

IN RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING

W/S of Grave Run Road, 600' SW
centerline of Resh Mill Road
5th Election District
3rd Councilmanic District
(19406 Grave Run Road)

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 00-077-SPH

Stephen J. & Valerie A. Zemanek
Petitioners

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Special Hearing filed by the owners of the subject property, Stephen & Valerie Zemanek. The Petitioners seek a waiver pursuant to Sections 26-171, 26-172(b), 26-203(C)(8) and Section 26-278 of the Baltimore County Code to raze an existing structure which is situated on property located at 19406 Grave Run Road in the Hampstead area of Baltimore County. The structure to be razed is contained on the Maryland Historic Trust Inventory as BA-543 and is known as the "Foulk House". The subject property and relief sought are more particularly described on the site plan submitted which was marked as Petitioner's Exhibit No. 1.

As noted above, the Petitioners filed the instant request through a Petition for Administrative Hearing. The administrative hearing process is similar to the administrative variance process set out in Section 26-127 of the Baltimore County Code whereby the Deputy Zoning Commissioner is permitted to grant variance relief without a public hearing in certain cases. Specifically, that section provides that upon request for an administrative variance from an owner, occupant of residential property, the property in question is posted with notice of the variance relief sought for a period of fifteen (15) days. During that time, any interested party who owns or occupies property within 1,000 ft. of the lot in question may request that a public hearing be held before the Zoning Commissioner to determine the appropriateness of the relief requested. If such a

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Date

10/1/99

By

R. Zemanek

request is filed, the matter is then scheduled for a public hearing at which time testimony and evidence are taken from all parties present and a decision rendered thereafter.

A similar process has been developed by the Director of the Department of Permits and Development Management (DPDM) for special hearing requests. Administrative special hearing relief is available to the owner/occupant of lots zoned residential. The administrative special hearing process is not found in Section 26-127 of the Baltimore County Code; however, its features are similar. The authority for the administrative special hearing process is set out in Section 26-171 and 26-172 of the Baltimore County Code. Those sections actually regulate the development review process in Baltimore County. Section 26-171 of the Code sets out limited exemptions from certain requirements of the development review process (i.e., Divisions 3, 4 and 5). Section 26-172 sets out waivers which might be granted by the Hearing Officer (i.e., Zoning Commissioner) or the Director of DPDM. Section 26-172(b) allows the Director of DPDM to waive the requirements of Section 26-203 (i.e., the development plan) and from the Hearing Officer's Hearing, under certain conditions. The Director of DPDM has designated the Hearing Officer to grant waivers and exemptions from Section 26-203 and 26-278. Section 26-203(C)(8) requires that the development plan contain the identification of any building, property or site which is included on the Maryland Historical Trust Inventory of Historic Properties, the County Preliminary or Final Landmarks List, the National Register of Historic Places, the Maryland Archaeological Survey, or, identification in any County Historic District or National Register District. Section 26-278 states that historic sites or structures identified on any of the lists referred to in Section 26-203(C)(8) must be preserved.

In this case, the Petitioner, Stephen Zemanek has filed a Petition for Administrative Special Hearing seeking approval to raze the historic structure located on his property. The subject property was posted with notice of this request. No hearing was requested on the matter therefore the case stands ready for a decision. The issue of whether to tear down this historic structure was

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Date

10/1/99

By

R. J. J. J.

brought to the attention of the Landmarks Preservation Commission. On September 9, 1999, the Commission reviewed the proposal to tear down this historic Foulk House. Apparently, the Petitioners are desirous of tearing down the old historic structure so that a new residence can be built on this lot. Inasmuch as the historic structure was once used as a dwelling it constitutes the only dwelling unit permitted to be located on this property. Therefore, in order for the Petitioners to construct a new home on this 16 acre parcel of property he must tear down what use to be the old dwelling.

However, as was suggested by the Landmarks Preservation Commission in their comment dated September 20, 1999, the Petitioners might proceed by simply removing any kitchen or cooking facilities located within the old historic house. This would therefore transform the dwelling into an accessory structure, thereby providing an opportunity to the property owners to construct a new single family dwelling elsewhere on the property. This would enable the property owner to construct his new dwelling while still maintaining the old historic structure as an accessory structure.

Therefore, in an effort to preserve the historic structure and allow the Petitioners a reasonable use of their property, I shall require the Petitioners to remove any and all cooking facilities within the old historic structure which would then cause the house to be an accessory structure and not a dwelling. This then will enable the Petitioners to construct a new house on the property while still preserving the old historic structure.

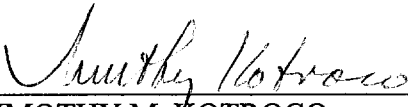
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of October, 1999 that the Petition for Administrative Special Hearing to raze a existing historic dwelling be and is hereby denied.

ORDER RECEIVED FOR FILING
Date 10/1/99
R. Jameson

IT IS FURTHER ORDERED that the Petitioners shall be required to remove any and all kitchen facilities from the old historic Foulk House, thereby transforming the structure from that of a dwelling to an accessory structure. There shall be no kitchen facilities in the old Foulk House and the house shall no longer be utilized as a dwelling unit.

IT IS FURTHER ORDERED that the Petitioners shall have the right to construct a new single family dwelling elsewhere on the subject property.

IT IS FURTHER ORDERED that any party has the right to file an appeal within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CASES RECEIVED FOR FILING

Date

10/11/98

By

R. J. J. J.



Baltimore County
Zoning Commissioner

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

October 1, 1999

Mr. & Mrs. Stephen J. Zemanek
2091 Gunpowder Road
Lineboro, Maryland 21088

Re: Petition for Administrative Special Hearing
Case No. 00-077-SPH
Property: 19406 Grave Run Road

Dear Mr. & Mrs. Zemanek:

Enclosed please find the decision rendered in the above-captioned case.

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 dark ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. Paul Lee
522 Holden Road
Towson, Maryland 21286

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



Printed with Soybean Ink
on Recycled Paper

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 19406 Grave Run Road
which is presently zoned RC 2

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 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

To raze an existing historic dwelling located on the property and in very poor condition in order to obtain a building permit to construct a new dwelling in a new location.

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

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Stephen J. zemanek

Name - Type or Print

Signature

Valerie A. Zemanek

Name - Type or Print

Signature

2091 Gunpowder Road

410-239-4994

Address

Telephone No.

Lineboro, Maryland

21088

City

State

Zip Code

Representative to be Contacted:

Paul Lee

Name

522 Holden Road

410-828-7431

Address

Telephone No.

Towson, Maryland

21286

City

State

Zip Code

As a public hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 6 day of August, 1999, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 00-77-SPH

Reviewed By JRF/LTM Date 8/20/99

Estimated Posting Date 8/20/99

REV 9/18/98

ORDER RECEIVED FOR FILING

Affidavit in Support of Administrative Special Hearing

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2091 Gunpowder Roar
Address
Lineboro, Maryland 21088
City State Zip Code

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

SDH
Signature

Stephen J. Zemanek
Name - Type or Print

Valerie A. Zemanek
Signature

Valerie A. Zemanek
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Stephen & Valerie Zemanek

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8.20.99
Date

Barbara J. Linn
Notary Public
My Commission Expires October 6, 2001

Affidavit in Support of Administrative Special Hearing

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2091 Gunpowder Roar
Address
Lineboro, Maryland 21088
City State Zip Code

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

ASme
Signature

Stephen J. Zemanek
Name - Type or Print

Valerie A. Zemanek
Signature

Valerie A. Zemanek
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of August, 1999 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Stephen & Valerie Zemanek

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8.20.99
Date

Barbara J. Lewis
Notary Public
My Commission Expires October 6, 2001

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 19406 Grave Run Road
which is presently zoned RC 2

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 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

To raze an existing historic dwelling located on the property and in very poor condition in order to obtain a building permit to construct a new dwelling in a new location.

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

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:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

Stephen J. zemanek

Name - Type or Print _____

Signature _____

Valerie A. Zemanek

Name - Type or Print _____

Signature _____

2091 Gunpowder Road 410-239-4994

Address _____ Telephone No. _____

Lineboro, Maryland 21088

City _____ State _____ Zip Code _____

Representative to be Contacted:

Paul Lee

Name _____

522 Holden Road 410-828-7431

Address _____ Telephone No. _____

Towson, Maryland 21286

City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 00-77 - SPH

Reviewed By JRF/LTM Date 8/20/99

REV 9/18/98

Estimated Posting Date 8/29/99

Paul Lee P.E.

Paul Lee Engineering Inc.

304 W. Pennsylvania Ave.

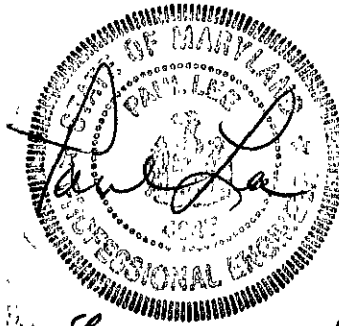
Towson, Maryland 21204

301-821-5941

DESCRIPTION

19406 GRAVE RUN ROAD
BALTIMORE COUNTY, MARYLAND
5TH ELECTION DISTRICT

Beginning for the same at a point in or near the center of Grave Run Road, said point also being located southwesterly 600 feet $\pm$ from the intersection with Resh Mill Road, thence running in or near the center of Grave Run Road (1) South $21^{\circ}56'06''$ West 592.41 feet, thence leaving said center of Grave Run Road (2) North $73^{\circ}20'19''$ West 204.30 feet, (3) North $87^{\circ}40'41''$ West 416.55 feet, (4) South $54^{\circ}22'37''$ West 136.21 feet, (5) North $35^{\circ}49'42''$ West 404.61 feet, and (6) North $15^{\circ}47'02''$ West 380.72 feet to intersect the division line between Baltimore County and Carroll County, running thence with and binding on said county line and running also for another new line of division (7) North $22^{\circ}39'10''$ East 343.03 feet, thence leaving said county line and running for another new line of division (8) South $68^{\circ}20'28''$ East 624.76 feet, (9) South $04^{\circ}54'22''$ East 167.70 feet, (10) South $27^{\circ}13'18''$ East 283.08 feet, (11) North $70^{\circ}30'55''$ East 298.88 feet, (12) South $68^{\circ}03'54''$ East 74.10 feet to intersect the proposed west right-of-way line of Grave Run Road, thence running with said west right-of-way line (13) North $22^{\circ}17'02''$ East 139.87 feet; thence leaving said west right-of-way line (14) South $68^{\circ}20'28''$ East 26.05 feet to the point of beginning.



Engineers — Surveyors — Site Planners

00-077-SPH 77

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 069849

DATE August 20 1999 ACCOUNT R-001-GISO

AMOUNT \$ 50.00

RECEIVED FROM: Stephen Zemanek
17406 Grave Run Rd. ITEM # 77
FOR: 030 SPH Taken by: LTM/JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
8/20/1999	8/20/1999	11:43:02
REG WSO4	CASHIER JKAR JLK	DRAPER
Dept. 5	528 ZONING VERIFICATION	
Receipt #	069806	UPLN
CA NO.	069849	

Recpt Tot 50.00
.00 CK 50.00 CA
Baltimore County, Maryland

00-077-SPH

CASHIER'S VALIDATION

00-033-264

CERTIFICATE OF POSTING

RE: CASE #00-077-SPH
PETITIONER/DEVELOPER:
[Stephen J. Zemanek]
DATE OF Closing
[Sept. 13, 1999]

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
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
19406 Grave Run Road Baltimore, Maryland 21074_____

The sign(s) were posted on_____ 8-27-99 _____
(Month, Day, Year)

Sincerely,

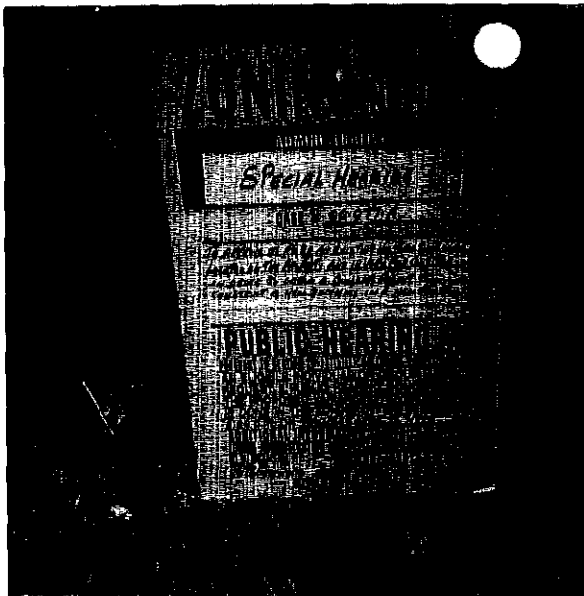

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
(Telephone Number)



RE: PETITION FOR SPECIAL HEARING
19406 Grave Run Road, W/S Grave Run Rd,
600' +/- SW of intersection Grave Run and Resh Mill Rds
5th Election District, 3rd Councilmanic

Legal Owner: Stephen and Valerie Zemanek
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-77-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 16th day of September, 1999 a copy of the foregoing Entry of Appearance was mailed to Paul Lee, 522 Holden Road, Towson, MD 21286, representative for Petitioners.



PETER MAX ZIMMERMAN

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 00- 77 -SPH Address 19406 GRAVE RUN RD
Contact Person: JUN FERNANDO / LLOYD MOXLEY Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 8/20/99 Posting Date: 8/29/99 Closing Date: 9/13/99

Any contact made with this office regarding the status of the administrative special hearing 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 (typically within 7 to 10 days of the closing date) 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 SPECIAL HEARING SIGN FORMAT

Case Number 00- 77 -SPH Address 19406 GRAVE RUN RD
Petitioner's Name STEPHEN J. ZEMANEK Telephone 410 239-4924
Posting Date: 8/29/99 Closing Date: 9/13/99
Wording for Sign: Administrative Special Hearing to approve
TO RAZE AN EXISTING HISTORIC DWELLING
LOCATED ON THE PROPERTY AND IN VERY POOR CONDITION
IN ORDER TO OBTAIN A BUILDING PERMIT TO CONSTRUCT
A NEW DWELLING IN A NEW LOCATION

WCR - 7/28/99

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

APPROVED SIGN POSTERS

Stacy Gardner
Shannon-Baum Signs, Inc.
105 Competitive Goals Drive
Eldersburg, MD 21784

Telephone: 410-781-4000
Toll Free: 800-368-2295
Fax: 410-781-4673

Richard Hoffman
904 Dellwood Drive
Fallston, MD 21047

Telephone: 410-879-3122

Garland E. Moore
3225 Ryerson Circle
Baltimore, MD 21227

Telephone: 410-242-4263
Mobile: 410-382-4470

Tom Ogle
325 Nicholson Road
Baltimore, MD 21221

Telephone: 410-687-8405
Mobile: 410-262-8163
Fax: 410-687-4381

Patrick M. O'Keefe, Sr.
523 Penny Lane
Hunt Valley, MD 21030

Telephone: 410-666-5366
Cell: 410-905-8571
Fax: 410-628-2574
410-882-2469

Linda M. Jones
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

Telephone: 410-296-3333
Fax: 410-296-4705

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 5/18/99

**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/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-77-SPH
Petitioner: STEPHEN J. & VALERIE ZEMANEK
Address or Location: 19406 GRAVE RUN ROAD

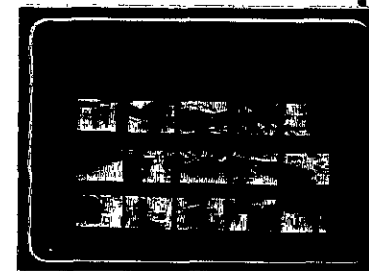
PLEASE FORWARD ADVERTISING BILL TO:

Name: STEPHEN J. ZEMANEK
Address: ~~19406~~ 2091 GUNPOWDER RD
LINEBORO, MO 21088
Telephone Number: (410) 239-4994

Revised 2/20/98 - SCJ

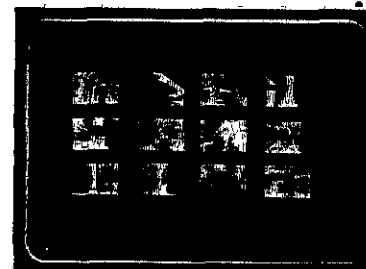
MMM 5824

00.077.SPH



MMM 5824

00.077.SPH



SEP 22

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 20, 1999

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

SUBJECT: No. 19406 Grave Run Road

INFORMATION

Item Number: 00-77-SPH
Petitioner: Paul Lee (representative)
Zoning: RC - 2
Requested Action: Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

On September 9, 1999, the Landmarks Preservation Commission reviewed a demolition proposal for a historic log-constructed building called the "Foulk House," MHT # BA 543.

Mr. Lee explained how he obtained DEPRM's approval for a reduction in the forest buffer easement boundaries (as shown on Minor Subdivision Plan #90-165M) to expand the buildable portions of the lot. Mr. Lee also explained that since RC- 2 zoning does not permit two dwelling units on the site, the current property owner would like to be able to market and sell the property without the restriction of "must be preserved" on the existing log structure.

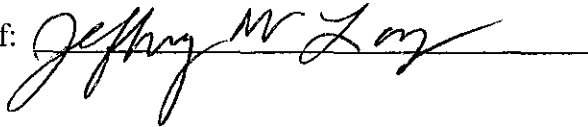
Ms. Meredith Clark, a prospective buyer, testified against the demolition of the historic log building since she was interested in purchasing the lot with the building to either rehab the building as an accessory unit and build elsewhere on the lot, or rehabilitate the log building as the one permitted dwelling unit. Ms. Clark noted some of the unique historic features of the house such as the "summer beam", and the kitchen basement.

The Commission agreed to recommend to the hearing officer that the situation be handled, and conditions be imposed as necessary (such as removal of the kitchen) to prohibit and prevent the use of the historic structure as a dwelling if a new dwelling is constructed on the property (thereby allowing the retention of the historic structure as an accessory building).

Based on site research where similar log buildings in the neighborhood were found to be undergoing rehabilitation, and based on additional information from Jeff Lees, a restoration architect and former LPC commissioner, regarding the historicity of the building in terms of the substantial original materials and distinctive construction methodologies, the Office of Planning also supports the LPC's recommendation. Additionally, the Office of Planning staff believes that the log building may more easily be classified as an accessory building since the well has already been back-filled and there is no existing septic system.

To be consistent with the decisions with previous requests for demolition of historic structures, the Office of Planning recommends that, if demolition is authorized, it be conditioned on a requirement for the submittal of National Register-level photographic documentation, as approved by the County Historian, prior to issuance of the demolition permit.

Section Chief:

A handwritten signature in cursive script, appearing to read "Jeffrey M. Long", is written over a horizontal line.

KA:kra



Maryland Department of Transportation
State Highway Administration

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

Date: 9.13.99

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

RE: Baltimore County
Item No. 077

JRF/LTM

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,

/s/ Kenneth A. McDonald Jr.
Acting 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

IN RE: PETITION FOR SPECIAL HEARING
N/S Old Padonia Road, 1900' W of
York Road
(228 Old Padonia Road)
8th Election District
3rd Councilmanic District

William A. Kraft, et ux, Owners;
Ferdinand H. Onnen, Jr., Contract Purchaser*

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-492-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Administrative Special Hearing filed by the owners of the subject property, William A. and Mary H. Kraft, and the Contract Purchaser, Ferdinand H. Onnen, Jr., through their attorney, Edward C. Covahey, Jr., Esquire. The Petitioners seek approval of a waiver, pursuant to Sections 26-171 and 26-172(b) of the Baltimore County Code, of Sections 26-203(c)(8) and 26-278 thereof to raze the existing building, known as 228 Old Padonia Road, which is listed on the Maryland Historical Trust Inventory as "BA 1791 Thomas Fortune House". 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 1.

As noted above, the Petitioners filed the instant request through a Petition for Administrative Special Hearing. The Administrative Special Hearing process is similar to the Administrative Variance process set out in Section 26-127 of the Baltimore County Code, whereby the Zoning Commissioner is permitted to grant variance relief without a public hearing in certain cases. Specifically, that Section provides that upon request for an administrative variance from an owner/occupant of a residential property, the property in question is posted with notice of the variance relief sought for a period of at least 15 days. During that time, any interested party who owns/occupies property within 1,000 feet of the lot in question, may request that a public hearing be held before the Zoning Commissioner to determine the appropriateness of the requested relief. If such a request is filed, the matter is then scheduled for a public hearing at which testimony and evidence are received from all parties present and a decision is rendered thereafter.

A similar process has been developed by the Director of the Department of Permits and Development Management (DPDM) for special hearing requests. Administrative special hearing relief is available to the owner/occupant of lots zoned residential. The administrative special hearing process is not found in Section 26-127 of the Baltimore County Code; however, its features are similar. The authority for the administrative special hearing process is set out in Section 26-171 and 26-172 of the Baltimore County Code. Those Sections actually regulate the development review process in Baltimore County. Section 26-171 of the Code sets out limited exemptions from certain requirements of the development review process (i.e., Divisions 3, 4 and 5). Section 26-172 sets out waivers which might be granted by the Hearing Officer (i.e., Zoning Commissioner) or the Director of DPDM. Section 26-172(b) allows the Director of DPDM to waive the requirements of Section 26-203 (i.e., the development plan) and from the Hearing Officer's Hearing, under certain conditions. The Director of DPDM has designated the Hearing Officer to grant waivers and exemptions from Section 26-203 and 26-278. Section 26-203(C)(8) requires that the development plan contain the identification of any building, property or site which is included on the Maryland Historical Trust Inventory of Historic Properties, the County Preliminary or Final Landmarks List, ~~the~~ National Register of Historic Places, the Maryland Archaeological Survey, or, identification in any County Historic District or National Register District. Section 26-278 states that historic sites or structures identified on any of the lists referred to in Section 26-203(C)(8) must be preserved.

In this case, the Petitioners, Mr. & Mrs. Kraft, filed a Petition for Administrative Special Hearing seeking approval to raze the historic structure located on the subject property. In accordance with the administrative special hearing process, the property was posted with a notice of the Petitioners' request. Within the 15-day posting period, a letter was received from the Baltimore County Historical Trust, Inc., a private corporation, requesting a public hearing. In addition to their letter of June 15, 1999, a representative of the Baltimore County Historical Trust, Inc. also completed a document entitled "Formal Demand for Hearing" seeking that this matter be scheduled for public hearing.

Subsequently, the matter was scheduled for a public hearing before me on July 29, 1999. Appearing at that hearing on behalf of the property owners/Petitioners were William A. and Mary H. Kraft, legal owners of the property, and Joshua F. Cockey of B. The Petitioners were represented by Edward C. Covahey, Jr., Esquire. Also appearing at the hearing was John McGrain, a Historian with the Office of Planning. Others present included Paul F. McKean and Judith Kremens, on behalf of the Baltimore County Historical Trust, Inc., Marcia M. Miller, with the Maryland Historical Trust, Mr. & Mrs. Harry Langrehr, Edith M. Smock, Pati Shaffer and Dean C. Struben.

At that hearing, Counsel for the Petitioners raised a preliminary objection to the request for hearing by the Baltimore County Historical Trust, Inc. Citing Section 10-206 of Business Occupations and Professions Article of the Annotated Code of Maryland, Counsel indicated that the Baltimore County Historical Trust, Inc.'s request for a public hearing constituted the unauthorized practice of law, and should therefore be dismissed. Moreover, Mr. Covahey argued that the Baltimore County Historical Trust, Inc. was not represented by a lawyer at the public hearing, as required, and therefore, could not participate in the proceedings.¹

Section 10-101 of the Business Occupations and Professions Article defines terms used within Title 10, which regulates attorneys. The definition of the phrase "to practice law" includes "a representation of another person, including corporations, before a unit of the State government, or of a political subdivision." Clearly, proceedings before the Baltimore County Zoning Commissioner are encompassed within that definition. Section 10-206 requires that before any individual may practice law in Maryland, the individual must be admitted to the Bar of this State and meet any requirement the Court of Appeals may set by rule. The individuals who made demand for the hearing and appeared thereat (Paul F. McKean, Judith Kremens, and Marcia Miller) are not members of the Bar. Clearly, they must be so licensed in order to represent the Baltimore County Historical Trust, Inc. Additionally, evidence was submitted at the hearing that this entity is a duly authorized and valid corporation existing in the State of Maryland.

¹ It is also clear that the Baltimore County Historical Trust, Inc. owns no property within 1,000 feet of the subject lot; therefore, it has no standing to request a public hearing on that basis.

Based upon the clear import of the Sections referenced above, I find that the request/formal demand for hearing filed by the Baltimore County Historical Trust, Inc. is illegal and must therefore be considered null and void. The formal request for hearing is in the nature of a pleading filed with the Clerk of any Court. The request was filed with the Zoning Commissioner's Office, through the Department of Permits and Development Management (DPDM). As such, the person filing that document must lawfully represent the corporation requesting the action. No such attorney filed the request for hearing. Moreover, Baltimore County Historical Trust, Inc. could not participate at the hearing before me in that they were not represented by legal Counsel at that hearing.

Finally, it is to be noted that an entry of appearance was filed in this case by the Office of People's Counsel. Although that entry was filed, no one appeared from that agency to participate at the hearing. Moreover, the entry of appearance filed was not in a representative capacity as to the Baltimore County Historical Trust, Inc. That is, People's Counsel apparently entered its appearance on behalf of its office and no one else. The entry of appearance by People's Counsel does not save the otherwise illegal filing by the Baltimore County Historical Trust, Inc., which was done without benefit of legal counsel.

Based on these factors, I will dismiss the request for formal hearing by the Baltimore County Historical Trust, Inc. Having dismissed that request, attention is next given to the merits of the Petition for Administrative Special Hearing.

At the hearing held on July 29, 1999, the evidence presented by the Petitioners disclosed that the subject property is roughly triangular in shape, and consists of a gross area of .31 acres in area, zoned B.M. The property is located immediately adjacent to Old Padonia Road in Cockeysville and abuts the MTA Light Rail which runs from Baltimore City to Hunt Valley. Apparently, the Krafts have owned the property for a number of years and reside in the dwelling thereon. That two and one-half story stone dwelling is known as the Thomas Fortune House, as described above. Although the area surrounding this property was originally residential, it has significantly changed over the years. Photographs submitted show that the property is literally surrounded by commercial/retail/industrial uses. As noted above, the property immediately abuts the bed of the MTA Light Rail line.

Construction is currently under way on the other side of that line of a Lowes Home Improvement store. As the zoning of the property suggests, the entire area is business or manufacture in character. Mr. & Mrs. Kraft are under contract to sell their property to Mr. Onnen, who intends to raze the existing dwelling. However, the contract is contingent upon the Petitioners obtaining approval to raze this structure. Thus, the administrative special hearing relief as outlined above is necessary in order to proceed.

The historic value of the dwelling is somewhat dubious. As noted above, the property is listed on the Maryland Historical Trust Inventory. It was apparently so listed in December 1978 upon the application of Marion S. Anderson, a then student at Goucher College. Apparently, Ms. Anderson made application for the property to be listed as a result of certain research undertaken by her of the subject property in furtherance of her studies at Goucher. Mr. & Mrs. Kraft were not informed at the time that their property was being listed. Indeed, the process by which properties are listed with the Maryland Historic Trust Inventory raises significant questions as to due process. Nonetheless, it is clear that the property is indeed listed, thus, subject to the requirements of Sections 26-203 and 26-278 of the Baltimore County Code.

The Petitioners' request for administrative special hearing relief was reviewed by the Landmarks Preservation Committee of Baltimore County (LPC). The LPC conducted several meetings during which it considered this issue on June 10, 1999 and August 12, 1999. Ultimately, the LPC issued the following recommendation:

"The LPC stated that they recognized the historical significance of this structure, but given the particular circumstances of the subject case, they would not take a position on demolition. If demolition is approved, the LPC recommends that it be conditioned on the submittal of National Register-level photographic documentation as approved by the County Historian. In addition, the LPC recommends that demolition approval be limited solely to the subject property's current owners, (William and Mary Kraft), and prospective contract purchaser (Ferdinand H. Onnen, Jr.)."

Based upon the testimony and evidence presented, and arguments offered by the Petitioners in open hearing, I am inclined to grant the Petition for Administrative Special Hearing and will adopt the recommendations of the Landmarks Preservation Commission (LPC) as set forth above. In my

judgment, the LPC recommendations are entirely appropriate and represent a proper disposition of this case. The nature of the surrounding locale and unusual circumstances surrounding this property justify the razing of the existing dwelling. Thus, the relief requested by the Petitioners shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the Petition for Administrative Special Hearing shall be granted, and the request for formal hearing filed by the Baltimore County Historical Trust, Inc. shall be dismissed.

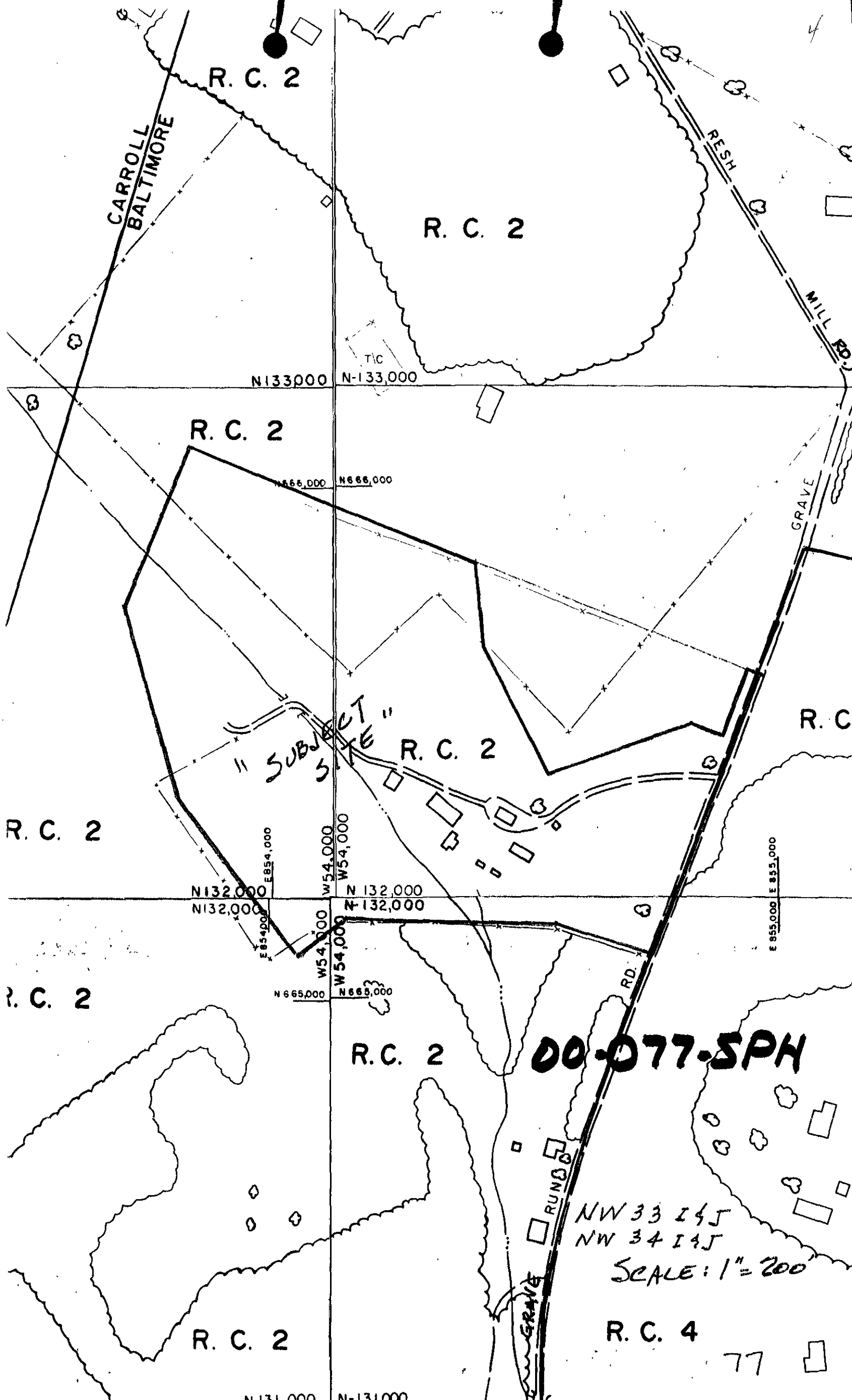
20th THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August, 1999 that the Petition for Administrative Special Hearing seeking approval of a waiver, pursuant to Sections 26-171 and 26-172(b) of the Baltimore County Code, of Sections 26-203(c)(8) and 26-278 thereof to raze the existing building, known as 228 Old Padonia Road, which is listed on the Maryland Historical Trust Inventory as "BA 1791 Thomas Fortune House", in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Plans Advisory Committee (ZAC) comment submitted by the Office of Planning dated June 25, 1999, a copy of which is attached hereto and made a part hereof.
- 3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the demand for formal hearing filed by the Baltimore County Historical Trust, Inc., be and is hereby DISMISSED AS MOOT.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



R. C. 2

R. C. 2

R. C. 2

R. C. 2

R. C.

R. C. 2

R. C. 2

R. C. 2

R. C. 2

R. C. 4

CARROLL
BALTIMORE

RESH

MILL RD.

GRAVE

RD.

RUNG

GRAVE

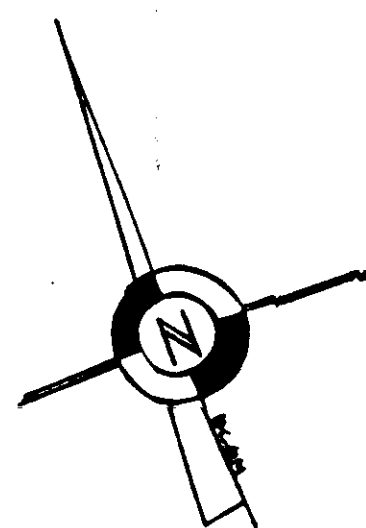
"SUBJECT
SITE"

00-077-SPH

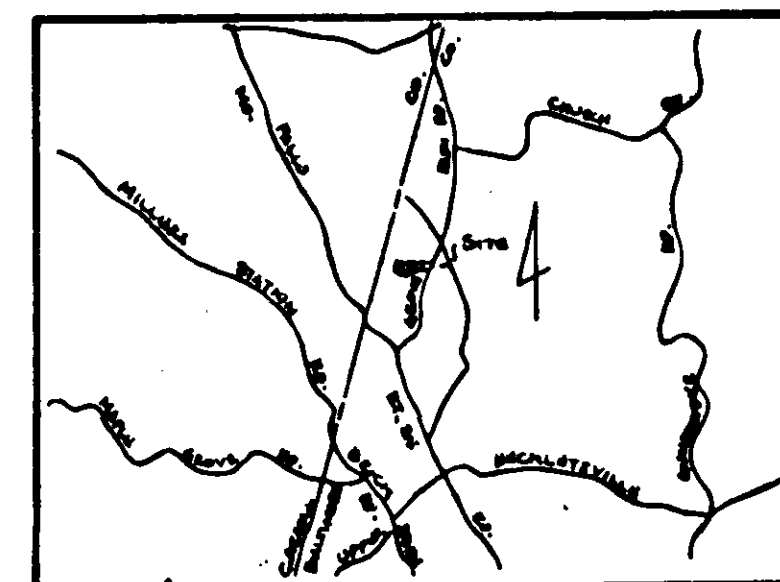
NW 33 14J
NW 34 14J

SCALE: 1"=200'

77



MOHAMMAD J. SHAPI
BALTIMORE, MD. 21201



VICINITY MAP 1" = 1 MILE

PT. OF BEG.
600' TO E.
RESH RD.

GRAVE

RUN

ROAD

GENERAL NOTES:

1. AREA OF PROPERTY = 16.0112 AC²
2. EXISTING ZONING OF PROPERTY = "RC-2" (NW 33434143)
3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
4. PROPOSED ZONING OF PROPERTY = "RC-2"
5. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
6. SUBJECT PROPERTY WAS APPROVED AS PART OF A MINOR SUBDIVISION OF PLOTS - #30-165M, 6-22-77 AS "THE LOUIS M. SALVATORE PROPERTY". TOTAL AREA - 10.8234 AC. LOT 1 - 8.7881 AC. WAS SOLD AND THE REMAINING LOT WAS PURCHASED BY PETITIONER.
7. FOREST CONSERVATION BASEMENT AND BUFFER HAVE BEEN APPROVED AS SHOWN IN 1ST AMENDMENT TO MINOR SUBDIVISION PLAN #30-165M OF THE LOT PURCHASED BY PETITIONER ON 6-30-99. (SEE APPROVAL STAMP ON THIS PLAN).
8. THE EXISTING 8 1/2 STORY DWELLING LOCATED ON THIS LOT IS PRESENTLY LISTED ON THE STATE INVENTORY LIST FOR EXISTING BUILDINGS. THE BUILDING HAS BEEN VACANT FOR A COUPLE OF YEARS AND IS IN VERY POOR CONDITION WITH A STONE FOUNDATION ON 3 SIDES OF THE HOUSE ONLY. IF THE BUILDING COULD BE RESTORED, IT COULD NOT BE USED AS A RESIDENCE.
9. PETITIONER IS REQUESTING A SPECIAL HEARING TO APPROVE A WAIVER TO RAZE THE HISTORIC DWELLING LOCATED ON THE PROPERTY SO THAT A NEW DWELLING CAN BE CONSTRUCTED AT A DIFFERENT LOCATION IN THE "RC-2" ZONE.
10. PROPERTY IS LOCATED IN THE GRAVE RUN WATERSHED AND SERVED BY WELL AND SEPTIC.
11. THERE IS NO ZONING HISTORY ON THE PROPERTY.

PLAT TO ACCOMPANY PETITION
FOR

ADMINISTRATIVE SPECIAL HEARING
#19406 GRAVE RUN ROAD

ELECT. DIST. 563

BALTIMORE COUNTY, MD.

SCALE: 1" = 100'

JULY 17, 1999

#77

00-077-SPH

OWNERS:

STEPHEN J. & VALERIE A. ZEMANEK
2031 GUNPOWDER ROAD
LIMBODOR, MD. 21088

REVISION: FEB. 14, 1997: P.L.C.E. BRAS. ADIST.
REVISION: NOV. 7, 1994: LOT 1 SEPTIC DIST. PLAN
REVISION: AUG. 23, 1994: FOREST CONSERVATION/FOREST BUFFER
REVISION: OCT. 24, 1990: LOT 812, PERCS D, E, F
REVISION: AUG. 23, 1990: LOT 812, LOCATION OF TANK (SEPTIC)

90-165M

6.7.99

6.30.99

REASON FOR 1ST AMENDMENT
NORTH FOREST BUFFER BASEMENT LINE
REVISED PER STEEP SLOPE & ERODIBLE SOILS
ANALYSIS PLAN APPROVED BY DEPRM 4-1-99
EXISTING HISTORIC DWLG. #19406 TO BE RAZED.

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 90-165M

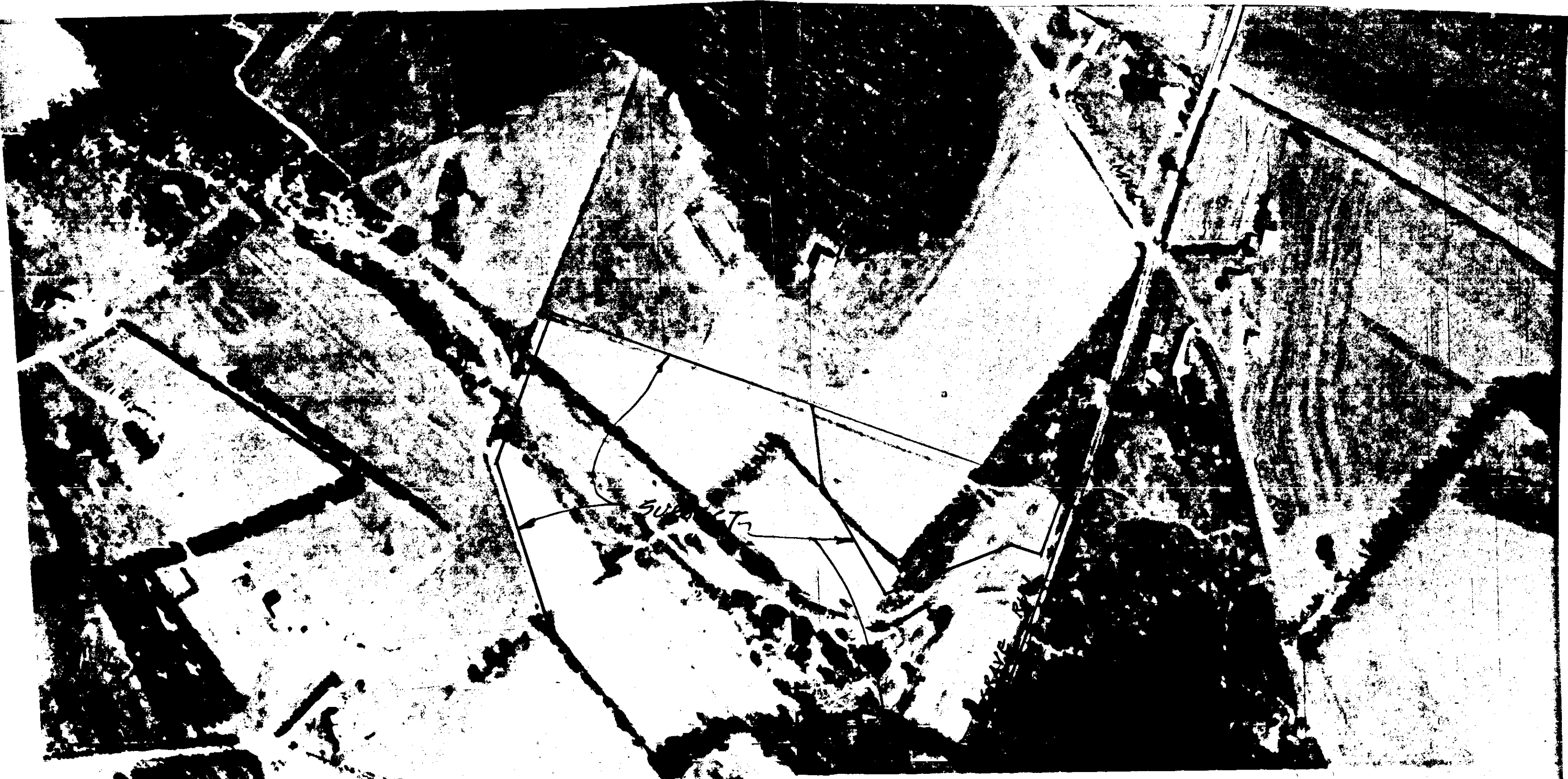
DEVELOPMENT REGULATIONS
☒ Exempt from Division 2
☐ Parhandle, exempt from Sections 20-202 & 20-206

ZADM CERTIFICATION
☒ Approved ☐ Disapproved

APPROVED, DEPRM

Date: 22.11.97

Date: 6.30.99



SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
SOUTHEAST OF
ALESIA

SHEET
N.W.
34-J

* 19406 GRAVE RUN RD.
MINOR SUBDIVISION PLAN * 90-165 M

GRAPHICS, INC.

00-077-SPH



1. FRONT OF HOUSE - PORCH



1A. CEILING MISSING - FRONT PORCH



2. DETERIORATION - FRONT PORCH FOUNDATION



2A. 2x4 WALL HOLDING PORCH



3. CORNER OF FOUNDATION - FRONT PORCH & SUMMER KITCHEN



4. INSIDE FOUNDATION - FRONT WALL



5. TOTAL DETERIORATION OF CHIMNEY



6. LOOKING OUT BACK OF SIDE PORCH TO BACK OF HOUSE WHICH CONNECTS SUMMER KITCHEN TO HOUSE



7. LOOKING IN BACK DOOR OF SIDE PORCH



8. LOOKING AT BACK CORNER OF SUMMER KITCHEN (HOUSE) LARGE OPENING EXPOSED TO WEATHER FOR MANY YEARS - FLOOR & FOUNDATION GONE.



9A. TOP VIEW OF #8



9. LOOKING INTO SUMMER KITCHEN ALL WALLS & CEILINGS MISSING



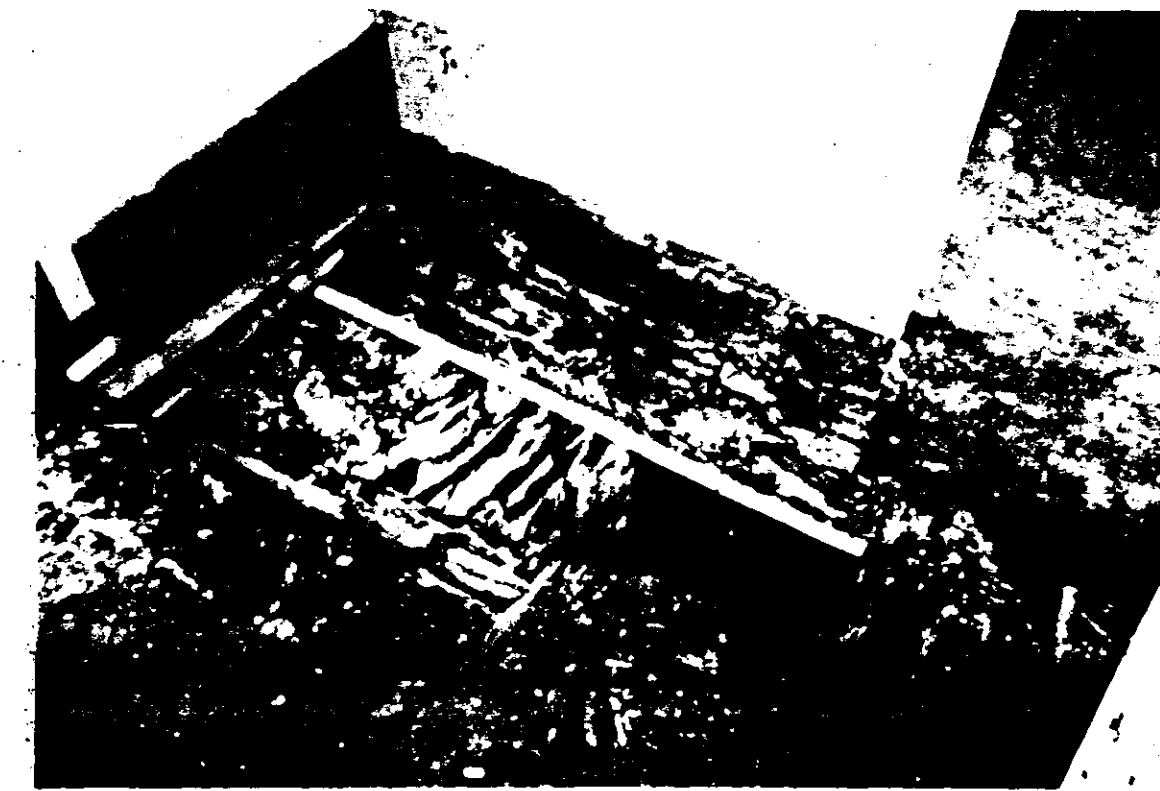
#9A SAME AS #9



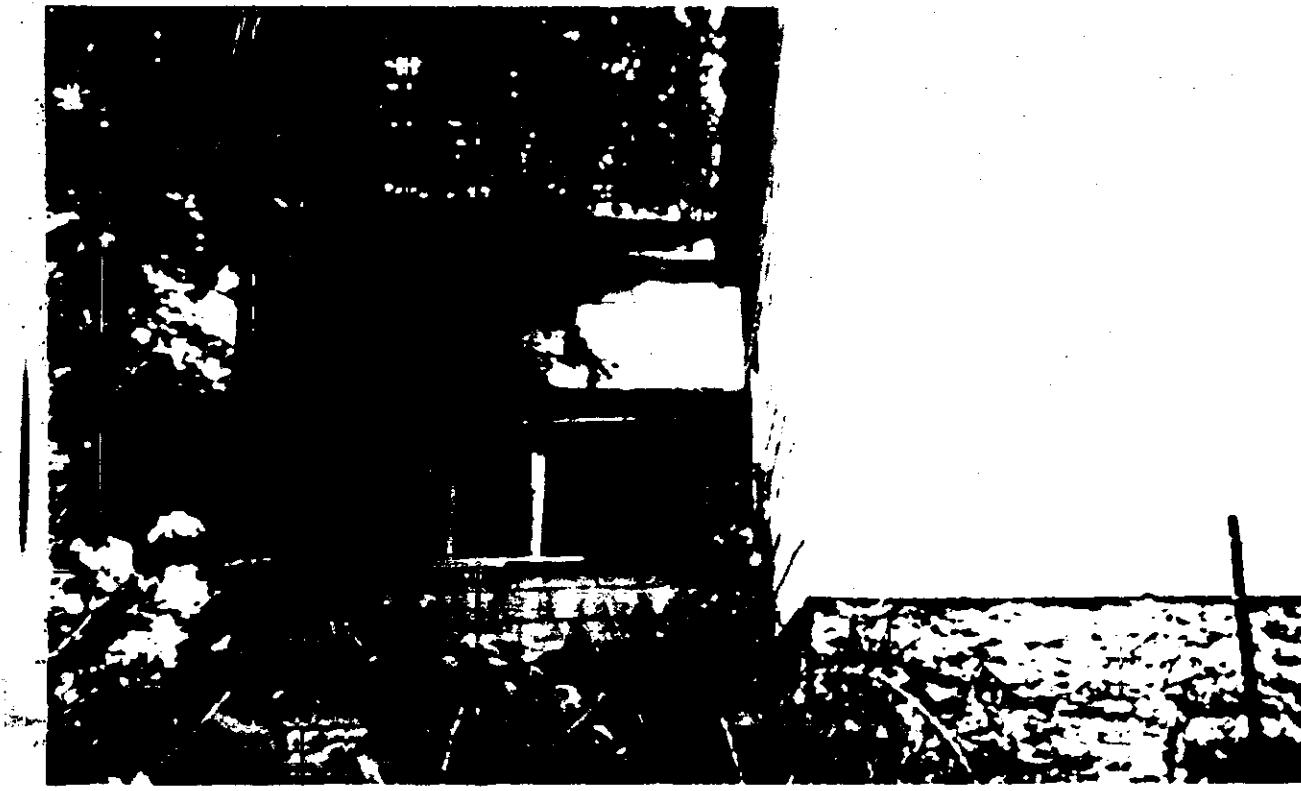
#10 FRONT CORNER OF SUMMER KITCHEN
HOUSE SHOWS PORCH COMING OFF
FOUNDATION



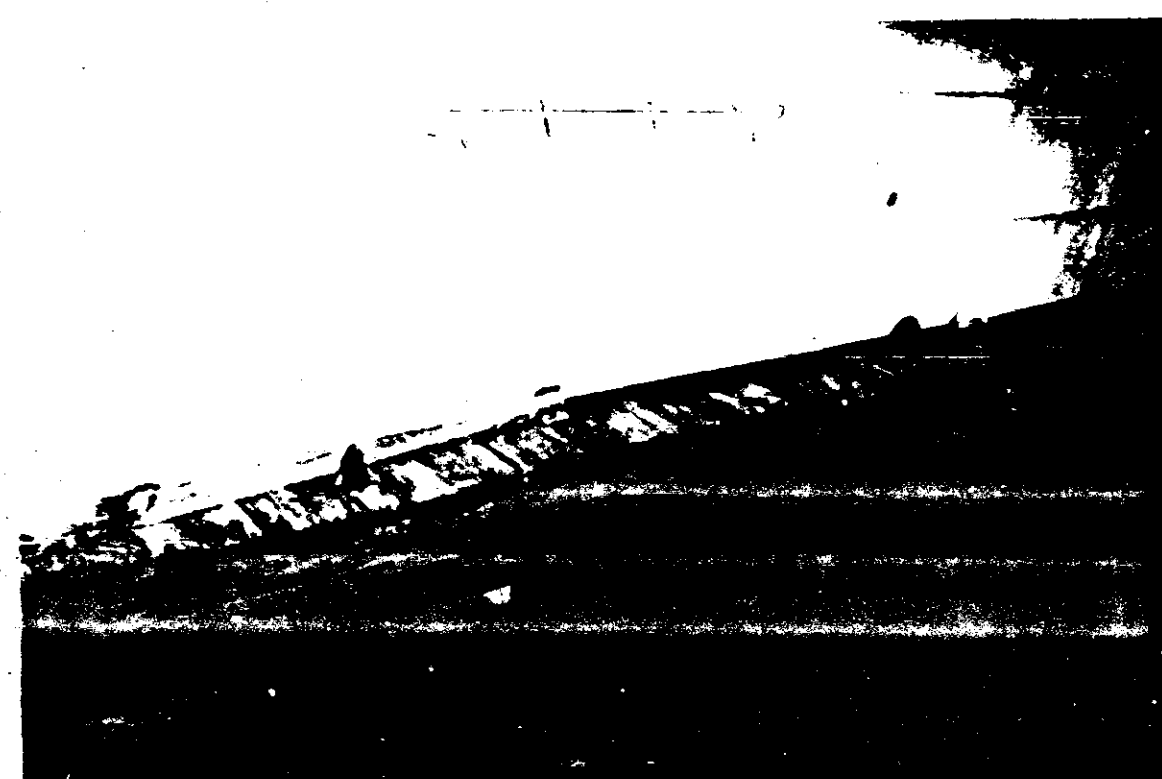
#11 VIEW FROM BASEMENT UNDER
PORCH SHOWING DETEIORATION
OF FLOOR BEAMS EXPOSED TO
ELEMENTS FOR YEARS



#11A SAME VIEW AS #11
LOOKING DOWN TO BASEMENT



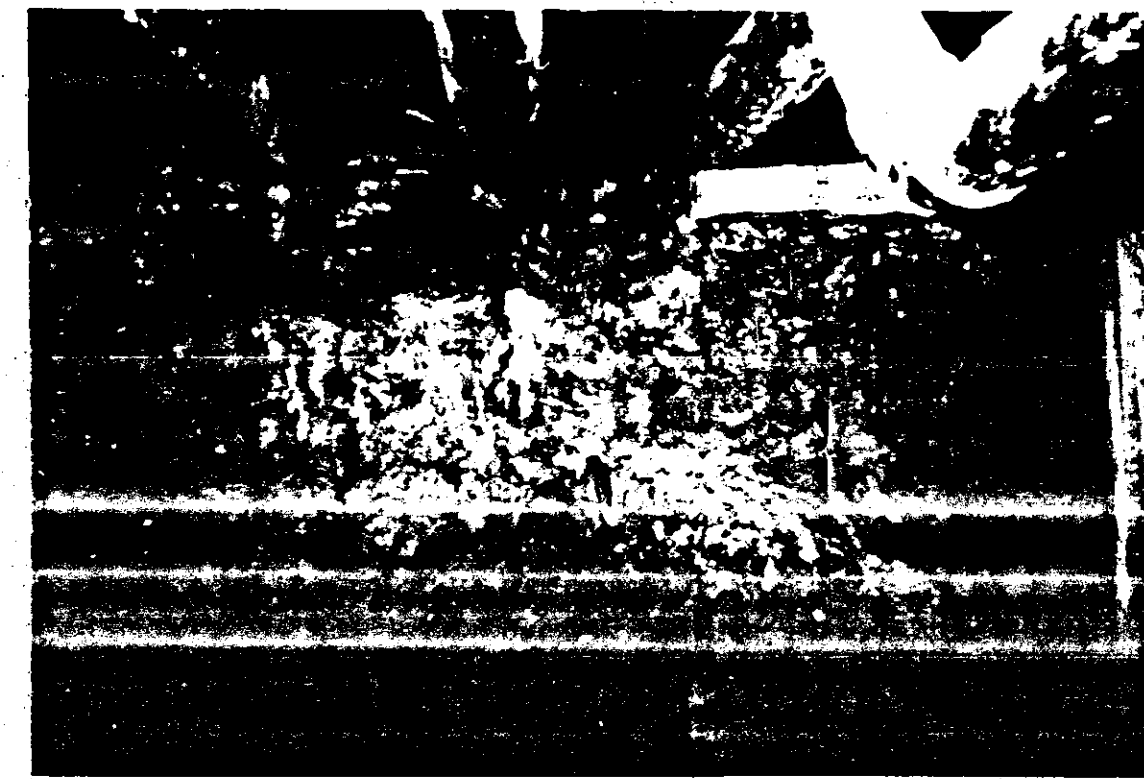
#12 SIDE VIEW OF SUMMER KITCHEN
HOUSE SHOWING PORCH OUT OF
LEVEL 6-12" (FOUNDATION FAILURE)



#12A CORNER OF PORCH BACK WALL



#13 FOUNDATION TOTALLY MISSING
(NO STONE) BEARING WALL
FOUNDATION REMOVED OR FAILED



#13A CLOSE UP OF BACK WALL
(#13)



#14 BASEMENT STAIRS ABOUT TO
COME DOWN



#15 BACK OF HOUSE - CORNERS
& FASCIA FALLING OFF



#16 BACK WALL WHERE FOUNDATION
IS MISSING & PORCH FALLING



#16A SAME AS #16



#17 FRONT SHOWING ROOF WITH
MULTI. HOLES & RUST - NEED
A NEW ROOF



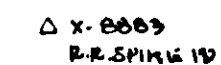
#18 HEATING SYSTEM DOES NOT
MEET CODE - CEILING FALLING
INSIDE



#19 BIG LEAK IN CEILING

#2

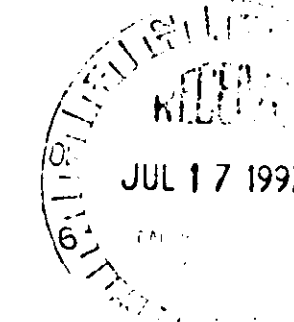
ITEM #77

[illegible]

VICINITY MAP 1"=1MILEG



1. CURRENT TITLE REFERENCE : LOUIS M. SALVATORE
E.H.K. JR. 5531 FOLIO 242
2. CURRENT ZONING : EC-2
3. SOILS MAP NO. 7 INSET B
4. NUMBER OF LOTS ALLOWED : 2 ; NUMBER OF LOTS REQUIRED : 2
5. TOTAL AREA - 18.8263 AC. ; NET AREA - 18.4476 AC. ;
6. DENSITY : 0.106
7. WATERSHED : GRAVE RUN TO PRETTY BOY
8. TOPOGRAPHY SHOWN HEREON IS TAKEN FROM
BALTIMORE COUNTY ZONING MAPS NW 33 14J, 34 14J
9. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR
DISTURBANCE OF VEGETATION IN THE FOREST BUFFER
EASEMENT OR THE FOREST CONSERVATION EASEMENT
EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE
MANAGEMENT.
10. ANY FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT
SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY
BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY, AND
WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- 11) THIS PROPERTY, AS SHOWN ON THE PLAN, HAS BEEN HELD
INTACT BY THE OWNERS OF RECORD SINCE MAY 19, 1975
NO PART OF THE GROSS AREA OF THIS PROPERTY HAS BEEN
RECORDED PREVIOUSLY TO SUPPORT DENSITY OR AREA OF
ANY OFF SITE DWELLINGS.
- 12) THERE ARE NO UNDERGROUND FUEL TANKS ON THE SITE
- 13) LOT 1 HAS BEEN SOLD BY MINOR SUBDIVISION.
- 14) REMAINING PARCEL HAS PURCHASED BY STEVE ZEMLER.
(SEE 58.2 OF 2)



1ST AMENDMENT TO

MINOR SUBDIVISION PLAN
OF
THE LOUIS M. SALVATORE PROPERTY

FIFTH ELECTION DISTRICT
DATE: APRIL 24, 1990

BALTIMORE COUNTY, MARYLAND
SCALE: 1"=100'

APRIL 5, 1999

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 90-1166-03

DEVELOPMENT REGULATIONS
☒ Exempt from Division 2
☐ Rehandle, exempt from Sections 26-202 & 26 205

ZAM CERTIFICATION
☒ Approved ☐ Disapproved

By: John A. [Signature] Date: 2/21/97

APPROVED, DEPRM

By: [Signature] Date: 2/21/97

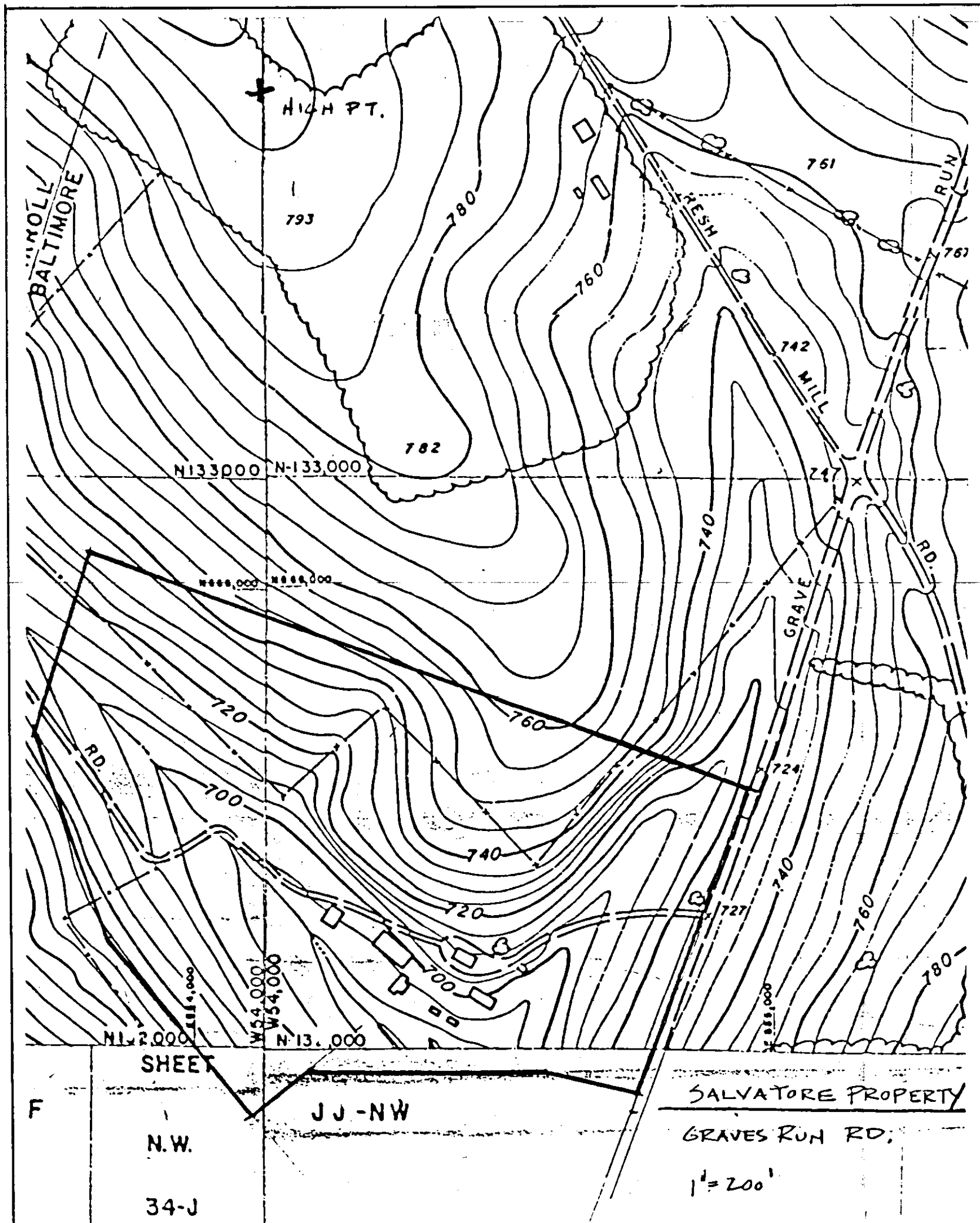
Joseph L. Yon 6.7.99
~~Handwritten signature~~ 6.30.99
 ↓
 REASON FOR 1ST AMENDMENT
 NORTH FOREST BUFFER EASEMENT LINE
 REVISED PER STEEP SLOPE & ERODIBLE SOILLESS
 ANALYSIS PLAN APPROVED BY DEPRM 4-14-2009
 EXISTING HISTORIC DWLG #19406 TO BE REAFFIRMED.

REVISION: FEB. 14, 1997: F.G.E. BRGS. & DIST.
REVISION: NOV. 7, 1994: LOT 1 SEPTIC DISPOSAL AREA
REVISION: AUG. 29, 1994: FOREST CONSERVATION/FOREST BUFFER
REVISION: OCT. 24, 1991: LOT SIZE, PERCS D,E,F
REVISION: AUG. 29, 1991: LOT SIZE, LOCATION OF TANK (SEPTIC)

OWNER & DEVELOPER
LOUIS M. SALVATORE
17406 GRAVE RUN RD.
HAMPSTEAD, MARYLAND 21074
239-8237 TAX I.D. # 1600013340
TAX MAP 16 BLOCK 13 P. 26 P. 135

A.L.SNYDER
SURVEYOR
1911 HANOVER PIKE
HAMPSTEAD, MARYLAND 21074
PHONE (301) 239-7744
JOB NO. 90011

SHEET 1 OF 2

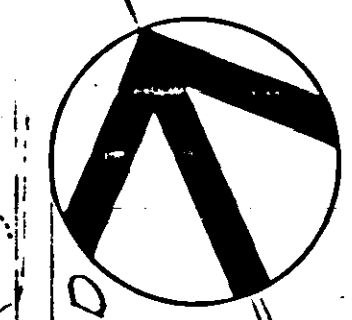
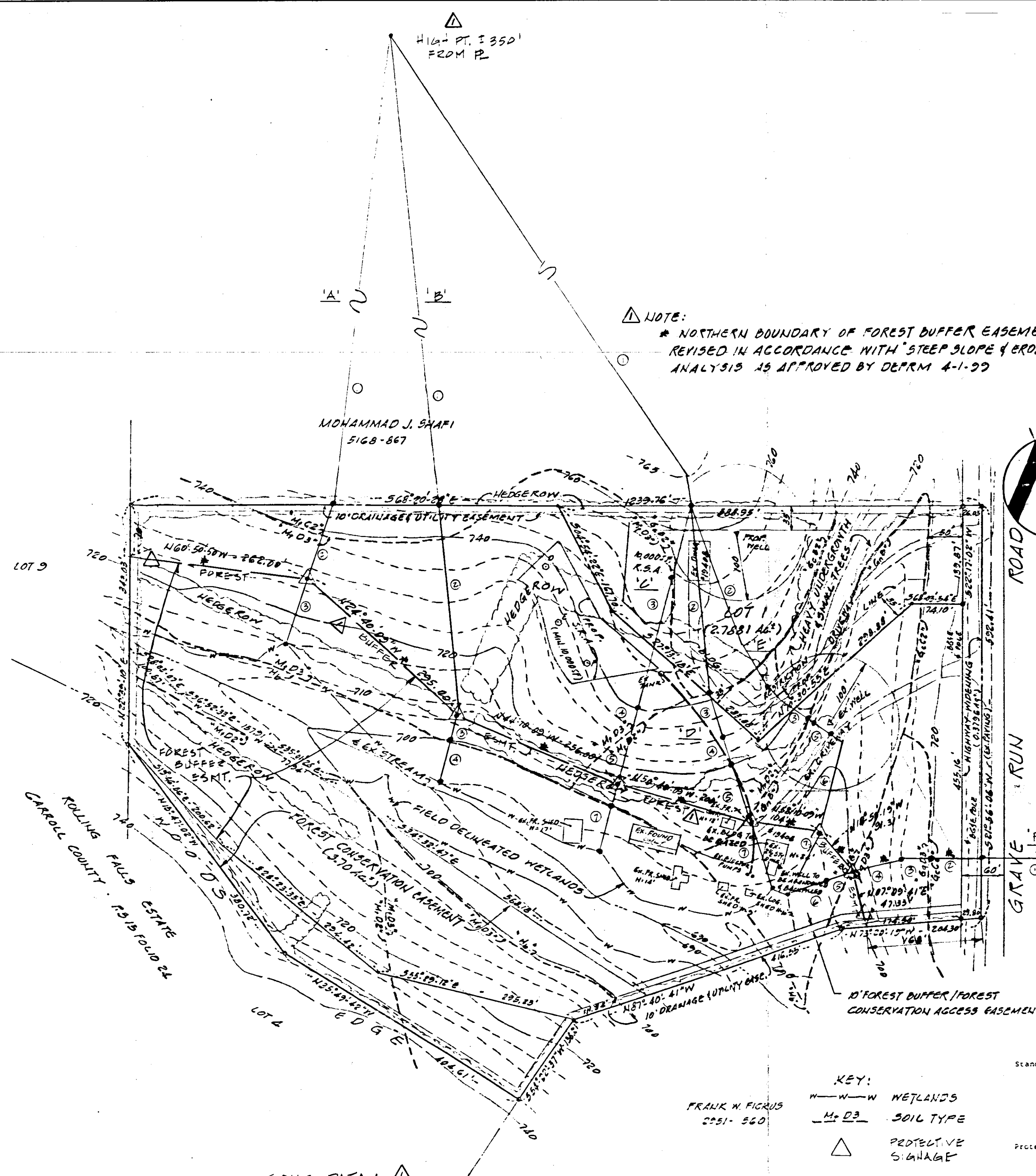


**FOREST
BUFFER
DO NOT
DISTURB**

Baltimore County
Department of
Environmental Protection &
Resource Management

△ PROTECTIVE SIGNAGE
(B) SIGNS REQUIRED

SIGNS AVAILABLE @
BALTO. CO. DEPRM
(910) 887-3480



VICINITY MAP
SCALE: 1" = 1 MILE

- NOTES:
1. AREA OF STEVE ZEMANEK PARCEL = 16.6586 AC.
 2. EXISTING ZONING: "RC-2"
 3. ORIGINAL PROPERTY APPROVED FOR ELOTS - MINOR SUBDIVISION PROJECT "90-165M"
 4. WATERSHED: GRAVE RUN TO PRETTYBOY
 5. FOREST CONSERVATION EASEMENT TAKEN FROM MINOR SUBDIVISION PLAN.
 6. EX. HISTORIC BLDG. TO BE RAZED
- △ HIGH PT. 1350' FROM P.
- DRC 04199B

FOREST CONSERVATION EASEMENTS

Standard non-disturbance note:

"There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement and/or Forest Buffer Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management."

Protective covenants note:

"Any Forest, Conservation Easement and/or Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

KEY:

W-W-W WETLANDS

M-D-B SOIL TYPE

△ PROTECTIVE SIGNAGE

SOILS DATA: △

KEY	TYPE	K FACTOR
Gc32	GLEBELG LOAM	0.32
Gc62	GLEBELG LOAM	0.32
Gg23	GLEBELG CHANNERY LOAM	0.32
Gn3	GLEBELG SILT LOAM	0.32
H6	HATBROD SILT LOAM	0.49
M62	MT. AIRY CHANNERY LOAM	0.32
M63	MT. AIRY CHANNERY LOAM	0.32
M6E	MANOR SILTS	0.37

REASON FOR 1ST AMENDMENT
NORTH FOREST BUFFER EASEMENT LINE
REVISED PER STEEP SLOPE & ERODIBLE SOILS
ANALYSIS PLAN APPROVED BY DEPRM 4-1-99.
EXISTING HISTORIC BLDG. TO BE RAZED.

ORIGINAL PLAN PREPARED BY:

PAUL LEE ENGINEERING INC.
304 W. PENNSYLVANIA AVE
TOWSON MD 21204

OWNER: △

MR. STEVE ZEMANEK
20401 GUNPOWDER RD.
JESBORO, MD 21088
(410) 239-4944

1ST AMENDMENT TO
△ REFINEMENT TO
MINOR SUBDIVISION PROJECT "90-165M"

STEEP SLOPE & ERODIBLE SOILS
ANALYSIS PLAN
DATE 3-24-99

STEVE ZEMANEK PROPERTY
(FORMERLY LOUIS M. SALVATORE PROPERTY)
GRAVE RUN ROAD

ELECT. DIST. 50 BALTIMORE COUNTY, MD.

SCALE: 1" = 100'

PREPARED BY:

HUMAN & ROHDE, INC.
Landscape Architects
512 Virginia Avenue
Towson, Maryland 21288
(410) 825-3885

FEB. 19, 1999

APRIL 5, 1999

#77

SHEET 2 OF 2

PET. EX. 1

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