IN RE: PETITION FOR SPECIAL HEARING

S/S Spring Avenue, 50' E of the c/l

Karl Avenue

(1321½ Spring Avenue)

14th Election District

7th Council District

Estate of Marie A. Hutson, Owners; Clear Sky Real Estate, Inc., Cont. Pur.

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 05-539-SPH

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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, the Estate of Marie A. Hutson, and the Contract Purchaser, Clear Sky Real Estate, Inc., by its representative, Keith Randlett. The Petitioners request a special hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve: 1) lot line adjustments among existing lots of record to provide for wider lots consistent with the neighborhood; 2) the future location of a public right-of-way; and, 3) for such further relief as the nature of this project may require. 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 Keith Randlett, Charles Merritt, the consultant who prepared the site plan for this property, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel, located on the south side of Spring Avenue, just east of Karl Avenue in Rossville. The property is presently comprised of seven lots of record containing a combined gross area of 2.1 acres, more or less, zoned D.R.5.5. Only the property known as $1321\frac{1}{2}$ Spring Avenue is improved with a single-family dwelling; the remaining six lots are currently vacant and are landlocked. On behalf of the Petitioners, Mr. Merritt proffered that the Petitioners propose a reconfiguration of the entire tract to create five wider lots. The affected lots are more particularly shown on the site plan and identified as Parcel C and Lots 11, 12, 13, 14 and 15 of the Hutson Properties. The majority of Parcel C, which is

ORDER RECEIVED FOR FILLING

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immediately west of 1321½ Spring Avenue, is a 75' wide by 300' deep strip of land proposed for use as a future public right-of-way to provide access to Lots 11 through 15. The remainder will be used to widen the improved lot (1321½ Spring Avenue) and Lot 15. The particulars of the proposal are more particularly shown on Petitioner's Exhibit 1.

Mr. Merritt testified that given the size of the property and its zoning classification, a total of six (6) dwelling units would be permitted on the subject property. However, under the proposed reconfiguration, there will be one less dwelling unit permitted and all of the buildable lots will be wider and more consistent with the neighborhood. He further testified that the lots involved were initially subdivided in the 1930s and re-subdivided approximately 10 years later, with each having its own individual deed and State of Maryland Property Tax Identification Number. (See Petitioner's Exhibit 3)

Subsequent to the filling of the Petition in this case, the Baltimore County Council introduced and enacted Bill No. 54-05 which codified as part of the Baltimore County Code, (B.C.C.) certain lot line adjustments as limited exemptions under B.C.C. Section 32-4-106(a)(1). This legislation, by its express term, is retroactive to February 16, 2005. However, since that legislation pertains to how lot line adjustments are to be processed from a development standpoint only and for reasons discussed below, I find that it is not applicable in the instant case.

The issues raised in the Petition are pursuant to the authority granted in Section 500.7 of the B.C.Z.R. Thus, my decision in this matter is based on the zoning of the subject property, the proposed dimensions for each lot and other zoning defined issues. I do not have the authority, nor will this decision attempt, to determine issues of processing and limited exemptions from the Development Regulations which have been relegated by the County Council to the Development Review Committee. However, a review of the facts, evidence and testimony presented in this case reveals that the requested reconfiguration of existing lots of record will result in fewer but wider lots, each with frontage on and served by a public roadway. Additionally, all utilities will be installed in the public right-of-way. The lots as reconfigured on Petitioner's Exhibit 1 are more compatible with the existing pattern of development in the area than in their presently recorded size and width, and meet the requirements of the B.C.Z.R. Moreover, I find that the proposal will not be detrimental to the health, safety or general welfare of the surrounding locale, nor create congestion in the roads or interfere with public utilities.

Based on the testimony and evidence produced by the Petitioners, I am persuaded that the relief requested should be granted. The Petitioner is proposing a reduction in the total number of lots of record. The proposed reconfiguration and provision of access and utilities via a new public roadway meet the requirements of the B.C.Z.R. However, the Petitioners will be required to amend the record plat to reflect the reconfiguration of the lots approved hereby and to meet the requirements of the Department of Public Works in the design and construction of the public road and utilities to serve those lots.

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 June 2005 that the Petition for Special Hearing seeking a determination, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve: 1) lot line adjustments among existing lots of record to provide for wider lots consistent with the neighborhood; and 2) the future location of a public right-of-way, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall amend the record plat to reflect the reconfiguration of the lots as set forth above.
- 3) The Petitioners shall be required to comply with the requirements of the Department of Public Works in the design and construction of the public road and utilities to serve the reconfigured lots.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WILLIAM J. WISHMAN, III Zoning Commissioner

for Baltimore County

WJW:bjs

SE ELEG

SECTION COLOR

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

June 30, 2005

Howard L. Alderman, Jr., Esquire Levin & Gann 502 Washington Avenue, 8th Floor Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING

S/S Spring Avenue, 50' E of the c/l Karl Avenue

(1321½ Spring Avenue)

14th Election District – 7th Council District

Estate of Marie A. Hutson; Legal Owners;

Clear Sky Real Estate, Inc., Contract Purchasers/Petitioners

Case No. 05-539-SPH

Dear Mr. Alderman:

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.

WILEIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

cc: Ms. Sandra Fennell, 1321 ½ Spring Avenue, Baltimore, Md. 21237 Mr. Charles Merritt, Merritt Development Consultants, 2416 E. Joppa Road, Baltimore, Md. 21234

People's Counsel; Case File



WJW:bjs



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1321 1/2 Spring Avenue & Acreage which is presently zoned DR 5.5

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



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.

				is the subject of t	his Petition.	
	Contract Purchaser	/Lessee:		<u>Legal Owner</u>	<u>(s):</u>	
	Clear Sky Real Estate, In	ic.		Estate of Marie	A. Hutson	
	Name - Type or Print	Aller	N	Name - Type or Print	dratennel	26
(Signature 7989 Noneygo Bivd, Suit	te 127	443-465-4646	Signature		
•	Address Baltimore	MD	Telephone No. 21236	Name - Type or Prin	ıt	
	City	State	Zip Code	Signature	···-·	
	Attorney For Petitio	nor		1321 1/2 Spring	Avenue	
	MECHICY I OF I GUID	<u> </u>		Address		Telephone No.
				Baltimore	Maryland	21237
	Name - Type or Print		C	City	State	Zip Code
				Representati	ve to be <u>Contact</u>	ed:
	Signature			-		····
				Merritt Developi	ment Consultants Attr	n: Charles Merritt
	Company	,		Name 2416 E. Joppa R	oad	410-663-5525
78	Address	,	Telephone No.	Address	· · · · · ·	Telephone No.
2				Baltimore	MD	2123
	Cly	State	Zip Code	City	Sta	ate Zip Code
I I					OFFICE USE ONLY	
8				ESTIMATED LENGT	TH OF HEARING	
	Case No. 05-9	539. SPV	1	UNAVAILABLE FOR	HEARING	·
De la	3/2/		ь	eviewed By	Date Ø	4-26-05
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Attachment 1

PETITION FOR SPECIAL HEARING

CASE NO: _(<u>)5-</u>	<u>-SPH</u>		
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Address:

1321 ½ Spring Avenue & Acreage

Legal Owners: Estate of Marie A. Hutson

Contract Purchaser:

Clear Sky Real Estate, Inc.

Present Zoning:

DR 5.5

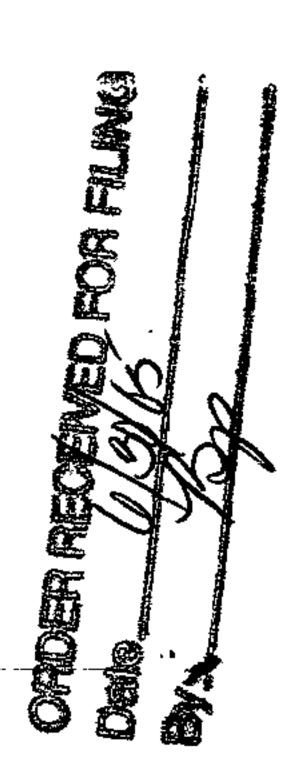
REQUESTED RELIEF:

"why the Zoning Commissioner should approve": [1] lot line adjustments among existing lots of record to provide for wider lots consistent with the neighborhood; [2] the future location of a public right of way; and [3] for such further relief as the nature of this project and request may require for the proposed sign with the detail shown on the Plat to accompany this Petition.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. 8th Floor, Nottingham Centre 502 Washington Avenue Towson, Maryland 21204

(410) 321-0600 Fax: (410) 296-2801 halderman@LevinGann.com



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MERRITT DEVELOPMENT CONSULTANTS, INC.

2416 E. Joppa Road Baltimore, Maryland 21234

Phone: 410-663-5525 Fax: 410-663-4315

ZONING DESCRIPTION FOR: 1321 ½ SPRING AVENUE

Beginning at a point on the south side of Spring Avenue which is 50 feet wide at the distance of 50 feet east of the centerline of the nearest improved intersecting street Karl Avenue, which is 50 feet wide. Being part of lots 11, 12, 13, 14 & 15 in the subdivision of Thomas Hankinson as recorded in Baltimore County Plat Book #7, Folio #63, containing 91,476 square foot or 2.10 ac. Also, known as 1321 ½ Spring Avenue and located in the 14th Election District, 7th Councilmanic District.

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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 <u>Towson, Maryland</u> on the property identified herein as follows:

Case: #05-539-SPH

1321-1/2 Spring Avenue S/side of Spring Avenue, 50 feet east of centerline of Karl Avenue

15th Election District — 7th Councilmanic District Legal Owner(s): Estate of Marie A. Hutson Contract Purchaser: Clear Sky Real Estate, Inc.

Special Hearing: to permit lot line adjustments among existing lots of record to provide for wider lots consistent with the neighborhood, the future of a public right-of-way, and for such further relief as nature of this project and request may required for the proposed sign with the detail shown on the Plat to accompany this petition.

Hearing: Wednesday, June 8, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handlcapped 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. JT 5/747 May 24

CERTIFICATE OF PUBLICATION

526,2005
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
$\frac{524}{2005}$
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date:	5/24/05
Petitioner/Developer: KEITH RANDLE Pate of Hearing/Closing: JUNE 8, ZOOS	TT
This is to certify under the penalties of perjury that the necessor on the property located at <u>1321 12 Spenos</u>	sary sing(s) required by law were posted conspicuously AVENUE
The sign(s) were posted on $5/24/05$ (M	onth, Day, Year)
PERCENCE AND WILL BE WELD BY THE ZONING COMMISSIONER IN TOWSON, AND PERCENCE AND ACCOUNTS OF THE PROPERTY AND THE PERCENCE OF THE PROPERTY AND THE PERCENCE OF THE PROPERTY AND THE PERCENCE OF THE PERCENCE	Charles E. Merritt 9831 Maqiedt Road Baltimore, MD 21234 410-665-5562

TO: PATUXENT PUBLISHING COMPANY

Tuesday, May 24, 2005 Issue - Jeffersonian

Please forward billing to:

Clear Sky Real Estate 7939 Honeygo Blvd., Ste. 127 Baltimore, MD 21236

443-465-4646

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: 05-539-SPH

1321 1/2 Spring Avenue

S/side of Spring Avenue, 50 feet east of centerline of Karl Avenue

15th Election District – 7th Councilmanic District

Legal Owner: Estate of Marie A. Hutson

Contract Purchaser: Clear Sky Real Estate, Inc.

Special Hearing to permit lot line adjustments among existing lots of record to provide for wider lots consistent with the neighborhood, the future of a public right-of-way; and for such further relief as nature of this project and request may required for the proposed sign with the detail shown on the Plat to accompany this petition.

Hearing: Wednesday, June 8, 2005 at 2:00 p.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

April 29, 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: 05-539-SPH

1321 ½ Spring Avenue

S/side of Spring Avenue, 50 feet east of centerline of Karl Avenue

15th Election District – 7th Councilmanic District

Legal Owner: Estate of Marie A. Hutson

Contract Purchaser: Clear Sky Real Estate, Inc.

Special Hearing to permit lot line adjustments among existing lots of record to provide for wider lots consistent with the neighborhood, the future of a public right-of-way; and for such further relief as nature of this project and request may required for the proposed sign with the detail shown on the Plat to accompany this petition.

Hearing: Wednesday, June 8, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Sandra Fennell, Estate of Marie A. Hutson, 1321 ½ Spring Avenue, Baltimore 21237 Clear Sky Real Estate, Inc., Randlett, 7939 Honeygo Blvd., Ste. 127, Baltimore, MD 21236 Merritt Development, Charles Merritt, 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 TUESDAY, MAY 24, 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.

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: 05-539-541
Petitioner: CLEAR SKY REAL ESTATE INC
Address or Location: 1321/2 SPRING ANE
PLEASE FORWARD ADVERTISING BILL TO: Name: CLEAR SKY REAL ESTATE INC
Address: 7939 HONEYGO BLVD SVIE. 127
BOUTIMORE MD Z1236
Telephone Number: 443 - 465 - 4646

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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



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

May 31, 2005

Sandra Fennell

1221 ½ Spring Avenue Baltimore, Maryland 21237

Dear Ms. Fennell:

RE: Case Number: 05-539-SPH, 1321 1/2 Spring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 21, 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.

W. Callinal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

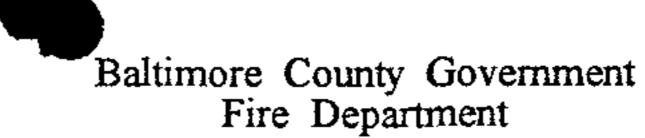
WCR: clb

Enclosures

c: People's Counsel Clear Sky Real Estate, Inc. 7939 Honeygo Blvd. Baltimore 21236 Merritt Development Charles Merritt Baltimore 21234



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





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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 May 5, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: May 5, 2005

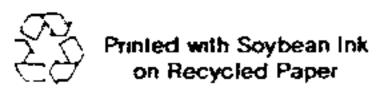
Item No.:

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.

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

Lieutenant J.D.Mezick Fire Marshal's Office 410-887-4881 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 17, 2005

Department of Permits & Development

Management

FROM:

Dennis Kennedy, Acting Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Arrisory Committee Meeting

For May 9, 2005 Item No. 539

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

This project should go through full subdivision process.

DAK:CEN:clw Cc: file

ZAC-ITEM NO 539-05172005.doc

DEPARTMENTMEE ENVERONMENTAE PROTECTION & RESOURCE MANAGEMENT TO

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

DATE:

May 24, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 2, 2005

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

05-530

05-531

05-532

05-533

<u>05-53</u>8

W2-335

05-540

05-541

Reviewers: Sue Farinetti, Dave Lykens

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



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

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

Maryland Department of Transportation

Date:

4.29.05

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

RE:

Baltimore County

Item No.

JRA

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

f. f. Gredl

Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING

1321½ Spring Avenue; S/side Spring Avenue,

50' E c/line Karl Avenue

ZONING COMMISSIONER

15th Election & 7th Councilmanic Districts

Legal Owner(s): Estate of Marie Hutson

Contract Purchaser(s): Clear Sky Real Estate, Inc

Petitioner(s)

BALTIMORE COUNTY

05-539-SPH

FOR

BEFORE THE

*

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

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47

400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of May, 2005, a copy of the foregoing Entry of Appearance was mailed to Chuch Merritt, Merritt Development Consultants, Inc, 9831 Magledt Road, Baltimore, MD 21234, Representative for Petitioner(s).

RECEIVED

People's Counsel for Baltimore County

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Case	TAD	

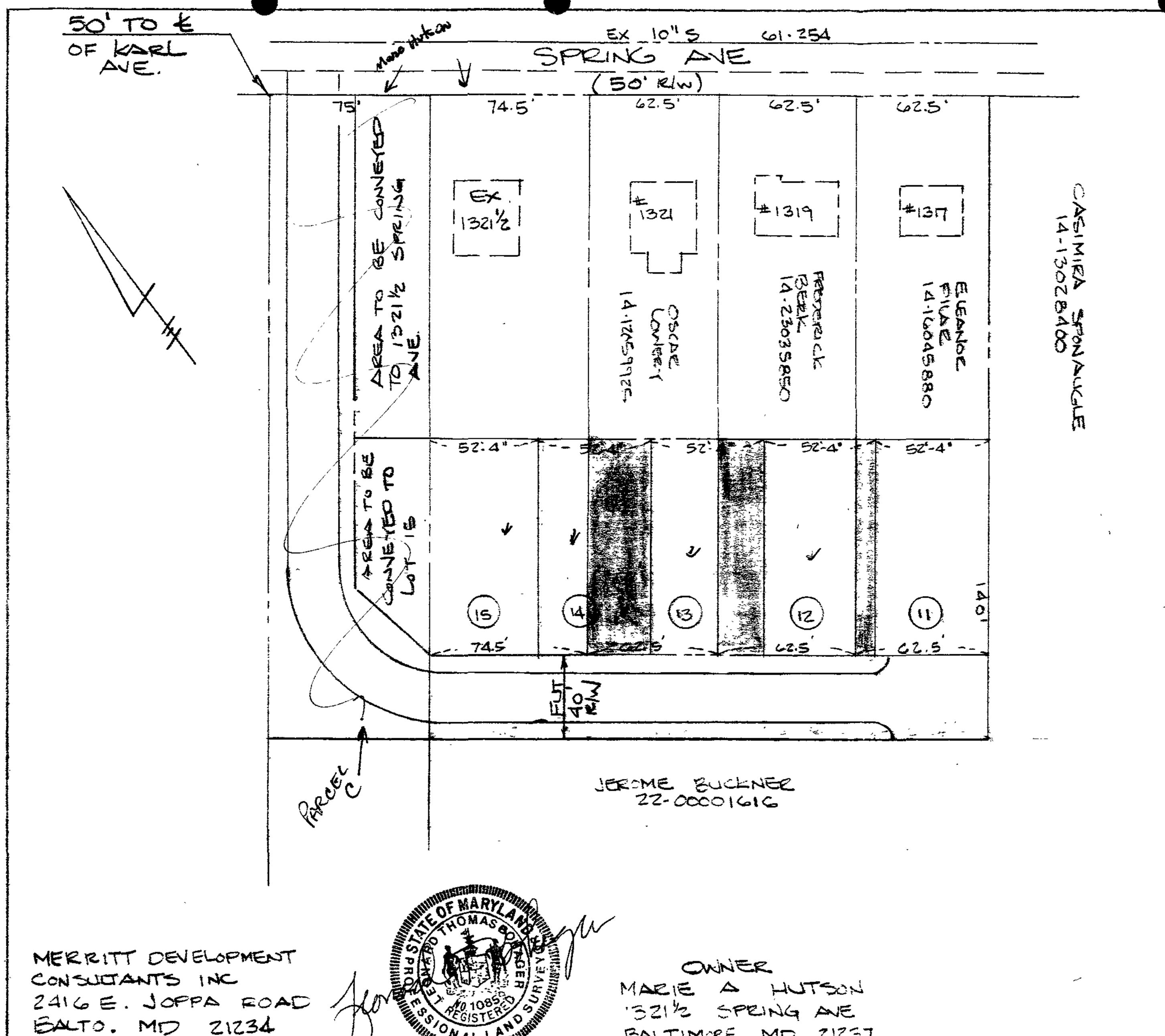
05-539 SPH

Exhibit Sheet

Petitioner/Developer

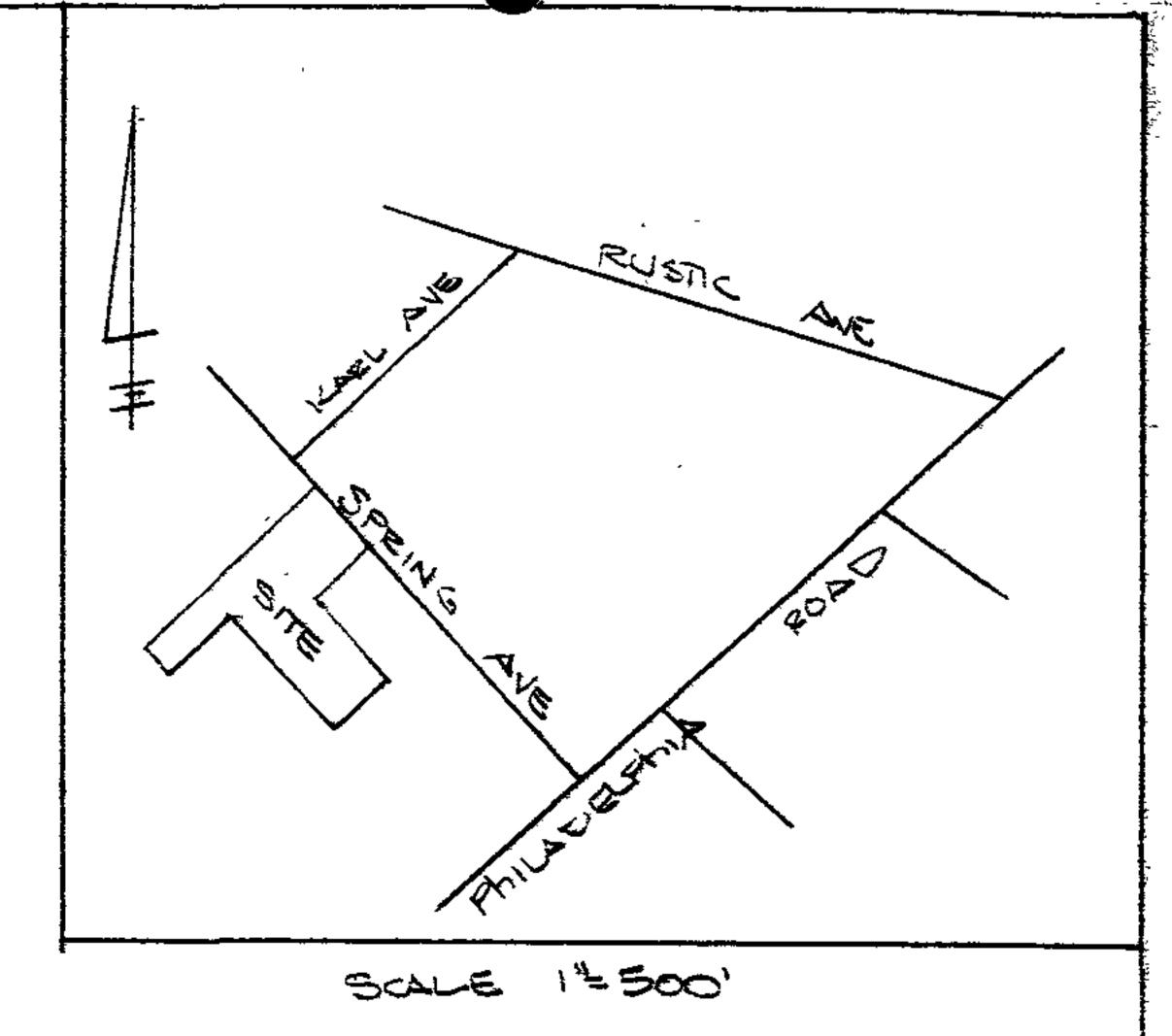
Protestant

7.7		
No. 1	5.te PLAN	
	2112 10410	
No. 2	A - amail Photo's	
	B - My Neghborhood	
No. 3	Real Property assessment Notices	
No. 4		
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No. 5		
No. 6		<u> </u>
No. 7		<u> </u>
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
<u> </u>		



BAUTIMORE MD 21257

TAX ID 1473053475 Thru 478



1. SITE IS ZONED OR 5.5 (NE 3-F)

2. NO PRIOR ZOWING CASES

NO CBCA

within 50' of SITE.

5. NOT HISTORIC

6. NO OUTSTANDING VIOLATIONS

ERES

2.10 Ac. = DR 91474 SF

PLAN TO ACCOMPANY SPECIAL HEARING

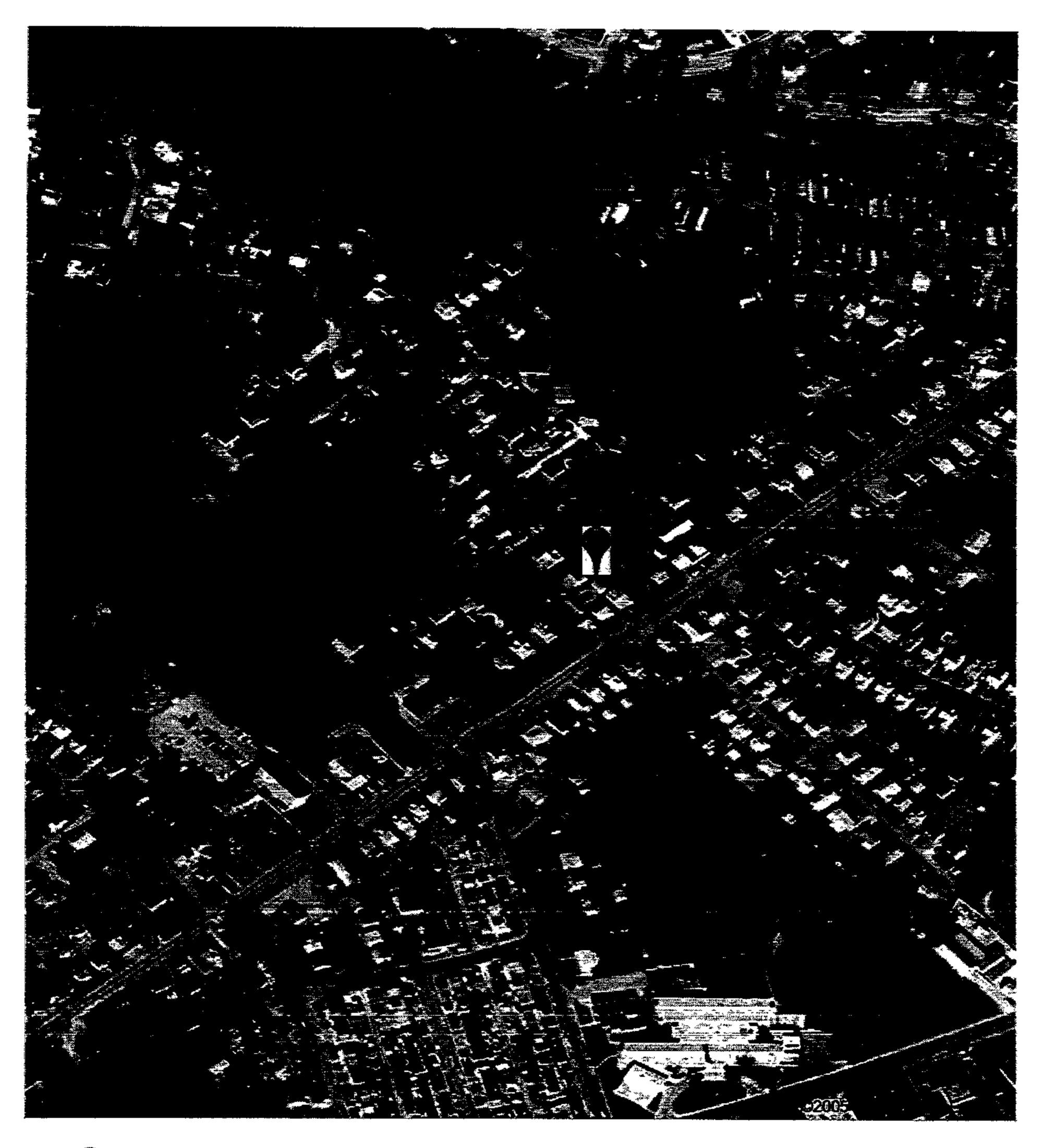
HUTSON PROPERTIES DISTRICT 14C7 BALTIMORE CO. MD 10/19/04 DCALE 14 50'

PETITIONER'S

EXHIBIT NO.

05-539-SAW



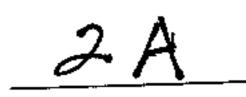




1321 Spring Ave Rosedale, MD 21237

PETITIONER'S

EXHIBIT NO.



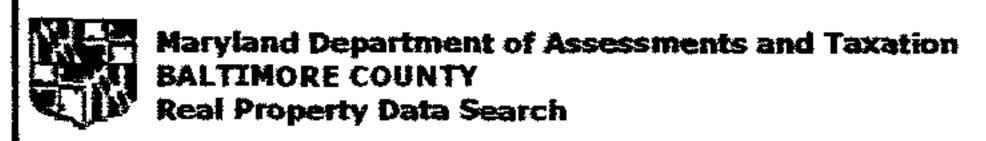




PETITIONER'S

EXHIBIT NO. 23

Click here for a plain text ADA compliant screen.



Go Back
View Map
New Search
Ground Rent

Account Identifier:

District - 14 Account Number - 1423056550

Owner Information

Owner Name:

HUTSON MARIE A

Use: Principal Residence: RESIDENTIAL

Mailing Address:

1321 1/2 SPRING AVE BALTIMORE MD 21237-1836 Deed Reference:

1) / 5916/ 351

2)

NO

Location & Structure Information

Premises Address

SPRING AVE

Legal Description

PARCEL C

696 NW PHILADELPHIA RD

KATIE A MYERS

Map GridParcelSub DistrictSubdivisionSectionBlockLotGroupPlat No:8917411

Special Tax Areas

Ad Valorem

Town

Tax Class

Primary Structure Built Enclosed Area Property Land Area County Use

0000 1.25 AC 04

Stories Basement Type Exterior

Value Information

Value Phase-in Assessments Base Value As Of As Of As Of 01/01/2003 07/01/2003 07/01/2004 34,870 Land: 34,870 Improvements: Total: 34,870 34,870 34,870 34,870 Preferential Land:

Transfer Information

Selier: **WALINSKI MARIE A W** 07/31/1978 Price: Date: \$0 **NOT ARMS-LENGTH** Type: Deed2: Deed1: / 5916/351 Seller: Date: Price: Type: Deed1: Deed2: Seller: Date: Price: Type: Deed1: Deed2:

Exemption Information

 Partial Exempt Assessments
 Class
 07/01/2003
 07/01/2004

 County
 0
 0
 0

 State
 000
 0
 0

 Municipal
 000
 0
 0

Tax Exempt: Exempt Class:

NO

Special Tax Recapture:

PETITIONER'S

EXHIBIT NO.

3

Click here for a plain text ADA compliant screen



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map **New Search Ground Rent**

Account Identifier:

District - 14 Account Number - 1423053475

Owner Information

Owner Name:

HUTSON MARIE A

Use: Principal Residence: RESIDENTIAL

Mailing Address:

1321 1/2 SPRING AVE **BALTIMORE MD 21237-1836** Deed Reference:

1) / 5916/ 363

2)

NO

Location & Structure Information

Section

Premises Address

SPRING AVE

Map

89

Legal Description

PT LT 11

434 NW PHILADELPHIA RD

82

HANKINSON

Lot

11

Group Plat No: 7/63 Plat Ref:

Speciai Tax Areas

Stories

Grid

17

Parcel

634

0000

Ad Vaiorem

Subdivision

Enclosed Area

Tax Class

Town

Basement

Primary Structure Built

Sub District

Property Land Area 7,280.00 SF

County Use

Type

Block

Exterior

Value Information

Base **Value Phase-in Assessments Value** As Of As Of As Of 01/01/2003 07/01/2003 07/01/2004 7,280 Land: 7,280 Improvements: Total: 7,280 7,280 7,280 7,280 Preferential Land: 0 0

Transfer Information

Seller: **WALINSKI MARIE A W NOT ARMS-LENGTH** Type: Seller: Type:

08/02/1978 Date: Deed1: / 5916/ 363 Date:

\$0 Price: Deed2:

Deed1: Date: Deed1:

Deed2: Price:

Price:

Deed2:

Exemption Information

Partial Exempt Assessments Class 07/01/2003 07/01/2004 County 000 **State** 000 Municipal 000

Tax Exempt: **Exempt Class:**

Seller:

Type:

NO

Special Tax Recapture:

Click here for a plain text ADA compliant screen



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map New Search **Ground Rent**

Account Identifier:

District - 14 Account Number - 1423053476

Owner Information

Owner Name:

HUTSON MARIE A

Use: Principal Residence: RESIDENTIAL NO

1321 1/2 SPRING AVE

Deed Reference:

1) / 5916/ 363

2)

Mailing Address:

BALTIMORE MD 21237-1836

Location & Structure Information

Premises Address

SPRING AVE

Legal Description

PT LT 12

487 NW PHILADELPHIA RD

HANKINSON

Map Grid **Parcel Sub District** Subdivision Section Block Plat No: Lot Group 89 17 634 12 82 Plat Ref: Town

Special Tax Areas

Ad Valorem

Tax Class Primary Structure Built

Enclosed Area 0000

Property Land Area 7,280,00 SF

County Use 04

7/63

Stories

Basement

Type

Exterior

Value Information

Base Value **Phase-in Assessments Value** As Of As Of As Of 01/01/2003 07/01/2003 07/01/2004 Land: 7,280 7,280 Improvements: 0 0 Total: 7,280 7,280 7,280 7,280 Preferential Land: Ð

Transfer Information

Seller: **WALINSKI MARIE A W NOT ARMS-LENGTH** Type: Seller: Type:

Date: 08/02/1978 **Deed1:** / 5916/ 363 Date:

Price: \$0 Deed2: Price:

Deed1: Date: Deed1:

Deed2: Price: Deed2:

Exemption Information

Partial Exempt Assessments Class 07/01/2003 07/01/2004 County 000 State 000 Municipal 000

Tax Exempt: **Exempt Class:**

Seller:

Type:

NO

Special Tax Recapture:

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search

Go Back
View Map
New Search
Ground Rent

Account Identifier:

District - 14 Account Number - 1423053477

Owner Information

Owner Name:

HUTSON MARIE A

Use: Principal Residence: RESIDENTIAL

Mailing Address: 1321 1

1321 1/2 SPRING AVE BALTIMORE MD 21237-1836 Deed Reference:

1) / 5916/ 363

2)

NO

Location & Structure Information

Premises Address

SPRING AVE

Legal Description

PT LT 13

539 NW PHILADELPHIA RD

HANKINSON

Map GridParcelSub DistrictSubdivisionSectionBlockLotGroupPlat No:89176341382Plat Ref:7/63

Special Tax Areas

Ad Valorem Tax Class

Town

Primary Structure Built Enclosed Area Property Land Area County Use
0000 7,280.00 SF 04

Stories Basement Type Exterior

Value Information

Base Value **Phase-in Assessments** Value As Of As Of As Of 01/01/2003 07/01/2003 07/01/2004 Land: 7,280 7,280 Improvements: 0 Total: 7,280 7,280 7,280 7,280 Preferential Land:

Transfer Information

Seller: **WALINSKI MARIE A W** Date: 08/02/1978 Price: \$0 NOT ARMS-LENGTH Type: **Deed1:** / 5916/ 363 Deed2: Selfer: Date: Price: Type: Deed1: Deed2: Seller: Price:

Seller: Date: Price: Price: Deed1: Deed2:

Exemption Information

 Partial Exempt Assessments
 Class
 07/01/2003
 07/01/2004

 County
 000
 0
 0

 State
 000
 0
 0

 Municipal
 000
 0
 0

Tax Exempt: Exempt Class: NO

Special Tax Recapture:

Click here for a plain text ADA compliant screen.



Go Back View Map New Search Ground Rent

Account Identifier:

District - 14 Account Number - 1423053478

Owner Information

Owner Name:

HUTSON MARIE A

Use: Principal Residence: RESIDENTIAL

Mailing Address:

1321 1/2 SPRING AVE BALTIMORE MD 21237-1836 Deed Reference:

1) / 5916/ 363

2)

NO

Location & Structure Information

Premises Address

SPRING AVE

Legal Description

PT LT 14

623 NW PHILADELPHIA RD

HANKINSON PLAT

Map Grid **Sub District** Subdivision **Parcel** Section Block Group Plat No: Lot 89 17 634 14 82 7/ 63 Plat Ref: Town

Special Tax Areas

Ad Valorem Tax Class

Primary Structure Built Enclosed Area Property Land Area County Use
0000 4,200.00 SF 04

Stories Basement Type Exterior

Value Information

Phase-in Assessments Base Value Value As Of As Of As Of 01/01/2003 07/01/2003 07/01/2004 Land: 4,200 4,200 Improvements: 0 0 Total: 4,200 4,200 4,200 4,200 Preferential Land:

Transfer Information

Seller: **WALINSKI MARIE A W** Date: 08/02/1978 Price: \$0 **NOT ARMS-LENGTH** Type: Deed1: / 5916/ 363 Deed2: Seller: Date: Price: Type: Deed1: Deed2: Seller: Date: Price:

Type: Deed1: Price: Deed2:

Exemption Information

 Partial Exempt Assessments
 Class 07/01/2003
 07/01/2004

 County
 0
 0
 0

 State
 000
 0
 0

 Municipal
 000
 0
 0

Tax Exempt: Exempt Class: NO

Special Tax Recapture:

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COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2005, Legislative Day No. 8

Bill No. <u>54-05</u>

Councilmembers Kamenetz, Moxley, Oliver, McIntire & Olszewski

By the County Council, April 18, 2005

A BILL ENTITLED

AN ACT concerning

Development Review and Approval Exemptions

FOR the purpose of clarifying a certain limited exemption from the development review and approval process in accordance with an opinion of the County Board of Appeals; and generally relating to exemptions from the development review and approval process.

BY repealing and re-enacting, with amendments

Section 32-4-106(a)(1)(viii)
Article 32 - Planning, Zoning, and Subdivision Control
Title 4 - Development
Baltimore County Code 2003

WHEREAS, the Baltimore County Board of Appeals has recently stated in one of its opinions that there is no guidance in the Baltimore County Code with respect to the circumstances in which limited exemptions for lot line adjustments under Section 32-4-106(a)(1)(viii) are to be approved. Despite the perceived lack of guidance, the Board of Appeals properly applied the law as written and held that, as long as a lot line adjustment occurs in a residential zone and is not part of an approved development plan or zoning plan, it qualifies for

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

Strike out indicates matter stricken from bill.

Underlining indicates amendments to bill.

a limited exemption. To remedy the perceived lack of guidance, the Council now seeks to

provide such guidance consistent with the Board's holding; now, therefore,

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that Section 32-4-106(a)(1)(viii) of Article 32 - Planning, Zoning, and Subdivision Control, Title 4 - Development, of the Baltimore County Code 2003 be and is hereby repealed and re-enacted, with amendments, to read as follows:

- §32-4-106. Limited Exemptions.
- (a) Exemption from development review and approval process.
- (1) The following proposed development is exempt from compliance with Subtitle 2 of this title:

(viii) Lot line adjustments in residential zones FOR LOTS that are not part of an approved Development Plan UNDER THIS TITLE or [zoning plan] AN APPROVED DEVELOPMENT PLAN UNDER ARTICLE 1B OF THE BALTIMORE COUNTY ZONING REGULATIONS. FOR PURPOSES OF THIS SUBSECTION, "LOT LINE ADJUSTMENT" MEANS ONE OR MORE ALTERATIONS OF A DIVISIONAL PROPERTY LINE OR LINES BETWEEN TWO OR MORE LOTS IN COMMON OWNERSHIP OR BY AGREEMENT OF THE OWNERS, PROVIDED THAT THE ALTERATION DOES NOT RESULT IN AN INCREASE OR DECREASE IN THE NUMBER OF LOTS AND THERE IS NO INCREASE IN TOTAL RESIDENTIAL DENSITY AVAILABLE TO THE LOTS CONSIDERED AS A WHOLE;

SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days after its enactment and shall apply retroactively to February 16, 2005.

b05405.wpd

CASE NAME 1321 1/2 Spring Ame CASE NUMBER OS-539-594 DATE OF June 105

PETITIONER'S SIGN-IN SHEET

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