IN RE: PETITION FOR VARIANCE
(8 Hillside Avenue)

8th Election District
3rd Councilman District
Doris and Nancy Williams
Petitioners

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0193-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Doris and Nancy Williams, the legal owners of the subject property. The Petitioners are requesting variance relief from §§ 1B01.1 and 427 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 6' high fence in the side yard of an existing dwelling with a 3" setback that is in the front yard of a neighboring dwelling in lieu of a 42" high fence within a 10' 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.

Appearing at the public hearing in support of the request was Nancy Williams. The neighbors at 14 Hillside Avenue attended the hearing and opposed the relief. The Petition was advertised and posted as required by the B.C.Z.R

There were no substantive Zoning Advisory Committee (ZAC) comments received. Testimony and evidence revealed that the subject property is approximately .475 acres and is zoned DR 3.5. The property is improved with a single family dwelling. The Petitioners constructed a fence on their property, and the neighbors filed a complaint with the County's Code Enforcement Bureau. The Petitioners were told by the County that they needed a variance, since the fence was higher than 42".

ORDER RECEIVED FOR FILING

Date 5-29-14

By 9->

Based upon the testimony and evidence presented, I will deny the petition for variance.

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).

Here, there was no evidence or argument presented regarding the uniqueness of the property. As such, I believe the petition for variance must be denied.

But that is not the end of the matter, because I do not believe the Petitioners required a variance in the first instance. Part of the problem arises with the phrasing of the Petition; it sought permission for a fence that "is in the front yard of a neighboring dwelling." But the B.C.Z.R. only restricts to 42" the height of a fence "which **adjoins** the front yard of another on which a residence has been built." B.C.Z.R. §427.1.B.1 (emphasis added).

The regulations define "front yard" as a "yard extending the full width of the lot between the front lot line and the front foundation wall of the main building." B.C.Z.R. §101.1. In this case, as shown on the site plan, the "front yard" of #14 Hillside does not "adjoin" (or touch) the side yard of #8 Hillside in which the fence is constructed. That is because #8 and #14 Hillside are separated by a 20' wide "Private Use Easement" described in a Declaration of Easement marked and admitted as Protestants Exhibit #1. The "front lot line" of #14 adjoins the Private Use Easement, but not the side yard of #8. Since the fence in question is not within 10 feet of the "front yard property line" of #14 Hillside Avenue, a variance is not required. B.C.Z.R. § 427.1.B.2.

OFIDER	RECEIVED FOR FILING	
Date	5-29-14	
By	600	

THEREFORE, IT IS ORDERED, this 29th day of May, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 1B01.1 and 427 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 6' high fence in the side yard of an existing dwelling with a 3" setback that is in the front yard of a neighboring dwelling in lieu of a 42" high fence within a 10' setback, be and is hereby DENIED, as unnecessary.

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:sln

ORDER RECEIV	ED FOR FILING
--------------	---------------

Date 5-29-14

By____



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

May 29, 2014

Doris and Nancy Williams 8 Hillside Avenue Cockeysville, Maryland 21030

RE:

Petition for Variance

Property: 8 Hillside Avenue Case No.: 2014-0193-A

Dear Petitioners:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln Enclosure

c: Lisa McBean, 14 Hillside Avenue, Cockeysville, Maryland 21030

5/A Copies mailed to: Code Efborcenut and Serry Waslewski DebW

PETITION FOR ZONING HEARING(S) To be filed with the Department of Permits, Approvals and Inspections To the Office of Administrative Law of Baltimore County for the property located at: 10 Digit Tax Account # 27340 Deed References: Property Owner(s) Printed Name(s) (SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST) The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for: a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for a Variance from Section(s) 1B01.1; 427 To permit a 6 foot high fence in the side yard of an existing dwelling with a 3 inch setback that If is in the front yard of a neighboring dwelling in lieu of a 42inch high fence within a 10 foot setback. Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above petition(s), 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. Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s). Legal Owners (Petitioners): Contract Purchaser/Lessee: Name- Type or Print Signature nature #1 State Mailing Address City Mailing Address tioner: RECEIVED FOR FILING 21030 Zip Code Telephone # Zip Code **Email Address Attorney for Petitioner:** Representative to be contacted: Name- Type d Name - Type or Print Signature Signature Mailing Addres Mailing Address State City State City Zip Code Telephone # Email Address Zip Code Telephone # **Email Address**

Filing Date 3 1201 2014

Do Not Schedule Dates:

The reasons we wish to keep the fence as installed are as follows:

1. Security

We have property and high value possessions both inside and outside that we would like to keep safe and secure. The fence provides an extra layer of security. The fence provides an additional source of protection to our home. Our home and possessions are of utmost importance to us and therefore we feel responsible to do all that we can to provide a sense of safety and security. Burglaries and home invasions often occur from backyards that are unseen to the noise and traffic on the front side of our home. The fence helps to deter would be thieves from attempting to break into our home and makes access to our property less easy. The fence also makes our possessions less visible and therefore thieves are less likely to attempt to take anything. Preventing criminal activity and providing security to our family is an invaluable benefit to having a fence. We are aware of neighboring drug activity and are concerned about safeguarding ourselves and our property.

2. Privacy

The fence provides an indispensable border of our property and neighbors to the East where we have marked privacy concerns. We are aware of frequent interest and inquiry from our neighbors about our family, our activities, purchases, deliveries, home renovation projects, etc. etc. This intense interest has been unsettling and uncomfortable for our family. The fence offers respite and is an additional source of comfort for our home.

3. Noise Reduction

Another huge benefit to keeping the fence as installed is noise reduction. We live alongside neighbors that have high traffic and loud music playing often where the fence is essential in reducing the amount of noise coming from them.

2014-0173-A

ZONING HEARING PROPERTY DESCRIPTION

FOR 8 Hillside Avenue, Cockeysville, Maryland 21030

Beginning at point 40 on the north side of Hillside Avenue which is 40 feet (right of way width) wide at the distance of 235 feet northeast of the centerline of the nearest improved intersecting street York Road which is 60 feet (right of way) wide.

BEGINNING FOR THE FIRST thereof on the north said of an avenue 40 feet wide in or near Cockeysville (as laid out on the plat of the land formerly owned by the Farmers and Mechanics Building Association of Bultimore County filled with a deed from the said Association to one Luke Logan and recorded among the Land Records of Bultimore County in Liber E.H.A.No.78 follo 118 etc.) at the distance of 300 feet easterly from the east side of the York Turnplke Road and running thence with the north said of said Avenue north 15-1/4 degrees east 100 feet thence north 14-1/4 degrees west 197 feet more or less to the fourth line of the deed from Cockey and Gittings, Executors, to the said Association herein referred to thence with said fourth line south 75-1/4 degrees west 100 feet thence south 14-1/4 degrees east 197 feet more or less to the place of beginning, Containing one half of an acre of ground more or less.

Parcel No.: 0825-00-003206

17700 4

Located in the 8 Election district and the 3 Council District.

Z014-0193-A

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 <u>public hearing</u>, 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:
Petitioner: Doris + Nancy Williams
Address or Location: B Hill sicle Avenue
PLEASE FORWARD ADVERTISING BILL TO:
Name: Nancy Milliams
Address: 8 Hillside Nenne
Cockeysville, Md 21030
Telephone Number: 443 834 3746

1B01.1; 427

To permit a 6 foot high fence in the side yard of an existing dwelling with a 3 inch setback that is in the front yard of a neighboring dwelling in lieu of a 42inch high fence within a 10 foot setback.

	LANCE FOR THE PARTY OF THE PARTY OF		D FINAN(RECEIP		Sub	No.	3/2	9829		PAID RECEIPT DUSTNESS ACTIVAL TIME 3/20/2014 3/20/2014 10:17:06 THE USES WALKIN REGS LEB
				Source/	Rev/			/		WEGLIPT # 790017 1/20/2014
Fund	Dept	Unit	Sub Unit	-	Sub Obj	Dept Obj	BS Acct		nount	of 5 528 20MBW VERIFICATION IN MO. 109829
00/	800	0000	120	6150		Control of the		75	,00	Reapt Fet 175.00
	0 70 45 1	FLATE AN		Sales Inc.	and the second			7 7	- 3	\$75.80 CK \$.60 (
164年	/智慧/思		Control of		F#8-5-12-	18 A S	Fig. P. Fut S	Tear of	1	Baltimore County, Waryland
节性部	() () ()		Trans.	(多數)至	4 - 1 36	以		10 世市		
	E.S. Finds	1312		Sagar S				T. Marie		
Rec From:	NAV.	cy h	Sillia de Av	MS		Total:		/5	.00	
			71030)			2014.	-019	3-4	
										CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/3/2014

Case Number: 2014-0193-A

Petitioner / Developer: DORIS & NANCY WILLIAMS

Date of Hearing (Closing): MAY 22, 2014

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: 8 HILLSIDE AVENUE

The sign(s) were posted on: MAY 2, 2014



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)



Baltimore, Maryland 21278-0001

May 1, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on May 1, 2014

The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkins

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: # 2014-0193-A

Case: # 2014-0193-A
8 Hillside Avenue
N/s Hillside Avenue, 300 ft. e/of centerline of York Road
8th Election District - 3rd Councilmanic District
Legal Owner(s): Doris & Nancy Williams
Variance: to permit a 6 foot high fence in the side yard of an
existing dwelling with a 3 inch setback that is in the front
yard of a neighboring dwelling in lieu of a 42 inch high fence within a 10 foot setback.

Hearing: Thursday, May 22, 2014 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. 5/010 May 1



KEVIN KAMENETZ County Executive

April 11, 2014

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

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: 2014-0193-A

8 Hillside Avenue

N/s Hillside Avenue, 300 ft. e/of centerline of York Road

8th Election District – 3rd Councilmanic District

Legal Owners: Doris & Nancy Williams

Variance to permit a 6 foot high fence in the side yard of an existing dwelling with a 3 inch setback that is in the front yard of a neighboring dwelling in lieu of a 42 inch high fence within a 10 foot setback.

Hearing: Thursday, May 22, 2014 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director

AJ:kl

C: Doris & Nancy Williams, 8 Hillside Avenue, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 2, 2014

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMIN'S TRATIVE 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
Thursday, May 1, 2014 Issue - Jeffersonian

Please forward billing to:
Nancy Williams
8 Hillside Avenue
Cockeysville, MD 21030

443-834-3746

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: 2014-0193-A

8 Hillside Avenue N/s Hillside Avenue, 300 ft. e/of centerline of York Road 8th Election District – 3rd Councilmanic District Legal Owners: Doris & Nancy Williams

Variance to permit a 6 foot high fence in the side yard of an existing dwelling with a 3 inch setback that is in the front yard of a neighboring dwelling in lieu of a 42 inch high fence within a 10 foot setback.

Hearing: Thursday, May 22, 2014 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.

MEMORANDUM

DATE:

July 3, 2014

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2014-0193-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 30, 2014. 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

RE: PETITION FOR VARIANCE
8 Hillside Avenue; N/S Hillside Avenue,
300' E of the c/line of York Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s) Doris & Nancy Williams
Petitioner(s)

- BEFORE THE OFFICE
- * OF ADMINSTRATIVE
- * HEARINGS FOR
- * BALTIMORE COUNTY
- * 2014-193-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

APR 0 1 2014

Carle S Vemles

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204

Petar Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

105 West Chesapeake Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of April, 2014, a copy of the foregoing Entry of Appearance was mailed to Doris & Nancy Williams, 8 Hillside Avenue, Cockeysville, MD 21030, Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Support/Oppose/

CHECKLIST

Comment Received	<u>Department</u>	Conditions/ Comments/ No Comment
3/3/14	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent) <u>AK</u>
	DEPS (if not received, date e-mail sent)
HITH	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent)	N/C
3/26/14	STATE HIGHWAY ADMINISTRATION	No Oby
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATI	ION (Case No. CC99CX	2142123
PRIOR ZONING	(Case No.	
NEWSPAPER ADV	PERTISEMENT Date: 5/2/14 Date: 5/2/14	by O'heefe
PEOPLE'S COUNSE	EL APPEARANCE Yes No	
comments, if any:		

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204
www.baltimorecountymd.gov/Agencies/permits/



 Code Enforcement
 410-887-3351

 Electrical Inspection
 410-887-3960

 Plumbing Inspection
 410-887-3620

 Building Inspection
 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

CASE NUMBER

PROP.TAX ID

CC99CO0142123

2500003206

VIOLATION ADDRESS

8 HILLSIDE AVE, APT 1

COCKEYSVILLE, MD 21030

WILLIAMS DORIS M D WILLIAMS NANCY 8 HILLSIDE AVE COCKEYSVILLE, MD 21030-2312

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
BCC 35-2-301 OBTAIN FEMEL PERMIT	A variance and fence permit is required for the installed fence or the entire height of the is to be reduced to 42 inches in height
2014-093-A	

Failure to comply with this correction notice, may result in a \$200.00 fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE:

04/07/2014

INSPECTOR NAME:

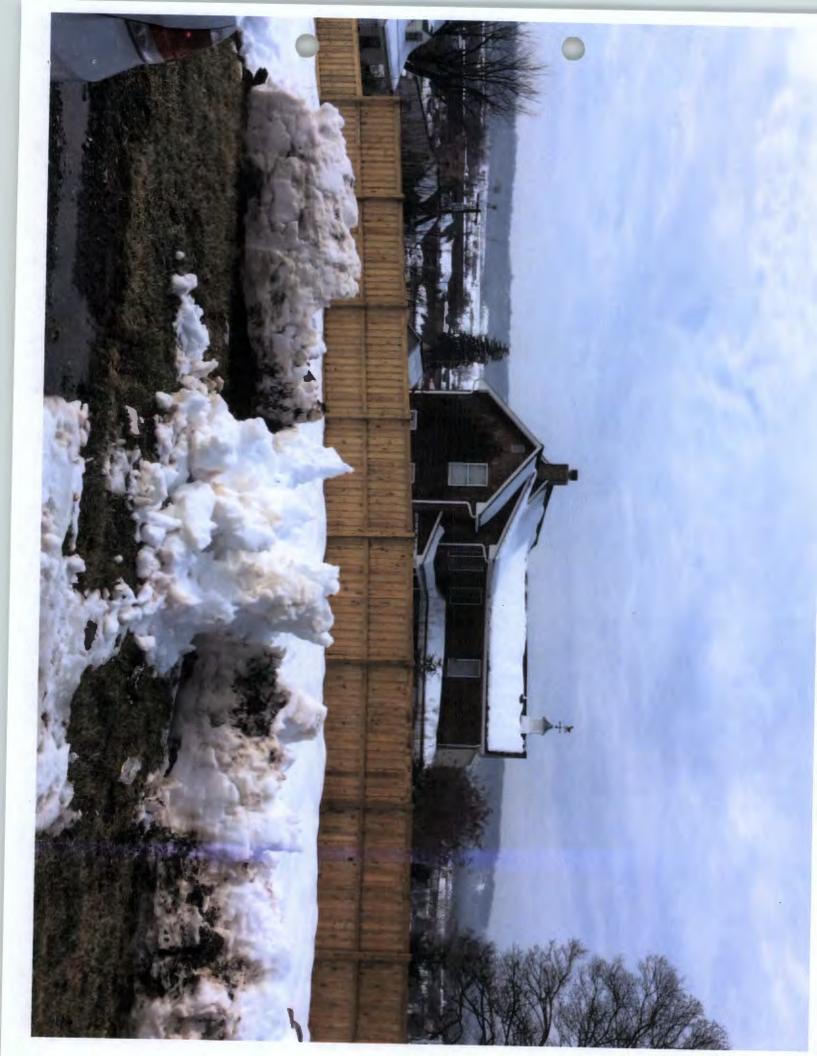
Paul Cohen

ISSUED DATE: 03/05/2014

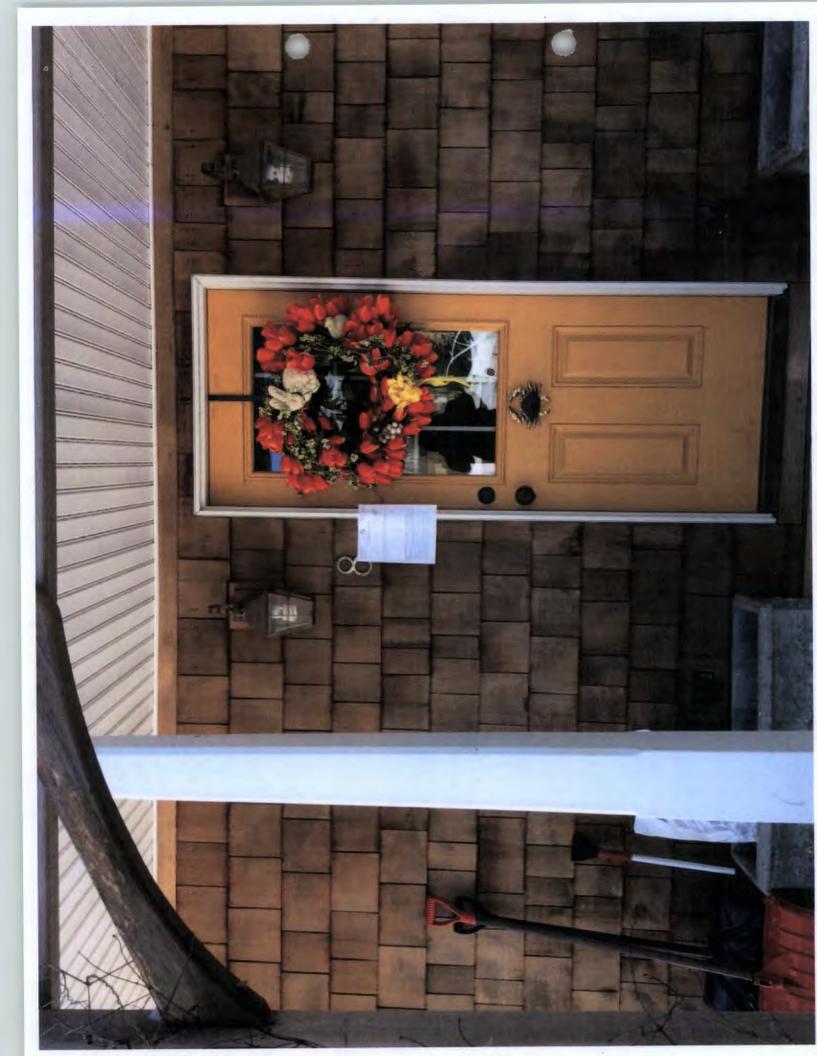
IMPORTANT INFORMATION TO THE PERSON'S CHARGED

- 1. It is important that you read this document carefully, as it charges you with the commission of a crime.
- 2. If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine, imprisonment, or both.
- If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner
 provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
- 4. A lawyer can give important assistance to you:
 - (a) on how to correct the violation(s) in order to avoid trial or
 - (b) at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
- A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
- 6. It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws,
- Code of Baltimore County Regulations, and standards.

 7. Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.









Department of Permits, Approvais & Inspections **Complaint Report**

Kepuit ontena.

Complaint Record ID: co0142123

Record ID CO0142123

AS/400 Case

Assigned To Paul Cohen

Assigned Date Scheduled Time Received By 02/07/2014

Christina Frink

Received Date 02/07/2014

Status Open - Normal Hearing Date ADC Grid

Complaint Description: neighbor built a 6 ft fence in the front yard of the complaintants property

Facility: FA0330862 PDM 2500003206

8 HILLSIDE AVE COCKEYSVILLE, MD 21030 Owner:

WILLIAMS DORIS M D WILLIAMS NANCY 8 HILLSIDE AVE

COCKEYSVILLE MD 21030 HOME: 4105266008

Complainant:

James McDean 14 Hillside Ave

WORK: 4107330717

Daily Activity Details - No Data Violation Details - No Data

Comment Details - No Comments

Lien Information - None

Reset

Cancel

Help

Record Detail . (This section is required.) CC99CO0142123 Enforcement/Code Compliance/Community/Constituent Complaint 02/07/2014 **Detailed Description** neighbor built a 6 ft fence in the front yard of the complaintants property check spelling Short Description Channel Reported Phone Address (This section is not required.) Get Parcel & Owner Suffix Unit Type
-Se - APT Fraction Direction Street Name Street Type 8 --Sele - --Sele - HILLSIDE AVE COCKEYSVILLE MD 21030 Location Description and Nearest Cross Street check spelling Facility ID Firebox Police Reporting Area 039-12 070880 ADC Map 4450H4 X Coordinate Y Coordinate Primary -76.64182896 39.4797056 Parcel (This section is not required.) Search Clear Get Address & Owner Council Dist GIS Parcel ID * **Election Dist** Deed Reference 27340 0662 3 305735 Map Grid Parcel Section Block 0051 0004 0163 Tax Account # Plat Reference 0000 2500003206 0000000 Year Built Land Area Unit 1897 17700 8 Land Value Improvement Value Census Block 115920 436360 4089001000 Primary Owner (This section is not required.) Search Reset Clear Owner Full Name * WILLIAMS DORIS M D WILLIAMS NANCY Address Line 1 * 8 HILLSIDE AVE Address Line 2 Zip Code COCKEYSVILLE MD 21030-2312 **Primary Phone** Primary Complainant (This section is not required.)

Compleinent			
First Name Middle Nam	Last Name James McDean		
Organization Name	James McDean		
James McDeen			
Address Line 1			
14 Hillaide Ave			
Address Line 2			
City State	Zip Code		
7137	21030	•	
Primary Phone Secondary Phon	THE RESERVE OF THE PART AND THE PART OF TH		
4107330717	(
I-mail			
Single Entry Contact Form			
forcement Comm Sweep			
orcement comm sweep			
COMPLAINT CATEGORY			
Accessory Structure	Infestation Insects	Rooming/Boarding House	
Board and Secure	Infestation Rodents	Service Garage	
Business from Residence	Internal Repair	Signs	
Cans without Lids	□ Junk Yard	Sump Pump Discharge	
Commercial Vehicle	Livability	Tall Grass and Weeds	
Exterior Repair	No Permit	Trash Junk and Debris	
Feces	Open Dump	Unsafe Conditions	
☐ Graffiti	Owner Occupied	Untagged/Inoperable Vehicle	
Gutter/Downspout Discharge	Pool	☑ Vacant House	
Illegal Business	Recreational Vehicle	Other	
		Type of Complaint if Other	
		fence	14
Illegal Conversion	Rental Registration		EMP I
E I Megal Conversion	Contai registi ation	check spelling	
NSPECTION STATUS			
	Handar Bata	Description of Florida Inches	
/lolation Date 03/05/2014	Hearing Date	Recommend Fine by Inspector	
		200	
Compliance Date 04/07/2014	Hearing Time		
04/07/2014	1; nw . !		
op Specific Info Tables			•
record(s) updated by expression.	Claiste CSV Event		
IEN TRACKING	Clelete CSV Export		

Submit Cane



KEVIN KAMENETZ County Executive

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

May 13, 2014

Doris Williams Nancy Williams 8 Hillside Avenue Cockeysville MD 21030

RE: Case Number: 2014-0193 A, Address: 8 Hillside Avenue

Dear Mr. Dwyer:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 20, 2014. 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,

U. Carl Richal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

Maryland Department of Transportation

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

James T. Smith, Jr., Secretary Melinda B. Peters, Administrator

Date: 3/26/14

Ms. Kristen Lewis Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County**

Item No 2014-0193-A

Varionce Doris, à Navey Williams 8 Hillside Avenue

Dear Ms. Lewis:

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. 2014-0193-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).

Sincerely.

Steven D. Foster, Chief/ Development Manager

Access Management Division

SDF/raz

Administrative Hearings - Case No. 2014-0193-A

From:

Administrative Hearings

To:

j.mcBean17@gmail.com

Date:

5/30/2014 9:01 AM

Subject:

Case No. 2014-0193-A

Attachments: Ltr.2014-0193-A.docx; 2014-0193-A.docx

Good Morning,

Per your request, please find attached an electronic version of Judge Beverungen's decision in reference to the above. In addition, an original version was forwarded via US mail.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 31, 2014

Department of Permits, Approvals And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 31, 2014

Item No. 2014-0190, 0191, 0193 and 0195

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\ZAC03312014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon

DATE: April 17, 2014

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

RECEIVED .

APR 17 2014

SUBJECT:

Zoning Advisory Petition(s) for

Item Nos: 2014-192, 193

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the above referenced zoning items and has no comments.

For further questions or additional information concerning the matters stated herein, please contact Lynn Lanham at 410-887-3480.

Jun Harhou

Prepared By:

LL/ka

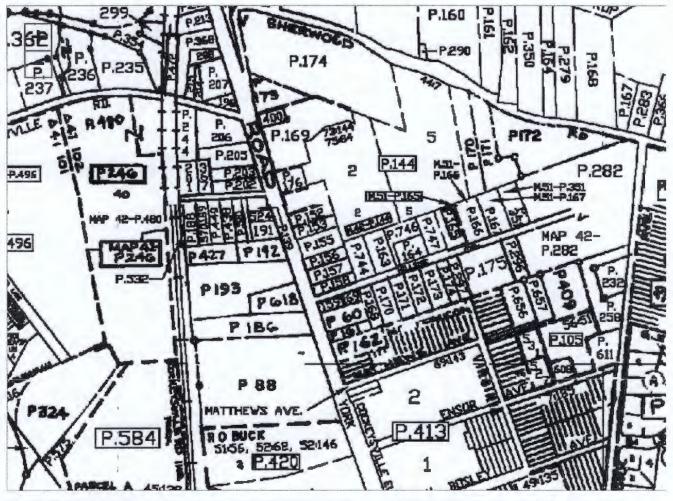
c: John Beverungen, ALJ
Peter Max Zimmerman

W:\DEVREV\ZAC\ZAC\$ 2014\2014 No Comment Multiple April 11.docx

Baltimore County

New Search (http://sdat.resiusa.org/RealProperty)

District: 08 Account Number: 2500003206



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (http://www.plats.net)

Property maps provided courtesy of the Maryland Department of Planning ©2011.

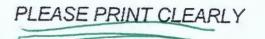
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).



(http://imsweb05.mdp.state.md.us/website/mosp/)

■ Loading... Please

Loading... Please Wait.



CASE NAME

CASE NUMBER 2014-0193-A

DATE 5-22-14

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
LEUNARD WASILEWSKI NAMCY WILLIAM EUNYS TAYLOR	Mr 8 HIIISILE VV 506 HENTH NO	HU N=BOLYO.	rehabingte verzin,

CASE NAME		
CASE NUMBER	2014-0193-A	
DATE 5	-22-14	

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
MSA Mc Bean	14 Hillside Ave	Cockeysville MD 21030	J.M.BEAN 17 BEMAIL. COM
1			
		-	,

Case	No.:	

2014-0193-A

Exhibit Sheet

Petitioner/Developer

Protestant DW 5-29-14

No. 1	Plan	Declaration of Easement
No. 2	photo	photo
No. 3	Twitter printout re: tree	registered letter dated April 30, 2014
No. 4	Email dated Feb. 26,2014 From Judd Maslack	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





Search



Have an account? Sign in ▼





The county didn't have anything to do today so they figured why not take down a healthy tree? In my yard. Pissed pic.twitter.com/mhhEdCQszs

♣ Reply **13** Retweet ★ Favorite ••• More



PETITIONER'S

JAMES MCBEAN VIDEO PRODUCER VIDEO WEB STREAMING

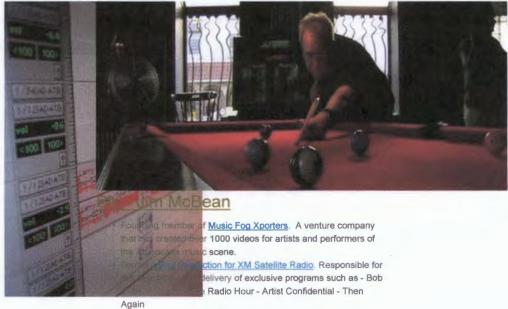
Washington DC/Baltimore

Video
Production
&
Streaming
Services

- -Corp
 - Video
- -Web
- Streaming
- -Commercial
- -Web
- Video
- -EPK
- -Voice
 - Over
- -Realtor
- -Reality
- Auditions







People I'm **Following**

· Partner with HD StreamTeam. A live video streaming production company designed for corporate and special interest ventures who want full multicam video production and video streaming and capture for the web.

- · Inspirational Links
 - Seth Clients
 Godin Blog
- · Video Production AC ØRDA
 - · Philip THERAPEUTICS
 - The HD Str Live Video Stream Service
- Partner Links
 - Economaney Digital

Mail order glasses. First venture into new world. http://t.co/plz16e2S **DESIGN BUILD**

@Sonofbean

months

Just had an onion ring moment. OMG. (@ Maid-





Nancy Williams

From: Sent: Judd Maslack < juddmaslack@gmail.com> Wednesday, February 26, 2014 6:00 AM

To:

Nancy Williams

Subject:

Re: the fence status

Sorry about that. We have no problem with the fence.

Judd Maslack Crusader Homes, LLC 14410 Cuba Road Hunt Valley, MD 21030 410-804-7799 Mobile juddmaslack@gmail.com

On Feb 25, 2014, at 10:39 PM, "Nancy Williams" < rehabmgt@verizon.net > wrote:

Hey Judd, I never heard back from you about this—please let me know okay. Nancy

From: Nancy Williams [mailto:rehabmgt@verizon.net]

Sent: Monday, February 24, 2014 5:19 PM

To: 'Judd Maslack'

Subject: the fence status

Hey Judd,

How do you guys feel about the fence?

If you are fine with it please let me know

I am willing to plant some shrubs along the other side if you see the need

Please let me know if you are okay/happy with the fence staying as is-or with plantings, or otherwise.

Thanks much
nancy

PETITIONER'S

EXHIBIT NO.

Case No.:	2014-	-010	13	-A	• .	
-----------	-------	------	----	----	-----	--

Exhibit Shect

Petitioner/Developer

Protestant S-39-14 Declaration of Easement No. 1 Plan No. 2 photo registered letter duted April 30, 2014 No. 3 Twitter printout re: tree No. 4 Email dated Feb. 26,2014 From Judd Maslack No. 5 No. 6 No. 7 No. 8 No. 9 No. 10 No. 11 No. 12

DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT (this "Declaration") is made this 30th of November, 2007, by TOOL BROTHERS BUILDERS, LTD. (the "Declarant").

Background Statements

- A. The Declarant acquired fee simple title to three parcels of land located in the Eighth (8th) Election District of Baltimore County, which are described in more detail in a Deed by D&N Limited Liability Company dated September 9, 2005 and recorded among the Land Records of Baltimore County in Liber S.M. 22667, folio 623 (the "Property").
- B. Baltimore County, Maryland approved a minor subdivision plan of the third parcel of land described in the Deed referred to above. A copy of the approved minor subdivision plan (the "Plan") is attached hereto as Exhibit A.
- C. Pursuant to the Plan and by Deed of even date herewith and recorded or intended to be recorded immediately prior hereto, the Declarant subdivided said third parcel of land into three lots such that the Declarant now owns those lots or parcels of land that are commonly known, respectively, as Nos. 4, 6, 8, 14 and 18 Hillside Avenue.
- D. One of the requirements of the Plan is that the Declarant record an easement for the ingress, egress, maintenance and utility easements shown on the Plan. This Declaration is made for purposes of satisfying the requirements of the Plan and establishing easements for ingress, egress, maintenance and utilities from, to and between Nos. 4, 6, 8 and 14 Hillside Avenue.

Declaration

NOW, THEREFORE, for and in consideration of the foregoing Background Statements, which are incorporated herein by this reference, the premises and conditions set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant states and declares as follows:

1. The Declarant, on behalf of itself and its successors and assigns, hereby declares that the properties commonly known as 4, 6, 8 and 14 Hillside Avenue (collectively, the "Lots") shall be owned, acquired, held, sold, transferred, conveyed, exchanged, occupied and encumbered subject to the easements, covenants, agreements, conditions and restrictions set forth herein.

2. Access and Utility Easements.

2.1. The Declarant hereby creates and establishes a perpetual, non-exclusive easement and right of way (the "Access Easement") in, on, over, through and across that portion of the Property and the Lots, which is identified on the Plan as "30' Wide Use-in-Common Private Ingress, Egress, Maintenance & Utility Easement" (the "Access Easement Area"). The

Access Easement shall run with and be binding on and be for the benefit of each Lot and shall be binding upon and inure to the benefit of the Declarant, its successors and assigns.

- 2.2.. The Declarant hereby creates and establishes a perpetual, non-exclusive easement (the "Utility Easement") in, on, over, through and across that portion of the Property and the Lots, which is identified on the Plan as "Private Utility Easement" (the "Utility Easement Area"). The Utility Easement shall run with and be binding on Nos. 4 and 8 Hillside Avenue for the benefit of 4 Hillside Avenue and shall be binding upon and inure to the benefit of the Declarant, its successors and assigns.
- 2.3. The Access and Utility Easements shall be for purposes of ingress, egress, access, maintenance and utilities to and for the benefit of Nos. 4, 6, 8 and 14 Hillside Avenue.
- 2.4. All costs and expenses associated with the construction, installation, maintenance, repair or replacement of any improvements, structures or facilities of any kind whatsoever (including but not limited to a driveway and utilities [collectively, the "Improvements"]) in the Access or Utility Easement Areas shall be paid by the owner of the Lot(s) benefitted by such construction, installation, maintenance, repair or replacement. In the event that any Improvements benefit more than one Lot, the owners of the Lots so benefitted shall share equally the costs of such construction, installation, maintenance, repair and/or replacement. All Improvements shall be constructed, installed, maintained, repaired and replaced in a good and workmanlike manner and in accordance with the standards established by governmental authorities with jurisdiction over the Lots and with applicable laws, ordinances and regulations pertaining to the same.
- 2.5. Any lien for any work described in the preceding paragraph shall be subordinate to the lien of any deed of trust or mortgage now or hereafter placed upon any of the Lots or any other portion of the Property. A foreclosure sale or transfer in lieu thereof shall not (a) relieve any Lot owner from liability for any construction, installation, maintenance, repair or replacement obligations thereafter becoming due; nor (b) from any lien arising or resulting from the failure of any Lot owner to pay the costs of subsequent construction, installation, maintenance, repair or replacement; nor (c) result in a termination of this Declaration.
- 2.6. Ingress, egress and access in, on, over and through the Access and Utility Easement Areas shall be for lawful purposes only. Parking of vehicles shall not be permitted in the Access Easement Area, except for temporary loading, unloading and maintenance.
- 3. The Declarant hereby creates and establishes a perpetual, non-exclusive easement (the "Private Use Easement") on, over and across that portion of 4 Hillside Avenue, which is twenty feet (20') wide beginning at Hillside Avenue and running northwesterly to the rear boundary of 14 Hillside Avenue (the "Private Use Easement Area"). The Private Use Easement Area shall run with and be binding on 4 Hillside Avenue for the benefit of 14 Hillside Avenue. The Private Use Easement shall be subject and subordinate to the Utility Easement and shall be for lawful, residential purposes only. The owner of 14 Hillside Avenue shall not construct any Improvements in the Private Use Easement Area without the prior written approval of the owner of 4 Hillside Avenue.

DRUP

TOTILITY OF ASEMANT

4. <u>Miscellaneous</u>

- 4.1. Nothing contained herein is intended to be, or shall be construed as, creating a possibility of reverter.
- 4.2. This Declaration may be altered, modified or amended only by a written agreement signed by the Declarant and recorded among the Land Records of Baltimore County. Any such amendment shall be effective upon its recording among the Land Records.
- 4.3. This Declaration and the easements, covenants, rights and obligations contained herein shall be construed in accordance with the laws of the State of Maryland, without regard to principles of conflicts of laws.
- 4.4. Damages may not be deemed adequate compensation for any breach or violation of any provision hereof, and Declarant shall be entitled to relief by way of injunction and/or any other relief available at law or in equity for any such breach or violation.

AS WITNESS, the execution of this Declaration by the Declarant as of the day and year first above written.

WITNESS:

DECLARANT:

TOOL BROTHERS BUILDERS, LTD.

By: DSKC Managers, LLC, General Partner

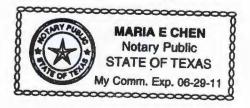
(SEAL)

Kevin Cunningham

Managing Member

STATE OF TEXAS, COUNTY OF _______, to wit:

I HEREBY CERTIFY, that on this 30 day of November, 2007, before me, the undersigned officer, personally appeared Kevin Cunningham, the Managing Member of DSKC Managers, LLC, General Partner of Tool Brothers Builders, LTD., known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same on behalf of and in the name of said corporation for the purposes therein contained.



IN WITNESS WHEREOF, I hereunto set my hand, and official seal.

Notary Public

My Commission Expires: 6-24-11

MARIA E CHEN
Notary Public
STATE OF TEXAS
My Comm. Exp. 06-29-11

ATTORNEY CERTIFICATION

This is to certify that the foregoing Declaration of Easement was prepared by or under the direction and supervision of the undersigned attorney who is teensed to practice law in the State of Maryland.

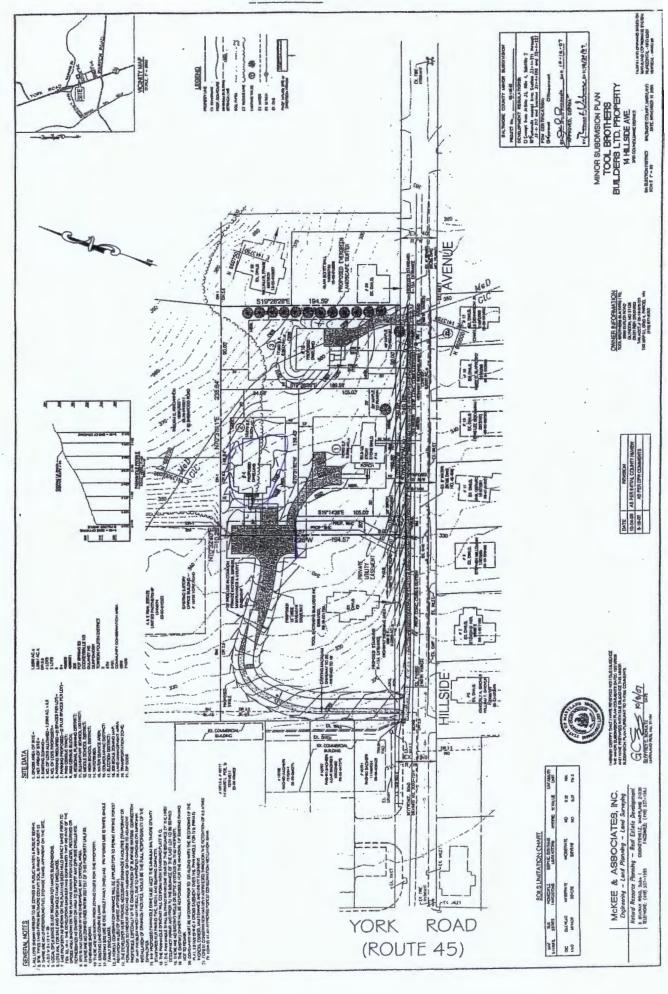
Albert J.A. Young

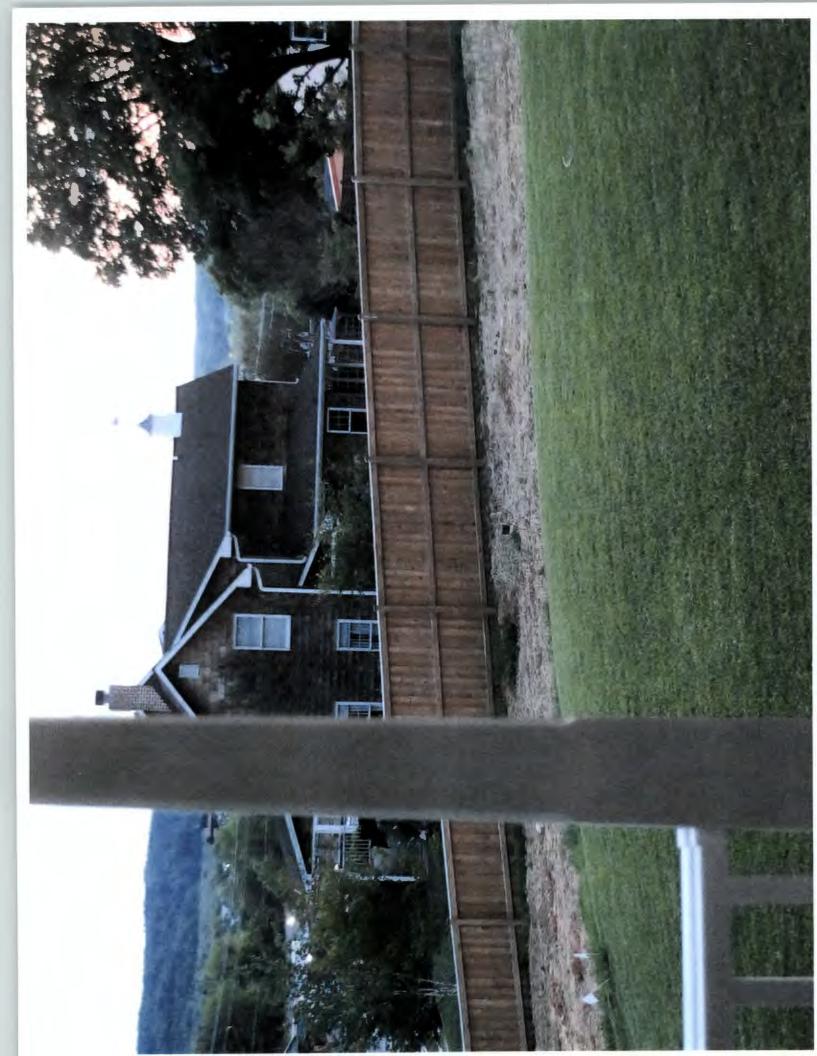
After recording, please return to:

Albert J.A. Young, Esquire Brown, Brown & Young, P.A. 200 S. Main Street Bel Air, Maryland 21014 410-879-2220

EXHIBIT A

Minor Subdivision Plan





8 HINDER Man Ruley Man Zusza



7013 2630 0000 3578 1822



U.S. POSTAGE
PAID
LUTHERVILLE TIM.M
21093
APR 30.14
AMOUNT





Musican 14 Minside Av Huntualley, md 21030

21030\$2312

յիկիրիկուկիր կիրակիրումիի ուկիրակիրիկուկիր

Nancy Williams

From: Sent:

Nancy Williams < rehabmgt@verizon.net>

To:

Wednesday, February 19, 2014 10:59 AM 'James McBean'

Subject:

fast growing trees

Those fast growing trees that you hate so much will be planted very close together to replace the fence...if indeed it comes down as per your complaint

I have an answer for all of your worries--- no problems boxing you in

They will be planted from street - Hillside all way across the yard. Enjoy the View 1



Sale LisiA

8 Hillside Avenue 2014-0193-A

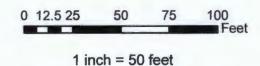


Publication Date: 3/20/2014

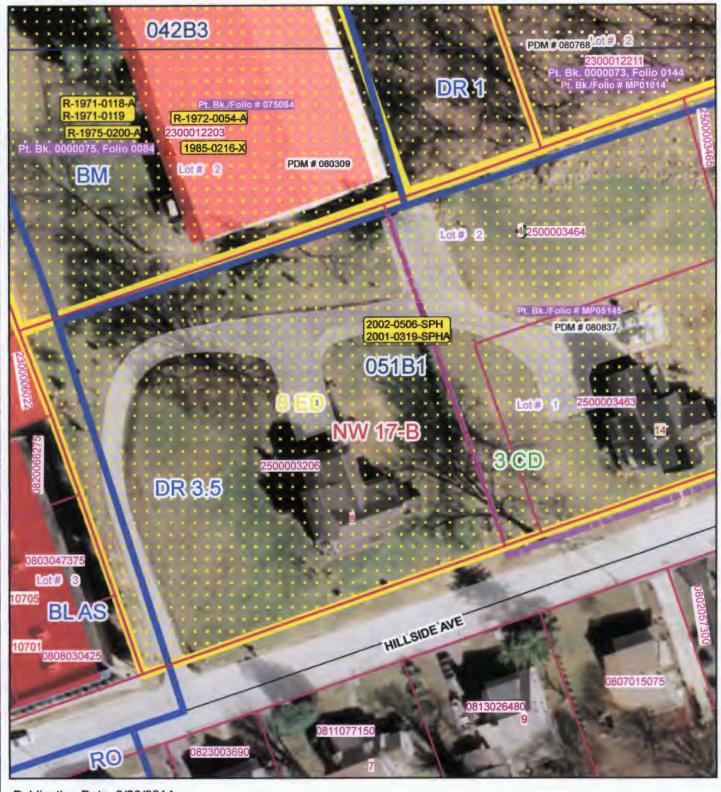


Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot





8 Hillside Avenue 2014-0193-A

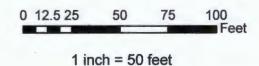


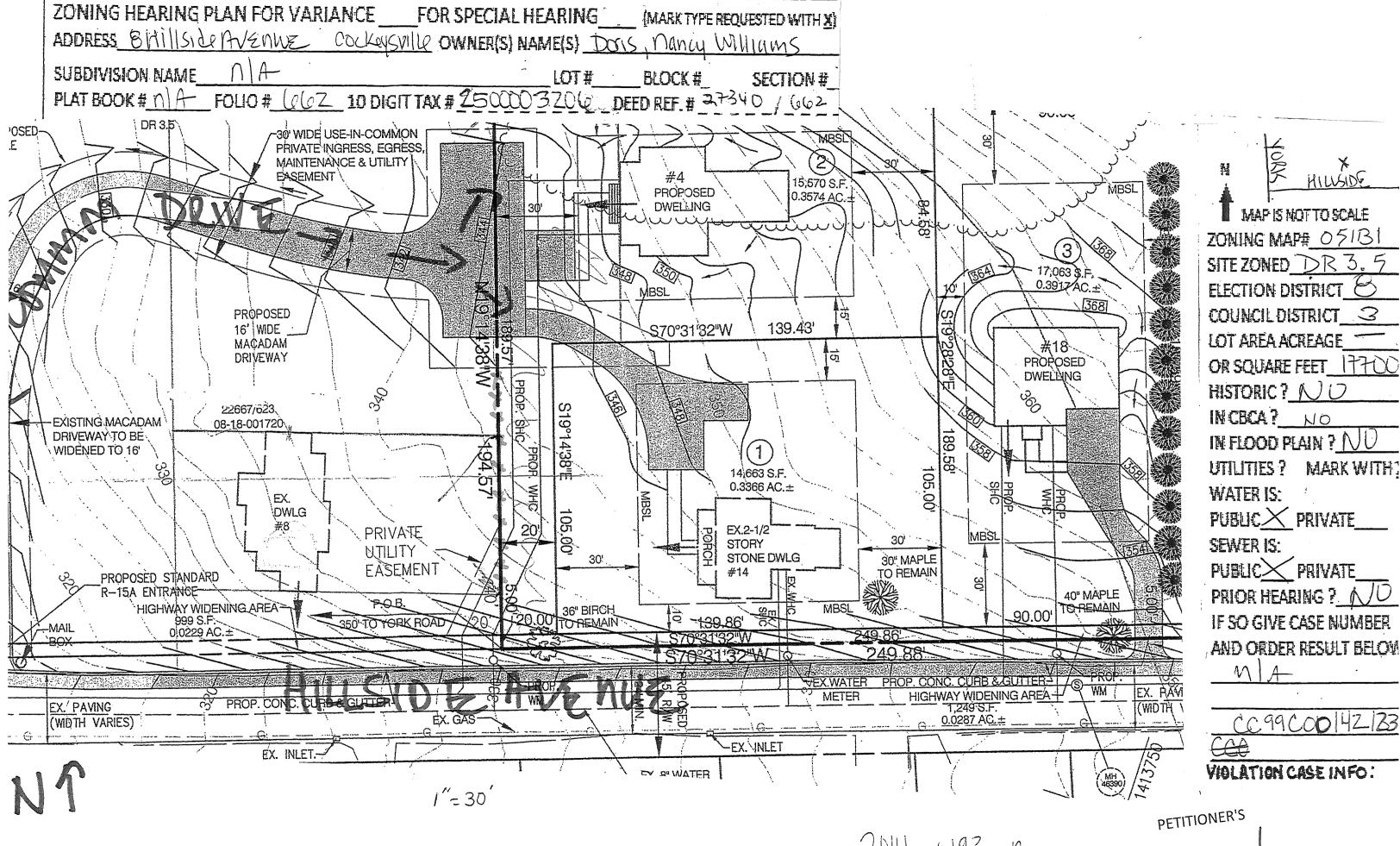
Publication Date: 3/20/2014



Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot







2014-0193-A

EXHIBIT NO.