

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(12428 Park Heights Avenue)		
4 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Meyerhoff Irrevocable Trust,	*	HEARINGS FOR
Legal Owner		
Max E. Blumenthal and	*	BALTIMORE COUNTY
Thomas F. O'Neil, Jr., Trustees		
Petitioners	*	CASE NO. 2014-0184-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the trustees of the property, Max E. Blumenthal and Thomas F. O'Neil, Jr., on behalf of the Meyerhoff Irrevocable Trust, legal owner ("Petitioners"). The Petitioners are requesting Variance relief from § 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (pool and deck) in the side yard of the house in lieu of the rear yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

It is to be noted that this administrative variance case closed on April 7, 2014 but was not received by OAH until May 1, 2014; the whereabouts of the case file between these dates is unknown.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted from any of the County reviewing agencies.

ORDER RECEIVED FOR FILING

Date 5-1-14

By DW

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 23, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the B.C.C. and the B.C.Z.R., and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 1st day of May, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (pool and deck) in the side yard of the house in lieu of the rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

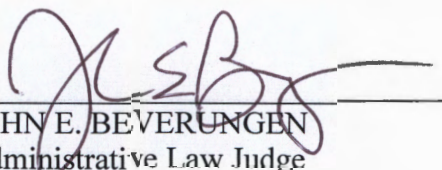
- The Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, 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 5-1-14

By ISW

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 5-1-14

By DLW

KEVIN KAMENETZ
County Executive



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

May 1, 2014

Max E. Blumenthal, Trustee
Thomas F. O'Neil, Jr., Trustee
7 St. Paul Street, Suite 910
Baltimore, Maryland 21202

RE: Petition for Administrative Variance
Case No. 2014-0184-A (Meyerhoff Irrevocable Trust)
Property: 12428 Park Heights Avenue

Dear Messrs. Blumenthal and O'Neil:

Enclosed please find a copy of the decision 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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Rick Richardson, Richardson Engineering, LLC, 30 E. Padonia Rd., Suite 500,
Timonium, MD 21093



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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 12428 Park Heights Avenue which is presently zoned RC-5

Deed Reference 8318/59 10 Digit Tax Account # 2200009713

Property Owner(s) Printed Name(s) Max E. Blumenthal and Thomas F. O'Neil, Jr., Successor Trustees (see attached)

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 400.1 to allow an accessory structure (pool and deck) in the side yard of the house in lieu of the rear yard

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (Indicate type of work in this space to raise, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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 bound 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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

Max E. Blumenthal Thomas F. O'Neil, Jr.

Trustee Trustee

Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

7 St Paul St., Suite 970 Baltimore MD

Mailing Address City State

21202 410-347-0506

Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC, Rick Richardson

Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium MD

Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net

Zip Code Telephone # Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this 3/10/14 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2014-0184-A

Filing Date 3/10/14

Estimated Posting Date 3/11/14

Reviewer RD

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident/home owner(s) of this residential lot, ~~or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:~~

Address: 12428 Park Heights Avenue Owings Mills MD 21117
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

~~The slope of the land on the property and the existing forest Buffer on the lot make the reconstruction of the pool in the rear yard impractical. A variance from the environmental features of the property would be required, which would be a hardship to provide any mitigation for that purpose. The lot is located far from the road and there will not be any impact on adjacent property owners. The land on the lot next to the location of the pool is also Forest Buffer~~

Also, there are not any doors located on the rear of the house where the pool will be located, and there is an at grade entrance on the side of the house as well as steps coming down from the existing deck on the first floor to the location of the pool.

Therefore compliance with the regulations would present a practical difficulty and a hardship on the property owner.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form) *

Max E. Blumenthal
 Signature of Affiant

Max E. Blumenthal, Trustee
 Name- Print or Type

Thomas F. O'Neil, Jr.
 Signature of Affiant

Thomas F. O'Neil, Jr., Trustee
 Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of March, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

THOMAS F. ONEIL JR.

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

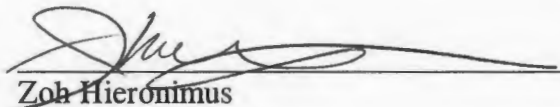
AS WITNESS my hand and Notaries Seal

Adith M. Miller
 Notary Public

1/29/2018
 My Commission Expires

Item #0184

Attachment To
Affidavit in Support of Administrative Variance



Zoh Hieronimus
Trust Beneficiary and
Occupant of Home

STATE OF MARYLAND: CITY/COUNTY OF: Baltimore TO WIT:

I HEREBY CERTIFY that on this 4th day of March, 2014, before me a Notary of Maryland, in and for the City/County aforesaid, personally appeared MAX E. BLUMENTHAL the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal.

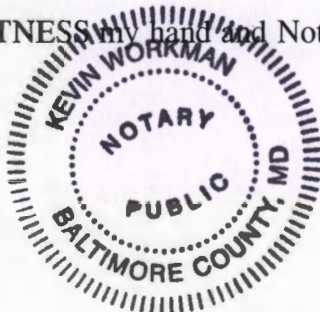


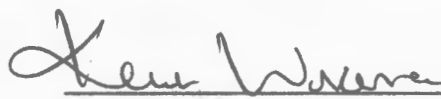

Notary Public
My Commission Expires: 2/5/2015

STATE OF MARYLAND: CITY/COUNTY OF: Baltimore TO WIT:

I HEREBY CERTIFY that on this 5th day of March, 2014, before me a Notary of Maryland, in and for the City/County aforesaid, personally appeared ZOH HIERONIMUS the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal.




Notary Public
My Commission Expires: 6/21/2017

Item #0184

RESIGNATION OF CO-TRUSTEE

I, HARVEY M. MEYERHOFF, Co-Trustee of the Trust created by Joseph Meyerhoff for the benefit of Jill Meyerhoff Hieronimus and her descendants in an Irrevocable Trust Agreement dated October 21, 1954, in exercise of the power conferred upon me in said Irrevocable Trust Agreement, do hereby resign as Co-Trustee of said Trust, effective June 30, 2002.

WITNESS my hand and seal this 26th day of June, 2002.

WITNESS:

Seaborn D. Langa

Harvey M. Meyerhoff (SEAL)
Harvey M. Meyerhoff

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, TO WIT:

On this 26th day of June, 2002, before me, a Notary Public, the undersigned officer, personally appeared HARVEY M. MEYERHOFF, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Christine M. Lennier
Notary Public

My Commission Expires: 6/16/03

I hereby acknowledge receipt of the above instrument this 20th day of June, 2002.

Max E. Blumenthal
Max E. Blumenthal, Co-Trustee

Item #0184

DESIGNATION OF SUCCESSOR CO-TRUSTEE

I, HARVEY M. MEYERHOFF, Co-Trustee of the Trust created by Joseph Meyerhoff for the benefit of Jill Meyerhoff Hieronimus and her descendants in an Irrevocable Trust Agreement dated October 21, 1954, in exercise of the power conferred upon me in said Irrevocable Trust Agreement, do hereby designate Eugene H. Schreiber to become successor Co-Trustee of said Trust to me in my place and stead should I die, resign or become unable to act as Co-Trustee of said Trust. This Designation shall be effective unless it is revoked by another Designation hereafter executed by me.

WITNESS my hand and seal this 14th day of October, 1998.

WITNESS:

Rebecca S. Pehr Harvey M. Meyerhoff (SEAL)

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, TO WIT:

On this 14th day of October, 1998, before me, a Notary Public, the undersigned officer, personally appeared HARVEY M. MEYERHOFF, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Rebecca S. Pehr
Notary Public

My Commission Expires: 12/26/98

I hereby acknowledge receipt of the above instrument and do accept the fiduciary position therein conferred upon me this 16th day of October, 1998.

Eugene H. Schreiber
Eugene H. Schreiber

RESIGNATION OF CO-TRUSTEE

I, EUGENE H. SCHREIBER, Co-Trustee of the Trust created by Joseph Meyerhoff for the benefit of Jill Meyerhoff Hieronimus and her descendants in an Irrevocable Trust Agreement dated October 21, 1954, in exercise of the power conferred upon me in said Irrevocable Trust Agreement, do hereby resign as Co-Trustee of said Trust, effective immediately.

WITNESS my hand and seal this 13th day of October, 1998.

WITNESS:

Patricia L. Creighton Eugene H. Schreiber (SEAL)

STATE OF MARYLAND, ~~CITY~~/COUNTY OF BALTIMORE, TO WIT:

On this 13th day of October, 1998, before me, a Notary Public, the undersigned officer, personally appeared EUGENE H. SCHREIBER, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Danise M. Davis
Notary Public

My Commission Expires: May 1, 2000

We hereby acknowledge receipt of the above instrument this 23rd day of October, 1998.

Harvey M. Meyerhoff
Harvey M. Meyerhoff

Max E. Blumenthal
Max E. Blumenthal

DESIGNATION OF SUCCESSOR CO-TRUSTEE

I, EUGENE H. SCHREIBER, Co-Trustee of the Trust created by Joseph Meyerhoff for the benefit of Jill Meyerhoff Hieronimus and her descendants in an Irrevocable Trust Agreement dated October 21, 1954, in exercise of the power conferred upon me in said Irrevocable Trust Agreement, do hereby designate Max E. Blumenthal to become successor Co-Trustee of said Trust to me in my place and stead should I die, resign or become unable to act as Co-Trustee of said Trust. This Designation shall be effective unless it is revoked by another Designation hereafter executed by me.

WITNESS my hand and seal this 4th day of April, 1997.

WITNESS:

Leticia L. Bright Eugene H. Schreiber (SEAL)
Eugene H. Schreiber

STATE OF MARYLAND, ~~CITY~~/COUNTY OF BALTIMORE, TO WIT:

On this 4th day of April, 1997, before me, a Notary Public, the undersigned officer, personally appeared EUGENE H. SCHREIBER, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Antoinette M. Coffland
Notary Public

My Commission Expires: 7/18/98

I hereby acknowledge receipt of the above instrument and do accept the fiduciary position therein conferred upon me this 8 day of April, 1997.

Max E. Blumenthal
Max E. Blumenthal

54.8

DESIGNATION OF CO-TRUSTEE AND RESIGNATION.

Joseph Meyerhoff, of the City of Baltimore, State of Maryland, has heretofore executed an Irrevocable Trust Agreement dated October 21, 1954 for his granddaughter, Jill Meyerhoff, with Paul R. Kach and Moses W. Rosenfeld as Trustees (the "Original Trustees").

On February 26, 1970, the Original Trustees designated Eugene H. Schreiber to become Successor Trustee after the death or resignation of the first of the said Paul R. Kach and Moses W. Rosenfeld to die or resign.

On September 7, 1970, the said Moses W. Rosenfeld died, and the said Eugene H. Schreiber became a Co-Trustee under said Irrevocable Trust Agreement with the said Paul R. Kach.

The undersigned Trustees hereby exercise the power conferred upon them in said Irrevocable Trust Agreement and do hereby designate Harvey M. Meyerhoff to become Co-Trustee with them under said Irrevocable Trust Agreement and/or to become Successor Trustee after the death or resignation of the present Trustees.

WITNESS the hands and seals of the Trustees this 10th day of February, 1975.

WITNESS:

<u>Jamie L. Schofield</u>	<u>Paul R. Kach</u> (SEAL)
<u>Jamie L. Schofield</u>	<u>Eugene H. Schreiber</u> (SEAL)

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

On this 10th day of February, 1975, before me, a Notary Public, the undersigned officer, personally appeared Paul R. Kach and Eugene H. Schreiber, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Jamie L. Schofield
Notary Public
My Commission Expires July 1, 1978

Item #018

Receipt of the above is hereby acknowledged and the Co-Trusteeship is hereby accepted on the above date.

Harvey M. Meyerhoff
Harvey M. Meyerhoff

The undersigned, PAUL R. KACH, does hereby resign as Co-Trustee under said Irrevocable Trust Agreement.

WITNESS my hand and seal this 11th day of February, 1975.

WITNESS:

James L. Schofield Paul R. Kach (SEAL)
Paul R. Kach

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

On this 11th day of February, 1975, before me, a Notary Public, the undersigned officer, personally appeared Paul R. Kach, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal

James L. Schofield
Notary Public
My Commission Expires July 1, 1978

Receipt of the above resignation is hereby acknowledged this 14th day of February, 1975.

Eugene H. Schreiber
Eugene H. Schreiber

Harvey M. Meyerhoff
Harvey M. Meyerhoff

Item # 0184

Joseph Meyerhoff, of the City of Baltimore, State of Maryland, has heretofore executed an Irrevocable Trust Agreement dated October 21, 1954, for his granddaughter Jill Meyerhoff with Paul R. Kach and Moses W. Rosenfeld as Trustees (the "Trustees").

The Trustees hereby exercise the power conferred upon them in said Irrevocable Trust Agreement and do hereby designate Eugene H. Schreiber to become successor trustee after the death or resignation of the first of the said Paul R. Kach and Moses W. Rosenfeld to die or resign.

WITNESS the hands and seals of the Trustees this 26th day of February 1970.

Witness as to both:
Ernest S. Weintraub

Paul R. Kach (SEAL)
Paul R. Kach

Moses W. Rosenfeld (SEAL)
Moses W. Rosenfeld

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

On this the 26th day of February, 1970, before me, a Notary Public, the undersigned officer, personally appeared PAUL R. KACH and MOSES W. ROSENFELD, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Ernest S. Weintraub
Notary Public

My Commission Expires July 1, 1970

Receipt of the above is hereby acknowledged on the above date.

Eugene H. Schreiber
Eugene H. Schreiber

Item #0184

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

tel. 410-560-1502
fax 443-901-1208

**ZONING PROPERTY DESCRIPTION FOR
#12428 PARK HEIGHTS AVE.
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT 4, COUNCILMANIC DISTRICT 2.**

Beginning at a point on the **southwest** side of **Park Heights Ave.** which is **80** feet wide at the distance of **1,550** feet **south** of the centerline of the nearest improved intersecting street **Garrison Forest Road**. Being lot **#3**, in the re-subdivision of **PARKSYDE WOODS** as recorded in Baltimore County Plat Book **#63**, Folio **#120**, containing **192,535** Sq.Ft. or **4.42** Ac.+/-.

Item #0184

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: 201A-0184-A

Petitioner: MAX E BLUMENTHAL & THOMAS F ONEIL, JR, TRUSTEES

Address or Location: 12428 PARK HEIGHTS AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: MAX E BLUMENTHAL

Address: 7 ST PAUL STREET SUITE 910

BALTIMORE, MD 21202

Telephone Number: 410 347-0506

Revised 2/20/98 - SCJ

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

No. **108014**

Date: **March 10 2014**

PAID RECEIPT

NETESC. ACTUAL TIME
 3/11/2014 3/10/2014 11:21:56

REC-501 BALTIM. TRANS. LOR
 RECEIPT # 501057 3/10/2014 OFM

\$ 50 MISCELLANEOUS - IN
 CR NO. 108014

Recpt Tot \$75.00
 \$75.00 CK 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	306	0000		6100				\$75.00	

Total: **\$75.00**

Rec From:

For:

zoning hearing - case # 2014-0184-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2014-0184-A

RE: Case No.: _____

Petitioner/Developer: _____

Max R Blumenthat & Tom F O'Neil

April 7, 2014

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: _____

12428 Park Heights Ave

March 23, 2014

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



Sincerely,


(Signature of Sign Poster) **March 23, 2014**
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

MEMORANDUM

DATE: June 3, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0184-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 2, 2014. 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

CHECKLIST**Comment
Received****Department****Support/Oppose/
Conditions/
Comments/
No Comment**3-21DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NC

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)3-21

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 3-28-14 by BlackPEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0184 -A Address 12428 Park Heights Ave
Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 3/10/14 Posting Date: 3/23/14 Closing Date: 4/07/14

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2014- 0184 -A Address 12428 Park Heights Ave
Petitioner's Name Max E Blumenthal & Tom F O'Neil Telephone 410 347 0506
Posting Date: March 23, 2014 Closing Date: March April 7, 2014
Wording for Sign: To Permit an accessory structure (pool and deck) in the side yard of the house in lieu of the required rear yard

Revised 7/06/11

S-2 CHICAGO

~~ENTER~~ TITLE INSURANCE CORPORATION
(Individual Form) 110 St Paul St

LIBER 8318 PAGE 059

App. H-

2-113973-05

21202

This Deed, Made this 2ND day of CEROBER, in the year one
thousand nine hundred and eighty nine, by and between John F. Owings, Jr.

Enterprises, a Sole Proprietorship party(ies) of the first part, Grantor, Eugene H. Schreiber and Harvey M. Meyerhoff, Trustees for Jill M. Hieronimus U/A Joseph Meyerhoff dated 10/21/54 (#8) party(ies) of the second part, Grantee.

THE ACTUAL CONSIDERATION PAID OR TO BE PAID IS \$470,000.00.

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto Grantee, their successors in trust

all that(those)

lot(s) of ground

situate in BALTIMORE COUNTY

in the State of Maryland, and described as follows, that is to say:

(See Exhibit A Attached)

C RC/F	17.00
C T TX	2350.00
C DOCS	2350.00
DEED	0.00
SM CLERK	4717.00
SM CLERK	4717.00

441469 C001 R02 T10:50
11/07/89

RECEIVED FOR TRANSFER *
State Department of
Assessments & Taxation
for Baltimore County
JR 10-25-89
Date

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE JR DATE 10-25-89

B B190****752000A 2208A

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 8318, p. 0059, MSA_CE62_8173, Date available 03/09/2005, Printed 04/29/2014.

Item # 184

EXHIBIT 'A'

Being known and designated as Lots Nos. 1, 2, 3 and 4 as shown on Plat of Parksyde Woods recorded among the Plat Records of Baltimore County in Plat Book S.M. No. 60 Folio 108.

BEING the same lot(s) of ground described in a DEED dated MARCH 29, 1988 and recorded among the Land Records of BALTIMORE COUNTY in Liber E.H.K., Jr. No. 7826, folio 294 from James W. Beck, Jr. and Jacob L. Beck to John F. Owings, Jr. Enterprises, a Sole Proprietorship .

Together with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the said described lot(s) of ground and premises, unto and to the use of the said Grantee, their successors in trust, in fee simple.

And the said Grantor covenants to warrant specially the property hereby granted and conveyed, and to execute such further assurances of said land as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the hand(s) and seal(s) of the said grantor(s):

WITNESS:

[Signature]

JOHN F. OWINGS, JR. ENTERPRISES,
a Sole Proprietorship

BY *[Signature]* [Seal]
JOHN F. OWINGS, JR.

[Seal]

State of Maryland, BALTIMORE City, TO WIT:

I HEREBY CERTIFY, that on this 29th day of SEPTEMBER, 1989, before me, a Notary Public of the State aforesaid, personally appeared
JOHN F. OWINGS, JR.

known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, who signed the same in my presence, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

[Signature]
Notary Public
My commission expires: July 1, 1990

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 8318, p. 0061, MSA_CE62_8173. Date available 03/09/2005. Printed 04/29/2014.

Item #184

2014-0184 A

DL Class **C** Driver's License **Maryland**

LIC #: **H-655-414-012-037**

JILL HIERONIMUS
12428 PARK HEIGHTS AVE
OWINGS MILLS BA MD 21117

BIRTH DATE: 01-13-1954
EXPIRES: 01-13-2016
Sex: F HT: 5-01 WT: 100
Restr: B Type: R
Issue Date: 01-08-2011

01-13-1954

RECEIVED

MAY 06 2014

OFFICE OF ADMINISTRATIVE HEARINGS

from
June
Wishnom

Hieronimus & Co.
21st Century Radio/TV News

4/29/14

To whom it may concern—
enclosed is a copy of
my license which my attorney
Max E. Brunel had was told you
Bolto Co. zoning office review
needed.
J.M. Hieronimus

RECEIVED

MAY 06 2014

OFFICE OF ADMINISTRATIVE HEARINGS

from
June
Wishon



KEVIN KAMENETZ
County Executive

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

May 1, 2014

Max E. Blumenthal
Thomas F. O'Neil, Jr.
7 St. Paul Street, Suite 910
Baltimore MD 21202

RE: Case Number: 2014-0184 A, Address: 12428 Park Heights Avenue

Dear Messrs. Blumenthal and O'Neil:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 10, 2014. 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
Richardson Engineering, LLC, Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium MD 21093

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 3/21/14

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2014-0184-A
Administrative Variance
Max Blumenthal, Trustee
Thomas F. O'Neil, Jr.
12428 Park Heights Road
MD 129

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 3/19/14. A field inspection and internal review reveals that an entrance onto MD 129 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0184-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief/
Development Manager
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: March 21, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For March 24, 2014
Item No. 2014-0177, 0179, 0180, 0181, 0182, 0183, 0184, 0185, 0186,
and 0187.

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\ZAC03242014 -.doc

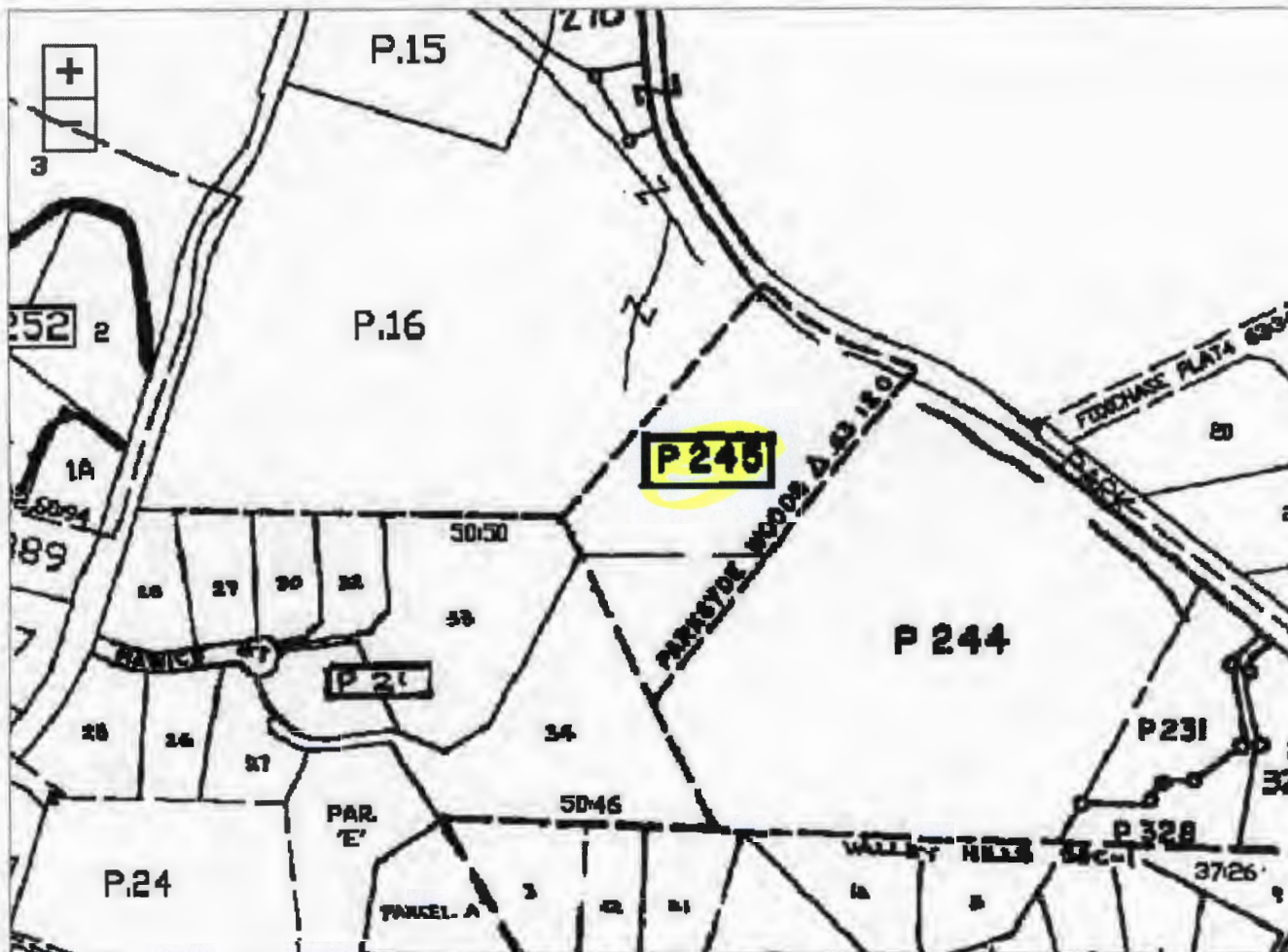
Real Property Data Search (w3)

[Search Help](#)Your feed back is important to us. [Please take our short survey.](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 04 Account Number - 2200009713	
Owner Information		
Owner Name:	SCHREIBER EUGENE H MEYERHOFF HARVEY M TRUSTEES SUITE 910	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	7 ST PAUL ST BALTIMORE MD 21202-1672	Deed Reference: 1) 2)
Location & Structure Information		
Premises Address:	12428 PARK HEIGHTS AVE 0-0000	Legal Description: 4.4206 AC PARKSYDE WOODS
Map: 0049	Grid: 0011	Parcel: 0245
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 3	Assessment Year: 2013
Plat No:	Plat Ref: 0063/ 0120	
Town:	NONE	
Special Tax Areas:	Ad Valorem:	Tax Class:
Primary Structure Built 1994	Above Grade Enclosed Area 4,981 SF	Finished Basement Area 2500 SF
Property Land Area 4.4200 AC	County Use 04	
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior BRICK	Full/Half Bath 4 full/ 1 half	Garage 1 Attached
Value Information		
	Base Value	Value
		Phase-in Assessments
		As of
Land:	161,000	01/01/2013
Improvements	781,100	07/01/2013
Total:	942,100	07/01/2014
Preferential Land:	0	07/01/2014
		936,600
		936,600
		0
Transfer Information		
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	07/01/2014
State:	000	0.00
Municipal:	000	0.00
Tax Exempt:		0.00/0.00
Exempt Class:		0.00/0.00
Special Tax Recapture:		
NONE		
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **04** Account Number: **2200009713**

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 (<http://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 (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please

Loading... Please Wait.

→

12428 Park Heights Avenue



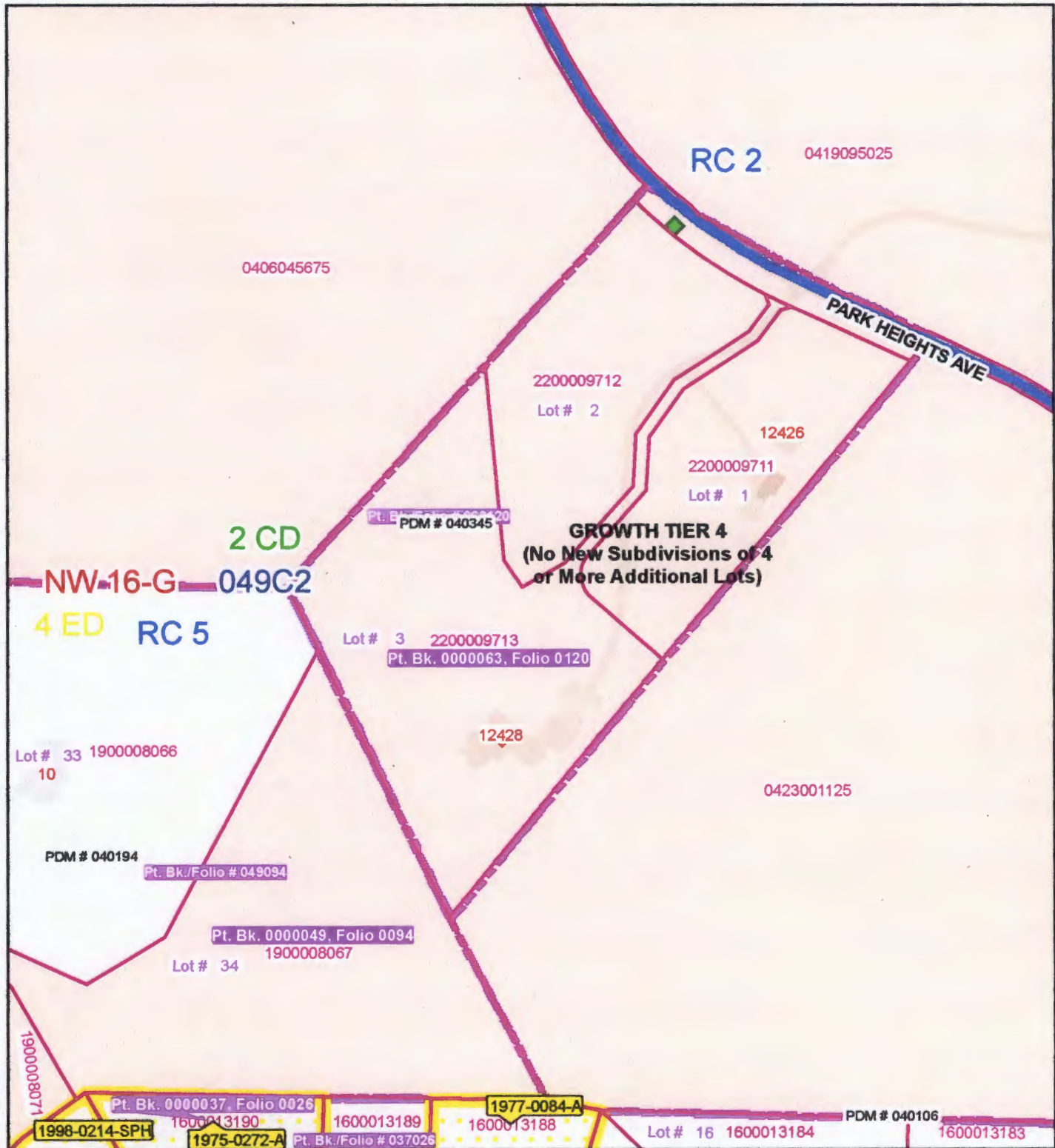
View from Park Heights Avenue



Location on the site of the pool

Item #0184

12428 Park Heights Avenue



Publication Date: 3/7/2014



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

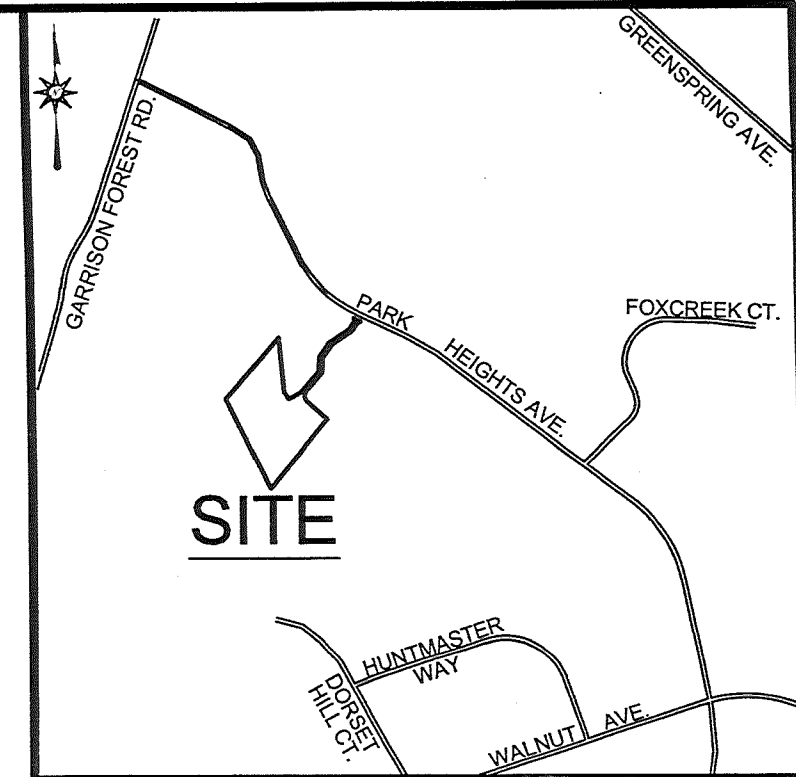
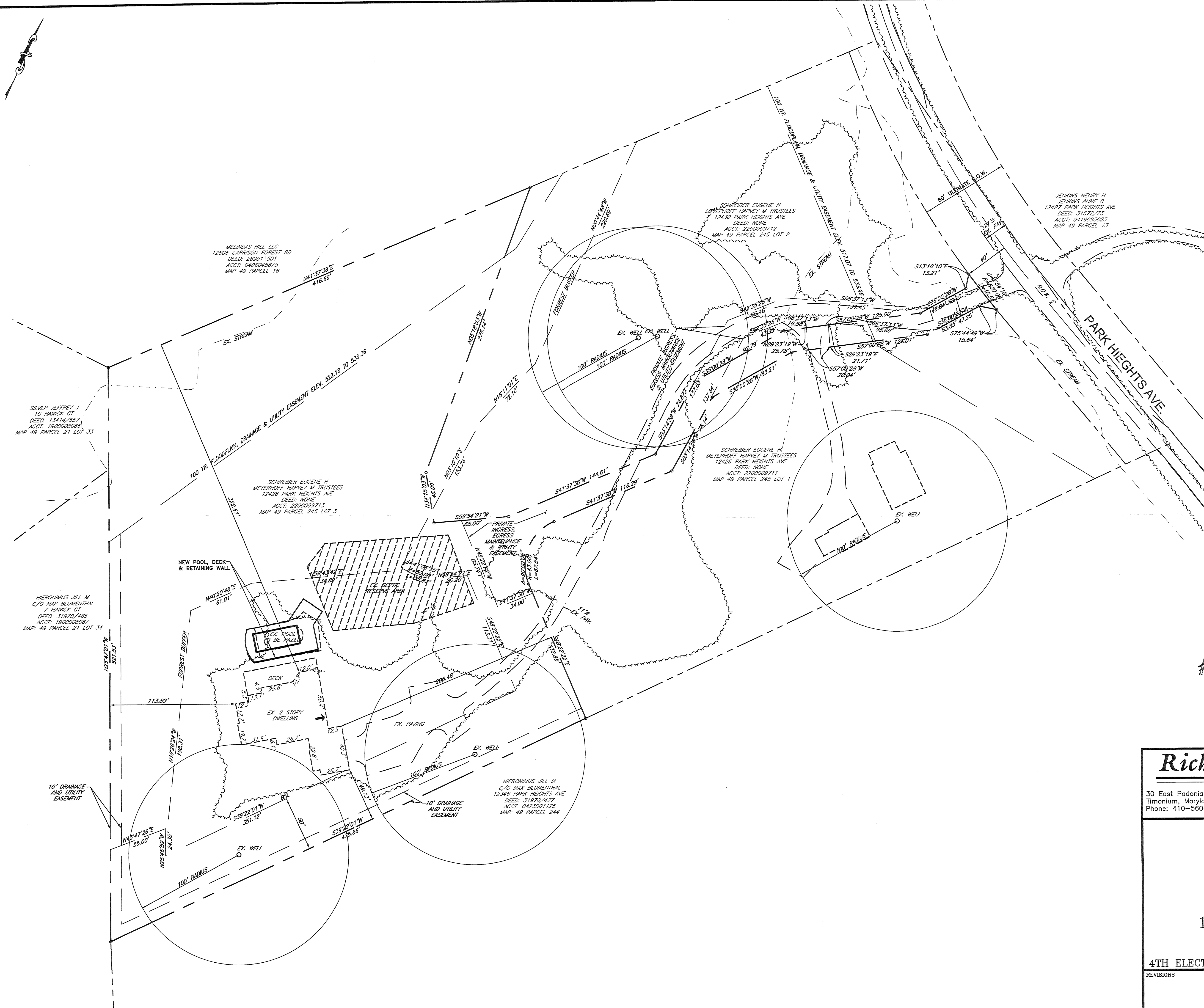


0 50 100 200 300 400 Feet

1 inch = 200 feet

Item #0184

G:\Jobs\Jobs2014\14004-12428 Park Heights\Drawings\14004-2P1.dwg, Layout1, 2/27/2014 4:38:05 PM.



SITE DATA

- OWNER: EUGENE H SCHREIBER
MEYERHOFF HARVEY M TRUSTEES
7 ST. PAUL ST. SUITE 910
BALTIMORE MD 21202
- ADDRESS: 12428 PARK HEIGHTS AVE.
- SITE AREA: 192,535 SF OR 4.42 AC.±
- DEED REF: NONE
- PLAT REF: 63-120 RESUBDIVISION OF PARKSIDE WOODS
- TAX MAP #49, GRID #11, PARCEL #245, LOT 3
- PRESENT ZONING: RC 5 (PER 1"-200' ZONING MAP 049C2)
- USES: RESIDENTIAL
- UTILITIES: PRIVATE WELL & PRIVATE SEPTIC
- TAX ACCOUNT: 2200009713
- COUNCILMANIC DISTRICT: 2ND
- SITE LIES ENTIRELY WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100210F PANEL 210 OF 580 DATED 09/26/2008.
- NO KNOWN PREVIOUS ZONING CASES EXIST ON FILE.
- NO KNOWN PREVIOUS PERMITS EXIST ON FILE.
- SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC.
- WATERSHED: LOCK RAVEN RESERVOIR.
- SETBACKS: FRONT: 50'
SIDE: 50'
REAR: 50'

#2014-0184-A

RJD

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

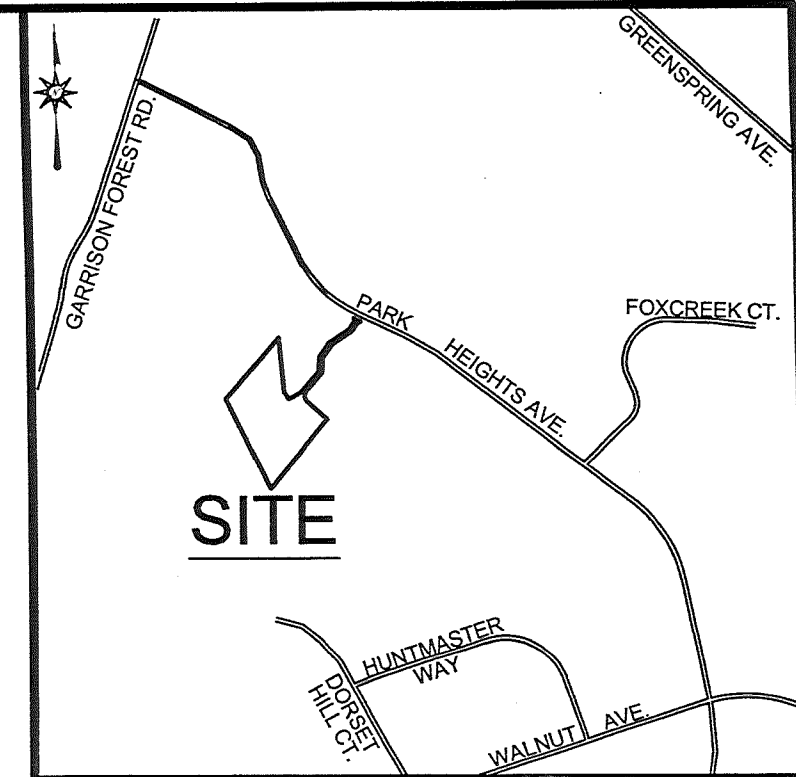
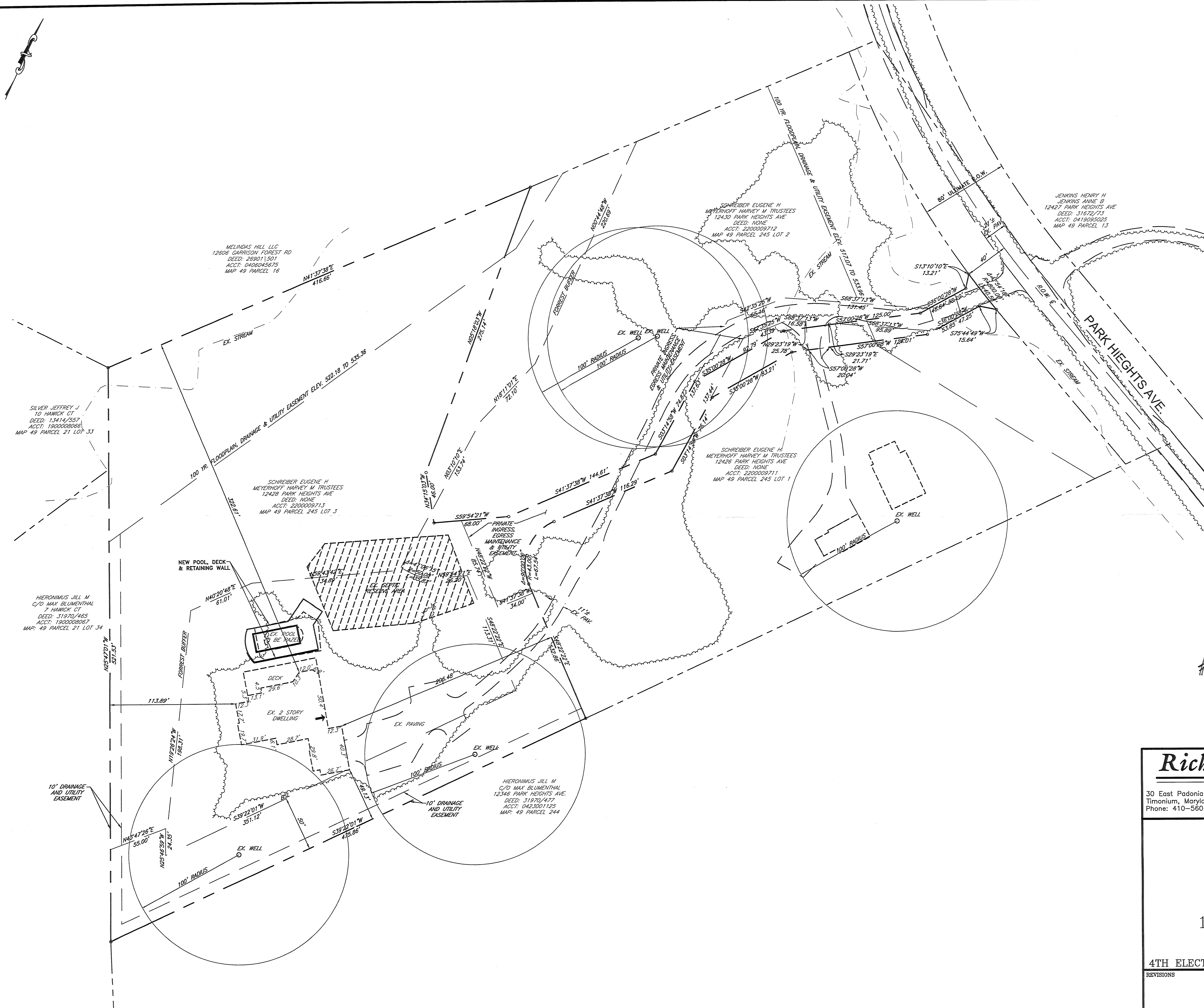
ZONING PLAN
FOR

RESIDENTIAL POOL
HIERMONIMUS RESIDENCE
12428 PARK HEIGHTS AVE.

4TH ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND	
REVISIONS	DRAWN BY: CLB	DESIGNED BY: CLB	SCALE: 1" = 40'
	DATE: FEB. 27, 2014	JOB NO.: 14004	SHEET NO.: 1 OF 1

Per. Ecd 1

G:\Jobs\Jobs2014\14004-12428 Park Heights\Drawings\14004-2P1.dwg, Layout1, 2/27/2014 4:38:05 PM.



VICINITY MAP
SCALE: 1" = 1000'

SITE DATA

- OWNER: EUGENE H SCHREIBER MEYERHOFF HARVEY M TRUSTEES 7 ST. PAUL ST. SUITE 910 BALTIMORE MD 21202
- ADDRESS: 12428 PARK HEIGHTS AVE.
- SITE AREA: 192,535 SF OR 4.42 AC.±
- DEED REF: NONE
- PLAT REF: 63-120 RESUBDIVISION OF PARKSIDE WOODS
- TAX MAP #49, GRID #11, PARCEL #245, LOT 3
- PRESENT ZONING: RC 5 (PER 1"-200' ZONING MAP 049C2)
- USES: RESIDENTIAL
- UTILITIES: PRIVATE WELL & PRIVATE SEPTIC
- TAX ACCOUNT: 2200009713
- COUNCILMANIC DISTRICT: 2ND
- SITE LIES ENTIRELY WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100210F PANEL 210 OF 580 DATED 09/26/2008.
- NO KNOWN PREVIOUS ZONING CASES EXIST ON FILE.
- NO KNOWN PREVIOUS PERMITS EXIST ON FILE.
- SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC.
- WATERSHED: LOCK RAVEN RESERVOIR.
- SETBACKS: FRONT: 50' SIDE: 50' REAR: 50'

#2014-0184-A

RJD

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

ZONING PLAN
FOR

RESIDENTIAL POOL
HIERMONIMUS RESIDENCE
12428 PARK HEIGHTS AVE.

4TH ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND		
REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:	
	CLB	CLB	1" = 40'	
DATE:	JOB NO.:		SHEET NO.:	
	FEB. 27, 2014		14004 1 OF 1	

Per. Ecd 1