

IN RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING
N/S Stewart Road, 2,650' W of
Intersection with Park Heights Avenue
3rd Election District
2nd Councilmanic District
(4040 Stewart Road)

Erin Gamse
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-145-SPH

*

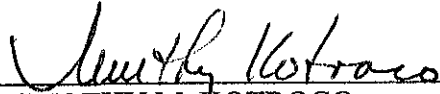
* * * * *

ORDER OF DISMISSAL

The Petitioner herein filed a Petition for Administrative Special Hearing for the property located at 4040 Stewart Road in Baltimore County, Maryland. A Petition for Administrative Special Hearing for a waiver was requested from Sections 26-171, 26-172(b) of the Baltimore County Code of Sections 26-203(c)(8) and Section 26-278 to alter a building on property which is currently zoned R.C.5; and,

WHEREAS, a letter dated December 13, 1999 was mailed to the Petitioner's attorney, Marianne Hellaur, Esquire, advising that this office would dismiss this matter without prejudice if we did not hear from her within 10 days, inasmuch as the Baltimore County Office of Planning had been notified by a representative of the Petitioner that the request for Petition for Administrative Special Hearing would be withdrawn. A copy of this correspondence is attached hereto.

IT IS THEREFORE, ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 3rd day of January, 2000, that the hereinabove Petition for Administrative Special Hearing be and is hereby DISMISSED, without prejudice.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 1/3/2000
By R. J. [Signature]



Baltimore County
Zoning Commissioner

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

December 13, 1999

Marrienne Hellaur, Esquire
Piper & Marbury, L.L.P.
36 Chase Street
Baltimore, Maryland 21201

Re: Petition for Special Hearing
Case No. 00-145-SPH
Property: 4040 Stewart Road

Dear Ms. Hellaur:

Pursuant to correspondence received from the Office of Planning dated November 1, 1999, it is our understanding that you plan to withdraw the above-captioned request for special hearing.

Please be advised that if we do not hear from you within the next 10 days concerning this matter, we will have no alternative but to dismiss this petition without prejudice.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj

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 4040 STEWART ROAD
which is presently zoned RCS

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 ALTER A BUILDING

CSP
10.7.99

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:

Ms. ERIN GAUSE X CSP 10.7.99
Name - Type or Print
[Signature]
Signature

Address Telephone No.
City State Zip Code

Legal Owner(s):

Ms. ERIN GAUSE
Name - Type or Print
[Signature]
Signature

Name - Type or Print
CONTACT CURIS PRAEFFLE
Signature
100 HARBOR VIEW DRIVE X CSP 10.7.99
Address Telephone No.
BALTIMORE MD 21230
City State Zip Code

Attorney For Petitioner:

MARIONNE HELLAUER ESQ
Name - Type or Print
Signature
PIPER & HARBURY LLP
Company
36 CHASE STREET 410 539 2930
Address Telephone No.
BALTIMORE MD 21201
City State Zip Code

Representative to be Contacted:

CHRISTOPHER PRAEFFLE / PATRICK SUTTON ASSOC.
Name
No 8 WEST MADISON STREET 410 733 1500
Address Telephone No.
BALTIMORE MD 21201
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

Reviewed By JL Date 10/7/99
Estimated Posting Date 10/17/99

Case No. 00 145 SPH

ORDER RECEIVED FOR FILING

Date 11/3/2020
By JR. [Signature]
11/3/2020

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 100 HARBOR VIEW DRIVE
Address
Baltimore MD 21230
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.

[Signature]
Signature

Signature

Ms Erin Gramse
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Erin Gramse

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

8/13/99
Date

[Signature]
Notary Public

My Commission Expires 10/1/2001

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.

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Address
Baltimore MD 21230
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.

[Signature]
Signature

Signature

Ms. ERIN GRAMSE
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Erin Gramse

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

8/13/99
Date

[Signature]
Notary Public

My Commission Expires 10/1/2001

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 4040 STEWART ROAD
which is presently zoned RCS

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 ALTER A BUILD'G

CSP

10-7-99

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

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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:

Ms. ERIN GAMSE X CSP 10-7-99

Name - Type or Print

[Signature]
Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

MARRIANNE HELLAUER Esq

Name - Type or Print

Signature

PIPER + HURBURN LLP

Company

36 CHASE STREET (410) 639-2530

Address Telephone No.

BALTIMORE MD 21201

City State Zip Code

Legal Owner(s):

Ms. ERIN GAMSE

Name - Type or Print

[Signature]
Signature

Name - Type or Print

Signature CONTACT CHRIS PRAEFFLE

100 HARBOR VIEW DRIVE X CSP 10-7-99

Address Telephone No.

BALTIMORE MD 21230

City State Zip Code

Representative to be Contacted:

CHRISTOPHER PRAEFFLE/PATRICK SULLIVAN Assoc.

Name

No 8 WEST MADISON STREET 410 923 1500

Address Telephone No.

BALTIMORE MD 21201

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. 00 145 SPH

Reviewed By JL Date 10/7/99

REV 9/18/98

Estimated Posting Date 10/17/99

ZONING DESCRIPTION.

CSO 10-7-95

4040 STEWART RD.

BEGINNING AT A POINT ON THE NORTH SIDE OF STEWART RD A 15 FT. PRIVATE DRIVE AT A DISTANCE OF 2,650 FT WEST OF ITS INTERSECTION WITH PARK HEIGHTS AVE. SAID POINT OF INTERSECTION BEING, 360 FT N. OF LEISURE HILL DRIVE AND ITS INTERSECTION WITH PARK HEIGHTS AVE. THENCE THE FOLLOWING COURSES AND DISTANCES. ~~NORTH~~ SOUTH WESTERLY 570.2',

NORTH WESTERLY 357.61', WESTERLY 76.92', NORTH EASTERN 343.82',

WESTERLY 37.51', NORTH WESTERLY 54.56', NORTH WESTERLY 41.0',

NORTH EASTERLY 147.35', EASTERLY 88.73', NORTH EASTERN 20.0',

NORTH 88.62', NORTH EASTERN 104.53', EASTERLY, SOUTH WESTERLY 103.37',

SOUTH EASTERLY 43.59', SOUTH EASTERLY 115.21', SOUTH EASTERLY 65.76',

SOUTHEASTERLY 183.03', NORTH EASTERLY 174.46', SOUTH 175.00',

WESTERLY 12.00', SOUTH 87.4', SOUTH 214.75'

LOT SIZE 9.72 ACRES

3RD ELECTION DISTRICT

SECOND COUNCIL DISTRICT

00. 145' ~~SPH~~
SPH

Zoning Description

Zoning description for 4040 Stewart Road. Beginning at a point on the northside of Stewart Road which is approximately 15'-0" +/- wide. Being lot # N/A, block N/A, section N/A, in the sub-division of N/A, as recorded in Baltimore County plat book #3653, folio #260, containing 9.72 acres. Also known as 4040 Stewart Road and located in the 3rd election district and 2nd councilman district.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANC.
MISCELLANEOUS RECEIPT

No. 07321

DATE 10/7/99 ACCOUNT R0016150
AMOUNT \$ 50.00

RECEIVED FROM: MR. PFAEFFLE
FOR: ADMIN SPH

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
10/07/1999 10/07/1999 10:11:34

REG #501 CASHIER JUDITH DRAVER
Dept 5 528 ZONING VERIFICATION
Receipt # 120052 OFLN
CR NO. 073213

Receipt Tot 50.00
50.00 CS .00 FL
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 00-145-SPH

Petitioner/Developer: Erin Gamse

Date of Hearing/Closing: 11/1/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 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 4040 Stewart Rd.
Baltimore, MD

The sign(s) were posted on October 14, 1999
(Month, Day, Year)

Sincerely,

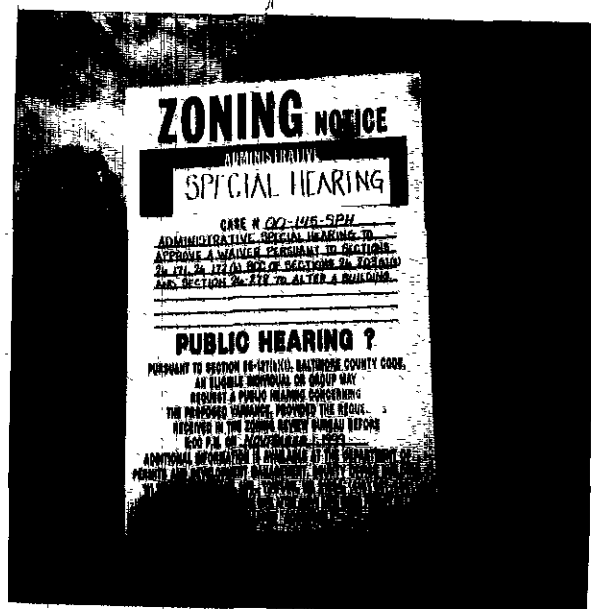
Stacy Gardner 10/14/99
(Signature of Sign Poster and Date)

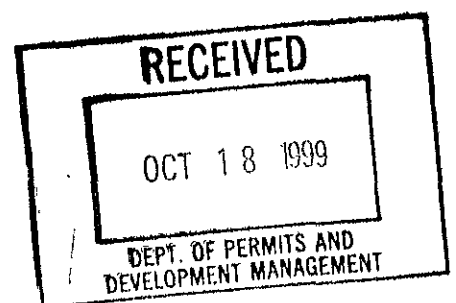
Stacy Gardner
SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4000

(Telephone Number)





RECEIVED

OCT 18 1999

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

RE: PETITION FOR SPECIAL HEARING
4040 Stewart Road, N/S Stewart Rd (private drive), 3110'
NW of intersection Park Hgts Ave and Leisure Hill Dr
3rd Election District, 2nd Councilmanic

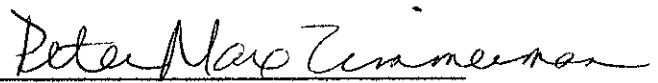
Legal Owner: Erin Gamse
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-145-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 28th day of October, 1999 a copy of the foregoing Entry of Appearance was mailed to Marianne Hellaur, Esq., Piper & Marbury, 36 Chase Street, Baltimore, MD 21201, attorney for Petitioners.


PETER MAX ZIMMERMAN

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 00- 145 -SPH

Address 4040 STEWART RD

Contact Person: JOHN LEWIS

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10/7/99

Posting Date: 10/17/99

Closing Date: 11/1/99

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- 145 -SPH Address 4040 STEWART RD

Petitioner's Name ERIN GAMSE

10-7-99 Telephone 410-783 1500 PER APP CONTACT MR PFAEITLE

Posting Date: 10/7/99

Closing Date: 11/1/99

Wording for Sign: Administrative Special Hearing to approve A WAIVER PURSUANT TO

SECTIONS 26-171, 26-172(b) BCC OF SECTIONS 26-203 (C)(8) AND

SECTION 26-278 TO ALTER A BUILDING.

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/neighbors 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: _____

145

Petitioner: _____

Ms. ERN GANKE

Address or Location: _____

4040 STEWART ROAD BALTIMORE Co. MD

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

CHRIS PRAEFFLE / PATRICK SUTHER

Address: _____

No. 2 WEST MADISON ST.

BALTIMORE MD. 21201

Telephone Number: _____

410 283-1500

Revised 2/20/98 - SCJ



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

November 1, 1999

Ms. Marianne Hellaur, Esq.
Piper & Marbury LLP
36 Chase Street
Baltimore, MD 21201

Dear Ms. Hellaur, Esq.:

RE: 00-145-SPH , 4040 Stewart Road

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

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, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a vertical line and the initials "rsj".

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

November 29, 1999

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

RECEIVED JAN 06 2000

ATTENTION: Gwen Stephens

RE: Property Owner: MICHEL WAREHOUSEING CORP. & DON MICHEL - 132
EXXON CORPORATION - 138
ERIN GAMSE - 145
PATRICIA BERK & JOSEPH L. BERK - 146
NORMAN BERNHARDT - 153

Location: DISTRIBUTION MEETING OF OCTOBER 25, 1999

Item No.: 132, 138, 145, 146, & 153

Dear Ms. Stephens:

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F



ASPN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 1, 1999

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

SUBJECT: 4040 Stewart Road

INFORMATION:

Item Number: 145

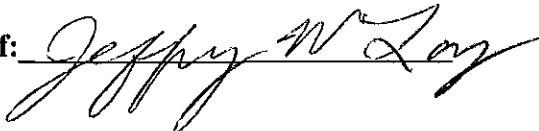
Petitioner: Erin Gamse

Zoning: RC 5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

A representative of the petitioner contacted this office, and it is our understanding that the Petition for Administrative Special Hearing will be withdrawn.

Section Chief: 
AFK/JL

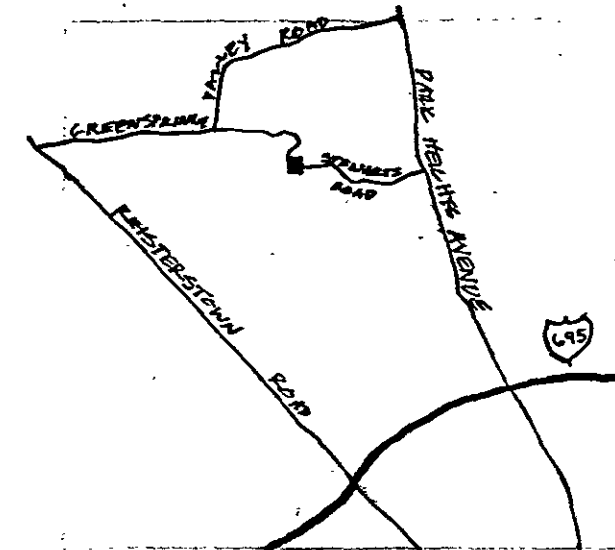
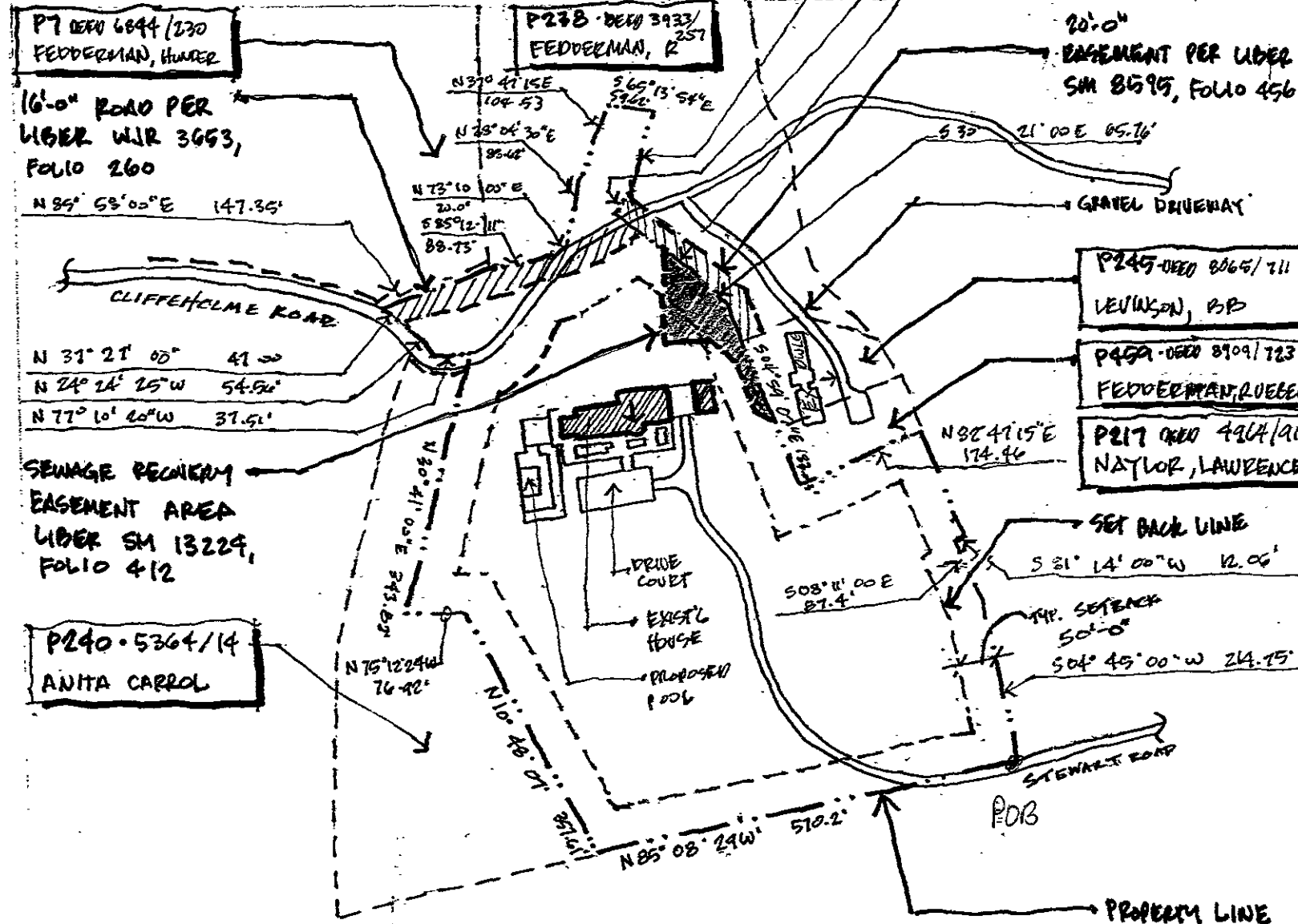
Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 4040 STEWART ROAD

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

Subdivision name: N/A
 plat book# 3653, folio# 260, lot# N/A, section# N/A
 (OWNER)

OWNER: CLIPPE HOLME LLP



North
 scale: 1"=1000'

LOCATION INFORMATION

Election District: 3
 Councilmanic District: 2
 1"=200' scale map#: 10 F NN
 Zoning: R6 5
 Lot size: 9.72 acreage 423,211.6 square feet

LOCATION	SEWER:	☐ public	☒ private
EXIST'G WELL NOT YET DETERMINED	WATER:	☐ yes	☒ no
Chesapeake Bay Critical Area:		☐ yes	☒ no

Prior Zoning Hearings:

NONE INDICATED

Zoning Office USE ONLY!

reviewed by: JL ITEM #: 145 CASE#: 00-145 SPH



North

date: 8-25-99
 prepared by: PATRICK S. HAN Assoc.

GP 10-1-99
PATRICK S. HAN Assoc.

Scale of Drawing: 1"= 200'

PET. EX. #1

NW F10 1"=200' #145

(SHEET N.W.-11-F)

00-145-~~SPH~~

HATTOLANEE

W 34,500'

W 33,000'

JONES

R.C. 2

ECCELESTON

P. O.

129

PARK

A.T.B.T. CO.

GREEN SPRING VALLEY
N.R.H.D.

ROAD

PRIVATE

PROPERTY LINE

P.O.B.

R.C. 2

PRIVATE

ROAD

R.C. 5

RESERVOIR

4040 STEWART RD,
BALTIMORE CO., MD
PREPARED BY:
PATRICK GILLEN ASSOC.

PRIVATE

ROAD

ROAD

PRIVATE

ROAD

POOL

POOL