

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
E/S Middletown Road, 90' S of the
c/l of Steltz Road * DEPUTY ZONING COMMISSIONER
(21715 Middletown Road)
6th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * Case No. 98-165-SPH

Donald Reitz, et ux
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Donald and Nancy Reitz. The Petitioners seek approval of the non-density transfer of a 4.156 acre parcel of land to an adjacent property owner. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Donald and Nancy Reitz, and a representative of Gerhold, Cross and Etzel, the engineering firm which prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the Petitioners own two separate parcels of adjoining land, zoned R.C.2, located just east of Middletown Road along the Maryland/Pennsylvania state line in Freeland. The Petitioners purchased the two properties in 1985 at which time one parcel contained 11.977 acres and was unimproved. The other parcel contained 14.930 acres, and was improved with a pre-Civil War dwelling and several outbuildings. The Petitioners subsequently built a single family dwelling on the 11.977 acre parcel and left the remaining 14.930-acre parcel in tact. The Petitioners now wish to sell the 14.930-acre parcel;

ORDER RECEIVED FOR FILING

Date

By

12/10/97

[Signature]

however, prior to selling this parcel, they wish to transfer 4.156 acres therefrom to the 11.977-acre parcel for non-density purposes. Once the transfer takes effect, the Reitz parcel will contain 16.133 acres and the other parcel with the pre-Civil war dwelling and outbuildings thereon will contain 10.774 acres.

Pursuant to Section 1A00 of the Baltimore County Zoning Regulations (B.C.Z.R.), the R.C. zoning classification was adopted to foster the agricultural use of farmland and prevent urban sprawl. Furthermore, strict standards were adopted in the regulations governing density and the required lot area for R.C.2 zoned land. In that both parcels contain between 2 and 100 acres in area, two density units are associated with each parcel. Therefore, the 16.133 acre parcel will retain two density units, one of which is already utilized by the Reitz' dwelling. In addition, the Reitz' will retain one right of subdivision. Likewise, the 10.774-acre parcel will retain two density units, one of which is utilized by the pre-Civil War dwelling, and one right of subdivision.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requested transfer is for non-density purposes and will not increase the density associated with either parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare and meets the spirit and intent of the zoning regulations.

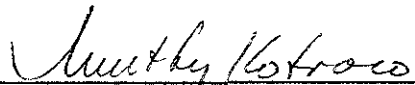
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

ORDER RECEIVED FOR FILING
Date 12/11/97
By [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of December, 1997 that the Petition for Special Hearing seeking approval of the non-density transfer of a 4.156 acre parcel of land to an adjacent property owner, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the restrictions and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order and a copy of the recorded deed shall be forwarded to the Zoning Commissioner for inclusion in the case file.
- 3) Prior to the issuance of any building permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 12/11/97

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

December 10, 1997

Mr. & Mrs. Donald Reitz
21715 Middletown Road
Freeland, Maryland 21053

RE: PETITION FOR SPECIAL HEARING
E/S Middletown Road, 90' S of the c/l of Steltz Road
(21715 Middletown Road)
6th Election District - 3rd Councilmanic District
Donald Reitz, et ux - Petitioners
Case No. 98-165-SPH

Dear Mr. & Mrs. Reitz:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has 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,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Towson, Md. 21286

People's Counsel; Case Files





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at #21715 MIDDLETOWN ROAD
which is presently zoned RC2

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 TRANSFER OF A 4.156 ACRE PARCEL OF LAND
TO AN ADJOINING PROPERTY OWNER

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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s):

DONALD & NANCY REITZ
(Type or Print Name)

x Nancy Reitz
Signature

(Type or Print Name)

x Nancy D Reitz
Signature

21715 MIDDLETOWN ROAD 410-343-1579
Address Phone No

FREELAND Mo. 21053
City State Zipcode
Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL ☒ OTHER

REVIEWED BY:

CAM

DATE

24 Oct 97

SURVEYOR

Attorney for Petitioner:

GERHOLD, CROSS & GREEN, LTD.

BRUCE E. DOAK

(Type or Print Name)

Bruce E. Doak
Signature

320 E. TOWSONTOWN BLVD 410-823-4470
Address Phone No.

TOWSON Mo. 21286
City State Zipcode



ORDER RECEIVED FOR FILING

Date

By

165

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

98-165-SPH

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

October 21, 1997

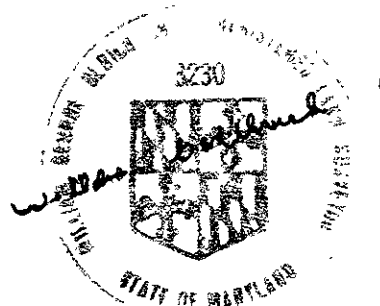
ZONING DESCRIPTION

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

Beginning for the same, the two following courses and distances from the intersection of the centerline of Fisher Road with the centerline of Pennsylvania Route No. 576 (Steltz Road) Easterly bearing in the center of Steltz Road 440 feet and South 08 degrees 19 minutes 12 seconds West bearing on the east side of an existing stone entrance lane 90 feet and running thence and bearing on the outline of the herein petitioners, 1) North 79 degrees 48 minutes 48 seconds West 338.53 feet, thence running through the property of the herein petitioners, 2) South 08 degrees 09 minutes 47 seconds West 633.43 feet thence bearing on the outlines of the herein petitioners the three following courses and distances, viz: 3) North 69 degrees 00 minutes 40 seconds East 414.99 feet, 4) North 14 degrees 10 minutes 48 seconds West 66.00 feet and 5) North 08 degrees 19 minutes 12 seconds East 358.28 feet to the place of beginning.

Containing 4.156 Acres of land more or less

Note: This description satisfies the requirements of the Baltimore County Office of Zoning and is not to be used for conveyancing purposes.



CERTIFICATE OF PUBLICATION

TOWSON, MD., November 6, 1997

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 Nov. 6, 1997.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

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: #98-165-SPH

21715 Middletown Road
C State Road, 90' S of center
line Police Road (Pennsylvania)

6th Election District
3rd Councilmanic

Legal Owner(s)

Donald and Nancy Reitz

Special Hearing: to approve
the non-density transfer of a
4.156 acre parcel of land to an
adjoining property owner

Hearing: Monday, November
24, 1997 at 2:00 p.m. in
Room 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 concern-
ing the file and/or hearing,
Please Call (410) 887-3391.

11/058 Nov. 6 C187392



Baltimore County
Department of Permits and
Development Management

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

98-165-SPN

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.: 165

Petitioner: DONALD & NANCY REITZ

Location: 21715 MIDDLETOWN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DONALD REITZ

ADDRESS: 21715 MIDDLETOWN ROAD

FREELAND MO. 21053

PHONE NUMBER: 410-343-1579

AJ:ggs

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

98-165-504

No.

044451

DATE

24 Oct 97

ACCOUNT

B-001-6150

CAN 165

AMOUNT \$

50.00

RECEIVED FROM:

Reitz

FOR:

21715 Midorian Rd

SP41

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESSED

AT THE

17th

10/24/1997

10/24/1997

01:10:35

RECEIVED

10/24/1997

01:10:35

5 MISCELLANEOUS CASH RECEIPT

Receipt #

00767

IN NO. 066651

11/11

10/24/1997
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-165-SPH

Petitioner/Developer: D & N. REITZ

90 G. C. & E.

Date of Hearing/Closing: 11/24/97

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 # 21715 MIDDLETOWN
RD.

The sign(s) were posted on 11/8/97
(Month, Day, Year)

Sincerely,

FIXED

Patrick M. O'Keefe 11/18/97
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

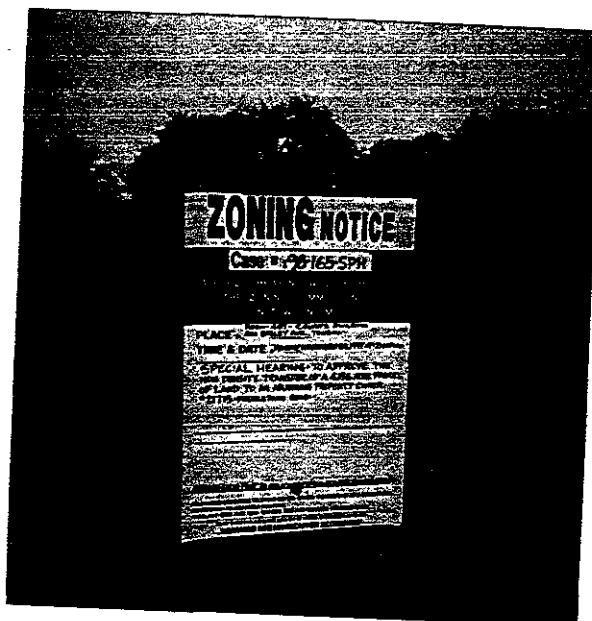
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



98-165 SPH
#21715 MIDDLETOWN RD.
DON & NANCY REITZ
R-11/8/97 H-11/24/97

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.: 98-165-~~SPH~~

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

PLACE: _____

DATE AND TIME: _____

REQUEST: Special Hearing to Allow A non-density
transfer of 4.156 Acres of RC-2
land

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

TO: PATUXENT PUBLISHING COMPANY

November 6, 1997 Issue - Jeffersonian

Please forward billing to:

Donald Reitz
21715 Middletown Road
Freeland, MD 21053
410-343-1579

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: 98-165-SPH
21715 Middletown Road
C Steltz Road, 90' S of centerline Fisher Road (Pennsylvania)
6th Election District - 3rd Councilmanic District
Legal Owner(s): Donald and Nancy Reitz

Special Hearing to approve the non-density transfer of a 4.156 acre parcel of land to an adjoining property owner.

HEARING: MONDAY, NOVEMBER 24, 1997 at 2:00 p.m. in 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

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: 98-165-SPH
21715 Middletown Road
C Steltz Road, 90' S of centerline Fisher Road (Pennsylvania)
6th Election District - 3rd Councilmanic District
Legal Owner(s): Donald and Nancy Reitz

Special Hearing to approve the non-density transfer of a 4.156 acre parcel of land to an adjoining property owner.

HEARING: MONDAY, NOVEMBER 24, 1997 at 2:00 p.m. in Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Donald and Nancy Reitz
Bruce E. Doak

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 9, 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

November 19, 1997

Mr. and Mrs. Donald Reitz
21715 Middletown Road
Freeland, MD 21053

RE: Item No.: 165
Case No.: 98-165-SPH
Petitioner: Donald Reitz, et ux

Dear Mr. and Mrs. Reitz:

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 October 24, 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,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





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 11.3.97
Item No. 165 CAM

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 _____

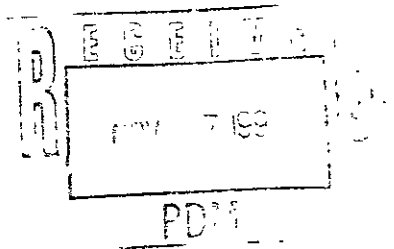
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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



Baltimore County
Fire Department

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



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 November 3, 1997

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:

156, 157, 158, 159, 161, 155, 166, and 167

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: November 5, 1997

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

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 164, 165, 166, 169, 170, 174, and 176

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kerns

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: November 10, 1997

FROM:  Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for November 10, 1997
Item Nos. 156, 158, 159, 161, 165,
167, & 168

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

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

DATE: November 10, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RS/JS*
Subject: Zoning Item #165

21715 Middletown Road

Zoning Advisory Committee Meeting of November 3, 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 _____ 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: Non density transfer will have no net impact on agricultural resources because size and soils of properties are comparable. However, the parcel from which the 4.156 acres will be significantly less useful for agricultural. This raises the question of the proposed use of the remaining agricultural building. The Commissioner should rule on the continued use of these buildings, if necessary.

RE: PETITION FOR SPECIAL HEARING
21715 Middletown Road, C Steltz Road, 90'
S of c/l Fisher Road (Pennsylvania)
6th Election District, 3rd Councilmanic

Donald & Nancy Reitz
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-165-SPH
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*
*
*
*

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 12th day of November, 1997, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, 320 E. Towsontowne Blvd., Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

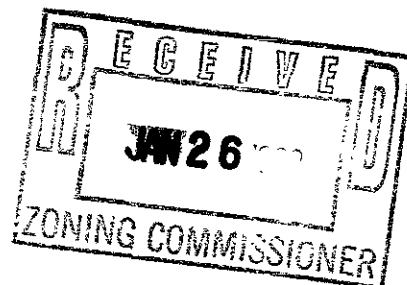
File

LAW OFFICES
ROSOLIO & KOTZ, P.A.
SUITE 220, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4513

TELEPHONE 410-339-7100
FAX NO. 410-339-7107

DEBORAH C. DOPKIN

January 22, 1998



Timothy M. Kotrocco
Deputy Zoning Commissioner
Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

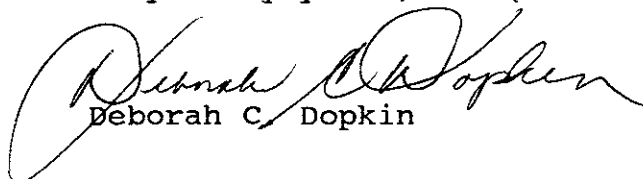
**RE: Property of Donald Reitz, et ux.
Case No. 98-165-SPH**

Dear Mr. Kotrocco:

Pursuant to your Findings of Fact and Conclusions of Law dated December 10, 1997 in the above captioned case, this is to advise you that a Deed incorporating a reference to the case and the restrictions and conditions set forth therein has been recorded among the Land Records of Baltimore County, Maryland. A copy of that Deed recorded in Liber S. M. 12617, Folio 86 is enclosed for your records.

I trust you will find this matter in order.

Very truly yours,


Deborah C. Dopkin

DCD/kmc

Enclosure

cc: Bruce Doak (w/encl.)
Donald Reitz

2012617 086

NO CONSIDERATION
NO STAMPS REQUIRED
NO TITLE SEARCH MADE

Tax I.D. 20-00-005268

THIS DEED, made this 11th day of January, 1998 by and between DONALD J. REITZ and NANCY D. REITZ, his wife, of Baltimore County, State of Maryland, party of the first part, Grantors and DONALD J. REITZ and NANCY D. REITZ, his wife, of Baltimore County, State of Maryland, party of the second part, Grantees

WITNESSETH, that in consideration of the sum of ZERO DOLLARS (\$00) there being no actual consideration paid in connection with this conveyance, the said DONALD J. REITZ and NANCY D. REITZ, his wife, do hereby grant and convey unto the said DONALD J. REITZ and NANCY D. REITZ, his wife, their personal representatives and assigns, in fee simple, all those two (2) certain parcels of ground situate, lying and being in the Sixth Election District of Baltimore County, State of Maryland, known as Lot 1 and Lot 2, and described on EXHIBIT A, attached hereto and made a part hereof, subject to the restriction hereinafter set forth.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages

RECORDED
1/11/98
1111
1111

0012617 087

thereto belonging or appertaining unto and to the proper use and benefit of the said DONALD J. REITZ and NANCY D. REITZ, his wife, their personal representatives and assigns, in fee simple.

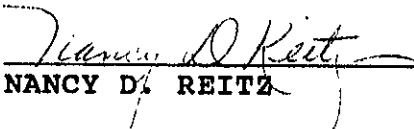
SUBJECT, to the following restriction which shall run with and bind Lot 2 herein before described and hereby conveyed:

1. Lot 2 herein conveyed is a non-density parcel in accordance with Findings of Fact and Conclusions of Law in an Order by the Zoning Commissioner for Baltimore County in Case No. 98-165-SPH.

AND the said party of the first part hereby covenants that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, that they will warrant specially the property granted, and that they will execute such further assurances of the same as may be requisite.

AS WITNESS the hand and seal of the said Grantors.

WITNESS:

_____	 DONALD J. REITZ (SEAL)
_____	 NANCY D. REITZ (SEAL)

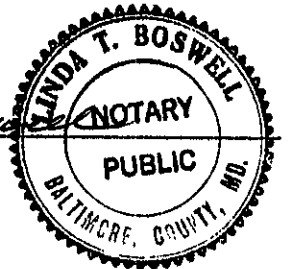
201617 088

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 11th day of Jan., 1998, before me, a Notary Public in and for the State and County aforesaid, personally appeared DONALD J. REITZ and NANCY D. REITZ known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Deed, and acknowledged that they executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Linda T. Boswell
Notary Public



My commission expires: 11/1/99

THIS IS TO CERTIFY that the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney.

Deborah C. Dopkin
Deborah C. Dopkin

0012317 089

EXHIBIT A
LOT 1

BEGINNING for the second thereof at a stone planted on the Mason and Dixon Line at the end of the last or North 88 degrees West 78 perches line of the third tract of land conveyed to Granville Arrowood and wife by the First National Bank of New Freedom Pa by deed dated January 13th 1933 and recorded among the Land Records of Baltimore County in Liber L.McL.M. No. 908, folio 254, and running thence on said Mason and Dixon Line South 84 degrees east 78-5/10 perches to a stone thence South 23½ degrees East 23 perches to a stone thence North 87¼ degrees West 87-8/10 perches to a stone thence South 62 degrees East 1-5/10 perches to the east side of a private road owned and used by the grantors then following the easternmost side of said roadway North 16 degrees East 4 perches and still following the Eastern boundary of said private road North 2 degrees East 21-5/10 perches more or less to the place of beginning. Containing 11 acres and 138 perches of land, more or less, according to a survey by Charles E. Hoke of Spring Grove Pa.

TOGETHER with the buildings and improvements thereupon erected and all and every the rights, ways, waters, privileges, appurtenances and advantages thereto belonging or appertaining and especially the easement and right to the said grantees to the use of said private road sixteen feet wide belonging to and owned by the grantors as now used by said grantors located West of the property described herein as a means of ingress and egress to the property of the said grantees located on both sides of said road.

BEING part of the property which by Deed dated September 27, 1985, and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K., Jr. 7000, Folio 612, was granted and conveyed by Chester B. Fisher and Blanche N. Fisher, his wife, by Roy D. Fisher, their attorney-in-fact, unto Donald J. Reitz and Nancy D. Reitz.

EXHIBIT A
LOT 2

0012617 090

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

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

January 7, 1998

**Parcel of Land Containing 4.156 Acres, More or less, to be Retained by Donald J. Reitz
and Wife**

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

Beginning for the same at a stone heretofore set at the beginning of the fourth or North 69 degrees East 25 3/10 perches line of a parcel of land firstly described in a Deed dated September 27, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7000 folio 612 which was conveyed by Chester B. Fisher and wife to Donald J. Reitz and wife and running thence with and binding on said fourth line and on the fifth, sixth, and on a part of the seventh line of said parcel of land, as the courses are referred to the Magnetic Meridian of August 1991, as shown on a "Minor Subdivision" Plat, entitled "Minor Subdivision of Dennis W. Fletcher Property" and recorded among the Land Records of Baltimore County in the Minor Subdivision Plat Book S.M. No.1 folio 82 the four following courses and distances, viz: 1) North 69 degrees 00 minutes 40 seconds East, crossing an existing stone entrance road running through the herein described parcel of land, 414.99 feet to a large stone, heretofore set, 2) North 14 degrees 10 minutes 48 seconds West 66.00 feet to a point in said stone entrance road, 3) North 8 degrees 19 minutes 12 seconds East, binding on or near the east side of the said existing stone entrance road, 358.28 feet to a point on the east side of said road and near and south of the Mason Dixon Line, 4) North 79 degrees 48 minutes 48 seconds West, crossing said stone entrance road, and running near and south of said Mason Dixon Line, 338.53 feet and thence leaving said seventh line and running for a line of division, now made in 1997, 5) South 8 degrees 09 minutes 47 seconds West 633.43 feet to the place of beginning.

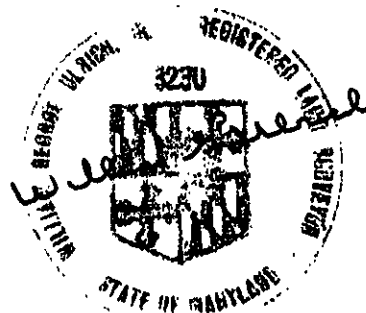
Containing 4.156 Acres of land more or less.

0012617 091

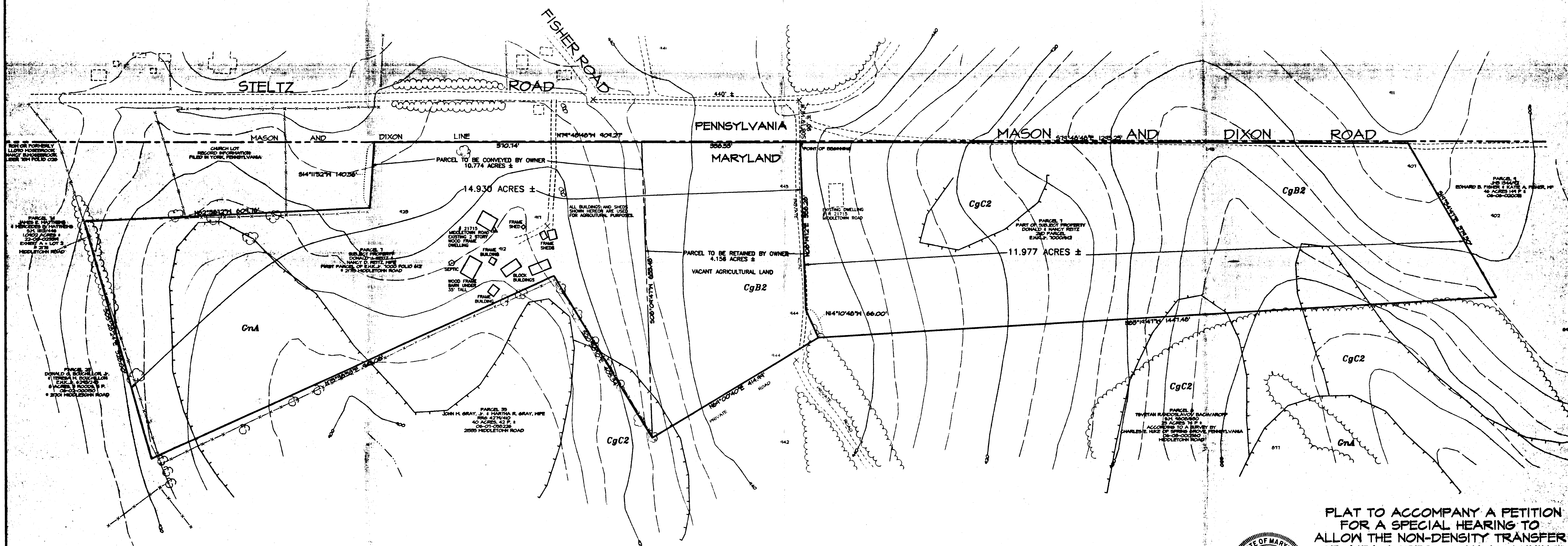
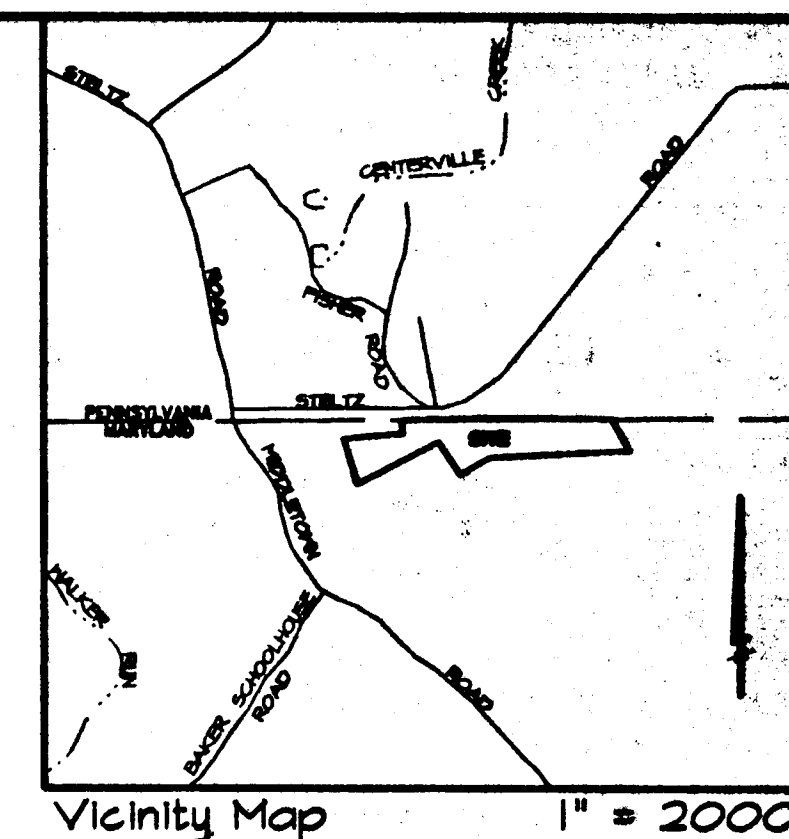
GERHOLD, CROSS & ETZEL, LTD.
Registered Professional Land Surveyors

Being part of a parcel of land firstly described in a Deed dated September 27, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7000 folio 612 which was conveyed for Chester B. Fisher and Blanch N. Fisher, his wife, by Roy D. Fisher, their attorney in fact to Donald J. Reitz and Nancy D. Reitz, his wife.

Subject to and together with the right and use thereof in common with others entitled thereto of a 16 foot wide private road running through the herein described parcel of land and extending in a northerly direction from said parcel of land to Pennsylvania Route No. 851 (Stiltz Road) which road is improved by the stone entrance road as mentioned herein.



SOIL TYPES & LIMITATIONS			
TYPE	SEPTIC FILTER FIELDS	HOUSESITE W/BASEMENT	STREETS & PARKING
CgB2	Slight	Slight	Moderate slope
CgC2	Moderate slope	Moderate slope	Severe slope
egD2	Severe slope	Severe slope	Severe slope
GnA	Severe: high water table, moderately slow permeability	Severe: high water table	Severe: high water table



PLAT TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING TO
ALLOW THE NON-DENSITY TRANSFER
OF 4.156 ACRES TO AN ADJOINING
PROPERTY OWNER

REITZ PROPERTY

21715 MIDDLETOWN ROAD

Deed Ref: E.H.K., Jr. No. 7000 Folio 612

Tax Account No. 20-00-005268

Zoned R.C. 2

Tax Map 01 / Grid 18 / Parcel 007

6th ELECTION DISTRICT

3rd COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

Scale: 1" = 100' OCTOBER 08, 1997

GERHOLD, CROSS & ETZEL, LTD.

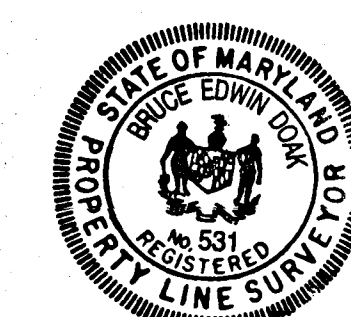
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100

320 East Townsontown Boulevard

Towson, Maryland 21286

(410) 825-4410



PETITIONER'S EXHIBIT

OWNER
DONALD & NANCY REITZ
21715 MIDDLETOWN ROAD
FREELAND, MARYLAND 21033
(410) 545-1574

GENERAL NOTES

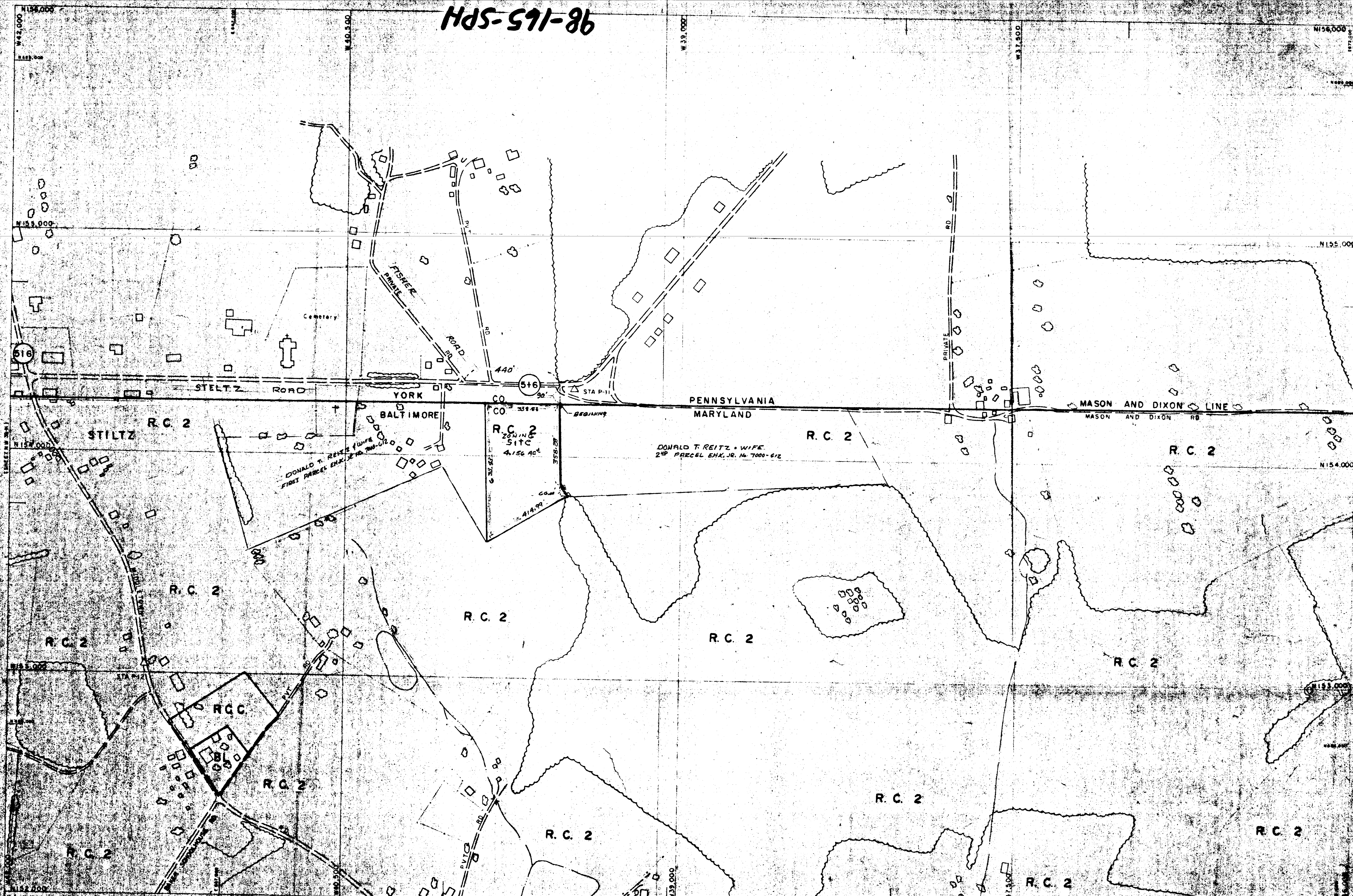
1. THE BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS, & ETZEL, LTD.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAMMETRIC MAP NO. 101 SH-5
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 1, 4060 A.D.C. MAP & GRID 02 1-A
4. CENSUS TRACT 14 SUBDIVISION 01
5. WATERSHED 14 SUBDIVISION 01
6. SCHOOL DISTRICT 38 REGIONAL PLANNING DISTRICT 3018
7. 4.156 ACRE PARCEL No. 21715 MIDDLETOWN ROAD.
8. 11.977 ACRE PARCEL No. R 21715 MIDDLETOWN ROAD.

SYMBOLS LEGEND

- ▲ EXISTING WELL
- EXISTING CLEANOUT
- EXISTING DWELLING
- SOIL LINE
- MOODS LINE
- EXISTING PAVING
- CONTOURS

98-165-SPH

98-165-SPH



1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Ord. Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kenn Kamenev
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION STILTZ	SHEET NW 25-6
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP WAS PREPARED IN ACCORDANCE WITH THE PHOTOGRAPHIC METHOD OF SURVEYING, BALTIMORE, MD. 1978