

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Wiseburg Road, 450' E
of centerline of York Road
7th Election District
6th Councilmanic District
(705 Wiseburg Road)

Michele S. & Andrew C. Bilello
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 00-117-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Michele S. & Andrew C. Bilello. The variance request is for property located at 705 Wiseburg Road, located in the White Hall area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure (barn) in the front yard in lieu of the rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the

ORDER RECEIVED FOR FILING

Date

10/15/99

By

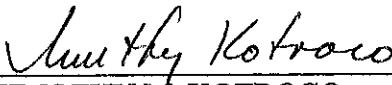
R. Johnson

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of October, 1999 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure (barn) in the front yard in lieu of the rear yard., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORIGINAL FILED
10/15/99
By 



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

October 15, 1999

Mr. & Mrs. Andrew C. Bilello
705 Wiseburg Road
White Hall, Maryland 21161

Re: Petition for Administrative Variance
Case No. 00-117-A
Property: 705 Wiseburg Road

Dear Mr. & Mrs. Bilello:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 705 Wiseburg Rd, White Hall, Md.
which is presently zoned R.C. 4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1

*To permit a detached accessory structure in the front yard
in lieu of no rear yard.*

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Michele S. Bilello
Name - Type or Print

Michele S. Bilello
Signature

Andrew C. Bilello
Name - Type or Print

Andrew C. Bilello
Signature

705 Wiseburg Road W: 410-974-2971 x183
Address H: 410-357-5085

White Hall Maryland 21161
City State Zip Code

Representative to be Contacted:

Michele S. Bilello
Name

705 Wiseburg Road W: 410-974-2971 x183
Address H: 410-357-5085

White Hall, Maryland 21161
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, It is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-117-A

Reviewed By ✓ Date 9/17/99

Estimated Posting Date 9/26/99

REV 9/15/98

Affidavit in Support of Administrative Variance

00-117-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

705 Wiseburg Road
Address
White Hall Maryland 21161
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

- Need a shelter for my horse and storage area for her food out of the elements.
- The difficulty is that the house is placed on top of the hill where there is no land located to the back or side of the property. All the land is located in front of the house. The hardship is the layout & location of house.
- The land in front of the house is currently a horse pasture. We are requesting the barn be located inside that pasture.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Michele S. Bitello
Signature
Michele S. Bitello
Name - Type or Print

Andrew C. Bitello
Signature
Andrew C. Bitello
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of AUGUST, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michele S. Bitello and Andrew C. Bitello
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

AUG. 27, 1999
Date

Douglas A. Smith
Notary Public

My Commission Expires AUGUST 1, 2002

Affidavit in Support of Administrative Variance

00-117-A

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Address
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City State Zip Code

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- Need a shelter for my horse and storage area for her food out of the elements.
- The difficulty is that the house is placed on top of the hill where there is no land located to the back or side of the property. All the land is located in front of the house. The hardship is the layout and location of the house on the property.
- The land in front of the house is currently a horse pasture. We are requesting the barn be located inside that pasture.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Michele S. Bilello
Signature
Michele S. Bilello
Name - Type or Print

Andrew C. Bilello
Signature
Andrew C. Bilello
Name - Type or Print

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Michele S. Bilello and Andrew C. Bilello
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

AUG 27, 1999
Date

Denise A. Smith
Notary Public
My Commission Expires AUG 1, 2002



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 705 Wiseburg Rd, White Hall, Md
which is presently zoned R.C. 4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 TO PERMIT A DETACHED

ACCESSORY STRUCTURE IN THE FRONT YARD IN VIEW OF THE REAR YARD.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Michele S. Bilello
Name - Type or Print

Michele S. Bilello
Signature

Andrew C. Bilello
Name - Type or Print

Andrew C. Bilello
Signature

705 Wiseburg Rd. W: 410-974-2971 x183
Address H: 410-357-5085

White Hall, Maryland 21161
City State Zip Code

Representative to be Contacted:

Michele S. Bilello
Name

705 Wiseburg Road W: 410-974-2971 x183
Address H: 410-357-5085

White Hall, Maryland 21161
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 9 day of September, 1999, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00 117 A

Reviewed By ✓ Date 9/17/99

Estimated Posting Date 9/26/99

REV 9/15/98

00-117-A

117

ZONING DESCRIPTION FOR 705 Wiseburg Road, White Hall, Maryland 21161

Beginning at a point on the South side of Wiseburg Road which is 60 feet wide at a distance of 450 feet East of the centerline of the nearest improved intersecting street York Road which is 50 feet wide. As recorded in Deed Liber 011401-675 Title 998256-09 Tax ID 07-2100005365 running with and binding on the South margin the following course and distance:

#1) 45.41 feet along the arc of a curve to the left having a radius of 1061.39 feet and a chord bearing North 88 degrees 48 minutes 25 seconds, 45.41 feet to a point, thence leaving said Southerly margin of Wiseburg Road;

#2) South 02 degrees 25 minutes 06 seconds East, 4.69 feet to a point, thence:

#3) South 72 degrees 41 minutes 55 seconds East, 53.62 feet to a point, thence:

#4) South 71 degrees 39 minutes 32 seconds East, 63.02 feet to a point, thence:

#5) South 66 degrees 25 minutes 40 seconds East, 6209 feet to a point, thence:

#6) South 87 degrees 06 minutes 10 seconds East, 173.08 feet to a point, thence:

#7) South 13 degrees 19 minutes 20 seconds West, 391.40 feet to a point, said point being in the first or North 68 degrees 15 minutes East, 936.38 foot line of that parcel of land conveyed by Eugene R. Miller to Henry W. Stewart and recorded among the Land Records of Baltimore County, Maryland in Liber 6453, folio 142, thence binding on and running reversely with a part of said line:

#8) South 81 degrees 08 minutes 51 seconds West 230.21 feet to a point, said point being at the end of the seventh or South 07 degrees 59 minutes 28 seconds East, 494.18 foot line of Lot #1, thence binding on and running reversely with said seventh line:

#9) North 07 degrees 59 minutes 28 seconds West, 494.18 feet to the place of the beginning.

Said property contains 3.0 acres or 130,680 square feet and is known as 705 Wiseburg Road, White Hall, Maryland 21161 which is located in the 7th Election District, 6th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 072151

DATE 9/17/99 ACCOUNT VC 117 R0016150
AMOUNT \$ 50.00

RECEIVED FROM: BILELLO

FOR: RES VAR.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
9/20/1999	9/20/1999	11:55:58
REG #803	CASHIER TUES FEW BRAMEP	3
Dept	5 528 ZONING VERIFICATION	
Receipt #	096870	0711
OR NO.	072151	

Receipt Tot 50.00
50.00 OK .00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 00-117-A
PETITIONER/DEVELOPER:
(Michele Bilello)
DATE OF Closing
(Oct. 11, 1999)

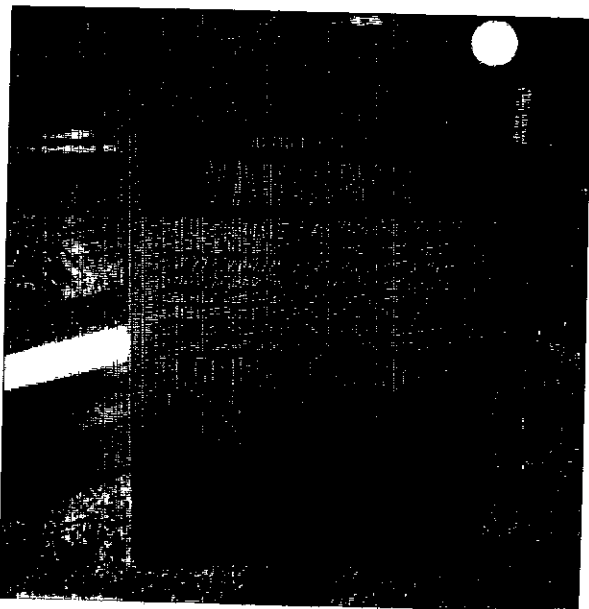
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

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
705 Wiseburg Road White Hall, Maryland 21161 _____

The sign(s) were posted on _____ 9-24-99 _____
[Month, Day, Year]



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 00- 117 -A Address 705 WISEBURG RD.
Petitioner's Name MICHELE & ANDREW BILELLO Telephone 410 974 2971 x18
Posting Date: 9/26/99 Closing Date: 10/11/99
Wording for Sign: To Permit AN ACCESSORY STRUCTURE (HORSE SHED) IN
FRONT IN LIEU OF REAR YARD

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 117
Petitioner: Michele S. Bitello
Address or Location: 705 Wiseburg Road, White Hall, Maryland 21161

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michele S. Bitello
Address: 705 Wiseburg Road
White Hall, Md 21161
Telephone Number: W: 410-974-2971 x183 or H: 410-357-5085

Revised 2/20/98 - SCJ



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

October 12, 1999

Ms. Michele Bilello
705 Wiseburg Road
White Hall, MD 21161

Dear Ms. Bilello:

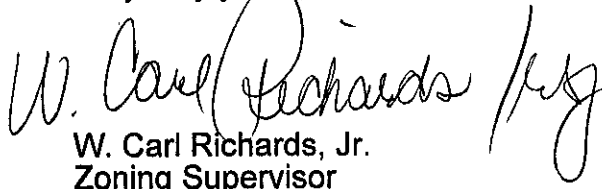
RE: 00-117-A , 705 Wiseburg Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on .

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures



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



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

October 20, 1999

Department of Permits and
Development Management (PLM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF October 12, 1999

Item No.: See Below

Dear Ms. Stephens:

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.

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

101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112,
114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124,
125, 126, 127, 128 and 129

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 287 4881, ME-1102F

cc: File

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: November 1, 1999

SUBJECT: Zoning Item #117
705 Wiseburg Road

Zoning Advisory Committee Meeting of October 12, 1999

- _____ 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:
- _____ 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 (Section 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 The size of this barn raises concerns. The property is only large enough to pasture 1 or 2 horses. The barn size seems beyond what is justified from an agricultural basis. Consequently, the request is not supported.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: October 19, 1999

TO: Larry Schmidt
Zoning Commissioner

FROM: John M. Altmeyer / CJP
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 117

PETITIONER: Michele S. & Andrew C. Bilello

VIOLATION CASE NO.:

LOCATION OF VIOLATION: 705 Wiseburg Rd.

DEFENDANTS: Michele & Andrew Bilello

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 person(s):

NAME

ADDRESS

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

JMA/cp/klh



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension _____
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No.

107712

Case No.

Election District 7 Permit No. none

Name (s) Michelle Bitello

Address 705 Weisburg

410-974-2971 #183

Location of Violation (if different than address) 705 Weisburg Ave

Vehicle License No : _____

Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ 107

Building Code (BOCA):

§§ 107

Investment Property Act (7-66):

§§ _____

Plumbing Code (NSPC):

§§ _____

Zoning Regulations:

§§ _____

Livability Code (18-66):

§§ _____

Electrical Code (NEC):

§§ _____

Dwelling (CABO):

§§ _____

Other: §§ Council Bill 34-97

COMMENTS OR OTHER VIOLATIONS.

Building pole sign at front of
property without permit(s)
Obtain permit(s) and call for
required inspections

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: _____ INSPECTOR: _____

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER
PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE
INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: 08/16/97

DATE ISSUED: 08/16/97 INSPECTOR: C. J. P. [Signature]

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE.
PLEASE READ CAREFULLY.

AGENCY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: October 8, 1999

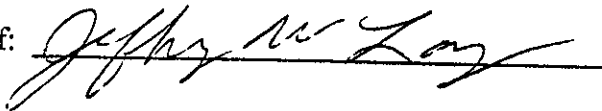
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 108, 113, 114, 117, 123, 124, and 129

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 8-25-99

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

RE: Baltimore County
Item No. 117 J L L

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

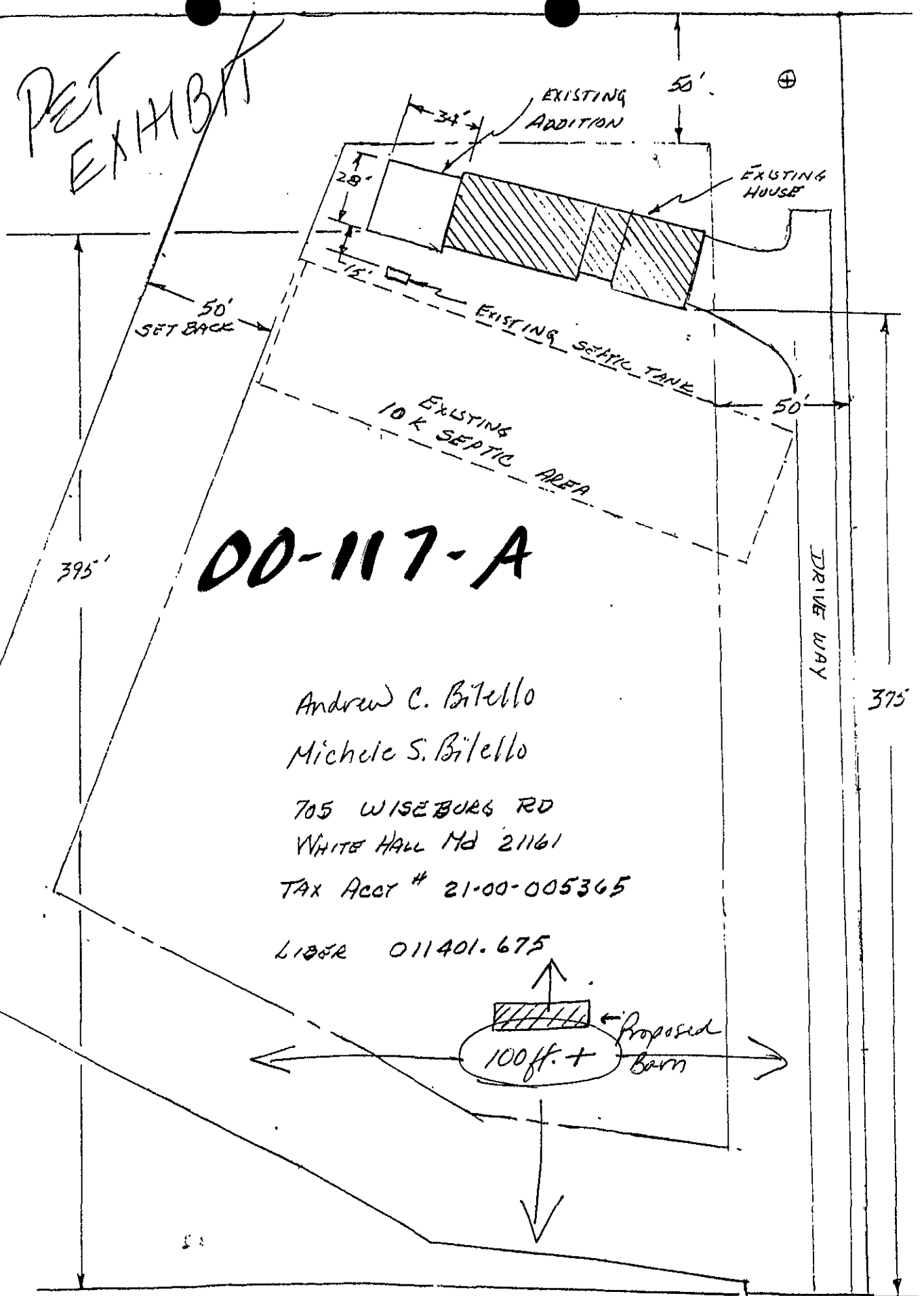
1r Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

PET
EXHIBIT



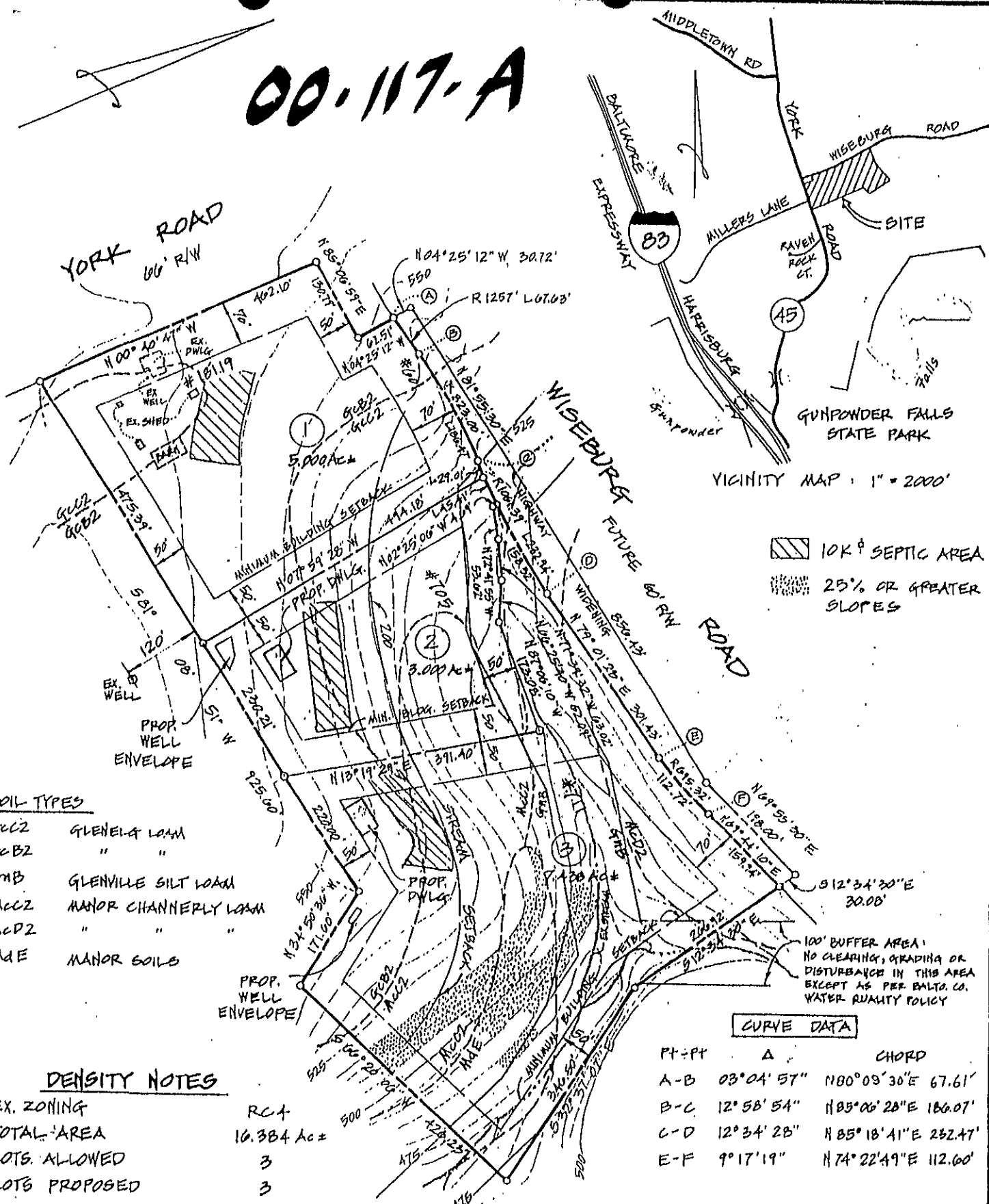
00-117-A

Andrew C. Bitello
Michele S. Bitello
705 WISEBURG RD
WHITE HALL MD 21161
TAX ACCT # 21-00-005365
LICER 011401.675

Proposed
Barn
100ft. +

WISEBURG RD.

00.117-A



SOIL TYPES

GCC2	GLENELEA LOAM
GCB2	"
GMB	GLENELEA SILT LOAM
MCC2	MAJOR CHANNELLY LOAM
MCD2	"
MdE	MAJOR SOILS

DENSITY NOTES

EX. ZONING	RC-4
TOTAL AREA	16.384 Ac ±
LOTS ALLOWED	3
LOTS PROPOSED	3
AREA LOT 1	5.000 Ac ±
AREA LOT 2	3.000 Ac ±
AREA LOT 3	7.438 Ac ±
AREA HIGHWAY WIDENING	0.946 Ac ±
DR. AREA	GUNPOWDER FALLS

OWNER

LILLIAN GILL
P.O. BOX #44
WHITE HALL, MD 21161

DEVELOPER

JOHN & PHYLLIS G. FOSTER
10351 MATTHEWS ROAD
MONKTON, MD 21111

CURVE DATA

PT-PT	Δ	CHORD
A-B	03° 04' 57"	N 00° 09' 30" E 67.61'
B-C	12° 58' 54"	N 85° 06' 28" E 186.07'
C-D	12° 34' 26"	N 85° 18' 41" E 232.47'
E-F	9° 17' 19"	N 74° 22' 49" E 112.60'

APPROVED: DEPT. OF ENVIRONMENTAL PROTECTION AND
RESOURCE MANAGEMENT

4-29-88

DATE

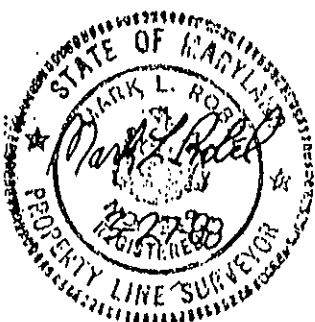
DIRECTOR

Robert W. Sheehy

RESUBDIVISION OF 1155/363

TAX ACCOUNT # 07-07-029125

7TH ELECTION DIST. BALTO. CO., MD



#18119 YORK ROAD & #705, #711 WISEBURG RD.

Vitti, Robel & Associates, Inc.

ENGINEERING & SURVEYING
216 Washington Avenue
Towson, MD 21204
821-9441

job no.: 87-105

scale: 1" = 200'

date: 3-27-88

drawn: JFW

checked:

ZONING MAP

R. C. 5

R. C. 5

117
00-117-A

WISEB

HALF-WAY HOUSE
INN - YARD

HALF-WAY HOUSE
BARN

WISEBURG

R. C. 4

← SITE

SCALE
1" = 200'

LOCATION

WHITE HALL

DATE OF
PHOTOGRAPHY

SHEET
N.W.
30-B
(30-B)

(SHEET N.W. 30-C)

N120,000

W12,000

N 653,000

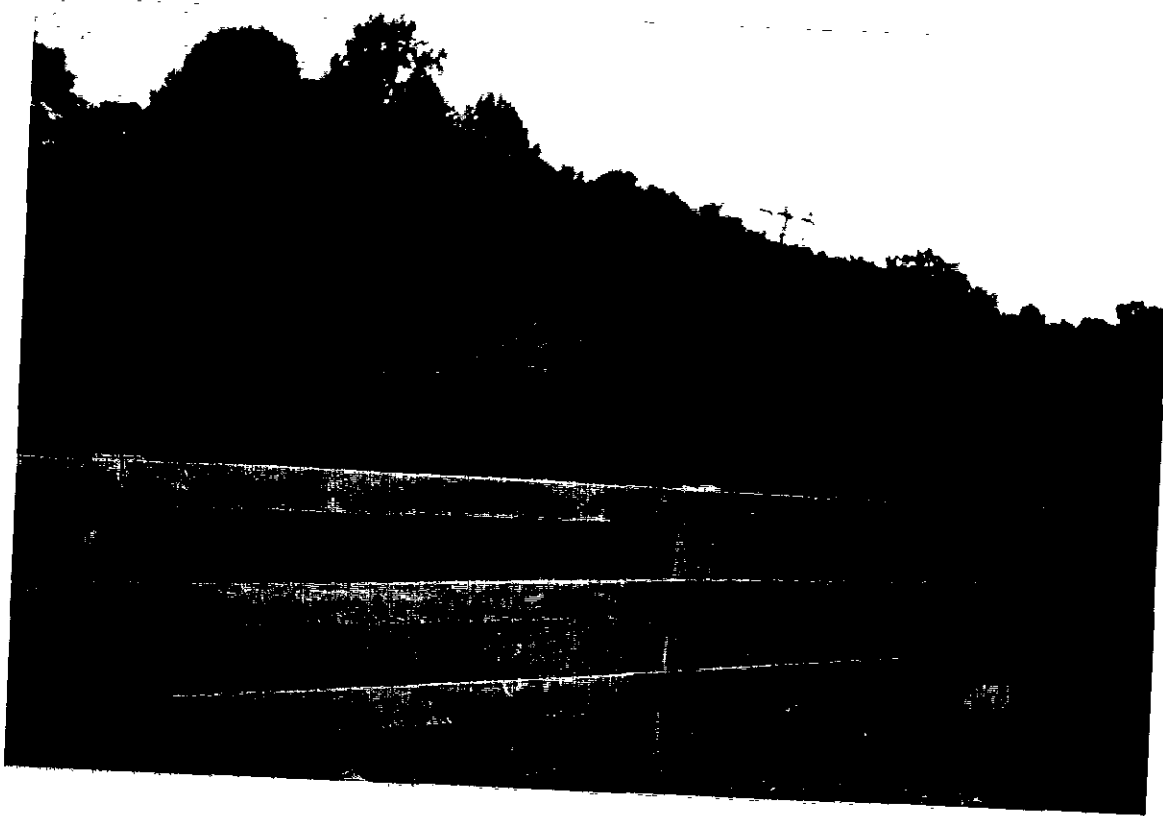
N119,000

N118,000

ROA

YORK

00-117-A



Proposed site looking directly towards
Wiseburg Rd. Proposed building cannot
be seen from road.

Anne P. Whitlow
10909 Philadelphia Road
White Marsh, 21162

Marvin E. Bapton
3802 Wean Delf
Perry Hall, MD 21128

Jerry Welsh
11311 Beach Road
White Marsh, MD 21162

Marie Uhrin
5117 New Gerst Road
Perry Hall, MD 21128

Michael Reynolds
9129 Raxis Road
Perry Hall, MD 21128

William Ashburn
12E Brook Farm Ct.
Perry Hall, MD 21128

M. Dale Pennewill
5122 East Joppa Road
Perry Hall, MD 21128

Peter G. Mattes
11404 Maven
Kingsville, MD 21087

Kathy Martin
9127 Cowenton Ave.
Perry Hall, MD 21128

A. Allgeier
12H Brook Farm Ct.
Perry Hall, MD 21128

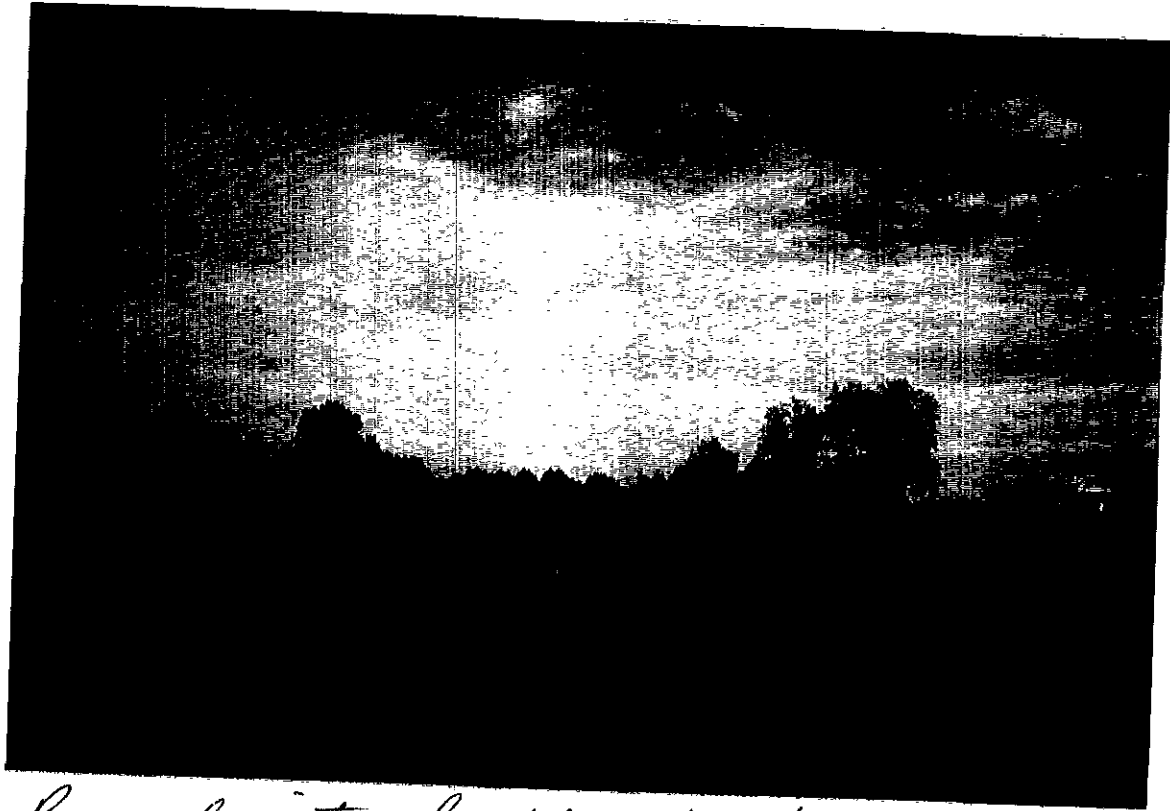
Doug Eshelman
5635 Vantage Point Road
Columbia, MD 21044

David Marks
4627 East Joppa Road
Perry Hall, MD 21128

Stephanie Horvath
1000 Southwick Ct.
Towson, MD 21236

Nancy Murray
4832 E. Joppa Road
Perry Hall, MD 21128

00-117-A



Proposed site looking at adjacent vacant
property / wildlife preserve.



Proposed site looking towards Wiseburg
Rd. and adjacent vacant property / wildlife preserve.

A resident asked if the existing pond on the site would be filled. Mr. Hoffman stated permits will be pursued with state and local regulators to fill the pond and develop the site. A resident asked if one story cluster homes had been considered. Mr. Hoffman stated the developer believes there is a market for housing type being proposed at this time.

A resident stated he had fear of the unknown, but believes this to be a nice plan. He also had concern for what he believes is high density in a rural area.

Another resident stated he has general concern for growth in the area and wants to make sure this land is being developed correctly.

At his point Larry Macks, of Macks & Macks, developers of this property gave a history of the Honeygo area and the county council approved Honeygo Plan.

A resident asked if a roundabout is being considered for the Cowenton and Joppa Roads intersection. Mr. Hoffman stated the developer is not proposing a roundabout at this location.

In response to a questions, Mr. Hoffman stated the development will be built prior to the Cowenton Road location.

A resident asked if the development will follow the approved Honeygo Plan. Mr. Hoffman stated the development will not be built until the proposed infrastructure such as roads, schools, sewers and other public improvements are in place. He said apartment construction will not get ahead of the infrastructure installation.

A resident asked about the number of school age children expected from this development. Mr. Rascoe stated the projection form from the Board of Education was not in the file, but promised to follow up and get the numbers from the Board of Education. (Projections generated by the Board of Education states that 42 elementary, 17 middle school and 17 high school students can be expected from a development of 424 apartments.)

A representative of the Perry Hall Improvement Association asked that some trees be left along the boundary of this development and the Camp Chapel Cemetery and to add a buffer at the boundary with the school.

A resident asked why condominiums weren't being proposed. Mr. Macks stated there were already enough condominiums proposed in the area. He said the intent is to design a more traditional neighborhood with a park like feel to it.

A resident asked Mr. Macks if his company owned the Canterbury Apartments in Owings Mills. Mr. Macks stated they do. He went on to describe the Canterbury Apartments as Class "B" apartments with rents appealing to the middle class. He said the proposed apartments at this site will have higher rents than the Canterbury Apartments.

00-117-A



Proposed site looking towards Foster/adjacent property located on York Rd - can see top of existing barn + chimney of Foster's house.



Proposed site looking towards owner's house.

A resident asked if the Camp Chapel side of the property will drain to one of the proposed stormwater management facilities. Mr. Rorke stated that side of the property will drain to a State Highway maintained facility nearby.

A resident in attendance asked who would maintain the open space proposed on the plan. Mr. Macks stated the open space areas will be maintained by the apartment complex owner. The resident suggested walkways be constructed as to make it easy for residents to walk to Camp Chapel Church.

A member of the Camp Chapel Church asked if a sewer connection will be provided along Honeygo Boulevard to the Camp Chapel Church. Mr. Rorke stated such a connection will be provided.

A resident asked what if the developer abandoned the site prior to construction being completed. Mr. Hoffman stated the developer is required to post security that insures enough funds are available to complete the project should that occur.

A resident asked what was the proposed name of the development. Mr. Macks stated it will be called Honeygo Village Center.

A citizen asked if a traffic light is being proposed at Joppa Road and Cowenton Road. Mr. Rorke stated a traffic light is not being proposed. Another resident expressed concern for traffic traveling on Gerst Road.

A resident asked if an archeological investigation has been done on the property. Mr. Hoffman stated no one has suggested a need for such an investigation.

A resident asked about stormwater run-off. Mr. Rorke stated the county requires infiltration for the first one inch of runoff. In response to another question, Mr. Rorke stated the water coming from the spring on the property will be managed in the Rexis Road stormwater management facility.

Mr. Hoffman responded to a questioner that a special exception hearing before the zoning commissioner will be required prior to construction of the assisted living facility.

A resident asked about school enrollment for this project from the Board of Education. Mr. Rascoe stated their projection is not in the file, but would contact Board of Education representatives for the numbers. *Mr. Rascoe stated the number is base on the housing types proposed on the site.*

A resident asked if there would be a traffic light at Honeygo Boulevard. Mr. Hoffman stated there will be a left turn lane to help ease traffic movements, but no light is being proposed.

In response to a question, Mr. Macks stated signs in the development will be consistent with Honeygo Plan regulations will be similar to signs seen in Columbia, Maryland.



Proposed barn location looking towards owner's house & adjacent property that is vacant/wildlife preserve.



Proposed site looking towards York Rd and adjacent property (corner of Waseburg Rd & York Rd) can see top of existing barn.

With no additional questions, Mr. Rascoe adjourned the meeting at 8:45 p.m. after describing the remainder of the development process.

Respectfully submitted,
Donald T. Rascoe
Donald T. Rascoe
Project Manager

c: Hon. Vince Gardina, County Council, M.S. 2201
Dev.:
Eng: Morris & Ritchie, Inc.

Reviewing Agencies: OPZ, PDM, R&P, DPR, DEPRM, EDC, CDC,
Bd. of Ed., Fire, SHA- Please distribute as necessary within your agency.

Contact Persons

The following persons will receive a copy of these minutes, a copy of the development plan (when filed) and notification of the time, date and place of the development plan hearing before hearing officer.

Rich Malinski
3 Kahl Manor Ct.
Perry Hall, MD 21128

Alice Klingenstein
5121 New Gerst Road
Perry Hall, MD 21128

Kern Ducote
9137 Cowenton Ave.
Perry Hall, MD 21128

Mary Raphael
1137 Beech Drive
Baltimore, MD 21220

Tom Van Poppel
9128A Cowenton Ave.
Perry Hall, MD 21128

Sally Raphael
408 Arrow Wood Ct.
Abington, MD 21009

Betty Day
9222 Cornflower Road
Baltimore, MD 21236

Connie Hergenroeder
9067 Raxis Ave.
Perry Hall, MD 21128

Wayne Linhart
9702 Perry Farms Drive
Perry Hall, MD 21128

Walter Greif, Jr.
4532E Joppa Road
Perry Hall, MD 21128

PET. EX. #1



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE		LOCATION	SHEET
1" = 200'	±		
DATE OF PHOTOGRAPHY JANUARY 1986		WISEBURG	N.W. 30-B

MICROFILMED

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 117 -A Address 705 WISEBURG RD

Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/17/99 Posting Date: 9/26/99 Closing Date: 10/11/99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 00- 117 -A Address 705 WISEBURG RD
Petitioner's Name MICHELLE & ANDREW BILELLO Telephone 410 974 2971 x18
Posting Date: 9/26/99 Closing Date: 10/11/99
Wording for Sign: To Permit AN ACCESSORY STRUCTURE (HORSE SHED) IN
FRONT IN LIEU OF REAR YARD