IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
890' NW of Liberty and Allen Roads
(10812 Liberty Road) * ZONING COMMISSIONER
2nd Election District
2nd Councilmanic District * OF BALTIMORE COUNTY

Henry Cole, et ux, and * Case No. V95-275-SPH
James L. Klingelhofer, et ux -
Legal Owners of the Property *

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property known as 10812 Liberty Road, located in the vicinity of Allen Road in Randallstown. The Petition was filed by Kevin R. Connor, Zoning Inspector, on behalf of Baltimore County, a body politic. An interpretation of the use of the subject property is requested to determine whether or not activities taking place thereon are construed to be permitted as a commercial/agricultural operation or whether same are prohibited as a firewood operation. The property is zoned R.C. 4.

Appearing at the public hearing on behalf of Baltimore County was James H. Thompson, Chief of the Zoning Enforcement Division. Also present was Henry Cole, a co-owner of the subject property. Mr. Cole was represented by Newton A. Williams, Esquire. Interested citizens from the surrounding community who appeared and participated in the hearing included Thomas Beaudet, Carolyn Hedrick and William E. Allen.

The case is in an unusual posture in that the Petition is not brought by the property owner. Rather, as noted above, the Petition is filed by Baltimore County through the Zoning Enforcement Division of the Office of Permits and Development Management (PDM). On behalf of that agency, Mr. Thompson explained that his office received a complaint about the use of the subject property in June 1994. As is the practice of his



office, an inspector was dispatched to examine the property's condition and use. The complaint received expressed concerns over safety, traffic, potential fire hazards, and the general use of the property. It was averred that the property's use and conditions were unsafe and presented a negative impact on the surrounding locale.

As to the site itself, it is depicted in numerous photographs which were submitted by the parties. The site is approximately 98 acres in area, zoned R.C. 4, and is known as the Blue Moon Farm. The property is joingly owned by Henry Cole, Jr., his wife, Joanne, and James L. and Diane Klingelhofer. It was testified that the primary activity on the site is a mushroom farm operation. However, a portion of the site is devoted to the storage, processing, sale and transport of firewood, mulch, and other wood products. It is this activity, which is clearly shown in numerous photographs, which is objectionable to the Protestants. They indicated that deliveries of wood products are frequently made to the farm by large tractor trailer trucks and occur at different times of the day, including late evening and early morning hours. The Protestants are concerned about these deliveries and indicated that the use of the property in this manner detrimentally affects the surrounding locale. The loading and unloading of the trucks also makes noise and is disruptive to the neighborhood.

Mr. Cole indicated that the wood products which are delivered to the site are obtained from other properties which he owns or leases in Pennsylvania. He indicated that much of the timber is harvested on those properties controlled by him and sent from those sites to a firm known as the Gish Logging Company, Inc. Gish processes the raw timber received and then delivers same to the Blue Moon Farm for sale and delivery.

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Date 2/14/96
By



This matter does not come before the Zoning Commissioner as a Petition for Special Exception. Special exception uses are those uses which need to be evaluated by this Zoning Commissioner on a case by case basis. In those cases, the Commissioner must determine if the proposed use causes detrimental impacts to the health, safety or general welfare of the surrounding locale. However, to repeat, this is not a special exception. Rather, this matter is before the Commissioner as a Petition for Special Hearing. The sole issue presented is to define the nature of the activity which is taking place on this property. If the use of the property is considered to be a farm, it is permitted as of right, pursuant to the zoning regulations. Thus, no matter how noxious the activity may be to the neighbors, legitimate farm operations are permitted automatically in this zone. If on the other hand, the property is considered to be a firewood operation, same is illegal and cannot be allowed, no matter what efforts are made by the property owner to minimize the effects of same.

In Section 101 of the B.C.Z.R., a farm is defined as "three acres or more of land and any improvement thereon used primarily for commercial/agricultural as defined in these regulations, or for residential and associated agricultural uses..." A firewood operation is also defined in the B.C.Z.R. as "the business of processing wood so that it can be marketed and burned as fuel. Such operations include, but are not limited to, harvesting, transporting, yarding, seasoning, marketing, shipping and receiving of logs and firewood. A farm which limits the process and marketing of firewood to owner-produced forestry resources shall not be considered a firewood operation." (emphasis added)

Based upon the uncontradicted testimony of Mr. Cole, this Zoning Commissioner is compelled to find that the property is not used as a fire-

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By



wood operation. Specifically, the uncontradicted testimony was that the firewood, mulch, and other wood products which appear on site are owner-produced forestry resources. As noted above, Mr. Cole indicated that these wood products are obtained from lands controlled by him in Pennsylvania. The firewood operation definition does not require the wood products to be produced on the subject lot. Rather, as long as they are "owner-produced" they fall within the clear exception described for a firewood operation.

In view of this language, it is clear that the property is presently used as a farm. The site is clearly more than three acres in size, and a commercial/agricultural use can include the sale of forestry and other wood products, not just crops and the raising of livestock. The definition of agriculture, which is also found in Section 101 of the B.C.Z.R., is broad enough to include this use. Specifically, that definition includes uses of land for forestry products. Finally, it should be noted that the Zoning Plans Advisory Committee (ZAC) comments, including those from Wally Lippincott of the Office of Planning and Zoning, are supportive of a finding that the proposed use is that of a farm. I concur with Mr. Lippincott's judgment in this respect.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of February, 1996 that the use of the subject property is permitted as a commercial/agricultural operation, and as such, the relief requested in the Petition for Special Hearing is hereby GRANTED.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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Date 2/14/96
By



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 14, 1996

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

RE: PETITION FOR SPECIAL HEARING
890' NW of Liberty and Allen Roads
(10812 Liberty Road)
2nd Election District - 2nd Councilmanic District
Henry Cole, et ux, and James L. Klingelhofer, et ux - Legal Owners
Case No. V95-275-SPH

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. My apologies to you and the interested parties who appeared in this case for the delay. Apparently, shortly after the public hearing, the case file was mistakenly transferred to Mr. Thompson's office for investigation and follow-up; however, the file was not returned to this office, and thereafter, became out of sight and out of mind. I did not realize that a written decision had not been issued until I spoke with you recently. Again, I apologize for the delay and sincerely hope that no party was adversely affected by the delay in the issuance of this Order.

In the event any party finds the decision rendered is 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr./Mrs. Henry L. Cole, Jr., 4399 Chapeldale Road, Randallstown, 21133
Mr./Mrs. James L. Klingelhofer, 4535 Allen Road, Randallstown, 21133

Mr. Thomas Beaudet, 5761 Oakland Road, Sykesville, Md. 21784
Mr. William E. Allen, 4516 Allen Road, Randallstown, Md. 21133
Ms. Carolyn Hedrick, 10812 Liberty Road, Randallstown, Md. 21133

Mr. James H. Thompson, PDM; People's Counsel; Case File

# Petition for Special Hearing

**Case #:** V-95-275SPH

**to the Zoning Commissioner of Baltimore County**

for the property located at 890 NW Liberty and Allen Roads
which is presently zoned R.C.4
WS - Parcel 93, Map 66

This Petition shall be filed with the Office of Zoning Administration & Development Management.
Baltimore County hereby petitions for a Special Hearing under Sections 26.3 and 26.121(a) of the County Code and Section 500.6 of the Zoning Regulations of Baltimore County, for the Zoning Commissioner to conduct a hearing involving a violation or alleged violation or non-compliance with any zoning regulations or order issued by the Zoning Commissioner, Board of Appeals or Court, or for the proper interpretation thereof, more specifically

Section number(s): 101 "Agricultural "; "Farm"; "Firewood Operation";
102.1; 1A03.3.A; 1A03.3.B; 404.9(A); 404.9(B)
Nature of violation(s): 404.9(C); 404.9(D)

Whether or not the activities taking place at this 94.49 acre tract of land located at 890' NW Liberty and Allen Roads, WS, Parcle 93, Map 66, can be interpreted as a permitted commercial agricultural operation or that of a firewood operation which would be prohibited in a R.C.4 zone.

Jim 10/23 — 3746 - Kirk DEPRM
10/23 3:00 Blue Moon Farms
Lt William Allenbaugh — -1353 10812 Liberty Rd
Jim Marshall's Office
Blue Moon Farm — C 95-3
progress being made, he will close out shortly.
fire wood ENDERS

Randallstown, MD 21133

To appear and testify in the matter of an alleged zoning violation or for the purpose of a proper interpretation of the zoning regulations or order of the Zoning Commissioner, Board of Appeals or Court

Hearing Date: Wed 3-1-95 Time: 9:00 am/pm Location: 400 Washington Avenue Room 118, Old Courthouse

Zoning Commissioner for Baltimore County

Please be advised that your failure to appear at the date, time and location stated above could result in your attachment.

ORDER RECEIVED FOR FILING
Date 2/14/96
By

Zoning Administration & Development Management — AGENCY USE ONLY — ESTIMATED LENGTH OF HEARING

# Petition for Special Hearing

**Case #:** V-95-275 SPH

**to the Zoning Commissioner of Baltimore County**

for the property located at 890 NW Liberty & Allen Road,
which is presently zoned R.C.4
WS - Parcel 93, Map 66

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Section number(s): 101 "Agricultural"; "Farm"; "Firewood Operation";
102.1; 1A03.3.A; 1A03.3.B; 404.9(A); 404.9(B); 404.9(C); 404.9(D)
Nature of violation(s):

OVER

I do solemnly affirm that the contents stated above are correct to the best of my knowledge, information and belief

1-30-95 — KEVIN R CONNOR
Date — Office of Zoning Administration Representative

SUMMONS

RESPECT TO Henry L. Cole Jr. Joanne K. Cole, James L. Klingelhofer, et al
ADDRESS 4399 Chapeldale Road
Randallstown MD 21133

To appear and testify in the matter of an alleged zoning violation or for the purpose of a proper interpretation of the zoning regulations or order of the Zoning Commissioner, Board of Appeals or Court

Hearing Date: WED MARCH 1, 1995 Time: 9 00 am/pm Location: 400 WASHINGTON AVE RM 118 OLD COURTHOUSE

Zoning Commissioner for Baltimore County

Please be advised that your failure to appear at the date, time and location stated above could result in your attachment.

Zoning Administration & Development Management — AGENCY USE ONLY — ESTIMATED LENGTH OF HEARING

# NOTICE

**to the Director of Zoning Administration & Development Management**

Special Hearing # V-95-275SPH

Date

I hereby acknowledge receipt of the attached Petition for Special Hearing

Date _____ Signature _____

Name (please print) _____

Address _____

Phone # _____

RETURN TO:

Director of Zoning Administration and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

Rescheduled from 3/1/95
VIOLATION
CASE NUMBER: V-95-275-SPH
10812 Liberty Road
890' NW of Liberty and Allen Road
2nd Election District - 3rd Councilmanic
Legal Owner(s): James L. Klingelhofer and Henry L. Cole, et al
Petitioner: Zoning Commissioner of Baltimore County

Special Hearing to determine, with regard to the following: Sections 101 "Agricultural"; "Farm"; "Firewood Operation"; 102.1; 1A03.3.A; 1A03.3.B; 404.9(A); 404.9(B); 404.9(C); and 404.9(D) whether or not the activities taking place at this 94.49 acre tract of land located 890 feet NW of Liberty Road and Allen Road, WS. Parcel 93, Map 66, can be intrepreted as a permitted commercial agricultural operation which would be prohibited in an R.C. zone.

HEARING: MONDAY, APRIL 3, 1995 at 9:00 a.m. im Room 118, Old Courthouse.

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Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353


May 4, 1995

NOTICE OF REASSIGNMENT

Rescheduled from 3/1/95, 4/3/95 and 5/15/95
VIOLATION
CASE NUMBER: V-95-275-SPH
10812 Liberty Road, 890' NW of Liberty and Allen Road
2nd Election District - 3rd Councilmanic
Legal Owner(s): James L. Klingelhofer and Henry L. Cole, et al
Petitioner: Zoning Commissioner of Baltimore County

Special Hearing to determine, with regard to the following: Sections 101 "Agricultural"; "Farm"; "Firewood Operation"; 102.1; 1A03.3.A; 1A03.3.B; 404.9(A); 404.9(B); 404.9(C); and 404.9(D) whether or not the activities taking place at this 94.49 acre tract of land located 890 ft. NW of Liberty and Allen Roads, WS. Parcel 93, Map 66, can be intrepreted as a permitted commercial agricultural operation which would be prohibited in an R.C. zone.

HEARING: MONDAY, JUNE 15, 1995 at 9:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson MD .

ARNOLD JABLON
DIRECTOR

cc: Newton A. Williams, Esq.
James Klingelhofer


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Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353


June 9, 1995

NOTICE OF CHANGE IN HEARING TIME AND/OR LOCATION

BE ADVISED THAT THE BELOW-NOTED CASE WILL TAKE PLACE ON THE SAME DATE AS PREVIOUSLY NOTIFIED, HOWEVER THE TIME AND/OR THE LOCATION OF THE HEARING HAS BEEN CHANGED AS INDICATED BY UNDERSCORING.

CASE NUMBER: V-95-275-SPH
10812 Liberty Road, 890' NW of Liberty and Allen Road
2nd Election District - 3rd Councilmanic
Legal Owner(s): James L. Klingelhofer and Henry L. Cole, et al
Petitioner: Zoning Commissioner of Baltimore County

Special Hearing to determine, with regard to the following: Sections 101 "Agricultural"; "Farm"; "Firewood Operation"; 102.1; 1A03.3.A; 1A03.3.B; 404.9(A); 404.9(B); 404.9(C); and 404.9(D) whether or not the activities taking place at this 94.49 acre tract of land located 890 ft. NW of Liberty and Allen Roads, WS. Parcel 93, Map 66, can be intrepreted as a permitted commercial agricultural operation which would be prohibited in an R.C. zone.

HEARING: THURSDAY, JUNE 15, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

ARNOLD JABLON
DIRECTOR

cc: Newton A. Williams, Esq.

AJ:ggs

| Post-It® brand fax transmittal memo 7671 | # of pages ▸ 1 |
|---|---|
| To Lynn Thompson | From [illegible] |
| Co. Lloyd Reynolds | Co. Baltimore County |
| Dept. | Phone # |
| Fax # 526-3762 | Fax # 887-5708 |


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Baltimore County Government
Department of Environmental Protection
and Resource Management

401 Bosley Avenue
Towson, MD 21204

(410) 887-3733


DRAFT

January 25, 1994

Henry L. Cole, Jr., Joanne K. Cole and
James L. Klingelhofer, et al.
10812 Liberty Road
Randallstown, MD 21117

Subject: Case No. C-95-3. 890' NW Liberty Road and Allen Road, Westside
2nd Election District

Dear Mr. Cole, Ms. Cole and Mr. Klingelhofer:

After meeting with you on the site and discussing your operation with the Baltimore County Agricultural Board and the Zoning Office, we have arrived at a set of recommendations for bringing your activities into compliance. Please review and respond to this Office acknowledging the receipt of this letter and a time table for making the following changes within the next three months.

(1) 100% of the firewood must come from lands that you own or lease for your farm operation and evidence to support this must be available upon request;

(2) The loading and unloading of vehicles for the purpose of shipping and receiving wood shall take place at least 100 feet from any property line adjacent to a residentially zoned or used property;

(3) Firewood placed for the purpose of drying, seasoning or storage is to be located at least 25' to the rear of your westerly neighbors property line and if less than 100' at that location or any other from an adjacent property, it shall be screened with plantings that provide for a year-round visual screen upon maturity;

(4) Approval of this operation must be obtained from the Baltimore County Fire Department.

(5) Plant white pines at a spacing that creates a visual screen of the operation along Liberty Road;

(6) Contact Jack Berger of Sediment Control (887-3980) to obtain necessary permits prior to paving the entrance road to a point just beyond the change of grade;


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(7) Resod the disturbed bare soil areas along the frontage; and

(8) Limit the hours of operation to 6:30 am to 6:00 pm in the winter and 6:30 to 7:00 pm in the summer time. Further, any work taking place on this site on Sunday will not start before 1:00 pm and will not involve any deliveries of felled wood to be processed.

Furthermore, if this property is subject to further complaints, the activities will be referred to the Zoning Office for determination of whether to proceed with a Special Hearing or Zoning Violation.

Sincerely,

Wallace S. Lippincott, Jr.
Agricultural Program Administrator

cc. Jim Thompson
Jack Berger
Lloyd Reynolds


Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353


February 24, 1995

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams
Suite 700, Court Towers
210 West Pennsylvania Avenue
Towson, Maryland 21204-5340

Re: Case No. V-95-275SPH
890' NW Liberty & Allen Roads,
WS - Parcel 93, Map 66
2nd Election District

Dear Mr. Williams:

The referenced case has been indeed postponed to afford both Wally Lippincott and Lloyd Reynolds the opportunity to present to the hearing officer their involvement on behalf of the Agricultural Land Preservation Advisory Board.

Inspector Kevin Connor will coordinate between your office and both Mr. Lippincott and Mr. Reynolds a date that will not develop into a conflict, so that this case can be presented to the zoning commissioner/deputy.

Sincerely,

JAMES H. THOMPSON
Zoning Supervisor

JHT/hek

c: Mr. Wally Lippincott
Mr. Lloyd Reynolds
Inspector Kevin Connor

bc: Ms. Caroline Hedrick
Mr. Ron Keene
Mr. James F. Jett


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Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353


March 13, 1995

Mr. Paul Ervin
9002 Dogwood Road
Baltimore, Maryland 21244

Mr. Ron Keene
10808 Liberty Road
Randallstown, Maryland 21133

Ms. Caroline Hedrick
10812 Liberty Road
Randallstown, Maryland 21133

Mr. James F. Jett
C/O Patapsco Valley Farms, Inc.
8729 Dogwood Road
Baltimore, Maryland 21244

Re: Case No. V-95-275-SPH
10812 Liberty Road
2nd Election District

Dear Mr. Ervin, Mr. Keene, Ms. Hedrick and Mr. Jett:

The referenced case is scheduled for Monday, April 3, 1995 at 9:00 a.m. in Room 118 of the Old Court House.

Since each of you have expressed concern over the use of this property, your attendance at this hearing is highly recommended.

Sincerely,

JAMES H. THOMPSON
Zoning Supervisor

JHT/hek

c: Mr. Wally Lippincott
Mr. Lloyd Reynolds
Inspector Kevin R. Connor


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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386


March 24, 1995

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams
Suite 700, Court Towers
210 West Pennsylvania Avenue
Towson, Maryland 21204-5340

RE: Case No. V-95-275-SPH
Hearing Date: Monday, April 3, 1995 at 9:00 A.M.
The Cole property

Dear Mr. Williams:

Receipt of your letter dated March 20, 1995 is hereby acknowledged.

I will grant your request for a postponement of the above captioned case scheduled for April 3, 1995. By a copy of this letter to our Docket Clerk, Mrs. Gwen Stephens, of the Office of Zoning Administration, I am informing her to mark the file to be continued for some time in May of 1995, at your request. Perhaps you may wish to be in touch with Mrs. Stephens to reschedule a date and time in May.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

cc: Peter Max Zimmerman, Esquire, Peoples Counsel
Mr. James Klingelhofer, 4535 Allen Road, Randallstown, Md 21133
Mr. James H. Thompson, Zoning Enforcement Supervisor, Office of ZADM
Ms. Gwen Stephens


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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 25, 1995

TO: Wallace S. Lippincott, Jr.
Agricultural Program Administrator

FROM: James H. Thompson
Zoning Enforcement Supervisor

RE: Case No. C-95-3
890' NW Liberty Road and Allen Road, WS
2nd Election District

Thank you so much for the draft of your January 25, 1994 (5) letter to the property owners of the subject site. After the joint effort of your division and ours, I would like to think we have reached an operating mode that would be permitted under the Baltimore County Zoning Regulations and also acceptable to the community. Since the start of this case, both Inspector Kevin R. Connor and myself have been very concerned about the issue of the origin of the logs which ultimately are processed into firewood. Today, I was informed by James F. Jett of Patapsco Valley Farms, Inc., that the business known as Blue Moon Firewood, which operates from this site, purchases logs from Ernie Gish of Gish Logging of Pennsylvania. With an allegation such as this being made, the enforcement section cannot agree to the resolution of this case without a special hearing. Therefore, we will immediately proceed with establishing a date for this matter. Both yourself and Lloyd Reynolds will be updated of the time and date of the case.

JHT/hek

c: Lloyd W. Reynolds
Agricultural Liaison

Inspector Kevin R. Connor

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**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDANCE**

**TO: James H. Thompson, Zoning Supervisor** **DATE: February 16, 1995**

**FROM: Wally Lippincott, Jr., DEPRM**

**RE: Case No. C-95-3**
**290' NW Liberty Road and Allen Road, Westside**
**2nd Election District**

**I have received word that a hearing has been set for the above mentioned case on March 1, 1995 at 9:00 am. Both Mr. Reynolds and myself are unavailable on that day and time. We would like to be available at the hearing to provide information on our involvement on behalf of the Agricultural Land Preservation Advisory Board. If it isdecided to reschedule, it is preferable that this case be rescheduled after March 25, 1995.**

**Thank you for your consideration of this request.**

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| | | |
|---|---|---|
| RE: PETITION FOR SPECIAL HEARING<br>10812 Liberty Road, 890' NW of Liberty<br>and Allen Road, 2nd Election District,<br>3rd Councilmanic | * | BEFORE THE<br>ZONING COMMISSIONER<br>OF BALTIMORE COUNTY |
| James L. Klingelhofer and<br>Henry L. Cole, et al, Property Owners | * | CASE NO. V-95-275-SPH |
| Baltimore County Zoning Administration &<br>Development Mgmt. Enforcement Division<br>Petitioner | * | |

* * * * * * * * * * * * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to property owner James L. Klingelhofer, 4535 Allen Road, Randallstown, MD 21133; to Newton A. Williams, Esquire, Nolan, Plumhoff & Williams, 210 W. Pennsylvania Avenue, Suite 700, Towson, MD 21204, attorney for property owner Henry L. Cole/Blue Moon Farm Prop.; and to James H. Thompson, Coordinator, Baltimore County Zoning Admin. and Development Mgmt. Enforcement Division, 111 W. Chesapeake Avenue, Towson, MD 21204.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

---

Face-Rear Orientation: Orientation of a building (automotive service station) in such a manner that the pumps, openings to the service bays, etc., face away from any street and toward the rear of the site. [Bill No. 40, 1967.]

Face-Side Orientation: Orientation of a building (automotive service station) in such a manner that the pumps, openings to the service bays, etc., face away from any street and toward a side of the site. [Bill No. 40, 1967.]

Family: Any number of individuals lawfully living together as a single housekeeping unit and doing their cooking on the premises, as distinguished from a group occupying a boarding or rooming house or hotel. [B.C.Z.R., 1955.]

Family Child Care Home: A private residence wherein care, protection, and supervision is provided for a fee for part or all of a day at least twice a week to no more than eight children at one time including children of the adult provider. The operator of a family child care home shall hold at least one fire drill each week for the benefit of the children (see Section 424). [Bills No. 47, 1985; No. 7, 1991.]

Farm: Three acres or more of land, and any improvements thereon, used primarily for commercial agriculture, as defined in these regulations, or for residential and associated agricultural uses. The term does not include the following uses as defined in these regulations: limited acreage wholesale flower farms, riding stables, landscape service, firewood operations, and horticultural nursery businesses. {Bills No. 85, 1967; No. 51, 1993.}

{"Farm..."} {Deleted by Bill No. 51, 1993.}

Farm (Limited-Acreage Wholesale Flower Farm): A limited-acreage wholesale flower farm is less than three acres of land, and any improvements thereon and is primarily used for the growing of flowers and small plants and their wholesale distribution. [Bills No. 85, 1967; No. 41, 1992.]

{"Farm, Satellite..."} {Deleted by Bill No. 51, 1993.}

{"Farmers' Co-op Roadside Stands..."} {Deleted by Bill No. 41, 1992.}



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Farmer's Roadside Stand: An accessory structure owned and operated by an agricultural producer, used for the sale of indigenous farm products, the majority of which have been grown on the premises, adjacent land, or on properties farmed by the same agricultural producer. [B.C.Z.R., 1955; Bill No. 41, 1992.}

{"Farmette..."} {Deleted by Bill No. 51, 1993.}

["Farming..."} {Deleted by Bill No. 85, 1967.]

Farm Market: An accessory or principal building or structure other than a dwelling which is used by one or more farmers for the sale of produce grown primarily on their own farms or for the sale of other locally grown produce. A farm market may sell a limited amount of locally produced non-agricultural goods such as handcrafted items, homemade baked goods, homemade preserves, jams, and processed dairy products. {Bill No. 41, 1992.}

~~Firewood operation~~: The business of processing wood so that it can be marketed and burned as fuel. Such operations include, but are not limited to, harvesting, transporting, yarding, seasoning, marketing, shipping and receiving of logs and firewood. A farm which limits the processing and marketing of firewood to owner-produced forestry resources shall not be considered a firewood operation. {Bill No. 151, 1992.}

Fishing and Shellfishing Facility, Shoreline: A principal use that consists of the buildings, equipment, or other facilities necessary to accommodate the onshore activities of a fishing and shellfishing business (including retailing or wholesaling of the catches) and that is situated on a lot on the shoreline of tidal waters. [Bill No. 30, 1978.]

Fishing and Shellfishing Facility, Shoreline, Class I: A shoreline fishing and shellfishing facility that can accommodate a fishing business no larger than that entailing the use of not more than two commercial fishing boats and that is situated on a lot also occupied by the primary residence of its operator, who is a person required to have a license by any of the provisions of Title 4 of the Natural Resources Article of the Annotated Code of Maryland. For the purposes of these regulations, a "commercial fishing boat" does not include a boat more than 45 feet long. [Bill No. 30, 1978.]

Fishing and Shellfishing Facility, Shoreline, Class II: A shoreline fishing and shellfishing facility other than a Class I shoreline fishing facility. [Bill No. 30, 1978.]

Floodplain, 100-year: The 100-year floodplain includes all of the land that is adjacent to a watercourse and that would be innundated by a flood whose severity is such that the probability of its occurring once during a given year is considered to be 1%. [Bill No. 98, 1975.]



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a. In the event of a crop failure due to drought, insect damage, disease or other causes beyond the control of the producer as determined by the Agricultural Land Preservation Advisory Board, the 50% minimum may be decreased by the zoning commissioner to a degree commensurate with the degree of crop failure.

b. In the enforcement of 404.4.D.2, the zoning commissioner shall make the determinations in consultation with the Agricultural Land Preservation Advisory Board.

3. A site plan shall be submitted indicating location and type of structure on the lot in question, ingress and egress, parking arrangement, and proximity of dwellings on adjacent lots.

404.5--All accessory buildings except farmers' roadside stands shall be governed by the same area requirements as those applicable to a principal building in the zone in which the farm is located. [B.C.Z.R., 1955; Bill No. 85, 1967; repealed by Bill No. 41, 1992.]

404.6--Commercial reduction of inedible animal or vegetable matter and commercial slaughtering, except killing of poultry produced on the premises, are prohibited. [B.C.Z.R., 1955; Bill No. 85, 1967; Bill No. 41, 1992.]

404.7--Commercial piggeries (hog raising for other than family use) are permitted only on a farm of at least 10 acres, and no hogs shall be permitted within 150 feet of any land zoned or used for residential purposes. [B.C.Z.R., 1955; Bill No. 85, 1967; Bill No. 41, 1992.]

404.8--Manure must be stored in places removed at least 150 feet from all boundary lines of the lot. [B.C.Z.R., 1955; Bill No. 85, 1967; Bill No. 41, 1992.]

~~404.9--Firewood operations~~ require special exception approval in R.C.2, R.C.20 and R.C.50 zones and are subject to the following standards:

~~A.~~ The ~~loading~~ and ~~unloading~~ of vehicles for the purpose of shipping and receiving goods shall take place at ~~least 100 feet~~ from any ~~property line~~ adjacent to a residentially zoned or used property.

~~B. Timber and firewood placed for the purpose of~~ drying, ~~seasoning, or storage less than~~ 100 feet from residentially zoned or used properties shall be screened with plantings that provide a year-round visual screen upon maturity. Firewood which for marketing purposes is stored in the front yard of a firewood operation is not subject to the screening requirements.



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C. The location and storage of vehicle parking and equipment storage shall be compatible with surrounding uses and shall be screened from residentially zoned or used properties as specified in Paragraph 2 above.

D. Firewood operations abutting residential properties which exceed the decibel levels permitted under COMAR 26.02.03 are subject to the provisions described in that regulation. {Bill No. 151, 1992.}

404.10--Farms located in R.C.5 and D.R. zones are subject to the following requirements:

A. Internal permanent roadways which provide access to and from farm structures shall be located at least 25 feet from any property line other than a street right-of-way line.

B. Environmentally controlled structures such as greenhouses, potting sheds, and accessory agricultural structures shall be located at least 50 feet from any neighboring property line, including any right-of-way line. {Bill No. 51, 1993.}

~~404.11~~--All zoning violation cases concerning commercial agricultural operations shall be forwarded to the Baltimore County agricultural operations shall be forwarded to the Baltimore County Agricultural Land Preservation Advisory Board for review. The director of zoning administration and development management shall allow the board a maximum of 30 days, before taking action, to comment on an alleged violation. {Bill No. 51, 1993.}



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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: December 12, 1995

TO: Lawrence E. Schmidt
Zoning Commissioner

FROM: James H. Thompson
Code Enforcement Supervisor

RE: Case No. V-95-275-SPH
10812 Liberty Road
Klinelhofer/Cole
2nd Election District

When a decision is rendered in the referenced case, please send a copy of that document to Kirk Enders of the Department of Environmental Protection and Resource Management.

On December 12, 1995 Mr. Enders contacted me on possible violations of their code, however, corrective measures are dependent on your final order.

JHT/bb

c: Kirk Ender
D.E.P.R.M.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 21, 1996

Ms. Carolyn Hedrick
10812 Liberty Road
Randallstown, Maryland 21133

RE: PETITION FOR SPECIAL HEARING
(10814 Liberty Road)
Henry Cole, et ux, and James L. Klingelhofer, et ux - Legal Owners
Case No. V95-275-SPH

Dear Ms. Hedrick:

In response to our telephone conversation this date, wherein you advised me that my Order incorrectly identified the address of the property which was the subject of the above-captioned matter, I have reviewed the case file and determined that, in fact, the property was incorrectly identified as being 10812 Liberty Road, not 10814 Liberty Road, which is correct. It should also be noted that the violation case file which was established for this property incorrectly reflected the address of the property in question as being 10812 Liberty Road, not 10814 Liberty Road.

Therefore, by copy of this letter, I will advise all recipients of the Order issued in the above-captioned matter that the correct address of the property in question is 10814 Liberty Road. Furthermore, a copy of this letter will be placed in the case file and the record in this matter corrected accordingly.

If you have any further concerns regarding the above-captioned matter, please feel free to contact me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Newton A. Williams, Esquire, Nolan, Plumhoff & Williams
210 W. Pennsylvania Avenue, Suite 700, Towson, Md. 21204

Mr./Mrs. Henry L. Cole, Jr., 4399 Chapeldale Road, Randallstown, 21133
Mr./Mrs. James L. Klingelhofer, 4535 Allen Road, Randallstown, 21133
Mr. Thomas Beaudet, 5761 Oakland Road, Sykesville, Md. 21784
Mr. James H. Thompson, Permits & Development Mgmt.
People's Counsel; Case File

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: July 28, 1994

TO: J. James Dieter, Director
Environmental Protection and Resource Management

FROM: James H. Thompson
Zoning Supervisor

RE: Case No. C-95-3
290' NW Liberty Road and Allen Road, Westside
2nd Election District

The zoning enforcement section has received a complaint regarding a firewood operation at the referenced location.

A review of the assessment records does indicate that this 94 acre tract of R.C. 4 zoned land is owned by Henry L. Cole, Jr., Joanne K. Cole and James Lawrence Klingelhofer, et al., 4399 Chapeldale Road, Randallstown, Maryland 21133 (tax account No. 02-11-151301 and telephone number 922-4977).

Under Section 404.11 of the Baltimore County Zoning Regulations (attached) we are requesting that this matter be forwarded to the Baltimore County Agricultural Land Preservation Advisory Board for review.

This office will not take any action in this case for a period of 30 days pending the board's comments.

JHT/hek

Attachment

c: Lloyd W. Reynolds
Agricultural Liaison

Kevin R. Connor
Zoning Inspector

bc: Ms. Tami Shipley

5705-94

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDANCE

TO: James H. Thompson,
Zoning Supervisor

FROM: Wally Lippincott, Jr., DEPRM

RE: Case No. C-95-3
290' NW Liberty Road and Allen Road, Westside
2nd Election District

The Baltimore County Agricultural Land Preservation Advisory Board met on November 17, 1994 to discuss this zoning enforcement issue. Lloyd Reynolds and Wally Lippincott, Jr. visited the site on November 17, 1994.

The Board subject to your approval would like to confirm to the land owner the following recommendation:

From an agricultural practice viewpoint, Mr. Cole has indicated that 70% of the wood he sells he produces on site or on other farms under the same ownership. In the interest of the community and the industry, however, Mr. Cole has agreed to (1) Move the firewood and berm materials back from Liberty Road to a point 25' to the rear of his westerly neighbors chain link fence; (2) plant white pines at a spacing to create a visual screen of the operation from Liberty Road and to reseed in grass the bare soil areas; and (4) to pave the entrance road to a point just beyond the change of grade.

Please let me know if I can inform Mr. Cole that he should proceed to have the above work completed within 60 days.

RECEIVED
NOV 22 1994
ZADM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: December 5, 1994

TO: Wally Lippincott
Agricultural Program
Environmental Protection & Resource Management

FROM: James H. Thompson
Zoning Enforcement Supervisor

RE: Case No. C-95-3
890' NW Liberty and Allen Roads, WS
2nd Election District

Having had the opportunity to review the board's recommendation in your correspondence with Director Arnold Jablon, we both agree that the only manner to properly address this operation is via the public hearing process.

Therefore, by January 5, 1994, the property owners Henry L. Cole, Jr., Joanne K. Cole and James Lawrence Klingelhofer, et al., must either have filed or established an appointment review date for a Petition for Special Hearing.

If additional questions remain, please contact either Inspector Kevin R. Connor or myself at extension 3351.

JHT/hek

c: Lloyd W. Reynolds, Agricultural Liaison
Inspector Kevin Connor

Met w/ Lloyd & Wally 12-19-94

1-12-94 for 6175-94
no attachments

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDANCE

TO: James H. Thompson
Zoning Supervisor

DATE: December 22, 1994

FROM: Wally Lippincott, Jr., DEPRM

RE: Case No. C-95-3
290' NW Liberty Road and Allen Road, Westside
2nd Election District

Please find below a draft of a letter that we discussed in our meeting of December 19, 1994 with you, Lloyd Reynolds and myself to resolve the issues on this property. Please review and let me know if you want me to send this out or whether it should go out under your letterhead.

Please find enclosed a list of the issues that we discussed and that you agreed to implement on your property. After further consideration of your operation, we have added some additional conditions. Please respond in writing by January 5, 1994 as to whether you are agreeable to these conditions.

(1) Move all firewood and berm materials back from Liberty Road to a point 25' to the rear of your westerly neighbor's chain link fence,
(2) Plant white pines at a spacing that creates a visual screen of the operation along Liberty Road,
(3) Resod the disturbed bare soil areas along the frontage,
(4) Pave the entrance road to a point just beyond the change of grade,
(5) Limit the hours of operation to 6:00 am to 6:00 pm in the winter and 6:00 to 7:30 pm in the summer time, with no work before 1:00pm on Sunday, and
(6) 100% of the wood must come from lands which you own or lease for your farm operation.

Furthermore, the Zoning Office may still ultimately determine that your present use should be subject to a special hearing by the Zoning Commissioner.

RECEIVED
DEC 29 1994
ZADM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 5, 1995

TO: Wally Lippincott, Jr.
Agricultural Program
Environmental Protection and Resource Management

FROM: James H. Thompson
Zoning Enforcement Supervisor

RE: Case No. C-95-3
890' NW Liberty Road and Allen Road, WS
2nd Election District

RECEIVED
JAN 6 1995
DEPRM
CAPITAL IMPROVEMENTS

In reply to your memo of December 22, 1994 which we received on December 29, 1994, this office recommends the following changes be incorporated in your reply to the property owners:

1. Prior to any proposed paving, contact Jack Berger of Sediment Control to verify whether permits are required for this undertaking.

2. Revise the hours of operation to 6:30 a.m. to 6:00 p.m. in the winter months and 6:30 a.m. to 7:00 p.m. during the summer time. Further, any work taking place on this site on Sunday will not start before 1:00 p.m. and will not involve any deliveries of felled wood.

3. Approval of this operation must be obtained from the Baltimore County Fire Department.

4. The loading and unloading of vehicles for the purpose of shipping and receiving wood shall take place at least 100 feet from any property line adjacent to a residentially zoned or used property.

5. Firewood placed for the purpose of drying, seasoning or storage less than 100 feet from residentially zoned or used properties shall be screened with planting that provide a year-round visual screen upon maturity.

Upon receipt of your departments letter to Henry L. Cole, Jr., Joanne K. Cole and James Lawrence Klingelhofer, et al., I will forward same to the complainants in this case. Hopefully, all parties will find these operating conditions acceptable for a farm which does limit the processing and marketing of firewood to owner-produced or leased forestry resources.

JHT/hek

1/12/95 for 147-95

January 10, 1995

TO: Mr. James H. Thompson
Zoning Enforcement Supervisor

RE: CASE No. C-95-3
890' NW Liberty Road and Allen Road, WS
2nd Election District

This is in response to your memo's dated November 22, 1994 through January 5, 1995.

On June 13, 1994, I wrote a letter to Director Arnold Jablon, informing him of the zoning violations on the property owned by Henry Cole, Jr. at 10814 Liberty Road in Randallstown concerning the buying and selling of firewood without a license.

I also outlined how Mr. Neil Klingelhofer of 10807 Liberty Road was selling this firewood from his location without a license. I have witnessed firewood being moved form 10814 Liberty Road to 10807 Liberty Road and to this date there is firewood for sale with a sign at 10807 Liberty Road.

I have witnessed Mr. Cole purchasing this firewood from [redacted] cutting this wood off their farms. It is being bought and resold as a commercial business without a license.

As Mr. Klingelhofer of 10807 Liberty Road is a retired Baltimore County employee, I hope he is not receiving special exemption from your office. I hope you personally look into this matter.

If I have too, I will take this matter to a higher authority.

Did not catch until 1-25-95 at 3:11 pm

RECEIVED
JAN 12 1995
ZADM

| Soundex / Street | Name | City | Hgt | Wgt | Race / County | Sex / State | DoB / Zip |
|---|---|---|---|---|---|---|---|
| K452143585298 | DIANE MARIE KLINGELHOFER | | 5-06 | 115 | 2 | F | 041758 |
| 4535 ALLEN ROAD | | RANDALLSTOWN | | BA | MD | | 21133 |

**********
>>> INTERROGATION COMPLETE; DIANE MARIE KLINGELHOFER <<<
>EX >ST >DEL

B. Looking South on Liberty Road from in front of Cole Property toward Randallstown

C. Looking Northwest on Liberty Road from Cole Property toward Chapeldale Rd.

Prop Owner No 2B

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDANCE

TO: James H. Thompson
Zoning Supervisor

DATE: December 22, 1994

FROM: Wally Lippincott, Jr., DEPRM

RE: Case No. C-95-3
290' NW Liberty Road and Allen Road, Westside
2nd Election District

Please find below a draft of a letter that we discussed in our meeting of December 19, 1994 with you , Lloyd Reynolds and myself to resolve the issues on this property. Please review and let me know if you want me to send this out or whether it should go out under your letterhead.

Please find enclosed a list of the issues that we discussed and that you agreed to implement on your property. After further consideration of your operation, we have added some additional conditions. Please respond in writing by January 5, 1994 as to whether you are agreeable to these conditions.

(1) Move all firewood and berm materials back from Liberty Road to a point 25' to the rear of your westerly neighbor's chain link fence,
(2) Plant white pines at a spacing that creates a visual screen of the operation along Liberty Road,
(3) Resod the disturbed bare soil areas along the frontage,
(4) Pave the entrance road to a point just beyond the change of grade,
(5) Limit the hours of operation to 6:00 am to 6:00 pm in the winter and 6:00 to 7:30 pm in the summer time, with no work before 1:00pm on Sunday, and
(6) 100% of the wood must come from lands which you own or lease for your farm operation.

Furthermore, the Zoning Office may still ultimately determine that your present use should be subject to a special hearing by the Zoning Commissioner.

Pet No 3

RECEIVED
DEC 29 1994
ZADM

Pet #4

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 5, 1995

TO: Wally Lippincott, Jr.
Agricultural Program
Environmental Protection and Resource Management

FROM: James H. Thompson
Zoning Enforcement Supervisor

RE: Case No. C-95-3
890' NW Liberty Road and Allen Road, WS
2nd Election District

In reply to your memo of December 22, 1994 which we received on December 29, 1994, this office recommends the following changes be incorporated in your reply to the property owners:

1. Prior to any proposed paving, contact Jack Berger of Sediment Control to verify whether permits are required for this undertaking.

2. Revise the hours of operation to 6:30 a.m. to 6:00 p.m. in the winter months and 6:30 a.m. to 7:00 p.m. during the summer time. Further, any work taking place on this site on Sunday will not start before 1:00 p.m. and will not involve any deliveries of felled wood.

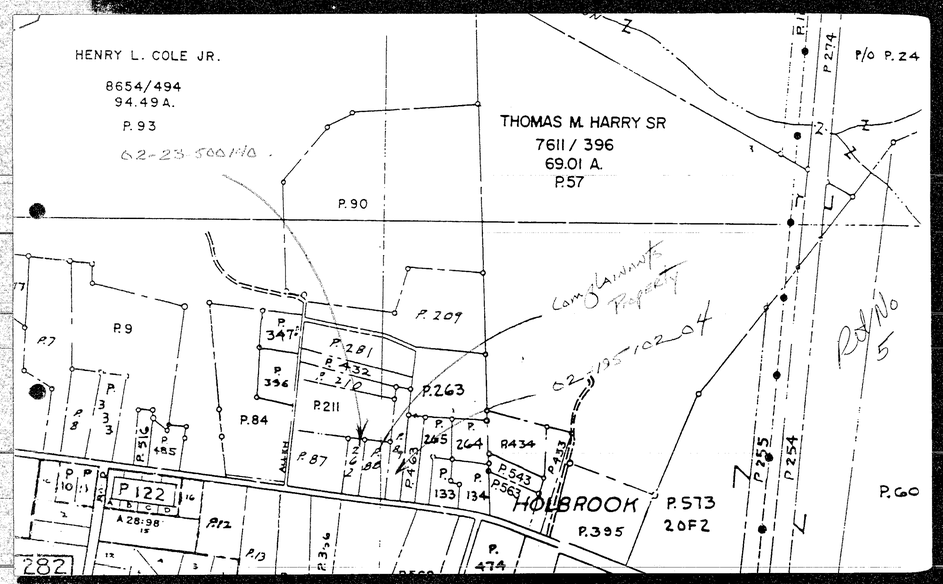
3. Approval of this operation must be obtained from the Baltimore County Fire Department.

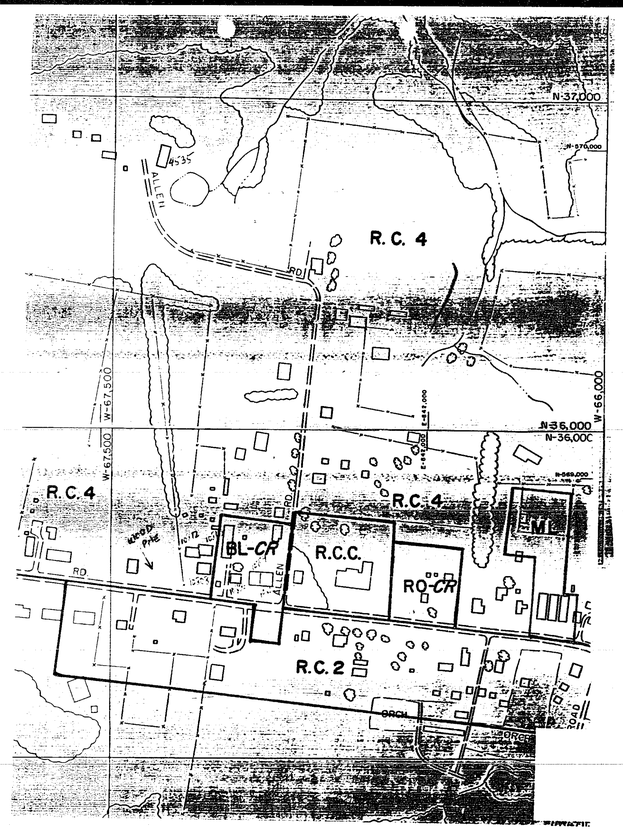
4. The loading and unloading of vehicles for the purpose of shipping and receiving wood shall take place at least 100 feet from any property line adjacent to a residentially zoned or used property.

5. ~~Firewood~~ placed for the purpose of drying, seasoning or storage less than 100 feet from residentially zoned or used properties shall be screened with planting that provide a year-round visual screen upon maturity.

Upon receipt of your departments letter to Henry L. Cole, Jr., Joanne K. Cole and James Lawrence Klingelhofer, et al., I will forward same to the complainants in this case. Hopefully, all parties will find these operating conditions acceptable for a farm which does limit the processing and marketing of firewood to owner-produced or leased forestry resources.

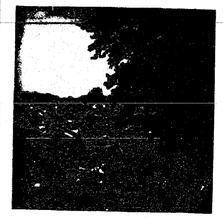
JHT/hek




V-95-275 SPH

890' NW Liberty & Allen Rd
Parcel 93



Pet No 7

6.14.95
James H. Thompson

**Holbrook-Chapeldale Community Assoc.**

Meetings: 3rd Monday Feb., May, Sept.; 2nd Monday Dec.
at Ward's Chapel Church, 8:00-9:00 PM
For information, call 655-4982

June 12. 1995

TO: Zoning Commissioner of Baltimore County

FROM: Holbrook-Chapeldale Community Association

SUBJECT: Violations Hearing
RE: Case Number V-95-275-SPH

The property on which the questionable operation (advertized as "Blue Moon Farm")is conducted lies totally within the boundaries of the Holbrook-Chapeldale Community Association (HCCA). On June 5. 1995; an Ad Hoc meeting of HCCA was held during which the issue of the subject property and questionable operation was addressed. The Association membership totals 52 and 18 members were present at the meeting. After much discussion and airing of complaints, a motion was made, seconded and passed adopting an Association position on this matter.

The membership of the Holbrook-Chapeldale Community Association present at the June 5. 1995 meeting unanimously declared that it opposes the operation, believes it to be in violation of the existing R.C. zoning and requests that, if it is determined to be a prohibited venture, immediate action be taken to assure further activity is terminated.

Barbara Hartman

Barbara Hartman
President

June 13, 1994

Dear Mr. Jablon,

I am writing to alert you and complain of a zoning violation on the empty lot next to 10812 Liberty Road, Randallstown, Maryland. As a resident of Baltimore County and a neighbor in the immediate area of the violation, I have witnessed several almost accidents because of vehicles entering and leaving the lot from Liberty Road. The owner of the property (Henry Cole of Chapeldale Road, Randallstown, Maryland) is buying tractor trailer loads of firewood and selling them off the lot by the small loads. I am sure he does not have a license to do so.

In addition to selling the wood from this location, he is also selling it from a location across the street owned by Neil Klingelhofer, who does not have a license either. Mr. Klingelhofer, a retired Baltimore County employee, should know better.

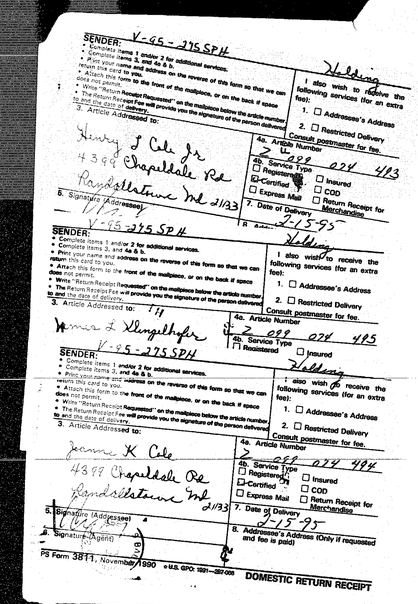
At the present time, I have watched 18 tractor trailer loads pile up in front of Liberty Road. This is an eyesore as well as causing rats and snakes to be drawn to the area. There are also small children in the immediate area and this causes a hazardous situation when they are playing outside.

Also, the company that delivers the wood brings it in at all hours of the night, disturbing the peace and quiet when they dump it out.

This is also a fire hazard as it is close to residential housing.

As a Baltimore County taxpayer, I hope that immediate action is taken on this bad situation.

As Mr. Cole is an extremely vengeful person, I wish to remain anonymous for fear of retaliation.



SENDER: V-95-275 SPH

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

3. Article Addressed to: Henry L Cole Jr, 4399 Chapeldale Rd, Randallstown Md 21133

5. Signature (Addressee)
6. Signature (Agent)

Holding

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number: P 289 024 483
4b. Service Type: ☐ Registered ☐ Insured ☑ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
7. Date of Delivery: 7-15-95
8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, November 1990 • U.S. GPO: 1991—287-005 DOMESTIC RETURN RECEIPT

SENDER: V-95-275 SPH

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

3. Article Addressed to: Neil L Klingelhofer

Holding

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number: P 289 024 485
4b. Service Type: ☐ Registered ☐ Insured

SENDER: V-95-275 SPH

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

3. Article Addressed to: Jeanne K Cole, 4399 Chapeldale Rd, Randallstown Md 21133

5. Signature (Addressee)
6. Signature (Agent)

Holding

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

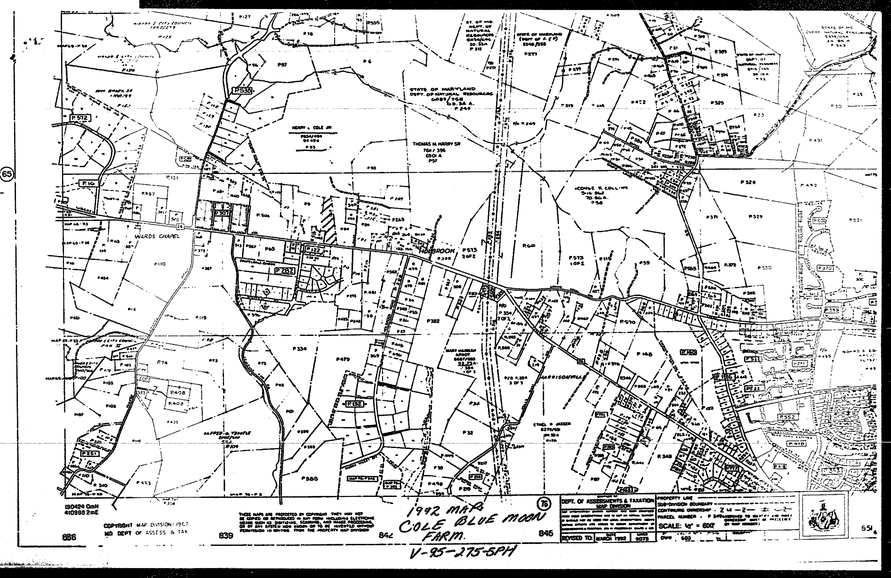
Consult postmaster for fee.

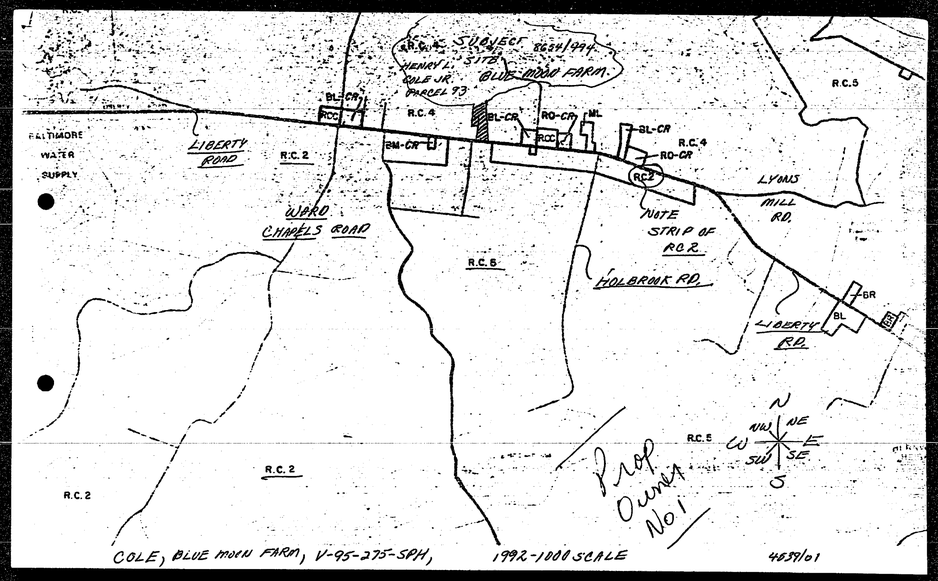
4a. Article Number: P 289 024 484
4b. Service Type: ☐ Registered ☐ Insured ☑ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
7. Date of Delivery: 7-15-95
8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, November 1990 • U.S. GPO: 1991—287-005 DOMESTIC RETURN RECEIPT

PROTESTANT(S) SIGN-IN SHEET

| NAME | ADDRESS |
|---|---|
| Patricia A Cardwell | 10828 Liberty Road, Randallstown MD 21133 |
| Thomas Bequdet | 5761 Oakland Rd. Sykesville MD 21784 |
| Marie R Allen | 10805 Liberty Rd. 21133 |
| Carolyn Hedrick | 10812 Liberty Rd 21133. |
| Roy Shue | 10812 LIBERTY RD 21133 |
| Edna Fisher | 10743 Liberty Rd 21133 |
| William E. Allen | 4516 Allen Rd 21133 |



Helene

Need 4 Summons prepared:

A) Henry L. Cole, Jr.

B.) Joanne K. Cole

C.) James Lawrence Klingelhofer

D.) Diane Marie Klingelhofer

D.M.V Records ?

---

1/27/95

Ron Keene
Myself

Re: Case No. C-95-3
890' NW Liberty & Allen Rds
2nd Election District

- Stated this past week wood already cut & split was delivered to the site at 1:30 A.M
- I explained that this office was in the process of setting this case in for a public hearing
- Further advised that he would be updated as to the time and date of the special hearing

JT 2:40 1/27

Mr. Keene
922-6116
re: 10814 Liberty Rd.

---

RE: 07/28/94 STANDARD ASSESSMENT INQUIRY (1) AS1001E
TIME: 10:35:57

| PROPERTY NO. | DIST | GROUP | CLASS | OCC. | HISTORIC | | DEL | FR DATE |
|---|---|---|---|---|---|---|---|---|
| 02 11 151301 | 02 | 1-3 | 05-00 | N | NO | | | 02/02/94 |

COLE HENRY L.,JR COLE JOANNE K DESC-L.. INP&94.49 AC NS ALLEN R
KLINGELHOFER JAMES LAWRENCE,ET AL DESC-2.. 896 NW LIBERTY RD
1899 CHAPELDALE RD PREMISE. 00000 ALLEN RD NS
RANDALLSTOWN MD 21133-0000 FORMER OWNER: COLE HENRY L,JR 00000-0000

| TCV | PRIOR | PROPOSED | PHASED IN | CURR TCV | CURR ASSESS | PRIOR ASSESS |
|---|---|---|---|---|---|---|
| LAND: | 38,700 | 61,700 | | | | |
| IMPV: | 93,180 | 123,860 | TOTAL... | 107,560 | 78,678 | 69,270 |
| TOT: | 131,880 | 185,560 | PHSI... | 16,700 | 8,350 | 8,350 |
| PREF: | 16,700 | 16,700 | CURT... | 0 | 0 | 0 |
| CURT: | 0 | 0 | EXEMPT. | | 0 | 0 |
| RATE: | 00/00 | 12/91 | | | | |

| TAXABLE BASIS | FR DATE |
|---|---|
| 94/95 ASSESS: 76,678 | 00/00/00 |
| 93/94 ASSESS: 69,270 | 06/29/93 |
| 92/93 ASSESS: 61,862 | 00/00/00 |

ENTER-INQUIRY2 PAT-PRIN1 PF2-NLAD PF5-DHIT

DATE: 07/28/94 STANDARD ASSESSMENT INQUIRY (2) AS1001E
TIME: 10:35:58

| PROPERTY NO. | DIST | GROUP | CLASS | OCC. | HISTORIC | DEL | FR DATE |
|---|---|---|---|---|---|---|---|
| 02 11 151301 | 02 | 1-3 | 05-00 | N | NO | | 02/02/94 |

OT.... BOOK.... 0000 MAP..... 0066 LOT WIDTH..... .00
BLOCK.. FOLIO... 0000 GRID.... 000H LOT DEPTH..... .00
SECTION.. PARCEL.. 0093 LAND AREA.. 94.490 A
LA:.. YEAR BUILT..... 00

TRANSFER DATA
NUMBER..... 046362
DATE..... 11/23/90
PURCHASE PRICE..... 0
GROUND RENT..... 0
DEED REF LIBER..... 08634
DEED REF FOLIO..... 0494
SURVEYED IND..... 9
IOT:PART TRAN IND..... 7
GRANTOR ACCT NO.. 02-11-151301
CRITICAL NEW CONST CARD
AREAS CODE YEAR NO
9561L

EXEMPT DATA
STATUS..... 0
CLASS CODE..... 000
STATE EXEMPT CODE..... 000
COUNTY EXEMPT CODE..... 000
CURR STATE EX ASMT.... 0
PRIOR STATE EX ASMT... 0
CURR COUNTY EX ASMT... 0
PRIOR COUNTY EX ASMT.. 0

STRUCTURE
CODE SQ. FEET
X42-200 -A

---

Zoning Enforcement
Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

ZONING VIOLATION ASSIGNMENT RECORD 02013506 13

CASE NO. C-94-2465 ZONING:

LOCATION: 10812 LIBERTY ROAD

INTERSECTION:

ALLEGED VIOLATIONS: USE PERMIT

( ) RFA ( ) LETTER ( ) IN-PERSON ( ) PICK-UP FROM:

ASSIGNED TO: (X) K. CONNOR ( ) G. FREUND ( ) D. THOMPSON
( ) C. MCGRAW ( ) L. WASILEWSKI ( ) T. FITTS
( ) D. PROPALIS ( )

ELECTION DISTRICT: 2ND TAX ACCOUNT #

COMMENTS: 1/7 Saw several large piles of cut wood w/ sign that said for order call

ACKNOWLEDGEMENT NOTICE

DEAR : DATE: JUNE 24, 1994

PLEASE BE ADVISED THAT YOUR COMPLAINT, INVOLVING THE ABOVE REFERENCED PROPERTY, HAS BEEN RECEIVED BY THIS OFFICE. AN INSPECTOR HAS BEEN ASSIGNED TO THE CASE AND WILL VISIT THE LOCATION AS SOON AS POSSIBLE. SHOULD THIS MATTER BE SCHEDULED FOR A DISTRICT COURT TRIAL, YOU WILL BE NOTIFIED OF THE DATE.

ZONING ENFORCEMENT SECTION TELEPHONE: 887-3351

Close Refer 1-5-3

---

Zoning Enforcement
Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

ZONING VI

CASE NO. C-95-3

LOCATION: 10812 LIBERTY ROA

NEAREST INTERSECTION:

ALLEGED VIOLATIONS: USE PE

( ) RFA ( ) LETTER ( ) I

ASSIGNED TO: (X) K. CONNOR
( ) C. MCGRAW
( ) D. PROPAL

ELECTION DISTRICT: 2ND

COMMENTS: 7/15/94

4535 Allen Rd.

KC 7 1:56 PM 7-20

Baxter Smith Reporter for Liberty Community Times 876-4670

10812 Liberty Rd or 4535 Allen Rd. Henry Cole 922-4977

ACKNOWLEDGEMENT NOTICE

DEAR MS. SHIPLEY: DATE: JULY 8, 1994

PLEASE BE ADVISED THAT YOUR COMPLAINT, INVOLVING THE ABOVE REFERENCED PROPERTY, HAS BEEN RECEIVED BY THIS OFFICE. AN INSPECTOR HAS BEEN ASSIGNED TO TH

POSSIBLE. SHOULD

YOU WILL BE NOTIFIED

ZONING ENFORCEMENT SI

"K"

See Re Henry Cole 922-4977

---

Zoning Enforcement
Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Wallace Lippincott, Jr. DATE: November 9, 1994
Agricultural Program
Environmental Protection and Resource Management

FROM: James H. Thompson
Zoning Enforcement Supervisor

RE: Case No.: C-95-3
Location: 890' NW Liberty Road and Allen Road, Westside
2nd Election District

On July 28, 1994 the Enforcement Division requested that a member of your staff review the firewood operation being conducted from the property adjacent to 10812 Liberty Road.

To date, we have yet to receive a reply back from your office, and the community still has valid concerns as to its operation.

If we do not have input from your department by November 21, I have instructed Inspector Kevin Connor to issue the appropriate correction notice.

JHT/sh

cc: Lloyd W. Reynolds, Agricultural Liaison
Kevin R. Connor, Zoning Inspector
File

Post-it™ Fax Note 7671 | Date 1/10-95 | # of pages ▸ 1
To Lloyd Reynolds | From Jim Thompson
Co./Dept. | Co. BALTO CO.
Phone # 833-1847 | Phone # 887-3351
Fax # 526-3762 | Fax # 887-5708

---

Zoning Enforcement
Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Wallace Lippincott, Jr. DATE: November 9, 1994
Agricultural Program
Environmental Protection and Resource Management

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JHT/sh

cc: Lloyd W. Reynolds, Agricultural Liaison
Kevin R. Connor, Zoning Inspector
File

Mailed to complainants!

---

ZONING VIOLATION INSPECTION RECORD

Date: 11/24/94 | Inspector: | No. C-
Zoning: | Location: 10900 Liberty Rd. Randallstown 21133
District: | Int./Landmark: Blue Moon Fire Wood
Source: In-Person ☐ Letter ☐ Pick-Up ☐
Structure: Apartment ☐ Dwelling ☐ Other ☐

(✓) Complaintant: Roger Harker | Phone:
Address: 10808 Liberty Rd. Randallstown MD 21133

( ) Attorney: | Phone:
Address:

( ) Occupant: | Phone:
Address:

( ) Owner: | Phone:
Address:

( ) Attorney: | Phone:
Address:

DETAILS OF COMPLAINT:
Storage facility for lumber - being used for firewood sales

INSPECTOR'S REPORT

INITIAL INSPECTION | Day: | Date: | Time:

Probable Violation: Yes☐ No☐ Section(s):
Non-Conforming Use Claimed: Yes☐ No☐ Year:

Send ____ Day Card - Correction: No. Photos:

RE-INSPECTION | Day: | Date: | Time:

Close Case ( )
Set for Hearing ( ) No. Photos:

RE-INSPECTION | Day: | Date: | Time:

No. Photos:

RE-INSPECTION | Day: | Date: | Time:

No. Photos:

SUMMONS (✓)

Inspector

ZONING VIOLATION INSPECTION RECORD

Date: 11/9/91 Inspector: No. C-
Zoning: Location: 10812 Liberty Rd
District: Int./Landmark: on the Blue Moon Firewood
Source: In-Person ☐ Structure: Apartment ☐
Letter ☐ Dwelling ☐
Pick-Up ☐ Other ☐

( ) Complaintant: Ron Keene Phone: 922-6116
Address: 10805 Liberty Rd Randallstown 21133
Allen Pardice Market
( ) Attorney: Phone:
Address:
( ) Occupant: Henry Cole Phone:
Address:
( ) Owner: Phone:
Address:
( ) Attorney: Phone:
Address:

DETAILS OF COMPLAINT: Complaintant will testify if necessary
BFR
Home Revised (1yr ago)
Tractor Trailer Loads of Firewood has been delivered to Residential Property of Sale

INSPECTOR'S REPORT

INITIAL INSPECTION Day: Date: Time:
Probable Violation: Yes☐ No☐ Section(s):
Non-Conforming Use Claimed: Yes☐ No☐ Year:

Send ____ Day Card - Correction: No. Photos:
RE-INSPECTION Day: Date: Time:

Close Case ( )
Set for Hearing ( ) No. Photos:
RE-INSPECTION Day: Date: Time:

No. Photos:
RE-INSPECTION Day: Date: Time:

No. Photos:
SUMMONS (✓)
Inspector

---

ZONING VIOLATION INSPECTION RECORD

Date: 7/7/94 Inspector: Kevin Connor No. C-95-3
Zoning: RC-4 Location: Adj. 10812 Liberty Road
District: 2nd Int./Landmark:
Source: In-Person ☐ Structure: Apartment ☐
Letter ☐ Dwelling ☐
Pick-Up ☐ Other ☐

( ) Complaintant: Tami Shupley Phone: 521-1784
Address: 10812 Liberty Road
Randallstown, MD 21133
( ) Attorney: Phone:
Address:
(x) Occupant: Henry Cole 922-4977 Phone:
Address:
( ) Owner: Henry L. Cole, JR. Joanne K Cole Phone:
Address: James Lawrence Klingelhofer et al
4399 Chapelhale Rd Randallstown MD 21133
( ) Attorney: Phone:
Address: Tax Acct. 02-11-151301

DETAILS OF COMPLAINT:
Property being used for Firewood sales. Also, signs erected advertising this use.

INSPECTOR'S REPORT

INITIAL INSPECTION Day: Date: Time:
Probable Violation: Yes☐ No☐ Section(s):
Non-Conforming Use Claimed: Yes☐ No☐ Year:
Mowing Grass
Cut line
10812

Send ____ Day Card - Correction: No. Photos:
RE-INSPECTION Day: Date: Time:

Close Case ( )
Set for Hearing ( ) No. Photos:
RE-INSPECTION Day: Date: Time:

No. Photos:
RE-INSPECTION Day: Date: Time:

No. Photos:
SUMMONS (✓)
Inspector

---

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(410) 823-7800
TELEFAX (410) 296-2765

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THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
E. BRUCE JONES**
J. JOSEPH CURRAN, III
STUART A. SCHADT

*ALSO ADMITTED IN D.C.
**ALSO ADMITTED IN NEW JERSEY

JAMES D. NOLAN
(RETIRED 1990)
J. EARLE PLUMHOFF
(1940-1988)
RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
823-7856

March 20, 1995

RECEIVED
MAR 23 1995
ZONING COMMISSIONER

The Honorable Lawrence E. Schmidt, Esquire
Baltimore County Zoning Commissioner
Court House
Towson, Maryland 21204

Re: The Cole Property, Case No. V-95-275-SPH
Scheduled Hearing Date - Monday, April 3, 1995, 9 a.m.

Dear Commissioner Schmidt:

We would respectfully request that the above entitled matter be postponed until after May 1, 1995. Mr. Cole is scheduled to enter the hospital in April for stomach surgery, and it will involve an extended convalescence.

Accordingly, we would respectfully request that the matter be so continued.

Unfortunately, I was not aware of this situation when the case was originally scheduled.

Thanking you and your staff for your kind attention to this matter, I am

Respectfully,
Newton A. Williams
Newton A. Williams

NAW/vrs
cc: Peter Max Zimmerman, Esquire
Carole S. DeMillio, Esquire
People's Counsel Office
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Mr. James L. Klingelhofer
4535 Allen Road
Randallstown, Maryland 21133

Mr. James H. Thompson
Zoning Enforcement Supervisor
111 W. Chesapeake Avenue
Towson, Maryland 21204

---

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ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
E. BRUCE JONES**
J. JOSEPH CURRAN, III
CHRISTINE K. MCSHERRY

*ALSO ADMITTED IN D.C.
**ALSO ADMITTED IN NEW JERSEY

JAMES D. NOLAN
(RETIRED 1990)
J. EARLE PLUMHOFF
(1940-1988)
RALPH E. DEITZ
(1918-1990)
OF COUNSEL
T. BAYARD WILLIAMS, JR.
WRITER'S DIRECT DIAL
823-

TELECOPY COVER PAGE

TELEFAX (410) 296-2765

DATE: March 27, 1995 CLIENT/MATTER NO.: 4531-01-95
TELECOPIER TELEPHONE NUMBER: 887-5708
TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): One + One = Two
TO: Mrs Gwen Stephens
FIRM: ZADM
TELEPHONE NUMBER TO CONFIRM RECEIPT: 887-3391
FROM: Newton Williams
RE: Rescheduled Cole Hearing — Case No. V-95-275-SPH
IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL
Newton / Valerie AT 823-7800

Gwen: When you next Cole in May, please do not set it for Wednesday, May 10th. I will be at the Board with the Shelley Case. Thanks.
Newton

See letter enclosed.

CONFIDENTIALITY NOTICE

"WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and Maryland law."

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

52678

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2/18/95 850-95

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TELEFAX (410) 296-2765

JAMES D. NOLAN
(RETIRED 1990)

[illegible]

---

2/17/95 724-95

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TOWSON, MARYLAND 21204-5340
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TELEFAX (410) 296-2765

"K" 3/3/95
Quick talk
J.T

TELECOPY COVER PAGE

TELEFAX (410) 296-2765

DATE:
TO:
FIRM:
TELEPHONE NUMBER TO CONFIRM RECEIPT:
FROM:
RE:
IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL
AT

[illegible]

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(1940-1988)
RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
823-7856

September 7, 1995

"Klingelhofer et al"

Honorable Lawrence E. Schmidt
Zoning Commissioner
Old Court House
Towson, Maryland 21204

Re: Case No.: V-95-275-SPH

Dear Commissioner Schmidt:

As your records will reveal, this case was heard by you on Thursday, June 15, 1995. I am informed by my client, and I am pleased to tell you, that he has moved the wood piles back, constructed some type of fence, and is in the process of paving an area neatly. Also, Mr. Cole has acquired a trailer for an office at considerable expense.

I am asking my client by carbon copy of this letter that as soon as these improvements are complete to forward several copies for your file and for mine.

Thanking you for your consideration in this matter, I am

Respectfully,

Newton A. Williams

NAW:mao

cc: Mr. Henry Cole
William A. Hahn, Esquire
Mr. James L. Klingelhofer

RECEIVED
SEP 8 1995
ZADM

---

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(410) 823-7800
TELEFAX (410) 296-2765

RECEIVED
FEB 12 1996
ZONING COMMISSIONER

Hon. Lawrence E. Schmidt, Esq.
Zoning Commissioner's Office
Court House
Towson, Md. 21204

Henry Cole
Blue Moon Farm
V-95-275-SPH

Feb. 6, 1996

Dear Mr. Schmidt:

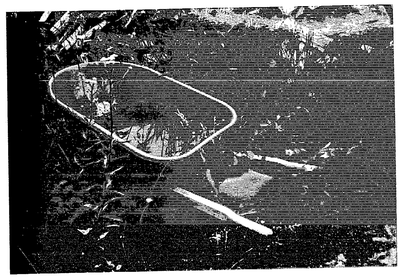
Just a note to let you know that Mr. Cole has followed your advice from the June, 1995, hearing, and he has moved back the pile, tidied up, etc.

During the hearing my notes indicate that you stated that in your opinion such firewood operations are legitimate parts of agricultural operations. Section 101 at page 1-16, includes firewood operations selling owner produced firewood, and Mr. Cole testified to several Pennsylvania wood sources which he uses and harvests. Thank you for your kind attention to this matter.

Respectfully,
Newton Williams

cc: Mr. Henry Cole; Blue Moon Farm, 4399 Chapelhale Road, Randallstown Md. 21133

June 15, 1995 Patricia A. Rodsell



New wheelborrow and empty 5 gallon gas can left along my property line when unidentified wood was put on my property. Taken 6/18/95 → in File in Journal

June 15, 1995 Patricia A. Rodsell

Close up of NE stake in February 95. Notice back of wood in background

East Property line goes from stake at surveyors feet to area behind the tree arrow in February 95

June 15, 1995 Patricia A. Rodsell

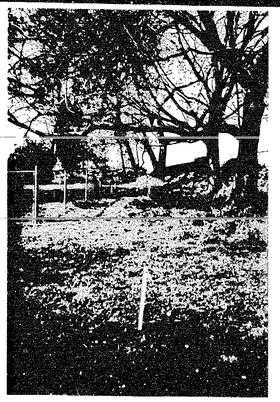
Surveyor pointing to NW Stake. Top arrow points to Surveyor standing on NE stake. Note tree behind him. Right arrow points to W starting point. February 1995

Note soiled borrow along property line

Left arrow pointing to NW stake. Top arrow pointing to tree in line with NE stake. Rt arrow points to starting stake on West property line April 1995

June 15, 1995 Patricia A. Rodsell

Close up of NE stake in April 95 from same direction as February picture.



Picture of east property line from Liberty Road area to NE stake in April 1995

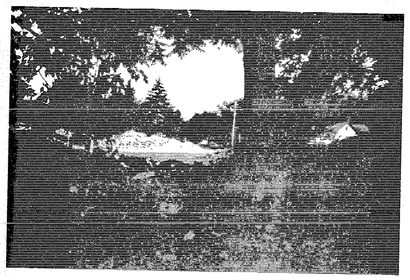
June 15, 1995 Patricia A. Rodsell
Pictures taken in afternoon of June 13, 1995
From the yard of my 10828 Liberty Road Property

From my patio

From my patio

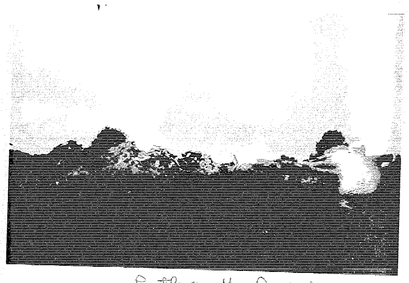
June 15, 1995 Patricia A. Rodsell
Pictures taken in afternoon of June 13, 1995
From the yard of my 10828 Liberty Road Property

From Property line



From Property line

June 15, 1995 Patricia A. Rodsell
Pictures taken in afternoon of June 13, 1995
From the yard of my 10828 Liberty Road Property



Partly on My Property

Partly on My Property

June 15, 1995 Patricia A. Rodsell
Pictures taken in afternoon of June 13, 1995
From the yard of my 10828 Liberty Road Property

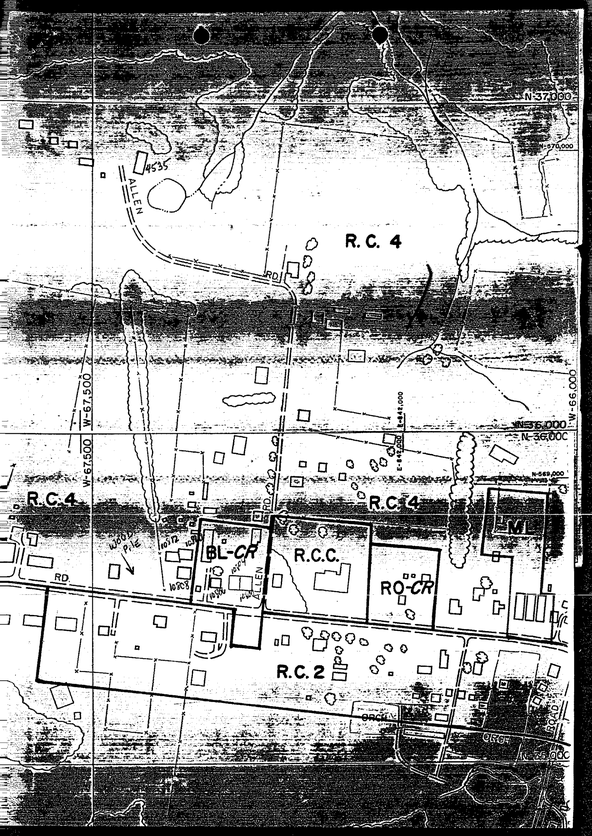
Partly on My Property

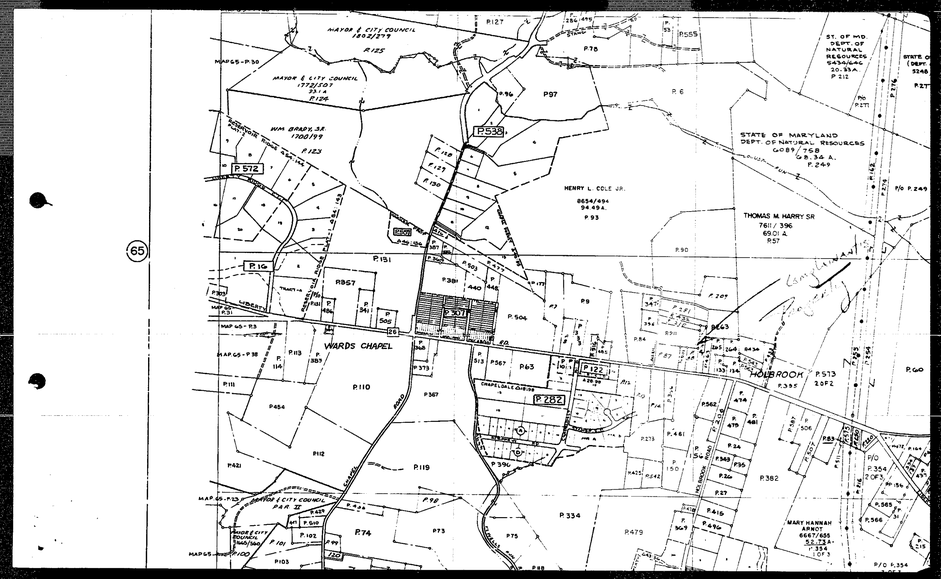
J.T.
Please let me know if OK.
Walla

Always a pleasure

Home Care
717 Cir
26135
SC 35

K 1/3
anna Joe - 208-3932
Blue Moon Firewood
Liberty Rd
selling firewood
Do you have a cord?



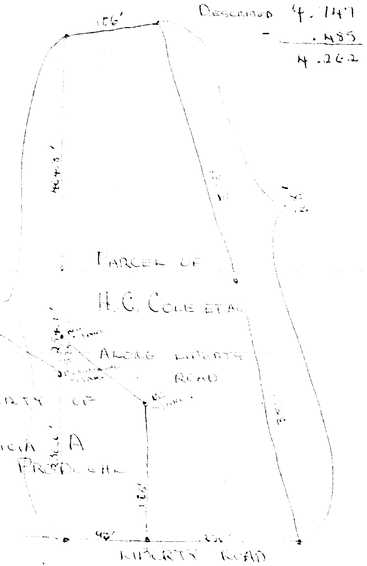




PAGE 1A

SKETCH OF MY PROPERTY LOCATION IN RELATIONSHIP TO THE PROPERTY OF H.C. COLE AND OTHERS

DESCRIBED 4.147 acres
- .885 PAD
4.262 acres

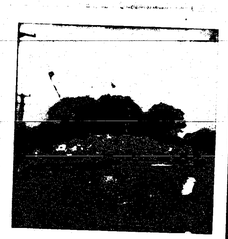
Pet #01

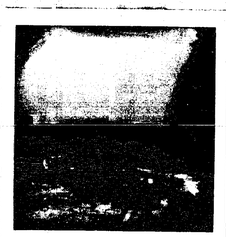



Case No. 95-3

July 26, 1994

890' NW Liberty & Allen Road
Parcel 93





Pet No 1

Kevin Conway

Return
Henry and Joanne Cole
4399 Chapelcross Rd.
Randallstown Md 21133

8654 PAGE 494 ET SEQ.

Y654
494-497

6th day of November

dred and ninety , by and between

: K. COLE, his wife,

in the State of Maryland, of the first part, and

: K. COLE, his wife, and JAMES LAWRENCE KLINGELHOFER and
: wife, parties

C RC/F 22.00
DEED 0 #
SM CLERK 22.00
#08452 D001 R02 T08:14
11/23/90

eration of the sum of NONE

the said HENRY L. COLE, JR. and JOANNE K. COLE, his wife,

do grant and convey unto the said parties of the second part, as tenants by the entireties and as joint tenants

heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in Baltimore County, Maryland , aforesaid, and described as follows, that is to say:—

SEE ATTACHED "EXHIBIT A"

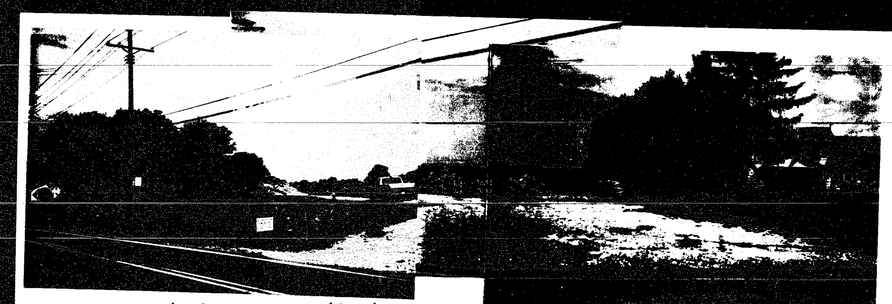
BEING the same lot or parcel of ground which by Deed dated April 19, 1985 and recorded among the Land Records of Baltimore County in Liber 6907, folio 247, was granted and conveyed by Irwin F. Kermisch and Irwin F. Kermisch, Personal Representative of the Estate of Albert Kermisch and Bessie T. Kermisch and Jack Sobel, as tenants in common, unto the said Henry L. Cole, Jr. and JoAnne K. Cole, his wife, the grantors herein.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
Baltimore County
11-21-90

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE DATE 11-21-90

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
For Gary Burgan
Date 11-21-90 Sec. 11-35 C

Pet No 2



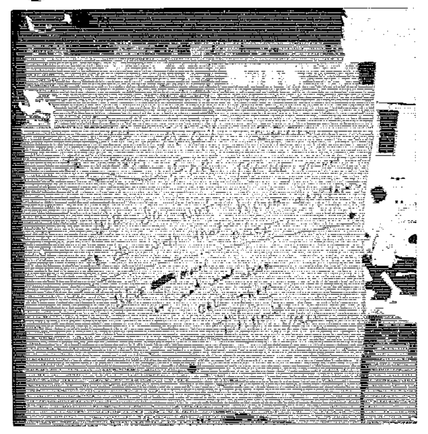
A. Looking at the Cole agricultural property on the North side of Liberty Road West of Allen Road

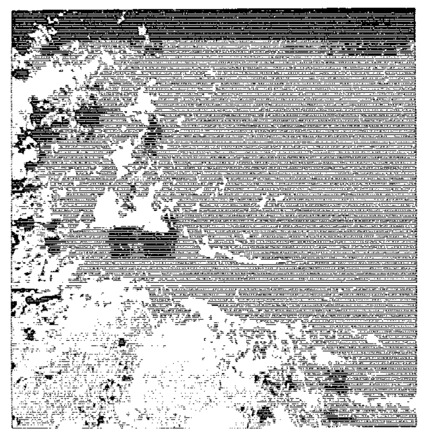
Case No. V-95-275-SPH
10812 Liberty Rd.
Cole
Blue Moon Farm

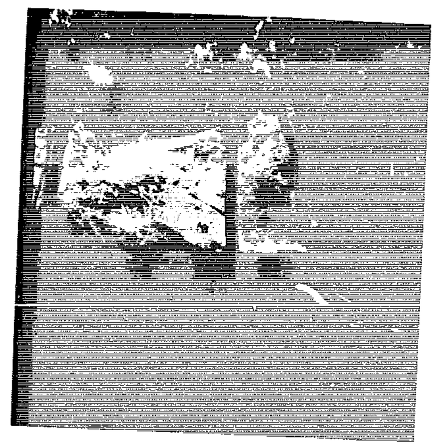
Prop. Owner No 2 A

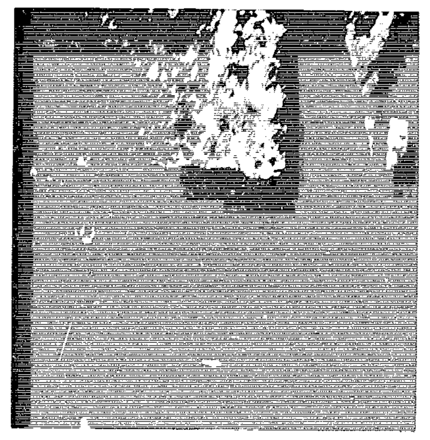
4530/01

J-95-275 SPH





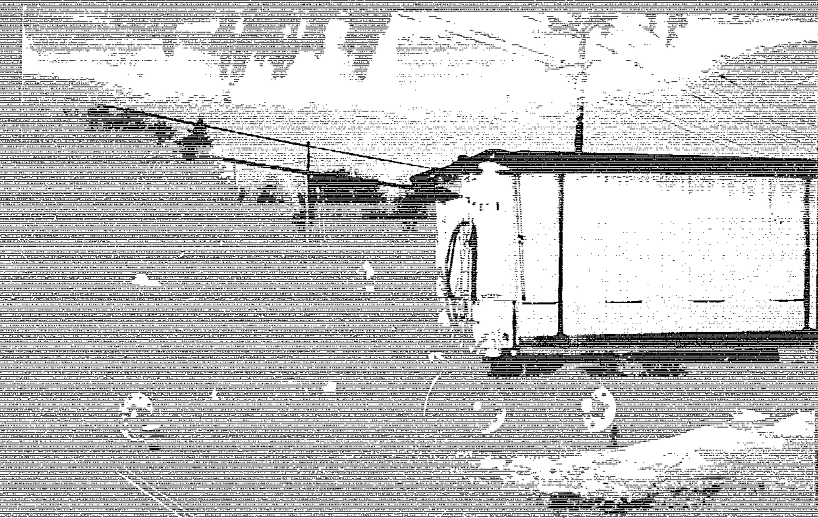


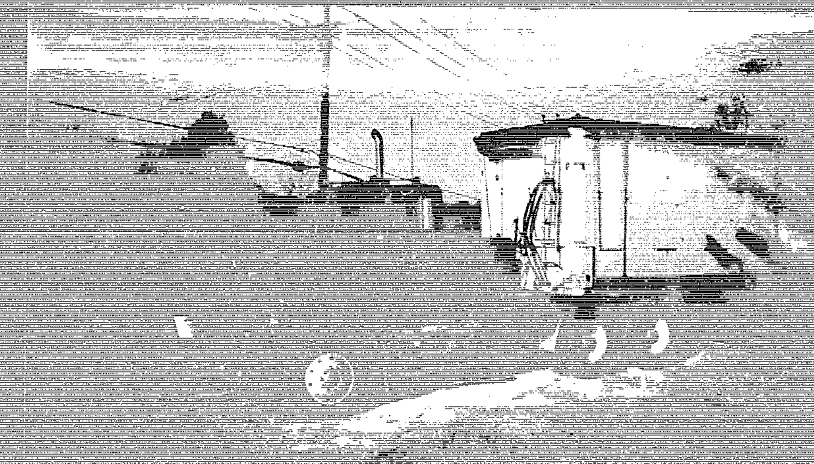


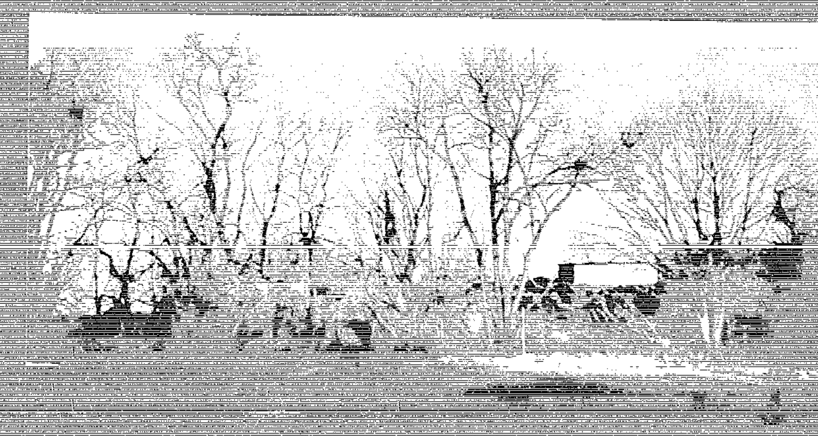
6.14.95

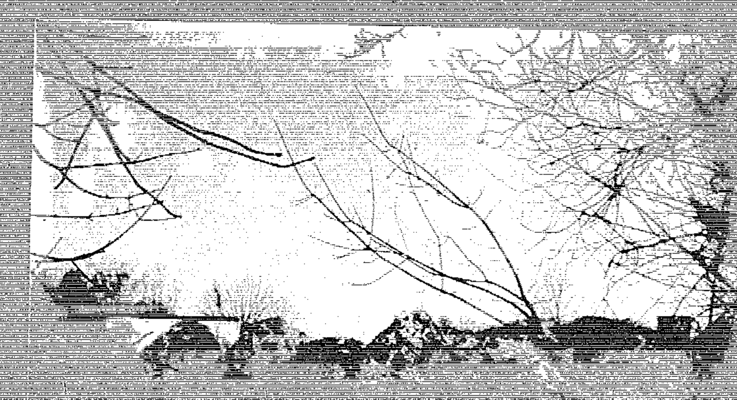
James H. Thompson

Petitioner's Exhibits 8A - 8L photographs in Case # V95-275-SPH









BALTIMORE COUNTY POLICE DEPARTMENT · FORM 10 · CRIME REPORT

1. DIV. 3 | 2. PC 3 | 3. C.C. NUMBER 950741517

4. OFFENSE/INCIDENT: Domestic Noise Vi... F-1 | 5. LOCATION: 10812 Liberty Rd | CITY-STATE-ZIP: Randallstown MD 21133 | 6. TYPE OF PREMISE: Single Home

7. TIME OCCURRED: M 3 D 15 Y 95 T 2321 Day Wed | 8. TIME REPORTED: M 3 D 15 Y 95 T 2333 Day Wed

9. VICTIM/FIRM NAME (LAST, FIRST, MIDDLE): Hedrick, Caroline Lee F/W 11/15/45 | 10. VICTIM/FIRM ADDRESS

11. VICTIM EMPLOYMENT/SCHOOL: N/A | 12. OCCUPATION - HOURS: N/A | 13. SBR: SSC | 14. RESIDENCE PHONE: 521-6794 | 15. BUSINESS PHONE: N/A | 16. NO. OF VICTIMS: 2

17. NATURE OF INJURY(S) | CONDITION | 18. FORCE/WEAPON USED | 19. VICTIM HOSPITALIZED - WHERE? | PHYSICIAN

20. CID INVESTIGATOR | 21. MEDICAL EXAMINER | 22. PROPERTY DISPOSITION | 23. BODY DISPOSITION

24. INVESTIGATIVE INTERVIEWS: INTERVIEWS CONDUCTED? YES [X] NO [ ] IF NO, EXPLAIN BLOCK #56. W - WITNESS, V - VICTIM, C - COMPLAINANT, P - PARENT, G - GUARDIAN, I - INTERVIEWED

| NAME | SEX-RACE-AGE | ADDRESS | RESIDENCE PHONE | BUSINESS PHONE | FACTOR(S) | RELATION |
|---|---|---|---|---|---|---|
| Allen, Marie Ritty | F/W 11/26/20 | 10808 Liberty Rd 21133 | 922-6116 | N/A | | V, I |

SUSPECT(S) A. 12

25-1 SUSPECT ONE ARRESTED YES [ ] NO [X] | NAME (LAST, FIRST, MIDDLE): Cole, Henry L | SEX M RACE W | MISCELLANEOUS: Relation - neighbor

25-2 SUSPECT TWO ARRESTED YES [ ] NO [X] | NAME: Klingelhofer, James Lawrence | ADDRESS: 4535 Allen Rd | SEX M RACE W DOB 4/6/57 HT. 6-02 WT. 190 | MISCELLANEOUS: Relation - neighbor

SUSPECT VEHICLE B.

46. CRIME SCENE TECHNICAL WORK: NONE [X] CRIME LAB [ ] FIELD [ ] TYPE:

PHYSICAL EVIDENCE C.

STOLEN PROPERTY D.

Pet No 9 A

54. ARE SIMILAR CRIME/SUSPECT ACTION(S) KNOWN? YES [X] NO [ ] IF YES, LIST C.C. NUMBER: None reported | 55. TOTAL LOSS VALUE:

IS ANY FORM OR TYPE OF M.O. PRESENT? IF YES, DESCRIBE E.

55.1 PROSECUTION YES [X] NO [ ] | 55.2 WARRANT/SUMMONS PROCEDURE EXPLAINED YES [ ] NO [X]

PROPERTY: FOUND/RECOVERED POSSE SYSTEM SEARCH [ ] YES [ ] NO FOLLOW-UP SEARCH REQ'D [ ] YES [ ] NO

56. MISCELLANEOUS: (CONTINUATION, CLARIFICATION, AND ANY PERTINENT DATA NOT CONTAINED ABOVE.)

57. CASE ASSIGNMENT | 58. CASE STATUS 1 | 59. TOTAL SCREENING FACTORS

61. INVESTIGATING OFFICER: M. Hickey ID NO. 3100

REV. 12/86

BALTIMORE COUNTY POLICE DEPARTMENT · FORM 10 · CRIME REPORT

1. DIV. 3 | 2. PC 3 | 3. C.C. NUMBER 95-162-1454

4. OFFENSE/INCIDENT: Domestic Noise Violation F-9 | 5. LOCATION: 10812 Liberty Road Randallstown 21133 | 6. TYPE OF PREMISE: Single Home

7. TIME OCCURRED: M 6 D 11 Y 95 T 2230 Day Sun | 8. TIME REPORTED: M 6 D 11 Y 95 T 2350 Day Sun

9. VICTIM/FIRM NAME (LAST, FIRST, MIDDLE): Hedrick Caroline Lee F/W 11/15/45

11. VICTIM EMPLOYMENT/SCHOOL: N/A | 12. OCCUPATION - HOURS: N/A | 13. SBR: SBR | 14. RESIDENCE PHONE: 521-6794 | 15. BUSINESS PHONE: N/A

24. INVESTIGATIVE INTERVIEWS:

| NAME | SEX-RACE-AGE | ADDRESS | RESIDENCE PHONE | BUSINESS PHONE | FACTOR(S) | RELATION |
|---|---|---|---|---|---|---|
| Allen, Marie Ritty | F/W 11/26/20 | 10808 Liberty Rd | 922-6116 | N/A | | I |

SUSPECT(S) A. 12

25-1 SUSPECT ONE: Cole, Henry L | SEX M RACE W | MISCELLANEOUS: Relationship - Neighbor

25-2 SUSPECT TWO

SUSPECT VEHICLE B.

46. CRIME SCENE TECHNICAL WORK: NONE [X] CRIME LAB [ ] FIELD [ ] TYPE:

PHYSICAL EVIDENCE C.

STOLEN PROPERTY D.

Pet No 9 B

54. ARE SIMILAR CRIME/SUSPECT ACTION(S) KNOWN? | 55. TOTAL LOSS VALUE:

IS ANY FORM OR TYPE OF M.O. PRESENT? IF YES, DESCRIBE E.

PROSECUTION YES [ ] NO [ ] | WARRANT/SUMMONS PROCEDURE EXPLAINED YES [ ] NO [ ]

TOTAL SCREENING FACTORS

61. INVESTIGATING OFFICER: M.A. Sewell 2734 | 031900

REV. 12/86

CASE # V-95-275-SPH

Let No10

I am Patricia A. Prodoehl June 15th, 1995

I own 10828 and 10830 Liberty Road directly adjacent on the west side of property in question.

I am a member of the Holbrook-Chapeldale Community Association which covers areas along Liberty Road from Falls Run Road to the first bridge over Liberty Dam and along Wards Chapel Road from Liberty Road to Deer Park Road on the north and along Wards Chapel Road to Marriotsville Road on the south. Our president, Barbara Hackman is unable to attend the hearing today. I have been asked to deliver this letter which states that the Association unanimously opposes the Special Hearing Relief request of Henry L. Cole and Others. Will you accept this letter?

I understand that Firewood Operations are not permitted by right or special exception in RC4 zoning by regulations 404.9,IA03.3, and IA03.3B.

If a commercial agriculture operation were to be permitted, there are certain restrictions that apply.

The loading or unloading of vehicles must take place at least 100' from any property line. The Cole property has approximately 256' of frontage on Liberty Road. It diminishes in width as it goes back to 109' approximately 800' back which would leave very little space on the front 4 acres to load and unload the trucks that come there with wood and mulch. This is where the wood and mulch are presently located. I have pictures taken Tuesday afternoon from my property showing the present layout of the land to present.

Firewood which is stored or placed for storage or drying must be located not less than one hundred feet from residential