

IN RE: PETITION FOR ADMINISTRATIVE	*	BEFORE THE
SPECIAL HEARING		
E/S Philadelphia Road, 950' S	*	DEPUTY ZONING COMMISSIONER
centerline of Ravenwood Road		
15th Election District	*	OF BALTIMORE COUNTY
5th Councilmanic District		
(9719 Philadelphia Road)	*	CASE NO. 02-433-ASPH
Heather M. & Raymond J. Stuckey	*	
Petitioners		

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Deputy Zoning Commissioner as a Motion for Reconsideration filed by Patricia A. Malone, attorney for Raymond and Heather Stuckey. The Stuckey's are owners of property located at 9719 Philadelphia Road. They recently filed an Administrative Special hearing for a waiver, to allow a structure listed on the Maryland Historic Trust Inventory to be razed. The special hearing was denied in that the structure itself had already been torn down and, therefore, the granting of the waiver appeared moot.

However, after the denial of the special hearing relief, the property owner was once again cited with a violation by the Code Enforcement Division of the Department of Permits & Development Management. These recent citations appear to have been filed against the property owner as a result of the denial of the waiver. The property owner was already cited by Code Enforcement and paid a monetary fine for tearing down this structure. This secondary wave of citations appear, in the opinion of this Deputy Zoning Commissioner, to be unnecessary given that Mr. Stuckey has already paid his penalty for tearing down this building. In my opinion, it is not prudent to punish this property owner a second time for the same violation. Inasmuch as it is believed by the property owners' attorney that these new citations may have resulted from my denial of the waiver request, I shall reconsider my previous denial of their case and grant to them

ORDER RECEIVED FOR FILING

Date 7/1/02

By R. J. Joneson

their relief which was originally filed in Case No. 02-433-ASPH. I trust that the reconsideration of my original denial and the granting of the relief will cause Code Enforcement to reevaluate their decision to recharge this property owner at this time.

THEREFORE, IT IS, this 18 day of July, 2002, by the Deputy Zoning Commissioner for Baltimore County,

ORDERED that the Petitioners' Request for Reconsideration of my previous Order, be and it is hereby GRANTED and the Administrative Special Hearing Request for a waiver to allow the razing of a structure with a Maryland Historic Trust Inventory number, 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

ORDER RECEIVED FOR FILING

Date

7/16/02

By

R. J. Jernigan



Baltimore County
Zoning Commissioner

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

July 1, 2002

Patricia A. Malone, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Motion for Reconsideration
Case No. 02-433-ASPH
Property: 9719 Philadelphia Road

Dear Ms. Malone:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. & Mrs. Raymond J. Stuckey
9723 Philadelphia Road
Baltimore, Maryland 21237

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



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on Recycled Paper

IN RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING

E/S Philadelphia Road, 950' S
centerline of Ravenwood Road
15th Election District
5th Councilmanic District
(9719 Philadelphia Road)

Heather M. & Raymond J. Stuckey
Petitioners

*
*
*
*
*

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 02-433-ASPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Special Hearing filed by the legal owners of the subject property, Heather M. and Raymond J. Stuckey. The Petitioners are requesting a special hearing for a waiver to approve the demolition of a building which was listed on the Maryland Historical Trust Inventory as #BA-2439. The special hearing request was prepared and filed by Robert A. Hoffman, attorney at law.

This matter was considered by the Landmarks Preservation Commission in a meeting held on May 9, 2002. A written comment dated May 20, 2002 was submitted to my file by Kimberly Abe, Secretary of the Landmarks Preservation Commission. The owners of the subject property have already destroyed and demolished this particular building. The comment issued by the Landmarks Preservation Commission evidenced their concern over the demolition of this structure without first obtaining the proper razing permit. Furthermore, the Commission declined to comment on the structure's historic significance.

It is clear from the evidence presented in the file, that these property owners failed to follow proper procedures in their efforts to tear down this old structure. In fact, at the time of my consideration of this special hearing, the structure itself has already been destroyed. Therefore, I

ORDER RECEIVED FOR FILING

Date

6/5/02

By

R. J. Jenson

do not believe it is appropriate, nor proper, to grant a special hearing for a waiver to raze this building when the structure itself has already been destroyed and removed from the property.

THEREFORE, IT IS, this 4th day of June, 2002, by the Deputy Zoning Commissioner for Baltimore County,

ORDERED that the special hearing request shall be DENIED.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED BY FILING

6/15/02

By 



Baltimore County
Zoning Commissioner

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

June 4, 2002

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

Re: Petition for Administrative Variance
Case No. 02-433-ASPH
Property: 9719 Philadelphia Road

Dear Mr. & Mrs. Stuckey:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been denied 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,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. & Mrs. Raymond J. Stuckey
9723 Philadelphia Road
Baltimore, Maryland 21237

Census 2000

For You, For Baltimore County

Census 2000



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on Recycled Paper

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

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 9719 Philadelphia Rd
which is presently zoned DR 5.5 MLI IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to

Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), 26-203(c)(8), and 26-278 of the Baltimore County Code to raze a building (MHT# BA-2439).

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

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Ave.

(410) 494-6262

Address

Telephone No.

Towson,

Md.

21204

City

State

Zip Code

Legal Owner(s):

RAYMOND J. STUCKEY

Name - Type or Print

Signature

HEATHER M. STUCKEY

Name - Type or Print

Signature

9723 Philadelphia Rd

Address

Balto MD 21237

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Ave.

(410) 494-6262

Address

Telephone No.

Towson,

Md.

21204

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 6/5/02 day of June that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 02-433-5814

Reviewed By BR Date 4/4/02

Estimated Posting Date 4/15/02

REV 9/18/98

Date

By

ORDER RECEIVED FOR FILING

Affidavit

in Support of Administrative Special Hearing

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

That the Affiant(s) does/do presently reside at

9723 Philadelphia Rd

Address

Balto. MD

City

State

21237

Zip Code

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

Raymond J. Stuckey

Signature

RAYMOND J. STUCKEY

Name - Type or Print

Heather M. Stuckey

Signature

HEATHER M. STUCKEY

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of April, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

4-03-02

Date

Jean Freese

Notary Public

My Commission Expires 9-1-02

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 9719 Philadelphia Rd
which is presently zoned DR 5.5 MLT1m

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to

Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), 26-203(c)(8), and 26-278 of the Baltimore County Code to raze a building (MHT# BA-2439).

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

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Ave. (410) 494-6262

Address

Towson, Md. 21204

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6262

Address

Towson, Md. 21204

City

State

Zip Code

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

Zoning Commissioner of Baltimore County

Case No. 02-433-SPH

Reviewed By BK Date 4/4/02

REV 9/18/98

Estimated Posting Date 4/15/02

Affidavit

in Support of Administrative Special Hearing

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

That the Affiant(s) does/do presently reside at

9723 Philadelphia Rd
Address

Balto MD 21237
City State Zip Code

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

Raymond J Stuckey
Signature

RAYMOND J. STUCKEY
Name - Type or Print

Heather M Stuckey
Signature

HEATHER M STUCKEY
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of April, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

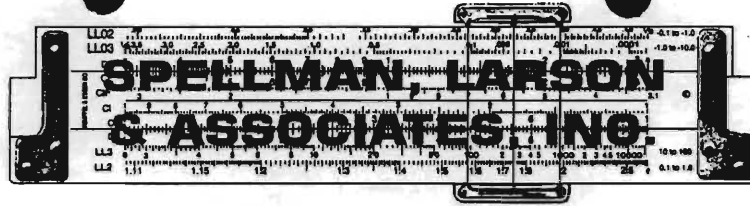
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

4/3/02
Date

Jean F Reese
Notary Public

My Commission Expires 9-1-03



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

**DESCRIPTION FOR ZONING, STUCKEY PROPERTY, 9719 PHILADELPHIA ROAD, 15TH
DISTRICT BALTIMORE COUNTY, MARYLAND**

BEGINNING for the same at the intersection formed by the southeast side of Philadelphia Road, 66 feet wide, and the southwest side of a 14 foot road known as Philco Road and running thence and binding on the southeast side of Philadelphia Road south 50 degrees 50 minutes 00 seconds west 199.75 feet thence leaving the southeast side of Philadelphia Road and running south 44 degrees 01 minutes 48 seconds east 206.67 feet and north 50 degrees 50 minutes 00 seconds east 199.84 feet to the southwest side of Philco Road herein referred to and running thence and binding on the southwest side of Philco Road south 44 degrees 01 minutes 48 seconds east 188.00 feet and running thence north 56 degrees 38 minutes 19 seconds east 30.79 feet, north 44 degrees 46 minutes 42 seconds west 373.42 feet and north 54 degrees 58 minutes 44 seconds west 25.70 feet to the southeast side of Philadelphia Road herein referred to and running thence and binding thereon south 50 degrees 50 minutes 00 seconds west 20.66 feet to the place of beginning.

CONTAINING 1.20 acres of land more or less.

#933

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 12610

DATE 4/4/02 ACCOUNT RC001-006-6150
AMOUNT \$ 50.00

RECEIVED FROM: Reynold Stucky
FOR: Animal Special Hearing

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME
4/05/2002	4/04/2002	14:28:55
REC: 0004	WALKIN DOL DND DRAWER	2
>> RECEIPT #	179750	4/04/2002 OFLN
DEPT.	5 528 ZONING VERIFICATION	
CR NO.	012610	
Recpt Tot	\$50.00	
50.00 CK	.00 CA	
Baltimore County, Maryland		

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-433-SPH

Petitioner/Developer: RAYMOND

J. STUCKEY

Date of Hearing/Closing: 4/30/02

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 9719 PHILADELPHIA RD

The sign(s) were posted on 4/12/02
(Month, Day, Year)

Sincerely,

[Signature] 4/12/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: C2-433 - ~~SPH~~ SPH

Petitioner: Raymond J. Stuckey

Address or Location: 9719 Philadelphia Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Pontell

Address: 210 Allegheny Avenue

Towson MD 21204

Telephone Number: (410) 494-6200

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATESCase Number 02- 433 -SPH Address 9719 Philadelphia RoadContact Person: Bruno Rudartis Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 4/3/02 Posting Date: 4/15/02 Closing Date: 4/30/02

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE SPECIAL HEARING SIGN FORMATCase Number 02- 433 -SPH Address 9719 Philadelphia RoadPetitioner's Name Raymond J. Stuckey Telephone (410) 391-0799Posting Date: 4/15/02 Closing Date: 4/30/02Wording for Sign: Administrative Special Hearing to approve the razing of a historic building
(MHT# BA-2439).

WCR - 6/28/00



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 29, 2002

Mr. Robert A Hoffman
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 02-433-SPH, 9719 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 4, 2002.

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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Mr. & Mrs. Raymond J Stuckey, 9723 Philadelphia Road, Baltimore 21237
People's Counsel

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





Baltimore County
Fire Department

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

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

April 18, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. Zahner:

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 at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

426-435, 437-439

433

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

cc: File
COUNTY REVIEW GROUP MEETING{PRIVATE }

AV
4/28

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Robert W. Bowling, Supervisor *RWB/DAK*
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for *April 22, 2002*
Item Nos. 424, 427, 428, 429, 430, 431,
433, 434, 435, 436, 437, 438, 439, 440,
441 and 442

DATE: May 21, 2002

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

RWB:CEN:cab

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RS/TGT*

DATE: May 10, 2002

Zoning Reclass/ Redistricting Petitions

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

CASES 454-457

Zoning Advisory Committee Meeting of April 22, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

424, 428, 429, 431, 433, 434, 435, 437, 438, 439, 440, 442

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 26, 2002

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

SUBJECT: 9719 Philadelphia Road

INFORMATION:

Item Number: 02-433

Petitioner: Raymond J. Stuckey

Zoning: DR 5.5/ML-IM

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

Please defer any action on this Petition until receipt of comments from the May 9, 2002 meeting of the Landmarks Preservation Commission.

Division Chief:



AFK/JL:jl

APR 26 2002

SIGNER



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.18.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 433 BR

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 7. are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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

My telephone number is _____

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

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

MAY 8 2002

AY 4/20

RE: PETITION FOR SPECIAL HEARING
9719 Philadelphia Road, E/S Philadelphia Rd,
950' S of c/I Ravenwood Rd
15th Election District, 5th Councilmanic

Legal Owner: Raymond J. & Heather M. Stuckey
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-433-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole 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 2nd day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 18, 2002

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

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

SUBJECT: Item No.: 433
Legal Owner/Petitioner Raymond J. Stuckey
Contract Purchaser: N/A
Property Address: 9719 Philadelphia Rd.
Location Description: E/side Philadelphia Rd. 950' S/centerline of
Ravenwood Rd.

VIOLATION INFORMATION: Case No. 02-1453
Defendants: Raymond J. Stuckey

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

NAME	ADDRESS
------	---------

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

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

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

RSW/gk
C: Code Enforcement Officer

PHOTOGRAPHIC RECORD

Citation/Case No.: 02-1453

Date of Photographs: 4/17/02



4/17/02 9717-
PHILADELPHIA RD



4/17/02 9717
PHILADELPHIA RD

I HEREBY CERTIFY that I took the 3 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

Arant Kidd
Enforcement Officer



4/17/02 - 9717 PHILADELPHIA RD



Ba. County
Department of Permits and
Development Management

Code Inspector Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

DIST 14

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 02-14771953	Property No. 1514100200	Zoning: N/A
----------------------------------	----------------------------	----------------

Name(s): R.J. STURLEY ENTERPRISE INC (410-331-0789)
R.J. STURLEY (OWNER)

Address: 9717 PHILADELPHIA RD

Violation Location: 9719 PHILADELPHIA RD

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

- I.R.C. 2001 L.D. 1 F.C.C. 7-52(0) PAR 2
- ① OBTAIN RAZING PERMIT FOR STRUCTURE
ALREADY TORN DOWN. STRUCTURE PREVIOUSLY
LISTED ON THE HISTORIC RECORDS.
- ② SUBJECT TO A POSSIBLE INVESTIGATION
FINE OF \$100,000.00 AT ISSUANCE OF PERMIT

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before:	Date Issued:
---------------	--------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than: 3/14/02	Date Issued: 3/15/02
-------------------------	----------------------

INSPECTOR:

Grant Todd SPANIT K. DD

DEFENDANT

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Notes: 3/13/02 VISITED SITE. ISSUED SWO & CORRECTION NOTICE AT SITE. OBTAIN
RAZING PERMIT & CLEAN ROADS. STRUCTURE ALREADY RAZED. P/U 3/15/02 G.KIDD/NS***
3/18/02 VISITED SITE. ROAD IS CLEAN OF MUD & GRAVEL. CHECKED WITH ZONING, OWNER
IS DROPPING OFF NECESSARY DOCUMENTS FOR HEARING ON 3/25/02.P/U 3/22/02 G.KIDD/NS
**** 3/26/02 CHECKED W/ZONING. OWNERS CANCELLED APPT. FINE NOT PAID.
SPOKE W/MRS.STUCKEY, HAS LAWYER WORKING ON CASE. P/U 4/8/02 G.KIDD/NS***
4/9/02 CHECKED WITH ZONING. FINE WAS PAID PER DOUG SWAM. OWNER HAD ZONING PAPERS
IN ORDER. VARIANCE NO. ISSUED 02-433-SPH. CONTACTED JIM BLENDOL SEDIMENT CONTRO
L ABOUT SITUATION. P/U 6/10/02 G.KIDD/NS****

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

CODE ENFORCEMENT REPORT

Bldg. Insp.

DATE: 3/12/02 INTAKE BY: RSW CASE #: 02-1453 INSPEC: 15

COMPLAINT LOCATION: 9719 Philadelphia Rd
 ZIP CODE: 21237-3427 DIST:

COMPLAINANT NAME: Sed. Central PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: Apparently RAZED a house without a permit - Also A historic structure
7-36 calls for a \$4,000 penalty for such acts

IS THIS A RENTAL UNIT? YES NO
 IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 15-14-100200 ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

DATE: 04/17/2002
TIME: 06:32:12

STANDARD ASSESSMENT INQUIRY (1)

RA1001E

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 14 100200	15	3-3	04-00	N	YES		12/12/01
STUCKEY RAYMOND J				DESC-1.. IMPS1.552 AC			
STUCKEY HEATHER M				DESC-2.. SS COR PHILCO RD			
9723 PHILADELPHIA RD				PREMISE.. 09719 PHILADELPHIA RD			

00000-0000

BALTIMORE MD 21237-3427 FORMER OWNER: SCHROEDER BERTHA AMELIA

FCV			PHASED IN		
	PRIOR	PROPOSED		CURR	PRIOR
LAND:	47,470	47,470		FCV	ASSESS
IMPV:	78,460	77,950	TOTAL..	125,420	125,420
TOTL:	125,930	125,420	PREF...	0	0
PREF:	0	0	CURT...	0	0
CURT:	0	0	EXEMPT.	0	0
DATE:	10/96	07/99			

--- TAXABLE BASIS --- FM DATE

02/03 ASSESS:	125,420	07/11/01
01/02 ASSESS:	125,420	07/31/01
00/01 ASSESS:	50,160	06/01/00

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001C

DATE: 04/17/2002
TIME: 06:32:17

STANDARD ASSESSMENT INQUIRY (2)

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 14 100200	15	3-3	04-00	N	YES		12/12/01
LOT....	BOOK....	0000	MAP.....	0082	LOT WIDTH.....		.00
BLOCK..	FOLIO...	0000	GRID....	0016	LOT DEPTH.....		.00
SECTION..			PARCEL..	0237	LAND AREA..		1.550 A
PLAT..					YEAR BUILT.....		00

-----TRANSFER DATA-----

NUMBER.....	213370
DATE.....	06/28/01
PURCHASE PRICE.....	59,000
GROUND RENT.....	0
DEED REF LIBER.....	15358
DEED REF FOLIO.....	0696
CONVEYED IND.....	9
TOT-PART TRAN IND.....	T
GRANTOR ACCT NO..	15-14-100200

-----EXEMPT DATA-----

STATUS.....	
CLASS CODE.....	000
STATE EXEMPT CODE.....	000
COUNTY EXEMPT CODE.....	000
CURR STATE EX ASMT....	0
PRIOR STATE EX ASMT...	0
CURR COUNTY EX ASMT...	0
PRIOR COUNTY EX ASMT..	0

-----STRUCTURE-----

CRITICAL	NEW CONST	CARD	
AREAS CODE	YEAR	NO	
	02099		
		CODE	SQ. FEET
			2341

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001D

DATE: 04/17/2002
TIME: 06:32:24

STANDARD ASSESSMENT INQUIRY (3)

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 14 100200	15	3-3	04-00	N	YES		12/12/01
-----STATE-----				GEO CODE	N/A	LAND-USE	
REC CREATE DATE..				82	NO	R	

DELETE CODE.....

DATE DELETED.....	
LAST FM DATE.....	07/11/01
LAST FM TYPE.....	T
PREV FM DATE.....	
PREV FM TYPE.....	

----- COUNTY -----

LAST LOAD DATE...	12/12/01
PRIOR LOAD DATE..	09/27/01

STATE TAXABLE ASSESS

ZONING VARIANCE CASES

<u>N</u> G. Berry	<u>Y</u> G. Kidd 02-1453
<u>N</u> E. Ecker	<u>N</u> T. Kidd
<u>N</u> R. Faulkner	<u>N</u> R. Larrick
<u>N</u> J. Garland	<u>N</u> B. Maddox
<u>N</u> A. Gee	<u>N</u> L. Mayer
<u>N</u> P. Hohne	<u>N</u> C. Profili
<u>N</u> J. Kemp	<u>N</u> D. Rohlfs
	<u>N</u> H. Rowe

Please check over the following Zoning Hearings to let me know if there are any outstanding violations. Simply note a N(no), or if yes, the violation address in the space next to your name. I will need copies of everything in the file or correction notices, if there is no file, to send to the Zoning Commissioner, along with the form filled out (found on my desk).

Thank you.

Karen Hopkins

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING OF **April 22nd, 2002**
FORMAL OR INFORMAL RESPONSE DUE AT **April 29th, 2002**
2002 MEETING

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

- * Zoning Commissioner's Office (Lawrence Schmidt); MS #2112
- # PDM, Zoning Review H.O. Hearing File (George Zahner)
- # PDM, Zoning Review DRC/ZAC Meeting File (W. Carl Richards, Jr.)
- * PDM, Code Enforcement (Helene Kehring)
- * PDM, Building Inspection (Karen Hopkins)
- & PDM, Development Plans Review (Robert W. Bowling)
- # Planning Office (Mark Cunningham); *Director (Pat Keller)
- * Recreation and Parks (Jean Tansey); MS #52
- # DEPRM (Bruce Seeley) – 2 copies of each
- & State Highway Administration, Access Permits Division (Kenneth A. McDonald)
- & PDM, Building Plans Review (Lt. Jim Mezick); MS #1102F
- * Economic Development Commission, Business Develop. (Robert Hannon); MS #2M07
- * Highways (Tim Burgess); MS #1003
- * Community Conservation (Mary Harvey); MS #1102M
- + People's Counsel (Peter Zimmerman); MS #2010
- * Honorable McIntire, County Council, District 3; MS #2201
- # IF CRITICAL AREA, Maryland Office of Planning (Aziz Mammad)
- # IF FLOODPLAIN, Department of Natural Resources (John Joyce)
- # IF FLOODPLAIN, Public Works (David Thomas); MS #1315
- * IF FLOODPLAIN, Permits (John Reisinger)
- * IF FLOODPLAIN, Code Enforcement (Rick Wisnom)
- # IF ELDERLY HOUSING, Community Development; MS #1102M
- # IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
- # IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder); MS #1102E
- * IF TOWER, Tower Coordinator, c/o OIT; MS #2007

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: George Zahner.

If you have any questions regarding a particular zoning petition, please contact the Zoning Review planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Item Number: 424 **Case Number:** 02-424-XA **Type:** Commercial **Reviewer:** JNP
Legal Owner: John E. Markel

Contract Purchaser: Dr. Jerry Stuckey

Critical Area: No **Election District:** 9th **Councilmanic District:** 4th

Property Address: 7407 York Road

Location: SE/corner of York Road and Wilton Road

Existing Zoning: D.R. 5.5 **Area:** .40 acres

Proposed Zoning: SPECIAL EXCEPTION to permit a Chiropractor's office in a D.R. 5.5 zone, which serves as primary residence of petitioner. A VARIANCE to permit 0 (zero) parking spaces in lieu of the required 6 (six).

Attorney:

Miscellaneous:

Item Number: 426 **Case Number:** 02-426-A **Type:** Residential **Reviewer:** JL
Legal Owner: Patricia E. Stevenson

Contract Purchaser:

Critical Area: Yes **Election District:** 15th **Councilmanic District:** 6th

Property Address: 1224 Stumpfs Road

Location: N/side of Stumpfs Road 7,000 feet +/- northeast of Ebenezer Road

Existing Zoning: R.C. 2 **Area:** .27 acres +/-

Proposed Zoning: VARIANCE to permit a proposed dwelling with (side) property line set backs of as close as 14 feet and 10 feet respectively in lieu of 35 feet.

Attorney:

Miscellaneous: CBCA, Flood Plain

ZAC AGENDA

Item Number: 427 **Case Number:** 02-427-A

Type: Administrative

Reviewer: JJS

Legal Owner: Kevin L. Reeder

Contract Purchaser:

Critical Area: Yes

Election District: 15th

Councilmanic District: 7th

Property Address: 9110 Chesapeake Ave.

Location: E/side driveway, 50 feet north of Chesapeake Ave. at a point 1,200 feet +/- east of Baylight Ave.

Existing Zoning: D.R. 5.5

Area: 0.228 acres +/-

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit an accessory structure (pool) to be located in the front yard in lieu of the required rear yard.

Attorney:

Miscellaneous: Pool, CBCA

Item Number: 428 **Case Number:** 02-428-A

Type: Administrative

Reviewer: JCM

Legal Owner: Mary Lou James

Contract Purchaser:

Critical Area: No

Election District: 9th

Councilmanic District: 6th

Property Address: 7803 Aiken Avenue

Location: E/side of Aiken Ave., 220 feet +/- north of center line of Taylor Avenue

Existing Zoning: D.R. 5.5

Area: .087 acres +/-

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit a rear yard set back of 25 feet in lieu of required 30 feet for an addition.

Attorney:

Miscellaneous:

ZAC AGENDA

Item Number: 429 **Case Number:** 02-429-A

Type: Administrative

Reviewer: BR

Legal Owner: Robert Lee Daniels

Contract Purchaser:

Critical Area: No

Election District: 11th

Councilmanic District: 5th

Property Address: 5100 Hilltop Acres Road

Location: N/side Hilltop Acres Road, 50 feet east of center line Jessica Lane

Existing Zoning: D.R. 5.5

Area: 11,151 square feet

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit a window to tract boundary set back of 13 feet in lieu of the required 35 feet and to amend the Final Development Plan.

Attorney:

Miscellaneous:

Item Number: 430 **Case Number:** 02-430-SPH

Type: Residential

Reviewer: JJS

Legal Owner: Shawn P. Kelly

Contract Purchaser: William Deamer Class, Jr. and Frances Jean Class

Critical Area: No

Election District: 11th

Councilmanic District: 6th

Property Address: 12424 Regwood Road

Location: S/side private Road, 1,410 feet west of Regwood Road

Existing Zoning: R.C. 2

Area: 6.00 acres +/-

Proposed Zoning: SPECIAL HEARING to approve the non-density transfer of 6.00 acres to an adjoining property owner.

Attorney: Lee Koehler

Miscellaneous:

ZAC AGENDA

Item Number: 431 **Case Number:** 02-431-A

Type: Administrative

Reviewer: JRF

Legal Owner: Paul E. Sojka

Contract Purchaser:

Critical Area: No

Election District: 12th

Councilmanic District: 7th

Property Address: 2710 Gray Manor Court

Location: E/side of Gray Manor Ct. at the distance of 426 feet +/- south of the center line of Oakwood Road.

Existing Zoning: D.R. 5.5

Area: 0.368 acres

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit a front yard of 16 feet in lieu of the required 25 feet.

Attorney:

Miscellaneous:

Item Number: 432 **Case Number:** 02-432-A

Type: Administrative

Reviewer: JJS

Legal Owner: Thomas M. Zielinski

Contract Purchaser:

Critical Area: No

Election District: 1st

Councilmanic District: 1st

Property Address: 5 Overhill Road

Location: E/side Overhill Road, 150 feet +/- north of Frederick Road

Existing Zoning: D.R. 2

Area: 0.22 acres +/-

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit an accessory structure with a height of 17 feet in lieu of the maximum allowed 15 feet.

Attorney:

Miscellaneous: Detached garage

ZAC AGENDA

Item Number: 433 **Case Number:** 02-433-SPH

Type: Administrative

Reviewer: BR

Legal Owner: Raymond J. Stuckey

Contract Purchaser:

Critical Area: No

Election District: 15th

Councilmanic District: 5th

Property Address: 9719 Philadelphia Road

Location: E/side Philadelphia Road 950 feet south center line of Ravenwood Road

Existing Zoning: D.R. 5.5, ML-IM

Area: 1.2 acres

Proposed Zoning: ADMINISTRATIVE SPECIAL HEARING to approve a waiver of the historic provisions of the Baltimore County Code to raze a building.

G. Kidd

02-1453

Attorney: Robert A. Hoffman

Miscellaneous: MHT # BA 2439

Item Number: 434 **Case Number:** 02-434-A

Type: Commercial

Reviewer: JRF

Legal Owner: Richard H. Kress

Contract Purchaser: Daniel J. McCarthy

Critical Area: No

Election District: 8th

Councilmanic District: 4th

Property Address: 15 West Aylesbury Road

Location: N/W corner Aylesbury Road and Connector Rd.. (11-15 W. Aylesbury Rd.)

Existing Zoning: ML-IM

Area: 10.490 acres

Proposed Zoning: VARIANCE to permit a side yard distance of 5 feet for an open air deck/porch in lieu of the required 22.5 feet, to permit 404 parking spaces in lieu of the required 419 spaces.

Attorney: William Clark

Miscellaneous:

ZAC AGENDA

Item Number: 435 **Case Number:** 02-435-A **Type:** Administrative **Reviewer:** JJS
Legal Owner: Stephen A. Scarborough and Brenda M. Pusloskie

Contract Purchaser: John Hoffman/Champion

Critical Area: No **Election District:** 15th **Councilmanic District:** 5th

Property Address: 7117 Olivia Road

Location: N/side Olivia Road, 336.06 feet southwest of center line of Oliver Road

Existing Zoning: D.R. 5.5 **Area:** 7,080 feet

Proposed Zoning: ADMINISTRATIVE VARIANCE to allow an addition with side windows with a side yard set back of 9 feet to a property line and a 21 feet distance between facing windows in lieu of the minimum required 15 feet and 40 feet, respectively.

Attorney:

Miscellaneous:

Item Number: 436 **Case Number:** 02-436-SPH **Type:** Residential **Reviewer:** DT
Legal Owner: Christian Allinson and Rosana Allison

Contract Purchaser:

Critical Area: No **Election District:** 11th **Councilmanic District:** 11th

Property Address: 12020 Brooknoll Drive

Location: N/side of Brooknoll Drive 275 feet west of center line Mt. Vista Road

Existing Zoning: R.C. 2 **Area:** 4.95 acres

Proposed Zoning: SPECIAL HEARING to approve the removal of most of the existing barn due to deteriorated condition and rebuild to accommodate the In-law's apartment and to amend previously approved plan for 00-188-SPH.

Attorney: Cheryl Williams

Miscellaneous:

ZAC AGENDA

Item Number: 437 **Case Number:** 02-437-SPHA **Type:** Commercial **Reviewer:** JJS
Legal Owner: Roger K. Wright

Contract Purchaser:

Critical Area: No **Election District:** 3rd **Councilmanic District:** 2nd

Property Address: 3757 Old Court Road

Location: N/east corner Walker Ave. and Foley Ave.

Existing Zoning: BL-CT **Area:** 7.26 acres +/-

Proposed Zoning: SPECIAL HEARING to amend the previously approved site plan in Case No. 01-243-A. VARIANCE to permit 452 parking spaces in lieu of the required 489 spaces.

Attorney: Robert A. Hoffman

Miscellaneous:

Item Number: 438 **Case Number:** 02-438-A **Type:** Administrative **Reviewer:** RDD
Legal Owner: Rosalie C. Sudano

Contract Purchaser:

Critical Area: No **Election District:** 11th **Councilmanic District:** 5th

Property Address: 5725 Carrington Drive

Location: N/west side Jerome Ave. corner S/w side Carrington Drive

Existing Zoning: D.R. 2 **Area:** 0.88 acres

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit one large livestock animal (horse) on a 0.88 +/- acre lot in lieu of the required 3 acres.

Attorney: Dino C. La Fiandra

Miscellaneous:

ZAC AGENDA

Item Number: 439 Case Number: 02-439-A

Type: Multi-residential

Reviewer: JNP

Legal Owner: Ermanno Florio

Contract Purchaser:

Critical Area: No

Election District: 11th

Councilmanic District: 5th

Property Address: 9534 Cross Road

Location: N/west side of Cross Road, 2191.48 feet northeast of Chapel Road

Existing Zoning: D.R. 3.5-H

Area: 1.2454 acres

Proposed Zoning: VARIANCE to allow rear yard set back from required 30 feet to 24 feet on lot # 3 and from 30 to 25 feet on lots 14, 15, 16, 17, 18, 19, and 4. Also to allow an open projection for decks as close as 13 feet from the rear property line in lieu of the required 22.5 feet on lots #14, 15, 16, 17, 18, 19, 4, and 3.

Attorney:

Miscellaneous:

Item Number: 440 Case Number: 02-440-SPHA

Type: Residential

Reviewer: BR

Legal Owner: Wayne W. Davis

Contract Purchaser:

Critical Area: No

Election District: 11th

Councilmanic District: 5th

Property Address: 11603-15 Bellvue Avenue

Location: S/east corner of Bellvue Ave. and Bradshaw Road

Existing Zoning: R.C. 5

Area: 3.69 acres

Proposed Zoning: SPECIAL HEARING to approve the non-conforming use of a one apartment dwelling, a 2-apartment dwelling, and a 4-apartment dwelling on a lot with a principal single-family dwelling. VARIANCE to permit an accessory structure in the side yard in lieu of the required rear yard.

Attorney:

Miscellaneous:

ZAC AGENDA

Item Number: 441 **Case Number:** 02-441-X

Type: Commercial

Reviewer: JRF

Legal Owner: Joseph Gennuso

Contract Purchaser: Stephen Odenheimer

Critical Area: No

Election District: 8th

Councilmanic District: 3rd

Property Address: 2430 York Road

Location: W/side of York Road at the distance of 290 north of the center line of Roosevelt Street

Existing Zoning: BL-AS

Area: 0.33 acres

Proposed Zoning: SPECIAL EXCEPTION to permit use for herein described property for service garage "Budget Rent a Car."

Attorney: F. Vernon Boozer

Miscellaneous:

Item Number: 442 **Case Number:** 02-442-SPH

Type: Commercial

Reviewer:

Legal Owner: Scott E. Dorsey

Contract Purchaser: Beverly Y. Davis

Critical Area: No

Election District: 2nd

Councilmanic District: 2nd

Property Address: 2605 Rolling Road

Location: E/side Rolling Road (rear) 600 feet opposite Hithergreen-Building #2

Existing Zoning: ML-IM

Area: 13.24 acres

Proposed Zoning: SPECIAL HEARING to approve said property for use by the New Mark of Excellence School, Inc., as a nonpublic vocational school.

Attorney: Douglas Silber

Miscellaneous:

BALTIMORE COUNTY, MARYLAND

MEMORANDUM

TO: Arnold Jablon, Director
Permits & Development Management

DATE: May 20, 2002

FROM: Kimberly R. Abe, Secretary
Landmarks Preservation Commission

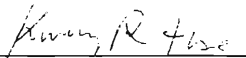
SUBJECT: Illegal demolition - 9719 Philadelphia Road
(ZAC 02-433)

The former Neiser House at 9719 Philadelphia Road is listed on the Maryland Historical Trust Inventory as number BA 2439.

This house recently was demolished without a permit from Baltimore County. The matter was discussed, with the property's owners present, in the Landmarks Preservation Commission's meeting on May 9, 2002. The owners stated that they have already paid the \$1,000 fine levied by the County.

By unanimous vote, the Commission directed that a letter be sent recording the Commission's views on the matter:

1. It is unfortunate that the owners were not aware of the property's historic designation.
2. The Commission deplores the demolition of historic structures without the appropriate procedural steps having been followed.
3. The Commission declines to make a recommendation regarding the amount of the fine.
4. In the absence of detailed information, the Commission declines to comment on the structure's historic significance.



KRA:td

C: Raymond J. and Heather M. Stuckey



County Board of Appeals of Baltimore County

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

WCR
File

Hearing Room – Room 48

Old Courthouse, 400 Washington Avenue

January 27, 2003

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 02-443-XA

**IN THE MATTER OF: Arcadia Volunteer Fire Department, Inc. -
Legal Owner; Verizon Wireless – C.P. 16050 Carnival Avenue
5th Election District; 3rd Councilmanic District**

6/10/02 – Special Exception for 199' monopole antenna and related granted
GRANTED; Variance relief DENIED.

which had been assigned to be heard on 2/06/03 has been **POSTPONED** at the request of Counsel for Petitioner due to unavailability of witnesses on the assigned date; and has been

REASSIGNED FOR:

WEDNESDAY, JULY 9, 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: Appellant /Protestant
(appealed as to grant of special exception)

: Jack Dillon, Executive Director
The Valleys Planning Council

Counsel for Appellant /Legal Owner /Lessee
Appellant /Legal Owner
Appellant /Lessee
(appealed as to denial of variance relief)

: Robert A. Hoffman, Esquire
: Arcadia Volunteer Fire Department, Inc.
: Verizon Wireless /Brian Stover
/ Zhongting Shen

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



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JUN 11 2002

June 11, 2002

HAND-DELIVERED

Timothy M. Kotroco, Deputy Zoning
Commissioner for Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Administrative Special Hearing
Heather M. and Raymond J. Stuckey
9719 Philadelphia Road
Case No. 02-433-ASPH

Dear Mr. Kotroco:

I have received your Findings of Fact and Conclusions of Law wherein you denied a Petition for Administrative Special Hearing filed by Heather and Raymond Stuckey. Petitioners had requested a special hearing for approval of a waiver of the requirement to preserve a structure with a Maryland Historic Trust (MHT) inventory number. By way of this letter, I am asking for reconsideration of your decision.

As you know, Mr. and Mrs. Stuckey had received correction notices from Baltimore County Department of Permits and Development Management for the failure to get a razing permit before razing a structure "possibly listed on the historic records" and for failing to get a grading permit before "grading over 5,000 square feet" of land. Mr. Stuckey acted promptly to address these notices by filing for the necessary permits and, when instructed by Baltimore County, filing the Petition for Administrative Special Hearing at issue in this case. No one requested a hearing. Mr. and Mrs. Stuckey also appeared before the Landmarks Preservation Commission (LPC) on May 9, 2002, prepared to testify regarding the poor condition of the structure at the time it was torn

Mr. Timothy M. Kotroco
June 11, 2002
Page 2

down and their lack of knowledge regarding any MHT number. The LPC issued a comment following that meeting wherein it was clear that the Stuckey building had no real historic value.

Even though no hearing had been requested by any interested person and the LPC took no position against the granting of the waiver, you denied the waiver because you did not "believe it is appropriate, nor proper, to grant a special hearing for a waiver to raze their building when the structure itself has already been destroyed and removed from the property."

Your decision, though, may have had unintended consequences. Mr. Stuckey has received indication from Baltimore County that, following your decision, additional citations will be issued citing him for razing a building with an MHT number and demanding that he rebuild the structure. I believe that these citations are being issued as a response to your denial of the waiver, and I would ask that you reconsider that denial.

I appreciate your consideration of this request.

Very truly yours,

A handwritten signature in black ink, appearing to be "P. Malone", with a long horizontal line extending to the right.

Patricia A. Malone

PAM/mar

cc: Mr. Raymond J. Stuckey

D.R. 2

D.R. 3.5

D.P. 5.5

RO

D.R. 5.5

D.R. Y

ML

ML

ML-1M

PHILCO

PHILADELPHIA

ZONING MAP
NE-GH

SCALE 1" = 200'

#433

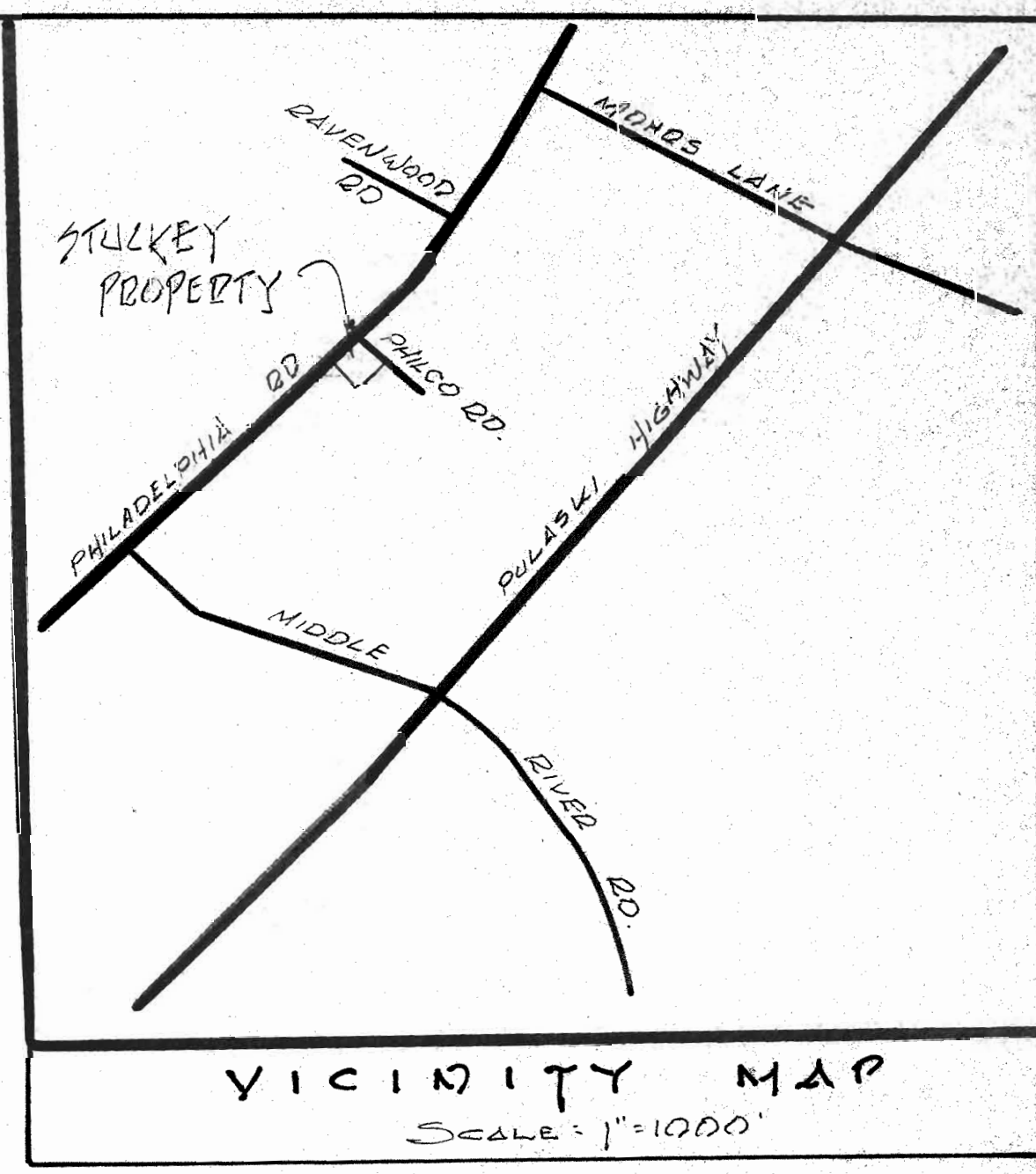
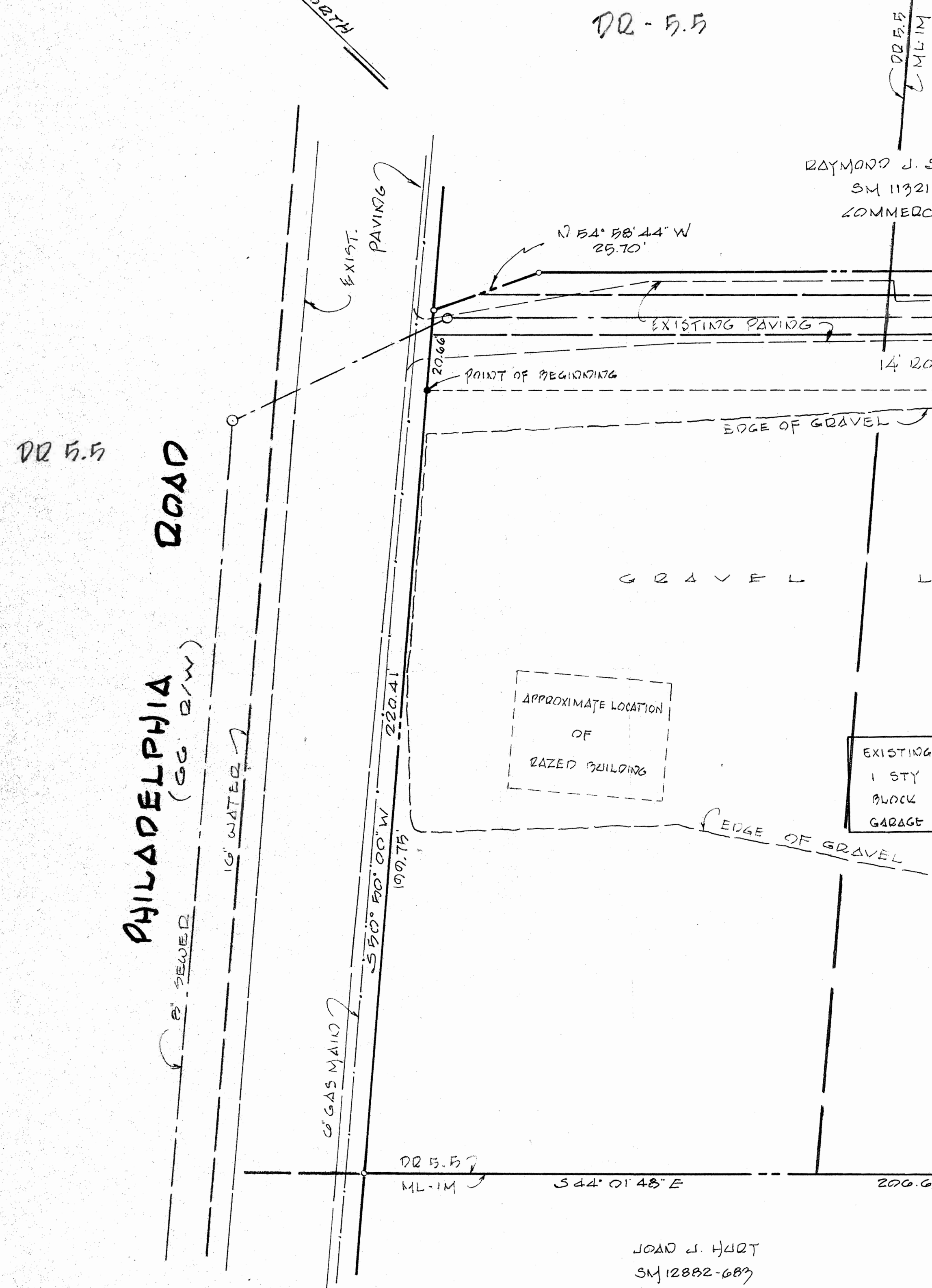
SUBJECT
SITE

POLASKI

HWY

PHILADELPHIA

#433



SITE DATA

AREA OF TRACT = 1.2 ACRES
EXIST. ZONING = ML-1M & DR-5.5
(Refer to Map NE-64)
DEED REFERENCE 1998B-076
TAX MAP 02 GRID 16 PARCEL 297
TAX I.D. NO. 15-1514100200
COUNCILMANS DIST. - 5th
UTILITIES - WATER - EXIST. PUBLIC
SEWER - EXIST. PUBLIC

- GENERAL NOTES**
1. THE SUBJECT PROPERTY HAS NO PREVIOUS ZONING CASE HISTORY
 2. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN.
 3. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA
 4. THE DWELLING THAT WAS LOCATED ON THE SUBJECT PROPERTY HAS BEEN RAZED. THE LOCATION OF THE RAZED BUILDING WAS TAKEN FROM PLATS THAT ARE CURRENTLY ON FILE @ THE BALTIMORE CO. OFFICE OF ENGINEERING RECORDS.

ZONING PETITION

THIS ZONING PLAT ACCOMPANIES A PETITION FOR AN ADMINISTRATIVE SPECIAL HEARING TO APPROVE A WAIVER PURSUANT TO SECTIONS 26-171, 26-172(b), 26-203(c)(8), AND 26-278 OF THE BALTIMORE COUNTY CODE TO RAZE A BUILDING. (MHT #BA-2479).

REVISIONS		
NO.	DATE	DESCRIPTION
1	4.4.02	FLING CONF. COMMENTS

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY A PETITION FOR AN ADMINISTRATIVE SPECIAL HEARING

STUCKEY PROP.
0719 PHILADELPHIA RD.

15th ELECTION DIST. BALTO CO MD

OWNER

RAYMOND J. STUCKEY
7723 PHILADELPHIA RD
BALTO. MD. 21237
410-791-0777

Rev. 9/1