

IN RE: PETITION FOR VARIANCE

NE corner of Holabird Avenue
and Searles Road
12th Election District
7th Councilmanic District
(7526 Holabird Avenue)

Luz M. Paulino Cruz and
Adel Baez Martinez
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2012-0116-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 Luz M. Paulino Cruz and Adel Baez Martinez, the legal owners of the subject property. Petitioners request Variance relief to permit an accessory structure (an existing deck with attached pool) to be located partially in a side yard with a side street setback of 2 feet in lieu of the required rear yard with a 15 feet side street setback. 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.

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, Approvals and Inspections.¹ A Code Inspections and Enforcement Correction Notice was issued to Petitioners on September 12, 2011, for failure to secure the required permits. Hence, Petitioners filed the instant variance request.

Appearing at the requisite public hearing in support of the variance request were Petitioners Luz M. Paulino Cruz and Adel Baez Martinez and John Sullivan, who is assisting the

¹ CO-0100416

ORDER RECEIVED FOR FILING

Date 12-23-11

By SMA

Petitioners in the permit process. No protestants or other interested persons appeared at the hearing.

Testimony and evidence offered revealed that the property is an end of group townhome located at 7526 Holabird Avenue in Dundalk. The owners recently constructed an above ground pool and deck in their side/rear yard. They were unaware that a permit was required for the deck and pool and have filed this variance request to legitimize these improvements. The deck and pool are for the Petitioner's small children who use the pool in the warmer months.

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 Petitioner.

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, I find that Petitioner's variance request should be GRANTED.

THEREFORE, IT IS ORDERED this 23rd day of December, 2011 by this Administrative Law Judge that Petitioners' Variance request from Section VI-"D" Residence A1, as it ultimately refers to Section III-"A" Residence Zone #13 and 13(a) [1945-1955 B.C.Z.R.] to permit an accessory structure (an existing deck with attached pool) to be located partially in a side yard with a side street setback of 2 feet in lieu of the required rear yard with a 15 foot side street setback, be and is hereby GRANTED, subject to the following:

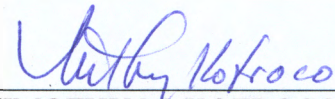
ORDER RECEIVED FOR FILING

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By SMA

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

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



TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:sma

ORDER RECEIVED FOR FILING

Date 12-23-11

By SMA



KEVIN KAMENETZ
County Executive

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

December 23, 2011

Luz Paulino Cruz
Adel Baez Martinez
7526 Holabird Ave
Baltimore, MD 21222

RE: Petition For Variance
(7526 Holabird Avenue)
Case No. 2012-0116-A

Dear Mr. Cruz and Ms. Martinez:

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:sma

Enclosure

VIOLATION

INSPECTION JIM KIDD.

ACCOUNT # 1211017150



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7526 HOLABIRD AVE.

which is presently zoned RD

ORIGINAL

KEEP IN FILE

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)

VI - "D" RESIDENCE A1. AS IT ULTIMATELY REFERS

TO SECTION III - "A" RESIDENCE ZONE # 13. (B) TO PERMIT AN

ACCESSORY STRUCTURE (AN EXISTING DECK WITH ATTACHED POOL) TO BE LOCATED PARTIALLY

IN A SIDE YARD WITH A SIDE STREET SETBACK OF 2 FT. IN LIEU OF THE REQUIRED

REAR YARD WITH A 15 FT. SIDE STREET SETBACK.

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

Pool cannot be located anywhere else on our lot NO ROOM IN FRONT OR REAR YARD. Plug over head wires in rear yard. OUR SON has asthma & uses the pool for his health. Pool was expensive.

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):

LUZ M. PACHECO CRUZ

Name - Type or Print

Signature

Name - Type or Print

Signature

1526 HOLABIRD AVE

Address

City

MD

State

443-4147618

Telephone No.

21222

Zip Code

Representative to be Contacted:

SAME John Sullivan Jr.

Name

Address

City

State

Telephone No.

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1HR

UNAVAILABLE FOR HEARING -

Reviewed By ✓ Date 10/26/11

ORDER RECEIVED FOR FILING

Date 12-23-11

By SMA.

443-666-0129

0116

Zoning Description
7526 Holabird Avenue

Beginning at a point on the northside of Holabird Avenue, ~~35~~ feet wide and the east side of Searles Road ~~60~~ wide. Being lot #6, Plat #1 in the subdivision Merritt Homes as recorded in the Baltimore County Plat Book Liber 018 folio 005. Containing 4,074 square feet being known as 7526 Holabird Avenue and located in the ~~12~~ Election District and ~~7~~ Councilmanic District of Baltimore County,

2183

M E M O R A N D U M

DATE: January 24, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0116-A – Appeal Period Expired

The appeal period for the above-referenced case expired on January 23, 2012. 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

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

November 21, 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: 2012-0116-A

7526 Holabird Avenue

N/east corner of Holabird Avenue and Searles Road

12th Election District – 7th Councilmanic District

Legal Owners: Luz Paulino Cruz & Adel Martinez

Variance to permit an accessory structure (an existing deck with attached pool) to be located partially in a side yard with a side street setback of 2 feet in lieu of the required rear yard with a 15 feet side street setback.

Hearing: Tuesday, December 20, 2011 at 10:00 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: Luz Cruz, Adel Martinez, 7526 Holabird Avenue, Baltimore 21222
John Sullivan, 641 Straffan Drive, Unit 201, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 5, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 6, 2011 Issue - Jeffersonian

Please forward billing to:
Adel Martinez
7526 Holabird Avenue
Dundalk, MD 21222

443-414-7618

NOTICE OF ZONING HEARING

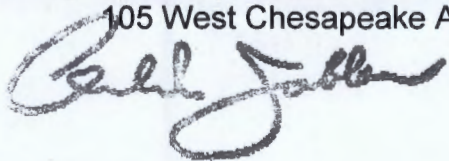
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 12/5/2011

Case Number: 2012-0116-A

Petitioner / Developer: LUZ CRUZ, ADEL MARTINEZ ~JOHN SULLIVAN

Date of Hearing (Closing): DECEMBER 20, 2011

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
7526 HOLABIRD AVENUE

The sign(s) were posted on: DECEMBER 3, 2011



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

**NOTICE OF ZONING
HEARING**

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Case: # 2012-0116-A
7526 Holabird Avenue
N/east corner of Holabird Avenue and Searles Road
12th Election District
7th Councilmanic District
Legal Owner(s): Luz Paulino Cruz & Adel Martinez
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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 12/603 Dec. 6 292287

CERTIFICATE OF PUBLICATION

12/8/, 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 12/6/, 2011.

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

S. Wilkinson

LEGAL ADVERTISING

CASE NO. 2012-

0116-A

12/20 10am 205

CHECKLIST

Comment Received

Department

Support/Oppose/ Conditions/ Comments/ No Comment

11-16

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

NC

DEPS

(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

11-8

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. CO-0100416)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 12-6-11

SIGN POSTING

Date: 12-3-11

by O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Patricia Zook - 2012-0116-A - 30 day appeal period is up

From: Sarah Adams
To: Adams, Sarah; Wiley, Debra; Zook, Patricia
Date: 1/23/2012
Due: 1/23/2012
Subject: 2012-0116-A - 30 day appeal period is up

Disclaimer: The information in this message is confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying or distribution of the message, or any action or omission taken by you in reliance on it, is prohibited and may be unlawful. Please immediately contact the sender if you have received this message in error. Thank you.

Debra Wiley - ZAC Comments - Distribution Meeting of 11/7/11

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 11/4/2011 6:37 PM
Subject: ZAC Comments - Distribution Meeting of 11/7/11

Hi there,

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. Thank you.

2012-0115-A - 445 Neeper Road
Administrative Variance (Closing Date: 11/21)

2012-0116-A - 7526 Holabird Avenue
No hearing date as of 11/04

2012-0117-A - 2211 Wiltonwood Road
No hearing date as of 11/04

2012-0118-A - 10500-10506; 10514-10518; 10526 Windlass Run Rd.
No hearing date as of 11/04

2012-0119-A - 313 Homberg Avenue
Administrative Variance (Closing Date: 11/21)

Thanks.

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



KEVIN KAMENETZ
County Executive

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

December 13, 2011

Luz Paulino Cruz and Adel Baez Martinez
7526 Holabird Avenue
Baltimore, MD 21222

RE: Case Number 2012-0116-A, 7526 Holabird Avenue

Dear Luz Cruz & Adel Martinez,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 26, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
John Sullivan, Jr., 641 Straffan Dr. Unit 201, Timonium, MD 21093

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 16, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For November 21, 2011
Item Nos. 2012-115, 116, 117, 118
And 119

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-11212011 -NO COMMENTS.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-8-11

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

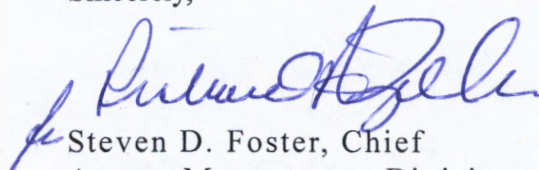
RE: Baltimore County
Item No. 2012-0116-A
Variance
Luz Paulino Cruz
Adel Baez Martinez
7526 Holabird Avenue.

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. 2012-0116-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



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
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December 13, 2011

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Supervisor, Zoning Review

WCR:mcn

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c: People's Counsel
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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

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Item Nos. 2012-115,116,117,118
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DATE: November 16, 2011

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DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-11212011 -NO COMMENTS.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-8-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
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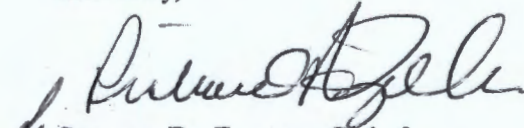
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Access Management Division

SDF/rz

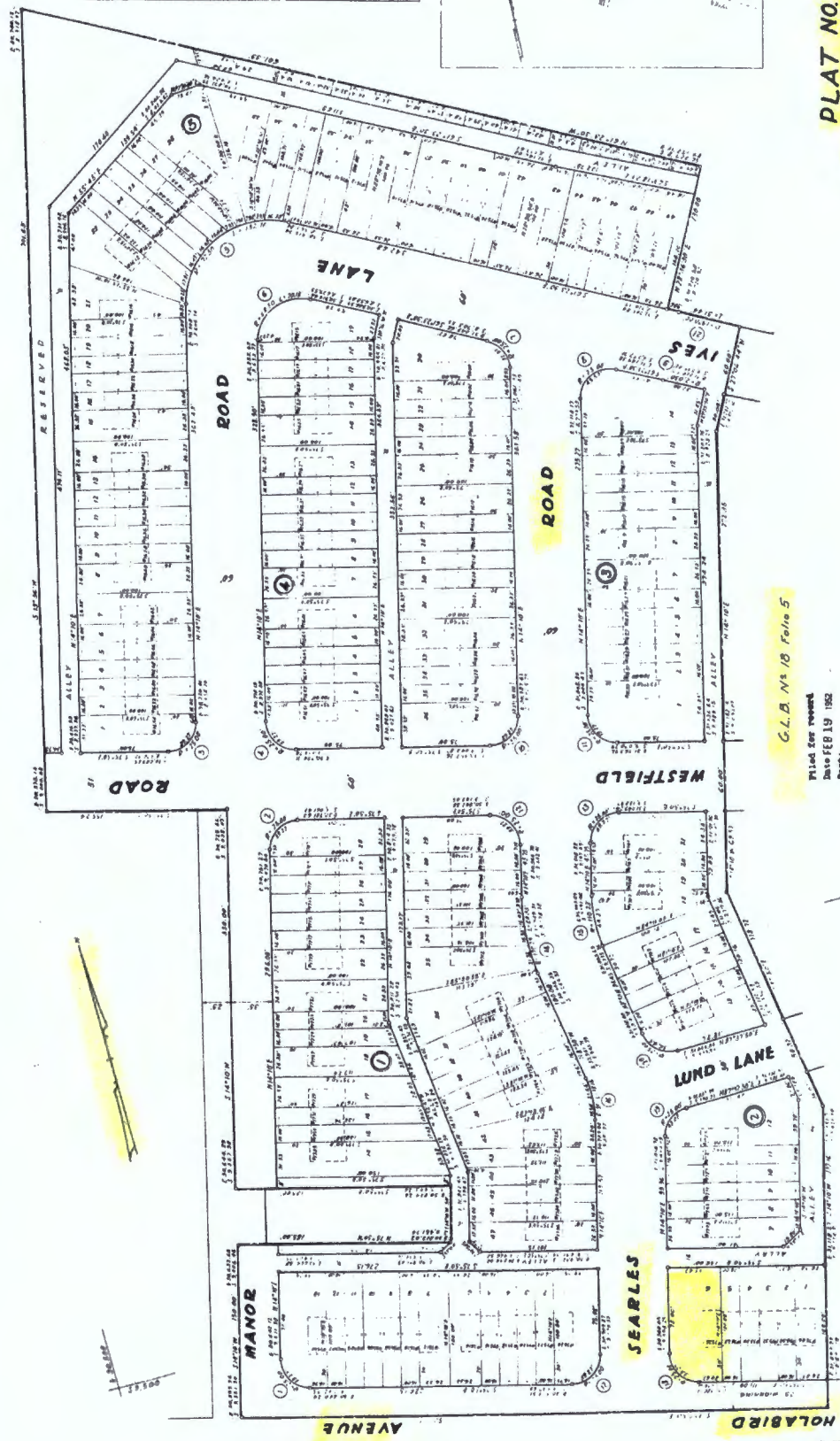
PER EXHIBIT 016

CURVE DATA

NO.	ROAD	Δ	PI	TA	CH
1	12th	120.00	120.00	120.00	120.00
2	12th	120.00	120.00	120.00	120.00
3	12th	120.00	120.00	120.00	120.00
4	12th	120.00	120.00	120.00	120.00
5	12th	120.00	120.00	120.00	120.00
6	12th	120.00	120.00	120.00	120.00
7	12th	120.00	120.00	120.00	120.00
8	12th	120.00	120.00	120.00	120.00
9	12th	120.00	120.00	120.00	120.00
10	12th	120.00	120.00	120.00	120.00
11	12th	120.00	120.00	120.00	120.00
12	12th	120.00	120.00	120.00	120.00
13	12th	120.00	120.00	120.00	120.00
14	12th	120.00	120.00	120.00	120.00
15	12th	120.00	120.00	120.00	120.00
16	12th	120.00	120.00	120.00	120.00
17	12th	120.00	120.00	120.00	120.00
18	12th	120.00	120.00	120.00	120.00
19	12th	120.00	120.00	120.00	120.00
20	12th	120.00	120.00	120.00	120.00
21	12th	120.00	120.00	120.00	120.00
22	12th	120.00	120.00	120.00	120.00
23	12th	120.00	120.00	120.00	120.00
24	12th	120.00	120.00	120.00	120.00
25	12th	120.00	120.00	120.00	120.00
26	12th	120.00	120.00	120.00	120.00
27	12th	120.00	120.00	120.00	120.00
28	12th	120.00	120.00	120.00	120.00
29	12th	120.00	120.00	120.00	120.00
30	12th	120.00	120.00	120.00	120.00
31	12th	120.00	120.00	120.00	120.00
32	12th	120.00	120.00	120.00	120.00



PLAT NO. 1
MERRITT HOMES
 12TH ELECT. DIST. BALTIMORE Co. MD.
DUNDALK BUILDING CO.
COURT SQUARE BLDG.
BALTIMORE 2, MD.
 SCALE: 1" = 50'-0" OCT. 9, 1951



GLA No. 18 Folio 5

Filed for record
 DATE FEB 19 1952
 CLerk of Circuit Court
 George E. Dwyer

Coordinates are related to the corner of Baltimore
 Co. Washington D.C.

Approved as to alignment and location of streets
 by the Board of Public Works
 dated 1-15-52

Approved by Baltimore County Planning Commission
 dated 1-15-52

OWNERS CERT. - A.P.C.
 The undersigned hereby certify that the requirements
 of the Baltimore County Ordinance No. 10-1-51
 have been complied with in the above plat.

Dundalk Building Co.
 by [Signature]

CERTIFICATION
 The undersigned hereby certify that the plat was
 prepared by the [Name] in accordance with the
 requirements of the Baltimore County Ordinance No. 10-1-51
 and that the same is a true and correct copy of the original.

[Signature]

NOTED & S. Outlines are
 Survey by [Name]

BALTIMORE CO. RECORDS
 DIVISION OF RECORDS
 BALTIMORE, MD.

TK
12/20
10AM

Case No.: 2012-0116-A - 7526 Alabaidue

Exhibit Sheet

SMA 12-23-11 11/24/12
ps

Petitioner/Developer

Protestants

No. 1	Site Plan of Property	
No. 2	Aerial of property	
No. 3	Photos of property	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

2012-0116-A

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: November 10, 2011

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

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

SUBJECT: Item No.: 2012-0016-A
Legal Owner/Petitioner: Luz Paulino Cruz and Adel Baez Martinez
Contract Purchaser: N/A
Property Address: 7526 Holabird Avenue
Location Description: NE Corner of Holabird Ave. and Searles Road

VIIOLATION INFORMATION: Case No. CO0100416
Defendants: Luz Paulino Cruz and Adel Baez Martinez

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
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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:

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

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

AGB/rw
C: Code Enforcement Officer



Department of Permits, Approvals & Inspections Complaint Report

Report Criteria:
Complaint Record ID: CO0100416

Record ID	AS/400 Case	Assigned To	Assigned Date	Scheduled Time	Received By	Received Date	Status	Hearing Date	ADC Grid
CO0100416		Lewis Mayer	09/02/2011		Rashida White	09/02/2011	Open - Normal		44H3

Complaint Description: BUILDING POOL WITHOUT PERMIT. PIPE OUT OF GROUND

Facility:	Owner :	Complainant:
FA0260122 PDM 1211017150 7526 HOLABIRD AVE DUNDALK, MD 21222	MARTINEZ ADEL BAEZ CRUZ LUZ M PAULINO 7526 HOLABIRD AVE BALTIMORE MD 21222	SEE GLENN BERRY

Daily Activity Details

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0124309	Tim Kidd	10/14/2011	REINSPECTION	NOT APPLICABLE	MONITOR
Inspector Notes: 10/14/11 OWNERS ARE GOING THROUGH WITH VARIANCE CASE. THEY HAVE MR. SULLIVAN FILING FOR APPOINTMENT WITH ZONING. WILL FOLLOW UP IN 11/21/11 T.KIDD/RW					

Violation Details - No Data

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0122212	Tim Kidd	09/26/2011	REINSPECTION	NOT IN COMPLIANCE	MONITOR
Inspector Notes: 9/26/11 OWNERS CAME TO OFFICE BUILDING TO GET ALL PAPERS/FORM/ TO APPLY FOR VARIANCE. P/U 10/12/11 T.KIDD/RW					

Violation Details - No Data

Serial Number	Inspector	Activity Date	Service	Result	Action
DA0119334	Tim Kidd	09/12/2011	INITIAL INSPECTION	NOT IN COMPLIANCE	CORRECTION NOTICE ISSUED
Inspector Notes: 9/12/11 POSTED ADDRESS WITH CORRECTION NOTICE TO SECURE PERMITS FOR ABOVE GROUND POOL ON SIDE OF HOME. P/U 9/26/11 T.KIDD/RW					

Violation Details

Violation Record ID:	IV0061776	Comply By:	11/21/2011	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



Baltimore County
Department of Permits and
Development Management

Code Inspections 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: 100416	Property No: 121017150	Zoning: CR2
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Name(s): **MARTINEZ ADRIAN CR2 LOT 14**

Address: **7526 Holabird Ave. Balt. MD**

Violation Location: **21222**
same

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Baltimore County Code 2003
Building Regulations. Article 1(35)
Sub Title B building Permits. Section 35-2301
(302)(304) Penalty Sec. Actions without permit
Secure Permits OR
Remove Above ground pool
on side of home.

IF Any Questions please
call
410-887-3953

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

ON OR BEFORE: 9.26.11	DATE ISSUED: 9.12.11
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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: **Tim Kidd**

INSPECTOR: **Tim Kidd**

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:
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INSPECTOR:

DATE: 11/10/2011

STANDARD ASSESSMENT INQUIRY (1)

TIME: 07:44:29

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 11 017150	12	3-0	04-00	H	NO		11/02/11
MARTINEZ ADEL BAEZ				DESC-1..			
CRUZ LUZ M PAULINO				DESC-2.. MERRITT HOMES			
7526 HOLABIRD AVE				PREMISE. 07526 HOLABIRD		AVE	

00000-0000

BALTIMORE

MD 21222-2104 FORMER OWNER: FEDERAL HOME LOAN

----- FCV -----			----- PHASED IN -----			
	PRIOR	PROPOSED		CURR	CURR	PRIOR
				FCV	ASSESS	ASSESS
LAND:	38,000	38,000				
IMPV:	106,200	106,200	TOTAL..	144,200	144,200	144,200
TOTL:	144,200	144,200	PREF...	0	0	0
PREF:	0	0	CURT...	144,200	144,200	144,200
CURT:	144,200	144,200	EXEMPT.		0	0
DATE:	08/08	08/08				

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

ASSESS: 144,200

ASSESS: 144,200

ASSESS: 0

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

DATE: 11/10/2011

STANDARD ASSESSMENT INQUIRY (2)

TIME: 07:44:48

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 11 017150	12	3-0	04-00	H	NO		11/02/11
LOT....	6	BOOK....		MAP.....	0103	LOT WIDTH.....	.00
BLOCK..		FOLIO...		GRID....	0011	LOT DEPTH.....	.00
SECTION..	2			PARCEL..	0463	LAND AREA..	4074.000 S
PLAT..	1					YEAR BUILT.....	54

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

NUMBER..... 351415
 DATE..... 12/11/06
 PURCHASE PRICE..... 149,500
 GROUND RENT..... 0
 DEED REF LIBER..... 24897
 DEED REF FOLIO..... 0516
 CONVEYED IND..... 1
 TOT-PART TRAN IND.....
 GRANTOR ACCT NO.. - -

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

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

CRITICAL NEW CONST CARD
 AREAS CODE YEAR NO
 04340

-----STRUCTURE-----

CODE SQ. FEET
 1024

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

DATE: 11/10/2011

STANDARD ASSESSMENT INQUIRY (3)

TIME: 07:44:59

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 11 017150	12	3-0	04-00	H	NO		11/02/11

-----STATE-----

GEO CODE N/A LAND-USE

REC CREATE DATE.. 11/02/11

82

NO

R

DELETE CODE..... M

DATE DELETED.....

LAST FM DATE.....

LAST FM TYPE.....

PREV FM DATE.....

PREV FM TYPE.....

----- COUNTY -----

LAST LOAD DATE... 11/02/11

PRIOR LOAD DATE.. 10/05/11

STATE TAXABLE ASSESS

ASSESS: 144,200

ASSESS: 144,200

ASSESS: 0

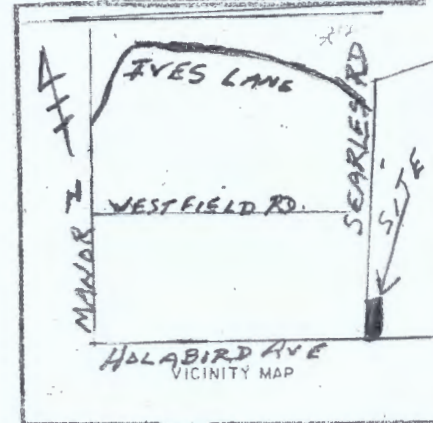
ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF

PROPERTY ADDRESS: 7526 HOLADAY RD AVE SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME MERRITT HOMES

PLAT BOOK # C18 FCH IO # 005 LOT # 6 SECTION # 1

OWNER MR. & MRS. MARTINEZ



2012-0116-A

1945 ZONING REG.
APPLY. (J. Lewis)
(= OLD "D" RES. ZONE)

VIOLATION CASE
CD1A0416
INSPECTOR:
JIM KIPP

LOCATION INFORMATION

ELECTION DISTRICT 12th

COUNCILMANIC DISTRICT 7TH

1"=200' SCALE MAP # 103C2 (SE 3F)

ZONING *RD*

LOT SIZE 0.073 4,074
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PETITIONER' S

EXHIBIT NO.

SETBACKS:

Ext. side fence = 21 ft from
Hot Seals Rd - PROP LINE

Exist. Pool = 13' from Stanley R.
PROP. 2nd

per fence = 27' to A/K

EXIST DECK = 2' FROM SIDE PROP
LINE

6' white XXXX
fence → X
shown as X
X

Pool is shown as 

WOODEN
pool deck
is shown as

SCALE: 1" = 30'

R/w widths per D. Kennedy, DPR.

DR 10.5

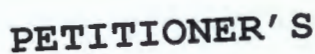
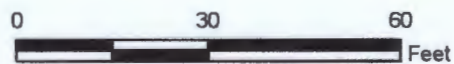


EXHIBIT NO.



1 inch = 30 feet

RE: PETITION FOR VARIANCE
7526 Holabird Avenue; NE corner Holabird
Avenue & Searles Road
12th Election & 7th Councilmanic Districts
Legal Owner(s): Luz Paulino Cruz &
Adel Baez Martinez

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2012-116-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

NOV 10 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 10th day of November, 2011, a copy of the foregoing Entry of Appearance was mailed to Luz Paulino Cruz and Adel Baez Martinez, 7526 Holabird Avenue, Baltimore, Maryland 21222, Representative for Petitioner(s).

Peter Max Zimmerman

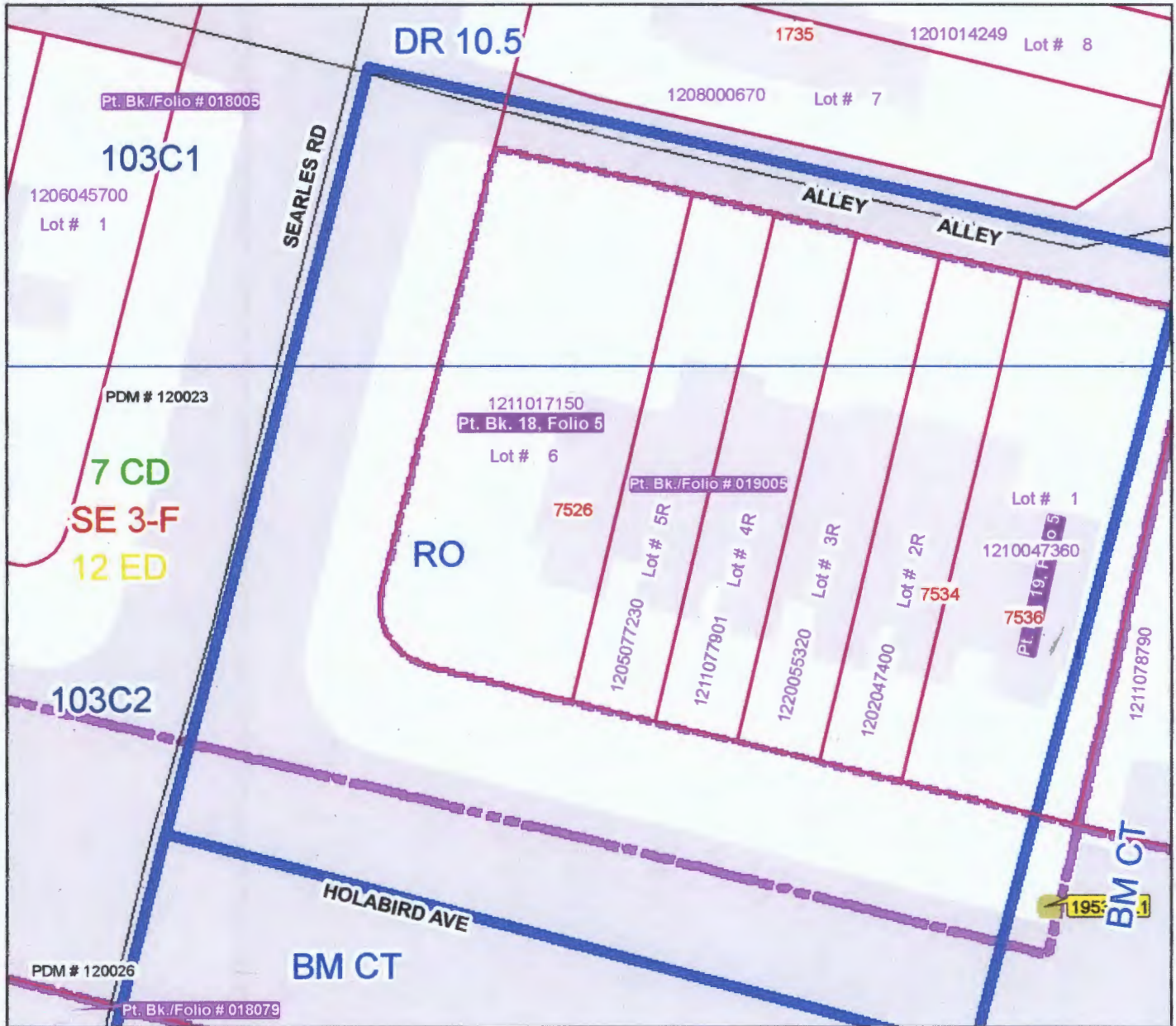
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME Cruz / Martinez
CASE NUMBER 2012-016-A
DATE 12-20-11

[illegible]

7526 Holabird Avenue

0116



Publication Date: October 11, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 30 60 Feet

1 inch = 30 feet

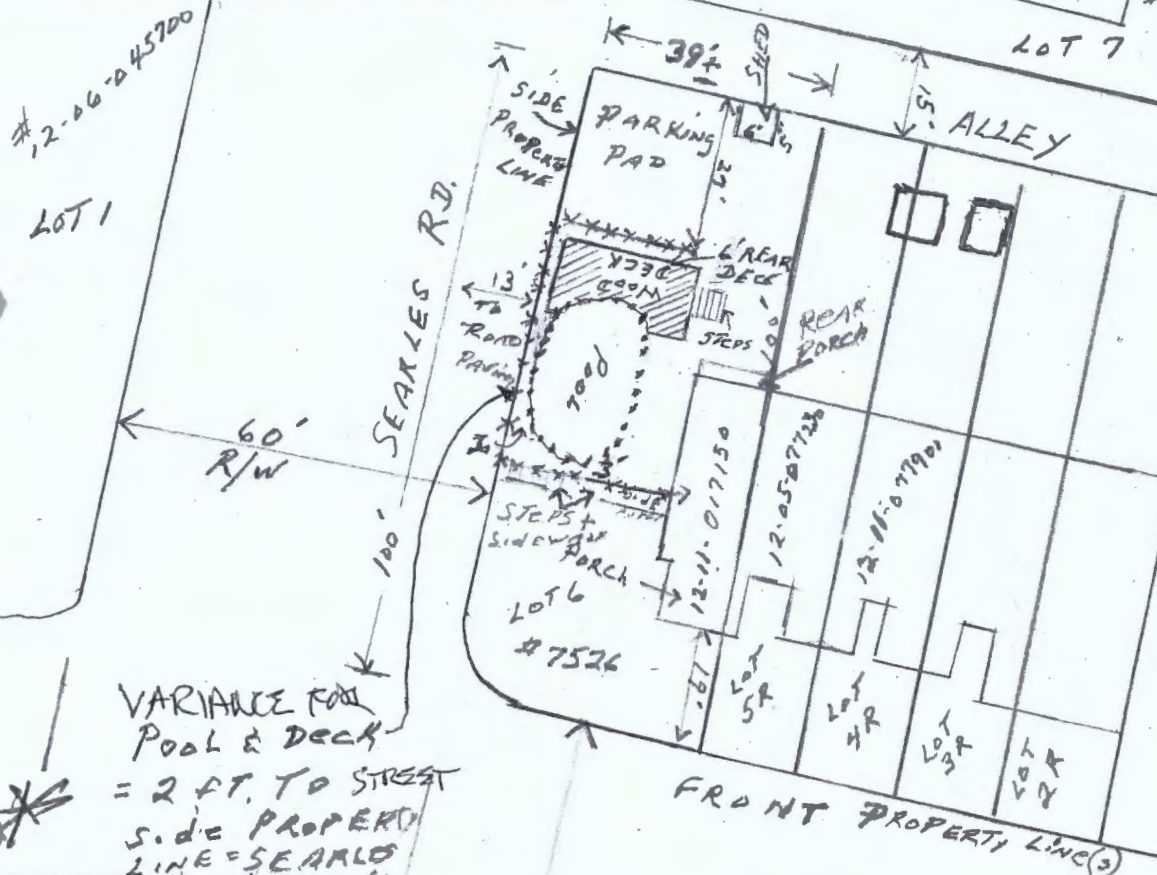
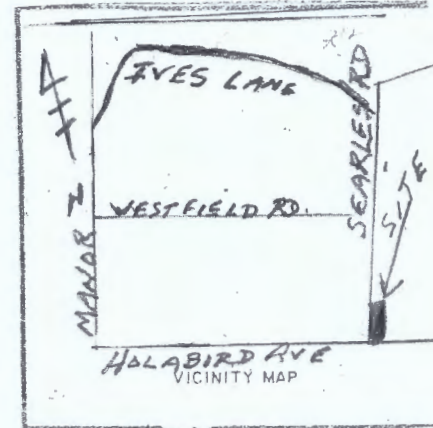
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS: 7526 HOLABIRD AVE SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME: MERRITT HOMES

PLAT BOOK # DLR FOR IO # 005 LOT # 6 SECTION # 1

OWNER: MR. & MRS. MARTINEZ



2012-0116-A

1945 ZONING REG.
APPLY. (J. LEWIS)
(= OLD "D" RES. ZONE)

VIOLATION CASE
C D I O 0416
INSPECTOR:
JIM KIPP

VARIANCE FOR
Pool & Deck
= 2 FT. TO STREET
SIDE PROPERTY
LINE = SEAKLES
RD. R/W

Pool = 24' x 15'

6' WHITE XXXX
FENCE > X
SHOWN AS X

Pool is >
SHOWN AS

WOODEN
Pool Deck >
is shown as

SCALE: 1" = 30'

HOLABIRD AVE.

SETBACKS:

EXIST. SIDE FENCE = 21' FROM
HOT SEAKLES RD. PROP. LINE

EXIST. POOL = 10' FROM SEAKLES RD.
PROP. LINE

REAR FENCE = 27' TO ALLEY

EXIST. DECK = 2' FROM SIDE PROP.
LINE

LOCATION INFORMATION

ELECTION DISTRICT 12th
COUNCILMANIC DISTRICT 7th
1" = 200' SCALE MAP # 103C2 (SE 3F)
ZONING RO

LOT SIZE 0.093 ACRES 4,074 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 ITEM # CASE #

R/W widths per D. KENNEDY, DPR.