

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SE/S Butler Rd. 1350-3350' E of Butler
Rd., bet. Belmont & Mantua Mill * ZONING COMMISSIONER
3565 Butler Road
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Philip C. Iglehart, et ux * Case No. 98-186-SPH
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 3565 Butler Road in northern Baltimore County. The Petition was filed by Philip C. Iglehart and Susan L. Iglehart, property owners. Special Hearing relief is requested to approve non-density transfers of three parcels; which are 9.24 acres, 4.55 acres and 4.0 acres in area, respectively. The subject property, adjacent lots and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the site plan to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Philip Iglehart, property owner/Petitioner. Also appearing in support of the Petition was John K. Shaw III, an adjacent property owner. The Petitioners were represented by Robert A. Hoffman, Esquire. There were no Protestants present, however, Alexandra McMahon, of the Valleys Planning Council, appeared as an interested person.

Uncontradicted testimony and evidence offered was that the subject Petition was brought to approve certain lot line adjustments and transfers of properties located near Butler Road in northern Baltimore County. There are three parcels at issue, shown on the site plan as lots 2A, 2B and 2C. Each of the properties is zoned as R.C.2.

Mr. and Mrs. Iglehart reside on a lot immediately adjacent to the three parcels at issue. Their property is shown on the site plan as lot 2

12/19/97
By: [Signature]
[Illegible text]

and is 20.47 acres in area, zoned R.C.2. It is improved with a single family dwelling which is used as Mr. and Mrs. Iglehart's residence.

Mr. and Mrs. Iglehart propose to convey an irregularly shaped parcel (lot 2A), 9.24 acres in area, to an adjacent neighbor, Frank A. Bonsal, Jr. Mr. Bonsal owns lands to the southeast of the Iglehart property and wishes to acquire this 9.24 acre tract. As to lot 2B, the Petitioners propose conveying same to John K. Shaw, III. Mr. Shaw owns lands to the south of the Iglehart property and lot 2B abuts his northern property line. Lastly, Mr. and Mrs. Iglehart propose to acquire a triangularly shaped lot shown on the site plan as lot 2C. That parcel is 4.0 acres in area and will be acquired from its present owner, Cynthia Parsons.

It was indicated at the hearing that all of the subject properties at issue are presently in agricultural use and will remain so. Additionally, the transfers will be non-density in character, in that there will be no development rights conveyed as part of the transactions. It was indicated that the reason for the transfers was to satisfy a desire of the parties to reconfigure their holdings so as to match the natural characteristics and topography of the land. For example, the Iglehart residence is located within close proximity of the lot shown as 2C, and Mr. Shaw's acquisition of lot 2B will allow him a larger side and rear yard.

As noted above, Alexandra McMahon from the Valleys Planning Council appeared at the hearing and indicated that her organization does not oppose the Petition. Moreover, there are no adverse Zoning Plans Advisory Committee (ZAC) comments offered. An inquiry from Robert W. Bowling, Chief of the Bureau of Development Plans Review, was received as part of his ZAC comment. His agency questions how the remainder of lot 2B will be accessed if the conveyances are approved. In this regard, Mr. Iglehart indicated that his property is already accessed by a driveway leading from

Butler Road. This driveway is not shown on the site plan, however, it was indicated that the transfers would not affect that means of access.

Lastly, it is to be noted that lot 2C is presently covered by an agricultural easement in favor of the Maryland Agricultural Land Preservation Foundation. Both the Office of Planning and the Department of Environmental Protection indicated that the proposed transfer must be approved by the Baltimore County Agricultural Land Preservation Advisory Board and the Maryland Agricultural Land Foundation. In this regard, the Petitioners agreed that a grant of the Petition should be subject to the obtaining of such approval. Thus, those comments shall be incorporated as conditions within the Order. It was indicated that the Petitioner expected to obtain approval of the conveyances from those Boards.

Based upon the testimony and evidence offered, I am, therefore, persuaded to grant the Petition for Special Hearing. In my judgment, the Petitioners' request is appropriate and will not result in any adverse affect upon the subject properties, the immediate neighborhood or the agricultural resources in the vicinity. I am persuaded that relief can be fashioned without detriment to the health, safety or general welfare of the locale.

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 31st day of December 1997 that, pursuant to the Petition for Special Hearing, approval to allow three non-density transfers of three parcels; which are 9.24 acres, 4.55 acres and 4.0 acres in area, respectively 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

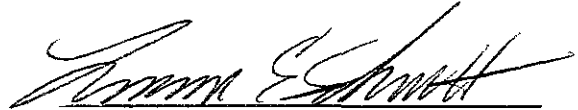
ORDERED FOR FILING

Date

By

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. The Petitioners shall obtain approval of the conveyance of lot 2C as described hereinabove from the Baltimore County Agricultural Land Preservation Advisory Board and the Maryland Agricultural Land Foundation.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

RECEIVED
12/16/97
BY [Signature]

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 SE/S Butler Rd. 1350-3350' E of Butler
 Rd., bet. Belmont & Mantua Mill * ZONING COMMISSIONER
 3565 Butler Road
 4th Election District * OF BALTIMORE COUNTY
 3rd Councilmanic District
 Philip C. Iglehart, et ux * Case No. 98-186-SPH
 * * * * *

AMENDED ORDER

WHEREAS, by Order dated December 31, 1997, a Petition for Special Hearing filed in the within matter was granted, approving non-density transfers of three parcels; 9.24 acres (lot 2A), 4.55 acres (lot 2B), and 4.0 acres (lot 2C) in area, respectively; and,

WHEREAS, by letter dated January 27, 1998, counsel for the Petitioners requested relief to allow an amendment of the aforesaid Order, to permit the amendment of the First Amended Final Development Plan for the subject property at large for lots 2A (9.24 acres) and lot 2B (4.55 acres); and,

WHEREAS, counsel's letter indicated that said relief was inadvertently not requested within the Petition for Special Hearing but is consistent with the spirit and intent of said Petition, the site plan submitted (Petitioners' Exhibit No. 1) and the Findings of Fact and Conclusions of Law issued on December 31, 1997; and,

WHEREAS, although lot 2C is not now a part of those properties which comprise the parcel encompassed within the First Amended Final Development Plan, same may ultimately be incorporated therein.

NOW, THEREFORE, IT IS THIS 30th day of January 1998 Ordered by the Zoning Commissioner of Baltimore County that the First Amended Final Development Plan for lots 2A and 2B be and is hereby amended to reflect the proposed non-density transfers and relief requested within the Petition for Special Hearing, as more fully set forth in the Findings of Fact and Conclusions of Law issued on December 31, 1997; and,

COPIES OF THIS ORDER
 Date 1/30/98
 By [Signature]

IT IS FURTHER ORDERED that if lot 2C is ultimately included with those properties which comprises the parcel encompassed within the First Amended Final Development Plan, said amendment shall be approved; and,

IT IS FURTHER ORDERED that the Order dated December 31, 1997, be and is hereby re-adopted and incorporated herein as fully set forth.

LES:mmm


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

1/30/98
Amended
1-4-98



Baltimore County
Zoning Commissioner
Office of Planning

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

January 28, 1998

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

RE: Petition for Special Hearing
Philip C. Iglehart, et ux, Petitioners
Case No. 98-186-SPH

Dear Mr. Hoffman:

Please find enclosed an Amended Order in the above captioned case, consistent with your letter of January 27, 1998.

Please call me should you have any questions regarding this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Baltimore County
Zoning Commissioner
Office of Planning

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

December 31, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard LLP
210 Allegheny Avenue
Towson, Maryland 21202

RE: Petition for Special Hearing
Case No. 98-186-SPH
Property: 3565 Butler Road
Philip Iglehart, et ux, Petitioners

Dear Mr. Hoffman:

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

In the event any party finds the decision rendered 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 Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm
encl.

c: Mr. and Mrs. Philip Iglehart, 3565 Butler Road, Glyndon, Md. 21071
c: Mr. John K. Shaw, III, 3737 Butler Road, Glyndon, Md. 21071
c: Ms. Alexandra McMahon, Box 5402, 212 Washington Ave., Towson, 21285





98-186-SPH

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at ³⁵⁶⁵ Butler 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 part of 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

to approve three (3) non-density transfers of 9.24 ac., 4.55 ac. and 4.0 ac.

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 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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

MD

21204

City

State

Zipcode

DROP. OFF
NO REVIEW
11/13/97 ucr



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.

Legal Owner(s):

(Type or Print Name)

Signature Philip C. Iglehart

(Type or Print Name)

Signature Susan L. Iglehart

3565 Butler Road

Address

Phone No.

Glyndon

MD

21071

City

State

Zipcode

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

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

98-186-SPH
W. T. SADLER SURVEYORS

Phone [410] 526-5618

152 Westminster Road

Fax [410] 526-7199

Reisterstown, Maryland 21136

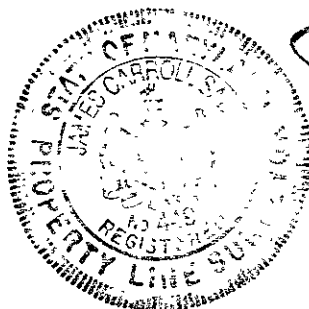
James C. Sadler

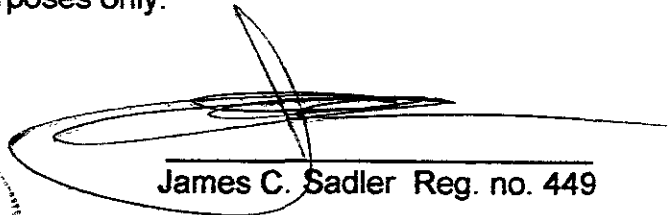
ZONING DESCRIPTION
LOT 2-A

Beginning for the same on the southeast side of Butler Road, 80 feet wide, at a distance of 100 feet, more or less northeasterly from the centerline of Belmont Road; thence running and binding along the southeast side of Butler Road

- 1) north 47 degrees 41 minutes 30 seconds east 16.115; thence leaving said Butler Road and running and binding along the outline of Lot 2A
- 2) south 63 degrees 44 minutes 58 seconds east 1471.46 feet
- 3) south 62 degrees 35 minutes 07 seconds east 673.78 feet
- 4) north 62 degrees 30 minutes 05 seconds east 130.00 feet
- 5) along a curve to the right with a radius of 815.00 feet a distance of 350.07 feet
- 6) north 87 degrees 06 minutes 42 seconds east 65.06 feet
- 7) along a curve to the left with a radius of 1485.00 feet a distance of 113.05 feet
- 8) north 82 degrees 45 minutes 00 seconds east 634.51 feet
- 9) north 59 degrees 45 minutes 00 seconds east 111.03 feet
- 10) north 74 degrees 26 minutes 01 seconds east 237.59 feet
- 11) north 64 degrees 55 minutes 06 seconds east 155.56 feet
- 12) north 05 degrees 20 minutes 03 seconds east 781.83 feet
- 13) south 80 degrees 50 minutes 22 seconds east 536.62 feet
- 14) south 00 degrees 02 minutes 19 seconds west 427.73 feet
- 15) south 64 degrees 55 minutes 06 seconds west 814.65 feet
- 16) south 74 degrees 26 minutes 01 seconds west 236.90 feet
- 17) south 59 degrees 45 minutes 00 seconds west 112.15 feet
- 18) south 82 degrees 45 minutes 00 seconds west 637.57 feet
- 19) along a curve to the left with a radius of 1500.00 feet a distance of 114.19 feet
- 20) south 87 degrees 06 minutes 42 seconds west 65.06 feet
- 21) along a curve to the left with a radius of 800.00 feet a distance of 343.62 feet
- 22) south 62 degrees 30 minutes 05 seconds west 145.59 feet
- 23) north 62 degrees 35 minutes 07 seconds west 681.43 feet and
- 24) north 63 degrees 44 minutes 58 seconds west 1477.20 feet to the place of beginning, containing 9.24 acres of land, more or less.

*Note: The above description is for zoning purposes only.




James C. Sadler Reg. no. 449

W. T. SADLER SURVEYORS

98-186SPH

Phone [410] 526-5618

152 Westminster Road

Fax [410] 526-7199

Reisterstown, Maryland 21136

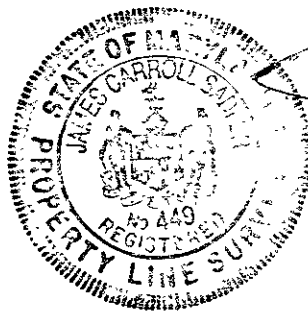
James C. Sadler

ZONING DESCRIPTION
LOT 2-B

Beginning for the same at the southeasternmost corner of lot 2B which point is distant south 63 degrees 44 minutes 58 seconds east 1471.46 feet south 62 degrees 35 minutes 07 seconds east 673.78 feet north 62 degrees 30 minutes 05 seconds east 130.00 feet along a curve to the right with a radius of 815.00 feet a distance of 350.07 feet, north 87 degrees 06 minutes 42 seconds east 65.06 feet, along a curve to the left with a radius of 1485.00 feet a distance of 113.05 feet, north 82 degrees 45 minutes 00 seconds east 634.51; north 59 degrees 45 minutes 00 seconds east 111.03; north 74 degrees 26 minutes 01 seconds east 237.59; north 64 degrees 55 minutes 06 seconds east 155.56 and north 05 degrees 20 minutes 03 seconds east 464.83 feet from the southeast side of Butler Road; thence with the outlines of said lot 2B

- 1) south 88 degrees 18 minutes 15 seconds west 600.84 feet
- 2) north 01 degrees 41 minutes 45 seconds west 324.00 feet
- 3) north 89 degrees 08 minutes 41 seconds east 639.71 feet and
- 4) south 05 degrees 20 minutes 03 seconds west 317.00 to the place of beginning of land, more or less. , containing 4.55 acres

*Note: The above description is for zoning purposes only.



James C. Sadler Reg no. 449

08-186-SPA

W. T. SADLER SURVEYORS

Phone [410] 526-5618

Fax [410] 526-7199

152 Westminster Road

Reisterstown, Maryland 21136

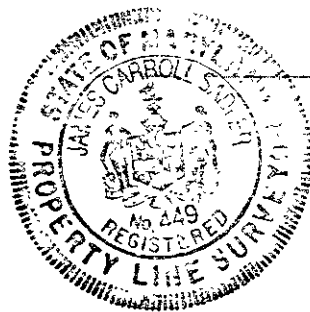
James C. Sadler

ZONING DESCRIPTION LOT 2-C

Beginning for the same at the westernmost corner of lot 2C, which point is distant south 53 degrees 54 minutes 59 seconds east 216.24 feet; south 59 degrees 49 minutes 30 seconds east 1096.67 feet; south 52 degrees 52 minutes 46 seconds east 202.87 feet and north 41 degrees 36 minutes 42 seconds east 25.00 feet from the southeast side of Butler Road, 80 wide, which point is 2800 feet northeasterly from the intersection of Belmont Road; thence binding along the outlines of said lot 2C

- 1) north 53 degrees 20 minutes 33 seconds east 577.42 feet
- 2) south 09 degrees 06 minutes 20 seconds east 684.55 feet
- 3) north 57 degrees 20 minutes 50 seconds west 66.54 feet and
- 4) north 60 degrees 11 minutes 49 seconds west 594.24 feet to the place of beginning, containing 4.00 acres of land, more or less.

*Note: The above description is for zoning purposes only.



James C. Sadler Reg. no. 449

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 27, 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 Nov. 27, 19 97.

THE JEFFERSONIAN,

A. Henrichson

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: #98-186-SPH
3585 Butler Road
SE/S Butler Road, 1350-3350
SE of Butler Road, between
Baltimore Avenue and Marqua
Mill Road

4th Election District
3rd Councilmanic District
Legal Owner(s): Philip C. Ingelhart & Susan L. Ingelhart

Special Hearing: to approve
three non-density transfers of
9.24 acres, 4.65 acres, and
4.0 acres.

Hearing: Thursday, Decem-
ber 18, 1997 at 8:00 a.m. in
Room 407, County Courts
Bldg., 401 Boston Avenue

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible for
special accommodations.
Please Call (410) 887-3393.
(2) For information concern-
ing the file and/or hearing
Please Call (410) 887-3393.

11/383 Nov. 27 C192364

BALTIMORE COUNTY, MARY ID
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044513

DATE 11/13/97 ACCOUNT 001-6150
AMOUNT \$ 250.00 (WCR)

RECEIVED FROM: Phillip C. Inglehart

FOR: #040 - SPECIAL HEARING
3565 Butler Road --- Case #98-186-SPH
Drop-Off --- No Review

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL
11/14/1997 11/14/1997 0 00000
REF MS02 CASHIER JOHN J. BROWN
5 MISCELLANEOUS CASH RECEIPT
Receipt # 021997
CR NO. 044513
250.00 CASH
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-186 SPH

Petitioner/Developer: PHILIP & SUSAN IGLEHART, ETAL
C/O ROBERT HOFFMAN, ESQ.

Date of Hearing/Closing: 12/18/97
@ 9⁰⁰ AM
RM-407
COURTS

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 #3565 BUTLER RD.

The sign(s) were posted on 11/29/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 11/30/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21039

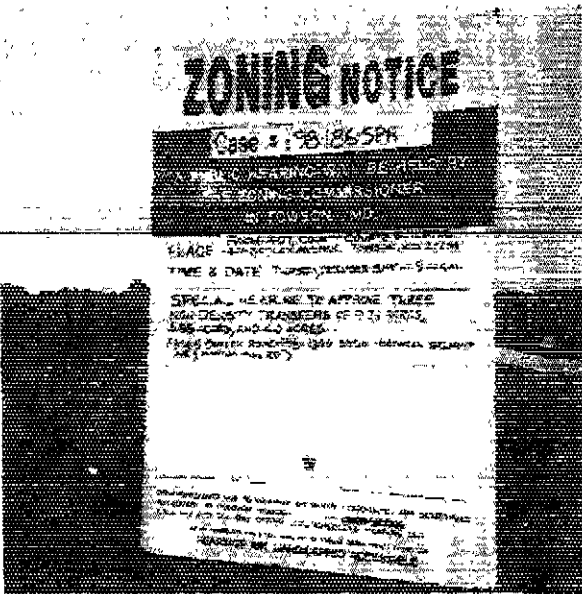
(City, State, Zip Code)

(410) 666-5306

(Telephone Number)

965-8571

Page 1415



98-186-SPH

#3565 BUTLER RD.

PHILIP C. & SUSAN L. IGLEHART

P. 11/29/97 C/O V.B.H.

#-12/18/97 @ 9⁰⁰ AM

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.: 98-186-SPH

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

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE
3 NON-DENSITY TRANSFERS OF 9.24
ACRES, 4.55 ACRES, AND 4.0 ACRES.

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

November 13, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Drop-Off Petition (Item #186)
3565 Butler Road
4th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to Gwendolyn Stephens.

If you have any questions regarding the sign posting, please do not hesitate to contact Gwendolyn Stephens at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosure





Baltimore County
Department of Permits and
Development Management

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

November 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: 98-186-SPH

3565 Butler Road

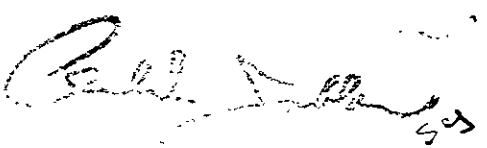
SE/S Butler Road, 1350-3350' SE of Butler Road, between Belmont Avenue and Mantua Mill Road

4th Election District - 3rd Councilmanic District

Legal Owner: Philip C. Inglehart & Susan L. Inglehart

Special Hearing to approve three non-density transfers of 9.24 acres, 4.55 acres, and 4.0 acres.

HEARING: Thursday, December 18, 1997 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.


ARNOLD JABLON
Director

c: Robert A. Hoffman, Esquire
Philip & Susan Inglehart

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 3, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE: FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
November 26, 1997 Issue - Jeffersonian

Please forward billing to:

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

410-494-6200

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: 98-186-SPH

3565 Butler Road

SE/S Butler Road, 1350-3350' SE of Butler Road, between Belmont Avenue and Mantua Mill Road

4th Election District - 3rd Councilmanic District

Legal Owner: Philip C. Inglehart & Susan L. Inglehart

Special Hearing to approve three non-density transfers of 9.24 acres, 4.55 acres, and 4.0 acres.

HEARING: Thursday, December 18, 1997 at 9:00 a.m. in Room 407, County Courts Building, 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.



Baltimore County
Department of Permits and
Development Management

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

December 10, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 186
Case No.: 98-186-SPH
Petitioner: Philip Iglehart, et ux

Dear Mr. Hoffman:

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 November 13, 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 a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



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: December 1, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for December 1, 1997
 Item No. 186

 The Bureau of Developer's Plans Review has reviewed the subject zoning item. If these non-density transfers are approved, how will the remainder of Lot 2 access the public road?

RWB:HJO:jrb

cc: File

ZONE1201.186

for
12/18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: December 2, 1997

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

SUBJECT: 3565 Butler Road

INFORMATION

Item Number: 186

Petitioner: Iglehart Property

Zoning: RC-2

Requested Action: Special Hearing

Summary of Recommendations:

The subject request, if granted, should be conditioned upon subsequent approval of the Maryland Agricultural Land Perservation Foundation since the property is covered by an agricultural easement.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/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
Item No. 186

11/21/97
WCR

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

November 26, 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 November 24, 1997

Item No.: See Below Zoning Agenda:

Gentlemen:

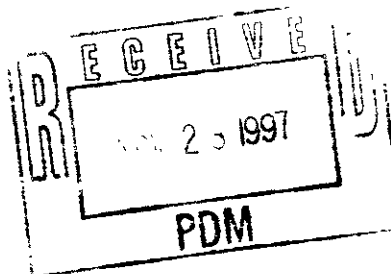
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

185, 186, 188 and 189

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

cc: File



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

DATE: December 10, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RMS/97*
Subject: Zoning Item #98-186-SPH

3565 Butler Road

Zoning Advisory Committee Meeting of November 24, 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 Agricultural Preservation:

The 4.00 acres presently owned by C. Parsons is under a Maryland Agricultural Land Preservation Foundation Easement. Any modification of the easement such as this requested transfer must be approved by the Baltimore County Agricultural Land Preservation Advisory Board and Maryland Agricultural Land Foundation prior to a transfer.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
3565 Butler Road, SE/S Butler Road,		
1350-3350' SE of Butler Road, between	*	ZONING COMMISSIONER
Belmont Avenue and Mantua Mill Road		
4th Election District, 3rd Councilmanic	*	OF BALTIMORE COUNTY
Philip C. & Susan L. Iglehart	*	CASE NO. 98-186-SPH
Petitioners		
* * * * *		

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 1st day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

98-186-SPH

December 1, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Drop-Off Petition Review (Item #186)
3565 Butler Road
4th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "C. Milton".

Catherine A. Milton
Planner II
Zoning Review

CAM:scj

Enclosure (receipt)

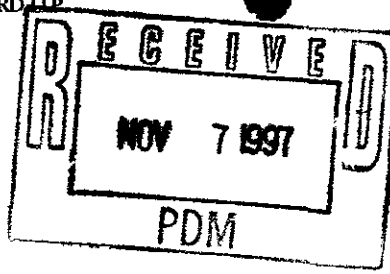
c: Zoning Commissioner



97-5197

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com



OFFICES IN
MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
410-494-6201

VENABLE
ATTORNEYS AT LAW

November 6, 1997

11/7/97
wct
S

Mr. Carl Richards
Department of Permits and Development Management
County Courts Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Petitioner: Philip and Susan Iglehart
3565 Butler Road, Baltimore County, MD

Dear Mr. Richards:

I am hereby drop filing the enclosed Petition for Special Hearing with regard to the above captioned property. This request has not been previously reviewed. Pursuant to Zoning Enforcement, there are no outstanding zoning violations on site. Enclosed for submittal are the following documents:

1. Petition for Special Hearing (3)
2. Zoning description (3)
3. Site Plans (12)
4. 200' Zoning Map (1)
5. Check in the amount of \$250.00

If you have any questions, please give me a call.

Sincerely,

Barbara W. Ormord
Legal Assistant

bw
cc: Robert A. Hoffman, Esquire

98-186-SPH

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

VENABLE
ATTORNEYS AT LAW

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
410-494-6262

January 27, 1998

Via Hand Delivery

Lawrence E. Schmidt, Zoning Commissioner
New Courts Building
401 Bosley Avenue, 4th Floor
Towson, Maryland 21204

Re: Petition for Special Hearing
Petitioner: Philip C. Iglehart, et ux
Case No. 98-186-SPH

Dear Larry:

With regard to the Special Hearing Petition filed in the above-captioned matter, we inadvertently failed to request an amendment of the previously approved Final Development Plan as part of the request. The Special Hearing relief requested to approve non-density transfers of three parcels was granted by Order issued on December 31, 1997. I am writing to you to request that the Order be revised to reflect the amendment of the First Amended Final Development Plan for lots 2A and 2B only. The appeal period on this matter will expire on Friday, January 30, 1998.

If you are in agreement, please amend the Order dated December 31, 1997, to allow for the amendment of the First Amended Final Development Plan, for lots 2A and 2B.

Thank you for your consideration in this matter.

Very truly yours,

Robert Hoffman
Robert A. Hoffman *Rave*

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Bob Hoffman
Philip Sglehank
John Shaw

216 Allegheny 2204
3565 Butler Road Glynndon
3737 Butler Rd, Glynndon

UPC

Alexandra McMahon

Box 5402, 212 Washington Ave
Dawson, ND 21285



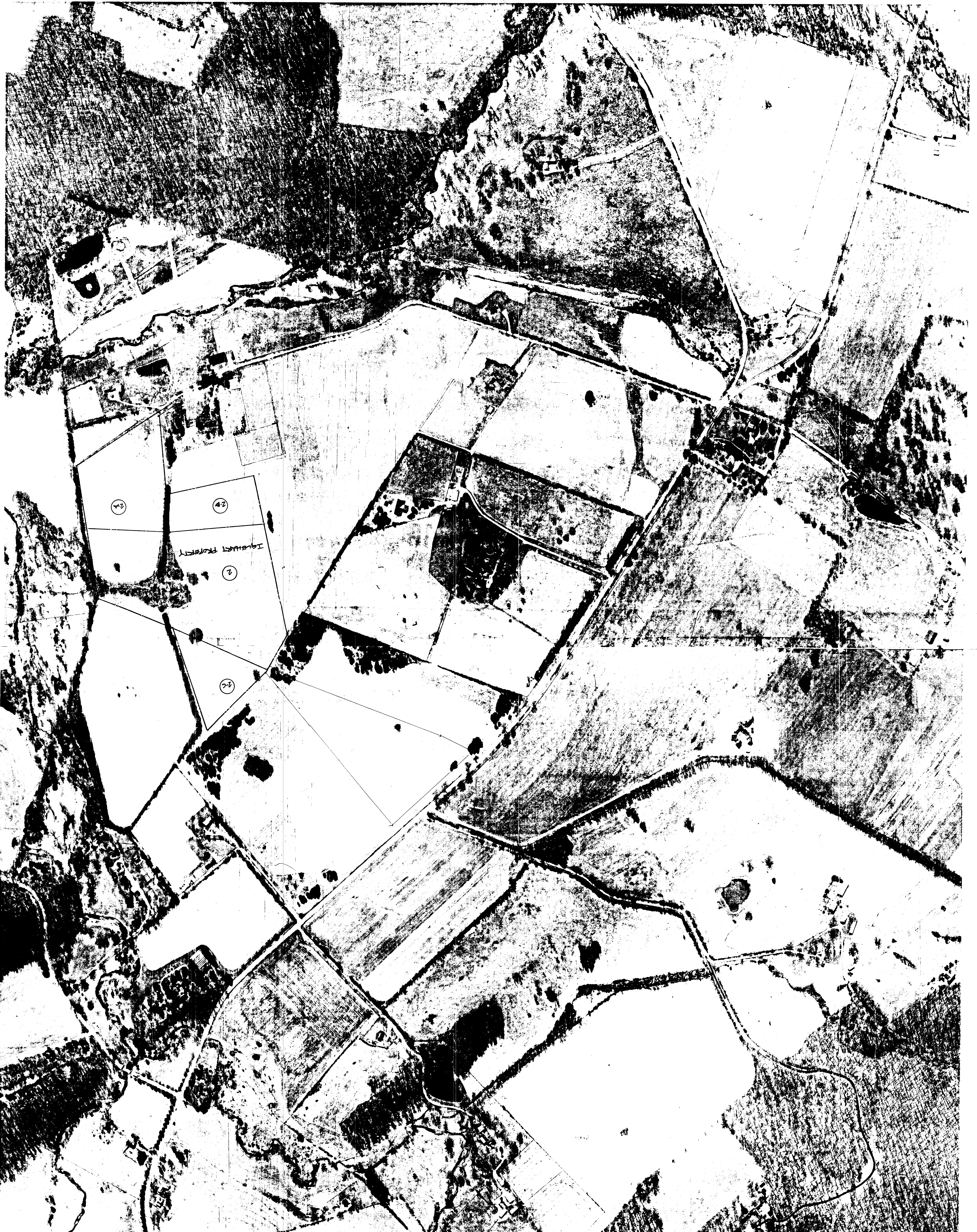
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

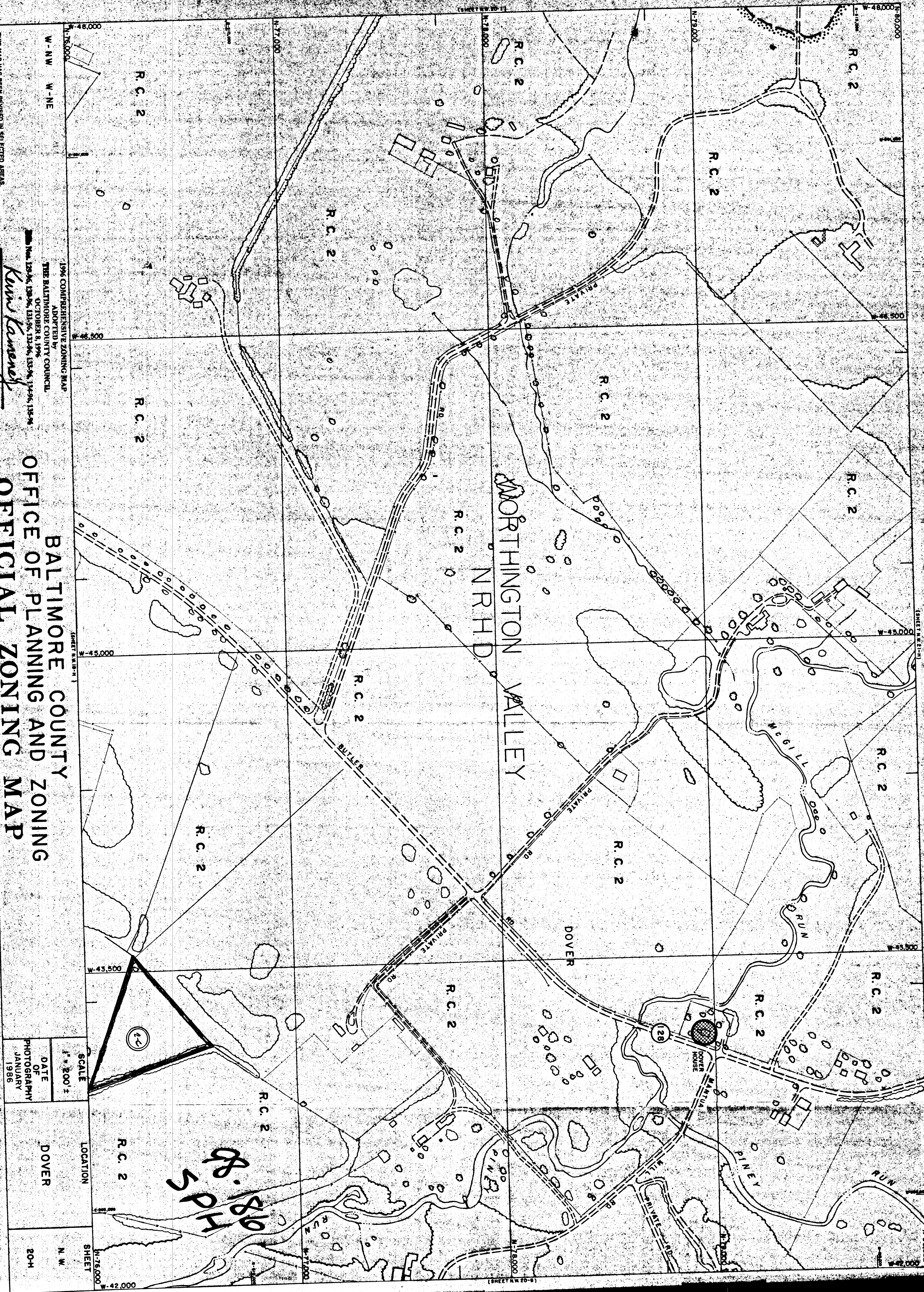
PETITIONER'S
EXHIBIT No. 2

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
NORTH OF
BELMONT TRACK

SHEET
N. W.
19-H





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

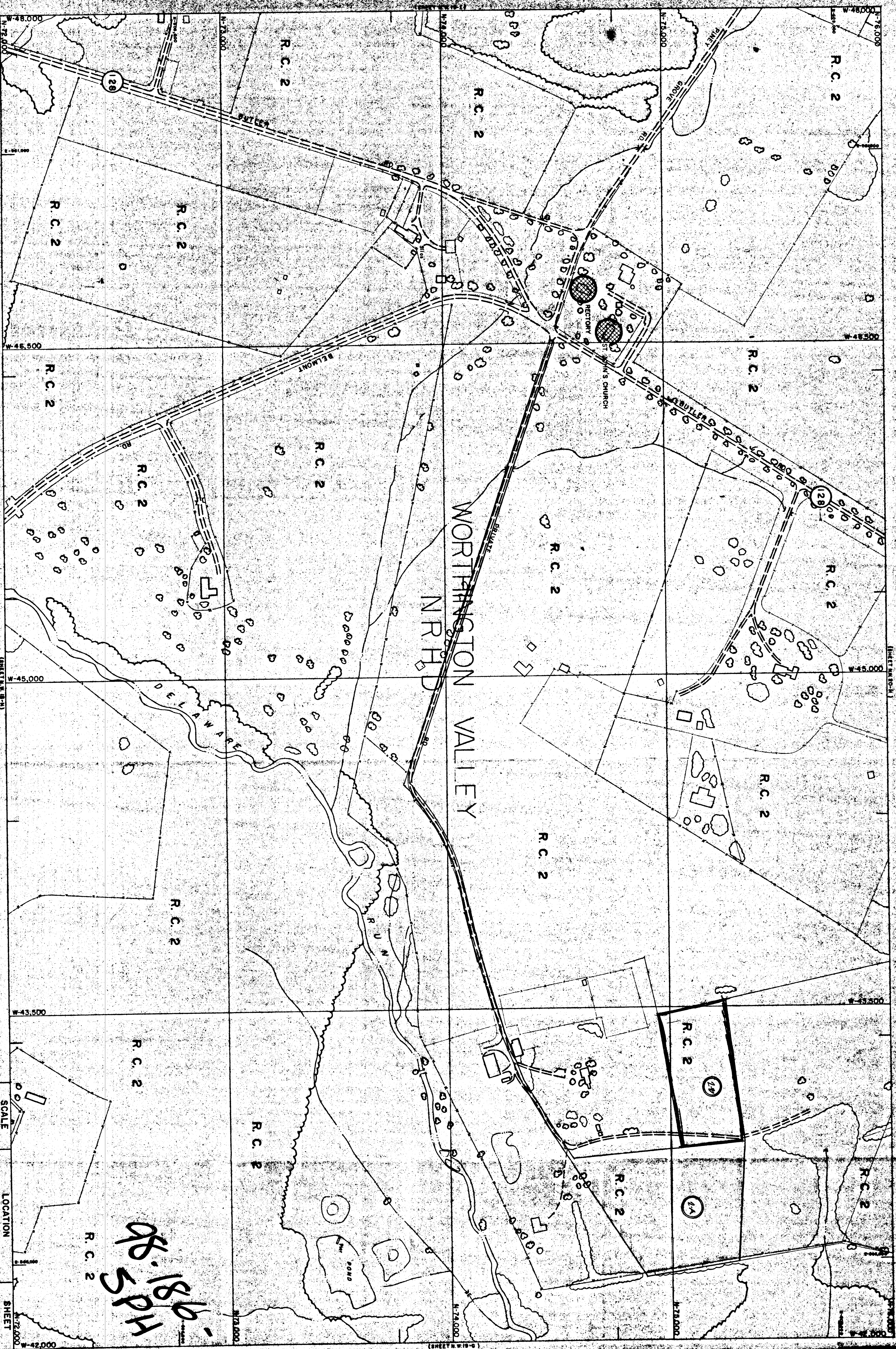
W - NW W - NE

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
NOV 12, 1996, 12-96, 13-96, 13-96, 13-96, 13-96

Kevin Kennedy
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	DOVER	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		204



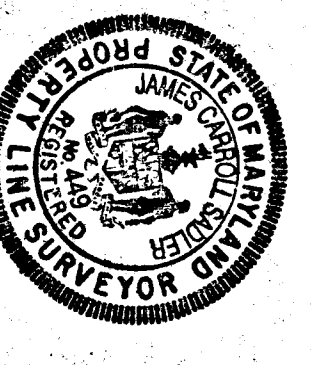
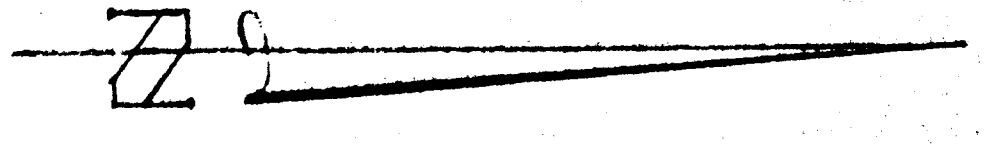
46.186
5 PH

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bill Nos. 13-96, 13-96, 13-96, 13-96, 13-96, 13-96, 13-96, 13-96
Karin Kennedy
Chairman, County Council

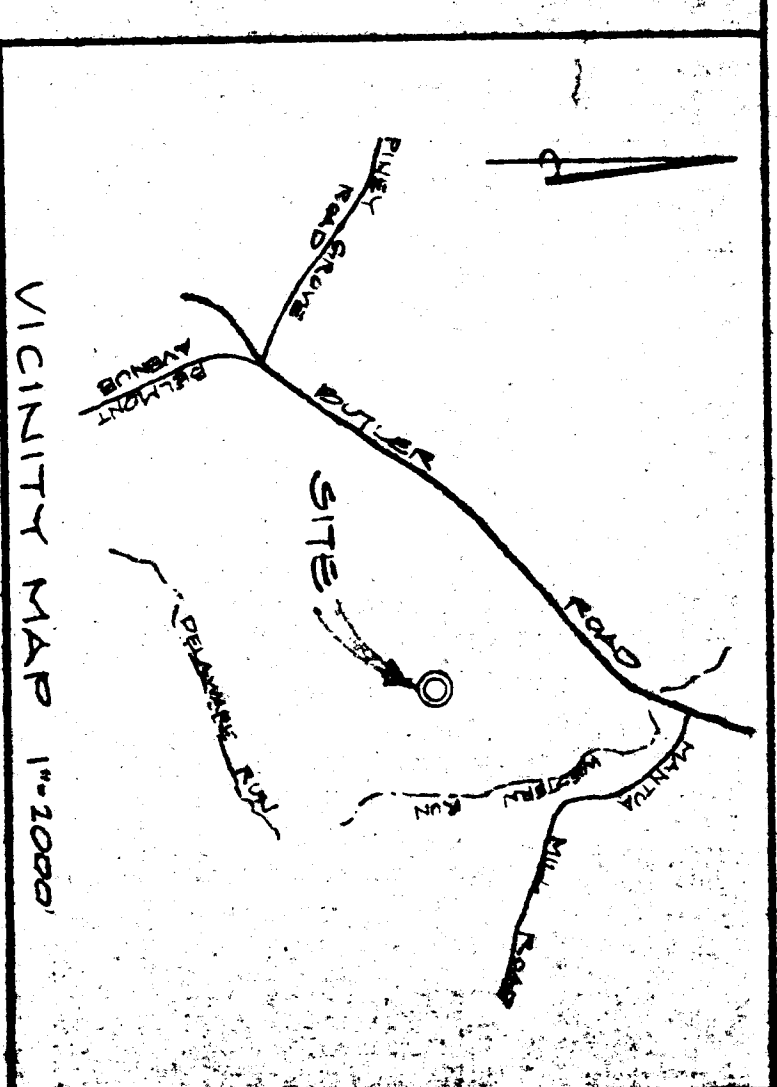
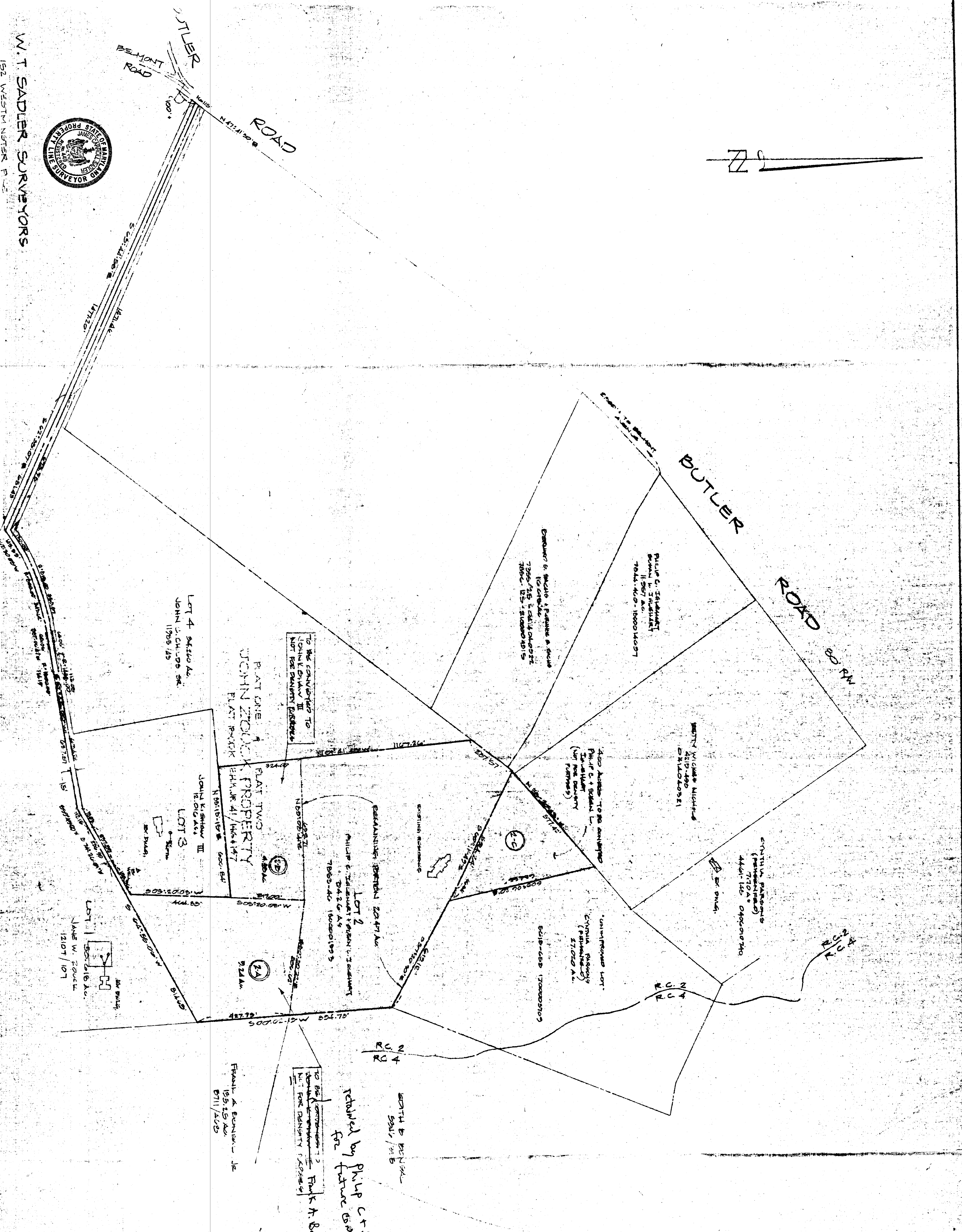
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION NORTH OF BELMONT TRACK	SHEET N W 19-H
DATE OF PHOTOGRAPHY JANUARY 1986		

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



W. T. SADLER SURVEYORS
152 WESTMATER P.O.



GENERAL NOTES

- EXISTING CONDUIT - R.C. 2
- ZONING MAP NO. 40
- PARCEL 126
- THESE ARE NO WELLS OR SEPTIC SYSTEMS
- WITHIN 300' OF PROPOSED LOT 2A
- LOT 2B & LOT 2C EXCEPT AS SHOWN
- HATCHED AREA IS PROPOSED TO BE CONVEYED TO PHILIP C. & SUSAN L. IGLEHART
- THERE ARE NO STREAMS WITHIN 50' OF LOTS 2A, 2B, 2C AND THE PROPERTY DOES NOT LIE WITHIN THE FLOODPLAIN OF THE 100 YEAR FLOOD PLAIN.

NOTED BY PHILIP C. & SUSAN L. IGLEHART as a separate lot for future conveyance

TO BE CONVEYED TO PHILIP C. & SUSAN L. IGLEHART FOR FUTURE CONVEYANCE

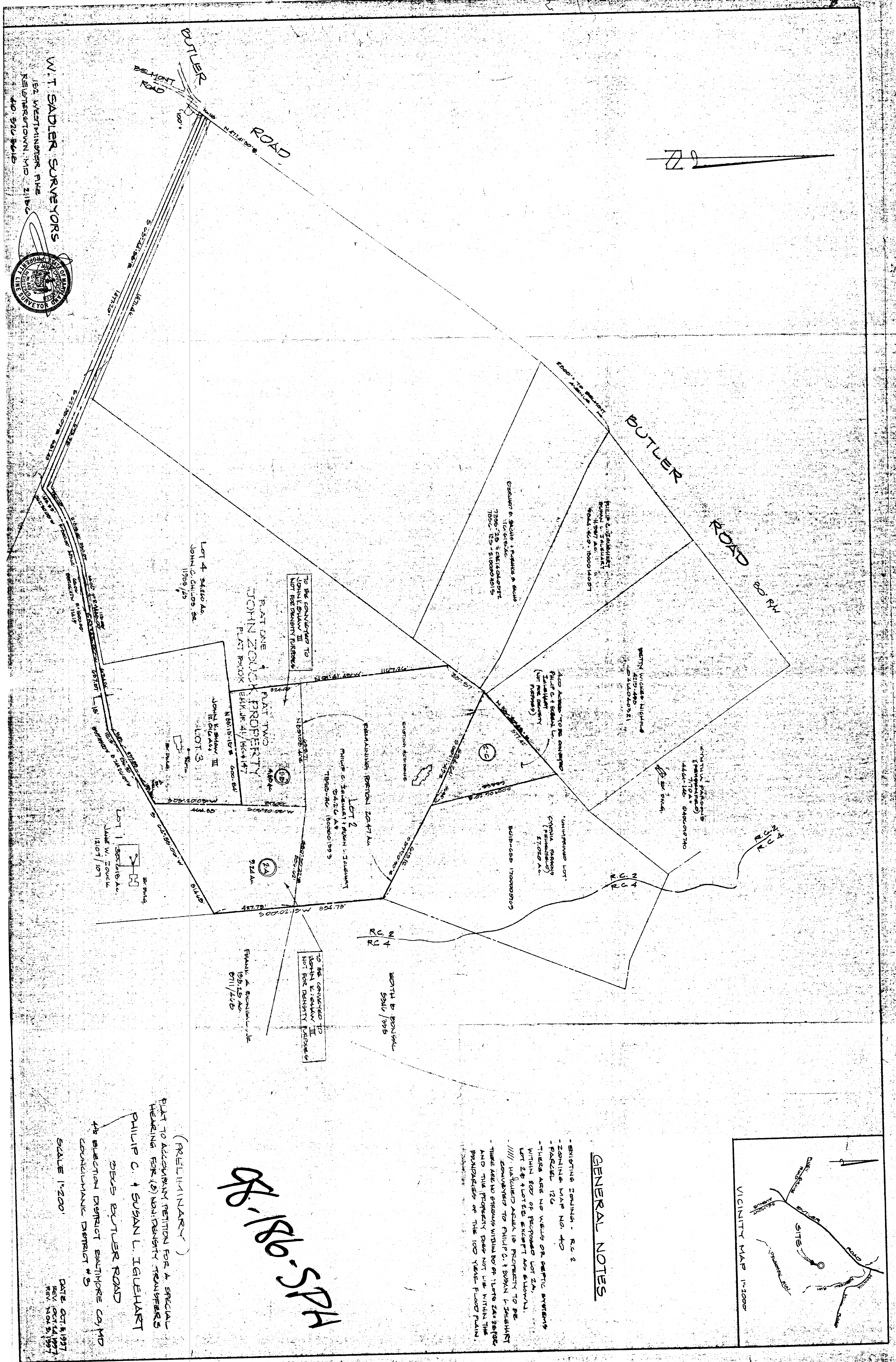
W. T. SADLER'S
SURVEYORS

(PRELIMINARY)

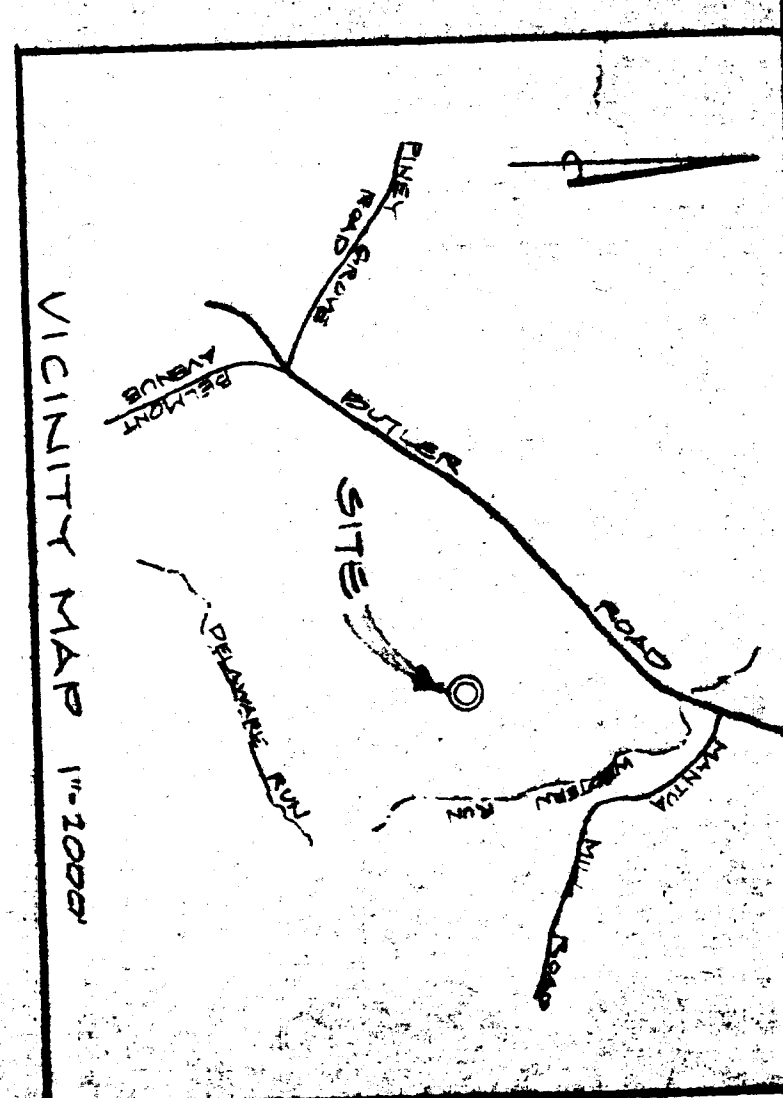
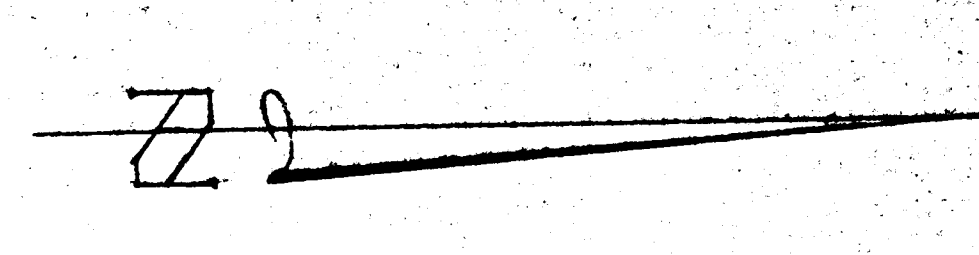
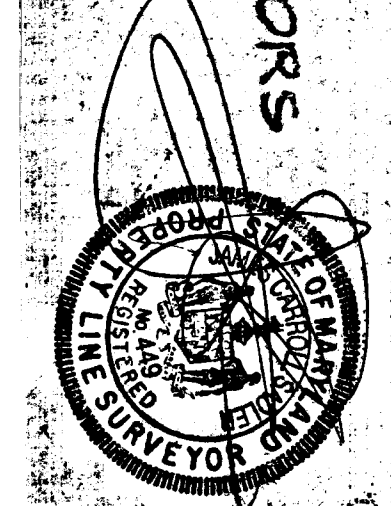
PLAT TO ACCOMPANY PETITION FOR A SPECIAL HEARING FOR (S) UNIFORMITY TRANSFERS

PHILIP C. & SUSAN L. IGLEHART
3625 BUTLER ROAD
ELECTION DISTRICT BALTIMORE CO, MD
COUNCILMANIC DISTRICT #5

SCALE 1"=200'
DATE: OCT 15, 1997
BY: W. T. SADLER



W.T. SADBler SURVEYORS
152 WESTMINSTER AVE
REHOBOTOWN, MD 21150
410 570 8415



GENERAL NOTES

- EXISTING ZONING - R.C. 2
- ZONING MAP NO. 40
- PARCELS 120
- THERE ARE NO WELLS OR SEPTIC SYSTEMS WITHIN 500' OF PROPOSED LOT 24.
- LOT 24 & 25 ARE EXCEPT AS SHOWN.
- LOTS 24 & 25 ARE TO BE CONVEYED TO PHILIP C. & SUSAN L. IGOUHART.
- THERE ARE NO STREETS WITHIN 100' OF THE PROPOSED LOTS AND THE PROPERTY DOES NOT LIE WITHIN THE PROROGATION OF THE 100' YEAR FLOOD PLAIN.

OF 180-574

(RELINQUISH)
PLAT TO ACCOMPANY PETITION FOR A SPECIAL
HEARING FOR (S) NON-RENTAL TRAILERS
PHILIP C. & SUSAN L. IGOUHART
DEVS BUTLER ROAD
4th ELECTION DISTRICT BALTIMORE CO MD
CONSTITUENT DISTRICT #5
SCALE 1"=200'
DATE OCT 1, 1997
REV OCT 14, 1997
REV NOV 5, 1997