

**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

April 22, 2004

Ms. Kim Tsirigos
Beef Shakes
P.O. Box 187
Reisterstown, Maryland 21136

Dear Ms. Tsirigos:

RE: Zoning Verification, Lot 1, The Richardson Property, 4th Election District

Your Spirit and Intent letter has been referred to me for reply. Based upon a review of the plan which accompanied the letter and a research of the zoning records the following has been determined.

The concept of establishing a commercial restaurant use on Lot I of the Richardson Property is considered to be within the "Spirit and Intent" of the decision and order of zoning case no. 93-296-SPH. Please prepare and submit to this office an amended version of the site plan submitted in Zoning Case No. 93-296-SPH **clearly showing the addition and other collateral changes**, including a signature block titled:

**APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE
PLAN AND ORDER IN ZONING CASE No. 93-296-SPH**

Signed By

Date

This amended plan will be included in the existing zoning case file. It is recommended that this project be scheduled for Development Review Committee review and processing.

I trust that the information set forth in this letter is sufficiently detail and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Lloyd T. Moxley", is written over a horizontal line.

Lloyd T. Moxley
Planner II
Zoning Review

LTM

Visit the County's Website at www.baltimorecountyonline.info





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 18, 2001

Mr. Albert LeRoy Snyder,
Surveyor, Inc.
1911 Hanover Pike
Hampstead, Maryland 21074

Dear Mr. Snyder:

RE: Spirit and Intent, The Richardson Property,
Case No. 93-296 SPH,
4th Election District

Your resubmitted Spirit and Intent letter has been referred to me for reply. Based upon a review of the plan, which accompanied the letter and a research of the zoning records the following has been determined:

The plan submitted with the letter indicates the interior lot line common to lots 1 and 2 will move north as a result of your efforts to address DEPDM issues. Further, the existing houses are to remain. The Baltimore County Department of Permits and Development Management considers the proposed amendments to the approved plan for the Richardson Property as being within the "Spirit and Intent" of the order contained in the above referenced case. You must sticky-back a copy of this letter on all plans submitted to Baltimore County for permit approval.

Please prepare an amended plan clearly showing the line revision and other collateral changes, including a signature block filled:

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND ORDER IN ZONING CASE # 93-296 SPH

Signed By _____ Date _____

This amended plan will be included in the zoning case file.

I trust that the information set forth in this letter is sufficiently detail and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Lloyd T. Moxley
Planner II
Zoning Review

LTM

NOTES:

1. CURRENT TITLE REFERENCE:
DEED REF: S.M. 11447 FOLIO 221
DATE: JANUARY 18, 1900
GRANTORS: JOHN HERBERT SMITH & RUBY BELLE RICHARDSON
OWNERS: JOHN D. RICHARDSON & MARY PATRICIA RICHARDSON
2. CURRENT ZONING CLASSIFICATION: (BALTO. CO. 200 SCALE ZONING MAP NW 17K)
BL-CR
3. TOPOGRAPHY SHOWN HEREON IS TAKEN FROM BALTO. CO. TOPO MAP NW 17K.
4. SOILS MAP: 20
5. GROSS AREA: 4.95671 AC.
6. NET AREA: 4.38810 AC.
7. DENSITY: USE ADJOINING RESIDENTIAL ZONING TO DETERMINE DENSITY (R.C.2)
2 LOTS WHEN LESS THAN 100 AC.
8. THIS PROPERTY, SHOWN HEREON, HAS BEEN HELD INTACT SINCE JULY 10, 1973. THE DEVELOPER'S SURVEYOR CONFIRMS, TO THE BEST OF HIS KNOWLEDGE, NO PART OF THE GROSS AREA OF THIS PROPERTY HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
9. WATERSHED: GLEN FALLS
10. SUBWERSHED: N/A
11. REGIONAL PLANNING DISTRICT: 303
12. SCHOOL DISTRICT: D1 (FRANKLIN)
13. TAX MAP 30 BLOCK 29 PARCEL 241
14. TAX ACCOUNT NUMBER: 1100010811
15. THERE ARE NO WELLS AND/OR SEPTICS LOCATED WITHIN 100 FEET OF SITE UNLESS OTHERWISE SHOWN HEREON.
16. THERE ARE NO UNDERGROUND FUEL OR PESTICIDE TANKS ON SITE UNLESS OTHERWISE SHOWN HEREON.
17. ALL SITE RUN-OFF MUST BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING WATERBODY, WATERCOURSE, WETLAND, STORM DRAIN OR ADJACENT PROPERTY.
18. TOTAL AREA OF PROPOSED LAND DISTURBANCE: 0
19. 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.
20. HOUSE DOWNSPOUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS OR INTO DRYWELLS, WHERE FEASIBLE.
21. ADDITIONAL SUBDIVISION OF THESE PARCELS AND/OR LOTS MAY REQUIRE S.W.M. CONTROLS FOR THIS SITE AND THE ADDITIONAL SUBDIVISION.
22. ZONING HISTORY:
CASE # 93-296-SPH
REQUEST: NONCONFORMING USE IN A B.L. ZONE (APARTMENT USE #1301B)
% SUPPORTING AREA FOR 6 APARTMENTS REDUCED TO 1,523 AC.
REQUEST GRANTED JUNE 28, 1993
23. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER AND/OR FOREST CONSERVATION EASEMENTS EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
24. ANY FOREST BUFFER AND/OR FOREST CONSERVATION EASEMENTS SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE OF THESE AREAS.
25. BUILDINGS SHOWN HEREON SHALL REMAIN UNLESS OTHERWISE SHOWN HEREON.
26. A VARIANCE WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FROM REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. THE FOREST BUFFER EASEMENT AND BUILDING SETBACK SHOWN HEREON ARE REFLECTIVE OF THE FACT THAT THIS VARIANCE WAS GRANTED. CONDITIONS WERE PLACED ON THIS VARIANCE TO REDUCE WATER QUALITY IMPACTS.
27. WITHIN THE FOREST BUFFER EASEMENT #1, THE EXISTING GRASSED SHALE SHALL REMAIN IN ITS CURRENT STATE, IN ORDER TO PROVIDE WATER QUALITY IMPACTS. (MOWING & MAINTENANCE IS PERMITTED)
28. FOREST BUFFER EASEMENT #2, WEST OF THE EXISTING HOUSES AND GARAGE, SHALL COINCIDE WITH THE TOE OF SLOPE CREATED DURING GARAGE CONSTRUCTION, AND SHALL BE PERMANENTLY POSTED AT 100-FOOT INTERVALS WITH "FOREST BUFFER - DO NOT DISTURB" SIGNS (THAT ARE AVAILABLE FROM D.E.P.R.M.) BY NOVEMBER 1, 1999.
29. ALL TRASH, JUNK AND DEBRIS, IN ADDITION TO ANY STRUCTURES NOT APPROVED VIA A VARIANCE, SHALL BE REMOVED FROM THE FOREST BUFFER EASEMENTS PRIOR TO THE RELEASE OF ANY PERMITS FOR THE PROPERTY OR BY DECEMBER 1, 1999, WHICHEVER COMES FIRST.
30. ALL CONDITIONS OF CORRECTION NOTICE SC 97-139, SHALL BE SATISFACTORILY ADDRESSED, PRIOR TO SUBDIVISION APPROVAL.
31. I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE FOLLOWING AGENCY COMMENTS: PDM-ZONING REVIEW, DATE: 5-21-01; PDM-DPR, DATE: 5-15-01, AND HAVE PREPARED WITH DUE DILIGENCE THIS LIMITED EXEMPTION DEVELOPMENT PLAN PURSUANT TO THOSE AGENCY COMMENTS.

PREPARED BY:

A.L. SNYDER
SURVEYOR, INC.
1911 HANOVER PIKE
HAMPSTEAD, MD 21074
PHONE: 410-239-7744



DEVELOPMENT PLAN OF "THE RICHARDSON PROPERTY"

FOURTH ELECTION DISTRICT

BALTIMORE COUNTY, MD.

COUNCILMANIC DISTRICT: 3

CENSUS TRACT: 4046

SCALE: 1"=50'

DATE: NOVEMBER 24, 1998

REVISION: 6/10/01, ADD ZONING CASE "THE RICHARDSON PROPERTY" NOTE, REVISE NOTES 31

REVISION: 3/10/00, SHOWN SEPTIC AREA (NOTED) & NEW BL-WELL ON LOT 2

REVISION: 2/10/00, SHOWN OLD DRYWELL PP. DURING PESTICIDE TESTS (15-00) LOT 2

REVISION: 4/20/00, EX. HOUSE ON LOT 1 TO REMAIN, ADD SEPTIC AREA & PERKS TO LOT 1

REVISION: 2/2/00, ADD NOTE 31, CHANGE PLAN FROM MINOR SUB. TO B-2, R/LN LINE FOR OLD HANOVER ROAD.

OWNER: JOHN D. RICHARDSON
1115 PINE DRIVE
WESTMINSTER, MD 21156

GENERAL NOTES

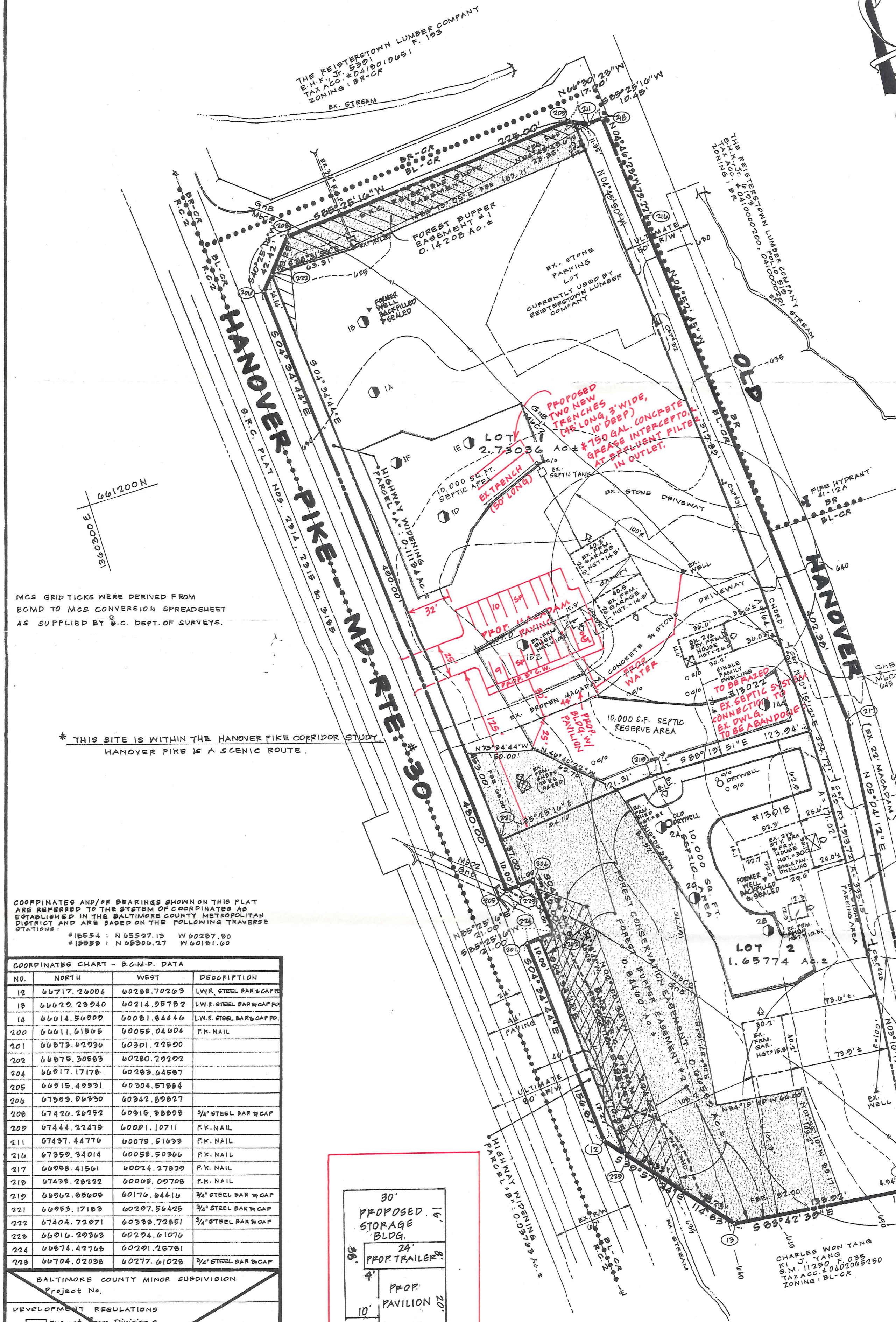
1. Existing Zoning: BL-CR
2. Lot Area: 2.73 AC +/- or 118,916 S.F. +/-
3. Building Area: Trailer: 192 S.F.
Pavilion: 400 S.F.
Storage: — S.F.
Total: 592 S.F.
4. Spaces to be permanently striped per proposed layout
5. Parking Calculations: 16 spaces per 1000 S.F. = 10 spaces needed
Parking Proposed: 16 spaces PLUS 1 HANDICAP SPACE = 20
Regular space: 8'5" x 18' Handicap Space: 12' x 18'
6. Existing use: Existing drawing and garages not occupied
7. Light standard and direction of height 12' high
8. Proposed sign to meet B.C.Z.R.
9. No change in Zoning within 200' of site

* EXISTING USE OF LOT 1 TO REMAIN. ANY FURTHER DEVELOPMENT OF EITHER LOT WILL BE SUBJECT TO D.P.C. REVIEW.

HIGHWAY WIDENING:
PARCEL "C": 0.41964 AC. ±

RED-LINE REVISION:
APRIL 4, 2004
SITE SITE SURVEYING, INC.
200 E. JOPPA ROAD
ROOM 101
TOWSON, MD 21286
(410) 828-4060

DRC # 032204L
B-9 REFINEMENT



MCS GRID TICKS WERE DERIVED FROM
BOMD TO MCS CONVERSION SPREADSHEET
AS SUPPLIED BY S.C. DEPT. OF SURVEYS.

* THIS SITE IS WITHIN THE HANOVER PIKE CORRIDOR STUDY
HANOVER PIKE IS A SCENIC ROUTE.

COORDINATES AND/OR BEARINGS SHOWN ON THIS PLAN
ARE REFERRED TO THE SYSTEM OF COORDINATES AS
ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN
DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE
STATIONS:
#15584 : N 65507.13 W 60297.80
#15599 : N 65906.27 W 60181.60

COORDINATES CHART - B.O.M.D. DATA			
NO.	NORTH	WEST	DESCRIPTION
12	66717.26004	60289.70263	LWR. STEEL PARKING
19	66620.23040	60214.95782	LWR. STEEL PARKING
14	66614.56990	60081.84440	LWR. STEEL PARKING
100	66611.61855	60058.04504	F.R. NAIL
201	66673.61236	60301.42500	
202	66679.30883	60280.20202	
204	66617.17178	60283.64587	
205	66618.49591	60304.87884	
206	66693.86350	60342.80827	
208	66420.26152	60319.98809	3/4" STEEL PARKING
209	66444.27475	60081.10711	F.R. NAIL
211	66491.44776	60078.51039	F.R. NAIL
210	66399.94014	60058.50366	F.R. NAIL
217	66098.41561	60074.27820	F.R. NAIL
218	66438.28222	60005.00708	F.R. NAIL
219	66602.95005	60176.64416	3/4" STEEL PARKING
221	66093.17183	60207.56425	3/4" STEEL PARKING
222	66404.72071	60333.72851	3/4" STEEL PARKING
223	66016.39365	60204.61076	
224	66874.42768	60201.92781	
225	66704.02098	60217.61028	3/4" STEEL PARKING

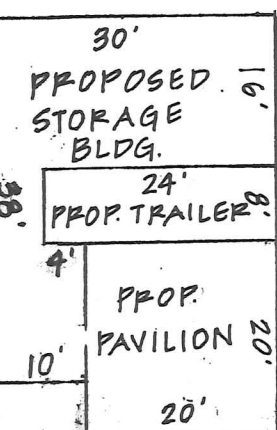
BALTIMORE COUNTY MINOR SUBDIVISION
Project No. _____

DEVELOPMENT REGULATIONS
☐ Exempt from Division 2
☐ Partially, exempt from Sections 26-201 to 26-206

P.D.M. CERTIFICATION
☐ Approved ☐ Disapproved

By: _____ Date: _____

APPROVED: D.E.P.R.M.
By: _____ Date: _____



"INSERT"
SCALE: 1"=20'



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 14, 2000

Mr. Albert LeRoy Snyder,
Surveyor, Inc.
1911 Hanover Pike
Hampstead, Maryland 21074

Dear Mr. Snyder:

RE: Zoning Verification, The Richardson Property, 4th Election District

Your Spirit and Intent letter has been referred to me for reply. Based upon a review of the plan which accompanied the letter and a research of the zoning records the following has been determined.

The plan submitted with the letter indicates the interior lot line common to lots 1 and 2 will move north. Further, the existing single family dwelling on lot 1 will be razed, the existing accessory buildings (garages) are to remain and it is noted that residential use will remain on lot 1

The plan to accompany the Petition for Special Hearing in Case #93-296-SPH does not indicate the house on lot 1 is to be razed nor does this intention appear in the FINDINGS OF FACT AND CONCLUSIONS OF LAW prepared by the Baltimore County Zoning Commissioner for this case.

By definition accessory buildings are subordinate in size and use to the principal structure on site. An existing accessory structure without a principal structure cannot conform to the requirements of the Baltimore County Zoning Regulations (B.C.Z.R.).

The plan as submitted will require a Special Hearing to permit non-farm building accessory buildings on a lot without a principal building and to amend what was granted and restricted in the case for Special Hearing, No. 93-296-SPH.

I trust that the information set forth in this letter is sufficiently detail and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Lloyd T. Moxley
Planner II
Zoning Review

LTM:kew



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

RWO 2/9 gm

2/7/00
look
f

To: 11, 14 -
2/8/00 uca
RWO 2/9 gm

A. L. Snyder
Surveyor, Inc.
1911 Hanover Pike
Hampstead, Maryland 21074

(410) 239-7744

February 3, 2000

(410) 374-9695

Mr. Arnold Jablon, Director
Baltimore County Department of Permits and
Development Management

Re: Petition for Special Hearing - #13018 & #13022 Old Hanover Pike
Case No. 93-296-SPH
DRC No. 062281

Dear Mr. Jablon,

The Zoning Commissioner, in his order dated June 23, 1993, granted approval of the apartment use of the property as a nonconforming use in a BL Zone and further that the required support area for the five apartments may be reduced to 1.523 acres, subject to the resolution of the issues identified in the ZAC comments from DEPRM and DPW and compliance with comments generated during the subdivision process.

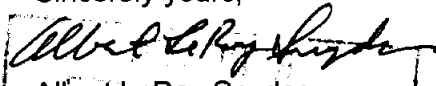
A Development Plan has been prepared and submitted to the Baltimore County Office of Planning and Development Management (PDM) for review. All comments generated by that review have been addressed and satisfied; including those of the Department of Environmental Protection and Resource Management (DEPRM) and the Department of Public Works (DPW).

In order to satisfy the concerns of DEPRM as they relate to the existing and proposed wells on the property, the position of the dividing line between the proposed Lot 1 and Lot 2 has been shifted 27.9 feet to the north or further away from the 2 ½ story building which houses the apartments. The setback dimension is now 62.9 feet to the proposed lot line rather than 35 feet as shown on the Zoning Plat (Exhibit No. 1). This shift is necessary in order to allow for the placement of a septic disposal area and a well on that lot (Lot 2) which also allows for the placement of the Forest Conservation Easement, all of which are shown on the Development Plan, a copy of which is attached.

In addition, by shifting the dividing line between Lots 1 & 2, the area of Lot 1 becomes 1.65774 acres rather than the requested 1.523 acres.

By this letter I am asking that these changes be considered as in keeping with the spirit and intent of the conditions stated in the Zoning Petition.

Sincerely yours,


Albert LeRoy Snyder
Enclosure - 1

MEMBER: Md. Soc. of Surveyors • W. Va. Assoc. of Land Surveyors • A.C.S.M.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 078913

DATE 2/5/00 ACCOUNT 001-6156
AMOUNT \$ 40.00 (LTD)

RECEIVED FROM: AL Snyder

FOR: 00 - 267

13013 + 13000 Old 16.0000

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

NO. 078913
DATE 2/5/00
AMOUNT \$ 40.00
RECEIVED FROM: AL SNYDER
FOR: 00 - 267
13013 + 13000
CASHIER'S SIGNATURE
CASHIER'S NAME
CASHIER'S TITLE

CASHIER'S VALIDATION

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
W/S Old Hanover Pike, 2625' N * ZONING COMMISSIONER
of Butler Road *
13018 & 13022 Old Hanover Pike * OF BALTIMORE COUNTY
4th Election District *
3rd Councilmanic District * Case Nos. 93-296-SPH
John Herbert Smith, et al
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the subject tract known as 13018 and 13022 Old Hanover Pike in Reisterstown. The Petition is filed by the property owners; namely, John Herbert Smith, Ruby Belle Richardson and Anna Evelyn Bennett. Within the Petition, the property owners seek an Order establishing the apartment use of the property as a nonconforming use in a B.L. zone. Further, they request a reduction in the required support area for the five apartments to 1.523 acres. The relief requested and subject property is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the public hearing for this case were the Petitioners/property owners, John Herbert Smith and Ruby Belle Richardson. Testifying was Cynthia Bowden, a licensed land surveyor who prepared the plat. Several other long time residents of the subject locale also appeared including Calvin O. McElhattan, Jr. The Petitioners were represented by Lloyd J. Hammond, Esquire. Although no Protestants appeared at the hearing, correspondence was subsequently received from Gilbert Merryman. Mr. Merryman's correspondence received on May 10, 1993 has been entered into the case file.

Ms. Bowden testified and presented the plan. She noted that the

subject site currently exists as a single lot and is approximately 4.6 acres in area. Presently, the site is zoned B.L. It has enjoyed this zoning classification since 1980.

She testified that the Petitioners are desirous of subdividing the tract into two lots. Lot No. 1, as shown on the site plan, will be 2.933 acres and is on the north side of the tract. To the south, lot No. 2 will be 1.523 acres. Ms. Bowden also noted that the site is improved. Lot No. 1 features a 2-story framed dwelling, a macadam driveway and garage. Lot No. 2 has a 2-story brick structure which supports five apartments.

As to the zoning history of the site, Ms. Bowden noted that the property was zoned "A" from the date of the adoption of the zoning regulations in Baltimore County (1945) until the regulations were comprehensively amended 10 years later (1955). In 1955, the zoning was changed to R-20, a classification which continued until 1971. The property was then zoned B.R. until it was changed to the present B.L. classification in 1980.

It is to be noted that apartments were not permitted under the "A" zoning classification. However, Section 203.1 of the 1955 edition of the Baltimore County Zoning Regulations (B.C.Z.R.) permitted the same uses in the R-20 zoning classification as were allowed in R-40. Further, Section 200.2 of the B.C.Z.R. allowed conversion of a one family dwelling to apartment use, as conditioned in Section 402 of the B.C.Z.R. The current language in Section 402 is unchanged from the 1955 zoning regulations. The Petitioners argue that these sections must be read in conjunction with one another to permit the apartment use as nonconforming. It is argued that the property was lawfully converted from a single family dwelling to an apartment use during the period of its R-20 zoning classification and,

therefore, should be permitted as a nonconforming use, notwithstanding the subsequent reclassification of the property to a business zone.

Substantial fact testimony was also presented in support of this position. Specifically, Ms. Bowden noted that the property, in terms of its dimension, complies with all of the requirements set forth in Section 402.2 of the B.C.Z.R. That is, the property is large enough in terms of lot width, lot area and setback distance. She further observed that even after the proposed subdivision, the apartment property (lot No.2) will satisfy all of the requirements of Section 402.2. The lot will be of certain sufficient acreage, width and setbacks to satisfy the requirements of Section 402.2.

As to the history of the use of the property, the testimony of the witnesses was uncontradicted that five apartment units have existed on site, well prior to the adoption of the B.R. zoning in 1971. Further, the witnesses all testified that the use has been continuous and uninterrupted and there has been no discontinuance or abandonment of said use. Testimony on this subject, particularly from Mr. McElhattan, a long time resident of the locale, was persuasive.

As noted above, zoning came officially to Baltimore County on January 2, 1945, when, pursuant to previous authorization by the General Assembly, the County Commissioners adopted a comprehensive edition of zoning regulations. These regulations were comprehensively amended in 1955. Section 104 of the B.C.Z.R. establishes the parameters which must be used to determine if the nonconforming use is legitimate. Further, a nonconforming use is defined in Section 101 of the B.C.Z.R., as "a legal use that does not conform to a use regulation for the zone in which it is located, or to a special regulation applicable to such a use." As applied in the instant

case, a nonconforming use may be utilized to grandfather a long established use which is now illegal. That is, if the use existed prior to the adoption of a regulation or a zoning classification prohibiting such a use on that property, the use may continue under the standards set forth in Section 104 of the B.C.Z.R.

In considering the testimony and arguments offered in this case, I am persuaded that the Petitioners logic is sound and that the use is nonconforming. Clearly, the R-20 zoning classification which this property enjoyed permitted a conversion of single family dwellings to apartment uses. Further, the conversion in this case was entirely appropriate and satisfied the requirements regulating apartment conversion set forth in Section 402. Further, it may be gleaned from the factual testimony presented that the use has continued uninterrupted since the 1950s. It is clear that there has been no abandonment or discontinuance of the use since that time. Therefore, based upon the testimony and evidence offered, I am persuaded that the Petition should be granted, thereby establishing the nonconforming use. Further, since the area width and setback regulations prescribed in Section 402 will continue to be satisfied even after the subdivision, a redesignation of that portion of the tract attributable to the apartments is proper.

Notwithstanding my conclusions in this regard, an additional comment is in order as it relates to the correspondence received from Mr. Merryman. Mr. Merryman submitted, for my consideration, a copy of a document entitled "Standard Contract of Sale" dated January 28, 1985. He maintains that he is a contract purchaser of the property and thus must participate in the hearing in order for the Petition to be considered.

Mr. Merryman also objects to the plat submitted and claims that same contains a number of inaccuracies.

As to his participation in the hearing, I clearly do not have the authority to determine if Mr. Merryman has any rights in the property under the alleged contract. I note that the contract is over eight years old and does contain a "time is of the essence" clause. If Mr. Merryman believes that he can exercise certain rights under that contract, he should pursue an appropriate remedy through the Circuit Court of Maryland for Baltimore County. However, as Zoning Commissioner, I am not empowered to decide questions of contract and define the rights of the parties. As to his other point, there has been no competent evidence presented that the plat is inaccurate. It has been filed under seal of a Registered Property Line Surveyor. Thus, I am persuaded that it is accurate.

Lastly, it is to be noted that certain comments were offered by the Zoning Plans Advisory Committee (ZAC). This committee reviews every zoning petition submitted in Baltimore County. The comments offered by the Office of Planning and Zoning have been addressed in the discussion of the nonconforming use above. However, there are other comments which have been submitted by both the Department of Environmental Protection and Resource Management (DEPRM) and the Department of Public Works (DPW). DEPRM requests that certain attention must be made as it relates to existing and proposed wells on the property, as well as compliance with environmental concerns and the Forest Conservation Act. Counsel for the Petitioners proffered that these concerns would be addressed and satisfied during the subdivision process. Likewise, DPW requested modification of the plan to show adequate on site parking and maneuvering area as well as a restricted access to Old Hanover Road. Again, Mr. Hammond noted that these concerns

would be addressed and satisfied during this subdivision process. Thus, in line with the ZAC comments and the Petitioners' representations, I shall grant the Petition for Special Hearing, conditioned on compliance with the ZAC comments during the subdivision process.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of June, 1993, that, pursuant to the Petition for Special Hearing, approval of the apartment use of the property as a nonconforming use in a B.L. zone, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a reduction in the required support area for the five apartments to 1.523 acres, be and is hereby GRANTED, subject, however, to the following restrictions 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.

2. The Petitioners shall reach a resolution of the issues identified in the ZAC comments from DEPRM and DPW. Said resolution shall be obtained during the subdivision process.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mnn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 24, 1993

Lloyd V. Hammond, Esquire
616 Main Street
Reisterstown, Maryland 21136

RE: Petition for Special Hearing
Case No. 93-296-SPH
John Herbert Smith, et al, Petitioners
13018 and 13022 Old Hanover Pike

Dear Mr. Hammond:

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
Zoning Commissioner

LES:mnn
att.
cc: John H. Smith and Ruby B. Richardson
cc: Calvin O. McElhattan, Jr.
cc: Gilbert Merryman



Petition for Special Hearing
93-296-SPH
to the Zoning Commissioner of Baltimore County
for the property located at 13018 and 13022 Old Hanover Pike
Reisterstown, Maryland
which is presently zoned B.L.

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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.

Contract Purchaser/Lessor:
(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode

John Herbert Smith
Ruby Belle Richardson
Anna Evelyn Bennett
13022 Old Hanover Pike 526-5877
Reisterstown, Md. 21136
Lloyd Hammond
616 Main Street 833-7576
Reisterstown, Md. 21136

ESTIMATED LENGTH OF HEARING
Next Two Months
ALL OTHER DATE
REVIEWED BY: DATE

364

Attachment to 93-296-SPH
Petition for Special Hearing
JOHN H. SMITH, et. al. PROPERTY

Items to be considered for approval

The John Smith Property is zoned BL. The current uses include a two story brick dwelling with five apartment units, and an existing two story frame single family dwelling. Mr. Smith desires to divide the property into two lots - one for the apartments and the other for single family residential use.

Apartment are not a permitted use in a BL zone. These apartments, according to information provided by people who have lived in the neighborhood for many years, were first started by the former owners of the property (Brooks) when they purchased it in 1953. Mr. Smith desires to establish this apartment use as a non-conforming use in a BL zone. In addition, he asks to reduce the required support area for the five apartments to 1.523 acres.

Miller-Bowden Associates, Inc. 93-296 SPH
Registered Land Surveyors
13064 Tanager Road
Reisterstown, Maryland 21136
C. Brooke Miller, R.P.L.S. (410) 833-5905 / FAX (410) 833-7409
Cynthia B. Bowden, L.S.

Description of
JOHN H. SMITH, et. al. PROPERTY
to accompany

Petition for Special Hearing
Hanover Pike and Old Hanover Pike
4th election district Reisterstown
Baltimore County Maryland

February 17, 1993

Beginning for the same on the east right-of-way line of Hanover Pike (Maryland Route 301) on the south side of a roadway connecting Hanover Pike with Old Hanover Pike, approximately 2625 feet north of the intersection of Hanover Pike with Butler Road (Maryland Route 128), thence running with the said right-of-way of Hanover Pike, referring all bearings of this description to the meridian established by the Baltimore County Metropolitan District, the five following courses, viz:

- 1) South 04 degrees 30 minutes 37 seconds East 480.00 feet, thence,
- 2) North 85 degrees 29 minutes 23 seconds East 21.00 feet, thence,
- 3) South 04 degrees 30 minutes 37 seconds East 42.00 feet, thence,
- 4) South 85 degrees 29 minutes 23 seconds West 21.00 feet, and thence,
- 5) South 04 degrees 30 minutes 37 seconds East 154.97 feet, thence leaving said right-of-way,
- 6) South 39 degrees 31 minutes 35 seconds East 116.10 feet, and thence,
- 7) South 83 degrees 56 minutes 05 seconds East 145.65 feet to the west side of Old Hanover Pike, thence running along the west side of Old Hanover Pike the six following courses, viz:

John H. Smith Property
Desc. for Special Hearing
Page 2

- 8) North 05 degrees 13 minutes 26 seconds East 175.00 feet, thence,
- 9) North 03 degrees 11 minutes 56 seconds East 116.80 feet, thence,
- 10) North 00 degrees 20 minutes 36 seconds East 110.30 feet, thence,
- 11) North 03 degrees 50 minutes 13 seconds West 115.88 feet, thence,
- 12) North 05 degrees 00 minutes 14 seconds West 255.48 feet, and thence,
- 13) North 35 degrees 30 minutes 06 seconds West 69.20 feet to the south side of the connecting roadway between Old Hanover Pike and Hanover Pike, thence running along said south side,
- 14) South 85 degrees 29 minutes 23 seconds West 197.93 feet, and thence,
- 15) South 40 degrees 28 minutes 07 seconds West 42.42 feet to the beginning.

Containing 4.60 acres of land, more or less.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 4/17/93
Posted for: Special Hearing
Petitioner: John H. Smith, Ruby B. Richardson, Anne E. Bennett
Location of property: 4th Election District, Hanover Pike (13015 & 13025)
Location of Sign: 13015 & 13025, Hanover Pike
Remarks:
Posted by: [Signature] Date of return: 4/19/93
Number of Signs: 7

CERTIFICATE OF PUBLICATION

TOWSON, MD. 3/25, 1993

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 3/22, 1993.

THE JEFFERSONIAN,

S. Zetke Online
Publisher

\$252.00
\$71.05

93-296-SPH receipt
Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: R-001-6180
Number: 19300304
DATE: 4/26/93
PRICE: \$71.05
TOTAL: \$71.05
Please Make Checks Payable To: Baltimore County
CASHIER VALIDATION

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 3/30/93

John Herbert Smith, et al
13022 Old Hanover Pike
Reisterstown, Maryland 21136

RE: CASE NUMBER: 93-296-SPH (Item 304)
4/5 Old Hanover Pike, 2625' W of Butler Road
13018 and 13022 Old Hanover Pike
4th Election District - 3rd Councilmanic
Petitioner(s): John Herbert Smith, Ruby Belle Richardson and Anne Evelyn Bennett
HEARING: WEDNESDAY, APRIL 21, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Dear Petitioner(s):

Please be advised that \$71.05 is due for advertising and posting of the above captioned property and hearing date.

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.

Forward your check for the above fee via return mail to the Zoning Office, (ZADM), County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please write the case number and hearing date on the check and make same payable to Baltimore County, Maryland. To avoid delay of the Zoning Commissioner's Order in your case, immediate attention to this matter is suggested.

[Signature]

ARNOLD JAHON
DIRECTOR

cc: Lloyd Hammond, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

APR 18 1993

(410) 887-3353

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 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-296-SPH (Item 304)
4/5 Old Hanover Pike, 2625' W of Butler Road
13018 and 13022 Old Hanover Pike
4th Election District - 3rd Councilmanic
Petitioner(s): John Herbert Smith, Ruby Belle Richardson and Anne Evelyn Bennett
HEARING: WEDNESDAY, APRIL 21, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Special Hearing to approve the non-conforming use of apartments and supporting area in a B.L. zone; and to determine that subdividing does not conflict with Section 102.2 (RCZ).

[Signature]

ARNOLD JAHON
Director

cc: John Herbert Smith, et al
Lloyd Hammond, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 14, 1993

Lloyd Hammond, Esquire
616 Main Street
Reisterstown, MD 21136

RE: Case No. 93-296-SPH, Item No. 304
Petitioner: John Herbert Smith, et al
Petition for Special Hearing

Dear Mr. Hammond:

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 indicate the appropriateness of the zoning action requested, but 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 March 8, 1993, and a hearing was 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 preliminary review by Zoning personnel.

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

March 31, 1993

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

FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #304
Smith (John Herbert); 13022 Old Hanover Pike
Zoning Advisory Committee Meeting of March 22, 1993

- The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.
1. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.
 2. This site must comply with the Forest Conservation Act which requires a Forest Stand Delineation, a Forest Conservation Plan and a completed Forest Conservation Worksheet.
 3. A replacement well must be drilled on Lot 3 to replace the existing hand dug well.
 4. The dug well on Lot 3 must be properly backfilled by a licensed master well driller and a well abandonment report submitted to this office.
 5. A new well must be drilled in an approved location on Lot 1 and the existing well (BA 88-2403) properly backfilled as in #4 above.
 6. The loose cap on the existing well on Lot 2 must be repaired or replaced.

The above issues will have to be addressed prior to subdivision approval.

JLP:jbm

SMITH./TXTRMP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 29, 1993
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Senior Engineer
Development Plan Review

RE: Zoning Advisory Committee Meeting
for March 29, 1993
Item No. 304

The Development Plan Review Division has reviewed the subject zoning item. We feel that the site plan should be modified to show adequate onsite parking and maneuvering area as well as a restricted access to Old Hanover Road.

RWB:DAK:s

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

MARCH 24, 1993

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

RE: Property Owner: JOHN HERBERT SMITH AND RUBY BELLE RICHARDSON
AND ANNA EVELYN BENNETT

Location: #13022 OLD HANOVER PIKE

Item No.: #304 (CAM) Zoning Agenda: MARCH 22, 1993

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.

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", 1988 edition prior to occupancy.

REVIEWER: Capt. Jerry J. Smith Noted and Approved by _____
Planning/Craig Special Inspection Division Fire Prevention Bureau

JP/KEH



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-17-93

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: #304 (CAM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-462-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

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

DATE: April 1, 1993

SUBJECT: 13018 and 13022 Old Hanover Pike

INFORMATION:

Item Number: 304

Petitioner: John Herbert Smith, Ruby Belle Richardson, Anna Evelyn Bennett

Property Size: _____

Zoning: B.L. C.R.

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

An analysis of the subject request revealed the following:

The site is currently zoned B.L. C.R. which was applied during the 1992 Comprehensive Zoning Map Process (see Issue No. 3-061). The subject site had formerly been zoned B.L., B.R. and R.20 since 1955. Prior to that time the property was zoned Class "A" residential. Class "A" residential did not permit apartment uses.

Presently the site is comprised of only one parcel (Tax Map 39, Parcel 241).

The property is located outside the UREL and public water and sewer is not planned for this area.

The applicant is apparently requesting relief to density. Based upon a review of the Baltimore County Zoning Regulations - Sections 102.1, 102.2 and 307.1, staff believes the subject request is inconsistent with the spirit and intent of the regulations. Therefore, it is recommended that the requested relief to reduce the required support area for the five apartments to 1.523 acres be denied.

Based upon information provided on the attachment to the Petition for Special Hearing, it appears that a nonconforming use cannot be established since the property's zoning did not permit the apartment use at the time of its origin.

Prepared by: Jeffrey M. Long

Division Chief: Dan L. Kers

PK/JL:fjw

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: July 23, 1993

TO: Mr. Wirth - SWM (2, Pre-App Permit Only)
Mr. Powell - EIRD
Mr. Pilson - WGS
Mr. Richards - ZADM, Development Control
Ms. Rorke - ZADM, Street Names & House Numbers.
Mr. Bowling - DED (3)
Mr. Weiss - Sanitation
Mr. Beaumont - Office of Law, Real Estate
Capt. Pfeiffer - Fire Dept. - 1102 F
Mr. Grossman - Rec & Parks
Mr. Small - SH
Mr. Butcher - C&P
Mr. McDaniel - Strategic Plan., Development Review (3)

FROM: Susan D. Wimbley
ZADM

SUBJECT: Project Name: John Smith Property
Project No.: 93-296-SPH
District: 463
Engineer: Miller - Bowen, C&P, Inc.
Phone No.: 933-5905

ACTION REQUESTED: ☒ Panhandle Minor CRG Plan Review
☒ Minor Subdivision Review
☐ 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.

304.ZAC/ Please review the attached plan for compliance with current regulations and return comments to our office by July 23, 1993. If you have no comments or do not need to review this plan, please indicate by placing your initials here UP. NONRESPONSIVENESS BY THE AFOREMENTIONED DATE IS CONSIDERED TO BE CONCURRENCE BY YOUR OFFICE OF THE PLAN.

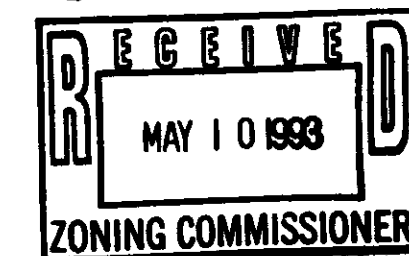
Thank you for your timely attention to our request.
This plan was previously submitted for review in Nov. 1990. Because of the age of this project and the changes to the plan, it is being resubmitted for review.

SDW:bje
SUBDIV.DIS (TXTBJE)
Revised 6/24/93

CF: ZONING BOB
93-296-SPH

From: G. Brent A. Moseyman Jr.
5100 Kamp Rd. 39 5457
Reisterstown Md 21136

Petition for Special Hearing
Case No. 93-296 S.P.H.



To: Mr. Lawrence E. Schmidt
Zoning Commissioner

There was a special hearing on Wednesday April 21, 1993, concerning a property known as 13018 Old Hanover Rd., Reisterstown MD 21136, the attorney for the Petitioner, was Lloyd Hammond. The Petitioner was John Herbert Smith, Ruby Belle Richardson, and Anna Evelyn Bennett.

Fact 1 - I am G. Brent Allen Moseyman Jr. that I have a legal contract of sale on the above property. The contract was prepared by the Petitioners Attorney, Mr. Lloyd Hammond, that the Petitioners also signed the Contract of sale, dated January 28, 1988. The Contract of sale was for the property known as 13018 Old Hanover Rd. Enclosed you will find a copy of the Contract of sale, Exhibit 1.

Fact 2 - That there is a phone on the petition for Special Hearing front sheet, Contract Purchaser, the Attorney, Lloyd Hammond, know the Petitioners, listed me as a Contract purchaser, or they never contacted me in any way, as to the hearing, on Wed. April 21, 1993, concerning the property I purchased from them, Exhibit 2.

Fact 3 - The plans they submitted by the Petitioners, on the property there several areas on the plans that needs to be addressed, they also need to be corrected. Example 1, the septic system between Lot 1 and Lot 2, you will find a red line dividing the two properties which shows, that the existing septic system goes with Lot 2.

page 1.

Fact 3 continued.

That there is no septic system that the Petitioners listed, being in the plans they submitted on Lot 2. The septic area highlighted in yellow does not exist on Lot 2.

That there is several other items on the plans that needs to be corrected. Exhibit 3.

I am sending this letter to Mr. Lawrence Schmidt, advising him, that I am, a legal contract purchaser, that I wasn't aware of the meeting untill 2 days before, that there are several problems with the plans submitted by the Petitioners.

I am requesting that there be another Hearing set on this case, so I can attend, and bring the rest of my issues to the Commissioner, and also I should of been notified of the last meeting, so I could of brought Contracted my attorney, to be present also.

Respectfully Yours,

G. Brent Allen Moseyman Jr.

PROPERTY ZONING HISTORY

Prior to 1955 - "A" Residential
 1955 to 1971 - R-20
 1971 to 1976 - BR
 1976 to 1980 - BR
 1980 to 1984 - BL
 1984 to 1992 - BL
 CURRENT - BL-CR

NOTES

1. Tax map 39 parcel 241.
2. Election district 4, Census tract 200, County of Howard, District 1, Regional Planning Area 1.
3. Road referenced: John H. Smith, et al., Case No. 13018, March 11, 1990.
4. Existing uses: apartment building, existing since mid 1970s; family residential (2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
5. Existing apartment data: 10 units, existing since mid 1970s.
6. The existing well on lot 1 is to be abandoned in accordance with applicable Maryland Department of the Environment regulations. A new well will be installed at the location shown.
7. The lots will be served by private wells and septic systems; public sewer and water not available.
8. There are no known underground fuel or chemical tanks on this property.
9. Proposed uses: subdivide into two lots - one a single family residential lot and one lot for the apartment building.
10. Items for approval through special hearings:
 - a. to establish the apartments as a non-conforming use in a BL zone;
 - b. to reduce the minimum lot area for the apartment lot to 1.523 acres.

VICINITY MAP

SCALE: 1" = 2000'

B.C.M.D.

ROBERT E. PATTERSON
 5151/254
 ZONED R.C.2

GEORGE S. BROWN
 564/47

GEORGE S. BROWN
 564/47
 ZONED BL-CR

THE REISTERSTOWN LUMBER CO.
 5391/193
 ZONED BR-CR

93-296-SPH

PETITIONER'S
 EXHIBIT No. 1

PLAN TO ACCOMPANY PETITION FOR
 SPECIAL HEARING

JOHN H. SMITH PROPERTY
 #13018 and #13022 OLD HANOVER ROAD
 REISTERSTOWN, MARYLAND 21136

OWNER:
 John H. Smith, et al.
 #13022 Old Hanover Road
 Reisterstown, Maryland 21136

DRAWN BY:	DRB	DATE:	2/17/93
CHECKED BY:	CBB	DRAWING NO.:	DB1005
JOB NO.:	1212	SHEET	1 OF 1

COORDINATES and/or BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations:

15553 N 65306.2700 W 60181.6000
 15554 N 65527.1300 W 60267.8000

MILLER - BOWDEN ASSOCIATES, INC.
 REGISTERED LAND SURVEYORS
 13054 TARRAGON ROAD
 REISTERSTOWN, MARYLAND 21136
 (410) 833-5905 FAX (410) 833-7409

GRAPHIC SCALE
 (IN FEET)
 1 inch = 50 ft
 304