IN RE: PETITIONS FOR SPECIAL EXCEPTION \*

AND VARIANCE - SE/Corner Bay Avenue

and Riverside Avenue \* ZONING COMMISSIONER

(1355 Riverside Avenue)

15<sup>th</sup> Election District \* OF BALTIMORE COUNTY

5<sup>th</sup> Council District

\* Case No. 02-034-XA

BEFORE THE

Andrew Celmer, et ux

Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Andrew and Theresa Celmer, through their attorney, John B. Gontrum, Esquire. The Petitioners request a special exception for an outdoor recreation club, with parking requirements to be determined, pursuant to Section 1A05.2.D.8 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioners request a variance from Sections 409.8.A.2 and 409.8.A.6 of the B.C.Z.R. to permit grass areas for parking in lieu of the required durable and dust free, striped spaces. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Douglas and Judith Celmer, the Petitioners' son and daughter-in-law; Eugene F. Raphel, Professional Land Surveyor who prepared the site plan for this property; and, John B. Gontrum, Esquire, attorney for the Petitioners. A number of individuals appeared in support of the request, including Rosemary Matthews, James H. Moore, III, John Goodman, Patrice Brylski, Michael J. Marsiglia, and John P. Lagaz. Appearing as Protestants/interested persons in the matter were a number of residents from the surrounding community, including Leroy Sennett, a member of the Back River Neck Peninsula Community Association; Eric and Diane Mabe, R. R. Fuchs, Ethel Heise, Joe Riston, and Lucinda Meyers.

ORDER RECEIVED FOR FILING Date On behalf of the Petitioners, Mr. Raphel testified and presented the site plan marked as Petitioner's Exhibit 1. That plan shows that the property is a rectangularly shaped parcel located on the southeast corner of Riverside Avenue and Bay Avenue in Essex. The property is located across Riverside Avenue from Back River and thus, is within the Chesapeake Bay Critical Areas. The property contains approximately 12.0 acres in areas, zoned R.C.20, and is unimproved, but for an existing soccer field. There are site constraints associated with this property, including an area of wetlands and a 100-year floodplain as more particularly shown on the site plan. In this regard, Mr. Raphel indicated that his company had established the limits of the wetlands area and floodplain and the plan shows the appropriate buffers.

Mr. Douglas Celmer testified on behalf of his parents, Andrew and Theresa Celmer, Mr. Celmer indicated that he has been familiar with the property since approximately 1960. Historically, the land was used for agricultural purposes (soybean production) and is wooded. Mr. Celmer testified that he is the Coordinator of the Girls Soccer Program for Our Lady of Mt. Carmel School, a private school providing education from Grades K through 12, located at the intersection of Old Eastern Avenue and Eastern Boulevard. The school presently has an enrollment of approximately 1,000 students. Mr. Celmer indicated that the school has but one soccer field on site and thus, his family has donated a portion of the subject property for use by the school for soccer practice. In spring 2000, Mr. Celmer cleared an area on the site for use as a practice soccer field. As shown on the plan, the field is approximately 300 feet in length and 132 feet in width. The field provides a practice area for elementary and middle school students of Our Lady of Mt. Carmel School when the field on the school's campus is in use. There are no games played at this location. Additionally, the field is limited to use by the elementary and middle school students of Our Lady of Mt. Carmel School, only. Mr. Celmer indicated that he did not have to grade the property, as he selected an area of the site that was flat and did not contain any environmental constraints, such as wetlands or in the floodplain.

As for parking on the property, Mr. Celmer has not paved any portion of the property and the site plan shows a designated parking area for up to 20 vehicles. Access to this parking area

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is by way of a clearing along Riverside Avenue. Given the environmental constraints associated with the property and its location within the Chesapeake Bay Critical Areas, Mr. Celmer wishes to retain the grassy parking area and not be required to pave and/or stripe the surface.

The site plan also shows a second proposed soccer field and area for future parking. Mr. Celmer indicated that he does not plan to add a second field in the immediate future, but seeks approval under the instant Petition so that County approvals will not be required in the future. That future field is shown in that area of the site located immediately adjacent to the intersection of Bay Avenue and Riverside Avenue. Access to that field apparently would be by way of a clearing from Bay Avenue.

A letter of support was received from the Back River Neck Peninsula Community Association and marked into evidence as Petitioner's Exhibit 3. Notwithstanding that letter, Mr. Leroy Sennett from that organization appeared at the hearing to express certain concerns regarding the project. Testimony was also received from immediate neighbors of the site. The testimony of these neighbors is reflected in the record of this case. Generally, their concerns related to traffic and parking. Specifically, it was indicated that Riverside Avenue is a small, narrow road that does not usually have much traffic. Concerns were expressed about parking along the side of that road and about interference caused by soccer practices with residents' access along that street. Objections were also raised relative to the potential expansion of the property and overuse of the site. The Protestants also fear a loss of buffer on the property and were also concerned about noise and other impacts associated with the proposed use. Some of the Protestants' concerns are set out in a Petition signed by a number of residents and submitted into evidence as Protestants' Exhibit 2.

Turning first to the Petition for Special Exception, the B.C.Z.R. identifies those land uses allowed in the R.C.20 zone as either permitted by right or by special exception. A use permitted by right is allowed automatically and without the need for a public hearing. A use permitted by right is allowed for so long as the property owner complies with all area, distance and height requirements. For example, most agricultural uses are permitted by right in the R.C.20 zone.

Other uses are permitted by special exception, only. The special exception criteria are set out in Section 502.1 of the B.C.Z.R. Essentially, in order for a special exception use to be approved, the property owner must show that the use can be carried on without detrimental impact to the health, safety and general welfare of the locale.

However, the mere existence of an adverse impact is not sufficient to deny an application for special exception use. Noted the Court in Mossberg v. Montgomery County, 107 Md. App. 1 (1995), special exception uses, by definition will have certain impacts which might be detrimental to the health, safety and general welfare of the neighborhood. Those adverse impacts are contemplated by making the use a special exception use, as opposed to a use permitted by right. The question to be considered is whether the proposed special exception use will cause greater adverse impacts at the subject site than elsewhere in the R.C.20 zone.

As filed, the Petition identified the proposed use as an outdoor recreation club. Outdoor recreation clubs are not defined in Section 101 of the B.C.Z.R.; however, outdoor recreation clubs are permitted uses under Section 1A05.2D.8 of the B.C.Z.R. Section 1A05.2D generally identifies recreational uses that are permitted by right or by special exception in the R.C.20 zone. Common open space or other parks or land designated for passive recreation is a use permitted by right. Riding stables, camps, golf courses, country clubs, and shooting ranges are special exception uses. Section 1A05.2G also allows uses substantially similar in character and impact to uses permitted by special exception in the zone.

In my judgment, the use of the subject property for practice soccer fields falls within that general characterization. I find that the use is substantially similar in character and impact to the uses ordinarily permitted by special exception in the R.C.20 zone, pursuant to Section 1A05.2G of the B.C.Z.R. That is, I believe that the use would be permitted by special exception upon showing that the criteria of Section 502.1 of the B.C.Z.R. have been met. Properly restricted, I am persuaded that the use will not adversely impact the health, safety and general welfare of the locale. Although I recognize the rural character of the area, the impact of the use proposed is limited. Obviously, soccer practices are limited by weather and time constraints. Practices will

ORDER RECEIVED/FOR FILING

not occur either when the children are in school, or at night. Thus, the use of the property will be far from a 24-hour operation. Moreover, the number of children who participate in the activity, estimated at approximately 15 children per team, will also have limited impact on the use of this 12-acre site. In sum, based on the totality of the testimony and evidence offered, I am persuaded that the Petition for Special Exception should be granted.

Two parking variances are also requested. The parking regulations in Baltimore County generally require that parking areas be durable and dust free and that each individual parking space be striped or otherwise marked. It would be inappropriate for those regulations to be applied to this case. Obviously, the site is near Back River and areas of impervious surface should be restricted or eliminated to the extent possible. The grant of the variance in this regard enjoys the support of the Office of Planning (OP) and the Department of Environmental Protection and Resource Management (DEPRM), as evidenced in their favorable Zoning Advisory Committee (ZAC) comments.

Although the Petitions for Special Exception and Variance shall be granted, I shall impose certain restrictions upon the use to minimize the impacts associated therewith. The restrictions will be set out in detail in the Order that follows.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

this day of September, 2001 that the Petition for Special Exception for an outdoor recreation club, a use consistent with other uses permitted by special exception in the R.C.20 zone, with parking requirements to be determined, pursuant to Sections 1A05.2G and 1A05.2.D.8 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED by the Zoning Commissioner that the Petition for Variance seeking relief from Sections 409.8.A.2 and 409.8.A.6 of the B.C.Z.R. to permit grass

areas for parking in lieu of the required durable and dust free, striped spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted is limited to the existing and future practice soccer fields, and the existing and future parking areas, as shown on Petitioner's Exhibit 1. The use of the fields is limited to elementary and middle school students of Our Lady of Mt. Carmel School, or, invitees of the Celmer family. The property shall not be leased or used by other schools, recreational councils or club teams.
- 3) There shall be no official games played at this location; the use of the soccer fields shall be limited to practices and scrimmages.
- 4) There shall be no lighting of the fields and no use of the fields after dark.
- 5) There shall be no buildings or areas of impervious surface permitted on the property.
- 6) The Petitioners shall consult with Rahee Famili or another representative of the Development Plans Review Division of the Department of Permits and Development Management (DPDM) with the goal towards implementing a more efficient and practical parking plan. To this extent, users of the fields should be discouraged from parking on Riverside Avenue or Bay Avenue. Although no impervious surface areas may be added, a second clearing/curb cut may be appropriate to promote better traffic circulation and access/egress to the site. I shall leave the design of same to the discretion of DPDM. The Petitioners shall consult with that agency towards achieving a design consistent with this restriction while respecting the existing natural buffer and environmental constraints associated with this property. Upon adoption of a parking plan, an amended site plan depicting same shall be forwarded to DPDM for inclusion in the case file.

7) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

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OHDER

IN THE MATTER OF
THE APPLICATION OF
ANDREW & THERESA CELMER
- PETITIONERS FOR SPECIAL EXCEPTION
AND VARIANCE ON PROPERTY LOCATED \*
ON THE SE/COR BAY AVE AND RIVERSIDE
AVE (1355 RIVERSIDE AVENUE E)

\* BALTIMORE COUNTY

15<sup>TH</sup> ELECTION DISTRICT
\* CASE NO. 02-034-XA
5<sup>TH</sup> COUNCILMANIC DISTRICT

#### ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Lucinda Meyers from a decision of the Zoning Commissioner dated September 28, 2001 in which the requested relief was granted with restrictions.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed March 7, 2003 by the F. Vernon Boozer, Esquire, on behalf of Lucinda Meyers, Appellant /Protestant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of March 7, 2003,

IT IS ORDERED this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_, 2003 by the County Board of Appeals of Baltimore County that the appeal taken in Case No. 02-034-XA be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Lawrence S. Wescott

Charles L. Marks

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

March 11, 2003

F. Vernon Boozer, Esquire James V. McFaul, Esquire COVAHEY & BOOZER, P.A. 614 Bosley Avenue Towson, MD 21204

RE: In the Matter of: Andrew & Theresa Celmer Case No. 02-034-XA / Order of Dismissal

Dear Mr. Boozer:

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.

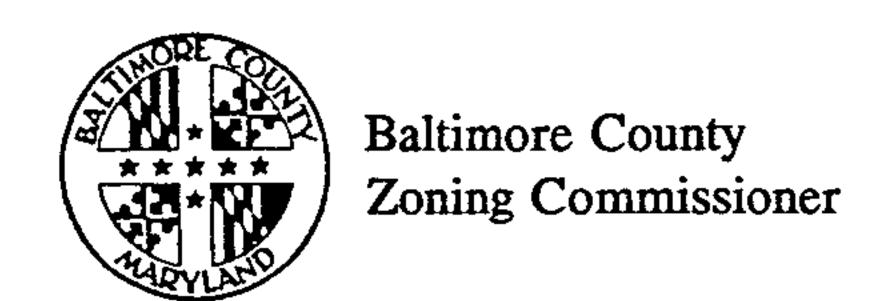
Very truly yours,

Huthlen C. Bianco Kathleen C. Bianco

Administrator

#### Enclosure

c: Lucinda Meyers
John B. Gontrum, Esquire
Theresa and Andrew Celmer
Leroy Sennett
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

September 28, 2001

John B. Gontrum, Esquire Romadka, Gontrum & McLaughlin 814 Eastern Boulevard Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE SE/Corner Bay Avenue and Riverside Avenue (1355 Riverside Avenue, East)

15<sup>th</sup> Election District – 5<sup>th</sup> Council District Andrew Celmer, et ux - Petitioners
Case No. 02-034-XA

Dear Mr. & Mrs. Celmer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. & Mrs. Andrew Celmer, 1355 Riverside Avenue, East, Baltimore, Md. 2122

Mr. & Mrs. Douglas Celmer, 1721 Beechwood Avenue, Essex, Md. 21221

Mr. Eugene F. Raphel, 205 Courtland Avenue, Towson, Md. 21204

Mr. & Mrs. Eric Mabe, 1228 E. Riverside Avenue, Baltimore, Md. 21221

Mr. R. R. Fuchs, 1230 E. Riverside Avenue, Baltimore, Md. 21221

Ms. Ethel Heise, 1224 E. Riverside Avenue, Baltimore, Md. 21221

Mr. Joe Riston, 1226 E. Riverside Avenue, Baltimore, Md. 21221

Ms. Lucinda Meyers, 1220 E. Riverside Avenue, Baltimore, Md. 21221

Mr. Leroy Sennett, 1716 Beachwood Avenue, Baltimore, Md. 21221

Office of Planning; DEPRM; Dev. Plans Review, DPDM; People's Counsel; Case File



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 1355 Riverside Avenue, East

which is presently zoned RC-20This Petition shall be filed with the Department of Permits and Development Management. The undersigned, lega 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

an outdoor recreation club with parking requirements to be determined, pursuant to the determined, pursuant SECTION 1 A05.2.0.8, BCZZ.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, 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 affi perjury, that I/we are the legal ow is the subject of this Petition.	irm, under the penalties of ner(s) of the property which
	Contract Purchaser/Lesse	<u>e:</u>	Legal Owner(s):	
	Name - Type or Print	······································	Name - Type or Print Andrew C	elmer
	Signature	<del>- · · · · · · · · · · · · · · · · · · ·</del>	Signature Signature	Zywa.
	Address	Telephone No.	Name - Type or Print Theresa	Celmer
	City	State Zip Code	Signature 1255 Pierraid	- 110 (07 2516
	Attorney For Petitioner:		1355 Riverside Avenue, Address	East 410-687-2516 Telephone No.
	John B. Gontrum Name - Type of Print	· · · · · · · · · · · · · · · · · · ·	Baltimore Maryland 27 City	1221 State Zip Code
	Signature		Representative to be Cont	acted:
	Romadka, Gontrum & McLau Company 814 Eastern Boulevard	<del></del>	Name	
<b>9</b>	Address Baltimore, Maryland 212	410-686-8274 Telephone No.	Address	Telephone No.
OF FIL	Civ	State Zip Code	City	State Zip Code
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	102-03 4 4A		ESTIMATED LENGTH OF HE UNAVAILABLE FOR HEARIN	
HE CO	REV 09/15/98		Reviewed By	Date 7.19.00
ÖRDER Døte				



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 1355 Riverside Avenue, East which is presently zoned Rc 20

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 Variance from Section(s)

409.8A.2 and 4098A.6 to permit grass areas for parking in lieu of durable and dust free spaces and striping.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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

I, or we, agree to pay expenses of above Variance, 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.

			perjury, that I/we are is the subject of this	eclare and affirm, under to the legal owner(s) of the Petition.	he penalties of e property which
<u>Contract Pι</u>	ırchaser/Lessee:		Legal Owner(s)	<u>.</u>	
Name Type or f	7-:	· ··· ·	Andrew	Celmer	
Name - Type or F	-181 <b>4</b>		Name - Type or Print	Andrew Celmer	
Signature		······································	Signature	- Colores	)
Address		Telephone No.	Manager 19 Control of the Control of	Theresa Celmer	<u>ノ</u>
City	State	Zip Code	Signature Signature	esa (elm	er_
Attorney Fo	<u>r Petitioner:</u>		1355 Riverside	Avenue, East 41	0-687-2516
John B. Gor	ntrum		Address Baltimore, Mar	yland 21221	Telephone No
Name - Type or P	rint		City	State	Zip Code
Signature		· <u> </u>	Representative	to be Contacted:	
	ntrum & McLaughlin				
Company 814 Easterr	Boulevard 410-686-8	3274	Name		<del></del>
	Maryland 21221	Telephone No.	Address		Telephone No.
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			<u>OF</u>	FICE USE ONLY	
Case No.	02-034XA		ESTIMATED LEN	IGTH OF HEARING	<del></del>
			UNAVAILABLE F		
The state of the s		_	Reviewed By	Date_	7.19.01

# E. F. Raphel & Associates

Registered Professional Land Surveyors 205 Courtland Avenue Towson, Maryland 21204

Phone (410) 825-3908

Fax (410) 825 -1331

Tuesday, March 27, 2001

ZONING DESCRIPTION FOR Celmer Property, 12.00 Acre Parcel, Riverside Avenue, as recorded in Liber S.M. 13045, folio 243.

BEGINNING at a point at the intersection of the South side of Bay Avenue, 35 feet wide, and the East side of East Riverside Avenue, 30 feet wide, running thence on the South side of Bay Avenue, South 79° 18' East 396.00 feet, thence leaving Bay Avenue, the two following courses and distances, 1) South 9° 22' West 1325.24 feet, and 2) South 89° 27' West 323.85 feet to the East side of East Riverside Drive, running thence and binding on the East side of said East Riverside Drive, the two following courses and distances, 1)North 0° 33' West 447 feet, and 2) North 9° 22' East 950 feet to the place of beginning. Containing 12.00 acres of land, more or less.

Known as 12.00 Acre Parcel, Riverside Avenue.



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: #02-034-XA 1355 Riverside Avenue, East SE Cor. Riverside Avenue East & Bay Avenues 15th Election District

15th Election Listrici
5th Councilmanic District
Legal Owner(s): Theresa &
Andrew Celmer
Variance: to permit grass
areas for parking in lieu of
durable and dust free
spaces and striping. Special Exception: to allow an
outdoor recreation club with parking requirements to be

parking requirements to determined.
Hearing: Wednesday,
September 12, 2001 at 2:08 p.m. in Room 407,
County Courts Building,
401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Retimore County

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

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

JT/B/774 Aug28 C490305

# CERTIFICATE OF PUBLICATION

830,200L
THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of successive weeks, the first publication appearing on 828
The Jeffersonian  Arbutus Times  Catonsville Times  Towson Times  Owings Mills Times  NE Booster/Reporter  North County News  MULLINGT
LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 28, 2001 Issue - Jeffersonian

Please forward billing to:

Andrew Celmer 1355 Riverside Avenue East Baltimore MD 21221

410 687-2516

#### **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: 02-034-XA
1355 Riverside Avenue, East
SE Cor. Riverside Avenue East & Bay Avenues
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District
Legal Owners: Theresa & Andrew Celmer

<u>Variance</u> to permit grass areas for parking in lieu of durable and dust free spaces and striping. <u>Special Exception</u> to allow an outdoor recreation club with parking requirements to be determined.

HEARING: Wednesday, September 12, 2001 at 2:00 P.M. in Room 407, County

Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ 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.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 10/25/01 ACCOUNT RCO) 006 6150

RECEIVED LUCINDA MEYERS

FOR: APPEAL 02-034-XA
THERESA + ANDREW CELMER
1355 RIVERSIDE AVENUE EAST

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S VALIDATION** 

BALTIMORE COUNTY, MARYLA 03 OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	4060	LAAMENI DVI	D RECEIPT ACTUAL	TINE
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DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER				CASHIER'S VAL	IDATION

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# APPEAL SIGN RE-POSTING REQUEST

CASE NO.: 02-034

#### ANDREW AND THERESA CELMER - LEGAL OWNERS

#### 1355 RIVERSIDE AVENUE E SE/CORNER BAY AVEUE AND RIVERSIDE AVENUE

15 <sup>TH</sup>	ELECTION DISTRICT	APPEALED: 10/24/01				
ATT	4CHMENT - (Plan to accompany Petition -	Petitioner's Exhibit No. 1)				
***	*****COMPLETE AND RETURN I	BELOW INFORMATION*****				
	CERTIFICATE O	F POSTING				
TO:	Baltimore County Board of Appeals 400 Washington Avenue, Room 49 Towson, Maryland 21204					
Atter	ntion: Kathleen Bianco Administrator					
RE:	Case No.: O2 - 034 XA					
	Petitioner/Developer:					
	Celmer					
This locat	is to certify that the necessary appeal sign wated at:	s posted conspicuously on the property				
The s	sign was posted on $\frac{7/29}{4}$	, 2002				
By:	Jany Freund	<del></del>				
	(Signature of Sign Poster)					
	(Printed Name)					
	(Printed Name)					



CASE NO. 02-034-XA

## ANDREW AND THERESA CELMER – Legal Owners

## 1355 Riverside Avenue E SE/Corner Bay Avenue and Riverside Avenue

15 <sup>th</sup> Election District	Appealed: 10/24/01					
Attachment – (Plat to accompany Petition - Petitioner's Exhibit No.1)						
**************COMPLETE AND RETU	RN BELOW INFORMATION********					
CERTIFICATE	CERTIFICATE OF POSTING					
TO: Baltimore County Board of Appeals 400 Washington Avenue, Room 49 Towson, Maryland 21204						
Attention: Kathleen Bianco Administrator						
RE: Case No. <u>02-034-XA</u> Petitioner/Developer: <u>ANDREW, THERESA CELME</u>	÷R.					
This is to certify that the necessary appeal sign(s) w	as posted conspicuously on					
property located at 1355 RIVERSIDE	AVE E.					
The sign(s) was posted on Awarey 14  By (Signature of Sign Poster)	, 2001.					

GARY C. FREUND
(Printed Name)

RE.	Case No. 02-034-XA
	Petitioner Developer CELMER ETAL
	% JOHN GONTRUM
	Date of Hearing/Closing. 9/12/0/

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

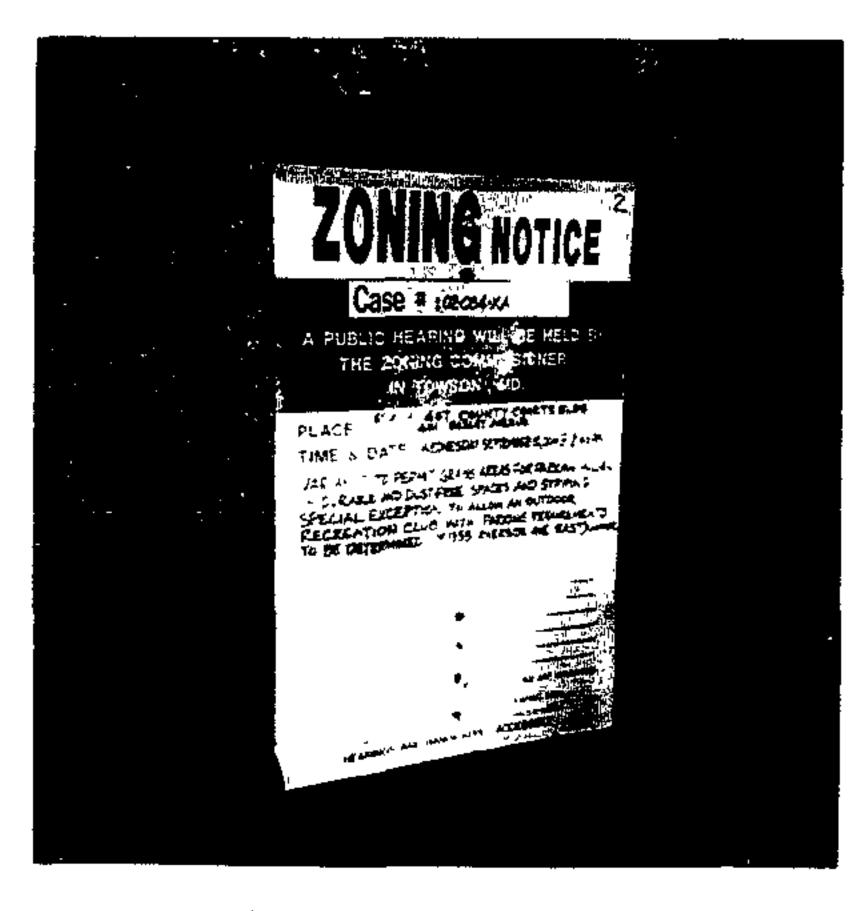
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlement

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 #1355 RIVERSIDE AVE.E. Q

BAY AVE - ONSITE

The sign(s) were posted on \_\_\_\_\_\_\_ 8/27/0/
(Month, Day, Year)



#1355-CIESSIDE AVE, & C. BAY 697-2512 - 9/12/51

Sincerely,

(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)

# 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.



# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180

FAX: 410-887-3182

### Hearing Room - Room 48

Old Courthouse, 400 Washington Avenue

er 18, 2002

October 18, 2002

#### SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 02-034-XA

IN THE MATTER OF: Andrew & Theresa Celmer -Legal Owners /

Petitioners 1355 Riverside Avenue E

15<sup>th</sup> Election District; 5<sup>th</sup> Councilmanic District

9/28/01 – Z.C.'s Order -- special exception and variance relief granted with restrictions.

which had been reassigned to be heard on 11/14/02 has been **POSTPONED** at the request of Counsel for Petitioner due to unavailability of witness; and has been

#### **REASSIGNED FOR:**

#### THURSDAY, MARCH 13, 2003 at 10:00 a.m.

**NOTICE:** 

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County

Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests

must be in writing and in compliance with Rule 2(b) of the Board's Rules. No

postponements will be granted within 15 days of scheduled hearing date unless in full

compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c:

Counsel for Appellant /Protestant

: F. Vernon Boozer, Esquire

Appellant /Protestant

: Lucinda Meyers

Counsel for Petitioners

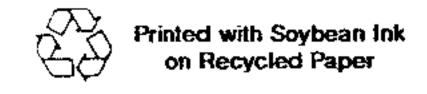
: John B. Gontrum, Esquire

Petitioners

: Theresa and Andrew Celmer

Leroy Sennett

Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM





# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

410-887-3180 FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

2 PR 3 1 3 0 3 August 12, 2002 Patrick

#### NOTICE OR POSTPONEMENT & REASSIGNMENT

CASE #: 02-034-XA

IN THE MATTER OF: Andrew & Theresa Celmer –Legal Owners /

Petitioners 1355 Riverside Avenue E

15 Election District; 5th Councilmanic District

9/28/01 – Z.C. Order -- special exception and variance relief granted with restrictions.

which was assigned to be heard on 8/13/02 has been **POSTPONED** at the request of Counsel for Appellant due to court schedule conflict; and, upon verification of reassignment date with counsel, has been

#### REASSIGNED FOR:

#### THURSDAY, NOVEMBER 14, 2002 at 11:30 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County

Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests

must be in writing and in compliance with Rule 2(b) of the Board's Rules. No

postponements will be granted within 15 days of scheduled hearing date unless in full

compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c:

Counsel for Appellant /Protestant

Appellant /Protestant

: F. Vernon Boozer, Esquire

: Lucinda Meyers

Counsel for Petitioners

Petitioners

: John B. Gontrum, Esquire

: Theresa and Andrew Celmer

Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM

#### **BALTIMORE COUNTY, MARYLAND Board of Appeals of Baltimore County** FAX COVER SHEET

**DATE:** August 12, 2002

TO:

F. Vernon Boozer, Esquire

*FAX* 

FAX : 410-823-7530 } picked up
TELEPHONE: 410-828-9441 } copy 8)12(02

John B. Gontrum, Esquire

: 410-686-0118

TELEPHONE: 410-686-8274

FROM:

Kathi Bianco

**TELEPHONE:** 410-887-3180

**FAX** 

**:** 410-887-3182

RE:

In the Matter of: Andrew & Theresa Celmer

Case No. 02-034-XA /Postponement

Attached for your information is a copy of the Notice of Postponement and Reassignment sent out this afternoon in the subject matter which had been scheduled to be heard tomorrow afternoon (8/13/02). The case has been postponed and reassigned to Thursday, November 14, 2002 at 11:30 a.m. It will not be necessary for anyone to appear on 8/13/02.

Please call me if you have any questions.

NUMBER OF PAGES

: Two (2), including this page.

ORIGINAL TO FOLLOW: X yes



·\* 🙀

# County Board of Appeals of Baltimore County

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

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

May 7, 2002

#### NOTICE OF ASSIGNMENT

CASE #: 02-034-XA

IN THE MATTER OF: Andrew & Theresa Celmer -Legal Owners /

Petitioners 1355 Riverside Avenue E

15<sup>th</sup> Election District; 5<sup>th</sup> Councilmanic District

9/28/01 – Z.C.'s Order -- special exception and variance relief granted with restrictions.

#### **ASSIGNED FOR:**

#### TUESDAY, AUGUST 13, 2002 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County

Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests

must be in writing and in compliance with Rule 2(b) of the Board's Rules. No

postponements will be granted within 15 days of scheduled hearing date unless in full

compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c:

Appellant /Protestant

: Lucinda Meyers

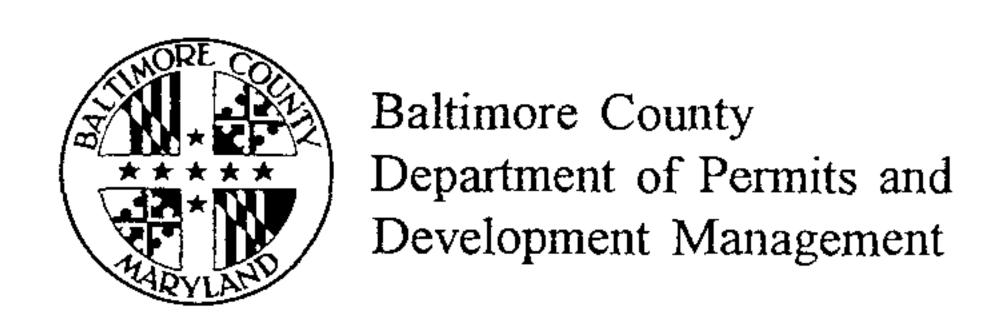
Counsel for Petitioners

Petitioners

: John B. Gontrum, Esquire : Theresa and Andrew Celmer

Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner

Arnold Jablon, Director /PDM



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

Fax: 410-887-5708

August 10, 2001

#### **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: 02-034-XA
1355 Riverside Avenue, East
SE Cor. Riverside Avenue East & Bay Avenues
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District
Legal Owners: Theresa & Andrew Celmer

<u>Variance</u> to permit grass areas for parking in lieu of durable and dust free spaces and striping. <u>Special Exception</u> to allow an outdoor recreation club with parking requirements to be determined.

HEARING: Wednesday, September 12, 2001 at 2:00 P.M. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GDマ

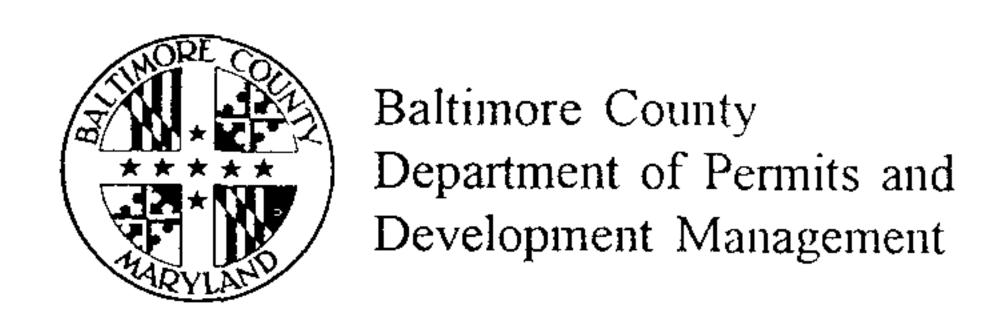
Director

C: John B Gontrum, Romadka Gontrum & McLaughlin, 814 Eastern Blvd, Baltimore 21221

Theresa & Andrew Celmer, 1355 Riverside Avenue East, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 28, 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.



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

September 7, 2001

John B Gontrum Romadka Gontrum & McLaughlin 814 Eastern Boulevard Baltimore MD 21221

Dear Mr. Gontrum:

RE: Case Number: 02-034-XA, 1355 Riverside Avenue East

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 19, 2001.

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 Ruchard, Jr.

W. Carl Richards, Jr. らうて Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Theresa & Andrew Celmer, 1355 Riverside Avenue, Baltimore 21221 People's Counsel

1/12

# BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** August 15, 2001

AUG 1 6 2001

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1355 Riverside Avenue

**INFORMATION:** 

**Item Number:** 

02-034

**Petitioner:** 

Andrew Celmer

Zoning:

**RC 20** 

**Requested Action:** 

Variance/Special Exception

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the subject special exception request(s) be **DENIED** due to the following:

- 1. The subject variance request is for a use that is not permitted in the RC 20 zone.
- 2. Section 1A05.1A. 3. & 4. Legislative Findings of the RC 20 and RC 50 zones state:
  - The restoration of the Chesapeake Bay is dependent upon limiting development and restricting land use within the Chesapeake Bay Critical Area with the goal of conserving the land and water resources base; and,
  - 4. Maintaining undeveloped or minimally developed land in its natural state is the preferred method of conserving the productivity of the land and water base of the Chesapeake Bay and its tributaries.

Prepared by:

Section Chief

AFK:MAC:

# BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 12, 2001

Department of Permits and Development Management

FROM:

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

SUBJECT:

1355 Riverside Avenue

**INFORMATION:** 

**Item Number:** 

02-034

Petitioner:

Andrew Celmer

Zoning:

**RC 20** 

Requested Action:

Variance/Special Exception

**Amended Comment** 

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning has met with the applicant attorney, John Gontrum, who provided additional information. As a result of the meeting we recommend the applicant's Petition for Special Exception be granted, but the use of the property as an athletic field should be strictly limited to the Our Lady of Mount Carmel athletic program. However, staff is not comfortable with what Mr. Gontrum refers to as "personal invitees of the owner." Based upon the testimony and evidence presented at the hearing on this matter, strict, well-defined limits must be imposed to insure that this use can be viewed as unique, and in no way a precedent regarding the permissibility or appropriateness of an outdoor recreation club in an RC 20 zone. In addition, the erection of any structures at the site should be prohibited.

Section Chief:

AFK:IL

SEP 12



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

August 14, 2001

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 August 6, 2001

Item No.:

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.

The Fire Marshal's Office has no comments regarding the item numbers:

018, 022, 023, 025, 026, 028, 029, 030, 033, 034, and 035

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

402

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 6, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For August 13, 2001

Item No. 1034

The Bureau of Development Plans Review has reviewed the subject zoning item.

All maneuvering areas shall be limited to on-site only.

RWB:HJO:jrb

cc: Fil-



# Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 8.10.01

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

RE:

**Baltimore County** 

Item No. 5734

SCM

Dear. Ms. Jackson:

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

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

Very truly yours,

./~

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



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

ΓO:	Arnold Jablon				
FROM:	R. Bruce Seeley				
DATE:	September 5, 2001	SEP 13			
SUBJECT:	Zoning Item 34 Address 1355 Riverside Ave				
Zonin	g Advisory Committee Meeting of August 6, 2001				
	Department of Environmental Protection and Resource Manager nents on the above-referenced zoning item.	nent has no			
	The Department of Environmental Protection and Resource Management request				
	tension for the review of the above-referenced zoning item to detect to which environmental regulations apply to the site.	etermine the			
	Department of Environmental Protection and Resource Manager Illowing comments on the above-referenced zoning item:	nent offers			
	Development of the property must comply with the Regulation Protection of Water Quality, Streams, Wetlands and Floodpla 14-331 through 14-350 of the Baltimore County Code).				
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of Baltimore County Code).	the			
<u>X</u>	Development of this property must comply with the Chesapea Critical Area Regulations (Sections 26-436 through 26-461, a Sections, of the Baltimore County Code).	•			
	Additional Comments:				

Date: August 24, 2001

Reviewer:

Keith Kelley

Case No. 02-034-XA

RE: Andrew & Theresa Celmer – Legal Owners /Petitioners

SE – for an outdoor recreation club, with parking requirements to be determined; and

VAR – to permit grass areas for parking ilo required durable and dust free striped spaces.

9/28/01 –Z.C.'s decision in which Petition for Special Exception and Petition for Variance were GRANTED with restrictions.

2/20/02 – T/C from Ms. Meyers, Appellant; sign is missing; only post remains. Advised Ms. Meyers that file will be noted and property will be re-posted after notice of hearing is sent and in sufficient time to allow notice prior to hearing.

5/07/02 – Notice of Assignment sent to following; scheduled for hearing on Tuesday, August 13, 2002 at 10:00 a.m.:

Lucinda Meyers
John B. Gontrum, Esquire
Theresa and Andrew Celmer
Office of People's Counsel
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM

8/07/02 – Appellant Meyers stopped in CBA office; has retained services of F. Vernon Boozer to represent her at hearing in this matter; Mr. Boozer has calendar conflict with scheduled date; will be requesting a postponement; advised Ms. Meyers that we will need the request in writing from Mr. Boozer for consideration.

8/09/02 – Letter from F. Vernon Boozer, Esquire – requesting postponement of 8/13/02 hearing and entering appearance on behalf of Ms. Meyers. T/C to Mr. Boozer to confirm availability on possible reassignment dates; T/C to J. Gontrum re same dates.

8/12/02 - T/Cs w/Messrs. Gontrum and Boozer - case to be postponed and reassigned to Thursday, November 14, 2002 at 11:30 a.m. Notice of PP and Reassignment to be sent this date; copy via FAX to counsel.

10/15/02 - FAX from J. Gontrum, Esquire - requesting PP of 11/14/02 hearing - witness Michael Weir has conflict on date of hearing /meeting conflict with CBCAC on which he serves.

10/16/02 - Original letter from J. Gontrum re PP request.

10/18/02 - T/C with J. Gontrum's secretary; no objection by V. Boozer to postponement request above.

-- Second Notice of PP and Reassignment sent to parties; case reassigned to Thursday, March 13, 2003 at 10:00 a.m. (Added Leroy Sennett to notice.)

\_\_\_\_\_\_

3/07/03 – Letter of withdrawal of appeal filed by F. Vernon Boozer, Esquire, on behalf of Lucinda Meyers, Appellant. Order of Dismissal to be issued.

.\_\_\_\_\_

#### **APPEAL**

Petition for Variance and Special Exception
1355 Riverside Avenue E
SE/Corner Bay Avenue and Riverside Avenue
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District
Andrew & Theresa Celmer - Legal Owner
Case No.: 02-034-XA

Petition for Variance & Special Exception (dated 07/19/01)

Zoning Description of Property

Notice of Zoning Hearing (dated 08/10/01)

Certification of Publication (The Jeffersonian issue dated 08/28/01)

Certificate of Posting (dated 08/27/01 posted Patrick M O'Keefe)

Entry of Appearance by People's Counsel (dated 08/17/01)

Petitioner(s) Sign-In Sheet (1 page)

Protestant(s) Sign-In Sheet (1 page)

Citizen(s) Sign-In Sheet (none)

**Zoning Advisory Committee Comments** 

#### Petitioners' Exhibits:

- 1. Plat to Accompany Petition for Special Exception and Variance
- 2. The Avenue News (09/02/00 and pictures)
- 3. Letter to Mr. John Gontrum from Keith Roberts, President, Back River Neck Peninsula Community Association, Inc. dated 02/28/01
- 4A. Traffic Count Made by Neighbor, Wednesday 8/22/01 3 9 p.m.
- 4B. Traffic Count Made by Neighbor, Saturday 8/25/01 12 7 p.m.

#### Protestants' Exhibits:

2. Additional Protestant(s) Sign-In Sheet

#### Miscellaneous (Not Marked as Exhibits):

- Photographs (6 pictures)
- Photographs (12 pictures)

Zoning Commissioner's Order (dated 09/28/01 - GRANTED w/following restrictions)

Notice of Appeal received on 10/24/01 from Lucinda Meyers

c: John B. Gontrum, Romadka Gontrum & McLaughlin, 814 Eastern Avenue, Baltimore 21221
Theresa & Andrew Celmer, 1355 Riverside Avenue, Baltimore 21221
People's Counsel of Baltimore County, MS #2010

Lawrence Schmidt, Zoning Commissioner

Arnold Jablon, Director of PDM

RE: PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE

1355 Riverside Avenue East,

SE Corner Riverside Ave East & Bay Ave 15th Election District, 5th Councilmanic

Legal Owner: Andres & Theresa Celmer Petitioner(s)

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* FOR
- \* BALTIMORE COUNTY
- \* Case No. 02-34-XA

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

#### 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

Tarole S. Demilio

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 17th day of August, 2001 a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

IN THE MATTER OF

BEFORE THE

COUNTY BOARD OF APPEALS

OF

ANDREW AND THERESA CELMER 1355 RIVERSIDE AVENUE EAST

**BALTIMORE COUNTY** 

15<sup>TH</sup> Election District

5<sup>TH</sup> Councilmanic District

CASE NO.: 02-034-XA

#### **SUBPOENA**

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO:

CARL RICHARDS

BALTIMORE COUNTY DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVENUE

**TOWSON, MD 21204** 

## YOU ARE HEREBY COMMANDED TO:

(x) Personally appear;

( ) Produce documents and/or objects only;

( ) Personally appear and produce documents or objects;

in Room 48, County Board of Appeals, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 on Thursday, March 13, 2003 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents or objects (for general purpose as stated):

TO TESTIFY WITH RESPECT TO THE SPECIAL EXCEPTION USE PERTAINING TO THE REQUESTED USE AND VARIANCE ISSUES PERTAINING TO YOUR REVIEW OF THE SITE AND PROPOSED USE IN A RC-20 ZONE AT THE SOUTHEAST CORNER OF RIVERSIDE AVENUE AND BAY DRIVE.

SUBPOENA REQUESTED BY: John B. Gontrum Romadka & Gontrum, LLC 814 Eastern Boulevard Baltimore, Maryland 21221 410-686-8274

The witness named above is hereby ORDERED to so appear before the Hearing Officer. John Gontrum will serve the summons set forth herein.

DECEIVED
MAR 0 7 2003

BALTIMORE COUNTY BOARD OF APPEALS COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY IN THE MATTER OF \*

BEFORE THE

COUNTY BOARD OF APPEALS

ANDREW AND THERESA CELMER

OF

1355 RIVERSIDE AVENUE EAST

BALTIMORE COUNTY

15<sup>TH</sup> Election District

5<sup>TH</sup> Councilmanic District

CASE NO.: 02-034-XA

#### **SUBPOENA**

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO:

RAHEE J. FAMILI

BALTIMORE COUNTY DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVENUE

TOWSON, MD 21204

#### YOU ARE HEREBY COMMANDED TO:

(x) Personally appear;

( ) Produce documents and/or objects only;

( ) Personally appear and produce documents or objects;

in Room 48, County Board of Appeals, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 on Thursday, March 13, 2003 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents or objects (for general purpose as stated):

TO TESTIFY WITH RESPECT TO THE TRAFFIC AND PARKING ISSUES PERTAINING TO YOUR REVIEW OF THE SITE AND PROPOSED USE AT THE SOUTHEAST CORNER OF RIVERSIDE AVENUE AND BAY DRIVE.

SUBPOENA REQUESTED BY:

John B. Gontrum

Romadka & Gontrum, LLC

814 Eastern Boulevard

Baltimore, Maryland 21221

410-686-8274

The witness named above is hereby ORDERED to so appear before the Hearing

Officer. John Gontrum will serve the summons set forth herein.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

DECEIVED
MAR 0 7 2003

BALTIMORE COUNTY BOARD OF APPEALS IN THE MATTER OF

BEFORE THE

**COUNTY BOARD OF APPEALS** 

ANDREW AND THERESA CELMER
1355 RIVERSIDE AVENUE EAST

OF

BALTIMORE COUNTY

15<sup>TH</sup> Election District

D/ 12 / 11/10 / 12 /

5<sup>TH</sup> Councilmanic District

CASE NO.: 02-034-XA

#### SUBPOENA

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO:

MARK CUNNINGHAM

**BALTIMORE COUNTY OFFICE OF PLANNING** 

401 BOSLEY AVENUE, ROOM 406 TOWSON, MARYLAND 21204

#### YOU ARE HEREBY COMMANDED TO:

- (x) Personally appear;
- ( ) Produce documents and/or objects only;
- ( ) Personally appear and produce documents or objects;

in Room 48, County Board of Appeals, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 on Thursday, March 13, 2003 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents or objects (for general purpose as stated):

TO TESTIFY WITH RESPECT TO THE PLANNING AND SPECIAL EXCEPTION USE ISSUES PERTAINING TO YOUR REVIEW OF THE SITE AND PROPOSED USE AT THE SOUTHEAST CORNER OF RIVERSIDE AVENUE AND BAY DRIVE.

SUBPOENA REQUESTED BY: John B. Gontrum Romadka & Gontrum, LLC 814 Eastern Boulevard Baltimore, Maryland 21221 410-686-8274

The witness named above is hereby ORDERED to so appear before the Hearing Officer. John Gontrum will serve the summons set forth herein.

RECEIVED
MAR 0 7 2003

BALTIMORE COUNTY BOARD OF APPEALS COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

#### COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828-9441

EDWARD C COVAHEY, JR.

F. VERNON BOOZER \*

MARK S. DEVAN

THOMAS P. DORE

MICHAEL T. PATE

STACIE D. TRAGESER

FAX 410-823-7530

ANNEX OFFICE
SUITE 302
606 BALTIMORE AVE.
TOWSON, MD 21204

\* ALSO ADMITTED TO D. C. BAR

March 6, 2003

Ms. Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

RE: In the Matter of Andrew & Theresa Celmer

Legal Owners/Petitioners 1355 Riverside Avenue E Case No. 02-034-XA

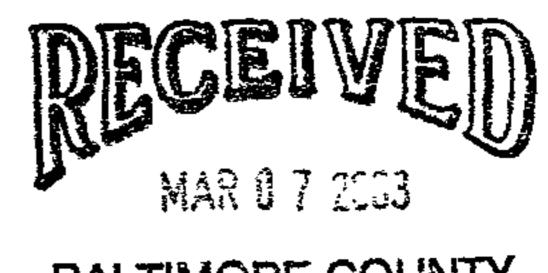
Dear Ms. Bianco:

Please dismiss the appeal filed by my client, Lucinda Meyers, in connection with the above captioned matter.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact my office.

F. VERNON BOOZER

cc: John B. Gontrum, Esq.
Office of People's Counsel
Ms. Lucinda Meyers
0306gab05



BALTIMORE COUNTY BOARD OF APPEALS

## ROMADKA & GONTRUM, LLC.

814 Eastern Boulevard Baltimore, Maryland 21221 (410) 686-8274 (410) 686-0118 FAX

ROBERT J. ROMADKA JOHN B. GONTRUM

October 14, 2002

Kathleen C. Bianco, Administrator County Board of Appeals of Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

Re: Case No. 02-034-XA

Andrew and Theresa Celmer

#### Dear Ms. Bianco:

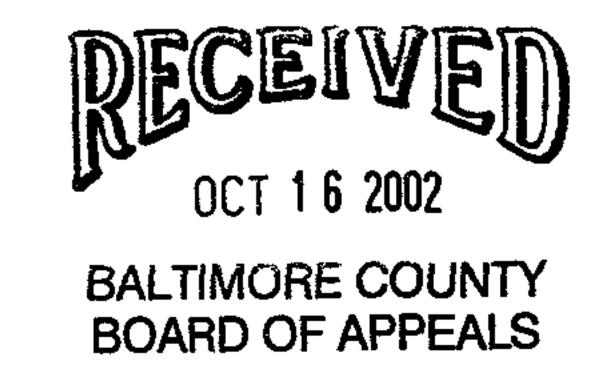
On behalf of my clients we wish to request a postponement of the above-referenced matter from its hearing on November 14. My clients have informed me that Michael Weir, whom we expected to call as a witness pertaining to the Chesapeake Bay Critical Area, has a conflict that day with a meeting of the Chesapeake Bay Critical Area Commission on which he serves and cannot attend our hearing. Mr. Weir would have given testimony with respect to the special exception as well as to the paving requirement sought to be varianced.

We would not expect the total case to take more than a couple of hours so continuing the case just for his testimony would not be in the interests of judicial economy.

Your consideration is much appreciated.

John B. Gontrum

cc. Office of People's Counsel of Baltimore County F. Vernon Boozer, Esq., Attorney for Appellant



## COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828-9441

EDWARD C COVAHEY, JR.

F. VERNON BOOZER

MARK S DEVAN

THOMAS P. DORE

MICHAEL PATE

STACIE D. TRAGESER

~ >

FAX #10-823-7530

ANNEX OFF CE SUITE 302 606 BALTIMORE AVE. TOWSON, MD 2 204

02

5

\* ALSO ADMITTED TO D. C. BAR

August 9, 2002

#### VIA FAX - 410-887-3182

Ms. Kathleen Bianco Baltimore County Board of Appeals

Re:

Andrew and Theresa Celmer

Case No 02034XA

Dear Ms. Bianco:

Lucinda Myers has just contacted me to represent her with regard to a protest of the above-captioned matter. I have not had the opportunity to prepare a case and have other Court matters scheduled for August 13, 2002. Mrs. Myers would like a postponement in order to retain my services.

Thank you in advance.

Very truly yours

F. Vernon Boozer

FVB/ldr 0809ldr01

cc: Mrs. Lucinda Myers

(Via Fax -410-574-6018)

	nd THERESA CELMER SIDE AVENUE EAST District	*	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY  Case No. 02-034-XA	)
************************		******	**************************************	
		SUBPOEN	4	
STATE OF N	MARK CUNNINGHAM BALTIMORE COUNTY C COUNTY COURTS BUIL 401 BOSLEY AVENUE TOWSON, MARYLAND	OFFICE OF LDING		
YOU ARE H (x) ( ) ( )	EREBY COMMANDED TO Personally appear; Produce documents and Personally appear and p	or objects o	only;	٠ ٽ
	om 48, County Court Hous lesday, August 13, 2002 a		shington Avenue, Towson, Maryland	

YOU ARE COMMANDED TO produce the following documents or objects (for general

purpose as stated):

TO TESTIFY WITH RESPECT TO THE PLANNING AND SPECIAL EXCEPTION USE ISSUES PERTAINING TO YOUR REVIEW OF THE SITE AND PROPOSED USE AT THE SOUTHEAST CORNER OF RIVERSIDE AVENUE AND BAY DRIVE

SUBPOENA REQUESTED BY: John B. Gontrum Romadka & Gontrum LLC 814 Eastern Boulevard Baltimore, Maryland 21221 410-686-8274

The witness named above is hereby ORDERED to so appear before the Hearing Officer. John Gontrum will serve the summons set forth herein.

IN THE MATTER OF  ANDREW and THERESA CELMER 1355 RIVERSIDE AVENUE EAST 15 <sup>th</sup> Election District 5 <sup>th</sup> Councilmanic District	*	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Case No. 02-034-XA		
**************************************	SUBPOENA	*************		
STATE OF MARYLAND, BALTIMORE TO: PAT FARR BALTIMORE COUNTY DEPARTMENT OF ENV COUNTY COURTS BUI 401 BOSLEY AVENUE TOWSON, MARYLAND	VIRONMENT AN ILDING	MIT:  ID RESOURCE MANAGEMENTS  :		
YOU ARE HEREBY COMMANDED T  (x) Personally appear;  () Produce documents and () Personally appear and p	d/or objects only produce docume	ents or objects;		
in Room 48, County Court House, 400 Washington Avenue, Towson, Maryland 21204 on Tuesday, August 13, 2002/at 10:00 A.M.				
YOU ARE COMMANDED TO produce the following documents or objects (for general purpose as stated):				
TO TESTIFY WITH RESPECT TO THE THE REQUESTED USE AND VARIANTHE SITE AND PROPOSED USE IN OF RIVERSIDE AVENUE AND BAY I	NCE ISSUES PE AN RC 20 ZONI	ERTAINING TO YOUR REVIEW OF		
		SUBPOENA REQUESTED BY:		

SUBPOENA REQUESTED BY John B. Gontrum Romadka & Gontrum LLC 814 Eastern Boulevard Baltimore, Maryland 21221 410-686-8274

The witness named above is hereby ORDERED to so appear before the Hearing Officer. John Gontrum will serve the summons set forth herein.

\*\*Description\*\*

\*\*De

IN THE MATTER OF		*	BEFORE THE COUNTY BOOK APPEALS	OARD
	d THERESA CELMER SIDE AVENUE EAST District	*	OF BALTIMORE COUNTY	
5 <sup>th</sup> Councilmanic District		*	Case No. 02-034-XA	
*****	**************************************	**************************************	**************************************	<del>******</del>
STATE OF M	IARYLAND, BALTIMORE	COUNTY	TO WIT:	
TO:	RAHEE J. FAMILI BALTIMORE COUNTY DEPT. OF PERMITS AN 111 W. CHESAPEAKE A TOWSON, MARYLAND	AVENUE	OPMENT MANAGEMENT	02 AUG -7
YOU ARE HE (x) ( ) ( )	REBY COMMANDED TO Personally appear; Produce documents and Personally appear and p	l/or objects	•	FF: 2: 23

in Room 48, County Court House, 400 Washington Avenue, Towson, Maryland 21204 on Tuesday, August 13, 2002 at 10:00 A.M.

YOU ARE COMMANDED TO produce the following documents or objects (for general purpose as stated):

TO TESTIFY WITH RESPECT TO THE TRAFFIC AND PARKING ISSUES PERTAINING TO YOUR REVIEW OF THE SITE AND PROPOSED USE AT THE SOUTHEAST CORNER OF RIVERSIDE AVENUE AND BAY DRIVE

SUBPOENA REQUESTED BY: John B. Gontrum Romadka & Gontrum LLC 814 Eastern Boulevard Baltimore, Maryland 21221 410-686-8274

IN THE MA	ATTER OF	*	BEFORE THE COUNTY BO	DARD
ANDREW	and THERESA CELMER	*	OF APPEALS OF	
	RSIDE AVENUE EAST		BALTIMORE COUNTY	
5 <sup>th</sup> Council	manic District	*	Case No. 02-034-XA	
******	************	* <del>***</del> **	*******************************	* <del>**</del> ***
		SUBPOE	ENA .	
STATE OF	MARYLAND, BALTIMORE	COUNT	Y TO WIT:	
TO:	CARL RICHARDS			
	BALTIMORE COUNTY			
			ELOPMENT MANAGEMENT	02
	111 W. CHESAPEAKE			
	TOWSON, MARYLAND	21204		ক
VOLLADE		٦.		₹ ₹ **********************************
	HEREBY COMMANDED TO	<i>)</i> :		~~·
(x)	Personally appear;	Var abiad		
( )	Personally appear and a	vor object	s only;	)
( )	Personally appear and p	roduce do	ocuments or objects;	$\sim$

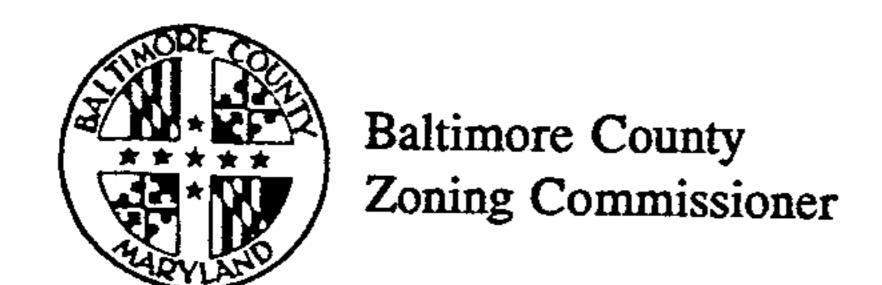
in Room 48, County Court House, 400 Washington Avenue, Towson, Maryland 21204 on Tuesday, August 13, 2002 at 10:00 A.M.

YOU ARE COMMANDED TO produce the following documents or objects (for general purpose as stated):

TO TESTIFY WITH RESPECT TO THE SPECIAL EXCEPTION USE PERTAINING TO THE REQUESTED USE AND VARIANCEISSUES PERTAINING TO YOUR REVIEW OF THE SITE AND PROPOSED USE IN AN RC 20 ZONE AT THE SOUTHEAST CORNER OF RIVERSIDE AVENUE AND BAY DRIVE

SUBPOENA REQUESTED BY: John B. Gontrum Romadka & Gontrum LLC 814 Eastern Boulevard Baltimore, Maryland 21221 410-686-8274

The witness named above is hereby ORDERED to so appear before the Hearing Officer. John Gontrum will serve the summons set forth herein.



June 20, 2002

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

Fax: 410-887-3468

Mr. Douglas B. Celmer 1721 Beechwood Avenue Essex, Maryland 21221-6504

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE (1355 Riverside Avenue, East) Andrew Celmer, et ux - Petitioners Case No. 02-034-XA

Dear Mr. Celmer:

In response to your letter of May 1, 2002 concerning the above-captioned the matter, the following comments are offered.

It is my understanding that the Findings of Fact and Conclusions of Law issued by me on September 28, 2001 have been appealed by Lucinda Meyers to the County Board of Appeals and that this case is scheduled for a hearing before that agency on August 13, 2002. Pursuant to the relevant provisions of the Baltimore County Code, the appeal hearing is conducted on a de novo basis. That is, the Board will hear the case anew and my decision in the matter is of no further force and effect. Following its hearing, the Board will render a decision which can be the same or directly opposite of my findings.

Under the circumstances, I will defer consideration of the revised parking plan you submitted. Only if the appeal is dismissed or if the Board enters the same requirement can the plan be considered.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bis

cc: John B. Gontrum, Esquire, Romadka, Gontrum & McLaughlin §14 Eastern Blvd., Baltimore, Md. 21221

Ms. Lucinda Meyers, 1220 E. Riverside Avenue, Baltimore, Md. 21221

**Z**ase File

Douglas B. Celmer 1721 Beechwood Ave. Essex MD. 21221-6504

May 1, 2002

To: Baltimore County Zoning Commissioner

Suite 405, County Courts Building

401 Bosley Ave, Towson Maryland 21204

MAY 6

RE: Petitions For Special Exception & Variance

SE/Corner Bay Avenue and Riverside Avenue

1355 Riverside Avenue, East

15<sup>th</sup> Election District- 5<sup>th</sup> Council District

Andrew Celmer, et ux- Petitioners

Case No. 02-034-XA

#### Dear Sirs

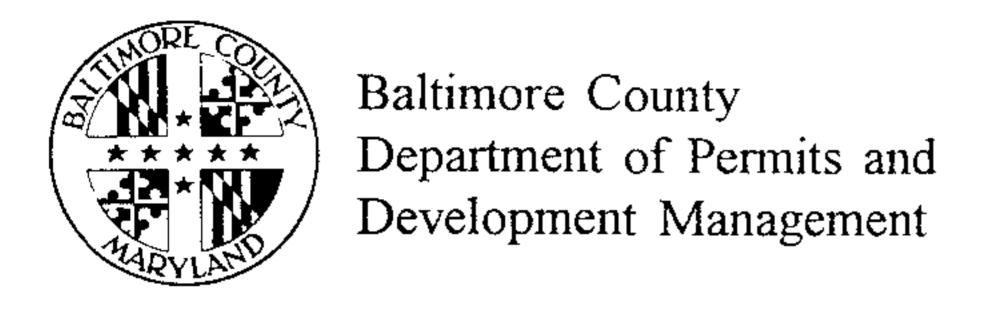
Enclosed please find copies of the decision in the above referenced case and revised drawings. In the decision my family was instructed to consult with Mr. Rahee Famili of Baltimore County concerning "implementing a more efficient and practical parking plan". I have consulted with Mr. Famili and revised the parking area proposed. This area is clouded on the drawing and initialed by myself. Mr. Famili has approved, initialed and dated the drawing and parking sketch attached. If you have any questions please contact myself (410) 436-6375 days.

Very truly yours

Douglas B. Celmer

Douglas B Elma

Cc: John B. Gontrum, Esquire, 814 Eastern Boulevard, Baltimore Maryland 21221



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

Fax: 410-887-5708

December 4, 2001

Mr. John B. Gontrum Romadka Gontrum & McLaughlin 814 Eastern Boulevard Baltimore MD 21221

Dear Mr. Gontrum:

RE: Case No. 02-034-A, 1355 Riverside Avenue, East

Please be advised that an appeal of the above-referenced case was filed in this office on October 24, 2001 by Lucinda Meyers. 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.

Arnold Jabion Gラス

Director

ncerely,

AJ: gdz

c: Theresa & Andrew Celmer, 1355 Riverside Avenue, East, Baltimore 21221 People's Counsel

Lucinda Meyers 1220 East Riverside Ave Baltimore, Maryland21221

October 23, 2001

Arnold Jablon County Office Building 111 West Chesapeake Ave. Towson, Maryland 21204

Dear Mr. Jablon,

Enclosed please find a check in the amount of \$460.00. This should be the correct amount, per George Zahner, to appeal the Petitions for Special Exception and Variance decision issued on September 28,2001, by Commissioner Lawrence E. Schmidt.

I wish to appeal the entire decision of case No. 02-034-XA- aka **PETITIONS** FOR SPECIAL EXCEPTION AND VARIANCE-SE/Corner Bay **Avenue** and Riverside Avenue (1355 Riverside Avenue) 15th Election District 5<sup>th</sup> Council District, Andrew Celmer, et ux Petitioners.

Sincerely.

Lucinda Meyers

1220 East Riverside Avenue Baltimore, Maryland 21221

410.686.8121

FAX 410.574-6018

01-3627 OCT 24 2001

# BACK RIVER NECK PENINSULA COMMUNITY ASSOCIATION



**SINCE 1983** 

P.O. Box 16754, Baltimore, Maryland 21221

034

February 28, 2001

Mr. John Gontrum 814 Eastern Blvd. Essex, MD. 21221

Dear Mr. Gontrum,

This letter is to advise you that on February 27th, at it's General Meeting, the membership of the Back River Neck Peninsula Community Association, Inc. (BRNPCA) voted to approve a recommendation from it's Board of Governors which states that the BRNPCA fully supports the petition of Mr. Doug Celmer to allow his RC-20 property located on Riverside Ave. to be used as a soccer practice field in association with the Mt. Carmel Church Athletic Assn.

Mr. Celmer has identified a need for the young people in our community, and at his own expense, rectified that need. Mr. Celmer should be commended for his unselfish actions. We strongly urge all Govt. Agencies to allow Mr. Celmer the specific usage for the property that he has requested.

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自命自己性,所能以此一群工作。但他们也是对他们的原理的理解。不是他们的人也是一个的意思。"是这个人,这个人也是不是

Respectfully,

Bette Roberts

Keith Roberts, President

Back River Neck Peninsula Community Association, Inc.

cc: Doug Celmer

MAR 0 1 2001

<b>Case Number</b>	• 
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# PLEASE <u>PRINT</u> LEGIBLY

# PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
Judith A. Celner	1721 Beachwoodtve	ESSEX MD	21221
gosemory Walther	1246 E. Riverside ave		21221
JAMES H. MOORE III	1134 E. RIVERSIDE AVE	ESSEX. MD	2/22/
JOHN GOOMAN	1213 EVER GREEN LAWE	ESSEX, MO	21221
Patrice Brylske		Bowleys Otr.	21220
Michael J MARSIGUA		ESSCO MAD	21221
John P. LAGAZ	204 HomBer G AVE	ESSEX ME	21221
Doughs Cimph	1721 Beechwood AUE	ESSEX MD	2/22/
22000	205 Camble Ole	Torsu	21204
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	•		
		Revised 4	/17/00

Case Number <u>02-034</u>X4

## PLEASE <u>PRINT</u> LEGIBLY

# PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
EIZIC MABE	1228 E. BUERSIDE NIE	MD	21221
R.R. Fuchs	1230 E. Riverside Ave.	BALTO, MD	21221
Ethel Heise	1224 F. RIVersille Ave	BALTO MD	21221
Diane Mabe	1228 E. Riverside Ave	Balto MO	2/22/
_ · · · · · · · · · · · · · · · · · · ·	1226 E. RIVERSIDE AVE	BACTO MD	2/22
Vcinda Meyers	(200 E. Riversine Alt		21221
LEROY SENNETT	1716 BEACHWOOD AVE	BALTI MD	7/27/
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TRAPPIC Count made by Neighbor

Riverside Ave

Don't B

TRASTIC COUNT MADE BY Neighbor

# WE THE RESIDENTS OF EAST RIVERSIDE AVENUE, BALTIMORE, COUNTY, ESSEX, MARYLAND, TAKE ISSUE WITH THE FOLLOWING:

The installation of a soccer field located on the property of Andrew and Douglas Celmer on the above address. The following issues need to be addressed at once.

We take issue with the Celmers' removal of the buffer of trees and assorted plant growth that stopped the crosion and runoff outs Riverside Avenue and eventually into the water.

We take issue with the intrusive and overwhelming increase in traffic on our small dead end street. It is hazardous to our children and seniors who enjoy their bikes and evening strolls respectively. Riverside Avenue is a single lane road with no shoulder or passing room to accommodate the large increase in traffic since the opening of this field.

We take issue with the fact that there was dialogue established by the Celemers with their intentions prior to taking this action that has affected our lives in such a negative manner.

We ask that the buffer between the Celmer property and Riverside Avenue be restored to its original status.

We want the makeshift entrance off Riverside Avenue closed.

As we have no objection to the concept of a playing field in itself, however; we want a letter of intent from the Celmer Family with their proposal for this change of venue on their property and their plans for the noise control, as well as, their consideration in relocating the field to another location on their property. One that would allow for an entrance off Mitchell Road, and the constion of intrusion to this quiet residential neighborhood.

August 17, 2000

NAME	ADDRESS	PHONE
Luciada & M leye	ro 1220 Chinesilesto	4. (410)686-8121
R.R. Auchi	1230 E. Riveride	ave. (40) 686-9342
C. R. Jucks	1230 E. Riverile	
Etal Thise	1224 & Riverde	ane (410) 686-1169
John Mice	1224 & Bine	
( W Liston	1226 E RIVERSIO	E AUE 410 391 3487
Bothy Crownell	1242 E Reners	Le Que 410687-0592
Han Love	1206 6. Rimeral	Mone.
Otine H. Dehner	1206 E. Rissie	one 910 6861564
Grant. Massey	1228 E Zing 5106	AIE 4106824441
11 miles Mer	1228 5. Riverside	Ave 410-682-444
GILD CASSEY	1200 E. RIYERSWE	AVE 410-687-7321
PHE KOAUS	1200 E. RIVERSIDE	ALE 410-687-7374
situ Willen	1302 E. Rweiselde	والمراجع
Bonnie Legio	- 1304 & Riverside	any 410-574-4326

Moz

# MARYLAND, TAKE ISSUE WITH THE FOLLOWING:

The installation of a soccer field located on the property of Andrew and Douglas Celmer ti runs along side East Riverside Ave.

#### The following need to be addressed at once.

We take inves with the Colmers' removal of the buffer of trees and asserted plant growth that stopped the erusion and runoff onto Riverside Avenue and eventually into the water.

We take insec with the intrusive and overwhelming increase in traffic on our small dead or street. It is hazardous to our children and seniors who onjoy their bikes and evening straffs respectively. Riverside Avenue is a single inne read with no shoulder or passing room to accommodate the large increase in traffic since the opening of this field.

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NAME
ADDRESS
PHON

Lingh Clay 1306E Riverside Ave 686-4884 410-686-49

Lingh Clay 1232 R. Ziverside Ave 687-4884

Line (1232 R. Ziverside Ave 687-410-687-4884

Line (1232 R. Ziverside Ave 410-391-5788

Line (1232 R. Ziverside Ave 410-391-5788

Line (1238 R. Ziverside Ave 410-391-5788





**SINCE 1983** 

P.O. Box 16754, Baltimore, Maryland 21221

February 28, 2001

Mr. John Gontrum 814 Eastern Blvd. Essex, MD. 21221

Dear Mr. Gontrum,

This letter is to advise you that on February 27th, at it's General Meeting, the members hip of the Back River Neck Peninsula Community Association, Inc. (BRNPCA) voted to approve a recommendation from it's Board of Governors which states that the BRNPCA fully supports the petition of Mr. Doug Celmer to allow his RC-20 property located on Riverside Ave. to be used as a soccer practice field in association with the Mt. Carmel Church Athletic Assn.

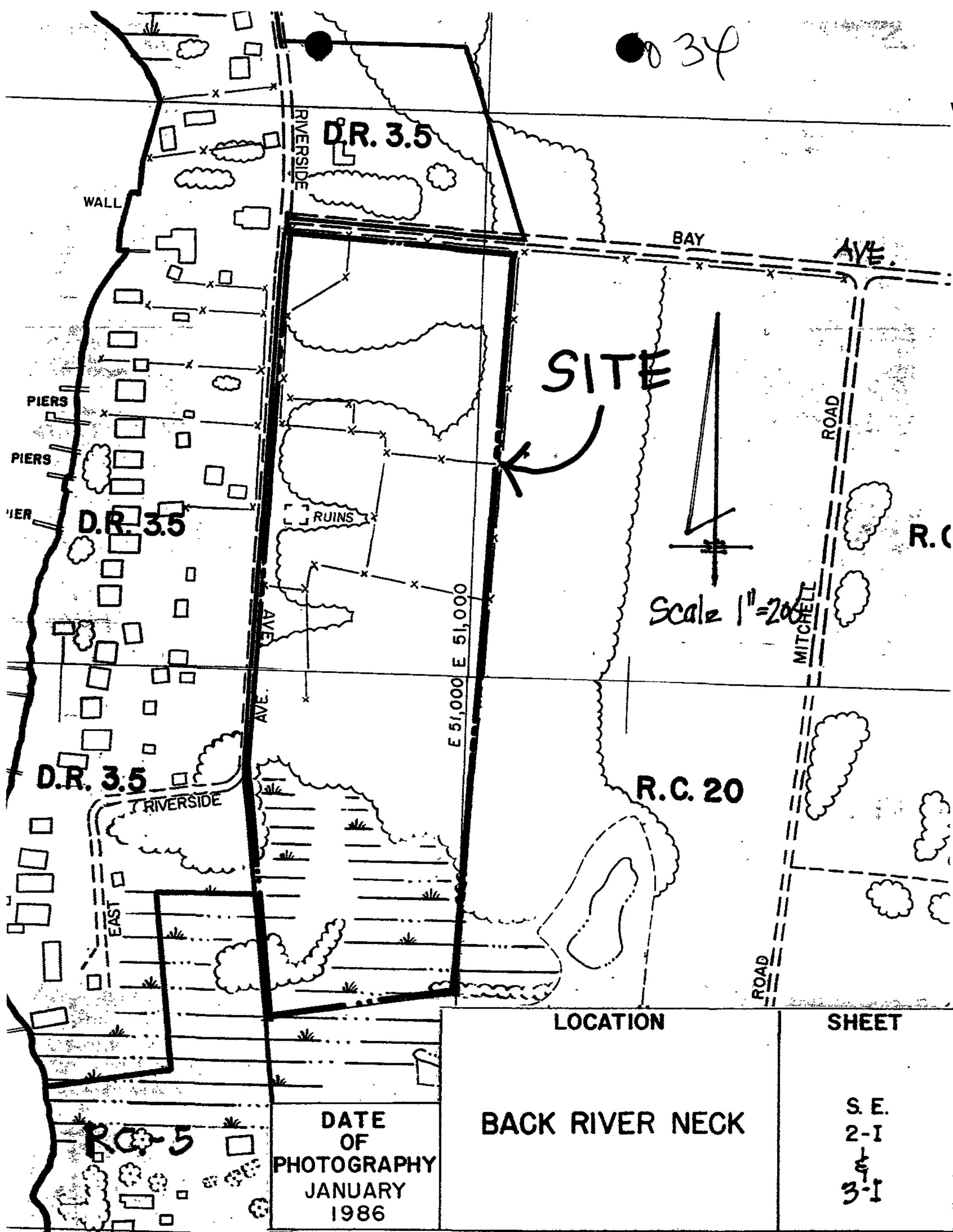
Mr. Celmer has identified a need for the young people in our community, and at his own expense, rectified that need. Mr. Celmer should be commended for his unselfish actions. We strongly urge all Govt. Agencies to allow Mr. Celmer the specific usage for the property that he has requested.

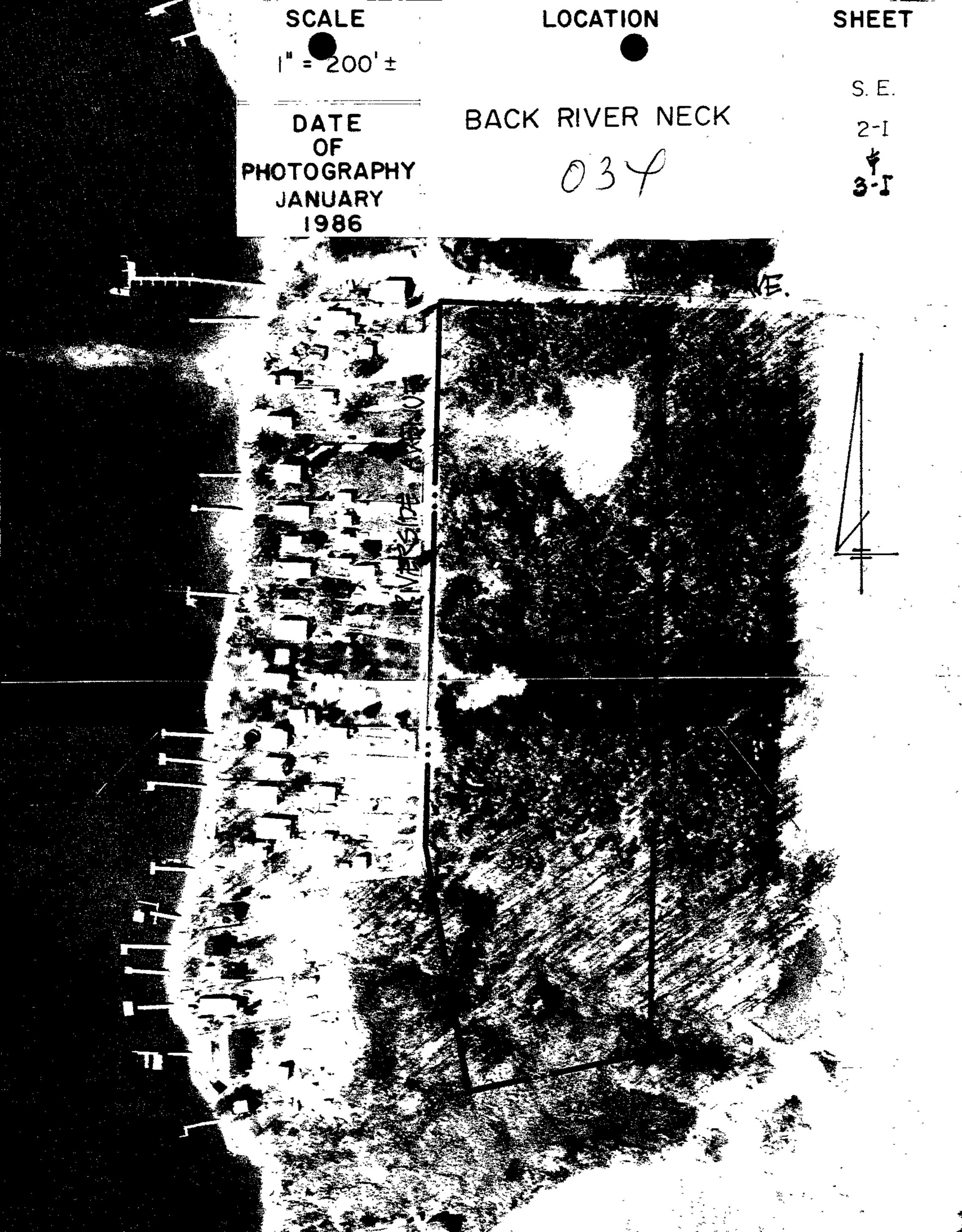
Respectfully,

Keith Roberts, President

Back River Neck Peninsula Community Association, Inc.

c: Doug Celmer



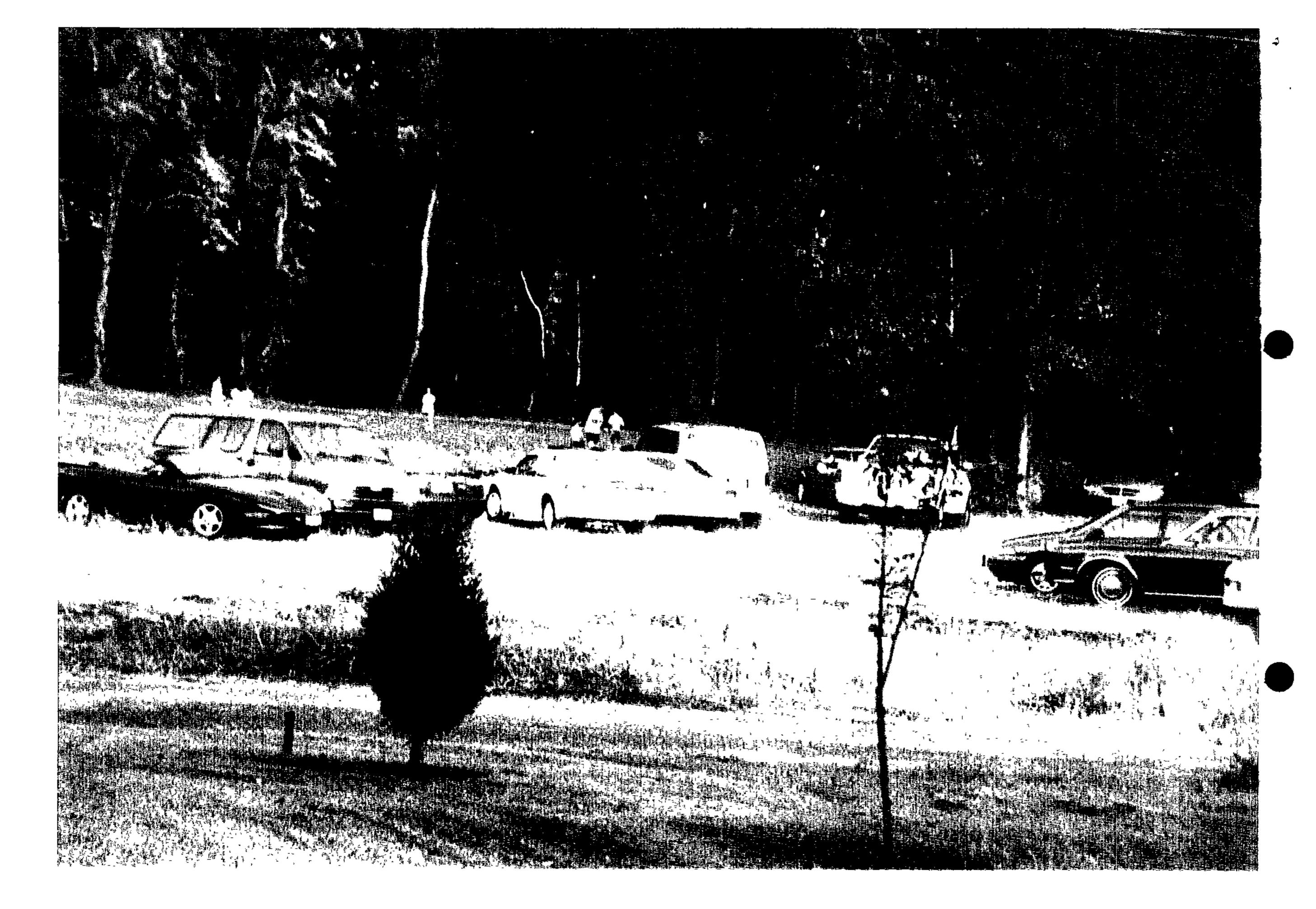


P.O.C Doug Colmer 410-436-6375 W 410-391-4497 H PARKing Layout AS
Required by Zoning Hearing

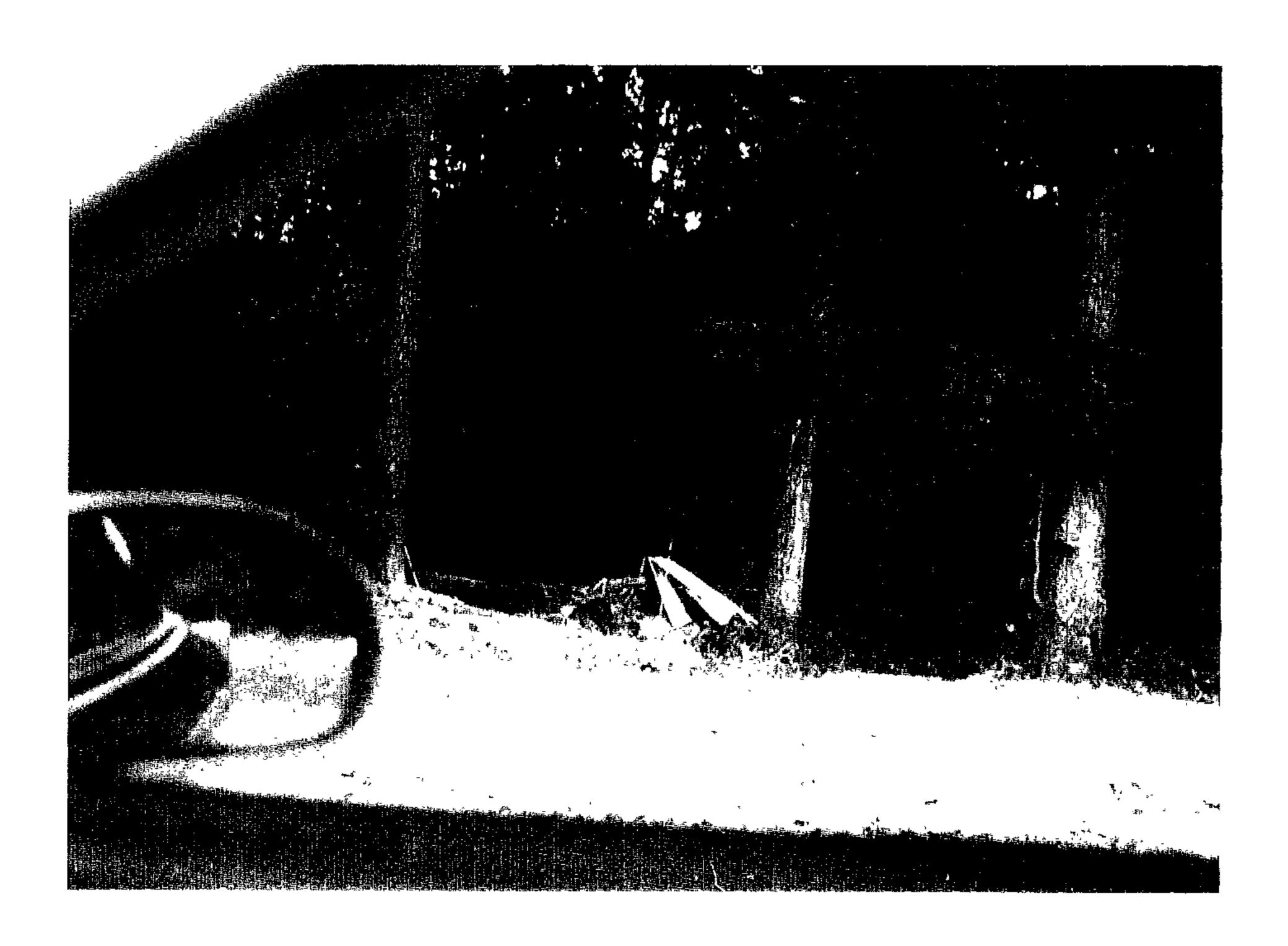
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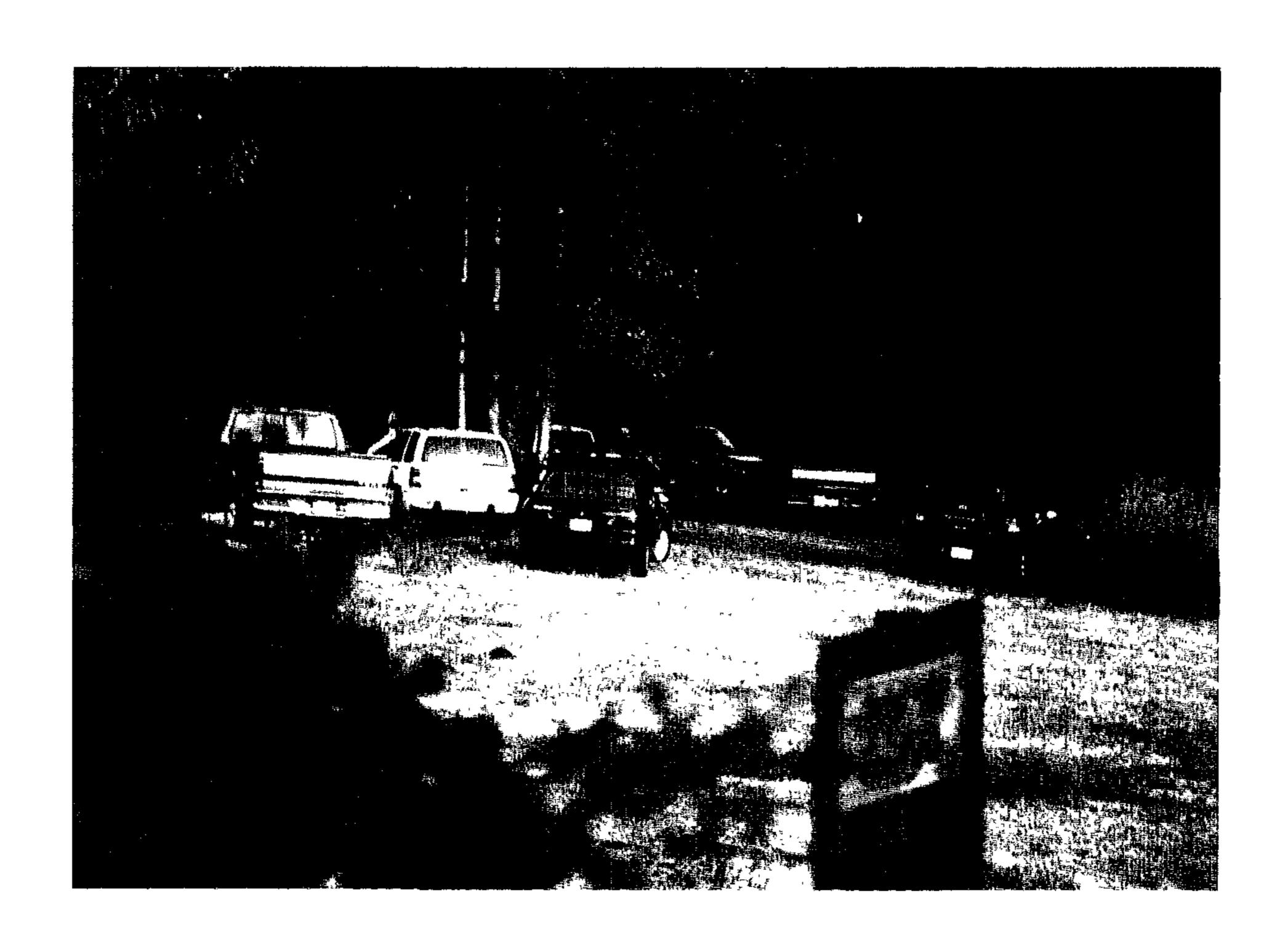


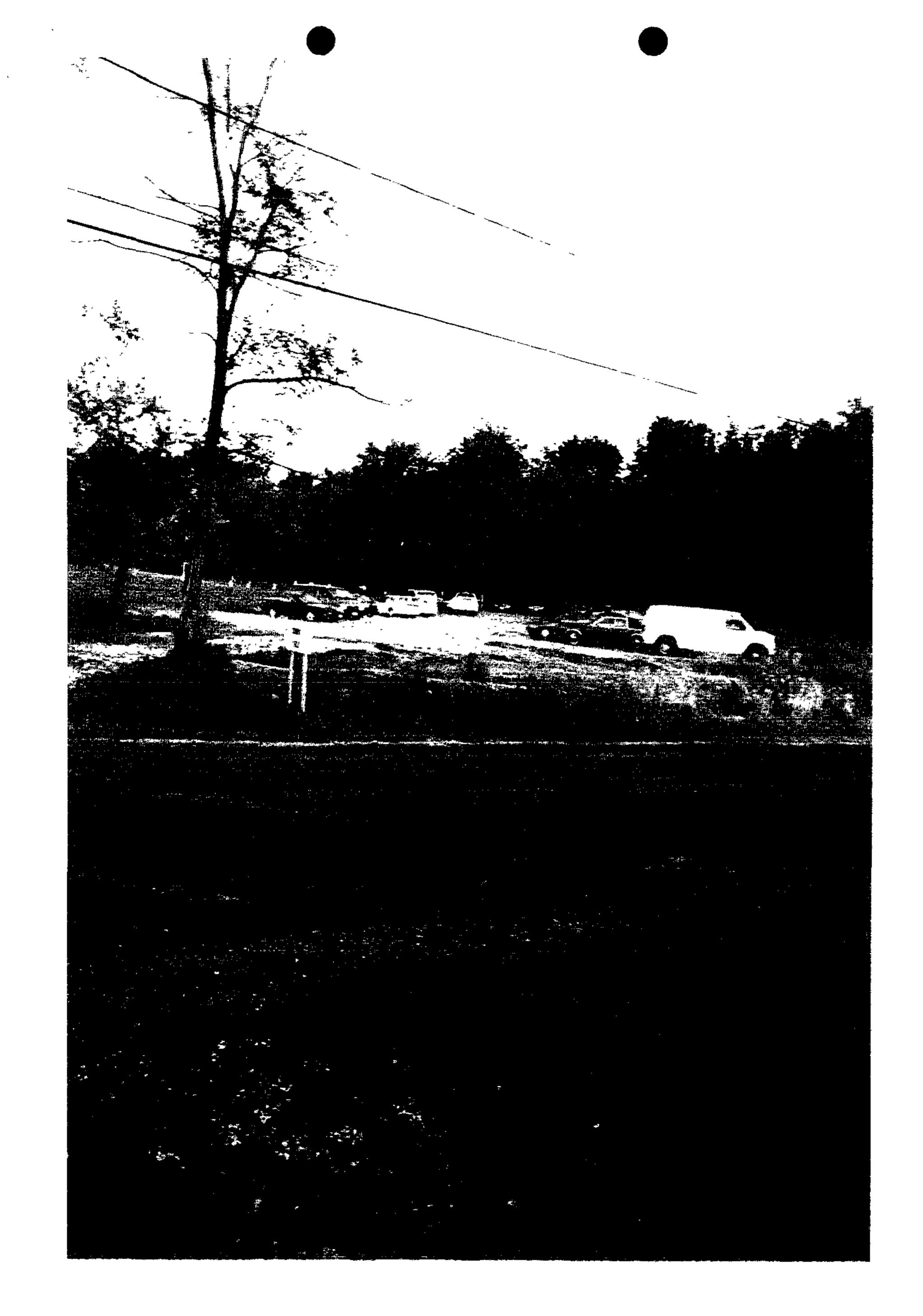






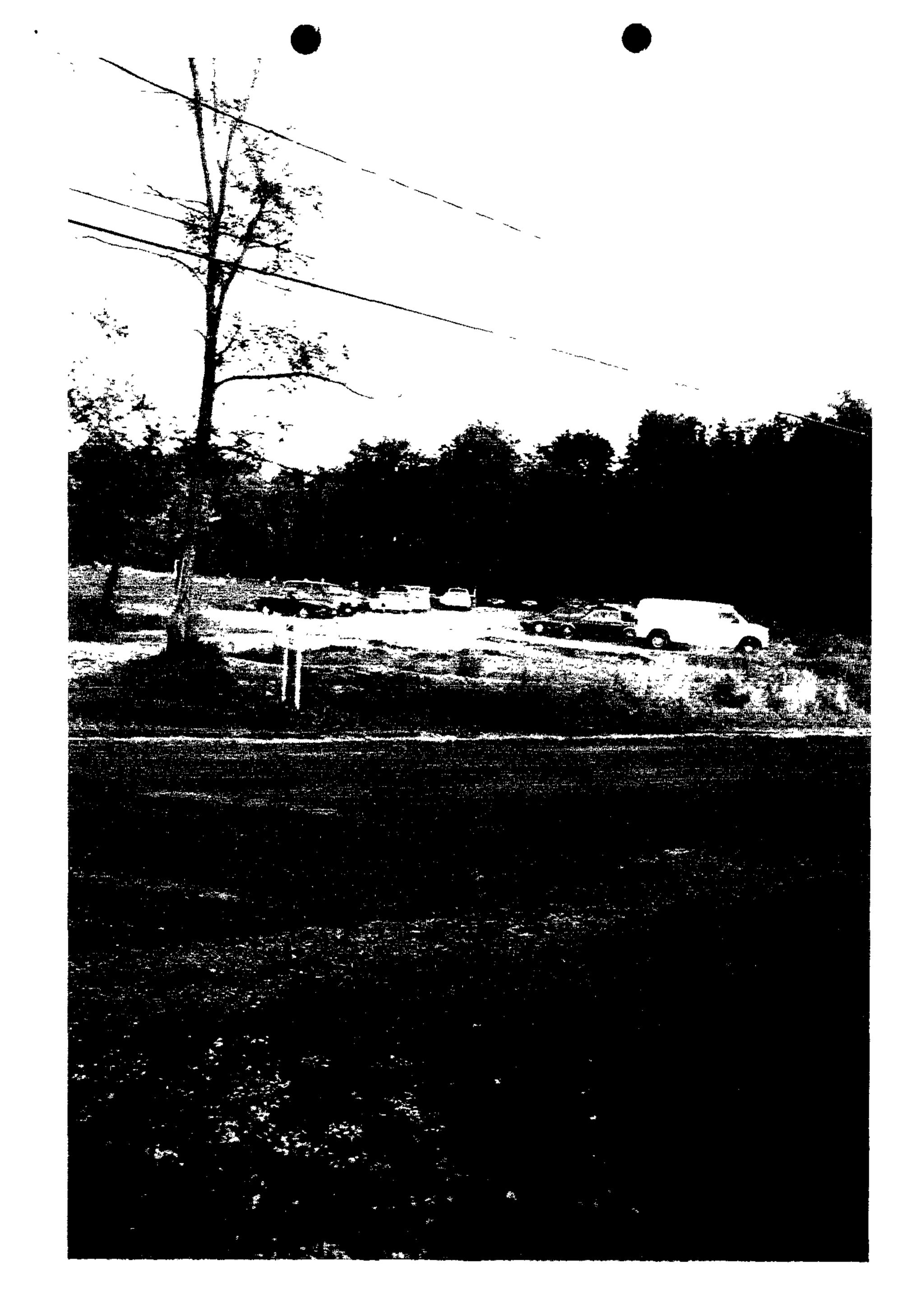


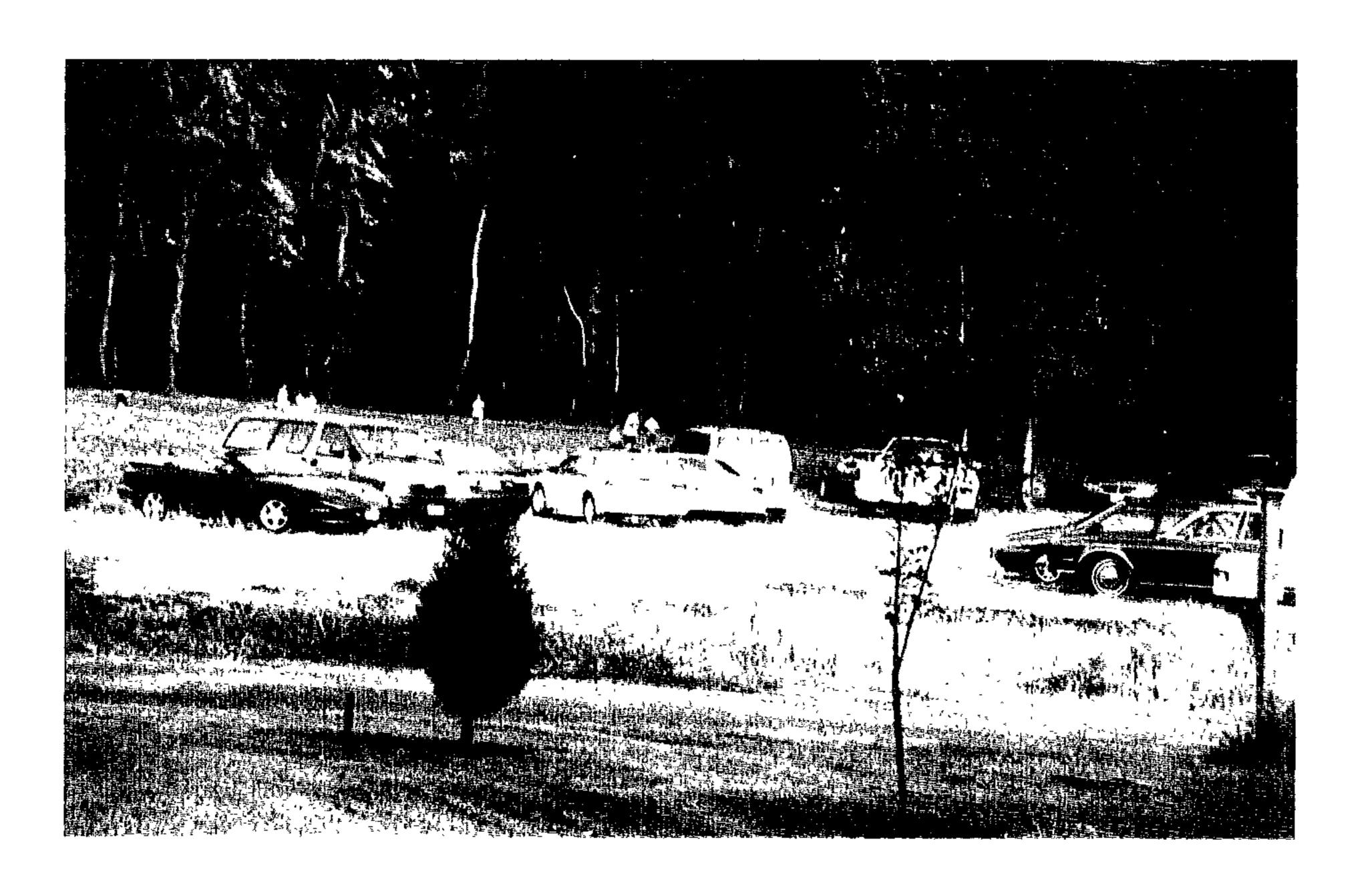












Motographs 12-134-XA













Buck Regal

Brooks Buck Lenilworth Town

