IN THE MATTER OF: <u>CHARLES C. FENWICK, JR-LEGAL OWNER</u> S/S BUTLER ROAD, 2,650' W OF C/L FALLS ROAD (2509 BUTLER ROAD)

RE: Petition for Special Hearing to approve the division of a "non-density" parcel of land and Variance to approve a setback of 40 feet in lieu of the required 100 feet

BEFORE THE

BOARD OF APPEALS

OF BALTIMORE COUNTY

CASE NO.: 97-086-SPHA

ORDER OF DISMISSAL

This matter having come before this Board on appeal dated November 4, 1996 from a decision dated October 7, 1996 from the Deputy Zoning Commissioner, wherein the Petition for Special Hearing to approve the division of a "non-density" parcel of land and Variance to approve a setback of 40 feet in lieu of the required 100 feet was granted.

WHEREAS, the Board has been reviewing its docket with reference to inactive cases with the intent to dismiss and close as many of these cases as possible;

WHEREAS, the subject matter has been held on the Board's docket since April 25, 1997, and no further action having occurred in this matter;

WHEREAS, by letter dated June 19, 2009, the Board of Appeals notified the Counsel of record that the above-entitled matter would be dismissed for lack of prosecution after a period of 30 days; and

WHEREAS, there has been no request made for hearing in this matter, nor objection made to said dismissal;

IT IS THEREFORE ORDERED, this 5⁺¹ day of 400 day of 4

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Maureen E. Murphy, Chairman



County Board of Appeals of Boltimore County

JEFFERSON BUILDING SECOND FLOOR SUITE 203 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND, 21204 410-867-3180 64A, 44C-887-3182

June 19, 2009

Robert Hoffman, Esquire Venable, LLP 210 Allegheny Avenue, Towson, MD 21204

RE: In the Matter of: Charles C. Fenwick, Jr. - Petitioner

Case No.: 97-86-SPHA

Dear Mr. Hoffman:

The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismiss and close as many of these cases as possible.

A review of the subject file indicates that your request for postponement was granted on 04/25/97, with no further action reflected in the file to date.

Pursuant to the above intent regarding inactive cases, the purpose of this letter is to advise you that an Order of Dismissal of Petition for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

Theresa R. Shelton

Administrator

TRS/klc

Petitions for Special Hearing and Variance S/S Butler Road, 2,650' W of the c/l Falls Road (2509 Butler Road) 8th Election District - 3rd Councilmanic District Charles C. Fenwick, Jr. - Petitioner Case No. 97-86-SPHA

Petitions for Special Hearing and Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners Sign-In Sheet

Petitioners' Exhibit: 1 - Plan to Accompany Petitions for Special Hearing and Variance

Eleven Photographs

Deputy Zoning Commissioner's Order dated October 7, 1996 (Granted)

Notice of Appeal of Special Hearing and Variance received on November 4, 1996 from Peter Max Zimmerman and Carole S. Demilio on behalf of the People's Counsel of Baltimore County

Notice of Appeal of <u>Variance only</u> on November 4, 1996 from Carol C. Fenwick and Michael Watriss

c: Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210
Allegheny Avenue, Towson, MD 21204
Mr. Charles C. Fenwick, Jr., 2909 Butler Road, Butler, MD 21023
Mr. Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown

Boulevard, Suite 100, Towson, MD 21286

Ms. Carol C. Fenwick, 2605 Butler Road, Butler, MD 21023

Mr. Michael Watriss, 2611 Butler Road, Glyndon, MD 21071

People's Counsel of Baltimore County, M.S. 2010

12/17/96

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner Arnold Jablon, Director of PDM

fiji capy to Watriss only - W/D appeal. Oppeals funding: Tenevick and P.C.

95 NOV -0 E3 9: 0

Case No. 97-86-SPHA

SPH -To approve division of non-density parcel of land; VAR -setback of 40' fr RC2/RC4 demarc line ilo req'd 100' for proposed lot 2.

10/07/96 -Deputy Zoning Commissioner's Order in which Petitions were GRANTED.

- 12/17/96 -Letter from Michael Watriss, Appellant /Protestant, withdrawing his appeal filed by letter dated 10/22/96. (Note: Two remaining appeals include that of Carol C. Fenwick /filed via 10/22/96 letter with Watriss; and People's Counsel.)
- 1/02/97 -Letter from R. Hoffman, Esquire, counsel for Petitioner, requesting that Petition for Variance at issue in this case be withdrawn; however, Petition for Special Hearing is not withdrawn; case still pending on this issue.
- 3/18/97 -Notice of Assignment for hearing scheduled for Tuesday, May 13, 1997 at 11:00 a.m. sent to following:

People's Counsel for Baltimore County
Carol C. Fenwick
Robert A. Hoffman, Esquire
Charles C. Fenwick, Jr.
Gerhold, Cross & Etzel / Bruce Doak
Michael Watriss
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM Virginia W. Barnhart, Co Atty

- 4/23/97 -Letter from Counsel for Petitioner; requests postponement to allow additional time for continued discussions with appellants. To be rescheduled upon request of either party.
- 4/25/97 -Notice of Postponement sent to parties; postponement GRANTED; case to be held pending request for hearing.

CERTIFICATE POSTING

	RE: Case No.: 97-86-SPHA
	Petitioner/Developer:
	Date of Hearing/Closing:
Baltimore County Company Company Company Company Company Company Company Company Company Company Company Company Company Company Company C	•••
Ladies and Gentlemen:	্ ·
	penalties of perjury that the necessary sign(s) required by law property located at 2509 But Ph. Rd
The sign(s) were posted on	20 a b (Month, Day, Year)
	Sincerely, (Signature of Sign Poster and Date)
	(Printed Name)
•	(Address)
	(City, State, Zip Code)
	(Telephone Number)



Baltimore County Department of Permits and Development Management

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

November 7, 1996

Mr. Charles C. Fenwick, Jr. 2909 Butler Road Butler, MD 21023

RE: Petition for Special
Hearing and Variance
S/S Butler Road, 2,650' W
of the c/l Falls Road
-(2909 Butler Road)
8th Election District
3rd Councilmanic District
Charles C. Fenwick, Jr. Petitioner
Case No. 97-86-SPHA

Dear Mr. Fenwick:

Please be advised that an appeal of the above-referenced case was filed for variance only in this office on November 4, 1996 by Ms. Carol C. Fenwick and Mr. Michael Watriss. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

ARNOLD JABLON

Director

AJ:rye

c: People's Counsel

95 KOV -- 3

9:33



County Board of Appeals of Baltimore County

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

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

March 18, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-86-SPHA

MATTER OF: CHARLES C. FENWICK, JR.-2909 Butler Road Petitioner

8th Election District; 3rd Councilmanic

(Petition for Special Hearing GRANTED D.Z.C.; Petition for Variance WITHDRAWN by Retitioner.)

ASSIGNED FOR:

TUESDAY, MAY 13 1997 at 11:00 a.m.

This appeal is an evidentiary hearing; therefore, parties should NOTICE: consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

> Kathleen C. Bianco Degal Administrator

Appellant

People's Counsel for Baltimore County

Appellant /Protestant

Carol C. Fenwick

Counsel for Petitioner

Robert A. Hoffman, Esquire

Petitioner

Charles C. Fenwick, Jr.

Gerhold, Cross & Etzel

Bruce Doak

Michael Watriss

Pat Keller

Lawrence E. Schmidt

Arnold Jablon, Director /PDM Virginia W. Barnhart, Co Atty



210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517



(410) 494-6200, Fax (410) 821-0147

OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

Robert A. Hoffman (410) 494-6262

April 21, 1997

Kathleen C. Bianco, Legal Administrator The County Board of Appeals for Baltimore County Old Courthouse 400 Washington Avenue Towson, Maryland 21204

Re:

Petition for Special Hearing and Variance

Charles C. Fenwick, Jr., Petitioner

2909 Butler Road Case No. 97-86-SPHA

Dear Mrs. Bianco:

On behalf of our client, Charles C. Fenwick, Jr., I am requesting a continuance of the hearing scheduled to be held on Tuesday, May 13, 1997 at 11:00 a.m. in order to continue discussions on the issues in the case with the appellants. It is requested that the case be rescheduled at such time as it is requested by any party.

Very truly yours,

Robert A. Hoffman

RAH:pmp

cc:

Ms. Carol C. Fenwick

Carole S. Demilio, Esquire

TO1DOCS1/RAH01/0042770.01

97 APR 23 PM 2: 36 SLA399A TO OAAOB YTHUOO



County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 25, 1997

NOTICE OF POSTPONEMENT

CASE #: 97-86-SPHA

IN THE MATTER OF: CHARLES C. FENWICK, JR.Petitioner 2909 Butler Road
8th Election District; 3rd Councilmanic

(Petition for Special Hearing GRANTED by D.Z.C.; Petition for Variance WITHDRAWN by Petitioner.)

Which was scheduled for hearing before the Board on May 13, 1997 has been POSTPONED at the request of Counsel for Petitioner; NEW HEARING DATE TO BE ASSIGNED ONLY UPON RECEIPT OF REQUEST FOR SAME.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco Legal Administrator

cc: Appellant

: People's Counsel for Baltimore County

Appellant /Protestant

: Carol C. Fenwick

Counsel for Petitioner

Robert A. Hoffman, Esquire

Petitioner

Charles C. Fenwick, Jr.

Gerhold, Cross & Etzel

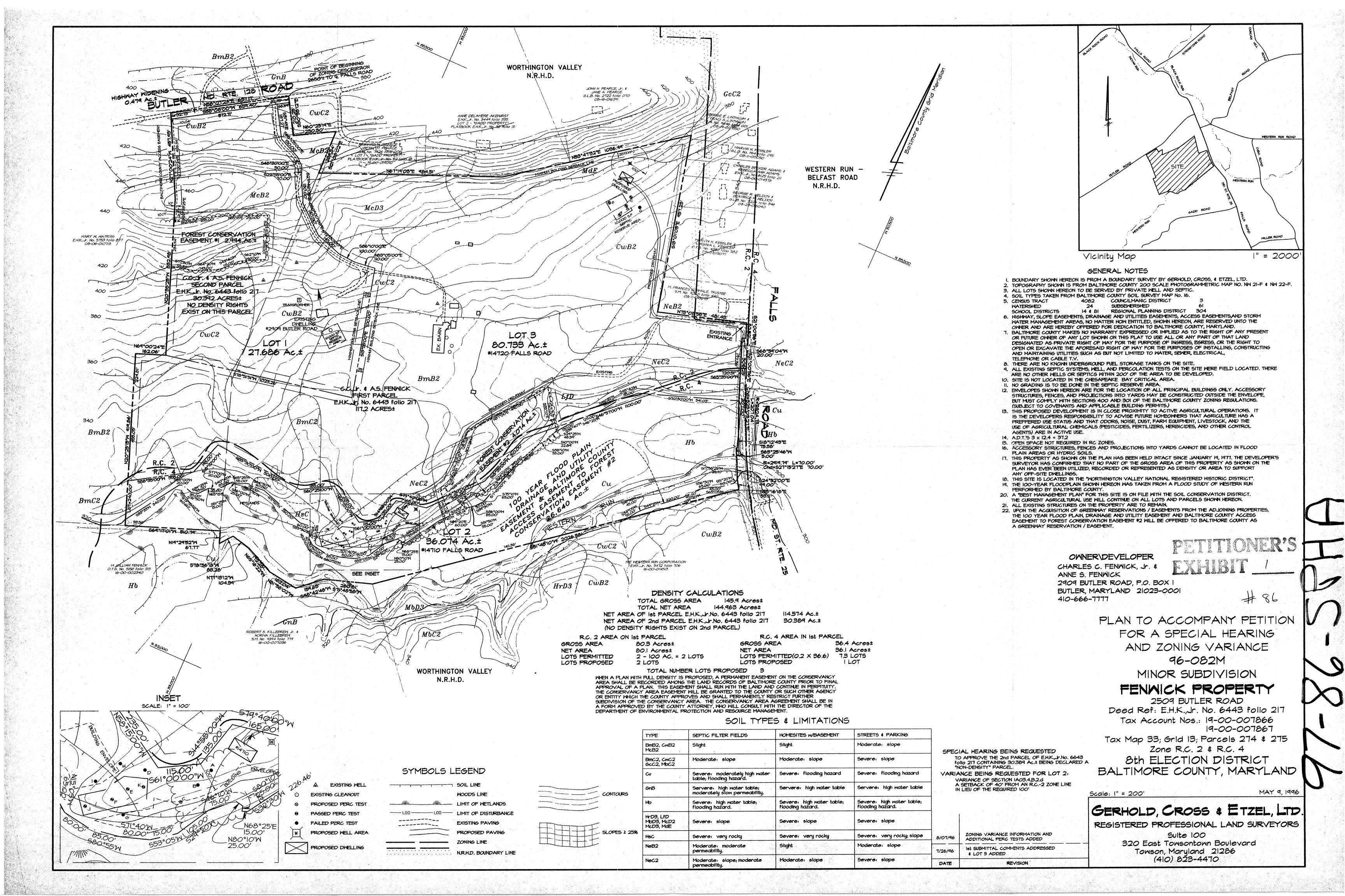
/ Bruce Doak

Michael Watriss

Pat Keller

Lawrence E. Schmidt

Arnold Jablon, Director /PDM Virginia W. Barnhart, Co Atty

























ORDER RECEIVED FOR FILING
Date
By

PETITION FOR SPECIAL HEARING BEFORE THE S/S BUTLER ROAD, 2,650 FEET W OF C/L FALLS ROAD DEPUTY ZONING × 2509 BUTLER ROAD Eighth Election District COMMISSIONER Third Councilmanic District OF BALTIMORE COUNTY CHARLES C. FENWICK, JR. Case No.: 97-86-SPHA * and ANNE S. FENWICK *

Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing and Variance for that property known as 2509 Butler Road. The Petition was filed by the owners of property, Charles and Anne Fenwick and they have requested a special hearing to approve the division of a "non-density" parcel of land and, a variance from §1A03.4.B.2.d B.C.Z.R. to approve a setback of forty (40) feet from a R.C.-2/R.C.-4 demarcation line in lieu of the required one hundred (100) feet for proposed Lot 2. The subject property and relief sought are more particularly described on the site plan submitted and which was accepted as Petitioners' Exhibit 1. The Petitioners were represented by their attorney, Robert A. Hoffman, Esquire.

Appearing at the hearing on behalf of the Petitioners were Mr. Charles Fenwick, legal owner of the property and Mr. Bruce Doak of Gerhold, Cross & Etzel, a land surveying firm who prepared the site plan for this property. There were no protestants present.

ORDER RECEIVED FOR FILLING

Testimony and evidence offered revealed that the subject property currently consists of two (2) parcels. One parcel containing 30.389 acres is a non-density parcel previously acquired by the Fenwicks; the other parcel is approximately 114.574 acres. The petitioners wish to subdivide the 114 acre parcel into three lots and attach a portion of the 30 acre parcel to each new lot. I find that there would be no adverse impact by approving the division of this agricultural acreage in this manner.

With regard to the setback variance, Mr. Doak explained that the configuration of the R.C.-4/R.C.-2 demarcation line is unique in that it follows a severely meandering western run through this portion of the Fenwick property. Accordingly, the location of the house and the septic field present a truly unique challenge for the property owner. Testimony also confirms that because of steep slopes, the location of the house cannot be moved any further from the R.C.-2/R.C.-4 zone line.

The B.C.Z.R., specifically §307.1 establishes a two step process for the granting of variances. This two step process was addressed and identified by the Court of Special Appeals in the case of *Cromwell v. Ward*, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted that regulation as to require the applicant to establish the following:

First, the applicant must prove, and the Deputy Zoning Commissioner must find, that the "property whereon structures are to be placed (or uses

JAIDER RECEIVED FOR FILING

conducted) is -- in and of itself -- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that the subject property is unique, unusual and different from properties which surround subject site as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this first step, the applicant must proceed to show that strict compliance of the zoning regulations for Baltimore County would result in practicable difficulty and reasonable hardship. I find that based upon the testimony and evidence presented at the hearing before me, the applicants have in fact proven the practical difficulty standards as set forth in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). I further find that the granting of this variance is in strict harmony with the spirit and interest of the B.C.Z.R. and the granting of this relief is accomplished without injury to the public health, safety or general welfare.

Pursuant to the advertisement, posting of the property and public hearing on these petitions held, and for the reasons given above, the relief requested in this special hearing and variance petition should be granted.

ORDER RECEIVED

Hearing to approve the division and transfer of a non-density parcel of land and, pursuant to §1A03.4.B.2.d B.C.Z.R., a setback of 40 feet from a R.C.-2/R.C.-4 demarcation line, in lieu of the required 100 feet for proposed Lot No. 2 is hereby granted, subject to the restrictions set forth below;

(1) The petitioners may apply for their building permit and be granted same upon receipt of this ORDER; however, petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this ORDER has expired. If for whatever reason, this ORDER is reversed the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO, Deputy Zoning Commissioner for Baltimore County



Baltimore County Zoning Commissioner Office of Planning and Zoning

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

October 7, 1996

Robert A. Hoffman, Esquire Venable, Baetjer & Howard 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
S/S Butler Road, 2,650' W of the c/l Falls Road
(2509 Butler Road)
8th Election District - 3rd Councilmanic District
Charles C. Fenwick, Jr. - Petitioner
Case No. 97-86-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached 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,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. Charles C. Fenwick, Jr. 2909 Butler Road, Butler, Md. 21023

> Mr. Bruce Doak, Gerhold, Cross & Etzel 320 E. Towsontown Blvd., Suite 100, Towson, Md. 21286

People's Counsel

File

- consegue of the present of a



OR FILING

ORDER RECEN

Date

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

2909 Butler Rd.

97-86-SRHA

which is presently zoned

RC2&RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The second parcel of E.H.K., Jr No. 6443 folio 217, containing 30.392 acres, more or less, being declared a "non-density" parcel of land.

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.

			We do solemnly declare and affirm, un legal owner(s) of the property which is the	nder the penalties of perjury, that I/we are the se subject of this Petition.
Contract Purchaser/Lessee*			Legal Owner(s)	
(Type or Print Name)			(Type or Print Name)	
Signature			Signature	·
Address	······································		(Type or Print Name)	rick, Jr
City	State	Zipcode	Signature C.	tems.
Attorney for Petitioner:			2909 Butler Road Address Butler MD	d 666-7777 Phone No. 21023
(Type or Print Name)			City	State Zipcode pal owner, contract purchaser or representative
Signature			Bruce E. Doak Gerhold, Cross & E	tzel, Ltd
Address	Phone	No	Suite 100, 320 E.	Powson- 823-4470
City	State	Zipcode	ESTIMATED LENGTH OF HEARING	E USE ONLY Z Gr able for Hearing
		A street Administration, N	the following dates	
		•	ALLOTHER	l



OH FILING

ORDER RECEIVED

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 97-86-5PHA

2909 Butler Rd.,

14710 Falls Rd. &14720 Falls Rd.

which is presently zoned RC2 & RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A03.4.B.2.d - a setback of 40 feet from an RC2 zone line in an RC4 zone in lieu of the required 100 feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The area between the zone line and the 100-yr. flood plain as delineated by a flood study performed by Baltimore County does not provide sufficient area to build a home and provide the required setbacks.

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

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

Printed with Soybean ink on Recycled Paper		•	ALLOTHEROATE	Next Two Months
		Applicat Manning Contracting	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING unavailable for Hearing	24.
	State	Zspcode	Suite 100, 320 E. Towson MD 21286	ontown Phone No. 3-4 470
Address	Phone No	3	Bruce E. Doak Gerhold, Cross & Etzel, L	
Signature	<u> </u>		City State Name, Address and phone number of representative to t	21023 7ipcode
(Type or Print Name)			2909 Butler Road	666-7777 Phone No
Attorney for Petitioner		•	⊸.B(10	
Ciy	State	Zipcode	Xa c. Ferr	mag).
Address		,	Charles C. Fenwick, Jr.	<u> </u>
Signature	-, -, 	· ····································	Signature	
(Type or Print Name)	<u></u>		(Type or Print Name)	
Contract Purchaser/Lessee			Legal Owner(s)	Petition
			i/We do solemnly declare and affirm, under the penaltic legal owner(s) of the property which is the subject of this	es of perjury, that I/we are the

GORDÓN T. LANGDÓN EDWARD F DEIACO-LOHR BRUCE E DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100 320 EAST TOWSONTOWN BOULEVARD TOWSON, MARYLAND 21286-5318

> 410-823-4470 FAX 410-823-4473

August 8, 1996

EMERITUS

PAUL G DOLLENBERG
FRED H DOLLENBERG
CARL L GERHOLD
PHILIP K CROSS
OF COUNSEL

JOHN F. ETZEL
WILLIAM G. ULRICH

Zoning Description 2909 Butler Road

97-86-5PHA

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of Butler Road (MD. Route 128) distant Southeasterly 2,650 feet, measured along the center of Butler Road, from the center of Falls Road (MD. Route 25) and thence leaving Butler Road and running South 30 degrees 55 minutes 12 seconds East 210.25 feet, North 60 degrees 25 minutes 19 seconds East 230.30 feet, South 01 degree 08 minutes 02 seconds East 239.34 feet, North 67 degrees 19 minutes 03 seconds East 984.51 feet, North 53 degrees 47 minutes 32 seconds East 1036.99 feet, South 13 degrees 01 minute 05 seconds East 957.23 feet and North 73 degrees 08 minutes 55 seconds East 481.43 feet to the west side of Falls Road, thence binding on the west side of Falls Road, South 21 degrees 00 minutes 56 seconds East 82.52 feet, South 68 degrees 58 minutes 04 seconds West 20.00 feet, South 21 degrees 00 minutes 56 seconds East 306.25 feet, Southeasterly by a curve to the left having a radius of 2904.79 feet for an arc distance of 207.04 feet (the chord of said arc bearing South 23 degrees 03 minutes 27 seconds East 207.00 feet), South 18 degrees 12 minutes 43 seconds East 75.38 feet, South 63 degrees 25 minutes 46 seconds West 5.00 feet, Southeasterly by a curve to the left having a radius of 2919.79 feet for an arc distance of 70.00 feet (the chord of said arc bearing South 27 degrees 15 minutes 27 seconds East 70.00 feet), South 24 degrees 52 minutes 00 seconds East 99.00 feet, and South 33 degrees 15 minutes 39 seconds East 53.00 feet, thence leaving said Falls Road and running South 51 degrees 43 minutes 10 seconds West 2026.38 feet, South 71 degrees 48 minutes 58 seconds West 260.81 feet, South 48 degrees 42 minutes 48 seconds West 159.63 feet, North 81 degrees 58 minutes 02 seconds West 162.04 feet, North 65 degrees 16 feet 22 seconds West 172.28 feet, North 77 degrees 13 minutes 12 seconds West 104.39 feet, South 37 degrees 56 minutes 18 seconds West 83.28 feet, North 19 degrees 29 minutes 52 seconds West 67.77 feet, South 69 degrees 17 minutes 01 second West 510.79 feet, North 20 degrees 25 minutes 15 seconds West 919.86 feet, North 69 degrees 00 minutes 24 seconds East 162.06 feet, North 20 degrees 35 minutes 25 seconds West 832.98 feet and North 27 degrees 00 minutes 24 seconds West 457.93 feet to the center of said Butler Road and running in the center of Butler Road North 58 degrees 07 minutes 24 seconds East 637.17 feet to the place of beginning.

Containing 144.972 acres of land more or less.

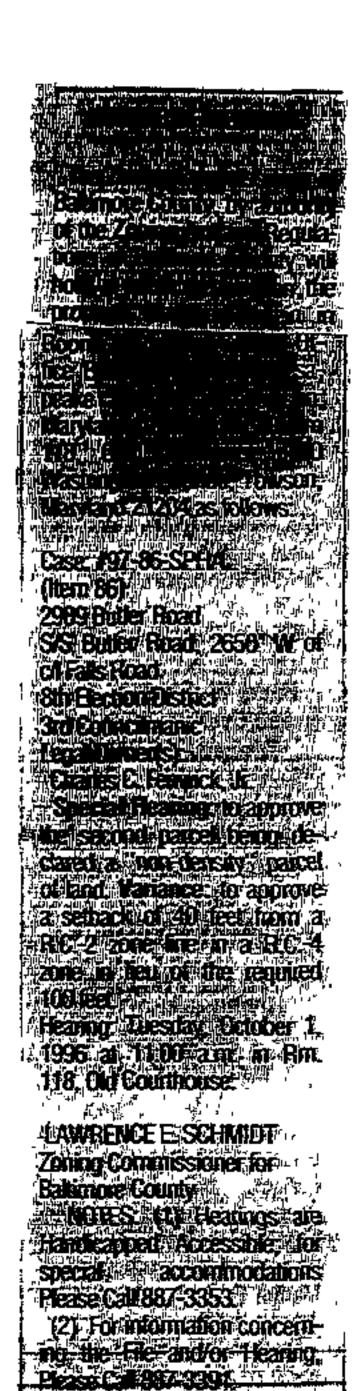
This description is only for zoning purposes and is not intended purposes.



	TY, MARYLAND REVENUE DIVISION	No.	02476
MISCELLANEOU_ CA	ASH RECEIPT		
DATE 8/72/96	ACCOUNT_6/- 6	15	
There 86			
By: mox	AMOUNT \$ 170	o me	
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FROM: Ge hole	Cross Etzel - 14710,19 Lar \$50.00 Henris - \$50.00	1770 Fa	1/5 R.
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080- 25%	# 70.00		
FOR:	\$170.00	,	
とソーム・	01 4004007	<u></u>	180 00
232/21/5	01A00#0069mICHRC <u>BA_CON9:35AM08-22-</u>		170.00
TE - CASHIER PINK - AGENCY YEL	LOW - CUSTOMER		
DAI TIMORE		——————————————————————————————————————	<u> </u>
MISCELLANEOUS		No.	
MISCELLANEOUS	E - REVENUE DIVISION		
MISCELLANEOUS	E-REVENUE DIVISION CASH RECEIPT	C / · 6	
MISCELLANEOUS DATE // 7	E-REVENUE DIVISION CASH RECEIPT ACCOUNT	C / · 6	
MISCELLANEOUS DATE // 7	E-REVENUE DIVISION CASH RECEIPT 96ACCOUNT	210.00	
MISCELLANEOUS DATE // 7	E-REVENUE DIVISION CASH RECEIPT ACCOUNT	= -c1-6	

RYE

BALTIMORE COUNTY, MARYLAND



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CERTIFICATE OF PUBLICATION

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

CZRTIFICATE OF POSTING

97-86-SHA Towns, Maryland
District /
Posted for: OCT 1996 HEARING 9/16/96. Petitioner: CHARIES OF THE ARING
Location of property: 2909 BULTER BULCE
Location of Signer, #2509 BUTLER ROAD PER SITE PLAN.
Remarks: #2909 15 INCOPPECT
Posted by Statul M. O'Keel, Posted correctly for site plan
Number of Signe: Signature Date of return:

ZONING NOTICE

Case #: 97-86-SPHA

A PUBLIC HEART BITHE ZONING SIN TO MD.

BE HELD BY

PLACE: ROOM 118, OLD COURTHOUSE

TIME & DATE: TUES, OCT. I, 1996 AT 11:00 A.M.

SPECIAL HEARING
TO APPROVE THE SECOND PARCEL BEING DECLARED A "NONDENSITY" PARCEL OF LAND.

VARIANCE
TO APPROVE A SETBACK OF 40 FEET FROM A R.C.-2 ZONE LIME
IN A R.C.-4 ZONE IN LIEU OF THE REQUIRED 100 FEET.

BETURN SIGN AND POST TO ROOM 104, COUNTY OFFICE BUILDING
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES.

MECESSARY TO CONFIRM HEARING

CALL 887-3391 THE DAY BEFORE THE SCHEDULED HEARING DAY
TO MIL WITH THE SERVICE PROPERTY OF PLANES, WHERE PLANES, WHE

TO: PUTUXENT PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please foward billing to:

Charles C. Fenwick, Jr. 2909 Butler Road
P. O. Box 1
Butler, MD 21023
666-7777

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: 97-86-SPHA (Item 86)
2909 Butler Road
S/S Butler Road, 2650' W of c/l Falls Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Charles C. Fenwick, Jr.

Special Hearing to approve the secon parcel being declared a "non-density" parcel of land. Variance to approve a setback of 40 feet from a R.C.-2 zone line in a R.C.-4 zone in lieu of the required 100 feet.

HEARING: TUESDAY, OCTOBER 1, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County Department of Permits and Development Management

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

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August 30, 1996

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

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-86-SPHA (Item 86)

2909 Butler Road

S/S Butler Road, 2650' W of c/l Falls Road 8th Election District - 3rd Councilmanic Legal Owner(s): Charles C. Fenwick, Jr.

Special Hearing to approve the secon parcel being declared a "non-density" parcel of land. Variance to approve a setback of 40 feet from a R.C.-2 zone line in a R.C.-4 zone in lieu of the required

HEARING: TUESDAY, OCTOBER 1, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablo

Director

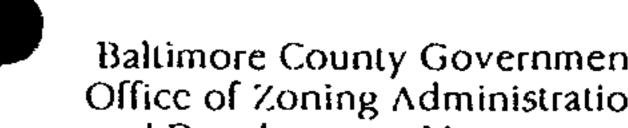
Charles C. Fenwick, Jr. CC:

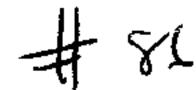
Bruce E. Doak/Gerhold, Cross & Etzel, Ltd.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCORMODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.







111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the 1) time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 86
Petitioner: Charles C. Fenwick, Jr.
Location: 14710 Falls Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Charles C. Fenwick, Jr.
ADDRESS: 2909 Butler Rd., P.O. Box 1
Butler MD 21023
PHONE NUMBER: 666-7777

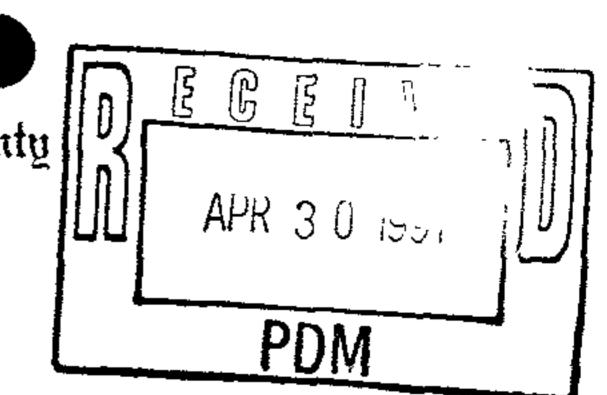
AJ:ggs





County Board of Appeals of Baltimore County

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



Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

April 25, 1997

NOTICE OF POSTPONEMENT

CASE #: 97-86-SPHA

JR.-CHARLES C. FENWICK, MATTER OF: THE 2909 Butler Road Petitioner 8th Election District; 3rd Councilmanic

(Petition for Special Hearing GRANTED by D.Z.C.; Petition for Variance WITHDRAWN by Petitioner.)

Which was scheduled for hearing before the Board on May 13, 1997 has been POSTPONED at the request of Counsel for Petitioner; NEW HEARING DATE TO BE ASSIGNED ONLY UPON RECEIPT OF REQUEST FOR SAME.

This appeal is an evidentiary hearing; therefore, parties should NOTICE: consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco Legal Administrator

Appellant CC:

Appellant /Protestant

: People's Counsel for Baltimore County

: Carol C. Fenwick

Counsel for Petitioner

Robert A. Hoffman, Esquire

Petitioner

: Charles C. Fenwick, Jr.

Gerhold, Cross & Etzel

Bruce Doak

Michael Watriss

Pat Keller Lawrence E. Schmidt Arnold Jablon, Director /PDM Virginia W. Barnhart, Co Atty



County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 18, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-86-SPHA IN THE MATTER OF: CHARLES C. FENWICK, JR.Petitioner 2909 Butler Road

8th Election District; 3rd Councilmanic

(Petition for Special Hearing GRANTED by D.Z.C.; Petition for Variance WITHDRAWN by Petitioner.)

ASSIGNED FOR: TUESDAY, MAY 13, 1997 at 11:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should

consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco Legal Administrator

cc: Appellant

: People's Counsel for Baltimore County

Appellant /Protestant : Carol C. Fenwick

Counsel for Petitioner

: Robert A. Hoffman, Esquire

Petitioner

: Charles C. Fenwick, Jr.

Gerhold, Cross & Etzel

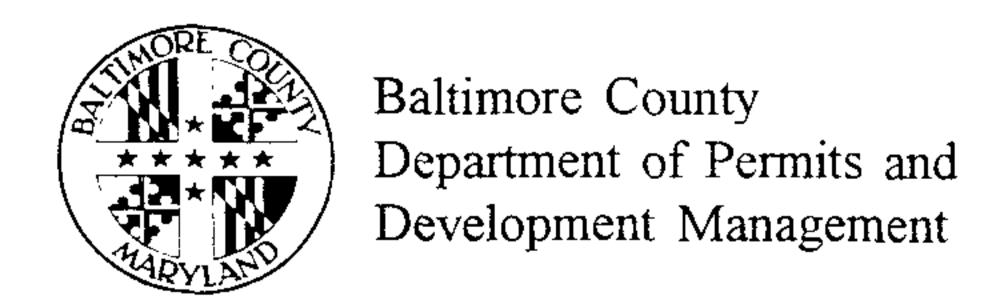
Bruce Doak

Michael Watriss

Pat Keller

Lawrence E. Schmidt

Arnold Jablon, Director /PDM Virginia W. Barnhart, Co Atty



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

September 24, 1996

Mr. Charles C. Fenwick, Jr. 2909 Butler Road Butler, MD 21023

> Item No.: 86 RE:

> > Case No.: 97-86-SPHA

Petitioner: Charles C. Fenwick, Jr.

Dear Mr. Fenwick:

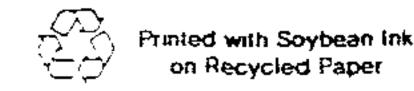
The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 22, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely, Conf. Richard W. Carl Richards, Jr. Zoning Supervisor

WCR/re Attachment(s)



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Mr. Arnold Jablon, Director

September 6, 1996

Zoning Administration and Development Management

FROM:

Robert A. Wirth RAW/9P

DEPRM

SUBJECT:

Zoning Item #86 - Fenwick Property

2909 Butler Road

Zoning Advisory Committee Meeting of September 3, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Agricultural Preservation

Please see attachment

RAW:WL:sp

FENWICK/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: September 13, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

Zoning Advisory Committee Meeting SUBJECT'

for September 9, 1996

Item Nos. 082, 083, 086, 088, 089, 090, 091, 092, & 093

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE:

September 11, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Planning Office

SUBJECT:

Petitions from Zoning Advisory Committee

The Planning Office defers to the position taken by the Department of Environmental Protection and Resource Management in this matter.

Item No. 86

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief

PK/JL

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 09/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson. MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 03, 1996.

Item No.: SEE BELOW

Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:82, 83, 85, 86, 88, 90, 91 AND 93.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE:

September 6, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 81, 83 (86,)88, 90, 92 and 93

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief:

PK/JL

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David L. Winstead Secretary Parker F. Williams Administrator

8-30-96

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County Item No. 1996 (MJ)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/128 4128 4 MD 455 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

Division

BS

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
2909 Butler Road, S/S Butler Road,	*	ZONING COMMISSIONER
2650' W of c/l Falls Road	al.	00 DE MILLONIO MOLDINIE
8th Election District, 3rd Councilmanic	*	OF BALTIMORE COUNTY
~~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	als.	CROTE NO. OF OC. ODIIA
Charles C. Fenwick, Jr.	*	CASE NO. 97-86-SPHA
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

X 1 - 11 - 7 '

People's Counsel for Baltimore County

airle 5, Demilio

Deter May Zimmeinan

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 ______ day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE 887-2904 Fax 887-4804

To:

Development Coordination

Date: September 6, 1996

From:

Wally Lippincott, Jr.

Subject:

Zoning Petition & Special Hearing #86

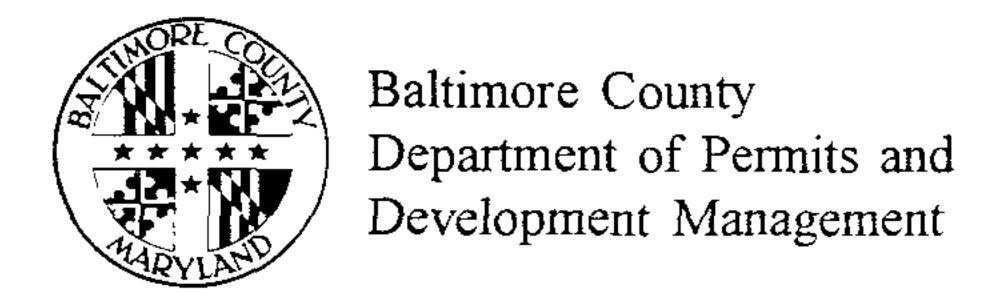
The setback provision in 1A03.4.B.2.d. was instituted to protect adjacent agricultural resources and the potential use of those resources. The 100' setback as provided in the Zoning Regulations provides for a minimal amount of distance to buffer residential properties from adjacent agricultural uses so as to minimize nuisance issues and conflicts.

A request for a 40' setback instead of the 100' would increase the potential for conflict between this proposed residential use and future agricultural activities on the surrounding farm. It is also of concern that the needs of the future residents of the house may include such amenities as a pool, lawn, tennis court, etc, which given the site constraints may require additional requests for variances and lot line adjustments.

If there was no alternative location for this house site on the property, than measures to mitigate the potential impact on agricultural resources would be advised. These would include restrictions on the locating any appurtenances to the dwelling within 40' of the RC 2 line and the planting of vegetative screening along the property line. Also the required notice regarding potential nuisances should be included as a covenant to the property so that future landowners would be required to acknowledge the existence of such a condition

However, there is the option of placing this house out of the valley and not in the middle of the agricultural land. An additional house could be located on the 30.392 parcel on which the landowner is requesting a non-density transfer. The request for nondensity transfer is not based upon ultimate use for agricultural use. The request is for residential purposes and given so it would be preferred to locate the additional house out of the environmentally sensitive valley location and up on the hill.

It is recommended that rather than approve the request for a nondensity transfer, that the original transfer remain in effect. The landowner should seek to renegotiate with the original seller of the land to remove the private covenant restricting building on land. This would provide for a more suitable location that would have less impact on the agricultural resources of the property.



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

November 7, 1996

Mr. Charles C. Fenwick, Jr. 2909 Butler Road Butler, MD 21023

RE: Petition for Special
Hearing and Variance
S/S Butler Road, 2650' W
of c/l Falls Road
(2909 Butler Road)
8th Election District
3rd Councilmanic District
Charles C. Fenwick, Jr. Petitioner
Case No. 97-86-SPHA

Dear Mr. Fenwick:

Please be advised that an appeal of the above-referenced case was filed in this office on November 4, 1996 by Peter Max Zimmerman and Carole S. Demilio on behalf of the People's Counsel for Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

ARNOLD JABLON

Director

AJ:rye

c: Mr. Bruce Doak



Batimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN People's Counsel CAROLE S. DEMILIO
Deputy People's Counsel

November 4, 1996

Arnold Jablon, Director Department of Permits and Development Management 111 W. Chesapeake Avenue Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING & VARIANCE 2909 Butler Road, S/S Butler Road, 2650' W of c/l Falls Road 8th Election District, 3rd Councilmanic

CHARLES C. FENWICK, JR., Petitioner

Case No. 97-86-SPHA

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Order dated October 7, 1996 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

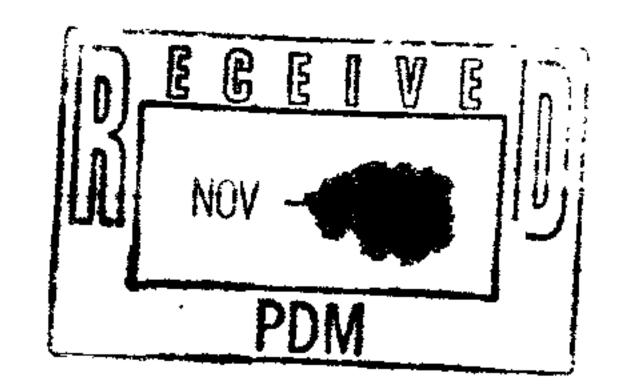
People's Counsel for Baltimore County

Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/caf

cc: Robert A. Hoffman, Esquire Attorney for Petitioner



APPEAL

Petitions for Special Hearing and Variance S/S Butler Road, 2,650' W of the c/l Falls Road (2509 Butler Road) 8th Election District - 3rd Councilmanic District Charles C. Fenwick, Jr. - Petitioner Case No. 97-86-SPHA

Petitions for Special Hearing and Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners Sign-In Sheet

Petitioners' Exhibit: 1 - Plan to Accompany Petitions for Special Hearing and Variance

Eleven Photographs

Deputy Zoning Commissioner's Order dated October 7, 1996 (Granted)

Notice of Appeal of Special Hearing and Variance received on November 4, 1996 from Peter Max Zimmerman and Carole S. Demilio on behalf of the People's Counsel of Baltimore County

Notice of Appeal of Variance only on November 4, 1996 from Carol C. Fenwick and Michael Watriss

c: Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204 Mr. Charles C. Fenwick, Jr., 2909 Butler Road, Butler, MD 21023 Mr. Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Boulevard, Suite 100, Towson, MD 21286 Ms. Carol C. Fenwick, 2605 Butler Road, Butler, MD 21023 Mr. Michael Watriss, 2611 Butler Road, Glyndon, MD 21071 People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

Mr. Arnold Jablon
Director, Permits and
Development Management
111 W. Chesapeake Ave.
Towson, MD 21204

October 22, 1996

RE: 97-86-SPHA (Petition for Variance, 2509 Butler Road)

Dear Mr. Jablon:

Please enter an appeal, on behalf of the undersigned, from the Zoning Commissioner's order granting a variance in the case referenced above.

Please forward copies of any papers pertinent to this appeal to me at the address given below. Please also enclose whatever further instructions I will need to continue this appeal.

Sincerely,

Ms. Carol C. Fenwick

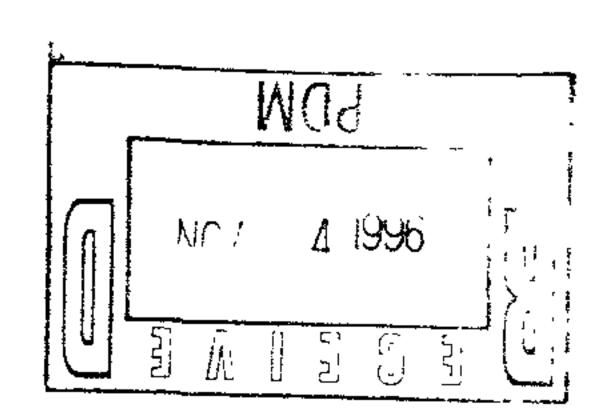
•2605 Butler Rd.

Butler, MD 21023

Mr. Michael Watriss

2611 Butler Rd.

Glyndon, MD 21071



2611 BUTLER ROAD

GLYNDON, MARYLAND 21071

December 4, 1996

MICHAEL WATRISS

Mr. Robert O. Schuetz Chairman County Board of Appeals for Baltimore County Old Courthouse 400 Washington Avenue Towson, Maryland 21204

Mr. Arnold Jablon Director of Department of Permits and Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

> Re: Petition for Special Hearing and Variance

> > 2909 Butler Road, S/S. Butler Road

2650 feet west of the centerline of Falls Road 8th Election District, Third Councilmanic District

Charles C. Fenwick, Jr., Petitioner

Case No. 97-86-SPHA

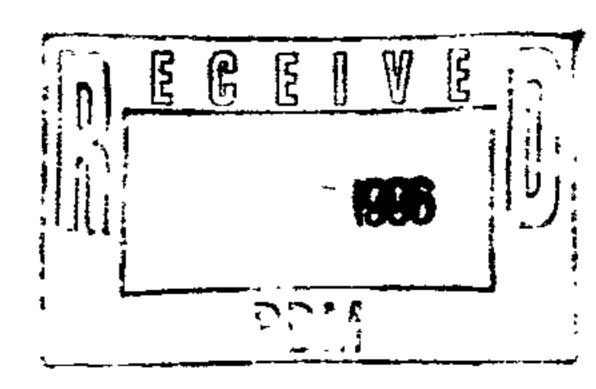
Gentlemen:

I am writing to withdraw my appeal that I entered in accordance with my letter of October 22, 1996, copy of which is attached.

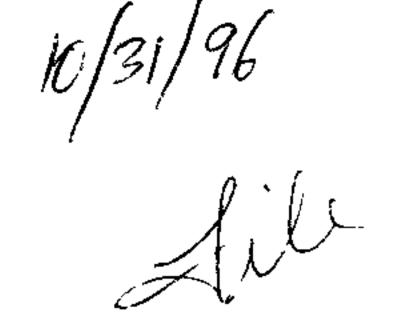
Sincerely,

Michael Watriss 2611 Butler Road

Glyndon, Maryland 21071

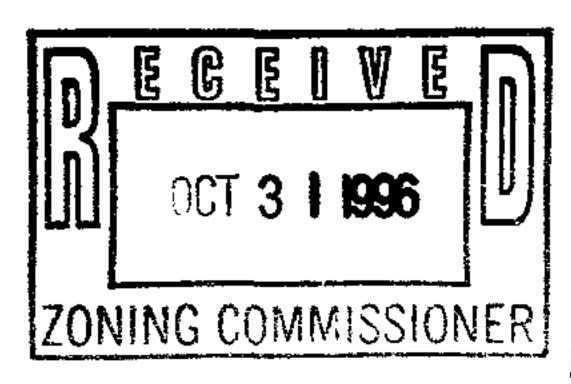


DOUGLAS CAMPULL 1117 GREENSPRING VALLEY RD. BROOKLANDVILLE, MD 21022-0945 410 - 823-2640



Timothy Kotroco
Deputy Zoning Commissioner
118 Old Courthouse
400 Washington Ave.
Towson, Md.

Hand delivered



Re: Petition for Variance 2909 Butler Rd. Case# 97-86-SPHA

Dear Mr. Kotroco,

Please enter my name as an interested party in this case. I own 62 acres close to this property that has been recently rezoned to RC-2, and the decisions on this case affect my property as well as other neighbors.

I object to the granting of additional housesites in anticipation of more restrictive zoning. The use of non-density land to effect a net increase in number of houses on a property must be an error.

Sincerely,

Douglas Carroll

Aboning Aub # 96136M D. Carroll

sent copy of 10/31/16

October 22, 1996

Mr. Arnold Jablon
Director, Permits and
Development Management
111 W. Chesapeake Ave.
Towson, MD 21204

RE: 97-86-SPHA (Petition for Variance, 2509 Butler Road)

Dear Mr. Jablon:

Please enter an appeal, on behalf of the undersigned, from the Zoning Commissioner's order granting a variance in the case referenced above.

Please forward copies of any papers pertinent to this appeal to me at the address given below. Please also enclose whatever further instructions I will need to continue this appeal.

Sincerely,

Ms. Carol C. Fenwick

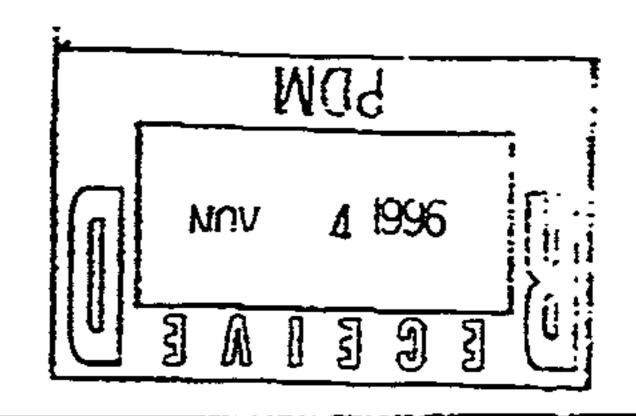
. ≠2605 Butler Rd.

Butler, MD 21023

Mr. Michael Walriss

2611 Butler Rd

Glyndon, MD 21071



Including professional corporations

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 1/2/98 TOF9

OFFICES IN

MARYLAND WASHINGTON, D.C VIRGINIA

Writer's Direct Number (410) 494-6262



January 2, 1997

HAND-DELIVERED

Mr. Arnold Jablon, Director Permits and Development Management County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Mr. Robert O. Schuetz Chairman, County Board of Appeals for Baltimore County Old Courthouse 400 Washington Avenue Towson, Maryland 21204

Re:

Charles C. Fenwick, Jr. -- Petition for Special Hearing and Variance for Property located at 2909 Butler Road

Case No. 97-86-SPHA

Gentlemen:

I am writing on behalf of the Petitioner, Charles C. Fenwick, Jr., in the above-referenced matter to request that the Petition for Variance at issue in this case be withdrawn. <u>Please note, however, that Mr. Fenwick does not intend to withdraw the Petition for Special Hearing also at issue in this case.</u>

Yours truly,

Robert A. Høffman

RAH:dk

cc:

Carole S. Demilio, Esquire

Mr. Charles C. Fenwick, Jr.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
------	---------

E. DOAK - GERHOLD, CROSS F ETZGE, LTD	320 E. TOWSONTOWN BURO, TOWSON MO
CHARLES C. FENGLICK, JR. Rob Hoffm	
Rob Hoffm	210 Alling Lung Ave 21204
	
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