

Jeffrey Perlow - Ramsey (Case Number 2008-540-SPH)

From: Lawrence Schmidt <lschmidt@sgs-law.com>
To: "jperlow@baltimorecountymd.gov" <jperlow@baltimorecountymd.gov>
Date: 2/8/2013 3:32 PM
Subject: Ramsey (Case Number 2008-540-SPH)
CC: Alyssa Fiore <afiore@sgs-law.com>, Jason Vettori <jvettori@sgs-law.com>

Hi Jeff: I have tracked down the zoning case in my office that you asked about. What appears to have happened is that the client (Richard Ramsey) retained us to file a special hearing for a non-conforming use. We filed that special hearing petition. This was instituted by a violation case that had been filed against him for the use of the property. As all of this was going on, the property got rezoned during the CZMP in 2008. That cured the violation case and made the zoning case moot as the new zoning permitted the business use. I don't know that the petitions were ever officially withdrawn or dismissed. Let me know if you need anything from our end.

Larry

Lawrence E. Schmidt
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204
(410) 821-0070
(410) 821-0071 - fax
lschmidt@sgs-law.com

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NOTE TO FILE

DATE: May 19, 2008

TO: Zoning Commissioner

FROM: Jeffrey Perlow, Planner II
Zoning Review

RE: 2008-0540-SPH, 10515 Harford Road
Richard A. Ramsey, Petitioner
11th Election District, 5th Councilmanic District

Met with Jason Vettori, attorney for petitioners, and Carl Richards, Zoning Review Supervisor, regarding the lack of non-conforming use details contained in the submitted site plan. The attorney was advised of these deficiencies and he stated that a more detailed site plan would be submitted at the time of the public hearing.



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10515 Harford Road
which is presently zoned D.R. 1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

PLEASE SEE ATTACHED

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.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Richard A. Ramsey
Name - Type or Print _____
Signature Richard A. Ramsey
Name - Type or Print _____
Signature _____
10515 Harford Road (410) 665-7922
Address Telephone No.
Glen Arm MD 21057
State Zip Code

Attorney For Petitioner:

Lawrence E. Schmidt
Name - Type or Print _____ City _____
Signature Lawrence E. Schmidt
Gildea & Schmidt, LLC
Company
600 Washington Avenue, Suite 200 (410) 821-0070
Address Telephone No.
Towson MD 21204
City State Zip Code

Representative to be Contacted:

Lawrence E. Schmidt
Name
600 Washington Avenue, Suite 200 (410) 821-0070
Address Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 5/19/08

Case No. 2008-0540-SPH

ATTACHMENT TO PETITION FOR SPECIAL HEARING

10515 Harford Road

1. That the existing uses on the subject property are legally nonconforming and permitted pursuant to the B.C.Z.R. and the findings in District Court Case No. 2033-89 SP/T;
2. To confirm what the uses on this site are considered: business from a residence, parking of commercial vehicles on a residential property, home occupation, construction equipment storage yard, building materials storage or sales, contractor's equipment storage yard and/or some other use, defined or not; and
3. For such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County.

2008-0540-SPH

ZONING DESCRIPTION FOR #10515 HARFORD ROAD

Beginning at a point in the center of Harford Road which is 30 feet wide at the distance of 1640+/- feet south of the centerline of the nearest improved intersecting street, Notchcliff Road, which is 30 feet wide. As recorded in Deed Liber 10990, Folio 409 South 73 ½ Degrees East 1749.18 feet, Southeasterly 58 feet, South 45 ½ Degrees West 261.59 feet, South 12 degrees West 231 feet, North 73 ½ Degrees West 1790.25 feet, North 35 degrees East 156.75 feet, North 50 degrees East 148.5 feet, North 16 Degrees East 193.5 feet to the place of beginning, containing 15.71 acres. Also known as #10515 Harford Road and located in the 11TH Election District, 5TH Councilmanic District.



2008-0540-SPH

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property that is the subject of an upcoming zoning hearing. For those petitions that 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:

Petitioner:

Address or Location:

Please Forward Advertising Bill to:

Name:

Address:

Telephone:

BALTIMORE COUNTY, MARYLAND
 OFFICE OF BUDGET AND FINANCE
 MISCELLANEOUS RECEIPT

No.

Date:

4/11/11

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	004			4150				225.00
Total:								225.00

Rec From: Gilheo & Schmidt, LLC

For: Medical Pavilion - 10515 Rockford Road
 08-540-SPH (Agency)

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

When rec'd
 do not ~~file~~
 schedule 08-540-SPH
 per Jason Vettori.

CASHIER'S
 VALIDATION

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 23, 2008

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

SUBJECT: 5401 Overlook Circle

INFORMATION:

Item Number: 8-540

Petitioner: Richard A. Ramsey

Zoning: DR 1

Requested Action: **Special Hearing**

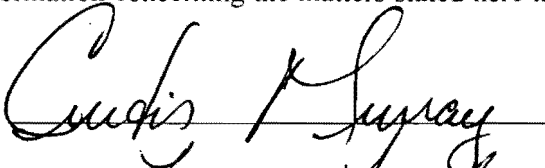
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has the following comments:

1. This property is the subject of zoning issue 5-024 in the 2008 Comprehensive Zoning Map Process.
2. If the petitioner is able to prove that the land use has been an established existing non-conforming use then the Office of Planning does not oppose the petitioner's request provided it is granted by the Zoning Commissioner. However, the operation should be kept interior to the site and not expand beyond the intensity that it currently exists.

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

Reviewed by:



Division Chief:

AFK/LL: CM





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

State Highway
Administration

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

Maryland Department of Transportation

Date: June 20, 2008

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

RE: Baltimore County
Item No. 2008-0540-SPH
MD 147 (Harford Road)
10515 Harford Road
Ramsey Property
Special Hearing

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 06/16/2008. A field inspection and internal review reveals that an entrance onto MD 147 (Harford Road) consistent with current State Highway Administration guidelines is required. As a condition of approval for 10515 Harford Road, Case Number 2008-0540-SPH the applicant must contact the State Highway Administration to obtain an entrance permit.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

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





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

State Highway
Administration

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

Maryland Department of Transportation

Date: June 20, 2008

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

RE: Baltimore County
Item No. 2008-0540-SPH
MD 147 (Harford Road)
10515 Harford Road
Ramsey Property
Special Hearing

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 06/16/2008. A field inspection and internal review reveals that an entrance onto MD 151 (North Point Blvd.) consistent with current State Highway Administration guidelines is required. As a condition of approval for 10515 Harford Road, Case Number 2008-0540-SPH the applicant must contact the State Highway Administration to obtain an entrance permit.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

For Steven D. Foster, Chief
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Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 10515 Harford Road: SE/S Harford Road, * ZONING COMMISSIONER
 1630' SW of Notch Cliff Road *
 11th Election & 5th Councilmanic Districts * FOR
 Legal Owner(s): Richard A. Ramsey *
 Petitioner(s) * BALTIMORE COUNTY
 * 08-540-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 Zimmermann

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Jefferson Building, Room 204
 105 West Chesapeake Avenue
 Towson, MD 21204
 (410) 887-2188

RECEIVED
 JUN 10 2 34 PM '08
 Per *LW*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of June, 2008, a copy of the foregoing Entry of Appearance was mailed to Lawrence E. Schmidt, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmermann

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

T-3305 OR 23-7-84

✓

citation 90-160



DISTRICT COURT OF MARYLAND FOR Baltimore County

Located at 111 Allegheny Ave 21204

Case No. 2033-89 SP/T

J Robert Haines - Zoning Commissioner
Plaintiff/Petitioner

Richard and Susan Ramsey
Defendant/Respondent

409 Washington Ave
Suite 600 Towson, Md 21284

SPECIAL PROCEEDINGS

CIVIL OFFENSE/NATURAL RESOURCES

TD: 2/14/90 @ 1:30 PM

Date of Offense... 10/26/89; 11/3/89 to present

- Zoning Violation..... Code Violation.....
- Municipal Infraction..... Commission Violation.....
- Natural Resource Violation..... Parking Violation.....
- Plea..... Verdict..... Fine.....
- Costs..... Suspended..... Deferred.....

*Justly
Advised*

Business from a residence

*Spetsed
mm 2/14/90*

CIVIL OFFENSE/NATURAL RESOURCES

TD: 2/14/90 @ 1:30 PM

Date of Offense... 10/26/89; 11/3/89 to present

- Zoning Violation..... Code Violation.....
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- Natural Resource Violation..... Parking Violation.....
- Plea..... Verdict..... Fine.....
- Costs..... Suspended..... Deferred.....

*Justly
Advised*

Storage of commercial vehicles

*Spetsed
2/14/90*

Date

Judge

RECORDING INDEX

833525

833525

REEL NO. 206
START 2/11/90 STOP 2/11/90

REEL NO. 2839
START 2/11/90 STOP 2/11/90

REEL NO.
START STOP

REEL NO.
START STOP

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- Plea..... Verdict..... Fine.....
- Costs..... Suspended..... Deferred.....

*Justly
Co. Inc.*

SPF - 7 (Rev. 7/85)

Operation of contractor's equipment storage yard

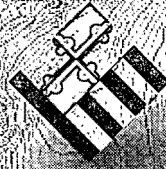
*Stetzel
JW
2/14/90*

062B2

062C2

BALTIMORE COUNTY

MARYLAND



JAMES H. SMITH
County Executive

TIMOTHY M. KOTROCO
Director
Department of Permits and
Development Management

NE 12-F

RC 2

NE 12-E

3:CD

Pt. Bk. 27, Folio 47

DR 1

062B3

062C3

DR 1

SITE

DR 1

DR 2

NE 11-E

5:CD

RC 7

NE 11-F

071C1

DR 5.5

DR 3.5

BL

BR

DR 2

DR 3.5

DR 5.5

DR 1C

DR 3.5

DR 2

2008-0540-SPH

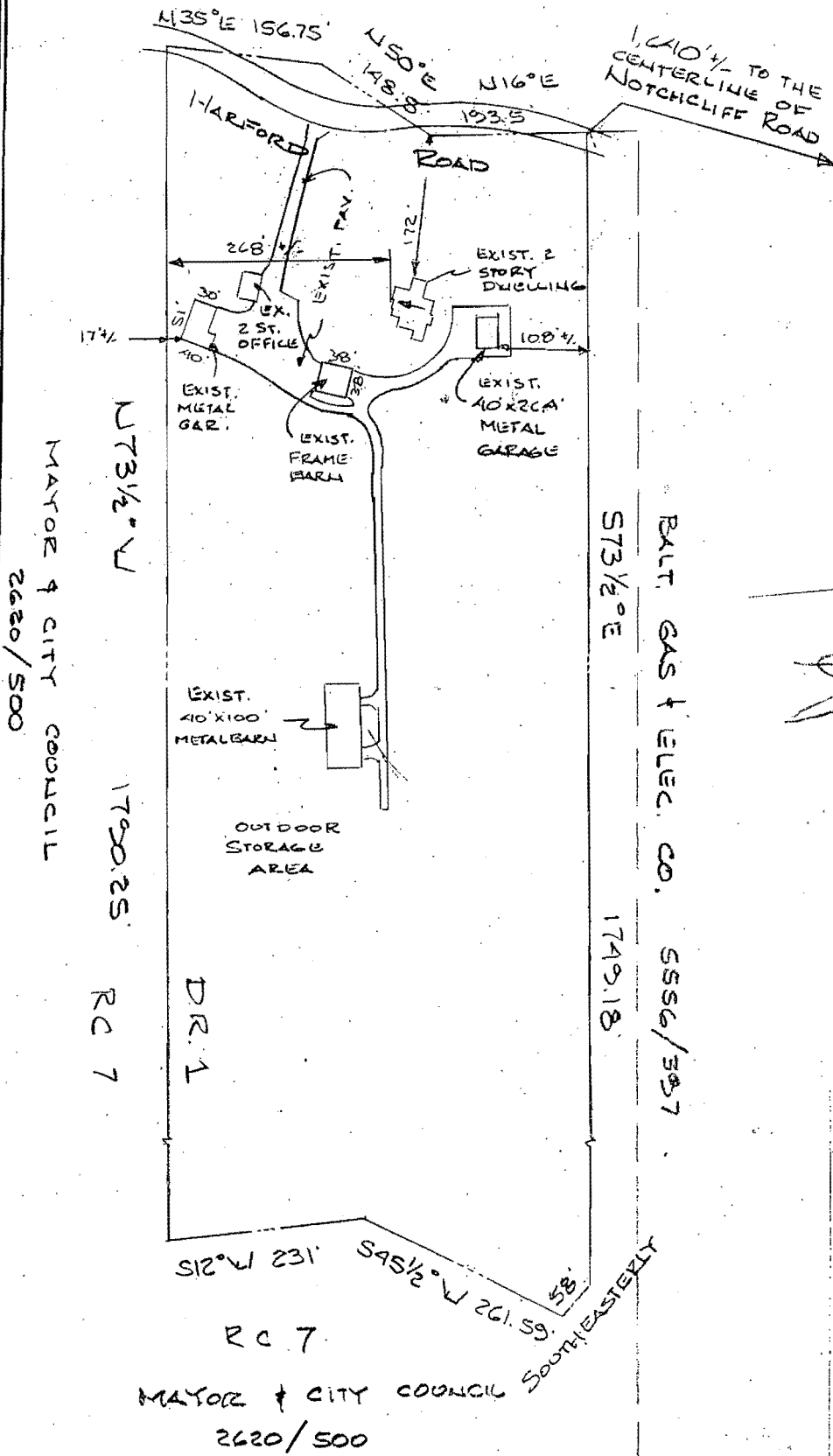
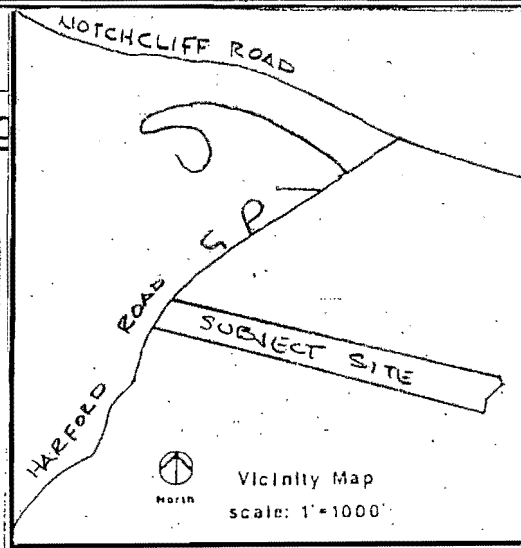
Plat to accompany Petition for
 Zoning Variance Special Hearing

PROPERTY ADDRESS: 10515 HARFORD ROAD

Subdivision name: N/A

Plat book# _____, folio# _____, lot# _____, section# _____

OWNER: RICHARD A. RAMSEY



LOCATION INFORMATION

Election District: 11TH
 Councilmanic District: 5TH
 1"-200' scale map#: 06203
 Zoning: D.R. 1
 Lot size: 15.71 1/2 acreage square feet
 VIOLATION CASE NO. 08-0760

SEWER: public private
 WATER:
 Chesapeake Bay Critical Area: YES NO

Prior Zoning Hearings: NONE
 Not historic
 Not 100 year flood zone

Zoning Office USE ONLY!
 reviewed by: JNP ITEM #: 2008-0540-SPH CASE#: 2008-0540-SPH

J.S.T. Engineering Co., Inc.
 6912 North River Drive
 Baltimore, MD. 21220
 410-335-9142 Fax 410-335-9144

Scale: 1"=200' Date: 5-14-08