

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
S/S Beckleysville Rd., 550 ft. * ZONING COMMISSIONER
SWly of Spook Hill Road * OF BALTIMORE COUNTY
2639 Beckleysville Road * 4th Election District
4th Election District * Jrd Councilmanic District
Jrd Councilmanic District * CASE # 92-316-SPH
Gary L. Wapner, et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing, wherein the property owner seeks an approval of the transfer of one density unit from Farm Tract B to Farm Tract A and to then consolidate the remainder of Farm Tract A with Farm Tract B for recordation as one parcel, as more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

The Petitioners/property owners, Gary L. Wapner and Peggy A. Wapner, appeared, testified and were represented by Newton A. Williams, Esquire. Also testifying on behalf of the Petition was Eugene F. Raphael, the land surveyor who prepared the plat. Appearing in support of the Petition were Joe and Brenda Blevins and John Francis. There were no Protestants present.

The subject Petition concerns property located in northern Baltimore County, known as 2639 Beckleysville Road. The property is split zoned R.C.2 and R.C.4. It is divided into two tracts shown on the plat as Farm Tract A and Farm Tract B. Farm Tract A is 23.775 acres (+/-) in area and Farm Tract B is 17.749 acres (+/-) in area.

Mr. Wapner, the property owner, testified as to the site and its uses. He originally acquired Farm Tract B in 1985. This portion of the property is located roughly to the west of the driveway which provides access from Beckleysville Road. Tract B is improved by an existing dwelling and three

barns. The balance of Tract B is comprised of 6 meadows and a wooded area which features a flowing stream. Mr. Wapner further testified that he acquired his other holding, Farm Tract A, in 1990. This tract was originally a part of the Eugster property. There are no structures or improvements on Parcel A; rather, that tract consists entirely of meadows and woodlands. As to the property's uses, Mr. Wapner extensively described the horse farm operations conducted on site. Mr. and Mrs. Wapner board and train horses on the property. The 6 meadows used for grazing by the animals and the out-building uses were also described.

Mr. Wapner testified as to the topography of the site. From Beckleysville Road to the south, including the existing structures and meadows, the property is flat. The topography of the tract then slopes steeply to a stream and nearby wooded area which transects the entire property. Across the stream, the wooded features of the property continue until the property's boundary at Spooks Hill Road. It is the Petitioners' intent to subdivide the property so as to create 2 additional lots shown on the plan as proposed Lot 1 and proposed Lot 2. These will be 5.7 acres (+/-) and 5.6 acres (+/-) in area, respectively. The Petitioner envisions selling the lots for development.

Lastly, Mr. Wapner testified that his plans will not adversely affect the agricultural use of the property and will actually improve the core of the farm. Based upon the unusual topography of the property, the area now comprising the proposed lots 1 and 2 is not useable land. That is, due to the steep slopes and the stream, the Petitioner has no vehicular access to the area of those proposed lots from the existing improvements and meadows. In essence, the Petitioner believes that subdividing the property, as pro-

-2-

posed, will result in the revitalization of the core area of the farm which is comprised of the meadows and out buildings.

Mr. Raphael reinforced the testimony of Mr. Wapner. In his view, the area which will yield proposed lots 1 and 2 is nonfunctional, as it pertains to the operation of the farm. He noted that it is separated by woods and the stream. In his view, the granting of the Petition for Special Hearing would not diminish the functional portion of the farm. Mr. Raphael concluded that agricultural purposes will be fostered if the Petition for Special Hearing is granted.

The testimony of the witnesses is also to be noted as it applies to the permissible density. Under the existing zoning classifications of this site, Farm Tract B would yield 3 lots. That is, Tract B is comprised of approximately 6-1/2 acres of R.C.4 (1 lot) and 11.3 acres of R.C.2 (2 lots). Combining this lot yield with the 1 lot, which is available from the 23.8 acres of Farm Tract A, the Petitioner avers that 4 lots could be created under the applicable density regulations. However, it is noted that the Petitioner is seeking only 3 lots, namely, proposed lot 1, proposed lot 2 and the balance of the working farm. Therefore, the Petitioner argues that the agricultural character of the farm will be enhanced, in that less than the permitted density will result if the Petition is granted.

As is the case with all zoning Petitions filed in Baltimore County, the subject Petition also has undergone scrutiny from the Zoning Advisory Committee (ZAC). Within its comment to that Committee, the Department of Environmental Protection and Resource Management (D.E.P.R.M) noted several objections to the proposed Petition. Specifically D.E.P.R.M. avers that the proposed lots are too large and that the plan is contrary to the County's policy, as it pertains to prime and productive soils. Although these com-

-3-

ments are generally applicable to density transfers in rural locales, I agree with the testimony offered by Mr. Raphael that they do not apply to this specific property. He suggests that D.E.P.R.M. has not considered the unusual topography of this property. As mentioned above, the lands from which the proposed lots 1 and 2 will be created are not used for agricultural purposes at present. They are heavily wooded, sloped, and inaccessible from the balance of the site by farm equipment and vehicular traffic. The prime and productive agricultural portion of the entire property, identified as the 6 meadows on site, will continue to be used to foster agricultural purposes. The operation of this parcel and the agricultural pursuit, as a horse farm, will not be detrimentally affected by the proposed Petition for Special Hearing. In fact, testimony was that the agricultural use will be enhanced. For those reasons, I am persuaded to override the concerns set forth by D.E.P.R.M.

Lastly, it is also to be noted that the proposal enjoys the unanimous support of the local community association. In this respect, the Petitioner presented a letter indicating that the 52 members of the Freeland Community Association, who met to consider the Petition, unanimously voted to support same. Clearly, these citizens are likewise concerned about maintaining the agricultural character of this locale. They were particularly impressed that the Petitioner was voluntarily restricting density to 3 lots, including the existing farm, from the 4 lots which would, otherwise, be allowed. Therefore, for all of the above reasons, I am persuaded that the Petition for Special Hearing should be granted and will so order.

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.

-4-

ORDER REVEALED BY PUBLIC
Date: 4/10/92
By: [Signature]

ORDER REVEALED BY PUBLIC
Date: 4/10/92
By: [Signature]

ORDER REVEALED BY PUBLIC
Date: 4/10/92
By: [Signature]

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-316-SPH

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 Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the transfer of one density unit from Farm Tract B to Farm Tract A and to then consolidate the remainder of Farm Tract A with Farm Tract B for recordation as one parcel as shown on the accompanying plat.

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 of this Petition, and further agree to and see 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	Legal Owner(s): Gary L. Wapner (Type or Print Name) Signature Peggy A. Wapner (Type or Print Name) Signature Address City and State
Attorney for Petitioner: Stephen J. Nolan, Esquire (Type or Print Name) Signature Nolan, Plumhoff & Williams Court Towers, Suite 700 Address 210 W. Pennsylvania Avenue Towson, MD 21204 City and State Attorney's Telephone No.: 410-823-7800	2639 Beckleysville Road Address Millers, Maryland 21107 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Stephen J. Nolan, Esquire Name 210 W. Pennsylvania Avenue Court Towers, Suite 700 Address Towson, MD 21204 Phone No. 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

s.c.o.-No. 1

(over)

328

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of April, 1992, that, pursuant to the Petition for Special Hearing, an approval seeking the transfer of one density unit from Farm Tract B to Farm Tract A and to then consolidate the remainder of Farm Tract A with Farm Tract B for recordation as one parcel, 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.

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

Baltimore County
Office of Planning and Zoning
Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 883-1486

April 10, 1992

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Gary L. Wapner, et ux, Petitioners
Case No. 92-316-SPH

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above captioned matter. The Petition for Special Hearing has been granted.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,
[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
encl.
cc: Mr. and Mrs. Gary L. Wapner

-5-

ORDER REVEALED BY PUBLIC
Date: 4/10/92
By: [Signature]

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

92-316-SPH

OFFICE: 823-3908

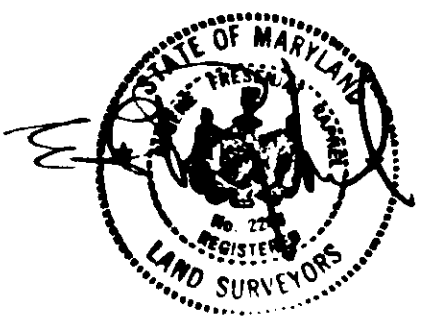
DESCRIPTION TO ACCOMPANY PETITION
FOR A SPECIAL HEARING
#2639 BECKLEYSVILLE ROAD

RESIDENCE: 771-4992

February 14, 1992

Beginning for the same at a point in Spooks Hill Road, said point being located southeasterly 150' ± from the intersection formed by the centerline of Bulls Sawmill Road and the centerline of Spooks Hill Road, running thence on the outline of the property conveyed to Gary L. Wapner and Peggy A. Wapner, his wife, in Liber S.M. 8529, folio 740, and binding in Spooks Hill Road the 5 following courses and distances: 1) S 10° 15' 00" W 392.46', 2) S 31° 29' 50" W 526.72', 3) S 36° 00' 00" W 123.11', 4) S 37° 00' 00" W 216.82', thence leaving Spooks Hill Road, 5) N 52° 57' 26" W 459.32' to the southwest corner of Farm Tract "B" as shown on the Plat "Prettyboy Manor-South (E.H.K. Jr. 41/109) which was conveyed to Gary L. Wapner and Peggy A. Wapner, his wife, in Liber E.H.K. Jr. 7001, folio 131, thence binding on the outline of Farm Tract "B" the 8 following courses and distances, 1) S 60° 31' 26" W 362.72', 2) S 37° 46' 46" W 461.83', 3) N 2° 44' 31" W 667.02', 4) N 41° 56' 42" W 540.00', 5) N 51° 37' 02" E 846.71', 6) N 27° 32' 35" W 289.29', to the Right of Way line of Beckleysville Road (future 60' wide) thence on said Right of Way line of Beckleysville Road, 7) N 50° 47' 10" E 15.32', thence leaving the Right of Way of Beckleysville Road, 8) S 27° 32' 35" E 190.62' to the outline of the first mentioned deed conveyed to aforesaid Wapner et. al., thence leaving the outline of Farm Tract "B" and binding on the outline of the first mentioned deed conveyed to Wapner, the 8 following courses and distances: 1) N 68° 12' 00" E 572.50', 2) N 26° 29' 00" W 274.21' to the center line of Beckleysville Road, running thence in Beckleysville Road, 3) N 63° 19' 00" E 57.84', 4) N 71° 41' 00" E 212.28', thence leaving Beckleysville Road 5) S 0° 06' 17" W 479.05', 6) S 74° 02' 10" W 178.08',

-2- 92-316-SPH
 7) S 80° 40' 52" E 433.71' and 8) N 82° 40' 04" E 723.69' to the place of beginning.
 Containing in all 41.5265 acres of land more or less.
 Being known as #2639 Beckleysville Road and being the property of Gary L. Wapner and Peggy A. Wapner, his wife, and recorded in deeds S.M. 8529, folio 740 and E.H.K. Jr. 7001, folio 131.



E. F. Raphael
 E. F. Raphael
 Reg. Prof. Land Surveyor
 #2246

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 6th Date of Posting: March 12, 1992
 Posted for: Special Hearing
 Petitioner: Gary L. Wapner & Peggy A. Wapner
 Location of property: 2639 Beckleysville Road, Towson, Maryland 21284
 Location of Sign: Post Office Box 118, Towson, Maryland 21284
 Remarks:
 Posted by: L. E. Schmidt Date of return: March 26, 1992
 Number of Signs: 1

CERTIFICATE OF PUBLICATION
 TOWSON, MD. March 12, 1992
 THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 12, 1992

TOWSON TIMES,
S. Zate Olson
 Publisher

\$94.70

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT # 123240
 DATE: 21 Feb 92 ACCOUNT: R-001-6150
 AMOUNT: \$ 1050.00
 RECEIVED FROM: Nolan, Plumhoff & Williams
 FOR: Special hearing
 04A048001MICHRC \$105.00
 DA-0002-000402-21-92
 VALIDATION OR SIGNATURE OF CASHIER
ITEM 328

CERTIFICATE OF PUBLICATION
 TOWSON, MD. March 12, 1992
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 12, 1992

THE JEFFERSONIAN,
S. Zate Olson
 Publisher

\$94.70

receipt

Baltimore County
 Zoning Commission
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21284

Account: R-001-6150
 Number: 19204328
 2/26/92
 PUBLIC HEARING FEE QTY PRICE
 030 - SPECIAL HEARING FEE 3 X \$35.00
 TOTAL: \$105.00
 LAST NAME OF CASHIER: ITEM 328
 PAID PER HAND WRITTEN RECEIPT
 DATED 2/21/92
 Please Make Checks Payable To: Baltimore County

Baltimore County
 Zoning Commission
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21284

Date: 2/21/92 Account: R-001-6150
 Number: 19204328

Cashier Validation

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

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

DATE: 3/17/92

Gary L. and Peggy A. Wapner
 2639 Beckleysville Road
 Millers, Maryland 21107

RE:
 CASE NUMBER: 92-316-SPH
 5/8 Beckleysville Road, 550' Sully of Spook Hill Road
 2639 Beckleysville Road
 6th Election District - 3rd Councilmanic
 Petitioner(s): Gary L. and Peggy A. Wapner

Dear Petitioner(s):
 Please be advised that \$ 107.70 is due for advertising and posting of the above captioned property.
 THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.
 Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jarlow
 ARNOLD JARLOW
 DIRECTOR
 cc: Stephen J. Nolan, Esq.

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

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

MARCH 5, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-316-SPH
 5/8 Beckleysville Road, 550' Sully of Spook Hill Road
 2639 Beckleysville Road
 6th Election District - 3rd Councilmanic
 Petitioner(s): Gary L. and Peggy A. Wapner
 HEARING: WEDNESDAY, APRIL 1, 1992 at 10:30 a.m.

Special Hearing to approve the transfer of one density unit from Farm Tract B to Farm Tract A and to then consolidate the remainder of Farm Tract A with Farm Tract B for recordation as one parcel.

Lawrence E. Schmidt
 Lawrence E. Schmidt
 Zoning Commissioner of
 Baltimore County
 cc: Gary L. and Peggy A. Wapner
 Stephen J. Nolan, Esq.

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

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

March 26, 1992

Stephen J. Nolan, Esquire
 Nolan, Plumhoff & Williams
 Court Towers, Suite 700
 210 W. Pennsylvania Avenue
 Towson, MD 21204

RE: Item No. 328, Case No. 92-316-SPH
 Petitioner: Gary L. Wapner, et ux
 Petition for Special Hearing

Dear Mr. Nolan:
 The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.
 Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.
 The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.
 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

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

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 24th day of February, 1992.

Arnold Jarlow
 ARNOLD JARLOW
 DIRECTOR

Received By:
W. Carl Richards Jr.
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Gary L. Wapner, et ux
 Petitioner's Attorney: Stephen J. Nolan

92-316-SPH

92-316-SPH

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: March 16, 1992

FROM: Gary Kerns, Chief
Community and Comprehensive Planning Division
Office of Planning and Zoning

SUBJECT: Wapner Property, Item No. 328

In reference to the Petitioner's request, staff offers the following comments:
This property is located in an Agricultural Preservation Area as designated in the Master Plan 1989-2000.

The Office of Planning and Zoning supports the applicant's request conditional upon the following:

- A note shall be placed on the plat accompanying this request indicating the agriculture is the preferred land use and that the property may be subject to inconveniences or discomforts arising from agricultural operations, including: operation of machinery of any kind (including aircraft) during any 24-hour period, the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. Provided that the agricultural operation is complying with all Federal, State or County health and zoning requirements and is not being conducted in a negligent manner, the County shall not consider the operation to be a public or a private nuisance.
- The creation of lots 1 and 2 must be consistent with DEPRM's policies for prime and productive soils (Development Regulations Section 22-99).

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.

Report prepared by:

Jeffrey Long
Jeffrey Long

RECEIVED
MAR 18 1992
ZONING OFFICE

GK:JL:ph
ITEM 328.ZAC/ZAC1

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

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: March 11, 1992

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #328, Zoning Advisory Committee Meeting of March 3, 1992, Gary L. Wapner & Peggy A. Wapner, S/S Beckleysville Road, 550 SWly of Spook Hill Road (2639 Beckleysville Road), D-6, Private Water and Sewer

COMMENTS ARE AS FOLLOWS:

Based upon the review and evaluation of the Wapner plan currently submitted under the Special Hearing process, the Department of Environmental Protection and Resource Management has concluded that the creation of lots 1 and 2 are inconsistent with the County's Prime and Productive soil policy (County Council Bill #134-89). Tract A is approximately 90 percent prime and productive soils, thereby restricting the location of these lots. In recognition of this fact, this Office believes that the most suitable area for these lots is adjacent to the Pleasant Farm subdivision so that the remaining agricultural resources will not be impacted. However, the proposed lots are too large and should be reduced to meet the requirements outlined in the prime and productive soils policy, which is 60,000 square feet.

Prior to any subdivision approval, any site with streams or wetlands must be developed in accordance with Article IX Section 14.331 through 35 of the Baltimore County Code.

SSF:rmp

328.ZNG/GWRMP

RECEIVED
MAR 13 1992
ZONING OFFICE

Baltimore County Government
Fire Department

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

(301) 887-4500

MARCH 3, 1992

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

RE: Property Owner: CARY L. WAPNER AND PEGGY A. WAPNER
Location: #2639 BECKLEYSVILLE ROAD
Item No.: 328 Zoning Agenda: FEBRUARY 3, 1992

Comments:

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: *John A. ...* Noted and Approved
Fire Prevention Bureau
Special Inspection Division

JF/REK

RECEIVED
MAR 3 1992
ZONING OFFICE

BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION
Memorandum

TO: Julie Winiarski
Office of Zoning Administration and
Development Management

FROM: A. J. Haley, Deputy Director
Economic Development Commission

DATE: March 3, 1992

RE: Zoning Advisory Comments for Meeting of March 3, 1992

This office has no comment for items 328, 329, 330, 331, 332, 333, and 334.

cc: Ken Nohe

RECEIVED
MAR 3 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: March 16, 1992

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 3, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 117 (Case No. 92-108-X), 329, 330, 331, 333 and 334.

For Item 316, the previous minor subdivision comments still apply.

For Item 298 (Case No. 92-296-XA), and Item 332, the sites must be submitted through the new subdivision process for review and comments.

For Item 328, the site must be submitted through the minor subdivision process for review and comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

RECEIVED
MAR 17 1992
ZONING OFFICE

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

DATE: March 26, 1992

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

FROM: Rahee J. Famill

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 3, 1992

This office has no comments for item numbers 328, 329, 330 and 331.

Rahee J. Famill
Rahee J. Famill
Traffic Engineer II

RJF/lvd

RECEIVED
MAR 30 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth / SHM (2)(Pre-App Permit only) DATE: August 20, 1992

Mr. Powell / EIRD
Mr. Pilson / W&S
Mr. Bowling / CED (2)
Mr. Famill / Traffic
Mr. Weiss / Sanitation
Mr. Beaumont / Land Acq.
Ms. Lutz / House Nos.
Capt. Pfeifer / Fire Dept.
Mr. Kincer / Rec. & Parks
Ms. Blank / SHA
Mr. Butcher / CMP
Mr. McDaniel/Strategic Planning/Development Review (3)

DATE: August 20, 1992

Please indicate here if you:
Agency Requests DPW/Bureau of:
Land Acquisition to Acquire :
REQ. BY:
HIGHWAY WIDENING :
FOREST BUFFER :
GREENWAY :
FLOODPLAIN :
DRAINAGE/UTILITY ESMT :
NONE OF THE ABOVE :
:XXXX

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: District: 6C3
Project Name: Gary and Peggy Wapner
Project No.: 92211M Spook Hill Road
Engineer: E. F. Raphael & Assoc.
Phone No.: 825-3908

ACTION REQUESTED:
CRG Plan Review (Meeting Waived) :
CRG Plan Refinement Review :
CRG Non-Material Amendment Review :
CRG Plan Approval Extension Review :
Panhandle Minor CRG Plan Review :
Minor Subdivision Review :XXXX

Pre-Approved Building Permits:

Please provide separate comments for Building Permits.
NOTE: Please detail any comments where permit cannot be approved, but subdivision approval is acceptable.

Please review the attached plan for compliance with current regulations and return comments to our office by Sept. 14, 1992. If you have no comments or do not need to review this plan, please indicate by placing your initials here _____.

Thank you for your attention to our request.

SDM:dkd
cc: File, Melissa

TO: CAM
RECEIVED
MAR 18 1992
By: scj

NEWTON A. WILLIAMS
THOMAS J. REINER
WILLIAM P. ENGLISHART, JR.
STEPHEN J. NOLAN
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN W. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CANALE, JR.
LOUIS G. CLOSE, II
E. BRUCE JONES, II
GREGORY J. JONES
J. JOSEPH CURRAN, II
*ALSO ADMITTED IN N.C.
*ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

JAMES B. NOLAN
J. EARLE PLUMHOFF
RALPH E. DETZ
OF COUNSEL
T. BAYARD WILLIAMS, JR.
RICHARD L. SCHAEFFER
WRITER'S DIRECT DIAL
803-7853

February 21, 1992

HAND DELIVERY
Ms. Kate Milton
Zoning Administration
and Development Management
County Office Building
Towson, Maryland 21204

Re: Our Clients: Gary and Peggy Wapner
Petition for Special Hearing

Dear Ms. Milton:

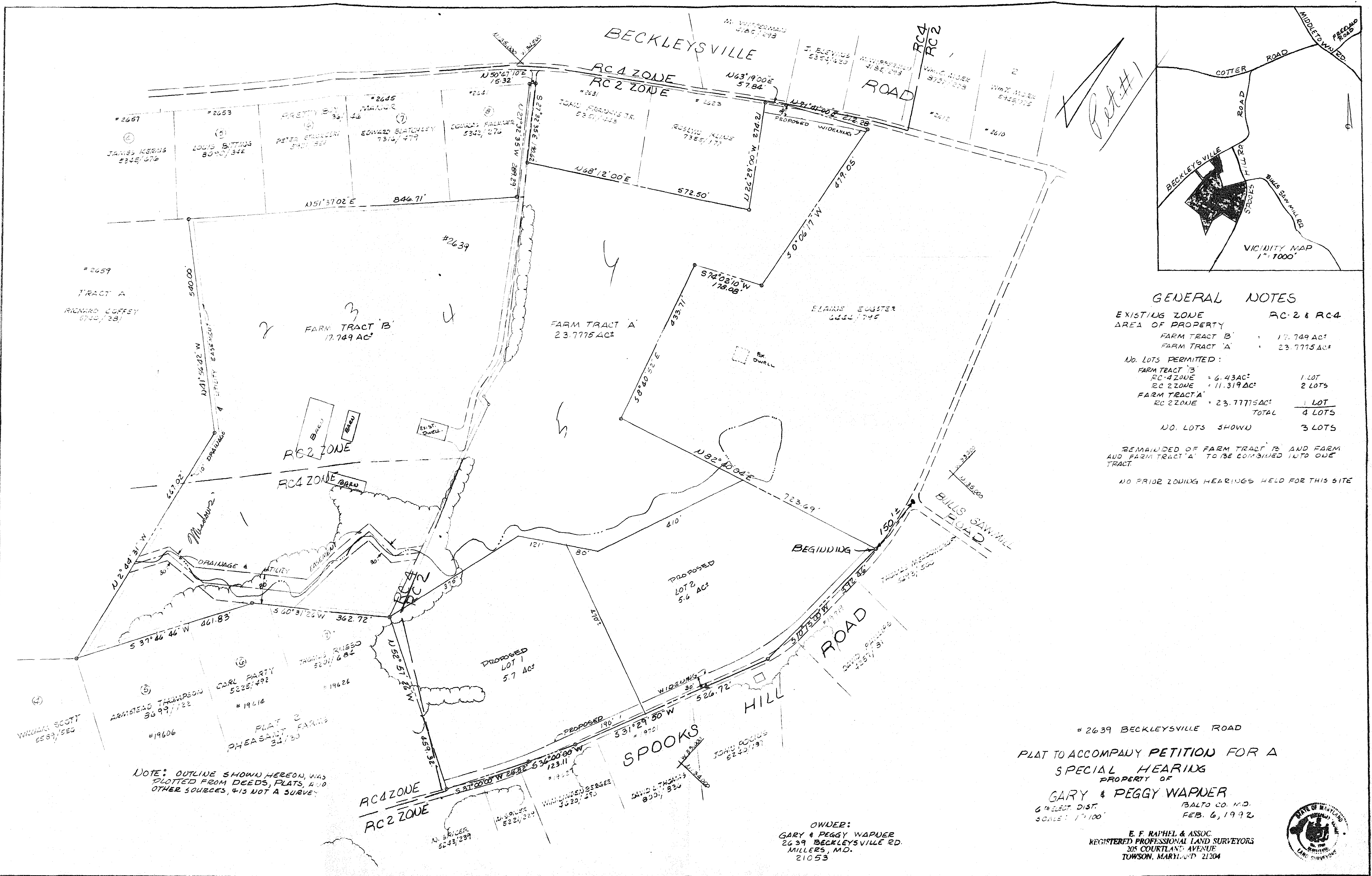
In accordance with your recent meeting with our clients' surveyor, Mr. E.F. Raphael, I am enclosing the following documents for filing as a new zoning case:

1. Original and two original signed copies of Petition for Special Hearing;
2. Three (3) copies of the Zoning Description;
3. Copy of 200 scale 1988 Zoning Map with the subject property designated thereon;
4. Copy of 200 scale Aerial Photogrametric Map;
5. Ten (10) copies of Plat to Accompany Petition prepared by E.F. Raphael and dated February 6, 1992; and
6. Our firm's check in the amount of \$105.00 to cover the filing cost.

Please schedule the hearing for the earliest possible date.

92-316 SPH

328



GENERAL NOTES

EXISTING ZONE: RC-2 & RC-4
 AREA OF PROPERTY:
 FARM TRACT 'B': 17.749 AC
 FARM TRACT 'A': 23.7775 AC

NO. LOTS PERMITTED:

FARM TRACT 'B'	RC-4 ZONE	6.43 AC	1 LOT	
FARM TRACT 'A'	RC-2 ZONE	11.319 AC	2 LOTS	
FARM TRACT 'A'	RC-2 ZONE	23.7775 AC	1 LOT	
			TOTAL	4 LOTS

NO. LOTS SHOWN: 3 LOTS

REMAINDER OF FARM TRACT 'B' AND FARM AND FARM TRACT 'A' TO BE COMBINED INTO ONE TRACT.

NO PRIOR ZONING HEARINGS HELD FOR THIS SITE.

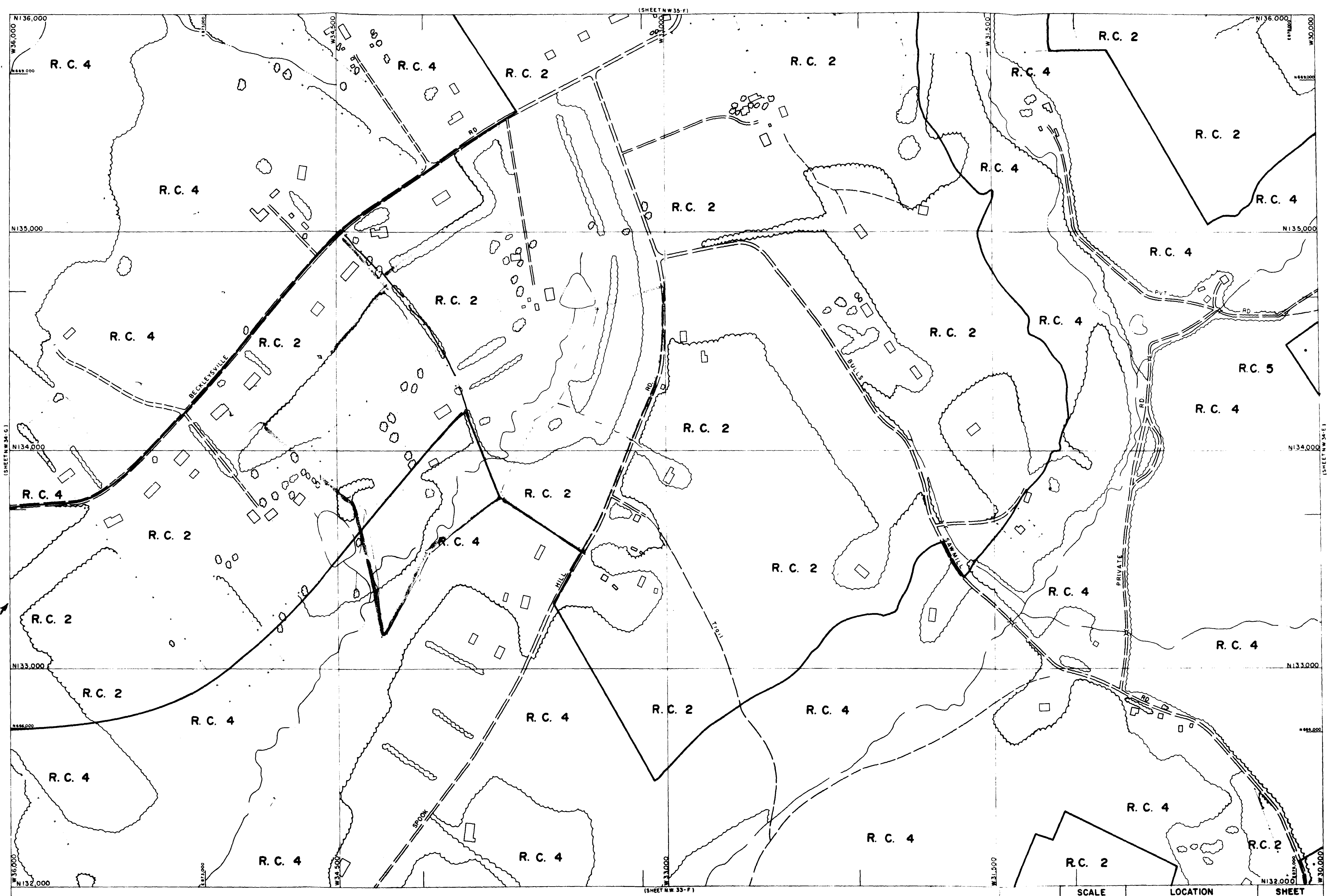
NOTE: OUTLINE SHOWN HEREON, WAS PLOTTED FROM DEEDS, PLATS, AND OTHER SOURCES, & IS NOT A SURVEY.

OWNER:
 GARY & PEGGY WAPNER
 2639 BECKLEYSVILLE RD.
 MILLERS, M.D.
 21053

#2639 BECKLEYSVILLE ROAD
 PLAT TO ACCOMPANY PETITION FOR A
 SPECIAL HEARING
 PROPERTY OF
 GARY & PEGGY WAPNER
 GALEST. DIST. BALTO. CO. MD.
 SCALE: 1"=100' FEB. 6, 1992

E. F. RAPHEL & ASSOC.
 REGISTERED PROFESSIONAL LAND SURVEYORS
 305 COURTLAND AVENUE
 TOWSON, MARYLAND 21284





JJ-NE

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

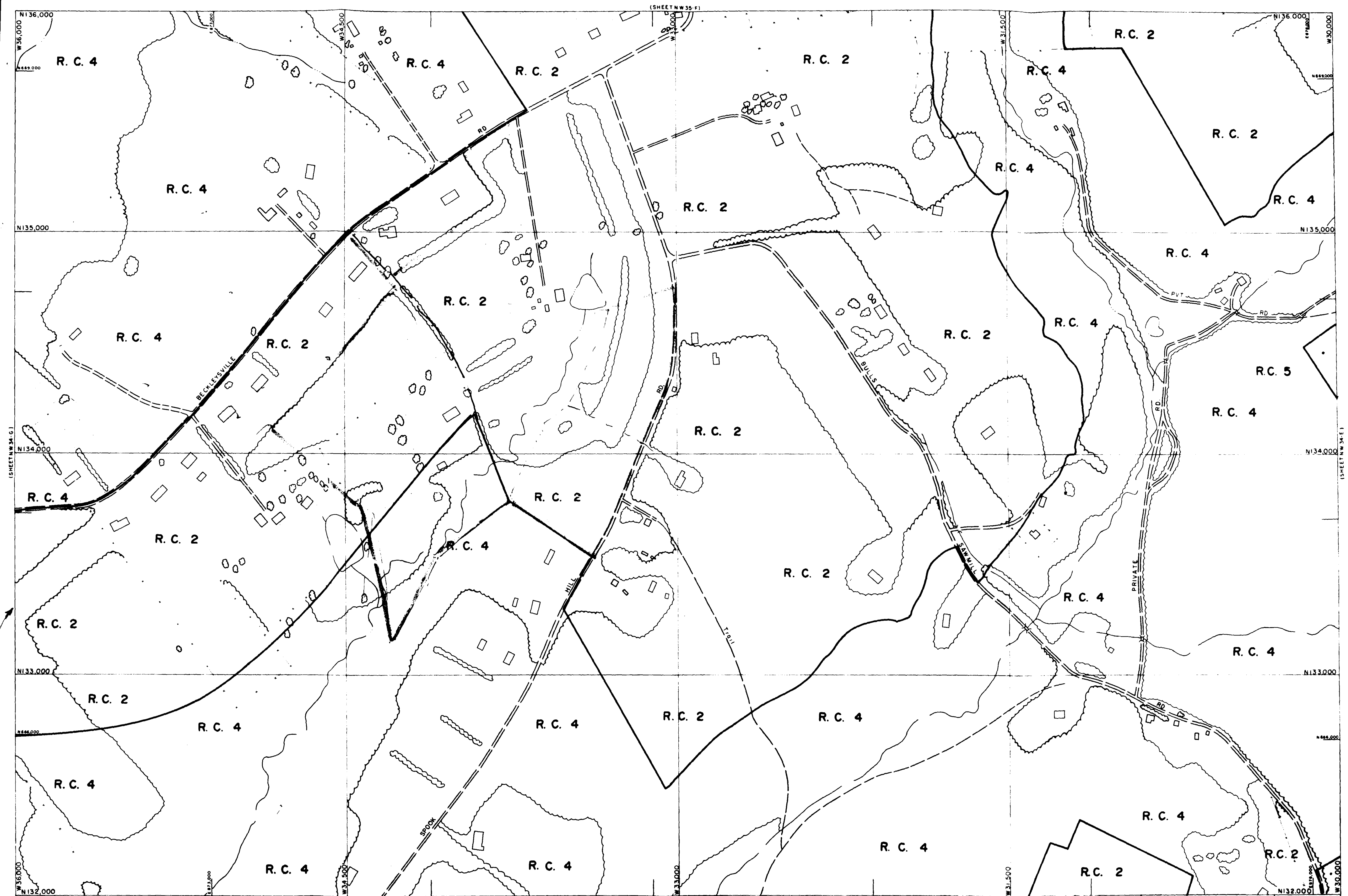
 Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	SOUTH OF EKLO	NW
DATE OF PHOTOGRAPHY JANUARY 1986		34-F

Not No 5



JJ - NE

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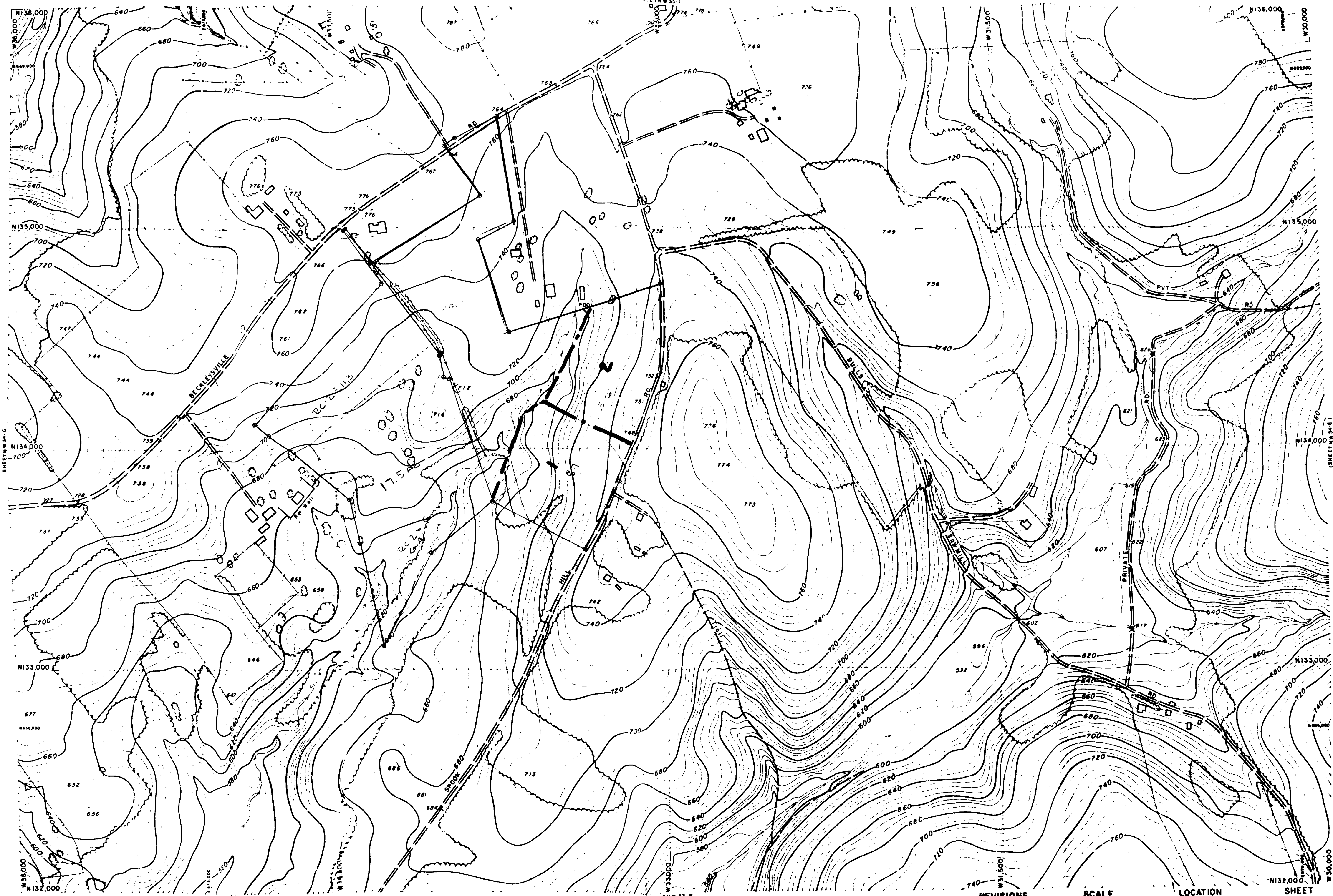
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Debra J. Voss
 Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION SOUTH OF EKLO	SHEET NW
DATE OF PHOTOGRAPHY JANUARY 1986		34-F

Net No 5



JJ-NE

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY, MARYLAND

TOTAL 41.3 AC
35A/R/C 2

REVISIONS
BY DATE

SCALE
1" = 200'

LOCATION

SHEET

DATE OF
PHOTOGRAPHY
APRIL 1961

SOUTH OF EKLO

NW
34-F

Topography Compiled By Photogrammetric Methods
MAPS, INCORPORATED - BALTIMORE 22, MARYLAND