

IN RE: PETITION FOR SPECIAL HEARING

N/W Corner of Old Harford Road and
Jonathans Court
9th Election District
6th Councilmanic District
(8414 Old Harford Road)

Merril E. and Adelina P. Plait
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2011-0205-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Special Hearing filed by the owners of the subject property, Merrill E. and Adelina P. Plat. Petitioners request Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to extend or remove Condition No. 2 in prior Case No. 2010-0108-SPHA wherein the Petitioners were granted two (2) years from the date of approval of the minor subdivision to construct a new home. The subject property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the special hearing request were Petitioners Merrill and Adelina Plait, property owners. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is square-shaped and contains approximately 11,168 square feet or 0.256 acres, more or less, zoned D.R.5.5. The property is approximately 149 feet wide (fronting Old Harford Road) and 149.42 feet wide (at the rear) by 146.19 feet deep and 129.55 feet deep (bordering Sonn Lane) and is located on the

ORDER RECEIVED FOR FILING

Date 2-17-11

By [Signature]

southwest corner of the intersection of Old Harford Road and Sonn Lane, just north of Kings Ridge Road and south of Putty Hill Avenue in the Parkville area.

Further evidence revealed that pursuant to prior Case No. 2010-0108-SPHA approved on January 7, 2010, by Thomas H. Bostwick, Deputy Zoning Commissioner, relief was granted for the subject property with conditions. At that time, the request was the result of the proposed minor subdivision, which was under review and close to being approved by Baltimore County. Once approved, the existing garage would not have a principal dwelling on the same lot, at least until Petitioners built their new home. In order to ensure that this lot would not be left without a principal dwelling for an extended period, Mr. Bostwick conditioned that the special hearing relief granted would be valid only for a period of two (2) years from the date of minor subdivision approval. Stated in another way, if Petitioners did not follow through with their plans to construct a new home on the subject property within two (2) years of the date of approval of the minor subdivision, then the relief would become null and void and Petitioners or subsequent owners would be required to file a subsequent special hearing request to permit an existing accessory structure on a lot without an existing principal dwelling. Hence, this request has now returned before the undersigned for extension or removal of these conditions.

Mr. Plait testified to the various technical delays in completing the minor subdivision process until just before the end of 2010. He noted that the plan for the new construction was dependent on selling the existing dwelling. He observed that, given the present state of the real estate market, the property has only been seen by prospective buyers on a limited basis and no sale has been accomplished. He believed that the chance of sale in the near term future is also quite problematic.

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Date

2-17-11

By



2

He noted that the subject accessory structure has no water or sewer capability at the present time and will remain in that condition until the new residence is built on the site.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record in this case. A specific comment was received from the Office of Planning in which an extension was not opposed. However, a request was made that any relief should be subject to the original five conditions cited in the Zoning Commissioner's Order for Case 2010-0108-SPHA dated January 7, 2010.

Considering all of the testimony and evidence presented, I am persuaded to grant the special hearing relief. I further find that the granting of the relief as set forth herein can be accomplished without injury to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED this 17th day of February, 2011 by this Administrative Law Judge that Petitioners' Special Hearing request from Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to extend or remove Condition No. 2 in prior Case No. 2010-0108-SPHA wherein the Petitioners were granted two (2) years from the date of approval of the minor subdivision to construct a new home, be and is hereby GRANTED; and that said Condition No. 2 is extended for an additional eighteen (18) months.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

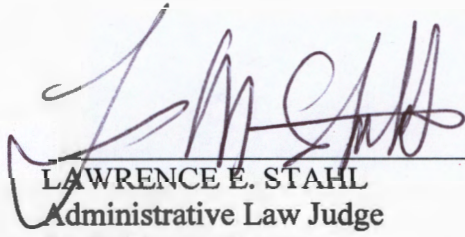
Date 2-17-11

3

By [Signature]

2. All of the conditions imposed by the January 7, 2011 Order issued in this matter shall remain in full force and effect. A copy of said Order is attached hereto and is made a part hereof.
3. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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


LAWRENCE E. STAHL
Administrative Law Judge
for Baltimore County

LES:pz

Attachment

ORDER RECEIVED FOR FILING

Date 2-17-11

By OP

**IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE**

W side of Old Harford Road; 12.5 feet S
of the c/l of Sonn Lane
9th Election District
6th Councilmanic District
(8412 Old Harford Road)

Merril E. and Adelina P. Plait
Legal Owners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY

CASE NO. 2010-0108-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owners of the subject property, Merrill E. and Adelina P. Plait. The Special Hearing request was filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing accessory structure (garage) on a proposed lot without an existing principal structure. The Variance request is from Sections 1B02.3.C, 400.1 and 400.3 of the B.C.Z.R. to permit an existing accessory structure on a proposed lot with a height of 20 feet and to be located on the third of the lot closest to any street in lieu of the maximum permitted 15 feet and the third of the lot farthest removed from any street, and to permit a proposed dwelling on a lot with a side setback of 8 feet and rear setback of 16 feet in lieu of the permitted 10 feet and 30 feet, respectively. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested Special Hearing and Variance relief was Petitioner Merrill Plait. There were no Protestants or other interested persons in attendance.

ORDER RECEIVED FOR FILING

Date 2-17-11

By [Signature]



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

February 17, 2011

MERRIL E. AND ADELINA P. PLAIT
8412 OLD HARFORD ROAD
PARKVILLE MD 21234

Re: Petition for Special Hearing
Case No. 2011-0205-SPH
Property: 8414 Old Harford Road

Dear Mr. and Mrs. Plait:

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 with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the printed name and title of Lawrence M. Stahl.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/pz

Enclosure



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8414 Old Harford Road, Parkville 21234

which is presently zoned D.R.5.5

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

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

(This box to be completed by planner)

To extend or remove condition #2 in the Hearing Officer's original Orders from Zoning Case No. 2010-0108 SPHA where the petitioners were granted 2 (two) years from the date of the approval of the minor subdivision to construct a new home.

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:

Name - Type or Print

Signature

Company

Address

Date

Telephone No.

City

By

State

Zip Code

Legal Owner(s):

Merril E. Plait

Name - Type or Print

Signature

Adelina P. Plait

Name - Type or Print

Signature

8412 Old Harford Road

410.661.3834

Address

Telephone No.

Parkville

MD

21234

City

State

Zip Code

Representative to be Contacted:

Merril Plait

Name

8412 Old Harford Rd

443.668.8102

Address

Telephone No.

Parkville

MD

21234

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No. 2011-0205-SPH

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By

Date

1.5.11

EXHIBIT B1

Lot 1A

Beginning for the same at a point on the west right-of-way line of Old Harford Road (60 feet wide); said point being southerly 150.29 feet from the intersection of Old Harford Road and Sonn Lane (25 feet wide) as shown on right-of-way plat HRW 59-123-1, and recorded among the land records for Baltimore County Maryland in Liber 3891 Folio 333; said point also being on the division line between the lands of Merrill and Adelina Plait and Richard A. and Constance A. Stiefel; running thence, binding on said division line, with bearings referred to the Maryland State Coordinate System (NAD 83/91), as now surveyed:

- 1) South 85° 56' 30" West a distance of 149.14 feet to intersect the South 6° 16' 47" East 262.29 feet line which is the eastern side of Block J as shown on a plat of Kings Ridge dated February 1955, and recorded among same land records in plat book G.L.B. 21 Folio 58 at a point running thence, leaving the aforesaid division line and binding on said eastern side of Block J;
- 2) North 06° 32' 02" West a distance of 71.90 feet to a point; thence leaving said eastern side of Block J, and running through the lands of Merrill and Adelina Plait described in a deed from George S. and Georgia L. Erlbeck to Merrill and Adelina Plait dated July 14, 2004 and recorded among same land records in Liber 20630 Folio 145, for a new line of division, viz;
- 3) North 85° 56' 30" East a distance of 145.43 feet to intersect the previously mentioned western right-of-way line of Old Harford Road at a point; thence binding on said right-of-way line;
- 4) South 09° 28' 33" East a distance of 72.15 feet to the place of beginning. Containing 10,580 square feet or 0.243 acres of land more or less. Said parcel now being known as Lot 1A as shown on a minor subdivision of the "Plait Property" (MSP #05-054M).

The improvements thereon intended to be known as No. 8412 Old Harford Road.

EXHIBIT B2

Lot 1B

Beginning for the same at a point on the west right-of-way line of Old Harford Road (60 feet wide); said point being 12.14 feet southerly from the intersection of Old Harford Road and Sonn Lane (25 feet wide) as shown on right-of-way plat HRW 59-123-1, and recorded among the land records for Baltimore County Maryland in Liber 3891 Folio 333; running thence, binding on the west side of Old Harford Road with bearings referred to the Maryland State Coordinate System (NAD 83/91), as now surveyed.

- 1) South $09^{\circ} 28' 33''$ East a distance of 66.00 feet to a point; running thence, leaving Old Harford Road, and running through the lands of Merrill and Adelina Plait, described in a deed from George S. and Georgia L. Erlbeck to Merrill and Adelina Plait dated July 14, 2004 and recorded in same land records in Liber 20630 Folio 145; for a new line of division, viz;
- 2) South $85^{\circ} 56' 30''$ West a distance of 145.43 feet to intersect the South $06^{\circ} 16' 47''$ East 262.29 feet line which is the eastern side of block J as shown on a plat of Kings Ridge dated February 1955, and recorded among same land records in plat book G.L.B. 21 Folio 58, at a point; running thence binding on said line;
- 3) North $06^{\circ} 32' 02''$ West a distance of 77.86 feet to intersect the southern right-of-way line of Sonn Lane, at a point; said point being at the northeast corner of the aforementioned Block J; running thence, leaving said plat of Kings Ridge and binding on the south side of Sonn Lane;
- 4) North $85^{\circ} 56' 30''$ East a distance of 129.55 feet to a point; thence leaving the south side of Sonn Lane and running;
- 5) South $51^{\circ} 17' 30''$ East a distance of 17.76 feet to the place of beginning. Containing 11,085 square feet or 0.255 acres of land, more or less. Said parcel now being known as Lot 1B as shown on a minor subdivision of the "Plait Property" (MSP #05-054M).

The improvements thereon intended to be known as No. 8414 Old Harford Road.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **62294**

Date: **1.5.11**

PAID RECEIPT

BUSINESS ACTUAL TIME ORN
 1/06/2011 1/05/2011 09:16:41 2

REG DEOS WALKIN 0000 000
 >RECEIPT # 560935 1/05/2011 10FLH

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.-

Dep 5 528 70000 VERIFICATION
 CR NO. 062294

Recpt Tot 875.00
 875.00 CR 9.00 CR
 Baltimore County, Maryland

Total: **75.-**

Rec From: **M. PLAIT**

For: **2011-0305-SPH**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER 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: # 2011-0205-SPH

8414 Old Harford Road

N/W corner of Old Harford Road and Sonn Lane

9th Election District — 6th Councilmanic District

Legal Owner(s): Merrill & Adelina Plait

Special Hearing: to extend or remove condition #2 in the Hearing Officer's original Orders from Zoning Case No. 2010-0108-SPHA where the petitioners were granted 2 (two) years from the date of the approval of the minor subdivision to construct a new home.

Hearing: Friday, February 11, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS 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 1/691 January 25

265793

2/11

CERTIFICATE OF PUBLICATION

1/28/2011

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 1/25/, 2011.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Department of PIA
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

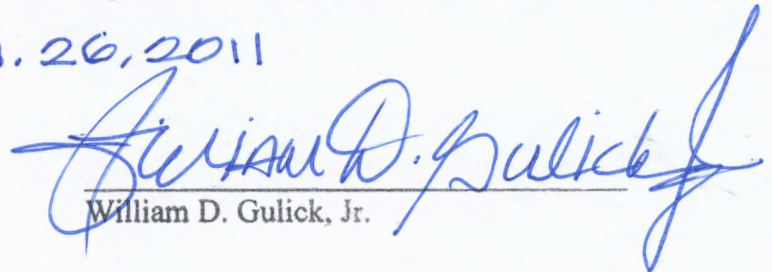
Date: JAN. 26, 2011

Attention: ZONING OFFICE
MS. KRISTEN LEWIS

Re: Case Number: 2011-0205-SPH
Petitioner/Developer: MERRIL & ADELINA PLAIT
Date of Hearing/Closing: / FEB. 11, 2011

This is to certify under the penalties of perjury that the necessary sign (s) required by law were posted conspicuously on the property located at: 8414 OLD HARTFORD RD.

The sign (s) were posted on: JAN. 26, 2011


William D. Gulick, Jr.

SEE ATTACHED
PHOTOS

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293



TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 25, 2011 Issue - Jeffersonian

Please forward billing to:
Merril Plait
8412 Old Harford Road
Parkville, MD 21234

410-661-3834

NOTICE OF ZONING HEARING

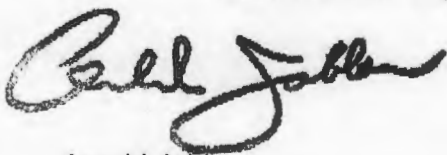
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0205-SPH

8414 Old Harford Road
N/w corner of Old Harford Road and Sonn Lane
9th Election District – 6th Councilmanic District
Legal Owners: Merrill & Adelina Plait

Special Hearing to extend or remove condition #2 in the Hearing Officer's original Orders from Zoning Case No. 2010-0108-SPHA where the petitioners were granted 2 (two) years from the date of the approval of the minor subdivision to construct a new home.

Hearing: Friday, February 11, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections 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.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 20, 2011

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: 2011-0205-SPH

8414 Old Harford Road

N/w corner of Old Harford Road and Sonn Lane

9th Election District – 6th Councilmanic District

Legal Owners: Merril & Adelina Plait

Special Hearing to extend or remove condition #2 in the Hearing Officer's original Orders from Zoning Case No. 2010-0108-SPHA where the petitioners were granted 2 (two) years from the date of the approval of the minor subdivision to construct a new home.

Hearing: Friday, February 11, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Plait, 8412 Old Harford Road, Parkville 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., JANUARY 26, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE LAW HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.
- (4) FOR INCLEMENT WEATHER PLEASE FOLLOW CIRCUIT COURTS SCHEDULE.

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:

2011-0205-SPH

Petitioner:

Merril PLAIT

Address or Location:

8412 OLD HARFORD Rd. Parkville, Md. 21234

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Address:

SAME

Telephone Number:

410-661-3834



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

Mr. Merrill E. & Adelina P. Plait
8412 Old Harford Road
Baltimore, MD 21234

Date January 31, 2011

Dear: Mr. & Mrs. Plait,

RE: 2011-0205-SPH, 8412 Old Harford Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 5, 2011. 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, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

2/11 10 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: February 7, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 8414 Old Harford Road

INFORMATION:

Item Number: 11-205

Petitioner: Merrill E. Plait

Zoning: DR 5.5

Requested Action: Special Hearing

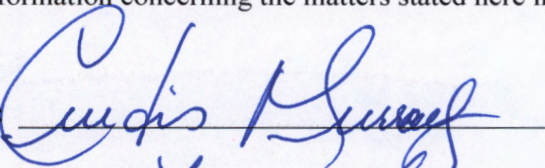
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request an accompanying site plan. The following comments are offered:

The Office of Planning does not oppose the extension of condition 2 of Zoning Case 10-108 SPHA for an additional year. The extension shall be for one year from the date of the subject relief granting. Nonetheless, the relief shall be subject to the original 5 conditions cited in the Zoning Commissioner's Order for case 2010-108 SPHA dated January 7, 2010. Any future relief should carry the same condition.

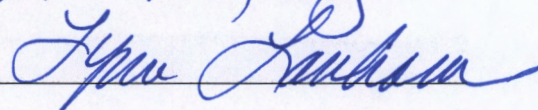
For further information concerning the matters stated here in, please contact Laurie Hay at 410-887-3480.

Prepared by:



Division Chief:

JM/LL: CM



RECEIVED

FEB 09 2011

ZONING COMMISSIONER

LS
2-11-11

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

FEB 04 2011

ZONING COMMISSIONER

TO: Office of Administrative Law

FROM: Dave Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 3, 2011

SUBJECT: Zoning Item # 11-205-SPH
Address 8414 Old Harford Road
(Plait Property)

Zoning Advisory Committee Meeting of January 18, 2011.

X The Department of Environmental Protection and Sustainability has no comments on the above-referenced zoning item.

Reviewer: JWL Date: 2/3/2011



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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 1/21/2011

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

RE: Baltimore County
Item No 2011-0205-SPH
8414 OLD HARFORD ROAD
PLANT PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0205 SPH

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

Very truly yours,

For Steven D. Foster, Chief
Access Management Division

SDF/mb



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

January 14, 2011

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



ATTENTION: Zoning Review

Distribution Meeting of: **January 18, 2011**

Item No.:

Administrative Variance: 2011-0207, 2011- 0210A, 2011-0211A

Special Hearing: 2011-0205-SPH, 2011- 0209-SPH

Variance: 2011-0208A, 2011-0212A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Special Hearing / Exception: 2011-0214-SPHX

Comments:

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code dated July 19, 2010 prior to occupancy or the beginning of operation.

Other Comments:

Special Hearing: 2011-0206-SPH - No comments were made due to the plans being missing from the zoning packet.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 24, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For January 24, 2011
Item Nos. 2011- 205, 206, 207, 208,
209, 210, 211, 212 and 214

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

DAK:CEN:cab
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-01242011 -NO COMMENTS.doc

RE: PETITION FOR SPECIAL HEARING
8414 Old Harford Road
NW/corner of Old Harford Road and Sonn Lane
9th Election and 6th Councilmanic Districts
Legal Owners: Merrill and Adelina Plait

PETITIONER(S)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* CASE NO: 2011-0205-*SPH*

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

JAN 19 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of January, 2011, a copy of the foregoing Entry of Appearance was mailed to:

Merril and Adelina Plait
8414 Old Harford Road
Parkville, MD 21234

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - Re: ZAC Comments

From: Dennis Kennedy
To: Murray, Curtis; Wiley, Debra
Date: 2/7/2011 1:48 PM
Subject: Re: ZAC Comments
CC: Richards, Carl

Deb:
We had no comments on either 2011-205-A or 2011-206-A.
Dennis Kennedy

>>> Debra Wiley 2/6/2011 11:20 AM >>>
Gentlemen,

In reviewing next weeks case files, it appears no comments were contained in the following folders:

2011-0205-SPH (8414 Old Harford Road, Parkville, 21234, Merrill & Adelina Plait) and

2011-0206-SPH (7921 Philadelphia Road Baltimore, 21237, Integrity Industries, LLC) - Floodplain

Thanks for your continued assistance and patience; it is appreciated.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Debra Wiley - ZAC Comments

From: Debra Wiley
To: Murray, Curtis; Kennedy, Dennis
Date: 2/6/2011 11:20 AM
Subject: ZAC Comments

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Legal Administrative Secretary
Office of the Zoning Commissioner
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Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 09 Account Number - 0905740740

Owner Information

Owner Name:	PLAIT MERRIL PLAIT ADELINA	Use:	RESIDENTIAL
Mailing Address:	8412 OLD HARFORD RD BALTIMORE MD 21234-4922	Principal Residence:	YES
		Deed Reference:	1) /20630/ 145 2)

Location & Structure Information

Premises Address	Legal Description
8412 OLD HARFORD RD	.498AC 8412 OLD HARFORD RD SW PRIVATE LANE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
71	19	1273						2	
									Plat Ref:

Special Tax Areas

Town Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1941	1,840 SF	21,678.00 SF	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	STONE

Value Information

	Base Value	Value As Of 01/01/2011	Phase-in Assessments	
			As Of 07/01/2010	As Of 07/01/2011
Land	70,210	70,200		
Improvements:	227,230	177,000		
Total:	297,440	247,200	297,460	247,200
Preferential Land:	0	0	0	0

Transfer Information

Seller:	ERLBECK GEORGE S	Date:	09/01/2004	Price:	\$230,000
Type:	IMPROVED ARMS-LENGTH	Deed1:	/20630/ 145	Deed2:	

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]



PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 8414 OLD HARFORD RD.

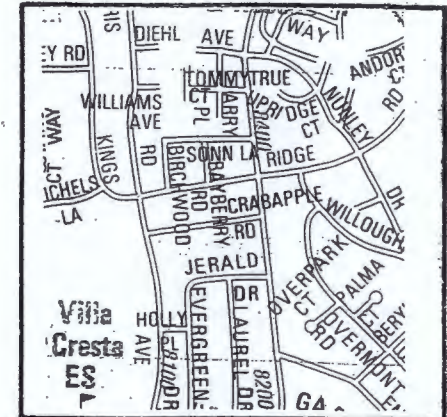
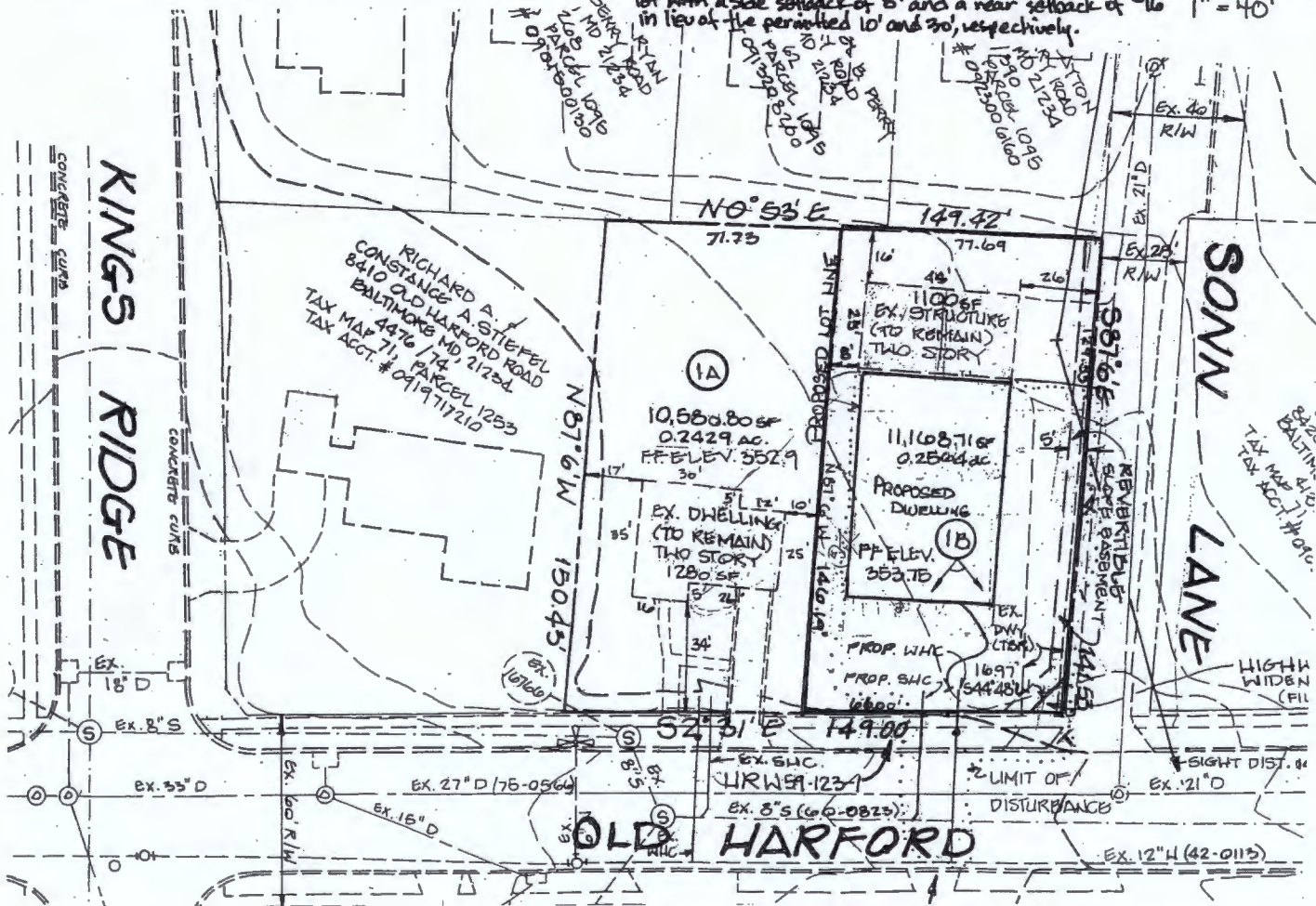
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK # 30158 FOLIO # 484 LOT # — SECTION # —

OWNER MERRIL + ADELINA PLAIT

Previous Hearing: To permit an existing accessory structure on a proposed lot with a height of 20' and to be located in the 1/3 of the lot closest to the side street in lieu of the maximum permitted 15' and farthest 1/3 of the lot and to permit a proposed dwelling on a lot with a side setback of 8' and a rear setback of 10' in lieu of the permitted 10' and 30', respectively.



LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # 071A3

ZONING D.R.55

LOT SIZE 11,168 SQUARE FEET

ACREAGE 0.2564

PUBLIC ☒ PRIVATE ☐

SEWER ☒ WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING 2010-0108 SP1A

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 8414 OLD HARFORD RD.

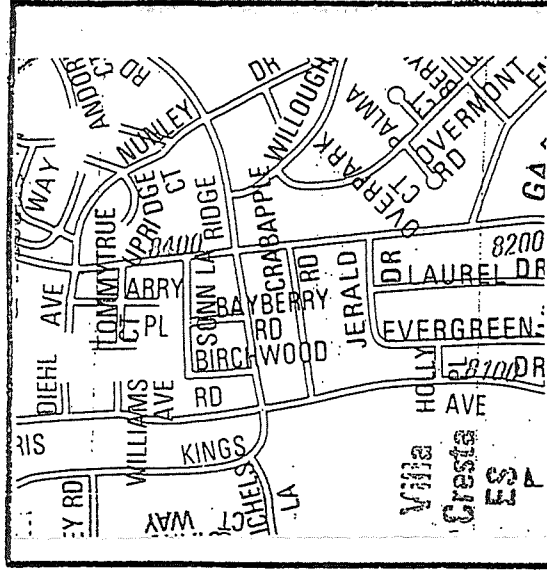
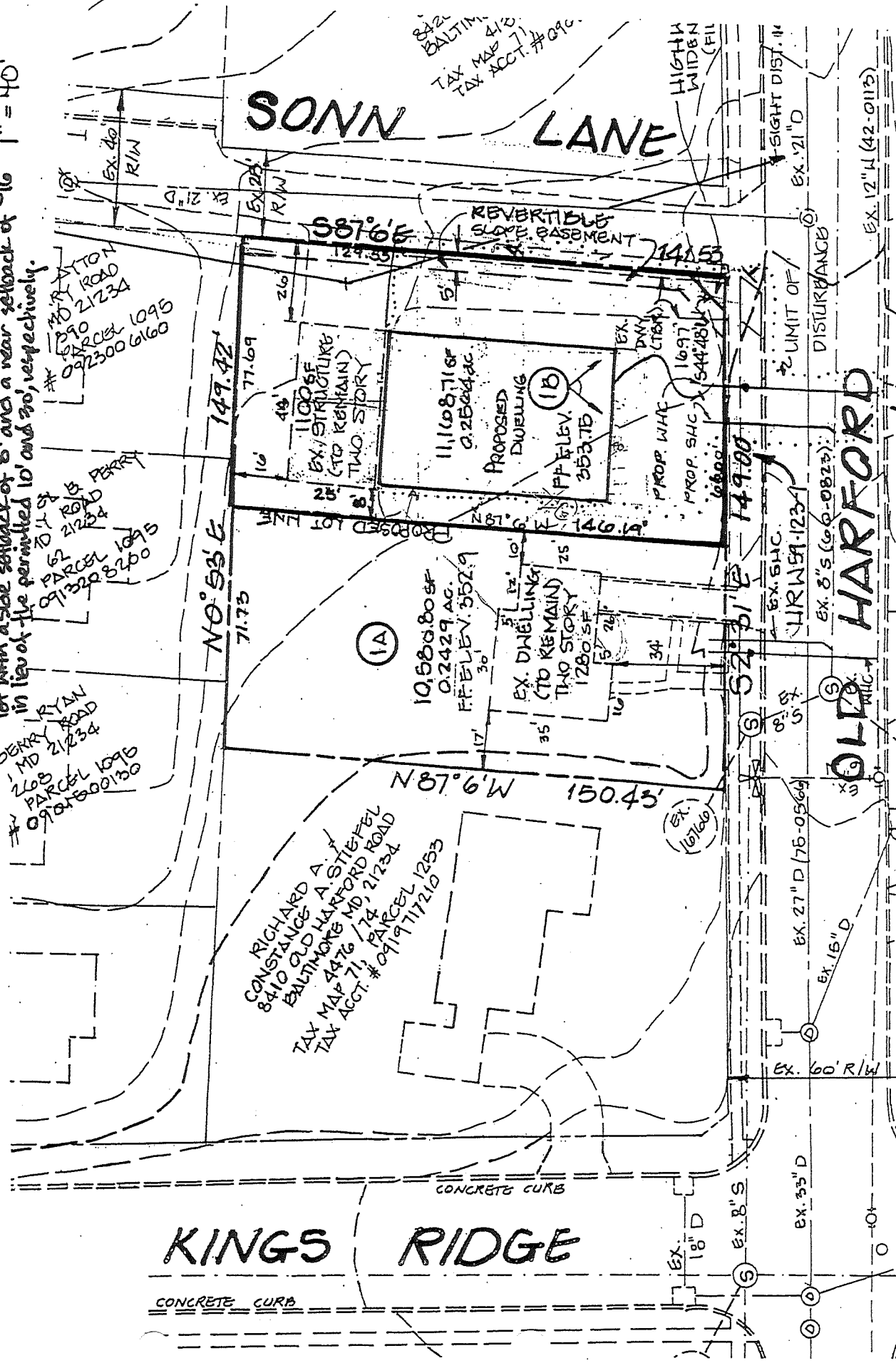
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME

PLAT BOOK #30158 FOLIO # 484 LOT # - SECTION # -

OWNER MERRILL + ADELINA PERIT

Previous Hearing: To permit an existing accessory structure on a proposed lot with a height of 20' and to be located in the 1/3 of the lot closest to the side street in lieu of the maximum permitted 15' and farthest 1/3 of the lot and to permit a proposed dwelling on a lot with a side setback of 8' and a rear setback of 16' = 40' in lieu of the permitted 10' and 30', respectively.



LOCATION INFORMATION	
ELECTION DISTRICT	9
COUNCILMANIC DISTRICT	6
1" = 200' SCALE MAP #	071A3
ZONING	D.R.55
LOT SIZE	11,108 SQUARE FEET
ACREAGE	0.2504
SEWER	☒ PUBLIC ☐ PRIVATE
WATER	☒ ☐
CHESAPEAKE BAY CRITICAL AREA	YES ☐ NO ☒
100 YEAR FLOOD PLAIN	☐ ☒
HISTORIC PROPERTY / BUILDING	☐ ☒
PRIOR ZONING HEARING	2010-0108 SRA
ZONING OFFICE USE ONLY	CASE #
REVIEWED BY	ITEM #