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PROPERTY OF STATE OF STA

IN RE: PETITION FOR VARIANCE

Northwest Side of Owings Choice Court, 580' +/- s/w of c/l of Painters Mill Road 2nd Election District 4th Councilmanic District

(9232 Owings Choice Court)

Latina Paul and Erick Swinson Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- CASE NO. 06-264-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by Latina Paul and Erick Swinson, Petitioners. The variance request is for property located at 9232 Owings Choice Court in the Owings Mills area of Baltimore County. The variance request is from Sections 1B01.2.C.1, 500.4 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a rear yard of 10.17 feet in lieu of the required 11.25 feet for a deck and to amend the Final Development Plan (FDP) of Owings Choice, Lot 17 only.

The property was posted with a notice of the public hearing date and time on December 19, 2005 and notice given to the general public by publication in the Jeffersonian Newspaper on December 20, 2005.

Interested Persons

Appearing at the hearing on behalf of the variance request was Bernadette Moskunas from Site Rite Surveying, who prepared the site plan. There were no protestants or citizens attending the hearing. Peter Max Zimmerman, People's Counsel, entered his appearance in this case.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 05-6204) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter due to the fact that a permit is required for a deck addition and inspections.

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 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."

Testimony and Evidence

The Petitioner built an addition (deck) to his home without a permit. The subject property contains 2,106 sq. feet and is zoned DR 16. The addition was located on the rear of one of six (6) town homes and projects into the setback area for decks in the rear yard creating a 10.17 foot rear yard. The regulations allow a rear yard of 11.25 feet. See Petitioner's Exhibit 1.

Ms. Moskunas indicated that the Petitioner bought the property in 2003. Finding the original 12 x 10 deck, which came with the house, too small, the Petitioner replaced it with a 14 x 27-foot deck. This makes the new deck 1.08 feet too long. The reason that the Petitioner did not find out about the setback regulations is because the Petitioner did not think he needed a permit to replace a deck with a deck.

Upon questioning why removing 1.08 feet of deck would cause the Petitioner to suffer hardship or practical difficulty, she could give no specific reason other than the deck is already up and it would be a hardship to remove a foot off the existing structure.

Findings of Fact and Conclusions of Law

As mentioned above, 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 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.

Here, the Petitioner almost got it right. He only missed the length by 1 foot. Clearly, it will cost something to remove one foot of the deck to meet the regulations. The structure is there. However, just as clearly any hardship has been self imposed. There is nothing on the record on which I can find some hardship or practical difficulty independent of the fact that the

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structure exists. There is nothing on the record to indicate the property is unique in a zoning sense. These are almost the exact facts in the seminal case of *Cromwell v Ward*, 102 MD 691, 651 A.2d 424. Therefore, I must deny the variance. I will give the Petitioners 60 days to remove the excess deck length and comply with the regulations.

I realize that it may appear harsh to require the Petitioner to remove one foot of deck to comply with the regulations. However, the law does not distinguish a small request from one asking for larger variances. I cannot set a precedent to the contrary even for this small request.

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 denied.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of January, 2006, that a variance request from Sections 1B01.2.C.1, 500.4 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a rear yard of 10.17 feet in lieu of the required 11.25 feet for a deck and to amend the Final Development Plan (FDP) of Owings Choice, Lot 17 only, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petitioner shall modify the deck so as to comply with the regulations within 60 days of the date of this Order.

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

OHNW. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III Zoning Commissioner

January 06 2006

Latina Paul Erick Swinson 9232 Owings Choice Court Owings Mills, Maryland 21117

> Re: Petition for Variance Case No. 06-264-A

Property: 9232 Owings Choice Court

Dear Ms. Paul and Mr. Swinson:

Enclosed please find the decision rendered in the above-captioned case. The petition for Variance has been denied 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

Deputy Zoning Commissioner

for Baltimore County

JVM:dlw Enclosure

c: Bernadette Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Rd., Rm. 101, Towson, MD 21286

People's Counsel; Code Enforcement; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 9232 OWINGS CHOIL CH.

which is presently zoned ____

This Petition shall be filed with the Department of Permits of the property situate in Baltimore County and which is deschereof, hereby petition for a Variance from Section(s) BO V.B. 6. b (CMDP) To permit a recurrence from Section(s) BO A recurrence from	and Development Management. The undersigned, legal owner(s) cribed in the description and plat attached hereto and made a part .2. C.I, 500. 4 and 301. (BCZP) and ryard of 10.17 feet in lieu of the And to amend the PDP of
of the Zoning Regulations of Baltimore County, to the zoning la or practical difficulty)	aw of Baltimore County, for the following reasons: (indicate hardship
To be discussed @ hearing	
Property is to be posted and advertised as prescribed by the zo I, or we, agree to pay expenses of above Variance, advertising, pregulations and restrictions of Baltimore County adopted pursuant to the second sec	noting ato and further earns to and are to be becomed at the second
I/We d регјигу, that I/w is the subject of this Peti	io solemnly declare and affirm, under the penalties of re are the legal owner(s) of the property which ition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Name - Type or Print
Signature	Signature Elick Swinson
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature Swonson - OF 110912
Attorney For Petitioner:	9232 ownf Chace 4 4 1202
	Address Drive Mills MD 2/1/1
Name - Type or Print	City Zip Code
gnatere	Representative to be Contacted:
	Soft like Surveying me
Company	Pane Day Page Page AND
Address Telephone No.	Address Telephone No.
State Zip Code	City State Zip Code
	OFFICE USE ONLY
Eas 30. 06-Zh4#	ESTIMATED LENGTH OF HEARING
Reviewed By	UNAVAILABLE FOR HEARING

ZONING DESCRIPTION FOR #9232 OWINGS CHOICE COURT

BEGINNING AT A POINT ON THE NORTHWEST SIDE OF
OWINGS CHOICE COURT WHICH IS 62 FEET WIDE AT THE
DISTANCE OF 580 FEET SOUTHWEST OF THE CENTERLINE OF
PAINTERS MILL ROAD WHICH IS A VARIABLE RIGHT-OF-WAY
(APPROXIMATELY 72 FEET WIDE). BEING LOT NO. 17 IN THE
SUBDIVISION OF OWINGS CHOICE AS RECORDED IN
BALTIMORE COUNTY PLAT BOOK NO. 66, FOLIO 26,
CONTAINING 2,106 SQUARE FEET, MORE OR LESS. ALSO
KNOWN AS #9232 OWINGS CHOICE COURT AND LOCATED IN
THE 2ND. ELECTION DISTRICT, 4TH. COUNCILMANIC DISTRICT.

A Company of the Comp

MICHAEL V. MOSKUNAS REG. NO. 21175

SITE RITE SURVEYING, INC. 200 E. JOPPA ROAD SHELL BUILDING, ROOM 101 TOWSON, MD 21286 410-828-9060

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(Marcheller) Commercial and Commerci

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

Case: #06-264-A

- 9232 Owings Choice Court

Northwest side of Owings Choice Court, 580
feet +/- southwest of centerline of Painters Mill Rd.
2nd Election District - 4th Councilmanic District

2nd Election District - 4th Councilmanic District
Legal Owner(s): Latina Paul & Erick Swinson
Variance: to permit a rear yard of 10.17 feet in lieu of the
required 11.25 feet for a deck and to amend the Final
Development Plan for Owings Choice, Lot 17 only.
Hearing: Wednesday, January 4, 2006 at 11:00 a.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 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.

JT/12/671 Dec. 20
78674

CERTIFICATE OF PUBLICATION

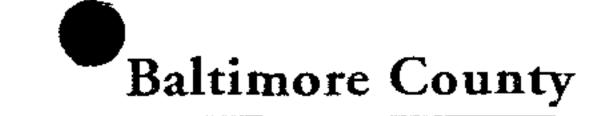
12/20,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 12 20 ,2005.
The Jeffersonian Arbutus Times Catonsville Times Towson Times Owings Mills Times NE Booster/Reporter North County News

LEGAL ADVERTISING

Department of Permits and Development Management

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





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

November 25, 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: 06-264-A

9232 Owings Choice Court

Northwest side of Owings Choice Court, 580 feet +/- southwest of centerline of Painters Mill Rd.

2nd Election District – 4th Councilmanic District

Legal Owners: Latina Paul & Erick Swinson

<u>Variance</u> to permit a rear yard of 10.17 feet in lieu of the required 11.25 feet for a deck and to amend the Final Development Plan for Owings Choice, Lot 17 only.

Hearing: Wednesday, January 4, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotrodo

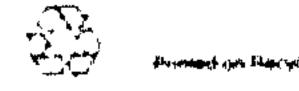
Director

TK:klm

C: Latina Paul & Erick Swinson, 9232 Owings Choice Court, Owings Mills 21117 Site Rite Surveying, Inc., 200 E. Joppa Road, Rm. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 20, 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.



A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER in tonson, and

Post of the control o

MEDNESONY JANUARY 4, ZOOG







CERTIFICATE OF POSTING

	Date of Hearing/Closing: JAN, 4, 7006
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Christen Matthews	
Ladies and Gentlemen: This letter is to certify under the p	enalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the propery	
7 9232 Ou	PINOS CHOICE COURT,
The sign(s) were posted on), 7005 (Month, Day, Year)
	Sincerely,
	Barland Date) (Signature of Sign Poster and Date)
	CJAPLAGED E, MOORE (Printed Name)
	3225 RYELSON CIRCLE (Address)
	BAUTIMORE, MD, 21227 (City, State, Zip Code)
	(410) 242-4263

(Telephone Number)

RE: Case No.: 06-264-A

Petitioner/Developer: L. Paul & E. Swinson



ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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:	
tem Number or Case Number:	
Petitioner: Latina Paul	
Address or Location: 9232 OWINUS Choiu Cowf	
·	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: LATINA PAW	
Address: 9232 Owings Choice Court :	······································
Owings Mills MD 21117	<u> </u>
Telephone Number: 443744-4507	

TO: PATUXENT PUBLISHING COMPANY

Tuesday, December 20, 2005 Issue - Jeffersonian

Please forward billing to:

Latina Paul 9232 Owings Choice Court Owings Mills, MD 21117

443-744-4507

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: 06-264-A

9232 Owings Choice Court

Northwest side of Owings Choice Court, 580 feet +/- southwest of centerline of Painters Mill Rd. 2nd Election District – 4th Councilmanic District

Legal Owners: Latina Paul & Erick Swinson

<u>Variance</u> to permit a rear yard of 10.17 feet in lieu of the required 11.25 feet for a deck and to amend the Final Development Plan for Owings Choice, Lot 17 only.

Hearing: Wednesday, January 4, 2006 at 11:00 a.m. in Room 407, County Courts Building,

40/1 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.

PETITION FOR VARIANCE RE:

9232 Owings Choice Court; NW/S Owings

Choice Ct, 580' SW c/line Painters Mill Rd *

2nd Election & 4th Councilmanic Districts

Legal Owner(s): Latina Paul & Erick Swinson*

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

06-264-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

People's Counsel for Baltimore County

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 29th day of November, 2005, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

NOV 2 9 200E

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Department of Permits Development Management

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



Baltimore County

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

January 2, 2006

Latina Paul Erick Swinson 9232 Owings Choice Court Owings Mills, Maryland 21117

Dear Ms. Paul and Mr. Swinson:

RE: Case Number: 06-264-A, 9232 Owings Choice Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 17, 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,

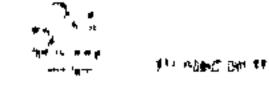
u. Calkilal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Site Rite Surveying, Inc. 200 E. Joppa Road Rm. 101 Towson 21286



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

Fire Department

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





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

November 29, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: November 21, 2005

Item No.: 263, 264, 266, 268, 269.

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.

Acting Lieutenant Don W. Muddiman Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: December 6, 2005

TO: Timothy M. Kotroco, Director

Department of Permits & Development

Management

Dennis A. Kennedy, Supervisor FROM:

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For November 28

Item Nos. 173, 213, 264, 266, 268, 269, 270

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- 12062005.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-264- 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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

DATE: January 3, 2006

JAN 6 2 2008

- WG COWWISSIONER



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

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

Maryland Department of Transportation

Date:

RE:

11.28.05

Baltimore County

Item No.

····

Permits and Development Management County Office Building, Room 109

Towson, Maryland 21204

Baltimore County Office of

Ms. Kristen Matthews

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,

Steven D. Foster, Chief

1. 1. Areth

Engineering Access Permits Division

DATE: December 2, 2005

TO: W. Carl Richards, Jr.

Zoning Review Supervisor

FROM: Rick Wisnom, Chief

Division of Code Inspections & Enforcement

SUBJECT: Item No.: 264

Legal Owner/Petitioner Swinson, Erick

Contract Purchaser: N/A

Property Address: 9232 Owings Choice Ct

Location Description: NW side Owings Choice Ct, 580' SW centerline

Of Painters Mill Rd

VIIOLATION INFORMATION: Case No. 05-6204

Defendants: Swinson, Erick

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

Glenda Bailey 9365 Owings Choice Ct

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

X 10. Citation and Proof of Service (if applicable)

X 11. Certified Mail Receipt (if applicable)

The second secon

3 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)

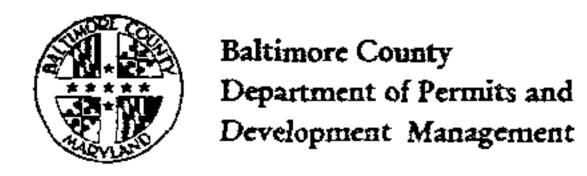
X 14. Complete Chronology of Events, beginning with the first complaint through the

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/ph

C: Code Enforcement Officer



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

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

410-887-3620 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. Property No. 220000/8/126 Zoning:	
Name(s): Suinson Erick	
Address: 9232 0 wings (hoice CT	
Location: Say L DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:	
FRBC Sec 105 - Dect constructed	
Without Building Permit - obtain Permit.	
IRBC Sec 109 - Failure to call	
for required repections - Expose Footings for inspection and call	
for Final inspection.	_
\$15000 Fine	
	<u> </u>
YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:	
On or Before: 7/22/0.5 Date Issued: 7/8/0.5	
FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION I EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, I VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.	
Print Name Pur/Hohne	
INSPECTOR:	
STOP WORK NOTICE PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WO	\ n 10
UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK OR SUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEME THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN	CAN
Not Later Than: Date Issued:	
INSPECTOR NAME:	

Copy Distribution: White: Agency Yellow: Violation Site Pink: Defendant Goldentod: Remains in Book

GETTURE OF STATE OF S
DATE: 1 6 105 INTAKE BY: C.W. CASE #: 05 - 6204 INSPEC: 17
complaint 9232 Owings Choice Ct.
ZIP CODE: 2(1) 7 DIST: 2
complainant Glenda Bailey PHONE #: (H) 40-186-6538 NAME: Glenda Bailey PHONE #: (H) 40-186-6538
ADDRESS: 9365 OWNOS Choice Ct. ZIP CODE: 2117
PROBLEM: Deck w/out permit
IS THIS A RENTAL UNIT? IF YES, IS THIS SECTION 8? OWNER/TENANT INFORMATION: FYCO TYOUH 410 - 515 - 7390
Enc Swinson - same
TAX ACCOUNT #: 22-00-018/26
INSPECTION: 7/8/5 - Faund under Constants to the
INSPECTION: 7/8/05 - Found venley constructed deck on rear of Townlowse. Issued on to obtain permit and cull for inspections \$500 fine Rochicle 7/22/5
for inspections #500 fine Rochicle 7/22/5
Complainant Called.
REINSPECTION:
——————————————————————————————————————
REINSPECTION:
REINSPECTION:

DATE: 07/06/2005

22 00 018126 02

ANDARD ASSESSMENT INQUIRY

TIME: 14:38:30

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC

1 - 0

04-00

LOAD DATE \mathtt{DEL}

05/02/05

SWINSON ERICK

DESC-1.. IMPS

NO

DESC-2.. OWINGS CHOICE

9232 OWINGS CHOICE CT

PREMISE. 09232 OWINGS CHOICE

00000-0000

OWINGS MILLS	MD 2111/-63	21 FORMER OWNER:	THOMPSON	SEAN L
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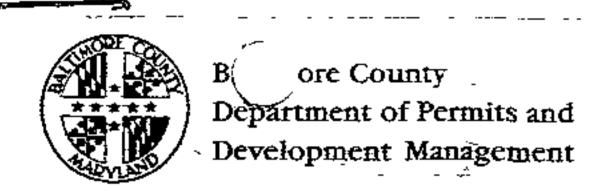
06/03 12/99 DATE:

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03/05/04 ASSESS: 142,896

138,743 ASSESS: ASSESS:

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



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

Code Enforcement:

410-887-3351

Plumbing Inspection:

410-887-3620

AGENCY

Building Inspection:

410-887-3953

Electrical Inspection: 410-887-

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

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IN THE MATTER OF BALTIMORE COUNTY	*	BEFORE THE CODE OFFICIAL
VS.	*	OF BALTIMORE COUNTY
Swinson, Erick	*	Cara No
Defendant/Property Owner	*	Case No.: 05 - 6204 Violation Address: 923 2 Owing
* * * * * *	*	* * * * *
MOTION TO SERVI	E BY E	REGULAR MAIL
TO THE DIRECTOR:		
violators to be served by regular mail and to age and discretion at the place of business violator (s) for the following reasons: 1. Service of the citation was attention	deliver as deliver as dwelling the dwelling	ng house, or usual place of abode of the certified mail, return receipt requested, on
occasions, and the o	certified	mail was returned, refused, or unclaimed.
		or at their known home or business address and was unable to locate the violator
_		ne address but would not answer the door. is attempting to evade service (please
a. by not accepting the best by ignoring the post c. by refusing to answer d. by going out the bare.	st office ver the fr	notice, ont door,
I solemnly affirm, under penalties of the best of my knowledge, information, and b	"	that the content of the foregoing are true to
Service under Maryland Rule 3-121 is ordered	d.	MIM
Director 9/1/05	-	9 /1/5
• Date		Date

Total Postage & Fees

Certified Fee Postage

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AUG

ERICK SWINSON 9232 OWINGS CHOICE CT OWINGS MILLS, MD 21117-6321

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RETURN TO SENDER UNCLAIMED FORWARD

经证据日本存在日期证据

09621-04-31



Baltin County
Department of Permits and
Development Management

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

Code Enforcement:
Building Inspection:

410-887-3351 -- 410-887-3953 Plumbing Inspection:

-410-887-3620 -410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION
SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

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County Office Building, Room 119 111 West Chesapeake Avenue Towson, Maryland 21204

BALTIMORE COUNTY, Plaintiff, vs. Swip 50 Fric. Defendant
Case # 05-6204 Violation Address 9232 Owing 6 Chaice Zip
Hearing Date 9 121 15 Issued Date 8 13 15 Expiration Date 8 122 05
Author of Citation Paul C Hohme
REQUEST FOR SERVICE
Please serve the attached process on the person shown.
ORDER FOR SERVICE
You are hereby commanded to serve the attached process and to make your return promptly on this Order if served, and if you are serve, you are to make your return on this Order and return the original process no later than the last day following the terminativalidity of the process.
PROOF OF SERVICE
I hereby CERTIFY that:
A Citation and all other papers filed with it were served by restricted delivery mail, return card attached.
A Citation and all other papers filed with it were served by personal delivery to
Individual or agent served
Zip, on/_/a.m./p.m. At this address Date Time
Description of Race Sex: M F Height:ftin. Wt Ibs. Person Served:
Age: yrs. Other:
Telephone verification of citation acknowledgment from on/ /
I was unable to serve:
1" Attempt 8 15 105 2:10 a.m.(p.m.) because 10 0115wer 1/2-
2° Attempt 8 110 1 05 B:50 a.m. because No auswer Initials
3rd Attempt 8 116 105 11:05 a.m./p.m. because No ausuce Indicates
Initials
I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, info and belief, and do further affirm that I am a competent person over 18 years of age and not a party to the case.
111 W. Chesapeake Ave. Towson, MD 21204 Server's Address Telephone
91115 MIL
Server's Name (Print) Date Server's Signature

-Case Entry/Update

'Format . . . : CASREC

Mode . ._. : CHANGE File . . PDLV0001

Notes: 05-6204 7/8/05 FOUND NEWLY CONSTRUCTED DECK ON REAR OF TOWNHOUSE.ISSUED CN TO OBTAIN PERMIT & CALL FOR INSPECTIONS. \$500.00 FINE. COMPLAINANT CALLED. P/U_7/22/05 P_HOHNE/NS***

7/25/05 OWNER CALLED. REQUESTED MORE TIME. P/U 8/1/05 P.HOHNE/NS***

8/3/05 NO PERMIT OBTAINED. GO TO CIVIL CITATION. COMPLAINANT CALLED. P/U 8/22/05

P.HOHNE/NS*** 8/4/05 SENT CERTIFIED MAIL TO ERICK SWINSON @ 9232 OWINGS CHOICE CT. ON 8/4/05. P.HOHNE/NS*** ___ 8/23/05 UNABLE TO SERVE. STILL AWAITING CARD FROM POST OFFI CE FOR CERTIFIED MAIL. COMPLAINANT UPDATED. P/U 8/31/05 P.HOHNE/NS*** 9/1/05 UNABLE TO SERVE. OWNER WOULD NOT PICK-UP CERTIFIED MAIL. PERMISSION TO SE RVE BY REGULAR MAIL ON FILE & CITATION POSTED ON DOOR. COMPLAINANT UPDATED. P/U 9/16/05 P.HOHNE/NS*** 9/16/05 OWNER HAS HEARING DATE FOR VARIANCE. WILL CAN CEL HEARING FOR OUTCOME OF ZONING HEARING. HEARING DATE OCT.20. P/U 10/31/05 P.H OHNE/NS*** _ 11/4/05 OCT.20 WAS APPOINTMENT TO FILE PAPERS NOT HEARING DATE. ZO NING WANTED MORE INFO SO SHE HAS NEW DATE TO FILE OF 11/17 & HAS HIRED SOMEONE T FOR HER SO IT IS RIGHT. COMPLAINANT UPDATED, P/U 11/18/05 P.HOHNE/NS**

(NEXT PAGE) >>>>

F3=Exit

F5=Refresh

F6=Select format

F11=Change

F9=Insert F10=Entry

Case Entry/Update		Mode . 🛋
Format :	CASREC	File

Notes 2: 05-6204 11/21/05 OWNER FILED FOR VARIANCE. NO HEARING DATE SET YET. CA
SE #06-264-A. COMPLAINANT CALLED. P/U 1/16/06 P.HOHNE/NS***

F3=Exit F9=Insert F5=Refresh F10=Entry F6=Select format

CHANGE

PDLV0001

F11=Change

PLEASE PRINT CLEARLY

CASE NAME OWINGS CHOIZE CA.
CASE NUMBER JOG-264-A
DATE 1 4 06

PETITIONER'S SIGN-IN SHEET

Con DIMIMA @ aol E- MAIL STATE, ZIP TOW(ON, MD 21286 CITY, Roam lol 200 E. Joppa Prad ADDRESS St let Summy lu.
Buradette Moskunas Moskunas



9232 Owings Choice Court Zoning Variance