



IN RE: PETITION FOR ADMIN. SPECIAL

HEARING

N side of Eudowood Lane, 150.21 feet

E of c/l of Hill Road

9th Election District

5th Councilmanic District

(349 Eudowood Lane)

DEPUTY ZONING COMMISSIONER

BALTIMORE COUNTY

Mount Calvary African Methodist Episcopal Church, Inc.; Rev. Dr. Ann Lightner-Fuller Petitioners

CASE NO. 07-417-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for an Administrative Special Hearing filed by the legal owners of the subject property, Mount Calvary African Methodist Episcopal Church, Inc.; Rev. Dr. Ann Lightner-Fuller. The request is for property located at 349 Eudowood Lane. Pursuant to Sections 32-4-107(b), 32-4-223.(8) and 32-4-416(a)(2) of the Baltimore County Code (BCC) to approve a waiver to obtain approval to raze an existing structure. The structure is described in a Maryland Historic Trust survey of a potential historic district in East Towson. (BA-1076). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated March 28, 2007. The property is located in the East Towson African American Survey District which is included on the Baltimore County Register (MIHP) #BA-1076. The demolition request was presented to the Baltimore County Landmarks Preservation Commission (LPC) on September 14, 2006. The LPC unanimously voted to approve the demolition request.

A Notice to Proceed in accordance with BCC Section 32-7-405 was issued by the Landmarks Preservation Commission.





The Office of Planning does not oppose the Petitioner's request for a waiver to raze the existing structure. However, the site plan submitted states that there have not been any prior zoning hearings on the subject property. This is note is not accurate, as the property was the subject of a prior request for zoning variance (Case 96-488-A). This notation should be corrected on the site plan associated with this petition for special hearing.

Findings of Fact and Conclusions of Law

By agreement with counsel for the Petitioner, the notes of the Plat to Accompany, exhibit 1, was corrected to reflect the prior zoning case (case no. 96-488-A) as requested by the Office of Planning.

The subject property contains 0.9 +/- acres or 39,200 square feet. The structures proposed for demolition include a 2 story frame on stone foundation building, a 2 story stucco addition, 2 one story additions, and a 1 story garage. The main 2 story frame structure is the former Maryland Etching Company building.

Preservation Services staff of the Office of Planning supports the request for a waiver to raze the existing structure.

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 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. In that regard I find that this request can be processed administratively and does not require a public hearing.



The Petitioners having filed a Petition for Administrative Special Hearing and the subject property having been posted on March 23, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits and photographs as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the request would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested waiver should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 18 day of April, 2007 for a waiver to obtain approval to raze an existing structure be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

April 18, 2007

JAMES W. CONSTABLE, ESQUIRE WRIGHT CONSTABLE & SKEEN LLP 16TH FLOOR, 100 NORTH CHARLES STREET BALTIMORE MD 21201

Re: Petition for Administrative Special Hearing Case No. 07-417-A
Property: 349 Eudowood Lane

Dear Mr. Constable:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Mount Calvary African Methodist Episcopal Church, Inc., Rev. Dr. Ann Lightner-Fuller, 300 Eudowood Lane, Baltimore MD 21286 Allen Price, 215 East 25th Street, Baltimore MD 21218

Historia

Petition for Administrative Special Hearing



to the Zoning Commissioner of Baltimore County

for the property located at 349 Eudowood Lane, Towson, Md. 21286

	which is presently zoned
This Petition shall be filed with the Department of Permi	
obtain approval to raze existing stru	acture that is of a type
described in Sec. 32-223(8). The stru	cture is described in a Maryland
Historic Trust survey of a potential.	historic district in East Towson. (BA-1076)
of the zoning regulations of Baltimore County, to the zoning la	aw of Baltimore County.
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Special Hearing, advertish zoning regulations and restrictions of Baltimore County adopted pure	ing, posting, etc. and further agree to and are to be bounded by the
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
n/A	Mount Column African Mathadiat Priceson
Name - Type or Print	Mount Calvary African Methodist Episcopal Name - Type or Print Church, Inc.
•	Lew Committee
Signature	Signature
	Rev. Dr. Ann Lightner-Fuller
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	300 Eudowood Lane (410) 296-9474
James W. Constable	Address Baltimore, Md. 21286
Name - Type or Print	City State Zip Code
Signeture Signeture	Representative to be Contacted:
Wright Constable & Skeen, LLP	Allen Price
Company	Name
16th Fl., 100 N. Charles St.	215 East 25th St. (410) 467-5453 Address Telephone No.
Address Telephone No.	
Baltimore, Md. 21201 (410) 65 City State Zip Code	9-1315 Baltimore, Md. 21218 City State Zip Code
A Public Hearing having been formally demanded and/or found to be redday of that the subject maller of this petition be Baltimore County and that the property be reposted.	quired, it is ordered by the Zoning Commissioner of Baltimore County, this set for a public hearing, advertised, as required by the zoning regulations of
	Zoning Commissioner of Bailimore County
Case No. 07-417-5PH Revie	awed By JF/Drop of Bate 3/16/07
REV 5/17/05 Estin	nated Posting Date 3-25-0)
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THE PERMITTED POR FILMS	-
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Afficavit 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 a	Address 300 Eudowood Lane
	Towson, Maryland 21286 City State Zip Code
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	a formal demand is filed, Affiant(s) will be required to pay a reposting and de additional information.
	To the Sulp
Signature	Signature
· · · · · · · · · · · · · · · · · · ·	Rev. Dr. Ann Lightner-Fuller
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BAL' I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid,	Mouch,, before me, a Notary Public of the State
the Affiant(s) herein, personally known or sat	tisfactorily identified to me as such Affiant(s), and made oath in due form of
law that the matters and facts hereinabove so	et forth are true and correct to the best of his/her/their knowned and belief.
AS WITNESS my hand and Notarial Seal	OFFICIAL BEAT NOTARY PUBLIC - MARYLAND MICHAEL FRANCIB PHILLEY BALTIMORE COUNTY My Commission Expires June 24, 2007
3/13/07 Dale	Muhulbeeleeston
·	My Commission Expires Vone 24 7007
REV 6/17/05	•

ZONING DESCRIPTION FOR 349 EUDOWOOD LANE

Beginning at a point on the north side of Eudowood Lane which is 20 feet wide at the distance of 150.21 feet east of the centerline of the nearest improved intersecting street Hillen Road which is 40 feet wide. Being Lots 8, 9, 10, 11, 12, 13 & 14, in the subdivision of PLAT OF THE LAND BELONGING TO THE RELIEF ASSOCIATION OF BALTIMORE COUNTY MD. as recorded in Baltimore County Plat Book #2, Folio 42, containing 39,498.75 square feet. Also known as 349 Eudowood Lane and located in the 9TH Election District, **Councilmanic District.

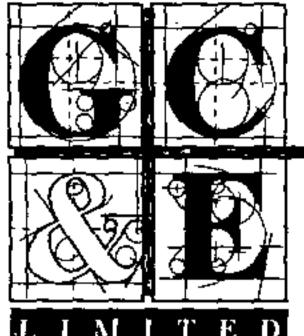
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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE 3-16-07 ACCOUNT OO 6-6150	FECEIVED AP & Company & Co	WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	

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Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE#07-417-SPH
PETITIONER/DEVELOPER:
Mt. Calvary African Methodist
Episcopal Church
DATE OF CLOSING: April 9, 2007

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION:

349 Eudowood Lane

(see page 2 for full size photo)

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

POSTED ON: March 23, 2007



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ADMINISTRATIV

SPECIAL HEARING

CASE #: 07-117-SPH

ADMINISTRATIVE SPECIAL HEARING TO GREAT ORIGINAL APPROVAL TO BAZE KNISTING STRUCTS RETURN IS OF A TAPE DESCRIBED IN SECTIONS 31-22.)

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UBLIC HEARING?

URSILANT TO SECTION IN ITAMIN, BALTIMORE COMMIT COOK IN ELIGIBLE INDIVIDUAL OR GROUP WAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 130 p.m. ON April 8, 2007.

HO ADMINISTRATION AND DEVELOPMENT MANAGEMENT CHEMPARTMENT. TEL, 410-887-3191

HEARINGS ARE HANDICAPPED ACCESSIONE

03/23/2007

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

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	Planne	, Please Print Your I				<i>(</i>) () ()	-T-
Filing Date:	3-16-07	Post	ing Date: <u>3</u>	- <u>25-0</u>	7 Closing	Date: 4-9-9	<u> </u>
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BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing

Zoning Review will ensure that the legal requirements for advertising are satisfied However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

ltem Numi	per or Case	Number	07-417	-SP4			
Petitioner	Mount	Calvar	y African	Method	ist Episc	opal chi	urch. Inc
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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

April 9, 2007

James W. Constable Wright, Constable & Skeen, LLP 16th Floor, 100 N. Charles Street Baltimore, MD 21201

Dear Mr. Constable:

RE: Case Number: 07-417-SPH, 349 Eudowood Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 16, 2007.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

U. Call Rills D.

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

Enclosures

: People's Counsel

Mount Calvary African Methodist Episcopal Church, Inc. Rev. Dr. Ann Lightner-Fuller 300 Eudowood Lane Baltimore 21286

Allen Price 215 East 25th Street Baltimore 21218

Fire Department

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



Baltimore County

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

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

March 28, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 26,2007

417

Item Number: 410 through 426

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



Martin O'Malley, Governor Anthony Brown, Lt. Governor Administration igcirc

John D. Porcari, Secretary Designate Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: APRIL 2,2007

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

RE: **Baltimore County**

Item No. 7-417-5PH

349 ELLDOWVOOD LANE

MTCALVARY A.M.E. (HURCH ADMINISTRATIVE SOEGAL

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. 7-417-5PH.

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,

Steven D. Foster, Chief Engineering Access Permits

Division

SDF/MB

INTER-OFFICE CORRESPONDENCE

DATE: March 28, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

349 Eudowood Lane

INFORMATION:

Item Number:

7-417

Petitioner:

Mount Calvary African Methodist Episcopal Church, Inc.

Zoning:

DR 16

Requested Action:

Administrative Special Hearing

SUMMARY OF RECOMMENDATIONS:

The property in question is located in the East Towson African American Survey District, which is included on the Baltimore County Register (MIHP) # BA-1076. The demolition request was presented to the Baltimore County Landmarks Preservation Commission (LPC) on September 14, 2006. The LPC unanimously voted to approve the demolition request.

The Office of Planning does not oppose the petitioner's request for waiver to raze the existing structure. However, the site plan submitted states that there have not been any prior zoning hearings on the subject property. This note is not accurate, as the property was the subject of a prior request for zoning variance (case 96-488-A). This notation should be corrected on the site plan associated with this petition for Special Hearing.

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

Reviewed by:

Division Chief:

AFK/LL: CM

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 29, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting.

For April 2, 2007

Item Nos. 07-230, 410, 411, 413, 414, 415, 416,

A17, 418, 419, 420, 423, 424, 425, and 426

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-03282007.doc

INTRA-OFFICE CORRESPONDENCE

HISTORIC PRESERVATION COMMENTS FOR ZAC

TO: Curtis Murray

DATE: March 26, 2007

FROM: Karin Brown

PROJECT NAME: 349 Eudowood Lane (Mount Calvary African Methodist Episcopal

Church)

PROJECT #: 07-417

Preservation Services staff supports the request for a waiver to raze the existing structure. The property in question is located in the East Towson African American Survey District, which is included on the Baltimore County Register (MIHP) # BA-1076. The demolition request was presented to the Baltimore County Landmarks Preservation Commission (LPC) on September 14, 2006. The LPC unanimously voted to approve the demolition request.

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 28, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

349 Eudowood Lane

INFORMATION:

Item Number:

7-417

Petitioner:

Mount Calvary African Methodist Episcopal Chu

Zoning:

DR 16

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

Reviewed by:

Division Chief: AFK/LL: CM

BALTIMORE COUNTY, MARYLAND OFFICE OF PLANNING

Memorandum

TO:

John Reisinger

Buildings Engineer

DATE:

September 19, 2006

FROM:

Vicki Nevy, Adminstrator/Secretary

Landmarks Preservation Commission

SUBJECT:

349 Eudowood Lane, East Towson

East Towson African American Survey District

County Register (MHT #BA-1076)

At its September 14, 2006 meeting, the Baltimore County Landmarks Preservation Commission approved the demolition of the structures located at 349 Eudowood Lane. This memo constitutes a notice to proceed in accordance with *Baltimore County Code* Section 32-7-405.

VKN:vkn

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Mt. Calvary AME Church

300 Eudowood Lane Towson, MD 21286 RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING
349 Eudowood Lane; N/S Eudowood Lane,
150.21' E c/line Hillen Road
9th Election & 5th Councilmanic Districts
Legal Owner(s): Mount Calvary African
Methodist Episcopal Church, Inc
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 07-417-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.

,

RECEIVED

APR 0 4 2007

Рег.....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of April, 2007, a copy of the foregoing Entry of Appearance was mailed to Allen Price, 215 East 25th Street, Baltimore, MD 21218 and James W. Constable, Esquire, 100 N. Charles Street, 16th Floor, Baltimore, MD 21201, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Preliminary Agenda*
Thursday, September 14, 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 July 13, 2006 meeting
- 2A. Minutes of the Closed Session June 8, 2006 meeting
- 2B. "Consent Agenda" Items 4, $\overline{5}$, 6, 7, 8, 9, 10

Alteration to properties in County Historic Districts or Landmark structures

- 3. RRIG Corp. (Gheiler) property, 3610 Briarstone Road, Fieldstone: Construction of a new dwelling on a vacant lot (adjoining a contributing dwelling) in the Fieldstone County Historic District [County Council District # 4]
- **4. Maryland Etching Co., 349 Eudowood Lane, East Towson; contributing structure in the East Towson African American Survey District; County Register (MHT # BA-1076): demolition permit [County Council District #5]

- **5. St. Luke's United Methodist Church, 56 Bond Avenue (African American Survey District; MHT # BA-1382): demolition permit [County Council District #3]
- **6. St. Luke's United Methodist Church; 305 New Avenue (African American Survey District; MHT # BA-1382): demolition permit [County Council District #3]
- **7. Wells Residence, 2715 Sparrows Point Road, Edgemere (African America Survey District): demolition permit [County Council District #7]
- **8. Baldanza Residence, 219 Melancthon Avenue, Lutherville (Lutherville County Historic District): privacy fence installation in rear yard [County Council District #3]
- **9. Moreland Residence, 1822 Corbett Road, Corbett (Corbett County Historic District): new single family dwelling construction [County Council District #3]
- **10. Mulroy Residence, 200 Garrison Forest Road, Owings Mills (Greenspring Valley National Register District BA#1630): garage demolition [County Council District #2]

Recommendations on Baltimore County Register (MHT Inventory) Structures

None this month

Nomination to the Landmarks List

None this month

Other business

Status report on legislative actions by the County Council

- a. County Council Bill 94-06 was introduced at the August 7, 2006 meeting. This bill was discussed at the August 29, 2006 Council Work Session. Final Reading and Vote occurred at the September 5, 2006 Council meeting. This bill includes all structures placed on the Preliminary Landmarks List (PLL) by the LPC at the January 12, 2006, February 9, 2006 and March 9, 2006 meetings. All the PLL Structures were included # 318 through #333 except the Dilworth-Dietz Farmstead, Kingsville.
- b. Copy of July 2006 memorandum to the County Administrative Officer on the additions to the Preliminary Landmarks List from the July 13, 2006 LPC meeting, PLL Structures #341 through #344

Tax Credit Applications

Request for LPC approval for County Part II Tax Credit application

- "Batchelor's Store", 16951 York Road, Hereford; Final Landmarks List # 319, County Register (MHT) # BA-2047. Approval of Part II application [County Council District # 3]
- 12. Bilger property, 700 Kingston Road, Stoneleigh; contributing structure in the Stoneleigh National Register District. Approval of Part II application [County Council District # 5]
- 13. Wingate property, 602 Stoneleigh Road, Stoneleigh; contributing structure in the Stoneleigh National Register District. Approval of Part II application [County Council District # 5]

Report on County Tax Credit applications approved

14. Traband property, 505 ½ Sudbrook Lane, Pikesville; contributing structure in the Sudbrook Park County Historic District and the Sudbrook Park National Register Historic District. Approved Part II application because applicant submitted signed/approved Part 2 State Tax Credit application [County Council District # 2]

<u>Next Retreat Friday, October 20, 2006, Banneker Park, 2 p.m. – 6 p.m. with</u> <u>Dinner at 5 p.m.</u>

* This Agenda, published Wednesday, September 6, 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, August 30, 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.

<u>Inclement Weather Policy</u> – 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 September 14, 2006 Meeting

Mr. James E. Matthews, the Chair, opened the regular monthly meeting of the Baltimore County Landmarks Preservation Commission (LPC) at 6:06 p.m. The following Commission members were:

Present	Not Present
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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. John W. Hill, Vice-Cairman

Mr. Steven Fedder

Mr. H. Edward Parker

Mr. Qutub K. Syed

Mr. Edward E. Hardester, Jr

County staff present included Jeffrey W. Long (Deputy Director of Planning), Vicki Nevy (Secretary to the Commission), Caren Beth Hoffberger (Chief of Preservation Services), Teri Rising and Karin Brown.

Preliminary actions

There were no changes to the Revised Agenda. Mr. Matthews announced that he would address the Baltimore County Planning Board at its October 19, 2006 meeting. The meeting, which begins at 4:00 PM is televised. Mr. Matthews thanked Ms. Carol Allen for attending the National Alliance conference and for preparing a written summary that was sent to the members of the Commission. He thanked Mr. Diggs, Ms. McIver, Mr. Boswell and Mr. Hill for serving on several Technical Committees and reporting on the outcome of these site visits. Mr. Matthews reminded the Commission about the upcoming LPC retreat that is scheduled for October 20, 2006, from 2:00 p.m. – 6:00 p.m. at Banneker Park. He also announced a joined holiday celebration for the members of the Planning Board, the Design Review Panel and the Commission on Thursday, December 7, 2006, from 5:00 p.m. to 6:30 p.m. at the Sherwood House at Cromwell Valley Park. Materials relating to these announcements were included in the folders provided to the members of the Commission. Also included were a summary of the Tax Credit regulations, a copy of the Minutes from the Historic Preservation Task Force Minutes, and a comparative chart illustrating how historic properties are being treated in other jurisdictions.

Mr. Matthews announced that Mr. Schnitzker and Mr. Griffith were no longer on the Commission. He then welcomed the newest member, Ms. Nancy Horst, who is taking Mr. Griffith's place as the 2nd Council District appointee.

Approval of the Minutes

2. Mr. Boswell moved to approve the July 13, 2006 Minutes, Mr. Diggs seconded the motion, which passed unanimously on a voice vote. Mr. Diggs moved to adopt the Minutes of the Closed Session meeting on June 8, 2006. Ms. Allen seconded the motion, which passed unanimously on a voice vote.

Consent Agenda

Mr. Matthews described the items scheduled on the Consent Agenda and determined that no person present objected to its approval as submitted. Mr. Diggs moved that, for the reasons stated, and in accordance with any conditions stated in the written Action Summary provided to the members of the Commission by staff, items 4, 5, 6, 7, 8, 9 and 10 be approved as submitted. Ms. McIver seconded the motion, which passed unanimously on a voice vote.

Alteration to properties in County Historic Districts or Landmark structures

3. RRIG Corporation (Gheiler) property, 3610 Briarstone Road, Fieldstone County Historic District [County Council District # 4]

This item involved the request to construct a new dwelling on a vacant lot in the Fieldstone County Historic District. The applicant had worked with the local historic advisory group and Preservation Services staff to develop a design that was acceptable to all. The only outstanding issue was the type and color of the gutters and downspouts.

Ms. Caren Beth Hoffberger read staff's recommendation, to issue a notice to proceed for the proposal submitted in August 2006 subject to the following specifications:

Garage: The front loaded garage should be recessed a minimum of eight (8) feet from the projecting front wing of the building. The garage door should have an appearance consistent with the elevation drawings submitted in August 2006.

Front and side façade: Brick facing of the front and side elevations of the buildings up to the top of the first floor. The brick shall be Old Colony F/R MOD (Pine Hall Brick). The area above the 1st floor of the front and side façade, and the entire rear façade and the dormers, shall be constructed of "Hardiplank" (color arctic white).

Roof, gutters and down spouts: The roof shall have a pitch of 8/12 and shall be constructed of dark gray asphalt shingles (Landmark series: Driftwood (Certain Teed). Gutters and down spouts may be constructed

of aluminum. The gutters shall be the half round type. The preferred option would be a material that resembles copper.

Windows: The dormer windows shall be a pair of 6 over 6, true divided light windows. The remainder of the windows shall be 6 over 6 true divided light. Shutters shall be black.

Lighting: A hanging light fixture shall be placed over the front porch. In case a walkway is constructed, a lamp post, resembling the one on page 33, of the Fieldstone Design Guidelines, shall be provided.

Steps, walkway, driveway, landscaping: Steps and walkway shall be constructed of brick. The driveway shall be blacktop. Landscaping shall be consistent with the landscape plan submitted in August 2006. The plant materials shall be in accordance with the plants specified in that plan.

Samples and photos of the construction materials should be presented to the local Board prior to construction.

Mr. Isaac Gheiler, the property owner, explained that the cost of the half round gutters and downspouts requested by the historic advisory group was eight to ten times higher than the standard white gutters. Additionally, the copper colored gutters resemble more a brown than a copper color. He asked that the LPC approve standard white gutters and downspouts.

Mr. Bryan, former chair of the Fieldstone historic advisory committee (and member of the Commission), stated that Mr. Gheiler had worked hard to achieve an agreeable design solution.

Mr. Diggs moved to approve staff's recommendations, except that gutter and downspouts could be standard white. Mr. Boswell seconded the motion. Except for Mr. Bryan, who abstained, all members of the Commission voted in favor on a roll call vote. The motion passed.



Maryland Etching Co., 349 Eudowood Lane, East Towson; contributing structure in the East Towson African American Survey District; County Register (MHT) # BA-1076 [County Council District # 4]

This item concerned a demolition request.

Approved via the consent agenda to issue a notice to proceed.

5. Saint Luke's United Methodist Church, 56 Bond Avenue, Reisterstown; Contributing structure in the Bond Avenue African American Survey District; County Register (MHT) # 1382 [County Council District # 3]

This item concerned a demolition request.

Approved via the consent agenda to issue a notice to proceed.

6. Saint Luke's United Methodist Church, 305 New Avenue, Reisterstown; Contributing structure in the Bond Avenue African American Survey District; County Register (MHT) # 1382 [County Council District # 3]

This item concerned a demolition request.

Approved via the consent agenda to issue a notice to proceed.

7. Wells Residence, 2715 Sparrows Point Road, Edgemere; Contributing structure in the Edgemere African American Survey District; County Register (MHT) # 3061.

This item concerned a demolition request.

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

8. "Landon House" Baldanza Residence, 219 Melancthon Avenue, Lutherville; Contributing structure in the Lutherville County Historic District; County Register (MHT) # BA-67 [County Council District # 3]

The item concerned the proposed construction of a privacy fence in the rear yard. The request received approval of the Lutherville historic advisory committee.

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

9. Moreland Residence, 1822 Corbett Road, Corbett [County Council District #3]

This item concerned a request to construct a new dwelling on a parcel located in the Corbett County Historic District.

Approved via the consent agenda, to issue a notice to proceed in accordance with the elevation drawings submitted in September 2006.

10. "Theodore Kaplan House" (Mulroy Residence), 200 Garrison Forest Road, Owings Mills; Contributing structure in the Greenspring Valley National Register District; County Register (MHT) # 1630 [County Council District # 2]

This item concerned a request to demolish a garage.

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

Other Business

10 g

Status report on legislative actions by the County Council

Mr. Matthews read into the record that County Council Bill 94-06, which includes all structures placed on the Preliminary Landmarks List (PLL) by the LPC at the January 12, 2006, February 9, 2006 and March 9, 2006 meetings, were placed on the Final Landmarks List (FLL), except for the Dilworth-Dietz Farmstead in Kingsville.

Additionally, Mr.Matthews read that a memorandum was sent to the County Administrative Officer, regarding the additions to the PLL from the July 13, 2006 LPC meeting.

Tax Credits

Request for LPC approval for County Part II Tax Credit application

11. "Batchelor Store" (Zgorsky property), 16951 York Road, Hereford; Final Landmarks List # 319; County Register (MHT) # BA-2047 [County Council District #3]

This item involved a request for LPC approval of a Part II Baltimore County Tax Credit application. Ms. Brown noted that the proposal was superbly designed and recommended voting to issue a notice to proceed. Ms. Allen moved to accept staff's recommendation. Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

12. Bilger Property, 700 Kingston Road, Stoneleigh; Contributing structure in the Stoneleigh National Register District [County Council District # 5]

This item concerned a request for LPC approval of a Part II Baltimore County Tax Credit application. Staff recommended voting to issue a notice to proceed. Ms. Allen moved to accept staff's recommendation. Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

13. Wingate Property, 602 Stoneleigh Road; Contributing structure in the Stonely National Register District [County Council District # 5]

This item concerned a request for LPC approval of a Part II Baltimore County Tax Credit application. Staff recommended voting to issue a notice to proceed. Ms. Allen moved to accept staff's recommendation. Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

Report on Tax Credit applications approved

14. Traband property, 505 ½ Sudbrook Lane, Pikesville; contributing structure in the Sudbrook Park County Historic District and the Sudbrook Park National Register District, [County Council District # 2]

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

The meeting was adjourned at 6:45 p.m.



BA-1076

MARYLAND HISTORICAL TRUST

INVENTORY FORM FOR STATE HISTORIC SITES SURVEY

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End of Eudowood Lane.

Built on site of beneficial Society Hall shown in 1898 atlas. Frame factory building, two storeys, covered with rubber shingling; functional design; gable roof; three bays wide, seven deep. Fair condition.

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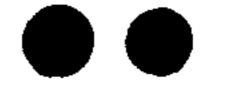
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Mr. John McGrain	5/78			
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The Maryland Historic Sites Inventory was officially created by an Act of the Maryland Legislature, to be found in the Annotated Code of Maryland, Article 41, Section 181 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

P2- 1104

From:

**

Karin Brown Zook, Patricia

To: Date:

4/10/2007 11:39:39 AM

Subject:

Re: Case No. 07-417-A (administrative variance)

This case involved the demolition of a contributing structure in the East Towson African American Survey District. The request was presented to the LPC on September 14, 2006. The LPC approved the demolition request. The LPC does not comment on new construction, however, elevations were presented to me and I found the design acceptable. Since it is not within the purview of Preservation Services to comment on design proposals I restricted my approval to a verbal comment. I submitted comments regarding this variance on March 26, 2007 and they should be on file. Attached is another copy of the staff comments. Regards Karin

Karin E. Brown
Office of Planning
(410)887-3495
Kebrown@baltimorecountymd.gov

>>> Patricia Zook 04/10/07 10:57 AM >>>

Good morning -

Listed below is an administrative variance case for your review. When is the request scheduled to go before the Landmarks Preservation Commission? Please let me know what they decide about the request to raze an existing structure.

Thanks for your help.

CASE NUMBER: 417349 Eudowood LaneLocation: N side of Eudowood Lane, 150.21 feet E of the c/lline of Hillen Road.9th Election District, 5th Councilmanic DistrictLegal Owner: Mount Calvary African Methodist Episcopal Church, Inc.; Rev. Dr. Ann Lightner-FullerClosing date: 4/9/2007 ADMINISTRATIVE SPECIAL HEARING Pursuant to Sections 32-4-107(b), 32-4-223.(8) and 32-4-416(a)(2) of the BCC to approve a waiver to obtain approval to raze existing structure. The structure is described in a Maryland Historic Trust survey of a potential historic district in East Towson. (BA-1076)

Patti Zook Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

CC:

Hoffberger, Caren; Nevy, Vicki; Rising, Teri

From:

Vicki Nevy

To:

12

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Zook, Patricia

Date:

4/10/2007 11:21:12 AM

Subject:

Re: Case No. 07-417-A (administrative variance)

Hi Patricia,

The demolition request for 348 Eudowood Lane was reviewed by LPC in September, 2006. The Notice To Proceed issued by LPC for the property is attached for your reference.

Vicki

>>> Patricia Zook 04/10/07 10:57 AM >>>

Good morning -

Listed below is an administrative variance case for your review. When is the request scheduled to go before the Landmarks Preservation Commission? Please let me know what they decide about the request to raze an existing structure.

Thanks for your help.

CASE NUMBER: 417349 Eudowood LaneLocation: N side of Eudowood Lane, 150.21 feet E of the c/lline of Hillen Road.9th Election District, 5th Councilmanic DistrictLegal Owner: Mount Calvary African Methodist Episcopal Church, Inc.; Rev. Dr. Ann Lightner-FullerClosing date: 4/9/2007 ADMINISTRATIVE SPECIAL HEARING Pursuant to Sections 32-4-107(b), 32-4-223.(8) and 32-4-416(a)(2) of the BCC to approve a waiver to obtain approval to raze existing structure. The structure is described in a Maryland Historic Trust survey of a potential historic district in East Towson. (BA-1076)

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

CC:

Brown, Karin; Hoffberger, Caren; Rising, Teri





Patricia Zook - Case No. 07-417-A (administrative variance)

From:

Patricia Zook

To:

Planning-Landmark-Historic staff

Date:

4/10/2007 10:57 AM

Subject: Case No. 07-417-A (administrative variance)

Good morning -

Listed below is an administrative variance case for your review. When is the request scheduled to go before the Landmarks Preservation Commission? Please let me know what they decide about the request to raze an existing structure.

Thanks for your help.

CASE NUMBER: 417

349 Eudowood Lane

Location: N side of Eudowood Lane, 150.21 feet E of the c/lline of Hillen Road.

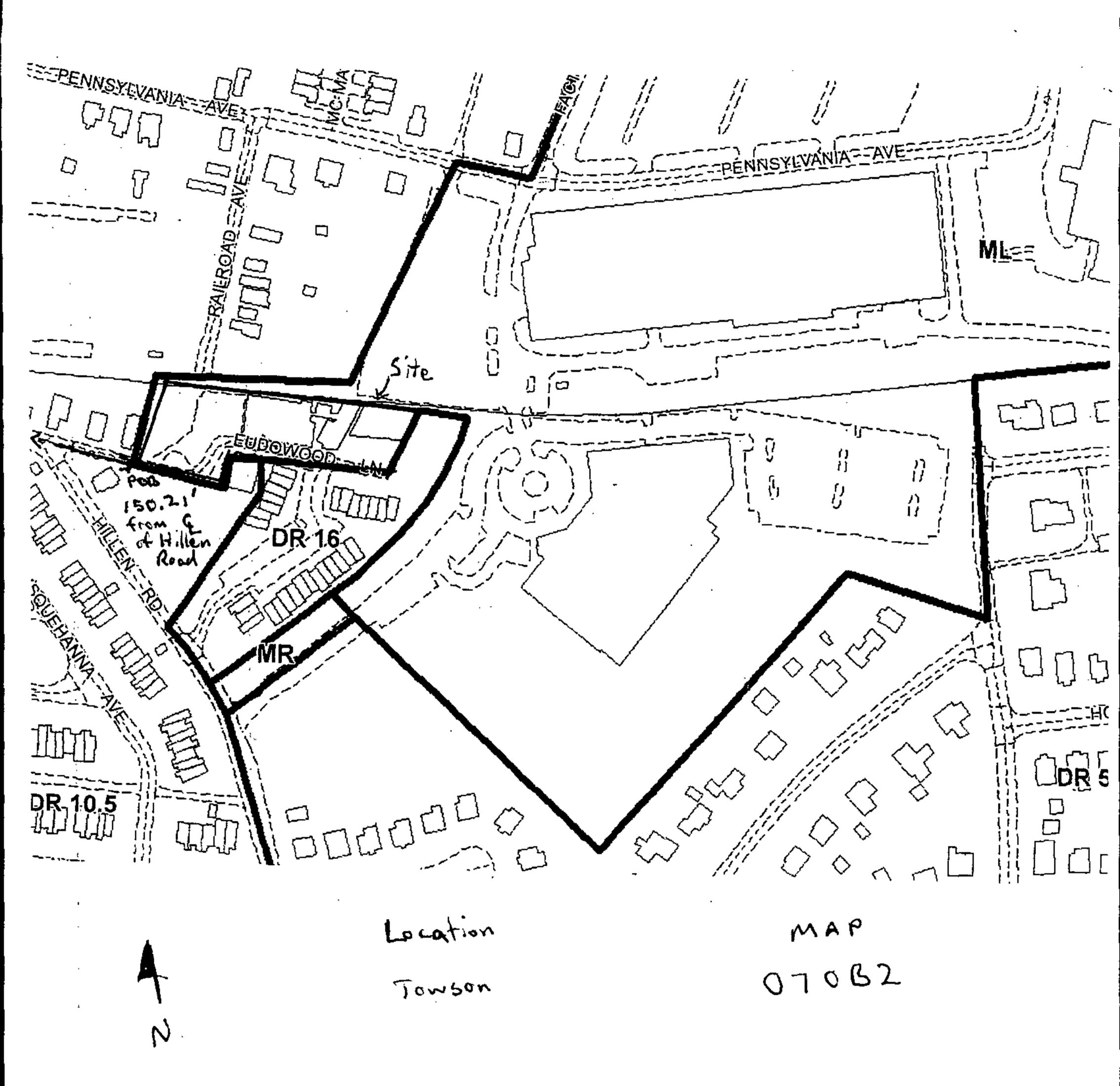
9th Election District, 5th Councilmanic District

Legal Owner: Mount Calvary African Methodist Episcopal Church, Inc.; Rev. Dr. Ann Lightner-Fuller

Closing date: 4/9/2007

ADMINISTRATIVE SPECIAL HEARING Pursuant to Sections 32-4-107(b), 32-4-223.(8) and 32-4-416(a)(2) of the BCC to approve a waiver to obtain approval to raze existing structure. The structure is described in a Maryland Historic Trust survey of a potential historic district in East Towson. (BA-1076)

Patti Zook **Baltimore County** Office of the Zoning Commissioner 410-887-3868 pzook@baltimorecountymd.gov



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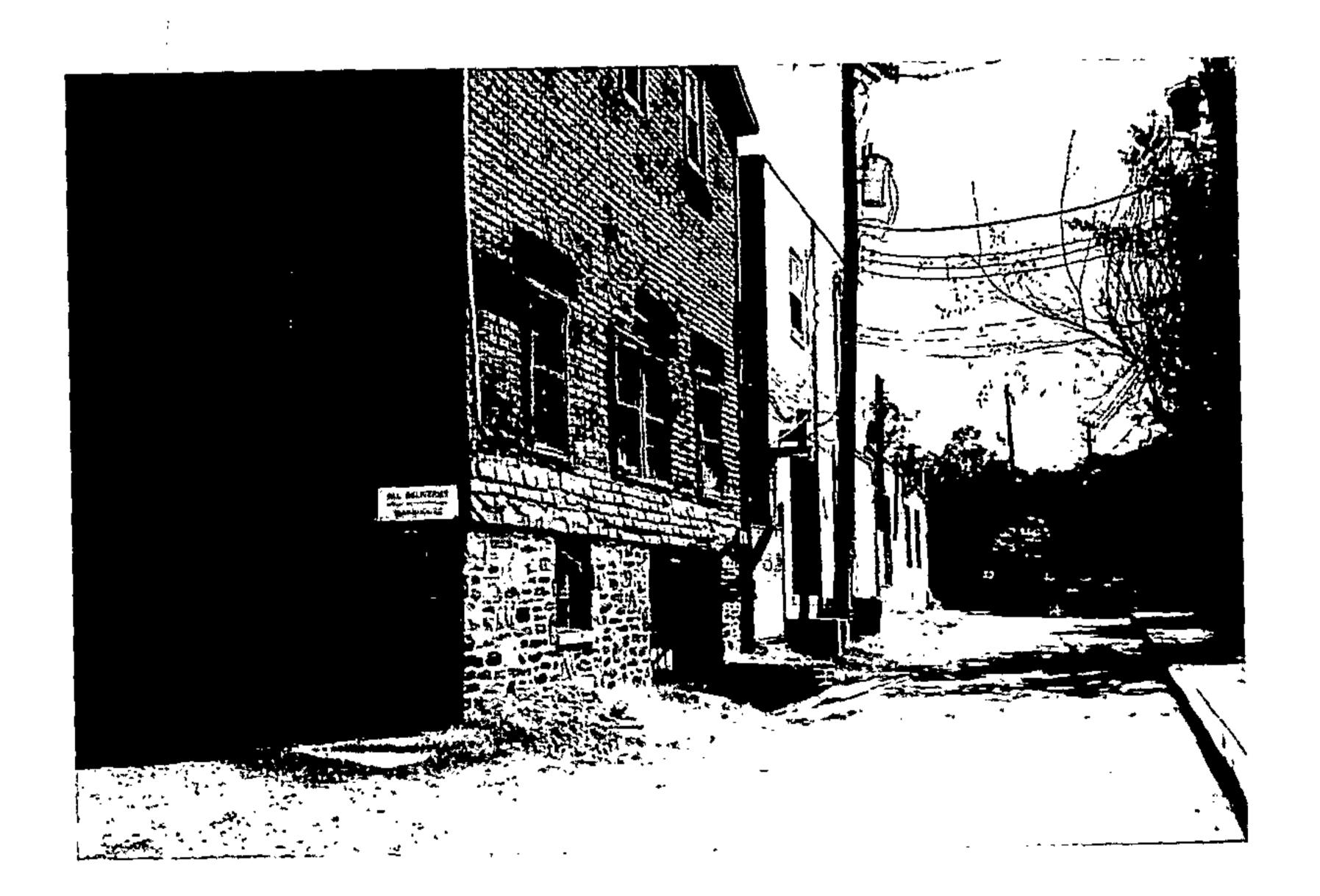


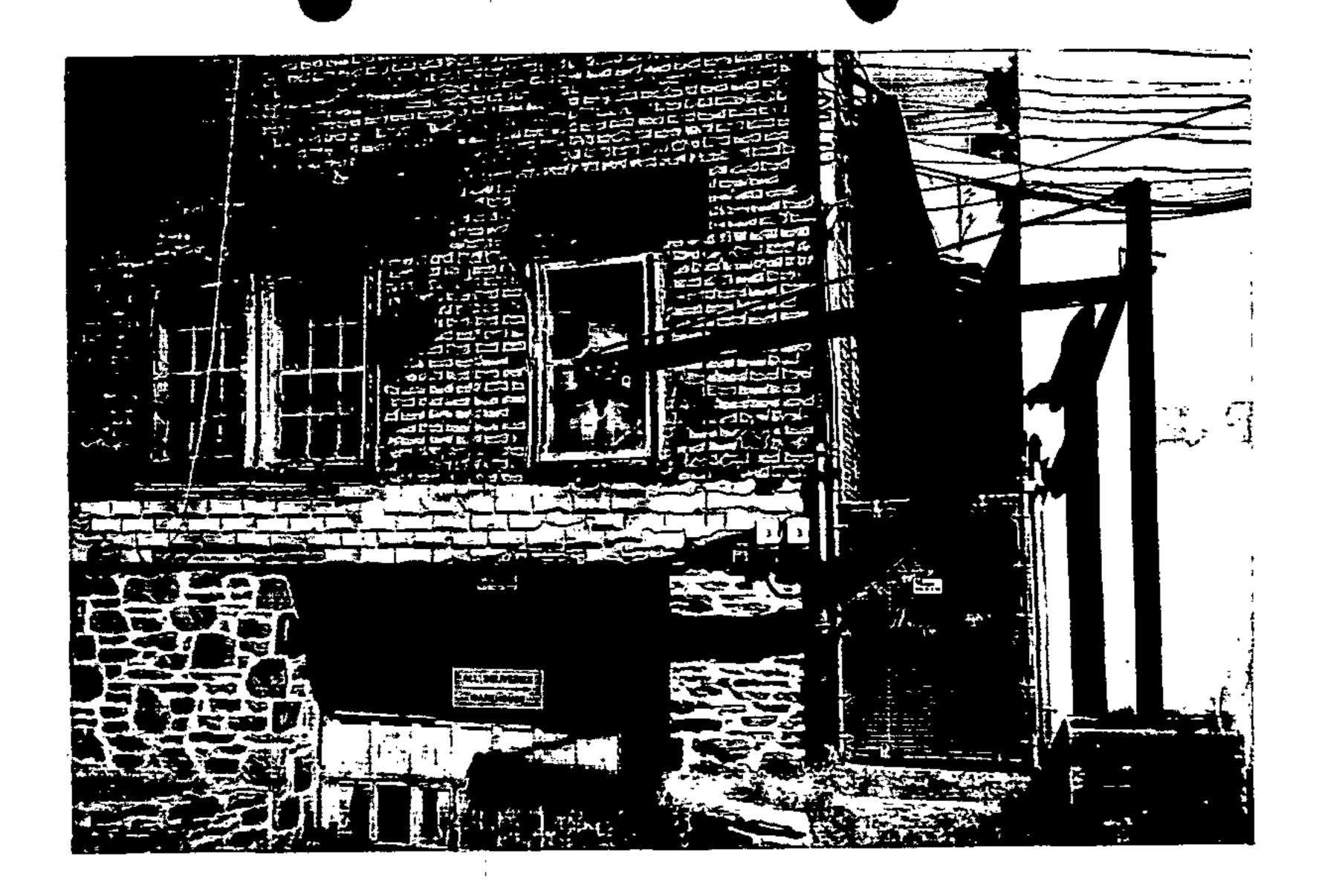
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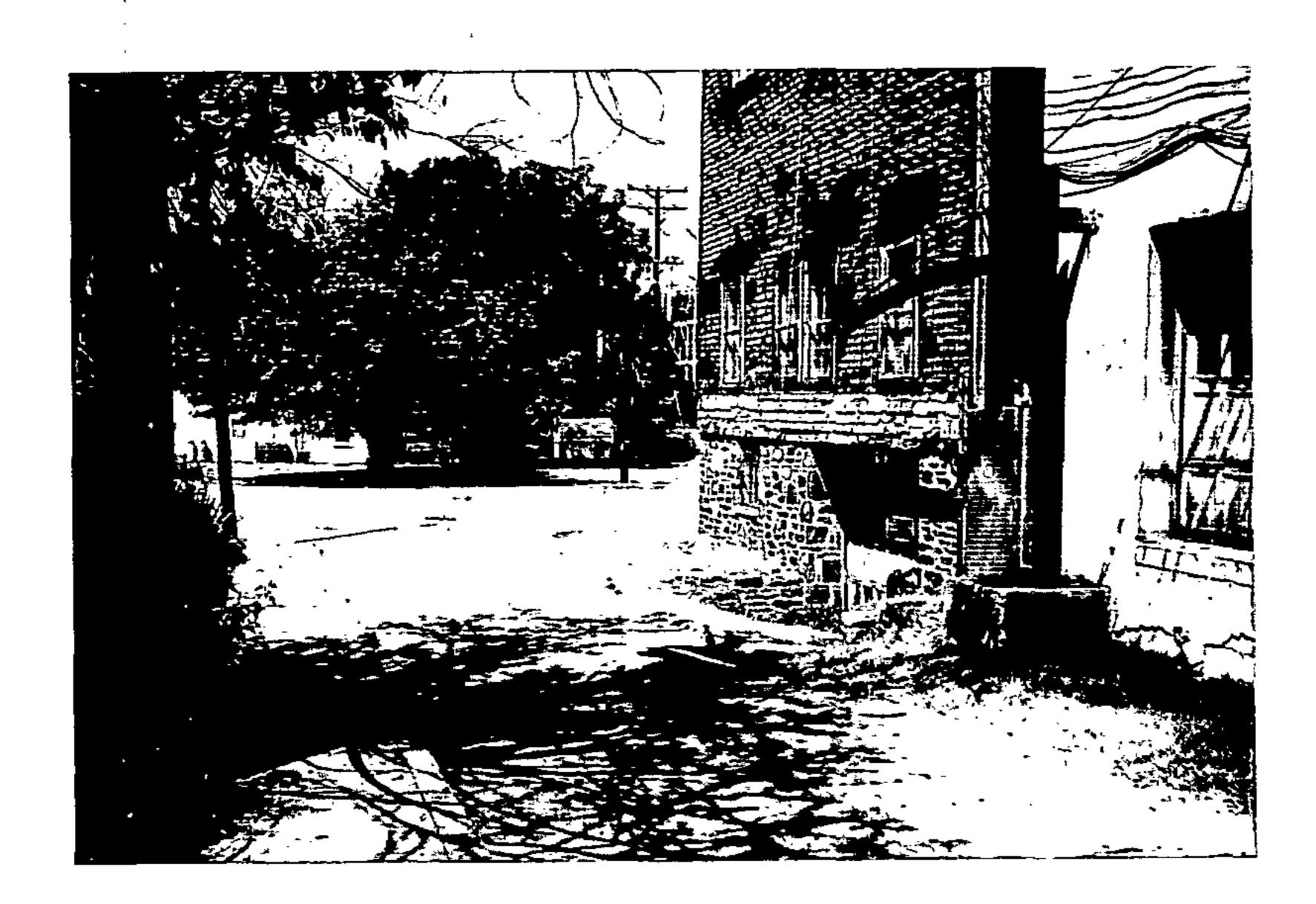


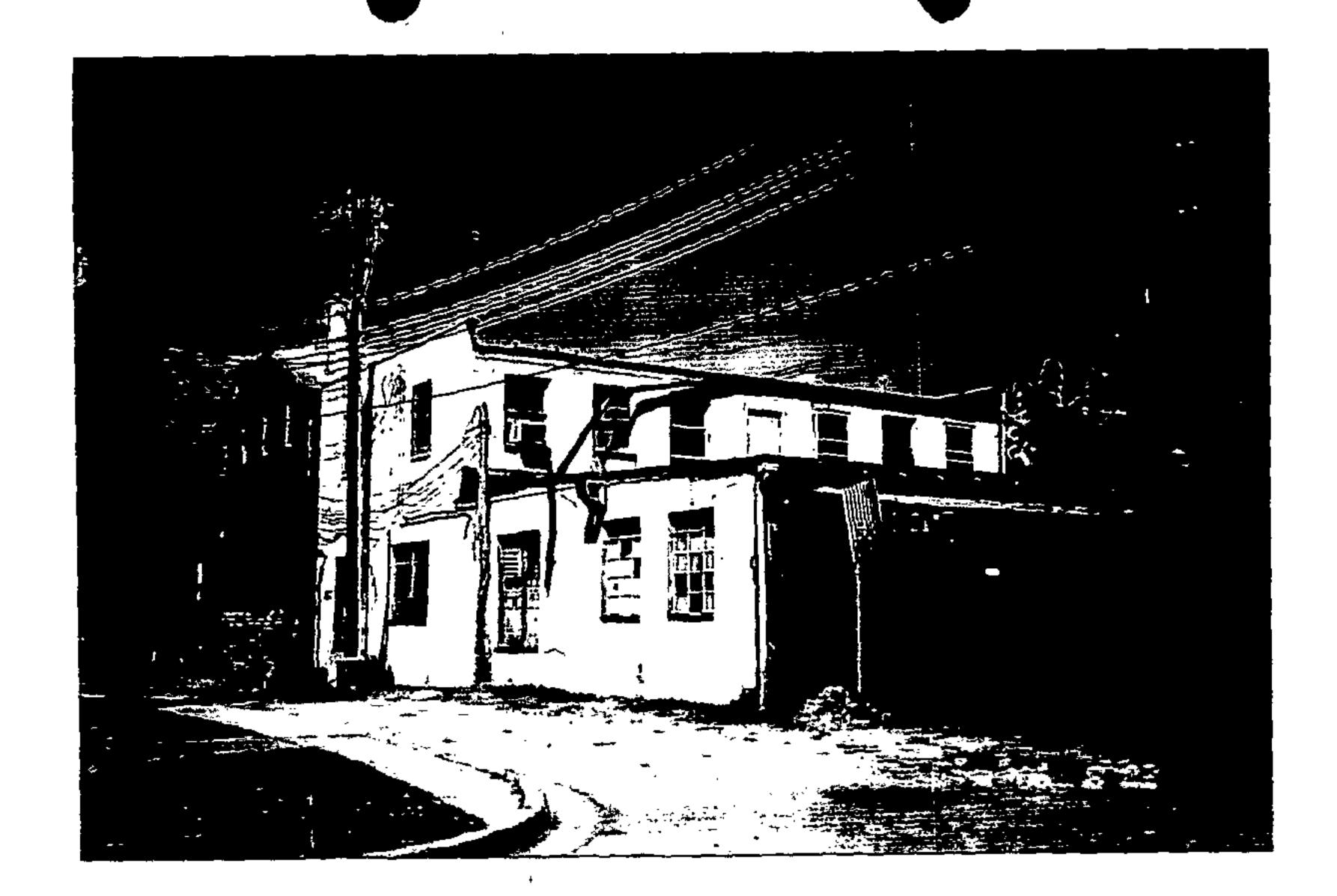






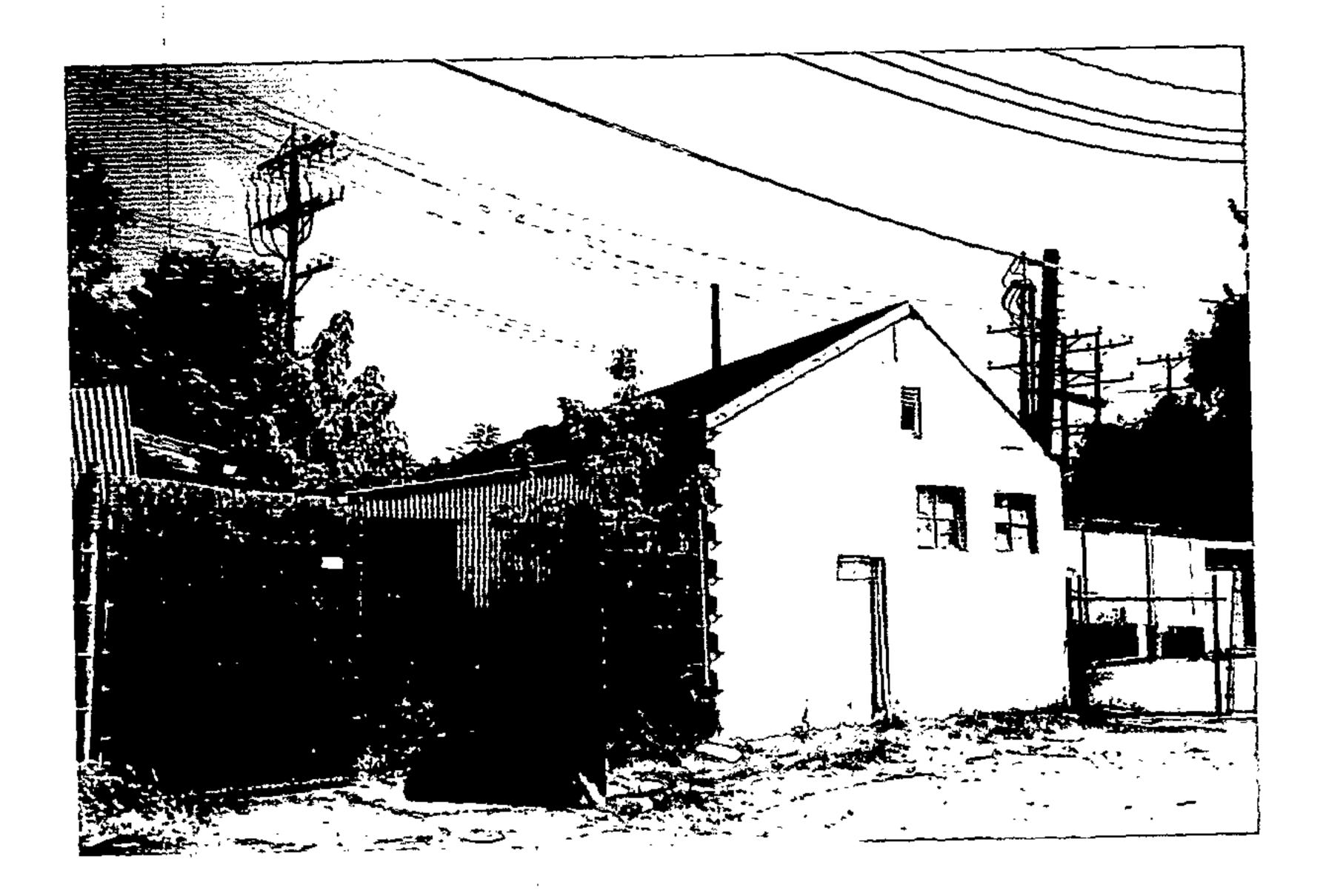
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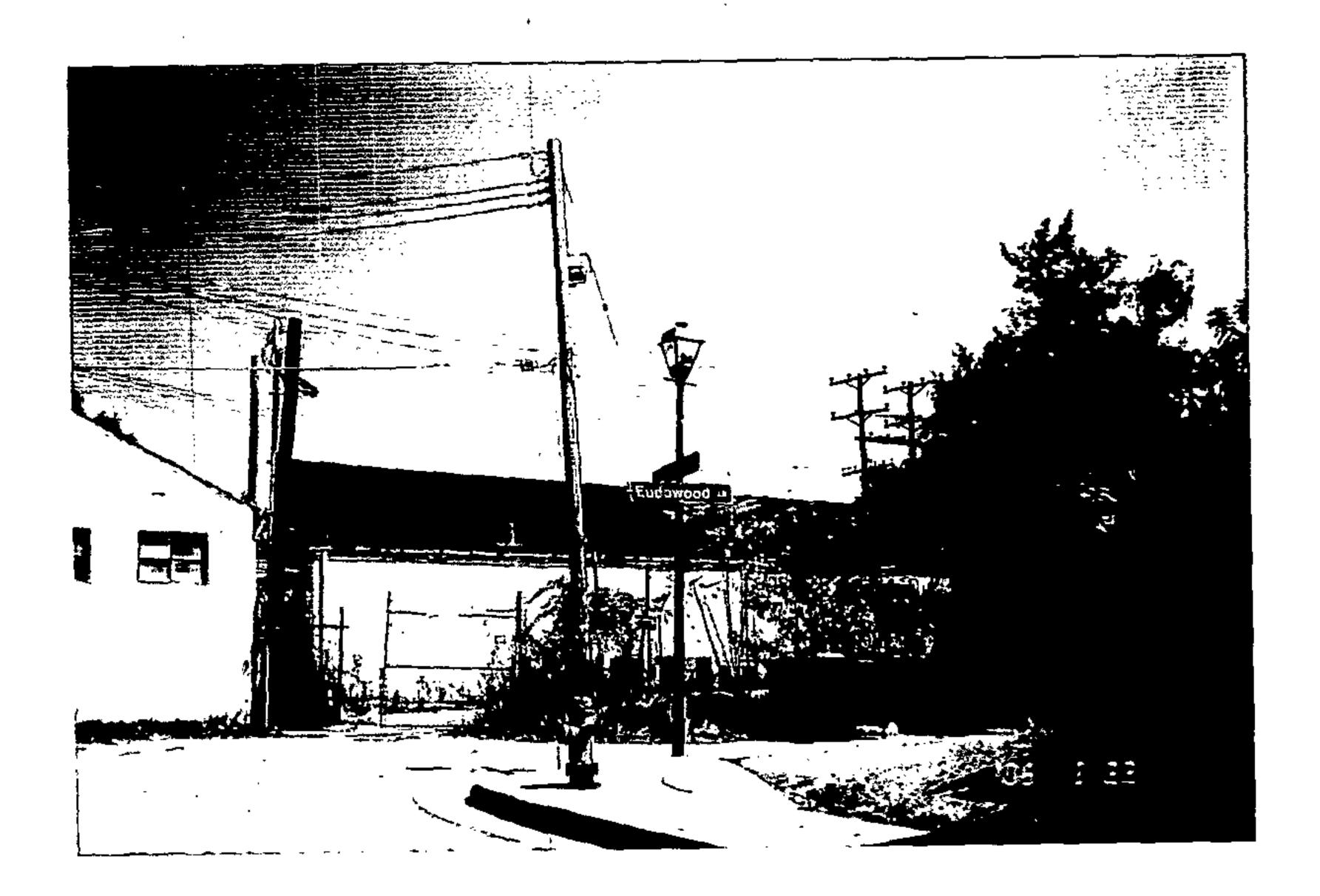


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