IN RE: PETITION FOR SPECIAL HEARING
N/S Lodge Road, 795' SW
of Northwind Road
11th Election District
6th Councilmanic District
(10002 & 10002A Lodge Road)

Bryan & Sharon Ortman Petitioners

- BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 01-250-SPH

\* \* \* \* \* \* \* \*

\*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Bryan and Sharon Ortman. The special hearing request is for property located at 10002 & 10002A Lodge Road. The subject property is split-zoned DR 2 and DR 3.5. The special hearing request is from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve the development of a lot that is split-zoned DR 2 and DR 3.5, whereby the DR 2 portion of the lot contains less than 20,000 sq. ft.

Appearing at the hearing on behalf of the special hearing request were Brian Ortman, owner of the property and Dwight Little, the professional engineer who prepared the site plan. Appearing in opposition to the Petitioners' request were several residents of the surrounding neighborhood, namely Douglas Turnbaugh, Lea and Lindy Carl, Le Anne Ceraki, Leonard House, Jr. and Gina Ross.

Testimony and evidence indicated that the property which is the subject of this special hearing request consists of 0.6238 acres, more or less and is split-zoned DR 2 and DR 3.5. The Petitioners are proposing to subdivide the parcel into two separate single-family residential lots. The particulars of the development are shown on Petitioners' Exhibit No. 1, the site plan submitted at the hearing.

Williams & Service of Service of

The overall density of the property, considering its acreage and split-zoning, yields two houses. However, the house to be constructed on Lot #1 is located on the DR 2 portion of the property, which fails to meet the minimum lot size of 20,000 sq. ft. However, when utilizing the rear portion of the lot, given its DR 3.5 zoning, the Petitioner does have a right to build a house on that lot. However, as with all density anomaly cases, the special hearing request is necessary in order to proceed with the construction of a house.

Testimony further revealed that Mr. Ortman has owned the subject property for the past 25 years. The property has always been vacant and Mr. Ortman originally intended to construct a home for himself on the property. However, his desire to construct his own home on the property has changed and he now intends to subdivide the property as shown on the site plan.

Appearing in opposition to the Petitioners' request were several residents of the surrounding neighborhood. Also opposing the request was the adjacent property owner, "The Chimes Incorporated", who was represented by Mr. Douglas Turnbaugh. Mr. Turnbaugh and others in attendance are concerned over the boundary lines of the subject property. There apparently is a property line dispute relating to the property which is the subject of this special hearing relief and the adjacent property owners, those being The Chimes and Leonard and Zelma House. As was discussed at the hearing before me, I indicated to those in attendance that I am unable to resolve the property line dispute which was brought to my attention. The parties would have to file an appropriate action before the Circuit Court for Baltimore County in order to resolve their dispute as to title. My authority is limited to the appropriateness of the subdivision of this parcel of property into two separate lots.

As to the special hearing request, I find that there does in fact exist a sufficient amount of density in order to allow the Petitioners to subdivide the property into two separate lots. Therefore, I believe it is appropriate to grant the special hearing relief.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, I believe that the special hearing request should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 33 day of February, 2001, that the Petitioners' Request for Special Hearing from Section 500.7 of the B.C.Z.R., to approve the development of a lot that is split-zoned DR 2 and DR 3.5, whereby the DR 2 portion of the lot contains less than 20,000 sq. ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

IN THE MATTER OF

THE APPLICATION OF

SHARON & BRYAN ORTMAN – Legal Owner\_\*
FOR A SPECIAL HEARING ON PROPERTY

LOCATED ON THE N/S LODGE ROAD, 795' \*

SW OF NORTHWIND ROAD

(10002 & 10002A LODGE ROAD)

11<sup>TH</sup> ELECTION DISTRICT

6<sup>TH</sup> COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

**BALTIMORE COUNTY** 

CASE NO. 01-250-SPH

#### ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Cecil S. Fox, Chief Operating Officer, The Chimes, from a decision of the Deputy Zoning Commissioner dated February 23, 2001 in which the requested Petition for Special Hearing filed by Sharon & Bryan Ortman, Legal Owners, was approved.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed October 18,2001 by Cecil S. Fox, Chief Operating Officer, The Chimes, Appellant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of October 18, 2001,

IT IS ORDERED this 25th day of October, 2001 by the County Board of Appeals of Baltimore County that the appeal taken in Case No. 01-250-SPH be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Lawrence S. Wescott, Chairman

MelissalMoyer Adams

C. Lynn Barranger



## County Board of Appeals of Baltimore County

### OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

October 25, 2001

Cecil S. Fox Chief Operating Officer The Chimes 4815 Seton Drive Baltimore, MD 21215

RE: In the Matter of: Sharon & Bryan Ortman
-Legal Owners /Case No. 01-250-SPH

Dear Mr. Fox:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

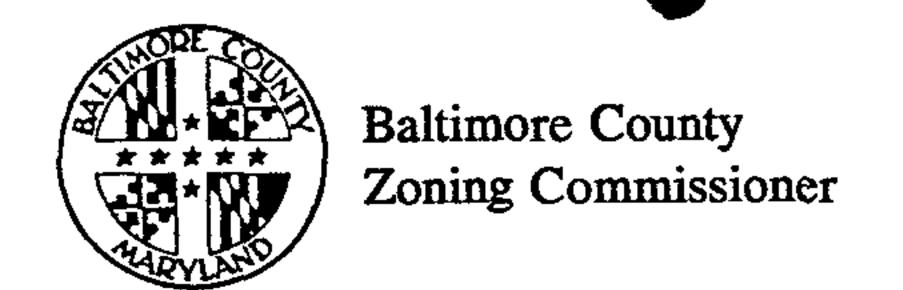
Kathleen C. Bianco

Administrator

#### Enclosure

c: Sharon & Bryan Ortman
Dwight Little /W. Duvall & Associates
Douglas Turnbaugh
LeAnne Ceraki
Lindy Carl
Leonard House, Jr.
Gina Ross
Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner

Arnold Jablon, Director /PDM



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

Fax: 410-887-3468

February 23, 2001

Mr. & Mrs. Bryan Ortman 9822 Magledt Road Baltimore, Maryland 21234

Re: Petition for Special Hearing

Case No. 01-250-SPH

Property: 10002 & 10002A Lodge Road

Dear Mr. & Mrs. Ortman:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the 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,

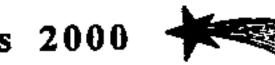
Muthy Hotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure











### Copies to:

Dwight Little W. Duvall & Associates, Inc. 530 E. Joppa Road Towson, MD 21286

Mr. Douglas Turnbaugh 4815 Seton Drive Baltimore, MD 21215

Ms. Lea Carl Ms. Lindy Carl 10006 Lodge Road Baltimore, MD 21234

LeAnne Ceraki 14 W. Orange Road Baltimore, MD 21234

Mr. Leonard House, Jr. 10004 Lodge Road Baltimore, MD 21234

Ms. Gina Ross 10017 Nearbrook Lane Baltimore, MD 21234



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REU 9|15|98

Case No. 01-250-3PH

# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10002 & 10002A Lodge Road which is presently zoned DR -2 & DR -3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore and DR3,5 County, to determine whether or not the Zoning Commissioner should approve

A special hearing to determine the applicability of section 1B02.3 C. (small lot table) of the BCZR for the purposes of developing a DR-2 zon lot with a denisity anomoly (i.e. lot doesn't have 20,000 sf in DR-2 zone)

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:		<u>Legal Owner(s):</u>	
Name - Type or Print	<u>-, </u>	Bryan Ortman Name Type of Print	_ <del>_</del>
		In ICh	
Signature	·——-—-	Sharon Or/man	
Address	Telephone No.	Name - Type of Pyfot  MANN  Manne  Type of Pyfot  Manne  Type of Pyfot  Type of P	
City	Zip Code	Signature	
Attorney For Petitioner:		9822A Magiedt Road 410-665-0461	_
		Address Baltimore, Maryland 21234	э. 
Name - Type or Print	<u> </u>	City State Zip Code	9
		Representative to be Contacted:	
Signature		Chuck Merritt	
		c/o W. Duvall & Associates, Inc.	
Company		Name 530 E. Joppa Road 410-583-9571	
	Telephone No.	530 E. Joppa Road 410-583-9571 Address Telephone No.	<del></del>
Address	reiophono rro.	Towson, Maryland 21286	
City	Zip Code	City State Zip Code	<del>-</del>
		OFFICE USE ONLY	
Case No. 01-250-5PH		ESTIMATED LENGTH OF HEARING	
197-07 C-10 NO 020-1PN		UNAVAILABLE FOR HEARING	

Reviewed By

### W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



530 East Joppa Road Towson, Maryland 21286 Telephone: (410) 583-9571 Fax: (410) 583-1513

December 11, 2000

### ZONING DESCRIPTION FOR ORTMAN PROPERTY

Beginning at a point on the north side of Lodge Road, 40 feet wide at the distance of 795 feet Southwesterly from the centerline of the nearest improved intersecting street, Northwind Road which is 60 feet wide; thence 1) North 84 degrees 57 minutes 35 seconds West 309.57 feet; thence 2) South 50 degrees 19 minutes 45 seconds West 95.00 feet; thence 3) S 75 degrees 00 minutes 15 seconds East 243.73 feet; thence 4) by a curve to the right with a radius of 45 feet and an arc length of 50.07 feet; thence 5) by a curve to the left with a radius of 30 feet and an arc length of 24.28 feet; thence 6) North 49 degrees 35 minutes 25 seconds East 106.06 feet to the place of begining. Also being known as lot 2 of Northwind Valley Lodge as recorded in Baltimore County Plat Book No 18 folio 72 containing 0.6238 acres.

Located in the 11<sup>th</sup> Election District, 6<sup>th</sup> Councilmanic District.

Livit at Montagen

The Zenne County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson.

Maryland on the property identified herein as follows:

10002 & 10002A Lodge Rd.

N/S Lodge Road, 795' SW of Northwind Road 11th Election District 6th Councilmanic District Legal Owner(s): Sharon &

Bryan Ortman

Special Hearing: to determine the applicability of small lot table of the Baltimore County Zaning Desired more County Zoning Regu-lations for the purposes of developing a D.R.2 and D.R.3.5 zone lot with a den-

sity anomaly.

Hearing: Wednesday,

January 31, 2001 at 9:00

a.m. in Room 407, County

Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County NOTES: (1) Hearings are

Handicapped Accessible; for special accommodations Please Contact the Zoning

Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/1/702 Jan 16 C444747

## CERTIFICATE OF PUBLICATION

TOWSON, MD,
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published in
Towson, Baltimore County, Md., once in each ofsuccessive
Towson, Baltimore County, Md., once in each of
THE JEFFERSONIAN,
J. Miller Son
EO.A. ADVERTISING

. Chimes, Inc.

Vendor: BAL550

Check No: 26143

03/14/01

**Baltimore County, Maryland** 

Document No.

Date

Description

Amount

Discount Net Amount

031401

03/14/01

Lodge-Fee

210.00

0.00

210.00

Total 210.00

BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	90131
DATE ACCOUNT ACCOUNT (-0)'-6/5	0
* 100,00 AMOUNT \$ 100,00	
RECEIVED 11. Dunal CASSOCIOS JMC.	T A STEPPORT IN THE T
FOR: Secial Heaving - Desity Praise	
01-250-SPH	·
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	

biling omi, anlad

CASHIER'S VALIDATION

RE Case No. 01-550-5PH

Petitioner/Developer: ORTMAN ETAL

% W- DUVALL

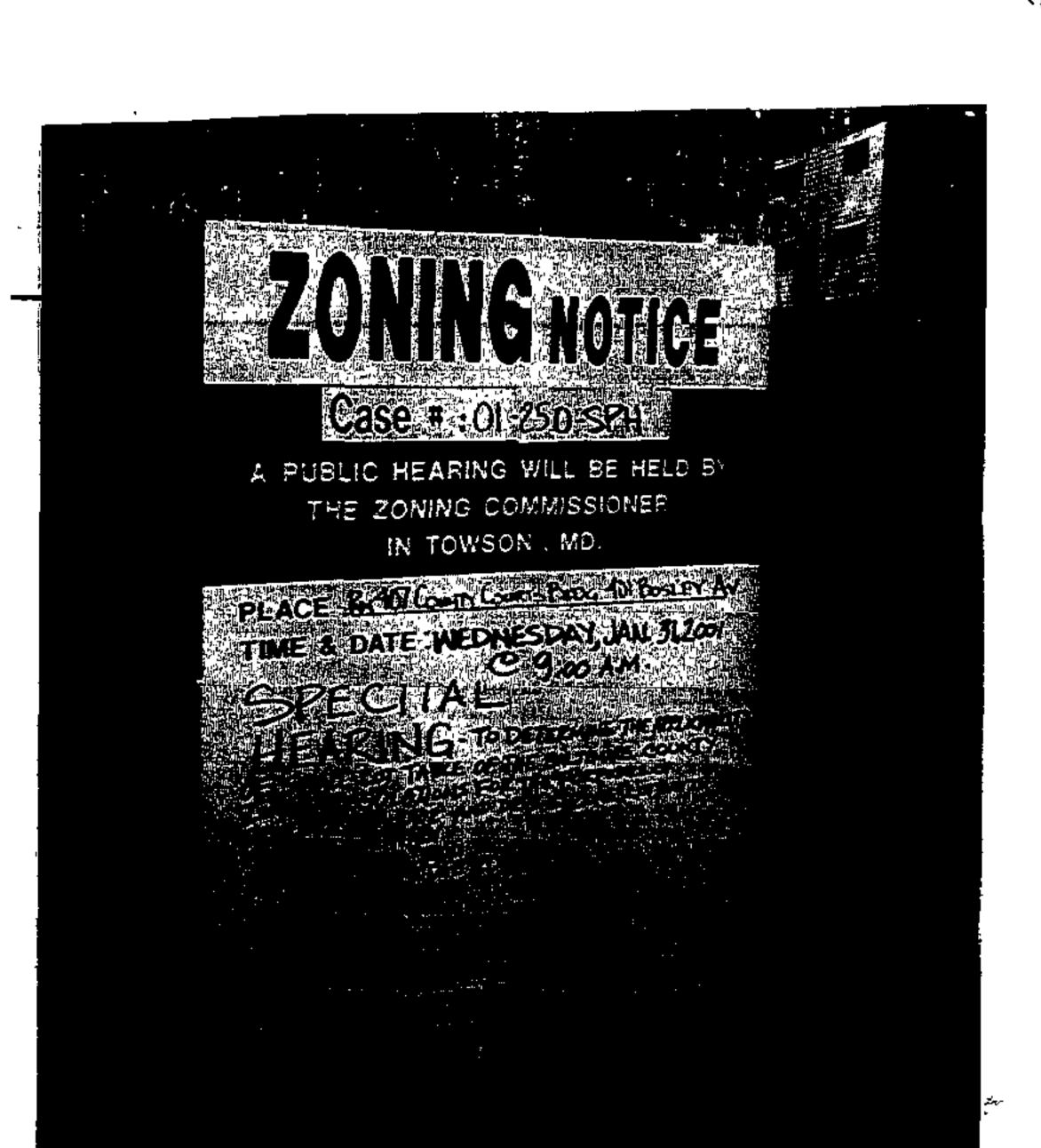
Date of Hearing/Closing: 13/0/

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.

The sign(s) were posted on \_\_\_\_\_\_\_ (Month, Day, Year)



Sineerely,

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

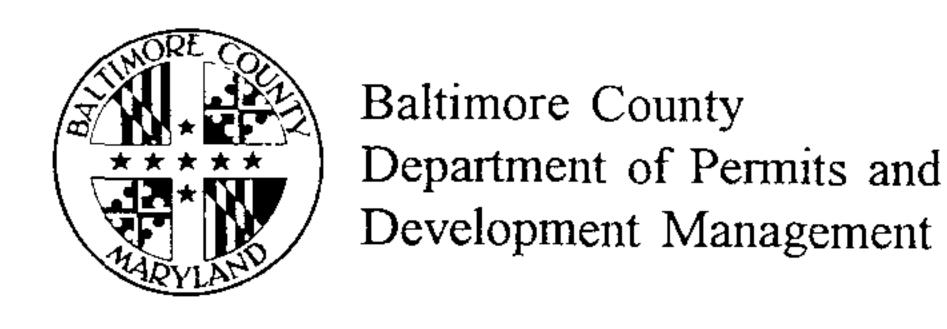
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366; CELL-410-905-8571

(Telephone Number)



Director's Office County Office Building 111 West Chesapeake Avenue Towspn, Maryland 21204 410-887-3353

Fax: 410-887-5708

December 22, 2000

### **NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-250-SPH 10002 & 10002A Lodge Road N/S Lodge Road, 795' SW of Northwind Road 11<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District Legal Owners: Sharon & Bryan Ortman

<u>Special Hearing</u> to determine the applicability of small lot table of the Baltimore County Zoning Regulations for the purposes of developing a D.R.2 and D.R.3.5 zone lot with a density anomaly.

HEARING: Wednesday, January 31, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Sell Jalle

Arnold Jablon Director

C: Sharon & Bryan Ortman, 9822A Magledt Road, Baltimore 21234 Chuck Merritt, W. Duvall & Associates, Inc., 530 E. Joppa Road, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY JANUARY 15, 2001.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 16, 2001 Issue – Jeffersonian

Please forward billing to:

Bryan Ortman 9822A Magledt Road Baltimore, MD 21234

410 665-0461

### **NOTICE OF ZONING HEARING**

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CASE NUMBER: 01-250-SPH 10002 & 10002A Lodge Road

N/S Lodge Road, 795' SW of Northwind Road 11<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Sharon & Bryan Ortman

Special Hearing to determine the applicability of small lot table of the Baltimore County Zoning Regulations for the purposes of developing a D.R.2 and D.R.3.5 zone lot with a density anomaly.

HEARING: Wednesday, January 31, 2001 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

602

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

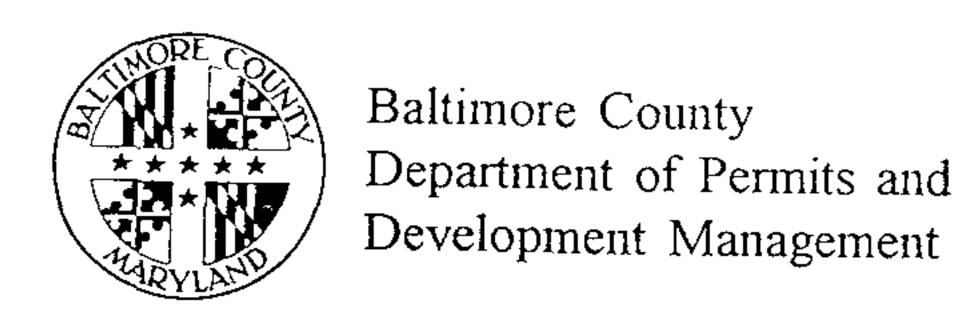
### <u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

The <u>Baltimore County Zoning Regulations</u> (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: 01-250-5PH		
Petitioner: <u>Bryan Ortman</u>		
Address or Location: 10002 Lodge Road		
PLEASE FORWARD ADVERTISING BILL TO:		
Name: Bryan Ortman		
Address: 9822A Magledt Road		
Baltimore, Maryland 21234		
Telephone Number: 410-665-0461		



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

January 26, 2001

Sharon & Bryan Ortman 9822A Magledt Road Baltimore MD 21234

Dear Mr. & Mrs. Ortman:

RE: Case Number: 01-250-SPH, 10002 & 10002A Lodge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 18, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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,

W. Carl Richards, Jr. GDZ

Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Chuck Merritt, W Duvall & Associates Inc, 530 E Joppa Road, Towson 21286 People's Counsel

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 3, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-247 and 01-250.

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Maelc A Con

AFK/JL:MAC



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

December 27, 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 December 26, 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:

231, 233, 234, 235, 236, 237, 238, 240, 241, 243, 244, 245, 246, 247, 249, and 250

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

cc: File



Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.3.01

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

RE: Baltimore County

Item No. 250 . JNP

Dear. Ms. Jackson:

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

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

Very truly yours.

Konneth A. McDonald Jr., Chiet Engineering Access Permits Division

J. J. Holl

My telephone number is \_\_\_\_\_\_

## BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley Ac/RBS

DATE:

January 18, 2001

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of December 26, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
231	8100 Salt Lake Drive
233	1305 Lincoln Woods Drive
234	3 Arrowhead Court
235	1223 Lake Falls Road
238	Oak Grove Parcel B
239	Crondall Corner
241	10 McCormick Avenue
242	1324 & 1325 Chippendale Road
243	Pikesville Giant
244	4800 Mt. Carmel Road
245	6 Aston Court
246	3700 Essex Road
247	7163 E. Baltimore Street
248	113 Westminster Road
250	10002 & 10002A Lodge Road

## BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** January 18, 2001

Department of Permits & Development Mgmt.

FROM:

R bert W. Bowling, Supervisor ureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting For January 2, 2001

Item Nos. 233, 234, 235, 236, 238, 239, 240, 241, 244, 246, 247, 248, 249, and 250

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

RWB:HJO:Jrb

cc: File

Jun 1/31

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 3, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

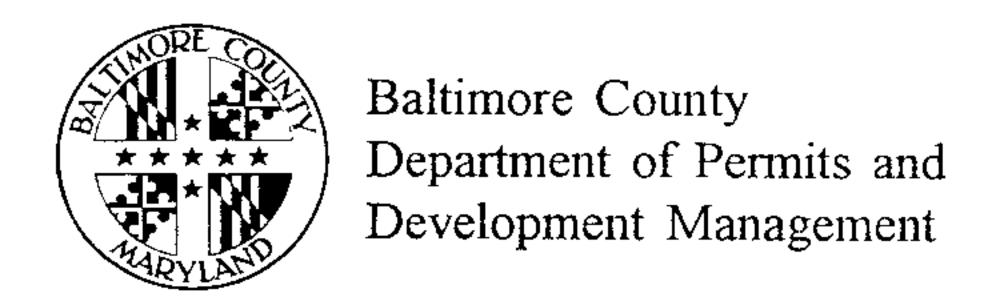
SUBJECT: Zoning Advisory Petition(s): Case(s) 01-247 and 01-250.

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Maek A Chrindian

JAN - 3

AFK/JL:MAC



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

March 19, 2001

Sharon & Bryan Ortman 9822A Magledt Road Baltimore MD 21234

Dear Mr. & Mrs. Ortman:

RE: Case No. 01-250-SPH, Address 10002 & 10002A Lodge Road

Please be advised that an appeal of the above-referenced case was filed in this office on March 19, 2001 by Cecil S. Fox, Chief Operating Officer, The Chimes. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Arnold Jablon

Director

AJ: gdz

c: Dwight Little, c/o W. Duvall & Associates Inc, 530 E Joppa Road, Towson 21286 Douglas Turnbaugh, 4815 Seton Drive, Baltimore 21215 Lea Carl, 10006 Lodge Road, Baltimore 21234 LeAnne Ceraki, 1410 Orange Court, Baltimore 21234 Lindy Carl, 10004 Lodge Road, Baltimore 21234 Leonard House Jr, 10004 Lodge Road, Baltimore 21234 Gina Ross, 10017 Nearbrook Lane, Baltimore 21234 People's Counsel

### APPEAL

Petition for Special Hearing
10002 & 10002A Lodge Road
N/S Lodge Road, 795' SW of Northwind Road
11<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District
Sharon & Bryan Ortman- Legal Owner
Case No.01-250-SPH:

Petition for Special Hearing (filed 12/118/00)

Zoning Description of Property

Notice of Zoning Hearing (dated 12/22/00)

Certification of Publication (The Jeffersonian issue 1/16/01)

Certificate of Posting (1/12/01 posted Patrick M. O'Keefe)

Entry of Appearance by People's Counsel (12/28/00)

Petitioner(s) Sign-In Sheet

Protestant(s) Sign-In Sheet

Citizen(s) Sign-In Sheet (none available)

Zoning Advisory Committee Comments

Petitioners' Exhibits:

1. Plan To Accompany Special Hearing Ortman Property (dated 8/2/00)

Protestants' Exhibits: (none available)

Miscellaneous (Not Marked as Exhibits):

Baltimore County Office of Planning & Zoning Official Zoning Map (scale 1" – 200')

Deputy Zoning Commissioner's Order dated 2/23/01 - (Granted)

Notice of Appeal received on 3/19/01 from Cecil S. Fox, Chief Operating Officer, The Chimes

c: Sharon & Bryan Ortman, 9822A Magledt Road, Baltimore 21234
Dwight Little, c/o W Duvall & Associates Inc, 530 E Joppa Road, Towson 21286
People's Counsel of Baltimore County, MS #2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

date sent 3/19/01

### W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



530 East Joppa Road Towson, Maryland 21286 Telephone: (410) 583-9571 Fax: (410) 583-1513

December 11, 2000

### ZONING DESCRIPTION FOR ORTMAN PROPERTY

Beginning at a point on the north side of Lodge Road, 40 feet wide, at the distance of 795 feet Southwesterly from the centerline of the nearest improved intersecting street, Northwind Road which is 60 feet wide; thence 1) North 84 degrees 57 minutes 35 seconds West 309.57 feet; thence 2) South 50 degrees 19 minutes 45 seconds West 95.00 feet; thence 3) S 75 degrees 00 minutes 15 seconds East 243.73 feet; thence 4) by a curve to the right with a radius of 45 feet and an arc length of 50.07 feet; thence 5) by a curve to the left with a radius of 30 feet and an arc length of 24.28 feet; thence 6) North 49 degrees 35 minutes 25 seconds East 106.06 feet to the place of begining. Also being known as lot 2 of Northwind Valley Lodge as recorded in Baltimore County Plat Book No 18 folio 72 containing 0.6238 acres.

Located in the 11<sup>th</sup> Election District, 6<sup>th</sup> Councilmanic District.

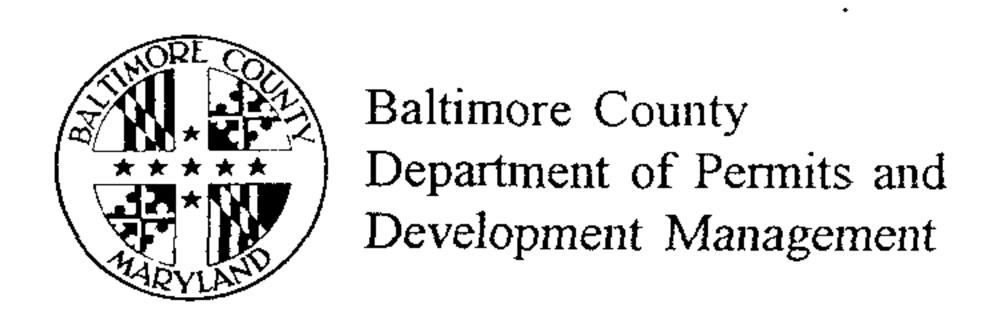
Howard Anhaen

Case	No	01.	-250	-SP	H
Case	INU.	OT.	~~~	-UI	ΤT

Sharon & Bryan Ortman – Legal Owners The Chimes - Appellant

2/23/01 -DZC Decision in which special hearing request was approvedl.

10/18/01- Letter submitted by Cecil S. Fox, Chief Operating Officer, The Chimes (Appellant /Protestant), withdrawing appeal filed in this case. Order of Dismissal to be issued.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

01 MAR

Fax: 410-887-5708

March 19, 2001

Sharon & Bryan Ortman 9822A Magledt Road Baltimore MD 21234

Dear Mr. & Mrs. Ortman:

RE: Case No. 01-250-SPH, Address 10002 & 10002A Lodge Road

Please be advised that an appeal of the above-referenced case was filed in this office on March 19, 2001 by Cecil S. Fox, Chief Operating Officer, The Chimes. materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Arnold Jabior

Director

AJ: gdz

c: Dwight Little, c/o W. Duvall & Associates Inc, 530 E Joppa Road, Towson 21286 Douglas Turnbaugh, 4815 Seton Drive, Baltimore 21215 Lea Carl, 10006 Lodge Road, Baltimore 21234 LeAnne Ceraki, 1410 Orange Court, Baltimore 21234 Lindy Carl, 10004 Lodge Road, Baltimore 21234 Leonard House Jr, 10004 Lodge Road, Baltimore 21234 Gina Ross, 10017 Nearbrook Lane, Baltimore 21234 People's Counsel

Printed with Soybean Ink on Recycled Paper

RE: PETITION FOR SPECIAL HEARING 10002 & 10002A Lodge Road, N/S Lodge Rd, 795' SW of Northwind Rd 11th Election District, 6th Councilmanic

Legal Owner: Bryan & Sharon Ortman Petitioner(s)

\* BEFORE THE

\* ZONING COMMISSIONER

\* FOR

\* BALTIMORE COUNTY

\* Case No. 01 250 SPT

\* \* \* \* \* \* \* \* \*

#### 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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Tarre S. Demilis

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 December, 2000 a copy of the foregoing Entry of Appearance was mailed to Chuck Merritt, W. Duvall & Assoc., Inc., 530 E. Joppa Road, Towson, MD 21286, representative for Petitioners.

PETER MAX ZIMMERMAN



October 16, 2001

Mr. Arnold Jablon
Director
Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon,

Please accept this letter as notification that the Chimes, Inc. is withdrawing its appeal regarding Case No. 01-250-SPH, 10002 and 10002A Lodge Road.

Sincerely,

THE CHIMES

Cecil S. Fox

Chief Operating Officer

cc:

Douglas Turnbaugh

Lea Carl

LeAnne Ceraki

Lindy Carl

Leonard House, Jr.

01-3541

ហ៊ា



March 5, 2001

Department of Permits and Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

RE: Petition for Special Hearing

Case No. 01-250-SPH

Property 10002 and 10002A Lodge Road

Department of Permits and Development Management

Please be advised that The Chimes is filing an appeal in response to the decision rendered on February 23<sup>rd</sup>, 2001 in regard to approving the development of a lot that is split-zoned DR2 and DR3.5.

Sincerely,

THE CHIMES

Cecil S. Fox

Chief Operating Officer

Cent SFox

cc: Ms.

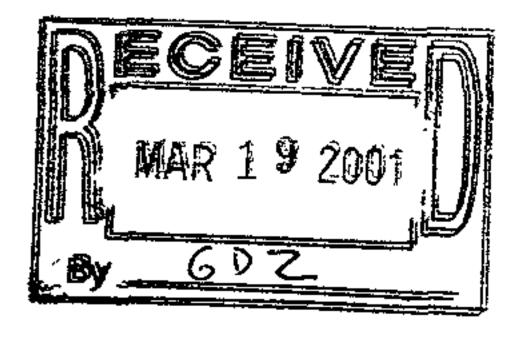
Ms. Lea Carl

Ms. Lindy Carl LeAnne Ceraki

Mr. Leonard House, Jr.

Dwight Little, W. Duvall & Associates, Inc.

Check enclosed



## Note to File

To: File

FROM: Joff Perlow, Planner II Zoning Review Office

RE: 10002 & 10002 A Lodge Road
(Density Anomoly)

If any questions arise about the appropriatness of this action, please contact Carl Richards, Zoning Review

Supervisor at 410-887-3391



NAME

### PROTESTANT(S) SIGN-IN SHEET

**ADDRESS** 

Doughs Turnbough Lea Park Helenne arki Lindy CARL Kormi House for GINA ROSS	4815 Schon Dr 21215  10006 Lodge Rd - 21234  14/11 Orlenge Cd 21234  10004 Lodge Roan 21234  10017 Nearbrook lane 2123





### PLEASE PRINT CLEARLY

### PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
	ADDRESS 530 E. Joppa R.A. TOWSON, MD ZIZBG 9822 MAGLED RA 21834
Duight Little	Towson, MD ZIZB6
Dwight Little Bryan Ortman	9822 MAGLED RA 21834
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