IN RE: PETITION FOR SPECIAL HEARING	*	BEFO	RE TI	HE		
N side of Old Court Road, 211 feet from the c/l of Melrose Avenue	*	DEPU	JTY Z	ONINO	3	
(10504 and 10510 Old Court Road) 2 nd Election District	*	COM	MISSI	ONER		
4 th Councilmanic District	*	FOR	BALTI	MORI	E COUI	NTY
Susan I. Hartman						
Legal Owner	*	Case	No. 07	-496-S	PH	
* * * * *	*	*	*	*	*	
IN RE: PETITION FOR SPECIAL HEARING	*	BEFC	RE TH	ΗE		
N side Old Court Road, 145 feet from the c/l of Melrose Avenue	*	DEPU	TY ZO	ONINC	, ř	
(10506 and 10508 Old Court Road) 2 nd Election District	*	COM	MISSI	ONER		
4 th Councilmanic District						
	*	FOR I	BALTI	MORE	COUN	4TY
Susan I. Hartman						
Legal Owner	*	Case]	No. 07-	·497-S	PH	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing filed by the legal owner of the above-captioned properties, Susan I. Hartman. In Case No. 07-496-SPH, Petitioner requests special hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to confirm the existence of a nonconforming use to permit two existing dwellings (for the property located at 10504 and 10510 Old Court Road) on parcel 1. In Case No. 07-497-SPH, Petitioner requests special hearing relief pursuant to Section 500.7 of the B.C.Z.R. to confirm the existence of a non-conforming use to permit a two-unit duplex dwelling (for the property located at 10506 and 10508 Old Court Road) on parcel 2. The subject properties and requested relief are more particularly described on the

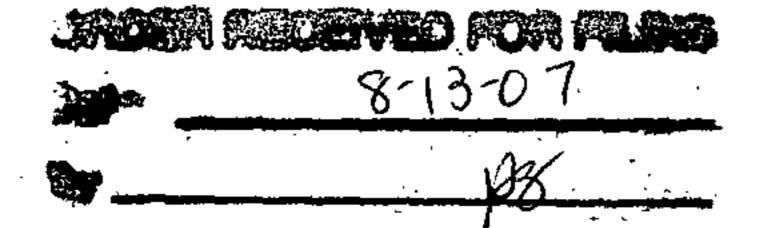
red and green-lined site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the special hearing requests was the property owner, Susan I. Hartman, her attorney, Arnold Jablon, Esquire, and Paul Lee, P.E., the consultant who prepared the site plan.

Testimony and evidence offered revealed that both parcels are located side-by-side on Old Court Road east of Hernwood Road in the Woodstock area of Baltimore County, near the town of Granite. Both parcels are approximately 66 feet wide by 330 feet deep consisting of .49 acre, more or less, and zoned R.C.5. Parcel 1 is improved with a two story "main house" (10510 Old Court Road) approximately 28 feet wide and 41 feet deep, fronting Old Court road. The parcel is also improved with a two story "cottage" (10504 Old Court Road) approximately 14 feet wide by 34 feet deep, situated to the rear of the parcel. A pictorial description of the dwellings was marked and accepted into evidence as Petitioner's Exhibit 5B. Parcel 2 is improved with a two story "duplex" (10506 and 10508 Old Court Road) approximately 31 feet wide by 40 feet deep, also fronting Old Court Road. A pictorial description of the two separate dwellings within the duplex was marked and accepted into evidence as Petitioner's Exhibit 5A.

Mr. Lee's research into the history of these dwellings indicates they were constructed in their present locations in 1913. A search of the property records indicated the following property history:

- October 10, 1885 same lots of ground conveyed by Elizabeth B. Tuttle to Sarah R. Hamilton.
- October 8, 1937 Sarah R. Hamilton deeded parcels 1 and 2 to Alta F. Jones Duvall.
- December 11, 1945 Alta F. Jones Duvall and husband deeded parcels 1 and 2 to Mervin E. Wheat and wife.



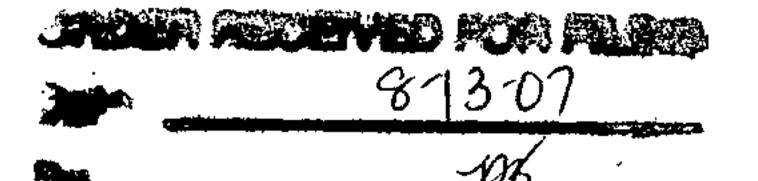
 November 21, 1978 – Carrie I. Wheat deeded parcels 1 and 2 to Susan I. Hartman (formerly Susan D. Barrett).

Petitioner purchased the parcels in 1978 as separate dwellings. Presently, Petitioner is interested in selling the properties and has been informed by her bank that it requires a determination as to the non-conforming use status of the dwellings. Thus, Petitioner filed for a determination by this Commission of whether the continued non-conforming use of the parcels as multiple dwellings should be approved.

Additional testimony and evidence revealed that each dwelling has always been self-contained, with both dwellings on parcel 1 having their own mailing address, and the duplex on parcel 2 containing two mailing addresses for each dwelling. Each structure maintains its own well and septic systems, and the dwellings also contain separate utilities, meters, and furnaces.

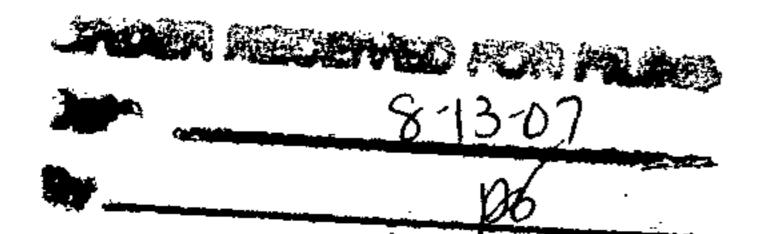
Since Petitioner's purchase of the parcels in 1978, they have been used as four separate dwellings continuously and without interruption. Petitioner also offered evidence to show that the parcels have contained the aforementioned separate dwellings since prior to 1945. Marked and accepted into evidence as Petitioner's Exhibit 6 was a letter dated June 29, 1978 and signed by Mr. and Mrs. Yola C. Adams. The letter states that to the best of their knowledge, the property belonging to Ms. Carrie Wheat of 10510 Old Court Road has been a rental property prior to 1945. Marked and accepted into evidence as Petitioner's Exhibit 7 was a letter dated July 8, 1978 and signed by Evelyn and Albert Ropka. The letter states that to the best of their knowledge, the property of Ms. Carrie Wheat of 10510 Old Court Road has been a rental property prior to 1945.

In addition, Petitioner offered notarized affidavits from 2006 to show the use history of the parcels. Marked and accepted into evidence as Petitioner's Exhibit 8 was an Affidavit dated September 18, 2006 and executed by Virginia Brantley. Ms. Brantley stated that she has lived in



the town of Granite, MD since 1945 and that she had knowledge of Ms. Wheat as a neighbor who owned the properties at 10510, 10508, 10506 and 10604 Old Court Road, and that Ms. Wheat lived in the big home and rented the other homes during that time period. Marked and accepted into evidence as Petitioner's Exhibit 9 was an Affidavit dated September 12, 2006 and executed by Anna Rose Anderson. Ms. Anderson stated that as a resident of Granite, MD from 1961 – 2001, she can verify that the houses at 10504, 10506, 10508, and 10510 on Old Court Road in Woodstock, MD have served as rental properties up to the present day. Also marked and accepted into evidence as Petitioner's Exhibit 10 was an Affidavit dated September 6, 2006 and executed by Marthetta Kelly. Ms. Kelly indicated she has known Petitioner since 1968 and verified that the homes at 10504, 10506, 10508, and 10510 Old Court Road have been used as rental properties since 1979, and indicated that her son was a former tenant approximately 14 years ago.

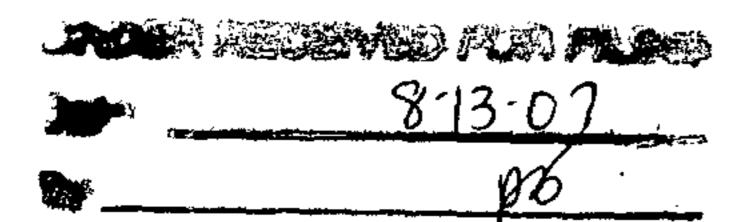
Finally, Petitioner offered evidence of the historical status of the four dwellings to show that they have each been used as separate dwellings since prior to 1945. In particular, marked and accepted into evidence as Petitioner's Exhibits 11A – 11D were copies of certificates dated September 22, 1994 from the Maryland Historical Trust. These certificates indicate that each of the dwellings -- 10504, 10506, 10508, and 10510 Old Court Road in the Granite Historic District -- are listed in the National Register of Historic Places by the United States Department of the Interior. It was argued by Petitioner that this historic designation for each dwelling is significant because in order to be placed as such, the Maryland Historic Trust had to have found conclusive evidence of the age and historic nature, as well as the separate uses of the dwellings. Petitioner also offered as evidence the State Department of Assessments and Taxation real property data search for each parcel. Marked and accepted into evidence as Petitioner's Exhibit 12 was the



real property data search for parcel 1, which showed a legal description as "10504/10510 OLD CT NS." Marked and accepted into evidence as Petitioner's Exhibit 13 was the real property data search for parcel 2, which showed the legal description as "10506-10508 OLD COURT ROAD."

A nonconforming use is defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) as "[a] legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such use." In addition, Section 104.1 of the B.C.Z.R. states that "[a] nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these regulations, provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate." It is also well settled that nonconforming uses are not favored under the law, and that nonconforming uses are contrary to the zoning scheme established by the zoning regulations. See, McKemy v. Baltimore County, 39 Md. App. 257 (1978). Moreover, it is the burden of Petitioner to prove the nonconforming use during the period of time at issue, which often presents its own set of challenges. By virtue of the historical nature of the use, petitioners must find witnesses with memories going back 50 and 60 years, or other anecdotal or documentary evidence, to prove that a use has been ongoing for the period of time at issue.

Turning now to the instant matters, the undisputed and uncontradicted testimony and evidence indicate that the structures were built in 1913 -- the main house at 10510 Old Court Road and the cottage at 10504 Old Court Road on parcel 1, and the duplex at 10506 and 10508 Old Court Road on parcel 2 -- as separate dwellings. The configuration of the dwellings appears



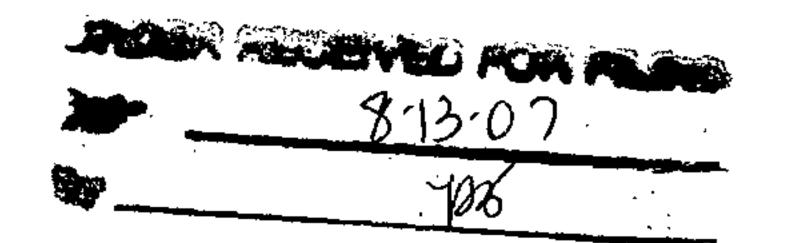
to have remained unchanged since their construction, well before the adoption of zoning regulations in Baltimore County in 1945, or their comprehensive re-adoption in 1955. It is clear that these cases come before me, not as an instance where a single-family house was converted to a multi-family dwelling, but where the structures were constructed and used as separate dwellings well before the adoption of the zoning regulations in Baltimore County.

The letters and affidavits, also undisputed and uncontradicted, indicate that the structures have been continuously and uninterruptedly used in their own right as separate dwellings from prior to 1945 until the present. It is clear that the nonconforming uses presented in these cases predates, by a substantial period, the adoption of the B.C.Z.R. in 1955 and the earlier regulations in 1945. The structures are served by their own well and septic systems. The dwellings each have their own utilities, meters, and furnace systems. Each of the dwellings is also listed separately by the Maryland Historical Trust on the National Register of Historic Places. After due consideration of the testimony and evidence presented, I am persuaded that Petitioner has met her burden with regard to the nonconforming use of the dwellings on parcels 1 and 2, and I shall grant the requests for special hearing relief.

Pursuant to the advertisements and posting of the properties, and public hearing on the petitions held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's request for special hearing relief should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 13th day of August, 2007 that special hearing relief for the properties set forth below be, and the same is, hereby GRANTED as follows:

Case No. 07-496-SPH - The Special Hearing relief requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations to confirm the existence of a non-



conforming use to permit two existing dwellings (10504 and 10510 Old Court Road) on parcel 1 is granted; and

<u>Case No. 07-497-SPH</u> – The Special Hearing relief requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations to confirm the existence of a non-conforming use to permit a two-unit duplex dwelling (10506 and 10508 Old Court Road) on parcel 2 is granted.

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

AMOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

RE: PETITION FOR SPECIAL HEARING *
10506 & 10508 Old Court Road; N/S Old
Court Road, 145' from c/line Melrose Avenue*
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Susan I. Hartman
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-497-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 and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of May, 2007, a copy of the foregoing Entry of Appearance was mailed to, Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAY 1 8 2007

Per

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



JAMES T. SMITH, JR. County Executive

TUMPEH4, N2.007TROCO, Director Department of Permits and Development Management

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-497-SPH

10506 & 10508 Old Court Road

N/side of Old Court Road at a distance of 145 feet from the centerline of Melrose Avenue 2nd Election District – 4th Councilmanic District

Legal Owner: Susan Hartman

Special Hearing to confirm the existence of a non-conforming use to permit 2-unit duplex dwelling (10506 & 10508) on parcel 2.

Hearing: Monday, July 23, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Arnold Jablon, 210 Allegheny Avenue, Towson 21204 Susan Hartman, P.O. Box 51, Woodstock 21163

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 7, 2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, July 5, 2007 Issue - Jeffersonian

Please forward billing to:

Susan Hartman P.O. Box 6863 Ellicott City, MD 21042

410-465-0035

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-497-SPH

10506 & 10508 Old Court Road

N/side of Old Court Road at a distance of 145 feet from the centerline of Melrose Avenue 2nd Election District – 4th Councilmanic District

Legal Owner: Susan Hartman

Special Hearing to confirm the existence of a non-conforming use to permit 2-unit duplex dwelling (10506 & 10508) on parcel 2.

Hearing: Monday, July 23, 2007 at 10:00 a.m. in Room 407, County Courts Building,

401 Basley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

MAY OUT OTTEN TO SEVABLE LEP TOWNS

TEL.416 821 014"

F 001/001

Zoning Office Department of Permits and Development Management 111 West Chasapeake Ave. Remarks of the dated 21204

Zoning Office.

Please be advised that I, the undersigned, have authorized Arnold Jablon, Esq., Venable, LLP, 210 Allegheny Ave., Towson, Maryland 21204, to be my attorney-in-fact and attorney-at-law and on my behalf file the attached petitions for zoning relief. I hereby understand that the relief requested is for property I own and I hereby and herewith acknowledge my express permission for said petitions to be filed on my behalf. The petition(s) filed are for property located at 10504, 10506, 10508 and 10510 Old Court Road property I own

Susan I Hartman (owner)

P O Box 51. Woodstock, Maryland 21163

address

07 - 497-SPH

NOTICE OF ZONING HEARING

The Zoning Commissioner of Battlmore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 07-497-SPH
10506 & 10508 Old

Court Road

N/side of Old Court Road
at a distance of 145 feet
from the centerline of
Melrose Avenue
2nd Election District
4th Councilmanic District
Legal Owner(s): Susan
Hartman

Hartman

firm the existence of a non-conforming use to permit 2 -Unit duplex dwelling -Unit duplex dwelling (#10506 & 10508) on parto con-Hearing:

Hearing: Monday, July
23, 2007 at 10:00 a.m. in
Room 407, County Courts
Building, 401 Bosley
Avenue, Towson 21204.
WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the

Zoning Commissioner's Office at (410) 887-3868.

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

1.

IFY, that the annexed advertisement was published _successive weeks, the first publication appearing y newspaper published in Baltimore County, Md., in the following weekly CERT of each once in

ersonian The Jeff

- ille Times Times Arbutus Catonsv
 - Times Towson
- Mills Times Owings
- NE Booster/Reporter
- North County News

Mulins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 8, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kermedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 14, 2007

Item Nos. 07-476, 488, 489, 490, 491, 492, 493, 494, 496, 497, and 499

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- 05072007.doc



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MAY 8, 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. 7-497-5PH

10506, 10508 OLD COURT RD

John D. Porcari, Secretary

HARTMAN PROPERTY

SPECIALHEARING

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. 7-497-5PH.

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 L Engineering Access Permits

Division

SDF/MB

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

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

May 10,2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 7, 2007

491

Item Number: 476,488 through 499

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

CERTIFICATE OF POSTING

RE: Case No.: <u>07-497-SPH</u>
Petitioner/Developer: <u>SUSAU</u> Date of Hearing/Closing: 2-23-07 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: 10506 + 10508 OLD COURT ROAD 7-7-07 (Month, Day, Year) Sincerely, (Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

ZONING NOTICE A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD ROOM 407 COUNTY COURS DEEDER PLACE: 401 BOSLEY ME TOWER 2/209 DATE AND TIME: MONORY JEW 23 2009 AT 10 00 Am. REQUEST: SPICKE BYANDE TO COMPARE THE FORTING OF A I'm Comming see To Penny 2 that back During

Baltimore County Department of

County Office Building, Room 111

111 West Chesapeake Avenue

Towson, Maryland 21204

Ladies and Gentlemen:

The sign(s) were posted on

Permits and Development Management

ATTN: Kristen Matthews {(410) 887-3394}



Petition for Special Hearing

(This petition must be filed in person, in the zoning office, in triplicate, with original signatures.)

which is presently zoned RC5

to the Zoning Commissioner of Baltimore County

This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which and made a part hereof, hereby petition for a Special Hearing to County, to determine whether or not the Zoning Commissioner (This box to be completed by planner)	h is described in the description and plat attached hereto inder Section 500.7 of the Zoning Regulations of Baltimore should approve
(Inis box to be completed by planner)	HO DAY TO A RESTORATE
#10508) on parcel 2.	
Property is to be posted and advertised as prescribed by the zon, or we, agree to pay expenses of above Special Hearing, action bounded by the zoning regulations and restrictions of Baltimore County.	•
· penaltie	to solemnly declare and affirm, under the es of perjury, that I/we are the legal of the property which is the subject of tion.
Contract Purchaser/Lessee:	Legal Owner(s):
	Susan I. Hartman
Name - Type of Print	Name - Type of Tame
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	P O Box 51 410 465 0035 Address Telephone No.
Arnold Jablon	Woodstock, Md 21163
Name - Type or Print	City State Zip Code
	Representative to be Contacted:
Signature Venable, LLP	Arnold Jablon
Company 210 Allegheny Ave. 410 494 6298	Name 210 Allegheny Ave 410 494 6298
Address Telephone No.	Address Telephone No.
Towson, Md 21204	Towson, Md 21204
City State Zip Code	City State Zip Code
	OFFICE USE ONLY
ESTI	MATED LENGTH OF HEARING
	VAILABLE FOR HEARING
, —	Date
JACON RECEIVED FOR FRANCE	
81001	



for the property located at ____

which is presently zoned RC5

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

, 1050**6**, 10508

Old Court Rd

This Petition shall be filed with the Department of Perminowner(s) of the property situate in Baltimore County and wand made a part hereof; hereby petition for a Special Hearin County, to determine whether or not the Zoning Commission	ning office, in triplicate, with original signatures.) its and Development Management. The undersigned, legal thich is described in the description and plat attached hereto ig under Section 500.7 of the Zoning Regulations of Baltimore ier should approve
(This box to be completed by planner)	
, to confirm the existence of a non-conforming us #10508) on parcel 2.	se to permit 2 unit duplex dwelling (#10506 and
Property is to be posted and advertised as prescribed by the , or we, agree to pay expenses of above Special Hearing, counded by the zoning regulations and restrictions of Baltim County.	e zoning regulations. advertising, posting, etc. and further agree to and are to be nore County adopted pursuant to the zoning law for Baltimore
pena owner	le do solemnly declare and affirm, under the alties of perjury, that I/we are the legal r(s) of the property which is the subject of Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
.	Susan I. Hartman
Name - Type or Print	Name - Type or Pant
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Signature .	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	P O Box 51 410 465 0035
Arnold Jablon	Address Telephone No
Name - Type or Print 4	Woodstock, Md 21163 City State Zip Code
2501	
Signature	Representative to be Contacted:
Vénable, Ltř	Arnold Jablon
Company 210 Allegheny Ave. 410 494 6298	Name 210 Allegheny Ave 410 494 6298
Address Telephone No.	Address Telephone No.
Towson, Md 21204	Towson, Md 21204
City State Zip Code	City State Zip Code
	OFFICE USE ONLY
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Case No. O () / O () UN REV 9/15/98 Reviewed By	IAVAILABLE FOR HEARING
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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

MARYLAND	1050 5 , 10508 Old Court Rd
for the property located at	1030 0 , 10300 Old Codit No
which is presently zoned <u>RC5</u>	
(This petition <u>must</u> be filed in person, in the zoni	ing onice, in inplicate, with original signatures.)
ris Petition shall be filed with the Department of Permits vner(s) of the property situate in Baltimore County and while a part hereof; hereby petition for a Special Hearing bunty, to determine whether or not the Zoning Commissioner this box to be completed by planner)	ich is described in the description and plat attached here under Section 500.7 of the Zoning Regulations of Baltimo
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, to confirm the existence of a non-conforming use 10508) on parcel 2.	e to permit 2 unit duplex dwelling (#10506 and
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·	Susan I. Hartman
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dress Telephone No.	Name - Type or Print
State Zip Code	Signature A40.46E.003E
ttorney For Petitioner:	P O Box 51 410 465 0035 Address Telephone N
rnold Jablon	Woodstock, Md 21163
me - Type or Print 4:	City State Zip Cod
and the same of th	Representative to be Contacted:
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enable, LLP	Arnold Jablon
ompany	Name
10 Allegheny Ave. 410 494 6298	210 Allegheny Ave 410 494 6298 Address Telephone No.
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ty State Zip Code	City State. Zip Cod
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•	IMATED LENGTH OF HEARING
REV 9/15/98 Reviewed By	VAILABLE FOR HEARING
THE POR PROPERTY	
8-13-07	•

DESCRIPTION

#10506 & #10508 OLD COURT ROAD PARCEL PARCEL 2 (0.4988± AC.) SUZANNE I. HARTMAN PROPERTY ELECTION DIST. 2C4 BALTIMORE COUNTY, MD PROJECT # 27010.00

Beginning for the same at a point in the bed of the north side of Old Court Road said point also located Westerly 145 feet ± from the center of Melrose Avenue; thence running in the bed of said road 1) North 86° 10' 11" West 66.00 feet to a point at the intersection of the first and forth lines of Parcel 1 (0.4912 Ac.), thence leaving said road and running with and binding reversely on said forth line of said Parcel 1, 2) North 07° 53' 38" East 330.00 feet to the intersection with the southeasternmost corner of Lot 9 "Offutt Manor" as recorded among the Land Records in Plat Book EHK JR 41-144, thence leaving said point and running for the two following courses and distances: 3) South 86° 10' 11" East 66.00 feet, thence; 4) South 07° 53' 38" West 330.00 feet to the north side of Old Court Road and place of beginning.

Containing 0.4988 Ac. of land more or less and known as # 10506 & # 10508 Old Court Road, Parcel 2 and being the same parcel of land deeded to Melvin E. Wheat and wife by Alta F. DuVall and husband on December 11, 1945 as Parcel 2 in Liber R.J.S. 1427-194.

Wfile/login2/ld/ld07/descr./OldCourtRd-10506,10508-pl-3-21-07

ITEM #07-497-5PH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 5-1-07 ACCOUNT 001-056-6150

AMOUNT \$ 130.00

RECEIVED VENABLE LLP
FROM: 10504 \$ 10508 OLD T. RD ITEM # 497

PETITICA FOR SPECIAL HEARING

YELLOW - CUSTOMER

DISTRIBUTION

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JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 13, 2007

ARNOLD JABLON, ESQUIRE VENABLE LLP 210 ALLEGHENY AVENUE TOWSON, MD 21204

Re: Petition for Special Hearing
Case No. 07-496-SPH and 07-497-SPH
Property:

Dear Mr. Jablon:

Enclosed please find the decision rendered in the above-captioned case.

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,

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Susan and David Hartman, 10622 St. Paul Avenue, Granite MD 21163 Paul Lee, 10710 Gilroy Road, Hunt Valley MD 21031



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

July 17, 2007

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Jablon:

RE: Case Number: 07-497-SPH, 10506 & 10508 Old Court Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on . This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Susan I. Hartman P.O. Box 51 Woodstock 21163

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 1, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-497- Special Hearing

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

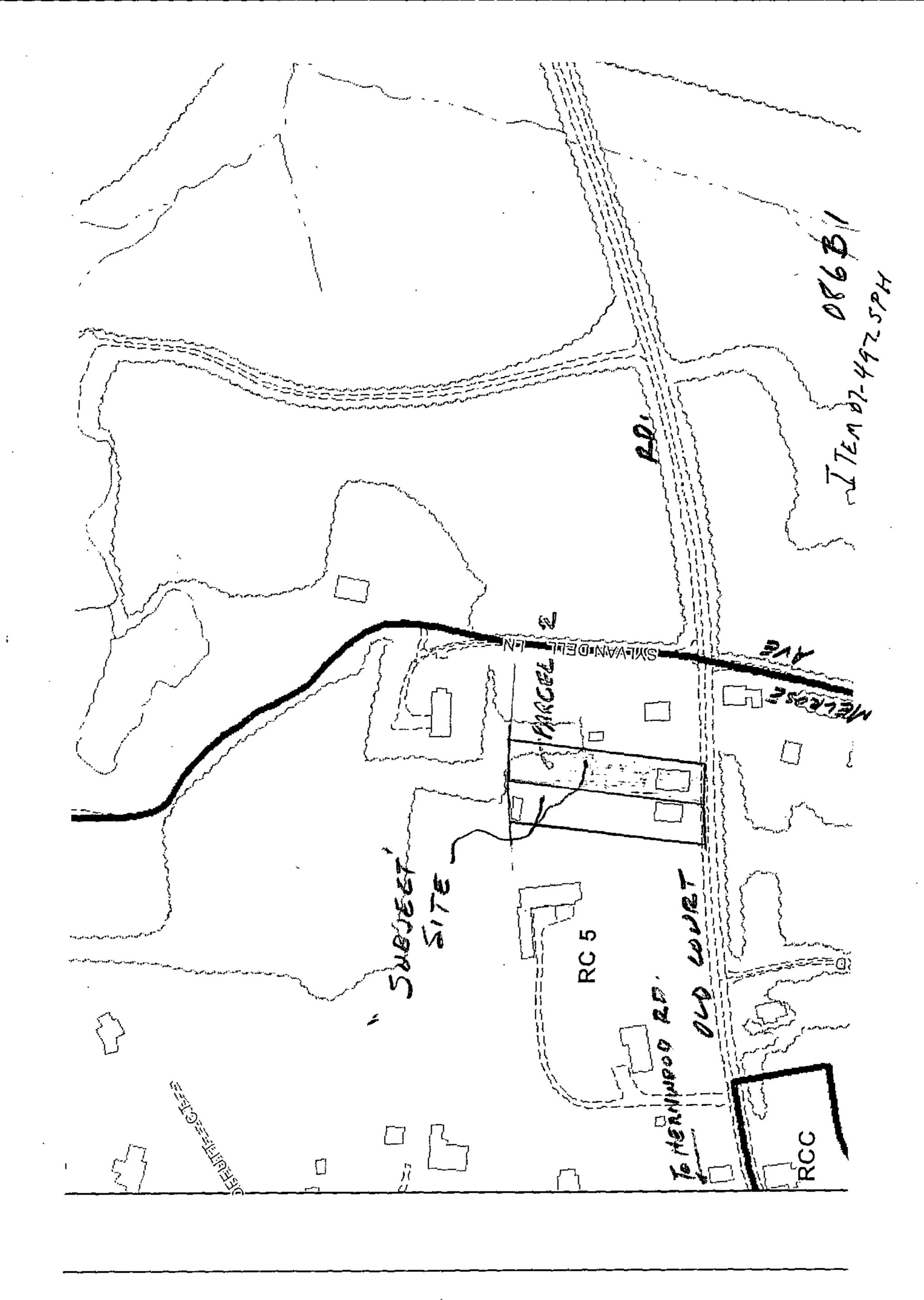
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID

For Newspaper Advertising:
Item Number or Case Number <u>67 - 497- 5PH</u>
Petitioner SUZANNE I. HARTMAN.
Address or Location 250 10506 10506 10508 OLD COURT RD
PLEASE FORWARD ADVERTISING BILL TO
Name MRS. SUZANNI I. HARTMAN
Address P.O. Box 6863
ELLICOTT CITY, MARYLAND 21042
Telephone Number 410 - 465 - 0035



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