RE:	PETITION FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
	2200 Gadd Road; N/side Gadd Road, 900ft W of centerline of Falls Road	*	ZONING COMMISSIONER
	8th Election District	*	FOR
	3rd Councilmanic District		
	Legal Owners: Anna V.& F.Mackey Hughes	*	BALTIMORE COUNTY
	Petitioners		
		*	03-233-SPHA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
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 9th day of December, 2002, a copy of the foregoing Entry of Appearance was mailed to Dino C. LaFiandra, Esquire, Whiteford, Taylor & Preston, LLP, 210 W. Pennsylvania Avenue, 4th Floor, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED
By bh

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Parris N. Glendening
Governor
Kathleen Kennedy Townsend
Lt. Governor

Maryland Department of Planning

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

December 11, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
Count Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop # 1105
Towson MD 21204

Re: **Zoning Advisory Committee Agenda, 12/16/02 re: case numbers 03-224-A, 03-225-SPH, 03-226-SPH, 03-228-A, 03-229-A, 03-230-A, 03-231-SPH, 03-232-SPH, 03-233-SPHA, 03-234-A, 03-235-SPHA, 03-236-A, 03-237-A, 03-238-A, 03-239-A, 03-240-A**

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/11/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2200 Gadd Road
which is presently zoned R.C.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

A guest house without cooking facilities as an accessory use and structure in the R.C.2 Zone, pursuant to BCZR 1A01.2.B.9 for occasional, customary and incidental lodging of personal guests, without compensation.

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:

N/A
Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Anna V. Hughes
Name - Type or Print

Signature

F. Mackey Hughes
Name - Type or Print

Signature

2200 Gadd Road — 410-771-5550
Address — Telephone No.

Cockeysville, MD — 21030
City — State — Zip Code

Attorney For Petitioner:

Dino C. La Fiandra
Name - Type or Print

Signature

Whiteford, Taylor & Preston
Company

210 W. Pennsylvania Ave. #400 — 410-832-2000
Address — Telephone No.

Towson, MD — 21204
City — State — Zip Code

Representative to be Contacted:

Name

Address — Telephone No.

City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2.00 hrs

UNAVAILABLE FOR HEARING

Reviewed By — Date 11-14-02

Case No. 03-233-SPHA

REV 9/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2200 Gadd Road

which is presently zoned RC2

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

BCZR 400.1 to permit non-farm accessory structure in front yard in lieu of rear yard in RC2 zone.

BCZR 400.3 to permit non-farm accessory structure with height of 25 feet in lieu of 15 foot maximum permitted height in a RC2 zone.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be shown at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

N/A

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Anna V. Hughes

Name - Type or Print

Anna V. Hughes

Signature

F. Mackey Hughes

Name - Type or Print

F. Mackey Hughes

Signature

2200 Gadd Road — 410-771-5550

Address — Telephone No.

Cockeysville, MD 21030

City — State — Zip Code

Attorney For Petitioner:

Dino C. La Fiandra

Name - Type or Print

Dino C. La Fiandra

Signature

Whiteford, Taylor & Preston, LLP

Company

210 W. Pennsylvania Avenue #400 — 410-832-2000

Address — Telephone No.

Towson, MD 21204

City — State — Zip Code

Representative to be Contacted:

Dino C. La Fiandra

Name

210 W. Pennsylvania Ave. #400 — 410-832-2000

Address — Telephone No.

Towson, MD 21204

City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING See SPH

UNAVAILABLE FOR HEARING

Case No. 03-233-SPHA

Reviewed By _____ Date 11-14-02

REV 9/15/98

Matis Warfield
consulting engineers

MEMORANDUM

November 7, 2002

DESCRIPTION TO ACCOMPANY ZONING PETITION
No. 2200 Gadd Road
8th Election District RC-2 Zone
Baltimore County, Maryland

BEGINNING for the same at a point on the northerly right-of-way line of Gadd Road said point distant 900 feet more or less westerly from the intersection of the centerlines of Gadd Road and Falls Road running thence with said northerly right-of-way line of Gadd Road

1. North 89° 09' 00" West 591.90 feet to a point, thence leaving said north side of Gadd Road and running the three following courses and distances viz:

2. North 02° 51' 30" East 864.36 feet to a point;

3. North 83°11' 36" East 472.24 feet to a point; and

4. South 04° 55' 00" East 931.45 feet to the place of beginning.

Containing 10.9151 acres of land more or less

This description is intended for zoning purposes only and is not intended for use in conveyance of land.

STATE OF MARYLAND
JAMES EDWARD AMT
No. 18848
REGISTERED
PROFESSIONAL ENGINEER

#233

Matis Warfield, Inc.
10540 york road • suite m
hunt valley, maryland 21030
phone 410-683-7004 • fax 410-683-1798

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 14347
03-233-SPHA

DATE 11-14-02 ACCOUNT R-001-006-6150

AMOUNT $ 100.

RECEIVED FROM: Whiteford, Taylor & Preston, LLP

FOR: Residential Special Hearing & Variance Filing for 2200 Bodd Rd. fee

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTION	TIME
11/15/2002	11/14/2002	14:22:04

REG WHI WHITE JRIC JRC DRAWER 1
RECEIPT # 114346 11/14/2002 HELP
Dep 5 520 ZONING VERIFICATION
CK NO. 014587
Recpt Tot $100.00
100.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #03-233-SPHA
2200 Gadd Road
N/side Gadd Road, 900 feet west of centerline of Falls Road
8th Election District - 3rd Councilmanic District
Legal Owner(s): Anna and F. Mackey Hughes

Special Hearing: to permit a guest house without cooking facilities as an accessory use and structure, for occasional, customary and incidental lodging of personal guests, without compensation. **Variance:** to permit a non-farm accessory structure in front yard in lieu of rear yard in RC 2 zone.

Hearing: Wednesday, January 15, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 Chesapeake 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.

JT/12/834 Dec. 31 C580640

CERTIFICATE OF PUBLICATION

1/2/, 2003

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 12/31/, 2002.

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

S. Wilkinson

LEGAL ADVERTISING

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

December 10, 2002

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: 03-233-SPHA
2200 Gadd Road
N/side Gadd Road, 900 feet west of centerline of Falls Road
8th Election District – 3rd Councilmanic
Legal Owner: Anna and F. Mackey Hughes

Special Hearing to permit a guest house without cooking facilities as an accessory use and structure, for occasional, customary and incidental lodging of personal guests, without compensation. Variance to permit a non-farm accessory structure in front yard in lieu of rear yard in RC 2 zone.

Hearings: Wednesday, January 15, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon
Director

AJ:rlh

C: Dino La Fiandra, Whiteford, Taylor & Preston, 210 W. Pennsylvania Ave., #400, Towson 21204
Anna V. Hughes an F. Mackey Hughes, 2200 Gadd Road, Cockeysville 21030

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN -- APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 31, 2002.**
(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.

Printed with Soybean Ink on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 31, 2003 Issue - Jeffersonian

Please forward billing to:
Dino La Fiandra
Whiteford, Taylor & Preston
210 W. Pennsylvania Ave., #400
Towson, MD 21204

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 03-233-SPHA
2200 Gadd Road
N/side Gadd Road, 900 feet west of centerline of Falls Road
8th Election District – 3rd Councilmanic
Legal Owner: Anna and F. Mackey Hughes

Special Hearing to permit a guest house without cooking facilities as an accessory use and structure, for occasional, customary and incidental lodging of personal guests, without compensation. Variance to permit a non-farm accessory structure in front yard in lieu of rear yard in RC 2 zone.

Hearings: Wednesday, January 15, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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.

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 03-233-SPHA

Date Completed/Initials

12-10-03 PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

_____ DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

_____ TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

_____ UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

_____ COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

_____ POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

_____ RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

_____ INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

_____ ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

_____ COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

_____ FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

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: 03-233-SPHA

Petitioner: Anna Hughes, Mackey Hughes

Address or Location: 2200 Gadd Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Dino C. La Fiandra

Address: Whiteford Taylor + Preston, 210 W. Pennsylvania Ave
Suite 400, Towson MD 21204

Telephone Number: 410-832-2000

Revised 2/20/98 - SCJ

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.6.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 233 JJS

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County
Fire Department

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

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

December 11, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.: Distribution Meeting of 12/9/02

Dear Mr. Zahner:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:
224-240

233

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 11, 2002

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-231, 03-233, & 03-235**

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: Lynn Lanham

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 17, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For December 16, 2002
Item Nos. 224, 225, 228, 229, 230, 231,
232, 233, 234, 235, 236, 238, 239, and
240

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS/TJT

DATE: January 14, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of December 9, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

224, 225, 229, 233, 234, 237,239,240

BALTIMORE COUNTY, MARYLAND
ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
Inter-Office Correspondence

January 14, 2003

TO: Development Coordination

FROM: Wally Lippincott,Jr.

RE: Sph –03-233 Hughes Property

Comments:

(1) This case raises the question as to why the old residence was permitted to remain on the property while the new building was constructed.

(2) This property came before the Baltimore County Agricultural Land Preservation Advisory for a request for a tenant building. After visiting the property, it was the Board's opinion that there was insufficient agricultural activity to support a tenant use.

(3) One of the primary purposes of the RC 2 zoning is for growth management both to protect natural resources but also to limit the amount of services to be provided to the northern part of the county.

(4) Permitting residential lots such as this one to have two residential structures increases the demand for trash services, fire, police and potentially schools. Furthermore, it results in more traffic that can potentially conflict with agricultural uses.

(5) While permitting the petitioner the right for an occasional overnight use, would not be a problem, the requested limitations provide do not limit it sufficiently and do not provide for any monitoring, etc.

Recommendations:

Condition the approval upon the following:

- The permitted use of the residence is only for the petitioner (present owner) and the second residence will be removed prior to the transfer of ownership to another party.
- The petitioner will submit a report annually to the Zoning Office and the Homeowners Association annually documenting the usage.
- Specify the limits on the permitted usage. For example, no more than four nights a month or a total of no more than 48 uses a year.

c. Agricultural Advisory Board.

Wsl/develop/hughes sph233

1/8/03
LWCR

WHITEFORD, TAYLOR & PRESTON
L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
410 832-2000
FAX 410 832-2015
www.wtplaw.com

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER
10420 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044-3528
TELEPHONE 410 884-0700
FAX 410 884-0719

DINO C LA FIANDRA
DIRECT NUMBER
410 832-2081
DLafiandra@wtplaw.com

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D C 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

January 8, 2003

Mr. Arnold Jablon, Director
Baltimore County Department of Permits and Development Management
111 W. Chesapeake Ave., Room 111
Towson, Maryland 21204

Re: Zoning Case 03-233-SPHA (2200 Gadd Road)

Dear Mr. Jablon:

Enclosed please find a Notice of Withdrawal of Zoning Petitions in the above-referenced matter. There is a Zoning Commissioner's hearing in the cause scheduled for January 15, 2003 at 9:00 a.m. That hearing, quite obviously, should be cancelled.

Thank you for your attention to this matter. Should you have any questions, please contact me.

Sincerely,

Dino La Fiandra

Dino C. La Fiandra

Enclosure

C: Hon. Lawrence E. Schmidt, Zoning Commissioner
Mr. F. Mackey Hughes

JAN 9
03-0069

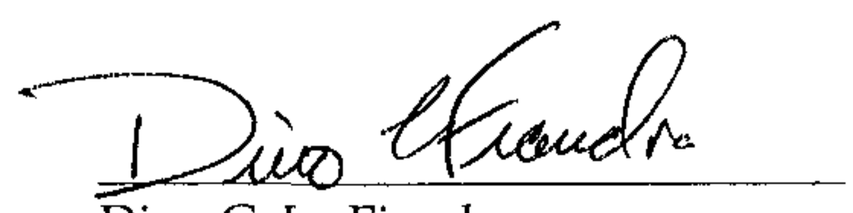
BEFORE THE ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Petitions of Anna V. Hughes and F. Mackey Hughes	*	
	*	
For the Property Located at: 2200 Gadd Road	*	Case No: 03-233-SPHA
Petition for Special Hearing Petition for Variance	*	
	*	

* * * * * * * * * * *

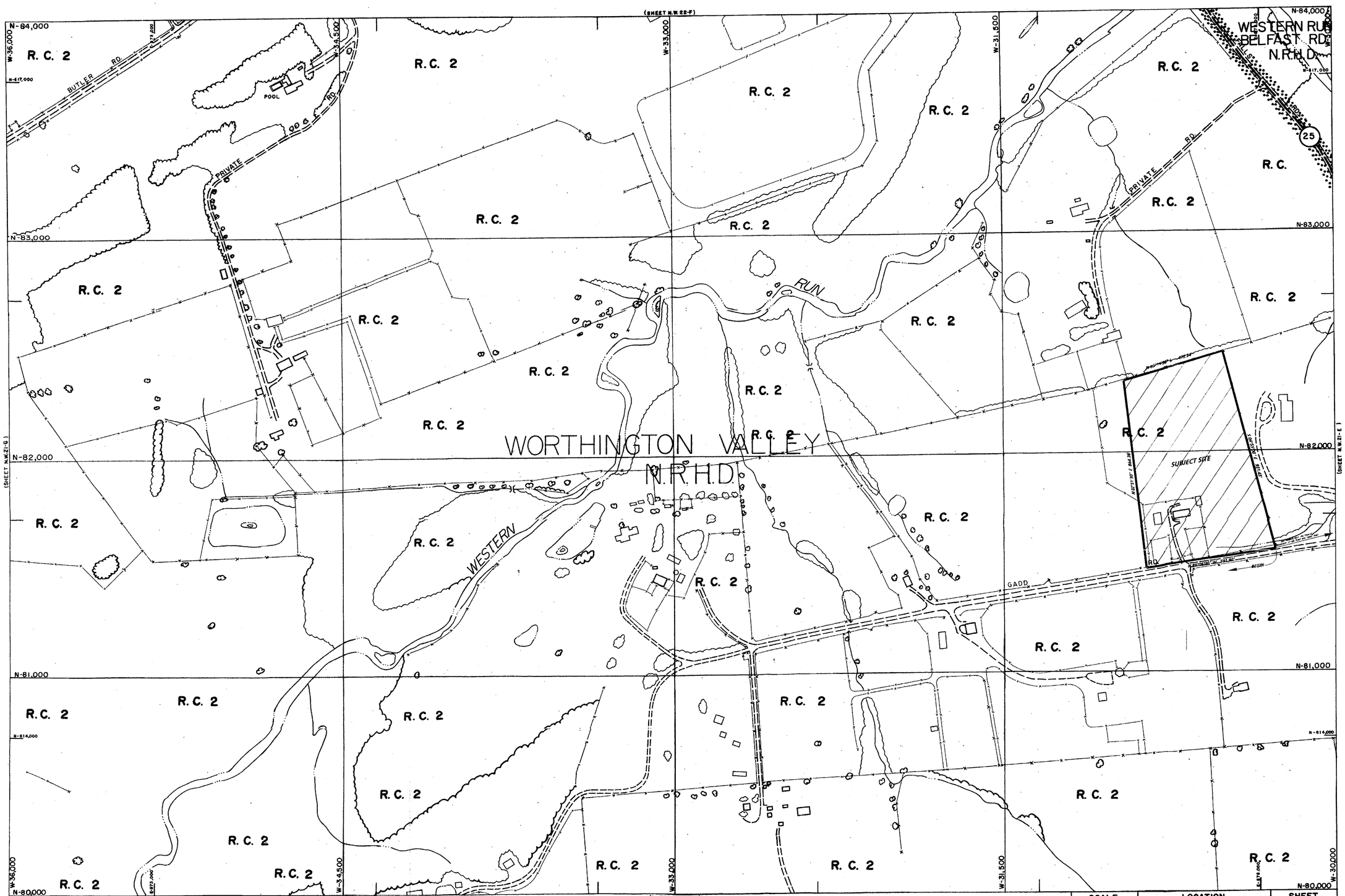
NOTICE OF WITHDRAWAL OF ZONING PETITIONS

The Petitioners, Anna V. Hughes and F. Mackey Hughes, by and through their counsel, G. Scott Barhight, Dino C. La Fiandra, and Whiteford, Taylor & Preston, L.L.P., by this Notice withdraw their petitions for Special Hearing and Variance without prejudice.



Dino C. La Fiandra
Whiteford, Taylor & Preston L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
(410) 832-2000

Attorneys for Petitioners



CC-SE
W-NE

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

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Joseph Bartenfelder
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

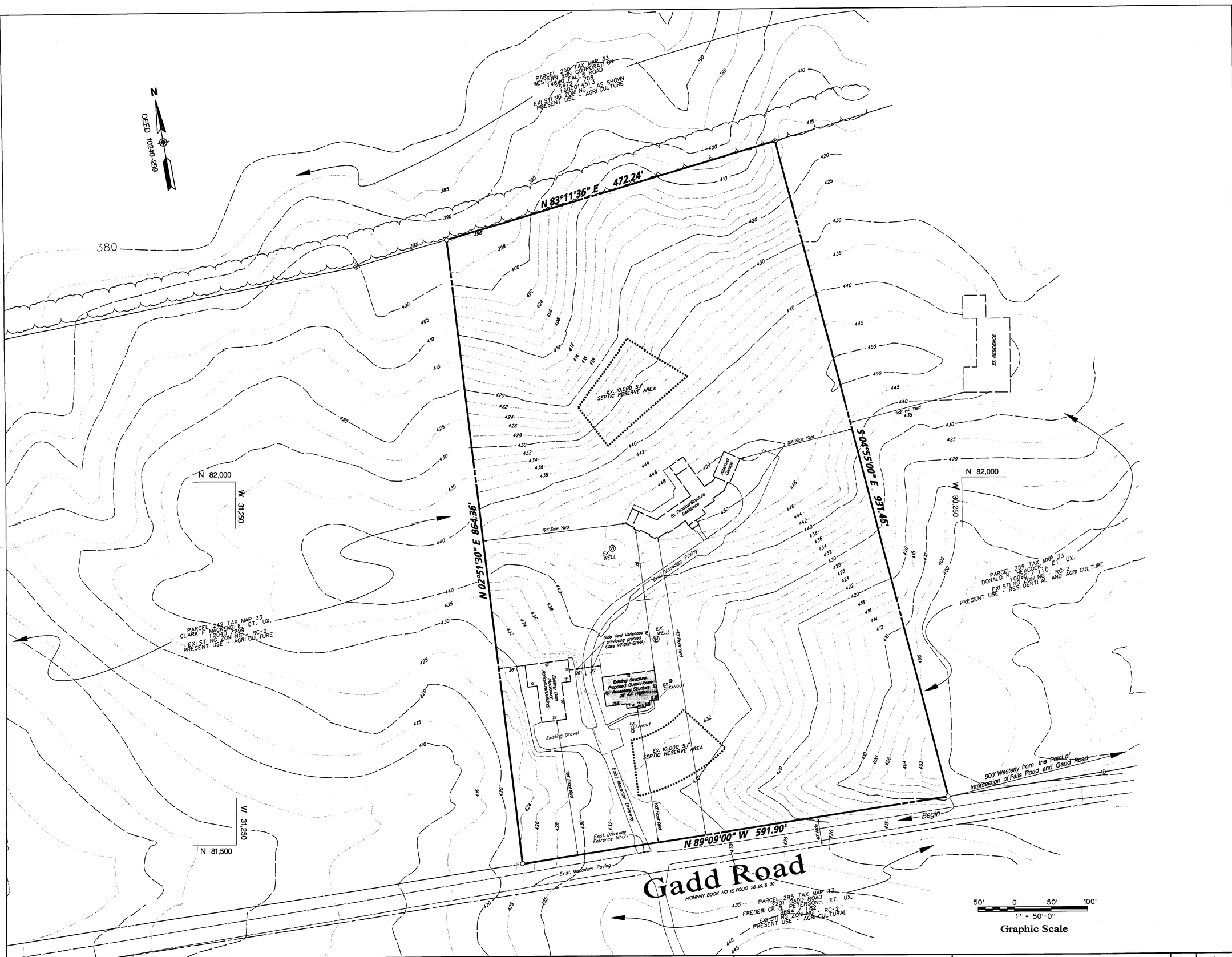
SCALE	LOCATION	SHEET
1" = 200'±	SOUTH OF BUTLER	N. W. 21-F
DATE OF PHOTOGRAPHY JANUARY 1986		

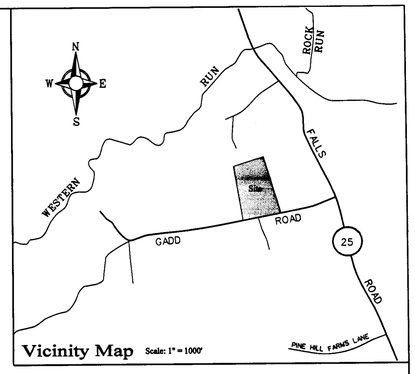
NW 21 F

STATE OF MARYLAND
HOWARD N. WEBB
No. 10848
REGISTERED
PROFESSIONAL ENGINEER

EXHIBIT TO ACCOMPANY
ZONING PETITION
NO. 2200 GADD ROAD

#233





Vicinity Map Scale: 1" = 1000'

Site Data

Net Area of Lot = 10.9151 Acres
Parcel 327 Tax Map 33
Tax Account Number 2300003560
Deed Reference: SM 14238 Folio 478
Existing Zoning RC-2
Present Use: Single Family Residence (principal building) with unoccupied structure (former principal residence) and barn (accessory agricultural building)
Proposed Use: Single family residence (principal structure) with guest house (accessory structure) and barn (accessory agricultural building). Guest House to be used for occasional, customary and incidental lodging of personal guests, for no compensation. All cooking facilities shall be removed
from the proposed guest house.
Stormwater Management - None Required- No Development Proposed
Floodplain: Property does not lie within Special Flood Hazard Area
Water and Sewage Facilities: Private facilities exist
Property is located in the Worthington Valley NRED
Prior DRC Actions: DRC 10286N 10/28/96 (Related to prior lot line adjustment)
Prior Zoning Cases Case 97-262-SPHA
which granted relief by the Zoning Commissioner for this property relating to
A 20 foot sideyard setback (40 foot building separation) between the former principal residence, now proposed guest house, and the existing accessory agricultural building (barn).
A 20 foot sideyard setback (40 foot building separation) between the former principal residence, now proposed guest house, and a former stable, now razed.
Confirmation that the 10.9 acre parcel was a legitimate farm
subject to the following:

IT IS FURTHER ORDERED that approval to confirm the continued legitimacy of the farm use on the reduced acreage of Parcel 242 (2200 Gadd Road) for a farm of 10.9 acres, be and is hereby GRANTED; and.

IT IS FURTHER ORDERED that a variance from Section 1A01.3.B.3 of the BCZR to permit side yard setbacks of 20 ft. each (40 ft. building separation) between an existing residence and existing farm buildings in lieu of the required 35 ft. (70 ft. building separation), be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner(s) shall keep no more than 10 large animals (horses) on the reduced acreage farm known as 2200 Gadd Road.

3. In the event that the Petitioner(s), or other successors in title, desire to amend/alter the site plan (Petitioners' Exhibit No. 3)) said amendment shall only be permitted through a Petition for Special Hearing.

4. In the event that the Petitioner(s), or other successors in title, wish to subdivide the property known as 2200 Gadd Road into 3 lots; said subdivision shall not be considered "minor" under the development regulations and shall require the property owner to submit its plans pursuant to the development review regulations for a major subdivision.

GEORGE E. ROBERTS
Zoning Commissioner for
Baltimore County

LES:mmn

Said zoning order was appealed to the Baltimore County Board of Appeals and an Amended Special Hearing Petition approved per the following:

O R D E R

THEREFORE, IT IS THIS 11th day of December, 1997 by the County Board of Appeals of Baltimore County

ORDERED that the appeal by People's Counsel of that portion of the Zoning Commissioner's Order dated February 20, 1997 granting the requested variances is hereby dismissed; and

IT IS FURTHER ORDERED that the Amended Petition for Special Hearing to

(A) confirm the continued legitimacy of the reduced acreage farm use, designated on Petitioners' Exhibit 3 as the 10.9 acres, plus or minus, designated as Area "A", being part of what is currently Parcel 242; and

(B) preserve the right to establish a future single residential lot for that 15.3 acres, plus or minus, designated on Petitioners' Exhibit 3 as Area "B", being part of what is currently Parcel 242; and

(C) preserve the right to subdivide the 18.9 acres, plus or minus, designated on Petitioners' Exhibit 3 as Area "C", being what is currently Parcel 198 into two lots,

BE and is hereby GRANTED, subject to the following restrictions:

1. The Petitioners shall keep no more than 10 large animals (i.e., horses) on the reduced acreage farm known as Area "A".

2. In the event that the Petitioners, or other successors in title, desire to amend/alter the site plan (Petitioners' Exhibit 3), said amendment shall only be permitted through a Petition for Special Hearing. (This condition does not, however, apply to (1) a subdivision to establish Area B, which is currently a portion of Parcel 242, as a single residential lot, or (II) to a subdivision of Area "C", which is currently Parcel 198, into two (2) residential lots, unless required by the applicable subdivision regulations.)

3. In the event that the Petitioners, or other successors in title, wish to subdivide the areas known as Area "B" as one lot, and Area "C" into two lots, said subdivision shall not be considered "minor" under the Development Regulations and shall require the property owner to submit its plans pursuant to the Development Review Regulations for a major subdivision. This condition does not apply if Area "B" is subdivided as one lot and Area "C" is subdivided as one lot.

4. That no subdivision lot density shall be transferred among Areas "A", "B" and "C".

5. That this Order and a copy of Petitioners' Exhibit 3 shall be recorded among the Land Records of Baltimore County.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Richard Sauer
Richard G. Sauer, Acting
Chairman

Harry Buckheister

Donna M. Felling

233

Matis Warfield
consulting engineers
10540 york road suite m
hunt valley, maryland 21030
phone 410-683-7004
facsimile 410-683-1798
www.matiswarfield.com

STATE OF MARYLAND
REGISTERED
PROFESSIONAL ENGINEER

Owner and Petitioner

Mackey F. Hughes
Anna V. Hughes
2200 Gadd Road
Cockeysville, Maryland 21030-1002

Special Note:
1) This plat is intended for zoning purposes only and is not intended for use in conveyance of land.
2) The property outline shown hereon was taken from a survey prepared by DuVal and Associates, PA..
3) The system of bearings shown on this plan is based on Deed 12040/299

A Special Hearing is requested pursuant to Section 500.7 BCZR to approve a Guest House without cooking facilities as an accessory use and structure in the RC-2 zone pursuant to Section 1A01.2.B.9 (BCZR) for occasional, customary and incidental lodging of personal guests, without compensation
-and-
A Variance is requested to Section 400.3 (BCZR) to permit an "non-farm" accessory structure (guest house) with a height of 25 feet in height in lieu of the 15 foot maximum permitted height in an RC-2 zone
-and-
A Variance is requested to Section 400.1 (BCZR) to permit a "non-farm" accessory structure (guest house) in the front yard in lieu of the rear yard in an RC-2 zone.

Date	Issue
10-31-02	Draft
11-7-02	FILE

Plat to Accompany Zoning Petition for Special Hearing and Variances No. 2200 Gadd Road

Baltimore County, Maryland
Scale: 1" = 50'

Election District No. 8
3rd Councilmanic District