

IN RE: PETITIONS SPECIAL HEARING AND VARIANCES SW/S of Clance Road 3,930' NW of Capitol Road-10th Election District
Hansner Family Limited Partnership, et al.

BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
Case No. 85-83-SPHA

OPINION AND ORDER

This matter came on for hearing on the appeal of the Baltimore County People's Counsel and the Cross-Appeal of Oldfields School, Inc. from the Findings of Fact and Conclusions of Law of the Zoning Commissioner of Baltimore County filed in the above matter on October 5, 1984. The People's Counsel was present in the person of Peter Max Zimmerman, Esquire, Deputy People's Counsel and Oldfields was represented by William L. Balfour, Esquire. Eugene F. Raphael who performed surveying work for Oldfields School was the sole witness at the hearing.

The People's Counsel and counsel for Oldfields School agreed that this matter should be heard and decided by two members of the Board of Appeals because of a potential conflict of interest by the third member of the Board whose law firm represents the Hausner Family Limited Partnership.

The People's Counsel and counsel for Oldfields School agreed that the appeal involves only that portion of the Order of the Zoning Commissioner which dealt with the 10%

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impermeable surface requirement of Section 1A03.4.B.5 of the Baltimore County Zoning Regulations (BCZR). People's Counsel stated that if sufficient land situated in the R.C. 4 zone in the immediate vicinity of the 20.2 acre tract which is subject to this appeal were restricted so that the impermeable surface requirements of the BCZR were satisfied when taking into account the restricted land, People's Counsel would not object to an Order modifying the Order of the Baltimore County Zoning Commissioner so as to permit the conveyance of the 20.2 acre parcel. People's Counsel further stated that such restriction would have to be satisfactory to the Baltimore County Planning Office and would have to incorporate the standards previously approved by this Board in Pleasant Hill Chapel, Inc., Case No. 82-98-A in order for the People's Counsel to consent to such an Order.

Counsel for Oldfields stated that The Hausner Family Limited Partnership had agreed to restrict two acres of unimproved land owned by it and adjoining the 20.2 acre parcel to the west and an additional 3.478 acres lying to the west of the 20.2 acre parcel. He further stated that Oldfields School had agreed to restrict a 1.764 acre parcel and a 0.396 acre parcel owned by it and lying to the north of the 20.2 acre parcel.

Such restrictions would provide the following: (i) the restricted land shall not be considered in determining the percentage of impermeable surface coverage on any other land

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- 2 -

except the 20.2 acre parcel; (ii) the restrictions shall run with the land in perpetuity unless terminated or modified by later Order of the County Board of Appeals for Baltimore County; and (iii) the restrictions shall be enforceable by the Zoning Commissioner of Baltimore County or the People's Counsel of Baltimore County.

Eugene Raphael, the surveyor retained by Oldfields School testified that he prepared the plat filed in these proceedings as Exhibit "1" which delineates all of the parcels to be restricted. He further testified that all of the parcels to be restricted are unimproved and lie within the R.C. 4 zone. Mr. Raphael further testified that the computations set forth on Exhibit "1" which he prepared correctly indicate that if the area of the parcels to be restricted are added to the area of the 20.2 acre parcel the impermeable surface coverage of that parcel will not exceed 10%.

The Board having considered the evidence and statements of People's Counsel and counsel for Oldfields is of the opinion that a modification of the Order of the Zoning Commissioner in this matter in the manner agreed by the parties would be consistent with the impermeable surface requirements of the BCZR.

Therefore, IT IS ORDERED by the County Board of Appeals of Baltimore County this 26th day of August, 1988 as follows:

The Order of the Zoning Commissioner dated October 5,

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1984 is modified as herein set forth and, as modified, is affirmed:

1. The variance from the 10% impermeable surface requirement of the BCZR is moot based upon satisfaction of the following conditions:

(a) Restrictions shall be recorded among the Land Records of Baltimore County affecting a 2.0 acre parcel and 3.478 acre parcel owned by The Hausner Family Limited Partnership and a 1.764 acre parcel and a 0.396 acre parcel owned by Oldfields School, Inc., as specifically shown on Exhibit 1 filed in these proceedings which shall provide that the restricted land shall not be considered in determining the percentage of impermeable surface on any other land except the 20.2 acre parcel; the restrictions shall run with the land in perpetuity unless terminated or modified by later Order of the County Board of Appeals of Baltimore County; and the restrictions shall be enforceable by the Zoning Commissioner of Baltimore County or the People's Counsel of Baltimore County.

2. The restrictions set forth herein are in lieu of the requirement in the Order of the Zoning Commissioner that a restrictive covenant shall be recorded among the Land Records of Baltimore County stating that the 20 acre parcel donated by the Petitioners to the Oldfields School shall be considered a part of Oldfields' property for purposes of determining the impermeable surface coverage as required by the BCZR now in

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effect."

3. The portion of the Order of the Zoning Commissioner hereinafter set forth, as clarified by the phrase in parentheses in restriction 2, is affirmed:

"It is FURTHER ORDERED that the amendment to Case No. 73-162-X to reduce the area previously granted a special exception for a day camp to approximately 20 acres and to allow renovation of the existing barn for two caretaker dwellings should be approved and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the variance to permit existing structures, tennis courts, and sheds to be set back as close as eight feet in lieu of the required 50 feet is hereby GRANTED, from and after the date of this ORDER, subject, however, to the following restrictions:

1. The present impermeable surface coverage on the [RC-4 portion of the] 20-acre site shall not be increased and shall be maintained.
2. The hours of operation for use of the 20-acre parcel shall be limited to daylight hours, Monday through Saturday, and 10:00 a.m. to 4:00 p.m., Sunday.
3. All other conditions established by the Order in Case No. 73-162-X shall remain in effect.
4. The parking as shown on the site plan is sufficient; however, if a parking problem develops, a special hearing will be required to determine the need for additional parking spaces."

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COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Arnold G. Foreman, Acting Chairman

Harry E. Buchheister, Jr.

The undersigned consent to the passage of the above Order.

Peter Max Zimmerman
Peter Max Zimmerman,
Deputy People's Counsel

William L. Balfour
William L. Balfour,
Attorney for Oldfields
School, Inc.

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DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS made this 24th day of October, 1987, by OLDFIELDS SCHOOL, INC., Declarant.

WHEREAS, by Deeds dated December 30, 1983 and December 26, 1984 The Hausner Family Limited Partnership ("Hausner") conveyed to Declarant, Grantee a certain parcel of land located in the Tenth Election District of Baltimore County, Maryland, containing 20.20 acres of land more or less (the "Property"); and

WHEREAS, the conveyance set forth above was completed by delivery of Deed to the Declarant but the Deeds were never recorded because it was determined that the Property was in violation of the impermeable surface limitations of Section 1A03.4.B.5 of the Baltimore County Zoning Regulations ("BCZR") restricting impermeable surface coverage to 10% of any lot in an RC-4 zone; and

WHEREAS, 4.346 acres of the Property is located in an RC-4 zone; and

WHEREAS, Hausner filed a Petition with the Zoning Commissioner of Baltimore County in Case No. 85-83-SPHA praying, among other relief, that a variance from the impermeable surface requirements be granted; and

WHEREAS, the People's Counsel of Baltimore County appealed the decision of the Zoning Commissioner to the County Board of Appeals of Baltimore County (the "Board of Appeals")

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and the Declarant cross-appealed; and

WHEREAS, the Board of Zoning Appeals of Baltimore County has ordered by Order dated _____, 1987, that the impermeable surface requirements of Section 1A03.4.B.5 of the BCZR will be deemed satisfied as to the Property on condition that (i) Declarant subject the hereinafter described land located in the RC-4 zone to the restrictions hereinafter set forth and (ii) Hausner subject certain property zoned RC-4 owned by it located in the vicinity of the Property to the restrictions hereinafter set forth; and

NOW, THEREFORE, THIS DECLARATION OF RESTRICTIONS WITNESSETH:

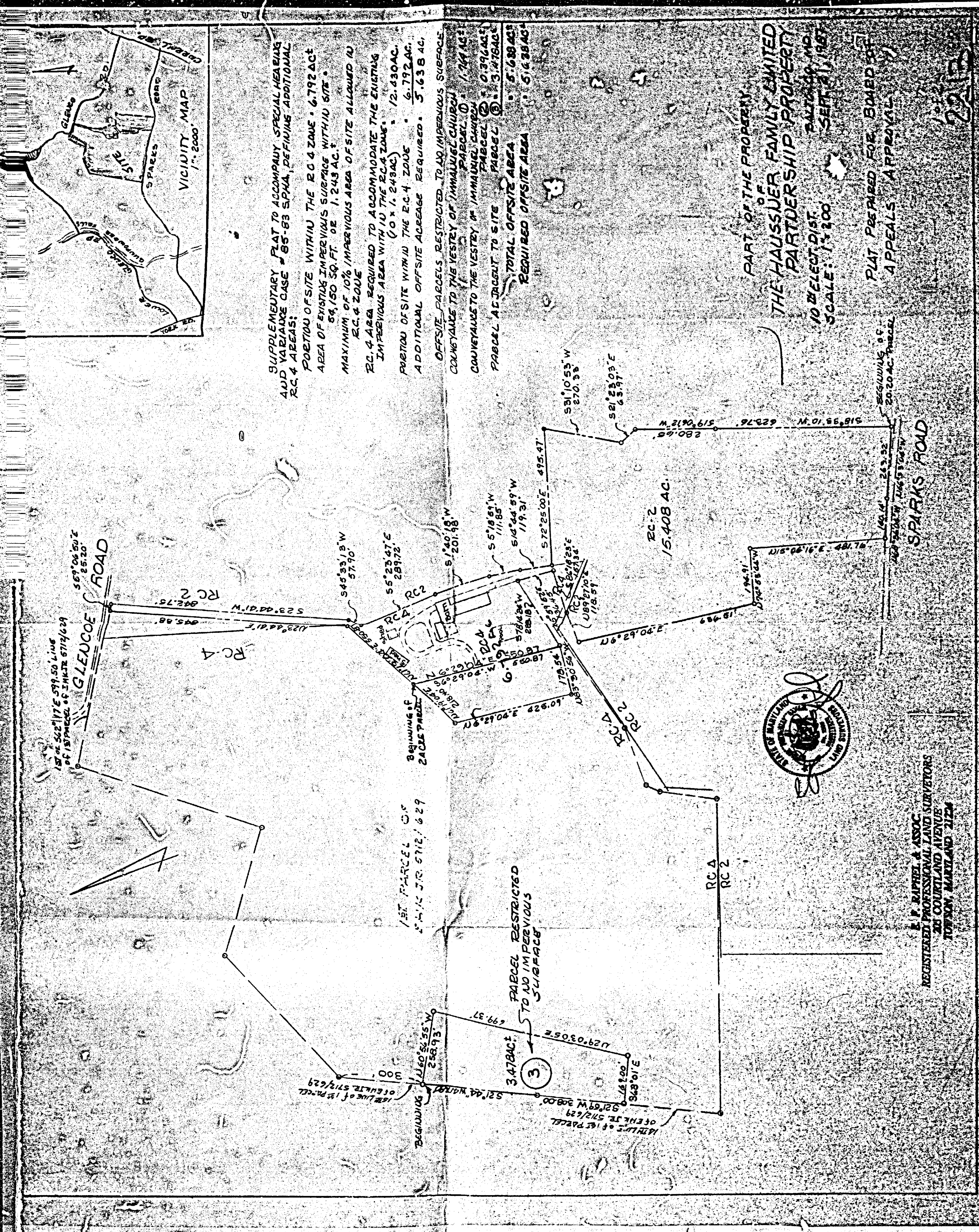
1. All those parcels of land containing 1.764 and 0.396 acres more or less as more fully described in Exhibits A and B attached hereto and depicted on the plat attached hereto as Exhibit C shall be held and conveyed subject to the restriction that no impermeable surface shall be placed thereon.

2. The land described in Exhibits A and B shall not be considered in determining the percentage of impermeable surface coverage on any other land except the Property.

3. Except as specifically set forth herein, this Declaration shall not affect the right of Declarant to use the land hereby restricted for any lawful purpose including taking such land into account for purposes of determining compliance with density requirements.

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

Your Petition has been received and accepted for filing this
 10th day of August, 1984.

ARNOLD JARLON
 Zoning Commissioner

Petitioner: Hausner Family Ltd. P. Received by: Nicholas S. Commodari
 Petitioner's Attorney: John P. Kowal Chairman, Zoning Plans Advisory Committee

PETITION FOR SPECIAL HEARING AND VARIANCE
 10th Election District

ZONING: Petition for Special Hearing and Variance

LOCATION: Southwest side of Glencoe Road, 3,820 ft. Northwest of Carroll Road

DATE & TIME: Monday, September 24, 1984 at 11:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the Special Exception for a sport and day camp in an R.D.P. zone granted by the Zoning Commissioner in Case No. 73-162-X to reduce the area of that Special Exception to approximately 20 acres and to allow renovation of the existing barn for 2 caretaker dwellings, and to determine the required number of parking spaces; Variances to permit existing structures, tennis courts, sheds as close as 8 ft. in lieu of the required setbacks of 50 ft. and to allow 25% of the lot to be covered by impermeable surfaces in lieu of the permitted 10%.

Being the property of Hausner Family Limited Partnership, et al, as shown on plat plan filed with the Zoning Department.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
 ARNOLD JARLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

BALTIMORE COUNTY DEPARTMENT OF HEALTH
 Date: March 28, 1984

Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21204

Zoning Item # 127, Zoning Advisory Committee Meeting of Dec. 6, 1983

Property Owner: Hausner Family Limited Partnership

Location: 7715 Sparks Road District 10

Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the Building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 127, Zoning Advisory Committee Meeting of Dec. 6, 1983
 Page 2

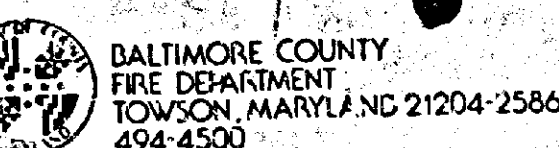
- () Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
 - () The results are valid until
 - () Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - () shall be valid until
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Others According to information submitted to this office pertaining to the petition, the sewage disposal system presently serving the camp is not intended to be conveyed in its entirety along with the camp, to the Oldfield School. Additional information is also needed regarding the water supply serving the camp.

Given to conveyance of the camp to the Oldfield School, a potable water supply and sewage disposal system meeting all Baltimore County standards must be made permanently available to the camp, allowing conveyance of the camp. Owners have contacted this office regarding this situation. Additional information is expected by this office regarding a possible resolution of this situation.

John J. Fogarty
 John J. Fogarty, Director
 BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

Mr. William Hanson
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Haussner Family Ltd. Partnership

Location: NE/S Sparks Road 2485' W. Carroll Road

Item No.: 127 Zoning Agenda: Meeting of 12/6/83

Gentlemen:
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 Baltimore 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 _____

EXCEEDS 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 occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

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

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

REVIEWER: *George M. Regardt* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: September 12, 1984
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
SUBJECT: Haussner Family Limited Partnership
No. 85-82-SPH

This office is opposed to the granting of the portion of the petition requesting a variance to the requirement that more than 1/4 of the site be covered by impermeable surfaces.

NEG/JGH/af

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

Baltimore County, Maryland

Department of Public Works

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

January 15, 1973

Bureau of Engineering
ELLSWORTH N. DIVER, P.E., CHIEF

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

Re: Item #115 (1972-1973)
Property Owner: Frances Haussner
W/S Sparks Road, 2485' W. of Carroll Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 109.23 (5) to permit 15 parking spaces instead of required 43 and Special Exception for a Day Camp in R.D.P. zone
District: 8th No. Acres: 112.71 acres

Dear Mr. DiNenna:

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 item.

Highways:

Glencoe Road and Sparks Road, existing public roads, are proposed to be improved in the future with 60-foot rights-of-way. Due to the nature of the terrain in the vicinity of this property it is expected that some road realignment will be required to ease some of the curves and improve sight distances.

Highway improvements are not required at this time. Highway right-of-way and widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be designed in accordance with Baltimore County Standards.

The status of the roadways traversing this property are unknown and assumed to be private. It is the responsibility of the Petitioner to ascertain and clarify rights therein.

Sediment Control:

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.



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 127
Property Owner: Haussner Family Limited Partnership
Location: NE/S Sparks Road 2485' W. Carroll Road
Existing Zoning: R.C. 2 & R.C.4
Proposed Zoning: Special Hearing to approve an amendment to the Special Exception for a sports and day camp in a R.D.P. zone, so that approximately 15 acres plus or minus of the total parcel may be conveyed.

Acres: 112.71
District: 10th

Dear Mr. Jablon:

The Department of Traffic Engineering has not received plans for item number 127.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cem

Item #115 (1972-1973)
Property Owner: Frances Haussner
Care
January 15, 1973

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances 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.

Drainage and utility easements, flood plains and drainage reservations must be established through this property, and will be required in connection with any grading or building permits.

Water and Sanitary Sewers

Public water supply and sanitary coverage are not available to serve this property, which is utilizing private onsite facilities.

This property is beyond the limits of the Baltimore County Metropolitan District and the Baltimore County Comprehensive Water and Sewerage Plan for 1970-1980, amended 1971.

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.,
Chief, Bureau of Engineering

END:RAM:CD:mas
NW 23 & 24 A Topo
DD-NE Key Sheet
93 NW 2, 3
92 NW 2, 3
91 NW 2, 3
90 NW 2, 3
28 and 34 Tax Maps



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

January 13, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #127 (1983-1984)
Property Owner: Haussner Family Limited Partnership
N/ES Sparks Rd. 2485' W. Carroll Road
Acres: 112.71 District: 10th

Dear Mr. Jablon:

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 item.

General:

Comments were supplied in conjunction with the Zoning Advisory Committee review of this property for Items 191 (1975-1976) and 115 (1972-1973).

This office has no further comment in regard to this Item 127 (1983-1984).

Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:PNR:iss

Encs.

DD-NE & SE Key Sheets
90-93 NW 2 & 3 Pos. Sheets
NW 23 & 24 A Topo
28 & 34 Tax Maps

Baltimore County, Maryland

Department of Public Works

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

April 14, 1976

Bureau of Engineering
ELLSWORTH N. DIVER, P.E., CHIEF

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

Re: Item #191 (1975-1976)
Property Owner: Frances Haussner
W/S Sparks Rd. 2485' W. Carroll Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Special Exception for civic, social, recreational, educational and artistic activities.
Acres: 112.71 District: 8th

Dear Mr. DiNenna:

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 item.

General:

The comments supplied in connection with the Zoning Advisory Committee review of this site for Item #115 (1972-1973) are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #191 (1975-1976).

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.,
Chief, Bureau of Engineering

END:EAM:PNR:iss

DD-NE & SE Key Sheets
90 - 93 NW 2 & 3 Pos. Sheets
NW 23 & 24 A Topo
28 & 34 Tax Maps

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204
813-441-1111
AREA CODE 301
TELETYPE 881-0447

JAMES H. COOK
JOHN B. HOWARD
DAVID B. DOWNES
DANIEL D. TRACY, JR.
JOHN H. ZINK, III
JOSEPH C. WICK, JR.
HENRY B. PECK, JR.
HERBERT R. G. WICK, JR.
THOMAS L. HUDSON

February 6, 1984

4-24-84
In your letter
comment to
J.E.D. if any.

Arnold Jablon, Esq.
Zoning Commissioner
Baltimore County Office of
Planning & Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Oldfields School

Dear Mr. Jablon:

Please allow this letter to confirm our telephone conference of February 1, 1984. I advised you of the following facts: The Hausner Family Limited Partnership has created a 20.2 acre tract out of a larger tract it owns between Glencoe Road and Sparks Road. A zoning line bisects the tract; a portion is zoned RC4 and the lower portion zoned RC2. A barn and pool, as well as some utility sheds, exist on the RC4 portion, and there is a pond and three tennis courts on the RC2 portion.

The Hausner Family Limited Partnership intends to eventually gift complete ownership of the tract to Oldfields School. Oldfields School is a non-profit private preparatory school and is located north of Glencoe Road approximately 1,500 feet from the tract. Oldfields School is a valid non-conforming use in an RC2 and RC4 zone. My inquiry to you was whether Oldfields' acquisition and use of the tract as recreational facilities for its students and in furtherance of its educational functions would, in your opinion, be construed as a permissible expansion of a valid non-conforming use. It was your opinion that as long as the properties could be considered contiguous, and the expansion did not violate the limitation to 25 per cent of ground floor area of buildings as expressed in SECTION 109.1 of the Baltimore County Zoning Regulations, it would be construed as an expansion of a valid non-conforming use and no special exception for the uses on the tract would be necessary.

Arnold Jablon, Esq.
February 6, 1984
Page 2

This issue is separate from the removal of the amendment of the existing special exception for a day camp in an RDP zone. We have filed a Petition for Special Hearing to so amend the original special exception.

Thank you for your cooperation.

Very truly yours,
Frank A. Lafayce, Jr.

FAL:ksl
cc: Ms. Kathy Fernandez

Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLIS COLE FRIEDMAN
People's Counsel

OCT 15 AM

October 15, 1984

The Honorable
Arnold Jablon
Zoning Commissioner
County Office Building
Towson, MD 21204

RE: Hausner Family Ltd. Partnership, et al
Petitioner - Zoning Case #85-83-SPHA

Dear Mr. Jablon:

We respectfully request that you give additional consideration to your Order dated October 5, 1984, and that you include substantially the conditions referred to in my previous letter dated September 26, 1984. Our purpose is to assure that the treatment of this case is substantially similar to Pleasant Hill Chapel, and to assure that the Zoning Commissioner retains continuing jurisdiction in the event any restrictive covenant terminates or is not enforced, or in the event of a transfer of the property.

Very truly yours,
Peter Max Zimmerman
Deputy People's Counsel

cc: John B. Howard, Esquire
PMZ:sh

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Nicholas Commodari, Zoning Department Date: December 11, 1983

FROM: C. E. Burnham - Chief, Plans Review C.E.B.

SUBJECT: Zoning Advisory Committee
Meeting of December 6, 1983

Item #125	No Comment
Item #126	See Comments
Item #127	No Plan
Item #128	See Comment
Item #129	See Comments
Item #130	See Comments

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of November 1984, a copy of the foregoing Notice Of Cross-Appeal was mailed, postage prepaid to Peter Max Zimmerman, Esquire, Room 223, Courthouse, Towson, Maryland 21204

John B. Howard
John B. Howard

PETITION FOR SPECIAL HEARING AND VARIANCE
10th Election District

ZONING: Petition for Special Hearing and Variance

LOCATION: Southwest side of Glencoe Road, 3,820 ft. Northwest of Carroll Road

DATE & TIME: Monday, September 24, 1984 at 11:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the Special Exception for a sport and day camp in an R.D.P. zone granted by the Zoning Commissioner in Case No. 73-162-X to reduce the area of that Special Exception to approximately 20 acres and to allow renovation of the existing barn for 2 caretaker dwellings, and to determine the required number of parking spaces; Variances to permit existing structures, tennis courts, sheds as close as 8 ft. in lieu of the required setbacks of 50 ft. and to allow 25% of the lot to be covered by impermeable surfaces in lieu of the permitted 10%.

Being the property of Hausner Family Limited Partnership, et al, as shown on plat plan filed with the Zoning Department.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

John B. Howard, Esquire
210 Allegheeny Avenue
Towson, Maryland 21204

August 28, 1984

NOTICE OF HEARING

Re: Petitions for Special Hearing and Variance
SW/S of Glencoe Rd., 3,820' NW of Carroll Rd.
Hausner Family Limited Partnership, et al - Petitioners
Case No. 85-83-SPHA

TIME: 11:30 A.M.

DATE: Monday, September 24, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133241

DATE: 8/21/84 ACCOUNT: R-01-615-000

AMOUNT: 100.00

RECEIVED FROM: additional filing fee for Petition #11

FOR: Arnold Jablon
Special Hearing
Variance

6 038*****1000014 8214F

VALIDATION OR SIGNATURE OF CASHIER

6 038*****1000014 8232A

VALIDATION OR SIGNATURE OF CASHIER

IN RE: * BEFORE THE
PETITIONS SPECIAL HEARING * ZONING COMMISSIONER
AND VARIANCES SW/S of * OF
Glencoe Road 3,820' NW of * BALTIMORE COUNTY
Carroll Road-10th Election * Case No.: 85-83-SPHA
District *
Hausner Family Limited *
Partnership, et al. *
Petitioners *

NOTICE OF CROSS-APPEAL

Please note a cross-appeal to the County Board of Appeals on behalf of Oldfields School, Petitioner, P.O. Box 697, Glencoe, Maryland 21152 from your decision in the above-captioned matter.

John B. Howard
John B. Howard
Cook, Howard, Downes & Tracy
210 Allegheeny Avenue
P.O. Box 5517
Towson, Maryland 21204
(301)823-4111

Attorney for Petitioner

NOV 9 84 AM

ZONING DEPARTMENT

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

November 7, 1984

John B. Howard, Esquire
210 Allegheeny Avenue
P.O. Box 5517
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variances
SW/S of Glencoe Road, 3,820'
NW of Carroll Road
Hausner Family Limited Partnership, et al -
Petitioners
Case No. 85-83-SPHA

Dear Mr. Howard:

Please be advised that an appeal has been filed by People's Counsel from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Sincerely,
Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:eoh

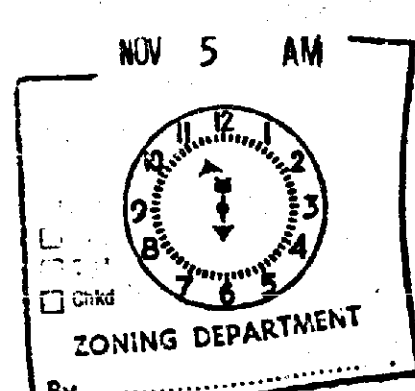
RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCES
SW/S of Glencoe Rd., 3,820'
NW of Carroll Rd., 10th Dist.
HAUSSNER FAMILY LTD.
PARTNERSHIP, Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 85-93-SPHA

NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned matter, under date of October 5, 1984, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.



Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of November, 1984, a copy of the foregoing Notice of Appeal was mailed to John B. Howard, Esquire, 210 Allegheny Ave., P. O. Box 5517, Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES : OF BALTIMORE COUNTY
SW/S of Glencoe Rd., 3,820' :
NW of Carroll Rd., 10th Dist. :
HAUSSNER FAMILY LIMITED : Case No. 85-93-SPHA
PARTNERSHIP, et al., :
Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 4th day of September, 1984, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., P. O. Box 5517, Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

IN RE: PETITION FOR SPECIAL HEARING
AND VARIANCES
SW/S of Glencoe Road, 3,820'
NW of Carroll Road - 10th
Election District

Hausner Family Partnership
Limited, et al
Petitioners

* BEFORE THE
* BOARD OF APPEALS
* OF BALTIMORE COUNTY
* Case No. 85-93-SPHA

Entry of Appearance

Please enter my appearance as a party in the above captioned matter, pursuant to Section 501.6, B.C.Z.R., and I hereby request that any and all notices be forwarded to my office, including but not limited to hearing dates and/or preliminary or final Orders.

Arnold Jablon
Arnold Jablon
Zoning Commissioner of Baltimore
County
Room 109 - 111 West Chesapeake Avenue
Towson, Maryland 21204
494-3353

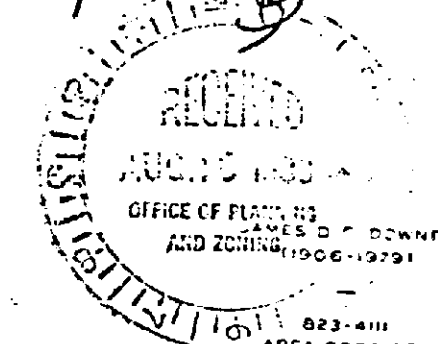
Certificate of Mailing

IT IS HEREBY CERTIFIED that on this 7th day of November 1984, copies of the foregoing Entry of Appearance were mailed, postage prepaid, by first class delivery to the County Attorney of Baltimore County, People's Counsel for Baltimore County, Petitioner(s) and/or Protestor(s) in the above captioned matter.

Arnold Jablon
Arnold Jablon

COPY

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P. O. BOX 5517
TOWSON, MARYLAND 21204
August 26, 1983



Norman E. Gerber, Director
Office of Planning and Zoning
Baltimore County
Courthouse
Towson, Maryland 21204

RE: Oldfields School/Hausner
Family Limited Partnership

Dear Norman:

The Hausner Family Limited Partnership (the "Partnership") is the owner of a 112 acre parcel of land, with improvements, known as 1629 Glencoe Road. This property is in close proximity to Oldfields School ("Oldfields").

The Partnership desires to make a gift of a 12-15 acre portion of its property on which is located a pond and three tennis courts. Oldfields, whom I represent, is quite naturally most receptive to this proposal. The Partnership proposes to effect the gift by way of installments of fractional interests over a term of approximately seven to ten years with a grant of easement, or similar arrangement, for use of the unconveyed remainder.

The threshold issue is whether the proposed gift will constitute a subdivision of the Partnership's property within the purview of the Development Regulations of Baltimore County (Bill No. 56-82).

With certain stated exceptions, Section 22-40 of the Regulations provides that they apply to all developments. Section 22-39 contains the following definitions:

October 16, 1984

Peter Max Zimmerman, Esquire
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204

RE: Case No. 85-93-SPHA
Hausner Family Limited
Partnership, et al,
Petitioners

Dear Mr. Zimmerman:

Thank you for your letter of October 15, 1984.

I appreciate the concerns you raise, however, my Order will not be amended unless agreed to by all parties. I believe the Order substantively reflects the projected solution to your concerns and any amendment would be duplicative and unnecessary. There is no need to state the obvious, i.e., I have continuing jurisdiction over all Orders and restrictions therein subject to the Baltimore County Zoning Regulations (BCZR), specifically Sections 500.6 and 503. If there is an alleged violation, I have the authority to conduct a hearing to so determine.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

cc: John B. Howard, Esquire

Arnold Jablon, Esq.
February 6, 1984
Page 2

This issue is separate from the removal of the amendment of the existing special exception for a day camp in an RPD zone. We have filed a Petition for Special Hearing to so amend the original special exception.

Thank you for your cooperation.

Very truly yours,

Frank A. Lafalce, Jr.
Frank A. Lafalce, Jr.

FAL:ksl

cc: Ms. Kathy Fernandez

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: September 12, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Hausner Family Limited Partnership
SUBJECT: No. 85-93-SPHA

This office is opposed to the granting of the portion of the petition requesting a variance to the requirement that more than 10% of the site be covered by impermeable surfaces.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NBG/JCH/ef

Two
Mr. Norman E. Gerber
August 26, 1983

"Development" means:

- (1) The improvement of property for any purpose involving building;
- (2) Subdivision;
- (3) The combination of any two or more lots, tracts or parcels of property for any purpose;
- (4) Subjecting property to the provisions of the Maryland Condominium Act; and
- (5) The preparation of land for any of the purposes listed in (1) through (4).

"Subdivision" means the division of property into two or more lots, or the combination of lots, parcels, tracts or other units of property previously divided, for the purpose, whether immediate or future, of sale, rental or building development." (Emphasis added)

The proposed gift, and the manner in which it is to be structured, obviously is not "for the purpose, whether immediate or future, of sale, rental or building development". Accordingly, it is respectfully submitted that the Development Regulations are inapplicable.

It would be greatly appreciated if either you or Gene Bober, who is receiving a copy of this letter, might be able to give this matter your preferred attention by way of a response. With the new year beginning, it is most important to the planning of Oldfields that this gift be consummated.

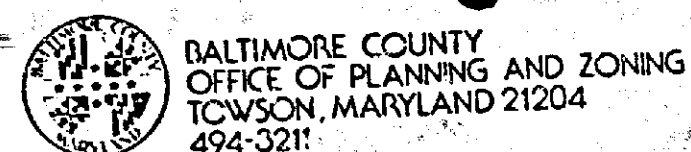
Thank you for your attention to this matter.

Kind regards.

Sincerely,

John B. Howard

JBH:at
cc: Eugene A. Bober
Lee N. Koehler, Esquire
Hawley Rogers
Kathy Kennedy



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

John B. Howard, Esquire
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21204

Dear Mr. Howard:

This office has reviewed your request concerning the gift of approximately 12 to 15 acres of land belonging to the Haussner Family Limited Partnership to Oldfields School. While we are in wholehearted support of such a gift and can appreciate that Oldfields is anxious to complete the arrangement, we have made the following determinations:

First, the property transfer, regardless of its being termed a "gift", is still a subdivision of the land and would have to comply with the County's Development Regulations. However, because of the nature of this proposal it could qualify for a waiver of the Plan and Plat under the provisions of Section 22-43 of the Development Regulations.

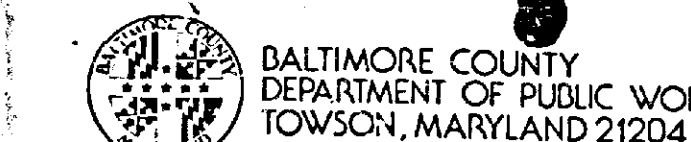
Second, the Haussner tract presently enjoys a special exception for a sports and day camp (873-1822). Mr. Jablon, the Zoning Commissioner, has stated that a special hearing would be required to amend the special exception.

If you have any questions about the above information, please do not hesitate to call.

Sincerely yours,

Norman E. Gerber
Director of Planning and Zoning

NEC:rh
cy. Arnold Jablon



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
DIRECTOR

January 13, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #127 (1983-1984)

Property Owner: Haussner Family Limited Partnership
N/ES Sparks Rd. 2485' W. Carroll Road
Acres: 112.71 District: 10th

Dear Mr. Jablon:

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 item.

General:

Comments were supplied in conjunction with the Zoning Advisory Committee review of this property for Items #113 (1975-1976) and #115 (1972-1973).

This office has no further comment in regard to this Item 127 (1983-1984).

Very truly yours,

Robert A. Horton, P.E., Chief
Bureau of Public Services

RM:EM:FWR:ss

Encls.

DD-NE & SE Key Sheets
90-93 NW 2 & 3 Pos. Sheets
NW 23 & 24 A Topo
28 & 34 Tax Maps

Mr. Norman E. Gerber
August 26, 1983

"Development" means:

- (1) The improvement of property for any purpose involving building;
- (2) Subdivision;
- (3) The combination of any two or more lots, tracts or parcels of property for any purpose;
- (4) Subjecting property to the provisions of the Maryland Condominium Act; and
- (5) The preparation of land for any of the purposes listed in (1) through (4).

"Subdivision" means the division of property into two or more lots, or the combination of lots, parcels, tracts or other units of property previously divided, for the purpose, whether immediate or future, of sale, rental or building development." (Emphasis added)

The proposed gift, and the manner in which it is to be structured, obviously is not "for the purpose, whether immediate or future, of sale, rental or building development". Accordingly, it is respectfully submitted that the Development Regulations are inapplicable.

It would be greatly appreciated if either you or Gene Bober, who is receiving a copy of this letter, might be able to give this matter your preferred attention by way of a response. With the academic year beginning, it is most important to the planning of Oldfields that this gift be consummated.

Thank you for your attention to this matter.

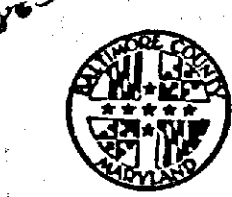
Kind regards.

Sincerely,

John B. Howard

JBH:mt

cc: Eugene A. Bober
Lee N. Koehler, Esquire
Hawley Rogers
Kathy Kennedy



BALTIMORE COUNTY, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLIS COLE FRIEDMAN
People's Counsel

October 15, 1984

The Honorable
Arnold Jablon
Zoning Commissioner
County Office Building
Towson, MD 21204

RE: Haussner Family Ltd. Partnership, et al
Petitioner - Zoning Case #85-83-SPHA

Dear Mr. Jablon:

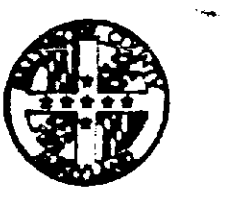
We respectfully request that you give additional consideration to your Order dated October 5, 1984, and that you include substantially the conditions referred to in my previous letter dated September 26, 1984. Our purpose is to assure that the treatment of this case is substantially similar to Pleasant Hill Chapel, and to assure that the Zoning Commissioner retains continuing jurisdiction in the event any restrictive covenant terminates or is not enforced, or in the event of a transfer of the property.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: John B. Howard, Esquire

PMZ:sh



BALTIMORE COUNTY, Maryland

PEOPLE'S COUNSEL
OLD COURT HOUSE
TOWSON, MARYLAND 21204

PHYLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

September 18, 1984

The Honorable
Arnold Jablon
Zoning Commissioner
County Office Building
Towson, MD 21204

RE: Haussner Family Ltd. Partnership,
Petitioner, Case No. 85-83-SPHA;
Baltimore Gas & Electric Co.,
Petitioner, Case No. 85-87-XA

Dear Commissioner Jablon:

Petitioners have requested variances to the requirement that no more than 10% of any tract in an R.C. 4 zone be covered by an impermeable surface. BCR 1.203-4b.5. This regulation was the subject of extensive review in Pleasant Hill Chapel, Inc., Case No. 82-98-A, and was further considered in State Highway Administration, No. 84-318-XA. In Pleasant Hill, following an evidentiary hearing before the County Board of Appeals, the Petitioner agreed to acquire easements to surrounding property to achieve the required 10%, so that the variance became unnecessary, as reflected in the enclosed decision dated November 16, 1982. In State Highway Administration, a land transfer and merger was accomplished, rendering the requested variance moot, as shown in the enclosed Order and Amended Order of the Zoning Commissioner, dated, respectively, May 24 and June 7, 1984.

This office has advocated strict adherence to the standard not only because of the environmental concerns, but also because of the legislative history. In Pleasant Hill, Paul V. Solomon testified to the role of the standard in promoting protection of public water supply watersheds. In order to maintain a satisfactory level of water quality, it was found necessary and appropriate to control the amount of impervious area. Following a review of the literature, discussions with experts in the field, and research conducted by the Office of Planning and Zoning, the Planning staff and Planning Board recommended, and the County Council found that the 10% requirement was reasonably related to the environmental objective and was feasible generally throughout the county. Rather than recite in detail the step-by-step analysis of Mr. Solomon, I enclose the transcript of Mr. Solomon's testimony before the Board of Appeals on May 6, 1982, together with the following enclosures:

1. Bill 45-82.
2. Baltimore County Planning Board Recommendation adopted November 5, 1981.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 18, 1984

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 85-83-SPHA (Item No. 127)
Petitioner - Haussner Family Ltd., Partnership
Special Hearing and Variance Petition

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Gerhold, Cross & Etzel
112 Delaware Avenue
Towson, Maryland 21204

September 18, 1984

The Honorable
Arnold Jablon
Zoning Commissioner

3. Planning staff recommendation in Pleasant Hill dated September 22, 1981.

4. Baltimore County Planning Board Public Hearing of October 1, 1981.

5. Excerpt of County Council Public Hearing (Norman E. Gerber, Planning Director) of March 16, 1982.

6. U. S. Geological Circular 554, Hydrology, etc., Luna B. Leopold, 1969.

7. Water Resources Bulletin, Urbanization and Stream Quality Improvement, Richard D. Klein, August, 1979.

A review of the above demonstrates that careful consideration went into the impermeable requirement, and that it is a significant link in the legal chain contributing to maintenance of water quality in Baltimore County. Moreover, a review of the legislative history, focusing on the Planning Board recommendation and the testimony and comments at the Planning Board and public hearings, reflects a legislative intent that variances not be granted.

Accordingly, we would oppose the granting of any variances in the above cases. As has been our practice in the past, however, we are willing and able to consider proposals involving easements, land transfers, or other appropriate arrangements so that sufficient land becomes available effectively to satisfy the requirement and/or moot the variance.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: John B. Howard, Esquire
Attorney for Petitioners
in B.G. & Haussner Ltd.
Partnership Cases.

PMZ:sh

15-775
Cm. 1/1

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 4501
TOWSON, MARYLAND 21204

OCT 2 AM

By: [Signature] TELEPHONE: [Number] TELETYPE: [Number]

Ms. Kathy Fernandez
Oldfields School
P.O. Box 697
Glencoe, Maryland 21152

Re: Hausner Parcel - Hours of Use

Dear Kathy:

Pursuant to phone conferences with both you and the Yendalls, I have contacted Arnold Jablon, the Zoning Commissioner for Baltimore County, to ask that his Order be amended to change the hours of operation on the Hausner Parcel to daylight hours Monday through Saturday. The original Sunday restriction of 10:00 a.m. to 4:00 p.m. will remain unchanged.

I expect the Order will be forthcoming shortly and include the above change. If you have any questions, please do not hesitate to call.

Yours truly,

[Signature]
Robert M. Hoffman

RAH/kak

CC: Mr. and Mrs. Quay Yendall
Arnold Jablon, Zoning Commissioner

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

January 15, 1973

Bureau of Engineering
ELLENWORTH H. DIVER, P.E., CHIEF

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

Re: Item #115 (1972-1973)
Property Owner: Frances Hausner
H/25 Sparks Road, 2455' W. of Carroll Road
Present Zoning: R-3.5
Proposed Zoning: Variance from R-3.5 to R-3.5 (S) to permit 15 parking spaces instead of required 13 and Special Exception for a Day Camp in R.D.P. Zone
District: 24 No. Acres: 112.71 acres

Dear Mr. DiMenna:

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 item.

Highways

Glencoe Road and Sparks Road, existing public roads, are proposed to be improved in the future with 60-foot rights-of-way. Due to the nature of the terrain in the vicinity of this property it is expected that some road realignment will be required to ease some of the curves and improve sight distances.

Highway improvements are not required at this time. Highway right-of-way and widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be designed in accordance with Baltimore County Standards.

The status of the roadways traversing this property are unknown and assumed to be private. It is the responsibility of the Petitioner to ascertain and clarify rights therein.

Sediment Control

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.

Item #115 (1972-1973)
Property Owner: Frances Hausner
H/25 Sparks Road
January 15, 1973

Drainage

Provision for stormwater drainage from the site has been indicated on the submitted plans.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent causing any nuisances or damage to adjacent properties, especially by the accumulation 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.

Drainage and utility easements, flood plains and drainage reservations must be established through this property, and will be required in connection with any grading or building permits.

Water and Sanitary Sewer

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities.

This property is beyond the limits of the Baltimore County Metropolitan District and the Baltimore County Comprehensive Water and Sewerage Plan for 1970-1975, amended 1971.

Very truly yours,

[Signature]
ELLENWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:SAH/CH/15

HW 23 & 24 A Topo
22-15 Key Sheet
23 HW 2, 3
22 HW 2, 3
21 HW 2, 3
20 HW 2, 3
20 and 24 Tax Maps

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 127, Zoning Advisory Committee Meeting of Dec. 6, 1983

Property Owner: Hausner Family Limited Partnership

Location: NE/S Sparks Road District 10

Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 434-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 127, Zoning Advisory Committee Meeting of Dec. 6, 1983
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
The results are valid until _____
Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield must be determined. This must be accomplished prior to reference of property and approval of Building Permit application.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- () Others According to information submitted to this office pertaining to the petition, the sewage disposal system previously serving the camp is not intended to be conveyed in its entirety along with the camp, to the Oldfield School. Additional information is also needed regarding the water supply serving the camp.
Given to conveyance of the camp to the Oldfield School, a possible water supply and sewage disposal system meeting all Baltimore County standards, must be made permanently available to the camp following conveyance of the camp. Owners have contacted this office regarding this situation. Additional information is expected by this office regarding a possible resolution of this situation.

[Signature]
Ian J. Foxworth, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
CHIEF

February 14, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Hausner Family Ltd. Partnership
Location: NE/S Sparks Road 2485' W. Carroll Road

Item No.: 127 Zoning Agenda: Meeting of 12/6/83

Gentlemen:

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 Baltimore 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 _____ EXCEEDS 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 occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 127
Property Owner: Hausner Family Limited Partnership
Location: NE/S Sparks Road 2485' W. Carroll Road
Existing Zoning: R.C. 2 & R.C.4
Proposed Zoning: Special Hearing to approve an amendment to the Special Exception for a sports and day camp in a R.D.P. zone, so that approximately 15 acres plus or minus of the total parcel may be conveyed.

Acres: 112.71
District: 10th

Dear Mr. Jablon:

The Department of Traffic Engineering has not received plans for item number 127.

[Signature]
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cmm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Commodari, Zoning Department Date: December 11, 1983

FROM: C. E. Burdham - Chief, Plans Review CEB

SUBJECT: Zoning Advisory Committee Meeting of December 6, 1983

Item #125	No Comment
Item #126	See Comments
Item #127	No Plan
Item #128	See Comment
Item #129	See Comments
Item #130	See Comments

CEB/vv

Sincerely,

Arnold G. Foreman
County Board of Appeals

OBER, KALER, GRIMES & SHRIVER

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1600 MARYLAND NATIONAL BANK BUILDING
10 LIGHT STREET
BALTIMORE, MARYLAND 21202
(301) 685-1120
TELEPHONE (301) 947-0889
CABLE "WITNEY"
TELEX 8-7774

OFFICES IN
WASHINGTON, D. C.
NEW YORK
NEW JERSEY

WILLIAM L. BALFOUR
DIRECT DIAL NUMBER
(703) 347-7287

August 22, 1988

The County Board of Appeals
of Baltimore County
Room 200, Court House
Towson, Maryland 21204

Re: Haussner Family Ltd. Partnership
Case No. 85-83-SPHA

Gentlemen:

I am enclosing herewith the original and two copies of a proposed Opinion and Order in connection with the above matter which has been executed to signify consent by Peter Max Zimmerman, Deputy People's Counsel and myself as attorney for Oldfield's School, Inc., successor in interest to the Haussner Family Ltd. Partnership. I am also enclosing copies of Declarations of Restrictions executed on behalf of Oldfield's School, Inc. and the Haussner Family Ltd. Partnership, respectively, in compliance with the provisions of the Opinion and Order. These Declarations have been recorded among the land Records of Baltimore County.

This matter was heard by Messrs. Arnold Foreman and Harry Buchheister of the Board on October 13, 1987. At that time the relief set forth in the proposed Opinion and Order was agreed to in principal subject to the approval of the People's Counsel of Baltimore County. The enclosed form of Opinion and Order was ultimately approved by the People's Counsel in November, 1987. The Opinion and Order was not submitted to the Board for signature at that time because the Declaration of Restrictions had not then been executed on behalf of the Haussner Family Ltd. Partnership, but this was ultimately done at the end of December, 1987.

I apologize to the Board for the delay in submitting the enclosing Opinion and Order which should have been submitted promptly after the execution of the Declaration by the Haussner Family Ltd. Partnership. I received communications both from the Board and the Office of the People's Counsel in this regard.

RECEIVED
8/23/88
CBA
3:15 PM
K

OBER, KALER, GRIMES & SHRIVER
The County Board of Appeals of Baltimore County
August 22, 1988
Page Two

I trust that the enclosed Opinion and Order which has been approved by the People's Counsel is in order for signature and filing in the above matter. I will be glad to supply any further information or clarification to the Board which may be required and will be available to meet with the Board, if necessary, except that I will be out of the office the weeks of August 29th and September 5th.

Very truly yours,

William L. Balfour

WLB:mgp
enclosures

cc: Peter Max Zimmerman, Esquire (w/encls.)

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

February 12, 1985

JAMES H. COOK
JOHN B. HOWARD
DAVID D. DOWNES
DANIEL C. TRACY, JR.
JOHN H. ZINK, III
JOSEPH C. WICK, JR.
HENRY B. PECK, JR.
HERBERT R. O'CONNOR, III
THOMAS L. HUDSON
C. CAREY DELEY, JR.
GEORGE E. REYNOLDS, III
LAWRENCE L. HOOPER, JR.
H. KING HILL, III
ROBERT A. HOFFMAN
DEBORAH C. DOPPIN
CYNTHIA M. HAHN
ANGUS E. FINNEY
KEVIN H. SMITH
N. BARRITT PETERSON, JR.

JAMES D. C. DOWNES
(1808-1878)
TELEPHONE
(301) 823-4111
TELECOPIER
(301) 823-0147

Board of Appeals of
Baltimore County
Room #200
Court House
Towson, Maryland 21204

Attention: Mrs. Eisenhart

RE: Haussner Family Partnership - Case #85-83-SPHA

Dear Mrs. Eisenhart,

This letter will amend my previous letter delivered to you earlier on this date.

It was the intention of Petitioner and Peoples Council to enter into a stipulated Order prior to the hearing date in order to moot the necessity for a variance from the impermeable surface requirement in the RC-4 zone. After speaking with my client, I have been informed that Petitioner is considering reducing the impermeable surface to meet the requirement and therefore moot the need for a variance.

The Petitioner requests additional time to consider this option and enter into discussions with Peoples Council in hopes of resolving this issue prior to a scheduled hearing date.

I apologize for any inconvenience.

Thank you for your attention into this matter.

Yours truly,
Robert A. Hoffman
Robert A. Hoffman

RAH/jhr
cc: Peter Max Zimmerman, Deputy Peoples Council

RECEIVED
COUNTY BOARD OF APPEALS
FEB 12 P 3:53 C

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

February 12, 1985

JAMES H. COOK
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(301) 823-4111
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County Board of Appeals
of Baltimore County
Room #200
Court House
Towson, Maryland 21204

Attention Mrs. Eisenhart

RE: Haussner Family Limited Partnership
Case #85-83-SPHA

Dear Mrs. Eisenhart,

As we discussed by phone this morning, it now appears that Peoples Council for Baltimore County and Petitioner will be unable to enter into a stipulated Order prior to the hearing date.

Since it will be necessary to proceed on all issues before the Board, the Petitioner respectfully requests that this case be postponed in order to prepare for the hearing.

Peoples Council has agreed to such a postponement.

Thank you for your attention to this matter.

Yours truly,
Robert A. Hoffman
Robert A. Hoffman

RAH/jhr
cc: Peter Max Zimmerman, Deputy, Peoples Council

RECEIVED
COUNTY BOARD OF APPEALS
FEB 12 A 11:57 C

County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 994-3180
October 1, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79.

CASE NO. 85-83-SPHA
HAUSSNER FAMILY LTD. PARTNERSHIP
SW/s Glencoe Rd., 3820' NW of Carroll Rd.
10th Election District
SPHA-Amendment to special exception for a sport and day camp; renovation of barn; parking spaces; and setbacks

TUESDAY, OCTOBER 13, 1987, at 9:00 a.m.

ASSIGNED FOR:

cc: Haussner Family Ltd.
Partnership by Frances George
and Oldfield's School by
H. Rogers
John B. Howard, Esq.
Phyllis C. Friedman, Esq.
Norman E. Gerber
Frank Fisher
J. Robert Haines
Ann Nastarowicz
James E. Dyer
William L. Balfour, Esq. - FOR PETITIONER

Petitioners
Counsel for Petitioners
People's Counsel - Peter Max Zimmerman

June Holmen, Secretary

RC-4

County Board of Appeals of Baltimore County

10/9/87
Larry:
Brian West represents the Haussner Family Ltd. Partnership and you will have to make the appropriate disclosure.

JH
(per Larry)

CASE NO. 85-83-SPHA

HAUSSNER FAMILY LTD. PARTNERSHIP
SW/s Glencoe Rd., 3820' NW of Carroll Rd.
10th Election District
SPHA-Amendment to special exception for a sport and day camp; renovation of barn; parking spaces; and setbacks
TUESDAY, OCTOBER 13, 1987, at 9:00 a.m.

ASSIGNED FOR:

cc: Haussner Family Ltd.
Partnership by Frances George
and Oldfield's School by
H. Rogers
John B. Howard, Esq.
Phyllis C. Friedman, Esq.
Norman E. Gerber
Frank Fisher
J. Robert Haines
Ann Nastarowicz
James E. Dyer
William L. Balfour, Esq.

June Holmen, Secretary

4. This Declaration shall run with the land in perpetuity unless terminated or modified by later Order of the Board of Zoning Appeals of Baltimore County and shall be enforceable by the Zoning Commissioner of Baltimore County or the People's Counsel of Baltimore County.

WITNESS the hand and seal of Declarant this 17th day of August, 1987.

WITNESS: OLD FIELDS SCHOOL, INC.
BY: Harvey Rogers
Harvey Rogers, President

STATE OF MARYLAND
COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 14th day of October, in the year nineteen hundred and eighty-seven, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Harvey Rogers, President of Declarant and acknowledged the foregoing Declaration to be the act of Declarant.

WITNESS my hand and notarial seal.

NOTARY PUBLIC

My Commission Expires:
July 1, 1990

- 3 -

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204
PARCEL 1 - 1.704 ACRES
RESIDENCE 771-4522

July 15, 1987

Beginning for the same at a point in the center of Glencoe Road, in the second line of the land which by deed dated February 1, 1926 and recorded among the Land Records of Baltimore County in Liber W.P.C. 629, folio 71 was conveyed by Duncan McCulloch and wife to Oldfields School Inc., said point being also in the eighth line of the land which by deed dated October 16, 1953 and recorded among the Land Records of Baltimore County in Liber G.L.B. 2375, folio 315, was conveyed by William Hatch and wife to Ashley G. Ogden Jr., and wife, at a distance of 88.53' from the beginning of said line, running thence and binding reversely on part of said eighth line and continuing the same course and binding reversely on the third or S 51° E 22' 9" line of the land which by deed dated November 20, 1911 and recorded among the Land Records of Baltimore County in Liber W.P.C. 387, folio 577, was conveyed by Nettie C. Henderson to Duncan McCulloch N 52° 53' W 313.13' in all, to the beginning of the third line of the first parcel of land which by deed dated October 20, 1975 and recorded among the Land Records of Baltimore County in Liber J.S. 95, folio 25, was conveyed by Edward Austen and wife to the Vestry of Emmanuel Church in St. James Parish, running thence and binding on said third line and binding on the third line of the first mentioned deed, N 35° 48' 30" E 91.28' to the beginning of the land which by deed dated July 7, 1884, and recorded among the

Land Records of Baltimore County in Liber W.M.I. 126, folio 520, was conveyed by Anna A. McCulloch to the Vestry of Emmanuel Church running thence and binding reversely on the eighth or last line, the seventh and part of the sixth lines of said land and on the fourth, fifth and part of the sixth lines of the first mentioned deed, McCulloch to Oldfields School Inc. the three following courses and distances, 1) N 16° 33' 30" E 239.25' 2) N 0° 26' 30" W 97.68' and 3) N 41° 48' 00" W 121.09' to the center line of Glencoe Road, thence leaving the aforesaid outlines and running thence for lines of division now made through the lands of the grantor and binding on the center of Glencoe Road, the nine following courses and distances: 1) S 57° 07' 10" W 91.81', 2) S 49° 26' 40" E 76.75', 3) S 42° 08' 40" E 73.41', 4) S 22° 37' 50" E 76.43', 5) S 6° 52' 26" W 85.44', 6) S 12° 19' 40" W 175.49', 7) S 3° 43' 00" W 78.07', 8) S 13° 26' 10" E 49.45' and 9) S 26° 37' 50" E 81.96' to the place of beginning.

Containing 1.704 Acres of land more or less.

Being part of the land which by deed dated February 1, 1926 and recorded among the Land Records of Baltimore County in Liber W.P.C. 629, folio 71, was conveyed by Duncan M. McCulloch and wife to Oldfields School Inc.

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204
PARCEL 2 - 0.396 ACRE
RESIDENCE 771-4522

July 15, 1987

Beginning for the same at a point in the center of Glencoe Road in the first line of the land which by deed dated August 18, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3883 folio 321 was conveyed by Nannie B. Mowell, widow, to Oldfields School Inc. at a distance of 44.49' from the beginning of said line, thence leaving the center of Glencoe Road and binding on part of said first line and binding on part of the fifth or N 69° E 30' perch line of the land which by deed dated July 7, 1884 and recorded among the Land Records of Baltimore County in Liber W.M.I. 126, folio 520 was conveyed by Anna A. McCulloch to the Vestry of Emmanuel Church N 73° 03' E 433.34' to the center of Glencoe Road, thence leaving the aforesaid outlines and running for lines of division now made through the lands of the grantor and on the center of Glencoe Road the five following courses and distances: 1) N 57° 07' 10" W 18.16' 2) N 50° 39' 40" W 93.54', 3) S 72° 50' 30" W 132.10', 4) S 63° 17' 10" W 142.62' and 5) S 47° 50' 50" W 71.96' to the place of beginning.

Containing 0.396 Acres of land more or less.

Being part of the land which by deed dated August 18, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3883, folio 321, was conveyed by Nannie B. Mowell, widow, to Oldfields School Inc.

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS made this 22nd day of December, 1987, by THE HAUSSNER FAMILY LIMITED PARTNERSHIP, Declarant.

WHEREAS, by Deeds dated December 30, 1983 and December 26, 1984 Declarant conveyed to Oldfields School, Inc., Grantee a certain parcel of land located in the Tenth Election District of Baltimore County, Maryland, containing 20.20 acres of land more or less (the "Property"); and

WHEREAS, the conveyance set forth above was completed by delivery of Deed to the Grantee but the Deeds were never recorded because it was determined that the Property was in violation of the impermeable surface limitations of Section 1A03.4.B.5 of the Baltimore County Zoning Regulations ("BCZR") restricting impermeable surface coverage to 10% of any lot in an RC-4 zone; and

WHEREAS, 4.349 acres of the Property is located in an RC-4 zone; and

WHEREAS, Grantee filed a Petition with the Zoning Commissioner of Baltimore County in Case No. 85-83-SPHA praying, among other relief, that a variance from the impermeable surface requirements be granted; and

WHEREAS, the People's Counsel of Baltimore County appealed the decision of the Zoning Commissioner to the County Board of Appeals of Baltimore County (the "Board of Appeals") and the Grantee cross-appealed; and

WHEREAS, the Board of Zoning Appeals of Baltimore County has

ordered, by Order dated _____, 1987 that the impermeable surface requirements of Section 1A03.4.B.5 of the BCZR will be deemed satisfied as to the Property on condition that (i) Declarant subject the hereinafter described land located in the RC-4 zone to the restrictions hereinafter set forth; and (ii) Grantee subject certain property zoned RC-4 owned by it located in the vicinity of the Property to the restrictions hereinafter set forth; and

NOW, THEREFORE, THIS DECLARATION OF RESTRICTIONS WITNESSETH:

1. All those parcels of land containing 3.478 and 2.0 acres more or less as more fully described in Exhibits A and B attached hereto and depicted on the plat attached hereto as Exhibit C shall be held and conveyed subject to the restriction that no impermeable surface shall be placed thereon.

2. The land described in Exhibits A and B shall not be considered in determining the percentage of impermeable surface coverage on any other land except the Property.

3. Except as specifically set forth herein, this Declaration shall not affect the right of Declarant to use the land hereby restricted for any lawful purpose including taking such land into account for purposes of determining compliance with density requirements.

4. This Declaration shall run with the land in perpetuity unless terminated or modified by later Order of the Board of Zoning Appeals of Baltimore County and shall be enforceable by the Zoning Commissioner of Baltimore County or the People's

Counsel of Baltimore County.

WITNESS the hand and seal of Declarant this 22nd day of December, 1987.

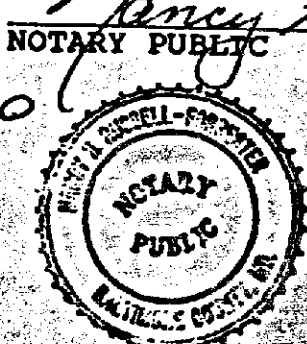
WITNESS: THE HAUSSNER FAMILY LIMITED PARTNERSHIP
BY: Frances H. George (SEAL)
Frances H. George, General Partner

STATE OF MARYLAND
COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 22nd day of October, in the year nineteen hundred and eighty-seven, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Frances H. George, General Partner of Declarant and acknowledged the foregoing Declaration to be the act of Declarant.

WITNESS my hand and notarial seal.

My Commission Expires: 7-1-90



E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204
PART OF PROPERTY OF
"THE HAUSSNER FAMILY LIMITED PARTNERSHIP"
(2.000 AC. ±)
RESIDENCE 771-4522

September 11, 1987

Beginning for the same at a point located the three following courses and distances from the end of the 1st or S 62° 17' E 599.50' line of the first parcel of the land which by Confirmatory Deed dated December 30, 1976, and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 5712, folio 629, was conveyed by Frances W. Haussner to "The Haussner Family Limited Partnership", Viz: reversely on part of aforesaid 1st line, 1) N 59° 06' 50" W 25.20'; thence 2) S 23° 44' 41" W 845.88' and 3) S 61° 19' 04" W 302.46'; running thence from said beginning point for lines of division through the first parcel of the aforesaid deed, the four following courses and distances: 1) S 6° 29' 04" W 550.87'; 2) N 83° 30' 56" W 178.54'; 3) N 6° 29' 04" E 425.09' and 4) N 61° 19' 04" E 218.40' to the place of beginning.

Containing 2.000 Acres of land, more or less.

Being part of the first parcel of land which by Confirmatory Deed dated December 30, 1976 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 5712, folio 629, was conveyed by Frances W. Haussner to "The Haussner Family Limited Partnership".

E. F. RAPHE, & ASSOCIATES
Registered Professional Land Surveyors
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204

3.478 ACRE PARCEL
RESTRICTED TO NO
IMPERVIOUS SURFACE

July 15, 1987

Beginning for the same at a point in the 11th E 717.80' line of the land which by deed dated December 30, 1976 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 5712, folio 629, was conveyed by Frances W. Hausner to Hausner Family Limited Partnership at a distance of 300.00' from the end of said 15th line running thence and binding reversely on part of said 15th line and reversely on part of the 14th line of the aforesaid deed S 21° 44' W 417.80' and S 21° 59' W 308.00', thence leaving said 14th line and running for lines of division now made through the lands of the grantor the three following courses and distances: 1) S 68° 01' E 169.00' 2) N 29° 03' 05" E 699.37' and 3) N 60° 56' 55" W 258.93' to the place of beginning.

Containing 3.478 Acres of land more or less.

Being part of the land which by deed dated December 30, 1976 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 5712, folio 629, was conveyed by Frances W. Hausner to Hausner Family Limited Partnership.

IN RE: PETITIONS SPECIAL HEARING AND
VARIANCES
SW/S of Glencoe Road, 3.820'
NW of Carroll Road - 10th
Election District
Hausner Family Limited Part-
nership, et al
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-83-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF

The Petitioners herein request to amend a special exception for a sport and day camp granted in Case No. 73-162-X and for variances to permit existing structures, tennis courts, and sheds to be set back as close as eight feet instead of the required 50 feet and to allow 29% of the lot at issue to be covered by impermeable surfaces instead of the permitted 10%, as more fully shown on Petitioners' Exhibit 1.

The Petitioners were represented by Counsel. Also appearing were Quay Yendall and P. Nelson Gilbert, immediate neighbors who expressed concern about the property. Peter Max Zimmerman, Deputy People's Counsel also appeared.

Testimony indicated that the Petitioners were granted a special exception for a day camp in 1973 and later utilized the property for that purpose. The property is bifurcated by a zoning line, with the southern portion zoned R.C.2 and the northern portion zoned R.C.4. The Petitioners now wish to donate 20 acres that were a part of that special exception to the Oldfields School (Oldfields), which is located to the north of the property. In fact, Oldfields is separated from the proposed site by Glencoe Road and additional property owned by the Petitioners. The Oldfields' property consists of 188 acres. The gift proposed by the Petitioners will grant 30% interest in the 20-acre parcel to Oldfields as tenants in common with the Petitioners and grant full rights to the school for usage of the tennis courts, pools, and buildings on the parcel.

ORDER RECEIVED FOR FILING

DATE *July 15, 1987*
BY *John B. Howard*
ADMINISTRATIVE ASSISTANT

5. The parking as shown on the site plan is sufficient; however, if a parking problem develops, a special hearing will be required to determine the need for additional parking spaces.

AJ/srl

cc: John B. Howard, Esquire

Peter Max Zimmerman, Esquire

ORDER RECEIVED FOR FILING

DATE *October 5, 1987*
BY *John B. Howard*
ADMINISTRATIVE ASSISTANT

- 5 -

When considered as part of the whole property owned by the Petitioners, the 20-acre parcel satisfies the requirement that only 10% of any lot in an R.C.4 Zone be covered by impermeable surfaces. However, if the 20-acre parcel is split from the whole and is a separate and distinct parcel, the impermeable surface increases to 29%, requiring a variance. People's Counsel maintains that the Zoning Commissioner has no authority to grant such a variance; however, in order to resolve the issue without reaching the merits of that opinion, the People's Counsel and Counsel for the Petitioners, on its behalf, have requested the Zoning Commissioner to approve and require a restrictive covenant to be recorded among the Land Records of Baltimore County stating that the 20-acre parcel shall be considered a part of Oldfields' property for purposes of determining the impermeable surface requirement as delineated in the Baltimore County Zoning Regulations (BCZR). If accomplished, the 20 acres merged with the 188 acres of the school would have an impermeable surface coverage of 1.9%. Further, the Petitioners have agreed to maintain the impermeable surface coverage now existing on the 20 acres and not to increase the present percentage.

Mr. Yendall and Mr. Gilbert do not object to the proposed transfer of property or to the school's usage of the site; however, they are concerned about the use and resultant traffic. Oldfields indicated that the site would be used solely by the faculty, students, and those approved by the school.

Also, if the site is separated from the original parcel, variances would be required for the existing structures, tennis courts, and sheds to be set back as close as eight feet instead of the required 50 feet. See Petitioners' Exhibit 1.

The Petitioners seek relief from Section 1A03.4B.4 and 5, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR), and to amend the special

ORDER RECEIVED FOR FILING

DATE *July 15, 1987*
BY *John B. Howard*
ADMINISTRATIVE ASSISTANT

- 2 -

- Case No. 85-83-SPHA
Item No. 127
Date: November 5, 1984
SPH-amendment for a sport & day camp; renovation of barn; pkg. spaces; Variance-Setbacks
- SW/S Glencoe 3.820' NW
of Carroll Road
10th Election District
Hausner Family Limited Partnership,
et al - Petitioners
- ☒ 1. Copy of Petition
 - ☒ 2. Copy of Description of Property
 - ☒ 3. Copy of Certificate of Posting (1 sign)
 - ☒ 4. Copy of Certificates of Publication
 - ☒ 5. Copy of Zoning Advisory Committee Comments
 - ☒ 6. Copy of Comments from the Director of Planning
 - ☒ 7. Planning Board Comments and Accompanying Map
 - ☒ 8. Copy of Order to Enter Appearance
 - ☒ 9. Copy of Order - Zoning Commissioner-10/5/84-Part DISMISSED; part GRANTED
 - ☒ 10. Copy of Plat of Property
 - ☒ 11. 200' Scale Location Plan
 - ☒ 12. 1000' Scale Location Plan
 - ☒ 13. Memorandum in Support of Petition
 - ☒ 14. Letter(s) from Protestant(s)
 - ☒ 15. Letter(s) from Petitioner(s)
 - ☒ 16. Protestants' Exhibits to
 - ☒ 17. Petitioners' Exhibits to
 - ☒ 18. Letter of Appeal, 11/2/84, by People's Counsel for Balto. County.
 - ☒ 19. Letter from John B. Howard, Esq. dated August 26, 1983
 - ☒ 20. " " Norman E. Gerber dated September 14, 1983
 - ☒ 21. " " Peter M. Zimmerman, Deputy People's Counsel dated 9/18/84
 - ☒ 22. " " Frank A. LaFalce, Esq. dated February 6, 1984
 - ☒ 23. " " Robert A. Hoffman, Esq. dated October 1, 1984
 - ☒ 24. " " Peter M. Zimmerman, Esq. dated October 15, 1984
 - ☒ 25. " " Arnold Jablon dated October 16, 1984

Hausner Family Limited Partnership,
by Frances H. George and
Oldfields School
by H. Rogers
Glencoe Road, P.O. Box 697
Sparks, Maryland 21152

Petitioners
Counsel for the Petitioners
John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204
Phyllis C. Friedman, Esquire
Norman E. Gerber
James Roswell
Arnold Jablon
Jean M.H. Jung
James E. Dyer

Ad. L. Belknap, Esq.
Ober, Kaler, Grimes & Shriver
1000 Mt. Airy, Suite 310
10 Light St. (21202)

exception granted in Case No. 73-162-X pursuant to Sections 500.7 and 502.1, BCZR.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirements the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

The amendment proposed by the Petitioners would in fact be consistent with the spirit and intent of the previously granted special exception and the approved site plan. The proposed changes would not change the total concept of

ORDER RECEIVED FOR FILING

DATE *July 15, 1987*
BY *John B. Howard*
ADMINISTRATIVE ASSISTANT

- 3 -

PETITION FOR ZONING VARIANCE 85-83-SPHA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A03.4B.4 to permit existing structures, tennis courts, sheds, as close as eight feet in lieu of the required setbacks of 50 feet. 1A03.4B.5 to allow 29% of the lot to be covered by impermeable surfaces in lieu of the permitted 10% of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Creation of this 20.2 acre tract from a larger tract owned by Hausner Family Limited Partnership for the purpose of conveyance to Oldfields School would create a violation and would frustrate the conveyance due to existing improvements on the tract.

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Hausner Family Limited Partnership
	(Type or Print Name)
Signature	By: <i>John B. Howard</i>
	Signature
Address	Oldfields School
	(Type or Print Name)
City and State	By: <i>Phyllis C. Friedman</i>
	Signature
Attorney for Petitioner:	
John B. Howard	Glencoe Road P.O. 697
(Type or Print Name)	Address
Signature	City and State
Sparks, Maryland 21152	
City and State	
Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
John B. Howard	
210 Allegheny Ave., Towson, Md. 21204	
Address	
Attorney's Telephone No.: 823-4111	Phone No.

ORDER RECEIVED FOR FILING

DATE *October 5, 1987*
BY *John B. Howard*
ADMINISTRATIVE ASSISTANT

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of August, 1984, 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 held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 10th day of September, 1984, at 11:30 o'clock A.M.

Carl Jablon
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL HEARING 85-83-SPHA TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the Special Exception for a sport and day camp in an RDP zone granted by the Zoning Commissioner in Case No. 73-162X to reduce the area of that Special Exception to approximately 20 acres and to allow renovation of the existing barn for 2 caretaker dwellings, and to determine the required number of parking spaces.

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

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing this Petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: _____
(Type or Print Name)
Address: _____
City and State: _____
Attorney's Telephone No.: _____
BY: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of August, 1984, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28 day of September, 1984, at 11:30 o'clock A.M.

R.C.O.-No. 1 (over)

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

September 19, 1984

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing and Variance
SH/S Glencoe Rd., 3820' NW of Carroll Road
Hausner Family Limited Partnership - Petitioner
Case No. 85-83-SPHA (Item #127)

Dear Mr. Howard:

This is to advise you that \$82.22 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
ILLICIT CASH RECEIPT

2/24/84 ACCOUNT # 85-83-SPHA-000
AMOUNT \$ 82.22
Check, Howard, Downes & Tracy
Advertising and posting Case 85-83-SPHA
(Hausner Family Limited Partnership, et al)

0 0510000822210 R24AF

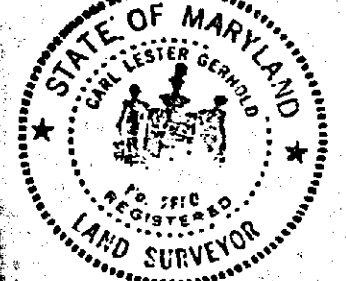
VALIDATION OR SIGNATURE OF CASHIER

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

July 18, 1984
Zoning Description

All that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:
Beginning for the same at a point on the southwest side of west side of Glencoe Road from Carroll Road and running thence and eleven following courses and distances viz: South 23 degrees 44 minutes 41 seconds West 84.75 feet, South 45 degrees 33 minutes 13 seconds 57.90 feet, South 5 degrees 23 minutes 13 seconds 13 289.7 feet, South 19 degrees 40 minutes 18 seconds East 44 minutes 59 seconds East 495.47 feet, South 11 degrees 11 minutes 53 seconds West 270.33 feet, South 31 degrees 12 minutes 25 seconds East 63.97 feet, South 21 degrees 23 minutes 03 seconds East and South 18 degrees 33 minutes 10 seconds West 201.98 feet, the northernmost side of Sparks Road, thence binding on the northern degrees 36 minutes 04 seconds East 253.32 feet and North 68 degrees 33 minutes 04 seconds West 40.14 feet, thence leaving said road and binding on the outlines of the land of the petitioner here- 06 minutes 16 seconds East 481.76 feet, North 15 degrees 53 minutes 16 seconds West 191.91 feet, North 74 degrees 29 minutes 04 seconds East 636.51 feet, North 89 degrees 27 minutes 10 seconds East 118.59 feet, South 06 degrees 18 minutes 27 seconds East 157.34 feet, North 14 minutes 24 seconds East 236.48 feet, South 78 degrees 04 seconds East 550.87 feet, North 61 degrees 19 minutes 04 seconds East 302.46 feet and North 23 degrees 44 minutes 11 seconds West on the southwest side of Glencoe Road, South 59 degrees 06 minutes 50 seconds East 25.20 feet to the place of beginning.

Containing 20.20 Acres of land more or less.



Case No. 85-83-SPHA
Item No. 127
Date: November 5, 1984
SH/S Glencoe Road, 3,820' NW of Carroll Road
10th Election District
Hausner Family Limited Partnership, et al - Petitioners

- X 1. Copy of Petition
- X 2. Copy of Description of Property
- X 3. Copy of Certificate of Posting (1 sign)
- X 4. Copy of Certificates of Publication
- X 5. Copy of Zoning Advisory Committee Comments
- X 6. Copy of Comments from the Director of Planning
7. Planning Board Comments and Accompanying Map
- X 8. Copy of Order to Enter Appearance
- X 9. Copy of Order - Zoning/Deputy Zoning Commissioner
- X 10. Copy of Plat of Property
11. 200' Scale Location Plan
12. 1000' Scale Location Plan
13. Memorandum in Support of Petition
14. Letter(s) from Protestant(s)
15. Letter(s) from Petitioner(s)
16. Protestants' Exhibits to _____
17. Petitioners' Exhibits to _____
- X 18. Letter of Appeal
19. Letter from John B. Howard, Esq. dated August 26, 1983
20. " " Norman E. Gerber dated September 14, 1983
21. " " Peter M. Zimmerman, Deputy People's Counsel dated 9/18/84
22. " " Frank A. LaFalce, Esq. dated February 6, 1984
23. " " Robert A. Hoffman, Esq. dated October 1, 1984
24. " " Peter M. Zimmerman, Esq. dated October 15, 1984
25. " " Arnold Jablon dated October 16, 1984

Hausner Family Limited Partnership
by Frances J. George and
Oldfields School
by H. Rogers
Glencoe Road, P.O. Box 697
Sparks, Maryland 21152
John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204
Phyllis C. Friedman, Esquire
Norman E. Gerber
James Howell
Arnold Jablon
Jean M.H. Jung
James E. Dyer

Counsel for the Petitioners

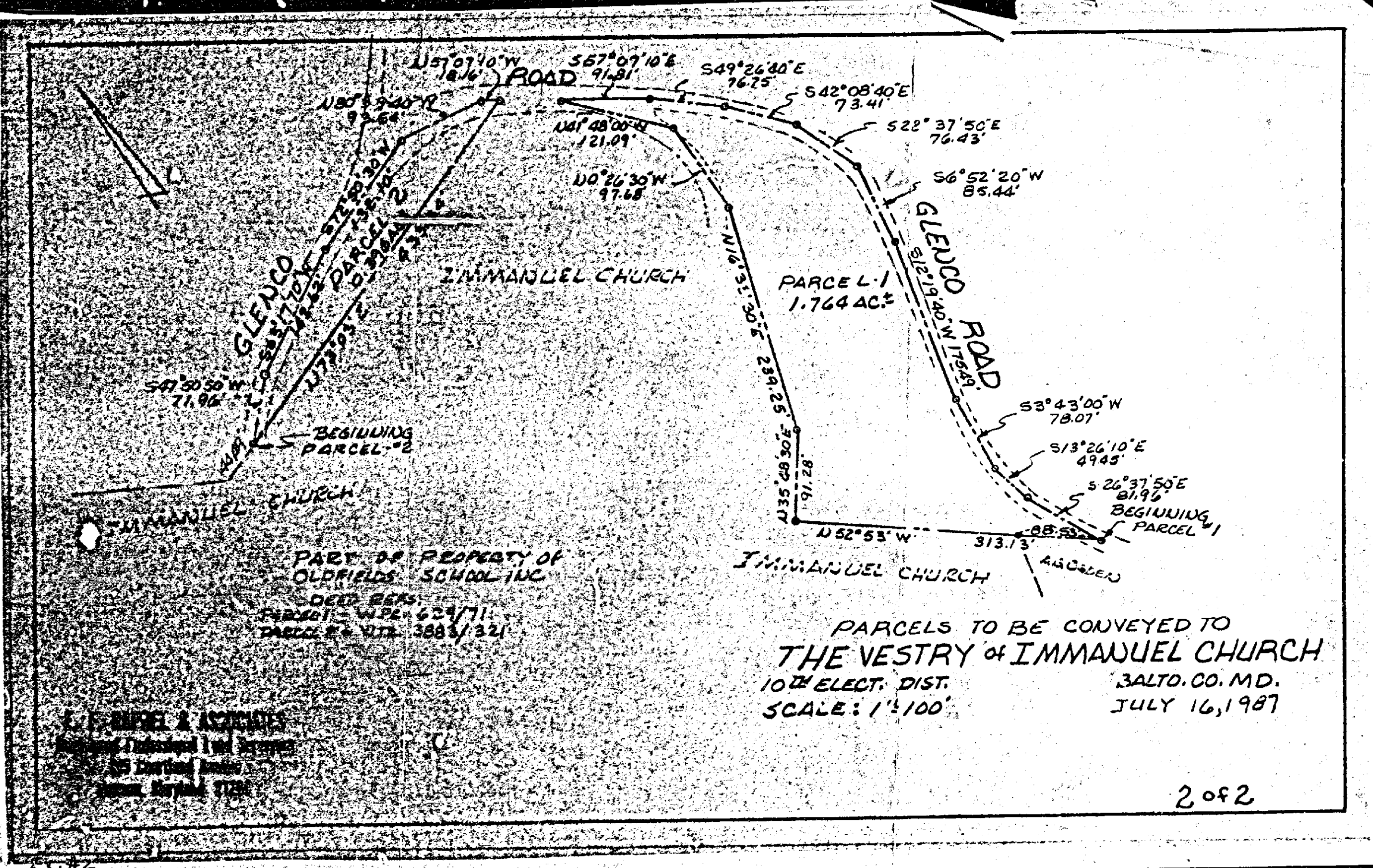
People's Counsel
Request Notification

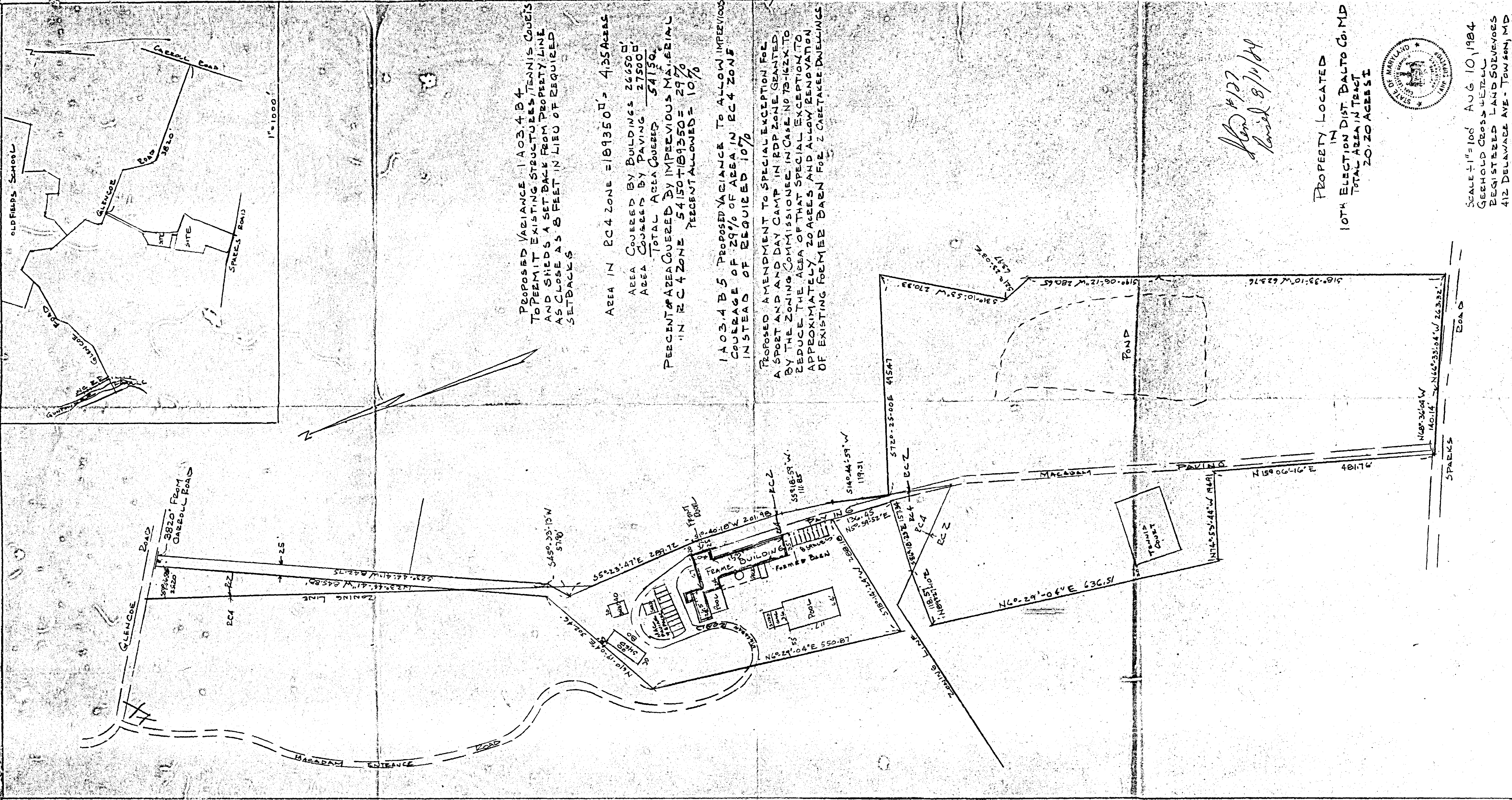
STATE OF PUBLICATION
85-83-SPHA
11/3/84
Towson, Md.
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 11th day of September, 1984.
The TOWSON TIMES
M. Doyle
Cost of Advertisement: \$ 39.22

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
85-83-SPHA
12:55 PM
District: 10th
Date of Posting: 11/1/84
Posted for: Hausner Family Partnership
Petitioner: Hausner Family Partnership
Location of property: 3820' NW of Carroll Rd., 2011
Location of Signs: 10' from Roadway & 15' from Driveway on Rd.
Remarks: 10' from Roadway & 15' from Driveway on Rd.
Posted by: M. Doyle
Signature
Date of return: 11/16/84
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
85-83-SPHA
District: 10th
Date of Posting: 9/1/84
Posted for: Hausner Family Partnership
Petitioner: Hausner Family Partnership
Location of property: 3820' NW of Carroll Rd., 2011
Location of Signs: 10' from Roadway & 15' from Driveway on Rd.
Remarks: 10' from Roadway & 15' from Driveway on Rd.
Posted by: M. Doyle
Signature
Date of return: 9/16/84
Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD. Sept. 6, 1984
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper, printed and published in Towson, Baltimore County, Md., appearing on Sept. 6, 1984.
THE JEFFERSONIAN,
J.B. Keast
Publisher
Cost of Advertising 28.00





PROPOSED VARIANCE 1A03.4 B 4
TO PERMIT EXISTING STRUCTURES, TENNIS COURT
AND SHEDS A SETBACK FROM PROPERTY LINE
AS CLOSE AS 8 FEET IN LIEU OF REQUIRED
SETBACKS

AREA IN RC4 ZONE = 1093500' = 435 ACRES

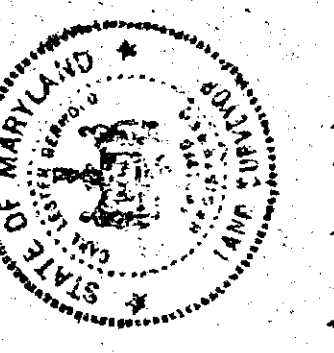
AREA COVERED BY BUILDINGS 266500'
AREA COVERED BY PAVING 27500'
TOTAL AREA COVERED 54150'

PERCENT AREA COVERED BY IMPEVIOUS MATERIAL
IN RC4 ZONE $54150 \div 109350 = 29\%$
PERCENT ALLOWED = 10%

1A03.4 B 5 PROPOSED VARIANCE TO ALLOW IMPEVIOUS
COVERAGE OF 29% OF AREA IN RC4 ZONE
INSTEAD OF REQUIRED 10%

PROPOSED AMENDMENT TO SPECIAL EXCEPTION FOR
A SPORT AND DAY CAMP IN RDP ZONE GRANTED
BY THE ZONING COMMISSIONER IN CASE NO 73-162X TO
REDUCE THE AREA OF THAT SPECIAL EXCEPTION TO
APPROXIMATELY 20 ACRES AND ALLOW RENOVATION
OF EXISTING FORMER BARN FOR 2 CABETAKEE DWELLINGS

PROPERTY LOCATED
IN
10TH ELECTION DIST. BALTO CO. MD
TOTAL AREA IN TRACT
20.20 ACRES



SCALE 1" = 100' AUG 10, 1984
GERHOLD CROSS & ETAL
REGISTERED LAND SURVEYORS
412 DELAWARE AVE - TOWSON, MD

Flow #137
Revised 8/10/84