

IN THE MATTER OF
THE APPLICATION OF
PHILIP NORMAN, ET UX
FOR A SPECIAL HEARING ON
PROPERTY LOCATED ON THE NORTH
SIDE OLD YORK ROAD, 115' WEST
OF CENTERLINE KIRKWOOD SHOP RD*
(19720 TRUNK ROAD)
7TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 92-235-SPH

ORDER OF DISMISSAL

This matter comes to the Board on appeal from a decision of the Zoning Commissioner dated January 14, 1992 which granted the requested Petition.

WHEREAS, the Board is in receipt of a Notice of Dismissal of Appeal filed by People's Counsel for Baltimore County, Appellant, on April 29, 1992 (a copy of which is attached hereto and made a part hereof) requesting dismissal of the appeal; and

WHEREAS, People's Counsel for Baltimore County requests that the appeal filed in this matter be dismissed and withdrawn as of April 29, 1992,

IT IS HEREBY ORDERED this 30th day of April, 1992 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman
Michael B. Sauer
Michael B. Sauer
C. William Clark
C. William Clark

RE: PETITION FOR SPECIAL HEARING : BEFORE THE COUNTY BOARD OF APPEALS
N/S Old York Rd., 115' W of : OF BALTIMORE COUNTY
C/L Kirkwood Shop Rd.
(19720 Trunk Rd.)
7th Election District :
3rd Councilmanic District :
PHILIP NORMAN, et ux, : Zoning Case No. 92-235-SPH
Petitioners :
: : : : :
: : : : :

NOTICE OF DISMISSAL OF APPEAL

Please dismiss People's Counsel's Appeal in the above-entitled matter, because it is no longer in the public interest to pursue this appeal.

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 29th day of April, 1992, a copy of the foregoing Notice of Dismissal of Appeal was mailed to Robert A. Hoffman, Esquire, 210 Allegheny Ave., Towson, MD 21204.

Phyllis Cole Friedman
Phyllis Cole Friedman

In the Matter of
N/s Old York Rd., 115' W of c/l
Kirkwood Shop Road
(19720 Trunk Road)
7th Election District
3rd Councilmanic District
PHILIP NORMAN, ET UX
Petitioners/Appellees

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: 92-235-SPH

RETURN OF PRIVATE PROCESS SERVER

Pursuant to Maryland Rule 2-126(a), I, the undersigned, hereby certify that service of process was executed on Wallace S. Lippincott, Jr., on April 21, 1992, by delivering and leaving a copy of the Summons.

I further certify that I am over eighteen years of age and am not a party to this action. I do solemnly declare and affirm under the penalties of perjury that the matters and facts set forth herein are true to the best of my knowledge, information and belief.

Barbara A. White
Barbara A. White

SUBP0111.BAW

In the Matter of
N/s Old York Rd., 115' W of c/l
Kirkwood Shop Road
(19720 Trunk Road)
7th Election District
3rd Councilmanic District
PHILIP NORMAN, ET UX
Petitioners/Appellees

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: 92-235-SPH

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Thursday, April 30, 1992 at 10:00 a.m. in Room 48 of the Old Courthouse, located at 400 Washington Avenue, Towson, Maryland, and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: Wallace S. Lippincott, Jr.
Address: Department of Environmental Protection and Resource Management
County Courts Building
401 Bosley Avenue, Room 416
Towson, Maryland 21204

Robert A. Hoffman
ROBERT A. HOFFMAN
Venable, Baetjer and Howard
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21204
(301) 823-4111

The witness named above is hereby ordered to so appear before the Baltimore County Board of Appeals.

Barbara A. White
Baltimore County Board of Appeals

SUBP0111.BAW

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
N/S Old York Road, 112 ft. W * ZONING COMMISSIONER
of c/l Kirkwood Shop Road
19720 Trunk Road *
7th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * CASE # 92-235-SPH
Philip Norman, et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing seeking a modification to the Order in case No. 85-104-SPH; to permit a conveyance of a lot of 1 acre in size to a child for the purpose of constructing a dwelling house thereon for use by the child, pursuant to the Maryland Agricultural Land Preservation Foundation provisions of the Annotated Code of Maryland, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners/property owners, Philip S. Norman and Marion B. Norman, appeared, testified and were represented by Robert Hoffman, Esquire. Other members of the Petitioners' family, including Joan Norman and Meredith A. Norman, also appeared in support of the Petition. A neighbor and property owner, Robin Svec, also appeared in favor of the Petition, as did the Registered Land Surveyor, J. Finley Ransone, who prepared the Petition. There were no Protestants present.

Mr. Hoffman proffered the testimony of the Petitioners. Originally, the Petitioners' predecessor in title came before then Zoning Commissioner Arnold Jablon, in October 1984 under a Petition for Special Hearing. At that time, they requested permission to convey four (4) parcels resulting from a subdivision of property owned by them. The four (4) parcels which

were created are shown Petitioners' Exhibit No. 3, the plat submitted to accompany the 1984 Petition for Special Hearing.

The Petitioners also submitted as an exhibit, the Findings of Fact and Conclusions of Law authored by Commissioner Jablon. Pursuant to his Order dated October 23, 1984, he approved the Petition for Special Hearing; however, imposed certain restrictions. One of the restrictions, noted as Restriction No. 2 in his Order, provided that Parcel D could not be utilized for residential purposes and should be used and maintained for agricultural purposes only and could not be further subdivided. Commissioner Jablon also ordered that his restriction be placed within deeds conveying ownership of the parcels and required restrictive covenants to that effect to be recorded among the Land Records of Baltimore County.

Testimony proffered before me disclosed that the Normans propose to create a one acre lot on parcel D. This lot will be improved by a dwelling which will be occupied by the Normans' son, who will farm the property. He proposes to grow organic fruits and vegetables on site. Further, since the property will be enrolled in the Maryland Agricultural Land Preservation program, such a lot and dwelling is permitted under the State regulations.

Based upon the evidence and testimony presented, it is clear that the Petition for Special Hearing should be granted. The Petitioners seek only to exercise the option permitted under the State program. If this option is exercised, the land will be remain in an agricultural use under the Maryland Agricultural Land Preservation Foundation's jurisdiction. This is certainly a laudable goal as was recognized by the Office of Planning and the Department of Environmental Protection and Resource Management, both of which support the current Petition. Under the circumstances, I am persuaded that the Petition for Special Hearing should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of January 1992 that, pursuant to the Petition for Special Hearing, approval seeking a modification to the Order in case No. 85-104-SPH to permit a conveyance of a lot of 1 acre to a child for the purpose of constructing a dwelling house thereon for use by the child, pursuant to the Maryland Agricultural Land Preservation Foundation provisions of the Annotated Code of Maryland, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein.

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 1/14/92
By Phyllis Cole Friedman

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 13, 1992

Robert Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 92-235-SPH
Philip Norman and Marion B. Norman, Petitioners

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

JRH:mmn
att.

ORDER RECEIVED FOR FILING
Date 1/14/92
By Phyllis Cole Friedman

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All Petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commission will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Philip Norman
13500 Manor Road
Baldwin, MD 21013



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing
this 30th day of December, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
CHAIRMAN
ZONING PLANS ADVISORY COMMITTEE

Petitioner: Philip Norman, et ux
Petitioner's Attorney: John B. Howard

92-235-SPH

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: January 7, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: December 17, 1991

This office has no comments for item numbers 233, 245, 246, 247, 248, 249, 250, 251, 252 and 253.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJP/lvd

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

January 10, 1992

TO: Arnold Jablon, Director
Zoning Administration and Development Management
FROM: DIVISION OF GROUND WATER MANAGEMENT
SUBJECT: Zoning Item #248, Zoning Advisory Committee Meeting of
December 17, 1991, Philip Norman and Marion B. Norman, N/S
Old York Road, 112' W of centerline Kirkwood Shop Road (#19720
Trunk Road), D-7, Private Water and Sewer

COMMENTS ARE AS FOLLOWS:

Percolation tests were conducted May 2, 1991. Revised plans have been reviewed and approved by this Office.

The Agricultural Preservation Coordinator of DEPRM has approved this plan.

SSF:rmp

248.ZNG/GWRMP

92-235-SPH 1-3

BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION

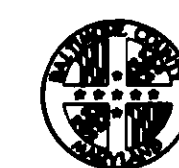
Memorandum

TO: Julie Winiarski
Office of Zoning Administration and
Development Management
FROM: A. J. Haley, Acting Director
Economic Development Commission
DATE: December 20, 1991
RE: Zoning Advisory Comments for Meeting of December 17, 1991

This office has no comment for items 92-1, 233, 257, 245, 246, 247, 248, 249, 250, 251, 252 or 253.

RECEIVED
DEC 26 1991

ZONING OFFICE



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 30, 1992

Phyllis Cole Friedman
People's Counsel for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: Case No. 92-235-SPH
Philip Norman, et ux

Dear Ms. Friedman:

Enclosed please find a copy of the Order of Dismissal issued
this date by the County Board of Appeals of Baltimore County in the
subject matter.

Sincerely,

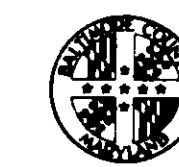
Nathleen C. Weidenhammer
Nathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Robert A. Hoffman, Esquire
Mr. & Mrs. Philip Norman
Ms. Joan Norman
Ms. Robin Svec
Mr. J. Finley Ransone
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration

RECEIVED
MAY 4 1992

ZONING OFFICE



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180
Hearing Room - Room 48, 400 Washington Avenue, Old Courthouse, Basement

April 3, 1992

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 RULE 2(b). NO
POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF
SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH
RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-235-SPH
PHILLIP NORMAN, ET UX
N/S Old York Rd. / 115' W of c/l
Kirkwood Shop Road (19720 Trunk Rd.)
7th Election District;
3rd Councilmanic District
SPH-modify 85-104-SPH; permit conveyance
of 1 acre lot to child for dwelling/MD
Agr. Land Pres. Foundation
1/24/92 - Z.C.'s Order GRANTING Petition.

ASSIGNED FOR: THURSDAY, APRIL 30, 1992 at 10:00 a.m.

cc: Robert A. Hoffman, Esquire - Counsel for Petitioners
Mr. and Mrs. Philip Norman - Petitioners
Ms. Joan Norman
Ms. Robin Svec
J. Finley Ransone

People's Counsel for Baltimore County - Appellant
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon-Director of
Zoning Administration

LindaLee M. Kuszmaul - Legal Secretary

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: January 6, 1992

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Norman Property, Item No. 248

In reference to the petitioner's request, the staff offers the following comments:

The subject property is in an Agricultural Preservation Area and this property has sold easements to the Maryland Agricultural Land Preservation Foundation.

This proposal has been approved by both the local Baltimore County Board and the State Foundation Board as being consistent with agricultural preservation.

Therefore, this office recommends that the applicant's request be granted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL:rdn
ITEM248/TXTROZ

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

JANUARY 6, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: PHILIP NORMAN AND MARION B. NORMAN

Location: #19720 TRUNK ROAD

Item No.: 248 Zoning Agenda: DECEMBER 17, 1991

Gentlemen:

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

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

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

JP/KEK

4/3/92 - Following parties notified of hearing set for April 30, 1992 at 10:00 a.m.:

Robert A. Hoffman, Esquire
Mr. and Mrs. Philip Norman
Ms. Joan Norman
Ms. Robin Svec
J. Finley Ransone
People's Counsel for Baltimore County - Appellant
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



March 10, 1992

(410) 887-3353

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing
N/S Old York Road, 115 ft. W of c/l Kirkwood Shop Road
(19720 Trunk Road)
7th Election District, 3rd Councilmanic District
PHILIP NORMAN, ET UX - Petitioner
Case No. 92-235-SPH

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on February 13, 1992 by People's Counsel. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

[Signature]
Robert A. Hoffman, Esquire

LES:cer

Enclosures

cc: Mr. & Mrs. Philip Norman - 13500 Manor Road, Baldwin, MD 21013

Robert Hoffman - 210 Allegheny Avenue, Towson, MD 21204

Joan Norman - 18315 Kings Road, White Hall, MD 21161

Robin Svec - 2629 Openshaw Road, White Hall, MD 21161

J. Finley Ransone - 1 Sunnyview Drive, Phoenix, MD 21131

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

APPEAL

Petition for Special Hearing
N/S Old York Road, 115 ft. W of c/l Kirkwood Shop Road
(19720 Trunk Road)
7th Election District - 3rd Councilmanic District
PHILIP NORMAN, ET UX - Petitioner
Case No. 92-235-SPH

Petition(s) for Special Hearing

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner's Sign-In Sheet

Petitioner's Exhibits: 1. Plat to accompany petition

2. Copy of Decision from Case No. 85-104-SPH

3. William Hoy Property Subdivision Plat

4. Comments from Paul Solomon

Zoning Commissioner's Order dated January 14, 1992 (Granted)

Notice of Appeal received February 13, 1992 from People's Counsel

cc: Mr. & Mrs. Philip Norman - 13500 Manor Road, Baldwin, MD 21013

Robert Hoffman - 210 Allegheny Avenue, Towson, MD 21204

Joan Norman - 18315 Kings Road, White Hall, MD 21161

Robin Svec - 2629 Openshaw Road, White Hall, MD 21161

J. Finley Ransone - 1 Sunnyview Drive, Phoenix, MD 21131

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of Zoning Administration
and Development Management
Public Services

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
N/S Old York Road, 112' W of : OF BALTIMORE COUNTY
C/L Kirkwood Shop Road
(19720 Trunk Road)
7th Election District :
3rd Councilmanic District :
PHILIP NORMAN, et ux, : Zoning Case No. 92-235-SPH
Petitioners :

: : : : :

NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned matter, under date of January 14, 1992, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 13th day of February, 1992, a copy of the foregoing Notice of Appeal was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Ave., Towson, MD 21204.

[Signature]
Phyllis Cole Friedman

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
N/S Old York Road, 112' W of : OF BALTIMORE COUNTY
C/L Kirkwood Shop Road
(19720 Trunk Road)
7th Election District :
3rd Councilmanic District :
PHILIP NORMAN, et ux, : Case No. 92-235-SPH
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.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 13th day of February, 1992, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Ave., Towson, MD 21204.

[Signature]
Phyllis Cole Friedman

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
BALTIMORE, MD
WASHINGTON, D. C.
HILLSIDE, VA
ROCKVILLE, MD
BEL AIR, MD
210 ALLEGHENY AVENUE
P.O. BOX 8517
TOWSON, MARYLAND 21208-5517
(301) 887-4111
FAX (301) 887-4147

ROBERT A. HOFFMAN

March 24, 1992

494-9162

William T. Hackett, Chairman
County Board of Appeals of
Baltimore County
Old Court House
400 Washington Avenue
Towson, Maryland 21204

Re: Case No. 92-235-SPH
Philip Norman and Marion B. Norman, Petitioners

Dear Mr. Hackett:

This case comes before the Board on an appeal by People's Counsel. It is my belief that there will not be a dispute of facts in this case, but there will be legal argument involving the provisions of Maryland Agricultural Land Preservation Foundation Program and the Baltimore County Zoning Regulations. (It should be noted that there were no Protestants present at the Zoning Commissioner's hearing.)

My clients were not expecting an appeal in this case and had already expended significant funds for the construction of a dwelling on the subject property. It is therefore respectfully requested that an expedited hearing be scheduled. For the above stated reasons, it is submitted that this case can be heard during either an afternoon or morning session of the Board.

Thank you for your attention to this matter.

Yours truly,
[Signature]
Robert A. Hoffman

RAH/tls
cc: Phyllis C. Friedman, Esquire

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Philip S. Norman	21413
Marion B. Norman	13500 WOOD RD, BALDWIN, MD
Jeffrey Korman	13500 WOOD RD, BALDWIN, MD
Joan Norman	13500 WOOD RD, BALDWIN, MD
Robin Svec	13500 WOOD RD, BALDWIN, MD
Michael A. Norman	13500 WOOD RD, BALDWIN, MD
Robt. Norman	13500 WOOD RD, BALDWIN, MD

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

DATE: November 25, 1991

FROM: Paul J. Solomon

SUBJECT: The Norman Farm

Please be advised that the farm property owned by Mr. and Mrs. Philip Norman, consisting of 82+ acres, and located off of Kirkwood Shop Road in Baltimore County, is enrolled in the Maryland Agricultural Land Preservation Program. In this regard, an easement has been sold by the Normans to the State of Maryland.

In addition, the Maryland Agricultural Land Preservation Foundation, upon a favorable recommendation from the Baltimore County Agricultural Land Preservation Board, has approved a one acre lot for the personal use of the Norman's son, Drew, as well as one tenant dwelling for the seasonal labor necessary to assist with the operation of this commercial organic, produce, or vegetable farm.

Mr. and Mrs. Norman are in full compliance with all aspects of the Maryland Agricultural Land Preservation Program.

Paul J. Solomon/H
Paul J. Solomon, Program Administrator
Agricultural Land Preservation Program

PJS:ju

cc: Paul J. Consbruck, Esq.
Venable, Baetjer and Howard
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

JABLON1/WQAG

IN RE: PETITION SPECIAL HEARING
N/S of Old York Road, 90' W
of the centerline of Kirkwood
Shop Road - 1th Election
District

William R. Hoy, et ux,
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-104-SPH

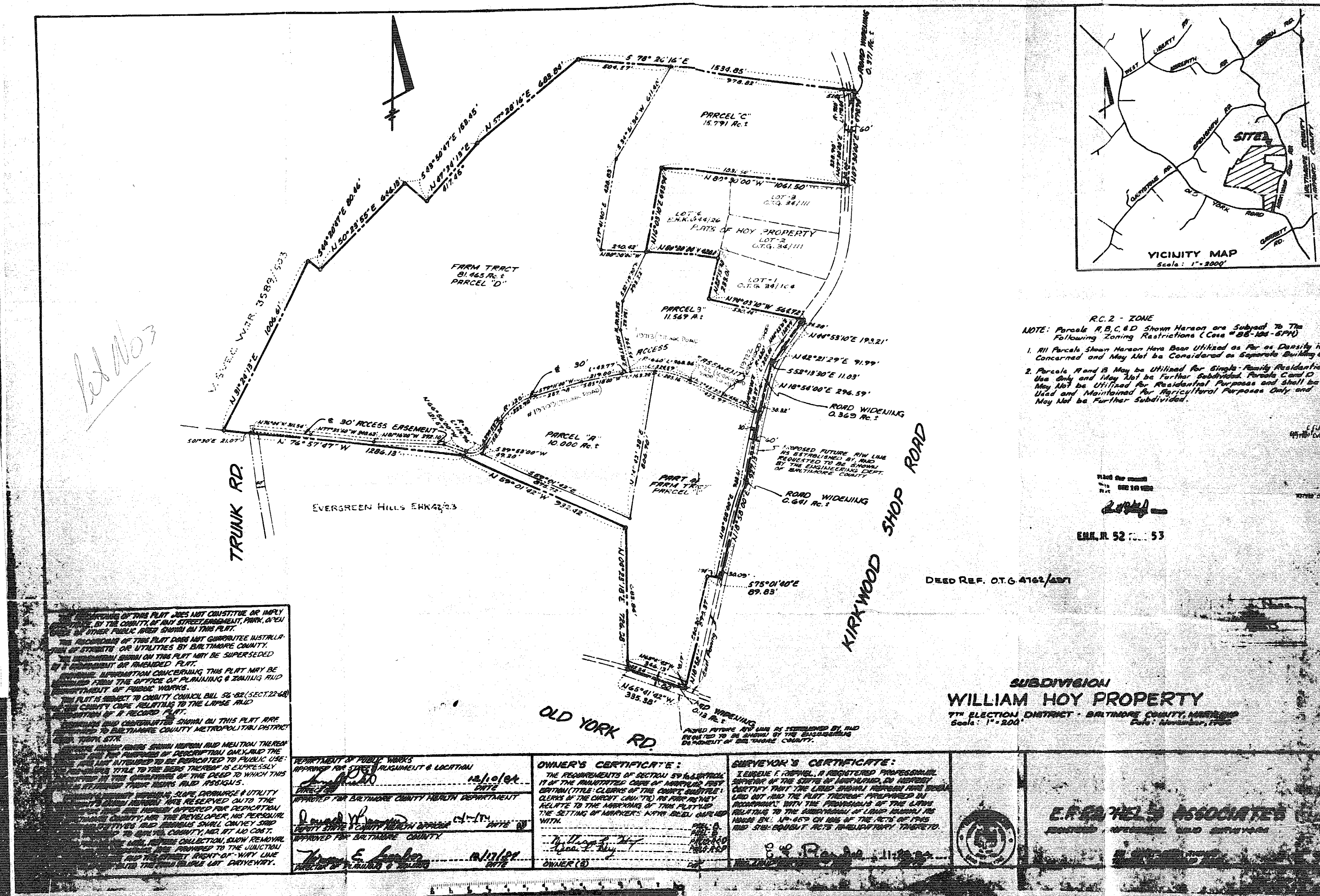
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request permission to convey four parcels resulting from a subdivision of property owned by them, as more accurately described on Petitioners' Exhibit 1.

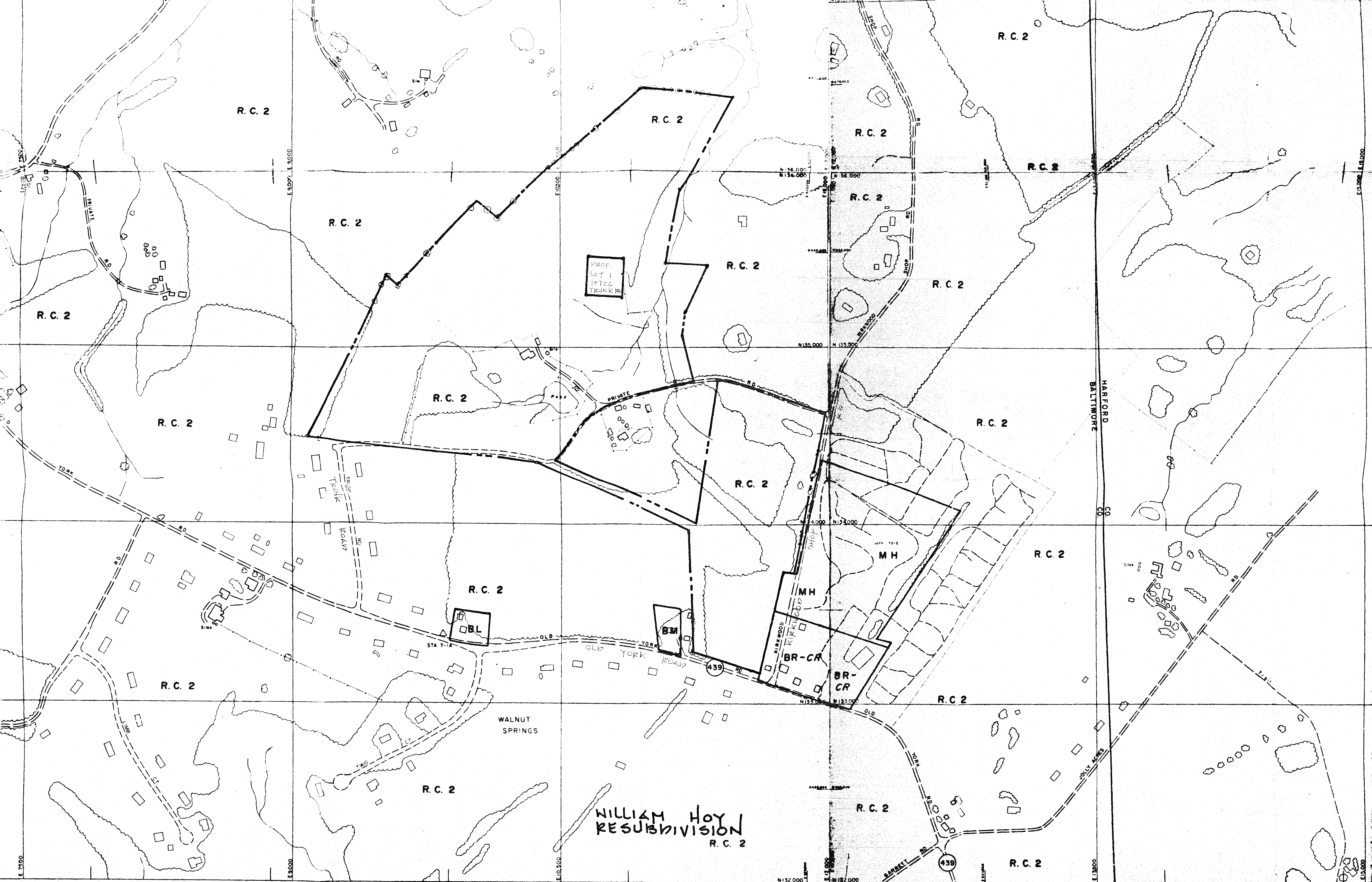
The Petitioners appeared and were represented by Counsel. Their Contract Purchasers also appeared. Eugene Raphael, a registered land surveyor, appeared and testified on their behalf. There were no Protestants.

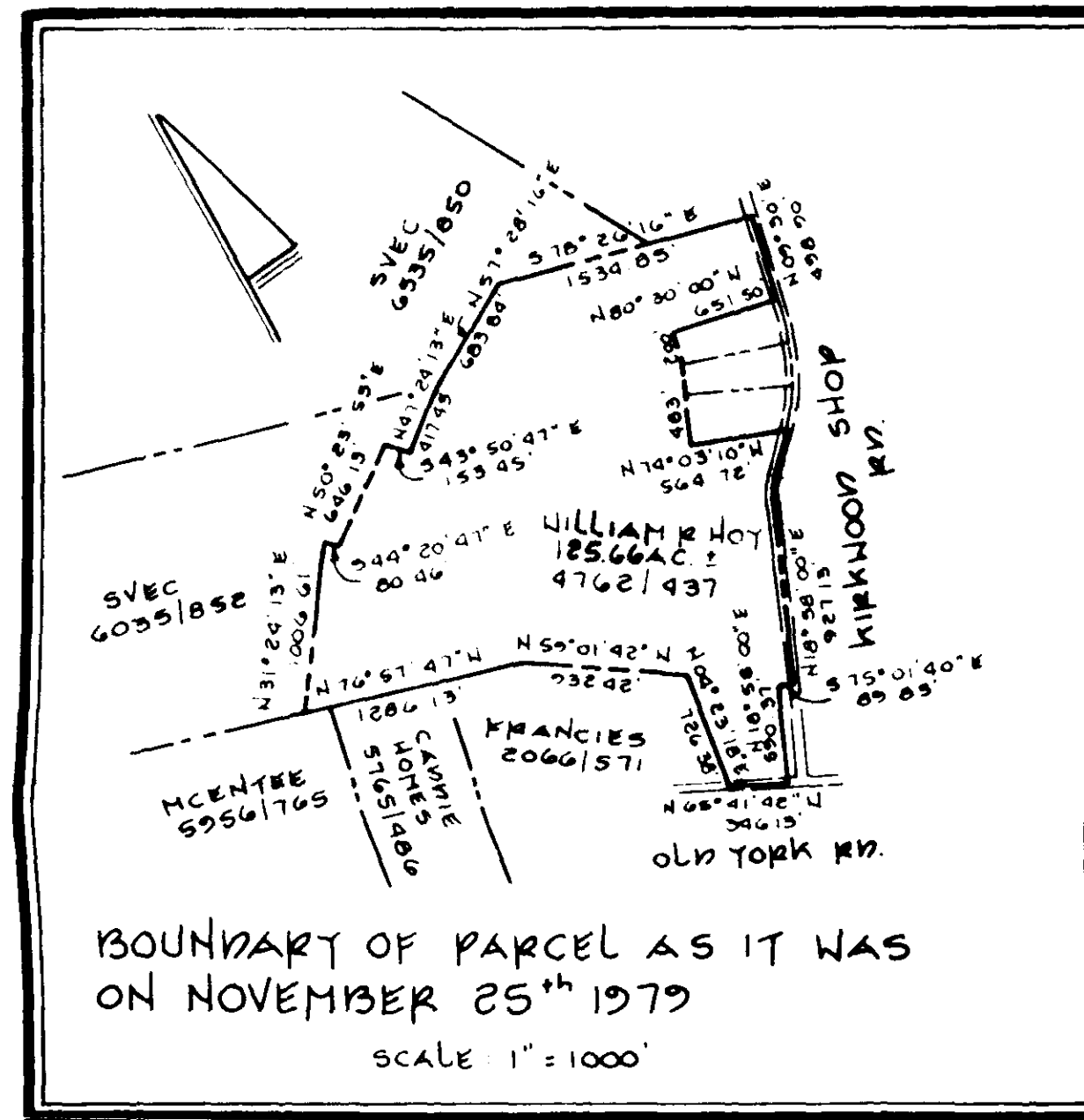
Testimony indicated that the property, zoned R.C.2, consisting of approximately 121 acres, was purchased by the Petitioners in 1967. They are moving to the Eastern Shore and wish to sell the property by dividing it into four parcels. The property's zoning permits its subdivision into only two lots. The Petitioners testified that due to the particular circumstances and facts of this case, the spirit and intent of the R.C.2 legislation would not be violated if the property were divided into four distinct parcels.

The first parcel, noted on the site plan as Parcel A, consisting of approximately ten acres, is improved with a single-family frame dwelling. The second parcel, noted as Parcel B, consisting of 11.98 acres, is improved with a single-family brick dwelling. The third parcel, noted as Parcel C, is unimproved and would be sold to Mr. Hoy's brother, Timothy Hoy, who owns the adjacent property, noted as Lot 4. This parcel contains 18 acres, five acres of which would be devoted entirely to agricultural purposes and the growing of nursery stock.



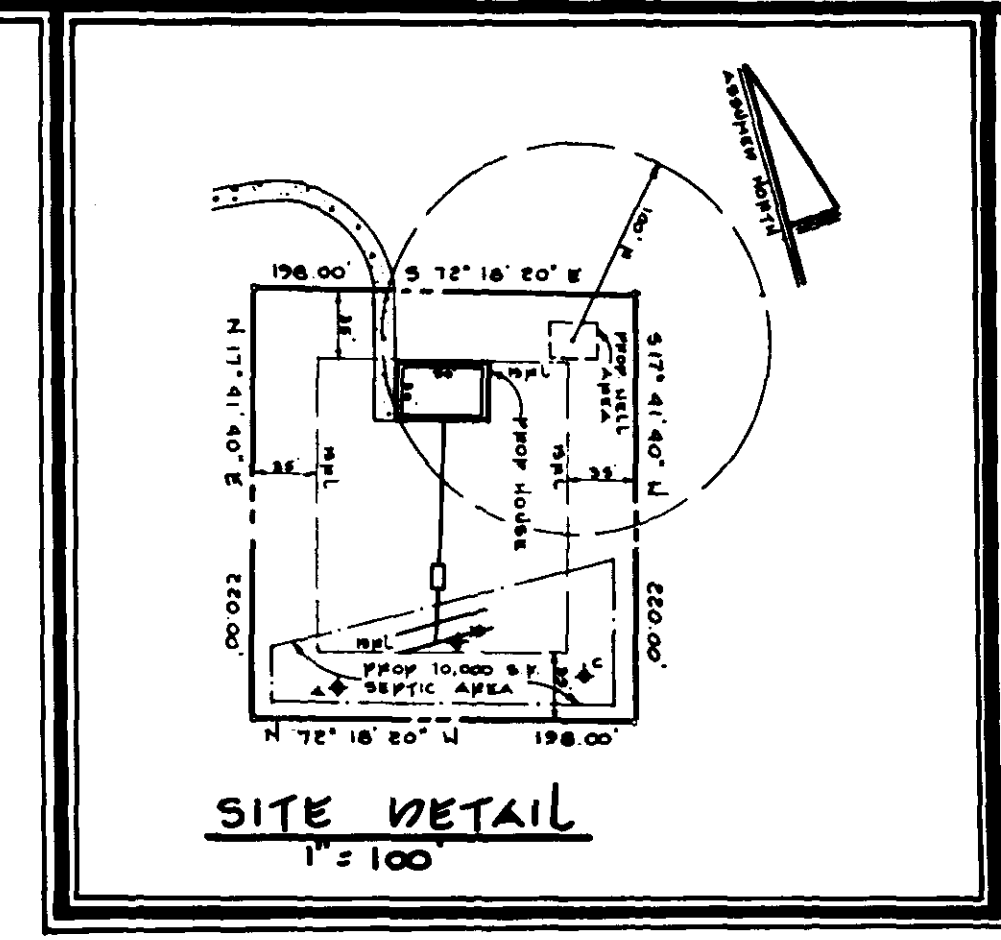
ORDER RECEIVED FOR FILING
DATE 12/1/91
BY [Signature]



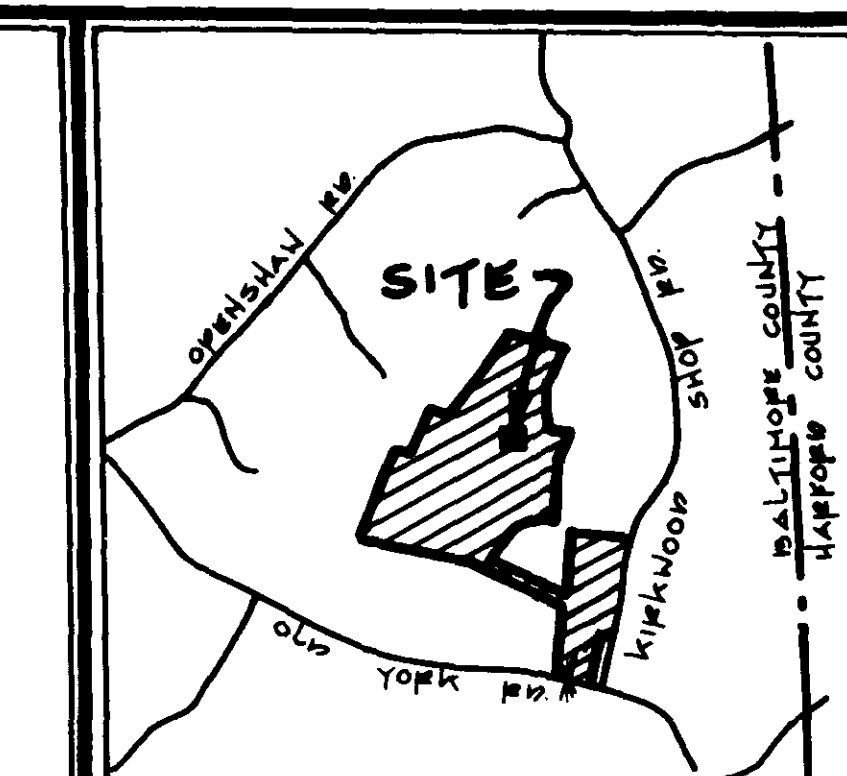


BOUNDARY OF PARCEL 15 AS IT WAS ON NOVEMBER 25th 1979
SCALE 1" = 1000"

- 1. Information regarding subject property: Owner: Philip & Marion Norman 13800 Manor Road Baltimore, Maryland 21013 Deed Reference: 8845/813 Tax Account Number: 1800014455
- 2. Photogrammetric Map Reference: North East 34 E & C, 35 B & C
- 3. Current Zoning: RC-2
- 4. Tax Map No. 13, Parcel 18 D
- 5. Soils Map Reference 6
- 6. Flood Data: Community No. 240010 Panel No. 0075 B, Zone C
- 7. Elevation District: 7th Census Tract: 4017 Councilmanic District: 3 Regional Planning District: 101 A Watershed: Deer Creek Subwatershed: 081
- 8. Site Area: 81.481 Acres
- 9. There are no known potentially hazardous materials on this site.
- 10. There are no underground fuel storage tanks.
- 11. All site runoff must be conveyed to a suitable outfall without imposing an adverse impact on the receiving waterbody, watercourse, wetland, storm drain or adjacent property.
- 12. In wooded areas, tree clearing is limited to 11,000 sq. ft. per lot. In general, removal of trees should be minimized.
- 13. All impervious areas should be limited to 30 percent of cleared area and conveyed as sheet flow through vegetated areas without concentrating or causing erosion.
- 14. House down spouts are to be discharged onto pervious areas or into dry wells, where feasible.
- 15. Acceptance of this plan in no way binds Baltimore County into refuse collection of this development. At the time of construction and after all requirements have been met, a representative of the Bureau will meet with the developer or his representatives to discuss details of refuse collection.
- 16. Proposed use for the property: 1 Lot for single family dwelling.
- 17. There are no existing buildings, wells, septic, or driveways on or within 100 feet of the site.
- 18. Panhandle road shall be in accordance with Baltimore County Council Bill No. 172-89 and Resolution No. 40-87.
- 19. The panhandle shall be paved within one year of the issuance of the first occupancy permit of the last lot to be served, whichever comes first.
- 20. Highway widening on Kirkwood Shop Road was recorded under plat reference 52/51.
- 21. Bearings and distances around lot 1 and the access drive are described in the survey description that accompanies this plat.
- 22. Parcels A, B, C, & D hereon are subject to the following zoning restrictions under case # RC-2-84-341: a. all parcels shown hereon have been utilized as far as density is concerned and may not be considered as separate building lots. b. Parcels A & B may be utilized for single family residential use only & may not be further subdivided. Parcels C & D may not be utilized for residential purposes & shall be used and maintained for agricultural purposes only and may not be further subdivided.



SITE DETAIL
SCALE 1" = 100"



VICINITY MAP
SCALE 1" = 2000"

VICTOR SVEC
DEED REFERENCE: 6035/850
TAX # 071068000
ZONED: RC-2 PARCEL 16

J

PROPOSED LOT 19722 TRUNK RD

PROPOSED 25' ACCESS EASEMENT

EX GRAVEL DRIVE

EX GRAVEL DRIVE

EX GRAVEL DRIVE

EX GRAVEL DRIVE

EX GRAVEL DRIVE

EX GRAVEL DRIVE

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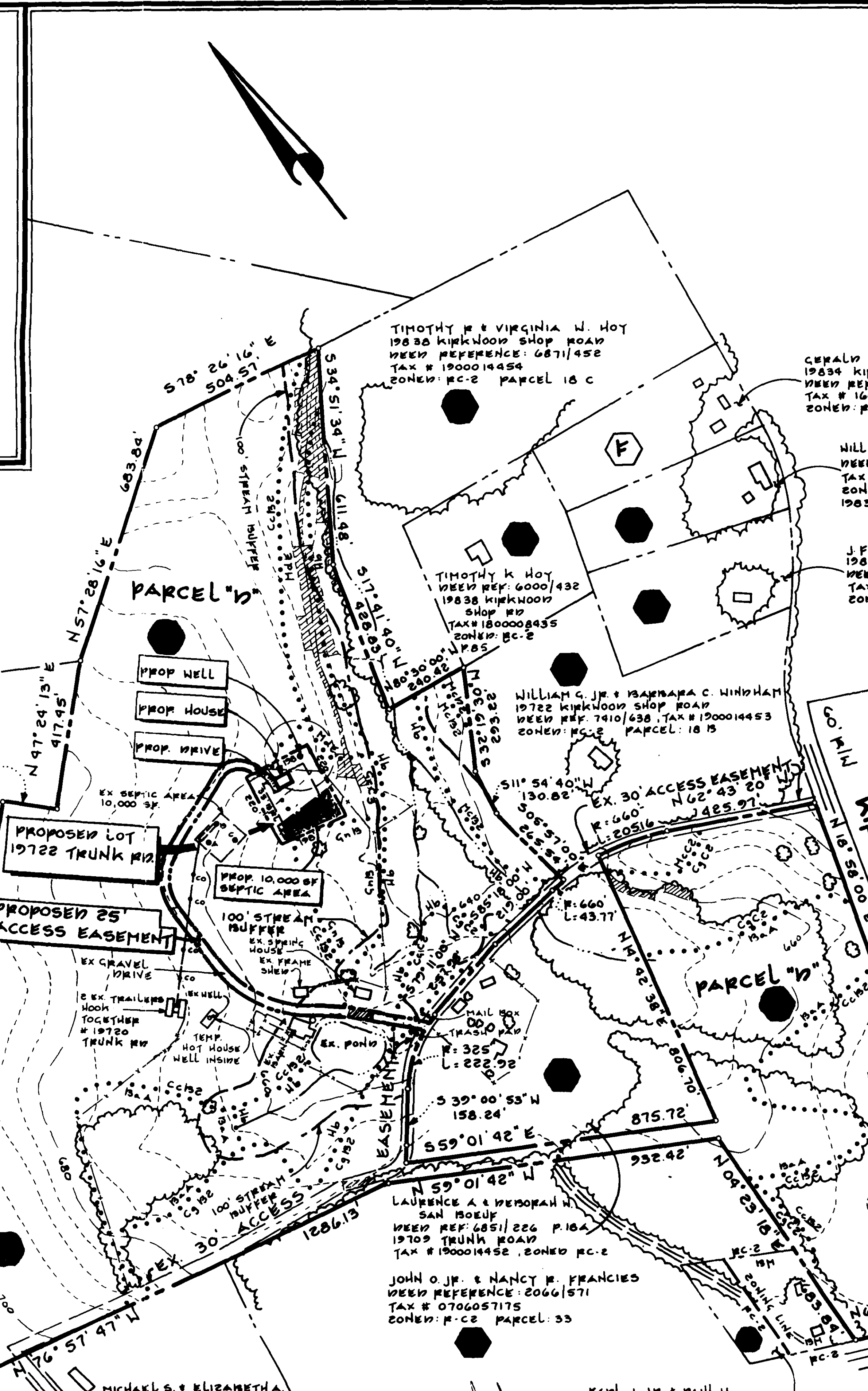
EX GRAVEL DRIVE

EX GRAVEL DRIVE

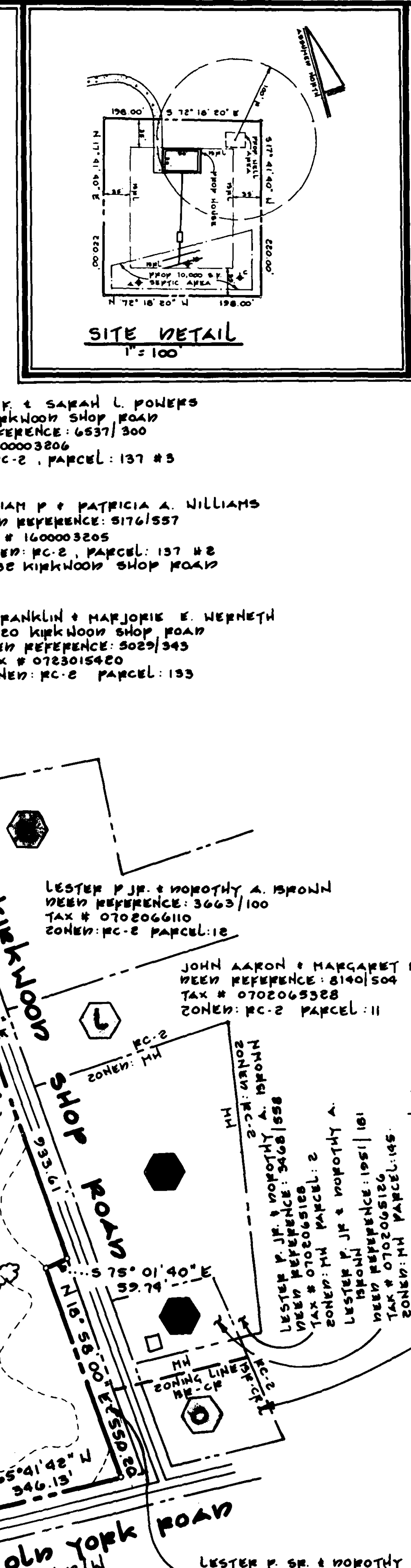
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EX GRAVEL DRIVE

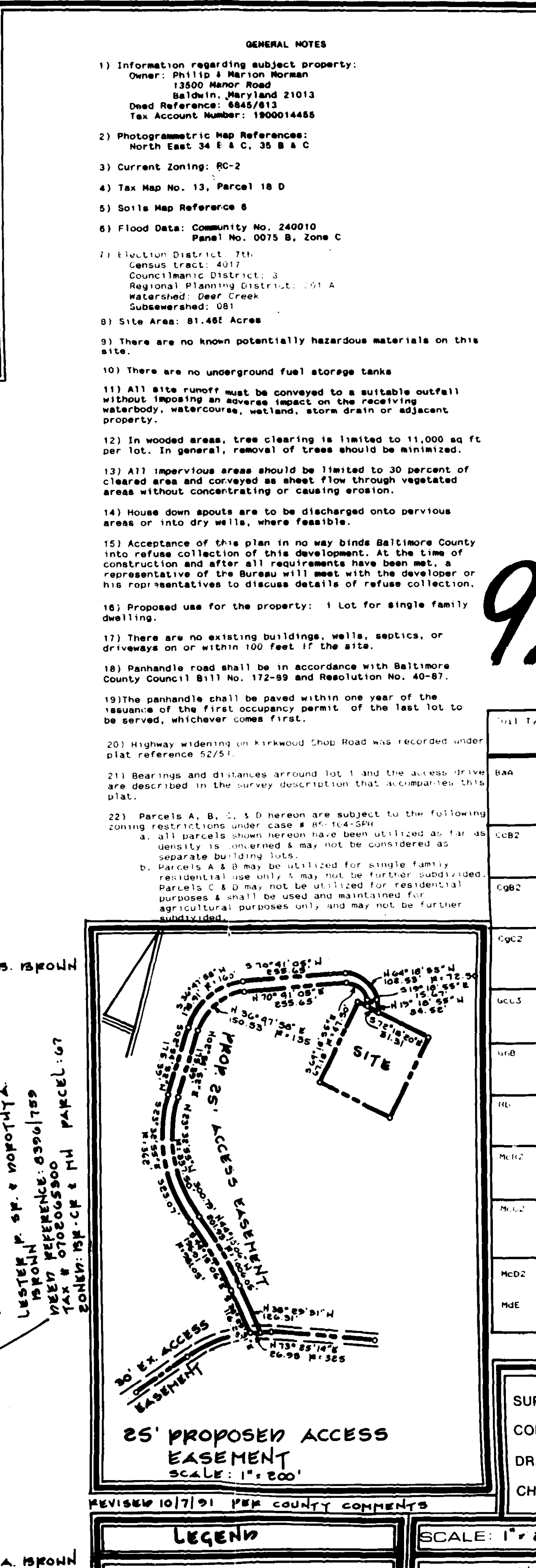
EX GRAVEL DRIVE



PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE & SPECIAL HEARING
PROPOSED REZONIFICATION WILLIAM HOY PROPERTY



SITE
SCALE 1" = 2000"

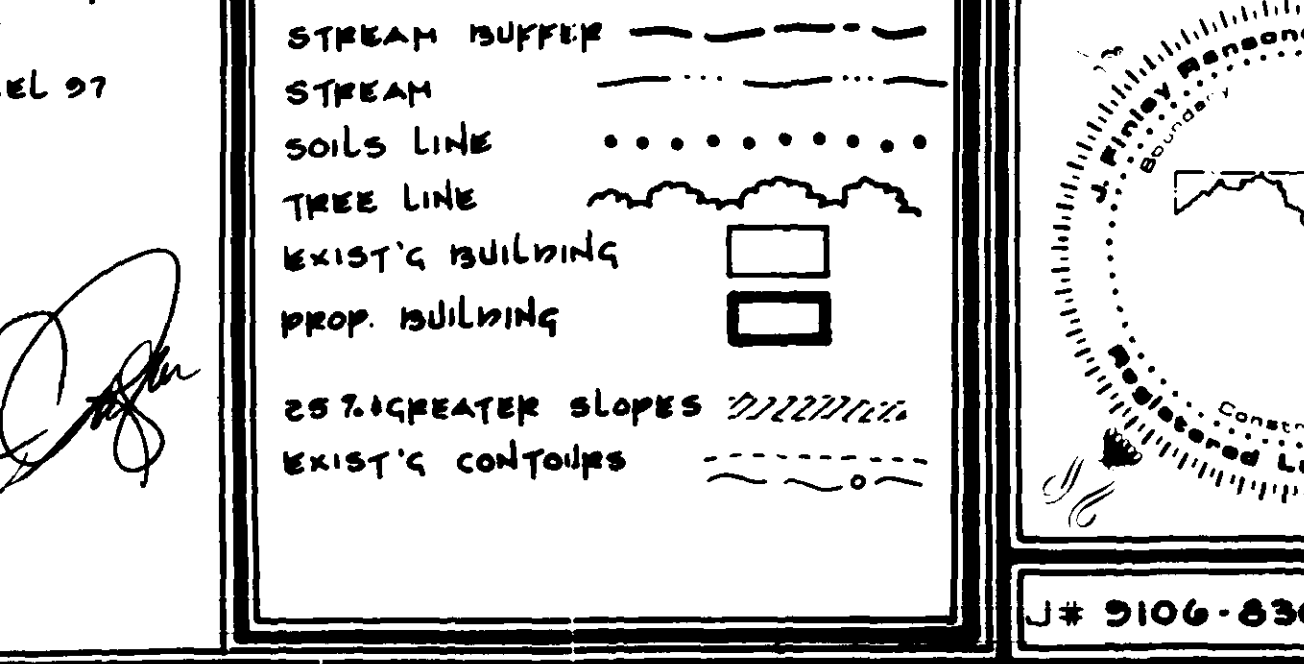


SITE
SCALE 1" = 2000"

92-235-SPH

Soil	Soil Description	Soil Limitation	
		Basement	Paving
BAA	Baile silt loam 0-5% slopes. Is difficult to drain & difficult to work with after drainage. Suited for pastures & trees.	Severe: High water table	Severe: High water table
CB2	Chester silt loam 3-8% slopes. Moderately eroded. Well suited to nearly all uses.	Slight: slope	Moderate: slope
CB2	Chester gravelly silt loam 5-8% slopes. Moderately eroded. Well suited to nearly all uses.	Slight: slope	Moderate: slope
CB2	Chester gravelly silt loam 8-15% slopes. Moderately eroded. Suited for many crops as well as pastures & trees.	Moderate: slope	Severe: slope
UC3	Upland loam 8-15% slopes. Severely eroded. Erosion control methods must be intensively applied.	Moderate: slope	Severe: slope
UB	Upland silt loam 3-8% slopes. Suited to some cultivated crops & to pastures & trees.	Severe: High water table	Severe: High water table
UB	Hatboro silt loam: suited for woods & pastures. Wetlands soil & flood hazard.	Severe: High water table	Severe: High water table
MH2	Manor channery loam 3-8% slopes. Moderately eroded. Suited to cultivated crops, pastures, & trees.	Slight: slope	Moderate: slope
MH2	Manor channery loam 8-15% slopes. Moderately eroded. Suited to cultivated crops, pastures, trees, & sodded orchards.	Moderate: slope	Severe: slope
MC2	Manor channery loam 15-25% slopes. Moderately eroded.	Severe: slope	Severe: slope
ME	Manor soils 25-50% slopes.	Severe: slope	Severe: slope

SURVEYED BY: _____
COMPUTED BY: RICH SINGLE
DRAWN BY: M.J. FLOAN
CHECKED BY: J. FINLEY RANSONE



LEGEND
STREAM BUFFER
STREAM
SOIL LINE
TREE LINE
EXIST'G BUILDING
PROP. BUILDING
25' GREATER SLOPES
EXIST'G CONTOURS

J. FINLEY RANSONE & ASSOCIATES
REGISTERED LAND SURVEYORS
P.O. BOX 10160
TOWSON, MARYLAND 21285-0160
688-7448
J# 5106-830 248 F# 718-047

Zoning

N 80° 30' 00" W
- 240.42'

428-83

LEX WOODS

PARCEL W
WILLIAM HOY PROPERTY
PLAT REF: 52/53

EX. WOOLNS

ASSUMEN NORTH

1) Information regarding subject property:

Owner: Philip & Marion Norman
13500 Manor Road
Baldwin, Maryland 21013
Deed Reference: 6845/613
Tax Account Number: 1900014455

2) Photogrammetric Map References:
North East 34 B & C, 35 B & C

3) Current Zoning: RC-2

4) Tax Map No. 13, Parcel 18 D

5) Soils Map Reference 6

6) Flood Data: Community No. 240010
Panel No. 0075 B, Zone C

7) Census tract: 4017
Councilmanic District: 3
Regional Planning District: 301 A
Watershed: Deer Creek
Subsewershed: 081

B) Site Area: 43,560 SF = 1 ACRE

92-235-SP4

91-232-M
220.00'

PLACED IN HOT PROPERTY
FULLY REEL 50m

100%

S 17° 41' 40" W

PROP. WELD
AREA

98.00 A 5.72° 81.21' 02" E

N 17° 41' 40" E

220.00'

198.00 M "02'81.22 N

PROPOSED RESUBDIVISION
WILLIAM HOY PROPERTY

Ex.
SEPTIC
AREA

19718 Kirkwood Shop
Road

O.K. TO FILE 7-14-92

DEPT. OF ENVIRONMENTAL
PROTECTION & RESOURCE MGMT.

FINAL APPROVED PLAN

SCALE: 1" = 50'

DATE: AUG. 12, 1991



**J. FINLEY RANSONE
& ASSOCIATES**

REGISTERED

LAND SURVEYORS

P.O. BOX 10160

TOWSON, MARYLAND

21285-0160

666-7448

J# 9106-830

F# 713-047