

IN RE: PETITION FOR VARIANCE
SW/Corner Dogwood Drive and
Fourth Road
(41 Dogwood Drive)
15th Election District
6th Council District

Jeffrey D. Landers, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-541-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Jeffrey D. Landers, and his wife, Maxine Landers. The Petitioners were advised to file the instant Petition as the result of a zoning violation notice they received from the Code Enforcement Division of the Department of Permits and Development Management relative to the location of an above-ground swimming pool in the front yard. Thus, the Petitioners request a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (swimming pool) to be located in the front/side yard, in the third of the yard closest to the street, in lieu of the required rear yard and third of the yard farthest removed from the road. The subject property and requested relief are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Jeffrey and Maxine Landers, property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a corner lot located at the intersection of Dogwood Drive and Fourth Road in the Stansbury Manor community in Middle River. Although not waterfront, the property is located within 1,000 feet of a tributary of the Chesapeake Bay and thus is subject to Critical Areas regulations. The property contains a gross area of 6,500 sq.ft., more or less, zoned D.R.5.5 and is improved with a single family dwelling, an 11.6' x 20' accessory shed, and a concrete driveway (parking pad). The Petitioners purchased the property in April of this year and shortly thereafter, erected an oval-shaped swimming pool in the front/side yard. As

ORDER RECEIVED FOR FILING

Date 9/1/14

By [Signature]

shown on the site plan, the pool is located in the front corner of the yard immediately adjacent to the intersection of Dogwood Drive and Fourth Road. It was indicated that this was the only practical location for the pool given the location and configuration of existing improvements on the property. In this regard, the property is rectangular in shape, with approximately 67 feet of frontage along Fourth Road and 103 feet along Dogwood Drive. As shown on the site plan and in photographs submitted at the hearing, the house is setback a significant distance from Fourth Road, however, is but 10 feet from Dogwood Drive and the west side property line and is approximately 20 feet from the rear (south) property line. In addition, there is an 11.6' x 20' accessory shed located in the rear, southwest corner of the site and a concrete parking pad/driveway in the southeastern corner of the site, adjacent to Fourth Road. A concrete walkway extends from that parking pad across the side yard to the front entrance to the house. Given the unique configuration of the property and location of existing improvements thereon, development in the rear and interior side yards is limited.

An issue was raised at the hearing as to whether the pool at its present location blocks sight distance for traffic on either Fourth Road or Dogwood Drive. The Petitioners indicated that the pool is setback a sufficient distance from the property line so that sight distance is not impacted. Indeed, photographs submitted at the hearing confirm that there is adequate sight distance. The Petitioners also advised that they propose to construct a fence around the perimeter of the pool in accordance with Baltimore County Code requirements. Such fence should be constructed in such a manner so as not to interfere with sight distance.

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. It is clear that a practical difficulty and unreasonable hardship would result if relief was denied, given the unique configuration of the property and the location of existing improvements thereon. Moreover, photographs submitted at the hearing show that pools have been erected in the front/side yards of other properties in the neighborhood. Thus, the proposal appears consistent with the character of the community. However, as noted above, the property is subject to Chesapeake Bay Critical Areas regulations due to its close proximity to the Bay. In reviewing the site plan, there appears to be a fair amount of impervious surface on the property; however, a large portion of that amount is attributable to

ORDER RECEIVED FOR FILING

Date

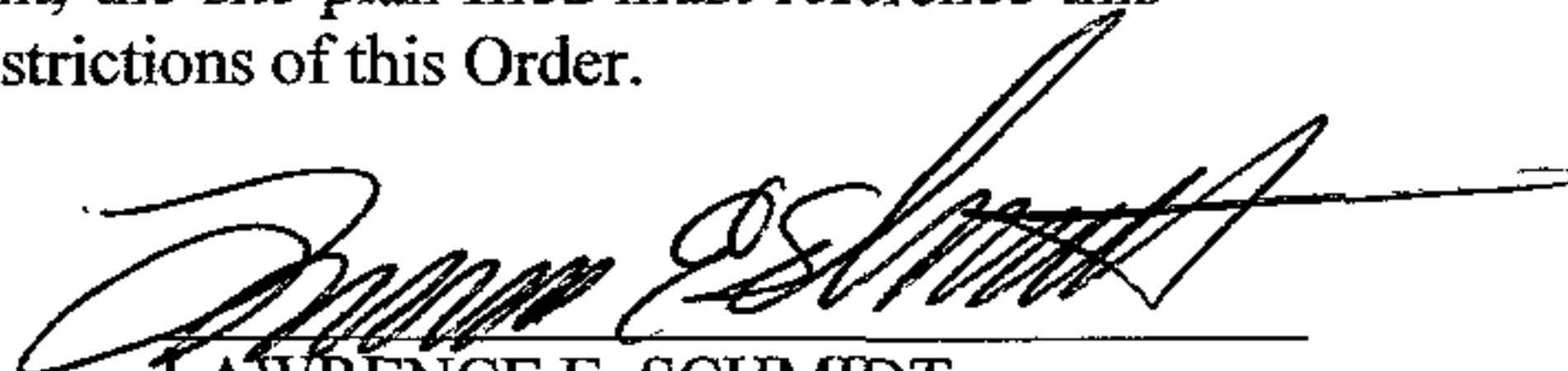
By

the parking pad/driveway adjacent to Fourth Road. It is difficult to determine from the photographs or the site plan as to whether the driveway/parking pad is constructed of pervious or impervious materials. The Petitioners were advised that irrespective of the relief granted herein, compliance with Chesapeake Bay Critical Areas regulations is mandatory. Thus, they may be required to remove a portion of the driveway or replace same with gravel to meet the impervious area limits.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of September, 2004 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (swimming pool) to be located in the front/side yard, in the third of the yard closest to the street, in lieu of the required rear yard and third of the yard farthest removed from the road, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comments submitted by DEPRM and the Development Plans Review division of DPDM relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of those comments have been attached hereto and are made a part hereof.
- 3) The Petitioners shall install a fence around the perimeter of the pool as required by Baltimore County Code; however, such fence shall be installed in such a manner that it does not block sight distance at the intersection of Dogwood Drive and Fourth Road.
- 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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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

September 1, 2004

Mr. & Mrs. Jeffrey D. Landers, Sr.
41 Dogwood Drive
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
SW/Corner Dogwood Drive and Fourth Road
(41 Dogwood Drive)
15th Election District – 6th Council District
Jeffrey D. Landers, Sr., et ux - Petitioners
Case No. 04-541-A

Dear Mr. & Mrs. Landers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
Code Enforcement Division, DPDM; Development Plans Review, DPDM; DEPRM
Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 41 Dogwood Drive
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 to permit an accessory structure
(swimming pool) be located in the side/front yard and one-third portion of the yard closest to the road in lieu of the required rear yard and third portion of the yard furthest removed from the road, respectively.

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

to be presented at the hearing

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No.

04-541-A

Legal Owner(s):

MAXINE Landers

Name - Type or Print

Maxine Landers

Signature

JEFFREY D. LANDERS SR.

Name - Type or Print

Jeffrey D. Landers Sr.

Signature

41 Dogwood Drive 410-686-3136

Address

Telephone No.

Baltimore MD 21220

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 BR Date 5/24/04

ORDER RECEIVED OFFICE
DATE 9/15/98

Zoning Description

Zoning Description for 41 Dogwood Drive

Beginning At A point on the Southwest corner of Dogwood Drive
And 4th Rd. A 40' And 30' Right of way respectively.

Being Lot# 44 Block Section# in the subdivision
of STANSBURY MANOR AS Recorded in Baltimore
County Plat Book # 13, Folio # 138, containing 6500 Sq. Ft.
Also Known AS 41 Dogwood Drive AND Located in
the 15th Election District, 6th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 130003

DATE 3/24/04 ACCOUNT 7001 006 6150

AMOUNT \$ 65.00

RECEIVED FROM James L. Jones

FOR Running Expenses

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 541

PAID RECEIPT

BUSINESS ACTUAL TIME DOW

5/25/2004 5/24/2004 10:41:22 5

FED MIDS WALKIN MEL WH

RECEIPT # 385077 5/24/2004 WHIN

Dept 5 128 ZONING VERIFICATION

OF NO. 013660

Receipt Int \$65.00

\$65.00 - CK \$.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: #04-541-A

41 Dogwood Drive

S/west corner of Dogwood Drive and 4th Road

15th Election District — 6th Councilmanic District

Legal Owner(s): Maxine and Jeffrey Landers

Variance: to permit an accessory structure (swimming pool) to be located in the side/front yard and one-third portion of the yard closest to the road in lieu of the required rear yard and third portion of the yard farthest removed from the road, respectively.

Hearing: Monday, August 2, 2004 at 11:00 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.

J 7/202 July 15

12563

CERTIFICATE OF PUBLICATION

7/15/2004

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 7/15/2004.

- ☒ 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.: 04-541-A

Petitioner/Developer: MAXINE

AND JEFFREY LANDERS

Date of Hearing/Closing: AUG, 2, 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:

41 DOGWOOD DR

The sign(s) were posted on

7/17/04
(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

7/17/04
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

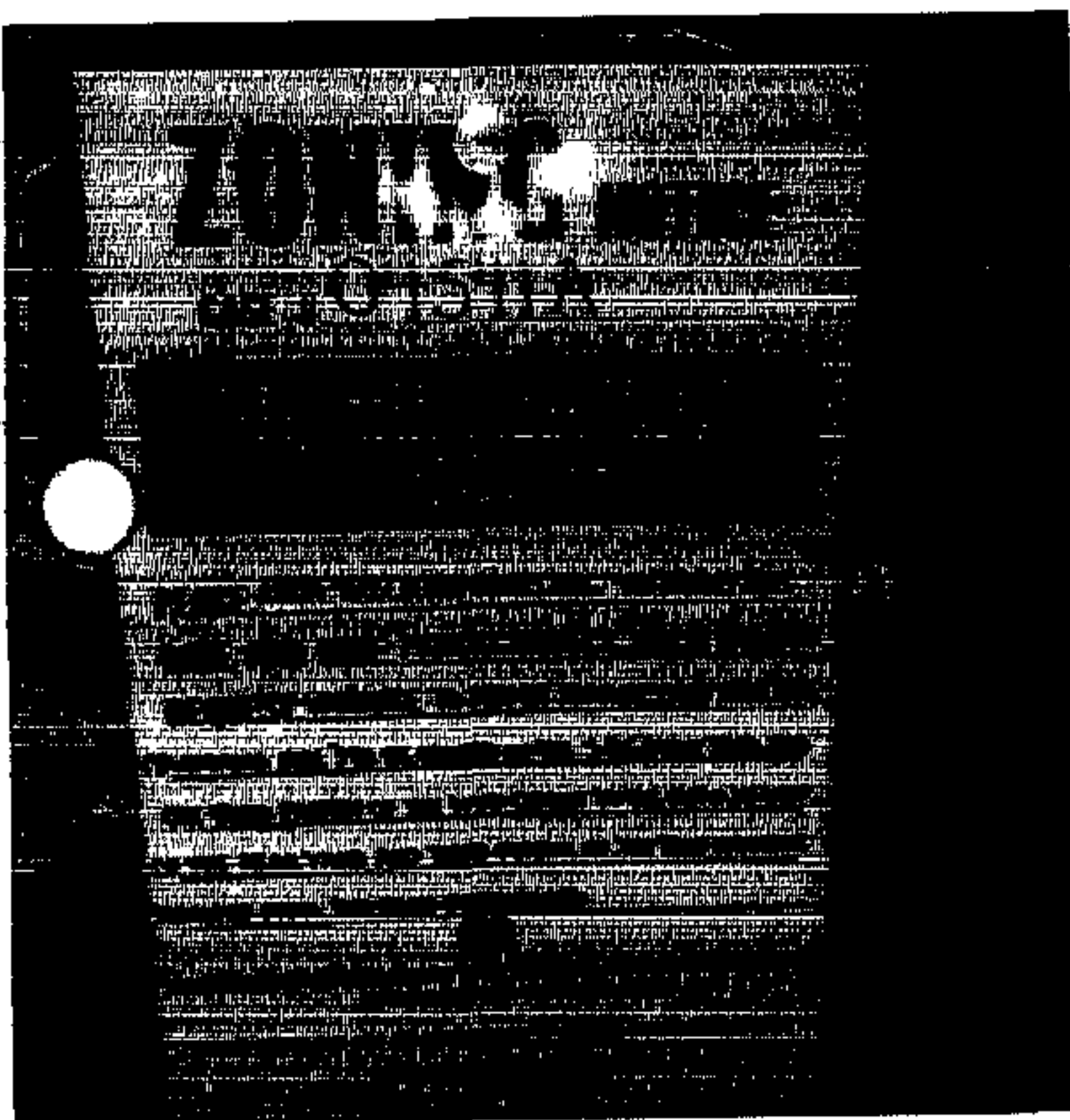
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





June 4, 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: 04-541-A

41 Dogwood Drive
S/west corner of Dogwood Drive and 4th Road
15th Election District – 6th Councilmanic District
Legal Owners: Maxine and Jeffrey Landers

Variance to permit an accessory structure (swimming pool) to be located in the side/front yard and one-third portion of the yard closest to the road in lieu of the required rear yard and third portion of the yard farthest removed from the road, respectively.

Hearing: Monday, August 2, 2004 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Timothy Kotroco
Director

TK:klm

C: Maxine & Jeffrey Landers, 41 Dogwood Drive, Baltimore 21220

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 17, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 15, 2004 Issue - Jeffersonian

Please forward billing to:

Jeffrey & Maxine Landers
41 Dogwood Drive
Baltimore, MD 21220

410-686-3136

NOTICE OF ZONING HEARING

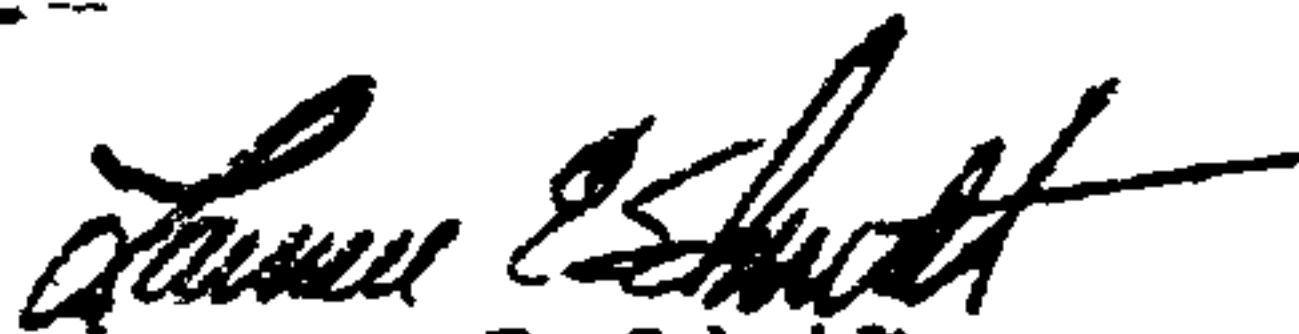
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-541-A

41 Dogwood Drive
S/west corner of Dogwood Drive and 4th Road
15th Election District – 6th Councilmanic District
Legal Owners: Maxine and Jeffrey Landers

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Hearing: Monday, August 2, 2004 at 11:00 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
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: 04-541-A

Petitioner: JEFFREY + MAXINE LANDERS

Address or Location: 41 Dogwood Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: JEFFREY + MAXINE LANDERS

Address: 41 Dogwood Drive

Telephone Number: 410-686-3136

**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*

July 27, 2004

Maxine Landers
Jeffrey D. Landers
41 Dogwood Drive
Baltimore, Maryland 21220

Dear Mr. and Mrs. Landers:

RE: Case Number:04-541-A, 41 Dogwood Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 24, 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, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. *JDO*
DATE: June 29, 2004
SUBJECT: Zoning Item # 04-541
Address 41 Dogwood Drive (Landers Property)

Zoning Advisory Committee Meeting of June 7, 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: June 28, 2004



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

June 8, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 7, 2004

Item No.: ⁵⁴¹ 540-549, 552 & 553

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

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



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

Date: 6.5.04

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

RE: Baltimore County
Item No. 541 BPR

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



4/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 28, 2004

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

RECEIVED

AUG - 2 2004

SUBJECT: 41 Dogwood Drive

INFORMATION:

Item Number: 4-541

Petitioner: Jefferuy and Maxine Landers

Zoning: DR 5.5

Requested Action: Variance

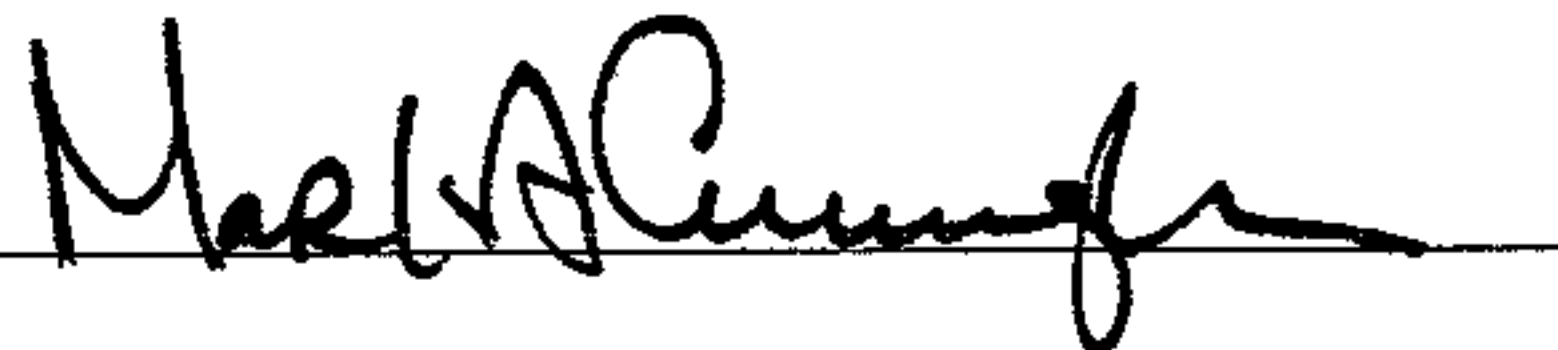
ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request to permit an accessory structure (swimming pool) to be located in the front/side yard in lieu of the required rear yard and recommend that it be **DENIED**.

The proposed location is particularly objectionable because it is at a T-intersection of two residential streets and the pool would be above ground with no screening/fencing whatsoever. Furthermore, this office is of the opinion that there are no existing special circumstance or condition that are peculiar to the subject property where strict compliance with the Zoning Regulations would result in practical difficulty of unreasonable hardship.

Prepared by:



Division Chief:



AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 14, 2004
Item No. 541

DATE: July 1, 2004

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

The flood protection elevation for this site is 11.2 feet.

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

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

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

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

A 40-foot right-of-way for Fourth Road shall be shown.

RWB:CEN:jrb

cc: File

ZAC-06-14-2004-ITEM NO 541-07012004

ORDER RECEIVED FOR FILING

Date

By

RE: PETITION FOR VARIANCE * BEFORE THE
41 Dogwood Drive; SW corner of Dogwood *
Drive and Fourth Road * ZONING COMMISSIONER
15th Election and 6th Councilmanic Districts
Legal Owner(s): Maxine and Jeffrey Landers* FOR
Petitioner(s) * BALTIMORE COUNTY
* 04-541-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 15th day of June, 2004, a copy of the foregoing Entry of Appearance was mailed to, Maxine and Jeffrey Landers, 41 Dogwood Drive, Baltimore, MD 21220, Petitioner(s).

RECEIVED

JUN 15 2004

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

~~BALTIMORE COUNTY MARYLAND~~
INTER-OFFICE CORRESPONDENCE

DATE: June 10, 2004

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

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

SUBJECT: Item No.: 04-541-A
Legal Owner/Petitioner Landers, Maxine
Contract Purchaser: n/a
Property Address: 41 Dogwood Dr
Location Description: S/W corner of Dogwood Dr. & 4th Rd.

VIOLATION INFORMATION: Case No. 04-3739
Defendants: Landers, Maxine

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

NAME	ADDRESS
Lewis Mayer	Balto. Co. Bldg. Insp. 410-887-3953

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/lm
C: Code Enforcement Officer

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

DATE RECEIVED: 5/3/04

SC # _____

Complainant InformationName: TOM VIDMAR / DEPRM

Address: _____

Telephone: Home: () _____

Work: () _____

Site InformationLocation: 4th Rd + Dogwood Dr. (Wilson Point)Election District: (15)Description: Pool under const. - no record of permitInspector Comments

Inspection Date: _____

Action Taken: 5/3 fwd. to Errol Ecker @ Bldg Insp X8081

Completion Date: _____

Inspector: Roy Lutz X3980

DE ENFORCEMENT REPOK

DATE: 5/10/04 INTAKE BY: DEPRM CASE #: 04-3739 INSPEC: _____

COMPLAINT LOCATION: 41 Dogwood Dr

ZIP CODE: 21220 DIST: _____

COMPLAINANT NAME: DEPRM PHONE #: (H) _____ (W) 887-3980

ADDRESS: _____ ZIP CODE: _____

PROBLEM: Pool w/o Permit

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

OWNER/TENANT INFORMATION: MAXINE LANDERS

TAX ACCOUNT #: 15 16 15 1990 ZONING: _____

INSPECTION: 5/10/04 - Visit Site, Issued Correction Notice To Obtain Permit For Above Ground Pool In Side/Front Yard. Owner Needs Variance. Hearing Date Is 5/24/04. R/c 5/24/04 Jan May
KH
GD

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

DATE: 05/11/2004

STANDARD ASSESSMENT INQUIRY (2)

TIME: 07:09:58

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 16 151990	15	3-2	04-00	H	NO		04/16/04

LANDERS MAYLINE

DESC-1.. IMPS

DESC-2.. STANSPURY MANOR

PREM 1.. 00001 000000

OF

00000-0000

BALTIMORE

MD 21000 5531

FORMER OWNER: JENNINGS ROBERT ALLEN

----- FCV -----

----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	34,500	34,500		FCV	ASSESS	ASSESS
IMPS:	54,600	60,100	TOTAL..	92,806	92,806	90,953
TOTL:	89,100	94,600	PRER..	0	0	0
PRER:	0	0	CURT..	92,806	92,806	90,953
CURT:	89,100	94,600	EXEMPT		0	0
DATE:	07/99	07/02				

----- TAXABLE BASIS -----

FM DATE

04/05 ASSESS: 92,806 04/14/04

03/04 ASSESS: 90,953 06/04/03

02/03 ASSESS: 89,100 05/30/02

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

RA1001C

DATE: 05/11/2004

STANDARD ASSESSMENT INQUIRY (2)

TIME: 07:10:18

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 16 151990	15	3-2	04-00	H	NO		04/16/04

LOT... 44 BOOK... 0013 MAP... 0091 LOT WIDTH... 103.16

BLOCK... FOLIO... 0133 GRID... 0019 LOT DEPTH... .00

SECTION... 4 PARCEL... 0253 LAND AREA... 6592.000 S

PLAT... YEAR BUILT... 00

----- TRANSFER DATA -----

----- EXEMPT DATA -----

NUMBER	STATUS
283269	
DATE... 04/09/04	CLASS CODE... 000
PURCHASE PRICE... 142,000	STATE EXEMPT CODE... 000
GROUND RENT... 0	COUNTY EXEMPT CODE... 000
DEED REF LIBER... 05913	CURR STATE EX ASMT... 0
DEED REF FOLIO... 0951	PRIOR STATE EX ASMT... 0
CONVEYED IND... 1	CURR COUNTY EX ASMT... 0
TOT-PART TRAN IND... T	PRIOR COUNTY EX ASMT... 0
GRANTOR ACCT NO... 15-16-151990	

CRITICAL NEW CONST CARD

----- STRUCTURE -----

AREAS CODE YEAR CODE SB FEET

00000 1424

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



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. 04-3739	Property No. 1516151990	Zoning:
------------------------------	----------------------------	---------

Name(s):
1

Address:

Violation Location: 41 Dogwood Dr

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
R105.1 IRC BOC 7-36(b)(2)

FAILURE TO OBTAIN BUILDING PERMIT
FOR ABOVE GROUND POOL

OBTAIN BUILDING PERMIT FOR
ABOVE GROUND POOL IN FRONT/SIDE
YARD

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

On or Before: 5/24/04	Date Issued: 5/10/04
--------------------------	-------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: Lewis Mayer

INSPECTOR: Lewis Mayer

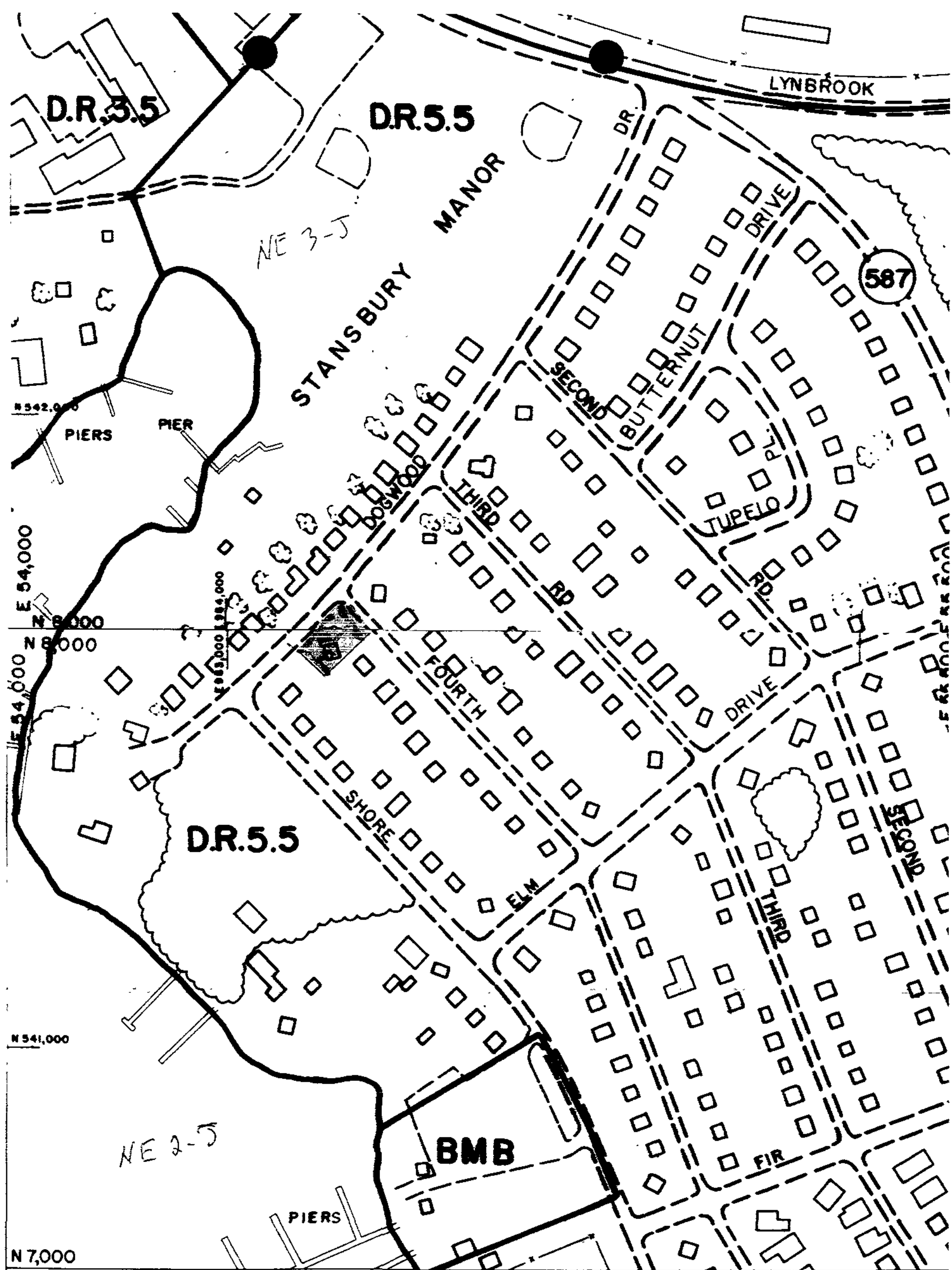
STOP WORK NOTICE

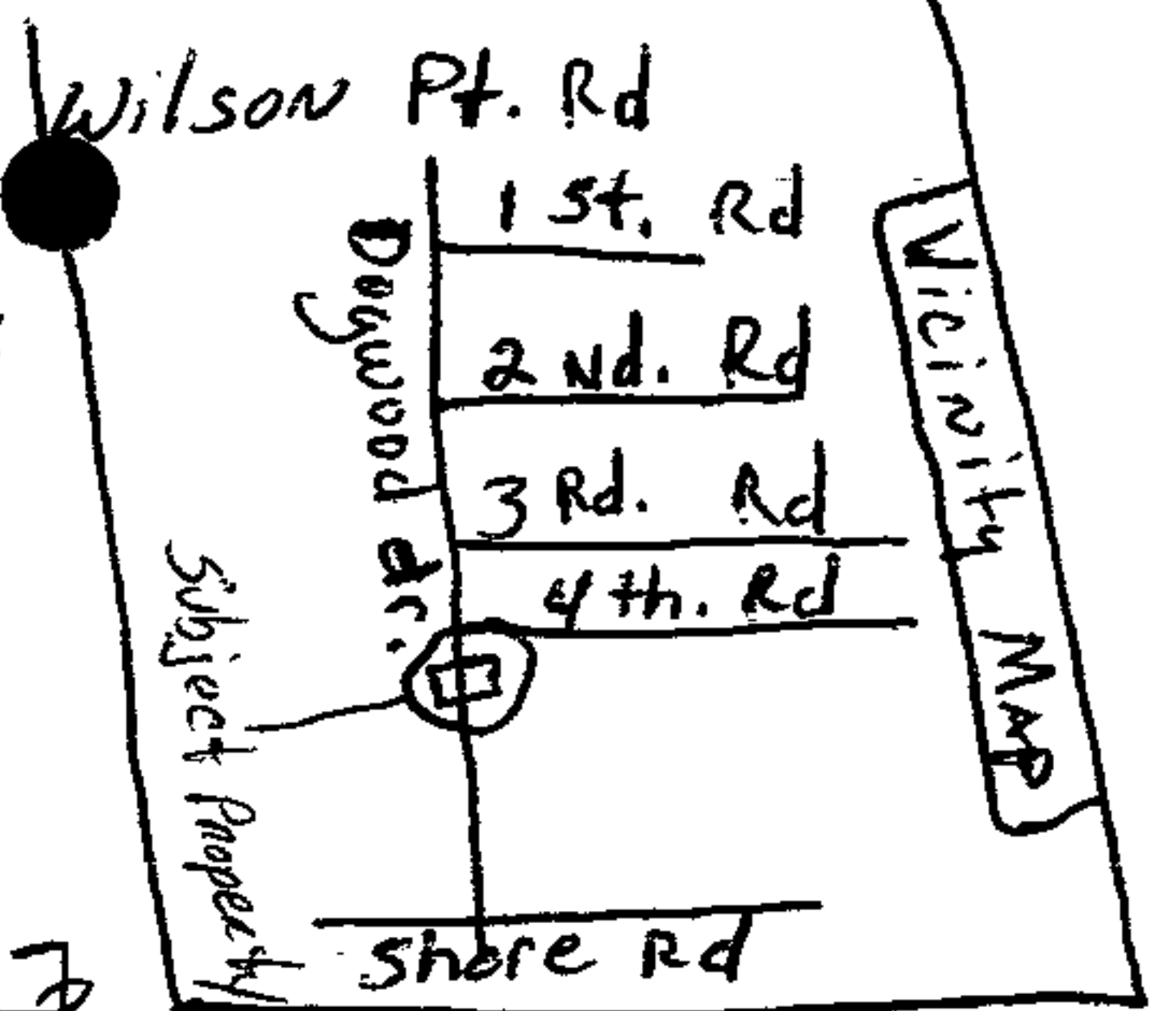
PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:	Date Issued:
-----------------	--------------

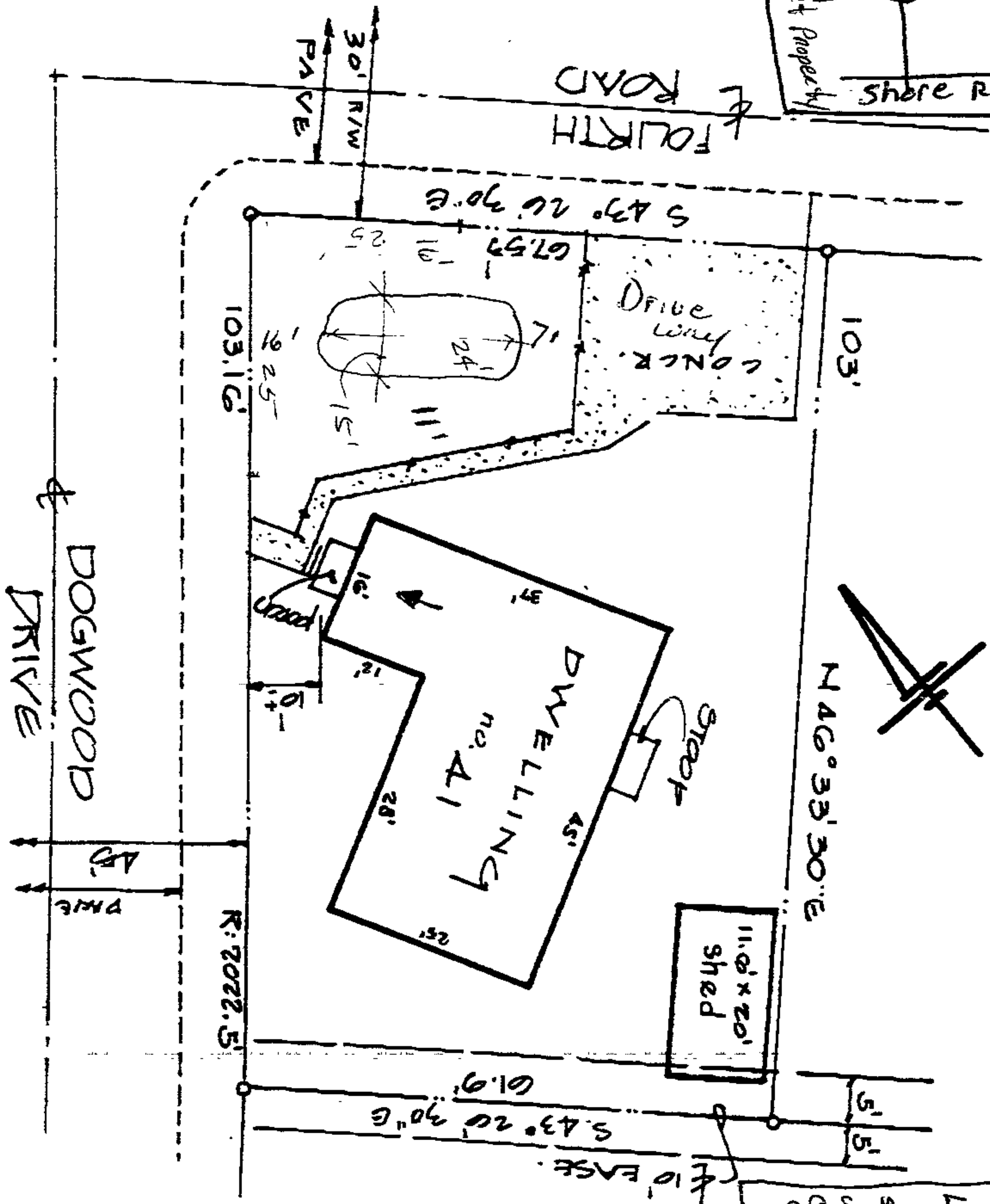
INSPECTOR:

AGENCY





Front
1202 4th. Rd.
Back
10' From Property Line
25' From House to House

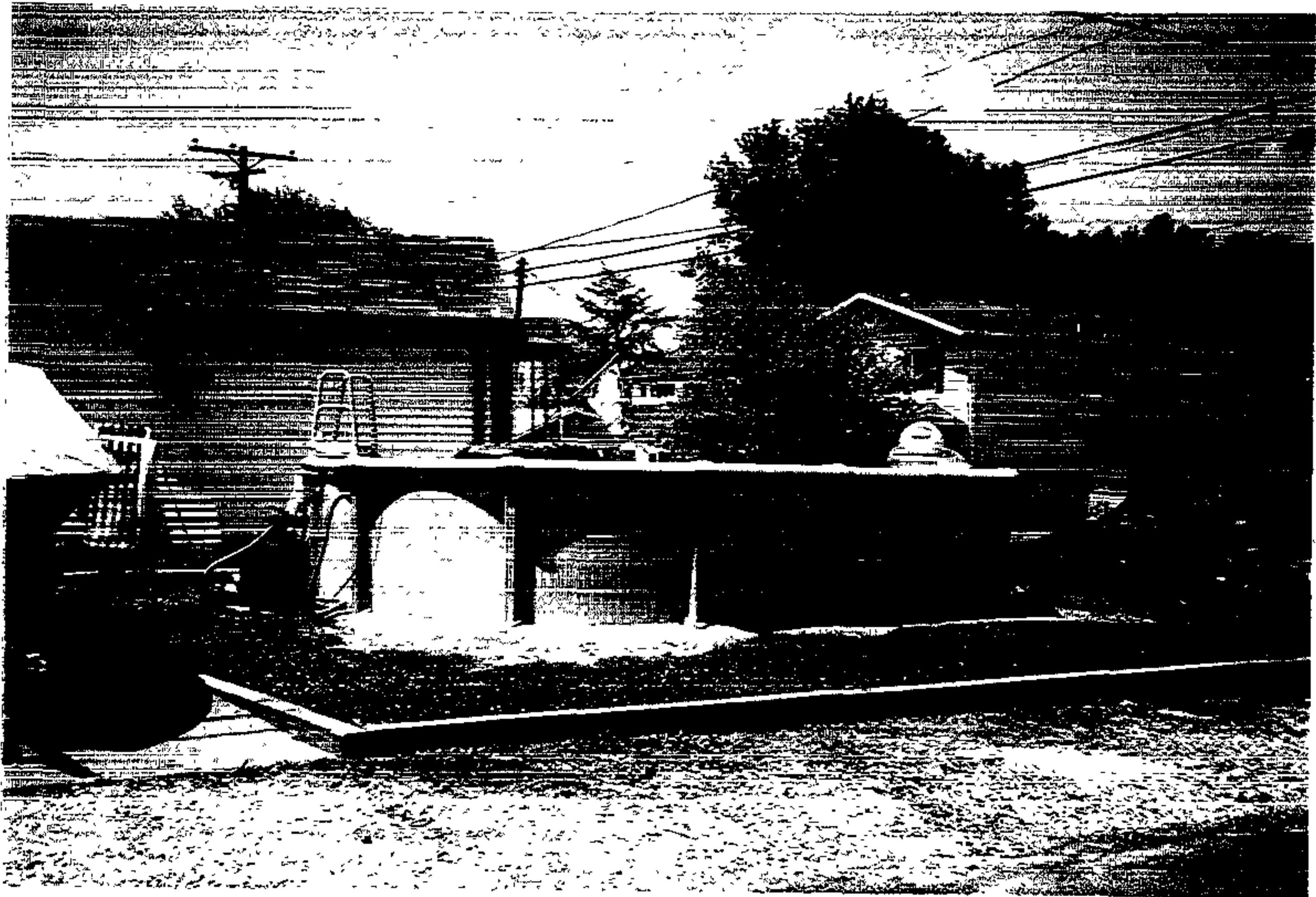


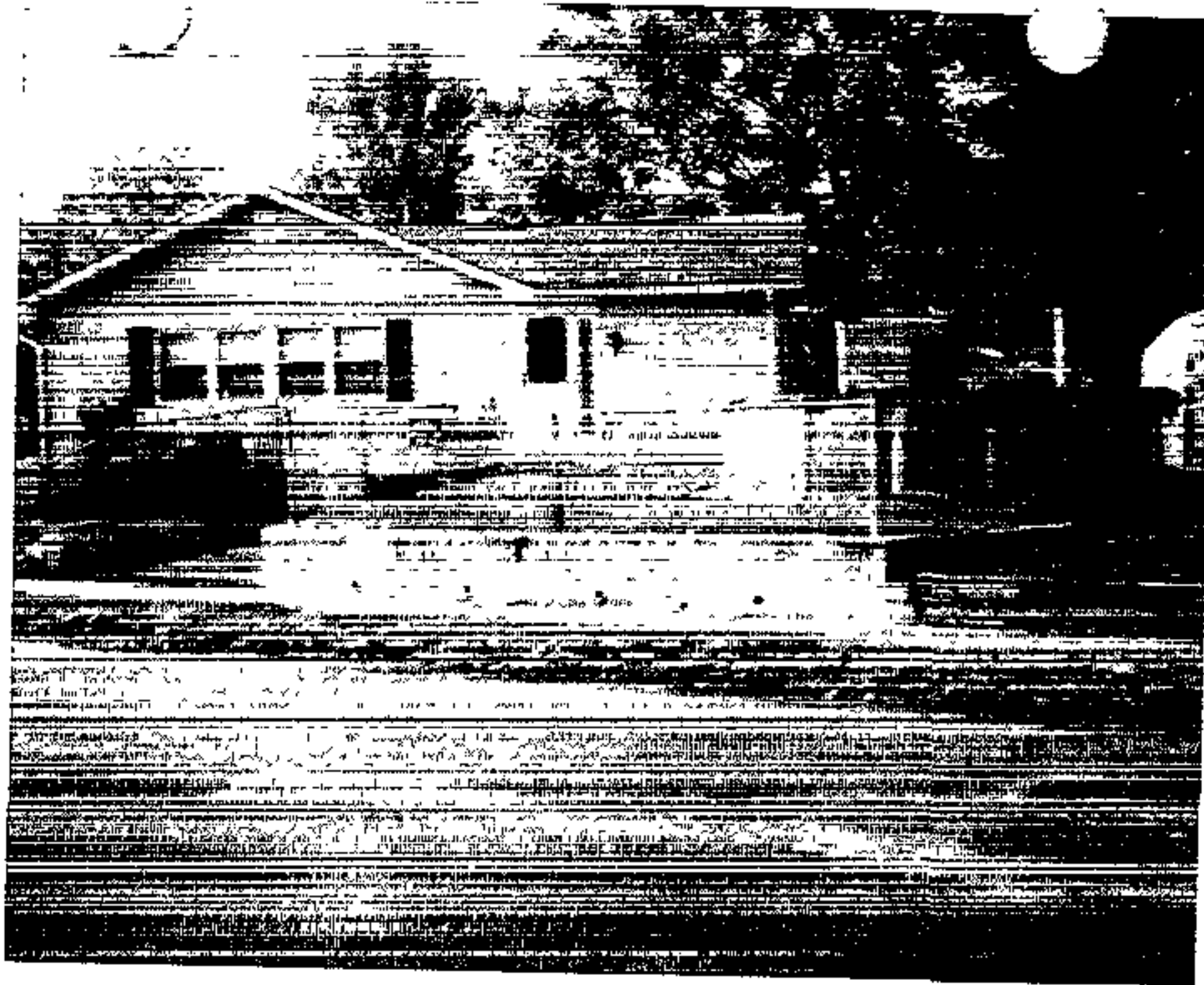
Location Information
Election District 15
Councilmanic District 6
11' = 200' scale map # NE, 35
NE, 25
Zoning DR. 55
Lot size 0.15
acreage
Sewer Public
Water Chesapeake Bay
Cultural Area
100 Year Flood Plain
6500
Square Feet
Private
YES
NO

Back
43 Dogwood dr.
Front
7' Property Line
60' House to House
Shore rd

Property Address 41 Dogwood Drive
Subdivision Name STANBURY MANOR
Plat Book # 13 Folio # 138 Lot # Section #
Owner Maxine Landers + Jeffrey D. Landers SR.
Plat to accompany petition
for Zoning Variance







Pool on Side of House
 3 Shore Rd



Pool on side of house
 Shore rd



4000-1000 DRIVE
 WATER