

IN RE: PETITION FOR SPECIAL HEARING
SW/S South Ruhl Road, 2800' NW
of Keeney Mill Road
6th Election District
3rd Councilmanic District
(20959 South Ruhl Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-012-SPH

Dr. Barbara A. Cochran
Petitioner

* * * * *

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, Dr. Barbara A. Cochran. A petition was prepared and filed by J. Carroll Holzer, attorney at law representing the Petitioner. The special hearing request is for property located at 20959 South Ruhl Road, which property is zoned RC 2. The specific request is from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve one additional density unit on the 29.8 acre parcel, which was shown on the site plan submitted into evidence at Petitioner's Exhibit No. 1.

Appearing at the hearing on behalf of the special hearing request were Dr. Barbara A. Cochran, owner of the subject property, along with Abigail Hopkins, Christine Saint and Katherine Worley, the contract purchasers of the property. Two residents appeared as interested citizens in the matter, as well as Mr. Wally Lippincott, a representative from the Department of Environmental Protection and Resource Management.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 29.8 acres, more or less, located on the east side of South Ruhl Road in the northern section of Baltimore County. The subject property is split zoned RC 2/RC 4. The property was the subject of a previous zoning hearing which was held in Case No. 99-326-SPHX. In that case, the Petitioner was granted the right to request a special hearing to approve one additional density unit for the 29.8 acre subject property. There already exists a small farm house on the subject site with

ORIGINAL FILED FOR FILING

Date 9/1/00

By J. J. J. J.

the potential of an additional home being constructed somewhere else on the 29.8 acres. The purpose of the special hearing request herein was to confirm that an additional density unit does in fact exist for this parcel.

Testimony and evidence offered at the hearing demonstrated that Dr. Cochran had the potential to develop up to seven lots on her 29.8 acre parcel. However, she conveyed five of those rights to a conservation easement, retaining only two density units at this time. One such density unit is associated with the existing farm house and the remaining one is the subject of this special hearing request. The exact location and configuration of the new lot to be created has yet to be determined. It shall be reviewed by all appropriate County agencies in order to determine its proper location.

After considering the testimony and evidence offered at the hearing, I find that the special hearing request should be granted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

An additional request was made by the Petitioner relative to the kennel approval that was given her in prior Case No. 99-326-SPHX. In that case, the Petitioner was granted permission to operate a kennel on her property which contains her primary residence. However, at the time, her primary residence did not have a street address. The Petitioner advises me at this time that the kennel operation will take place at the address known as 21000 South Ruhl Road, which is the location of her new home and is the same location that was shown on the site plan submitted with her original special exception request. However, at that time her residence did not have a street

number. Therefore, for purpose of clarifying the previous decision, I hereby find that the kennel operation shall take place at the address known as "21000 South Ruhl Road".

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 September, 2000, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve one additional density unit on the 29.8 acre parcel as shown on Petitioner's Exhibit No. 1, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the special exception previously granted for a kennel operation on the Petitioner's property, located on the west side of South Ruhl Road, shall be amended to reflect that the street number of the subject property is "21000 South Ruhl Road".

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 9/1/00
By R. G. Gannon



Baltimore County
Zoning Commissioner

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

September 1, 2000

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286

Re: Petition for Special Hearing
Case No 01-012-SPH
Property: 20959 South Ruhl Road

Dear Mr. Holzer:

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,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Dr. Barbara A. Cochran
846 West 36th Street
Baltimore, MD 21211





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 20959 South Ruhl Rd.
which is presently zoned RC-2

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

See Supplemental Sheet

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.

Katherine J. Worley
Angela A. Hopkins

Contract Purchaser/Lessee:

Abigail Hopkins, Christine Saint
Name - Type or Print

Katherine Worley
Signature

45 Black Oak Ct.
Address

Reisterstown MD 21136
City State Zip Code

Attorney For Petitioner:

J. Carroll Holzer, P.A.
Name - Type or Print

J. Carroll Holzer
Signature

Holzer & Lee
Company

508 Fairmount Ave. 410-825-6961
Address Telephone No.

Towson MD 21286
City State Zip Code

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Barbara A. Cochran
Name - Type or Print

[Signature]
Signature

[Signature]
Name - Type or Print

[Signature]
Signature

846 West 36th St. 410-467-3690
Address Telephone No.

Baltimore MD 21211
City State Zip Code

Representative to be Contacted:

J. Carroll Holzer
Name

508 Fairmount Ave. 410-825-6961
Address Telephone No.

Towson MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By UCI Date 7-12-00

Drop Off No Review

Supplemental Sheet

a Petition for one (1) additional density unit on the 29.8 acre parcel as described ~~by the~~
Deputy Zoning Commissioner in Case No. 99-326-SPHX for the purpose of conveying
the subject lot to contract purchasers. The original Petition for Special Hearing in Case
No. 99-326-SPHX is attached hereto as Exhibit A; Deputy Zoning Commissioner's
Amended Order in Case No. 99-326-SPHX is attached hereto as Exhibit B.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 080758

DATE 7/12/00 ACCOUNT 007-6150

AMOUNT \$ 50.00

RECEIVED FROM: J Carroll Holzer

FOR: 01-012-SPH

20959 S. Rubi Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

DATA RECEIVED
7/12/00 RECEIPT
PAYMENT ACTUAL TIME
7/14/2000 7/13/2000 16:24:34
SEG W806 CASHIER K/MON N/A DRAWER 4
Dept 5 528 ZONING VERIFICATION
Receipt # 007523 OFL
CR NO. 080758
Receipt Tot 50.00
50.00 CK .00 24
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No : 01-012 SPH

Petitioner/Developer: DR. COCHRAN, ETAL
C/O J.C. HOLZER, ESQ

Date of Hearing/Closing: 8/29/00

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 #20959 S. ROHL RD.

The sign(s) were posted on

8/11/00
(Month, Day Year)

Sincerely,

Patrick M O'Keefe & 8/13/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

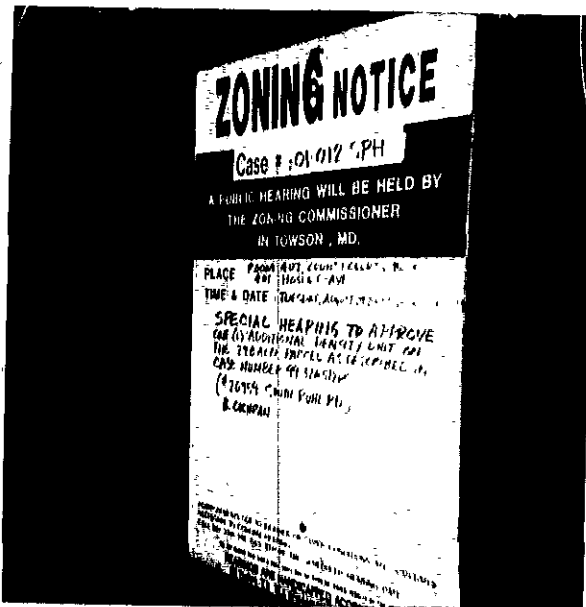
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

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

(Telephone Number)



01-012 -SPH
#20959 S. ROHL RD. (COCHRAN)
J.C. HOLZER
8/29/00

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 080758

DATE 7/12/00 ACCOUNT 001-6150
AMOUNT \$ 50.00

RECEIVED
FROM:

J Carroll Holzer

FOR:

01-012-SPH

20957 S. Kuhl Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTION TIME
7/12/00 7/13/00 1:24:33

REG WORK CASHIER SIGN WORK NUMBER

Dept E 800 EXHIBIT VERIFICATION

Receipt # 007803

OR NO. 080758

Receipt Tot 50.00

50.00 CC 00 00

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE Case No 01-012SPH
 Petitioner/Developer COCHRAN, ETAL
J.C. HOLZER, ESQ.
 Date of Hearing/Closing 8/29/00

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 #20959 S. RUHL RD.

The sign(s) were posted on 8/12/00
 (Month, Day, Year)

Sincerely,

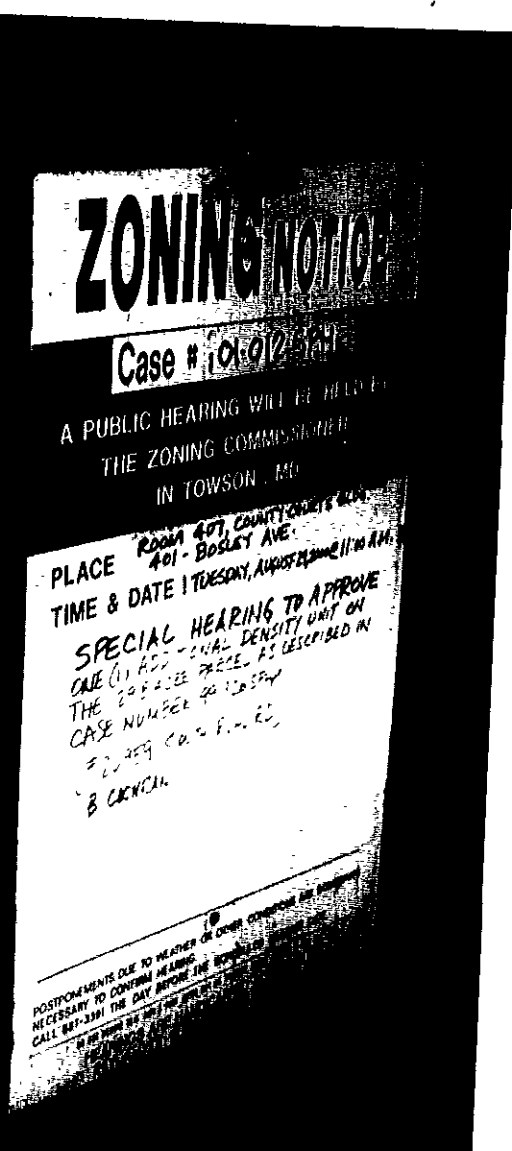
Patrick M. O'Keefe 8/20/00
 (Signature of Sign Poster and Date)

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: #01-012-SPH

20959 South Ruft Road

SW/S South Ruft Road, approximately 2800'

NW of Keeney Mill Road

6th Election District - 3rd Councilmanic District

Legal Owner(s): Barbara A. Cochran

Contract Purchaser(s): Abigail Hopkins & Christine Saint & Katherine Worley

Special Hearing: to approve one (1) additional density unit on the 29.8-acre parcel as described in case number 99-326-SPHX.

Hearing: Tuesday, August 29, 2000 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please 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.

8/19/04 August 10

C410054

CERTIFICATE OF PUBLICATION

TOWSON, MD, 8/10, 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 8/10, 2000.

S. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

RE: PETITION FOR SPECIAL HEARING
20959 S. Ruhl Road, SW/S S. Ruhl Rd,
appx. 2800' NW of Keeney Mill Rd
6th Election District, 3rd Councilmanic

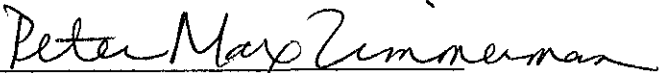
Legal Owner: Barbara A. Cochran
Contract Purchaser: Abigal Hopkins, Christine Saint,
Katherine Worley
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-12-SPH

* * * * *

ENTRY OF APPEARANCE

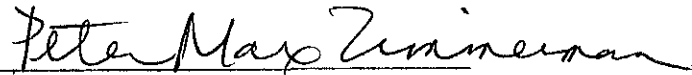
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 31st day of July, 2000 a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esq., Holzer and Lee, 508 Fairmount Avenue, Towson, MD 21286, 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 25, 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: 01-012-SPH
20959 South Ruhl Road
SW/S South Ruhl Road, approximately 2800' NW of Keeney Mill Road
6th Election District – 3rd Councilmanic District
Legal Owner: Barbara A. Cochran
Contract Purchaser: Abigail Hopkins & Christine Saint & Katherine Worley

Special Hearing to approve one (1) additional density unit on the 29.8-acre parcel as described in case number 99-326-SPHX.

HEARING: Tuesday, August 29, 2000 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

NOTE: THE APPLICATION NEEDS TO BE MADE IN PROPER FORM WITH THE CONTRACT PURCHASERS' SIGNATURES.

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

Arnold Jablon
Director

C: J. Carroll Holzer, Esquire, Holzer & Lee, 508 Fairmount Ave., Towson 21286
Barbara Cochran, 846 West 36th Street, Baltimore 21211
Abigail Hopkins & Christine Saint & Katherine Worley, 45 Black Oak Court,
Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 14, 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
Thursday, August 10, 2000 Issue – Jeffersonian

Please forward billing to:

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, MD 21286

410-825-6961

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: 01-012-SPH

20959 South Ruhl Road

SW/S South Ruhl Road, approximately 2800' NW of Keeney Mill Road

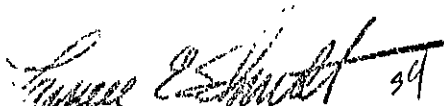
6th Election District – 3rd Councilmanic District

Legal Owner: Barbara A. Cochran

Contract Purchaser: Abigail Hopkins & Christine Saint & Katherine Worley

Special Hearing to approve one (1) additional density unit on the 29.8-acre parcel as described in case number 99-326-SPHX.

HEARING: Tuesday, August 29, 2000 at 11:00 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.



Baltimore County
Fire Department

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

July 31, 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 July 24, 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:

008, 009, 011, 012, 013, 018, 019, 017, and 020

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

cc: File





Baltimore County
Department of Permits and
Development Management

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

August 23, 2000

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, MD 21286

Dear Mr. Holzer:

RE: Case Number: 01-012-SPH, 20959 South Ruhl Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 15, 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.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Barbara Cochran, 846 West 36th Street, Baltimore 21211
Abigail Hopkins & Christine Saint & Katherine Worley, 45 Black Oak Court,
Reisterstown 21136
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 29, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For July 31, 2000
Item Nos. 006, 008, 009, 010, 011, 012,
013, 014, 015, 016, 017, 018, 019, and
020

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RB*
DATE: August 7, 2000
SUBJECT: Zoning Item #012
20959 South Ruhl Road

Zoning Advisory Committee Meeting of July 24, 2000

- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
 - X Groundwater Management: Soil percolation tests are required to establish a septic reserve area.
 - X Agricultural Preservation: The adjacent properties including Dr. Cochran's farm are under Agricultural Preservation easements. This petition cannot be supported due to the allocation of the additional density unit. It appears inconsistent with the preservation actions of Dr. Cochran and her neighbors and the intent to maintain low density for agricultural and rural uses.

Reviewer: Kevin Koepenick
Reviewer: Wally Lippincott
Reviewer: Dave Lykens

Date: July 27, 2000
Date: August 7, 2000
Date: August 7, 2000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 24, 2000

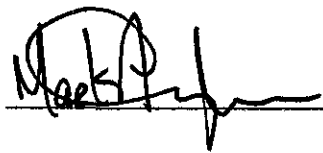
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 520 Revised, 556, 001, 010, 012, 014, 015,
and 018

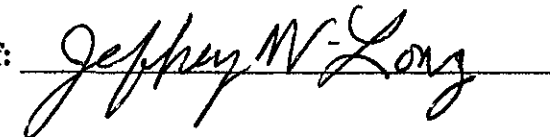
The Office of Planning has reviewed the above referenced case and has no comments to offer.

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.

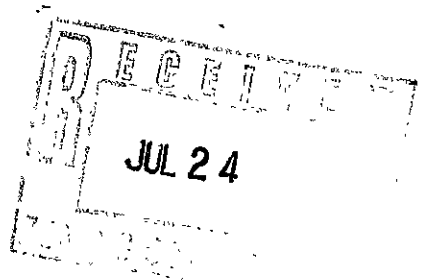
Prepared by:

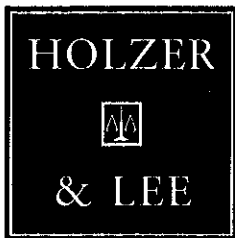


Section Chief:



AFK/JL:MAC





7/14/00
TO GJSJ

LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@RCPL.NET

July 14, 2000

7119

01-012

HAND DELIVERED

Arnold Jablon, Director
Department of Permits and Development Management
111 West Chesapeake Ave.
County Office Building
Towson, Maryland 21204

**Re: Petition for Special Hearing
Barbara Cochran, M.D.
For Property located at 20959 South Ruhl Rd.
Previous hearing Case No. 99-326-SPHX**

Dear Mr. Jablon:

I represent Dr. Barbara Cochran in her Petition for Special Hearing filed with the Department of Permits and Development Management on June 30, 2000. On May 17, 1999, the Deputy Zoning Commissioner filed an Amended Order in Case No. 99-326-SPHX which provided that Dr. Cochran could Petition the Deputy Zoning Commissioner for one additional density unit for the subject site. That is the purpose of the instant Petition.

Consequently, my client needs to schedule a hearing at the earliest opportunity before the Deputy Zoning Commissioner to address the request by my client for the one additional density unit on the 29.80 acres identified in our instant Petition. Given the requirement for posting, the following dates are not convenient for me: July 31-August 4, 2000; August 8; August 10; August 16; August 18. Because of my client's vacation schedule, we respectfully request that the hearing, which should take less than an hour, be scheduled as early as possible in August.

Very truly yours,

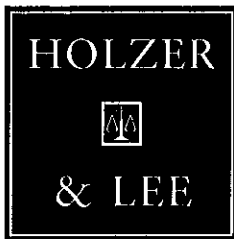
J. Carroll Holzer

JCH:clh

cc: Deputy Zoning Commissioner

c:\letters\Jablon.-Cochran

01-012-SPH



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

August 3, 2000
7119

HAND DELIVERED

W. Carl Richards, Jr., Supervisor
Zoning Review Office
Department of Permits and Development
Management
County Office Building
Towson, MD 21204

Re: Petition of Barbara Cochran, M.D., Legal Owner
Case No. 01-012-SPH
20959 South Ruhl Road

Dear Carl:

As a result of our telephone conversation this morning and speaking with our client, Dr. Cochran, I would like to clarify several points regarding our Petition for Special Hearing which we filed with PDM on June 30, 2000.

First of all, on the issue of the Contract Purchasers' Signatures which do not appear on our Petition, an Addendum to the Contract to Purchase the subject property specifically requires that the seller (Dr. Cochran) bear all costs and obligations of the Special Hearing. Therefore, none of the three Contract Purchasers will be present at the hearing scheduled for Tuesday, August 29.

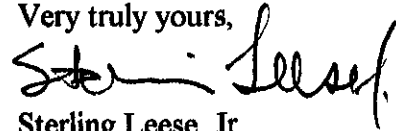
Because the Deputy Zoning Commissioner previously filed an Amended Order in Case No. 99-326-SPHX on May 17, 1999 involving the entire 120 acres owned by Dr. Cochran of which the subject 30-acres is but a part, we respectfully request that the Deputy Zoning Commissioner hear the instant Petition. In that Order, Mr. Kotroco wrote on the bottom of page three, "However, in the event future circumstances dictate, Dr. Cochran, or her assignee, will be allowed to Petition for one additional density unit to be associated with this 30-acre parcel; ..." The sole issue in the instant Petition, Case No. 01-012-SPH is the creation of one additional density unit. Therefore, we do not believe any review by County agencies is necessary.

Because settlement on the contingent sale of the 30-acre parcel is scheduled for the end of September, it is incumbent that the hearing scheduled for August 29 be

maintained. If, for some reason, Mr. Kotroco is unavailable to hear the case that day (like the previous case, the hearing should take less than an hour), we request that the Zoning Commissioner hear the instant Petition.

I appreciate your taking the time to address some of the concerns that we had and hope this letter will make processing our Petition easier. If you have any questions, please call me at 410-825-6961.

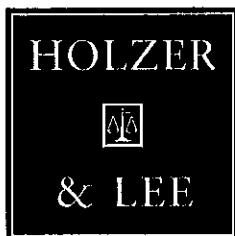
Very truly yours,



Sterling Leese, Jr.

SLL:clh

cc: Timothy Kotroco, Esq.
Dr. Barbara Cochran



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NL1

August 14, 2000
#7119

Timothy Kotroko
Deputy Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, MD 21204

AUG 16

Re: Case No. 01-012-SPH, 20959 South Ruhl Road
Previous Case 99-326-SPHX
Hearing Date Tuesday, August 29, 2000 at 11 a.m.

Dear Mr. Kotroko:

I represent the Petitioner, Dr. Barbara Cochran who appeared before you on May 17, 1999 in Case No. 99-326-SPHX.

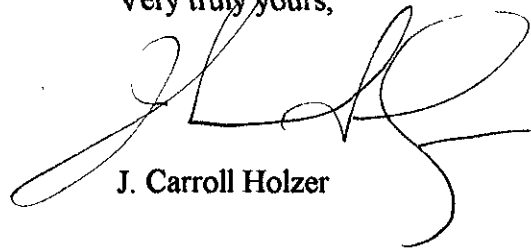
You may recall that Dr. Cochran, the Petitioner purchased the subject property in December of 1998 as part of a larger farm. Immediately after the purchase, Petitioner deeded away two of the seven development sites on the subject property to the Land Preservation Trust, Inc. The Zoning Hearing in May of 1999 was to make a Lot Line Adjustment/Non-Density Transfer so Petitioner could sell the property. Testimony and documentation at that hearing confirmed the seven development rights. Petitioner planned to deed away an additional three rights, which was done on July 12, 1999. Petitioner requested then that two development rights remain: one for the existing house and an additional right to be used only if a contract purchaser wished to use the second right. A contract purchaser has now entered into a contract to acquire the property and does wish to use the second right. That is the purpose of the hearing scheduled for August 29, 2000, to confirm what you have already ruled in the previous case. There was no opposition to the initial hearing and no appeal taken from your decision. The Petitioner will also present evidence that she had placed the remaining 120 acres in the Agricultural Preservation Program. Her offer to the state has been accepted, which places an additional six rights in Conservation Easement. The Conservation Easement documents and the offer from the state will be submitted as evidence in the case on August 29th.

There is one additional matter and that is clarification of the address for the Kennel permit, which right was granted also in the May, 2000 hearing. At the time of the initial hearing the Petitioner did not have an address for the Kennel location, so the 20959 S. Ruhl Road was used. Subsequent to the hearing, Baltimore County has approved a building permit for the Kennel site and assigned the number 2100 S. Ruhl Road as the address. Petitioner will be

requesting that the Zoning Commissioner amend the Kennel Ruling to reflect the correct address of the property so that there will be no conflict.

Finally, the Contract Purchaser is presently scheduled to settle on September 29, 2000. If it is at all possible, we would like you to consider ruling from the bench on August 29th in order that the appeal period run by the September 29th settlement date, which would simplify the settlement between the Petitioner and the Contract Purchaser. Thank you very much for your consideration and the Petitioner will be prepared to proceed on August 29, 2000 consistent with this letter.

Very truly yours,

A handwritten signature in black ink, appearing to be 'J. Carroll Holzer', written over the typed name.

J. Carroll Holzer

JCH:mng

Cc: Dr. Barbara Cochran, M. D.

Interlocked Parties

PLEASE PRINT CLEARLY

PROPERTY(S) SIGN-IN SHEET

NAME

ADDRESS

Katherine J. Worley

16923 Big Falls Rd Monkton 21111

Christina C. Sand

16923 Big Falls Rd Monkton 21111

Angela Hopkins

45 Black Cat Ct. Reisterstown, MD 21136

Jean McClellan

16524 VM Pearce Rd Monkton Md 21111

Robert S. Thomas

2226 Petrus Rd Friesland, Md.

John ~~Swan~~ Swan

2906 Rockdale Bb Friesland Md

Send copy
only to Carroll
Holzer - no one
else indicated
that they wanted
a copy



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Barham A Cochran MD

ADDRESS

13733 Cedar Rd, 24020





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
for the property located at 20959 South Ruhl Road
which is presently zoned RC-2

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

(SEE ATTACHED)

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 N/A
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Carroll Holzer
Type or Print
Carroll Holzer
Signature
Holzer & Lee
Company
508 Fairmount Ave. (410) 825-6961
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Barbara A. Cochran
Name - Type or Print
Barbara A. Cochran
Signature
Name - Type or Print _____
Signature _____
846 West 36th Street (410) 467-3690
Address Telephone No.
Baltimore, Maryland 21211
City State Zip Code

Representative to be Contacted:

James S. Patton, P.E
Name
305 W. Chesapeake Ave., Suite 206 (410) 296-2140
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Case No. 99-326-X

Reviewed By _____ Date _____

ATTACHMENT
TO
PETITION FOR SPECIAL HEARING

BARBARA A. COCHRAN

IN ACCORDANCE WITH SECTION 1A00.4, 1A00.5, AND 1A01.3.B.1. OF THE B.C.Z.R.
TO PERMIT A PARCEL LINE ADJUSTMENT WHEN THE END RESULT WILL NOT
PERMIT RE-SUBDIVISION INTO A GREATER NUMBER OF LOTS. FURTHER, TO
CONSIDER SUCH OTHER MATTERS RELATED THERETO AS MAY BE PRESENTED
AT THE HEARING.

IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION – SW/S
South Ruhl Road, 2,900' S of the c/l of
West Ruhl Road
(20959 South Ruhl Road)
6th Election District
3rd Councilmanic District

Barbara A. Cochran
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-326-SPHX
*

* * * * *

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owner of the subject property, Barbara A. Cochran, through her attorney, J. Carroll Holzer, Esquire, at a public hearing held on April 1, 1999. The Petitioner sought approval of a parcel line adjustment, pursuant to Sections 1A00.4, 1A00.5 and 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a special exception to permit a kennel, in accordance with Section 1A01.2.C.2 of the B.C.Z.R., on the R.C.2 zoned portion of the subject property, in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing in support of the Petitions were Dr. Barbara A. Cochran, owner of the property, James S. Patton, Professional Engineer, and J. Carroll Holzer, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present. However, subsequent to the hearing, Mr. & Mrs. Hong Sam Kim, adjoining property owners, appeared to inquire about the proposal out of interest.

By Order dated April 16, 1999, the Petitions for Special Hearing and Variance were granted, subject to certain terms and conditions.

Exh. B

density units associated with this parcel. In order to perform the parcel line adjustment, the requested special hearing is necessary.

As to the 119.977-acre parcel located on the west side of South Ruhl Road, Dr. Cochran proposes to develop the property with a single family dwelling which will be her residence. In addition, Dr. Cochran wishes to construct a kennel adjacent to the new dwelling. Dr. Cochran testified that she breeds Irish Setters for show as a hobby and that the proposed kennel will be used specifically for her dogs and not for commercial purposes. She noted that sometimes after breeding, she has offered puppies for sale to the general public. However, she has no intention of boarding other dogs on her property; she merely wishes to have a kennel for her own dogs. The proposed dwelling will contain approximately 5,000 sq.ft. of living area and the kennel addition will contain approximately 450 sq.ft. As shown on the site plan, the proposed improvements will be located in approximately the center of the 119.977-acre tract of land so as to be as far away as possible from adjoining residential properties. However, in order to proceed with the proposed improvements, a special exception is necessary to locate a kennel on R.C.2 zoned land.

As noted above, Dr. Cochran has negotiated to place most of her land into a perpetual easement to preserve the property for agricultural use. The newly created 30-acre parcel on the east side of South Ruhl Road, which is already improved with a single family dwelling, will only have one density unit associated therewith, which has been utilized by virtue of the existing dwelling. However, in the event future circumstances dictate, Dr. Cochran, or her assignee, will be allowed to Petition for one additional density unit to be associated with this 30-acre parcel; however, at the present time, only one single family dwelling will be associated with this 30-acre parcel.

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

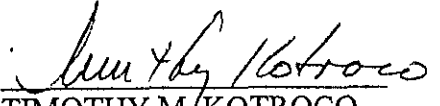
After reviewing all of the testimony and evidence presented, I am persuaded to grant the special exception for a kennel. The Petitioner's testimony that the proposed kennel is for her show dogs only and that no other dogs will be boarded on the property, was persuasive. Moreover, the location of the kennel adjacent to the proposed new dwelling in nearly the center of this large tract reflects the Petitioner's intent to maintain this kennel for personal use. I further find that the proposed parcel line adjustment is appropriate in this instance and should be granted. It has been established that there will be no additional density associated with this adjustment and that the relief requested meets the spirit and intent of the R.C.2/R.C.4 zoning regulations. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing relief and the requested special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of May, 1999 that the Petition for Special Hearing seeking approval of a parcel line adjustment, pursuant to Sections 1A00.4, 1A00.5 and 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special exception to permit a kennel,

{IT IS FURTHER ORDERED that the 119.977 acre parcel of land located on the west side of South Ruhl Road, shall have two density units associated therewith. One density unit will be utilized by virtue of the proposed residential dwelling to be constructed for Dr. Cochran; the other density unit is being reserved for future use by Dr. Cochran, in the event she wishes to construct a caretaker's residence or tenant house. There shall be no other density units or rights of subdivision associated with this 119.977-acre parcel.}


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: ✓ J. Carroll Holzer, Esquire

Holzer & Lee, 508 Fairmount Avenue, Towson, Md. 21204

Dr. Barbara A. Cochran

846 West 36th Street, Baltimore, Md. 21211

Mr. James S. Patton, 305 W. Chesapeake Avenue, Suite 206, Towson, Md. 21204

Mr. & Mrs. Hong Sam Kim, 20955 South Ruhl Road, Freeland, Md. 21053

People's Counsel; Case File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

BUILDING PERMIT

[Signature]
BUILDINGS ENGINEER

PERMIT #: B390536 CONTROL #: NR DIST: 06 PREC: 01
DATE ISSUED: 10/29/1999 TAX ACCOUNT #: 1B00002870PT CLASS: 00

PLANS: CONST 2 PLOT 7 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 21000 S RUHL RD
SUBDIVISION: HAZELWOOD VILLAGE

OWNERS INFORMATION

NAME: COCHRAN, BARBERA A
ADDR: 13733 CUBAR RD HUNT VALLEY MD 21030

**DEPARTMENT OF PERMITS AND
DEVELOPMENT MANAGEMENT
NOTICE TO BUILDERS
IS PART OF THIS PERMIT**

TENANT:

CONTR: OWNER

ENGNR:

SELLR:

WORK: CONST SFD W/ 3 CAR GARAGE, FIREPLACE(OUTSIDE
PROJ. NOT TO EXCEED 4X10), OPEN WOOD DECK,
SCREEN PORCH, KENNEL, COVERED PATIO, ELEVATOR,
4 BEDROOMS. 114'X84'9"X38'8"=9,992SF. LOT
SUBDIVIDED BY DEED LIBER:13899 FOLIO:361.
NEW LOT SIZE 120.55AC

BLDG. CODE: BOCA CODE

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD
400,000.00 EXISTING USE: VACANT LOT

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: ONE FAMILY

FOUNDATION: CONCRETE

SEWAGE: PRIV. PROPOSED

BASEMENT: FULL

WATER: PRIV. EXISTS

LOT SIZE AND SETBACKS

SIZE: 150.79AC

FRONT STREET:

SIDE STREET:

FRONT SETB: 200+

SIDE SETB: 200+/200+

SIDE STR SETB:

REAR SETB: 200+

**THIS PERMIT
EXPIRES ONE
YEAR FROM DATE
OF ISSUE**

Pat. 84#2



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

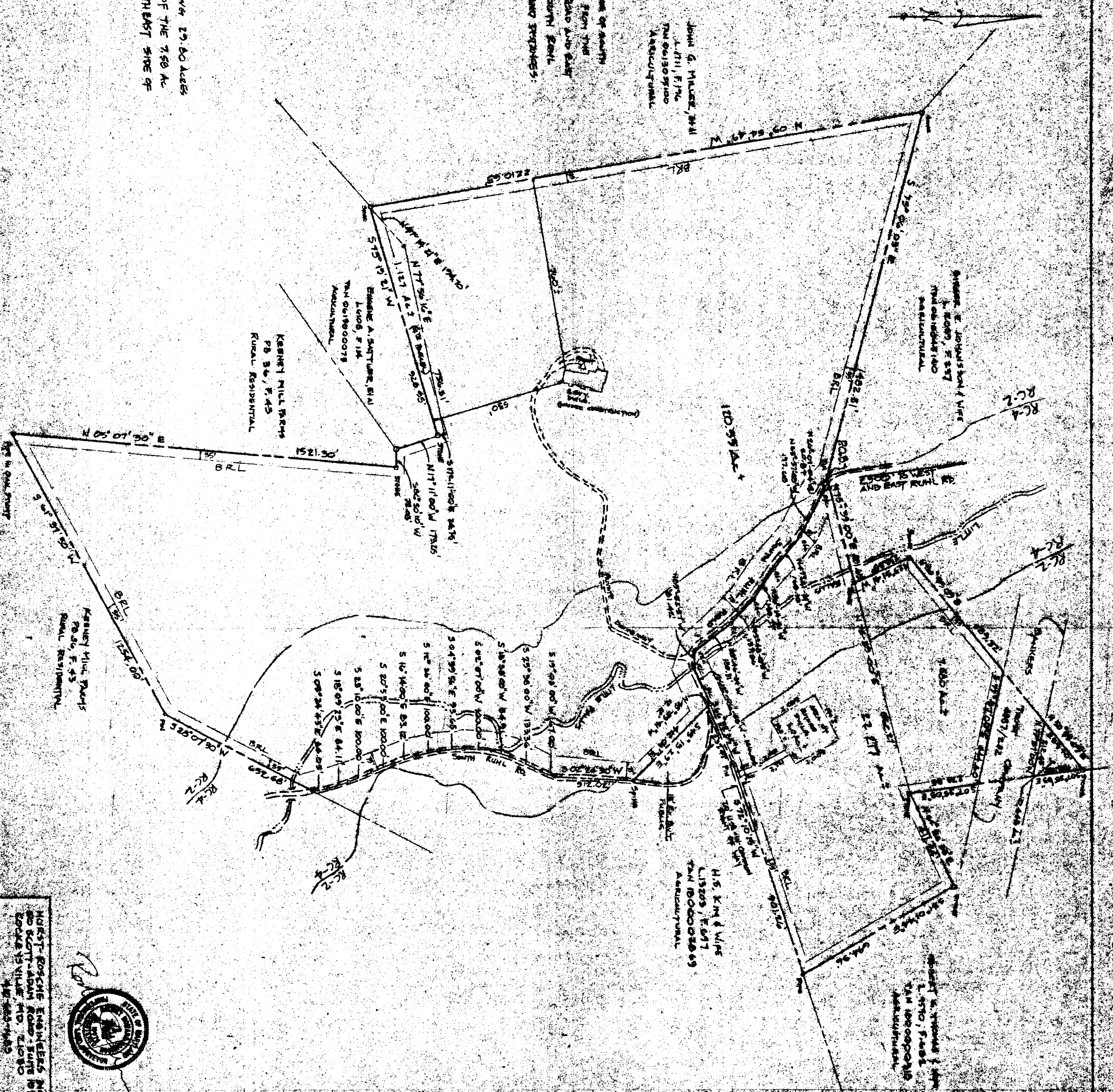
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	SOUTH OF RUHL	N. W. 37-F
DATE OF PHOTOGRAPHY JANUARY 1986		

JOHN G. MAUSER, JR.
1.1711, F.196
FAM 061309100
AGRICULTURAL

1. 41° 35' 00.0 E	40.45°
2. 103° 01' 41" W	333.35
3. 141° 55' 00.0 E	592.32
4. 117° 51' 00.0 E	444.00
5. 307° 55' 00.0 E	170.09
6. 104° 02' 00.0 E	411.24
7. 81° 01' 40" E	529.59
8. 35° 52' 10" E W	501.60
9. 5.68° 30.0 E W	237.45
10. 105° 59' 41" W	12.72
11. 5.02° 02.0 E W	100.04
12. 105° 52' 57" W	81.42
13. 150° 46' 44" W	480.34
14. 143° 40' 03" W	572.06
15. 150° 41' 51" W	407.7
16. 47° 41' 53" W	368.10
17. 140° 51' 00.0 W	197.65
18. 12° 01' 04" W	20.09

TO THE PLACE OF BEGINNING, CONTAINING 29.60 ACRES OF LAND, MORE OR LESS, BEING ALL OF THE 7.68 AC. AND 22.917 AC. TRACTS ON THE NORTHWEST SIDE OF SOUTH BULL ROAD.



HARST-ROSCHE ENGINEERS INC.
800 SCOTT-ADAM ROAD - SUITE 101
ROCKEYVILLE MD. 21080

[illegible]

Notes

1. OWNER & PATRONAGE: MURRAY A. SCHWARTZ
BORN APRIL 28, 1907
BALTIMORE, MD. U.S.A.
2. COUNCILMANIC OFFICE: IN AN ACCOUNT OF MURDER
- ELECTION DISTRICT: 4th
3. FROM EDWARDS HEADINGS: CASE NO. 97-160-100

Greene secured a parcel and a half-acre to create a school, and a second, adjoining to it, for a library. The first building was built by donating to the school, goods and clothing sent to him, and the second building was built by the Greene family in the winter.

- Building map 301-NM 97
- Sketch is prepared for an additional 1000 sq. ft. construction case study
- Property Address: 80055 South Hill, Abilene, TX 79603
- In two days the prepared
- All the other utility locations will be worked on the building and the

TRACT HISTORY

- [illegible]

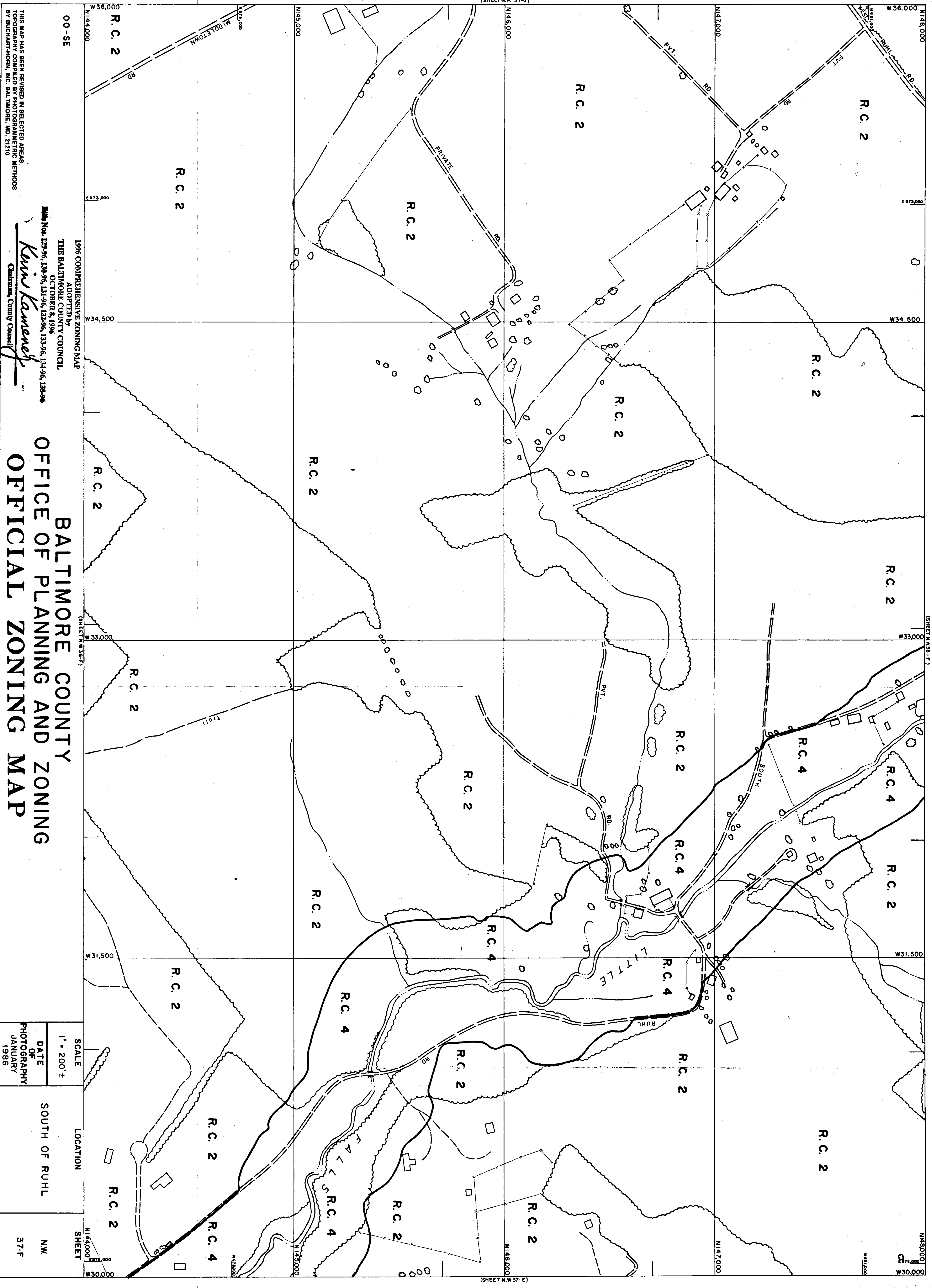
CONF #61 - SEARCHED:
KATHLEEN WALSH, African American, Chicago born
as Black Oak Court #1
Birmingham, Mo. 2136
B.M.W.

BARBARA W. COLEMAN PROPERTY

PAT TOLESON
PETITION FOR SPECIAL HEARING

[illegible]

01-012-5PH



00-SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BLOOMINGTON, INC. BALTIMORE, MD. 21210

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

Kevin Kennedy
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	SOUTH OF RUHL	NW.
DATE OF PHOTOGRAPHY		37-F
JANUARY 1986		

01-012-SPH

DRAWING NUMBER
NW37-F

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER