IN RE: PETITION FOR SPECIAL HEARING NE/S Station Road, 1,250' N of the c/l

Jerome Avenue

(5702 Station Road)

11th Election District 5<sup>th</sup> Council District

TICH, LLC Petitioner BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 05-379-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 owner of the subject property TICH, LLC, by Timothy O'Shea, its managing member, through its attorney, John B. Gontrum, Esquire. The Petitioner requests approval to permit a density anomaly for Lots 2 and 3 of a proposed three (3) lot subdivision divided by a D.R. 2 and D.R. 3.5 zoning line. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner Exhibit 1.

Appearing at the requisite public hearing in support of the request were Chris Hanson a representative of TICH, LLC, and John B. Gontrum, Esquire, attorney for the Petitioner. Also appearing was Chuck Merritt of Merritt Development Consultants, Inc., the consultant who prepared the site plan for this property. Appearing as an interested citizen was Thomas Zaydel, a nearby property owner whose land abuts an adjoining tract of land recently subdivided by the Moneypenny family, who were the immediate past owners of the subject parcel. Although Mr. Zaydel stated that he was not opposed to the Special Hearing relief sought, he was concerned over storm water management issues arising from any new development.

Testimony and evidence offered revealed that the subject irregular shaped property is located on the northeast side of Station Road, at its intersection with Allender Road between Philadelphia Road and Pulaski Highway in eastern Baltimore County. The site roughly forms an isosceles triangle in configuration. The property contains a gross area of 1.303 acres, more or less, split zoned D.R.2 (41,397 sq.ft.) and D.R.3.5 (15,355 sq.ft.) and is improved with a single family dwelling known as 5702 Station Road. The Petitioner proposes to raze the existing dwelling and subdivide the property to create three building lots. As shown on the site plan, the zoning line cuts through proposed Lots 2 and 3. Lot 1 is located to the rear of these lots and will be accessed via a 40-foot wide panhandle. It was represented that the property to the southeast of Lot 1 is crossed by high voltage power lines and cannot be further developed. The dwelling on Lot 1 will be angled so that it does not face into the rear of the other lots in the proposed minor subdivision. In this regard, the Office of Planning was initially opposed to the panhandle development; however, upon further review agreed that it should be permitted in this case given existing conditions. In addition, it was pointed out that the panhandle could be widened and Lots 2 and 3 made narrower if desired, but neither the Office of Planning nor anyone else required the Petitioner do so. A public road serves no purpose in this case, and the panhandle driveway will not be detrimental to any party. Indeed, as the site plan indicates, a driveway has long existed in the location of the proposed panhandle driveway. Moreover, a substantial portion of the existing driveway will be removed so that there will be a net loss of paved macadam driveway in the existing location.

An anomaly with the density calculations also clearly exists. It could be said that this is a case where there is too much D.R. 3.5 zoning and not enough D.R. 2 zoning. Minimum lot sizes as provided in the D.R. 3.5 zone can be and have been provided. Lot 1 greatly exceeds the

lot size required in the D.R.2 zone. If looked at in its entirety, the property would support three lots. Under the table provided in Section 1B02.3 of the B.C.Z.R., minimum lot sizes can be met as shown on Petitioner's Exhibit 1. No variances are being sought for the proposed dwellings. It would appear in this case that the spirit and intent of the zoning regulations are being met by permitting the three lot subdivision as shown. This provides an arrangement of lots similar to other parcels in the neighborhood.

As noted above, Mr. Zaydel was the only individual to appear at the hearing other than the Petitioner's representatives. He repeatedly stated that while he was not opposed to the relief requested, he had real concerns with potential flooding on the streets coming from the property. He submitted photographs marked as Protestants Exhibit 1, which clearly illustrate the drainage problems on his property and the adjacent properties owned by the Madigan family. In this regard, the Petitioner indicated that storm water management for the proposed minor subdivision has been and is being reviewed for compliance and that storm water discharge from the subject property will be properly managed.

Based on the testimony and evidence presented, County agency comments, and the information contained on the site plan, I find that a density anomaly exists by virtue of the zoning line crossing the property. I further find that there is sufficient density to support the proposed three-lot subdivision and that the proposed layout and configuration of the lots will not be detrimental to the health, safety or general welfare.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of April, 2005, that the Petition for Special Hearing to approve a density anomaly for

OF OFFICE OFFICE OF THE OFFICE OF THE OFFICE OF THE OFFICE OFFICE

Lots 2 and 3 of a proposed three (3) lot subdivision, which is divided by a D.R. 2 and D.R. 3.5 zoning line, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be entered within thirty (30) days of the date hereof.

Zoning Commissioner
For Baltimore County

# 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 William J. Wiseman III, Zoning Commissioner

April 25, 2005

John B. Gontrum, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S Station Road, 1,250' N of the c/l Jerome Avenue
(5702 Station Road)
11<sup>th</sup> Election District – 5<sup>th</sup> Council District
TICH, LLC - Petitioners
Case No. 05-379-SPH

Dear Mr. Gontrum:

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.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

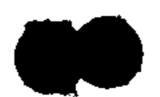
Very ruly yours

WJW:bjs

cc: Messrs. Timothy O'Shea and Chris Hanson
2416 E. Joppa Road, Baltimore, Md. 21234
Mr. Thomas Zaybel, 5626 Allender Road, White Marsh, Md. 21162
Office of Planning; People's Counsel; Case File









# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at \_\_\_5702 STATION ROAD which is presently zoned \_\_\_DR-2 & DR-3.5

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 density anomaly for Lots 2 and 3 of a proposed three lot subdivision divided by a D.R. 2 and D.R. 3.5 zone line.

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

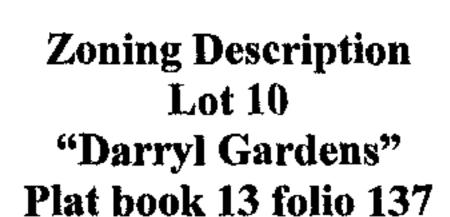
If or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

# Contract Purchaser/Lessee:

### Legal Owner(s):

				TICH LLC			
Name - Type or Print			Name - 1	ype or Print			· · · · · · · · · · · · · · · · · · ·
Signature		,,, , <del></del> , <del>',,</del>	•	Signature TIMOTHY	OSH	EΔ . 🔿	
Address		Telephone No.	•	Name - Type or Prit			
City	State	Zip Code	•	Signature			
Attorney For Petitioner:				2416 EAST	JOP	PA ROAD	410-668-1320
(0) (1) (0) (1)				Address			Telephone No.
JOHN GONTRUM			•	<b>BALTIMOF</b>	RE	MD	21234
Name Type or Print			City			State	Zip Code
9657	<del></del>		•	Representati	ve to I	oe Contacted	<u>f:</u>
WHITEFORD, TAYLO	R & PR	ESTON		CHRIS HAI	NSON	<u> </u>	·····
Company 210 W. PENNSYLVANIA	AVE 410	وبرانات والمراجع والم		Name 2416 EAST	JOP	PA ROAD	410-663-5525
Address	* 400	Telephone No		Address	) <b>–</b>	N A IT	Telephone No.
TOWSON City	MD State	21204 Zip Code	•	BALTIMOR		MD State	21234 Zip Code
	Otate	Zip Oode		City	OFFICE	USE ONLY	Zip Code
				ESTIMATED LENG	TH OF H	EARING	
Case No. 05-379-	-SPH			UNAVAILABLE FOI	R HEARIN	VG	
R/ V 9/15/98			Reviewed	ву <u>D.Т.</u>		Date	8/05



Beginning for the same at a point on the northeast side of Station Road at the southwest end of the line of division between Lot 10 and Lot 11, as shown on a plat entitled, "Darryl Gardens" and recorded among the land records of Baltimore County, Maryland in Plat book 13, folio 137, thence running with and binding on part of the northeast side of said Station Road and running with and binding on the outline of said Lot 10, respectively, as now surveyed, referring all bearings of this description to the NAD '83/91 datum,

- 1) North 48 degrees 44 minutes 51 seconds West 314.51 feet, thence leaving said Road, and continuing along the outline of said Lot 10, the following three courses and distances,
- 2) North 73 degrees 38 minutes 06 seconds East 381.75 feet, thence
- 3) South 32 degrees 23 minutes 51 seconds East 79.52 feet, thence
- 4) South 41 degrees 11 minutes 14 seconds West 300.00 feet to the place of beginning.

Containing 56,753 square feet or 1.3029 acres of land more or less.

Being all of Lot 10, as shown on a plat entitled, "Darryl Gardens" and recorded among the land records of Baltimore County, Maryland in Plat book 13, folio 137



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# 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: #05-379-SPH

5702 Station Road:

N/east side of Station Road | 1050 for the property identified herein as follows:

5702 Station Road.
N/east side of Station Road, 1250 feet north of Jerome

Ave.
11th Election District — 5th Councilmanic District
Legal Owner(s): TiCH, LLC, Timothy Oshea
Special Hearing: for a density anomaly for Lots 2 and 3
of a proposed lot subdivision divided by a D.R. 2 and D.R. 3.5 zoning line.
Hearing: Tuesday, March 8, 2005 at 9:00 a.m. in Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM WISEMAN

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

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

2/299 Feb. 17 2/299 Feb. 17

# CERTIFICATE OF PUBLICATION

217,2005
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 $217/2005$ .
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

LEGAL ADVERTISING

# NOTICE OF ZONING --

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: #05-379-SPH 5702 Station Road N/edst side of Station Road, 1250 feet north of Jerome Avenue
11th Election District
5th Councilmanic District
Legal Owner(s); TICH, LLC
Timothy Oshea.
Special Hearing: for a denelty anomaly for Lots 2 and
3 of a proposed lot subdivision divided by a D.R. 2
and D.R. 3.5 zoning line.
Hearing: Thursday, March
31, 2005 at 9:00 a.m. in 31, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-nue, Towson 21204.

WILLIAM WISEMAN

WILLIAM WISEMAN
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handleapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Oftice at (410) 887-4386.
(2) For information concerning the File and/or
Hearing, Contact the Zoning Review Office at (410)
887-3891.
JT 3/711 Mar. 15 42889

JT 3/711 Mar. 15

# CERTIFICATE OF PUBLICATION

3/1/,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $3 5 $ ,2005.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
Dulkinsa_

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: 05-3'79-3 Petitioner/Developer: TICH/LGC Date of Hearing/Closing: **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21264 ATTN: Kristen Matthews {(410) 887-3394} Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 702 STATION The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster) **SSG Robert Black** (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

# 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 25, 2005

# **NEW 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: 05-379-SPH

5702 Station Road N/east side of Station Road, 1250 feet north of Jerome Avenue 11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District Legal Owner: TICH, LLC, Timothy Oshea

Special Hearing for a density anomaly for Lots 2 and 3 of a proposed lot subdivision divided by a D.R. 2 and D.R. 3.5 zoning line.

Hearing: Thursday, March 31, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

TK:klm

Director

C: John Gontrum, Whiteford, Taylor & Preston, 210 W. Pennsylvania Ave., Towson 21204 TICH, LLC, Timothy O'Shea, 2416 E. Joppa Rd., Baltimore 21234 Chris Hanson, 2416 E. Joppa Rd., Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 16, 2005.

- (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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, March 15, 2005 Issue - Jeffersonian

Please forward billing to:

Timothy O'Shea 2416 East Joppa Rd. Baltimore, MD 21234

410-668-1320

# 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: 05-379-SPH:

5702 Station Road N/east side of Station Road, 1250 feet north of Jerome Avenue 11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District Legal Owner: TICH, LLC, Timothy Oshea

Special Hearing for a density anomaly for Lots 2 and 3 of a proposed lot subdivision divided by a D.R. 2 and D.R. 3.5 zoning line.

Hearing: Thursday, March 31, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN

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

February 11, 2005

# 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: 05-379-SPH

5702 Station Road
N/east side of Station Road, 1250 feet north of Jerome Avenue
11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District
Legal Owner: TICH, LLC, Timothy Oshea

Special Hearing for a density anomaly for Lots 2 and 3 of a proposed lot subdivision divided by a D.R. 2 and D.R. 3.5 zoning line.

Hearing: Tuesday, March 8, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Gontrum, Whiteford, Taylor & Preston, 210 W. Pennsylvania Ave., Towson 21204 TICH, LLC, Timothy O'Shea, 2416 E. Joppa Rd., Baltimore 21234 Chris Hanson, 2416 E. Joppa Rd., Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 21, 2005.

- (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 22, 2005 Issue - Jeffersonian

Please forward billing to:

Timothy O'Shea 2416 East Joppa Rd. Baltimore, MD 21234

410-668-1320

# **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: 05-379-SPH

5702 Station Road

N/east side of Station Road, 1250 feet north of Jerome Avenue

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

Legal Owner: TICH, LLC, Timothy Oshea

Special Hearing for a density anomaly for Lots 2 and 3 of a proposed lot subdivision divided by a D.R. 2 and D.R. 3.5 zoning line.

Hearing: Tuesday, March 8, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

WILLIAM WISEMAN

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 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: 05-379-SPH	
Petitioner: <u>TCH UC</u>	
Address or Location: 5702 STATION POAD	
PLEASE FORWARD ADVERTISING BILL TO:  Name: TMOTHY CSHEA  Address: 2416 FAST JOPPA FOAD  BATMORE MD 21234	· · · · · · · · · · · · · · · · · · ·

Revised 2/20/98 - SCJ

# Department of Pernant 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

March 22, 2005

John Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

Dear Mr. Gontrum:

RE: Case Number: 05-379-SPH, 5702 Station Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 28, 2005.

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.

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W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel TICH, LLC Timothy O'Shea 2416 East Joppa Road Baltimore 21234 Chris Hanson 2416 East Joppa Road Baltimore 21234



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

# Fire Department

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





# Baltimore County

James T Smith, Jr., County Executive John J Hohman, Chief

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

February 14, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: February 22, 2005

Item No.: (379) 380-392, 394

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Franklin J. Cook Fire Marshal's Office (0)410-887-4881 (C)443-829-2946 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: 2.11-05

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

RE:

**Baltimore County** 

Item No.

379

DT

Dear, Ms. Matthews:

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,

Steven D. Foster, Chief

J. J. Gredh

Engineering Access Permits Division

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

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr 300

DATE:

February 25, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of February 14, 2005

\_\_X\_\_ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-379

05-381

05-385

05-386

05-387

05-388

05-389

05-390

05-391

05-394

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** March 29, 2005

Department of Permits and Development Management

FROM:

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

**SUBJECT:** 

5702 Station Road – REVISED COMMENT

INFORMATION:

**Item Number:** 

5-379

Petitioner:

TICH LLC.

Zoning:

DR 2/DR 3.5

Requested Action:

Special Hearing

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the proposed panhandle development and recommends that the petitioner's request be approved.

Prepared by:

**Division Chief:** 

AFK/LL:MAC:

13/31

# 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

**SUBJECT:** 

5702 Station Road

**INFORMATION:** 

Item Number:

5-379

Petitioner:

TICH LLC.

Zoning:

DR 2/DR 3.5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the proposed panhandle development and recommends that the petitioner's request be **DENIED**.

The subject property was reviewed by this office as a minor subdivision (PDM#: 04-100 M) on July 23, 2004 and was recommend for denial. A copy of the comment is attached.

Prepared by:

Division Chief:

AFK/LL:MAC:

**DATE:** February 28, 2005

RECEIVED

MAR - \$ 2005

ZONING COMMISSIONER

4200 159D

3/29/05

# BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Joe Chmura

**DATE:** July 23, 2004

Department of Permits and Development Management

FROM:

Donnell Zeigler

**Development Review Section** 

Office of Planning

PROJECT NAME: Moneypenny Property, Resub. Lot 10

**PROJECT NO.:** 04100 M

The Office of Planning has reviewed the above referenced project and offers the following comments:

An abutting property (Moneypenny Property, Lot 9, Minor Subdivision #04074) belonging to the same owner was recently processed. Two minor subdivisions side by side constitute a major subdivision. The two lots should be combined and redesigned as a whole. The creation of panhandle lots should be avoided. Therefore, the Office of Planning recommends that the proposed subdivision be **DENIED**.

Donnell Zeigler	-
Lynn Lanham, Chief  Development Review	

DZ:kma

# BALTIMORE COUNTY, MARYLAND

# INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** March 7, 2005

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 22, 2005

Item Nos. 379/380, 381, 383, 384, 386, 387, 388, 390, 391, 392, 393, and 394

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 SPECIAL HEARING

5702 Station Road; NE/side Station Road,

1,250' N of Jerome Avenue

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

Legal Owner(s): TICH, LLC Timothy O'Shea\*

Petitioner(s)

BEFORE THE

**ZONING COMMISSIONER** 

**FOR** 

**BALTIMORE COUNTY** 

05-379-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

Per.

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 17<sup>th</sup> day of February, 2005, a copy of the foregoing Entry of Appearance was mailed to Chris Hanson, 2416 East Joppa Road, Baltimore, MD 21234 and John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

# WHITEFORD, TAYLOR & PRESTON L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LITTLE PATUXENT PARKWAY COLUMBIA, MARYLAND 21044-3528 TELEPHONE 410 884-0700 FAX 410 884-0719

JOHN B. GONTRUM

DIRECT NUMBER

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JGontrum@wtplaw.com

210 West Pennsylvania Avenue Towson, Maryland 21204-4515 410 832-2000 Fax 410 832-2015 www.wtplaw.com 1025 CONNECTICUT AVENUE, NW WASHINGTON, D.C. 20036-5405 TELEPHONE 202 659-6800 FAX 202 331-0573

1317 KING STREET ALEXANDRIA, VIRGINIA 22314-2928 TELEPHONE 703 836-5742 FAX 703 836-0265

February 23, 2005

Department of Permits and Development Management County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

ATTN: Kristen

Re: Timothy O'Shea-

Allendar Road/Moneypenny Property

CASE NO.: 05-379-SPH Our File No.: 078829/00002

Dear Kristen:

In accordance with our conversation of this afternoon, this letter will serve to confirm that the hearing scheduled for March 8, 2005 9.00 a.m. has been rescheduled to be held on **March 31, 2005 at 9:00 a.m.** The original Notice was dated February 11, 2005, the envelope postmarked February 16, 2005 and received in this office February 18, 2005. The property could not be posted by February 21, 2005 and therefore we requested that the hearing be rescheduled for March 31, 2005.

Please reissue a new Notice of Zoning Hearing to reflect the new hearing date. In the meantime I will have the property posted. Thank you for your cooperation in this matter.

Kristina M. Loveland,

Legal Administrative Assistant to

John B. Gontrum

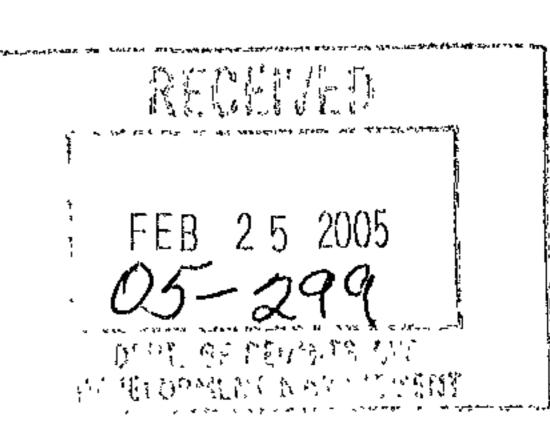
JBG/kml

cc: TICH, LLC, Mr. Timothy O'Shea

Mr. Chris Hanson

Mr. Charles E. Merritt, Merritt Development Consultants, Inc.

327805



CASE NAME
CASE NUMBER 05-37950
DATE 3/31/05

# CITIZEN'S SIGN-IN SHEET

									Thomas Zayber	NAME
									5626 Accorded Rd	ADDRESS
									White mast, me	CITY, STATE, ZIP
									The sypa Proc. con	E- MAIL

CASE NAME
CASE NUMBER 05-379 SF
DATE

# PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Chaples MERRIT	2416 E. Jorga RED	3	MODELLE COCCUPATION
CAR HARD	•		

<del>42</del>		
05-	379	SPH

Case No.:


# **Exhibit Sheet**

# Petitioner/Developer

# Protestant.

No. 1	Site PlAN	PHotograph & Pondry
No. 2	SIFE PLAN FOR SUBDIVISION ADJACENT	
No. 3		
No. 4		
No. 5		
No. 6		<u>,                                     </u>
No. 7		
No. 8		
No. 9		
No. 10		, , , , , , , , , , , , , , , , , , ,
No. 11		······································
No. 12		
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


EXHIBIT NO.

