

IN RE: PETITION FOR SPECIAL HEARING

S side Marvon Road, 652 feet SW
Mt. Vista Road
(11500 Marvon Road)
11th Election District
3rd Councilmanic District

Brenda Paulshock and
Tina Sherman
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* OF BALTIMORE COUNTY
*
* **Case No. 07-493-SPH**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the above-captioned property, Brenda Paulshock and Tina Sherman. Petitioners request special hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve the continued nonconforming use of the existing dwelling as a two-family dwelling. The subject property and requested relief are more particularly described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were the property owners, Brenda Paulshock and Tina Sherman. Appearing as an interested citizen was an adjacent property owner, Russell Schaeffer of 11410 Marvon Road. Also appearing as an interested citizen from a nearby neighborhood was Mike Pierce of 7448 Bradshaw Road.

It should be noted at the outset that the property is the subject of an active violation case (Case No. 07-0550) with the Division of Code Inspections and Enforcement which resulted in the filing of the instant Petition. A Code Enforcement inspector issued a Correction Notice on February 28, 2007, citing illegal conversion of a dwelling zoned for single family. Thus,

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Petitioners filed for a determination by this Commission of whether a continued non-conforming use of the dwelling as a two-family dwelling should be approved.

The fact that a correction notice is issued is plainly not relevant to the decision on this Petition. On the one hand, Petitioners cannot use the fact that a structure is being used in a certain manner presently to set a precedent in order to allow that use to continue. Nor does the fact that the discontinued use may result in a financial disadvantage to Petitioners come into consideration of the zoning case, since this condition may be self-imposed. Moreover, the fact that a particular use may be occurring, which on its face could violate the regulations and is the subject of an active Code Enforcement case will not be held against Petitioners, and is not taken into consideration in deciding this case.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Testimony and evidence presented disclosed that the subject property is a rectangular-shaped parcel approximately 275 feet wide and approximately 550 feet deep and contains a gross area of 153,766.8 square feet, or 3.53 acres more or less, zoned R.C.5, and located in the Kingsville area of Baltimore County. The property contains an existing two-story framed dwelling, as well as a block and framed barn and a shed, both located in the backyard. The primary structure was built in 1936. A photograph showing the front of the dwelling was marked and admitted into evidence as Petitioners' Exhibit 2.

The original home was on the left side of the structure with an apartment on the right. When Ms. Paulshock purchased the property in 1977, the home was occupied by the owners, Mr. and Mrs. Walter Pellicot, and the apartment was rented. As a single mother, Ms. Paulshock

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decided to occupy the "apartment" side of the dwelling and rent out the "home" side of the structure, and has done so to the present day.

Ms. Paulshock's investigation into the history of the dwelling revealed that the original owner was a Mr. Harris. At the outset, the dwelling was used as a home and as a separate apartment. In 1953, Mr. Harris sold the property to Mr. John Gontrum. In 1954, Mr. Gontrum sold the property to a Mr. Schmidt. During that time, the dwelling was used as a home, with a separate rented apartment. In addition to living on the property and renting the apartment separately, Mr. Schmidt also ran a sod company there. Thereafter, in 1962, Mr. and Mrs. Pellicot purchased the property from Mr. Schmidt. Petitioners introduced a handwritten letter signed by Mr. J. Walter Pellicot, Jr. dated April 4, 2007, which was marked and accepted into evidence as Petitioners' Exhibit 3. The letter indicated that when Mr. and Mrs. Pellicot purchased the subject Marvon Road property from Mr. and Mrs. Schmidt, the apartment was already present and had been occupied for quite some time previously. Mr. Pellicot also indicated that to his knowledge, the apartment over the garage had been there for a lengthy period of time before he purchased the property in 1962. Petitioners also introduced a copy of the Multiple List Service ("MLS") listing on the property dated March 31, 1977, which was marked and accepted into evidence as Petitioners' Exhibit 4. The listing indicated that, in addition to the main part of the dwelling, there was also a separate two-bedroom apartment over a triple-size garage with separate forced hot air/oil heat and renting for approximately \$160.00 per month.

Though not necessarily in opposition to Petitioners' continued nonconforming use, Russell Schaeffer also testified, offering his concerns over this matter. Mr. Schaeffer indicated he purchased an adjacent seven acres in June 2006. He indicated the homes in the area are all

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single-family homes, and that he had concerns over the use of the subject dwelling as an additional apartment. While he generally had no problem with Ms. Paulshock continuing to rent the apartment, knowing her to be a responsible owner at present, Mr. Schaeffer did express misgivings over the continued use of the apartment in the event Ms. Paulshock vacated the dwelling for whatever reason and decided to separately rent both the home and the apartment. He also expressed apprehension at the continued use in the event Ms. Paulshock sold the property and a subsequent purchaser used it as an investment property, renting out both the home and the apartment. Mr. Schaeffer felt such a situation would infringe on the character of the neighborhood.

A nonconforming use is defined in Section 101 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as "[a] legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such use." In addition, Section 104.1 of the B.C.Z.R. states that "[a] nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these regulations, provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate." It is also well settled that nonconforming uses are not favored under the law, and that nonconforming uses are contrary to the zoning scheme established by the zoning regulations. *See, McKemy v. Baltimore County*, 39 Md. App. 257 (1978). Moreover, it is the burden of Petitioner to prove the nonconforming use during the period of time at issue, which often presents its own set of challenges. By virtue of the historical nature of the use, Petitioners must present evidence going back 50 and 60 years to prove that a use has been ongoing for the period of time at issue.

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Turning now to the instant matter, the relevant date in this case is March 30, 1955, the date the current zoning regulations were adopted. Based on the testimony and evidence, I am convinced that the subject property has been used without interruption as a two-family dwelling since before 1955. The evidence shows that the dwelling was built in 1936 and that at the outset, the two-bedroom apartment above the garage was used as such. This use continued through several owners throughout the 1950's and into the 1960's. Since 1962, the property has had only two owners -- Mr. and Mrs. Pellicot and the present owner, Ms. Paulshock. It was shown that during that time, the home has been occupied by the owner of the dwelling and the apartment has been rented separately, or vice-versa. In any event, the structure has been used as a two-family dwelling. Thus, I am persuaded to approve the nonconforming use of the existing dwelling as a two-family dwelling.

However, I am also mindful of the concerns put forth by the adjacent landowner, Mr. Schaeffer, in terms of what would come of the property should Petitioners sell the property as an existing two-family dwelling, or otherwise vacate the dwelling such that it might be rented as multiple apartments. Hence, the granting of Petitioners' relief will be appended with specific restrictions, of which I believe Petitioners are in agreement.

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


THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 15th day of August, 2007, that Petitioners' request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to

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approve a non-conforming use of a two-family dwelling is hereby granted, subject to the following restrictions which are conditions precedent to the relief granted herein:

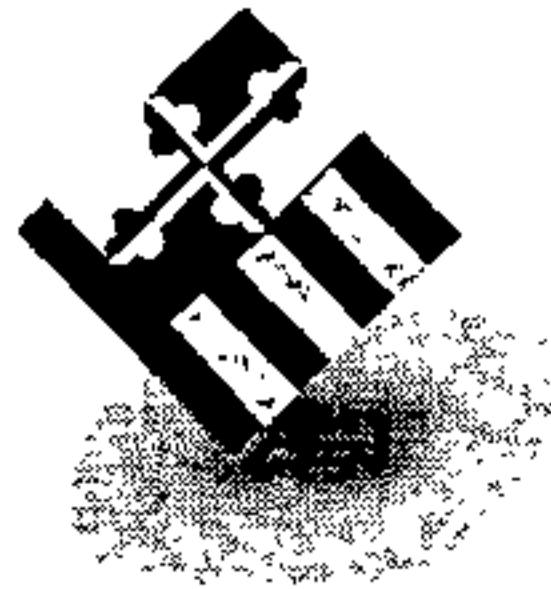
1. In the event Petitioners sell or otherwise vacate the subject property for whatever reason, whichever is first to occur, the nonconforming use of the subject property shall be deemed terminated and the living space of the separate apartment unit shall be incorporated into the living space of the single-family residential unit for the exclusive use of the occupier or subsequent purchaser or user as a single-family dwelling.
2. It is expressly agreed and understood by Petitioners that the granting of the relief requested shall be limited to the parameters set forth hereinabove, with said benefit being personal to Petitioners only, with no right of survivorship or successorship, and with no independent right or benefit as a nonconforming use running with the land itself.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

FROM RECEIVED FOR FILED
8-1-07
PS



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

August 1, 2007

BRENDA PAULSHOCK AND
TINA SHERMAN
11500 MARVON ROAD
KINGSVILLE MD 21087

Re: Petition for Special Hearing
Case No. 07-493-SPH
Property: 11500 Marvon Road

Dear Ms. Paulshock and Ms. Sherman:

Enclosed please find the decision rendered in the above-captioned case.

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 cursive script, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Russell Schaeffer, 11410 Marvon Road, Kingsville MD 21087
Mike Pierce, 7448 Bradshaw Road, Kingsville MD 21087



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11500 MARVON RD.
which is presently zoned R.C.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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A NON-CONFORMING USE OF A TWO-FAMILY DWELLING.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No _____
City _____ State _____ Zip Code _____

Legal Owner(s):

BRENDA PAULSHOCK (KAUSLER)
Name - Type or Print
Brenda Paulshock
Signature
TINA (FOERTSCHBECK) SHERMAN
Name - Type or Print
Tina Sherman
Signature
11500 MARVON RD 410.592.5249
Address Telephone No
KINGSVILLE MD 21087
City State Zip Code

Representative to be Contacted:

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

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 07-493-SPH

Reviewed By D.T. Date 4/30/07

REV 9/15/98

FORM RECEIVED FOR FILING
8-1-07
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PROPERTY DESCRIPTION

Zoning Description for 11500 Marvon Road, Kingsville, MD 21087

Beginning at a pipe set North 59 degrees, 45 minutes east 94.4 line describes property in a deed dated March 20, 1953.

SOUTH SIDE OF MARVON ROAD 652- FEET SOUTHWEST OF MT. VISTA ROAD.

1. North 60 degrees 55 minutes East 275.7 feet; to an iron pipe
2. South 25 degrees 0 minutes East 713.0 feet; to a 14 inch diameter black oak tree.
3. South 25 degrees 0 minutes East 11.20 feet; to a stake
4. South 25 degrees 0 minutes East 300.80 feet; to a stake set at the Southwesternmost side of a 50 foot wide right of way, described with the same course
5. South 25 degrees 0 minutes East 85 feet, making a total distance of 570 feet to an iron pipe.
6. South 65 degrees 0 minutes West 100 feet; to a stake
7. South 65 degrees 0 minutes West 105.7 feet; to a stake
8. South 65 degrees 0 minutes West 69.3 feet; making a total distance of 275 feet to a stake.
9. North 25 degrees 0 minutes West 200.7 feet; to a stake
10. North 25 degrees 0 minutes West 115.8 feet; to the center of a 15 inch diameter beech tree.
11. North 25 degrees 0 minutes West 88.5 feet to a stake
12. North 25 degrees 0 minutes West 148.42 feet; making a total distance of 550.42 feet to the beginning, containing 3.535 acres. Also known as 11500 Marvon Road, Located in the 11th district, Liber G.L.B. #2264, folios 30 & 31

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 25030

DATE 4/30/07 ACCOUNT 0010066150 AMOUNT \$ 65.00

RECEIVED FROM: BRENDA PAULSHOCK

FOR: ITEM # 493 07-493-SPH
11500 MARION RD. D. THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS RETURN TIME DATE
4/30/2007 4/30/2007 11:31:30 4
REK MRA, WALKIN KROH KM
SYNOPSIS 56000 4/30/2007 OFLA
Dept 5 SPH ZONING VERIFICATION
CN NO. 025030

Receipt Tot \$65.00
\$65.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: # 07-493-SPH
11500 Marvon Road,
Side of Marvon Road,
652 feet s/west of Mt.
Vista Road
11th Election District
3rd Councilmanic District

Legal Owner(s): Brenda Paulshock (Kaiser) & Tina (Foertschbeck) Sherman

Special Hearing: to approve a non-conforming use of a two-family dwelling.

Hearing: Wednesday, July 18, 2007 at 10:00 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) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 7/607 July 3 140739

CERTIFICATE OF PUBLICATION

7/5/2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/3/2007.

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

S. Wilkinson

LEGAL ADVERTISING

ZONING NOTICE

CASE # 07-493-SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

COUNTY COURTS BLDG., ROOM 407

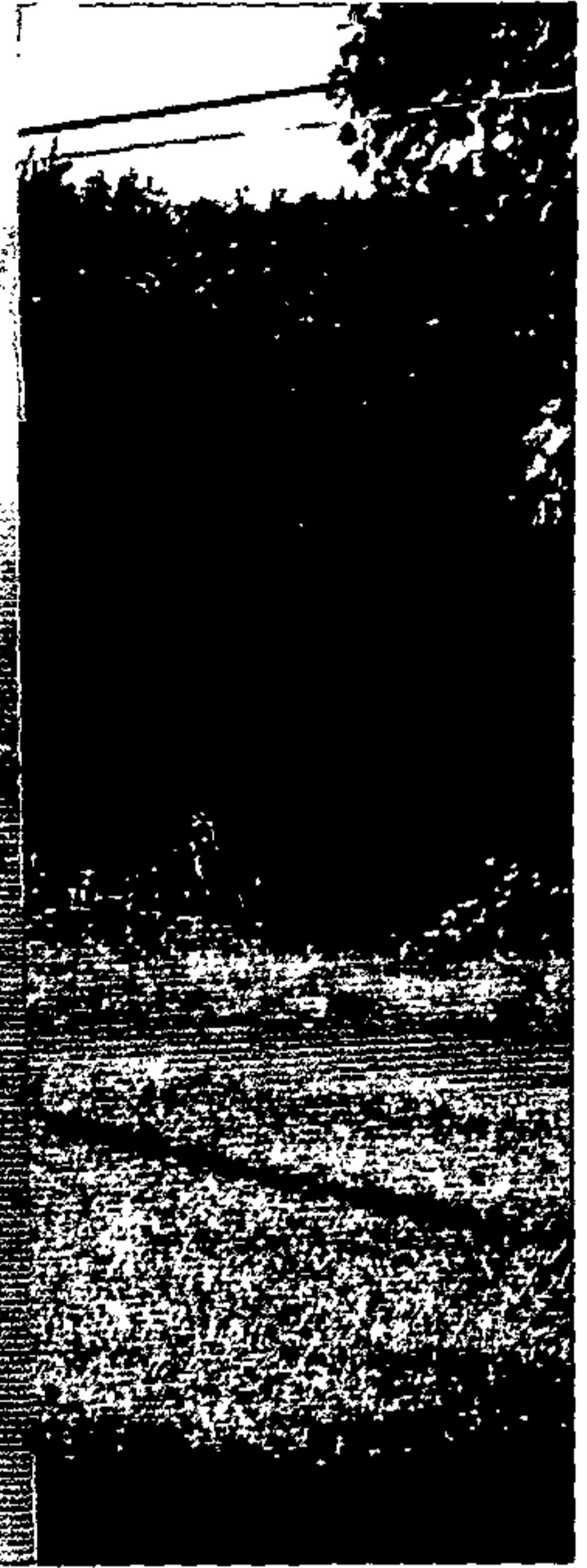
PLACE: 401 BOSTON ST. TOWSON, MD 21284

DATE AND TIME: Wednesday, July 18, 2007 10AM

REQUEST: SPECIAL HEARING TO
APPROVE A NON-CONFORMING USE OF
A TWO-FAMILY DWELLING.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3891

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

May 29, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

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: 07-493-SPH

11500 Marvon Road

S/side of Marvon Road, 652 feet s/west of Mt. Vista Road

11th Election District – 3rd Councilmanic District

Legal Owners: Brenda Paulshock (Kaisler) & Tina (Foertschbeck) Sherman

Special Hearing to approve a non-conforming use of a two-family dwelling.

Hearing: Wednesday, July 18, 2007 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Brenda Paulshock & Tina Sherman, 11500 Marvon Road, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 3, 2007.**
- (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, July 3, 2007 Issue - Jeffersonian

Please forward billing to:
Brenda Paulshock
11500 Marvon Road
Kingsville, MD 21087

443-310-7016

NOTICE OF ZONING HEARING

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WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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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/neighbor 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 07-493-SPH

Petitioner BRENDA PAULSHOCK

Address or Location 11500 MARVON RD.

PLEASE FORWARD ADVERTISING BILL TO

Name BRENDA PAULSHOCK

Address 11500 MARVON RD.

KINGSVILLE, MD 21087

Telephone Number 443-310-7016 (C), 410-592-5249 (H)

POSTED 7-2-07



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

May 29, 2007
TIMOTHY M. KOTRACO, Director
Department of Permits and
Development Management

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: 07-493-SPH
11500 Marvon Road
S/side of Marvon Road, 652 feet s/west of Mt. Vista Road
11th Election District - 3rd Councilmanic District
Legal Owners: Brenda Paulshock (Kaisler) & Tina (Foertschbeck) Sherman

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Timothy Kotraco
Director

TK:klm

C: Brenda Paulshock & Tina Sherman, 11500 Marvon Road, Kingsville 21087

- NOTES:**
- (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 3, 2007.**
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 - (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

July 12, 2007

Brenda Paulshock
Tina Sherman
11500 Marvon Road
Kingsville, MD 21087

Dear Ms. Paulshock and Ms. Sherman:

RE: Case Number: 07-493-SPH, 11500 Marvon Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 30, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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:amf

Enclosures

c: People's Counsel

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 11500 Marvon Road; S/S Marvon Road, * ZONING COMMISSIONER
 652' SW Mt. Vista Road *
 11th Election & 3rd Councilmanic Districts *
 Legal Owner(s): Brenda Paulshock (Kaisler) * FOR
 & Tina (Foertschbeck) Sherman *
 Petitioner(s) * BALTIMORE COUNTY
 * 07-493-SPH

* * * * *

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 18th day of May, 2007, a copy of the foregoing Entry of Appearance was mailed to, Brenda Paulshock & Tina Sherman, 11500 Marvon Road, Kingsville, MD 21087, Petitioner(s).

RECEIVED
 MAY 18 2007

Per.....

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

TB 7/18
10 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 11, 2007

RECEIVED
MAY 17 2007

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

BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 07-493- Special hearing**

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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By: *Chris Murray*

Division Chief: *Tom Lark*

CM/LL

TB 7/18
10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 11, 2007

RECEIVED
MAY 17 2007

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

BY:.....

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-493- Special hearing

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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By: *Cecilia Murray*

Division Chief: *Lyn Parker*

CM/LL



State Highway Administration

Maryland Department of Transportation

Martin O'Malley, Governor | Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary | Neil J. Pedersen, Administrator

Date: MAY 7, 2007

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

RE: Baltimore County
Item No. 7-493-BPH
11500 MARVON ROAD
PAULSHOCK/SHERMAN PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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

May 10, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 7, 2007

Item Number: 476,488 through 499

493

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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: May 8, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For May 14, 2007
Item Nos. 07-476, 488, 489, 490, 491, 492,
493, 494, 496, 497, and 499

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- 05072007.doc

Case No.:

07-493-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Petitioner/Developer	Protestant
No. 2	Site Plan	
No. 3	Photograph of Property	
No. 4	Letter from previous owner	
No. 5	Plot and Multiple list from 1977	
No. 6	RC6 Use Regulations	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

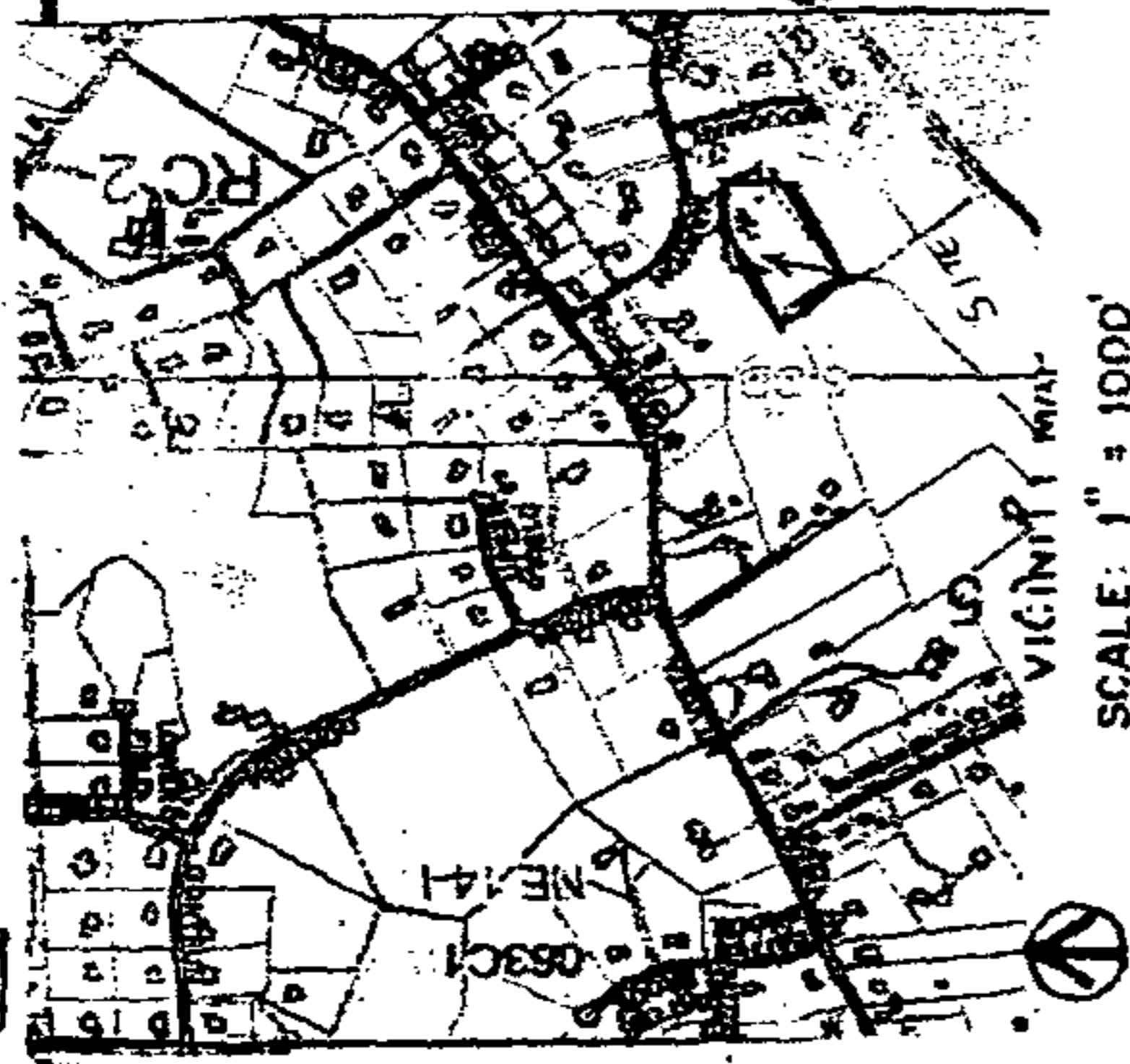
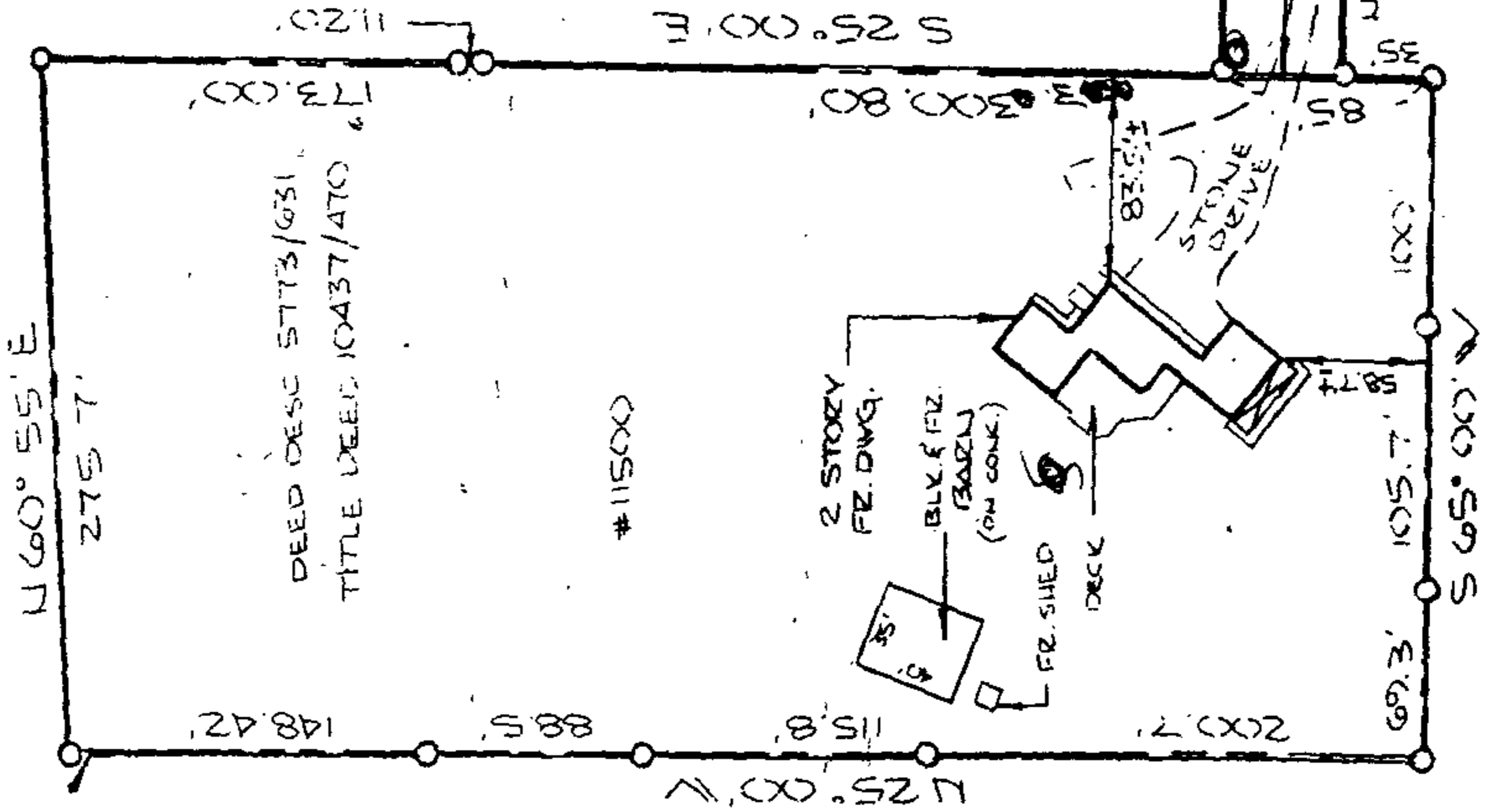
SEE PAGES 5 & 6 OF THE CHECKLIST FOR

PROPERTY ADDRESS 11500 MARVON RD

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER BRENDA PAULSHOCK



LOCATION INFORMATION

ELECTION DISTRICT II

COUNCILMANIC DISTRICT 3 (3/2/81)

1" = 200' SCALE MAP # 240010 0295 B

ZONING RC5 LOT SIZE 3.53 ACRES 153766.8 # 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 DT ITEM # 493 CASE # 07-493-SPH

4 April 2007

To Whom It May Concern:

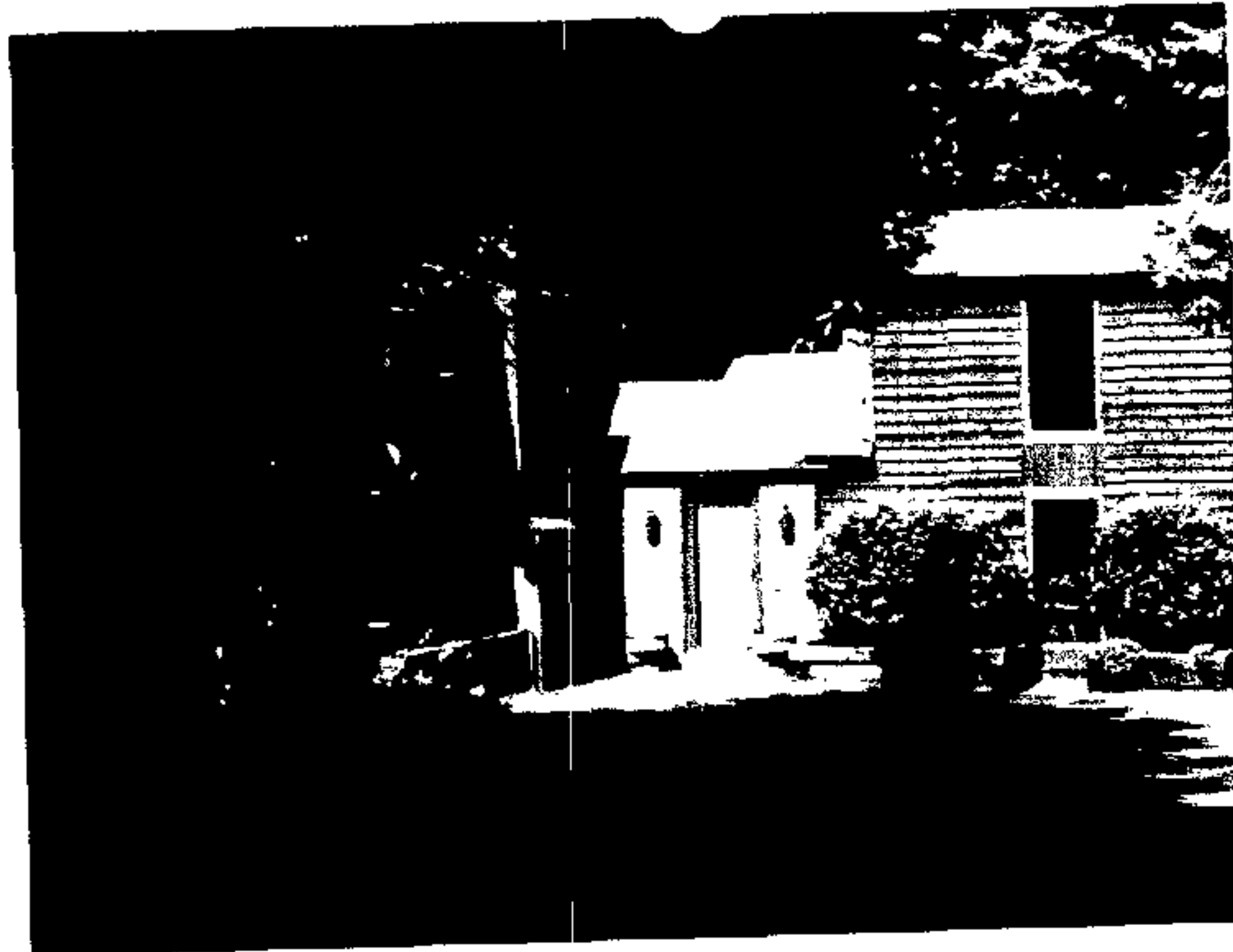
When my spouse, Marian Pellicot, and I, J. Walter Pellicot, purchased the Marvon Road property from Mr + Mrs Schmidt the subject apartment was present and had been occupied for quite some time. To my knowledge the apartment over the garage had been there for a lengthy time before the purchase in August of 1962.

J. Walter Pellicot Jr.

PETITIONER'S

EXHIBIT NO.

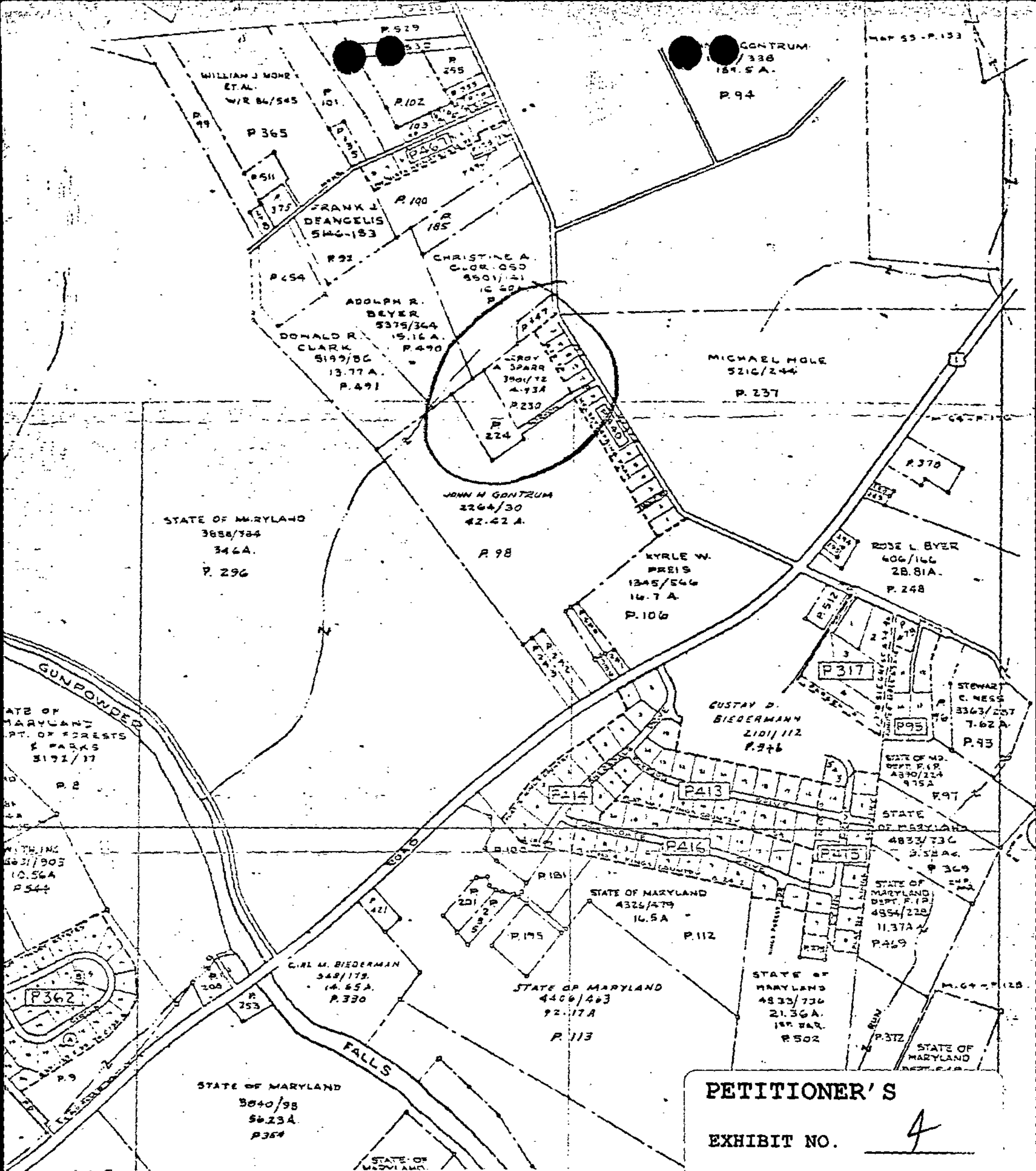
3



7/7/2007

PETITIONER'S

EXHIBIT NO. 2



PETITIONER'S
EXHIBIT NO. 4

RESIDENTIAL - SALE ONLY PUBLISHED BY THE MULTIPLE LISTING SERVICE OF GREATER BALTIMORE
THIS DESCRIPTIVE INFORMATION, THOUGH BELIEVED ACCURATE, IS NOT GUARANTEED. FORM 101

ADDRESS 11500 Marvon Road LIST NO. 32301 ZIP 21087 PRICE \$ 73,700.00
NEIGHBORHOOD KINGSVILLE COUNTY Balto LOT SIZE 3.5 Acres GR. RT Fee
IMPROVEMENT Cottage + Apt. over Garage CONSTRUCT Asp. Shingles CONDITION Exc. WHEN REQ.
DIRECTIONS W. from Belair Rd. on Mt. Vista - 4/10 Mile left into Marvon, last home Approx. 60
Lender will require fire insurance and may require flood insurance KEY BOX

	BASEMENT	1ST FLOOR	2ND FLOOR	EQUIPMENT	YES	NO	SITUATIONS
NONE		ENT HALL	BEDROOMS	CENTRAL AIR		X	POSSESSION <u>60 days</u>
CRAWLSPACE	Yes	HALF BATH	<u>12 x 9 + 9 x 5</u>	DISHWASHER	X		GAS - PUB <u>Phil.</u> PRV
XXX Survey never		BATH	<u>11.6 x 9 + alcove</u>	GARBAGE DIS		X	WATER - PUB PRV. X
XXX made - at		LV. RM <u>24 x 12</u>	<u>9.6 x 7</u>	SHADES	same		SEWER - PUB PRV. X
XXX Buyer's ex-		DIN. RM.	BATHS <u>Modern</u>	STORM DR	X		FIREPLACE - YES NO X
XXXXXX pense, if		KITCHEN <u>17 x 11.6 - Mod</u>	BATHS <u>Modern</u>	STORM WIN	X		Garage YES <u>double + storage</u>
XXXXX necessary		FAMILY RM <u>or DR</u>		SCREENS	X		CARPORT - YES NO
BEDROOMS		BEDROOMS <u>13/5 x 11.6</u>	3RD FLOOR	T.V. ANT		X	HEAT TYPE <u>\$75 includes</u>
CLUBROOM			BEDROOMS	STOVE <u>New self cleaning</u>			XXXXX apt. and barn
LAUNDRY			BATHS	CURTAIN RODS			TAXES <u>\$ 841. (77)</u>
EXTRAS INCLUDED	<u>Great two bedroom w/ large rooms over triple size garage w/ separate</u>						
EXTRAS	<u>FHA/oil heat - Rented @ \$160. month</u>						
MORTGAGEE	<u>Hallmark</u>						
LOAN TYPE	BALANCE	PAYMENT	INTEREST	TITLE LIBER	Folio		
REMARKS	<u>Six-stall black barn 40 x 38 - Oversize paddock - OCCUPIED BY Owners</u>						
	<u>Adjacent to Gunpowder Park w/ miles of Riding trails - Apartment and horse boarding income</u>						
	<u>Interior in great shape.</u>						
LA	<u>Myles Gillespie</u>		PHONE	<u>252-4534</u>	RATE	<u>7%</u>	POST SIGN
REALTOR	<u>RUSSELL T. BAKER & CO.</u>		NO.	<u>3160</u>	PHONE	<u>321-7700</u>	DATE: <u>MAR 31 1977</u>

THIS PROPERTY IS OFFERED WITHOUT REGARD TO RACE, COLOR, CREED, SEX OR NATIONAL ORIGIN

64 - P. 127
4083/505
79.12
P. 238
PERRING LOUNGE INC
5700/307
5300/315
12574 P

R. 10 ZONE

per cent of the lots may have an area less than 10,000 square feet (see Section 304).

208.2—Front Yard—For dwellings, the front building line shall be not less than 30 feet from the front lot line and not less than 55 feet from the center line of the street, except as specified in Section 303.1; for other principal buildings—50 feet from the front lot line and not less than 75 feet from the center line of the street, except as specified in Section 303.1.

208.3—Side Yards—For dwellings, 10 feet wide for one side yard and not less than 25 feet for the sum of both, except that for a corner lot the building line along the side street shall be not less than 30 feet from the side lot line and not less than 55 feet from the center line of the street; for other principal buildings—20 feet wide, except that for a corner lot the building line along the side street shall be not less than 35 feet from the side lot line and not less than 60 feet from the center line of the street.

208.4—Rear Yard—30 feet deep.

~~R. 6 Zone—Residence, One and Two-Family~~

Section 209—USE REGULATIONS

The following uses only are permitted:

209.1—Uses permitted and as limited in R. 40 Zone;

209.2—Two family dwellings, as defined in Section 101;

209.3—Special Exceptions—Same as R. 10 Zone, except sanitary landfills and trailer parks which are not permitted (see Sections 270 and 502).

Section 210—HEIGHT REGULATIONS:

Same as R. 40 Zone.

Section 211—AREA REGULATIONS

Minimum requirements, except as provided in ARTICLE 3, shall be as follows:

211.1 — Lot Area and Width — Each one-family dwelling and each other principal non-residential building hereafter erected shall be located on a lot having an area of not less than 6,000 square feet and a width at the front building line of not less than 55 feet; each two-family dwelling hereafter erected shall be located on a lot(s) having an area of not less than

1955 REGS

PETITIONER'S

EXHIBIT NO.

5

**Charles
Parrish**
443.253.3886





Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

Page 1 of 1

Name	Account	Street	OWN OCC	Map Parcel
<u>KAISLER BRENDA M</u>	11 2200001399	11500 MARVON RD	N	63 98
<u>KAISLER BRENDA M</u>	11 1116016470	11500 MARVON RD	H	63 224

Click here for a plain text ADA compliant screen.

 Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search Ground Rent
---	--

Account Identifier: District - 11 Account Number - 2200001399

Owner Information

Owner Name:	KAISLER BRENDA M	Use:	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	11500 MARVON RD KINGSVILLE MD 21087-1320	Deed Reference:	1) /11703/ 475 2) /11703/ 471

Location & Structure Information

Premises Address 11500 MARVON RD	Legal Description .2140 AC PARCEL A NWS MARVON RD MARVON @ BATTER BRK FRM
--	---

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
63	11	98						3		61/ 118

Special Tax Areas	Town Ad Valorem Tax Class	Primary Structure Built 0000	Enclosed Area	Property Land Area .21 AC	County Use 04
		Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of	Phase-in Assessments	
			As Of	As Of
Land:	1,050	01/01/2006	07/01/2006	07/01/2007
Improvements:	0	0		
Total:	1,050	1,050	1,050	1,050
Preferential Land:	0	0	0	0

Transfer Information

Seller: FOERTSCHBECK BRENDA M	Date: 07/18/1996	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /11703/ 475	Deed2: /11703/ 471
Seller: DIVERSIFIED-BATTERBROOK	Date: 03/31/1994	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /10437/ 470	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO **Special Tax Recapture:**
Exempt Class: * NONE *

Click here for a plain text ADA compliant screen.

	Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search Ground Rent
--	--	--

Account Identifier: District - 11 Account Number - 1116016470

Owner Information

Owner Name:	KAISLER BRENDA M	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	11500 MARVON RD KINGSVILLE MD 21087-1320	Deed Reference:	1) /11703/ 475 2) /11703/ 471

Location & Structure Information

Premises Address 11500 MARVON RD	Legal Description 3.535 AC 11500 MARVON RD 652 SW MT VISTA RD
--	---

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
63	11	224						3	

Special Tax Areas	Town Ad Valorem Tax Class	Primary Structure Built 1936	Enclosed Area 3,308 SF	Property Land Area 3.53 AC	County Use 04
		Stories 1 1/2	Basement YES	Type STANDARD UNIT	Exterior FRAME

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments	
			As Of 07/01/2006	As Of 07/01/2007
Land:	75,180	187,950		
Improvements:	176,480	231,790		
Total:	251,660	419,740	307,686	363,712
Preferential Land:	0	0	0	0


Transfer Information

Seller: FOERTSCHBECK BRENDA M	Date: 07/18/1996	Price: \$0	
Type: NOT ARMS-LENGTH	Deed1: /11703/ 475	Deed2: /11703/ 471	
Seller: PELLICOT J WALTER, JR	Date: 06/30/1977	Price: \$67,000	
Type: IMPROVED ARMS-LENGTH	Deed1: / 5773/ 631	Deed2:	
Seller:	Date:	Price:	
Type:	Deed1:	Deed2:	

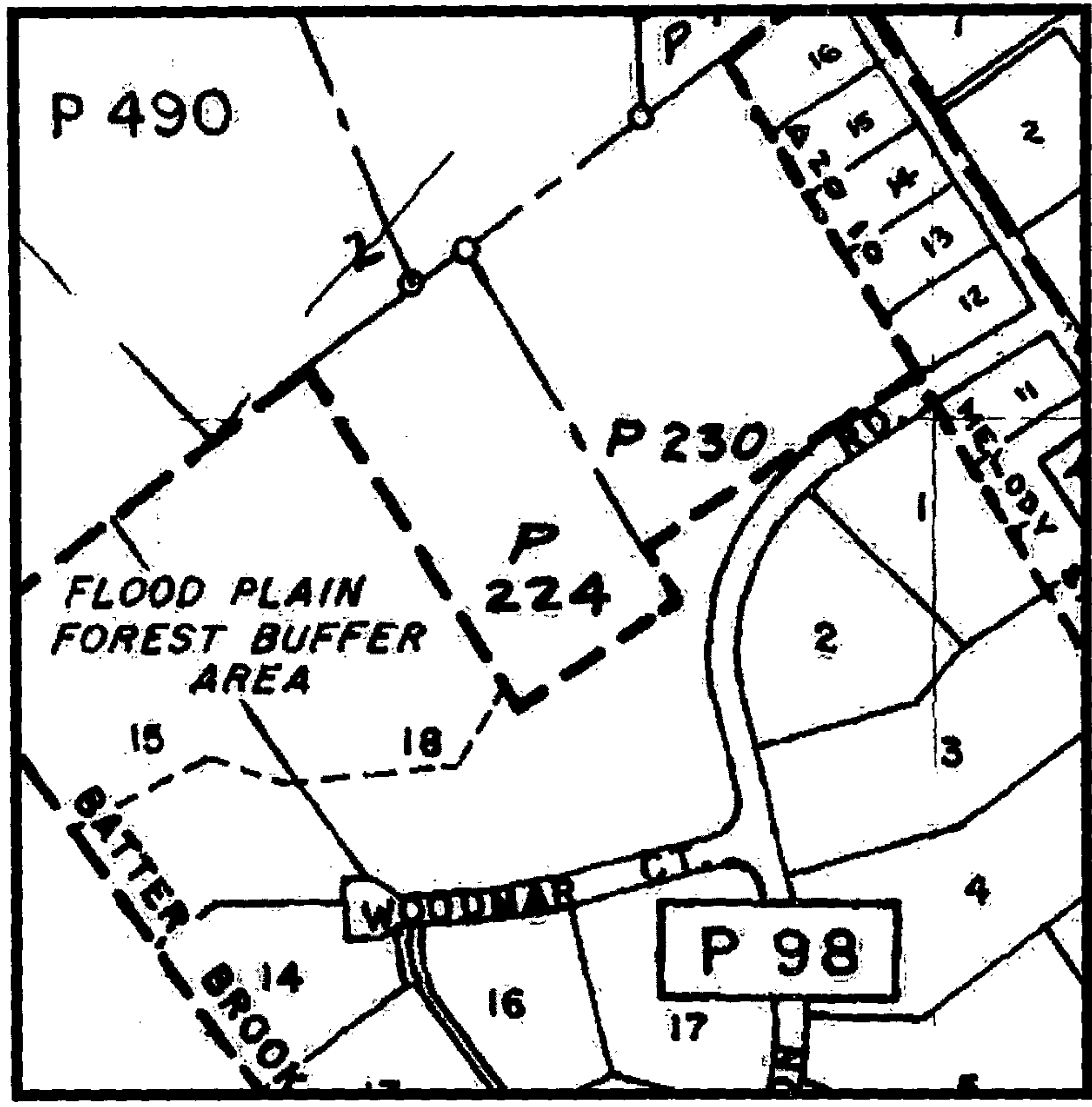
Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO **Special Tax Recapture:**
Exempt Class: * NONE *

	<p>Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search</p>	<p>Go Back View Map New Search</p>
---	--	--

District - 11 Account Number - 1116016470



Property maps provided courtesy of the Maryland Department of Planning ©2006.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at
www.mdp.state.md.us/webcom/index.html






11500 Marvon Rd
Kingsville MD
21087-1320 US

Notes:


Only text visible within note field will print.

[Empty text box for notes]

Families Free



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Colonial Williamsburg



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DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

VIOLATION CASE DOCUMENTS

VIOLATION CASE: 07-0550

11500 Marvon Road

ZONING CASE: 07-493-SPH
11500 MARVON ROAD

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: May 14, 2007

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

FROM: Rick Wisnom, Hearing Officer
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 493
Legal Owner/Petitioner: Brenda Paulshock (Kaisler) and Tina (Foertschbeck) Sherman
Contract Purchaser:
Property Address: 11500 Marvon Road
Location Description: South side Marvon Road, 652 feet southwest Mt. Vista Road

VIOLATION INFORMATION: Case No.: 07-0550
Defendants: Brenda Paulshock (Kaisler) and Tina (Foertschbeck) Sherman

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:

Russell Schaeffer
11410 Marvon Road
Kingsville, MD 21087

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:

Complaint Intake Form
State Tax Assessment printout
Correction Notice/Code Violation Notice
Other: data entry print-out

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Lisa Henson in Room 213 in order that the appropriate action may be taken relative to the violation case.

RSW/
c: Derek Propalis

E ENFORCEMENT REPC

DATE: 1, 17, 07 INTAKE BY: RC CASE #: 07-0550 INSPEC: _____

COMPLAINT LOCATION: 11580 Marwon Rd. ZIP CODE: 21087 DIST: 4

COMPLAINANT NAME: Russell Schaeffer PHONE #: (H) 443-250-5352 (W) _____

ADDRESS: 11410 Marwon Rd. ZIP CODE: _____

PROBLEM: Garage ~~been~~ been converted to apt. zone RC5

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

OWNER/TENANT INFORMATION: _____
TAX ACCOUNT #: _____ ZONING: _____

INSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

DATE: 01/18/2007

STANDARD ASSESSMENT INQUIRY

TIME: 10:35:08

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
22 00 001399	11	3-0	04-00	N	NO		01/08/07
KAISLER BRENDA M				DESC-1..		.2140 AC PARCEL A	
11500 MARVON RD				DESC-2..		MARVON @ BATTER BRK FRM	
				PREMISE. 11500		MARVON RD	
				00000-0000			

KINGSVILLE

MD 21087-1320 FORMER OWNER: FOERTSCHBECK BRENDA M

----- FCV -----		----- PHASED IN -----			
	PRIOR	PROPOSED		CURR	PRIOR
LAND:	1,050	1,050		FCV	ASSESS
IMPV:	0	0	TOTAL..	1,050	1,050
TOTL:	1,050	1,050	PREF...	0	0
PREF:	0	0	CURT...	0	0
CURT:	0	0	EXEMPT.		0
DATE:	09/02	08/05			

---- TAXABLE BASIS ----		FM DATE
ASSESS:	1,050	11/10/05
ASSESS:	1,050	
ASSESS:	0	

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

Permits and Development Management
 Code Inspections and Enforcement
 County Office Building Rm. 213
 111 West Chesapeake Ave
 Towson, Maryland 21204



Code Enforcement 410-887-3351
 Building Inspection 410-887-3953
 Electrical Inspection 410-887-3960
 Plumbing Inspection 410-887-3620
 Signs/Fences 410-887-3896

CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER 07-0550	PROPERTY TAX ID 22 00 001399	DATE ISSUED 1/19/07
NAME(S): Brenda Kaiser		
MAILING ADDRESS 11500 Marvon Rd		
CITY Kingsville	STATE MD	ZIP CODE 21087
VIOLATION ADDRESS same		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- DR1 DR2 DR3.5 DR5.5 DR10.5 DR16
- RC2(1A01) RC4(1A03) RC20 & 50 (1A03) RC6(1A07)
- RC3(1A02) RC5(1A04) RCC (1A06) RC7 (1A08)
- OTHER: _____

NON-RESIDENTIAL CLASSIFICATION

- BL (230) BR (236) BM (233)
- MR (240) ML (253) MH (256)
- OTHER: _____

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-3-102; 32-3-602; 32-3-603; 32-4-114

- 101; 102.1: Definitions; general use
- 1B01.1: DR Zones-use regulations
- 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s)
- 1B01.1D: Remove open dump/ junk yard
- 431: Remove commercial vehicle(s)
- 101; 102.1: Remove contractors equip. storage yard
- 101; 102.1; ZCPM: Cease service garage activities
- 402: Illegal conversion of dwelling
- 101; 102.1; ZCPM: Illegal home occupation
- 415A: License/ remove untagged recreation vehicle
- 415A: Improperly parked recreation vehicle
- 415A: One recreational vehicle per property
- 410: Illegal Class II trucking facility
- 400: Illegal accessory structure placement.
- 1B02.1; 270; 421.1: Illegal kennel. Limit 3 dogs
- 102.5: Residential site line violation /obstruction
- 408B: Illegal rooming/ boarding house
- BCC: 32-3-102; 500.9 BCZR; ZCPM: Violation of commercial site plan and/or zoning order

BALTIMORE COUNTY CODE (B.C.C)

- 13-7-112: Cease all nuisance activity
- 13-7-115: County to abate nuisance & lien costs
- 13-7-310: Remove all trash & debris from property
- 13-7-312: Remove accumulations of debris, materials, etc
- 13-7-201(2): Cease stagnant pool water
- 12-3-106: Remove animal feces daily
- 35-5-208(a)(c): Seal exterior openings from rodents & pests
- 13-4-201(b)(d): Store garbage in containers w/tight lids
- 35-2-301: Obtain building/ fence/ sign permit
- 18-2-601: Remove all obstruction(s) at street, alley, road
- 13-7-310(2): Remove bird seed / other food for rats
- 32-3-102: Violation of development plan/ site plan
- IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise
- 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height

OWNER OCCUPIED HOUSING (B.C.C)

- 35-5-302(a)(1): Unsanitary conditions.
- 35-5-302(a)(3): Cease infestation from prop.
- 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc
- 35-5-302(b)(1)(4): Repair chimney & similar extensions
- 35-5-302(b)(1)(6): Repair defective door(s) / window(s)
- 35-5-302(a)(2): Store all garbage in trash cans
- 35-5-302(b)(1): Repair exterior structure
- 35-5-302(b)(1)(3): Repair exterior extensions
- 35-5-302(b)(1)(5): Repair metal/wood surfaces
- 35-5-302(b)(1)(7): Repair defective fence

INVESTMENT PROPERTY (B.C.C)

- 35-2-404(a)(1)(i): Remove hazardous or unsafe condition
- 35-2-404(a)(1)(iii): Repair roof or horizontal members
- 35-2-404(a)(1)(v): Repair ext. plaster or masonry
- 35-2-404(a)(1)(vii): Repair exterior construction (see below)
- 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s)
- 35-2-404(a)(1)(ii): Repair ext. walls / vertical members
- 35-2-404(a)(1)(iv): Repair exterior chimney
- 35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations
- 35-2-404(a)(1)(2): Remove trash, rubbish, & debris
- 35-2-404(a)(1)(ii): Board & secure. Material to match building color of structure

OTHER VIOLATIONS OR REMARKS: Reconvert to a

single family dwelling

NOTICE POSTED AND MAILED

POTENTIAL FINE: \$200 \$500 \$1000 per day, per violation and to be placed as a lien upon your tax bill

COMPLIANCE DATE: 2, 28, 07 INSPECTOR NAME: Propolis

Case Entry/Update

Mode . . . : CHANGE

Format . . . : CASREC

File . . . : PDLV0001

Dt Rec: 1182007 Intake: RC/CP Act: _____ Case #: 07-0550

Insp: PROPALIS Insp Grp: ENF Insp Area: 11 Tax Acct: 2200001399

Address: 11500 MARVON RD Apt #: _____ Zip: 21087

Owner: BRENDA M KAISLER

Problem Descript.: GARAGE CONVERTED TO APT, ZONE RC5

MAP 21H13

Complainant Name (Last): SCHAEFFER (First): RUSSELL

Complainant Addr: 11410 MARVON RD

Complainant City: KINGSVILLE State: MD Zip: 21087

Complainant Phone (H): 4432505550 (W): _____

Date of Reinspection: 6052007 Date Closed: _____ Delete Code (P):

F3=Exit

F5=Refresh

F6=Select format

F9=Insert

F10=Entry

F11=Change

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

* Notes: ***1/19/07, MAILBOX BY STREET, SECOND BY A LEFT CRNR OF BLDG, KNOCKED ON ALL DOORS, 2 KITC COULD BE VIEWED FROM WINDOWS, NOTICE TO RECONVERT ISSUED, P/U 2/28/07, COMPL UPDATED BY VOICE MESSAGE, DP/CP***
1/23/07, MS KAISLER, OWNER, LEFT MESSAGE THAT HOUSE WAS 2 DWELLINGS WHEN SHE BOUGHT 30 YRS AGO & FOR 25 YRS BEFORE THAT, ISSUED NEW NOTICE TO RECONVERT OR PROVE VIA PUBLIC HEARING THAT A NON-CONFORMING USE EXISTS W/SAME DATE, 410 592-5249/H, 443 310-7016/C, SPOKE W/OWNER, GAVE HER ZONING #, WILL NOT PROSECUTE IF SHE PURSUES PUBLIC HEARING, ADVISED COMPL OF SAME, DP/CP
2/28/07, NOTHING ON PETITION REVIEW SIGN UP SHEETS, LEFT MESSAGE FOR OWNER TO CALL ME, DP/CP ***3/1/07, OWNER LEFT MESSAGE THAT SHE MET WITH CARL RICHARDS & GOT RIGHT PAPERS, SINCE THEY COULD NOT BE GOTTEN OFF WEBSITE, P/U 3/7/07 TO CHECK TO SEE IF APPT REVIEW DATE MADE BY NEXT WEEK, UPDATE NOT NECESSARY, DP/CP***
**3/8/07--NO APPT DATE YET. SPOKE W/OWNER. SHE WILL MAKE APPT TODAY. ADVISED COMPLAINANT WHERE WE STOOD. (DP/SCJ)
**3/9/07--APPT FOR 4/9/07. (DP/SCJ)

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

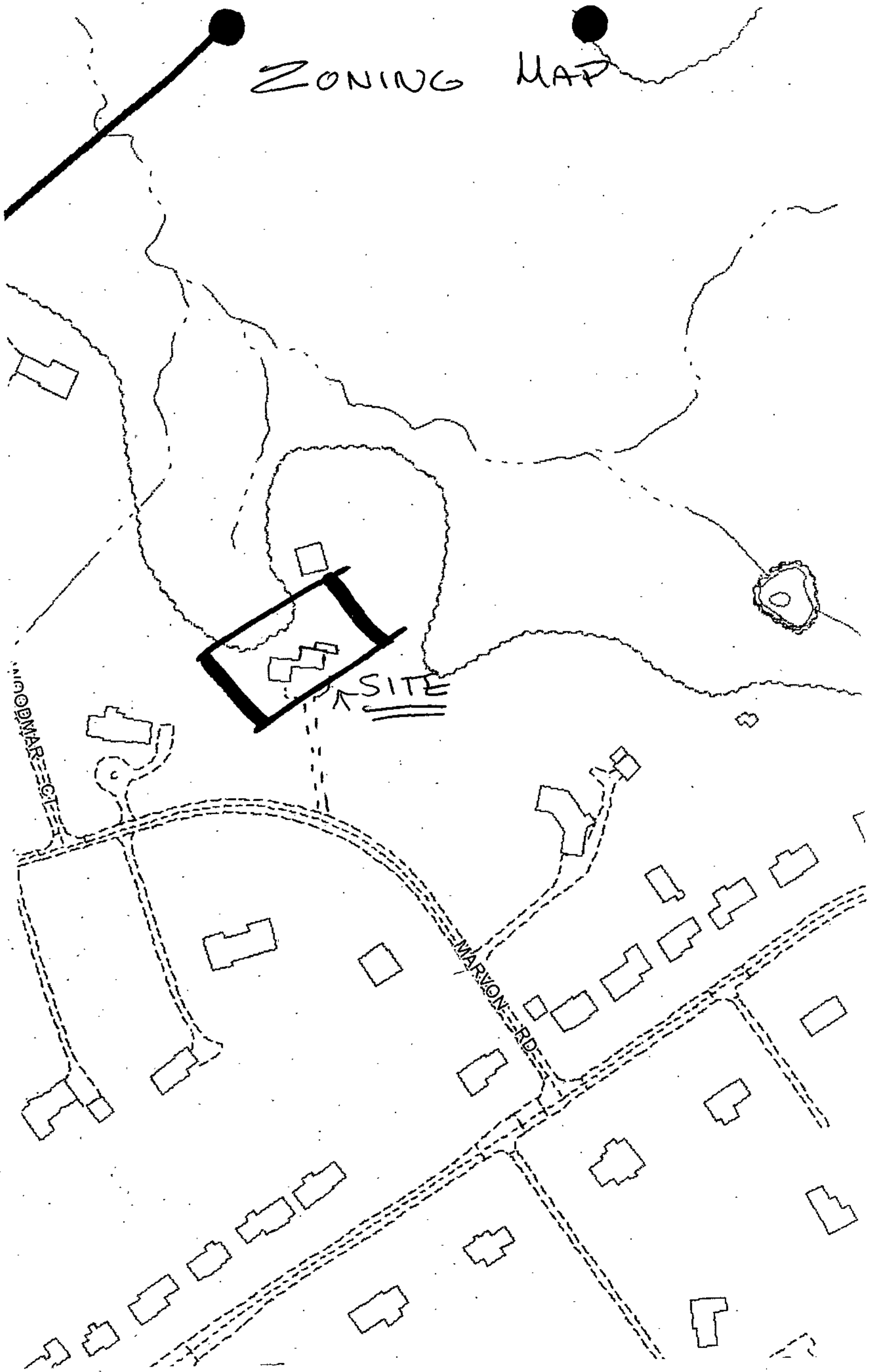
F6=Select format
F11=Change

personal representatives and assigns, in fee simple, all those lots of ground situate in Baltimore County in the State of Maryland and described as follows:

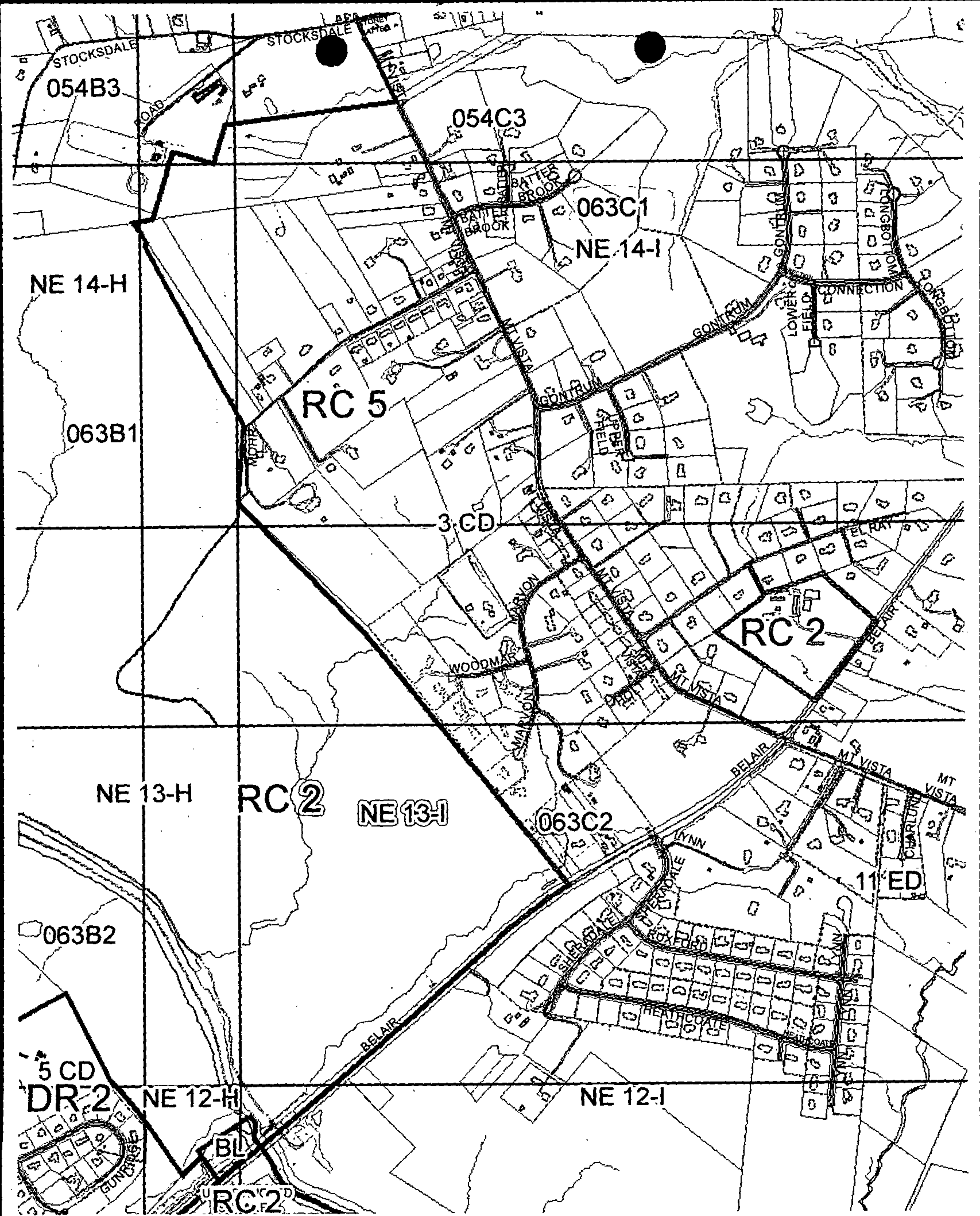
FIRST:

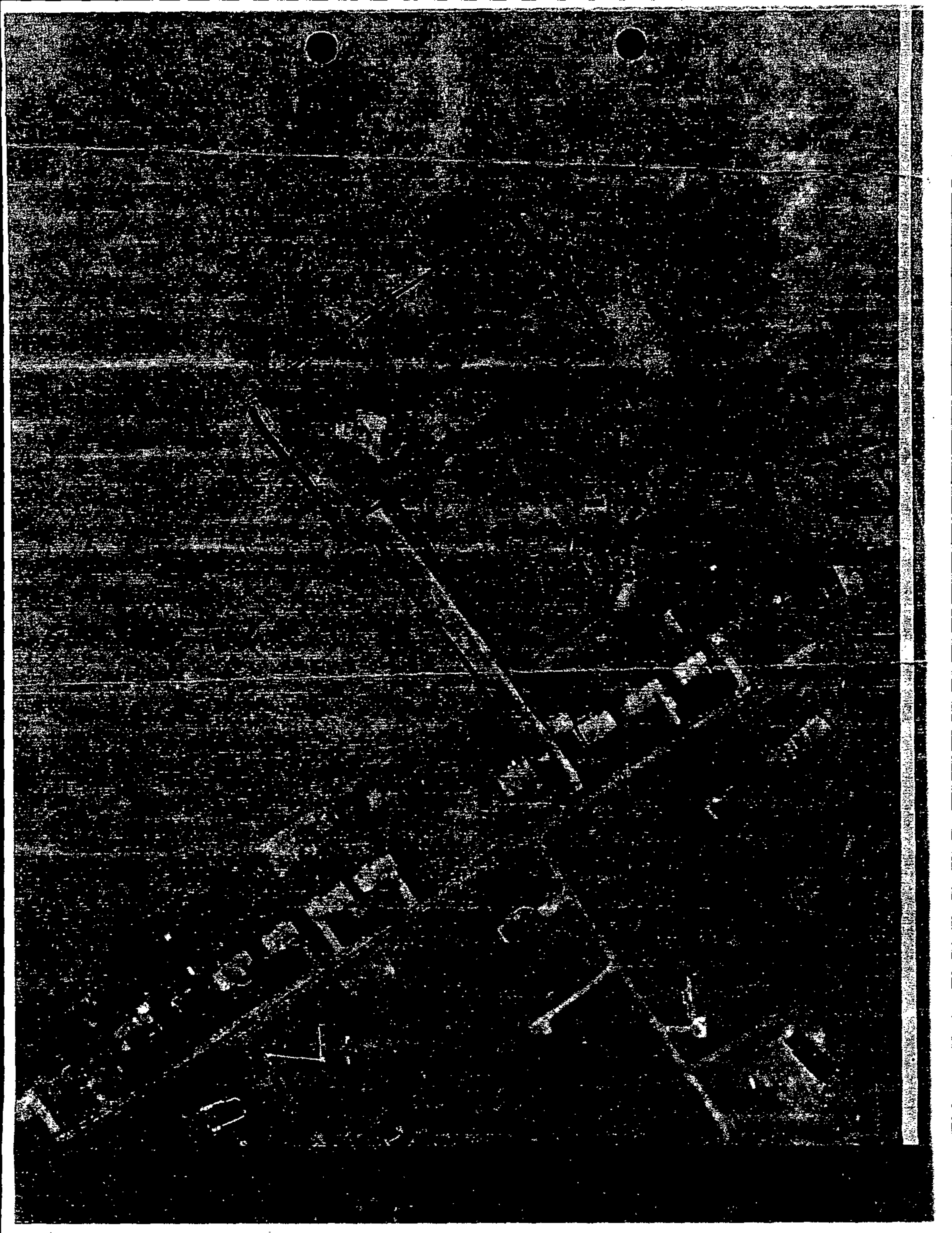
BEGINNING for the same at a pipe now set in the North 59 degrees 45 minutes east 94.4 perches line described in a Deed dated March 20, 1953, recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2264, folios 30 and 31, etc., which was a conveyance from Joseph Harris and wife to John H. Gontrum and wife, said beginning being 929.3 feet from the end of said line, thence running and binding on said line by the magnetic meridian of 1953 North 60 degrees 55 minutes East 275.7 feet to an iron pipe now set, thence crossing the land of the said John H. Gontrum and wife for lines of division now made the following three courses and distances; South 25 degrees 0 minutes East 713.0 feet to a 14 inch diameter black oak tree, continuing this course South 25 degrees 0 minutes East 11.20 feet to a stake now set, with the same course South 25 degrees 0 minutes East 300.80 feet to a stake now set at the Southwesternmost side of a 50 foot wide right of way, hereinafter described, with the same course, South 25 degrees 0 minutes East 85 feet, making a total distance of 570 feet to an iron pipe now set, thence South 65 degrees 0 minutes West 100 feet to a stake now set, with the same course South 65 degrees 0 minutes West 105.7 feet to a stake now set, with the same course South 65 degrees 0 minutes West 69.3 feet, making a total distance of 275 feet to a stake now set, thence North 25 degrees 0 minutes West 200.7 feet to a stake now set, with the same course North 25 degrees 0 minutes West 115.8 feet to the center of a 15 inch diameter beech tree, with the same course North 25 degrees 0 minutes West 88.5 feet to a stake now set, with the same course North 25 degrees 0 minutes West 148.42 feet, making a total distance of 550.42 feet to the place of beginning, containing 3.535 acres; improvements thereon known as 11500 Marvon Road.

ZONING MAP



07-493-SPH





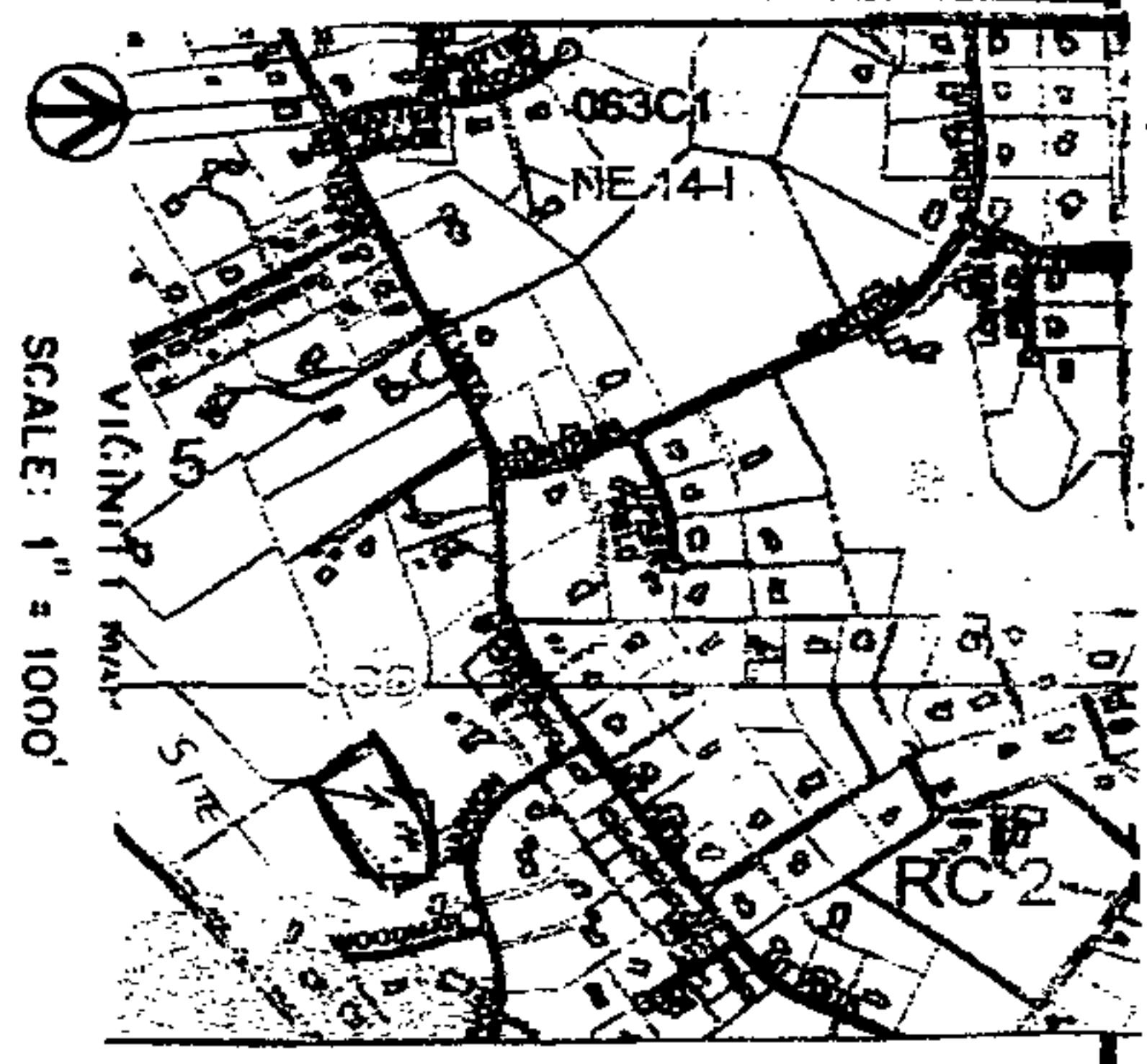
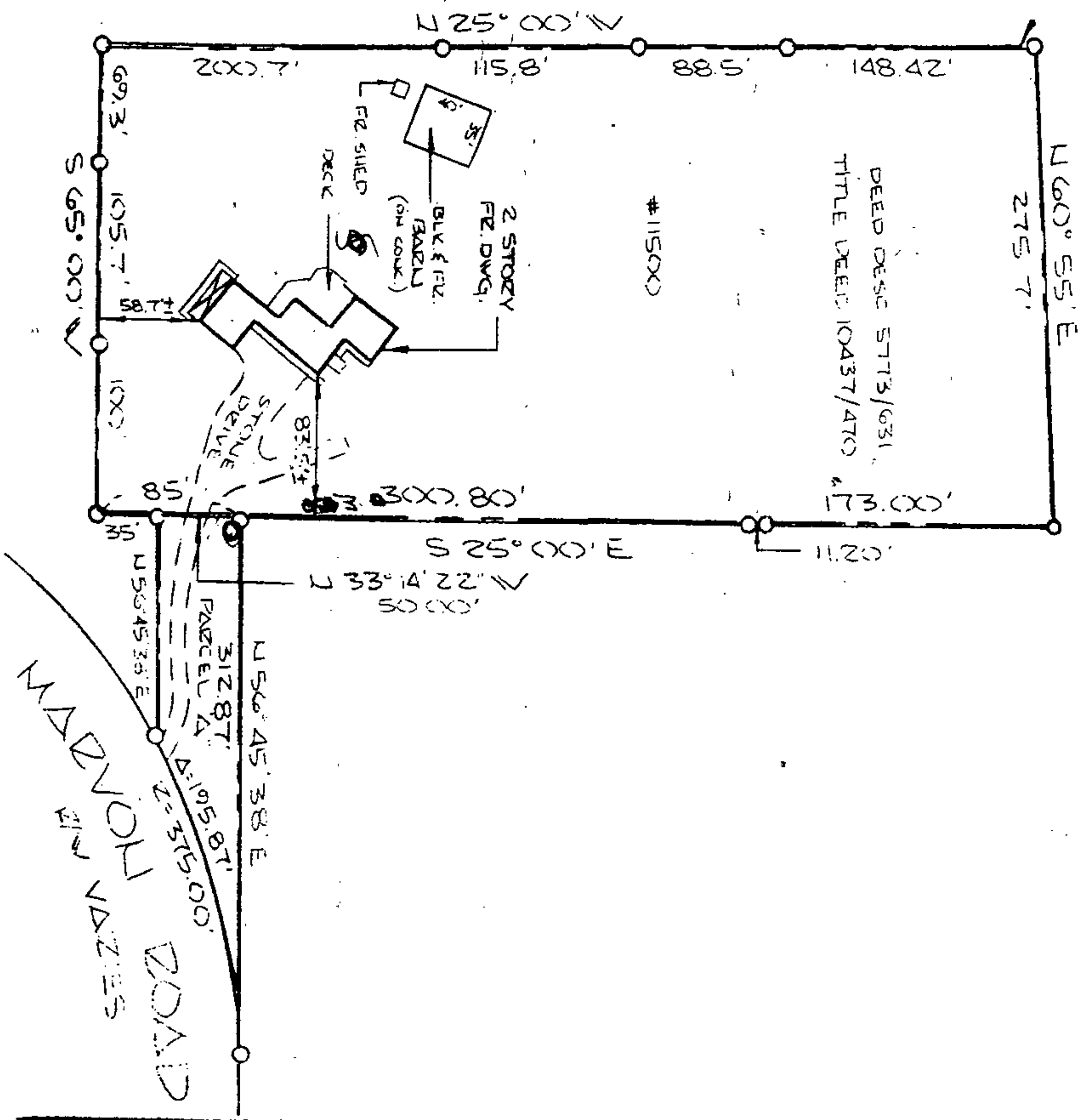
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

PROPERTY ADDRESS 11500 MARION RD SEE PAGES 5 & 6 OF THE CHECKLIST FOR

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER BRENDA PAUSHOCK



LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT 3 (3/2/81)

1" = 200' SCALE MAP # 210010 0295 B

ZONING RC5

LOT SIZE 3.53 ACRES 153766.8 SQ. FEET

SEWER PUBLIC PRIVATE

WATER

CHESAPEAKE BAY CRITICAL AREA YES NO

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY / BUILDING

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY DT ITEM # 493 CASE # 07-493-SPH

CERTIFICATE OF POSTING

Date: 7/3/07

RE: Case Number: 07-493-SPH

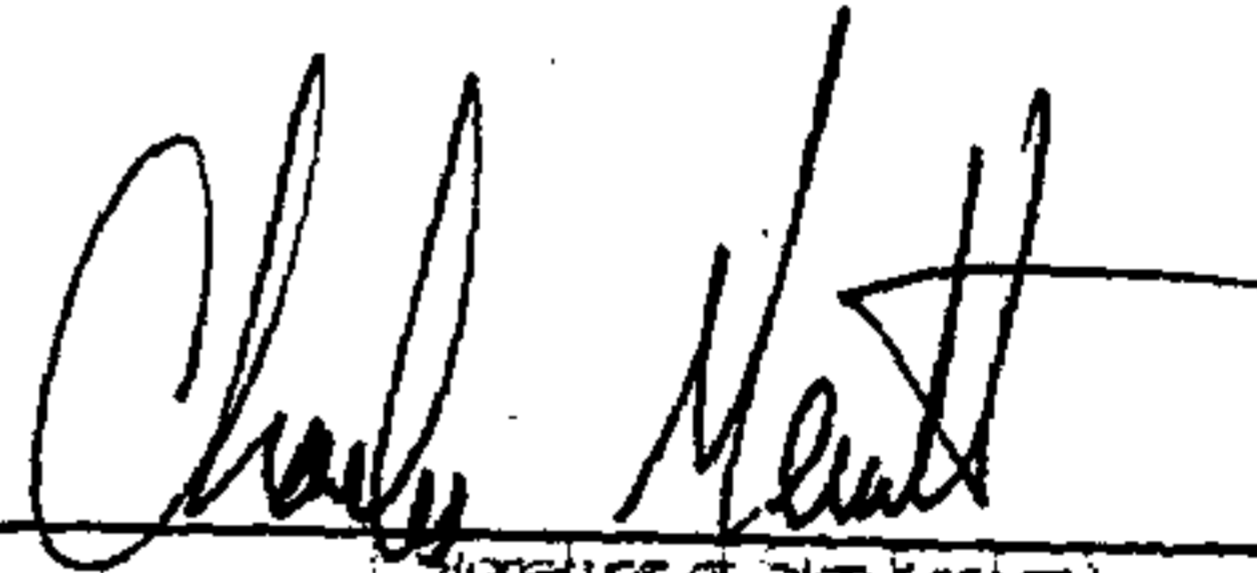
Petitioner/ Developer: B. PAUSHOCK & T. SHERMAN

Date of Hearing/ Closing: WED, JULY 18, 2007 @ 10:00AM

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 11500 MARION ROAD, KINGSVILLE MD 21087

The sign(s) were posted on JULY 2ND 2007

(Month, Day, Year)



(Signature of Sign Poster)

Charles E. Merritt
9831 Magledd Road
Baltimore, MD 21234
410-665-5562

RECEIVED

JUL 05 2007

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT