

IN RE: PETITION FOR VARIANCE
SW Corner Bayside and Todd Avenues
(9301 Todd Avenue)
15th Election District
7th Council District

Billy R. Horne, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 2011-0014-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 owners of the subject property, Billy R. Horne and his wife, Thelma S. Horne. The Petitioners seek variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (garage) to be located in the side rear yard not farthest removed from any street right-of-way. The subject property and relief requested are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request was Billy Horne, property owner. Although there were no Protestants or other interested persons present, it is to be noted that the Petition was filed as the result of a violation issued by the Department of Permits and Development Management, Code Inspection and Review Division (Case No. CO0078816), as to the placement/location of the accessory structure (enclosed carport).

Testimony and evidence offered revealed that the subject property is a rectangularly (50' x 113') shaped corner lot¹, located at the corner of Todd Avenue and Bayside Avenue in the Fort Howard/Sparrows Point area. The property consists of 5,651 square feet, more or less,

¹ The subject property is a *corner lot* defined in Section 101 of the B.C.Z.R. as: "a lot abutting on and at the intersection of two or more streets".

zoned D.R.5.5, and is improved with a one-story dwelling built in 1974. In addition to the dwelling, the property features a patio and two (2) sheds (10' x 10' & 8' x 8') in the rear yard farthest from the roads. Off-street parking is provided by way of a concrete-paved parking pad on the back portion of the lot accessed from Bayside Avenue. The Petitioners purchased and have resided at the property since 1987.

The subject of the variance request relates to the placement/location of an enclosed carport. Mr. Horne testified that at the time they purchased the property, a 16' x 20' poured concrete parking pad existed in the southeast corner of the lot. The Petitioners added an open carport over the parking pad in 1992 to provide protection for Thelma Horne's newly purchased Dodge LeBaron convertible. The carport existed at this location for 18 years without complaint. Under Section 400.1 of the B.C.Z.R., the carport must be located in the third of the yard farthest removed from any side street. Mr. Horne indicated that the carport could not be located in that corner of the lot, due to the patio, existing sheds and the need to construct an additional 30 feet of impervious concrete driveway to reach the carport. Mr. Horne testified that there is no room beside his home (west side) for a driveway and that his property is located in the Chesapeake Bay Critical Area (CBCA) – Limited Development Area (LDA) that prohibits the 30' x 10' driveway. It is for the above reasons as well as being the most practical from the Petitioners standpoint that the parking pad and carport were placed in the yard next to Bayside Avenue. As stated earlier, this is a violation case evidently generated by someone in the neighborhood that raised concerns when the Petitioners enclosed the carport on three (3) sides leaving the front open for access. Mr. Horne stated that neighbors who are visually affected by the carport's location have no complaints.

ORDER RECEIVED FOR FILING

Date

9-13-10

By

103

There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. The Office of Planning's comment, dated August 12, 2010, supports Mr. Horne's testimony that he keeps his property in good order and repair. In this regard, John R. Alexander, Community Planner with the Office of Planning, following a personal inspection of the site, stated as follows:

"The Office of Planning has reviewed the petitioner's request and accompanying site plan and offers the following:

- The single car garage is already constructed of the same exterior materials as the house.
- This house is on a small corner lot. It is well maintained.
- There is a patio and 2 small sheds in the rear furthest from the roads.

As such the Office of Planning has no objection to the petitioner's request."

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. I find that the location of the enclosed carport is appropriate in this instance and that strict compliance with the regulations would result in a practical difficulty and deny the Petitioners reasonable use of their property. There were no adverse comments submitted by the County's reviewing agencies, the record of the case reflects that notice of the public hearing was duly posted on the property as required, and no one appeared in opposition to the request. In fact, those families that are visually affected by the garage's location do not oppose the request. Thus, it appears that relief can be granted without detrimental impact to adjacent properties or surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

ORDER RECEIVED FOR FILING

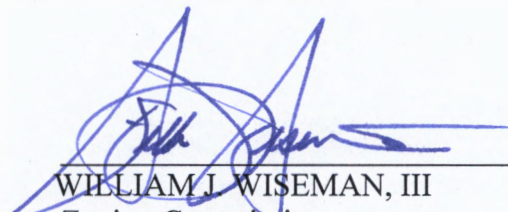
Date

By

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of September 2010 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (garage) to be located in the side rear yard in lieu of the rear yard in the third of the lot farthest removed from any street, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The variance relief granted to Petitioners herein is personal in nature, limited in duration, and shall not run with the land as to inure to the benefit of any subsequent property lessor or owner. To assure the current and future use of the subject property will not impact adversely upon nearby residential areas or become a Zoning Enforcement problem, the garage shall cease to exist upon the first of the following event(s):
 - The property is sold to an unrelated third party of the Home's immediate family; and/or
 - After the passage of fifteen (15) years of the date hereof.
- 3) When applying for a permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date

9-13-10

By

WJW



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

September 13, 2010

Billy R. Horne
Thelma S. Horne
9301 Todd Avenue
Ft. Howard, Maryland 21052

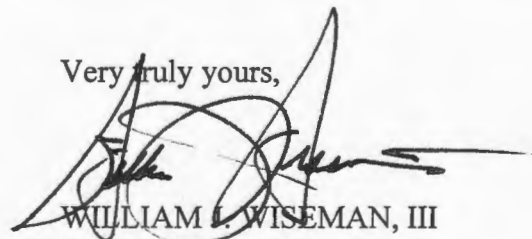
RE: **PETITION FOR VARIANCE**
SW Corner Bayside and Todd Avenues
(9301 Todd Avenue)
15th Election District - 7th Council District
Billy R. Horne, et ux – Petitioners
Case No. 2011-0014-A

Dear Mr. and Mrs. Horne:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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: Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; Office of Planning; DEPRM; Bureau of Code Enforcement, DPDM



VIOLATION

TAX. ACCOUNT # 1700000598

Petition for Variance

to the Zoning Commissioner of Baltimore Countyfor the property located at 9301 Todd Ave.which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1, BCZR, TO PERMIT A

GARAGE TO BE LOCATED IN THE SIDE REAR YARD
NOT FURTHEST REMOVED FROM A PUBLIC RT-OF-WAY.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

By _____

Legal Owner(s):MR. Billy R. Horne
Name - Type or Print _____Billy R. Horne
Signature _____MRS. Thelma S. Horne
Name - Type or Print _____Thelma S. Horne
Signature _____9301 Todd Ave (410) 388-1329
Address _____ Telephone No. _____Ft Howard Md 21052
City _____ State _____ Zip Code _____**Representative to be Contacted:**Name Sane

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 7.9.10Case No. 2011-0014-A

Zoning Description For

9301 Todd Avenue

Beginning at a point on the Southerly side of Bayside Avenue witch is 40ft wide and Running in a southwesterly direction at the distance of 50ft. of the centerline of the nearest improved intersecting street of Todd Avenue witch is 40ft wide, and running in a northeasterly Direction 111.0ft. Being Lots No. 33 and 34 Block B Section in the subdivision of North Point Terrace As recorded in Baltimore County Plat Book W.P.C. No 6, Folio # 155 Containing 458.575 sq.ft known as 9301 Todd Avenue and located in the 15 Election District 7th Councilmanic District.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2011-0014-A

Petitioner: BILLY HORNE

Address or Location: 9301 Todd Ave., Ft. Howard, Md. 21052

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: _____

Telephone Number: 410-388-1329

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

No. **55959**

Date: **7-9-10**

PAID RECEIPT

BUSINESS ACTUAL TIME
 7/09/2010 7/09/2010 10:34:56

REC M306 WALKIN TTAY TST
 >>RECEIPT # 659146 7/09/2010

Dept 5 550 MISCELLANEOUS - TR
 CR NO. 053959

Recpt Tot 65.00

607.00 01

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				65.00

Total: **65.00**

Rec From: **B. HORNE**

For: **2011-0014-A**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**NOTICE OF ZONING
HEARING**

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

Case: # 2011-0014-A

9301 Todd Avenue
N/east corner of Todd Avenue and Bayside Avenue
15th Election District
7th Councilmanic District
Legal Owner(s): Billy & Thelma Horne

Variance: to permit a garage to be located in the side rear yard not furthest removed from a public right of way.

Hearing: Thursday, September 9, 2010 at 11:00 a.m. in Room 104, 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.

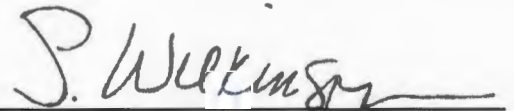
JT/8/893 Aug. 24 251889

CERTIFICATE OF PUBLICATION

8/26/ 2010

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 8/24/ 2010.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0014-A

RE: Case No.: _____

Petitioner/Developer: _____
Billy & Thelma Horne

September 9 2010
Date of Hearing/Closing: _____

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

Attn: Kristin Matthews

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously on the property located at: _____
9301 Todd Avenue

August 25 2010
The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black August 27 2010
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2011-0014-A

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

PLACE: ROOM 104 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME THURSDAY, SEPTEMBER 9, 2010 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT A GARAGE TO BE LOCATED IN
THE SIDE REAR YARD NOT FURTHEST RETIRED FROM A PUBLIC
RIGHT-OF-WAY

ENCOURAGEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOME TIMES NECESSARY.
TO CONFIRM HEARING, CALL 887-3391

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



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

August 11, 2010

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: 2011-0014-A

9301 Todd Avenue

N/east corner of Todd Avenue and Bayside Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Billy & Thelma Horne

Variance to permit a garage to be located in the side rear yard not furthest removed from a public right of way.

Hearing: Thursday, September 9, 2010 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Mr. & Mrs. Horne, 9301 Todd Avenue, Fort Howard 21052

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 25, 2010**
- (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 24, 2010 Issue - Jeffersonian

Please forward billing to:

Billy Horne
9301 Todd Avenue
Fort Howard, MD 21052

410-388-1329

NOTICE OF ZONING HEARING

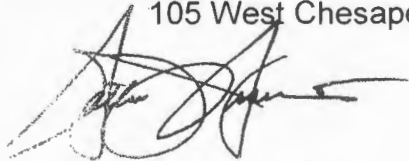
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0014-A

9301 Todd Avenue
N/east corner of Todd Avenue and Bayside Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Billy & Thelma Horne

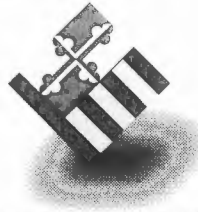
Variance to permit a garage to be located in the side rear yard not furthest removed from a public right of way.

Hearing: Thursday, September 9, 2010 at 11:00 a.m. in Room 104, 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 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
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

September 2, 2010

Mr. & Mrs. Horne
9301 Todd Ave.
Ft. Howard, MD 21052

Dear: Mr. & Mrs. Horne

RE: Case Number 2011-0014-A, 9301 Todd Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 09, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BS- 9-9-10
11AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 12, 2010

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

RECEIVED

SUBJECT: 9301 Todd Avenue

AUG 17 2010

INFORMATION:

ZONING COMMISSIONER

Item Number: 11-014

Petitioner: Billy R. Horne

Zoning: DR 5.5

Requested Action: Variance

To permit a detached structure (garage) in the front and side yard in lieu of the rear yard furthest from the right of way.

SUMMARY OF RECOMMENDATIONS:

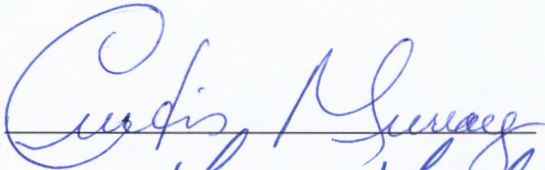
The Office of Planning has reviewed the petitioner's request and accompanying site plan and offers the following:

- The single car garage is already constructed of the same exterior materials as the house.
- This house is on a small corner lot. It is well maintained.
- There is a patio and 2 small sheds in the rear furthest from the roads.

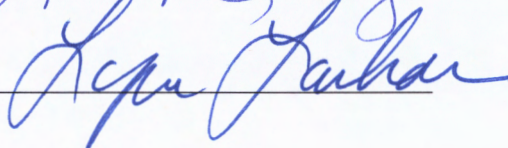
As such the Office of Planning has no objection to the petitioner's request.

For further information concerning the matters stated here in, please contact John Alexander at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

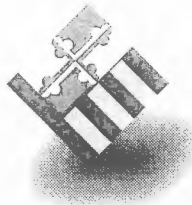
DATE: July 30, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For August 2, 2010
Item Nos. 2010-363, 2011- 008, 009, 010,
011, 012, 013, 014, 015, 018, 019 and 020

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

DAK:CEN:cab
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-08022010 -NO COMMENTS.doc



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

July 20, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 2, 2010

Item No.: **Variance:** 2010-0363A, 2011-0008A - 0010A,
2011-0012A - 0014A, and 2011- 0017A.

Administrative Variance: 2011- 0011A, 2011- 0016A, and
2011- 0019A - 0020A.

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable and required to be corrected or incorporated into the final plans for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop: 1102

cc: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 03 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 3, 2010
SUBJECT: Zoning Item # 11-014-A
Address 9301 Todd Avenue
(Horne Property)

Zoning Advisory Committee Meeting of July 19, 2010

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

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 property is within a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. Lot coverage is limited to a maximum of 25% +500 square feet (1913 square feet) with mitigation. 15% afforestation requirements also apply.

Reviewer: Regina Esslinger

Date: 8/30/10

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



MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Date: July 26, 2010

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

RE: Baltimore County
Item No. 2011-0014-A
9301 TODD AVE
HORNE 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. 2011-0014-A.

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

Very truly yours,

A handwritten signature in blue ink that reads "Steven D. Foster".

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

RE: PETITION FOR VARIANCE
9301 Todd Avenue; NE corner of Todd
Avenue & Bayside Avenue
15th Election & 7th Councilmanic Districts
Legal Owner(s): Billy & Thelma Horne
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 2011-014-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

JUL 27 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of July, 2010, a copy of the foregoing Entry of Appearance was mailed to Billy & Thelma Horne, 9301 Todd Avenue, Fort Howard, Maryland 21052, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Livingston, Jeffrey
Date: 9/3/2010 11:24 AM
Subject: Comment Needed for Bill (Hearing 9/9)

*Re: 9-3
2:46 pm
Missing DEPRM
a/3*

Good Morning Jeff,

In reviewing Bill's files for next week, it appears we are missing a DEPRM comment (marked CBCA) for the following:

CASE NUMBER: 2011-0014-A

9301 Todd Avenue

Location: NE corner of Todd Avenue and Bayside Avenue

15th Election District, 7th Councilmanic District

Legal Owner: Billy and Thelma Horne

VARIANCE To permit a garage to be located in the side rear yard not furthest removed from a public right of way.

Hearing: Thursday, 9/9/2010 at 11:00:00 AM, Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

BW 9-9

11am

Baltimore County

Building Inspections

111 W. Chesapeake Ave
Towson, Md. 21204
410-887-3953
Fax 410-887-8081

facsimile transmittal

To: Zoning

Fax: X 3468

From: Balto. Co. Bldg. Insp. Date: 9-8-10

Re:

Pages:

CC:

☐ Urgent☒ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

Variance Hearing for:
9301 Todd Ave.

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: September 8, 2010

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

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

SUBJECT: Item No.:
Legal Owner/Petitioner: Horne, Billy & Thelma
Contract Purchaser: N/A
Property Address: 9301 Todd Ave
Location Description: Corner of Todd Ave & Bayside Ave.

VIOLATION INFORMATION: Case No. CO0078816
Defendants: Horne, Billy & Thelma

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

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

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

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

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

AGB/cp
C: Code Enforcement Officer

RA1001B

DATE: 09/08/2010

STANDARD ASSESSMENT INQUIRY (1)

TIME: 07:40:39

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
17 00 000598	15	3-0	04-00	H	NO		06/10/10

HORNE BILLY R

DESC-1.. IMPS

HORNE THELMA S

DESC-2.. NORTH POINT TERRACE

9301 TODD AVE

PREMISE. 09301 TODD

AVE

00000-0000

FT HOWARD

MD 21052-0000 FORMER OWNER: MITCHELL EDWARD R, SR

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
				FCV	ASSESS	ASSESS
LAND:	67,810	71,500				
IMPV:	145,350	173,860	TOTAL..	234,626	234,626	223,893
TOTL:	213,160	245,360	PREF...	0	0	0
PREF:	0	0	CURT...	234,626	234,626	223,893
CURT:	213,160	245,360	EXEMPT.		0	0
DATE:	09/05	10/08				

---- TAXABLE BASIS ---- FM DATE

ASSESS: 234,626 08/20/09

ASSESS: 223,893

ASSESS: 0

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

RA1001C

DATE: 09/08/2010

STANDARD ASSESSMENT INQUIRY (2)

TIME: 07:40:57

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
17 00 000598	15	3-0	04-00	H	NO		06/10/10
LOT....		BOOK....	0006	MAP.....	0115	LOT WIDTH.....	50.00
BLOCK..	B	FOLIO...	0155	GRID....	0011	LOT DEPTH.....	.00
SECTION..				PARCEL..	0021	LAND AREA..	5651.000 S
PLAT..						YEAR BUILT.....	74

-----TRANSFER DATA-----

NUMBER..... 076667
DATE..... 06/09/87
PURCHASE PRICE..... 62,450
GROUND RENT..... 0
DEED REF LIBER..... 07565
DEED REF FOLIO..... 0001
CONVEYED IND..... 1
TOT-PART TRAN IND..... T
GRANTOR ACCT NO.. 17-00-000598

-----EXEMPT DATA-----

STATUS.....
CLASS CODE..... 000
STATE EXEMPT CODE..... 000
COUNTY EXEMPT CODE..... 000
CURR STATE EX ASMT.... 0
PRIOR STATE EX ASMT... 0
CURR COUNTY EX ASMT... 0
PRIOR COUNTY EX ASMT.. 0

CRITICAL NEW CONST CARD
AREAS CODE YEAR NO
29190

-----STRUCTURE-----

CODE SQ. FEET
1456

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

Plumbing Inspection 410-827-3827
Stops/Force 410-827-3896

CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE Dist 15

CASE NUMBER	PROPERTY TAX ID	DATE ISSUED
020078816	1700 000598	06 102 110
NAME OF		
Billy Horne		
The Iowa Horne		
MAILING ADDRESS		
9301 Todd Ave		
CITY	STATE	ZIP CODE
Balt.	MD	21219
FULL RETURN ADDRESS		
9301 Todd Ave		
CITY	STATE	ZIP CODE
BALTIMORE	MARYLAND	21218

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- ☐ DR1 (1782) ☐ DR3.1 ☐ DR3.5 ☐ DR3.5 ☐ DR10 ☐ BL (230) ☐ BR (230) ☐ BM (233)
☐ RC1(A101) ☐ RC1(L103) ☐ RC2(A102) ☐ RC2(L105) ☐ RC3(A107) ☐ MR (230) ☐ ML (230) ☐ MH (230)
☐ RC5(A102) ☐ RC5(L105) ☐ RC6 (1A06) ☐ RC7 (1A08)
☐ OTHER: ☐ OTHER:

NON-RESIDENTIAL CLASSIFICATION

- ☐ BL (234) ☐ BR (234) ☐ BM (233)
☐ MR (200) ☐ ML (258) ☐ MH (256)
☐ OTHER _____

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

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-192; 32-192; 32-192; 32-192

- | | |
|--|--|
| 101: 102.1: Definitions; general use | 415A: License/ remove untagged recreation vehicle |
| 1001.1: EPR Zones-use regulations | 415A: Improperly parked recreation vehicle |
| 628: License/ Remove all untagged/ Inoperative or damaged/ Disabled motor vehicles | 415A: Out of condition vehicle not properly |
| 1001.1B: Remove upon storage/ Inland road | 400: Unlawful use of crossing facility |
| 434: Remove commercial vehicles | 600: Illegal access to structure/ placement |
| 101: 402.1: Remove containers/ equip storage yard | 1002.1: 470, 471.1: Illegal Access, Limit 3 dogs |
| 101: 303.1: ZCPRA: Container/ storage activities | 102.2: Residential use of vehicle/ storage section |
| 402: Illegal conversion/ siting | 502B: Illegal remodeling/ building/ house |
| 101: 402.1- ZCPA: Illegal conversion/ siting | BCC: 32-3-102: 500.9 BCC28: ZCPA |
| | Violation of regulations/ zoning/ or zoning order |

BALTIMORE COUNTY CODE ORC.C

- | | |
|---|---|
| 13-7-112: Cease all nuisance activity | 35-2-301: Obtain building/ fence/ sign permit |
| 13-7-415: Cease to create nuisance & feed cats | 18-2-401: Remove all obstructions (st) at street, alley, road |
| 13-7-310: Remove all signs & debris from property | 35-2-302: Remove bird seed / other food for rats |
| 13-7-312: Remove accumulations of debris, materials, etc. | 35-2-182: Violation of development plan/ site plan |
| 13-7-312(2): Cease deposit pool water | 35-2-115: ABC 113: Remove/ Repair units |
| 13-3-186: Remove animal feces daily | 13-7-401: Seal and secure all openings in premise |
| 35-2-208(a)(c): Seal exterior openings from rodents & pests | 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| 13-4-201(b)(4): Store garbage in containers with lids | |

OWNER OCCUPIED HOUSING O.C.C.

- | | |
|---|--|
| ☐ 35-5-302(a)(1): Unsatisfactory conditions. | ☐ 35-5-302(a)(2): Store all garbage in trash cans |
| ☐ 35-5-302(a)(3): Cess <u> </u> infiltration from prop. | ☐ 35-5-302(b)(1): Repair exterior structure |
| ☐ 35-5-302(b)(1)(2): Repair decorative trim, etc. where, etc. | ☐ 35-5-302(b)(1)(3): Repair exterior extensions |
| ☐ 35-5-302(b)(1)(4): Repair chimney & similar structures | ☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces |
| ☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s) | ☐ 35-5-302(b)(1)(7): Repair defective fence |

INVESTMENT PROPERTY (B.C.C.)

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

OTHER VIOLATIONS OR REMARKS:

49-07 105 International President's Pdu 2006 105

Building garage (or carport) at rear of location without required permit(s) and inspections.
Remove structure or obtain all permit(s) and inspections.

☐ NOTICE POSTED AND MAILED

POTENTIAL FINE: ☒ \$200 ☐ \$500 ☐ \$1000 per day, per violation and to be placed on a lien with your tax bill.

COMPLIANCE DATE: 07.01.10

INSPECTOR NAME: Cande V Postili

PRINT NAME (Rev. 9-69)

AGENCY



From:**To:** "pdmenforce@baltimorecountymd.gov" <pdmenforce@baltimorecountymd.gov>**Date:** 5/27/2010 9:04 AM**Subject:** Violation Report

I would like to report a neighbor who is making renovations to their home without a posted building permit. They illegally poured concrete for a parking pad several years ago and also on county property along the road. Since then they built a cover over the parking pad and are now enclosing it and covering it with siding. They do not have the required percentage of impervious surface on their lot now. This will only compound the problem. Address: 9301 Todd Avenue, Fort Howard MD 21052

Last name: Home

I would prefer to remain anonymous as these people are very vindictive and would retaliate.

I would appreciate your inspecting the property.

Thank You,

03/08/2010 09:08

410-887-8771

ENCLOSURE REPORT

DATE: 6/1/10 INTAKE BY: GB CASE #: 00078816 INSPEC: Prati:
FA0086798

COMPLAINT

LOCATION: 9301 TODD AVE

ZIP CODE: 21219 DIST: 15

COMPLAINANT

NAME: ARON LUTTEN PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: INCLOSED CARPORT

OWNER/TENANT
INFORMATION:

TAX ACCOUNT #: ZONING:

INSPECTION: Observed structure recently enclosed on three sides. No permits found for carport or garage. Issued notice to owners on site. Also spoke with Ms. Horne by phone from office. PV 7/1/10 cp (B107662 '91' deck and B166938 '93' deck) MS

REINSPECTION:

REINSPECTION:

REINSPECTION:



Permits & Development Management Complaint Report

Report Criteria:
Employee(s): EE0000000 to EE9999999
Scheduled Date(s): 7/1/2010 to 7/1/2010
PE Range: BI01 to BI06

Ord ID	AS/400 Case	Assigned To	Assigned Date	Scheduled Time	Received By	Received Date	Status	Hearing Date	ADC Grid
078816		Claude Profili	06/01/2010		Karen Hopkins	06/01/2010	Open - Normal		46G9

plaint Description: ENCLOSING CARPORT W/O PERMIT

ty:	Owner:	Complainant:
86768 1700000598 TODD AVE BOWS POINT, MD, 21219	HORNE BILLY R HORNE THELMA S 9301 TODD AVE FT HOWARD MD 21052	ANONYMOUS LETTER

Activity Details

Number	Inspector	Activity Date	Service	Result	Action
33952	Nichollette Shelton	06/03/2010	INITIAL INSPECTION	NOT IN COMPLIANCE	CORRECTION NOTICE ISSUED

ector Notes: 6/2/10 OBSERVED STRUCTURE RECENTLY ENCLOSED ON THREE SIDES. NO PERMITS FOUND FOR CARPORT OR GARAGE. ISSUED NOTICE TO OWNERS ON SITE. ALSO, SPOKE WITH MS.HORNE BY PHONE FROM OFFICE. (B107662 '91' DECK AND B166938 '93' DECK). P/U 7/1/10 C.PROFIL/INS***

Violation Details

Violation Record ID:	Comply By:	Complied On:	Status:
IV0034928	07/01/2010		NOT IN COMPLIANCE

rogram Category/Section Source: Building Inspection/IBC

Violation Description: IBC Violation

Correction Text:

Violation Text:

Violation Comment: ENCLOSING CARPORT

Violation Details - No Comments

Information - None

Page:

*At Site owners advised meeting for variance 7/9/10
P.u. 7/23/10 CJP
RW*

PAGE 10/13

BUILDING INSPECTIONS

410-887-8000

09/08/2010 09:08



Permits & Development Management Complaint Report

Report Criteria:
Employee(s): EE0000000 to EE9999999
Scheduled Date(s): 7/23/2010 to 7/25/2010
PE Range: BI01 to BI06

<u>ID</u>	<u>AS/400 Case</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Scheduled Time</u>	<u>Received By</u>	<u>Received Date</u>	<u>Status</u>	<u>Hearing Date</u>	<u>ADC Grid</u>
78816		Claude Profili	06/01/2010		Karen Hopkins	06/01/2010	Open - Normal		46G9

aint Description: ENCLOSING CARPORT W/O PERMIT

3798 700000598 ODD AVE OWS POINT, MD, 21219	<u>Owner :</u> HORNE BILLY R HORNE THELMA S 9301 TODD AVE FT HOWARD MD 21052	<u>Complainant:</u> ANONYMOUS LETTER
--	---	---

Activity Details

<u>Number</u>	<u>Inspector</u>	<u>Activity Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>
33952	Nichollette Shelton	06/03/2010	INITIAL INSPECTION	NOT IN COMPLIANCE	CORRECTION NOTICE ISSUED
<u>for Notes:</u> 6/2/10 OBSERVED STRUCTURE RECENTLY ENCLOSED ON THREE SIDES. NO PERMITS FOUND FOR CARPORT OR GARAGE. ISSUED NOTICE TO OWNERS ON SITE. ALSO, SPOKE WITH MS.HORNE BY PHONE FROM OFFICE. (B107662 '91' DECK AND B166938 '93' DECK). P/U 7/1/10 C.PROFIL/NS***					

Violation Details

<u>Violation Record ID:</u> IV0034928	<u>Comply By:</u> 07/01/2010	<u>Complied On:</u>	<u>Status:</u> NOT IN COMPLIANCE
<u>Program Category/Section Source:</u> Building Inspection/IBC		<u>Violation Description</u> IBC Violation	
<u>Violation Text:</u>			
<u>Violation Text:</u>			
<u>Violation Comment:</u> ENCLOSING CARPORT			

<u>Number</u>	<u>Inspector</u>	<u>Activity Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>
3650	Karen Hopkins	07/02/2010	REINSPECTION	FACT FINDING	MONITOR
<u>for Notes:</u> 07/01/10 AT SITE, OWNERS ADVISED MEETING FOR VARIANCE 07/09/10. P/U 07/23/10. C.PROFIL/KH.					

Violation Details

<u>Violation Record ID:</u> IV0037277	<u>Comply By:</u> 07/23/2010	<u>Complied On:</u>	<u>Status:</u> NOT IN COMPLIANCE
<u>Program Category/Section Source:</u> Building Inspection/IBC		<u>Violation Description</u> IBC Violation	
<u>Violation Text:</u>			
<u>Violation Text:</u>			
<u>Violation Comment:</u>			

Violation Details - No Comments

Information - None

Signature:

Owners applied for variance # 2011-0014-A per 09/29/10 CJP
KH

Permits & Development Management
Complaint ReportReport Criteria:
Complaint Record ID: CO0078816

Record ID	AS/400 Case	Assigned To	Assigned Date	Scheduled Time	Received By	Received Date	Status	Hearing Date	ADC Grid
CO0078816		Claude Profili	06/01/2010		Karen Hopkins	06/01/2010	Open - Normal		46G9

Complaint Description: ENCLOSING CARPORT W/O PERMIT

Facility:	Owner:	Complainant:
FA0086798 PDM 1700000598 9301 TODD AVE SPARROWS POINT, MD 21219	HORNE BILLY R HORNE THELMA S 9301 TODD AVE FT HOWARD MD 21052	ANONYMOUS LETTER

Daily Activity Details

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0063952	Nichollette Shelton	06/03/2010	INITIAL INSPECTION	NOT IN COMPLIANCE	CORRECTION NOTICE ISSUED

Inspector Notes: 6/2/10 OBSERVED STRUCTURE RECENTLY ENCLOSED ON THREE SIDES. NO PERMITS FOUND FOR CARPORT OR GARAGE. ISSUED NOTICE TO OWNERS ON SITE. ALSO, SPOKE WITH MS.HORNE BY PHONE FROM OFFICE. (B107662 '91' DECK AND B166938 '93' DECK). P/U 7/1/10 C.PROFIL/NS***

Violation Details

Violation Record ID:	Comply By:	Complied On:	Status:
IV0034928	07/01/2010		NOT IN COMPLIANCE

Program Category/Section Source: Building Inspection/IBC

Violation Description: IBC Violation

Correction Text:

Violation Text:

Violation Comment: ENCLOSING CARPORT

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0068650	Karen Hopkins	07/02/2010	REINSPECTION	FACT FINDING	MONITOR

Inspector Notes: 07/01/10 AT STIE, OWNERS ADVISED MEETING FOR VARIANCE 07/09/10. P/U 07/23/10. C.PROFIL/KH.

Violation Details

Violation Record ID:	Comply By:	Complied On:	Status:
IV0037277	07/23/2010		NOT IN COMPLIANCE

Program Category/Section Source: Building Inspection/IBC

Violation Description: IBC Violation

Correction Text:

Violation Text:

Violation Comment:

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0071718	Karen Hopkins	07/26/2010	IN-OFFICE ADMINISTRATIVE WORK	FACT FINDING	MONITOR

Inspector Notes: 07/26/10 OWNERS APPLIED FOR VARIANCE - #2011-0014-A. P/U 09/29/10. C.PROFIL/KH.

Violation Details

Violation Record ID:	Comply By:	Complied On:	Status:
IV0038688	09/29/2010		NOT IN COMPLIANCE

Program Category/Section Source: Building Inspection/IBC

Violation Description: IBC Violation

Correction Text:

Violation Text:

Violation Comment:



BALTIMORE COUNTY
MARYLAND

Permits & Development Management Complaint Report

Report Criteria:
Complaint Record ID: CO0078816

Comment Details - No Comments

Lien Information - None

1974

Microsoft Access

File Edit View Insert Format Records Tools Window Help

GenInputFrm_View : Form

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID
(SEARCH ON THIS FIELD): 19740010 Case Type Prefix: Case Year: 1974 Case Number: 0010 Case Type Suffix: A Existing Use: DWLG- SINGLE FAMILY

Legal Owners/Petitioner
(SEARCH ON THIS FIELD): NIEMYER LEROY L

House/St. Number:	House/Street Number Range:	House/St. No. Suffix:	Prefix Dir.:	Pre. Type:	Street Name (SEARCH ON THIS FIELD):	Suffix Suf. Type:	Dir.:	Suite/Apt./Unit Number:

Property Description (SEARCH ON THIS FIELD):
SE COR TODD AV, BAYSIDE AV

Existing Zoning Classification: Area: 0.14 Acres Election District: 15th Councilmanic District:

Critical Area: Floodplain: Historic Area: Prior Zoning Cases:

Violation Cases: Concurrent Cases:

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

Record: 8996 of 26145

Form View

start 10:53 AM

1992

Microsoft Access

File Edit View Insert Format Records Tools Window Help

GenInputFrm_View : Form

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID
(SEARCH ON THIS FIELD): 19920025 Case Type Prefix: Case Year: 1992 Case Number: 0025 Case Type Suffix: A Existing Use:

Legal Owners/Petitioner
(SEARCH ON THIS FIELD): Billy R. Horne, et ux

House/St. Number:	House/Street Number Range:	House/St. No. Suffix:	Prefix Dir.:	Pre. Type:	Street Name (SEARCH ON THIS FIELD):	Suffix Suf. Type:	Dir.:	Suite/Apt./Unit Number:
9301					Bayside and Todd	Ave		

Property Description (SEARCH ON THIS FIELD):
SEC Bayside and Todd Avenues

Existing Zoning Classification: Area: Election District: 15th Councilmanic District: 7th

Critical Area: Floodplain: Historic Area: Prior Zoning Cases:

Violation Cases: Concurrent Cases:

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

Record: 15712 of 26145

Form View

start S S M 1 10:51 AM

8/26/91

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
SE/Corner Bayside and Todd Aves.
(9301 Todd Avenue) * DEPUTY ZONING COMMISSIONER
15th Election District * OF BALTIMORE COUNTY
7th Councilmanic District *
Billy R. Horne, et ux * Case No. 92-25-A
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 1B02.3. C.1 and 301.1 to permit a side street setback of 13 feet in lieu of the required 18.75 feet for an existing open projection (deck), in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Sections 307.1 and 500.14 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with the recommendations of the



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1e)

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

Account Identifier: District - 15 **Account Number -** 1700000598

Owner Information

Owner Name: HORNE BILLY R **Use:** RESIDENTIAL
 HORNE THELMA S **Principal Residence:** YES
Mailing Address: 9301 TODD AVE **Deed Reference:** 1) / 7565/ 1
 FT HOWARD MD 21052 2)

Location & Structure Information

Premises Address
 9301 TODD AVE

Legal Description

SW COR BAYSIDE DR
 NORTH POINT TERRACE

Map Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
115	11	21			B		3	Plat Ref: 6/ 155

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1974	1,456 SF	5,651.00 SF	04

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	67,810	71,500		
Improvements:	145,350	173,860		
Total:	213,160	245,360	234,626	245,360
Preferential Land:	0	0	0	0

Transfer Information

Seller: MITCHELL EDWARD R,SR	Date: 06/09/1987	Price: \$62,450
Type: IMPROVED ARMS-LENGTH	Deed1: / 7565/ 1	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

DRS.5

9-9 11 AM

CASE NO. 2011- 0014-ACHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>7-30</u>	DEVELOPMENT PLANS REVIEW	<u>None</u>
<u>9-3</u>	DEPRM (if not received, date e-mail sent <u>9-3-10</u>) <u>(Jeff Livingston)</u>	<u>Comments</u>
<u>7-20</u>	FIRE DEPARTMENT	<u>None</u>
<u>8-17</u>	PLANNING (if not received, date e-mail sent _____)	<u>No objection</u>
<u>7-26</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
<u>Rec'd 9-8-10</u> ZONING VIOLATION	(Case No. <u>CO 0078816 -</u>)	<u>Not in file 9/3</u>
PRIOR ZONING	<u>9/3 - Spoke to Karen, Bldg. Inspector. - She'll have boxes when ready</u> (Case No. <u>1992-0025-A & 1974-0010-A</u>)	<u>orig. called X8099 + was transferred to Bldg. Inspector.</u>
NEWSPAPER ADVERTISEMENT	Date: <u>8-24-10</u>	
SIGN POSTING	Date: <u>8-25-10</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	<u>Clende- Bldg. Inspector</u>
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	<u>Gave Karen hearing date.</u>
Comments, if any: _____		

Case No.: 2011-0014-A 9301 TODD AVE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Photographs	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



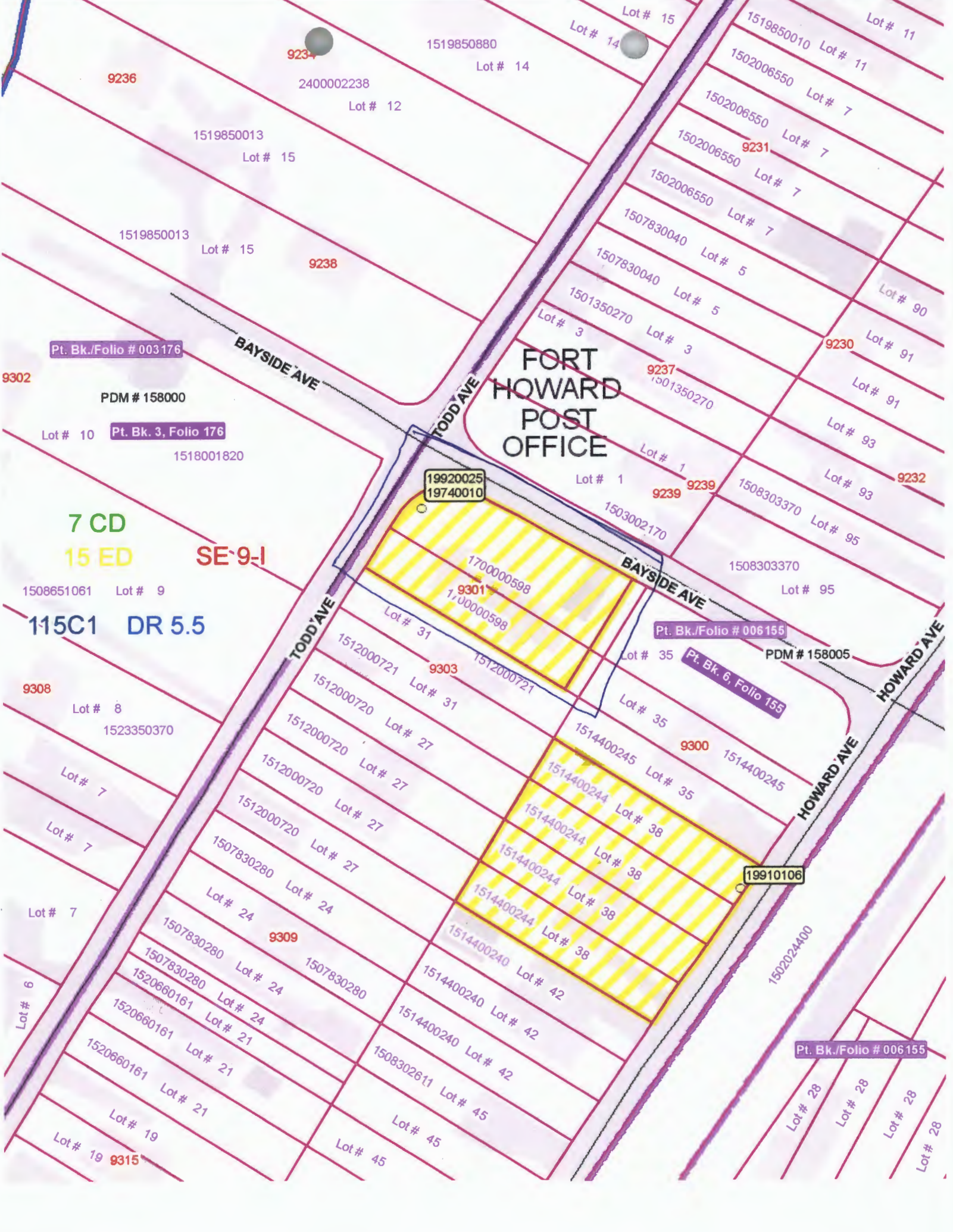
PETITIONER' S

EXHIBIT NO.

2



KISHWACKERS INC.
LANDscaping & TREE SERVICES
410-368-1329
KISHWACKERS.COM/CSNET



FORT HOWARD
POST
OFFICE

7 CD
15 ED
SE-9-1
115C1 DR 5.5

19920025
19740010

Pt. Bk./Folio # 006155
PDM # 158005

Pt. Bk./Folio # 006155

19910106

Pt. Bk./Folio # 003176

PDM # 158000

Pt. Bk. 3, Folio 176

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9301 Todd Ave

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

SUBDIVISION NAME NORTH POINT TERRACE

PLAT BOOK # 06 FOLIO # 155 LOT # 33 SECTION # 34 BLOCK B

OWNER Billy + Thelma Horne

Howard Ave

Bayside Ave

34' R/W 30' PAVING

FRONT
EXISTING
Dwelling

John Whiteman
JIM NICHOLS

16' x 20'

Robert Jabas

EXISTING
Dwelling
#9301

EXISTING
Dwelling
#9303

LOT #2

LOT #3

Todd Ave 34' R/W 30' PAVING

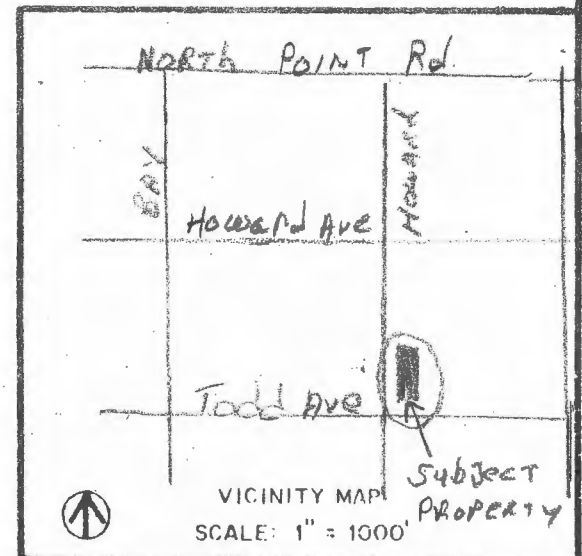


NORTH

PETITIONER'S

EXHIBIT NO. 1

PREPARED BY _____



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 7

1" = 200' SCALE MAP # 115C1

ZONING DR5.5

LOT SIZE
ACREAGE 5.651
SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐

100 YEAR FLOOD PLAIN	☐	☒

HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING 74-0010, 94-0025

ZONING OFFICE USE ONLY

REVIEWED BY _____ ITEM # _____ CASE # _____