

IN RE: PETITION FOR SPECIAL HEARING

W/S Butler Road, 1850' N
centerline of Mantua Hill Road
4th Election District
3rd Councilmanic District
(3448 Butler Road)

Folly Farm, Inc.
Petitioner

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 00-528-SPH

*

* * * * *

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 owner of the subject property, Folly Farm, Inc. The special hearing involves property located at 3448 Butler Road, which property is zoned RC 2. The specific request is to approve a tenant house as an accessory use, as shown on the site plan submitted into evidence as Petitioner's Exhibit No. 1.

Appearing at the hearing on behalf of the special hearing request were C. William Clark, attorney for Folly Farm, Inc. and Jack Dillon, Executive Director of the Valleys Planning Council. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 24.187 acres of property. The subject parcel is located on the west side of Butler Road, just south of its intersection with Dover Road. The subject property is improved with a very large single-family residential dwelling as shown on the site plan. The owners of the property are desirous of constructing a tenant house in the area of the property shown on the site plan. In order to proceed with the construction of this tenant house, the special hearing request is necessary.

FILED IN 00-528-SPH
DATE 11/26/01
BY [Signature]

This case was originally scheduled to be heard on September 26, 2000. At that time, the parties appeared and jointly requested a postponement of the case. The reason for the postponement was to afford the parties an opportunity to enter into a written agreement as to the special hearing request. At the continued hearing before me, the parties submitted into evidence as Petitioner's Exhibit No. 2 an agreement dated the 19th day of December, 2000. Since the time that this case was originally scheduled to be heard, the Petitioner has acquired an additional 22 acre parcel of property, located adjacent to and just north of their current land holdings. There currently exists a dwelling on that parcel of property which the Petitioner intends to raze. In addition, once the tenant house, which is the subject of this special hearing request, is constructed, the Petitioner intends to place the excess land holdings that they have into the Rural Legacy Program or another land preservation program or trust. The specifics of the agreements reached between the parties are contained within their agreement dated December 19, 2000.

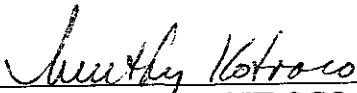
After considering the testimony and evidence offered at the hearing and the agreement reached between the parties, I find that the special hearing to approve a tenant house on the subject property be and is hereby granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of January, 2001, that the Petitioner's Request for Special Hearing from Section 500.7 of the B.C.Z.R., to approve a tenant house as an accessory use on the subject property, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.

2. The agreement entered into between the parties dated the 19th day of December, 2000 shall be submitted into evidence as Petitioner's Exhibit No. 2 and shall be incorporated and made a part of this order and enforceable as if part of same.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CONFIDENTIAL
1/26/01
R. J. Jancoski



Baltimore County
Zoning Commissioner

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

January ²⁶25, 2001

C. William Clark, Esquire
Nolan, Plumhoff & Williams, Chartered
502 Washington Avenue, Suite 700
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No 00-528-SPH
Property: 3448 Butler Road

Dear Mr. Clark:

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, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



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

Copies to:

Folly Farm, Inc.
c/o Erwin L. Greenberg, President
3448 Butler Road
Glyndon, Maryland 21071

Bob Jackson Landscapes, Inc.
11436 Cronridge Drive, Suite H
Owings Mills, Maryland 21117

Mr. Jack Dillon
Valleys Planning Council
P. O. Box 5402
Towson, Maryland 21285



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
Election Dist. 4th, Councilmanic Dist. 3rd.
for the property located at 3448 Butler 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

A tenant house, as an accessory use, as shown on the plan attached, in an RC2 zone.

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 _____

Attorney For Petitioner:

C. William Clark
Name - Type or Print _____ City _____
Signature _____
Nolan, Plumbhoff & Williams, Chartered
Company
502 Washington Ave. #700 (410) 823-7800
Address _____ Telephone No. _____
Bowson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Folly Farm, Inc.
Name - Type or Print _____
Signature _____
Name - Type or Print _____
Signature _____ (410) 429-5021 (H)
3448 Butler Road (410) 837-2500 (W)
Address _____ Telephone No. _____
Glydon MD 21071
State _____ Zip Code _____

Representative to be Contacted:

Bob Jackson Landscapes, Inc.
Name _____ (410) days on
11436 Cronridge Dr. Suite H 356-1620
Address _____ Telephone No. _____
Owings Mills MD 21117
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BK Date 6/9/00

Case No. 00-528-SPH

REV 9/15/98

Zoning Description for : 3448 Butler Road
Butler, Maryland 21136

As recorded in Deed Liber 13627, Page 222:

Beginning at a point on or near the centerline of Butler Road(Route 128) which is 40 feet wide at a distance of 1850 feet north of the nearest improved intersecting street Mantua Mill Road a land parcel is described in a deed from the Land Records of Baltimore County deed liber 5548 folio 346. Said point also being in or near the existing centerline of the paved surface of Butler Road, formerly referred to as Dover Road; thence intersecting the beginning point of north 82 degree 17 minute 00 second east 109.43 foot line and north 36 degrees 53 minutes 44 seconds east 223.19 feet to intersect the south 65 degrees 22 minutes 26 seconds east 302.95 foot line, south 30 degrees 38 minutes 29 seconds east 1787.38 feet, north 50 degrees 20 minutes 27 seconds east 278.71 feet, north 47 degrees 40 minutes 46 seconds west 1528.99 feet; thence running and binding on or near the centerline of said Butler Road and binding along the outlines of the aforementioned parcel of land the three following courses and distances; south 06 degrees 52 minutes 00 seconds east 58.6 feet, south 08 degrees 3 minutes 00 seconds east 100.0 feet, and south 07 degrees 43 minutes 00 seconds east 466.31 feet to place of beginning, containing 24.187 acres of land, more or less.



00-528-SPH

#528

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083244

DATE 6/9/00 ACCOUNT 12001-6150

AMOUNT \$ 250.00

RECEIVED FROM: M/444 Pharmacy, W. H. Jones, Jr., Inc.

FOR: Revolving Special Planning

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

T. J. Jones, Jr., Inc.

PAID RECEIPT

PAYMENT DATE
6/09/2000 6/09/2000 11:06:51
REG 4804 CASHIER SMIT SM DRAMER
DEPT 5 520 ZORING VERIFICATION
RECEIPT # 118978
CR NO. 003244

Receipt Tot 250.00
250.00 CR
BALTIMORE COUNTY, MARYLAND

00-528-SPH

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARINGS**

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:

3-418 Butler Road
W/S Butler Road, 1850' N of
centerline Mantua Hill Road
4th Election District
3rd Councilmanic District

Legal Owner(s): Folly Farm, Inc.
Special Hearing: to approve a tenant house as an accessory use, not on a farm.

a.m. in Room 407, County
Courts Building, 481 Bos-
ley Avenue.

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-
3394.

JT7/666 July 18 -C405247

CERTIFICATE OF PUBLICATION

TOWSON, MD, 7/20, 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 1 successive weeks, the first publication appearing on 7/18, 2000.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 00-528-SPH

Petitioner/Developer: FOLLY FARM, ETAL
% B. CLARK, ESQ.

Date of Hearing/Closing: 8/21/00

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 # 3448 BUTLER RD.

The sign(s) were posted on _____

8/6/00

Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 8/10/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

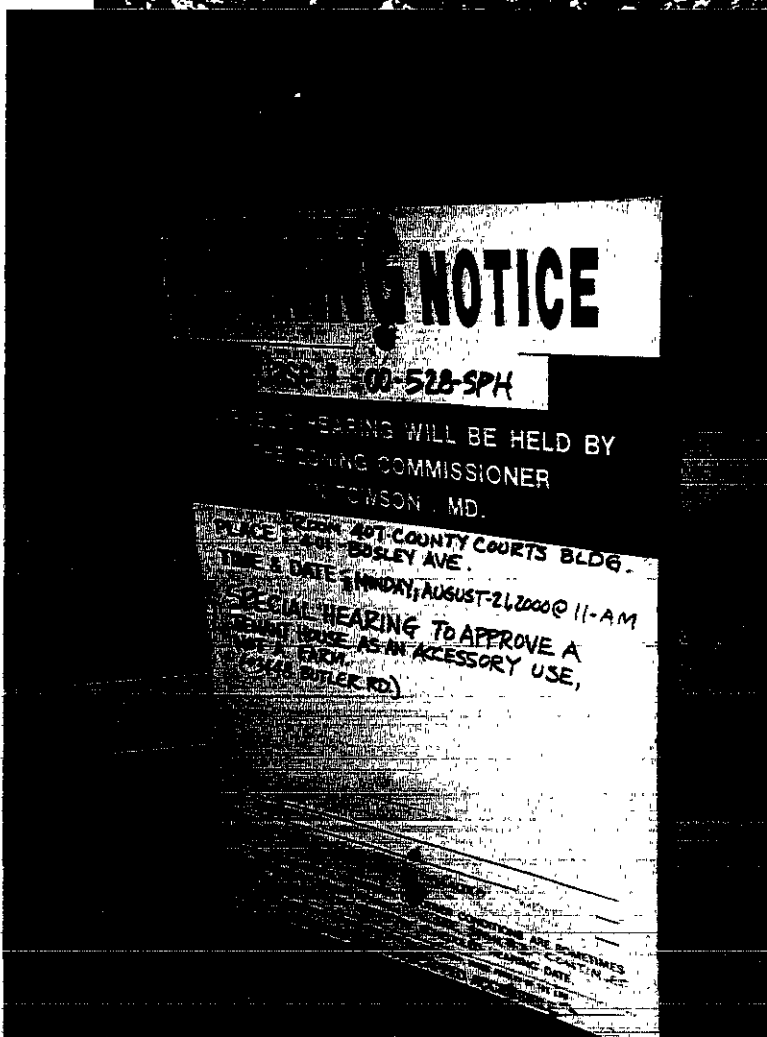
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

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

(Telephone Number)



**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 # 00-0000000000
3448 Butler Road
W/S Butler Road, 1850 feet
N. of centerline Mantua Hill
Road
4th Election District
3rd Councilmanic District
Legal Owner(s): Folly Farm,
Inc.

Special Hearing: to ap-
prove a tenant house as an
accessory used, not on a
farm.

Hearing: Tuesday, Sep-
tember 26, 2000 at 11:00
a.m. in Room 407, County
Courts Building, 401 Bos-
ley Avenue.

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/9/659 Sept. 12 C418778

CERTIFICATE OF PUBLICATION

9/14, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 9/12, 2000.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CHALLENGE BY
BOSLEY

Petitioner/Developer: MORRILL, ETAL

Date of Hearing/Closing: 9/26/08

Challenge of a
BUILDING PERMIT
FOR UNDER 2 LOT.

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 #917 QUAKER BOTTOM RD.

The sign(s) were posted on 9/11/00
(Month, Day, Year)

Sincerely,

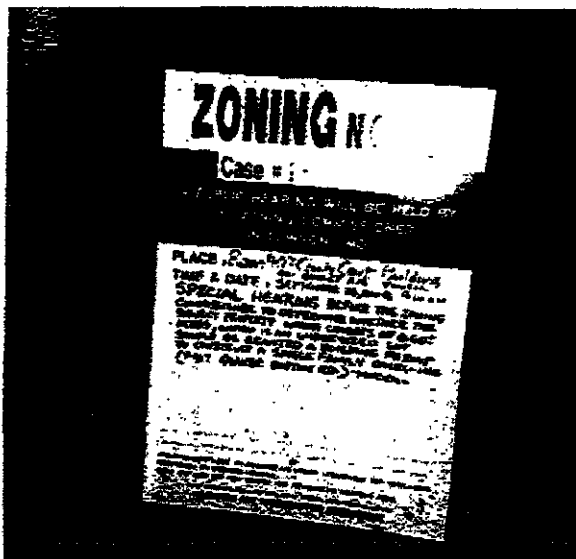
Sincerely,
Patricia M. O'Keefe SM 9/10/00
 (Signature of Sign Postee and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE

HUNT VALLEY, MD. 21030

(City, State, Zip Code)
410-666-5366 ; CELL-410-905-8571
(Telephone Number)



#917 QUAKER BOTTOM RD. -
MORRILL - CHALLENGE - BOSLEY
7/2/00 9/26/00

Post-It™ brand fax transmittal memo 7671		Fof pages > 4
To	BETTY / ROBIN	From
Co.	ZONING COMM	Co.
Dept.		Phone #
Fax #	887-3468	Fax #

RE: PETITION FOR SPECIAL HEARING
3448 Butler Road, W/S Butler Rd,
1850' N of c/I Mantua Hill Rd
4th Election District, 3rd Councilmanic

Legal Owner: Folly Farm, Inc.
Petitioner(s)

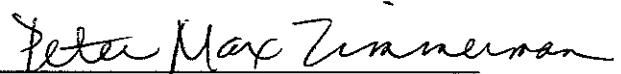
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-528-SPH

* * * * *

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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


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 13th day of July, 2000 a copy of the foregoing Entry of Appearance was mailed to C. William Clark, Esq., Nolan, Plunhoffs & Williams, 502 Washington Avenue, Suite 700, 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

July 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: 00-528-SPH
3448 Butler Road
W/S Butler Road, 1850' N of centerline Mantua Hill Road
4th Election District – 3rd Councilmanic District
Legal Owner: Folly Farm, Inc.

Special Hearing to approve a tenant house as an accessory use, not on a farm.

HEARING: Wednesday, August 2, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon" with a stylized flourish at the end.

Arnold Jablon
Director

C: C. William Clark, Esquire, Nolan Plumhoff & Williams, 502 Washington Avenue,
Suite 700, Towson 21204
Folly Farm, Inc., 3448 Butler Road, Glyndon 21071
Bob Jackson Landscapes, Inc., 11436 Cronridge Dr., Ste. H, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 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.**





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

August 23, 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: 00-528-SPH
3448 Butler Road
W/S Butler Road, 1850 feet N of centerline Mantua Hill Road
4th Election district – 3rd Councilmanic District
Legal Owner: Folly Farm, Inc.

Special Hearing to approve a tenant house as an accessory used, not on a farm.

HEARING: Tuesday, September 26, 2000 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon". Below the signature, the initials "GDZ" are written in a smaller, less stylized font.

Arnold Jablon
Director

C: C. William Clark, Esquire, Nolan Plumhoff & Williams, 502 Washington Avenue,
Suite 700, Towson 21204
Folly Farm, Inc., 3448 Butler Road, Glyndon 21071
Bob Jackson Landscapes, Inc., 11436 Cronridge Dr., Ste. H, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SEPTEMBER 11, 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, September 12, 2000 Issue – Jeffersonian

Please forward billing to:

C. William Clark, Esquire
Noian, Plumhoff & Williams, Chartered
502 Washington Ave., Suite 700
Towson, MD 21204

410-823-7800

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: 00-528-SPH

3448 Butler Road

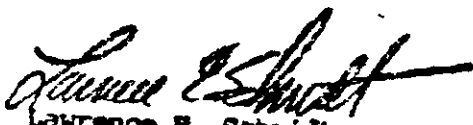
W/S Butler Road, 1850 feet N of centerline Mantua Hill Road

4th Election district – 3rd Councilmanic District

Legal Owner: Folly Farm, Inc.

Special Hearing to approve a tenant house as an accessory used, not on a farm.

HEARING: Tuesday, September 26, 2000 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt
GDZ

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.

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

Please forward billing to:

C. William Clark, Esquire 410-823-7800
Nolan, Plumhoff & Williams, Chartered
502 Washington Avenue
Suite 700
Towson, MD 21204

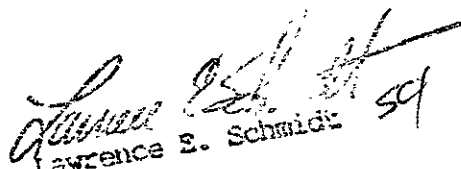
NOTICE OF ZONING HEARING

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: 00-528-SPH
3448 Butler Road
W/S Butler Road, 1850' N of centerline Mantua Hill Road
4th Election District – 3rd Councilmanic District
Legal Owner: Folly Farm, Inc.

Special Hearing to approve a tenant house as an accessory use, not on a farm.

HEARING: Wednesday, August 2, 2000 at 9:00 a.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.

**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: 00-528-SPA

Petitioner: Folly Farm, Inc.

Address or Location: 3448 Butler Road, Glydon, MD 21071

PLEASE FORWARD ADVERTISING BILL TO:

Name: C. William Clark, Esquire

Address: Nolan, Plumhoff & Williams, Chartered

502 Washington Avenue, Suite 700, Towson, MD 21204

Telephone Number: (410) 823-7800

Revised 2/20/98 - SCJ

John, 5/29 re: Folly Farms
#00-328-SPH

Jim Kotroba said that
you can sign off on
this permit application.
Overbeck Building Corp. will be
in to get the permit - we have
notified them. Thanks Robin



Baltimore County
Department of Permits and
Development Management

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

September 22, 2000

C. William Clark, Esquire
Nolan, Plumhoff & Williams
502 Washington Avenue, Suite 700
Towson, MD 21204

Dear Mr. Clark:

RE: Case Number: 00-528-SPH, 3448 Butler Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 9, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.
W. Carl Richards, Jr. *GDZ*
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Folly Farm, Inc., 3448 Butler Road, Glyndon 21071
Bob Jackson Landscapes, Inc., 11436 Cronridge Dr., Ste H, Owings Mills 21117
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 17, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 3, 2000
Item Nos. 516, 517, 518, 519, 520, 521, 522,
523, 524, 526, 527, 528, 529, 530, 531, 532,
534, 535, 536, 537, 538, 540, 541, and 543

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

June 29, 2000

Department of Permits and
Development Management (PDM)
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 June 26, 2000

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.

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

516, 517, 518, 519, 522, 524, 525, 526, 527, ~~528~~,
529, 530, 531, 533, 535, 536, 537, 538, 539, 540,
541, 543,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RB*
DATE: July 25, 2000
SUBJECT: Zoning Item #528
3448 Butler Road

Zoning Advisory Committee Meeting of June 26, 2000

- ☐ 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.
- ☒ 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 (Section 14-401 through 14-422 of the Baltimore County Code).
 - ☒ Agricultural Preservation: This request cannot be supported. The agricultural use is not sufficient to justify a tenant building on this property.
 - ☒ Groundwater Management: Soil evaluations must be conducted and a well drilled prior to building permit approval for the tenant house.

Reviewer: Wally Lippincott
Reviewer: John Russo
Reviewer: Sue Farinetti

Date: July 24, 2000
Date: June 30, 2000
Date: June 27, 2000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 10, 2000

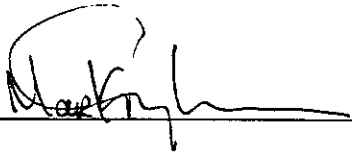
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 516, 517, 518, 520, 522, 527, 528,**
530, 541, 545, 549 and 550.

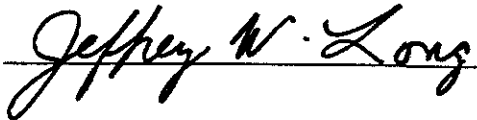
The Office of Planning has reviewed the above referenced case and has no comments to offer.

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: 6-26-00

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

RE: Baltimore County
Item No. 528 BR

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,

1a 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

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

TO: File

DATE: May 25, 2001

FROM:  Robin Jameson
Office of the Zoning Commissioner

SUBJECT: Case No. 00-528-SPH
Petitioner: Folly Farm, Inc.
Property: W/S Butler Road, 1850' N
Centerline of Mantua Hill Road

A revised site plan was submitted by Petitioner depicting a 4 ft. increase in width of the proposed tenant house and a detached garage. Timothy Kotroco, Deputy Zoning Commissioner, has reviewed and approved this new site plan. In addition, The Valleys Planning Council (Jack Dillon) has reviewed the proposed changes and has indicated to this office that they have no problem with the proposed changes.

Mr. Kotroco has requested that the file be returned to PDM and has advised that they may sign off on this permit application. The Duerbeck Building Corp. has been notified.

:raj



File

The Valleys Planning Council, Inc.

207 Courtland Avenue, Towson, Maryland 21204
Mailing Address: P.O. Box 5402, Towson, Maryland 21285-5402
Phone: 410 337-6877, Fax: 410 296-5409

MAY 30

May 24, 2001

Mr. Timothy Kotroco, Deputy Zoning Commissioner
County Courts Building
401 Bosley Ave.
Towson, MD 21204

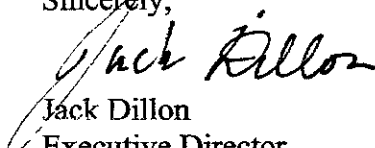
Re: Case No. 00-528-SPHA, Butler Road

Dear Mr. Kotroco,

I have reviewed the amended site plan showing the house size increasing by four feet (4'). I also noted that the new plan shows a detached garage near the proposed house, which was not shown on the previous plan. While I do not have a problem with the additional four-foot extension or the detached garage I would, however, strongly recommend that additional screening be required along the Dover Road side of the house.

I hope these comments are helpful.

Sincerely,


Jack Dillon
Executive Director

The Valleys Planning Council, Inc.

207 Courtland Avenue, Towson, Maryland 21204
Mailing Address: P.O. Box 5402, Towson, Maryland 21285-5402
Phone: 410 337-6877, Fax: 410 296-5409

To: George [unclear]
8/8/00 8/10/00
to work ?
it so,
we should
jpe
OK

August 2, 2000

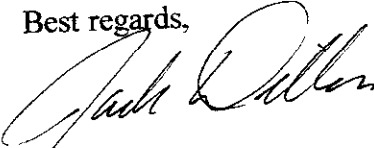
Arnold Jablon, Director
Dept. of Permits and Development Management
111 West Chesapeake Ave.
Towson, Maryland 21204

Re: Case No 00-528 SPH

Dear Mr. Jablon,

I am requesting a postponement of the above referenced case because this request for a "tenant house" has not had a thorough review. In a recent review of your file I noted there was no "Affidavit" in the file nor was there a referral to the Agricultural Land Preservation Advisory Board. It was my understanding that all requests of this nature were being referred to the Ag. Board as a matter of course. I am sure that this was an oversight but it should be corrected before it goes to a hearing.

Best regards,


Jack Dillon
Executive Director

 C. William Clark, Esq.
Wallace Lippincott
Daniel W. Colhoun, Jr.

8-17-00 9:32 AM
Called mr dillon,
he said he would
get in touch with
mr clark, also refer to
Agricultural Land
Preservation Advisory Board
w/ call me back
GJZ

THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
CATHERINE A. POTTHAST
E. BRUCE JONES**
MELINDA A. KIMMITT

* ALSO ADMITTED IN D.C.
** ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX: (410) 296-2765
email: npw@nolanplumhoff.com
Web: www.nolanplumhoff.com

7/19/00
SJ
8
To Soph

JAMES D. NOLAN
(RETIRED 1980)
J. EARLE PLUMHOFF
(1940-1988)
RALPH E. DEITZ
(1918-1990)
WRITER'S DIRECT DIAL
(410) 823-7850

July 18, 2000

Arnold Jablon, Director
Baltimore County Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Special Hearing Folly Farm, Inc. Case No. 00-528-SPH

Dear Mr. Jablon:

We are in receipt of the Notice of Zoning Hearing dated July 10, 2000, scheduling the Special Hearing for August 2, 2000, at 9:00 A.M. in connection with the above-captioned case.

Please be advised that Mr. Clark has a scheduling conflict on August 2 and our clients are out of town on vacation.

Please reschedule the Hearing after August 14, 2000, with the exception of August 24, 25 and 28, 2000.

If you have any questions, please do not hesitate to call.

Very truly yours,



Kathleen A. Lance
Legal Assistant to C. William Clark

KAL:

cc: Erwin L. Greenberg
Bob Jackson Landscapes, Inc.

RECEIVED

00-2190

JUL 19 2000

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
CATHERINE A. POTTHAST
E. BRUCE JONES**

* ALSO ADMITTED IN D.C.
** ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
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502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX: (410) 296-2765
email: npw@nolanplumhoff.com
Web: www.nolanplumhoff.com

To: George see me Carl

JAMES D. NOLAN
(RETIRED 1980)

J. EARLE PLUMHOFF
(1940-1986)

RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
(410) 823-7850

8/14/00
wer
PP - call
Dillon, he
is to call Clark
& get alternative
dates acceptable
to both - his
responsibility
to have sup
reported w/ new
date - w/ the streets

August 11, 2000

HAND DELIVERY

Arnold Jablon, Director
Baltimore County Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Special Hearing Folly Farm, Inc. Case No. 00-528-SPH

Dear Mr. Jablon:

We are in receipt of the letter from Jack Dillon, Executive Director of The Valleys Planning Council Inc. dated August 2, 2000, requesting postponement of the Zoning Hearing scheduled for August 21, 2000, at 9:00 A.M. in connection with the above-captioned case.

Please be advised that my clients and I vigorously oppose a postponement and are prepared to go forward with the Hearing on August 21, 2000.

If you have any questions, please do not hesitate to call.

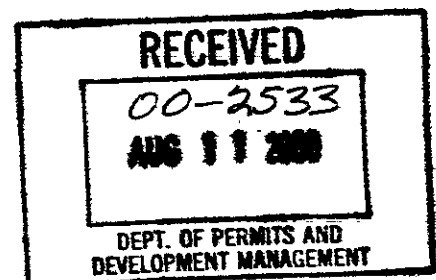
Very truly yours,

C. William Clark

C. William Clark

CWC:

cc: Jack Dillon
Wallace Lippincott
Daniel W. Colhoun, Jr.
Erwin L. Greenberg
Bob Jackson Landscapes, Inc.



NEWTON A. WILLIAMS
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
C. WILLIAM CLARK
E. BRUCE JONES**
ROGER L. WOLFE, JR.

LAW OFFICES
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(410) 823-7800
TELEFAX: (410) 296-2765
EMAIL: NPW@NOLANPLUMHOFF.COM
WEB: WWW.NOLANPLUMHOFF.COM

JAMES D. NOLAN
(RETIRED 1980)

J. EARLE PLUMHOFF
(1940-1988)

RALPH E. DEITZ
(1918-1990)

*ALSO ADMITTED IN D.C.
**ALSO ADMITTED IN NEW JERSEY

December 19, 2000

20

VIA HAND DELIVERY

The Honorable Timothy M. Kotroco
Deputy Zoning Commissioner
for Baltimore County
County Courts Building, Room 407
401 Bosley Avenue
Towson, MD 21204

Re: 3448 Butler Road
Petition for Special Hearing; Case No. 00-528-SPH

Dear Deputy Commissioner Kotroco:

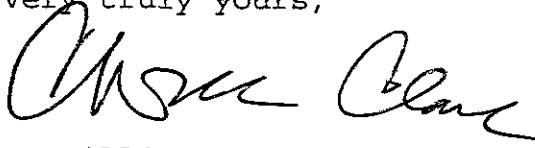
As you will recall in the above-captioned case, when the matter came on for Hearing, a settlement was reached by and between the Petitioner, Folly Farm, Inc. and The Valleys Planning Council with regard to a request for approval of the tenant house on the above-captioned parcel of property.

Finally, the Agreement has been reduced to writing and signed by the appropriate parties, and we are now in a position to request that you set the Hearing in the above-captioned case to submit the testimony necessary to obtain the approval requested. I do not know what your schedule is like, but if it is at all possible to get this matter in for an hours worth of testimony between now and the end of the year, my clients would greatly appreciate it.

Upon your review of this letter, please ask your staff to contact me to see when we might be able to schedule this.

Thank you for your anticipated cooperation.

Very truly yours,



C. William Clark

CWC:kal
cc: Jack Dillon, Executive Director
Mr. & Mrs. Erwin L. Greenberg
F:\Data\KATIEDATA\data\CWC\ZONING-CLIENTS\Greenberg\Kotrocoltr.wpd

May 24, 2001

Mr. Timothy Kotroco, Deputy Zoning Commissioner
County Courts Building
401 Bosley Ave.
Towson, MD 21204

Re: Case No. 00-528-SPHA, Butler Road

Dear Mr. Kotroco,

I have reviewed the amended site plan showing the house size increasing by four feet (4'). I also noted that the new plan shows a detached garage near the proposed house, which was not shown on the previous plan. While I do not have a problem with the additional four-foot extension or the detached garage I would, however, strongly recommend that additional screening be required along the Dover Road side of the house.

I hope these comments are helpful.

Sincerely,

Jack Dillon
Executive Director



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

July 21, 2000

C. William Clark, Esquire
Nolan Plumhoff & Williams
502 Washington Avenue
Suite 700
Towson, MD 21204

Dear Mr. Clark:

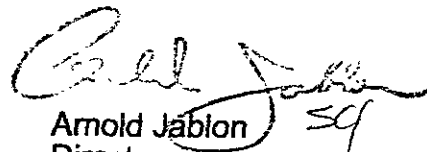
RE: Case Number 00-528-SPH, 3448 Butler Road

The above matter, previously scheduled for August 2, 2000 has been postponed at your request. The hearing has been **rescheduled for Monday, August 21, 2000 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

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

Very truly yours,


Arnold Jablon
Director

AJ:scj

C: Folly Farm, Inc., c/o Erwin Greenberg, Pres., 3448 Butler Rd., Glyndon 21071
Bob Jackson Landscapes, Inc., 11436 Cronridge Dr., Ste. H, Owings Mills 21117



~~00~~

#00-528-SPH

- Sept 26th, 2000

8/21/00
11:00 A.M.

- Reprinted

- Protestant's - VPC -

Reprint - advertising new date
+ time

9/26

2nd m

Jack Dillon has reviewed the plans depicting the tenant house and the additional 4 ft added to the width and has no problem with the change.

I requested that he send something to this office in writing. Rabin
5/24/01

IMPORTANT MESSAGE

FOR Jim
DATE 5/22 TIME 900 A.M.
M. Gail Weiss P.M.
OF Derbeck Bldg.
PHONE 410-529-7573
AREA CODE NUMBER EXTENSION

☐ FAX
☐ MOBILE
AREA CODE NUMBER TIME TO CALL

TELEPHONED		PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE #01-528-SPH
3448 Butler Rd.

on plat 24 ft. in view of 20 ft.
tenant house is 4 ft.
larger on site plan now
My than was approved

SIGNED

1/26/01



FORM 3002P
MADE IN U.S.A.

Motion Made:

- Case Ct'd - parties to work out issues and submit agreement at later date

DEC. -07' 001THU1 11:59

ERWIN L. GREENBERG CO

TEL: 410 837 0596

P. 002

AGREEMENT

This Agreement is made this 19 day of December, 2000, by and between Folly Farm, Inc., a Maryland Corporation (hereinafter referred to as "Folly Farm"), and The Valley's Planning Council, Inc., a Maryland Corporation (hereinafter referred to as "VPC").

WHEREAS, Folly Farm owns a parcel of real property in Baltimore County, Maryland, known as 3448 Butler Road, Glyndon, Maryland; and

WHEREAS, Folly Farm filed a Petition for Special Hearing seeking an approval by the Zoning Commissioner of a tenant house as an accessory use for said parcel, which is zoned RC-2; and

WHEREAS, VPC appeared in opposition to said Petition; and

WHEREAS, Mr. & Mrs. Erwin L. Greenberg, who are the only stockholders of Folly Farm, and who reside upon the property at 3448 Butler Road, have formed a Maryland Limited Liability Company by the name of Pensio, LLC, which is owned by the Greenbergs together with Payton S. Cochran, Jr.; and

WHEREAS, Pensio, LLC has entered into contracts to purchase parcels of real property adjacent to and contiguous to the property owned by Folly Farm, said parcels being known as 3456 Butler Road and 3400 Butler Road; and

WHEREAS, upon the completion of the purchases by Pensio, LLC, the Greenbergs and the Cochrans intend to cause a reconveyance of

Ref Ex #2

DEC. -07 00(THU) 11:59

ERWIN L GREENBERG CO

TEL:410 637 0596

P.003

the assets of Pensio, LLC, so that the Greenbergs, or an entity which they control will own parcel 86, which is known as 3400 Butler Road and the Cochrans will own parcel 174, which is known as 3456 Butler Road; and

WHEREAS, once the Greenbergs, or an entity which they control, obtain legal title to parcel 86, known as 3400 Butler Road, they intend to apply for a permit to raze the dwelling house, in the nature of a tenant house, which presently exists on parcel 86, and to apply to place all the ground in parcel 86 in the Rural Legacy Program; and

WHEREAS, as a result of the above actions of Pensio, LLC, and the Agreements between the Greenbergs and the Cochrans, Folly Farm and VFC have reached an agreement with respect to the approval process for the Petition for Special Hearing mentioned above;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the parties to this Agreement state as follows:

1. CONTINUANCE: The parties agree that the Zoning Commissioner shall open the Hearing on Case No. 00-528-SPH, which is the Petition for Special Hearing filed by Folly Farm seeking approval for the tenant house mentioned above on September 26, 2000, and the parties consent to it being continued on the record until a date to be established in the future.
2. RURAL LEGACY PROGRAM: Folly Farm, and Mr. and Mrs. Erwin L. Greenberg agree to place the real property

DEC. -0" 00 (THU) 11:39

ERWIN L. GREENBERG CO

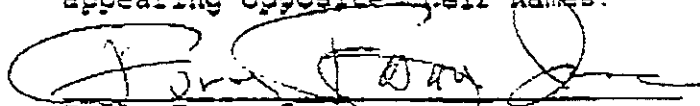
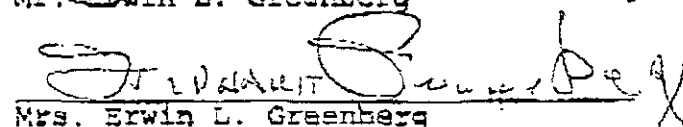
TEL:410 657 0596

P.004

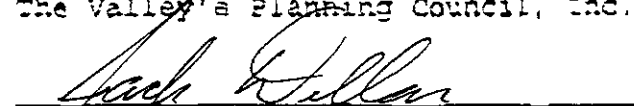
contained in parcel 86, known as 3400 Butler Road, in the Rural Legacy Program, or another land preservation program or trust, and upon acceptance by such program or trust of said application, to make an application to Baltimore County for a permit to raze the house now existing (known as the Wiener House), which exists on parcel 86.

3. TENANT HOUSE. VPC agrees to cooperate with Folly Farm in the rescheduling of a Hearing in Case No. 00-528-SFH and to support the application of Folly Farm seeking the approval of a tenant house on the property known as 3445 Butler Road, in the approximate location as shown on the site plan prepared by Bob Jackson, Inc. and filed in and with the Petition in Case No. 00-528-SFH.

WITNESSETH, the hands and seals of the parties on the dates appearing opposite their names.


Folly Farm, Inc.DATE: 7 Dec 00
Mr. Erwin L. GreenbergDATE: 7 DEC 00
Mrs. Erwin L. GreenbergDATE: 7 DEC 00

The Valley's Planning Council, Inc.


By: Jack Dillon, Executive DirectorDATE: Dec 19, 2000

P:\Data\KATTEDATA\data\CWC\ZONING-CLIENTS\Greenberg\Agreement.wpd

[illegible][illegible]

DOVER CHURCH

DOVER RD.

R. C. 2

R. C. 2

R. C. 2

R. C. 2

128

SCALE

LOCATION

0.5 miles

[illegible]

DOVER CHURCH

R.D.

R.C. 2

R.C. 2

SITE
(PARCEL 180)

128

ZOO SCALE MAP

NW 21-H

DOVER CHURCH

PC-2 Z4.18AC

#528

W-43.600

0 1/2 1 MILE

SCALE LOCATION

[illegible][illegible]

