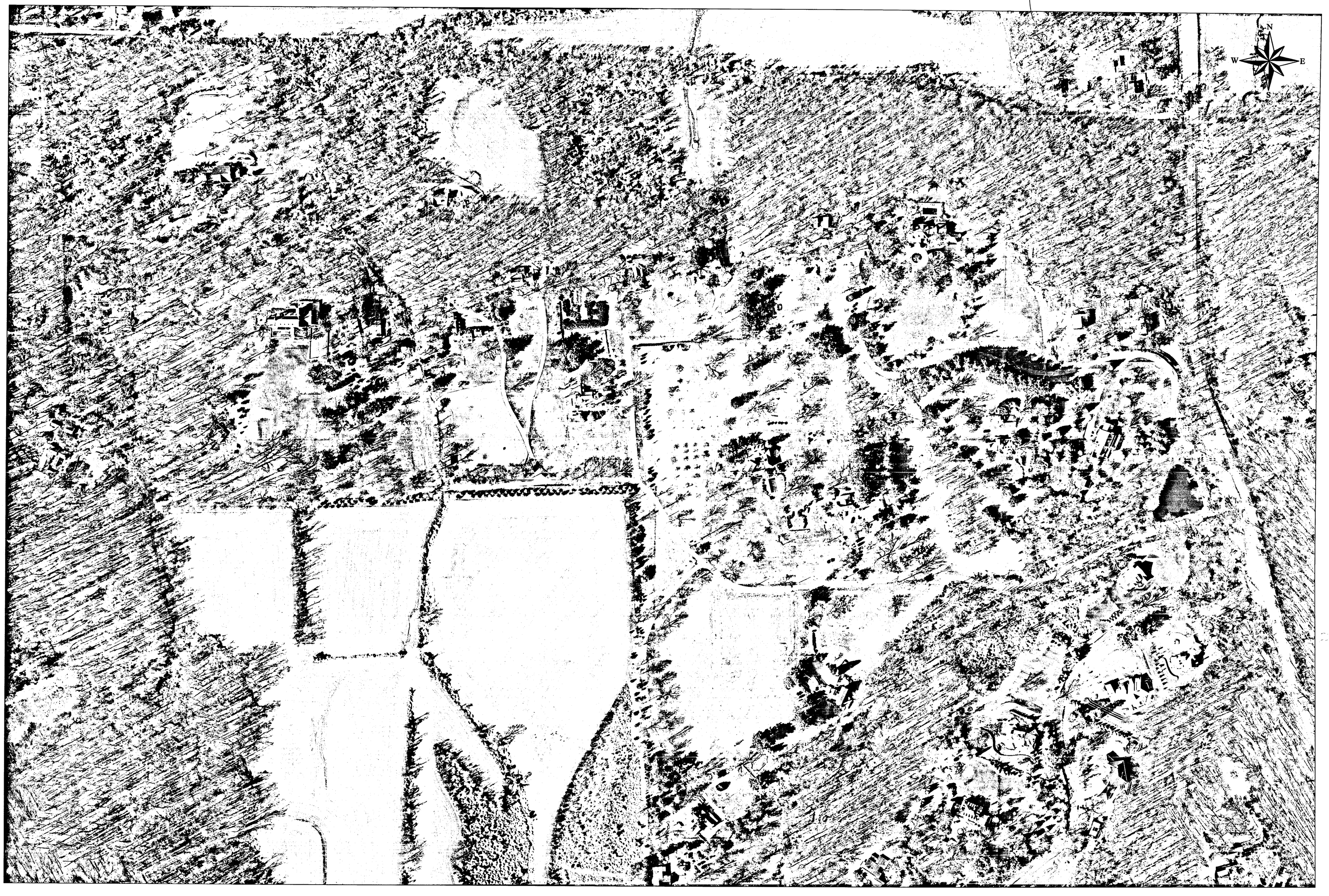
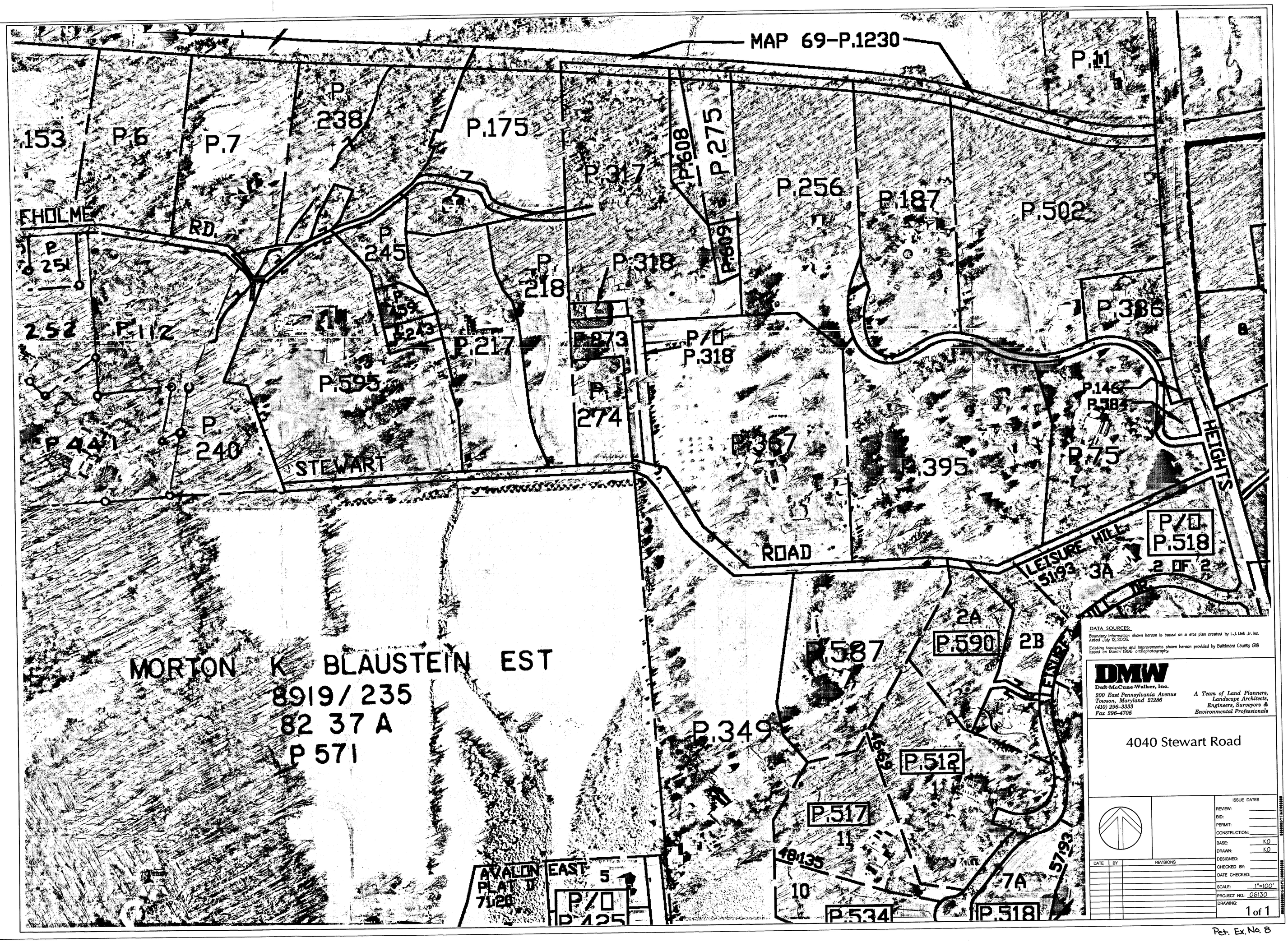
PH 20



4040 Stewart Road Property

0 50 100 200 300 400 Feet

Data Sources:
Boundary information shown hereon is based on a site plan created by L.J. Link Jr. Inc. dated July 12, 2005.
Aerial photo shown hereon is provided by Baltimore County GIS and is was flown in March 2005.



DATA SOURCES:

Boundary information shown hereon is based on a site plan created by L.J. Link Jr. Inc. dated July 12, 2005.

Existing topography and improvements shown hereon provided by Baltimore County GIS based on March 1996 orthophotography.

DMW

Daft·McCune·Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

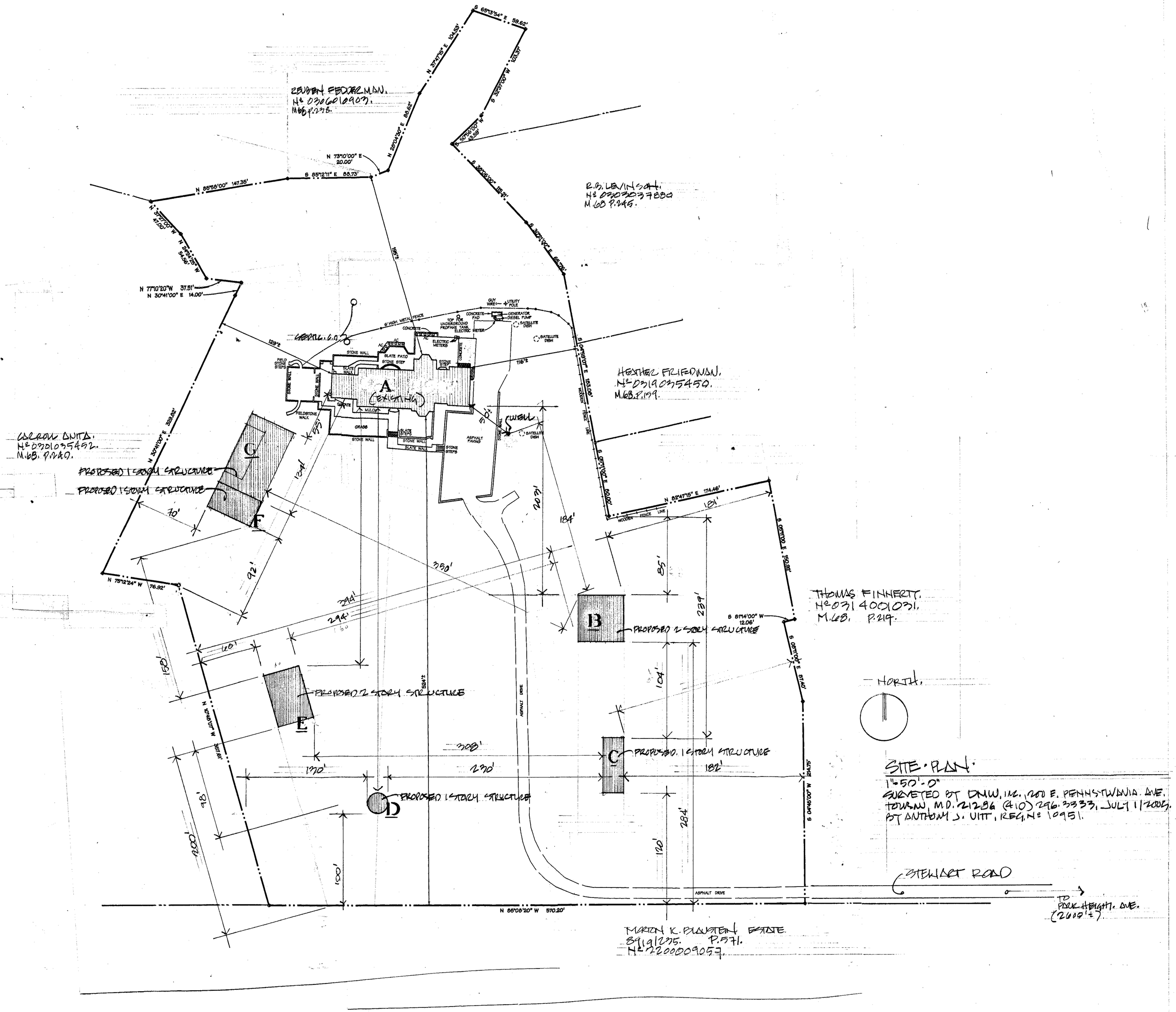
4040 Stewart Road

DATE	BY	REVISIONS

ISSUE DATES

REVIEW:	
BID:	
PERMIT:	
CONSTRUCTION:	
BASE:	KO
DRAWN:	KO
DESIGNED:	
CHECKED BY:	
DATE CHECKED:	
SCALE:	1"=100'
PROJECT NO.:	06130
DRAWING:	1 of 1

Pet. Ex. No. 8



PROPERTY ADDRESS: 4040 STEWART RD., STEVENSON, 21153.
TAX A/C Nº 2300000.3975.
DISTRICT Nº 27. PRECINCT:
MAP. 68.
GRID. 7. PARCEL Nº 595
LOT SIZE: 9.72 AC.
ZONING: RC5.
PRIVATE SEPTIC: EXISTS.
PRIVATE WATER: EXISTS.
NOT A PART OF CHESAPEAKE BAY CRITICAL AREA.

LEGEND/SCHEDULE OF SITE IMPROVEMENTS:

A EXISTING, 2½ STORY STRUCTURE OF STONE & SLATE ROOF.
190'×85'± 85'± ABOVE FIN. GRADE (EXISTING). —— 17,821 ☐.
USE: EXISTING RESIDENCE.

B PROPOSED 2 STORY STRUCTURE OF STONE, GLASS & SLATE ROOF.
50'×50'×29' HIGH (ABOVE FIN. GRADE). —— 5000 ☐.
USE: ART GALLERY & TEA ROOM.

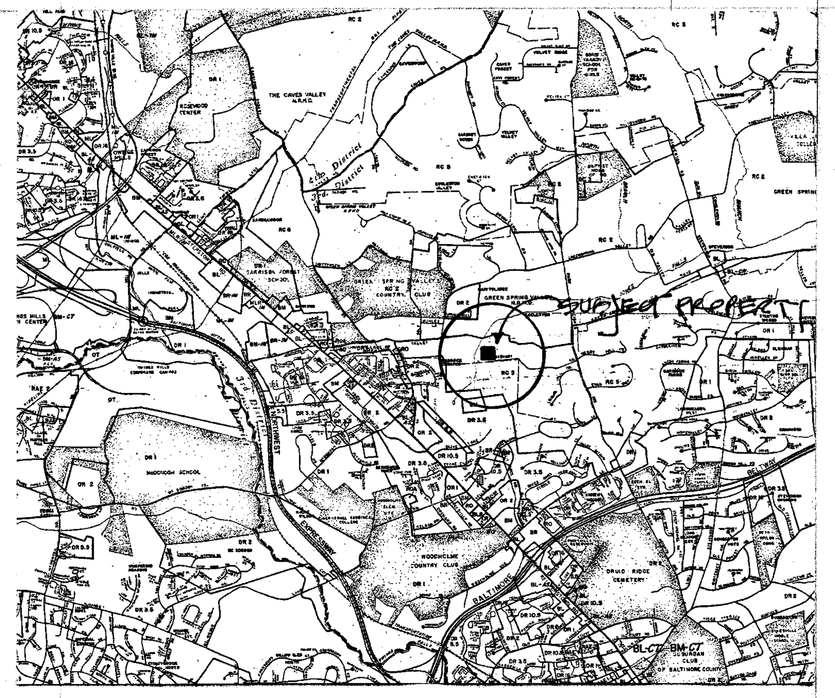
C PROPOSED 1 STORY STRUCTURE OF STONE & SLATE ROOF.
20'×60'×19' HIGH (ABOVE FIN. GRADE). —— 1200 ☐.
USE: OPEN AIR (NOT ENCLOSED) PAVILION.

D PROPOSED 1 STORY STRUCTURE OF STONE & METAL ROOF
20'×20'×18' HIGH (ABOVE FIN. GRADE). —— 400 ☐.
USE: OPEN AIR (NOT ENCLOSED) PAVILION.

E PROPOSED 2 STORY STRUCTURE OF STONE, GLASS & SLATE ROOF.
40'×60'×29' HIGH (ABOVE FIN. GRADE). —— 4800 ☐.
USE: ART GALLERY & STUDIO/OFFICE.

F PROPOSED 1 STORY STRUCTURE OF STONE & GLASS & GLASS ROOF.
70'×70'×28' HIGH (ABOVE FIN. GRADE. —— 4900 ☐.
USE: POOL HOUSE & CABANA.

G PROPOSED 1 STORY STRUCTURE OF GLASS & GLASS ROOF.
80'×50'×28' HIGH (ABOVE FIN. GRADE). —— 4000 ☐
USE: INDOOR POOL & GLASS STRUCTURE COVERING IT.



VICINITY MAP.
N.T.S.

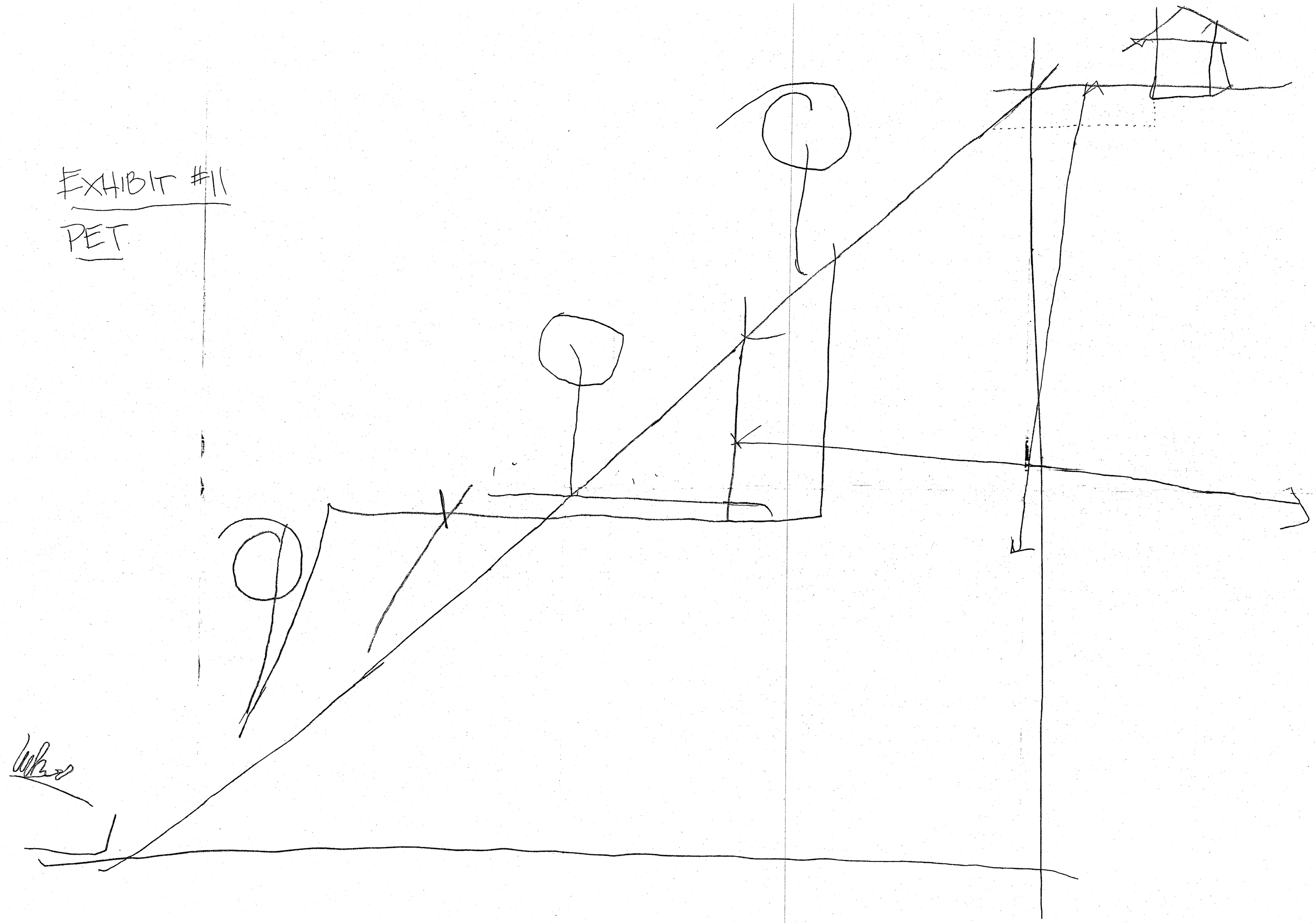
FOR DETACHED STRUCTURES, IN FRONT YARD OF EXISTING RESIDENCE OF.
STEVE & MINDY GEPPI.
4040 STEWART ROAD, STEVENSON, MD. 21153.
(OWNER RESIDES AT THIS ADDRESS).

L. J. LINK JR. INC. —— ARCHITECT.
PO BOX 727. ROCKLAND GRIST MILL BROOKLANDVILLE MD. 21022
410.337.9528. FAX. 410-369-6601
JULY 12 05

Pet Ex 1

EXHIBIT #11

PET



IN RE: **PETITION FOR VARIANCE** N/S Stewart Road, 2600' W of the c/l Park Heights Avenue **(4040 Stewart Road)** 3rd Election District 2nd Council District Stephen Geppi, et ux Petitioners	* * * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 06-035-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Stephen Geppi and his wife, Melinda Geppi. The Petitioners request variance relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit five (5) residentially used accessory structures (pool with pool house, open and enclosed pavilions) to be located in the front yard in lieu of the required rear yard, with heights of 19 feet to 29 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1, and the architectural renderings of the proposed structures which were marked as Petitioner's Exhibit 2 (B through G).

Appearing at the requisite public hearing was L. J. Link, Jr., a Board Certified Architect and Land Planning consultant, who prepared the site plan for this property and building elevation drawings of the proposed structures on behalf of the Petitioners. The issues presented in this case generated significant community interest and a number of individuals who reside on Stewart Road appeared in opposition to the request. They included Tim and Cassandra Naylor, Jephta Drachman, Katharine Hoffman, William and Hope Wright, Eleanor Bedford, Thomas and Wesley Finnerty, Sara Brooke and Anne Biggs. Additionally, Teresa Moore, Director of the Valleys Planning Council (VPC) and Diana Itter, a Planner in Baltimore County's Office of Planning, appeared and participated at the hearing.

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Date 11/14/06
By

Testimony and evidence presented disclosed that the subject property is a large, irregular shaped parcel located on the north side of Stewart Avenue, west of Park Heights Avenue in the Greenspring Valley National Register District. The property contains a gross area of 9.72 acres, more or less, zoned R.C.5 and is improved with a three-story, 13,821 sq.ft. structure, known as "Cliffeholme," which is identified on the Maryland Historic Trust List as MHT#BA1640. This historic home was originally built in 1848, and subsequently remodeled in 1872, 1929 and 2003. Photographs of this historic structure and its history are more particularly described on the web-site created by its owners at www.cliffeholme.com. The Petitioners have owned and resided on the property since November 2004 and are desirous of adding certain improvements; however, due to the location of the existing home and site constraints associated with the property, the requested variance relief is necessary. In this regard, the home sits towards the rear of the property, approximately 524 feet from Stewart Road, and thus, has an extensive front yard area. Moreover, the rear yard is heavily wooded and surrounded by a steep drop-off or cliff, with grades of 45% or better, and thus, is virtually unusable for building purposes.

As noted above, the Petitioners propose the addition of several accessory structures, including an in-ground swimming pool with pool house (Buildings F and G), and two open-air pavilions (Buildings C and D), to enhance the use and enjoyment of their property. In addition to those structures, the Petitioners have an extensive art and comic book collection and propose the construction of two separate buildings (Buildings B and E) in which to store, display and enjoy their various acquisitions. It was these two buildings which sparked the most interest and controversy. The proposed locations and sizes of all of the above-identified buildings are more particularly described on the site plan marked as Petitioner's Exhibit 1.

On behalf of the Petitioners, Mr. Link offered extensive testimony about the proposed structures and their uses. As shown on the site plan, proposed Building B will be a 5,000 sq.ft., two-story structure, identified as an Art Gallery/Tea Room, which will feature a small kitchen. This building will be located in the eastern portion of the front yard, approximately 284 feet from Stewart Road. Building E is identified on the plan as an Art Gallery and Studio/Office building and will

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likewise be a two-story structure consisting of 4800 sq.ft. in area. This building will be located in the western portion of the front yard, approximately 200 feet from Stewart Road. Both buildings will have a height of 29 feet each. The indoor swimming pool with a one-story glass enclosure above (Building G) and an attached cabana (pool house) (Building F) will also be located on the west side of the property, in close proximity to the existing home. These buildings will have a height of 28 feet each. Finally, the Petitioners propose the construction of two open-air pavilions (Buildings C and D). Building C is shown on the plan as a rectangular shaped structure, 20' x 60' in dimension with a height of 19', while Building D is shown as a round structure, 20' x 20' in dimension, with a height of 18'. Variance relief is requested as set forth above, given the site constraints associated with this property. Moreover, all of the proposed structures have been designed with roof pitches and heights in excess of the maximum allowed 15 feet in order to maintain consistency with the architectural characteristics of the existing home.

In support of the requested relief, Mr. Link testified that in spite of the size of the main house (13,821 sq.ft.), additional space was needed for the Petitioners' art and comic book collection. He indicated that the layout and functionality of the existing home was not conducive to placement of the proposed galleries therein. Mr. Link further opined that a 10-acre estate of this nature would be expected to have accessory structures supporting the principal residence on the property and that the proposed structures are not inconsistent with the character and quality of the existing house. He does not believe that the Petitioners' desire to present their valuable collections in an art gallery atmosphere to be in any way excessive. Finally, he argued that a denial of the request would result in a practical difficulty and unreasonable hardship, given the site constraints associated with this property and the inability to place these structures in the rear yard without undertaking substantial grading and destruction of the wooded areas.

Ms. Diana Itter, an experienced Planner in the Office of Planning, testified that she had reviewed the proposal and believes it appropriate for this site. She agreed with Mr. Link that there is a hardship and practical difficulty in placing the structures in the rear yard of the property and that the increased heights are warranted, given the size of the property and character of the existing home. She

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By

further stated that while this property has the density to add additional living quarters, she would like any approval conditioned on the structures being limited to the Petitioners' personal use and enjoyment. This sentiment was noted within the Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning, which as Mr. Link pointed out, is not opposed to the Petitioners' request. It was also indicated that the Landmarks Preservation Commission staff of the Office of Planning had reviewed and approved the proposal.

On behalf of the Protestants, Thomas P. Finnerty, an adjacent neighbor to the east, presented the community's concerns and opposition to the proposal. Essentially, he opined that while the proposed accessory structures might be, in the opinion of Mr. Link and Ms. Itter, compatible and fitting with the subject property, placement of these structures in the front yard in this unique neighborhood would be inappropriate. He explained that this neighborhood serves as a quintessential buffer between the R.C.2 farmland and high-density land as in the Avalon/Craddock Estates. The Stewart Road community, as confirmed by historians, is a late 19th Century Victorian suburban neighborhood. Indeed, all of the properties have large, grassy front lawns and there is concern that other residents may decide to improve their front lawns with similar accessory structures. In that event, the entire character of this community would be homogenized, or relegated, to being similar to countless other upscale residential neighborhoods in Baltimore County. He further pointed out that Cliffeholme is not a country estate of 100 or 200 acres, but is less than 10 acres in area and that many other properties in this community are of similar size. Finally, Mr. Finnerty noted that most landowners in the neighborhood placed their properties in a conservative easement held by the Land Preservation Trust in order to create permanent buffers between the farmlands of Greenspring Valley and adjacent, higher density neighborhoods. The Protestants stand united in opposing the Petitioners' proposal and strongly urged that sensitivity to this neighborhood and its historic and aesthetic value be considered in deciding this case.

Ms. Teresa Moore, Executive Director of the Valleys Planning Council, also appeared and testified in opposition to the request, individually and on behalf of the Council. She stated that she had received a number of calls from residents throughout the community who expressed concern about the

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By

Petitioners' proposal. She further stated that the VPC is opposed in view of the fact that the total of the square footage of the proposed buildings exceeds that of the main structure, the property's historic status, and the existence of the community's conservation easement, which is held by the Land Preservation Trust.

In my view, the resolution of this case is one of scope and degree. In considering the various accessory structures proposed, the standards set out in Section 307.1 of the B.C.Z.R. need be applied. The question presented is simply whether permitting the placement of the proposed accessory structures in the front yard is in strict harmony with adjacent and surrounding properties. The community asserts the proposed improvements are not in keeping with this suburban setting and would adversely impact the neighborhood. In my opinion, the proposed indoor swimming pool, pool house and open-air pavilions are appropriate accessory uses and are consistent with the residential character of the surrounding locale. However, the proposed art gallery buildings with their attendant tearoom, studio and offices more accurately resemble a conservatory, or building used for civic, social, recreational or educational uses, which under the R.C.5 zoning of this property, are permitted only by special exception. (See Section 1A04.2.B.4 of the B.C.Z.R.) The law of special exceptions and the standards therefore are set out in Section 502.1 of the B.C.Z.R. Essentially, the Petitioners must demonstrate that the proposed use at the subject location will not be detrimental to the health, safety and general welfare of the locale. While no special exception relief has been requested, it is clear that the Petitioners' proposal to construct two separate, two-story structures of 4,800 and 5,000 sq.ft., respectively, in the front yard of their property for use as an art gallery with a tearoom, studio and office space, would adversely impact adjacent properties and the surrounding locale.

After due consideration of the testimony and evidence presented, I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted to allow construction of the indoor swimming pool/pool house with glass cover, and open air pavilions in the front yard. I find that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioners, given the unique configuration of the property, the site constraints associated with the rear yard and the location of the existing home. However, I concur with the

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Date 11/4/12
By

Protestants' concerns relative to the proposed art gallery/studio buildings. I find that the size and scope of those structures and the use proposed would be inconsistent with the residential character and historical nature of the surrounding community and would adversely impact the neighborhood. Thus, I am persuaded to deny the variance requests related to those two buildings.

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, as modified above, shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of October 2005 that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit three (3) residentially used accessory structures (proposed indoor pool with pool house, and two open air pavilions) (Buildings C, D and G), to be located in the front yard in lieu of the required rear yard with heights of 19 feet to 28 feet in lieu of the maximum allowed 15 feet each, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permits and be granted same upon receipt of this Order; however, 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.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow two, two-story art gallery/tearoom/studio/office buildings (Buildings B and E) to be located in the front yard in lieu of the required rear yard, with heights of 19 feet to 29 feet, in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

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

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 11/14/05
By

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

October 14, 2005

Mr. & Mrs. Stephen Geppi
4040 Stewart Road
Stevenson, Maryland 21153

RE: PETITION FOR VARIANCE
N/S Stewart Road, 2600' W of the c/l Park Heights Avenue
(4040 Stewart Road)
3rd Election District – 2nd Council District
Stephen Geppi, et ux - Petitioners
Case No. 06-035-A

Dear Mr. & Mrs. Geppi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in part and denied in part, 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,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Larry J. Link, Jr., P.O. Box 727, Brooklandville, Md. 21022
Mr. & Mrs. Tim Naylor, 4001 Stewart Road, Stevenson, Md. 21153
Mr. Jephta Drachman, 4006 Stewart Road, Stevenson, Md. 21153
Ms. Katharine Hoffman, 17 Cliffholme Road, Stevenson, Md. 21153
Mr. & Mrs. William C. Wright, 4016 Stewart Road, Stevenson, Md. 21153
Ms. Eleanor Bedford, 4007 Stewart Road, Stevenson, Md. 21153
Messrs. Thomas and Wesley Finnerty, 4030 Stewart Road, Stevenson, Md. 21153
Ms. Sara Brooks, 919 Bellemore Road, Baltimore, Md. 21210
Ms. Anne Gibbs, 3920 Stewart Road, Stevenson, Md. 21153
Ms. Teresa Moore, Valleys Planning Council, P.O. Box 5402, Towson, Md. 21285-5402
Ms. Diana Itter, Office of Planning; People's Counsel; Case File

Printed on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4040 Stewart Rd 21153

which is presently zoned R.C.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 Variance from Section(s) 400.1, 400.3 (BCZR)

TO PERMIT THE CONSTRUCTION OF 5 RESIDENTIALLY USED ACCESSORY STRUCTURES (POOL WITH POOL HOUSE, OPEN AND ENCLOSED PAVILIONS) TO BE LOCATED IN THE FRONT YARD WITH A HEIGHT OF 19-FEET TO 29-FEET IN LIEU OF THE REQUIRED REAR YARD AND MAXIMUM HEIGHT OF 15-FEET.

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

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Melinda Geppi
Name - Type or Print

Signature

Stephen Geppi
Name - Type or Print

Signature

4040 Stewart Rd.
Address Telephone No.

Towson Md. 21153.
City State Zip Code

Representative to be Contacted:

L.J. Link Jr. Architect.
Name

PO Box 727. 410.337.9528.
Address Telephone No.

Brooklandville Md. 21022.
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. **Date** 7/13/05

Case No. 06-035-A

ORDER RECEIVED FOR FILING
Date 11/15/05
By

REV 9/15/98

Zoning Description for **4040 STEWART ROAD**

Beginning at a point on the north side of Stewart Road at a distance of 2600-feet west of Park Heights Avenue. Being the same property dated January 4, 2002 and recorded among land records of Baltimore County in Liber SM No. 15981, Page 216, Map 68, Parcel No. 595, Deed Ref. 20965/578 and Liber No. 3653 Folio 260 containing 9.72 acres and known as 4040 Stewart Road, 3rd Election District and 2nd Councilmanic District.

06-035-A

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: #06-035-A
4040 Stewart Road
N/west of Stewart Road, 2,600 feet west of Park Heights Avenue
3rd Election District — 2nd Councilmanic District
Legal Owner(s): Melinda & Stephen Geppi

Variance: to permit the construction of 5 residentially used accessory structures (pool with pool house, open and enclosed pavilions) to be located in the front yard with a height of 19 feet to 29 feet in lieu of the required rear yard and maximum height of 15 feet.

Hearing: Wednesday, September 7, 2005 at 11:00 a.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 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.

JT 8/711 Aug. 23 63826

CERTIFICATE OF PUBLICATION

8/25/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/23/, 2005.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 1034

DATE 11/8/05

ACCOUNT 001-006-6150

AMOUNT $ 400.00

RECEIVED FROM: Thomas Finnerty

FOR: Appeal Case No 06-035-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 06-035-A

Petitioner/Developer: MELINDA & STEPHEN GEPPI

Date Of Hearing/Closing: 9/7/05

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

Attention:

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 at 4040 STEWART ROAD

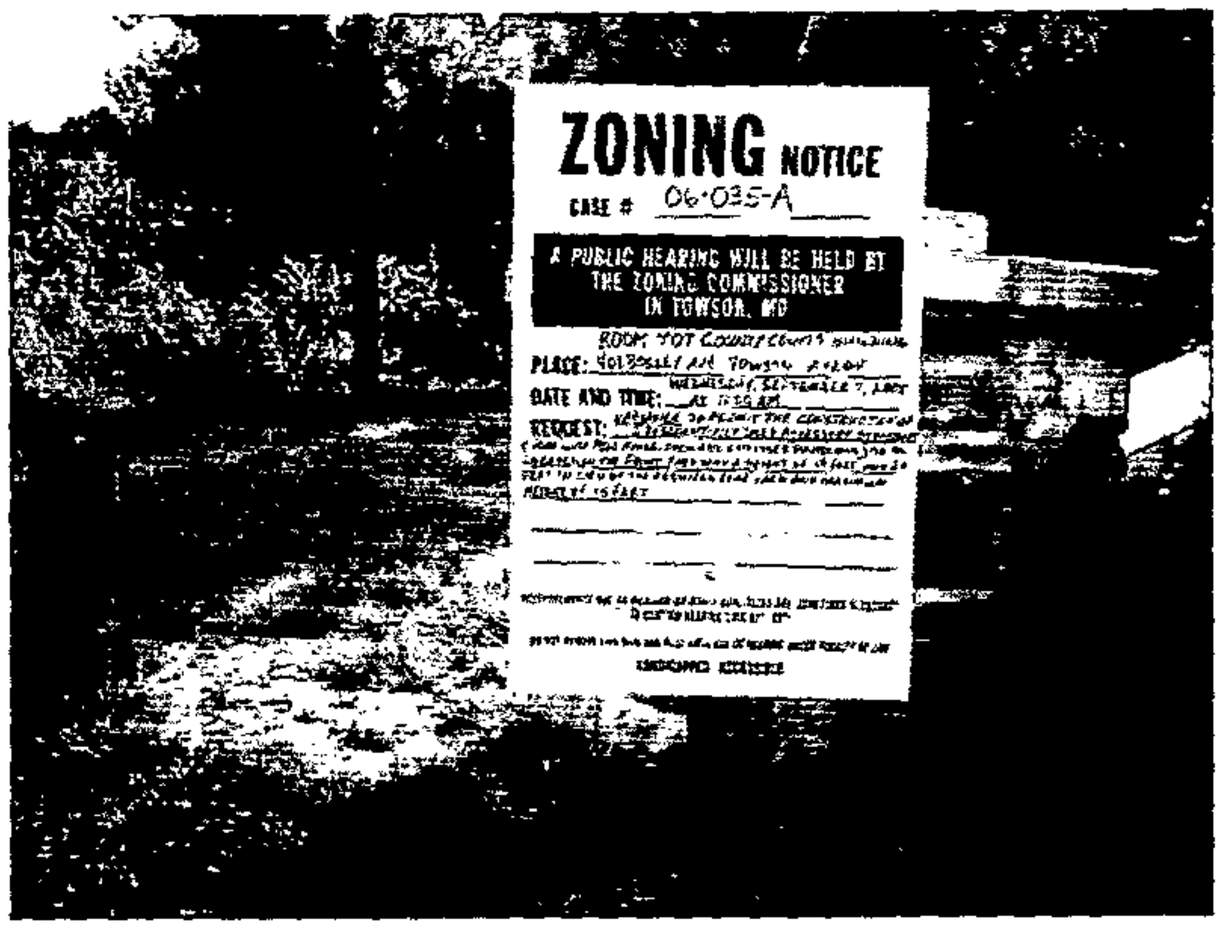
This sign(s) were posted on August 23, 2005.
(Month, Day, Year)

Sincerely,

Martin Ogle 8/23/05
(Signature of sign Poster and Date)

Martin Ogle
Sign Poster
16 Salix Court
Address
Balto. Md 21220
(443-629 3411)

im000395 (576x432x24b jpeg)



Martin Ogle 8/23/05

APPEAL SIGN POSTING REQUEST

CASE NO. 06-035-A

4040 STEWART ROAD

3RD ELECTION DISTRICT APPEALED: 11/8/05

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*****COMPLETE AND RETURN BELOW INFORMATION******

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, MD 21204

Attention: Kathleen Bianco
Administrator

CASE NO.: 06-035-A

LEGAL OWNER: STEPHEN GEPPI, ET. UX.

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

4040 STEWART ROAD MAP 25 D6

The sign was posted on 1/27, 2006.

By: Jeff Radcliffe
(Signature of Sign Poster)

Jeff RADCLIFFE
(Print Name)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 06-035-A

Petitioner: Steve Geppi.

Address or Location: 4940 Sevrat Rd. 21153.

PLEASE FORWARD ADVERTISING BILL TO:

Name: L. J. Link Jr.

Address: PO 727.
Brooklandville Md. 21022.

Telephone Number: 410.337.9528

Revised 2/20/98 - SCJ

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

July 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: 06-035-A
4040 Stewart Road
N/west of Stewart Road, 2,600 feet west of Park Heights Avenue
3rd Election District – 2nd Councilmanic District
Legal Owners: Melinda & Stephen Geppi

Variance to permit the construction of 5 residentially used accessory structures (pool with pool house, open and enclosed pavilions) to be located in the front yard with a height of 19 feet to 29 feet in lieu of the required rear yard and maximum height of 15 feet.

Hearing: Wednesday, September 7, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: L. J. Link, Jr., P.O. Box 727, Brooklandville 21022
Mr. & Mrs. Geppi, 4040 Stewart Road, Stevenson 21153

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 23, 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, August 23, 2005 Issue - Jeffersonian

Please forward billing to:
L.J. Link, Jr.
P.O. Box 727
Brooklandville, MD 21022

410-337-9528

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: 06-035-A
4040 Stewart Road
N/west of Stewart Road, 2,600 feet west of Park Heights Avenue
3rd Election District – 2nd Councilmanic District
Legal Owners: Melinda & Stephen Geppi

Variance to permit the construction of 5 residentially used accessory structures (pool with pool house, open and enclosed pavilions) to be located in the front yard with a height of 19 feet to 29 feet in lieu of the required rear yard and maximum height of 15 feet.

Hearing: Wednesday, September 7, 2005 at 11:00 a.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 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.

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

March 30, 2007

NOTICE OF POSTPONEMENT /Day #2

CASE #: 06-035-A

Day #2 from 9/13/06

IN THE MATTER OF: STEPHEN GEPPI, ET UX –Legal Owners/ Petitioners 4040 Stewart Road 3rd E; 2nd C

10/14/2005 – D.Z.C.'s Order in which requested variance relief was GRANTED in part and DENIED in part.

which was reassigned to be heard on 4/03/07 has been **POSTPONED** by agreement with Counsel. **HEARING TO BE REASSIGNED TO THE NEXT AVAILABLE DATE ON THE BOARD'S SCHEDULE UPON CONFIRMATION WITH COUNSEL. NO ONE NEED APPEAR ON APRIL 3, 2007; THE BOARD HAS BEEN NOTIFIED.**

NOTICE: **This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.**

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco / Administrator

---

c: Counsel for Appellant /Protestant : J. Carroll Holzer, Esquire
Appellant /Protestant : Thomas Finnerty

Counsel for Petitioners : Arnold Jablon, Esquire
David Karceski, Esquire

Petitioners : Stephen and Melinda Geppi
L. Link, Jr. /Architect

Mr. and Mrs. Tim Naylor
Jephta Drachman
Katherine Hoffman
Mr. and Mrs. William Wright
Eleanor Bedford
Sara Brooks
Anne Gibbs
Teresa Moore, Executive Director /VPC

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Diana Itter /Office of Planning
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

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County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

May 17, 2006

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 06-035-A

IN THE MATTER OF: STEPHEN GEPPI, ET UX –Legal Owners/ Petitioners 4040 Stewart Road 3rd E; 2nd C

10/14/2005 – D.Z.C.'s Order in which requested variance relief was GRANTED in part and DENIED in part.

which was reassigned to be heard on 8/22/06 has been **POSTPONED** at the request of Counsel for Protestants due to client scheduling conflict; and has been

REASSIGNED FOR: **WEDNESDAY, SEPTEMBER 13, 2006 at 10:00 a.m.**

NOTICE: **This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.**

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

---

c: Counsel for Appellant /Protestant : J. Carroll Holzer, Esquire
Appellant /Protestant : Thomas Finnerty

Counsels for Petitioners : Arnold Jablon, Esquire
David Karceski, Esquire

Petitioners : Stephen and Melinda Geppi
L. Link, Jr. /Architect

Mr. and Mrs. Tim Naylor
Jephta Drachman
Katherine Hoffman
Mr. and Mrs. William Wright
Eleanor Bedford
Sara Brooks
Anne Gibbs
Teresa Moore, Executive Director /VPC

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Diana Itter /Office of Planning
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

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County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

July 2, 2007

NOTICE OF POSTPONEMENT

CASE #: 06-035-A

Day #2 from 9/13/06

IN THE MATTER OF: STEPHEN GEPPI, ET UX –Legal Owners/ Petitioners 4040 Stewart Road 3rd E; 2nd C

10/14/2005 – D.Z.C.'s Order in which requested variance relief was GRANTED in part and DENIED in part.

which had been assigned for hearing on 10/04/07 has been POSTPONED at the request of Counsel for Petitioner, without objection by Counsel for Appellants /Protestants; **TO BE RESCHEDULED ONLY UPON REQUEST.**

NOTICE: **This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.**

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco / Administrator

---

c: Counsel for Appellant /Protestant : J. Carroll Holzer, Esquire
Appellant /Protestant : Thomas Finnerty

Counsel for Petitioners : Arnold Jablon, Esquire
David Karceski, Esquire

Petitioners : Stephen and Melinda Geppi
L. Link, Jr. /Architect

Mr. and Mrs. Tim Naylor
Jephta Drachman
Katherine Hoffman
Mr. and Mrs. William Wright
Eleanor Bedford
Sara Brooks
Anne Gibbs
Teresa Moore, Executive Director /VPC

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Diana Itter /Office of Planning
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

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IN THE MATTER OF THE APPLICATION OF STEPHEN GEPPI, ET US –LEGAL OWNERS; FOR VARIANCES ON PROPERTY LOCATED ON THE N/S STEWART ROAD, 2,600' W OF THE C/L PARK HEIGHTS AVE (4040 STEWART ROAD)	* * * * *	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT	*	Case No. 06-035-A

* * * * * * * * *

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on appeal filed by J. Carroll Holzer, Esquire, on behalf of Thomas Finnerty, from the October 14, 2005, decision of the Deputy Zoning Commissioner in which the subject Petition was granted in part and denied in part.

WHEREAS, the Board is in receipt of a letter of withdrawal of Petition filed July 29, 2008, by Arnold Jablon, Esquire, Counsel for Petitioners, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Petitioners requests that the Petition for Variance filed in the above-referenced matter be withdrawn as of July 29, 2008,

IT IS THEREFORE. this 7th day of August, 2008, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. 06-035-A is **WITHDRAWN AND DISMISSED**, rendering moot the appeal filed in this matter; and that the Deputy Zoning Commissioner's Order of October 14, 2005, including any relief granted therein, is rendered null and void.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Edward W. Crizer, Jr., Chairman

Lawrence S. Wescott

Wendell H. Grier

VENABLE LLP

ARNOLD JABLON
(410) 494-6298

ajablon@venable.com

29 July 2008

Ms. Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, Maryland 21204

Re: Case No. 06-035A
Property: 4040 Stewart Rd
3rd ED; 2nd CD
My Clients: Stephen and Melinda Geppi

Dear Ms. Bianco:

Please be advised that I represent the Appellees, Stephen and Melinda Geppi, in this matter. On their behalf, please accept this letter of my clients' intent to withdraw their Petitions for variances filed in the instant matter.

The Appellees have elected not to pursue the variances as originally requested in their original petition. My clients understand by their voluntary withdrawal of their petition for variances, it will be as if they had never filed the petition to begin with. My client further understands by this withdrawal that the variance relief granted in part by the Deputy Zoning Commissioner in the instant case is of no meaning and is now moot. This is without prejudice to the right of any subsequent owners or contract purchasers of the property to seek approvals in the future.

RECEIVED
JUL 29 2008
BALTIMORE COUNTY
BOARD OF APPEALS

Thank you for your consideration.

Sincerely,

Arnold Jablon

c: J. Carroll Holzer, Esq.
Stephen and Melinda Geppi

County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

August 7, 2008

Arnold Jablon, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: *In the Matter of: Stephen Geppi, et ux –Legal Owners /Petitioners* / Case No. 06-035-A
Order of Dismissal of Petition

Dear Mr. Jablon:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the County Board of Appeals of Baltimore County in the above-captioned matter in which the subject Petition for Variance has been withdrawn and dismissed.

Very truly yours,

Kathleen Bianco/SC

Kathleen C. Bianco
Administrator

Enclosure

c: J. Carroll Holzer, Esquire
Thomas Finnerty
David Karceski, Esquire
Stephen and Melinda Geppi
L. Link, Jr. /Architect
Mr. and Mrs. Tim Naylor
Jephta Drachman
Katherine Hoffman
Mr. and Mrs. William Wright
Eleanor Bedford
Sara Brooks
Anne Gibbs
Teresa Moore, Executive Director /VPC
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Diana Itter /Office of Planning
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

Pet Exh 10

IN RE: **PETITION FOR VARIANCE** N/S Stewart Road, 2600' W of the c/l Park Heights Avenue **(4040 Stewart Road)** 3rd Election District 2nd Council District Stephen Geppi, et ux Petitioners	* * * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 06-035-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Stephen Geppi and his wife, Melinda Geppi. The Petitioners request variance relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit five (5) residentially used accessory structures (pool with pool house, open and enclosed pavilions) to be located in the front yard in lieu of the required rear yard, with heights of 19 feet to 29 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1, and the architectural renderings of the proposed structures which were marked as Petitioner's Exhibit 2 (B through G).

Appearing at the requisite public hearing was L. J. Link, Jr., a Board Certified Architect and Land Planning consultant, who prepared the site plan for this property and building elevation drawings of the proposed structures on behalf of the Petitioners. The issues presented in this case generated significant community interest and a number of individuals who reside on Stewart Road appeared in opposition to the request. They included Tim and Cassandra Naylor, Jephta Drachman, Katharine Hoffman, William and Hope Wright, Eleanor Bedford, Thomas and Wesley Finnerty, Sara Brooke and Anne Biggs. Additionally, Teresa Moore, Director of the Valleys Planning Council (VPC) and Diana Itter, a Planner in Baltimore County's Office of Planning, appeared and participated at the hearing.

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Date 11/14/05
By

PETITIONER'S EXHIBIT 10

Testimony and evidence presented disclosed that the subject property is a large, irregular shaped parcel located on the north side of Stewart Avenue, west of Park Heights Avenue in the Greenspring Valley National Register District. The property contains a gross area of 9.72 acres, more or less, zoned R.C.5 and is improved with a three-story, 13,821 sq.ft. structure, known as "Cliffeholme," which is identified on the Maryland Historic Trust List as MHT#BA1640. This historic home was originally built in 1848, and subsequently remodeled in 1872, 1929 and 2003. Photographs of this historic structure and its history are more particularly described on the web-site created by its owners at www.cliffeholme.com. The Petitioners have owned and resided on the property since November 2004 and are desirous of adding certain improvements; however, due to the location of the existing home and site constraints associated with the property, the requested variance relief is necessary. In this regard, the home sits towards the rear of the property, approximately 524 feet from Stewart Road, and thus, has an extensive front yard area. Moreover, the rear yard is heavily wooded and surrounded by a steep drop-off or cliff, with grades of 45% or better, and thus, is virtually unusable for building purposes.

As noted above, the Petitioners propose the addition of several accessory structures, including an in-ground swimming pool with pool house (Buildings F and G), and two open-air pavilions (Buildings C and D), to enhance the use and enjoyment of their property. In addition to those structures, the Petitioners have an extensive art and comic book collection and propose the construction of two separate buildings (Buildings B and E) in which to store, display and enjoy their various acquisitions. It was these two buildings which sparked the most interest and controversy. The proposed locations and sizes of all of the above-identified buildings are more particularly described on the site plan marked as Petitioner's Exhibit 1.

On behalf of the Petitioners, Mr. Link offered extensive testimony about the proposed structures and their uses. As shown on the site plan, proposed Building B will be a 5,000 sq.ft., two-story structure, identified as an Art Gallery/Tea Room, which will feature a small kitchen. This building will be located in the eastern portion of the front yard, approximately 284 feet from Stewart Road. Building E is identified on the plan as an Art Gallery and Studio/Office building and will

ORDER RECEIVED FOR FILING
Date 10/14/15

likewise be a two-story structure consisting of 4800 sq.ft. in area. This building will be located in the western portion of the front yard, approximately 200 feet from Stewart Road. Both buildings will have a height of 29 feet each. The indoor swimming pool with a one-story glass enclosure above (Building G) and an attached cabana (pool house) (Building F) will also be located on the west side of the property, in close proximity to the existing home. These buildings will have a height of 28 feet each. Finally, the Petitioners propose the construction of two open-air pavilions (Buildings C and D). Building C is shown on the plan as a rectangular shaped structure, 20' x 60' in dimension with a height of 19', while Building D is shown as a round structure, 20' x 20' in dimension, with a height of 18'. Variance relief is requested as set forth above, given the site constraints associated with this property. Moreover, all of the proposed structures have been designed with roof pitches and heights in excess of the maximum allowed 15 feet in order to maintain consistency with the architectural characteristics of the existing home.

In support of the requested relief, Mr. Link testified that in spite of the size of the main house (13,821 sq.ft.), additional space was needed for the Petitioners' art and comic book collection. He indicated that the layout and functionality of the existing home was not conducive to placement of the proposed galleries therein. Mr. Link further opined that a 10-acre estate of this nature would be expected to have accessory structures supporting the principal residence on the property and that the proposed structures are not inconsistent with the character and quality of the existing house. He does not believe that the Petitioners' desire to present their valuable collections in an art gallery atmosphere to be in any way excessive. Finally, he argued that a denial of the request would result in a practical difficulty and unreasonable hardship, given the site constraints associated with this property and the inability to place these structures in the rear yard without undertaking substantial grading and destruction of the wooded areas.

Ms. Diana Itter, an experienced Planner in the Office of Planning, testified that she had reviewed the proposal and believes it appropriate for this site. She agreed with Mr. Link that there is a hardship and practical difficulty in placing the structures in the rear yard of the property and that the increased heights are warranted, given the size of the property and character of the existing home. She

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Date
By

further stated that while this property has the density to add additional living quarters, she would like any approval conditioned on the structures being limited to the Petitioners' personal use and enjoyment. This sentiment was noted within the Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning, which as Mr. Link pointed out, is not opposed to the Petitioners' request. It was also indicated that the Landmarks Preservation Commission staff of the Office of Planning had reviewed and approved the proposal.

On behalf of the Protestants, Thomas P. Finnerty, an adjacent neighbor to the east, presented the community's concerns and opposition to the proposal. Essentially, he opined that while the proposed accessory structures might be, in the opinion of Mr. Link and Ms. Itter, compatible and fitting with the subject property, placement of these structures in the front yard in this unique neighborhood would be inappropriate. He explained that this neighborhood serves as a quintessential buffer between the R.C.2 farmland and high-density land as in the Avalon/Craddock Estates. The Stewart Road community, as confirmed by historians, is a late 19th Century Victorian suburban neighborhood. Indeed, all of the properties have large, grassy front lawns and there is concern that other residents may decide to improve their front lawns with similar accessory structures. In that event, the entire character of this community would be homogenized, or relegated, to being similar to countless other upscale residential neighborhoods in Baltimore County. He further pointed out that Cliffeholme is not a country estate of 100 or 200 acres, but is less than 10 acres in area and that many other properties in this community are of similar size. Finally, Mr. Finnerty noted that most landowners in the neighborhood placed their properties in a conservative easement held by the Land Preservation Trust in order to create permanent buffers between the farmlands of Greenspring Valley and adjacent, higher density neighborhoods. The Protestants stand united in opposing the Petitioners' proposal and strongly urged that sensitivity to this neighborhood and its historic and aesthetic value be considered in deciding this case.

Ms. Teresa Moore, Executive Director of the Valleys Planning Council, also appeared and testified in opposition to the request, individually and on behalf of the Council. She stated that she had received a number of calls from residents throughout the community who expressed concern about the

ORDER RECEIVED FOR FILING
Date 11/14/13
By

Petitioners' proposal. She further stated that the VPC is opposed in view of the fact that the total of the square footage of the proposed buildings exceeds that of the main structure, the property's historic status, and the existence of the community's conservation easement, which is held by the Land Preservation Trust.

In my view, the resolution of this case is one of scope and degree. In considering the various accessory structures proposed, the standards set out in Section 307.1 of the B.C.Z.R. need be applied. The question presented is simply whether permitting the placement of the proposed accessory structures in the front yard is in strict harmony with adjacent and surrounding properties. The community asserts the proposed improvements are not in keeping with this suburban setting and would adversely impact the neighborhood. In my opinion, the proposed indoor swimming pool, pool house and open-air pavilions are appropriate accessory uses and are consistent with the residential character of the surrounding locale. However, the proposed art gallery buildings with their attendant tearoom, studio and offices more accurately resemble a conservatory, or building used for civic, social, recreational or educational uses, which under the R.C.5 zoning of this property, are permitted only by special exception. (See Section 1A04.2.B.4 of the B.C.Z.R.) The law of special exceptions and the standards therefore are set out in Section 502.1 of the B.C.Z.R. Essentially, the Petitioners must demonstrate that the proposed use at the subject location will not be detrimental to the health, safety and general welfare of the locale. While no special exception relief has been requested, it is clear that the Petitioners' proposal to construct two separate, two-story structures of 4,800 and 5,000 sq.ft., respectively, in the front yard of their property for use as an art gallery with a tearoom, studio and office space, would adversely impact adjacent properties and the surrounding locale.

After due consideration of the testimony and evidence presented, I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted to allow construction of the indoor swimming pool/pool house with glass cover, and open air pavilions in the front yard. I find that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioners, given the unique configuration of the property, the site constraints associated with the rear yard and the location of the existing home. However, I concur with the

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Date 10/14/02
By

Protestants' concerns relative to the proposed art gallery/studio buildings. I find that the size and scope of those structures and the use proposed would be inconsistent with the residential character and historical nature of the surrounding community and would adversely impact the neighborhood. Thus, I am persuaded to deny the variance requests related to those two buildings.

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, as modified above, shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of October 2005 that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit three (3) residentially used accessory structures (proposed indoor pool with pool house, and two open air pavilions) (Buildings C, D and G), to be located in the front yard in lieu of the required rear yard with heights of 19 feet to 28 feet in lieu of the maximum allowed 15 feet each, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permits and be granted same upon receipt of this Order; however, 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.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow two, two-story art gallery/tearoom/studio/office buildings (Buildings B and E) to be located in the front yard in lieu of the required rear yard, with heights of 19 feet to 29 feet, in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

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

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date
By

Pet Exh 12

Landmarks Preservation Commission

401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3495 • Fax: 410-887-5862

Baltimore County

James T. Smith, Jr., County Executive

Preliminary Agenda*
January 12, 2006
Meeting

Room 407, County Courts Building
401 Bosley Avenue
Towson, Maryland

****

Preparatory Meeting – beginning at* 5:00 *p.m.
Open to the public

Call to order and introduction of Commissioners

A. Briefing by staff on the Agenda items

B. Status report on legislative matters

(break)

5:30 to 6:00 – SPECIAL PRESENTATION:
Nominations to the National Register of Historic Places

Central Catonsville and Summit Park Historic District

Goucher College, Towson

Regular Meeting – beginning at* 6:00 *p.m.

Call to order, introduction of Commissioners, statement of purposes and operating procedures, and announcements

Preliminary actions

1. Annual election of Chairman and Vice-Chairman

Pet. Ex #12

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1A. Consideration of changes to today's Agenda

2. Minutes of the December 8, 2005 meeting

2A. "Consent Agenda" – Items 3, 4, 8, 14

Public Hearings on Nominations to the Landmarks List

3. ** **William Slade's Store,** 2224 White Hall Road, White Hall – nominated by the owner

4. ** **Webb property,** 176 Winters Lane, Catonsville (contributing property in the National Register-eligible Winters Lane African-American Historic District, MHT # BA-3067) – nominated by the owner

5. **Daniel Lee House # 2**, 100 East Pennsylvania Avenue, Towson (MHT # BA-537)

6. **"Cliffholme,"** 4040 Stewart Road, Chattolanee (MHT # BA-1694; contributing property in the Green Spring Valley National Register Historic District)

Note that the owner's attorney has requested a postponement

7. **"Wickcliffe" ("Castle," stone garage/carriage-house, stone walls, and driveway bridges)** at "Maryvale," Greenspring Valley Road (MHT # BA-1602; contributing property in the Greenspring Valley National Register Historic District)

8. ** **Woodhouse-Reister House** (Sparks State Bank property), 929 East Quaker Bottom Road, Sparks (built ca. 1882; contributing dwelling in the Sparks African-American Survey District, MHT # BA-3089; demolition application on-hold pending Landmark decision)

Note request by Mr. Diggs, supported by the owner's attorney, to postpone the hearing until the March 9, 2006 meeting

9. **Dilworth-Dietz Farmstead** (Dietz property), 12431 Belair Road, Kingsville vicinity (MHT Inventory # BA-3079; demolition application on-hold pending Landmark decision)

Public Hearings on nominations to the National Register of Historic Places

10. Central Catonsville and Summit Park Historic District

11. Goucher College, Towson

Alteration to properties in County Historic Districts or Landmark structures

12. **Smith, Holt, Johnson House,** 307 Winters Lane, Catonsville (Final Landmarks List # 254): Approval of demolition

13. **Lanius House** (ARMZ, LLC property), 301-303 Main Street (MHT # BA-894, contributing property in the Reisterstown National Register Historic District): Approval of the revised design of an addition on the rear

14.** **Nemo/Warnken property,** 712 Woodland Drive, non-contributing property in the Relay County Historic District: Window and siding replacement, basement window enlargement, change in front porch roof line, close in one window, replacement of front door and installation of retaining walls

Recommendations on Baltimore County Register (MHT Inventory) and Potential Register Structures

15. **Shipley Mill** (Gaspari property), 13027 Beaver Dam Road, Cockeysville (built 1791, MHT # BA-976): Proposed construction of a three-story addition (garage level and 2 floors above) on east side of existing structure; *consideration of nomination to the Landmarks List for public hearing on March 9, 2006*

16. **"Arden" (Victor G. Bloede House),** 110 Forest Avenue, Catonsville (built ca. 1900, contributing property in the Eden Terrace historic neighborhood, MHT # BA-2947): Proposed demolition in conjunction with 19-lot subdivision; *consideration of nomination to the Landmarks List for public hearing on March 9, 2006*

Nomination to the Landmarks List (for public hearing on March 9, 2006)

17. **"Thorn Hill,"** 13310 Fork Road, Baldwin (Final Landmarks List # 234): Confirmation on delineation of the entire 12 acres to constitute the "historic environmental setting"

18. **Rider-Bushman House,** 1812 Landrake Road, Riderwood (MHT # BA-1161; proposal for three-lot subdivision of the property)

Other business

19. **Pine Grove School,** Old Harford and Cub Hill Roads, Doncaster Village vicinity (MHT # BA-284): Consider placing the nomination on the February 9, 2006 Agenda to consider scheduling a public hearing on April 13, 2006

20. Meeting schedule for 2006 (selection of April meeting date)

21. Further discussion on notification procedures (text for public hearing on February 9, 2006)

****

* This Agenda, published January 4, 2006, is subject to review and modification at the meeting.

** "Consent Agenda" indicates items appropriate for approval as submitted (without the necessity for discussion).

Inclement Weather Policy – No meetings will be held when Baltimore County Public Schools are either closed for the day or subject to early dismissal because of inclement weather.

If, because of a disability, you need a reasonable accommodation such as service or aid to participate in these events, please call the Office of Planning at 410-887-3495 or via TTY, at 1-800-735-2258 or 711, at least two work days before the event.

VKN:CBH:vkn

Pet EXH 13

Minutes
Landmarks Preservation Commission
February 9, 2006

An informal, public, pre-meeting review of the Agenda was conducted by the staff. Mr. Matthews informed the Commissioners that the 5:00 pm pre-meeting would henceforth be eliminated and that it was the responsibility of each member to be informed about the issues on the agenda. To avoid exceedingly lengthy meetings, he encouraged avoiding redundancies – noting that it was not necessary for each Commissioner to comment on each item. The light meal for the members would continue to be available at 5:30 pm. Mr. Mike Field will brief the LPC on specific legal matters during the repast before the March 9th meeting. The Commission took no votes in the pre-meeting session.

The Chairman, Mr. Matthews, convened the regularly scheduled meeting at 6:03 pm. The following Commissioners were:

Present	Not Present
Mr. James E. Matthews, Chairman	Mr. Edward A. Griffith
Mr. Qutub Syed	Mr. John W. Hill, Vice-Chairman
Mr. Louis S. Diggs	Mr. C. Bruce Boswell
Ms. Wendy McIver	Mr. Edward E. Hardester, Jr
Mr. Thomas L. Reynolds	Mr. 'Spike' Schnitzker
Ms. Norma Secoura	Mr. Steven K. Fedder
Mr. David Bryan	
Mr. H. Edward Parker	

Planning Office staff present included Vicki Nevy (Secretary/Administrator), Caren Hoffberger, Jeff Long, Tim Dugan and Karin Brown.

Mr. Matthews called the meeting to order with an introduction of the Commission members, followed by the Pledge of Allegiance.

Mr. Matthews stated for the record that the Commission operates under Title 32 of the County Code, the Secretary of the Interior's Standards, and its own Rules of Procedure and Historic Guidelines and Regulations.

Preliminary actions

1. There was no opposition to the changes in the Revised Agenda, i.e., postponement at staff's request of item 3, because it was erroneously scheduled; addition of item 14A. - applications for Historic Properties Tax Credit, Part II Certification of Appropriateness, and the processing of items 5, 6, 7, 8 and 9 as consent agenda.

Approval of the Minutes

2. There were two requests for corrections to the minutes. Mr. Bryan asked that the time of adjournment be corrected to 8:55 pm, instead of 9:55 pm. Mr. Matthews noted that on

Pet. Ex #13

Page 5 – 1st paragraph, 1st line under item 9 – the term "send" should be changed to "sent." Mr. Diggs moved to adopt the January 12, 2006 Minutes as corrected. Mr. Reynolds seconded the motion, which passed unanimously on a voice vote.

Unscheduled item

Mr. Dugan informed the Commission that Ms. Abe was leaving the Office of Planning for employment in Virginia and read a draft resolution in praise and recognition of Ms. Abe's contribution to historic preservation in Baltimore County. Stating that he considered it an honor, Mr. Diggs moved to adopt the resolution. Ms. McIver seconded the motion, which passed unanimously on a voice vote.

Consent Agenda

2A. Mr. Matthews described the five items scheduled on the Consent Agenda and determined for each item separately, that no person present objected to its approval as submitted. Mr. Parker moved that, for the reasons stated, and in accordance with any conditions stated in the written Action Summaries provided to the members of the Commission by staff, items 5, 6, 7, 8 and 9 be approved as submitted. Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

Two people had signed up to testify regarding item # 9. The testimonies are noted below.

Unfinished business

3. "Union Hall," 1620 Loch Ness Road, Towson vicinity.

Postponement at staff's request (the item had been inadvertently scheduled for February 9th instead of March 9th).

4. Pine Grove School, Old Harford and Cub Hill Roads, built ca. 1865, Doncaster Village vicinity (County Register # BA 284).

This item is a nomination to schedule the property for public hearing on April 25, 2006. Mr. Reynolds so moved. Mr. Syed seconded the motion, which passed unanimously on a voice vote.

Public hearings on nominations to the Landmarks List

5. James property stable/carriage-house, 634 Main Street, Reisterstown

This item is a request by the owner's representative, Mr. Bill Keeney, to place the structure on the Landmarks List.

Approved, via consent agenda, to place on the Preliminary Landmarks List under criterion (2), as a distinctive example of a Victorian-era stable/carriage-house; and to delineate the entire remaining 0.76 acre property containing the building (map 48, parcel 859) as its historic environmental setting.

6. **"Holly Hillside" House, 20101 Valley Mill Road, construction date ca. 1877, (County Register (MHT) # BA-400)**

This item is a request, by the owner, to place the property on the Landmarks List.

Approved, via consent agenda, to place on the Preliminary Landmarks List under criterion (2) as a distinctive example of a small, well-built, vernacular rural dwelling.

7. **"Scott's Tavern" and the stone and log outbuildings, 11806 Greenspring Avenue, Caves Valley vicinity (County Register (MHT) # BA-2311**

This item is a staff request (with the owner's consent) to place the "Scotts Tavern" house and the stone and log outbuildings on the Landmarks List

Approved, via consent agenda, to place on the Preliminary Landmarks List under criterion (1), for its association with the history of the County's agricultural and commercial development in the 18th and 19th centuries; and criterion (2), as distinctive examples of rural vernacular log, stone, and frame construction. Note: This vote is with the understanding that no environmental setting for these structures is thereby being delineated, and that the Landmark listing shall not impede the owners' proposed two-lot subdivision.

8. **Franklinville Cotton Factory and Millrace, Jericho Road, Franklinville (County Register (MHT) # BA-2408 and 18BA-403)**

This item is a request by the local community to place the Franklinville Cotton Factory buildings (the factory, the auxiliary brick building southeast of the factory, and the frame boiler-house) on the Landmarks List.

Approved, via consent agenda, to place on the Preliminary Landmarks List under criterion (1), for their association with the Factory's owner and (designer), businessman and elected official Albert Blankeney – and with the County's 19th century patterns of development and continuity in dispersed, small-scale, water-powered mills; and under criterion (2), as a distinctive example of late 19th century vernacular, entrepreneur-designed mill architecture. Note: This item was added to the consent agenda, by the legal representative of the owner.

9. **"Cliffholme," 4040 Stewart Road, Chattolanee (County Register (MHT) #BA-1640), "Cliffholme" is a contributing structure in the Green Spring Valley National Register Historic District**

This item concerns a request, by community residents, to place the "Cliffholme" House on the Landmarks List.

Approved, via consent agenda, to place on the Preliminary Landmarks List under criterion (1), for its association with historically significant Howard, Stewart, and Alexander families; and criterion (2), as a distinctive example of a 20th century adaptation and enlargement in Tudor Revival style. Note: This vote is with the

understanding that it does not give the Commission authority over any previously-issued building permits or any other structures on the property.

Two persons testified regarding this matter. Mr. Timothy Naylor, a neighboring property owner, noted that he has seen many country houses saved, while the setting surrounding them was frequently not protected. Few properties remain with their setting intact. He maintained that the protection of the setting was as important as architectural protection. Cliffholme once was a grand estate of 50 acres that was subdivided into smaller lots. Today, there are only six properties with undisturbed lawns within Cliffholme's vicinity. Mr. Naylor maintained that he has collected 204 signatures supporting the placement of Cliffholme on the Landmarks List.

Ms. Patricia Bentz, Executive Director of the Baltimore County Historic Trust, stated that Council Bill 93-05, which requires the Commission to delineate a historic environmental setting, has been in effect since October 2005. Ms. Bentz asked why the LPC is not delineating a historic environmental setting for every structure placed on the Landmarks List. Mr. Matthews responded that the Commission is unable to do so until it has developed standards. Unless a landmark is owner-nominated, the Commission can not yet implement that provision. Ms. Bentz suggested putting everything on hold until the standards have been developed.

10. Clarke (Klatsky) House, 2922 Woodvalley Drive, St. Timothy's School vicinity, *built* ca. 1939

Mr. Long explained that the Office of Planning reviews all demolition requests. From time to time requests are submitted for dwellings that are not listed on the County Register, which are, however, of historic interest. Such was the case with the Clarke (Klatsky) House and thus it was put on the agenda. Upon further research, the County historian has not found an architect of note who designed the building. Also, there are many similar buildings to be found in the County. Therefore, the Office of Planning does not recommend scheduling the building for a Landmarks public hearing.

Mr. Diggs asked whether he understood Mr. Long correctly in that the house would not meet any of the five criteria that distinguish a structure as being of historic value. Mr. Long affirmed the statement. Mr. Diggs responded that there are many structures that are not necessarily built by significant architects. He maintained that frequently there are other criteria that make a building worthy of preservation. For example in African American Survey Areas, each building is significant as a whole. Mr. Long stated that the structure had been placed mistakenly on the agenda and that the recommendation now was not to schedule a public hearing. Mr. Parker moved to accept staff's recommendation. Mr. Syed seconded the motion, which passed unanimously on a voice vote.

<u>Alteration to properties in County Historic Districts</u>

11. Nixon property, 214 Morris Avenue, Lutherville, contributing property in the Lutherville County Historic District.

This item concerns a request to construct two additions (totaling 1,800 sq. ft.) onto the existing 1,472 sq. ft. cape cod style house. The addition on the west side would be set

back and project to the rear, while the east side addition would create an additional angled garage wing at the rear, visible from the street.

Mr. Larry Link, the owner's architect presented the drawings to explain his design proposal. He stated that the architecture of the additions is in keeping with the style of the historic house. He proposes upgrading the existing Anderson windows, with windows that are more historically appropriate. Additionally, he proposes replacing the existing vinyl siding with Hardiplank.

Mr. Syed questioned the rationale for the angled position of the additions – noting he did not consider the design compatible with the historic building. Mr. Link responded that he had to work around a 160-year-old tree and consider privacy and access. Mr. Syed responded that he still did not see the rationale for the "zigzag" shape of the proposed additions. He thought they were out of proportion with the existing structure, resulting in a dwelling that would cease to look historic. Mr. Syed also thought that the excessive paving would detract from the property's historic appearance.

David Bryan also expressed his concern regarding the design proposal. Mr. Diggs inquired whether the property was a contributing structure in the Lutherville Historic District. Mr. Link replied that the previous owner had applied for State Tax Credits, his request had been denied, because it was considered "noncontributing". The standards of the MHT, however, are not necessarily the same as those of Baltimore County. Mr. Bryan pointed out that in the Fieldstone County Historic District, all contributing structures are identified. Mr. Dugan responded that Lutherville was one of the early districts and there is no documentation on which structures contribute and which do not.

Mr. Syed reiterated his concern with the proposed design. He asked that the garage addition be redesigned so that it is perpendicular to the house with a side entry access. Mr. Parker moved that the design be revised and brought back to the Commission with a revised footprint. Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

Recommendations on Baltimore County Register (MHT Inventory) Structures

12. Townsend-Reter House, 4819 Butler Road, Pennington-Bay House, 4825 Butler road, and Wheeler-Reter Store, 13-15 Railroad Avenue, Glyndon (County Register # BA-755)

This item concerns the redevelopment of a site that contains contributing structures in the Glyndon National Register Historic District. The concept plan proposes rehabilitating the Townsend-Reter House and the Wheeler-Reter Store, as well as the demolition of the Pennington-Bay House and the construction of two new mixed-use structures on the same site. Mr. Dusky Holman, representing the contract purchaser, stated that the property is in Glyndon, but not part of the Glyndon County Historic District. His client will seek a waiver through an Administrative Special Hearing, from the requirement that the Pennington-Bay House must be preserved. His client offers restoring the Townsend-Reter house and the Wheeler-Reter Store. The rehabilitation would not involve any structural changes to the two structures. His client had explored restoring the Pennington-Bay House, but found it not feasible. The lay-out of the site would preclude the development of two new retail buildings with parking to the side and the rear. Distinctive

features of the Townsend-Reter House and the Wheeler-Reter-Store would be incorporated into the two proposed buildings.

He and his client met with Councilman Bryan McIntire, who was in support of the project. They also met with Historic Glyndon, Inc., which also supports the project.

Mr. Matthews noted that staff recommended voting to endorse the concept of the re-development of the Reter property, and not to object to the demolition of the Pennington-Bay House, provided the Townsend-Reter House and the Wheeler-Reter Store would be rehabilitated in compliance with the Secretary of the Interior's Standards.

Ms. Kimberley Karlsen, president of Historic Glyndon, Inc., reiterated her organization's decision, which had been expressed in an earlier letter addressed to the LPC. In principle, her group opposed any demolition request for historic structures. However, the Towsend-Reter House is an exceptionally important structure. It embodies the gateway into Historic Glyndon, and thus extenuating circumstances factor into the decision. The benefit of the proposed rehabilitation of the Towsend-Reter House and the Wheeler-Reter Store, outweighs the loss of the Pennington-Bay House. She stressed that Historic Glyndon, Inc.'s support for the proposed demolition should not be perceived as precedent setting.

Mr. Diggs inquired whether the Pennington-Bay House had an MHT number, which Mr. Holman affirmed. Mr. Diggs observed that from looking at the photograph it would be "a crime to tear the building down," and asked what Glyndon's rationale was for supporting demolition request. Ms. Karlsen responded that there had been several proposals for this property over the years, none sympathetic to the historic structures, or the impact on Historic Glyndon. Mr. Gary Getz, the project's architect for the project, stated that his client proposed to spend close to one million dollars on the rehabilitation of the two structures. Attempts to save the Pennington House had been seriously considered, but proved impossible.

Mr. Reynolds observed that the property was not part of the Glyndon County Historic District. Mr. Holman responded that it was exempted, but that once the development would be completed, his client would request that it be part of the Glyndon County Historic District (Note: This is a contributing property in the Glyndon National Register Historic District).

Mr. Bryan inquired whether the Commission needed to review the proposal. Mr. Matthews responded that the LPC was being asked to consider supporting the concept and not to object to the demolition. This action would not entail approval of the final plans. Mr. Syed made a motion to that effect. Mr. Parker seconded the motion. Except for Mr. Diggs, who was opposed, all Commissioners voted in favor. The motion passed.

13. Riley Property, 537 Monkton Rd., Hereford vicinity, built ca. 1934 (County Register, (MHT) # BA-2924)

This item concerns a demolition request in conjunction with a two-lot subdivision. Mr. Parker moved not to object to the demolition request. Mr. Diggs seconded the motion. Mr. Dugan explained that the Office of Planning reviews all demolition requests. Most of the structures are not historic. Staff generally makes a determination by examining photographs. Most are approved, but some are brought before the Commission for

consideration. When staff reviewed the photographs of the Riley house, the siding was stripped away and it appeared that the building's integrity had been compromised. A decision was made not to bring it before the Commission. Subsequently, the Deputy People's Counsel saw the order and noticed that it had not been subject to a Public Hearing. She felt that it should be brought before the LPC and that a public hearing should take place. Staff disagrees and recommends voting not to object to the demolition of the Riley house.

Mr. Guy Ward, representing the owner, reiterated Mr. Dugan's comments and introduced Ms. Cindy Riley, the current owner. Ms. Riley stated that the grandfather of the previous owner, Ms. Cheryl Bozman, built the house - that it was not unique and that there were many houses like it. She noted that she had preserved buildings in the past, but did not consider this building worthy of preservation. Also, many neighbors supported the demolition of the house. Ms. Bozman testified that she requested the demolition.

Ms. Bentz requested that the property be scheduled for public hearing. She thought that it was listed as one of the important buildings for which protection is recommended in the Hereford Plan.* She stated that she drove by the building and thought its windows beautiful. The siding appeared to have been removed, but she speculated that the original siding was under the tarpaper. She observed that Hereford has the potential for historic district designation and demolition of the house would ruin the continuity.

Mr. Syed inquired how long the house had been vacant. The owner conjectured two years. Ms. Bozman observed that it had been rented and that the foundation was not in very good shape. Mr. Diggs withdrew his seconding of the motion. He then moved to schedule a public hearing. Ms. McIver seconded the motion. Ms. McIver, Mr. Reynolds, Mr. Diggs, Ms. Secoura and Mr. Bryan voted for the motion. Mr. Seyed and Mr. Parker were opposed. The motion failed.

Mr. Syed suggested forming a Technical Committee that would examine the building's safety and whether it is salvageable. Mr. Reynolds stated that he would like to hear from the Hereford community. Ms. Riley responded that the sign has been posted for a long time – if the community is opposed, the LPC would have heard from them. Mr. Reynolds inquired what it was posted for. Mr. Ward replied that the sign indicated a request for a waiver (from Section 32-4-416) and permission to demolish the building. When the case was heard, no one showed up. Ms. Bentz continued to maintain that a public hearing was appropriate. Mr. Diggs moved to schedule a public hearing pending on the Technical Committee's finding of structural soundness. Ms. McIver seconded the motion. Except for Mr. Parker, who abstained, all Commissioners voted in favor of the motion. The motion passed.

A Technical Committee was formed consisting of Ms. McIver, Mr. Reynolds, Mr. Diggs and Mr. Syed. Mr. Boswell's participation was requested in absentia. The date for the site visit was set for March 7, 2006 at 4:00 PM. Ms. Riley promised to be there. She inquired whether the Commission was considering structural integrity or whether it was salvageable. Mr. Syed responded that they were looking at the house from all aspects.

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* Staff subsequently has determined that the building indicated on the map on page 45 of the Hereford Community Plan is the house at 525 Monkton Road, on the adjoining property.

Other business

14. Interim procedures on County tax credit inquiries (draft Resolution and Application Forms

In response to the newly adopted Historic Tax Credit Law, Mr. Dugan prepared a Draft Resolution for the Commission to authorize the Office of Planning to approve Part II Applications in cases where the applicant had received approval of the State's Part 2 Historic Tax Credit application, or where the Commission had issued a Certificate of Appropriateness before January 30, 2006. In both instances applicants would only be eligible if no rehabilitation work had commenced prior to the approval of the Part II Application. Mr. Diggs moved to adopt the Resolution. Mr. Reynolds seconded the motion, which passed unanimously on a voice vote.

14A. Applications for Tax Credit, Part II Certifications of Appropriateness

- **"Thorn Hill," 13310 Fork Road, Baldwin (Final Landmarks List # 234)**
- **Boccuti property, 7105 Oxford road (Stoneleigh National Register District)**

Ms. Brown noted that the first application was a good example of a case where the process allowed by the previously adopted Resolution was appropriate. The application had received a Part II approval from the State for the replacement of the building's tin roof. The second application, was an example of a case that henceforth could probably be presented as a consent agenda item.. Here the applicant asked for approval for the repair of the slate roof. Staff has recommended issuance of a Certificate of Appropriateness for both requests. Mr. Reynolds so moved. Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

15. Amended Resolution on Requests for Postponements

In response to the frequent last minute requests for postponement of LPC actions, Mr. Dugan prepared a Revised Draft Resolution to amend the Resolution adopted on May 12, 2005. The revision provides that, rather than having to wait until the time of the scheduled meeting, for a vote by the whole Commission, the request would be sent to the Chairman, who would, based on the validity of the justification provided, grant or deny the postponement. All Commissioners would be informed of the request, as well as of the Chairman's decision. Mr. Dugan clarified that this process will apply only to items that have already been scheduled. Mr. Diggs inquired why the Office of Planning could not assume the responsibility of deciding whether to approve or disapprove a postponement request. Mr. Parker replied that the original process placed the responsibility on the LPC. The Chairman is part of that body, hence the proposal is within the spirit of the original precept. Mr. Parker moved to adopt the Draft Resolution. Mr. Syed seconded the motion, which passed unanimously on a voice vote.

16. **Scheduling of site visits before the March 9th LPC meeting**

The site visit for 1503 Franke Avenue was scheduled for Thursday, February 23, at 10:00 AM. Ms. Nevy will contact the owner and confirm that the footprint of the proposed building will be staked out. The Technical Committee was to consist of Ms. McIver and Mr. Diggs and Mr. Matthews.

No date was scheduled for the site visit for Cromwell Valley. The Technical Committee was to consist of Mr. Reynolds, Ms. Secoura, and Mr. Boswell. Ms. Nevy will contact the relevant parties regarding an appropriate time.

17. **Legislative Update**

Mr. Dugan noted that he had sent the Commission two items – the first, consisting of several separate bills, would convey district designations to historic structures on the Final Landmarks List. The district designation would render the properties eligible for State Tax Credits. The second item, Bill 13-06 includes most of the structures adopted by the LPC, but not the Rachel Carson House. Mr. Bryant inquired why. Mr. Matthews explained that it was within the purview of the Council to place, or not to place any structures on the Final Landmarks List.

The meeting was adjourned at 8: 06 p.m.

pet Exh 14

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2006, Legislative Day No. 15

Bill No. 94-06

Mr. John Olszewski, Sr., Chairman
By Request of County Executive

By the County Council, August 7, 2006

A BILL
ENTITLED

AN ACT concerning

Final Historical Landmarks List

FOR the purpose of adding new landmarks to the Final Historical Landmarks List; and generally relating to the Baltimore County Historical Landmarks List.

WHEREAS, the Landmarks Preservation Commission has met and compiled a preliminary list of additional structures to be added to the Final Historical Landmarks List; and

WHEREAS, the following structures have been identified on the preliminary landmarks list by the Commission and have been reviewed by the County Executive; and

WHEREAS, a public hearing was held by the County Council on June 19, 2006 to determine which structures should be included on the "final landmarks list"; and

WHEREAS, the County Council finds that the following structures contribute substantially to the architectural and historical heritage of the county, state or nation; now, therefore

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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.

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE

PETITIONER'S EXHIBIT 14

COUNTY, MARYLAND that new items 324 through 338, inclusive, be and they are hereby added to the Final Historical Landmarks List, to read as follows:

Final Historical Landmarks List

The following historical landmarks are hereby adopted as part of the Final Historical Landmarks List:

(324) William Slade's Store and setting, 2224 White Hall Road
(325) Webb Bungalow and setting, 176 Winters Lane
(326) Daniel Lee House #2, 100 East Pennsylvania Avenue
(327) James property stable/carriage-house and setting, 634 Main Street
(328) "Holly Hillside" 20101 Valley Mill Road
(329) "Scott's Tavern" house, stone outbuilding, and log outbuilding, 11806 Greenspring Avenue
(330) Franklinville Cotton Factory, auxiliary brick building southeast of the factory, and frame boiler-house, Jericho Road
(331) "Cliffholme" 4040 Stewart Road
(332) "Eighteen Mile House" and setting, 808 Westminster Pike
(333) Rockland Blacksmith's House and setting, 10113 Falls Road
(334) Watters House, 4301 Windy Hill Road
(335) Rider-Bushman House and setting, 1812 Landrake Road
(336) "Wickcliffe" ("Castle") at "Maryvale", Greenspring Valley Road
(337) Shipley Mill, 13027 Beaver Dam Road
(338) "Partridge House", 2315 Hunter Mill Road

SECTION 2. AND BE IT FURTHER ENACTED, that this Final Historical Landmarks List shall be maintained by the Landmarks Preservation Commission as provided in Section 32-7-105 of the Baltimore County Code, 2003, as amended.

SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five days from the date of its enactment.

b09406.wpd

Department of Permits and Development Management

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

Baltimore County

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

August 29, 2005

Melinda Geppi
Stephen Geppi
4040 Stewart Road
Stevenson, Maryland 21153

Dear Mr. and Mrs. Geppi:

RE: Case Number: 06-035-A, 4040 Stewart Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 13, 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.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
L.J. Link P.O. Box 727 Brooklandville 21022

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director **DATE:** August 5, 2005

Department of Permits and
Development Management

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

SUBJECT: 4040 Stewart Road

INFORMATION:

Item Number: 6-035

Petitioner: Melinda and Stephen Geppi

Zoning: RC 5

Requested Action: Variance

The property in question is located in the Greenspring Valley National Register District and has a MHT Number BA 1640. The existing dwelling, known as "Cliffeholme" is sited on the rear of the property with a front yard setback of 524' and a wooded rear yard setback of 195'. The requested variance is to permit 5 accessory structures to be located in the front yard in lieu of the required rear yard with heights of 19' to 29' in lieu of the required 15.' The Office of Planning has reviewed a site plan and architectural elevation drawings.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request and finds the accessory structures are compatible with the character of the historic site provided the following conditions are met:

1. Provide supplemental planting along the western property line.
2. Submit archival quality photographs of all four facades of the historic dwelling.
3. The new accessory structures should be constructed in accordance with the architectural elevation drawings prepared by L.J. Link Jr.
4. The accessory structures should not be used for living quarters or for commercial purposes.

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For further information concerning the matters stated here in, please contact Dianan Itter at 410-887-3480.

Prepared by: _____

Division Chief: _____
AFK/LL: CM

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For further information concerning the matters stated here in, please contact Dianan Itter at 410-887-3480.

Prepared by: _____

Division Chief: _____
AFK/LL: CM

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

August 2, 2005

Distribution Meeting of August 1, 2005

ATTENTION: Zoning Review Planners

Item No. 032, 033, 034, 035, 036, 037, 038, 039, 040, 041 and 043

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

The Fire Department has no comments at this time.
If you have any questions contact my office.

Acting Lt. Warren T. Moffitt
Fire Marshal's Office
410-887-4880
MS-1102F

Cc:file

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 7·29·05

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

RE: Baltimore County
Item No. 035 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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

BW 9/7

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: August 8, 2005

RECEIVED

AUG 1 0 2005

ZONING COMMISSIONER

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 8, 2005
Item Nos. 032, 033, 034, 035, 036, 038, 039, 040, 041, 042, 043,

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-08082005.doc

CLIFFEHOLME

Built ~~Established~~ 1848, Remodeled in 19 1872, 1929 and 2003

Photo Gallery

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: August 11, 2005

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT:		
	Item No.:	035
	Legal Owner/Petitioner	Gepp, Melinda & Stephen
	Contract Purchaser:	N/A
	Property Address:	4040 Stewart Rd.
	Location Description:	N/W Stewart Rd., 2600' W Park Heights Ave

VIOLATION INFORMATION: Case No.
Defendants: 02-5569

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Bob Heiniger	410-631-3315

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

X 1. Complaint letter/memo/email/fax (if applicable)
X 2. Complaint Intake Form/Code Enforcement Officer's report and notes
X 3. State Tax Assessment printout
☐ 4. State Tax Parcel Map (if applicable)
☐ 5. MVA Registration printout (if applicable)
☐ 6. Deed (if applicable)
☐ 7. Lease-Residential or Commercial (if applicable)
☐ 8. Photographs including dates taken
☐ 9. Correction Notice/Code Violation Notice
☐ 10. Citation and Proof of Service (if applicable)
☐ 11. Certified Mail Receipt (if applicable)
☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/ph
C: Code Enforcement Officer

Code Enforcement - Closing Report

Inspector - HOHNE Activity Date Closed 8/26/2002

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
015	02-5569	4040 STEWART RD		21163	8/02/2002	8/21/2002

Tax Acct #: 2300003975

Complainant Name: (Last) HEINIGER (First) BOB
Addr: MD. STATE DIV. OF SOLID WASTE
Str # Dir Street Name Type Apt

City ST Zip
Phone: (Home) (Work) 410/631-3315

Problem: RENOVATING AN HISTORIC HOUSE & THROWING EVERYTHING INTO THE SWIMMING POOL, CHECK FOR PERMITS, ILLEGAL LANDFILL & OPEN DU MP; ** CLOSED ON 8/5/02 & REOPENED ON 8/21/02 BECAUSE COMPL. NOT SATISFIED, & IS WILLING TO TESTIFY, WILL CALL P/HOHNE.. .....

Notes:

RESPONSIBLE PARTY : JH COHOON.HAS THREE NEW PERMITS ON PROPE RTY. GIVE TO BUILDING.

8/5/02 OWNER HAS PERMITS FOR WORK HE IS DOING. HOUSE IS NOT HISTORIC ACCORDING TO TAX R ECORDS. OLD POOL WAS FILLED IN AND GRADED OVER. POOL IS GONE . OWNER SAIDONLY THING USED FOR FILL WAS POOL ITSELF, DIRT & CONCRETE DECK AROUND POOL. NOT AN OPEN DUMP CONDITION. NO C AUSE FOR ACTION. COMPLAINANT CALLED. CLOSED CASE. P.HOHNE/ NS***

8/21/02 REOPENED DUE TO THAT FACT COMPL. IS N OT SATISFIED & IS WILLING TO TESTIFY, WILL CALL P.HOHNE.. . (S.S)** ****8/21 /02, ANONYMOUS LETTER PUT IN FILE, DP/CO****

8/26/02 PER R.S.W. THIS IS NOT A CODE ENFORCEMEN T VIOLATION. NO JURISDICTION. THIS IS A DEPRM MATTER. COMP LAINANT NEEDS TO CONTACT DAVID CARROL. COMPLAINANT IS ANONY MOUS BY LETTER. NOT BOB HEIGNER. CLOSE CASE. P.HOHNE/NS***

6B

Code Enforcement - Daily Worksheet

Inspector - Hohne

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
015	02-5569	4040 STEWART RD		21163	8/02/2002	8/21/2002

Tax Acct #: 2300003975

Complainant Name: (Last) HEINIGER (First) BOB
Addr: MD. STATE DIV. OF SOLID WASTE
Str # Dir Street Name Type Apt
City ST Zip
Phone: (Home) (Work) 410/631-3315

Problem: RENOVATING AN HISTORIC HOUSE & THROWING EVERYTHING INTO THE SWIMMING POOL, CHECK FOR PERMITS, ILLEGAL LANDFILL & OPEN DUMP; ** CLOSED ON 8/5/02 & REOPENED ON 8/21/02 BECAUSE COMPL. NOT SATISFIED, & IS WILLING TO TESTIFY, WILL CALL P/HOHNE.. .....

Notes:

RESPONSIBLE PARTY : JH COHOON.HAS THREE NEW PERMITS ON PROPERTY. GIVE TO BUILDING.

8/5/02 OWNER HAS PERMITS FOR WORK HE IS DOING. HOUSE IS NOT HISTORIC ACCORDING TO TAX RECORDS. OLD POOL WAS FILLED IN AND GRADED OVER. POOL IS GONE. OWNER SAID ONLY THING USED FOR FILL WAS POOL ITSELF, DIRT & CONCRETE DECK AROUND POOL. NOT AN OPEN DUMP CONDITION. NO CAUSE FOR ACTION. COMPLAINANT CALLED. CLOSED CASE. P.HOHNE/NS***

8/21/02 REOPENED DUE TO THAT FACT COMPL. IS NOT SATISFIED & IS WILLING TO TESTIFY, WILL CALL P.HOHNE... (S.S)**

8/26/02 - Per RSW - ~~Those~~ This is not a Code inforcement Violation No Jurisdiction. This is a DEPRM matter. Complainant needs To Contact David Carrol, Complainant is Anonymous by letter. Not Bob Heigmen.

Close Case

Hohne

GB

P/U Date		Closed Date		Gary F to update
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary

Executive office Complaint	Yes	No	If Yes is Executive memo attached?	Yes	No

CODE ENFORCEMENT REPORT

GB

DATE: 8/21/02 INTAKE BY: JT CASE #: 02-5569 INSPEC: 15

COMPLAINT LOCATION: 4040 STEWART RD

ZIP CODE: 21143 DIST:

COMPLAINANT NAME: Letter PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: Complaint HAS CALLED IN IS NOT SATISFIED WILL CONTACT P. HOHNE AND is WILLING TO TESTIFY.

IS THIS A RENTAL UNIT? YES ✓ NO

IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 2300003975 ZONING:

INSPECTION: RE OPEN

REINSPECTION:

REINSPECTION:

REINSPECTION:

02 - 5569

August 15, 2002

Mr. Keith Parker
Code Inspector
Baltimore County
Department of Permit & Development Management
Code Enforcement Division
111 Chesapeake Avenue
Towson, MD 21204

Dear Mr. Parker:

This letter is to inform you of an open dump at 4040 Stewart Road, Stevenson, Maryland 21153.

The house at 4040 Stewart Road is under renovation. The owner, Larry Cohoon, did not want to incur the cost of having the debris from the renovation hauled away, so he decided to use the old pool on the property as a dump. I personally witnessed sinks, toilets, bathtubs, pipes and fixtures being broken up and thrown into the pool.

It is my understanding that he did not have a permit to use his pool as an open dump, and did not have a permit for the demolition of the basement and/or bathrooms. His plan was to fill the pool with debris to the top, then cave the walls in and bury the whole thing, so that no one would ever know it was there. This behavior is contemptible. Breaking the law and polluting the land with an open dump or landfill are actions for which he should be held accountable.

At this time I do not know whether the pool has been covered or not. However, the web site cliffeholme.com contains a picture of the pool.

Thank you for your attention to this matter.

Anonymous.

cc: Kevin Kamemetz

GP

Code Enforcement - Daily Worksheet

Inspector - Hohne

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
015	02-5569	4040 STEWART RD		21163	8/02/2002	

Tax Acct #: 2300003975

Complainant Name: (Last) HEINIGER (First) BOB
Addr: MD. STATE DIV. OF SOLID WASTE
Str # Dir Street Name Type Apt

City ST Zip
Phone: (Home) (Work) 410/631-3315

Problem: RENOVATING AN HISTORIC HOUSE & THROWING EVERYTHING INTO THE SWIMMING POOL, CHECK FOR PERMITS, ILLEGAL LANDFILL & OPEN DU MP;

Notes:
RESPONSIBLE PARTY : JIM COHOON.HAS THREE NEW PERMITS ON PROPE RTY. GIVE TO BUILDING.

Fence

ADD rear + AIT B 491466
P 492207 + 482777
E

8/5/02 - owner has permits for work he is doing. House is not historic according to tax records - Old pool was filled in and graded over Pool is gone owner said only thing used for Fill was pool itself dirt and concrete deck around pool. not an open dump condition no cause for action Close Case complainant Called.

NF GB

P/U Date		Closed Date		Gary F to update
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary

Executive office Complaint	Yes	No	If Yes is Executive memo attached?	Yes	No

E ENFORCEMENT REPO 25 06 NCF

DATE: 8/2/2 INTAKE BY: RM CASE #: 02-5569 INSPEC: 18 GB

COMPLAINT LOCATION: 4040 Stewart Rd.

Stevenson, Md ZIP CODE: 21153 DIST:

COMPLAINANT NAME: Bob Heiniger PHONE #: (H) (W) 410-631-3315

ADDRESS: Md State Div of Solid Waste ZIP CODE:

PROBLEM: Renovating an historic house, and throwing "everything" into the swimming pool - Check for: permits, illegal landfill, open dump (Has These permits.)

IS THIS A RENTAL UNIT? YES ____ NO ____

IF YES, IS THIS SECTION 8? YES ____ NO ____

OWNER/TENANT INFORMATION: Responsible party: J. H. Cohoon

TAX ACCOUNT #: 23-00-003975 ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

Code Enforcement - Closing Report

Inspector - Activity Date Closed 8/05/2002

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
015	02-5569	4040 STEWART RD		21163	8/02/2002	

Tax Acct #: 2300003975

Complainant Name: (Last) HEINIGER (First) BOB
Addr: MD. STATE DIV. OF SOLID WASTE
Str # Dir Street Name Type Apt

City ST Zip
Phone: (Home) (Work) 410/631-3315

Problem: RENOVATING AN HISTORIC HOUSE & THROWING EVERYTHING INTO THE SWIMMING POOL, CHECK FOR PERMITS, ILLEGAL LANDFILL & OPEN DU MP;

Notes:

RESPONSIBLE PARTY : JH COHOON.HAS THREE NEW PERMITS ON PROPE RTY. GIVE TO BUILDING.

8/5/02 OWNER HAS PERMITS FOR WORK HE IS DOING. HOUSE IS NOT HISTORIC ACCORDING TO TAX R ECORDS. OLD POOL WAS FILLED IN AND GRADED OVER. POOL IS GONE . OWNER SAID ONLY THING USED FOR FILL WAS POOL ITSELF, DIRT & CONCRETE DECK AROUND POOL. NOT AN OPEN DUMP CONDITION. NO CAUSE FOR ACTION. COMPLAINANT CALLED. CLOSED CASE. P.HOHNE/ NS***

RA1001B

DATE: 07/31/2002 STANDARD ASSESSMENT INQUIRY (1)
TIME: 13:33:16

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
23 00 003975	03	2-1	04-00	H	NO		07/17/02

COHOON J LARRY
DESC-1.. IMPS9.72 AC
DESC-2.. 2600FT W PARK HGTS AVE
4040 STEWART RD
PREMISE. 04040 STEWART ST
00000-0000
STEVENSON MD 21153-0680 FORMER OWNER: CLIFFEHOLME LLC

---------- FCV ----------			---------- PHASED IN ----------		
	PRIOR	PROPOSED		CURR FCV	CURR ASSESS	PRIOR ASSESS
LAND:	232,180	607,360				
IMPV:	1221,130	484,780	TOTAL..	1092,140	1092,140	1453,310
TOTL:	1453,310	1092,140	PREF...	0	0	0
PREF:	0	0	CURT...	1092,140	1092,140	0
CURT:	1453,310	1092,140	EXEMPT.		0	0
DATE:	12/98	10/01				

---- TAXABLE BASIS ----		FM DATE
02/03 ASSESS:	1092,140	07/16/02
01/02 ASSESS:	1453,310	06/01/01
00/01 ASSESS:	483,830	06/01/00

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

Zoning Commissioner

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

10/14

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

October 14, 2005

Mr. & Mrs. Stephen Geppi
4040 Stewart Road
Stevenson, Maryland 21153

RE: PETITION FOR VARIANCE
N/S Stewart Road, 2600' W of the c/l Park Heights Avenue
(4040 Stewart Road)
3rd Election District – 2nd Council District
Stephen Geppi, et ux - Petitioners
Case No. 06-035-A

Dear Mr. & Mrs. Geppi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in part and denied in part, 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,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

A-Granted / Denied

SHOULD PC APPEAL?

Protestants Involved? I'm surprised
✓ Yes ___ No Wiseman.

Interested Citizens Involved? denied
✓ Yes ___ No partly the 1

PMZ: No PMZ 10/27/05

CSD: Noted below

Jr., P.O. Box 727, Brooklandville, Md. 21022
aylor, 4001 Stewart Road, Stevenson, Md. 21153
an, 4006 Stewart Road, Stevenson, Md. 21153
man, 17 Cliffholme Road, Stevenson, Md. 21153
C. Wright, 4016 Stewart Road, Stevenson, Md. 21153
, 4007 Stewart Road, Stevenson, Md. 21153
Wesley Finnerty, 4030 Stewart Road, Stevenson, Md. 21153
Bellemore Road, Baltimore, Md. 21210
0 Stewart Road, Stevenson, Md. 21153
Teresa Moore, Valleys Planning Council, P.O. Box 5402, Towson, Md. 21285-5402
Ms. Diana Itter, Office of Planning; People's Counsel; Case File

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

Printed on Recycled Paper

In Re: Petition for Variance N/S Stewart Rd, 2600' W of the c/l Park Heights Ave. 4040 Stewart Rd 3rd Election District 2nd Councilmanic District	* * * *	BEFORE BOARD OF APPEALS OF BALTIMORE COUNTY
Petitioners: Stephen Geppi, et ux	* *	CASE NO. 06-035A

* * * * * * * * *

ENTRANCE OF APPEARANCE

Please enter the appearances of Arnold Jablon and David Karceski, Venable, LLP, 210 Allegheny Ave., Towson, Maryland 21204 on behalf of the Petitioners Stephen Geppi and Melinda Geppi in the instant matter.

Arnold Jablon

David Karceski

David Karceski
210 Allegheny Ave
Towson, Maryland 21204
410-494-6298

Counsel for Petitioners

Certificate of Service

IT IS HEREBY CERTIFIED that a copy of this Entrance of Appearance was mailed, by first class delivery, to Office of People's Counsel, 400 Washington Ave., Towson, Maryland 21204 and to Thomas Finnerty, 400 Stewart Rd, Stevenson, Maryland 21153, on this 7th day of February 2006.

Arnold Jablon

RECEIVED
FEB 07 2006
BALTIMORE COUNTY
BOARD OF APPEALS

RE: PETITION FOR VARIANCE 4040 Stewart Road; NW/side Stewart Road, 2,600' W Park Heights Avenue 3rd Election & 2nd Councilmanic Districts Legal Owner(s): Melinda & Stephen Geppi Petitioner(s)	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	FOR
	*	BALTIMORE COUNTY
	*	06-035-A

* * * * * * * * * * * * *

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 sent and all documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
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 August, 2005, a copy of the foregoing Entry of Appearance was mailed to, L.J. Links, Jr., P.O. Box 727, Brooklandville, MD 21022, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
AUG 02 2005
Per...

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

April 18, 2006

Lawrence S. Wescott, Chairman
County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

RECEIVED
APR 18 2006
BALTIMORE COUNTY
BOARD OF APPEALS

Re: Melinda and Stephen Geppi
Case. No.: 06-035-A

Dear Mr. Wescott:

Our office would like to maintain its interest to as a party in this case.

The case comes before the County Board of Appeals *de novo* upon appeal of the partial grant of a petition for variances. It is subject to review under the BCZR 307.1 standards for variances, including uniqueness pertaining to the property which results in practical difficulty. There must also be consideration of the impact on the public safety, health and welfare. The leading cases include Cromwell v. Ward 102 Md. App. 691 (1995) and McLean v. Soley 270 Md. 208 (1973).

Upon review of the record to date, we do not see any indication that the present petition meets these challenging standards. The CBA, of course, will have to review the evidence presented, make findings of facts, and come to its legal conclusions. As there are capable attorneys representing the property owner and interested neighbors, we will leave the presentation of evidence to them.

We ask the right to file a memorandum should it appear necessary and appropriate. We also reserve the right to participate at Circuit Court in the event of a petition for judicial review is filed.

Sincerely,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw
cc: Arnold Jablon, Esquire
David Karceski, Esquire
J. Carroll Holzer, Esquire
Teresa Moore, Director of Valleys Planning Council

Department of Permits and Development Management

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

Baltimore County

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

December 21, 2005

Mr. and Mrs. Stephen Geppi
4040 Stewart Road
Stevenson, Maryland 21153

Dear Mr. and Mrs. Geppi:

RE: Case : 06-035-A, 4040 Stewart Road

Please be advised that an appeal of the above-referenced case was filed in this office on November 8, 2005 by Thomas Finnerty. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Timothy Kotroco
Director

TK: clb
c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Mr. Larry Link, Jr. P.O. Box 727, Brooklandville, MD 21022
Mr. and Mrs. Tim Naylor 4001 Stewart Road, Stevenson MD 21153
Mr. Jephta Drachman, 4006 Stewart Road, Stevenson MD 21153
Ms. Katherine Hoffman, 17 Cliffholme Road, Stevenson MD 21153
Mr. and Mrs. William Wright, 4060 Stewart Road, Stevenson MD 21153
Ms. Eleanor Bedford, 4007 Stewart Road, Stevenson MD 21153
Messers. Thomas and Wesley Finnerty, 4030 Stewart Road, Stevenson MD 21153
Ms. Sara Brooks, 919 Bellemore Road, Baltimore MD 21210
Ms. Anne Gibbs, 3920 Stewart Road, Baltimore, MD 21153
Ms. Teresa Moore, Valleys Planning Council, P.O. Box 5402, Towson MD 21286
Ms. Diana Itter, Office of Planning, People's Counsel; Case File

APPEAL

Petition for Variance
4040 Stewart Road
N/S Stewart Road, 2600' W of the c/l Park Heights Avenue
3rd Election District – 2nd Councilmanic District
Legal Owner: Stephen Geppi,et.ux.

Case No.: 06-035-A

Petition for Variance (July 13, 2005)

Zoning Description of Property

Notice of Zoning Hearing (July 29, 2005)

Certification of Publication (August 23, 2005 – The Jeffersonian)

Certificate of Posting (August 23, 2005) by Martin Ogle

Entry of Appearance by People's Counsel (August 2, 2005)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet – One Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibit
1. Plat to accompany Petitions
2. Sketches of Building Elevations, A-G
3. Zoning Map- Aerial Shot, denotes position of Cliffeholme on rear of lot

Protestants' Exhibits –
1. Letter Dated September 7, 2005, letter of opposition

Miscellaneous (Not Marked as Exhibit) –
1. Letter dated September 2004- From Architect
2. Code Inspections and Enforcement Report

Deputy Zoning Commissioner's Order (October 14, 2005)

Notice of Appeal received on November 8, 2005 from Thomas Finnerty

c: People's Counsel of Baltimore County, MS #2010
Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Stephen Geppi 4040 Stewart Road Stevenson 21153
L.J. Link P.O. Box 727 Brooklandville 21022

date sent December 21, 2005, clb

William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Mr. Larry Link, Jr. P.O. Box 727, Brooklandville, MD 21022
Mr. and Mrs. Tim Naylor 4001 Stewart Road, Stevenson MD 21153
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Ms. Teresa Moore, Valleys Planning Council, P.O. Box 5402, Towson MD 21286
Ms. Diana Itter, Office of Planning, People's Counsel; Case File

APPEAL

Petition for Variance
4040 Stewart Road
N/S Stewart Road, 2600' W of the c/l Park Heights Avenue
3rd Election District – 2nd Councilmanic District
Legal Owner: Stephen Geppi,et.ux.

Case No.: 06-035-A

✓ Petition for Variance (July 13, 2005)

✓ Zoning Description of Property

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Certification of Publication (August 23, 2005 – The Jeffersonian)

✓ Certificate of Posting (August 23, 2005) by Martin Ogle

✓ Entry of Appearance by People's Counsel (August 2, 2005)

✓ Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

✓ Citizen(s) Sign-In Sheet – One Sheet

✓ Zoning Advisory Committee Comments

RECEIVED
DEC 21 2005
BALTIMORE COUNTY
BOARD OF APPEALS

Petitioners' Exhibit
1. ✓ Plat to accompany Petitions
2. ✓ Sketches of Building Elevations, A-G
3. ✓ Zoning Map- Aerial Shot, denotes position of Cliffeholme on rear of lot

Protestants' Exhibits –
1. ✓ Letter Dated September 7, 2005, letter of opposition

Miscellaneous (Not Marked as Exhibit) –
1. ✓ Letter dated September 2005 - From Architect – DATED 9/10/05
2. ✓ Code Inspections and Enforcement Report

✓ Deputy Zoning Commissioner's Order (October 14, 2005)

✓ Notice of Appeal received on November 8, 2005 from Thomas Finnerty

c: People's Counsel of Baltimore County, MS #2010
Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Stephen Geppi 4040 Stewart Road Stevenson 21153
L.J. Link P.O. Box 727 Brooklandville 21022

date sent December 21, 2005, clb

William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Mr. Larry Link, Jr. P.O. Box 727, Brooklandville, MD 21022
Mr. and Mrs. Tim Naylor 4001 Stewart Road, Stevenson MD 21153
Mr. Jephta Drachman, 4006 Stewart Road, Stevenson MD 21153
Ms. Katherine Hoffman, 17 Cliffholme Road, ~~Stevenson MD 21153~~ owings Mills 21117
Mr. and Mrs. William Wright, 4060 Stewart Road, Stevenson MD 21153
Ms. Eleanor Bedford, 4007 Stewart Road, Stevenson MD 21153
*Messers. Thomas and Wesley Finnerty, 4030 Stewart Road, Stevenson MD 21
Ms. Sara Brooks, 919 Bellemore Road, Baltimore MD 21210
Ms. Anne Gibbs, 3920 Stewart Road, Baltimore, MD 21153
Ms. Teresa Moore, Valleys Planning Council, P.O. Box 5402, Towson MD 21286
Ms. Diana Itter, Office of Planning, People's Counsel; Case File

Ret'd 3/01/06

Counsel for Petitioners
Arnold Jablon, Esquire
David Karceski, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

* J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, MD 21286
Counsel for Appellant

Case No. 06-035-A

In the Matter of: Stephen Geppi, et ux /Legal Owners /Petitioners

VAR – To permit 5 residentially used accessory structures (pool with pool house, open and enclosed pavilion) to be located in front yard ilo req'd rear yard, with heights of 19' to 29' ilo max allowed 15'.

10/14/05 - D.Z.C.'s Order in which requested variance relief was GRANTED in part (indoor pool with pool house and 2 open air pavilions) and DENIED in part (two 2-story art gallery /tearoom /studio /office buildings (Buildings B and E) to be located in front yard ilo required rear yard w/heights of 19' to 29' ilo max allowed 15'.

NOTE:
ON APPEAL ONLY AS TO THE GRANTING OF THE INDOOR POOL WITH POOL HOUSE AND 2 OPEN AIR PAVILIONS.

APPEAL NOT TAKEN FROM DENIAL OF REMAINING VARIANCE RELIEF SOUGHT.

11/18/05 – Letter of entry of appearance filed by J. Carroll Holzer, Esquire – entering appearance on behalf of Tom Finnerty, Apellant. File noted.

2/07/06 – Entry of Appearance filed by Arnold Jablon and David Karceski, VENABLE, on behalf of Petitioners, Stephen Geppi and Melinda Geppi. File Noted.

3/01/06 -Notice of Assignment sent to following; assigned for hearing on Wednesday, May 3, 2006 at 10 a.m.:

J. Carroll Holzer, Esquire
Thomas Finnerty
Arnold Jablon, Esquire
David Karceski, Esquire
Stephen and Melinda Geppi
L. Link, Jr. /Architect
Mr. and Mrs. Tim Naylor
Jephta Drachman
Katherine Hoffman
Mr. and Mrs. William Wright
Eleanor Bedford
Sara Brooks
Anne Gibbs
Teresa Moore, Executive Director /VPC
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Diana Ittler /Office of Planning
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

4/07/06 – Letter requesting postponement filed by Mr. Jablon; he will be out of town in Atlanta during that week attending daughter's graduation from Georgia Tech.

4/12/06 – Notice of PP and Reassignment sent to parties; case reassigned to Tuesday, August 22, 2006 at 10:00 a.m.

4/18/06 – Letter from Office of People's Counsel referencing record to date; will not present evidence at hearing; will reserve right to a memorandum and to participate at Circuit Court in event a petition for judicial review is filed.

5/16/06 – FAX from J. Carroll Holzer requesting postponement of 8/22/06 hearing; his client will be on vacation August 22nd and unable to attend; requests that hearing be rescheduled to agreeable date after Labor Day, proposed dates of 9/07, 9/08, and the week of 9/11 through 9/15.
-- Copy of letter to Mr. Jablon via FAX – requesting his input re his availability on 9/13/06, a date open on the Board's schedule and included in Mr. Holzer's proposed dates.
-- Response from Mr. Jablon – 9/13/06 is okay; confirmed this via t/c to Mr. Holzer's office; l.m.

5/17/06 – Second Notice of PP and Reassignment sent to parties; case reassigned to the agreed date of Wednesday, September 13, 2006 at 10:00 a.m.

NOTE: Board convened for hearing on 9/13/06 (Wescott, Grier, Crizer). Did not complete hearing this date; unable to locate file. Checked with panel members – did not remove from office. Carolyn requested file for transcript – at that time – could not find. Advised that additional day was needed; will locate file and then assign.

11/22/06 – T/C from A. Jablon regarding status of case and in particular second day assignment. Advised him that case file could not be located. Will assign for hearing and continue search, including obtaining a copy from Zoning as to what actually came over and reviewing notes from panel members as to exhibits and review of transcript from Carolyn (to be requested).
- Notice of Assignment /Day #2 sent to parties. Assigned for Tuesday, January 30, 2007 at 10:00 a.m. FYI copy to Wescott, Grier and Crizer.

1/11/07 – Request for postponement filed by Arnold Jablon, Esquire – client will be out of town during time of scheduled hearing day #2; no objection to this postponement request by Mr. Holzer.

1/12/07 – Notice of PP and Reassignment sent to parties this date; reassigned for hearing to Wednesday, March 14, 2007 at 10:00 a.m. FYI copy to 3-4-7

1/29/07 – Request for postponement filed by Mr. Holzer; his client's key witness, adjacent property owner, will be out of country at time of hearing.
-- No objection to this request by Mr. Jablon.

3/02/07 – Second Notice of PP and Reassignment sent to parties; case reassigned to Tuesday, April 3, 2007 at 10:00 a.m. Copy to counsels via fax this date.

3/29/07 – FILE HAS NOT BEEN LOCATED. COPIES MADE OF MATERIAL, TO THE EXTENT POSSIBLE, THAT WOULD HAVE COME OVER WITH THE ZONING COMMISSIONER'S FILE. HOWEVER, EXHIBITS WILL NEED TO BE RE-CREATED AND INCLUDED WITH FILE PRIOR TO COMPLETION OF THIS CASE.
- T/C TO C. HOLZER – SPOKE WITH S. LEESE AND ALSO CALLED A. JABLON. BY AGREEMENT OF COUNSEL, THIS MATTER WILL BE POSTPONED (FAMILY DEATH) WHICH WILL ALSO ALLOW THE BOARD SUFFICIENT TIME TO OBTAIN AND REASSEMBLE ALL EXHIBITS ENTERED AT DAY 1. POSSIBLE REASSIGNMENT TO EITHER 5/09 OR 6/07/07; AWAITING CONFIRMATION FROM MR. JABLON; DATES OKAY ON MR. HOLZER'S CALENDAR. ALSO SPOKE WITH MS. DEMILIO REGARDING THIS POSTPONEMENT; NO OBJECTIONS.

3/30/07 – Notice of PP /Day #2 send to parties this date and to counsel via FAX. To be reassigned upon confirmation from Mr. Jablon as to which date is doable.

4/10/07 – Notice of Assignment /Day #2 sent to all parties; assigned for day #2 of hearing on Thursday, June 7, 2007 at 10:00 a.m. FYI copy to Wescott, Grier, and Crizer.

5/25/07 – Request for postponement filed by Christopher Mudd, Esquire, on behalf of Petitioners; no objection by Mr. Holzer to this request, confirmed by telephone.
- Notice of PP and Reassignment sent to parties; case reassigned to Thursday, October 4, 2007 at 10 a.m. FYI copy to Wescott, Grier, Crizer.

6/28/07 – Request for Postponement filed by Mr. Jablon, without objection by Mr. Hozler; attempting resolution; reset only upon request.

7/02/07 – Notice of PP sent to parties this date; pulled from 10/04/07 scheduled; to be reset only upon request.

7/07/08 – Letter sent to Counsel for Petitioner; order of dismissal of petition will be entered for lack of prosecution after a period of 30 days from the date of this letter unless requested by the parties and granted by the Board.

7/14/08 – Letter from Mr. Holzer – if intention is to dismiss the petition, vitiating the ZC's partial grant below, then he would have no objection to the dismissal. Confirmed same with telephone call this date.

7/29/08 – Letter of withdrawal of Petition filed by Arnold Jablon, Esquire, counsel for petitioners; Order of Dismissal to be issued.

5/20/09 FILE WAS LOCATED IN THE PP DRAWER.

DISMISSAL ORDER WAS ISSUED 8/7/08. COPY TO FILE.

FILE TO BE CLOSED AND RETURNED.

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue July 2, 2007

NOTICE OF POSTPONEMENT

CASE #: 06-035-A

Day #2 from 9/13/06

IN THE MATTER OF: STEPHEN GEPPI, ET UX –Legal Owners/ Petitioners 4040 Stewart Road 3rd E; 2nd C

10/14/2005 – D.Z.C.'s Order in which requested variance relief was GRANTED in part and DENIED in part.

which had been assigned for hearing on 10/04/07 has been POSTPONED at the request of Counsel for Petitioner, without objection by Counsel for Appellants /Protestants; **TO BE RESCHEDULED ONLY UPON REQUEST.**

NOTICE: **This appeal is an evidentiary hearing; *therefore*, parties should consider the advisability of retaining an attorney.**

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco / Administrator

---

c: Counsel for Appellant /Protestant : J. Carroll Holzer, Esquire
Appellant /Protestant : Thomas Finnerty

Counsel for Petitioners : Arnold Jablon, Esquire
David Karceski, Esquire

Petitioners : Stephen and Melinda Geppi
L. Link, Jr. /Architect

Mr. and Mrs. Tim Naylor
Jephta Drachman
Katherine Hoffman
Mr. and Mrs. William Wright
Eleanor Bedford
Sara Brooks
Anne Gibbs
Teresa Moore, Executive Director /VPC

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Diana Itter /Office of Planning
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

STEPHEN GEPPI, ET UX **06-035-A**
4040 STEWART ROAD
3rd E; 2nd C

Re: Petition for Variance-to permit the construction of 5 residentially used accessory Structures (pool with pool house, open and enclosed pavilions) to be located in the front yard with a height of 19 feet in lieu of the required rear yard and maximum Height of 15 feet.

July 13, 2005 Petition for Variance.

Oct. 14 Finding of Facts and Conclusion of Law/Order-*GRANTING* Petitioner's Request with the following restriction:

> The Petitioners may apply for their building permits and be granted same upon receipt of the Order; however, 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 am appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Nov. 8 Notice of Appeal received from Thomas Finnerty.

Dec. 21 Received in the BOA.

Notification List:

J. Carroll Holzer, Esq.
Thomas Finnerty

Arnold Jablon, Esq.
David Karceski, Esq.
Stephen & Melinda Geppi

L. Link, Jr./Architect

Mr. & Mrs. Tim Naylor
Katherine Hoffman
Eleanor Bedford
Anne Gibbs

Jephta Drachman
Mr. & Mrs. William Wright
Sara Brooks
Teresa Moore, Executive Dir./VPC

Office of People's Counsel
Diana Itter/Office of Planning
Timothy M. Kotroco, Dir/PDM

William J. Wiseman, III/Zon. Comm.
Pat Keller, Dir/Planning

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

November 8, 2005

Mr. Thomas Finnerty
4030 Stewart Road
Stevenson, MD 21153

RE: 4040 Stewart Road /Appeal filed in
Case No. 06-035-A /Transmittal to PDM

Dear Mr. Finnerty:

This office is in receipt of your Notice of Appeal dated November 4, 2005 with accompanying check in the amount of $400.00 in payment of the appeal fee ($325.00) and posting fee ($75.00).

Your appeal should have been filed with the Department of Permits & Development Management (PDM) for appropriate processing and forwarded to this office. However, by copy of this letter, we will hand deliver your appeal to Mr. Kotroco's department. You will be notified by letter from PDM when the subject file has been forwarded to this Board, and notice will be sent to you by this office when the matter is set in for hearing before the Board of Appeals.

Should you have any questions, please call me at 887-3180.

Very truly yours,

Kathleen C. Bianco

Kathleen C. Bianco
Administrator

c: William J. Wiseman III /Zoning Commissioner
John V. Murphy /Deputy Zoning Commissioner
Timothy M. Kotroco, Director /PDM
Office of People's Counsel

RECEIVED
NOV 08 2005
Per CLB

Printed with Soybean Ink
on Recycled Paper

From: "Jablon, Arnold E." <AEJablon@Venable.com>
To: "Kathleen Bianco" <kbianco@co.ba.md.us>
Date: 5/16/2006 2:10:30 PM
Subject: RE: Geppi Postponement Request

Kathi, spoke with Geppi and the engineer, and the 13th is ok for all.
Thanks, as always.

-----Original Message-----
From: Kathleen Bianco [mailto:kbianco@co.ba.md.us]
Sent: Tuesday, May 16, 2006 1:15 PM
To: Jablon, Arnold E.
Subject: RE: Geppi Postponement Request

I'll wait to hear from you. Thanks
kath

>>> "Jablon, Arnold E." <AEJablon@Venable.com> 05/16/06 1:09 PM >>>
Kathi, I got Carroll's letter. No objection. Let me check with my engineer to make sure that the 13th is ok. Thanks.

-----Original Message-----
From: Kathleen Bianco [mailto:kbianco@co.ba.md.us]
Sent: Tuesday, May 16, 2006 12:01 PM
To: Jablon, Arnold E.
Subject: Geppi Postponement Request

Arnold:

I received a letter via fax from Carroll Holzer this morning. (Copy to you via FAX after I hit "send" for this e-mail.)

His client will be away on vacation 8/22/06; Carroll is therefore asking for a postponement to a date after Labor Day.

Carroll indicates the first two weeks in September would work starting with September 7. During that time, I have 9/13 (Wednesday). Or I could do Wednesday 9/27.

If neither of those dates would work, then the next date would be October 17th (Tuesday).

Would you let me know the status of your schedule for any of these dates? I haven't checked with Carroll yet on the 9/27 or 10/17 dates - I thought I'd check with you first - then get back to him.

Thanks.

kathi

Kathleen C. Bianco, Administrator
County Board of Appeals
Room 49, Old Courthouse
Towson, MD 21204

T/c to A. Jablon 5-16-06 9/13/06 ok for date. Notice to be sent. K.

Linda Fliegel - Re: New Cases

From: Kristen Matthews
To: Fliegel, Linda
Date: 12/28/2005 3:49:33 PM
Subject: Re: New Cases

Thats exactly what I think happened, I just checked with her and she said that she thinks she mistakenly put that there was a sheet for them because she thought the exhibit sheet was the same thing, so I'll just say there probably wasnt any to begin with either. Thanks

>>> Linda Fliegel 12/28/05 3:46 PM >>>
Thanks Kristen. It could be where there were none to begin with.

>>> Kristen Matthews 12/28/05 3:40 PM >>>
Hey Linda,

I checked both of the files listed below and in 06-109-SPH there is not a Protestants sign in sheet, just 1 Petitioner sheet and 1 Citizen's sheet, and also in 06-035-A, there is no Petitioner's sign in sheet, there is just 1 Citizen's Sheet, I will check with Chris and see if she has it by mistake that was one of her first appeals so it might have gotten misplaced. I will let you know if I find anything. Sorry about that. Have a good evening.

Kristen :)

>>> Linda Fliegel 12/28/05 12:41 PM >>>

Dear Kristen,

Would you kindly fax me the Protestant(s) Sign-In Sheet for case no. 06-109-SPH and the Petitioner(s) Sign-In-Sheet for case no. 06-035-A.

Thank you.

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

November 8, 2005

Mr. Thomas Finnerty
4030 Stewart Road
Stevenson, MD 21153

RE: 4040 Stewart Road /Appeal filed in
Case No. 06-035-A /Transmittal to PDM

Dear Mr. Finnerty:

This office is in receipt of your Notice of Appeal dated November 4, 2005 with accompanying check in the amount of $400.00 in payment of the appeal fee ($325.00) and posting fee ($75.00).

Your appeal should have been filed with the Department of Permits & Development Management (PDM) for appropriate processing and forwarded to this office. However, by copy of this letter, we will hand deliver your appeal to Mr. Kotroco's department. You will be notified by letter from PDM when the subject file has been forwarded to this Board, and notice will be sent to you by this office when the matter is set in for hearing before the Board of Appeals.

Should you have any questions, please call me at 887-3180.

Very truly yours,

Kathleen C. Bianco

Kathleen C. Bianco
Administrator

c: William J. Wiseman III /Zoning Commissioner
John V. Murphy /Deputy Zoning Commissioner
Timothy M. Kotroco, Director /PDM
Office of People's Counsel

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Per CLB

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County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

July 7, 2008

Arnold Jablon, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: In the Matter of: *Stephen Geppi, et ux.*
-Petitioners / Case No. 06-035-A

Dear Mr. Jablon:

The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismiss and close as many of these cases as possible.

A review of the subject file indicates that your request for postponement was granted on July 2, 2007, with no further action reflected in the file to date.

Pursuant to the above intent regarding inactive cases, the purpose of this letter is to advise you that an Order of Dismissal of Petition for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

Kathleen C. Bianco
Administrator

c: Stephen and Melinda Geppi
J. Carroll Holzer, Esquire
Thomas Finnerty
Office of People's Counsel

COUNTY BOARD OF APPEALS

ROOM 49, OLD COURTHOUSE •
400 WASHINGTON AVENUE • TOWSON, MD 21204
PHONE: 410-887-3180 • FAX: 410-887-3182

FACSIMILE TRANSMITTAL SHEET

TO AND FAX NUMBER:

ARNOLD JABLON, ESQUIRE

FAX : 410-821-0147

J CARROLL HOLZER, ESQUIRE

FAX : 410-825-4923

FROM:

KATHLEEN BIANCO
FAX : 410-887-3182

TELEPHONE : 410-887-3180

DATE:
MARCH 2, 2007

TOTAL NO. OF PAGES INCLUDING COVER:
TWO (2)

RE: POSTPONEMENT /REASSIGNMENT NOTICE – GEPPI – Case No. 06-035-A

URGENT FOR REVIEW FOR YOUR RECORDS PLEASE REPLY PLEASE RECYCLE

PERSONAL AND CONFIDENTIAL

ATTACHED IS A COPY OF THE NOTICE OF REASSIGNMENT SENT VIA USPS TO ALL PARTIES REGARDING THE POSTPONEMENT AND REASSIGNMENT OF THE SUBJECT HEARING.

kathi

FILE

SENDING REPORT

Mar. 02 2007 10:54AM

YOUR LOGO : BOARDOFAPPEALS
YOUR FAX NO. : 4108873182

NO.	OTHER FACSIMILE	START TIME	USAGE TIME	MODE	PAGES	RESULT
01	94108254923	Mar. 02 10:52AM	01'27	SND	02	OK

TO TURN OFF REPORT, PRESS 'MENU' #04.
THEN SELECT OFF BY USING '+' OR '-'.

FOR FAX ADVANTAGE ASSISTANCE, PLEASE CALL 1-800-HELP-FAX (435-7329).

SENDING REPORT

Mar. 02 2007 10:47AM

YOUR LOGO : BOARDOFAPPEALS
YOUR FAX NO. : 4108873182

NO.	OTHER FACSIMILE	START TIME	USAGE TIME	MODE	PAGES	RESULT
01	94108210147	Mar. 02 10:45AM	01'07	SND	02	OK

TO TURN OFF REPORT, PRESS 'MENU' #04.
THEN SELECT OFF BY USING '+' OR '-'.

FOR FAX ADVANTAGE ASSISTANCE, PLEASE CALL 1-800-HELP-FAX (435-7329).

William J. Wiseman, III
Zoning Commissioner
401 Bosley Avenue
Towson, Maryland 21204

Good Morning Mr. Wiseman.

Thank you for the opportunity to present my case for No. 06-035A... 4040 Stewart Road. I have confirmed with Mr. & Mrs. Geppi, the owners of the property, inviting you to access their property to review the case as I presented it and they hope that you will positively find merit in their request.

As I stated, the Geppis claim hardship and practical difficulty, asking for variances due to:
1. the site is so steep on the sides and rear of the house as to be unbuildable on those portions of the property (45% grades or steeper), with the front yard being the only buildable area of the site,
2. the roof pitches of the existing structure are 15/12 or steeper and in order to keep the architecturally historic character of the house and its environs, any structure will logically exceed the height restrictions due to the steepness of the existing pitches, (no flat roofs allowed !), and
3. in spite of the size of the existing house, my clients need for additional personal gallery space for his art collections and related home functions drives his program for different, additional spaces; the spaces in the house are not suitable for the maintaining and display of his collections and his desire for an all weather pool enclosure and related areas for his own personal enjoyment.

As I said, 10 acre estates of this nature have accessory structures supporting them and the designs presented are consistent with the character of houses and estates of this nature and quality.

Thank you for your attention with regards this matter and please take your time in considering all of the hardships and difficulties the site and existing house present when writing your decision in this case.

L.J.Link Jr., Inc.
Architect
Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
410. 337. 9528
fac 410. 369, 6601

Cordially,

L.J.Link Jr.

9.10.05

Copy

THOMAS FINNERTY
4030 Stewart Road
Stevenson, MD 21153

To File
TMK

November 4, 2005

Baltimore County Board of Appeals
ATTN: Kathy Bianco
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

NOTICE OF APPEAL

Re: Petition for Variance
N/S Stewart Road, 2600' W of the c/l Park Heights Avenue
4040 Stewart Road
Case No. 06-035-A

Dear Ms. Bianco:

Enclosed please find my check in the amount of $400.00 ($325.00 for the ruling on the Variance, and $75 for posting). Please note an appeal to the Board of Appeals of the decision of the Zoning Commissioner for granting variances from BCZR Sections 4001.1 and 400.3 for buildings C, D, F and G in the above referenced matter.

Very truly yours,

Thomas Finnerty

Enclosure
CC: William J. Wiseman III, Zoning Commissioner
John V. Murphy, Deputy Zoning Commissioner
Timothy Kotroco, Director of Permits and Development Management

THOMAS FINNERTY
4030 Stewart Road
Stevenson, MD 21153

November 4, 2005

Baltimore County Board of Appeals
ATTN: Kathy Bianco
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

NOTICE OF APPEAL

Re: Petition for Variance
N/S Stewart Road, 2600' W of the c/l Park Heights Avenue
4040 Stewart Road
Case No. 06-035-A

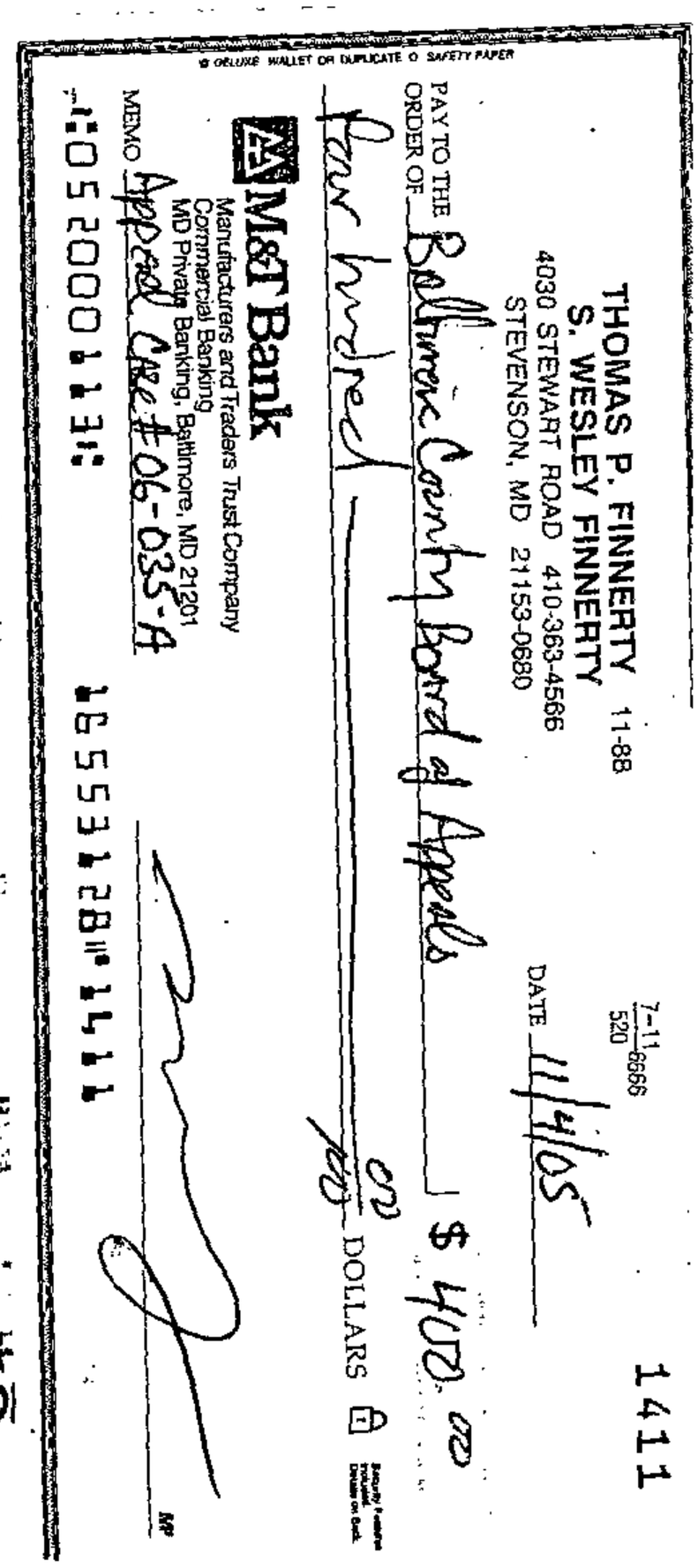
Dear Ms. Bianco:

Enclosed please find my check in the amount of $400.00 ($3
on the Variance, and $75 for posting). Please note an appeal to the B
the decision of the Zoning Commissioner for granting variances fror
4001.1 and 400.3 for buildings C, D, F and G in the above reference

Very truly yours

Thomas Finnert

Enclosure
CC: William J. Wiseman III, Zoning Commissioner
John V. Murphy, Deputy Zoning Commissioner
Timothy Kotroco, Director of Permits and Development Mar


THOMAS P. FINNERTY 11-88
S. WESLEY FINNERTY
4030 STEWART ROAD 410-363-4566
STEVENSON, MD 21153-0680
7-11 6666 520
1411
DATE 11/4/05
PAY TO THE ORDER OF Baltimore County Board of Appeals $ 400.00
Four hundred 00/100 DOLLARS
M&T Bank
Manufacturers and Traders Trust Company
Commercial Banking
MD Private Banking, Baltimore, MD 21201
MEMO Appeal Case #06-035-A
⑆052000113⑈ 165531281⑈ 1411

RECE
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BALTIMOF
BOARD O

VENABLE LLP

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517

Telephone 410-494-6200
Facsimile 410-821-0147

www.venable.com

ARNOLD JABLON
(410) 494-6298

aejablon@venable.com

7 April 2006

Ms. Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, Maryland 21204

Re: Stephen Geppi, et ux
Case No. 06-035A
H/D: 5/3/06

Dear Ms. Bianco:

The purpose of this letter is to request a postponement of the presently scheduled hearing date.

We will be attending my daughter's graduation from Georgia Tech University that week, which is located in Atlanta.

Thank you for your consideration.

Sincerely,

Arnold Jablon

c: J. Carroll Holzer, Esq.

RECEIVED
APR - 7 2006
BALTIMORE COUNTY
BOARD OF APPEALS

VENABLE LLP

29 July 2008

Arnold E. Jablon

t 410-494-6298
f 410.821.0147
aejablon@venable.com

Ms. Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, Maryland 21204

Re: Case No. 06-035A
Property: 4040 Stewart Rd
3rd ED; 2nd CD
My Clients: Stephen and Melinda Geppi

Dear Ms. Bianco:

Please be advised that I represent the Appellees, Stephen and Melinda Geppi, in this matter. On their behalf, please accept this letter of my clients' intent to withdraw their Petitions for variances filed in the instant matter.

The Appellees have elected not to pursue the variances as originally requested in their original petition. My clients understand by their voluntary withdrawal of their petition for variances, it will be as if they had never filed the petition to begin with. My client further understands by this withdrawal that the variance relief granted in part by the Deputy Zoning Commissioner in the instant case is of no meaning and is now moot. This is without prejudice to the right of any subsequent owners or contract purchasers of the property to seek approvals in the future.

VENABLE LLP

Thank you for your consideration.

Sincerely,

Arnold Jablon

c: J. Carroll Holzer, Esq.
Stephen and Melinda Geppi

VENABLE LLP

ARNOLD JABLON
(410) 494-6298

ajablon@venable.com

29 July 2008

Ms. Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, Maryland 21204

Re: Case No. 06-035A
Property: 4040 Stewart Rd
3rd ED; 2nd CD
My Clients: Stephen and Melinda Geppi

Dear Ms. Bianco:

Please be advised that I represent the Appellees, Stephen and Melinda Geppi, in this matter. On their behalf, please accept this letter of my clients' intent to withdraw their Petitions for variances filed in the instant matter.

The Appellees have elected not to pursue the variances as originally requested in their original petition. My clients understand by their voluntary withdrawal of their petition for variances, it will be as if they had never filed the petition to begin with. My client further understands by this withdrawal that the variance relief granted in part by the Deputy Zoning Commissioner in the instant case is of no meaning and is now moot. This is without prejudice to the right of any subsequent owners or contract purchasers of the property to seek approvals in the future.

RECEIVED
JUL 29 2008
BALTIMORE COUNTY
BOARD OF APPEALS

Thank you for your consideration.

Sincerely,

Arnold Jablon

c: J. Carroll Holzer, Esq.
Stephen and Melinda Geppi

From: "Jablon, Arnold E." <AEJablon@Venable.com>
To: "Kathleen Bianco" <kbianco@baltimorecountymd.gov>
CC: <jcholzer@cavtel.net>
Date: 7/29/2008 11:20 AM
Subject: Geppi--Case No. 06-035A
Attachments: Geppi withdrawal of petition.doc

Kathi, I attach my letter of withdrawal of the petitions, with a copy to Carroll. I will deliver the original today or tomorrow. Thanks.

****
U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.
****
****
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VENABLE® LLP

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517

Telephone 410-494-6200
Facsimile 410-821-0147

www.venable.com

ARNOLD JABLON
(410) 494-6298

aejablon@venable.com

11 January 2007

Ms. Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, Maryland 21204

Re: Stephen Geppi, et ux
Case No. 06-035A
H/D: 1/30/07

Dear Ms. Bianco:

The purpose of this letter is to request a postponement of the presently scheduled hearing date. The scheduled hearing is the second day of the hearing, the first day of which was 13 September 2006.

My client, Stephen Geppi, will be out of state for the two weeks surrounding the continued hearing date. I have talked with J. Carroll Holzer, the attorney for the protestants and he has no objection.

Thank you for your consideration.

Sincerely,

Arnold Jablon

RECEIVED
JAN 11 2007
BALTIMORE COUNTY
BOARD OF APPEALS

c: J. Carroll Holzer, Esq.

VENABLE® LLP

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517

Telephone 410-494-6200
Facsimile 410-821-0147

www.venable.com

410-494-6365

cdmudd@venable.com

May 25, 2007

HAND DELIVERED
Kathleen C. Bianco, Administrator
County Board of Appeals for Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 06-035-A
Property: 4040 Stewart Road
Legal Owner: Stephen and Melinda Geppi

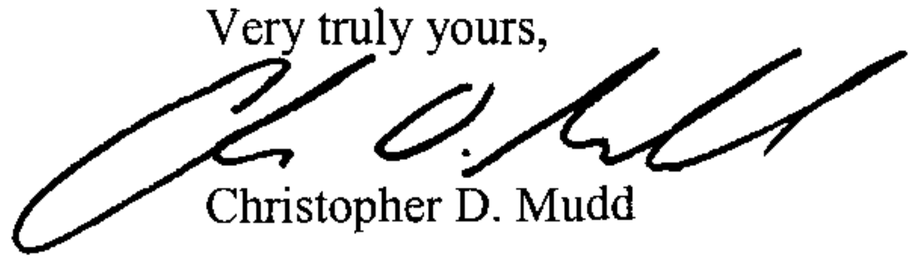
Dear Ms. Bianco,

I am writing on behalf of Arnold Jablon, counsel for Petitioners Stephen and Melinda Geppi, to request a postponement of a hearing on the above-captioned matter, which is currently scheduled for Thursday, June 7, 2007. I have been informed that Mr. and Mrs. Geppi are unable to attend the hearing that day because they will be out of town.

I have discussed this postponement request with J. Carroll Holzer, counsel for the Appellants, and he has indicated that he would be agreeable to a postponement of the hearing.

Thank you for your consideration of this request.

Very truly yours,



Christopher D. Mudd

CDM

cc: J. Carroll Holzer, Esquire
Arnold Jablon, Esquire

TODOC1/246307

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MAY 25 2007
BALTIMORE COUNTY
BOARD OF APPEALS

VENABLE® LLP

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517

Telephone 410-494-6200
Facsimile 410-821-0147

www.venable.com

ARNOLD JABLON
(410) 494-6298

aejablon@venable.com

27 June 2007

Ms. Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, Maryland 21204

Re: Stephen Geppi, et ux
Case No. 06-035A
H/D: 10/4/2007

Dear Ms. Bianco:

The purpose of this letter is to request a postponement of the presently scheduled hearing date. The scheduled hearing is the second day of the hearing, the first day of which was 13 September 2006.

I have talked with J. Carroll Holzer, the attorney for the protestants and he has no objection.

Please do not reschedule at this time. We are attempting to resolve the outstanding issues.

Thank you for your consideration.

RECEIVED
JUN 28 2007
BALTIMORE COUNTY
BOARD OF APPEALS

Sincerely,

Arnold Jablon

c: J. Carroll Holzer, Esq.

From: Linda Fliegel
To: Kathleen Bianco
Date: 2/6/2007 3:56:48 PM
Subject: Geppi

Kathi,

Sterling called today to let you know that Apr. 3 or 4 would be fine with all parties on his end. Additionally, Sterling said that he believes that they will only need one day.

L

Kathleen Bianco - Geppi

From: "Jablon, Arnold E." <AEJablon@Venable.com>
To: "Kathleen Bianco" <kbianco@co.ba.md.us>
Date: 1/29/2007 1:40 PM
Subject: Geppi
CC: "J. Carroll Holzer" <jcholzer@bcpl.net>

Kathi, I just received Carroll's request for pp. I have no objection. Fair's fair!

****
U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (includi
****
****
This electronic mail transmission may contain confidential or privileged information. If y
****

Ross 4/03 4/04 4/05 OR

1st thing 3/02 a.m.

AJ
CH

HOLZER

& LEE

LAW OFFICES
J. CARROLL HOLZER, PA
J. HOWARD HOLZER
1907-1989
THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING
508 FAIRMOUNT AVE.
TOWSON, MD 21286
(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@BCPL.NET

January 26, 2007
#7589

Ms. Kathleen Bianco, Administrator
Baltimore County Board of Appeals
400 Washington Avenue
Room 49
Towson, Maryland 21204

RE: In the Matter Of: Stephen Geppi, et ux, Legal Owners/Petitioners
Case No.: 06-035-A, Day 2

Dear Ms. Bianco:

Please be advised that I just received the reassignment of the above-captioned case for Wednesday, March 14, 2007. This case had been postponed by Arnold Jablon on behalf of the Petitioner in that the Petitioner was out-of-town. I am sorry to indicate to you that my client and key witness, Tom Finnerty, an adjacent property owner is out of the country in Mexico during the week of Wednesday, March 14, 2007. I would therefore ask for this case to be reset as promptly as possible.

I am copying Arnold Jablon with this letter of request for a postponement.

Very truly yours,

J. Carroll Holzer

JCH:mlg

cc: Arnold Jablon, Esquire

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JAN 29 2007
BALTIMORE COUNTY
BOARD OF APPEALS

HOLZER

& LEE

LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING

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(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@CROPL.NET
xxxxxxxxxxxxxxxxxx
jcholzer@cavtel.net

July 11, 2008
#7589

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JUL 14 2008
BALTIMORE COUNTY
BOARD OF APPEALS

Ms. Kathleen Bianco, Administrator
Baltimore County Board of Appeals
Jefferson Building
105 West Chesapeake Avenue, Suite 203
Towson, Maryland 21204

RE: In the Matter of: Stephen Geppi, et ux., Petitioners
Case No.: 06-035-A

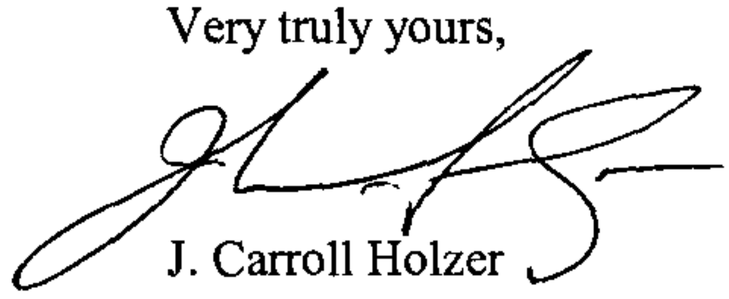
Dear Ms. Bianco:

Please be advised I received a copy of your letter of July 7, 2008 directed to Mr. Jablon in which the Board intends to file an Order of Dismissal of the Petition for Lack of Prosecution. I previously had conversations with Mr. Jablon and at that time it appeared that Mr. Geppi did not intend to proceed.

I wish to make it very clear that since my clients filed the appeal to the County Board of Appeals from a partial approval for Mr. Jablon's client, if the Board's action is merely a Dismissal of the Appeal, that would prejudice my clients. If that is the Board's intention, then we would request that the Board put this case back in for a hearing. However, if the Board intends to dismiss Geppi's Petition, which would vitiate the Zoning Commissioner's partial grant of approval, then I would have no objection.

If I am in any way mistaken about the status of this case, I would appreciate your so advising.

Very truly yours,



J. Carroll Holzer

JCH:mlg

cc: Mr. Tom Finnerty
People's Counsel
Arnold Jablon, Esquire

HOLZER

& LEE

LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING

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(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@BCPL.NET

November 17, 2005
#7589

Ms. Kathleen Bianco
Administrator
Board of Appeals
400 Washington Avenue
Room 49
Towson, Maryland 21204

RE: Case No.: 06-035-A
4040 Stewart Road
Legal Owners: Melinda & Stephen Geppi

Dear Ms. Bianco:

Please enter my appearance on behalf of Mr. Tom Finnerty who filed an appeal from the decision of the Zoning Commissioner, William Wiseman, dated October 14, 2005. Kindly advise me of any hearing dates scheduled by the Board in this matter.

Very truly yours,

J. Carroll Holzer

JCH:mlg

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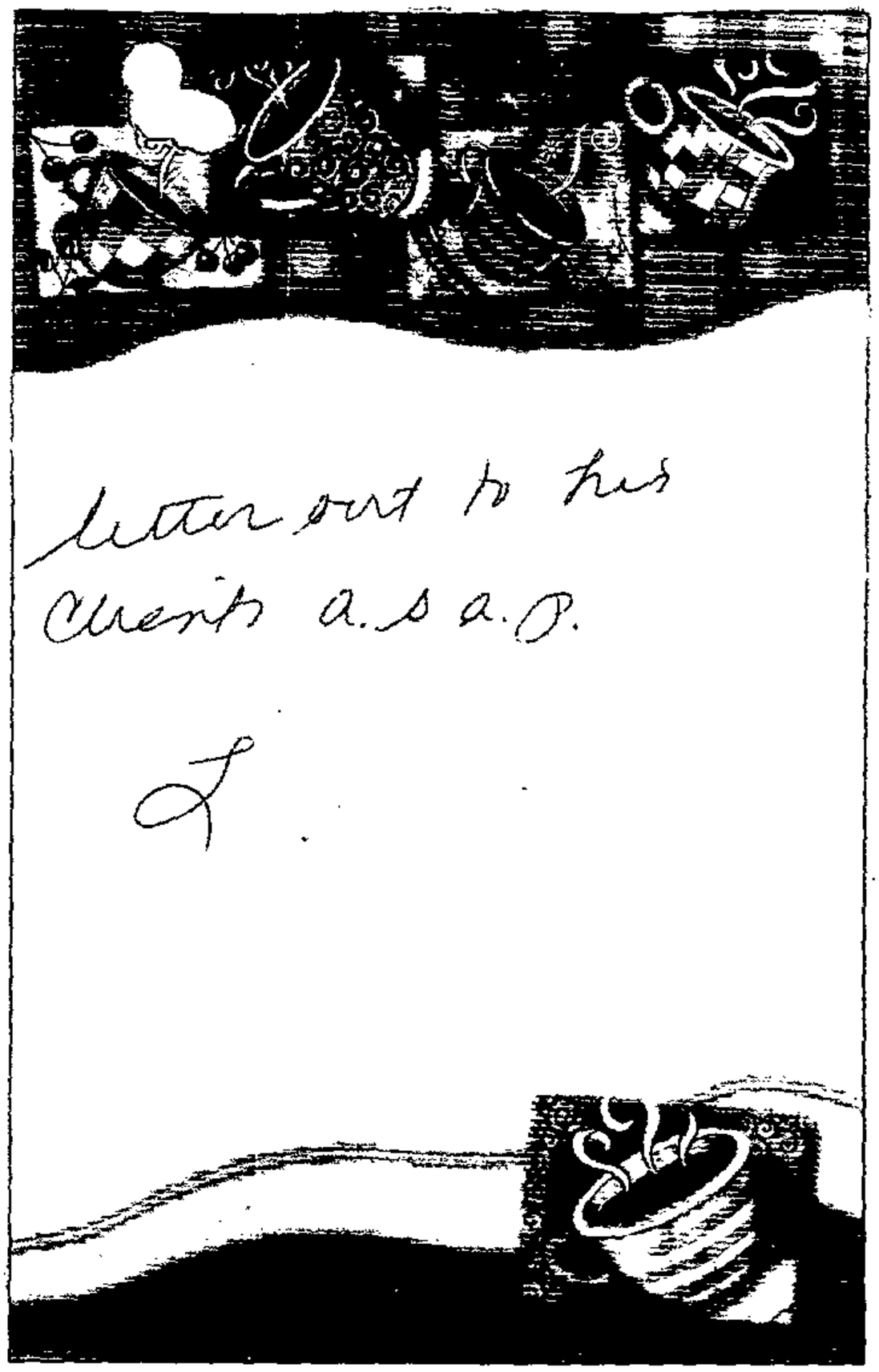
NOV 18 2005
BALTIMORE COUNTY
BOARD OF APPEALS

1/12/7

Kathi,

Carrie Heizer called regarding Geppi matter. Mr. Heizer wanted you to know, in case it was not stated in Arnold's letter, that he does not object to postponement. Please let him know if req. is granted. He would like to set a ⇒



letter out to his clients a.s.a.p.

L

hereof had been [illegible]roved by his agency. That letter was [illegible]mitted for inclusion in prior to the issuance of this Order.

As for the citizens who appeared, Ms. Bryant who resides east of the subject property [illegible]h Offutt Road expressed concern about address changes that may take effect once Sylvan Road is deve[illegible]e indicated that besides her home, there is only one other house on [illegible]th Offutt Road, an[illegible]efers that her address remain as it exists. Messrs. Shields and Whitaker appeared and [illegible]sted an explanation as to how the County determined that a waiver of open space was appropriate in this instance. They also wanted to make certain that environmental resources and well water quality were being preserved. Their questions were satisfactorily addressed during the course of the hearing.

Based upon the testimony and evidence presented, I find that the development plan as submitted meets all County rules, regulations and standards for development and should be approved.

Turning to the Petition for Variance, relief is requested as set forth above to allow a lot size of 0.705 acres in lieu of the minimum required 1.0 acre for existing Lot 16. As shown on the development plan, Lot 16 is an irregular shaped parcel in the northwest corner of the property and is improved with a single-family dwelling, currently known as 3229 Offutt Road; however, will be known as 9201 Towhee Road. Testimony indicated that due to the topography of the land to the rear of Lot 16 and the existence of a dwelling on adjacent Lot 15, Lot 16 could not be enlarged to meet the minimum lot size requirement of 1.0 acre. Moreover, in that Lots 15 and 16 are served by public water and will not require the installation of private wells, the size of the lot is not an issue.

Based upon these factors, I find that the requirements of Section 307 of the B.C.Z.R. have been met for variance relief to be granted. The uniqueness associated with the property is its unusual configuration, the location of the principle structure on the rear portion of the lot, the topography of the land and the environmental constraints associated therewith. Moreover, I find that the applicants would suffer a practical difficulty and unreasonable hardship if relief was denied, given the fact that houses exist on both Lots 16 and 15. Finally, I find that there will be no detrimental impact to adjacent properties.

* Beth - Please include the "yellow highlighted" language SOMEWHERE at the end of my Order after the words. - unreasonable hardship for the Petitioners. [ ]

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

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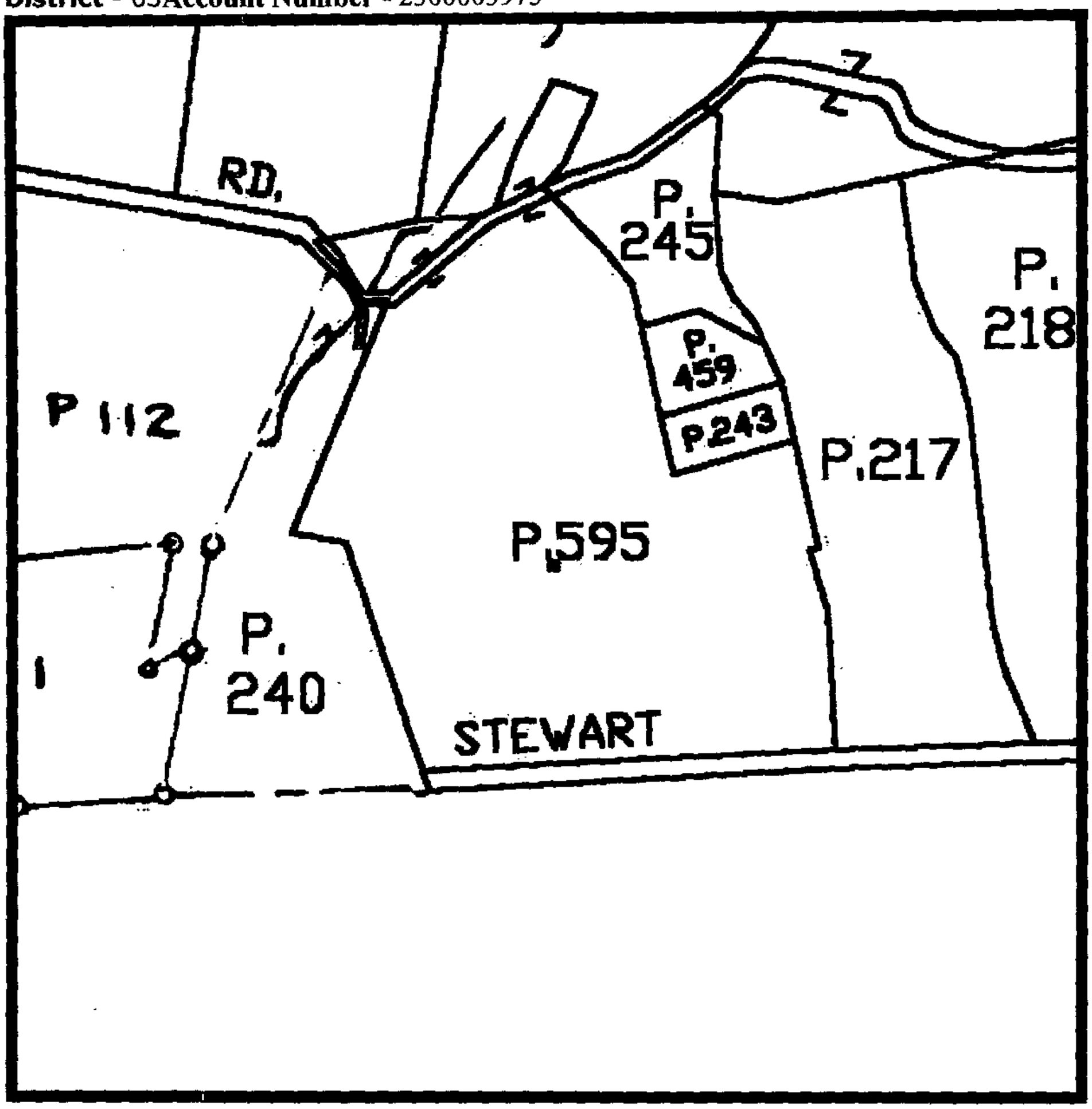
New Search

District - 03**Account Number** - 2300003975



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html

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** - 03 **Account Number** - 2300003975

Owner Information

Owner Name:	GEPPI STEPHEN A GEPPI MELINDA C	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	4040 STEWART RD STEVENSON MD 21153-0680	**Deed Reference:**	1) /20965/ 578 2)

Location & Structure Information

Premises Address
4040 STEWART ST

Legal Description
9.72 AC
NS STEWART ST
2600FT W PARK HGTS AVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
68	7	595						2	Plat Ref:

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1910	13,821 SF	9.72 AC	04

Stories	Basement	Type	Exterior
2 1/2	YES	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	607,360	1,034,400		
Improvements:	1,106,640	3,524,140		
Total:	1,714,000	4,558,540	2,662,180	3,610,360
Preferential Land:	0	0	0	0

Transfer Information

Seller:	COHOON J LARRY	**Date:**	11/10/2004	**Price:**	$4,800,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/20965/ 578	**Deed2:**	
Seller:	CLIFFEHOLME LLC	**Date:**	01/15/2002	**Price:**	$1,100,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/15981/ 216	**Deed2:**	
Seller:	FEDDERMAN REUBEN/ BEATRICE	**Date:**	10/16/1998	**Price:**	$1,500,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/13224/ 426	**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

PLEASE PRINT CLEARLY

CASE NAME 06-035
CASE NUMBER Geppi
DATE 9/7

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
TIM NAYLOR	4001 STEWART RD.	STEVENSON, MD 21153	ntiguer4001@comcast.net
Teresa Moore	Valleys Planning Council	Towson MD 21204	moorevpc@comcast.net
Cassandra Naylor	4001 Stewart RD.	Stevenson, MD. 21153	
Jephta Drachman	4006 Stewart Rd.	Stevenson, MD 21153	Jephdrac@aol.com
Katharine Hoffman	17 Cliffbourne Rd.	Owings Mills MD. 21117	
Hope Wright	4016 Stewart Rd	Stevenson, MD 21117	wwrights@comcast.net
William C. Wright	4016 Stewart Rd.	Stevenson, Md, 21153	
Eleanor J. Bedford	4007 Stewart Rd.	Stevenson, MD. 21153	
Wesley Finnerty	4030 Stewart Rd	Stevenson MD 21153	antqxchange@aol.com
Thomas P. Finnerty	4030 Stewart Rd	Stevenson MD 21153	
Sara Brooks	919 Bellemore Rd	Balt MD 21210	
Anne Biggs	3926 Stewart Rd	Stevenson 21153	

Joan McH Hoblitzell

interested citizen

06-035-A

The Valleys Planning Council, Inc.

207 Courtland Avenue, Towson, Maryland 21204
Mailing Address: P.O. Box 5402, Towson, Maryland 21285-5402
Phone: 410 337-6877, *Fax:* 410 296-5409

September 7, 2005

William J. Wiseman, III,
Zoning Commissioner
401 Bosley Avenue
Towson MD 21204

Re: Case No. 06-035A - (4040 Stewart Road)
Revised comment from the Valleys Planning Council

Dear Commissioner Wiseman:

Since Friday of last week (September 2nd), I have received a number of calls from alarmed residents and neighbors of Stewart Road and would like to revise the prior comment made on behalf of the Valleys Planning Council (VPC). As a result of the concerns expressed by numerous members, the VPC cannot support the variance request sought for the Geppi property.

Due to the large amount of square footage the five accessory buildings would add (16,000 square feet vs 13,000 square feet for the main structure), the presence of a conservation easement held by the Land Preservation Trust, and the historic status of the property, the VPC opposes the granting of variances to allow placement of these structures in the front yard and to allow a height greater than 15 feet.

Sincerely,

Teresa Moore

Teresa Moore
Executive Director

PROTESTANT'S
EXHIBIT NO. 1

LOCATED IN THE GREENSPRING VALLEY NATIONAL REGISTER DIST.

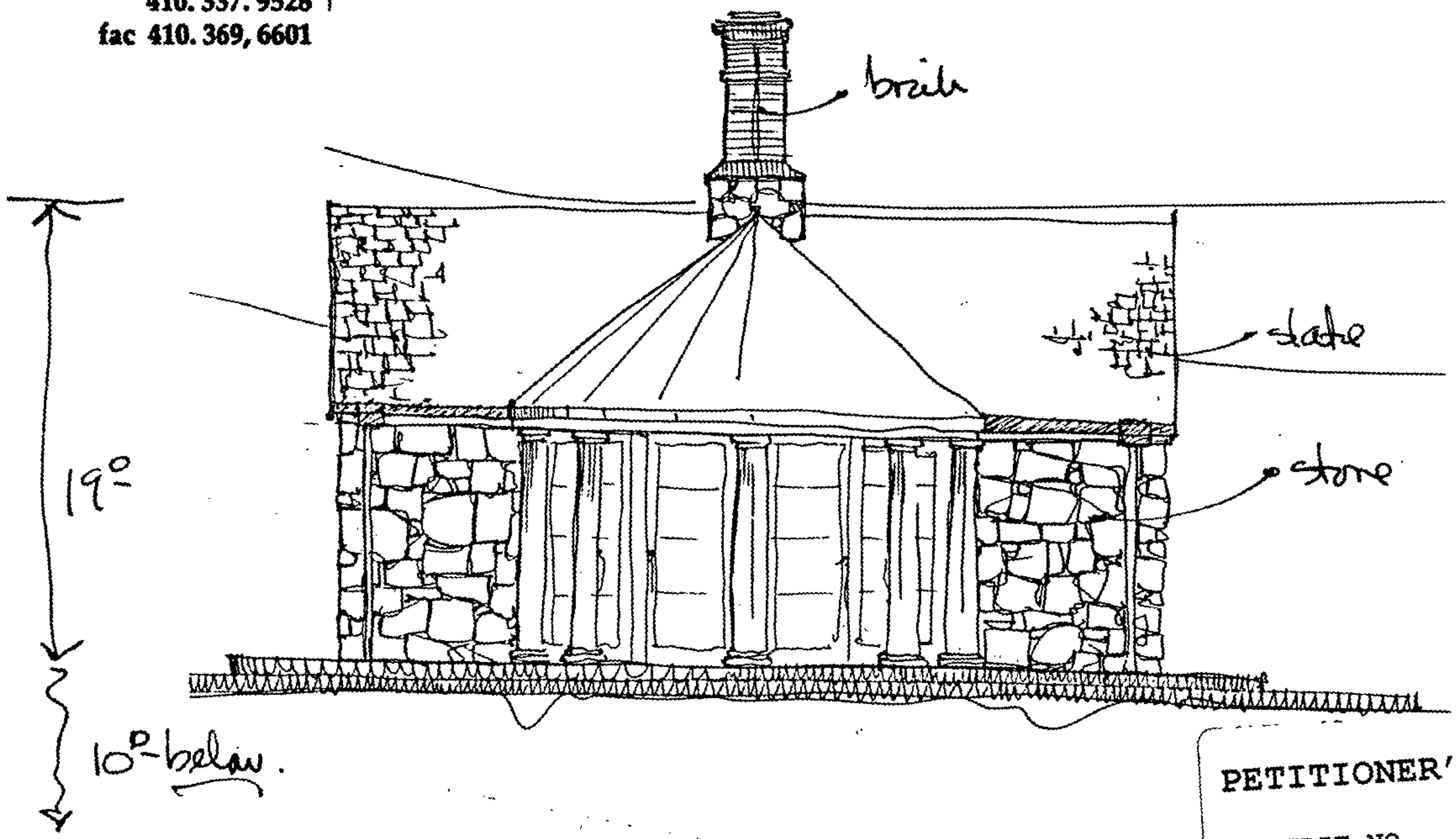
Case No.: 06-035A MR & MRS GEPPI

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	SITE PLAN	VALLEY PLANNING COUNCIL INC 9-7-05 LETTER
No. 2	SKETCHES OF 2A thru 2G BLDG ELEVATIONS	
No. 3	AERIAL SHOT - DENOTES POSITION OF CLIFTEHOLME ON REAR OF LOT	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

STRUCTURE:
CASE No. 06-035-A:
PRELIMINARY STUDY:

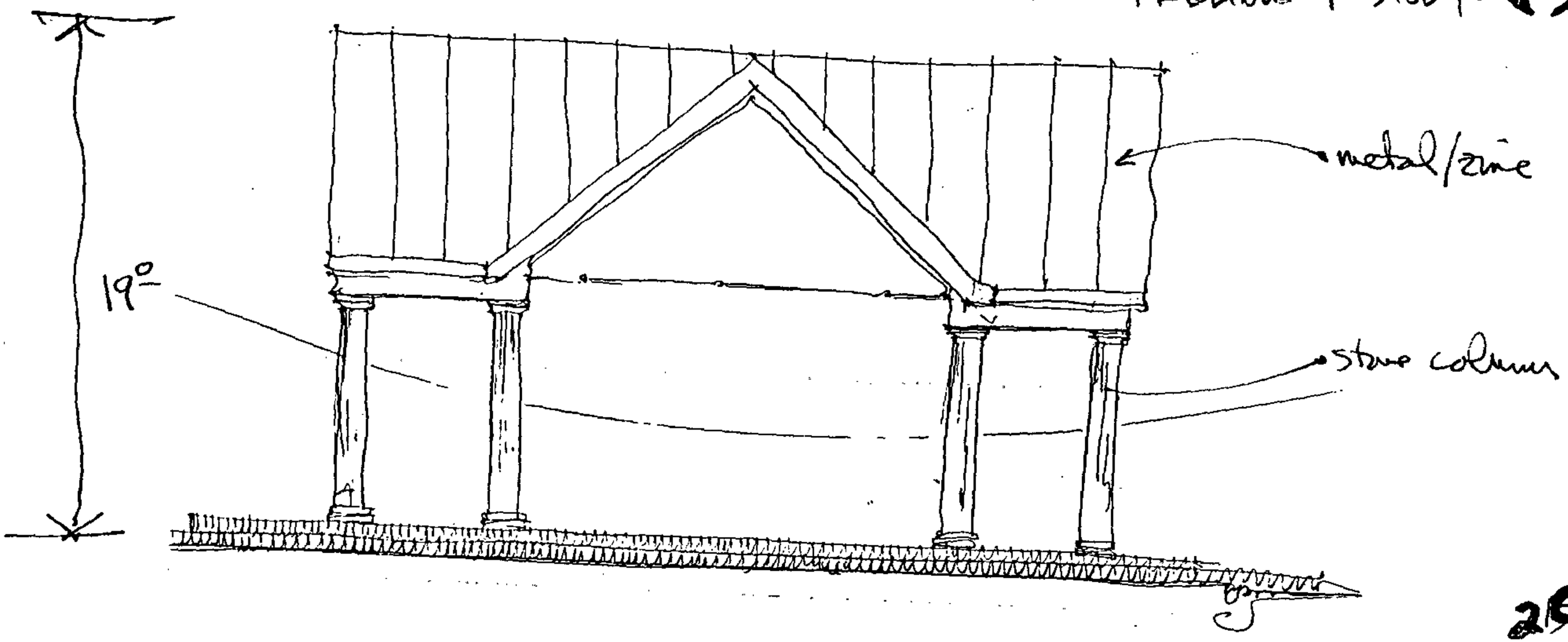
L.J.Link Jr., Inc.
Architect
Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
410. 337. 9528
fac 410. 369, 6601



PETITIONER'S
EXHIBIT NO. 2B

L.J.Link Jr., Inc.
Architect
Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
410. 337. 9528
fac 410. 369, 6601

STRUCTURE.
CASE Nº 06.035.A.
PRELIMINARY STUDY.



STRUCTURE.
CASE # 06-035.A.
PRELIMINARY STUDY.

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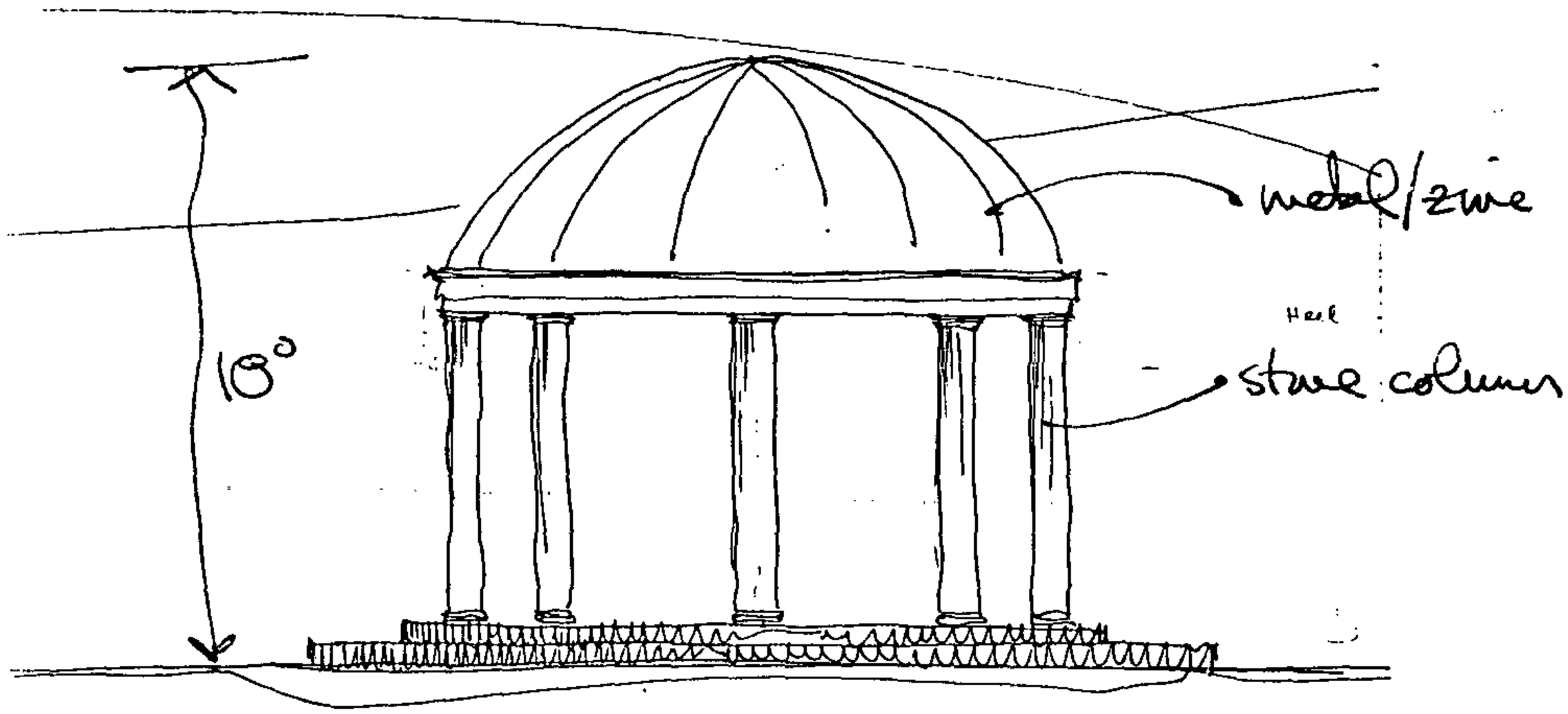

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STRUCTURE.
CASE No. 06-035.A.
PRELIMINARY STUDY

L.J.Link Jr., Inc.
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Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
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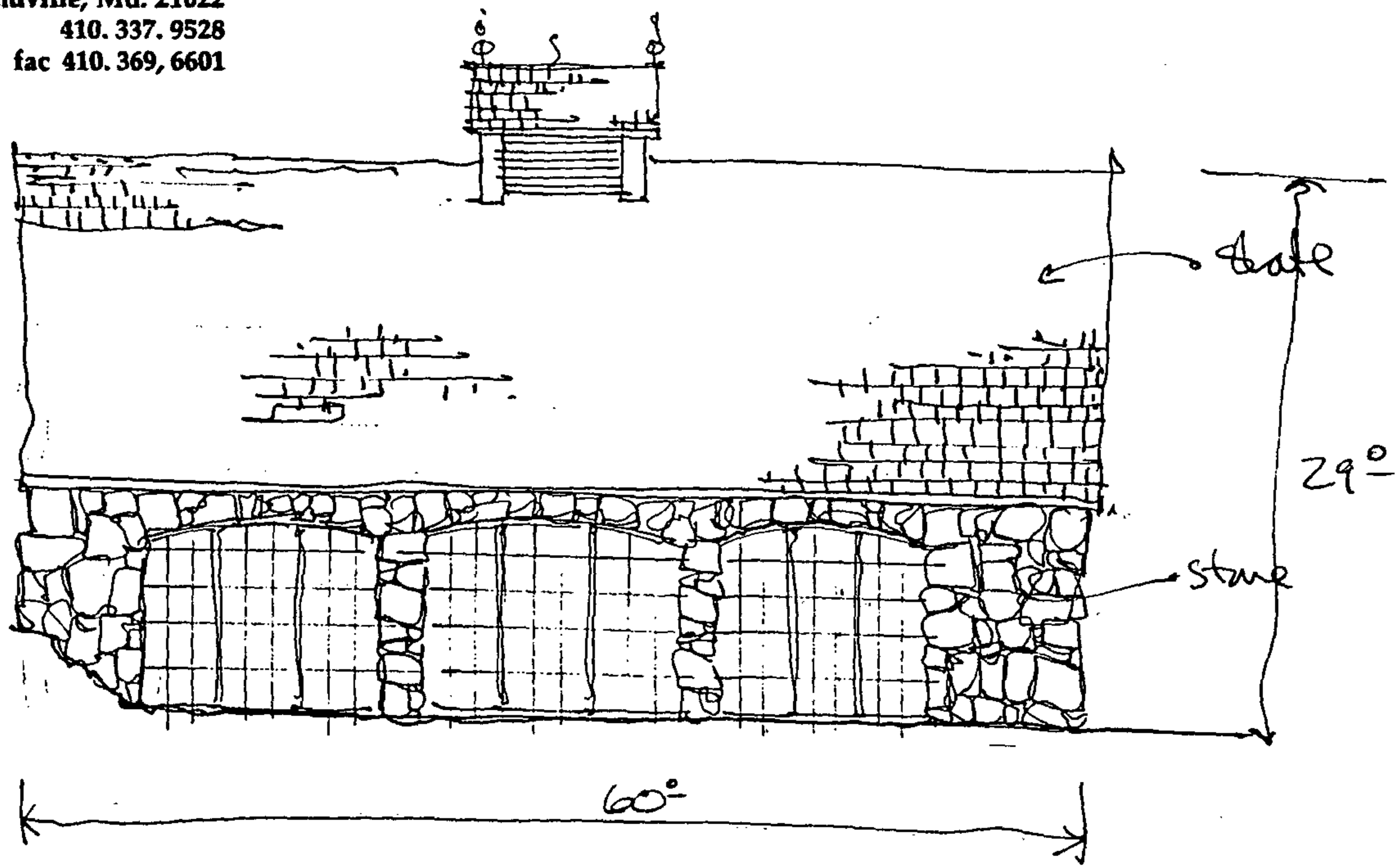
fac 410. 369, 6601



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STRUCTURE.

CASE Nº 06.035.A.
PRELIMINARY STUDY.

L.J.Link Jr., Inc.
Architect
Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
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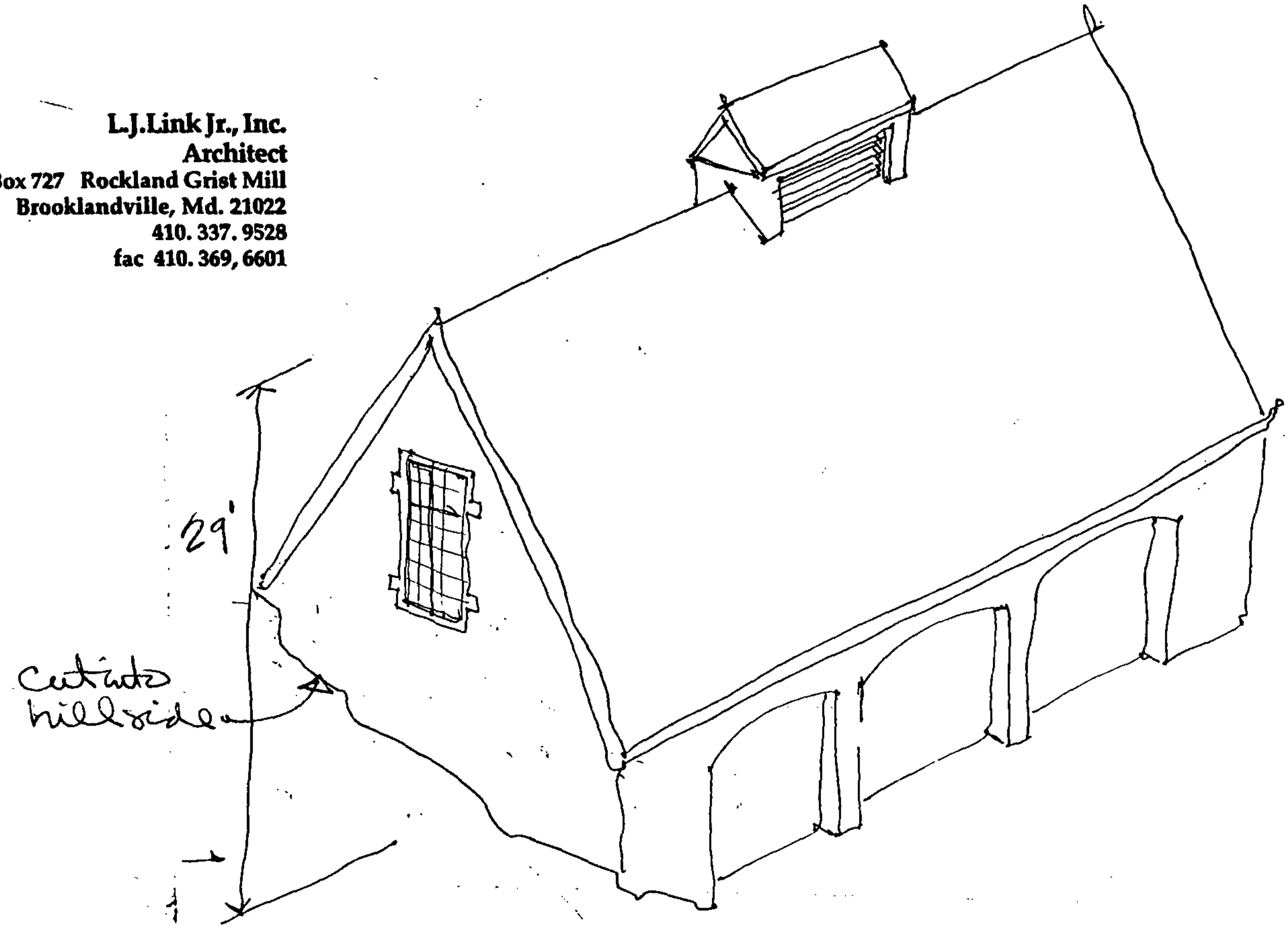
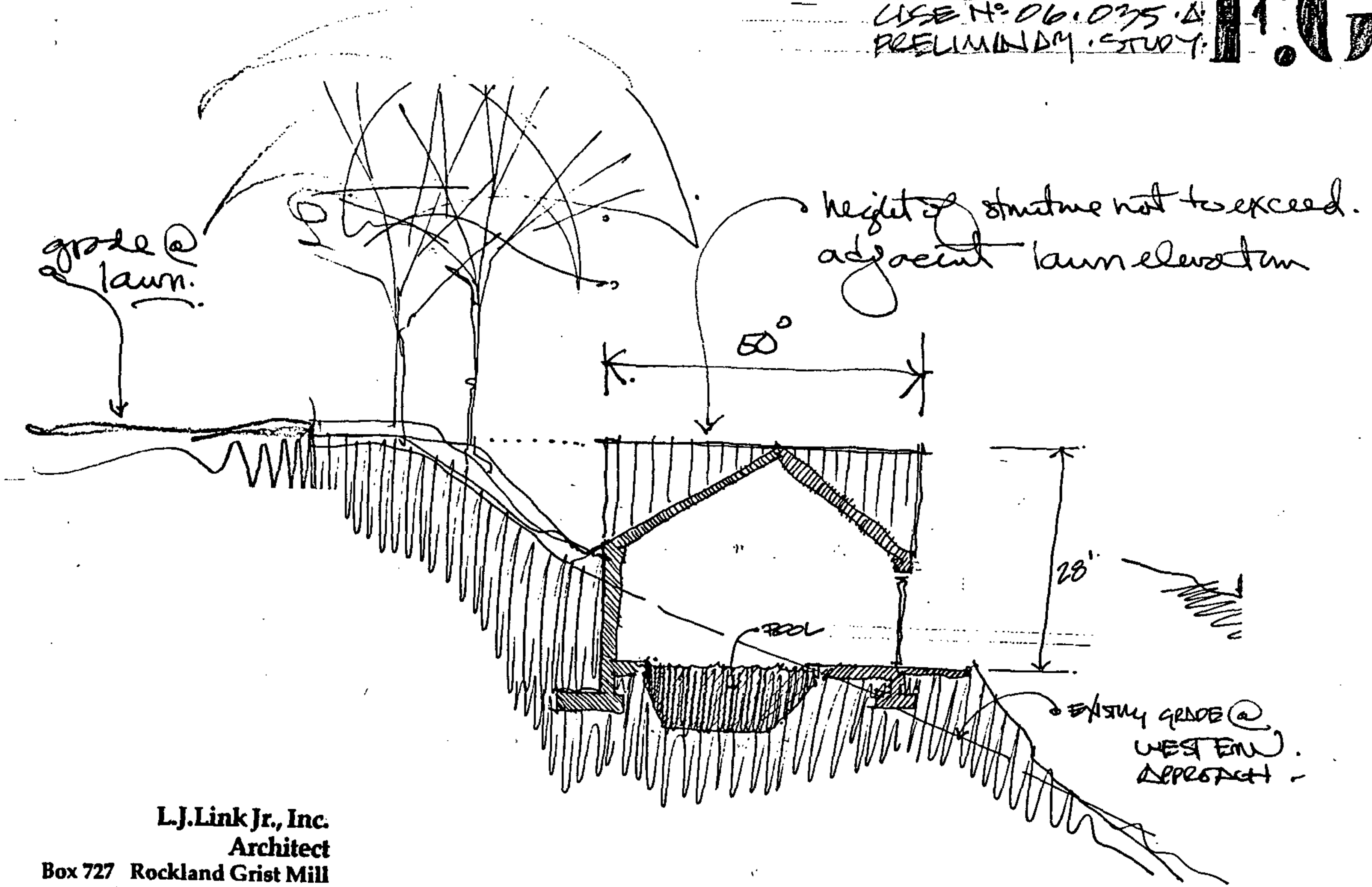


2E

STRUCTURE.
USE No. 06.035.A
PRELIMINARY STUDY.



L.J.Link Jr., Inc.
Architect
Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
410. 337. 9528
fac 410. 369, 6601

SECTION.

2FG

STRUCTURE.
CASE Nº 06.035.A.
PRELIMINARY STUDY.

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Box 727 Rockland Grist Mill
Brooklandville, Md. 21022
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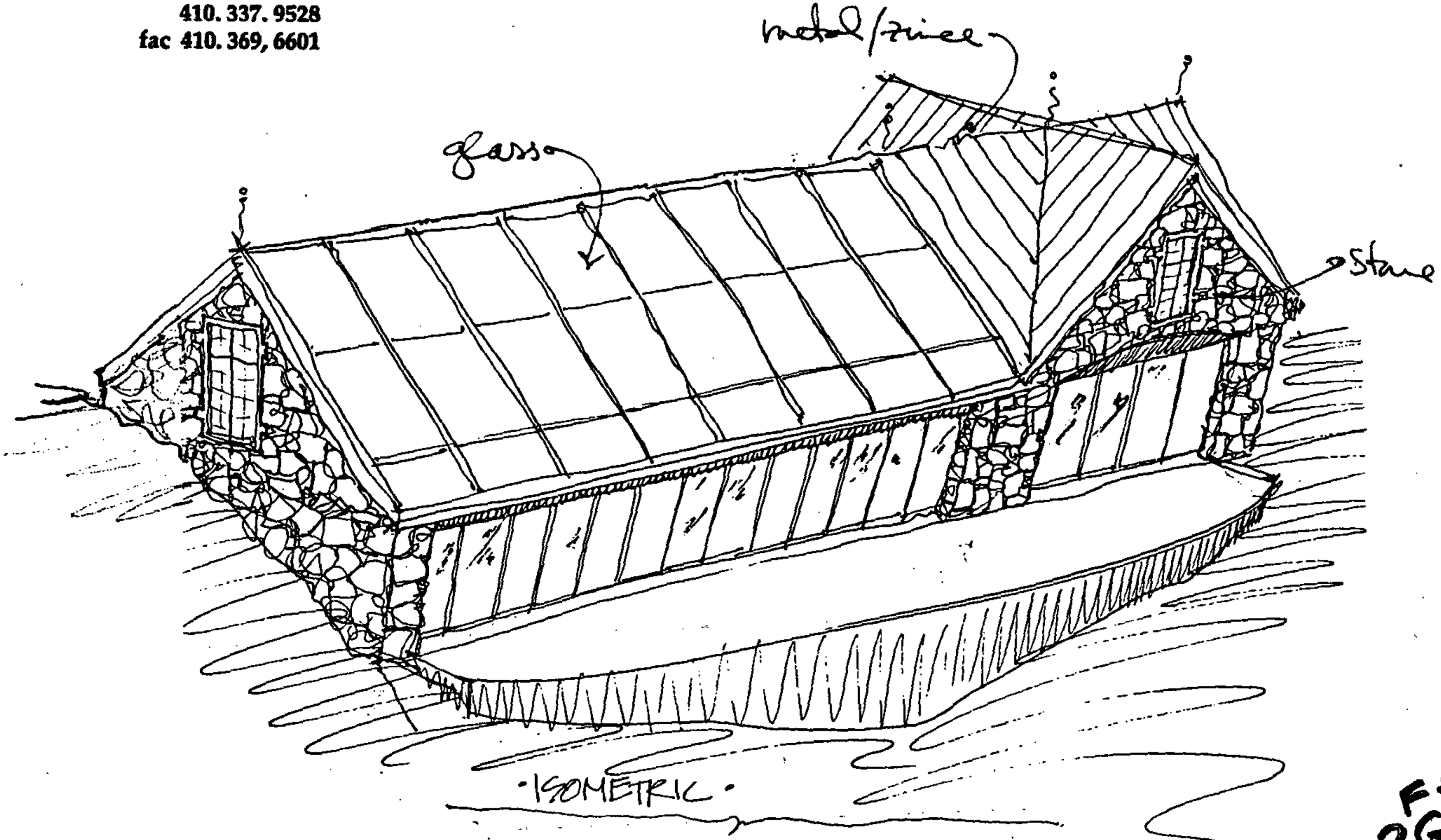

·ISOMETRIC·

F+
2G

PETITIONER'S

EXHIBIT NO. 3

Petetioners Exhibits

1. Plan to accompany
2. Plan of structure B
3. Plan of structure C
4. Plan of structure D
5. Plan of structure E
6a. Plan of structure F + G + 6B Plan of Structure
7. Topographical Map
8. Arial Map
9. Green spring Valley History + Heritage
10. Zoning Commissioners Opinion
11. Link Hillside drawing Arnold will bring back
12. LPC Preliminary Agenda
13. Minutes of LPC
14. Bill 9406
15. a - K Pictures of Subject Property
16. Picture of Barns on Neighbor Property
17. Picture of Neighbors house
18. a Application for Permit
18 B. Inter-Office Corr.
19. Letter from Timothy Naylor
20. Arial labled 4040 Stewart Rd

THE GREEN SPRING VALLEY

Its History and Heritage

VOLUME ONE

A HISTORY

HISTORIC HOUSES

DAWN F. THOMAS

MARYLAND HISTORICAL SOCIETY

BALTIMORE, MARYLAND

1978

Pet. Ex #9

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Baltimore, Maryland 21201
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Library of Congress Catalog Number LC 78-53033

Introduction

A book on the history of the Green Spring Valley was the personal dream of the late J. William Middendorf, Jr. Even as a boy, growing up in his family's house, Lystra, he was aware of the special quality of this region of Baltimore County. In his early adult years Mr. Middendorf committed to memory stories and traditions of the Valley's past and its people, and thus he could speak knowledgeably on many facets of its history. In the later years of his life he became increasingly aware that the passage of time and an ever-expanding population were swiftly erasing many of the Valley's oldest structures from the countryside, and that much of the past was being lost as older generations died or moved from the area.

For ten years he endeavored to have this information researched and recorded so that it would not be lost, but the press of his business career prevented his writing such a history himself. In 1971 through Samuel Hopkins, then president of the Maryland Historical Society, the authors were introduced to Mr. Middendorf, and a union of cooperation was formed between them and the Society. As a result Mr. Middendorf engaged the authors to write a detailed history of the Green Spring Valley, using historical materials available at the Society.

Mr. Middendorf offered an extensive list of ideas for the scope and contents of the book. As is true of any historical study, it was necessary to refine the material so that a comprehensive but manageable outline could be developed. Even then there was an enormous quantity of information. This was due in part to Mr. Middendorf's concern that all aspects of the Valley's past be examined and presented, and in part to the warm response of the people in and around the region who generously shared their personal knowledge and family records because they too believed in the project.

One of the first steps was to define the geographical limits of the Green Spring Valley, a difficult task when no two people could agree on the exact boundary lines. We therefore turned to the local roads in the area and arbitrarily established the region to be studied as lying within the following: beginning at the intersection of Reisterstown and Old Court Roads, running northwest on Reisterstown Road to St. Thomas' Lane, northeast on St. Thomas' Lane to Garrison Forest Road, southeast on Garrison Forest Road to Caves Road, northeast on Caves Road to Green Spring Avenue, from there to Broadway Road, east on Broadway Road to Falls Road, south on Falls Road to Old Court Road, and west on Old Court Road to Reisterstown Road.

It was determined that the book should be concerned with events, families, historic buildings and social institutions that occurred or existed within the designated area from the late 1600s through the 1870s. It should be noted, however, that it was necessary to make exceptions on almost every topic, going beyond boundary or time limits to include those people and events Mr. Middendorf felt were vital to the Valley's growth and development. On the other hand, some places within the boundaries may have been excluded, either because of a scarcity of information or because of the limitations of time and space. In addition, some sections, for example, some houses, were treated at greater length than others, not necessarily because they were more important but because more information was

available. If there was limited material on a family, house, or event, then the subject was treated at greatest length when initially mentioned in the book. Mr. Middendorf supervised the authors in compiling the list of families, houses, and events to be included, using somewhat arbitrary cut-off dates.

Because some time has passed between the writing of the book and its publication, it has been impossible to incorporate all of the changes that have occurred in the Valley in the meantime. Some residents mentioned in the book have since died, and buildings have been sold, altered, or demolished. A few such changes have been noted in the footnotes, but generally speaking all information should be taken as accurate as of February 1975.

We have incurred an unusual number of personal debts in the writing of this book. So many residents and friends of the Green Spring Valley have generously assisted us that any listing would be unwieldy. To all we express our great appreciation. In every possible case permission was obtained for the reproduction of photographs and for the use of information given in interviews, telephone conversations, and family records. These sources are cited in the notes. J. William Middendorf, Jr., and his late brother, Harry Stump Middendorf, inspired us with their infectious knowledge and love of the Green Spring Valley, and J. William funded the entire project, first himself and after his death through the Middendorf Foundation. Samuel Hopkins and P. W. Filby, director of the Maryland Historical Society, offered encouragement and made the unrivaled facilities of the Society available to us. Others have given special assistance: the late C. William Schneidereith, Sr., offered technical advice on the design of the book in its initial stages; A. Hester Rich and Mary K. Meyer enabled us to utilize fully the valuable documents and records on deposit at the Society; Anna Cartledge assisted us with research; Dr. John B. Boles read the work in an early stage; Margot Backas advised the Middendorf Foundation on publication; William Voss Elder III of the Baltimore Museum of Art shared his knowledge of Valley history and made many valuable suggestions; and our two typists, Lynda Lockard and Jane Martin, uncomplainingly transformed our messy manuscript into legible copy. Unless otherwise stated, the illustrations were photographed by John Tennant, Sr., now chief photographer for the Hirshhorn Museum, Smithsonian Institution, Washington, D.C. These pictures form the basis of the Middendorf Collection, given in 1975 to the Maryland Historical Society by the Middendorf Foundation. Photographs by Thomas W. Mele II are also part of this collection.

We cannot end these acknowledgments without again thanking the Middendorfs and the area residents for allowing us to come to know and love their beautiful Green Spring Valley. It has become for us, as we hope it will for readers of this book, a very special place.

DAWN F. THOMAS
ROBERT BARNES

Contents

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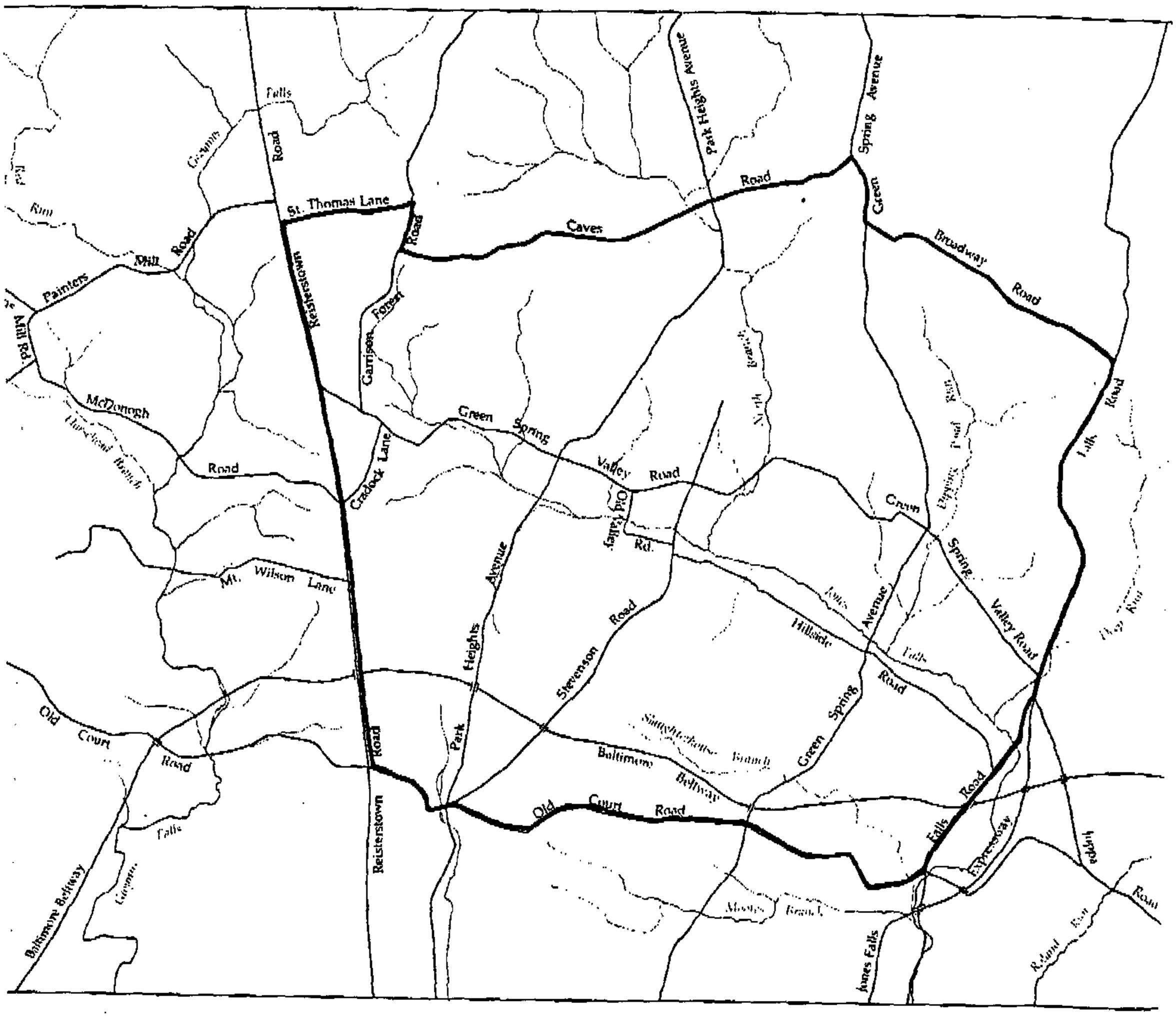


The Green Spring Valley

1753 resurvey *Wester Ogle* (see below). The estate known as Alto Dale, discussed in Part II, Historic Houses, stands on part of this tract. Andrew Hurd's life is discussed in chapter 3 on The Early Settlers.[14]

GREEN SPRING PUNCH, 386 acres, was surveyed for Thomas Bale on 16 August 1702. The starting point was "in the branches of Jones Falls, beginning on the west side of Howard's Branch." The tract is shown on the "Brooklandwood" plat as lying north of *Croxall's Garrison*. Bale left this tract to his sister in 1706 along with other lands "at the Garrison." She in turn left 100 acres of the land to her son Christopher and the residue to her daughter Urath, who married Samuel Owings.[15] The Stewart estate, Cliffeholme, discussed in Part II, Historic Houses, stands on a portion of this land. For a fuller account of the life of Thomas Bale, see chapter 3 on The Early Settlers and the Bale Genealogy.

HOLLOW, or HELMORE, 300 acres, was surveyed for Thomas Carpenter on 17 August 1702. This tract was located on the north side of the southwest branch of Jones Falls. Although the tract was named *"Hollow"* in the certificate of survey, it seems to have been called *Helmore* by April 1704 when Thomas Carpenter had 178 acres surveyed called *Helmore's Addition* "adjacent to *Helmore*." In January 1735 Thomas Carpenter of Alphington, near Exeter in Great Britain, formerly of Maryland, conveyed all of *Helmore* and all of *Helmore's Addition* to John Cockey. *Helmore* was included in the 1756 resurvey of the same name (see below).[16]

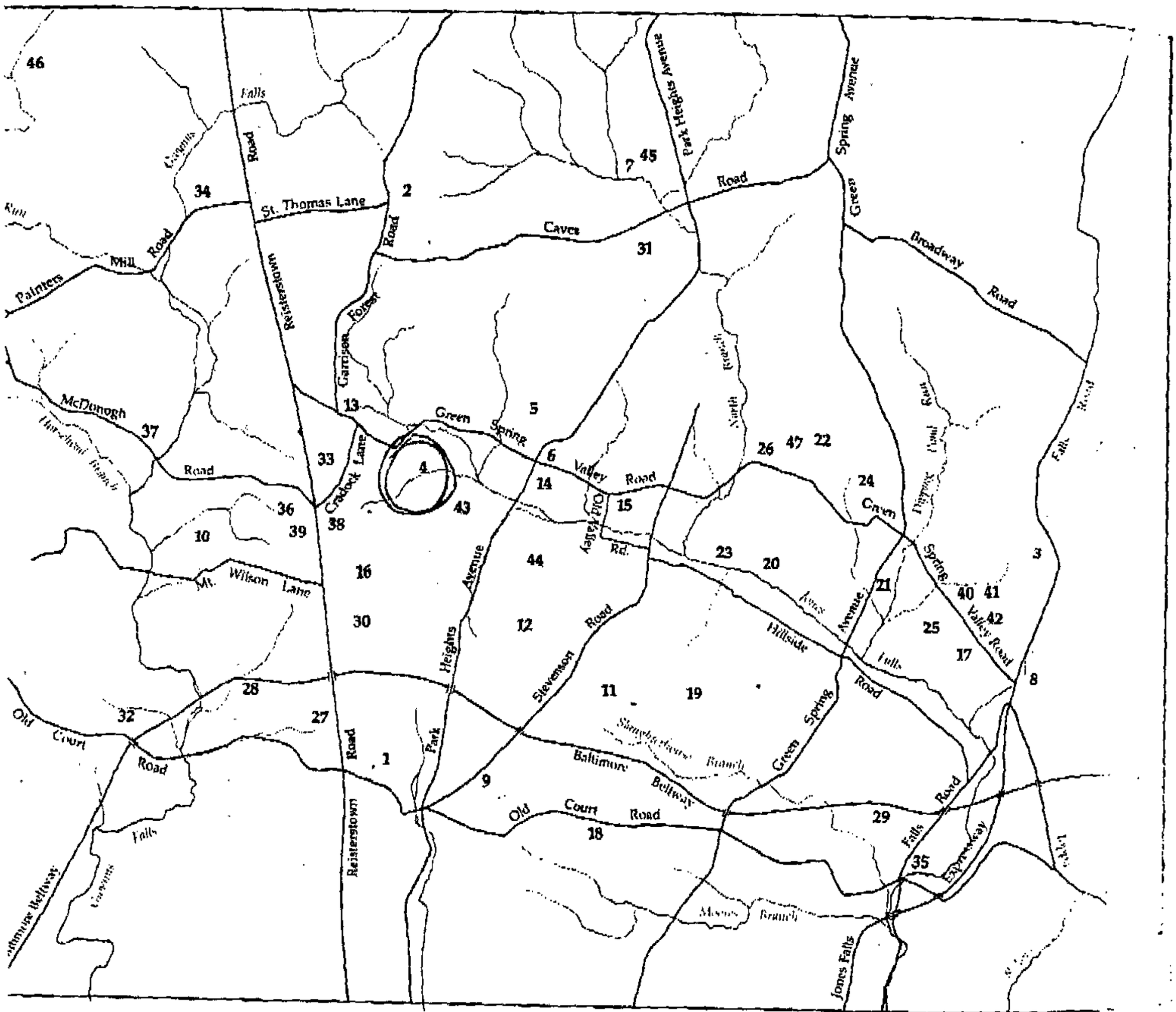
BALE'S ADDITION (to *Rich Level*), 140 acres, was laid out for Thomas Bale on 28 February 1702/3. It began "south of The Garrison, and adjacent to *Rich Level*." *Bale's Addition* appears on the "Wester Ogle" plat as lying north of *Spring Garden* and south of Richard Gist's *The Adventure*, and is also shown on the Marye map. Bale left this land to his sister, Hannah Randall, in his will. She and her husband Thomas conveyed 140 acres of the tract to George Ogg in 1711. George and Mary Ogg sold part of the land to John Risteau in 1745, and the following year Risteau conveyed this part of the land to his daughter "Catherine" and her husband, the Reverend Thomas Cradock. Part of the Cradock estate, Trentham, lies on this land.[17]

BALE'S (or BEALL'S) DISCOVERY, 300 acres, was surveyed for Thomas Crossing of Anne Arundel County on 14 August 1703. The tract was described in the survey as lying on the north side of Jones Falls. The land appears on the "Brooklandwood" plat as lying south of that part of *Selsed* included in *Poor Jamaica Man's Plague* and at some distance east of *Turkey Cock Hall*. John Crossing, "of the city of Exon," "brother and heir at law of Thomas Crossing late of the same city, deceased," conveyed part of the land to Walter Smith in 1730. His son, also a Walter Smith, in turn sold part of this tract and part of another one to Thomas Johnson in 1766. In his will, dated 13 August 1770, Smith left the rest of the land to his brothers-in-law, Job, Phineas, and Samuel Hunt.[18]

WELCH'S ADVENTURE, 200 acres, was laid out for Pierce Welch on 13 January 1703/4. It lay in the woods on the west side of Jones Falls. Dr. Charles Carroll wrote to N(icholas) R(uxton) Gay in June 1751 asking him to return the original certificate of *Welch's Adventure* which Carroll had sent him earlier. The tract was included in the 1752 resurvey *Angel's Fortune* (see below). Pierce Welch is discussed in chapter 3 on The Early Settlers, and his descendants are traced in the Welch Genealogy.[19]

HELMORE'S ADDITION, 178 acres, was surveyed for Thomas Carpenter on 18 April 1704. The tract was located in the woods on the north side of The Garrison and on the north side of the northwest branch of Jones Falls, adjacent to both Thomas Carpenter's tract, *Helmore*, and *Cockey's Trust*. The tract is shown on the "Brooklandwood" plat as lying between William Cockey's 1756 resurvey of *Helmore* and *Cockey's Trust*.[20]

HISTORIC HOUSES



Historic Houses in the Valley: (1) Annandale; (2) Atamasco; (3) Brooklandwood; (4) Cliffeholme; (5) Burnside; (6) Come By Chance; (7) The Caves; (8) Old Stephen Cockey House; (9) Dumbarton; (10) Forest View; (11) Fort Garrison Farm; (12) The Garrison Farm; (13) Green Spring; (14) Green Spring Punch (?); (15) Punch Farm and Green Spring Punch (?); (16) Grey Rock; (17) Helmore; (18) Litterluna; (19) Eli O'Carroll; (20) Lystra; (21) Lystra Meadows (Lystra Springs); (22) (New) Stoneton (Nacirema) and Villa Pace; (23) Margaret Meadows; (24) Koinonia Foundation; (25) Oakdene (Summerfield); (26) Willowbrook (Wilton Wood); (27) Pomona; (28) Anandale; (29) Rockland; (30) Rose Hill (Hill Hall); (31) Stemmer House; (32) Rosland; (33) Trentham; (34) Ulm; (35) Turkey Cock Hall; (36) Wester Ogle; (37) Approximate site of the first Wester Ogle House; (38) Alto Dale; (39) Balmuckety; (40) Fernwood; (41) Knollwood (Forest Knoll); (42) Brandonwood; (43) Finlagen; (44) Merry Hill (Dunlora); (45) The Little Caves; (46) The Meadows; (47) Old Stoneton, Bally Dugan, and Venture

BA# 1640
Cliffholme
4040 Stewart Rd.
Stevenson, Md.
Private

c. 1848

Cliffholme is one of the earliier mansions in the district, purchased in 1868 not long after its initial construction in 1848, and extended atleaset twice prior to massive early twentieth century alterations which completely changed its architectural style while retaining, recognizable its basic form. It was the family home of the Stewarts for many years and plays a significant part in the history nof the Green Spring Valley.

PETITIONER'S EXHIBIT____

BA# 1640
x-873.830
y-556.030

MHCI # 0316402404

MARYLAND HISTORICAL TRUST

INVENTORY FORM FOR STATE HISTORIC SITES SURVEY

1 NAME

HISTORIC Cliffholme

AND/OR COMMON

2 LOCATION

STREET & NUMBER 4040 Stewart Road

CITY, TOWN Stevenson VICINITY OF CONGRESSIONAL DISTRICT Second

STATE Maryland 21153 COUNTY Baltimore

3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE	
__DISTRICT	__PUBLIC	X OCCUPIED	__AGRICULTURE	__MUSEUM
X BUILDING(S)	X PRIVATE	__UNOCCUPIED	__COMMERCIAL	__PARK
__STRUCTURE	__BOTH	__WORK IN PROGRESS	__EDUCATIONAL	X PRIVATE RESIDENCE
__SITE	PUBLIC ACQUISITION	ACCESSIBLE	__ENTERTAINMENT	__RELIGIOUS
__OBJECT	__IN PROCESS	__YES: RESTRICTED	__GOVERNMENT	__SCIENTIFIC
	__BEING CONSIDERED	__YES: UNRESTRICTED	__INDUSTRIAL	__TRANSPORTATION
		__NO	__MILITARY	__OTHER:

4 OWNER OF PROPERTY

NAME Mr. and Mrs. Reuben Fedderman Telephone #: 363-0332

STREET & NUMBER 4040 Stewart Road

CITY, TOWN Stevenson VICINITY OF STATE Maryland 21153 Zip code

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC Baltimore County Liber #: 3653 Folio #: 560

STREET & NUMBER Bosley Ave

CITY, TOWN Towson, Md. 21204 STATE Md.

6 REPRESENTATION IN EXISTING SURVEYS

TITLE

DATE

__FEDERAL __STATE __COUNTY __LOCAL

DEPOSITORY FOR SURVEY RECORDS

CITY, TOWN STATE

7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
X EXCELLENT	__DETERIORATED	__UNALTERED	X ORIGINAL SITE
__GOOD	__RUINS	X ALTERED	__MOVED DATE_____
__FAIR	__UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

CLIFFEHOLME is a two and one-half storey house of stuccoed stone, its style recalling that of Tudor England, a style achieved by massive alterations ca. 1928-1935. Its principal facade is the southerly.

It was first built in ca. 1848 as a two and one-half storey house, five bays in length, traditional in style with 6/6 windows having louvred blinds. By 1895 an addition at its east end virtually repeated the original house; the addition's five-bay facade to the east, its steep end gables to the south and north. Each section had a steep pediment centered in its roof and all roofs projected beyond the walls below with eave and rake cornices supported by scrolled brackets. A one-storey porch extended across the south facade of the original section and a two-storey bay window projected from the south end of the east wing. A single dormer was on either side of the central pediment of the original section and two dormers were on either side of the central pediment of the east wing. Interior chimneys rose through the original roof, possibly four, their exact location unclear; a single interior chimney rose on either side of the central pediment of the east wing. The style of the enlarged structure was Italianate although the basic form of each section was traditional and simple.

Further to the east extended a flat-roofed one storey wing on a high basement above falling grade. Its tripartite windows, exterior window architraves, its rusticated basement storey, smooth principal storey, full classical cornice and balustrade surround all bespeak of a construction date in the 1890s, reflecting the emerging American Colonial-revival style. A bow window projected from its east facade.

In the early twentieth century alterations the porch was removed as was the central pediment above the original house and all of its wooden ornament. The south gable of the east wing was retained as was its bay window form; its central east pediment was extended as a gable roof over the former flat roof of the easterly extension and another gable roof was added at the east end, its ridge parallel to that of the first east wing. The east bow window was removed and a one and one-half storey wing was added

CONTINUE ON SEPARATE SHEET IF NECESSARY

at the extreme west end. All windows were changed to casements with mullions and leaded sash. Chimneys were rebuilt with separate flues expressed above a stuccoed pedistal through the roof. A great mullioned window was added immediately above the principal entrance, itself deeply recessed beneath a Tudor arch.

The interior of this house was not accessible for inspection.

At the original north entrance to the property, along Green Spring Valley Road, is a pair of Egyptian-revival gateposts, probably original. Each post is a single piece of granite from Port Deposit or Ellicott City quarries, with a square shaft having parallel sides rising above a short pedistal at grade with beveled watertable; three incised lines are below a pyramidal top. Against the inner face of the pedistal is a semi-circular wheel guard and wrought-iron pintels project from the inner face of the shaft to receive gates, now missing.

BA-1640

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
__PREHISTORIC	__ARCHEOLOGY-PREHISTORIC	__COMMUNITY PLANNING	__LANDSCAPE ARCHITECTURE	__RELIGION
__1400-1499	__ARCHEOLOGY-HISTORIC	__CONSERVATION	__LAW	__SCIENCE
__1500-1599	__AGRICULTURE	__ECONOMICS	__LITERATURE	__SCULPTURE
__1600-1699	X ARCHITECTURE	__EDUCATION	__MILITARY	__SOCIAL/HUMANITARIAN
__1700-1799	__ART	__ENGINEERING	__MUSIC	__THEATER
X 1800-1899	__COMMERCE	__EXPLORATION/SETTLEMENT	__PHILOSOPHY	__TRANSPORTATION
__1900-	__COMMUNICATIONS	__INDUSTRY	__POLITICS/GOVERNMENT	__OTHER (SPECIFY)
		__INVENTION		

SPECIFIC DATES 1848 BUILDER/ARCHITECT

STATEMENT OF SIGNIFICANCE

Cliffholme is one of the earlier mansions in the district, purchased in 1868 not long after its initial 1848 construction and extended at least twice prior to massive early twentieth century alterations which completely changes its architectural style while retaining, recognizably its basic form. Its Italiante appearance prior to twentieth century Tudor alterations is well documented by a photograph (Dawn Thomas, THE GREEN SPRING VALLEY, 1978, Vol i Page 243. The Egyptian-revival gateposts along Green Spring Valley Road are probably original.

Mention the residence Cliffholme andmost older Valley residents instantly reply; "The Stewart place". The house and the family appear inseparable and are tightly woven into the fabric of the Valley's history that would be most recent in the minds of the older generatio n.

Despite this instant family assocaiation, Cliffholme was actually built by another illustrious family -- the Howards. The builderwas James HOward, son of Revolutionary War hero John Eager Howard and the great-grandson of Joshua Howard, one of the first settlers in the Valley area.

To retrace the history of this lovely home, one must go back to 1702 when 386 acres of the tract Green Spring Punch was surveyed for Thomas Bale. He willed the land to his sister Hannah(Bale) Randall, and at her death in 1727 the land went to her two children. Son Christopher recieived the 100 acres on which Cliffholme would be built one and a quarter centuries hence. It is not knwon whether Christopher Randall actually lived on this property or one of his other tracts in Baltimore County.

By 1763, this property, incorrectly recorded as "Green Spring Purchase" was in the possession of William Kelley (1715-1796). At his death the land passed to his son Joseph (1767-1822). On Feb 4,1814 Kelley and his wife Rachel sold 98 acres of Green Spring Punch[1], 68 acres of The Adventure, and two other slips of land to Charles H. Appleton, a former native and merchant of Boston. He was one of the incorporators of the Savings Bank of Baltimore and an early advocate of the free school consept in Baltimore. After his death, his wife sold the 168 acres on June 19, 1832 to James Howard for $10,000.[2]

James Howard (1797-1870) married Sophia Gough by whom he had four Children. On January 19,1832, four uears after his wife's death, he married Catherine Ross of Frederick. Five months later HOward bought the Valley property. It may be that his interest in living in this part

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BA-1640

8 SIGNIFICANCE

PERIOD

__PREHISTORIC
__1400-1499
__1500-1599
__1600-1699
__1700-1799
X 1800-1899
__1900-

AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW

__ARCHEOLOGY-PREHISTORIC
__ARCHEOLOGY-HISTORIC
__AGRICULTURE
X ARCHITECTURE
__ART
__COMMERCE
__COMMUNICATIONS
__COMMUNITY PLANNING
__CONSERVATION
__ECONOMICS
__EDUCATION
__ENGINEERING
__EXPLORATION/SETTLEMENT
__INDUSTRY
__INVENTION
__LANDSCAPE ARCHITECTURE
__LAW
__LITERATURE
__MILITARY
__MUSIC
__PHILOSOPHY
__POLITICS/GOVERNMENT
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__SCULPTURE
__SOCIAL/HUMANITARIAN
__THEATER
__TRANSPORTATION
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CONTINUE ON SEPARATE SHEET IF NECESSARY

of Baltimore County was aroused by the construction of the Green Spring branch of the Baltimore and Susquehannah Railroad, of which Howard was president from 1833 to 1835.[3]

Howard built Cliffholme about 1848 and by 1854 had acquired 325 acres when a description of the house was given in a Baltimore paper offering it for sale: "The mansion House was built of stone, and rough cast in the most substantial manner, about six years ago at a cost of near nine thousand dollars. It is 50 ft. square, two stories high, with an attic, having an ornamental porch extending along its entire fromt. A spacious hall divides the p principal rooms on the first floor, consisting of a drawing room, two parlours, and dining room; on the second floorare nine chambers; the kitchen and servants rooms being in the basement; water is distributed through the entire building by pipes... "[4]

An 1850 map shows Howard as the owner of this property which was then valued at $50,000. Catherine Howard died on Jan. 26, 1854 leaving their six children for James to raise. The house was offered for public auction five months later. Her death may explain why, in a deed dated 7 November 1854, nine and one half months after her death, Howard was described as a"Lunatic." This deed states that his trustees sold the Cliffholme estate to John W. Ross (probably Howard's brother-in-law).[5]

On April 26, 1859 Howard's trustees, "at the request of JOun W. Ross," conveyed 51½ acres of Green Spring Punch, or "the Cliffholme estate," to Richard Norris, Jr. trustee for Lydia C. Norris, wife of George W. Norris. In 1868, this same land was conveyed to Robert North Elder, who the same month sold 15 acres to Charles MOrton Stewart and the remaining 36 to William H. Shipley. Stewart bought Shipley's land in 1872.

Charles Morton Stewart came from a prominent, distinguished family. His father was a successful lawyer who served briefly in the United States Senate: his grandfather was a Baltimore Merchant; is great-grandfather worked i in the counting house of Brian Philpot and later became a director of two Baltimore based banks.[7]

Stewart continued his family tradition. He owned a fleet of barkentines and engaged in the coffee trade with Brazil during the "golden age of the coffee fleet" from 1865 to 1900. He was highly resspected by his fellow merchants. He and his family were regarded as cultivated, well traveled people whose Valley home was brimming with children, friends and distinguished guests.[8]

As the Stewart family expanded to eighteen children, it was necessary to make considerable alterations to Cliffholme. It became a long stretching house, 9 to 13 rooms on both floors and the basement.[9]

The Stewart children distinguished themselves in various careers and made contributions to the development of the Green Spring Valley Hunt Club, the Green Spring HOunds, and the Maryland Hunt Cup. 10

Following the elder Stewart's unexpected death in 1900. his wife sold portions of the estate over a twenty year period. Her son Redmond Stewart and his wife sold Cliffholme and some twenty acres to Charles B. and Margaret S. Alexander in 1928. The new owner, from CharlesTown, West Va. founded the Baltimore insurance brokerage firm ot Alexander and Alexander. He was a member of the Society of the Cincinnati and the Society of the Lees of Virginia. One of his sons Holmes M. was a playwrit and author, whose book Between Stirrup and Ground is both an autobiography and a vivid picture of life in the Valley at the turn of the twentieth century. 11

It was Charles Alexander who gave Cliffholme its present form. A year after his death, his wife sold on December 30, 1959, the house and 12 acers to Reuen and Beatrice Fedderman, the present owners. 12

BA#1640 #8 Cont. Sheet 3

Cliffeholme

Footnotes

[1] Patent Liber D. D. no. 5, fol. 57, Hall of Records (HR), Annapolis, Maryland; Baltimore County Wills (BCW), Liber A, fols. 97, 237, HR.

[2] Assessment Book of Sheriff Aquila Hall, c. 1763/4, fol. 60, MS. 1565, Maryland Historical Society (MHS), Baltimore, Maryland; Baltimore County Land Records (BCLR), Liber W. G. no. 126, fols. 116, 125, Baltimore City Court House, Baltimore, Maryland; BCLR, Liber W. G. no. 128, fol. 178, Baltimore; Baltimore American and Commercial Daily Advertiser (BACDA), 3 October 1831; and BCLR, Liber W. G. no. 219, fol. 62, Baltimore.

[3] Baltimore American, 21 April 1828; BACDA, 24 January 1832; Dielman File, MHS; Biographical Cyclopedia of Representative Men of Maryland and the District of Columbia (Baltimore: National Biographical Pub. Co., 1879), p. 355.

[4] Baltimore County Avocate [Towson], 3 June 1854.

[5] United States Census for Baltimore County, District One, 1850, fol. 415, MHS; BCLR, Liber H. M. F. no. 10, fol. 35, Towson Court House, Towson, Maryland.

[6] BCLR, Libers G. H. C. no. 26, fol. 79, E. H. A. no. 59, fols. 33, 34, 59, and E. H. A. no. 75, fol. 500, Towson.

[7] Who Was Who In America, Historical Volume, 1607-1898, 1st ed. rev. (Chicago: A. N. Marquis Co., 1967), p. 578; Dielman File, MHS; Baltimore American, 19 July 1799, and 10 May 1802;

BA#1640 Cont. sheet 4 #8

Footnotes- cont.

H. H. Hayden, ed., The Reminiscences of David Hayfield Conyngham, 1750-1834 (n.p.), in "Robert Lee Randolph-His Family," MS. in possession of Robert Lee Randolph, Ruxton, Maryland; J. Thomas Scharf, History of Baltimore CIty and County, 2 vols. (1881; reprint ed., Baltimore: Regional Pub. Co., 1971), 1: 425, 455.

8 Carroll Dulaney, "The Stewart Bartentines," Baltimore News, no date, vertical file of newspaper clippings, Maryland Room, Enoch Pratt Free Library, Baltimore, Maryland; Ellinor Stewart Heiser, Days Gone By (Baltimore: Waverly Press, 1953), p. 1.

9 Ibid., pp. 1, 3.

10 Ibid., p. 16. For detailed information on members of the Stewart family refer to: Dawn F. Thomas and Robert W. Barnes, The Green Spring Valley: Its History and Heritage, 2 vols. (Baltimore: Maryland Historical Society, 1978).

11 Dielman File, MHS; BCLR, Libers W. H. M. no. 654, fol. 182, and W. H. M. no. 662, fol. 301, Towson; "Charles B. Alexander ,82, Insurance Broker, Dies, Sun, 25 September 1958; Louis Azrael, "Louis Azrael Says: A Dim View of the 'ValleySet,'" Baltimore American, 26 November 1967; R. P. Harris, "Alexander's Book Captures Flavor of the Maryland Life, " Baltimore American, 18 March 1968.

12 "Charles B. Alexander, 82, Insurance Broker, Dies"; BCLR, Liber W. J. R., no. 3653, fol. 260, Towson.

BA-1640

9 MAJOR BIBLIOGRAPHICAL REFERENCES

CONTINUE ON SEPARATE SHEET IF NECESSARY

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY 10

VERBAL BOUNDARY DESCRIPTION

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE COUNTY

STATE COUNTY

11 FORM PREPARED BY

NAME / TITLE James T. Wollen AiA Dawn F. Thomas

ORGANIZATION Valleys Planning Council DATE 5/80

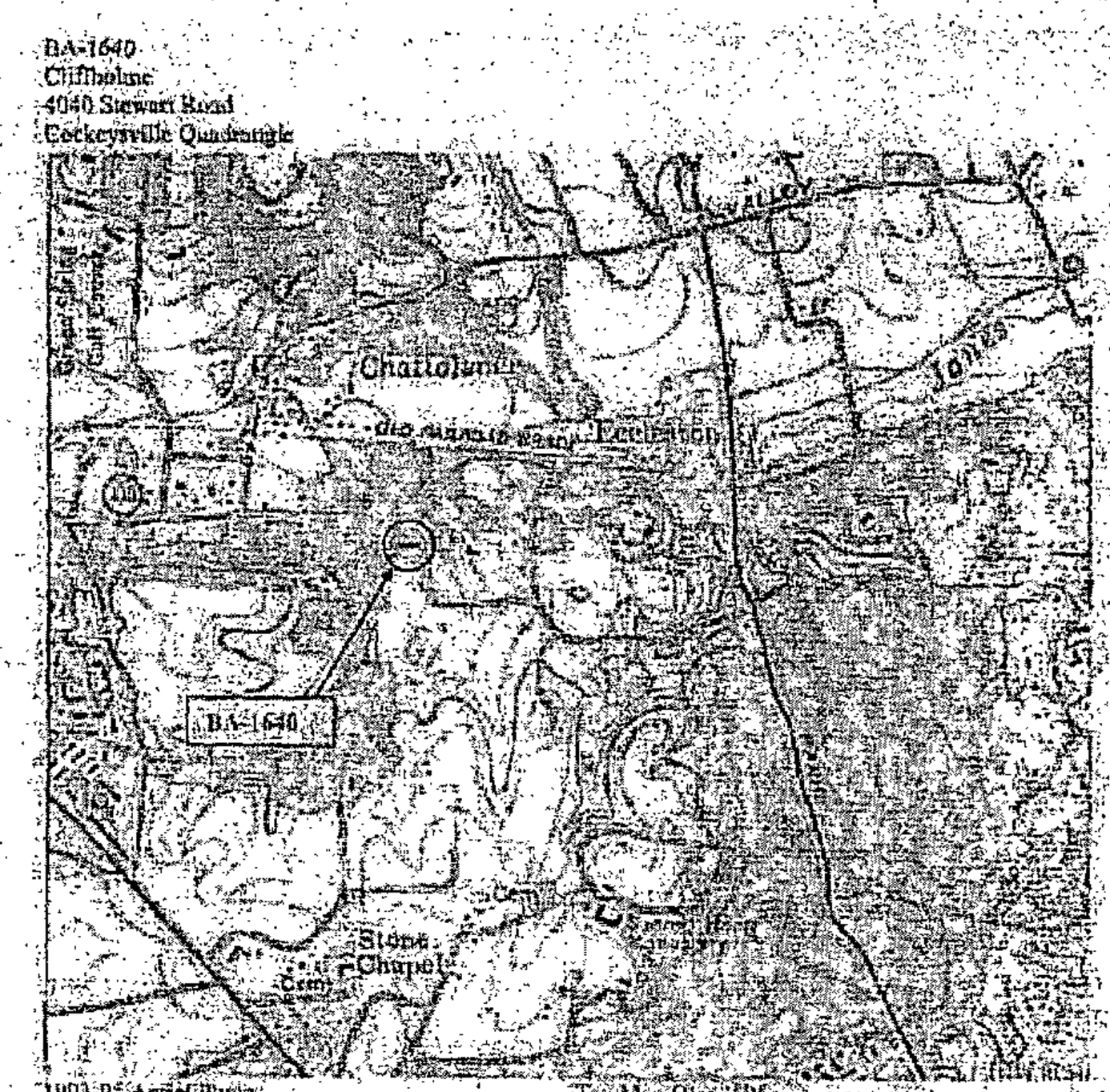
STREET & NUMBER 212 Washington Ave, TELEPHONE

CITY OR TOWN Towson Md. 21204 STATE

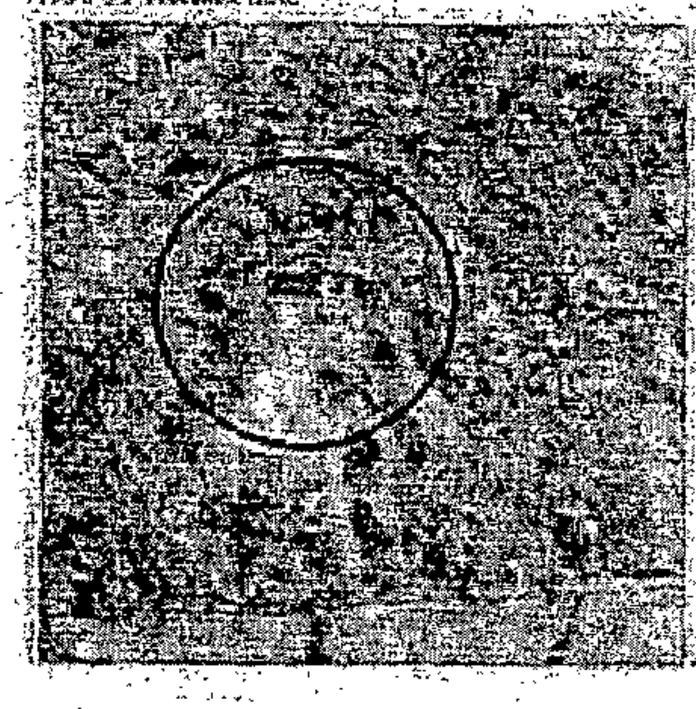
The Maryland Historic Sites Inventory was officially created by an Act of the Maryland Legislature, to be found in the Annotated Code of Maryland, Article 41, Section 181 KA, 1974 Supplement.

The Survey and Inventory are being prepared for information and record purposes only and do not constitute any infringement of individual property rights.

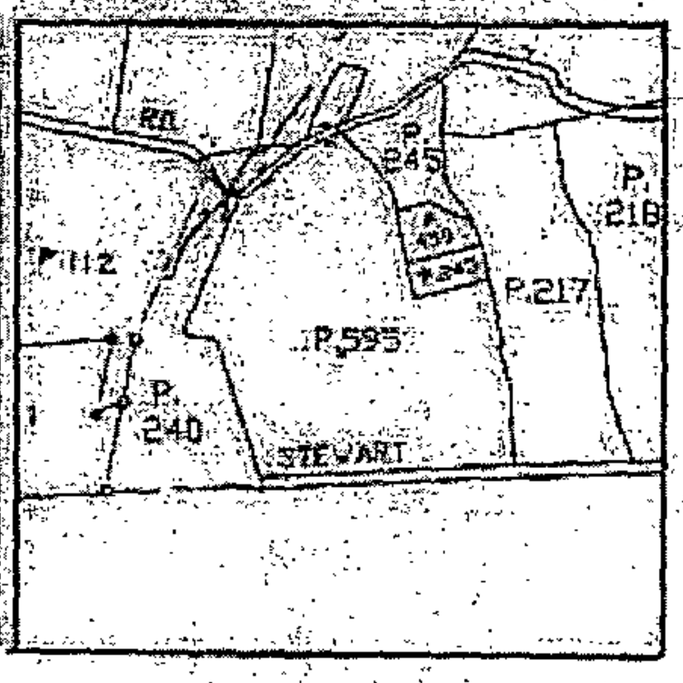
RETURN TO: Maryland Historical Trust
The Shaw House, 21 State Circle
Annapolis, Maryland 21401
(301) 267-1438



1993-95 Aerial Photo



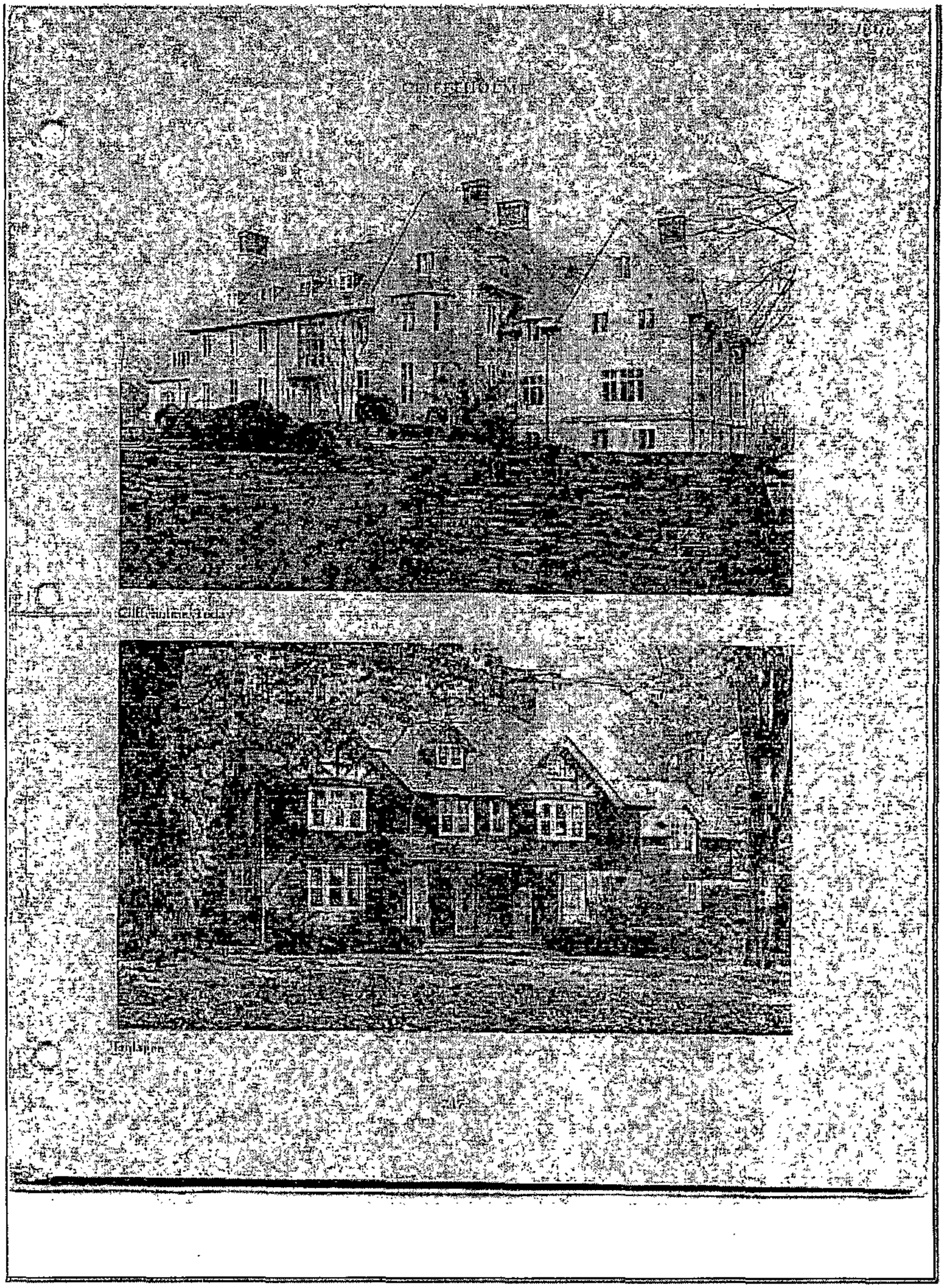
Tax Map 08, p. 395



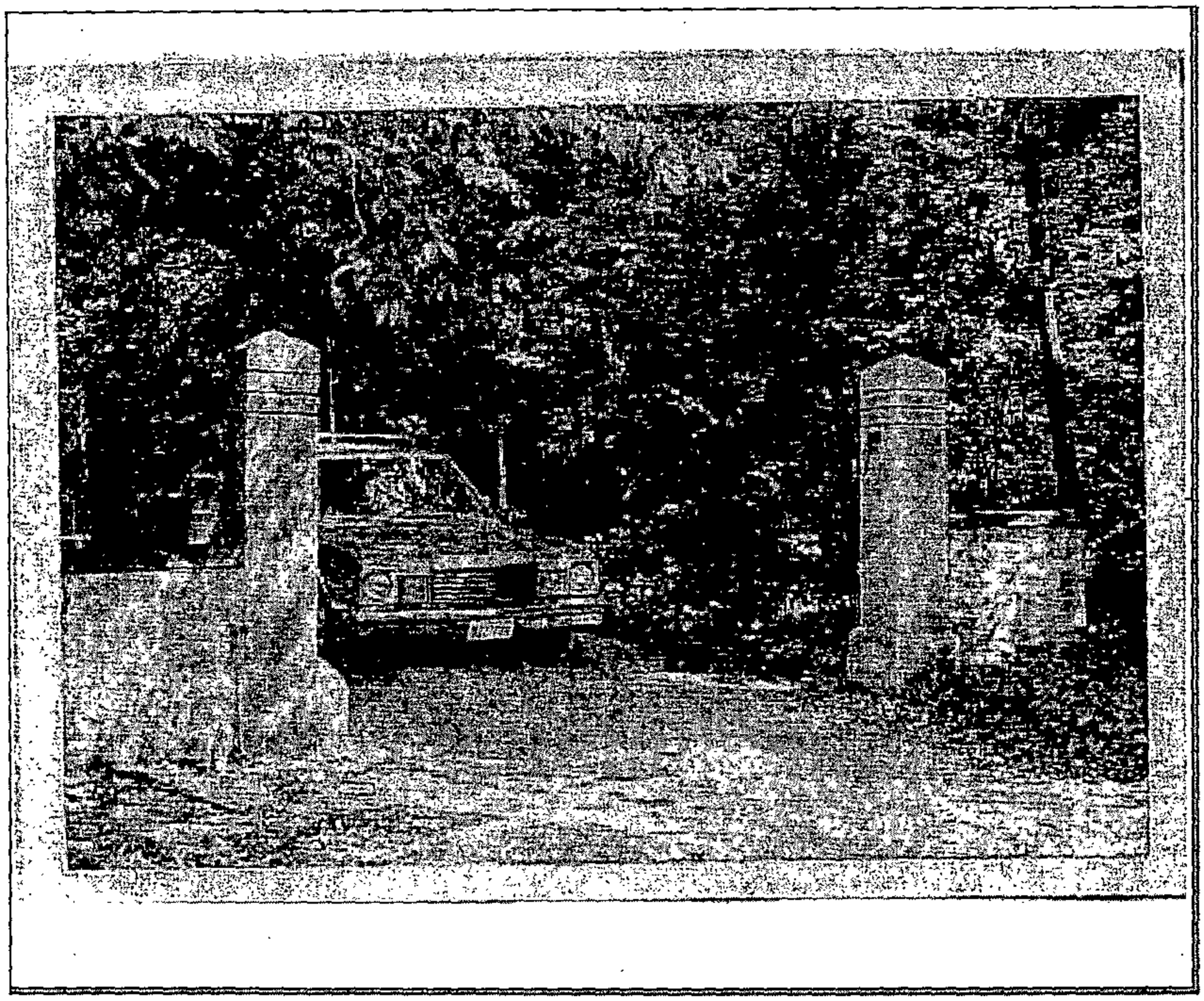
Mansion House, South View, April 1895
Collection of the Katherine Lanier Small Library

attains its grandeur. The Mansion House was built of stone and roughcast in the most substantial manner, although it was erected at a cost of less than thousand dollars. It is 50 feet square, two stories high, with an attic, having an ornamental porch extending along its entire front. A spacious central hall divides the principal rooms on the first floor, consisting of a drawing room, two parlors, and dining room; on the second floor are nine chambers; the kitchen and servants' rooms being in the basement. Water is distributed through the entire building by pipes, and a fine spring [illegible]

An 1850 map shows James Howard as the owner of this property valued at $50,000. Living at Clifton with James and his wife Catherine are their children Lilla, Margaret, Nancy, William, James, Harry, and David. Catherine Howard died on 16 January 1854. The house was entered for public auction later that five months later. One cannot but speculate that the house held memories of the late Catherine and that James Howard could not bear to live there without her. The death may also explain why an 1852 deed dated November 1851 [illegible] all are half months after the death he is described as James Howard.



Cliffeholme (Reuben Federman)
Owings Mills , Baltimore County,
BA-1640
Page 13 of 14 available pages
Return to search results



9-D de Amy L. Dorbell

15 (9)

Rear yard (beyond fence)

Amy L. Dontell 9-12-06 15(H) Rear yard (behind fence)

9-12-06 Amy & Donald

Rear bord; Cliffholme Rd. in distance

9-12-06 Amy L. Dentell

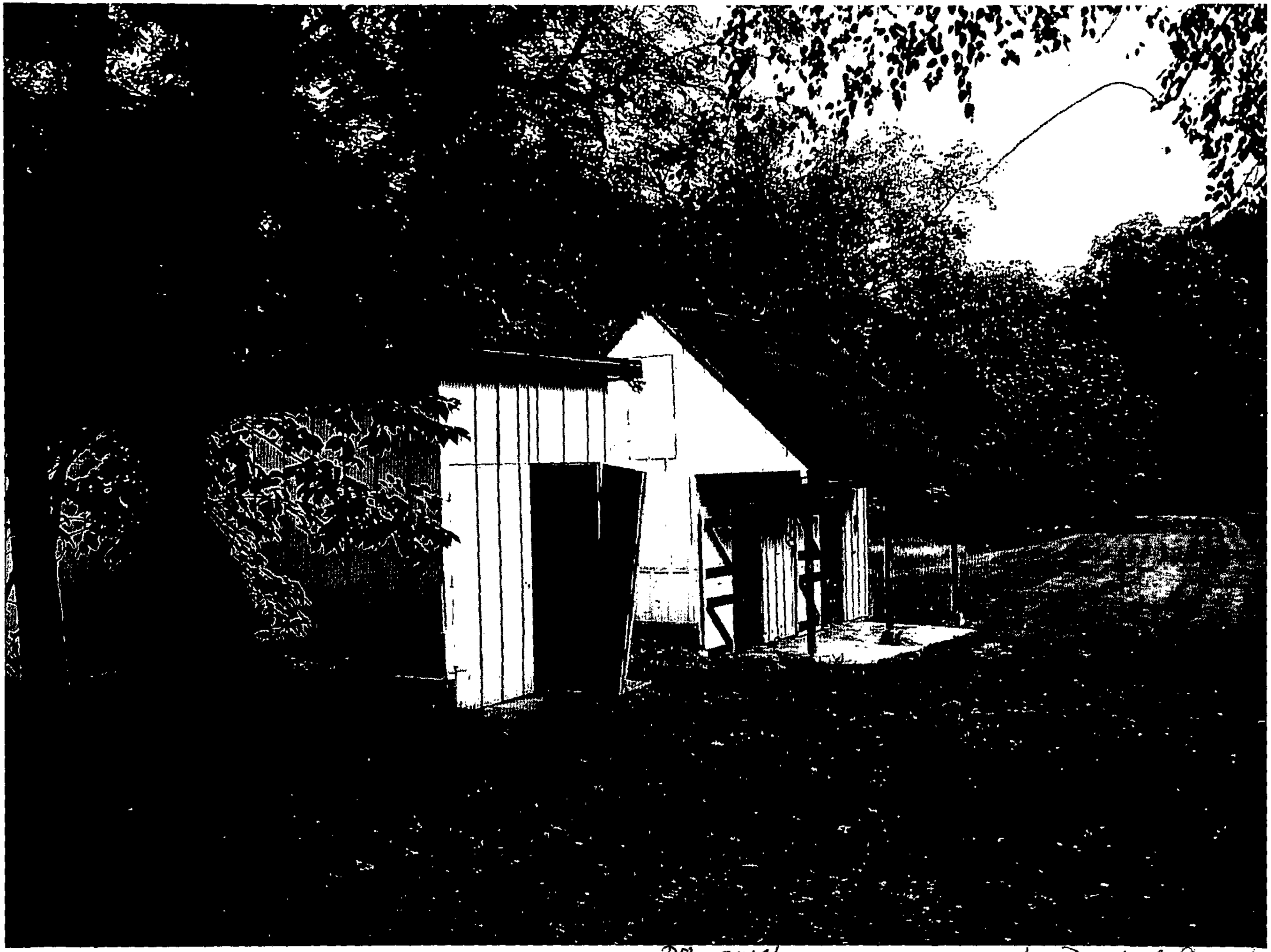
18 (J)

View of side yard, side of house

9-12-06 Amy Dorsteel

15(K)

Front of house



DEF EXH 16

Amy Dontell 9-12-06

90.01.6 [illegible] 21 [illegible]

Augusta 9-13-06

15 (b)

EXH 15 (a) Amy Dorbel 9-12-06

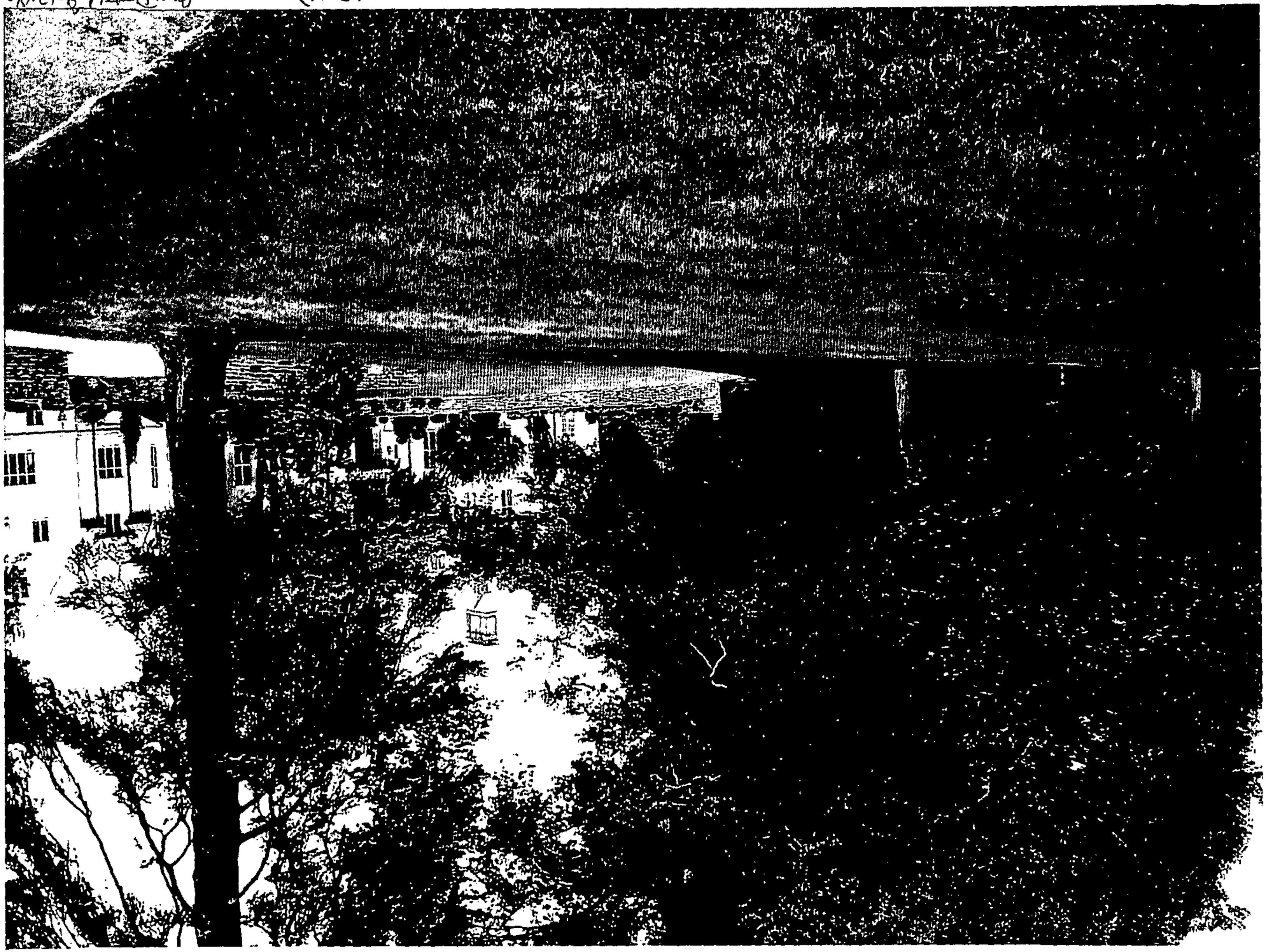
Rear yard & fence to protect from slope of property

(d)

Amy K. Dontell

9-19-06

15(e) Rear yard & fence to protect from slope of property 9-12-06 Amy L. Dontell



15(F) On steps in rear of property looking up at fence & house Amy Dorbell 9-12-06

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPT. OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 3/10/98
ORA: 840
HISTORIC DISTRICT/BLDG. [ ] YES [ ] NO

PERMIT #: B 339164
RECEIPT #: 43466
CONTROL #: MK
PREF #:
FEE: $ 60.00 / 60
PAID:
PAID BY:
INSPECTOR:

PROPERTY ADDRESS: 4001 STEVART RD [✓] YES [ ] NO
SUITE/SPACE/FLOOR: [ ] DO NOT KNOW
SUBDIV:
TAX ACCOUNT #: 2-00-025462 DISTRICT/PRECINCT: 3 / 11
OWNER'S INFORMATION (LAST, FIRST)
NAME: [illegible] ELIZABETH
ADDR: 4001 STEVART RD. SYKESVILLE 21153

DOES THIS BLDG. HAVE SPRINKLERS? YES — NO —

APPLICANT INFORMATION
NAME: GEORGE HEYBACK
COMPANY: CHO WILKS & BOND. INC.
STREET: 200 NORTH CHARLES ST.
CITY, ST, ZIP: BALTIMORE MD 21201
PHONE #: 410-576-0410. MHIC LICENSE #: 25401
APPLICANT SIGNATURE: [signature] DROP
PLANS: CONST 7 PLOT 0 PLAT DATA EL 1 PL 1
TENANT:
CONTR: [illegible] Contracting
ENGNR:
SELLR:

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

BUILDING CODE: 1 or 2 FAM ✓ CODE ✓ BOCA CODE

TYPE OF IMPROVEMENT
1. NEW BLDG CONST
2. ✓ ADDITION
3. ✓ ALTERATION
4. ✓ REPAIR
5. WRECKING
6. MOVING
7. OTHER

DESCRIBE PROPOSED WORK: Applicant attics farm upf alt to repair & repair spaces install new windows + doors ~~[illegible]~~ & siding over bldg. Replace asphalt to metal roof. Pour conc. slab, repair & replace foundation as needed. ~~[illegible]~~ replace int. stairs, new fireplace (no pig). Repair & reinforce roof trusses, add ridge beam

TYPE OF USE

RESIDENTIAL
01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY (ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

NON-RESIDENTIAL
08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE MERCANTILE RESTAURANT
SPECIFY TYPE
20. SWIMMING POOL
SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

Replace siding, soffit, fascia, porch or roof of bldg. & Barn

TYPE FOUNDATION: 1. SLAB 2. BLOCK 3. CONCRETE
BASEMENT: 1. FULL 2. PARTIAL 3. NONE

TYPE OF CONSTRUCTION
1. MASONRY
2. WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

TYPE OF HEATING FUEL
1. GAS 3. ELECTRICITY
2. OIL 4. COAL

TYPE OF SEWAGE DISPOSAL
1. PUBLIC SEWER EXISTS PROPOSED
2. ✓ PRIVATE SYSTEM
✓ SEPTIC ✓ EXISTS PROPOSED
PRIVY EXISTS PROPOSED

TYPE OF WATER SUPPLY
1. PUBLIC SYSTEM EXISTS PROPOSED
2. ✓ PRIVATE SYSTEM ✓ EXISTS PROPOSED

CENTRAL AIR: 1.
ESTIMATED COST OF MATERIALS AND LABOR: $ 250,000
PROPOSED USE: old L Barn / ~~[illegible]~~ + alteration / repair addition
EXISTING USE: Barn / ~~[illegible]~~ & [illegible]

OWNERSHIP: 1. ✓ PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE 6. HIRISE
#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS:
1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS CLASS 1
POWDER ROOMS KITCHENS LIBER FOLIO

BUILDING SIZE
FLOOR 2560
WIDTH
DEPTH
HEIGHT
STORIES
LOT #'S
CORNER LOT 1. Y 2. N

LOT SIZE AND SETBACKS
SIZE 13.69 AC
FRONT STREET
SIDE STREET
FRONT SETBK
SIDE SETBK N/C
SIDE STR SETBK
REAR SETBK
ZONING

APPROVAL SIGNATURES		DATE
BLD INSP		
BLD PLAN	OK TO FILE [illegible]	3/6/98
FIRE		
SEDI CTL		
ZONING	[illegible]	3/6/98
PUB SERV	[illegible]	
ENVRMNT HLTH	[illegible]	3-6-98
[illegible]	[illegible]	
PERMITS		

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Separate permit req'd to change to apt.

PET EXH 18(a)

INTER-OFFICE CORRESPONDENCE

BALTIMORE COUNTY, MARYLAND

To: Doug Swam
Permit Supervisor

From: John McGrain
County Historian

Subject: Permit No. B339164

Date: May 27, 1998

This memo is to provide your file with a statement that there is no historic conflict involved in restoring the barn at No. 4001 Stewart Road. The barn does not bear a Maryland Historical Trust Site Number and thus there is no impediment to its restoration or repair.

John McGrain

Hold for letter from John McGrain

Pet EHH 18(D)

Mr. Timothy C. Naylor
4001 Stewart Road
Stevenson, Maryland 21153
410-484-0133
ntique4001@comcast.net

February 9, 2006

Dear Ms. Abe,

Please inform the Commision and staff that I, as sole applicant to place Cliffeholme on The Baltimore County Landmarks List, do not consent to the Cliffeholme matter placed on the consent docket for tonight's meeting. It is important that it be made clear that Cliffeholme, a rare survivor of Baltimore County's nineteenth century country houses and its surrounding environmental envelope be placed on the list together as one entity. The estate is one of the last of its type remaining in the County still serving its original residential purpose and retaining its original setting. The statute passed in October specifically considers instances like this where a building's setting and envelope are essential to maintaining the home's true historic, architectural, and rural character. Thank you for your time and consideration.

Respectfully,

Timothy C. Naylor

Timothy6 C. NAylor

PETITIONER'S EXHIBIT 19

Protestants

1a - Pictures of Naylor Property

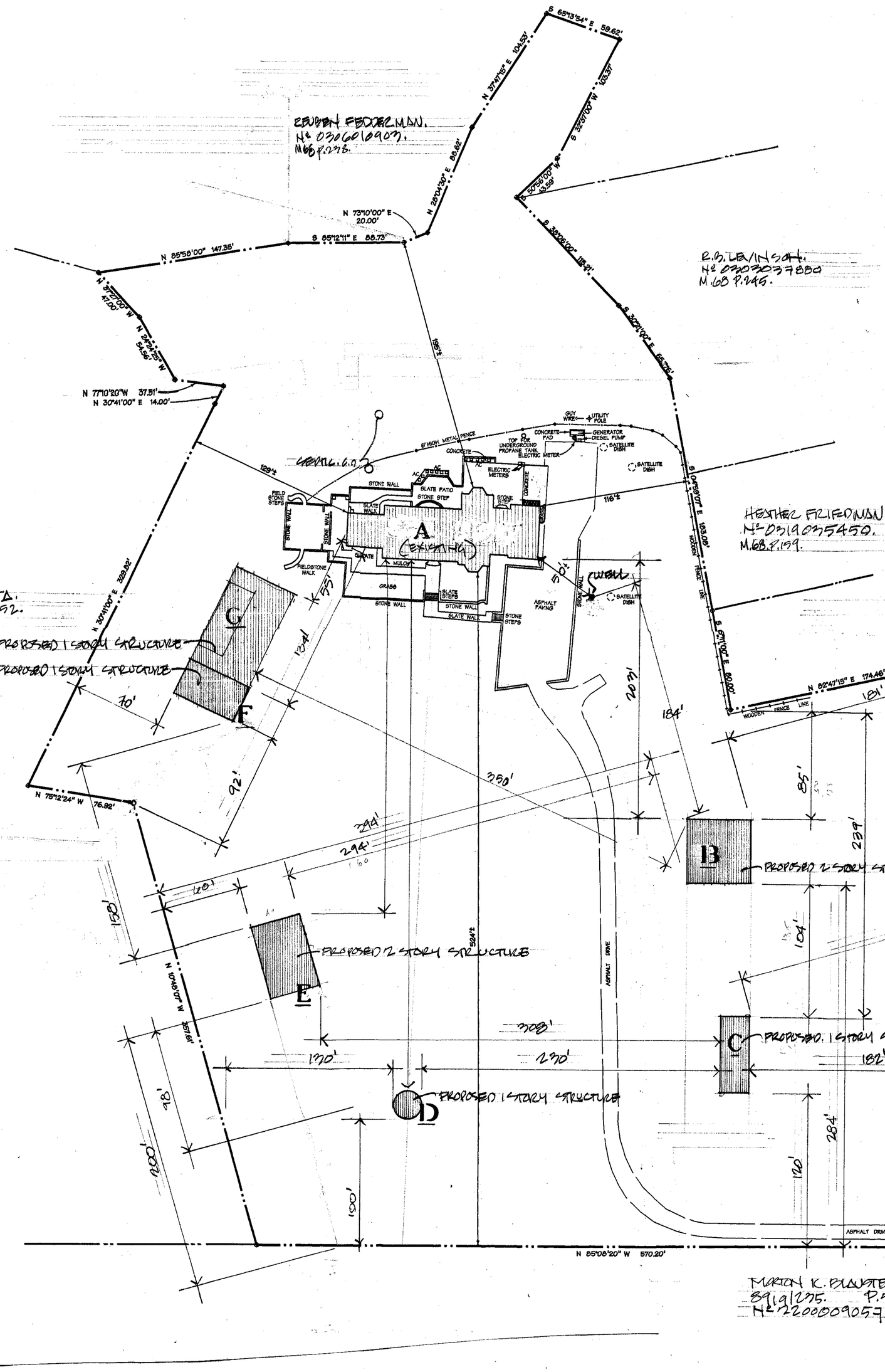
#1a..

Pro. Ex #1A

Q-F-OL Master Home for Staff

Pro. Ex 1 B

rear Slope behind Nagle hole



SITE PLAN.
1"=50'-0"
SURVEYED BY DMW, INC., 200 E. PENNSYLVANIA AVE, TOWSON, MD. 21286 (410) 296.3333. JULY 1 2002.
BY ANTHONY J. VITT, REG. Nº 10951.

PROPERTY ADDRESS: 4040 STEWART RD., STEVENSON, 21153.
TAX A/C Nº 2300000.0775.
DISTRICT Nº 93. PRECINCT:
MAP. 6B.
GRID. 7. PARCEL Nº 595
LOT SIZE: 9.72 AC.
ZONING: RCS.
PRIVATE SEPTIC: EXISTS.
PRIVATE WATER: EXISTS.
NOT A PART OF CHESAPEAKE BAY CRITICAL AREA.

ZONING MAP 068A1 + 068A2

LEGEND/SCHEDULE OF SITE IMPROVEMENTS:

A EXISTING, 2 STORY STRUCTURE OF STONE & SLATE ROOF.
150'x85'x 55'± ABOVE FIN. GRADE (EXISTING). —— 17,821 ☐.
USE: EXISTING RESIDENCE.

B PROPOSED 2 STORY. STRUCTURE OF STONE, GLASS & SLATE ROOF.
50'x50'x 24' HIGH (ABOVE FIN. GRADE). —— 7000 ☐.
USE: ART GALLERY & TEA ROOM.

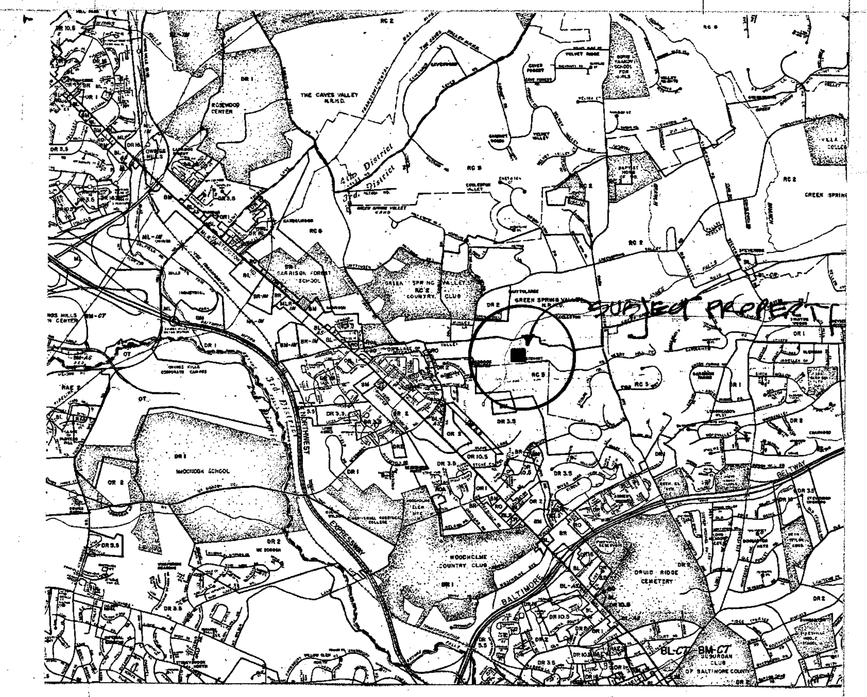
C PROPOSED, 1 STORY. STRUCTURE OF STONE & SLATE ROOF.
20'x60'x 19' HIGH (ABOVE FIN. GRADE). —— 1200 ☐.
USE: OPEN AIR. (NOT ENCLOSED). PAVILION.

D PROPOSED 1 STORY STRUCTURE OF STONE & METAL ROOF
20'x20'x 18' HIGH (ABOVE FIN. GRADE). —— 400 ☐.
USE: OPEN AIR. (NOT ENCLOSED) PAVILION.

E PROPOSED, 2 STORY STRUCTURE OF STONE, GLASS & SLATE ROOF.
40'x60'x 29' HIGH (ABOVE FIN. GRADE). —— 4,800 ☐.
USE: ART GALLERY & STUDIO/OFFICE.

✓**F** PROPOSED, 1 STORY STRUCTURE OF STONE & GLASS & GLASS ROOF.
30'x50'x 25' HIGH (ABOVE FIN. GRADE. —— 1500 ☐.
USE: POOL HOUSE & LANAI.

✓**G** PROPOSED 1 STORY STRUCTURE OF GLASS & GLASS ROOF.
80'x50'x 28' HIGH (ABOVE FIN. GRADE). —— 4000 ☐
USE: INDOOR POOL & GLASS STRUCTURE ENCLOSURE.



VICINITY MAP.
N.T.S.

FOR DETACHED STRUCTURES IN FRONT YARD OF EXISTING RESIDENCE OF
STEVE & MINDY GEPPI.
4040 STEWART ROAD, STEVENSON, MD. 21153.
(OWNER RESIDES AT THIS ADDRESS).

L. J. LINK JR. INC. —— ARCHITECT
BX 727. ROCKLAND GRIST MILL BROOKLANDVILLE MD. 21022
410.337.9528. FAX 410.329.6601
JULY 12/05.

PETITIONER'S
EXHIBIT NO. 1

06-035-A D.T.

PEI EXH 7

DATA SOURCES:

Boundary information shown hereon is based on a site plan created by L.J. Link Jr. Inc. dated July 12, 2005.

Existing topography and improvements shown hereon provided by Baltimore County GIS based on March 1996 orthophotography.

DMW

Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

4040 Stewart Road

DATE	BY	REVISIONS

ISSUE DATES

REVIEW:	
BID:	
PERMIT:	
CONSTRUCTION:	
BASE:	KO
DRAWN:	KO
DESIGNED:	
CHECKED BY:	
DATE CHECKED:	
SCALE:	1"=50'
PROJECT NO.:	
DRAWING:	1 of 1

J:\Project Files\4040stewart\dwg Wed Sep 13 08:01:54 2006

Pet Exh 7