

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W side of Patuxent Road, 386 .5 Feet		
N of Oliver Wood Road	*	DEPUTY ZONING
15 th Election District		
6 th Councilmanic District	*	COMMISSIONER
(13112 Patuxent Road)		
	*	FOR BALTIMORE COUNTY
Gerald Woodrow Hendon		
<i>Petitioner</i>	*	Case No. 2008-0526-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the legal owner of the subject property, Gerald Woodrow Hendon for property located at 13112 Patuxent Road in the Chase-Olver Beach area of the County. Petitioner is requesting Administrative Variance relief from Section 1B02.3.A.1 Section 3.A Residence 1947 to allow a side yard setback of 5 feet in lieu of the required 7 feet. The subject property and the requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

On June 3, 2008, the Undersigned called for a formal hearing on this matter based on a code enforcement violation associated with the matter. The hearing was subsequently scheduled for Monday, July 14, 2008 at 11:00 am in Room 104 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland.

Appearing in support of the requested relief was Petitioner Gerald Woodrow Hendon. There were no Protestants or other interested citizens in attendance at the hearing.

This matter is currently the subject of an active violation case (Case No. 08-1927) in the Division of Code Inspections and Enforcement. A citation for code violation was issued on April 17, 2008 because construction of the addition was started without obtaining the required permits.





It should be noted that the fact that a code enforcement violation is issued is generally not relevant in this zoning case. This means that Petitioner cannot use the fact that a structure has been built or is under construction 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. Conversely, the fact that something may have been done which could violate the zoning regulations is not held against 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, and is not the province of this office.

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 offered revealed that the subject property is rectangular in shape, and 50 feet wide by 200 feet deep. The property is improved with the Petitioner's single family residence and detached garage. As shown on Petitioner's Exhibit 1, Petitioner desires to build the 12 foot deep by 5 foot wide bump out addition off the side of his home where the kitchen is located due to his invalid mother residing in the home with the Petitioner and his girlfriend. Petitioner's mother is confined to a wheelchair and is on a fixed income and cannot afford an assisted living facility, so she lives in Petitioner's home. Petitioner has made some minor interior modifications to accommodate his mother's wheelchair. Petitioner desires to expand the kitchen so his mother can move around the kitchen in her wheelchair and access all the appliances. In the Affidavit in Support of the Administrative Variance, Petitioner certified that his son and his son's

NOTED RECEIVED FOR FILING
7-24-08
pm

family moved back to the home and he would like to have extra kitchen space for a pantry. Perhaps this has changed now that the Petitioner's mother resides in the home.

Further testimony revealed that the Petitioner did not initially obtain the required building permits because he was told by a neighbor, who is a builder, that an addition under 100 square feet did not require a permit. He was then informed by a County Code Inspector, who responded to a complaint, that a permit was required and was also referred to the Zoning Review Office due to the variance from the setback requirement that was necessary.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Petitioner is unable to construct the small kitchen addition anywhere else on the dwelling.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Petitioner is requesting to construct a small kitchen addition that would encroach only 2 feet into the required setback. The granting of said variance request will allow the Petitioner's wheelchair bound mother to have more freedom of movement in the home.

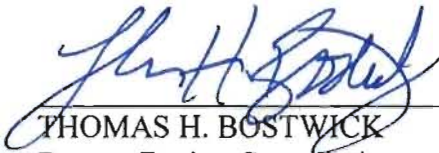
Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. No adjacent property owners voiced any objection to the request after the property was posted with a notice of Petitioner's intentions.

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

THEREFORE, IT IS ORDERED this 24th day of July, 2008 by this Deputy Zoning Commissioner, that Petitioner's Administrative Variance request from Section 1B02.3.A.1 Section 3.A Residence 1947 to allow a side yard setback of 5 feet in lieu of the required 7 feet is hereby GRANTED subject to the following:

1. Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

July 24, 2008

GERALD WOODROW HENDON
13112 PATUXENT ROAD
BALTIMORE MD 21220

Re: Petition for Administrative Variance
Case No. 2008-0526-A
Property: 13112 Patuxent Road

Dear Mr. Hendon:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Helene Kehring, Code Enforcement Division, Permits & Development Management



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 13112 Patuxent Rd
which is presently zoned DR 5.3

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) 130 Z. 3. A. 1 - SECTION 3. A

RESIDENCE - 1947 - TO ALLOW A SIDE YARD SETBACK OF 5 FEET IN LIEU OF THE REQUIRED 7 FEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of , that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2008-0526-A

Reviewed By CM Date 5-7-08

REV 10/25/01

Estimated Posting Date 5-18-08

7-29-08

pm

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address

City

State

Zip Code

3112 Potomac Road
Baltimore Md 21220

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

My Son and his family have moved back home and I would like to have the extra kitchen space for a pantry

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Signature

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

04-01-08

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 13112 Pstuxent Road
City Baltimore State MD Zip Code 21220

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

My Son and his Family have moved back home and I would like to have the extra kitchen space for a pantry

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Gerald Woodrow Hendon
Signature

Gerald Woodrow Hendon
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of April 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

of Maryland

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

AS WITNESS my hand and Notarial Seal

Sondra K. Hartman
Notary Public

My Commission Expires 04-01-2008



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 13112 Potuxent Rd
which is presently zoned DR 5.3

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) 13023.4.1 - SECTION 3.1 RESIDENCE
1947 - TO ALLOW A SIDE YARD SETBACK OF 5 FEET IN LIEU OF THE
REQUIRED 7 FEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2008-0524-A

Reviewed By CM Date 5-7-08

REV 10/25/01

Estimated Posting Date 5-18-08

FORM REQUESTED FOR REVIEW

7-24-08

pm

ZONING DESCRIPTION FOR 13112 Patuxent Rd
Baltimore, Maryland 21220

Beginning at a point on the SSW side of
Patuxent Road which is 38 FEET

wide at the distance of 486 Feet SSW of the

centerline of the nearest improved intersecting street Oliverwood Rd

which is 18' 7" wide. *Being Lot # 157

Block _____, Section # B in the subdivision of Oliver Beach

as recorded in Baltimore County Plat Book # 14, Folio # 037,

containing 10,000 sqft. Also known as 13112 Patuxent Road

and located in the 15 Election District, 6 Councilmanic District.

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: #2008-0526-A

13112 Patuxent Road
W/side of Patuxent Road at the distance of 386.5 feet north of Oliver Wood Road
15th Election District
6th Councilmanic District
Legal Owner(s): Gerald Woodrow Hendon

Variance: (a residence zone 1947) to allow a side yard setback of 5 feet in lieu of the required 7 feet.

Hearing: Monday, July 14, 2008 at 11:00 a.m. in Room 102, Jefferson Building, 105 W. Chesapeake 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.

6/23/08 June 26 176730

CERTIFICATE OF PUBLICATION

6/26/, 2008

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 6/26/, 2008.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **3956**

Date: **5-7-08**

PAID RECEIPT

BUSINESS ACTUAL TIME BOM
 5/08/2008 5/07/2009 15:37:11 2
 REC 505 WALKIN DOOL DRD
 >>RECEIPT # 443757 5/07/2009 OFLO
 Recpt 5 520 TARDIS VERIFICATION
 013956
 Recpt Tot \$65.00
 \$65.00 0. \$1.00
 Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001		006		6150				65.00

Total: **65.00**

Rec From: **G. HEUDEN**

For: **13122 PATIENT RD An VAL**

2008-0521-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 2008-0526

Petitioner/Developer: BRAND
HENDON

Date Of Hearing/Closing: 6/2/08

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

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
at 13112 PATUXENT RD

This sign(s) were posted on May 17, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 5/17/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

Salix Court

Address

o. Md 21220

3-629 3411)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 0526 -A Address 13112 PATUXENT RD

Contact Person: CRAIG Mc GILAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5-7-08 Posting Date: 5-18-08 Closing Date: 6-2-08

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

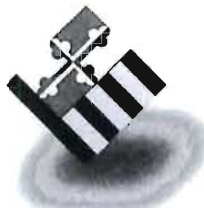
Case Number 08- 0526 -A Address 13112 PATUXENT RD

Petitioner's Name GERALD HEARDON Telephone 410-335-9459

Posting Date: 5-18-08 Closing Date: 06-02-08

Wording for Sign: TO PERMIT A SIDEYARD SETBACK OF 5 FEET
IN LIEU OF THE REQUIRED 7 FEET

WCR - Revised 6/25/04



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 5, 2008
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: 2008-0526-A

13112 Patuxent Road

W/side of Patuxent Road at the distance of 386.5 feet north of Oliver Wood Road

15th Election District – 6th Councilmanic District

Legal Owners: Gerald Woodrow Hendon

Variance (a residence zone 1947) to allow a side yard setback of 5 feet in lieu of the required 7 feet.

Hearing: Monday, July 14, 2008 at 11:00 a.m. in Room 102, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Gerald Woodrow Hendon, 13112 Patuxent Road, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 28, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 26, 2008 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple
Permits & Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

410-887-4587

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: 2008-0526-A

13112 Patuxent Road

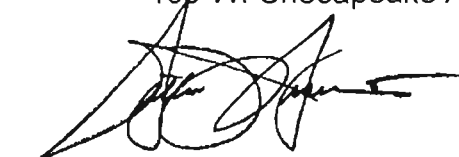
W/side of Patuxent Road at the distance of 386.5 feet north of Oliver Wood Road

15th Election District – 6th Councilmanic District

Legal Owners: Gerald Woodrow Hendon

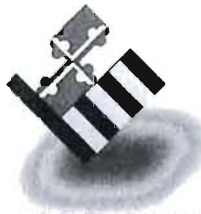
Variance (a residence zone 1947) to allow a side yard setback of 5 feet in lieu of the required 7 feet.

Hearing: Monday, July 14, 2008 at 11:00 a.m. in Room 102, Jefferson Building,
105 W. Chesapeake 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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.

County Executive

Gerald Woodrow Hendon
13112 Patuxent Rd.
Baltimore, MD 21220

TIMOTHY M. KOTROCO, *Director*

*Department of Permits and
Development Management*

June 2, 2008

Dear: Gerald Woodrow Hendon

RE: Case Number 2008-0526-A, Address: 13112 Patuxent Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 7, 2008. 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:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 22, 2008

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

RECEIVED
MAY 27 2008

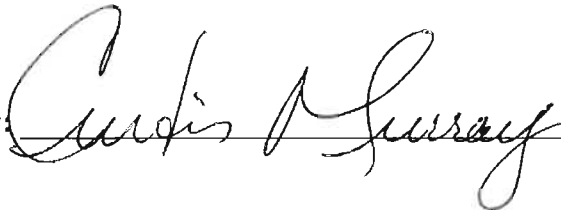
BY:.....

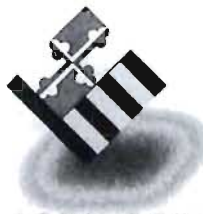
SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-526- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

May 20, 2008

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

ATTENTION: Zoning Review planners

Distribution Meeting of: May 19, 2008

Item No.: 518, 520-528, 530, and 532-534.

526

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.

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

cc: File



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

State Highway
Administration

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

Maryland Department of Transportation

Date: May 20, 2008

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

RE: Baltimore County
Item No. 8-526-A
13112 PATUXENT ROAD
HENDON PROPERTY
ADMINISTRATIVE VARIANCE

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. 8-526-A.

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,

Foa¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 21, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For May 26, 2008
Item Nos. 08-520, 521, 522, 523, 524,
525, 526, 527, 528, 532, 533, and 534

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

ZAC-05212008-NO COMMENTS
DAK:CEN:lrk
cc: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: June 3, 2008

TO: Kristen Matthews
Dept. of Permits and Development Management

FROM: Patricia Zook, Legal Secretary to
Thomas Bostwick, Deputy Zoning Commissioner

RE: Petition for Administrative Variance – Closing Date of 6-2-08
Case No. 08-526-A located at 13112 Patuxent Road
Hearing Required

After a review of the above-captioned case file, Tom Bostwick has requested that this case be set in for a formal hearing as this matter is currently the subject of an active violation case #08-1927.

We are returning the file to you for further processing, i.e., notifying the Petitioner, posting of hearing notices, etc. Per Tom, the County is to post and advertise the hearing.

Thank you for your attention and cooperation in this matter.

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: May 20, 2008

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

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

SUBJECT: Item No.: 8-526-a
Legal Owner/Petitioner Woodrow, Gerald
Contract Purchaser: N/A
Property Address: 13112 Patuxent Rd
Location Description: W/side of Patuxent Rd, 386' S.

VIOLATION INFORMATION: Case No. 08-1927
Defendants: Woodrow, Gerald

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
Gary Hucik	410-887-3953

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

- X 1. Complaint letter/memo/email/fax (if applicable)
- X 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- X 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- X 9. Correction Notice/Code Violation Notice
- X 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/gh
C: Code Enforcement Officer



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
June 5, 2008

Gerald Woodrow Hendon
13112 Patuxent Road
Baltimore, MD 21220

Dear Mr. Hendon:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 2008-0526-A

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand concerning the above proposed administrative procedure at the request of the deputy zoning commissioner.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm



Baltimore County
Department of Permits and
Development Management

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

15

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. DB-1927	Property No. 1309750050	Zoning DL
--------------------------------	----------------------------	--------------

Name(s): Gerald Woodrow Herdon

Address: 13112 Patuxent RD Baltimore MD 21220

Violation Location: SAME

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCBC 114.3 Stop all work until
a valid building permit is issued
\$500.00 fine
IRC 105 (res)
BCC-35-2-304
No new construction can take place
until a valid permit and all county
approvals have been given

Posted on Site

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

On or Before: 4/17/08	Date Issued: 4/17/08
-----------------------	----------------------

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: Gary Hucik

INSPECTOR: Gary Hucik

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:

On or Before: Immediately 4/17/08	Date Issued: 4/17/08
-----------------------------------	----------------------

INSPECTOR: Gary Hucik

CODE ENFORCEMENT REPORT

DATE: 4/17/08 INTAKE BY: G.H. CASE #: 08-1927 INSPEC: 15

COMPLAINT LOCATION: 13112 Patuxent RD

ZIP CODE: DIST:

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

ADDRESS: ZIP CODE:

PROBLEM: Construction an addition on side of house without a permit

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

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: ZONING:

INSPECTION: Inspected on 4/17/08 Stop work order issued and notice to obtain a valid permit for addition. Recheck 4/24/08 Gary Shunk

REINSPECTION: KH

REINSPECTION:

REINSPECTION:

GH

DATE: 04/16/2008

STANDARD ASSESSMENT INQUIRY (1)

TIME: 09:43:20

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 09 750050	15	3-0	04-00	H	NO		02/15/08

HENDON GERALD WOODROW

DESC-1.. IMPS

DESC-2.. OLIVER BEACH

13112 PATUXENT RD

PREMISE. 13112 PATUXENT

RD

00000-0000

BALTIMORE

MD 21220-1133 FORMER OWNER: RUBLE JAMES S

----- FCV -----		----- PHASED IN -----				
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	41,500	74,500		FCV	ASSESS	ASSESS
IMPV:	72,990	90,810	TOTAL..	165,310	165,310	148,370
TOTL:	114,490	165,310	PREF...	0	0	0
PREF:	0	0	CURT...	165,310	165,310	148,370
CURT:	114,490	165,310	EXEMPT.		0	0
DATE:	09/02	06/05				

----	TAXABLE BASIS	----	FM DATE
	ASSESS:	165,310	08/23/07
	ASSESS:	148,370	
	ASSESS:	0	

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

Add
NO
Permit

No permit

08-1987

CODE ENFORCEMENT REPORT

GARY:
PUT WITH
FILE

DATE: 4/18/08 INTAKE BY: CW CASE NO: _____
INSPEC: _____ DIST: 15 AREA: _____

COMPLAINANT NAME: _____

ADDRESS: _____

ZIP CODE: _____

PHONE NO (H) _____ (W) _____

COMPLAINT LOCATION: 13112 Patuxent Rd 21220

PROBLEM: an addition is being added
without permit.

TAX ACCOUNT NO: 15 09 750 050

OWNER INFORMATION: Gerald Woodrow Hendon
Balto md 21220

PREVIOUS CASE ☒ 08-1927

G. Hucile

To whom it may concern,

Ref: 13112 Patuxent Rd
Baltimore, MD 21220

An addition is being added to the above address without a permit. Please send someone to check into this matter!

Case No: 08-1927Address: 13112 PATUXENT RD 21220Insp Area: 017 Dist: 000 Date Rcv: 4/17/2008 Grp: ENF Intk: HUCIK, GInspec: HUCIK, G Inspec2: Date Inspec: 5/27/2008Close: 0/00/0000 Activity: Delete: Problem: CONSTR. ON ADD. ON SIDE OF HOUSE W/O PERMITCL Name: CL Address: 00000 CL Home Phone: CL Work Phone: Tax Acct. 1509750050Owner: HENDON, GERALD

Enter=Continue F12=Cancel

Case No: 08-1927

Notes: 04/17/08 SWO ISSUED & NOTICE TO OBTAIN A VALID PER. FOR ADD. P/U 04/24/
08. G.HUCIK/KH.***

04/28/08 EXT. TO ALLOW H/OWNER TO OBTAIN PERMIT. P/U 05/05/08. G.HUCIK/KH.***

05/06/08 EXT. TO ALLOW FOR VAR. DATE TO BE SET FOR ADD. P/U 05/27/08. G.HUCIK/K
H.***

Enter=Continue F12=Cancel



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1)

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

Account Identifier: District - 15 Account Number - 1509750050

Owner Information

Owner Name: HENDON GERALD WOODROW **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 13112 PATUXENT RD **Deed Reference:** 1) / 6295/ 676
 BALTIMORE MD 21220-1133 2)

Location & Structure Information

Premises Address **Legal Description**
 13112 PATUXENT RD 300 SW WICOMICO RD
 OLIVER BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
84	1	42		B			157	3	Plat Ref: 14/ 37

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1953	1,080 SF	10,000.00 SF	04

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2006	07/01/2007	07/01/2008
Land	41,500	74,500		
Improvements:	72,990	90,810		
Total:	114,490	165,310	148,370	165,310
Preferential Land:	0	0	0	0

Transfer Information

Seller: RUBLE JAMES S	Date: 06/10/1981	Price: \$43,900
Type: IMPROVED ARMS-LENGTH	Deed1: / 6295/ 676	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

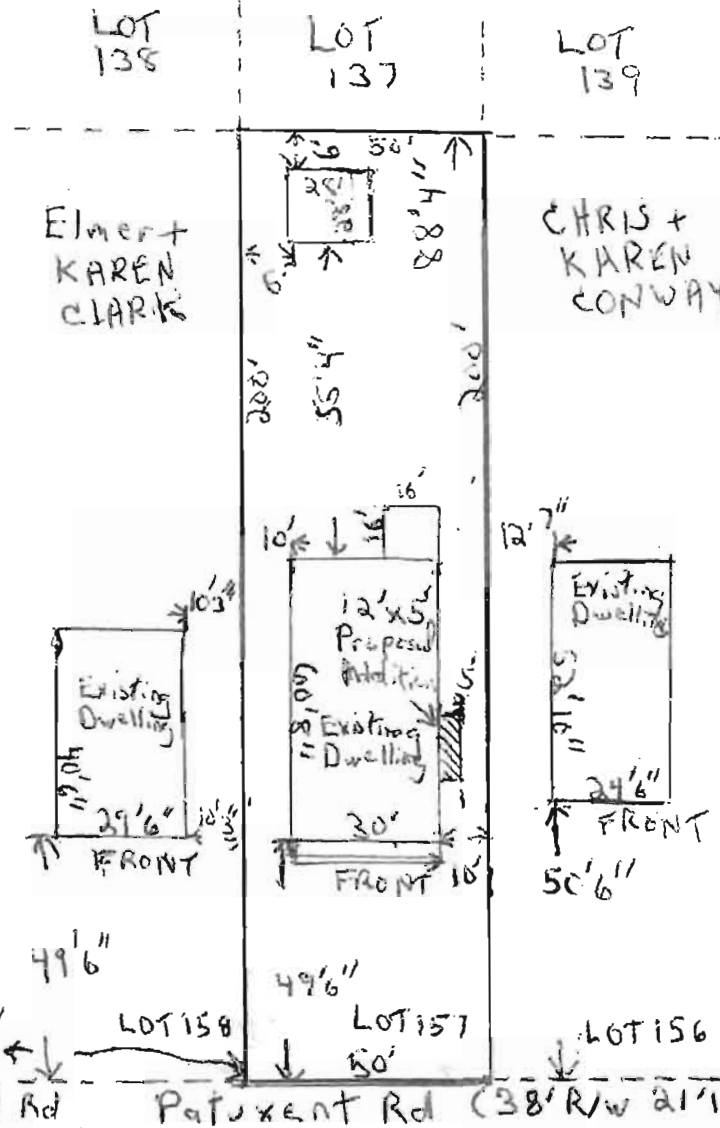
PROPERTY ADDRESS 13112 Patuxent Road

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

SUBDIVISION NAME Oliver Beach

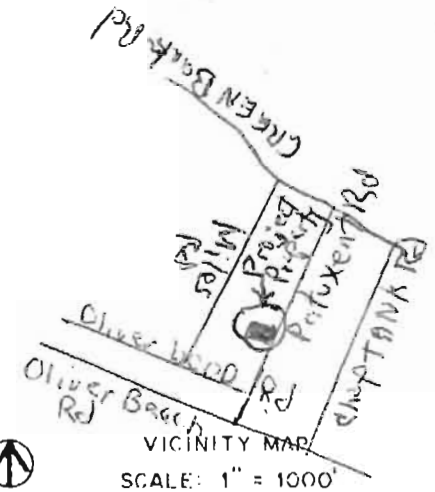
PLAT BOOK # 14 FOLIO # 37 LOT # 157 SECTION # B

OWNER Gerald Woodrow Hendon



PREPARED BY GWH

SCALE OF DRAWING: 1" = 40'



LOCATION INFORMATION

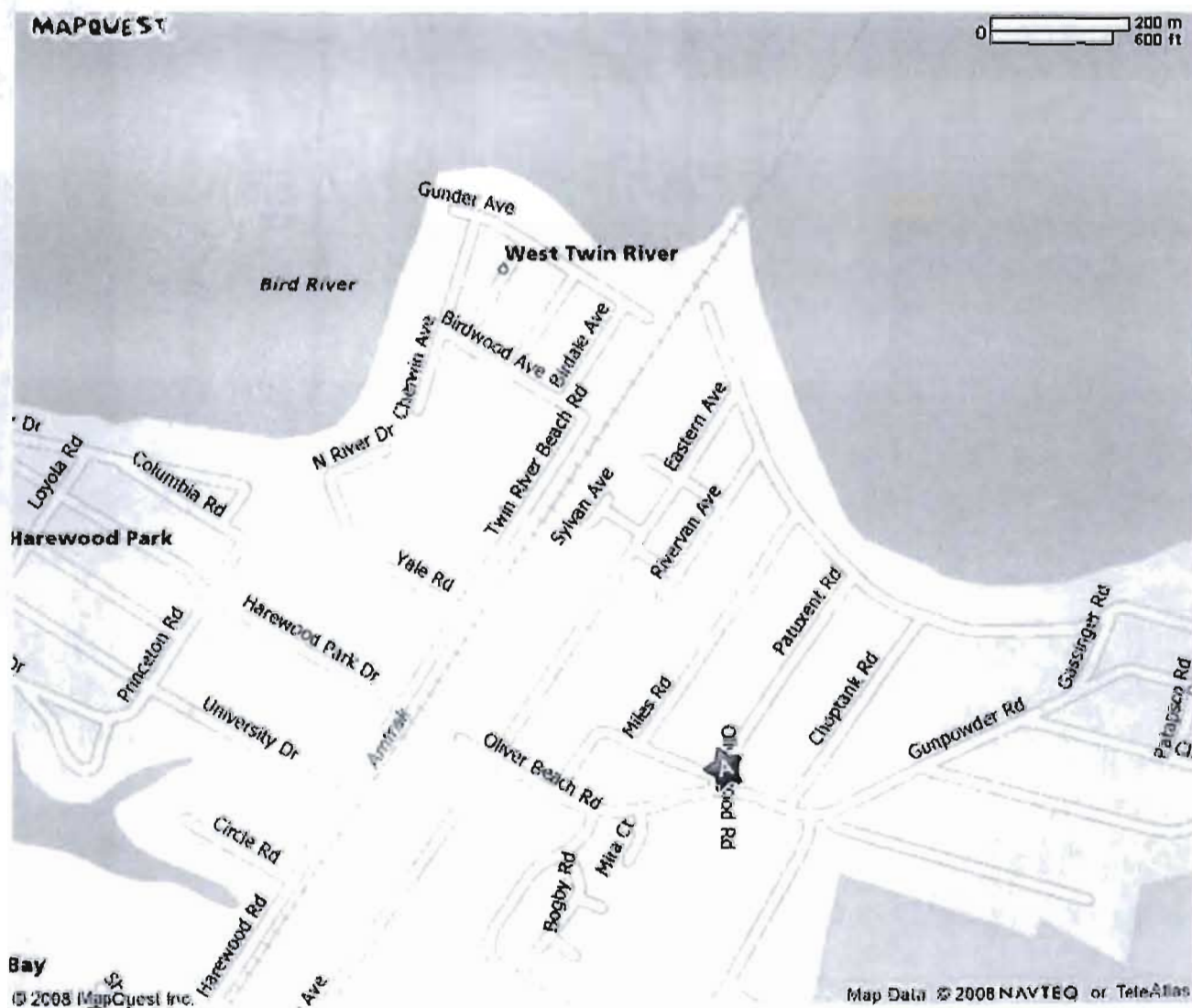
ELECTION DISTRICT 15
 COUNCILMANIC DISTRICT 6
 1"=200' SCALE MAP # 084A1
 ZONING PR 5.5
 LOT SIZE 0.229 10,000 59
 ACREAGE SQUARE FEET
 PUBLIC PRIVATE
 SEWER ☒ ☐
 WATER ☒ ☐
 CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
 100 YEAR FLOOD PLAIN ☐ ☒
 HISTORIC PROPERTY/ BUILDING ☐ ☒
 PRIOR ZONING HEARING NONE

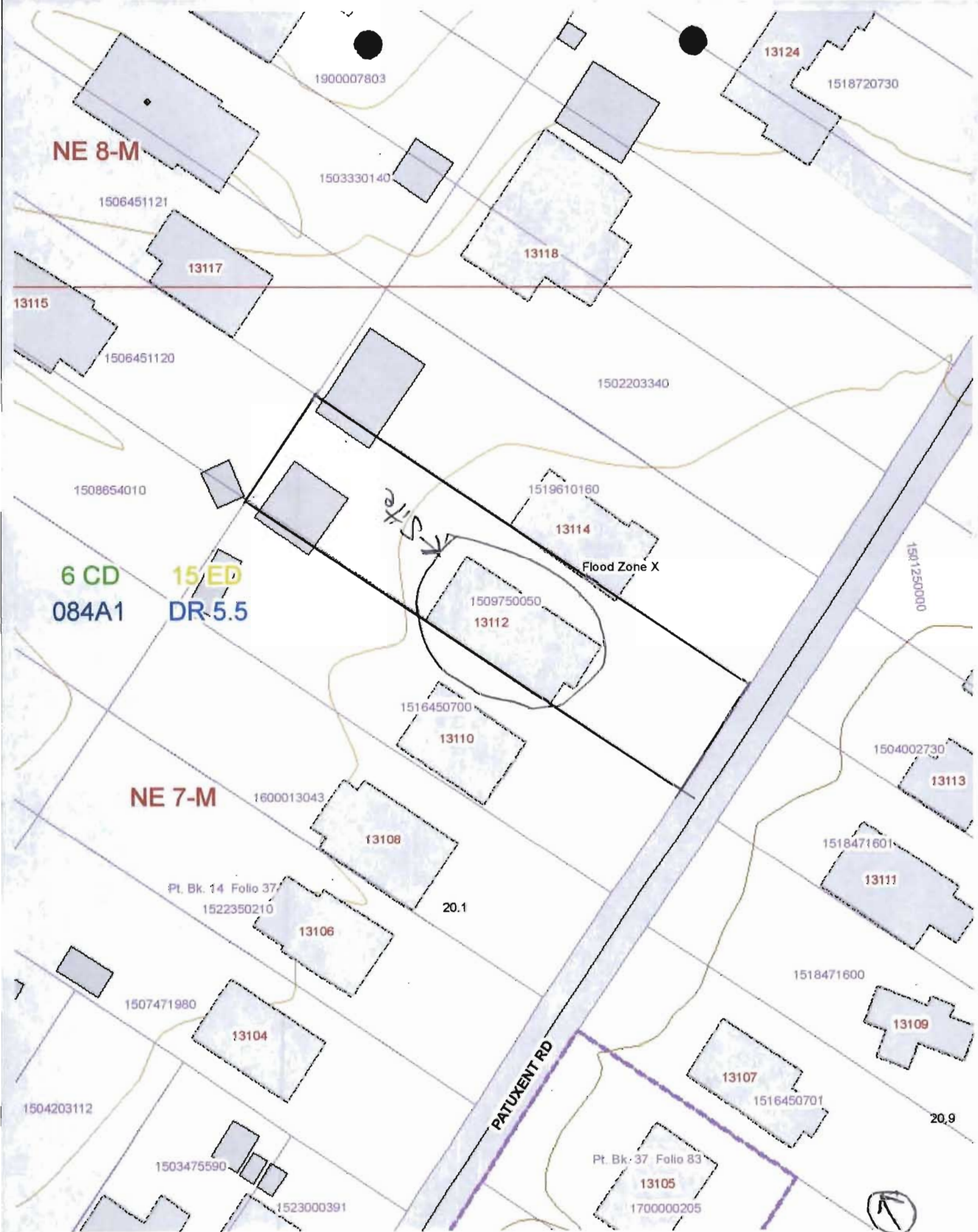
ZONING OFFICE USE ONLY

REVIEWED BY CM ITEM # 526 CASE # 2008-0526-A

MAPQUEST.

A: 13112 Patuxent Rd, Middle River, MD 21220-1133





0526



