

MEMORANDUM

DATE: November 10, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0038-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 9, 2015. 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

IN RE: PETITION FOR VARIANCE

(7839 Saint Patricia Lane)

15th Election District

7th Council District

Tina & Michael Ferguson

Legal Owners

Petitioners

*

*

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*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0038-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of the legal owners of the subject property. The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §400.1 to permit: (1) (a) an above ground swimming pool to be located in the front yard; and (b) an existing storage shed to be located in the side yard of the dwelling in lieu of the required rear yard, respectively; and (2) to permit a fence as swimming pool enclosure in the front yard with a height of not less than 4 ft. above the underlying ground of the pool. A site plan was marked as Petitioners' Exhibit 1.

Owner Tina Ferguson appeared in support of the petition. Neighbor Michael Bocklage attended the hearing and objected to the request regarding the pool. The Petition was advertised and posted as required by the B.C.Z.R. Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP). That agency did not oppose the request, but suggested that screening be provided for the pool.

This matter is currently the subject of a violation case (Case No. CC1509275) before the Office of Administrative Hearings, and a copy of the code enforcement complaint was included in the zoning hearing file.

ORDER RECEIVED FOR FILING

Date 10-9-15

By Den

The subject property is approximately 4,056 square feet and is zoned DR 10.5. Petitioners purchased the property in March 2015, and constructed the shed, pool & fence shortly thereafter.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity necessitates variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1955).

Petitioners have met this test. Petitioners' property is an end-of-group townhouse, and the lot is pie shaped. This results in a very small rear yard area and after reviewing aerial zoning photos in the file, it does not appear as if surrounding properties are similarly configured. As such it is unique. If the B.C.Z.R. were strictly interpreted, Petitioners would experience a practical difficulty, given they would not be able to retain the pool and shed in their present location. 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. Conditions will be imposed below which will help to mitigate any potential impact upon neighbors.

THEREFORE, IT IS ORDERED, this 9th day of October, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §400.1 to permit: (1) (a) an above ground swimming pool to be located in the front yard; and (b) an existing storage shed to be located in the side yard of the dwelling in lieu of the required rear yard, respectively; and (2) to permit a fence as swimming pool enclosure in the front yard with a height of not less than 4 ft. above the underlying ground of the pool, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 10-9-15

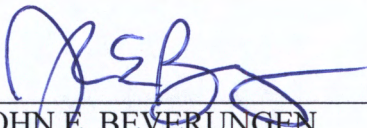
By Sen

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners shall comply with the DOP ZAC comment which is attached hereto and incorporated herein.
3. The pool shall be erected no earlier than Memorial Day and must be dismantled no later than September 15 of any given year.

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

JEB: sln



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 10-9-15

By sln

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 8, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SEP 14 2015

SUBJECT: 7839 Saint Patricia Lane

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 16-038

Petitioner: Tina Marie and Michael Eugene Ferguson

Zoning: DR 10.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit an above ground swimming pool to be located in the front yard and an existing storage shed to be located in the side yard of the dwelling in lieu of the required in the rear yard and to permit a fence as a swimming pool enclosure in the front yard with a height of not less than 4 feet above the underlying ground of the pool.

Department of Planning has no objection to the granting of the petitioned zoning relief conditioned upon the following:

- The applicant should plant a continuous vegetative hedge on the inside of the fence of sufficient width and height to screen the pool or in the alternative install privacy slats on the existing chain link fence.

For further information concerning the matters stated herein, please contact Ngoné Seye Diop at 410-887-3480.

Division Chief: Kathryn Schlabach
AVA/KS

C: Ngoné Seye Diop

ORDER RECEIVED FOR FILING

Date 10-9-15

By Sen



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:
 Address 7839 Saint Patricia Lane, Balto, MD 21222 which is presently zoned DR10.5
 Deed References: 35995/00221 10 Digit Tax Account # 1513553360
 Property Owner(s) Printed Name(s) Tina Marie Ferguson / Michael Eugene Ferguson

(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:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ✓ a **Variance** from Section(s)

' SEE ATTACHMENT '

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

" TO BE PRESENTED AT HEARING "

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

I, or we, agree to pay expenses of above 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).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Tina Ferguson / Michael Ferguson
 Name #1 - Type or Print Name #2 - Type or Print

Tina Ferguson
 Signature #1

Signature #2

7839 Saint Patricia Ln. Balto, MD
 Mailing Address City State

21022 / 410-369-6797 / tina92769@gmail.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
10-9-15
Den

CASE NUMBER 2016-0038-A Filing Date 8/12/15

Do Not Schedule Dates: _____

Reviewer AT

A Variance from Section 400.1 of BCZR to permit (a) an above ground swimming pool to be located in the front yard and (b) an existing storage shed to be located in the side yard of the dwelling in lieu of the required in the rear yard respectively; and, from County Building code, Part 122: 509.1 to permit a fence as swimming pool enclosure in the front yard with a height of not less than 4 feet above the underlying ground of the pool as required per BCC Section 13-6-101(b).

2016-0038-A

Zoning Description

Zoning Description for 7839 St. Patricia Lane

Beginning at a point on the SE side of St. Patricia Lane which is 60' wide at the distance of 152' (+/-) NE of the centerline of the nearest improved intersecting street St. Monica Drive which is 60' R/W wide. Being lot # 31 recorded in Baltimore County Plat Book # 22, Folio # 130, containing 4,056 square feet. Also known as 7839 St. Patricia Lane and located in the 15th Election District, 7th Councilman District.

2016-0038-A

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

No. **127379**
 Date: **8/12/15**

PAID RECEIPT

BUSINESS ACTUAL TIME ORN
 8/12/2015 8/12/2015 11:12:02 1

REG MSD1 WALKIN LKAS LJR
 >>RECEIPT # 604629 8/12/2015 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$75-

Dept 5 528 ZONING VERIFICATION
 CR NO. 127379

Recpt Tot \$75.00
 \$75.00 CK 1.00 CA
 Baltimore County, Maryland

Total: **\$75-**

Rec From: **TINA FERGANSON**
 For: **7839 ST. PATRICIA LN**
2016-0038-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

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: 2016-0038-A
Petitioner: TINA FERGUSON / MICHAEL FERGUSON
Address or Location: 7839 SAINT PATRICIA LN.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Tina Ferguson / Michael Ferguson
Address: 7839 Saint Patricia Lane
Dundalk, MD. 21222

Telephone Number: 410-369-6797 / 410-292-6110



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3569060

Sold To:

Michael & Tina Ferguson - CU00488118
7839 Saint Patricia Ln
Dundalk, MD 21222-3518

Bill To:

Michael & Tina Ferguson - CU00488118
7839 Saint Patricia Ln
Dundalk, MD 21222-3518

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Sep 15, 2015

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: # 2016-0038-A
7839 Saint Patricia Lane
SE/S St. Patricia Lane, 152 ft. northeast of St. Monica Drive
15th Election District - 7th Councilmanic District
Legal Owner(s) Tina & Michael Ferguson

Variance: to permit an above ground swimming pool to be located in the front yard and an existing storage shed to be located in the side yard of the dwelling in lieu of the required in the rear yard respectively; and to permit a fence as swimming pool enclosure in the front yard with a height of not less than 4 ft. above the underlying ground of the pool.

Hearing: Tuesday, October 6, 2015 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 9/709 Sept. 15 3569060

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

2016-0038-A

RE: Case No.: _____

Petitioner/Developer: _____

Tina & Michael Ferguson

October 6, 2015

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

7839 Saint Patricia Lane

September 16, 2015

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



Sincerely,

 **September 16, 2015**

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive

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

August 27, 2015

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: 2016-0038-A

7839 Saint Patricia Lane
SE/s St. Patricia Lane, 152 ft. northeast of St. Monica Drive
15th Election District – 7th Councilmanic District
Legal Owners: Tina & Michael Ferguson

Variance to permit an above ground swimming pool to be located in the front yard and an existing storage shed to be located in the side yard of the dwelling in lieu of the required in the rear yard respectively; and to permit a fence as swimming pool enclosure in the front yard with a height of not less than 4 ft. above the underlying ground of the pool.

Hearing: Tuesday, October 6, 2015 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Michael & Tina Ferguson, 7839 Saint Patricia Lane, Dundalk 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., SEPTEMBER 16, 2015**
- (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, September 15, 2015 Issue - Jeffersonian

Please forward billing to:
Michael & Tina Ferguson
7839 Saint Patricia Lane
Dundalk, MD 21222

410-369-6797

NOTICE OF ZONING HEARING

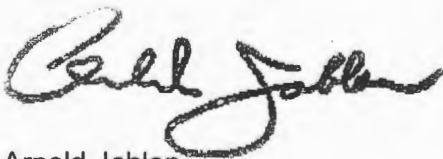
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105 West Chesapeake Avenue, Towson 21204



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.

RE: PETITION FOR VARIANCE
7839 Saint Patricia Lane; SE/S Saint Patricia
Lane, 152' NE of c/line St. Monica Drive
15th Election & 7th Councilmanic Districts
Legal Owner(s): Tina & Michael Ferguson
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-038-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
AUG 17 2015

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 17th day of August, 2015, a copy of the foregoing Entry of Appearance was mailed to Tina & Michael Ferguson, 7839 Saint Patricia Lane, Dundalk, Maryland 21222, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8/20</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/c</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>9/8</u>	PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>8/17</u>	STATE HIGHWAY ADMINISTRATION	<u>no Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. CC1509275)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 9/15/15SIGN POSTING Date: 9/16/15 by SSG BlackPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w3)

Guide to searching the database

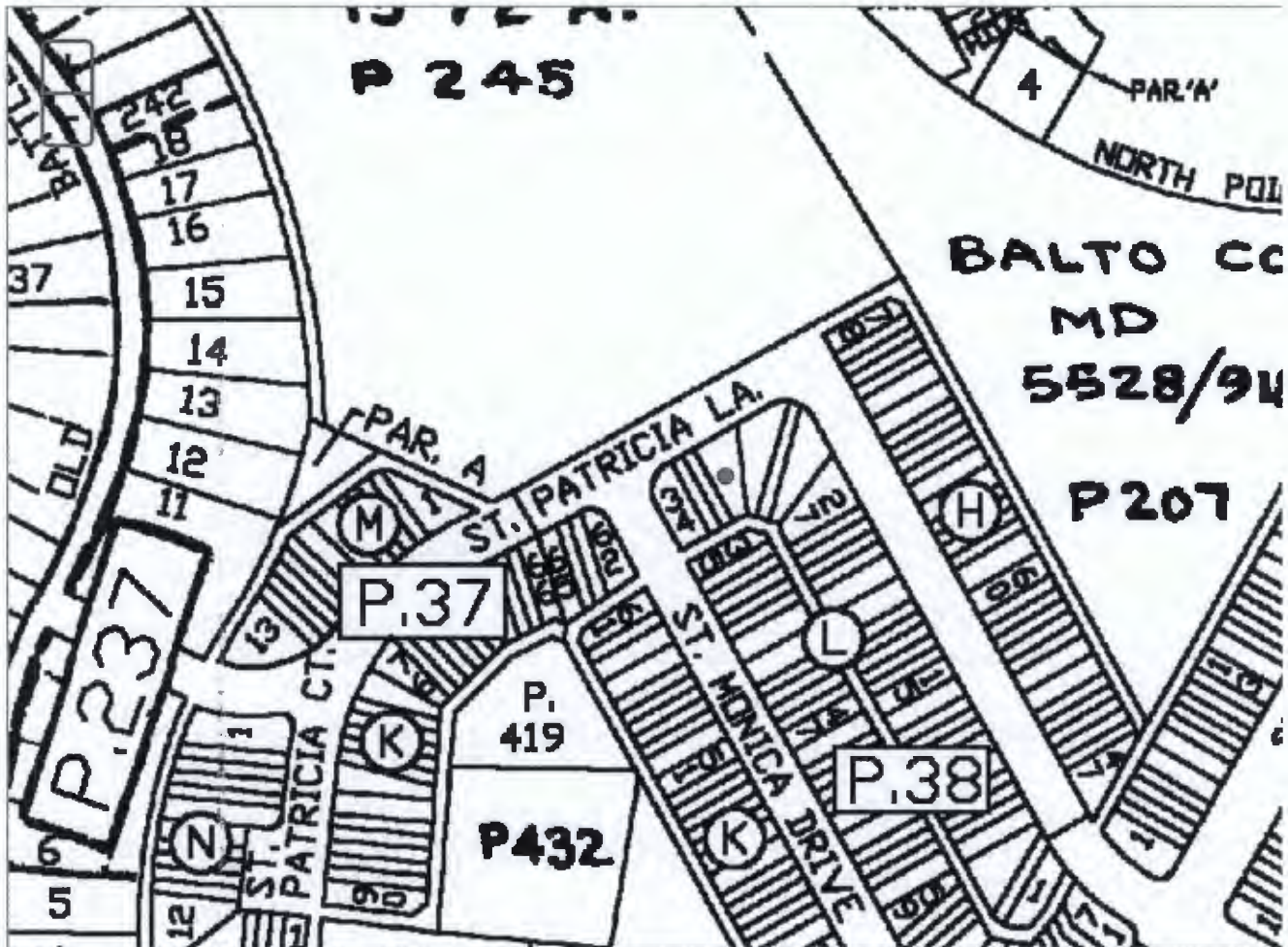
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1513553360			
Owner Information					
Owner Name:	FERGUSON TINA MARIE FERGUSON MICHAEL EUGENE		Use:	RESIDENTIAL YES	
Mailing Address:	7839 ST PATRICIA LN BALTIMORE MD 21222-		Deed Reference:	/35995/ 00221	
Location & Structure Information					
Premises Address:		7839 ST PATRICIA LN BALTIMORE 21222-		Legal Description: 7839 ST PATRICIA LA SS NORTH POINT VILLAGE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0104	0008	0038		0000	4 L 31 2015 0022/0130
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1955	1,024 SF		4,056 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	END UNIT	BRICK	1 full	
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		45,000	45,000		
Improvements		59,600	67,200		
Total:		104,600	112,200	107,133	109,667
Preferential Land:		0			0
Transfer Information					
Seller: SILVER CASA INC		Date: 03/31/2015		Price: \$139,900	
Type: ARMS LENGTH IMPROVED		Deed1: /35995/ 00221		Deed2:	
Seller: ROENA CORNETT FOUNDATION		Date: 08/29/2014		Price: \$52,015	
Type: NON-ARMS LENGTH OTHER		Deed1: /35312/ 00243		Deed2:	
Seller: WELLS FARGO BANK N A		Date: 08/29/2014		Price: \$43,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /35312/ 00238		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: Application received					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)

District: 15 Account Number: 1513553360



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.

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>).



KEVIN KAMENETZ
County Executive

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

September 30, 2015

Tina & Michael Ferguson
7839 Saint Patricia Lane
Baltimore MD 21222

RE: Case Number: 2016-0038 A, Address: 7839 Saint Patricia Lane

Dear Mr. & Ms. Ferguson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 12, 2015. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 8/17/15

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

RE: Baltimore County
Item No 2016-0038-A
Variance
Tina & Michael Ferguson
7839 Santa Patricia Lane

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. 2016-0038-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 8, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SEP 14 2015

SUBJECT: 7839 Saint Patricia Lane

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 16-038

Petitioner: Tina Marie and Michael Eugene Ferguson

Zoning: DR 10.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit an above ground swimming pool to be located in the front yard and an existing storage shed to be located in the side yard of the dwelling in lieu of the required in the rear yard and to permit a fence as a swimming pool enclosure in the front yard with a height of not less than 4 feet above the underlying ground of the pool.

Department of Planning has no objection to the granting of the petitioned zoning relief conditioned upon the following:

- The applicant should plant a continuous vegetative hedge on the inside of the fence of sufficient width and height to screen the pool or in the alternative install privacy slats on the existing chain link fence.

For further information concerning the matters stated herein, please contact Ngoné Seye Diop at 410-887-3480.

Division Chief:
AVA/KS

Kathy Schellbach

C: Ngoné Seye Diop

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 20, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For August 24, 2015
Item No. 2016-0034, 0035, 0037, 0038 and 0039

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

DAK:CEN
cc:file

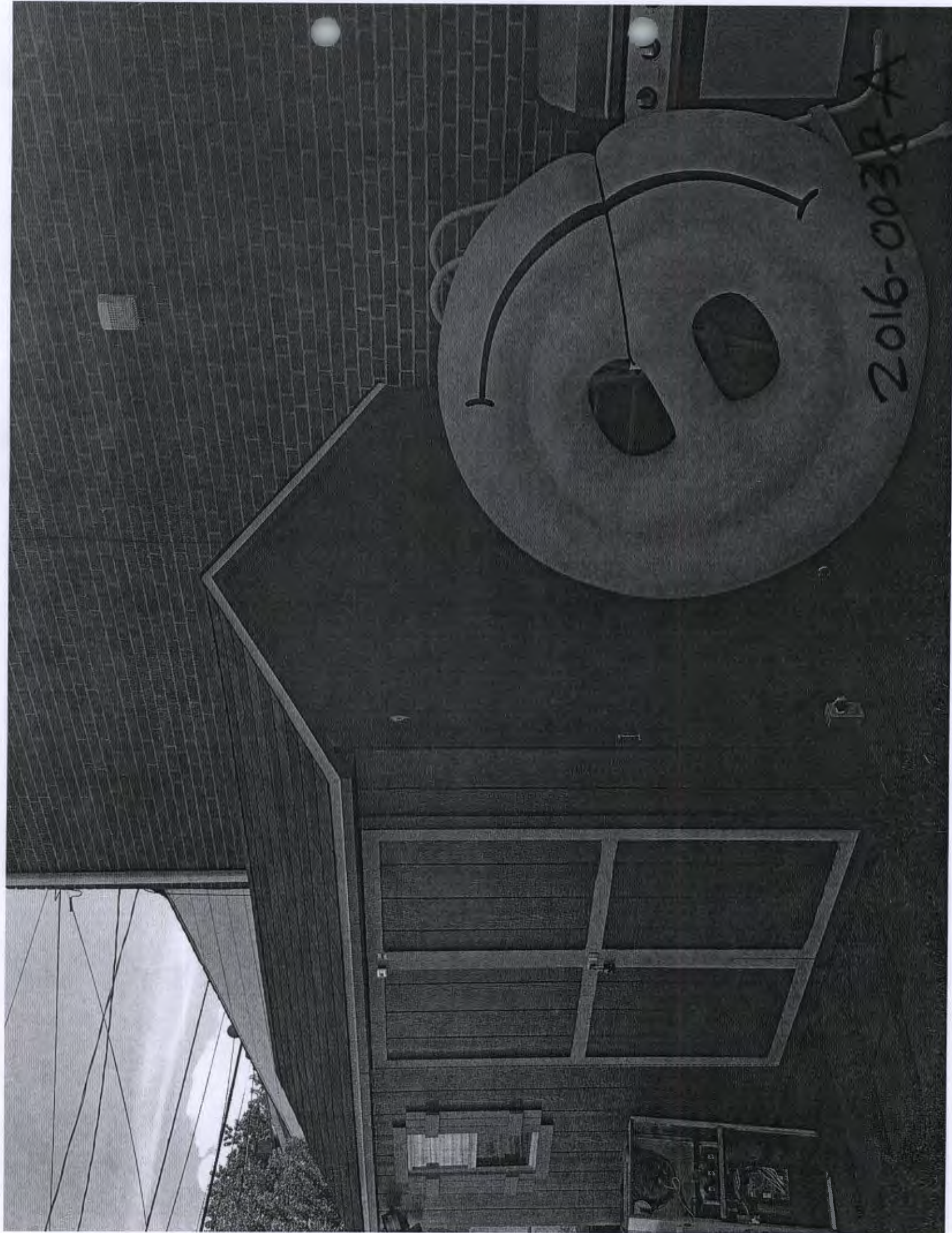
G:\DevPlanRev\ZAC -No Comments\ZAC08242015.doc

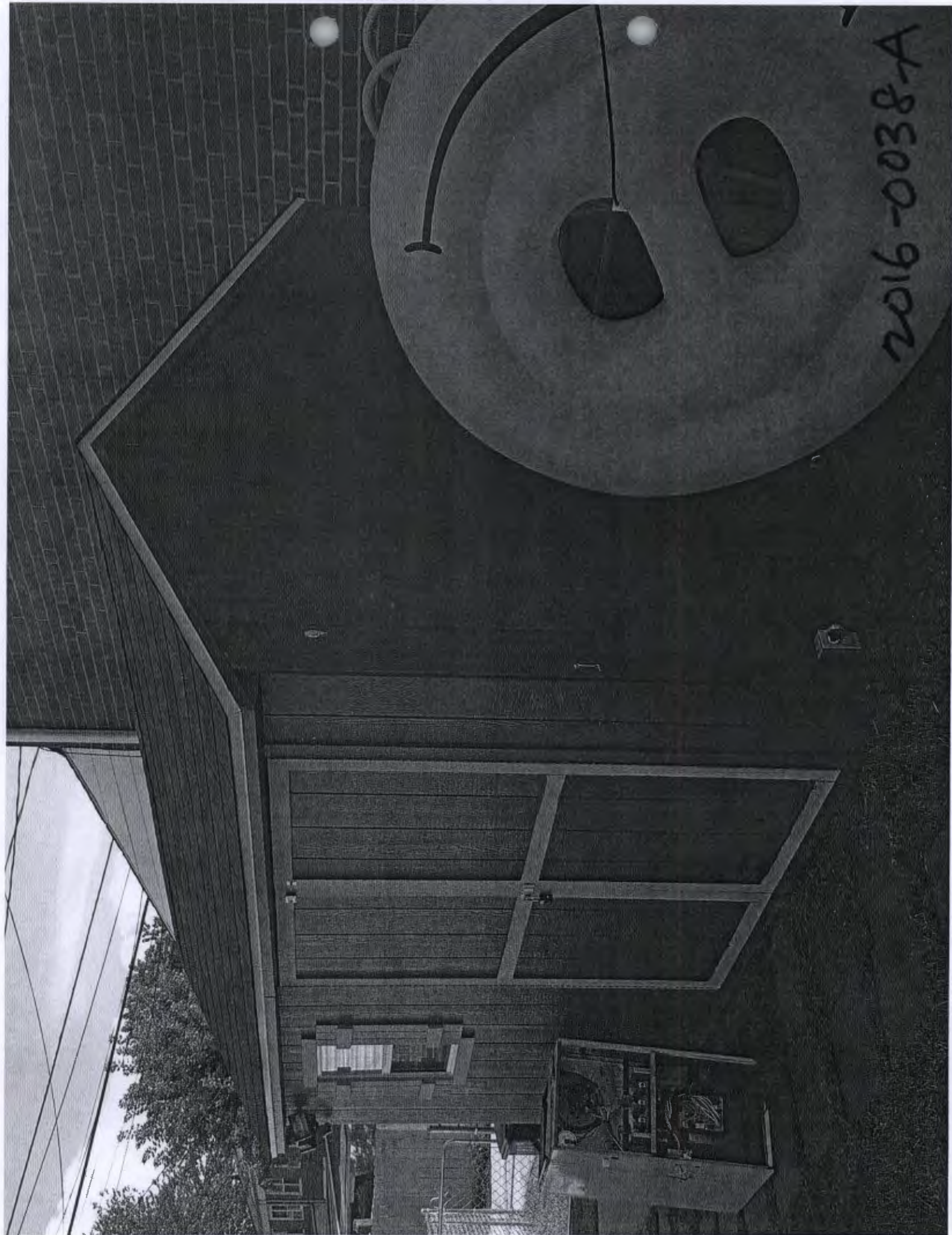
I am a homeowner and a neighbor of 7839 St. Patricia Lane,
Dundalk, MD 21222. I have no issues with the swimming pool,
four foot fence or shed that is on the property at that address.

<u>Name</u>	<u>Address</u>	<u>Date</u>
Steven Buschman	4001 ST MONICA DRIVE	8-14-15
Luzi Honeycutt	7835 ST Patricia Lane	8-14-15
Sandra J. Shelburne	7841 ST Patricia Lane	8/14/15
Marsha D. Shelburne	7841 ST Patricia Lane	8/14/15
Darnell Veng	7835 ST-PATRICA LN.	
Carel Lessone	7843 ST Patricia La	8-14-15
Tammy Holland	7845 ST. PATRICIA LN	8-14-15
Howard Lessner	7843 ST. PATRICIA LA	8 14 15
Michael Tugan	4024 st monica DR	8/14/15



2016-0038-A







2016-0038-A

7.CD
104A2
15 ED

DR 10.5
SE 3-G

PAI # 150056

Lot # 62
Lot # 63
Lot # 64

1502008780
1518101852
1502653310
1512202539

7829
7825

Pt. Bk. 0000022, Folio 0142
Pt. Bk. Folio # 022142

Lot # 61
1512002470

1513204480
4004
1508004500

Lot # 60
Lot # 59
Lot # 58

1513553260
1502655420
1503670840

DR 5.5

1502574131

ROAD

SAINT PATRICIA LN

Lot # 31
1513553360
7839
2009-0025-A
7835
7833
1507291491
Lot # 34
Pt. Bk. Folio # 022130
PAI # 150056

Lot # 32
Lot # 33
1518001910

SAINT MONICA DR

Lot # 35
1518721050
4001
1508004540
Lot # 36
1503232460
Lot # 37
1503473040
Lot # 38
1503473030
Lot # 39
1501500860
Lot # 40
4013
1513553300
Lot # 41

1508801480
7841
1513208370
7843
7845
Pt. Bk. 0000022, Folio 0142

Lot # 28
1511151690

Lot # 27
1511671980
4018
1508551250
1522001020
1508555290
4024
1513205640
4026
1522250260
4028
4030
1505770990
Lot # 21
1519450190

Lot # 26
1522001020
Lot # 25
1508555290
Lot # 24
1513205640
Lot # 23
1522250260
Lot # 22

SAINT AUGUSTINE LN

ALLEY

1502573030
4001
1519073150
1512840400
1512002740
1503475670
1512202350

ALLEY

1503473060
1521800100
1502371180
1507583820
4016
150751090
4017

2016-0038-A

2016-0038-A

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1513553360			
Owner Information					
Owner Name:	FERGUSON TINA MARIE FERGUSON MICHAEL EUGENE		Use:	RESIDENTIAL YES	
Mailing Address:	7839 ST PATRICIA LN BALTIMORE MD 21222-		Deed Reference:	/35995/ 00221	
Location & Structure Information					
Premises Address:		7839 ST PATRICIA LN BALTIMORE 21222-		Legal Description: 7839 ST PATRICIA LA SS NORTH POINT VILLAGE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0104	0008	0038		0000	4 L 31
			Assessment Year:	Plat No:	
			2015	0022/ 0130	
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
1955	1,024 SF			4,056 SF	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	END UNIT	BRICK	1 full	
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		45,000	45,000		
Improvements		59,600	67,200		
Total:		104,600	112,200	107,133	109,667
Preferential Land:		0			0
Transfer Information					
Seller: SILVER CASA INC		Date: 03/31/2015		Price: \$139,900	
Type: ARMS LENGTH IMPROVED		Deed1: /35995/ 00221		Deed2:	
Seller: ROENA CORNETT FOUNDATION		Date: 08/29/2014		Price: \$52,015	
Type: NON-ARMS LENGTH OTHER		Deed1: /35312/ 00243		Deed2:	
Seller: WELLS FARGO BANK N A		Date: 08/29/2014		Price: \$43,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /35312/ 00238		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: Application received					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2016-0038-A

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

FERGUSON TINA MARIE FERGUSON MICHAEL
 EUGENE
 7839 ST PATRICIA LN
 BALTIMORE, MD 21222

CASE NUMBER CC1509275	PROP.TAX ID 1513553360
VIOLATION ADDRESS 7839 SAINT PATRICIA LN DUNDALK, MD 21222	

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

County Codes/Regulations	Inspector's Comments
B.C.C. 13-7-310(a): Remove all trash & debris from property B.C.C. 35-2-301: Obtain building/ fence/ sign permit B.C.Z.R 400: Illegal accessory structure	Remove recliner in rear. You must obtain a fence permit for a newly constructed fence. You may not have a pool in the front or side yard, you may only have a pool in the rear of a property.

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: 08/24/2015	INSPECTOR NAME: George Tsigounis
	ISSUED DATE: 08/03/2015

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

- It is important that you read this document carefully, as it charges you with the commission of a crime.
- 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.
- A lawyer can give important assistance to you:
 - on how to correct the violation(s) in order to avoid trial or
 - 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.
- 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.
- Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

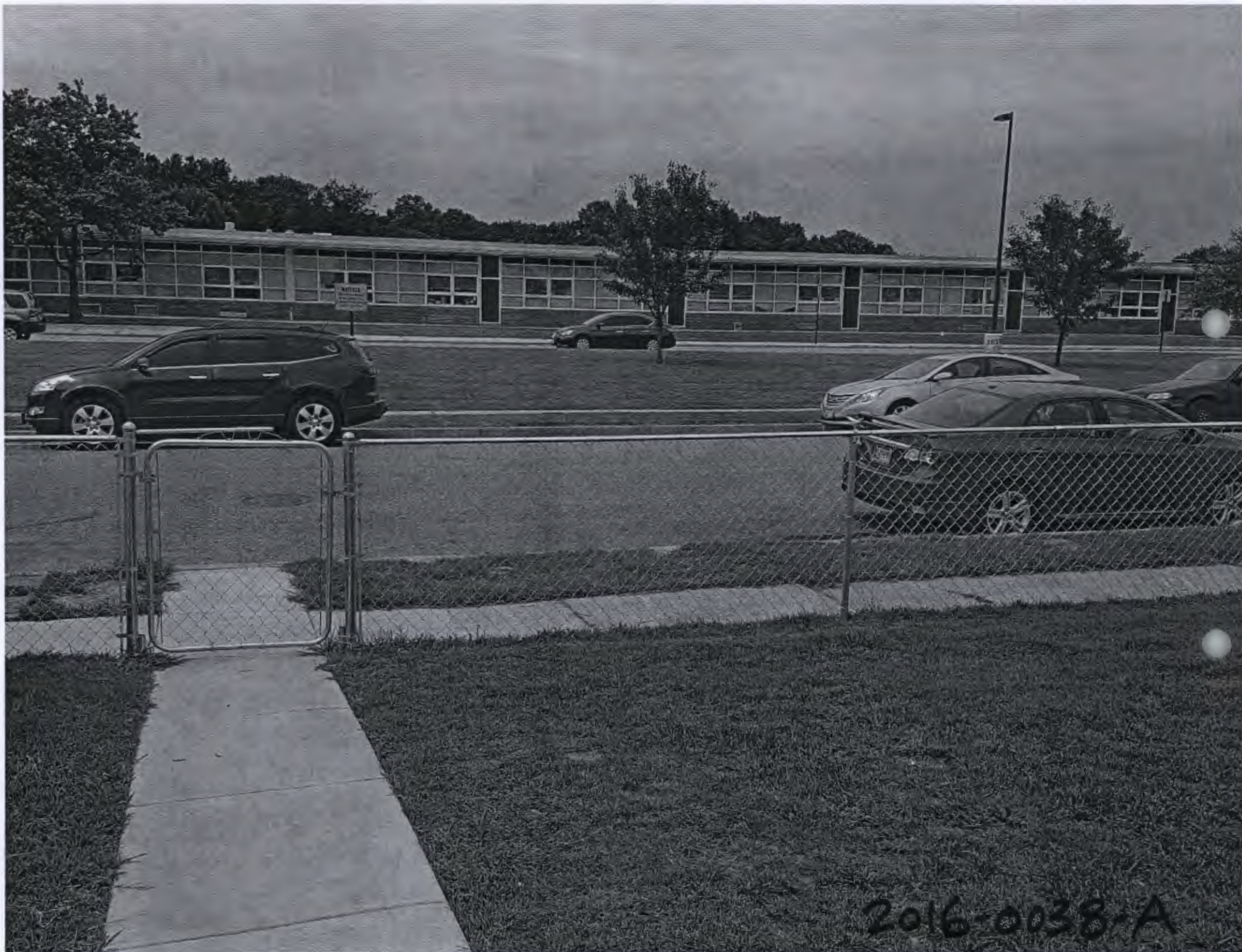
2016-0038-A



2016- 0038-A



2016-08-31



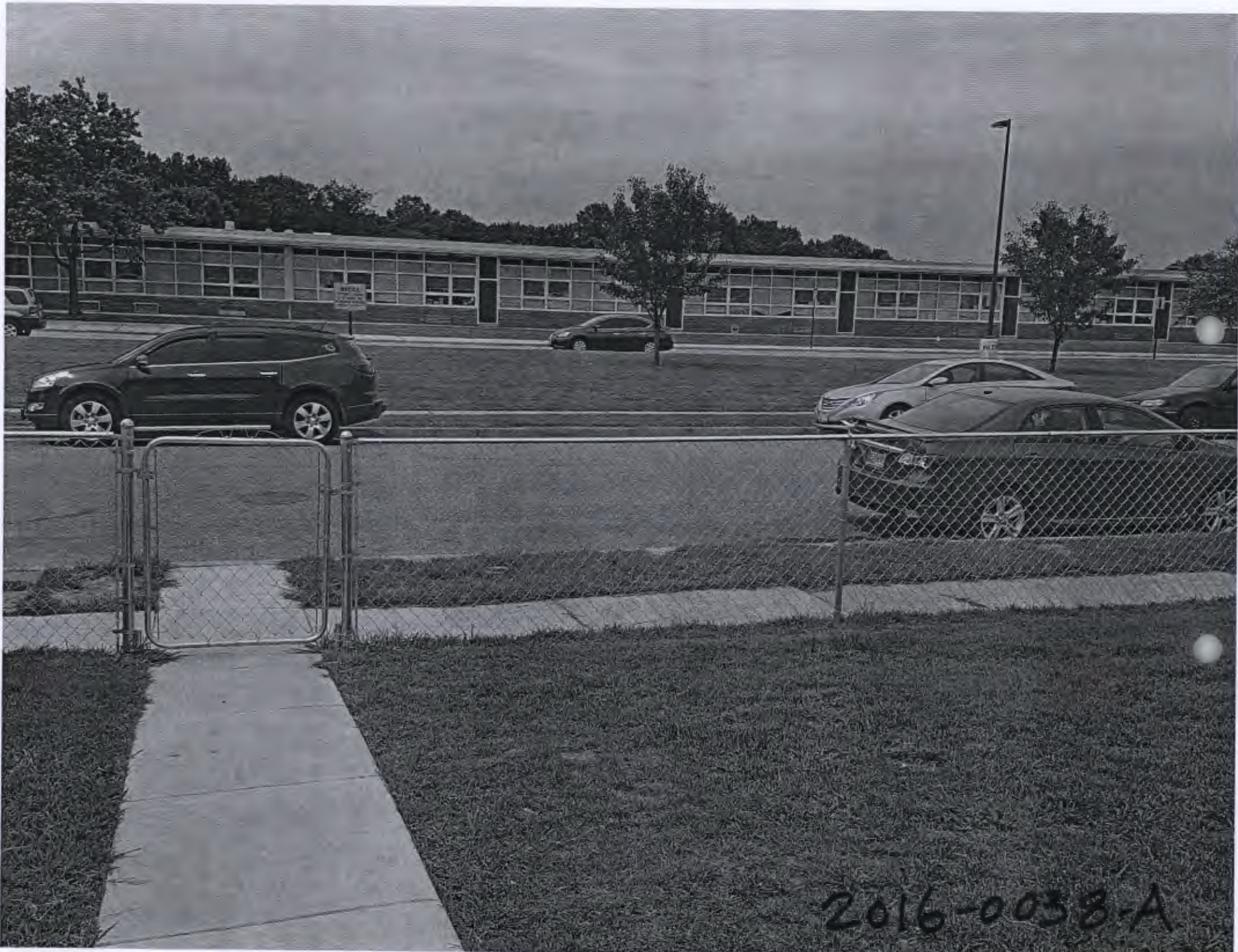
2016-0038-A





2016-0038-A



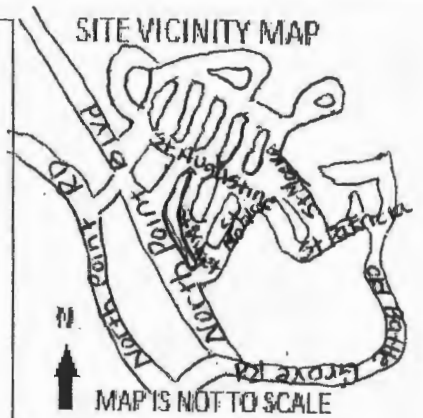


2016-0038-A





ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 7839 St. Patricia Lane OWNER(S) NAME(S) Tina & Michael Ferguson
 SUBDIVISION NAME North Point Village LOT # 31 BLOCK # L SECTION # 4
 PLAT BOOK # 22 FOLIO # 130 10 DIGIT TAX # 1513553360 DEED REF. # 35995100221



ZONING MAP# _____
 SITE ZONED DR 10.5
 ELECTION DISTRICT 15th
 COUNCIL DISTRICT 7th
 LOT AREA ACREAGE _____
 OR SQUARE FEET 4,056
 HISTORIC? NO
 IN CBCA? _____
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS: _____
 PUBLIC X PRIVATE _____
 SEWER IS: _____
 PUBLIC X PRIVATE _____
 PRIOR HEARING? _____
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

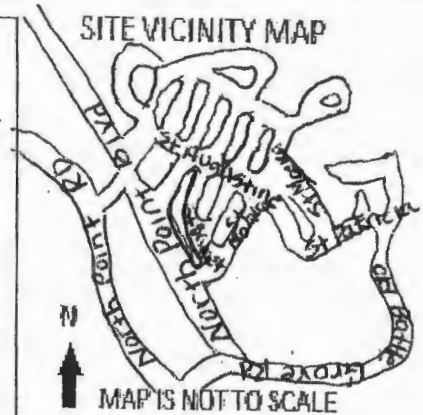


PLAN DRAWN BY Tina Ferguson DATE 8/8/15 SCALE: 1 INCH = 20' FEET
St. Patricia Lane (60 FT R.O.W.)

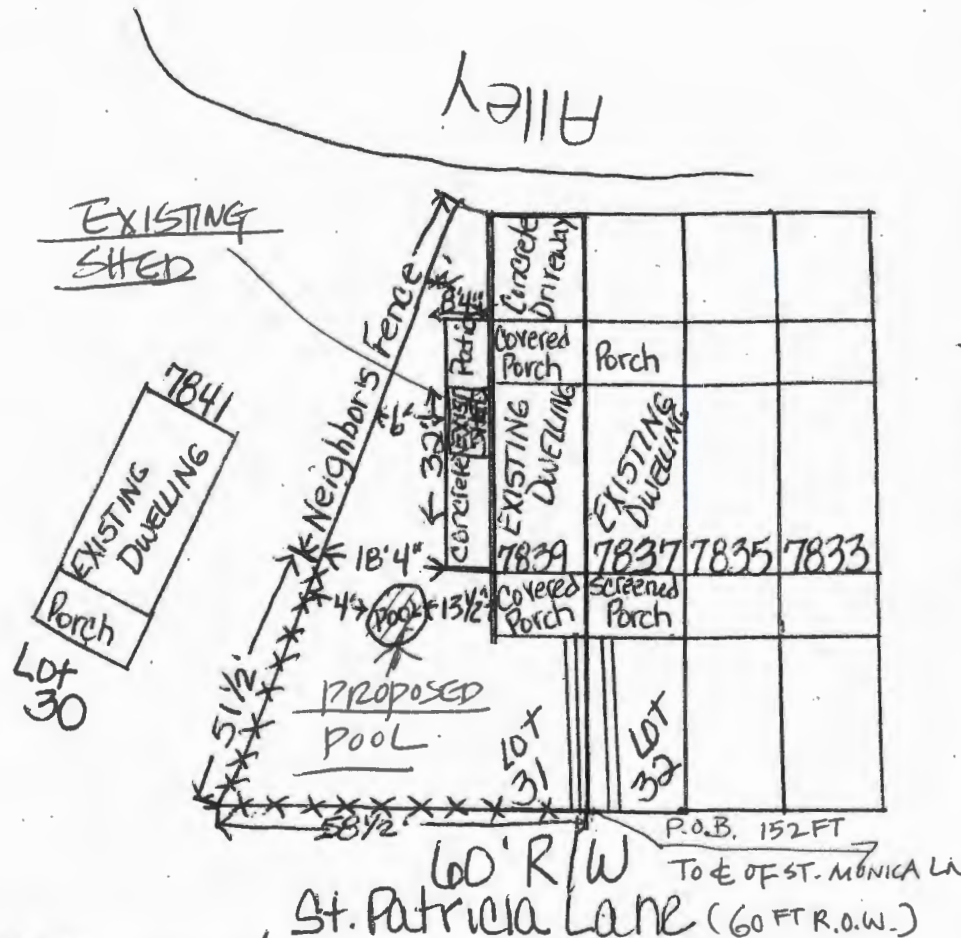
* VIOLATION CASE INFO:
CC 1509275

2016-0038-A

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 7839 St. Patricia Lane OWNER(S) NAME(S) Tina & Michael Ferguson
 SUBDIVISION NAME North Point Village LOT # 31 BLOCK # L SECTION # 4
 PLAT BOOK # 22 FOLIO # 130 10 DIGIT TAX # 1513553360 DEED REF. # 35995100221



ZONING MAP# _____
 SITE ZONED DR10.5
 ELECTION DISTRICT 15th
 COUNCIL DISTRICT 7th
 LOT AREA ACREAGE _____
 OR SQUARE FEET 4,056
 HISTORIC? NO
 IN CBCA? _____
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 WATER IS: PUBLIC ☒ PRIVATE _____
 SEWER IS: PUBLIC ☒ PRIVATE _____
 PRIOR HEARING? _____
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW



PLAN DRAWN BY Tina Ferguson DATE 8/8/15 SCALE: 1 INCH = 20' FEET

* VIOLATION CASE INFO:
CC1509275

2016-0038-A