



Baltimore County
Department of Permits and
Development Management

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

April 4, 2003

J. Carroll Holzer, P. A.
508 Fairmount Avenue
Towson, MD 21286

Dear Mr. Holzer:

RE: Case Number: 03-255-SPH, 19503 Cameron Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 22, 2002.

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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: W. Talbot Daley 19503 Cameron Mill Road Parkton, MD 21130
People's Counsel

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

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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 23, 2002
Item Nos. 241, 243, 244, 245, 246, 248,
249, 250, 251, 252, 253, 254, 255, 256,
and 269

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

RWB:CEN:jrb

cc: File

ZAC-12-23-2002-NO COMMENT ITEMS-01/17/2003



Maryland Department of Planning

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary

Mary Abrams
Deputy Secretary

December 20, 2002

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

Re: Zoning Advisory Committee Agenda, 12/23/02 re: case numbers 03-241-SPHXA, 03-242-SPH, 03-243-A, 03-244-A, 03-245-A, 03-246-SPHX, 03-247-A, 03-248-SPHA, 03-249-A, 03-250-SPHXA, 03-251-A, 03-252-A, 03-253-A, 03-254-A, 03-255-SPH, 03-256-A, 03-269-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/19/02. 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,

A handwritten signature in black ink, reading 'James R. Gatto'.

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.17.02

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

RE: Baltimore County
Item No. 255 JRF

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,

1- 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 19, 2002

ATTENTION: George Zahner

Distribution Meeting of 12/23/02

Property Owner:

Location:

Item No.:

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:

255

242-249, 251-269

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

cc: File

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



Baltimore County
Department of Permits and
Development Management

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

February 20, 2003

J. Carroll Holzer, P. A.
508 Fairmount Avenue
Towson, MD 21286

Dear Mr. Holzer:

RE: Case Number: 03-255-SPH, 19503 Cameron Mill Road

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If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: W. Talbot Daley 19503 Cameron Mill Road Parkton, MD 21130
People's Counsel

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

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on Recycled Paper

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 23, 2002
Item Nos. 241, 243, 244, 245, 246, 248,
249, 250, 251, 252, 253, 254, 255, 256,
and 269

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RWB:CEN:jrb

cc: File

ZAC-12-23-2002-NO COMMENT ITEMS-01172003



Baltimore County
Department of Permits and
Development Management

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

January 17, 2003

J. Carroll Holzer
508 Fairmount Avenue
Towson, MD 21286

Dear Mr. Holzer:

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The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 22, 2003.

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.

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Very truly yours,

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W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
W. Talbot Daley, 19503 Cameron Mill Road, Parkton 21120

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

THIS PETITION WAS WITHDRAWN (SEE RELIEF GRANTED IN ZONING CASE # 2003-0508-SPH)





Maryland Department of Planning

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary

Mary Abrams
Deputy Secretary

December 20, 2002

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

Re: Zoning Advisory Committee Agenda, 12/23/02 re: case numbers 03-241-SPHXA, 03-242-SPH, 03-243-A, 03-244-A, 03-245-A, 03-246-SPHX, 03-247-A, 03-248-SPHA, 03-249-A, 03-250-SPHXA, 03-251-A, 03-252-A, 03-253-A, 03-254-A, 03-255-SPH, 03-256-A, 03-269-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/19/02. 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,

A handwritten signature in black ink that reads 'James R. Gatto'.

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.17.02

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

RE: Baltimore County
Item No. 255 JRF

Dear Mr. Zahner:

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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,

1- Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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Fire Department

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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 19, 2002

ATTENTION: George Zahner

Distribution Meeting of 12/23/02

Property Owner:

Location:

Item No.:

Dear Mr. Zahner:

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

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242-249, 251-269

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

cc: File

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

COPY

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
19503 Cameron Mill Rd; NE & SW of * ZONING COMMISSIONER
Cameron Mill Rd @ Walker Rd *
7th Election District * FOR
3rd Councilmanic District * BALTIMORE COUNTY
Legal Owner(s): W. Talbot Daley *
Petitioner(s) * 03-255-SPH

* * * * *

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

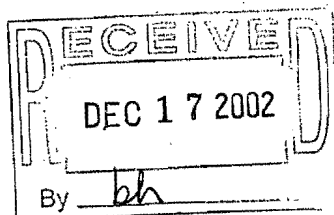
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of December, 2002, a copy of the foregoing

Entry of Appearance was mailed to J. Carroll Holzer, 508 Fairmount Avenue, Towson, MD

21286, Attorney for Petitioner(s).



Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 19503 Cameron Mill Rd. Parkton MD
which is presently zoned RG4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

see attached

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

J. Carroll Holzer, P.A.
508 Fairmount Ave.
Towson, MD 21286

City

State

Zip Code

410-825-6961
Telephone No.

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 03-255-SPH

Reviewed By JRF Date 11-22-02

Property History

Cameron Mill is a 5.6+/- acre historic site that was listed with the Landmarks Preservation Committee in 1977. The 275+/- acreage surrounding the house was proposed for development in 1990. Before the Community Review Group (CRG) could take final action on the plan for development, the plan was referred to the Planning Board because the development plan erroneously stated that there were no historical areas on the property. Recommendations were adopted by the Planning Board at their December 6th, 1990, meeting--based on a memo from David Fields, Office of Planning (Exhibit A). In 2002, the Petitioners/Owners of Lot 50 restored the house and following the Planning Board's decision placed a parking pad on the 1.2 acres across from the house. Department of Environmental Protection and Resource Management (DEPRM) has cited the owners for violating forest buffer regulations by having the parking pad across the road from the house.

The Planning Board's memo was based on recommendations from the various county agencies involved, including DEPRM. Among other things, the recommendations included: Enlarging Lot 50 to include 1.2 acres on the west/south side of Cameron Mill Road, "The additional acreage across the road (the very parcel that DEPRM is laying claim to) would give the owner of the house full control over most of the other foundations (outside the road right-of-way) and allow for a parking garage or pad which could not easily be accommodated on the steep hillside at the house." Indeed in a newspaper article dated December 13, 1990 "DEPRM concurred that a larger lot was needed to prevent the likely grading of a steep hillside where the miller's house now is nestled." (Exhibit B) The enlargement would also be consistent with the estimated "5 acres in vicinity of house" entered on the Landmarks List nomination form (Exhibit C).

The Planning Board's decision was upheld by the County Board of Appeals and again upheld in an opinion and order of the Circuit Court for Baltimore County on August 12, 1992 (Exhibit D). Subsequently, the CRG Plan that was drawn reflected the Planning Board's decision showing that the 5.6+/- acreage of the Cameron Mill House and adjoining property were not part of the Cameron Mill Development and was placed on the CRG Plan for density purposes only (Exhibit E). However, the 1992 Final Development Plan (FDP) (Exhibit I) erroneously added Lot 50 into the Plan and placed forest buffer easements on the historic property which was reflected in the final recording of the Plat (Exhibit G).

Attached Exhibits

- Exhibit A: Planning Board's Decision
- Exhibit B: Newspaper Article dated December 13, 1990
- Exhibit C: Landmarks List Nomination Form
- Exhibit D: Circuit Court Opinion
- Exhibit E: 1991 Community Review Group Plan
- Exhibit F: 1997 Final Development Plan
- Exhibit G: 1994 Final Subdivision Plat

Exhibit H: Amended 1996 Community Review Group Plan
Exhibit I: Original 1992 Final Development Plan
Exhibit J: Deed from Ruth Ann De Soto to Martin and Connie Hart
Exhibit K: Section 14-340 (b) of DEPRM's regulations
Exhibit L: Board of Appeals' decision of August 12, 1992

Questions

1. How can the intent of the Planning Board's decision be carried out if the Petitioner/Owner loses control of their land to DEPRM and the forest buffer easements arbitrarily placed on the land in question? (See Exhibit A)
2. How can the County Board of Appeals' decision be upheld if DEPRM's regulations supersede the Planning Board's decision, the County Board of Appeals' decision and the opinion of the Circuit Court for Baltimore County? (See Exhibit L)
3. How can the County Code's preservation requirements and recommendations be carried out for Lot 50 which is listed on the County's Landmarks Preservation List and the State's Historical Trust, if DEPRM is laying claim to forest buffer restrictions that have been mistakenly placed on the land by the arbitrary movement of the forest buffer line? (See Exhibits A & C; BCC, Sec. 26-278)
4. If Lot 50 was retained separately by Ruth Ann DeSoto, was shown as a cross-hatched area on the 1991 CRG Plan, was specifically stated as NOT being part of the CRG Plan, and was referred to as "saving Lot 50" in the recorded paperwork between Ruth Ann DeSoto and the Cameron Mill Partnership, how can Lot 50 be part of the Cameron Mill Development other than for density purposes? (See Exhibit E)
5. If Lot 50 was never conveyed from Ruth Ann DeSoto to the Cameron Mill Partnership as part of the Cameron Mill Development, how can Lot 50 fall under forest buffer requirements for subdivisions? (See Exhibit J)
6. If the 1991 CRG Plan states that Lot 50 is NOT part of the CRG Plan and is only on the CRG Plan as a cross hatched area for density purposes how can it arbitrarily be added to the FDP in 1992 and not reflect the original CRG Plan? (See Exhibit E & I)
7. If the forest buffer boundary arrow on the 1991 CRG Plan points to the road-widening line to the west of Lot 50 and does not cross over into Lot 50, how can the forest buffer boundary arbitrarily be extended across and through Lot 50 when the FDP was created in 1992? (See Exhibit E & I)
8. If the 1996 CRG Plan (Exhibit H) shows a material change to the plan, which was amended to subdivide Lot 53 into two parcels and supposedly shows Lot 50 placed onto this amended CRG Plan—but without the 1.2 acres on the south/west side of

Cameron Mill Road--now as part of the Plan, how could a **material** change have been made without a CRG hearing?

9. How is it that the legal description of the land recorded includes the 1.2 acre parcel on the south/west side of Cameron Mill Road, but when the CRG Plan was amended in 1996 the 1.2 acre parcel no longer is shown as part of the total 5.6 +/- acre parcel belonging to the owners and is in fact shown on the CRG Plan as being placed into the H.O.A. Resource Conservation Area? (See Exhibit H)
10. If Lot 50 was placed on the CRG Plan in 1996 when it was amended, why does the 1992 FDP and the Final Subdivision Plat recorded in 1994 already reflect the change 2-4 years prior to the amended 1996 CRG Plan? (Exhibits H, I & G)
11. Because of the arbitrary change to the 1992 FDP that ultimately places the land into forest buffer easement, how can the owners carry out the Planning Board's decision? (See Exhibit A & I)
12. If the amended 1996 CRG Plan, which supposedly shows Lot 50 as now being part of the Plan and states that no lot was sold within 300' of the amendment, how can the filing of the amended CRG, FDP and final plat be legal as Ruth Ann DeSoto sold Lot 50 to Martin and Connie Hart in 1995 (Exhibits H & J)?
13. By placing Lot 50 into the 1996 CRG Plan without following the process, were the owners of Lot 50 denied due process? It was only after the first owners bought Lot 50 in 1995 did it become part of the 1996 CRG Plan. (See Exhibit H)
14. The Planning Board's binding decision, that was upheld by the County Board of Appeals and the Circuit Court of Baltimore County, states that "Fulfilling the County Code's preservation requirements involves not only the miller's house but also its related structures and its overall setting. The architectural merit of the structure and its association with a once-thriving rural industry are reinforced by its dramatic location perched on the steep hillside amidst the mature trees over-arching the narrow road. The roadside springhouse and the foundation walls of the mill, jutting towards the road intersection are equally integral, supporting elements of the site's distinctive rural character." How can the owner's of Lot 50 fulfill the County Code's preservation requirements if the land has arbitrarily been placed into forest buffer easement--which apparently overrides the County Code's preservation requirements and the Planning Board's decision? (See Exhibits A, D & L; also see BCC Sec. 26-278)
15. How could land arbitrarily be placed back into a CRG Plan where DEPRM regulations suddenly apply negating the Planning Board's binding decision that was upheld by the County Board of Appeals?
16. Shouldn't the Final Development Plan and the Final Recorded Plat concur with the CRG Plan? (See BCC)

17. If according to the 1991 CRG Plan, Lot 50 was never intended to be in the forest buffer easement and was erroneously placed there against the Planning Board's decision that was upheld by the County Board of Appeals and the Circuit Court, shouldn't an amended Final Development Plan and Final Recorded Plat and a new CRG Plan be filed to reflect the original intent of the Planning Board's decision? (See Exhibits A, D, E & L)
18. On the FDP it states that it has the CRG's 3/14/91 approval but how can the FDP not reflect what the CRG approved in 1991? (See Exhibits E & I)
19. Section 14-340 (b) of DEPRM's regulations (Exhibit K) state "If an applicant retains any forest buffer, he shall be required to submit for approval by the office of law a declaration of protective covenants. The protective covenants shall be recorded in the land records of the county, and shall run with the land and continue in perpetuity." The protective covenants as required by law were never filed with the Land Records of Baltimore County. Does this failure negate DEPRM's ability to impose conditions on the Petitioners/Owners?
20. If on 9/12/02 Eric Rockel of Baltimore County Department of Land Acquisition, after researching the matter, called the Petitioner/Owner to state that the land in question was never conveyed to Baltimore County, how can DEPRM lay claim to it?
21. In view of the fact that DEPRM is allowing two large parking pads for the State of Maryland for the NCR Trail that is in violation of wetland and forest buffer regulations, and is partially on the owner's land that is even closer to the Little Falls Stream than the small parking pad that is in question, does it not appear that the County has not applied any of it's standards to the State parking lots, and does it negate the County enforcing the standards against the Petitioner/Owner?
22. Is the application of these standards against the Petitioner/Owner but not the State an arbitrary and discriminatory application against the Petitioner/ Owner in violation of due process rights?