ORDER RECEIVED FOR FILING.

Date

By

IN RE: PETITION FOR SPECIAL HEARING

NE/S Turkey Point Road, 62' W of the c/l

Sue Grove Road

(2126 Turkey Point Road)

15th Election District 6th Council District

Philip J. Hock, Jr., et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 04-306-SPH

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Philip J. Hock, Jr., and his wife, Elizabeth M. Hock, through their attorney, Edward C. Covahey, Jr., Esquire. The Petitioners request a special hearing to approve the nonconforming use and continuation of an existing one bedroom apartment above a garage, pursuant to Section 1B01.1.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Philip and Elizabeth Hock, property owners, Walter T. Parr, the professional engineer who prepared the site plan for this property, and Edward C. Covahey, Jr., Esquire, attorney for the Petitioners. Also appearing in support of the request were Woodrow S. Clayton, Jr. and Raymond J. Amtmann, nearby residents of the area. Appearing as interested persons were Jackie Nichel, President of the Rockaway Beach Improvement Association and representing the Turkey Point Improvement Association, JoAnn Loeliger, and Charles J. and Evelyn Reed, all nearby residents of the area. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is an irregular shaped parcel located near the intersection of Turkey Point Road and Greyhound Road in Middle

River. In fact, the front portion of the site faces Turkey Point Road; however, the rear of the lot abuts Greyhound Road. The property contains a gross area of 1.05 acres, more or less, zoned D.R.3.5, and is improved with a single-family dwelling, a detached two-car garage, which features a one-bedroom apartment above, and another accessory building, which is located behind the garage. It is the garage with the apartment above which is the subject of the instant request. It is also to be noted that the garage has a height of 21 feet, which is 6 feet greater than allowed for an accessory building in a residential zone. In this regard, the record of the case file shows that as the result of a routine inspection in the area by a Code Enforcement Inspector with the Department of Permits and Development Management (DPDM), the Petitioners were cited with a zoning violation relative to the height of the garage. The Petitioners then filed a Petition for Variance under Case No. 04-227-A seeking relief to permit an accessory structure height greater than the 15-foot maximum allowed by the zoning regulations. However, subsequent to further discussion with the Zoning Review Division of DPDM, the Petitioners were advised to file the instant Petition for Special Hearing to legitimize existing conditions.

Mrs. Hock testified that she and her husband have owned the subject property since April 1965 and lived there until they moved in 1985. She testified that her daughter presently occupies the dwelling and that the dwelling and detached garage have existed on the property since approximately 1940. Mrs. Hock also testified in detail about the garage. The garage is 38' x 35' in dimension and as noted above, is 21' in height. Mrs. Hock stated that the first floor of the garage is used for storage purposes; however there is an apartment on the second floor. It was indicated that the apartment contains a bedroom, living room, bath and kitchen area, and has been continuously occupied and leased since the Petitioners' acquisition of the property in 1965. The only occasional breaks in occupancy occurred when one tenant vacated the premises and another moved in; however, these lapses were short-lived and were never more than a few months.

Testimony was also received from Woodrow S. Clayton, Jr. Mr. Clayton lives on Greyhound Road and has lived there since 1960. He testified that his grandfather originally owned the subject property and produced a photograph, which was taken in the early 1940s. The

photograph shows Mr. Clayton as a child with a number of his siblings and family members, and in the background, the subject dwelling and garage are clearly shown. The photograph also shows that these structures are essentially the same size and configuration today as they existed at that time. Mr. Clayton also testified that his grandfather leased the apartment above the garage for many years. Apparently, the tenant who resided in the apartment at that time helped his grandfather maintain the property.

The Petitioners request approval of the garage with its apartment as a nonconforming use. Nonconforming uses are defined in Section 101 of the B.C.Z.R. and regulated by Section 104 thereof. Essentially, the nonconforming use designation is utilized to grandfather an otherwise illegal use. In this case, the garage apartment is not a permitted use under the D.R.3.5 zoning regulations; however, this use may remain if the Petitioner can establish that it is nonconforming. That is, the Petitioners must demonstrate that it existed prior to the effective date of the zoning regulations which prohibited such use.

The first zoning regulations in Baltimore County were adopted in 1945 and were comprehensively amended and readopted on March 30, 1955. The testimony and evidence presented in this case was persuasive to a conclusion that the garage was built with the apartment prior to 1945 and has been used as such since that date. Moreover, it appears that there has been no abandonment or discontinuance of that use over the years. Thus, I will grant the Petition for Special Hearing and confer a nonconforming status on the apartment as well as the height of the garage. The garage may continue to be utilized in that fashion for so long as ongoing use is consistent with the requirements of Section 104 of the B.C.Z.R.

The neighbors who appeared primarily expressed concern about the potential subdivision of this property. As noted above, the property is slightly over one acre in area and under the D.R.3.5 zoning regulations, could be subdivided to create several lots. The minor subdivision process is not within the purview of the Zoning Commissioner and I make no judgment as to whether this property should be subdivided and if so, the propriety of such

ORDER RECEIVE

Date

LES:bjs

subdivision. The decision herein is limited only to the relief requested within the Petition for Special Hearing as set forth above.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of March 2004 that the Petition for Special Hearing to approve the nonconforming use and continuation of an existing one bedroom apartment above a garage that is 21 feet in height, pursuant to Section 1B01.1.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED.

Any appeal of this decision must be entered within thirty (30) days of the date hereof.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

4

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 19, 2004

Edward C. Covahey, Jr., Esquire Covahey & Boozer 614 Bosley Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S Turkey Point Road, 62' W of the c/l Sue Grove Road
(2126 Turkey Point Road)
15th Election District – 6th Council District
Philip J. Hock, Jr., et ux - Petitioners
Case No. 04-306-SPH

Dear Mr. Covahey:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

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

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. & Mrs. Philip J. Hock, Jr.

410 Katherine Avenue, Baltimore, Md. 21221

Mr. Woodrow S. Clayton, Jr., 606 Greyhound Road, Baltimore, Md. 21221

Mr. Raymond Amtmann, 411 Vogts Lane, Baltimore, Md. 21221

Mr. Walter T. Parr, BPS Land Technology, Inc.

1602 Bosworth Court, Bel Air, Md. 21015

Ms. Jackie Nichel, 721 Rockaway Beach Avenue, Baltimore, Md. 21221

Ms. JoAnn Loeliger, 2337 Tickwood Road, Baltimore, Md. 21221

Mr. & Mrs. Charles J. Reed, 610 Greyhound Road, Baltimore, Md. 21221

People's Counsel; Case/File

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 2/2	26 TURK	EY POIN	T ROAD
		sently zone		

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 non-conforming use from the provisions of Section 1801.1Al of the Baltimore County Zoning Regulations to permit the continuation of a one bedroom apartment above a garage.

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. Legal Owner(s): Contract Purchaser/Lessee: HOCK, Siz. Name - Type or Print Name - Type or Print Signature Signature Name-Type or Print Address Telephone No. City Zip Code Signature State KATHERINE Attorney For Petitioner: Telephone No. Address 21221 BALTIMORE Edward C. Covahey, Jr. Zip Code State Name - Type or Print Representative to be Contacted: ._Signature Edward C. Covahey, Jr. Covahey & Boozer, P.A. Company Name 410-828-9441 614 Bosley Avenue 614 Bbsley Avenue 410-828-9441 Telephone No. Address Telephone No. Address 21204 Bowson, MD Towson, MD 21204 Zip Code Zip Code State City State PRDER RECEIVED OFFICE USE ONLY ESTIMATED LENGTH OF HEARING ____ Case No. Oct-306-5PH UNAVAILABLE FOR HEARING __ Reviewed By Com Date 12

Zoning Description 2126 Turkey Point Road Baltimore, Maryland 21221

Zoning description for 2126 Turkey Point Road

Beginning at a point on the Northeast side of Turkey Point Road which is ultimately to be a 60 feet right-of – way at a distance of 62 feet west of the centerline of the nearest improved intersecting street Sue Grove road which is a 50 foot right-of –way as recorded deed 4471, folio 480.

N 33° 08' 00" E - 212.95' S 58° 23' 46" E - 20.00' N 54° 15' 24" E - 100.15' S 31° 40' 00" E - 126.11' S 28° 37' 00" W - 228.42' N 64° 35' 00" W - 189.90'

Containing 43,995.60 S.F. or 1.01 ac+/-. Also known as 2126 Turkey Point Road and located in the 15th Election District, 6th Councilmanic District.

306

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No. 522	RO010066150	000	MALEY JR	7000	TOMER
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	SOLOS ACCOUNT	* AMOUNT \$	# D C COX	04-306-	PINK - AGENCY YELLOW - CUSTOMER
BALTIMORE OFFICE OF BU MISCELLAN	DATE 12		RECEIVED FROM:	FOR:	DISTRIBUTION WHITE - CASHIER

Commission of the Commission o

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: #04-306-SPH
2126 Turkey Point Road
N/side of Turkey Point
Road, 62 feet West centerline of Sue Grove Road
15th Election District
6th Councilmanic District
Legal Owner(s): Philip &
Elizabeth Hock

Special Hearing: to permit a non-conforming use to permit the continuation of a one bedroom apartment

from a garage.
Hearing: Monday, March
15, 2004 at 9:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.
(2) For information concerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 8873391.
2/394 Feb. 26 C651370

CERTIFICATE OF PUBLICATION

2/26, 2004
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 226,2004.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LECAL ADVERTISING



RE: Case No. 04-306-SPH Petitioner/Developer:

Philip and Elisabeth Hock Hearing Date: 3/15/2004

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

Attention: Ms. Becky Hart:

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 2126 Turkey Point Rd.

The sign(s) were posted on 2/28/04.

Sincercly,

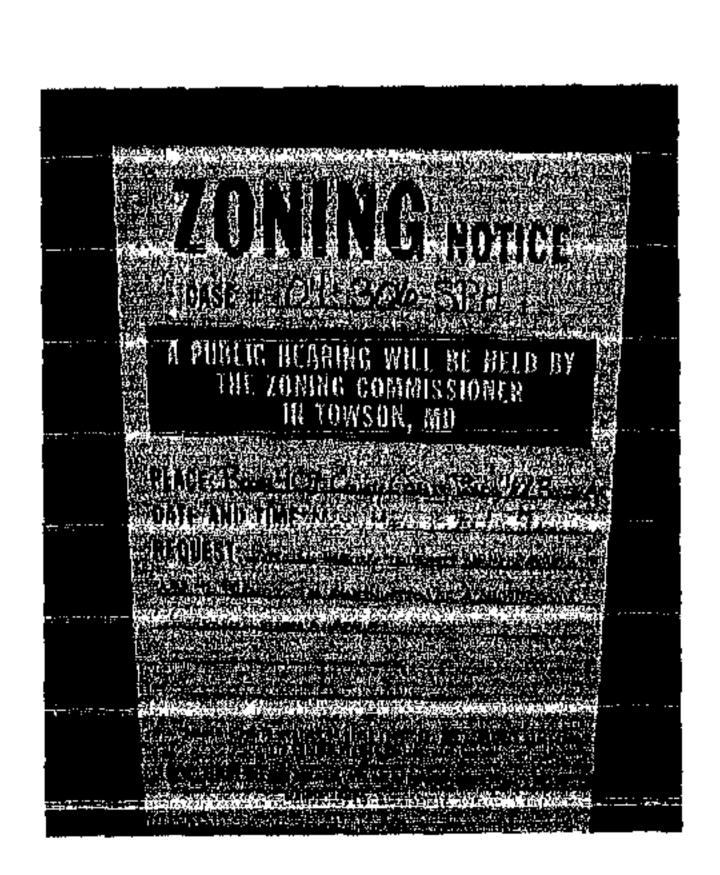
Diana Sugiuchi

Thomas J. Hoff, Inc.

406 West Pennsylvania Avenue

Towson, MD. 21204

410-296-3668



Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

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

February 17, 2004

CORRECT 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: 04-306-SPH

2126 Turkey Point Road
N/side of Turkey Point Road, 62 feet west of centerline of Sue Grove Road
15th Election District – 6th Councilmanic District
Legal Owners: Philip and Elisabeth Hock

Special Hearing to permit non-conforming use to permit the continuation of a one-bedroom apartment from a garage.

Hearing: Monday, March 15, 2004, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Edward Covahey, 614 Bosley Avenue, Towson 21204 Philip and Elisabeth Hock, 410 Katherine Avenue, Baltimore 21221

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 28, 2004.
 - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
 - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 26, 2004 Issue - Jeffersonian

Please forward billing to:

Edward Covahey 614 Bosley Avenue Towson, MD 21204 410-828-9441

CORRECTED 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: 04-306-SPH

2126 Turkey Point Road

N/side of Turkey Point Road, 62 feet west of centerline of Sue Grove Road

15th Election District – 6th Councilmanic District

Legal Owners: Philip and Elisabeth Hock

Special Hearing to permit non-conforming use to permit the continuation of a one-bedroom apartment from a garage.

Hearing: Monday, March 15, 2004, at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley, Avenue

auronce B. Schmudt

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY >

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL

ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

OFFICE AT 410-887-4386.

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

THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

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

January 16, 2004

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: 04-306-SPH

2126 Turkey Point Road
N/side of Turkey Point Road, 62 feet west centerline of Sue Grove Road
15th Election District – 6th Councilmanic District
Legal Owner: Philip & Elizabeth Hock

Special Hearing to permit a non-conforming use to permit the continuation of a one bedroom apartment from a garage.

Hearing: Wednesday, March 10, 2004, at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Edward Covahey, Jr., 614 Bosley Avenue, Towson 21204 Philip and Elizabeth Hock, 410 Katherine Avenue, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 24, 2004.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, February 24, 2004 Issue - Jeffersonian

Please forward billing to:

Edward Covahey, Jr. Covahey & Boozer, P.A. 614 Bosley Avenue Towson, MD 21204

410-828-9441

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: 04-306-SPH

2126 Turkey Point Road

N/side of Turkey Point Road, 62 feet west centerline of Sue Grove Road

15th Election District – 6th Councilmanic District

Legal Owner: Philip & Elizabeth Hock

Special Hearing to permit a non-conforming use to permit the continuation of a one bedroom apartment from a garage.

Hearing: Wednesday, March 10, 2004, at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

OFFICE AT 410-887-4386.

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

THE ZONING REVIEW OFFICE AT 410-887-3391.



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.

ويسورون وبدوات المستنا المستنا المستنا المستنا المستنا المستنا والمستنا والمستنا والمستنا المتعارفات		
For Newspaper Advertis	sing:	
Item Number or Case Nu	mber: 04-300-5PH	· · · · · · · · · · · · · · · · · · ·
Petitioner: Philip J	. Hock, Jr. and Elizabeth M. Hocl	ζ
Address or Location:	2126 Turkey Point Road	······································
•		
PLEASE FORWARD AD	VERTISING BILL TO:	
Name: <u>Edward</u>	C. Covahey, Jr.	
// at -1 .a	y & Boozer, P.A. sley Avenue	
Towson	, MD 21204	
Telephone Number:4	10-828-9441	
**************************************		<u> </u>

Revised 2/20/98 - SCJ

Department of Permits an 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

March 9, 2004

Edward C. Covahey, Jr. Covahey & Boozer, P.A. 614 Bosley Avenue Towson, Maryland 21204

Dear Mr. Covahey:

RE: Case Number: 04-306-SPH, 2126 Turkey Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 31, 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,

u. Callibal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Philip and Elizabeth Hock 410 Katherine Avenue Baltimore 21221



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

January 14, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: January 12, 2004

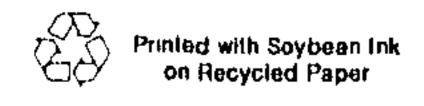
Item No.: 300-303, 305-310 (305)

Dear Ms. Hart:

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

LIEUTENANT JIM MEZICK Fire Marshal's Office TYPME 887-4881 MS-110°F

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:

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

RE:

Baltimore County

Item No. 304

LTM

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,

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



BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

ΓO:		Tim Kotroco		
FROM		R. Bruce Seel	ey Phs	
DATE	•	January 20, 20	004	
SUBJE	ECT:	Zoning Item Address	# 04-306 2126 Turkey Point Road Hock Property	
	Zoning	g Advisory Con	nmittee Meeting of January	12, 2004
X		•	nvironmental Protection an ve-referenced zoning item.	d Resource Management has no
		-	nvironmental Protection an nts on the above-reference	d Resource Management offers d zoning item:
	<u></u>	Protection of	· · · · · · · · · · · · · · · · · ·	ly with the Regulations for the etlands and Floodplains (Sections County Code).
		-	of this property must comp Regulations (Section 14-4) unty Code).	7
	<u></u>	Critical Area	~ - -	oly with the Chesapeake Bay 36 through 26-461, and other
	<u>Additi</u>	onal Comment	<u>s:</u>	

Reviewer:

Keith Kelley

Date: January 16, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 11, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 4-306

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 4 10-887-3480.

Prepared By:

Section Chief:

AFK/LL

RECEIVED

· 1004 5 7274

700MINIC COMMISSIUNTR

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: February 2, 2004

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 January 20, 2004

Item Nos. 302, 303, 304, 305 306, 308,

309, and 310

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

RWB:jrb

cc: File

PETITION FOR SPECIAL HEARING RE: 2126 Turkey Point Road; N/side Turkey Point Rd, 62' W c/line Sue Grove Road 15th Election & 6th Councilmanic Districts Legal Owner(s): Philip J., Jr & Elizabeth M. Hock Petititoner(s)

*

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY *

04-306-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

JAN 15 XIVA

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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 15th day of January, 2004, a copy of the foregoing Entry of Appearance was mailed to Edward C Covahey, Jr, Esquire, Covahey & Boozer, P.A., 614 Bosley Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

DE ENFORCEMENT	REPO
DATE: 7 1/8 103 INTAKE BY: SHI CASE	#:03-5783 INSPEC: 6
COMPLAINT 2126 Turl	REY POINT ROAD
	ZIP CODE: 2127 DIST:
COMPLAINANT NAME: CACES REED PHONE #	410-622-5135 (H)(W)
ADDRESS: 610 (-CEYNOUHO RE	
PROBLEM: (-ACAC) = OSE(135)	F. mah.
SOMEDHE INTHO IN THE CY	CAUX - WO
duellings on one lot	
IS THIS A RENTAL JUNIT? IF YES, IS THIS SECTION 8? OWNER/TENANT INFORMATION: YES NO NO NO NO NO NO NO NO NO N	Louck .
Elisabeth M. Hos	
TAX ACCOUNT #: 15-08-654320	ZONING: 25.5
INSPECTION:	
REINSPECTION:	
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REINSPECTION:	
	
REINSPECTION:	
	
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Baltimore Conty Departmen. Permits and Development Management

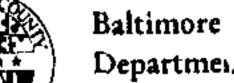
Code Inspections and Enforcement County Office Building 111 West Chesapeake A .e Towson, MD 21204

Code Enforcement: **Building Inspection:** 410-887-3351 410-887-3953 Plumbing Inspection: Electrical Inspection:

410-887-3620 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE
Citation/Case No. Property No.
Name(s): Philip J. HOCK JR
Elishbeth M. Hock
Address: 410 KATNETINE AVE. 2/22/5
Violation Location: 2126 TOFKEN POINT ROAD
DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
SECTION 26-121 (a)-13CC
NON-CORRIANCE WITH THE
MINOS SUBDINISION PLAN" HOCK
Property" by having two
dwellings on lat #2.
The structure noted on thus lot as an existing orange
MUST DE LE CONVECTED BACK
INTO AN ALLESSOFY STRUCTURE
AHD NOT REMAIN A DWELLING.
ONJE CONJECTED, A)
VACIANCE MUST DE abtainEd
YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:
Ou 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: Date Issued:
INSPECTOR: AGENCY





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Departmes. // Permits and Development Management

Code Enforcement:

410-887-3351

Code Inspections and Enforcement County Office Building 111 West Chesapeake A. .ue Towson MD 21204

Plumbing Inspection:

410-887-3620

Building Inspe	ction:	410-887-3953	Electrical Inspection:	410-887-3960
BALTIM	ORE COUN	TY UNIFORM CODE	ENFORCEMENT CORRECTION	NOTICE
Citation/Case N	io.	Property No.	Zoning:	
03-5	783	15-08-	654320 SOR	- త్ర్మ
1 (-)			1	
Name(s):				<u></u>
Address:				
Violation		2126	J-KEY POINT	RX I
Location:			···, —···	ZI ANC.
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VALLADE SEE	PRV ORDEŘI	TO CORRECT THES	VIOLATION(S) ON OR BEFORE:	··· <u>···</u>
On or Before:			Date Issued:	
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			AL PINES OF \$200, \$500, OR \$1000	
			DAYS IN JAIL, OR BOTH.	
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INSPECTOR:			77 77 77 77	
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THESE CONI	DITIONS MUS	ST BE CORRECTED NO		
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INSPECTOR:				
Har ECTOR		· · · · · · · · · · · · · · · · · · ·	AG	ENCY





7/18 2 story garage at least 15 tall 38 w x 30 deept



Department of Permits and Development Management

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

Code Enforcement: Building Inspection:

410-887-3351 410-887-3953

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

Citation/Case No. Property No.	The state of the s	Zoning:	
03-5783 /5-08	-65432		-3-5
Name(s):	TAR		JR
A CONTRACTOR OF THE PARTY OF TH	其十人 义人	· Hoo	
Address: 4/0 KATHETIN	IEL AVE	212	2/228
Violation Location: 2126	KEN Po	ニントス	
Dates: OCA BALTIMORE COUNTY FORMALLY CHAR	CESTHAT THE ABO	VE NAMED PER	603 450 SON(S) DID
UNLAWFULLY VIOLATE THE POLLOWING	BALTIMORE COUN	TY LAWS OR RE	GULATIONS:
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MCCESSECS LOSI	12/11-Ch	OVEC	15
FEETING			
			Party and the second second
Pursuant to Section I-8, <u>Baltimore County Cod</u> has been assessed, as a result of the violation cit the amount indicated:	TM - T - 1	9,000.	00
A quasi-judicial hearing has been pre-scheduled	1	Des	7,2003
111 West Chesapeake Avenue, Towson, Marylan	id, for:	Time 9.00	
		7.00	14 M
Citation must be served by:		Den, 1	2,2003
كبرين كسبير والمراز والمنافل في المنافل			
I do solemnly declare and affirm, under the pens	1 1 2	he contents state	d above are true
and correct to the best of my knowledge, inform	ation, and belief.	he contents state	d above are true
and correct to the best of my knowledge, inform	ation, and belief.		d above are true
and correct to the best of my knowledge, informed the Marie: Oct 28 2003 Manual Oct 28 2003 Manual	ation, and belief.		d above are true
and correct to the best of my knowledge, inform Print Name: OCT 28 2003 (Company) Date. SEE REVERSE SIDE FOR ADDITED	iation, and belief. ONAL DETAILS A	ND INFORMA	
and correct to the best of my knowledge, inform Print Name: OCTOS 2003 (Company) Date. SEE REVERSE SIDE FOR ADDITIONAL NOTICE OF INT	iation, and belief. ONAL DETAILS A	ND INFORMA	ITON
and correct to the best of my knowledge, inform Print Name: OCT 28 2003 (Company) Date. SEE REVERSE SIDE FOR ADDITED	iation, and belief. ONAL DETAILS A	ND INFORMA	ITON
and correct to the best of my knowledge, inform Print Name: (2) (2) (2) (3) (2) (2) (2) (2) (2) (2) (2) (2) (2) (2	iation, and belief. ONAL DETAILS A	ND INFORMA	ITON



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdminspect@co.ba.md.us

August 22, 2003

Mrs. Elizabeth M. Hock 410 Katherine Avenue Baltimore, MD 21221-1628

Re: Case No. 03-5783

2126 Turkey Point Road

Dear Mrs. Hock:

As a result of our conversation on August 19, 2003, an extension will be granted until September 15, 2003. By this time, an appointment review date must be established with Zoning Review (410-887-3391).

In speaking with the zoning review staff, it was determined that one could certainly file for a variance petition; however, the best approach towards solving the height issue of the garage is to file a non-conforming use petition. By proceeding in this direction, one just has to prove to Baltimore County that this accessory structure was built prior to 1955.

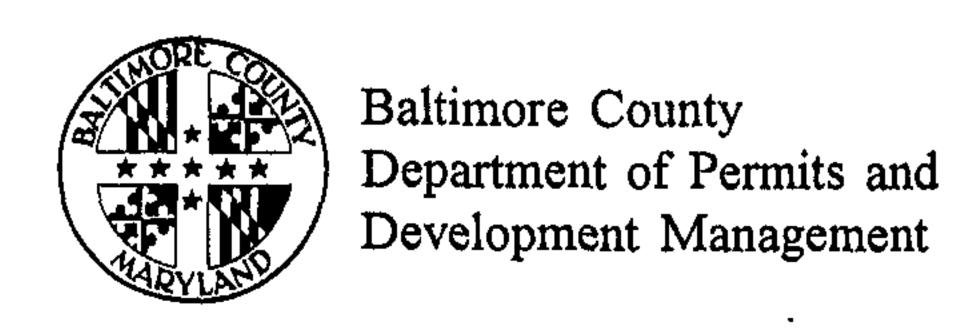
It is recommended that you should consider the services of BPS/Land Technology in preparing the required petition since they already have completed the minor subdivision plan for this property. Lastly, a code enforcement inspector must be given access to the interior of this garage by September 15, 2003, to verify compliance with our original correction notice.

Sincerely,

James H. Thompson, Supervisor

Bureau of Code Enforcement

jht/jm



Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdminspect@co.ba.md.us

November 12, 2003

Mr. and Mrs. Philip J. Hock, Jr. 410 Katherine Avenue
Baltimore, MD 21221-1628

Re: Case No. 03-5783

2126 Turkey Point Road

Dear Mr. and Mrs. Hock:

Please be advised that the Bureau of Code Enforcement will not proceed with a citation hearing on December 17, 2003. We are taking this position because your engineer/surveyor, BPS/Land Technology, filed the necessary variance petition with our department on November 5, 2003 to legalize the height of the accessory structure. In all likelihood, a decision will not be made by the zoning commissioner within the next 60 days.

Therefore, code enforcement will re-check the status of this case on February 12, 2004. If the variance petition is ultimately granted, we will void the citation. If additional questions remain, please contact me at 410-887-8094.

Sincerely,

James H. Thompson, Supervisor Bureau of Code Enforcement

c: BPS/Land Technology, Inc. 1602 Bosworth Court Bel Air, MD 21015

Charles Reed 610 Greyhound Road Baltimore, MD 21221

Code Inspector Dennis Rioux



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at <u>2126 TURKEY FOINT ROAD</u> which is presently zoned <u>DR-3.5</u>

This Petition shall be filed with the Department of Permits and Developm of the property situate in Baltimore County and which is described in the de hereof, hereby petition for a Variance from Section(s) AOO.3 (RCZ	ment Management. The undersigned, legal owner(s) lescription and plat attached hereto and made a part
Acc, Hereby petition for a variance from Section(s) Acc, 3 / R C Z	· (2)

TO PERMIT AN EXISTING DETACHED, ACCUSSORT STRUCTURES, (GARACE) WITH A HEIGHT OF 21' INCHES OF THE REPUIRED 15'

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

TO BU DISCUSSED AT THE HUARING

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

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

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.

	is the	subject of this Petiti	on.				
Contract Purchaser/Lesse	<u>ee:</u>		<u>Legal Owr</u>	er(s):			
			PHILIP	J. HOCK			
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Address	Te	elephone No.	Name - Type o		<u>и. Но</u>	ck	,
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Attorney For Petitioner:			4/0 K Address	ATABRINE .	415	410473579	•
			BALTIN	TURE	17.0	Telephone No.	
Name - Type or Print			City		State	Zip Code	1
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		Reviewed By	UNAVAILA	BLE FOR HEAR	NG/	······································	
REV 9/15/98					2103		

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW 614 BOSLEY AVENUE TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR. F. VERNON BOOZER * MARK S. DEVAN THOMAS P. DORE

FAX 410-823-7530

410-828-9441

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

MICHAEL T. PATE STACIE D. TRAGESER BRUCE EDWARD COVAHEY JENNIFER MATTHEWS HERRING

*ALSO ADMITTED TO D.C. BAR

January 29, 2004

phase postfore
the case; Lotroco

Timothy Kotroco, Director Baltimore County DPDM 111 W. Chesapeake Avenue Towson, Maryland 21204

> Re: Case No. 04-306-SPH 2126 Turkey Point Road

Dear Mr. Kotroco:

I am in receipt of notice setting the above-captioned in for hearing on March 10, 2004 at 11:00 a.m. Unfortunately, I am counsel of record in the case of State v. Raynor set for the District Court for Anne Arundel County sitting in Annapolis at 1:30 p.m. that date, all in accordance with notice, a copy of which is attached.

Please treat this as a reguest that the above-captioned matter be rescheduled. Fortunately or unfortunately, I have a lot of Court appearances, and it would be appreciated if the Court would indulge in granting this postponement by either deferring or advancing the case, and that I be contacted so that I may coordinate my calendar and not have to request another continuance.

Very truly yours,

Edward C. Covahey, Jr.

ECC,Jr./ldr Enclosure 0129ldr08

cc: Mr. Philip J. Hock, Jr. Mrs. Elizabeth M. Hock Mr. Walter T. Parr

RECEIVED 04-221 JAN 3 0 2004 DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT



DISTRICT COURT OF MARYLAND FOR ANNE ARUNDEL COUNTY
251 ROWE BOULEVARD
ANNAPOLIS MD 21401-2395



CITATION: OCH41177

TO: COVAHEY, EDWARD C JR ESQ

614 BOSLEY AVE

TOWSON

, MD 21204

STATE OF MARYLAND VS. RAYNOR, GREGORY ALAN

DATE: 12/08/03

NOTICE OF POSTPONEMENT AND NEW TRIAL DATE

YOU ARE HEREBY NOTIFIED THAT THE TRIAL DATE OF JANUARY 14, 2004, FOR THE CHARGE(S) ON THE CITATION(S) IDENTIFIED ABOVE HAVE BEEN POSTPONED. THE NEW TRIAL DATE IS MARCH 10, 2004 AT 01:15 PM, ROOM 03 , AT 251 ROWE BOULEVARD , MD 21401-2395.

CHARGE: TA21902 A1

(DRIVING, ATTEMPTING TO DRIVE) VEHICLE WHILE UNDER

THE INFLUENCE

BY ORDER OF JAMES N. VAUGHAN, CHIEF JUDGE, DISTRICT COURT OF MARYLAND

FOR FURTHER INFORMATION CALL DISTRICT COURTS INTERACTIVE VOICE RESPONSE (IVR) SYSTEM. THE IVR SYSTEM CAN PROVIDE TRIAL DATE, COURT LOCATION AND DIRECTIONS TO COURT:

FROM ALL AREAS INCLUDING OUT OF STATE CALL 1-800-492-2656 DIRECT TTY/TTT CALL 1-800-925-9690 RELAY TTY/TTT CALL 1-800-735-2258

ANY REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES SHOULD BE REQUESTED BY CONTACTING THE COURT IMMEDIATELY.

R2 02881R2

7 4 7	CASE NUMBER	CASE NAME

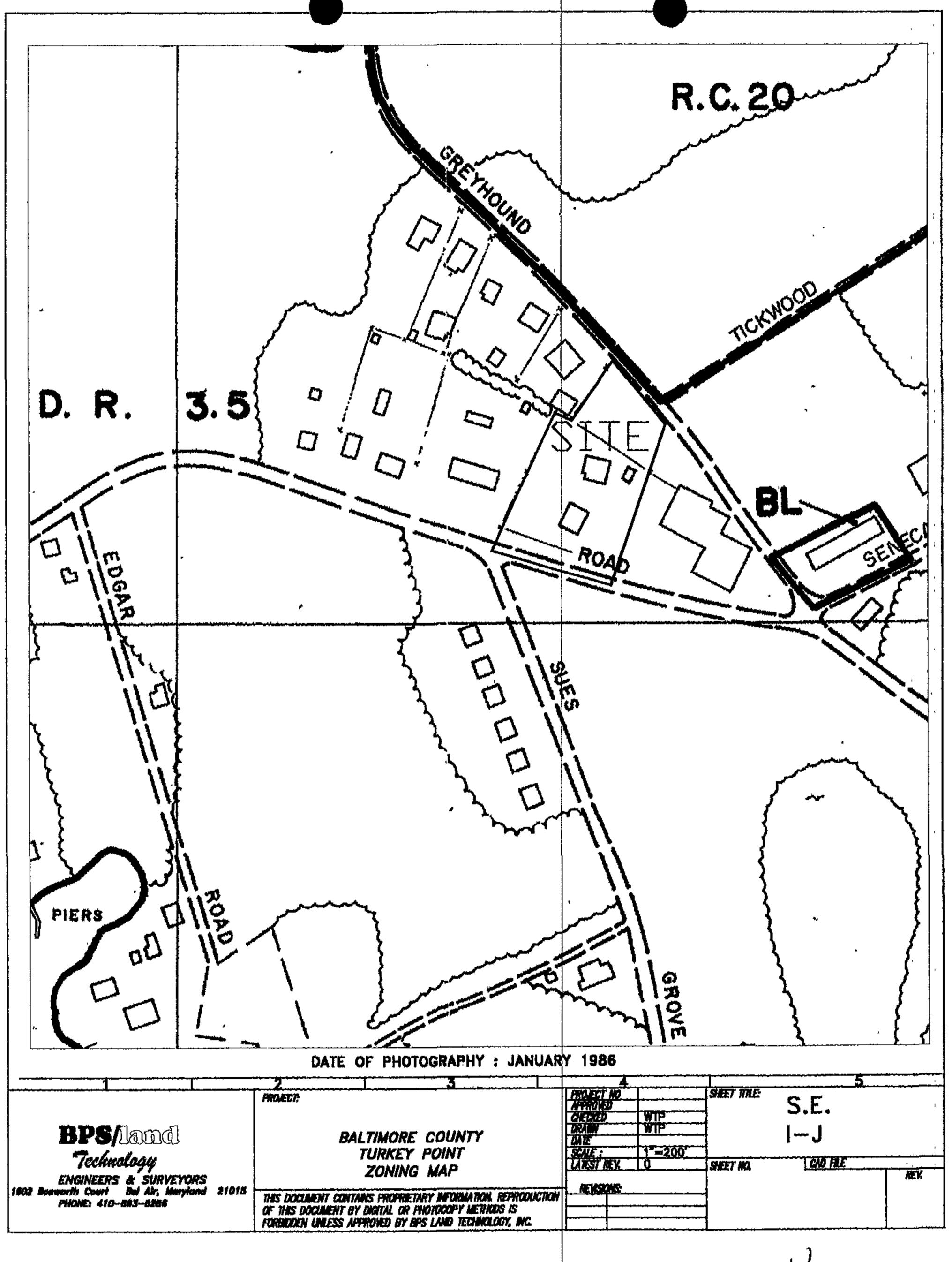
TITONER'S SIGN-IN SHEET

							Al Corolley	in 1. IAUU		RAYMOIDT (AMYMON)	WOODROW S CLAYTON SR	Woodraw & Clayton	NAME
						*		1602 BOSWOOTH CT	BPS LAND TOZHWOODY, Inc	ユニーでインル イムス市	606 GREYHOUND RD		ADDRESS
									Bel AIR MD 21015	130 mil 2122	BALTO MB 21221		CITY, STATE, ZIP
													E- MAIL

DATE	CASE NUMBER	CASE NAME

CITIZEN'S SIGN-IN SHEET

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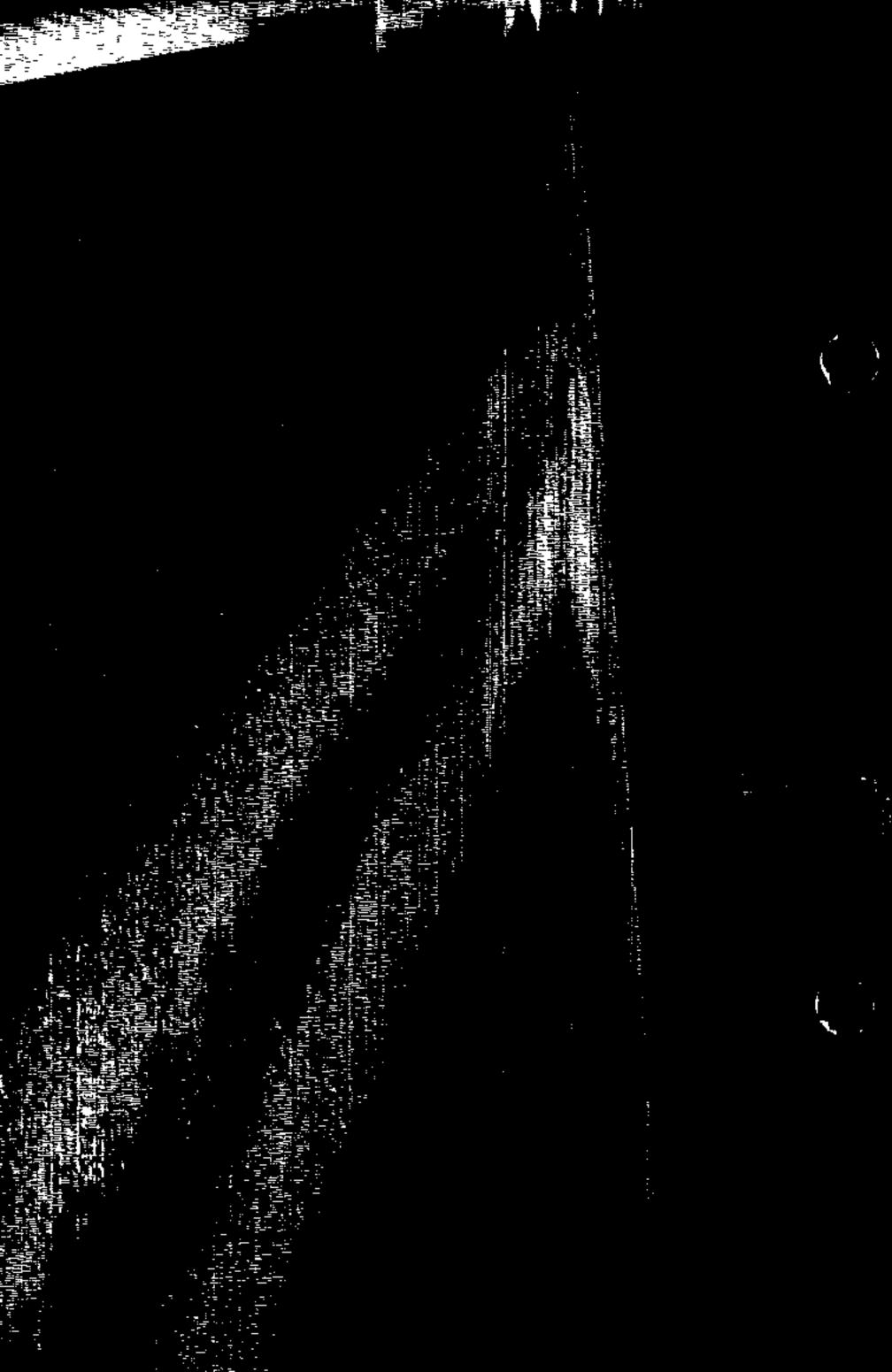
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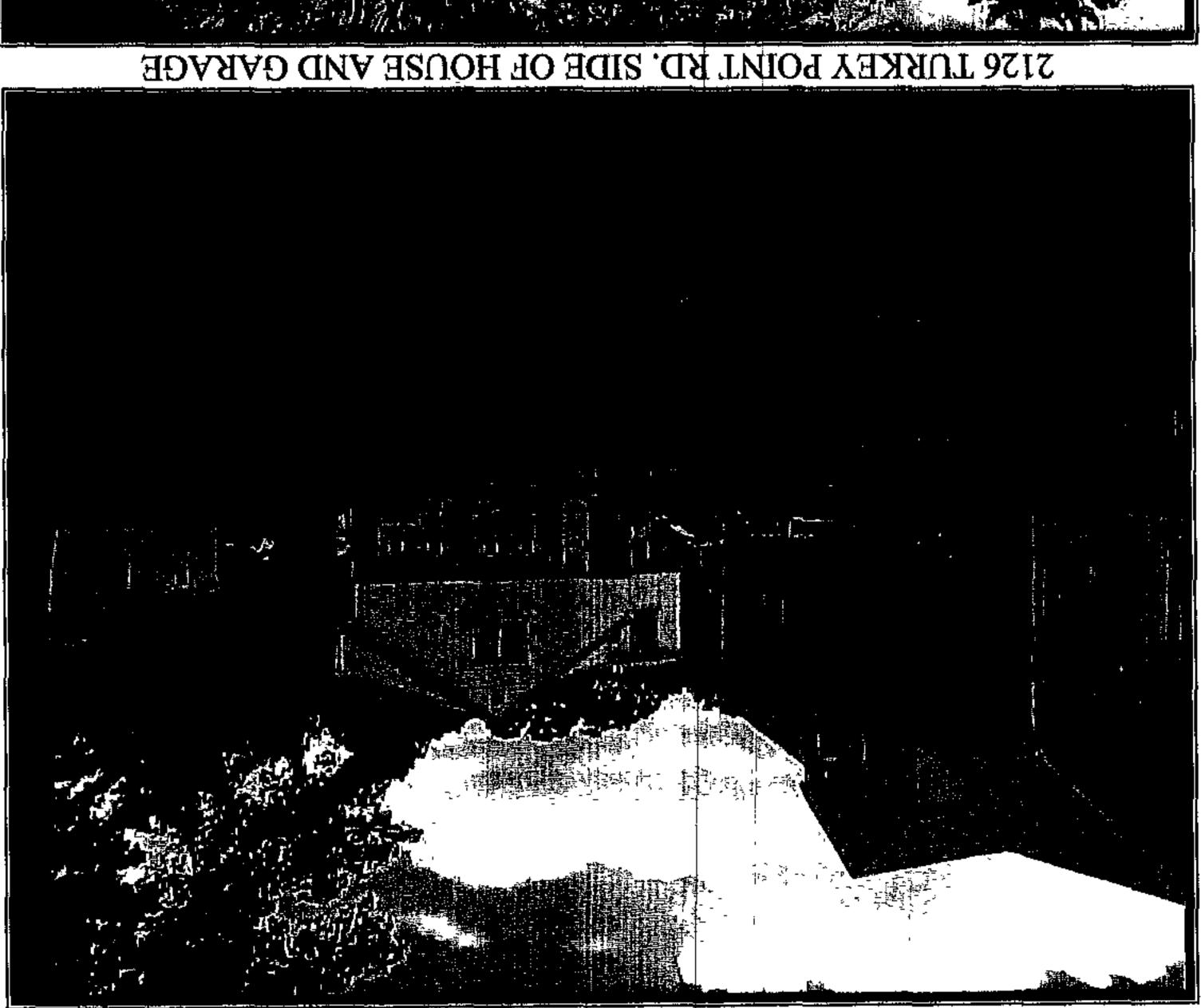


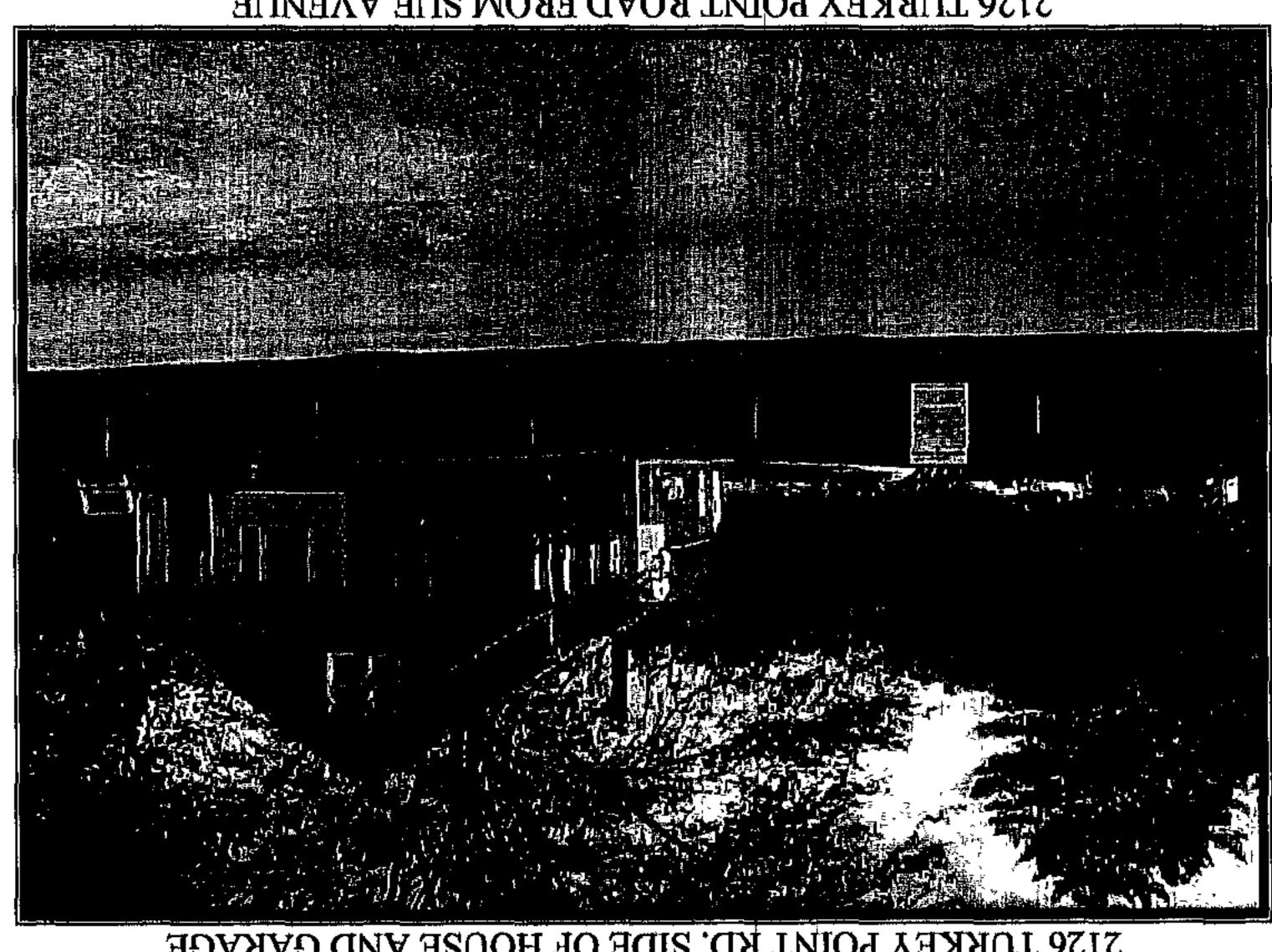












5156 TURKEY POINT ROAD FROM SUE AVENUE

