

IN RE: PETITION FOR VARIANCE

W side of Regester Avenue; 177'
S of c/line of Glen Argyle Road
9th Election District
5th Council District
(111 Register Avenue)

William Corboy, III
Petitioner

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2012-0072-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 the legal owner of the property, William Corboy, III. The Petitioner is requesting Variance relief under Section 102.5 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 6 feet fence at the intersection of two (2) alleys, with setbacks of 8 feet, 9 inches and 7 feet, 6 inches from the corner in lieu of the required 10 feet. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the variance request was Petitioner William Corboy, III and Christy Vernon. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other citizens in attendance, and the file does not contain any letters of protest or opposition.

This matter came to the Office of Administrative Hearings as a result of an anonymous complaint registered with the Code Enforcement Division of the Department of Permits, Approvals and Inspections¹. A Code Inspections and Enforcement Correction Notice was issued

¹ Case No: CO-00097303

ORDER RECEIVED FOR FILING

Date 11-16-11

By SMA

to Petitioner July 6, 2011, for failure to obtain required building permits and inspections. The Petitioner filed the instant variance request to bring the property into compliance.

Testimony and evidence revealed that the subject property is 3,162 square feet in area, and is zoned DR 10.5. The Petitioner's dwelling is an end-of-group townhouse in the Roger's Forge community, and Petitioner purchased the home in 2003. When Petitioner moved in, the yard and grounds were "a mess," and Petitioner removed trees and installed an attractive fence and landscaping on the premises. The photos (Exhibit 3) reveal that the fence and landscaping were professionally constructed, and are much more attractive than some of the surrounding homes which have similar fences.

The 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.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The Petitioner's home is on a corner lot which has an irregular shape, making it difficult to comply with the setback requirements.

I further find that the granting of the relief as set forth herein can be accomplished without injury to the public health, safety, and general welfare. Therefore, in all manner and form, I find that the variance can be granted in accordance with the requirements of Section 307 of the B.C.Z.R. as articulated in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's

ORDER RECEIVED FOR FILING

Date 11-16-11

By SMA

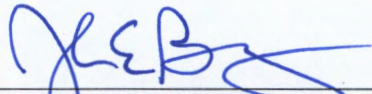
variance request should be granted.

THEREFORE, IT IS ORDERED, this 16 day of November, 2011 by this Administrative Law Judge that Petitioner's Variance request from Section 102.5 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 6 foot fence at the intersection of two (2) alleys, with setbacks of 8 feet, 9 inches and 7 feet, 6 inches from the corner in lieu of the required 10 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioner may apply for his building permit and may be granted same upon receipt of this Order, however the Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner will be required to return and be responsible for returning said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sma

ORDER RECEIVED FOR FILING

Date 11-16-11

By SMA.



KEVIN KAMENETZ
County Executive

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

November 18, 2011

William G. Corboy, III
111 Regester Ave.
Baltimore, MD 21212

RE: **PETITION FOR VARIANCE**
W side of Regester Avenue; 177' S of c/line of Glen Argyle Road
9th Election District- 5th Council District
(111 Regester Avenue)
William G. Corboy, III - *Petitioner*
CASE NO. 2012-0072-A

Dear Mr. Corboy:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sma
Enclosure

VIOLATION

TAX. ACC# 0918101082



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 111 Regester Ave. Balt. MD 21212
which is presently zoned residential

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) 102.5 ; BCZR, to permit a left fence at the intersection of 2-alleys setback 8ft 9in and 7ft 6in from the corner in lieu of required 10ft.

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

Practical Difficulty. See attached.

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

William G. Corboy III
Name - Type or Print _____
Signature _____
Name - Type or Print _____
Signature _____
111 Regester Ave 440-294-8775
Address _____ Telephone No. _____
Baltimore MD 21212
City _____ State _____ Zip Code _____

Representative to be Contacted:

Christy Vernon
Name _____
111 Regester Ave 443-321-3224
Address _____ Telephone No. _____
Baltimore MD 21212
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

ORDER RECEIVED FOR FILING
Case No. 2012-0072-A
Date 11-16-11

REV 9/15/98 SMA

Reviewed By Jcm Date 9-9-11

The Petitioner has a corner lot, bordered by two alleys. The Petitioner erected a retaining wall (3'11") and a fence (max height 6'), which is non compliant with the Baltimore County code requiring the fence to be 10' back from both alleys. The Petitioner now seeks a variance of the code based upon practical difficulty for the following reasons:

--If compliant, 50 square feet of the Petitioner's property would be located outside of the fence, preventing him from the enjoyment and use of his property. Owners whose property is not bordered by alleys are able to enjoy and use the full extent of their properties. Further, the vast majority of fences in the neighborhood erected at the intersection of two alleys and/or a street and an alley are not compliant with the Code, which creates an unjust situation.

--The two alleys which border the Petitioner's property are wide and rarely traveled alleys. There are no garages along either alley and only three parking pads (one of which was constructed after the Petitioner's fence). Although the retaining wall/fence are higher than the maximum 3' allowed by code, given the width of the alleys, vision is not obstructed.

Further, prior to erecting said wall/fence, there was a large oak tree in the southeast corner of property, which completely obstructed the vision of traffic (see exhibit 1). Petitioner removed said tree in preparation of erecting the wall/fence. While the wall/fence is higher than the 3' allowed by code, the vision of any approaching traffic is no less than it was prior to the Petitioner bettering his property.

The Petitioner has allowed approximately 7' and 8' from each alley. These amounts substantially comply with the spirit of the ordinance and do not detract from public safety/welfare.

ZONING DESCRIPTION FOR 111 REGESTER AVENUE

That property located on the west side of Regester Avenue, 177 ft. more or less, south, from the centerline of Glen Argyle Road. Containing 3162 square feet. Located in the 9th Election District and 5th Councilmanic District. In the subdivision of Rogers Forge, Plat Book 0016, folio 0035, lot #16.

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE: CASE NO: 2012-0072-A

PETITIONER/DEVELOPER _____

WILLIAM CORBOY III

DATE OF HEARING/CLOSING: _____

November 7, 2011

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 111 REGISTER AVENUE

THIS SIGN(S) WERE POSTED ON October 21, 2011
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/21/11
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 # 2012-0072-A

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

Room 205 JEFFERSON BUILDING 105
PLACE: WEST CHESTER AVE, TOWSON 21204
DATE AND TIME: MONDAY, NOVEMBER 7, 2011
AT 10:00 A.M.

REQUEST: VARIANCE TO REBUILT A LEFT-FLEXE AT
THE INTERSECTION OF 2-ALLEYS SETBACK 8-FEET 9
INCHES AND 7-FEET 6 INCHES FROM THE CORNER
IN LIEU OF THE REQUIRED 10-FEET

NOTIFICATION WAS TO WITHIN 60 DAYS OF THE COMMENCEMENT OF THE PROJECT.
TO CONTACT RELATIVE CALL: (410) 600-1300
DO NOT SIGN THIS SIGN AND NOT BEAT. BY A PERSON UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE 7

10/21/2011

Handwritten signature
10/21/11

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 20, 2011 Issue - Jeffersonian

Please forward billing to:
William Corboy, III
111 Regester Avenue
Baltimore, MD 21212

410-294-8745

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: 2012-0072-A

111 Regester Avenue

W/side of Regester Avenue, 177 feet (+/-) south of the centerline of Glen Argyle Road

9th Election District – 5th Councilmanic District

Legal Owners: William Corboy, III

Variance to permit a left fence at the intersection of 2-alleys setback 8 feet 9 inches and 7 feet 6 inches from the corner in lieu of the required 10 feet.

Hearing: Monday, November 7, 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 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

October 3, 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: 2012-0072-A

111 Regester Avenue

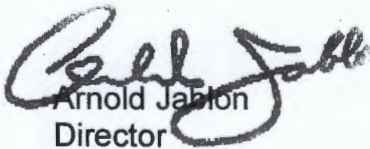
W/side of Regester Avenue, 177 feet (+/-) south of the centerline of Glen Argyle Road

9th Election District – 5th Councilmanic District

Legal Owners: William Corboy, III

Variance to permit a left fence at the intersection of 2-alleys setback 8 feet 9 inches and 7 feet 6 inches from the corner in lieu of the required 10 feet.

Hearing: Monday, November 7, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: William Corboy, III, Christy Vernon, 111 Regester Avenue, Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 22, 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, APPROVALS AND INSPECTIONS
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: 2012-0072-A

Petitioner: William G. Corboy III

Address or Location: 111 Regester Ave, Baltimore MD 21212

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: _____

SAME

Telephone Number: 410-294-8775

Revised 2/17/11 DT

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

No. **74434**

Date: **9-9-11**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	800	0000		6150				75.00

Total: **75.00**

Rec

From:

W. Corboy

For:

2012-0072-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**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: # 2012-0072-A
111 Regester Avenue
W/side of Regester Avenue,
177 feet (+/-) south of the
centerline of Glen Argyle
Road
9th Election District
5th Councilmanic District
Legal Owner(s):
William Corboy, III
Variance: to permit a left
fence at the intersection of
2-alleys setback 8 feet 9 in-
ches and 7 feet 6 inches
from the corner in lieu of
the required 10 feet.
Hearing: Monday, Novem-
ber 7, 2011 at 10:00 a.m.
In Room 205, Jefferson
Building, 105 West Chesa-
peake Avenue, Towson
21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Administrative Hearings Of-
fice at (410) 887-3868.

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

10/15/11 Oct. 20 288956

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 10/20/, 2011.

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

S. Wilkinson

LEGAL ADVERTISING



KEVIN KAMENETZ
County Executive

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

October 24, 2011

William G. Corboy, III
111 Regester Avenue
Baltimore, MD 21212

RE: Case Number 2012-0072-A, 111 Regester Avenue

Dear William Corboy, III,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 9, 2011. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Christy Vernon, 111 Regester Avenue, Baltimore, MD 21212

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

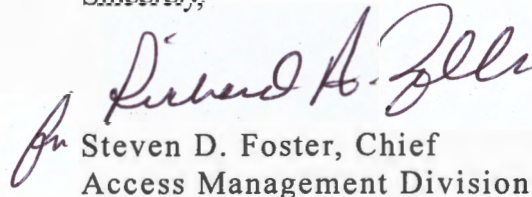
RE: Baltimore County
Item No. 2012-0072-A
Variance
William Corboy III
111 Regester Avenue.

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. 2012-0072-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,


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, ^{DAK}Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 3, 2011
Item No. 2012-0072

DATE: September 23, 2011

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

While we do not oppose the requested relief, we would like to advise the petitioner that the following must be addressed prior to approval of a building permit.

1. A suitable outfall for the storm water management facility must be provided.
2. The building corner must be at least 6 feet outside of utility easement. This will reduce the building length from 108' to 104'.

DAK:CEN

cc: File

ZAC-ITEM NO 12-0070-10032011.doc

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 23, 2011

FROM: Dennis A. Kennedy, ^{DAK}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.

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

JB 11/7 @ 10am
Rm. 205

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

SEP 27 2011



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 # 12-0072-A
Address 111 Regester Avenue
(Corboy 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

111 Regester Avenue; W/S Regester Avenue,
177' S of Glen Argyle Road
9th Election & 5th Councilmanic Districts
Legal Owner(s): William Corboy III
Petitioner(s)

* BEFORE THE
* ADMINISTRATIVE LAW
* JUDGE FOR
* BALTIMORE COUNTY
* 2012-072-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

SEP 19 2011

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 Christy Verizon, 111 Regester Avenue, Baltimore, MD 21212, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT
ACTIVE VIOLATION CASE DOCUMENTS

CO0097303
111 Regester Avenue



CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER 97303	PROPERTY TAX ID 09-18-101082	DATE ISSUED 7/16/11
NAME(S): William Corboy 3rd		
MAILING ADDRESS Same		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE 21212
VIOLATION ADDRESS 111 Regester Ave.		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE 21212

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

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

NON-RESIDENTIAL CLASSIFICATION

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

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

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

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

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|--|--|
| ☐ 13-7-112: Cease all nuisance activity | ☒ 35-2-301: Obtain building/ fence/ sign permit |
| ☐ 13-7-115: County to abate nuisance & lien costs | ☐ 13-2-604: Remove an obstruction(s) at street, alley, road |
| ☐ 13-7-310: Remove all trash & debris from property | ☐ 13-7-310(2): Remove bird seed / other food for rats |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 32-3-102: Violation of development plan/ site plan |
| ☐ 13-7-201(2): Cease stagnant pool water | ☐ IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise |
| ☐ 12-3-106: Remove animal feces daily | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 35-5-208(a)(c): Seal exterior openings from rodents & pests | |
| ☐ 13-4-201(b)(d): Store garbage in containers w/tight lids | |

OWNER OCCUPIED HOUSING (B.C.C.)

- | | |
|---|--|
| ☐ 35-5-302(a)(1): Unsanitary conditions. | ☐ 35-5-302(a)(2): Store all garbage in trash cans |
| ☐ 35-5-302(a)(3): Cease _____ infestation from prop. | ☐ 35-5-302(b)(1): Repair exterior structure |
| ☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc | ☐ 35-5-302(b)(1)(3): Repair exterior extensions |
| ☐ 35-5-302(b)(1)(4): Repair chimney & similar extensions | ☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces |
| ☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s) | ☐ 35-5-302(b)(1)(7): Repair defective fence |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|--|---|
| ☐ 35-2-404(a)(1)(i): Remove hazardous or unsafe condition | ☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(1)(iii): Repair roof or horizontal members | ☐ 35-2-404(a)(1)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations |
| ☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s) | ☐ 35-2-404(a)(4)(i)(ii): Board & secure. Material to match building color of structure |

OTHER VIOLATIONS OR REMARKS:

*** Obtain permit for retaining wall & 6' fence.**
(410-887-3900 - Permits)

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: **7/16/11** INSPECTOR NAME: **K Wood**

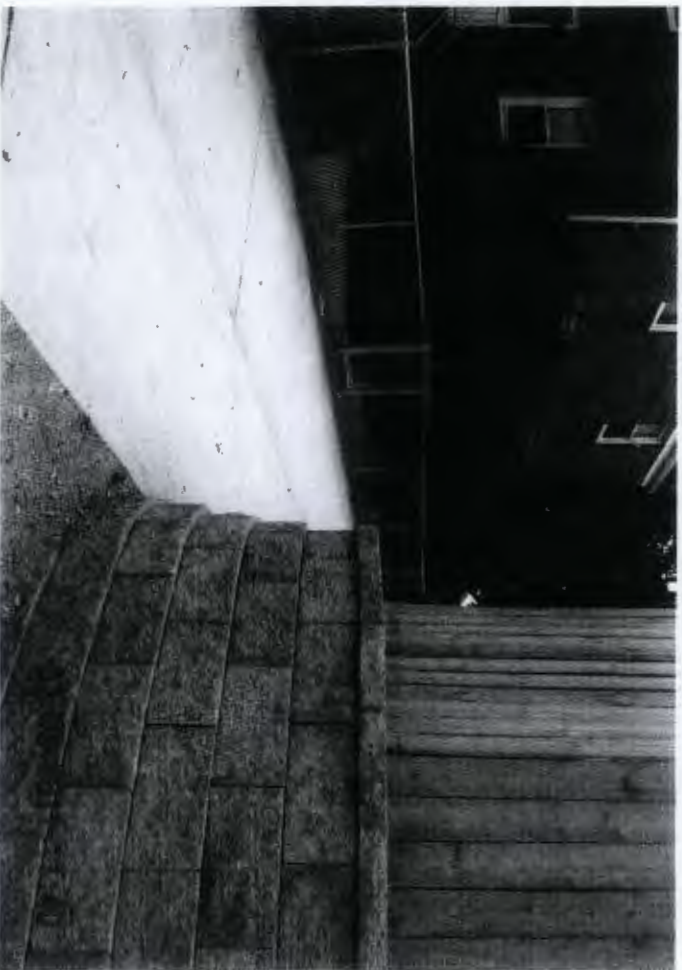
PRINT NAME (Rev 9/05)
AGENCY



07.08.2011 11:33

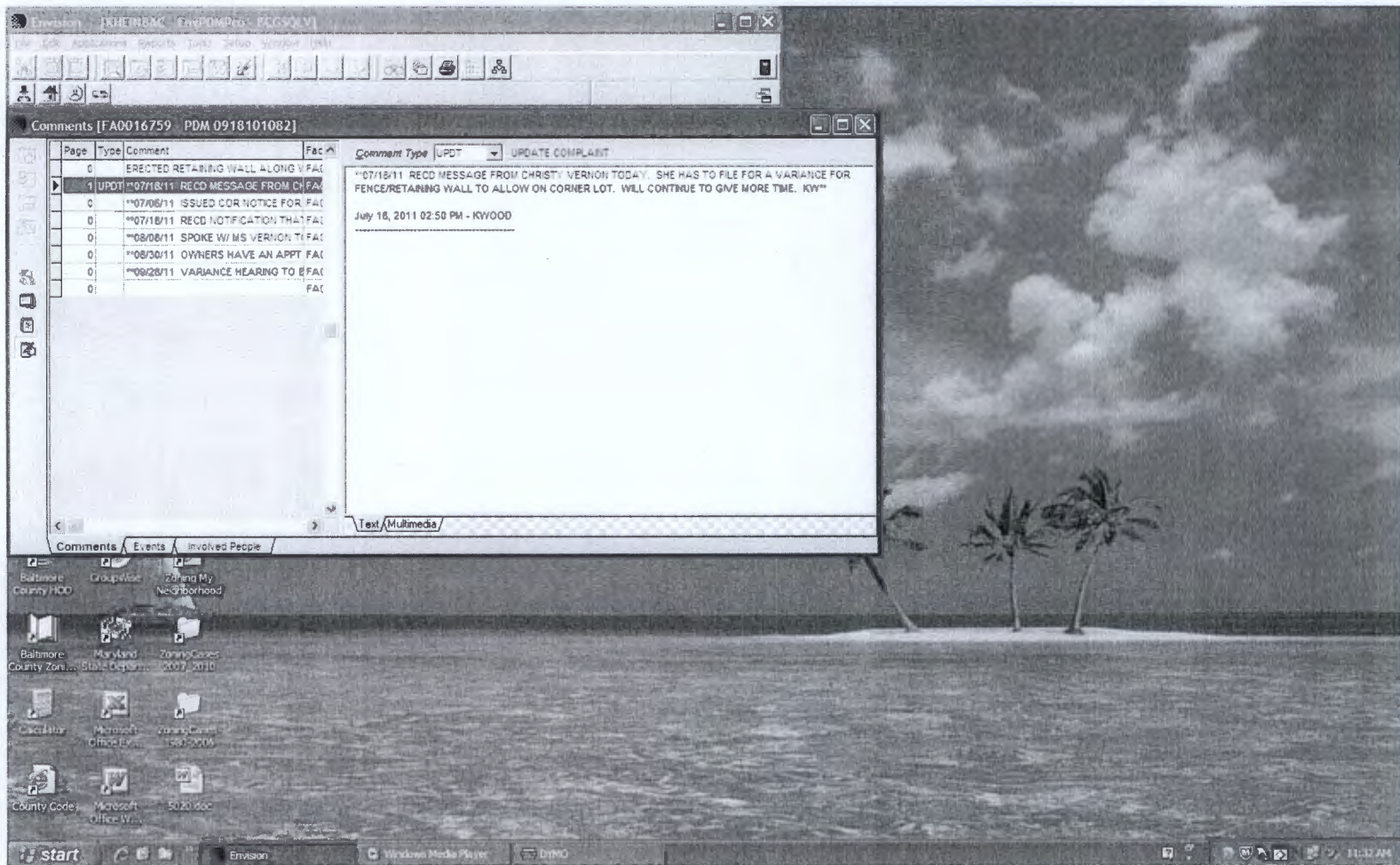


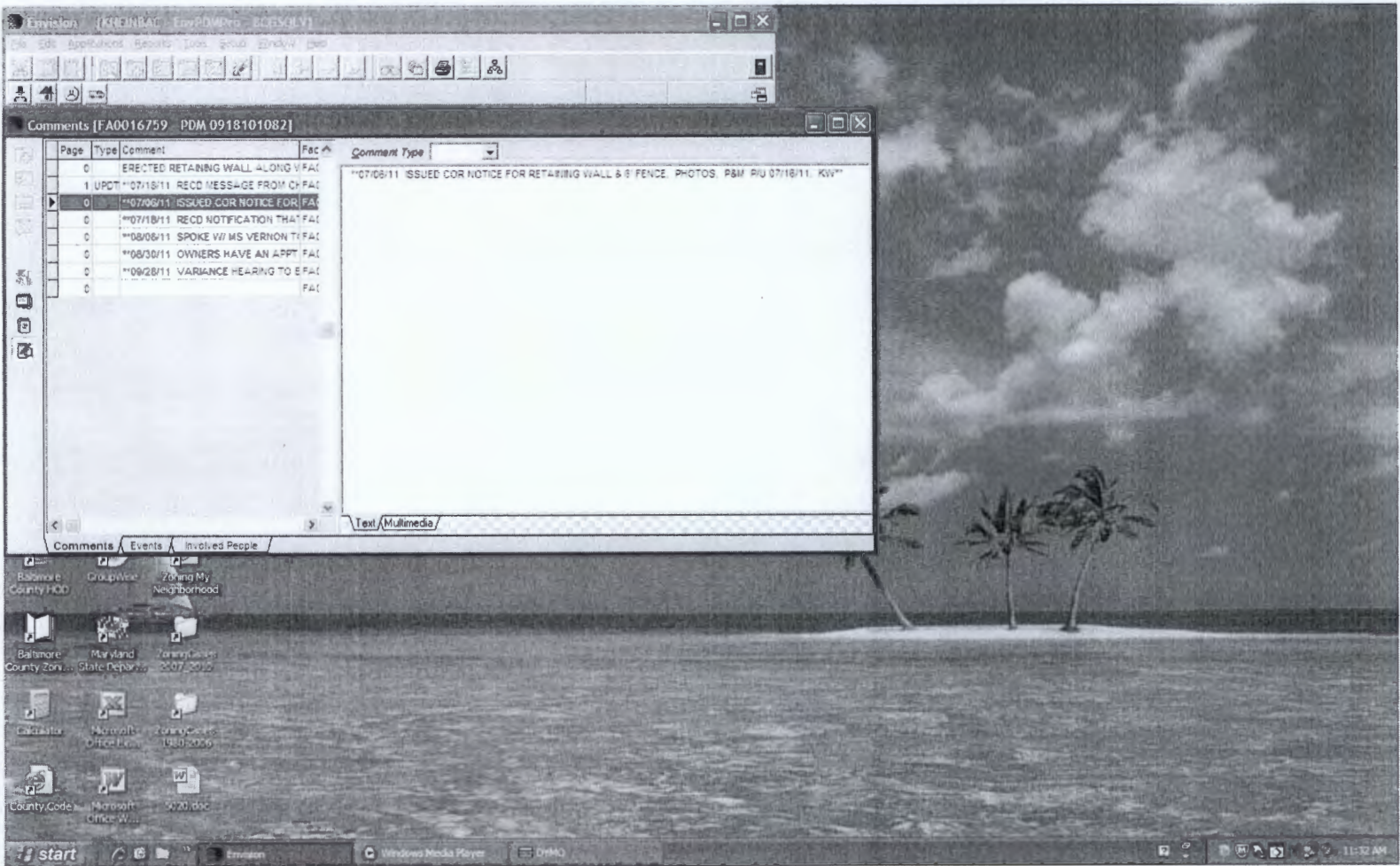
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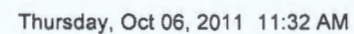


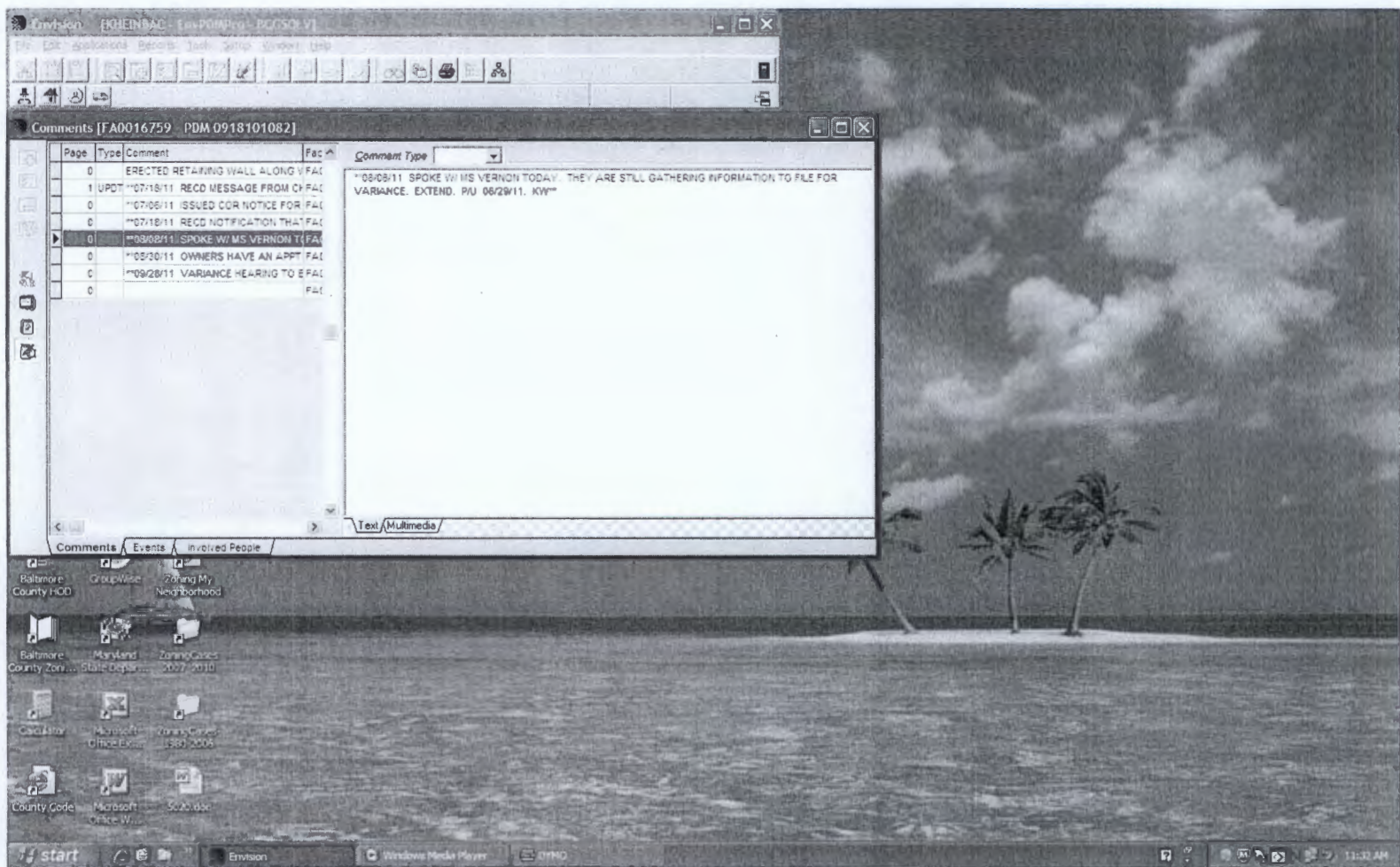
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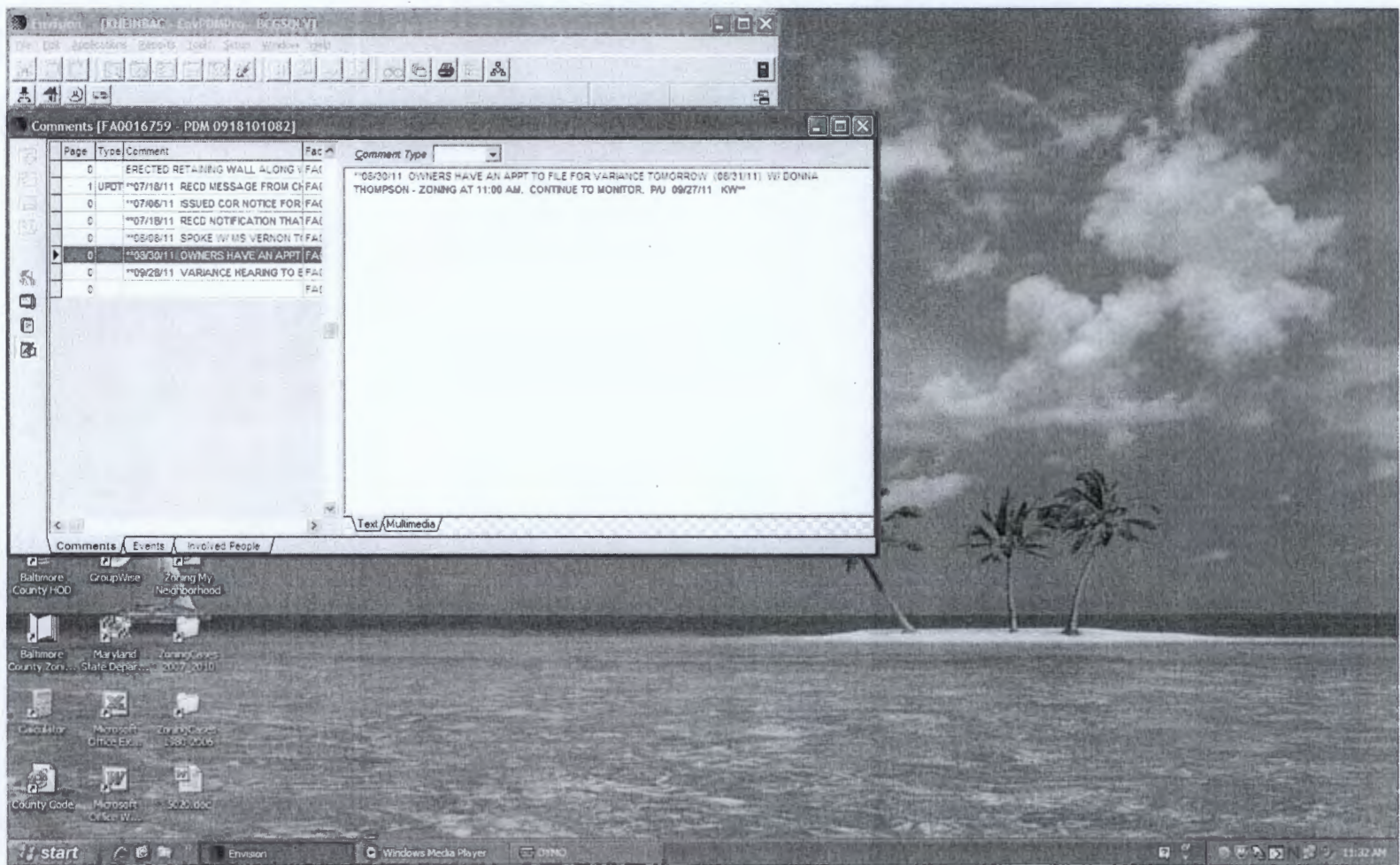
111 Regester Ave 7-6-11

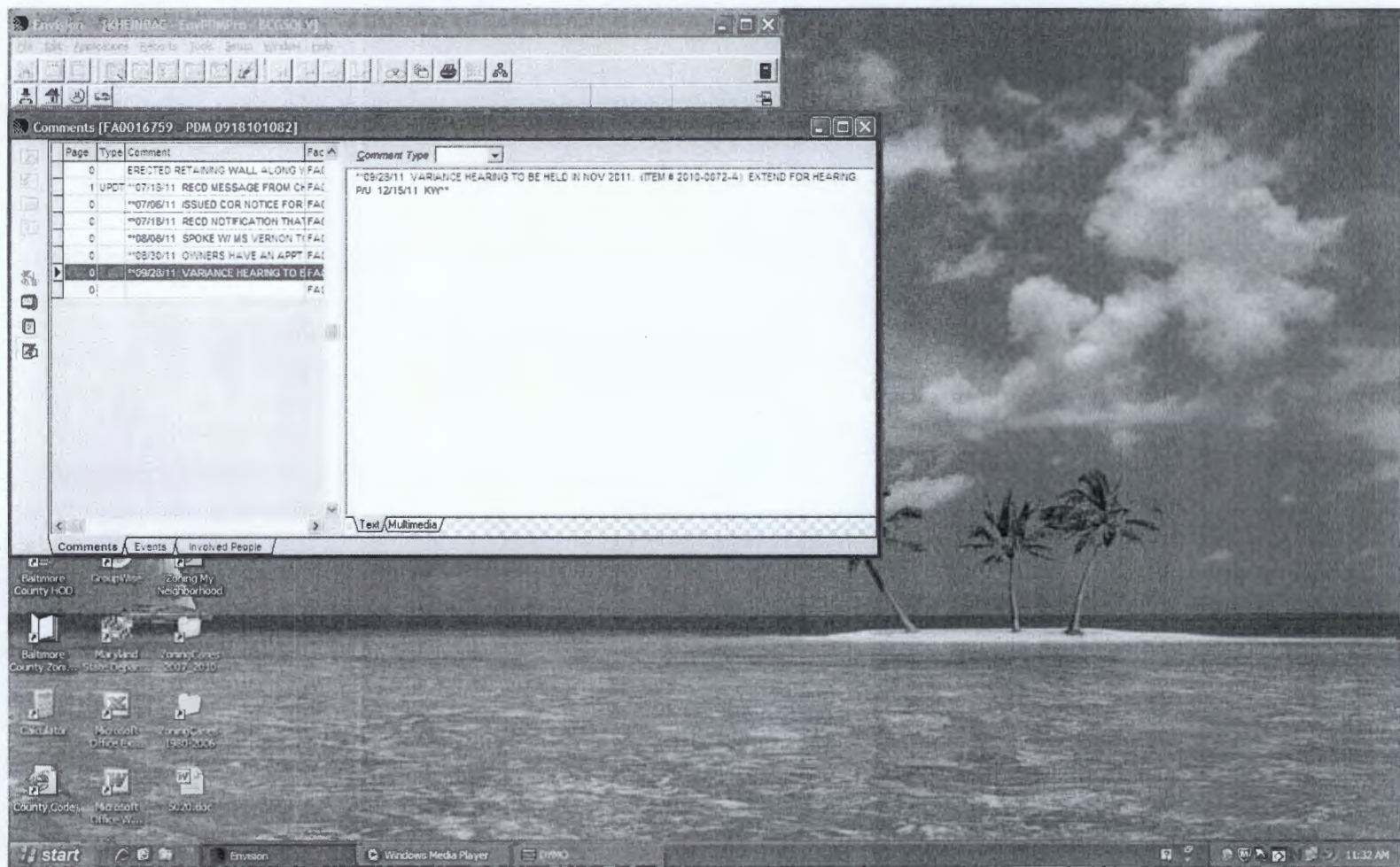












Debra Wiley - ZAC Comments

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

Patricia Zook - Re: Fwd: Case 2012-0072-A - 2 different comments in folder - which is correct? Hearing is Monday

From: John Beverungen
To: Patricia Zook
Date: 11/4/2011 12:37 PM
Subject: Re: Fwd: Case 2012-0072-A - 2 different comments in folder - which is correct? Hearing is Monday

Patti, I think he put the wrong case # on the second memo you attached....I received that comment from Dennis in the 2012-0070XA case I did for Tim on Thursday...you can see at the end of that memo it lists that case # in a footer....

>>> Patricia Zook 11/04/11 12:16 PM >>>
fyi - waiting to hear back from Dennis

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

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>>> Patricia Zook 11/4/2011 10:53 AM >>>
Good morning Dennis -

Please see the attached two comment memos regarding the above-referenced case. Please let me know which comment memo is accurate. The hearing is scheduled for Monday.
Thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

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From: Patricia Zook
To: Kennedy, Dennis
Date: 11/4/2011 10:53 AM
Subject: Fwd: Case 2012-0072-A - 2 different comments in folder - which is correct? Hearing is Monday
Attachments: 20111104104800960.pdf

Good morning Dennis -

Please see the attached two comment memos regarding the above-referenced case. Please let me know which comment memo is accurate. The hearing is scheduled for Monday.
Thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
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>>> "Patti Zook" <pzook@baltimorecountymd.gov> 11/4/2011 10:48 AM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2550).

Scan Date: 11.04.2011 10:48:00 (-0400)
Queries to: dwiley@baltimorecountymd.gov

M E M O R A N D U M

DATE: December 20, 2011
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0072-A

The appeal period for the above-referenced case expired on December 16, 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

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 09 Account Number - 0918101082

Owner Information

Owner Name: CORBOY WILLIAM G 3RD **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 111 REGESTER AVE
BALTIMORE MD 21212-1539 **Deed Reference:** 1)/16982/ 00312
2)

Location & Structure InformationPremises Address

111 REGESTER AVE
0-0000

Legal Description

111 REGESTER AVE
RODGERS FORGE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0080	0001	0116		0000	10	1	30	2	Plat Ref: 0016/0035

Special Tax Areas
Town NONE
Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1952	1,216 SF	3,162 SF	04

Stories	Basement	Type	Exterior
2.000000	YES	END UNIT BRICK	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	100,000	100,000		
Improvements:	170,710	151,300		
Total:	270,710	251,300	251,300	251,300
Preferential Land:	0		0	

Transfer Information

Seller: M & R PROPERTIES LLC	Date: 10/22/2002	Price: \$189,900
Type: ARMS LENGTH IMPROVED	Deed1: /16982/ 00312	Deed2:
Seller: REIER ROBERT M	Date: 06/24/2002	Price: \$125,000
Type: ARMS LENGTH IMPROVED	Deed1: /16553/ 00726	Deed2:
Seller: REIER CHARLES H	Date: 02/21/1996	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /11440/ 00423	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	0.00
State	000	0.00	0.00
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:

CASE NAME Carboy
CASE NUMBER 2012-0072-A
DATE 11-7-11

[illegible]



Pet. #3

2012-0072-A



JB 11/7
10AM

Case No.: 2012-0072-A

Exhibit Sheet

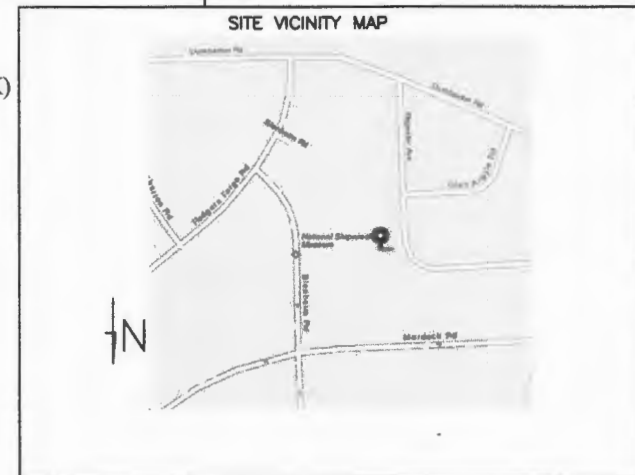
SW 11-16-11
RW 12-20-11

Petitioner/Developer

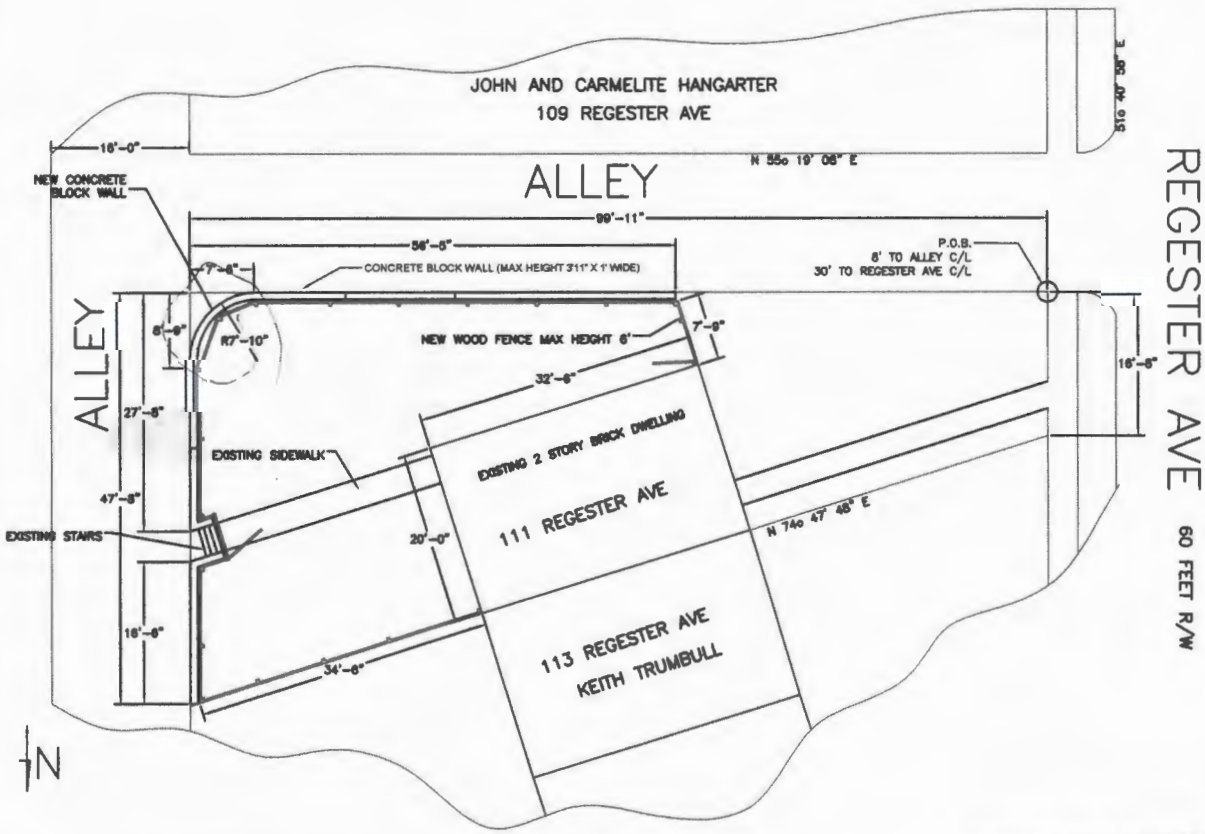
Protestant

No. 1	Site Plan	
No. 2	Google Earth Map	
No. 3	Photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ____ (MARK TYPE REQUESTED WITH X)
 ADDRESS: 111 REGESETER AVE OWNERS NAMES: WILLIAM GRANT CORBOY III
 SUBDIVISION NAME: RODGERS FORGE SUB DIV 0000 LOT # 30 BLOCK # 1 SECTION 10
 PLAT BOOK # 0016 PLAT REF # 0035 10 DIGIT TAX NUMBER 0918101082 DEED REF # 16982/ 00312



ZONING MAP# 0080
 SITE ZONED DR 10.5
 ELECTION DISTRICT 9TH
 COUNCIL DISTRICT 5TH
 LOT AREA ACREAGE _____
 OR SQUARE FEET 3162 SQ. FT
 HISTORIC NO
 IN CBCA NO
 IN FLOOD PLAIN NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW:
C00097303
 VIOLATION CASE INFO:
K. WOOD



PETITIONER'S

EXHIBIT NO. 1

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN FEET AND ARE AFTER PLATING TOLERANCE OR DECIMALS				ANGLES	
X	.XX	.XXX	.XXXX	X	ANGLES
0.1	0.03	0.010	0.001	X	0.5
D				CORBOY001	
N/A				1 OF 1	

Site plan

EX 1



PETITIONER'S
EXHIBIT NO. 2

