

M E M O R A N D U M

DATE: December 13, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0327-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 12, 2016. 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

JEB:slh



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 11/11/16
By slh



100

100

100

100



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 3311 Timberfield Lane

Currently zoned DR 2 / DR 5.5

Deed Reference 32716 / 00001

10 Digit Tax Account # 0307051540

Owner(s) Printed Name(s) Benjamin Attar

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

Section 400.1 – to permit an existing detached accessory structure (shed) to have a side yard setback of 1½ feet in lieu of the minimum required 2½ feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Benjamin Attar Ghodrat Attar
Name #1 – Type or Print Name #2 – Type or Print

[Signature] [Signature]
Signature #1 Signature #2

3311 Timberfield Lane Baltimore MD
Mailing Address City State

21208 443-992-1811 jayattar@gmail.com
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 6 day of June, 2016 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0327-A

Filing Date 6/16/16

Estimated Posting Date 6/26/16

Reviewer [Signature]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 3311 Timbetrail Lane Baltimore MD 21204
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state **practical difficulty or hardship** here)

Please see attached pertaining to structure of 128 sq ft

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

B/L
Signature of Owner (Affiant)

Signature of Owner (Affiant)

Benjamin Attar
Name- Print or Type

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28 day of April, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Benjamin Attar

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Rena Trestman
Notary Public
February 12, 2017
My Commission Expires

RENA TRESTMAN Notary Public Baltimore County Maryland My Commission Expires Feb. 12, 2017

Item # 0327 REV. 5/8/2014

The structure built at 3311 Timberfield Lane Baltimore, MD 21208 serves the much needed purpose of protecting underground plumbing components from wear and potential damage caused by the elements. The plumbing for the indoor pool at the residence runs directly under the building, which is why the building cannot be moved.

When the structure was initially built, I was unaware at the time that a permit was needed for the building. It was my understanding that I was in compliance with building the structure, however, I now know that is not the case. I am now aware I need to be more than 1.5 ft from the residence next to the structure. However, I now own the property next to the structure as well.

My intention in having this structure built was to protect underground plumbing, pipes etc, from freezing, wind, destruction caused by erosion or potential pipes bursting due to natural elements out of my control. The structure provides heat and much needed protection to the underground plumbing for the indoor pool. This structure will prevent any pipes bursting, or any other unforeseen disasters that might occur due to natural elements, weather, extreme temperatures etc.

Item #0327

ZONING PROPERTY DESCRIPTION FOR: 3311 TIMBERFIELD LANE BALTIMORE MD 21208

*Beginning at the point on the South East side of Timberfield Lane which is 50' wide at the distance of 550' South West of the centerline of the nearest improved intersecting street Lightfoot Drive which is 50' wide.

OPTION 2 (Subdivision Lot – lot is part of recorded plat):

Being Lot # 3, Block C, Section # 3 in the subdivision of Midfield as recorded in Baltimore County Plat Book # 27 Folio # 07, containing 21,600 Square Feet Located in the 03 Election District and 2nd Council District.

Item #0327



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 4527411

Sold To:

Jay Attar - CU00566999
5928 Reisterstown Rd
Baltimore, MD 21215-3413

Bill To:

Jay Attar - CU00566999
5928 Reisterstown Rd
Baltimore, MD 21215-3413

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

Oct 20, 2016

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

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: # 2016-0327-A	
3311 Timberfield Lane S/e side of Timberfield Lane, s/w of Lightfoot Drive 3rd Election District - 2nd Councilmanic District Legal Owner(s) Benjamin & Ghodrat Attar	
Variance: to permit an existing detached accessory structure (shed) to have a side yard setback of 1 1/2 ft. in lieu of the minimum required 2 1/2 ft.	
Hearing: Wednesday, November 9, 2016 at 1:30 p.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.	
10/085 Oct. 20	4527411



KEVIN KAMENETZ
County Executive

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

September 29, 2016

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: 2016-0327-A

3311 Timberfield Lane
S/e side of Timberfield Lane, s/w of Lightfoot Drive
3rd Election District – 2nd Councilmanic District
Legal Owners: Benjamin & Ghodrat Attar

Variance to permit an existing detached accessory structure (shed) to have a side yard setback of 1 ½ ft. in lieu of the minimum required 2 ½ ft.

Hearing: Wednesday, November 9, 2016 at 1:30 p.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: Mr. & Mrs. Attar, 3311 Timberfield Lane, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 20, 2016.**
- (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
Thursday, October 20, 2016 Issue - Jeffersonian

Please forward billing to:

Jay Attar
5928 Reisterstown Road
Baltimore, MD 21215

703-949-0366

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: 2016-0327-A

3311 Timberfield Lane
S/e side of Timberfield Lane, s/w of Lightfoot Drive
3rd Election District – 2nd Councilmanic District
Legal Owners: Benjamin & Ghodrat Attar

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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.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0327 -A Address 3311 Timberfield Lane
Contact Person: David Puvall Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 6/16/16 Posting Date: 6/26/16 Closing Date: 7/11/16

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2016- 0327 -A Address 3311 Timberfield Lane
Petitioner's Name Benjamin Attar Telephone 443 992 1931
Posting Date: 6/26/16 Closing Date: 7/11/16
Wording for Sign: To Permit an existing detached accessory structure (shed)
to have a side yard setback of 1 1/2 feet in lieu of the
minimum required 2 1/2 feet.

Revised 7/9/15

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2016-0327-A
Property Address: 3311 Timberfield Lane Baltimore, MD 21208
Property Description: southeast side of Timberfield Ln, 550'
southwest of Lightfoot Dr.
Legal Owners (Petitioners): Benjamin Attar Ghodrati Attar
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jay Attar
Company/Firm (if applicable): _____
Address: 5928 Reisterstown Rd
Baltimore, MD 21215

Telephone Number: 703 949 0366

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 2016-0327-A

TO PERMIT AN EXISTING DETACHED
ACCESSORY STRUCTURE (SHED) TO HAVE A
SIDE YARD SETBACK OF 11 1/2 FEET INSTEAD
OF THE MINIMUM REQUIRED 20 FEET.

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON 7/11/16.

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD 21204

TEL: 887-3391

MEETING IS HANDICAP ACCESSIBLE

ZONING PROPERTY DESCRIPTION FOR: 3311 TIMBERFIELD LANE BALTIMORE MD 21208

*Beginning at the point on the South East side of Timberfield Lane which is 50' wide at the distance of 550' South West of the centerline of the nearest improved intersecting street Lightfoot Drive which is 50' wide.

OPTION 2 (Subdivision Lot – lot is part of recorded plat):

Being Lot # 3, Block C, Section # 3 in the subdivision of Midfield as recorded in Baltimore County Plat Book # 27 Folio # 07, containing 21,600 Square Feet Located in the 03 Election District and 2nd Council District.

Item #0327

CERTIFICATE OF POSTING

Date: 6-26-16

RECEIVED

JUL 1 2016

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

RE: Case Number: 2016-0327-A

Petitioner/Developer: Benjamin Attar

Date of Hearing/Closing: 7-11-16

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 3311 Timberfield Lane

The signs(s) were posted on 6-26-16
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

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

No.

141407

Date:

6/16/16

PAID RECEIPT

BUSINESS ACTUAL TIME DAY
6/17/2016 6/16/2016 10:37:04 1

FIG NC01 WALKIN LIP
> RECEIPT # 656076 6/16/2016 0712
Dept 5 520 ZONING VERIFICATION
C NO. 141407

Recpt Tot 175.00
175.00 OK 1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					575.00

Total: 575.00

Rec

From:

For:

Zoning hearing - case # 2016-0327-A

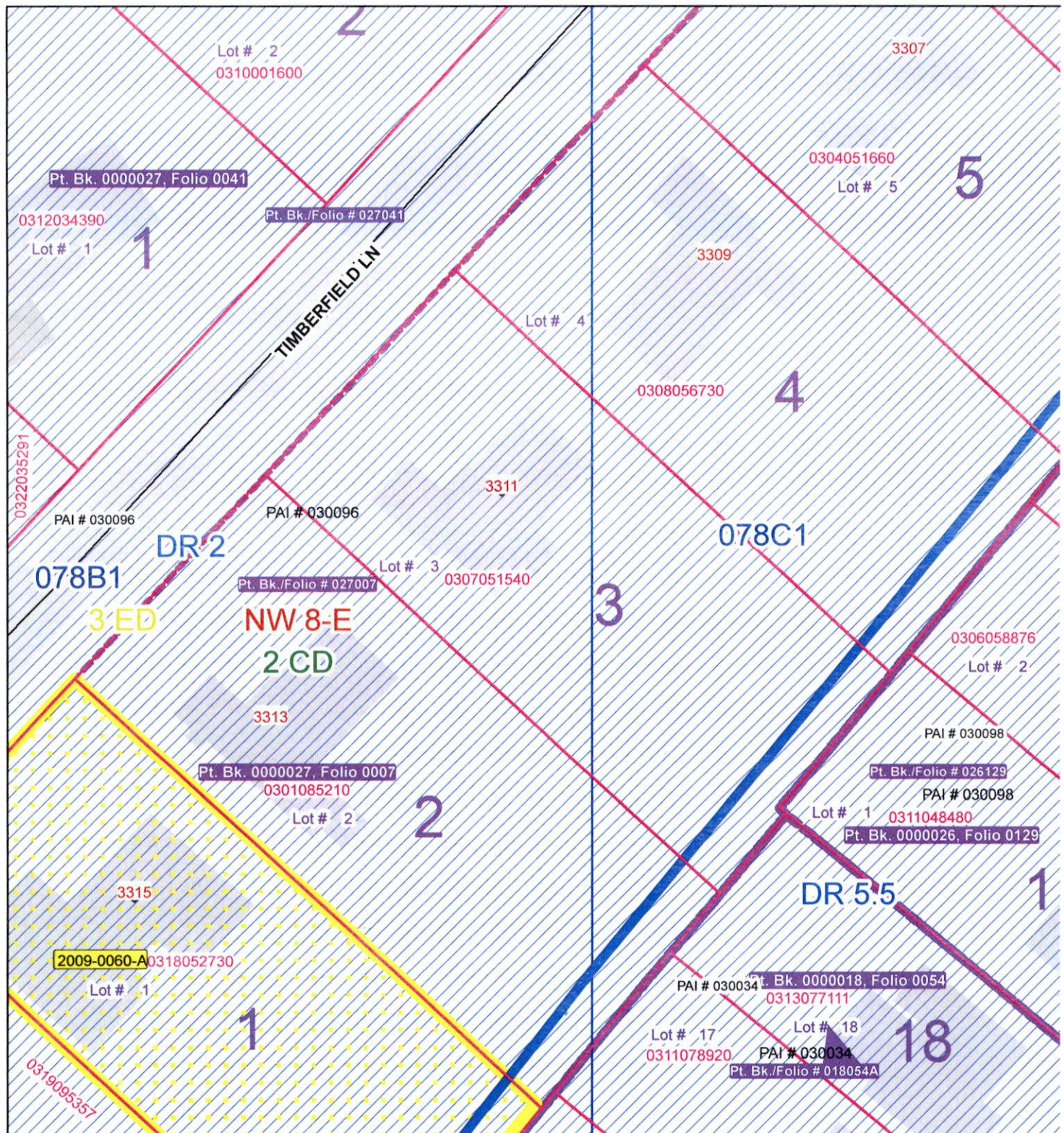
DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

5311 Timberfield Lane



Publication Date: 6/16/2016



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



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

Item #0327

Revised

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

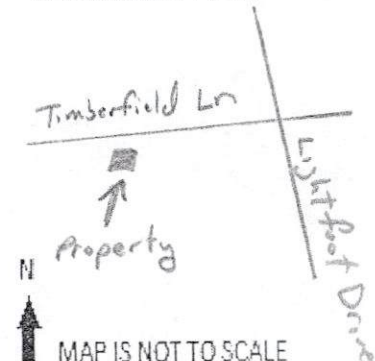
ADDRESS 3311 Timberfield Lane OWNER(S) NAME(S) Ben Attar

SUBDIVISION NAME Midfield LOT # 3 BLOCK # C SECTION # _____

PLAT BOOK # 0027 FOLIO # 0007 10 DIGIT TAX # 0307051540 DEED REF. # 32716/00001



SITE VICINITY MAP



ZONING MAP# 078B1+C1

SITE ZONED DR2/DR5.5

ELECTION DISTRICT 3rd

COUNCIL DISTRICT 2nd

LOT AREA ACREAGE _____

OR SQUARE FEET 21,600

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS: PUBLIC ☒ PRIVATE _____

SEWER IS: PUBLIC ☒ PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

No

VIOLATION CASE INFO:

No

#2016-0327-A

Signature

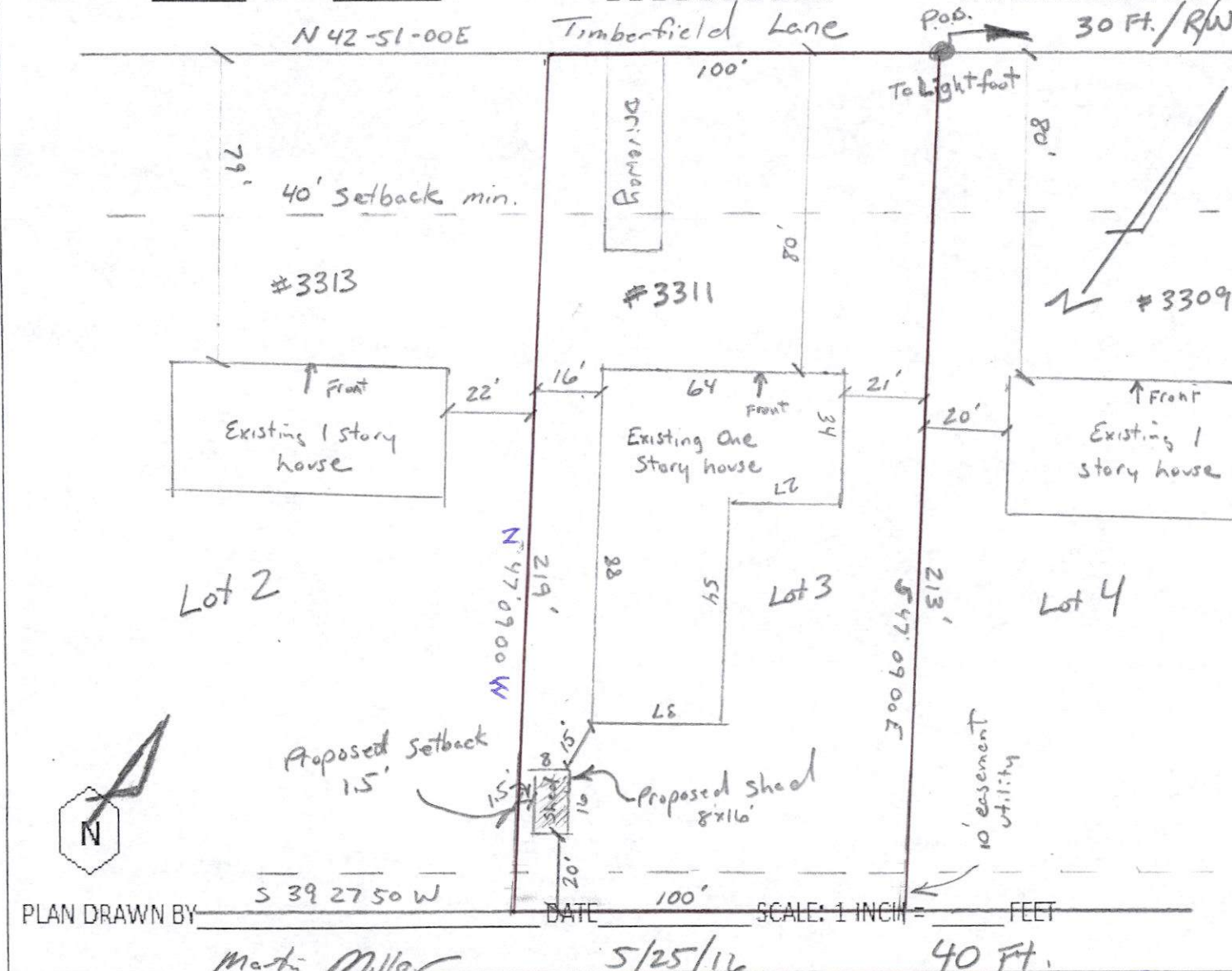
**Revised*

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

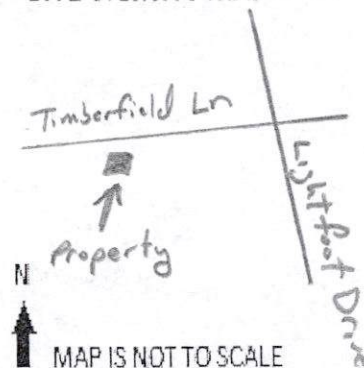
ADDRESS 3311 Timberfield Lane OWNER(S) NAME(S) Ben Attar

SUBDIVISION NAME Midfield LOT # 3 BLOCK # C SECTION # _____

PLAT BOOK # 0027 FOLIO # 0007 10 DIGIT TAX # 0307051540 DEED REF. # 32716/00001



SITE VICINITY MAP



ZONING MAP # 07881-C1

SITE ZONED DR2/DR5

ELECTION DISTRICT 3rd

COUNCIL DISTRICT 2nd

LOT AREA ACREAGE _____

OR SQUARE FEET 21,600

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

No

VIOLATION CASE INFO:

No

PLAN DRAWN BY

Mark Miller

DATE

5/25/16

SCALE: 1 INCH =

FEET

40 Ft.

#2016-0327-A

RDD



KEVIN KAMENETZ
County Executive

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

July 12, 2016

Benjamin Attar
Ghodrat Attar
3311 Timberfield Lane
Baltimore MD 21208

RE: Case Number: 2016-0327 A, Address: 331 Timberfield Lane

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 16, 2016. 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 6/20/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2016-0327-A

Administrative Variance
Benjamin Attar and Ghodrat Attar
3311 Timberfield Lane

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 'Richard Zeller'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



was 7-11 (AV)
now formal demand
on 7-13-16
11-3-16
RECEIVED

JUN 22 2016

OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: June 22, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0327-A
Address 3311 Timberfield Lane
(Attar Property)

Zoning Advisory Committee Meeting of **June 27, 2016.**

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

Reviewer: Steve Ford

Date: 06-22-2016

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: July 13, 2016

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: John E. Beverungen, Administrative Law Judge
Office of Administrative Hearings



RE: Petition for Administrative Variance – 07/11/16 Closing Date
Case No. 2016-0327-A – 3311 Timberfield Lane, 21208

After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing. This case involves an open code enforcement violation in which Councilwoman Vicki Almond's office is the Complainant.

Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 03 Account Number - 0307051540			
Owner Information					
Owner Name:	ATTAR BENJAMIN ATTAR GHODRAT		Use:	RESIDENTIAL	
Mailing Address:	3311 TIMBERFIELD LN BALTIMORE MD 21208-4425		Principal Residence:	YES	
			Deed Reference:	/32716/ 00001	
Location & Structure Information					
Premises Address:		3311 TIMBERFIELD LN 0-0000		Legal Description: 3311 TIMBERFIELD LN MIDFIELD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0078	0005	0013		0000	3
					C
					3
					2014
					Plat No:
					Plat Ref:
					0027/0007
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
1961	2,710 SF		450 SF		21,600 SF
					County Use
					04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	NO	SPLIT LEVEL	SIDING	2 full/ 1 half	1 Carport
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2014	07/01/2015	07/01/2016
Land:		138,900	125,300		
Improvements		186,800	216,900		
Total:		325,700	342,200	336,700	342,200
Preferential Land:		0			0
Transfer Information					
Seller: GOLDBERG GERTRUDE		Date: 10/25/2012		Price: \$300,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /32716/ 00001		Deed2:	
Seller: GOLDBERG RAYMOND B		Date: 07/24/2009		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /28433/ 00071		Deed2:	
Seller: GOLDBERG RAYMOND B		Date: 05/24/1996		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /11603/ 00498		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: No Application					

E TIMORE COUNTY MARY ND
INTER-OFFICE CORRESPONDENCE

DATE: April 13, 2000

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

2016-0327-A

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.:
Legal Owner/Petitioner:
Contract Purchaser:
Property Address: 3311 TIMBERFIELD
Location Description:

VIOLATION INFORMATION:

Case No. CB1660077
Defendants: BENJAMIN GHODRAT ATTAR

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

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(s) 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 Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/

C: Code Enforcement Officer



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB1600077

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB1600077	Walter Kuklane		02/23/2016	Pre Hearing Insp Complete	04/25/2016	

Complaint Description: some work has been done periodically at this home. No permit has allegedly ever been posted. The job site has been left incomplete with piles of dirt and debris. It is not occupied presently. Does it have permits for construction, electrical, plumbing, U & O etc.

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
3311 TIMBERFIELD LN PIKESVILLE, MD 212084425 Tax Id: 0307051540	ATTAR BENJAMIN ATTAR GHODRAT 3311 TIMBERFIELD LN BALTIMORE, MD 212084425	Councilwoman Vicki Almond 400 Washington Ave 2nd Floor Towson MD, 21204 410-887-3385 jschwartz@baltimorecountymd.gov

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Walter Kuklane	02/24/2016	Initial Inspection	Correction Notice Issued	Correction Notice Issued	
Walter Kuklane	03/11/2016	Re-Inspection	Citation Issued	Citation Issued	
Walter Kuklane	03/14/2016	Pre Hearing Inspection	In Violation	In Violation	
Walter Kuklane	03/30/2016	Re-Inspection	Citation Issued	Citation Issued	
Walter Kuklane	04/01/2016	Pre Hearing Inspection	Correction in Progress	Correction in Progress	
Walter Kuklane	04/19/2016	Re-Inspection	Citation Issued	Citation Issued	
Walter Kuklane	04/22/2016	Pre Hearing Inspection	Correction in Progress	Correction in Progress	
Walter Kuklane		Re-Inspection	Scheduled		

Lien Information - No Lien



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB1600077

Comments Detail

2/26/2016: 2.24.16 - Initial inspection on 2/23/16 revealed several violations. Permit for addition B833415 is expired. Homeowner must file new permit for work being done. Shed being built without permit exceeding 120 sq. Ft. Homeowner must file for permit and variance for location of shed. I will contact sediment control concerning stabilization of area. Also permit B887700 must be amended for structure being build over in-ground pool. I will post and mail copies of correction notice. R/C 3/11/16 ***WK/ir

3/30/2016: Hearing postponed until 4/12/16. ***WK/lk

3/30/2016: Hearing set for 3/29/16 was canceled. Will reschedule hearing for 4/12/16 and mail copy of citation to homeowner. Will also post citation on premises. R/C 4/11/16 ***WK/lk

4/19/2016: Recheck inspection on 4/18/16 showed no evidence of variance for shed being applied for. In lieu of this will schedule hearing for 4/26/16. R/C 4/25/16 ***WK/lk

4/15/2016: Mr. Attar (homeowner) stopped in to see Mr. Berry concerning the new shed. Mr. Attar agreed to apply for variance by 4/18/16. In lieu of this am postponing hearing set for 4/12/16. R/C 4/18/16 ***WK/lk

3/14/2016: Recheck inspection on 3/11/16 revealed no change in structure. Research showed no permit for shed has been applied for. Citation will be posted on premises on 3/14/16 as well as mailing copy to homeowner. Hearing set for 3/29/16 prehearing inspection on 3/28/16.

4/25/2016: I spoke with homeowner (Mr. Attar) on 4/22/16 he assured me he had appointment with zoning on 4/25/16 to apply for variance for his shed. I will confirm this in lieu of this I am canceling hearing for 4/26/16. Will monitor progress. R/C 5/2/16 ***WK/lk



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB1600077

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB1600077	Walter Kuklane		02/23/2016	Inspection Scheduled		

Complaint Description: some work has been done periodically at this home. No permit has allegedly ever been posted. The job site has been left incomplete with piles of dirt and debris. It is not occupied presently. Does it have permits for construction, electrical, plumbing, U & O etc.

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
3311 TIMBERFIELD LN PIKESVILLE, MD 212084425 Tax Id: 0307051540	ATTAR BENJAMIN ATTAR GHODRAT 3311 TIMBERFIELD LN BALTIMORE, MD 212084425	Councilwoman Vicki Almond 400 Washington Ave 2nd Floor Towson MD, 21204 410-887-3385 jschwartz@baltimorecountymd.gov

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Walter Kuklane		Initial Inspection	Scheduled		

Lien Information - No Lien

Comments Detail - No Comments

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. CB 1600077 Property No. 0307051540 Zoning: _____

Name(s): Benjamin and Ghodrat Attar

Address: 3311 Timberfield Ln
Baltimore, MD 21208-4425

Violation Location: 3311 Timberfield Ln
Baltimore, MD 21208-4425

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNT LAWS:

2015 Baltimore County Code: part 112.1: Permit required to erect shed
larger than 120 sq ft. Location of shed requires variance from
county. Permit B 833415 is expired: must refile for new permit
Permit B 887700: must change wording on permit to reflect addition
(not roof) being built

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

ON OR BEFORE: 3/10/16 DATE ISSUED: 2/26/16

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION
SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR
90 DAYS IN JAIL, OR BOTH.

INSPECTOR: [Signature] PRINT NAME: WALTER KUKLANE

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: _____

INSPECTOR: _____ PRINT NAME: _____

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

CASE 2016-0327-A

NOTE TO FILE:

The photographs suggest the structure has a side yard setback closer than the 1½ feet relief requested due to the proximity of the fence. However, the petitioner insists fence does not represent the actual lot line and the 1½ feet setback number is correct.

Item #0327



Close up of
Structure &
fence that
separates my
two properties.
The fence leans
toward the
structure.

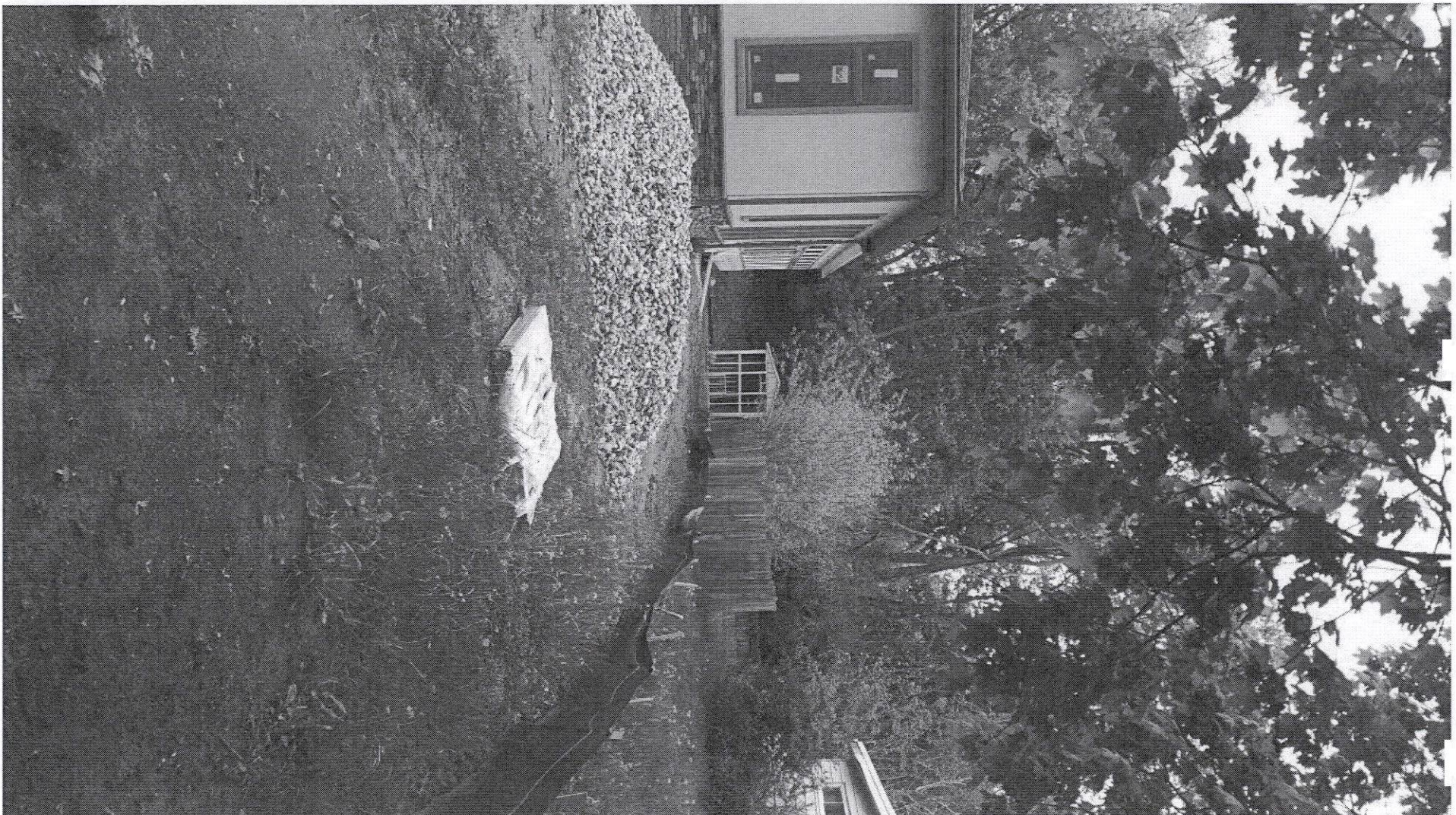
The fence is
not exactly
on the
property line.

Item #0327



view of back
+ side of structure
from neighboring
property, which
I also own

Item #0327



View of front of
Structure taken
near driveway
at front of
house.
View on right
is neighboring
property which
I now own.

Item #0327



View of Structure
taken from
a ladder
from side
of my home
at 3311 Timberline

Item #0327



View of front
of structure,
that faces
toward
Timberfield Ln.

Item #0327

View of
structure
taken from
neighboring
yard.
I now own
neighboring
property as well.



Item #0327

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
6/22	DEPS (if not received, date e-mail sent _____)	N/C
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
6/20	STATE HIGHWAY ADMINISTRATION	No Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

10/20/16

SIGN POSTING

Date:

6/26/16

by

Pulson

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____
