NER OF BALTIMORE COUNTY:

things. Re., 6. Iregard, 161 leplaceu, legal owner... of the property situate in Baltimore which is described in the description and plat attached hereto and made a part hereof, on (1) that the zoning status of the herein described property be re-classified, pursuant

2-5-76 19.19.26 me MA

36-

and (2) for a Special Exception, under the said Zoning Law and Zoning Regu County, to use the herein described property, for. Ontrolled Expansion

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning

Jan n. apchelmen

President William on

Address 304 Chapelmood Lane

Orherot & May, Inc. 5717 Harford Rd. Balto-Md. 21214

> William Dann Bragel & Bragel Chertared

... 1976 , that the subject matter of this petition be advertised, as of patrons 1976, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Fiberminishoner of Baltimore County in Room 108, County Office Building in Towson, Baltimore of Baltimore County in Room 106, County Office Building in Towson, Baltimore , 197 6 at 11:00 clock County, on the 24th day of March -A.- N.

Zoning Comp

Maryland Department of Train

OF PLANIES & ALCOHOL

June 4, 1976

Re: Contract No. B-134-8-471 New Matthews Bridge over Loch I and Highway Improvements

Harry R. Hughes Secretary

JUN 7 1976

BOUNTY EXECUTIVE

OFFICE

4. WED FOR FR

Mr. Theodore Venetoulis County Executive Baltimore County County Office Building Towson, Maryland 21204

Dear Mr. Venetoulis:

Baltimore County has, for some time, been interested in the construction of a new bridge over Loch Raven to replace the existing Matthews Bridge.

The bridge construction is proceeding ahead of schedule but the contractor is being delayed by his inability to obtain the necessary borrow material for the construction of the roadway approaches. The contractor had received a favorable zoning ruling on a Petition for Special Exception for obtaining the borrow material, but it has been appealed.

The appeal hearing is not scheduled until July 9, 1976. If at all possible we would like to have the appeal hearing set for an earlier date so that the construction work could be completed during the current sesson. We feel that this would be in the best interest of both the Baltimore County and State Highway Administration. An earlier decision would also give the contractor more time to explore alternatives if the appeal overturns the earlier favorable ruling.

The petitioners are Mr. and Mrs. Hans R. Wilhelmson, No. 76-194-X, Item No. 155.

We would appreciate your cooperation in rescheduling this hearing for an earlier date if at all possible.

Very truly yours,

HJP:kf

For H. J. Pistel Highway District Engineer

CC: McLean Cont.,Co. Highway District Engi Mr. J. D. Spencer Mr. R. E. Sewell 0 West Preston Street, Baltimore, Maryland 21200

RE: PETITION FOR SPECIAL EXCEPTION :

for Controlled Excaval Beg. 630' NE of Inters

BALTIMORE COUNTY

MEFORE

COUNTY BOARD OF APPEALS

No. 76-194-X

OPINION

es before the Board on an appeal from the Order of the Zoni dated April 21, 1976, which granted the requested special exception for rection of Jarrettsville Pike and Merryman's Mill Road, in the Tenth

ent to this James H. Cook, Esquire noted his appearance representing six additiona

ner that he was not going to pursue this case. This was supplepetitioner, dated July 27, 1976, indicating that they were not going to o

aring was held as scheduled at 10 a.m. on July 29, 1976, and as a 10:20 a.m. neither the petitioner nor anyone on his behalf had appeared. Coursel were present on behalf of the protestants and the People's Counsel's office, and there wer

ion for the special exception same cannot be granted, and the Zoning Commissioner's Order will, therefore, be reversed.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 4th day of August , 1976, by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby DENIED, and the Order of the Zonin

Witnesses for the Petitioner impressed upon the Zoning Commissione that the construction of the Matthews Bridge is in progress and that the need this fill dirt is eminent. It was estimated that approximately 140,000 cubic yards of dirt is needed for this construction site.

Several residents of the area, in protest of the subject Petition, indicated hat they were fearful that the excavation of the subject property would, in fact urb the land and cause additional water run-off onto adjoining properties.

Without reviewing the evidence further in detail but based on all the eviace presented at the hearing, in the judgment of the Zoning Commissioner, rerequisites of Section 502. 1 of the Baltimore County Zoning Regulations have been met. The need of this fill dirt at this time is in the public interest, and the period of time for which the excavation will take place is short. The progress in the construction of the Matthews Bridge is needed for th ral welfare of Baltimore County. The imposition of 200 vehicles onto

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore unty, this 2/ day of April, 1976, that the Special Exception for con trolled excavation should be and the same is hereby GRANTED, from and after the date of this Order, subject to the following restrictions

- 1. No blasting or explosives may be used.
- A berm must be constructed around the excavation site to avoid any water run-off.
- 3. Said use shall be void ten months after this Order
- Compliance with the site plan, filed as Zoning Commissioner's Exhibit "A" in this proceeding and which is incorporated by reference hereto as a part of this Order, must be obtained.
- 5. A site plan must be approved by the State Highway Administration, the Department of Public

the

Hone R. Wilhelman - F76-194-X

oner, dated April 21, 1976, is hereby rev

Any speed from this decision B-12 of the Maryland Rules of Procedure.

COUNTY SOARD OF APPEALS OF SALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : Beginning 630' NE of the Intersection of Jarrettsville Pike and Merryman's Mill Road - 10th Election District Hans R. Wilhelmsen, et ux - Petitioners NO. 76-194-X (Item No. 155)

111 111 111

4

: ZONING COMMISSIONER

0

: BALTIMORE COUNTY *** *** ***

BEFORE THE

AMENDED ORDER NUNC PRO TUNC

- 1. That the Zoning Commissioner for Baltimore County filed an Order dated April 21, 1976, with reference to the above
- 2. That a plat was attached thereto and was exhibited as Zoning Commissioner's Exhibit "A".
- 3. That, inadvertently, the wrong plat was so marked and attached to said Order and Opinion.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28 day of April, 1976, that the Order passed in this matter should be and the same is hereby Amended, "Nunc Pro Tunc" by the attached proper plat marked as the Zoning Commissioner's Exhibit 1 and made a part thereof.

RE: PETITION FOR SPECIAL EXCEP- : Beginning 630' NE of the Intersec-tion of Jarrettsville Pike and Merry-man's Mill Road - 10th Election

District Hans R. Wilhelmsen, et ux -NO 76-194-X (tem No. 155)

OF . BALTIMORE COUNTY

BEFORE THE

· ZONING COMMISSIONER

101 101 101

This matter comes before the Zoning Commissioner as a result of a tion filed by Hans R. and Irmgard Wilhelmsen, for a Special Exc east of the intersection of Jarrettsville Pike and Merryman's Mill Road, in th

Testimony on behalf of the Petitioner indicated that Ehrhardt and May, rporated, is in the excavating and contracting business and has been reta furnish fill dirt for the construction of the Matthews Bridge over the Loch wen Reservoir on Dulaney Valley Road, which is approximately three miles from the subject property.

Mr. Donald Hood. Vice President of McLean Contractors, the general ractor for the construction of the Matthews Bridge, testified that it was the completion of the bridge would be by late December, 1976, early January, 1977. He indicated that a new bridge is needed in the existing bridge is very old and of a substandard condition.

indicated that the proposed excavation of the subject property of six to seven months. It was indicated that there would be no

ing date. The July 29th date is the very earlied hear this came, and this date is a four to five month

Welter A. Relter, Jr., Chairman

ec: Hon. Theodore G. Mr. S. Erle DINon Mr. J. D. Spencer

OCT 27 1976

McKEE ENGINEERING

Engineering - Surveying - Real Estate Develo

1824 RIDGE ROAD

REISTERSTOWN, MARYLAND 21136

Telephone (301) 252-6557 January 29, 1976

Hans Wilhelmsen, M.D. 10th Election District Baltimore County, Md. DESCRIPTION OF 72, 980 Acres, more or less

Beginning for the same at a point in the bed of Jarretsville Pike 630 feet N.E. of the intersection of Merrymen's Mill Rd. and Jarretsville Pike at the end of the third line of a parcel of land which by deed dated February 18, 1889 and recorded among the Land Records of Pattimore County in Liber J.W.S. No. 176 folio 30, was conveyed by John Brown and wife to Stephen E. Cockey, thence leaving said road and binding reversely on the third and second lines of said land (as now surveyed) the following courses and distances courses and distances:

courses and distances:

1) S 00 degrees 45 minutes 26 seconds w
stele pin set, thence
2) S 79 degrees 24 minutes 40 seconds w
point in the bed of Jarretsville Pike, thence
3) S 1 degrees 34 minutes 36 seconds E
point in the bed of Jarretsville Pike, thence
4) N 82 degrees 49 minutes 07 seconds E
iron pin set, thence
5) N 83 degrees 27 minutes 07 seconds E
iron pin set, thence
6) N 88 degrees 27 minutes 07 seconds E
iron pin set, thence
7) N 79 degrees 27 minutes 07 seconds E
iron pin set, thence
9) N 70 degrees 27 minutes 07 seconds E
iron pin set, thence
10 S 82 degrees 02 minutes 07 seconds E
iron pin set, thence
11 S 72 degrees 02 minutes 53 seconds E
iron pin set, thence
12 N 21 degrees 34 minutes 53 seconds E
iron pin set, thence
12 N 21 degrees 34 minutes 53 seconds E
iron pin set, thence
12 N 21 degrees 34 minutes 53 seconds E
iron pin set, thence
12 N 21 degrees 34 minutes 53 seconds E
iron pin set, thence
12 N 21 degrees 34 minutes 55 seconds E
132,00 feet to an
iron pin set, thence
12 N 21 degrees 34 minutes 55 seconds E
132,00 feet to an
iron pin set, thence
13 N 73 degrees 36 minutes 57 seconds E
152,00 feet to an
iron pin set, thence to a fence post, thence
13) N 73 degrees 05 minutes 07 seconds E 1,427.50 feet
13) N 73 degrees 05 minutes 53 seconds W 1,525.22 feet to
an iron pin set, thence

HANS R. WILHELMSEN, ET UX For Special Exception for Controlled Excavation Beg. 630' NE of Intersection of Jarrettsville Pike and Merryman's Mill Road 10th District

COUNTY BOARD OF APPEALS

Case No. 76-194-X

BEFORE THE

NOTICE OF APPEARANCE

Please enter my appearance in the above entitled matter as counsel for the following Protestants:

Mr. & Mrs. Thomas M. Anderson Mr. Anthony M. Carey Ms. Louise F. Carey Mr. & Mrs. Dennis Fredenrich Ms. Louise W. Carey Mr. & Mrs. Vincent Scarfield

James H. Cook
A09 Washington Avenue
Towson, Maryland 21204
Phone: 823-4111
Counsel for Protestants

I HEREBY CERTIFY that copy of the aforegoing Notice of Appearance was mailed this 3 day of June, 1976 to Wallace Dann, Esq., Counsel for Petitioners; Robert G. Smith, Esq., Counsel for Protestants, and John W. Hessian, III, Esq., People's Counsel.

14) S 70 degrees 08 minutes 07 seconds W 587,38 feet to a point in the bed of Jarretsville Pike, thence 15) S 28 degrees 20 minutes 07 seconds W 91.64 feet to the place of beginning.

Containing 72.980 Acres of Land, more or less.



RE: PETITION FOR SPECIAL EXCEPTION

HANS R. & IRMGARD WILHELMSEN,

all papers in connection therewith to said Board for hearing.

Beginning 630 feet NE of Interso of Jarrettsville Pike and Merrym

MIII Road 10th District

BALTHORE COUNTY, MARYLAND

SURIECT. . Regioning 539! NE of the Intersection Jarrettaville Pike and Merzyman's M Road - 10th Election District Hans R. Wilhelmsen, et ux - Petition

Attached, please find letter from Mr. H. J. Pistel, Highway District Engineer, State Highway Administration, Maryland Department of Transpor-tation, dated June 4, 1976, forwarded to this office by the Honorable Theodore G. Venetoulis.

Please be advised that, as I have no authority with regard to the scheduling of your Board's hearings, I am referring the matter to your office for final

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

July Derian II

~ 1D. Derriew, TI

: Case No. 76-194-X

John W. Hessian, III People's Coursel

Charles E. Kountz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

ORDER FOR APPEAL

Please note an Appeal from your Order of April 21, 1976, as amended by your

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to Walkace

S. Dann, Esquire, Mercantile Towson Building , 409 Washington Avenue, Towson,

Maryland 21204, Attorney for Petitioners, this 19th day of May, 1976.

May 19'76 PM

9

ZONING DEPARTMENT

Order Nunc Pro Tunc dated April 28, 1976, to the County Board of Appeals and forward

cc: The Honorable Theodore G. Venetoulis

Dear Mr. Clerk:

VENABLE, BARTJER AND HO ATTORNEYS AT LAW

HANNEY & CLAPE, IN ROLLING SONT JAMES D. MONTO JAMES J. MONTO JAMES J. JAMES PAUL F. JETALI JAMES J. JAMES JAMES J. JAMES J. JAMES JAMES J. JA ----

June 22, 1976

Baltimore Board of Appeals County Office Building Towson, Maryland 21204

Re: Petition for Special Exception Beginning 630' NE of Intersection
of Jarretsville Pike and Merryman's
Mill Road - 10th Election District
Hans R. and Irmgard Wilhelmsen,
Petitioners - No. 76-194-X (Item
No. 155)

Please withdraw my appearance as counsel for the

Appellants in the above-captioned appeal.

Very truly yours, Tolet Som

Robert G. Smith

RGS:ems
cc: Wallace Dann, Esquire
John W. Hessian, III, Esquire,
People's Counsel
Mr. Robert Carter, Secretary
Long Green Valley Council
All Appellants

FRANK, BERNSTEIN, CONAWAY & GOLDMA

May 17, 1976

Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Petition for Special Exception Beginning 630' NE of Intersection
of Jarretsville Pike and Merryman's
Mill Road - 10th Election District
Hans R. and Irmgard Wilhelmsen,
Petitioners - No. 76-194-X (Item
No. 155)

NOTICE OF APPEAL

Dear Mr. DiNenna:

Kindly enter an Appeal from your Order dated April 21, 1976, as amended nunc pro tunc April 28, 1976, granting the above-captioned Petition. The names and addresses of the Appellants are as follows:

Thomas M. and Janet Anderson Box 93 Phoenix, Maryland 21131

Anthony M. Carey 1705 South Road Baltimore, Maryland 21209

Louise F. Carey 1002 I Woodson Road Baltimore, Maryland 21212

Dennis and Victoria Fredenrich 3224 Richfield Lame Phoenix, Maryland 21131

Total Of Total Of The Park of ZONING DEPARTMENT

76 PM

MA 37. 0 1 CM 9 1400 3 OT 5 ZONING DEPARTMENT

RE: PETITION FOR SPECIAL EXCEPTION Beginning 630 feet NE of intersection of Jarrettsville Pike and Merryman's Mill Road, 10th District HANS R. & IRMGARD WILHELMSEN,

.

: Case No. 76-194-X

REFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524.1 of the Baltimore County Chater. I hereby enter my appearance in this proceeding. You are requested to notify earing date or dates which may be now or hereafter designated the

Charles E. Kountz, Jr. Deputy People's Counsel

John W. Hurian II John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494-2188

I HERERY CERTIFY that on this 18th day of March, 1976, a copy of the foregoing Order was mailed to Wallace Dann, Esquire, Mercantile-Tow Maryland 21204, Attorney for Petitioners.

April 28, 1976

Wallace Dana, Esquire Mercantile-Towson Building 409 Washington Avenue Towson, Maryland 21204

RE: Petition for Special Exception Beginning 630' NE of the Intersection of Jarrattaville Pike and Merryman's Mill Road - 10th Election District Hans R. Wilhelmsen, et ux -Petitioners NO. 76-194-X (Item No. 155)

I have this date passed my Amended Order in the above captioned matter

wife

S. ERIC DI NENNA

SED/me

cc: Mr. Thomas M. Anderson, Jr. Phoenix, Maryland 21131

Anthony M. Carey, Esquire 1800 Mercantile Bank and Trust Building Baltimore, Maryland 21201

John W. Hessian, III, Esquire People's Counsel

April 21, 1976

ERIC DE NEN

Anthony M. Carey, Esquire 1900 Mercentile Bask and Tro Baltimore, Maryland 21201

RANK, BERNSTEIN, CONAWAY & GOLDMAN

1300 MERCANTILE BANK & TRUST BUILDING 2 HOPKINS PLAZA

BALTIMORE, MARYLAND 2120

May 26, 1976

COUNSEL

Baltimore County Board of Appeals County Office Building Towson, Maryland 21204

Re: Petition for Special Exception -Beginning 630' NE of Intersection of Jarretsville Pike and Merryman's Mill Road - 10th Election District -Hans R. and Irmgard Wilhelmsen, Petitioners - No. 76-194-X (Item No. 155)

Kindly strike my appearance as counsel for the Appellants in the above-captioned Appeal.

 $\ensuremath{\mathsf{Appellants}}$ are represented by other counsel, whose appearance is of record.

Very truly yours, Elean M. Carry Eleanor M. Carey

EMC/hlj

cc: Wallace Dann, Esquire John W. Hessian, III Peoples' Counsel Robert Carter, Secretary Long Green Valley Council All Appellants Red 5: 37.76

VENABLE. BAETJER AND HOWARD

ATTORNEYS AT LAW REMCANTILE BANK & TRUST BUILDING

JOSEPH FRANCE

May 25, 1976

Baltimore Board of Appeals County Office Building Towson, Maryland 21204

RE: Petition for Special Exception -Beginning 630' NE of Intersection of Jarrettsville Pike and Merryman's Mill Road - 10th Election District -Hans R. and Irmgard Wilhelmsen, Petitioners - No. 76-194-X (Item No. 155)

Dear Mr. Clerk:

Please enter my appearance as counsel for the

Appellants in the above-captioned appeal.

Very truly yourself th Robert G. Smith

RGS:prb
cc: Wallace Dann, Esquire
John W. Hessian, III
Feople's Counsel
Robert Carter, Secretary
Long Green Valley Council
All Appellants

Rec. 5 27.76 10:50 AM

MCLEAN CONTRACTING COMPANY

Louise W. Carey 3212 Richfield Lane Phoenix, Maryland 21131

Vincent and Joyce Scarfield 3230 Richfield Lane Phoenix, Maryland 21131

Enclosed please find this firm's check made payable to Baltimore County in the amount of Seventy-five Dollars (\$75.00) in payment of the Appeal fee and cost of posting.

Elean H. Carry

Eleanor M. Carey Attorney for Appellants

Very truly yours,

Samuel and Sandra Kirckoff 3232 Richfield Lane Phoenix, Maryland 21131

GENERAL CONTRACTORS EDWARD F. BLAKE, JR. ARTHUR B. CONNELLY ONALD E. HODE

Mr. S. Eric DiNenna Zoning Commissioner Zoning Advisory Committee Baltimore Co. Office Bldg. Towson, Maryland 21204

EMC/tkw
Enclosure
cc: Wallace Dann, Esquire
John W. Hessian, III, Esquire
Robert Carter, Secretary
Long Green/Dulaney Valley Council
All Appellants

FRANK, BERNSTEIN, CONAWAY & GO

Zoning Commissioner May 17, 1976 Page Two

1301-3 FIDELITY BUILDING BALTIMORE, MD. 21201

March 23, 1976

RE: ITEM NO. 155
Hans R. & Inrugard Wilhelmsen
Jarrettsville Pike
6550 N.E. Merrymens Mill Road
Proposed Zoning Exception for Controlled Excavation

As a party vitally affected by the outcome of your decision in the above case, we wish to offer the following opinions for your review.

We are the general contractor constructing the new bridge across Loch Rawen Reservoir on Dulaney Valley Road. Ehrhardt & May, Inc., are our subcontractor for placing the fills and roadway and have arranged with Mr. and Mrs. Wilhelmsen to use earth from their property for the roadway fills. We are sure you know that this bridge will constitute a major improvement in the flow of traffic in Baltimore County. Our current schedule, assuming the roadways can be completed as required, anticipates completion before the end of this year. In order to meet that completion date, it is imperative that the fills to be placed by Ehrhardt & May, using materials from the Wilhelmsen property, should be placed just as soon as possible.

Providing all your other requirements and restrictions are met to your satisfaction, we earnestly request that the exception requested by Mr. and Mrs. Wilhelmsen be granted at the earliest possible date; any further delay would extend the completion date into the summer months of 1977, inasmuch as roadways cannot be placed during the winter months.

(continued ...)

Bregel & Bregel, Chartered

CALVERT ROSS BREG WALLACE DANN CALVIN L BOWERS BRYAN B HADDAWAY RONALD J MILLER

County Board of Appeals County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

SUITE 403 MERCANTILE-TOWSON BUILDING 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (301) 828-6818

HOWARD CALIERT BREGEL PLEASE BALTIMORE CITY OFFICE SUITE 2200
REPLY TO: AREINGTON BUILDING 21201
13011 539-2744

OCEAN CITY, MD OFFICE 7409 COASTAL HIGHWAY 21842 (301) 289-3268

June 7, 1976

#76-194.X WILHELMSEN

Gentlemen:

Please be advised that the Petitioners consent to the endment of the Zoning Commissioner's Order containing the following information and language:

VI. "The Special Exception for controlled excavation is subject to all pertinent requirements of the Baltimore County Health Department Regulations and the Baltimore County Building Code, which are incorporated in this Order by reference."

I understand that if this language is incorporated in the Order, Mr. Hessian is content to withdraw his appeal.

> Very truly yours, BREGEL & BREGEL, CHARTERED Wallace Dann

WD/dlb

cc: Hans R. Wilhemsen John W. Hessian, III Ralph Murray

Page Two

Mr. S. Eric DiNenna

DEH: sm

March 23, 1976

We appreciate your taking the time to review our position on this subject. If we may effer any further information, please do not hesitate to contact us.

Yours very truly,

MC LEAN CONTRACTING COMPANY DELood

D. E. Hood Senior Vice President Chief Engineer

300

LAW OFFICES

FRANK, BERNSTEIN, CONAWAY & GOLDMAN 1300 MERCANTILE BANK & TRUST BUILDING

1807-1872

--

May 20, 1976

Zoning Commissioner County Office Building Towson, Maryland 21204

Petition for Special Exception -Beginning 630' NE of Intersection of Jarretsville Pike and Merryman's Mill Road - 10th Election District -Hans R. and Irmgard Wilhelmsen, Petitioners - No. 76-194-X (Item No. 155)

I am advised that Samuel and Sandra Kirckoff do not wish to join in the Appeal of your Order granting the above-captioned Petition. Kindly strike their names from the list of Appellants set forth in the Notice of Appeal dated May 17, 1976.

Very truly yours, Eleans M. Carry Eleanor M. Carey

EMC/hli

Wallace Dann, Esquire John Hessian III, Esquire Robert Carter, Secretary Long Green/Dulaney Valley Council Samuel & Sandra Kirckoff All Appellants



land Department of Transportation

Harry R. Hughes Bernard M. Evans

PLEASE REPLY TO-OFFICE OF DISTRICT ENGI (IN) WEST ROPPA BOAD

March 15, 1976

Re: Maryland Route 146

5717 Harford Road Baltimore, Maryland 21214

This letter will confirm that the State Highway Administration will issue a permit for a temporary entrance on the east side of Maryland Route 146, approximately 300' north of Richfield Road, if the necessary permits are obtained for grading the property in this vicinity as a source of borrow for the Matthews Bridge project.

The permit will specify the necessity of advance signing and flagmen when this entrance is in use. Please advise this office of the date when this permit should be issued and the length of time that you expect the entrance will be in use.

> Very truly yours. ALX.X

H. J. Pistel Highway District Engineer

HJP:kf

cc: Mr. J. E. Meyers

Mr. J. D. Spencer Mr. R. E. Sewell Mr. B. J. Leitner

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 2120

BALTIMORE COUNTY, MARYLAND

TO S. Bric Dilemma, Zoning Commissioner Date March 16, 1976

FROM William D. Fromm, Director of Planning

SUBJECT. Petition #75-194-Is. Petition for Special Exception for Controlled

Excavation.

Deginning 650 feet Hortheast of intersection of Jarrettsville
Pike and Herryman's Mill Read.

Petitioner - Hens R. Wilhelmsen and Iragard Wilhelmsen

10th District

Hearing: Wednesday, March 24, 1976 at 11:00 A.M.

This petition has been reviewed by Mesere. Solomon and Dillon of the Environmental Planning Section. Please consider the text of their comments, (see memorandam dated March 12, 1976) to be the Director's comments for the subject petition.

William D. From

WDP/JOH/am

Zoning Commissioner
Zoning Commissioner
PROM Paul J. Solomon and John J. Dillon, Jr.
Environmental Planning Section SUBJECT Polition #155- Zoning Advisory Committee and Pelition #76-194X - Wilhelm Property

Date_ Morch 12, 1976

BLTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

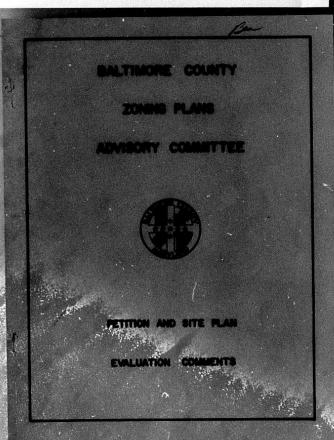
A field inspection of the subject property on March 5, 1976 and subsequent analysis of the soils information and review of the proposed zoning maps indicates that this property will be located in the RC4 (Watershed Protection) classification on the new zoning maps which will be adopted on a rebefroe Cotober 15, 1976. The current zoning is RSC (Resource Suburban Conservation). In environmentally sensitive areas the soil types are very important. This particular property has two soil types according to the soil conservation district soil groupings. They are (Gc82) Glenelg Loom which is a prime agricultural soil (3 to 8 percent slopes moderately eroded). The other type is (MbC3) Manor Loom (8 to 15 percent slopes: severely eroded). This particular soils group is subject to severe erosion and unless specific measures are taken, severe surface runoff problems may occur.

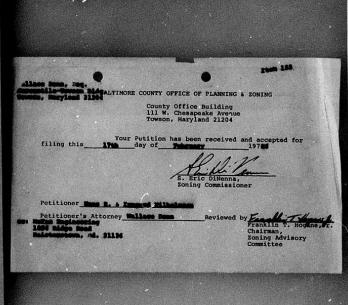
In analyzing the proposal as submitted, this di vision would recommend that should the petitioner meet the requirements of Sec. 502.1 and receive a favorable decision, certain restrictions, strictly adhered to, should be placed upon the petitioner and the owner of the property. One, that the top soil not be removed from the site, but rether be stored in such a menner that when excevation is completed, the top soil can be spread over the disturbed area of then immediately reseaded. (Care should be taken to avoid any loss of the prime sails due to erosion or runoff). Secondly, that a sediment cantrol plan be filed in conjunction with the project and proved by the Department of Permits and Licenses. Thirdly, we concur with the comments of the Project Planning Division, Traffic Engineering and the State Highway Administration and we therefore further recommend, as a safety measure, that the hours of houling from the site by truck traffic be restricted to non-peak hours so as not to obstruct commuter traffic.

Furthermore, we suggest that a revised site plan be submitted prior to the hearing that indicates a profile of the area proposed for excavation indicating the topography before and after the earth extraction has been completed. Notes should indicate the amount of material expected to be

In summation, we would like to call attention to the fact that this property is located in an area which is environmentally sensitive because of its relationship to the Loch Raven Watershed and therefore the conditions specified above are particularly warranted.

JJD/tos





BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Chairman

NEMBERS

DEPARTMENT OF TRAFFIC ENGINEERING

BUREAU OF WEIGHTH DEPARTMENT PROTECT PLANNING BUILDING DEPARTMEN

PONING ADMINISTRATIO

STATE POADS COM

RE: Special Exception Petition Item 155 Hans R. & Irmgard Wilhelmson -Petitioners

March 10, 1976

The Zoning Plans advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field impection of the property. The following compatits are a result of this review and impection.

these comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Flanning may file a written report with the Foning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the east side of Jarrettaville Pike, 630 feet northeast of Merrymen's Mill Read, and is currently utilized so a farm operation on approximately 73 acres. The petitioner is requesting a Special Exception for controlled excavation, in order that earth may be extracted from this site. The submitted plan indicates a shaded area which is apparently to be the limit of the proposed excavation. The petitioner should submit prior to the hearing a profile which must depict the extent of the removal of earth.

The petitioner should note with particular interest the comments of the Project and Development Planning section, the Department of Traffic Engineering, State Highway Administration and the Health Department.

Wallace Dann, Esq. Re: Item 155 March 10, 1976 Page 2

These comments, in cases which additional information is requested, must be satisfied on the revised plans.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not least than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the

Very truly yours,

Frankli T. Som PRANKLIN T. HOGANS, JR. Chairman, Zoning Plans Advisory Committee

Englosure

co: McKee Engineering 1824 Ridge Road Reisterstown, Maryland 21136



February 11 .1976

Mr. S. Eric DiNenna Zoning Commissioner County Office Bldg. Towson, Md. 21204

Att: Mr. Franklin Hogans

Re: Z.A.C. Meeting.
Feb. 3,1976, Item:
155. Property Owner:
Has R. & Immard
His R. & Existing
Control Ref Rerymens
Mil Rd. Existing
Zoning: R.S.C.
Proposed Zoning:
Spec. Exception
for controlled
excavation.
No. Acres: 72.980
District 10

Dear Mr. DiNenna.

The subject plan does not irdicate access to the grading area other than the existing farm entrance. Stopping sight distance at the intersection of the entrance with Jarrettsville Pike is inadequate due to the horizontal alignment of the highway and due to obstruction by the building on the adjacent property to the north. To leave the site at this location is extremely hazardous. It is our opinion that an alternate point of access, with better sight distance, should be provided. This matter should be resolved prior to the hearing.

Very truly yours,

Charles Lee, Chief Bur. of Eng. Access Permits

Into E. meyers by: John E. Meyers

CL - IFM/es

P.O. Box 717 / 300 West Preston Street, Ballimore, Maryland 21203

Office of Planning and Zoning Baltimore County Office Building Towson, Haryland 21204

Attention: Mr. Jack Dillon, Chairman

Bar Property Owner: Hame R. & Iragard Wilhelmoon

Yanation. E/S Jarretteville Pike 630' ME Nerrymen's Hill Rd.

Ttem No. 155

Zoning Agenda February 3, 1976

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baitimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead-end condition shown at

EXCENCE the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to coougnary or beginning of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the lational Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior

(sx) 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

Planning Broup Approved:
Acting Deputy Chief
Special Inspection Division Fire Prevention Europe

DONALD J. ROOP, M.D., M.P.H.

Pahruary 17 1976

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Comments on Item \$155, Zoning Advisory Committee Neeting, February 3, 1976, are as follows:

Property Owner: Hans R & Irmgard Wilhelmsen Location: E/S Jarrettsville Pike 630' WE Merrymen's Mill Rd. Existing Zoning: R.S.C. Proposed Zoning: Special Exception for controlled No. Acres: 72.980 District: 10th

A revised plot plan required showing the method of sew-age disposal and water supply for the existing house.

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES



Warrat 2 1076

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Re: Item 155 - ZAC - February 3, 1976
Property Owner: Hans R. 6 Irmgard Wilhelmsen
Location: K/S Jarcettaville Plke 630' NE Merryman's Mill Rd.
Existing Zoning: P.S.C.
Proposed Zoning: Special exception for controlled excavation
No. of Acres: 72.980
District: 10th

The present driveway to this site has poor sight distance, and should this petition be granted, the driveway must be relocated.

Information should be provided as to hours of operation, maximum number of vehicles using site per day and term of operation, before final comment can be made on this site.

Frichard Ha Michael S. Flanigan Traffic Engineer Associat

MCP.no

OWSON, MARYLAND 21204

WILLIAM D. FROMM

March 1, 1976

Mr. S. Fric Di Nenna, Zonina Commissione Mr. S. Eric DiNenna, Zoning Col Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. DiNenna

Comments on Item #155, Zoning Advisory Committee Meeting, February 3, 1976, are as follows:

Property Owner: Hans R. and Inragard Wilhelmsen Location: E/S Jarrettsville Pike 6350' NE Merrymen's Mill Road Existing Zoning: R.S.C.
Proposed Zoning: Special Exception for controlled excavation
No. Acres: 72.980

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have

The stopping site distance at the existing driveway is totally inadequate and the site plan must be revised to indicate a safer point of access to the property.

The number and size of the vehicles, the hours of vehicular operation, and the destination of the vehicles should be indicated on the site plan. Since Jarrettville Pike is only a two (2) lane road with few safe possing area, whis operation may create traffic problems. It is suggested, by this office, that a property closer to the actual construction site be obtained if possible.

The site plan must also show how the property is to be utilized for future use after the exceller completed.

John Zevembley

Jahn L. Wimbley Planning Specialist II Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 9, 1976

Mr. S. Eric DiNenna Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

Z.A.C. Meeting of: February 3, 1976

Re- Item 155

Property Owner: Hans R. & Irmgard Wilhelmsen .

location:

E/S Jarrettsville Pike 630' N.E. Merrymen's Mill Rd.

Present Zoning: R.S.C.

Proposed Zoning: Special Exception for controlled excavation

District:

10th

No. Acres:

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours. W. Tick terroul W Nick Potrovich.

WP/ml

THE C PARCE HE STREET WENTER

(.P1.10502

March 18, 1976

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120

Re: Item #155 (1975-1976) Property Owner: Hans R. & Irmgard Wilhelmsen E/S Jarrettsville Pike, 630' N/E Merryman's Mill Rd. Existing Zoning: R.S.C.
Proposed Zoning: Special Exception for controlled excavation.
No. of Acres: 72.980 District: 10th

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

Highways:

Jarrettsville Pike (Md. 146) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Richfield Lane, as indicated on the submitted plan is an offsite and private

The present means of access for this property, a dirt road, is relatively dangerous, due to sight distance limitations, at the Sunnybrook Road (Merryman's Mill Road) intersection with the Jarrettsville Pike.

The entrance locations are subject to approval by the Department of Traffic

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Property Own Hans R. & Irmgard Wilhelmsen Page 2 March 19 1976

Sediment Control: (Cont'd)

Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

This property is tributary to the Loch Raven Reservoir via Overshot Run.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any misances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Future drainage and utilities easements and/or reservations will be required

Open stream drainage requires a drainage reservation or easement of sufficient to width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Water and Sanitary Sewer:

Public water supply and sanitary severage are not available to serve this property, which is utilizing private onsite facilities. The submitted plan should be revised to indicate the location of those facilities, particularly in relation to the proposed controlled excavation operations. This property is beyond the Saltissore County Metropolitan District and the Uthan Rural Demaration Line. The Baltisnore County Comprehensive Water and Sewerage Plan, amended August 1974, Indicates '80 Planned Servico' in the area.

Very truly yours,

ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: SE

U-NW Key Sheet 74, 75 & 76 NE 9 & 10 Pos. Sheets NE 19 C Topo 43 Tax Map

Bregel & Bregel, Chartered A PROFESSIONAL CORPORATIO

SUITE 403 IERCANTILE-TOWSON BUILDING 409 WASHINGTON AVENUE TOWSON MARYLAND 21204 13011 828-6818

July 27, 1976

HOWARD CALVERT BREGES

BALTIMORE CITY OFFICE SWITE 2200 ARLINGTON BUILDING 21201 USDTI 539 2744

Board of Appeals County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Attention: Mrs. Muriel E. Buddemeier

Re: Petition for Special Exception Beginning 630' NE of Intersection of Jarrettsville Pike and Merryman's Mill Road - 10th Election District -Hans R. and Irmgrad Wilhelmson, Petitioners - No. 76-194-X (Item No. 155)

Dear Mrs. Buddemeier:

This will confirm our telephone conversation of this date in which I advised you that Dector Wilhelmson had instructed me to withdraw my opposition of the Appeal taken by the protestants from the did the Coning Commissioner in the above entitled matter, inasmuch as the delay has caused Ehrhardt & May to lose its sub-contract with the State Highway Administration Contractor constructing the new Matthews Bridge. I hasten to state that this delay is not on the part of the Board whose scheduling efforts were certainly appreciated by all.

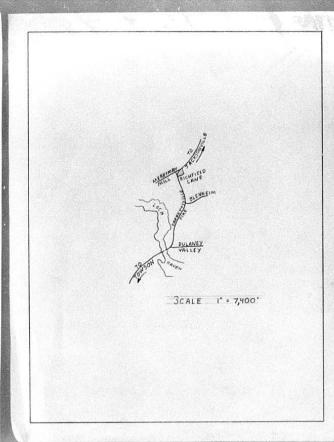
I do appreciate the efforts that were made to give this matter a prompt hearing.

Very truly yours, BREGEL & BREGEL, CHARTERED Wallace Dann

WD/dib

cc: Doctor Hans Wilhelmson

Ralph Murray



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CERTIFICATE OF PUBLICATION

TOWSON, MD. ., 19.76 THIS IS TO CERTIFY, that the appeared advertis, 19.75., the first publication appearing on the htb day of March 19...76

THE JEFFERSONIAN,

STROMBERG PUBLICATIONS, Inc.

was inserted in the issues of Mar. 4, 1976.

By Path Suyl

OFFICE OF

TOWSON I MES

weeks before the 24 blay of March 1976 that is to say, the same

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for a Special Exception- Wilhelmson was inserted in THE TOWSON TIMES, a weekly newspaper published

TOWSON, MD 21204

MICAUPILMED





#76-194-X CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY Towns Mandad

	ii X
District LOV	Date of Posting 3-6-76
now Hoper Wed)	Mar 24. 1976 C. M. A.M.
Petitioner Hans Walkel	macel
Location of property: Beg. 1630	N. E. of Subscriet of Jacobs Wille
The & Merryman D	rill Rd
Location of Signs: Location Deal	d about 303 of In Marie Ray
Mhr. at taitramer to	the about 302,50 In Draw Way
Posted by Market News	Date of return: 3-11-76

CERTIFICATE OF POSTING

RTMENT OF BALTIMORE COUNTY

#76-194-X

District 10 M	Date of Posting 6-3-76
Posted for:	V1.
Petitioner: Hans K. Rela	04 4 101
Location of property: Blg 636	ME & Juliscolow of Jacobsoull mill 60 2 # 11 21
Location of Signs / Sign G	end of Mars way on Jerrettarible Beds. 20! N.E. of Intersection of Jacobs and like
Remarks:	Date of return 6-10-76

Posted by Mul. N. Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received * this 29 day of

1976. Item # 57 "

No. 33407

Petitioner Kans A. 1 Jugar Will Submitted by M. / 6. Petitioner's Attorney Willia Chan Reviewed by St

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND OFFICE OF FIN. Z. REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE Nov. 1, 1976 ACCOUNT 01-662

AMOUNT \$50.00

VALIDATION OF SIGNATURE OF CASHIEL

24528BB 2

5 0.0 CHSC

No. 31647

AMOUNT \$69.00 Ehrhardt and May, Inc. 5717 Harford Rd. Baltimore, Md. 21214 69.0 C MSC VALIDATION OR SIGNATURE OF CASHIEF

No. 31685

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

Mar. 19, 1976

BALTIMORE COUNTY, MARYLAND

No. 33408

DATE May 24, 1976 01-662 \$75.00

PROM M's. Eleanor M. Carey FOR Cost of Filing of an Appeal and Posting of One (1) Sign on the Property on Case No. 76-194-X (Item No. 155)

Beginning 630' NE of the Intersection of Jarrettsville
Pike and Merryman's Mill Road - 10th Election District
Hans R. Wilhelmann, et ux Petitioners
Action on substruct of childs

BALTIMORE COUNTY, MARYLAND

DATE May 24, 1976 ACCOUNT_

RECEIVED John W. Hessian, III, Esquire, People's Counsel ros. Cost of Filing of an Appeal and Posting of Property on Case No. 76-194-X (Item No. 155)

Beginning 630' NE of the Intersection of Jarrettsville Pike and Merryman's Mill Road - 10th Election District Pike and Merryman's Mill Road - 10th Steel Hans R. Wilhelmsen, et ux - Petitioners

No. 33422 BALTIMORE COLINTY MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS GASH RECEIPT

DATE	June 2, 1976	ACCOUNT	01-662

\$5.00 Robert G. Smith, Esquire Cost of Posting Property (One (1) Additional Sign) on Case No. 76-194-X (Item No. 155)

Deginning 630' NE of the Intersection of Jarrettsville Pike and Merryman's Mill Road - 10th Election District Hans R, Wilhelmeen, et ux - Petitioners VALIDATION OR SIGNATURE OF CASHIER

