6

IN RE: PETITION FOR SPECIAL HEARING

N/S of Monkton Road, 1,150 ft. E of Carroll Road 10th Election District 3rd Councilmanic District (2606 Monkton Road)

Wayne J. Paul Petitioner

- \* BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 04-232-SPH

\*

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

### ORDER OF DISMISSAL

The Petitioner herein filed a Petition for Special Hearing for the property located at 2606 Monkton Road in the Monkton area of Baltimore County. A special hearing was requested from Section 26-266 (1) of the Baltimore County Code ("BCC"), to permit a panhandle with widths of 6 ft. per lot in lieu of the minimum required 12 ft. per lot in an R.C. zone;

WHEREAS, at the hearing held in this matter on January 13, 2004, Joseph Larson, representative for the Petitioner, stated that the Petitioner "would like to withdraw the special hearing petition at this time".

IT IS THEREFORE, ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 13 day of January, 2004, that the hereinabove Petition for Special Hearing, be and is hereby WITHDRAWN and DISMISSED, without prejudice.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

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

January 13, 2004

Joseph A. Larson Spellman & Larson 105 W. Chesapeake Avenue Towson, Maryland 21204

Re: Petition for Special Hearing Case No. 04-232-SPH

Property: 2606 Monkton Road

Dear Mr. Larson:

Enclosed herewith please find a copy of an Order of Dismissal regarding the above captioned case. The matter has been dismissed, without prejudice.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Encl.

c: Wayne J. Paul 2606 Monkton Road Monkton, MD 21111

> John & Regina Howard 2712 Monkton Road Monkton, MD 21111

James Constable 2300 Shepperd Road Monkton, MD 21111 Thomas R. Twells 2600 Monkton Road Monkton, MD 21111

Jane & James Courtney 2716 Monkton Road Monkton, MD 21111



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



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property	located at	2606 Monkton	Road	<del></del>
	which is p	presently zone	d RC-2	<del>/</del>

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

A Waiver of the requirements of Section 26-266(1) of the Baltimore County Code (B.C.C.) to permit a panhandle with widths of six feet per lot in lieu of the minimum required twelve feet per lot in an RC zone.

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

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

### Contract Purchaser/Lessee:

	<u>NA</u>		
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	NA NA		· · · · · · · · · · · · · · · · · · ·
Signature			
ddress	<u>NA</u>	·	Telephone No.
1001622	NI A		releptione No.
City	<u>NA</u>	State	Zip Code
Attorney For	Petitioner	·.	
lame - Type or Pr	NA	<del></del>	
	"". NA		<del></del>
ignature	ΝA		
negmo	NA NA		
dures		<del></del>	Telephone No.
3	NA	State	Zip Code
3	NA	State	

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.

#### Legal Owner(s):

Name - Type or Print  Signature  Wayne J. Paul  Occupate  Signature	en (	
Name - Type or Print	<del></del>	
Signature		<u> </u>
2606 Monkton Road	410~	771-4732
Address	<del></del>	Telephone No
Menkton	MD	21:111
City	State	Zip Code
Representative to be Co	ntacted:	
Joseph Larson		······································
Name		
105 W. Chesapeake	Ave.	410-823-3535 Telephone No.
Address		Telephone No.
Towson	MD	21204
City	State	Zip Code
OFFICE US	E ONLY	

UNAVAILABLE FOR HEARING

ESTIMATED LENGTH OF HEARING

Reviewed By JNP Date 11603

REV 9/15/98

FOR FILLING

BALTIMORE COUN OFFICE OF BUDGET & MISCELLANEOUS	FINANCE	No.		
DATE	ACCOUNT			
			Respirate the second of the se	
DISTRIBUTION WHITE CASHIER PINK	AGENCY YELLOW CUS	romer.	CASHIER'S VALIDATION	

### NOTICE OF ZONDIG

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: #04-232-SPH
2606 Monkton Road
N/side of Monkton, 1,150
feet east of Carroll Road
10th Election District
3rd Councilmanic District
Legal Owner(s): Wayne J. Paul
Special Hearing: to permit
a waiver of design standards to permit a panhandle
with widths of (6) feet per
lot in lieu of the minimum
required twelve feet per lot
in an RC zone.
Hearing: Tuesday, January
13, 2004 at 9:00 a.m. in
Room 186, County Office
Building, 111 W. Chesa-

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

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

LAWRENCE E. SCHMIDT

peaks Avenue.

3391. JT/12/752 De23 D642269

### CERTIFICATE OF PUBLICATION

12 24 ,20,03
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $\frac{ 2 23 ,2003}{}$
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

# CECTIFICATE OF POSTING

A	tention: Beden Hart	Date: December 22, 2003
RE:	Case Number 04-232-51 Petitioner/Developer: WAYNE J. Pau Date of Hearing/Closing: January 1	2H L/Joseph LARSON 3,200
were	This is to certify under the penalties of perjurposted conspicuously on the property located	y that the necessary sign(s) required by law at 2606 Monkton Road
	The sign(s) were posted on $\mathcal{D}$	(Month, Day, Year)
		(Signature of Sign Poster)  LINDA O KEFF  (Printed Name of Sign Poster)
		523 PENNY LANE (Street Address of Sign Poster)  HUNT VALLEY MD 21030 (City, State, Zlp Code of Sign Poster)
	2606 MONKTON RU	(Telephone Number of Sign Poster)

# 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 24, 2003

# NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will be a son the Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the

CASE NUMBER: 04-232-SPH

2606 Monkton Road N/side of Monkton, 1, 150 feet east of Carroll Road 10<sup>th</sup> Election District – 3<sup>rd</sup> Election District Legal Owner : Wayne J. Paul

Special Hearing to permit a waiver of design standards to permit a panhandle with widths of (6) feet per lot in liquid the standards to permit a panhandle RC widths of (6) feet per lot in lieu of the minimum required twelve feet per lot in an RC

Hearings:

Tuesday, January 13, 2004 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

hutty Kotroco

Timothy Kotroco Director

TK:rlh

C: Wayne J. Paul, 2606 Monkton Road, Monkton Joseph Larson, 105 W. Chesapeake Avenue, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 29, 2003.

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

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 23, 2003 Issue - Jeffersonian

Please forward billing to:
Wayne J. Paul
2606 Monkton Road
Monkton, MD 21111

410-771-4732

### **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: 04-232-SPH

2606 Monkton Road N/side of Monkton, 1, 150 feet east of Carroll Road 10<sup>th</sup> Election District – 3<sup>rd</sup> Election District Legal Owner: Wayne J. Paul

Special Hearing to permit a waiver of design standards to permit a panhandle with widths of (6) feet per lot in lieu of the minimum required twelve feet per lot in an RC zone.

Hearings:

Tuesday, January 13, 2004 at 9:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT

awrence M. Schmidt

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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

# 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 $54-132-5PH$	
Petitioner Wayhe J. Paul	
Address or Location: 2606 Monkton Road	<del> </del>
	<del></del>
PLEASE FORWARD ADVERTISING BILL TO	
Name WAYNE J. PAUL	
Address 2606 MONKTON ROAN	
MONKTON, MD 21111	***************************************
un,	, <del></del>
Telephone Number: 4/0-771-4732	

# Department of Permits 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

January 9, 2004

Wayne J. Paul 2606 Monkton Road Monkton, Maryland 21111

Dear Mr. Paul:

RE: Case Number: 04-232-SPH, 2606 Monkton Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 6, 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. Callabal)

WCR:clb

Enclosures

c: People's Counsel Joseph Larson, 105 W. Chesapeake Avenue Towson 21204



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



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 November 19, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 17, 2003

Item No.: 232

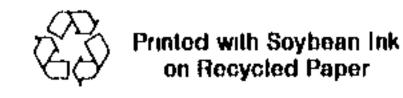
Dear Ms. Hart:

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.

Proposed panhandle driveway must be a minimum of 16 feet wide and of a hard surface capable of supporting emergency apparatus, weighing 65,000 lbs on two axles.

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

11.18.03 Date:

Baltimore County

Item No. 237

RE:

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.

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,

1.1. Dredt

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

July

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: January 8, 2004

RECEIVED

JAN 1 2 2004

ZOWING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 04-228 and 04-232

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

Prepared By:

Section Chief:

AFK/LL

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

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 24, 2003

Item No. 232

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

**DATE:** November 26, 2003

The panhandle driveway shall be increased to a 16-foot width with a 30-foot by 70-foot tee-turnaround.

A maximum of five panhandle lots are permitted.

RWB:CEN:jrb

cc: File

RE:	PETITION FOR SPECIAL HEARING 2606 Monkton Road; N/side Monkton Road	* 1,	BEFORE THE
	1,150' E of Carroll Road 10 <sup>th</sup> Election & 3 <sup>rd</sup> Councilmanic Districts	*	ZONING COMMISSIONER
	Legal Owner(s): Wayne J Paul Petitioner(s)	*	FOR
		*	BALTIMORE COUNTY
		*	04-232-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.

RECEIVED

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

NOV 2 0 2003 Canda S. Demila

CAROLE S. DEMILIO

Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

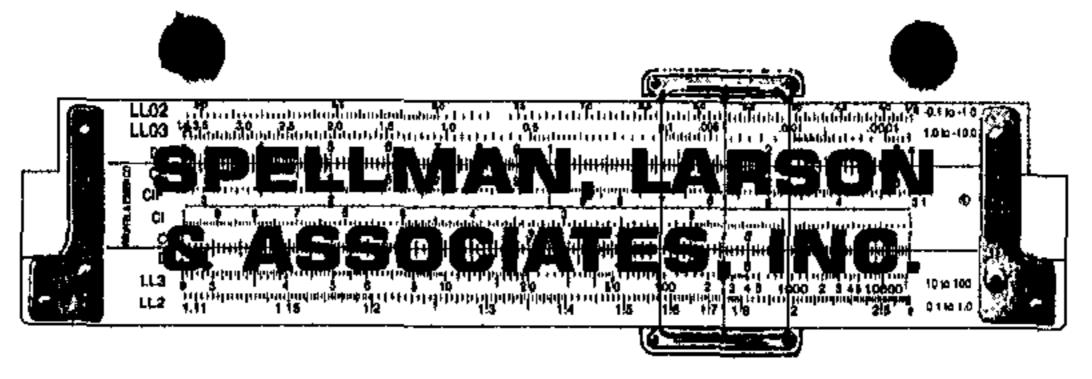
### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 20<sup>th</sup> day of November, 2003, a copy of the foregoing Entry of Appearance was mailed to Joseph Larson, 105 W Chesapeake Avenue, Towson, MD 21204, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County





#### CIVIL ENGINEERS AND LAND SURVEYORS

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

Mr. Carl Richards, Supervisor

Office of Zoning Baltimore County

February 27, 2004

Re:

**Paul Property** 

2606 Monkton Road Case No. 04-232-SPH Job No. 200069

Dear Carl,

I herein respectfully request that the Zoning Hearing for the above captioned Case be rescheduled at your earliest possible convenience.

The subject Case was previously heard, in part, on January 13, 2004 but was withdrawn during the Hearing due to circumstances related to restrictive Covenants that were presented by the protestants attorney.

We have since reviewed the situation thoroughly regarding the Special Hearing Petition and also the Covenants issue and we find that we wish to proceed with the Special Hearing since that subject matter of the Hearing is not related to the Covenants issue.

Further, it is my clients contention, and one that I support, that the Covenants do not affect his property since there is clearly no mention of the Covenants in his deed

I would appreciate your placing this Case back on the agenda at your earliest possible convenience.

Please advise this office as to whether the property must be re-posted or if notifications to the Hearing attendees can be made by mailings.

> Joseph L. Larson, President SPELLMAN, LARSON & ASSOC INC SPELLMAN, LARSON & ASSOC INC DEVELOPMENT MANAGEMENT

Very truly yours,

RECEIVED 04-559

Hen Case.
To John Murphy

ROBERT E. SPELLMAN, P.L.S.

JOSEPH L. LARSON

cc: Wayne Paul File#L02250401

<b>PLEASE</b>	PRINT	CL	EARL	Y
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CASE	NAME 2606 Morkton Rd
CASE	NUMBER 04-232-SPH
DATE_	1/13/04.

### CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Thomas R. TWELLS	2600 Monkton Rd	Monkton mD 21111	trtwelis dattinet
John O Howard	2712 Monten Rd	Mondation MO 21111	showard a warrillo
Raina A. Howard	2712 MONKton Rd	Monkton mo 2001	Eaviorhandera @hottorail
Jul A. Caukting	2716 Monton RI	Mrs. Ind 31111	sanewe @ earth.int.net
Just ( with the finds)	2716 Montson Rd	Makton no 21/11	anewe Cearthlink, net
JAMES WILDRETTASTE	2700 SHEPPENS ES	MONKION, MAS 2111	in constate Questan
CMANOS PRED A	15me.)		
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### PLEASE PRINT CLEARLY

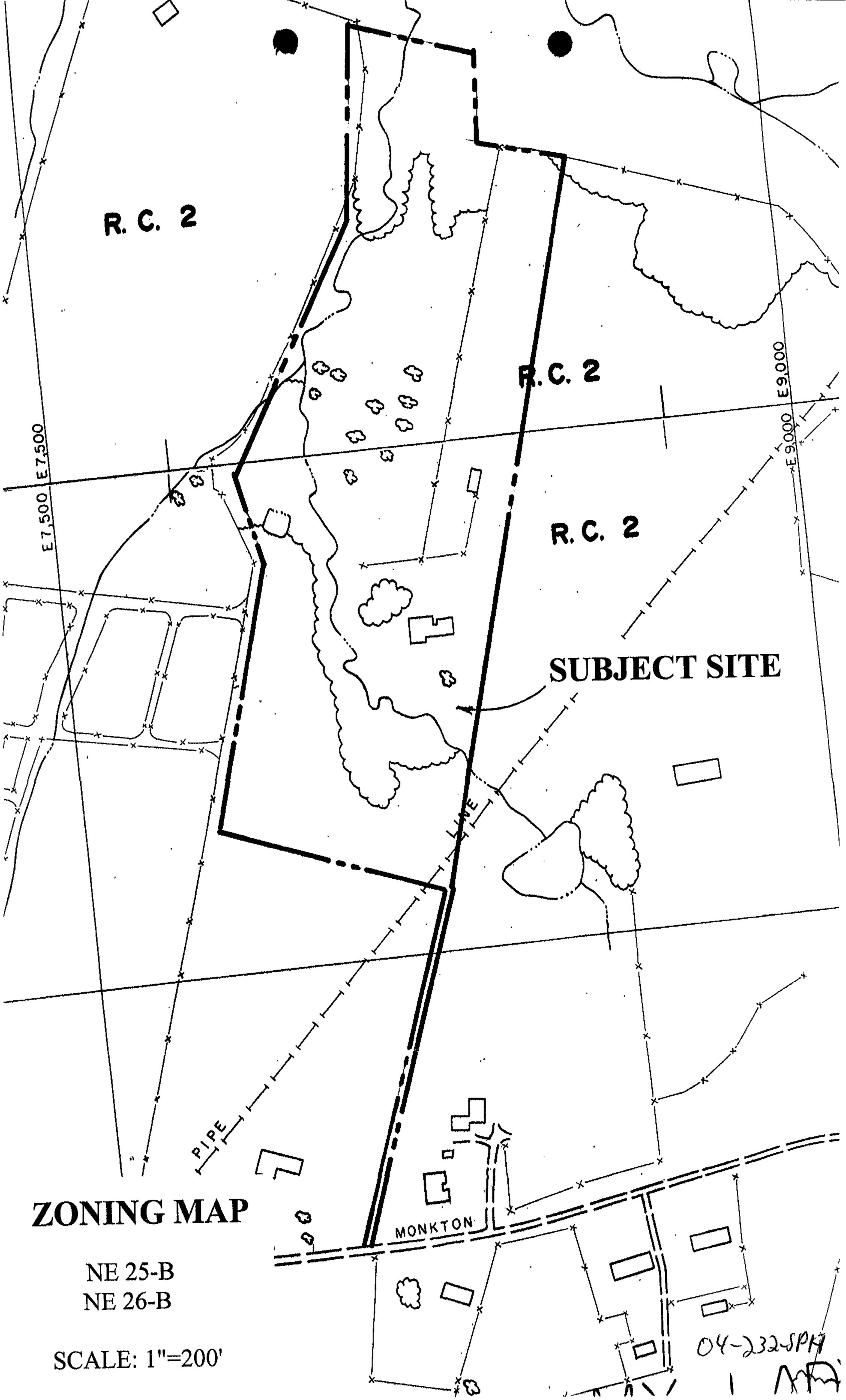
CASE NAME 2606 Morkton Rd.

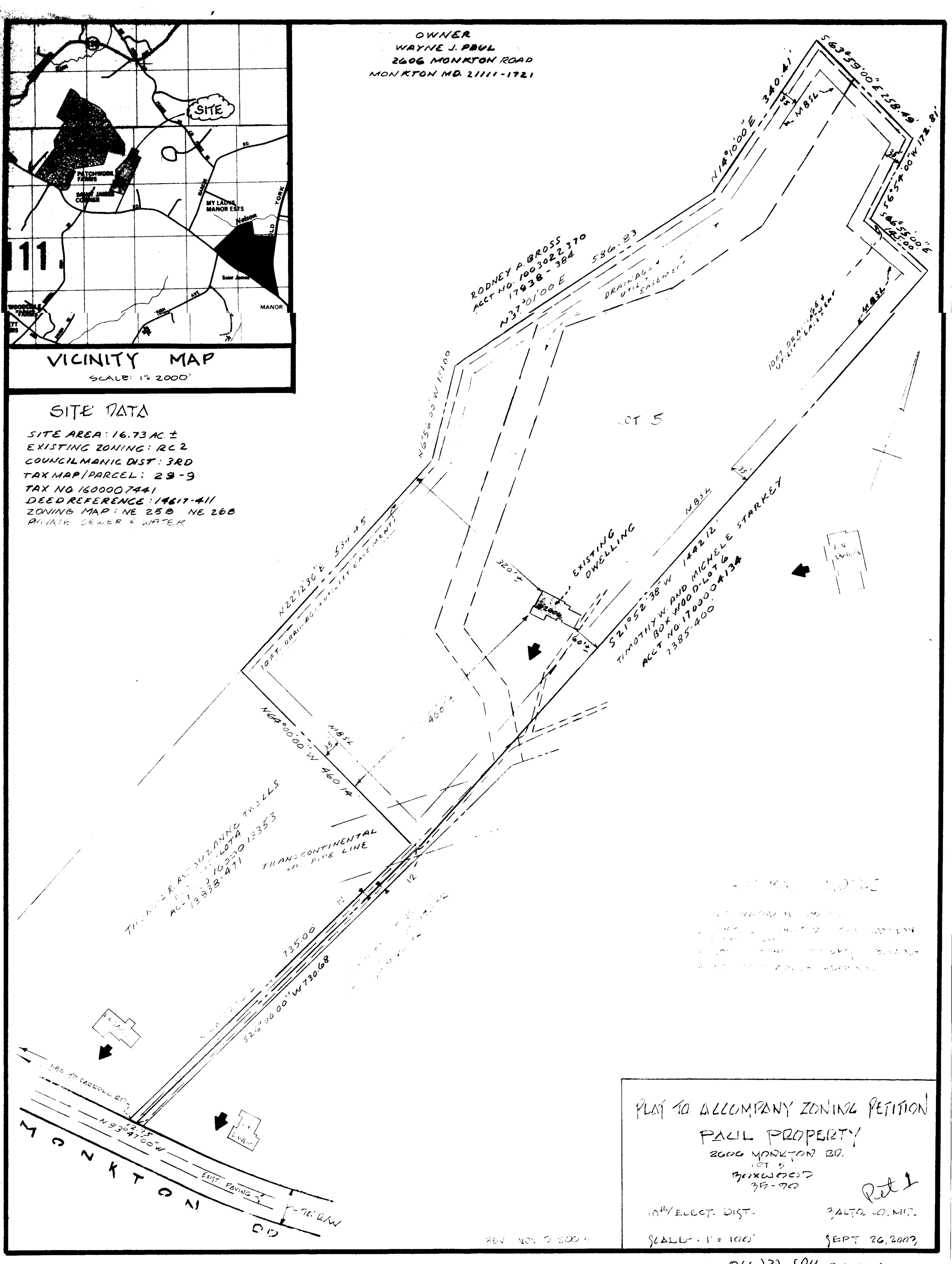
CASE NUMBER, 0,4-232-SPH

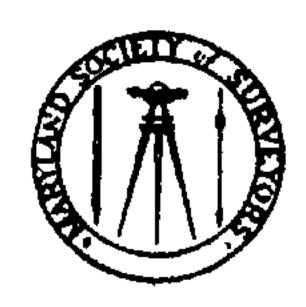
DATE 1/13/04

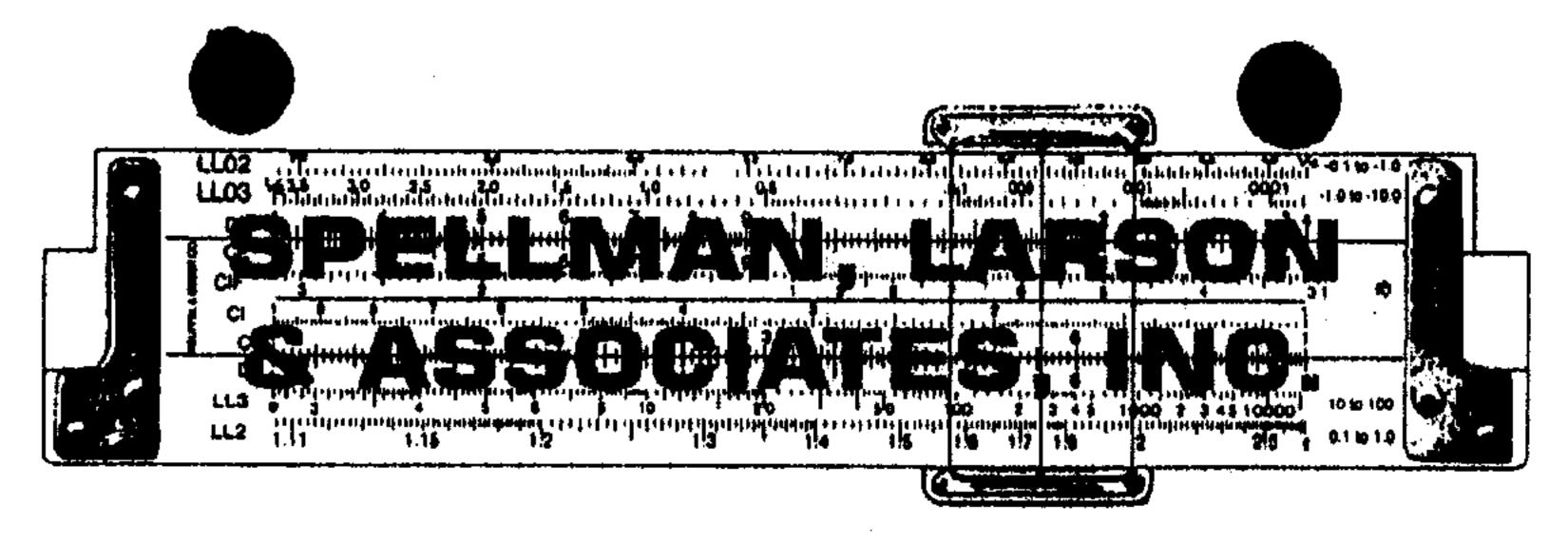
### PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
WAYNE TAUL	2606 Month Ton RD	Towson, Ald Z1204 MONKTON MB21/11	
WAYNE TAUL	2606 MONINTON RD	MONKTOW MD21/11	. <del></del>
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HOBERT 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 A ZONING PETITION NO. 2606 MONKTON ROAD, TENTH DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the north side of Monkton Road, as widened, at the dividing line between Lot No. 4 and Lot No. 5 all as shown on a Plat entitled Boxwood, said Plat being recorded among the Plat Records of Baltimore County in Plat Book O.T.G. No. 35, Folio 90 said point being also at the distance of 1150 feet, more or less, measured easterly along Monkton Road from the center line of Carroll Road and running thence and binding on the dividing line between Lot No. 5 and Lot No. 4 north 26 degrees 00 minutes 00 seconds east 735.00 feet and north 64 degrees 00 minutes 00 seconds west 460.14 feet to the westernmost outline of the Plat of Boxwood herein referred to and running thence and binding on said outline north 22 degrees 12 minutes 30 seconds east 534.45 feet north 6 degrees 56 minutes 00 seconds west 181.00 feet north 37 degrees 01 minutes 00 seconds east 586.83 feet north 14 degrees 10 minutes 00 seconds east 340.41 feet thence binding on the northernmost outline of said Plat south 63 degrees 59 minutes 00 seconds east 258.49 feet south 6 degrees 54 minutes 00 seconds west 172.81 feet and south 66 degrees 55 minutes 00 seconds east 145.00 feet to the dividing line between Lot No. 5 and Lot No. 6 as shown on the Plat herein referred to and running thence and binding on said dividing line south 21 degrees 52 minutes 38 seconds west 1442.12 feet and south 26 degrees 00 minutes 00 seconds west 730.68 feet to the north side of Monkton Road, as widened, and herein referred to and running thence and binding on the north side of Monkton Road, as widened, north 83 degrees 47 minutes 00 seconds west 12.75 feet to the place of beginning.

ALSO being known as Lot 5 on the Plat of Boxwood recorded among the Land Records of Baltimore County in Plat Book 35 Folio 90.

CONTAINING 16.73 acres of land more or less.

SUBJECT to two drainage and utility easements, a transcontinental gas pipeline right of way, a 20 foot revertible slope easement and a 50 foot minimum building setback line all as shown on the Plat of Boxwood and recorded among the Plat Records of Baltimore County in Plat Book O.T.G. No. 35, Folio 90.

OCTOBER 2, 2003

File#D10020301

04-232-SPH