

IN RE: PETITION FOR ADMIN. SPECIAL HEARING	* BEFORE THE
N side of Shipley Avenue, 55 feet west of	
March Avenue	
(14 Shipley Avenue)	* ZONING COMMISSIONER
1 st Election District	
1 st Council District	* OF BALTIMORE COUNTY
Carolyn Y. Walter	*
Legal Owner	
Baltimore County Department of Permits and	* Case No. 07-182-SPH
Development Management; Douglas A. Swam	
Petitioner	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the Baltimore County Department of Permits and Development Management, through its agent, Douglas A. Swam. The legal owner of the subject property is Carolyn Y. Walter. The Petitioner, Baltimore County, Maryland through its Department of Permits and Development Management, is requesting an Administrative Special Hearing seeking approval of a waiver pursuant to Sections 32-4-107(b) of Baltimore County Code (B.C.C.) of Sections 32-4-223.8 and Section 32-4-416(a)(2) to raze a deteriorated single family dwelling located in an historical area with Maryland Historical Trust Number #BA-3067. The property is known as 14 Shipley Avenue located in the Winters Lane African American Survey District in the Catonsville vicinity of Baltimore County. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The demolition request is County initiated in response to a community request. The rationale for the County's demolition request is the property's severe neglect and the owner's unwillingness to respond to numerous citations of the Livability Code. The matter was brought before the Baltimore County Landmarks Preservation Commission (LPC) on October 12, 2006.

11-20-06
 90-02-11
 03

Thereafter, the LPC Technical Committee visited the site and examined the interior of the dwelling. The Landmarks Preservation Committee approved the demolition of the subject structure at their November 9, 2006 meeting. A notice to proceed in accordance with Baltimore County Code Section 32-7-405 was issued.

Section 32-4-107(b) of the Baltimore County Code (B.C.C.) provides that waivers from the requirements of Section 32-4-221 of the Code (i.e., the development plan) can be granted by the Director of the Department of Permits and Development Management (DPDM). Such requirements can be waived upon a finding that the size, scope and nature of the proposed development does not justify strict compliance, that a waiver would be within the scope, purpose, and intent of the development regulations, and that the proposed development complies with all other County laws, ordinances, and regulations. Under the Code, the property in question is posted for a period of 15 days during which time the property owner or any other property owner residing within 1,000 feet thereof may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code and the documentation contained within the case file reflects that the property was duly posted as required. Based upon all of the evidence contained therein, I am persuaded to grant the requested relief. There were no adverse comments submitted by any County reviewing agency and due to the absence of opposition on the part of any citizen, I find that the requested waiver is appropriate in this instance. I further find that removal of the subject structure meets the spirit and intent of the development regulations, and that all other County laws, ordinances, and regulations will be met.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the requested waiver shall be granted.

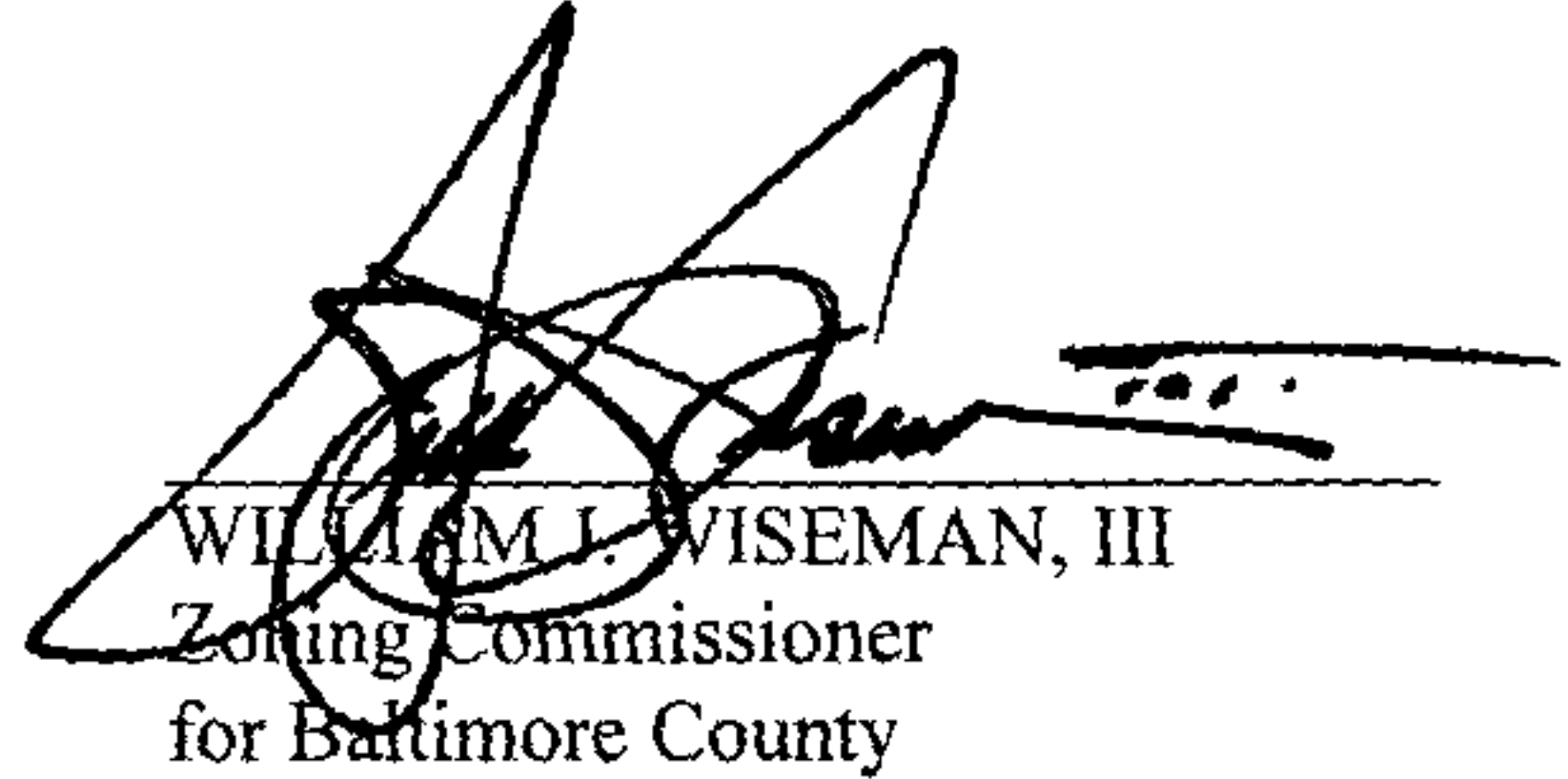
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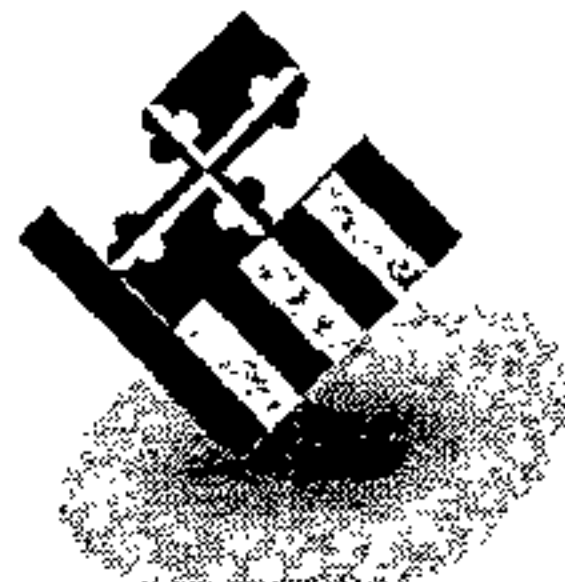
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of November, 2006 that the Petition for Administrative Special Hearing seeking approval of a waiver pursuant to Sections 32-4-107(b) of Baltimore County Code (B.C.C.) of Sections 32-4-223.8 and Section 32-4-416(a)(2) to raze an existing historical, but deteriorated single family dwelling in an area with Maryland Historical Trust Number #BA-3067 in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for the razing permit 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.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:pz

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BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

November 20, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Carolyn Y Walter
14 Shipley Avenue
Baltimore MD 21228

Re: Petition for Administrative Special Hearing
Case No. 07-182-SPH
Property: 14 Shipley Avenue

Dear Mrs. Walter:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. J. Wiseman, III".

William J. Wiseman, III
Zoning Commissioner

WJW,III:pz

Enclosure

c: Douglas A. Swam, Permits Services Supervisor, Bureau of Permit Processing
James Thompson, Supervisor, Bureau of Code Enforcement
Col. James Pennington, 5915 Old Frederick Road, Catonsville MD 21228

RECEIVED FOR FILING

11-20-06

CS

HISTORIC

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 14 Shipley Ave

which is presently zoned DR 5.5



This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing to approve a waiver pursuant to Sections ~~32-4-407 (a)~~ and Section 32-4-416(a)(2) to 32-4-107 (b) 32-4-223.8

Raze a deteriorated SFD in an area with an MHT number.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

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

Baltimore County PDM Representative

Contract Purchaser/Lessee:-

Douglas A Swam

Name - Type or Print

Douglas A Swam

Signature

111 W. Chesapeake Ave x 3900

Address

Telephone No.

Towson MD

21204

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Carolyn Y Walter

Name - Type or Print

Signature

Name - Type or Print

Signature

14 Shipley Ave

Address

Telephone No.

Baltimore MD

21228

City

State

Zip Code

Representative to be Contacted:

Douglas A Swam

Name

111 W. Chesapeake Ave

410-887-3900

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 07-182-SPH

Reviewed By WCR (JNP) Date 10/20/06

REV 6/17/05 Jg

Estimated Posting Date 10/29/06

01507211

Affidavit

in Support of Administrative Special Hearing

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 111 W. Chesapeake Ave
Address
Towson MD 21204
City State Zip Code

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Douglas A. Swan
Signature

Douglas A. Swan
Name - Type or Print

Fee waived - County Application

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

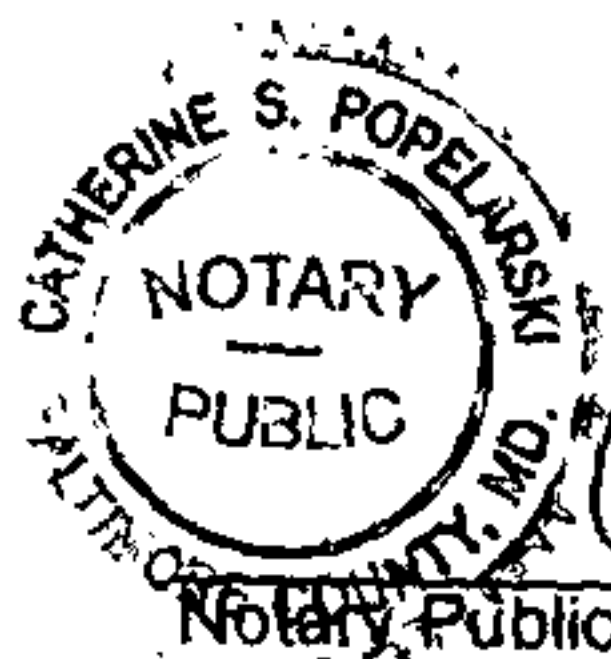
I HEREBY CERTIFY, this 2nd day of October 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Douglas A. Swan

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

October 2, 2006
Date



My Commission Expires 4-18-09

918072144

Affidavit in Support of Administrative Special Hearing

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 111 W. Chesapeake Ave
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Fee waived - County Application

Douglas H. Swan
Signature

Signature

Douglas H. Swan
Name - Type or Print

Name - Type or Print

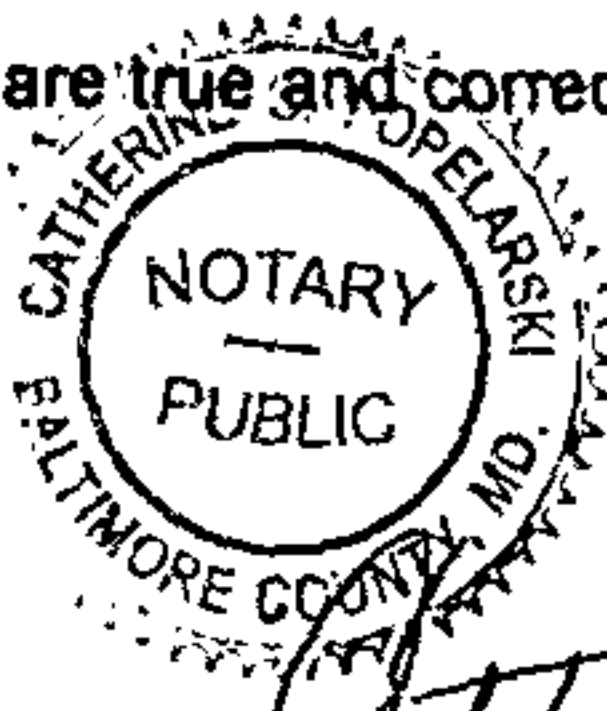
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2 day of October, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Doug Swan
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

October 2, 2006
Date



Catherine J. Popelush
Notary Public

My Commission Expires 4-08-09

HISTORIC

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 14 Shipley Ave

which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing to approve a waiver pursuant to Sections ~~32-4-208(b)~~ BCC of Sections ~~32-4-208(b)~~ and Section 32-4-416(a)(2) to 32-4-107(b)
32-4-223.8

Raze a deteriorated SFD in an area with an MHT number.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

Baltimore County PDM Representative

Contract Purchaser/Lessee:-

Douglas A Swam

Name - Type or Print

Douglas A Swam

Signature

111 W. Chesapeake Ave x 3900

Address

Telephone No.

Towson MD

21204

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

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

Legal Owner(s):

Carolyn Y Walter

Name - Type or Print

Signature

Name - Type or Print

Signature

14 Shipley Ave

Address

Telephone No.

Baltimore MD

21228

City

State

Zip Code

Representative to be Contacted:

Douglas A Swam

Name

111 W. Chesapeake Ave

410-887-3900

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of October that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 07-182-SPH

REV 6/17/05

Reviewed By WCR (JMP) Date 10/20/06

Estimated Posting Date 10/29/06

14 Shipley Ave

Description: Being lots 54,55 & 57 as recorded in Plat Book 7, Folio 144, Tax Map 101
Parcel 1214, Tax Account 01-18-470270, located on the north side of Shipley Ave
approximately 55' west of March ~~West~~ Ave.

07-182-SPH

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 07- 182 -SPH Address 14 Shipley Ave
Contact Person: W. Carl Richards (SNP) Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/20/06 Posting Date: 10/29/06 Closing Date: 11/13/06

Any contact made with this office regarding the status of the administrative special hearing should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE SPECIAL HEARING SIGN FORMAT

Case Number 07- 182 -SPH Address 14 Shipley Ave
Petitioner's Name Baltimore County Douglas Swann Telephone 410 887 3900
Posting Date: 10/29/06 Closing Date: 11/13/06
Wording for Sign: Administrative Special Hearing to approve the Razing of a
Deteriorated Dwelling (M.H.T. number) in an area with an
M.H.T. number.

WCR - 6/28/00



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

November 14, 2006

Carolyn Walter
14 Shipley Avenue
Baltimore, MD 21228

Dear Ms. Walter:

RE: Case Number: 07-182-SPH, 14 Shipley Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 20, 2006.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 26, 2006

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 30, 2006
Item Nos. 07-170, 171, 172, 174, 175,
176, 177, 178, 179, 180, 181. and 182

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-10262006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 2, 2006

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

SUBJECT: 14 Shipley Avenue

INFORMATION:

Item Number: 7-182

Petitioner: Carolyn Y. Walter

Zoning: DR 5.5

Requested Action: Administrative Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject petition and offers the following comments:

The subject structure is a contributing structure in the Winters Lane African American Survey District (County Register (MHT) # BA 3067). The demolition request is County initiated in response to a community request. The rationale for the County's demolition request is the property's severe neglect and the owner's unwillingness to respond to numerous citations of the Livability Code. The matter was brought before the Baltimore County Landmarks Preservation Commission (LPC) on October 12, 2006. No decision was made at that meeting, because the two LPC members who formed the Technical Committee and visited the site were unable to gain entry into the house. The matter was deferred, until a Technical Committee could examine the interior of the property. The matter is likely to be discussed again at the November 9, 2006 LPC meeting.

The Office of Planning requests that the Zoning Commissioner hold any action on the matter until advisement of the decision made by the Baltimore County Landmarks Preservation Commission.

For further information concerning the matters stated here in, please contact Karin Brown at 410-887-3495.

Prepared by:

Division Chief:
AFK/LL: CM



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

State Highway Administration
Drives to Rural

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCTOBER 31, 2006

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

RE: Baltimore County
Item No. 7-182-SPH
14 SHIPLEY AVENUE
CAROLYN Y. WALTER PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-182-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



Baltimore County
Fire Department

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

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

October 31, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 23, 2006

Item Number(s): 170 through 182

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

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



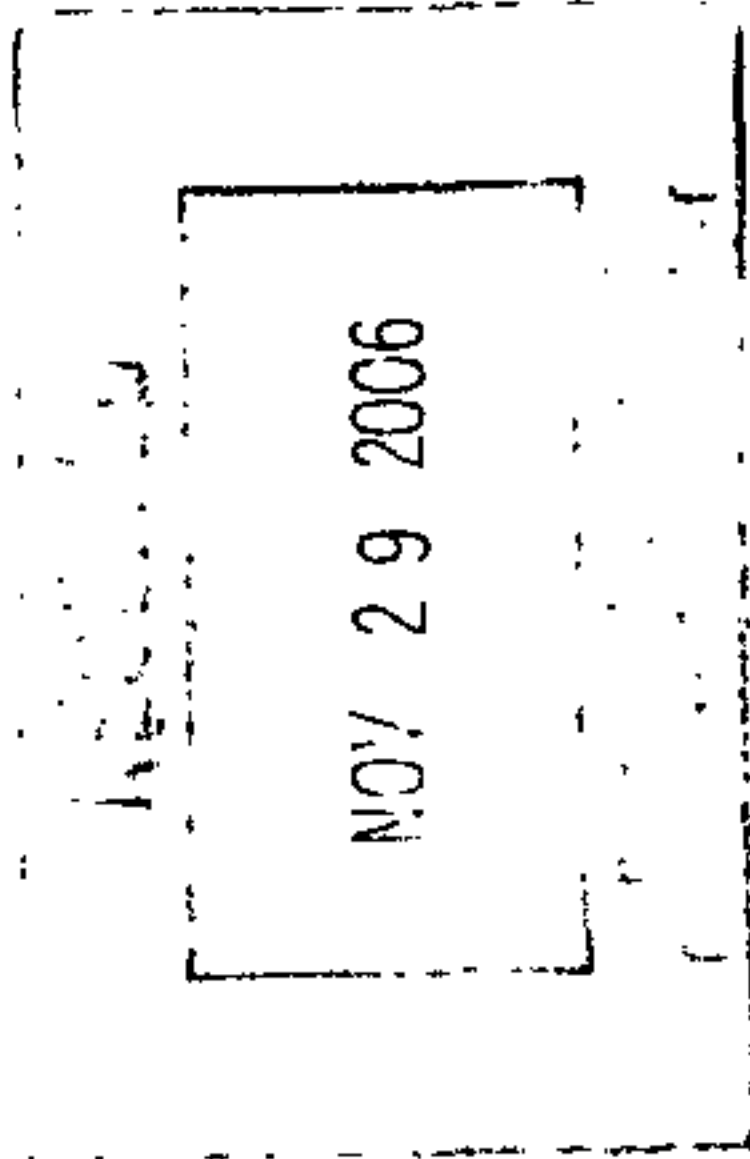
Printed with Soybean Ink
on Recycled Paper



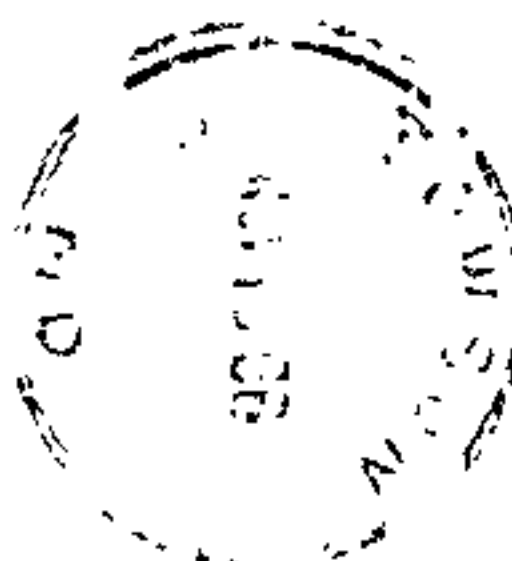
BALTIMORE COUNTY
MARYLAND

Department of Permits and Development Management
Zoning Review
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Carolyn Walter
14 Shipley Avenue
Baltimore, MD 21228



Return Service Requested



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09 11/28/06

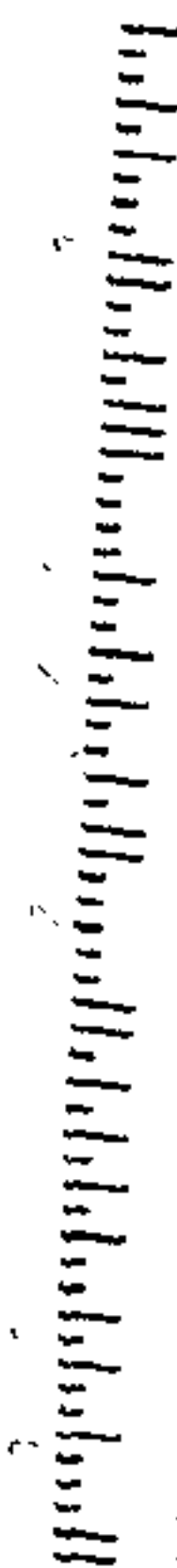
RETURN TO SENDER
UNKNOWN REASON
UNABLE TO FORWARD

14714513 21228

212044615

BC: 21204461599

*0692-08611-28-16



BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING

Memorandum

TO: Donald Brand
Buildings Engineer

DATE: November 14, 2006

FROM: Vicki Nevy, Administrator/Secretary
Landmarks Preservation Commission

SUBJECT: 14 Shipley Avenue
Winters Lane African American Survey District
County Register (MHT # BA-3067)

At its November 9, 2006 meeting, the Baltimore County Landmarks Preservation Commission approved the demolition of the structure located at 14 Shipley Avenue. This memo constitutes a notice to proceed in accordance with *Baltimore County Code* Section 32-7-405.

VKN:vkn

c: Carolyn Y. Walter
709 West 28th Street
Wilmington, DE 19802

Doug Swam
Mary Harvey
Rick Wisnom

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 2, 2006

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

SUBJECT: 14 Shipley Avenue

INFORMATION:

Item Number: 7-182

Petitioner: Carolyn Y. Walter

Zoning: DR 5.5

Requested Action: Administrative Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject petition and offers the following comments:

The subject structure is a contributing structure in the Winters Lane African American Survey District (County Register (MHT) # BA 3067). The demolition request is County initiated in response to a community request. The rationale for the County's demolition request is the property's severe neglect and the owner's unwillingness to respond to numerous citations of the Livability Code. The matter was brought before the Baltimore County Landmarks Preservation Commission (LPC) on October 12, 2006. No decision was made at that meeting, because the two LPC members who formed the Technical Committee and visited the site were unable to gain entry into the house. The matter was deferred, until a Technical Committee could examine the interior of the property. The matter is likely to be discussed again at the November 9, 2006 LPC meeting.

The Office of Planning requests that the Zoning Commissioner hold any action on the matter until advisement of the decision made by the Baltimore County Landmarks Preservation Commission.

For further information concerning the matters stated here in, please contact Karin Brown at 410-887-3495.

Prepared by:

Division Chief:

AFK/LL: CM

RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
SPECIAL HEARING *
14 Shipley Avenue; N/S Shipley Avenue, * ZONING COMMISSIONER
55' W March Avenue *
1st Election & 1st Councilmanic Districts * FOR
Legal Owner(s): Carolyn Y. Walter by Baltimore *
County PDM * BALTIMORE COUNTY
Petitioner(s) *
07-182-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ 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 30th day of October, 2006, a copy of the foregoing Entry of Appearance was mailed to Douglas A. Swam, 111 W. Chesapeake Avenue, Towson, MD 21204, Representative for Petitioner(s).

RECEIVED

OCT 30 2006

Q. ON

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Dt Rec: 3172005 Intake: LMH Act: _____ Case #: 05-1861
Insp: KRICK Insp Grp: ENF Insp Area: 1 Tax Acct: 103470270
Address: 14 SHIPLEY AVE Apt #: _____ Zip: 21228
Owner: CAROLYN Y WALTER

Problem Descript.: HOUSE FALLING APART, VACANT, UNSECURE; COMPL EXT 1731; 2ND
COMPL: JT&D, TG&W

MAP 41C1

Complainant Name (Last): THOMAS (First): EDITH
Complainant Addr: 17 SHIPLEY AVE
Complainant City: BALTIMORE State: MD Zip: 21228
Complainant Phone (H): _____ (W): 4105211555
Date of Reinspection: 10052006 Date Closed: _____ Delete Code (P): _____

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

07-182-SPH

Gare
Langchappel
this off.

Jeep,
Take this
for Bu. Co. Run Cps
In That's Cal

Case Entry/Update

Format . . . : CASREC

Mode . . . : CHANGE

File . . . : PDLV0001

Notes: 05-1861, PAGE 5, SEE FOUR PRIOR NOTE PAGES IN FILE

2/2/06, CITATION RETURNED "VACANT", GAVE TO CEK/CP

2/10/06, SERVICE NOT ACHIEVED, P/U 2/24/06 FOR RETURN RECEIPT, UPDATE NOT NECESSARY, CEK/CP

3/16/06, SERVICE NOT ACHIEVED, RE-WRITE CITATION, P/U 3/31/06 TO CHECK FOR SERVICE, UPDATE NOT NECESSARY, CEK/CP

3/17/06, CITATION SENT CERT & REG MAIL TO CAROLYN Y WALTER, 14 SHIPLEY AVE, 21228, CEK/CP

***3/27/06 ON DOCKET FOR 5/9/06 FILE TO C KRICK /JF**.

4/3/06, RSW APPROVED SERVICE BY REG MAIL, GAVE FILE TO J.F. TO PUT ON DOCKET FOR 5/9/06, P/U 5/4/06 TO INSPECT BEFORE HEARING, UNABLE TO UPDATE COMPL/WRONG # CEK/CP

4/4/06, CITATION RETURNED "UNDELIVERABLE AS ADDRESSED", GAVE TO CEK/CP

5/5/06, INSPECTED PROP, ALL VIOLATIONS REMAIN, GRASS OVER 12", TOOK SEVERAL PHOTOS, ISSUED CORRECTION NOTICE FOR TG&W & JT&D, P/U 5/12/06, UNABLE TO UPDATE COMPL/GIANT, CEK/CP

F3=Exit

F5=Refresh

F6=Select format

F9=Insert

F10=Entry

F11=Change

07-182-SPH

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Notes 2: **5/10/06 FINAL ORDER SENT TO CAROLYN Y WALTER FILE TO C KRICK /JF**.
***5/10/06, FINAL ODER STATES CIVIL PENALTY OF \$10,000.00 BE IMPOSED ON THE PROP
THE OWNER MUST MAKE REPAIRS OR RAZE HOUSE ON OR BEFORE 6/12/06, IF OWNER FAILS
TO MAKE REPAIRS OR RAZE HOUSE, BALTO CO SHALL ENTER THE PROP AT ANY TIME AFTER
6/12/06 FOR THE PURPOSE OF REMOVING THE HOUSE, CEK/CP***

***6/14/06, GRASS NOT CUT, SEND OUT TO BID, NO REPAIRS OR REHABILITATION STARTED
OR DONE ON HOUSE, TOOK SEVERAL PHOTOS, GIVE FILE TO RSW TO WRITE ORDER TO RAZE
HOUSE, G.F. TO P/U, COMPL UPDATED, CEK/CP***

""""""""6/30/06 REINSPECT GW5105 RAMSEL.(GF).""""""""

** 6/22/06 REQUESTED PURCHASE ORDER # FROM BUDGET TO RAZE STRUCTURE**

***7/31/06, GRASS STARTING TO GET TALL BUT NOT YET TALL ENOUGH TO ISSUE A
CORRECTION NOTICE, P/U 8/14/06 TO REINSPECT, UPDATE NOT NECESSARY, CEK/CP***

***8/15/06, ISSUED CORRECTION NOTICE FOR TG&W, POSTED & MAILED, P/U 8/22/06,
UPDATE NOT NECESSARY, CEK/CP***

F3=Exit

F5=Refresh

F6=Select format

F9=Insert

F10=Entry

F11=Change

07-182-SP4

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Notes 3: ***8/23/06, GRASS NOT CUT, SEND OUT TO BID, TOOK SEVERAL PHOTOS, G.F.
TO P/U, COMPL UPDATED BY VOICE MESSAGE, CEK/CP***
8/31/06, REINSPECT 9/12/06, GW 5304, RAMSEL, GF/CW
"9/15/06 PAID GW5105 214.19 (GF)."
***9/13/06, GRASS NOT CUT, P/U 9/20/06 TO REINSPECT, UPDATE NOT NECESSARY,
CEK/CP***
***9/19/06 PER COLONEL PENNINGTON, A CONTACT FOR THIS SITE IS A CAROLYN (NO LAST
NAME) AT 302-622-8305 OR 302-354-6352 (PAGER). FUTHER LANDMARK PRESERVATION
COMMITTEE DID VOTE TO PERMIT THIS DWELLING RAZED JHT/LMH*** 10/12
***9/21/06, OBSERVED GRASS CUT, P/U 10/5/06, COMPL UPDATED BY VOICE MESSAGE,
RH/CP***

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

07-182-SPH

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Dt Rec: 5172001 Intake: KELLY, S Act: _____ Case #: 01-2568

Insp: _____ Insp Grp: ENF Insp Area: 7 Tax Acct: 118470270

Address: 14 SHIPLEY AVE Apt #: _____ Zip: 21228

Owner: _____

Problem Descript.: TALL GRASS, WEEDS;

Complainant Name (Last): GAINS (First): MILTON

Complainant Addr: 12 SHIPLEY AVE

Complainant City: _____ State: _____ Zip: 21228

Complainant Phone (H): 4107884361 (W): _____

Date of Reinspection: 10032001 Date Closed: 10032001 Delete Code (P): X

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

07-182-SPH

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Notes: 5/18/01 WROTE A VIOLATION FOR HIGH GRASS. P/U 5/27/01 , INFORMED MR.GAINS (E.C) ***

5/24/01-CORRECTION NOTICE TO CAROLYN WALTER AT VIOLATION ADDRESS WAS RETURNED -FORWARDING TIME EXPIRED. (SCJ)**

5/29/01 GRASS NOT CUT, WILL PUT OUT TO BID, INFORMED MS.GAINS. P/U 6/18/01 (E.C) *

*****5/30/01 ON 6/13 REINSPECT GW297, PRINTOUT, NIVAL, (GF) .*****

*****6/13/01 GW297 PAID MOBILIZATION 80.00 (GF) .*****

***6/14/01 GRASS CUT. COMPLAINANT UPDATED. P/U 6/28/01 (J.C/SS) ***

****6/29/01 LIEN \$80 INVOICE 197587. RSW/MAT****

6/29/01-SUNNY-GRASS CUT. VACANT. RECHECK. POP-UP 7/25/01. (EC/SCJ)**

7/26/01 WROTE 2ND NOTICE FOR GRASS. P/U ON 8/6/01 (E.C/SS)**

8/7/01 GRASS CUT, PROPERTY IN COMPLIANCE. STILL VACANT. P/U ON 9/5/01 . INFO RMED MS.GAINS (E.C/SS)**

****9/06/01 GRASS IS CUT. P/U 09/30/01. CALL COMPL. EC/KH.***

10/1/01 NO SERVICE FOR HEARING. P/U ON 10/1/01 (E.C/SS)*

F3=Exit

F5=Refresh

F6=Select format

F9=Insert

F10=Entry

F11=Change

07-182-SPH

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Notes 2: 10/301 GRASS IS OK . SPOKE W/ MS.GAINS(E.C/SS)****

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Dt Rec: 5192004 Intake: SMS Act: _____ Case #: 04-4187

Insp: _____ Insp Grp: ENF Insp Area: 1 Tax Acct: 118470270

Address: 14 SHIPLEY AVE Apt #: _____ Zip: 21228

Owner: CAROLYN Y WALTER, 14 SHIPLEY AVE, BALTIMORE, MD 21228

Problem Descript.: UTV GARAGE, OPEN DUMP, A RECK

MAP: 41 C 1

Complainant Name (Last): GAINS (First): MILTON

Complainant Addr: _____

Complainant City: _____ State: _____ Zip: _____

Complainant Phone (H): 4107884361 (W): _____

Date of Reinspection: 7152004 Date Closed: 8042004 Delete Code (P): X

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

Case Entry/Update

Format . . . : CASREC

Mode . . . : CHANGE

File . . . : PDLV0001

Notes: 5/20/04 NOTICE FOR T.G.W. AND OPEN DUMP P/U 5/28/04 N.P.

5/26/04 CITAION RETURNED. ADDRESSEE UNKNOWN. GAVE TO NP. /MAT**

6/1/04 NOTHING DONE OUT TO BID JRA

*****6/15/04 REINSPECT GW3800 RAMSEL(GF).*****

6/16/04, GRASS IS CUT, OK TO PAY, COMPL UPDATED, P/U 7/7/04 NP/WD*

7/8/04, ISSUED NOTICE FOR TGW, COMPL UPDATED, P/U 7/15/04 JRA/WD

7/15/04 CORRECTION NOTICE RETURNED. ADDRESSEE UNKNOWN. GAVE TO JRA. /MAT

*****7/28/04 REINSPECT GW3988 RAMSEL(GF).*****

7/15/04, GRASS NOT CUT, GO FOR BID, NP/WRKD

7/26/2004 PAID GW3800 \$209.62 (CSG)*

8/3/04, LIEN 209.62 + 75.00 ADMIN COST = \$284.62, GW 3800, INV 249927 /CP

**8/4/05 ALL HAS BEEN COMPLETED. CLOSE. GF/SS

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Dt Rec: 9141999 Intake: Act: Case #: 99-6140

Insp: FAHL, H Insp Grp: ENF Insp Area: 7 Tax Acct:

Address: 14 SHIPLEY AVE Apt #: Zip: 21228

Owner:

Problem Descript.: TG & W, T & D; IN COMPLIANCE

Complainant Name (Last): (First):

Complainant Addr:

Complainant City: State: Zip:

Complainant Phone (H): (W):

Date of Reinspection: 1112000 Date Closed: 12201999 Delete Code (P): X

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

DATE: 09/26/2006 ASSESSMENT TAXPAYER SERVICE

TIME: 13:53:43

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HIST	DEL	LOAD DATE
01 18 470270	01	1-0	04-00	H	NO		01/04/06

WALTER CAROLYN Y DESC-1.. IMPSPT LTS 54-55-57

DESC-2.. WINTERS HEIGHTS

14 SHIPLEY AV

PREMISE. 00014 SHIPLEY

AVE

00000-0000

BALTIMORE

MD 21228-0000 FORMER OWNER: ROBINSON ALEXANDER W

-----FCV-----		-----TRANSFER DATA-----		---PROPERTY ID---	
PRIOR	PROPOSED	NUMBER.....		LOT.....	
LAND: 24,720	24,720	DATE.....	06/11/81	BLOCK....	
IMPV: 21,940	23,720	PURCHASE PRICE..	12,000	SECTION..	
TOTL: 46,660	48,440	GROUND RENT.....	0	PLAT.....	
PREF: 0	0	DEED REF LIBR..	06249	BOOK.....	0007
CURT: 46,660	48,440	DEED REF FOLIO..	764	FOLIO....	0144
DATE: 08/00	06/03	YEAR BUILT.....	11	MAP.....	0101
		NEW CONSTR YR...		GRID.....	0001
				PARCEL...	1214

TAXABLE BASIS

48,440	LOT WIDTH..	48.00	SB 1970	28.80
47,846	LOT DEPTH..	.00	WB 1926	.00
0	LAND AREA..	8880.000 S	SS	40.00
			WD	68.72

ENTER-INQUIRY1 PA1-PRINT PF4-MENU PF5-QUIT

DR5.5

07-182-SPH

DATE: 09/26/2006

STANDARD ASSESSMENT INQUIRY (1)

TIME: 13:54:33

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE

01 18 470270 01 1-0 04-00 H NO 01/04/06

WALTER CAROLYN Y

DESC-1.. IMPSPT LTS 54-55-57

DESC-2.. WINTERS HEIGHTS

14 SHIPLEY AV

PREMISE. 00014 SHIPLEY

AVE

00000-0000

BALTIMORE

MD 21228-0000 FORMER OWNER: ROBINSON ALEXANDER W

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	24,720	24,720		FCV	ASSESS	ASSESS
IMPV:	21,940	23,720	TOTAL..	48,440	48,440	47,846
TOTL:	46,660	48,440	PREF...	0	0	0
PREF:	0	0	CURT...	48,440	48,440	47,846
CURT:	46,660	48,440	EXEMPT.		0	0
DATE:	08/00	06/03				

---- TAXABLE BASIS ---- FM DATE

ASSESS: 48,440 08/20/05

ASSESS: 47,846

ASSESS: 0

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

07-182-SPH

DATE: 09/26/2006 * STANDARD ASSESSMENT INQUIRY (2)

TIME: 13:54:41

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
01 18 470270	01	1-0	04-00	H	NO		01/04/06
LOT....	54	BOOK....	0007	MAP.....	0101	LOT WIDTH.....	48.00
BLOCK..		FOLIO...	0144	GRID....	0001	LOT DEPTH.....	.00
SECTION..				PARCEL..	1214	LAND AREA..	8880.000 S
PLAT..						YEAR BUILT.....	11

-----TRANSFER DATA-----

NUMBER..... 048832
 DATE..... 06/11/81
 PURCHASE PRICE..... 12,000
 GROUND RENT..... 0
 DEED REF LIBER..... 06249
 DEED REF FOLIO..... 0764
 CONVEYED IND..... 1
 TOT-PART TRAN IND..... T
 GRANTOR ACCT NO.. 01-18-470270

-----EXEMPT DATA-----

STATUS.....
 CLASS CODE..... 000
 STATE EXEMPT CODE..... 000
 COUNTY EXEMPT CODE..... 000
 CURR STATE EX ASMT.... 0
 PRIOR STATE EX ASMT... 0
 CURR COUNTY EX ASMT... 0
 PRIOR COUNTY EX ASMT.. 0

CRITICAL NEW CONST CARD
 AREAS CODE YEAR NO

-----STRUCTURE-----

CODE SQ. FEET
 08638 1008

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 09/26/2006 STANDARD ASSESSMENT INQUIRY (3)

TIME: 13:54:49

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
01 18 470270	01	1-0	04-00	H	NO		01/04/06

-----STATE-----

GEO CODE N/A LAND-USE

REC CREATE DATE.. 10/23/92

80 NO R

DELETE CODE..... M

DATE DELETED.....

LAST FM DATE..... 08/20/05

LAST FM TYPE..... Z

PREV FM DATE.....

PREV FM TYPE.....

----- COUNTY -----

LAST LOAD DATE... 01/04/06

PRIOR LOAD DATE.. 11/04/05

STATE TAXABLE ASSESS

ASSESS: 48,440

ASSESS: 47,846

ASSESS: 0

ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF

07-182-SPH

11-20-06

To: Bill Wiseman

From: Jim Thompson

RE: CASE No. 07-182 SPH
14 Shugley Ave.

Bill Any chance that
you can look at this Administrative
hearing in the next day or two.

Deals with razing
a dwelling in an historic area.

Landmarks Commission
ruled around 11/9/06 that the
dwelling could be razed.

Colonel James
Pennington, President of the Banneker
Community, has been calling me
daily about when he can send a
contractor to B&B Co. to obtain the
razing permit. "like !!!"

ZONING COMMISSIONER'S ADMIN HEARING SCHEDULE
Updated and Distributed November 13, 2006

CASE NUMBER: 171

18 Seven Springs Court

Location: N and W side Seven Springs Court, 2000 feet +/- N of centerline
Cripple Gate Road.

10th Election District, 3rd Councilmanic District

Legal Owner: Ayman F. and Florentina Akkad

Closing Date 11/13/2006

ADMINISTRATIVE VARIANCE To permit a proposed addition (garage) to have a side yard setback of 28 feet in lieu of the required 50 feet, and to amend the FDP of Hunt Valley Heights, Lot 12A only.

CASE NUMBER: 172

3422 Acton Road

Location: NW side of Acton Road, 130 feet SE of centerline of Hallmark Circle.

14th Election District, 6th Councilmanic District

Legal Owner: Joseph A. Lattanzi

11/13/2006

*Formal Demand -
per PDM*

ADMINISTRATIVE VARIANCE To permit a 22 foot high garage in the front yard, in lieu of a 15 foot high garage in the rear yard. Residential storage only.

CASE NUMBER: 173

3509 Beach Road

Location: SE side of Beach Road, 115 feet SW of Seneca Road.

15th Election District, 6th Councilmanic District

Legal Owner: John D. Cherry

11/13/2006

ADMINISTRATIVE VARIANCE To permit a proposed addition with a side yard setback of 30 feet in lieu of the minimum required 50 feet, and to permit an existing dwelling with a side yard setback of 24 feet in lieu of the minimum required 50 feet and a street centerline setback of 40 feet in lieu of the minimum required 75 feet.

ZONING COMMISSIONER'S ADMIN HEARING SCHEDULE
Updated and Distributed November 13, 2006

CASE NUMBER: 174

14405 Old York Road

Location: E side of Old York Road, 310 feet S of centerline of Jackson Ridge Court.

10th Election District, 3rd Councilmanic District

Legal Owner: Robert S. and Carol A. Frantz

Closing Date 11/13/2006

ADMINISTRATIVE VARIANCE To permit an 18 foot high garage to be in the front yard in lieu of 15 feet and in the rear yard.

CASE NUMBER: 175

2504 Sycamore Avenue

Location: SW side of Sycamore Avenue, of 250 feet E from the centerline Sparrows Point Road.

15th Election District, 7th Councilmanic District

Legal Owner: Reuben Tucker

Contract Purchaser: Baltimore County Department of Permits and Development Management; Timothy Kotroco, Director

11/13/2006

ADMINISTRATIVE SPECIAL HEARING To approve a waiver pursuant to Sections 32-4-107(b), BCC of Section 32-4-223.(8) and Section 32-4-416(a)(2) to raze a deteriorated S.F.D. in an area known as Edgemere African American Survey District - BA 3061.

CASE NUMBER: 176

6240 Falls Road

Location: SW side of Falls Road, 30 feet E of the centerline of Racquet Road.

3rd Election District, 2nd Councilmanic District

Legal Owner: Emanuel and Melanie W. Smith

Contract Purchaser: Baltimore County Department of Permits and Development Management; Timothy Kotroco, Director

11/13/2006

ADMINISTRATIVE SPECIAL HEARING To approve a waiver pursuant to Sections 32-4-107, BCC of Sections 32-4-223.(8) and Section 32-4-416(a)(2) to raze a S.F.D. that is on the Baltimore County Final Landmark's list. Demolition by neglect of said dwelling per Section 32-7-502(b) B.C.C.

*formal demand
per PDM*

Bill 11/13

*Admin.
Var.*

*Do you
want
these
to go
to
formal
hearing?*

*formal demand
per PDM*

ZONING COMMISSIONER'S ADMIN HEARING SCHEDULE
Updated and Distributed November 13, 2006

CASE NUMBER: 180

8430 Harris Avenue

Location: W side Harris Avenue, 100 feet S centerline Williams Avenue.

9th Election District, 6th Councilmanic District

Legal Owner: Barbara H. Hemmeter (a.k.a. Barbara H. Wright)

Closing Date 11/13/2006

ADMINISTRATIVE VARIANCE To permit a rear yard setback of 31 feet in lieu of the required 50 feet for an addition.

CASE NUMBER: 181

155 Paradise Avenue

Location: SE side of Paradise Avenue, 128 feet SW of Tanglewood Road.

1st Election District, 1st Councilmanic District

Legal Owner: Joseph M. and Mary Beth Johnson

11/13/2006

ADMINISTRATIVE VARIANCE To permit a detached garage in the front yard in lieu of the rear yard.

CASE NUMBER: 182

14 Shipley Avenue

Location: N side of Shipley Avenue, 55 feet W of March Avenue.

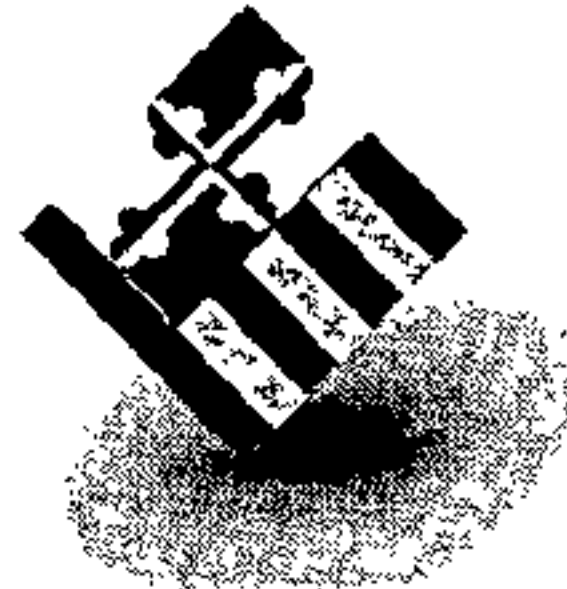
1st Election District, 1st Councilmanic District

Legal Owner: Carolyn Y. Walter

Contract Purchaser: Baltimore County Department of Permits and Development Management; Douglas A. Swam

11/13/2006

ADMINISTRATIVE SPECIAL HEARING A waiver pursuant to Sections 32-4-107(b) BCC of Sections 32-4-223.8 and Section 32-4-416(a)(2) to raze a deteriorated SFD in an area with an MHT number.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

November 20, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Carolyn Y Walter
14 Shipley Avenue
Baltimore MD 21228

Re: Petition for Administrative Special Hearing
Case No. 07-182-SPH
Property: 14 Shipley Avenue

Dear Mrs. Walter:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III".

William J. Wiseman, III
Zoning Commissioner

WJW,III:pz

Enclosure

c: Douglas A. Swam, Permits Services Supervisor, Bureau of Permit Processing
James Thompson, Supervisor, Bureau of Code Enforcement
Col. James Pennington, 5915 Old Frederick Road, Catonsville MD 21228

IN RE: PETITION FOR ADMIN. SPECIAL HEARING	* BEFORE THE
N side of Shipley Avenue, 55 feet west of	
March Avenue	
(14 Shipley Avenue)	* ZONING COMMISSIONER
1 st Election District	
1 st Council District	* OF BALTIMORE COUNTY
Carolyn Y. Walter	*
Legal Owner	
Baltimore County Department of Permits and	* Case No. 07-182-SPH
Development Management; Douglas A. Swam	
Petitioner	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the Baltimore County Department of Permits and Development Management, through its agent, Douglas A. Swam. The legal owner of the subject property is Carolyn Y. Walter. The Peitioner, Baltimore County, Maryland through its Department of Permits and Development Management, is requesting an Administrative Special Hearing seeking approval of a waiver pursuant to Sections 32-4-107(b) of Baltimore County Code (B.C.C.) of Sections 32-4-223.8 and Section 32-4-416(a)(2) to raze a deteriorated single family dwelling located in an historical area with Maryland Historical Trust Number #BA-3067. The property is known as 14 Shipley Avenue located in the Winters Lane African American Survey District in the Catonsville vicinity of Baltimore County. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The demolition request is County initiated in response to a community request. The rationale for the County's demolition request is the property's severe neglect and the owner's unwillingness to respond to numerous citations of the Livability Code. The matter was brought before the Baltimore County Landmarks Preservation Commission (LPC) on Octoer 12, 2006.

Thereafter, the LPC Technical Committee visited the site and examined the interior of the dwelling. The Landmarks Preservation Committee approved the demolition of the subject structure at their November 9, 2006 meeting. A notice to proceed in accordance with Baltimore County Code Section 32-7-405 was issued.

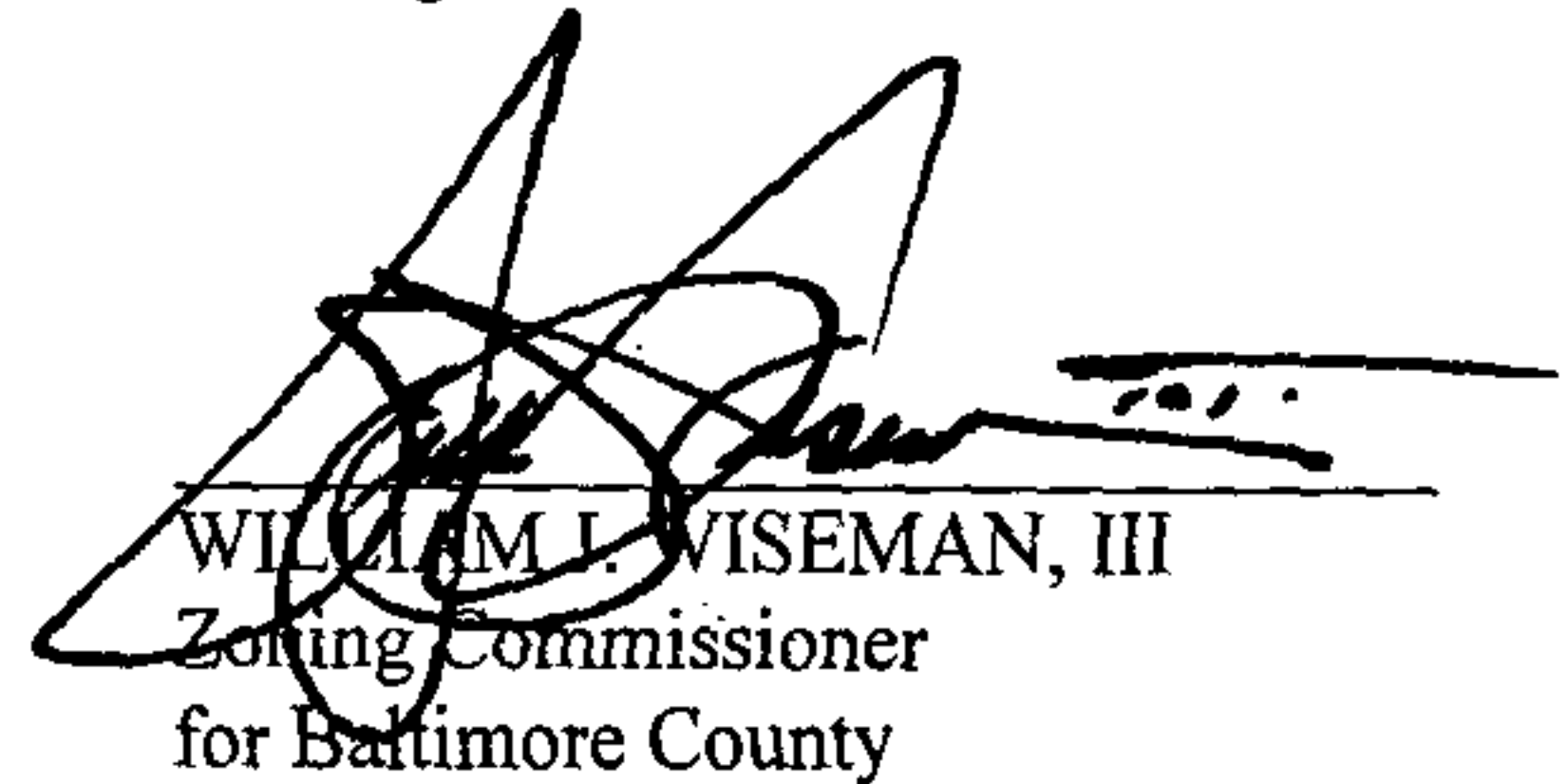
Section 32-4-107(b) of the Baltimore County Code (B.C.C.) provides that waivers from the requirements of Section 32-4-221 of the Code (i.e., the development plan) can be granted by the Director of the Department of Permits and Development Management (DPDM). Such requirements can be waived upon a finding that the size, scope and nature of the proposed development does not justify strict compliance, that a waiver would be within the scope, purpose, and intent of the development regulations, and that the proposed development complies with all other County laws, ordinances, and regulations. Under the Code, the property in question is posted for a period of 15 days during which time the property owner or any other property owner residing within 1,000 feet thereof may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code and the documentation contained within the case file reflects that the property was duly posted as required. Based upon all of the evidence contained therein, I am persuaded to grant the requested relief. There were no adverse comments submitted by any County reviewing agency and due to the absence of opposition on the part of any citizen, I find that the requested waiver is appropriate in this instance. I further find that removal of the subject structure meets the spirit and intent of the development regulations, and that all other County laws, ordinances, and regulations will be met.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the requested waiver shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of November, 2006 that the Petition for Administrative Special Hearing seeking approval of a waiver pursuant to Sections 32-4-107(b) of Baltimore County Code (B.C.C.) of Sections 32-4-223.8 and Section 32-4-416(a)(2) to raze an existing historical, but deteriorated single family dwelling in an area with Maryland Historical Trust Number #BA-3067 in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for the razing permit 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.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:pz

Preliminary Agenda*
Thursday, November 9th, 2006
MEETING
beginning at 6:00 p.m.,
Room 407, County Courts Building
401 Bosley Avenue
Towson, Maryland
(enter from the Courthouse plaza)

Regular Meeting -- beginning at 6:00 p.m.

Call to order; introduction of Commission members; pledge of allegiance to the Flag; statement of purposes and operating procedures; and announcements

Preliminary actions

1. Consideration of changes to today's Agenda
2. Minutes of the October 12, 2006 meeting
- 2A. "Consent Agenda" -- Items 5 and 8 and Tax Credit applications a and b

Public Hearings on Nominations to the Landmarks List

3. 1903 Old Court Road, Ruxton [Council District # 2]
4. 303 Nicodemus Road, Reisterstown [Council District # 4]

Alteration to properties in County Historic Districts or Landmark structures

- *5. Baldanza residence, 219 Melancthon Avenue, Lutherville Historic District: fence [County Council District # 3]

6. Mathews property, 211 Melancthon Ave, Lutherville County Historic District: addition of entranceway without prior approval [County Council District # 3]
7. Graham property, 9000 Church Lane, Fieldstone County Historic District [County Council District # 4]

Recommendations on Baltimore County Register (MHT Inventory) Structures

- *8. 108 Avondale Road, Turners Station African American Survey District [County Council District # 7]; possible demolition
9. 14 Shipley Avenue, Winters Lane African American Survey District [County Council District # 1]; possible demolition
10. "Smith House," 6240 Falls Road, contributing structure in the Bare Hills African American Survey District, #260 on the Final Landmarks List; [County Council District #2]; possible demolition
11. "The Station Master's House" (Sueck property), 1810 Monkton Road, Monkton; Contributing structure in Monkton County Historic District and My Lady's Manor National Register District; County Register (MHT) # BA-509; Request to construct a 2-story addition to historic structure and a freestanding garage [County Council District # 3]

Other business

Applications for Tax Credit

Request for LPC approval for County Part II Tax Credit application

- a. Carpenter property, 713 Pleasant Hill Rd., Ellicott City, Oella National Register Historic District [County Council District # 1]
- b. Rehmert property, 715 Pleasant Hill Rd., Ellicott City, Oella National Register Historic District [County Council District # 1]

Report on County Tax Credit applications approved

Bibler property, 4811 Butler Road, Glyndon County Historic District. Approved Part II application because applicant submitted signed/approved Part 2 State Tax Credit application [County Council District # 3]

11-9 minutes
not yet
available

Jones property, 202 W. Seminary Avenue, Lutherville County Historic District
Approved Part II application because applicant submitted signed/approved Part 2
State Tax Credit application [County Council District # 3]

Report on Part III Tax Credit application processed

"Thorn Hill" (Pine property), 13310 Fork Road, Baldwin; Final Landmarks List #
234; Rehabilitation work completed – Part III application forwarded to the Budget
Office for final approval.

Review of Draft LPC booklet

- * This Agenda, published Wednesday, November 1, 2006 is subject to review and modification at the meeting.

It is requested that individuals provide 20 copies of all materials including photographs, elevation drawings, expert reports, aerials, etc. at least 2 weeks in advance of the meeting. That date would be Wednesday, October 26, 2006. Any materials presented after this date may require the matter to be deferred to the next meeting.

- * "Consent Agenda" indicates items appropriate for approval as submitted, without the need for discussion unless there is opposition.

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.

- * **Information regarding the Landmarks Preservation Commission including agendas and minutes is available on-line at www.baltimorecountymd.gov under the Office of Planning, Historic Preservation.**

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

Minutes
Baltimore County Landmarks Preservation Commission
October 12, 2006 Meeting

Mr. James E. Matthews, the Chair, opened the regular monthly meeting of the Baltimore County Landmarks Preservation Commission (LPC) at 6:03 p.m. The following Commission members were:

Present

Mr. James E. Matthews, Chairman
Ms. Carol Allen
Mr. C. Bruce Boswell
Mr. Thomas L. Reynolds
Mr. Louis S. Diggs
Ms. Wendy McIver
Ms. Norma Secoura
Mr. David J. Bryan
Ms. Nancy Horst
Mr. Edward E. Hardester, Jr
Mr. John W. Hill, Vice-Chairman
Mr. Qutub K. Syed

Not Present

Mr. H. Edward Parker
Mr. Steven Fedder

County staff present included Vicki Nevy (Secretary to the Commission), Caren Beth Hoffberger (Chief of Preservation Services), Mike Field (Assistant County Attorney), Mary Harvey (Director of Community Conservation), Rick Wisnom (Baltimore County Hearing Officer for Permits and Development Management) Teri Rising and Karin Brown.

Preliminary Actions

There were no additions or deletions to the Revised Agenda, however, because Ms. Harvey had to leave early in order to attend another meeting, items 8, 9, 11 and 12, were moved up, following item 4. Mr. Matthews announced that he had made a power point presentation about the functions of the Baltimore County Landmarks Preservation Commission to the Baltimore County Planning Board Commission at its October 5, 2006 meeting. He thanked Ms. McIver, Ms. Allen, Mr. Diggs and Mr. Boswell for attending. The meeting was televised on Comcast Channel 25.

He continued - thanking Mr. Boswell, Mr. Diggs, Ms. McIver and Mr. Hill for serving on Technical Committees and reporting on the outcome of site visits. He reported that he attended the Maryland Preservation 75th Anniversary Annual Meeting. Senator Paul Sarbanes and former State Senator Julian Lapidus were among the speakers and honorees. Part of the presentation was a film showing the importance of historic preservation. Mr. Matthews thought it beneficial to obtain a copy of the film for viewing by the LPC. Staff will be working to obtain a copy.

Approval of the Minutes

2. Mr. Syed moved to approve the September 20, 2006 Minutes, Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

Consent Agenda

- 2A. Mr. Matthews had Ms. Hoffberger describe the items scheduled on the Consent Agenda and determined that no person present objected to its approval as submitted. Ms. Horst 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 7 and 13 be approved as submitted. Mr. Hill seconded the motion, which passed unanimously on a voice vote.

Public Hearings on Nominations to the Landmarks List

3. **"Mary's Meadows" house and setting, 2434 Geist Road, Glyndon; County Register (MHT) # BA-1116; built early 19th century [County Council District # 3]**

This item involved a request by the property owner to nominate the structure and the historic environmental setting to the Landmarks List. Ms. Hoffberger read staff's recommendation to vote placing "Mary's Meadows" on the Preliminary Landmarks List under criteria (1) – for its association with the agricultural development in the Worthington Valley, and (2) – its significance as an example of early 19th century vernacular architecture, several times expanded, and restyled in the 20th century by a noted restoration architect; and (b) to delineate the entire remaining 39.11 acre property containing the house (map 41, parcel 98) as its historic environmental setting.

Mr. Murray, the property owner, stated that he and his wife consider themselves custodians of the property, rather than owners, and that they would like to preserve the building for future generations. Mr. Hill, Ms. McIver and Mr. Diggs commented on the exquisite beauty of the property. Ms. McIver moved to place the "Mary's Meadows" property on the Preliminary Landmarks List and to delineate the entire 39.11 acre property as its historic environmental setting. Mr. Hill seconded the motion, which was approved unanimously on a voice vote.

4. **"Garrison Farm" (Cockey-Myerberg House) and setting, 3511 Anton Farms Road, Pikesville vicinity; County Register (MHT) # BA-452 [County Council District # 2]**

This item concerned a nomination by a member of the LPC. Ms. Hoffberger read staff's recommendation to vote placing the "Garrison Farm" on the Preliminary

Landmarks under criteria (1) – for its association with the agricultural development in the Greenspring Valley area, its notable role during the Civil War and for its association with the historically significant Cockey family; and (2) – its significance as an excellent example of early 19th century Classical Revival architecture; and (b) to delineate the entire remaining 4.38 acre property containing the house (map 68, parcel 1) as its historic environmental setting.

Mr. Jeffrey Scherr, attorney for the property owner, stated that his client did not object to having the structure placed on the Preliminary Landmarks List. However, in regard to the delineation of the historic environmental setting (HES), he requested that the area traversing the front yard portion of lot 5A not be included in the HES. He stated that his client agreed to draft a covenant that would preclude future construction in that area. Mr. Hill, and Ms. McIver had formed the Technical Committee that visited the site and proposed the delineation of the setting as shown. Mr. Hill stated that a covenant would address his concern. He moved to vote placing the "Garrison Farm" on the Preliminary Landmarks List and to change the bounds of the HES to exclude the front yard of lot 5 A. Ms. McIver seconded the motion, which was approved unanimously on a voice vote.

Recommendations on Baltimore County Register (MHT Inventory) Structures

Mr. Matthews noted that the Commission would deal next with items 9, 10 and 12 to allow for the testimony of Ms. Harvey and Mr. Wisnom, this would be followed by item 11.

9. **14 Shippley Avenue, Winters Lane African American Survey District, Catonsville vicinity; County Register (MHT) # BA-3067 [County Council District # 4]**

This item concerns a demolition request that was initiated by Baltimore County. Mr. Wisnom, stated that he had made numerous attempts over the last several years to get the property owner to make needed repairs. On September 7, 2005, the owner agreed to repair the building, but once again failed to follow through. At a May 9th hearing a civil penalty of \$10,000 was placed on the property for failing to bring the house into compliance.

Mr. Diggs stated that he and Mr. Boswell visited the site, but were unable to go inside the house. Mr. Boswell noted that the dwelling was part of a unified streetscape and that its removal would have a negative visual impact on the historic streetscape - especially if the building would be replaced with a dwelling that differed in style, rhythm and massing with the existing streetscape. Mr. Hill moved to recommend against the demolition until further inspection would yield information regarding the structural soundness of the building. Mr. Syed seconded the motion, which was approved unanimously on a voice vote. Mr.

Hardester, Mr. Hill, Mr. Syed and Mr. Diggs volunteered to conduct a second site visit. Mr. Wisnom promised that he would make sure that the Technical Committee would gain entry into the house in order to examine the interior of the dwelling.

10. 2504 Sycamore Avenue, Edgemere African American Survey District; County Register (MHT) # BA-3061 [County Council District # 7]

This property concerned a County initiated demolition request. Mr. Wisnom reported that his office has made attempts to bring this building into compliance since 2001, without success. Mr. Diggs reported that he and Mr. Boswell had visited the site and determined that the dwelling was beyond rehabilitation. Mr. Boswell stated that the dwelling was not part of a unified streetscape. Mr. Diggs moved to support the demolition of the property. Mr. Boswell seconded the motion, which was approved unanimously on a voice vote.

12. "Smith House," 6240 Falls Road; Final Landmarks List # 260; Contributing structure in the Bare Hills African American Survey District, County Register (MHT) # 3050 [County Council District # 2]

Mr. Wisnom reported that Baltimore County had been dealing with this property since 2000. It constitutes a severe safety hazard. Ms. Harvey stated that the Office of Community Conservation has worked with the community and discussed rehabilitation loans, but there was no interest. Mr. Boswell stated that he thought the structure was too far-gone for rehabilitation. The owner neglected a building that is on the Baltimore County Final Landmarks List, which he thought constitutes "demolition by neglect." He wished that this issue be discussed. Mr. Field responded that the property was under Mr. Wisnom jurisdiction before it was nominated to the Landmarks List. That is, "demolition by neglect" preceded the landmarks listing.

Mr. Hardester moved to approve demolition of the structure. Mr. Hill seconded the motion. Ms. Allen, Mr. Boswell, Mr. Diggs and Ms. Secoura voted against the motion. Ms. Horst abstained. Mr. Bryan, Mr. Hardester, Mr. Hill, Ms. McIver, Mr. Reynolds, Mr. Syed and Mr. Matthews voted in favor of the motion. The motion passed. Ms. Hoffberger pointed out that the property was in the Ruxton-Riderwood Design Review Panel (DRP) area and thus any new structure would be subject to DRP review for compatibility in design.

Mr. Hill moved to reconsider the previous vote. Ms. Secoura seconded the motion. Mr. Matthews pointed out that Ms. Secoura could not second the motion because she had voted against the previous motion. He asked whether anyone who had voted in favor of the previous motion wished to second the motion. None of the members responded. The motion to reconsider was therefore denied.

11. **"Beal House," 5328 (a.k.a. 5200) Glen Arm Road, Long Green vicinity; contributing structure in the Long Green Valley National Register Historic District, County Register (MHT) # BA-1914; [County Council District # 3]**

This item concerned a demolition request. Ms. Hoffberger read staff's recommendation, which encouraged the members of the LPC to discuss the proposal in detail.

Mr. Scott Muffet, representing the owner, who resides in the State of Missouri, stated that he had requested the demolition because the structure presented a liability risk. He feared children might break into the property. Additionally there was a problem with mold. Mr. Boswell stated that he and Mr. Diggs had visited the site and found the building to be structurally in superb condition.

Mr. Bryan moved to deny the demolition request. Mr. Hill seconded the motion, which passed unanimously on a voice vote.

Alteration to properties in County Historic Districts or Landmark structures

Item 8 was dealt with next.

8. **"Simonds House" (Kassner property), 316 Central Avenue, Glyndon County Historic District; County Register (MHT) # BA 798 [County Council District # 3]**

This item concerns a request to replace an existing porch with a new porch, to create access to that porch and to replace an existing window with a new window. Ms. Hoffberger read staff's recommendation to vote issuing a notice to proceed with the following instructions from the Historic Glyndon design committee: Change the contemporary treated lumber decking material, originally to be left natural, to a painted lumber handrail and balusters resembling the porch railing on the front porch. Eliminate the proposed plastic divider grids in the windows and duplicate the original large one-over-one windows throughout the house.

Mr. Diggs moved to issue a notice to proceed. Mr. Hardester seconded the motion, which was approved unanimously on a voice vote.

5. **"Hunt-Schmidt House" (Dillon property), 12656 Manor Road, Long Green vicinity; Final Landmarks List # 148; County Register (MHT) # BA-2114 [County Council District # 3]**

This item concerned a request to replace the original slate roof on a front porch with synthetic shingles. Ms. Hoffberger read staff's recommendation to discuss the proposal in greater detail.

Mr. and Mrs. Dillon, the property owners, stated that the synthetic slate would look identical to real slate and that the product had been approved in numerous instances for the rehabilitation of historic buildings. Samples were given to the members. Ms. Brown noted that the applicants had submitted excellent materials in support of their case, but that the materials were too voluminous to make copies for each member of the commission. During the ensuing discussion the LPC discussed the Secretary of the Interior's Standards, the impact of synthetic slate on the integrity of the historic structure and the cost of original slate vs. synthetic slate. Ms. Rising noted that the National Park Service used synthetic slate on roofs not mainly seen.

Ms. Secoura moved not to allow replacing the original slate with synthetic slate, and to issue a notice to proceed for replacing the original slate roof on the porch roof with slate. Mr. Hill seconded the motion. Mr. Hardester, Mr. Diggs and Ms. Horst voted against the motion. Ms. Allen, Mr. Bryan, Mr. Boswell, Mr. Hill, Ms. McIver, Ms. Secoura, Mr. Reynolds and Mr. Syed voted in favor of the motion. The motion passed.

6. **"Connolly House" (Amrein property), 12709 Manor Road, Long Green vicinity; Preliminary Landmarks List # 336; County Register (MHT) # BA-2112 [County Council District # 3]**

This item concerned a request to remove the existing non-historic siding, and to restore/repair the shutters, wood siding and roof. Ms. Hoffberger read staff's recommendation to issue a notice to proceed. Mr. Hardester moved to accept staff's recommendation. Mr. Hill seconded the motion, which was approved unanimously on a voice vote.

7. **Hill property, 1515 Bellona Avenue, Lutherville County Historic District [County Council District # 3]**

This item concerned a request to remove the existing non-historic aluminum siding.

Approved via the Consent Agenda to issue a notice to proceed.

Tax Credits

Request for LPC approval for County Part II Tax Credit application

13. **Bowie property, 1508 Bellona Avenue; contributing structure in the Lutherville County Historic District, County Register (MHT) # BA-291 [County Council District #3]**

Approved via the Consent Agenda to issue a notice to proceed.

Ms. Brown reported on tax credit items 14, 15 and 16. There was no vote required.

Report on Tax Credit applications approved

- 14. Scholl/Joellenbeck property, 7007 York Road, Stoneleigh; contributing structure in the Stoneleigh National Register District, [County Council District # 5]**

Approved Part II application because applicant submitted a signed (approved) State Part 2 application.

- 15. Senkus property, 5171 Viaduct Avenue, Relay; contributing structure in the Relay County Historic District [County Council District # 1]**

Approved Part II application because applicant submitted a signed (approved) State Part 2 application.

Report of Part III Application Processed

- 16. "Stemmer House" (Holdridge property); Final Landmarks List # 41; contributing structure in the Caves Valley National Register District [County Council District # 2]**

Rehabilitation work completed – Part III application forwarded to the Budget Office for final approval.

Other Business

- 17. Overview of draft LPC Booklet**

Ms. Hoffberger informed the members of the Commission that they would have a month to examine the materials, which would be discussed at the November 9, 2006 LPC meeting.

- 18. Site visits for November nominations**

Ms. Hoffberger noted that Mr. Matthews would not be present at the November meeting. There would be two nominations that required site visits, 303 Nicodemus Road and 1903 Old Court Road. Mr. Reynolds, Mr. Matthews, Mr. Hill, Ms. Horst and Ms. Allen volunteered to visit the Nicodemus site on October 18, 2006 at 11:00 a.m. Mr. Boswell, Ms. Horst, Mr. Diggs and Ms. Secoura volunteered to visit 1903 Old Court road on Monday October 30, at 9:00 a.m.

Ms. Hoffberger reminded the members of the Commission of the upcoming retreat that was scheduled for Friday, October 20, 2006, from 2:00 p.m. to 5:00 p.m. at the Banneker Center.

The meeting was adjourned at 8:45 p.m.



07-182-SPH

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Property Search

Layers

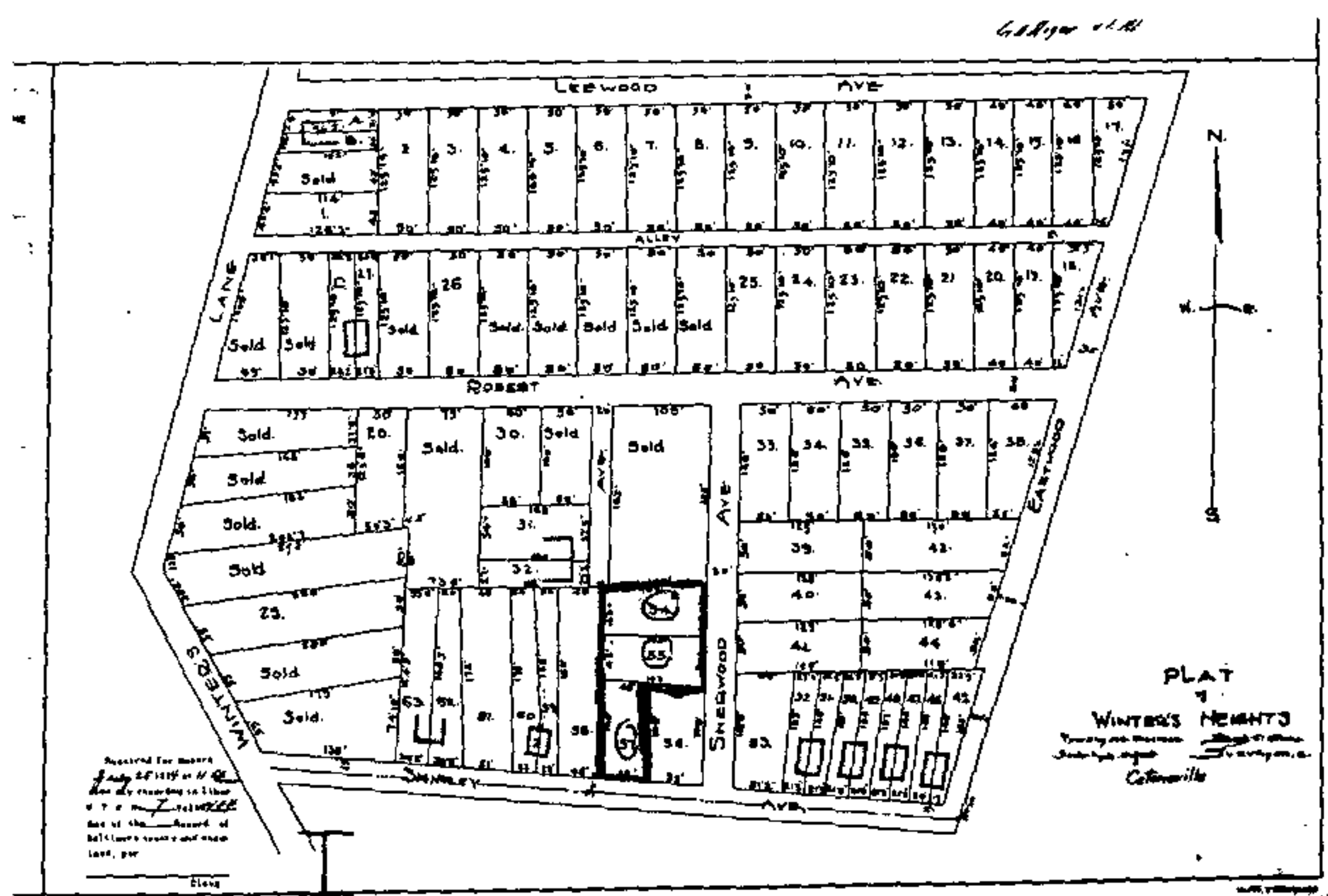
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Map created with ArcGIS - Copyright (C) 1992-2005 ESRI Inc.

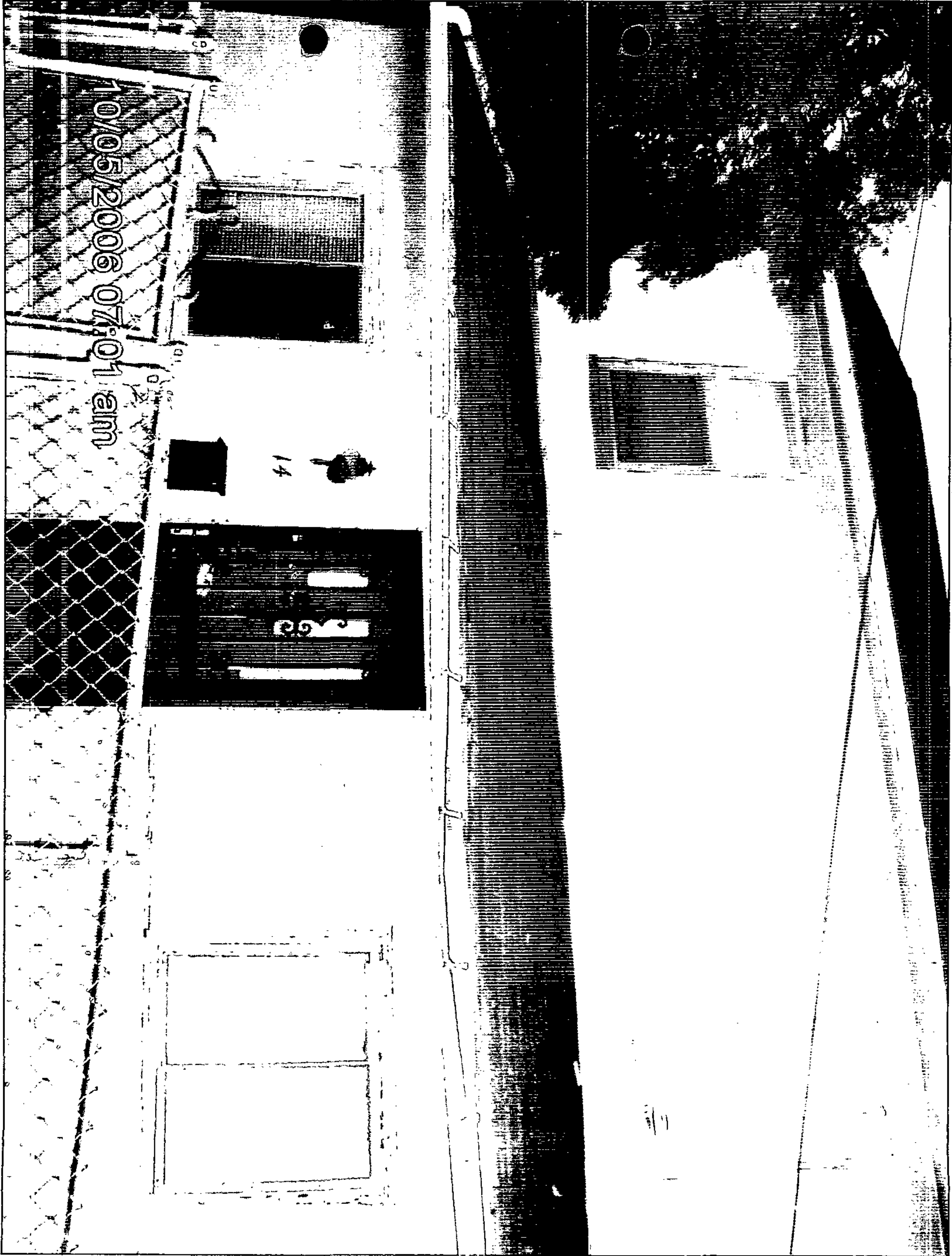
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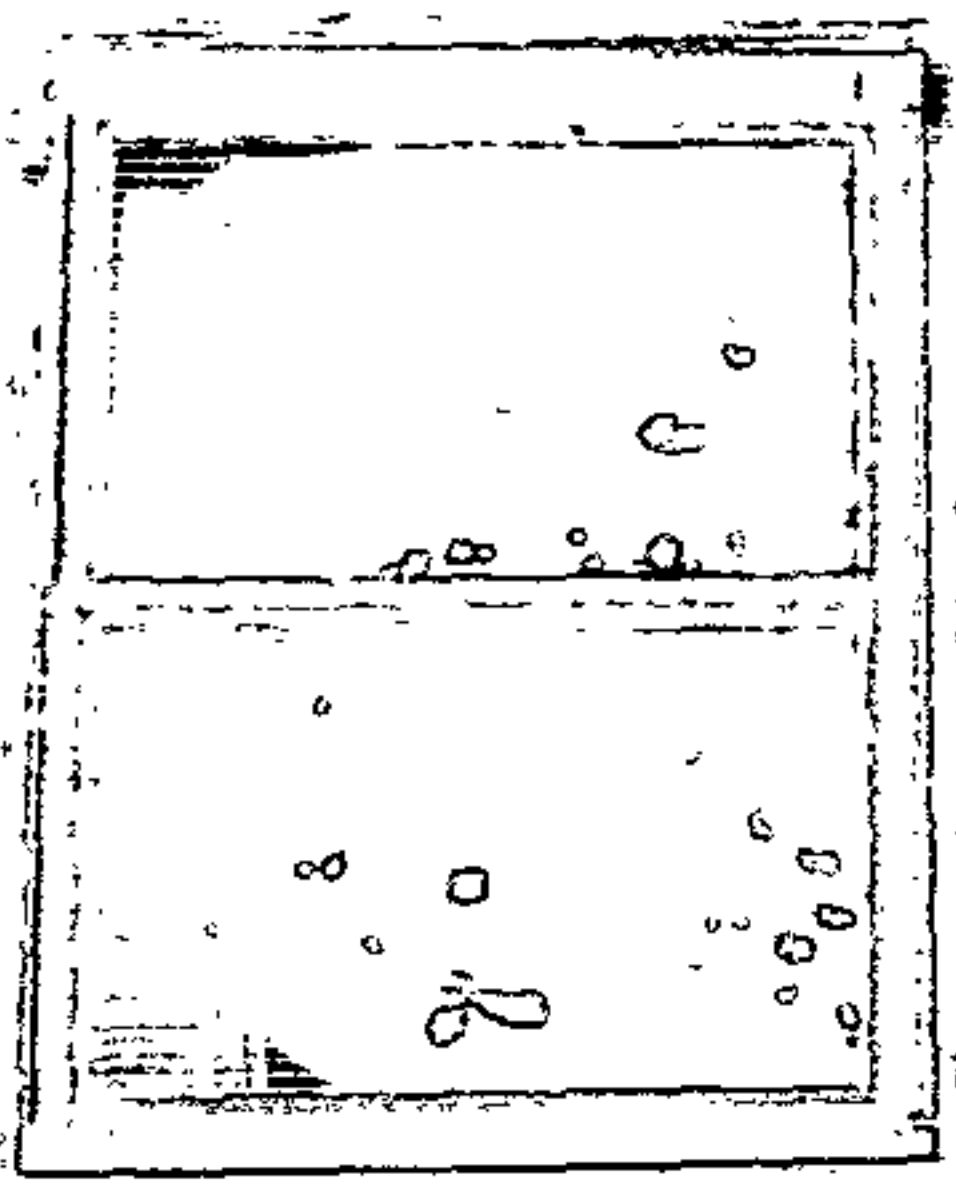
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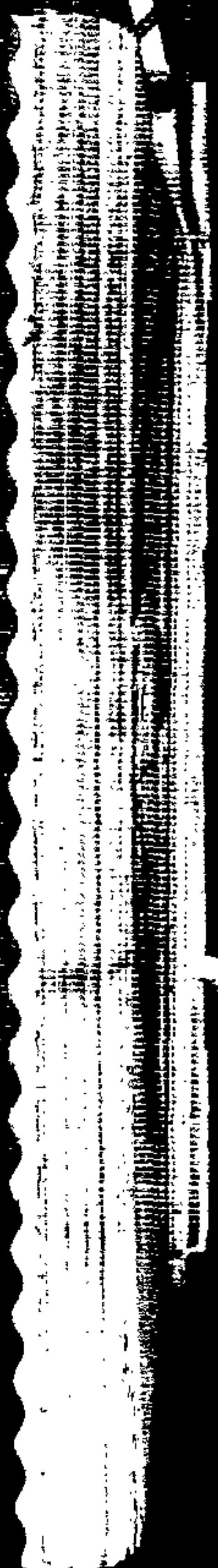
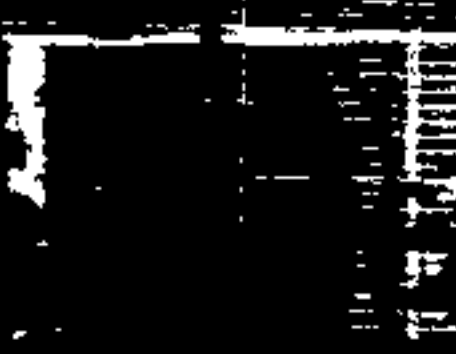
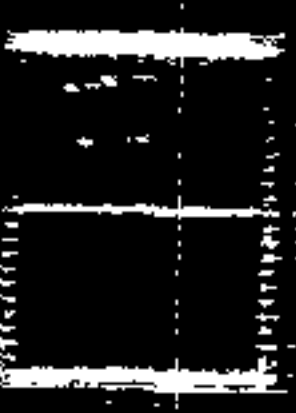
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