

IN RE: PETITION FOR VARIANCE

E side of Misty Meadow Court, 441.38 feet
NE from the c/l of John Ave.
15th Election District
7th Councilmanic District
(12 Misty Meadows Court)

Trisha L. Miconi
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2011-00125-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Trisha L. Miconi. Petitioner is requesting Variance relief from Section 415.A of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a recreational vehicle to be located in the front yard in lieu of the required rear yard or side yard situated at least 8 feet to the rear of a lateral projection of the front foundation line of the dwelling. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the variance request on behalf of Petitioner Trisha Miconi was Michael H. Barnes who also resides at 12 Misty Meadows Court and was given permission via letter to appear for the hearing in this case. *See*, Petitioner's Exhibit 1. There were no Protestants or other interested persons in attendance.

It should be noted that this matter came before me as a result of a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management¹. A Code Inspections and Enforcement Correction Notice was issued to Petitioner on September 8, 2010 for an improperly parked recreational vehicle. In response, Petitioner filed

¹ Case No: CO-0080986

ORDER RECEIVED FOR FILING

Date 12-10-10

By pm

the instant request for variance seeking to legitimize the parking and storage situation for the vehicle.

Testimony and evidence offered revealed that the subject property is irregularly shaped and located adjacent to a cul-de-sac on Misty Meadows Court in the Essex area of Baltimore County. Petitioner submitted several photographs of the subject property, which were marked and accepted into evidence as Petitioner's Exhibits 3 and 5A through 5N. Exhibit 3 is an aerial photograph that shows the irregular shape of the property and its relationship to the surrounding community. Exhibits 5A through 5N reveal a pie-shaped lot with rolling hills and natural swales on either side of an existing single-family dwelling. Petitioner also submitted a written request, marked and accepted into evidence as Petitioner's Exhibit 6, stating that: "Due to my property's pie shaped configuration and the rolling hills I cannot get the RV into the yard and 8 feet behind the house. These hills are natural swells and cannot be changed due to proper drainage of the property." After receiving a code enforcement violation, Petitioner filed this request for variance to legitimize the storage of the RV in the front yard.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated October 26, 2010 which state that parking the subject recreational vehicle in the front driveway is the least desirable location as the RV is large thus blocking the entire garage door and part of the second story of the house. The RV becomes the dominant element in the front of the house. The Petitioner should consider renting a space elsewhere to store it between uses. The alternative would be to store the RV in the rear yard where a large boat trailer is stored. The Planning Office understands this would entail re-grading part of the slope that abuts the house on the south side to reduce the steep grade. The site plan shows an easement that is wide enough to provide

ORDER RECEIVED FOR FILING

Date 12-10-10

2

By B3

access to the rear yard. That would be an acceptable solution in this neighborhood of large well kept single family detached homes.

After considering all of the testimony and evidence presented at the hearing, I am persuaded to grant the variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The property is uniquely shaped, limiting the available locations to store the vehicle in question. It is also located adjacent to a cul-de-sac/court and backs to property that is commercially zoned (B.L.) rather than residential properties. The property is also made up of rolling hills and natural swales, placing further limitations on Petitioner's ability to store the recreational vehicle as required by the Regulations.

I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner. As the Office of Planning noted, due to the steep grading on the side and rear of the property, the Petitioner would have to re-grade a significant portion of the property to strictly comply with the zoning regulations. This may have an adverse affect on the natural drainage of the property and unnecessarily impact the surrounding community.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This Office is typically hesitant to approve variance requests for structures in a front yard but the request at issue in this case is unusual in that many of the surrounding neighbors signed a petition in favor of the requested relief. *See*, Petitioner's Exhibit 7. Given the support of the surrounding neighborhood, I am persuaded to overcome my reluctance to grant a variance for storage of the recreational vehicle in the front of this property.

ORDER RECEIVED FOR FILING

Date 12-10-10

By MB

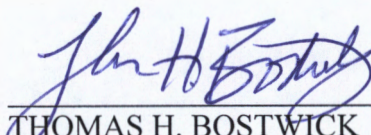
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 10th day of December, 2010 by this Deputy Zoning Commissioner that Petitioner's Variance request from Section 415.A of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a recreational vehicle to be located in the front yard in lieu of the required rear yard or side yard situated at least 8 feet to the rear of a lateral projection of the front foundation line of the dwelling be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

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

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 12-10-10

By pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 10, 2010

TRISHA L. MICONI AND
MICHAEL H. BARNES
12 MISTY MEADOWS COURT
ESSEX MD 21221

Re: Petition for Variance
Case No. 2011-0125-A
Property: 12 Misty Meadows Court

Dear Ms. Miconi and Mr. Barnes:

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

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

Very truly yours,

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



TAX COUNT # 1800013549

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12 MISTY MEADOWS COURT
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) HISA BCZR

To allow a recreational vehicle to be located in the front yard in lieu of the required rear yard or side yard situated at least 8' to the rear of a lateral projection of the front foundation line of the dwelling.

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

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

Name - Type or Print Trisha Miconi

Signature [Signature]

Name - Type or Print _____

Signature _____

Address 12 Misty Meadows Ct Telephone No. 443-610-3926

City Essex State MD Zip Code 21221

Representative to be Contacted:

Name Michael W. Barnes

Address 12 Misty Meadows Ct Telephone No. 540-907-3963

City Essex State MD Zip Code 21221

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING Scheduled Trip to Florida 11/6-11/16.

Reviewed By JF Date 10/1/10

Case No. 2011-0125-A

9/26/10 10:17 AM

I am requesting a variance for parking my rv in the driveway, Due to my property's pie shaped configuration and the rolling hills I can not get the rv into the yard and 8 feet behind the house. These hills are natural swells and cannot be changed due to proper drainage of the property.

Zoning DESCRIPTION FOR 12 MISTY MEADOWS COURT

Beginning at a point ON THE East side of MISTY MEADOWS COURT AT A POINT 441.38 ft. $\pm$ NORTH and EAST along a 90° Angle in the COURT from the CENTERLINE OF THE NEAREST IMPROVED STREET, JOHN AVENUE which is a 40 ft. Right-of-Way.

BEING LOT NO. 22 IN THE SUBDIVISION OF (SECOND AMENDED FDP) "GRIMES DALE" AS RECORDED IN

BALTIMORE COUNTY PLAT BOOK #50 Folio III CONTAINING

0.29 Acres $\pm$. ALSO KNOWN AS 12 MISTY MEADOWS CT.

and LOCATED IN THE 15th ELECTION DISTRICT, 7th COUNCILMATIC 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: 2011-0125 A

Petitioner: Trisha L. Miconi

Address or Location: 12 Misty Meadows Court Essex Md. 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: Trisha L. Miconi

Address: 12 Misty Meadows Court
Essex Md. 21221

Telephone Number: 540-907-3963

**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: # 2011-0125-A
12 Misty Meadows Court
E/side of Misty Meadows
Court at a distance of
441.38 ft. n/east from cen-
terline of John Avenue
15th Election District
7th Councilmanic District
Legal Owner(s): Trisha
Miconi.

Variance: to allow a rec-
reational vehicle to be lo-
cated in the front yard in
lieu of the required rear
yard or side yard situated at
least 8 feet to the rear of a
lateral projection of the
front foundation line of the
dwelling.

Hearing: Friday, Novem-
ber 19, 2010 at 11:00
a.m. in Room 104, Jeffer-
son Building, 105 West
Chesapeake Avenue,
Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-4386.

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

11/020 Nov 4 259749

CERTIFICATE OF PUBLICATION

11/4/, 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 11/4/, 2010.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

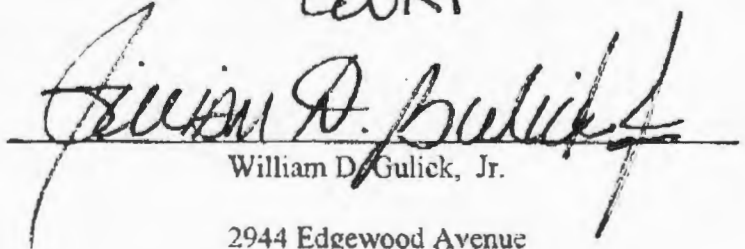
Department of Permits & Development Management
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

Date: 11-4-2010

ZONING OFFICE
Attention: MS. KRISTEN MATTHEWS
Re: Case Number: 2011-0125-A
Petitioner/Developer: TRISHA MICONI
Date of Hearing/Closing: NOV. 19, 2010

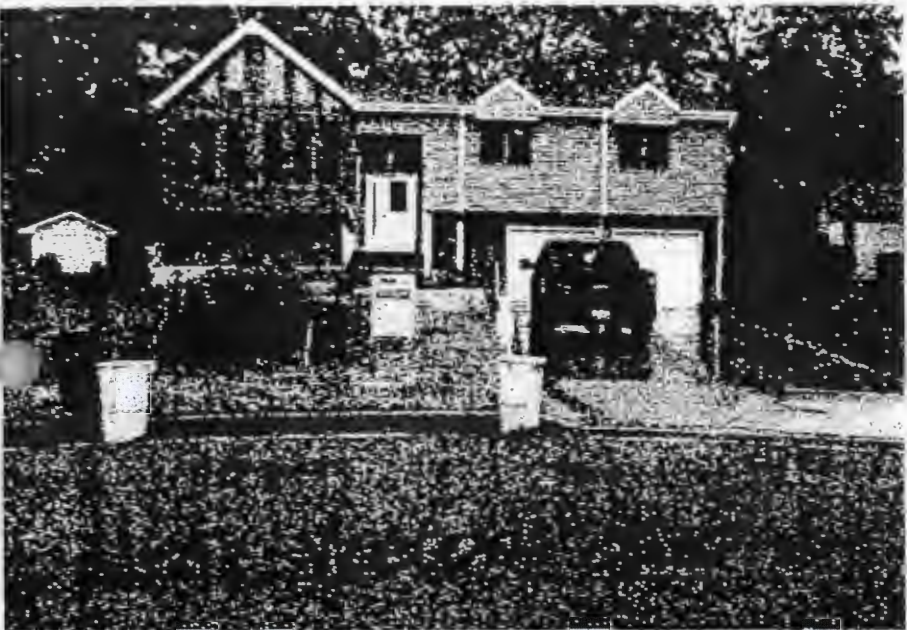
This is to certify under the penalties of perjury that the necessary sign (s) required by law
were posted conspicuously on the property located at: 12 MISTY MEADOWS
COURT

The sign (s) were posted on:
NOV. 4, 2010


William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

SEE ATTACHED SITE PHOTOS



TO: PATUXENT PUBLISHING COMPANY
Thursday, November 4, 2010 Issue - Jeffersonian

Please forward billing to:
Trisha Miconi
12 Misty Meadows Court
Essex, MD 21221

540-907-3963

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: 2011-0125-A

12 Misty Meadows Court

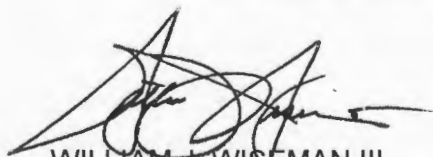
E/side of Misty Meadows Court at a distance of 441.38 ft. n/east from centerline of John Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Trisha Miconi

Variance to allow a recreational vehicle to be located in the front yard in lieu of the required rear yard or side yard situated at least 8 feet to the rear of a lateral projection of the front foundation line of the dwelling.

Hearing: Friday, November 19, 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

October 18, 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: 2011-0125-A

12 Misty Meadows Court

E/side of Misty Meadows Court at a distance of 441.38 ft. n/east from centerline of John Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Trisha Miconi

Variance to allow a recreational vehicle to be located in the front yard in lieu of the required rear yard or side yard situated at least 8 feet to the rear of a lateral projection of the front foundation line of the dwelling.

Hearing: Friday, November 19, 2010 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Trisha Miconi, Michael Barnes, 12 Misty Meadows Ct., Essex 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, NOVEMBER 4, 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.**



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

November 10, 2010

Trisha Miconi
12 Misty Meadows Court
Essex, Maryland 21221

Dear Ms. Miconi:

RE: 20110125A , 12 Misty Meadows Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 1, 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:rjc
Enclosures
c: People's Counsel

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 19, 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. 2011-0125-A
12 MISTY MEADOW CT
TRISHA MICONI 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. 2011-0125-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 purple ink that reads "Michael P. Bailey".

For 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

TB 11/19 11AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 26, 2010

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

SUBJECT: 12 Misty Meadows Court

INFORMATION:

Item Number: 11-125

Petitioner: Trisha Meconi

Zoning: DR 5.5

Requested Action: Variance

To permit a recreational vehicle to be stored in the front yard in lieu of the rear or side yard situated at least 8 ft. to the rear of the front building line.

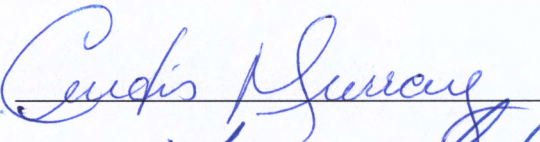
SUMMARY OF RECOMMENDATIONS:

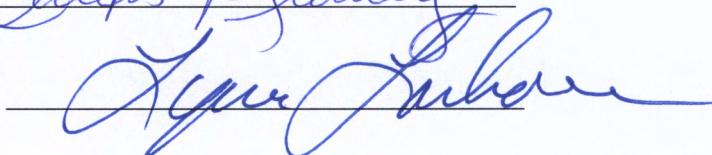
The Office of Planning has reviewed the petitioner's request and accompanying site plan. The following comments are offered:

Parking the subject RV in the front driveway is the least desirable location as the RV is large thus blocking the entire garage door and part of the second storey of the house. The RV becomes the dominant element in the front of the home. The petitioner should consider renting a space elsewhere to store it between uses.

The alternative would be to store it in the rear yard where a large boat trailer is stored. The Office of Planning understands this would entail re-grading part of the slope that abuts the house on the south side to reduce the steep grade. The site plan shows an easement that is wide enough to provide access to the rear yard. That would be an acceptable solution in this neighborhood of large well kept single family detached homes.

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
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

October 13, 2010

ATTENTION: Kristen Mathews
ZAC Agenda 10/25/2010

Item Numbers:

2011-0123-SPHA
2011-125-A
2011-0127-A
2011-0128-A
2011-0129-A
2011-0130-A
2011-0131-A
2011-0132-SPH

The fire marshal's office has no comments at this time.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 25, 2010
Item Nos. 2011- 123, 125, 127, 128,
129 and 130

DATE: October 20, 2010

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-10252010 -NO COMMENTS.doc

RE: PETITION FOR VARIANCE * BEFORE THE
12 Misty Meadows Court; E/S Misty *
Meadows Court, 441.38' NE c/line John Ave* ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Trisha Miconi * FOR
Petitioner(s) *
BALTIMORE COUNTY
*
2011-125-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

OCT 13 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of October, 2010, a copy of the foregoing Entry of Appearance was mailed to Michel Barnes, 12 Misty Meadows Court, Essex, MD 21221, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT
ACTIVE VIOLATION CASE DOCUMENTS

CO-0080986
12 Misty Meadows Ct

2011-0125-A

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: October 26, 2010

TO: W. Carl Richards, Jr.

FROM: Meghan Ferguson, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No: 2011-0125-A
Legal Owner/Petitioner: Trisha Miconi
Contract Purchaser:
Property Address: 12 Misty Meadows
Location Description: East side of Misty Meadows Court at a distance of
441.38 feet north east from the centerline of John Ave.

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: **Ryan Fisher**.

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:

Case No: CO-0080986
Correction Notices
Photographs

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

MF/kh

C: Ryan Fisher, Code Enforcement Officer





CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER CO-80986	PROPERTY TAX ID 1800 013 549	DATE ISSUED 9/8/10
NAME(S): TRISHA L MICONI		
MAILING ADDRESS 12 MISTY MEADOWS CT		
CITY ESSEX	STATE MD	ZIP CODE 21221
VIOLATION ADDRESS SAME		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- ☐ DR1 ☐ DR2 ☐ DR3.5 ☐ DR5.5 ☐ DR10.5 ☐ DR16
☐ RC2(1A01) ☐ RC4(1A03) ☐ RC20 & 50 (1A05) ☐ RC6(1A07)
☐ RC3(1A02) ☐ RC5(1A04) ☐ RCC (1A06) ☐ RC7 (1A08)
☐ OTHER: _____

NON-RESIDENTIAL CLASSIFICATION

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

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

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

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

BALTIMORE COUNTY CODE (B.C.C.)

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

OWNER OCCUPIED HOUSING (B.C.C.)

- | | |
|---|--|
| ☐ 35-5-302(a)(1): Unsanitary conditions. | ☐ 35-5-302(a)(2): Store all garbage in trash cans |
| ☐ 35-5-302(a)(3): Cease infestation from prop. | ☐ 35-5-302(b)(1): Repair exterior structure |
| ☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc | ☐ 35-5-302(b)(1)(3): Repair exterior extensions |
| ☐ 35-5-302(b)(1)(4): Repair chimney & similar extensions | ☐ 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)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations |
| ☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s) | ☐ 35-2-404(a)(4)(i)(ii): Board & secure. Material to match building color of structure |

OTHER VIOLATIONS OR REMARKS:

**RV'S MUST BE
PARKED AT LEAST 8 ft. BEHIND
FRONT WALL OF HOUSE.**

NOTICE POSTED AND MAILED

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

COMPLIANCE DATE: **10/12/10**

INSPECTOR NAME: **FISHER**

PRINT NAME (Rev 9/05)
AGENCY

Permits & Development Management Complaint Report

Report Criteria:

Employee(s): EE0000157 to EE0000157

Scheduled Date(s): 9/7/2010 to 9/7/2010

PE Range: EN01 to EN04

BALTIMORE COUNTY
MARYLAND

Record ID	AS/400 Case	Assigned To	Assigned Date	Scheduled Time	Received By	Received Date	Status	Hearing Date	ADC Grid
CO0080986		Ryan Fisher	09/07/2010		Constance Palmer	07/14/2010	Open - Normal		37D6

Complaint Description: 9/7/10 re-open for improperly parked RV in front of house

Facility:

FA0211412
PDM 2000000573
12 MISTY MEADOWS CT
ESSEX, MD, 21221

Owner:

DIBATTISTA MICHAEL A DIBATTISTA DENISE D
14 MISTY MEADOWS CT
BALTIMORE MD 21221

Complainant:

FOLDER MADE

Activity Details

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0070481	Ryan Fisher	07/15/2010	MEETING	FACT FINDING	WORK IN PROGRESS

Inspector Notes: **7/15/10 INVESTIGATED GIS MAP, THE CORRECT TAX ID # FOR 12 MISTY MEADOWS CT 21221 IS (18 00 013 549) LISTED OWNER IS TRISHA L MICONI. WILL INSPECT MONDAY. /RF**

Violation Details

Violation Record ID: IV0038069 **Comply By:** 07/18/2010 **Complied On:** 07/20/2010 **Status:** IN COMPLIANCE

Program Category/Section Source: Code Enforcement/ **Violation Description:** Monitoring

Correction Text:

Violation Text:

Violation Comment:

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0071137	Ryan Fisher	07/20/2010	REINSPECTION	IN COMPLIANCE	CLOSE CASE

Inspector Notes: **7/20/10 THERE WAS 1 BOAT IN THE CUL DE SAC - VALID TAGS. THERE WAS ONE RECREATIONAL VEHICLE AT 12 MISTY MEADOWS - VALID TAGS, PHOTOS TAKEN, CASE CLOSED. /RF**

Violation Details - No Data

Comment Details - No Comments

Lien Information - None

Mileage:

RV DRIVEN

10/14

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Code Enforcement Complaint

The Code Inspections and Enforcement Division will investigate complaints or forward the complaint to the proper agency for action. In order to process your complaint with minimum delay, certain information is required.

Please complete the following information fields; please describe the problem and location as exactly as possible. You are not required to include your name, address, phone number or e-mail.

Checking Status

To check the status of your anonymous complaint you may call any of the following numbers five (5) working days after Code Enforcement receives this form, 410-887-3351, 410-887-3352, 410-887-8099. Send **faxes** to Code Enforcement Department at 410-887-2824. Send **letters** to:

Department of Permits & Development Management
111 W. Chesapeake Avenue, Room 213
Towson, MD 21204

Fields marked with >> are required.

Your Complaint

Location >> 12 Misty Meadows Court and
9 Misty Meadows Court

Location Zip Code >> 21221

Description of Problem >> Sunseeker RV and two boats
parked in cul de sac. An
eye sore to neighbors and

Your Information

Can we contact you? >> ☐ Yes ☒ No

Email >>

Name

Address

Zip Code

Home Phone Number

Work Phone Number

Additional Information

Submit

Revised March 17, 2010

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4108872225

location:

12 Misty Meadows CT
Balto 21221
and

9 Misty Meadows CT

A Sunseeker RV,
and two(2)
boats are
parked in cul de sac
Its an eye sore
not to mention
bringing down
property values.
thank you.

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER 2011-0125-A

DATE 11-19-10

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.: 2011-0125-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Letter from owner to let boyfriend present case	
No. 2	site plan	
No. 3	aerial survey map	
No. 4	tax record	
No. 5 A-N	photos	
No. 6	justification	
No. 7	petition in support	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Front of RV = 15' ± to CURB

Grimesdale Sub division

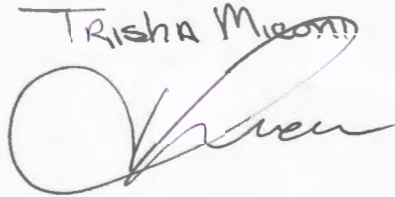
BALTIMORE COUNTY

EXHIBIT NO.

— 1 —

9/26/10 10:17 AM

Please allow Mike Barnes to represent me at the hearing for the parking variance for the RV. I work out of town and he can answer any questions you might have. Thank you

Trisha Miconi


PETITIONER'S

EXHIBIT NO. 1



PETITIONER'S

EXHIBIT NO.

3

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.3)
BALTIMORE COUNTY

Account Identifier: District - 15 Account Number - 1800013549

Owner Information

Owner Name: MICONI TRISHA L Use:
Principal Residence:
Mailing Address: 12 MISTY MEADOWS CT Deed Reference:
BALTIMORE MD 21221-3352

Location & Structure Information

Premises Address Legal Description
12 MISTY MEADOWS CT PT LT 22 .2937 AC
BALTIMORE 21221-3352 12 MISTY MEADOWS CT
GRIMESDALE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area
90	15	601					22	3

Special Tax Areas Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area
1986	1,732 SF	12,793.00 SF

Stories	Basement	Type	Exterior
SPFOY		SPLIT FOYER	FRAME

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	63,690	93,190		
Improvements:	200,530	237,500		
Total:	264,220	330,690	308,532	330,690
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price
COX SUSAN L	11/05/2009	
Type:	Deed1:	Deed
IMPROVED ARMS-LENGTH	/28836/ 325	
COX SUSAN L	08/15/2007	
NOT ARMS-LENGTH	/26045/ 747	
RICKMERS ELLIS S	12/22/1992	
IMPROVED ARMS-LENGTH	/ 9520/ 677	

Exemption Information

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

Tax Exempt: NO
Exempt Class:

Special Tax Re:
* NONE

PETITIONER'S

EXHIBIT NO. 4

9/26/10 10:17 AM

I am requesting a variance for parking my rv in the driveway, Due to my property's pie shaped configuration and the rolling hills I can not get the rv into the yard and 8 feet behind the house. These hills are natural swells and cannot be changed due to proper drainage of the property.

PETITIONER'S

EXHIBIT NO. 6

Pet's 7

11/21/2010

I am currently asking for a variance to allow me to park my RV in the driveway. I am asking my neighbors to sign this petition if they have no problem with the RV being parked in the driveway. This petition will be submitted to Tom Bostwick Deputy Zoning Commissioner. Baltimore County.

Name	<u>Paul P. Camp</u>	Address	<u>17 Misty Meadows</u>
Name	<u>Susan Hoffer</u>	Address	<u>19 Misty Meadows</u>
Name	<u>Richard Dambekzyk</u>	Address	<u>8 Misty Meadows Ct</u>
Name	<u>Robert Smith Jr.</u>	Address	<u>13 Misty Meadows Ct</u>
Name	<u>Derrick Brown</u>	Address	<u>10 Misty Meadows</u>
Name	<u>Michael + Denise DiBattista</u>	Address	<u>14 Misty Meadows Ct</u>



A

Garage clearance ~ 10 ft max



B

PETITIONER'S
EXHIBIT NO. 5A-N

RV = 15 ft ± to curb.



C

view from back yard



D

view back yard towards rear of house



E



F



G

View from cul-de-Sac



H

View from outside. See

A
D
J
U
S
T
M
E
N
T

Horse
Drive
way



I



J

Other side of front drive of KV House

View from ~~front~~^{side} yard towards Rear yard



K



L



M

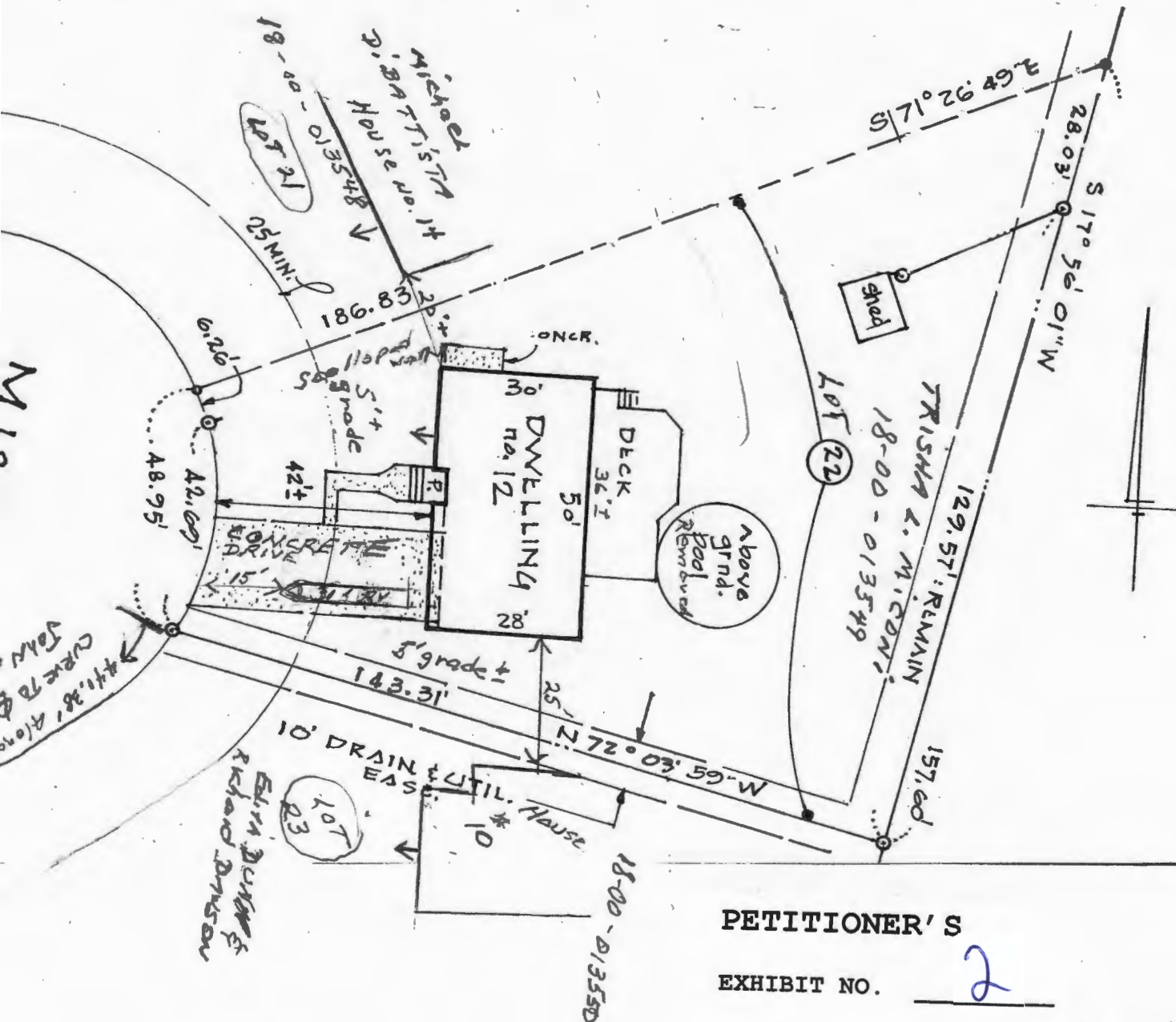
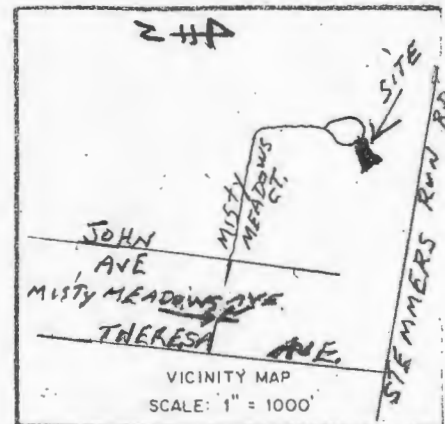


N

View from Rear yard Towards front Yard

FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

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



PETITIONER'S

EXHIBIT NO. 2

SCALE: 1 inch = 30 ft

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 7

1"=200' SCALE MAP # 890

ZONING DR-5.5

LOT SIZE 0.29±

ACREAGE SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

JE 125

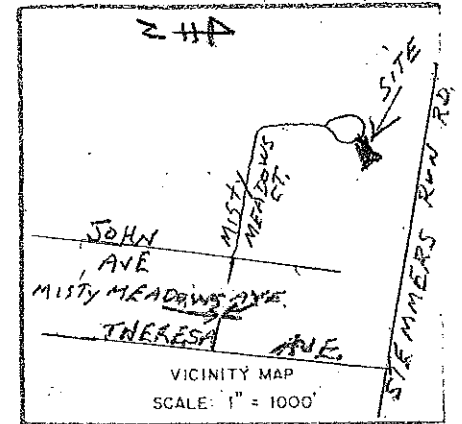
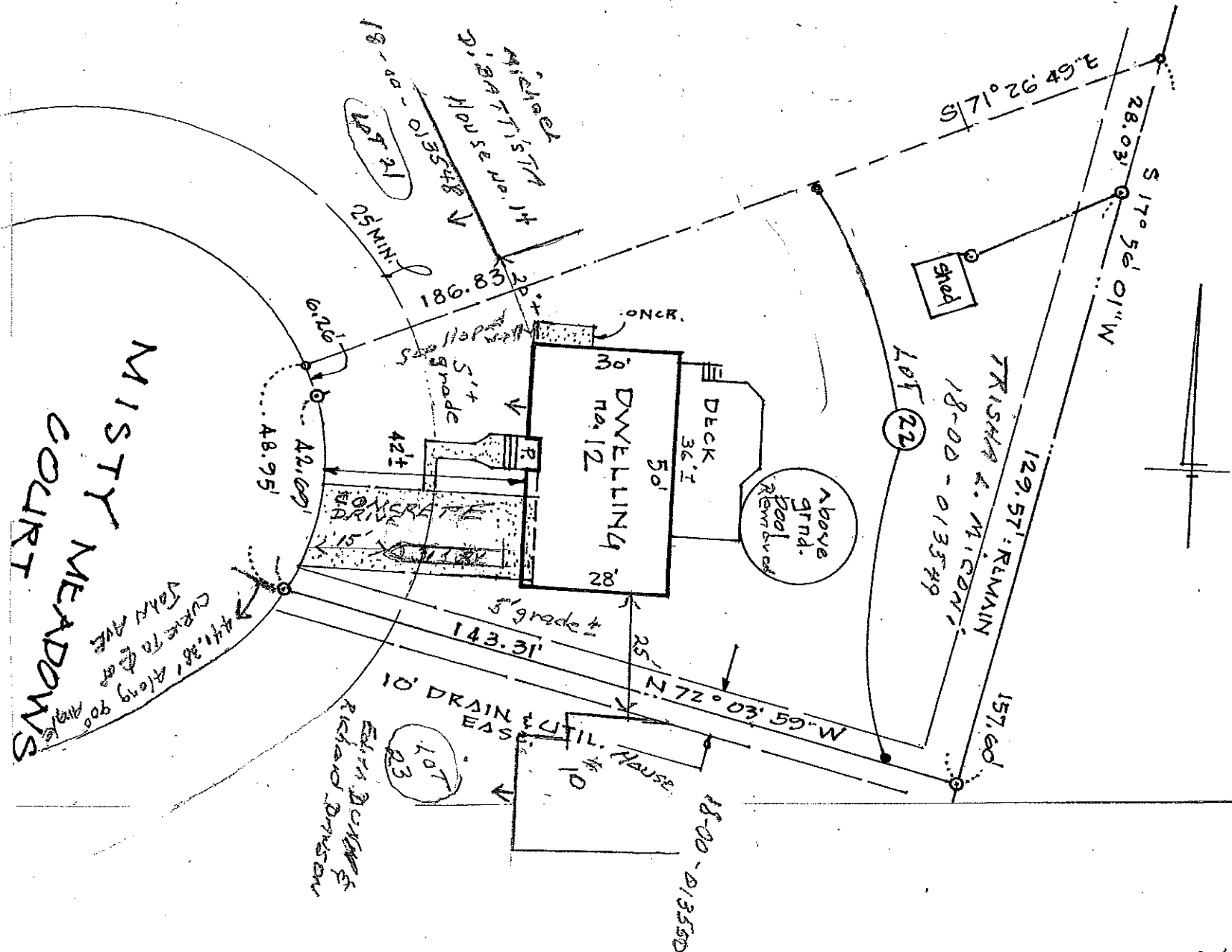
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 12 MISTY MEADOWS CT SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME GRIMESDALE

PLAT BOOK # 50 FOR IO # 111 LOT # 22 SECTION # 1

OWNER TRISHA L. MICONI



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 7

1" = 200' SCALE MAP # 89082

ZONING D2-5.5

LOT SIZE 0.29 ±

ACREAGE SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA YES NO ☐ ☒

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

JF 125

SCALE: 1 inch = 30 ft.