

IN RE: PETITION FOR VARIANCE
NW/S of Lynch Road,
350 ft. NE of Martha Avenue
15th Election District
7th Councilmanic District
(3214 Lynch Road)

Teresa M. & Tracy Clemons
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-492-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Teresa M. and Tracy Clemons. The Petitioners are requesting variance relief for property located at 3214 Lynch Road in the eastern area of Baltimore County. Variance relief is requested from Section 400.1 (and Sec. 400.1.2 of the Zoning Commissioner's Policy Manual) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (garage) to be located 6 ft. from the rear street (double frontage lot) in lieu of 25 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 8, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments submitted by the Office of Planning dated May 14, 2004, a copy of which is attached hereto and made a part hereto. In addition, ZAC comments were submitted by the Department of Environmental Protection & Resource

ORDER RECEIVED FOR FILING
Date 6/14/04
By R. J. Gennaro

Management (DEPRM) dated May 24, 2004, 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. 02-3776) 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 that was built too close to the property line.

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.

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

ORDER RECEIVED FOR FILING
Date 6/14/04
By J.R. Spenser

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."

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioners' variance request should be GRANTED.

THEREFORE, IT IS ORDERED, this 16th day of June, 2004, by this Zoning Commissioner, that the Petitioners' request for variance from Section 400.1 (and Sec. 400.1.2 of the Zoning Commissioner's Policy Manual) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (garage) to be located 6 ft. from the rear street (double frontage lot) in lieu of 25 ft., be and it is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

2. The Petitioners must be in compliance with the ZAC comments submitted by the Office of Planning dated May 14, 2004 concerning the removal of clutter and refuse in the rear yard of the subject property, specifically the existing shed and carport. A copy of this comment is attached hereto and made a part hereof.
3. The Petitioners must be in compliance with the ZAC comments submitted by DEPRM dated May 24, 2004, a copy of which is attached hereto and made a part hereof.
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING
Date 6/14/04
J.R. Garrison

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

June ¹⁶~~14~~, 2004

Mr. & Mrs. Tracy Clemons
3214 Lynch Road
Baltimore, Maryland 21219

Re: Petition for Administrative Variance
Case No. 04-492-A
Property: 3214 Lynch Road

Dear Mr. & Mrs. Clemons:

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

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

Very truly yours,

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

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3214 Lynch Rd 21219
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) 400.1 (AND 400.102 & ZONING

COMMISSIONERS POLICY MANUAL) TO PERMIT A DETACHED ACCESSORY
STRUCTURE TO BE SET FROM THE REAR STREET (DOUBLE FRONTAGE LOT)
IN LINE OF 25 FT

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

After public hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By 8007

Date 04-28-04

Estimated Posting Date 05-09-04

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3214 Lynch RD
Address
BALT M.D. 21219
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

All Garages on Lynch RD or River Drive are
Built out to the property line. I want to have
A 6' set back, not out to property line like
All the other Garages. There also is a carport
Already there which is up to the property line
that was there at time of purchase, which will
Be removed and replaced with Garage.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Tracy Clemons
Signature
Tracy Clemons
Name - Type or Print

Teresa M. Clemons
Signature
Teresa M. Clemons
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of March, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

* AS WITNESS my hand and Notarial Seal

Maria L. Koros
Notary Public

* My Commission Expires NOV 10 2005

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 3214 Lynch RD
City Balt State MD. Zip Code 21219

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

All Garages on Lynch RD or River Drive ARE Built out the property line I want to HAVE A 6' set back, not out to property line like all other Garages There also is a carport Already there which is up to the property line that WAS there at the time of purchase which will be Removed and replaced with GARAGE

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Tracy Clemons
Signature
Tracy Clemons
Name - Type or Print

Teresa M. Clemons
Signature
Teresa M. Clemons
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of MARCH, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

* AS WITNESS my hand and Notarial Seal

* Marc L. Koros
Notary Public
My Commission Expires 10/25/05



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3214 Lynch Rd 21219
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) 400.1, (AND 400.1 D.2.A. ZONING

COMMISSIONER'S POLICY MANUAL) TO PERMIT A DETACHED ACCESSORY
STRUCTURE TO BE 6 FT FROM THE REAR STREET (DOUBLE
THROWAGE LOT) IN LIEU OF 25 FT.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 04 day of April, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

CASE NO. 04-492-A

Reviewed By SM Date 04-28-04

REV 10/25/01

Estimated Posting Date 05-09-04

OK ③
to CPT

zoning Description For 3214 Lynch Road
beginning on the North west side
of Lynch Road at a point three
Hundred and Fifty Feet northeasterly
from the northeast side of Martha Avenue
thence northwesterly parallel with
Martha Avenue one Hundred sixty seven
and sixty one one Hundredths Feet to
the south east side of River Drive Road
thence southwesterly on the southeast side
of River Drive Road Fifty and seventy seven
one Hundredths Feet thence southeasterly
parallel with Martha Avenue one Hundred
and seventy six and Forty three one
Hundredths Feet to the Beginning.

Being Lot No. 29 section m on the
Plat of Lynch Point Known AS 3214 Lynch Road.
and Located in the 15th Election District
and the 7th Councilmanic District

04-492-A

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **35726**

DATE 04-25-04 ACCOUNT 6001006-6156

AMOUNT \$ 65.00

RECEIVED FROM: Trans. Services

FOR: Trans. Services

3214 Cydonia Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
4/29/2004 4/29/2004 15:53:36 2

REB NS04 WALKIN DUE. DUE

>> RECEIPT # 263795 4/29/2004 0014

Dept: 5 523 ZONING VERIFICATION

CR IN: 035726

Receipt Tot \$65.00

* MD CR \$70.00 CA

\$5.00 CB

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 04-492-A

Petitioner/Developer: TRACY
LUNCIA

Date of Hearing/Closing: 5/24/04

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:

3214 LYNCH RD

The sign(s) were posted on

5/8/04

(Month, Day, Year)

Sincerely,

Robert Black 5/8/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

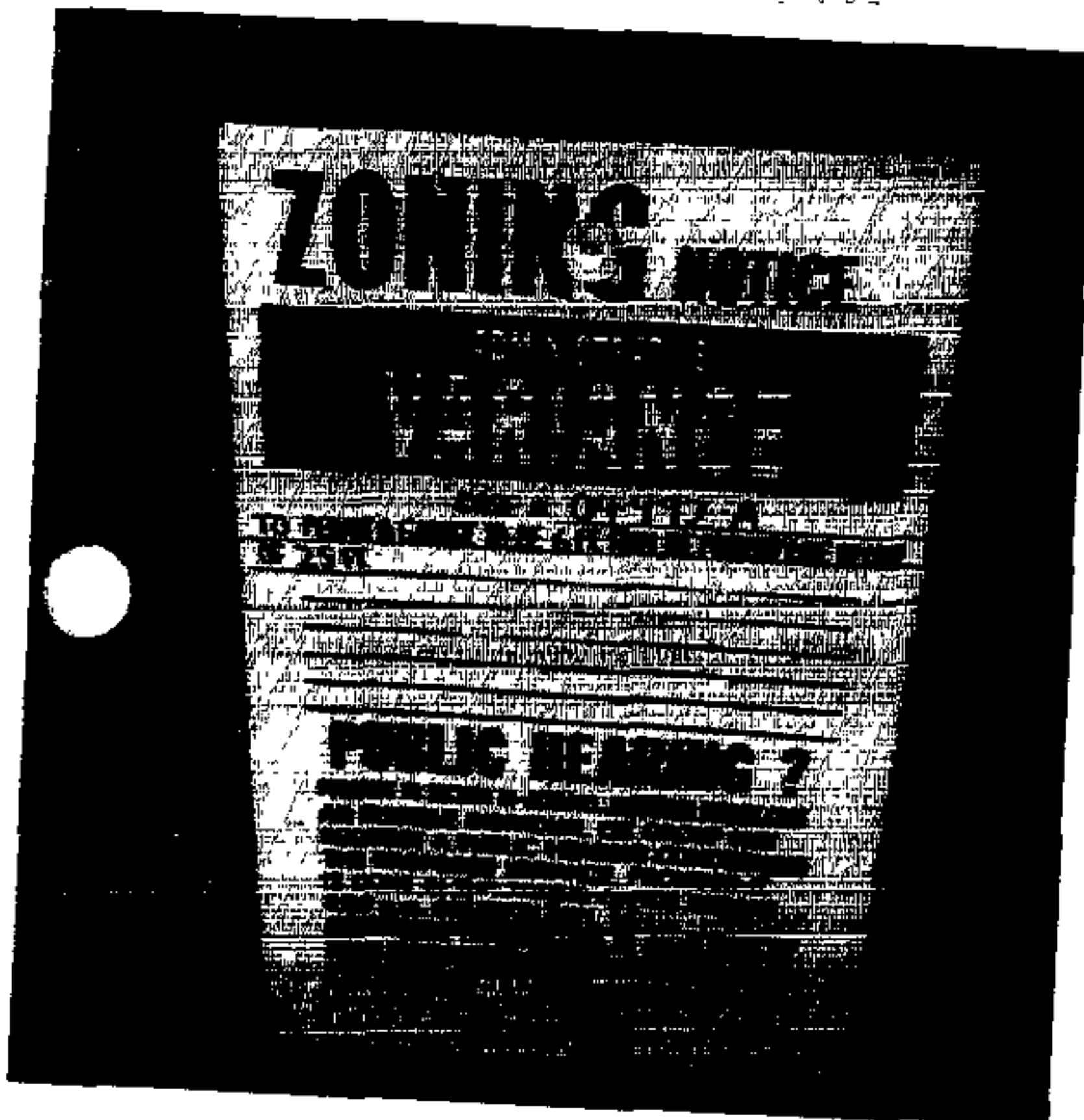
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04- 492 -A

Address 3214 LYNCA RD

Contact Person: JOHN R. HENDERSON
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 04-28-04

Posting Date: 05-09-04

Closing Date: 05-24-04

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 04- 492 -A

Address 3214 LYNCA RD

Petitioner's Name TRACY LYNCA

Telephone 410-631-4917

Posting Date: 05-09-04

Closing Date: 05-24-04

Wording for Sign: To Permit A GARAGE TO BE 6 FT. FROM THE
PROPERTY LINE. A LIE OF 25 FT.

WCR - Revised 6/28/00

**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: 04-492-A
Petitioner: TRACY Scott Clemons
Address or Location: 3214 Lynch RD Edgemere MD 21219

PLEASE FORWARD ADVERTISING BILL TO:

Name: TRACY Scott Clemons
Address: 3214 Lynch RD
Edgemere MD 21219

Telephone Number: 410 - 477-2873

Revised 2/20/98 - SCJ

04-492A

**Department of Permits
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*

May 24, 2004

Tracy Clemons
Teresa M. Clemons
3214 Lynch Road
Baltimore, Maryland 21219

Dear Mr. and Mrs. Clemons

RE: Case Number:04-492-A, 3214 Lynch Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 28, 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." in a cursive style.

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

May 10, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: May 10, 2004

Item No.: 472, 488, 490-501 (492)

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 18, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For May 17, 2004
Item Nos. 472, 488, 489, 490, 492, 494,
496, 497, 498, 499, 500, and 501

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

RWB:CEN:jrb

cc: File

Check Books
LS AV
5/24

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

JUN 16 2004

ZONING COMMISSIONER

TO: Tim Kotroco

FROM: John Oltman *JDO*

DATE: May 24, 2004

SUBJECT: Zoning Item # 04- 492
Address 3214 Lynch Road (Clemons Property)

Zoning Advisory Committee Meeting of May 10, 2004

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

 X 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).

 X 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: Keith Kelley

Date: April 30, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 14, 2004

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

RECEIVED

MAY 17 2004

SUBJECT: 3214 Lynch Road

INFORMATION:

Item Number: 4-492

Petitioner: Tracy Clemons

Zoning: DR 5.5

Requested Action: Administrative Variance

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's provided all clutter and refuse are removed from the rear yard of the subject property.

For further information concerning the matters stated herein, please contact Amy Mantay at 410-887-3480.

Prepared by: Maet A. Campbell

Division Chief: [Signature]

FK/LL:MAC:

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.11.04

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

RE: Baltimore County
Item No. 492 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
INTER-OFFICE CORRESPONDENCE

DATE: May 13, 2004

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

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

SUBJECT: Item No.: 492
Legal Owner/Petitioner Tracy & Teresa Clemons
Contract Purchaser: n/a
Property Address: 3214 Lynch Rd
Location Description: NW side Lynch Rd. 350' NE Martha Ave.

VIOLATION INFORMATION: Case No. 02-3776
Defendants: Tracy & Teresa Clemons

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

CODE ENFORCEMENT REPORT

CB

DATE: 6/13/02 INTAKE BY: R. KNAKE CASE #: 023776 INSPEC: _____

COMPLAINT

LOCATION: 3214 LYNCH ROAD
EDGEHIRE ZIP CODE: 21219 DIST: 15

COMPLAINANT

NAME: ANON PHONE #: (H) _____ (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: DECK BEING BUILT TOO CLOSE TO
PROPERTY LINE AND WITHOUT PERMIT.

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

**OWNER/TENANT
INFORMATION:**

TAX ACCOUNT #: 15 23 153150 ZONING: _____

INSPECTION: 6/4/02 VISITED SITE DECK IN REAR YARD
NO PERMIT LET NOTICE ON FRONT DOOR P.O. 6/11/02
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. 02-3776	Property No. 1523153150	Zoning:
-------------------------------------	-----------------------------------	---------

Name(s): **TRACY CLEMAN & TERESA CLEMAN**

Address: **3214 LYNCH RD.**

Violation Location: **BALT MD. 21214**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

R-105.1

**① OBTAIN PERMIT & ALL
NECESSARY INSP FOR DECK IN
REAR YARD**

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

On or Before: 6/11/02	Date Issued: 6/4/02
---------------------------------	-------------------------------

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: **Rowe**

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: 6/11/02	Date Issued: 6/4/02
-----------------------------------	-------------------------------

INSPECTOR: **Rowe**

DEFENDANT

DATE: 05/31/2002

STANDARD ASSESSMENT INQUIRY (1)

TIME: 14:15:24

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 23 153150	15	3-3	04-00	H	NO		12/12/01

CLEMANS TRACY S

DESC-1.. IMPS

CLEMONS TERESA M

DESC-2.. LYNCH POINT

3214 LYNCH RD

PREMISE. 03214 LYNCH

RD

00000-0000

BALTIMORE

MD 21219-1119 FORMER OWNER: WEBER CARROLL A

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

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	32,130	32,130		FCV	ASSESS	ASSESS
IMPV:	48,150	48,030	TOTAL..	80,160	80,160	80,160
TOTL:	80,280	80,160	PREF...	0	0	0
PREF:	0	0	CURT...	80,160	80,160	80,160
CURT:	80,280	80,160	EXEMPT.		0	0
DATE:	10/96	06/99				

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

02/03 ASSESS:	80,160	09/30/00
01/02 ASSESS:	80,160	06/01/01
00/01 ASSESS:	32,060	06/01/00

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

Code Enforcement - Closing Report

Inspector - ROWE, H

Activity

Date Closed 6/12/2002

Area	Case #	Location
------	--------	----------

Apt	Zip	Date Rec	Reinsp	Dt
-----	-----	----------	--------	----

015 02-3776 3214 LYNCH ROAD

21219 6/03/2002 6/11/2002

Tax Acct #: 1523153150

Complainant Name: (Last) ANONYMOUS (First)

Addr:

Str #	Dir	Street Name
-------	-----	-------------

Type Apt

City	ST	Zip
------	----	-----

Phone: (Home)

ST Zip
(Work)

Problem: BUILDING DECK W/O PERMIT - TOO CLOSE TO PROPERTY LINE

Rowe

Problem: BUILDING DECK W/O PERMIT - TOO CLOSE TO PROPERTY LINE

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

OK

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 3214 Lynch Edgewood MD 21219 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION
SUBDIVISION NAME Green Hill Cove TAX# 1523153150

PLAT BOOK 13 FOLIO # 38 LOT # 29 SECTION #

OWNER 11559 Clemens Date 3-22-04

Lynch RD



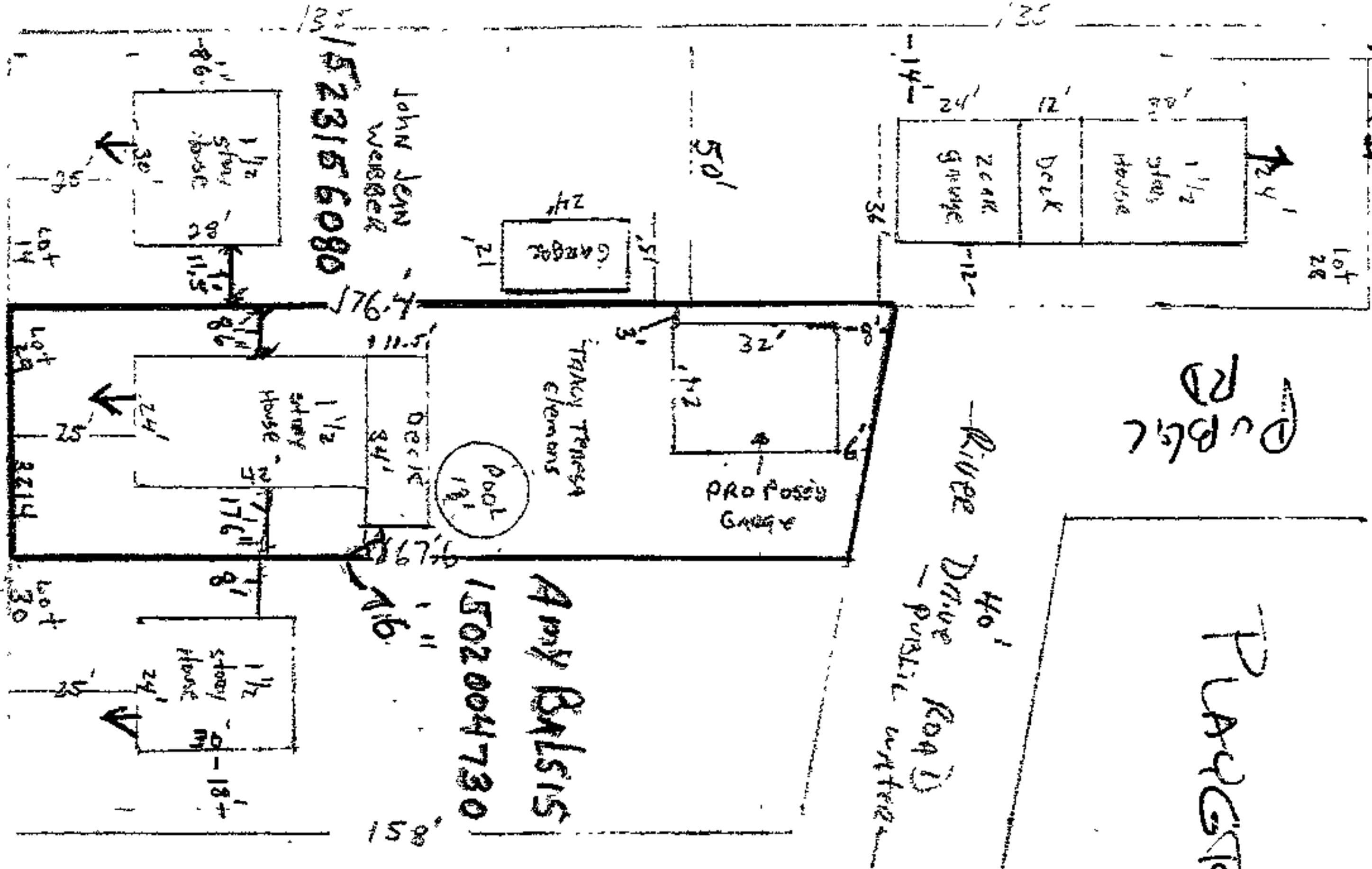
450'

50' 50' 50'

Lynch RD Public Sewer

PREPARED BY: Tracy Scott Clemens

SCALE OF DRAWING: 1" = 50'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15
COUNCILMANIC DISTRICT 7

1" = 200' SCALE MAP # S.E.S.H./5451
ZONING D.R. 5.5

LOT SIZE .19 ACREAGE 8550 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING X202020

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

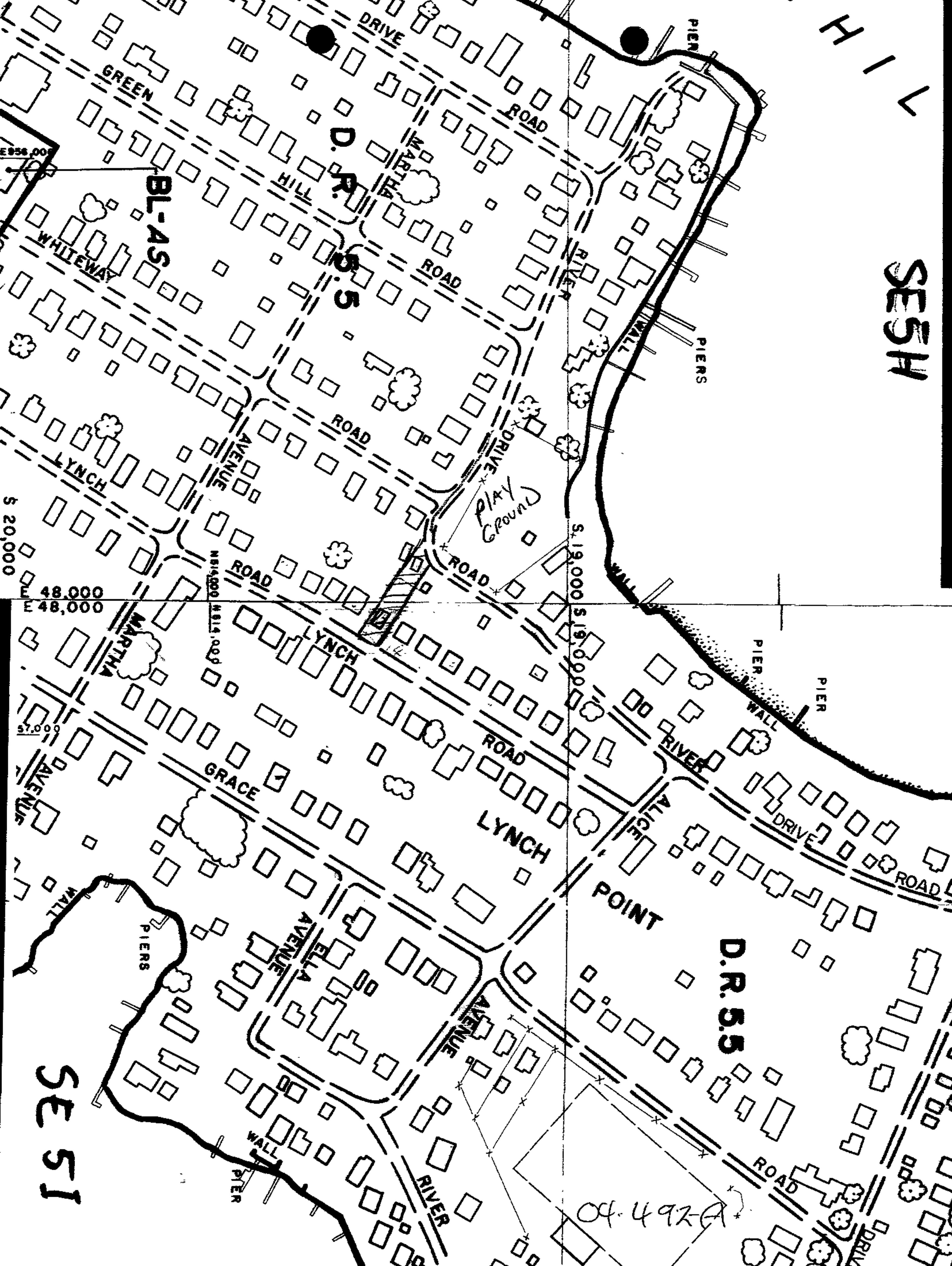
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04.492.7

Ret. Ex. #1

SESH

H I V



D.R. 5.5

D.R. 5.5

BL-AS

SE 51

04.492A



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

Photographs
#04-492-A



Gauge site

3214

Lynch RD

~~SHED~~

AND

WILCOX - to be removed

& REPLACED WITH GAUGE.

ST. TWAVER SAC

04-492A



This ● what is coming
out and being replaced
with Garage

1. AGT 25 5 10 63
 2. 100 100 4 100 100
 3. 100 100 100

QTL 192.7

3226

Lynch RD

8882

967812

Double Frontage
Lot

014.497 D

Lynch RD
3228



Mo. 1

Double Frontage
lot

04. 492 A



3220

Lynch RD

DOUBLE
FRONT AGE
LOT

04-97A



1940

1940

Of. 492-H

first

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04492-A

river
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MO. 1

04 (42A)

River Drive

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OCT 1972-A

Route R

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New 6

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04.492A

Prover OK
New!

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04492A



Green Door



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River DR



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04 492 (7)



RIVER DR

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River Dr



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river DR



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New Car
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BRACE

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