WHAT THE STATES THE TANK,

IN RE: PETITION FOR SPECIAL HEARING *

S/S of Spook Hill Road, 4,200 ft. NW

centerline of Rayville Road

6th Election District

3rd Councilmanic District

(18840 Spook Hill Road)

Margaret F. & Theodore W. Ahrendt Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 05-267-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Margaret F. and Theodore W. Ahrendt. The Petitioners are requesting special hearing relief for property they own at 18840 Spook Hill Road in the northern area of Baltimore County. The special hearing request is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine that the 0.3-acre lot legally exists as a lot with one density unit pursuant to Section 1A09.7B.4 of the Baltimore County Zoning Regulations and to approve the lot line adjustment as shown on the plan.

The property was posted with Notice of Hearing on December 24, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on December 28, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of

Jacks Grant

any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: At the time of the hearing, there were no comments from any agency. Subsequent to the hearing, on January 11, 2005 this Commission received a comment from the Department of Environmental Protection and Resource Management (DEPRM) dated January 10, 2005 that did not support the proposal, which comment is made part of the record of this case. Also received subsequent to the hearing on January 21, 2005 was a comment received from the Office of Planning which indicates that their office does not support the Petitioner's request and that a hearing is required for the proposed access to both lots via the 20 ft. right- of-way in lieu of in fee access by means of panhandle lots.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing relief was Theodore Ahrendt, Petitioner. Tom Woolfolk, a nearby property owner, appeared as an interested citizen at the hearing but did not participate in the proceedings. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject property is a 0.36 acre, triangularly shaped vacant "lot" zoned RC 8. The Petitioners own a rectangular adjacent "lot" containing 2.1 acres zoned RC 8 on which they have their home with the address of 18840 Spook Hill Road. The Petitioners propose to make a second buildable lot by lot line adjustment so that the existing home will have 1.24 acres and the new building lot will have 1.22 acres. Both "lots" are accessed from Spook Hill Road via a 10 ft. wide private driveway. See Petitioners' Exhibit 1 for the proposed plan. These "lots" are adjacent to the Prettyboy Watershed Area, which provides a portion of the metropolitan water

supply.

The Petitioner asserts that the 0.3 acre "lot" became a lot of record before August 6, 2004, which is the cut-off date under Bill 76-04 that was enacted on July 6, 2004 and applied to this property by the County Council in the 2004 Comprehensive Zoning Process. This bill is now Section 1A09.7B.4 of the Baltimore County Zoning Regulations and this case is one of first impression. The prior zoning on this property was RC 4.

The Petitioner submitted two items in support of his contention that the 0.3 acre "lot" was a lot of record. First, he noted on the Plan to Accompany that the 0.3 acre "lot" has tax account number 18-00-014245, whereas the "lot" for his existing home has tax account number 06-13-020475. Secondly, he presented a deed description (but not the deed itself) which is Petitioners' Exhibit 2. This description appears in two parts, one of which is 0.36 acres and one of which is 2.10 acres. The Petitioner reasons that since there are two separate tax account numbers and separate legal descriptions, the 0.3 acre "lot" is a lot of record which then falls under the minimum development allowance (Section 1A09.7B4) which indicates

"Any lot of Record or parcel of land lawfully existing on August 6, 2004 may be developed with a single dwelling".

Consequently, he argues that this Commission should find by special hearing that the 0.3-acre lot legally exists as a lot with one density unit pursuant to Section 1A09.7B.4 of the Baltimore County Zoning Regulations and that the Commission should approve the lot line adjustment as shown on the plan.

Findings of Fact and Conclusions of Law

In reaching the decision below I have not relied upon or taken into account the comments from the Office of Planning or DEPRM that were received by this Commission after the hearing on January 10, 2005.

Both the RC 4 and RC 8 zoning classifications are intended to protect environmentally

sensitive areas by limiting development to specified densities. In reviewing Petitioners' Exhibit 2, the deed description, I noted that it is not at all obvious that the description demonstrates separate parcels. This could just as easily be a two stage description of one lot. Consequently, the 0.3 acre "lot" would simply be part of the existing lot and entitled to no separate density unit.

However, assuming that the 0.3 acre "lot" is a separate lot of record and assuming the full deed would show it to have been recorded before August 6, 2004, the question is what was the intent of the County Council in specifying:

"Any lot of Record or parcel of land lawfully existing on August 6, 2004 may be developed with a single dwelling"?

The Petitioner reads this paragraph as enabling legislation guaranteeing any recorded lot, no matter how small, the right to build one dwelling upon it. Obviously, this is from the zoning perspective only. The Petitioner assumes that he would have to eventually show that the lot was large enough to meet State and County septic and well regulations, which typically are one acre minimum. Consequently, he proposes a lot line adjustment, which will result in two 1.2 acre lots and presumably, would pass these requirements.

However, I do not read this legislation to say that every lot of record has the absolute right to one dwelling regardless of size or configuration. To read the statute this way would mean that the County Council wanted to remove all constraints on development of existing lots. This hardly seems to be the Council's purpose.

I believe the intention of the Council was to greatly limit development in this area of the County. Section 1A09.7 B 1 specifies density in RC 8 zones as follows:

1 to 10 acre 1 lot

10 to 30 acres 2 lots

30 to 50 acres 3 lots

Also, Section 1A09.7 B 2 specifies that the minimum lot size in a subdivision is 3 acres.

Reading these Sections with the question section above, I find the Council intended to limit lots eligible for a dwelling to a one acre minimum. I note that the Council did not specify 0 to 10 acres receives 1 lot, but carefully specified 1 to 10 acres instead. Clearly the intent of the Council was to limit new lots entitled to a dwelling which were not in subdivisions to 1 acre. Should the lot be located in a subdivision, the minimum lot size would be 3 acres. The one acre minimum for lots not in subdivisions is also compatible with the minimum lot size for well and septic systems of which I am sure the Council was well aware.

Said another way, at the end of the day the Petitioner wants two lots. Under the RC 8 regulations he would have to have 10 to 30 acres to be entitled to two lots. He has 2.4 acres all told. This Petitioner's request is not consistent with the spirit or intent of the RC 8 regulations.

Finally, I note that similar arguments were made for lots in the RC 2 zones in case No. 99-11 SPH decided by the Board of Appeals on October 15, 1995. In this case, the Petitioner had several small parcels, which he claimed entitled him to additional lots after lot line adjustment with adjacent larger lots. The Board found that any development rights that these small parcels enjoyed became lost when the Council imposed new RC regulations and that the intent of the regulations was not to permit new lots using such small parcels by means of lot line adjustments. Testimony in this case indicated that many small parcels were created in the rural areas of the County to provide additional space for septic systems, lawns and the like. These small lots were never intended to have the status of lots allowing dwelling units and the Board denied such a status.

In the case before me I see many parallel facts. It is apparent to me that the function of the 0.36 "lot" is to provide access to the Petitioners' home via the 20 ft. right- of-way. Otherwise the lot on which the Petitioner now resides would be landlocked. Given this observation, it would be inconsistent with the intent of the RC regulations to recognize a 0.36

acre "lot" as being entitled to one dwelling.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing request shall be denied.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 20 day of January, 2005, that the Special Hearing request filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine that the .3-acre lot legally exists as a lot with one density unit and to approve the lot line adjustment as shown on the plan, be and is hereby DENIED.

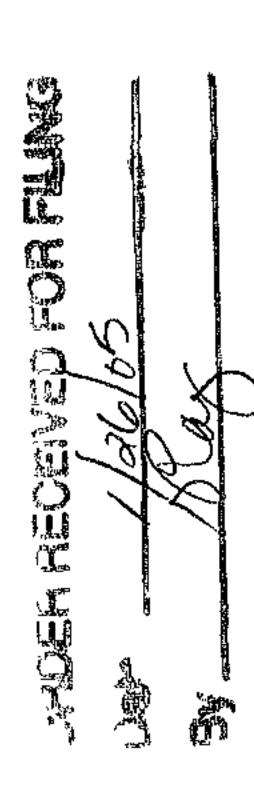
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHNW. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

January 27, 2005

Mr. & Mrs. Theodore W. Ahrendt 18840 Spook Hill Road Parkton, Maryland 21120

Re: Petition for Special Hearing
Case No. 05-267-SPH
Property: 18840 Spook Hill Road

Dear Mr. & Mrs. Ahrendt:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been denied in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Hon. T. Bryan McIntire, Dist. 3, Baltimore County Council Lynn Lanham, Office of Planning Wally Lippincott, DEPRM Carl Richard, Zoning Review, PDM Tom Woolfolk, 11832 Spook Hill Rd., Parkton, MD 21120



Visit the County's Website at www.baltimorecountyonline.info



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	18840	SPOOK	HILL RD.	······································
			R.C.8	

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 de perjury, that I/we are is the subject of this	eclare and affirm, under the the legal owner(s) of the Petition.	he penalties of e property which
Contract Purci	haser/Lessee:		<u>Legal Owner(s)</u>	<u>.</u>	
Name - Type or Print	······································		Α	EW AHRENDT	
Signature			Signature	W. Chrendly	
Address		Telephone No.	Name - Type or Print	A seems	
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Attorney For P	<u>etitioner:</u>		Address	POOK HILL PA	<u> </u>
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Name - Type or Print			•	State	Zip Code
Signature 29	······································	· · · · · · · · · · · · · · · · · · ·	Kepresentative	to be Contacted:	
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or:		Telephone No.	Address		Telephone No.
LACITY	State	Zip Code	City	State	Zip Code
			<u>0</u>	FFICE USE ONLY	
			ESTIMATED LEN	NGTH OF HEARING	
Case No	05-267-SPH		ı	OR HEARING	
REV 9 15 98		Rev	iewed By D.T.	Date	404

Special Hearing to determine that the .3-acre lot legally exists as a lot with one density unit pursuant to Section 1A09.7B.4. and to approve the lot line adjustment as shown on plan.

LEGAL DESCRIPTION FOR 18840 SPOOKS HILL ROAD

REGINNING for the same at a point on the N 66.5° E 86 perches line of land formerly owner by Russell P. Hedrick where said line intersects the property of the City of Baltimore; said point designated as monument/stone No. 40 on the City of Baltimore Department of Public Works Prettyboy Outline Plat of July 25, 1934 (File No. 116A-2), and thence running along the above 86 perches line reversely a distance of 32 feet to a point marked as monument/stone No. 404 on the above mentioned plat; thence N 26°W 35 feet to a point marked as mornment/stone No. 41 on the above mentioned plat; thence N 41°E 181.5 feet to a point; thence N43°E 80.5 feet to a point thence in a southerly direction along an arc of radius 290 feet a distance of 168 feet, more or less, to the N 66.5°E 86 perches line first mentioned; and thence S 66.5°W along said line a distance of 1143 feet more or less, to the place of beginning. Containing 0.36 acres of land, more or less land: BEGINNING FOR THE SECOND at a point on the N 56.5 E 86 perches line of land formerly owned by Russell P. Hedrick where said line intersects the property of the City of Baltimore; said point designated as monument/stone No. 40 on the City of Baltimore, Department of Public Works, Prettyboy Outline Plat of July 25, 1934, (File No. 116A-2) and said point also being at the beginning of the N69°E 84 perches line of land formerly owned by Arthur Matthews and Elizabeth Matthews, his wife, as hereinafter mentioned; thence running for the first line S28°E along the property of Baltimore City a distance of 375 feet; thence for the second line at right angles to the first line a distance of 250 feet, and thence for the third line at right angles to the second line and parallel to the first N28°W a distance of 353 feet, more or less, to the N66.5°E 86 perches line of Russell P. Hedrick mentioned above, and thence reversely along said line S66.5°W a distance of 251 feet more or less, to the place of beginning Containing 2.10 acres of land, more or less. The improvements thereon being known as No. 18840 Spooks Hill Road.

Schedule A Page No.

BB 63091

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MOTICE OF ZOMBING BEARD

ority of the Zoning Act and Regulations of Baltimore surity of the Zoning Act and Regulations of Baltimore surity will hold a public hearing in Towson, Maryland on a property identified herein as follows:

Case: #05-267-SPH

18840 Spook Hill Road
South side Spook Hill Road, 4,200 feet northwest of Rayville Road
South side Spook Hill Road, 4,200 feet northwest of Spook Hill Road
South side Spook Hill Road, 4,200 feet northwest of Rayville Road
South side Spook Hill Road, 4,200 feet northwest of Sayville Road
South side Spook Hill Road, 4,200 feet northwest of Rayville Road
South side Spook Hill Road, 4,200 feet northwest of Sayville Road
Sayville Road
Spook Hill Road, 4,200 feet northwest of Basing to determine that the 3-acre lot legally ists as a lot with one density unit and to approve the lot bearing: Monday, January 18, 2005 at 2:00 p.m. in Baring: Monday, January 18, 2005 at 2:00 p.m. in Born 467, County Courts Building, 401 Bosley Ave16, Towson 21204.

NOTES: (1) Hearings are Handicapped Accessible, for necial accommodations Please Contact the Zoning Comissioner's Office at (410) 887-4386.

(2) For information Concerning the File and/or Hearing, ontact the Zoning Review Office at (410) 887-3391.

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

粒 The Jeffersonian Arbutus Times

Catonsville Times

lls Times Towson Times Owings Mi NE Booster/Reporter

North County News

1) Ullus

LEGAL ADVERTISING

CERTICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date Ducember 27, 2004

Case Number 05-267-SPH

RE:

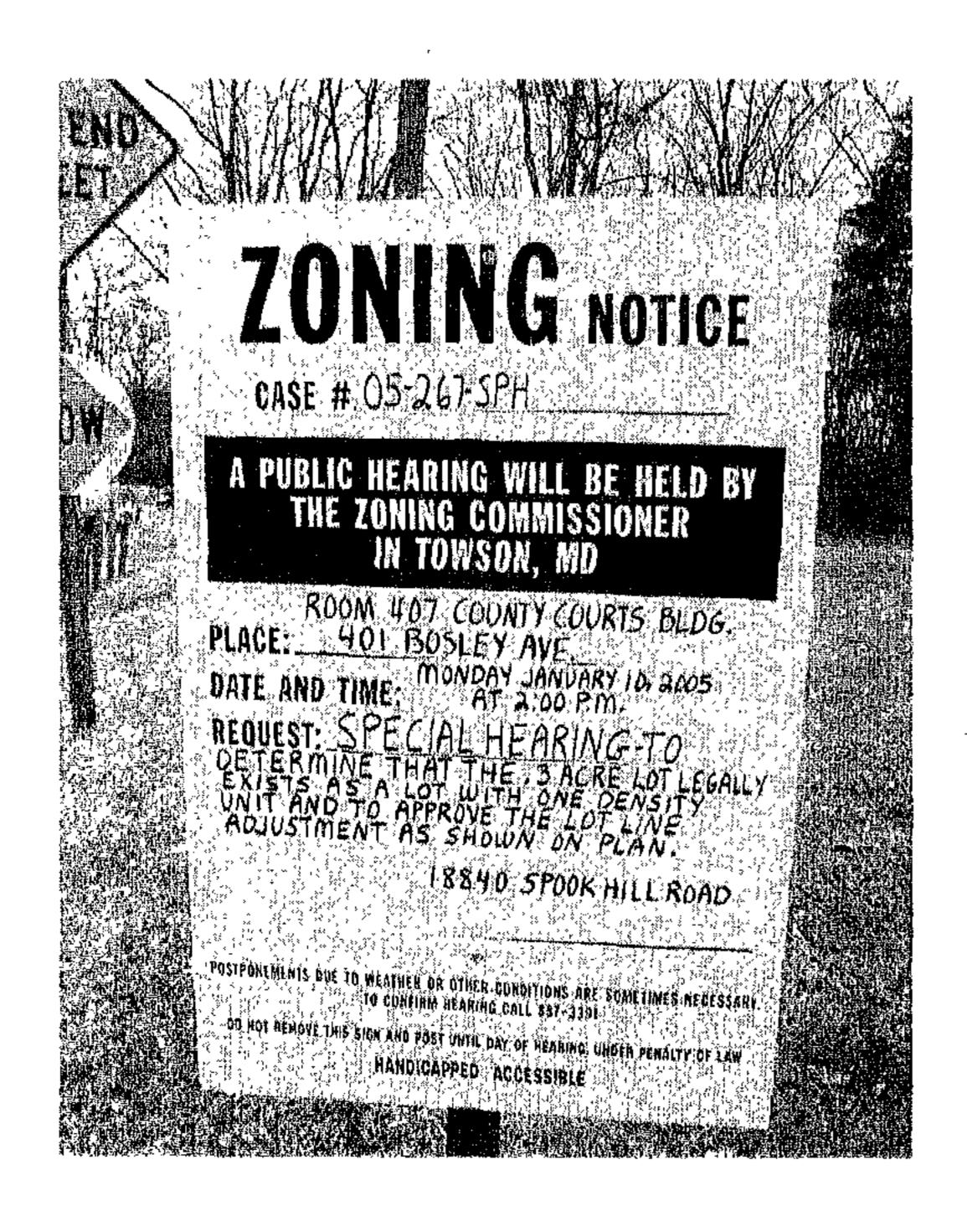
Petitioner/Developer THEODORE + MARGARET AHRENDT

Date of (Hearing) Closing JANUARY 10, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 18840 500K HILL ROAD

The sign(s) were posted on

Ducember 24, 2004



Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366 (Telephone Number of Sign Poster)

Department of Permits and Development Management

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





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

December 14, 2004

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: 05-267-SPH

18840 Spook Hill Road

South side Spook Hill Road, 4,200 feet northwest of Rayville Road

6th Election District—3rd Councilmanic District

Legal Owners: Theodore W. and Margaret F. Ahrendt

Special Hearing to determine that the .3-acre lot legally exists as a lot with one density unit and to approve the lot line adjustment as shown on plan.

Hearing: Monday, January 10, 2005, at 2:00 p.m., in Room 407, County Courts Building 401 Bosley Avenue,

Towson 21204

Timothy Kotroco Director

TK: clb

C: Theodore and Margaret Ahrendt 18840 Spook Hill Road

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY DECEMBER 27, 2004

- (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

Tuesday December 28, 2004 Issue - Jeffersonian

Please forward billing to:

Mr. and Mrs. Theodore Ahrendt

18840 Spook Hill Road Parkton, Maryland 21220

410-357-4527

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: 05-267-SPH

Towson 21204 €

18840 Spook Hill Road

South side Spook Hill Road, 4,200 feet northwest of Rayville Road

6th Election District—3rd Councilmanic District

Legal Owners: Theodore W. and Margaret F. Ahrendt

Special Hearing to determine that the .3-acre lot legally exists as a lot with one density unit and to approve the lot line adjustment as shown on plan.

Hearing: Monday, January 10, 2005, at 2:00 p.m., in Room 407, County Courts Building 401 Bosley Avenue,

WILLIAM WISEMAN

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.

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.

For Newspaper Advertising:
Item Number or Case Number: 05-267-SPH
Petitioner: <u>AHREKOT</u>
Address or Location: 18840 Spook HILL RD.
PLEASE FORWARD ADVERTISING BILL TO:
Name: MR.+MRS.THEODORE W. AHRENDT
Address: 18840 Spook HILL Ro.
PARKTON, MD 21120
Telephone Number: 사IO - 351 - H527

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

January 4, 2005

Theodore W. Ahrendt Margaret F. Ahrendt 18840 Spook Hill Road Parkton, Maryland 21120

Dear Mr. and Mrs. Ahrendt:

RE: Case Number: 05-267-SPH, 18840 Spook Hill 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, 2004.

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,

U. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



Visit the County's Website at www.baltimorecountyonline.info



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 December 9, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: December 13, 2004

Ttem No.:

(267) 277-290

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 29, 2004

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 20, 2004

Item Nos (267) 278, 279, 280, 281, 284, 285, 288, and 289

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: FROM:		Tim Kotroco PDM		RECEIVE									
		John D. Oltm DEPRM	an, Jr 🏻 🎵	GC	JAN 1 1 2005								
DATE	:	January 10, 2	005	-	ZONING COMMISSI								
SUBJE	ECT:	Zoning Item Address		7 pook Hill Road									
	Zoning	g Advisory Co	mmittee M	leeting of Decemb	per 13, 2004.								
		-		ntal Protection and aced zoning item.	d Resource Management has no								
X	_ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:												
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).												
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).												
	Development of this property must comply with the Chesapeake F Critical Area Regulations (Sections 26-436 through 26-461, and o Sections, of the Baltimore County Code).												
	A 44141	anal Cammani	ėm.										

Additional Comments:

The Agricultural Preservation section of this Department does not support the proposal due to the location of the property to the Prettyboy Reservoir that is part of the Metropolitan Drinking Water Supply System. The proposal will result in an increase in density and an intensification of land use in a manner inconsistent with the protection of this resource.

Reviewer:

Wally Lippincott

Date: January 10, 2005

JW. 10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** January 13, 2005

RECEIVED

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JAN 1 3 2005

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-267

The Office of Planning has reviewed the above referenced case(s) and offers the following comment:

If the petitioners request is granted and he/she intends to build on the new lot a hearing will be required for access through the existing 20-foot right-of-way for both lots as per section 32-4-409(c) of the <u>BCC</u>. For further questions or additional information concerning the matters stated herein, please contact Mark Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: January 21, 2005

RECEIVE

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JAN 2 0 2005

ZONING

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-267

Revised

The Office of Planning has reviewed the above referenced case(s) and offers the following comment:

Section 1A09.7.B of Bill No. 76-04, Area Regulations, states that a contiguous tract of land, whether or not in one or more parcels, not part of an approved subdivision may be developed in an RC 8 zone at the following density: 1 to 10 acres = 1 lot. This property consists of two parcels with a total area of 2.46± acres thus not permitting the creation of an additional lot. Therefore, the Office of Planning does not support the petitioner's request.

If the petitioners request is granted and he/she intends to build on the new lot a hearing will be required for access through the existing 20-foot right-of-way for both lots as per section 32-4-409(c) of the BCC. For further questions or additional information concerning the matters stated herein, please contact Mark Cunningham in the Office of Planning at 410-887-3480.

Division Chief:

AFK/LL



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date:

12.10.04

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

RE:

Baltimore County

Item No. 247

DI

Dear. Ms. Matthews:

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,

Steven D. Foster, Chief

Engineering Access Permits Division

RE:

PETITION FOR SPECIAL HEARING

18840 Spook Hill Rd; S/side Spook Hill Rd,

4,200' NW of Rayville Road

6th Election & 3rd Councilmanic Districts

Legal Owners: Theodore & Margaret Ahrendt*

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-267-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 and 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 22nd day of December, 2004, a copy of the foregoing Entry of Appearance was mailed to Theodore & Margaret Ahrendt, 18840 Spook Hill Road, Parkton, MD 21120, Petitioner(s).

RECEIVED

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NUMBER 05-267-SP

PETITIONERS SICILING THEFT

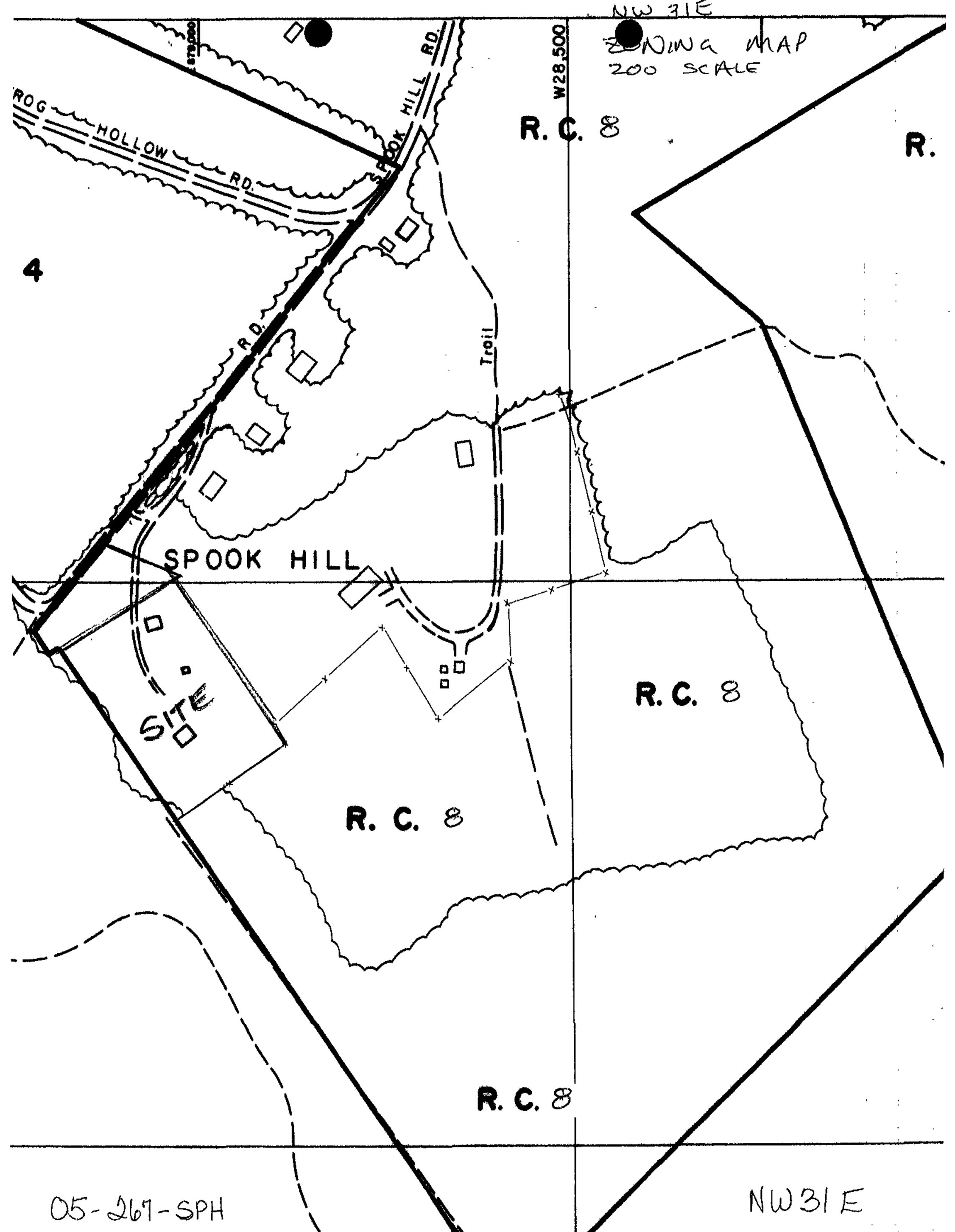
E- MAIL												
CITY, STATE, ZIP												
ADDRESS	18846 SPOKHILL PD.											
NAME	THESDORE ATTACK				-							

PLEASE PRINT CLEARLY

CASE NAME 18840 Sport The Res CASE NUMBER 05-267-594 DATE (10/05

CITIZEN'S SIGN-IN SHEET

E-MAIL									4		· · · · · · · · · · · · · · · · · · ·
Y, STATE,	AMMICH MO 21120										
ADDRESS	1672 graph Hun es.					•					
NAME	Thu Mool tolk										



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SCHEDULE A cont'd.

BEGINNING for the same at a point on the N 66.5° E 86 perches line of land formerly owner by Russell P. Hedrick where said line intersects the property of the City of Baltimore; said point designated as monument/stone No. 40 on the City of Baltimore Department of Public Works Prettyboy Outline Plat of July 25, 1934 (File No. 116A-2), and thence running along the above 86 perches line reversely a distance of 32 feet to a point marked as monument/stone No. 40A on the above mentioned plat; thence N 26°W 35 feet to a point marked as monument/stone No. 41 on the above mentioned plat; thence N 41°E 181.5 feet to a point; thence N43°E 80.5 feet to a point thence in a southerly direction along an arc of radius 290 feet a distance of 168 feet, more or less, to the N 66.5°E 86 perches line first mentioned; and thence S 66.5 w along said line a distance of 1143 teet, more or less, to the place of beginning. Containing 0.36 acres of land, more or less and: BEGINNING FOR THE SECOND at a point on the N 66.5 E 86 perches line of land formerly owned by Russell P. Hedrick where Haid line intersects the property of the City of Baltimore; said point designated as monument/stone No. 40 on the City of Baltimore, Department of Public Works, Prettyboy Outline Plat of July 25, 1934, (File No. 116A-2) and said point also being at the beginning of the N69°E 84 perches line of land formerly owned by Arthur Matthews and Elizabeth Matthews, his wife, as hereinafter mentioned; thence running for the first line S28°E along the property of Baltimore City a distance of 375 feet; thence for the second line at right angles to the first line a distance of 250 feet, and thence for the third line at right angles to the second line and parallel to the first N28°W a distance of 353 feet, more or less, to the N66.5°E 86 perches line of Russell P. Hedrick mentioned above, and thence reversely along said line S66.5°W a distance of 251 feet more or less, to the place of beginning Containing 2.10 acres of land, more or less. The improvements thereon being known as No. 18840 Spooks Hill Road.

Deed

Out HZ

Schedule A Page 2 No.

BB 63091