

IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION – W/S of
Greenspring Avenue, 150' N of the c/l
Hillside Avenue
(10714 Greenspring Avenue)
3rd Election District
3rd Councilmanic District

Hillside Realty, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-37-SPHX

*

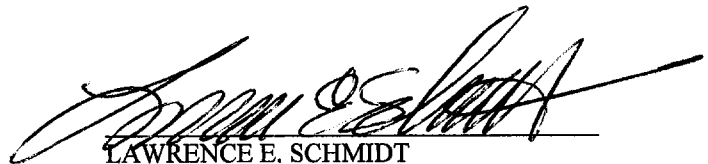
* * * * *

ORDER OF DISMISSAL

WHEREAS, this matter was scheduled for a public hearing before the Deputy Zoning Commissioner on September 10, 1997 to consider Petitions for Special Hearing and Special Exception filed by the owners of the subject property, Hillside Realty, LLC, by Jody H. Grass, Trustee, through their attorney, Richard Rubin, Esquire. Through the Petition for Special Hearing, the Petitioners sought an interpretation of Section 1A01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) that a special exception for an "airport" included the landing and taking off of a helicopter. In addition, the Petitioners requested a special exception to allow use of the subject property as an airport, in accordance with the site plan submitted with the Petitions filed.

Prior to the hearing in this matter, the Zoning Commissioner's Office received a request for continuance from Counsel for the Petitioners, dated September 8, 1997, to allow further discussion between the Petitioners and adjoining property owners on the issues presented within the Petitions. Apparently, however, the Petitioners were unable to resolve the concerns of their neighbors, and by letter dated April 20, 2000, Counsel requested a withdrawal of the matter.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of May, 2000 that the Petitions for Special Hearing and Special Exception filed in the above-captioned matters be and the same are hereby DISMISSED without prejudice.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Richard Rubin, Esquire, Neuberger, Quinn, Gielen, Rubin & Gibber
One South Street, 27th Floor, Baltimore, Md. 21202
Ms. Jody H. Grass, Trustee, Hillside Realty, LLC
10714 Greenspring Avenue, Lutherville, Md. 21093
People's Counsel; Case File

ORDER RECEIVED FOR FILING

Date 5/10/00

By [Signature]

37



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10714 Greenspring Avenue, Lutherville MD 21093

98-37-SPHX

which is presently zoned RC-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 an interpretation of Section 1A01.2C.1 of the Zoning Regulations to include within a special exception for an "Airport" the use of a property for landing and taking off of a helicopter.

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Hillside Realty L.L.C.

(Type or Print Name)

Signature

By: Jody H. Grass TRUSTEE

Signature

Address

Jody H. GRASS, TRUSTEE, MEMBER

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner:

Richard Rubin

(Type or Print Name)

10714 Greenspring Avenue

Address

Phone No.

Lutherville

MD

21093

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Signature

Address

Phone No.

City

State

Zipcode

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: m/r

DATE

7/31/17

ORDER RECEIVED FOR FILING

Date

By



Zoning Administration

Development Management

37



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 10714 Greenspring Avenue, Lutherville MD 21093

98-37-SPHX

which is presently zoned RC-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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for an airport.

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

I, or we, agree to pay expenses of above Special Exception 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Hillside Realty L.L.C.
(Type or Print Name)

Signature

By: Jody H. Grass
Signature

Address

Jody H. Grass, Trustee, MEMBER
(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner:

10714 Greenspring Avenue
Address Phone No

RICHARD RUBIN
(Type or Print Name)

Lutherville MD 21093

Richard Rubin
Signature

City State Zipcode

ONE SOUTH ST. 332-8509
Address Phone No

Name

BALT. MD 21202
City State Zipcode

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 day
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: mtk DATE 7/31/97

ORDER RECEIVED FOR FILING

Date

By



Description
1.97 Acre Tract of Land
Part of Property of
10714 Greenspring Avenue
Third Election District, Baltimore County, Maryland

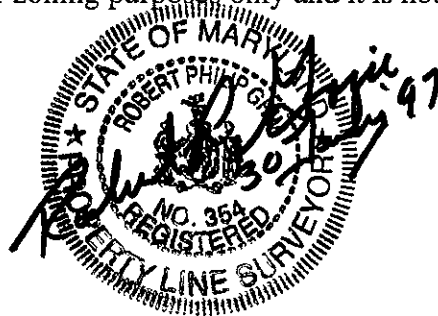
98-37-SPHX

Beginning for the same at a point on the westerly right of way line of Greenspring Avenue, 50 feet wide, said point being 150 feet north of the centerline of paving of Hillside Avenue, said point also being at the intersection of the said westerly side of Greenspring Avenue and the northerly right of way line of Norman Avenue, 40 feet wide, as shown on a plat entitled "Rogerdel" dated December 14, 1903 and recorded among the Plat Records of Baltimore County, Maryland in Plat Book J.W.S. 2 at Folio 135, thence leaving said westerly the right of way line and binding on the northerly right of way line of Norman Avenue

- 1) Westerly 410 feet; thence leaving said right of way line
- 2) North 09 degrees 17 minutes 20 seconds West 263.76 feet; thence
- 3) North 29 degrees 50 minutes 20 seconds East 30.00 feet; thence
- 4) North 84 degrees 50 minutes 20 seconds East 30.00 feet, thence
- 5) South 77 degrees 09 minutes 40 seconds East 110.00 feet; thence
- 6) South 64 degrees 09 minutes 40 seconds East 240.00 feet; thence
- 7) North 82 degrees 50 minutes 20 seconds East 50.00 feet to intersect the aforementioned right of way line of Greenspring Avenue; thence binding on said right of way line
- 8) Southeasterly 130.00 feet to the point of beginning

Containing 85915 square feet or 1.97 acres of land

This description is for zoning purposes only and it is not intended to be used for conveyance



37

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

043318

DATE 7/31/97ACCOUNT 01-615Item 37By: MTCAMOUNT \$ 550.00

RECEIVED

FROM:

Neuberger, Quinn, Glick, Rubin - 10714 Greenspry Ave040- Special Hearing - \$ 250.00

FOR:

050- Special Execution - \$ 300.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

7/31/1997 7/31/1997 13:19:52

PEG 14805 CASHIER UNIT ULM DRAWER

MISCELLANEOUS CASH RECEIPT

Receipt # 012796

CPN

CR NO. 043318

550.00 CHECK

Baltimore County, Maryland

SPHX

98-37

CASHIER'S VALIDATION

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: #98-37-SPHX
10714 Greenspring Avenue
W/S Greenspring Avenue,
150' N of c/1 Hillside Avenue
3rd Election District
3rd Councilmanic
Legal Owner(s): Hillside Realty, L.L.C.

Special Exception: for an airport. **Special Hearing:** to approve an interpretation of Section 1A01 2C.1 of the zoning regulations to include within a special exception for an "Airport" the use of a property for landing and taking off of a helicopter.

Hearing: Wednesday, September 10, 1997 at 9:00 a.m., 407 Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

8/154 August 14 C165434

CERTIFICATE OF PUBLICATION

TOWSON, MD., 08/14, 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 08/14, 19 97.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

ZONING NOTICE

Case # 198-37-SPHX

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

PLACE: ROOM 407 COURTS BUILDING
401 BOULEVARD AVENUE

TIME & DATE: WEDNESDAY SEPT 10, 1997
9:00 A.M.

REQUEST: A SPECIAL HEARING TO
APPROVE AN INTERPRETATION OF
SECTION 1A01.2C.1 OF THE ZONING
REGULATIONS TO INCLUDE WITHIN A
SPECIAL EXCEPTION FOR AN AIRPORT
THE USE OF A PROPERTY FOR LAND-
ING AND TAKING OFF OF A
HELICOPTER.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 410-338-1100 THE DAY BEFORE THE SCHEDULED HEARING DATE.
IF AN HEARING DATE IS NOT SET BY 5:00 PM, THE HEARING WILL BE
HEARD ON THE NEXT BUSINESS DAY. HEARINGS ARE HANDICAPPED ACCESSIBLE.

CERTIFICATE OF POSTING

RE: Case No.: 98-37-SPHX

Petitioner/Developer: _____

HILLSIDE REALTY, L.L.C.

RICHARD RUBIN

Date of Hearing/Closing: 9-10-97

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 _____

10714 GREENSPRING AVE.
/

The sign(s) were posted on AUG. 22, 1997
(Month, Day, Year)

Sincerely,

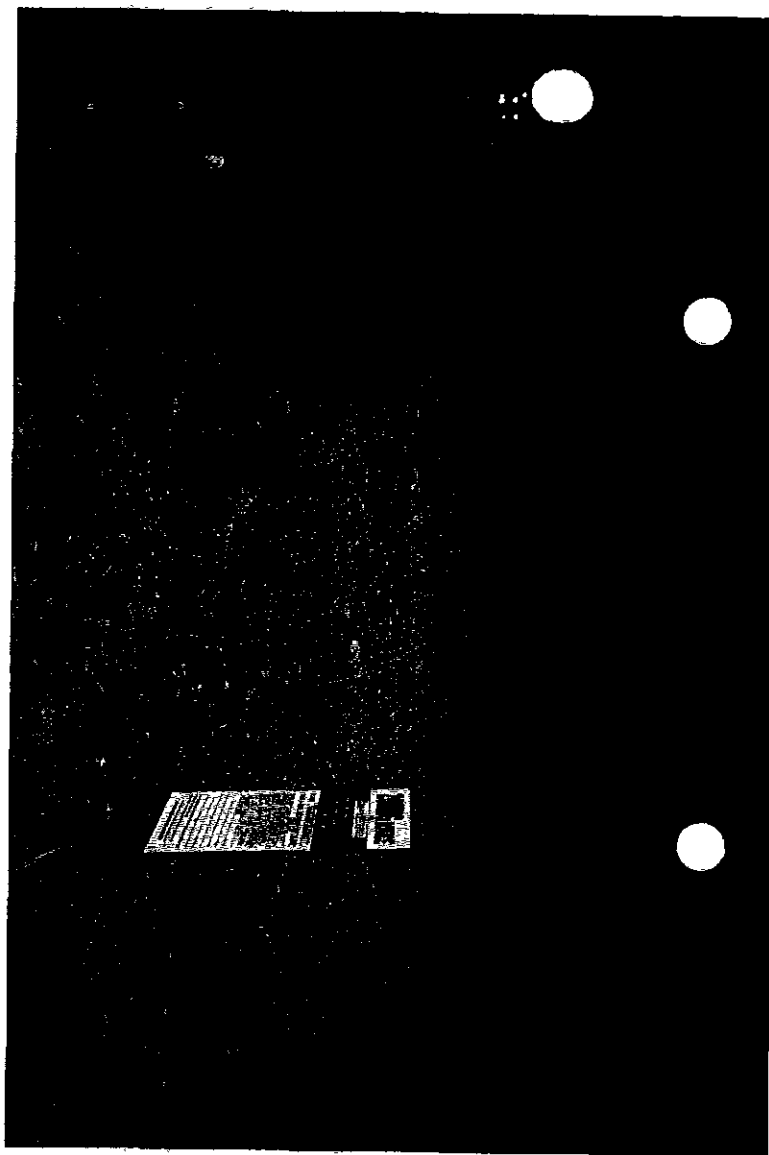
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)





Baltimore County
Department of Permits and
Development Management

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

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 (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.: 37

Petitioner: Hillside Realty, L.L.C.

Location: 10714 Greenspring Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Richard Rubin, Esquire

ADDRESS: One South St.

Balt. MD. 21202

PHONE NUMBER: (410) 332-8509

AJ:ggs

(Revised 09/24/96)

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

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-37 SPHX

Item # 37

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

PLACE: *

DATE AND TIME: *

REQUEST: special exception for an airport and a special
hearing to include the use of a property for landing and taking
off of a helicopter within the special exception of an
airport

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



Baltimore County
Department of Permits and
Development Management

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

August 8, 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: 98-37-SPHX
10714 Greenspring Avenue
W/S Greenspring Avenue, 150' N of c/l Hillside Avenue
3rd Election District - 3rd Councilmanic
Legal Owner(s): Hillside Realty, L.L.C.

Special Exception for an airport.

Special Hearing to approve an interpretation of Section 1A01.2C.1 of the zoning regulations to include within a special exception for an "Airport" the use of a property for landing and taking off of a helicopter.

HEARING: WEDNESDAY, SEPTEMBER 10, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Hillside Realty, L.L.C.
Richard Rubin, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 20, 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.



TO: PUTUXENT PUBLISHING COMPANY

August 14, 1997 Issue - Jeffersonian

Please forward billing to:

Richard Rubin, Esq.
One South Street
Baltimore, MD 21202
410-332-8509

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: 98-37-SPHX
10714 Greenspring Avenue
W/S Greenspring Avenue, 150' N of c/l Hillside Avenue
3rd Election District - 3rd Councilmanic
Legal Owner(s): Hillside Realty, L.L.C.

Special Exception for an airport.

Special Hearing to approve an interpretation of Section 1A01.2C.1 of the zoning regulations to include within a special exception for an "Airport" the use of a property for landing and taking off of a helicopter.

HEARING: WEDNESDAY, SEPTEMBER 10, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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

September 8, 1997

Richard Rubin, Esquire
One South Street
Baltimore, MD 21202

RE: Item No.: 37
Case No.: 97-37-SPHX
Petitioner: Hillside Realty, LLC

Dear Mr. Rubin:

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 July 31, 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 (410-887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Attach original petition

Date: August 14, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley
Subject: Zoning Item #37

Hillside Realty LLC

Zoning Advisory Committee Meeting of: August 11, 1997

- _____ 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 Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X 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 Please provide evidence that the Forest Buffer Easement shown on the plan has been approved and recorded.
- X Agriculture Preservation: Comments attached.

BALTIMORE COUNTY, MARYLAND
ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE
887-4488 Ext. 241 Fax 887-4804

To: Development Coordination
From: Wally Lippincott, Jr.
Re: SpH 37

Date: August 14, 1997

Recommend denial of this request. The proposed use has the potential to conflict with certain agricultural operations such as livestock. This property is in close proximity to two farms that the County has purchased development rights (Maryland Agricultural Land Preservation Foundation) from in order to preserve for agricultural use. Both farms have livestock, however, one farm, Helmore Farm, is major thoroughbred horse operation with significant capital improvements devoted solely to maintaining a thoroughbred operation.

ITEM 37

TERRENCE B. SHERIDAN
Chief of Police



Baltimore County Police
Headquarters
700 East Joppa Road
Towson, Maryland 21286-5501

(410) 887-2214
Fax (410) 821-8887

Integrity . . . Fairness . . . Service

To Mr. W. Carl Richards, Jr.
Department of Permits and
Development Management

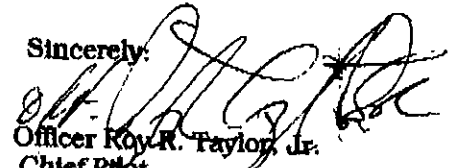
Sir:

As per your departments request, I have inspected the 1.97 acre tract of land located at 10714 Greenspring Avenue. This property meets all the requirements as established by the Federal Aviation Advisory Circular for the type of aircraft being operated.

We request that when pilots using this facility, broadcast over there aircraft radio in the blind on frequency 123.025 of there intentions of landing when they are about ten miles away. This is due to the Baltimore County, Baltimore City and Maryland State Police air traffic that we have in the area.

If you have any other questions, please feel free to call me at the Baltimore County Police Aviation Unit (410) 887-0279.

Sincerely,


Officer Roy R. Taylor, Jr.
Chief Pilot

cc:
Sergeant Ron Wines
Captain Don Roby



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 13, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 10714 Greenspring Avenue

INFORMATION

Item Number: # 37

Petitioner: Hillside Reality L.L.C.

Zoning: RC 2

Summary of Recommendations:

Section 101 of the BCZR establishes definitions of three different types of Helicopter operations. They are, Heliport, type I, Heliport, type II, and Helistop. They seem to vary according to the intensity of the proposed use.

The DR zones and the RC 3 zone list helistop as a use permitted by special exception. It appears that a deliberate legislature decision was made to include helistop as a permitted use in those zones. Therefore, the absence of helistop, as a listed permitted use in the RC 2, RC 4, and RC 5 zones indicates a similar deliberate decision to exclude helicopter operation from these zones.

In addition, please find a copy of Case No. 90-1 SPHX, which addressed issues common to the instant case (see attached).

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL:lsn

Attachment

A:\ITEM-37.JL



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 8.8.97
Item No. 037 MJK

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,

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

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: August 14, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for August 18, 1997
 Item Nos. 035, 036, 037, 039, & 041

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

DATE: 10/07/96

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 August 11, 1997

Plan 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:

035, 037, 038, 039, 040, and 041

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MG-1102F
cc: File





Baltimore County
Department of Permits and
Development Management

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

April 5, 2000

Richard Rubin, Esquire
One South Street
Baltimore, MD 21202

Dear Mr. Rubin:

RE: Zoning Case 98-37-SPHX, 10714 Greenspring Avenue

Please be advised that it has been a year and 3 months since you were last contacted regarding this case. At that time, you stated that you "will withdraw". Obviously there has been no progress to date.

As a result, this office will purge and close the file in 30 days unless you contact us in writing to withdraw the zoning request or proceed with a hearing date.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:scj

C: Jody Grass, Trustee/Member, Hillside Realty LLC, 10714 Greenspring Avenue, Lutherville, MD 21093
Richard Full, 12309 Michaelsford Road, Cockeysville, MD 21030
J. Carroll Holzer, Esquire, Holzer and Lee, 305 Washington Avenue, Suite 502, Towson, MD 21204
Isaac Nueberger, Esquire, Neuberger, Quinn, Gielen, Rubin & Gibber, P.A., One South Street, Baltimore, MD 21202
Susan Immelt, PO Box 714, Brooklandville, MD 21022
Deirdre Smith, PO Box 945, Brooklandville, MD 21022
Galen Carroll, 1117 Greenspring Valley Road, Lutherville, MD 21093
Lavette Bannerman, Code Enforcement
Officer Tailor/Sgt. Ron Winens, Police Department, Aviation Section, Martin State Airport, 3033 Strawberry Point Road, Baltimore, MD 21220



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMO

DATE: *October 1, 1997*

TO: Carl W. Richards
Zoning Supervisor

FROM: James H. Thompson
Code Enforcement Supervisor

RE: Item No. *98-37-SPHX*

Violation Case No. *97-8566*

Location of Violation: *10714 Greenspring Ave.*

Defendant: *Martin + Jody Adams*

Address: *10714 Greenspring Ave.*

Lutherville, MD 21093

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

Name: *Mrs. Deidre Smith*

Address: *1117 Greenspring Valley Rd.*

Lutherville, MD 21093

After the public hearing is held, please send a copy of the Zoning Commissioner's order to the Code Enforcement Supervisor, Jim Thompson, so that the appropriate action may be taken relative to the violation case.

Inspector: *L. Bannerman*

lmh/LB

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR SPECIAL EXCEPTION *
10714 Greenspring Avenue, W/S Greenspring * ZONING COMMISSIONER
Avenue, 150' N of c/l Hillside Avenue *
3rd Election District, 3rd Councilmanic * OF BALTIMORE COUNTY

Hillside Realty, L.L.C. * CASE NO. 98-37-SPHX
Petitioner *
* * * * *

ENTRY OF APPEARANCE

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

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Richard Rubin, Esq., 1 South Street, Baltimore, MD 21202, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 13, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 10714 Greenspring Avenue

INFORMATION

Item Number: # 37

Petitioner: Hillside Reality L.L.C.

Zoning: RC 2

98-37-SPHX

Summary of Recommendations:

Section 101 of the BCZR establishes definitions of three different types of Helicopter operations. They are, Heliport, type I, Heliport, type II, and Helistop. They seem to vary according to the intensity of the proposed use.

The DR zones and the RC 3 zone list helistop as a use permitted by special exception. It appears that a deliberate legislature decision was made to include helistop as a permitted use in those zones. Therefore, the absence of helistop, as a listed permitted use in the RC 2, RC 4, and RC 5 zones indicates a similar deliberate decision to exclude helicopter operation from these zones.

In addition, please find a copy of Case No. 90-1 SPHX, which addressed issues common to the instant case (see attached).

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL:lsn

Attachment

A:\ITEM-37.JL

May
9/10
forward
to files
for files



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

TOWSON OFFICE

305 WASHINGTON AVENUE

SUITE 502

TOWSON, MD 21204

(410) 825-6961

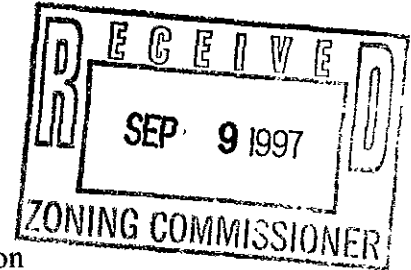
FAX: (410) 825-4923

E-MAIL: JCHOLZER@MAIL.BC.PL.LIB.MD.US

September 9, 1997

HAND DELIVERED

Lawrence Schmidt, Esquire
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204



Re: Hillside Realty Hearing on Special Exception
Case No. 98-37-SPHX

Dear Zoning Commissioner:

Please enter my appearance on behalf of Dr. Douglas Carroll and his wife Deirdre Smith who reside at 1117 Greenspring Valley Road. I do not plan to attend because it is my understanding that this case will be continued from tomorrow's hearing. I would like to be advised of the next hearing date and any discussions on this issue before the Zoning Commissioner. If I am incorrect about the continuance, please advise and I will be in attendance tomorrow and prepared to try the case.

If you have any questions, please contact me at 410-825-6961.

Very truly yours,

J. Carroll Holzer

JCH:clg

cc via Fax:

Jack Dillon

Harold Burns, Esq.

Macy Nelson, Esq.

Peter Max Zimmerman, Esq.

Douglas Carroll, M.D.

LAW OFFICES
NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER, P.A.

27TH FLOOR
ONE SOUTH STREET
BALTIMORE, MARYLAND 21202-3282
(410) 332-8550

To: Soph
OK
5/3/00
un

RICHARD RUBIN
(410) 332-8509

Fax No.
(410) 332-8562
rr@nqgrg.com

April 20, 2000

Mr. W. Carl Richards, Jr.
Supervisor, Zoning Review
Baltimore County Department of
Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

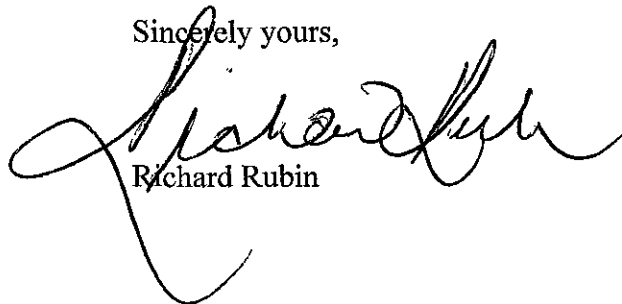
Re: 10714 Greenspring Avenue
Zoning Case 98-37-SPHX

Dear Mr. Richards:

Please accept this letter as my written authorization to withdraw the zoning request entered in the above-referenced zoning case.

Thank you for your attention to this matter.

Sincerely yours,



Richard Rubin

RR/lh

LAW OFFICES
NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER, P.A.27TH FLOOR
ONE SOUTH STREET
BALTIMORE, MARYLAND 21202-3201
(410) 332-8550WRITER'S DIRECT DIAL NO.
332-8510FAX NO.
332-8594

September 8, 1997

VIA TELECOPIER (887-3468)Lawrence E. Schmidt, Esq.
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, MD 21204VIA TELECOPIER (887-5708)Mr. Arnold Jablon
Director of Zoning Administration
and Development Management
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204Re: Hillside Realty L.L.C. Hearing on Special Exception for
Airport Exception and Special Hearing re Interpretation
Case No. 98-37-SPHX

Gentlemen:

We represent Hillside Realty L.L.C. As you know, a hearing is currently scheduled for Wednesday morning, September 10, with respect to Hillside's Applications for a Special Hearing and Special Exception.

For the record, each of Hillside's neighbors who were parties to a covenant that deals with this issue have signed an amendment to allow the use. Nonetheless in an effort to accommodate concerns expressed by The Valley Planning Council and others, it is our intention to open the hearing on Wednesday morning as scheduled, but to immediately adjourn to allow time for further discussions.

I have contacted Jack Dillon of the Valley Planning Council and he is agreeable to this procedure. Mr. Dillon will attend the hearing Wednesday morning on behalf of himself and, we expect, on behalf of Greenspring Valley Association and Diedre Smith. I am also contacting Harold Burns, Esquire, who is the representative of Falls Road Association and Greenwood Association.

Although Rich Rubin had advised you last week that there was a meeting scheduled for Tuesday night, the meeting will not go forward at that time but has been rescheduled to Wednesday morning. In light of our intentions with respect to Wednesday morning, the need to rush to an evening meeting is unnecessary.

Sincerely,


Isaac M. Neubergercc: Mr. Jack Dillon
Harold Burns, Esq.
Macy Nelson, Esq.
Peter Max Zimmers
Dr. & Mrs. Douglas

Law Offices

NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER, P.A.**27th FLOOR
ONE SOUTH STREET
BALTIMORE, MARYLAND 21202****(410) 332-8550
FAX (410) 332-8594****TELECOPIER COVER SHEET**

DATE: September 8, 1997	TOTAL PAGES(incl. cover page) 2
FILE NO.	

TO	FAX NO.
Lawrence Schmidt	887-3468
Arnold Jablon	887-5708
Jack Dillon	296-5409
Harold Burns	576-7610
Macy Nelson	296-6623
Peter Max Zimmerman	339-3477
Dr. & Mrs. Carroll	583-8918

FROM: Isaac M. Neuberger (332-8510)**MESSAGE:**

CONFIDENTIALITY NOTICE: This telecopy transmission is intended for the personal and confidential use of the recipients designated below. It may also constitute an attorney-client communication and as such may be legally privileged. If you are not the intended recipient of this communication (or an agent responsible for delivering it to the intended recipient), you are hereby notified that any review, disclosure, dissemination, distribution, or copy of this message or any use of the information contained herein, is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone at the number shown above to arrange for the return of this communication to us by mail. Thank you.

Law Offices

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BALTIMORE, MARYLAND 21202****(410) 332-8550
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LAW OFFICES
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27TH FLOOR
ONE SOUTH STREET
BALTIMORE, MARYLAND 21202-3201
(410) 332-8550

98-37-SPHX

(WRITER'S DIRECT DIAL NO.)

(410) 332-8509

(FAX NO.)

(410) 332-8594

July 29, 1997

VIA HAND DELIVERY

Mr. W. Carl Richards
Zoning Supervisor
Baltimore County Office of Zoning
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

Re: Special Exception - Heliport (Hillside Realty/Martin Grass)

Dear Carl:

I enclose the following:

1. Three (3) copies of a Petition for Special Exception.
2. Three (3) copies of a Petition for Special Hearing.
3. One (1) copy - 200' Scale Plat.
4. Three (3) copies of a description for this 33.14 acre parcel.
5. Twelve (12) copies of the Plat To Accompany Petition for Special
Exception.
6. Check in the amount of \$550.00 made payable to Baltimore County.

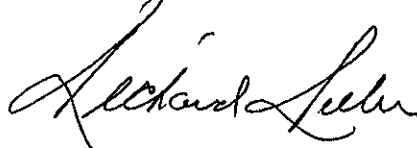
37

NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER, P.A.

Mr. W. Carl Richards
July 29, 1997
Page 2

Thank you very much for your review of the enclosed Petitions. I look forward to meeting with you tomorrow at 11:45 a.m.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard Rubin".

Richard Rubin

RR:jn

Enclosures

cc: Mr. Martin Grass (w/o enclosures)
Isaac M. Neuberger, Esq. (w/o enclosures)



98-37-SPHX

Date: July 30, 1997

10 North Park Drive
Hunt Valley, MD 21030-1888
(410) 316-7800

Direct Dial Number

To: Baltimore County
111 W. Chesapeake Avenue
Towson, MD 21204

Re: 10714 Greenspring Avenue
KCI Job No.01-97000P

Attention: Mr. Carl Richards

- ☒ We are submitting
- ☐ We are forwarding
- ☐ We are returning
- ☐ We request

☒ Herewith

☐ Under separate cover

No.	Description
12	Plats to accompany Petition for Special Exception at No. 10714 Greenspring Avenue.
12	Copies of Zoning Description.
1	Copy of Red line Zoning Map of Parcel 2

Remarks:

- ☐ In accordance with your request
- ☐ For your review
- ☐ For processing
- ☐ Plans reviewed and accepted
- ☐ Plans reviewed and accepted as noted
- ☐ For revision by you

- ☐ For your use
- ☐ Please call when ready
- ☐ Please return to this office
- ☐ Approval requested
- ☐ Conference requested at your convenience

For further information, please contact the writer at this office.

Very truly yours,

KCI TECHNOLOGIES, INC.

cc: Files
Enclosure

A handwritten signature in cursive script, appearing to read "Robert P. Grim".
Robert P. Grim
Assistant Division Chief

37

98-37 SPHX

9/3/97

97-4644

JO B

August 31, 1997

Dear Mr. Jablon:

fr file

Please Do Not Let Mr Grass Land
his ~~helicopter~~ helicopter Near OUR farm.
It's too noisy.

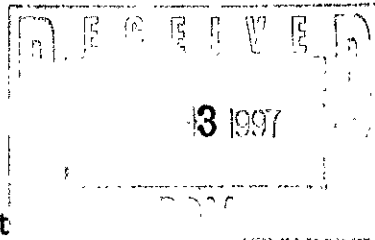
Sincerely,

Galen Carroll.

1117 Greenspring Valley Rd
Lutherville, MD 21093

3 1997

97-4643



August 31, 1997

Arnold Jablon
Director, Zoning Enforcement
111 West Chesapeake Avenue
Towson, MD 21204

9/3/97
G
TO BS
for file

RE: M. Grass (10714 Greenspring Avenue) request for Helipad Special Exception

#98-37-SPHX

Dear Mr. Jablon:

I live one property away from the Grass's and would like to voice my concern for, and strong opposition to, Mr. Grass's proposal to establish a helipad on his property. It is my understanding that this type of use is not permitted on RC-2 land. In fact, this has already been established through a 1989 Baltimore County decision.

My family is directly affected by the helicopter activity that has been going on since July. First, I would like to know how he has been allowed to have this activity without the special exception. I have put in two complaints about it so far. The helicopter is very, very loud and causes a great disturbance both at our residence and anytime we are out on the property enjoying the farm, the stream and the peace and quiet we have worked so hard to preserve. It is not accurate that this is a good site because no one lives there - just the opposite. We spend hours every week very close to the site. We swim in the Jones Falls, picnic, run, hike, even camp out just yards from this site. Mr. Grass's activities are in direct violation of our privacy.

Last Friday his helicopter landed at 9:30PM with such a noise that it got my two young children out of bed. The helicopter landed and took off the following day, Saturday, at 12 Noon.

Mr. Grass should be denied this application and the county should work with him to establish an alternative site within a properly zoned area.

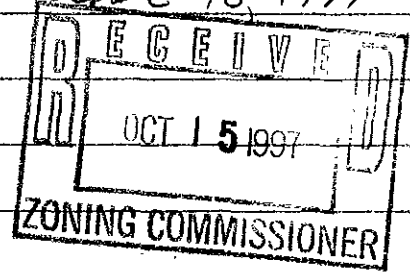
Sincerely,

Deirdre M. Smith
PO Box 945
Brooklandville, MD 21022
410/823-2640

cc: Jack Dillon, VPC
M. Grass

Mr. Timothy Katerko
Deputy Zoning Commissioner
Room 405 County Courts Bldg.
401 Bosley Avenue
Towson, Md 21204

12309 Michaelsford Road
Cockeysville, Md 21030
October 10, 1997



Dear Sir:

Thank you for speaking with me today. I read the article on the proposed Helistop in Green Spring Valley in the Valley Voice. I strongly object to any Helistops in Baltimore County. I just found out that AAI has one but I assume it is for military purposes only. If AAI closes, the Helistop should be eliminated.

I strongly object to Helistops on private or public land. Helicopters are extremely noisy and intrude upon my right to peace and tranquility away from noise pollution. The AAI helicopters bother me now and it could be much worse if AAI allows private individuals to use it. Please reject all requests for helipads and helicopters now and in the future.

If you approve Mr. Grass' request, there will be many others right behind that. Mr. Grass chose to work in Camp Hill, Pa. and chose to live with his friends in the Valley. If he doesn't like his current arrangements, why doesn't he change one or the other and not trample upon me and my rights? The Hunt Valley corridor where I live could be the helicopter highway of the future and I don't like it. Very truly yours,
(Richard L. Foley) Richard L. Foley

file

08-37-591X

September 1, 1997

P. O. Box 714
Brooklandville, MD 21022

Arnold Jablon
Zoning Enforcement
111 West Chesapeake Avenue
Towson, MD 21204

RE: 98-37-SPHX, 10714 Greenspring Avenue

Dear Mr. Jablon,

I have seen a notice posted on Greenspring Avenue indicating that a Special Exception is sought for a helicopter to land on the above-referenced property. In fact, I believe that the owner has been landing his helicopter there on a regular basis for some time now.

I am very opposed to the granting of a special exception for helicopter landing, and I believe that landing a helicopter without a special exception, as has already been taking place for some time, is illegal.

I ask that you enforce Baltimore County Zoning Restrictions as they are, and that you not grant a Special Exception for helicopter landing in this area.

Thank you for your attention to this matter.

Sincerely,

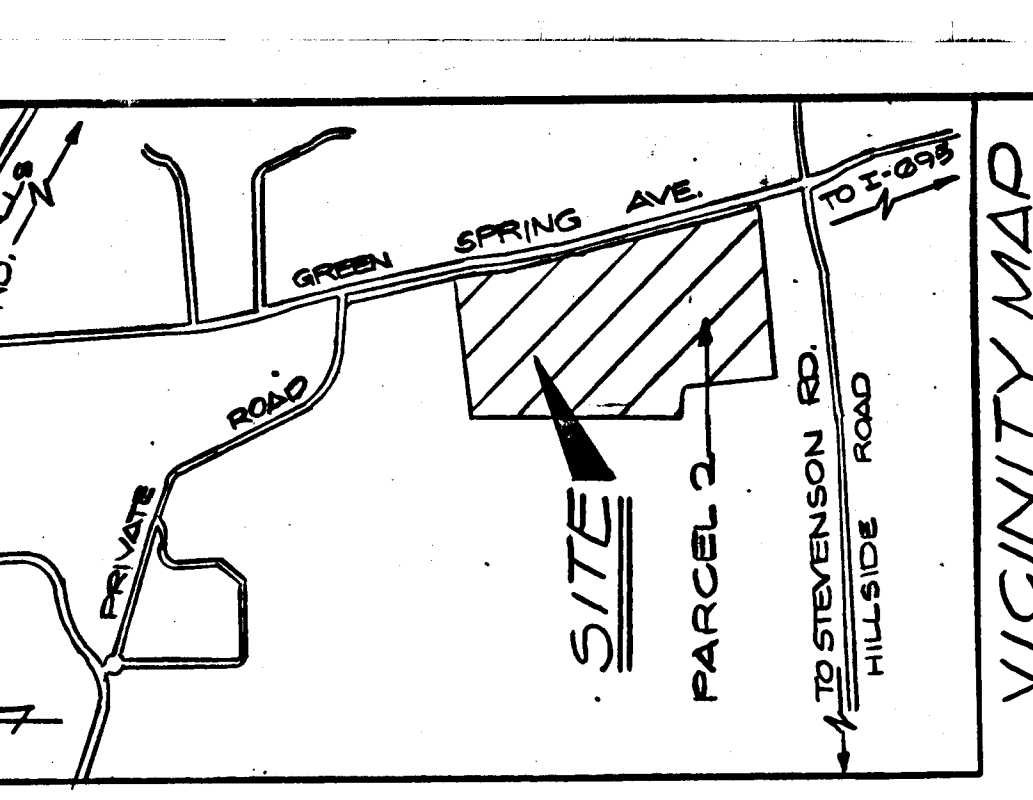
Susan Immelt
Susan Immelt

Cc: Deirdre Smith
Jack Dillon, VPC
George Meredith, FRCA

*Given
reset before
Sun*

97-4756

10



VICINITY MAP



GENERAL NOTES

1. AREA OF PROPERTY: PARCEL 2 - 33.14 AC.±
2. EXISTING USE OF PROPERTY: PARCEL 2 - AGRICULTURAL
3. EXISTING ZONING OF PROPERTY: RC-2
4. 100 YEAR FLOOD PLAIN & 25 BUFFER AREA WILL REMAIN UNDISTURBED.
5. PARCEL 2 - AGRICULTURAL USE HAS A PRIVATE WELL
6. PROPERTY IS WITHIN THE JONES FALLS DRAINAGE AREA.
7. PETITIONER IS REQUESTING A SPECIAL EXCEPTION FOR A PORTION OF THE PROPERTY FOR A PRIVATE AIRPORT (HELICOPTER LANDING PAD).
8. ACCESS TO THE PAD SITE WILL BE FROM GREEN SPRING AVENUE.
9. EXISTING WOODED AREAS WILL REMAIN UNDISTURBED.
10. 100 YEAR FLOOD PLAIN & 25 BUFFER AREA WILL REMAIN UNDISTURBED.

98-37-SPHX

PREVIOUS ZONING CASE
PETITION NO. 87-201 SPH
SPECIAL HEARING TO REQUEST APPROVAL TO SUBDIVIDE EXISTING
PROPERTY ZONED RC-2, PURSUANT TO LOTS SEPARATELY DESCRIBED
IN INDIVIDUAL DEEDS OR WITHIN A PARTICULAR DEED.

ORDER:

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th Day of May, 1987, that the transfer of density of property zoned R.C. 2 be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction which is a condition precedent to the relief herein granted:

1. The revised site plan, as submitted on May 21, 1987 and as agreed upon by all parties hereto, shall be adopted as the final subdivision plan.

#37

Signed: Arnold Jackson
Zoning Commissioner of
Baltimore County

KCI KCI TECHNOLOGIES INC.
ENGINEERS • PLANNERS • SURVEYORS
10 NORTH PARK DRIVE
TECHNOLOGIES HUNT VALLEY, MARYLAND 21089 (410) 316-7800

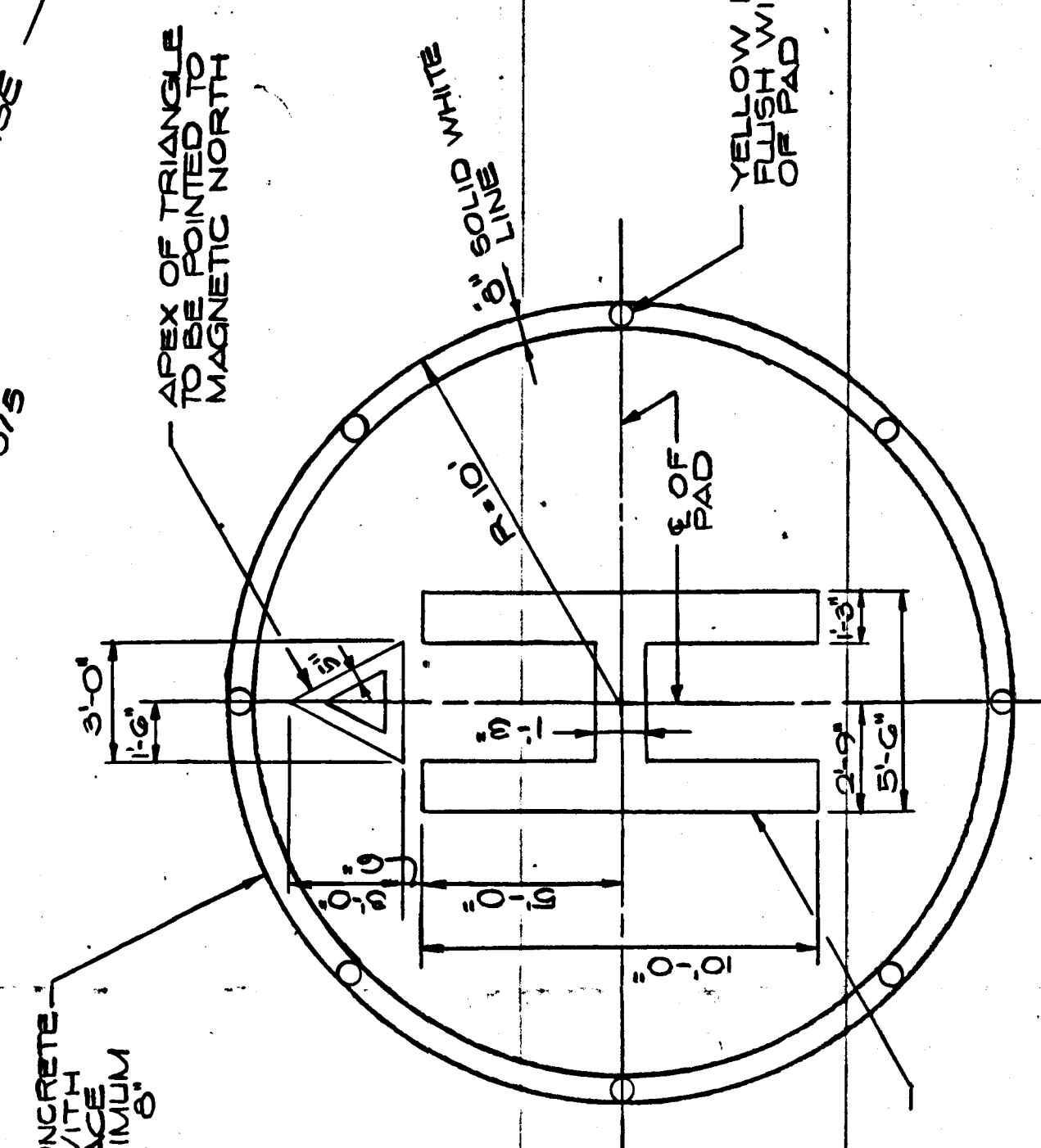
PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION
AT

NO. 10714 GREENSPRING AVENUE
BALTIMORE CO. MARYLAND

DESIGN BY: RLS	SCALE	DATE	SHEET NUMBER	JOB NUMBER
DRAWN BY: JUK	AS SHOWN	7-25-1997	1 OF 1	01970002
CHECKED BY: RLS				

SITE INFORMATION

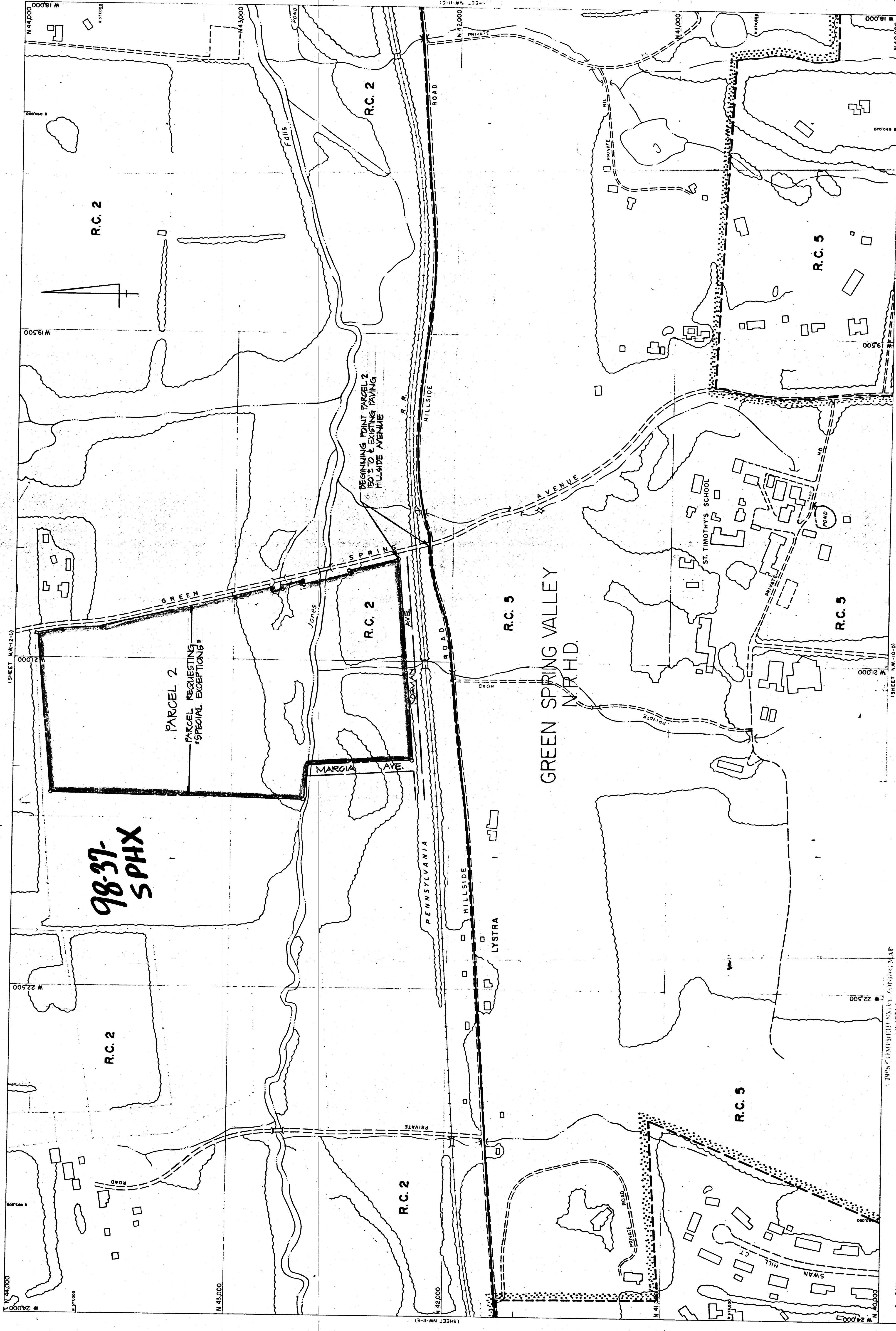
1. ELECTION DISTRICT NO. 3
2. COUNCILMANIC DISTRICT NO. 3
3. CENSUS TRACT 4058.01
4. CENSUS TRACT 4058.01
5. TAX ACCT. NO. PARCEL 2 - 31-00-0000-72



LANDING PAD PLAN
SCALE: 1/4"=1'-0"

DATE	REVISION	NO.

#31



1975 COMPREHENSIVE ZONING MAP
REVISION
THE BALTIMORE COUNTY COUNCIL
JANUARY 1975
Bill No. 100
LAWSON, A. J. (Sponsor)

98-37-SPHX

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200'

DATE OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
LYSTRA

SHEET
N. W.
11-D