MEMORANDUM

DATE:

April 16, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0212-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on April 15, 2019. 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.'

/dlw

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL HEARING
(701 Academy Road)

1st Election District

1st Election District 1st Council District Sharon Green

Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0212-SPH

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Sharon Green, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR"): (1) to approve the continued use of a non-conforming residence (701 Academy Road) on a property with non-conforming setbacks and parking; and (2) to approve the continued existence and residential rental use of two residential structures, 701 Academy Road and 230 Mt. DeSales Road, on the same property. A site plan was marked and admitted as Petitioner's Exhibit 1.

Sharon Green and surveyor Bruce Doak appeared in support of the petition. J. Neil Lanzi, Esq. represented Petitioner. Several current and former neighbors attended the hearing to express support for the request. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning ("DOP"). That agency did not oppose the request, but suggested that the Petitioner maintain the appearance of a single family structure from the street.

The subject property is 9,396 square feet in size and zoned DR 5.5. The property is improved with two dwellings constructed in or about 1947. Witnesses at the hearing (along with ORDER RECEIVED FOR FILING

Date_3	15	19	
	1	h	
Ву	121	1	Notes

several letters submitted as Pet. Ex. 3) testified they recalled the property being used by multiple tenants (4 total: 3 units in 701 Academy Road and 1 rental unit in 230 Mt. DeSales Road) since at least 1970. Several photographs were submitted which show the separate entrance doors for each of the four apartment units, and it is obvious based on these photos and the unique configuration of the site this was designed and constructed as an income-producing rental property.

THEREFORE, IT IS ORDERED this <u>15th</u> day of March, 2019 by this Administrative Law Judge, that the Petition for Special Hearing: (1) to approve the continued use of a non-conforming residence (701 Academy Road) on a property with non-conforming setbacks and parking as shown on the site plan admitted as Petitioner's Ex. No. 1; and (2) to approve the continued existence and residential rental use of two residential structures, 701 Academy Road (with three apartment units) and 230 Mt. DeSales Road (with one rental unit), on the same property, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- 2. Petitioner must obtain rental licenses from Baltimore County for each of the four residential units.
- 3. Petitioner and subsequent owners shall with regard to both dwellings maintain the appearance of a single family structure from the street.

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

JOHNE: BEVERUNGEN Administrative Law Judge for Baltimore County

ORDER RECEIVED FOR FILING

Date____

By.



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
of Administrative Law of Politimers County for the

Address 701 Academy Road	which is presently zoned DR 5.5
Deed References: 31745/454 Property Owner(s) Printed Name(s) Share	10 Digit Tax Account #0118720900
(SELECT THE HEARING(S) BY MARKING X AT THE APPROPI	RIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
	Baltimore County and which is described in the description de a part hereof, hereby petition for:
x_ a Special Hearing under Section 500.7 of the Zonin or not the Zoning Commissioner should approve See attached	ng Regulations of Baltimore County, to determine whether
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 z (Indicate below your hardship or practical difficulty o you need additional space, you may add an attachmen	zoning law of Baltimore County, for the following reasons: or indicate below "TO BE PRESENTED AT HEARING". If nt to this petition)
To Be Presented At Hearing	
hich is the subject of this / these Petition(s).	etc. and further agree to and are to be bounded by the zoning regulations
contract Purchaser/Lessee: ame- Type or Print ignature ORDER RECEIVED FOR FILING	Legal Owners (Petitioners):
lame- Type or Print	Sharon Green Name #1 – Type or Print Name #2 – Type or Print
ER RECEIVIU	Alun Mren
gnature ORDE	Signature #1 Signature # 2
	6178 Commadore Ct Columbia MD
ailing Address Date City State	Mailing Address City State
o Code Telephone # Email Address	Zip Code Telephone # Email Address gmail.
ttorney for Petitioner:	Representative to be contacted:
J. Neil Lanzi	J. Neil Lanzi Name - Type or Print
Moham	
gnature	Signature
102 W. Pennsylvania Ave #406 Towson ailing Address City MD State	Mailing Address City State
1204 / 443-991-5917/ nlanzi@wcslaw. ip Code Telephone # Email Address	com 21204 443-991-5917 nlanzi@wcslaw.c Zip Code Telephone # Email Address
2019-0212-SPH	

REV. 10/4/11

SPH

<u>ATTACHMENT</u>

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.)

- 1. To approve the continued use of a non-conforming residence (701 Academy Road) on a property with non-conforming setbacks and parking.
- 2. To approve the continued existence and residential rental use of two residential structures, 701 Academy Road and 230 Mt. De Sales Road, on the same property.



Zoning Description

701 Academy Road & 230 Mt. DeSales Road
First Election District First Councilmanic District
Baltimore County, Maryland

Beginning at the intersection of the northwest side of Mt. DeSales Road and the northeast side of Academy Road,

Thence binding on the northeast side of Academy Road and running with and binding on the outlines of the subject property 1) North 36 degrees 58 minutes West 57.65 feet, thence leaving the northeast side of Academy Road and continuing to run with and bind on the outlines of the subject property, the two following courses and distances, viz. 2) North 34 degrees 30 minutes East 150.2 feet, more or less, and 3) South 55 degrees 30 minutes East 54.50 feet to intersect the northwest side of Mt. DeSales Road, thence binding on the northwest side of Mt. DeSales Road and continuing to run with and bind on the outlines of the subject property 4) South 34 degrees 30 minutes West 169 feet, more or less, to the point of beginning.

Containing 9,396 square feet of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.

Bruce E. Doak Consulting, LLC 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906 cell / 443-900-5535 office bdoak@bruceedoakconsulting.com

The Daily Record

11 East Saratoga Street Baltimore, MD 21202-2199 (443) 524-8100

http://www.thedailyrecord.com

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:

2/22/2019

Order #:

11700830

Case #:

2019-0212-SPH

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:

2019-0212-SPH

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: 2019-0212-SPH

701 Academy Road

Intersection of the n/w side of Mt. DeSales Road and n/e side of Academy Road

1st Election District - 1st Councilmanic District

Legal Owners: Sharon Green
Special Hearing to approve the continued use of a non-conforming residence
(701) Academy Road on a property with non-conforming setbacks and parking.
To approve the continued-existence and residential rental use of two residential structures (701 Academy Road and 230 Mt. Desales Road) on the same

Hearing: Thursday, March 14, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

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.

122

Sherry Nuffer

From:

Bruce Doak <doakfarm@gmail.com>

Sent:

Monday, March 11, 2019 7:31 PM

To:

Sherry Nuffer

Cc: Subject: Administrative Hearings; Neil Lanzi Case #2019-0212-SPH sign posting

Attachments:

Posting Cert 3 11 19.pdf

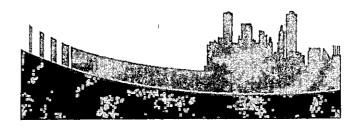
Enclosed is the recertification of the two signs.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

RECEIVED

MAR 1 2 2019

OFFICE OF ADMINISTRATIVE HEARINGS



CERTIFICATE OF POSTING

February 21, 2019 (Amended March 11, 2019)

Re:

Zoning Case No. 2019-0212-SPH Legal Owner: Sharon Green Hearing date: March 14, 2019

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 701 Academy Road.

The signs were posted on February 21, 2019.

The signs were inspected again on March 11, 2019.

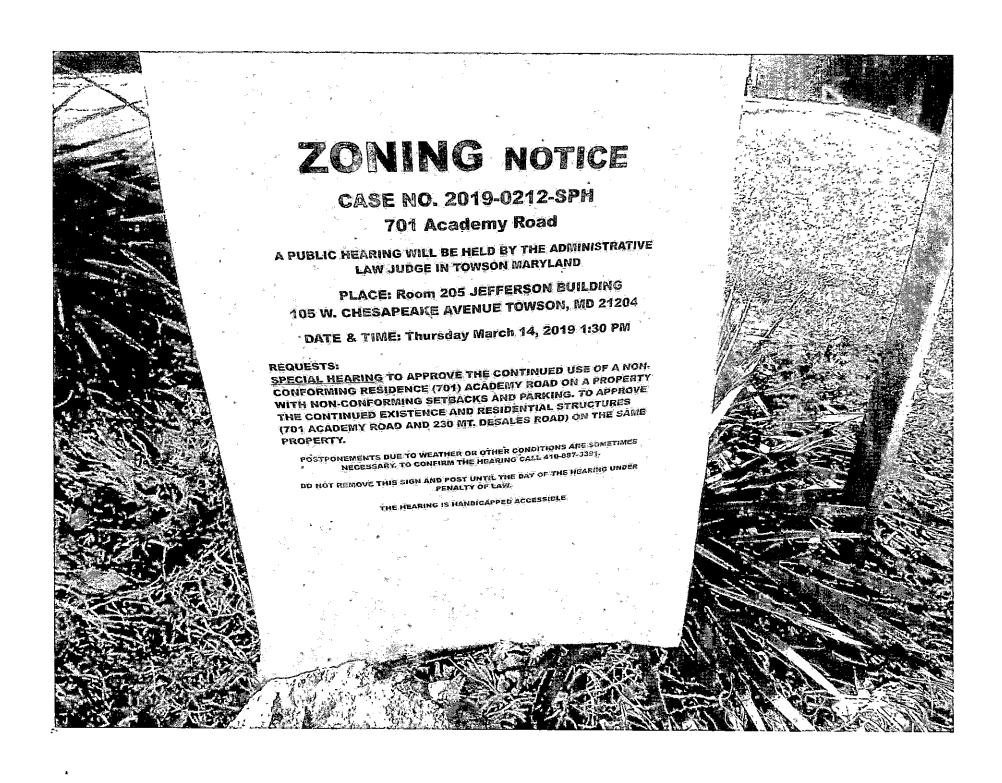
Sincerely,

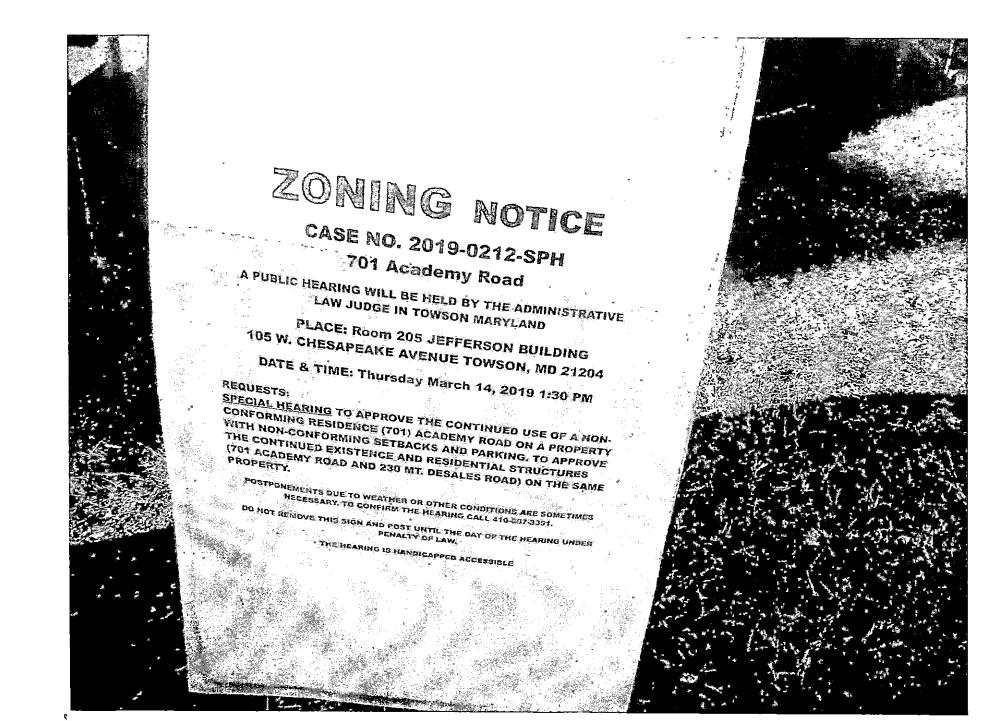
Bruce E. Doak

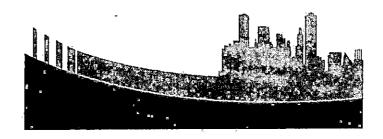
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906 cell / 443-900-5535 office bdoak@bruceedoakconsulting.com







CERTIFICATE OF POSTING

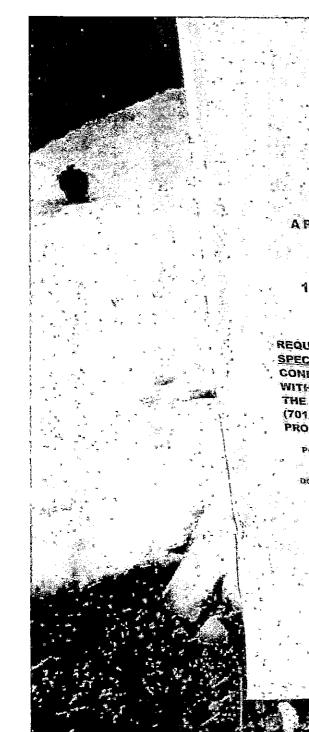
February 21, 2019 ()
Re: Zoning Case No. 2019-0212-SPH Legal Owner: Sharon Green Hearing date: March 14, 2019
Baltimore County Department of Permits, Approvals & Inspections County Office Building 111 West Chesapeake Avenue, Room 111 111 West Chesapeake Avenue Towson, MD 21204
Attention: Kristen Lewis
Ladies and Gentlemen,
This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 701 Academy Road.
The signs were posted on February 21, 2019.
The signs were inspected again on
Sincerely

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak

MD Property Line Surveyor #531

Bruce E. Doak Consulting, LLC 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906 cell / 443-900-5535 office bdoak@bruceedoakconsulting.com



ZONING NOTICE

CASE NO. 2019-0212-SPH 701 Academy Road

A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Thursday March 14, 2019 1:30 PM

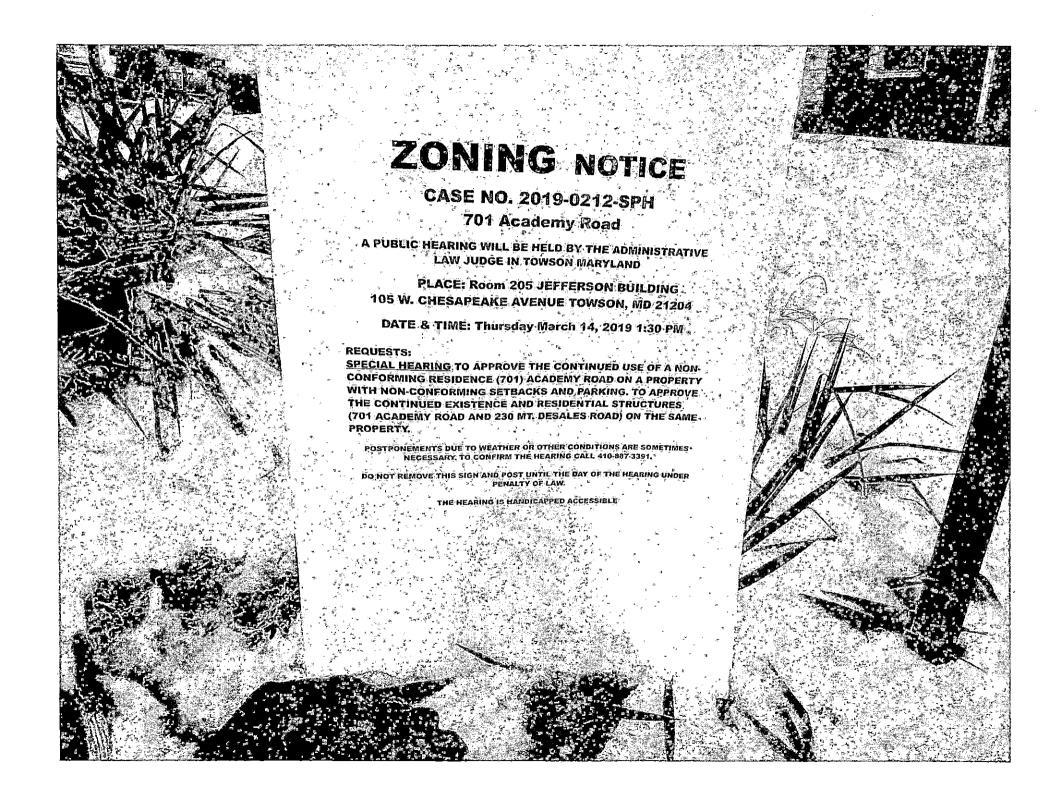
REQUESTS:

SPECIAL HEARING TO APPROVE THE CONTINUED USE OF A MON-CONFORMING RESIDENCE (701) ACADEMY ROAD ON A PROPERTY WITH MON-CONFORMING SETBACKS AND PARKING. TO APPROVE THE CONTINUED EXISTENCE AND RESIDENTIAL STRUCTURES (701 ACADEMY ROAD AND 230 MT. DESALES ROAD) ON THE SAME PROPERTY.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY, TO CONFIRM THE HEARING CALL 410-887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER

THE HEARING IS HANDICAPPED ACCESSIBLE



RE: PETITION FOR SPECIAL HEARING
701 Academy Road; at intersection of NW/S
of Mt. DeSales Road & NE/S of Academy Rd *
1st Election & 1st Councilmanic Districts
Legal Owner(s): Sharon Green
*

Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2019-212-SPH

ENTRY OF APPEARANCE

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

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

JAN 28 2019

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 28th day of January, 2019, a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esquire, 102 West Pennsylvania Avenue, Suite 406, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL MOHLER, Director

Department of Permits,

Approvals & Inspections

February 13, 2019

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: 2019-0212-SPH

701 Academy Road

Intersection of the n/w side of Mt. DeSales Road and n/e side of Academy Road

1st Election District - 1st Councilmanic District

Legal Owners: Sharon Green

nucle problem

Special Hearing to approve the continued use of a non-conforming residence (701) Academy Road on a property with non-conforming setbacks and parking. To approve the continued existence and residential rental use of two residential structures (701 Academy Road and 230 Mt. Desales Road) on the same property.

Hearing: Thursday, March 14, 201 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler Director

MM:kl

C: J. Neil Lanzi, 102 W. Pennsylvania Avenue, Ste. 406, Towson 21204 Sharon Green, 6178 Commadore Court, Columbia 21045

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 22, 2019.

(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: THE DAILY RECORD

Friday, February 22, 2019 - Issue

Please forward billing to:

Sharon Green 6178 Commadore Court Columbia, MD 21045

443-896-7786

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: 2019-0212-SPH

701 Academy Road

Intersection of the n/w side of Mt. DeSales Road and n/e side of Academy Road 1st Election District — 1st Councilmanic District

Legal Owners: Sharon Green

newle peoble

Special Hearing to approve the continued use of a non-conforming residence (701) Academy Road on a property with non-conforming setbacks and parking. To approve the continued existence and residential rental use of two residential structures (701 Academy Road and 230 Mt. Desales Road) on the same property.

Hearing: Thursday, March 14, 201 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler

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.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 legal owner/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 legal owner/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.

	ber: 2019-0212-SPH
Property A	ddress: #701 ACADEMY ROAD & #230 Mr DE SALES ROAD
	Description: 9,396 SF NW CORNOR OF ACADOMY ROAD !
	MT DE SALES ROAD
Legal Own	ers (Petitioners): FRED GREEN IN & SHAROW B. GREEN
	GIS (I GUILOTIGIS). 1/200 TICOTA : CHAIZIN DI TICOTA
	rurchaser/Lessee: N/A
Contract P	
Contract P	rurchaser/Lessee:
Contract P PLEASE F Name:	FORWARD ADVERTISING BILL TO:
Contract P PLEASE F Name: Company/	Forward Advertising Bill to: Suancy Green Firm (if applicable):
PLEASE F Name: Company/ Address:	ORWARD ADVERTISING BILL TO:

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BALTIMORE COUNTY, MARYL No. 17778-OFFICE OF BUDGET AND FINA THEM MISCELLANEOUS CASH RECEIPT Date: Rev Sub 830075 1/17/2019 CALIN Source/ Rev/ 528 ZONING VERIFICATION Amount Sub Obj Dept Obj BS Acct Obj Unit Sub Unit Fund Dept 6150 500, aprot Tot \$ 500.00 on ca Baltimore County, Maryland Total: Rec For: CASE NO. 2019-0012-SPH SPECIAL HEARING @ 701 ACHDEM CASHIER'S VALIDATION DISTRIBUTION **GOLD - ACCOUNTING** WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PLEASE PRESS HARD!!!!



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, Director Department of Permits, Approvals & Inspections

March 7, 2019

J. Neil Lanzi 102 W. Pennsylvania Ave Suite 406 Towson MD 21204

RE: Case Number: 2019-0212-SPH, 701 Academy Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 17, 2019. 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel Sharon Green 6178 Commadore Ct Columbia MD 21045

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Mike Mohler

DATE: 3/6/2019

FROM:

Jeff Mavhew

Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Acting Director, Permits, Approvals and Inspections

Case Number: 19-212

INFORMATION:

Property Address:

701 Academy Road

Petitioner:

Sharon Green

Zoning:

DR 5.5

Requested Action:

Special Hearing

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should:

1. Approve the continued use of non-conforming residence (701 Academy Road) on a property with non-conforming setback and parking.

2. To approve the continued existence and residential rental use of two residential structures, 701 Academy Road and 230 Mt. De Sales Road, on the same property.

A site visit was conducted on February 4, 2019.

The Department of Planning has no objection to granting the requested relief conditioned upon the following:

1. The applicant should maintain the appearance of single family structure from the street.

For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:

Division Chief:

Jenifer G. Nugent

JM/JGN/JAB/

c: Josephine Selvakumar

J. Neil Lanzi

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

ADMINISTRATIVE OF THE ARMOS



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

February 8, 2019

SUBJECT:

DEPS Comment for Zoning Item

2019-0212-SPH

Address

701 Academy Road

(Green Property)

Zoning Advisory Committee Meeting of February 4, 2019.

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

Reviewer:

Steve Ford



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 1/28/14

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019 - 0212 - 524

Special Herving Shanon Correr 701 Acadomy Esna

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ

CASE NAME	GREEN	_
CASE NUMBER	2019-0212-5P4	
DATE 3/14/	110	

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

Cary Johnson	3035 Cahill Lam Dumf VA	Dumfrics , UA 22026	
JUDITA M RUFF	1307 ELM Rd	BALTO Md	JUDITHREEDOGS @ ACC.COM
CINDY RUFF	528 Westwell Lane	Bel AIR, MD 21014	clr 57 @ compast. not
BRUCE E. DOAK.	3801 BAKER SCHOOLHOUSE ROAD	FREELAND MO 21053	DOAKFARM @GMAIL. COM
Sharon B. Green	6178 Commadore Court	Columbia MD 21045	Sharon. b. green 1 Q gmail. a N(4nzi ewcSlaw. (M)
Mail (ans:	102 W Pennsylvania Aur	#400 Towser m) 21204	N(anzi ewcslaw. (m
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Real Property Data Search

Search Result for BALTIMORE COUNTY

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Seller:	RUFF W	LLIAM A			Date: 0	1/02/2007			Price: \$28	8,120	
Type: /	ARMS LEI	NGTH IMP	ROVED		Deed1: /25002/ 00285		Deed2:				
	RUFF FR				Date: 0	8/09/1973		-	Price: \$29	,000	
Type: A	ARMS LEI	NGTH IMP	ROVED			/05384/ 004			Deed2:		
Partial Ex	xempt As	sessment	s: Ciass	_	⊨xempt	ion Informat 07	on /01/2018	· · · -	07/01/2019)	
County:	•		000			0.0					
State:			000			0.0					
Municipa	al:		000			0.0	00.00		0.00 0.00		
Tax Ex	empt:				Specia	I Tax Reca _l	oture:				
Exemp	ot Class:				NONE	_					
				11		pplication In					

Homestead Application Status: No	cation	1 .
	Homeowners' Tax Credit Application Information	
Homeowners' Tax Credit Application \$	Status: No Application Date:	

https://securemde.md@state.md.us/Pages/RenewalSummaryReport.aspx

Formis Sharon Green Tracking # 0303228

Bank Date: 09/22/2017

Export To PDF

Change Password | Sign Out | Welcome Sharon B Green

Please check the second page for fee paid and affirmation statement

Property Number	Property Address	Year of Construction	Unit Identification	Date of Most Recent Turnover	Date of Most Recei Lead Certificate (Form 330)
04010118720900	701 Academy Road	1947	1st Floor	12/31/2006	11/24/2014
04010118720900	701 Academy Road	1947	3rd Floor 2 FL	03/01/2012	11/24/2014
04010118720900	701 Academy Road	1947	Basement B	08/01/2015	11/24/2014
1416063428	8701 Hayshed Lane	1974	Unit 13	08/15/2015	05/14/2016
- 049030322801	230 Mt De Sales Road	(1900)	SFP)	03/01/2014	11/24/2014

Payment

Total Units Certified Lead Free Opt In ٥ 0 Total Units Built After 1977 Total Units Before 1950 Total Built 1950 -1977 Total Amount \$ 150.00

Affirmation

I hereby certify and affirm that I intend to submit to the Maryland Department of the Environment information regarding rental dwelling units in accordance with the registration requirements of Title 6, Subtitle 8 of the Environment Article, Maryland Annotated Code.

In typing my name below, I further certify and affirm under penalty of perjury that all of the information I am providing on this date is complete, true and accurate to the best of my knowledge.

Name: Mrs.sharon green Date 09/22/2017

Relation With Property: Owner

FAX# 410-659-1350

PETITIONER'S

EXHIBIT NO.

2

1

October 29, 2018 Ms. Cindy Ruff 528 Westwell Lane Bel Air, MD 21014

The Honorable Judge Beverungen Administrative Law Judge Baltimore County

Dear Judge Beverungen,

My name is Cindy Ruff, born December 4, 1957. While I was only a teenager, about 14 or 15 years old, my father bought the property at 701 Academy Road, which includes the house at 230 Mt. DeSales Road. Though at 15, I can't say I paid that much attention. My father bought them from my uncle as longstanding apartments but I can't say if my uncle turned them into apartments or not. I also remember my dad having "open houses" and taking applications from prospective tenants when he had turnover in the apartments. I do remember conversations between my parents about the houses and that they were apartments and had long term tenants. I know we rode over to look at the houses at some point so we could see where they were.

When my mother's friend and her husband moved into the small house on Mt. DeSales, I went over several times as my dad was working on it. I don't know what year that was, but I know they lived there several years before I moved into the big house main floor apartment in 1981. I can tell you that I rented the first floor apartment at 701 Academy Road from September 1981 until April of 1992. During the entire time that I lived there, the basement and second floor were continually rented with the exception of an occasional month when there was tenant turnover.

The Mt. DeSales house was being used as a single family home rental at the time, though I do remember seeing that it had a kitchen on the second floor, bathrooms on both floors, and was told it had been used as 2 apartments at some point.

The Academy Road house had 3 apartments; a 1 bedroom basement apartment with a side entrance and back door; first floor apartment with 2 potential bedrooms (but I used one as a dining room), a fireplace and storage on the second floor; and a second floor 1 bedroom apartment with its own side entrance and I believe a fireplace as well. There was a basement and a separate laundry room that tenants had access to. There was also a garage which was used for storage by my dad and a fireplace in the backyard. If you have any questions please let me know.

I hereby certify that the above information is true and correct to the best of my knowledge and belief.

Cindy Ruff 1/62/18 Cindy Ruff 1/02/2018

Witness

PETITIONER'S

Lettens

EXHIBIT NO.

<u> 3</u>

Marie Series

November 2, 2018

Mr. James C. Ruff 620 Bollinger Road Littlestown, PA 17340

The Honorable Judge Beverungen Administrative Law Judge Baltimore County

Dear Judge Beverungen,

My name is James Ruff, born 7/29/1949, son of the late William and Rita Ruff, who purchased the 701 Academy Road property (in 1973) that contained two houses. My earliest memory of those houses was that my late uncle, Frank Ruff, purchased the property (in 1962) in preparation for his retirement so that it would provide an income stream. His circumstances changed and since he didn't feel he needed that income, he sold the property to my father, who was also planning for his retirement income. I remember the discussion that there were apartments in both houses, but I did not witness the specific layout when my uncle owned the houses.

My dad and I did discuss the houses after he purchased them. He said the Academy Road house always (from before my uncle Frank purchased it) had the three separate apartments (basement, main-1st floor, 2nd floor). The Mt. DeSales house had been divided into two rental units. I do not know if my uncle Frank made the conversion, or if he purchased it in that layout.

I was living out of town when my dad bought the property so I did not see it in person immediately. In 1976 when I moved back to Baltimore, I used to go to the property to help my dad with apartment turnover, so I am very familiar with the layout of the houses from that time forward. The "big house", as we used to call it, (the one with the Academy Road address), always had three apartments. Each apartment had its own private entrance.

The second floor apartment had a stairway up the side of the house as the entrance. It was a nice 1BR apartment with a separate living room and nice kitchen. The main floor was also 1BR, but was the nicest of the units. Entry was made through the main front door of the house. Besides the bedroom, there was a very spacious living room, dining room and kitchen. There was also access to some storage area downstairs. The basement apartment was small but did have a separate living room and bedroom, along with a small kitchen. It's entrance was from a

street level door on the Mt. DeSales Road side of the house. I helped work on each of these apartments at different times. My sister Cindy, lived in the main floor apartment for a number of years.

The "small house", which had the Mt. DeSales address, was originally set up as two apartments. The first time those apartments were vacated, my dad turned that back into a single unit house. My dad felt it was too small to be divided as it had been. I helped with the work that converted it back into a single unit rental. I do remember that the first floor had a nice size living room and toward the back of the house was the kitchen. The second floor had a small room with a washer and dryer. I believe that my mom's hairdresser and her husband lived there for many years. Most of the tenants stayed for a long time. I think I was in it again before my mom sold it, but we didn't do much if any work at that time. I believe it was vacant when mom sold it.

When I first saw and worked in the houses, in 1976, there was no sign that any of the renovations were recent. Nothing appeared to be "new construction". These layouts all appeared to have been in place for many years. My parents took good care of the property and were not very aggressive with the rent increases. Between working alongside my dad and family visits to my sister's apartment, these remain vivid and memorable experiences for me. I hope this helps to clarify the history of this property. If you have any other questions, please feel free to contact me.

I hereby certify that the above information is true and correct to the best of my knowledge and belief.

Sincerely

lames C. Ruff

Mitness

October 28, 2018

Mr. Joseph Liberto 4321 Spring Avenue Halethorpe, MD 21227

The Honorable Judge Beverungen Administrative Law Judge Baltimore County

Dear Judge Beverungen,

I am writing to inform you of my personal knowledge and memories of the home located at 701 Academy Road, Baltimore, MD 21228. I grew up in the home next door (703 Academy Road) since my birth in 1950 until 1971 at the age of 21 years. From about the age of 10 (1960), I do know that the house next door at 701 Academy Road was always 3 separate apartments; basement, main 1st floor, and 2nd floor.

My parents, Sam and Teresa Liberto, were engaged to be married on VJ Day (August 14, 1945) and married one year later on August 14, 1946. In 1945, before they married, my parents saw Mr. Bossi building his home at 701 Academy Road and fell in love with the house. They asked Mr. Bossi to build them a home next door just like it! Mr. Bossi agreed to build their home from the same stone (at my parent's request) that he used for his home, at 701 Academy Road. The newlyweds moved into the basement apartment, in Mr. Bossi's home at 701 Academy Road, while their new home was being built. Mr. Bossi completed construction of 703 Academy Road in 1946. Before Mr. Bossi moved from 701 Academy Road, he turned it into rental units. My father, Sam Liberto, lived in his home until 2013. Following his death, we sold it in 2015.

I hereby certify that the above information is true and correct to the best of my knowledge and belief. Sincerely,

Insenh Liherta

Witness

October 28, 2018

Mr. Phil Behrens 705 Academy Road Baltimore, MD 21228

The Honorable Judge Beverungen Administrative Law Judge Baltimore County

Dear Judge Beverungen,

My name is Phil Behrens and I have lived in my parent's home at 705 Academy Road since I was 8 years old (1968) until now. I am writing to inform you of my personal knowledge and memories of the two houses, 2 doors down, on the corner of Mt. DeSales Road and Academy Road, Baltimore, MD 21228. The house at 701 Academy Road has always been 3 separate apartments that were rented out; basement, main 1st floor, and 2nd floor. The small house (230 Mt. DeSales Road) behind 701 Academy was always rented out as well. I never really got to know the people well, who lived there, because they were always moving in and out. I was fond of running up and down the stone stairs that join the yards of 701 Academy Road and Mt. DeSales Road as a kid. While growing up, I ran and played among all the adjoining yards and homes with my friends, so I paid attention to the rented units and turnover of tenants.

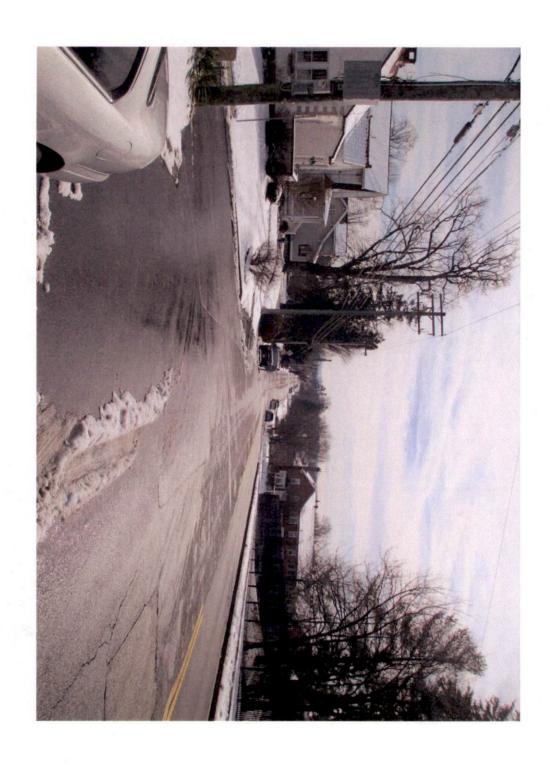
I hereby certify that the above information is true and correct to the best of my knowledge and belief.

Phil Behrens

Sincerel

Witness





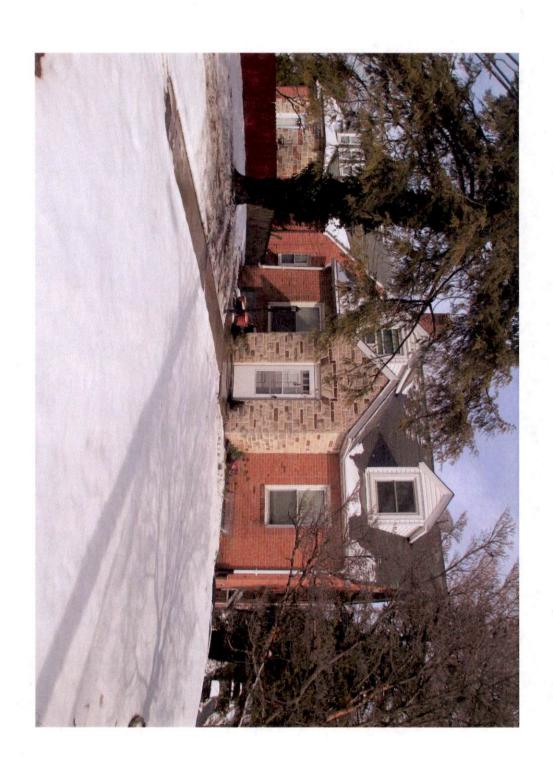




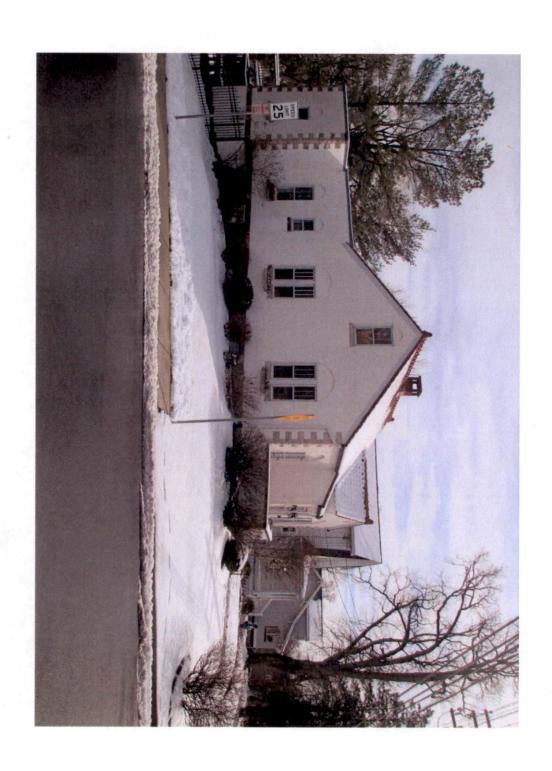




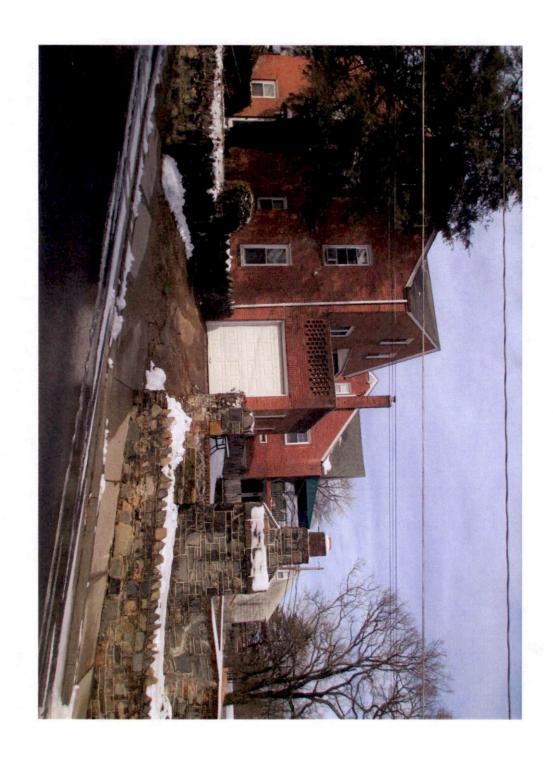




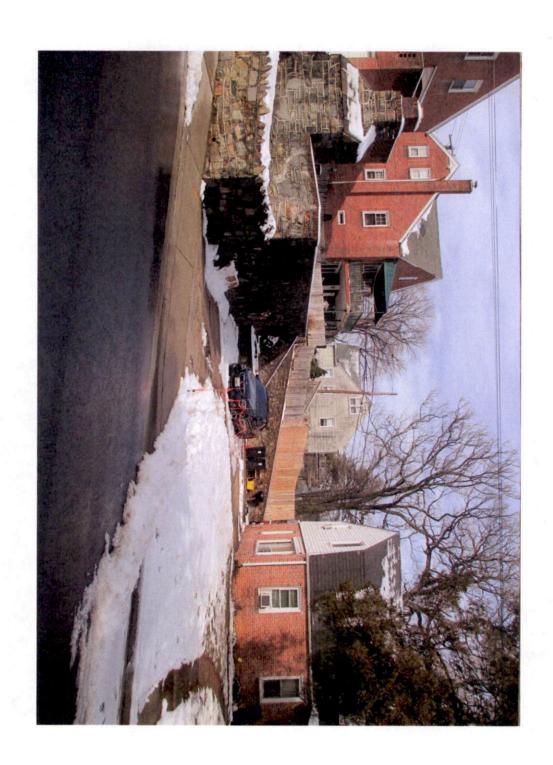




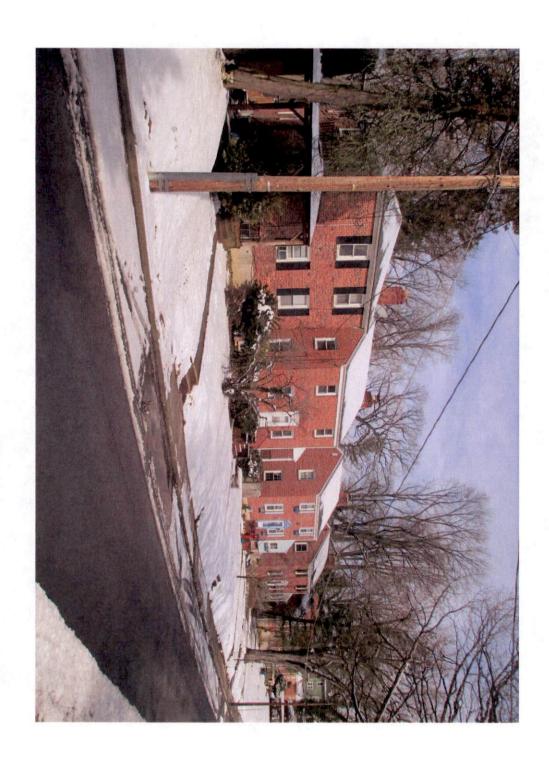








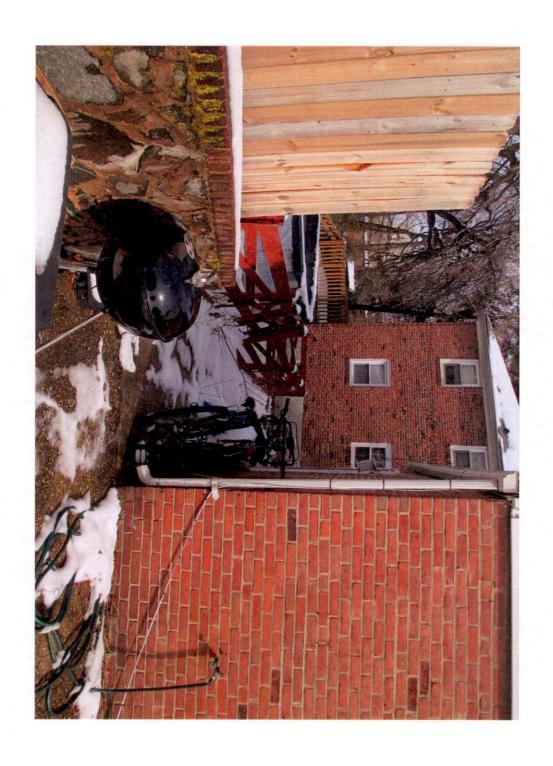




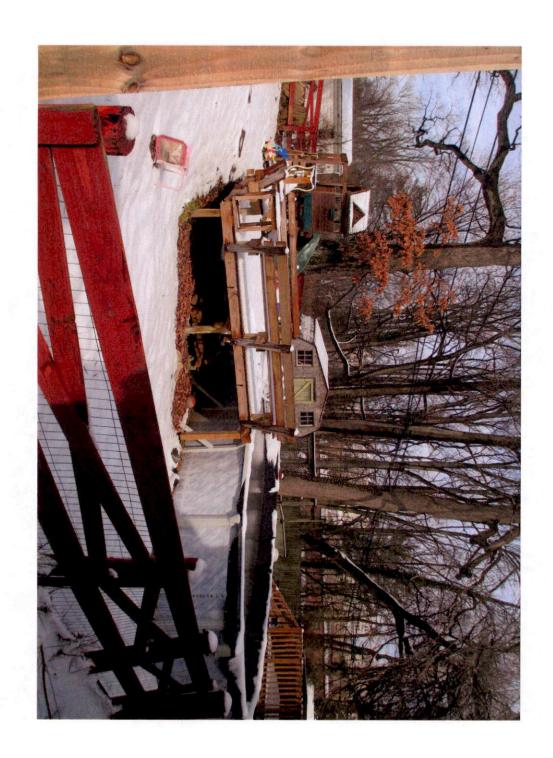


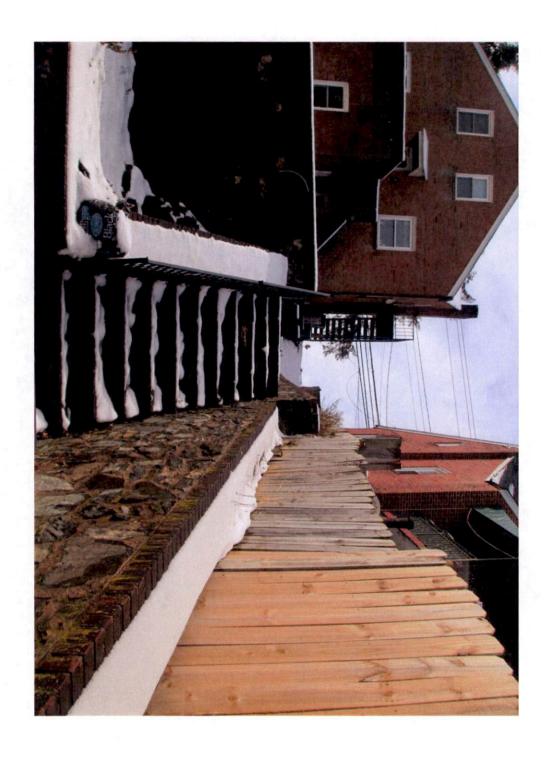


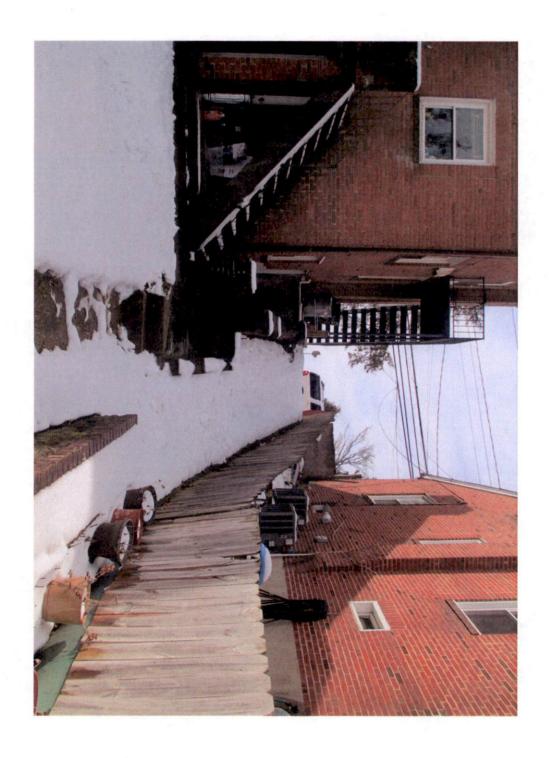




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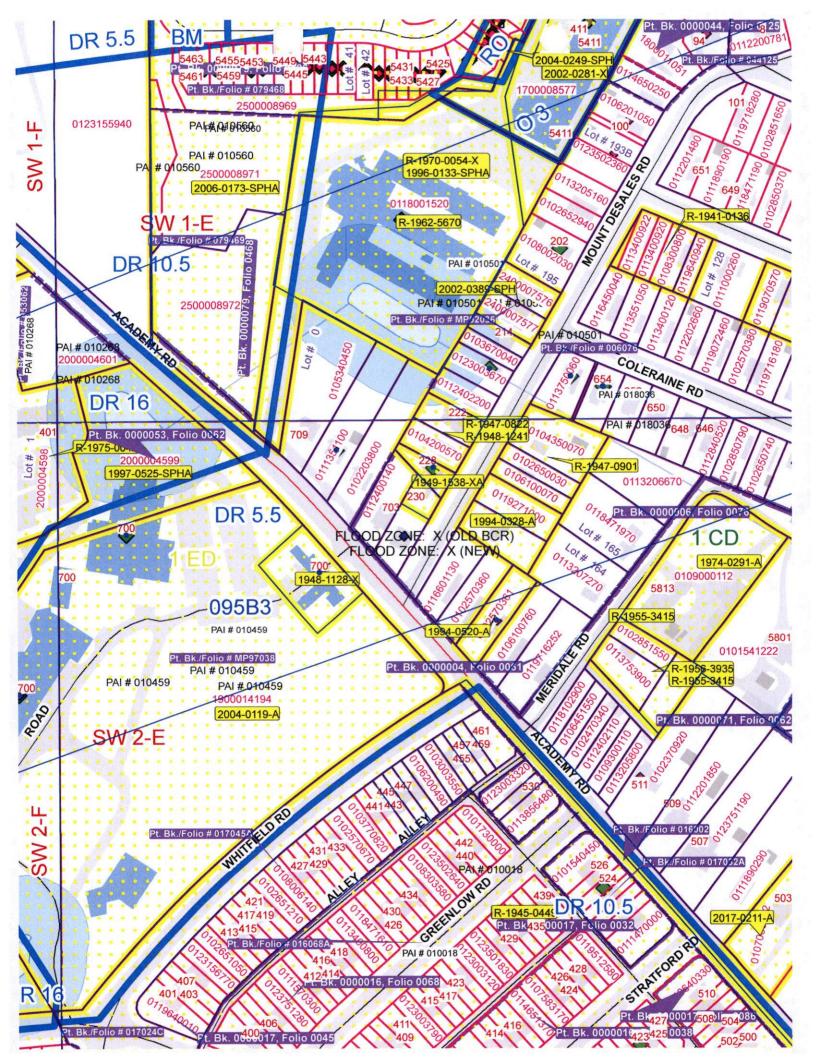












0118720900
GREEN FRED JR GREEN SHARON B
701 ACADEMY RD
0095
0219
More info
Click for StreetView

DR 5.5

Westowne ES
Catonsville MS
Catonsville HS

Wilkens 1 7 44B 1 01-007

NOMIC

Precinct

Middle S

High SRNMENT

CDe District

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e District District

mmercial Revitalization District nterprise Zone Economic Park Center Name Economic Park Center Type No Feature Found No Feature Found No Feature Found No Feature Found

ENVIRONMENTAL

Watershed Name River Basin Name Subshed Name Soil Name Soil Name Gwynns Falls Patapsco River Maiden Choice Run

Legore-Montalto-Urban Land complex, 8 to 1. Matapeake silt loam, 2 to 5 percent slopes

HISTORIC

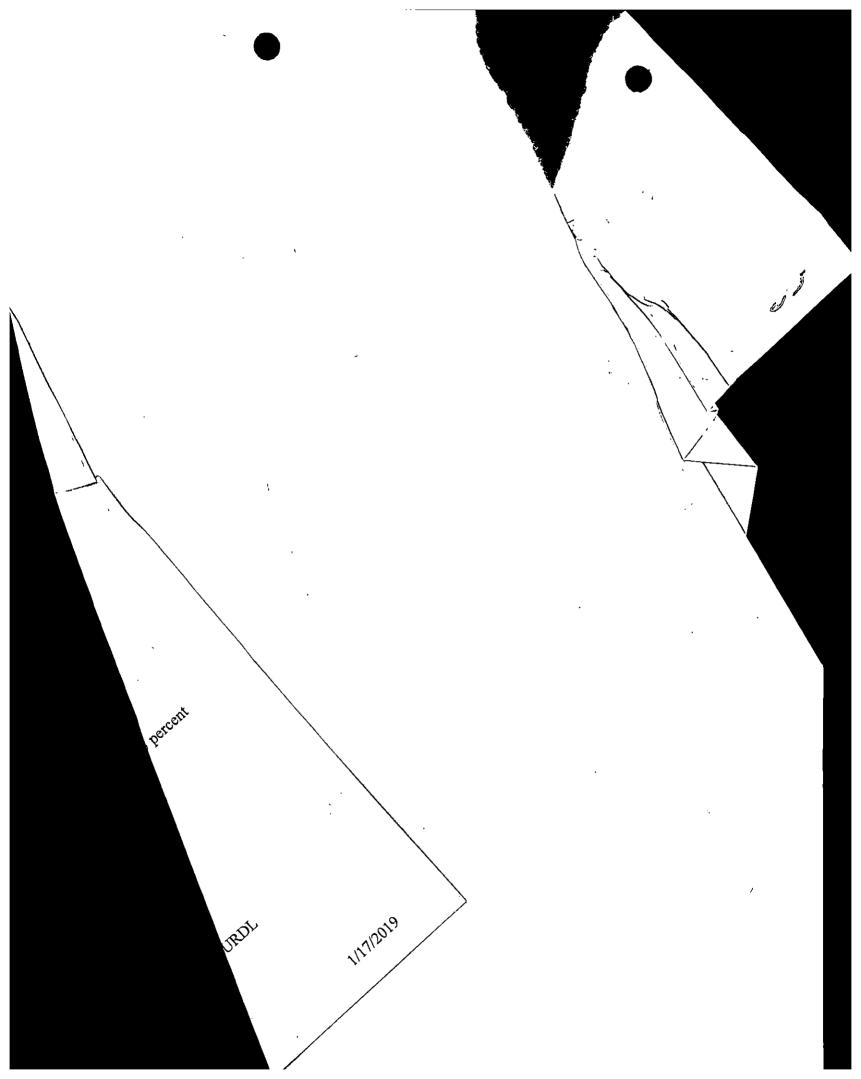
National Register Historic District Baltimore County Historic District Landmark Name MIHP Number No Feature Found No Feature Found No Feature Found

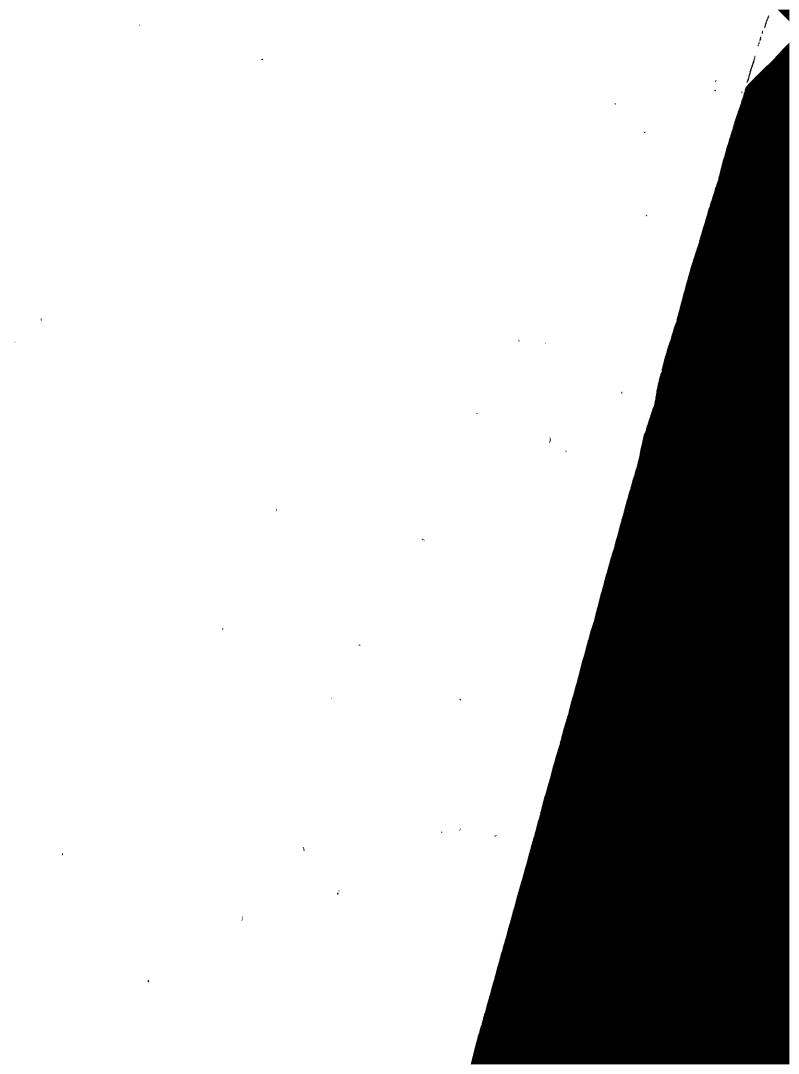
LAND MANAGEMENT URDL Land Type Growth Tier Description

Urban

Served by public sewer and inside

ZONING CASE HISTORY



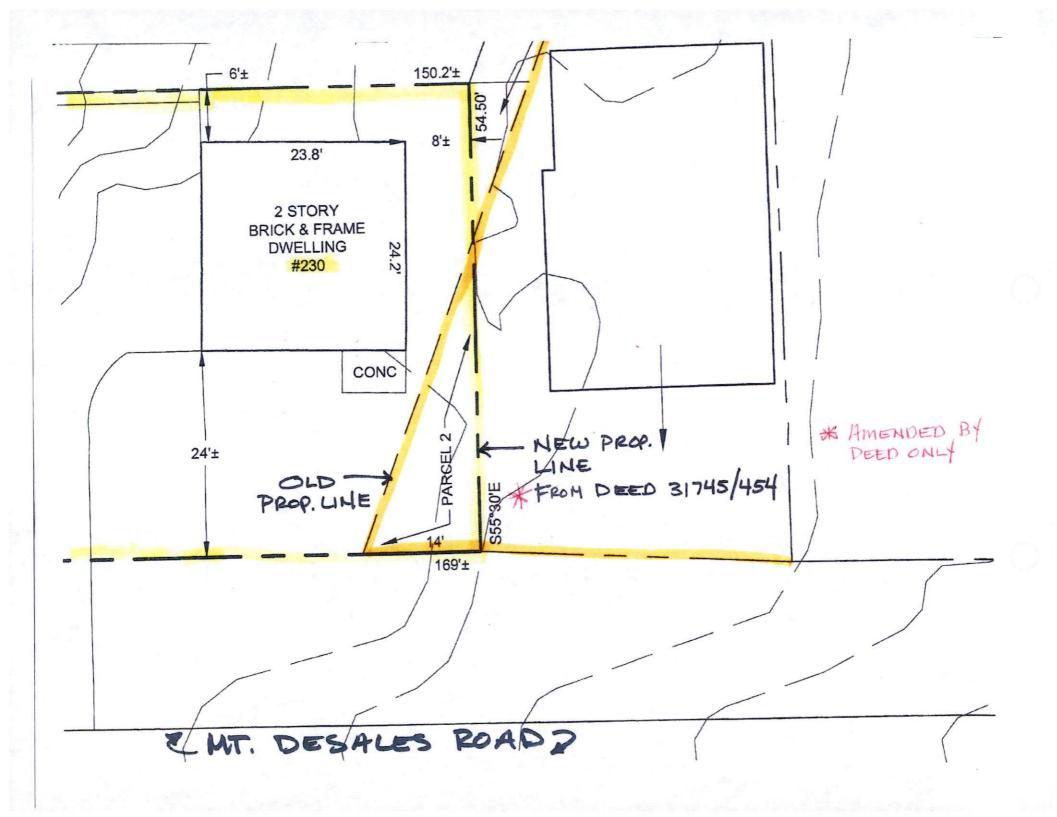


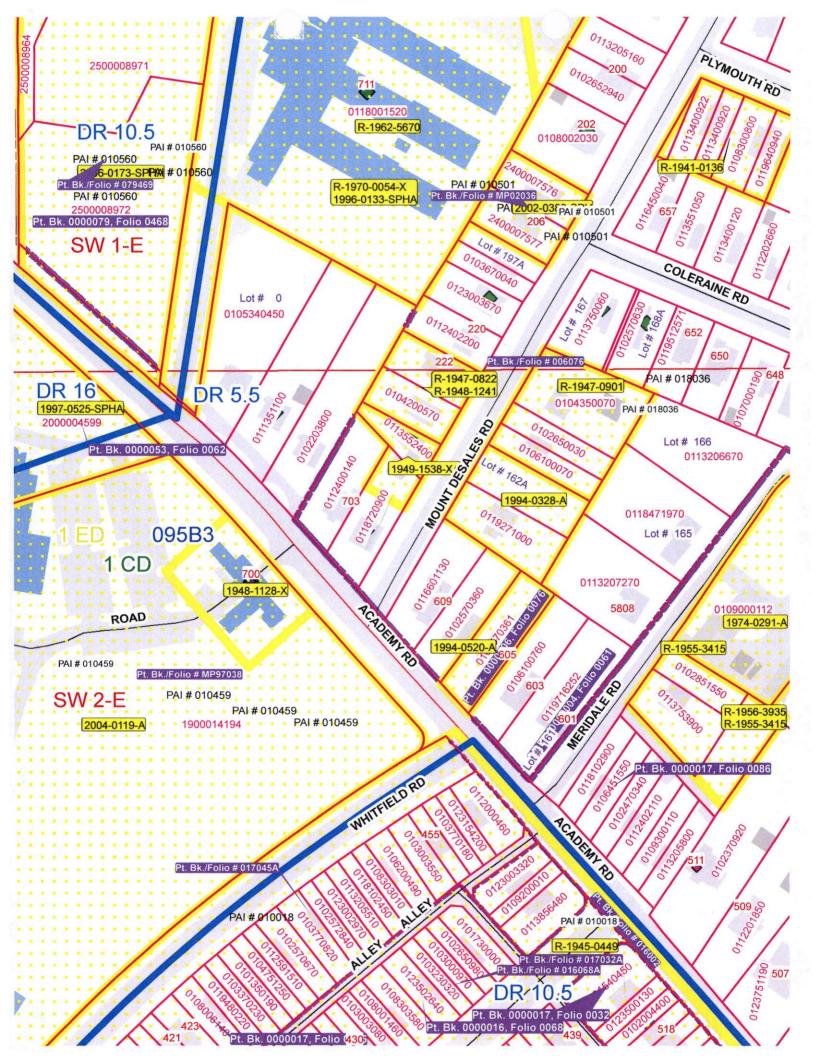
Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Rede		View GroundRent Registration				
Tax Exempt:							
Exempt Class:	NONE						
Account Identifier:	District - 01 Accour	t Number - 0118720900					
		Owner Information					
Owner Name: GREEN FRED JF GREEN SHARON				RESIDENTIAL NO			
Mailing Address:	6178 COMMADORE COLUMBIA MD 210			/31745/ 00454			
		Location & Structure Information	nation	Andrew Tolland			
Premises Address:	701 ACADEMY RD	Leg	Legal Description:				
	0-0000	- 111 - 00			701 ACADEMY RD MERRIDALE LITTLE FARMS		
		esales RD,					
Map: Grid: Parcel: 0095 0021 0219	Sub District: Subdivision 0000	: Section: Bloc	k: Lot: 199B	Assessment Ye 2019	ar: Plat No Plat Ro		
Special Tax Areas:		Town:			NONE		
		Ad Valorem:					
		Tax Class:					
Primary Structure Built 1947	Above Grade Living Area 2,682 SF	Finished Basement Area		Property Land Area County Use 9,396 SF 04			
33301.48		Exterior Full/Hal	F Dath	Garage	Last Major R	enovation	
Stories Basement 1 1/2 YES	Type STANDARD UNIT	BRICK 3 full	Datii	1 Attached	Lust Major K		
1 1/2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	STANDARD ON	Value Information					
	Base Value	Value		Phase-in Assessi	ments		
	Dase value	As of		As of As of			
		01/01/2019		07/01/2018		1/2019	
Land:	77,500	82,500					
Improvements	192,500	233,700					
Total:	270,000	316,200		270,000 285,400			
Preferential Land:	0				0		
4 194		Transfer Information					
Seller: GREEN FRED JR GRE	EN SHARON B	Date: 02/24/2012		Price: \$0			
Type: NON-ARMS LENGTH O	THER	Deed1: /31745/ 00454		Deed2:			
Seller: RUFF WILLIAM A		Date: 01/02/2007		Price: \$288,120			
Type: ARMS LENGTH IMPROVED		Deed1: /25002/ 00285		Deed2:			
Seller: RUFF FRANK J		Date: 08/09/1973		P	rice: \$29,000		
Type: ARMS LENGTH IMPRO	VED	Deed1: /05384/ 00445			eed2:		
.765.74440 EE11011111111111111		Exemption Information	on				
Partial Exempt Assessments:	Class		01/2018		07/01/2019		
County:	000	0.00					
State:	000	0.0	0				
Municipal:	000	0.000.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture	:				
Exempt Class:		NONE					
		Homestead Application Info	ormation				
Homestead Application Status	: No Application						
	Home	owners' Tax Credit Applicat	ion Information				
	ication Status: No Application		te:				

This screen allows you to search the Real Property database and display property records.
 Click here for a glossary of terms.
 Deleted accounts can only be selected by Property Account Identifier.
 The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.





Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map View GroundRent Redemption						view Gro	undRent R	legistratio	חי
Tax Exempt:									
Exempt Class:			NONE						
Account Identifier:	Distric	t - 01 Account	Number - 0118	720900					
			Owner Inf	ormation					
Owner Name:		N FRED JR N SHARON B	Use: Principal Resider						
Vailing Address:		OMMADORE OMBIA MD 21049				/31745/ 00454			
			Location & Struc	ure Informatio	n				
remises Address:	701.AC 0-0000	CADEMY RD	Legal Description			on: PT LT 199B,200 701 ACADEMY RD MERRIDALE LITTLE FAF			
Map: Grid: Parcel: 0095 0021 0219	Sub District:	Subdivision: 0000	Section:	Block:	Lot: 199B	Assessment 2019	Year:	Plat No: Plat Ref:	6
Special Tax Areas:			Tow	n:			1	NONE	
opeoidi idaiioo	Ad Valorem:								
			Tax	Class:		- Pur-			
Primary Structure Built 1947	Above Grade Living Area 2,682 SF		Finished Basement Area			· / - F /			Co t 04
Stories Basement	Туре		Exterior	Full/Half Ba	th	Garage	Last	Major Ren	ovati
1 1/2 YES	STANDARD U	TÎV	BRICK	3 full		1 Attached			
			Value Inf					_	
	Base Value		Value As of 01/01/2019 82,500		Phase-in Assessments				
								As of 07/01/2	2019
Land:						0,10112010			
Improvements	192,500		233,700						
Total:	270,000		316,200			270,000	70,000 285,400		0
Preferential Land:	0							0	
			Transfer I	formation					
Seller: GREEN FRED JR GREEN SHARON B			Date: 02/24/2012				Price: \$0		
Type: NON-ARMS LENGTH O	THER		Deed1: /31745/ 00454			Deed2:			
Seller: RUFF WILLIAM A			Date: 01/02/2007			AIA.	Price: \$28	8,120	
Type: ARMS LENGTH IMPROV	VED.	Deed1; /25002/ 00285					Deed2:		
Seller: RUFF FRANK J			Date: 08/09/1973			Price: \$29,000			
Type: ARMS LENGTH IMPRO	VED		Deed1: /05384	/ 00445			Deed2:		
			Exemption	Information					
tial Exempt Assessments: Class		07/01/2018			07/01/2019				
County:	000		0.00						
State:	000		0.00 0.00 0.00		าก	0.000			
Municipal:	000		Special Tax F				5,5010.01		
Tax Exempt: Exempt Class:			NONE						
		-	Iomestead Appli	cation Informa	tion				
Homestead Application Status:	: No Application								
		11	wners' Tax Cred	# Application I	nformation	1			

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SITE GENERAL SITE INFORMATION 1. Ownership: Fred Green Jr. & Sharon B. Green 6178 Commadore Court Columbia, MD 21045 Address: 106 Mt Carmel Road Monkton, MD 21111 3. Deed references: SM 31745/ 454 4. Area: 9,396 sq. ft. (per SDAT) 5. Tax Map / Parcel / Lot / Tax account #: 95 / 219 / p/o 199B & 200 / 01-18-720900 6. Election District: 1 Councilmanic District: 1 ADC Map: 4817E5 GIS tile: 095B3 Position sheet: 5SW20 Census tract: 400702 Census block: 24005400702 Schools: Westowne ES Catonsville MS Catonsville HS 7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 095B3 and the information provided by Baltimore County on the 8. Improvements: Two single family dwellings & parking area. The existing dwellings and the parking area will remain. <u>Vicinity Map</u> − Scale: 1' = 200' OFFICE OF ZONING Zoning: DR 5.5 #703 ACADEMY ROAD Case #1949-1538-XA 5' rear setback approved / WILLIAM S. MILLER #228 MT DESALES ROAD Parking Calculations ELLEN R. MILLER ET AL CHANDLER C. LOUDEN #01-12-400140 Required parking spaces: ___ (2 spaces per dwelling) GEORGE N. ABENDSCHOEN (RESIDENCE) Parking spaces provided on site: ___ #01-13-552400 (RESIDENCE) DR 5.5 Setbacks for Residential Buildings (Requirements) Front (Corner Lot): 25' Side (Corner Side): 25' Side Opposite: 15' -SAVING Side Sums: , & EXCEPTING Lot Width: 90' ┌─ 6'± N34°30'E 150.2'± DR 5.5 Setbacks for Residential Buildings (Existing) Front (Corner Lot): Min. 25' Side (Corner Lot): 14' Side Opposite: 10'± Side Sums: 8'± Rear: CONC 54.50 Lot Width: ENVIRONMENTAL IMPACT 2 STORY Watershed: Bird River URDL land type: 1 **BRICK & FRAME** 1. The existing building is currently served by public water and sewer lines in Eastern Avenue. DWELLING 2. There are no underground storage tanks on the subject property. #230 1¹/₂ STORY 10.4' 3. The subject property is not in the Chesapeake Bay Critical Area. 4. The subject property is not located within a 100 year flood plain. BRICK & FRAME **DWELLING** OFFICE OF PLANNING - 5-0-00 Regional Planning District: Catonsville District Code: 324 PART CONC 1. The subject dwelling is not historic. The subject property is not in a historic district. LOT 200 CONC PROPOSED DEVELOPMENT To continue the residential apartment use of both buildings 14'± \$34°30'W ZONING POINT OF BEGINNING MT. DESALES PLAN TO ACCOMPANY PLIOTOS Bruce E. Doak Consulting, LLC Land Use Expert and Surveyor 3801 Baker Schoolhouse Road Freeland, MD 21053 o 443-900-5535 m 410-419-4906 o I Car Attached o [क्रिक्सिया] bdoak@bruceedoakconsulting.com hill dien Porch #2ctoons · PLAN TO ACCOMPANY A Bearing m + 13 Has ZONING PETITION APPLICATION Part. **下进程/流**点 FOR #701 ACADEMY ROAD & Basement in Unifished by a First Flower #230 MT DESALES ROAD Lauray Bath REVISION EX Sati [1905 Tab] **Bascment** Bedroom BALTIMORE COUNTY, MARYLAND (End 514) है के जेन बना 1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT Second Floor First Floor Second Floor ಕೇವಾಸಗ Date: 12/31/2018 [547 54段] [\$75 \$5 4] [576 No ft] Els reg Scale: 1"= 20' Foret 5-droppe FF ÷ 41 BASEMENT FIRST FLOOR SECOND FLOOR SECOND FLOOR FIRST FLOOR #230 #230 PETITIONER'S #701 #701 #701 PHOTOS A- Q EXHIBIT NO. 24

