

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
S/S Hoffmanville Road, 515'		
+/- NE centerline of Graves Run Road	*	DEPUTY ZONING COMMISSIONER
6 th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(4335 Hoffmanville Road)		
	*	CASE NO. 00-396-SPH
Gloria J. & Luther M. Chenowith		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Luther and Gloria Chenowith. The Petitioners are requesting a special hearing for property they own at 4335 Hoffmanville Road, which property is zoned R.C.2. The special hearing request is to approve a non-conforming use for two dwellings on the same lot. The petition was prepared and filed by J. Neil Lanzi, attorney at law.

Appearing at the hearing on behalf of the request were Luther and Gloria Chenowith, property owners and J. Neil Lanzi, their attorney. Joseph Larson, appearing on behalf of Spellman & Larson, who prepared the site plan of the property, also attended the hearing. Furthermore, several residents of the surrounding community attended the hearing in support of the special hearing request. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 43.785 acres, more or less, zoned R.C.2. The subject property is improved with many structures and outbuildings, including two residential dwellings, all of which are shown on the site plan submitted into evidence as Petitioners' Exhibit No. 1. The overwhelming and uncontradicted testimony offered by the Petitioners in attendance, as well as the many letters of support submitted into evidence as Petitioners' Exhibit No. 2 demonstrated that the subject property has been improved with two residential dwellings since prior to 1945.

5/5/00
 R. J. ...

These residential dwellings have been used openly, continuously and uninterruptedly as separate dwellings since that time. At the present time, one of the dwellings is occupied by Gloria Chenowith and the second dwelling occupied by her son, Luther Chenowith. The overall 43 acre parcel is jointly owned by the Petitioners herein.

As with all nonconforming use cases, the first task is to determine whether a lawful nonconforming use existed on the subject property prior to the year in which a change in the zoning regulations caused the use of the property to become illegal. The controlling year in this case is 1945.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, Maryland, 39 Md. App. 257, 385 A.2d 96 (1978).

When the claimed nonconforming use has changed, or expanded, then the Deputy Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the nonconforming use, the Deputy Zoning Commissioner should consider the following factors:

- (a) "To what extent does the current use of these lots reflect the nature and purpose of the original nonconforming use;
- (b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature and kind;
- (c) Does the current use have a substantially different effect upon the neighborhood;
- (d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

CASE RECEIVED FOR FILING

CASE 5/5/00
BY R. J. [Signature]

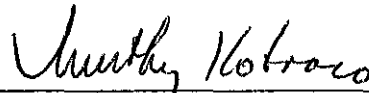
McKemy v. Baltimore County, Md., supra.

After due consideration of the testimony and evidence offered at the hearing, it is clear that the subject property has been used continuously and without interruption for two dwellings on the same property since 1945 and enjoys a legal nonconforming use. I find that the special hearing to approve the two dwellings on the same property should be granted.

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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of May, 2000, that the Petitioners' Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations, to allow two (2) dwellings on the same lot as a non-conforming use, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 5/5/00
By R. J. [Signature]



Baltimore County
Zoning Commissioner

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

May 5, 2000

J. Neil Lanzi, Esquire
409 Washington Avenue, Suite 617
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No 00-396-SPH
Property: 4335 Hoffmanville Road

Dear Mr. Lanzi:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing 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 Department of Permits and Development Management. 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 that reads "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

Copies to:

Mr. Luther M. Chenowith
Ms. Gloria J. Chenowith
4335 Hoffmanville Road
Millers, Maryland 21102

Mr. Joseph Larson
105 W. Chesapeake Avenue
Towson, Maryland 21204



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4335 Hoffmanville Road
which is presently zoned RC2

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

for 2 dwellings on a lot in a
a nonconforming use ~~to allow the continued use of a residential structure on~~ RC2
~~zoned property.~~ *Jmk*

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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 _____

Legal Owner(s):

Luther M. Chenowith
Name - Type or Print _____
Luther M. Chenowith
Signature _____
Gloria J. Chenowith
Name - Type or Print _____
Gloria J. Chenowith
Signature _____
4335 Hoffmanville Road 410-374-2801
Address Telephone No. _____
Millers, Maryland 21102
City State Zip Code _____

Attorney For Petitioner:

J. Neil Lanzi
Name - Type or Print _____
J. Neil Lanzi
Signature _____
J. Neil Lanzi, P.A.
Company _____
409 Washington Avenue Suite 617 410-296-0686
Address Telephone No. _____
Towson, Maryland 21204
City State Zip Code _____

Representative to be Contacted:

J. Neil Lanzi
Name _____
409 Washington Avenue Suite 617
Address Telephone No. _____
Towson, Maryland 21204
City State Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2.00 hrs

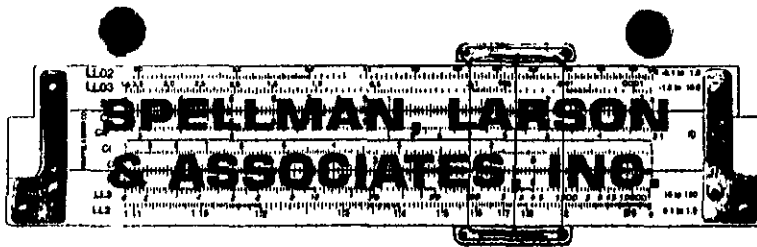
UNAVAILABLE FOR HEARING _____

Reviewed By *JAL* Date 3-24-00

Case No. 00-346-SPH

COPIES RECEIVED FOR PLUMB

REV 01/198



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

Description for Zoning
No. 4335 Hoffmanville Road.
Sixth District, Baltimore County, Maryland.

Beginning for the same at a point in Hoffmanville Road (Alesia Road) at the distance of 515 feet, more or less, measured northeasterly along Hoffmanville Road (Alesia Road) from the centerline of Graves Run Road said point also being at the distance of 70 feet, more or less, measured northeasterly along Hoffmanville Road from the dividing line between Baltimore County and Carroll County and running thence and binding in Hoffmanville Road north 69 degrees 50 minutes 22 seconds east 693.34 feet and north 74 degrees 48 minutes 39 seconds east 26.46 feet thence leaving Hoffmanville Road and running south 14 degrees 48 minutes 03 seconds east 970.68 feet south 52 degrees 02 minutes 45 seconds east 206.09 feet north 86 degrees 04 minutes 27 seconds east 82.72 feet south 03 degrees 28 minutes 01 seconds east 365.70 feet south 01 degrees 42 minutes 01 seconds east 877.70 feet north 45 degrees 02 minutes 01 seconds west 231.94 feet north 58 degrees 28 minutes 31 seconds west 796.50 feet north 67 degrees 30 minutes 09 seconds west 424.61 feet north 36 degrees 58 minutes 04 seconds west 130.02 feet north 15 degrees 04 minutes 57 seconds west 364.95 feet north 10 degrees 52 minutes 30 seconds east 614.76 feet north 69 degrees 08 minutes 16 seconds east 38.30 feet and north 09 degrees 17 minutes 17 seconds east 242.73 feet to the place of beginning.

Containing 43.785 acres of land, more or less.

3/20/00



396

00-396-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

00-396-SPH
Code No. 880434

DATE 3-24-00 ACCOUNT R-001-6150

AMOUNT \$ 50.⁰⁰

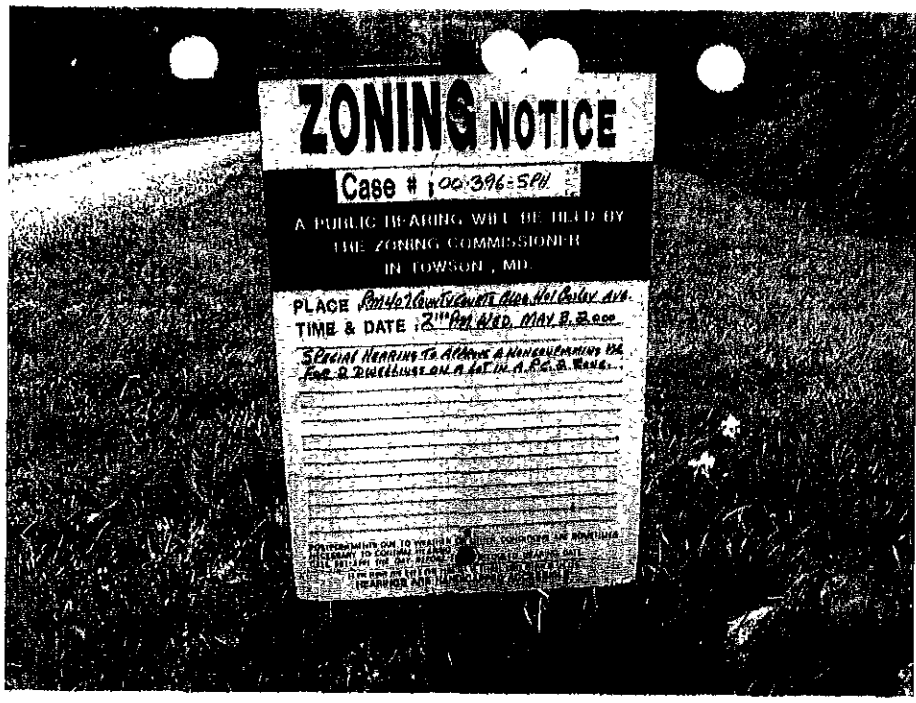
RECEIVED FROM: J. Neil Lanzetta Esq.

FOR: Residential Special Hearing Filing Fee
@ 4333 Hoffmanville Rd. (21182)

PAID TO BALTIMORE COUNTY
PROPERTY TAXES
RECEIVED FROM J. NEIL LANZETTA ESQ.
\$50.00
BALTIMORE COUNTY, MARYLAND

00-396-SPH
CASHIER'S VALIDATION

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Posted on 4333 Hoffmanville Rd.

CERTIFICATE OF POSTING

**RE: CASE # 00-396-SPH
PETITIONER/DEVELOPER
(Gloria J. Chenoweth)
DATE OF Hearing
(5-3-00)**

**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
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

4335 Hoffmanville Road Millers, Maryland 21102_____

THE SIGN(S) WERE POSTED ON _____ 4-17-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)



Handwritten notes in the top left corner, including the number '10' and some illegible characters.

Handwritten notes in the upper right quadrant, including the number '10' and some illegible characters.

Handwritten notes on the left side, including the number '10' and some illegible characters.

Handwritten notes in the middle section, including the number '10' and some illegible characters.

Handwritten notes on the right side, including the number '10' and some illegible characters.

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Handwritten notes in the lower middle section, including the number '10' and some illegible characters.

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Handwritten notes on the left side, including the number '10' and some illegible characters.

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**NOTICE OF ZONING
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: #00-398-SPH
4335 Hoffmanville Road
S/S Hoffmanville Road, 515'
+/- NE of centerline Graves
Run Road
6th Election District
3rd Councilmanic District
Legal Owner(s): Gloria J. &
Luther M. Chenowith
Special Hearing: to ap-
prove a nonconforming use
for 2 dwellings on a lot in a
R.C.2 zone.

**Hearing: Wednesday, May
3, 2000 at 2:00 p.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue.**

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/4/34 Apr. 18 C385140

CERTIFICATE OF PUBLICATION

TOWSON, MD, _____ 4/20 / _____, 2000

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 _____ successive weeks, the first publication appearing on _____ 4/18 / _____, 2000.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

RE: PETITION FOR SPECIAL HEARING
4335 Hoffmanville Road, S/S Hoffmanville Rd,
515' +/- NE of c/l Graves Run Rd
6th Election District, 3rd Councilmanic

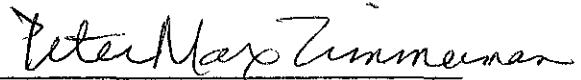
Legal Owner: Luther M. & Gloria J. Chenowith
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-396-SPH

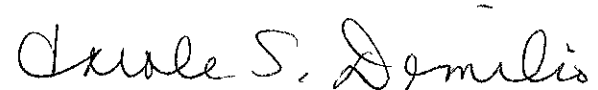
* * * * *

ENTRY OF APPEARANCE

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



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esq., 409 Washington Avenue, Suite 617, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN



Baltimore County
 Department of Permits and
 Development Management

Director's Office
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204
 410-887-3353
 Fax: 410-887-5708

April 10, 2000

NOTICE OF ZONING 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: 00-396-SPH
 4335 Hoffmanville Road
 S/S Hoffmanville Road, 515' +/- NE of centerline Graves Run Road
 6th Election District – 3rd Councilmanic District
 Legal Owner: Gloria J. & Luther M. Chenowith

Special Hearing to approve a nonconforming use for 2 dwellings on a lot in a R.C.2 zone.

HEARING: Wednesday, May 3, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
 Director

C: J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson 21204
 Gloria & Luther Chenowith, 4335 Hoffmanville Road, Millers 21102
 Thomas Chenowith, 4333 Hoffmanville Road, Millers 21102

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY APRIL 18, 2000.**
 (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
 (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 18, 2000 Issue – Jeffersonian

Please forward billing to:

J. Neil Lanzi
409 Washington Avenue
Suite 617
Towson, MD 21204

410-296-0686

NOTICE OF ZONING 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: 00-396-SPH

4335 Hoffmanville Road

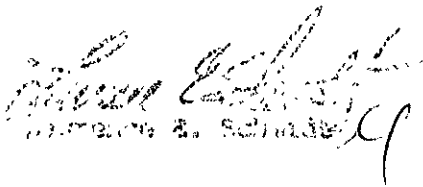
S/S Hoffmanville Road, 515' +/- NE of centerline Graves Run Road

6th Election District – 3rd Councilmanic District

Legal Owner: Gloria J. & Luther M. Chenowith

Special Hearing to approve a nonconforming use for 2 dwellings on a lot in a R.C.2 zone.

HEARING: Wednesday, May 3, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
 Department of Permits and
 Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property 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 posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) 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.: 396 Petitioner: Gloria Chonowith

Location: 4335 Hoffmanville Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: J. Neil Lanzi

ADDRESS: 409 Washington Avenue Suite 617
Towson MD 21204

PHONE NUMBER: (410)296-0686

00-396-SPH



Baltimore County
Department of Permits and
Development Management

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

April 28, 2000

Attorney J. Neil Lanzi
409 Washington Avenue #617
Towson MD 21204

Dear Attorney Lanzi:

RE: Case Number 00-396-SPH , 4335 Hoffmanville Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 24, 2000.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over a white background.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

file

DATE: March 27, 2000

TO: Carl Richards, Supervisor
Zoning Review

FROM: James H. Thompson, Supervisor
Code Enforcement

RE: Petition No. 00-396SPH
Chenowith – Defendant
4335 Hoffmanville Road

Please be advised that the above-referenced petition is subject to an active code enforcement case, 99-5643.

When the petition is scheduled for a public hearing, notification should also be sent to:

Thomas Chenowith
4333 Hoffmanville Road
Millers, Maryland 21102

JHT/hek

C: Thomas Chenowith

00-396-SPH

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 31, 2000

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - HJ
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 396
PETITIONER: Luther M. Chenowith and Gloria J. Chenowith

VIOLATION CASE NO.: 99-5643

LOCATION OF VIOLATION: S/S Hoffmanville Rd., 515 feet +/- N/E of centerline
of Graves Run Rd. (4335 Hoffmanville Rd.)

DEFENDANT(S): Luther M. Chenowith and Gloria J. Chenowith

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):

<u>NAME</u>	<u>ADDRESS</u>
Thomas Chenowith	4333 Hoffmanville Rd. Miller, MD 21102

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.

JHT/hj/lmh

simp
5/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 20, 2000

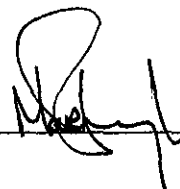
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

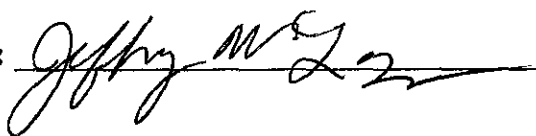
APR 19 2000

SUBJECT: Zoning Advisory Petitions - Case 396

The Office of Planning has deferred its position to DEPRM concerning the above referenced case. We have no further comments concerning this matter.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:  _____

Section Chief:  _____

AFK/JL: MAC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.3.00

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

RE: Baltimore County
Item No. 356 JJS

Dear Ms. Jackson:

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,

for 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

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Joseph C. MASSICOTSKA

1218 N. MAIN ST. HAMPSHIRE, MD

Adam D. Kelley

3524 Rockdale Rd Millers ^{MD}

Deborah Barker

5071 Hoffmanville Rd. Manchester, MD

Susan Chenoweth

4335 Hoffmanville Rd Millers, MD

Gloria J. Chenoweth

4335 Hoffmanville Rd. Millers md.

Arthur M. Chenoweth

4335 Hoffmanville Rd millers md

JOSEPH LARSON

105 W. Chesapeake Ave Towson

NEIL LANZI

409 Washington Ave #617 Towson



1999

To whom it may concern
I, ~~Christine J. Bray~~ Gloria J
Christine J. Bray spent several nights
in her (Christine J. Bray) home. I just started
staying there in 1996 on different occasions
in her home. I believe I have never before. I have
been used since then. I have never before, but
I don't know how long ago, but
it was well used for a long time.

Jackie J. Jones
15909 1st MacCone Rd
P.O. Box 17336

John J. Jones
10/5/99

Christine J. Bray

Notarial Seal
Christine J. Bray, Notary Public
Mercersburg Boro, Franklin County
My Commission Expires March 26, 2002
Member, Pennsylvania Association of Notaries

pet 42

April 27, 2000

To Whom it Concerns

From: Joseph Chenowith

I hereby certify that these statements are true and correct based upon my personal knowledge. In growing up our help for the farm stayed in the tenant house. Also, my uncle Jack lived there when I was a child. Then later in the 1970's my Aunt Maureen lived there. In 1989 or 1990 my brother Luther and his family moved in.

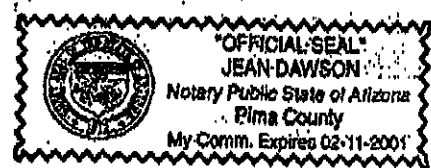
Signed *Joseph Chenowith*

Date *4/27/2000*

State of Arizona
County of *Cochise*

On this *27* day of *April*
20 *00* before me *Jean Dawson*
a Notary Public, personally appeared
JOSEPH CHENOWITH
 personally known to me
 proved to me on the basis of satis-
factory evidence
to be the person(s) whose name(s) is (are)
subscribed to this instrument, and acknowl-
edged to me that he (she) (they) executed it.

Jean Dawson *4/27/00*
Notary Public Date



Oct 5 1999

To whom it may concern

I, John J. Jones, brother of Gloria J. Chesnut have spent days and nights in her (Gloria's) house. I first started staying there in 1956 on different occasions. In 1979 I helped do some remodeling. It has been used since 1956 that I know of, and I don't know how many years prior, but it was well used before that.

Sincerely,

John J. Jones
15909 Little Cone Rd
Thurston Pa
17236

John J. Jones
10/5/99

Christine J. Bray

Notarial Seal
Christine J. Bray, Notary Public
Mercersburg Boro, Franklin County
My Commission Expires March 26, 2002

Member, Pennsylvania Association of Notaries

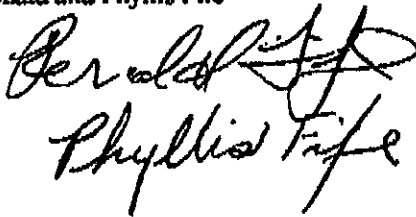
Phone 417-679-2248
ronpjmcg@webmail.com

April 27, 2000

To Whom it may Concern

I am the grandmother of Jacob and Heather Chenowith. I am also the mother of Susan Chenowith. I am writing this letter to state that for the past fifteen years I have known Gloria Chenowith and the place of her residence. My daughter, Susan, and her husband, Luther Chenowith have lived in the tenant house for the past 10 or so years. My Grandchildren have known no other home. This has been their home since birth. Luther and Susan live on the farm in order to help care for the farm and for Gloria. From my visit there every summer, I see that Luther and Susan are the only individuals who are helping Gloria on a daily basis. I feel that Gloria would not physically or financially be able to care for the land and herself without their daily assistance.

Sincerely,
Ronald and Phyllis Fife



Handwritten signatures of Ronald and Phyllis Fife. The signature for Ronald Fife is written above the signature for Phyllis Fife.

To Whom it may concern,

I am writing this letter because of a situation that truly distresses me. For the past 10 years my cousin Luke has lived in the little house on the farm, with his family.

My Aunt Gloria is very dear to me, & having him so close is a great comfort. I know if she were to have any problems, he would be right there, to take care of everything.

Luke takes care of all the ground maintenance, fixing up her old farm house, & getting all her wood in for the winter.

How could she ever do without him?

I certainly hope she won't have to. It is also my sincere concern that the stress from all this mess doesn't harm her somehow. Please resolve this situation as soon as possible.

Sincerely

4-28-00

Melanie L. P. Kellner

(Gloria Chenoweth's Niece)

Mary Ita O'Connell
16 Sussex Road
Silver Spring, Maryland 20910

April 25, 2000

To Whom It May Concern:

I am writing to request that Luther M. Chenowith his wife Susan, and their two children Jake (9) and Heather (3) be allowed to continue to stay in the tenant house at 4335 Hoffmanville Road, Millers, Maryland.

I have known Luke and his mother, Gloria Chenowith, for over twenty years. They have both been of great help to my mother, Ona B. O'Connell, of Towson, Maryland. (She died six months ago, or she would also be writing to support Luke.) Luke came to help my mother many, many times when she did not know what to do to handle maintenance and repairs on her home. She could not have managed without him.

Luke also stops every day to check on his own mother, and to help her with her household. She had a small stroke last year, and wouldn't have been able to cope without Luke and Susan's help. They make sure she is alright several times each day, and it is important that they live close to her. Luke also works very hard to see that everything is okay on the farm, which couldn't function without him.

Thank you very much for your consideration.
If there is any further information desired, please call me at (301) 565-3072.

Sincerely,



Mary Ita O'Connell, LICSW

To Whom It May Concern,

I own property and a residence that borders on the Chenowith farm. To the best of my knowledge the building in question has been occupied for at least ten years. Due to the large amount of property and distant setback from any property borders I have not seen any negative impact from the Chenowiths continuing to use this residence. Those buildings were here long before any other houses and I feel to discontinue there use would be unfair.

Craig E Root
20025 Grave Run Road
Hampstead, Maryland

Craig E. Root

April 27, 2000

To Whom It May Concern:

I have known Luke & Sue Chenowith for about 12 years. Ever since I first started dating my now husband Larry Carrico. We have a mutual freindship. We also have 2 children about the same ages as Luke & Sue Chenowith's. the children get along really good. They like to play together. My children Lauren & Paul are both fond of the Chenowith's. Sue has watched our children for us a few times. Whenever we needed her, she was there. Sue & Luke are good people and hard workers! They are always willing to help if in need. I must complement, when she would help my husband at our Carryout Shop, she is an excellent cleaner. Luke would help out Larry too, we got stuck in the snow and he was right there to dig us out. Everyone I know, seems to like both Sue and Luke, they have good personalities and are very pleasant. They seem to be very upstanding parents too. They have good children and it shows.

I also know that Sue takes good care of Gloria Chenowith her mother-n-law. Sue & Luke both include her when they go to outings. They look out for her And I am proud to know they do.

If you may have any questions or if I can be of help in any way, let me know.

Thank you,

Margie Carrico

Margie Carrico
4951 Alesia - Lineboro Road
Millers, MD 21102
410-239-6946

Patricia A. Trombetti

Patricia A. Trombetti Notary Public
My Commission Expires October 9, 2002

April 26, 2000

To Whom It May Concern:

My name is Edward Gruss and I live at 3736 Grave Run Rd., along with my wife and two sons. In the seven years I have lived here I can honestly say I have never heard nor witnessed Sue and Luther doing anything detrimental to our neighborhood. To the contrary, Luther has been a good neighbor to me by clearing snow from my driveway, in the winter when we were unable to do it ourselves. And too, Sue makes a mighty fine sandwich! In sum, I feel they are an asset to our community.

Sincerely,

Edward Gruss 4-26-00
Edward Gruss and Family

410-239-2581

April 26, 2000

To Whom It May Concern:

Please be advised that I have known Susan and Luke Chenowith and their two children Heather and Jacob while attending Sunday School at St. Peters Lutheran Church located at 4300 Church Road, Hampstead, MD 21074. Jacob has attended Sunday School and Vacation Bible School since 1995. Heather has just started Sunday School due to her age. Both children are a delight to be around and their parents have always been very supportive of them and the activities that they have participated in the church. I must say that I have known all the Chenowith boys since long ago, from the oldest to the youngest. As far as I can tell Luke and Susan Chenowith are good, Christian people who believe in family and have great family values. Whatever house they may live in -- is filled with family and love -- and that's all any house needs to be a home.

Susan Beverly
Susan Beverly
3201 Falls Rd.
Hampstead, MD, 21074

May 1, 2000

To Whom It May Concern:

I have known Duke for 15 years. I worked for Duke two years, and he was always a great person to work for. He was always very fair to me and to the people he did work for.

Duke always helped people in the community and is very well liked by everyone. Duke has always gone out of his way to help me and all of his friends.

Duke is a very dear friend of mine. I think what has happened is a very grave injustice; to him and his family.

His farm is a perfect place to raise children. Duke and his family are very good people. I know he has lived in his house for ten years. We fish and camp together (our families).

(2)

Tuke is one of my very best friends - which are very hard to find. I will stand behind him and do whatever I can to help him.

If anyone has any questions on this matter; I will gladly tell you how I feel. Thank you.

Respectively Submitted,

David Setepack

David Setepack

4157 Alesia-Lineboro Rd.

Millers, Md. 21102

Phone 410-374 6251

Pager 410-890-2788

May 1, 2000

To Whom It May Concern:

I have only known Duke for 5½ years, but I have only seen a man who is a good father, husband - a person who cares for all friends and family. His children are happy and healthy and have everything any child could want. It is obvious how hard he works to give them a happy, healthy home. I admire him and his wife a great deal. They are good people.

Sincerely,

Kim Selepach

4/25/00

TO WHOM IT MAY CONCERN

I WISH TO STATE I HAVE HAD NO PROBLEMS WITH THE CHENDINITH FAMILY. AS LONG AS THEY HAVE BEEN RESIDENTS THERE. I HAVE LIVED HERE AT 4319 HOFFMANVILLE RD FOR ALMOST 20 YRS. IF THERE IS ANY MORE INFORMATION NEEDED YOU CAN CONTACT ME AT (410) 239-7142

Paul W. Truesby

To whom it may concern,
Luke & Susan Chenoweth have
been our neighbors for many years.
They also take care of Luke's mother
who still lives on the farm. I see
no reason for them to move.

Sincerely
Donna M. McComas
4226 Hoffmannville Rd
Mellis Mel

To whom it may concern;

I'm writing on behalf of Luke & Susan Chenowith as well as Mrs. Gloria Chenowith. I've known them personally for nearly 30 yrs. The family has always been very friendly & kind. I've never had any problems with them as neighbors or friends. Mrs. Chenowith has been fortunate to have her son Luke and his wife Susan on the property to care for her in her older years for the past 10 years, and I feel that shouldn't change now. If I can answer any questions please notify me.

Sincerely,
Rosemary Taylor
4321 Hoffmanville Rd.
Millers, Md. 21102

410-374-2162

April 27 2000

To Whom It May Concern:

I have know Sue & Luke Chenowith for several months now. We bought our home in July of 99, shortly thereafter Sue introduced herself to me and we have since become good friends. It is wonderful to know, that moving here from New York, that there are friendly and caring people in this neighborhood that have welcomed us so openly. I would hate to lose her presence nearby, ~~because of foolishness~~ she and Luke have been nothing but good to us.

Respectfully submitted,
Michelle L. Lyons
Michelle F. Lyons
David Lyons

3718 Grove Run Rd
Hampstead MD
21074

3734 Grove Run Rd.

Hampstead, Md. 21074

April 25, 2000

To Whom it may concern:

We would like to go on record stating that Luther and Susan Chenoweth are excellent neighbors who are very friendly and helpful. We know they have been living in the tenant house at the Chenoweth farm for ten years, as we moved to this neighborhood in 1987.

We can not see any reason that they should have to move out of their house.

Donald V. Reynolds
Donald V. Reynolds

Julia H. Reynolds

Julia H. Reynolds

4/27/00

The intent of this letter is to go on record in stating the facts about Duke and Susan Chenoweth's character and to make known the type of people they are.

We've known the Chenoweth family since 1996 including "Miss Gloria". Duke and Susan are wonderful, caring, honest, responsible family-oriented people, and it's been a blessing to our family to have the pleasure of knowing them. They are dedicated to their friends, neighbors and their family but esp., to Duke's mother "Miss Gloria" as we know her. The tenant house has been their home for many yrs. It has been on the property since the early 1950's and has made it so they can be very close in the event Miss Gloria would need them any time day and/or night; to ask them to leave now when Miss Gloria needs someone nearby seems ridiculous to us. Being on the property has worked well for Duke & Susan to care for his mother at anytime as well as his own family and to continue to do all the necessary upkeep on the property when Miss Gloria has been unable to count on her other son..

Thomas Chenoweth who lives on a piece of the connecting property to help out.

We've never heard anyone complain or say anything negative in reference to Luke and Susan. They are wonderful parents and take excellent care of their two children Jacob and Heather. They are very involved in all aspects of their children's lives and their well-being at all times. They are excellent parents in our opinion.

Thomas and Lynda Chenoweth are a different matter all together!

I hope this letter helps to shine a light on any questions you may have. Our prayers are with all the Chenoweths out esp., Luke, Susan, Miss Gloria and the children.

Sincerely,
James and Melinda Dyer
4321 Hoffmannville Rd
Millers, Md. 21102
(410) 374-0516

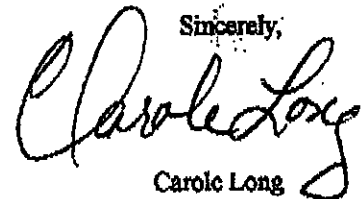
Phone 417-679-3470
Fax 417-567-2427

April 27, 2000

To whom it may Concern,,

I am writing this letter to give an explanation and history for my sister and her family living where they reside. My sister, Susan Chenowith , her husband, Luther .Chenowith and their two children, Jacob and Heather live on the farm located at #4335 Hoffmanville road because Luke's mom requires daily assistance with her farm and her health. Gloria is in her 70's and can not care for the land, nor herself solely. Luke and Susan have lived there for about 10 years assisting her with her needs. A few years ago Gloria suffered a stroke and is now definitely in need of their help.

Sincerely,


Carole Long

April 30, 2000

To Whom It May Concern;

In reference to Luke and Sue Chenowith and their residence at 4335 Hoffmanville Road Baltimore, Maryland Baltimore County, I've known Luke and Sue and their family for approximately 2 ½ years, and during that time we have become close friends and done many activities together. Such as, children's birthday parties, camping trips, and holiday celebrations. Luke also has helped me on occasion to cut fire wood, plow, etc., on the property that I rent from Lukes' brother Joe. He even assisted in helping my Mother move from Maryland to New Jersey. In my personal opinion the Chenowiths are hard working decent people and should not be forced out of their home.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Wayne H. Dougherty". The signature is written in a cursive style with a large, stylized "D" and "H".

Wayne H. Dougherty
3731 Grave Run Road
Hampstead, Maryland 21074

28 April 2000

To whom it may concern:

I have known Duke Martin Chenoweth as a friend to my mother and myself for the past twenty years.

Duke is a reliable, hard working, honest and considerate person.

It is my considered opinion that he should remain on the farm in the tenant house, so he may continue helping his mother as he has in the past.

Sincerely,

Richard C. O'Connell Jr.

Richard C. O'Connell Jr.

Professor Emeritus

Harford Community College

Home Address: S/V ROC 2501 Boston St.

Baltimore, Maryland

21224-4735

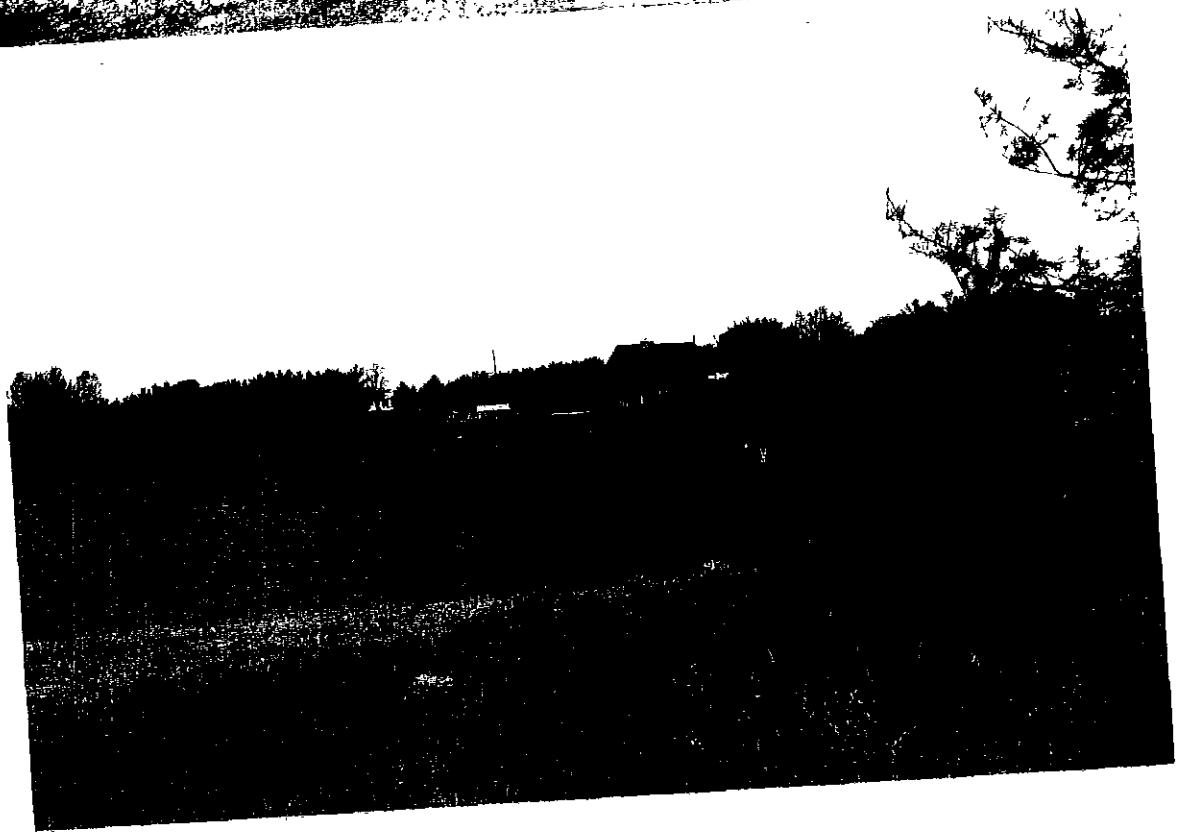


Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

*Photographs
00-396-SPH*

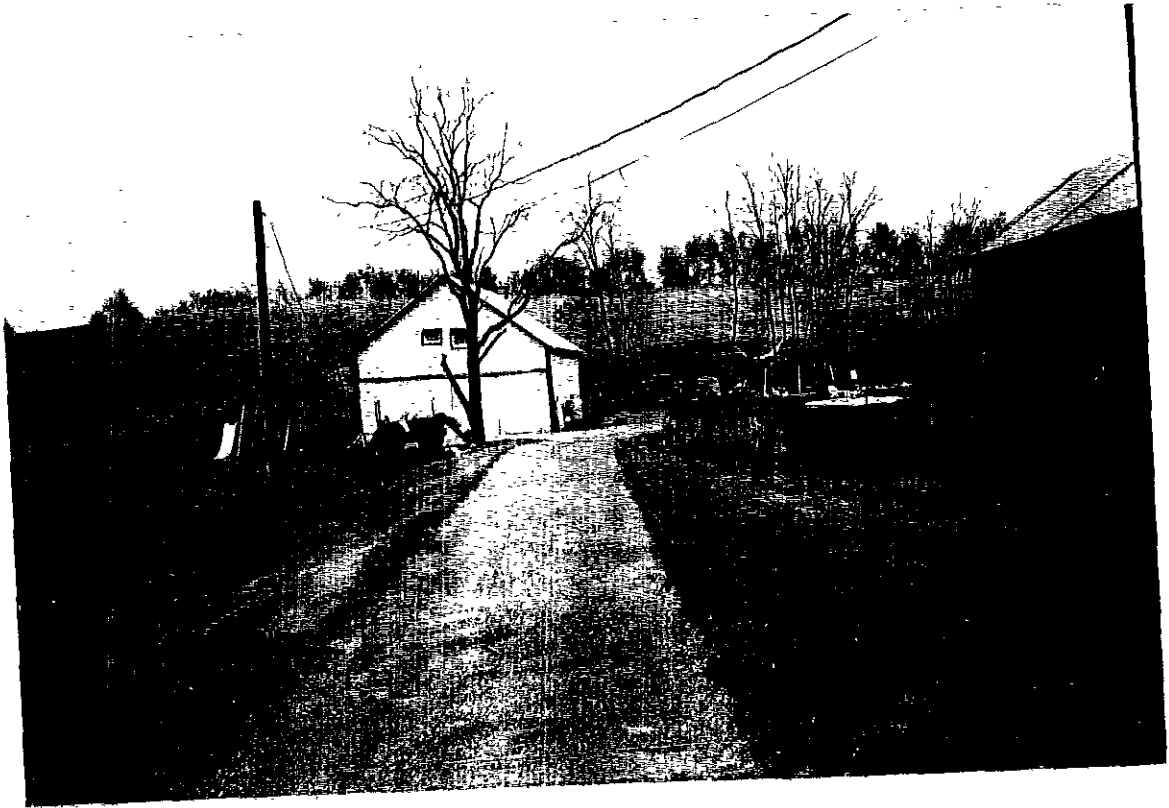
Census 2000











R. C. 2

R. C. 2

R. C. 2

R. C. 2

SUBJECT PROPERTY

PART OF ZONING MAP

NW 35-I SCALE: 1"=200'

00-396-SPH

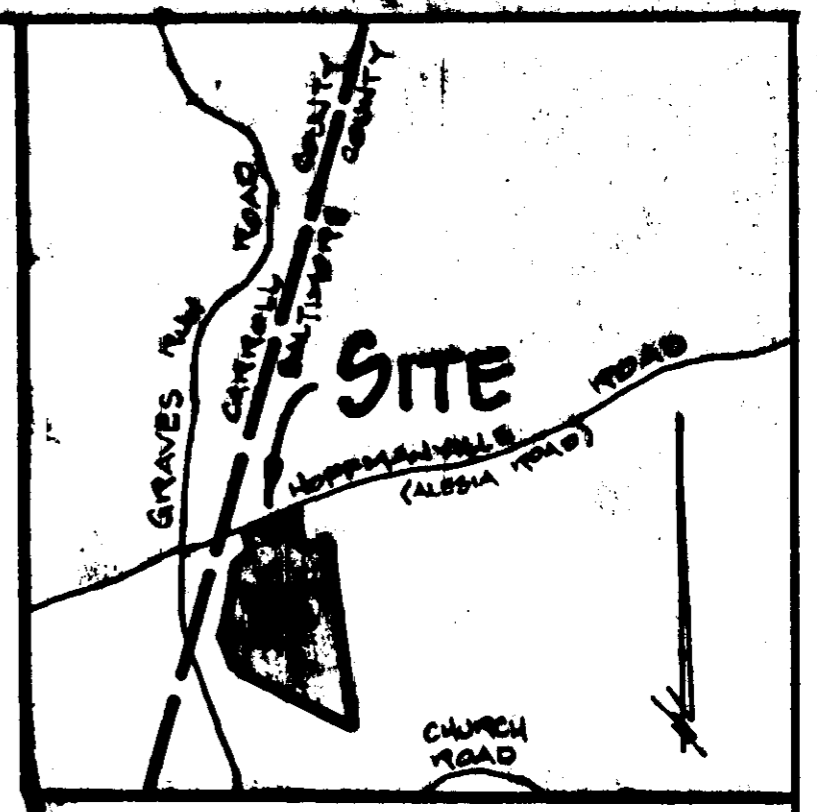
#396

CO
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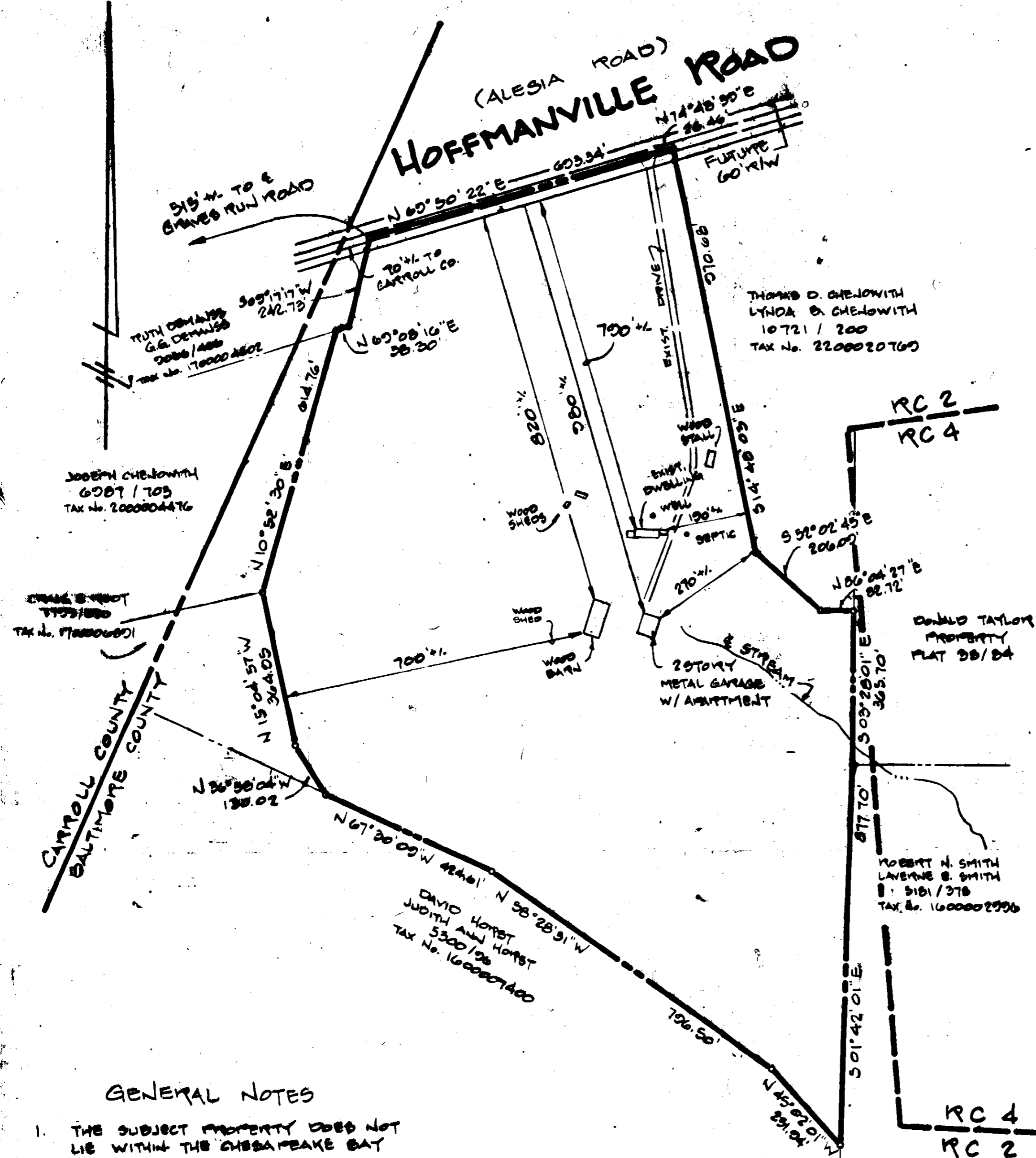
PVT



VICINITY MAP
SCALE: 1" = 2,000'

SITE DATA

SITE AREA	45,785 AC.
DEED REFERENCE	0001/001
TAX ACCT. NO.	000000100
EXISTING ZONING	RC-2
ZONING MAP	NW 95-1
COUNCILMANIC DIST.	9
UTILITIES	
WATER	EX. PRIVATE WELL
SEWER	EX. PRIVATE SEPTIC



GENERAL NOTES

1. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
2. REFER TO CASE NO. 04-163 SPH PETITION FOR SPECIAL HEARING TO ALLOW A NON-DENSITY TRANSFER FOR THE PROPERTY OWNED BY JOSEPH E. CHENOWETH C 3731 GRAVES RUN ROAD TO THE PROPERTY OWNED BY CHARLES & GLORIA CHENOWETH C 4335 ALESIA ROAD, GRANTED 11/24/03.
3. THE CHENOWETH PROPERTY WAS PREVIOUSLY PROCESSED AND APPROVED AS A 2 LOT MINOR SUBDIVISION (04-043 M) ON 01/30/04.
4. THE SUBJECT PROPERTY IS CURRENTLY USED AS A FARM/RESIDENCE.

ZONING PETITION
THIS PLAN ACCOMPANIES A ZONING PETITION FOR SPECIAL HEARING PURSUANT TO SECTION 104.1 OF THE ECZM TO ALLOW THE CONTINUED RESIDENTIAL USE OF THE STRUCTURE C 4335 HOFFMANVILLE ROAD AS A NON-CONFORMING USE.

OWNER
GLORIA J. CHENOWETH
WALTER M. CHENOWETH
4335 HOFFMANVILLE ROAD
(ALESIA ROAD)
MILLOYS, MARYLAND
2102-2543

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 408, JEFFERSON BLDG., TOWSON, MD., 21284
PHONE: 823-3838

PLAN TO ACCOMPANY
PETITION FOR SPECIAL HEARING
4335 HOFFMANVILLE RD
(ALESIA ROAD)
CHENOWETH PROPERTY
ELECT. DIST. 4.6 DISTRICT, COUNTY, MD
FEE: \$24,000 per Filing Cost.
SCALE: 1" = 200'
DATE: 01/17/05

00-396-SPH