ORIDER RECEIVED FOR FILING

IN RE: PETITION FOR VARIANCE

N/S Maplehurst Lane, 3,120' E of the c/l

Hereford Road

(1016 Maplehurst Lane)

7th Election District

3rd Council District

Leonard N. Ziegler, et ux, Owners; RHK Builders, Contract Purchasers

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 03-382-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Leonard N. and Emma Elizabeth Ziegler, and the Contract Purchaser, RHK Builders, by Robert Krieger. The Petitioners request a variance from Section 1A08.6.B(5)(b) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a principal building, well or use to be situated less than 300 feet from adjacent cultivated or pastured property so used during the previous three years. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked as Petitioner's Exhibit 1. An amended site plan was submitted at the hearing and marked into evidence as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the request were Robert H. Krieger, Contract Purchaser/Builder, Guy C. Ward on behalf of McKee & Associates, Inc., the consultants who prepared the site plan, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

The subject property under consideration is an irregular shaped parcel located on the north side of Maplehurst Lane, not far from Hereford Road and Monkton Road in northern Baltimore County. The property contains a gross area of 7.875 acres, more or less, split zoned R.C.5 (4.886 acres) and R.C.7 (2.989 acres). Presently, the site is improved with a single family dwelling and accessory shed, both of which will be razed to allow the proposed improvements.

Vehicular access to the property is by way of Maplehurst Lane, a small lane that accesses the site from Hereford Road.

As noted above, RHK Builders has contracted to buy the property and proposes to redevelop same with three single-family dwellings. As shown on the site plan, the minor subdivision as proposed will result in two lots being located on the R.C.5 zoned portion of the property and one lot in the R.C.7 zone. The plan also shows that improvements will be made to Maplehurst Lane along the frontage of the property to provide appropriate vehicular access.

No one appeared in opposition to the request; however, a Zoning Advisory Committee (ZAC) comment was received from the Office of Planning in which they recommended a reorientation of the dwellings. Specifically, it was recommended that the three dwellings be oriented to face Maplehurst Lane and that certain landscaping be installed to buffer the houses on Lots 2 and 3. The Planning Office also requested that the internal driveway leading into the site from Maplehurst Lane be shown.

The Petitioners submitted an amended plan incorporating these recommendations. That plan has been marked as Petitioner's Exhibit 2 and shows that the houses on Lots 1 and 2 have been reoriented to face Maplehurst Lane. The house on Lot 3, which is located towards the rear of the property, remains as proposed; however landscaping has been installed. Additionally, the revised plan depicts the proposed driveway access improvements.

Based upon the testimony and evidence presented, I am persuaded that relief should be granted and that the Petitioner has met the requirements set forth in Section 307 of the B.C.Z.R. The amendments to the plan appear appropriate and resolve the issues raised by the Office of Planning. The plan also shows the adjacent agricultural use property owned by Frederick V. and Shirley A. Clement. There appears to be existing screening along that property line which will buffer the new houses from that parcel. Additionally, as noted above, Maplehurst Lane will be improved along the property's frontage to provide better access to these lots. It is clear that relief can be granted and that there will be no detrimental impacts to adjacent properties or the health, safety or general welfare of the surrounding locale.

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 Zoning and May 2003 that the Petition for Variance seeking relief from Section 1A08.6.B(5)(b) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a principal building, well or use to be situated less than 300 feet from adjacent cultivated or pastured property so used during the previous three years, in accordance with the revised site plan marked as Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until 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.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING Date By

3



Petition for Variance

is the subject of this Petition.

Cockeysville, Maryland

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

21030

OFFICE USE ONLY

State

Zip Code

to the Zoning Commissioner of Baltimore County

f	or the property located at	1016 Maplehur	st Lane
	which is	presently zoned	RC-5/RC-7

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)

Section 1A08.6.B (5) (b) TO BE SITUATED LESS THAN 300' FROM ADJACENT DURING THE PREVIOUS 3 YEARS.

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

* Please see attached

State

Case No. 03-382-A

Contract Purchaser/Lessee:

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.

Legal Owner(s): Robert Krieger Emma Elizabeth Ziegler RHK Builders Name - Type or Print Name - Type,or Print 16017WWWD Signature Signature (410) 308-8781 2015 Dumont Road Leonard N. Ziegler Address Telephone No. Namer Type or Print 21093 Timonium, Maryland lowari City State Zip Code Signature 13801 York Road, Suite R-2 Attorney For Petitioner: Address Telephone No. Cockeysville, Maryland 21030 Name - Type or Print City **State** Zip Code Representative to be Contacted: Signature Guy C. Ward McKee and Associates, Inc. Company Name (410) 527-1555 5 Shawan Road, Suite 1 Address Telephone No. Address Telephone No.

City

Reviewed By ______ CTM

Zip Code

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City

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Attachment 1 Petition for Variance

Case Num	ber	——————————————————————————————————————
		
Address:	1016 Maplehurst Lane	E. N. 37
Legal Own	er(s): Emma Elizabeth Ziegler	, Carlon M. Ziegler

Petitioner: RHK Builders

Present Zoning: RC-5 / RC-7

Petition for Variance from Section:

1A08.6.B (5) (b) Building setbacks. Any principal building or well constructed, or any use that may be in conflict with any permitted agricultural operation, in an R.C.7 Zone must be at least 300 feet from any adjacent property that was cultivated or used for pasture during the three previous years, ...

A variance of the principal building or well setback from any adjacent property that was cultivated or used for pasture during the three previous years is requested to be reduced from 300 feet to 100 feet.

Justification:

The RC-7 runs diagonally across and extends into the subject property a maximum of only 380 feet at the North side of the property and into the property only 40 feet near the at the Southern property lines. A practical difficulty is created because:

- The orientation of the zone line to the property line, in conjunction with other required zoning setbacks and required forest conservation easement setbacks, leave no building envelope in the RC7 portion of the property.
- 2. For any other such reasons that will be presented at the hearing on this Petition.

FOR ADDITIONAL INFORMATION ON THIS PETITION PLEASE CONTACT:

Guy C. Ward, R.S., Associate

McKee & Associates, Inc

Engineering, Surveying, Land Planning, Real Estate Development Shawan Place, 5 Shawan Road, Suite 1, Hunt Valley, MD 21030 Tel: (410) 527-1555 Fax: (410) 527 1563 E-Mail: mckee@qis.net

77 382

Zoning Description for Ziegler Property

Beginning at a point on the centerline of Maplehurst Lane which is 18 feet, +/-, wide at a distance of 3120 feet +/- east of the centerline of the nearest improved intersecting street, Hereford Road, which is 20 feet +/- wide. As recorded in deed liber 5079/80, thence running for the four bearings and distances as follows:

- 1. South 81 degrees 58 minutes 00 seconds East 572.00 feet,
- 2. North 06 degrees 57 minutes 00 seconds East 638.16 feet,
- 3. North 89 degrees 39 minutes 00 seconds West 575.91 feet,
- 4. South 06 degrees 57 minutes 00 seconds West 561.03 feet, feet to the place of beginning containing 343,035 S.F.+/-, or 7.875 acres,+/-.

Also known as 1016 Maplehurst Lane and located in the 7th Election District, 3rd Councilmanic District.

HOLICE OF ZOMBIG HEMBING

authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in <u>Towson</u>. Maryland on the property identified herein as follows:

Case: #03-382-A

1016 Maplehurst Lane
1016 Maplehurst Lane and northside of Maplehurt Lane east approximately 2,500 feet of centerline of Hereford Road

7th Election District - 3rd Councilmanic District
Legal Owner(s): Emma Elizabeth and Leonard N. Ziegler Contract Purchaser: Robert Krieger, RHK Builders

Variance: to permit a principal building, well or use to be situated less than 300 feet from adjacent cultivated or pastured property so used during the previous 3 years.

Hearing: Monday, May 5, 2003 at 2:00 p.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.

4/259 April 17

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

☐ North County News	☐ NE Booster/Reporter	Owings Mills Times	☐ Towson Times	☐ Catonsville Times	☐ Arbutus Times	🔼 The Jeffersonian
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LEGAL ADVERTISING

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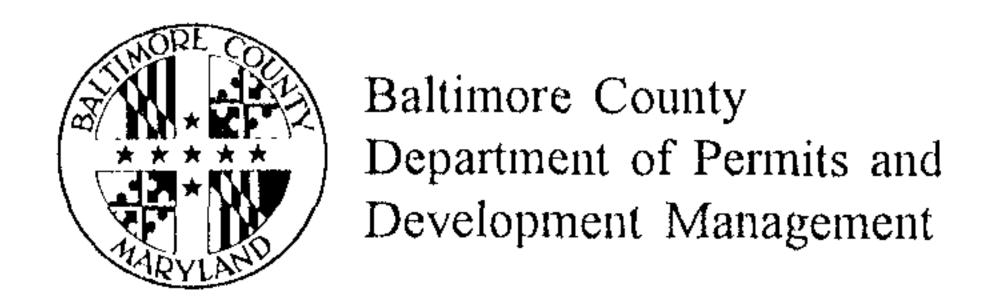
YELLOW - CUSTOMER

PINK - AGENCY

WHITE - CASHIER

CERTIFICATE OF POSTING

		Date: 4/17/03
RE:	Case Number 03-382-A	
	Petitioner/Developer: Emma Elizabeth	and Leonard N. Ziegler:
	Date of Hearing/Closing: Monday, May	7 5, 2003
vere		f perjury that the necessary sign(s) required by lav
vere	posted conspicuously on the property I	ocated at
- 		
	The sign(s) were posted on	4/17/03
		(Month, Day, Year)
		Di Laurence Pilson
		(Signature of Sign Poster)
		J. Lawrence Pilson, R.S.
		(Printed Name of Sign Poster)
		5 Shawan Road, Suite 1
	高 2 年 (本 (本) ままず () () () () () () () () () ((Street Address of Sign Poster)
		Cockeysville, MD 21030
		(City, State, Zip Code of Sign Poster)
		(410) 527 - 1555
		(Telephone Number of Sign Poster)



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

Fax: 410-887-5708

March 14, 2003

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: 03-382-A

1016 Maplehurst Lane

1016 Maplehurst Lane and northside of Maplehurst Lane east approximately 2,500 feet of centerline of Hereford Road

7th Election District – 3rd Councilmanic District

Legal Owners: Emma Elizabeth and Leonard N. Ziegler

Contract Purchaser: Robert Krieger, RHK Builders

<u>Variance</u> to permit a principal building, well or use to be situated less than 300 feet from adjacent cultivated or pastured property so used during the previous 3 years.

Hearings: Monday, May 5, 2003 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon

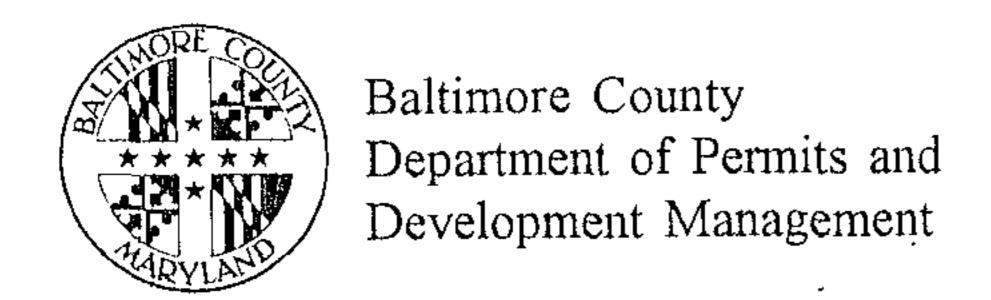
Director

AJ:rlh

C: Leonard and Emma Elizabeth Ziegler, 13801 York Road, Suite R-2, Cockeysville 21030 Robert Krieger, RHK Builders, 2015 Dumont Road, Timonium 21093 Guy C. Ward, McKee and Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville, 21030 Howard L. Alderman, Nottingham Centre, 8th Floor, 502 Washington Avenue, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 19, 2003.

- (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.



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

Fax: 410-887-5708

March 6, 2003

NOTICE OF ZONING HEARING

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7th Election District – 3rd Councilmanic District

Legal Owners: Emma Elizabeth and Leonard N. Ziegler

Contract/Purchaser: Robert Krieger RHK Builders

Variance to permit a principal building, well or use to be situated less than 300 feet from adjacent cultivated or pastured property so used during the previous 3 years.

Hearings:

Wednesday, April 23, 2003 at 11:00 a.m. in Room 106, County Office Bldg.,

111 W. Chesapeake Avenue

Arnold Jablo

Director

AJ:klm

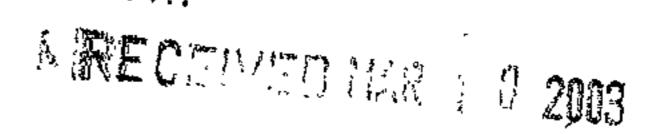
C: Leonard and Emma Elizabeth Ziegler, 13801 York Road, Suite R-2, Cockeysville 21030 Robert Krieger, RHK Builders, 2015 Dumont Road, Timonium 21093

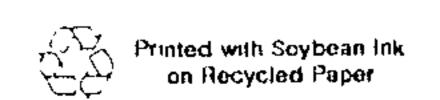
LGuy C. Ward, McKee and Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville, 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 8, 2003.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





TO: PATUXENT PUBLISHING COMPANY

Thursday, April 17, 2003 Issue - Jeffersonian

Please forward billing to:

RHK Builders 2015 Dumont Road Timonium, MD 21093

410-308-8781

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401 Bosley Avenue

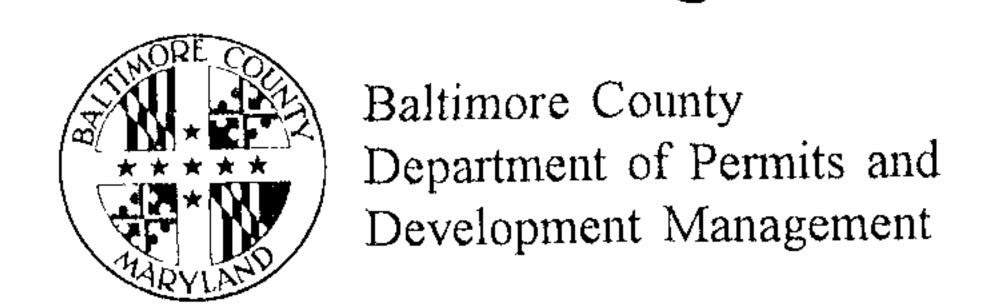
LAWRENCE E. SCHMIDT

The state of the s

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

Fax: 410-887-5708

March 6, 2003

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Arnold Jable

AJ:klm

Director

C: Leonard and Emma Elizabeth Ziegler, 13801 York Road, Suite R-2, Cockeysville 21030 Robert Krieger, RHK Builders, 2015 Dumont Road, Timonium 21093 Guy C. Ward, McKee and Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville, 21030

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(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, April 8, 2003 Issue - Jeffersonian

Please forward billing to:

RHK Builders 2015 Dumont Road Timonium, MD 21093

410-308-8781

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Hearings: Wednesday, April 23, 2003 at 11:00 a.m. in Room 106, County Office Bldg.,

111 W. Chesapeake Avenue

LAWRENCE E. SCHMIDT

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ZONING COMMISSIONER FOR BALTIMORE COUNTY

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OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

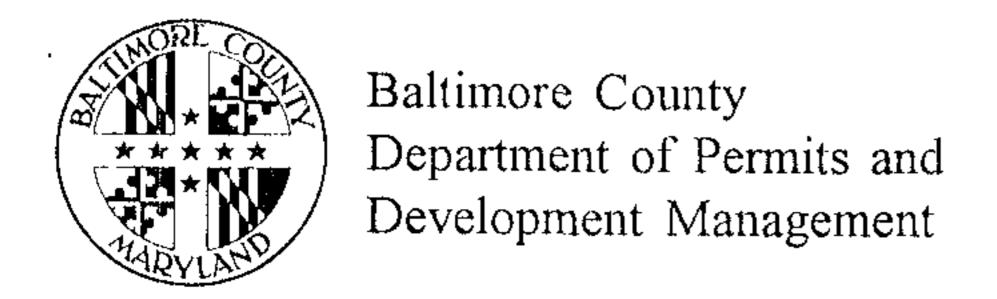
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

or Newspaper Advertising:									
tem Number or Case Number: <u>03-387-A</u> Petitioner: <u>PHK Burubers</u>									
Address or Location: 1016 MAPUT TURST LANE	Monkton Mp 21111								
PLEASE FORWARD ADVERTISING BILL TO:									
Name: PHK PUILDERS									
Address: 2015 DUMONT ROM	Var. di la comprese programa de la comprese de la 								
TIMUNIUM MD -21093									
Telephone Number: 40308 8181	•								



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

April 18, 2003

Emma Elizabeth Ziegler Leonard N. Ziegler 13801 York Road, Suite R-2 Cockeysville, MD 21030

Dear Mr. and Mrs. Ziegler:

RE: Case Number: 03-382-A, 1016 Maplehurst Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 20, 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.

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

Very truly yours,

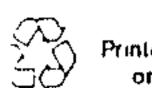
W. Carl Richards, Jr. Supervisor, Zoning Review

U. Callibal)

WCR:klm

Enclosures

c: People's Counsel Robert Krieger, RHK Builders, 2015 Dumont Road, Timonium 21093 Guy C. Ward, McKee & Associates, 5 Shawan Road, Ste. 1, Cockeysville 21030





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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

March 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 3, 2003

Item No.: 359, 369, 370, 374-380, 382, 383, 386

Dear Ms. Hart:

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.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



MARTAND DEPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., Governor · Michael S. Steele, Lt. Governor · Trent M. Kittleman, Acting Secretary

Date: 3.4.07

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

RE:

Baltimore County

Item No. 382

LTM

Dear. Mr. Zahner:

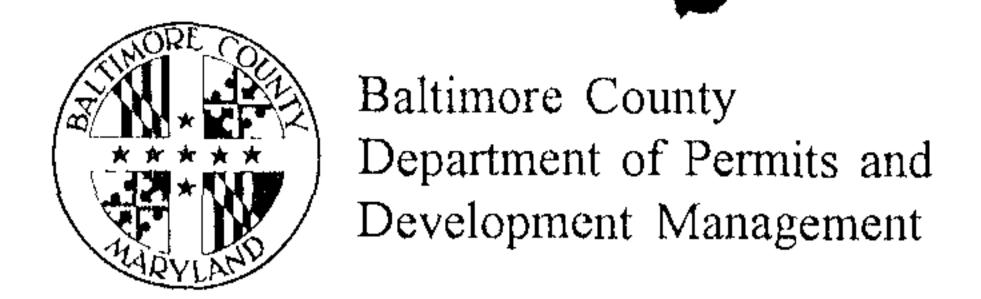
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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,

A

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



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

Fax: 410-887-5708

March 13, 2003

Mr. Guy Ward McKee & Associates 5 Shawan Road, Suite 1 Cockeysville, MD 21030

Dear Mr. Ward:

RE: Case Number: 03-382-A

The above matter, previously scheduled for April 23, 2003, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

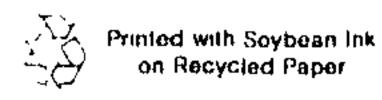
Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters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

Very truly yours,

Arnold Jablon Director

AJ:rlh

C: Howard L. Alderman, Nottingham Centre, 8th Floor, 502 Washington Avenue, Towson 21204
Leonard and Emma Ziegler, 13801 York Road, Suite R-2, Cockeysville 21030 Robert Krieger, RHK Builders, 2015 Dumont Road, Timonium 21093



BALTIMORE COUNTY, MARYLAND ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Memorandum

February 19, 2003

TO:

Guy Ward

FROM:

Wally Lippincott, Jr.

RE:

Interpretation of 1A08.6.B.5.b

This memo is in response to your request for a comment on Sec 1A08.6.B.5.b. of the Zoning Code as it pertains to the development plan that you will be submitted for a Special Hearing. I recommend that you consult also with the Planning Office that prepared this zoning regulation.

BCZR Sec 1A08.6.B.5.b. states "Any principal building or well constructed, or any use that may be in conflict with any permitted agricultural operation, in an RC 7 Zone must be at least 300 feet from any adjacent property that was cultivated....."

Residential uses in close proximity to active agricultural operations present a potential for conflict between the two uses. For example, certain agricultural chemicals that are routinely used have labels that advise against using the chemicals within a certain distance of a well used for residential purposes. Another example is when chemicals are applied through sprayers, there may be drift or the perception of drift onto an adjacent property. Also a commercial livestock operation is going to produce manure that will result in odors and some flies.

Placing residential and other associated uses such as playgrounds, picnic areas, ball fields, and tot lots adjacent to intensive agricultural uses increases the potential for conflict with the attributes of commercial agriculture.

c. Lynn Lanham
Wsl/develop/rc 7 ag serbacks

Post-it* Fax Note	7671	Date 2	# of pages
To Guy (1)	and	Front)	mus 5-101
Co./Dept. Price	le Cara	Co.	
Phone #		Phone #	
Fax# 527-	- 156.	Fax#	

4/22

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 6, 2003

RECEIVED

ZONING COMMISSIONER

TO: Arnold Jablon, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 1016 Maplehurst Lane

INFORMATION:

Item Number: 03-382

Petitioner: Emma Elizabeth Ziegler

Zoning: RC 5/RC 7

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit a principal building, well or use to be located less than 300 feet from an adjacent cultivated or pasture property contingent upon the following:

- 1. Orient all proposed dwellings to face Maplehurst Lane.
- 2. Install an opaque landscape screen along the side property line separating lots 2 and 3. Said screening shall begin on line with the front building line of the proposed dwelling on lot 2 and shall terminate no less than the front building line of the proposed dwelling on lot 3. The opaque screening shall consist of a combination of evergreen and deciduous trees.
- 3. Indicate the driveway location for all lots.

Section Chief:

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: March 14, 2003

TO:

Arnold Jablon, Director

Department of Permits &

Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 10, 2003

Item Nos. 359, 369 REVISED, 370 REVISED, 372, 373, 374, 375; 376, 377, 378, 379, 380, 381, 382, 383, and 386

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE * BEFORE THE

1016 Maplehurst Lane; Nside Maplehurst Ln
E approx 2,500' of ctrline Hereford Road * ZONING COMMISSIONER

7th Election and 3rd Councilmanic Districts
Legal Owner(s): Emma E.& Leonard Ziegler*
Contract Purchaser(s): RHK Builders,
Robert Krieger * BALTIMORE COUNTY
Petitioner(s)

* 03-382-A

* * * * * * * *

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

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 ______ day of March 2003, a copy of the foregoing Entry of Appearance was mailed to, Guy C. Ward, McKee & Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville, MD 21030, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



Towson Office 409 Washington Avenue Legal Advertising Ph: 410-337-2425

FAX: 410-825-4278

Susan Wilkinson Ext. 3425
Ellen Harris Ext. 3418
Inez Watson Ext. 3432
Kim Andrulonis Ext. 3512
Kathy Conahan Ext. 3417
Sue Thomas Ext. 3513

410 887 5708

VERIFICATION OF CANCELLATION

o: Pecky Ho	urt/20nn		
Ad No.			<u> </u>
invoice No.		Run Dates:	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Property No.	03-382-A	K-16060	ders 1016 maplehurst (N
Amount Owe	d: <u>(</u>)		
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Your written verif	ication is necessary	in order to st	op charges on this ad.
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April 28, 2003

RECEIVED

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

MAY - 7 2003

ZONING COMMISSIONER

Re:

Zoning Hearings - 1016 MapleHurst Lane

Location: Council District 3, Room 407, County Courts Building, 401 Bosley Avenue,

Date/Time: 05/05/2003 2:00 PM

CASE NUMBER: 03-382-A 1016 Maplehurst Lane Location: north side Maplehurst

Lane east approximately 2,500 feet of centerline of Hereford Road

Legal Owner: Emma Elizabeth and Leonard N. Ziegler Contract Purchaser: Robert

Krieger RHK Builders

Dear Commissioner Schmidt:

Please note my appearance in this matter. Due to an apparent conflict of dates, I may not be able to attend the May 5th date.

However, please call the phone number below if the date is changed or if the hearing is extended to the 6^{th} of May, 2003.

Thank you.

Yours truly,

Webster Bosley

PO Box 585

Sparks, Maryland 21152

1 800 497-0880

McKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning Real Estate Development

84

Enclosure



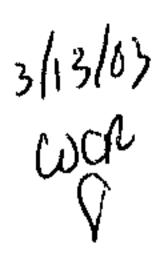
DATE: April 17, 2003 RE: TO: Baltimore County PDM ATTENTION: Ms. Becky Hart () We are returning We are forwarding (X) We are submitting (X) Herewith () Under separate cover **Description** No. Certificate of Posting with Picture () For your use () For your review (X) For processing () Please return to this office () In accordance with your () Please call when ready request Remarks: For further information, please contact the writer at this office. Very truly yours,

APR 2 3 2003

DEPT, OF PERMIS AND DEVELOPMENT MANAGEMENT

McKee & Associates, Inc.

Real Estate Development



DATE: March 12, 2003

TO: Bal	timore County PDM	RE:	: Zoning Variance Case# 03-382-A Zeigler Property Reschedule Request	
ATTEN	TION:Mr. Arnold Jabl	lon, Director		
() We	are submitting	() We are returning	(X) We are forwarding	
(X) He	rewith	() Under separate co	;over	
No.		Desc	scription	
1	Reschedule request			
1	Copy of Noted of Zon	ing Hearing		
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(X) For	processing	() For your use	() For your review	
()Plea	se call when ready	() Please return to th	his office () In accordance with your request	
Remark	(S:		RECENTER	-
For furt	her information, please	contact the writer at this	RECEIVED MAR 1 2 2003 Very truly yours, McKee A Associates, Inc. DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT	

Guy C. Ward, R.S., Associate

Enclosures

Cc: Ms. Becky Hart, PDM

Engineering • Surveying • Environmental Planning Real Estate Development

March 12, 2003

Mr. Arnold Jablon, Director Permits and Development management 111 West Chesapeake Ave. Rom 109 Towson, Md. 21204

Subject: Zoning Variance Case # 03-382-A

"Ziegler Property"
Reschedule Request

Dear Mr. Jablon,

We received the noted of Zoning Hearing for the above case yesterday and have a conflict with the scheduled date. We contacted Ms. Becky Hart of your offices and were directed to contact you and request that the case be rescheduled to a later date. The client's attorney, Mr. Howard Alderman, will be out of town and unavailable to attend the hearing during that week and the week which follows.

If possible we would request that the case be rescheduled for any of the following dates and times: May 5, 7, and 8 any time during the day, or May 6 anytime before 12:00 PM.

Please advise when a decision has been made this request. Thank you for your consideration in this matter.

Very truly/yours

Guy OJWard, R.S., Associate

Cc: Ms. Becky Hart

CASE NUMBER	CASE NAME Ziegles
•	Maper

PETITIONER'S SIGN-IN SHEET

								Parwan Hatabel		Howard I Amount	CZWIII MARD	NAME
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								Cockensville un 21030	1 Musin mb 7/204	1/1001/mm m10 7-1695	Cole Mr Sinson	TATE
								m hastabelia hormail con	Maldenner a) (euin Gun.co	104KDuibores A comcasi na		E-MAIL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Joe Chmura **DATE:** March 17, 2003

Department of Permits and

Development Management

FROM: Mark A. Cunningham

Development Review Section

Office of Planning

5/1/03 - Met with Goy Word ham
iew Section

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PROJECT NAME: Ziegler Property

PROJECT NO.: 03012 M


The Office of Planning has reviewed the above referenced project and offers the following comments:


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- Indicate the driveway location for all lots.

Mark A. Cunningham

MAC:kma


PETITIONER'S ALL-STATE LEGA **EXHIBIT**

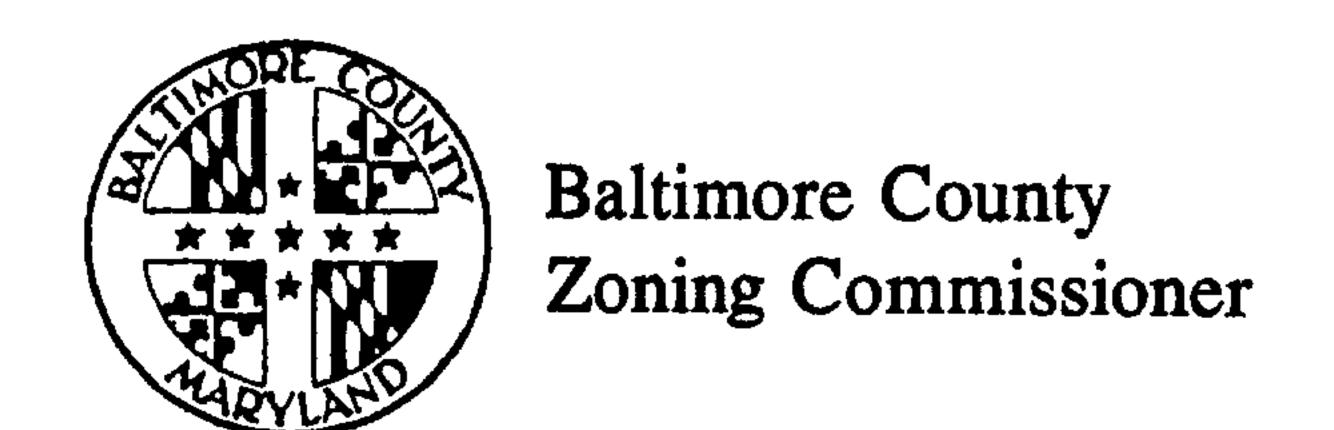




(SHEET N.W 27-C)

H Soca





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

May 20, 2003

Fax: 410-887-3468

Mr. & Mrs. Leonard N. Ziegler 13801 York Road, Suite R-2 Cockeysville, Maryland 21030

RE: PETITION FOR VARIANCE

N/S Maplehurst Lane, 3,120'E of the c/l Hereford Road

(1016 Maplehurst Lane)

7th Election District – 3rd Council District

Leonard N. Ziegler, et ux, Owners; RHK Builders, Contract Purchasers - Petitioners

Case No. 03-382-A

Dear Mr. & Mrs. Ziegler:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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. Robert H. Krieger, RHK Builders
2015 Dumont Road, Timonium, Md. 21093
Mr. Guy C. Ward, McKee & Assoc., Inc.

5 Shawan Road, Hunt Valley, Md. 21030

Office of Planning; People's Counsel; Case/File