

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 E/S Old York Road, 4000 ft. N * ZONING COMMISSIONER
 of Troyer Road * OF BALTIMORE COUNTY
 17001 & 17111 Old York Road *
 10th Election District *
 6th Councilmanic District *
 George Riepe, et ux Petitioners * Case No. 97-325-SPH
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for adjacent properties located at 17001 and 17111 Old York Road in northern Baltimore County. The Petition was filed by George M.S. Riepe and Frances W. Riepe, property owners. Special Hearing relief is requested to permit the nondensity conveyance of 2.076 acres (+/-) from the property known as 17001 Old York Road to the property known as 17111 Old York Road. The Petition also states that the acreage to be conveyed is presently used as pasture land and will remain in such use. The subject property and requested relief are more particularly shown on Petitioners' Exh. No. 1, the plan to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was the property owner/Petitioner, George M.S. Riepe. Also present was Bruce E. Doak, the surveyor who prepared the site plan. There were no Protestants or other interested persons present.

Mr. Riepe testified that the property owned by him known as 17111 Old York Road is rectangular in shape, approximately 4.311 acres in area and zoned R.C.2. The property is located in northern Baltimore County not far from the Baltimore County/Harford County line. Mr. Riepe's property is improved with a single family dwelling which fronts Old York Road. Other than the road frontage, Mr. Riepe's property is entirely surrounded by another property owned by his father. This parcel is very large, 102.148 acres, and is known as 17001 Old York Road. It is also zoned R.C.2. Both properties are used for the same active agricultural purpose (cattle farm) without regard to their property line.

ORDER RECEIVED FOR FILING
 Date 5/16/97
 By M. Doak

Mr. Riepe filed the Petition for Special Hearing to obtain approval to transfer a rectangularly shaped lot (2.076 acres in area) from his parents' parcel to his parcel. It was explained that this lot contains a two story framed barn with a stone foundation which is used in connection with the cattle farm. It was indicated that the use of the properties would not change and would be unaffected by the transfer. It was explained that it was Mr. Riepe's desire to consolidate the acreage necessary so that both his house and the barn would be on one property. Photographs of the site were submitted which showed the house, barn and adjacent lands, including the active cattle farming operation.

As indicated above, there were no Protestants or other interested persons present. Moreover, the desire to place the house and barn all on one lot appears appropriate, given the use of the property. However, a comment was received from the Department of Environmental Protection and Resource Management (DEPRM) about the Petition. In essence, that comment expressed concern about the creation of a 6 acre parcel property would be used intensively for agricultural purposes and that over use of the site could lead to detrimental impacts to the water quality of the Little Gunpowder River. A limitation on the number of of livestock was suggested, as was a recommendation that the landowner obtain and implement a sewer and water quality plan approved by the Baltimore County Soil Conservation District.

For so long as both properties are used in conjunction with one another, which is the case at present, I do not believe that there will be an over use of the subject property. Thus, I will not impose the conditions suggested by DEPRM at this time. However, in the event of a conveyance of the newly created 6.4 +/- acre tract to persons outside the Riepe family, then imposition of such a limitation would be appropriate. That is, creation of an independent farming operation on the newly created

ORDER RECEIVED FOR FILING

Date

5/6/97

By

M. Morak

MICROFILMED

parcel; separate and apart from the present use common to both tracts owned by this family could be problematic for water resources in the area. Thus, I will adopt DEPRM's recommendations in a limited fashion.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 6th day of May 1997 that approval to permit parking of a commercial vehicle on residential property (D.R.2 zone), pursuant to Section 431.B of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED, subject, however, to the following restrictions:

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

2. In the event of the arms length conveyance of the subject parcel known as 17111 Old York Road to a person(s) outside the Riepe family, so that the properties known as 17001 and 17111 are not used for agricultural purposes in conjunction with one another, then in such event, the then owner of the property known as 17111 Old York Road shall be limited in the livestock to acreage ratio as set forth in Section 100.6 of the BCZR. Moreover, at such time, said owner shall be required to obtain and implement a soil and water quality plan approved by the Baltimore County Soil Conservation District.

A copy of this Order shall be recorded in the Land Records of Baltimore County so that notice of this restriction is provided to all potential property owners. Proof of the recording of this Order, as aforesaid, shall be forwarded to the Zoning Commissioner within 60 days hereof for inclusion in the case file.

ORDER RECEIVED FOR FILING
Date 5/6/97
By [Signature]

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

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 E/S Old York Road, 4000 ft. N * ZONING COMMISSIONER
 of Troyer Road * OF BALTIMORE COUNTY
 17001 & 17111 Old York Road * Case No. 97-325-SPH
 10th Election District *
 6th Councilmanic District *
 George Riepe, et ux Petitioners *
 * * * * *

AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property George M. S. Riepe and Frances W. Riepe, to approve the nondensity conveyance of 2.076 acres (+/-) from the property known as 17001 Old York Road to the property known as 17111 Old York Road. The requisite hearing was held on March 13, 1997 at which the owner of the property, Mr. George Riepe appeared, along with his engineer, Mr. Bruce E. Doak, who prepared the site plan for this property, which was accepted into evidence and marked as Petitioner's Exhibit 1.

The relief requested was granted, subject to certain terms and restrictions, by Order dated May 6, 1997. However, subsequent to the issuance of said Order, this Office was advised by Mr. Doak, that the granting language within the Order was incorrect, apparently due to a typing error. Thus, an amended Order is necessary to clarify the relief granted.

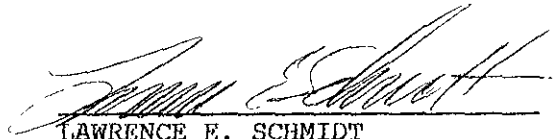
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of May, 1997 that the Order issued May 6, 1997, be and the same shall hereby be AMENDED as follows:

ORDER RECEIVED FOR FILING
 Date 5/14/97
 By [Signature]

MICROFILMED

That the Petition for Special Hearing to permit the nondensity conveyance of 2.076 acres (+/-), from the property known as 17001 Old York Road to the property known as 17111 Old York Road, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that all other terms and restrictions of the Order issued May 6, 1997 shall remain in full force and effect.



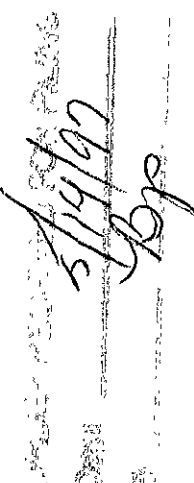
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. George Riepe
17001 Old York Road, Monkton, Md. 21111

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

People's Counsel; Case File





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

May 14, 1997

Mr. Bruce E. Doak
Gerhold, Cross & Etzel
320 E. Towsontowne Boulevard, Suite 100
Towson, Maryland 21285

RE: PETITION FOR SPECIAL HEARING
E/S Old York Road, 4000' N of Troyer Road
(17001 & 17111 Old York Road)
10th Election District - 6th Councilmanic District
George M. S. Reipe, et ux - Petitioners
Case No. 97-325-SPH

Dear Mr. Doak:

Enclosed please find an Amended Findings of Fact and Conclusions of Law and corrected Order in the above-captioned matter. My secretary is on vacation this week and I am therefore at a loss to explain the error in the original Order. In any event, I have issued an amended Order with the necessary corrections. I trust that you will find same acceptable.

Kindly pass along my apologies to your clients, and should you have any questions in this regard, please do not hesitate to contact me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Case File





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

May 1, 1997

Mr. and Mrs. George Riepe
17001 Old York Road
Monkton, Maryland 21111

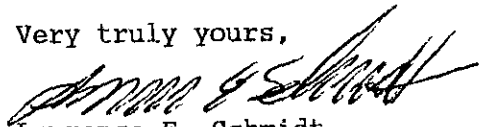
RE: Petition for Special Hearing
Case No. 97-325-SPH
Property: 17001 and 17111 Old York Road

Dear Mr. and Mrs. Riepe:

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

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

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. Bruce E. Doak, Gerhold, Cross and Etzel
320 E. Towsontowne Blvd., Suite 100, Towson, Md. 21285



325



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at TAX ACC Nos 10-18-035470 & 18-00-014873
17001 & 17111 OLD YORK ROAD
which is presently zoned R.C. 2

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 NON-DENSITY CONVEYANCE OF 2.076 ACRES, MORE OR LESS FROM THE PROPERTY AT 17001 OLD YORK ROAD TO THE PROPERTY AT 17111 OLD YORK ROAD. THE 2.076 ACRES, MORE OR LESS, IS EXISTING PASTURE AND WILL REMAIN AS SUCH.

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, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

GEORGE M.S. RIEPE
(Type or Print Name)

George M.S. Riepe
Signature

FRANES W. RIEPE
(Type or Print Name)

Frances W. Riepe
Signature

17001 OLD YORK ROAD 771-4222
Address Phone No

MONKTON, MD 21111
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

BRUCE E. DOAK
GERHOLD, CROSS & ETZEL LTD.
Name SUITE 100

320 E. TOWSONTOWN BLVD 823-4470
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



GORDON T LANGDON
EDWARD F DEIACO-LQHR
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

325

EMERITUS
PAUL G DOLLENBERG
FRED H DOLLENBERG
CARL L GERHOLD
PHILIP K CROSS
OF COUNSEL
JOHN F ETZEL
WILLIAM G ULRICH

February 3, 1997

Zoning Description for 17001 Old York Road
OF WHOLE TRACT

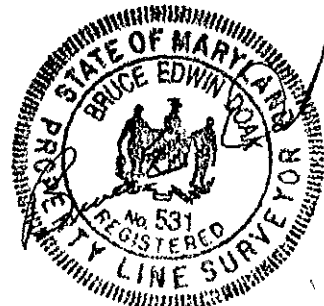
Beginning at a point in the bed of Old York Road near the intersection with Troyer Road, thence running on or near the bed of Old York Road for the six following bearings and distances viz: 1) North 15 degrees 43 minutes East 281.46 feet, 2) North 71 degrees 50 minutes West 33.00 feet, 3) North 16 degrees 12 minutes East 249.69 feet, 4) North 18 degrees 56 minutes East 200.00 feet, 5) North 30 degrees 24 minutes East 412.50 feet, 6) North 36 degrees 48 minutes East 206.70 feet, thence on or near the centerline of Old York Road the nine following bearings and distances viz: 7) North 37 degrees 46 minutes 50 seconds East 743.53 feet, 8) North 34 degrees 18 minutes 20 seconds East 159.90 feet, 9) North 31 degrees 50 minutes 30 seconds East 360.00 feet, 10) North 28 degrees 37 minutes East 112.97 feet, 11) North 7 degrees 06 minutes 40 seconds East 119.81 feet, 12) North 00 degrees 08 minutes West 180.00 feet, 13) North 9 degrees 17 minutes 40 seconds East 161.72 feet, 14) North 15 degrees 50 minutes East 200.00 feet, 15) North 14 degrees 02 minutes East 328.00 feet, to the center of a bridge crossing the Little Gunpowder Falls at the dividing line between Baltimore and Harford Counties, thence on or near the centerline of Old York Road the three following bearings and distances viz: 16) North 15 degrees 38 minutes East 172.00 feet, 17) North 19 degrees 50 minutes 50 seconds East 183.21 feet, 18) North 30 degrees 05 minutes East 120.66 feet, thence leaving Old York Road and with the eleven following bearings and distances viz: 19) South 71 degrees 54 minutes East 612.55 feet, 20) South 31 degrees 37 minutes East 55.70 feet, 21) North 17 degrees 38 minutes East 35.50 feet, 22) South 71 degrees 16 minutes East 221.00 feet, 23) South 8 degrees 31 minutes 50 seconds West 254.23 feet, 24) South 13 degrees 44 minutes 30 seconds East 768.96, 25) South 87 degrees 09 minutes West 185.50 feet, 26) South 19 degrees 25 minutes West 386.20 feet, 27) South 16 degrees 41 minutes West 1757.20 feet, 28) South 10 degrees 26 minutes East 217.50 feet, 29) South 83 degrees 04 minutes 30 seconds West 1856.60 feet to the place of beginning.

Saving and excepting the 4.311 acre parcel of ground conveyed in a deed dated the fifth day of January, 1981 from George M. S. Riepe et ux to George M. S. Riepe, Jr. et ux and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K. Jr., No. 6249 folio 704. The said 4.311 acre parcel is also known as Lot No.1, "Plat of Property of George M. S. Riepe & Wf." and recorded among the Land Records of Baltimore County, Maryland in Plat Book E.H.K.Jr., No. 46 folio 114.

Containing 104.2 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of Baltimore County Office of Zoning.

Riepe zdc



GORDON T. LANGDON
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

325

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

February 6, 1997

**Zoning Description for the Area to be Transferred
From 17001 Old York Road**

Beginning at a point in the centerline of Old York Road being north-easterly 4000 feet, more or less, along the centerline of Old York Road from the centerline of Troyer Road, thence running with the centerline of Old York Road for the three following bearings and distances viz: 1) North 07 degrees 06 minutes 40 seconds East 68.06 feet, 2) North 00 degrees 08 minutes 00 seconds West 180.00 feet and 3) North 09 degrees 17 minutes 40 seconds East 95.47 feet, thence leaving said road and running for the two following bearings and distances viz: 4) South 78 degrees 39 minutes 00 seconds East 527.87 feet and 5) South 66 degrees 15 minutes 53 seconds West 590.96 feet to the place of beginning.

Containing 2.076 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of Baltimore County Office of Zoning.



riepe2.zde

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 at 10:00 a.m. on the proposed rezoning of the property identified herein as follows:

Case #97-325-SPH

17001 Old York Road

ES Old York Road, 4000' N of

Troyer Road

18th Election District

6th Councilmanic

Legal Districts:

George M. S. Rejce and

Frances W. Rejce

Special Hearing: to approve the non-density conveyance of 2.076 acres, more or less, from the property at 17001 Old York Road to the property at 17111 Old York Road.
Hearing: Thursday, March 13, 1997 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.

2/20/97 Feb. 20

C121555

CERTIFICATE OF PUBLICATION

TOWSON, MD., _____

2/20

, 19 *97*

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/20, 19 97.

THE JEFFERSONIAN,

A. H. Enickens
LEGAL AD. - TOWSON

ALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

032518

No.

#325 JLL

DATE 8/6/97 ACCOUNT RC0016130

AMOUNT \$ 50.00

RECEIVED FROM: RIEPE

FOR: SPH (RES) FILING

01A00W0208NXLHRC
00 002421P007 06-97

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

RE: Case No.: 97-325-SPH

Petitioner/Developer: G. RIEPE, ETAL

Date of Hearing/Closing: 3/13/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #17001-OLD-YORK RD.

The sign(s) were posted on 2/21/97
(Month, Day, Year)

Sincerely,

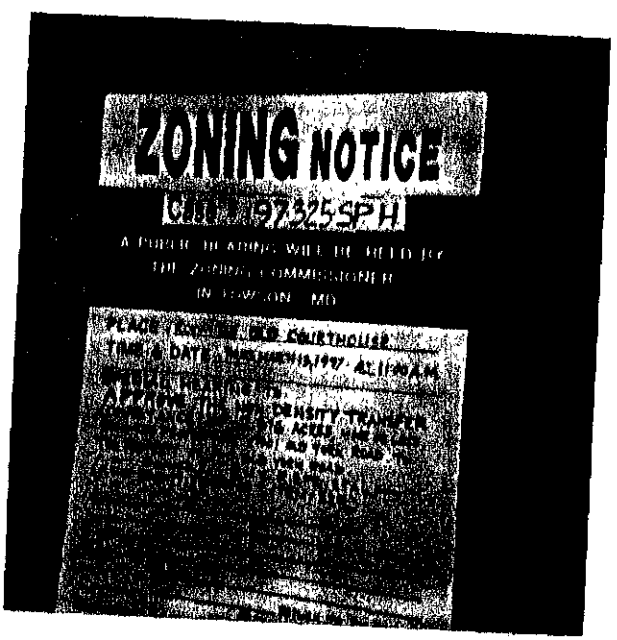
Patrick M. O'Keefe 2/22/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)

523 Penny Lane
(Address)

Hunt Valley, MD 21030
(City, State, Zip Code)

(410) 666-5366 Pager (410) 646-8354
(Telephone Number)



#97-325 SPH
#17001 OLD YORK RD.
RIEPE (HR 3/13/97 11:00) 2/21/97



ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 325

Petitioner: GEORGE M.S. RIEPE & FRANKES W. RIEPE

Location: 17001 OLD YORK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: GEORGE M.S. RIEPE

ADDRESS: 17001 OLD YORK ROAD

MONKTON, MD 21111

PHONE NUMBER: 771-4222

AJ:ggs

(Revised 09/24/96)

MICROFILMED

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 2/16/97

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-325-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: TO APPROVE THE NON-DENSITY ~~RE~~ CONVEYANCE OF 2.076 ACRES,
MORE OR LESS FROM THE PROPERTY AT 17001 OLD YORK RD
TO THE PROPERTY AT ~~17001~~ 17111 OLD YORK RD. THE 2.076 ACRES,
MORE OR LESS IS EXISTING PASTURE AND WILL REMAIN AS SUCH.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

EMERSON



Baltimore County
Department of Permits and
Development Management

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

February 19, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-325-SPH
17001 Old York Road
E/S Old York Road, 4000' N of Troyer Road
10th Election District - 6th Councilmanic
Legal Owner(s): George M. S. Riepe and Frances W. Riepe

Special Hearing to approve the non-density conveyance of 2.076 acres, more or less, from the property at 17001 Old York Road to the property at 17111 Old York Road.

HEARING: THURSDAY, MARCH 13, 1997 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon
Director

cc: George and Frances Riepe
Bruce E. Doak

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY FEBRUARY 26, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

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

March 11, 1997

Mr. and Mrs. George Riepe
17001 Old York Road
Monkton, MD 21111

RE: Item No.: 325
Case No.: 97-325-SPH
Petitioner: George Riepe, et ux

Dear Mr. and Mrs. Riepe:

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 February 6, 1997.

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,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



_____ Attach original petition Due Date 2/24/97

To: Arnold L. Jablon

From: Robert A. Wirth *RAW/gp*

Subject: Zoning Item # 325

151 BRN Partnership 151 Back River Neck Road

Zoning Advisory Committee Meeting of 2/18/97

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

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

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

X Agriculture Preservation: Reviewed for prime, productive, and policies. These policies discourage the creation of lots greater than 60,000 sq. ft. or less than 50 acres. The addition of 2 acres and a barn to the 4 acre property raises concern that the 6 acre property will be used intensively for agriculture and this could lead to detrimental impact to the water quality of the little Gunpowder River. The following conditions are recommended for approval request:

- (1) Limit amount of livestock to livestock ratio table in BCZR with exception of horses - limit one to two acres.
- (2) Require land owner to obtain and implement a soil and water quality plan approved by Baltimore County Soil Conservation District.

WIRTH



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 2.21.97
Item No. 325 (JLL)

Dear Ms. Eubanks:

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

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'R. J. Burns'.

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: February 21, 1997

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. 320, 323 and 325

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:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

John Alexander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: February 26, 1997

FROM: *Sub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for February 28, 1997
Item Nos. 320, 323, 324, 325, 331,
and 334

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

RWB:HJO:jrb

cc: File

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: February 28, 1997

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 OCT. 07, 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.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

Item Numbers: 320, 321, 323, 324, 325, 331, 332,

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File



PETITION PROBLEMS

#319 --- JRF

1. No address or telephone number for legal owner.
2. Need title of person signing for legal owner.
3. Sign form incomplete.

#320 --- JRF

1. Notary section is incomplete.
2. Area is 9.991 +/- WHAT??? (acres, square feet, miles?).

#321 --- JLL

1. Sign form incorrect.

#322 --- JCM

1. Sign form not completed.

#323 --- RT

1. No section number or wording on petition form.

#324 --- JRA

1. Sign form incorrect.

#325 --- JLL

1. Sign form incorrect.

SMC

RE: PETITION FOR SPECIAL HEARING
17001 Old York Road, E/S Old York Road,
4000' N of Troyer Road
10th Election District, 6th Councilmanic

George and Frances Riepe
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-325-SPH

* * * * *

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 13th day of March, 1997, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, 320 E. Towsontowne Blvd., Suite 100, Towson, MD 21285, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

May 1, 1997

Mr. and Mrs. George Riepe
17001 Old York Road
Monkton, Maryland 21111

RE: Petition for Special Hearing
Case No. 97-325-SPH
Property: 17001 and 17111 Old York Road

Dear Mr. and Mrs. Riepe:

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

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

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. Bruce E. Doak, Gerhold, Cross and Etzel
320 E. Towsontowne Blvd., Suite 100, Towson, Md. 21285

LARRY,

PLEASE REVISE THIS ORDER ASAP AND GET THEM OUT.

MICROFILMED

THANKS
Bruce E. Doak

(410) 823-4470

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 E/S Old York Road, 4000 ft. N * ZONING COMMISSIONER
 of Troyer Road * OF BALTIMORE COUNTY
 17001 & 17111 Old York Road * Case No. 97-325-SPH
 10th Election District *
 6th Councilmanic District *
 George Riepe, et ux Petitioners *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for adjacent properties located at 17001 and 17111 Old York Road in northern Baltimore County. The Petition was filed by George M.S. Riepe and Frances W. Riepe, property owners. Special Hearing relief is requested to permit the nondensity conveyance of 2.076 acres (+/-) from the property known as 17001 Old York Road to the property known as 17111 Old York Road. The Petition also states that the acreage to be conveyed is presently used as pasture land and will remain in such use. The subject property and requested relief are more particularly shown on Petitioners' Exh. No. 1, the plan to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was the property owner/Petitioner, George M.S. Riepe. Also present was Bruce E. Doak, the surveyor who prepared the site plan. There were no Protestants or other interested persons present.

Mr. Riepe testified that the property owned by him known as 17111 Old York Road is rectangular in shape, approximately 4.311 acres in area and zoned R.C.2. The property is located in northern Baltimore County not far from the Baltimore County/Harford County line. Mr. Riepe's property is improved with a single family dwelling which fronts Old York Road. Other than the road frontage, Mr. Riepe's property is entirely surrounded by another property owned by his father. This parcel is very large, 102.148 acres, and is known as 17001 Old York Road. It is also zoned R.C.2. Both properties are used for the same active agricultural purpose (cattle farm) without regard to their property line.

parcel; separate and apart from the present use common to both tracts owned by this family could be problematic for water resources in the area. Thus, I will adopt DEPRM's recommendations in a limited fashion.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 6th day of May 1997 that approval to permit parking of a commercial vehicle on residential property (D.R.2 zone), pursuant to Section 431.8 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED, subject, however, to the following restrictions:

THIS HAS NOTHING TO DO WITH OUR CASE. PLEASE REVISE YOUR ORDER ASAP.

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

2. In the event of the term length conveyance of the subject parcel known as 17111 Old York Road to a person(s) outside the Riepe family, so that the properties known as 17001 and 17111 are not used for agricultural purposes in conjunction with one another, then in such event, the then owner of the property known as 17111 Old York Road shall be limited in the livestock to acreage ratio as set forth in Section 100.6 of the BCZR. Moreover, at such time, said owner shall be required to obtain and implement a soil conservation plan approved by the Baltimore County Soil Conservation District.

A copy of this Order shall be recorded in the Land Records of Baltimore County so that notice of this restriction is provided to all potential property owners. Proof of the recording of this Order, as aforesaid, shall be forwarded to the Zoning Commissioner within 60 days hereof for inclusion in the case file.

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

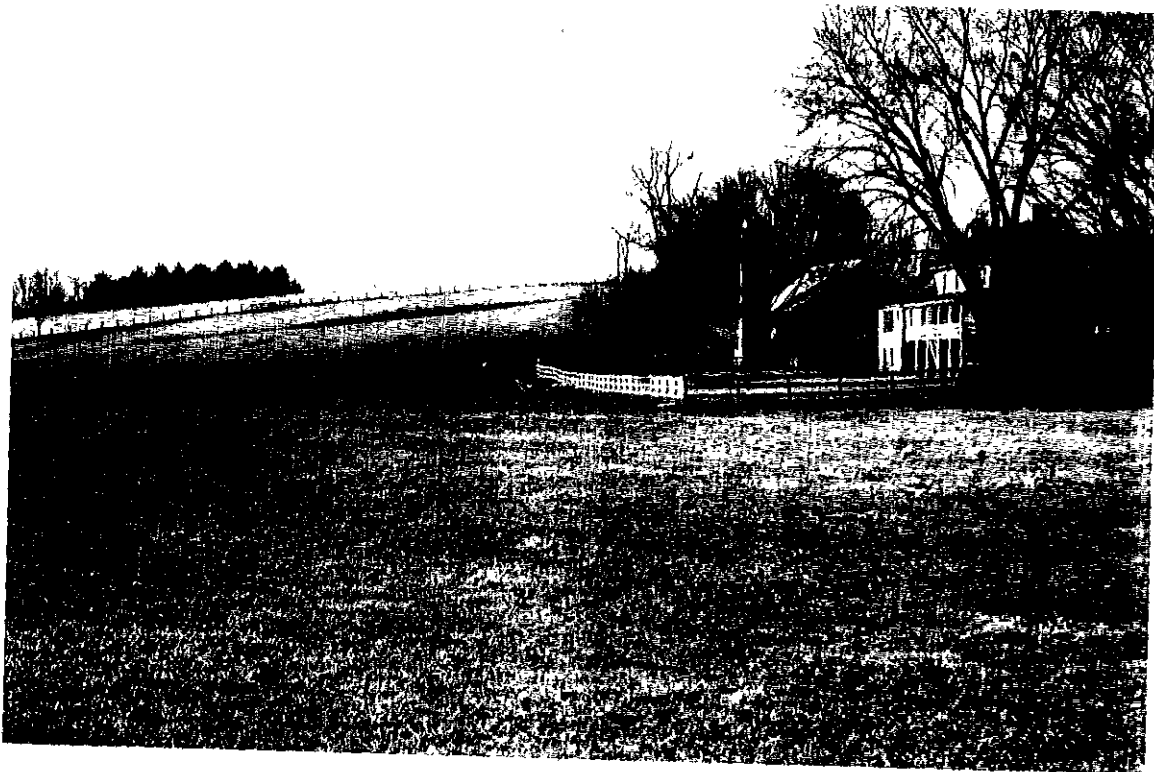
BRUCE E. DOAK - GERHOLD, CROSS & ETZEL

320 E. TOWSONTOWN BLVD TOWSON, 21286

NITCA KIEPE

1701 OLD YORK RD ROBERTSON 21111



















ZONING NOTICE

Case No. 973855PH

NOTICE TO THE PUBLIC
THE BOARD OF SUPERVISORS
OF THE COUNTY OF ALBANY
HEREBY NOTICE IS
GIVEN THAT THE BOARD HAS
APPROVED THE PROPOSED
ZONING MAP FOR THE
TOWNSHIP OF ALBANY
AND THE SAME IS NOW
OPEN FOR PUBLIC
EXAMINATION FOR
A PERIOD OF 30 DAYS
FROM THE DATE OF
THIS NOTICE TO THE
EFFECT THAT ANY
PERSON DESIRING
TO OBJECT TO THE
SAME MUST FILE
WITH THE BOARD
A WRITTEN STATEMENT
OF OBJECTION
AND THE GROUNDS
THEREFOR
ON OR BEFORE
THE 30TH DAY
OF THE MONTH
OF MARCH
NEXT FOLLOWING
THE DATE OF
THIS NOTICE
AT THE OFFICE
OF THE BOARD
OF SUPERVISORS
COUNTY OF ALBANY
NEW YORK

Photographs

Casett

97-325-SPA

MICROFILMED

N 109,000

N 108,000

N 108,000
N 108,000

N 107,000

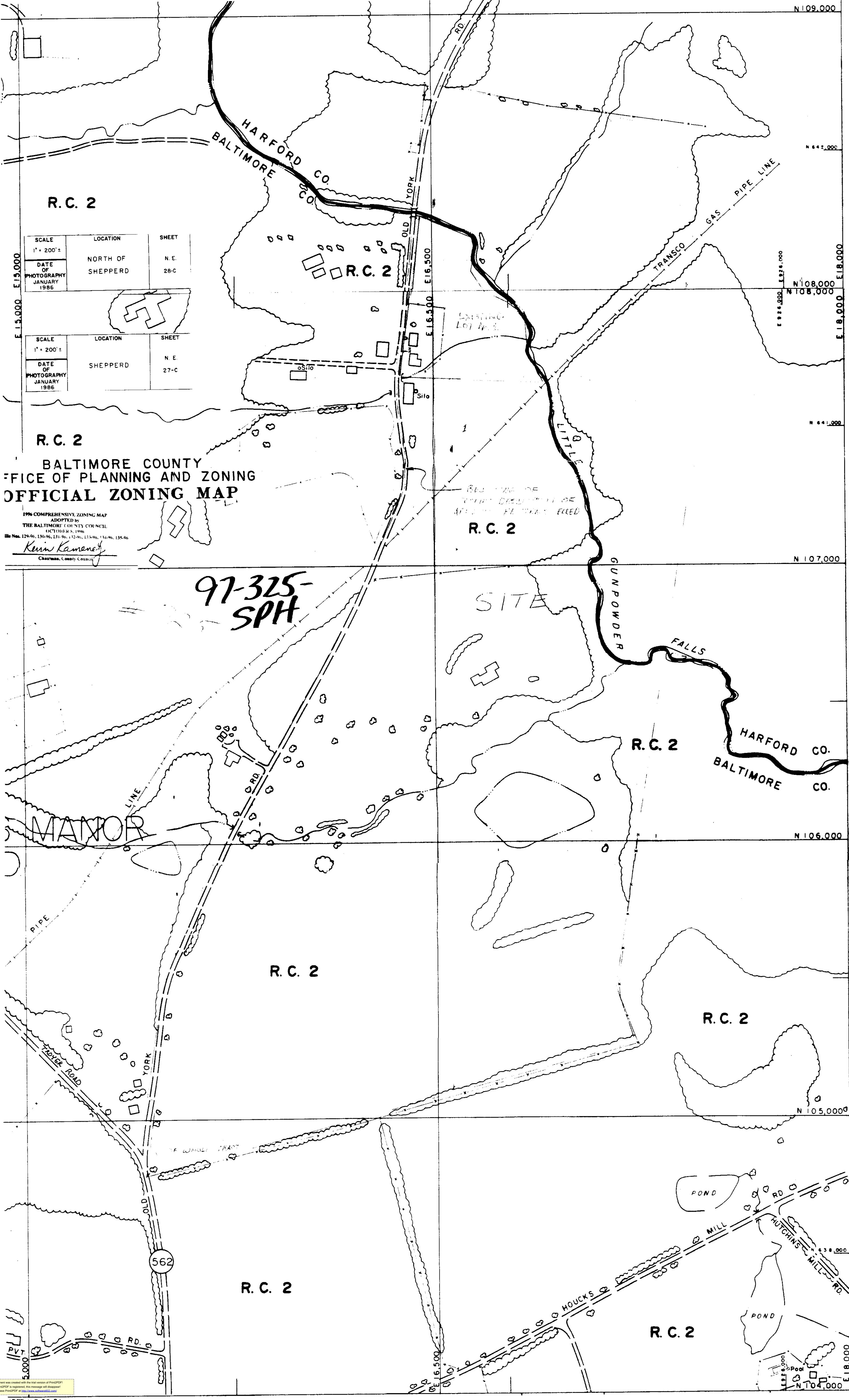
N 107,000

N 106,000

N 105,000

N 104,000

N 104,000



R.C. 2

R.C. 2

R.C. 2

R.C. 2

R.C. 2

R.C. 2

R.C. 2

R.C. 2

SCALE 1" = 200'	LOCATION NORTH OF SHEPPERD	SHEET N.E. 28-C
DATE OF PHOTOGRAPHY JANUARY 1986		

SCALE 1" = 200'	LOCATION SHEPPERD	SHEET N.E. 27-C
DATE OF PHOTOGRAPHY JANUARY 1986		

R.C. 2

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bill Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kevin Kameneck
Chairman, County Council

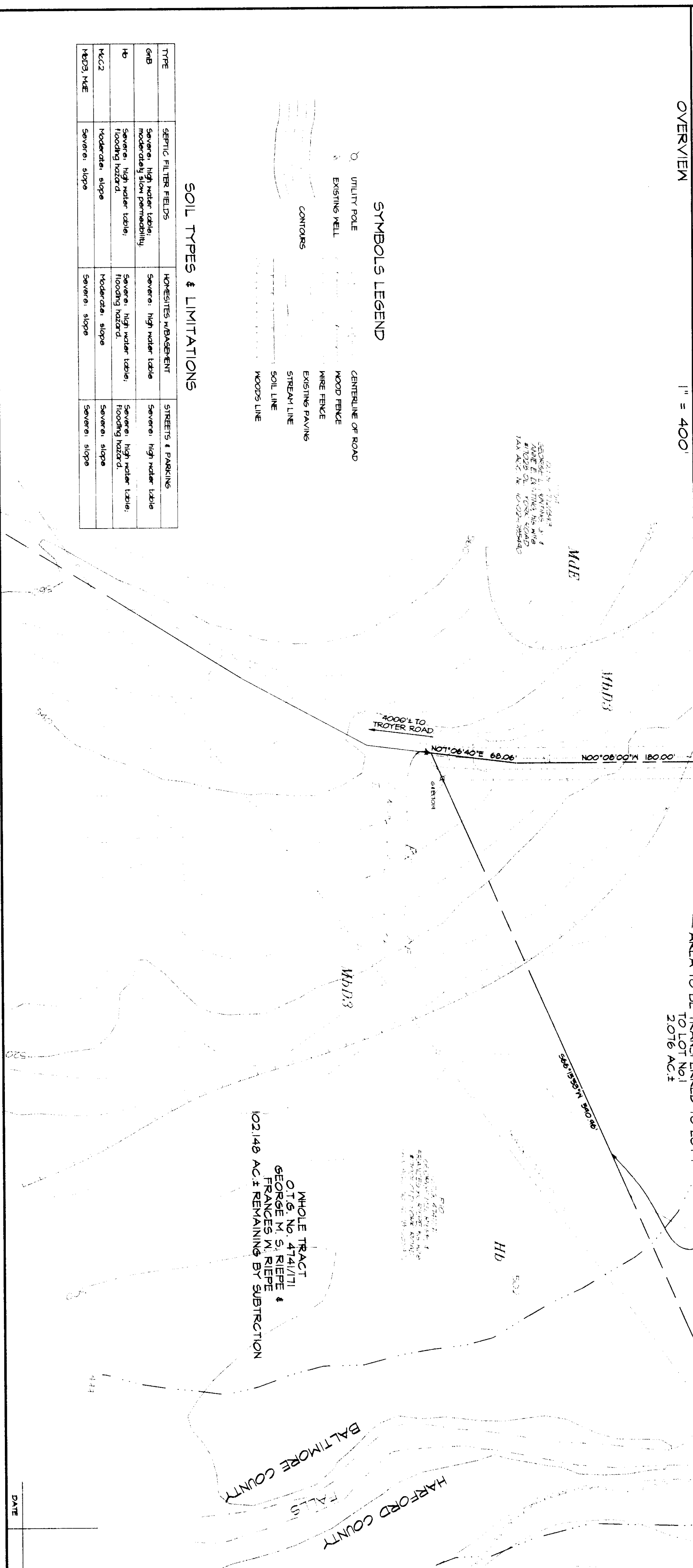
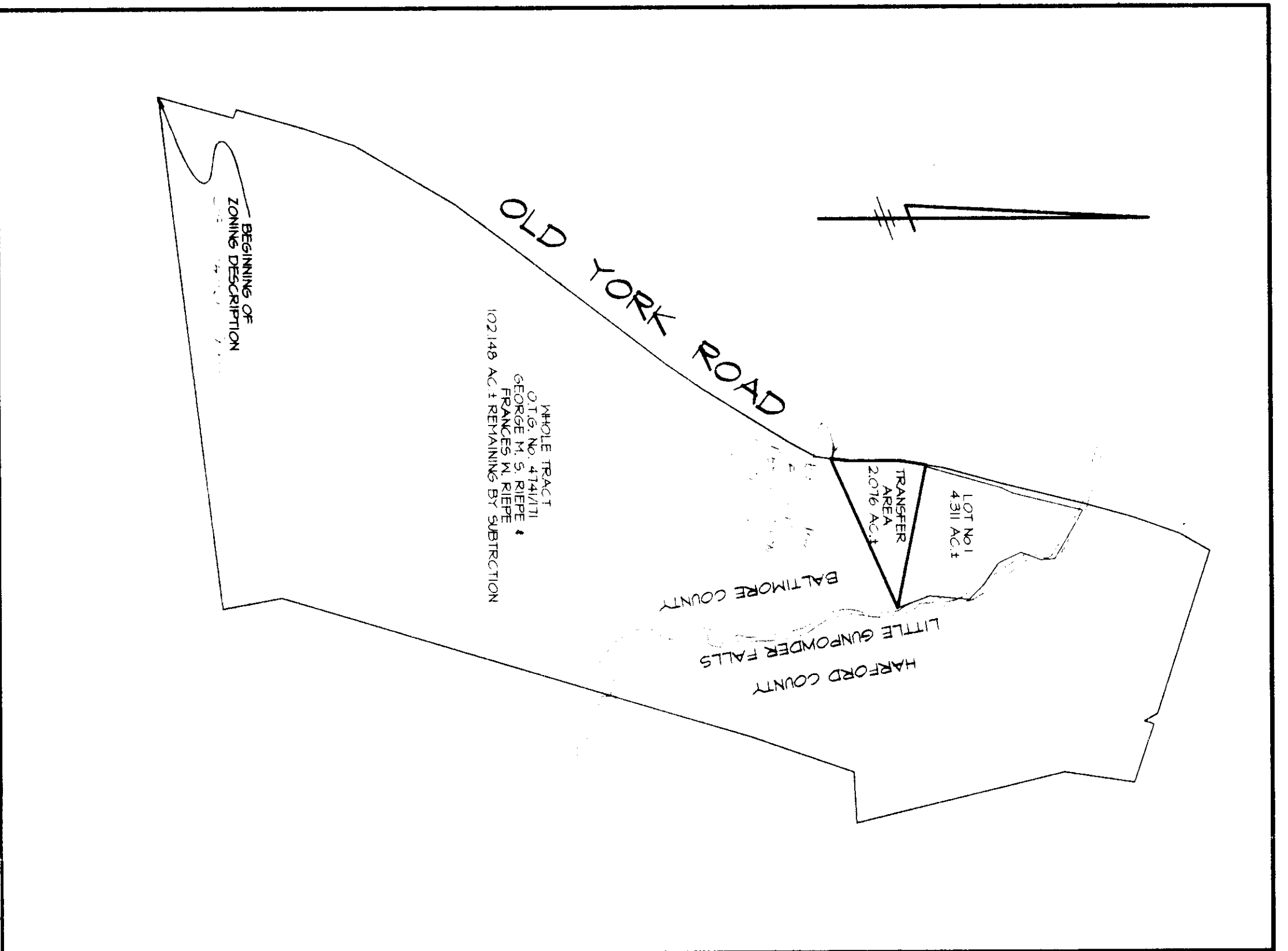
97-325-SPH

SITE

MANOR

HARFORD CO.
BALTIMORE CO.

(SHEET WE 270)



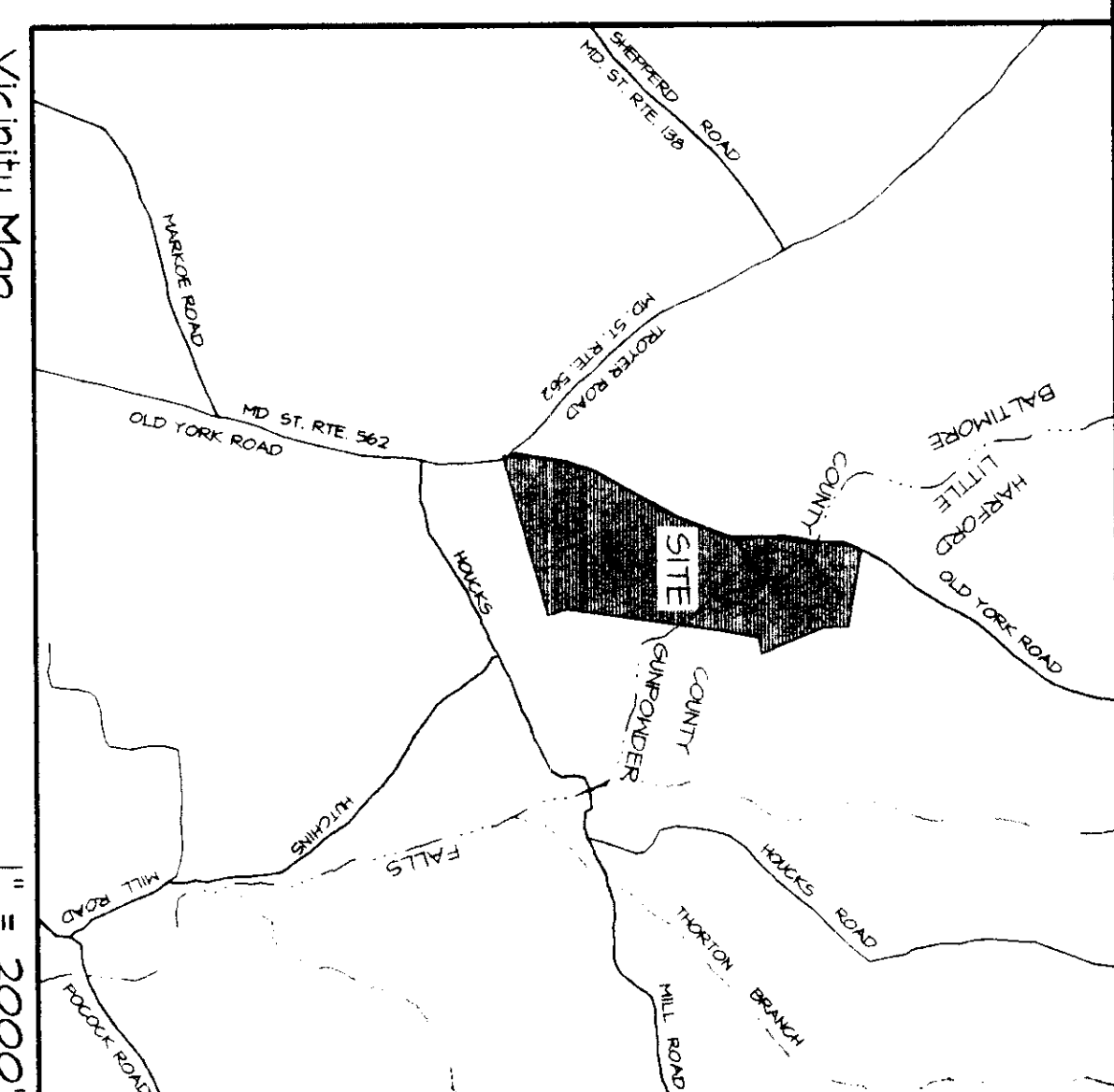
TYPE	SOIL TYPES & LIMITATIONS	SOIL TYPES & LIMITATIONS	SOIL TYPES & LIMITATIONS
GrB	Severe, high water table, moderate to high permeability	Severe, high water table	Severe, high water table
Hb	Severe, high water table, flooding hazard	Severe, high water table, flooding hazard	Severe, high water table, flooding hazard
HbD3	Moderate to high water table, flooding hazard	Moderate to high water table, flooding hazard	Moderate to high water table, flooding hazard
HbD3 MFE	Severe, slope	Severe, slope	Severe, slope

SYMBOLS LEGEND

- UTILITY POLE
- EXISTING WELL
- CENTRELINE OF ROAD
- WOOD FENCE
- WIRE FENCE
- EXISTING FENCING
- STREAM LINE
- SOIL LINE
- WOODS LINE

SOIL TYPES & LIMITATIONS

- GENERAL NOTES**
1. THE BOUNDARY SHOWN HEREON IS FROM A DEED DATED BY GERHOLD, CROSS & ETZEL, LTD. DATED 11/11/71, AS SHOWN ON PLAT NO. 46/114, RECORDING DISTRICT 14, BALTIMORE COUNTY, MARYLAND.
 2. ALL LOTS SHOWN HEREON TO BE TRANSFERRED TO LOT NO. 1.
 3. THE 2.076 AC. AREA TO BE TRANSFERRED TO LOT NO. 1 IS SHOWN ON PLAT NO. 46/114, RECORDING DISTRICT 14, BALTIMORE COUNTY, MARYLAND.
 4. THE 4.311 AC. AREA TO BE TRANSFERRED TO LOT NO. 1 IS SHOWN ON PLAT NO. 46/114, RECORDING DISTRICT 14, BALTIMORE COUNTY, MARYLAND.
 5. THE 100-YEAR FLOOD PLAIN IS SHOWN ON PLAT NO. 46/114, RECORDING DISTRICT 14, BALTIMORE COUNTY, MARYLAND.
 6. THE 100-YEAR FLOOD PLAIN IS SHOWN ON PLAT NO. 46/114, RECORDING DISTRICT 14, BALTIMORE COUNTY, MARYLAND.
 7. THE 100-YEAR FLOOD PLAIN IS SHOWN ON PLAT NO. 46/114, RECORDING DISTRICT 14, BALTIMORE COUNTY, MARYLAND.
 8. THE 100-YEAR FLOOD PLAIN IS SHOWN ON PLAT NO. 46/114, RECORDING DISTRICT 14, BALTIMORE COUNTY, MARYLAND.
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 10. THE 100-YEAR FLOOD PLAIN IS SHOWN ON PLAT NO. 46/114, RECORDING DISTRICT 14, BALTIMORE COUNTY, MARYLAND.



97-325-5A11
325

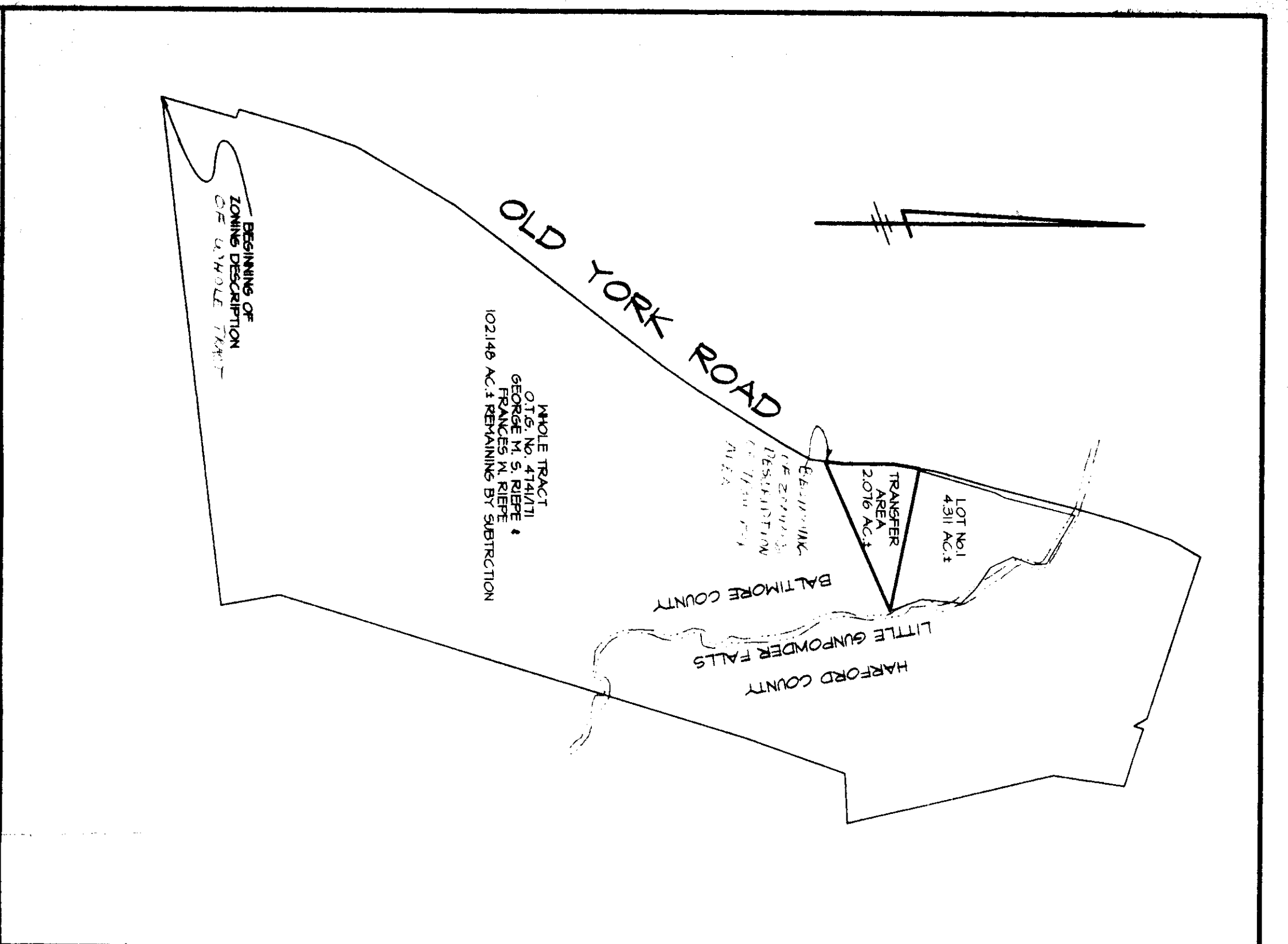
OWNER
 GEORGE M. RIEPE & FRANCES M. RIEPE, HIS WIFE
 17001 OLD YORK ROAD
 MONKTON, MARYLAND 21111
 (410) 771-4222

PLAN TO ACCOMPANY
 A PETITION FOR A
 SPECIAL HEARING TO APPROVE
 THE NON-DENSITY CONVEYANCE
 OF 2.076 ACRES ±

RIEPE PROPERTY
 17001 & 17111 Old York Road
 Deed Ref: E.H.K., Jr. No. 6244 folio 704
 Tax Account No. 18-00-014873
 Deed Ref: O.T.G. No. 4741 folio 171
 Tax Account No. 18-035470
 Zoned R.C. 2

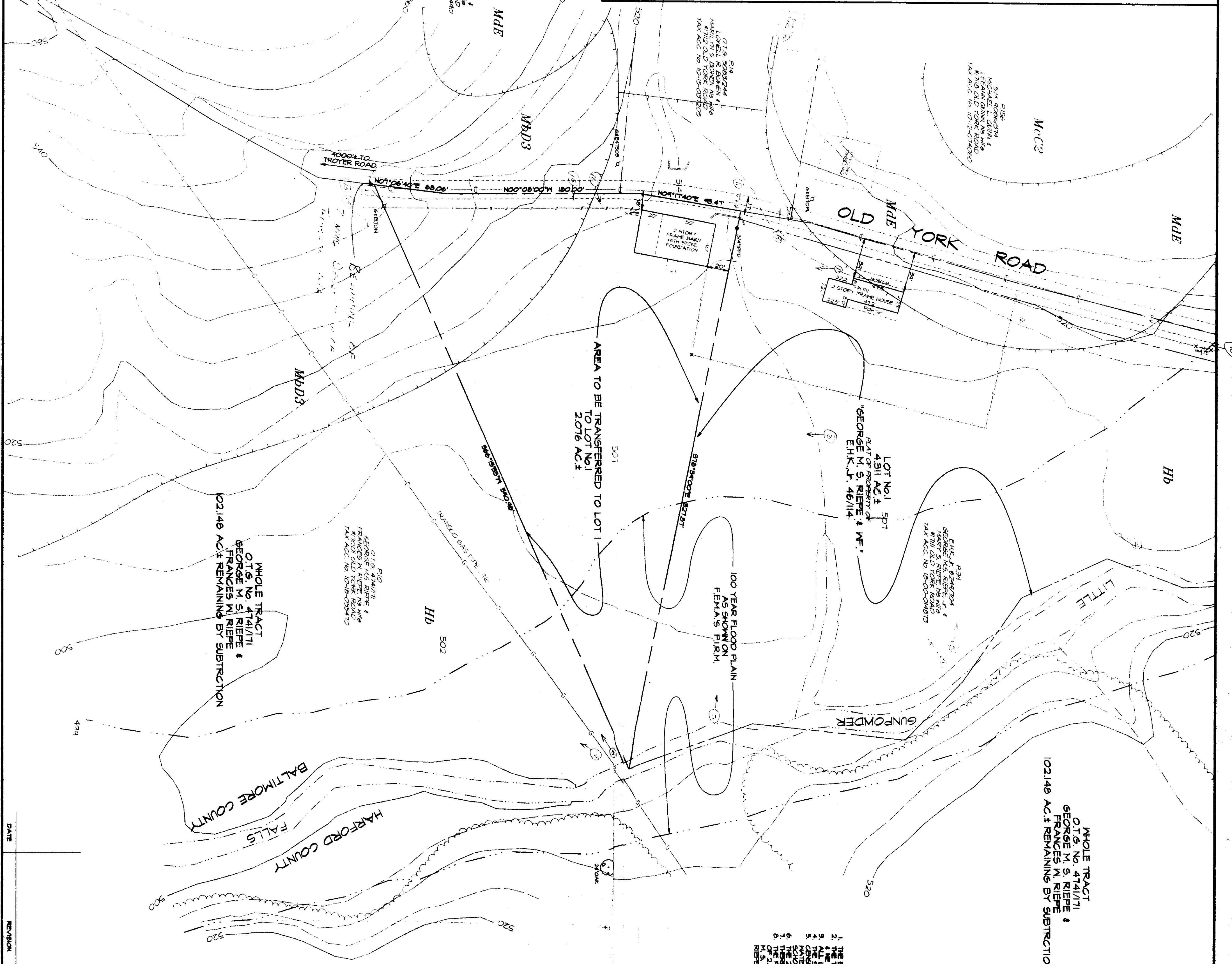
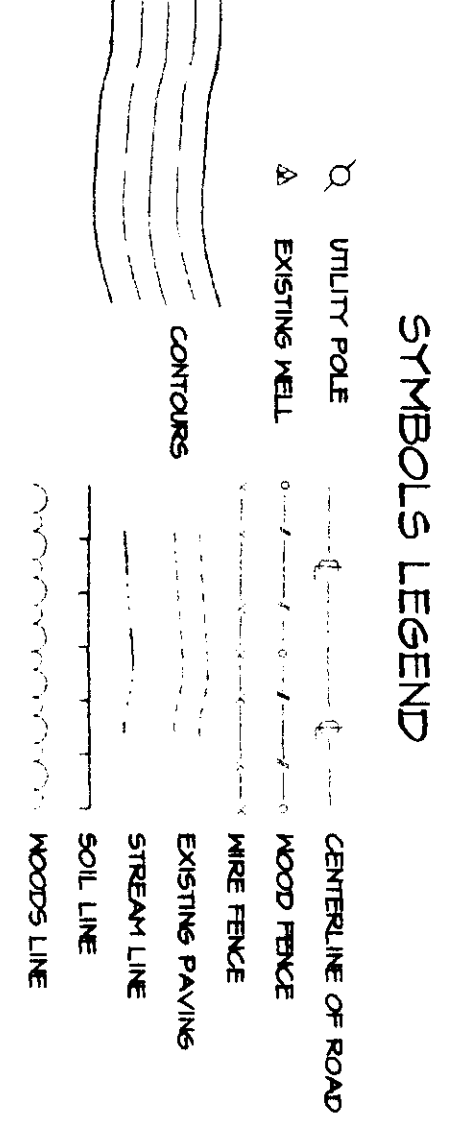
Tax Map 23, Grid 18, Parcels 10 & 39
 10th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND
 FEBRUARY 3, 1987

GERHOLD, CROSS & ETZEL, LTD.
 REGISTERED PROFESSIONAL LAND SURVEYORS
 Suite 100
 320 East Towsontown Boulevard
 Towson, Maryland 21286
 (410) 823-4470

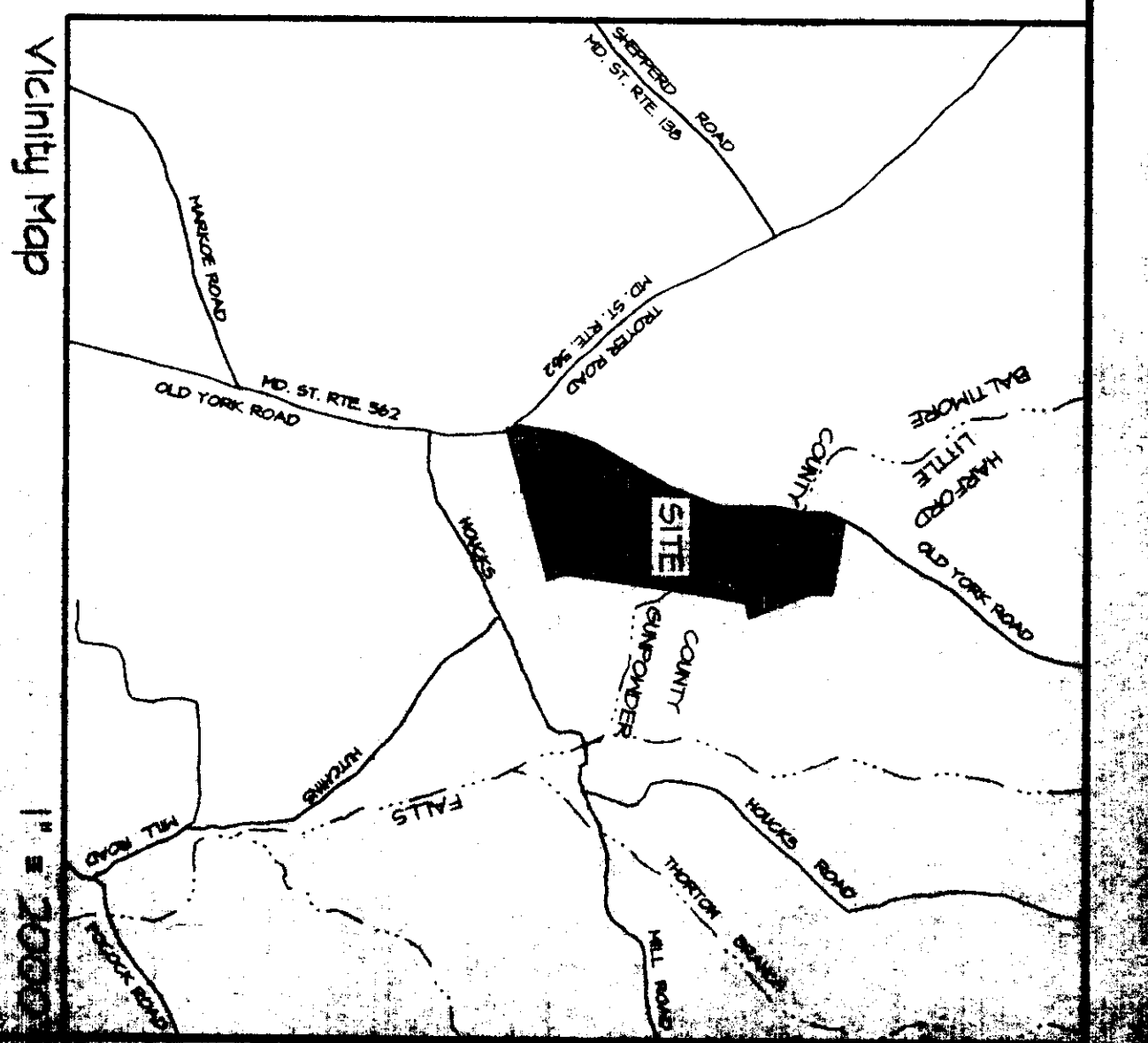


TYPE	SEPTIC FILTER FIELDS	HOUSES/ADJACENT	STREETS & PARKING
60B	Severe, High water table, moderately slow permeability	Severe, High water table	Severe, High water table
4B	Severe, High water table, flooding hazard	Severe, High water table, flooding hazard	Severe, High water table, flooding hazard
MdC2	Moderate slope	Moderate slope	Moderate slope
MdC3	Severe slope	Severe slope	Severe slope

SOIL TYPES & LIMITATIONS



- GENERAL NOTES**
- THE BOARDING SHOWN HEREON IS FROM A BOARDING SURVEY BY GEORGE CROSS & ETZEL, L.P.A. THE BOARDING SHOWN IS FROM BALTIMORE COUNTY ZONING REGULATIONS, MAP NOS. 18-20-1.
 - THE ZONING DISTRICT TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS IS THE CONGRESSIONAL DISTRICT OF BALTIMORE COUNTY, DISTRICT 10.
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OWNER
 GEORGE M.S. RIEPE & FRANCES M. RIEPE, HIS WIFE
 17001 OLD YORK ROAD
 MONKTON, MARYLAND 21111
 (410) 771-4222

PLAN TO ACCOMPANY A PETITION FOR A SPECIAL HEARING TO APPROVE THE NON-DENSITY CONVEYANCE OF 2.076 ACRES ± RIEPE PROPERTY
 17001 & 17111 Old York Road
 Deed Ref: E.H.K., Jr. No. 6244 Falls 704
 Tax Account No. 18-00-014875
 Deed Ref: O.T.S. No. 4741 Falls 171
 Tax Account No. 10-18-095470
 Zoned R.C. 2
 Tax Map 23, Grid 15, Parcels 10 & 34
 10th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND
 FEBRUARY 9, 1992
 Scale: 1" = 50'

GERHOLD, CROSS & ETZEL, L.P.A.
 REGISTERED PROFESSIONAL LAND SURVEYORS
 Suite 100
 320 East Townsend Boulevard
 Towson, Maryland 21286
 (410) 829-4470

MICROFILMED