

IN RE: PETITION FOR ADMIN. VARIANCE

W side of Oak Drive, 240 feet N of the
c/l of Gary Drive
1st Election District
1st Councilmanic District
(116 Oak Drive)

Mark T. and Deborah L. Neebe
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2011-0142-A

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owners of the subject property, Mark T. and Deborah L. Neebe for property located at 116 Oak Drive. The Variance request is from Sections 1B02.3.C.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed dwelling addition with a 10 feet setback in a side yard and a sum of sides of 28 feet in lieu of the required 15 feet and 40 feet respectively, and to permit a proposed detached garage with a height of 19 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

On November 18, 2010, former Deputy Zoning Commissioner Thomas H. Bostwick called for a formal hearing on this matter because the permit history of this matter indicates that the building permit originally issued for Petitioners' garage was based on an altered permit application that changed the garage height from the permitted 15 feet to 18 feet. Later when a Code Inspector responded to the property, he measured the height from the grade level to the peak of the structure at 21 feet. Thereafter, the permit was rescinded by Permit Processing and further work was ordered to cease. As is policy, properties with outstanding zoning/code enforcement violations

ORDER RECEIVED FOR FILING

Date 3-7-11

By 

should not be handled as Administrative Variances. The hearing was subsequently scheduled for Thursday, February 17, 2011 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland. In addition, a sign was posted at the property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

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 Management.¹ A Code Inspections and Enforcement Correction Notice and Stop Work Order was issued to Petitioners on October 1, 2010, for falsifying a building permit application by changing the garage height from 15 feet to 18 feet. Hence, Petitioner filed the instant variance request.

Appearing at the public hearing in support of the variance requests was Petitioner Mark T. Neebe. There were no Protestants or other interested persons in attendance at the hearing.

After an initial discussion with Mr. Neebe, it was determined that the variance request should be modified to allow the height of the garage to be constructed to a height of 21 feet in lieu of the maximum allowed 15 feet. The purpose of amending the variance request was to allow for discrepancies in the method of measuring the height of a garage so as not to cause any further problems for Mr. Neebe in the furtherance of his completion of this garage. Past instances have proven that some building inspectors measure to the peak of a garage in different fashions depending on the grade of the property and therefore to make sure that Mr. Neebe has the relief he absolutely needs to finish the garage, the variance request shall be amended to allow the garage to be built to a height of 21 feet. However, as discussed with Mr. Neebe, he does not intend to go

¹ CO-0085128

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By [Signature]

any higher than 19 feet based on the way he measures to the peak of his garage. Mr. Neebe testified that he is undergoing renovations to his existing dwelling where he has lived with his wife and children for the past 12 years. Mr. Neebe is adding an additional room on the side of the dwelling which will accommodate a new bathroom for his children. In order to proceed with the construction of that addition on the side of his dwelling, the side yard setback relief is necessary. In addition, Mr. Neebe is constructing a garage on his property which will contain needed storage above. As a result of the demand for additional storage, the height variance is necessary for the garage. Mr. Neebe and his family enjoy living on this property and hope to make these improvements so as to accommodate the growing needs of his family. Based on the testimony offered at the hearing, I find no reason why the variance should not be granted.

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 November 9, 2010 which states that the existing dwelling is a distinctive older house located in the Central Catronsville/Summit Park National Register Historic District. The proposed garage is partially constructed. The proposed addition will be highly visible from Oak Drive. The proposed garage will have some visibility from Oak Drive. It appears that a large addition has been constructed to the rear of the original dwelling. The proposed addition and the proposed garage should be architecturally consistent and compatible with the original part of the existing dwelling.

After considering all the testimony and evidence presented, 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. I further find that Petitioners would suffer practical difficulty and undue hardship if the variance were to be denied. Finally, I find that the

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Date 3-7-11

By [Signature]

variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Although the Office of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 7th day of March, 2011 that a Variance from Sections 1B02.3.C.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed dwelling addition with a 10 feet setback in a side yard and a sum of sides of 28 feet in lieu of the required 15 feet and 40 feet respectively, and to permit a proposed detached garage with a height of 21 feet in lieu of the maximum allowed 15 feet is hereby granted, subject to the following:

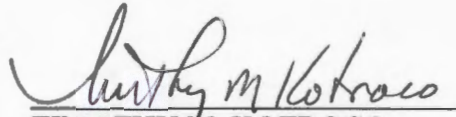
1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.
4. The proposed addition and the proposed garage should be architecturally consistent and compatible with the original part of the existing dwelling.

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Date 3-7-11

By PJ

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



TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

Date 3-7-11

By [Signature]



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 7, 2011

MARK T. AND DEBORAH L. NEEBE
116 OAK DRIVE
CATONSVILLE MD 21228

Re: Petition for Variance
Case No. 2011-0142-A
Property: 116 Oak Drive

Dear Mr. and Mrs. Neebe:

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy M. Kotroco", is written over a faint, larger signature.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK/pz

Enclosure

c: Baltimore County Division of Code Inspections and Enforcement

ORIGINAL KEEP IN FILE

TAX MAP COUNT # 0118720820



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 116 OAK DRIVE
which is presently zoned DR2

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) 1302.3.C.1 AND 400.3 BCZR.

TO PERMIT A PROPOSED DWELLING ADDITION WITH A 10 FT. SETBACK IN SIDE YARD AND A SUM OF SIDES OF 28 FT. IN LIEU OF THE REQUIRED 15 FT. AND 40 FT. RESPECTIVELY AND TO PERMIT A PROPOSED DETACHED GARAGE WITH A HT. OF 19 FT. IN LIEU OF THE MAXIMUM ALLOWED 15 FT.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, of this petition form.

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

I/We do solemnly declare that I/we are the 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 _____
Date 3-7-11
By [Signature]

Legal Owner(s):

MARK NEEBE
Name - Type or Print _____
Signature [Signature] _____
Name - Type or Print _____
Signature DEBORAH NEEBE _____
Address 116 OAK DRIVE Telephone No. 410-744-3324
City CATONSVILLE State MD Zip Code 21228

Representative to be Contacted:

MARK NEEBE
Name _____
Address 116 OAK DRIVE Telephone No. 443-226-2925
City CATONSVILLE State MD Zip Code 21228

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

Zoning Commissioner of Baltimore County

CASE NO. 2011 0142 A

REV 10/25/01

Reviewed By JL Date 10/18/10

Estimated Posting Date 10/31/10

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at 116 Oak Drive

Address

Catonsville

City

MD

State

21228

Zip Code

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

SEE ATTACHED

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

Mark T. Neebe

Signature

MARK T. NEEBE

Name - Type or Print

Deborah Neebe

Signature

Deborah Neebe

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11 day of OCTOBER, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

SHARON LEE ROZ-SMITH MARK T. NEEBE, DEBORAH
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Sharon Lee Roz-Smith
Notary Public

My Commission Expires 12/29/2013

Variance Attachment Reasons

The property at 116 Oak Drive is unique in that it is a 1.5 story rambler in a neighborhood of 2 and 3 story colonials and Victorian style houses, which enjoy ample living storage and attic space. The expansion will be used for living space and the attic will be above the garage.

Additionally, all houses on the street have a finished enclosed side porch. 116 Oak only has a open side porch, which is it petitioned to enclose and enlarge as has been done on every other house on the street.

The side variance was granted to at least two other houses on the street for similar living space expansion. *THE ZONING WAS CHANGED AND THE SET BACKS CAN NOT BE MET ON THIS LOT FOR ANY ADDITION DUE TO THIS.*

The garage height exceeding 15' exists or has been granted on several houses on the street.

The pre-existing garage was 19'x19'x17', was original to the house, and suffered roof collapse in the snow storm of 2010. It is being replaced by a 22'x24' garage. It is petitioned to keep the same roof slope as previous garage and as to match the house at 8/12, which would grow the height to 19' at the peak.

Contributing to garage height is an extra course of 8" block over the foundation to keep framing away from ground cover per code, and relatively flat ground with no clear slope for runoff water.

Additional Hardship comes from not wanting a low pitch roof on garage due to snow load collapsed experience.

Additional hardship comes from basement of house often floods with water and is not suitable storage, nor for family room, which would be primary use of the enclosed porch space.

142

Zoning Description

142

ZONING DESCRIPTION FOR 116 OAK DRIVE, CATONSVILLE, MD 21228

Beginning at the point on the west side of Oak Drive which is 40' wide at the distance of 240' north of the centerline of the nearest improved intersecting street Gary Drive which is 40' wide. Being Lot #18 ~~MAP 101, SHEET 7, PARCELS 1091~~, SECTION G in the subdivision of "Summit Park" as recorded in Baltimore County Play Book #5, Folio #71, containing 12,800 square feet. Also known as 116 Oak Dr and located in the 1st Election District, 1st Councilmanic District.

CERTIFICATE OF POSTING

2011-0142-A

RE: Case No.: _____

Petitioner/Developer: _____

Mark & Deborah Neebe

Feb 17, 2011

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: Kristen 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: _____

116 Oak Drive

February 2, 2011

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

Sincerely,



February 4, 2011

(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)

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

No. **60093**

Date: **10/18/10**

PAID RECEIPT

BUSINESS ACTUAL TIME
 10/19/2010 10/18/2010 11:30:12

REC'D NS02 WALKIN JEFF JEE
 RECEIPT # 707530 10/18/2010

Dept. 5 528 ZONING VERIFICATION
 CR 0. 060093

Recpt Tot 165.00
 165.00 CK 1.00 CA
 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: **NEESBE**

For: **RES VAR 2011-0142-A**

116 OAK DR.

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

ZONING NOTICE

CASE # 2011-0142-A

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

Room 205, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE Towson 21204
PLACE:

DATE AND TIME: Thursday, February 17, 2011 at 11:00 A.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED DWELLING ADDITION
WITH A 10 FEET SETBACK IN SIDE YARD AND A SUM OF SIDES 28 FEET
IN LIEU OF THE REQUIRED 15 FEET AND 40 FEET RESPECTIVELY AND TO
PERMIT A PROPOSED DETACHED GARAGE WITH A HEIGHT OF 19 FEET IN
LIEU OF THE MAXIMUM ALLOWED 15 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 877-3391

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

HANDICAPPED ACCESSIBLE

2011 0142-A 2/2/11

**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: # 2011-0142-A

116 Oak Drive
W/side of Oak Drive, 240 feet north of Gary Drive
1st Election District
1st Councilmanic District
Legal Owner(s): Mark & Deborah Neebe

Variance: to permit a proposed dwelling addition with a 10 feet setback in side yard and a sum of sides of 28 feet in lieu of the required 15 feet and 40 feet respectively and to permit a proposed detached garage with a height of 19 feet in lieu of the maximum allowed 15 feet.

Hearing: Wednesday, February 2, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS 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/1/662 Jan. 18 265126

CERTIFICATE OF PUBLICATION

1/20/, 2011

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 1/18/, 2011.

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

S. Wilkinson

LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 1, 2011 Issue - Jeffersonian

Please forward billing to:
Mark Neebe
116 Oak Drive
Catonsville, MD 21228

443-226-2925

NOTICE OF ZONING HEARING

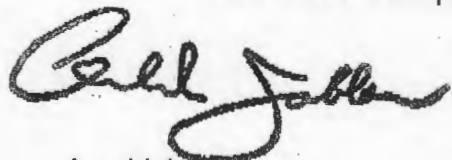
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0142-A

116 Oak Drive
W/side of Oak Drive, 240 feet north of Gary Drive
1st Election District – 1st Councilmanic District
Legal Owners: Mark & Deborah Neebe

Variance to permit a proposed dwelling addition with a 10 feet setback in side yard and a sum of sides of 28 feet in lieu of the required 15 feet and 40 feet respectively and to permit a proposed detached garage with a height of 19 feet in lieu of the maximum allowed 15 feet.

Thursday, February 17, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections 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.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 24, 2011

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2011-0142-A

116 Oak Drive
W/side of Oak Drive, 240 feet north of Gary Drive
1st Election District – 1st Councilmanic District
Legal Owners: Mark & Deborah Neebe

Variance to permit a proposed dwelling addition with a 10 feet setback in side yard and a sum of sides of 28 feet in lieu of the required 15 feet and 40 feet respectively and to permit a proposed detached garage with a height of 19 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, February 17, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Neebe, 116 Oak Drive, Catonsville 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 2, 2011**
- (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.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 20¹¹ 0142 -A Address 116 OAK DR.
Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/18/10 Posting Date: 10/31/10 Closing Date: 11/15/10

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 20¹¹ 0142 -A Address 116 OAK DR.
Petitioner's Name MARK NEEBE Telephone 410 744 3324
Posting Date: 10/31/10 Closing Date: 11/15/10

Wording for Sign: To Permit A SIDE ~~SE~~ ADDITION SETBACK OF 10 FT. AND
A SUM OF SIDE YARDS OF 28 FT. IN LIEU OF 15 FT. AND 40 FT. RESPECTIVELY
AND TO ALLOW A DETACHED GARAGE HEIGHT OF 19 FT. IN LIEU
OF THE ALLOWED 15 FT.

WCR - Revised 7/7/08

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 x 2011-0142 - A

Petitioner: x NEEBE

Address or Location: x 116 OAK DRIVE

PLEASE FORWARD ADVERTISING BILL TO

Name: MARK NEEBE

Address 116 OAK DRIVE

CATONSVILLE, MD 21228

Telephone Number: 410-744-3324

Cell: 443-226-2925



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 15, 2010

Mark & Deborah Neebe
116 Oak Drive
Catonsville Md 21228

Dear Mark & Deborah:

RE: 2011-0142-A 116 Oak Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 18, 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
File

Thomas Bostwick - Code Inspections #CO0085128

From: Thomas Bostwick
To: Brand, Donald ; Rioux, Dennis Rioux; Swam, Doug; Tsui, Aaron
Date: 11/17/10 2:16 PM
Subject: Code Inspections #CO0085128

Gentlemen,

Hopefully you will recall this matter. It pertains to the property located at 116 Oak Drive in Catonsville owned by Mark and Deborah Neebe. It has come before me as a Petition for Administrative Variance in Case No. 2011-0142-A. He is requesting a garage height of 19 feet in lieu of 15 feet and also requesting a variance in order to construct an addition in the side yard with a 10 foot setback in lieu of 15 feet and a sum of side yards of 28 feet in lieu of 40 feet. It was properly posted and no neighbors or interested persons requested a hearing, so it's in front of me to make a decision administratively.

In reviewing the "Active Violation Case Documents" that were in the Zoning file, apparently, Mr. Neebe obtained permits to raze an existing garage in the rear of the property and rebuild the garage, albeit a little bigger and taller. According to an email in the file, the applicant falsified the permit application on August 17th by changing it from 15 feet to 18 feet and the permit was issued in error. Eventually the County issued a letter to Mr. Neebe informing him that the permit was rescinded. He was also issued a Citation on 11/3/10 by Dennis Rioux charging that he "falsified the building application by changing the garage height from 15' to 18'."

So my question to you folks is: Do you have any particular sentiments regarding this matter?? If not for this background, we would probably normally grant something like this, but with the history involved, I wanted to touch base with you gentlemen. I could request the matter be set in for a public hearing before a decision is made -- based on all the "goings on" with this applicant. Please let me know if anyone has any thoughts. Also, does anyone know the status of the Citation? Has a hearing been held on that??

Thanks for your feedback. Tom.

Thomas H. Bostwick
Deputy Zoning Commissioner
for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
Phone: (410) 887-3868
Fax: (410) 887-3468

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 9, 2010

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

RECEIVED

SUBJECT: 116 Oak Drive

INFORMATION:

NOV 10 2010

Item Number: 11-142

Petitioner: Mark Neebe

ZONING COMMISSIONER

Zoning: DR 2

Requested Action: Administrative Variance

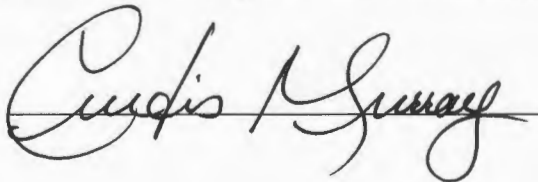
SUMMARY OF RECOMMENDATIONS:

The existing dwelling is a distinctive older house located in the Central Catonsville/Summit Park National Register Historic District. The proposed garage is partially constructed. The proposed addition will be highly visible from Oak Drive. The proposed garage will have some visibility from Oak Drive.

It appears that a large addition has been constructed to the rear of the original dwelling. The proposed addition and the proposed garage should be architecturally consistent and compatible with the original part of the existing dwelling.

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

Prepared by:
AFK/LL: CM





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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 27, 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. 2011-0142-A
116 OAK DRIVE
NEEDS PROPERTY
ADMIN. 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. 2011-0142-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

Patricia Zook - Comments needed - Administrative Variances that closed 11-15-10

From: Patricia Zook
To: Kennedy, Dennis
Date: 11/16/2010 10:50 AM
Subject: Comments needed - Administrative Variances that closed 11-15-10

Good morning Dennis -

The following administrative variance case files were just brought over and they are missing comments from your office:

2011-0147-A, 2011-0146-A, 2011-0142-A, 2011-0143-A and 2011-0141-A.

Thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

From: Donald Brand
To: Bostwick, Thomas
CC: Berry, Glenn; Swam, Doug
Date: 11/18/10 10:39 AM
Subject: Re: Code Inspections #CO0085128

Tom:

Aaron's e-mail basically confronts the idea that equity begets equity; however, the objective of this department is conformance with the law without regard to whether such conformance is accomplished by a variance after the fact and also without regard to the fact that fraud may have occurred before the fact. I suggest that you consider the merits without regard to any falsification but add if the facts allow that you are referring the matter of falsification of documents to the Building Engineer to consider as Section 133.5 of the prior Building Code effective 7/15/2007 and PART 119 of the new building code effective 1/1/2010, states:

ANY PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT, REPRESENTATION OR CERTIFICATION IN ANY APPLICATION, RECORD, REPORT, SITE PLAN, OR OTHER DOCUMENT SUBMITTED TO THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT IS, IN ADDITIONAL TO ANY OTHER PENALTIES, SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$2,500.

If the facts don't support such action, don't worry about it as the PDM and the Building Engineer may cite the applicant for making a false statement.

By copy to Glenn & Doug: we don't need to meet on this.

Don

>>> Aaron Tsui 11/18/2010 10:00 AM >>>

Tom:

I was off on 11/17/10 and could not respond to your e-mail.

The 10/4/10 e-mail from Don Brand to James Garland stated that the hearing date for the citation was on 11/03/10. I did not know more whether the hearing took place or not.

The fact that when the permit came to the Zoning Office, the owner intended to build a higher than 15 feet detached garage. The owner was informed that the proposed height could not be done without a variance. The owner agreed and the height was crossed out and changed; the permit was signed off by me for 15 feet high detached garage. The permit staff are aware that accessory structures are limited to 15 feet high unless there is a variance or noted for farm use by the Zoning Office. The permit somehow got changed to 18 feet after leaving the Zoning Office and issued by the Permits Office

Sometime around end of September, a neighbor called and inquired to the Permits Office and then to Zoning Office about the height of the detached structure under construction with an issued Building Permit. Only then and from my examination of the original permit application revealed that the permit was altered and issued. An inspector was despatched to the site and measured the height of the detached structure. The height was 21 feet from the grade level to the peak of the structure. A stop work order was issued and the Building Permit was rescinded.

The owner mis-represented himself once more when he filed the petition and stated to John Lewis of this office that there was no violation on the property.

The Zoning Office handles any petition with violation(s) on the property with a regular variance that

requires a public hearing.

Whether or not to include any civil penalty for such an intended violation and repeated mis-representation by the owner, I leave it up to you, the Building Engineer, and the Code Enforcement.

Aaron

>>> Thomas Bostwick 11/17/10 2:16 PM >>>

Gentlemen,

Hopefully you will recall this matter. It pertains to the property located at 116 Oak Drive in Catonsville owned by Mark and Deborah Neebe. It has come before me as a Petition for Administrative Variance in Case No. 2011-0142-A. He is requesting a garage height of 19 feet in lieu of 15 feet and also requesting a variance in order to construct an addition in the side yard with a 10 foot setback in lieu of 15 feet and a sum of side yards of 28 feet in lieu of 40 feet. It was properly posted and no neighbors or interested persons requested a hearing, so it's in front of me to make a decision administratively.

In reviewing the "Active Violation Case Documents" that were in the Zoning file, apparently, Mr. Neebe obtained permits to raze an existing garage in the rear of the property and rebuild the garage, albeit a little bigger and taller. According to an email in the file, the applicant falsified the permit application on August 17th by changing it from 15 feet to 18 feet and the permit was issued in error. Eventually the County issued a letter to Mr. Neebe informing him that the permit was rescinded. He was also issued a Citation on 11/3/10 by Dennis Rioux charging that he "falsified the building application by changing the garage height from 15' to 18'."

So my question to you folks is: Do you have any particular sentiments regarding this matter?? If not for this background, we would probably normally grant something like this, but with the history involved, I wanted to touch base with you gentlemen. I could request the matter be set in for a public hearing before a decision is made -- based on all the "goings on" with this applicant. Please let me know if anyone has any thoughts. Also, does anyone know the status of the Citation? Has a hearing been held on that??

Thanks for your feedback. Tom.

Thomas H. Bostwick
Deputy Zoning Commissioner
for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
Phone: (410) 887-3868
Fax: (410) 887-3468



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 26, 2011

Mark Neebe
116 Oak Drive
Catonsville, Maryland 21228

Dear Mr. Neebe:

RE: Case Number 2011-0142-A Address 116 Oak Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 31, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: People's Counsel

MEMORANDUM

DATE: November 18, 2010
TO: Kristen Lewis, Zoning Review Office
FROM: Thomas H. Bostwick
Deputy Zoning Commissioner for Baltimore County
SUBJECT: Case No. 2011-0142-A – located at 116 Oak Drive

The permit history of this matter indicates that the building permit originally issued for Petitioner's garage was based on an altered permit application that changed the garage height from the permitted 15 feet to 18 feet. And later when a Code Inspector responded to the property, he measured the height from the grade level to the peak of the structure at 21 feet. Thereafter, the permit was rescinded by Permit Processing and further work was ordered to cease.

In addition, when Petitioner filed for the variance in mid-October with John Lewis, Petitioner confirmed there were no outstanding zoning violations, which is also in error. As is policy, properties with outstanding zoning/code enforcement violations should not be handled as Administrative Variances.

Hence, this case should be set in for a public hearing, with Petitioner responsible for posting and advertising.

This matter can be assigned to me.

c: Case File

From: Patricia Zook
To: Campbell, Rose; Lewis, Kristen
Date: 11/18/2010 12:43 PM
Subject: Case No. 2011-0142-A - located at 116 Oak Drive
Attachments: Document2.doc

Ladies -

Attached is Tom Bostwick's memo regarding this administrative variance that closed on November 15, 2010. Tom is requesting that a public hearing be held on this matter.

The file is being returned to your office.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 26, 2011

Mark Neebe
116 Oak Drive
Catonsville, Maryland 21228

Dear Mr. Neebe:

RE: Case Number 2011-0142-A Address 116 Oak Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 31, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: People's Counsel

CASE NUMBER: 2011-0142-A

Dear Sir or Madam,

I was traveling for work and missed the letter
and ~~posting~~ date of Jan 17th for my Feb. 2nd
hearing.

I hereby request a postponement and new
posting ~~hearing~~ date. and hearing date that would fall ~~after~~ Feb 11.

Thank you.

Mark Neebe

116 Oak Dr.

Catonville, MD 21228

home: 410-744-3324

cell: 443-226-2925

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 9, 2010

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

SUBJECT: 116 Oak Drive

INFORMATION:

Item Number: 11-142

Petitioner: Mark Neebe

Zoning: DR 2

Requested Action: Administrative Variance

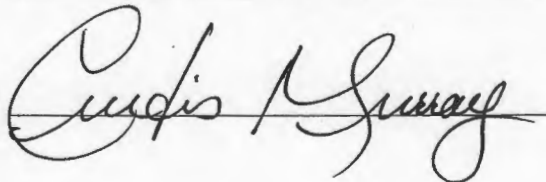
SUMMARY OF RECOMMENDATIONS:

The existing dwelling is a distinctive older house located in the Central Catonsville/Summit Park National Register Historic District. The proposed garage is partially constructed. The proposed addition will be highly visible from Oak Drive. The proposed garage will have some visibility from Oak Drive.

It appears that a large addition has been constructed to the rear of the original dwelling. The proposed addition and the proposed garage should be architecturally consistent and compatible with the original part of the existing dwelling.

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

Prepared by:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 1, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For November 8, 2010
Item Nos. 2011-126, 137, 140, 141,
142, 144, 145, 146 and 147

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-11082010 -NO COMMENTS.doc

ZAC AGENDA

Case Number: 2011-0141-A

Primary Use: Residential

Reviewer: LW

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Robert Moore

Contract Purchaser:

Critical Area: NO Flood Plain: NO

Historic: NO

Election Dist: 9th

Councilmanic Dist: 5th

Property Address: 613 Murdock Rd

Location: South side of Murdock Road; 325 feet east of the centerline of Holly Lane.

Existing Zoning: DR-5.5

Area: 6,250 Square Feet

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit an accessory structure/ garage in the rear yard with a side yard setback of 1 foot in lieu of the required 2 1/2 feet setback.

Attorney:

Miscellaneous: The closing date for this case is: 11/15/2010

Case Number: 2011-0142-A

Primary Use: Residential

Reviewer: JLL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Mark & Deborah Neebe

Contract Purchaser:

Critical Area: NO Flood Plain: NO

Historic: NO

Election Dist: 1st

Councilmanic Dist: 1st

Property Address: 116 Oak Dr

Location: West side of Oak Drive ; 240 feet north of Gary Drive.

Existing Zoning: DR-2

Area: 0.29 Acre

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit a proposed dwelling addition with a 10 feet setback in side yard and a sum of sides of 28 feet in lieu of the required 15 feet and 40 feet respectively and to permit a proposed detached garage with a height of 19 feet in lieu of the maximum allowed 15 feet.

Attorney:

Miscellaneous: The closing date for this case is: 11/15/2010

Violation

J. Garland
CO 0085128
F40002622

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

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

Account Identifier: District - 01 Account Number - 0118720820

Owner Information

Owner Name: NEEBE MARK T
NEEBE DEBORAH L
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 116 OAK DR
BALTIMORE MD 21228-5136
Deed Reference: 1) /17491/ 399
2)

Location & Structure Information

Premises Address 116 OAK DR
Legal Description 116 OAK DR
SUMMIT PARK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
101	7	1091			G		18	1		5/ 71

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1923	3,175 SF	12,800.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2010	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	183,200	159,200		
Improvements:	420,770	349,600		
Total:	603,970	508,800	508,800	508,800
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
NEEBE MARK T	02/04/2003	\$0
Type: NOT ARMS-LENGTH	Deed1: /17491/ 399	Deed2:

<u>Seller:</u>	MISSETT THOMAS B,JR	<u>Date:</u>	03/05/1999	<u>Price:</u>	\$235,000
<u>Type:</u>	IMPROVED ARMS-LENGTH	<u>Deed1:</u>	/13569/ 380	<u>Deed2:</u>	
<u>Seller:</u>	MILLER KEITH R	<u>Date:</u>	02/11/1992	<u>Price:</u>	\$190,000
<u>Type:</u>	IMPROVED ARMS-LENGTH	<u>Deed1:</u>	/ 9056/ 254	<u>Deed2:</u>	

Exemption Information			
<u>Partial Exempt Assessments</u>	<u>Class</u>	07/01/2010	07/01/2011
<u>County</u>	000	0	0
<u>State</u>	000	0	0
<u>Municipal</u>	000		
<u>Tax Exempt:</u>	NO	<u>Special Tax Recapture:</u>	
<u>Exempt Class:</u>		* NONE *	

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

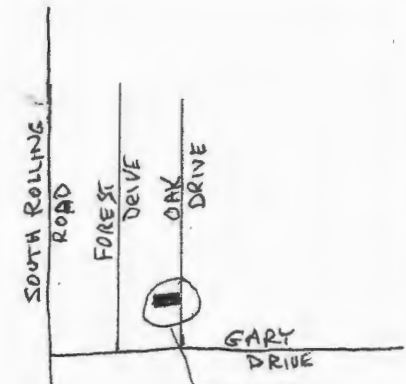
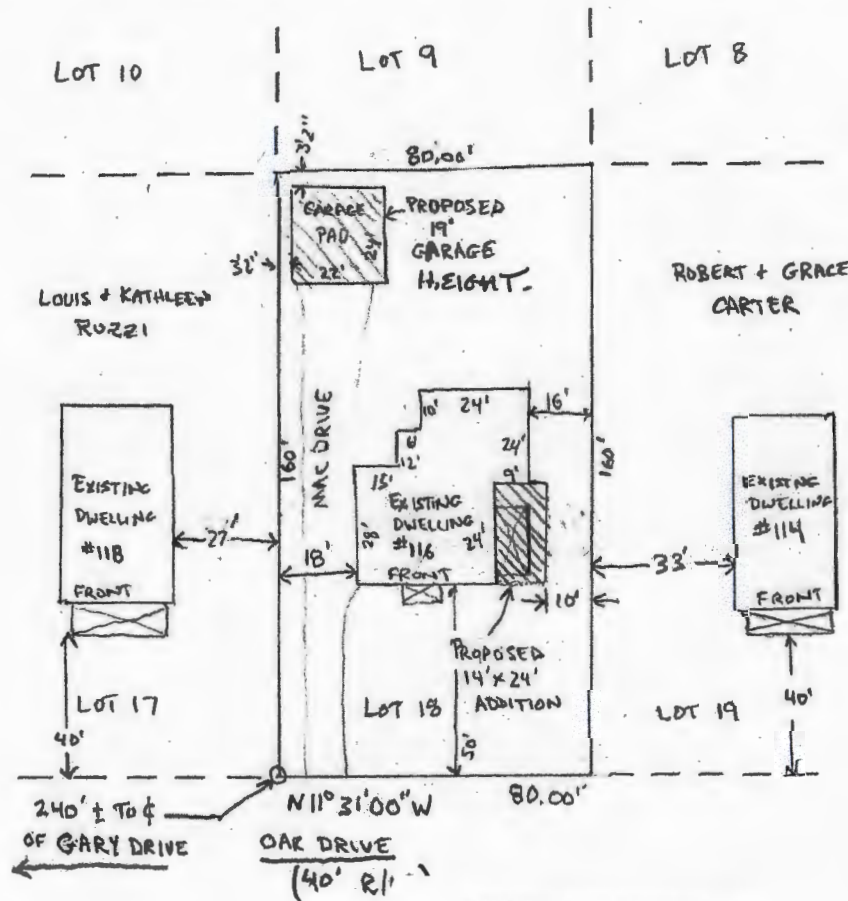
PROPERTY ADDRESS 116 OAK DRIVE

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

SUBDIVISION NAME SUMMIT PARK

PLAT BOOK # 5 FOLIO # 71 LOT # 18 SECTION # 005071A

OWNER MARY & DEBORAH NEEBE



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1"=200' SCALE MAP # 101A2

ZONING DR 2

LOT SIZE 0.29 12,800
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

100 YEAR FLOOD PLAIN	☐	☒
----------------------	--------------------------	-------------------------------------

HISTORIC PROPERTY/ BUILDING	☐	☒
-----------------------------	--------------------------	-------------------------------------

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY JL ITEM # 2011-0142-A CASE #

PETITIONER'S

EXHIBIT NO. 1



NORTH

PREPARED BY MTN

SCALE OF DRAWING: 1" = 50'

Existing Pad for proposed garage replacing 18' existing garage damaged by snow storm
Finished garage would propose adding 8/12 roof to structure



Comparable Garages on Forest, Macgruder, and Gary



116 Oak Drive: Existing Porch removed for Proposed 14'x24' Addition



Representative Proposed Addition



DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

0142-A
2011-~~0141~~ A

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: October 29, 2010

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

FROM: Glenn Berry, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: ~~2011-0141-A~~ 2011-0142-A
Legal Owner/Petitioner: Neebe, Mark & Deborah
Contract Purchaser: N/A
Property Address: 116 Oak Dr.
Location Description: W/side of Oak Dr., 240' N of Gary Dr.

VIOLATION INFORMATION: Case No. CO0085128
Defendants: Neebe, Mark & Deborah

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

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

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

- | | | |
|--------------------------|-----|---|
| X | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| X | 3. | State Tax Assessment printout |
| ☐ | 4. | State Tax Parcel Map (if applicable) |
| ☐ | 5. | MVA Registration printout (if applicable) |
| ☐ | 6. | Deed (if applicable) |
| ☐ | 7. | Lease-Residential or Commercial (if applicable) |
| X | 8. | Photographs including dates taken |
| 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) |
| X | 14. | Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable). |

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Karen Hopkins in Room G21 in order that the appropriate action may be taken relative to the violation case.

AGB/gk
C: Code Enforcement Officer



Permits & Development Management Facility History Report

Report Criteria:
Facility Record ID: FA0002622

Facility:	Owner :	Councilmanic District	Election District	Number of Complaints	Number of Programs
FA0002622 PDM 0118720820 116 OAK DR CATONSVILLE MD 21228	NEEBE MARK T NEEBE DEBORAH L 116 OAK DR BALTIMORE MD 21228	1	1	1	

Record ID:	AS/400 Case Number	Assigned To	Received Date	Received By	Status	Hearing Date	ADC Grid
CO0085128		Jim Garland	10/01/2010	Jim Garland	Open - Normal		41D4

Complaint Description: PERMIT B747697 APPEARS INFORMATION ON PERMIT APPLICATION WAS FALSIFIED. HEIGHT LIMITATIONS. Complainant: DON BRAND

Daily Activity Details

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0081285	Dennis Rioux	10/01/2010	INITIAL INSPECTION	NOT IN COMPLIANCE	CORRECTION NOTICE ISSUED
Inspector Notes: 10/1/10 INSPECTED ABOVE SITE. SPOKE TO PROPERTY OWNER. HE STATED TO ME ACCESSORY STRUCTURE WAS 21' HIGH. ISSUED STOP WORK ORDER & CITATION FOR FALSIFYING BUILDING APPLICATION PER D.BRAND. TOOK PHOTO, MAILED COPY & LEFT COPIES AT SITE WITH OWNER. OWNER INFORMED OF VARIANCE PROCESS. HE HAS APPT. TO FILE FOR VARIANCE ON 10/12/10. J.G. E-MAILED D.BRAND WITH UP-DATE ON 10/4/10. RECHECK ON 10/27/10 D.R./G.KIDD/NS***					

Violation Details

Violation Record ID: IV0043426 Comply By: 12/30/2010 Complied On: Status: 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
DA0084361	Dennis Rioux	10/27/2010	REINSPECTION	NOT IN COMPLIANCE	MONITOR
Inspector Notes: 10/27/10 OWNER HAS OBTAINED NEW PERMIT B748996 FOR ACCESSORY STRUCTURE OF 15' IN HEIGHT. OWNER HAS REMOVED PART OF STRUCTURE AND IS IN COMPLIANCE WITH PERMIT. TOOK PHOTOS. WAITING FOR VARIANCE HEARING. GAVE FILE TO J.GARLAND FOR VARIANCE. P/U 12/30/10 D.RIOUX/NS***					

Violation Details

Violation Record ID: IV0044642 Comply By: 12/30/2010 Complied On: Status: NOT IN COMPLIANCE
Program Category/Section Source: Building Inspection/IBC Violation Description IBC Violation
Correction Text:
Violation Text:
Violation Comment:

Comment Details - No Comments

Lien Information - None

Permits & Development Management Facility History Report

Report Criteria:
Facility Record ID: FA0002622

Facility:	Owner:	Councilmanic District	Election District	Number of Complaints	Number of Programs
FA0002622 PDM 0118720820 116 OAK DR CATONSVILLE MD 21228	NEEBE MARK T NEEBE DEBORAH L 116 OAK DR BALTIMORE MD 21228	1	1	1	

Record ID:	AS/400 Case Number	Assigned To	Received Date	Received By	Status	Hearing Date	ADC Grid
CO0085128		Jim Garland	10/01/2010	Jim Garland	Open - Normal		41D4

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Violation Details

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Program Category/Section Source:	Building Inspection/IBC			Violation Description	IBC Violation		
Correction Text:							
Violation Text:							
Violation Comment:							

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Program Category/Section Source:	Building Inspection/IBC			Violation Description	IBC Violation		
Correction Text:							
Violation Text:							
Violation Comment:							

Comment Details - No Comments

Lien Information - None



Permits & Development Management Complaint Report

Report Criteria:
Complaint Record ID: CO0085128

Record ID	AS/400 Case	Assigned To	Assigned Date	Scheduled Time	Received By	Received Date	Status	Hearing Date	ADC Grid
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Complaint Description: PERMIT B747697 APPEARS INFORMATION ON PERMIT APPLICATION WAS FALSIFIED. HEIGHT LIMITATIONS.

Facility:	Owner:	Complainant:
FA0002622 PDM 0118720820 116 OAK DR CATONSVILLE, MD 21228	NEEBE MARK T NEEBE DEBORAH L 116 OAK DR BALTIMORE MD 21228	DON BRAND

Daily Activity Details - No Data	10-1-10 inspected above city spoke to property owner he stated to me
Violation Details - No Data	accessory structure was 21' high, issued stop work order, and citation for falsifying building application per D.B. took photo, mailed copy, left copies at site with owner, owner informed of variance process, has appt to file variance on 10-12-10 J.G. E mailed D.B with up-date on 10-4-10, RIC on 10-27-10 D.R - G.K.
Comment Details - No Comments	
Lien Information - None	

DE ENFORCEMENT REP

FA0002622

DATE: 10/1/10 INTAKE BY: Garland CASE #: C00085128 INSPEC:

COMPLAINT LOCATION: 116 OAK Drive

ZIP CODE: 21228 DIST:

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

ADDRESS: ZIP CODE:

PROBLEM: Permit B747697 - appears information on permit application was falsified - Height limitation

IS THIS A RENTAL UNIT? YES NO

IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT

INFORMATION:

TAX ACCOUNT #: 0118720820 ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

From: Donald Brand
To: Garland, James
Date: 10/1/2010 8:21 AM
Subject: Re: b747697 116 Oak Dr

Aaron states the height is limited to 15 feet and is ticked that the applicant changes the numbers from 15 to 18. Talk to Aaron please.

>>> James Garland 10/1/2010 8:19 AM >>>

Confused Permit calls for a 18 foot high detached Garage. Are we issuing citation because we made the error?

Ceiling Collapsed -
Drywall -
Ronnelt Rogers
Commons @ White Marsh
410-687-1876
Marion
Landlord

From: Donald Brand
To: Berry, Glenn; Swam, Doug
Date: 9/30/2010 11:41 AM
Subject: Rescind Permit B747697 - construct 1 sty 2 car detached garage

Aaron Tsui has advised me that the applicant Mark Neebe changed garage height from 15 feet to 18 feet.

Doug, please rescind the permit

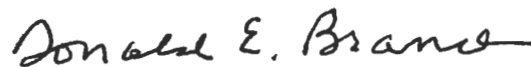
Glenn, issue stop work order and issue citation under PART 119 for falsifying the building application by changing the garage height from 15 to 18 feet.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



TIMOTHY M. KOTROCO, Director



DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B745465 CONTROL #: MR DIST: 01 PREC: 01
DATE ISSUED: 09/03/2010 TAX ACCOUNT #: 0118720820 CLASS: 04

PLANS: CONST 0 PLOT 2 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 116 OAK DR
SUBDIVISION: SUMMIT PARK

OWNERS INFORMATION

NAME: NEEBE MARK T & DEBORAH L
ADDR: 116 OAK DR.21228

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: CONST.FOUNDATION 22X24=528SF FOR FUTURE 1STY
DETACHED GARAGE IN REAR PROPERTY OF EX.SFD
SEPARATE PERMIT REQUIRED FOR CONST.OF GARAGE.
ISSUANCE OF THIS PERMIT DOES NOT GUARANTEE
ISSUANCE OF SUBSEQUENT PERMITS BY BALTO.CO.
SEE RA B745453 FOR RAZING OF EX.DET.GARAGE.

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD AND FOUNDATION FOR FUTURE GARAGE

EXISTING USE: SFD;DET.GARAGE T/BE RAZED-SEE RA B745453

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: OTHER - RESIDENTIAL

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 12800SF

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: 3'2/54

SIDE STR SETB:

REAR SETB: 3'2

01R INSPECTOR COPY

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

TIME: 08:00:32 AUTOMATED PERMIT TRACKING SYSTEM
DATE: 10/01/2010 INSPECTIONS DETAIL SCREEN

LAST UPDATE 09/21/2010
BIF 07:38:53

PERMIT #: B745465 CONTROL #: MR

TYPE OF INSPECTION	DATE INSPECTED	CODE	COMMENTS
-----	-----	--	-----
FT09-	09/20/2010	01	BP

PAGE 01 OF 01

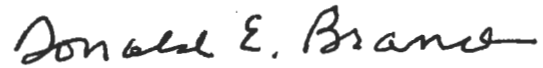
ENTER - GENERAL PERMIT	PF7 - NEXT PAGE ?
PF2 - APPROVALS	PF8 - GENERAL SCREEN W/NEXT DETAIL CLEAR - MENU

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



TIMOTHY M. KOTROCO, Director



DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B747697 CONTROL #: MR DIST: 01 PREC: 01
DATE ISSUED: 09/21/2010 TAX ACCOUNT #: 0118720820 CLASS: 04

PLANS: CONST 0 PLOT 2 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 116 OAK DR
SUBDIVISION: SUMMIT PARK

OWNERS INFORMATION

NAME: NEEBE MARK T & DEBORAH L
ADDR: 116 OAK DR.21228

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: CONSTRUCT 1 STY 2 CAR DETACHED GARAGE ON EXIST
FOUNDATION(SEE B745465 FOR FOUNDATION PERMIT)
ON REAR PROPERTY OF SFD.22X24X18'=528SF.ONE
HOUR FIRE RATED WALL REQUIRED ON ANY SETBACK
LESS THAN 5' FROM PROPERTY LINE.ACCESSORY
LETTER ATTACHED.

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD AND DETACHED GARAGE

EXISTING USE: SFD AND FOUNDATION(SEE B745465)

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: GARAGE

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 12800SF

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: 3'2/54

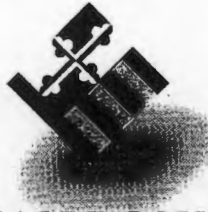
SIDE STR SETB:

REAR SETB: 3'2

01R INSPECTOR COPY

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

747697



BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

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

October 1, 2010

Mr. Mark Neebe
116 Oak Drive
Baltimore, MD 21228

RE: B747697
116 Oak Drive

Dear Mr. Neebe:

Based on information from the Zoning Office, the above referenced permit has been RECINDED. All work on the project must stop until such time as the permit can be reinstated.

Please contact Mr. Aaron Tsui in the Zoning Office at (410) 887-3391 for more information.

Sincerely,

Douglas A. Swam
Processing Supervisor

DAS/klc

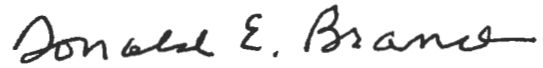
Cc: Aaron Tsui
Glenn Berry
Donald Brand

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



TIMOTHY M. KOTROCO, Director



DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B745453 CONTROL #: RA DIST: 01 PREC: 01
DATE ISSUED: 09/03/2010 TAX ACCOUNT #: 0118720820 CLASS: 04

PLANS: CONST 0 PLOT 0 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 116 OAK DR
SUBDIVISION: SUMMIT PARK

OWNERS INFORMATION

NAME: NEEBE, MARK & DEBORAH L.
ADDR: 116 OAK DR, 21228

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: RAZE DETACHED GARAGE FROM REAR OF PROPERTY OF
SFD, T/B TORN DOWN DEBRIS T/B HAULED TO APPROVE
SANITARY LANDFILL IN ACCORDANCE W APPL BALTO
CO. SITE REGS, BUILT IN 1924, 361SF, ELECTRIC
TO REMAIN FOR NEW GARAGE. THIS PERMIT EXPIRES
90 DAYS FROM ISSUE DATE.

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD

EXISTING USE: SFD AND DETACHED GARAGE

TYPE OF IMPRV: WRECKING

USE: GARAGE

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 0080.00 X 0100.00

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC

SIDE STR SETB:

REAR SETB: NC

01R INSPECTOR COPY

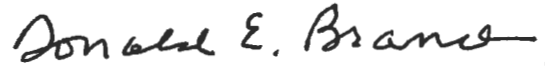
PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



TIMOTHY M. KOTROCO, Director



DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B748996 CONTROL #: MR DIST: 01 PREC: 01
DATE ISSUED: 10/12/2010 TAX ACCOUNT #: 0118720820 CLASS: 04

PLANS: CONST 0 PLOT 2 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 116 OAK DR
SUBDIVISION: SUMMIT PARK

OWNERS INFORMATION

NAME: NEEBE MARK T & DEBORAH L
ADDR: 116 OAK DR. CATONSVILLE, MD. 21228

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: CONST. 1STY 2 CAR DETACHED GARAGE ON EX.
FOUNDATION-SEE B745465-ON REAR PROPERTY OF EX.
SFD, 22X24X15=MAX. 1HR FIRE RATED WALL REQUIRED
ON ANY SETBACK LESS THAN 5' FROM PROPERTY LINE
CANCEL B747697-CHG IN HEIGHT-PERMIT EXPIRES
9/21/11. REFER BACK FOR ACCESS. STR. LETTER.

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD AND DETACHED GARAGE

EXISTING USE: SFD AND FOUNDATION-SEE B745465

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: GARAGE

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 0080.00 X 0100.00

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

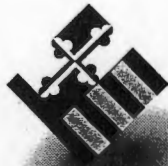
SIDE SETB: 3'2/54'

SIDE STR SETB:

REAR SETB: 3'2

01R INSPECTOR COPY

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

October 1, 2010

Mr. Mark Neebe
116 Oak Drive
Baltimore, MD 21228

RE: B747697
116 Oak Drive

Dear Mr. Neebe:

Based on information from the Zoning Office, the above referenced permit has been RECINDED. All work on the project must stop until such time as the permit can be reinstated.

Please contact Mr. Aaron Tsui in the Zoning Office at (410) 887-3391 for more information.

Sincerely,

A handwritten signature in dark ink, appearing to read "DAS".

Douglas A. Swam
Processing Supervisor

DAS/klc

Cc: Aaron Tsui
Glenn Berry
Donald Brand

Mr Mark Neebe
116 Oak Dr
Baltimore, MD. 21228

Date

RE: B747697
116 Oak Dr

Dear Mr Neebe:

Based on information from the Zoning Office, the above referenced permit has been ~~reinstated~~ RECINDED. All work on the project must stop until such time as the permit can be ~~reinstated~~.

Please contact Mr Aaron Tsui in the Zoning Office at 410 587 3391 for more information.

S
DTS

cc Aaron Tsui
Glenn Berry
Donald Brandy

From: Donald Brand
To: Berry, Glenn; Swam, Doug
Date: 9/30/2010 11:41 AM
Subject: Rescind Permit B747697 - construct 1 sty 2 car detached garage

Aaron Tsui has advised me that the applicant Mark Neebe changed garage height from 15 feet to 18 feet.

Doug, please rescind the permit

Glenn, issue stop work order and issue citation under PART 119 for falsifying the building application by changing the garage height from 15 to 18 feet.

TIME: 10:46:35 AUTOMA PERMIT TRACKING SYSTEM (T UPDATE 09/21/2010
DATE: 09/30/2010 GENERAL PERMIT APPLICATION DATA TLM 12:45:13

PERMIT #: B747697 PROPERTY ADDRESS
RECEIPT #: A628685 116 OAK DR
CONTROL #: MR SUBDIV: SUMMIT PARK
XREF #: B747697 TAX ACCOUNT #: 0118720820 DISTRICT/PRECINCT 01 01

OWNERS INFORMATION (LAST, FIRST)

FEE: 65.00 NAME: NEEBE MARK T & DEBORAH L
PAID: 65.00 ADDR: 116 OAK DR.21228

PAID BY: APPLICANT

DATES

APPLICANT INFORMATION

APPLIED: 09/21/2010 NAME: MARK NEEBE

ISSUED: 09/21/2010 COMPANY:

OCCPNY: ADDR1: 116 OAK DRIVE

FINAL INSPECT: ADDR2: BALTIMORE MD 21228

INSPECTOR: 01R PHONE #: 443-226-2925 LICENSE #:

NOTES: TLM

PASSWORD :

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

*Resume**applicant changed let him**Stop work*

TIME: 11:09:57 AUTOMA PERMIT TRACKING SYSTEM T UPDATE 09/21/2010
DATE: 09/30/2010 BUILDING DETAIL 1 TLM 12:49:02

DRC#

PERMIT # B747697 PLANS: CONST 0 PLOT 2 PLAT 0 DATA 0 EL 2 PL 2

TENANT

BUILDING CODE: CONTR: OWNER

IMPRV 1 ENGNR:

USE 06 GARAGE SELLR:

FOUNDATION BASE WORK: CONSTRUCT 1 STY 2 CAR DETACHED GARAGE ON EXIST
FOUNDATION(SEE B745465 FOR FOUNDATION PERMIT)

CONSTRUC FUEL SEWAGE WATER ON REAR PROPERTY OF SFD.22X24X18'=528SF.ONE
1E 1E HOUR FIRE RATED WALL REQUIRED ON ANY SETBACK

CENTRAL AIR LESS THAN 5' FROM PROPERTY LINE.ACCESSORY

ESTIMATED COST LETTER ATTACHED.

3,500.00 PROPOSED USE: SFD AND DETACHED GARAGE

OWNERSHIP: 1 EXISTING USE: SFD AND FOUNDATION(SEE B745465)

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

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

TIME: 11:34:17 AUTOM D PERMIT TRACKING SYSTEM (LAST UPDATE 09/21/2010
DATE: 09/30/2010 BUILDING DETAIL 1 TLM 12:49:02

DRC#

PERMIT # B747697 PLANS: CONST 0 PLOT 2 PLAT 0 DATA 0 EL 2 PL 2

TENANT

BUILDING CODE: CONTR: OWNER

IMPRV 1 ENGNR:

USE 06 GARAGE SELLR:

FOUNDATION BASE WORK: CONSTRUCT 1 STY 2 CAR DETACHED GARAGE ON EXIST
FOUNDATION(SEE B745465 FOR FOUNDATION PERMIT)

CONSTRUC FUEL SEWAGE WATER ON REAR PROPERTY OF SFD.22X24X18'=528SF.ONE
1E 1E HOUR FIRE RATED WALL REQUIRED ON ANY SETBACK

CENTRAL AIR LESS THAN 5' FROM PROPERTY LINE.ACCESSORY

ESTIMATED COST LETTER ATTACHED.

3,500.00 PROPOSED USE: SFD AND DETACHED GARAGE

OWNERSHIP: 1 EXISTING USE: SFD AND FOUNDATION(SEE B745465)

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

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

Baltimore County
Department of Permits and Development Management

**SHEDS AND ACCESSORY STORAGE STRUCTURES:
FOUNDATION REQUIREMENTS**

-Accessory storage buildings up to 400 sf in area:

No permanent foundation is required, but the building must be anchored.

-Any building greater than 400 sf in area:

A permanent foundation supported at least 30" below finished grade is required.

Permits are required for all accessory structures of 120 square feet or more

Explanatory Notice to Applicants: When soil freezes, entrapped moisture expands, lifting anything built on top of it. This movement, known as frost heave, can severely damage a building whose foundation is not deep enough.

Accessory storage buildings such as sheds and small garages are less affected by frost than habitable structures due to lack of interior finish, large windows, or sliding glass doors. In addition, the relatively small size of sheds & garages causes the building to act as a unit, thereby decreasing the relative movements of different structural components. As the size and complexity of an accessory structure increase the building becomes more susceptible to damage from frost heave.

For further information, contact Building Inspection at 410-887-3953

Applicant

M. J. Miller

TIME: 13:22:29 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 09/21/2010
DATE: 09/30/2010 GENERAL PERMIT APPLICATION DATA TLM 12:45:13

PERMIT #: B747697 PROPERTY ADDRESS
RECEIPT #: A628685 116 OAK DR
CONTROL #: MR SUBDIV: SUMMIT PARK
XREF #: B747697 TAX ACCOUNT #: 0118720820 DISTRICT/PRECINCT 01 01
OWNERS INFORMATION (LAST, FIRST)
FEE: 65.00 NAME: NEEBE MARK T & DEBORAH L
PAID: 65.00 ADDR: 116 OAK DR.21228
PAID BY: APPLICANT

DATES

APPLICANT INFORMATION

APPLIED: 09/21/2010 NAME: MARK NEEBE
ISSUED: 09/21/2010 COMPANY:
OCCPNY: ADDR1: 116 OAK DRIVE
FINAL INSPECT: ADDR2: BALTIMORE MD 21228
INSPECTOR: 01R PHONE #: 443-226-2925 LICENSE #:
NOTES: TLM

PASSWORD :

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

TIME: 13:22:36
DATE: 09/30/2010

AUTOMATED PERMIT TRACKING SYSTEM
BUILDING DETAIL 1

LAST UPDATE 09/21/2010
TLM 12:49:02

DRC#

PERMIT # B747697 PLANS: CONST 0 PLOT 2 PLAT 0 DATA 0 EL 2 PL 2

TENANT

BUILDING CODE: CONTR: OWNER

IMPRV 1 ENGNR:

USE 06 GARAGE SELLR:

FOUNDATION BASE WORK: CONSTRUCT 1 STY 2 CAR DETACHED GARAGE ON EXIST
FOUNDATION(SEE B745465 FOR FOUNDATION PERMIT)

CONSTRUC FUEL SEWAGE WATER ON REAR PROPERTY OF SFD.22X24X18'=528SF.ONE
1E 1E HOUR FIRE RATED WALL REQUIRED ON ANY SETBACK

CENTRAL AIR LESS THAN 5' FROM PROPERTY LINE.ACCESSORY

ESTIMATED COST LETTER ATTACHED.

3,500.00 PROPOSED USE: SFD AND DETACHED GARAGE

OWNERSHIP: 1 EXISTING USE: SFD AND FOUNDATION(SEE B745465)

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

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

From: Donald Brand
To: Berry, Glenn; Swam, Doug
Date: 9/30/2010 11:41 AM
Subject: Rescind Permit B747697 - construct 1 sty 2 car detached garage

Aaron Tsui has advised me that the applicant Mark Neebe changed garage height from 15 feet to 18 feet.

Doug, please rescind the permit

Glenn, issue stop work order and issue citation under PART 119 for falsifying the building application by changing the garage height from 15 to 18 feet.

4/1 DH

kind of
214 10/1/10

issue

stop

work-

B 747697



October 12, 2010

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

Dear Sir or Madam,

I am hereby requesting a change of the hearing date for regarding building permit B47697 (citation U79486), alleging falsifying the building permit application. I will be out of town on business that cannot be rescheduled from November 1-3.

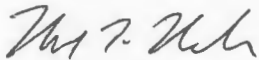
I have corrected the structure to be in compliance and have stopped work, pursuant to reactivation of the permit.

I am acting as my own general contractor on the rebuilding of my free-standing garage, which was compromised by the large snowfall and part of the roof had collapsed.

I also deny the charge of falsifying, which I did not do. The inspector informed me that the permit was issued in error, and that all free-standing building heights over 15' require a variance. I was rebuilding the prior structure, and have attempted to follow all permitting procedures required. I received a razing permit, a foundation permit, and a building permit following all procedures I was instructed to by the county permit office personnel. According to the inspector issuing the citation, I miscalculated the 15' as being the average height of the roof (building code) instead of the peak (zoning code).

I would like to reinforce that I have made all attempts to be in compliance with the permitting process so far and will continue to do so. I believe it is an unfortunate error to issue the permit, I have remedied all non-compliance and ask for immediate dismissal of the citation.

Sincerely,



Mark Neebe
116 Oak Dr.
Catonsville, MD 21228

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



Code Enforcement 410-887-3351
Building Inspection 410-887-3953
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620

CODE ENFORCEMENT & INSPECTION CITATION

CASE NUMBER	FACILITY ID
-------------	-------------

PROPERTY TAX ID <u>01-18-720820</u>	ZONE <u>DR 55</u>
--	----------------------

NAME(S): <u>Mark T Neelbe, Deborah L Neelbe</u>
--

--

MAILING ADDRESS: <u>116 Oak Dr</u>

CITY <u>Balto</u>	STATE <u>md</u>	ZIP CODE <u>21228</u>
----------------------	--------------------	--------------------------

VIOLATION ADDRESS: <u>same as above</u>
--

CITY <u>MARYLAND</u>	STATE <u>MARYLAND</u>	ZIP CODE
-------------------------	--------------------------	----------

VIOLATION DATES: <u>10-1-10</u>

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Baltimore County Building Code Part 119,
105; Part 172.6 falsifying the
building application by changing the garage
height from 15' to 18'

Pursuant to the Baltimore County Code, as a result of the violation(s) cited herein a civil penalty has been assessed in the amount indicated.

\$ 2500.00

A hearing has been pre-scheduled in room 106,
111 W. Chesapeake Ave, Towson, Maryland, 21204.

DATE: 11 / 3 / 10

If unable to appear on the designated date, the violator may request in writing to the Code Official or the Director within fifteen days from the date of this citation for a rescheduled hearing. If you require the assistance of an interpreter because you do not understand or speak the language in which the proceedings are being conducted you must ask for an interpreter within 72 hours of the court date.

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

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

Inspector Printed Name: <u>D. RIOUX, DENNIS RIOUX</u>
--

INSPECTOR SIGNATURE: Dennis Rioux Date: 10 / 1 / 10



Baltimore County
Department of Permits and
Development Management

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

OFFICE HOURS, 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620

Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No:	Property No.	Zoning:
	01-18-720820	DR

Name(s): Mark T Neche, Deborah L Neche

Address: 116 Oak Dr Balt Md 21228

Violation Location: same as above

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
Baltimore County Building Code Part 119,
105; Part 112.6
falsifying the building application by
changing the garage height from 15' to 18'

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

ON OR BEFORE:	DATE ISSUED:
---------------	--------------

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

Print Name

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE:	DATE ISSUED:
10-1-10	10-1-10

INSPECTOR: DENNIS RIOUX



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

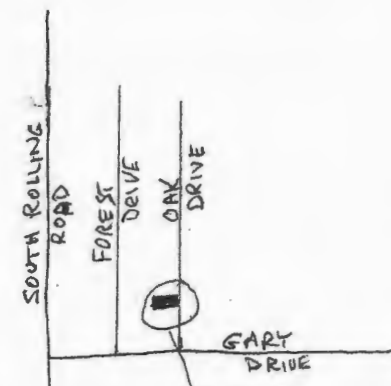
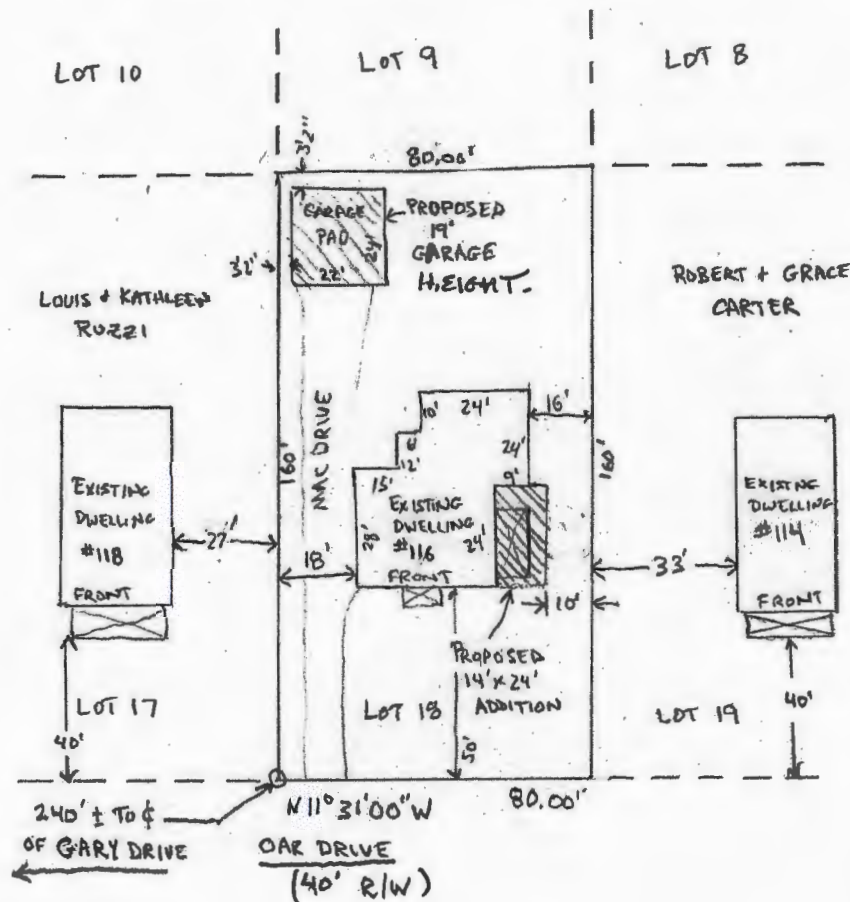
PROPERTY ADDRESS 116 OAK DRIVE

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

SUBDIVISION NAME SUMMIT PARK

PLAT BOOK # 5 FOLIO # 71 LOT # 18 SECTION # 005071A

OWNER MARY & DEBORAH NEEBE



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # 101A2

ZONING DR 2

LOT SIZE 0.29 12,800
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	NONE	

ZONING OFFICE USE ONLY

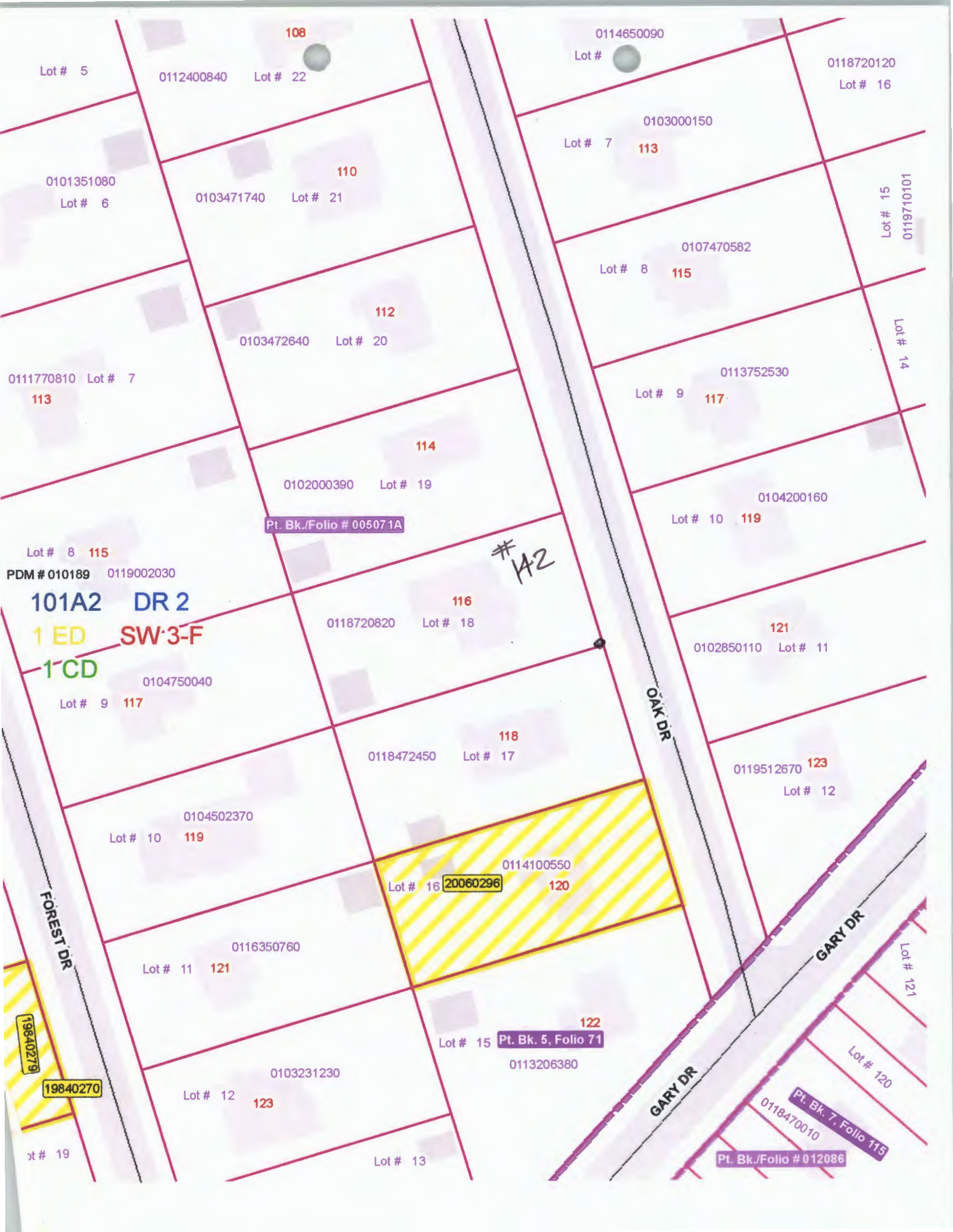
REVIEWED BY JL ITEM # 2011-0142-A CASE #



NORTH

PREPARED BY MTN

SCALE OF DRAWING: 1" = 50'



Lot # 5

0112400840

Lot # 22

108

0114650090

Lot #

0118720120

Lot # 16

0101351080

Lot # 6

0103471740

Lot # 21

110

0103000150

Lot # 7

113

Lot # 15

0119710101

0107470582

Lot # 8

115

Lot # 14

0113752530

Lot # 9

117

0111770810 Lot # 7

113

0103472640

Lot # 20

112

114

0102000390

Lot # 19

Pt. Bk./Folio # 005071A

Lot # 8 115

PDM # 010189 0119002030

101A2 DR 2

1 ED SW-3-F

1 CD

0104750040

Lot # 9

117

0118720820

Lot # 18

116

#142

0102850110

Lot # 11

121

0119512670

Lot # 12

123

0104502370

Lot # 10

119

0118472450

Lot # 17

118

0114100550

Lot # 16

20060296

120

0116350760

Lot # 11

121

0103231230

Lot # 12

123

122

Lot # 15

Pt. Bk. 5, Folio 71

0113206380

GARY DR

GARY DR

Pt. Bk. 7, Folio 115

Pt. Bk./Folio # 012086

FOREST DR

19840279

19840270

Lot # 19

1A2

Existing Pad for proposed garage replacing 13' existing garage damaged by snow storm
Finished garage would propose adding 8/12 roof to structure



142

116 Oak Drive: Existing Porch removed for Proposed 14'x24' Addition



1A²

116 Oak Drive surrounding properties are 2-3 full stories with substantial living and storage space



118 Oak Dr



112 Oak Dr



114 Oak Dr



115 Oak Dr



117 Oak Dr



119 Oak Dr

CERTIFICATE OF POSTING

2011-0142-A

RE: Case No.: _____

Petitioner/Developer: _____

Mark Neebe

Wireless. _____

Nov15 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:

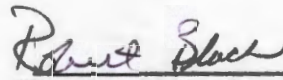
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously
116 Oak Drive

October 31 2010

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

Sincerely,



(Signature of Sign Poster)

November 3 2010

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

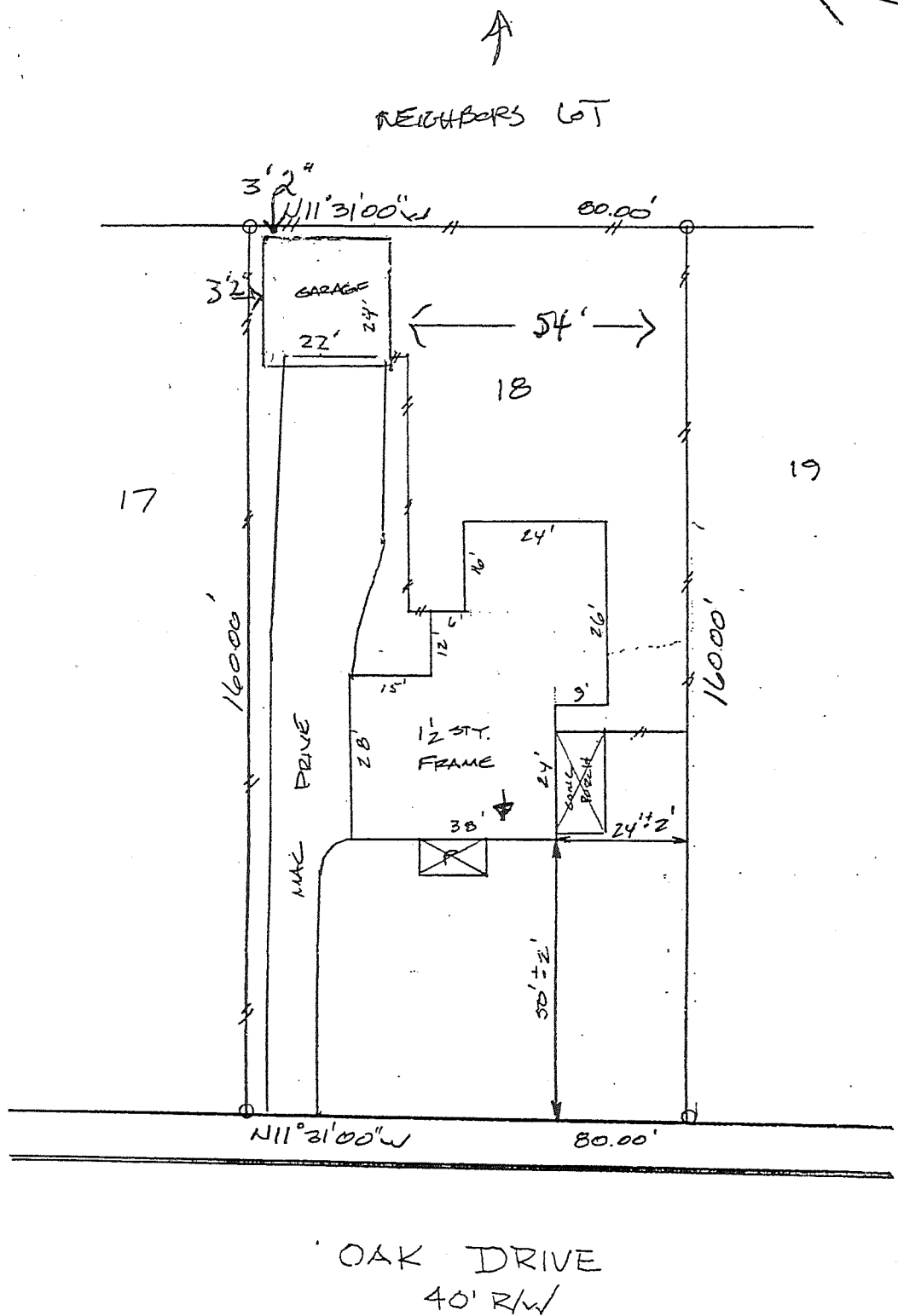
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



The plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. The plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. The plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.

THE LOT SHOWN HEREON IS IN FLOOD ZONE 2 PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL # 2400100390B.

116 OAK DRIVE LOT 18
"SUMMIT PARK" PLAT 5-7
BALTIMORE COUNTY MARYLAND

SCALE
1" = 30'

DATE
2-27-02

JOB No.
07-721

LOCATION CERTIFICATION

**WITZ & ASSOCIATES
GENERAL SURVEYING CO.**

1009 Frederick Road
Baltimore, MD 21228
Phone 410-869-3536



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

DATE: 8/17/16
OEA: Kay

HISTORIC DISTRICT/B

YES ☒ NO ☐

DO NOT KNOW ☐

DISTRICT/PRECINCT

01 01

DOES THIS BLD HAVE SPRINKLE

YES ☐ NO ☐

PERMIT #: 3747697
RECEIPT #: 28695
CONTROL #: MKR
XREF #:

FEE: 6045
PAID: 6045
PAID BY: Apple
INSPECTOR:

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

TYPE OF IMPROVEMENT

- NEW BLDG CONST
- ADDITION
- ALTERATION
- REPAIR
- WRECKING
- MOVING
- OTHER

TYPE OF USE

RESIDENTIAL

- ONE FAMILY
- TWO FAMILY
- THREE AND FOUR FAMILY
- FIVE OR MORE FAMILY (ENTER NO UNITS)
- SWIMMING POOL
- GARAGE
- OTHER

TYPE FOUNDATION

- SLAB
- BLOCK
- CONCRETE

BASEMENT

- FULL
- PARTIAL
- NONE

TYPE OF CONSTRUCTION

- MASONRY
- WOOD FRAME
- STRUCTURE STEEL
- REINF. CONCRETE

CENTRAL AIR: 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

ESTIMATED COST: \$

OF MATERIALS AND LABOR

PROPOSED USE: SFD and detached garage

EXISTING USE: SFD + foundation for garage see

OWNERSHIP

- PRIVATELY OWNED
- PUBLICLY OWNED
- SALE
- RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS 6. HIRISE

1 FAMILY BEDROOMS

GARBAGE DISPOSAL 1. Y 2. N BATHROOMS

POWDER ROOMS KITCHENS

CLASS 04 LIBER 05 FOLIO 71 Section 6

PROPERTY ADDRESS 116 Oak Dr.
SUITE/SPACE/FLOOR
SUBDIV: Summit Park
TAX ACCOUNT #: 01 18 720 820
OWNER'S INFORMATION (LAST, FIRST)
NAME: Neebe, Mark
ADDR: 116 Oak Dr. 21228

APPLICANT INFORMATION

NAME: Mark Neebe
COMPANY: Self
STREET 116 Oak Dr.
CITY, ST, ZIP Catonsville, MD 21228
PHONE #: 443-226-2925 MHIC #
APPLICANT
SIGNATURE: Mark Neebe DRC#
PLANS: CONST 0 PLOT 2 PLAT 0 DATA 0 EL 1 PL 2
TENANT
CONTR: Owner
ENGR:
SELLR:

DESCRIBE PROPOSED WORK: Const one story 2-C F/L detached garage on ex foundation (see B 745465) in rear property of SFD.

NON-RESIDENTIAL 22' x 24' x 18' 528 SF

- AMUSEMENT, RECREATION, PLACE OF ASSEMBLY any se
- CHURCH, OTHER RELIGIOUS BUILDING
- FENCE (LENGTH HEIGHT) closer than
- INDUSTRIAL, STORAGE BUILDING
- PARKING GARAGE
- SERVICE STATION, REPAIR GARAGE
- HOSPITAL, INSTITUTIONAL, NURSING HOME
- OFFICE, BANK, PROFESSIONAL
- PUBLIC UTILITY
- SCHOOL, COLLEGE, OTHER EDUCATIONAL
- SIGN
- STORE MERCANTILE RESTAURANT
- SPECIFY TYPE
- SWIMMING POOL
- SPECIFY TYPE
- TANK, TOWER
- TRANSIENT HOTEL, MOTEL (NO. UNITS)
- OTHER

TYPE OF HEATING FUEL

- GAS 3. ELECTRICITY
- OIL 4. COAL

TYPE OF WATER SUPPLY

- PUBLIC SYSTEM
- PRIVATE SYSTEM

TYPE OF SEWAGE DISPOSAL

- PUBLIC SEWER
- PRIVATE SYSTEM
- SEPTIC
- PRIVY

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

EXISTS PROPOSED

APPROVAL SIGNATURES

BLD INSP :

BLD PLAN :

FIRE :

SEDI CTL :

ZONING 0111 Final - A.K. Tom 9/3

PUB SERV :

ENVRMNT :

PLANNING :

PERMITS :

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