IN RE: PETITION FOR ADMIN. VARIANCE E/S of Falls Road, 719 ft. S centerline of Fallscroft Road 8th Election District 6th Councilmanic District **(11527 Falls Road)** Thurston R. Adams, Jr. *Petitioner*	* * * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-521-A

* * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Thurston R. Adams, Jr. The administrative variance is requested for property located at 11527 Falls Road in the Lutherville area of Baltimore County. The administrative variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing accessory structure (residential garage) in the side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on April 23, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

This matter is currently the subject of an active violation case in the Division of Code Inspections and Enforcement. A citation for code violation (05-0280) has been issued in this matter because the building location does not comply with issued permit.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the Petitioner cannot use the fact that a structure has been built to set a precedent in order to allow it to continue. Nor does the fact that a structure

ORDER RECEIVED FOR FILING
Date 5/17/05
By Rec

may be costly to remove or modify come into consideration of 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 office.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 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 Deputy 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 the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 17 day of May, 2005, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing accessory structure (residential garage) in the side yard in lieu of the required rear yard, be and is hereby GRANTED.

PLEASE RECEIVED FOR FILING
5/17/05

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 5/17/05
By

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
William J. Wiseman III, Zoning Commissioner

May 17, 2005

Douglas L. Burgess, Esquire
Nolan, Plumhoff & Williams
502 Washington Avenue, Suite 700
Towson, Maryland 21204-4528

Re: Petition for Administrative Variance
Case No. 05-521-A
Property: 11527 Falls Road

Dear Mr. Burgess:

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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Mr. Thurston R. Adams, Jr.
11527 Falls Road
Lutherville, MD 21093

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11527 Falls Road

which is presently zoned RC 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 (BCZR)

To permit an existing accessory structure (residential garage) in the side yard in lieu of the required rear yard.

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

Legal Owner(s):

Thurston R. Adams, Jr.
Name - Type or Print

Thurston R. Adams Jr
Signature

Name - Type or Print

Signature

11527 Falls Road — 410-687-4200
Address — Telephone No.

Baltimore — MD — 21093
City — State — Zip Code

Attorney For Petitioner:

Douglas L. Burgess, Esquire
Name - Type or Print

Douglas L. Burgess
Signature

Nolan, Plumhoff & Williams, Chtd.
Company

502 Washington Ave. — 410-823-7800
Address Suite 700 — Telephone No.

Towson, — MD — 21204-4528
City — State — Zip Code

Representative to be Contacted:

Douglas L. Burgess
Name

502 Washington Ave. — 410-823-7800
Address — Telephone No.

Suite 700
Towson — MD — 21204-4528
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 ____ day of _____, _____ 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. 05-521-A

REV 10/25/01

Reviewed By D.T. **Date** 4/13/05

Estimated Posting Date 4/24/05

APPROVED FOR FILING

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 11527 Falls Road
Address

Baltimore MD 21093
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):

This is a petition to allow an accessory structure (existing residential garage) in the side yard in lieu of the required rear yard. The rear yard of the site is heavily wooded and would require substantially cutting of existing mature woodlands in order to place the garage in the rear yard. The garage has been placed in the side yard on top of an existing driveway pad. No trees or vegetation have been destroyed, nor has any additional impervious surface been created.

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.

Signature

Name - Type or Print

Thurston R. Adams Jr.
Signature

Thurston R. Adams, Jr.
Name - Type or Print

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ Carroll, to wit:

I HEREBY CERTIFY, this 13th day of April, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thurston R. Adams, Jr.

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

AS WITNESS my hand and Notarial Seal

MARY L. WEBER NOTARY PUBLIC CARROLL CO., MD

Mary L. Weber
Notary Public

My Commission Expires April 1, 2007

REV 10/25/01

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 11527 Falls Road
Address

Baltimore MD 21093
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):

This is a petition to allow an accessory structure (existing residential garage) in the side yard in lieu of the required rear yard. The rear yard of the site is heavily wooded and would require substantially cutting of existing mature woodlands in order to place the garage in the rear yard. The garage has been placed in the side yard on top of an existing driveway pad. No trees or vegetation have been destroyed, nor has any additional impervious surface been created.

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.

Signature

Thurston R. Adams Jr.
Signature

Name - Type or Print

Thurston R. Adams, Jr.
Name - Type or Print

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ Carroll, to wit:

I HEREBY CERTIFY, this 13th day of April, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thurston R. Adams, Jr.

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

AS WITNESS my hand and Notarial Seal

MARY L. WEBER NOTARY PUBLIC CARROLL CO., MD

Mary L. Weber
Notary Public

My Commission Expires April 1, 2007

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11527 Falls Road

which is presently zoned RC5

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 (BCZR)

To permit an existing accessory structure (residential garage) in the side yard in lieu of the required rear yard.

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

Legal Owner(s):

Thurston R. Adams, Jr.
Name - Type or Print

Thurston R. Adams Jr.
Signature

Name - Type or Print

Signature

11527 Falls Road — 410-687-4200
Address — Telephone No.

Baltimore — MD — 21093
City — State — Zip Code

Attorney For Petitioner:

Douglas L. Burgess, Esquire
Name - Type or Print

Douglas L. Burgess
Signature

Nolan, Plumhoff & Williams, Chtd.
Company

502 Washington Ave. — 410-823-7800
Address Suite 700 — Telephone No.

Towson, — MD — 21204-4528
City — State — Zip Code

Representative to be Contacted:

Douglas L. Burgess
Name

502 Washington Ave. — 410-823-7800
Address Suite 700 — Telephone No.

Towson — MD — 21204-4528
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 ____ day of _____, _____ 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. 05-521-A

Reviewed By D.T. **Date** 4/13/05

Estimated Posting Date 4/24/05

REV 10/25/01

Zoning Description for **11527 FALLS ROAD**

Beginning at a point on the east side of Falls Road which is 120-feet wide at a distance of 719-feet south of the centerline of Fallscroft Road which is 50-feet wide. Being Lot #10, Section 1 in the subdivision known as "Fallswood" as recorded in Baltimore County Plat Book #38, Folio #117 containing 1.31 acres. Also known as 11527 Falls Road and located in the 8th Election District and 6th Councilmanic District.

05-521-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 443653

DATE 4/12/05 ACCOUNT 001006.6150

AMOUNT $ 65.00

RECEIVED FROM: NOLAN PLUMHOFF + WILLIAMS

FOR: ITEM #581 05-581-A

11507 FALLS RD. BY D THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS	ACTUAL	TIME
4/13/2005	4/13/2005	10:16:14

ACCT NAME UNKNOWN ITEM CHO
RECEIPT # 300043 4/13/2005
Item 5 ZONING VERIFICATION
CR NO. 443653
Recpt Tot $65.00
$50.00 CK $50.00
$15.00

Baltimore County, Maryland

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date April 26, 2005

RE: Case Number 05-521-A

Petitioner/Developer ADAMS/NOLAN, PLUMHOFF + WILLIAMS C/O - DOUGLAS BURGESS-ESQ.

Date of Hearing(Closing) May 9, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 11527 FALLS ROAD

The sign(s) were posted on April 23, 2005

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-521 -A Address 11527 FALLS RD.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/13/05 **Posting Date:** 4/24/05 **Closing Date:** 5/9/05

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 05-521 -A Address 11527 FALLS RD.

Petitioner's Name ADAMS Telephone 687-4200 410-

Posting Date: 4/24/05 **Closing Date:** 5/9/05

Wording for Sign: To Permit AN ACCESSORY STRUCTURE (GARAGE) IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD.

WCR - Revised 6/25/04

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: 05-521-A

Petitioner: ADAMS

Address or Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. THURSTON R. ADAMS JR.

Address: 11527 FALLS RD.
BALTO. MD 21093

Telephone Number: 410-687-4200

Revised 2/20/98 - SCJ

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

May 9, 2005

Douglas L. Burgess, Esquire
Nolan, Plumhoff & Williams, Chtd.
502 Washington Avenue, Ste. 700
Towson, Maryland 21204

Dear Mr. Burgess:

RE: Case Number: 05-521-A, 11527 Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 13, 2005.

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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Thurston R. Adams, Jr. 11527 Falls Road Baltimore 21093

April 21, 2005

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

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 25, 2005

Item No.: 517, 518, 520, 521, 522, 523, 524, 525, 526, 527, 528

Pursuant to your request, this Office has reviewed the referenced plan(s) 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.

Acting Lieutenant William F. Connolly, Jr.
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 2, 2005

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 25, 2005
Item No. 520, 521, 523, 525

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

Dak:CEN:clw
cc: file
ZAC-NO COMMENTS-05022005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED
MAY 25 2005
ZONING COMMISSIONER

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: May 24, 2005, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of April 25, 2005

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

05-423
05-518 Set in for Hearing
05-521 Granted 5/17/05
~~05-522 BW - 5/24~~
~~05-524 BW - 5/24~~
05-527 BW (6/3)

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 28, 2005

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-521 – Administrative Variance**

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By: Mark A Cunningham

RECEIVED
APR 29 2005
ZONING COMMISSIONER

Division Chief: Lynn Lochner

MAC/LL

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

State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 4-22-05

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

RE: Baltimore County
Item No. 521 DT

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 29, 2005

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

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

SUBJECT:	Item No.:	5-521-A
	Legal Owner/Petitioner	Adams, Thurston Jr
	Contract Purchaser:	N/A
	Property Address:	11527 Falls Rd
	Location Description:	E/side Falls Rd, 719' S/centerline Fallscroft Rd

VIIOLATION INFORMATION:	Case No.	05-0280
	Defendants:	Adams, Thurston Jr

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
James Garland (Building Inspector)	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:

- ☐ 1. Complaint letter/memo/email/fax (if applicable)
- ☐ 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)
- X 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/jg
C: Code Enforcement Officer

ZAC AGENDA

520 **Case Number:** 5-520-A **Primary Use:** Residential **Reviewer:** JJS

ninistrative Variance

ner: Carmen A. and Alicia K. DelGuercio

ct Purchaser:

ical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 8th **Councilmanic Dist:** 3rd

perty Address: 13015 & 13017 Jerome Jay Drive

ation: E/side Jerome Jay Drive, 1,233 centerline northwest of Laurelford Court

sting Zoning: R.C. 5 **Area:** 3.67 acres

posed Zoning: ADMINISTRATIVE VARIANCE to allow an accessory structure to have a height of thirty feet in lieu of the maximum permitted 15 feet

rney:

ellaneous: Pool, &Pool house

---

n Number: 521 **Case Number:** 5-521-A **Primary Use:** Residential **Reviewer:** DT

e: Administrative Variance

al Owner: Thurston R. Adams, Jr.

tract Purchaser:

ical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 8th **Councilmanic Dist:** 6th

perty Address: 11527 Falls Road

ation: E/side Falls Road, 719 feet south of centerline Fallscroft Road

sting Zoning: R.C. 5 **Area:** 1.3 acres

posed Zoning: ADMINISTRATIVE VARIANCE to permit an existing accessory structure (residential garage) in the side yard in lieu of the required rear yard.

Garland 05-0280

rney: Douglas L. Burgess

ellaneous: garage

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DIRECTOR

BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B520521 CONTROL #: MR DIST: 08 PREC: 09
DATE ISSUED: 05/30/2003 TAX ACCOUNT #: 1700004945 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 11527 FALLS RD
SUBDIVISION: FALLSWOOD

OWNERS INFORMATION
NAME: THURSTON R ADAMS JR
ADDR: 11527 FALLS RD LUTHERVILLE MD 21093

TENANT:
CONTR: CONESTOGA BLDG CO
ENGNR:
SELLR:
WORK: CONST 1-STY DETACHED 2-CAR POLE BLDG IN REAR YARD OF EX SFD. ACCESSORY STRUCTURE LETTER ATTACHED. POLE BARN MUST BE IN REAR YARD. 24'X24'X10'=576SF

BLDG. CODE:
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD & POLE BLDG/GARAGE
EXISTING USE: SFD

TYPE OF IMPRV: NEW BULDING CONTRUCTION
USE: GARAGE
FOUNDATION: CONCRETE BASEMENT: NONE
SEWAGE: PRIV. EXISTS WATER: PRIV. EXISTS

LOT SIZE AND SETBACKS

SIZE: 1.310AC
FRONT STREET:
SIDE STREET:
FRONT SETB: NC
SIDE SETB: NC
SIDE STR SETB:
REAR SETB: 70

~~OGR INSPECTOR COPY~~

Entered 11A

CODE ENFORCEMENT REPORT

DATE: 3 / 3 / 05 INTAKE BY: Garland CASE #: 05-0280 INSPEC:

COMPLAINT LOCATION: 11527 Falls Rd.

ZIP CODE: 21093 DIST: 8

COMPLAINANT NAME: Balt. County - Bldg. Insp PHONE #: (H) — (W) 3953

ADDRESS: ZIP CODE:

PROBLEM: Permit B520521 - Bldg. Location does not comply with issued Permit

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

TAX ACCOUNT #: 1700004945 ZONING:

INSPECTION: 3·3·05 - on site Insp. - Issued Corr. Notice to File for new permit - Bldg. Location does not comply with permit - structure located on side of dwelling - not in rear

REINSPECTION: per permit - R.C. 3·13·05

REINSPECTION: Permit expired - No complaint

Enter

3·15·05 - Mr. Adams in process of filing for

REINSPECTION: Variance - Request extension until 6·13·05 to complete Variance process.
O.K. R.C. 6·13·05

RA1001B

DATE: 04/29/2005 STANDARD ASSESSMENT INQUIRY (1)
TIME: 07:18:22

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
17 00 004945	08	2-0	04-00	H	NO		02/15/05

ADAMS THURSTON R,JR
DESC-1.. IMPS
DESC-2.. FALLSWOOD
11527 FALLS RD
PREMISE. 11527 FALLS RD
00000-0000
LUTH-TIMONIUM MD 21093-1610 FORMER OWNER: ADAMS THURSTON R,JR

FCV	PRIOR	PROPOSED	PHASED IN	CURR FCV	CURR ASSESS	PRIOR ASSESS
LAND:	154,650	206,200				
IMPV:	221,630	307,450	TOTAL..	422,070	422,070	376,280
TOTL:	376,280	513,650	PREF...	0	0	0
PREF:	0	0	CURT...	422,070	422,070	376,280
CURT:	376,280	513,650	EXEMPT.		0	0
DATE:	07/01	07/04				

TAXABLE BASIS — FM DATE
ASSESS: 422,070 11/11/04
ASSESS: 376,280
ASSESS: 0

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

RA1001C

DATE: 04/29/2005 STANDARD ASSESSMENT INQUIRY (2)
TIME: 07:18:37

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
17 00 004945	08	2-0	04-00	H	NO		02/15/05

LOT.... 10 BOOK.... 0038 MAP..... 0059 LOT WIDTH..... 86.21
BLOCK.. FOLIO... 0117 GRID.... 0006 LOT DEPTH..... .00
SECTION.. 1 PARCEL.. 0143 LAND AREA.. 1.310 A
PLAT.. YEAR BUILT..... 78

TRANSFER DATA
NUMBER..... 033206
DATE..... 04/27/90
PURCHASE PRICE..... 0
GROUND RENT..... 0
DEED REF LIBER..... 08465
DEED REF FOLIO..... 0232
CONVEYED IND..... 9
TOT-PART TRAN IND..... T
GRANTOR ACCT NO.. 17-00-004945

EXEMPT DATA
STATUS.....
CLASS CODE..... 000
STATE EXEMPT CODE..... 000
COUNTY EXEMPT CODE..... 000
CURR STATE EX ASMT.... 0
PRIOR STATE EX ASMT... 0
CURR COUNTY EX ASMT... 0
PRIOR COUNTY EX ASMT.. 0

CRITICAL AREAS CODE	NEW CONST YEAR	CARD NO
		04888

STRUCTURE

CODE	SQ. FEET
	3321

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

RA1001D

DATE: 04/29/2005 STANDARD ASSESSMENT INQUIRY (3)
TIME: 07:18:44

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
17 00 004945	08	2-0	04-00	H	NO		02/15/05

STATE
REC CREATE DATE.. 10/23/92
DELETE CODE..... M
DATE DELETED.....
LAST FM DATE..... 11/11/04
LAST FM TYPE..... C
PREV FM DATE.....
PREV FM TYPE.....

GEO CODE	N/A	LAND-USE
81	NO	R

COUNTY
LAST LOAD DATE... 02/15/05
PRIOR LOAD DATE.. 01/06/05

STATE TAXABLE ASSESS
ASSESS: 422,070
ASSESS: 376,280

ASSESS: 0

ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 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. 05-0280
Property No. 1700004945
Zoning:

Name(s): Thurston R. Adams Jr.

Address: 1527 Falls Rd.

Violation Location: 1527 Falls Rd.

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

I.R.C. 2000
SEC. 105.1

Must File for New Permit to show location of structure built under Permit # B520521 which states Bldg. must be located in Rear Yard -
Bldg. is constructed in side yard & did so without Inspections.

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

On or Before: 3-13-05
Date Issued: 3-5-05

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: JAMES GAECKLER

INSPECTOR:

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

DOUGLAS L. BURGESS

DIRECT DIAL:
(410) 823-7857

E-MAIL:
dburgess@nolanplumhoff.com

Law Offices
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX: (410) 296-2765

J. EARLE PLUMHOFF
(1940-1988)

NEWTON A. WILLIAMS
(RETIRED 2000)

RALPH E. DEITZ
(1918-1990)

March 11, 2005

VIA HAND DELIVERY

Mr. James Garland, Building Inspector
Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: **Citation No. 05-0280**
Thurston R. Adams, Jr.
11527 Falls Road

Dear Mr. Garland:

Kindly accept this as a letter from me as counsel for Thurston R. Adams, Jr. of 11527 Falls Road.

Reference is made to a recent building code citation for the subject property. A copy of the citation is enclosed for your reference.

Please postpone the correction and response date contained in your citation until June 13, 2005. This should allow my client sufficient time to pursue an administrative variance for an accessory structure in the side yard in lieu of the required rear yard. Once this is granted, we will file for a new permit.

As of this date, please be advised that we have reserved April 13, 2005 at 10:00 a.m. for a zoning petition filing date. This was the earliest available petition filing date on the calendar at the Zoning Office.

I trust this letter meets your approval and you will postpone a response from us to the citation until June 13, 2005.

Thank you for your attention to this matter.

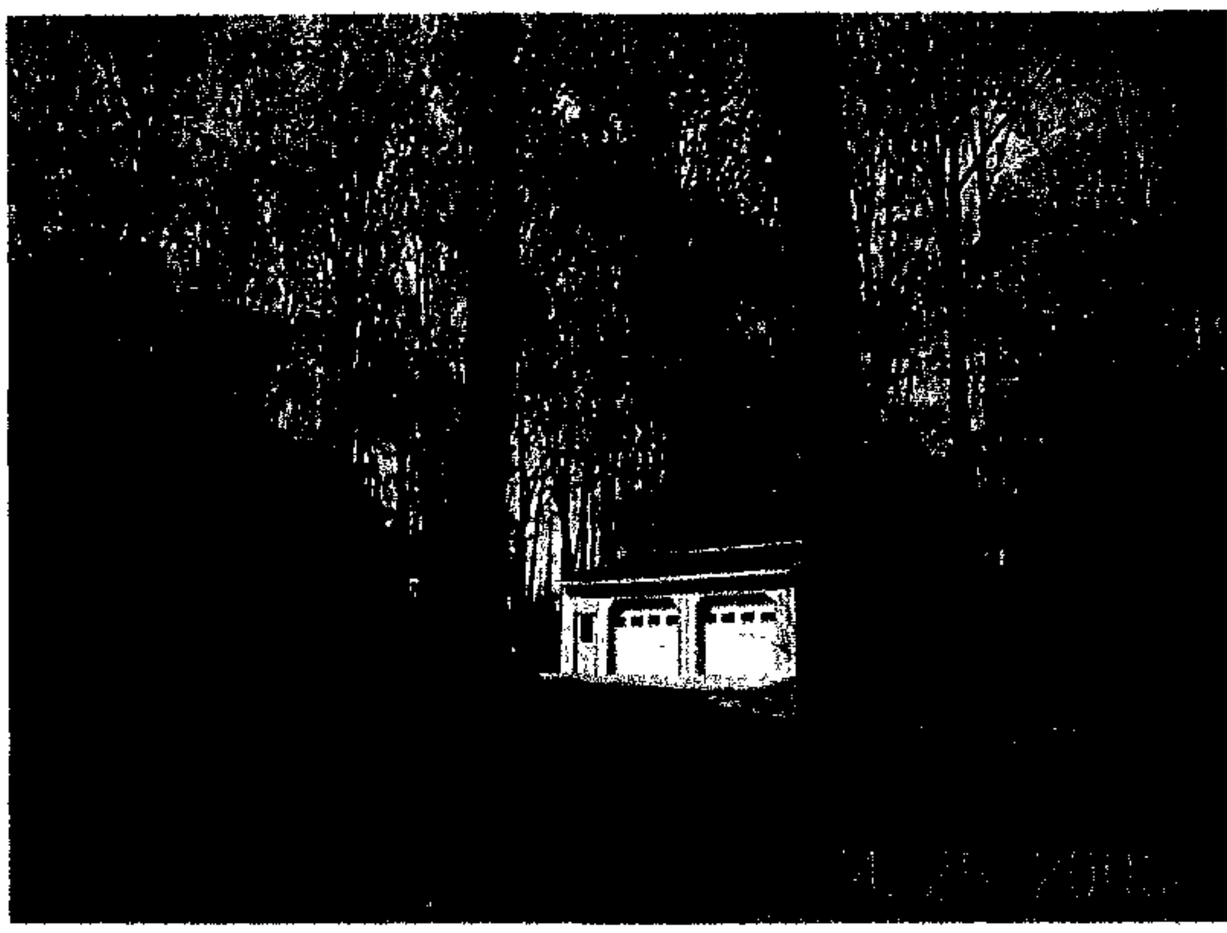
Very truly yours,

Douglas L. Burgess
ee

Douglas L. Burgess

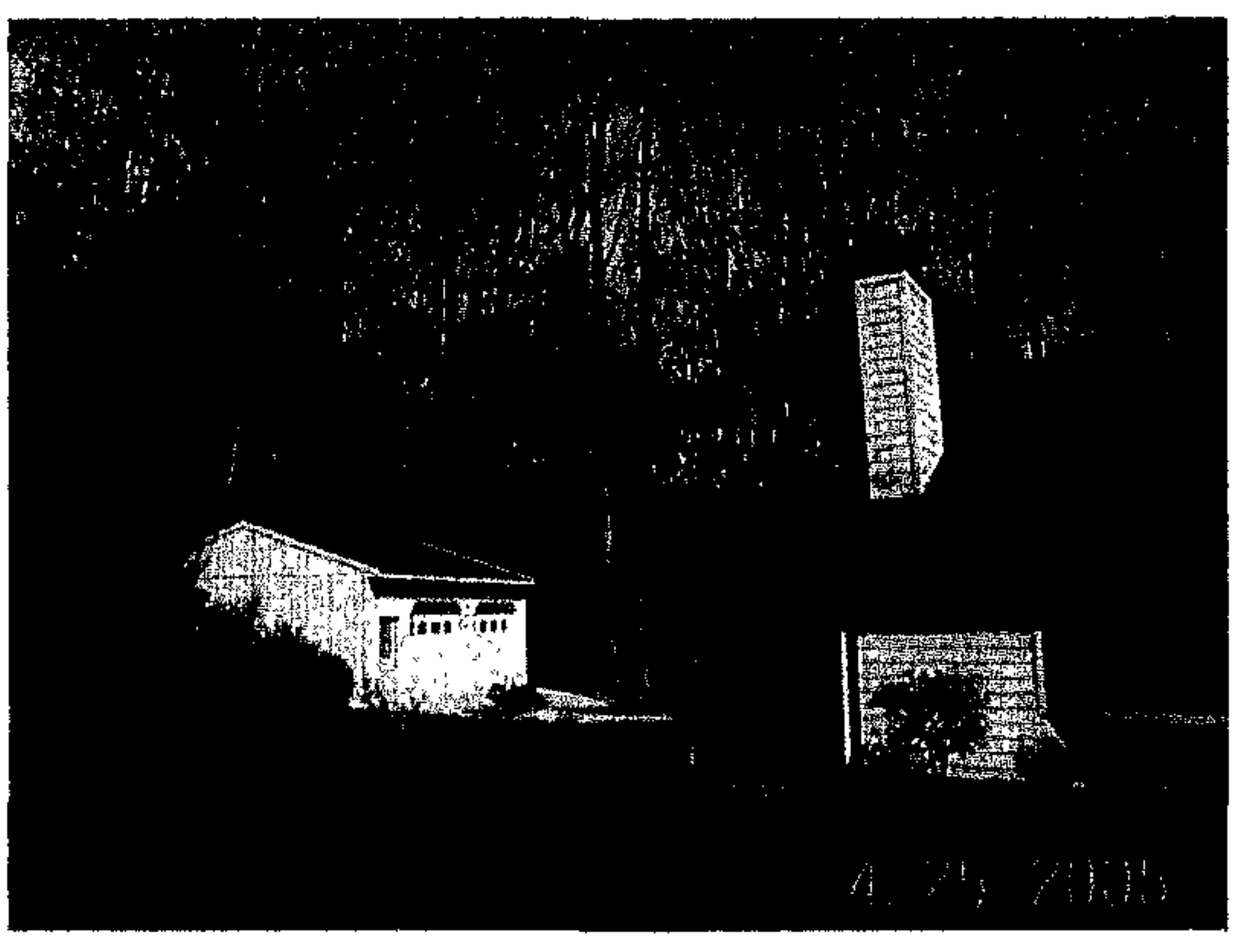
DLB/ll
Enclosure
cc: Thurston R. Adams, Jr.
William A. Hahn, Esquire
(All w/enc.)

GIVEN TO
Jim Thompson "JT" on
3-11-05 AT 3:50 pm



Front View

Front View



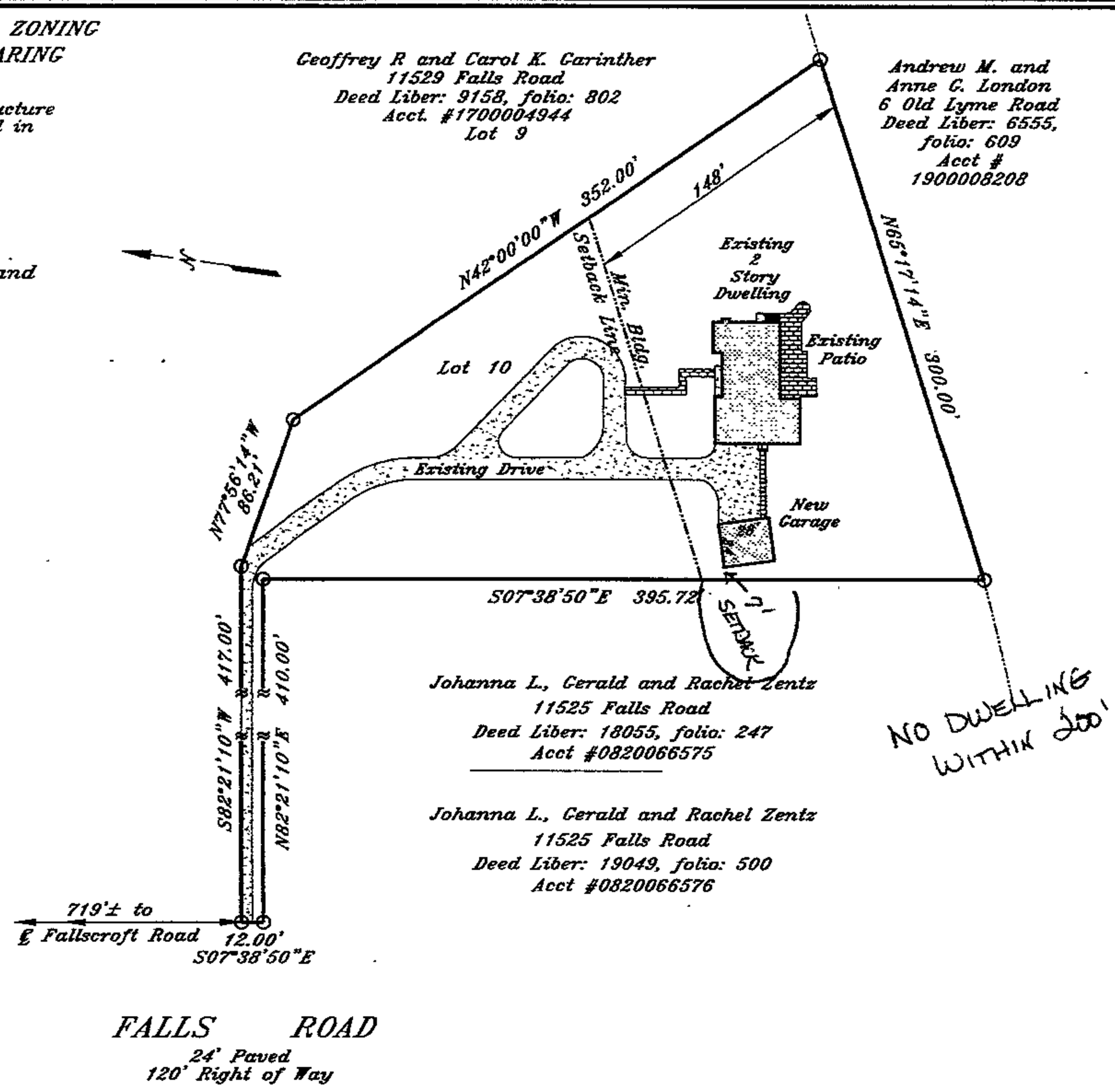
Rear View

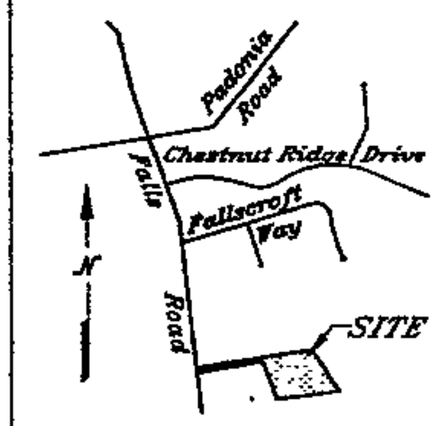
PLAT TO ACCOMPANY PETITION FOR ZONING

☒ VARIANCE ☐ SPECIAL HEARING

Purpose:
To permit an existing accessory structure (residential garage) in the side yard in leiu of the required rear yard.

Property Address: 11527 Falls Road
Baltimore County, Maryland
Owner: Thurston Adams,Jr.
Deed Reference: Liber: 8465, folio: 232
Lot Number: 10
Block/Section: –
Plat Reference: Book: 38 Page: 117
Title of Plat: Section One, Fallswood
Acct. #1700004945





VICINITY MAP
Scale: 1" = 1000'

LOCATION INFORMATION

Election District: #8
Councilmanic District: #3

1"=200' Scale Map:
#059C1

Lot Size:
1.31± Acreage — 57,063.60'± Square Feet

	Public	Private
Sewer:	☐	☒
Water:	☐	☒

	Yes	No
Chesapeake Bay Critical Area:	☐	☒

Present Zoning: RC5

Prior Zoning Hearings:
None

1"=100'

ZONING OFFICE USE ONLY

Reviewed By	Item Number	Case Number
D.T.	521	05-521

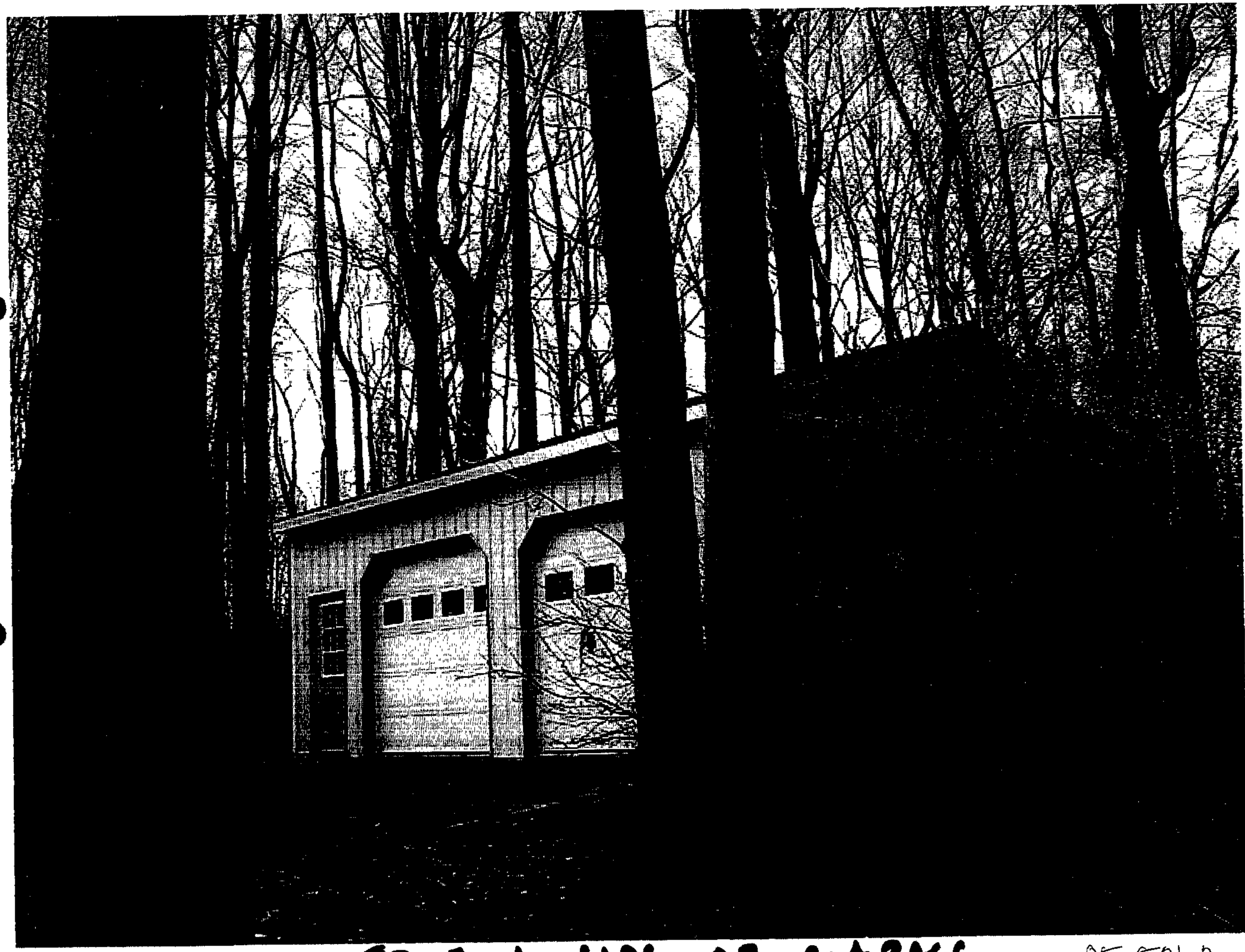
Pet Ex #1

RC6
Copyright (C) 2003 Baltimore County, Maryland

05-521-A

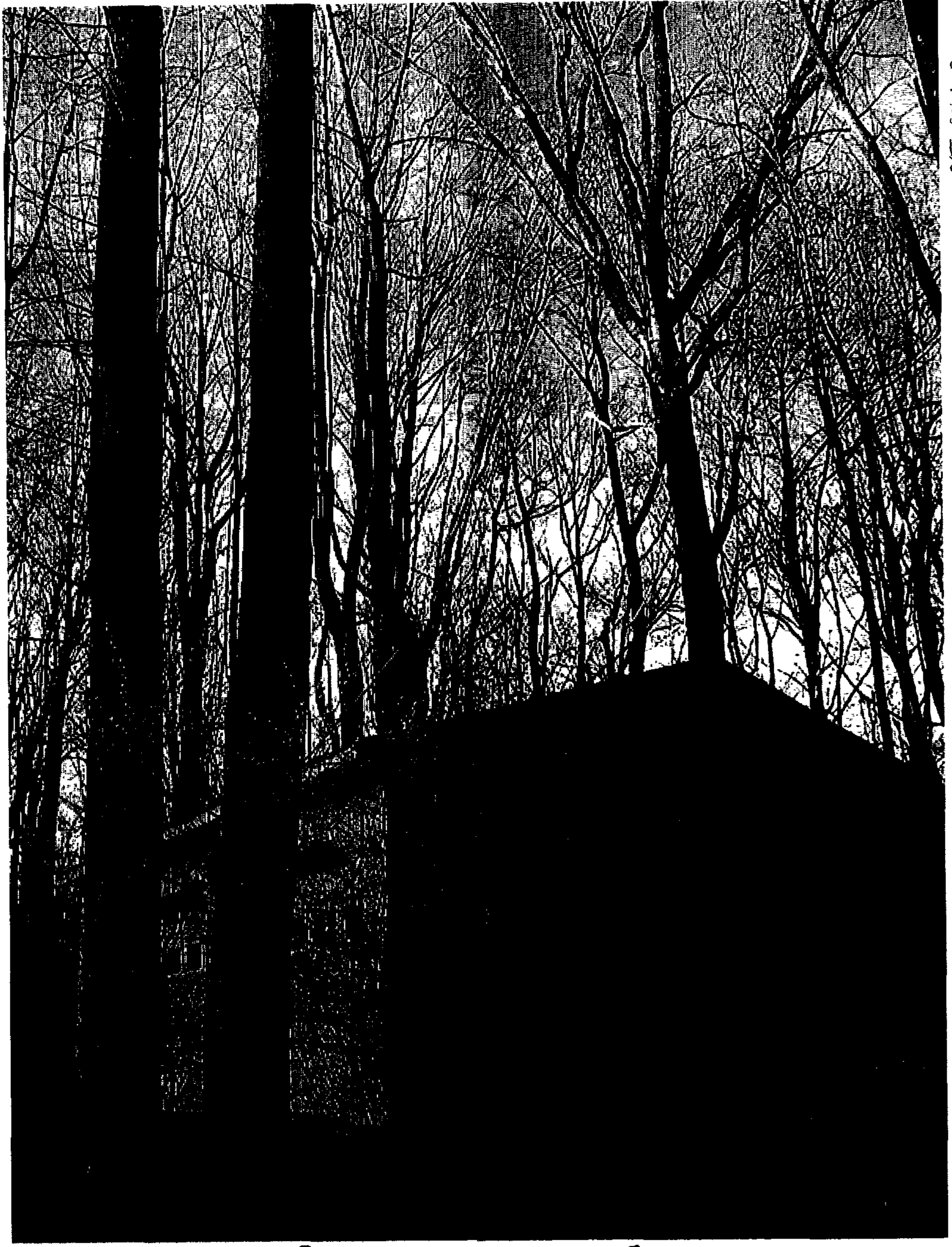
FRONT + SIDE OF GARAGE

05-521-A



FRONT + SIDE OF GARAGE

05-521-A



SIDE OF GARAGE

05-5314

MATURE WOODS IN REAR YARD

05-521-A

Plan Sheet: *059C1*

Note:
Section 32-3-202 of the Baltimore County, 2003 Code establishes the zoning geodatabase. This map represents the actions of the Baltimore County Council on August 31, 2004 (Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04) effective September 3, 2004.

Legend

Zoning — Streams — Vegetation
Buildings — Roads

Baltimore County
Office of Planning and Zoning
Official Zoning Map

050A3	050B3	050C3	051A3	051B3
059A1	059B1	059C1	060A1	060B1
059A2	059B2	059C2	060A2	060B2

Scale

1" = 200'

0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

05-