

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 N/S Sandy Plains Road, 400' +/- *
 NE of c/l Kavanaugh Road * ZONING COMMISSIONER
 8412 Sandy Plains Road *
 12th Election District * OF BALTIMORE COUNTY
 7th Councilmanic District *
 Rosenmiller Realty & Invest- * Case No. 97-437-SPH
 ment Company, Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 8412 Sandy Plains Road in eastern Baltimore County. The Petition was filed by W.F.D. Rosenmiller, President of Rosenmiller Realty & Investment Company, property owner. Special hearing relief is requested to approve the use (as a nonconforming use) of the existing two structures on the property as two separate dwelling units. The requested relief is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the public hearing held for this case was W. Frederick Rosenmiller, on behalf of Rosenmiller Realty & Investment Company, property owner. The Petitioner was represented by Keith E. Ronald, Esquire. There were no Protestants present.

Testimony and evidence presented was that the subject property is roughly triangular in shape, .368 acres in area, zoned D.R.3.5. This is a waterfront property, located adjacent to Chink Creek in eastern Baltimore County, and is subject to the Chesapeake Bay Critical Area Regulations (DEPRM). Access to the property is by way of Sandy Plains Road. The property is improved with two structures. The first is a larger one story brick dwelling. Apparently this dwelling was constructed in the 1960s and replaced a previous dwelling on the lot. The second structure is a small summer cottage-type building. The structure is 16 ft. x 24 ft. in dimen-

ORDER FOR SPECIAL HEARING

Date 3/27/97
 By [Signature]

sion. This smaller structure is a one story frame dwelling and was built many years ago, in the early 1900s.

Additional testimony and evidence presented was that the property has historically been used for two dwelling units. The larger brick building, as well as the building it replaced, are considered the primary dwelling unit on the site, however, the smaller frame dwelling has been used as a summer cottage and summer home for many years.

Mr. Rosenmiller, on behalf of the corporate property owner, does not reside on the site. He testified that both of the structures are leased. The larger building is leased to a family and the smaller building is leased to a single unrelated tenant.

The Petitioner seeks relief to designate the property as a nonconforming use, pursuant to Section 104 of the Baltimore County Zoning Regulations (BCZR). A nonconforming use is defined in Section 101 of the BCZR as, "A legal use that does not conform to a use regulation for the zone in which it is located or to a specific regulation applicable to such a use." Nonconforming uses are regulated by Section 104 of the BCZR which provides that same can continue if they are not abandoned, discontinued or improperly enlarged. Essentially, a nonconforming use designation is used to "grandfather" an existing use which is otherwise illegal under the zoning regulations.

Based upon the testimony and evidence presented, it is clear that the special hearing should be granted in this case. Uncontradicted testimony and evidence offered was that this property has historically been used for two dwellings well prior to the adoption of the first zoning regulations in Baltimore County in 1945. As is typical with many waterfront properties in eastern Baltimore County, the subject site contains both the primary dwelling (one story brick building) and a second structure (a

ORDER RECORDED FOR FILING
DATE 8/6/77
BY [Signature]

small frame dwelling originally used as a summer cottage). Moreover, there was no evidence presented that the use was ever abandoned or otherwise impermissibly discontinued. Thus, the Petition for Special Hearing should be granted.

As noted above, Mr. Rosenmiller testified that he does not reside in either dwelling. Rather, his place of residence is in Pennsylvania. However, he did testify that he maintains a boat and frequently visits the area. Testimony offered by the Petitioner was that he keeps his personal belongings on the subject property for use in connection with his boating activities. By agreement contained within the lease with his tenant, these belongings are kept in the basement of the one story brick dwelling. That is, he has the use of that basement during his trips to the Baltimore area. Such an arrangement appears permissible, for so long as the basement is not used as a third dwelling unit. In this regard, Mr. Rosenmiller indicated that that was not the case and that he was agreeable to a restriction within this Order limiting the number of dwelling units on the property to two in number. As a landlord, he may continue to utilize the basement area in the manner described during his testimony, for so long as same is not converted to a third dwelling unit nor leased to another individual.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

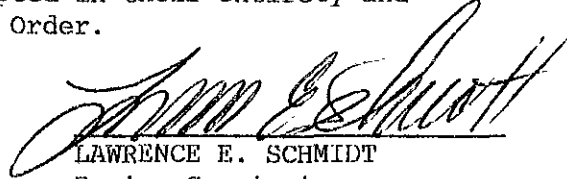
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of August 1997 that approval to use (as a nonconforming use) the existing two structures on the property as two separate dwelling units, be and is hereby GRANTED, subject, however, to the following restrictions:

COPIES TO BE FILED
Date 8/27/97
By J. H. [Signature]

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired.

2. The relief granted herein is limited to permit two dwelling units on the property as fully set forth within the body of the opinion above. The property may, however, continue to utilize a portion of the existing dwelling unit on the property for his own personal use and storage.

3. The Petitioner shall comply with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, The Department of Environmental Protection and Resource Management (DEPRM), dated April 21, 1997, which are adopted in their entirety and made a part of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

CAPITAL RECORDS & PUBLIC ACCESS
Date 8/27/97
By M. Stark



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

August 25, 1997

Keith E. Ronald, Esquire
Thomas, Ronald and Cooper, P.A.
409 Washington Avenue, Suite 314
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 97-437-SPH
Property: 8412 Sandy Plains Road
Rosenmiller Realty & Investment Co., Petitioner

Dear Mr. Ronald:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
encl.

c: Mr. W.F.D. Rosenmiller, 37 W. Market St., York PA 17401
c: Mr. Nick Commodari, Dev. Consultant, 3410 Woodstock Avenue,
Baltimore, Maryland 21234



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
8412 Sandy Plains Road, N/S Sandy Plains	*	ZONING COMMISSIONER
Road, 400'+/- NE of c/l Kavanaugh Road	*	OF BALTIMORE COUNTY
12th Election District, 7th Councilmanic	*	CASE NO. 97-437-SPH
Rosenmiller Realty & Investment Company	*	
Petitioner	*	

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio
 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Keith E. Ronald, Thomas, Ronald & Cooper, 409 Washington Avenue, Suite 314, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8412 Sandy Plains RD.

97-437-A

which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the use (as a non-conforming use) of the existing two structures on the property as two separate DWELLING units.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Leasee:

Legal Owner(s):

(Type or Print Name)

(Type or Print Name)

Signature

By: W.F.D. Rosenmiller
Signature W.F.D. Rosenmiller, President

Address

ROSENMILLER REALTY & INVESTMENT
(Type or Print Name) COMPANY

City State Zipcode

Signature

Attorney for Petitioner:

Keith E. Ronald

(Type or Print Name)

Thomas Ronald & Cooper, P.A.

Signature

Suite 314
409 Washington Ave. (410) 296-6777

Address Phone No.

Towson, MD 21204
City State Zipcode

37 W. Market St. (717) 845-1974
Address Phone No.

YORK PA 17401
City State Zipcode

Name, Address and phone number of representative to be contacted.

Nick Commodari - Dev. Consultant
(410) 291-2598 (410) 235-6811

Name Address Phone No.
3410 Woodstock Ave., Balto.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____
REVIEWED BY: gcm DATE 4-10-97

437



DESCRIPTION FOR SPECIAL HEARING

8412 SANDY PLAINS ROAD

97-437-A

Beginning on the north side of Sandy Plains Road approximately 400' northeast of the centerline of Kavanaugh Road and running the following courses and distances:

1. North 05 degrees 54 minutes east 38.32' thence
2. North 33 degrees 19 minutes west 99.68' to the shore line of Chink Creek thence
3. Binding on said shore line of said Creek in an easterly direction 179' more or less thence
4. South 33 degrees 47 minutes west 162.8' to the northerly side of Sandy Plains Road thence
5. With a curve to the left and binding on the northerly side of Sandy Plains Road radius 415' long chord being South 89 degrees 22 minutes 32.83' to the place of beginning.

Known as 8412 Sandy Plains Road and containing approx. .36 acres.

437

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/24, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/24, 1997.

THE JEFFERSONIAN,

A. Henricksen

LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner 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: #97-437-SFH
8412 Sandy Plains Road
MS Sandy Plains Road, 400'
+/- NE of rd Kavaranga Road
12th Election District
7th Councilmanic
Legal Owner(s):
Rosemiller Realty & Investment Company

Special Hearing: to approve the use (as a non-conforming use) of the existing two structures on the property as two separate dwelling units.
Hearing: Tuesday, May 20, 1997 at 9:30 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.

4/26/97 April 24 C137635

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

437 No. 028674

PAID RECEIPT

DATE 4-10-97 ACCOUNT 04/10/97 OF 4 CHL R 7095
Dept 5 502 MISCELLANEOUS CASH
CP # 60 GEN/97 6150

AMOUNT \$50.00 P-A-I-D
Baltimore County Maryland
Office of Budget & Finance

RECEIVED FROM: Patricia L. Perry 412 Spring Plains Rd.

FOR: SAMPLE (030)

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

JCM

CERTIFICATE OF POSTING

RE: Case # 97-437-SPH
Petitioner/Developer:
(Nicholas J. Commodari)
Date of Hearing/Closing:
(June 26, 1997)

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

Attention: Ms. Gwendolyn Stephens

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 _____
8412 Sanday Plains Road Baltimore, Maryland 21222

The sign(s) were posted on _____ Jun. 10, 1997 _____
(Month, Day, Year)

Sincerely,

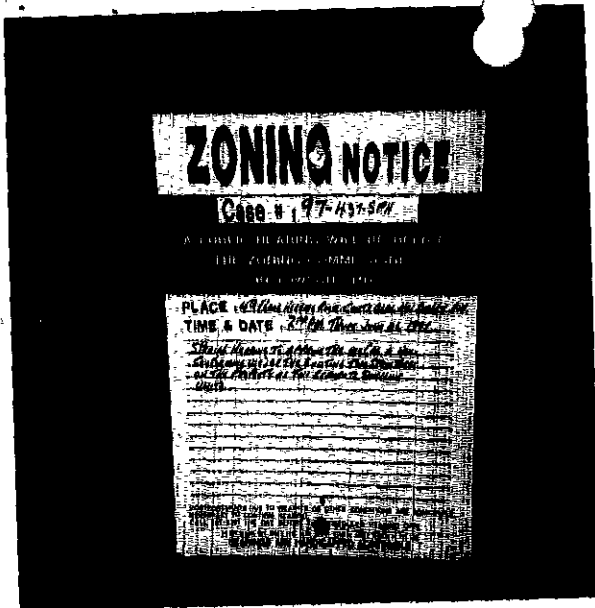

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



97-437-SPH



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

 ARNOLD JABLON, DIRECTOR

 For newspaper advertising:

Item No.: 437

Petitioner: ROSENMILLER REALTY & INV. CO. ATT: FRED ROSENMILLER

Location: 8412 SANDY PLAINS RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROSENMILLER REALTY & INV. CO. ATTN: FRED ROSENMILLER

ADDRESS: 37 W. MARKET ST.
YORK, PA. 17401

PHONE NUMBER: 717-845-1974

AJ:ggs

(Revised 09/24/96)

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilman's District: _____

1-2000 scale map: _____

Zoning: _____

Lot size: _____ acrage _____ square feet

PUBLIC PRIVATE
SEWER:
WATER:

Chesapeake Bay Critical Area: YES NO

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

TO: PUTUMENT PUBLISHING COMPANY
April 24, 1997 Issue - Jeffersonian

Please forward billing to:

Fred Rosenmiller
Rosenmiller Realty & Investment Company
37 W. Market Street
York, PA 17401
717-845-1974

NOTICE OF HEARING

The Zoning Commissioner 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: 97-437-SPH
8412 Sandy Plains Road
N/S Sandy Plains Road, 400'+/- NE of c/l Kavanaugh Road
12th Election District - 7th Councilmanic
Legal Owner(s): Rosenmiller Realty & Investment Company

Special Hearing to approve the use (as a non-conforming use) of the existing two structures on the property as two separate dwelling units.

HEARING: TUESDAY, MAY 20, 1997 at 9:30 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 18, 1997

NOTICE OF HEARING

The Zoning Commissioner 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: 97-437-SPH
8412 Sandy Plains Road
N/S Sandy Plains Road, 400'+/- NE of c/l Kavanaugh Road
12th Election District - 7th Councilmanic
Legal Owner(s): Rosenmiller Realty & Investment Company

Special Hearing to approve the use (as a non-conforming use) of the existing two structures on the property as two separate dwelling units.

HEARING: TUESDAY, MAY 20, 1997 at 9:30 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Rosenmiller Realty & Investment Company
Nick Commodari
Keith E. Ronald, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 5, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 23, 1997

NOTICE OF REASSIGNMENT

Rescheduled from May 20, 1997
CASE NUMBER: 97-437-SPH
8412 Sandy Plains Road
N/S Sandy Plains Road, 400'+/- NE of c/l Kavanaugh Road
12th Election District - 7th Councilmanic
Legal Owner(s): Rosenmiller Realty & Investment Company

Special Hearing to approve the use (as a non-conforming use) of the existing two structures on the property as two separate dwelling units.

HEARING: THURSDAY, JUNE 26, 1997 at 2:00 p.m., 4th floor hearing room
Courts Bldg., 401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Keith E. Ronald, Esq.
Rosenmiller Realty & Investment Corporation
Nicholas J. Commodari

PLEASE NOTE THAT THE ZONING SIGN ON THE PROPERTY MUST BE ALTERED TO GIVE NOTICE OF THE ABOVE HEARING ON OR BEFORE JUNE 11, 1997 AND CERTIFICATION OF SAME FILED WITH THIS OFFICE. PLEASE CONTACT THE SIGN VENDOR USED FOR THE ORIGINAL POSTING.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 16, 1997

Keith E. Ronald, Esquire
Thomas, Ronald & Cooper, P.A.
409 Washington Avenue, Suite 314
Towson, MD 21204

RE: Item No.: 437
Case No.: 97-437-SPH
Petitioner: Rosenmiller Realty

Dear Mr. Ronald:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 10, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



_____ Attach original petition

Due Date 4/30/97

To: Arnold L. Jablon

From: Bruce Seeley

Subject: Zoning Item #437

Rosemiller Property

Zoning Advisory Committee Meeting of April 21, 1997

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: April 28, 1997

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SIGNED: ROBERT W. BOWLING

SUBJECT: Zoning Advisory Committee Meeting
 for April 28, 1997
 Item No. 437

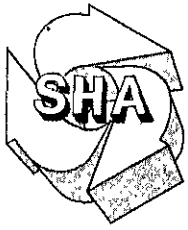
The Development Plans Review Division has reviewed the subject zoning item.

This site is subject to the Baltimore County Development Regulations for minor development.

RWB:HJO:cab

cc: File

ZONE428.437



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

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

RE: Baltimore County 4-18-97
Item No. 437 JCM

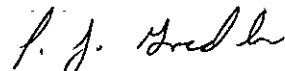
Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: April 16, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

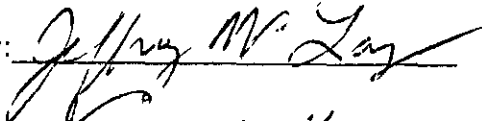
SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 435, 437, and 438

If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at 887-3495

Prepared by:



Division Chief:

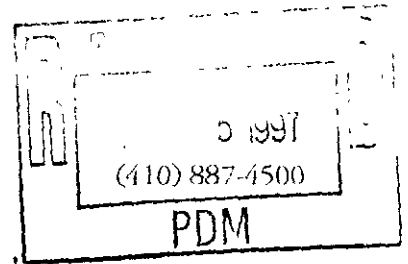


AFK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500



April 22, 1997

Arnold Jabron, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21284
MAIL STOP-1105

Re: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 20, 1997

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced projects have been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

435, 436, 437, 438, and 441

REVIEWER: LT. ROBERT P. GAUERWALD
Fire Marshal Office, PHONE 887 4801, MS 1105
cc: File





Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Carl W. Richards
Zoning Coordinator

April 18, 1997

FROM: James H. Thompson -LJW
Zoning Enforcement Coordinator

RE: Item No. 437

VIOLATION CASE # C-97/1768
LOCATION OF VIOLATION 8412 SANDY PLAINS ROAD, 21222
DEFENDANT W.F.O. ROSENMILLER
C/O ROSENMILLER REALITY & INVESTMENT COMPANY
ADDRESS 37 MARKET STREET
SUITE 6
YORK, PA. 17401-1252

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 persons:

NAME & ADDRESS

c/o COUNCILMAN LOU DEPAZZO

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 1, 1997

Keith E. Ronald, Esq.
Thomas, Ronald & Cooper, P.A.
409 Washington Avenue, #314
Towson, Maryland 21204

Re: CASE NUMBER: 97-437-SPH
PETITIONER(S): Rosenmiller Realty & Investment Company
LOCATION: 8412 Sandy Plains Road

Dear Mr. Ronald:

The above matter, previously assigned to be hearing on May 20, 1997 has been postponed at your request.

Please be advised that as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. Enclosed you will find a listing of those vendors.

If the property has been posted with notice of the May 20, 1997 hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign (s) must be changed to give notice of the new hearing date.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Rosenmiller Realty & Investment Corporation
Councilman Lou DePazzo
Nick Commodari





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 5, 1997

Keith E. Ronald, Esquire
Thomas, Ronald & Cooper, P.A.
409 Washington Avenue
Suite 314
Towson, MD 21204

RE: Case Number 97-437-SPH
Petitioner(s): Rosenmiller Realty &
Investment Company
Location: 8412 Sandy Plains Road

Dear Mr. Ronald:

The above matter, previously assigned to be heard on Tuesday, May 20, 1997 at 9:30 a.m., has been postponed per your request dated April 24, 1997.

Please be advised that as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. Enclosed, you will find a listing of those vendors.

If the property has been posted with notice of the May 20th hearing date, then, as quickly as possible, a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign(s) must be changed to give notice of the new hearing date.

Very truly yours,

A handwritten signature in black ink that reads "Arnold Jablon".

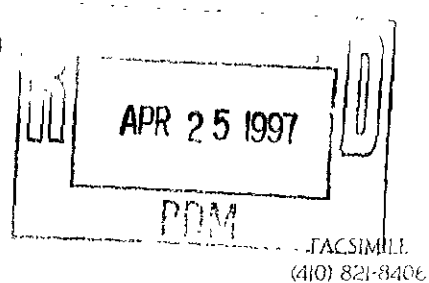
Arnold Jablon
Director

scj

c: Rosenmiller Realty & Investment Company
Mr. Nicholas Commodari
Councilman Lou DePazzo
Mr. James H. Thompson



97-1907



THOMAS, RONALD & COOPER, P.A.
ATTORNEYS AT LAW
SUITE 314
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (410) 296-6777

W. LEE THOMAS
KEITH E. RONALD
GAIL C. COOPER
DANIEL V. SCHMITT

April 24, 1997

4/25/97
G
TO FB

Arnold Jablon, Director
Baltimore County Department of
Permits and Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case Number: 97-437-SPH
8412 Sandy Plains Road
N/S Sandy Plains Road, 400'+/- NE of c/1 Kavanaugh Road
12th Election District - 7th Councilmanic
Legal Owner: Rosenmiller Realty & Investment Company
HEARING DATE: TUESDAY, MAY 20, 1997 at 9:30 a.m.

Dear Mr. Jablon:

I am in receipt of your Notice of Hearing dated April 18, 1997 scheduling the above referenced special hearing for Tuesday, May 20, 1997.

Mr. Fred Rosenmiller, President of Rosenmiller Realty & Investment Company, is a necessary witness in this matter. Unfortunately he will be out of the country on business on May 20. He returns to the United States on May 26.

I would respectfully request that the above hearing be rescheduled to another date, preferably in the month of June so to allow sufficient time to prepare my client's testimony.

Thank you for your assistance. Should you or your staff have any questions, please do not hesitate to contact me.

Very truly yours,

Keith E. Ronald

KER:mlp

cc: Rosenmiller Realty & Investment Corp.
Mr. Nicholas J. Commodari

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

RETHA RONALD

STE 314-409 WASHINGTON AVE

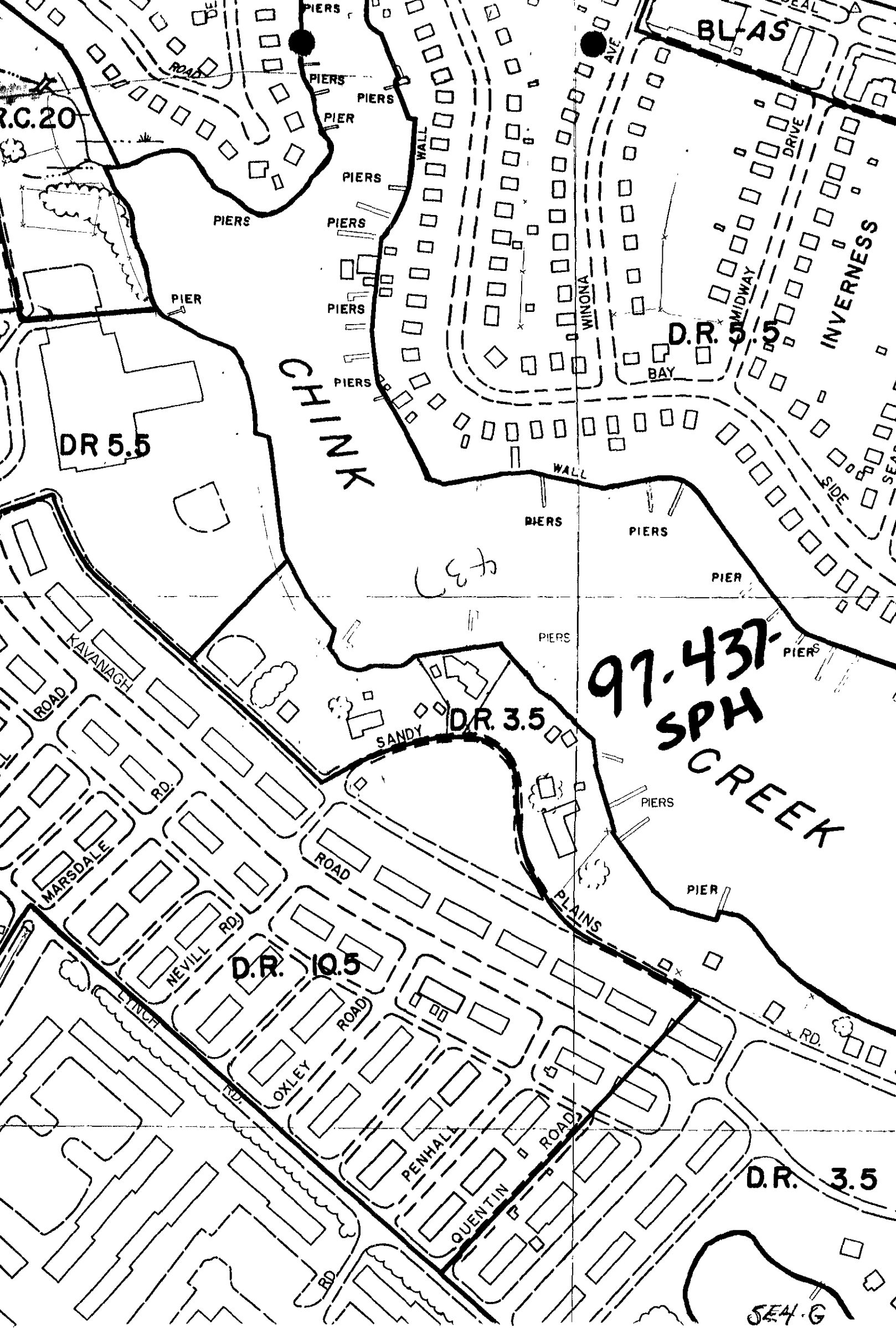
FRED ROSEN MILLER

TOWSON MD 21204

37 W. MARKLE ST

YORK, PA 17403





R.C.20

BLAS

DR 5.5

CHINK

D.R. 5.5

97.431
SPH
CREEK

D.R. 3.5

D.R. 10.5

D.R. 3.5

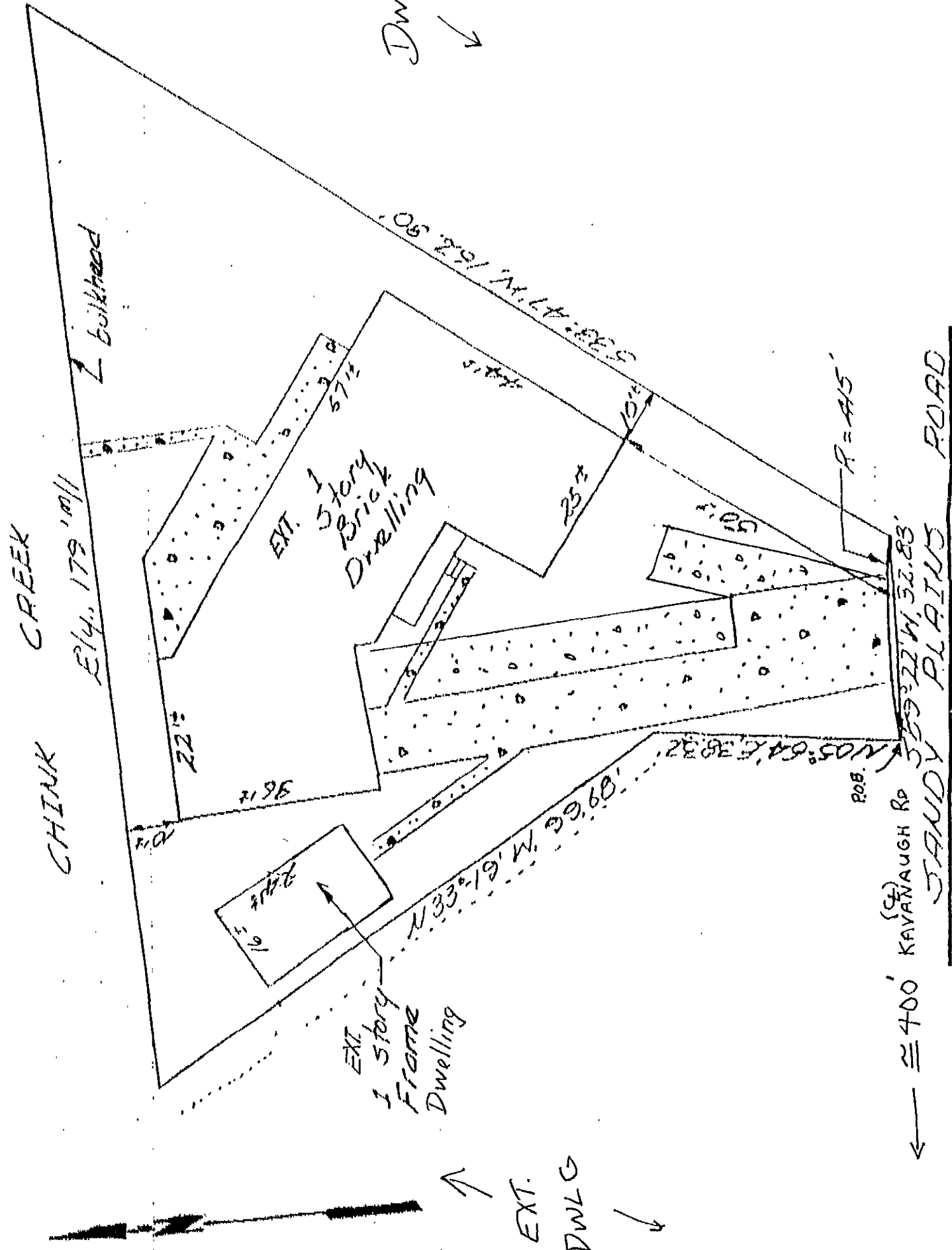
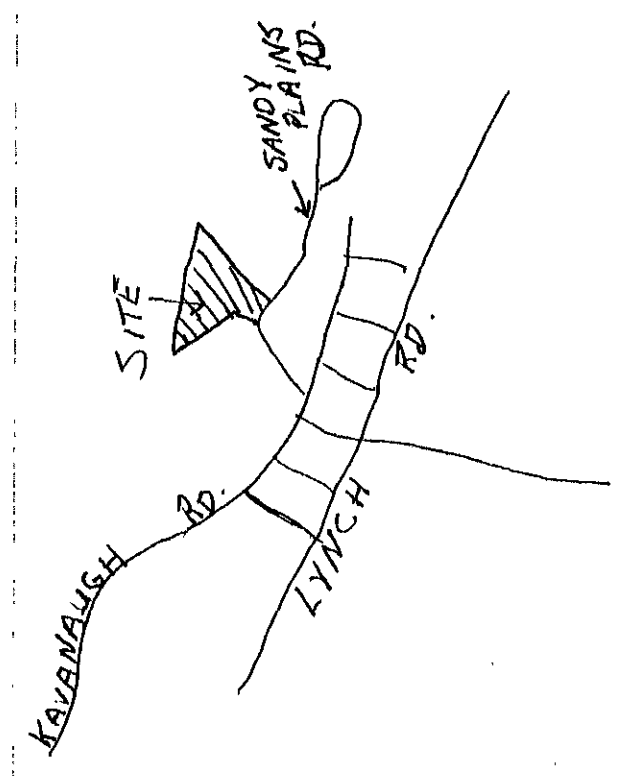
SEA G

Plat to accompany Petition for Zoning Variance Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 8412 SANDY PLAINS RD

Subdivision name: _____
 plat book# _____, folio# _____, lot# _____, section# _____
 OWNER: ROSEN MILLER REALTY & INV. Co.



EXT. DWLG.

EXT. DWLG

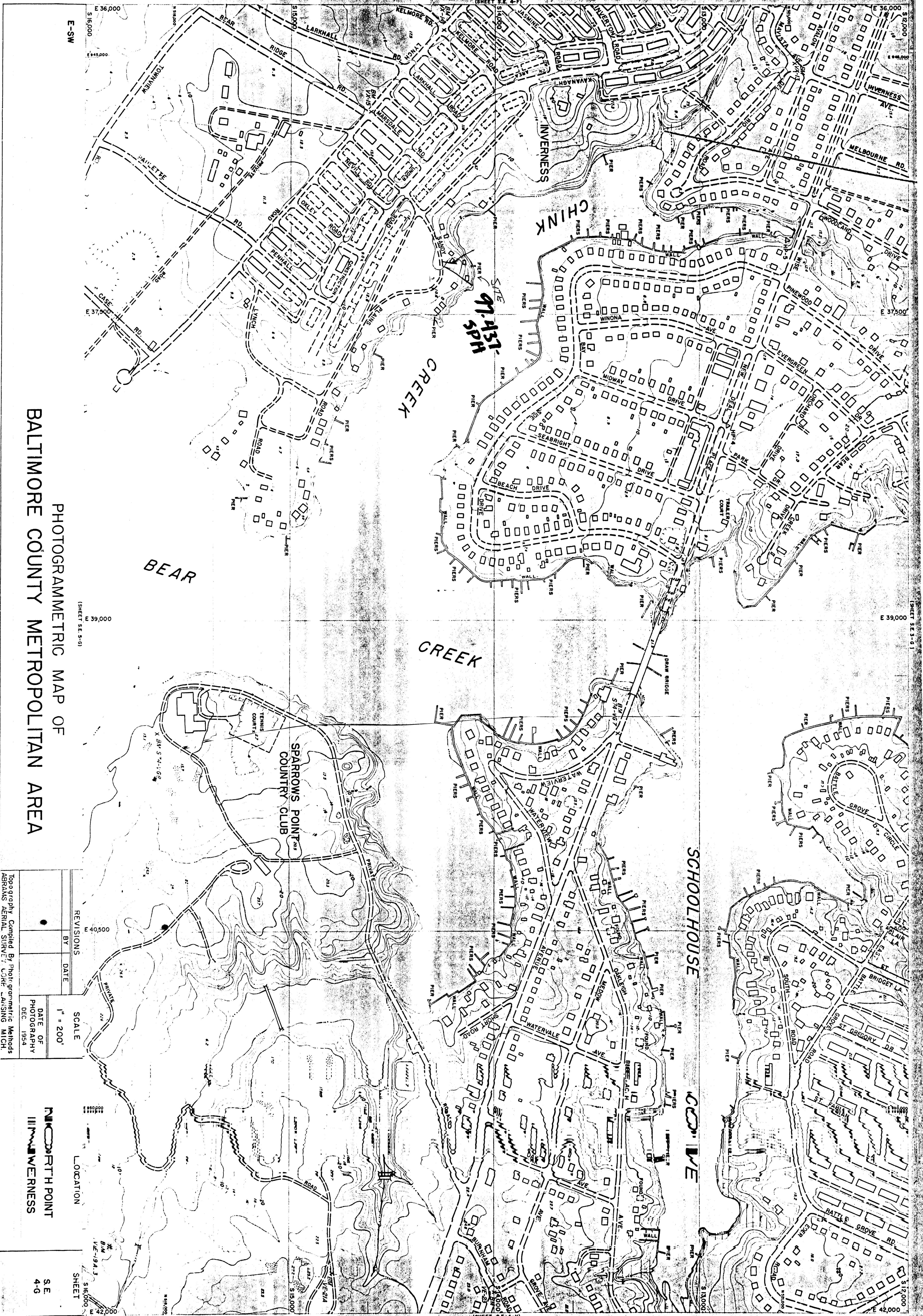
LOCATION INFORMATION
 Election District: 12
 Councilmanic District: 7
 1"=200' scale map#: SE 4-G
 Zoning: D.R. 3-5
 Lot size: 36 15725
 acreage square feet

SEWER: public private
 WATER:
 Chesapeake Bay Critical Area: yes no
 Prior Zoning Hearings: _____

Zoning Office USE ONLY!
 reviewed by: JCM 437
 ITEM #: CASE#:

97-437-58H
 VACANT LAND

6-19-76



PHOTGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

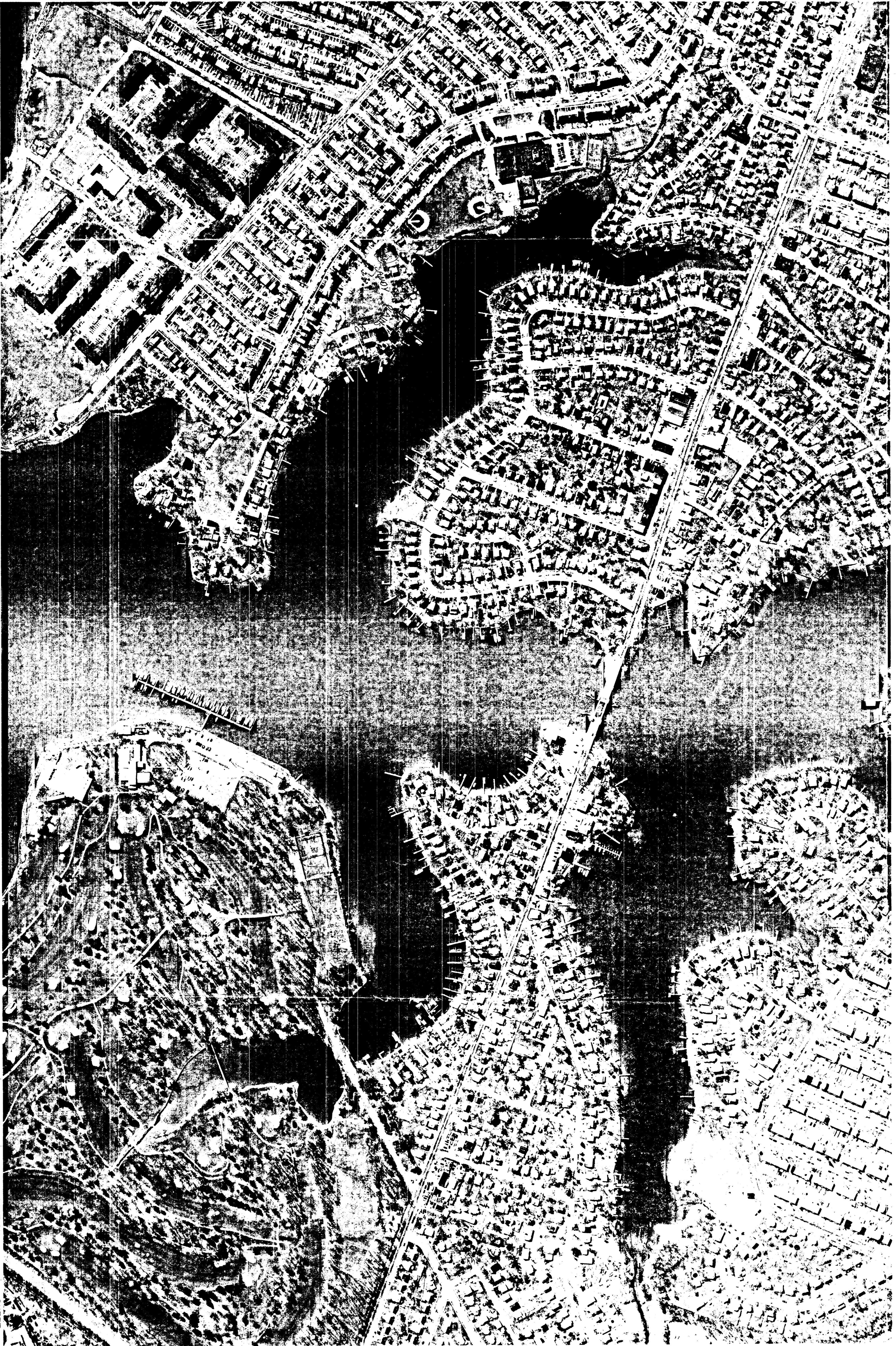
REVISIONS		SCALE	
BY	DATE	1" = 200'	
		DATE OF PHOTOGRAPHY DEC. 1954	

Topography Compiled By Photogrammetric Methods
ABRAMS AERIAL SURVEY CORP., ANN ARBOR, MICH.

LOCATION
NORTH POINT
INVERNESS

S.E. SHEET
4-6

MICROFILMED



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	1" = 200' ±	LOCATION	NORTH POINT INVERNESS	SHEET	S. E. 4-6
DATE OF PHOTOGRAPHY	JANUARY 1986		97-437-SP4		