

IN THE MATTER OF
MYRON AND JUDITH ALMONY
LEGAL OWNERS/PETITIONERS
PETITION FOR SPECIAL HEARING
ON THE PROPERTY LOCATED - SW CORNER
OF EMORY AND PARRIS ROADS
(5616 EMORY ROAD)

4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 09-118-SPH

* * * * *

ORDER OF DISMISSAL

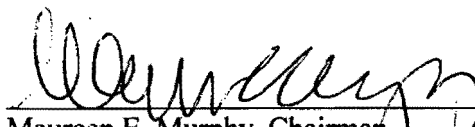
This matter comes to the Board of Appeals by way of an appeal filed by Lawrence Hammond, Esquire, on behalf of Petitioners/Appellants, Myron N. Almony, Jr. and Judith Almony, from a decision of the Deputy Zoning Commissioner dated February 13, 2009, in which the requested zoning relief was denied.

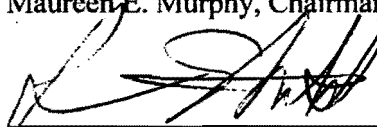
WHEREAS, the Board is in receipt of a Request to Withdraw the Notice of Appeal filed by Lawrence M. Hammond, Esquire on behalf of Petitioners/Appellants, Myron N. Almony, Jr. and Judith Almony, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Petitioners/Appellants request that the Notice of Appeal be withdrawn and dismissed,

IT IS THEREFORE ORDERED this 6th day of November, 2009 by the Board of Appeals of Baltimore County that the Notice of Appeal filed in Case No. 09-118-SPH, be and the same is hereby **WITHDRAWN AND DISMISSED WITH PREJUDICE**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman


Lawrence M. Stahl


Andrew M. Belt



County Board of Appeals of Baltimore County

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

November 6, 2009

Lawrence M. Hammond, Esquire
Hammond & Hammond, LLC
465 Main Street
P.O. Box 569
Reisterstown, MD 21136

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, MD 21204

RE: *In the Matter of: Myron and Judith Almony-Legal Owner/Petitioner*
Case No.: 09-118-SPH

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Theresa R. Shelton/kc

Theresa R. Shelton
Administrator

TRS/klc
Enclosure

Duplicate Cover letter

c: Myron and Judith Almony
A. W. Shockney
Martha Meads
Timothy Kotroco, Director/PDM
John E. Beverungen, County Attorney
David Kirby, Code Enforcement

Bruce Doak
Stuart Merson
William J. Wiseman, Zoning Commissioner
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney

HAMMOND & HAMMOND, L.L.C.
ATTORNEYS AT LAW
465 MAIN STREET
P. O. BOX 569
REISTERSTOWN, MARYLAND 21136-0569
(410) 833-7576
FAX: (410) 833-4744

LAWRENCE M. HAMMOND

LLOYD J. HAMMOND (RETIRED)

October 20, 2009

**VIA FACSIMILE (410) 887-3182 &
FIRST CLASS MAIL**

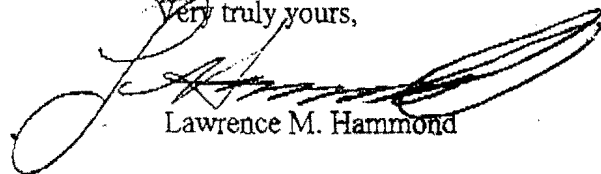
County Board of Appeals of Baltimore County
Second Floor
105 West Chesapeake Avenue
Towson, Maryland 21204

**Re: In the Matter of Myron and Judith Almony
Case No.: 09-118-SPH**

Dear Sir or Madame:

The Appellant/Petitioner in this matter hereby withdraws the Notice of Appeal dated March 13, 2009.

Very truly yours,



Lawrence M. Hammond

cc: Myron Almony
People's Counsel

RECEIVED
OCT 20 2009
BALTIMORE COUNTY
BOARD OF APPEALS

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
SW corner of Emory and Parrish Road		
4 th Election District	*	DEPUTY ZONING
3 rd Councilmanic District		
(5616 Emory Road)	*	COMMISSIONER
 Myron N. Almony, Jr. and	*	FOR BALTIMORE COUNTY
Judith A. Almony		
<i>Petitioners</i>	*	Case No. 2009-0118-SPH

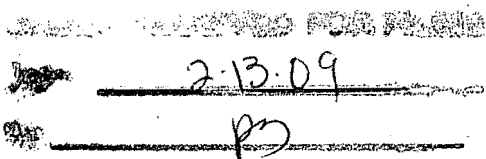
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Myron N. Almony, Jr. and Judith A. Almony, the legal property owners of the above-captioned property. Special Hearing relief is requested in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow the continued use of permitted storage buildings to house recreational trailers and motor homes in an R.C.2 (former R.D.P.) Zone. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing relief was Petitioner Myron N. Almony, Jr. and his attorney, Lawrence M. Hammond, Esquire. Also appearing in support of the requested relief was Bruce Doak with Gerhold Cross & Etzel, Ltd., the registered property line surveyor who prepared the site plan, and A.W. Shockney, a witness who has utilized the subject location for storage of a recreational vehicle. There were no Protestants or other interested citizens in attendance at the hearing.

This matter is currently the subject of an active violation case (Case No. 08-0665) in the Division of Code Inspections and Enforcement. Citations for code violations were issued in this matter due to the alleged illegal storage of recreational vehicles, trailers, boats and commercial vehicles, operating a home occupation, failure to cease said operation, and failure to remove



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commercial vehicles from the property, in violation of the B.C.Z.R. A hearing was scheduled before the Code Enforcement Hearing Officer and an Order was issued on June 10, 2008 sustaining the violations and imposing a civil penalty in the amount of \$2,500.00. Thereafter, Petitioner filed the instant Petition for Special Hearing relief in order to legitimize the storage of recreational vehicles and motor homes in the existing storage buildings on the property.

It should be noted that the fact that Code Enforcement violations are issued is generally not relevant to the underlying zoning case. This means that Petitioner cannot use the fact that a structure has been built or a use has continued over a period of time to set a precedent for it to continue. Nor does the fact that a structure may be costly to remove or modify or that a discontinued use may impact Petitioner financially come into consideration of the zoning case. Conversely, the fact that a structure may have been built or a use may have occurred which could violate the regulations is not held against Petitioner in deciding the underlying zoning case as some sort of an additional punishment. Code enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This office is charged with deciding only the discreet legal and factual issues associated with the zoning case.

As to the instant matter, the testimony and evidence offered revealed that the subject property is an irregular-shaped property consisting of approximately 13.13 acres, more or less, zoned R.C.2. As a precursor to the R.C.2 Zone, the property was previously zoned R.D.P. as delineated in the 1975 Regulations. R.D.P. was an abbreviation for "Rural: Deferred-Planning" and had a purpose similar to the present R.C.2 Zone; that is, to "[p]revent untimely urban development of relatively open land," and to "[f]oster conditions favorable to agriculture and other low-intensity uses appropriate in rural areas."¹ The subject property is located on the

¹ See, Baltimore County Zoning Regulations (as amended through October 10, 1974), 1975 Edition.

northwest side of Emory Road, adjacent on the north side of the property to Parrish Road, west of Route 30 Hanover Pike in the Upperco area of Baltimore County. As shown on the site plan, the property is improved with Petitioner's two-story single-family dwelling, as well as a number of additional storage buildings.

According to the deeds that were marked and accepted into evidence as Petitioner's Exhibits 2 and 3, respectively, the subject property was acquired by Petitioner and his father in 1967. In 1979, Petitioner's father conveyed a one-half interest in the property to Petitioner and his then-wife, Judith Almony, and in 2001, the remaining interest in the property was conveyed to Petitioner and Judith Almony. The existing dwelling was built in 1920 and is Petitioner's current residence. Since Petitioner and his father purchased the property in 1967, the buildings have been used to store vehicles and farm and/or landscaping equipment. During approximately the last three years, Petitioner has stored recreational vehicles and trailers belonging to others in the buildings and has charged what he described as a nominal storage fee. The buildings provide cover only for the vehicles, as there is no running water or electricity in the buildings.

Except for the dwelling, storage buildings, and access driveway, the property consists mostly of open space. An aerial photograph marked and accepted into evidence as Petitioner's Exhibit 4 depicts the subject property and surrounding areas as primarily rural and agricultural farmland. A similar photograph with closer detail that was marked and accepted into evidence as Petitioner's Exhibit 5 also shows the subject property with mature tree lines along the southern and northern boundaries.

In support of the special hearing request, Mr. Doak, Petitioner's land surveying consultant, testified that the storage buildings and the recreational vehicles and trailers stored therein are well buffered by the tree lines to the south and north, and that the storage buildings themselves are not unusual for this agricultural area and are actually well maintained and in

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better condition than one might usually find on a farm. In addition, Mr. Doak indicated that the property is still used for agriculture. The rear portion of the property, behind the storage buildings, is currently leased to Coldbottom Farms for farming and crops. Finally, Mr. Doak indicated that the use of the buildings for storage of recreational vehicles and trailers meets all the criteria set forth in Section 502.1 of the B.C.Z.R. and, specifically, would not be detrimental to the health, safety, or general welfare of the locale, would not result in any adverse environmental issues (no underground storage of fuel tanks or the like), no views of atypical structures on the property, and would not be inconsistent with the property's zoning classification. Mr. Doak introduced photographs of the property that were marked and accepted into evidence as Petitioner's Exhibits 7A through 7L. These photographs show Petitioner's dwelling and the buildings used for recreational vehicle and trailer storage. The property appears to be well maintained and the buildings also appear to be in good shape, with the vehicles and trailers stored in "bays" within the buildings. No doubt, the area is well organized and orderly.

Also providing testimony in support of the requested relief was A.W. Shockney of 307 Bond Avenue in Reisterstown. Mr. Shockney indicated that he has stored a recreational vehicle on the property and does not believe the storage of these vehicles in such a secluded area, with virtually no views from the road or adjacent properties, to be contrary to the rural character of the property.

Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office Planning dated December 1, 2008 which indicate that they do not oppose Petitioner's request. Along the southern boarder of the property are large mature trees that buffer the view of the closest neighbors. There appears to be no negative impacts on the surrounding community. The also direct Petitioner to revise the site

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plan and label structures to show storage buildings rather than "1 story dwelling with siding" and identify the single dwelling on the site.

This is a difficult case to decide because based on the facts themselves, it appears that Petitioner's use is reasonable; however, it is my review of the applicable R.C.2 Regulations that denies Petitioner safe harbor for his continued use of the buildings for storage of recreational vehicles and trailers. After considering all the testimony and evidence presented, I am persuaded to deny the requested relief. On the one hand, I can certainly understand Petitioner wanting to utilize the existing buildings for a useful purpose. It appears the buildings may have been used in the past for storage of equipment related to agricultural uses of the property. It also appears that the storage use of these buildings has "evolved" over time to the point now where Petitioner stores recreational vehicles and trailers. On the other hand, I am bound by the clear wording and interpretation of the Zoning Regulations and it is clear that, as with the previous R.D.P. zoning years ago, the purpose of the current R.C.2 Zone is "to foster conditions favorable to a *continued agricultural use of the productive agricultural areas of Baltimore County by preventing incompatible forms and degrees of urban uses.*"² (emphasis added).

In my view, I cannot reconcile the storing of recreational vehicles and trailers (which is essentially for a commercial purpose) with the preferred agricultural uses in the R.C.2 Zone. Although Mr. Doak argues that the storage of vehicles in the buildings, whether they be farm vehicles from previous days or recreational vehicles today, presents a distinction without any practical or appreciable difference, I believe it is more significant than that, and I find that Petitioner's storing of multiple recreational vehicles is not consistent with the property's R.C.2 Zoning, and does not meet any of the permitted storage allowances set forth in Sections 415 and

² See, Section 1A01.1.B of the B.C.Z.R.

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m

415A of the B.C.Z.R. Hence, I do not believe Petitioner's request is within the spirit and intent of the Zoning Regulations and cannot grant the requested relief in this instance.³

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' request for special hearing should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 13th day of February, 2009 that Petitioner's request for Special Hearing relief filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow the continued use of permitted storage buildings to house recreational trailers and motor homes in an R.C.2 (former R.D.P.) Zone be and is hereby DENIED; and

IT IS FURTHER ORDERED that, consistent with the above, Petitioner shall cease and desist from the storage of such vehicles and shall, at Petitioner's cost and expense, remove the said recreational trailers and motor homes currently stored on the property within the next ninety (90) days.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

³ Because of the gradual evolution over the years of the use of land in the north County from purely agricultural farmland to residential development and other uses, perhaps this is a legislative issue that Petitioner might pursue with the County Planning Board and County Council in order to specify storage of multiple recreational vehicles and trailers in buildings that were once used for similar storage of farm equipment and vehicles.

~~STAMP: RECEIVED FOR FILING~~
2-13-09




Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 5616 Emory Rd.

which is presently zoned RC-2 (R.D.P)

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

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Lawrence M. Hammond

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

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

Legal Owner(s):

MYRON N. ALMONY

Name - Type or Print

Signature

Name - Type or Print

Signature

5616 Emory Rd.

Address

UPPERCO

City

MD

State

410-833-9675

Telephone No.

21155

Zip Code

Representative to be Contacted:

GERHOLD, CROSS, & ETCEL LTD

Name

320 E. TOWSONTOWN BLVD

Address

TOWSON

City

MD

State

410-823-4470

Telephone No.

21286

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 2009-0118-SPH

Reviewed By

Date

10-23-08

REV 9/15/98

2-13-09

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

February 13, 2009

LAWRENCE HAMMOND
HAMMOND & HAMMOND LLC
465 MAIN STREET
REISTERSTOWN MD 21136

Re: Petition for Special Hearing
Case No. 2009-0118-SPH
Property: 5616 Emory Road

Dear Mr. Hammond:

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,

A handwritten signature in black ink, appearing to read "Th H Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

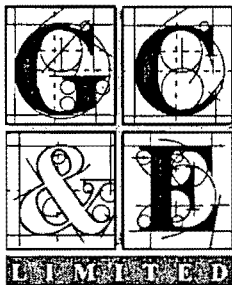
Enclosure

c: Myron N. Almony, Jr. and Judith A. Almony, 5616 Emory Road, Upperco MD 21155
Bruce Doak, Gerhold Cross & Etzel Ltd., 320 East Towsontown Blvd., Towson MD 21286
A.W. Shockney, 307 Bond Avenue, Reisterstown MD 21136

5616 EMORY ROAD

SPECIAL HEARING REQUESTED

*TO ALLOW THE CONTINUED USE OF PERMITTED STORAGE
BUILDINGS TO HOUSE RECREATIONAL TRAILERS AND MOTOR
HOMES IN A RC-2 (FORMER R.D.P.) ZONE.*



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

October 20, 2008

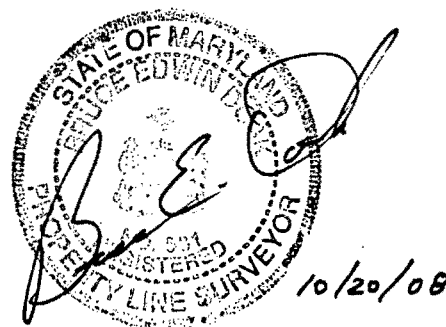
ZONING DESCRIPTION
Myron N. Almony property
5616 Emory Road
Baltimore County, Maryland

All that piece or parcel of land situate, lying and being in the Fourth Election District, Third Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point southwesterly 3080 feet, more or less from the intersection of Hanover Pike (Route 30) with Emory Road (Route 91) along centerline of Emory Road, North 70 degrees 45 minutes West 76 perches, and running thence,

- 1) South 70 degrees 45 minutes 00 seconds East 76 perches,
- 2) North 83 degrees 30 minutes 00 seconds East 39 perches,
- 3) North 63 degrees 15 minutes 00 seconds West 102.5 perches,
- 4) Thence with a straight line to the place of beginning.

Containing 13.13 Acres of land, more or less.



Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

No.

Date:

4-2-69

1990

[illegible][illegible]

Total:

150

Rec: _____
From: _____

Mr. Almon, Jr.

FOR

10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
PLEASE PRESS HARD!!!!

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

CASHIER'S VALIDATION

**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: # 2009-0118-SPH
5616 Emory Road
S/west corner of Emory and
Parrish Road
4th Election District
3rd Councilmanic District
Legal Owner(s): Myron & Judith Almony

Special Hearing: to allow the continued use of permitted storage buildings to house recreational trailers and motor homes in a RC-2 (former R.D.P) zone.

Hearing: Monday, January 12, 2009 at 11:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JT 12/752 Dec. 23 190998

CERTIFICATE OF PUBLICATION

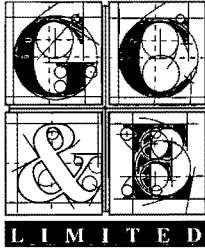
1/7/, 2009

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/23/, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING



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#2009-0118-SPH

OWNER/DEVELOPER:
Myron & Judith Almony

DATE OF HEARING: January 12, 2009

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

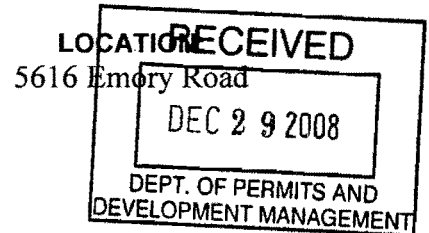
ATTENTION: KRISTEN MATTHEWS

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

(see page 2 for full size photo)

POSTED ON: December 24, 2008



SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

ZONING NOTICE

CASE # :2009-0118-SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.**

PLACE: Room 104 Jefferson Building
105 W. Chesapeake Avenue, Towson 21204

TIME: Monday, January 12, 2009
at 11:00 am

Special Hearing to allow the continued
use of permitted storage buildings to
house recreational trailers and motor
homes in a RC-2 (former R.D.P.) zone.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. UNDER PENALTY OF LAW

ZONING NOTICE

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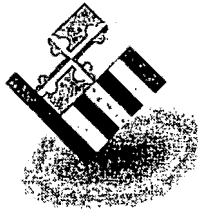
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CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.

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HEARINGS ARE HANDICAPPED ACCESSIBLE





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

November 24, 2008
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

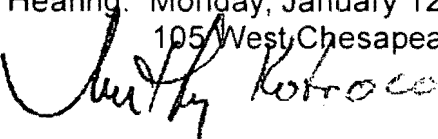
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2009-0118-SPH

5616 Emory Road
S/west corner of Emory and Parrish Road
4th Election District – 3rd Councilmanic District
Legal Owners: Myron & Judith Almony

Special Hearing to allow the continued use of permitted storage buildings to house recreational trailers and motor homes in a RC-2 (former R.D.P) zone.

Hearing: Monday, January 12, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Timothy Kotroco
Director

TK:klm

C: Lawrence Hammond, 465 Main Street, Reisterstown 21136
Mr. & Mrs. Almony, 5616 Emory Road, Upperco 21155
Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., DECEMBER 27, 2008.**
- (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.

RECEIVED

APR 16 2009

Requested: April 9, 2009

BALTIMORE COUNTY
BOARD OF APPEALS

APPEAL SIGN POSTING REQUEST

CASE NO.: 09-118-SPH

5616 Emory Road

4th ELECTION DISTRICT

APPEALED: 3/13/09

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

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

CERTIFICATE OF POSTING

9 H7

TO: Baltimore County Board of Appeals
The Jefferson Building, Suite 203
102 W. Chesapeake Avenue
Towson, MD 21204

Attention: Theresa Shelton
Administrator

CASE NO.: 09-118-SPH

LEGAL OWNER: Myron and Judith Almony

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

5616 EMORY ROAD
SW CORNER OF EMORY ROAD AND PARRISH ROAD

The sign was posted on 4-16-09, 200 .

By: M Stuart Kelly
(Signature of Sign Poster)

M Stuart Kelly
(Print Name)

PHOTOGRAPHIC RECORD

Citation/Case No.: 09-118 SPH 5616 Emory RD
Date of Photographs: 4-16-09



I HEREBY CERTIFY that I took the 2 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

M. Stuntz
Enforcement Officer

ZONING APPEAL

PUBLIC HEARING

CASE NUMBER:

09-118SPH

FOR INFORMATION CALL

410-887-3180

DO NOT REMOVE
UNDER PENALTY OF LAW

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 01118

Petitioner: MYRON ALMONY

Address or Location: 5616 Emory Rd, Upperco, Md. 21155

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: _____

Telephone Number: 410-833-9675

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 23, 2008 Issue - Jeffersonian

Please forward billing to:
Myron Almony
5616 Emory Road
Upperco, MD 21155

410-833-9675

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: 2009-0118-SPH

5616 Emory Road
S/west corner of Emory and Parrish Road
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Legal Owners: Myron & Judith Almony

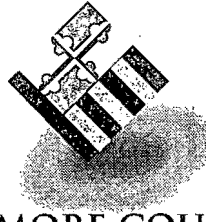
Special Hearing to allow the continued use of permitted storage buildings to house recreational trailers and motor homes in a RC-2 (former R.D.P) zone.

Hearing: Monday, January 12, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

November 24, 2008
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

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5616 Emory Road
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Special Hearing to allow the continued use of permitted storage buildings to house recreational trailers and motor homes in a RC-2 (former R.D.P) zone.

Hearing: Monday, January 12, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Lawrence Hammond, 465 Main Street, Reisterstown 21136
Mr. & Mrs. Almony, 5616 Emory Road, Upperco 21155
Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., DECEMBER 27, 2008.**
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County Board of Appeals of Baltimore County

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

Hearing Room #2, Second Floor
Jefferson Building, 105 W. Chesapeake Avenue

April 16, 2009

NOTICE OF ASSIGNMENT

CASE #: 09-118-SPH

IN THE MATTER OF: Myron and Judith Almony, Jr.

Legal Owners /Petitioners

5616 Emory Road / 4th Election District; 3rd Councilmanic District

RE: SPH – to allow the continued use of permitted storage buildings to house recreational trailers and motor homes in an R.C. 2 (former R.D.P.) Zone

2/13/09 –DZC decision that in accordance with Section 500.7 of the Baltimore County Zoning Regulations (BCZR), the Petitioner's Request for Special Hearing relief is DENIED and Petitioner shall cease and desist from the storage of vehicles and shall remove the vehicles and trailers currently stored on the property within 90 days.

ASSIGNED FOR: WEDNESDAY, JULY 22, 2009, AT 10:00 A.M.

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

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

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

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

Theresa R. Shelton, Administrator

c: Counsel for Appellant/Petitioner
Appellant/Petitioner

: Lawrence M. Hammond, Esquire
: Myron Almony, Jr

Bruce Doak
A.W. Shockney

People's Counsel for Baltimore County
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John E. Beverungen, County Attorney

IN THE MATTER OF
MYRON and JUDITH ALMONY, JR.
Legal Owners/Petitioners

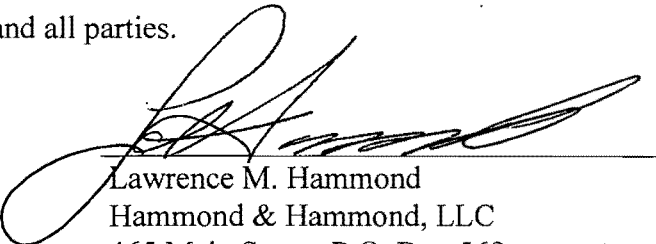
* COUNTY BOARD
* OF APPEALS
* OF BALTIMORE COUNTY
* Case # 09-118-SPH

* * * * *

REQUEST FOR POSTPONEMENT

The Petitioners, by and through its undersigned counsel pursuant to Rule 2(b) and Rule 2(c) of the Board's Rules of Practice and Procedure moves for a postponement of the hearing of this matter which is assigned for July 22, 2009 due to the unavailability of witnesses and to permit the Petitioner sufficient time to continue to seek a legislative remedy to the question before the Board.

WHEREFORE, Petitioner's move for a continuance of the hearing of this matter until such a time that is convenient to the Board and all parties.

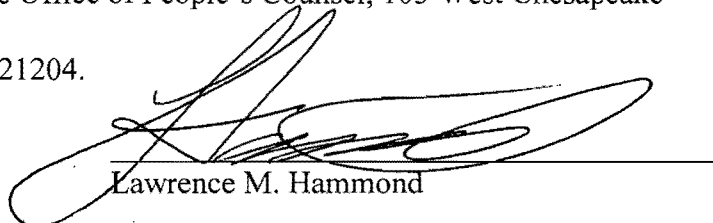


Lawrence M. Hammond
Hammond & Hammond, LLC
465 Main Street, P.O. Box 569
Reisterstown, Maryland 21136
(410) 977-7258
Attorney for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of July, 2009, a copy of the foregoing Motion for Postponement was hand delivered to the Office of People's Counsel, 105 West Chesapeake Avenue, Suite 204, Towson, Maryland 21204.

RECEIVED
JUL - 2 2009



Lawrence M. Hammond

BALTIMORE COUNTY
BOARD OF APPEALS



People's Counsel for Baltimore County
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John E. Beverungen, County Attorney

**IN THE MATTER OF:
MYRON ALMONY, JR.,
& JUDY ALMONY
Legal Owners/ Petitioners**

*** COUNTY BOARD
* OF APPEALS
* OF BALTIMORE COUNTY
* Case #: 09-118-SPH**

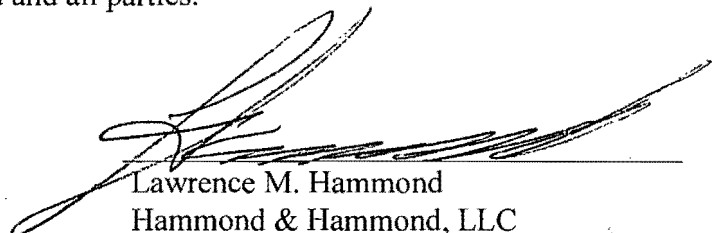
* * * * *

REQUEST FOR POSTPONEMENT

The Petitioners, pursuant to Rule 2 (b) and Rule 2 (c) of the Board's Rules of Practice and Procedure moves for a postponement of the hearing of this matter which is scheduled for October 21, 2009 on the grounds that several of Petitioner's witness are unavailable to appear on the scheduled hearing date and to further permit the Petitioner the time necessary to seek legislative relief from the County Council.

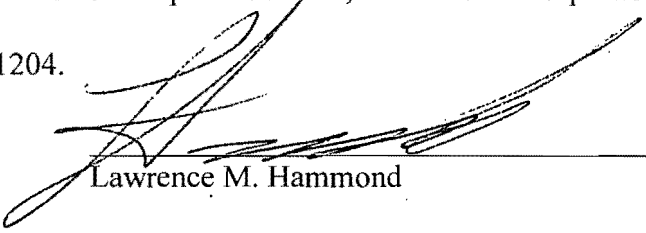
WHEREFORE, Petitioner's move for a continuance of the hearing of this matter until such a time that is convenient to the Board and all parties.

RECEIVED
OCT - 6 2009
BALTIMORE COUNTY
BOARD OF APPEALS

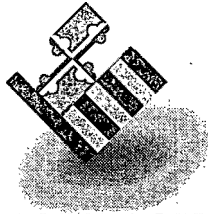

Lawrence M. Hammond
Hammond & Hammond, LLC
465 Main Street, P.O. Box 569
Reisterstown, Maryland 21136
(410) 833-7576
Attorney for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of October, 2009, a copy of the foregoing Motion for Postponement was hand delivered to the Office of People's Counsel, 105 West Chesapeake Avenue, Suite 204, Towson, Maryland 21204.



Lawrence M. Hammond



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
January 08, 2009

Lawrence M. Hammond
Hammond & Hammond, LLC
465 Main St.
Reisterstown, MD 21136

Dear: Lawrence M. Hammond

RE: Case Number 2009-0118-SPH, 5616 Emory Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 23, 2008. 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Myron & Judith A Almony; 5616 Emory Rd.; Upperco, MD 21155
Gerhold, Cross & Etzel LTD; 320 E. Towsontown Blvd.; Towson, MD 21286

TB 1/12 11am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 1, 2008

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

SUBJECT: 5616 Emory Road

INFORMATION:

Item Number: 9-118

Petitioner: Myron and Judith Almony

Zoning: RC 2

Requested Action: Special Hearing

RECEIVED

BY:

To allow the continued use of permitted storage building to house recreational trailers and motor homes in an RC 2 zone.

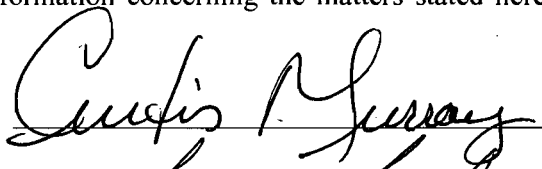
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's special hearing request. Along the southern border of the property are large mature trees that buffer the view of the closest neighbors. There appears to be no negative impacts on the surrounding community.

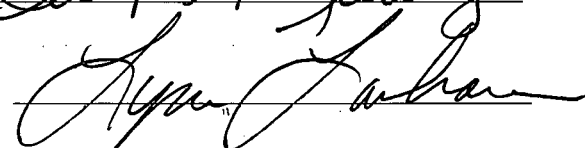
Revise the plan and labeling of the structures to show storage buildings rather than "1 story dwelling with siding." Identify the single dwelling on site.

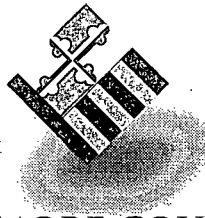
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

November 10, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 03, 2008

Item Numbers: Item Number 0109 through ¹¹⁸0125

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 7, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For November 10, 2008
Item No.: 2009-109, 110, 112, 113,
114, 115, 116, 117, ~~118~~, 119, 120,
122 & 123

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

DAK:CEN:cab
cc: File

ZAC-11072008-NO COMMENTS



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: Nov. 3, 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 2009-0113-A
2203 LINCOLN AVE
WARREN PROPERTY
VARIANCE

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. 2009-0118-A.

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,

For¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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

November 6, 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. 2009-0118-SPH
MD 91 (Emory Road) &
Parrish Road s/w corner
Almony Property
5616 Emory Road
Special Hearing

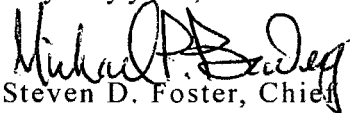
Dear Ms. Matthews:

This is in reference to our ongoing review of the ZAC Agenda plan for the Emory Property located at 5616 Emory Road, which was received on November 3rd. We understand that the aforementioned submission illustrates a request to allow the continued use of permitted storage buildings as shown on the plan to accompany a petition for special hearing.

Based on a review of available information and existing conditions, the State Highway Administration has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2009-0118-SPH. Please include our remarks in your staff report to the Zoning Hearing Officer.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@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. & Mrs. Myron N. Almony, Jr., Owners
Mr. Bruce E. Doak, Engineer, Gerhold, Cross & Etzel, Ltd.
Ms. Erin Kuhn, ADE-Traffic, SHA
Mr. John Murphy, Zoning Commissioner, Baltimore County
Mr. David Malkowski, Metropolitan District 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



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
5616 Emory Road; SW corner of Emory *
and Parrish Roads * ZONING COMMISSIONER
4th Election & 3rd Councilmanic Districts *
Legal Owner(s): Myron & Judith Almony * FOR
Petitioner(s) * BALTIMORE COUNTY
* 09-118-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.

RECEIVED

NOV 12 2008

Peter Max Zimmerman

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

CERTIFICATE OF SERVICE

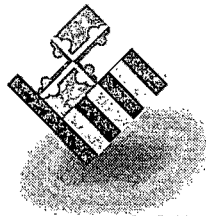
I HEREBY CERTIFY that on this 12th day of November, 2008, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286 and Lawrence M. Hammond, Esquire, 465 Main Street, Reisterstown, MD 21136, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME ALMOND
CASE NUMBER 2009-118-SPH
DATE 1/12/09

[illegible]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
April 7, 2009
*Department of Permits and
Development Management*

Lawrence Hammond
Hammond & Hammond, LLC
465 Main Street
Reisterstown, MD 21136

Dear Mr. Hammond:

RE: Case 2009-0118-SPH, 5616 Emory Road

Please be advised that this office received your appeal of the above-referenced case filed in this office on March 13, 2009. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Myron & Judith Almony, Jr., 5616 Emory Road, Upperco 21155
Bruce Doak, GC & E, 320 E. Towson Blvd., Towson 21286
A.W. Shockney, 307 Bond Avenue, Reisterstown 21136

HAMMOND & HAMMOND, L.L.C.
ATTORNEYS AT LAW
465 MAIN STREET
P. O. BOX 569
REISTERSTOWN, MARYLAND 21136-0569
(410) 833-7576
FAX: (410) 833-4744

LLOYD J. HAMMOND (RETIRED)
LAWRENCE M. HAMMOND

OF COUNSEL
DOUGLAS S. CURTIS

March 13, 2009

VIA HAND DELIVERY

Timothy M. Kotroco, Director
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Suite 115
Towson, Maryland 21204

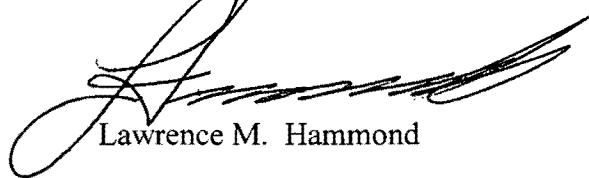
RE: Case No. 2009-0118-SPH/Myron N. Almony, Jr., Petitioner

Dear Mr. Kotroco:

Please note the appeal of Myron N. Almony, Jr., with respect to the Order of the Deputy Zoning Commissioner in the above referenced case. I have enclosed herewith a check in the amount of Four Hundred Dollars (\$400.00), together with a copy of Mr. Bostwick's order.

I thank you for your attention to this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Lawrence M. Hammond

LMH:ld
Enclosures as noted

cc: Myron Almony, Jr.

APPEAL

Petition for Special Hearing
5616 Emory Road
SW corner of Emory & Parrish Roads
4th Election District – 3rd Councilmanic District
Legal Owners: Myron & Judith Almony, Jr.

Case No.: 2009-0118-SPH

Petition for Special Hearing (October 23, 2009)

Zoning Description of Property

Notice of Zoning Hearing (November 24, 2008)

Certification of Publication (Jeffersonian – December 23, 2008)

Certificate of Posting (December 24, 2008) by Bruce Doak

Entry of Appearance by People's Counsel (November 12, 2008)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet - None

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Site Plan
2. Deed
3. Deed
4. Aerial Photograph
5. Aerial Photograph
6. Plan to accompany photo
7. Photographs (A thru L)

Protestants' Exhibits - None

Miscellaneous (Not Marked as Exhibit)

1. Code Enforcement Violation Packet

Deputy Zoning Commissioner's Order (DENIED – February 13, 2009)

Notice of Appeal received on March 13, 2009 from Lawrence Hammond

c: People's Counsel of Baltimore County, MS #2010
Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Mr. & Mrs. Almony
Bruce Doak
A.W. Shockney
Lawrence Hammond

date sent April 7, 2009, klm

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

VIOLATION CASE DOCUMENTS

VIOLATION CASE: 08-0665

5616 EMORY RD

ZONING CASE: 09-118-SPH
5616 EMORY ROAD

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: November 7, 2008

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

FROM: Rick Wisnom, Hearing Officer
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 118
Legal Owner/Petitioner: Myron and Judith Almony
Contract Purchaser:
Property Address: 5616 Emory Road
Location Description: South West corner of Emory and Parrish Road

VIOLATION INFORMATION: **Case No.: 08-0665**
Defendants: Myron and Judith Almony

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

**Suzie Armacost
16327 Hanover Pike
Upperco, MD 21155**

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

Complaint Intake Form
State Tax Assessment printout
Correction Notice/Code Violation Notice
Photographs
Citation
Other: correspondences

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Lisa Henson in Room 213 in order that the appropriate action may be taken relative to the violation case.

RSW/
c: David Kirby

PHONE DUTY INTAKE SHEET

Monday, January 28, 2008

INTAKE LH CASE # 08--0665 AREA 4 INSPECTOR: _____PROBLEM STORING COM VEHS & PROPANE TANKVIOL. LOCATION 5616 EMORY RDVIOL. ZIP 21155COMPLAINANT NAME SUZIE ARMACOSTCOMP. ADDRESS 16327 HANOVER PIKE

COMPL. ZIP _____

COMPL. PHONE (410) 374-3233

COMPL. WORK #: _____

EXT _____

OWNERS INFO/ NOTES

DATE: 01/28/2008 STANDARD AS
TIME: 09:08:56
PROPERTY NO. DIST GROUP CLASS OCC
04 01 036680 04 1-0 05-00 D
ALMONY MYRON N, JR DE
ALMONY JUDITH A DE
5616 EMORY RD PR

UPPERCO MD 21155-9757

PREVIOUS CASE NUMBERS:

06-8064
07-0741
0710829

☐ NCF
☒ REOPEN

prev

DATE: 01/28/2008 STANDARD ASSESSMENT INQUIRY

TIME: 09:08:56

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
04 01 036680	04	1-0	05-00	D	NO		01/02/08

ALMONY MYRON N, JR DESC-1.. IMPS38.7153 AC

ALMONY JUDITH A DESC-2.. 3168FT NW COR PARRISH R

5616 EMORY RD PREMISE. 05616 EMORY RD

00000-0000

UPPERCO MD 21155-9757 FORMER OWNER: ALMONY MYRON N, SR

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

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	74,140	134,140		FCV	ASSESS	ASSESS
IMPV:	116,190	176,750	TOTAL..	270,702	270,702	230,516
TOTL:	190,330	310,890	PREF...	14,140	14,140	14,140
PREF:	14,140	14,140	CURT...	233,152	233,152	193,886
CURT:	154,620	272,420	EXEMPT.		0	0
DATE:	05/03	08/06				

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

ASSESS: 270,702 08/23/07

ASSESS: 230,516

ASSESS: 0

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



CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER 08-0665	PROPERTY TAX ID 0401036680	DATE ISSUED 4/15/08
NAME(S): M. Ron N. Almon Jr JUDITH A. Almon		
MAILING ADDRESS 5666 Kennedy Road		
CITY Upperco	STATE MD	ZIP CODE 21155
VIOLATION ADDRESS SARIL		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- ☐ DR1: ☐ DR2: ☐ DR3.5: ☐ DR5.5: ☐ DR10.5: ☐ DR16
☐ RC2(1A01) ☐ RC4(1A03) ☐ RC20 & 50 (1A05) ☐ RC6(1A07)
☐ RC3(1A02) ☐ RC5(1A04) ☐ RCC (1A06) ☐ RC7 (1A08)
☐ OTHER: _____

NON-RESIDENTIAL CLASSIFICATION

- ☐ BL (230) ☐ BR (236) ☐ BM (233)
☐ MR (240) ☐ ML (253) ☐ MH (256)
☐ OTHER: _____

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-3-102; 32-3-602; 32-3-603; 32-4-114

- | | |
|---|--|
| ☒ 101; 102.1: Definitions; general use | ☐ 415A: License/ remove untagged recreation vehicle |
| ☒ 1B01.1: DR Zones-use regulations | ☐ 415A: Improperly parked recreation vehicle |
| ☐ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s) | ☒ 415A: One recreational vehicle per property |
| ☐ 1B01.1D: Remove open dump/ junk yard | ☐ 410: Illegal Class II trucking facility |
| ☒ 431: Remove commercial vehicle(s) | ☐ 400: Illegal accessory structure placement |
| ☒ 101; 102.1: Remove contractors equip. storage yard | ☐ 1B02.1; 270; 421.1: Illegal kennel. Limit 3 dogs |
| ☐ 101; 102.1; ZCPM: Cease service garage activities | ☐ 102.5: Residential site line violation /obstruction |
| ☐ 402: Illegal conversion of dwelling | ☐ 408B: Illegal rooming/ boarding house |
| ☒ 101; 102.1; ZCPM: Illegal home occupation | ☐ BCC: 32-3-102; 500.9 BCZR; ZCPM:
Violation of commercial site plan and/or zoning order |

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|--|--|
| ☐ 13-7-112: Cease all nuisance activity | ☐ 35-2-301: Obtain building/ fence/ sign permit |
| ☐ 13-7-115: County to abate nuisance & lien costs | ☐ 18-2-601: Remove all obstruction(s) at street, alley, road |
| ☐ 13-7-310: Remove all trash & debris from property | ☐ 13-7-310(2): Remove bird seed / other food for rats |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 32-3-102: Violation of development plan/ site plan |
| ☐ 13-7-201(2): Cease stagnant pool water | ☐ IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise |
| ☐ 12-3-106: Remove animal feces daily | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 35-5-208(a)(c): Seal exterior openings from rodents & pests | |
| ☐ 13-4-201(b)(d): Store garbage in containers w/tight lids | |

OWNER OCCUPIED HOUSING (B.C.C.)

- | | |
|---|--|
| ☐ 35-5-302(a)(1): Unsanitary conditions. | ☐ 35-5-302(a)(2): Store all garbage in trash cans |
| ☐ 35-5-302(a)(3): Cease _____ infestation from prop. | ☐ 35-5-302(b)(1): Repair exterior structure |
| ☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc | ☐ 35-5-302(b)(1)(3): Repair exterior extentions |
| ☐ 35-5-302(b)(1)(4): Repair chimney & similar extentions | ☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces |
| ☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s) | ☐ 35-5-302(b)(1)(7): Repair defective fence |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|--|---|
| ☐ 35-2-404(a)(1)(i): Remove hazardous or unsafe condition | ☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(1)(iii): Repair roof or horizontal members | ☐ 35-2-404(a)(1)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations |
| ☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s) | ☐ 35-2-404(a)(4)(i)(ii): Board & secure. Material to match building color of structure |

OTHER VIOLATIONS OR REMARKS:

ILLEGAL SPRINK OF MOTOR HOMES, TRAILERS
AND BOATS MUST CEASE.

Commercial vehicles must be removed.

☒ NOTICE POSTED AND MAILED

POTENTIAL FINE: ☒ \$200 ☐ \$500 ☐ \$1000 per day, per violation and to be placed as a lien upon your tax bill.

COMPLIANCE DATE: 5.15.08

INSPECTOR NAME: DAVID W. KIRBY
PRINT NAME (Rev 9/05)

AGENCY



CODE ENFORCEMENT & INSPECTIONS CITATION

CASE NUMBER C00041439	PROPERTY TAX ID 0401036680	ZONE RC 2
NAME(S): MYRON N. ALMONY JR. JUDITH A. ALMONY		
MAILING ADDRESS: 5666 Emory Road		
CITY Lippsico	STATE MD	ZIP CODE 21155
VIOLATION ADDRESS: SAME		
CITY MARYLAND	STATE MARYLAND	ZIP CODE
VIOLATION DATES: 6/04/08 thru 10/28/08		

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

101;102.1 - 1B01.1 - 431 - 101;102.1; ZCPM-415A

Failure to store only one recreational vehicle on property

Failure to cease home occupation of single ~~the~~ recreational vehicles

Failure to remove commercial vehicles from property.

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$ 10,000.00

A quasi-judicial hearing has been pre-scheduled in room 116, 111 W. Chesapeake Ave, Towson, Maryland, 21204, for:

DATE: 10/28/08

TIME: 9:00 A.M. P.M.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name: DAVID W. KILBY

INSPECTOR SIGNATURE:

PRINT NAME

Date: 10/06/08

AGENCY



CODE ENFORCEMENT & INSPECTIONS CITATION

CASE NUMBER 08-0665	PROPERTY TAX ID 0401036680	ZONE RC2
NAME(S): MYRON N. ALMONY JR JUDITH A. ALMONY		
MAILING ADDRESS: 5666 Emory Road		
CITY UPPERCO	STATE MD	ZIP CODE 21155
VIOLATION ADDRESS: SAME		
CITY MARYLAND	STATE MARYLAND	ZIP CODE
VIOLATION DATES: 6/04/08 - thru 7/08/08		

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

101, 102.1 - 180.1 - 431 - 101, 102.1; ZCPM -
415A

FAILURE TO CEASE HOME OCCUPATION OF
STOLEN RECREATIONAL VEHICLES.

FAILURE TO STORE ONLY ONE RECREATIONAL
VEHICLE ON PROPERTY.

FAILURE TO REMOVE COMMERCIAL VEHICLES
FROM PROPERTY.

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty
has been assessed, as a result of the violation(s) cited herein, in the
amount indicated:

\$ 5000.00

A quasi-judicial hearing has been pre-scheduled in room 116,
111 W. Chesapeake Ave, Towson, Maryland, 21204, for:

DATE: 7/18/08

TIME: 9:00 A.M. P.M.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above
are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name:

DANIEL W. KIRBY

INSPECTOR SIGNATURE:

Daniel W. Kirby

Date: 6/18/08

PRINT NAME

AGENCY



CODE ENFORCEMENT & INSPECTIONS CITATION

CASE NUMBER 08-0665	PROPERTY TAX ID 0401036680	ZONE RC2
NAME(S): MYRON N. ALMONY JR. JUDITH A. ALMONY		
MAILING ADDRESS: 5666 EMORY ROAD		
CITY UPPERCO	STATE MD	ZIP CODE 21155
VIOLATION ADDRESS: SAME		
CITY MARYLAND	STATE MARYLAND	ZIP CODE
VIOLATION DATES: 4/15/08 thru 6/04/08		

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

101,102.1 - 1B01.1 - 431 - 101,102.1; 2CPM - 4/5A

FAILURE TO CEASE HOME OCCUPATION OF
STORING RECREATIONAL VEHICLES.

FAILURE TO STORE ONLY ONE RECREATIONAL
VEHICLE ON PROPERTY.

FAILURE TO REMOVE COMMERCIAL VEHICLES
FROM PROPERTY.

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$ 2500.⁰⁰

A quasi-judicial hearing has been pre-scheduled in room 116, 111 W. Chesapeake Ave, Towson, Maryland, 21204, for:

DATE: 6/04/08

TIME: 9:00 A.M. P.M.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name:

DAVID W. KIRBY

INSPECTOR SIGNATURE:

David W. Kirby

PRINT NAME

Date: 5/19/08

AGENCY

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 08-0665

Myron N. Almony, Jr.
Judith A. Almony
5616 Emory Road
Upperco, MD 21155

5616 Emory Road

Respondents

FINDINGS OF FACT AND CONCLUSION OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on 2008, for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 102.1, 415A; failure to cease commercial storage of recreational vehicles without required Special Hearing and/or zoning approval, section 431; failure to cease outside storage of commercial vehicles on residential property zoned RC 2 known as 5616 Emory Road, 21155.

On May 19, 2008, pursuant to § 3-6-205, Baltimore County Code, a Code Enforcement citation was issued. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

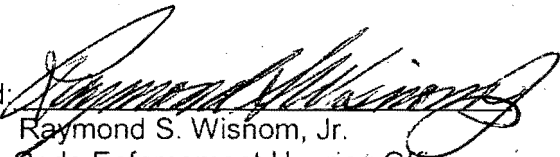
The citation proposed a civil penalty of \$2,500.00 (two thousand five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

IT IS ORDERED by the Code Enforcement Hearing Officer this 10th day of June 2008 that a civil penalty be imposed in the amount of \$2,500.00 (two thousand five hundred dollars)

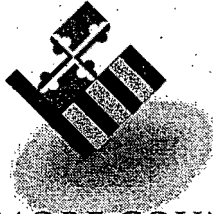
IT IS FURTHER ORDERED that the inspector inspect the property to determine whether the violations have been corrected.

Signed:



Raymond S. Wishom, Jr.
Code Enforcement Hearing Officer

RSW/jaf



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

June 13, 2008

Myron N Almony Jr
Judith A. Almony
5616 Emory Rd
Upperco, Maryland 21155

Real Property #: 04-01-036680
Premise: 05616 Emory Rd

Dear Property Owner:

Civil Penalty assessed pursuant to civil citation: 08-0665
Total Amount Due: \$2,500.00

The above charge constitutes a lien against the real property to be collected in the same manner, as taxes. If the charges are not paid within 30 days of this notice, interest will be charged at the rate of 1% per month.

For questions regarding the above charge please contact Code Enforcement Officer D Kirby at 410-887-3351.

For payment questions please call 410 887-2404. Please use the enclosed bill for payment.

Send payments to:

Baltimore County Office of Budget and Finance
400 Washington Avenue Rm 150
Towson MD 21204

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Mohler".

Mike Mohler
Deputy Director

MM/gw

PHOTOGRAPHIC RECORD

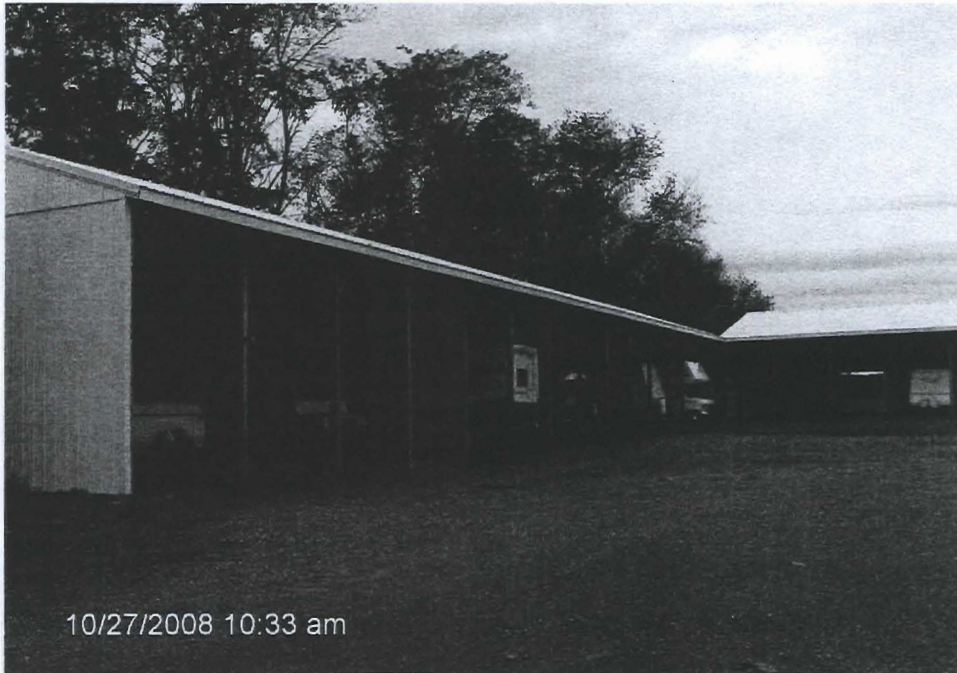
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CO 0041439 / 08-0665

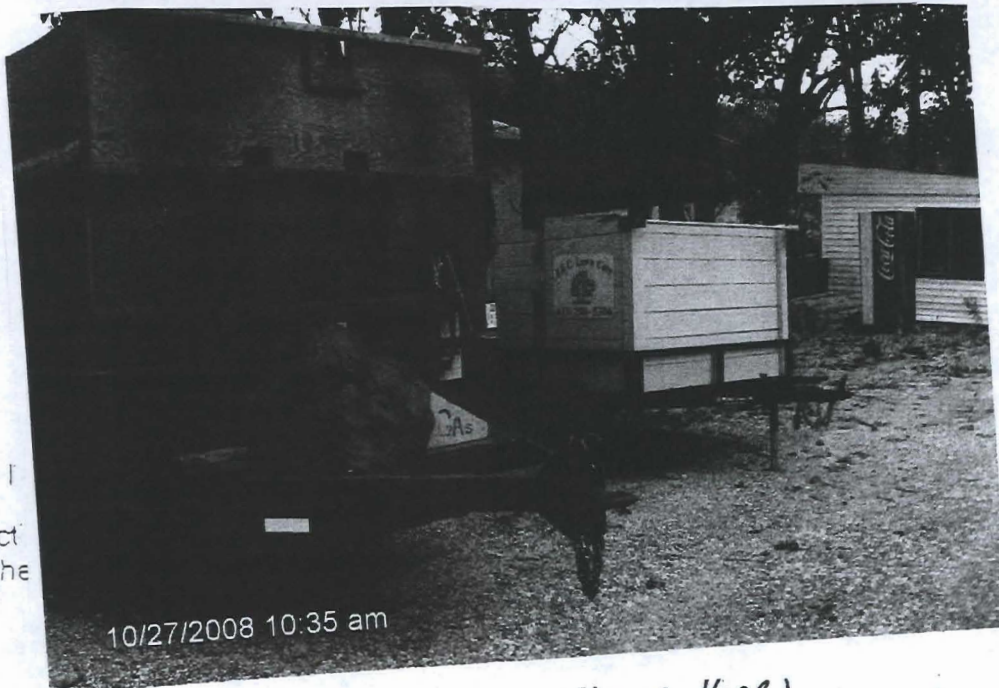
ite of Photographs

10/27/08

5666 Emory Road



10/27/2008 10:33 am



10/27/2008 10:35 am

raphs

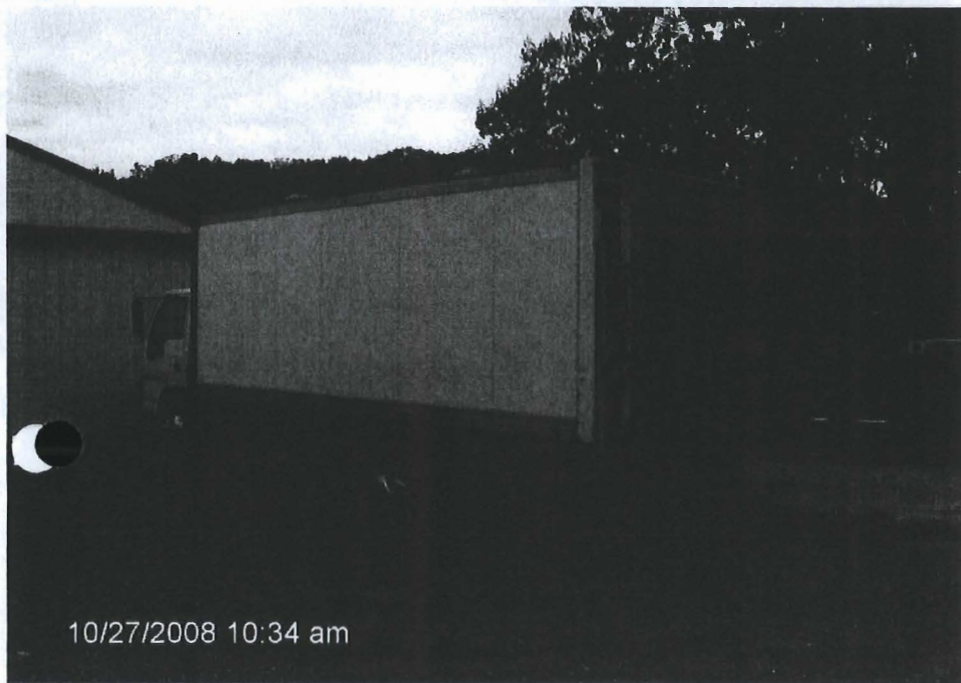
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Dave Kirby

Enforcement Officer

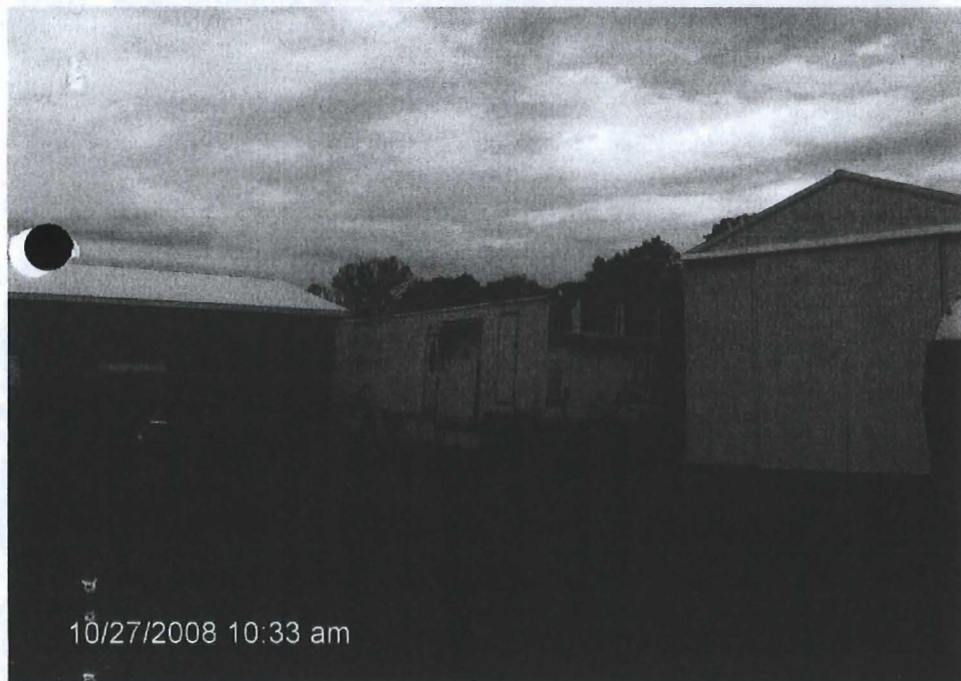




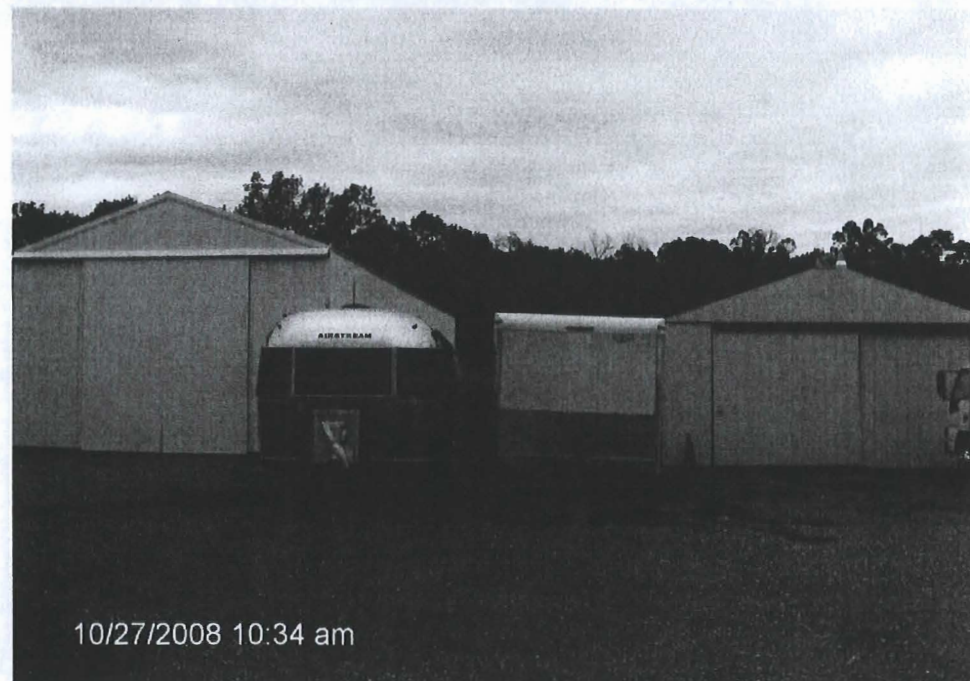
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10/27/2008 10:34 am



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10/27/2008 10:34 am

PHOTOGRAPHIC RECORD

Station/Case No.:

08-0165

Date of Photographs:

7/6/08

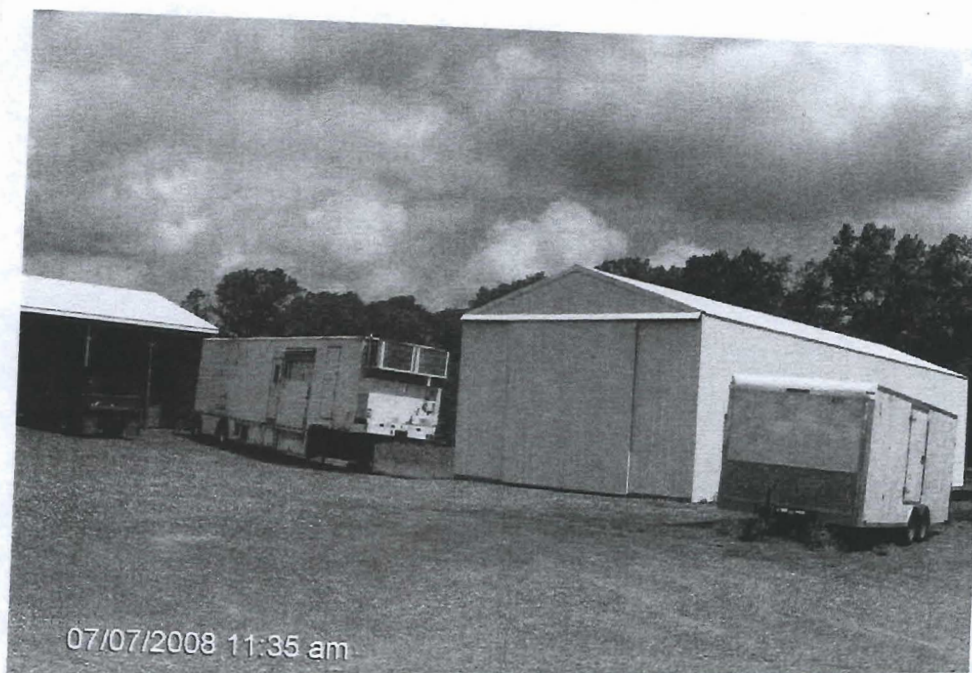
Stella Emory RD

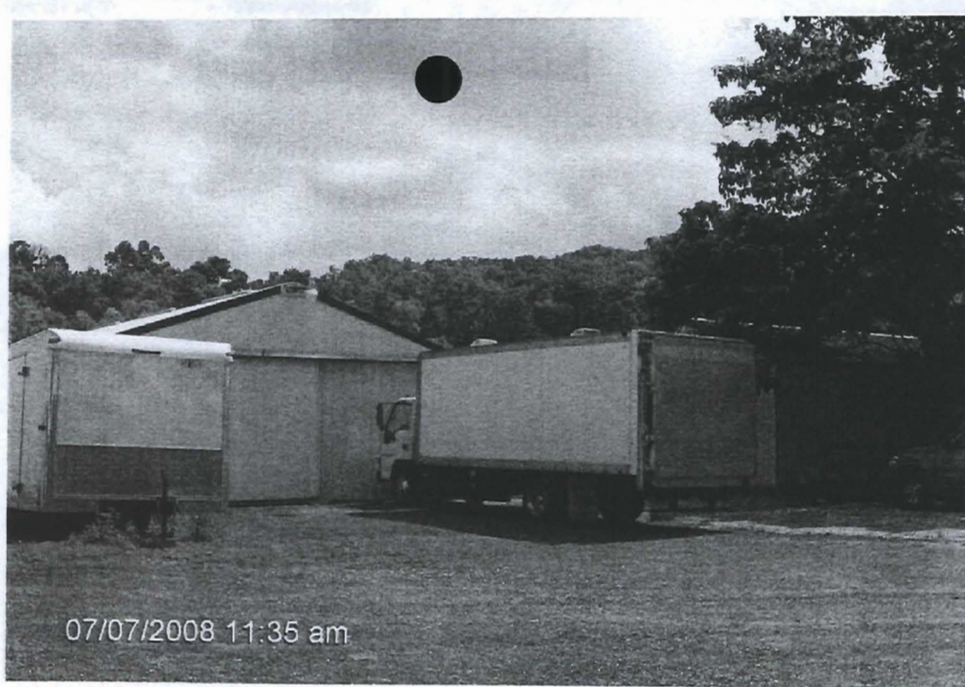


HEREBY CERTIFY that I

truthfully and accurately depict
station/case number on the

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07/07/2008 11:35 am



07/07/2008 11:35 am



07/07/2008 11:35 am

PHOTOGRAPHIC RECORD

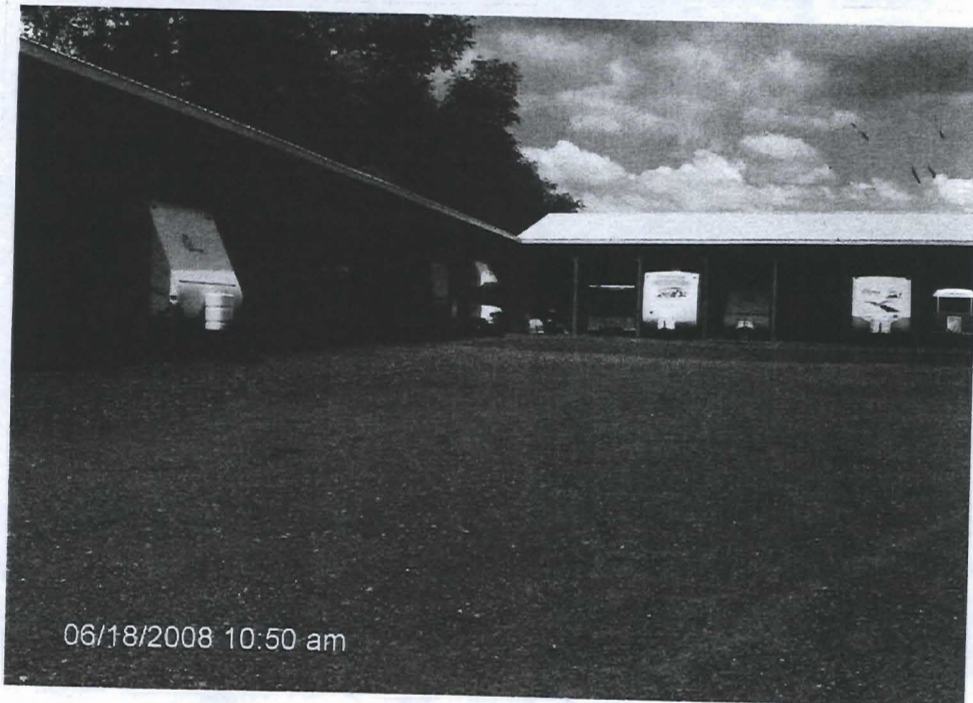
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08-0665

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6/18/08

Stelle Emory RD

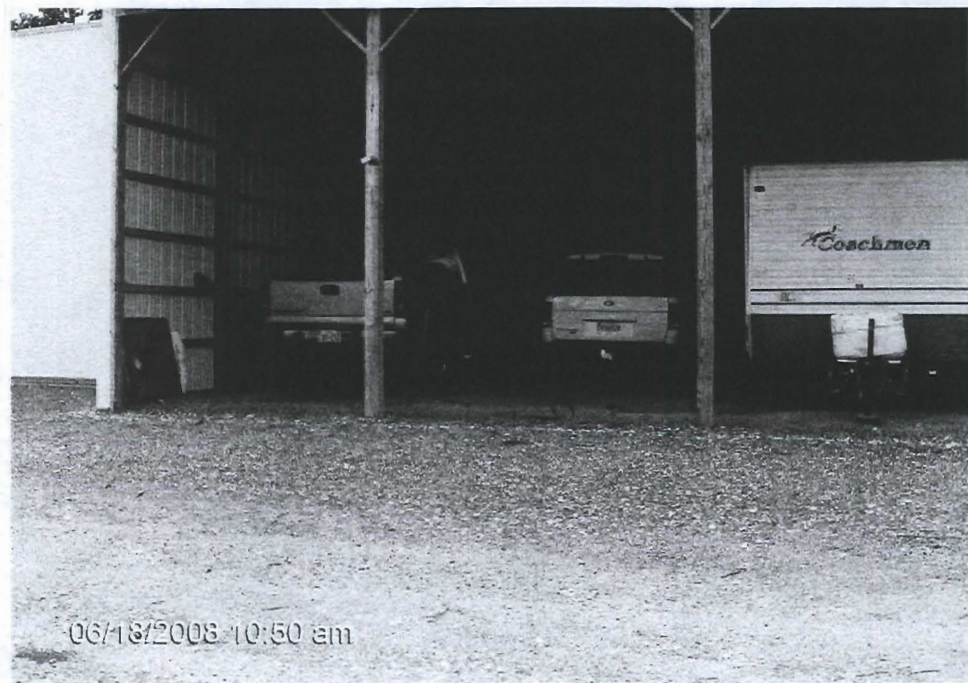
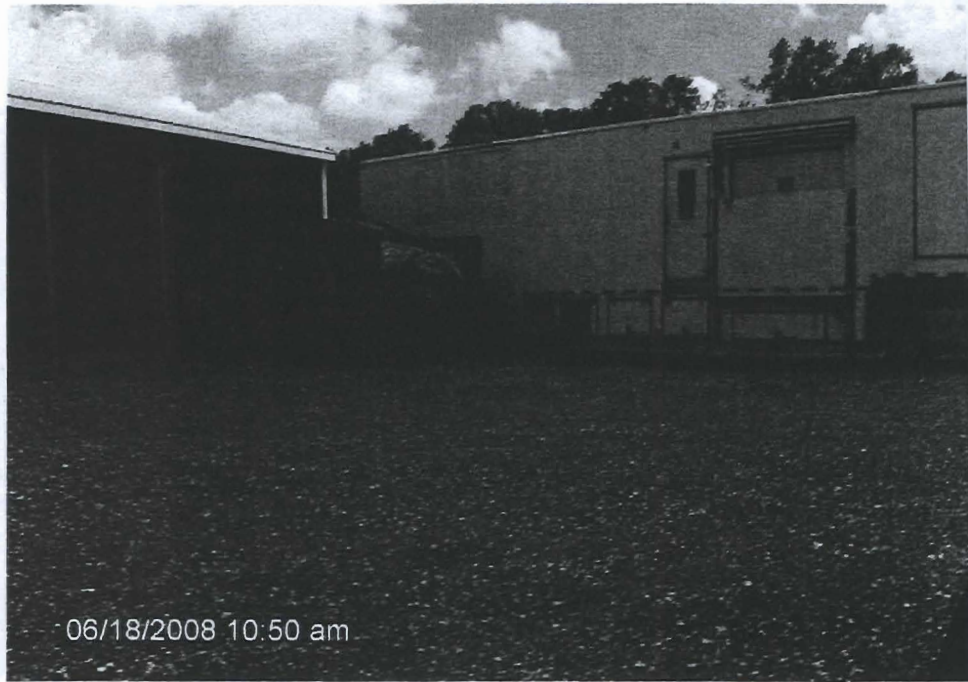


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Dave Kirby
Enforcement Officer

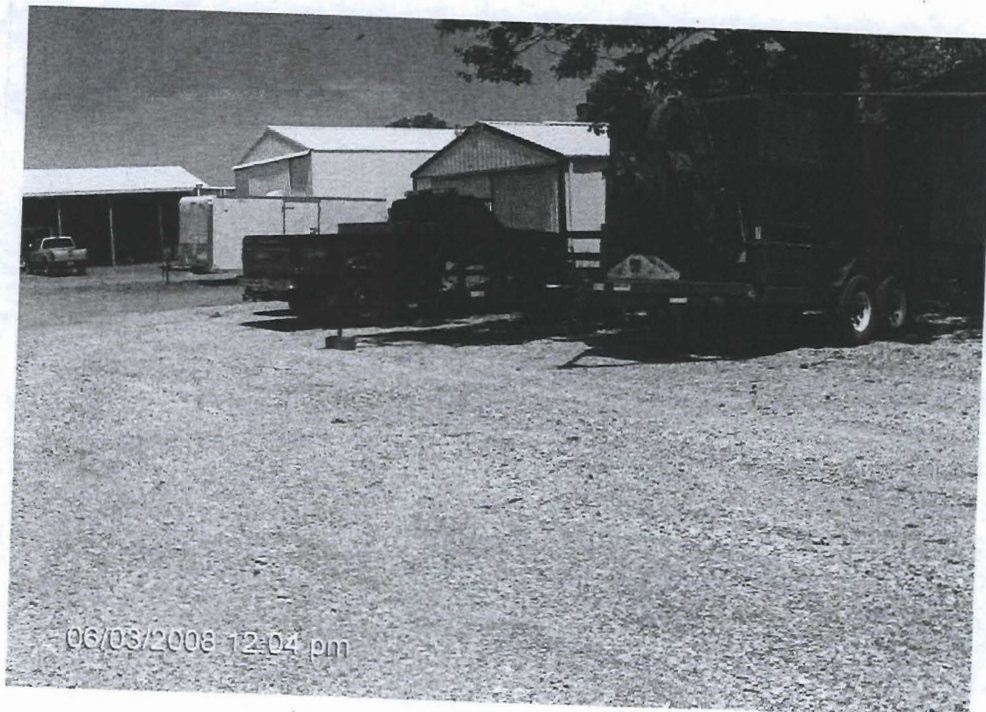


PHOTOGRAPHIC RECORD

Station/Case No. 08-0665

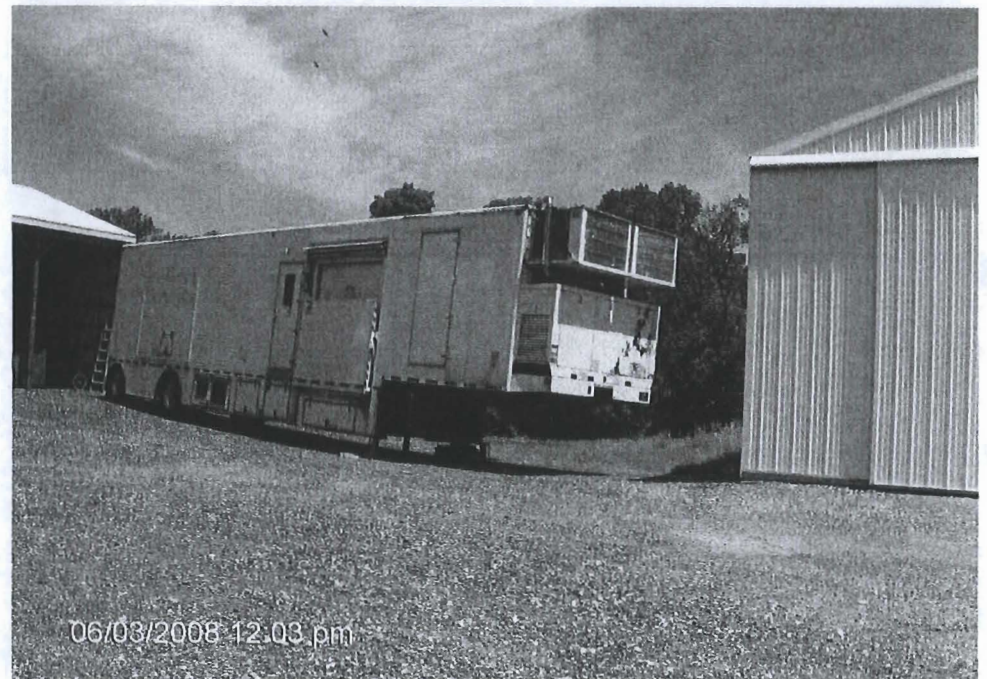
Date of Photographs 6/03/08

5616 Emily Rd



HEREBY CERTIFY that I took
a true and accurate depiction of the
station/case number on the day

IS

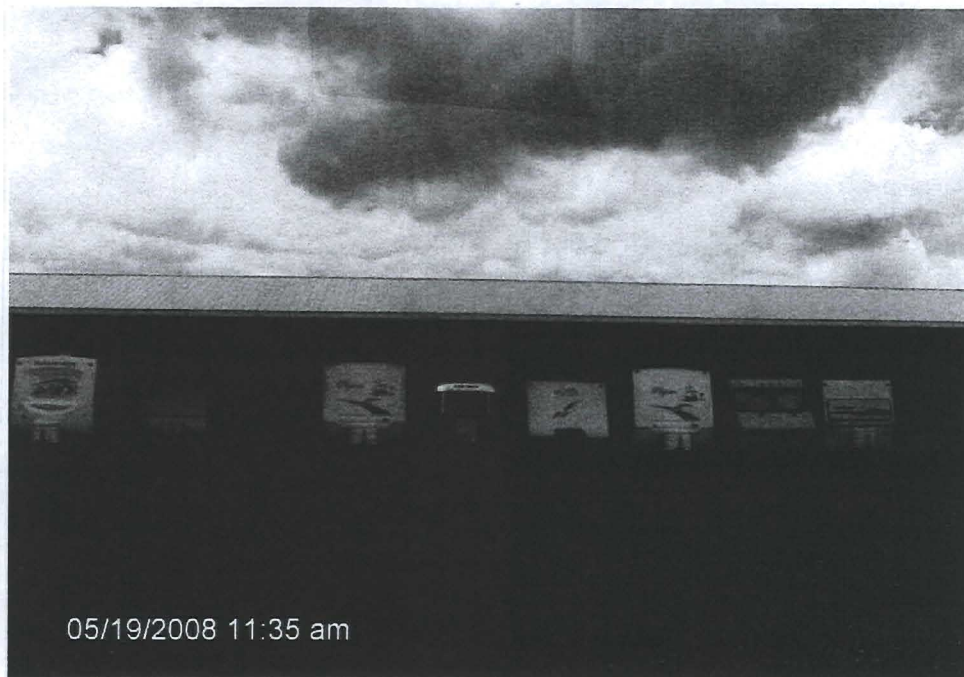


PHOTOGRAPHIC RECORD

itation/Case No. 08-0665

ate of Photographs: 5/19/08

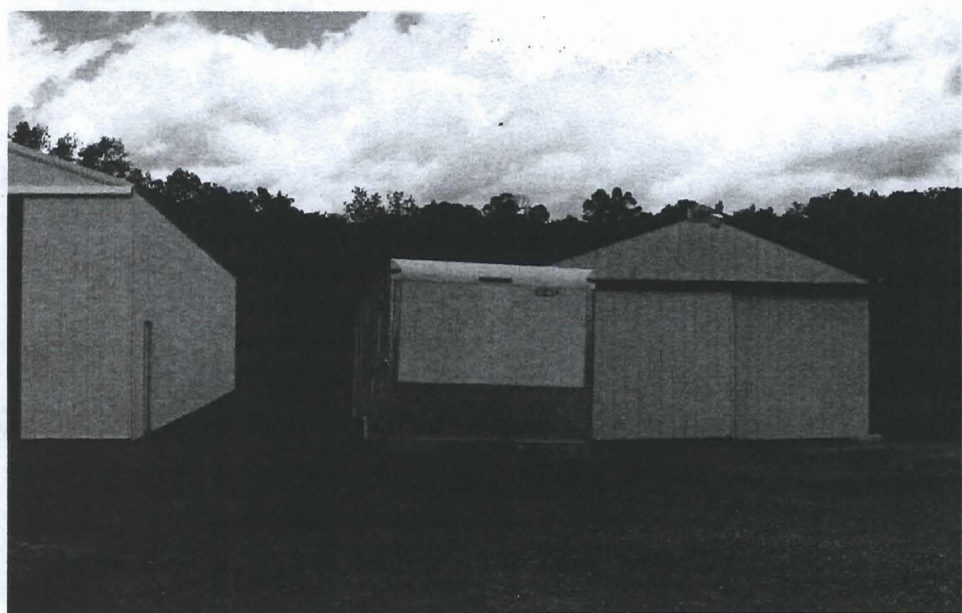
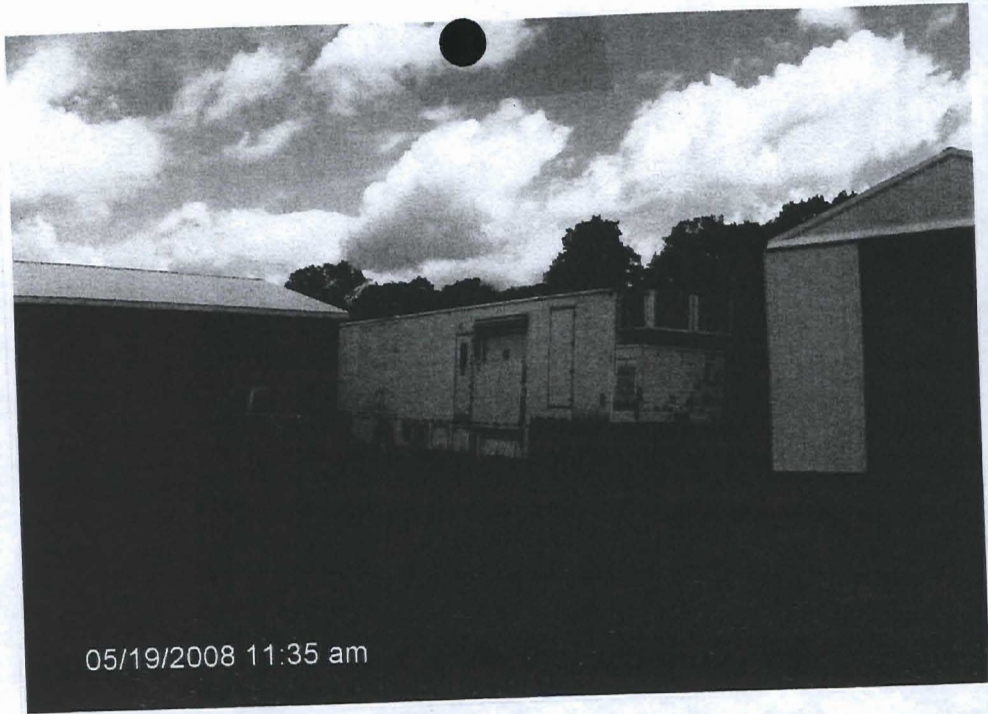
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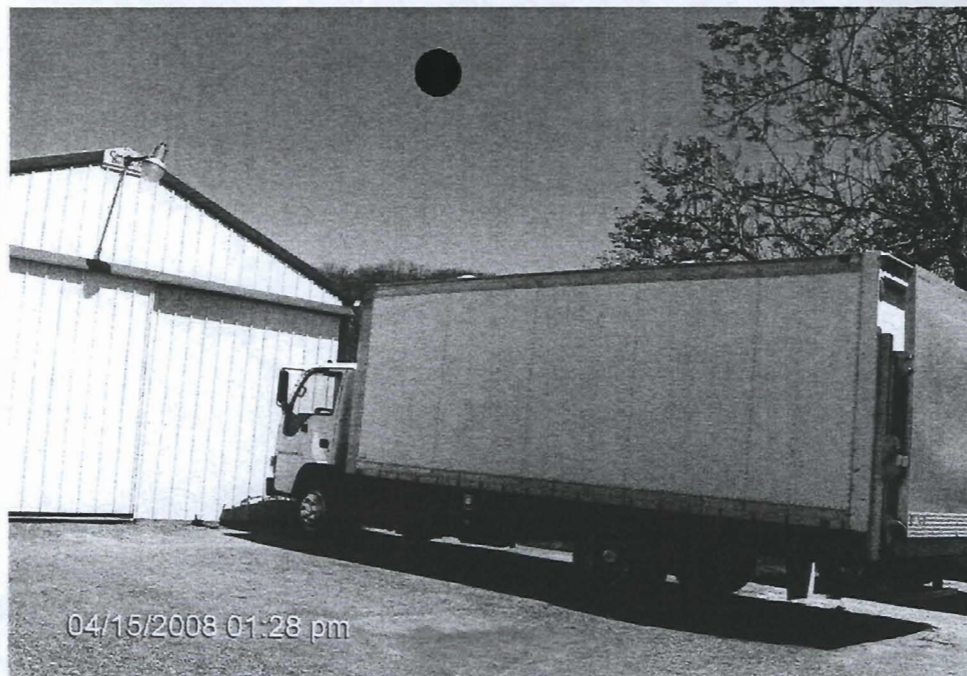


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HEREBY CERTIFY that I
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Dave Kirby
Enforcement Officer

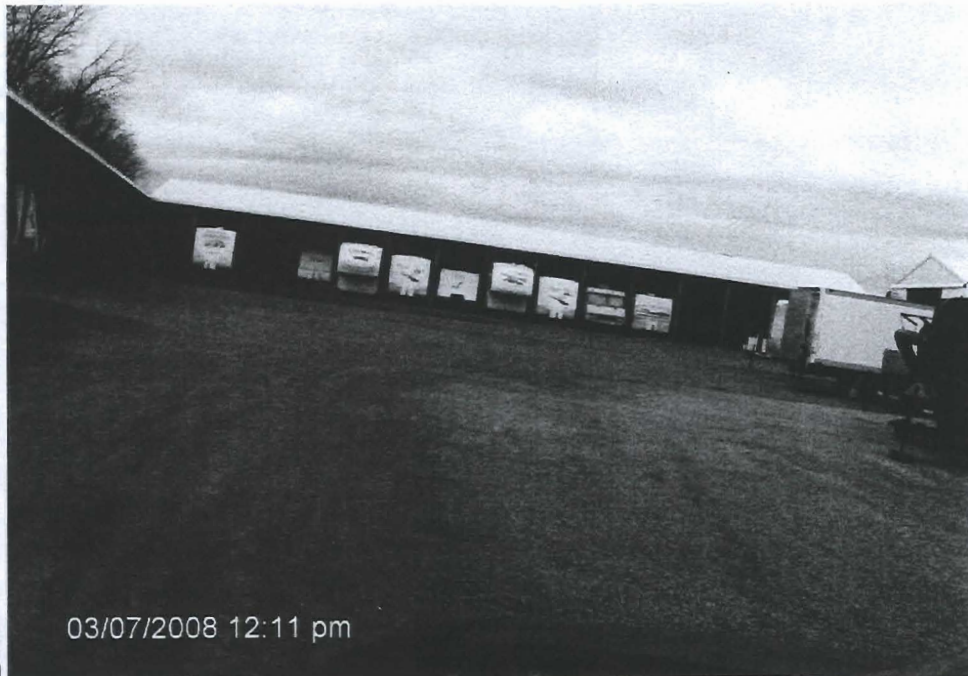




PHOTOGRAPHIC RECORD

itation/Case No.: 08-0665

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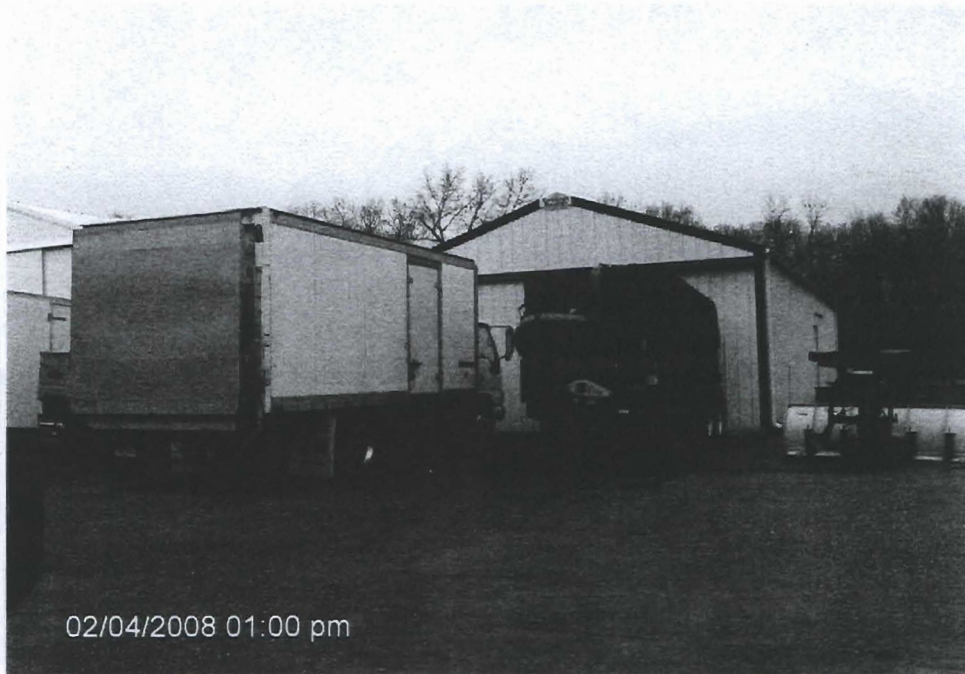
Dave Kirby
Enforcement Officer

PHOTOGRAPHIC RECORD

Station/Case No.: 08-0665

Date of Photographs: 2/04/08

Stelle Emory RD



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Dave Kirby
Enforcement Officer



HAMMOND & HAMMOND, L.L.C.

ATTORNEYS AT LAW

465 MAIN STREET

P.O. BOX 569

REISTERSTOWN, MARYLAND 21136

(410) 833-7576

LLOYD J. HAMMOND (Retired)
LAWRENCE M. HAMMONDDOUGLAS S. CURTIS
OF COUNSEL

FAX (410) 833-4744

DATE: 10/27/08TO: David Kirby

COMPANY NAME: _____

FAX #: 410 - 887-2824

PHONE: _____

FROM: _____

FAX #: (410) 833-4744

NUMBER OF PAGES 3 (INCLUDING TRANSMITTAL)

Confidentiality Notice

This facsimile transmission contains confidential information belonging to the sender, which may be legally privileged information. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, or an employee or agent for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of the facsimile documents is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone to arrange for return of the original facsimile documents to us.



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 5616 Emory Rd.
which is presently zoned RC-2 (R. D. P)

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

SEE ATTACHED

☐ FILE COPY

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

Attorney For Petitioner:

Lawrence M. Hammond

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

MYRON N. ALMONY

Name - Type or Print

Signature

Name - Type or Print

Signature

5616 Emory Rd.

Address

UPPERCO

City

MD

State

410-833-9678

Telephone No.

21155

Zip Code

Representative to be Contacted:

GERHOLD, CROSS, & ETZEL LTD

Name

320 E. TOWSONTOWN BLVD

Address

TOWSON

City

MD

State

410-823-4470

Telephone No.

21286

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

REV 9/15/98

No. 0415 P. 2

Oct. 27. 2008 1:59PM

5616 EMORY ROAD

SPECIAL HEARING REQUESTED

*TO ALLOW THE CONTINUED USE OF PERMITTED STORAGE
BUILDINGS TO HOUSE RECREATIONAL TRAILERS AND MOTOR
HOMES IN A RC-2 (FORMER R.D.P.) ZONE.*

7/08/08

Inspector: Dave Kirby

CASE # : 08-0665

5616 Emory RD
UPPERCO, MD. 21155
RC 2

Violation: FAILURE TO CEASE THE OCCUPATION OF SPARK RC VEHICLES.
FAILURE TO STORE ONLY RC VEHICLE ON PROPERTY.
FAILURE TO REMOVE COMMERCIAL VEHICLES ON PROPERTY.

Complaint: Phone call of 1/28/08 - SPARK commercial vehicles & PARKING TRUCK

1/29/08 - Initial inspection made. Could not locate property.

1/30/08 - Spoke w/ complainant & 2nd farm on right - INDIAN LAKE FARM

2/04/08 - I found large out buildings behind house. Found various RC vehicles parked in stalls and some commercial vehicles. Photos. need to do some research of RC 2 & permit info

3/07/08 - Knocked on door but no one home. Same conditions.

4/16/08 - Property same. out buildings w/ trailers, boats, vehicles, etc. Also large trailer & box truck on property. All indications of business from property. Collection notice issued. I spoke w/ fellow tenant property and he was on his way to see me.

5/19/08 - Same Situation. Photos. Citation ISSUED w/ 6/04 Hearing DATE

6/03/08 - Pre Hearing Inspection. Same. Photos.

6/04/08 - Hearing. Mr. Almany FTA. Final order IMPOSED A \$250 Civil Penalty.

6/18/08 - no change. Photos. ADD'L CITATION ISSUED FOR 7/08/08 Hearing DATE.

6/19/08 - I called Pitone# I THOUGHT WAS complainant BUT ACTUALLY MR. ALMANY. HE ACKNOWLEDGED THAT HE DOES RENT SPACE FOR RV'S, ETC. HE SAID HE WAS UNAWARE OF PREVIOUS HEARING. I ADVISED OF HEARING SCHEDULED FOR 7/08. I POSTED CITATION COPY ON DWIR ON 6/24/08.

7/07/08 Pre Hearing Inspection. no change. Photos

TIME: 08:14:18 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 12/20/2006
DATE: 06/24/2008 BUILDING DETAIL 1 TLM 10:47:01

DRC#

PERMIT # B652319 PLANS: CONST 00 PLOT 2 PLAT 0 DATA 0 EL 2 PL 2
TENANT

BUILDING CODE: CONTR: OWNER

IMPRV 1 ENGR:

USE 07 POLE BLDG SELLR:

FOUNDATION BASE WORK: CONSTRUCT POLE BLDG ON REAR PROPERTY OF
AGRICULTURAL PROPERTY/SFD.150X150X14=8100SF
CONSTRUC FUEL SEWAGE WATER REPLACES POLE BLDG DESTROYED BY FIRE SAME SIZE,
2E 2E SAME LOCATION.) PRINCIPLE USE AGRICULTURAL, OK TO
CENTRAL AIR WAIVE PLANS PER GB. ACCESSORY LETTER ATTACHED

ESTIMATED COST

40K PROPOSED USE: AGRICULTURAL/SFD & POLE BLDG

OWNERSHIP: 1 EXISTING USE: AGRICULTURAL/SFD

RESIDENTIAL CAT:

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS:

PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 08:14:07 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 12/20/2006
DATE: 06/24/2008 GENERAL PERMIT APPLICATION DATA KRA 10:42:38

PERMIT #: B652319 PROPERTY ADDRESS
RECEIPT #: A557372 5616 EMORY RD
CONTROL #: MR SUBDIV: 3168FT NW COR PARRISH RD
XREF #: B652319 TAX ACCOUNT #: 0401036680 DISTRICT/PRECINCT 04 01

OWNERS INFORMATION (LAST, FIRST)

FEE: 65.00 NAME: ALMONY, MYRON N JR
PAID: 65.00 ADDR: 5616 ALMONY RD UPPERCO MC 21155-9157
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 12/20/2006 NAME: MYRON ALMONY JR

ISSUED: 12/20/2006 COMPANY:

OCCPNY: ADDR1: 5616 EMORY RD

FINAL INSPECT: ADDR2: UPPERCO MD 21155

INSPECTOR: 04R PHONE #: 410-833-3283 LICENSE #:

NOTES: TLM/CPC/TLM

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 08:14:34 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 11/15/2007
DATE: 06/24/2008 BUILDING DETAIL 1 FJR 10:11:09

DRC#

PERMIT # B681892 PLANS: CONST 02 PLOT 5 PLAT 0 DATA 0 EL 2 PL 2

TENANT

BUILDING CODE: CONTR: STOLTZFUS CONSTRUCTION INC

IMPRV 1 ENGR:

USE 07 POLE BARN SELLR:

FOUNDATION BASE WORK: CONSTRUCT POLE BARN ON REAR OF PROPERTY

80'X24'X14'=1920SF.ACCESSORY LETTER ATTACHED

CONSTRUC FUEL SEWAGE WATER

2E 2E

CENTRAL AIR

ESTIMATED COST

18000.00 PROPOSED USE: SFD & BARN

OWNERSHIP: 1 EXISTING USE: SFD

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 08:15:14 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 11/15/2007
DATE: 06/24/2008 GENERAL PERMIT APPLICATION DATA FJR 10:08:48

PERMIT #: B681892 PROPERTY ADDRESS
RECEIPT #: A580188 5616 EMORY RD
CONTROL #: MR SUBDIV: 3168FT NW COR PARRISH RD
XREF #: B681892 TAX ACCOUNT #: 0401036680 DISTRICT/PRECINCT 04 01

OWNERS INFORMATION (LAST, FIRST)

FEE: 65.00 NAME: ALMONY MYRON
PAID: 65.00 ADDR: 5616 EMORY RD 21155
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 11/14/2007 NAME: MYRON ALMONY

ISSUED: 12/24/2007 COMPANY:

OCCPNY: ADDR1: 5616 EMORY RD

FINAL INSPECT: ADDR2: UPPERCO MD 21155

INSPECTOR: 04R PHONE #: 410-833-3283 LICENSE #: 21275954

NOTES: PM/FJR

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

6/04/08

Inspector: Dave Kirby

CASE #: 08-0665

5616 Emory RD
Upper Coe, MD 21155
Zoned RC2

Violation: Failure to cease Home Business
Failure to store only 1 Rec vehicle Failure to remove commercial vehicle
Complaint: Phone call of 1/28/08
Storage Commercial vehicles & P/U tanks

1/29/08 - Initial inspection but could not locate subject address.

1/30/08 - Spoke w/ complainant - site advised Indian Lake Farm and owner has commercial vehicles & P/U tanks in Agricultural zone.

2/04/08 - Found property. Large out buildings behind house housing many different types of trailers. Also various commercial vehicles on property. Photos.

3/07/08 - Knocked on door but no one home. I wanted to check with owner to see if any variance granted. ~~Left cards in~~
~~Door~~ Photos.

4/15/08 - Property the same with out buildings housing all different makes & styles of campers & motor homes.
~~Citation issued Photos.~~
Also large trailer & box truck on property. Collection notice

6/02/03 -

Ple Hearing Inspection. making changes on Plaintiff.
There is every indication that Mr. Almany storing
rec vehicles on Plaintiff as a business. I counted approx.
15 in outbuildings. There continues to be a trailer
and other commercial vehicles on Plaintiff at various times.
Photos.

X Mr. Almany has made no effort to open communication
with me to discuss this Plaintiff and the reason for all
the recreational vehicles, etc. This Plaintiff needs to be
brought into compliance of Baltimore County Code.

D.W.K.



County Board of Appeals of Baltimore County

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

July 2, 2009

Lawrence M. Hammond, Esquire
Hammond & Hammond, LLC
465 Main Street
P.O. Box 569
Reisterstown, MD 21136

Re: *In the Matter of: Myron and Judith Almony, Jr.*
Case No. CBA-09-118

Dear Mr. Hammond:

This letter will acknowledge receipt of your Request for Postponed hand delivered this date in which you request a postponement of the subject case scheduled for hearing on July 22, 2009 to continue to seek a legislative remedy.

Your request will be granted and the matter has been reassigned for hearing to Wednesday, October 21, 2009 at 10:00 a.m., which will allow the additional time you have requested.

A copy of the Notice of Postponement and Reassignment is enclosed. Should you have any questions, please call me at 410-887-3180.

Very truly yours,

A handwritten signature in cursive script, reading "Theresa R. Shelton".

Theresa R. Shelton
Administrator

Enclosure

c: People's Counsel for Baltimore County
Myron and Judith Almony

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

Phone: 410-887-3180

Fax: 410-887-3182

To: Stuart Kelly, Code Enforcement

From: Sunny Cannington, Legal Secretary

Date: July 10, 2009

Re: Sign Posting

Stuart,

I received a call today that the sign had been taken down from a property where a case is still pending before the Board. It would be appreciated if you could return to the property at your earliest convenience to re-post the sign.

Case No.: 09-118-SPH
Case Name: Myron and Judith Almony
Address: 5616 Emory Road
Districts: 4th E; 3rd C

Please advise me of when the sign is replaced so I can mark my file appropriately.

Thank you for all your help and support. Have a wonderful weekend!

Sunny



County Board of Appeals of Baltimore County

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

October 8, 2009

Lawrence M. Hammond, Esquire
Hammond & Hammond, LLC
465 Main Street
P.O. Box 569
Reisterstown, MD 21136

Re: In the Matter of: Myron and Judith Almony
Case No.: 09-118-SPH

Dear Mr. Hammond:

I am writing in response to your Request for Postponement, which you hand delivered to this office on October 6, 2009 requesting a postponement of the subject matter scheduled for October 21, 2009.

Your request for postponement is herewith denied, and the Board will convene as scheduled on October 21, 2009 at 10:00 a.m. to begin hearing this case. This case was previously postponed and rescheduled for hearing. The notice for the October 21, 2009 was issued on July 2, 2009, allowing sufficient time for all parties to prepare for the hearing and ample time for the Petitioners' witnesses to make preparations and/or arrangements for travel. Any issues you may have regarding this matter will be addressed by the Board when it convenes for hearing on October 21, 2009.

In light of the above, the hearing will proceed as scheduled on October 21, 2009 at 10:00 a.m.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

TRS/klc

c: People's Counsel for Baltimore County
Myron and Judith Almony

09-118-SPH

Myron and Judith Almony, Jr.
Legal Owners /Petitioners

5616 Emory Road /
4th Election District; 3rd Councilmanic District

RE: SPH – to allow the continued use of permitted storage buildings to house recreational trailers and motor homes in an R.C. 2 (former R.D.P.) Zone

2/13/09 –DZC decision that in accordance with Section 500.7 of the Baltimore County Zoning Regulations (BCZR), the Petitioner's Request for Special Hearing relief is DENIED and Petitioner shall cease and desist from the storage of vehicles and shall remove the vehicles and trailers currently stored on the property within 90 days.

4/16/09 – Notice of Assignment sent to following; hearing assigned for Wednesday, July 22, 2009 at 10 a.m.:

c:	Counsel for Appellant/Petitioner	: Lawrence M. Hammond, Esquire
	Appellant/Petitioner	: Myron Almony, Jr

Bruce Doak
A.W. Shockney

People's Counsel for Baltimore County
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John E. Beverungen, County Attorney

7/2/09 Mr. Hammond hand delivered a Request for Postponement. People's Counsel does not oppose. Letter granting PP to Mr. Hammond and the matter has been re-assigned to October 21, 2009. Postponement and Re-Assignment Notice sent. Panel Notified.

7/10/09 T/C from Mr. Stuart Merson. The Appeal Sign has been removed from Property and he wanted to ensure that he had not missed a hearing date. I added him to the Address List for future Assignment Notices. Most recent notice copied and sent. I sent Interoffice Notice to Stuart Kelly to put sign back up.

7/10/09 TC (11:40 a.m.) from Mr. Merson. The sign has been replaced. LM for Stuart Kelly re: Don't have to repost.

10/6/09 Request for Postponement filed by Lawrence M. Hammond, Esquire on behalf of Petitioners.

10/8/09	Letter to Mr. Hammond indicating that the Board is DENYING his request for postponement and the hearing will commence as scheduled on 10/21/09
10/20/09	Fax received from Mr. Hammond withdrawing the Appeal.
11/6/09	Order of Dismissal issued by Board.

Case No.:

2009-0118-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan (redlined)	
No. 2	Deed showing Pet's father's purchase of prop. in 1967	
No. 3	Deed showing ownership w/ wife in 1979	
No. 4	Aerial Photograph	
No. 5	Closer aerial photo showing rural character	
No. 6	Plan to accompany photos	
No. 7 A-L	Photos	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



THIS DEED, Made this 14th day of December, in the year one thousand nine hundred sixty-seven, by and between PAUL LEROY STROHM, divorced, of Carroll County, State of Maryland, and FAE ELIZABETH SUNDAY (formerly Fae Elizabeth Strohm) and GEORGE W. SUNDAY, her husband, of the Commonwealth of Pennsylvania, parties of the first part, and MYRON N. ALMONY and MYRON N. ALMONY, JR., of Carroll County, State of Maryland, parties of the second part.

WITNESSETH, that for and in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey unto the said parties of the second part, as tenants in common, their heirs and assigns, in fee simple, all those two lots or parcels of land situate, lying and being partly in Baltimore County and partly in Carroll County, State of Maryland, and described as follows, that is to say:

BEGINNING for the first thereof at a stone marked S.B.G.L. standing at the end of 88 perches in the thirty-fourth line of the tract of land called "Rope-Walk" and running thence South 42 degrees East 59-1/2 perches to the dividing line heretofore fixed and agreed upon by Jacob Gettinger and George Loudenslager, thence binding on said line South 41-1/2 degrees West 51 perches to a stone standing at the beginning of David Abbott's land, thence South 54 degrees East 15.6 perches to a stone marked "A", thence South 16-3/4 degrees West 30-1/2 perches to a stone marked with the letters P.F.G.L., it being the beginning of George Loudenslager's part of "Rope-Walk", thence binding on said part North 72-3/4 degrees West 48 perches to a stone (No. 23), thence North 32-3/4 degrees West 38.3 perches to a stone marked G.L.S.B., thence North 38-1/2 degrees East 94.8 perches to the first place of beginning, a stone marked S.B.G.L.; containing 38 acres 3 roods and 30 perches of land, more or less.

The second thereof being a piece or parcel of land called "Ropewalk" or "Come By Chance" and beginning for the same at a stone marked with the letters P.F.G.L. set up in the ground at the end of 124 perches on the twenty-third line of the whole tract of land called "Ropewalk" and running thence reversely from the outlines of said land and binding thereon after allowing three degrees variation South 70-3/4 degrees East 76 perches to the center of the road leading from Emory Chapel to the Hanover Turnpike Road, thence running with the center of said road North 83-1/2 degrees East 39 perches to the end of the tenth line of George Stocksdale's purchase of Bennetts Garrettson's Estate and thence North 63-1/4 degrees West 102-1/2 perches to a stone marked "A", thence with a straight line to the first place of beginning; containing 13 acres 21 perches of land, more or less.

BEING the same two lots or parcels of land which by Deed dated May 9, 1947, and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1556 folio 530; and the Land Records of Carroll County in Liber E.A.S. No. 194 folio 462, were granted and conveyed by Daphne A. Duncan, unmarried,

APR 5 1968

135.00 MS

PETITIONER'S

EXHIBIT NO.

2

DEED

THIS DEED, made this 23rd day of May, Nineteen Hundred and Seventy-Nine, by and between MYRON N. ALMONY, SR., and MYRON N. ALMONY, JR., of Carroll County, State of Maryland, Grantors, and MYRON N. ALMONY, SR., MYRON N. ALMONY, JR., and JUDITH A. ALMONY, his wife, of Carroll County, State of Maryland, Grantees.

NOW, THEREFORE, this Deed witnesseth that for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said MYRON N. ALMONY, SR., and MYRON N. ALMONY, JR., do hereby grant and convey:

FIRST: An undivided one-half (1/2) interest unto MYRON N. ALMONY, SR., his heirs, personal representatives and assigns, forever in fee simple, to hold as tenants in common with the remaining interest herein conveyed.

SECOND: Unto MYRON N. ALMONY, JR., and JUDITH A. ALMONY, his wife, as tenants by the entirety, their assigns and unto the survivor of them, his or her heirs, personal representatives and assigns, forever in fee simple, to hold as tenants in common with the other undivided one-half (1/2) interest conveyed herein.

The land herein granted and conveyed is all those two lots or parcels of land situate, lying and being partly in Baltimore County and partly in Carroll County, State of Maryland, described as follows:

BEGINNING for the first thereof at a stone marked S.B.G.L. standing at the end of 88 perches in the thirty-fourth line of the tract of land called "Rope-Walk" and running thence South 42 degrees East 59-1/2 perches to the dividing line heretofore fixed and agreed upon by Jacob Gettingger and George Loudenslager, thence binding on said line South 41-1/2 degrees West 51 perches to a stone standing at the beginning of David Abbott's land, thence South 54 degrees East 15.6 perches to a stone marked "A", thence South 16-3/4 degrees West 30-1/2 perches to a stone marked with the letters P.F.C.L., it being the beginning of George Loudenslager's part of "Rope-Walk", thence binding on said part North 72-3/4 degrees West 48 perches to a stone (No. 23), thence North 32-3/4 degrees West 38.3 perches to a stone marked C.L.S.B., thence North 38-1/2 degrees East 94.8 perches to the first place of BEGINNING, a stone marked S.B.G.L.; containing 38 acres 3 rods and 30 perches of land, more or less.

The second thereof being a piece or parcel of land called "Rope-Walk" or "Come by Chance: and beginning for the same at a stone

TRANSFER TAX NOT REQUIRED

William F. Laidman

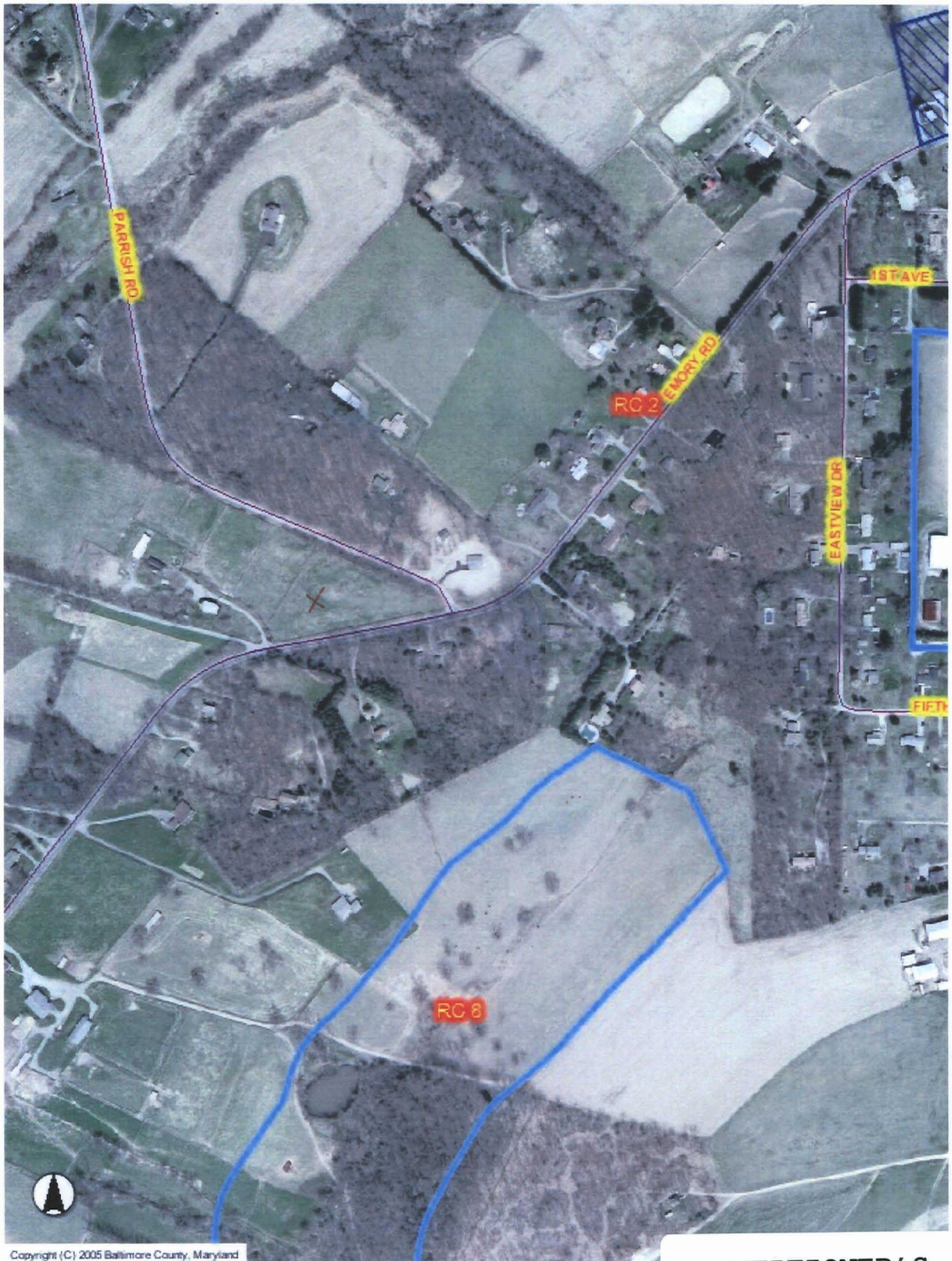
Acting Director of Finance

Per: *[Signature]*Authorized Signature *[Signature]*EES:ryn
5/14/79

PETITIONER'S

EXHIBIT NO.

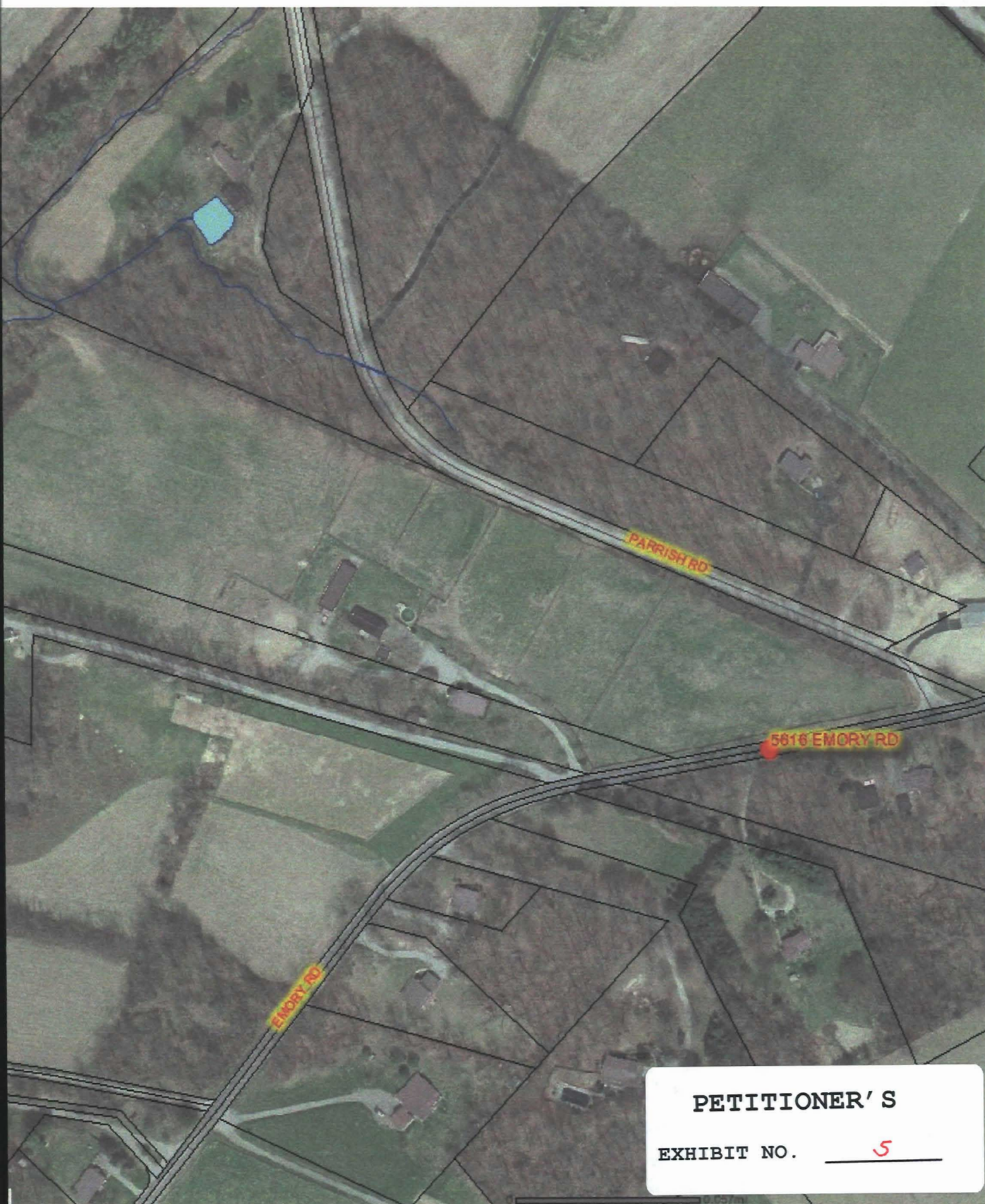
3



Copyright (C) 2005 Baltimore County, Maryland

PETITIONER'S

EXHIBIT NO. 4



PETITIONER' S

EXHIBIT NO. 5



PETITIONER'S

EXHIBIT NO. 7 *PHOTOS*
A-L

E



F



G



H

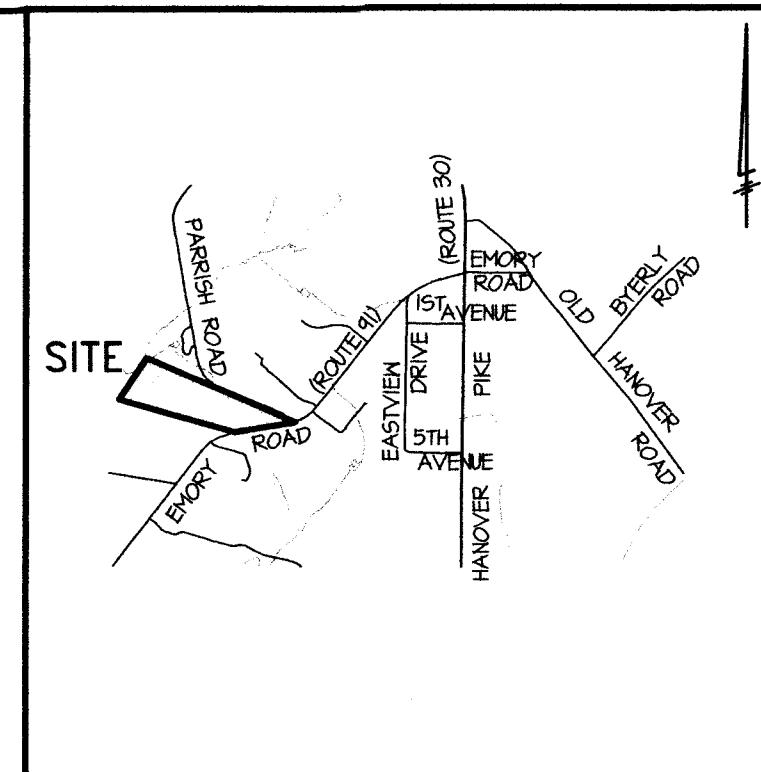




R.C. 2 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

FROM ANY BUILDING FACE TO:
CENTERLINE OF ANY STREET 75'
FROM ANY BUILDING FACE TO:
LOT LINE OTHER THAN A STREET LINE 35'

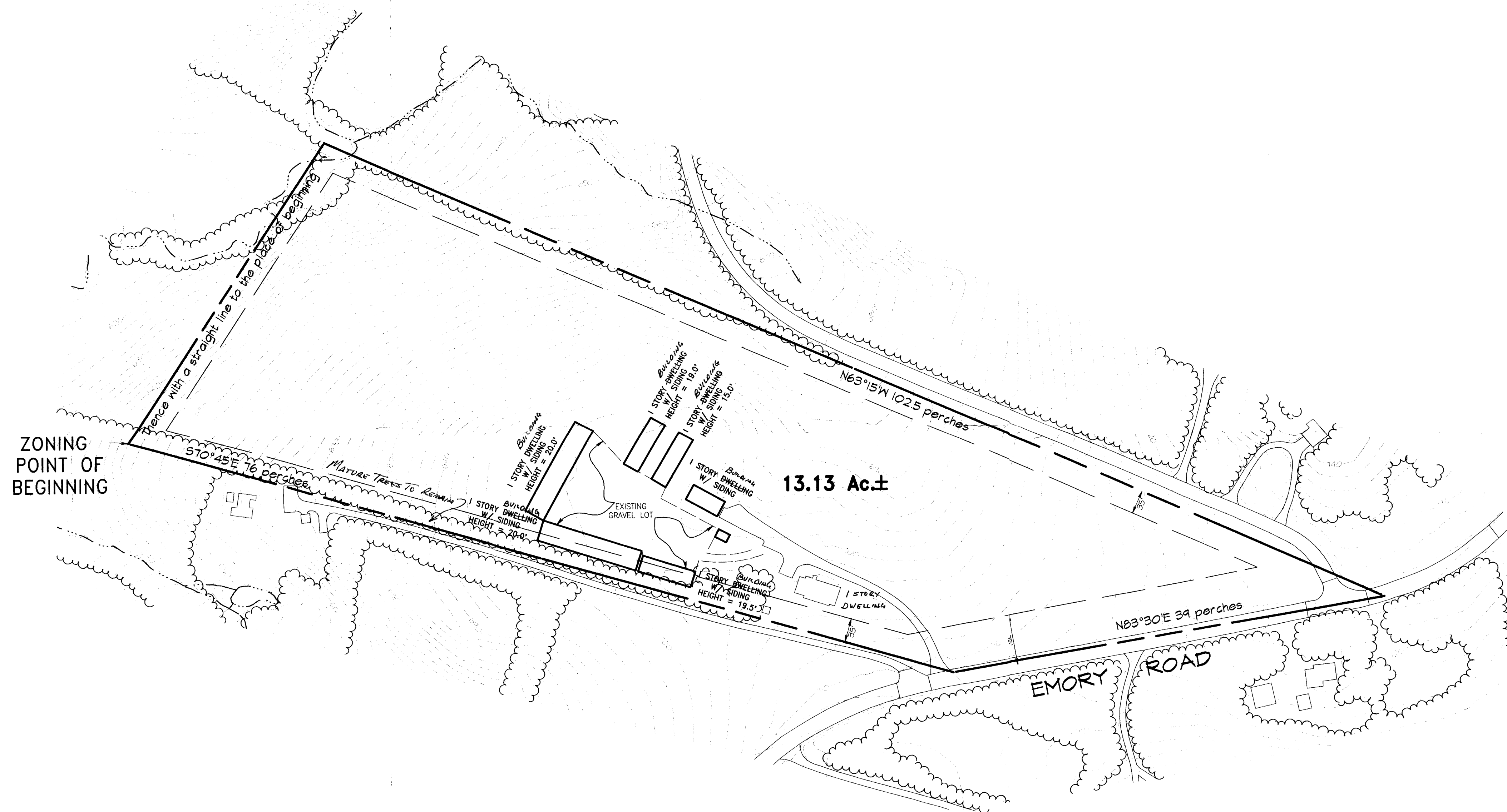
DEED MERIDIAN
(S.M. No. 15275 folio 166)



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 031A1, 031B1.
3. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
4. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
7. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
8. BUILDINGS SHOWN HEREON WERE LOCATED ON AN ASSUMED DATUM AND ROTATED TO GIS.
9. THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE BEFORE 1877. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.



OWNER/DEVELOPER
MYRON N. ALMONY JR.
JUDITH A. ALMONY
5616 EMORY ROAD
UPPERCO, MARYLAND 21155-9757
(410) 833-9675

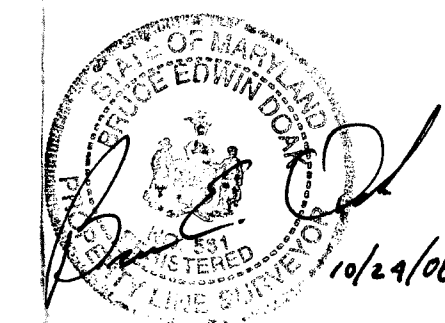
PLAN TO ACCOMPANY A
PETITION FOR SPECIAL HEARING
ALMONY PROPERTY

5616 EMORY ROAD
Deed Ref: S.M. No. 15275 folio 166
Tax Account No.: 04-01-036680
Zoned RC-2 (Former R.D.P.);
GIS Tile 031A1, 031B1
Tax Map 31; Grid 3; Parcel 158
4th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=100' Date: SEPTEMBER 28, 2008

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REASON FOR SPECIAL HEARING
TO ALLOW THE CONTINUED USE OF PERMITTED STORAGE
BUILDINGS TO HOUSE RECREATIONAL TRAILERS AND MOTOR
HOMES IN A RC-2 (FORMER R.D.P.) ZONE.



LEGEND

- EXISTING BUILDING
- SOIL LINE
- WOODS LINE
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

REVISION	DATE	COMPUTED:	DRAWN: CLM	CHECKED:	FILE: X:\VA\Almor
REV LINE PER OFFICE OF PLANNING COMMENT'S	11/16/07				
REVISION PER ZONING	10/23/08				

PETITIONER'S

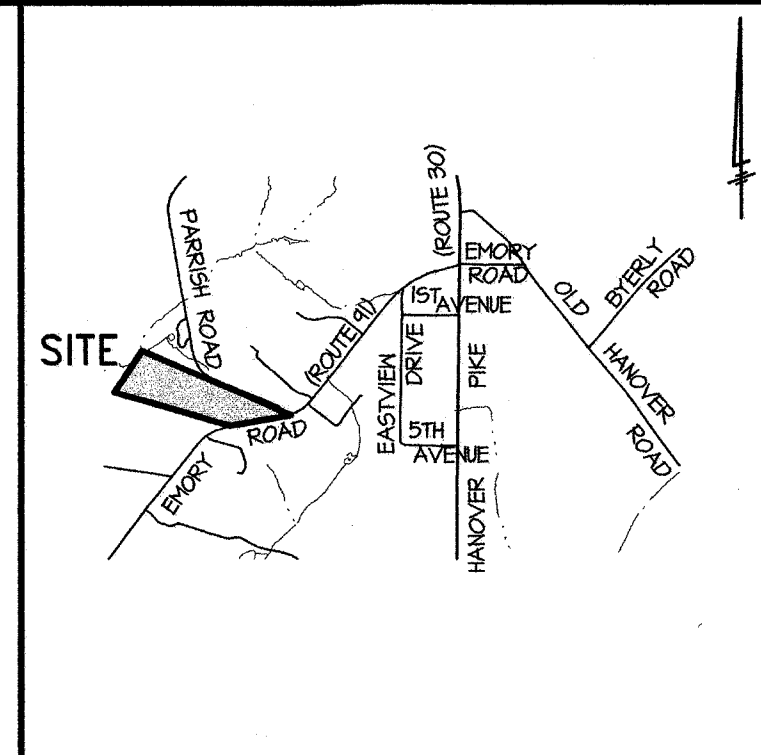
EXHIBIT NO. 1

R.C. 2 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

FROM ANY BUILDING FACE TO:
CENTERLINE OF ANY STREET 75'

FROM ANY BUILDING FACE TO:
LOT LINE OTHER THAN A STREET LINE 35'

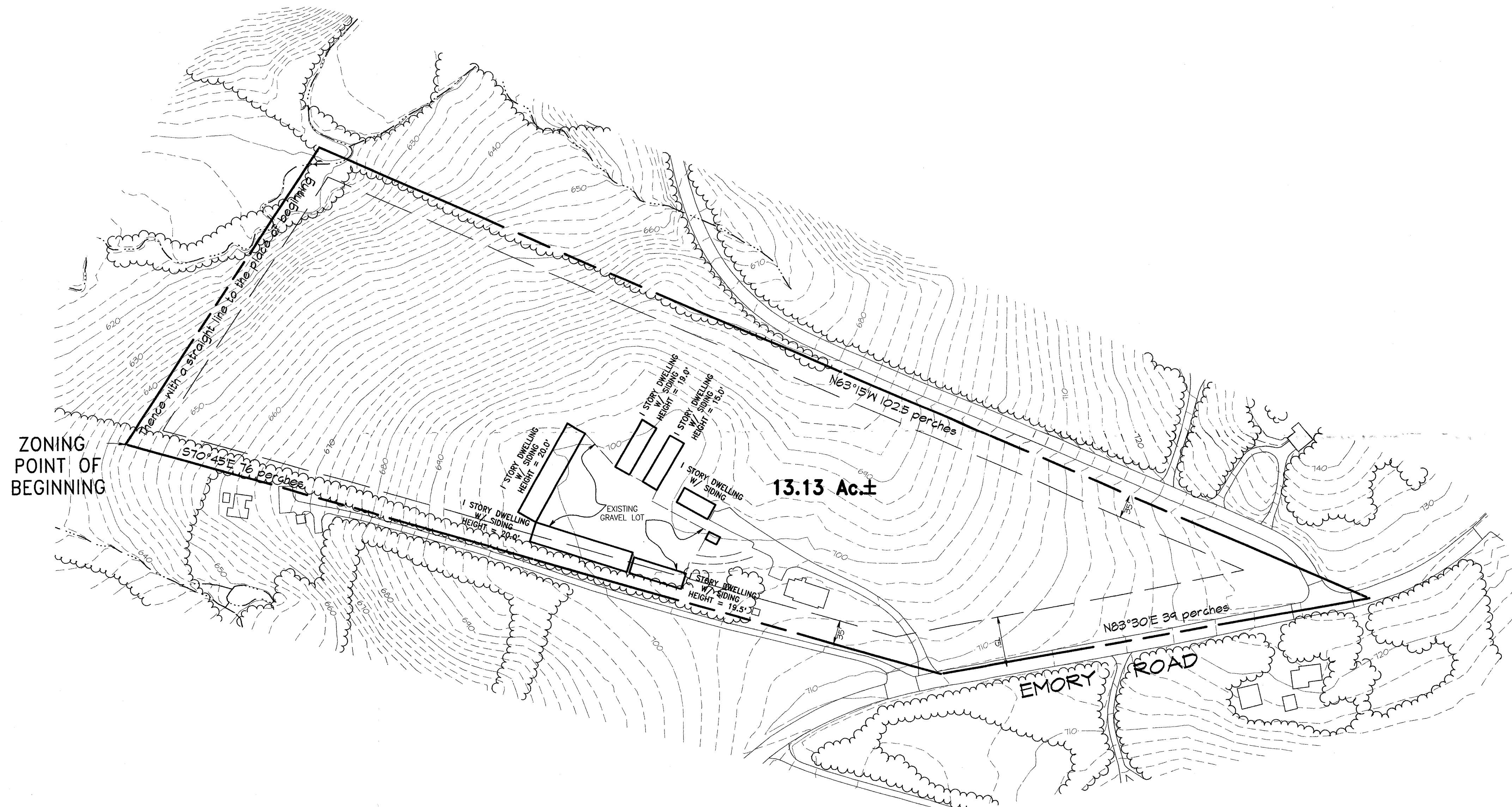
DEED MERIDIAN
(S.M. No. 15275 folio 166)



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 031A1, 031B1.
3. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
4. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
7. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
8. BUILDINGS SHOWN HEREON WERE LOCATED ON AN ASSUMED DATUM AND ROTATED TO GIS.
9. THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE BEFORE 1877. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.



OWNER/DEVELOPER
MYRON N. ALMONY JR.
JUDITH A. ALMONY
5616 EMORY ROAD
UPPERCO, MARYLAND 21155-4757
(410) 833-4675

PLAN TO ACCOMPANY A PETITION FOR SPECIAL HEARING ALMONY PROPERTY

5616 EMORY ROAD
Deed Ref: S.M. No. 15275 folio 166
Tax Account No.: 04-01-036680
Zoned RC-2 (Former R.D.P.);
GIS Tile 031A1, 031B1
Tax Map 31; Grid 3; Parcel 158
4th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



Scale: 1"=100' Date: SEPTEMBER 28, 2008

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REASON FOR SPECIAL HEARING

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BUILDINGS TO HOUSE RECREATIONAL TRAILERS AND MOTOR
HOMES IN A RC-2 (FORMER R.D.P.) ZONE.

LEGEND

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- PROPERTY LINE
- CONTOURS

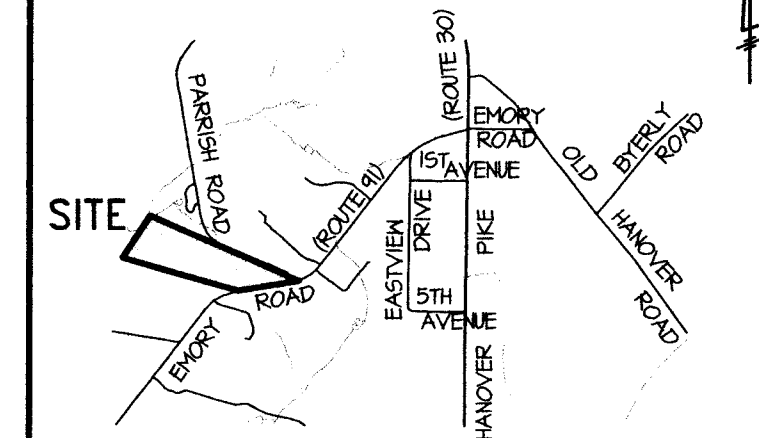
REVISION PER ZONING	10/23/08
REVISION	DATE
COMPUTED:	DRAWN: CLM
CHECKED:	FILE: X:\V\Almony\zoning.pro

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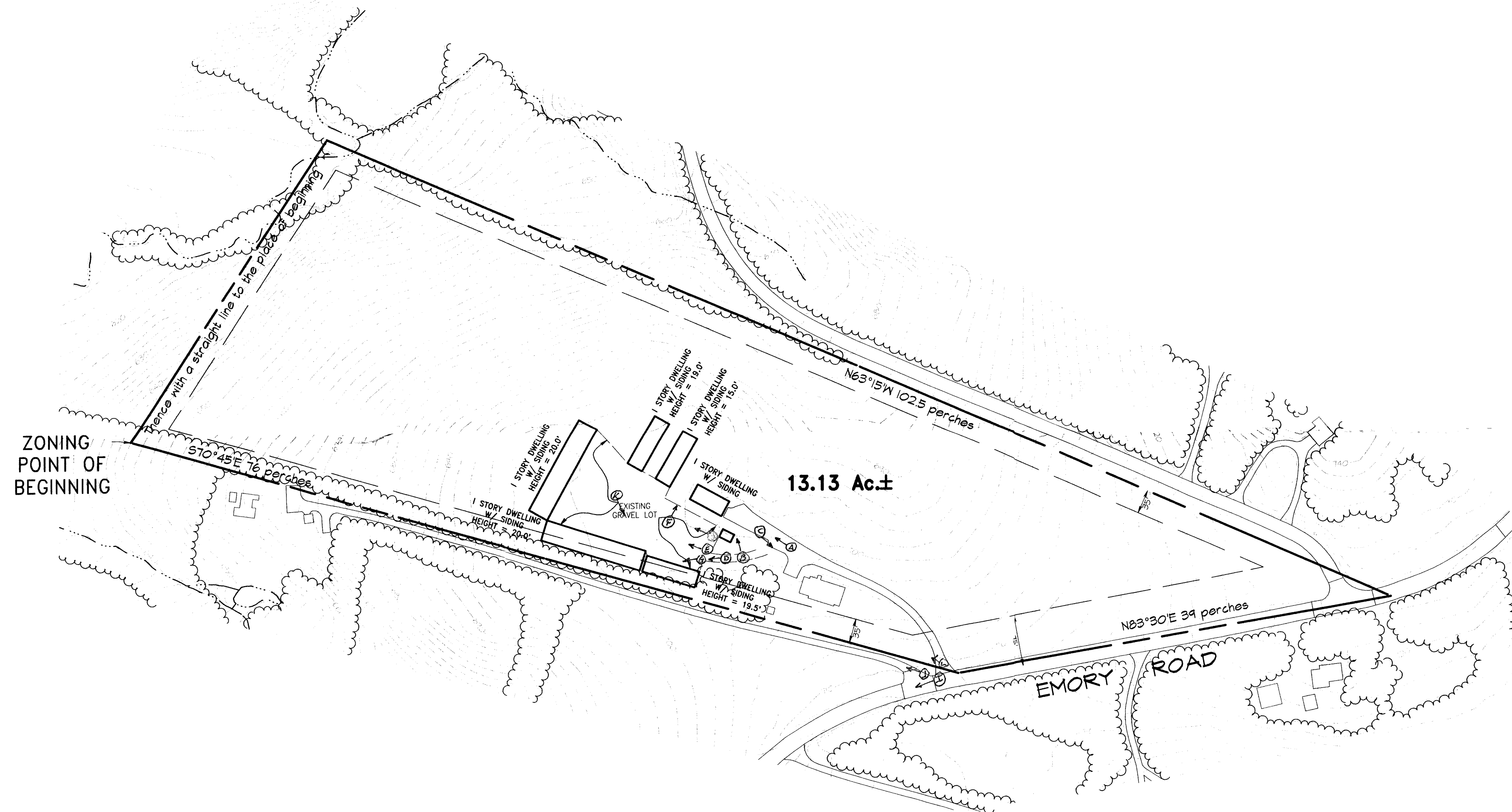
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1" = 2000'

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9. THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE BEFORE 1871. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.



OWNER/DEVELOPER
MYRON N. ALMONY JR.
JUDITH A. ALMONY
5616 EMORY ROAD
UPPERCO, MARYLAND 21155-9175
(410) 833-9675

PLAN TO ACCOMPANY THE PHOTOGRAPHS PLAN TO ACCOMPANY A PETITION FOR SPECIAL HEARING ALMONY PROPERTY

5616 EMORY ROAD
Deed Ref: S.M. No. 15275 folio 166
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Zoned RC-2 (Former R.D.P.);
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LEGEND

EXISTING BUILDING

SOIL LINE

WOODS LINE

EXISTING PAVING

ZONING LINE

PROPERTY LINE

CONTOURS

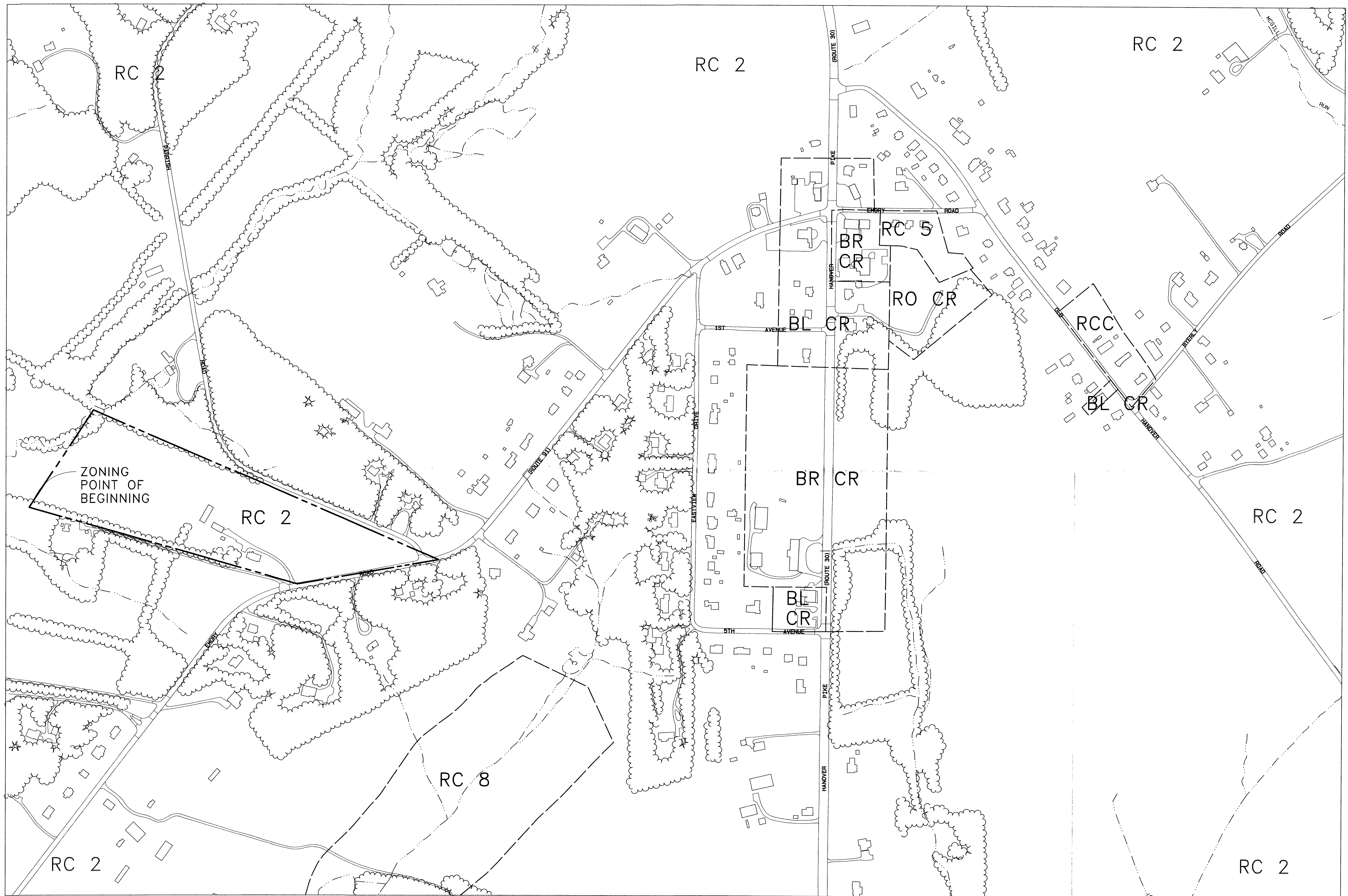
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REVISION PER ZONING	10/23/08	COMPUTED:	DRAWN: CLM	CHECKED:	FILE: X:\VA\Almo
REVISION	DATE				

PETITIONER'S

EXHIBIT NO. 6



ZONING MAP

GIS TILE: 03|B|

SCALE: 1" = 200'