

IN RE: PETITION FOR SPECIAL HEARING
SW/Corner Old Hanover Road and
Frye Road
(Nolte Property)
4th Election District
3rd Council District

William C. Nolte
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-029-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, William C. Nolte. The Petition was filed in conjunction with a Petition for Special Hearing filed in companion Case No. 02-028-SPH by the Petitioner's brother, Thomas E. Nolte. The Petitioners seek similar relief; i.e., approval and confirmation of the density associated with their respective parcels of the subject property, as they existed prior to the reconfiguration that occurred by deed dated July 31, 1981, recorded in the Land Records of Baltimore County at E.H.K., Jr., 6340, Folio 676. The subject property and requested relief are more particularly described on the plat which accompanied the Petition for Special Hearing, which was marked into evidence as Petitioner's Exhibit 1, and the Deed Plot Exhibit for the William Nolte Property, which was marked into evidence as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the request were Thomas E. Nolte, the Petitioner's brother, and A. Leroy Snyder, Registered Property Line Surveyor, who prepared the plat and plot plans for this property. Appearing as interested persons were Preston C. Thomas and Michael E. Parris, adjoining property owners.

The public hearing held in this matter was heard in conjunction with the hearing held on a Petition for Special Hearing filed by the Petitioner's brother, Thomas E. Nolte in companion Case No. 02-028-SPH. As noted within the opinion issued in that case, the Petitioner's

ORDER RECEIVED FOR FILING

Date 9/26/01

By [Signature]

grandparents owned the subject and adjacent parcels of land for many years. The property was subsequently acquired by the Petitioners' parents and later conveyed to the Nolte brothers. Under separate Petitions, each seeks similar relief to establish the number of density units associated with their respective parcels.

As noted within the opinion issued in Case No. 02-028-SPH, the Nolte brothers own separate but adjacent parcels of land on the southwest corner of the intersection of Old Hanover Road and Frye Road in northern Baltimore County. The property under consideration in the instant case is actually comprised of three parcels, as shown on the deed plot exhibit marked into evidence as Petitioner's Exhibit 2. Parcel 260 was apparently acquired by the Petitioner's parents, Thomas Claude Nolte and Mildred O. Nolte, on October 12, 1932 under a deed recorded in the Land Records of Baltimore County at L.McL.M. 899/551. Parcel 260 is actually comprised of two parcels, one containing 8 acres in area, and the other, 12 acres. Thereafter, the Petitioner's parents acquired Parcel 210 on October 16, 1956, under deed recorded at G.L.B. 3035/70. Parcel 210 is a small triangular shaped parcel containing 0.15 acres in area and is located along the east side of Parcel 260, immediately adjacent to Old Hanover Road and Parcel 3, which is owned by the Petitioner's brother, Thomas E. Nolte. Parcel 210 contains less than 1.0 acre in area, and thus, has no density rights associated therewith. However, by deed dated January 31, 1981 recorded in the Land Records of Baltimore County at 6340/676, William C. Nolte acquired all three parcels, which contain a combined gross area of over 20 acres.

The Petitioner seeks relief as set forth above to establish the amount of density associated with his property and confirmation that sufficient density exists to provide 4 lots. Although there is no subdivision or development proposal at the present time, the Petitioner seeks to establish these rights of density.

The R.C.2 zoning classification was adopted by the Baltimore County Council on November 24, 1979. For the purpose of establishing the rights of subdivision, a determination of what parcels were in existence on that date is necessary. The R.C.2 zoning regulations permit any

property between 2 acres and 100 acres in area to be subdivided once, so as to create two density (dwelling) units.

After due consideration of the testimony and evidence presented, I am persuaded that the relief requested in the Petition for Special Hearing should be granted. A review of the relevant deeds is persuasive that William C. Nolte's property is indeed comprised of three separate parcels, and as such, may be subdivided to create four separate lots. Although no density is attributable to the small, triangular shaped parcel, which contains less than 1.0 acre in area, it is clear that the two parcels which make up Parcel 260, contain two density units each, and therefore, can be subdivided to create four lots. In my judgment, the grant of the Petition for Special Hearing is consistent with the deeds presented, and will not cause detrimental impact to the health, safety or general welfare of the surrounding locale. Obviously, any proposed development must comply with all other development, environmental and zoning regulations, including, but not limited to, those contained in Title 26 of the Baltimore County Code and the B.C.Z.R.

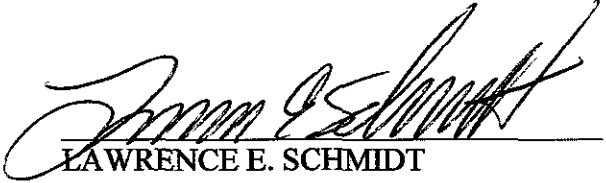
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of September, 2001 that the Petition for Special Hearing seeking approval and confirmation of the density associated with their respective parcels of the subject property, as they existed prior to the reconfiguration that occurred by deed dated July 31, 1981, recorded in the Land Records of Baltimore County at E.H.K., Jr., 6340, folio 676, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits and within sixty (60) days of the date of this Order, the Petitioner shall record a new deed in the Land Records of Baltimore County which references this case and sets forth and addresses the terms and conditions of this Order.

ORDER RECEIVED FOR FILING
Date 9/26/01
By [Signature]

- 3) Any proposed development on the subject property must comply with all other development, environmental and zoning regulations, including, but not limited to, those contained in Title 26 of the Baltimore County Code and the B.C.Z.R.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER SUBMITTED FOR FILING
Date 9/24/17
By [Signature]



Baltimore County
Zoning Commissioner

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

September 24, 2001

Mr. William C. Nolte
5512 Deer Run Drive
Fort Pierce, Florida 34951

RE: PETITION FOR SPECIAL HEARING
SW/corner Old Hanover Road and Frye Road
(Nolte Property)
4th Election District – 3rd Council District
William C. Nolte - Petitioner
Case No. 02-029-SPH

Dear Mr. Nolte:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Thomas E. Nolte
151 Larkspur Lane, Weems, Va. 22576
Mr. A. Leroy Snyder
1911 Hanover Pike, Hampstead, Md. 21074
People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 14616 Old Hanover 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

Density for the parcels as they existed prior to reconfiguration of 7/31/81 as recorded in Liber E.H.K, Jr. 6340 folio 676.

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, the I/we are the legal owner (s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

Legal Owner(s):

William C. Nolte

Name - Type or Print

Signature

Name - Type or Print

Signature

5512 Deer Run Drive

Address

Telephone No.

Fort Pierce

Florida

34951

City

State

Zip Code

Representative to be Contacted:

Thomas E. Nolte

Name

151 Larkspur Lane

Address

804-438-6528

Telephone No.

Weems,

Virginia

22576

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By cm

Date

7/17/01

ORDER RECEIVED FOR FILING

Date

By

Case No.

02-029-SPH

A. L. Snyder
Surveyor, Inc.
1911 Hanover Pike
Hampstead, Maryland 21074

(410) 239-7744

(410) 374-9695 phone/fax

Zoning Description

The William C. Nolte Property

20.00274 Acres

June 6, 2001

Beginning at a steel pin on the west side of Old Hanover Road, 12 feet south of the centerline of Frye Road and thence,

- 1.) South 4 degrees 30 minutes 25 seconds East 169.12 feet,
- 2.) South 21 degrees 45 minutes 25 seconds East 231.11 feet,
- 3.) South 48 degrees 39 minutes 54 seconds East 180.86 feet,
- 4.) South 51 degrees 56 minutes 38 seconds East 2.57 feet,
- 5.) South 32 degrees 03 minutes 18 seconds West 63.07 feet,
- 6.) South 39 degrees 04 minutes 18 seconds West 39.72 feet,
- 7.) South 42 degrees 32 minutes 51 seconds West 32.68 feet,
- 8.) South 40 degrees 07 minutes 31 seconds West 33.91 feet,
- 9.) South 35 degrees 14 minutes 30 seconds West 29.70 feet,
- 10.) South 36 degrees 49 minutes 42 seconds West 27.03 feet,
- 11.) South 55 degrees 58 minutes 33 seconds West 23.78 feet,
- 12.) South 80 degrees 35 minutes 59 seconds West 30.99 feet,
- 13.) North 82 degrees 19 minutes 58 seconds West 36.81 feet,
- 14.) North 80 degrees 04 minutes 58 seconds West 60.98 feet,
- 15.) North 83 degrees 54 minutes 32 seconds West 60.49 feet,
- 16.) North 86 degrees 11 minutes 32 seconds West 66.40 feet,
- 17.) North 84 degrees 28 minutes 20 seconds West 137.87 feet,
- 18.) North 81 degrees 53 minutes 27 seconds West 82.80 feet,
- 19.) North 87 degrees 12 minutes 41 seconds West 24.14 feet,
- 20.) North 0 degrees 03 minutes 22 seconds East 12.51 feet,
- 21.) South 76 degrees 48 minutes 14 seconds West 658.35 feet,
- 22.) North 19 degrees 04 minutes 51 seconds West 693.00 feet,
- 23.) North 76 degrees 28 minutes 52 seconds East 501.60 feet,
- 24.) South 22 degrees 31 minutes 08 seconds East 11.55 feet,
- 25.) North 73 degrees 28 minutes 52 seconds East 119.63 feet,
- 26.) South 89 degrees 22 minutes 57 seconds East 676.28 feet to the place of beginning.

Containing 20.00274 acres of land, more or less.

Being in the Fourth Election District and the Third Councilmanic District of Baltimore County, Maryland and being all of that parcel of land, which was conveyed by Mildred O.

Nolte to William C. Nolte by deed dated July 31, 1981 and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 6340 folio 676 etc.

**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: #02-029-SPH
14616 Old Hanover Road
WS Old Hanover Road, 12' S
centerline Frye Road
4th Election District
3rd Councilmanic District
Legal Owner(s): William C. Nolte

Special Hearing: to allow density for the parcels as they existed prior to reconfiguration of 7/31/81 as recorded in Liber E.H.K. Jr. 6340 folio 676

Hearing: Wednesday, September 12, 2001 at 10:00 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, J176/773 Aug28 C490296

CERTIFICATE OF PUBLICATION

8/30/2001

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 8/28/2001.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

4005

DATE 7/17/01 ACCOUNT RC071004 645

AMOUNT \$ 50.00

RECEIVED FROM: ROY SKYDLER

FOR: SPECIAL LIEN

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
7/17/2001	7/17/2001	11:33:52
RC071004	CASHIER SWA1	SMW DRYMER 2
RECEIPT # 17779		DELR
Item 5	528 ZONING VERIFICATION	
OF NO. 004005		

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

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE Case No 02-029 SPH

Petitioner/Developer NOLTE, ETAL
VIA - ROY SNYDER, LS

Date of Hearing/Closing: 9/12/01

A™ brand fax transmittal memo 7671		# of pages ▶ <u>1</u>
To	From	
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

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

Attention: Ms. Gwendolyn Stephens GEORGE ZAHNER

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 VIC. # 14616 OLD HANOVER
PIKE (ONSITE)

The sign(s) were posted on 8/23/01
 (Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 8/25/01
 (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)

ZONING NOTICE

CASE # 02-029 SPH

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

PLACE NAME, ADDRESS, CITY, STATE, ZIP CODE
 DATE AND TIME
 REQUEST

CERTIFICATE OF POSTING

RE: Case No. 02-029 SPH

Petitioner/Developer: NOLTE, W.C.

Date of Hearing/Closing: 9/12/01

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

Attention: Ms. Gwendolyn Stephens / MR. GEORGE ZAHNER

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 #14616 OLD HANDOVER RD

The sign(s) were posted on

8/26/01
Mon

(Month, Day, Year)

Sincerely,

Rafael M. Okey, Jr. 8/28/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

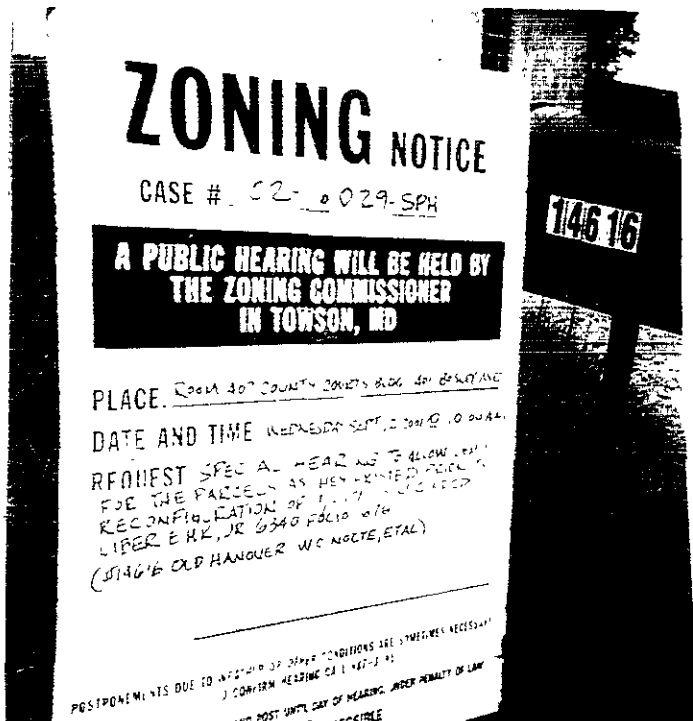
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

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

(Telephone Number)



**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: 02-029-SPH

Petitioner: WILLIAM C. NOLTE

Address or Location: 5512 DEER RUN DRIVE FORT PIERCE, FLORIDA 34951

PLEASE FORWARD ADVERTISING BILL TO:

Name: THOMAS E NOLTE

Address: 151 LARKSPUR LANE

WHEATON, VIRGINIA 22576

Telephone Number: 804.438.6528

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 28, 2001 Issue – Jeffersonian

Please forward billing to:
Thomas E Nolte
151 Larkspur Lane
Weems VA 22576

804 438-6528

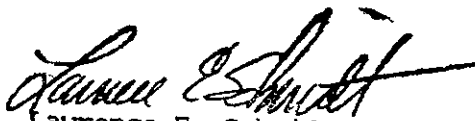
NOTICE OF ZONING HEARING

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: 02-029-SPH
14616 Old Hanover Road
W/S Old Hanover Road, 12' S centerline Frye Road
4th Election District – 3rd Councilmanic District
Legal Owner William C Nolte

Special Hearing to allow density for the parcels as they existed prior to reconfiguration of 7/31/81 as recorded in Liber E.H.K. Jr. 6340 folio 676.

HEARING: Wednesday, September 12, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



Baltimore County
Department of Permits and
Development Management

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

August 10, 2001

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: 02-029-SPH
14616 Old Hanover Road
W/S Old Hanover Road, 12' S centerline Frye Road
4th Election District – 3rd Councilmanic District
Legal Owner William C Nolte

Special Hearing to allow density for the parcels as they existed prior to reconfiguration of 7/31/81 as recorded in Liber E.H.K. Jr. 6340 folio 676.

HEARING: Wednesday, September 12, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G.D.Z.
Director

C: William C Nolte, 5512 Deer Run Drive, Fort Pierce FL 34951
Thomas E Nolte, 151 Larkspur Lane, Weems VA 22576

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 28, 2001.**
- (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

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

September 7, 2001

William C Nolte
5512 Deer Run Drive
Fort Pierce FL 34951

Dear Mr. Nolte:

RE: Case Number: 02-029-SPH, 14616 Old Hanover Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 17, 2001.

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. 602
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Thomas E Nolte, 151 Larkspur Lane, Weems VA 22576
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

SEP 13

hs
9/12

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

DATE: September 6, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For August 13, 2001
Item Nos. 018, 019, 021, 022, 023, 025,
026, 028, ~~029~~, 030, 031, 032, 033,
035, and 057

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

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

~~August~~ 14, 2001

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 August 6, 2001

Item No.:

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.

The Fire Marshal's Office has no comments regarding the item numbers:

018, 022, 023, 025, 026, 028, 029, 030, 033, 034, and 035

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

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

DATE: June 14, 2004

TO: Timothy Kotroko, Director
Department of Permits and
Development Management
Attn: Christine Rorke

FROM: Joseph Happel III
PDM. Bureau of Land Acquisition

SUBJECT: Elseroad Glenn Property
PDM# 04-623

A review of the concept plan for the above referenced project results in the following comments. These comments are advisory in nature.

1. Offsite rights of way must be acquired prior to record plat approval.
2. Access easements, approved by DEPRM, should be shown for any stormwater management facilities, forest buffers, etc.
3. If offsite sight line easements are necessary per Development Plan Review's comments, the developer will be required to obtain these easements prior to record plat approval.
4. On the development plan, please identify and label all existing and proposed:
 - a) Drainage and utility easements
 - b) Highway widenings areas
 - c) Ingress and egress & maintenance agreement areas
 - d) Slope easements
 - e) Stormwater management facilities
 - f) Forest buffers
 - g) Flood plains
 - h) Greenways and open space areas.

Please clearly indicate whether or not the above are to be dedicated to Baltimore County either as "In Fee" Reservations or Easements.

Please delineate and label required dedications for highway purposes as "Highway Widening Area". Not "Future", "Proposed" or "Ultimate" regardless of whether or not highway improvements will actually be required as part of the development.

06/14/04

5. Developers and/or their Engineers should consult with the Fire Department to determine if private fire suppression is necessary and to locate an appropriate place for the facility if so.
6. Additional site specific comments:
 - A) Owner Name from Deeds indicates: S. Glenn Elseroad and Ruth L Elseroad yet Owner/Developer name reads Glenn S. Elseroad and Ruth L. Elseroad. Is this an error? Are the Owner the developer? If so, please correct name.
 - B) Is a conservancy easement or forest conservation easement required? If so, please label and delineate the limits with arrows.
 - C) Clearly delineate the existing right-of-ways, if any, on Old Hanover Road and Frye Road and label with Baltimore County right of way numbers and deed references. If so, please label and delineate the limits with arrows.
 - D) Are stormwater management facilities required? If so, will they require easements? If so, please label and delineate the limits with arrows.
 - E) With additional acreage being added to Parcel 210 with an adjustment to the lot line, does this make parcel 210 part of the sub-division? If so, please label and delineate the highway widening area with arrows.
 - F) Will a perimeter Drainage and Utility easement be requested on all lots? If so, it may not conflict with the forest conservation areas and/or conservancy, if required.
 - G) Request a blowup drawing of the limits of the existing paving at the proposed entrances.
7. Comments generated by meeting:

JGH:ER:RG:jgh

See
9/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 14, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-017, 02-025, 02-028, 02-029 & 02-030

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

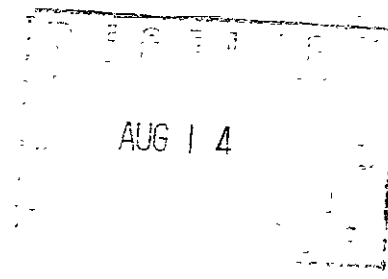
Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. L2

AFK/JL:MAC





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 8.18.01

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

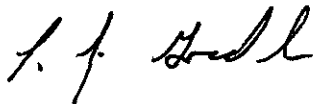
RE: Baltimore County
Item No. 029 LTM

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,


/s/ 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

RE: PETITION FOR SPECIAL HEARING
14616 Old Hanover Road,
W/S Old Hanover Rd, 12' S of c/I Frye Rd
4th Election District, 3rd Councilmanic

Legal Owner: William C. Nolte
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-29-SPH

* * * * *

ENTRY OF APPEARANCE

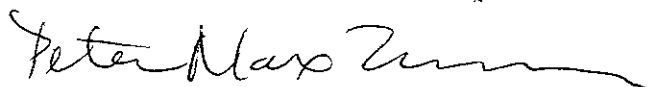
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 17th day of August, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owner William C. Nolte, 5512 Deer Run Drive, Fort Pierce, FL 34951, Petitioner, and to Thomas E. Nolte, 151 Larkspur Lane, Weems, VA 22576, representative for Petitioner.


PETER MAX ZIMMERMAN



Baltimore County
Zoning Commissioner

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

January 31, 2002

Roland R. Bounds, Esquire
3300 North Ridge Road, Suite 385
Ellicott City, Maryland 21043

RE: PETITIONS FOR SPECIAL HEARING
SW/corner Old Hanover Road and Frye Road
(Nolte Property)
4th Election District – 3rd Council District
Thomas E. Nolte – Petitioner, Case No. 02-028-SPH
William C. Nolte – Petitioner, Case No. 02-029-SPH

Dear Mr. Bounds:

In response to your letter of January 29, 2002 concerning the above-captioned matters, the following comments are offered.

You have indicated that the requisite new deeds were completed and submitted to the Circuit Court for Baltimore County for recordation on November 19, 2001; however, were not officially recorded until December 11, 2001. Based upon the representations made in your letter, I am persuaded that the recordation process was initiated in good faith and will accept same as being in compliance with Restriction No. 2 of the Orders issued on September 26, 2001. Moreover, a copy of your letter and this response will be placed in each case file to circumvent any future discrepancy on this issue.

Should you have any further questions in this regard, please do not hesitate to call me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Thomas E. Nolte, 151 Larkspur Lane, Weems, Va. 22576
Mr. William C. Nolte, 556 Paurotis Lane, Fort Pierce, Fla. 34982-3961
Mr. A. Leroy Snyder, 1911 Hanover Pike, Hampstead, Md. 21074
DEPRM; People's Counsel; Case Files

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



Law Offices
BOUNDS & BOUNDS

The Executive Center
Suite 385
3300 North Ridge Road
Ellicott City, Maryland 21043

Roland R. Bounds
Stephen C. Bounds

FAX
(410) 750-3604

(410) 750-3600

January 29, 2002

Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Suite 405 County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

JAN 30

Re: **Thomas E. Nolte - Case No. 02-028-SPH**
William C. Nolte - Case No. 02-029-SPH

Dear Commissioner Schmidt:

In each of the above cases, the Petitioners were granted the relief requested and your subsequent Order dated September 26th, 2001, provided as follows:

"Prior to the issuance of any permits and within 60 days of the date of this Order, the Petitioner shall record a new Deed in the Land Records of Baltimore County which references this case and sets forth and addresses the terms and conditions of this Order."

The engineering was completed and on November 19th, 2001, reconfiguration Deeds were mailed to the Circuit Court for recordation. The Deeds were not receipted in by State Department of Assessments & Taxation until November 30, 2001, and were not put on record until December 11, 2001.

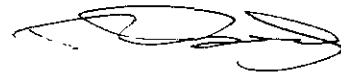
The obvious concern at the present has to do with the 60 day recordation window set forth in your Decision. For your reference, the Deed pertaining to Case #02-028-SPH, *Thomas E. Nolte*, was recorded in Liber 15843, Folio 101 on December 11, 2001, and in Case No. 02-029-SPH, *William C. Nolte*, was recorded in Liber 15844, Folio 471 on December 11, 2001.

I am inquiring if it would be appropriate for a *Modified Order* extending the recordation period to December 11, 2001, which would cover both cases. If not, what would be the appropriate procedure to address the issue in order that the Noltes are not faced with a title or density problem some years hence.

I suppose another alternative would be to start over by filing a new Petition, however, since there were no objections and the density rights seem to have been clearly established, this would seem to be a last resort.

It would be appreciated if you could review the matter and provide us with some guidance as to how to address the variance in the recordation process with that of your Order of September 26, 2001.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Roland R. Bounds', with a stylized flourish at the end.

Roland R. Bounds

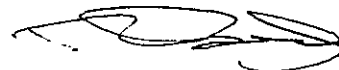
RRB/cwp

I am inquiring if it would be appropriate for a *Modified Order* extending the recordation period to December 11, 2001, which would cover both cases. If not, what would be the appropriate procedure to address the issue in order that the Noltes are not faced with a title or density problem some years hence.

I suppose another alternative would be to start over by filing a new Petition, however, since there were no objections and the density rights seem to have been clearly established, this would seem to be a last resort.

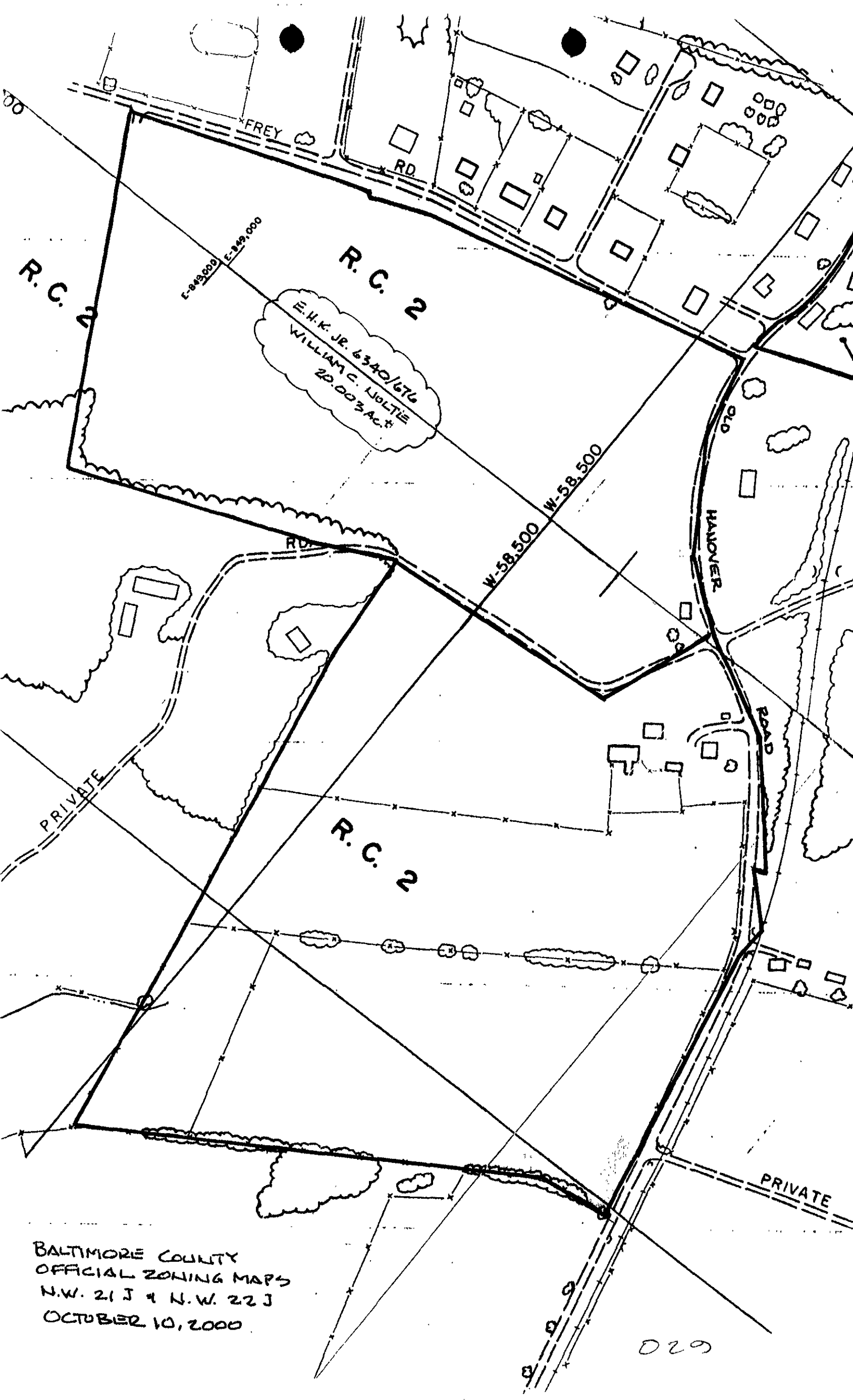
It would be appreciated if you could review the matter and provide us with some guidance as to how to address the variance in the recordation process with that of your Order of September 26, 2001.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Roland R. Bounds', with a stylized flourish at the end.

Roland R. Bounds

RRB/cwp



R.C.

R.C. 2

E.H.K. JR. 6340/676
WILLIAM C. LOLTIE
20.003 AC.

FREY

RD.

E-849,000 E-249,000

W-58.500 W-58.500

HANOVER

PRIVATE

R.C. 2

BALTIMORE COUNTY
OFFICIAL ZONING MAPS
N.W. 21 J & N.W. 22 J
OCTOBER 10, 2000

029

THIS DEED, Made this ^{July 1981} 31st day of ~~December~~ 1979, by and between MILDRED O. NOLTE of the first part, and WILLIAM C. NOLTE of the second part.

Witnesseth, that in consideration of the sum of THIRTY-FOUR THOUSAND DOLLARS (\$34,000.00), the said MILDRED O. NOLTE does hereby grant and convey unto the said WILLIAM C. NOLTE his personal representative and assigns, in fee simple, all that parcel of ground, situate, lying and being in Fourth Election District, Baltimore County, State of Maryland, and described as follows, that is to say:

Beginning for the same at a steel pin now set at the end of the fourth or S 26° E 42 perches line of the first parcel described in a deed of conveyance from William T. Nolte and M. Odella Nolte, his wife, to Thomas Claude Nolte and Mildred A. Nolte, his wife, dated October 12, 1932, and recorded among the Land Records of Baltimore County, Maryland, in Liber LMcLM 899 folio 551 etc., said pin being in the second or N 71° E 61 perches line of that parcel of land (now Emma Grothe's land 3342/520) which was conveyed from Julius Rudiger to Henry F. L. Steger by deed dated February 17, 1872, and recorded among said Land Records in Liber EHA 74 folio 54 etc., and said pin being also at the end of the seventh or S 26° E 41 3/10 perches line of that parcel of land which was conveyed from John Robinson and Moses Robinson to Richard Augustus Fry by deed dated February 9, 1914, and recorded among the said Land Records in Liber WPC 422 folio 512 etc., thence leaving the Grothe land running with and binding reversely on the said seventh line of Fry and binding reversely on the fourth, third and second lines of the aforementioned first parcel conveyed from Nolte to Nolte the following three courses and distances:

- 1.) N 19° 04' 51" W 693.00 feet to a stone heretofore set 21.0 feet south of the south edge of the paving of Frye Road thence running along and in Frye Road the following four courses and distances:
- 2.) N 76° 28' 52" E 501.60 feet to a steel pin now set 3.5 feet south of the south edge of the paving of said road thence:
- 3.) S 22° 31' 08" E 11.55 feet to a steel pin now set at the end of the first or N 26 1/2° W 41 perches line of the second parcel described in the aforementioned deed of conveyance from Nolte to Nolte thence running with and binding on the second, third, fourth and fifth lines of said conveyance the following four courses and distances:
- 4.) N 73° 28' 52" E 119.63 feet to a steel pin now set 1.0 feet south of the center of Frye Road, thence:
- 5.) S 89° 22' 57" E 676.28 feet to a steel pin now set 1.5 feet northeast of the south edge of the paving and 16.0 feet south of the center of Frye Road and 15.0 feet west of the center of Old Hanover Road, thence along and in the Old Hanover Road the following three courses and distances:
- 6.) S 4° 30' 25" E 169.12 feet to a steel pin now set 7.0 feet west of the west edge of said road, thence:
- 7.) S 21° 45' 25" E 231.11 feet to a steel pin now set 6.0 feet west of the west edge of said road and to the end of the third or N 52° 22' W 178.7 feet line of that parcel of land which was conveyed from Chris C. Campbell and Mary Leona Campbell, his wife, to Claude Nolte and Mildred Nolte, his wife, by deed dated October 16, 1956, and recorded among the said Land Records in Liber GLB 3035 folio 70 etc., thence leaving the aforementioned fifth line of the second parcel conveyed from Nolte to Nolte and binding reversely on the said third line of Campbell to Nolte:

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE FAMILY

SIGNATURE WJ DATE 10/28/81

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION #186

CLERK

DATE: 10/28/81

\$510.00 10,28-81 HC

- 8.) S 48° 39' 54" E 180.86 feet to a railroad spike now set at the beginning thereof said spike being located 1.0 feet east of the center of said Old Hanover Road, and being at the beginning of the fifth or S 59° E 13 1/2 perches line of that parcel of land which was conveyed from John Duce to Thomas Claude Nolte and Mildred O. Nolte, his wife, by deed dated May 11, 1926, and recorded among said Land Records in Liber WPC 632 folio 509 etc., thence running with and binding on a part of the said fifth line:
- 9.) S 51° 56' 38" E 2.57 feet to a railroad spike now set 1.0 feet east of the center of the Old Hanover Road, thence leaving the said fifth line and running for lines of division now made through the entire farm along the center of an old stone entrance road the following fifteen courses and distances:
- | | | | |
|------|-----------------|-------------|---------------------------------|
| 10.) | S 32° 03' 18" W | 63.07 feet | to a steel pin now set, thence: |
| 11.) | S 39° 04' 18" W | 39.72 feet | to a steel pin now set, thence: |
| 12.) | S 42° 32' 51" W | 32.68 feet | to a steel pin now set, thence: |
| 13.) | S 40° 07' 31" W | 33.91 feet | to a steel pin now set, thence: |
| 14.) | S 35° 14' 30" W | 29.70 feet | to a steel pin now set, thence: |
| 15.) | S 36° 49' 42" W | 27.03 feet | to a steel pin now set, thence: |
| 16.) | S 55° 58' 33" W | 23.78 feet | to a steel pin now set, thence: |
| 17.) | S 80° 35' 59" W | 30.99 feet | to a steel pin now set, thence: |
| 18.) | N 82° 19' 58" W | 36.81 feet | to a steel pin now set, thence: |
| 19.) | N 80° 04' 58" W | 60.98 feet | to a steel pin now set, thence: |
| 20.) | N 83° 54' 32" W | 60.49 feet | to a steel pin now set, thence: |
| 21.) | N 86° 11' 32" W | 66.40 feet | to a steel pin now set, thence: |
| 22.) | N 84° 28' 20" W | 137.87 feet | to a steel pin now set, thence: |
| 23.) | N 81° 53' 27" W | 82.80 feet | to a steel pin now set, thence: |
| 24.) | N 87° 12' 41" W | 24.14 feet | to a steel pin now set in the |
- second or N 8° W 12 perches line of the aforementioned parcel conveyed from John Duce to Thomas Claude Nolte and Mildred O. Nolte, his wife, at a bearing and distance of S 0° 03' 22" W 12.51 feet from the end thereof said pin being also in the abovementioned third or S 9° E 80 perches line of Rudiger to Steger (now Grothe), thence running with and binding on the third line of Rudiger to Steger reversely and binding on the second or N 8° W 12 perches line of the said parcel conveyed from Duce to Nolte:
- 25.) N 0° 03' 22" E 12.51 feet to a steel pin now set at the end of said line and at the beginning of said third line of Rudiger to Steger, said pin being also at the beginning of the eighth or S 69° W 9 1/2 perches line of the abovementioned second parcel described in that deed of conveyance from Nolte to Nolte as aforesaid and thence running with and binding on the said eighth line to and reversely with the sixth and fifth lines of the abovementioned first parcel described in the said conveyance from Nolte to Nolte and binding reversely on the aforementioned second line of Rudiger to Steger (now Grothe GLB 3342/520)
- 26.) S 76° 48' 14" W 658.35 feet to the place of beginning.

Containing 20.00274 acres of land more or less.

Being all of the first and part of the second parcels of land described in a deed from William T. Nolte and M. Odella Nolte, his wife, to Thomas Claude Nolte and Mildred A. Nolte, his wife, dated October 12, 1932, and recorded among the Land Records of Baltimore County, Maryland, in Liber LMCLM 899 folio 551 etc.

Being also all of that parcel of land which was conveyed from Chris C. Campbell and Mary Leona Campbell, his wife, to Claude Nolte and Mildred Nolte, his wife, and being a part of that parcel of land which was conveyed from John Duce to Thomas Claude Nolte and Mildred O. Nolte, his wife, by deed dated May 11, 1926, and recorded among the Land Records of Baltimore County, Maryland, in Liber WPC 632 folio 509 etc.

The said Thomas Claude Nolte died March 10, 1970 leaving absolute title vested in Mildred O. Nolte.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said parcel of ground and premises, above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said WILLIAM C. NOLTE his personal representative and assigns, in fee simple.

And the said party of the first part hereby covenant that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property granted and that she will execute such further assurances of the same as may be requisite.

Witness the hand and seal of the said grantor

TEST:

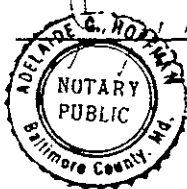
Adeline H. Hoffman Mildred O. Nolte (SEAL)
MILDRED O. NOLTE

State of Maryland, County of Baltimore, to wit:

I HEREBY CERTIFY, That on this 31st day of December, 1981, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared MILDRED O. NOLTE known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:



-3-

0011*** 28282 18-08 100
00011*** 28282 18-08 100
00011*** 28282 18-08 100
00152*** 28282 18-08 100

rec'd for record OCT 30 1981 at 10:45

Per Elmer H. Kahline, Jr., Clerk

Mail to White, Page & Lantz

Receipt No. 11-80

FRYE

N 74° 28' 52" E

N 19° 04' 51" W

E.H.K. JR. 6340/676
WILLIAM C. NOLTE
20.00274 AC.
RC-2

ROAD

OLD

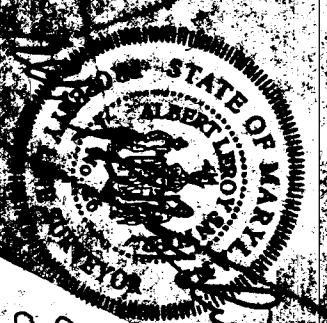
PLAT TO ACCOMPANY PETITION FOR ZONING SPECIAL HEARING
FOR
THE WILLIAM NOLTE PROPERTY
THE LOCATION DISTRICT BALTIMORE COUNTY MARYLAND
AND ADJACENT DISTRICT

Scale: 1"=100'

Date: June 5, 2001

OWNER:
WILLIAM C. NOLTE
5512 DEER RUN DRIVE
BALTIMORE, MARYLAND 21206

ALL SURVEY
SUBMITTED BY
JAMES M. PETERSON
JAMES M. PETERSON & ASSOCIATES
1111 HANOVER STREET
BALTIMORE, MARYLAND 21205



029

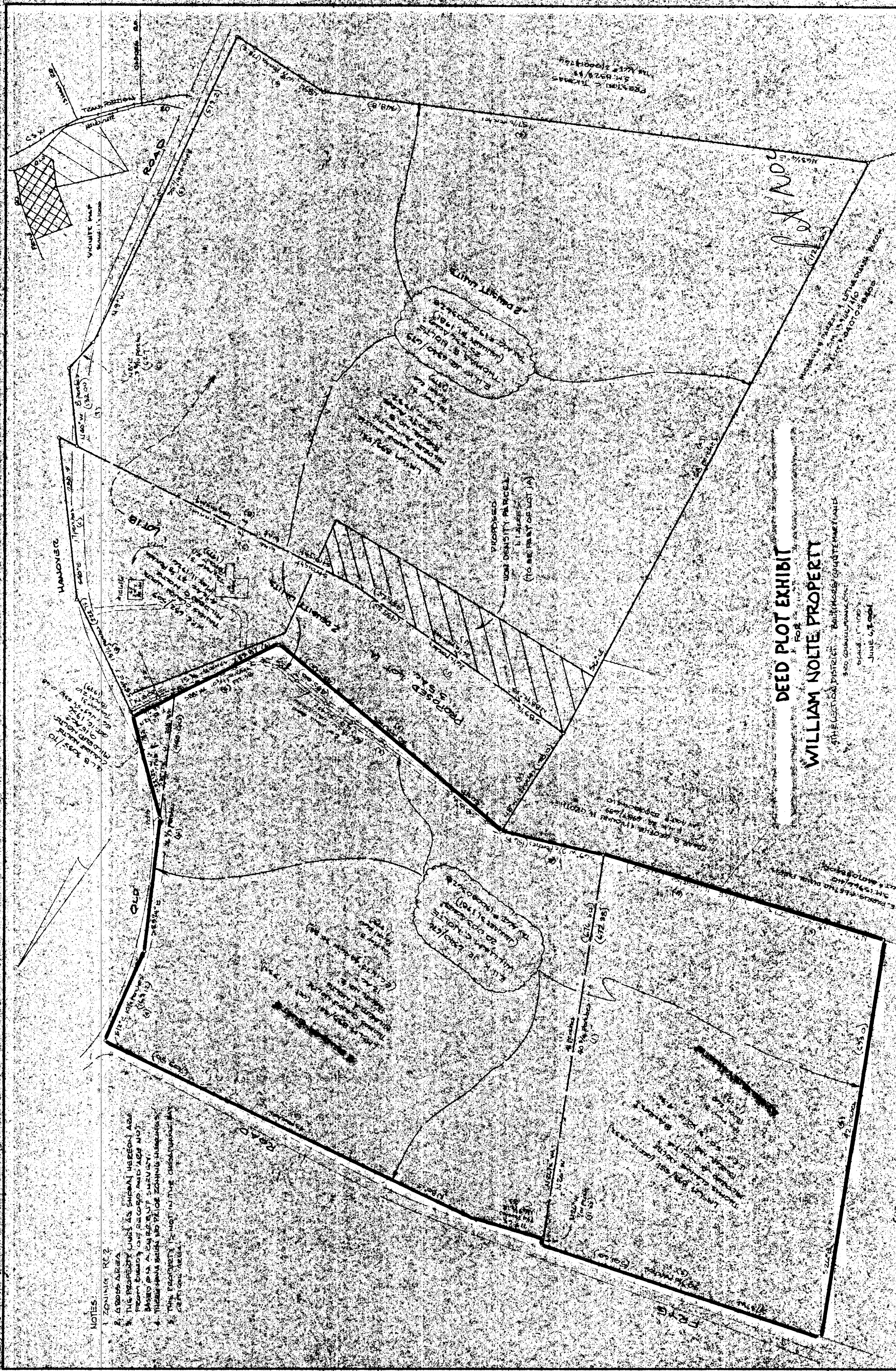
PELSTON C. THOMAS
BAL. 0927/93
Task No. 2100014766

E.H.K. JR. 6340/679
THOMAS E. NOLTE
25.23639 AC.
RC-2



NOTES:

1. ZONING: R-2
2. CROPS AREA
3. THE PROPERTY LIES AS SHOWN HEREON AND FROM EVIDENCE OF RECORD AND ADJ. NOT BEING A C-2 ZONING SURVEY.
4. THERE IS NO RECORD ZONING SURVEY.
5. THIS PROPERTY IS NOT IN THE DESIGNATED CROPS AREA.



DEED PLOT EXHIBIT
FOR
WILLIAM NOLTE PROPERTY

5th ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
3200 COUNCILMAN STREET
BALTIMORE, MARYLAND 21204
JUNE 4, 1988



A. L. SANDER
SANDER, INC.
1911 HANOVER, P.O. BOX
HUNTERD, MARYLAND 21074
410 233-7144

OWNER
WILLIAM C. NOLTE
5512 DEER RUN DRIVE
ROBT PIERCE, FORTIOLA, MD

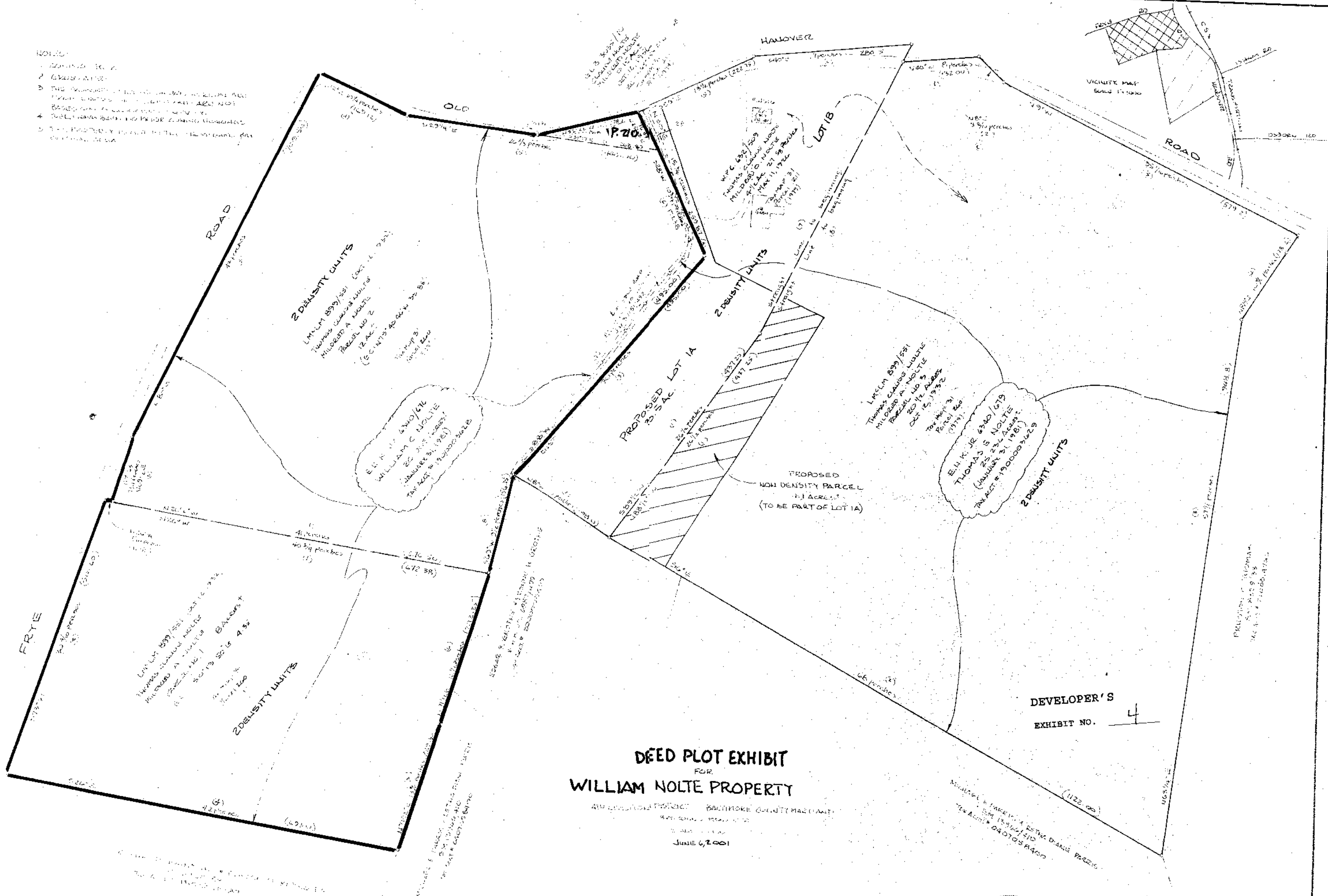
CTM
D20

JUN 4 1988

To verify Pet's claims
I spot checked deed
recorded at WPC 632 FOL, 0
509 + verified that
it was a separate parcel. It
was, of 4+ acres

ZESchmitt

- NOTES:
1. ZONING: R-1
 2. GROSS AREA: 10.00 AC.
 3. THIS PLANNING UNIT IS SUBDIVIDED INTO 100 LOTS BASED ON THE FOLLOWING ASSUMPTIONS:
 - a. LOT AREA: 100 SQ. FT.
 - b. LOT SHAPE: 100' x 100'
 - c. LOT SPACING: 10'
 4. THE PLANNING UNIT IS SUBDIVIDED INTO 100 LOTS BASED ON THE FOLLOWING ASSUMPTIONS:
 - a. LOT AREA: 100 SQ. FT.
 - b. LOT SHAPE: 100' x 100'
 - c. LOT SPACING: 10'



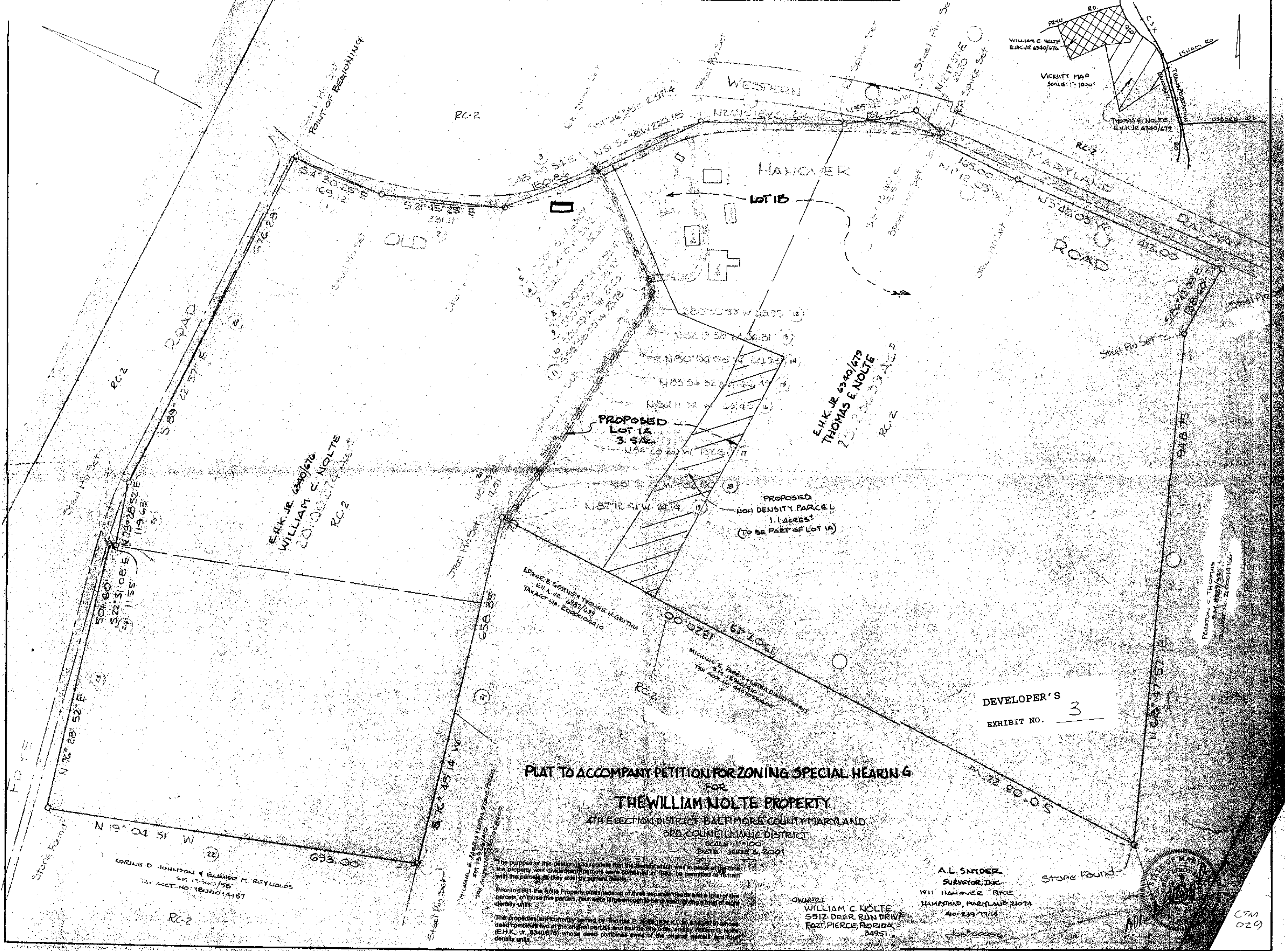
OWNER:
WILLIAM C. NOLTE
5512 DEER RUN DRIVE
FORT PIERCE, FLORIDA 34951



A. L. SNYDER
SURVEYOR, INC.
1911 HANOVER AVE
HAMPSHIRE MARYLAND 21074
410 239-7144

JOB: 00056

CTM
0-29



PLAT TO ACCOMPANY PETITION FOR ZONING SPECIAL HEARING 4
FOR
THE WILLIAM NOLTE PROPERTY
4TH ELECTION DISTRICT BALTIMORE COUNTY MARYLAND
3RD COUNCILMANIC DISTRICT
SCALE: 1"=100'
DATE: JUNE 2, 2001

DEVELOPER'S
EXHIBIT NO. 3

The purpose of this plat is to record the results of the special hearing held on June 2, 2001, for the proposed rezoning of the property. The property was divided into parcels by the original owner, William C. Nolte, in 1981. The parcels were then subdivided into smaller lots for residential development. The proposed rezoning is from RC-2 to a non-density parcel classification. The parcels are shown on this plat with their respective bearings and distances. The parcels are also shown on the original survey map of 1981. The parcels are shown on this plat with their respective bearings and distances. The parcels are also shown on the original survey map of 1981.

OWNER:
WILLIAM C. NOLTE
5512 DEER RUN DRIVE
FORT PIERCE, FLORIDA 34951

A.L. SNIDER
SURVEYOR, INC.
1111 HANOVER PIKE
HAMPSPAD, MARYLAND 21074
410-239-7744
JAN 10 2002

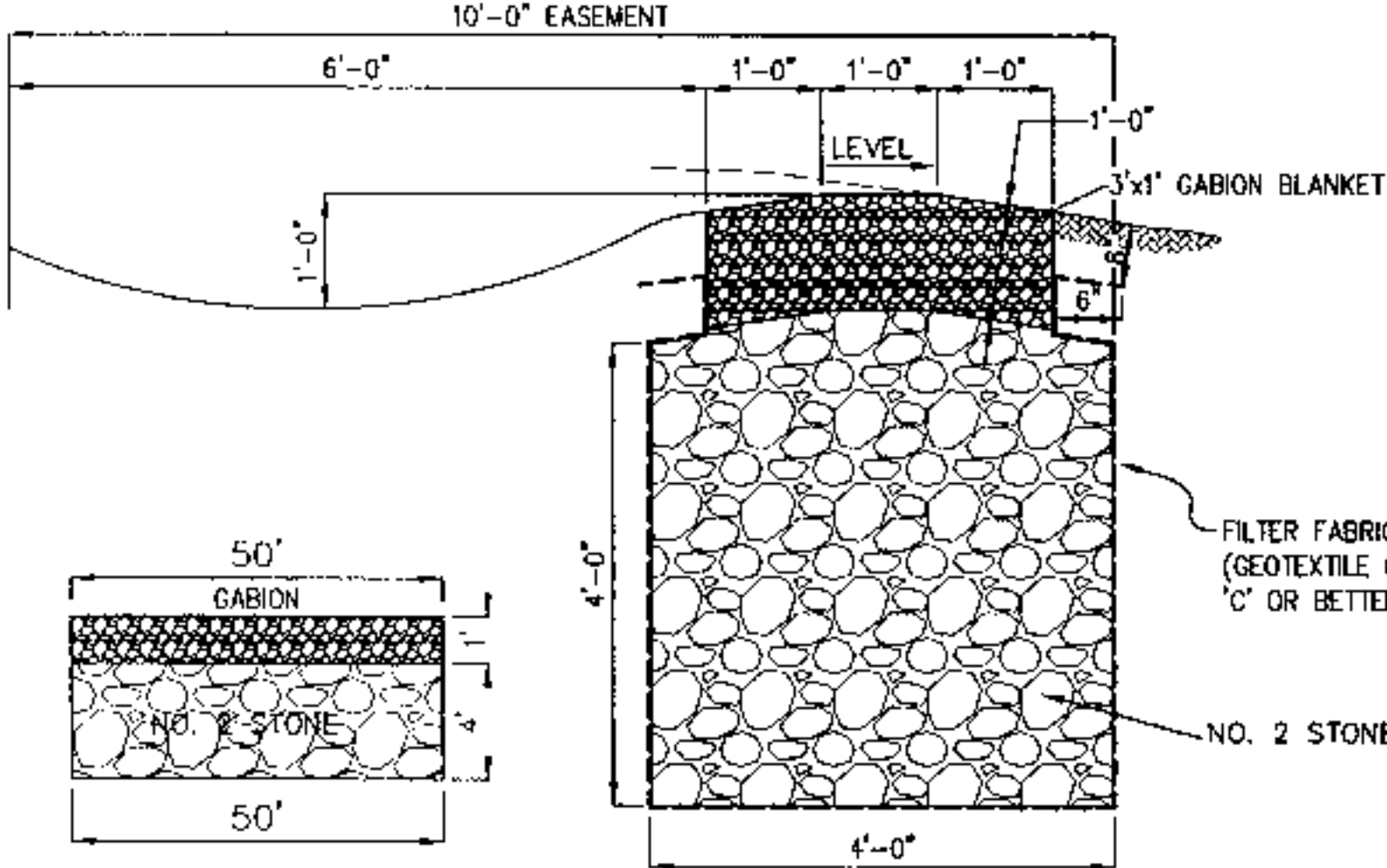
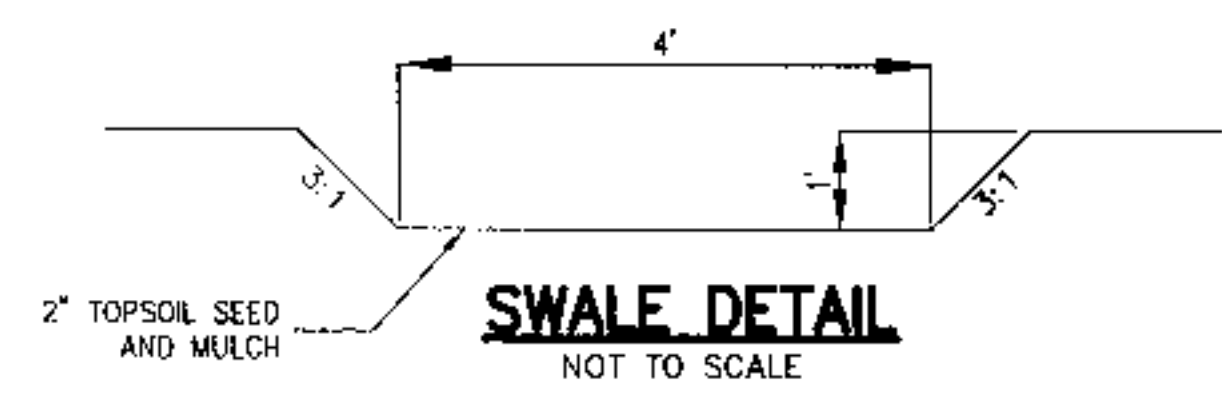


GENERAL NOTES

- ALL LOTS SHOWN HEREON ARE FOR SINGLE FAMILY USE ONLY.
- EXISTING LAND USE IS RESIDENTIAL AND AGRICULTURAL.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITAT OR HAZARDOUS MATERIALS ON THIS SITE.
- BALTIMORE COUNTY MAKES NO WARRANTY, EXPRESSED OR IMPLIED, AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN HEREON TO USE ALL OR ANY PART OF THAT LAND DESIGNATED AS PRIVATE RIGHT-OF-WAY FOR THE PURPOSE OF INGRESS, EGRESS, REGRESS OR THE RIGHT TO OPEN OR EXCAVATE THE ADDRESS AND PRIVATE RIGHT-OF-WAY FOR THE PURPOSE OF INSTALLATION, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS, BUT NOT LIMITED TO, WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TELEVISION.
- OPEN SPACE REQUIRED: 2,600 SF ACTIVE AND 1,400 SF PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION 10.2.2. OPEN SPACE PROVIDED: 0 SF; WAIVER REQUESTED AND FEE IN LIEU TO BE PAID.
- TOPOGRAPHY SHOWN HEREON IS TAKEN FROM BALTIMORE COUNTY 3162 DATUM.
- SOILS SHOWN HEREON ARE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP 12.
- LOIS SHOWN HEREON SHALL OPERATE ON PRIVATE WELL AND SEPTIC SYSTEMS.
- TOTAL AVERAGE DAILY TRIPS: 4 x 12 = 50.
- THERE ARE NO KNOWN EXISTING UNDERGROUND FUEL TANKS ON THIS SITE.
- MITIGATING MEASURES FOR SOILS WITH LIMITATIONS DUE TO STEEP SLOPES:
 - WHEREVER POSSIBLE, GRADING OR DISTURBING OF STEEP SLOPES SHALL BE AVOIDED.
 - ALL LOTS AND ROADS SHALL BE GRADED SO AS TO DIRECT ANY CONCENTRATED STORM WATER FLOWS AWAY FROM AREAS OF STEEP SLOPES.
 - IF DISTURBED, ALL AREAS OF STEEP SLOPES SHALL BE PROPERLY VEGETATED TO ASSURE STABILITY AND PREVENT EROSION.
- THERE ARE NO KNOWN WELLS OR SEPTIC AREAS WITHIN 100 FEET OF THE PROPERTY EXCEPT AS SHOWN.
- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND/OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST BUFFER AND/OR FOREST CONSERVATION EASEMENTS SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- PRIOR TO THE FINAL APPROVAL OF ANY RECORD PLAT, A PERMANENT PRESERVATION EASEMENT ON THE CONSERVANCY AREA SHALL BE RECORDED AGAINST THE LAND RECORDS OF BALTIMORE COUNTY TO RUN WITH THE LAND AND CONTINUE IN PERPETUITY. THE CONSERVANCY AREA EASEMENT SHALL BE GRANTED TO THE COUNTY OR SUCH OTHER AGENCY OR ENTITY WHICH THE COUNTY APPROVES, AND SHALL PERMANENTLY RESTRICT FURTHER SUBDIVISION OF THE CONSERVANCY AREA. THE CONSERVANCY AREA AGREEMENT SHALL ALSO BE IN A FORM APPROVED BY THE COUNTY ATTORNEY WHO SHALL CONSULT WITH THE DIRECTOR OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- THE AREA BETWEEN THE RIGHT LINE AND THE CURB LINE MUST BE CLEARED, CROPPED AND KEPT FREE OF ANY OBSTRUCTIONS.
- THE PROPOSED PANHANDLE DRIVE MUST MEET THE MINIMUM BALTIMORE COUNTY STANDARDS FOR PAVING TYPE, WIDTH AND BEARING CAPACITY.
- NO SIGNAGE WILL BE USED TO DENOTE THE SUBDIVISION NAME.
- MAXIMUM BUILDING HEIGHT FOR NON-AGRICULTURAL PRINCIPAL BUILDINGS IS 35 FEET.
- NO MORE THAN 15% OF ANY LOT IN AN R.C. 5 ZONE MAY BE COVERED BY BUILDINGS.
- THE PANHANDLE SHALL BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.
- PRIOR ZONING HEARINGS FOR THIS PROPERTY: CASE 02-029-SPH SEE ORDER THIS SHEET.
- THE DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF FDM BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
- THE ENTIRE SITE IS ZONE RC-2.
- A ZONING SPECIAL HEARING REQUEST WILL BE FILED WITH THE DEVELOPMENT PLAN, SEE SPECIAL HEARING REQUEST THIS SHEET.

SPECIAL HEARING REQUEST

"Why the Zoning Commission should" [1] approve a modification to the relief granted in Case No. 02-029-SPH to recognize the pre-existing dwelling on Parcel 210 (held intact since 1954) and, in accordance with UCZR § 504, approve a lot line adjustment with commonly owned, adjoining Parcel 364 to enlarge Parcel 210 from 0.15 ± acres to a minimum of 1.0 acre; [2] approve the accumulation of lot density among Parcel Nos. 363 & 364 to permit subdivision thereof in a clustered configuration to further promote the existing and existing agricultural operations thereon; and [3] for such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require.



McKEE & ASSOCIATES, INC.
Engineering - Land Planning - Land Surveying

Natural Resource Planning - Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

JAMES W. MCKEE DATE
MARYLAND REG. NO. 9012

PRIOR ZONING ORDER 02-029 SPH

IN RE: PETITION FOR SPECIAL HEARING
S.W. Corner Old Hanover Road and
Frye Road
(Note Property)
4th Election District
5th Council District
William C. Nolt
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 02-029-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of September, 2001 that the Petition for Special Hearing seeking approval and confirmation of the density associated with their respective parcels of the subject property, as they existed prior to the reconfiguration that occurred by deed dated July 31, 1981, recorded in the Land Records of Baltimore County at E.H.K. Jr., 6340, folio 676, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- The Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- Prior to the issuance of any permits and within sixty (60) days of the date of this Order, the Petitioner shall record a new deed in the Land Records of Baltimore County which references this case and sets forth and addresses the terms and conditions of this Order.
- Any proposed development on the subject property must comply with all other development, environmental and zoning regulations, including, but not limited to, those contained in Title 26 of the Baltimore County Code and the B.C.Z.R.
- When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

OVERALL DENSITY CALCULATION

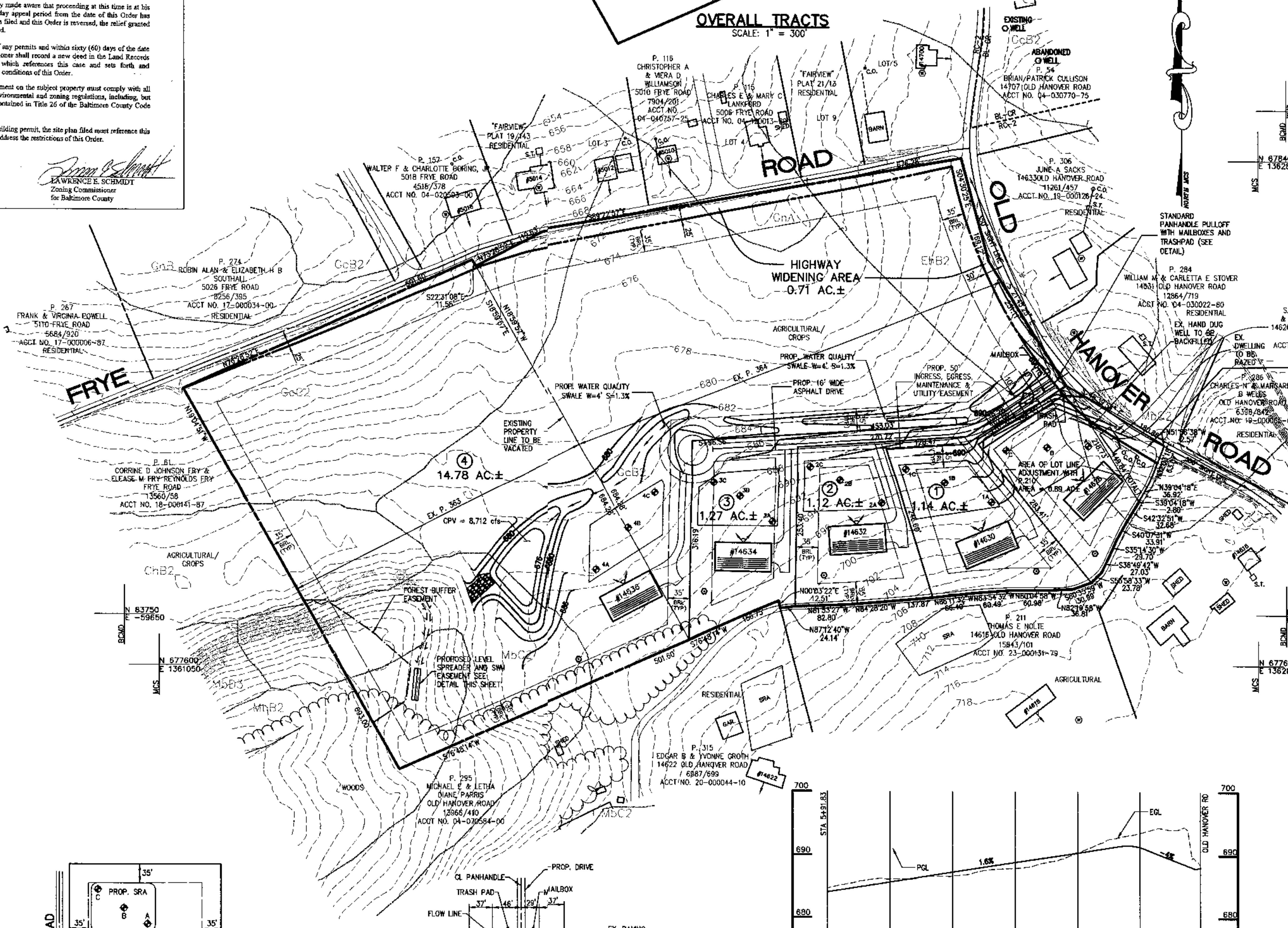
THE PROPERTIES SHOWN HEREON HAVE BEEN HELD INTACT SINCE 11/13/2001. THE ZONING COMMISSIONS ORDER IN CASE NO. 02-029-SPH PERMITTED THE RECONFIGURATION OF THE LOTS AND THE CONFIRMATION OF THE DENSITY AS IT EXISTED PRIOR TO JULY 31, 1981. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.

SOILS LIMITATION CHART

MAP SYMBOL	SOIL SERIES	HOMESTES LIMITATIONS	SEPTIC SYSTEMS LIMITATIONS	HYDRIC	K' VALUE	CAPABILITY UNIT
GcB2	GLENELG	SLIGHT	SLIGHT	NO	0.32	Ile-4
GcC2	GLENELG	MODERATE: SLOPE	MODERATE: SLOPE	NO	0.32	Ile-4
GnB	GLENVILLE	SEVERE: WATER	SEVERE: WATER	NO	0.32	Ile-16
MbC2	MANOR	MODERATE: SLOPE	MODERATE: SLOPE	NO	0.37	Ile-25
EB2	ELIOAK	SLIGHT	SLIGHT	NO	0.32	Ile-4
GnA	GLENVILLE	SEVERE: WATER	SEVERE: WATER	NO	0.32	Ile-1
ChB2	CHILLUM	SLIGHT	SLIGHT TO MODERATE	NO	0.32	Ile-7
MbB2	MANOR	SLIGHT	SLIGHT	NO	0.37	Ile-25
MbD3	MANOR	SEVERE: SLOPE	SEVERE: SLOPE	NO	0.37	Ile-3

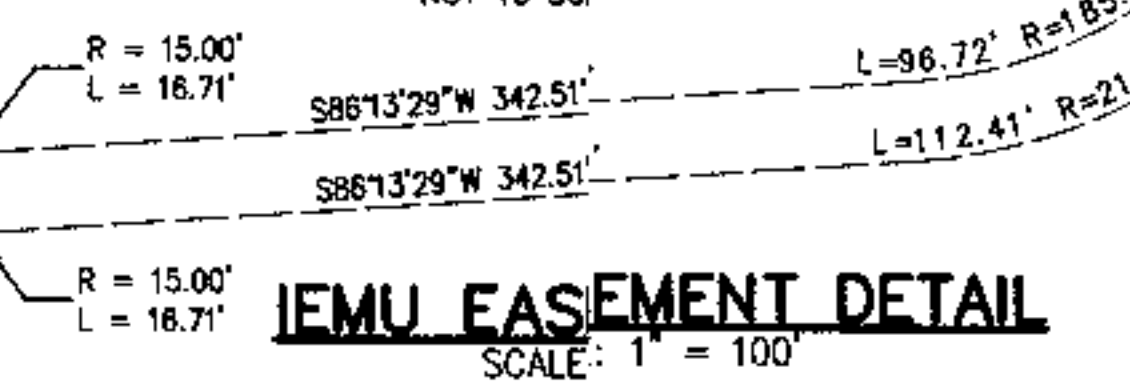
OVERALL TRACTS

SCALE: 1" = 300'



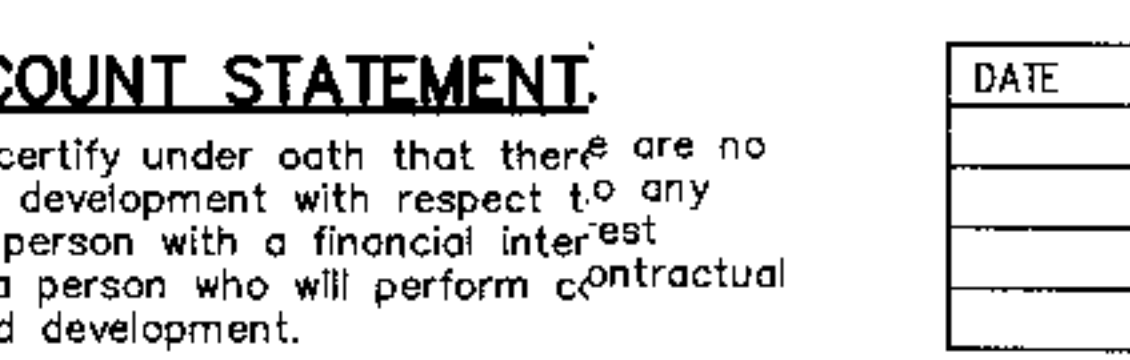
DETAIL-BALTO CO STD PULLOFF

NOT TO SCALE



EMU EASEMENT DETAIL

SCALE: 1" = 100'



DELINQUENT ACCOUNT STATEMENT

I, _____, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

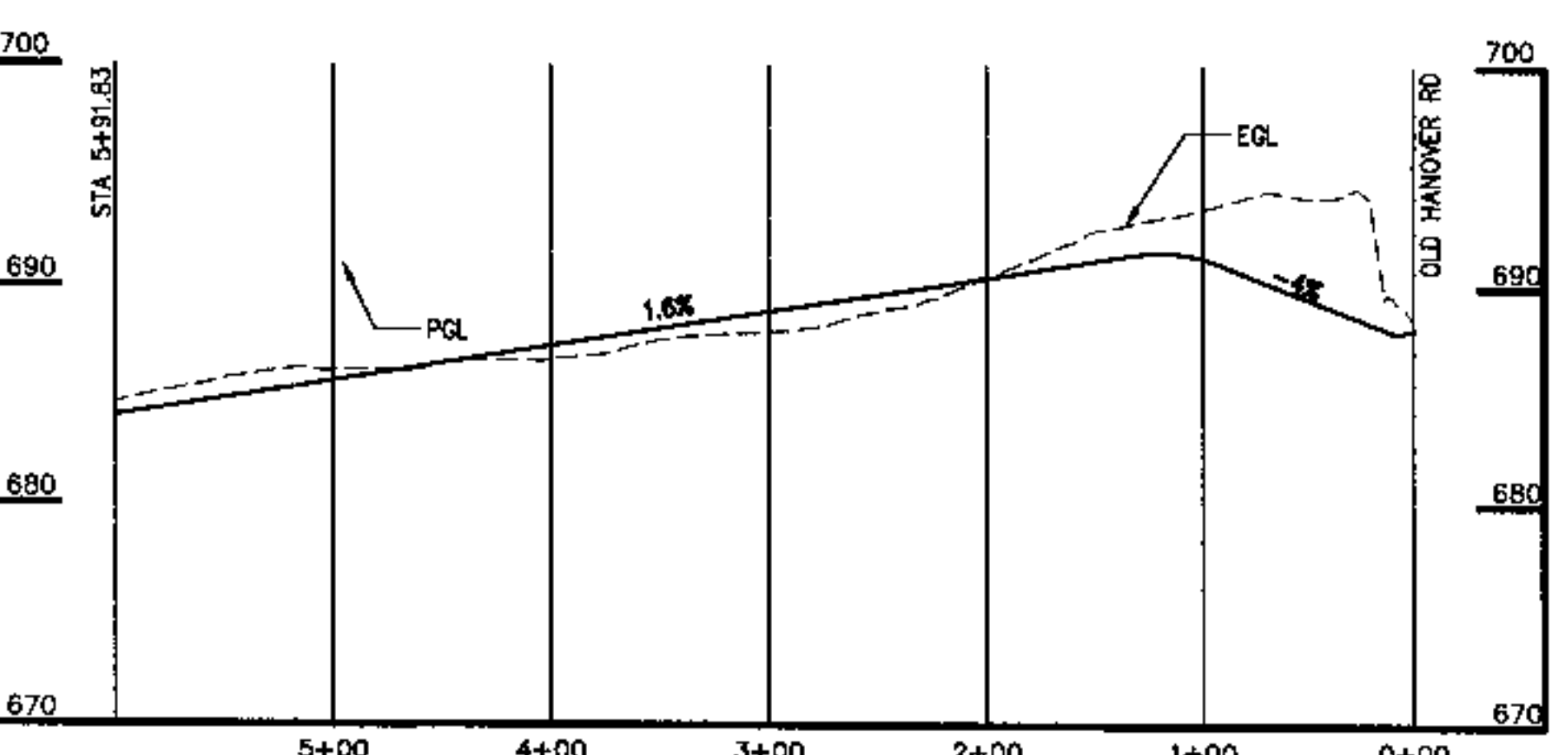
DATE	REASON FOR REVISION

OWNER/DEVELOPER

S GLENN & RUTH L ELSEROD
5423 MOUNT GLEAD ROAD
REISTERSTOWN, MD 21136
(410) 429-3990
DEED REFERENCE: 16865/128
ACCT. NO. 23-00-013176
DEED REFERENCE: 16865/122
ACCT. NO. 23-00-013177
DEED REFERENCE: 16847/388
ACCT. NO. 23-00-013178

PANHANDLE PROFILE

SCALE: HORIZ: 1" = 100'
VERT: 1" = 10'

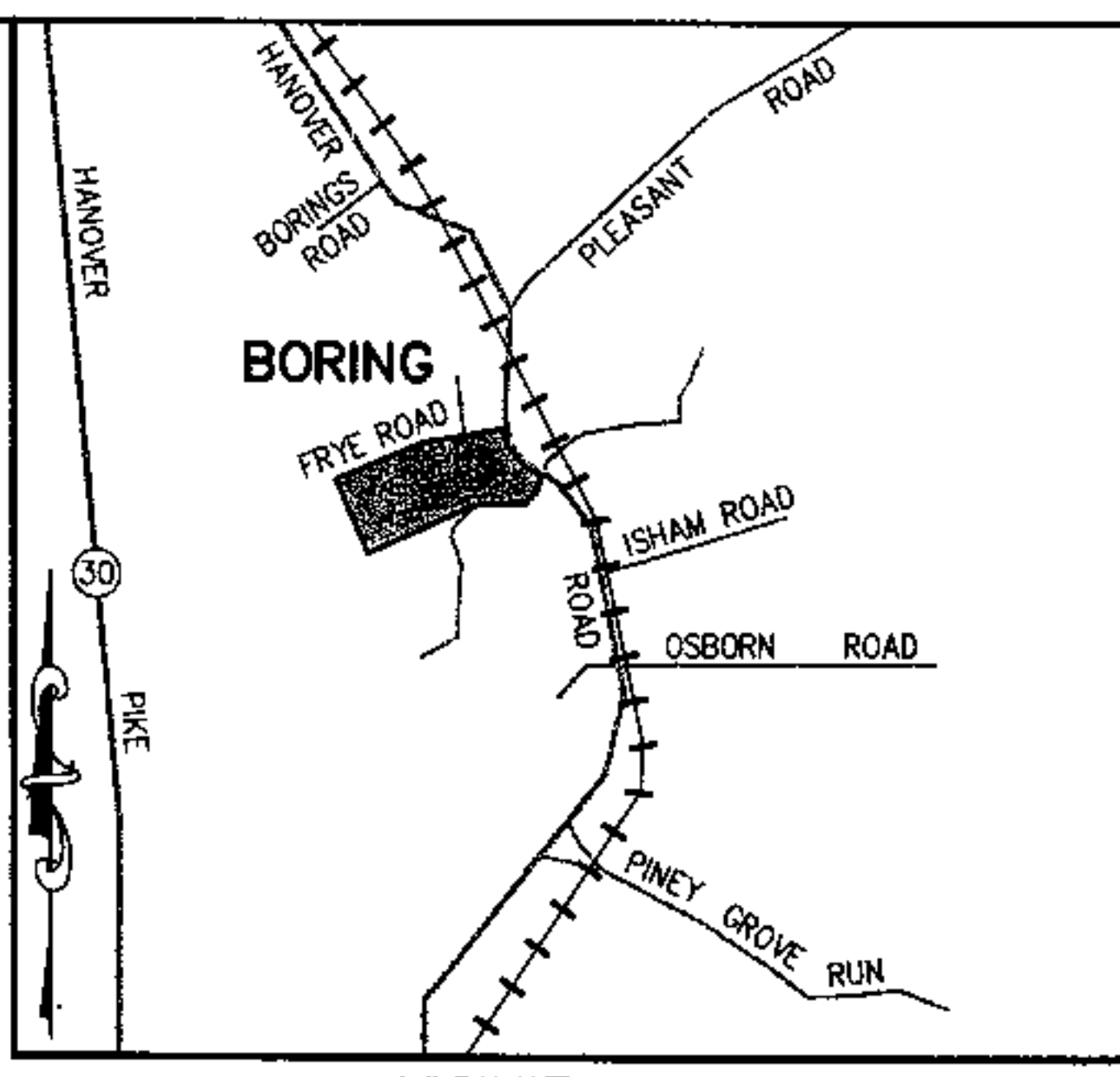


ZONING SPECIAL HEARING AND SITE DEVELOPMENT PLAN FOR ELSE ROAD PROPERTY

OLD HANOVER ROAD AND FRYE ROAD
4th ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
3RD COUNCILMANIC DISTRICT
SCALE: 1" = 100' DATE: NOVEMBER 5, 2004
P.D.M. # IV-623

VICINITY MAP

SCALE: 1" = 1000'



LEGEND

- EX. CONTOURS
- SLOPES > 25%
- EX. STREAM
- WELL
- PERC TEST
- SAND MOUND TEST
- PROP. SEPTIC AREA
- SOIL TYPES
- FOREST BUFFER EASEMENT
- FOREST CONSERVATION EASEMENT
- LIMIT OF WETLANDS
- EX. WOODS LINE
- PROP. WOODS LINE
- PROP. HOUSE SITE w/ HOUSE DIRECTION

SITE DATA

GROSS AREA OF SITE = 20.00 AC±
NET AREA OF SITE = 19.29 AC±
HIGHWAY WIDENING AREA = 0.71 AC±
DEED REFERENCE: P. 363 16865/128
DEED REFERENCE: P. 364 16865/122
DEED REFERENCE: P. 210 16847/388
COUNCILMANIC DISTRICT: 3
TAX ACCOUNT NO.: P. 363 23-00-013176
P. 364 23-00-013177
P. 210 23-00-013178
TAX MAP 31, GRID 17, PARCEL No. 363, 364, 210
CENSUS TRACT: 4046
REGIONAL PLANNING DISTRICT: 303
SCHOOL DISTRICT: FRANKLIN ELEMENTARY
FRANKLIN MIDDLE
FRANKLIN HIGH
WATERSHED: 14
SUBWERSHED: 81
EX. ZONING: RC-2
No. OF LOTS ALLOWED (RC-2): (2 LOTS BETWEEN 2 & 100 AC)
P. 363 = 7.96 AC± = 2 LOTS
P. 364 = 11.83 AC± = 2 LOTS
P. 210 = 0.15 AC± = 1 LOT
TOTAL = 5 LOTS
No. OF LOTS PROPOSED (RC-2): 5 LOTS
200 SCALE MAP REFERENCE: NW22J & NW21J

DESIGN AND DRAWING BASED ON
MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD 83/91
VERTICAL - NAVD 88