

IN RE: PETITION FOR VARIANCE

E side of Searles Road, corner
of the S side of Westfield Road
12th Election District
7th Council District
(1701 Searles Road)

Alfred and Wendy Greiser
Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0068-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Variance filed by Alfred and Wendy Greiser. The Petitioners are requesting Variance relief under Section 1B02.3.B of the Baltimore County Zoning Regulations ("B.C.Z.R.") (Sections I, 1., Accessory Building definition; VI, C,5 of the 1945 Zoning Regulations) to permit an existing accessory building (frame shed) in the side yard in lieu of the required rear yard, and to permit the accessory building to have a side street setback closer than the principal dwelling. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the variance request were Petitioners Alfred and Wendy Greiser. Martin H. Schreiber II, Esquire appeared and represented the Petitioners, and John Ayres, President of the Norwood – Holabird Community Association, also attended the hearing. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R., and the file does not contain any letters of opposition or protest.

Testimony and evidence revealed that the subject property is an end of group row home, and the photographs (Exhibit 3) reflect that the property is attractive and well maintained. The Petitioners' bought the home in 2008, and they believe the shed was erected in approximately

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Date 11-2-11

SMA

2005. In the spring of 2011, the Petitioners received a citation from Baltimore County Code Enforcement, indicating their shed was in violation of the B.C.Z.R.

Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Based upon the testimony and evidence presented, I am persuaded to grant the request for 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 also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md 53, 80 (2008).

The Petitioners have met this test. As noted above, Petitioners' home is an end of group dwelling, and the shed was in place when they purchased the home in 2008. The small rear yard contains a pool and a parking pad, and there is really nowhere else on the property to relocate the shed. The shed has been in place for over 6 years without objection, and the relief sought will merely "legitimize" existing site conditions. In addition, the Petitioners presented a petition containing signatures of several neighbors, all of whom support their request.

If the B.C.Z.R. were strictly enforced, the Petitioners would indeed suffer a practical difficulty and/or hardship. An elderly relative is living with Petitioners, as is their teenage son,

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Date 11-2-11

By SMA

which has forced the owners to reside in the basement. As such, storage space is at a premium, and the Petitioners need the shed to store many household items and such.

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.

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

THEREFORE, IT IS ORDERED, this 2 day of November, 2011 by this Administrative Law Judge that Petitioner's Variance request from B.C.Z.R. § 1B02.3.B (Sections I, 1., Accessory Building definition; VI, C,5 of the 1945 Zoning Regulations) to permit an existing accessory building (frame shed) in the side yard in lieu of the required rear yard, and to permit the accessory building to have a side street setback closer than the principal dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for a building permit and may be granted same upon receipt of this Order. However the Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.

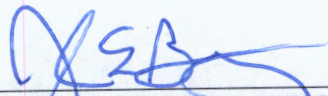
ORDER RECEIVED FOR FILING

Date 11-2-11

By SMA

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

Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:

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Date 11-2-11

By SMA



KEVIN KAMENETZ
County Executive

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

November 2, 2011

Martin H. Schreiber II, Esq
3600 Clipper Mill Rd., Ste 201
Baltimore MD 21211

RE: PETITION FOR VARIANCE

E side of Searles Road, corner of the S side of Westfield Road
12th Election District- 7th Council District

(1701 Searles Road)

Alfred and Wendy Greiser - *Petitioner*

CASE NO. 2012-0068-A

Dear Mr. Schreiber:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits, Approvals and Inspections office at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sma
Enclosure

c: Alphonso Griffin, Code Enforcement Division, Department of Permits, Approvals and Inspections



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at 1701 Searles Road

which is presently zoned DR 10.5 (Vested "D" Residential, 1945 Regs)

Deed Reference: 27263 / 669 Tax Account # 1213058540

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) I, 1, Accessory Building definition; III, C, 5 of the 1945 Zoning Regulations to permit

an existing accessory building (frame shed) in the side yard in lieu of the required rear yard, and to permit the accessory building to have a side street setback closer than the principal dwelling.

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Martin H. Schreiber II

Name - Type or Print

Signature

Law Office of Martin H. Schreiber II

Company

3600 Clipper Mill Road, Suite 201 410-366-4777

Address Telephone No.

Baltimore, MD 21211

City State Zip Code

Legal Owner(s):

Alfred Greiser

Name - Type or Print

Signature

Wendy Floyd Greiser

Name - Type or Print

Signature

1701 Searles Road 443-600-0538

Address Telephone No.

Dundalk, MD 21222

City State Zip Code

Representative to be Contacted:

Martin H. Schreiber II, Esq.

Name

3600 Clipper Mill Road, Suite 201 410-366-4777

Address Telephone No.

Baltimore, MD 21211

City State Zip Code

Case No. 2012-0068-A

Office Use Only

Estimated Length of Hearing

Unavailable For Hearing

Reviewed by JNP Date 9/7/2011

ORDER RECEIVED FOR FILING

Date 11-2-11

By SMA

ZONING DESCRIPTION
#1701 SEARLES ROAD

BEGINNING at a point on the east side of Searles Road which is 60 feet wide at the distance of 39.27 feet south of the centerline of Westfield Road which is 60 feet wide.

Being Lot No. 21 in the subdivision of "Plat No. 1, Merritt Homes" as recorded in Baltimore County Plat Book No. 18, folio No. 5, containing 3,007 S.F., more or less. Located in the 12th Election District, 7th Councilmanic District.



Michael V. Moskunas
Registration No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road, Suite 101
Towson MD 21286
(410) 828-9060

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE: CASE NO: 2012-0068-A

PETITIONER/DEVELOPER SITE

RITE SURVEYING INC.

DATE OF HEARING/CLOSING: _____

11/1/11

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 1701 SEARLES ROAD

THIS SIGN(S) WERE POSTED ON October 17, 2011
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/17/11
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2012-0068-A

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

Room 205 JEFFERSON BUILDING 105 WEST
PLACE, CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: ^{Thursday} November 1, 2011
AT 11:00 A.M.

REQUEST: VARIANCE TO REBUILT AN EXISTING ACCESSORY
BUILDING (STAMP SHOP) IN THE SIDE YARD/REAR OF THE
REBUILT REAR YARD AND TO REBUILT THE ACCESSORY BUILDING
TO HAVE A SIDE STREET SETBACK CLOSER THAN THE
PRINCIPAL DWELLING.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 447-3391

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

10/17/2011

Michael De 10/17/11

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 18, 2011 Issue - Jeffersonian

Please forward billing to:
Martin Schrieber
3600 Clipper Mill Road, Ste. 201
Baltimore, MD 21211

410-366-4777

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0068-A

1701 Searles Road
E/side of Searles Road at the corner of the S/s of Westfield Road
12th Election District – 7th Councilmanic District
Legal Owners: Alfred & Wendy Greiser

Variance to permit an existing accessory building (frame shed) in the side yard in lieu of the required rear yard and to permit the accessory building to have a side street setback closer than the principal dwelling.

Hearing: Tuesday, November 1, 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 ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (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

September 26, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0068-A

1701 Searles Road

E/side of Searles Road at the corner of the S/s of Westfield Road

12th Election District – 7th Councilmanic District

Legal Owners: Alfred & Wendy Greiser

Variance to permit an existing accessory building (frame shed) in the side yard in lieu of the required rear yard and to permit the accessory building to have a side street setback closer than the principal dwelling.

Hearing: Tuesday, November 1, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Martin Schreiber, 3600 Clipper Mill Road, Ste. 201, Baltimore 21211
Mr. & Mrs. Greiser, 1701 Searles Road, Dundalk 21222

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, OCTOBER 17, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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: 2012-0068-A
Petitioner: Alfred Greiser & Wendy Floyd
Address or Location: 1701 Searles Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Martin Schreiber, Esq.
Address: Law Office of Martin H. Schreiber II, LLC
3600 Clipper Mill Road Suite 201
Baltimore, MD 21211
Telephone Number: 410 366-4777

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0068-A

1701 Searles Road
E/side of Searles Road at
the corner of the S/s of
Westfield Road
12th Election District
7th Councilmanic District
Legal Owner(s): Alfred &
Wendy Greiser

Variance: to permit an existing accessory building (frame shed) in the side yard in lieu of the required rear yard and to permit the accessory building to have a side street setback closer than the principal dwelling.

Hearing: Tuesday, November 1, 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 accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

JT/10/657 Oct 18 288697

CERTIFICATE OF PUBLICATION

10/20/ 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 10/18/ 2011.

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



LEGAL ADVERTISING

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 9-19-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0068-A
Variance
Alfred and Wendy Greiser
1701 Seattles Road.

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. 2012-0068-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For October 03, 2011
Item Nos. 2012-067, 068, 069, 071, 072
And 073.

DATE: September 23, 2011

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10032011 -NO COMMENTS.doc

11/1 11Am 205

BALTIMORE COUNTY, MARYLAND

RECEIVED

SEP 27 2011

Inter-Office Correspondence

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: September 27, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-0068-A
Address 1701 Searles Road
(Greiser Property)

Zoning Advisory Committee Meeting of September 19, 2011.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston; Development Coordination*

RE: PETITION FOR VARIANCE
1701 Searles Road; E/S Searles Road corner
of S/S Westfield Road
12th Election & 7th Councilmanic Districts
Legal Owner(s): Alfred & Wendy Greiser
Petitioner(s)

* BEFORE THE
* ADMINSTRATIVE LAW
* JUDGE FOR
* BALTIMORE COUNTY
* 2012-068-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.

RECEIVED

SEP 19 2011

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of September, 2011, a copy of the foregoing Entry of Appearance was mailed to Martin Schreiber, II, Esquire, 3600 Clipper Mill Road, Suite 201, Baltimore, MD 21211, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER 0091647	PROPERTY TAX ID FA0202394	DATE ISSUED 4/13/11
NAME(S): ALFRED J. GREISER WENDY FLOYD		
MAILING ADDRESS 1701 SEARLES RD		
CITY BALTIMORE	STATE MD	ZIP CODE 21002
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)

NON-RESIDENTIAL CLASSIFICATION

BL (230) BR (236) BM (233)
MR (240) ML (253) MH (256)

OTHER:

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
1B01.1: DR Zones-use regulations
428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s)
1B01.1D: Remove open dump/ junk yard
431: Remove commercial vehicle(s)
101; 102.1: Remove contractors equip. storage yard
101; 102.1; ZCPM: Cease service garage activities
402: Illegal conversion of dwelling
101; 102.1; ZCPM: Illegal home occupation

415A: License/ remove untagged recreation vehicle
415A: Improperly parked recreation vehicle
415A: One recreational vehicle per property
410: Illegal Class II trucking facility
400: Illegal accessory structure placement.
1B02.1; 270; 421.1: Illegal kennel. Limit 3 dogs
102.5: Residential site line violation /obstruction
408B: Illegal rooming/ boarding house
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
13-7-115: County to abate nuisance & lien costs
13-7-310: Remove all trash & debris from property
13-7-312: Remove accumulations of debris, materials, etc
13-7-201(2): Cease stagnant pool water
12-3-106: Remove animal feces daily
35-5-208(a)(c): Seal exterior openings from rodents & pests
13-4-201(b)(d): Store garbage in containers w/tight lids

35-2-301: Obtain building/ fence/ sign permit
18-2-601: Remove all obstruction(s) at street, alley, road
13-7-310(2): Remove bird seed / other food for rats
32-3-102: Violation of development plan/ site plan
IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise
13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height

OWNER OCCUPIED HOUSING (B.C.C.)

35-5-302(a)(1): Unsanitary conditions.
35-5-302(a)(3): Cease infestation from prop.
35-5-302(b)(1)(2): Repair decorative trim, cornices, etc
35-5-302(b)(1)(4): Repair chimney & similar extensions
35-5-302(b)(1)(6): Repair defective door(s) / window(s)

35-5-302(a)(2): Store all garbage in trash cans
35-5-302(b)(1): Repair exterior structure
35-5-302(b)(1)(3): Repair exterior extensions
35-5-302(b)(1)(5): Repair metal/wood surfaces
35-5-302(b)(1)(7): Repair defective fence

INVESTMENT PROPERTY (B.C.C.)

35-2-404(a)(i): Remove hazardous or unsafe condition
35-2-404(a)(i)(iii): Repair roof or horizontal members
35-2-404(a)(i)(v): Repair ext. plaster or masonry
35-2-404(a)(i)(vii): Repair exterior construction (see below)
35-2-404(a)(i)(3): Repair /remove defective exterior sign(s)

35-2-404(a)(i)(ii): Repair ext. walls / vertical members
35-2-404(a)(i)(iv): Repair exterior chimney
35-2-404(a)(i)(vi): Waterproof walls/ roof /foundations
35-2-404(a)(i)(2): Remove trash, rubbish, & debris
35-2-404(a)(4)(i)(ii): Board & secure. Material to match building color of structure

OTHER VIOLATIONS OR REMARKS: SHED MUST BE PLACED IN THE REAR OF PROPERTY & 2 1/2 FEET FROM ALL PROPERTY LINES

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: 5/13/11

INSPECTOR NAME: A. GRIFFIN

PRINT NAME (Rev 9/05)

AGENCY



Department of Permits, Approvals & Inspections Complaint Report

Report Criteria:

Employee(s): EE0000036 to EE0000036
Scheduled Date(s): 4/12/2011 to 4/13/2011
PE Range: EN01 to en06

<u>Record ID</u>	<u>AS/400 Case</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Scheduled Time</u>	<u>Received By</u>	<u>Received Date</u>	<u>Status</u>	<u>Hearing Date</u>	<u>ADC Grid</u>
CO0091647		Alphonso Griffin	04/12/2011		David Janiszewski	04/12/2011	Open - Normal		44H3

Complaint Description: SHED ILLEGALLY POSITIONED ON PROPERTY. SEE NOTES FROM PREVIOUS CASE.

Facility:

FA0202394
PDM 1213058540
1701 SEARLES RD
DUNDALK, MD, 21222

Owner :

GREISER ALFRED J FLOYD WENDY
1701 SEARLES RD
BALTIMORE MD 21222

Complainant:

PATRICK HILL
1707 SEARLES RD.
DUNDALK, MD 21222

HOME: 4437223533

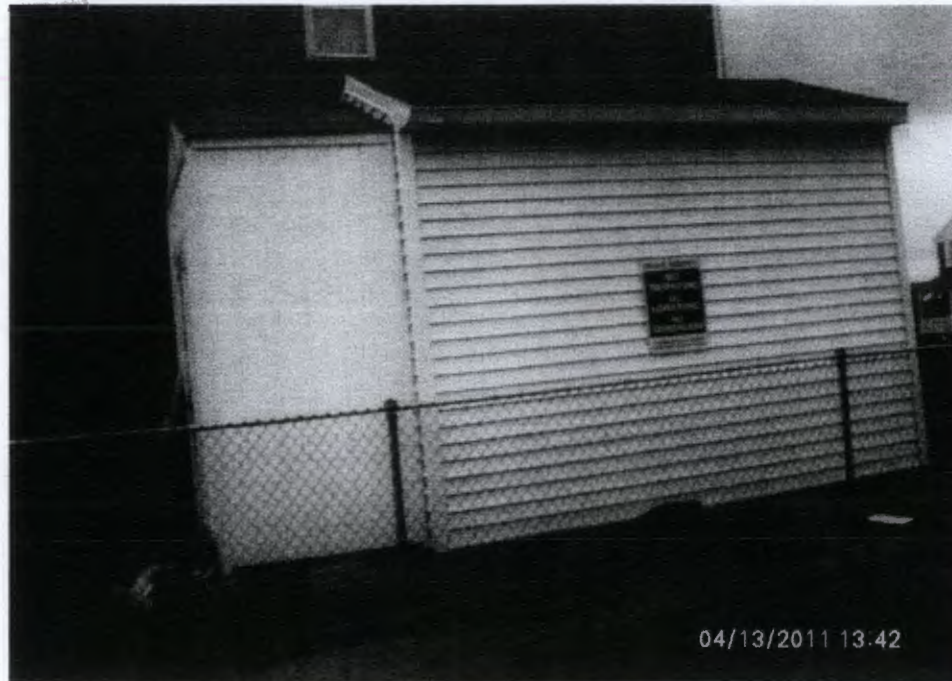
Daily Activity Details - No Data

Violation Details - No Data

Comment Details - No Comments

Lien Information - None

Mileage:



04/13/2011 13:42



CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER 0091647	PROPERTY TAX ID FA0000894	DATE ISSUED 4/13/11
NAME(S) ALFRED T GREFFER WENDY FLOYD		
MAILING ADDRESS 1701 SEAVLES RD		
CITY BALTIMORE	STATE MD	ZIP CODE 21205
VIOLATION ADDRESS SAME		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

DR1 DR2 DR3 DR3.1 DR10.1 DR14
R1 (R1A) R2 (R2A) R3 (R3A) R4 (R4A)
R5 (R5A) R6 (R6A) R7 (R7A) R8 (R8A)

NON-RESIDENTIAL CLASSIFICATION

NR (200) NR (210) NR (211)
NR (240) NR (250) NR (260)

OTHER:

OTHER:

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

THORITY TO ENFORCE ZONING REGULATIONS: 31-3-102, 32-3-601, 31-3-603, 31-3-614

101, 102.1: Violations, general use
101.1: DR Zones and regulations
120: Eminent domain; all out-of-use, temporary or
discontinued residential use; out-of-use
100.1.10: Remove out-of-use junk yard
431: Remove commercial vehicles
101, 102.1, 70, 101: Remove out-of-use storage yard
101, 102.1, 70, 101: Remove out-of-use storage yard
402: Illegal conversion of dwelling
101, 102.1, 70, 101: Illegal home occupation

103.1: License services and signed recreation vehicle
103.2: Improperly parked recreation vehicle
103.3: One recreational vehicle per property
410: Illegal Class II trucking facility
400: Illegal accessory structures placement
101.1, 270, 421.1: Illegal kennel, livestock, dog
101.1: Residential site line violation obstruction
400: Illegal commercial building facade
101, 102.1, 70, 101: 100-5 B.C.Z.R. 20-100
Violation of commercial site plan and/or zoning order

BALTIMORE COUNTY CODE (B.C.C.)

15-3-115: Cause all nuisance activity
15-3-115: Cause to obstruct entrance & line of sight
15-3-115: Remove all trash & debris from property
15-3-115: Remove accumulation of debris, materials, etc.
15-3-201.1: Cause drainage pond water
15-3-201: Remove animal feces daily
15-3-201.1: Seal exterior openings from rodents & pests
15-3-201.1: Store garbage in containers with lid

15-3-301: Obtain building/ fence/ sign permit
15-3-301: Remove all obstructions at street, alley, road
15-3-301.1: Remove bird feces/ other feces from
15-3-301.2: Violation of development plan, site plan
101-115: B.C.C. 415: Remove/ Repair unsafe
structure board and secure all openings to premises
15-3-401, 15-3-402, 15-3-403: Cut & remove all full
grass and weeds to three (3) inches in height

OWNER DECLARED HOUSING (B.C.C.)

15-3-302(a)(1): Unsanitary conditions
15-3-302(a)(2): Cause infestation from pigeons
15-3-302(b)(1): Repair deterioration from rodents, etc.
15-3-302(b)(2): Repair chimney & similar extensions
15-3-302(b)(3): Repair defective doors/ windows

15-3-302(a)(2): Store all garbage in trash can
15-3-302(b)(1): Repair exterior structure
15-3-302(b)(2): Repair exterior extension
15-3-302(b)(3): Repair metal/wood surfaces
15-3-302(b)(3): Repair defective fence

INVESTMENT PROPERTY (B.C.C.)

15-3-404(a)(1): Remove hazardous or unsafe conditions
15-3-404(a)(2): Repair roof or horizontal members
15-3-404(a)(3): Repair exterior chimney
15-3-404(a)(4): Repair exterior construction (not below)
15-3-404(a)(5): Repair exterior construction (not below)

15-3-404(a)(1): Repair ext. walls/ vertical members
15-3-404(a)(2): Repair exterior chimney
15-3-404(a)(3): Remove roof walls/ roof foundations
15-3-404(a)(4): Remove roof walls/ roof foundations
15-3-404(a)(5): Board & secure material to match
building color of structure

OTHER VIOLATIONS OR REMARKS:

SHEU 111 ST. 105 PLUGGED TO
THE REAR OF PROPERTY P 2 1/2 FEET FROM ALTRAD
LAWS

NOTICE POSTED AND MAILED:

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

COMPLIANCE DATE:

3.13.11

INSPECTOR NAME:

DEFENDANT

PRINT NAME

(Rev. 10/03)

2012-0068-A

Debra Wiley - ZAC Comments

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 9/21/2011 8:16 AM
Subject: ZAC Comments

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

Thanks and feel free to contact me should you ave any questions or concerns.

2012-0067-SPHA - 205 Bloomsbury Avenue - **(Historic Area)**
Hearing Date: None in data base as of 9/20

2012-0068-A - 1701 Searles Road
Hearing Date: None in data base as of 9/20

2012-0069-SPHA - 6701 Chippewa Court
Hearing Date: None in data base as of 9/20

2012-0070-XA - 328 Main Street
Hearing Date: None in data base as of 9/20

2012-0071-A - 2035 Pleasant Villa Avenue
Administrative Variance: Closing 10/3

2012-0072-A - 111 Regester Avenue
Hearing Date: None in data base as of 9/20

2012-0073-SPHA - 1106 Wiseburg Road
Hearing Date: None in data base as of 9/20

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

M E M O R A N D U M

DATE: December 5, 2011
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0068-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 2, 2011. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

CASE NAME 1701 Searles Road
CASE NUMBER 2012-0068-A
DATE 11/1/11

[illegible]



ALLEY

SEARLES RD

ALLEY

WESTFIELD RD

POB 39.27' FROM E
DR 10.5

LUND LN

701 SEARLES ROAD

7 CD

SITE

12-ED

103C1
SE/3-F

19522417

BM CT

2012-01-18-1

1223015720 Lot # 32
1212074260 Lot # 33
1219028910 Lot # 34
1213043330 Lot # 35
1205034410 Lot # 36

1621
1216046030 Lot # 7
1205043821 Lot # 6
1211000650 Lot # 5
1208005810 Lot # 4
1220066320 Lot # 3
1223038660 Lot # 2
Lot # 1 Pt. Bk. 18, Folio 5
1202085706

1202072570 Lot # 83
1211015270 Lot # 82
1202002882 Lot # 81
1223004530 Lot # 80
1223004530 Lot # 79

1202000785 Lot # 29
1213006760 Lot # 30
1704 Lot # 31
1706 Lot # 32
1708 Lot # 33
1710 Lot # 34
1712 Lot # 35
1216075490

1714 Lot # 36
1220000340
1716 Lot # 37
1718 Lot # 38
12025960 Lot # 39
12088180 Lot # 40
1724 Lot # 41
12059120

1213058540 Lot # 21
1701
1223050980 Lot # 20
1703
1219061810 Lot # 19
1705
1223035320 Lot # 18
1707
1204077610 Lot # 17
1709
1216015170 Lot # 16
1223038790 Lot # 15
1204002080 Lot # 14
1717
1211067390 Lot # 13

1211035420 Lot # 22
1218048540 Lot # 23
1210047600 Lot # 24
1213041352 Lot # 25
1212059470 Lot # 26
1202037290 Lot # 27
1223053650 Lot # 28

1201029081
Pt. Bk. 12, Folio 117
Lot # 8

Bk./Folio # MP07073

JLB 11/1
11Am

Case No.: 2012-0068-A

Exhibit Sheet

SMA 11-2-11

PJ
12/6/11

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Neighbors Signatures w/ Map	
No. 3	Photos	
No. 4	PLAT- Merritt Homes	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

We, the undersigned neighbors of 1701 Searles Road, Dundalk, Maryland, support the homeowners' petition for a variance to allow them to keep their shed in the side yard.

Signature	Printed Name	Address	Date
<i>Peter Baltis</i>	PETER BALTIS	1700 SEARLES RD	10/31/2011
<i>August Stockman</i>	AUGUST STOCKMAN	1712 SEARLES RD	10/31/11
<i>Pat Reinhardt</i>	PAT REINHARDT	1703 S. Searles Rd	10-31-11
<i>Amanda Woods</i>	AMANDA WOODS	1710 Searles Rd	10/31/11
<i>Philip R. Ulrich</i>	PHILIP ULRICH	1633 Searles	10/31/11
<i>Mary Gregory</i>	GARY GREGORY	7512 WESTFIELD	10/31/11

Pet. #2





PETITIONER'S

EXHIBIT NO. _____

3

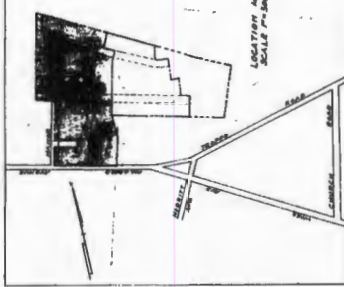






CURVE DATA

NO	ROAD	A	ARC	TA	CH	L.C.B.
1	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
2	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
3	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
4	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
5	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
6	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
7	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
8	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
9	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
10	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
11	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
12	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
13	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
14	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
15	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
16	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
17	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
18	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
19	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
20	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'
21	10.00'	10.00'	10.00'	10.00'	10.00'	10.00'



PLAT NO. 1
MERRITT HOMES
 12TH EJECT. DIST. BALTIMORE Co. Md.
DUNDALK BUILDING CO.
COURT SQUARE BLDG.
BALTIMORE 2, MD.
 SCALE 1/4" = 50'-0" OCT. 3, 1931

Certificates are related to the records of Baltimore Co. Metropolitan District.

Approved as to alignment and location of streets.

John J. Goff Oct. 2, 1931

Approved by Baltimore County Planning Commission.

John R. Dine Oct. 3, 1931

OWNER'S CERTIFICATE:
 I hereby certify that the plat was made by me or by a duly authorized agent of mine, and that the same is a true and correct copy of the original plat on file in the office of the Recorder of Deeds for Baltimore Co. Md.

John J. Goff

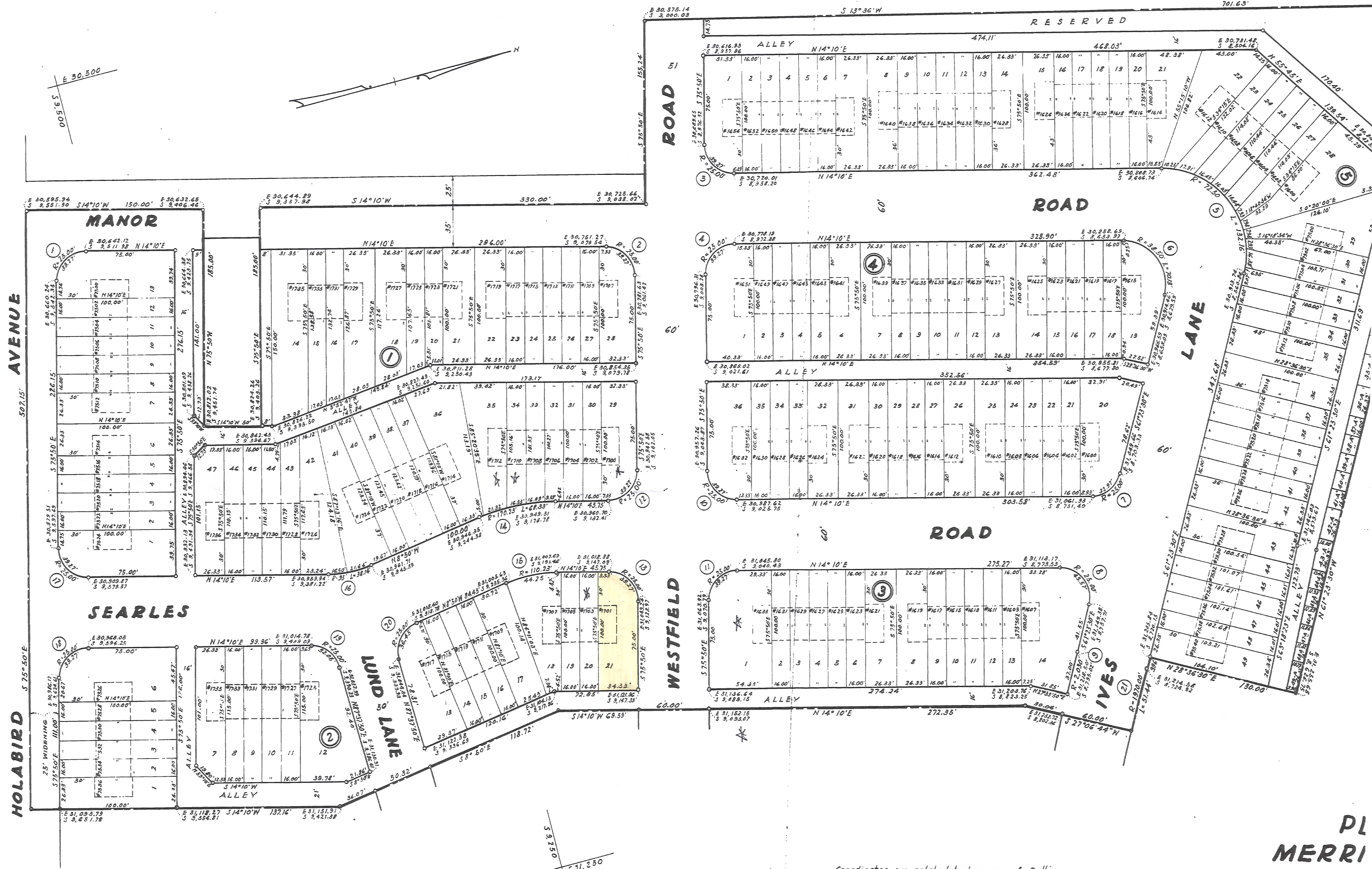
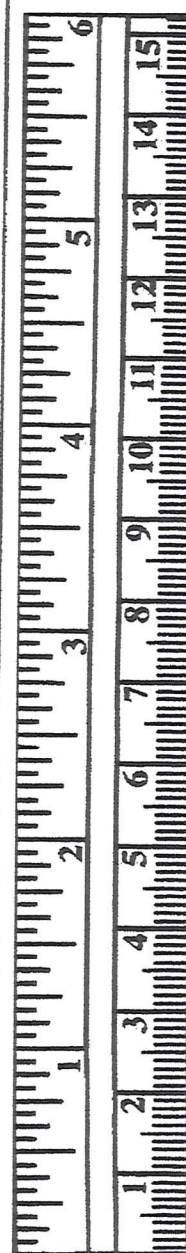
CERTIFICATION:
 I hereby certify that the plat was made by me or by a duly authorized agent of mine, and that the same is a true and correct copy of the original plat on file in the office of the Recorder of Deeds for Baltimore Co. Md.

John J. Goff

No. 72. No. 6 S. outlines are part of property Survey by H. Lloyd Wallace.

WILLIAM THOMAS JONES
 AND ASSOCIATES
 ENGINEERS & ARCHITECTS

Per. #4



CERTIFICATION:-

Certification is hereby made that this plat was computed by G.W. Stephens Jr. & Associates and that it meets the requirements of Section 72 B Article 17 of Annotated Code of Maryland 1947 Supplement.

G.W. Stephens Jr.
R&G. NO. 437

NOTE:-
N.W. & S. outlines are part of property Survey by W. Lloyd Wallace.

OWNERS CERTIFICATE:-

Certification is hereby made that all the requirements of the Annotated Code of Maryland Chapter 1016, Acts of 1945 have been complied with on this plat.

Dundalk Building Co.
by *Robert W. Meyershoff*
Vice - Pres.

Coordinates are related to traverse of Baltimore Co. Metropolitan District.

Approved as to alignment and location of streets.

Frank Oppelt Oct 22, 1951
Roads Engineer of Baltimore Co. Md.

Approved by Baltimore County Planning Commission.

Margaret R. Dice Oct. 22, 1951
Director

GEORGE WILLIAM STEPHENS, JUNIOR
AND ASSOCIATES
Engineers
TOWSON 5, MARYLAND

PL
MERRI
12TH ELECT. D
DUNDALK
COURT S
BALTIMORE
SCALE 1" = 5'

1. Zoning Map: 103C1
2. Zoning: D.R.10.5 (Vested "D" Residential, 1945 Regs.) *BLM*
3. Lot Area: 3,007 S.F. or 0.069 Ac +/-
4. This property is not located in a 100 Year Flood Plain
5. This property is not located in a Historic District
6. This property is not located in The Chesapeake Bay Critical Area
7. This property is serviced by public water and sewer
8. There is no prior zoning history
9. There was a violation notice issued on 4/13/11
Violation Case No. 0091647 (Shed in side yard)
10. Record Plat recorded in 1951 and signed by the Planning Commission



site rite SURVEYING, INC.
200 E. JOPPA ROAD RM. 101
TOWSON, MARYLAND 21286
PHONE: 410-828-9060
FAX: 410-828-9066

PETITIONER'S

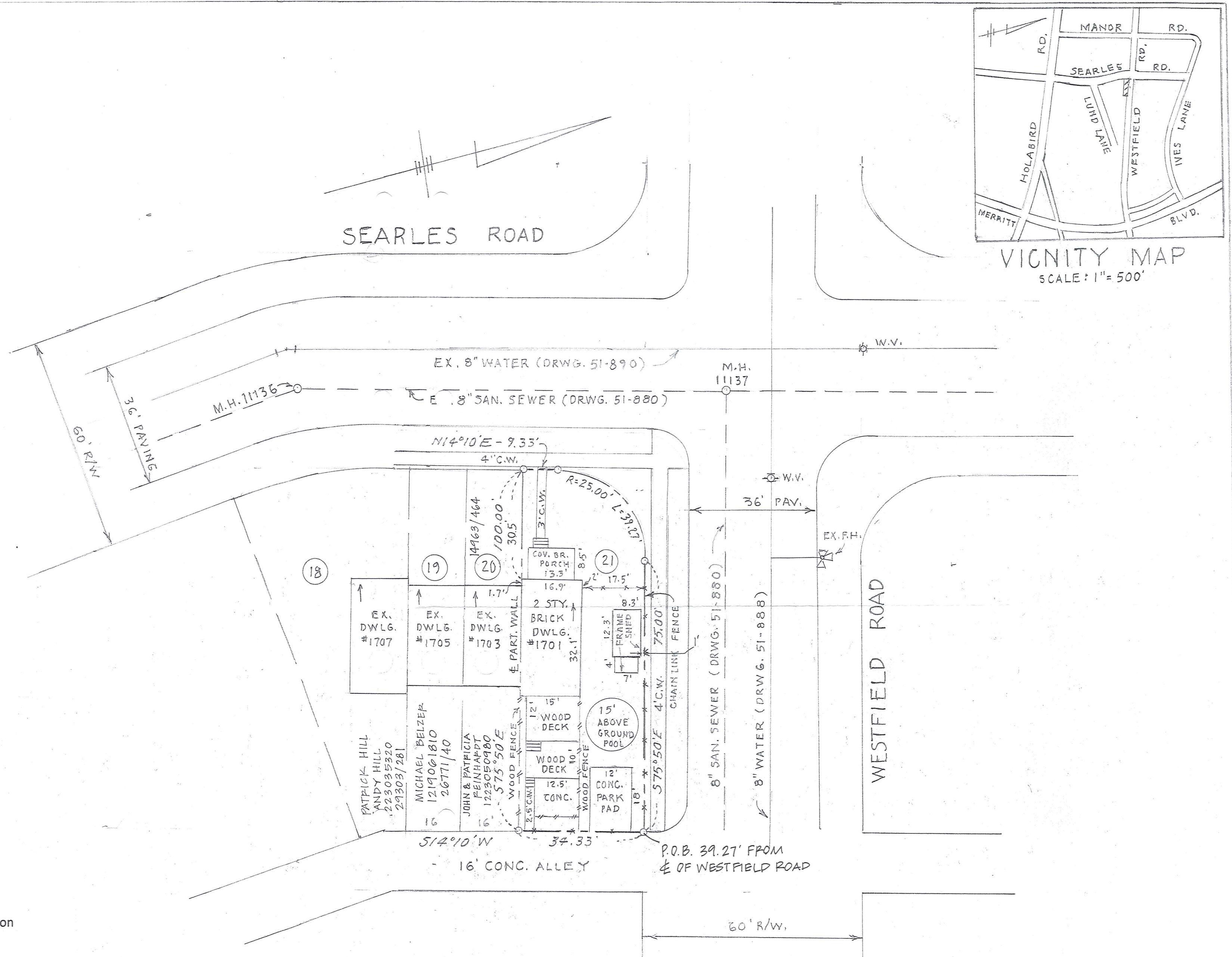
EXHIBIT NO. 1

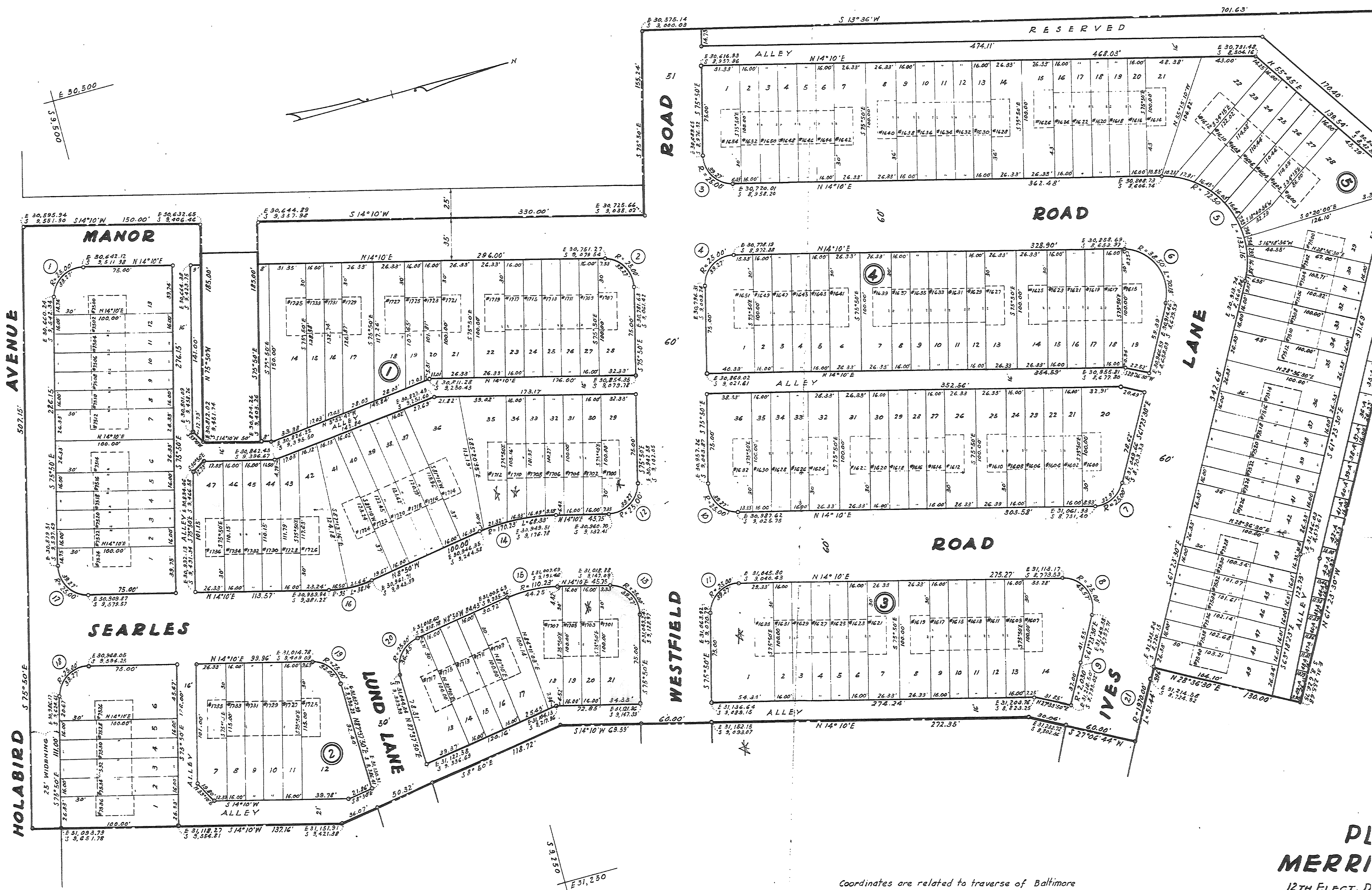
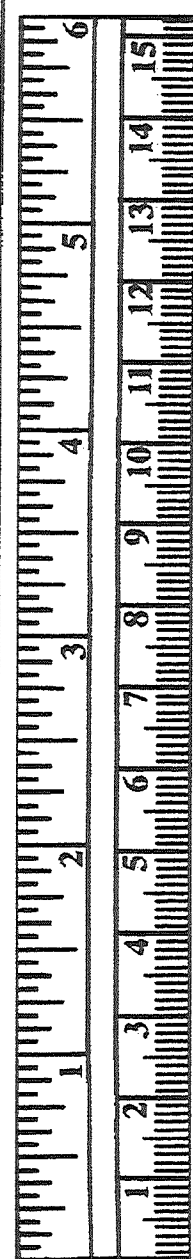
OWNER:

ALFRED GREISER
WENDY FLOYD
1701 SEARLES ROAD
BALTIMORE, MD 21222
TAX MAP: 103 GRID: 11 PARCEL: 463
TAX ACCT. NO. 1213058540
DEED REF.: 27263/669
CONTACT PERSON: Martin Schreiber, Esq.
(410) 366-4777

PLAN TO ACCOMPANY PETITION FOR VARIANCE
#1701 SEARLES ROAD
LOT 21
"MERRITT HOMES" 18/5
12TH ELECTION DISTRICT 7C
BALTIMORE COUNTY, MD
SCALE: 1" = 20'
SEPTEMBER 6, 2011
JOB NO. 10003

2012-0068-A





CERTIFICATION:-

Certification is hereby made that this plat was computed by G.W. Stephens Jr. & Associates and that it meets the requirements of Section 72B Article 17 of Annotated Code of Maryland 1947 Supplement.

G.W. Stephens Jr.
R&G. NO. 437

OWNERS CERTIFICATE:-

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Dundalk Building Co.
by *Robert H. Meynhoft*
Vice-Pres.

Coordinates are related to traverse of Baltimore Co. Metropolitan District.

Approved as to alignment and location of streets.

Frederick C. Offutt Oct. 22, 1951
Roads Engineer of Baltimore Co. Md.

Approved by Baltimore County Planning Commission.

Malcolm R. Rice Oct. 22, 1951
Director

JOSEPH WILLIAM STEPHENS, JUNIOR
AND ASSOCIATES
Engineers
TOWSON, MARYLAND

NOTE:
N.W. & S. outlines are part of property
Survey by W. Lloyd Wallace.

PL
MERRI
12TH ELECT. D
DUNDALK
COURT S
BALTIMORE
SCALE 1/4" = 5'

1. Zoning Map: 103C1
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3. Lot Area: 3,007 S.F. or 0.069 Ac +/-
4. This property is not located in a 100 Year Flood Plain
5. This property is not located in a Historic District
6. This property is not located in The Chesapeake Bay Critical Area
7. This property is serviced by public water and sewer
8. There is no prior zoning history
9. There was a violation notice issued on 4/13/11
Violation Case No. 0091647 (Shed in side yard)
10. Record Plat recorded in 1951 and signed by the Planning Commission



PETITIONER'S
EXHIBIT NO. 1

OWNER:

ALFRED GREISER
WENDY FLOYD
1701 SEARLES ROAD
BALTIMORE, MD 21222
TAX MAP: 103 GRID: 11 PARCEL: 463
TAX ACCT. NO. 1213058540
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