

IN RE: **PETITION FOR VARIANCE**  
S/S of W. Kingston Park Lane, 640' S/W  
c/line of W. Kingsway  
**(62 W. Kingston Park Lane)**  
15<sup>th</sup> Election District  
6<sup>th</sup> Council District

Susan E. Cox and Mary B. Jones  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF  
\* BALTIMORE COUNTY  
\* **Case No. 2008-0546-A**

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Susan Elaine Cox and Mary Beth Jones. The Petitioners initially request variance relief from Sections 1B02.3.C and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a platform type rear deck with a 1-foot side yard setback in lieu of the required 7-½ foot setback along the east side of an in-ground swimming pool. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 7.

Appearing at the requisite public hearing<sup>1</sup> in support of the request were Susan Elaine Cox and Mary Beth Jones, property owners; David and Christina Emerick of Emerick Contracting, LLC, the contractor who did construction work on the property subsequent to the deck's construction and who also installed "tie down's" on the deck to prevent it from being

<sup>1</sup> It is to be noted that this case was originally scheduled for a public hearing on August 7, 2008 before Deputy Zoning Commissioner Thomas Bostwick, in which an undated note from Director Tim Kotroco appeared in the file, granting Petitioners a postponement due to the unavailability of consultant, David Flowers. On the morning of August 7, 2008, adjacent neighbors appeared in opposition to the variance request, namely Jill Knauff & Jimmy Sikes (64 W. Kingston Park Lane) and Jerry Schultz (60 W. Kingston Park Lane). They were unaware that a continuance had been granted. Mr. Sikes had traveled from Florida to attend the hearing. This was most unfortunate as this case (Violation Case 08-0090) identified Ms. Knauff and Mr. Sikes as Complainant and their participation in this dispute. Prior to the case being reassigned a new hearing date of September 10, 2008 and under these circumstances, the undersigned allowed testimony and exhibits to be presented from these neighbors who gave up their time to attend on August 7, 2008.

By \_\_\_\_\_  
Date 10-2-08  
ORIGINAL RESERVED FOR FILING

carried by tidal flood surge into nearby structures, and John B. Gontrum, Esquire, attorney for the Petitioners. Also appearing and testifying in support of the request was Charles Munzert, President of the Hawthorne Civic Association. Appearing in favor of the Petitioners were Robert and Kathy Worthington, Ernie and Margaret Stetzer, Laurie Hahn, and Joyce and John Middlestadt.

It is to be noted that the matter came before me as a result of a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management (Violation Case No. 08-0090) by Ms. Knauff, an adjoining property owner. Specifically, a platform around the side of a swimming pool was constructed by Permit No. B634769, issued June 21, 2006. Unfortunately, the side yard setback of the platform was incorrectly shown as 10 feet instead of 1 foot. The platform was finally inspected by Baltimore County building inspectors and approved in June, 2006, and the discrepancy was not discovered. A hearing before Code Enforcement Hearing Officer Raymond S. Wisnom, Jr. was held on May 6, 2008 for violations under the Baltimore County International Residential Building Code Section R105 for failure to secure building permit for pool deck and pursuant to B.C.Z.R. for failure to provide correct set back from property line on residential property known as 62 West Kingston Park Lane, 21220. That case (08-0090) will forestall any action pending the outcome of the undersigned Commissioner's Order.

Prior to the commencement of Petitioners' testimony, counsel raised an issue regarding the variance relief sought and set forth two (2) alternative arguments. The first argument was that no variance was necessary because the construction of the platform was neither the projection of a deck into a yard area as contemplated in Section 301 of the B.C.Z.R. nor was the platform the construction of an accessory structure as contemplated in Section 400 of the

By \_\_\_\_\_  
Date 10-2-08  
B3

B.C.Z.R.; counsel argued that the platform was similar to a sidewalk or extension of the pool apron. Alternatively, counsel argued that the platform should be considered as an accessory structure in the rear yard of a property subject to a setback of 2-½ feet instead of 7-½ feet from the property line.

Testimony and evidence offered disclosed that the subject property is a waterfront property located in the Hawthorne community of eastern Baltimore County. The orientation of the dwelling on the site is toward the road. There was unchallenged testimony that the front of the property is the road side of the site and not the waterfront as is normally assumed. Building permits issued for both this platform and a subsequently constructed sunroom both referred to the waterside as the rear of the property.

Located on the waterside of the site is not only the expected pier and bulkhead but also an irregularly shaped swimming pool, which has been on the site for more than 20 years. Around the pool is a 3-foot wide concrete apron that is graded away from the pool. Prior to 2006, the side yard area between the concrete apron and the adjoining property of Ms. Knauff at 64 Kingston Park Lane was landscaped. The property, however, slopes away from the apron and pool toward 64 Kingston Park Lane, and there is a significant drop between the apron and the property line. Because of this topography, people walking around the pool usually walked on the apron, and both children and seniors had fallen into the pool as a result of the narrow apron.

Ms. Cox testified that in 2006 she contracted for the construction of a platform in roughly the configuration as shown on Petitioners' Exhibit 7. It is a substantial structure constructed primarily of artificial materials but with planks so that water would run between the planks onto the ground below. Below the platform are stone and a cloth filter that was variously described either as a weed blocker or as a method of slowing water runoff. In any event, it appears to be a

BY \_\_\_\_\_  
Date 10-2-07  
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pervious area as approved by the Department of Environmental Protection and Resource Management (DEPRM). The platform sits on short pylons sunk in the ground, but it was not attached to them so that in the event of flooding the platform could float.

There are three (3) sets of steps descending from the rear of the house. Two (2) sets of steps go directly down the back of the house to the ground as shown in Petitioners' Exhibit 4. A third set descends to the platform. There apparently is no connection between the steps and the platform, and the building inspector required the steps descend to it. The Code Enforcement inspection earlier this year noted that the platform was "free standing". The testimony was that there was no structural connection between the steps and the platform. Consequently, the uncontroverted testimony and evidence is that the platform is a free standing structure in the rear yard of the dwelling.

The platform as noted above is elevated above the ground and designed so that it is slanted slightly toward the pool and not toward the property line. Petitioners' Exhibits 2a and 2b show the elevation of the deck. Because the ground from the pool skirt slopes substantially down toward the Knauff property, the platform sits virtually on the ground at the pool, and appears to be raised about a foot or so at the property line side.

Despite the fact that the pool platform received an approved final inspection and appears very well constructed, it was noted at the code enforcement hearing that the free floating nature of the structure could turn it into a "battering ram" in the event of a flood. Accordingly, it was strongly suggested by hearing officer that tie downs similar to those used on mobile homes be employed to tether the structure. Mr. Emerick testified that he had tied down the structure, but no inspections have since occurred.

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Date 10-2-00  
By [Signature]

The principal complaint of the Protestants with the platform or deck is that it exacerbates water runoff onto the Knauff property. It appears from the testimony and the photos that the Knauff property sits lower than the Petitioners property, and there is no question but that the Petitioners property drains onto Ms. Knauff's waterfront lot. Pictures introduced at the hearing indicate that this is not a new problem, but one which existed prior to the construction of the platform. Indeed, it was noted that Mr. Sykes and Ms. Knauff aided Petitioners in their construction of the platform in 2006, and that the platform existed at least 18 months without complaint.

There are alternatives to the platform that were and are available to the Petitioners. One alternative was to do nothing, but given the topography of the site around the pool, this appeared to create a safety issue. Although Mr. Sykes testified that he was not aware of any worries about getting around the pool prior to the construction of the platform, he did assist in its construction. There was no evidence that the incidents Ms. Cox related to people having problems getting from the house to the water along that side of the pool were not factual.

Another alternative according to Mr. Emerick would have been to built up the ground with fill dirt along the Knauff property to create drainage toward the pool and to have placed a retaining wall along the property line. This would have blocked water flow from the Petitioners property and also would have created a dam retaining the water on the Knauff property. In addition, the Baltimore County Code (B.C.C.) requires a substantial fence around the pool, and this would have been built on top of the new grade, thereby creating a substantial barrier to the view across Petitioners property toward the water. While this solution (fill vs. platform) would not require zoning relief to accomplish, it is in my opinion a less desirable means to the same end.

By \_\_\_\_\_  
Date 10-2-08  
RECEIVED FOR PLANS

A safe and secure means of reaching the water from the house is a right commonly enjoyed by those along the water. It apparently was recognized by the neighbors at the time of the construction and permitting of the platform. It is recognized now by the Hawthorne Civic Association as noted in their letter of support of Petitioners' request and testimony from the Association's President, Mr. Munzert. The topography of this lot, however, creates a problem with this access. The pool has been present for over twenty years, and no one is protesting its presence. The platform creates that access in a safe manner, does not create a visual obstruction, and does not alter the fundamental grading of the site.

Counsel for Petitioners argues that if this platform were a sidewalk or similar grade level structure that no variance would be necessary, but it is not a sidewalk. It is a structure that requires a building permit unlike a flagpole or sidewalk or child's swing set. Because it is such a structure, I believe that it must meet the zoning setback requirements or receive a variance from the side yard setback for an accessory structure. Although this accessory structure variance is an amendment to the relief originally sought, because different B.C.Z.R. sections apply than those originally cited, it does not change the basic facts of this case, nor the extent of the relief sought, except that a setback of 2-½ feet is required by Section 400.1 of the B.C.Z.R. for an accessory structure instead of 7-½ feet for a dwelling projection.<sup>2</sup> In this case based on the facts and evidence, I believe that the variance to allow a 1-foot setback is appropriate.

The platform has met all environmental standards and the Zoning Advisory Committee (ZAC) comments submitted by the County reviewing agencies indicate that Petitioners have met or exceeded these standards. The platform was not considered impervious at the time of its

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<sup>2</sup> A third alternative obviously would be to shave 18" off of the platform or move it toward the pool to bring it to the setback required by Code. I am persuaded, however, that such a result would either lead to a too narrow platform, or a too narrow lip around the pool; neither result being a safe one.

By \_\_\_\_\_  
Date 10-2-08  
RECEIVED FOR FILING

approval. None of the ZAC comments received are opposed to the relief sought. I see no reason to impair the view from adjoining properties by requiring Petitioners to raise their property and retain it by a wall in order to accomplish the same end. This not only creates a practical difficulty for them but also is a less satisfactory solution for all concerned.

Based on the testimony and evidence presented in this case, I find that the property is unique in a zoning sense, thereby meeting the first prong of the test set forth in *Cromwell v. Ward*, 107 Md. App. 691 (1995) and contained in Section 307.1 of the B.C.Z.R. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Finally, I find that consistent with the test articulated in *McLean v. Soley*, 270 Md. 208 (1973), compliance with the strict letter of the restrictions would unreasonably prevent the owner from using the property for a permitted purpose, the grant of the variance will do substantial justice to the applicant as well as others in the area, and the relief sought is within the spirit of the ordinance and will not be injurious to the public safety and welfare. *Id.* at 214-15.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2<sup>nd</sup> day of October 2008, that the Petition for Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side setback of 1-foot from the property line in lieu of the required 2-½ feet for an accessory structure, in accordance with Petitioners' Exhibit 7, be and is hereby GRANTED, subject to the following:

1. The Petitioners shall apply for an inspection of the tie downs for the platform and shall comply with any order of the building inspector to make the platform secure.

By \_\_\_\_\_  
Date 10-2-08  
RESERVED FOR PLANS

2. The Petitioners may not place any shrubbery or structure higher than the existing fence or platform railing along the property line with the Knauff property (64 W. Kingston Park Lane) unless it is to replace any existing shrubbery already non-conforming with this condition.

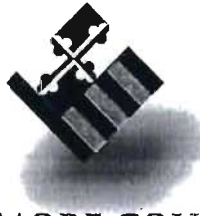
Any appeal of this decision shall be taken in accordance with Baltimore County Code Section 32-3-401.



WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 10-2-08  
By [Signature]





**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

October 2, 2008

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

John Gontrum, Esquire  
Whiteford, Taylor & Preston, L.L.P.  
Towson Commons, Suite 300  
One West Pennsylvania Avenue  
Towson, MD 21204

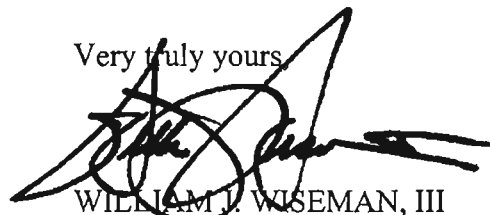
RE: **PETITION FOR VARIANCE**  
S/S of W. Kingston Park Lane, 640' S/W c/line of W. Kingsway  
**(62 W. Kingston Park Lane)**  
15<sup>th</sup> Election District - 6<sup>th</sup> Council District  
Susan E. Cox and Mary B. Jones - Petitioners  
**Case No. 2008-0546-A**

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with conditions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,



WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:dlw  
Enclosure

c: Susan E. Cox and Mary B. Jones, 62 W. Kingston Park Lane, Baltimore, MD 21220  
David and Christina Emerick, Emerick Contracting, LLC, 5815 Gambrell Road,  
White Marsh, MD 21162



TAX ACCOUNT # 1507582740

# Petition for Variance

to the Zoning Commissioner of Baltimore County  
for the property located at 62 W - KINGSTON PK LN 21220  
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3.C; 301.1

To permit a rear deck with a 1- foot side yard setback in lieu of the required 7.5-feet.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) THE ABOVE HOME OWNERS WILL HAVE A HARDSHIP AND A FINANCIAL BURDEN, DUE TO THE AMOUNT OF COST THAT WAS ALREADY INCURRED FOR MATERIAL, DECKING COST AND REQUIREMENTS OF LANDSCAPING OF THE YARD. TO REMOVE A PORTION OR ALL OF THE DECK WOULD ADD ANOTHER LARGE COST AGAIN TO ALREADY PAID AMOUNT. THE DECK IS A FLOATING PLAT FOR A TYPE DECK, THAT WAS APPROVED AND PERMITS OBTAINED ON MAY, 2006.

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 N/A  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Attorney For Petitioner:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Company N/A  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Legal Owner(s):

SUSAN ELAINE COX  
Name - Type or Print \_\_\_\_\_  
Signature S E Cox  
MARY BETH JONES  
Name - Type or Print \_\_\_\_\_  
Signature Mary Beth Jones

62 W - KINGSTON PK LN 410-686-0664  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
BALTIMORE MD 21220  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Representative to be Contacted:

DAVID EMERICK  
Name \_\_\_\_\_  
5815 CAMBRILL RD 410-913-7901  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
WHITE MARSH MD 21162  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_  
UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By D.T. Date 5/23/08

Case No. 2008-0541-A

John Gontrum, Esquire  
October 2, 2008  
Page 2

Charles Munzert, President, Hawthorne Civic Association, 2210 Graythorn Road,  
Baltimore, MD 21220  
Robert and Kathy Worthington, 4420 Webster Lapidum Road,  
Havre De Grace, MD 21078  
Ernie and Margaret Stetzer, 1013 Cord Street, Baltimore, MD 21220  
Laurie Hahn, 8138 Rose Haven Road, Baltimore, MD 21237  
Joyce and John Middlestadt, 9504-P Amberleigh Lane, Perry Hall, MD 21128  
Jill Knauff and Jimmy Sikes, 64 West Kingston Park Lane, Baltimore, MD 21220  
Jerry Schultz, 60 West Kingston Park Lane, Baltimore, MD 21220  
David Flowers, GGP & Associates, 1527 York Road, Lutherville, MD 21093  
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,  
Annapolis, MD 21401  
Raymond S. Wisnom, Jr., Code Enforcement Hearing Officer, DPDM  
Helen Kehring, Bureau of Code Enforcement, DPDM  
People's Counsel; DEPRM; Development Plans Review; File

**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: # 2008-0546-A  
62 W. Kingston Park Lane  
S/side of W. Kingston Park Lane, 640 feet s/west of c/line of intersection of W. Kingsway  
15th Election District  
6th Councilmanic District  
Legal Owner(s): Susan Elaine Cox & Mary Beth Jones  
Variance: to permit a rear deck with a 1-foot side yard setback in lieu of the required 7.5 feet.  
Hearing: Wednesday, September 10, 2008 at 10:00 a.m. in Hearing Room 1, 2nd Fl., Jefferson Building, 105 West 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.

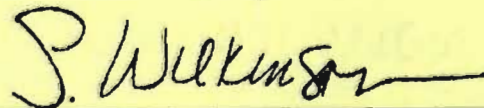
JT 8/742 Aug. 26 181702

# CERTIFICATE OF PUBLICATION

8/28/, 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 8/26/, 2008.

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



LEGAL ADVERTISING

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS RECEIPT**

No. 15350

PAID RECEIPT

Date: 5/23/08

BUSINESS ACTUAL TIME DRW  
 5/27/2008 5/23/2008 14:34:39 4

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

REG 1506 WALKIN KNCH KCH  
 >>RECEIPT # 627769 5/23/2008 OFLN  
 Dept 5 528 ZONING VERIFICATION  
 015350  
 Recpt Tot \$65.00  
 \$65.00 CK \$1.00 CA  
 Baltimore County, Maryland

Total: 65.00

Rec From: EMERICK CONTRACTING

For: 2008-0546-A  
62 W. KINGSTON PARK LANE

D. THOMPSON

**CASHIER'S  
 VALIDATION**

DISTRIBUTION  
 WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS RECEIPT**

No. \_\_\_\_\_

PAID RECEIPT

Date: 5/23/08

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	0516							65.00

Total: 65.00

Rec

From: ITC - 11/1/07

For:

2007-2008

D. THOMPSON

**CASHIER'S  
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

August 6, 2008  
TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and  
Development Management*

**NEW 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: 2008-0546-A**

62 W. Kingston Park Lane

S/side of W. Kingston Park Lane, 640 feet s/west of c/line of intersection of W. Kingsway

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Susan Elaine Cox & Mary Beth Jones

Variance to permit a rear deck with a 1-foot side yard setback in lieu of the required 7.5 feet.

Hearing: Wednesday, September 10, 2008 at 10:00 a.m. in Hearing Room 1, 2<sup>nd</sup> Fl.,  
Jefferson Building, 105 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco  
Director

TK:klm

C: Ms. Cox/Ms. Jones, 62 W. Kingston Park Ln, Baltimore 21220  
David Emerick, 5815 Gambrill Road, White Marsh 21162

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 26, 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  
Tuesday, August 26, 2008 Issue - Jeffersonian

Please forward billing to:

David Emerick  
5815 Gambrill Road  
White Marsh, MD 21162

410-913-7901

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## 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:

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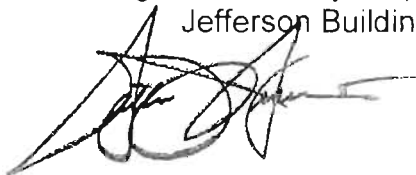
62 W. Kingston Park Lane

S/side of W. Kingston Park Lane, 640 feet s/west of c/line of intersection of W. Kingsway  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Susan Elaine Cox & Mary Beth Jones

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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

June 19, 2008  
TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and  
Development Management*

**NOTICE OF ZONING HEARING**

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62 W. Kingston Park Lane

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15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Susan Elaine Cox & Mary Beth Jones

Variance to permit a rear deck with a 1-foot side yard setback in lieu of the required 7.5 feet.

Hearing: Thursday, August 7, 2008 at 9:00 a.m. in Hearing Room 1, 2<sup>nd</sup> Fl.,  
Jefferson Building, 105 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco  
Director

TK:klm

C: Ms. Cox/Ms. Jones, 62 W. Kingston Park Ln, Baltimore 21220  
David Emerick, 5815 Gambrill Road, White Marsh 21162

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 23, 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  
Tuesday, July 22, 2008 Issue - Jeffersonian

Please forward billing to:

David Emerick  
5815 Gambrill Road  
White Marsh, MD 21162

410-913-7901

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## NOTICE OF ZONING HEARING

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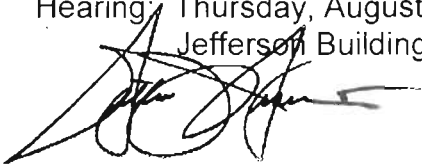
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Jefferson Building, 105 W. Chesapeake Avenue, Towson 21204



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.

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/neighborhood 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: 2008-0546-A

Petitioner: COX / JONES

Address or Location: 62 W. KINGSTON PARK LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID EMERICK

Address: 5815 GAMBRIEL RD.

WHITE MARSH, MD 21162

Telephone Number: 410-913-7901

**BALTIMORE COUNTY, MARYLAND**  
**Interoffice Memorandum**

DATE: August 25, 2008  
TO: Zoning Commissioner and File  
FROM: Donna Thompson, Planner II, Zoning Review  
SUBJECT: Petition for Variance,  
Case No. 08-0546-A  
62 W. Kingston Park Lane

RECEIVED  
AUG 26 2008

BY:.....

In response to your recent memo dated August 11, 2008 the following is my interpretation of this case history.

During the recent intake for the above referenced variance, it was my impression that the deck in question was now attached to the house via steps leading from the sunroom to the deck (see copy of attached plan). Therefore, the deck is currently not freestanding but is an open projection.

Based on the site plan presented to me at time of building permit application (2006), it appeared that this deck was in the rear yard. Our office makes its front yard/rear yard interpretation based on the appearance and floor layout of the house as well as existing location of accessory structures on the site. This all lead me to believe that this freestanding deck was in the rear yard. Also attached is a copy of the permit for a sunroom that was issued 2/13/08 leading to the deck. That permit states that this sunroom is in the rear yard.

Attached please find a copy of the rough draft permit and computerized copy for the deck (B634769) issued 6/21/06 and a copy of the violation notes for same. Also included is a computerized copy of a permit for the sunroom (B686061).

Unfortunately the complainant did not file the complaint until 3/3/2008. If this would have been addressed when construction was started our office could have rescinded our approval before the deck was completed.

Please call me if you have any questions.

DT/Enclosures

BW 9/10  
10 AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED  
AUG 27 2008

BY:.....

TO: Timothy M. Kotroco  
FROM: Dave Lykens, DEPRM - Development Coordination *JWL*  
DATE: June 27, 2008  
SUBJECT: Zoning Item # 08-546-A  
Address 62 West Kingston Park Lane  
(Cox/Jones Property)

Zoning Advisory Committee Meeting of June 17, 2008

       The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

  X   The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

       Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

       Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

  X   Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This deck was approved by DEPRM in 2006, and in May 2008 DEPRM staff confirmed all Critical Area requirements were met.

Reviewer: Regina Esslinger                      Date: June 27, 2008

8-11-08  
Bill hand  
delivered copy  
to Laurie  
May w/nemo.

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

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

DATE: June 18, 2008

FROM: Dennis A. Kennedy, <sup>DAK</sup> Supervisor  
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting  
For June 23, 2008  
Item No. 08-0546

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

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:lrk  
cc: File  
ZAC-ITEM NO 08-0546-06182008.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: File

DATE: August 11, 2008

FROM: William J. Wiseman, III  
Zoning Commissioner

SUBJECT: **PETITION FOR VARIANCE**  
S/S West Kingston Park Lane, 640' SW West Kingsway  
**(62 West Kingston Park Lane)**  
15<sup>th</sup> Election District – 6<sup>th</sup> Council District  
Susan Cox & Mary Jones – Petitioners  
**Case No. 2008-0546-A**

The captioned case was scheduled for a public hearing on August 7, 2008 before Deputy Zoning Commissioner Thomas Bostwick. An undated note from Director Tim Kotroco appears in the file, which granted **Petitioners** a postponement due to the unavailability of consultant, David Flowers. On the morning of August 7, 2008, adjacent neighbors appeared in opposition to the variance request, namely Jill Knauff, Jimmy Sikes and Jerry Schultz. They were unaware that a continuance had been granted. Mr. Sikes had traveled from Florida to attend the hearing. This was most unfortunate as Violation Case 08-0090 identifies Ms. Knauff and Mr. Sikes as Complainant and their participation in this dispute. They could have been informed of the postponement.

Ms. Kristen Matthews, at my request, brought the file to the hearing room and informed me that a new date of Wednesday, September 10, 2008, at 10:00 A.M., in Hearing Room 1, 2<sup>nd</sup> Floor, Jefferson Building, 105 W. Chesapeake Avenue, Towson, MD, had been reassigned. Under these circumstances, I allowed testimony and exhibits to be presented by those who gave up their time to attend. A tape recording of the testimony presented may be obtained if desired by contacting David Duvall in the Office of Zoning Review at 410-887-3391.

The Petition before this Commission was taken in by Donna Thompson. Section 400 of the B.C.Z.R. pertains to accessory structures in residential zones and mandates their location only in the rear yard. The subject property has a pier out into the waters of Middle River. The Zoning Commissioner's Policy Manual (ZCPM), Sections 400.1A and 400.2A, provides a determination of what constitutes the front yard on waterfront lots based on the orientation of the houses and accessory buildings. In most cases, waterfront lots refer to the front of the structure as facing the water. My point being, has such a determination been made by the Zoning Review Office for this property? The Code Enforcement Hearing Officer, Raymond S. Wisnom, Jr., in his Order, determined that "Respondents did acquire a permit for the structure". A copy of this permit at the very least with a response from Ms. Thompson as to how the location of accessory structures in this case "pool and deck" near the bulkhead would be appreciated for clarification prior to the next hearing date.

WJW:dlw

c: Timothy M. Kotroco, Director, Dept. of Permits & Development Management  
Peter Max Zimmerman, People's Counsel  
Susan E. Cox and Mary B. Jones, 62 West Kingston Park Lane, Baltimore, MD 21220  
David Emerick, 5815 Gambrill Road, White Marsh, MD 21162  
David Flowers, GGP & Associates, 1527 York Road, Lutherville, MD 21093  
Jill Knauff, 64 West Kingston Park Lane, Middle River, MD 21220  
Jimmy Sikes, 64 West Kingston Park Lane, Middle River, MD 21220  
Jerry Schultz, 60 West Kingston Park Lane, Middle River, MD 21220  
Helen Kehring, Bureau of Code Enforcement, Dept. of Permits & Development Management

Sue Cox  
Beth Jones  
62 W. Kingston Park Lane  
Middle River, MD 21220  
7/17/2008

Mr. Timothy Kotroco, Director  
Baltimore County Office of Permits and Development  
111 W. Chesapeake Ave., suite 105  
Towson, MD 21204

Dear Mr. Kotroco:

We are requesting a continuance on the variance hearing (file number 08546-A) scheduled for Thursday, August 7, 2008. Please be advised that we should be ready to move on with these proceedings, pending the health of our consultant (Mr. David Flowers) who just had emergency heart surgery, within thirty (30) to forty-five (45) days from August 7, 2008. We regret any inconvenience that this may cause.

Sincerely,

Sue Cox and Beth Jones

*Kristen:  
OK to postpone +  
reschedule this  
Tim K.*



Sue Cox  
Beth Jones  
62 W. Kingston Park Lane  
Middle River, MD 21220  
7/17/2008

Mr. Timothy Kotroco, Director  
Baltimore County Office of Permits and Development  
111 W. Chesapeake Ave., suite 105  
Towson, MD 21204

Dear Mr. Kotroco:

We are requesting a continuance on the variance hearing (file number 08546-A) scheduled for Thursday, August 7, 2008. Please be advised that we will be ready to move on with these proceedings within thirty (30) to forty-five (45) days from August 7, 2008. We regret any inconvenience that this may cause.

Sincerely,

Sue Cox and Beth Jones

Julie:

Call George Jr. 443 804 6111  
ask him to state the reasons  
for the continuance.

T  
"Dave Flowers operation"



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: 6-20-2008

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

RE: Baltimore County  
Item No 2008-0546-A  
62 N. KINGSTON PARK LN.  
COX-JONES PROPERTY  
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. 2008-0546-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,

For <sup>1</sup> Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/MB



RE: PETITION FOR VARIANCE \* BEFORE THE  
62 W. Kingston Park Lane; S/S Kingston \* ZONING COMMISSIONER  
Park Lane, 640' SW West Kingsway \* FOR  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts \* BALTIMORE COUNTY  
Legal Owner(s): Susan Cox & Mary Jones \* 08-546-A  
Petitioner(s)

\* \* \* \* \*

**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  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

RECEIVED

JUN 27 2008

.....

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 27<sup>th</sup> day of June, 2008, a copy of the foregoing Entry of Appearance was mailed to David Emerick, 5815 Gambrill Road, White Marsh, MD 21162, Representative for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

TB  
8-7-08

PETITION FOR VARIANCE  
62 W. Kingston Park Lane  
15<sup>th</sup> Election District  
6<sup>th</sup> Councilmanic District  
v.

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF  
\* BALTIMORE COUNTY  
\* Case No: 2008-0546-A

SUSAN ELAINE COX  
and  
MARY BETH JONES

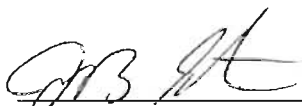
Petitioners

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of John B. Gontrum and Whiteford, Taylor & Preston  
L.L.P. as counsel for the Petitioners in the above-referenced matter.

RECEIVED  
AUG 20 2008  
BY: .....

  
\_\_\_\_\_  
John B. Gontrum  
Whiteford, Taylor & Preston L.L.P.  
Towson Commons, Suite 300  
One West Pennsylvania Avenue  
Towson, Maryland 21204-5025  
(410) 832-2000

Attorney for Petitioner

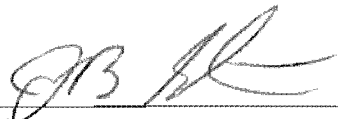
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21<sup>st</sup> day of August, 2008, a copy of the

foregoing Entry of Appearance was delivered by hand to:

The Honorable William J. Wiseman, III  
Zoning Commissioner for Baltimore County  
401 Bosley Avenue, 4th Floor  
Towson, Maryland 21204

Peter M. Zimmerman, Esquire  
People's Counsel for Baltimore County  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, Maryland 21204



---

John B. Gontrum

**DIVISION OF CODE INSPECTIONS AND ENFORCEMENT**

**ACTIVE VIOLATION CASE DOCUMENTS**

*Baltimore County  
EXHIBIT 1*

BALTIMORE COUNTY MARYLAND  
INTER-OFFICE CORRESPONDENCE

DATE: June 19, 2008

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

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

SUBJECT: Item No.: 2008-0546-A  
Legal Owner/Petitioner: Cox, Susan E. & Jones, Mary B.  
Contract Purchaser: N/A  
Property Address: 62 W. Kingston Park Lane  
Location Description: S/side of W. Kingston Park La, 640' SW/of  
center line intersection of W. Kingsway

VIOLATION INFORMATION: Case No. 08-0090  
Defendants: Cox, Susan E. & Jones, Mary B.

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

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

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

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

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

RSW/gk  
C: Code Enforcement Officer







APR 28 2008







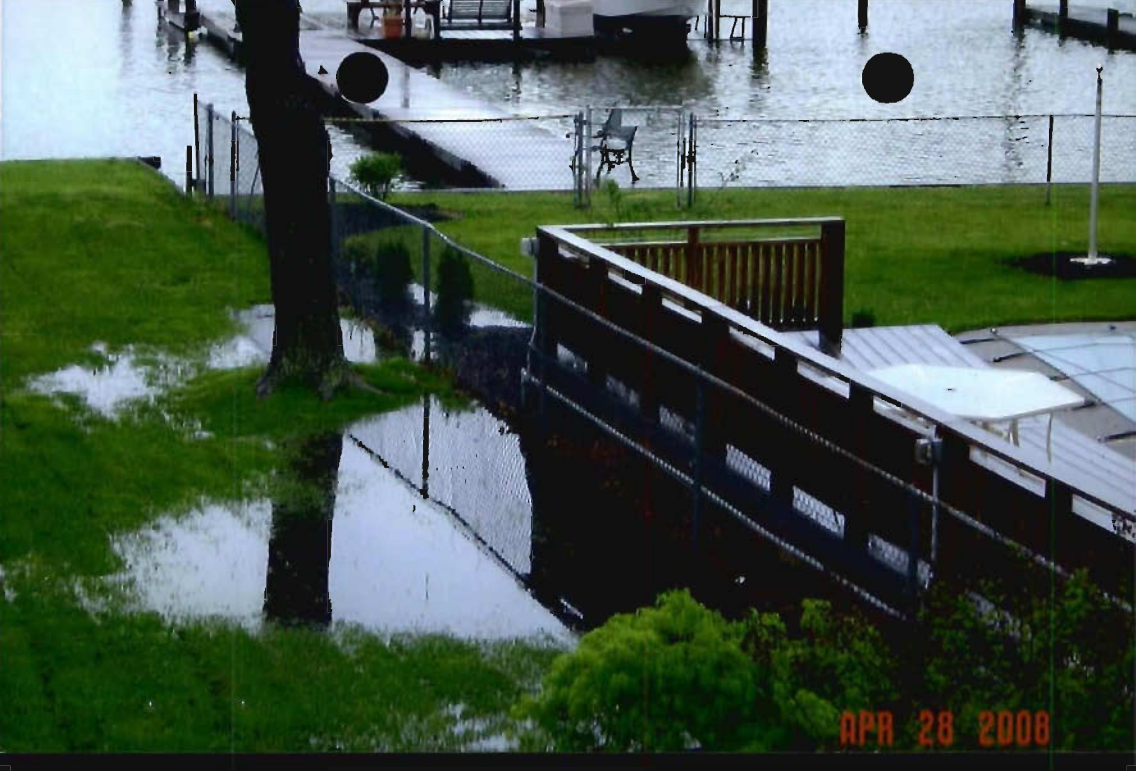












APR 28 2008

Permits and Development Management  
Code Inspections and Enforcement  
County Office Building, Room 313  
111 West Chesapeake Ave.  
Towson, Maryland 21204



Code Enforcement 410-887-3351  
Building Division 410-887-3933  
Electrical Section 410-887-3960  
Plumbing Inspection 410-887-3620  
Signs/Fences 410-887-3896

DIST 15

CODE ENFORCEMENT & INSPECTIONS CITATION

CASE NUMBER 08-0090	PROPERTY TAX ID 15075A2740	ZONE
------------------------	-------------------------------	------

NAME(S):  
COX, SUJAN ELAINE  
JONES MARY BETH

MAILING ADDRESS:

62 W. KINGSTON PARK LANE  
CITY STATE ZIP CODE  
BALTO MD 21220

VIOLATION ADDRESS:

62 W. KINGSTON PARK LANE  
CITY STATE ZIP CODE  
BALTO MARYLAND 21220

VIOLATION DATES:  
3/18/08 THROUGH 3/24/08

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:  
INC 2006 SEC 105.1, B.C.Z.R. 101, 104.1, 400

① SECURE BUILDING PERMIT FOR PLATFORM ALREADY BUILT.

② PLATFORM IS LESS THAN THIRTY INCHES FROM PROPERTY LINE.

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated: \$ 1,200.00

A quasi-judicial hearing has been pre-scheduled in Room 116, 111 W. Chesapeake Ave, Towson, Maryland, 21204, for: DATE: 5/16/08

TUESDAY TIME: 9:00 A.M. / P.M.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name: GRANT KIDD

INSPECTOR SIGNATURE: Grant Kidd Date: 3/24/08  
PRINT NAME AGENCY



Baltimore County  
 Department of Permits and  
 Development Management

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

*Dist 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. <b>OP-0090</b>	Property No. <b>1507582740</b>	Zoning:
-------------------------------------	-----------------------------------	---------

Name(s): **JULIAN COX**

Address: **62 KINGSTON PARK LANE, BALTO, MD 21220**

Violation Location: **62 KINGSTON PARK LANE**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

- IAC 2006 SEC 105.1, B.C.2A 101, 102.1, 400**
- ① SECURE BUILDING PERMIT FOR PLATFORM ALREADY BUILT.**
- ② PLATFORM IS LESS THAN THIRTY INCHES FROM PROPERTY LINE.**

**ANY QUESTIONS CALL OFFICE HAS 7:30-8:00  
 3:00-7:00**

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

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

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

**STOP WORK NOTICE**

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

On or Before: <b>3/24/08</b>	Date Issued: <b>3/18/08</b>
---------------------------------	--------------------------------

INSPECTOR: **Grant Kidd GRANT KIDD**

APPLICATION FOR PERMIT  
BALTIMORE COUNTY MARYLAND  
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT  
TOWSON, MARYLAND 21204

DATE: 6/21/06  
OEA: CPC/ART  
HISTORIC DISTRICT/BLDG.

PERMIT #: 8634769  
RECEIPT #: A546609  
CONTROL #: mlc  
XREF #:

PROPERTY ADDRESS: 62 W Kingston Park Ln  
SUITE/SPACE/FLOOR: \_\_\_\_\_  
SUBDIV: KINGSTON PARK  
TAX ACCOUNT #: 15-07-582740  
OWNER'S INFORMATION (LAST, FIRST): Susan Cox  
OWNER: Susan Cox  
ADDRESS: 62 W Kingston Park Ln

FEE: 60.00  
PAID: \_\_\_\_\_  
PAID BY: \_\_\_\_\_  
INSPECTOR: \_\_\_\_\_

OWNER'S INFORMATION (LAST, FIRST): Susan Cox  
OWNER: Susan Cox  
ADDRESS: 62 W Kingston Park Ln

DOES THIS BLDG. HAVE SPRINKLERS  
YES \_\_\_ NO \_\_\_

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION  
NAME: SUSAN COX  
COMPANY: \_\_\_\_\_  
ADDRESS: 62 W. Kingston Park Ln  
CITY/ST/ZIP: BALTO MD 21220  
PHONE #: 410 686-0604  
APPLICANT SIGNATURE: X Susan Cox  
DRCH# \_\_\_\_\_

PLANS: CONST 0 PLOT 2 PLAT 0 DATA 0 EL 2 PL 2  
TENANT: \_\_\_\_\_  
CONT: OWNER  
ENGR: \_\_\_\_\_  
SELLR: \_\_\_\_\_

- TYPE OF IMPROVEMENT
- NEW BLDG CONST
  - ADDITION
  - ALTERATION
  - REPAIR
  - WRECKING
  - MOVING
  - OTHER

DESCRIBE PROPOSED WORK:  
Already constructed free standing deck on waterfront side 57' x 9' 0" 513 sq ft w/ steps to grade on rear of property.

- TYPE OF USE
- RESIDENTIAL
- ONE FAMILY
  - TWO FAMILY
  - THREE AND FOUR FAMILY
  - FIVE OR MORE FAMILY (ENTER NO UNITS) \_\_\_\_\_
  - SWIMMING POOL
  - GARAGE
  - OTHER

- NON-RESIDENTIAL
- AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
  - CHURCH, OTHER RELIGIOUS BUILDING
  - FENCE (LENGTH \_\_\_\_\_ HEIGHT \_\_\_\_\_)
  - INDUSTRIAL, STORAGE BUILDING
  - PARKING GARAGE
  - SERVICE STATION, REPAIR GARAGE
  - HOSPITAL, INSTITUTIONAL, NURSING HOME
  - OFFICE, BANK, PROFESSIONAL
  - PUBLIC UTILITY
  - SCHOOL, COLLEGE, OTHER EDUCATIONAL
  - SIGN
  - STORE MERCANTILE RESTAURANT
  - SWIMMING POOL SPECIFY TYPE \_\_\_\_\_
  - TANK, TOWER
  - TRANSIENT HOTEL, MOTEL (NO. UNITS \_\_\_\_\_)
  - OTHER
- IN CBCA ZONE A-10 ELEV 3-5

- TYPE FOUNDATION
- |             |            |
|-------------|------------|
| 1. SLAB     | 1. FULL    |
| 2. BLOCK    | 2. PARTIAL |
| 3. CONCRETE | 3. NONE    |

- TYPE OF CONSTRUCTION
- MASONRY
  - WOOD FRAME
  - STRUCTURE STEEL
  - REINFORCED CONCRETE
- CENTRAL AIR: 1. \_\_\_\_\_ 2. \_\_\_\_\_  
ESTIMATED COST OF MATERIALS AND LABOR: \_\_\_\_\_  
PROPOSED USE: \_\_\_\_\_  
EXISTING USE: \_\_\_\_\_

- TYPE OF HEATING FUEL
- |        |                |   |  |                                   |
|--------|----------------|---|--|-----------------------------------|
| 1. GAS | 3. ELECTRICITY | 1. <input checked="" type="checkbox"/> PUBLIC SEWER | <input checked="" type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |
| 2. OIL | 4. COAL        | 2. PRIVATE SYSTEM                                   | <input type="checkbox"/> EXISTS            | <input type="checkbox"/> PROPOSED |
- TYPE OF WATER SUPPLY
- |                                 |                                 |                                   |
|---------------------------------|---------------------------------|-----------------------------------|
| <input type="checkbox"/> SEPTIC | <input type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |
| <input type="checkbox"/> PRIVY  | <input type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |

- OWNERSHIP
- PRIVATELY OWNED
  - PUBLICLY OWNED
  - SALE
  - RENTAL

- RESIDENTIAL CATEGORY:
- DETACHED
  - SEMI-DET.
  - GROUP
  - TOWNHSE
  - MIDRISE
  - HIGHRISE

#FEP: \_\_\_\_\_ #1BED: \_\_\_\_\_ #2BED: \_\_\_\_\_ #3BED: \_\_\_\_\_ TOT BED: \_\_\_\_\_  
1 FAMILY BEDROOMS \_\_\_\_\_  
GARBAGE DISPOSAL I. Y. N. BATHROOMS \_\_\_\_\_ CLASS LIBER \_\_\_\_\_ FOLIO \_\_\_\_\_  
POWDER ROOMS \_\_\_\_\_

APPROVAL SIGNATURES

BLD INSP : \_\_\_\_\_  
BLD PLAN : \_\_\_\_\_  
FIRE : \_\_\_\_\_  
SEDI CTL : \_\_\_\_\_  
ZONING EM-111 Final DT : 6/21/06  
PUB SERV : \_\_\_\_\_  
CONVRMNT 201-460 Final plan book : 6/21/06  
PLANNING : \_\_\_\_\_  
PERMITS : DAS/ARTP 6/21/06

BUILDING SIZE  
FLOOR: 513 sq ft  
WIDTH: 9' 6"  
DEPTH: 57'  
HEIGHT: \_\_\_\_\_  
STORIES: \_\_\_\_\_  
LOT #'S: \_\_\_\_\_  
CORNER LOT: \_\_\_\_\_  
1. YES 2.  NO ZONING: \_\_\_\_\_

LOT SIZE AND SETBACKS  
SIZE: 1178 sq ft  
FRONT STREET: \_\_\_\_\_  
SIDE STREET: \_\_\_\_\_  
FRONT SETBK: \_\_\_\_\_  
SIDE SETBK: 10' / NC  
SIDE STR SETBK: \_\_\_\_\_  
REAR SETBK: 30'

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Not substantial improvement per M.S.

PLOT PLAN

B634769

Application Number

OWNER \_\_\_\_\_

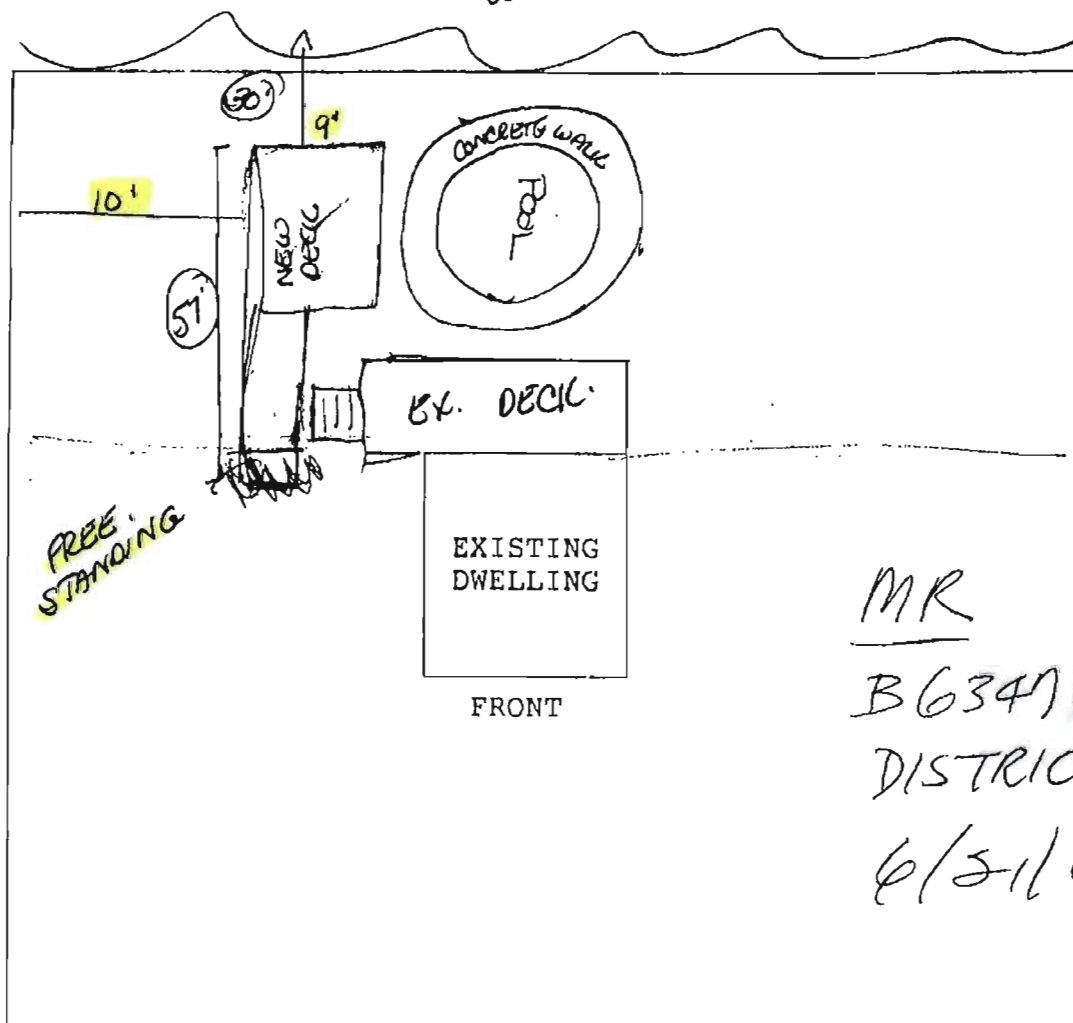
ADDRESS \_\_\_\_\_

PLEASE SHOW BELOW:

- Property line dimensions and easements;
- Existing buildings;
- Existing well/septic; (show distance to nearest structure)
- Road names and location of alleys;
- If your property is in a tidal or riverine flood area, indicate elevation of lowest floor of proposed work.
- The proposed work and the setback distances to the proposed work.

Front Setback NC Left Setback 10'  
 Rear Setback 30' Right Setback NC

NOTE: Cannot fence access easement. WATER



MR  
 B634769  
 DISTRICT 15  
 6/21/06

ROAD NAME 62 W. Kingston Park Ln. 21220



# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 62 W - KINGSTON PK. LN 21220  
which is presently zoned DR 5.5

*Grant*

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3.C ; 301.1

To permit a rear deck with a 1-foot side yard setback in lieu of the required 7.5-feet.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) THE ABOVE HOME OWNERS WILL HAVE A HARDSHIP AND A FINANCIAL BURDEN, DUE TO THE AMOUNT OF COST THAT HAS ALREADY INCURRED FOR MATERIAL, DEPRECIATION COST AND REQUIREMENTS OF LANDSCAPING OF THE YARD. TO REMOVE ARBITRARY OR ALL OF THE DECK WOULD ADD ANOTHER LARGE COST AGAIN TO ALREADY PAID AMOUNT. THE DECK IS A FLOATING PLAT FORM TYPE DECK, THAT WAS APPROVED AND PERMITS OBTAINED ON MAY, 2006.

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 N/A  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Legal Owner(s):

SUSAN ELAINE COX  
Name - Type or Print \_\_\_\_\_  
Signature [Signature]  
MARY BETH JONES  
Name - Type or Print \_\_\_\_\_  
Signature [Signature]

### Attorney For Petitioner:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Company N/A  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

62 W - KINGSTON PK. LN 410-686-0666  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
BALTIMORE MD 21220  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Representative to be Contacted:

DAVID EMERICK  
Name \_\_\_\_\_  
5815 CAMBRILL RD 410-913-7901  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
WHITE MARSH MD 21162  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### OFFICE USE ONLY

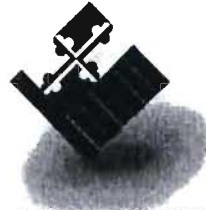
ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Case No. 2008-0546-A

Reviewed By D.T. Date 5/23/08

9 shrubs  
or 3 trees  
- w/ cable  
months



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

DAVID A.C. CARROLL, Director  
Department of Environmental Protection  
and Resource Management

June 15, 2006

Mrs. Susan Cox  
62 W. Kingston Park Lane  
Baltimore, MD 21220

Re: Deck in the 100' Buffer  
62 W. Kingston Park Lane

Dear Mrs. Cox,

This letter is meant to serve as a follow-up to my inspection of your property and subsequent conversation with you on June 14, 2006. At that time we discussed the issue of your deck, which was constructed without a permit in the Buffer Management Area (BMA).

Your lot is within a Buffer Management Area (BMA) in the Chesapeake Bay Critical Area (CBCA). The BMA Program, which applies to heavily developed shoreline areas of the CBCA, was developed to eliminate the need for variances for many buffer disturbances and to provide more expeditious review of building permit applications. While certain structures are permitted within the 100-foot buffer, BMA regulations specify that adequate mitigation must be provided to offset the proposed impacts to the buffer. Examples of such mitigation include, but are not limited to, planting native species of trees and shrubs in the buffer, conversion of impervious surfaces to pervious in the buffer, shoreline enhancement, etc.... If mitigation cannot be reasonably accomplished onsite, a fee may be paid in lieu of providing part or all of the required mitigation.

To bring your deck into compliance with Baltimore County regulations you must apply for and receive an after-the-fact building permit. As part of the approval process, this Department will apply BMA regulations. This will result in a mitigation fee of \$769.50. This fee is calculated at \$1.50 per square foot of impact within the buffer. Your deck measured 57 x 9, or 513 square feet.  $513 \times \$1.50 = \$769.50$ . This is the same fee that would have been assessed had you applied for a permit before construction.

While the individual impact of the proposed deck may be minimal, the cumulative impact of all the structures existing and proposed in the buffer throughout Baltimore

Mrs. Susan Cox  
62 W. Kingston Park Lane  
June 15, 2006

County's waterfront is very significant. It is for this reason that mitigation, such as that indicated above, is required by BMA and CBCA Regulations. Each resident of the Chesapeake Bay's watershed, especially those residing directly on the Bay, must do their part toward protecting and enhancing the Bay so that it may continue to provide its vast array of economical and recreational benefits.

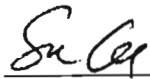
Please sign and return this letter, keeping a copy for yourself, acknowledging that you understand the requirements of the BMA regulations. If you have any questions regarding this correspondence, please contact me at (410) 887-3980.

Sincerely,



Adam Block  
Natural Resource Specialist  
Environmental Impact Review

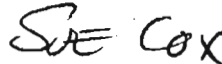
I/We have read and do hereby agree to implement the above requirements to bring my/our property into compliance with Buffer Management and Chesapeake Bay Critical Area Regulations.



Owner's Signatures

6/21/06

Date



Printed Names

J:\adam\Violations\62 W. Kingston Park Lane.doc

6/21/06 Fee reduced in half to \$384.75 (paid 6/21/06). Owner also agrees to plant 3 trees (native, deciduous) by September 1, 2006.

X 



# UPDATE / MESSAGE FORM

Date: 6/5/0A

Inspector: B. Kido

Case #: 0A-0090

Address: 62 W KINGSTON PARK CANE

Comments: 6/5/0A - CHECKED WITH ZONING, VARIANCE  
NUMBER HAS BEEN ISSUED 0A-0546-A. WILL  
CHECK IN 3 WEEKS FOR A HEARING DATE.

LEFT MESSAGE ON MACHINE TO COMPLAINANT  
A/c 6/26/0A A. Kido

Entered into AS400 MS

# UPDATE / MESSAGE FORM

Date: 5/14/08

Inspector: B. Kido

Case #: 08-0090

Address: 62 W. KINGTON PARK LANE

Comments: 5/14/08- RECEIVED ORDER FROM HEARING  
OFFICER. CORRECTIONS HAVE TO BE MADE BY  
JUNE 10, 2008. R/C 6/4/08 M.K.L.

Entered into AS400 71

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No. 08-0090

Susan Elaine Cox  
Mary Beth Jones

62 West Kingston Park Lane

Respondents

FINDINGS OF FACT AND CONCLUSION OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on May 6, 2008, for a hearing on a citation for violations under the Baltimore County International Residential Building Code § R105; failure to secure building permit for pool deck; Baltimore County Zoning Regulations (BCZR); failure to provide correct set back from property line on residential property known as 62 West Kingston Park Lane, 21220.

On March 24, 2008, pursuant to §3-6-205, Baltimore County Code, Code Enforcement Officer, issued a code enforcement citation. The citation was legally served on the Respondents.

The citation proposed a civil penalty of \$1,200.00 (one thousand two hundred dollars).

Respondents, Susan E. Cox and Mary Beth Jones appeared for the Hearing.

Jill Knauff appeared as the complainant.

Grant Kidd, Code Enforcement Officer presented the case for Baltimore County.

Respondents did acquire a permit for the structure. That portion of the citation citing lack of permit is hereby dismissed.

Testimony and evidence shows the construction to be within 1ft. of the side property line whereas the site plan submitted with the permit application shows 10 ft. Obviously something is amiss. Obviously the construction must be modified to meet the setbacks approved on the permit, or a variance must be obtained. The deck appears well constructed and in a workmanlike manner. Testimony established that the platform is not attached therefore moveable. If there is another weather event similar to "Isabelle", this moveable platform will become a huge battering ram capable of rendering huge damage to structures nearby. Code requirements state that all such structures are to be attached and anchored so that they remain in place and do not become floating barges.

If the construction is considered an addition to the dwelling, the required setback is much greater than if the construction is considered detached. Zoning Officials or the Zoning Commissioner will have to deal with that dilemma.

The evidence is overwhelming to support a finding of violation. The construction does not meet the setback that is shown on the site plan and approved by Zoning. The construction must be re-configured to meet the requirements of the permit and site plan.

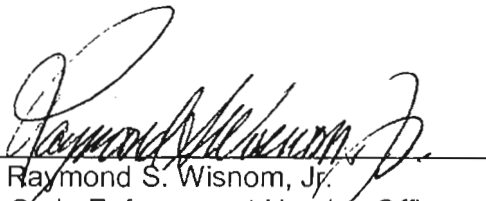
IT IS ORDERED by the Code Enforcement Hearing Officer this 6<sup>th</sup> day of May 2008 that a civil penalty be imposed in the amount of \$1,200.00 (one thousand two hundred dollars).

IT IS FURTHER ORDERED that the civil penalty shall be suspended on condition the deck construction is re-configured to meet setback as approved or a variance is obtained for the as-built construction. Failure to apply for a variance or failure to provide proper set back on or before June 10, 2008 will result in the civil penalty being assessed as a lien upon the property. A variance request and Hearing will forestall any action pending the outcome of the Zoning Commissioner's finding and any appeals thereafter.

If the Respondent fails to correct the violations or fails to obtain a variance, then the civil penalty imposed shall be \$1,200.00 (one thousand two hundred dollars).

IT IS FURTHER ORDERED that the inspector inspect the property to determine whether the violations have been corrected.

Signed: \_\_\_\_\_

  
Raymond S. Wisnom, Jr.  
Code Enforcement Hearing Officer

The violator is advised that pursuant to §3-6-301(a), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §3-6-302(a)(b)(c)(d) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

RSW/jaf

Case No: 08-0090

Address: 00062 W KINGSTON PARK LA 21220

Insp Area: 017 Dist: 000 Date Rcv: 3/03/2008 Grp: ENF Intk: JMA

Inspec: KIDD, G. Inspec2: \_\_\_\_\_ Date Inspec: 9/09/2008

Close: 0/00/0000 Activity: \_\_\_\_\_ Delete: \_

Problem: DECK ON SIDE OF HOUSE BUILT W/O PERMIT AS DIRECTED BY DEPRM LETTER OF 6/15/06

CL Name: KNAUFF JILL

CL Address: 00064 W KINGSTON PARK LA

CL Home Phone: 410-302-0318 CL Work Phone: \_\_\_\_\_ Tax Acct. 1507582740

Owner: \_\_\_\_\_

Enter=Continue F12=Cancel

Case No: 08-0090

Notes: 08-0090 3/4/08 VISITED SITE. ISSUED SWO FOR NEW DECK BEING CONSTRUCTED ON SIDE OF HOUSE AND NEW SUNROOM ENCLOSURE BEING INSTALLED ON EXISTING REAR DECK . NO ONE WAS HOME. POSTED COPY AT SITE. I SPOKE TO JIM ON THE PHONE, COMPLAINANT S BOYFRIEND. P/U 3/14/08 G.KIDD/NS\*\*\*

3/5/08 VISITED SITE. ISSURED CORRECTION NOTICE TO REVISE PLOT PLAN & PERMIT B63 4769. SPOKE TO COMPLAINANT ON PHONE. P/U 3/14/08 G.KIDD/NS\*\*\*

3/18/08 VISITED SITE. ISSUED SWO FOR PLATFORM ALREADY BUILT IN REAR YARD. I SPOKE TO COMPLAINANTS & POSTED COPY AT SITE. NO ONE HOME. P/U 3/21/08 G.KIDD/NS\*\*\*

03/24/08 ISSUED CIVIL CITATION. POSTED COPY @ VIO. SITE & MAILED A COPY. I SPOKE TO COMPL. ABOUT HEAR. DATE. GAVE A COPY TO HIM. P/U 04/30/08. G.KIDD/KH.\*\*\*

\*\*3/31/08 ON DOCKET FOR 5/6/08 /JF\*\*.

4/30/08 HEARING DATE IS FOR 5/6/08. P/U 5/21/08 G.KIDD/NS\*\*\*

5/7/08 HEARING WAS ON 5/6/08.WAITING FOR ORDER FROM HEARING OFFICER. P/U 5/20/08G.KIDD/NS\*\*\* \*\*5/9/08 FINAL ORDER SENT TO SUSAN ELAINE COX & MARY BETH JONES/JF

.5/14/08 RECEIVED ORDER FROM HEARING OFFICER. CORRECTIONS HAVE TO BE MAKE BY JUNE 10, 2008 P/U 6/4/08 G.KIDD/NS\*\*\*

(NEXT PAGE)>>>>>

Enter=Continue      F12=Cancel

Case No: 08-0090

Notes: 08-0090 6/2/08 RECEIVED ORDER FROM HEARING OFFICER. P/U 6/6/08 G.KIDD/NS\*\*\*  
6/5/08 CHECKED W/ZONING. VARIANCE NUMBER HAS BEEN ISSUED 08-0546-A. WILL CHECK IN 3 WKS FOR A HEARING DATE. LEFT MESSAGE ON MACHINE TO COMPLAINANT. P/U 6/26/08 G.KIDD/NS\*\*\* 6  
/27/08 CHECKED W/ZONING. HEARING DATE SCHEDULED FOR THURS.8/7/08. P/U 8/4/08 G.KIDD/NS\*\*\*

Enter=Continue      F12=Cancel



View Cases

Case No: 08-0090

Notes: 08-0090 6/2/08 RECEIVED ORDER FROM HEARING OFFICER. P/U 6/6/08 G.KIDD/NS\*\*\*  
6/5/08 CHECKED W/ZONING. VARIANCE NUMBER HAS BEEN ISSUED 08-0546-A. WILL CHECK IN 3 WKS FOR A HEARING DATE. LEFT MESSAGE ON MACHINE TO COMPLAINANT. P/U 6/26/08 G.KIDD/NS\*\*\* 6  
/27/08 CHECKED W/ZONING. HEARING DATE SCHEDULED FOR THURS.8/7/08. P/U 8/4/08 G.KIDD/NS\*\*\* 0  
8/11/08 CHECKED W/ZONING, VAR. CASE 08-0546-A WAS POSTPONED. SPOKE TO DONNA THOMPSON. HEAR. DATE SHOULD BE A COUPLE OF WEEKS. P/U 09/09/08. G.KIDD/KH.\*\*\*

Enter=Continue      F12=Cancel

TIME: 14:07:20 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 02/26/2008  
DATE: 08/22/2008 GENERAL PERMIT APPLICATION DATA MXR 14:57:08

PERMIT #: B686061 PROPERTY ADDRESS  
RECEIPT #: A582080 62 W KINGSTON PARK LANE  
CONTROL #: MRFP SUBDIV: KINGSTON PARK  
XREF #: B686061 TAX ACCOUNT #: 1507582740 DISTRICT/PRECINCT 15 01  
OWNERS INFORMATION (LAST, FIRST)  
FEE: 65.00 NAME: COX SUSAN ELAINE & JONES MARY BETH  
PAID: 65.00 ADDR: 62 W KINGSTON PARK LANE 21220  
PAID BY: APPLICANT

DATES APPLICANT INFORMATION  
APPLIED: 01/24/2008 NAME: DAVID EMERICK  
ISSUED: 02/13/2008 COMPANY: EMERICK CONTR.LLC  
OCCPNY: ADDR1: 5575 GAMBRILL RD.  
FINAL INSPECT: F ADDR2: WHITE MARSH,MD.21162  
INSPECTOR: 15F PHONE #: 410-913-7901 LICENSE #: 32806  
NOTES: CPC/MR

PASSWORD :

-----  
ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE  
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

SUNROOM PERMIT

TIME: 14:07:33      AUTOMATED PERMIT TRACKING SYSTEM      LAST UPDATE 02/13/2008  
 DATE: 08/22/2008      BUILDING DETAIL 1      DAS      10:40:52

DRC#

PERMIT # B686061      PLANS: CONST 0      PLOT 3      PLAT 0      DATA 0      EL 1      PL 1  
 TENANT

BUILDING CODE:      CONTR: EMERICK CONTR.LLC  
 IMPRV 2      ENGNR:  
 USE 01      SELLR:

FOUNDATION      BASE      WORK: CONST.SUNRM OVER EX.DECK ON REAR OF EX.SFD  
 22'10X13=288SF W/2ND LEVEL OPEN DECK OVER ADD.  
 CONSTRUC FUEL SEWAGE WATER      22'10X6=133SF, FOOTERS REQUIRED.OVERALL WORK=  
 1E      1E      421SF.CBCA;N.S.I.CONST.DRAWINGS ON SITE FOR  
 CENTRAL AIR      INSPECTOR, PLANS WAIVED-MS.      ZONE A

ESTIMATED COST  
 15,000.00      PROPOSED USE: SFD AND ADD.  
 OWNERSHIP: 1      EXISTING USE: SFD

RESIDENTIAL CAT: 1

#EFF:      #1BED:      #2BED:      #3BED:      TOT BED:      TOT APTS:  
 1 FAMILY BEDROOMS:      PASSWORD:

-----  
 ENTER - NEXT DETAIL      PF2 - APPROVALS      PF7 - PREV. SCREEN      PF9 - SAVE  
 PF1 - GENERAL PERMIT      PF3 - INSPECTIONS      PF8 - NEXT SCREEN      CLEAR - MENU

TIME: 14:07:42  
DATE: 08/22/2008

AUTOMATED PERMIT TRACKING SYSTEM  
BUILDING DETAIL 2

LAST UPDATE 02/13/2008  
DAS 10:40:52

PERMIT #: B686061

BUILDING SIZE

LOT SIZE AND SETBACKS

FLOOR: 421SF

SIZE: 11178SF

WIDTH: 22'10

FRONT STREET:

GARBAGE DISP:

DEPTH: 13

SIDE STREET:

POWDER ROOMS:

HEIGHT:

FRONT SETB: NC

BATHROOMS:

STORIES:

SIDE SETB: NC/NC

KITCHENS:

SIDE STR SETB:

LOT NOS:

REAR SETB: 110

CORNER LOT:

ZONING INFORMATION

ASSESSMENTS

DISTRICT:

BLOCK:

LAND: 0202290.00

PETITION:

SECTION:

IMPROVEMENTS: 0221700.00

DATE:

LIBER: 000

TOTAL ASS.:

MAP:

FOLIO: 000

CLASS: 34

PLANNING INFORMATION

MSTR PLAN AREA:

SUBSEWER:

CRIT AREA:

PASSWORD:

ENTER - NEXT DETAIL

PF2 - APPROVALS

PF7 - PREV. SCREEN

PF9 - SAVE

PF1 - GENERAL PERMIT

PF3 - INSPECTIONS

PF8 - NEXT SCREEN

CLEAR - MENU

TIME: 14:07:52      AUTOMATED PERMIT TRACKING SYSTEM      LAST UPDATE 02/13/2008  
 DATE: 08/22/2008      APPROVALS DETAIL SCREEN      DAS      10:41:20

PERMIT #: B686061      CONTROL #: MRFP

AGENCY	DATE	CODE	COMMENTS
BLD PLAN	01/24/2008	01	MS/MR
ZONING	01/24/2008	01	JM/MR
PUB SERV	01/24/2008	01	JM/MR
ENVRMNT	02/11/2008	01	EIR-2/8/08 RAE/MB
AIRPORT	01/24/2008	01	JM/MR
PERMITS	02/13/2008	01	DAS P

01 THRU 09 INDICATES AN "APPROVAL" \*\* 10 THRU 99 INDICATES A "DISAPPROVAL"

-----  
 ENTER - GENERAL PERMIT      PF4 - ISSUE PERMIT  
 PF3 - INSPECTIONS      PF8 - GENERAL SCREEN W/NEXT PERMIT      CLEAR - MENU

TIME: 14:09:36      AUTOMATED PERMIT TRACKING SYSTEM      LAST UPDATE 06/21/2006  
 DATE: 08/22/2008      GENERAL PERMIT APPLICATION DATA      PLX      10:34:01

PERMIT #: B634769      PROPERTY ADDRESS  
 RECEIPT #: A546609      62      KINGSTON PARK LANE  
 CONTROL #: MR      SUBDIV: KINGSTON PARK  
 XREF #: B634769      TAX ACCOUNT #: 1507582740      DISTRICT/PRECINCT 15      01  
                                  OWNERS INFORMATION (LAST, FIRST)  
 FEE: 60.00      NAME: COX SUSAN  
 PAID: 60.00      ADDR: 62 KINGSTON PARKLANE, BALTO MD 21220  
 PAID BY: APPL

DATES      APPLICANT INFORMATION

APPLIED: 06/21/2006      NAME: SUSAN COX  
 ISSUED: 06/21/2006      COMPANY:  
 OCCPNY:      ADDR1: 62 KINGSTON PARK LANE  
 FINAL INSPECT:      ADDR2: BALTO MD 21220  
 INSPECTOR: 15R      PHONE #: 410-686-0664      LICENSE #:  
 NOTES: CPC/AKT

PASSWORD :

-----  
 ENTER - PERMIT DETAIL    PF3 - INSPECTIONS    PF7 - DELETE    PF9 - SAVE  
 PF2 - APPROVALS    PF4 - ISSUE PERMIT    PF8 - NEXT PERMIT    PF10 - INQRY

PERMIT FOR DECK



TIME: 14:09:51  
DATE: 08/22/2008

AUTOMATED PERMIT TRACKING SYSTEM  
BUILDING DETAIL 2

LAST UPDATE 06/21/2006  
PLX 10:37:12

PERMIT #: B634769

BUILDING SIZE

LOT SIZE AND SETBACKS

FLOOR: 513SF

SIZE: 11178SF

WIDTH: 9'

FRONT STREET:

GARBAGE DISP:

DEPTH: 57'

SIDE STREET:

POWDER ROOMS:

HEIGHT:

FRONT SETB: NC

BATHROOMS:

STORIES:

SIDE SETB: 10'/NC

KITCHENS:

SIDE STR SETB:

LOT NOS:

REAR SETB: 30'

CORNER LOT: N

ZONING INFORMATION

ASSESSMENTS

DISTRICT:

BLOCK:

LAND: 0202290.00

PETITION:

SECTION:

IMPROVEMENTS: 0221700.00

DATE:

LIBER: 000

TOTAL ASS.:

MAP:

FOLIO: 000

CLASS: 34

PLANNING INFORMATION

MSTR PLAN AREA:

SUBSEWER:

CRIT AREA:

PASSWORD:

ENTER - NEXT DETAIL

PF2 - APPROVALS

PF7 - PREV. SCREEN

PF9 - SAVE

PF1 - GENERAL PERMIT

PF3 - INSPECTIONS

PF8 - NEXT SCREEN

CLEAR - MENU



TIME: 14:09:58  
DATE: 08/22/2008

AUTOMATED PERMIT TRACKING SYSTEM  
APPROVALS DETAIL SCREEN

LAST UPDATE 06/21/2006  
PLX 10:39:28

PERMIT #: B634769 CONTROL #: MR

AGENCY	DATE	CODE	COMMENTS
ZONING	06/21/2006	01	DT
PUB SERV	06/21/2006	01	DT
ENVRMNT	06/21/2006	01	ABLOCK
PERMITS	06/21/2006	01	DAS/AKT-P

01 THRU 09 INDICATES AN "APPROVAL" \*\* 10 THRU 99 INDICATES A "DISAPPROVAL"

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ENTER - GENERAL PERMIT      PF4 - ISSUE PERMIT  
PF3 - INSPECTIONS            PF8 - GENERAL SCREEN W/NEXT PERMIT    CLEAR - MENU







2008-0546-A

## DEED

THIS DEED, made this 26 day of May, 2006, by and between SUSAN ELAINE COX, party of the first part, "Grantor", and SUSAN ELAINE COX and MARY BETH JONES, parties of the second part, "Grantees",

WITNESSETH, that for zero dollars (\$0.00) consideration, the said Grantor does hereby grant and convey unto Susan Elaine Cox and Mary Beth Jones, as joint tenants, with right of survivorship, their assigns, and unto the survivor of them, and the survivor's personal representatives and assigns, in fee simple, forever, all that lot or parcel of ground situate and lying in the FIFTEENTH ELECTION DISTRICT of Baltimore County, State of Maryland, and described as follows:

**BEGINNING** for the same at a point in the center of a 15 foot road as now laid out distant north 71 degrees 12 minutes west 87 5/10 feet from the beginning of the north 71 degrees 12 minutes west 135 1/100 foot line of the land described in the Deed dated June 11, 1954 from The Granlan Company to James King and Sons, Inc., recorded among the land records of Baltimore County in Liber GLB No. 2496, folio 269 etc. running thence binding on the center of said road and said north 71 degrees 12 minutes west 135 1/100 foot line north 71 degrees 12 minutes west 43 5/10 feet, thence south 20 degrees 41 minutes west 237 feet, more or less, to the waters of Middle River thence No 18 degrees 48 minutes east 250 feet more or less, to the place of beginning. The improvements thereon known as 62 West Kingston Park Lane, Baltimore, Maryland 21220.

**BEING THE SAME AND ALL** the land described and conveyed in a Deed dated January 17, 2003, and recorded among the Land Records of Baltimore County, Maryland in Liber No. 0017549, folio 433 which was granted and conveyed by Terry L. Taylor and Mary Ellen Taylor, Grantors, unto Susan Elaine Cox.

**TOGETHER** with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises unto the said Susan Elaine Cox and Mary Beth Jones, as joint tenants, with right of survivorship, their assigns, and unto the survivor of them, and the survivor's personal representatives and assigns, in fee simple, forever.

AND the party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed, that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the said Grantor.

Witness:

*John A. Goodman*

*Susan Elaine Cox* (SEAL)  
SUSAN ELAINE COX  
Grantor

STATE OF MARYLAND, COUNTY OF HARFORD, to wit:

I HEREBY CERTIFY, that on this 26th day of May 2006, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared SUSAN ELAINE COX, Grantor, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



*Joanne Richardson*  
NOTARY PUBLIC

My Commission Expires: November 1, 2006

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland Attorney.

*John A. Goodman*  
JOHN A. GOODMAN, Esquire

AFTER RECORDING RETURN TO:

JOHN A. GOODMAN, Esquire, 217 Thomas Street, Bel Air, Maryland 21014, telephone (410) 838-4696.

0024096 140

State of Maryland Land Instrument Intake Sheet
Baltimore City County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Clerk Recording Validation

FD SURE \$ 20.00
RECORDING FEE 20.00
TOTAL 40.00
BA15 Rpt # 26303
DA Blk # 1955
Jun 20, 2006 03:01 PM

1 Type(s) of Instruments
2 Conveyance Type Check Box
3 Tax Exemptions (if Applicable)

4 Consideration and Tax Calculations
Table with columns: Consideration Amount, Finance Office Use Only, Transfer and Recordation Tax Consideration

5 Fees
Table with columns: Amount of Fees, Doc. 1, Doc. 2

6 Description of Property
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

7 Transferred From
Doc. 1 - Grantor(s) Name(s)
Susan Elaine Cox

8 Transferred To
Doc. 1 - Grantee(s) Name(s)
Susan Elaine Cox and Mary Beth Jones

9 Other Names to Be Indexed
Doc. 1 - Additional Names to be Indexed (Optional)
Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information
Instrument Submitted By or Contact Person
Name: John A. Goodman, Esquire
Address: 217 Thomas Street, Bel Air, MD 21014
Phone: (410) 838-4696

11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER
Assessment Information
X Yes No Will the property being conveyed be the grantee's principal residence?
Yes X No Does transfer include personal property? If yes, identify:
Yes X No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line
Terminal Verification, Agricultural Verification, Whole, Part, Tran. Process Verification
Transfer Number, Date Received, Deed Reference, Assigned Property No.

REMARKS:
Table with columns: Year, Land, Buildings, Total, Geo., Zoning, Use, Town Cd., Map, Grid, Parcel, Ex. St., Sub, Plat, Section, Ex. Cd., Block, Lot, Occ. Cd.

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer
AOC-CC-300 (6/95)

COUNTY TREASURER TAX
Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND
TAXPAYER INFORMATION
Date 6/19/06
SUBTITLE 2, 11-3-202

Case No.: 2008-0546-A

62 W Kingston Pk. Lm

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1 1-A 1-B	Photo's of Existing Conditions Prior to 2006 Construction of Deck	Photo's - Existing Conditions @ 64 W. Kingston Pk
No. 2 2-A 2-B	Photo's Looking BACK - from Water towards Home	Photo's Existing @ 62 W. Kingston Pk
No. 3 3-A 3-B 3-C	BLDG PERMIT B634 769 APPLICATION FOR PERMIT INSPECTION APPROVAL - 6/22/06	Peri NOT about as before - Without benefit of permits - expanded.
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No. 7	SITE PLAN	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO. 44



PETITIONER'S

EXHIBIT NO.

10



PETITIONER'S

EXHIBIT NO. 2A

PETITIONER'S

EXHIBIT NO.

2B





**BALTIMORE COUNTY, MARYLAND**  
**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT**  
**TOWSON, MARYLAND 21204**

*Timothy M. Kotroco*  
**TIMOTHY M. KOTROCO**  
 DIRECTOR

BUILDING PERMIT

*John R. Reisinger*  
**JOHN R. REISINGER**  
 BUILDINGS ENGINEER

PERMIT #: B634769 CONTROL #: MR DIST: 15 PREC: 01  
 DATE ISSUED: 06/21/2006 TAX ACCOUNT #: 1507682740 CLASS: 34

PLANS: CONST PLOT 2 R PLAT DATA FLED NO PLUM NO  
 LOCATION: 62 KINGSTON PARK LANE  
 SUBDIVISION: KINGSTON PARK

OWNERS INFORMATION  
 NAME: COX SUSAN  
 ADDR: 62 KINGSTON PARKLANE, BALTO MD 21220

THIS PERMIT EXPIRES  
 ONE YEAR FROM  
 DATE OF ISSUE

TENANT:  
 CONTR: OWNER  
 ENGR:   
 SELLR:   
 WORK: IN CBCA; ALREADY CONSTRUCTED FREE STANDING DECK,  
 ON WATERFRONT SIDE 9'X57'=513SF (IRREG. IN SHAPE)  
 ON REAR OF PROPERTY W/STEPS TO GRADE  
 FLOOD ZONE: A-10, ELEV: 3-5'

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

PROPOSED USE: SFD W/ADDITION  
 EXISTING USE: SFD

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION  
 USE:  
 FOUNDATION: BASEMENT:  
 SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 11178SF  
 FRONT STREET:  
 SIDE STREET:  
 FRONT SETB: NC  
 SIDE SETB: 10'/NC  
 SIDE STR SETB:  
 REAR SETB: 30'

**PETITIONER'S**

EXHIBIT NO. 31

EXHIBIT NO. 3B

APPLICATION FOR PERMIT  
BALTIMORE COUNTY MARYLAND  
OF PERMITS & DEVELOPMENT MANAGEMENT  
TOWSON, MARYLAND 21204

DATE: 6/21/06

OEA: AK  
HISTORIC DISTRICT/BLDG.

PERMIT #: 3634769  
RECEIPT #: A 546609  
CONTROL #: 1112  
XREF #:

PROPERTY ADDRESS \_\_\_\_\_  
SUITE/SPACE/FLOOR \_\_\_\_\_ YES  NO   
SUBDIV: KINGSTON PARK DO NOT KNOW   
TAX ACCOUNT #: 15-07-582740 DISTRICT/PRECINCT 15 01  
OWNER'S INFORMATION (LAST, FIRST) JAN  
NAME: \_\_\_\_\_  
ADDR: \_\_\_\_\_

FEE: 60.00  
PAID: \_\_\_\_\_  
PAID BY: \_\_\_\_\_  
INSPECTOR: \_\_\_\_\_

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION  
NAME: SUSAN COY  
COMPANY: \_\_\_\_\_  
STREET: 102 W. Kingston Park Ln  
CITY, ST, ZIP: Towson MD 21286  
PHONE #: 410-686-0600 MHIC # \_\_\_\_\_ MHBR # \_\_\_\_\_  
APPLICANT SIGNATURE: [Signature] DRC# \_\_\_\_\_  
PLANS: CONST 0 PLOT 2 PLAT 0 DATA 0 EL 2 PL 2  
TENANT \_\_\_\_\_  
CONTR: OWNER  
ENGR: \_\_\_\_\_  
SELLR: \_\_\_\_\_

- TYPE OF IMPROVEMENT
- 1.  NEW BLDG CONST
  - 2.  ADDITION
  - 3.  ALTERATION
  - 4.  REPAIR
  - 5.  WRECKING
  - 6.  MOVING
  - 7.  OTHER \_\_\_\_\_

DESCRIBE PROPOSED WORK:  
already constructed free standing deck on west side 57' x 9' 5" x 3' 6" w/ steps to grade

- TYPE OF USE
- RESIDENTIAL
- 01.  ONE FAMILY
  - 02.  TWO FAMILY
  - 03.  THREE AND FOUR FAMILY
  - 04.  FIVE OR MORE FAMILY (ENTER NO UNITS) \_\_\_\_\_
  - 05.  SWIMMING POOL
  - 06.  GARAGE
  - 07.  OTHER \_\_\_\_\_

- NON-RESIDENTIAL
- 08.  AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
  - 09.  CHURCH, OTHER RELIGIOUS BUILDING
  - 10.  FENCE (LENGTH \_\_\_\_\_ HEIGHT \_\_\_\_\_)
  - 11.  INDUSTRIAL, STORAGE BUILDING
  - 12.  PARKING GARAGE
  - 13.  SERVICE STATION, REPAIR GARAGE
  - 14.  HOSPITAL, INSTITUTIONAL, NURSING HOME
  - 15.  OFFICE, BANK, PROFESSIONAL
  - 16.  PUBLIC UTILITY
  - 17.  SCHOOL, COLLEGE, OTHER EDUCATIONAL
  - 18.  SIGN
  - 19.  STORE \_\_\_\_\_ MERCANTILE \_\_\_\_\_ RESTAURANT \_\_\_\_\_ SPECIFY TYPE \_\_\_\_\_
  - 20.  SWIMMING POOL \_\_\_\_\_ SPECIFY TYPE \_\_\_\_\_
  - 21.  TANK, TOWER
  - 22.  TRANSIENT HOTEL, MOTEL (NO. UNITS \_\_\_\_\_)
  - 23.  OTHER \_\_\_\_\_

- TYPE FOUNDATION
- 1.  SLAB
  - 2.  BLOCK
  - 3.  CONCRETE

- BASEMENT
- 1.  FULL
  - 2.  PARTIAL
  - 3.  NONE

- TYPE OF CONSTRUCTION
- 1.  MASONRY
  - 2.  WOOD FRAME
  - 3.  STRUCTURE STEEL
  - 4.  REINF. CONCRETE

- TYPE OF HEATING FUEL
- 1.  GAS
  - 2.  OIL
  - 3.  ELECTRICITY
  - 4.  COAL

- TYPE OF SEWAGE DISPOSAL
- 1.  PUBLIC SEWER EXISTS  PROPOSED
  - 2.  PRIVATE SYSTEM EXISTS  PROPOSED
  - 3.  SEPTIC EXISTS  PROPOSED
  - 4.  PRIVY EXISTS  PROPOSED

CENTRAL AIR: 1.  2.  3.  PUBLIC SYSTEM EXISTS  PROPOSED  
ESTIMATED COST: \$ \_\_\_\_\_ 2.  PRIVATE SYSTEM EXISTS  PROPOSED

OF MATERIALS AND LABOR PROPOSED USE: \_\_\_\_\_  
EXISTING USE: \_\_\_\_\_

- OWNERSHIP
- 1.  PRIVATELY OWNED
  - 2.  PUBLICLY OWNED
  - 3.  SALE
  - 4.  RENTAL

RESIDENTIAL CATEGORY: 1.  DETACHED 2.  SEMI-DET. 3.  GROUP 4.  TOWNHSE 5.  MIDRISE  
#EFF: #1BED: \_\_\_\_\_ #2BED: \_\_\_\_\_ #3BED: \_\_\_\_\_ TOT BED: \_\_\_\_\_ TOT APTS/CONDOS: \_\_\_\_\_ 6.  HIRISE  
1 FAMILY BEDROOMS  
GARBAGE DISPOSAL 1.  Y 2.  N BATHROOMS \_\_\_\_\_ CLASS 34  
POWDER ROOMS \_\_\_\_\_ KITCHENS \_\_\_\_\_ LIBER 2 FOLIO \_\_\_\_\_

BUILDING SIZE LOT SIZE AND SETBACKS  
FLOOR 51306 SIZE 1117806  
WIDTH 9' FRONT STREET \_\_\_\_\_  
DEPTH 57' SIDE STREET \_\_\_\_\_  
HEIGHT \_\_\_\_\_ FRONT SETBK \_\_\_\_\_  
STORIES \_\_\_\_\_ SIDE SETBK 10' / NC  
LOT #'S \_\_\_\_\_ SIDE STR SETBK \_\_\_\_\_  
CORNER LOT REAR SETBK 30'  
1.  YES 2.  NO ZONING \_\_\_\_\_

APPROVAL SIGNATURES DATE

BLD INSP :	:
BLD PLAN :	:
FIRE :	:
SEDI CTL :	:
ZONING <u>RM-111 Final DT</u> :	<u>6/21/06</u>
PUB SERV :	<u>6/21/06</u>
ENVRMNT <u>110 Final plan block</u> :	<u>6/21/06</u>
PLANNING :	:
PERMITS : <u>DAS / AKTP</u> :	<u>6/21/06</u>

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Not Substantive Improvement per M.S



BALTIMORE COUNTY  
BUILDING INSPECTION

410-887-3953

#282

Part of Building Inspected:

COMMON

B-634269

PATTISON

Approved (  ) Disapproved ( )

REMARKS:

6/22/06

A.K. BOO

DATE

BUILDING INSPECTOR

PETITIONER'S

EXHIBIT NO.

3C

PETITIONER' S

EXHIBIT NO. 4





PETITIONER' S

EXHIBIT NO. 5

July 1, 2008

Timothy Kotroco  
Director  
County Office Building  
111 W. Chesapeake Ave.  
Towson, MD 21204

Dear Mr. Kotroco:

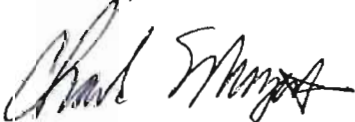
I am writing you in reference to the Variance (Case #2008-0546-A) for the free floating platform (deck) located at 62 Kingston Park Lane. We have been to the home and have walked the property with the home owners, Susan Elaine Cox and Mary Beth Jones. We have found the platform that has been in place for two years to be of solid construction. After meeting with the ~~Zoning Commissioner~~ and reviewing the subsequent results of their findings we support the county's decision to allow the request for the variance.

We have met with the other board members of the Hawthorne Civic Association and we wanted you to know that the Hawthorne Civic Association supports the homeowners request for the variance. The association feels the variance should be approved.

Thank you for your consideration.

ZONING inspectors = Building inspectors

Sincerely,



Mr. Charles Munzert  
President, Hawthorne Civic Association



Mr. Edward Kramer  
Vice President, Hawthorne Civic Association



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

DAVID A.C. CARROLL, Director  
Department of Environmental Protection  
and Resource Management

April 15, 2008

Ms. Susan Cox  
Ms. Mary Jones  
62 W. Kingston Park Lane  
Baltimore, MD 21220-4941

Re: 62 W. Kingston Park Lane  
Impervious surface verification

Dear Ms. Cox & Ms. Jones:

Staff of Environmental Impact Review (EIR) visited your address with a representative of the Critical Area Commission on March 26, 2008 to review impervious surface removal and tree material planting associated with building permit #B686061. At the time impervious surfaces removed measured 387 square feet and no trees had been planted. In addition a 4'x4' flagpole base was noted within 25 feet of the water. Since that time the contractor working at the site, Mr. Emerick, requested a field visit with EIR and reviewed impervious surface measurements. Mr. Emerick noted several areas of impervious surface removal that had not been accounted for on March 26, 2008. Revised measurements were made on April 9, 2008 resulting in impervious surface removal total of 473 square feet, 24 square feet more than required by Mr. Brittingham's letter dated January 17, 2008. Also in the previously noted letter 7 trees were to be planted before May 15, 2008. At least 20 small trees and shrubs were planted on site fulfilling the requirements of Mr. Brittingham's letter.

An as-built plan showing all impervious surface removal and tree/shrub planting will need to be submitted to this office, in addition to removing the 4'x4' flagpole base by May 15, 2008. If you have any questions regarding the above, please contact me at 410-887-3980.

Sincerely,

Thomas Krispin  
Natural Resource Specialist II  
Environmental Impact Review

CC: Ms. Lisa Hoerger, Critical Area Commission  
Mr. David Emerick, Emerick Contracting Company, LLC.

J:\Tom K\BCA\62wkingstonpk\InCAC.doc

Case No.: 2008-0546-A

62 W Kingston Pl. Lm.

Exhibit Sheet

Petitioner/Developer

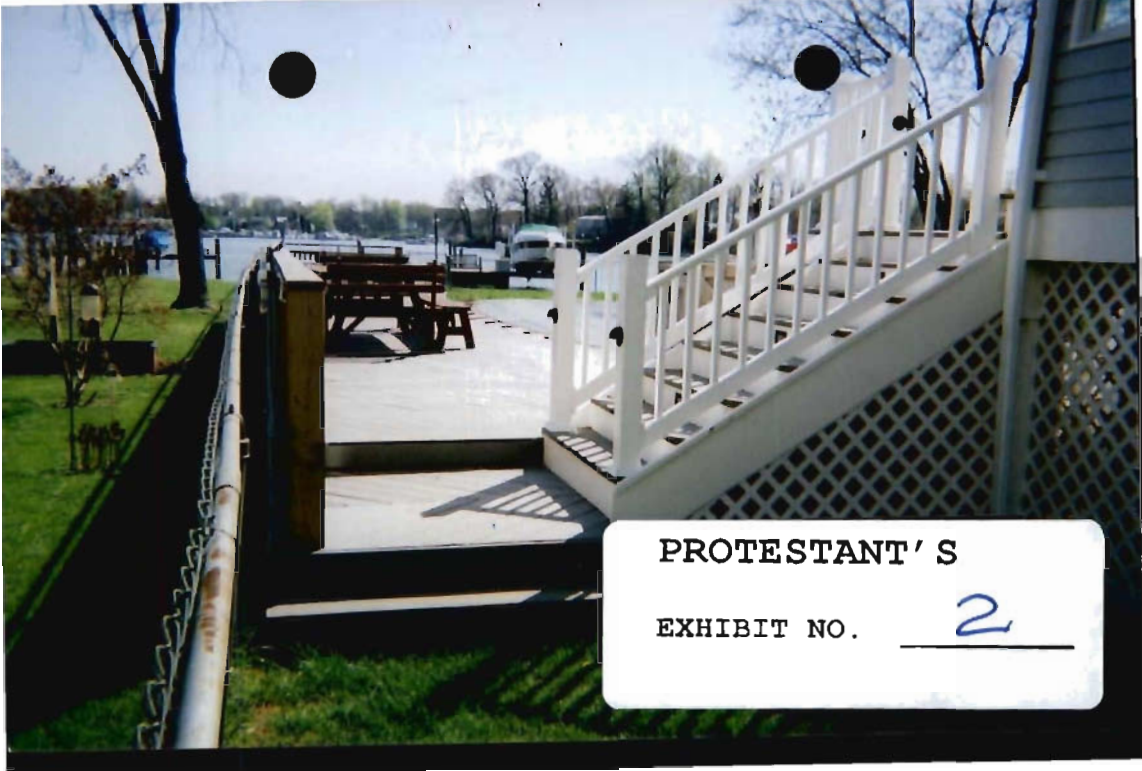
Protestant

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No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PROTESTANT' S

EXHIBIT NO. 1



PROTESTANT' S

EXHIBIT NO. \_\_\_\_\_

2



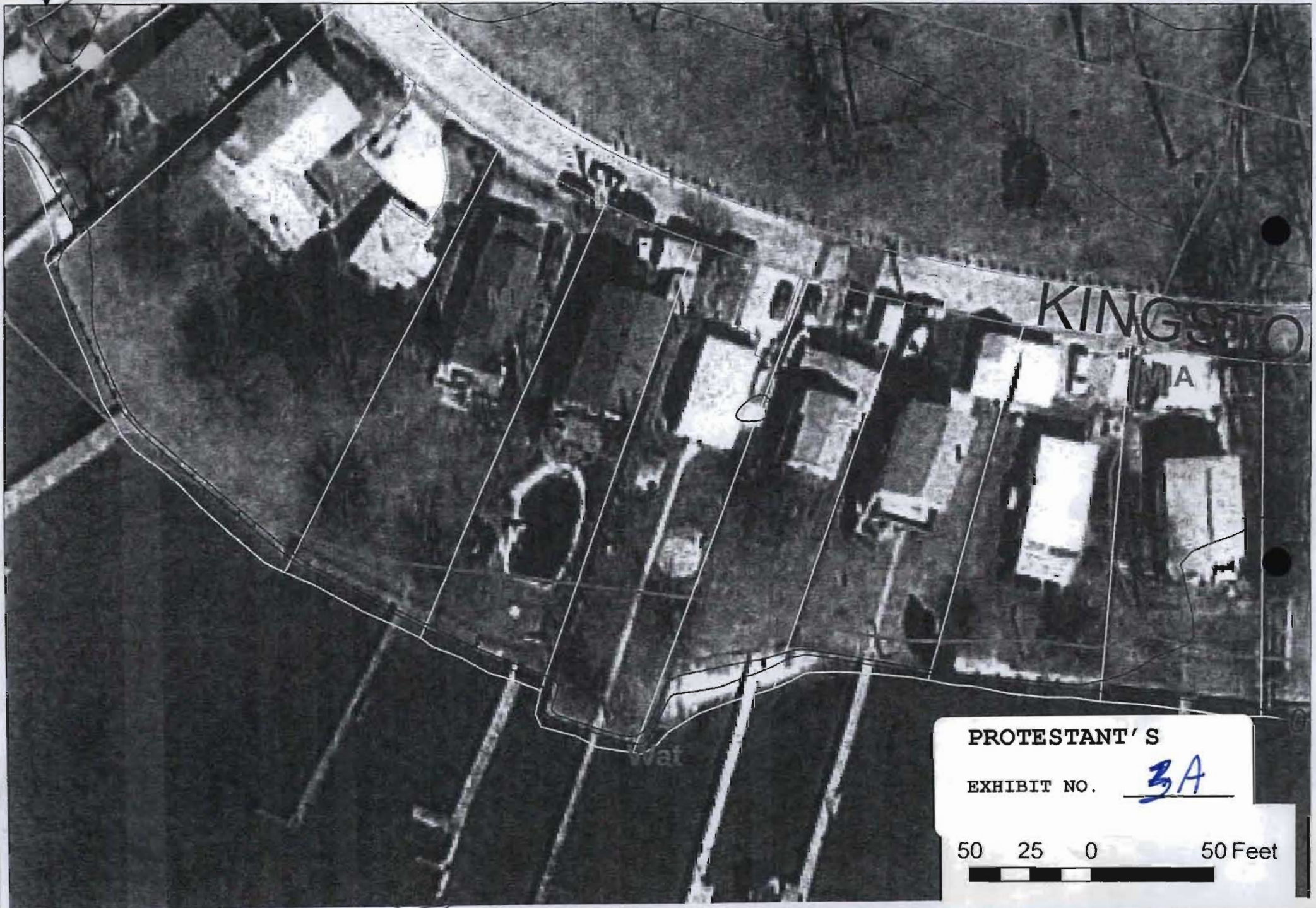
APR 28 2008







62 W. Kingston Park Rd. 1995 aerial



PROTESTANT' S

EXHIBIT NO.

3A

50 25 0 50 Feet



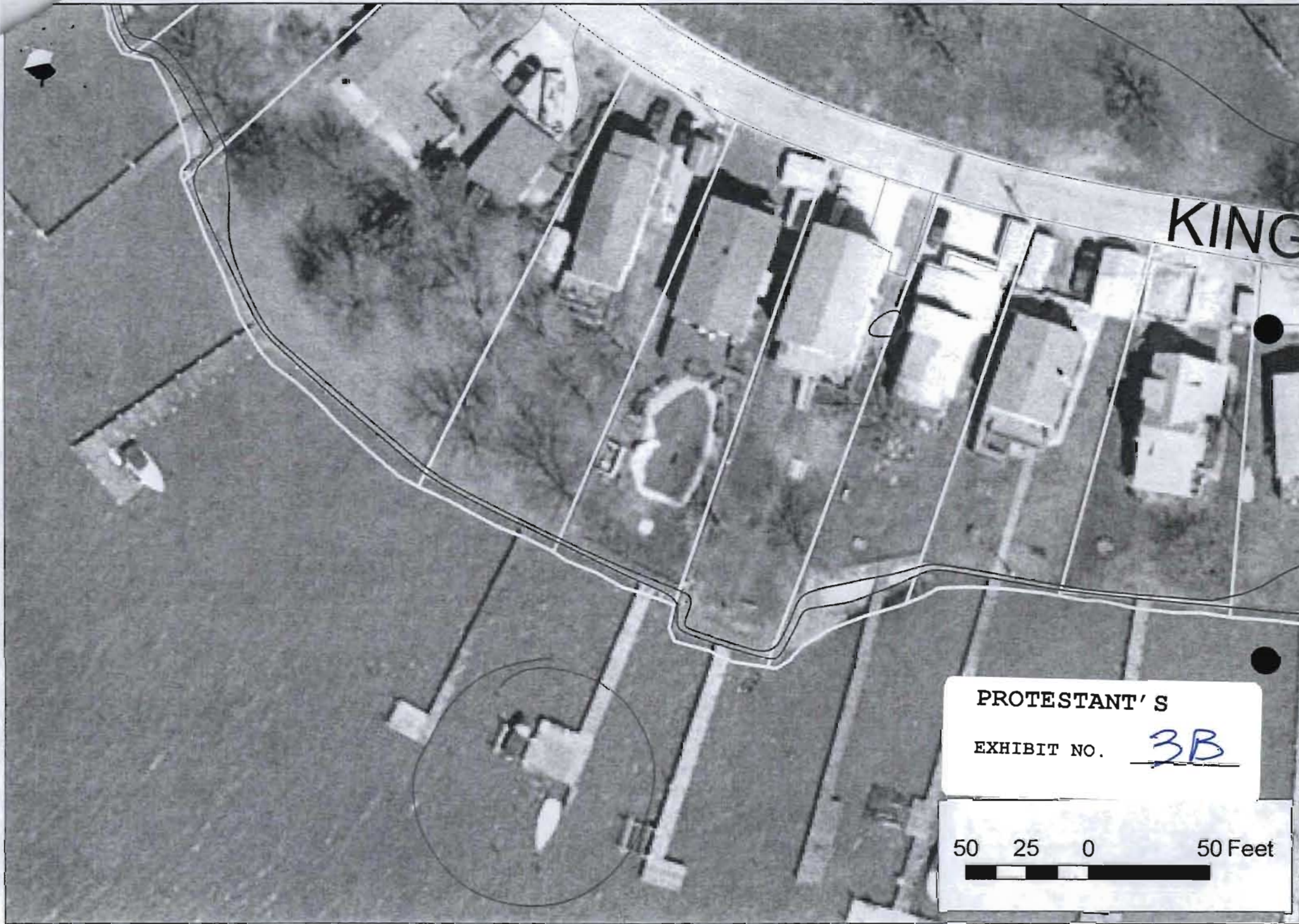


Parkhurst's 2

2008-0546-A

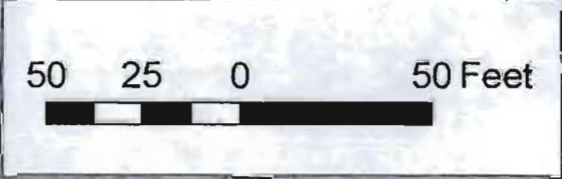
→ 64  
M. Kaplan  
App

→ 64



KING

PROTESTANT'S  
EXHIBIT NO. 3B



2005 AERIAL



US Maryland Baltimore Real Estate

Views: 3

-- beds, 2.0 baths, 1,142 sq ft

**Zestimate®: \$367,000**

[What's This?](#)

**My Estimate: Create**

### Bird's Eye View & Street Map





US Maryland Baltimore Real Estate

Views: 3

-- beds, 2.0 baths, 1,142 sq ft

**Zestimate®: \$367,000**

What's This?

**My Estimate: Create**

---

### Bird's Eye View & Street Map







