

IN RE: PETITION FOR SPECIAL HEARING
NE/S Bosley Avenue between
Towson Towne Boulevard and
Susquehanna Avenue
9th Election District
4th Councilmanic District
(205 Bosley Avenue)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-012-SPH

Baltimore County, Maryland
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special hearing filed by the legal owner of the subject property, Baltimore County, Maryland, by and through Virginia W. Barnhart, its County Attorney. The Petitioner is requesting the approval of a waiver pursuant to Sections 26-171 and 26-172 of the Baltimore County Code and from the General Design Standards as set forth in Sections 203(c)(8) and 26-278 of the Baltimore County Code to raze the subject dwelling located at 205 Bosley Avenue. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's 'Exhibit No. 1.

Appearing at the hearing on behalf of the request were: Tim Dugan, a representative of the Landmarks Preservation Commission for Baltimore County; C. Robert Loskot, Assistant County Attorney, appearing on behalf of the County Attorney's Office; and George Klunk, appearing on behalf of the Office of Budget and Finance. There were no protestants or other persons in attendance at the hearing.

Testimony and evidence revealed that the property which is the subject of this special hearing request is improved with a two-story frame dwelling which is unoccupied at this time. The subject dwelling is listed on the Maryland Historical Trust inventory as BA No. 1507. The

UNDER RECEIVED FOR FILING
Date 8/26/91
By R. J. [Signature]

subject property was formerly known as the Smith House. Baltimore County owns the property and is desirous of tearing down the historic structure to make way for the new Baltimore County Towson Police Station.

The request to raze the subject building was reviewed by the Landmarks Preservation Commission (L.P.C.) at their meeting on July 8, 1999. The Landmarks Preservation Commission has recommended that the Petitioner's Special Hearing Request be granted to allow the house to be razed. However, prior to tearing down the old structure, the L.P.C. has requested that photographic documentation be submitted to the County Historian prior to the demolition of the house.

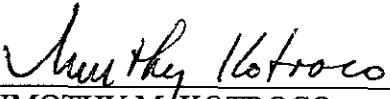
Based upon the testimony and evidence presented, I am persuaded to grant the requested special hearing relief. The undisputed testimony and evidence presented demonstrated that the subject house is of little historic value and need not be preserved. Therefore, pursuant to the advertisement, posting of the property and public hearing held thereon, and for the reasons set forth above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of August, 1999 that the Petitioner's Special Hearing request to approve a waiver pursuant to Sections 26-171 and 26-172 of the Baltimore County Code and from the General Design Standards as set forth in Sections 203(c)(8) and 26-278 of the Baltimore County Code to raze the existing dwelling located at 205 Bosley Avenue in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED subject to the following conditions and restrictions:

1. The Petitioner may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

COPY RECEIVED FOR PLANNING
8/26/99
R. J. JAMESON

2. The special hearing relief granted herein is contingent upon the Petitioner's submittal of photographic documentation of the subject house, prepared to National Register standards, as approved by the County Historian.
3. When applying for any building permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date 8/26/99

By J.R. Gannon



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 26, 1999

Virginia W. Barnhart, County Attorney
Baltimore County Office of Law
400 Washington Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 00-012-SPH
Property: 205 Bosley Avenue

Dear Ms. Barnhart:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Copies to:

Mr. George Klunk
Office of Budget & Finance
400 Washington Avenue
Towson, Maryland 21204

C. Robert Loskot, Asst. Co. Atty.
Baltimore County Office of Law
400 Washington Avenue
Towson, Maryland 21204

Mr. John McGrain
County Historian
401 Bosley Avenue, Room 406
Towson, Maryland 21204



Petition for Special Hearing

#12

to the Zoning Commissioner of Baltimore County

for the property located at 205 Bosley Avenue and
~~202 Courtland Avenue~~

which is presently zoned BM-CT

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a waiver pursuant to Section 26-171, 26-172(b), Baltimore County Code of Sections 26-203(c)(8) and Section 26-278 to raze 205 Bosley Avenue (MHT BA # 1507) and ~~202 Courtland Avenue (MHT BA # 1510).~~

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Virginia Barnhart, County Attorney

Name - Type or Print

Signature

Law Office

Company M.S.
400 Washington Ave. 2209 410-887-4420

Address Telephone No.

Towson MD 21204

City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Baltimore County

Name - Type or Print

Signature

Bureau of Land Acquisition
111 W. Chesapeake Ave. 410-887-3270

Address Telephone No.

Towson MD 21204

City State Zip Code

Representative to be Contacted:

George Klunk, Office of Budget & Finance

Name M.S.

400 Washington Ave. 2109 410-887-8157

Address Telephone No.

Towson MD 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1-2 hr

UNAVAILABLE FOR HEARING _____

Case No. _____

Reviewed By MTU Date 7/9/99

220 9115198

00-12-SPH-205 Bosley Ave

**Metes and Bounds Description of
5650 Sq. Ft./0.130 Ac. Lot
At 205 Bosley Avenue**

BEGINNING FOR THE SAME at the corner formed by the east side of Baltimore Avenue and the south side of a ten foot alley there situate, said point of beginning being at the distance of 150 feet south 14 degrees 16 minutes west from the southeast corner of Baltimore and Susquehanna Avenues, running thence binding on said ten foot alley.

1. Easterly 113 feet, thence;
2. South parallel to Baltimore Avenue 50 feet;
3. Thence westerly parallel to the first line in this description 113 feet to the east side of Baltimore Avenue;
4. Thence northerly binding on said east side of Baltimore Avenue 50 feet to the place of beginning, containing 5650 sq. feet or 0.130 acres of land, more or less.

BEING the same property which by Deed, dated October 18, 1924, and recorded among the Land Records of Baltimore County in Liber W.P.C. no. 596 folio 527, was granted and conveyed by George H. Stieber and wife to the said parties of the first part, in fee simple.

12

00-012-SPH

NOTICE OF ZONING 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: #00-0121SPH
205 Bosley Avenue
NE/S Bosley Avenue between
Towson Towne Boulevard and
Susquehanna Avenue
9th Election District
4th Councilmatic District
Legal Owner(s): Baltimore
County

Special Hearing: to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(b)(6) and Section 26-278 to rezone 205 Bosley Avenue.

Hearing: Thursday, August 19, 1999 at 11:00 a.m. in Room 407, County Courts Bldg., 461 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or hearing, contact the Zoning Review Office at (410) 887-8381.
JTU/6/23 Aug '99 CS26744

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/5/, 1999

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 TUES 8/3/, 1999

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR SPECIAL HEARING
205 Bosley Avenue, NE/S Bosley Ave between
Towsontowne Blvd and Susquehanna Ave
9th Election District, 4th Councilmanic


Legal Owner: Baltimore County, Md.
Petitioner(s)

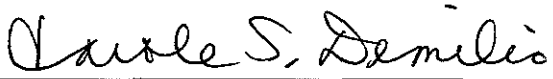
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-12-SPH

* * * * *

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
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of August, 1999 a copy of the foregoing Entry of Appearance was mailed to Virginia W. Barnhart, Esq., Baltimore County Office of Law, 400 Washington Avenue, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 23, 1999

NOTICE OF ZONING 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: 00-012-SPH
205 Bosley Avenue
NE/S Bosley Avenue between Towsontowne Boulevard and Susquehanna Avenue
9th Election District – 4th Councilmanic District
Legal Owner: Baltimore County

Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(c)(8) and Section 26-278 to raze 205 Bosley Avenue.

HEARING: Thursday, August 19, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon
Director

c: Virginia Barnhart, Esquire, Law Office, MS 2209
Baltimore County, Bureau of Land Acquisition, MS 1105
George Klunk, Office of Budget & Finance, MS 2109

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 4, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 3, 1999 Issue – Jeffersonian

Please forward billing to:

George Klunk 410-887-8157
Office of Budget & Finance
400 Washington Avenue
Towson, MD 21204

NOTICE OF ZONING 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: 00-012-SPH

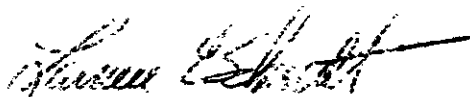
205 Bosley Avenue

NE/S Bosley Avenue between Towsontowne Boulevard and Susquehanna Avenue
9th Election District – 4th Councilmanic District

Legal Owner: Baltimore County

Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(c)(8) and Section 26-278 to raze 205 Bosley Avenue.

HEARING: Thursday, August 19, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

50

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 12
Petitioner: Baltimore County
Address or Location: 205 Bosley Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: George Klunk, Office of Budget & Finance
Address: 400 Washington Ave (r.s. 2109)
Towson MD 21204
Telephone Number: 410-887-8157

Revised 2/20/98 - SCJ

00-012-SPH




Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 13, 1999

Virginia Barnhart, County Attorney
Law Office, M.S. 2209
400 Washington Avenue
Towson, MD 21204

Dear Ms. Barnhart:

RE: Case No.: 00-012-SPH, Petitioner: Baltimore County,
Location: 205 Bosley Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 9, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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 regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

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

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: August 4, 1999
Department of Permits & Development
Management

FROM: Robert W. Bowling, Supervisor *RWB/DRK*
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for July 26, 1999
Item Nos. 525, 526, 528, 529, 530,
531, 532, 001, 002, 003, 004, 005,
006, 007, 009, 010, 011, 012, 013,
and 014

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 24, 2000

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 520 Revised, 556, 001, 010, 012, 014, 015,
and 018

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:  _____

Section Chief:  _____

AFK/JL:MAC

Handwritten:
8/19

BALTIMORE COUNTY, MARYLAND

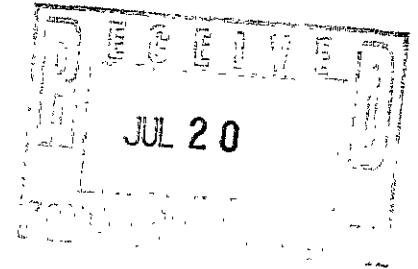
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: July 20, 1999

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

SUBJECT: No. 205 Bosley Avenue



INFORMATION

Item Number: 00-012-SPH
Petitioner: Baltimore County (George Klunk)
Zoning: BM-CT
Requested Action: Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

The "Smith House," MHT BA # 1507, 205 Bosley Avenue, was entered on the Maryland Historical Trust (MHT) Inventory by Historic Towson, Inc., in 1978 as a contributing structure in a Colonial Revival era residential neighborhood. The neighborhood is all but extinct today, and this vernacular structure itself has lost considerable amounts of its historic features.

At their meeting on July 8, 1999, the LPC (Landmarks Preservation Commission) reviewed the demolition proposal for this structure and agreed (with one vote in opposition) to recommend approval, conditioned on the submittal of National Register level photographic documentation, as approved by the County Historian.

Section Chief:

Handwritten signature: Jeffrey W. Long

KA:rlh

c: George Klunk



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

July 21, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 19, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has 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.

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

525, 526, 528, 529, 531, 532, 002, 003, 004, 007, 008,
009, 010, 011, (012), AND 013.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 7.20.99

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


RE: Baltimore County
Item No. 612 MSK

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Michael M. Lenhart, Chief
Engineering Access Permits Division

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



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7-24-00

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

RE: Baltimore County
Item No. 012 WCR

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

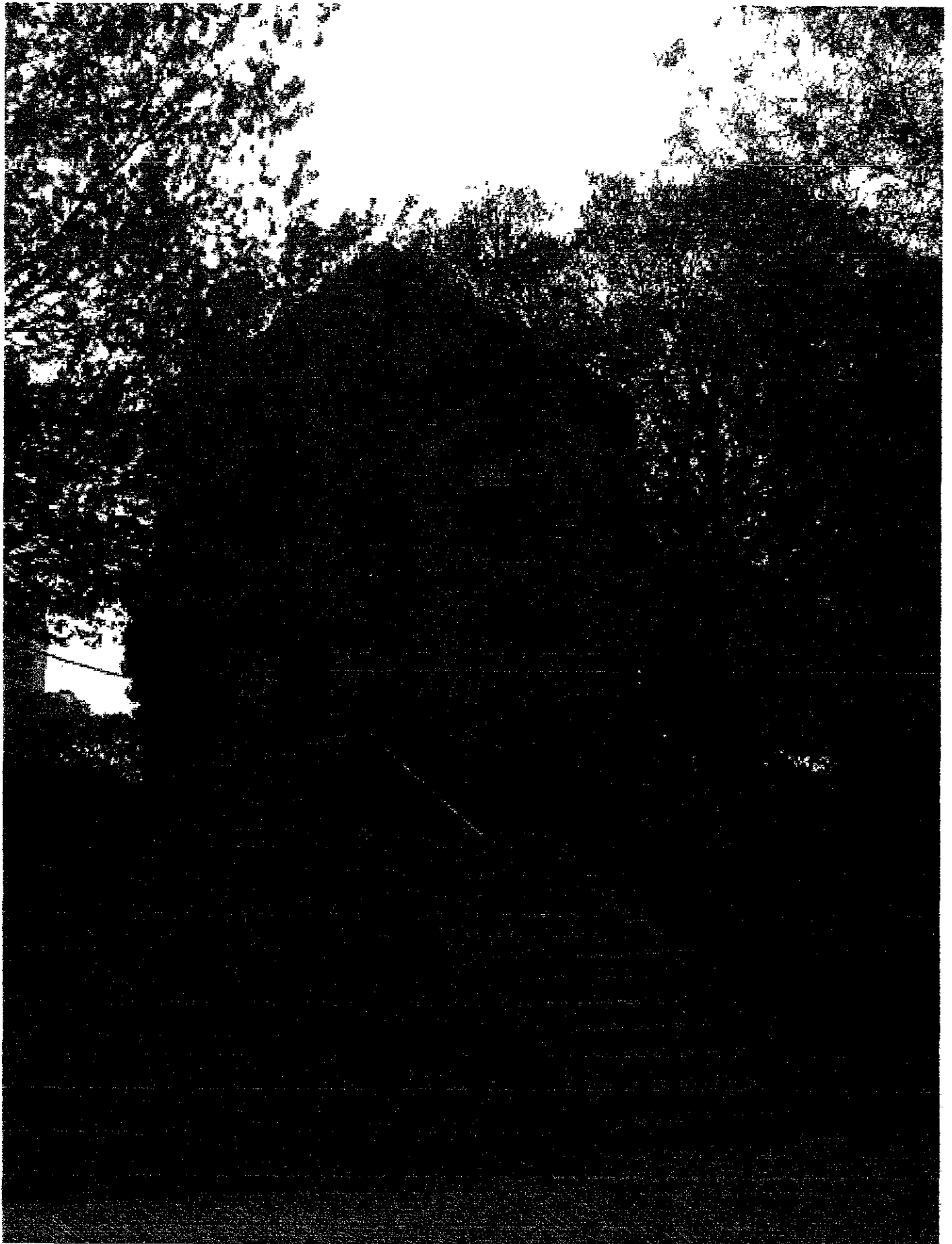
A handwritten signature in black ink, appearing to read 'K. A. McDonald Jr.'.

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

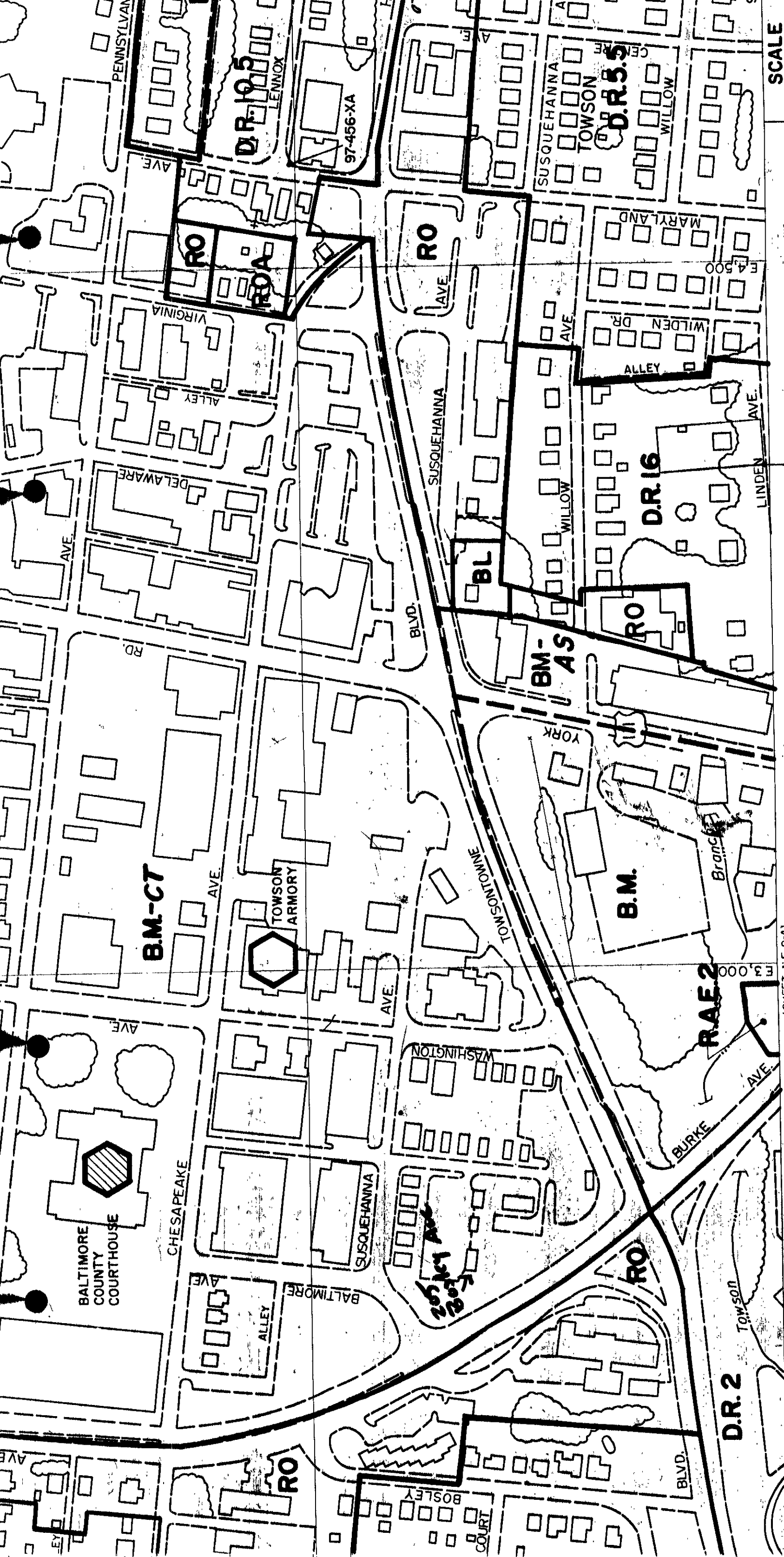
My telephone number is _____

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



205 BOSLEY AVE Pet Co 1



(SHEET NE 9-A)

97-327-SPH

SCALE

1" = 200'

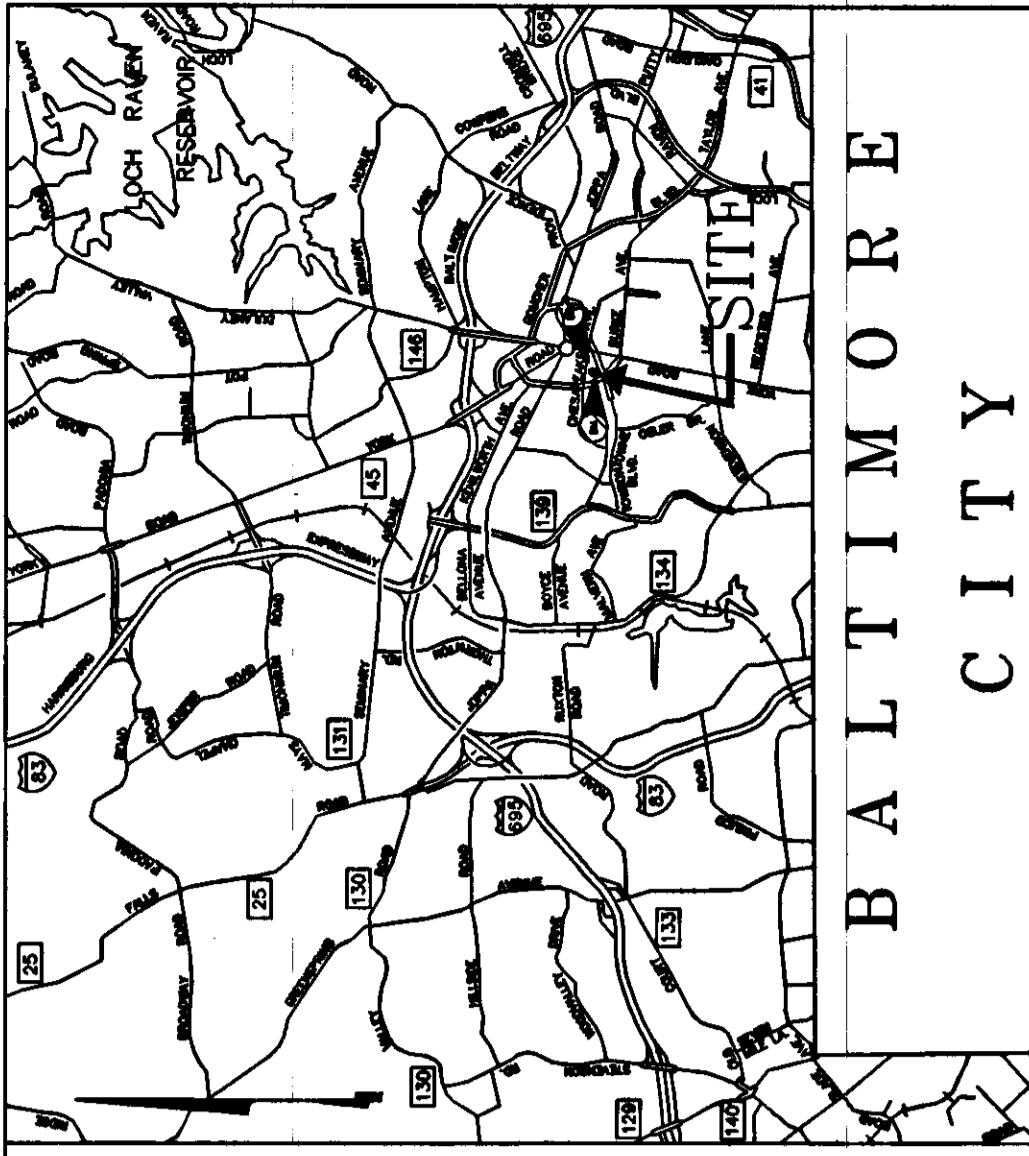
DATE OF PHOTOGRAPHY
JANUARY 1986

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING #12

OFFICIAL ZONING MAP

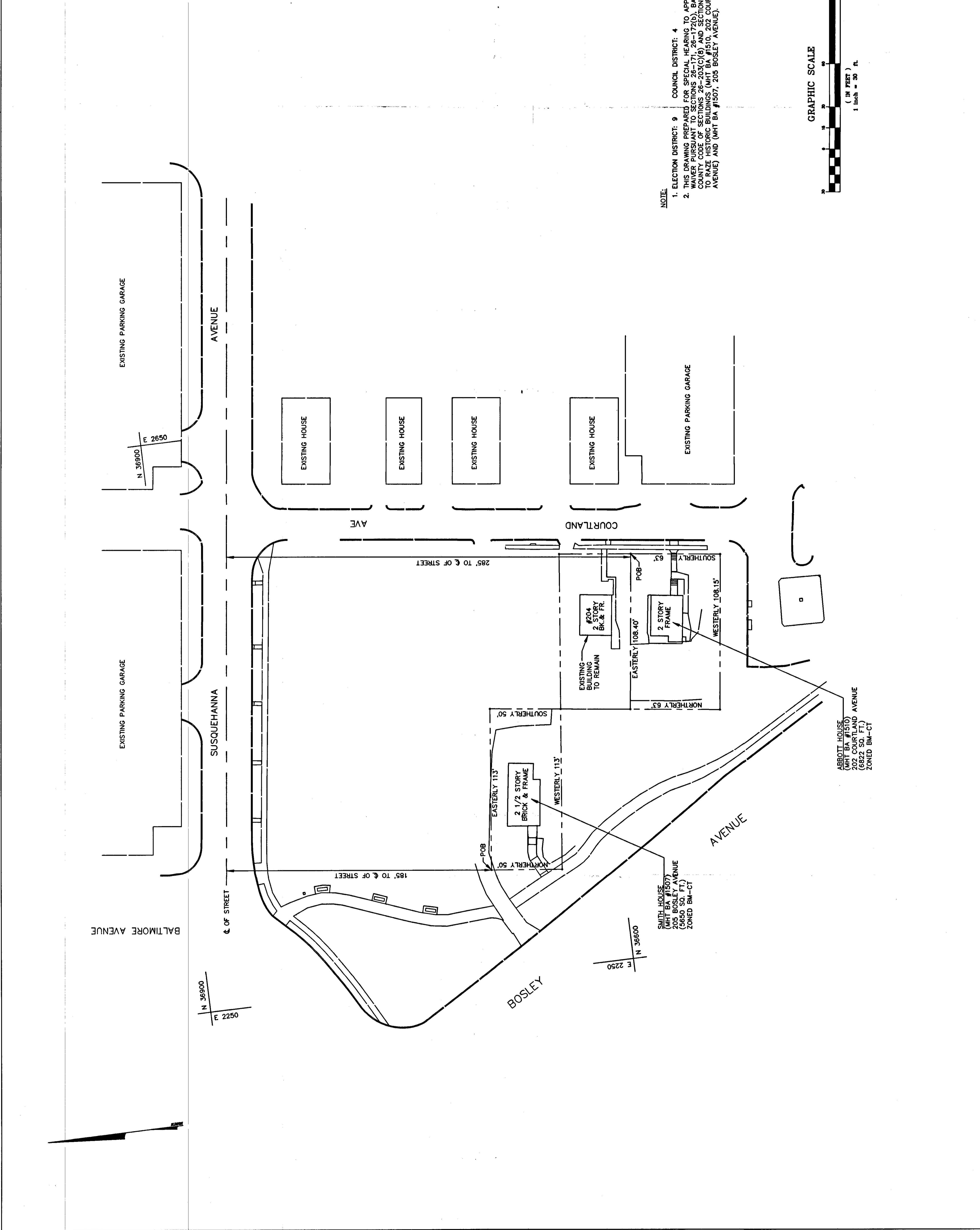
NE 10A

00-012-SPA



BALTIMORE

VICINITY MAP
SCALE: 1" = 2000'



- NOTE:
1. ELECTION DISTRICT: 9 COUNCIL DISTRICT: 4
 2. THIS DRAWING PREPARED FOR SPECIAL HEARING TO APPROVE A WAIVER PURSUANT TO SECTIONS 26-171, 26-172(b), BALTIMORE COUNTY CODE OF SECTIONS 26-203(C)(6), AND SECTION 26-278 TO APPEAR HISTORIC BUILDINGS (MHT BA #1501, 2004 COURTLAND AVENUE) AND (MHT BA #1507, 205 BOSLEY AVENUE).

