

MEMORANDUM

DATE: March 24, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0108-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on March 23, 2015. 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

IN RE: **PETITION FOR SPECIAL HEARING** *

BEFORE THE

(3536 Beckleysville Road) *

OFFICE OF

5th Election District *

3rd Council District *

ADMINISTRATIVE HEARINGS

Dale M. Kelley, *Owner* *

FOR BALTIMORE COUNTY

Gordon Covington, *

Contract Purchaser/Lessee *

Case No. 2015-0108-SPH

Petitioners *

* * * * *

ORDER OF DISMISSAL

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Special Hearing filed on behalf of Dale M. Kelley, legal owner, and Gordon Covington, contract purchaser/lessee, ("Petitioners"). The Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve the temporary storage of commercial equipment on the subject property until such time as Petitioners remove it to an appropriate location.

Pursuant to an e-mail dated February 11, 2015, Annie Ernst, "on behalf of Gordon Covington and Dale Kelley" requested a withdrawal of the Petition.

THEREFORE, IT IS ORDERED, this 19th day of February, 2015, by the Administrative Law Judge for Baltimore County, the Petition for Special Hearing from §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the temporary storage of commercial equipment on the subject property until such time as Petitioners remove it to an appropriate location, be and is hereby DISMISSED without prejudice.

ORDER RECEIVED FOR FILING

Date

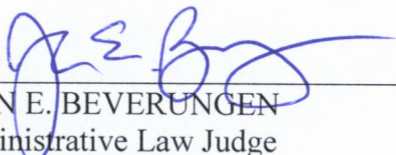
2/19/15

By

sen

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 2/19/15

By SLN



KEVIN KAMENETZ
County Executive

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

February 19, 2015

Dale M. Kelley
4104 Belle Farms Court
Pylesville, Maryland 21132

Gordon Covington
3612 Beckleysville Road
Manchester, Maryland 21132

RE: **ORDER OF DISMISSAL** - Petition for Special Hearing
Property: 3536 Beckleysville Road
Case No. 2014-0108-SPH

Dear Petitioners:

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", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure



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 3536 Beckleysville Rd Manchester MD 21102 which is presently zoned RC 8

Deed References: 21314-241 10 Digit Tax Account # 1100012829

Property Owner(s) Printed Name(s) Dale Kelley

(SELECT THE HEARING(S) BY MARKING **X** 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 The temporary storage of commercial equipment on the subject property until such time as petitioners remove it to an appropriate location.
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:

Gordon Covington
Name- Type or Print

[Signature]
Signature

3112 Beckleysville Rd Manchester MD
Mailing Address City State

21102 / 443-377-8256 / covingtontracexperts@gmail.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Dale M. Kelley
Name #1 - Type or Print Name #2 - Type or Print

Dale M. Kelley
Signature #1 Signature #2

4104 Bell-Fairus Ct Tylenville MD
Mailing Address City State

21132 / 410-790-9286 / dale.kelley@att.net
Zip Code Telephone # Email Address

Representative to be contacted:

Gordon Covington
Name- Type or Print

[Signature]
Signature

3112 Beckleysville Rd Manchester MD
Mailing Address City State

21102 / 410-790-1298 / covingtontracexperts@gmail.com
Zip Code Telephone # Email Address

CASE NUMBER 2015-0108SPH Filing Date 11/12/2014 Do Not Schedule Dates: 1/15-1/17/15 Reviewer JCM

Property Description

ZONING PROPERTY DESCRIPTION FOR 3536 Beckleysville Rd, Manchester, Maryland, 21102.

Beginning at a point on the north side of Beckleysville Rd which is 20 ft. wide at the distance of 1,385 ft north east of the centerline of the nearest improved intersecting street, Gunpowder Road, which is 20 ft wide.

Thence the following courses and distances: The end of the 8th or North 05 degrees 20 minutes East 463.08 foot line of the land which by Deed dated November 7, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No.4694 folio 190 was conveyed by Melvin L. Schultz and Mary H. Schultz, his wife, unto Arthur F. Price and M. Jean Price, his wife, running thence with and binding on the 9th or North 85 degrees 07 minutes East 372.40 foot line of said deed and extending said line to the Eastermost side of a 25 foot outlet or right of way (1) North 85 degrees 07 minutes East 397.52 feet to intersect the 12th or South 10 degrees 25 minutes East 331.95 foot line of the above mentioned deed at the end of 239.70 feet thereon, running thence with and binding on the remaining portion of said 12th line and also binding along the easternmost side of the aforementioned 25 foot right of way (2) South 10 degrees 25 minutes East 92.25 feet to the end of said 12th line, running thence with and binding on the 13th or South 24 degrees 07 minutes 15 seconds East 515.83 foot line of the above mentioned deed and still binding on the East side of said 25 foot right of way (3) South 24 degrees 07 minutes 15 seconds East 515.83 feet to the end of said 13th line and to the North side of the Beckleysville Road, running thence with and binding on part of the first or South 76 degrees 37 minutes 30 seconds West 25.45 foot line of the above mentioned deed and building on the Northwest side of said Beckleysville Road (4) South 76 degrees 37 minutes 30 seconds West 12.42 feet, thence running for new lines of division through the land of the above mentioned deed and binding on the center line of the aforementioned 25 foot right of way (5) North 24 degrees 07 minutes 15 seconds West 394.77 feet to a point in the center lie of said 25 foot right of way, thence leaving said right of way and still running for a new line of division (6) South 85 degrees 07 minutes 00 seconds West 432.10 feet to intersect the said 8th or North 05 degrees 20 minutes West 463.08 foot line of the above mentioned deed at the end of 255.08 feet thereon, running thence with and binding on the remaining portion of said 8th line North 05 degrees 20 minutes West 208.00 feet to the place of beginning. Containing 2.094 acres of land more or less. Located in the 5th Election District and 3rd Council District.

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/neighborhood 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: 2015-0108SPH

Petitioner: GORDON COVINGTON

Address or Location: 3536 BECKLEYVILLE, RD., MILLERS, MD, 21102

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gordon Covington

Address: 3612 Beckleysville Rd
Manchester, MD 21102

Telephone Number: 410-790-1298, 443-377-8256

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

No. **116283**

Date: **11/12/14**

PAID RECEIPT

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	006	0000		6150				75.-

Total: **75.-**

Rec From: **GORDON COVINGTON**

For: **2015-0108 SPH**

BUSINESS ACCT TYP BY
 11/12/2014 11/12/2014 00100199
 RECEIPT WITHIN 1000 LBS LB
 RECEIPT 11/12/2014 11/12/2014 00100199
 5 S20 ZONING VERIFICATION
 RECEIPT 11/12/2014
 Receipt Int \$75.00
 1.00 CK \$100.00 CA
 \$25.00 CB
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

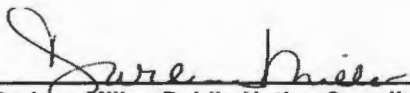
1/22/2015

Order #: 10672963

Case #:

Description:

Case Number: 2015-0108-SPH - Notice of Zoning Hearing



Darlene Miller, Public Notice Coordinator
(Representative Signature)

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: 2015-0108-SPH

3536 Beckleysville Road

N/s Beckleysville Road, 1385 ft. N/e of Gunpowder Road

5th Election District - 3rd Councilmanic District

Legal Owners: Dale Kelley

Contract Purchaser: Gordon Covington

Special Hearing approve the temporary storage of commercial equipment on the subject property until such times as petitioners remove it to an appropriate location.

Hearing: February 12, 2015 at 10:00 a.m. in Room 205, Jefferson Building, 105 W. 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.

ja22



THE BALTIMORE SUN MEDIA GROUP

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 2887023

Sold To:

Gordon Covington - CU00400191
3612 Beckleysville Rd
Manchester, MD 21102

Bill To:

Gordon Covington - CU00400191
3612 Beckleysville Rd
Manchester, MD 21102

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 16, 2014

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

NOTICE OF ZONING HEARING

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Case: # 2015-0108-SPH

3536 Beckleysville Road

N/s Beckleysville Road, 1385 ft N/e of Gunpowder Road

5th Election District - 3rd Councilmanic District

Legal Owner(s) Dale Kelley

Contract Purchaser(s): Gordon Covington

Special Hearing: approve the temporary storage of commercial equipment on the subect property until such time as petitioners remove it to an appropriate location.

Hearing: Monday, January 5, 2015 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.

JT 12/737 Dec. 16

2887023

CERTIFICATE OF POSTING

Date: 01/22/2015

RE: Project Name: PUBLIC HEARING / SPECIAL HEARING
Case Number /PAI Number: 2015-0108-SPH
Petitioner/Developer: Gordon Covington
Date of Hearing/Closing: 02/12/2015

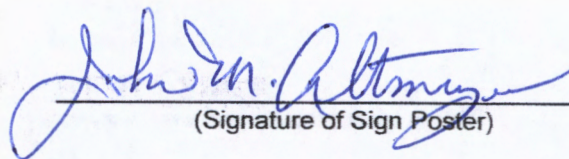
This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3536 Beckleysville Rd.
Manchester, MD. 21102

The sign(s) were posted on 01/22/2015

(Month, Day, Year)

THE SUBJECT PROPERTY
IS LOCATED ON A
SHARED DRIVEWAY OFF
OF BECKLEYSVILLE RD.

THE SIGN IS POSTED ON
THE RIGHT SIDE OF THE
DRIVEWAY ENTRANCE, AT
THE LEFT SIDE OF THE
MAILBOX. SEE THE
ATTACHED PHOTOGRAPHS


(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd

(Street Address of Sign Poster)

Freeland, MD. 21053

(City, State, Zip Code of Sign Poster)

410-382-6580

(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 16, 2014 Issue - Jeffersonian

Please forward billing to:
Gordon Covington
3612 Beckleysville Road
Manchester, MD 21102

443-377-8256

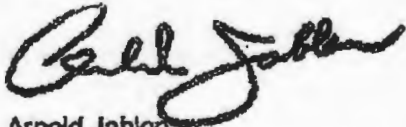
NOTICE OF ZONING HEARING

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: 2015-0108-SPH
3536 Beckleysville Road
N/s Beckleysville Road, 1385 ft. N/e of Gunpowder Road
6th Election District - 3rd Councilmanic District
Legal Owners: Dale Kelley
Contract Purchaser: Gordon Covington

Special Hearing approve the temporary storage of commercial equipment on the subject property until such times as petitioners remove it to an appropriate location.

Hearing: Monday, *February 12*, 2015 at ^{DAM} ~~10:00~~ a.m. in Room 205, Jefferson Building,
105 W. 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.



KEVIN KAMENETZ
County Executive

November 24, 2014

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

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: 2015-0108-SPH

3536 Beckleysville Road

N/s Beckleysville Road, 1385 ft. N/e of Gunpowder Road

5th Election District - 3rd Councilmanic District

Legal Owners: Dale Kelley

Contract Purchaser: Gordon Covington

Special Hearing approve the temporary storage of commercial equipment on the subject property until such times as petitioners remove it to an appropriate location.

Hearing: Monday, February 12, 2015 at 10 a.m. in Room 205, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Gordon Covington, 3812 Beckleysville Road, Manchester 21102
Dale Kelley, 4104 Belle Farms Court, Pylesville 21132

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY [REDACTED]

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868. *Friday, January 23rd*
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

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

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3536 Beckleysville Road

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5th Election District -3rd Councilmanic District

Legal Owners: Dale Kelley

Contract Purchaser: Gordon Covington

Special Hearing approve the temporary storage of commercial equipment on the subject property until such times as petitioners remove it to an appropriate location.

Hearing: Thursday, February 12, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Gordon Covington, 3612 Beckleysville Road, Manchester 21102
Dale Kelley, 4104 Belle Farms Court, Pylesville 21132

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JANUARY 23, 2015 .**
- (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, January 22, 2015 Issue

Please forward billing to:
Gordon Covington
3612 Beckleysville Road
Manchester, MD 21102

443-377-8256

NOTICE OF ZONING HEARING

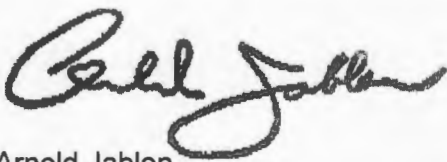
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CASE NUMBER: 2015-0108-SPH

3536 Beckleysville Road
N/s Beckleysville Road, 1385 ft. N/e of Gunpowder Road
5th Election District -3rd Councilmanic District
Legal Owners: Dale Kelley
Contract Purchaser: Gordon Covington

Special Hearing approve the temporary storage of commercial equipment on the subject property until such times as petitioners remove it to an appropriate location.

Hearing: Thursday, February 12, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
County Executive

November 24, 2014

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

NOTICE OF ZONING HEARING

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3536 Beckleysville Road
N/s Beckleysville Road, 1385 ft. N/e of Gunpowder Road
5th Election District -3rd Councilmanic District
Legal Owners: Dale Kelley
Contract Purchaser: Gordon Covington

Special Hearing approve the temporary storage of commercial equipment on the subject property until such times as petitioners remove it to an appropriate location.

Hearing: Monday, February 12, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Gordon Covington, 3612 Beckleysville Road, Manchester 21102
Dale Kelley, 4104 Belle Farms Court, Pylesville 21132

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 16, 2014.**
- (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
Tuesday, December 16, 2014 Issue - Jeffersonian

Please forward billing to:
Gordon Covington
3612 Beckleysville Road
Manchester, MD 21102

443-377-8256

NOTICE OF ZONING HEARING

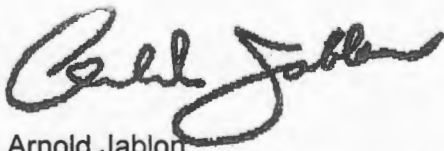
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3536 Beckleysville Road
N/s Beckleysville Road, 1385 ft. N/e of Gunpowder Road
5th Election District -3rd Councilmanic District
Legal Owners: Dale Kelley
Contract Purchaser: Gordon Covington

Special Hearing approve the temporary storage of commercial equipment on the subject property until such times as petitioners remove it to an appropriate location.

Hearing: Monday, February 12, 2015 at 11:00 a.m. in Room 205, Jefferson Building,
105 W. 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
3536 Beckleysville Road; N/S Beckleysville	*	OF ADMINISTRATIVE
Road, 1,385' NE of Gunpowder Road	*	HEARINGS FOR
5 th Election & 3 rd Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Dale M. Kelley	*	2015-108-SPH
Contract Purchaser(s): Gordon Covington		
Petitioner(s)		

* * * * *

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.

RECEIVED

NOV 25 2014

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of November, 2014, a copy of the foregoing Entry of Appearance was mailed to Gordon Covington, 3612 Beckleysville Road, Manchester, Maryland 21102, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Lawrence Stahl, Administrative Law Judge

The Jefferson Building

105 W. Chesapeake Ave. Suite 103

Towson, Md. 21204

JB
1-5-15

RECEIVED

DEC 18 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Judge Stahl,

I am writing to give you the same background information I sent to Mr. Zimmerman of the Peoples Council. This is regarding case 2015-01085PH that is scheduled for January 5th, 2015 at 11 am.

I hope this information as well as the documents Mr. Zimmerman sent to you will convince you to dismiss any zoning request that Kelley and Covington may make, and ask that you issue a citation to remove the business from my residential neighborhood.

Best Regards,

Dennis Foltin 12/18/14

Dennis Foltin

3540 Beckleysville Rd.

Manchester, Md. 21102

Peoples Counsel

Jefferson Building

105 W. Chesapeake Ave.

Towson, Md. 21204

Dear Mr. Zimmerman,

I will provide you some background information regarding the case we discussed over the phone, zoning case 2015-01085PH. Gordon Covington is the owner of Covington Tree Experts, LLC. He has been running this business in my residential neighborhood for some time. He started the business in property immediately adjacent to his parent's house, at 3612 Beckleysville Road. This property is Prettyboy Watershed property.

1/23/2014 cc99c00141770 I called and complained about a business running in a residential community. Mr. Cohen responded, and noted the business was on watershed, and not part of his jurisdiction. He advised me to contact Prettyboy watershed authorities.

7/22/2014 The area was surveyed to confirm property lines. Sgt. Lore Verne evicted the business from watershed and issued a citation.

7/14/2014 cc1407702 The business moved into 3536 Beckleysville Rd. A correction notice was sent after a site visit by Mr. Cohen. On a later visit, Mr. Cohen was told by an occupant that the business was closed, and the occupants were moving. The complaint was closed.

9/03/2014 cc1410447 I visited Mr. Cohen and informed him the business was still there. He opened a complaint for a contractor yard.

11/12/2014 Covington requested zoning hearing case 2015-01085PH

Attached are copies of Covington Tree Experts internet advertising, business card, and a copy of their corporate charter.

I also included pictures of the heavy equipment that regularly uses the common drive in our residential neighborhood to access their business.

I hope this hearing puts an end to the noise and traffic of the heavy commercial vehicles in my neighborhood.

Please call me on my cell, 410-960-8048 if you have any suggestions.

Sincerely,

Dennis Foltin 12/18/14

Dennis Foltin

3540 Beckleysville Road

Manchester, Md. 21102

Cc John Beverungen, Administrative Law Judge

Lawrence Stahl, Administrative Law Judge

FROM

NAME &
TITLE
AGENCY
NAME &
ADDRESS
SUBJECT

CITY of
BALTIMORE
MEMO



TO

DATE:

Mr. Dennis Foltin

December 16, 2014

On 7/22/2014 at 0935 hours, I issued a Baltimore City Environmental Board civil citation to Mr. Gordon G. Covington for altering the landscape of the reservoir sec III-B(4) it included an abatement order to remove his wood products business from the property by 9/22/14. Mr. Covington paid his fine and complied with the abatement order in the specified time. No other action was taken.

Sincerely,

Sgt. L. E. Verne, #9673

Baltimore Environmental Police, 18514 Pretty Boy Dam Road, Parkton MD. 21120

Entity Name: COVINGTON TREE EXPERTS, LLC

Department ID: W15331929

General Information

Amendments

Personal Property

Certificate of Status

Mailing Address

COVINGTON TREE EXPERTS, LLC
3612 BECKLEYSVILLE RD
MANCHESTER, MD 21102

Personal Property Filings

Asmt. Year	Filing Date	Extension	Penalty Amount	Penalty Paid Date
2014	06/30/2014	Yes	85	
2013		No		
2012		No		
2011		No		
2010		No		

Personal Property Assessments Summary

Asmt. Year	Date Assessed	County Base	Town Base	Date Certified
2014	10/23/2014	84230	0	10/23/2014
2013	10/23/2014	45340	0	10/23/2014
2012	10/23/2014	18090	0	10/23/2014
2011		0	0	
2010		0	0	

Personal Property Assessments Certification Information

Asmt. Year	Location	County	License	Town	Date Certified
2014	BALTIMORE COUNTY	84230	0	0	10/23/2014
2013	BALTIMORE COUNTY	45340	0	0	10/23/2014
2012	BALTIMORE COUNTY	18090	0	0	10/23/2014

Entity Name: COVINGTON TREE EXPERTS, LLC

Department ID: W15331929

General Information

Amendments

Personal Property

Certificate of Status

Principal Office (Current):

3612 BECKLEYSVILLE ROAD
MANCHESTER, MD 21102

Resident Agent (Current):

LYNN SALGANIK
18811 FORESTON ROAD
HAMPSTEAD, MD 21074

Status:

ACTIVE

Good Standing:

Yes

What does it mean when a business is not in good standing or forfeited?

Business Code:

Other

Date of Formation or Registration:

06/26/2013

State of Formation:

MD

Stock/Nonstock:

N/A

Close/Not Close:

Unknown

ARTICLES OF ORGANIZATION

The undersigned, with the intention of creating a Maryland Limited Liability Company files the following Articles of Organization:

- (1) The name of the Limited Liability Company is: Covington Tree Experts, LLC
- (2) The purpose for which the Limited Liability Company is filed is as follows: This company provides tree services and firewood.
- (3) The address of the Limited Liability Company in Maryland is 3612 Beckleysville Rd.
Manchester, MD 21102-2716
- (4) The resident agent of the Limited Liability Company in Maryland is Lynn Salganik
whose address is 18811 Foreston Road
Hampstead, MD 21074

(5) _____

(6) Lynn Salganik
Resident Agent

Lynn Salganik
Signature(s) of Authorized Person(s)

Filing party's return address:

(7) _____

Lynn Salganik
18811 Foreston Road
Hampstead, Maryland 21074

CUST ID:0002946274
WORK ORDER:0004162854
DATE:07-03-2013 05:30 PM
AMT. PAID:\$192.00

443-507-6174

Covington Tree Experts LLC

Logging, Land Clearing, Residential Tree Removal, Firewood Sales

[Home](#) [Contact](#) [About](#) [Photo Gallery](#) [Services](#)

Please get in touch!

Interested in our services? Get in touch with us via the form below and we'll get back to you as soon as possible!

Name *

Email Address *

Message *

[Send Message](#)

Contact Information

Covington Tree Experts LLC

Phone: 410-790-1298

Email: covingtontreeexperts@gmail.com

Hours of Operation

On call 24 hours a day

Address

3612 Beckleysville Road Manchester MD
21102

Covington Tree Experts LLC

Logging, Land Clearing, Residential Tree Removal, Firewood Sales

[Home](#) [Contact](#) [About](#) [Photo Gallery](#) [Services](#)

Thanks for visiting!

We hope you can find everything you need. Covington Tree Experts LLC is focused on providing high-quality service and customer satisfaction - we will do everything we can to meet your expectations.

With a variety of offerings to choose from, we're sure you'll be happy working with us. Look around our website and if you have any comments or questions, please feel free to contact us.

We hope to see you again! Check back later for new updates to our website. There's much more to come!

Covington Tree Experts LLC

Logging, Land Clearing, Residential Tree Removal, Firewood Sales

[Home](#) [Contact](#) [About](#) [Photo Gallery](#) [Services](#)

Covington Tree Experts LLC provides professional quality work at an affordable price by combining the skills and resources of Land Clearing Professionals, Licensed Tree Experts, and Commercial Logging Crews. Despite growing rapidly, all estimates are written by founding member Gordon Covington who is on site for the duration of every job, large or small, to ensure customer satisfaction.

Licensed as both Tree Expert and Forest Product Operator, Covington Tree Experts is able to offset the cost of large scale tree removal jobs by selling the logs and firewood from the trees being removed, passing the savings on to the customer.

Working with experienced climbers, crane operators, and timber cutters, there is no job too large or too difficult to tackle. We are on call 24 hours a day to provide immediate storm damage clean up.

Fully Licensed and Insured, customers can be confident that jobs will be completed in a safe and responsible manner by professionals who take pride in their work.

Also a buyer of standing timber, we work with licensed foresters to conduct select cut timber harvests for clients who have wooded acreage. With timber prices on the rise, land owners with five or more acres of mature trees are encouraged to contact us. We will inventory your timber tract by species and make you an offer to purchase your standing timber.

Whether its one tree that needs to be removed, an area to be cleared, or a stand of timber to be sold, contact us to get a free written estimate before awarding the work. See how much a company with our resources and expertise can save you.

Why us?

As a single crew company where the owner is on site for the duration of every job, customers receive the undivided attention of the company and avoid the hassle of miscommunication that can occur between estimators, office personnel, and crew leaders in larger tree services. Every job is priced fairly and completed timely to the satisfaction of the customer.

Covington Tree Experts LLC

Logging, Land Clearing, Residential Tree Removal, Firewood Sales

[Home](#) [Contact](#) [About](#) [Photo Gallery](#) [Services](#)

Thanks for visiting!

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We hope to see you again! Check back later for new updates to our website. There's much more to come!



Covington Tree Experts LLC
Logging, Land Clearing, Residential Tree
Removal, Firewood Sales

Gordon G Covington
Member

9612 Beckleysville Road
Manchester MD 21102

410-790-1298

covingtontreeexperts@gmail.com
Free Consultation & Estimate



FIREWOOD

~~05~~
~~SEASONED~~ MIXED HARDWOOD

\$200/CORD

PRICE INCLUDES LOCAL DELIVERY

CALL GORDON COVINGTON

410-790-1298

Covington Tree Experts LLC

Logging, Land Clearing, Residential Tree Removal, Firewood Sales

[Home](#) [Contact](#) [About](#) [Photo Gallery](#) [Services](#)

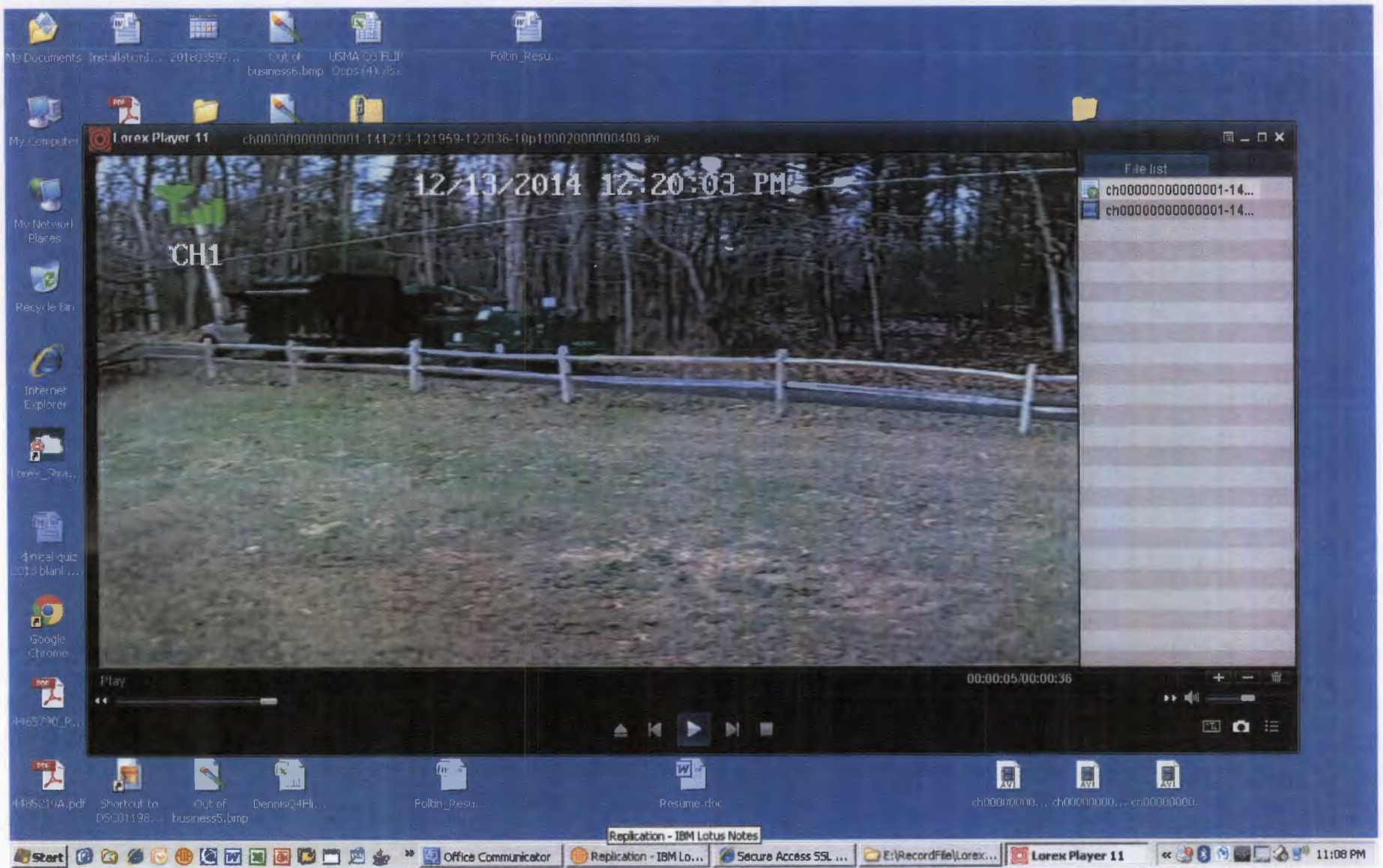


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We hope to see you again! Check back later for new updates to our website. There's much more to come!





Lorex Stratus Client

Live Remote Setting Local Setting Logout

2014 9

28 Sunday 2014-09-28

Type Alarm

☐ Synchronous playback

☒ CH01

☒ CH02

☐ CH03

☐ CH04

☐ CH05

☐ CH06

☐ CH07

☐ CH08

Search

Playback window:01

09/28/2014 02:29:25 PM

CH1

1.8x 1.4x 1.2x 1 2x 4x 8x

00:00 02:00 04:00 06:00 08:00 10:00 12:00 14:00 16:00 18:00 20:00 22:00 00:00

Window01

Window02

Window03

Window04

Start Office Communicator Secure Access SSL VP... www.lorextechnology... Lorex Stratus Cle... untitled - Paint 11:18 PM

Live

Remote Setting

Local Setting

Logout

2014, 9

28

Sunday

2014-9-28

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Type: Alarm

☐ Synchronous playback

☒ CH01

☒ CH02

☐ CH03

☐ CH04

☐ CH05

☐ CH06

☐ CH07

☐ CH08

Search

Playback window:01

2014-09-28 14:29:33

09/28/2014 02:29:33 PM

CH1



10/06/2014 07:09:33 AM

CH1



10/06/2014 07:09:41 AM

CH1



CORPORATE CHARTER APPROVAL SHEET

** EXPEDITED SERVICE **

** KEEP WITH DOCUMENT **

DOCUMENT CODE 40 BUSINESS CODE 20

Close _____ Stock _____ Nonstock _____

P.A. _____ Religious _____

Merging (Transferor) _____

Surviving (Transferee) _____



1000362005101219

ID # W15331929 ACK # 1000362005101219
PAGES: 0002
COVINGTON TREE EXPERTS, LLC

06/26/2013 AT 12:30 P WO # 0004162854

New Name _____

VERIFIED
NOV 11 2013

FEES REMITTED

Base Fee: 100
Org. & Cap. Fee: 70
Expedite Fee: _____
Penalty: _____
State Recordation Tax: _____
State Transfer Tax: _____
Certified Copies: 22
Copy Fee: _____
Certificates: _____
Certificate of Status Fee: _____
Personal Property Filings: _____
Mail Processing Fee: _____
Other: _____

TOTAL FEES: 192

Credit Card ☒ Check _____ Cash _____

Documents on _____ Checks _____

Approved By: 15

Keyed By: _____

COMMENT(S): _____

Change of Name _____
Change of Principal Office _____
Change of Resident Agent _____
Change of Resident Agent Address _____
Resignation of Resident Agent _____
Designation of Resident Agent _____
and Resident Agent's Address _____
Change of Business Code _____
Adoption of Assumed Name _____
Other Change(s) _____

Code _____

Attention: _____

LYNN SALGANIK
18811 FORESTON RD
HAMPSTEAD MD 21074-2953

CUST ID: 0002946274
WORK ORDER: 0004162854
DATE: 07-03-2013 05:30 PM
AMT. PAID: \$192.00



KEVIN KAMENETZ
County Executive

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

February 3, 2015

Dale M Kelley
4104 Belle Farms Court
Pylesville MD 21132

RE: Case Number: 2015-0108 SPH, Address: 3536 Beckleysville Road

Dear Mr. Kelley:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 12, 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive style with a large, stylized "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Gordon Covington, 3612 Beckleysville Road, Manchester MD 21102

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: 11/17/14

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

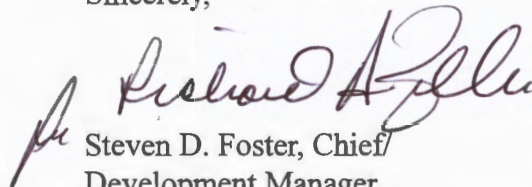
RE: Baltimore County
Item No. 2015-0108-SPH
Special Hearing
Date M. Kelly
3536 Beckleysville Road.

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. 2015-0108-SPH.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,


Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For November 24, 2014
Item No. 2015-0098, 0105, 0107, 0108 and 0110

DATE: November 21, 2014

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\ZAC11242014 -.doc



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

December 11, 2014

HAND DELIVERED

John Beverungen, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Lawrence Stahl, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Dale Kelley – Legal Owner/Gordon Covington – Lessee
3536 Beckleysville Road
Case No.: 2015-108-SPH
Hearing scheduled January 5, 2014 at 11 A.M.

Dear Judges Beverungen and Stahl,

This petition for special hearing presents an unusual request for an indefinite temporary blessing of a zoning violation. Under these circumstances, we viewed it appropriate and helpful to address this letter to both judges in the Office of Administrative Hearings.

The 2-acre Beckleysville Road property is in rural northwestern Baltimore County, west of Prettyboy Reservoir. Google photos, SDAT data, and a My Neighborhood Map are enclosed.

Based upon information and belief, upon review with Zoning Inspector Paul Cohen, this matter began with a complaint or complaints from a neighboring property owner. After the ensuing Code Enforcement investigation, the PAI Department issued the enclosed Correction Notice No. CC1410447 on September 12, 2014, with a compliance date of November 12, 2014. A correction notice is one of the authorized methods to initiate enforcement proceedings. County Code Sec. 3-6-203. If a violator fails to comply with a correction notice, the "... Code official of the (PAI) Director may pursue any authorized remedy." County Code Sec. 3-6-204. Various proceedings and remedies are enumerated in sections which follow.

The correction notice identifies a contractor's equipment storage yard and related home occupation use in the R.C. 8 (Environmental Enhancement) Zone. There is no genuine dispute that these commercial uses are not permitted by right or special exception. BCZR Sec. 1A09.2.

On November 12, 2014, the deadline for correction, Petitioners filed the present petition for special hearing, with a handwritten request for:

"The temporary storage of commercial equipment on the subject property until such time as petitioners remove it to an appropriate location."

The requested time frame is indefinite. There is no commitment to any deadline. The site plan is skeletal. It just gives a rough outline of the property and the "Dwg." There is no description of the offending commercial equipment. The plan does not include the numerous items required by the printed zoning office guidelines for the contents of zoning petitions.

The main substantive point anyway is that there is absolutely no legal authority to formalize, legitimize or accept a zoning violation on a temporary, permanent, or other basis. The petition must be denied. It appears to be a tactic to delay enforcement.

The PAI department has discretion to decide which authorized methods to utilize to address zoning violations and any time given for correction. That is within their function and scope. If the violation is not corrected as required, the next step often would be the issuance of a citation under County Code Sec. 3-6-205 and, if requested by the property owner, a Code Enforcement Hearing as provided in County Code Sec 3-6-206. These are among the several authorized remedies which may be selected for pursuit. See also County Code Sec. 3-6-202.

In addition, for zoning enforcement, there are specific provisions in County Code Secs. 32-3-601 to 32-3-607. None of these legislative provisions authorize the formal approval of temporary zoning violations. Indeed, every new day of violation is a new violation. County Code Sec. 32-3-602.

In other words, there is no legal authority to allow or accept zoning noncompliance by special hearing, which functions as a declaratory judgment. BCZR Sec. 500.7; Antwerpen v. Baltimore County 163 Md. App. 194, 209 (2005). The uses here are not among any of the permitted uses permitted by right or special exception in the R.C. 8 Zone. BCZR Sec. 1A09.2. Nor are they otherwise permitted as temporary uses anywhere in the law. The uses here are thus not permitted uses. Therefore, they are prohibited. BCZR Sec. 102.1. Kowalski v. Lamar 25 Md. App. 493, 499 (1975); People's Counsel v. Surina 400 Md. 662, 688-89 (2007).

The present petition must be denied as a matter of law as beyond the pale of the authority of the special hearing process. Moreover, this petition and/or any subsequent appeal proceedings should not hinder, impede, or delay any enforcement action which the PAI department deems



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

*Kristen: please excuse all of my
hand-written notes to myself!
I was trying to decipher
what this was all
about.*

December 11, 2014

*THX!
-A.*

HAND DELIVERED

John Beverungen, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Lawrence Stahl, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
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John Beverungen, Administrative Law Judge
Lawrence Stahl, Administrative Law Judge
December 11, 2014
Page 3

necessary and appropriate, including but not limited to the citation which ordinarily may be expected to issue to property owners who decline to comply with correction notices.

Sincerely,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

cc: Dale Kelley, Petitioner/Owner
Gordon Covington, Petitioner/Lessee
Lionel Van Dommelen, Director of Code Enforcement
Paul Cohen, Zoning Inspector
Carl Richards, Zoning Supervisor
Wallace Lippincott, Department of Planning
Dennis Foltin, 3540 Beckleystown Road, 21102

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I met the requirements, that's why it went through to this stage.

The main substantive point anyway is that there is absolutely no legal authority to formalize, legitimize or accept a zoning violation on a temporary, permanent, or other basis. The petition must be denied. It appears to be a tactic to delay enforcement.

It's called we have jobs + got to it ASAP.

The PAI department has discretion to decide which authorized methods to utilize to address zoning violations and any time given for correction. That is within their function and scope. If the violation is not corrected as required, the next step often would be the issuance of a citation under County Code Sec. 3-6-205 and, if requested by the property owner, a Code Enforcement Hearing as provided in County Code Sec 3-6-206. These are among the several authorized remedies which may be selected for pursuit. See also County Code Sec. 3-6-202.

I followed counsel of Baco govt. employees about to proceed.

In addition, for zoning enforcement, there are specific provisions in County Code Secs. 32-3-601 to 32-3-607. None of these legislative provisions authorize the formal approval of temporary zoning violations. Indeed, every new day of violation is a new violation. County Code Sec. 32-3-602.

I was assured (in person by Insp. Cohen) that this was not the case + that we had a right to proceed now I did.

In other words, there is no legal authority to allow or accept zoning noncompliance by special hearing, which functions as a declaratory judgment. BCZR Sec. 500.7; Antwerpen v. Baltimore County 163 Md. App. 194, 209 (2005). The uses here are not among any of the permitted uses permitted by right or special exception in the R.C. 8 Zone. BCZR Sec. 1A09.2. Nor are they otherwise permitted as temporary uses anywhere in the law. The uses here are thus not permitted uses. Therefore, they are prohibited. BCZR Sec. 102.1. Kowalski v. Lamar 25 Md. App. 493, 499 (1975); People's Counsel v. Surina 400 Md. 662, 688-89 (2007).

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Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204
www.baltimorecountymd.gov/Agencies/permits/



Code Enforcement	410-887-3351
Electrical Inspection	410-887-3960
Plumbing Inspection	410-887-3620
Building Inspection	410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

KELLEY DALE M
3536 BECKLEYSVILLE RD
MILLERS, MD 211022714

CASE NUMBER	PROP.TAX ID
CC1410447	1700012829
VIOLATION ADDRESS	
3536 BECKLEYSVILLE RD MANCHESTER, MD 211022714	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 101; 102.1: Remove contractors equip. storage yard B.C.Z.R 101; 102.1; ZCPM: Illegal home occupation	Activity not allowed on a residential property

Failure to comply with this correction notice, may result in a **\$200.00** fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE: 11/12/2014	INSPECTOR NAME: Paul Cohen
	ISSUED DATE: 09/12/2014

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

1. It is important that you read this document carefully, as it charges you with the commission of a crime.
2. If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine, imprisonment, or both.
3. If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
4. A lawyer can give important assistance to you:
 - (a) on how to correct the violation(s) in order to avoid trial or
 - (b) at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
5. A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
6. It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
7. Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

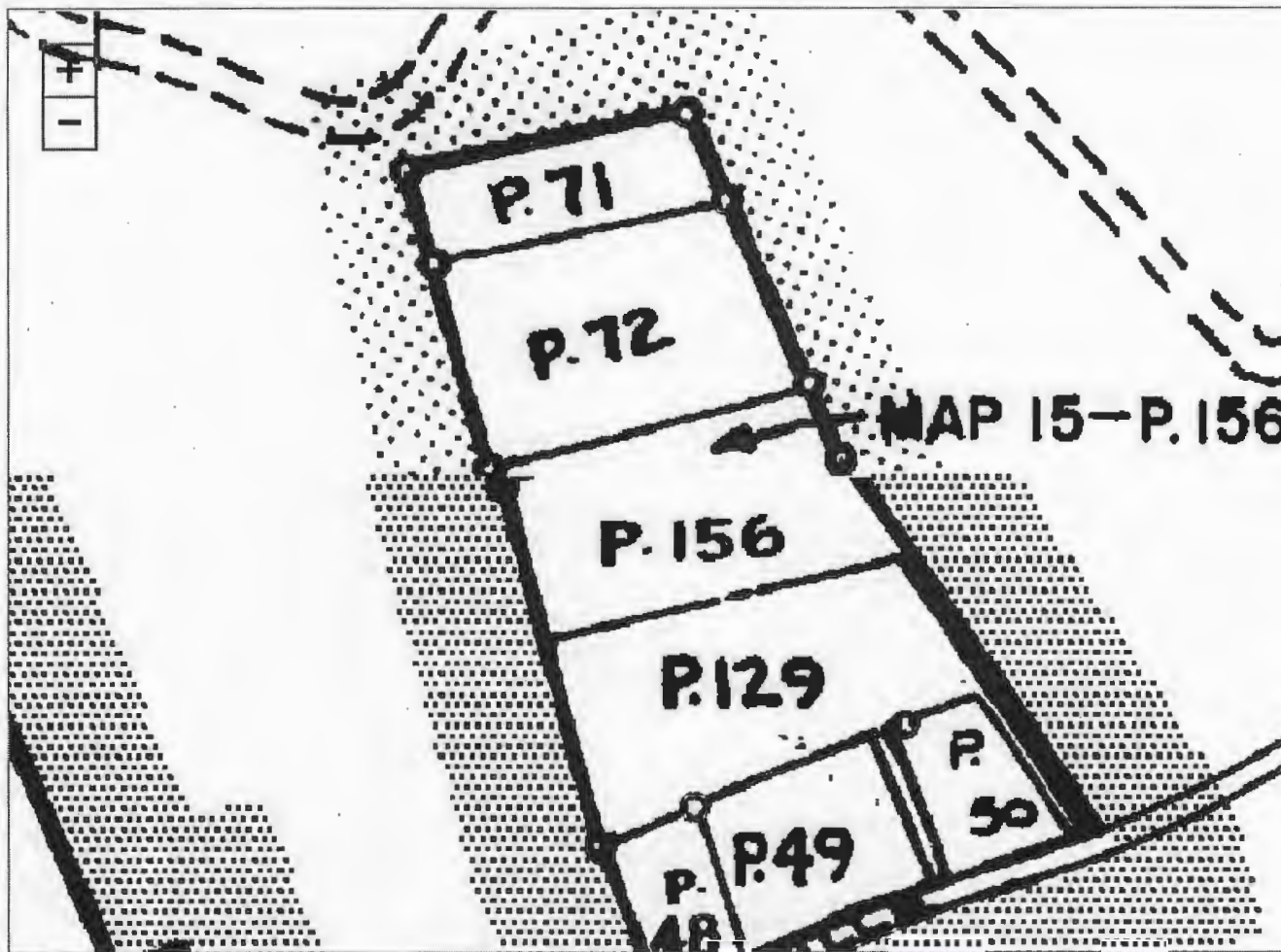
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 05 Account Number - 1700012829			
Owner Information					
Owner Name:		KELLEY DALE M		Use: RESIDENTIAL	
Mailing Address:		3536 BECKLEYSVILLE RD MILLERS MD 21102-2714		Principal Residence: YES Deed Reference: /26374/ 00241	
Location & Structure Information					
Premises Address:		3536 BECKLEYSVILLE RD 0-0000		Legal Description: 2.094 AC NS 3536 BECKLEYSVILLE RD 800 E LWR BECKLEYSVILLE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0015	0004	0156		0000	2014
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1973	2,537 SF	624 SF	2.0900 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1 1/2	YES	STANDARD UNIT	SIDING	1 full/ 1 half	1 Attached
Value Information					
	Base Value	Value As of 01/01/2014	Phase-In Assessments As of 07/01/2014 As of 07/01/2015		
Land:	105,300	94,800			
Improvements	239,400	216,200			
Total:	344,700	311,000	311,000	311,000	
Preferential Land:	0			0	
Transfer Information					
Seller: KELLEY DALE M		Date: 11/09/2007		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /26374/ 00241		Deed2:	
Seller: KELLEY DALE M		Date: 03/27/1985		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06892/ 00377		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014	07/01/2015		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty/>)District: **05** Account Number: **1700012829**

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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/>)

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My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 12/4/2014

Debra Wiley

From: Administrative Hearings
Sent: Wednesday, February 11, 2015 1:51 PM
To: ernst.annie@gmail.com
Subject: Tomorrow's Case @ 10 AM - Case No. 2015-0137-SPHA

This is to acknowledge receipt of your email. Your documentation will now be made part of the file and the item will be removed from our 2/12 hearing docket.

Thank you.

From: ernst.annie@gmail.com [mailto:ernst.annie@gmail.com]
Sent: Wednesday, February 11, 2015 1:46 PM
To: Administrative Hearings
Subject: Second Attempt, please confirm you've received

Good morning. I am writing on behalf of Gordon Covington and Dale Kelley. We have a hearing set for this Thursday, February 12th at 10 am. We are withdrawing our request to have the above mentioned hearing. There was a Code Enforcement hearing last week and the outcome has made our special hearing a moot point. I really appreciate EVERYONE's help with this matter. It has been a long, drawn out process that I was not familiar with and everyone who helped me along the way were incredibly nice and willing to help/answer any and all questions I had. So, if our case (2015-0108-SPH) could be removed from the docket, it would be appreciated. Thanks for your time.

Annie Ernst

410-299-2197

Sent from Windows Mail

CASE NO. 2015- 0108-SPH

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>11/21/14</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>11/17/14</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
<u>Letter & Email from Dennis Joltner</u>		
ZONING VIOLATION	(Case No. <u>CC 1410447</u>)	_____
PRIOR ZONING	(Case No. _____)	_____
NEWSPAPER ADVERTISEMENT	Date: <u>11/22/15</u>	<u>THE Daily Record</u>
SIGN POSTING	Date: <u>11/22/15</u>	by <u>AITMEYER</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☒ No ☐	

Comments, if any: _____

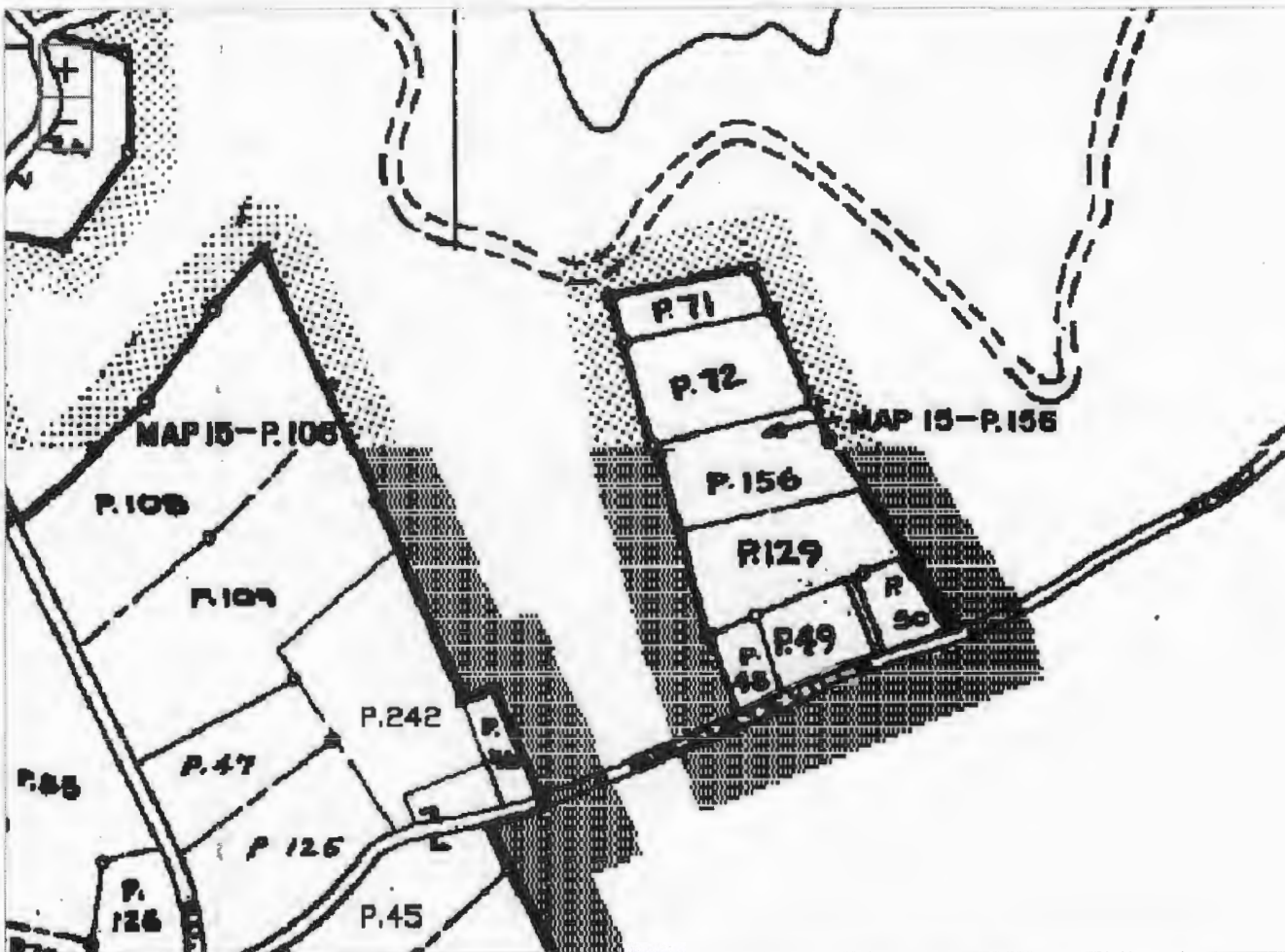
Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Account Identifier:		District - 05 Account Number - 1700012829							
Owner Information									
Owner Name:		KELLEY DALE M			Use:		RESIDENTIAL		
Mailing Address:		3538 BECKLEYSVILLE RD MILLERS MD 21102-2714			Principal Residence:		YES		
					Deed Reference:		/26374/ 00241		
Location & Structure Information									
Premises Address:		3536 BECKLEYSVILLE RD 0-0000			Legal Description:		2.094 AC NS 3536 BECKLEYSVILLE RD 800 E LWR BECKLEYSVILLE		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0015	0004	0156		0000				2014	
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1973		2,537 SF		624 SF		2.0900 AC		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
1 1/2	YES	STANDARD UNIT	SIDING	1 full/ 1 half	1 Attached				
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of	As of	As of			
				01/01/2014	07/01/2014	07/01/2015			
Land:			105,300	94,800					
Improvements			239,400	216,200					
Total:			344,700	311,000	311,000		311,000		
Preferential Land:			0				0		
Transfer Information									
Seller: KELLEY DALE M				Date: 11/09/2007		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /26374/ 00241		Deed2:			
Seller: KELLEY DALE M				Date: 03/27/1985		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /06892/ 00377		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2014		07/01/2015			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									
Homestead Application Status: No Application									

Baltimore County

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

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Sherry Nuffer

PP

2/12/15

From: John E. Beverungen
Sent: Tuesday, December 30, 2014 11:21 AM
To: Sherry Nuffer
Subject: FW: Zoning case 2015-108-SPH

This is for the case file

From: Foltin, Dennis [mailto:Dennis.Foltin@thermofisher.com]
Sent: Tuesday, December 30, 2014 11:09 AM
To: John E. Beverungen; Lawrence Stahl; Arnold Jablon
Cc: TZimmerman@baltimorecountymd.gov
Subject: FW: Zoning case 2015-108-SPH

From: Foltin, Dennis
Sent: Tuesday, December 30, 2014 11:01 AM
To: 'JBeverunge@tbaltimorecounty.gov'; 'LStahl@baltimorecounty.gov'; 'AJablon@baltimorecounty.gov'
Cc: 'TZimmerman@baltimorecounty.gov'
Subject: Zoning case 2015-108-SPH

Dear Sirs,

I have been trying to remove a business, Covington Tree Experts, LLC, from my residential neighborhood. This business has requested a zoning hearing to request the business be allowed to remain. They had a hearing scheduled for this coming Monday, Jan 5th, at 11 am.

I have been informed by the zoning office Covington Tree Experts have requested the hearing be re-scheduled, as they "forgot" to have the property posted as required. I am sure this is a tactic to delay enforcement of the zoning and code violations that continue to occur. Martin Covington, Gordon Covingtons father, is a civil engineer who works for Carroll County. He drew up the site plan for the hearing request. I believe he knows how to delay the case by failing to comply with the hearing requirements, and that delaying the case is in the best interests for Covington Tree Experts.

Mr. Zimmerman, after reviewing the zoning hearing request, has delivered a written request to Judge Stahl and to Judge Beverungen that states there is no legal basis to allow a zoning hearing to legitimize a zoning violation.

I have delivered the relevant documents to Mr. Jablon for review.

I am asking that the zoning hearing be dismissed and that a citation be issued to remove this business from my neighborhood.

Sincerely,

Dennis Foltin
3540 Beckleysville Road
Manchester, Md. 21102
410-960-8048

Thermo Fisher Scientific
Senior Engineer
• 1-800-831-6844

Gordon Corrington
3612 Beckleysville Rd
Manchester, MD 21102

Re: 3536 Beckleysville Rd
Manchester, MD 21102
Case #: 2015-0108-SPH

Dear Kristen,

We just spoke re: the above property + not having the sign posted properly. Mr. Altmeyer will be posting the sign once we have our hearing date re-scheduled for a time that we are available. We will be back in town AFTER January 18th, 2015. I really appreciate your time and being so helpful with this request. Please feel free to contact me to let me know you've received this request. And I have included the other letter we've received from Mr. Zimmerman as well. If you know if letters like this are typical/normal part of process, please advise me on that as well. (YIKES!) Thanks again and I look forward to hearing from you.

All the best,

Annie Ernst
(for Gordon Corrington)
Ho. 299-2197

Lawrence Stahl, Administrative Law Judge
December 11, 2014
Page 3

necessary and appropriate, including but not limited to the citation which ordinarily may be expected to issue to property owners who decline to comply with correction notices.

Sincerely,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

cc: Dale Kelley, Petitioner/Owner
Gordon Covington, Petitioner/Lessee
Lionel Van Dommelen, Director of Code Enforcement
Paul Cohen, Zoning Inspector
Carl Richards, Zoning Supervisor
Wallace Lippincott, Department of Planning
Dennis Foltin, 3540 Beckleysville Road, 21102

410-296-2424









1600006659

010B3

1983-0153-A

2000007397

3530

2000007398

3536

RC 8

1700012829

3 CD

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

5 ED NW 32-H

3540

1700008087

1700010629

1900007343
3606

3612
1700011174

015B1

RC 7

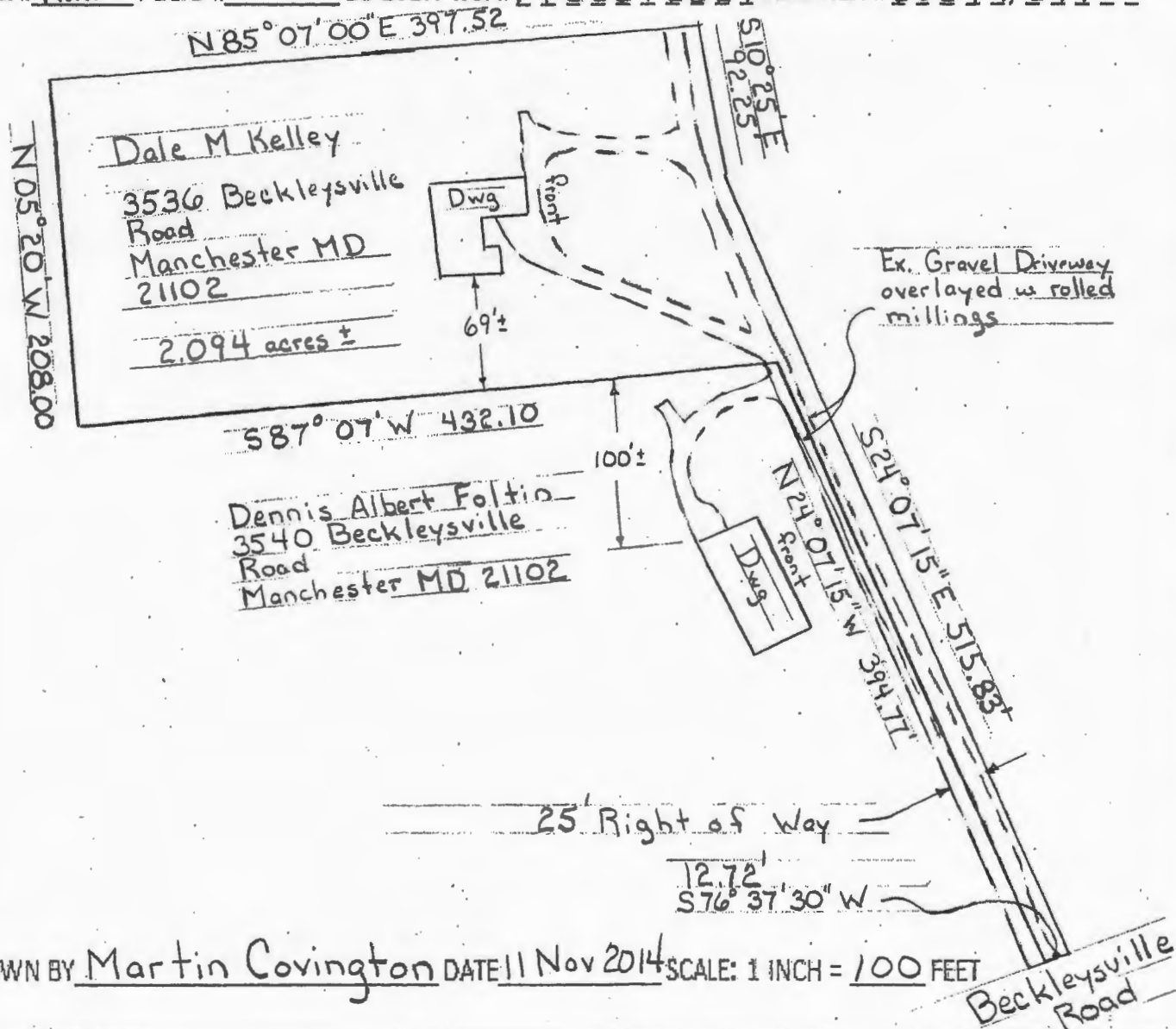
JECKLEYSVILLE RD

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING ☒ (MARK TYPE REQUESTED WITH X)

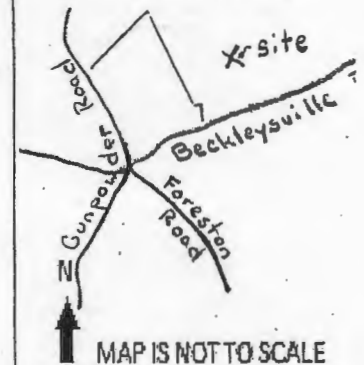
ADDRESS 3536 Beckleysville Road OWNER(S) NAME(S) Dale M Kelley

SUBDIVISION NAME Manchester MD 21102 LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # NONE FOLIO # _____ 10 DIGIT TAX # 1700012829 DEED REF. # 26374/241



SITE VICINITY MAP



ZONING MAP # 01581 01033

SITE ZONED RC 8

ELECTION DISTRICT 5

COUNCIL DISTRICT 3

LOT AREA ACREAGE 2.0

OR SQUARE FEET _____

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH _____

WATER IS: _____

PUBLIC _____ PRIVATE X

SEWER IS: _____

PUBLIC _____ PRIVATE X

PRIOR HEARING? No

IF SO GIVE CASE NUMBER _____

AND ORDER RESULT BELOW _____

VIOLATION CASE INFO: _____

CC 1410447

Paul Cohen

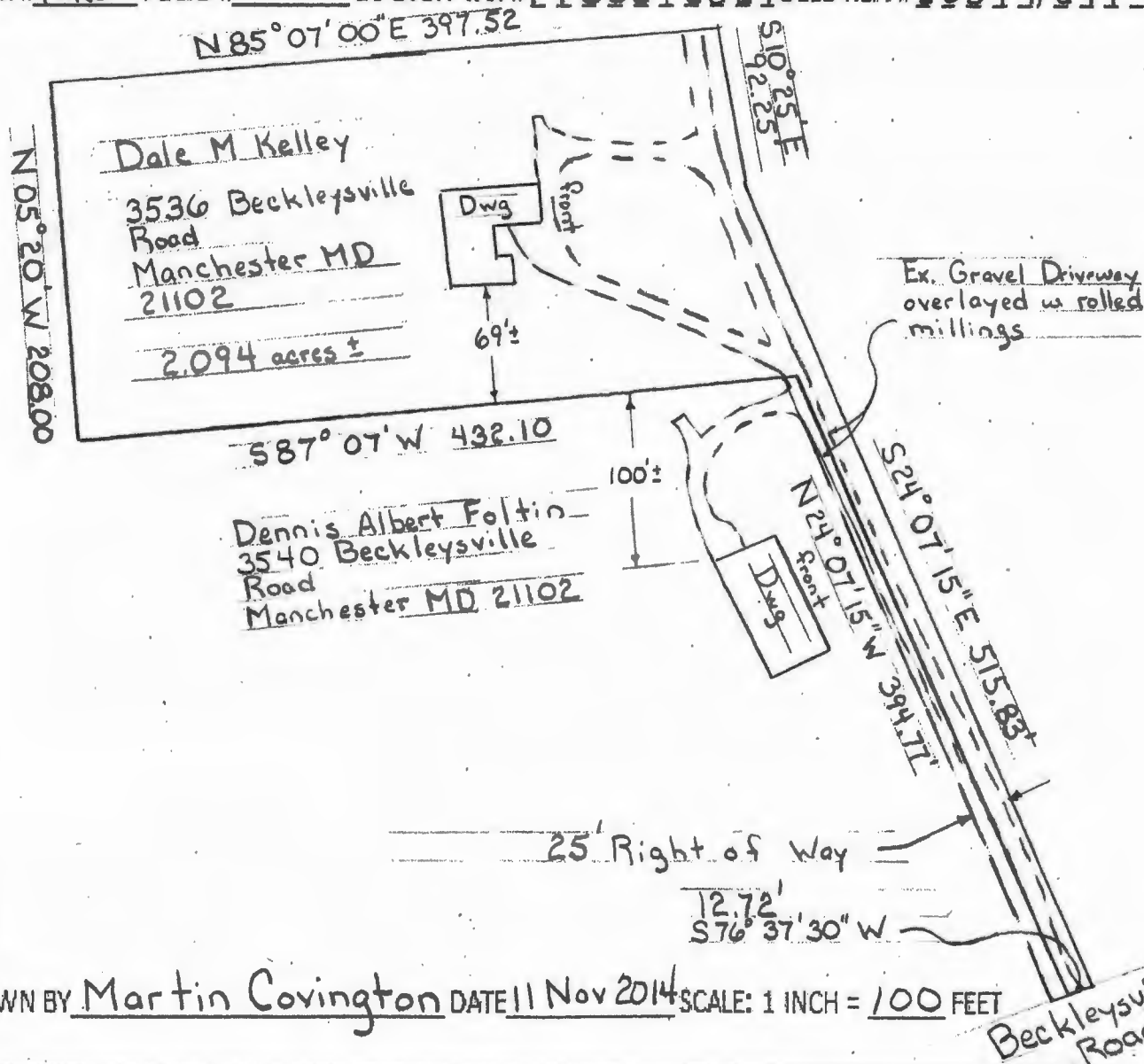
PLAN DRAWN BY Martin Covington DATE 11 Nov 2014 SCALE: 1 INCH = 100 FEET

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING ☒ (MARK TYPE REQUESTED WITH X)

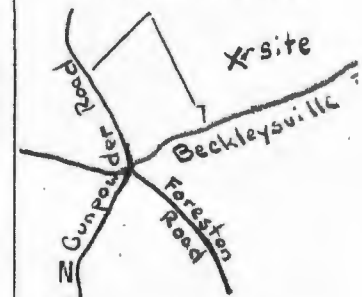
ADDRESS 3536 Beckleysville Road OWNER(S) NAME(S) Dale M Kelley

SUBDIVISION NAME Manchester MD 21102 LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # NONE FOLIO # _____ 10 DIGIT TAX # 1700012829 DEED REF. # 26374/241



SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 015B1401033

SITE ZONED RC 8

ELECTION DISTRICT 5+

COUNCIL DISTRICT 3

LOT AREA ACREAGE 2.0

OR SQUARE FEET _____

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

PRIOR HEARING? No

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Paul Cohen

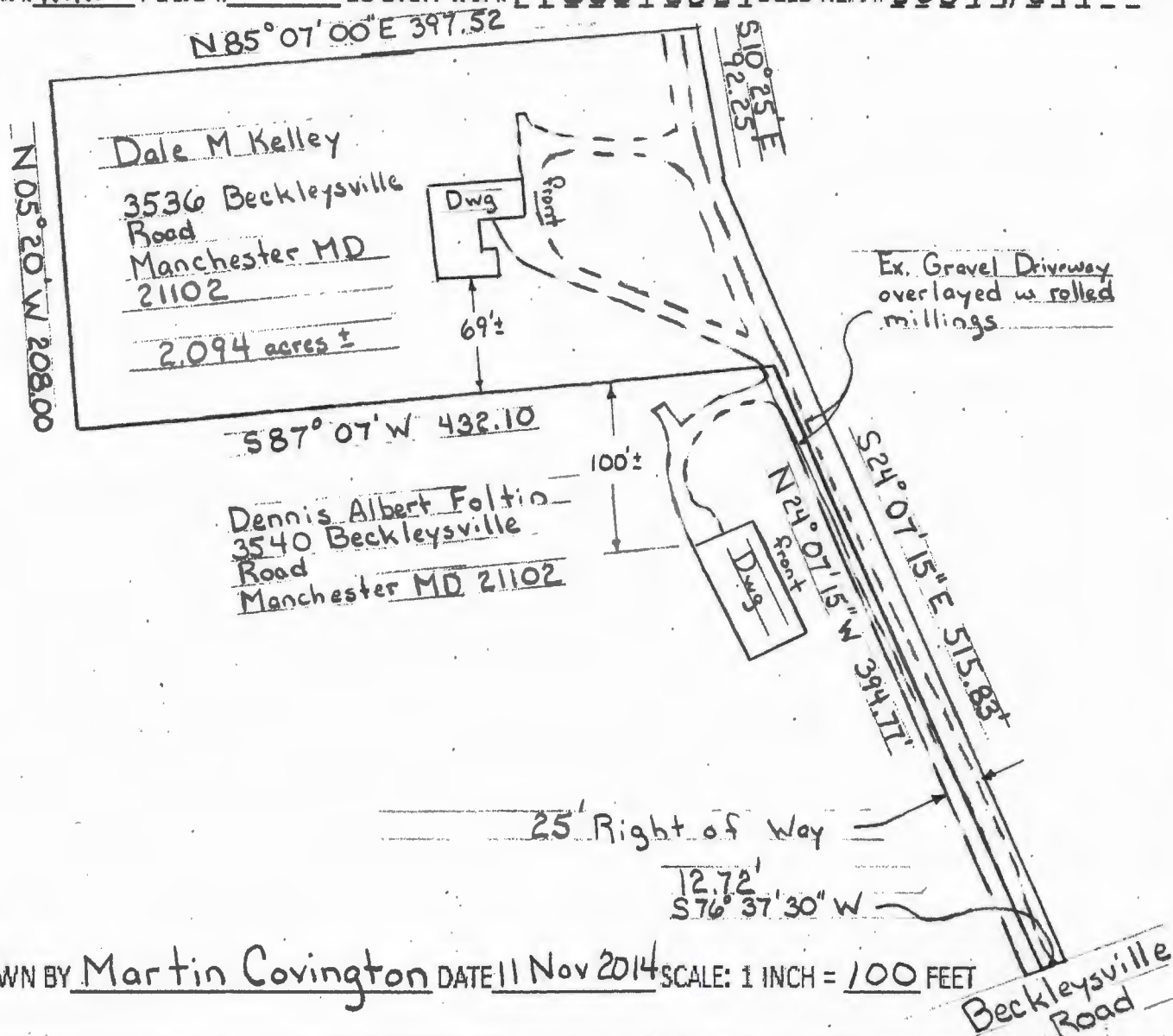
PLAN DRAWN BY Martin Covington DATE 11 Nov 2014 SCALE: 1 INCH = 100 FEET

ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING ☒ (MARK TYPE REQUESTED WITH X)

ADDRESS 3536 Beckleysville Road OWNER(S) NAME(S) Dale M Kelley

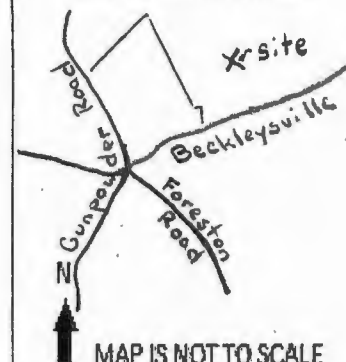
SUBDIVISION NAME Manchester MD 21102 NONE LOT # BLOCK # SECTION #

PLAT BOOK # NONE FOLIO # 10 DIGIT TAX # 1700012829 DEED REF. # 26374/241



PLAN DRAWN BY Martin Covington DATE 11 Nov 2014 SCALE: 1 INCH = 100 FEET

SITE VICINITY MAP



ZONING MAP # 015B1-01083

SITE ZONED RC 8

ELECTION DISTRICT 5

COUNCIL DISTRICT 3

LOT AREA ACREAGE 2.0

OR SQUARE FEET

HISTORIC ? No

IN CBCA ? No

IN FLOOD PLAIN ? No

UTILITIES ? MARK WITH

WATER IS:

PUBLIC PRIVATE ☒

SEWER IS:

PUBLIC PRIVATE ☒

PRIOR HEARING ? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CC 1410447

Paul Cohen