

IN RE: PETITION FOR VARIANCE
S/E side of Philadelphia Rd., 0 ft. S/W
of centerline Rustic Avenue
15th Election District
7th Councilmanic District
(8339 Philadelphia Road)

Lillian and Fred Vogtman,
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-105-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Lillian and Fred Vogtman. The Petitioners are requesting variance relief for property located at 8339 Philadelphia Road. Variance relief is requested from Sections 1B02.3.C.1 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear building addition with a rear setback of 15 ft. and a side setback of 4 ft. in lieu of 30 ft. and 10 ft. respectively and to permit a detached garage addition to be located outside of the one third of the lot furthest removed from any street.

A Notice of Zoning hearing was published in "The Jeffersonian" newspaper on October 4, 2005 and the property was posted on October 2, 2005 to notify any interested persons of the scheduled hearing date and time.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 05-3005) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter due to the fact that the building addition was started without a permit.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the 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 11-3-05

By

Debra V. [Signature]

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.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance.”

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were submitted by the Development Plans Review dated September 6, 2005, a copy of which is attached hereto and made a part hereto.

Interested Persons

Appearing at the hearing on behalf of the variance request were Lillian and Fred Vogtman, Petitioners. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The Petitioners have lived at the subject property for the past 42 years. They indicated that recently their son, daughter-in-law, grandchild (with another on the way) moved in with them and they are now in great need of additional living and storage space.

Apparently the house has had a small back porch but that the railing for the porch was in need of repair. Rather than simply repairing the railing, the Petitioners' son agreed to expand and enclose the porch to provide some of the additional living and storage space needed under the circumstance. The expanded back porch is 11 x 13 feet and located as shown on Petitioners' exhibit 1. The Petitioner explained that they did not realize that expanding and enclosing the back porch required a permit. Someone filed a complaint and the Petitioners filed this request for variance.

The Petitioners' reviewed the comment from Plans Review regarding the ultimate widening of Rustic Avenue to 40 feet of right of way. However this comment did not affect the Petition.

The need for the variance arises because the house is skewed so badly with the property lot lines as shown in exhibit 1. Had the house been remotely aligned with the lot lines, the Petitioners' could have expanded the back porch to the desired size on this lot, which is approximately 180 feet long without a variance. However because of the skewed alignment, the expanded porch immediately comes into conflict with the side yard and rear yard setback regulations of DR 5.5 zoning. The Petitioners indicated that it would be a hardship to move the

ORDER RECEIVED FOR FILING

Date 11-03-05

By [Signature]

whole porch toward Rustic Avenue because the existing back porch is the basic structure on which the addition is made.

In addition the Petitioners would like to replace the existing shed and garage on the back of their property with a new pole building. See Petitioners' exhibit 4 for the proposed replacement building and photographs of the existing shed and garage in exhibit 3, especially the wind damage portion of the garage in photo 3 I. They indicated that they cannot locate the new pole structure in the portion of the rear yard farthest from Rustic Avenue because of an existing swimming pool at that location. In fact most likely the existing garage and shed violate the farthest rear yard requirement so a replacement would do as well. Note that the shed is shown on exhibit 1 as the area for the expanded garage. Again the Petitioners need the new garage for the added storage space spurred by their extended family.

Findings of Fact and Conclusions of Law

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The house is badly skewed in regard to the alignment of the property lines so that virtually any expansion in the rear of the house will trigger the need for a variance. I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. With the extended family living with the Petitioner and a new baby on the way, the Petitioners need more living and storage space. No increase in residential density beyond that otherwise allowable by the Zoning Regulations will result from granting these variances. Finally I find that these variances can be granted in strict harmony with the spirit and intent of the regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The garage and shed are where the Petitioners propose the new pole building. This will improve

ORDER RECEIVED FOR FILING

Date 11-03-05

By [Signature]

the neighborhood. The neighbor most affected by the back porch enclosure and addition supports the Petitioners' requests.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 3 day of November, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Sections 1B02.3.C.1 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear building addition with a rear setback of 15 ft. and a side setback of 4 ft. in lieu of 30 ft. and 10 ft. respectively and to permit a detached garage addition to be located outside of the one third of the lot furthest removed from any street, be and is hereby GRANTED, subject however, to the following restrictions which are conditions precedent to the relief granted herein:

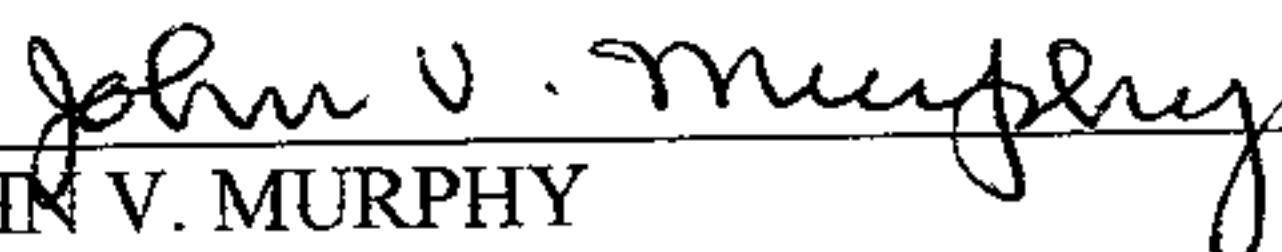
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this 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 Development Plans Review dated September 6, 2005, a copy of which is attached hereto and made a part hereof.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order; and

ORDER RECEIVED FOR FILING

Date 11-03-05

By Debra J. Day

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:dlw

ORDER RECEIVED FOR FILING

Date 11-03-05

By Dan W. W. W.

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

November 2, 2005

Ms. Lillian Vogtman
Mr. Fred Vogtman
8339 Philadelphia Road
Baltimore, Maryland 21237

Re: Petition for Variance
Case No. 06-105-A
Property: 8339 Philadelphia Road

Dear Mr. & Mrs. Vogtman:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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 "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: People's Counsel; Case File ; Code Enforcement

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





ORIGINAL KEEP IN FILE LOCATION # 05-3005

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 8339 Philadelphia Rd
which is presently zoned DR5.5

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) 1B02.3.C.1 AND 400.1

TO PERMIT A REAR BUILDING ADDITION WITH ~~50~~ A REAR SETBACK OF 15 FT. AND A SIDE SETBACK OF 4 FT. IN LIEU OF 30 FT. AND 10 FT. RESPECTIVELY AND TO PERMIT A ~~GARAGE~~ DETACHED GARAGE ADDITION TO BE LOCATED OUTSIDE OF THE ONE THIRD OF THE LOT FURTHEST REMOVED FROM ANY STREET.

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 DETERMINED AT 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 _____

Cas. No. 06 105 A

REV 9/15/98

Legal Owner(s):

Lillian Vogtman
Name - Type or Print _____
Lillian Vogtman
Signature _____
Fred Vogtman
Name - Type or Print _____
Fred L. Vogtman
Signature _____
8339 Philadelphia Rd. 410-686-6324
Address _____ Telephone No. _____
Balto. MD. 21237
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1/2 HR

UNAVAILABLE FOR HEARING

Reviewed By JK Date 8/19/05

Zoning Description For 8339 Philadelphia Rd.

Beginning at a point on the south^{Est} side of Philadelphia Rd which right of way width varies at a distance of 0 feet^{W^{est}} of the centerline of the nearest improved intersecting street Rustic Ave which varies in width. The Liber # 15360 and Folio # 115 containing 15,147 SF. known as 8339 Philadelphia Rd. and located in the 15th Election District 7th Councilmanic District.

DIMENSIONS FROM P.O.B. SOUTH ALONG PHILADELPHIA RD TO FT,
EAST 199.5 FT, NORTH 92 FT AND WEST 177 FT.
BACK TO P.O.B.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 463419

DATE

8/19/05

ACCOUNT

001 006 6480

AMOUNT

65.00

RECEIVED FROM:

✓ *Vegetarian*

FOR:

See list

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

8539 Philadelphia PA

PAID RECEIPT

DATE: 8/19/2005

TIME: 14:25:15

FROM: BALTIMORE COUNTY

RECEIVED BY: JAMES R. JONES

DATE: 8/19/2005

TIME: 14:25:15

AMOUNT: \$65.00

OK

45.00

410.00

435.00

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: #06-105-A

8339 Philadelphia Rd

S/east corner of Philadelphia Road and Rustic Avenue

15th Election District - 7th Councilmanic District

Legal Owner(s): Lillian & Fred Vogtman

Variance: to permit a rear building addition with a rear setback of 15 feet and a side setback of 4 feet in lieu of 20 feet and 10 feet respectively and to permit a detached garage addition to be located outside of the one third of the lot furthest removed from any street.

Hearing: Wednesday, October 19, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Besley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

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) 887-3394.
JT/10/608 Oct. 4

CERTIFICATE OF PUBLICATION

10/6/, 2005

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 10/4/, 2005.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 06-105-A

Petitioner/Developer: LILLIAN L

FRED VOGTMAN

Date of Hearing/Closing: OCT 19, 2005

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: _____

8339 PHILADELPHIA RD

The sign(s) were posted on 10-2-05
(Month, Day, Year)

Sincerely,

Robert Black 10-3-05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

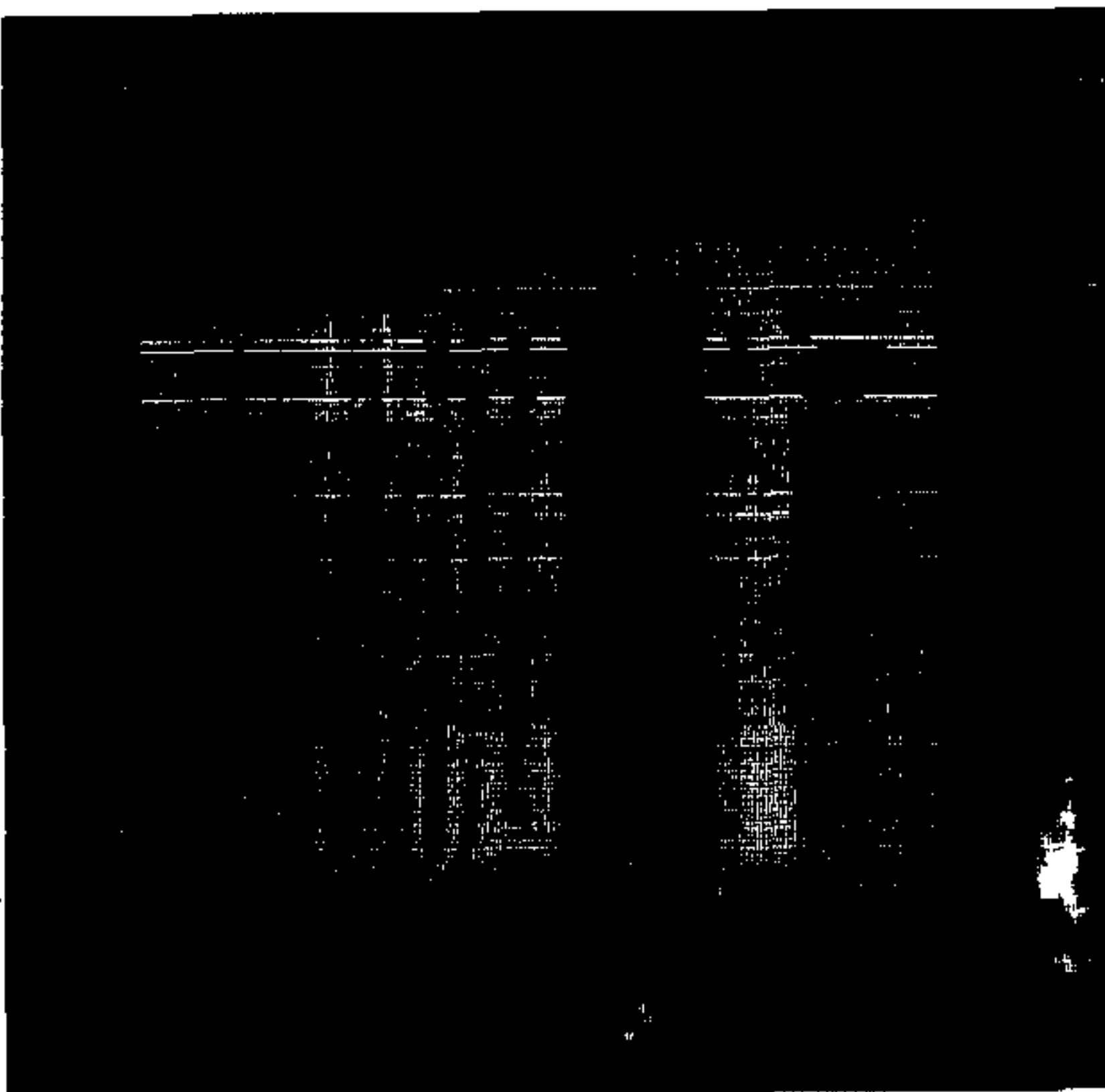
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

8339 PHILADELPHIA RD



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:

06 105 A

Petitioner:

VOGTMAN

Address or Location:

8339 Philadelphia Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Fred & Hillan Vogtman

Address:

8339 Philadelphia Rd

Baltimore MD 21237

Telephone Number:

410 -686-6324



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

September 6, 2005

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: 06-105-A

8339 Philadelphia Road
S/east corner of Philadelphia Road and Rustic Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Lillian & Fred Vogtman

Variance to permit a rear building addition with a rear setback of 15 feet and a side setback of 4 feet in lieu of 30 feet and 10 feet respectively and to permit a detached garage addition to be located outside of the one third of the lot furthest removed from any street.

Hearing: Wednesday, October 19, 2005 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Vogtman, 8339 Philadelphia Road, Baltimore 21237

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 4, 2005.**
(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
Tuesday, October 4, 2005 Issue - Jeffersonian

Please forward billing to:
Fred & Lillian Vogtman
8339 Philadelphia Road
Baltimore, MD 21237

410-686-6324

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: 06-105-A

8339 Philadelphia Road
S/east corner of Philadelphia Road and Rustic Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Lillian & Fred Vogtman

Variance to permit a rear building addition with a rear setback of 15 feet and a side setback of 4 feet in lieu of 30 feet and 10 feet respectively and to permit a detached garage addition to be located outside of the one third of the lot furthest removed from any street.

Hearing: Wednesday, October 19, 2005 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J WISEMAN III
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**

Development Processing
County Office Building
111 W Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 17, 2005

Lillian Young
Fred Vogtman
8339 Philadelphia Road
Baltimore, Maryland 21237

Dear Mr. Vogtman and Ms. Young:

RE: Case Number: 06-105-A, 8339 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 19, 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,

A handwritten signature in black ink that reads "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, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 6, 2005

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 12, 2005
Item No. 105

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

----- The minimum right-of-way for all public roads in Baltimore County is 40. Show a future 40-foot-wide right-of-way centered on the existing right-of-way for Rustic Avenue. Set back shall be adjusted accordingly. -----

DAK:CEN:clw
cc: File
ZAC-ITEM NO 105-09062005.doc

ORDER RECEIVED FOR FILING

Date 11-3-05

By *Dennis Kennedy*

Fire Department

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



Baltimore County

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

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

September 1, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: **September 12, 2005**

Item# **6-105-a, 6-108-A, 6-109-SPH, 6-111-A, 6-112-A, 6-113-A, 6-114-SPH, 6-115-A**

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Lieutenant J.D. Mezick
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



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



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

Maryland Department of Transportation

Date: 8.30.05

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

RE: Baltimore County
Item No. 105 JLL

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

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

DATE: September 6, 2005

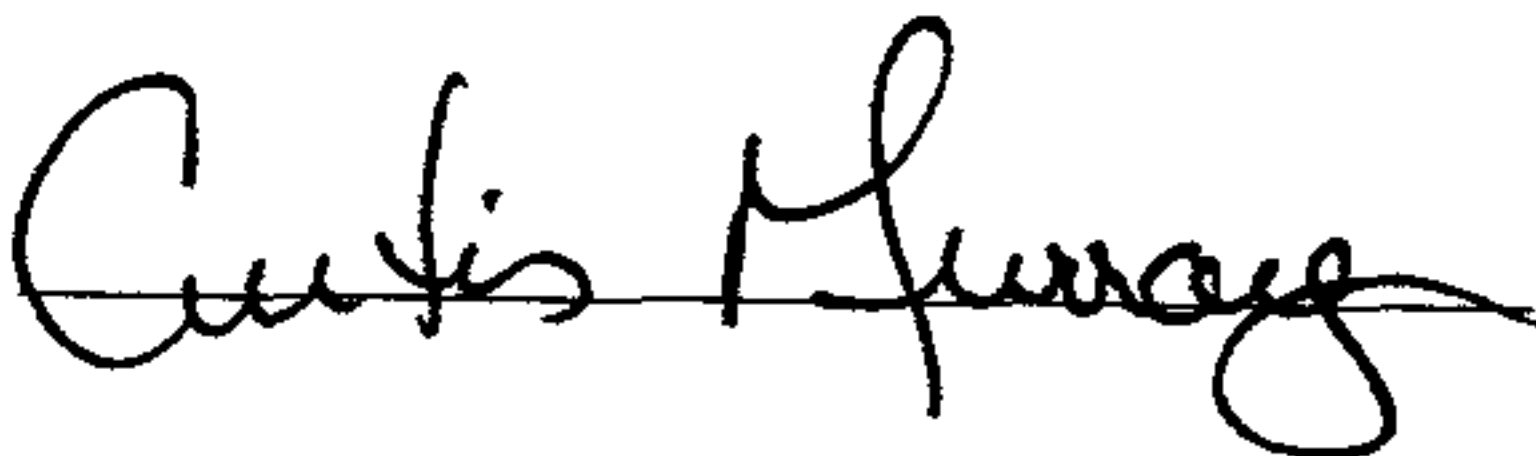
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-105- 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 Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

RE: PETITION FOR VARIANCE * BEFORE THE
8339 Philadelphia Road; SE corner *
Philadelphia Road and Rustic Avenue * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Lillian & Fred Vogtmann * FOR
Petitioner(s) * BALTIMORE COUNTY
* 06-105-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 and all 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 30th day of August, 2005, a copy of the foregoing Entry of Appearance was mailed to, Lillian & Fred Vogtman, 8339 Philadelphia Road, Baltimore, MD 21237, Petitioner(s).

RECEIVED

AUG 30 2005

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: September 1, 2005

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

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

SUBJECT: Item No.: 6-105-a
Legal Owner/Petitioner Vogtman, Lillian & Fred
Contract Purchaser: N/A
Property Address: 8339 Philadelphia Rd
Location Description:

VIIOLATION INFORMATION: Case No. 05-3005
Defendants: Vogtman, Lillian & Fred

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

NAME	ADDRESS
------	---------

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- | | | |
|--------------------------|-----|---|
| X | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| X | 3. | State Tax Assessment printout |
| ☐ | 4. | State Tax Parcel Map (if applicable) |
| ☐ | 5. | MVA Registration printout (if applicable) |
| ☐ | 6. | Deed (if applicable) |
| ☐ | 7. | Lease-Residential or Commercial (if applicable) |
| ☐ | 8. | Photographs including dates taken |
| X | 9. | Correction Notice/Code Violation Notice |
| ☐ | 10. | Citation and Proof of Service (if applicable) |
| ☐ | 11. | Certified Mail Receipt (if applicable) |
| ☐ | 12. | Final Order of the Code Official/Hearing Officer (if applicable) |
| ☐ | 13. | Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| ☐ | 14. | Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable). |

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/ee
C: Code Enforcement Officer

(1) Rec'd complaint

(2) Wrote LWD (put in MAILBOX)

(3) Owners applied for permit

(4) Need Variance

Entered NS

CODE ENFORCEMENT REPORT

GA

DATE: 9.05 INTAKE BY: Shelter CASE #: 05-3005 INSPEC:

COMPLAINT LOCATION: 8339 Philadelphia RD

ZIP CODE: DIST: 14

COMPLAINANT NAME: Anonymous PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: Building Addition w/o permit

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

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 15 22 450310 ZONING:

INSPECTION: 6/30/05 Visited site Wrote SWO for
small add. on rear. left SWO in mail box
P/O 7/18/05 LJE

REINSPECTION: KH
GB

REINSPECTION:

REINSPECTION:

DATE: 06/29/2005

STANDARD ASSESSMENT INQUIRY (1)

TIME: 14:51:00

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 22 450310	15	3-1	04-00	H	NO		06/15/05
VOGTMAN LILLIAN				DESC-1.. IMPS			
VOGTMAN FREDERICK				DESC-2.. CO COR RUSTIC AV			
8339 PHILADELPHIA RD				PREMISE. 08339 PHILADELPHIA		RD	

00000-0000

BALTIMORE MD 21237-2940 FORMER OWNER: VOGTMAN LILLIAN

----- FCV -----			----- PHASED IN -----		
	PRIOR	PROPOSED		CURR	PRIOR
LAND:	31,530	31,530		FCV	ASSESS
IMPV:	51,590	55,740	TOTAL..	87,270	85,886
TOTL:	83,120	87,270	PREF...	0	0
PREF:	0	0	CURT...	87,270	85,886
CURT:	83,120	87,270	EXEMPT.	0	0
DATE:	06/99	09/02			

---- TAXABLE BASIS ----		FM DATE
00/01 ASSESS:	87,270	06/13/05
ASSESS:	85,886	
ASSESS:	0	

ENTER-INQUIRY2 PA1-PRINT 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. <i>05-3005</i>	Property No. <i>15-22-450310</i>	Zoning:
Name(s): <i>Fred and Hellean Vogtman</i>		
<i>8339 Phila. Rd. 21237</i>		
Address:		
Violation Location: <i>Spur</i>		

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

*1. Obtain permit for add.
on rear of existing S.F.D.
FBL-107.1
Failure to do so will result
in a \$200.00 day fine
Call if any questions.
7:30-8:00 AM 3:00-3:30 PM*

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

On or Before:	Date Issued:
---------------	--------------

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

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: <i>7/18/05</i>	Date Issued: <i>6/30/05</i>
-----------------------------------	--------------------------------

INSPECTOR:

Carol Leber *ERPOL Ecker*

AGENCY

To whom it may concern,

7/4/05

My neighbors at 8339
Philadelphia Rd, Rosedale, MD 21237
Are putting up an extension on
their porch and are also working
on their garage and this does
not obstruct my view in any
form I feel this would improve
the neighborhood.

Heckel Turner

1239 Rustic Ave

Rosedale MD 21237

410 391-2190

Delbert

July 5, 2005

Re: Fred and Lillian Vogtman
8339 Philadelphia Road
Baltimore, Maryland 21237

To Whom It May Concern:

I reside at 8337 Philadelphia Road and have no problem with my neighbors of eight years adding an addition to improve their home.

If you have questions and would like to contact me please call 410-574-4725.

Sincerely,

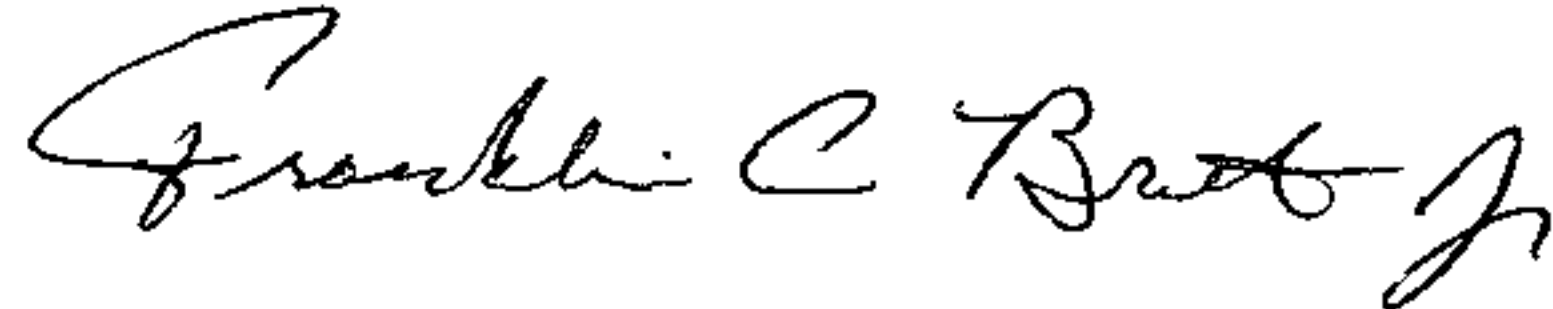

Victoria Shrader

Ret 2/13

TO BALTIMORE COUNTY INSPECTORS DATED 7 / 4 / 2005

I LIVE AT 8403 PHILADELPHIA ROAD. FRED AND LILLIAN VOGTMAN
HAVE BEEN MY NEXT DOOR NEIGHBORS SINCE AUGUST OF 1974.
THE HOME IMPROVEMENT EXPANSIONS THAT THEY ARE WORKING
ON , IN NO WAY OBSTRUCTS OR EFFECTS MY VIEW.
ANY IMPROVEMENTS TO THERE HOME OR GARAGE OR PROPERTY
HAS MY FULL APPROVAL AND BACKING.
PLEASE DO NOT HESITATE TO CALL ME IF YOU NEED ANY MORE
EXPLANATION OF MY FEELINGS IN THIS MATTER.

SINCERELY; FRANKLIN C BRITT JR
PHONE # (410) - 574 - 3971

A handwritten signature in cursive script, reading "Franklin C. Britt Jr.", written in dark ink.A small, stylized handwritten mark or signature in the bottom right corner of the page.

CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

[illegible]

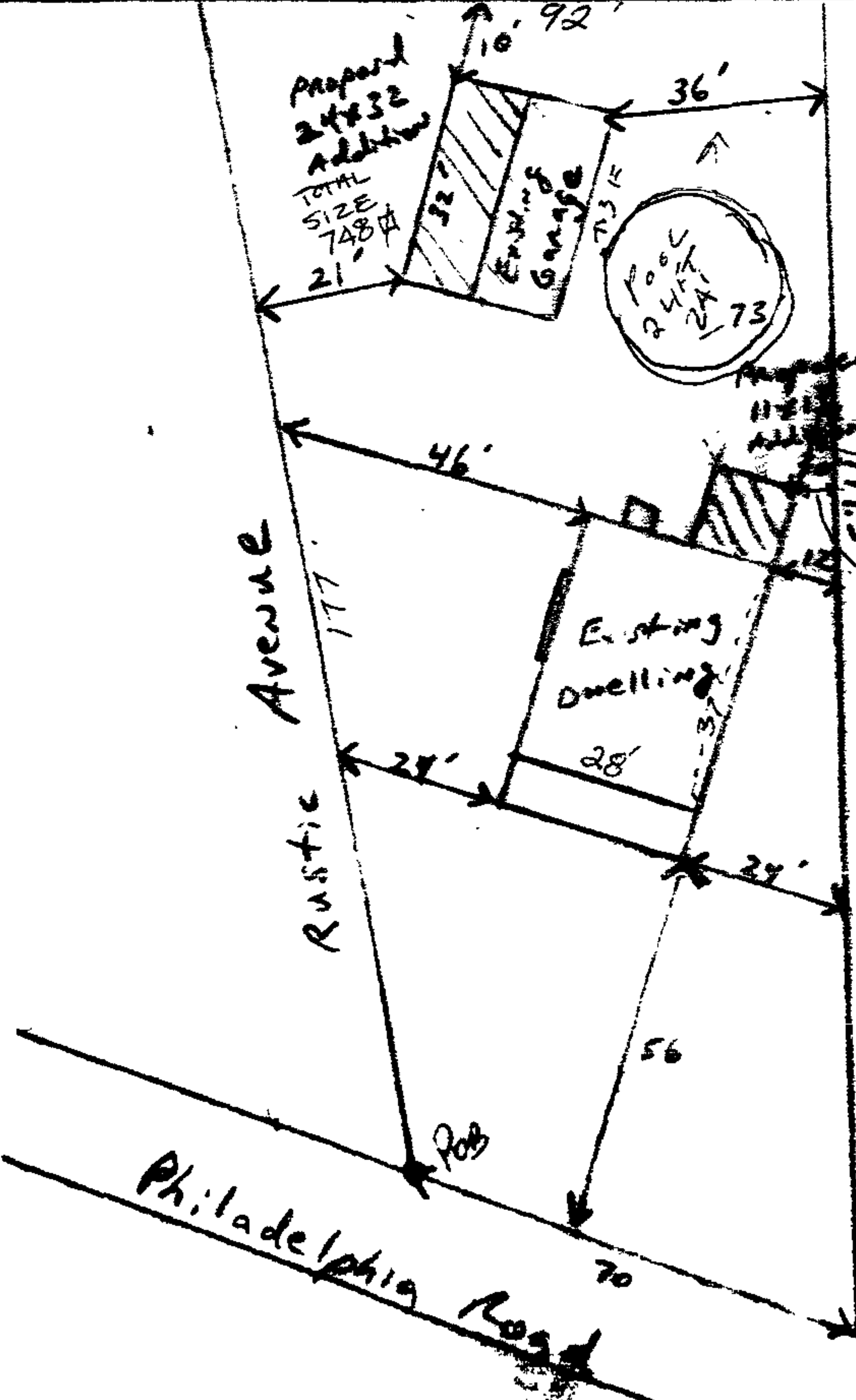
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

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

PROPERTY ADDRESS 8339 Philadelphia Rd
 SUBDIVISION NAME Rustic Ave N/A

PLAT BOOK # FOLIO # 115 LOT # SECTION #

OWNER Lillian Vogtman
AND FRED



4' SIDE & 15' REAR SETBACK FOR 11x13 ADDITION UNDER VIOLATION # 05-3005

I AM RESPONSIBLE FOR THE ACCURACY OF ALL PETITION INFO. AS DRAWN & WRITTEN BY RALTO, CO

SCALE OF DRAWING: 1" = 30'

PREPARED BY 8/19/05

Handwritten notes:
 Rustic Ave
 subject survey
 Philadelphia Rd.
 PHILADELPHIA RD

LOCATION INFORMATION

ELECTION DISTRICT 15
 COUNCILMANIC DISTRICT 7
 1" = 200' SCALE MAP # 08902
 ZONING DR 5.5 15/4/17
 LOT SIZE ACRES 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 None

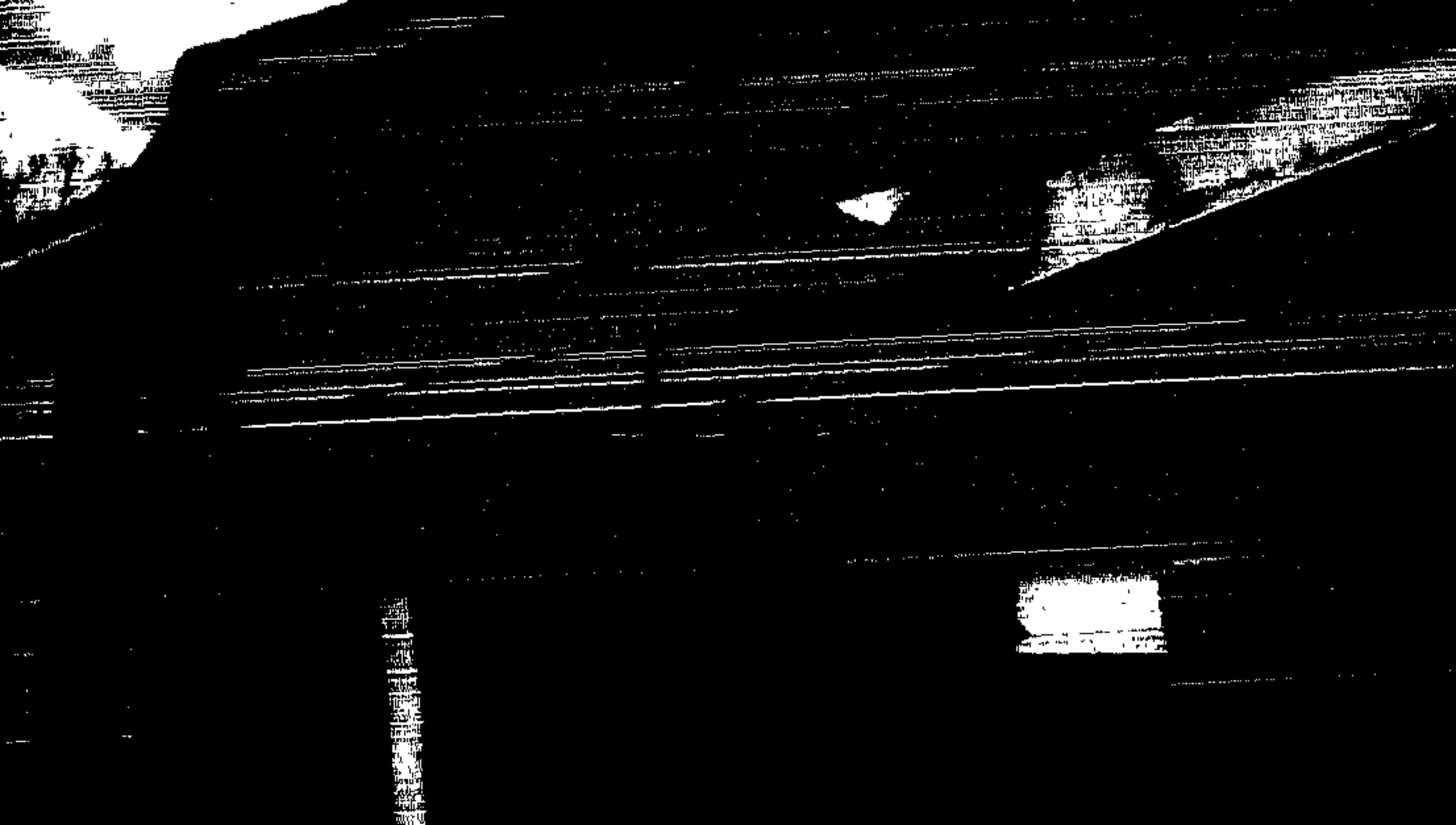
ZONING OFFICE USE ONLY
 REVIEWED BY ITEM # CASE #

1" = 30' 06 105 De



Case #
06-105-A





The image is a high-contrast, black and white photograph of a building. The building has a gabled roof and a sign on the front that reads 'PDB'. Below the sign, the text 'Pioneer Pole Buildings Inc.' is printed. At the bottom of the image, the phrase 'Can We Build One For You!' is written in a large, stylized font. The building appears to be a simple, rectangular structure with a pitched roof. The overall style is reminiscent of a vintage advertisement or a high-contrast photocopy.

PDB

**Pioneer Pole
Buildings Inc.**

Can We Build One For You!

Thank You For Considering Pioneer!

Our mission is to provide you with top-quality post frame buildings – at a competitive price – with unsurpassed service. We promise to provide you excellent customer support and service. Constantly improving our product quality and customer satisfaction will enable us to achieve our goal. With our dedicated employees following this basic philosophy, we will be the leader in our industry. If we fail to live up to your

expectations as our customer,
call me directly at

1-888-448-2505.



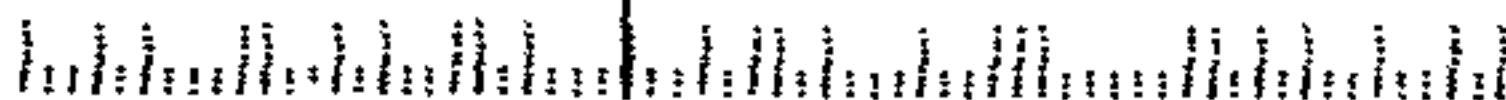
**Pioneer Pole
Buildings Inc.**

Thank you,
Bob Greene
President

Pioneer Pole Buildings Inc.
716 South Route 183
Schuylkill Haven, PA 17972

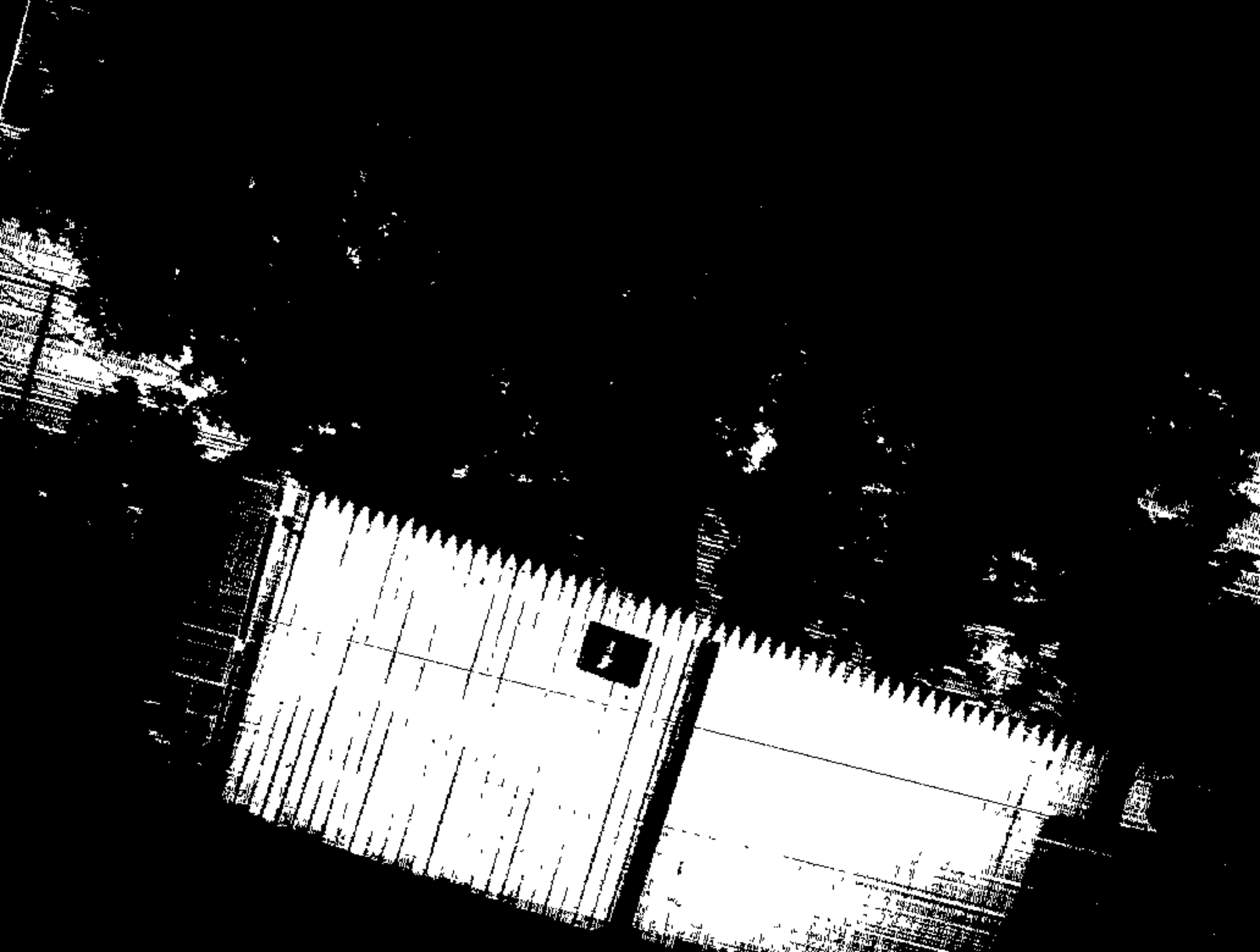


Fred & Lillian Vogtman
8339 Philadelphia Rd
Rosedale, MD 21237







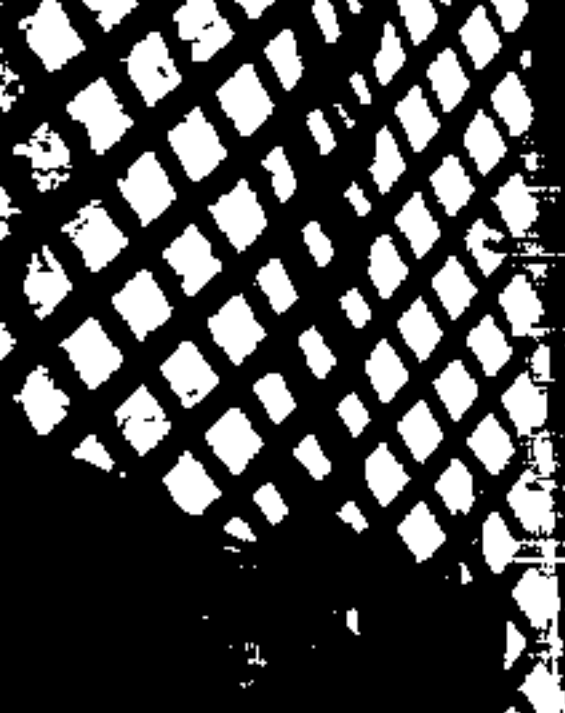












Alside

Alside

Alside

Alside

Alside

Alside

A

