IN RE: PETITION FOR VARIANCE
W/S of Jefferson Avenue, 135 ft. S
centerline of Pennsylvania Avenue
9th Election District
5th Councilmanic District
(423 Jefferson Avenue)

424/VA Towson Limited Partnership By: Thomas H. Repsher, General & Limited Partners Petitioner

- BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 04-192-A

-

### ORDER OF DISMISSAL

WHEREAS, the Petitioner herein filed a Petition for Administrative Special Hearing for the property located at 423 Jefferson Avenue in the Towson area of Baltimore County. The administrative special hearing was requested 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 raze the building known as "423 Jefferson Avenue".

WHEREAS, this office received a letter dated April 1, 2004 from the Petitioner requesting that the "case be dismissed without prejudice at this time".

THEREFORE, IT IS ORDERED, this \_\_\_\_\_ day of May, 2004, by this Deputy Zoning Commissioner, that the Petitioner's request for administrative special hearing, to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278, to raze the building known as "423 Jefferson Avenue", be and it is hereby WITHDRAWN and DISMISSED, without prejudice.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

STOWN STOWN

JVM:raj

### Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



### **Baltimore County**

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

March 24, 2004

Mr. Thomas H. Repsher Managing Member of 424 Holdings, LLC 424 VA Towson Limited Partnership 200 E. Pennsylvania Avenue Towson, Maryland 21286

> Re: Petition for Special Hearing Case No. 04-192-SPH 423 Jefferson Avenue

Dear Mr. Repsher:

I have received your letter of January 13, 2004 regarding the status of the above-captioned case after the postponement of December 16, 2003. You indicated in your letter that you would contact the community and have some idea of your direction by mid-February, 2004. However, I have not heard from you.

You asked to keep the file open and I have been happy to accommodate you and the community in this regard. However, the case was filed and, therefore, reviewed by the County agencies on the basis of razing the building. If you required some relief from the County regulations other than razing the building, you would need to submit the new plan to the County for review prior to a hearing before me.

Perhaps it is time to dismiss the case without prejudice and start over with any new plan. Please let me know your thoughts.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj



Visit the County's Website at www.baltimorecountyonline.info

# Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 423 Jefferson Avenue 21286

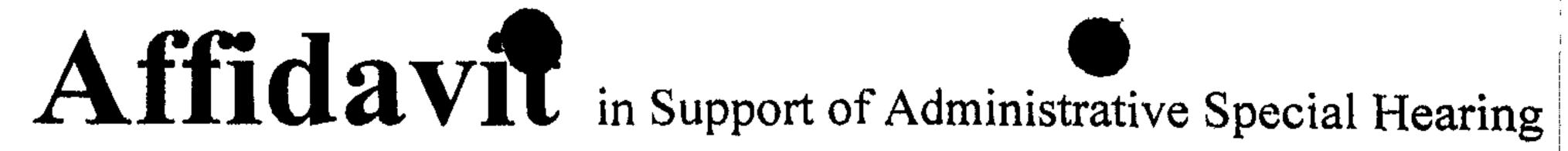
			which is presently zoned $DR-10.5$
attached hereto and ma	er(s) of the property sit ade a part hereof, here	uate in Balt by petition	epartment of Permits and Development Management. The timore County and which is described in the description and platfor a Special Hearing to approve a waiver pursuant to Section 203(C)(8) and Section 26-278 to
raze the buildi	ing known as 423 J	Jefferson	Avenue, Towson, MD 21286.
of the zoning regulations	s of Baltimore County, t	to the zonin	g law of Baltimore County.
Property is to be posted I, or we, agree to pay experience zoning regulations and res	enses of above Special H	learing, adve	he zoning regulations. ertising, posting, etc. and further agree to and are to be bounded by the 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:		Legal Owner(s):
1			424/VA Towson Limited Partnership
Name - Type or Print	<del></del>		Name - Type or Print
Signature	······································	,	Signature Thomas H. Repsher General & Limited Parts
Address	Те	lephone No.	Name / Tyrpe or Print/
City	State	Zip Code	Signature
Attorney For Petition	ner:		200 E. Pennsylvania Avenue (410) 296-33.
		_	Address Telephone No.  Towson MD 21286
Name - Type or Print	<u> </u>	· · · · · · · · · · · · · · · · · · ·	City State Zip Code
		· <u> </u>	Representative to be Contacted:
Signature			
Company	· — · · · · · · · · · · · · · · · · · ·	<del></del>	Thomas H. Repsher, General & Limited Part Name
			200 E. Pennsylvania Avenue (410) 296-33
Address	Tek	ephone No.	Address Telephone No.
¿City	State	Zip Code	Towson MD 21286 City State Zip Code
A Public Hearing having be	en formaliv demanded an	d/or found to	be required, it is ordered by the Zoning Commissioner of Baltimore Count
this day of egulations of Baltimore Coun	that the start and that the start and that the property be re	subject matter eposted.	of this petition be set for a public hearing, advertised, as required by the zoning
	- 4 -		Zoning Commissioner of Baltimore County
Case No.	MIMILIAN	SPH r	Reviewed By D.THOMPSON Date 10/16/03
			i i
20 9118198		E	estimated Posting Date 102603
NA Marie B			1 1

# Affidavir 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	423 J Address	efferson Avenue	<del></del>
† •	Addiess		
i ī	Towson	MD	21286
; ; ;	City	State	Zip Code
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide	iormal demand is fi additional information	led, Affiant(s) will be required to	pay a reposting and
Signature	<del></del>	ignature Amanagement	
	•		•
!		Thomas H. Repsher, Gener	ral & Limited Partne
Name - Type or Print	N	ame - Type or Print	
STATE OF MADVI AND COUNTY OF DALT			·
I HEREBY CERTIFY, this 33RD day of SE		、んのう before me. a Notar	s. Dublic of the Clate
of Maryland, in and for the County aforesaid, p		, <u>avoss</u> , before me, a Notar	y Public of the State
	croomany appeared		
THOMAS H. REPSHER	<del>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</del>		
the Affiant(s) herein, personally known or satisf	factorily 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 co	prrect to the best of his/her/their ki	nowledge and belief.
; 			
AS WITNESS my hand and Notarial Seal		•	
9-23-03	Mur	y Jeanne Mass	i .
Date	Notary Po	MARY JEAN	NE MAFFEI
	My Comr	nission Expires	es February 1, 2006

REV 9/18/98



REU 9118198

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.

hat the Affiant(s) does/do presently reside at	423	Jefferson Avenue	
mat the minutes, accorde presently reside at	Address		-
,	Towson	MD	21286
	City	State	Zip Code
hat the Affiant(s) acknowledge(s) that if a fording the distribution of the distributi	ormal demand is additional informa	filed, Affiant(s) will be required to tion.	pay a reposting and
gnature		Signature Signature	
•			
		Thomas H. Repsher, General	al & Limited Parti
ame - Type or Print		Name - Type or Print	
**	<del>_</del>		; 
TATE OF MARYLAND, COUNTY OF BALTIN	-	-	
HEREBY CERTIFY, this おみれか day of SE	PTEMBER	, <u>入∞</u> 3, before me, a Notary	Public of the State
Maryland, in and for the County aforesaid, pe	rsonally appeared	· k	; ; ; ; ;
THOMAS H. REPSHER	-		
e Affiant(s) herein, personally known or satisfa	actorily identified t	o me as such Affiant(s), and made o	ath in due form of
w that the matters and facts hereinabove set f	•		
		•	
S WITNESS my hand and Notarial Seal		•	
ゲール3-03 Pate	Notary	ry Jame Masse	
31Ç	INULATY	NOTARY PURILIC STAT	
	My Con	mission Expires	February 1, 2006

# Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at $\frac{4}{}$	23 Jefferson Ave	enue 21286
	presently zoned_	

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

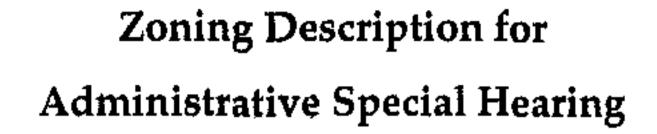
raze the building known as 423 Jefferson Avenue, Towson, MD 21286.

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.

		!		leclare and affirm, under the legal owner(s) of s Petition.	
Contract Purchaser/Les.	see:		Legal Owner(s	);	
•			424/VA Tows	on Limited Partn	ership
Name - Type or Print		<u> </u>	Name - Type or Print		
Signature			Signature Thomas H. R	epsher General &	Limited Partner
Address	<del></del>	Telephone No.	Name - Type or Print		
City	State	Zlp Code	Signature	J-f	<del>'''</del>
Attorney For Petitioner:		† 	200 E. Penn	sylvania Avenue	(410) 296-3333
		  -  -	Address		Telephone No.
Name - Type or Print	<u></u>	<u>.</u>	Towson City	MD State	21286 <b>Zip Code</b>
Signature Company	· · · · · · · · · · · · · · · · · · ·	i	Thomas H. R.	epsher, General sylvania Avenue	& Limited Partne
Address		Telephone No.	Address	Sy availad tivelide	Telephone No.
			Towson	MD	21286
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been for this day of regulations of Baltimore County and	that the prope	hat the subject matter of t erty be reposted.	his petition be set for a put Zoning Cor	nmissioner of Baltimore C	ounty
Case No. ON	-142-5		iewed By D.T.Hom		
REV 9/18/98		Est	imated Posting Date	10/24/03	<del></del>



### **423 Jefferson Avenue**

Beginning on the west side of Jefferson Avenue, 45 feet wide, at the distance of 135 feet south of the centerline of Pennsylvania Avenue, with a variable right-of-way width, and following the listed distances:

- 1. South 16 degrees, West 100 feet
- 2. North 77 degrees 49 feet, West 121 feet
- 3. South 11 degrees 41 feet, 04 degrees West 98.31 feet
- 4. South 79 degrees, East 121 feet

Comprising .21 acres and known as 423 Jefferson Avenue, located in the 9<sup>th</sup> Election District and 5<sup>th</sup> Councilmanic District.

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NOTICE OF 21

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

TE OF PUBLICATION

Case: #04-192-SPH
423 Jefferson Avenue.
Wiside of Jefferson Avenue.
135 feet south of centerline of Pennsylvania Avenue.
9th Election District.
5th Councilmanic District.
Limited Partnership.
Administative Special Hearing.
to approve a waiver of the historic provisions of the historic provisions of the Balfimore County Code to raze the building. December 19, 2003 at 11:06 a.m. in Room 166, County Office Baliding. 111 W. Chesa.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Battimore County
NOTES: (1) Hearings are
Handicapped Accessible; for special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.
(2) For information con-Hearing the File and/or Hearing, Contact the Zoning Ferrew Office at (410) 887-3391.

☐ NE Booster/Reporter

☐ North County News

☐ Owings Mills Times

Catonsville Times

Towson Times

X The Jeffersonian

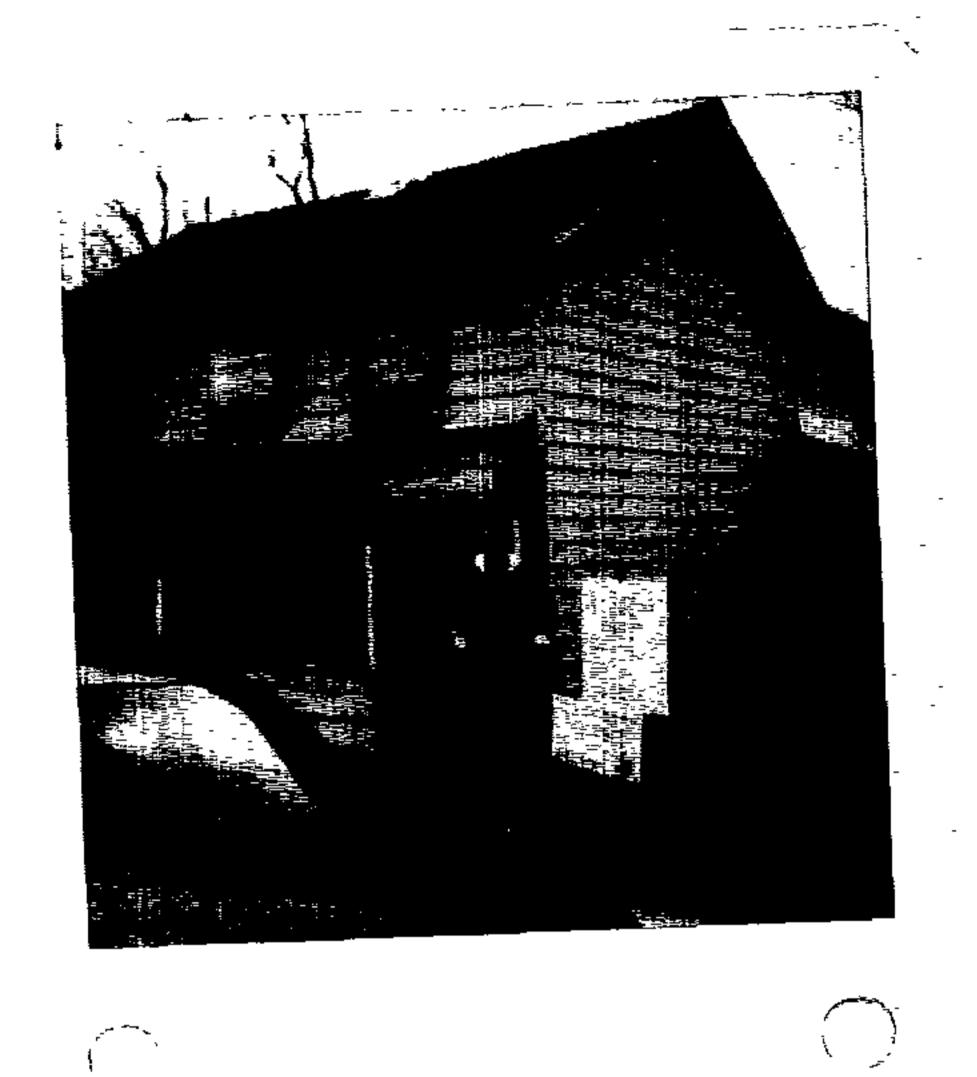
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Arbutus Times

THIS IS TO CERTIFY, that the annexed advertisement was published newspaper published in Baltimore County, Md., successive weeks, the first publication appearing 12003 in the following weekly once in each of

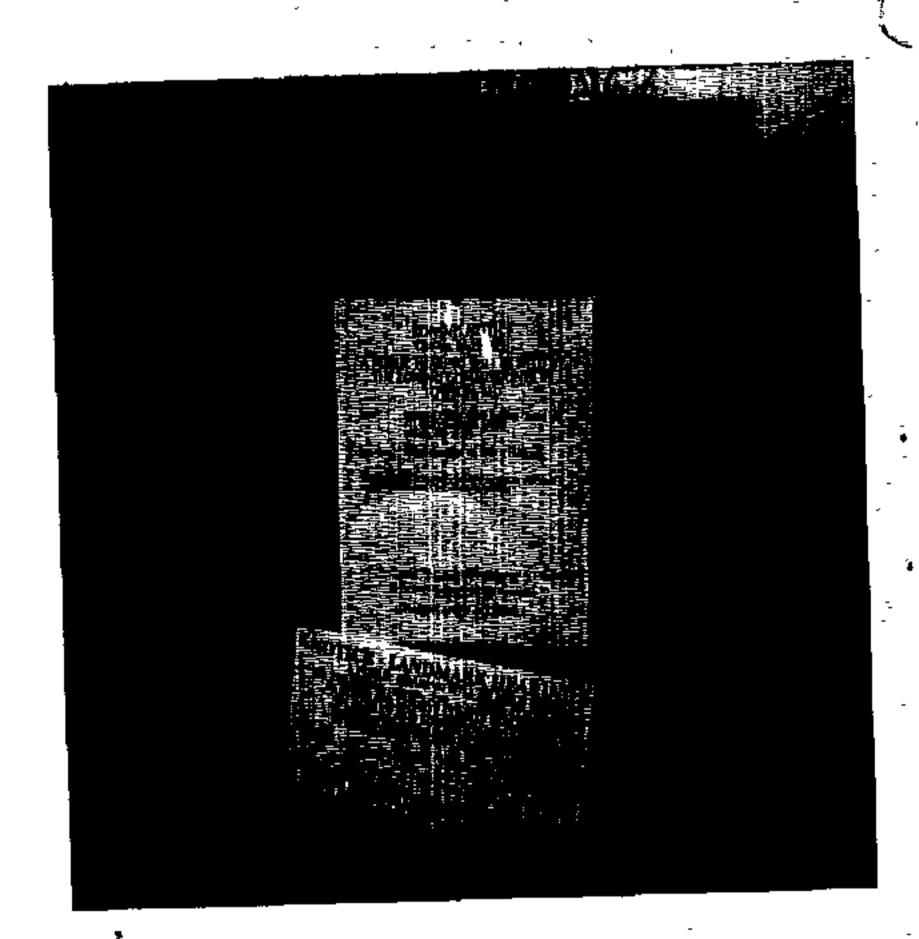
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LEGAL ADVERTISING





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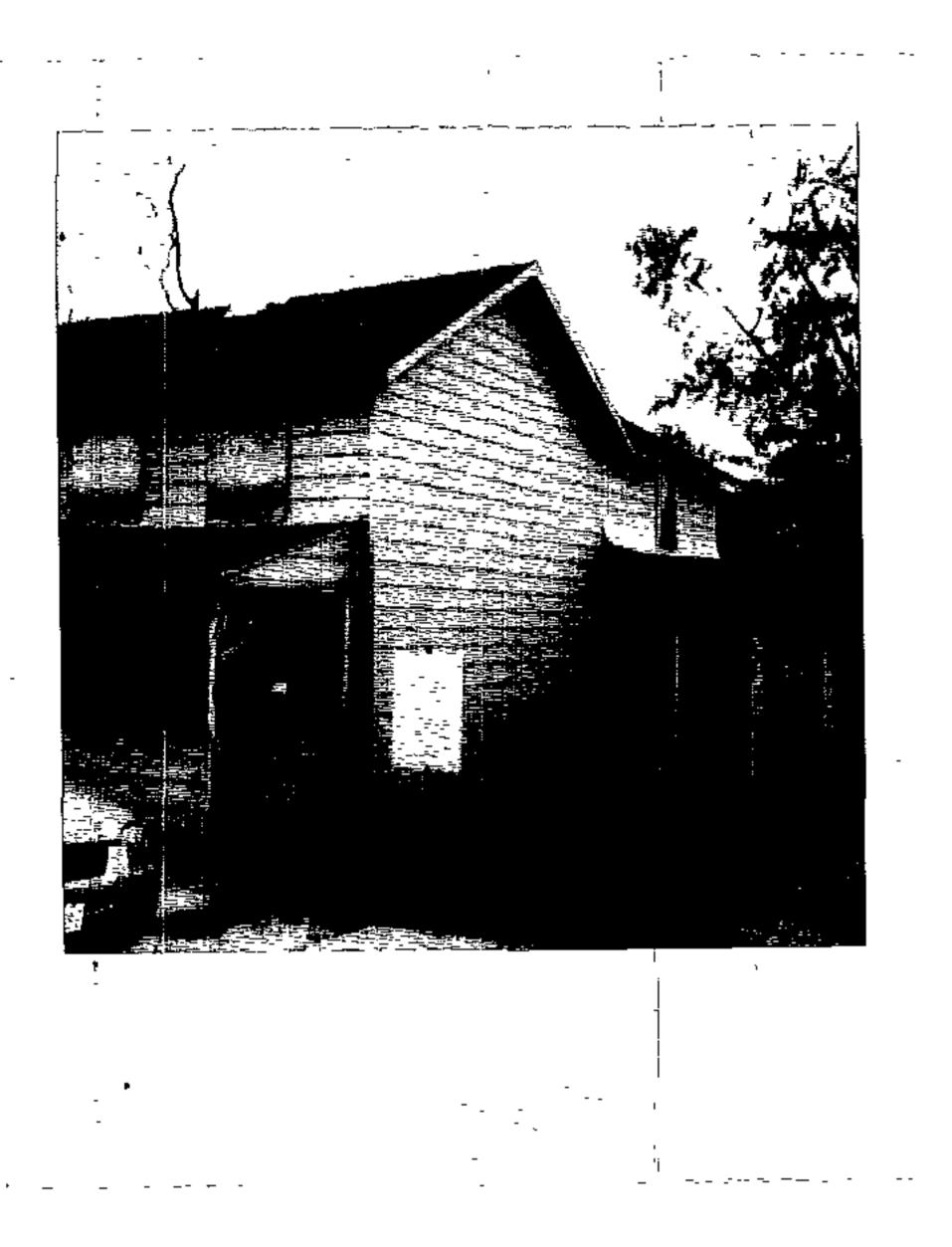
	RE: Case No	).	04-192-SPH
	Petitione	er/Developer	424/VA Towson Ltd. Part.
	Date of	Hearing/Closing	December 19, 2003
Baltimore County Department of Permits and Development Manag County Office Building, Room 11 111 West Chesapeake Avenue Fowson, MD 21204			
adies and Gentlemen:			
This letter is to certify under penals  aw were posted conspicuously for  423 Jefferson Avenue  The signs were posted an	or the property known as		uirea by
The signs were posted on	Thursday, December (Month, Day, Year)	4, 2000	
•			- i
		Mitch K (F  Daft- McCur	(Address)

		04-192-SPH
	Petitioner/Developer	424/VA Towson Ltd. Part.
	Date of Hearing/Closing	December 19, 2003
altimore County Department of ermits and Development Management ounty Office Building, Room 111 1 West Chesapeake Avenue owson, MD 21204		
dies and Gentlemen:		
is letter is to certify under penalties of perium	that the necessary sign(s) roa	. virad by
is letter is to certify under penalties of perjury were posted conspicuously for the property		uirea by
423 Jefferson Avenue		
	-	
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ne signs were posted on Thursda	y, December 4, 2003	
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	(Signature of mitch K	Sign Poster and Date)
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	(Signature of Mitch Ko	Sign Poster and Date)  //man f Dmw, In  Printed Name)  ne- Walker, Inc.
	(Signature of Mitch Ko	Sign Poster and Date)  //man f Dmw, In  Printed Name)  ne- Walker, Inc.  nnsylvania Avenue
	(Signature of Mitch Ko	Sign Poster and Date)  -//man Dmw, In  Printed Name)  ne- Walker, Inc.  nnsylvania Avenue  21286
	(Signature of Mitch Ko	Sign Poster and Date)  //man f Dmw, In Printed Name)  ne- Walker, Inc.  nnsylvania Avenue  21286  (Address)

-	RE: Case No.	04-192-SPH	
	Petitioner/Developer	424 VA Towson 1+2 P	) \(
	Date of Hearing/Closing	11/10/03	, ,
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204			
Attention: Ms. Gwendolyn Stephens	cky Hart	-	
Ladies and Gentlemen:	-		: !
423 Jefferson The signs were posted on Friday	10/24/03		
The digital recip posted on	i, Year)	<del></del>	
	200 East P Towson, M	(Address)	Zinc -
	410-296-33 (Te	lephone Number)	
	<b>\'</b>		;

	Petitioner/Developer	424 VA Towson 1th Partner
	Date of Hearing/Closing	11/10/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, MD 21204		
Attention: Ms. Gwendolyn-Stephens Beck	y Hart	
adies and Gentlemen:	<b>,</b>	
aw were posted conspicuously for the property know 423 Jefferson  The signs were posted on Friday	A venue	
ADMAN TATIFF VALUE TO THE PARTY OF THE PARTY	200 East Pe Towson, MI 410-296-33	(Address)

RE: Case No.



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## ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case N	lumber	04	19	2	-SPH		Address	4237	EFF	ERSON	LAVE	•	
Contac	t Person	n:	Don		HOMF Please Prin	SON It Your Na	ame	<del> </del>	{	⊃hone N	lumbei	-: 410-	887-3391
Filing I	Date: _	10/	16/03					10/26/0	<u>13</u>	Clo	sing D	ate: ∐	110/03
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# Department of Permits and Development Management

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



### Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

November 14, 2003

### **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: 04-192-SPH

423 Jefferson Avenue

W/side of Jefferson Avenue, 135 feet south of centerline of Pennsylvania Avenue

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner: 424/VA Towson Limited Partnership

Administrative Special Hearing to approve a waiver of the historic provisions of the Baltimore County Code to raze the building.

Hearings:

Friday, December 19, 2003, at 11:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Director

TK:klm

C: 424/VA Towson Ltd. Partnership, Thomas Repsher, 200 E. Pennsylvania Ave., Towson 21286 Adelaide Bentley, North East Towson Imp. Assn. Inc., 409 E. Pennsylvania Ave., Baltimore 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 4, 2003.

- (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.



· Visit the County's Website at www.baltimorecountyonline.info

PATUXENT PUBLISHING COMPANY TO:

Thursday, December 4, 2003 Issue - Jeffersonian

Please forward billing to:

Thomas Repsher

200 E. Pennsylvania Avenue

Towson, MD 21204

410-296-3333

### 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: 04-192-SPH

423 Jefferson Avenue

W/side of Jefferson Avenue, 135 feet south of centerline of Pennsylvania Avenue 9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner: 424/VA Towson Limited Partnership

Administrative Special Hearing to approve a waiver of the historic provisions of the Baltimore County Code to raze the building.

Hearings:

The appropriate to

Friday, December 19, 2003, at 11:00 a.m. in Room 106, County Office

Building, #11 W. Chesapeake Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

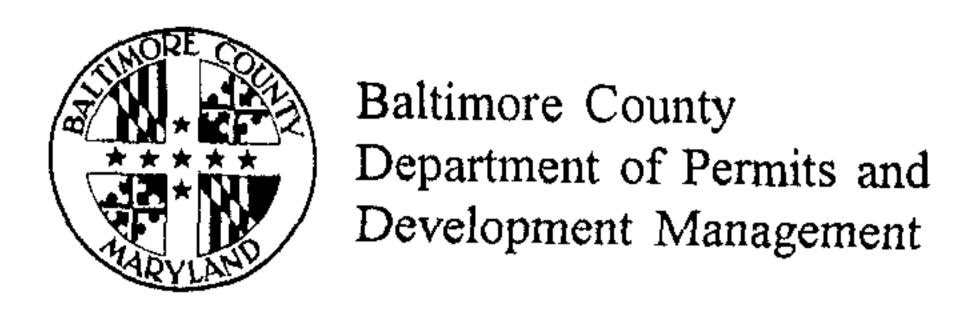
### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number:OH-192-SPH
Petitioner: 424/VA TOWSON LTD PARTNERSHIP
Address or Location: 403 JEFFERSON AVE.
•
PLEASE FORWARD ADVERTISING BILL TO:
Name: THOMAS H. REPSHER, GENERAL & LTD. PARTNERSHIP
Address: 200 E. PENNSYLVANIA AVE.
TOWSON, MD 21204
Telephone Number: 410-296-3333



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

December 16, 2003

424/VA Towson Limited Partnership Thomas Repsher 200 E. Pennsylvania Avenue Towson, MD 21286

Dear Mr. Repsher:

RE: Case Number: 04-192-SPH, 423 Jefferson Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 26, 2003.

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. Supervisor, Zoning Review

U. Callibal)

WCR:klm

Enclosures

c: People's Counsel



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

October 27, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 27, 2003

Item No.:

183-194 (19

Dear Ms. Hart:

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.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10.28.63

Baltimore County

Item No. 192

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

Dear. Ms. Hart:

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.

RE:

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

All alos

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 16, 2003

RECEIVED

Dept. of Permits & Development Management

FROM:

Landmarks Preservation Commission

Baltimore County, Maryland

**INFORMATION** 

Item Number:

04-192-SPHA

Location:

423 Jefferson Avenue, East Towson

Petitioner:

DMW

Requested Action:

Special Hearing

### RECOMMENDATIONS ON THE PROPOSAL

At their meeting on November 13, 2003, the Landmarks Preservation Commission voted to hold a public hearing to consider placing the "Parker Log House" (MHT # BA 1042), 423 Jefferson Avenue, Towson, on the Preliminary Landmarks List. In accordance with Baltimore County Code, Section 26-540 (c), the structure may not be altered or demolished while the structure is being considered for landmark status.

Division Chief:

TD:td

Lenwood Johnson

Community Liaison/Outreach

Baltimore County
Office of Planning
County Courts Building
401 Bosley Avenue, Suite 406
Towson, Maryland 21204

410-887-3480 • Fax 410-887-5862 E-mail: ljohnson@co.ba.md.us





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### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

DATE: November 13, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 3, 2003

Items Nos. 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, and 194

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR ADMINISTRATIVE

SPECIAL HEARING

423 Jefferson Avenue; W/side Jefferson Ave\*

135' S c/line Pennsylvania Avenue

9<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts

Legal Owner(s): 424/VA Towson Limited

Partnership, Thomas H. Repsher, General

& Limited Partner

Petitioner(s)

BEFORE THE

**ZONING COMMISSIONER** 

**FOR** 

**BALTIMORE COUNTY** 

04-192-SPH

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

NOV 0 3 2003

Per. Klim...

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 3<sup>rd</sup> day of November, 2003, a copy of the foregoing Entry of Appearance was mailed to Thomas H. Repsher, General & Limited Partner, 200 E. Pennsylvania Avenue, Towson, MD 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

### 424 VA Towson Limited Partnership

200 East Pennsylvania Avenue Towson, MD 21286

April 1, 2004

RECEIVED

APR - 2 2004
ZONING COMMISSIONER

Mr. John Murphy Deputy Zoning Commissioner Zoning Commissioner's Office 401 Bosley Avenue, Suite 405 Towson, MD 21204

Re:

Petition for Special Hearing Zoning Case No. 04-192-SPH 423 Jefferson Avenue

Towson, MD 21286

Dear Mr. Murphy:

I am in receipt of your letter dated March 24, 2004, requesting additional information about the above case. I have been remiss in keeping you abreast and I apologize. I have decided, without additional input from the community to proceed to attempt renovation of the existing structure in its current location. Unless I run into significant issues, I believe I will not require a Special Hearing related to this property. Therefore, I respectfully request that the case be dismissed without prejudice at this time and if for some reason we need to pursue this avenue in the future, we will start over.

Thank you for your patience.

Sincerely,

Thomas H. Repsher

Managing Member of 424 Holdings, LLC 424 VA Towson Limited Partnership

General Partner

THR/jm

# 424 VA Towson Limited Partnership

### 200 East Pennsylvania Avenue Towson, MD 21286

January 13, 2004

Mr. John Murphy Deputy Zoning Commissioner Zoning Commissioner's Office 401 Bosley Avenue Towson, MD 21204

Re:

Postponement Request Zoning Case No. 04-192-SPH

423 Jefferson Avenue Towson, MD 21286

Dear Mr. Murphy:

On December 16, 2003, we requested postponement of the above referenced zoning case as we were continuing to pursue negotiations with the community, as well hold discussions with various representatives of Baltimore County Planning and Community Conservation. Since the postponement date, we have had a hearing before the Landmark's Preservation Commission and have supported the placement of 423 Jefferson Avenue on the Preliminary Landmark's list. Additionally, we have agreed to have an additional community meeting in order to more specifically identify possible improvements to this property.

Due to these various events, we no longer have specific interest in pursuing a demolition permit, which was the original reason for this zoning case. However, because we are not certain as to where our continuing negotiations with the community will end, we respectfully request that we keep this petition request open in the event that any solutions we agree to may require additional actions by your office or which might require a public hearing.

We hope that our next community meeting can be completed within 30 days and we will then more specifically understand what possible needs we have. In the meantime, we will continue to maintain the posted sign on the property with the notation that the hearing has been postponed.

Again, we apologize for any inconveniences this may have caused to the County and the community. Thank you for your understanding.

Sincerely,

Thomas H. Repsher

Managing Member of 424 Holdings, LLC

General Partner

THR/jm

Cc: / Mr. Timothy M. Kotroco

Mr. Lawrence E. Schmidt, Zoning Commissioner

JAN 1 6 2004
O4-/09
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

December 16, 2003

Mr. Timothy M. Kotroco Director Baltimore County Permits and Development Management 111 West Chesapeake Avenue, Room 111 Towson, MD 21204

Re:

Postponement Request Zoning Case 04-192-SPH 423 Jefferson Avenue Job No. 84128.F

Dear Mr. Kotroco:

I am writing you to request a postponement of the referenced zoning case. I have been communicating with the neighboring residents and the applicable county agencies including the Baltimore County Executive Office regarding this petition request. At this time, we do not wish to pursue our request until an agreement is satisfactory to all parties. We wish to keep this petition request open in the event that our solution requires a waiver and still requires a public hearing. I have contacted the Zoning Commissioner's Office and have been advised to indicate on the advertising sign that this case has been "postponed".

I apologize for any inconveniences caused to the county and neighboring community. Thank you for your attention to this matter.

Sincerely,

Thomas H. Repsher President & CEO

THR/jm

Mr. Lawrence E. Schimdt, Zoning Commissioner Mr. John V. Murphy, Deputy Zoning Commissioner

CC:

Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
http://www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land-Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

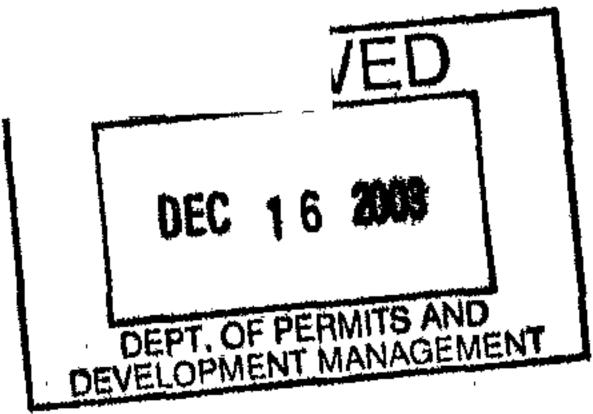
Environmental Professionals

ement ()



# FORMAL DEMAND FOR HEARING

CASE NUMBER: 04-192-SPH
Address HUS JEFFERSON AVE.
Petitioner(s): 424/VA TOWSON LTD PARTNERSHIP.
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
INVE NORTH FAST TOWSON IMP. ASSN. INC. Name - Type or Print (ADELAIDE BENTLEY, PRES.)
( ) Legal Owner OR ( V) Resident of
409 E. PENNSHLVANIA AVE. Address
BALTO MD 2/286-5409 State Zip Code
410-296-4615 321-1346 (H) Telephone Number
which is located approximatelyfeet from the property, which is the subject of the above petition, do hereby formally demand that a public hearing be set in this matter. ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.
Adelaide C. Bentley 1/7/03 Signature  NOV 0 6 2003
Signature Revised 9/18/98 - wcr/scj Per



CASE NAME 1/2/3 (Legerator Aux CASE NUMBER 04/2 192-5PY)

PETITIONER'S SIGN-IN SHEET

WKellmane DMW. com	IMPORTANT MESSAGE  FOR 2/5 TIME 2/25A.M. PAIL P.M.  M. PAIL M. Mellman  DE SHAMBRAN & MacRon
CITY, STATE, ZIP	PHONE AREA CODE NUMBER EXTENSION  D FAX  MOBILE AREA CODE NUMBER TIME TO CALL  TELEPHONED PLEASE CALL  CAME TO SEE YOU WILL CALL AGAIN  WANTS TO SHE YOU SPECIAL ATTENTION  MESSAGE A A A A A A A A A A A A A A A A A A
ADDRESS SMW, EN 200E: Penn. Aw	Formationed at Petitionels Request  Returnento reschedule
MAME MAME MAME	per Jack Murphy 12/22/63

CASE NAME 193 CALENSON CUE CASE NUMBER 04 193-5PY DATE 12/19/03

# CITIZEN'S SIGN-IN SHEET

E- MAIL	jacohen Ocomcastinet										
CITY, STATE, ZIP											
ADDRESS	602 St Francis Rd.					•					
NAME	Jady Cohen								•		

SAVE-A-LO had the her had been the second on the

SAVE NOT

Report recommends replacing York Road store

50 CENTS www.theleffersonlan.com BALTIMORE COUNTY'S NEWSPAPER OF RECORD SINCE 1858 VOLUME 93 NUMBER 14 THURSDAY, DECEMBER 11, 2003

# story of divergent goals

How to keep the old yet put up new housing.

BY LONI INGRAHAM **TOWSON** 

The revitalization effort under way in the black community of East Towson is driven by competing goals of preserving old structures and offering new housing.

Backed by \$1.5 million in county and federal support, the project is designed to preserve one of the oldest black communities in Baltimore County by upgrading existing homes and adding new units that will attract new home buyers.

Officials see the effort as an example of how the county can strengthen an older neighborhood by providing improvements that will draw young families and still be compatible with a neighborhood's existing character.

When it comes to competing goals, the question of replacing the old house at 402 1/2 Railroad Avc. is a case in point.

East Towson is the last remaining enclave of the property given to the freed slaves of Hampton's Ridgely plantation.

dered by Pennsylvania Avenue, Virginia Avenue, Towsontown Boulevard and the Black & Decker property, is considerably small-

er than it once was. Older people who lived there died off and younger people didn't want to live in the community. So properties were sold to businesses, for big office buildings and the district courthouse.

Backed by the county, the St. Ambrose Housing Aid Center is spearheading renovation and new construction to lure them back.

St. Ambrose, which is renovating four existing houses and building as many as eight new houses in the neighborhood, says the small, humble house at 402 1/2 Railroad Ave., which was built in 1905, is structurally unsound and should be razed and replaced with a new house.

The county Planning Department agrees, the county's Office of Community Conservation agrees --- and the neighborhood agrees, according to Adelaide Bentley, president of

See CLASHING GOALS IN E. TOWSON

# Preserving East Towson Historic site may become parking lot

BY LONI INGRAHAM TOWSON

in a way, the boarded-up former residence at 423 Jefferson Ave. in East Towson is a house without a home.

Daft McCune Walker, a company of land planners just behind it, owns the property and the delapidated house that sits on it.

But the firm doesn't want the house; it would rather use the space for more parking, according to company president Thomas Repsher.

"We have offered to move it, give it away and fund the relocation," he said.

East Towson activists who want the house don't have land for it, Dedicated to preserving what is left of the African American community, they would like to see the house remain intact and in place,

Saving East Towson property from commercial encroachment is "a forever-going-on fight, I guess," said Adelaide Bentley, president of the North East Towson Community Association. "It's what keeps me young."

All would agree the house is an eyesore in its present state.

"Everything about it is dysfunctional," said Repsher, "It's only about a thousand square feet, it's disjointed inside, the steps are terrible, it only has two bedrooms and the ceilings are low.

"We've had a lot of look-sees, but it would cost a lot of money to make it habitable --- \$200,000 at the county's own estimate."

It doesn't make economic sense to invest that kind of money in the building, he said, but he recognizes it is an historic issue for the East Towson community.

Indeed, just below the surface of its cracking walls is the log cable that was built on the site about 1881, according to the Baltimore County Historic Trust. The trust refers to the property as the Parker House in deference to Mary Parker, who sold it

to Daft McCune Walker in 1989. It is part of a community that dates back to the 1.25 acres of land that was purchased by a black man, David Harris, in 1853, according to Trish Bentz, executive director of the trust, "That could be the very first African American-owned landholding in Towson.

"It would be a travesty to raze the house," Bentz said.

The house, and its fate, may be an historic issue for East Towson, but it is not a new one.

Daft McCune Walker's offer to move the house or give it away has been on the table a long time. It was about 1998 that Baltimore County asked the company to wait five years to give the county or the community time to find a new site for the house, but nothing has materialized.

In the interim the county has allowed the company to use the grounds for parking. But the county health department has meanwhile cited the company for maintaining a nuisance, said Repsher, which is galling since he has been looking for a solution all along and the county has offered no help.

"I care about the history of this site," Repsher said, "but I am running a business and it just doesn't fit."

This month, partially in an attempt to prod the county to take action, Daft McCune Walker sought a demolition permit.

"We're not even sure we will proceed on the hearing for demolition," Repsher said, "We're not interested in hadling it to the dump --- we're just trying to get things off center."

During the required hearing before the Landmarks Preservation Commission on the demolition request Nov. 13, Repsher told the panel that the house was vacant when

the company bought the property. But he's mistaken, according to long-time Bast Towson-resident Mike Miller. Mary Parker was a cousin and his in-laws were living in the house in 1989 and had spent hundreds of dollars fixing it up, he said.

Miller said Daft McCune Walker gave the family notice after the house was sold -- but basically evicted them. Had they stayed, the house would not have deteriorated, Miller said, and they would have

enjoyed the serebity of a place in which children could be raised.

In buying the house, the company violated the unwritten "social contract" that is designed to preserve the East Towson neighborhood, he said. "It destabilized the community."

Respher said he is looking for a solution that will be acceptable to everybody, but people are long on ideas and short on money, he said.

"It all comes down to money," Bentz agreed. "I think it's very important to save it. I would love to be able to step in with \$50,000 but we can't." And the county' budget crunch pretty well pre See '... AND PUT UP A PARKING LE T Page A8

### The neighborhood, now bor-Page A8 Neighbors complain about UMBC students

But officials restricted in their response

BY MARCIA AMES CATON8VILLE

University of Maryland-Baltimore County junior Kristie Pickeral was more than surprised last Week to hear that fellow students jnight appear on the streets in mighties and slippers, party late anto the night with stereos blaring or speak rudely to their elders.

"I was actually shocked," she said after attending a Dec. 3 off-campus meeting of Broadfield community homeowners, Wilkens Station police and UMBC administrators.

"I didn't know that college kids acted like that," she said, shaking her head at the allegations.

Nevertheless they do, according to several members of this residendial community north of UMBC, who came asking the university to but a stop to the nuisance.

Conducted by Nancy Cutair, president of the Broadfield Association, the meeting had been called by some of the local homeowners to Discuss complaints against UMBC students living as renters in the area.

Pickeral fits that category, but has never been involved in a dispute with neighbors, she said.

As the meeting got underway, one person after another recalled examples of student disorder.

One resident complained of UMBC students living on both sides of his property who routinely played drums and blaring music, held loud parties or parked their cars in front of his house.

When confronted about this behavior, they used disrespectful language and refused to cooperate, he added. "We just can't put up with it

anymore," he said. "I don't want to get the kids kicked out, but I have no other choice,"

### LIMITED OPTIONS

But, as the university officials and police in attendance pointed out, ousting the students would be difficult, if not impossible.

UMBC is restricted in its lawful right to control student behavior on private property, according to attorney Christopher Tkacik, who spoke as director of student judicial programs on campus.

See STUDENTS OFFENDING RESIDENTS Page A3



The land planning company that owns this dilapidated house (No. 2 on map, Page 8) at 423 Jefferson Ave. In Towson wants to demotish it to create parking. A Dec. 19 hearing is set.



Four new houses (No. 1 on map, Page 8) line Lennox Avenue in East Towson.



STAFF PHOTO BY JEFF LEARD

Landmarks Preservation Commission member Louis Diggs is against razing the house at 402 1/2 Railroad Ave.

### Clashing goals in E. Towson

Continued from Page A1

the East Towson Community Association. "It is unsound," said Bentley, "It is really unsound "

Four houses that St. Ambrose has built on Lennox Avenue offer excellent examples of what could be built on the proper-1y. They were built to resemble and duplicate the charm of existing houses in East Towson.

"They're lovely, simply gorgeous," In the face of distinctly different view-Bentley said "We worked so hard and so points on how best to preserve East Towlong for this, it just makes my soul feel good and my heart too."

But Louis Diggs, one of the Landmarks Preservation Commission members who was considering the request to demolish the house at 402 1/2, on Nov. 13, took a strong stand against razing it.

Residents may be dazzled by the prospect of new houses, but "I'm for preserving African American structures in general," he said "I'm just not for tearing down. Even if they're not structurally sound, they can be renovated."

The Railroad Avenue houses are some of the oldest in the community. Diggs said. "We need to preserve our treasures, our one-room school houses and our homes."

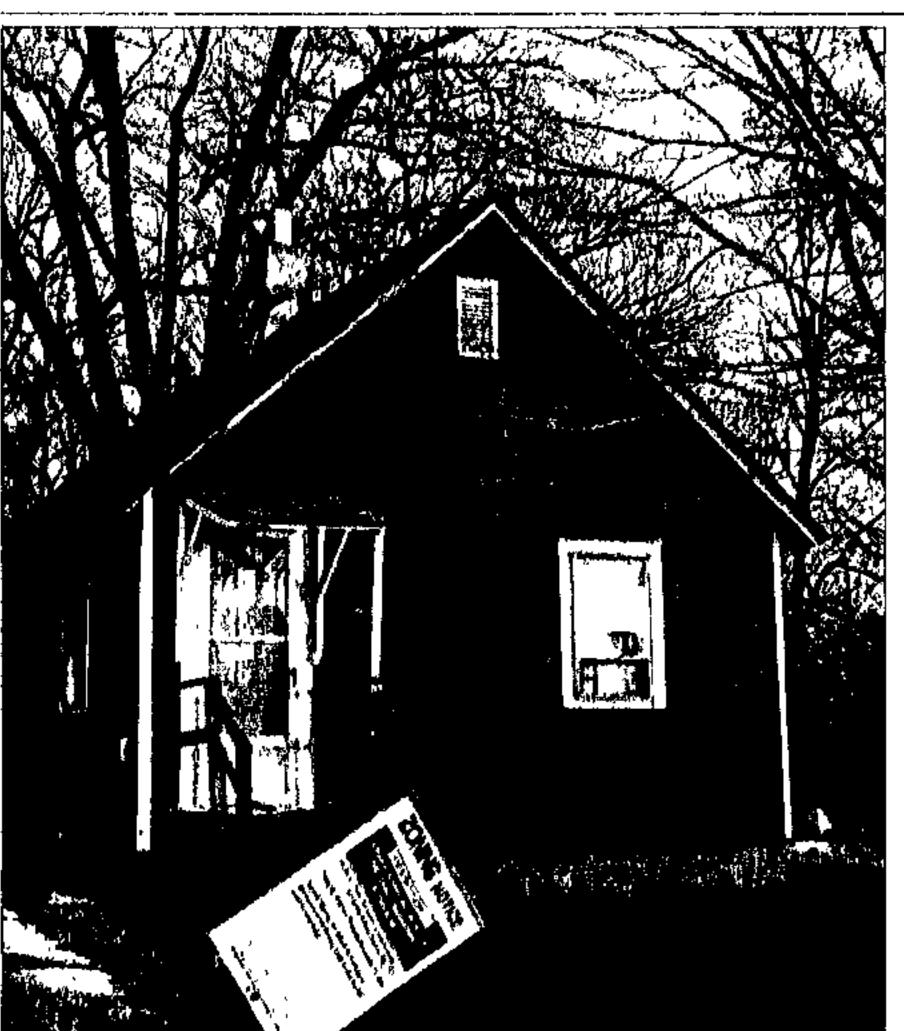
son, the commission has voted to table the demolition request and perform its own investigation.

"A lot of places have been called structurally unsound because they have been neglected," explained Jim Matthews, commission chairman. "We wanted to review it to see if the house should go on the landmarks list.

"We wanted a full presentation of the history of the house."

The commission probably will consider the demolition request again at its regular meeting on Jan. 8, Matthews said.

E-mail Loni Ingraham at lingraham@patuxent.com.



### and put up a parking lot'

Continued from Page A1

cludes much financial help from that quarter, she said

Meanwhile, on Dec. 19 at 11 a.m. the county zoning commissioner will hold a bearing to consider Daft McCune Walker's request to have historic provisions of the county code waived to pave the way for possible demolition. That hearing will be held in Room 106 of the County Office Building at 111 W. Chesapeake Ave.

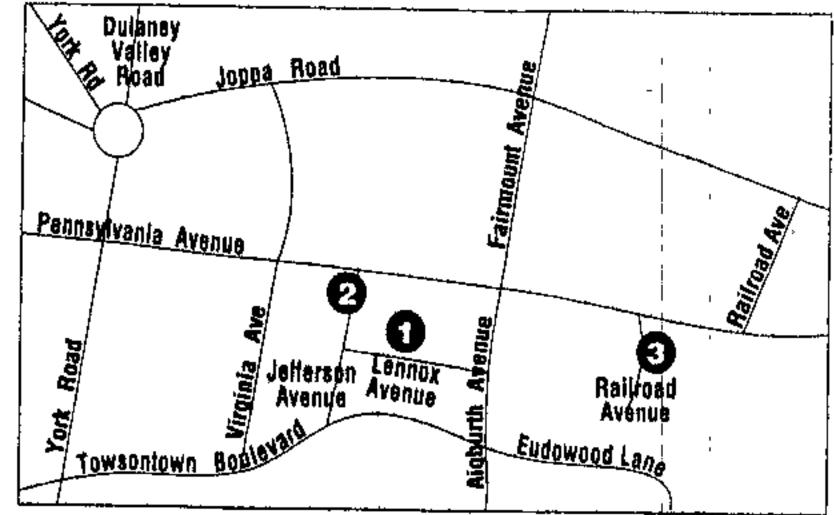
"If it's God's will, the house will not be torn down," Bentley said. But just in case, she is mustering East Towson residents to turn out for the hearing.

"We've got to be there to make sure they don't do anything stupid," she said. "We have been encroached upon by so many commercial things. They have taken so much away from us. If we can save even just a little bit of it, why not?"

E-mail Loni Ingraham at lingraham @patuxent.com.

This house (No. 3 on the map, right) stands at 402 1/2 Railroad Ave. in East Towson. It could be razed to make way for new housing.

STAFF PHOTO BY SAM FRIEDMAN



Map by Patricia frwin

