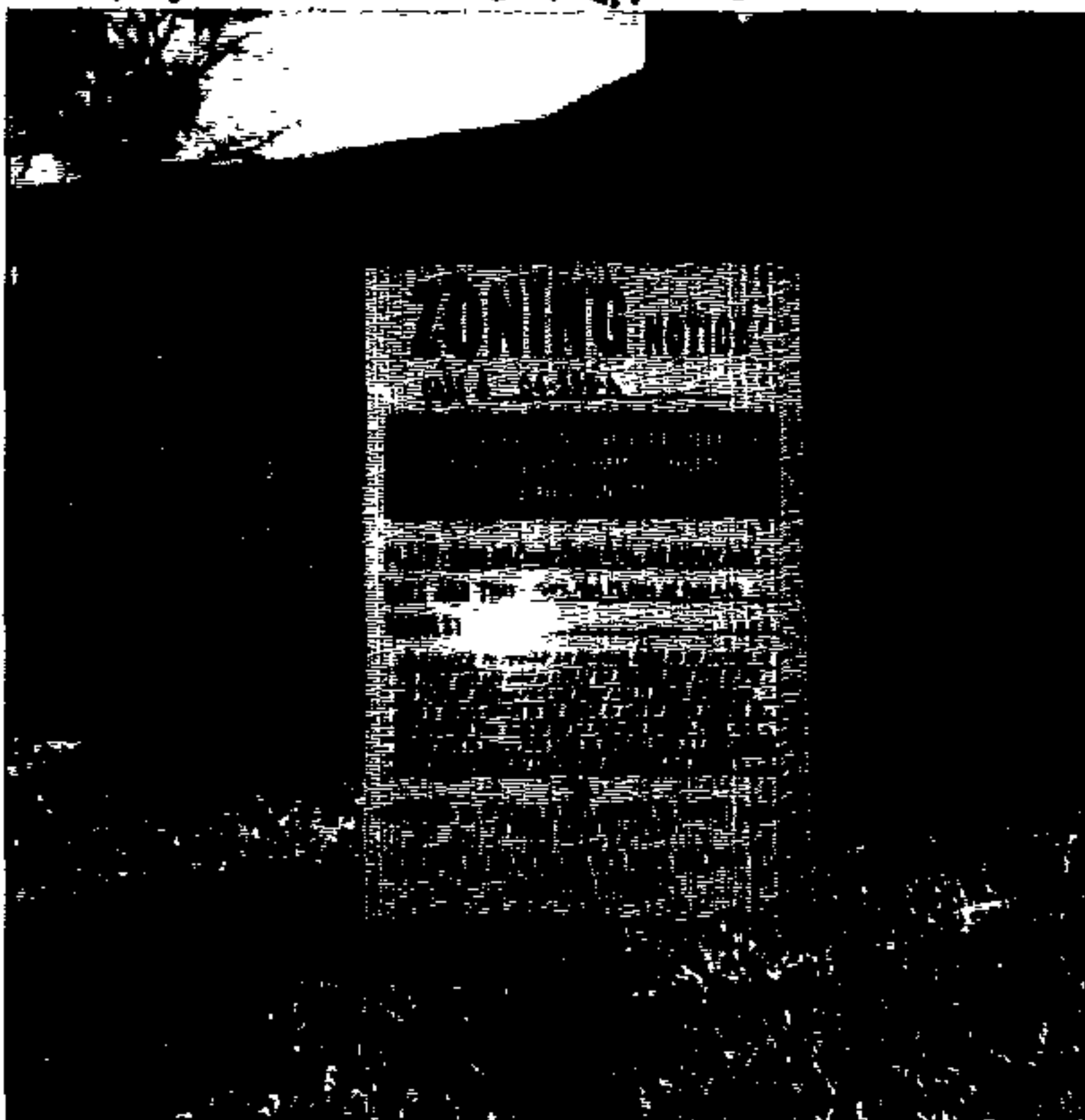
Richard E. Hoffman 3/8/04
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



POSTED 3/7/04

Richard E. Hoffman 3/7/04

RECEIVED

MAR 17 2004

DEPT. OF AGRICULTURE
DEVELOPMENT ADMINISTRATION

RE: PETITION FOR VARIANCE * BEFORE THE
17 Fir Dr; SE corner of Fir Dr & Fourth Rd *
15th Election & 6th Councilmanic Districts * ZONING COMMISSIONER
Legal Owner(s): John H & Rita M. Moore *
Petitioner(s) * FOR
* BALTIMORE COUNTY
* 04-335-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 9th day of February, 2004, a copy of the foregoing Entry of Appearance was mailed to, Rita Moore, 17 Fir Drive, Middle River, MD 21220, Petitioner(s).

RECEIVED

FEB 09 2004

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 9, 2004 Issue - Jeffersonian

Please forward billing to:
Rita Moore
17 Fir Drive
Middle River, MD 21220

410-238-0234

NOTICE OF ZONING HEARING

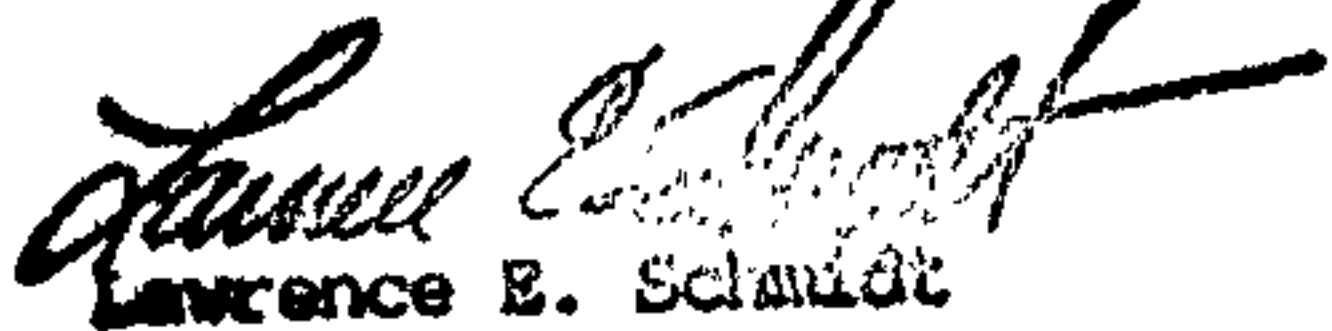
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-335-A

17 Fir Drive
S/east corner of Fir Drive and Fourth Road
15th Election District – 6th Councilmanic District
Legal Owners: John and Rita Moore

Variance to permit an existing shed to be located in the front and side yard in lieu of the required rear third of the lot farthest removed from any street and to permit an existing shed to remain closer to the street in lieu of being located in the required rear third of the lot farthest removed from any street and to allow this shed to remain with a 2 foot setback from property line in lieu of the required 2.5 feet.

Hearing: Tuesday, March 23, 2003, at 9:00 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**

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

February 9, 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: 04-335-A

17 Fir Drive
S/east corner of Fir Drive and Fourth Road
15th Election District – 6th Councilmanic District
Legal Owners: John and Rita Moore

Variance to permit an existing shed to be located in the front and side yard in lieu of the required rear third of the lot farthest removed from any street and to permit an existing shed to remain closer to the street in lieu of being located in the required rear third of the lot farthest removed from any street and to allow this shed to remain with a 2 foot setback from property line in lieu of the required 2.5 feet.

Hearing: Tuesday, March 23, 2003, at 9:00 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: John and Rita Moore, 17 Fir Drive, Middle River 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 8, 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

**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: 04-335-A

Petitioner: JOHN & RITA MOORE

Address or Location: 17 FIR DRIVE
MIDDLE RIVER, MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: RITA MOORE

Address: 17 FIR DRIVE
MIDDLE RIVER, MD. 21220

Telephone Number: 410-238-0234

**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 15, 2004

John H. Moore
Rita M. Moore
17 Fir Drive
Middle River, Maryland 21220

Dear Mr. and Mrs. Moore:

RE: Case Number: 04-335-A, 17 Fir Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 26, 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, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

February 4, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of. February 2, 2004

Item No.: 329-336, 338, 339

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



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 9, 2004
Item Nos. 329, 330, 331, 335, 336,
337, 338, 339, and 340

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley

DATE: 2-10-04

SUBJECT: Zoning Item # 04-335
Address 17 Fir Drive
(Moore Property)

Zoning Advisory Committee Meeting of 2-2-04

☒ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

☐ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

☐ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: K. Kelley

Date: 2-5-04

fig
3/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 9, 2004

RECEIVED

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

MAR 11 2004

SUBJECT: Zoning Advisory Petition(s): ~~Case 4-335~~ and 4-351

ZONING COMMISSIONER

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:

Allen L. Lippert

AFK/LL



State Highway
Administration

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2 . 3 . 0 4

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

RE: Baltimore County
Item No. 335 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
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.: 335
Legal Owner/Petitioner: Moore, John & Rita
Contract Purchaser: N/A
Property Address: 17 Fir Drive
Location Description: S/E corner of Fir Dr & 4th Rd

VIOLATION INFORMATION: Case No. 03-8602
Defendants: Moore, John & Rita

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:

- | | | |
|--------------------------|-----|---|
| ☐ | 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

General **CODE ENFORCEMENT REPORT**

DATE: 10/24/03 INTAKE BY: Wm Ditty CASE #: 03-8602 INSPEC: _____

COMPLAINT LOCATION: 17 Fil Dr - 38-A8

ZIP CODE: 21220 DIST: 15

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

ADDRESS: _____ ZIP CODE: _____

PROBLEM: STRUCTURE UNDER CONSTRUCTION - NO Bldg Permits

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

TAX ACCOUNT #: 15-02-003500 ZONING: _____

INSPECTION: 10/29/03 Large shed in YARD BEING BUILT
WITHOUT PERMIT P.O. 12/1/03 H.B.
10/29/03 entered (car) OK

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

DATE: 10/24/2003

STANDARD ASSESSMENT INQUIRY (1)

TIME: 13:03:51

PROPERTY NO.	DIS1	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 02 003500	15	3-1	04-00	H	NO		01/08/03
MOORE JOHN HENRY				DESC-1.. IMPS			
MOORE RITA MARY				DESC-2.. STANSBURY MANOR			
17 FIR DR				PREMISE. 00017 FIR		DR	

00000-0000

BALTIMORE

MD 21220-5435 FORMER OWNER: BARRIER MOYL E

----- FCV -----		----- PHASED IN -----	
	PRIOR	PROPOSED	CURR
LAND:	35,280	35,280	FCV
IMPU:	43,610	49,770	ASSESS
TOTL:	78,890	85,050	ASSESS
PREF:	0	0	78,890
CURT:	78,890	85,050	0
DATE:	07/99	07/02	78,890
			0

----- TAXABLE BASIS -----		FM DATE
03/04 ASSESS:	80,943	11/09/02
02/03 ASSESS:	78,890	03/30/02
01/02 ASSESS:	78,710	06/01/01

ENTER-INQUIRY2	PA1-PRINT	PF4-MENU	PF5-QUIT	PF7-CROSS REF
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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.	Property No.	Zoning
07-8802	1002003500	

Name(s): JOHN P. RITA MOORE

Date: 17 FEB 03

Address: BLT MD 21220

Violation Location: DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

R-105.1

OBTAIN PERMIT FOR STREET

WORK, OR REMOVE STAKE

WORK

1,000 FINE FOR WORK WITHOUT

PERMIT

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

On or Before: 12/1/03

Date Issued: 10/24/03

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: Rita

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: _____ DEFENDANT: _____

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS #17 FOR DRIVE

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

SUBDIVISION NAME STANBURY MANOR

PLAT BOOK # 132 FOLIO # 138 LOT # 192 SECTION # IV

OWNER JOHN & RITA MOORE

EXT. DWLG.

LOT 193

4' CONCRETE WALK

5' EASEMENT

103.0'

4' SHED 10'

Garden

Sheds

EXT. CARPORT

EXT. SHED. LEADER CONST. 12'

FRONT

17

EXT. DWLG. #

LOT 181

LOT 192

105.27'

81.8'

FOURTH ROAD (30' WIDE)

FIR

DRIVE

(45' WIDE)

NORTH



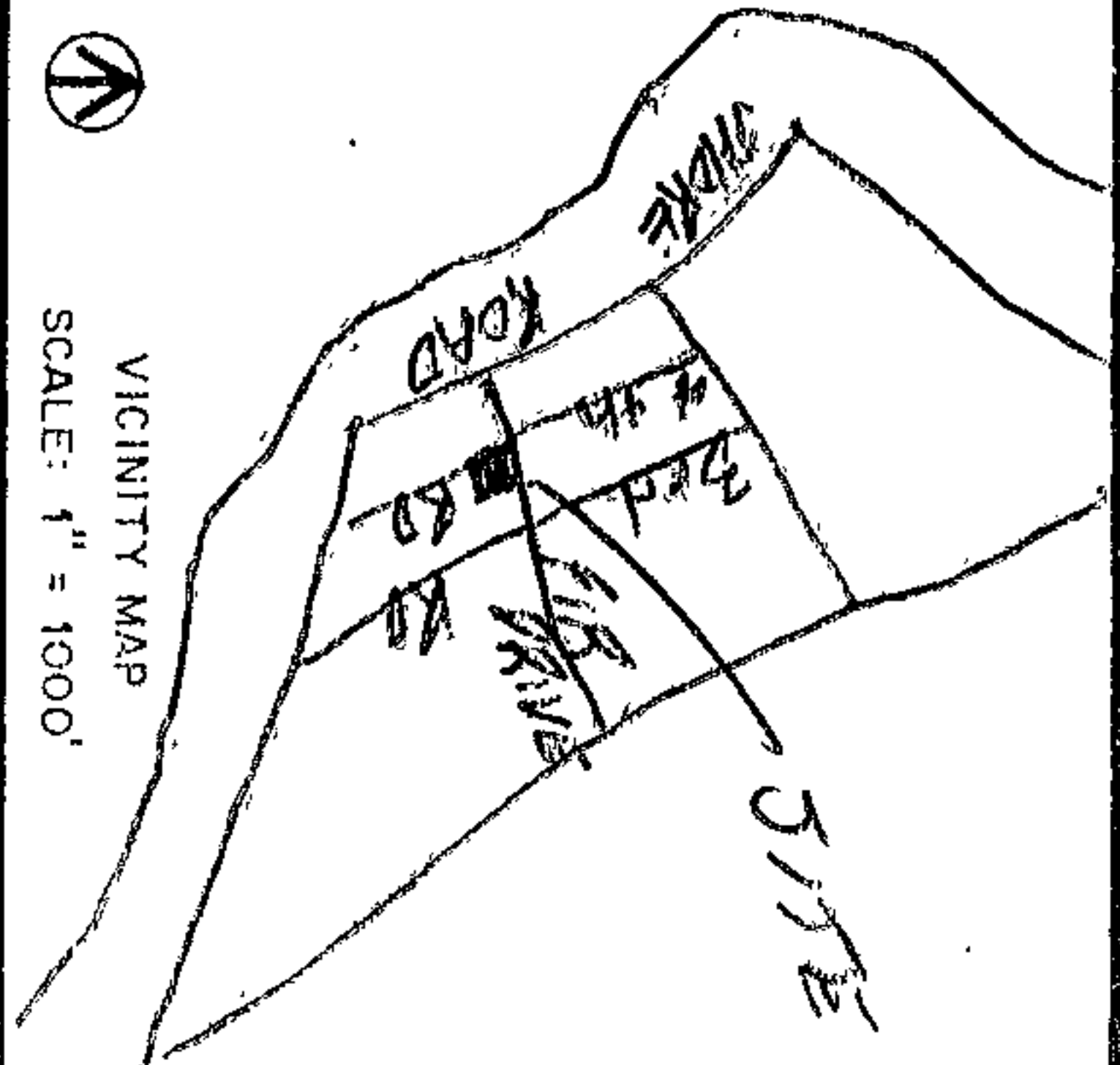
PREPARED BY

RITA MOORE

SCALE OF DRAWING: 1" = 20'



VICINITY MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # NE 2-J

ZONING D.R., 5.5

LOT SIZE 7280

ACREAGE SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA

YES ☒ NO ☐

100 YEAR FLOOD PLAIN

YES ☒ NO ☐

HISTORIC PROPERTY / BUILDING

YES ☒ NO ☐

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

JRF 335

