

IN RE: PETITION FOR VARIANCE
N/S of Nicholson Road, 875 ft. E
centerline of Riverside Road
15th Election District
7th Councilmanic District
(324 Nicholson Road)

Bertha J. & John H. Conway, Sr.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-391-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, Bertha J. and John H. Conway, Sr. The Petitioners are requesting variance relief for property located at 324 Nicholson Road in the Essex area of Baltimore County. Variance relief is requested from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 20 ft. high garage in lieu of the permitted 15 ft.

The property was posted with Notice of Hearing on March 27, 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 April 1, 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 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

ORDER RECEIVED FOR FILING

Date

4/27/04

By [Signature]

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. 03-9603) 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 garage without a permit and the height of the garage.

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 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 were Henry and Bertha Conway, Petitioners and Tim Scalla, a friend. No protestants or citizens appeared at 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 consists of 10,000 sq. ft. and is zoned D.R.5.5. The Petitioners indicated that there was an existing garage at the location of the proposed garage for many years, which had become structurally weak and was collapsing. The Petitioners tore the old garage down, and partially erected its replacement, which is 20 ft. high. They did not realize they needed a permit for a detached garage and so had the structure nearly completed when they were issued a stop work order by Zoning Enforcement. Mr. Conway testified that they have a small home with a basement but that his mother and step father live in the basement. As a result they have little space in which to store personal property. Even their attic is full. This happened because of the personal property owned by his parents, pool and lawn equipment and his wife's collection of holiday antiques which is stored on the site.

Mr. Scalla, who is supervising the construction of the new garage, indicated that the new garage would fully meet the building code and he had worked out an arrangement with building inspection to inspect the building footings even though the footings are complete. The Petitioner agreed not to convert the garage into a residence. They provided many photographs that show the garage is similar to those erected in the neighborhood. Finally that presented letters of support from neighbors especially Marcus Hill who is most directly affected by the garage.

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. The lot is only 50 ft. wide but 225 ft. long. The garage will be located behind the line of existing homes on Nicholson Road. I further find that 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

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4/27/04
J. R. Conway

allowable by the Zoning Regulations was requested. Furthermore, I find that such variance can be granted in strict harmony with the spirit and intent of said height, area, off-street parking or sign 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 Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 27 day of April, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 20 ft. high garage in lieu of the permitted 15 ft., be and is hereby GRANTED subject to the following conditions:

1. The Petitioners or subsequent owners shall not convert the garage into a dwelling unit and/or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities;

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 4/27/04
By JVM

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

April 27, 2004

Mr. & Mrs. John H. Conway, Sr.
324 Nicholson Road
Baltimore, Maryland 21221

Re: Petition for Variance
Case No. 04-391-A
Property: 324 Nicholson Road

Dear Mr. & Mrs. Conway:

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

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

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 324 Nicholson Rd
which is presently zoned DR 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) 400.3 To Permit A 20FT High garage

IN lieu of the permitted 15FT.
SEE

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

SEE attached

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. 04-391-9

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

324 Nicholson Rd 410 687 1868
Address Telephone No.

BALTO md 21221
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By S.M. Date 02-25-04

ORDER RECEIVED FOR FILING
4/27/04
J.P. O'Connell

To whom it may concern,

We need the extra space in the garage for storage. My mother and stepfather live in our home also, therefore we need to store furniture and other household items, and light wood working tools.

Thank you,
Mr & Mrs. John Conway Sr.
324 Nicholson Rd.
Baltimore, Md. 21221

EXAMPLE Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample To help you with the description - **DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"**. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the Following form:

ZONING DESCRIPTION FOR 324 Nicholson Rd. Baltimore, MD 21221
(address)

Beginning at a point on the North side of
(NORTH, SOUTH, EAST OR WEST)
Nicholson Rd. which is 25-50
(name of street on which property fronts) (number of feet of right of way width)

wide at the distance of 875 FT East of the
(number of feet of right of way width) (north, south, east or west)

centerline of the nearest improved intersecting street Riverside
(name of street)

which is 50 wide. *Being Lot # 64.
(number of feet of right-of-way width)

Block , Section # in the subdivision of Back River Highlands
(name of subdivision)

as recorded in Baltimore County Plat Book # 04 Folio # G4.

containing 10,000 sq feet. Also known as 324 Nicholson Rd.
(square feet or acres) (property address)

and located in the 15 Election District, 07 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorder in Deed Liber __, Folio __ : "and include the measurements and Directions (metes and bounds only) here and on the plat in the Correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S. 18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

04-391-A

**NOTICE OF ZONING
HEARINGS**

The Zoning Commission 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: #04-391-A
324 Nicholson Road
W side of Nicholson Road, 875
feet east of Riverside Road
15th Election District
7th Councilmanic District
Legal Owner(s): John and
Bertha Conway
Variance: to permit a 20-
foot high garage in lieu of
the permitted 15 feet.
Hearing: Friday, April 16,
2004 at 9:00 a.m. in Room
106, County Office Build-
ing, 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.
4/013 Apr. 1 0657352

CERTIFICATE OF PUBLICATION

4/11, 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 4/11, 2004.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-391-A

Petitioner/Developer: JOHN AND
BERTHA CONWAY

Date of Hearing/Closing: APRIL 16, 2004

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}

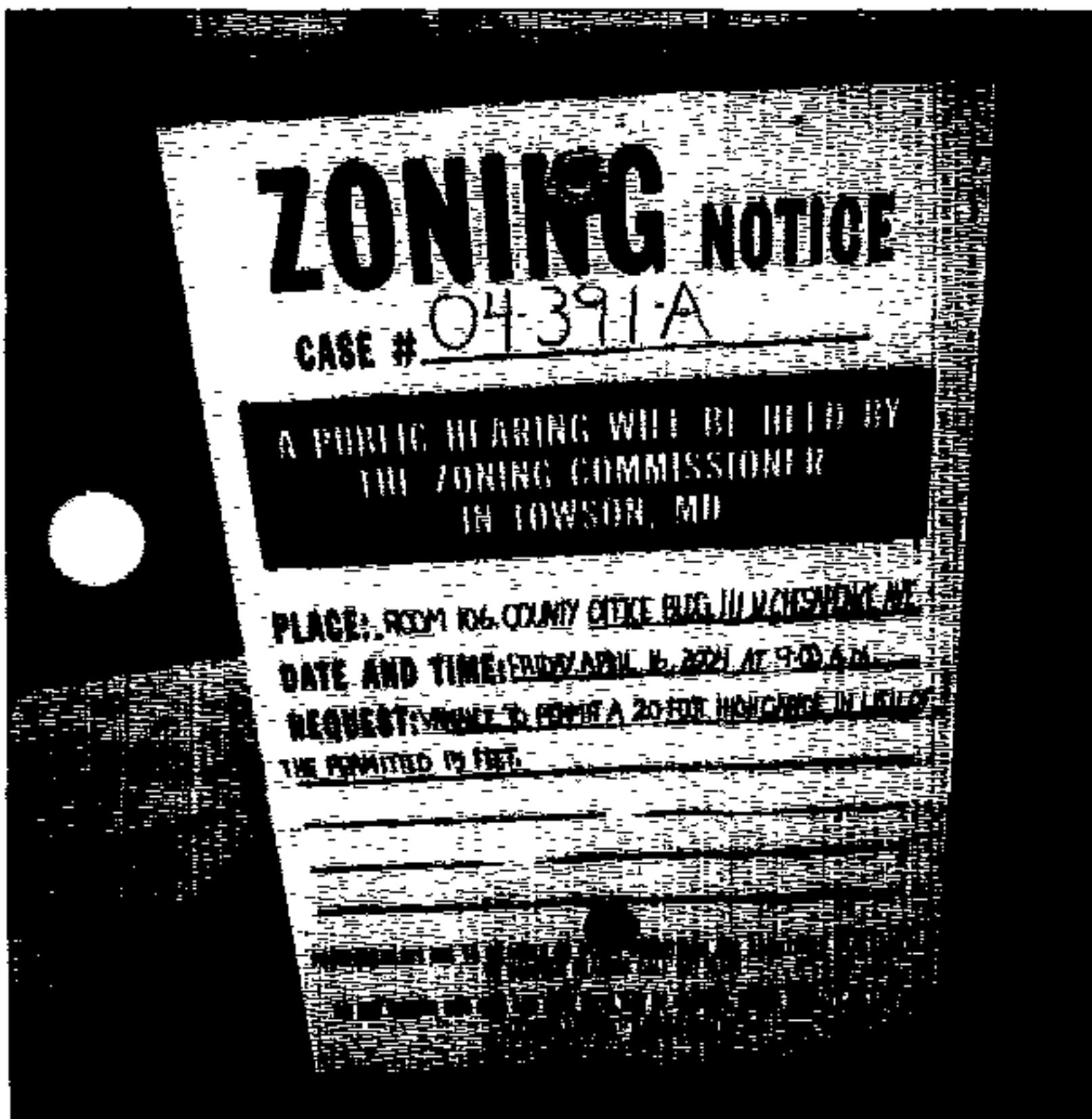
Ladies and Gentlemen:

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:

324 NICHOLSON RD

The sign(s) were posted on 3/27/04
(Month, Day, Year)

Sincerely,



Robert Black 3/27/04
(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)

**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

March 5, 2004

NOTICE OF ZONING HEARING

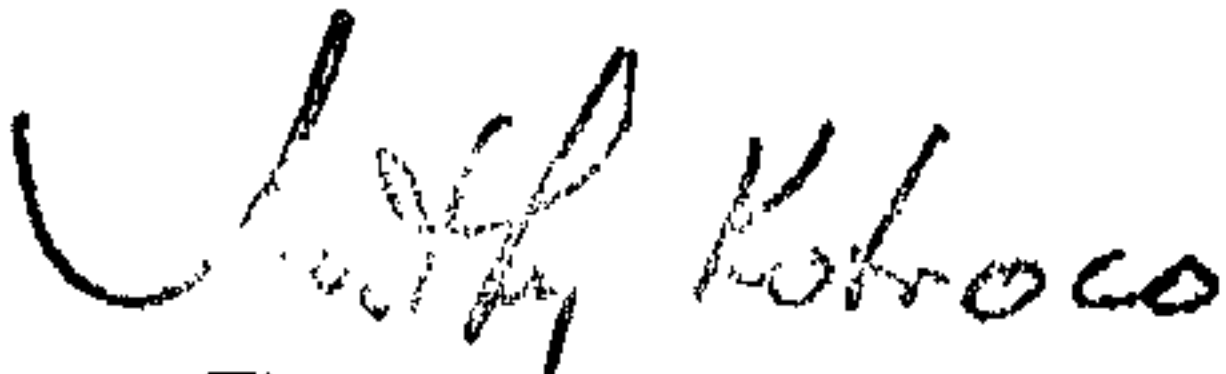
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-391-A

324 Nicholson Road
N/side of Nicholson Road, 875 feet east of Riverside Road
15th Election District – 7th Councilmanic District
Legal Owners: John and Bertha Conway

Variance to permit a 20-foot high garage in lieu of the permitted 15 feet.

Hearing: Friday, April 16, 2004 at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue


Timothy Kotroco
Director

TK:klm

C: John & Bertha Conway, 324 Nicholson Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 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
Thursday, April 1, 2004 Issue - Jeffersonian

Please forward billing to:
John Conway, Sr.
324 Nicholson Avenue
Baltimore, MD 21221

410-687-1808

NOTICE OF ZONING HEARING

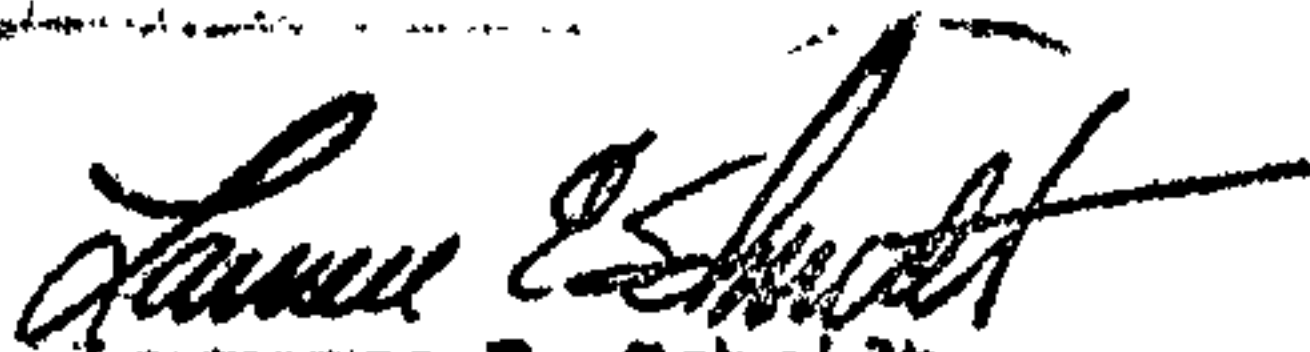
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Laurence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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**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: 04-391-A

Petitioner: John H Conway Sr

Address or Location: 324 Nicholson Rd Balto md 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: John H Conway Sr

Address: 324 Nicholson Rd
BALTO md 21221

Telephone Number: 410 687 1508

Revised 2/20/98 - SCJ

04-391-A

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 04-391-A

Petitioner: John + Beatha Conway

Address or Location: 324 Nicholson Rd Balto Md 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: John + Beatha Conway

Address: 324 Nicholson Rd
Balto Md 21221

Telephone Number: 410 687 1868

Revised 2/20/98 - SCJ

04-391-A

**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*

April 6, 2004

John Henry Conway
Bertha Jane Conway
324 Nicholson Road
Baltimore, Maryland 21221

Dear Mr. and Mrs. Conway:

RE: Case Number:04-391-A, 324 Nicholson Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 25, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

March 9, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 9, 2004

Item No.: 361, 364, 390-395, 397 & 398

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.

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

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

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 3.5.04

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

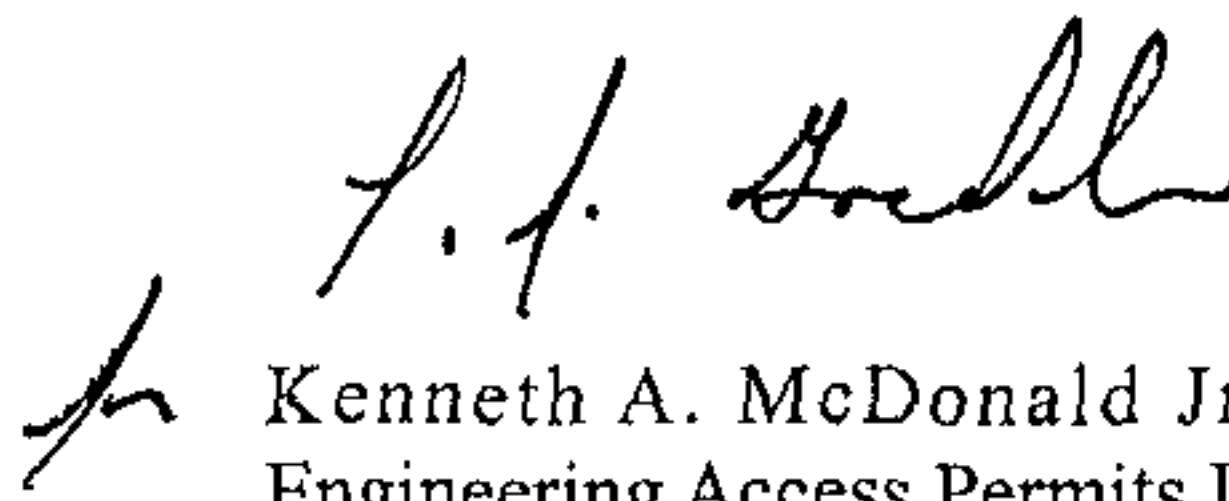
RE: Baltimore County
Item No. 331 JRA

Dear Ms. Matthews:

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: 1.800.735.2258 Statewide Toll Free

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: R. Bruce Seeley *AMS*
DATE: April 5, 2004
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

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

04-361

04-390

04-391

04-393

04-395

04-396

04-397

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 8, 2004

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

SUBJECT: Zoning Advisory Petition(s): Case 4-391 and 4-396

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.

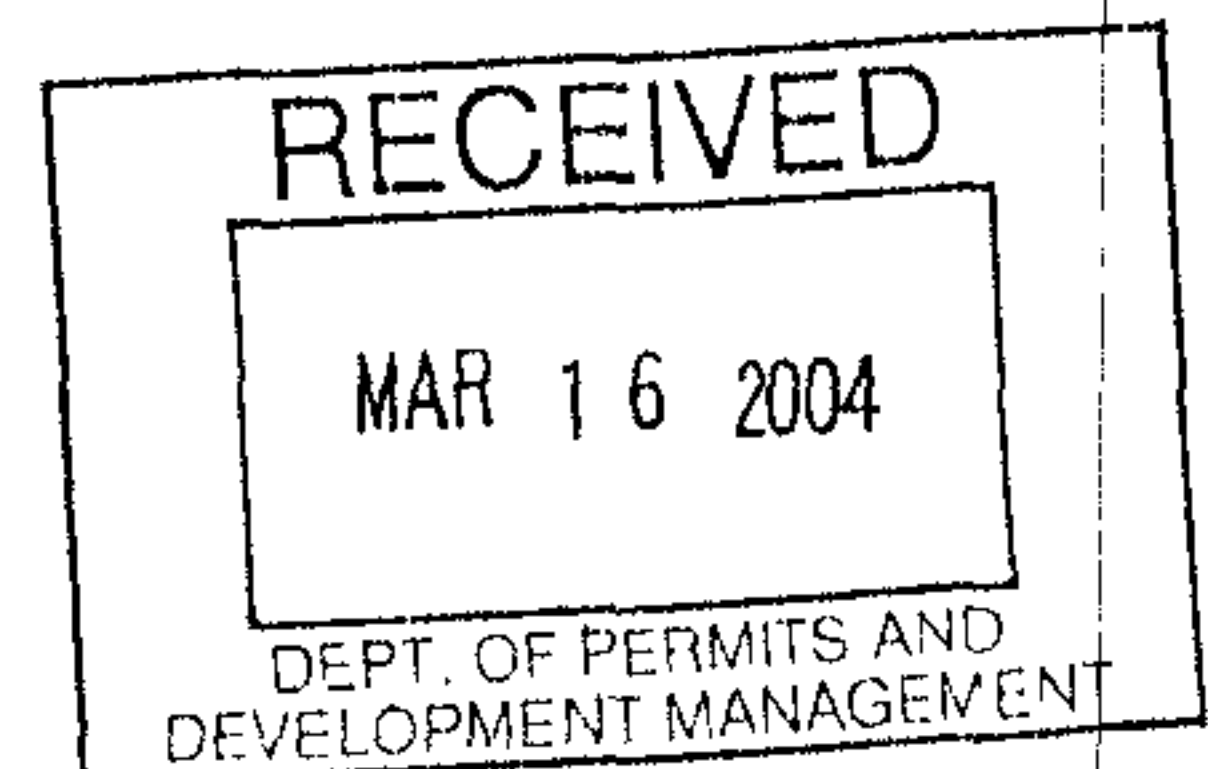
Prepared By:

Mark A. Cunningham

Section Chief:

Lynn Sanborn

AFK/LL



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 16, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For March 15, 2004
Item Nos. 364, 390, (391), 392, 393,
394, 395, 396, and 397

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
324 Nicholson Road; N/side of Nicholson *
Rd, 875' E of Riverside Rd * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts
Legal Owner(s): John H & Bertha J Conway * FOR
Petitioner(s) * BALTIMORE COUNTY
* 04-391-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 8th day of March, 2004, a copy of the foregoing Entry of Appearance was mailed to, John & Bertha Conway, 324 Nicholson Road, Baltimore, MD 21221, Petitioner(s).

RECEIVED

MAR 08 2004

Per...*KLH*...

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Baltimore County
Department of Permits and
Development Management

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/Catch	Property No	Zoning
03-1603	1503471530	

Name(s)
JOHN BERTHA COUNAY

Address
644 MA 2021

Violation Location

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

R-105

① OBTAIN PERMIT AND ALL NECESSARY INSPECTIONS FOR GARAGE ENKIN YARD

② GARAGE OVER 15' HIGH NOT ALLOWED WITHOUT ZONING VARIANCE.

1000 FINE FOR WORK WITHOUT PERMIT

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

On or Before	Date Issued
1/30/04	12/30/03

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
ROSE

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: _____

04-391-7

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: March 9, 2004

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

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

SUBJECT: Item No.: 391
Legal Owner/Petitioner John & Bertha Conway
Contract Purchaser: N/A
Property Address: 324 Nicholson Rd
Location Description: N/side Nicholson, 875' E of Riverside Rd

VIOLATION INFORMATION: Case No. 03-9603
Defendants: John & Bertha Conway

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

ATTN: PDM

A MAN IS BUILDING A
GARAGE AT 324 NICHOLSON ROAD
IN ESSEX. HE DOES NOT HAVE A
PERMIT ON FILE.

CODE ENFORCEMENT REPORT

NCE

613

DATE: 12/26/03 INTAKE BY: D6. CASE #: INSPEC: 18

COMPLAINT LOCATION: 324 Nicholson Rd. 03-9603

ZIP CODE: 21221 DIST: 15

COMPLAINANT NAME: Anna Carter PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: Building a garage w/o a permit.

IS THIS A RENTAL UNIT? YES NO

IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 15 03 47/530 ZONING:

INSPECTION: 12/30/03 Large (24x24) Garage in Rear Yard

Owner stated that it was replacement of old garage
APPROX 18'-20' Ht. Left notice with owner P.U.

1/30/04 H.R.

REINSPECTION:

REINSPECTION:

REINSPECTION:



Baltimore County
Department of Permits and
Development Management

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

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-9603	Property No. 1503471530	Zoning:
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Name(s): JOAN & BERTHA CONWAY
324 NICHOLSON

Address: BACT MD 21221

Violation:
Location:

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

R-105.1

① OBTAIN PERMIT AND ALL NECESSARY INSPECTIONS FOR GARAGE IN REAR YARD

② GARAGES OVER 15' HIGH NOT ALLOWED WITHOUT ZONING VARIANCE.

\$1000 FINE FOR WORK WITHOUT PERMIT

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

On or Before 1/30/04	Date Issued: 12/30/03
-------------------------	--------------------------

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: Rowe

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: [Signature]

DATE: 12/24/2003

STANDARD ASSESSMENT INQUIRY (1)

TIME: 09:01:37

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 03 471530	15	3-2	04-00	H	NO		10/27/03
CONWAY JOHN HENRY, SR				DESC-1.. IMPS			
CONWAY BERTHA J				DESC-2.. BACK RIVER HIGHLANDS			
324 NICHOLSON RD				PREMISE. 00324 NICHOLSON		RD	

00000-0000

BALTIMORE

MD 21221-6608 FORMER OWNER: CONWAY ESTHER A

----- FCV -----			----- PHASED IN -----			
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	31,000	31,000		FCV	ASSESS	ASSESS
IMPV:	53,540	58,730	TOTAL..	88,000	88,000	86,270
TOTL:	84,540	89,730	PREF...	0	0	0
PREF:	0	0	CURT...	88,000	88,000	86,270
CURT:	84,540	89,730	EXEMPT.		0	0
DATE:	05/99	09/02				

----	TAXABLE BASIS	----	FM DATE
04/05	ASSESS:	88,000	11/09/02
03/04	ASSESS:	86,270	06/04/03
02/03	ASSESS:	84,540	07/31/02

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

CASE NAME 324 NICHOLSON RD
CASE NUMBER 04-391-A
DATE 4/16/04

PETITIONER'S SIGN-IN SHEET

[illegible]

RIVERSIDE

ROAD

TOWNSEND

NICHOLSON

STILLWATER

BACK RIVER
HIGHLANDS

ROAD

ROAD

ROAD

RO

BL

BEC

BL-A
GERRIS

BL-A

WOLFE

GEORGE

GEORGE AVE

DR 35

FRANK

April 15, 2004

Zoning Commission
Baltimore County, MD

Dear Sirs:

This is to inform you that I have no objections to the building of a garage at 324 Nicholson Road, by the owner John Henry Conway.

I live directly across from the property at 323 Nicholson Road and believe the new garage will enhance and increase the property value.

Sincerely yours,

A handwritten signature in cursive script that reads "Patricia A. Wills-Collins".

Patricia A. Wills-Collins

Pet #2A

JANUARY 6, 2004

322 NICHOLSON ROAD
BALTIMORE, MARYLAND
21221

TO WHOM IT MAY CONCERN,

I AM A NEXT DOOR NEIGHBOR OF MR. JOHN HENRY CONWAY'S, WHO LIVES AT 324 NICHOLSON ROAD, BALTIMORE, MARYLAND 21221. IN APRIL OF 2003, MR. CONWAY TORE DOWN THE OLD GARAGE, WHICH WAS APPROXIMATELY SOMEWHERE BETWEEN 17 AND 20 FEET IN HEIGHT. THE NEW GARAGE WHICH HE IS BUILDING IS APPROXIMATELY THE SAME SIZE IN HEIGHT AND WIDTH. THE ONLY DIFFERENCE BETWEEN THE 2 GARAGES IS THE SHAPE OF THE NEW ROOF, WHICH MAKES IT LOOK BIGGER. I HOPE THIS WILL BE HELPFUL.

MARCUS Hill
322 Nicholson Rd
Baltimore MD 21221

M F Hill

2C

04-391-A

January 5, 2004

To Whom It May Concern:

I am writing this letter on behalf of Mr. John Henry Conway, who resides at 324 Nicholson Road, Essex, Maryland 21221. This letter concerns the garage that he is currently building. Last spring, I personally assisted Mr. Conway in tearing down his old pre-existing garage. The old pre-existing garage was approximately the same size, height, and footage as the garage under construction.

I have known Mr. Conway since the 1960's. I consider him to be a man of his word, an upstanding citizen, and a good neighbor to all. I hope that this information is of assistance.



Gerard M. Sawa
316 Nicholson Road
Essex, Maryland 21221

04-391-A 2B

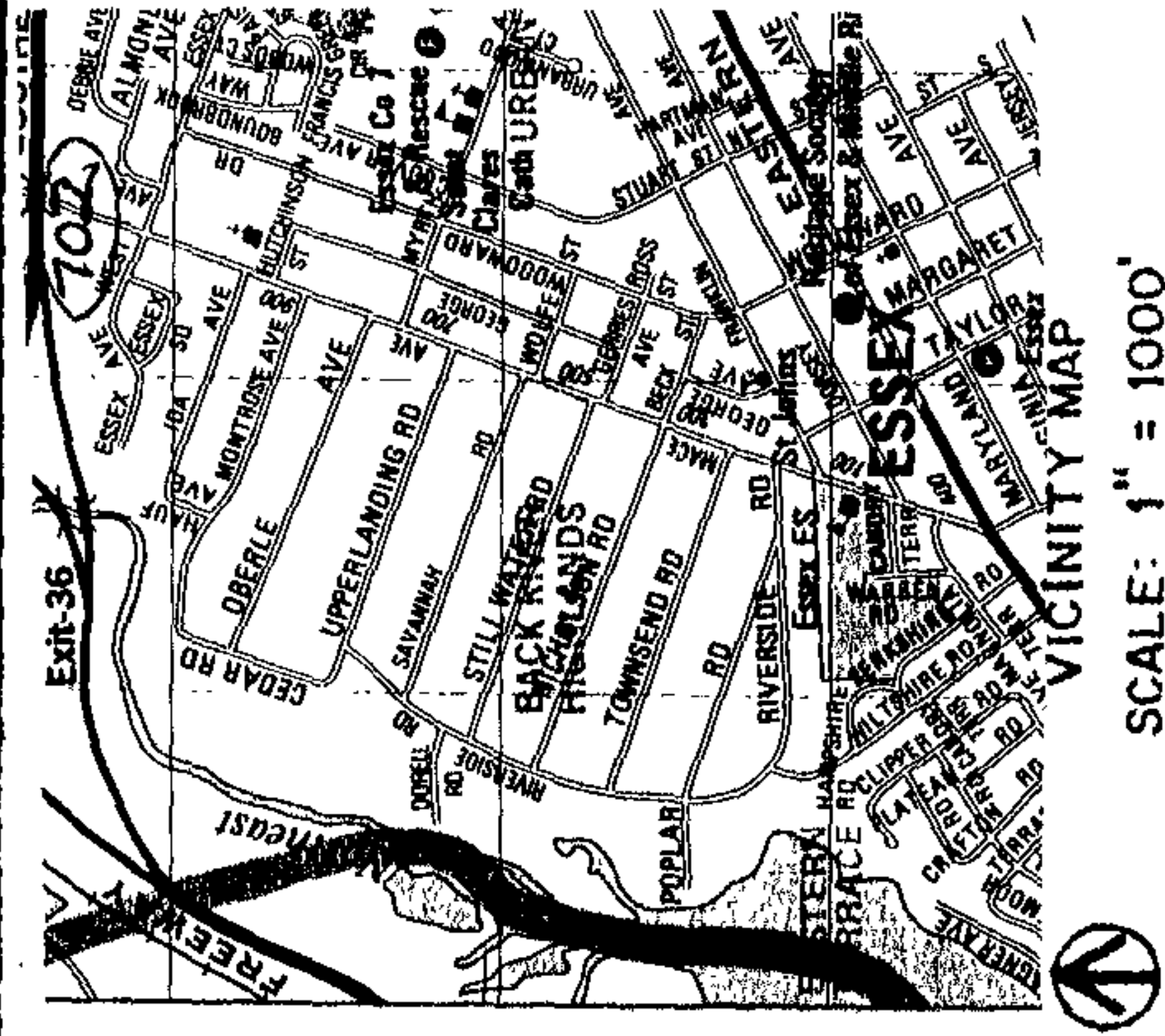
PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 324 Nicholson RD SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME BackRiver Highlands

PLAT BOOK # 44 FOLIO # 44 LOT # SECTION #

OWNER John + Beatha Conway Sr



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT # 7

1"=200' SCALE MAP # NE 2G

ZONING DR. S.S.

LOT SIZE ACREAGE SQUARE FEET 10,000

SEWER ☒ PUBLIC ☒ PRIVATE ☐

WATER ☒

CHESAPEAKE BAY CRITICAL AREA YES ☒ NO ☐

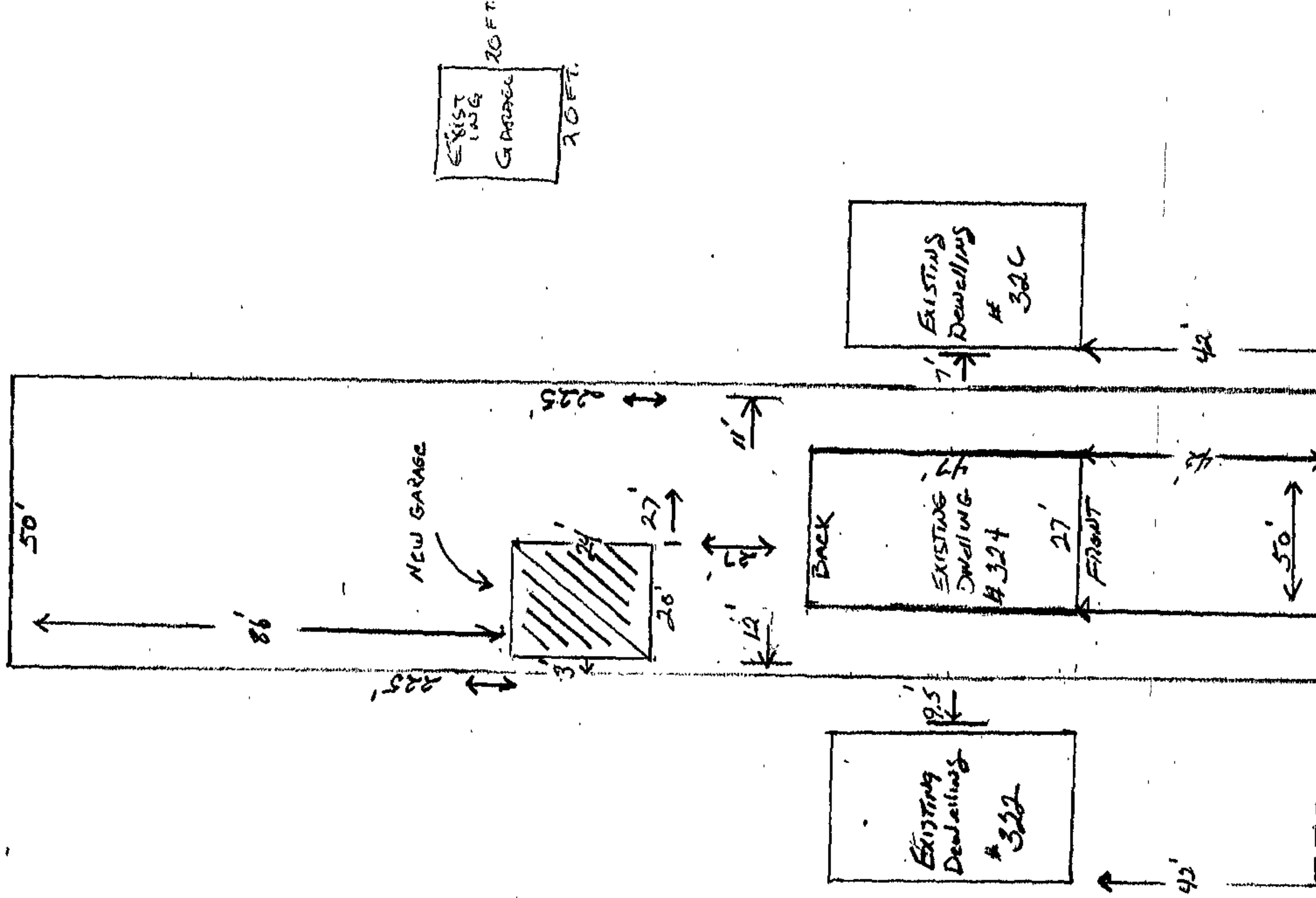
100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY/BUILDING ☐

PRIOR ZONING HEARING ☐

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

SCALE OF DRAWING: 1" = 30'



PREPARED BY TAS.

Nicholson RD. (50' R/W 30' PAVING)

SCALE OF DRAWING: 1" = 30'

SCALE OF DRAWING: 1" = 30'



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

P. Stettin
3/1 #38-36

