

IN RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING
SE/S Philadelphia Road at intersection
Philadelphia Rd. & Golden Ring Rd.
15th Election District
6th Councilmanic District
(8551 Philadelphia Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-425-SPH

Merritt GR2, LLC
Petitioners

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Special Hearing filed by the legal owners of the subject property, Merritt GR2, LLC, for property they own at 8551 Philadelphia Road in the Golden Ring area of Baltimore County. The subject property is zoned BL/DR16/ML-IM. 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 permit the razing of a building known as 8551 Philadelphia Road, which is listed on the Maryland Historical Trust Inventory as “#BA 2095 Diegel House”. The subject property and requested relief are more particularly described on Petitioners’ Exhibit No. 1, the plat to accompany the Petition for Administrative Special Hearing.

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 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 a residential property, the property in question is posted with notice of the variance relief sought for a period of at least 15 days. The

ORDER RECEIVED FOR FILING

Date

5/24/00

By

R. Johnson

subject property was posted with a sign describing the request on April 14, 2000. There was no request by the public for a hearing nor any public input for the requisite period of fifteen (15) days after posting the property. The matter is now eligible for review and resolution by this Hearing Officer.

The Petitioners have filed the supporting affidavits as required by Section 26-127(b)(1) of the Baltimore County Code. A description of the property contained within the case file indicates that the property consists of 14.88 acres, more or less, zoned BL/DR16/ML-IM. The information submitted is persuasive to a finding that the proposed demolition will not be inappropriate. There were no adverse comments from any Baltimore County reviewing agency. Furthermore, the Landmarks Preservation Commission reviewed the Petitioners' proposal at their May 11, 2000 meeting and unanimously agreed not to oppose the issuance of a waiver for the demolition of this structure. Additionally, they unanimously agreed that if a waiver from Section 26-278 is granted, that the demolition be conditioned on the submittal of 'HABS II' level of photographic documentation as approved by the County Historian. Moreover, the relief requested complies with the requirements of the Baltimore County Zoning Regulations and should therefore be approved.

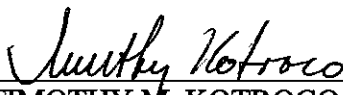
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of May, 2000 that the request for Administrative 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 permit the razing of a building known as 8551 Philadelphia

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Date 5/24/00
By J. J. Gresson

Road, which is listed on the Maryland Historical Trust Inventory as "#BA 2095 Diegel House",
be and is hereby GRANTED.

- 1) The Petitioners may apply for their razing 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 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.
- 2) Compliance with the Zoning Plans Advisory Committee (ZAC) comment submitted by the Office of Planning dated May 17, 2000, a copy of which is attached hereto and made a part hereof.
- 3) When applying for any permits, the site 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 5/24/00
BY J. R. Emerson



Baltimore County
Zoning Commissioner

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

May 24, 2000

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Administrative Special Hearing
Case No. 00-425-SPH
Property: 8551 Philadelphia Road

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative 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 Department of Permits and Development Management. 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 Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Merritt GR2, LLC
c/o Scott E. Dorsey, President
2066 Lord Baltimore Drive
Baltimore, Maryland 21244-2501

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

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

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 8551 Philadelphia Road

which is presently zoned BL/DR16/ML-IM

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

Special Hearing to approve the razing of the existing historic dwelling
(MHT #BA2095)

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:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer & Howard, LLP

Company

210 Allegheny Avenue

(410) 494-6200

Address

Telephone No.

Baltimore

Maryland

21204

City

State

Zip Code

Legal Owner(s):

Merritt GR2, LLC

Name - Type or Print

By: Scott E. Dorsey

Signature Scott E. Dorsey, President

Name - Type or Print

Signature

2066 Lord Baltimore Drive (410) 298-2600

Address

Telephone No.

Baltimore, MD

21244-2501

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address

Telephone No.

Baltimore, Maryland

21204

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. 00-425-SPH

Reviewed By LTM

Date 4/7/00

Estimated Posting Date 4/16/00

ORDER RECEIVED FOR FILING
Date 5/24/00
By [Signature]

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 X 10631 Pot Spring Road
Address

Cockeysville MD 21030
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.

X [Signature]
Signature

Signature

Scott E. Dorsey
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7th day of April, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Scott E. Dorsey

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

4/7/00
Date

[Signature]
Notary Public

My Commission Expires 8/1/2012

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X Scott E. Dorsey
Signature
Scott E. Dorsey
Name - Type or Print

Signature

Name - Type or Print

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AS WITNESS my hand and Notarial Seal

4/7/00
Date

Robert H. Leonard
Notary Public

My Commission Expires 8/1/2002

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 8551 Philadelphia Road

which is presently zoned BL/DR16/ML-IM

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Name - Type or Print

X By:

Signature Scott E. Dorsey, President

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State

Zip Code

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Zoning Commissioner of Baltimore County

Case No. 00-425-SPH

Reviewed By CTM Date 4/7/00

Estimated Posting Date 4/16/00

REC 9/18/98

FROM THE CENTERLINE INTERSECTION OF PHILADELPHIA RD. & GOLDEN RING RD.
THENCE S38°-07'11"E, 1341.29' TO A POINT OF BEGINNING, *

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD • TOWSON, MARYLAND 21286-3396

October 14, 1999
Page 1 of 2

Description of DIEGEL PROPERTY
Containing 14.679 Acres of Land more or less.
15th Election District, Baltimore County, Maryland.

* Beginning for the same at pin and cap found at the beginning of the 1st or south 78 1/2 degree West 30 3/4 perch line of that Third Parcel of Land described in a Deed dated April 30, 1958, between Strawman Inc. and William J. Diegel et ux, recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. 3346 folio 134, said point of beginning also being designated 2 on a Plat entitled "Resubdivision of Property of Ford Leasing Development Co." dated November 29, 1979, recorded among the Land Records of Baltimore County, Maryland in Plat Book E.H.K., JR. 45 folio 119, and having a Maryland State Grid Coordinate NAD83/91 as now surveyed of North 606398.57 and East 1455791.25, running thence leaving said point of beginning and the western outline of said Plat, binding on all of the 1st and 2nd lines of said Third Parcel in said Deed, referring all bearings to the Maryland Grid System NAD83/91, the two following courses, as as now surveyed;

1) South 73 degrees 09 minutes 00 seconds West 507.38 feet and

2) North 11 degrees 10 minutes 44 seconds West 431.43 feet to the end of the 5th or south 40 3/4 East 368.00 foot line of that Second Parcel of land described in the above mentioned Deed, running thence for part of the distance binding on all of said 5th line of said Second Parcel and for part of the distance binding on part of the 1st or south 40 3/4 degree East 390.00 foot line of that First Parcel of land described in the above mentioned Deed, in all, as now surveyed;

3) North 45 degrees 55 minutes 28 seconds West passing over concrete monuments found situate at the distances of 111.95 feet and 474.37 feet measured from the beginning of the line now being described, in all, 619.33 feet to the beginning of the 2nd or North 53 1/2 degree East 46 foot 3 inch line of Parcel 3 described in a Deed dated August 28, 1990, between Stephen Ramsey and Stephen Ramsey et ux, recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 8624 folio 767, running thence binding on all of said 2nd line and binding on part of the 3rd line of said Parcel 3 of said Deed (8624/767), the two following courses, as now surveyed;

4) North 48 degrees 19 minutes 32 seconds East 46.25 feet and

5) North 14 degrees 24 minutes 01 seconds West 119.54 feet to intersect the southeast side Philadelphia Road (formerly called the Baltimore Havre de Grace Turnpike), 60.00 feet wide, running thence binding on the said southeast side of said Philadelphia Road, as now surveyed;

6) North 49 degrees 32 minutes 32 seconds East 236.82 feet to the corner formed by the intersection of the south side of said Philadelphia Road, 60.00 feet wide and the Right of Way Line of the southwest side of Golden Ring Road, as widened and shown on State of Maryland, Department of Transportation, State Highway Administration, State Roads Commission Plat No. 47849, issued April 1, 1982, running thence binding on the Right of Way Line of said southwest side of Golden Ring Road shown on said Plat (No.47849) the four following courses, as now surveyed;

7) South 65 degrees 35 minutes 35 seconds East 116.23 feet,

8) South 70 degrees 38 minutes 24 seconds East 122.02 feet,

9) South 75 degrees 56 minutes 43 seconds East 70.52 feet and

10) North 20 degrees 33 minutes 54 seconds East 10.67 feet to intersect the southwest side of Golden Ring Road, 30.00 feet wide, running thence binding on the southwest side of said Golden Ring Road, 30.00 feet wide, as now surveyed;

October 14, 1999
Page 2 of 2

Description of DIEGEL PROPERTY
Containing 14.679 Acres of Land more or less.
15th Election District, Baltimore County, Maryland.

11) South 69 degrees 34 minutes 04 seconds East 409.97 feet, thence leaving the southwest side of said Golden Ring Road, running for part of the distance binding on part of the 2nd line of said Second Parcel described in said Deed (3346/134) and for part of the distance binding on all of the 4th line of said Third Parcel described in said Deed (3346/134) and for part of the distance binding on part of the western outline of the first herein above mentioned Plat (45/119), in all, as now surveyed;

12) South 11 degrees 10 minutes 44 seconds East passing over a 3/4" pipe found at a point designated 3 on the first herein above mentioned Plat (45/119), having a Maryland State Grid Coordinate NAD83/91, as now surveyed of North 606706.12 and East 1455730.47 and being measured reversely, 313.50 feet from the end of the line now being described, in all, 783.31 feet to the place of beginning.

Containing 14.678 acres of land more or less

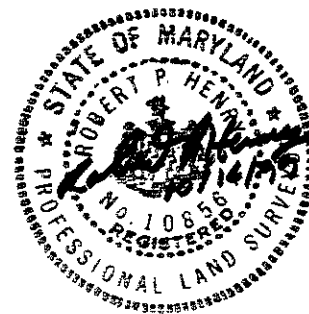
Being part of the First and Second and all of the Third Parcels of Land described in a Deed dated April 30, 1958, between Strawman Inc. and William J. Diegel et ux, recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. 3346 folio 134.

Subject to the following:

1) Right of Way Agreement dated, May 26, 1930, between William M. Diegel et ux and Consolidated Gas, Electric, Light and Power Company of Baltimore, recorded among the Land Records of Baltimore County, Maryland in Liber L.McL.M. 850 folio 279.

2) Deed dated January 8, 1951, between Mary Diegel and Consolidated Gas, Electric, Light and Power Company of Baltimore, recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. 1925 folio 121.

3) Deed of Right of Way dated, February 5, 1958, between William J. Diegel et al and Baltimore Gas and Electric Company, recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. 3307 folio 479.



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ACCOUNT

4/7/00

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FROM: _____

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DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

00-425-5PH

CASHIER'S VALIDATION

1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

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1. **Introduction**
 2. **Methodology**
 3. **Results**
 4. **Discussion**
 5. **Conclusion**

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Category	Sub-category	Percentage
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	General	100%
	General	100%
	General	100%
General	General	100%
	General	100%
	General	100%
	General	100%

Figure 1

2000

—

THE UNIVERSITY OF CHICAGO

CERTIFICATE OF POSTING

**RE: CASE # 00-425-SPH
PETITIONER/DEVELOPER
(Merritt GR-2 LLC)
DATE OF Closing
(5-1-00)**

**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
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

8551 Philadelphia Road Baltimore, Maryland 21237_____

THE SIGN(S) WERE POSTED ON_____ 4-14-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

_____ 410-687-8405 _____
(TELEPHONE NUMBER)

ZONING NOTICE

ADMINISTRATIVE

Special Hearing

CASE # CD-425-SPH

*8531 Philadelphia Road, Philadelphia, PA 19131
Special Hearing is before the Board
of City Planning, Historic Districts*

PUBLIC HEARING ?

PRESENT TO BOARD OF CITY PLANNING, HISTORIC DISTRICTS
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
A ZONING MATTER. THE HEARING MUST
BE DONE IN THE ZONING OFFICE BEFORE
THE BOARD OF CITY PLANNING, HISTORIC DISTRICTS
ON MONDAY, SEPTEMBER 18, 1984.
ADDITIONAL INFORMATION IS AVAILABLE AT
THE ZONING OFFICE, 8531 PHILADELPHIA
ROAD, PHILADELPHIA, PA 19131.
CALL 467-3381 FOR MORE INFORMATION.

Posted at 8531 Philadelphia Rd.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 425 -A Address 8551 PHILADELPHIA RD
Contact Person: CLYDE T. MOXLEY Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 4/7/00 Posting Date: 4/16/00 Closing Date: 5/1/00

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (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 ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 00- 425 -A Address 8551 PHILADELPHIA RD
Petitioner's Name MERRITT GRZ LLC Telephone 410 298 2600
SCOTT DORSEY
Posting Date: _____ Closing Date: _____
Wording for Sign: To ~~Permit~~ APPROVE THE RAZING OF THE
EXISTING HISTORIC DWELLING.

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

Staff Sergeant Robert A. Black
1508 Leslie Road
Dundalk, MD 21222

Telephone: 410-282-7940
Cell: 410-499-7940
Pager: 410-373-9662
Work: 410-288-3284

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 11/17/99

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: 00-425-SPH
Petitioner: MERRITT GRZ, LLC
Address or Location: 8551 PHILADELPHIA ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA W. ORMORD, LEGAL ASSISTANT
Address: VENABLE, BAETJER & HOWARD, LLP
210 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
Telephone Number: 410-494-6201

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

April 28, 2000

Attorney Robert A. Hoffman
Venable, Baetjer, & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Attorney Hoffman:

RE: Case Number 00-425-SPH , 8551 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 7, 2000.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Baltimore County
Fire Department

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

April 18, 2000

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

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF **APRIL 17, 2000**

Item No.: See Below

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.

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

411, 412, 413, 414, 417, 418, 419, 420, 422, 425, 426, and 427

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

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: May 12, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of April 17, 2000

RECEIVED MAY 24 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
411	23 Mansez Drive
412	7046 Eastern Avenue
413	1633 Freeland Road
414	528 Church Road
415	3607 East Joppa Road
417	8204 Rider Avenue
419	12 Hunter Horn Court
420	13411 Fork Road
421	East Joppa Road
422	2802 Tennessee Avenue
424	8511 Liberty Road
425	8551 Philadelphia Road
426	419 Samantha Court
427	9011 Moonstone Road

AN
5/1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 17, 2000

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

SUBJECT: No. 9551 Philadelphia Road

MAY 18

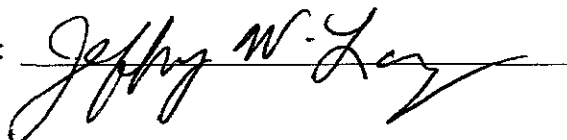
INFORMATION

Item Number: 00-425-SPH
Petitioner: Rob Hoffman (legal representative)
Zoning: BL/DR16/ML-IM
Requested Action: Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

The "Diegel House" is listed on the Maryland Historic Trust (MHT) Inventory as MHT # BA 2095.

At their meeting on May 11, 2000, the Landmarks Preservation Commission (LPC) unanimously agreed not to oppose the issuance of a waiver for the demolition of this structure. Additionally, the LPC unanimously agreed that if a waiver from Sec. 26-278 is granted, that the demolition be conditioned on the submittal of "HABS II" level of photographic documentation as approved by the County Historian.

Section Chief: 
AFK:KA:rlh



**Maryland Department of Transportation
State Highway Administration**

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

April 17, 2000

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

RE: Baltimore County
Item No. 425 (LTM)
MD 7 @ Golden Ring Rd.
Mile Post 2.25

Dear Ms Jackson:

We have reviewed the referenced item and have no objection to approval. However, we will require the owner/developer to obtain an access permit through our office and as a minimum the following roadway improvements will be conditioned to the permit:

- Highway widening dedication of an ultimate 80' right-of-way, 40' from centerline of existing roadway.
- 24' auxiliary lane widening, from property corner to property corner, including standard 8" combination curb, gutter and sidewalk.
- A hydraulics analysis will be required.

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

Very truly yours,

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

LG

My telephone number is _____

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

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

RE: PETITION FOR SPECIAL HEARING
8551 Philadelphia Road, SE/S Philadelphia Rd
at intersection Phila Rd & Golden Ring Rd
15th Election District, 6th Councilmanic

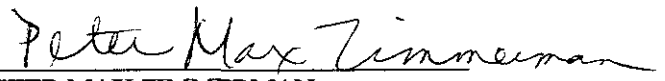
Legal Owner: Merritt GR2, LLC
Petitioner(s)

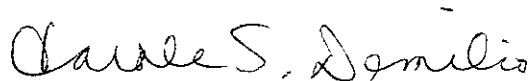
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-425-SPH

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


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 26th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-425-SPH

Date Completed/Initials

4/27/00 SCJ

N/A

N/A

N/A

4/27/00 SCJ

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

00-425-SPH

**BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE**

DATE: April 14, 2000

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

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

SUBJECT: Item No.: 00-425-SPH
Legal Owner/Petitioner: William J & Anna Diegel
Contract Purchaser: n/a
Property Address: 8551 Philadelphia Rd., Balto, MD 21237
Location Description: SW cor. Golden Ring Rd.

VIOLATION INFORMATION: Case No.: ~~97-2466~~
Defendants: William J & Anna Diegel

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
John Cerreta	8203 Analee Ave., Balto. MD 21237

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☐ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☒ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/mc
cc: Gary Hucik, Code Enforcement Officer

CODE ENFORCEMENT AND INSPECTION
COMPLAINT INTAKE FORM

COMPLAINT LOCATION 8551 Philadelphia
Road ZIP CODE 21237

COMPLAINANT:

NAME John Perreta
ADDRESS 8203 Analee Ave.
PHONE _____ ZIP CODE 21237

PROBLEM:

Collapsing accessory
shed.

CO-425-SFH

OWNER/TENANT
INFORMATION

ASSIGNMENT

INSPECTOR GH. ELECTION DISTRICT 14
DATE ASSIGNED 10/22
CASE NO. 98-3466

AS1001

DATE: 10/24/97

ASSESSMENT TAXPAYER SERVICE

TIME: 14:26:57

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HIST	DEL	FM DATE
15 04 330840	15	3-2	33-00	D	NO		08/27/9

DIEGEL WILLIAM J

DESC-1.. IMPS14.8802 AC

DIEGEL ANNA

DESC-2.. SW COR GOLDEN RING

8551 PHILADELPHIA RD

PREMISE. 08551 PHILADELPHIA

RD

00000-0000

BALTIMORE

MD 21237-3014 FORMER OWNER: AG USE 83-84

-----FCV-----		-----TRANSFER DATA-----		---PROPERTY ID---	
	PRIOR	PROPOSED	NUMBER.....	67499	LOT.....
LAND:	42,240	40,620	DATE.....	00/00/00	BLOCK....
IMPV:	4,490	4,850	PURCHASE PRICE..	0	SECTION..
TOTL:	46,730	45,470	GROUND RENT.....	0	PLAT.....
PREF:	2,240	620	DEED REF LIBR..	00000	BOOK..... 0000
CUR:	44,490	44,850	DEED REF FOLIO..		FOLIO.... 0000
DATE:	11/93	10/96	YEAR BUILT.....		MAP..... 0089
			NEW CONSTR YR...		GRID..... 0012
					PARCEL... 0027
TAXABLE BASIS					
98/99	18,250	LOT WIDTH..	.00	SB 85	300.00
97/98	18,250	LOT DEPTH..	.00	WB 43	.00
96/97	18,910	LAND AREA..	14.880 A	SS	.00
ENTER-INQUIRY1 PA1-PRINT PF4-MENU PFS-QUIT				WD	46.63



Baltimore County
Department of Permits and
Development Management

Code Inspection & Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension 0282
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No.
106985

Case No.:
97-3466

Election District 14 Permit No. _____

Name (s) William J Diegel / Anna Diegel

Address 8551 Philadelphia Rd 21237

Location of Violation (if different than address) SAME

Vehicle License No.: _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

<u>County Code:</u>	<u>Zoning Regulations:</u>
§§ _____	§§ _____
§§ _____	§§ _____
<u>Building Code (BOCA):</u>	<u>Livability Code (18-66):</u>
§§ _____	§§ _____
§§ _____	§§ _____
<u>Investment Property Act (7-66):</u>	<u>Electrical Code (NEC):</u>
§§ _____	§§ _____
<u>Plumbing Code (NSPC):</u>	<u>Dwelling (CABO):</u>
§§ _____	§§ _____
Other: §§ _____	

COMMENTS OR OTHER VIOLATIONS:

Raze or repair out house.
Raze or repaired accessory sheds
(Unsafe structure)
Clean all trash and debris.
(All wood, lumber, containers, carpet,
metals, plastic, and all other forms of debris)

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
1/3/98 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 12/1/97 INSPECTOR: E. Hucik

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER
PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE
INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: _____
DATE ISSUED: _____ INSPECTOR: _____

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE.
PLEASE READ CAREFULLY.

AGENCY _____

INITIAL INSPECTION

DATE

10/23/97

TIME

CASE NO.

Inspect property found necessary shed
on side of the house leaning & fill
with all forms of junk. Unsafe structure

Pop up 1/3/98

RE-INSPECTION

DATE

12/5/97

TIME

10:30

Spoke with a Mr. John Diegel about the property
he is working presently on two other home and
will contact on the future progress on this property.

Spoke 12/18/97 John gave him the name of
complainant by phone because file was not to be read
at time came to read his file.

RE-INSPECTION

DATE

1/1/98

TIME

Extended until 2/5/98

Spoke with Mr. Diegel the man making corrections
he has built a new shed clean up most of the debris.
Came in 1/26/98 to see the file.

RE-INSPECTION

DATE

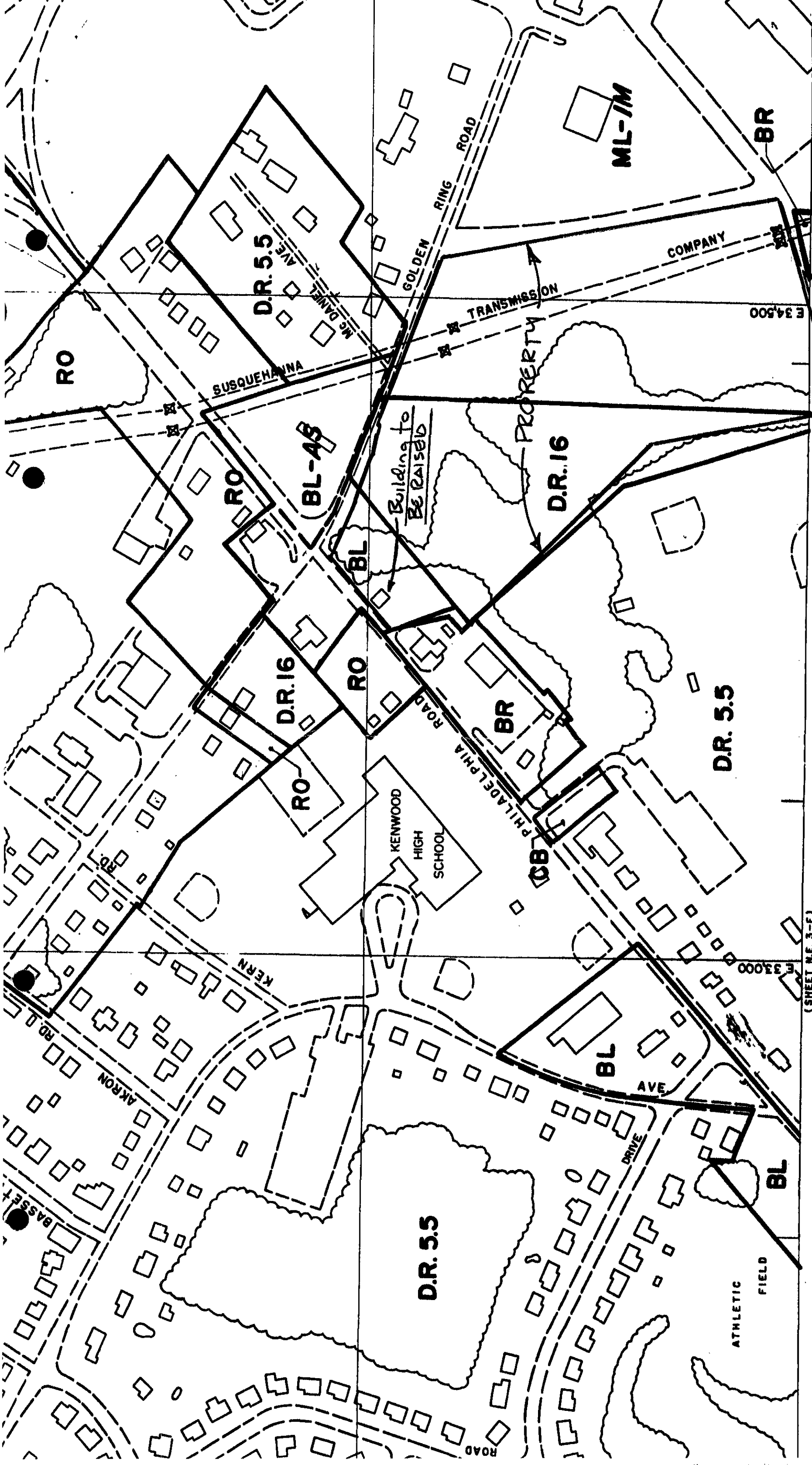
1/1/98

TIME

corrections made
CASE CLOSED 2/23/98

15-04-350840

2-26-99 RUSS MIRABILI CAME IN TO
REVIEW FILE



SCALE 1" = 200' ±	DATE OF PHOTOGRAPHY
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Scale: 1" = 200'

Part of Balt. Co. Zoning.

MAP NE 4-F # 425

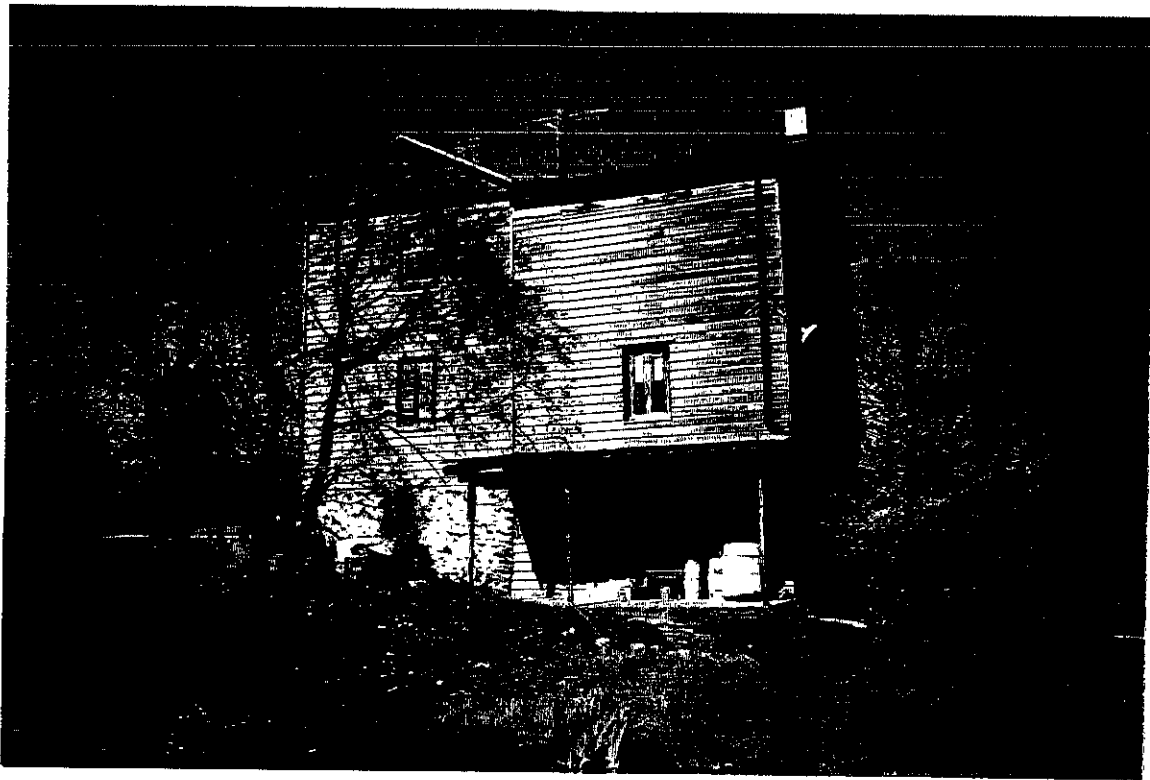
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

OFFICIAL ZONING MAP D-425-SPH

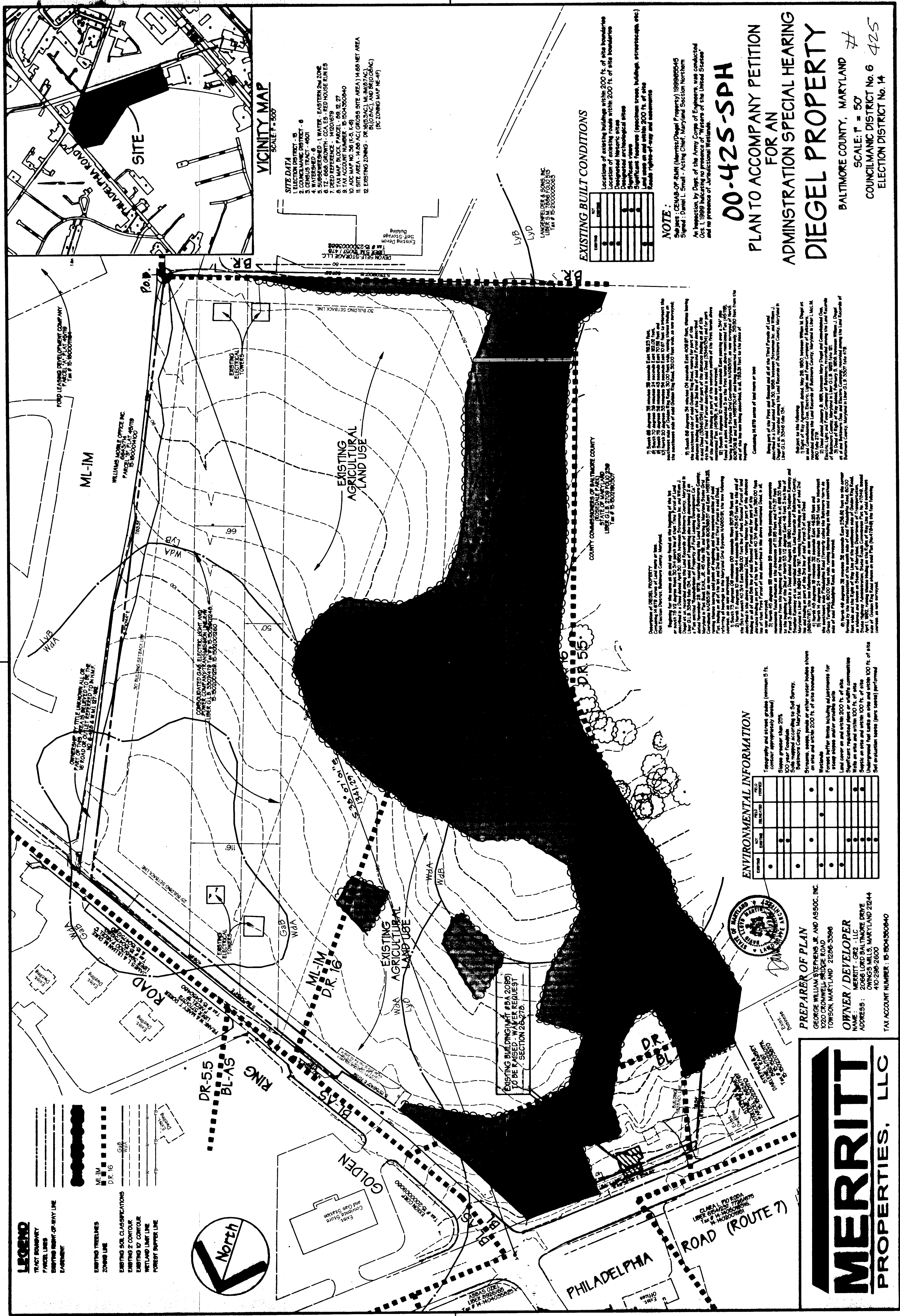
(SHEET N.E. 3-F)



00-425-SPH



00-425-5PH



PREPARER OF PLAN

GEORGE WILLIAM STEPHENS JR. AND ASSOC., INC.

1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-5396

CHALLENGE / DEFICTION

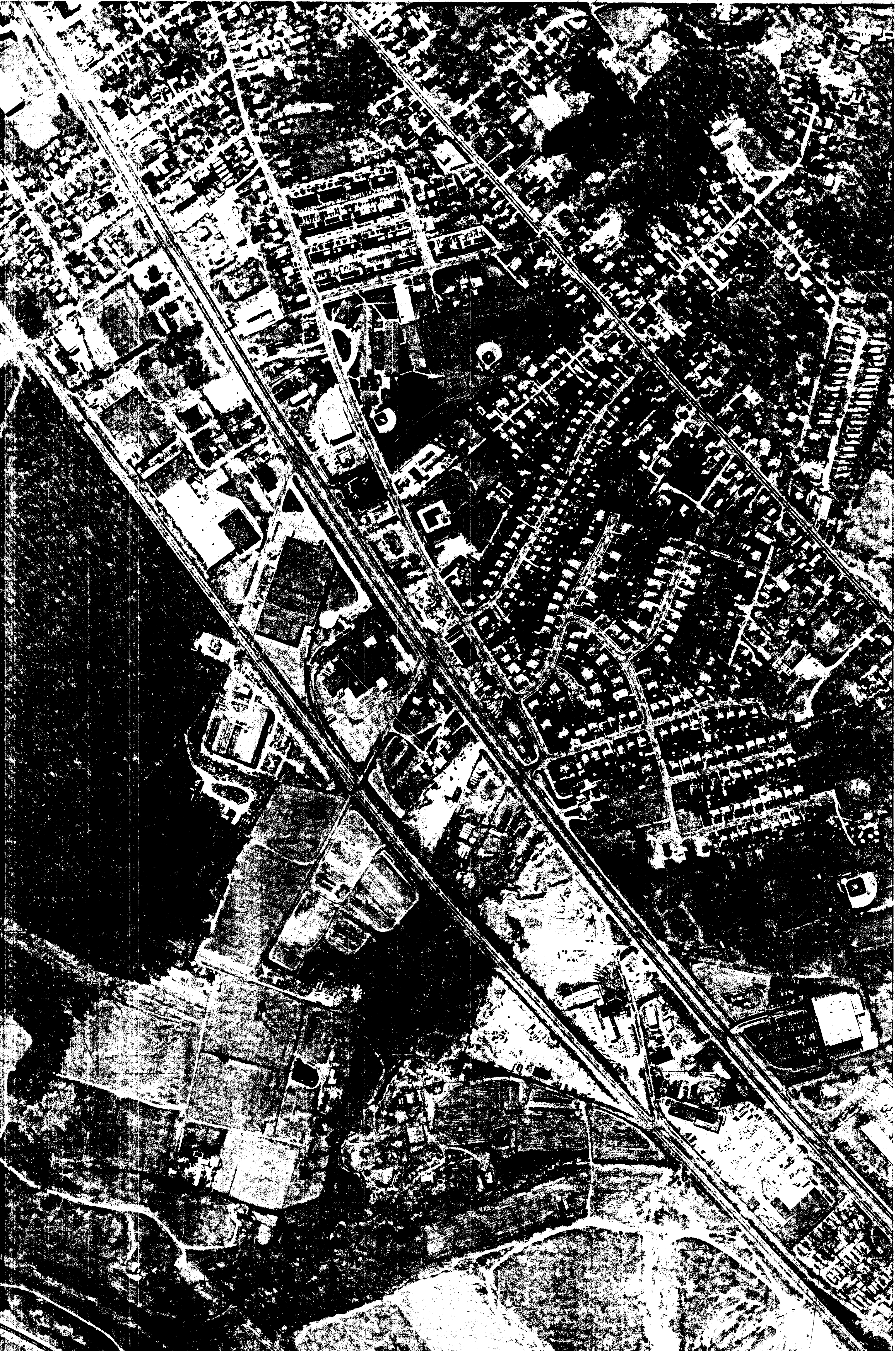
NAME: MERRITT - GR2 - LLC

ADDRESS: 2066 LORD BALTIMORE DRIVE
OWINGS MILLS MARYLAND 21244

**CHINO'S MILLS, MARKET
410-296-2600**

TAX ACCOUNT NUMBER : 15-1504380840

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	ROSEDALE	N.E. 3-F
DATE OF PHOTOGRAPHY JANUARY 1986	#425	



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MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	ROSSVILLE GOLDEN RING AREA	N.E. 4-F
DATE OF PHOTOGRAPHY JANUARY 1986	#425	