



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

November 27, 2012

Charles B. Marek, III, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No.: 2013-0010-SPH
Property: 18403 Ensor Farm Court

Dear Mr. Marek:

Enclosed please find a copy of the Order of Dismissal rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

IN RE: PETITION FOR SPECIAL HEARING *
(18403 Ensor Farm Court)
7th Election District *
3rd Councilmanic District *
Mark R. and Josephine B. Eber *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0010-SPH

* * * * *

ORDER OF DISMISSAL

This matter came before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Charles B. Marek, III, Esquire with Smith, Gildea & Schmidt, LLC, on behalf of the legal owners, Mark R. and Josephine B. Eber. The Petitioners sought special hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine whether or not the Administrative Law Judge should approve:

- (1) An amendment to the Final Development Plan (FDP) entitled "Ensor Property" for Lot 11 only, to permit an in-ground pool in the rear yard, pursuant to §§ 1A00.4 and 1B01.3, and
- (2) For such and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Although a public hearing was scheduled for Wednesday, November 21, 2012, only Charles B. Marek, Esquire, counsel for Petitioners, appeared. Mr. Marek stated on the record that the Landmarks Preservation Commission (LPC) has given Petitioners permission to construct the in-ground pool, and that the need for special hearing relief is no longer necessary. Whereas, the matter shall be dismissed without prejudice.

ORDER RECEIVED FOR FILING

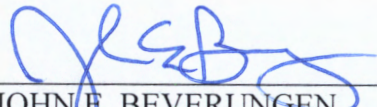
Date 11-27-12

By ew

NOW, THEREFORE, IT IS ORDERED, this 27th day of November, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve:

- (1) An amendment to the Final Development Plan (FDP) entitled "Ensor Property" for Lot 11 only, to permit an in-ground pool in the rear yard, pursuant to §§ 1A00.4 and 1B01.3,

be and is hereby rendered MOOT and the same is hereby DISMISSED WITHOUT PREJUDICE.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 11-27-12

By dlw



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

address 18403 Ensor Farm Court, Parkton, MD 21120

which is presently zoned RC4

Deed Reference 29108/00052

10 Digit Tax Account # 2400003374

Property Owner(s) Printed Name(s) Mark and Josephine Eber

CASE NUMBER _____ Filing Date ____/____/____ Estimated Posting Date ____/____/____ Reviewer _____

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ 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.

2. _____ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. _____ a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)

To be presented at hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Charles B. Marek, III, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200, Towson, MD

Mailing Address

City

State

21204

410-821-0070

cmarek@sgs-law.com

Zip Code

Telephone #

Email Address

Legal Owners:

Mark Eber

Josephine Eber

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

18403 Ensor Farm Court, Parkton, MD

Mailing Address

City

State

21120

410-935-8776

markeber@mac.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Charles B. Marek, III, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200, Towson, MD

Mailing Address

City

State

21204

410-821-0070

cmarek@sgs-law.com

Zip Code

Telephone #

Email Address

REV. 2/23/11

CASE # 2013-0010-SP4M FILING DATE 7/18/12 REVIEWER JSS

ATTACHMENT TO PETITION FOR ZONING HEARING

18403 Ensor Farm Road

Special Hearing to determine whether or not the ALJ should approve:

1. An amendment to the Final Development Plan entitled "Ensor Property" for lot 11 only to permit an in-ground pool in the rear yard, pursuant to BCZR §§ 1A00.4 and 1B01.3; and
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Zoning Description
18403 Ensor Farm Court
Parkton, Maryland

Being a 1.4665 acre parcel on the north side of Ensor Farm Court approximately 1700' east of the intersection with Middletown Road, known as Lot 11 as designated on a plat entitled "Ensor Property" and recorded among the Plat records of Baltimore County at 75/125.

2013-0010-SHX

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF BUDGET AND FINANCE
GENERIC MISCELLANEOUS CASH RECEIPT

No. **87103**

Date: **7-18-12**

PAID RECEIPT

BUSINESS ACTION TIME
 7/18/2012 7/18/2012 13:20:59

REG 0001 WALKER JOHN MTC
 >>RECEIPT # 493399 7/18/2012 OFLJ

Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
806	0000		6150				\$ 75.00

5 526 ZIMING VERIFICATION

NO. 087103

Receipt Tot \$75.00

\$75.00 CR 1.00 CR

Baltimore County, Maryland

Total: **\$ 75.00**

EBER

2013-0010-SPH

DISTRIBUTION

- CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

M E M O R A N D U M

DATE: January 4, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0010-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on December 27, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: 2013-0010-SPH

Petitioner: EBER

Address or Location: 18403 ENSOR FARM CT.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Debbie Gaskins

Address: 600 Washington Ave

Ste 200

Towson, MD 21204

Telephone Number: 410-821-0070



KEVIN KAMENETZ
County Executive

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

October 26, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0010-SPH

18403 Ensor Farm Court

N/s of Ensor Farm Court, approx. 1700 ft. east of intersection with Middletown Road

7th Election District – 3rd Councilmanic District

Legal Owners: Mark & Josephine Eber

Special Hearing to amend the FDP for "Ensor Property" for Lot 11 only to permit an in-ground pool in the rear yard, and for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Wednesday, November 21, 2012 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".

Arnold Jablon
Director

AJ:kl

C: Charles Marek, III, 600 Washington Ave., Ste. 200, Towson 21204
Mr. & Mrs. Eber, 18403 Ensor Farm Ct., Parkton 21120

- NOTES:** (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THUR., NOVEMBER 1, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 1, 2012 Issue - Jeffersonian

Please forward billing to:

Debbie Gaskins
600 Washington Ave., Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2013-0010-SPH

18403 Ensor Farm Court

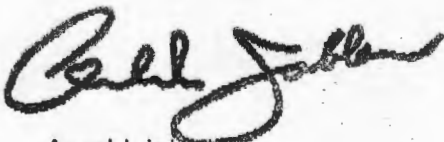
N/s of Ensor Farm Court, approx. 1700 ft. east of intersection with Middletown Road

7th Election District – 3rd Councilmanic District

Legal Owners: Mark & Josephine Eber

Special Hearing to amend the FDP for "Ensor Property" for Lot 11 only to permit an in-ground pool in the rear yard, and for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Wednesday, November 21, 2012 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 ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

CERTIFICATE OF POSTING

2013-0010-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Mark & Josephine Eber

November 20, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

18403 Ensor Farm Court

November 1, 2012

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

November 1, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

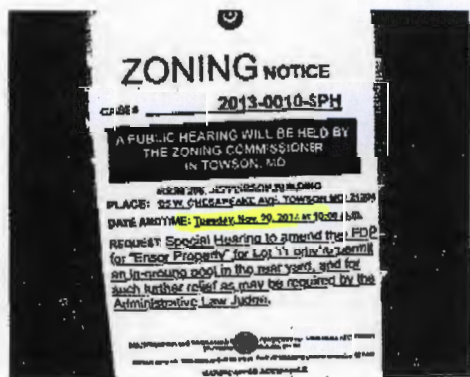
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



Corrected Copy
CERTIFICATE OF POSTING

2013-0010-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Mark & Josephine Eber

November 21, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

18403 Ensor Farm Court

November 1, 2012

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

November 1, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

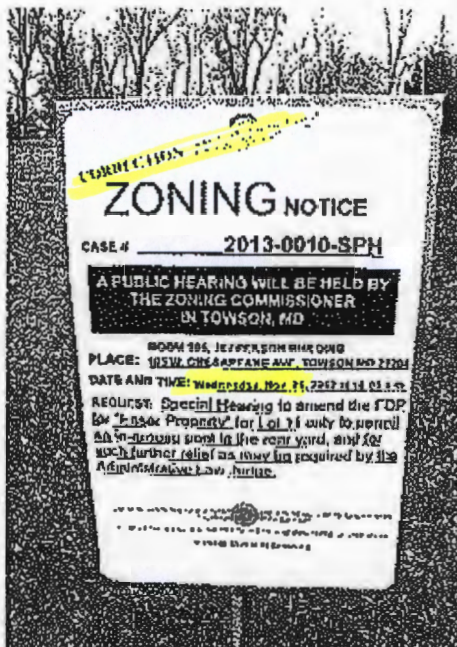
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2013-0010-SPH

18403 Ensor Farm Court

N/s of Ensor Farm Court, approx. 1700 ft. east
of intersection with Middletown Road

7th Election District - 3rd Councilmanic District

Legal Owner(s): Mark & Josephine Eber

Special Hearing to amend the FDP for "Ensor Property" for Lot 11 only to permit an in-ground pool in the rear yard, and for such other and further relief as may be required by the Administrative Law Judge

Hearing: Wednesday, November 21, 2012 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 Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
11/038 November 1 885278



501 N. Calvert Street, Baltimore, MD 21278

November 1, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on November 1, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: #2013-0010-SPH

18403 Ensor Farm Court

N/s of Ensor Farm Court, approx. 1700 ft. east of intersection with Middletown Road

7th Election District - 3rd Councilmanic District

Legal Owner(s): Mark & Josephine Eber

Special Hearing: to amend the FDP for "Ensor Property" for Lot 11 only to permit an in-ground pool in the rear yard, and for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Friday, September 14, 2012 at 11:00 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 Administrative Hearings Office at (410) 887-3868.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
8/320 August 23 870459



501 N. Calvert Street, Baltimore, MD 21278

August 23, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on August 23, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson



KEVIN KAMENETZ
County Executive

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

August 15, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0010-SPH

18403 Ensor Farm Court

N/s of Ensor Farm Court, approx. 1700 ft. east of intersection with Middletown Road

7th Election District – 3rd Councilmanic District

Legal Owners: Mark & Josephine Eber

Special Hearing to amend the FDP for "Ensor Property" for Lot 11 only to permit an in-ground pool in the rear yard, and for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Friday, September 14, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Charles Marek, III, 600 Washington Ave., Ste. 200, Towson 21204
Mr. & Mrs. Eber, 18403 Ensor Farm Ct., Parkton 21120

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 25, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 23, 2012 Issue - Jeffersonian

Please forward billing to:

Debbie Gaskins
600 Washington Ave., Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2013-0010-SPH

18403 Ensor Farm Court

N/s of Ensor Farm Court, approx. 1700 ft. east of intersection with Middletown Road

7th Election District – 3rd Councilmanic District

Legal Owners: Mark & Josephine Eber

Special Hearing to amend the FDP for "Ensor Property" for Lot 11 only to permit an in-ground pool in the rear yard, and for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Friday, September 14, 2012 at 11:00 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 ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
18403 Ensor Farm Court; N/S of Ensor Farm	*	OF ADMINISTRATIVE
Court, Approx. 1700' E of Middletown Road		
7 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Mark & Josephine Eber		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2013-010-SPHA

* * * * *

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

JUL 26 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of July, 2012, a copy of the foregoing Entry of Appearance was mailed to Charles Marek, III, Smith, Gildea & Schmidt, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, , Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CORRECTION

Notice Hearing Date Has Been Corrected
To Read Nov. 21 Instead Of Nov. 20.

ZONING NOT

CASE #

2013-0010.

ZONING NOTICE

CASE # 2013-0010-SPH

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204
DATE AND TIME: Tuesday, Nov. 20, 2012 at 10:00 a.m.

REQUEST: Special Hearing to amend the FDP
for "Ensor Property" for Lot 11 only to permit
an in-ground pool in the rear yard, and for
such further relief as may be required by the
Administrative Law Judge.

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

CORRECTION
Notice Hearing Date has been corrected
to "Wed. Nov. 21, 2012 at 10:00 a.m."
instead of "Nov. 20, 2012 at 10:00 a.m."

ZONING NOTICE

CASE # 2013-0010-SPH

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204
DATE AND TIME: Wednesday, Nov. 21, 2012 at 10:00 a.m.

REQUEST: Special Hearing to amend the FDP
for "Ensor Property" for Lot 11 only to permit
an in-ground pool in the rear yard, and for
such further relief as may be required by the
Administrative Law Judge.

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

HANDICAPPED ACCESSIBLE

9/14 11am

CASE NO. 2013- 0010-SPH

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7-31</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>8-20</u>	PLANNING (if not received, date e-mail sent _____)	<u>Denial</u>
<u>7-24</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. <u>(11-1-12)</u>)		
11-2-12		
NEWSPAPER ADVERTISEMENT	Date: <u>8-23-12</u>	<u>Jefferson</u>
SIGN POSTING	Date: _____	by _____
<u>Rec'd Copy 11-15</u> <u>Missing 9-6-12 and missing for 2nd sig. - Left v.m. for Alyssa 11-14 @ 3:19 pm needing sign posting proof.</u>		
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Debra Wiley - Re: Eber - 10843 Ensor Farm Court

From: Debra Wiley
To: Fiore, Alyssa
Date: 11/15/2012 1:40 PM
Subject: Re: Eber - 10843 Ensor Farm Court

Hi Alyssa,

After speaking to Judge Beverungen, he has indicated that the hearing will go on as scheduled. However, please keep in mind there is a chance that someone may appear on the 20th, and that the hearing room will be closed. In the event this happens and they appear in our office on the 1st floor, we will advise them of the situation.

Also, please inform the sign poster that our office will need the original photos of both sign postings (original & corrected versions) before the actual hearing.

Thanks.

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

>>> Alyssa Fiore <afiore@sgs-law.com> 11/15/2012 12:23 PM >>>
Deb,

As we discussed, a hearing is scheduled for the above matter on November 21, 2012. The sign was posted on November 1, 2012, but Sgt. Black inadvertently indicated on the sign that the hearing was scheduled for November 20, 2012. I have attached for your reference a copies of the Certificates of Posting for this matter (one for the original sign posting indicating the incorrect date and the second dated for today with the correction of the hearing date). I have also enclosed a color photo of the corrected sign.

Please discuss this issue with the ALJ assigned to the matter as soon as possible. We would still like to go forward with the November 21st hearing as scheduled.

Thank you.

Alyssa M. Fiore
Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204

(410) 821-0070
(410) 821-0071 - fax
afiore@sgs-law.com

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this e-mail in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.

Debra Wiley - Eber - 10843 Ensor Farm Court

From: Alyssa Fiore <afiore@sgs-law.com>
To: "dwiley@baltimorecountymd.gov" <dwiley@baltimorecountymd.gov>
Date: 11/15/2012 12:20 PM
Subject: Eber - 10843 Ensor Farm Court
CC: Alyssa Fiore <afiore@sgs-law.com>
Attachments: Certificate of Posting.PDF; Certificate of Posting Correcting hearing date.PDF; 2013-0010-SPH (4).JPG

Deb,

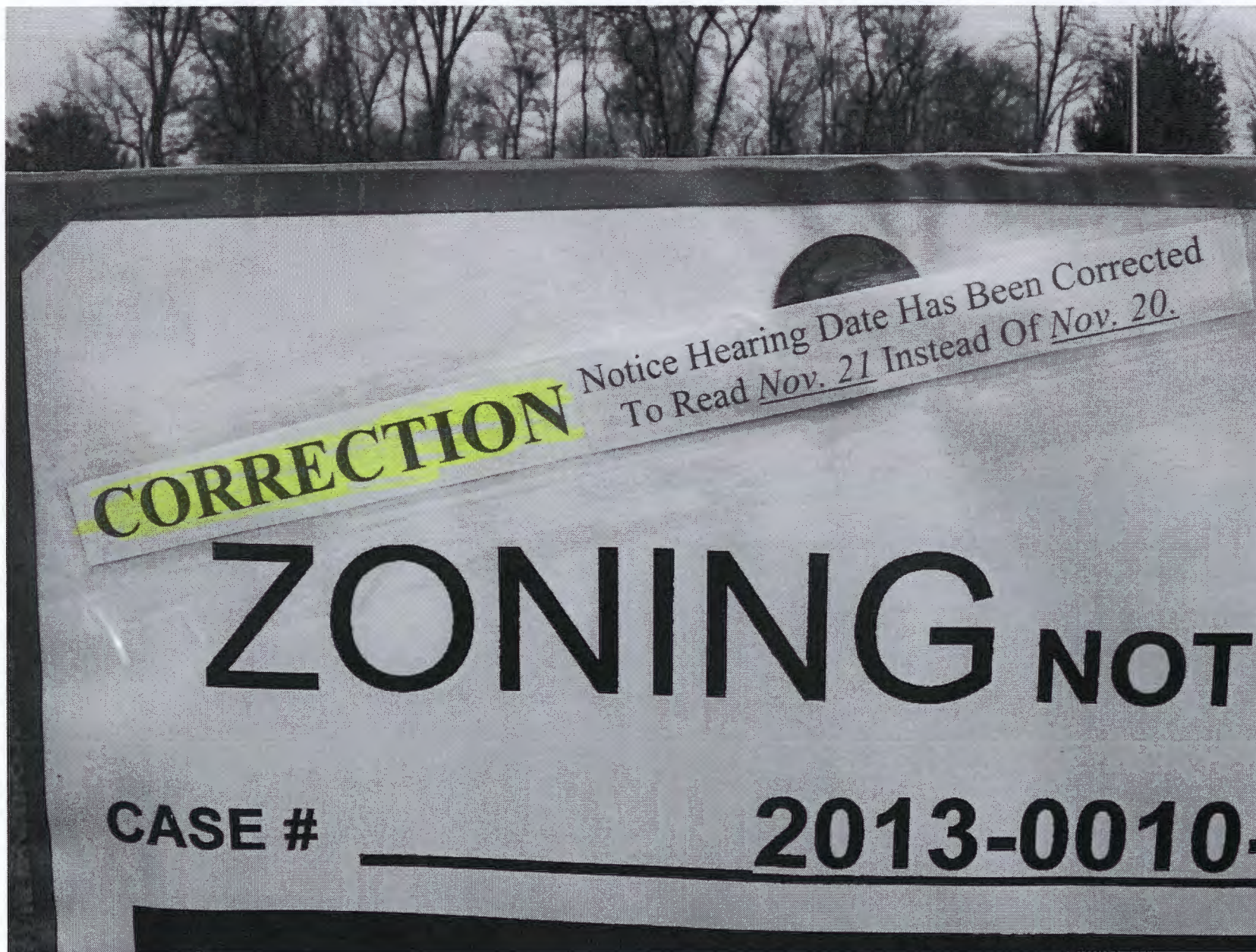
As we discussed, a hearing is scheduled for the above matter on November 21, 2012. The sign was posted on November 1, 2012, but Sgt. Black inadvertently indicated on the sign that the hearing was scheduled for November 20, 2012. I have attached for your reference a copies of the Certificates of Posting for this matter (one for the original sign posting indicating the incorrect date and the second dated for today with the correction of the hearing date). I have also enclosed a color photo of the corrected sign.

Please discuss this issue with the ALJ assigned to the matter as soon as possible. We would still like to go forward with the November 21st hearing as scheduled.

Thank you.

Alyssa M. Fiore
Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204
(410) 821-0070
(410) 821-0071 - fax
afiore@sgs-law.com

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9/14

11am

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

[Go Back](#)
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[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 07 Account Number - 2400003374

Owner Information

Owner Name: EBER MARK R
EBER JOSEPHINE B
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 18403 ENSOR FARM CT
PARKTON MD 21120-9685
Deed Reference: 1) /29108/ 00052
2)

Location & Structure Information

Premises Address 18403 ENSOR FARM CT
0-0000
Legal Description 1.4665 AC
18403 ENSOR FARM CT NS
ENSOR PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0017	0008	0150		0000			11	2	Plat Ref: 0075/0125

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2004	6,611 SF	1.4700 AC	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	251,280	209,400		
Improvements:	575,720	517,000		
Total:	827,000	726,400	726,400	726,400
Preferential Land:	0			0

Transfer Information

Seller: MOCKOVIK VIRGINIA M	Date: 01/22/2010	Price: \$839,000
Type: ARMS LENGTH IMPROVED	Deed1: /29108/ 00052	Deed2:
Seller: NVR INC	Date: 09/08/2004	Price: \$855,000
Type: ARMS LENGTH IMPROVED	Deed1: /20659/ 00097	Deed2:
Seller: MIDDLETOWN INVESTMENT LLC	Date: 05/11/2004	Price: \$151,875
Type: ARMS LENGTH IMPROVED	Deed1: /20038/ 00616	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

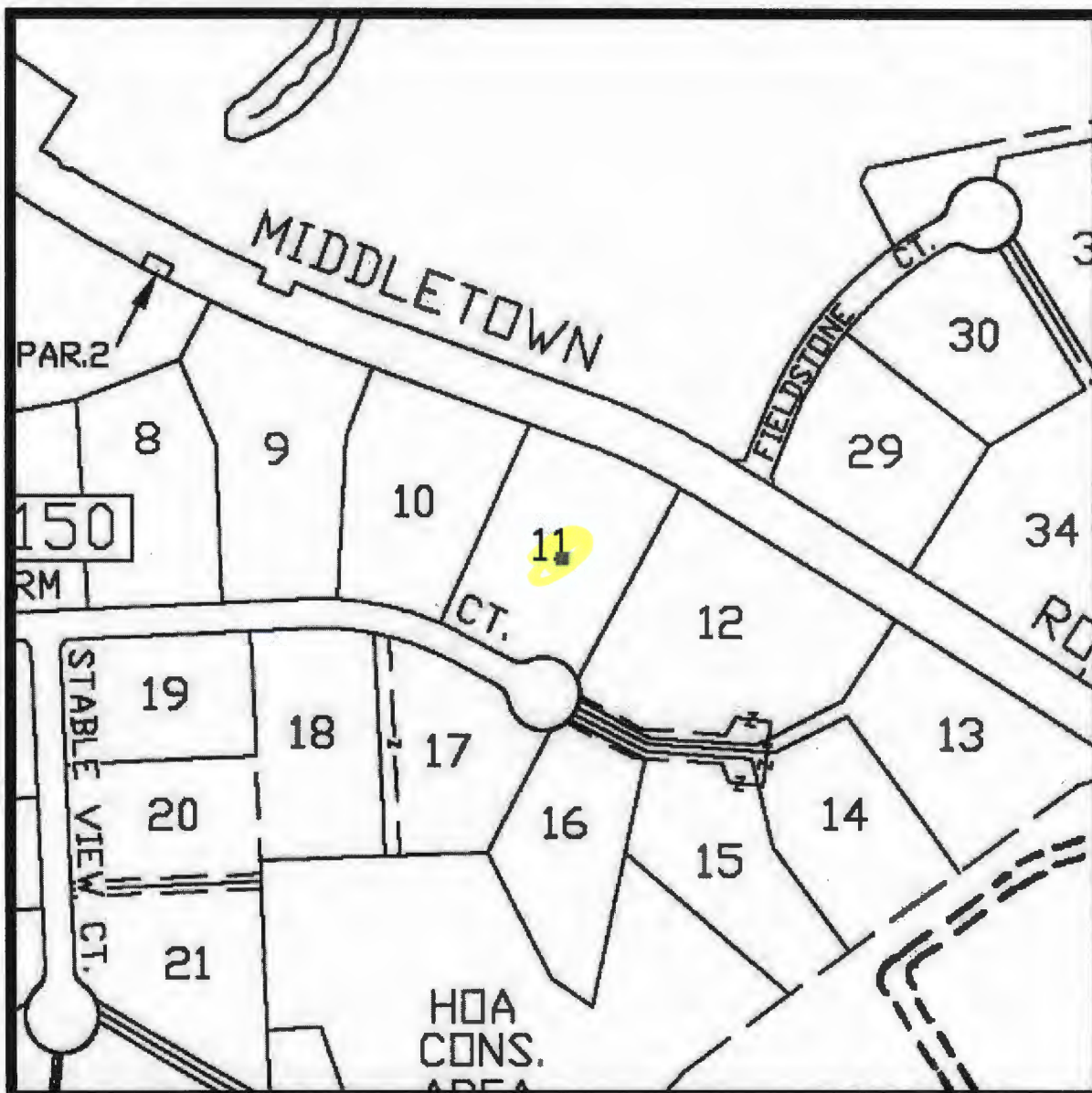
Homestead Application Status: No Application



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 07 Account Number - 2400003374



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

SMITH, GILDEA & SCHMIDT, P.C.

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
D. DUSKY HOLMAN
MICHAEL G. DEHAVEN
RAY M. SHEPARD

LAUREN M. DODRILL
CHARLES B. MAREK, III
NATALIE MAYO
ELYANA TARLOW
JASON T. VETTORI
REBECCA G. WYATT

August 22, 2012

of counsel:

JAMES T. SMITH, JR.

Via Hand Delivery

Arnold Jablon, Director
Department of Permits, Approvals and Inspections
111 W. Chesapeake Ave.
Suite 111
Towson MD 21204

**Re: Eber – Ensor Farm Property
Spirit and Intent Letter**

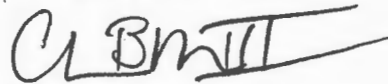
Dear Mr. Jablon:

This firm represents Mark and Josephine Eber and respectfully requests that you find that the proposed amendment of the Final Development Plan ("FDP") is within the spirit and intent thereof. A copy of the FDP is submitted herewith for your review as **Exhibit A**.

Mr. and Mrs. Eber would like to construct a pool on their property. While the pool is not shown on the FDP, a preliminary location can be seen attached hereto as **Exhibit B**. The Ebers intend that the pool will comply with any and all other zoning regulations. It therefore will not necessitate zoning relief, and is within the spirit and intent of the FDP.

Please feel free to contact the undersigned with any additional comments, questions or concerns in regard to the proposed alteration in accordance with the spirit and intent of the FDP. This firm's check in the amount of One Hundred Dollars (\$100.00) is enclosed to cover the cost of your review of this matter. Please confirm your agreement that the proposed pool, so long as it complies with the Baltimore County Zoning Regulations, is within the spirit and intent of the approved FDP by signing below and returning a copy of this letter to the undersigned. As always, I am

Very truly yours,



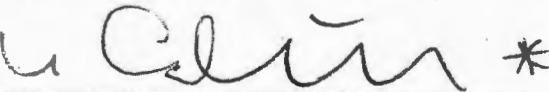
Charles B. Marek, III

CBMIII:sf

Enclosures

CC: Mark and Josephine Eber

ACCEPTED AND APPROVED:



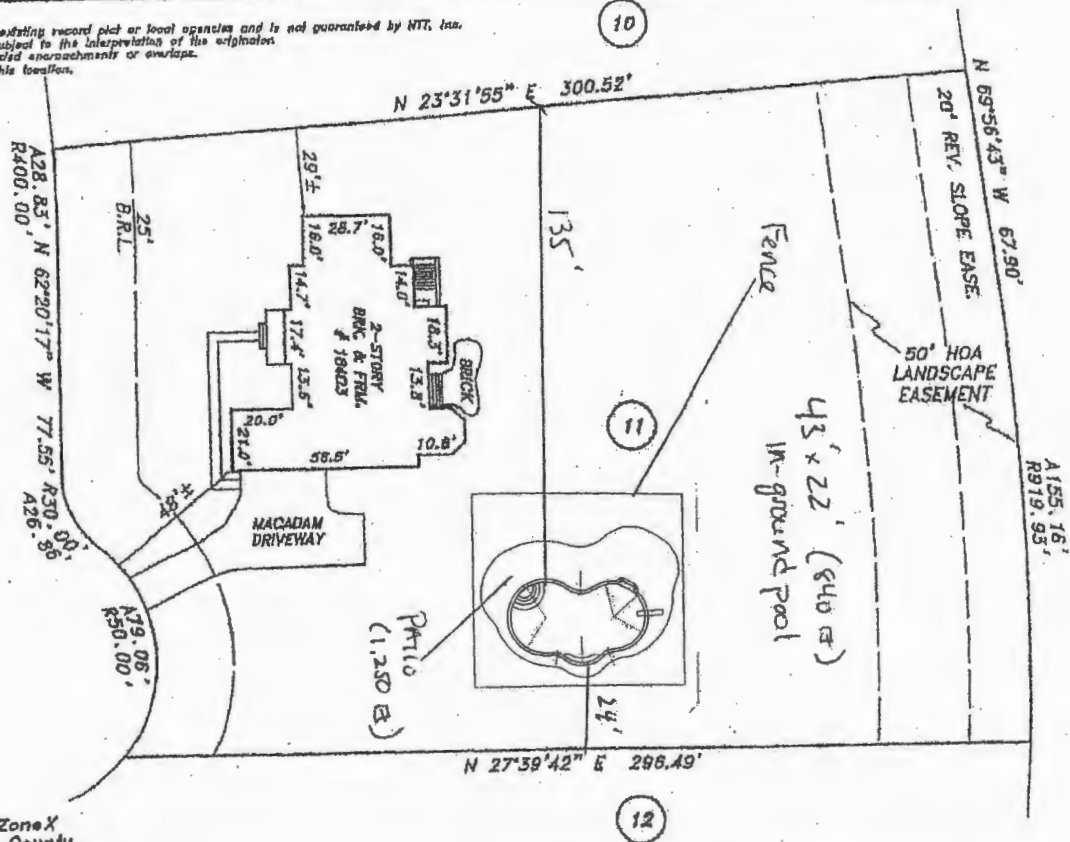
for Arnold Jablon
Director

Department of Permits, Approvals and Inspections

*Zoning OK, However Planning
must review permits*

NOTES:

- 1) R.R. Information, if shown, was obtained from existing record plot or local agencies and is not guaranteed by NIT, Inc.
- 2) Building line and/or Flood Zone information is subject to the interpretation of this originator.
- 3) NIT, Inc. does not certify to unknown or unrecorded encroachments or easements.
- 4) Property markers NOT found, or guaranteed by this location.
- 5) Jetblack distance measurements 1' ±



Subject property is shown in Zone X
on the FIRM Map of Baltimore County,
Maryland on Community Panel
240010 0045 F .Effective Sept. 26, 2008

This is to certify that I have surveyed the property shown hereon,
being known as Lot-11, as shown on the Plat of:
"Ensor Property, Sheet 1 of 4"
recorded among the land records of Baltimore County,
Maryland in Plat Book 75, folio 125-128
for the purpose of locating the improvements thereon.



J. Carl Hudgins PLS #96

LOCATION DRAWING

18403 Ensar Farm Court
Baltimore County, Maryland
Election District - 7

NTT Associates, Inc.

18205 Old Frederick Road
Mt. Airy, Maryland 21771
Ph. (410)442-2031
Fax No. (410)442-1315

Scale: 1"=50'

Date: 12-3-09

Field By: M.R.H.

Drawn By: M.R.H.

Drawing # TM09-0439

Debra Wiley - Change to September Calendar

Fr., Sept. 14th
postponed

From: Debra Wiley
To: OAH Staff
Date: 9/10/2012 1:41 PM
Subject: Change to September Calendar
CC: Lewis, Kristen

Good Afternoon,

Please be advised that the hearing scheduled for Friday, Sept. 14th @ 11 AM (Case No. 2013-0010-SPH) has been postponed due to an error in the sign posting requirement.

OAH will hold onto the file since it was properly advertised and after the hearing time, return the file to the Zoning Review Office.

Please mark your calendars accordingly. Thanks.

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

Debra Wiley - Fwd: Case No. 2013-0010-SPH

From: Debra Wiley
To: Lewis, Kristen
Date: 9/10/2012 1:38 PM
Subject: Fwd: Case No. 2013-0010-SPH
Attachments: Case No. 2013-0010-SPH

Hi Kristen,

Just an FYI

John will hold onto the file through Friday since the property was posted and advertised in the event anyone shows. I spoke to Ms. Fiore and advised her that after the hearing time, the file will be returned to your office. It is then up to her office to advise how to proceed; she thought this was an automatic rescheduling, etc.

Let me know if you have any questions or concerns. Thanks.

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

John Beverungen - Case No. 2013-0010-SPH

From: John Beverungen
To: afiore@sgs-law.com
Date: 09/10/12 12:17 PM
Subject: Case No. 2013-0010-SPH
CC: Debra Wiley; Kristen Lewis

Dear Ms. Fiore,

I am in receipt of a request for postponement of the above matter, scheduled for Friday September 14, 2012, at 11:00 a.m.

The request is granted, and the September 14 hearing will be removed from this Office's calendar.

John Beverungen

Administrative Hearings - 18403 Ensor Farm Court Case No. 2013-0010-SPH

JBS 9-14

11 am

From: Alyssa Fiore <afiore@sgs-law.com>
To: "'administrativehearings@baltimorecountymd.gov'" <administrativehearings...
Date: 9/7/2012 5:41 PM
Subject: 18403 Ensor Farm Court Case No. 2013-0010-SPH
CC: Alyssa Fiore <afiore@sgs-law.com>
Attachments: Letter to Office of Admin.Hearings requesting postponement of 9_14_12 hearing.PDF

Please see attached.

Alyssa M. Fiore
Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204
(410) 821-0070
(410) 821-0071 - fax
afiore@sgs-law.com

RECEIVED**SEP 10 2012****OFFICE OF ADMINISTRATIVE HEARINGS**

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this e-mail in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.

 SMITH, GILDEA & SCHMIDT LLC

JB 9-14
11 AM

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
D. DUSKY HOLMAN
MICHAEL G. DEHAVEN
RAY M. SHEPARD

LAUREN M. DODRILL
CHARLES B. MAREK, III
NATALIE MAYO
ELYANA TARLOW
JASON T. VETTORI
REBECCA G. WYATT

of counsel:

JAMES T. SMITH, JR.

September 7, 2012

Sent via Email

Honorable John Beverungen
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204
administrativehearings@baltimorecountymd.gov

RECEIVED

SEP 10 2012

OFFICE OF ADMINISTRATIVE HEARINGS

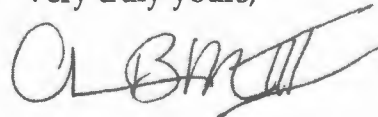
Re: Petition for Special Hearing
Case No. 2013-0010-SPH
18403 Ensor Farm Court

Dear Honorable John Beverungen:

Currently, a hearing is scheduled for Friday, September 14, 2012 at 11:00 a.m. with regard to the above referenced matter. Please be advised that there was an error in the zoning notice sign posting. I hereby respectfully request a postponement of the above captioned case currently scheduled for September 14th.

Thank you for your consideration. I remain,

Very truly yours,



Charles B. Marek, III

CBMIII:amf

Enclosures

cc: Mark and Josephine Eber

9/14 11am
205

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: August 15, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 18403 Ensor Farm Court

RECEIVED

INFORMATION:

AUG 20 2012

Item Number: 13-010

Petitioner: Mark Eber

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: RC 4

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

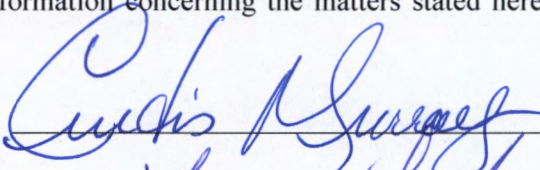
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning recommends denial of the petitioner's request for a special hearing. During the development process the "Ensor Property" was the subject of 3 separate Baltimore County Planning Board meetings, as well as two Landmark Preservation Commission meetings. At the third and final Planning Board meeting, the Board voted to place Architectural Covenants on the Final Development Plan.

These restrictions were placed on lots 3-12 to establish parameters based on the scale and proportions of the Frederick House, which during this time became a Baltimore County Final Landmark Structure with the ultimate goal being to preserve the rural character of the development and historic setting.

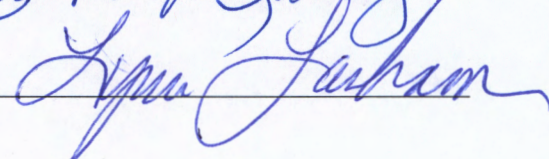
The covenants list swimming pools and tennis courts, and other outdoor amenities as being prohibited on lots 3-12. Potential homeowners of lots 3-12 are provided copies of the Architectural Covenants.

As such, the Department of Planning recommends denial based on the reasons listed above and is further supported by the fact that the Planning Board placed architectural covenants on the Final Development Plan for the "Ensor Property" which are still as pertinent today as they were when this plan was approved. Allowing the petitioner to circumvent these restrictions would be potentially detrimental to immediate neighbors and/or the rest of the community.

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

Prepared by: 

Division Chief:
AVA/LL: CM



Debra Wiley - ZAC Comments - Distribution Mtg. of 7/23

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 7/25/2012 4:00 PM
Subject: ZAC Comments - Distribution Mtg. of 7/23

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2013-0005-A - 12206 Jerusalem Road
Administrative Variance - Closing Date: 8/6

2013-0007-SPHX - 1924 Greenspring Drive
No hearing date in data base as of today

2013-0008-A - 8803 Harkate Way
Administrative Variance - Closing Date: 8/13

2013-0009-A - 2735 A Still Haven Court
Administrative Variance - Closing Date: 8/13

2013-0010-SPHA - 18403 Ensor Farm Court
No hearing date in data base as of today

2013-0011-A - 1502 Burke Road
No hearing date in data base as of today

2013-0012-SPHA - 135 Village Queen Drive - **HISTORIC AREA**
No hearing date in data base as of today

Thanks.

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

Subject: ZAC Comments - Distribution Mtg. of 7/23
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 7/25/2012 4:00 PM
From: Debra Wiley

Recipient	Action	Date & Time	Comment
To: Curtis Murray (cjmurray@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: David Lykens (dlykens@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: Dennis Kennedy (DKennedy@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: Don Muddiman (dmuddiman@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: Jeffrey Livingston (jlivingston@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	
To: Lynn Lanham (mlanham@baltimorecountymd.gov)	Delivered	7/25/2012 4:00 PM	



KEVIN KAMENETZ
County Executive

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

September 6, 2012

Mark & Josephine Eber
18403 Ensor Farm Court
Parkton MD 21120

RE: Case Number: 2013-0010 SPH, Address: 18403 Ensor Farm Court

Dear Mr. & Ms. Eber:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 18, 2012. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Charles B Marek III, 600 Washington Avenue, Suite 200, Towson, MD 21204

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 7-24-12

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

RE: Baltimore County
Item No 2013-0010 - SPHA
Special Hearing
Mark & Josephine Eber
18403 Ensor Farm Court

Dear Ms. Lewis:

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. 2013-0010 - SPHA.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 31, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For August 06, 2012
Item Nos. 2013-0005, 0007, 0008, 0009, 0010 and 0012

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08062012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: August 15, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 18403 Ensor Farm Court

INFORMATION:

Item Number: 13-010

Petitioner: Mark Eber

Zoning: RC 4

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning recommends denial of the petitioner's request for a special hearing. During the development process the "Ensor Property" was the subject of 3 separate Baltimore County Planning Board meetings, as well as two Landmark Preservation Commission meetings. At the third and final Planning Board meeting, the Board voted to place Architectural Covenants on the Final Development Plan.

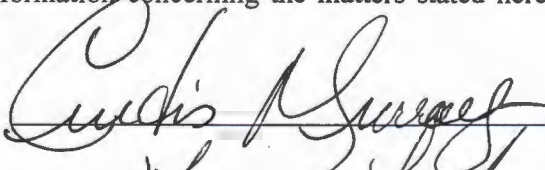
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As such, the Department of Planning recommends denial based on the reasons listed above and is further supported by the fact that the Planning Board placed architectural covenants on the Final Development Plan for the "Ensor Property" which are still as pertinent today as they were when this plan was approved. Allowing the petitioner to circumvent these restrictions would be potentially detrimental to immediate neighbors and/or the rest of the community.

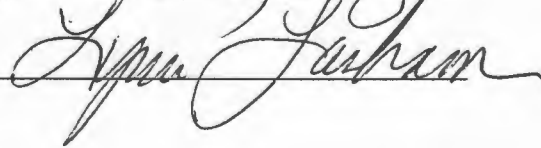
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

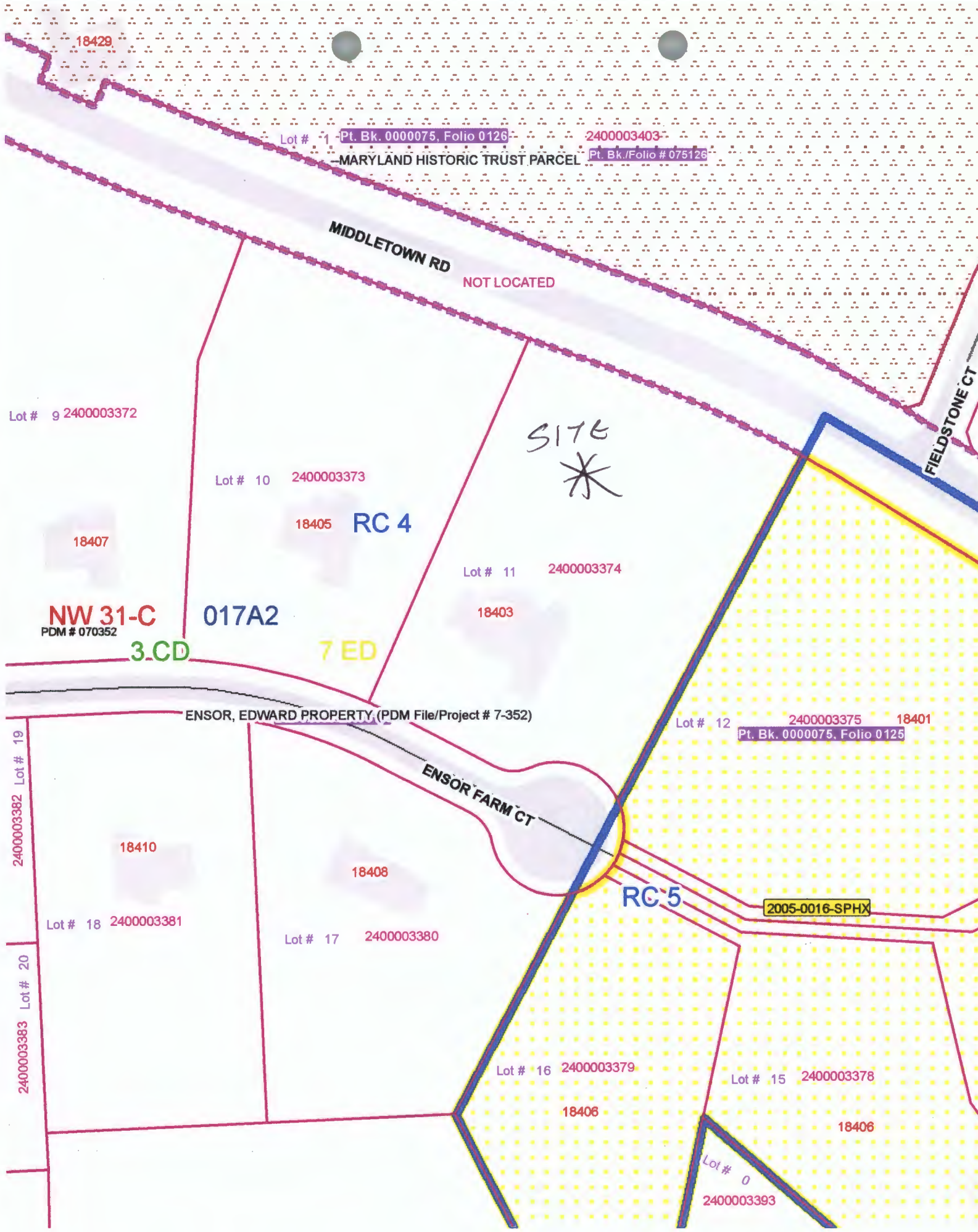
Prepared by:



Division Chief:

AVA/LL: CM





2013-0010-SPHX

