

M E M O R A N D U M

DATE: July 5, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0298-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on July 3, 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



JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

June 3, 2019

Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, Maryland 21204

RE: Development Plan & Zoning
HOH Case No. 12-0165 & Zoning Case No. 2019-0298-SPH
Project: HILLSHIRE OVERLOOK
Address: Hillshire Road

Dear Mr. Kotroco:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Darryl D. Putty, Patrick Williams & Jan Cook, Development Processing, PAI
James A. Schiaffino & Laura D. Armstrong, 1213 Ridgeshire Rd., Dundalk, MD 21222
John S. Wojtowycz, 324 South Drive, Severna Park, MD 21146
Jerry Merrick, 1230 Hillshire Rd., Dundalk, MD 21222
Mary McWilliams & Lynn Hershner, 7233 German Hill Rd., Dundalk, MD 21222
Robert & Sharon Maxwell, 1217 Hillshire Rd., Dundalk, MD 21222
Richard Elmore, 1206 Ridgeshire Rd., Dundalk, MD 21222

IN RE: DEVELOPMENT PLAN HEARING &	*	BEFORE THE OFFICE OF
PETITION FOR SPECIAL HEARING	*	ADMINISTRATIVE HEARINGS
(Hillshire Road)	*	
12 th Election District	*	FOR
7 th Council District	*	
(HILLSHIRE OVERLOOK)	*	BALTIMORE COUNTY
Hillshire Road Property, LLC,	*	
<i>Legal Owner</i>	*	
Castle Rock Realty, LLC, <i>Developer</i>	*	HOH Case No. 12-0165 &
Owner/Developer	*	Zoning Case 2019-0298-SPH

* * * * *

**ADMINISTRATIVE LAW JUDGE'S COMBINED
DEVELOPMENT PLAN AND ZONING OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for a public hearing on a development proposal submitted in accordance with Article 32, Title 4, of the Baltimore County Code ("BCC"). Timothy M. Kotroco, Esquire, on behalf of Hillshire Road Property, LLC, *Legal Owner*, and Castle Rock Realty, LLC, *Developer* (hereinafter "the Developer"), submitted for approval a one-sheet redlined Development Plan ("Plan") prepared by Colbert, Matz & Rosenfelt, Inc., known as "Hillshire Overlook".

The Developer is proposing 18 single-family detached dwellings on a 4.409 acre tract zoned DR 5.5. Most of the uses surrounding the site are residential with a few commercial properties fronting directly onto German Hill Road which connects to the Merritt Boulevard commercial corridor. Directly to the north and east of the property is the Holy Rosary Cemetery, which was established in 1889. The cemetery located to the south is associated with the Saint Michael Ukrainian Catholic Church and was established in the mid-20th century. Both remain active sites. The subject property is currently a mostly wooded vacant site. There is no previous project history for this site.

ORDER RECEIVED FOR FILING

Date 6-3-19

By [Signature]

In addition, the Developer filed a Petition for Special Hearing seeking relief pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR"), as follows: (1) Pursuant to BCC § 33-6-116(G) to grant the recommendation of the Director of the DEPS and to grant an environmental variance to permit the removal of 13 of 20 specimen trees; and (2) To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 28 ft. paving width and right-of-way of 50 ft. in lieu of the required 50 ft. right-of-way with 30 ft. wide paving.

The development and zoning cases were considered at a combined hearing as permitted by BCC § 32-4-230. Details of the proposed development are more fully depicted on the redlined one-sheet Development Plan that was marked and accepted into evidence as Developer's Exhibit 1. The property was posted with the Notice of Hearing Officer's Hearing ("HOH") and Zoning Notice both on April 26, 2019, in compliance with the regulations. The undersigned conducted a public hearing on May 24, 2019, in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland.

In attendance at the HOH in support of the Plan on behalf of the Developer was Frank Scarfield, Jr. Also in attendance was Matthew Bishop and Richard E. Matz, with Colbert, Matz & Rosenfelt, Inc., the firm that prepared the site plan. Timothy M. Kotroco, Esquire represented the Developer. Several neighbors attended the hearing and expressed concerns about various aspects of the project.

Numerous representatives of the various Baltimore County agencies who reviewed the Plan also attended the hearing, including the following individuals from the Department of Permits, Approvals and Inspections ("PAI"): Patrick Williams, on behalf of Darryl Putty, Project Manager, Jim Hermann and Jos Venturina (Development Plans Review ["DPR"]), LaChelle Imwiko, Real

ORDER RECEIVED FOR FILING

Date 6-3-19

By LAJ

Estate Compliance, and Gary Hucik (Office of Zoning Review). Also appearing on behalf of the County were Stephen Ford from the Department of Environmental Protection and Sustainability ("DEPS"), and Brett M. Williams from the Department of Planning ("DOP").

Each County representative indicated the Plan addressed all comments submitted by their agency, and they each recommended approval of the Plan. Mr. Williams indicated none of the schools in the district are overcrowded, as shown in the school impact analysis admitted as Baltimore County Exhibit 3. Mr. Hermann confirmed his agency approved a schematic landscape plan (Baltimore County Exhibit 1) and that in lieu of providing the required 18,000 sq. ft. of open space, the Developer will pay a fee in the amount of \$63,180.00. Baltimore County Exhibit 2.

DEVELOPER'S CASE

In the "formal" portion of the case, the Developer presented one (1) witness: Matthew Bishop, a landscape architect with Colbert, Matz & Rosenfelt, Inc. Mr. Bishop was accepted as an expert and explained in detail the development proposal. He described the layout of the site and noted that while the zoning would permit 24 lots on the tract, the Developer was proposing only 18 single-family dwellings. Mr. Bishop described the design of the stormwater management system for the development which he noted had a 24-hour draw-down period. He testified that the system is designed to have no standing water, except for perhaps after repeated heavy rain events.

Mr. Bishop opined that the redlined Development Plan (Developer's Exhibit 1) satisfied all requirements set forth in the development and zoning regulations. He testified DEPS granted a special variance to permit the removal of 13 of 20 specimen trees on site, but he noted a special effort was made to preserve the forested area along the northern boundary of the site. With regard to the waiver regarding paving width, Mr. Bishop testified most new developments are in fact constructed with 28 ft. wide internal roadways. He noted this reduces the amount of impervious

ORDER RECEIVED FOR FILING

Date 6-3-19

By [Signature]

coverage on the site and also tends to serve as a traffic calming device since drivers tend to travel faster on wider streets.

Several neighbors expressed opposition to the Plan and thought the project represented "irresponsible development." See Protestants' Exhibit 1. While many of the points raised by protestants are valid, I cannot deny the request on that basis. Under the Baltimore County Code, when all County agencies recommend approval of a development plan it is "deemed Code-compliant in the absence of evidence to the contrary." People's Counsel v. Elm Street Dev., Inc., 172 Md. App. 690, 703 (2007). The court in Elm Street hold that once county agencies recommend approval of a plan "it was then up to [protestants] to provide evidence rebutting the Director's recommendations." Id. at 703. I do not believe protestants presented sufficient evidence to rebut the agency recommendations.

The BCC provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." BCC § 32-4-229. After considering the testimony and evidence presented by the Developer and the positive recommendations of all County reviewing agencies, I find that the Developer has satisfied its burden of proof and is entitled to approval of the Plan.

Pursuant to the advertisement, posting of the property, and public hearing held thereon, the requirements of which are contained in Article 32, Title 4, of the BCC, the "Hillshire Overlook" shall be approved.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 3rd day of **June, 2019**, that the "**HILLSHIRE OVERLOOK**" Plan marked and accepted into evidence as Developer's Exhibit 1, be and is hereby **APPROVED**.

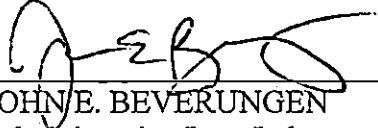
ORDER RECEIVED FOR FILING

Date 6-3-19

By [Signature]

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking relief pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") as follows: (1) Pursuant to BCC § 33-6-116(G) to grant the recommendation of the Director of the DEPS and to grant an environmental variance to permit the removal of 13 of 20 specimen trees; and (2) To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 28 ft. paving width and right-of-way of 50 ft. in lieu of the required 50 ft. right-of-way with 30 ft. wide paving, be and is hereby **GRANTED**.

Any appeal of this Order shall be taken in accordance with Baltimore County Code, § 32-4-281.


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 6-3-19

By (signature)



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 Hillshire Road

which is presently zoned DR-5.5

Deed References: 39416/150

10 Digit Tax Account # 1204035974

Property Owner(s) Printed Name(s) Frank D Scarfield JR

(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

See attached Exhibit A for Special Hearing Relief Requested.

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

3. ☐ **a Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

To be Presented at Hearing.

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

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Timothy M. Kotroco

Name- Type or Print

Signature

305 Washington Ave.

Towson

MD

Mailing Address

City

State

21204

410-299-2943

tkotroco@gmail.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Frank D Scarfield JR

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

40 S. Dundalk Ave., Suite 501, Baltimore

MD

Mailing Address

City

State

21222

410-282-6060

frankscarfieldjr@castlerockrealtyllc.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Matthew Bishop

Name - Type or Print

Signature

2835 Smith Avenue

Baltimore

MD

Mailing Address

City

State

21209

410-653-3838

mbishop@cmrengineers.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2019-0298-SPH

Filing Date

4/12/2019

Do Not Schedule Dates:

Reviewer

Attachment A

Requested Special Hearing Relief

~~BCC Section 33-6-116 (G)~~

1. Pursuant to ~~BCZR Section~~ to grant the recommendation of the Director of Environmental Environmental Protection and Sustainability (DEPS) and to grant a Special Variance to permit the removal of Specimen Trees, ~~in accordance with Baltimore County Code (BCC) §33-6-116 (G).~~
2. To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 28 foot paving width and right of way of 50 feet in lieu of the required 50 foot right of way with 30 foot wide paving.

Combined Hearing Request

3. Request for a combined development plan and zoning case hearing as permitted by Baltimore County Code (BCC) §32-4-230.

2019-0298-SPH



April 8, 2019

**ZONING PROPERTY DESCRIPTION FOR
Hillshire Overlook
Baltimore, Maryland**

Beginning at a point on the northeast corner of Hillshire Road (50' R/W width), at the distance of 180 feet east from the intersection of Ridgeshire Road.

Thence the following courses and distances:

1. North $38^{\circ}22'09''$ East, 59.62 feet to a point; thence,
2. South $68^{\circ}13'53''$ East, 625.50 feet to a point; thence,
3. South $20^{\circ}02'19''$ West, 366.71 feet to a point; thence,
4. North $55^{\circ}05'58''$ West, 716.07 feet to a point; thence,
5. North $38^{\circ}22'09''$ East, 153.00 feet to a point; thence, back to the point of beginning as recorded in Deed Liber 39416, folio 150, containing 190,658 total square feet or 4.41 acres in lot.

Located in the 12th Election District and 7th Councilmanic District.



CERTIFICATE OF POSTING

ATTENTION: DARRYL D. PUTTY

DATE: 4/26/2019

PAI Number: 12-0165

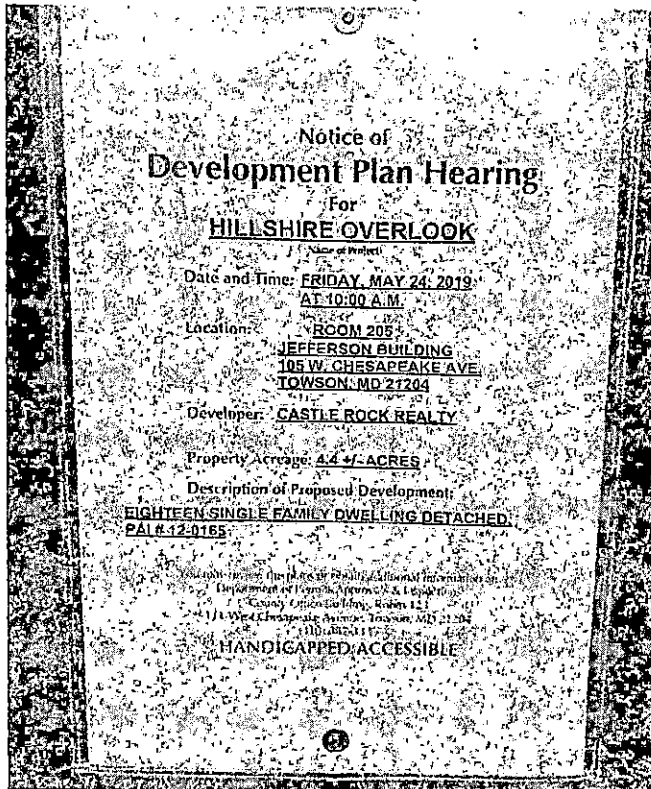
Petitioner / Developer: TIMOTHY KOTROCO, ESQ. ~

FRANK SCARFIELD ~ MATT BISHOP

Date of Hearing: MAY 24, 2019

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:
HILLSHIRE ROAD – (ON-SITE)

The sign(s) were posted on: APRIL 26, 2019



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/26/2019

Case Number: 2019-0298-SPH

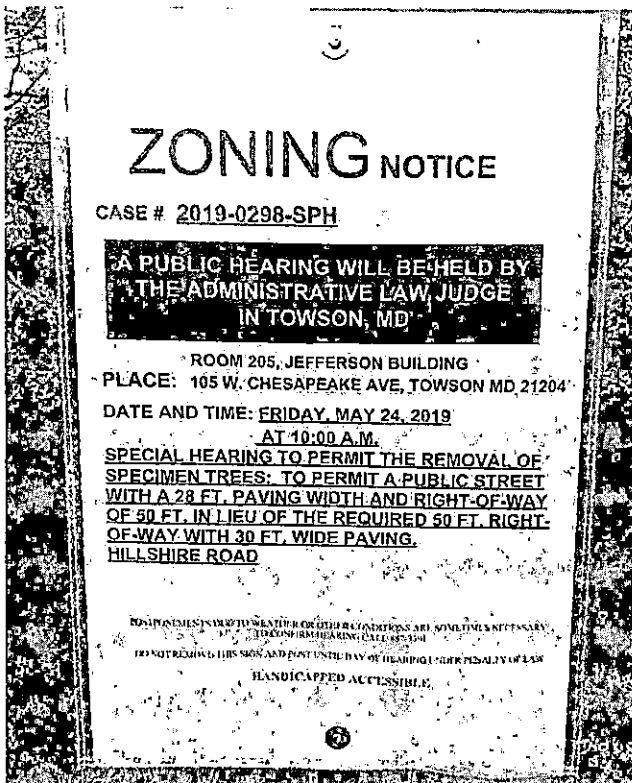
Petitioner / Developer: TIMOTHY KOTROCO, ESQ. ~

FRANK SCARFIELD ~ MATTHEW BISHOP

Date of Hearing: MAY 24, 2019

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:
HILLSHIRE ROAD – (ON-SITE)

The sign(s) were posted on: **APRIL 26, 2019**



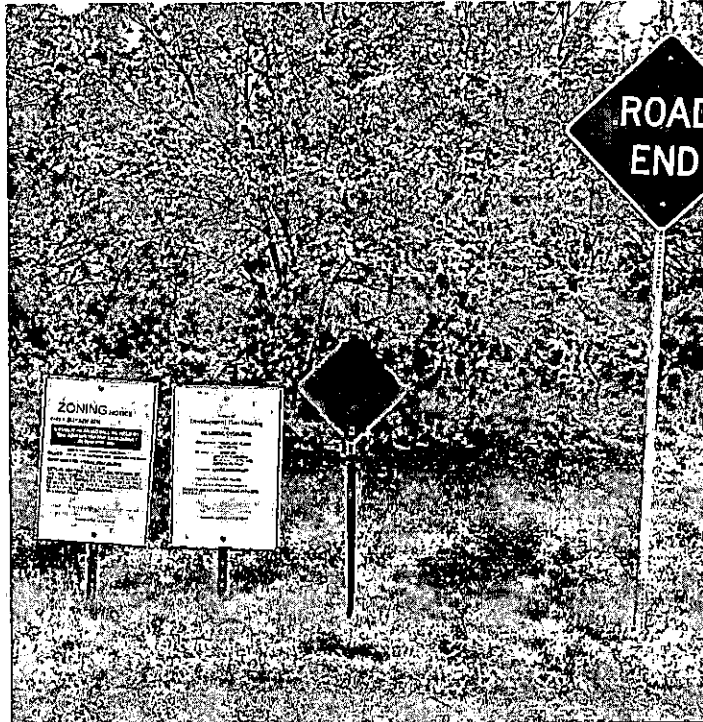
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

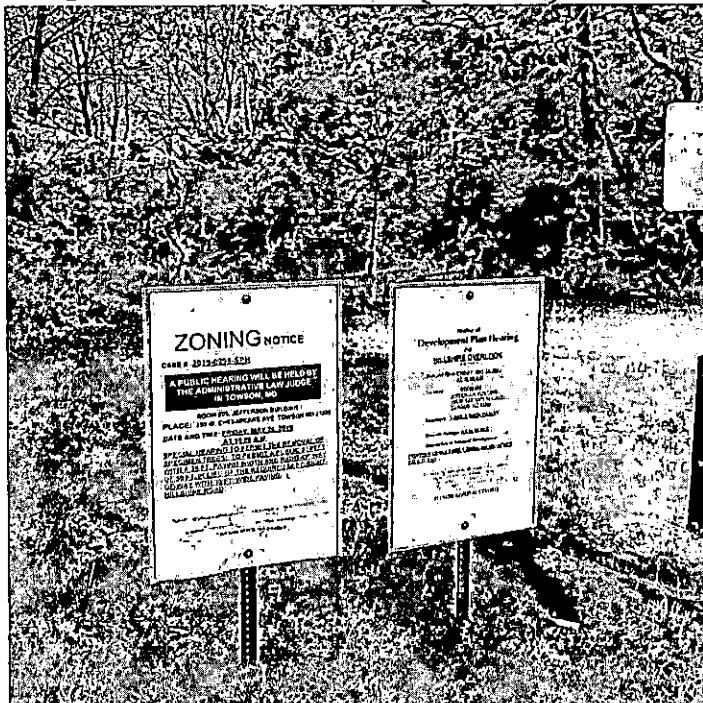
523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

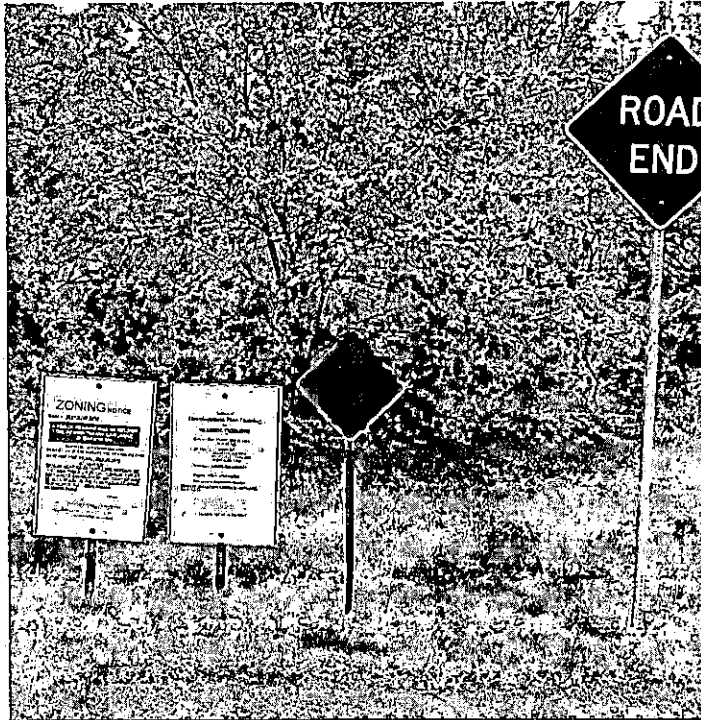


Background photo 1st set of signs posted 4/26/2019
@ End of Hillshire Rd. (On-Site)



Background Photo 2nd set of signs posted 4/26/2019
@ End of Hillshire Rd. (On-Site)

**COMBINED HEARING CASE # 2019-0298-SPH &
DEVELOPMENT PLAN HEARING PAI# 12-0165**



Background photo 1st set of signs posted 4/26/2019
@ End of Hillshire Rd. (On-Site)



Background Photo 2nd set of signs posted 4/26/2019
@ End of Hillshire Rd. (On-Site)

**COMBINED HEARING CASE # 2019-0298-SPH &
DEVELOPMENT PLAN HEARING PAI# 12-0165**

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

No. **182660**

PAID RECEIPT

Date: **4/12/2019**

BUSINESS ACTUAL TIME DRW
 4/12/2019 4/12/2019-10:45:32 1

REC NO: 003544 WALKIN LJR
 >>RECEIPT 003544 4/12/2019 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				500.00

Dept 5 528 ZONING VERIFICATION
 CR NO. 182660

Rec'd Tot \$ 500.00
 500.00 CK .00 CA
 Baltimore County, Maryland

Total: **500.00**

Rec From: **Holabird Manor Construction Corp.**

For: **Special Hearing - Hillshire Road**
2019-0398-SPH (ICARFIELD)

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

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:

5/3/2019

Order #: 11738145
Case #: 2019-0298-SPH
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0298-SPH



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0298-SPH

Hillshire Road
Dead end of Hillshire Road, 180 ft. s/east of Ridgeshier Road
12th Election District - 7th Councilmanic District
Legal Owners: Frank Scarfield, Jr.

Special Hearing to permit the removal of Specimen Trees; to permit a public street with a 28 ft. paving width and right-of-way of 50 ft. in lieu of the required 50 ft. right-of-way with 30 ft. wide paving.

Hearing: Friday, May 24, 2019 at 10:00 a.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.

my3

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/26/2019

Case Number: 2019-0298-SPH

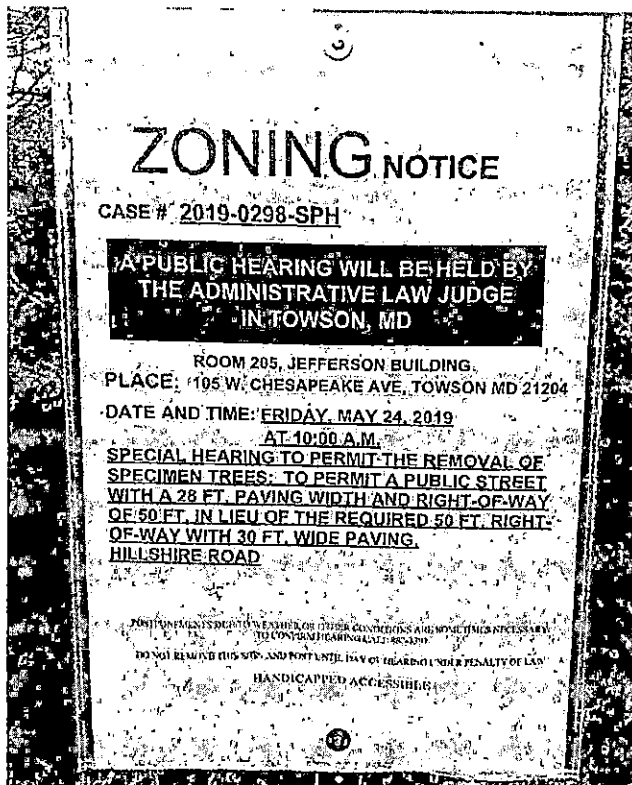
Petitioner / Developer: TIMOTHY KOTROCO, ESQ. ~

FRANK SCARFIELD ~ MATTHEW BISHOP

Date of Hearing: MAY 24, 2019

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:
HILLSHIRE ROAD – (ON-SITE)

The sign(s) were posted on: **APRIL 26, 2019**



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)

JOHN A. OLSZEY
County Executive



MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections



Background photo 1st set of signs posted 4/26/2019
@ End of Hillshire Rd. (On-Site)



Background Photo 2nd set of signs posted 4/26/2019
@ End of Hillshire Rd. (On-Site)

**COMBINED HEARING CASE # 2019-0298-SPH &
DEVELOPMENT PLAN HEARING PAI# 12-0165**

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) 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.

For Newspaper Advertising:

Case Number: 2019-0298-SPH
Property Address: Hillshire Road
Property Description: Dead End of Hillshire Road, 180' SE of
Ridgeshire Road
Legal Owners (Petitioners): Frank D. Scarfield, Jr.
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Matt Bishop
Company/Firm (if applicable): Colbert Matz Rosenfelt
Address: 2835 Smith Avenue, Suite G
Baltimore, MD 21209
Telephone Number: (410) 653-3838



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

May 13, 2019

Timothy M. Kotroco
305 Washington Ave
Towson MD 21204

RE: Case Number: 2019-0298-SPH, Hillshire 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 April 12, 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Frank D Scarfield Jr. 40 S. Dundalk Ave Suite 501 Baltimore MD 21222
Matthew Bishop 2835 Smith Ave Baltimore MD 21209

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 4-25-2019

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

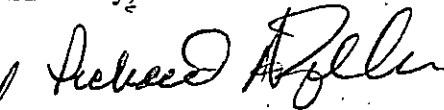
Dear Ms. Lewis:

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. 2019-0298-SPH

*Special Hearing
Frank D. Scarfield Jr.
Hillshire Road*

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



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 25, 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: 2019-0298-SPH

Hillshire Road

Dead end of Hillshire Road, 180 ft. s/east of Ridgeshier Road

12th Election District – 7th Councilmanic District

Legal Owners: Frank Scarfield, Jr.

Special Hearing to permit the removal of Specimen Trees; to permit a public street with a 28 ft. paving width and right-of-way of 50 ft. in lieu of the required 50 ft. right-of-way with 30 ft. wide paving.

Hearing: Friday, May 24, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Mike Mohler".

Mike Mohler
Acting Director

MM:kl

C: Timothy Kotroco, 305 Washington Avenue, Towson 21204
Frank Scarfield, Jr., 40 S. Dundalk Avenue, Ste. 501, Baltimore 21222
Matthew Bishop, 2835 Smith Avenue, Ste. G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 4, 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, May 3, 2019 - Issue

Please forward billing to:

Matt Bishop
Colbert, Matz & Rosenfelt
2835 Smith Avenue, Ste. G
Baltimore, MD 21209

410-653-3838

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: 2019-0298-SPH

Hillshire Road

Dead end of Hillshire Road, 180 ft. s/east of Ridgeshier Road

12th Election District – 7th Councilmanic District

Legal Owners: Frank Scarfield, Jr.

Special Hearing to permit the removal of Specimen Trees; to permit a public street with a 28 ft. paving width and right-of-way of 50 ft. in lieu of the required 50 ft. right-of-way with 30 ft. wide paving.

Hearing: Friday, May 24, 2019 at 10:00 a.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.

RE: PETITION FOR SPECIAL HEARING
Hillshire Road; Dead end of Hillshire Road,
180' S/E of Ridgeshire Road
12th Election & 7th Councilmanic Districts
Legal Owner(s): Frank D. Scarfield, Jr.
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-298-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.

RECEIVED

APR 23 2019

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 23rd day of April, 2019, a copy of the foregoing Entry of Appearance was mailed to Matthew Bishop, 2835 Smith Avenue, Baltimore, Maryland 21209 and Timothy Kotroco, Esquire, 305 Washington Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



SPH

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

[illegible]

CASE NAME Hillshire Overlook
CASE NUMBER 12-0165-42019-0298-SPH
DATE 5-24-19

~~PETITIONER'S SIGN-IN SHEET~~

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NO. 2019- 0298-SH

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/Conditions/Comments/No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>A-25</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>4-26-19</u> by <u>O'Keefe</u>	
SIGN POSTING (2 nd)	Date: <u>5-23-19</u> by <u>"</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	<u>located in HOA file for</u> <u>Condo Review</u>
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Sherry Nuffer

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Thursday, May 23, 2019 2:54 PM
To: Administrative Hearings
Subject: Revised Cert. for Hillshire Road
Attachments: Hillshire Rd. Cert. #1.jpeg; Photos Hillshire Rd. .docx; Hillshire Rd. Cert. #2.jpeg; Photos Hillshire Rd. .docx

CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Debbie,

I corrected the posting date on the Cert. and am sending you everything for the first Cert. of Hillshire Road. I will be sending you the second Certification and photos in a separate e-mail.

Thank you,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com

[illegible]

7019-0298-SP14

