JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits, Approvals & Inspections

October 24, 2023

Mr. James E. Matis, P.E.
Matis Warfield, Inc.
909 Ridgebrook Road, Suite 100
Sparks, MD 21152

Re: Spirit and Intent Request
Zoning Case 2005-378-SPH
3112 West Golf Course Road
Tax Map 0067, Parcel 0151
Tax Account Number 2400009122
3rd Election District, 2nd Councilmanic District

Dear Mr. Matis:

Your request to Jeff Perlow, Zoning Supervisor, regarding the above referenced property and zoning case was referred to me for reply. Based upon our review of Baltimore County's "My Neighborhood" website (County GIS), the Baltimore County Zoning Regulations (BCZR) and Order of the referenced case, please be advised of the following.

The Zoning Review Office will consider a proposed 259-square foot greenhouse addition, which will be attached to the existing 2,097-sqaure foot barn, not exceed 13% of the barn's existing building footprint, and extend any closer to Golf Course Road and the eastern side setback, as within the "spirt and intent" of Zoning Case 2005-378-SPH and Section 104.3, BCZR.

While considered as within the spirit and intent of the referenced zoning case and applicable section of the BCZR, the Zoning Review Office will still require that the Department of Planning approve the building permit as the property is improved with the "Dobbin House" which is listed on the Maryland Historic Trust Inventory as #BA 1627.

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Mitchell J. Kellman
Planner III
Zoning Review

IN RE: PETITION FOR HISTORIC SPECIAL HEARING N/S of West Golf Course Road, 750 ft. W of Golf Course Road 3rd Election District 2nd Councilmanic District **(3112 West Golf Course Road)**	* * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-378-SPH
Bradley & Kara Bennett, Legal Owners and MultiStars, LLC, by Paul Lichter, Lessees *Petitioners*	* * *	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner on a Petition for Historic Special Hearing filed by the legal owners of the subject property, Bradley & Kara Bennett and MultiStars, LLC by Paul Lichter, lessees. The Petitioners are requesting special hearing relief for property located at 3112 West Golf Course Road in the Owings Mills 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.), for the continuation of the existing barn as a nonconforming use.

The property was posted with Notice of Hearing on March 1, 2005, 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 March 1, 2005, 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 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.

ORDER RECEIVED FOR FILING
Date 3/21/05
By

Definition NONCONFORMING USE -- A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use. A specifically named use described by the adjective "nonconforming" is a nonconforming use. [Bill No. 18-1976]
104.1 A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these regulations, provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate. [Bill Nos. 18-1976; 124-1991]

Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing relief were Steve Warfield and Gwenn Crupi from the engineering firm of Matis Warfield, Patrick Donnelly and Paul Lichter, one of the Petitioners. Dino C. La Fiandra, Esquire represented the Petitioners. No Protestants or interested citizens attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Mr. La Fiandra proffered that the property contains 7.467 acres +/- and is zoned RC 5. The property is improved with a single-family dwelling known as the "Dobbin House" which is listed on the Maryland Historic Trust Inventory as #BA 1627. The property is located in the Greenspring Valley National Historic District.

In addition to the historic dwelling, there is also an old barn on the property which is the subject of this Petition and which the Petitioners would like to maintain. See Petitioner's Exhibit 1 for the location of the home and barn. However, the barn is in the front yard of the historic home. In addition, the barn is 30 ft. high, whereas the regulations limit accessory structures to

ORDER RECEIVED FOR FILING
Date 3/21/05
By

15 feet.However, rather than ask for a variance, the Petitioners presented proof that the barn is a nonconforming use. Testimony indicated that the barn is shown in a photograph taken for the July 1979 report on the historic Dobbin House and was clearly old when the picture was taken. See Petitioners' Exhibit 2. The Petitioners also presented a topographical map, Exhibit 3 that shows the barn. The topo map is based on aerial photographs taken in April 1953. Mr. LaFiandra indicated that this shows the barn existed at least two years before zoning was applied to this area in 1955.

Proffered testimony indicated that the barn had been used by the owner as a barn continuously and without interruption at least back to 1953. Patrick Donnelly, an adjacent property owner testified in support of the Petition. Letters of support from other neighbors indicated their desire to keep the old barn.

Findings of Fact and Conclusions of Law

This case is a request to confirm the continuation of an existing barn as a nonconforming use. I find from the evidence that the barn existed since at least 1953 and likely much before that. I further find that having a barn as described was a legal use, since the zoning regulations were imposed on the property in 1955. I further find that the use of the structure as a barn, as an accessory structure in support of agricultural, and residential uses, has continued uninterruptedly since 1953 without abandonment or discontinuance of such nonconforming use for a period of one year or more. Consequently, I confirm the nonconforming status of the barn as shown on Petitioners' Exhibit 1.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

ORDER RECEIVED FOR FILING
Date 3/21/05
By

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 21 day of March, 2005, that the Petitioners' request for special hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), for the continuation of an existing barn as a nonconforming use, be and is hereby GRANTED.

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 3/21/05
By Rec

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

March 21, 2005

Dino C. La Fiandra, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 05-378-SPH
Property: 3112 West Golf Course Road

Dear Mr. La Fiandra:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted 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

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Paul Lichter, P. O. Box 169, Stevenson, MD 21153
Patrick Donnelly, 3117 Golf Course Road West, Owings Mills, Md 21117
Steve Warfield & Gwenn Crupi, Matis/Warfield, 10540 York Road, Suite M
Hunt Valley, MD 21030

Printed on Recycled Paper

HISTORIC

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3112 West Golf Course Road
which is presently zoned ~~RC 2~~ RCS

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

The continuation of the existing barn as a non-conforming use.

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:

MultiStars, LLC
Name - Type or Print

Paul Lichter
Signature By: Paul Lichter, Member

P.O. Box 169 410-602-8070
Address Telephone No.

Stevenson, Maryland 21208
City State Zip Code

Legal Owner(s):

Bradley Bennett
Name - Type or Print

Bradley Bennett
Signature

Kara Bennett
Name - Type or Print

Kara Bennett
Signature

3112 West Golf Course Road
Address Telephone No.

Owings Mills, Maryland 21117
City State Zip Code

Attorney For Petitioner:

Dino C. La Fiandra
Name - Type or Print

Dino C. La Fiandra
Signature

Whiteford, Taylor & Preston LLP
Company

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

Towson, Maryland 21204
City State Zip Code

Representative to be Contacted:

Dino C. La Fiandra
Name

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

Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 1/28/05

Case No. 05-378-SPH

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 3/21/05
By

Matis Warfield

consulting engineers

ZONING DESCRIPTION for 3112 West Golf Course Road to Accompany Petition For Special Hearing

Beginning at a point on the north side of West Golf Course Road which is 30-feet wide at the distance of 750(+/-)-feet west of the centerline of the nearest improved intersecting street, Golf Course Road, which is 30-feet wide. Thence the following courses and distances:
N 58° 06' 34" W 404.35';
N 32° 34' 54" E 74.18';
S 57° 25' 09" E 108.94';
N 32° 34' 51" E 55.00';
R=215.00', L=152.07', CHD=N 03°09'57" E 148.92';
R=301.42', L=121.39', CHD=N 34°57'56" E 120.57';
N 46° 30' 09" E 17.86';
R=275.00', L=7.31', CHD=N 47°15'51" E 7.31';
N 72° 13' 41" W 284.81';
N 17° 48' 53" E 586.62';
S 69° 09' 05" E 125.33';
N 16° 56' 10" E 49.98';
S 69° 09' 05" E 85.34';
S 21° 07' 39" W 172.77';
S 23° 18' 57" E 91.46';
R=50.00', L=59.32', CHD=S 57°18'05" E 55.90';
S 07° 16' 22" E 126.77';
S 44° 43' 38" E 25.89';
R=90.91', L=150.28', CHD=S 02°37'59" W 133.74';
R=215.00', L=33.74', CHD=S 54°26'07" W 33.71';
S 76° 05' 27" E 84.58';
S 13° 54' 31" W 570.52';
to the place of beginning,
being Lot #2 in the minor subdivision known as Spodak Property, as recorded as 7.467-ac +- HMC Baltimore County Minor Subdivision Plan No. 04-033 M, containing ~~11.467~~-acres±. Also known as 3112 W. Golf Course Road, and located in the 3rd Election District, 2nd Councilmanic District.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCES OR AGREEMENTS

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

05-378-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441326

DATE 11/22/05

ACCOUNT R 001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: Whiteford, Taylor & Preston, LLP

FOR: Special Hearing - 3112 Waterdale Cove Road
05-378-SPH (BENNETT)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROV RECEIPT

BUSINESS DATE	ACTUAL TIME	TYPE	MOD
11/22/2005	11:26:23	PAYMENT	2

REF 1002 PAYH ITEM 001
>>RECEIPT # 390244 11/22/2005 OFLK
Dept 5 700 ZONING VERIFICATION
DR NO. 041244
Receipt Tot 65.00
$65.00 CK $65.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: #05-378-SPH
3112 West Golf Course Road
N/side of West Golf Course Road, 750 ft., west of Golf Course Road
3rd Election District - 2nd Councilmanic District
Legal Owner(s): Bradley & Kara Bennett
Contract Purchaser: MultiStars, LLC

Special Hearing: for the continuation of the existing barn as a non-conforming use.

Hearing: Wednesday, March 16, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/3/607 Mar. 1 41147

CERTIFICATE OF PUBLICATION

3/2/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/1/, 2005.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-378-SPH

Petitioner/Developer: MULTISTARS LLC OWNERS BRADLEY + KARA BENNETT

Date of Hearing/Closing: MARCH 16, 2005

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

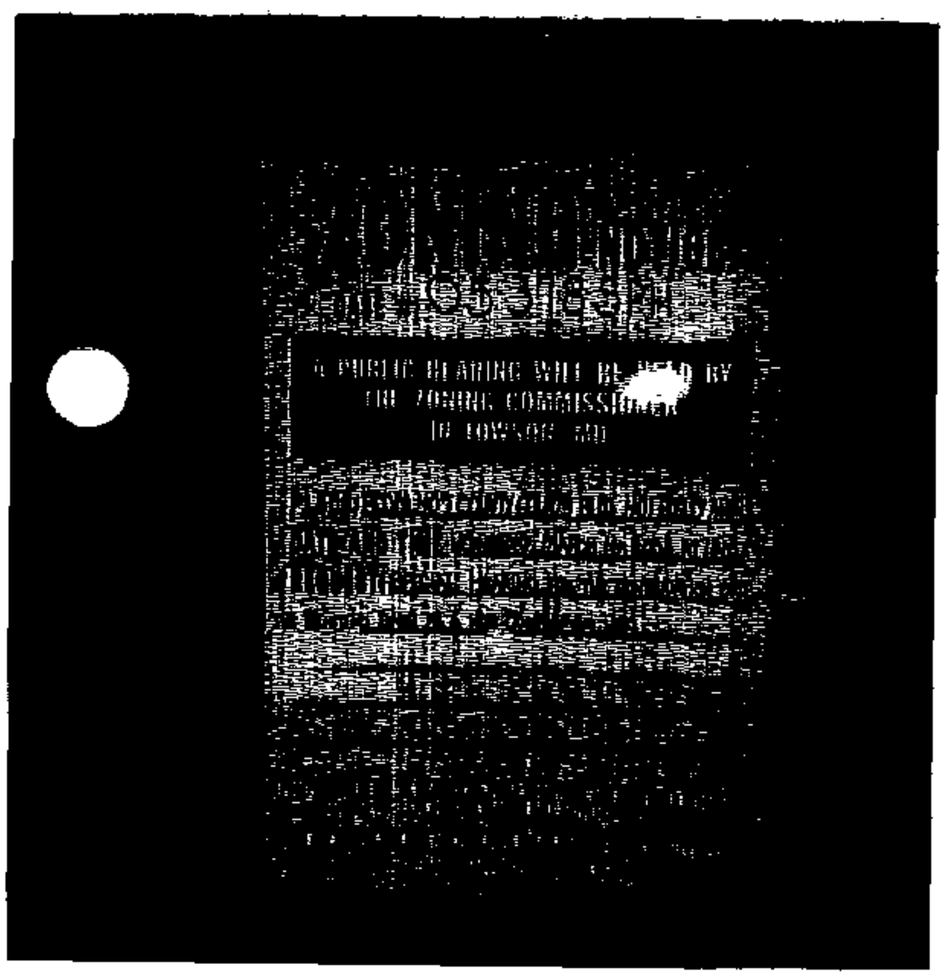
ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 3112 WEST GOLF COURSE RD

The sign(s) were posted on MARCH 1, 2005
(Month, Day, Year)

Sincerely,



Robert Black 3/2/05
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

Department of Permits and Development Management

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

Baltimore County

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

February 1, 2005

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: 05-378-SPH
3112 West Golf Course Road
N/side of West Golf Course Road, 750 ft., west of Golf Course Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Bradley & Kara Bennett
Contract Purchaser: MultiStars, LLC

Special Hearing for the continuation of the existing barn as a non-conforming use.

Hearing: Wednesday, March 16, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Dino LaFiandra, 210 W. Pennsylvania Avenue, Towson 21204
Bradley & Kara Bennett, 3112 West Golf Course Rd., Owings Mills 21117
Paul Lichter, P.O. Box 169, Stevenson 21208

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 1, 2005.**
(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, March 1, 2005 Issue - Jeffersonian

Please forward billing to:
Dino LaFiandra
Whiteford, Taylor & Preston, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-832-2000

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: 05-378-SPH
3112 West Golf Course Road
N/side of West Golf Course Road, 750 ft., west of Golf Course Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Bradley & Kara Bennett
Contract Purchaser: MultiStars, LLC

Special Hearing for the continuation of the existing barn as a non-conforming use.

Hearing: Wednesday, March 16, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

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 Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 05-378-SPH

Petitioner: BENNETT

Address or Location: 3112 WEST GOLF COURSE ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: DINO C. LAFiandra

Address: 210 W. Penn #400
TOWSON MD 21204

Telephone Number: 410 832 2000

Revised 2/20/98 - SCJ

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

March 8, 2005

Dino C. LaFiandra
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Dear Mr. LaFiandra:

RE: Case Number: 05-378-SPH , 3112 West Golf Course Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 28, 2005.

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

WCR: clb

Enclosures

c: People's Counsel
Bradley and Kara Bennett 3112 West Golf Course Road Owings Mills 21117
Multi Stars, LLC. Paul Lichter P.O. Box 169 Stevenson 21208

Printed on Recycled Paper

Fire Department

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

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

February 8, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: February 7, 2005

Item No.: 368-378

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.

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

Lieutenant J. Mezick
Fire Marshal's Office
(O)410-887-4881 (C)443-829-2946
MS-1102F

cc: File

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

State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 2·3·05

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

RE: Baltimore County
Item No. 378 JNP

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 4, 2005

RECEIVED

FEB - 7 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-378**

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

Prepared By: Mark A Cunningham

Division Chief: Lynn Lanham

MAC/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: February 23, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For February 14, 2005
Item Nos. 368, 369, 371, 372, 373,
374, 375, 376, 377 and 378

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 SPECIAL HEARING 3112 West Golf Course Road; N/side W Golf Course Rd, 750' W of W Golf Course Rd 3rd Election & 2nd Councilmanic Districts Legal Owner(s): Bradley & Kara Bennett Contract Purchaser(s): Multi-Stars, LLC by Paul Lichter Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 05-378-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
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

RECEIVED

Per .....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of February, 2005, a copy of the foregoing Entry of Appearance was mailed to Dino LaFiandra, Esquire, Whiteford, Taylor & Preston, LLP, 210 West Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

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

ARTICLE 4

SPECIAL REGULATIONS

Section A400
Purpose
[Bill Nos. 40-1967; 18-1976]

Certain uses, whether permitted as of right or by special exception, have singular, individual characteristics which make it necessary, in the public interest, to specify regulations in greater detail than would be feasible in the individual use regulations for each or any of the zones or districts. This article, therefore, provides such regulations.

Section B400
Application of This Article's Provisions
[Bill No. 18-1976]

The provisions of this article apply only to principal uses except as otherwise specified (as in Item 405.4.D.7) or unless the provision implicitly relates to accessory usage (as in Section 405A).

Section 400
Accessory Buildings in Residence Zones
[BCZR 1955; Bill No. 27-1963]

400.1 Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40% thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50% of such third. In no case shall they be located less than 2½ feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

400.2 Accessory buildings, including parking pads, shall be set back not less than 15 feet from the center line of any alley on which the lot abuts. **[Bill No. 2-1992]**

400.3 The height of accessory buildings, except as noted in Section 300 shall not exceed 15 feet.

MULTIFAMILY BUILDING — A structure containing three or more apartments. A multifamily building includes garden and other apartment buildings. **[Bill No. 2-1992]**[17]

NIGHTCLUB — A tavern or other commercial establishment which provides live or recorded entertainment, with or without a dance floor, and which is categorized as a nightclub by the Building Code of Baltimore County. **[Bill No. 110-1993]**

NONCONFORMING USE — A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use. A specifically named use described by the adjective "nonconforming" is a nonconforming use. **[Bill No. 18-1976]**

NONINDUSTRIAL USE — Any use other than an industrial, quasi-industrial or industry-related use. **[Bill No. 178-1979]**

NUDITY — A state of dress in which a human buttock, anus, genitalia or female breast is completely bared. **[Bill No. 137-1990]**

NUDITY, PARTIAL — A state of dress in which clothing covers no more than the genitals, pubic region and areolae of the female breast, as well as portions of the body covered by supporting straps or devices. **[Bill No. 137-1990]**

NURSERY, HORTICULTURAL — An agricultural operation primarily engaged in the production and marketing of trees, shrubs and plants. The plant materials may be produced on the premises and may be purchased elsewhere at any stage of maturity for further

(Cont'd on page 1-23)

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17 **Editor's Note: The former definition of "neighborhood" which followed this definition was repealed by Bill No. 3-1993.**

2. The provisions in Sections 26-447 through 26-451 and Section 26-454 of the Baltimore County Code, pertaining to wetlands, buffers, habitat protection areas and water-dependent facilities.

3. Other applicable county laws or regulations in effect at the time a right is exercised.

Section 104
Nonconforming Uses
[BCZR 1955]

104.1 A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these regulations, provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate. **[Bill Nos. 18-1976; 124-1991]**

104.2 A structure damaged to any extent or destroyed by fire or other casualty may be restored within two years after such destruction or damage but may not be enlarged. In the case of residentially used structures which are nonconforming in density, the number of dwelling units or density units rebuilt may be equal to but may not exceed the number of units which existed before the casualty. **[Bill No. 124-1991]**

104.3 No nonconforming building or structure and no nonconforming use of a building, structure or parcel of land shall hereafter be extended more than 25% of the ground floor area of the building so used. This provision does not apply to structures or uses restored pursuant to Section 104.2, except as authorized by the Zoning Commissioner pursuant to Section 307. **[Bill No. 124-1991]**

104.4 Exception. Any contrary provision of these regulations notwithstanding, an office building that was authorized by grant of a special exception and that becomes damaged to any extent or destroyed by casualty may be fully restored in accordance with the terms of the special exception. **[Bill Nos. 167-1980; 124-1991]**

104.5 Any use which becomes or continues to be nonconforming which exists within the Chesapeake Bay Critical Area on or after the effective date of this section is subject to the provisions of Sections 104.1, 104.2 and 104.3 and to the variance provisions and procedures of Section 26-207, 26-445 or 26-453 of the Baltimore County Code, 1988 Edition, as revised, whichever is or are applicable. **[Bill Nos. 32-1988; 124-1991; 9-1996]**

104.6 A striptease business lawfully operating prior to the effective date of this legislation[34] that is in violation of the requirements contained herein shall be deemed a nonconforming use. A striptease business which is a nonconforming use:

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[34] **Editor's Note: Apparently refers to Bill No. 137-1990.**

A. Shall be permitted to continue for a period not to exceed one year, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty days or more; and

B. Shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use. **[Bill No. 137-1990]**

104.7 Notwithstanding the provisions of this section, nonconforming signs are subject to Section 450.8.C. **[Bill No. 89-1997]**

Section 105
Prohibited Uses in Chesapeake Bay Critical Area
[Bill No. 32-1988]

The establishment or expansion of the following uses is prohibited in all Chesapeake Bay Critical Areas:

A. Solid or hazardous waste collection or disposal facilities.

B. Sanitary landfills.

C. Permanent sludge hauling, storage or disposal facilities other than those associated with wastewater treatment facilities.

D. Transportation facilities and utility transmission facilities, except those necessary to serve uses permitted in the underlying zone per the Baltimore County Zoning Regulations. Such uses may be permitted only in intensely developed areas and only after the activity or facility has demonstrated that there will be a net improvement in water quality to the adjacent body of water. **[Bill No. 9-1996]**

E. Nonmaritime heavy industries, except those uses permitted in the underlying zone as authorized by these regulations. Such uses may be permitted only in intensely developed areas, as defined by the Baltimore County Code,[35] and only after the activity or facility has demonstrated that there will be a net improvement in water quality to the adjacent body of water. **[Bill No. 9-1996]**

---

35 ***Editor's Note:*** ***See Section 26-438 of the Baltimore County Code, 1988 Edition, as revised.***

PLEASE PRINT CLEARLY

CASE NAME Spadaro
CASE NUMBER 05-378-SPH
DATE 3/16/05

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Dino LaFiandra	210 W. Penn #400	Towson	
Paul Lichter	PO Box 169	Stevenson MD 21153	Paul@JPaulBuilders.com
PATRICK J.B. DONNELLY	3117 Golf Course Road West	Owings Mills, Md 21117	pjbdonnelly@NILES-LAW.COM
Steve Wartfield	10540 York Rd, Suite 100	Hunt Valley, MD 21030	steve@matiswartfield.com
Gwenn Crupi	" "	" "	gwenn@ " "

c. 1910

BA 1627
Dobbin House
3112 Golf Course Road West
Owings Mills, Md. 21117
private

The Dobbin is a laege early twentieth century rendition of the American colonial revival, its two storey form with a gambrel roof recalling early NewEngland forms.

P.D. #2

BA 1627
x-870.370
y-575.800
MAGI #0316272704

MARYLAND HISTORICAL TRUST

INVENTORY FORM FOR STATE HISTORIC SITES SURVEY

1 NAME

HISTORIC

AND/OR COMMON

DOBBIN HOUSE

2 LOCATION

STREET & NUMBER

3112 Golf Course West

CITY, TOWN

Owings Mills

__ VICINITY OF

STATE

Maryland

CONGRESSIONAL DISTRICT

Second

COUNTY

Baltimore

3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE	
__DISTRICT	__PUBLIC	X OCCUPIED	__AGRICULTURE	__MUSEUM
X BUILDING(S)	X PRIVATE	__UNOCCUPIED	__COMMERCIAL	__PARK
__STRUCTURE	__BOTH	__WORK IN PROGRESS	__EDUCATIONAL	X PRIVATE RESIDENCE
__SITE	**PUBLIC ACQUISITION**	**ACCESSIBLE**	__ENTERTAINMENT	__RELIGIOUS
__OBJECT	__IN PROCESS	__YES: RESTRICTED	__GOVERNMENT	__SCIENTIFIC
	__BEING CONSIDERED	__YES: UNRESTRICTED	__INDUSTRIAL	__TRANSPORTATION
		X NO	__MILITARY	__OTHER:

4 OWNER OF PROPERTY

NAME

Mr. and Mrs Tilton H. Dobbin

Telephone #: 363-0345

STREET & NUMBER

3112 Golf Course Road West

CITY, TOWN

Owings Mills, Md.

__ VICINITY OF

STATE, zip code

Maryland 21117

5 LOCATION OF LEGAL DESCRIPTION

Liber #: 2244
Folio #: 66

COURTHOUSE, REGISTRY OF DEEDS, ETC.

Baltimore County Courts Bldg.

STREET & NUMBER

401 Bosley Avenue

CITY, TOWN

Towson

STATE

Maryland

6 REPRESENTATION IN EXISTING SURVEYS

TITLE

DATE

__FEDERAL __STATE __COUNTY __LOCAL

DEPOSITORY FOR SURVEY RECORDS

CITY, TOWN

STATE

BA-1627

7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
X EXCELLENT	__DETERIORATED	__UNALTERED	X ORIGINAL SITE
__GOOD	__RUINS	X ALTERED	__MOVED DATE_____
__FAIR	__UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The DOBBIN HOUSE is a large frame two storey house with a gambrel roof, five bays in length with symmetrical two storey wings the full depth of the main block adding another bay at either end. It dates from the early twentieth century American colonial revival. Its principal facade is to the south and that facade is sheltered by a one-storey shed-roofed porch extending the full length of all seven bays. Off the northwest corner is a one-storey service wing, its orientation diagonal to that of the main block with a ridge in its gabled roof extending southwest-to-northeast. It may be earlier than the main block although all visible details appear to be contemporary with it. All exterior walls are covered with wood shingles.

The principal entrance is centered in the south front with a secondary one in the north end adjacent to the principal staircase. The south entrance is surrounded by sidelights and transom and it is flanked by a window on either side, this expanded tri-partite feature embellished with Tuscan pilasters flanking each element. Three closely-spaced 6/6 windows in a shallow projecting bay are in the second storey immediately above in the south entrance. Typical windows throughout are 6/6 with louvred blinds. Dormers have hipped roofs.

A very wide center hall extends through the main block with an open stair rising in a continuous curve at its north end, screened by columns. A large drawing room is east of the hall and a large dining room is to the west. Secondary rooms are north of these two principal rooms. Fireplaces are centered on the north walls of the principal rooms and on the west wall of the center hall. The mantels of the center hall and dining room are of the early twentieth century, having fluted Ionic columns supporting a classical entablature; a shouldered architrave at the drawing room fireplace supports a frieze with shaped ends and a cornice shelf and applied panels above and below a chair rail in that room recall eighteenth century detailing.

A small shingled frame barn stands northwest of the house, its broad gambrel roof recalling that of the main house.

CONTINUE ON SEPARATE SHEET IF NECESSARY

BA-1627

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
__PREHISTORIC	__ARCHEOLOGY-PREHISTORIC	__COMMUNITY PLANNING	__LANDSCAPE ARCHITECTURE	__RELIGION
__1400-1499	__ARCHEOLOGY-HISTORIC	__CONSERVATION	__LAW	__SCIENCE
__1500-1599	__AGRICULTURE	__ECONOMICS	__LITERATURE	__SCULPTURE
__1600-1699	X ARCHITECTURE	__EDUCATION	__MILITARY	__SOCIAL/HUMANITARIAN
__1700-1799	__ART	__ENGINEERING	__MUSIC	__THEATER
__1800-1899	__COMMERCE	__EXPLORATION/SETTLEMENT	__PHILOSOPHY	__TRANSPORTATION
X 1900-	__COMMUNICATIONS	__INDUSTRY	__POLITICS/GOVERNMENT	__OTHER (SPECIFY)
		__INVENTION		

SPECIFIC DATES BUILDER/ARCHITECT

STATEMENT OF SIGNIFICANCE

The DOBBIN HOUSE is a large early twentieth century rendition of the American colonial revival, its two storey form with a gambrel roof recalling early New England forms. The small barn, contemporary with the house, recalls a similar heritage with similar forms, its small size reflecting its suburban location.

CONTINUE ON SEPARATE SHEET IF NECESSARY

The Dobbin House was built on land owned by Ellin North Elder. George Elder acquired the piece of land and sold it to May S. Levering and her husband on June 4, 1901 (Baltimore County Land Records - BCLR - County Courts Bldg., Towson, Md.) Liber 253, folio 208.

Mr. and Mrs. Levering sold the place to Loring A. Cover on August 5, 1909 (BCLR, Liber 348, folio 1284). Mr. Cover then remodled extensively. Two large wings were built on the house and Mr. Wilson Levering Smith was the architect. The Covers lived here for many years. At the death of Mr. Cover his executor s ld the place to Russell Hopkinson and his wife, Mary L. Hopkinson for the sum of $48,000 (Liber 1830, folio 255), on April 17, 1956.

A few years later Mr. and Mrs. Hopkinson sold to Tilton H. and Julia B. Dobbin. BCLR Liber 2244, folio 66, February 2, 1963. The Dobbins are the present owners.

Tenant House

The small house on the northeast side of the Dobbin property was built about 1929 by Mr. Loring Cover for his tenants, the Bennett Colwell family. On April 17, 1950, the whole estate was sold by the executors of Mr. Loring Cover to Russell Hopkinson and his wife, Mary L., for the sum of $48,000. (BCLR Liber 1830, folio 255).

Mr. and Mrs. Hopkinson then sold off the tenant house and a small piece of land to Mrs. Louise Dawson White (BCLR, Liber 2279, folio 263, April 16, 1953). Mrs. White lived here for seven years and then sold to John R. Wilson and his wife, Jeremy B. (Liber 3786, folio 448).

Mr. Robert Randolph then purchased the place from Mr. and Mrs. Wilson on November 6, 1961 (Liber 3918, folio 23).

On May 29, 1968, Mr. Randolph who in the meantime had married sold to Tilton H. Dobbin and his wife (Liber 4880, folio 653). The Dobbins had purchased the main estate in 1953. Once more the original place was back to the way it was in 1929 under one ownership. The Dobbins have rented the house to various tenants since 1968.

Footnotes on Tenant House

All information obtained through conversations with Mrs. Tilton Dobbin, Mrs. Grace Cover Symington, Mr. Loring Cover and Mr. Bennett Colwell.

BA-1627

9 MAJOR BIBLIOGRAPHICAL REFERENCES

Baltimore County Land Records, Baltimore County Courts.Bldg., Towson, Md.

CONTINUE ON SEPARATE SHEET IF NECESSARY

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY _____

VERBAL BOUNDARY DESCRIPTION

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE COUNTY

STATE COUNTY

11 FORM PREPARED BY

NAME / TITLE
James T. Wollon, Jr., A.I.A./Cornelia R. Levering, Research Historian

ORGANIZATION
Valleys Planning Council

DATE
April 1980

STREET & NUMBER
212 Washington Avenue

TELEPHONE
828-7807

CITY OR TOWN
Towson

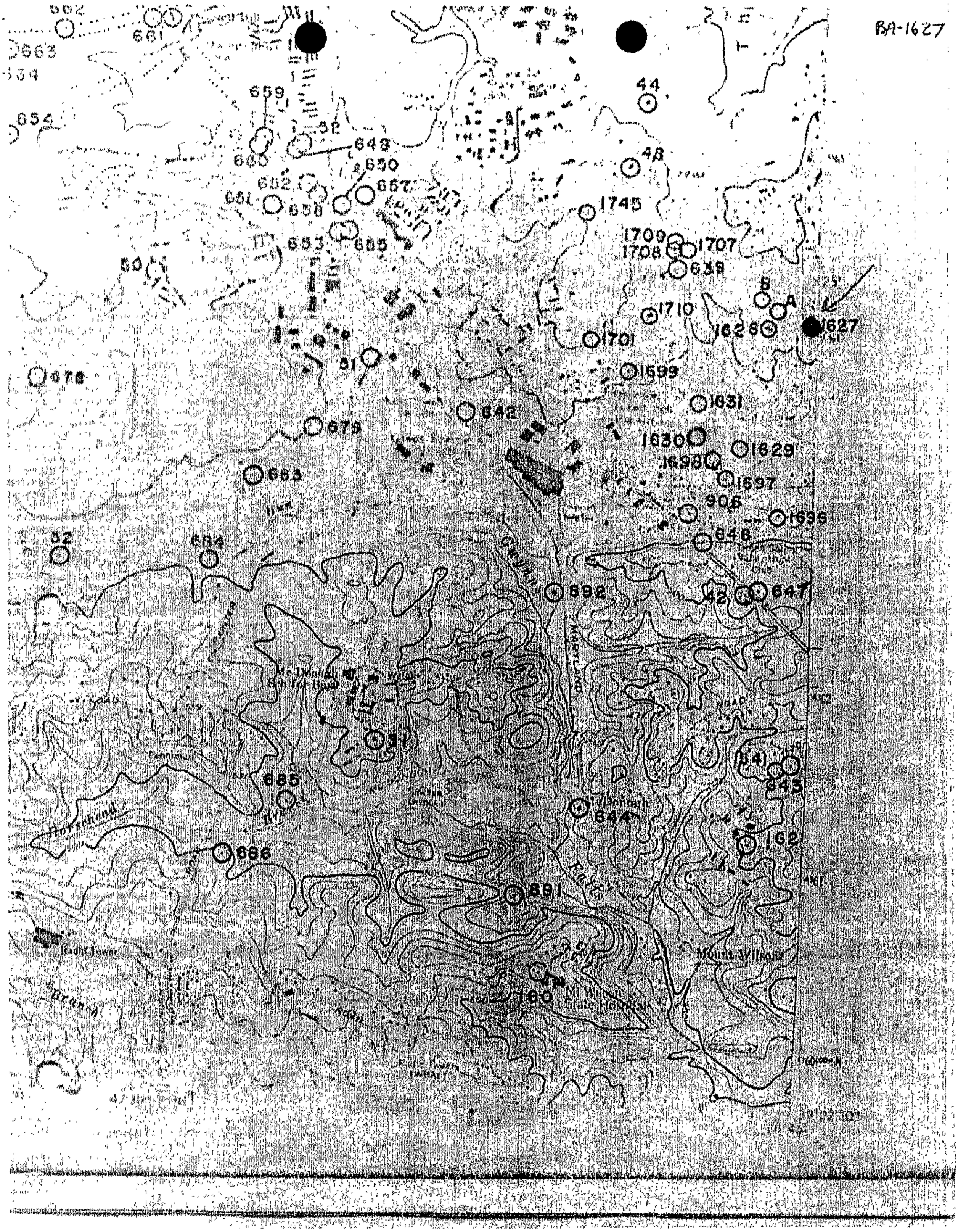
STATE
Maryland

The Maryland Historic Sites Inventory was officially created by an Act of the Maryland Legislature, to be found in the Annotated Code of Maryland, Article 41, Section 181 KA, 1974 Supplement.

The Survey and Inventory are being prepared for information and record purposes only and do not constitute any infringement of individual property rights.

RETURN TO: Maryland Historical Trust
The Shaw House, 21 State Circle
Annapolis, Maryland 21401
(301) 267-1438

BA-1627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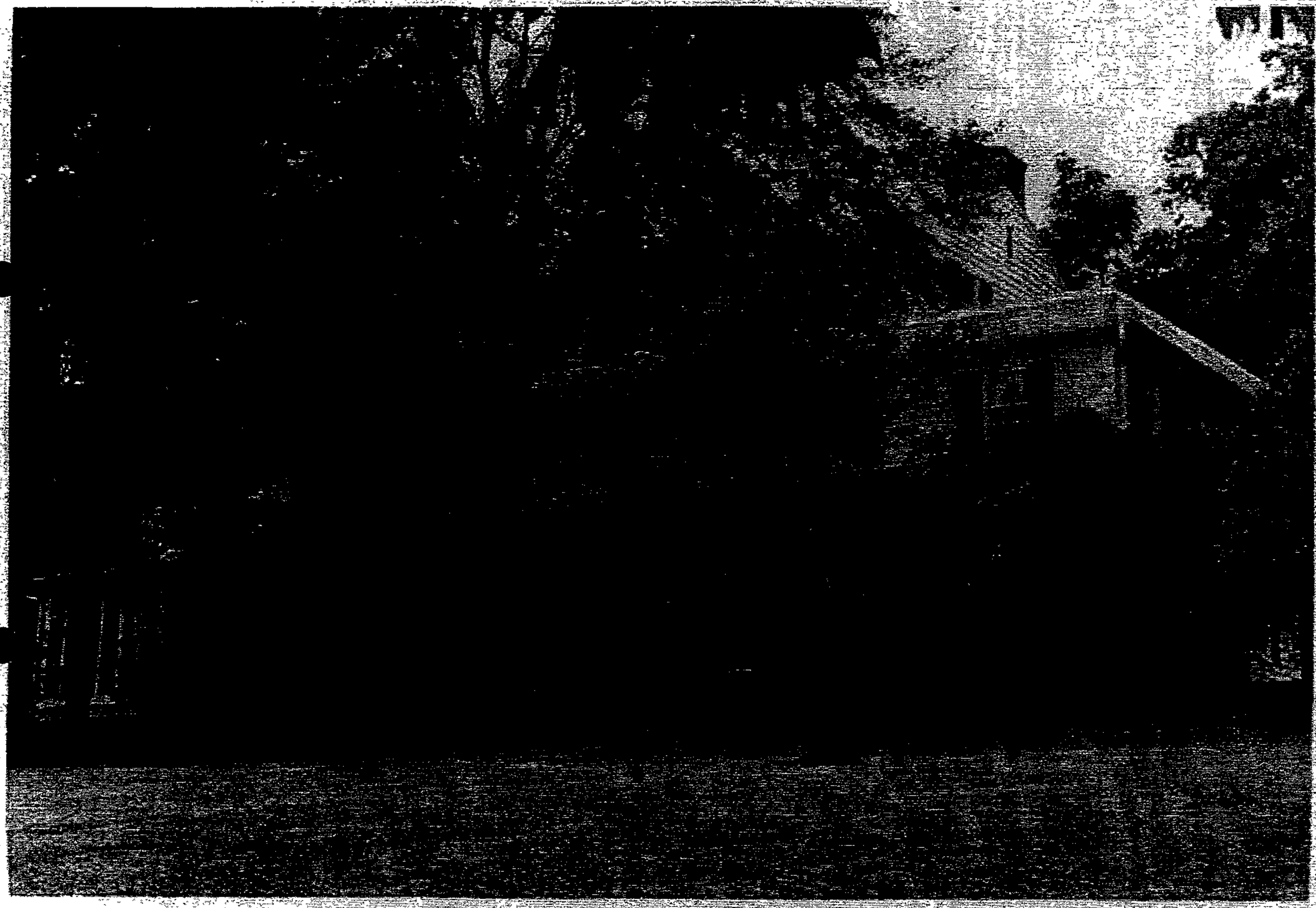
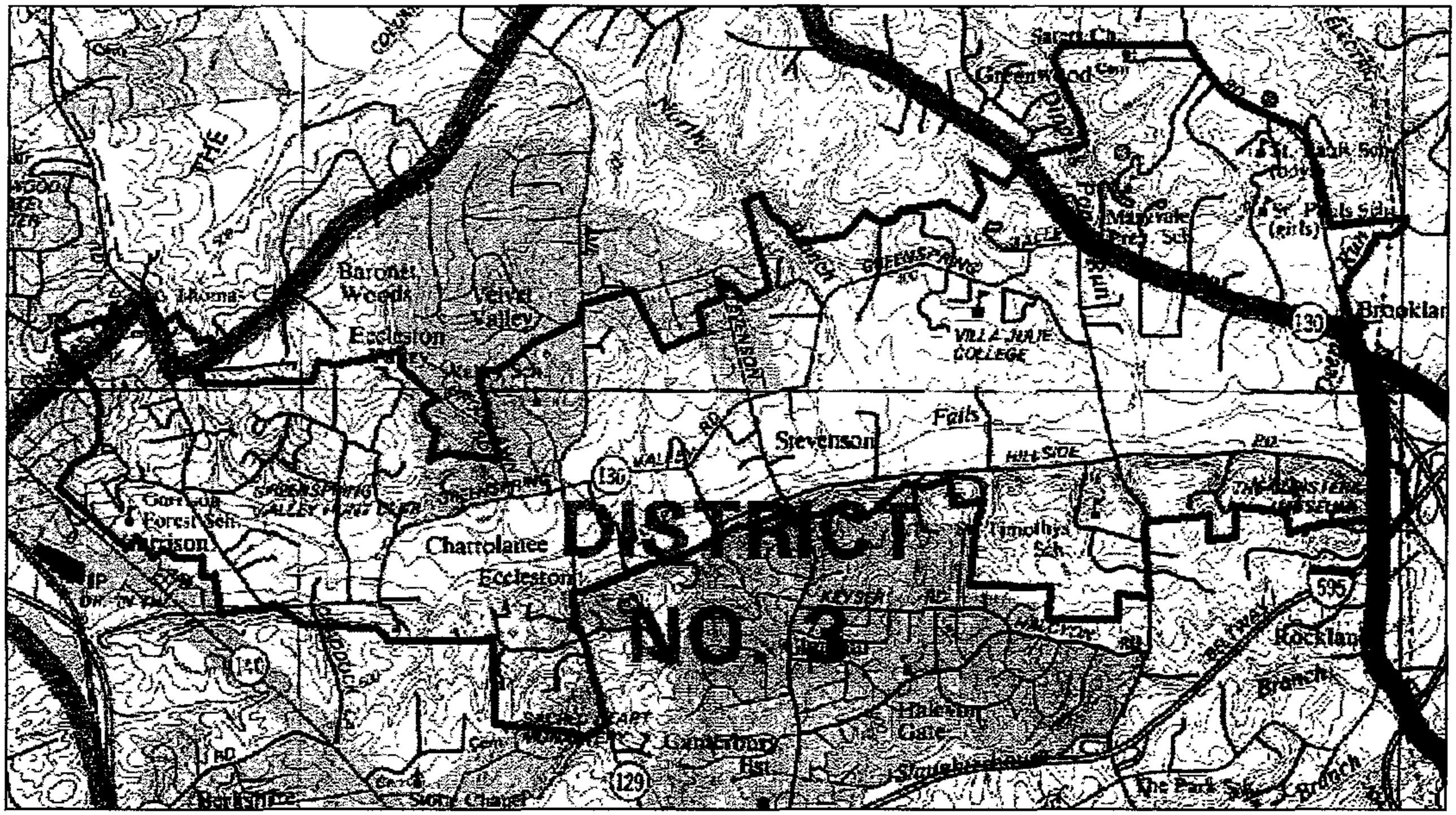
681
Mount Wilson
160
Mt Wilson
State Park
Pasadena
Sierra Madre
Monrovia
Arcadia
Duarte
Bradbury
Azusa
Glendora
Covina
Baldwin Park
Monterey Park
Alhambra
Temple City
Rosemead
El Monte
Pomona
Rancho Cucamonga
Ontario
Chino
Fontana
Rialto
Bloomington
Colton
Grand Terrace
Loma Linda
Redlands
Highland
San Bernardino
Rancho Cucamonga
Upland
Claremont



BA 1627
Dobbin House
GSVHD
Golf Crse.RD
JTW
7-11-79
Md.Hist.Tr.
from SE

BA 1627
Dobbin Barn
MGSVHD
Golf Course
Road

JTW
7-11-79
Md.Hist.Tr.
from S.



Green Spring Valley Historic District Boundary Map

Close Window

ED	QD	BA-	SITE NAME/ADDRESS	ENTRY DATE	SOURCE
3	COC	1621	MRS. A.H. STUMP HOUSE 303 Chattolanee Hill Rd., Chattloanee	4-18 1979	Judy Baer
3	COC	1622	JAMES HOWARD TENANT HOUSE 307 Chattolanee Hill Rd., Chattolanee		
3	COC	1623	SUSAN P. WHARTON HOUSE 319 Chattolanee Hill Road, Chattolanee		
3	COC	1624	FRANCIS G. KENNEDY HOUSE 317 Chattolanee Hill Road, Chattolanee		
3	COC	1625	LORING A. COVER HOUSE 401 Chattolanee Hill Road, Chattolanee		
12	BAE	1626	DORRETT HOUSE (SITE) 7880 Hydrangea Road (proposed avenue) Emala-Stansbury Park, Dundalk vicin.	filler: Jan. 1981	Mrs. Alma J. Paul
3	COC-REI	1627	TILTON H. Dobbin HOUSE 3112 Golf Course Road, Chattolanee A--TILTON H. B DOBBEN HOUSE: BARN	4-18 1979	Judy Baer
3	REI	1628	JACOB W. SLAGLE HOUSE 3120 Golf Course Road, Chattolanee A--JACOB W. SLAGLE: CARRIAGE HOUSE B-- : TENANT HOUSE		
3	REI	1629	CORNELIA LEVERING HOUSE 115 Garrison Forest Road, Garrison		
3	REI	1630	THEODORE KAPLAN HOUSE 200 Garrison Forest Road, Garrison		
3	REI	1631	CHARLES WHITE HOUSE 214 Garrison Forest Road, Garrison		
3	COC	1632	CHARLES WAGNER HOUSE 2 Golf Course Road, Chattolanee		

Baltimore County Office of Planning And Zoning
Historic Sites Inventory

Site No: 01627

Name: TILTON H. DOBBIN HOUSE

Address: 3112 GOLF COURSE ROAD, CHATTOLANEE

Tax Map: 58 Parcel Number: 105 Census Tract: 403701 Planning Area: 3

Election District: 3 Councilmanic District: 3 Zoning: RC 2

Acres: 0.00 Map-2000 10 North Cord: East Cord:

Registry Status: ON MARYLAND HISTORICAL TRUST INVENTORY Ownership: PRIVATE

Specific Date: 0 Date Period: 1901-1925 Nat Historic Dis No: ~~LUTHERVILLE~~ GSV

County Dis No: 0 County final List: 0 Functional class: PRIVATE RESIDENCES

Style: GEORGIAN Condition: EXCELLENT

Foundation: STONE Wall Cover: WOOD SHINGLE Roof Style: GAMBREL

Significance 1: ARCHITECTURE

Significance 2: 0

Significance 3: 0

Description: LARGE FRAME HOUSE IN NEW ENGLAND VERSION OF COLONIAL REVIVAL. FULL-WIDTH FRONT PORCH. BUILT BY MAY S. LEVERING AFTER 1909.

Description 2: ENLARGED DURING TENURE OF LORING A. COVER (AFTER 1909) WHEN WINGS DESIGNED BY WILSON LEVERING SMITH. ALSO A SHINGLED, GAMBREL-ROOFED GARAGE. SMALL TENANT HOUSE.

Description 3:

OLWEN MODELL
3120 Golf Course Road West
Owings Mills, MD 21117

Hon. John V. Murphy, Deputy Zoning Commissioner
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: 3112 Golf Course Road West
Special Hearing to Approve Existing Barn as a Non-conforming Structure

Dear Mr. Murphy:

I am writing in support of the Petitioner's request in the above-referenced matter. I have resided at 3120 Golf Course Road West for seven years. My home is only a few hundred feet from the property in question and I share a common boundary with 3112 Golf Course Road West. The barn on the property is a historic structure and adds immeasurably to the atmosphere and charm of the neighborhood. It has always been well maintained.

I understand that this issue has arisen because of a technicality in the Baltimore County Zoning Regulations which typically requires barns to be located in the rear yard, while this barn is technically located in the front yard of the house at 3112 Golf Course Road West. The barn and the house are both quite old and the barn, in particular, has been a fixture in the neighborhood for many years. It would be very unfortunate for Baltimore County to require the demolition of the barn on the basis of such a technicality.

Please consider my comments when deciding this issue. Thank you.

Sincerely yours,

Olwen E Modell

Mr. And Mrs. Kurt Aarsand
114 Garrison Forest Road
Owings Mills, MD 21117

Hon, John V. Murphy, Deputy Zoning Commissioner
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: 3112 Golf Course Road West
Special Hearing to Approve Existing Barn as a Non-Conforming Structure

Dear Mr. Murphy:

I am writing in support of the Petitioner's request in the above referenced matter. I have resided at 114 Garrison Forest Road for approximately nine years. I have recently purchased a 2 acre lot adjacent to the structure which is the subject of this hearing on the property of my new neighbors. The barn on the neighboring property is a very old and historic structure which goes back to the early part of the 20th century when this area was agricultural and undoubtedly housed horses or cattle judging from its stalls. It is considered to be a neighborhood amenity which connects the neighborhood's rural character with its historic past and it adds to the atmosphere and country charm of our new neighborhood although our old neighborhood is quite near by and, as the crow flies, perhaps three quarters of a mile west of the barn.

I understand that this issue has arisen because of a technicality in the Baltimore County Zoning Regulations which typically require barns to be located in the rear yard, while this barn is technically located for the past 90 or so years in the front yard of the house at 3112 Golf Course Road West. The barn has been a fixture for nearly a century and it would be very sad and unfortunate for Baltimore County to require its demolition on the basis of such a small technicality in this rural and secluded setting.

Please consider my comments and those of other neighbors when deciding the fate of this handsome old structure.

Sincerely yours,

Kurt Aarsand

Mr. and Mrs. Jeffrey Y. Flynn
333 Golf Course Road
Owings Mills, MD 21117

Hon. John V. Murphy, Deputy Zoning Commissioner
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: 3112 Golf Course Road West
Special Hearing to Approve Existing Barn as a Non-conforming Structure

Dear Mr. Murphy:

I am writing in support of the Petitioner's request in the above-referenced matter. I have resided at 333 Golf Course Road for several years. My home is directly across the Road from the handsome and historic old barn. We have grown quite fond of this structure and it is very much in keeping with the history of the neighborhood's agricultural heritage at the end of the 19th century and the beginning of the 20th century when, I believe, the barn was built. The barn on the property is a historic structure and considered a neighborhood amenity and adds immeasurably to the atmosphere and charm of the neighborhood. It has always been well maintained and will be refurbished in the future.

I understand that this issue has arisen because of a technicality in the Baltimore County Zoning Regulations which typically requires barns to be located in the rear yard, while this barn is technically located in the front yard of the house at 3112 Golf Course Road West. The barn and the house are both quite old and the barn, in particular, has been a fixture in the neighborhood for many years. It would be very unfortunate for Baltimore County to require the demolition of the barn on the basis of such a technicality.

Please consider my comments when deciding this issue. Thank you.

Sincerely yours,
Mr. & Mrs. Jeffrey Y. Flynn
Jeffrey Y. Flynn

Trans Healthcare, Inc.
910 Ridgebrook Road
Sparks, MD 21152
410-773-1000

facsimile transmittal

To:	Dino LaFiandra	**Fax:**	(410) 832-2015
From:	Brad Bennett	**Date:**	March 15, 2005
Dept:		**Pages:**	(Incl. Cover)

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

CONFIDENTIAL

Dit #5

March 15, 2005

John J. Murphy, Esquire
Deputy Zoning Commissioner
401 Bosley Avenue, Suite 405
Towson, MD 21204

Dear Mr. Murphy:

I am writing you in reference to the barn structure located at 3112 Golf Course Road West. My wife Kara and I are the owners of the property, which we purchased from Michael and Barbara Spodak in July 2004.

By all accounts the barn is believed to be between seventy-five and one hundred years old. In addition, it has been maintained over time, and we believe greatly adds to the character of the neighborhood.

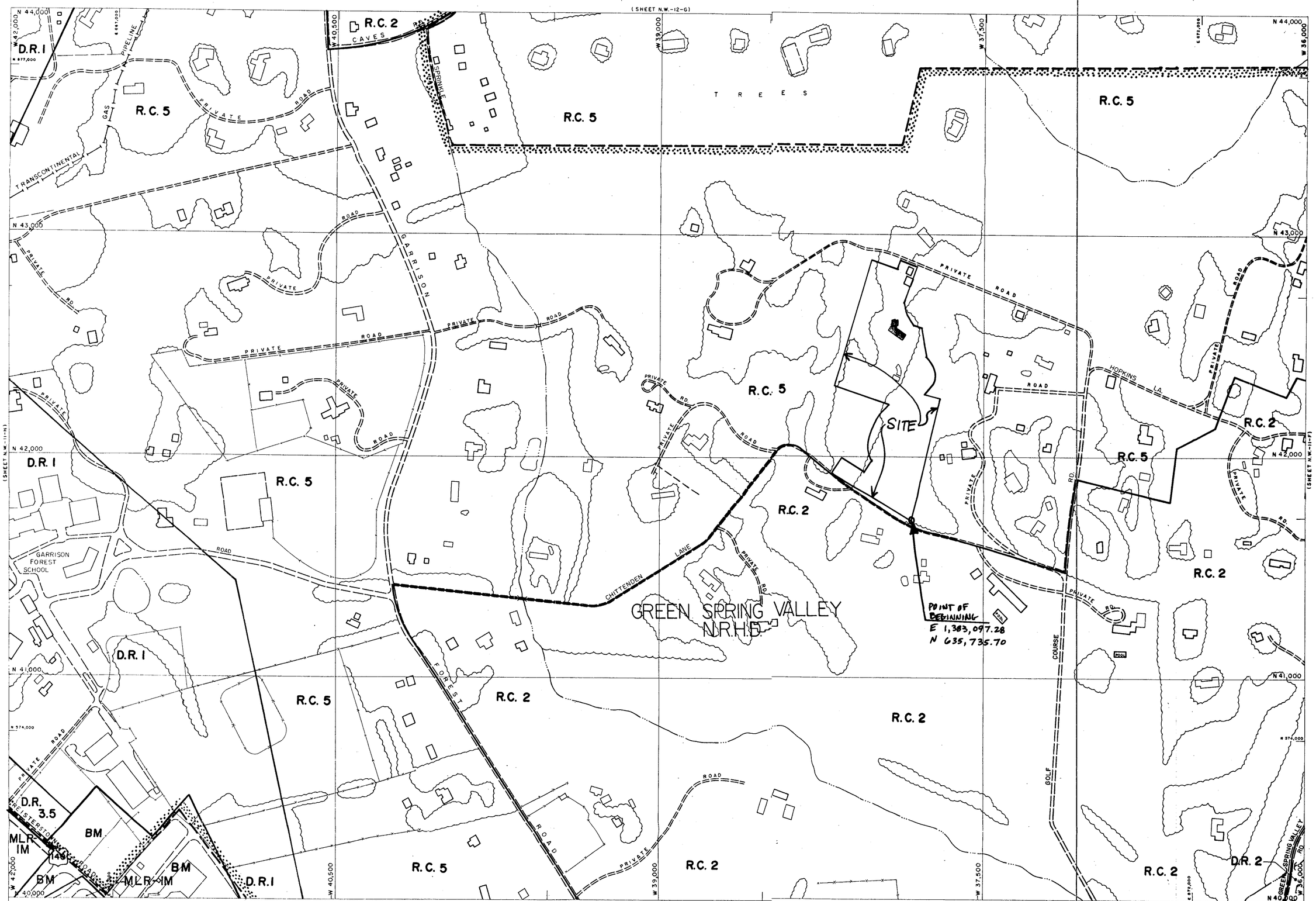
Kara and I kindly ask that you grant the requested zoning variance, allowing this historic structure to remain standing.

Thank you for your consideration.

Sincerely,

W. Bradley Bennett

WBB\cci\Murphy.doc



T-SE

P-NE

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

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

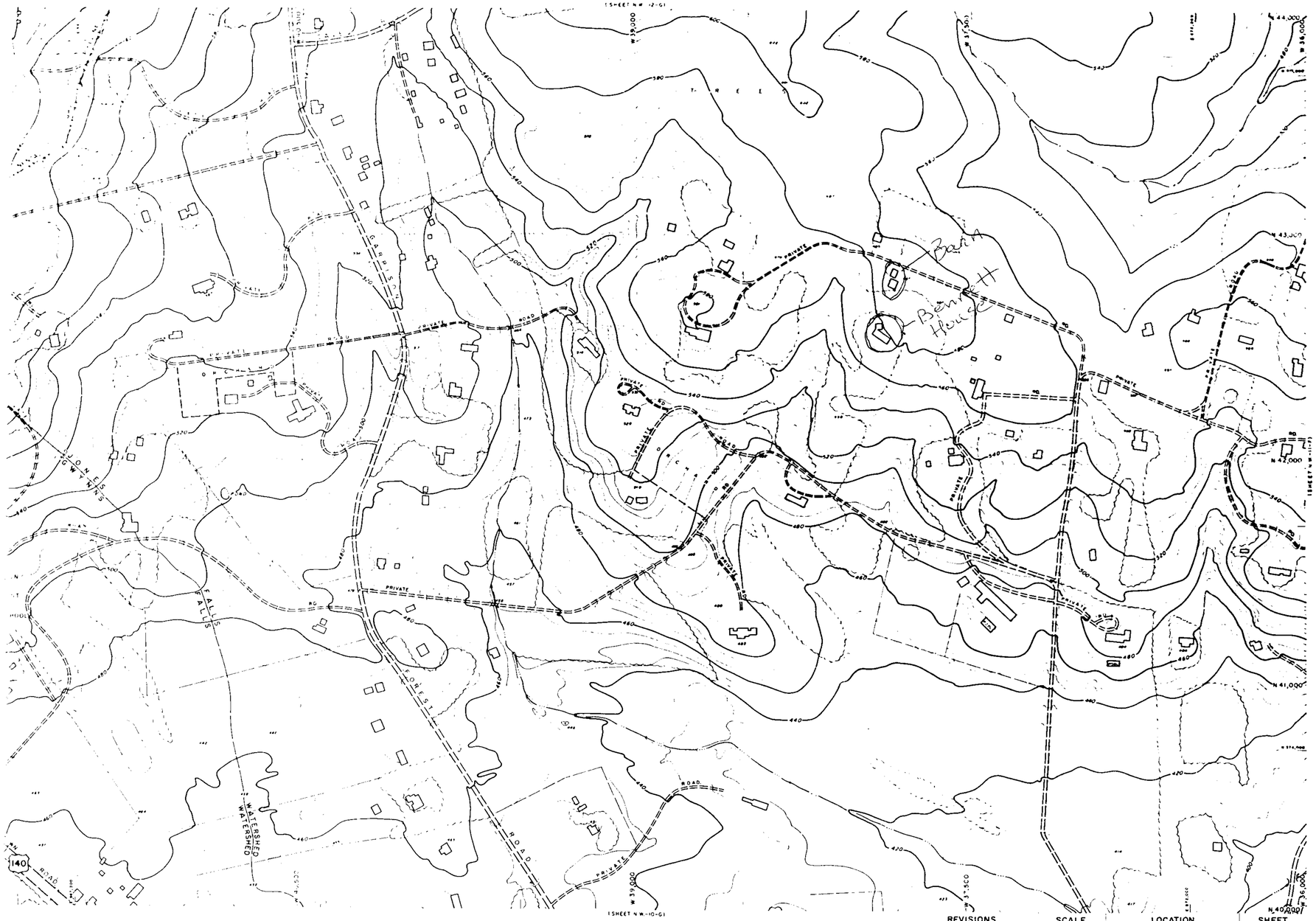
Joseph Bartenfelder
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CHATTOLANEE	N.W. 11-G
DATE OF PHOTOGRAPHY JANUARY 1986		

NW 11G

05-378-SPH



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

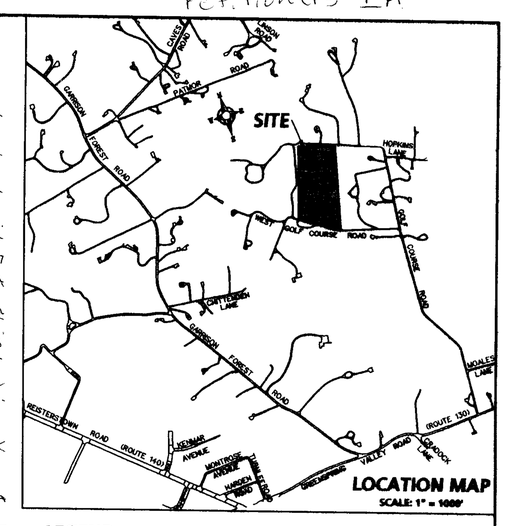
REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	CHATTALONEE	N.W. 11-G
		DATE OF PHOTOGRAPHY APRIL 1953		

Topography Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION - PHILADELPHIA, PA.

Det #3

Petitioners 1A

PLAN
SCALE: 1"=50'



LEGEND

EXISTING 2' CONTOUR	568
EXISTING 10' CONTOUR	570
EXISTING WELL	EX. WELL
STREAM	
WETLANDS	W W W W
PROPOSED WELL AREA	
PROPERTY BOUNDARY	S58° 06' 34" E 545.06'
R/W LINE	
SOIL LINE	GcB2 GcD2
ZONING LINE	R.C.-5 R.C.-2
FOREST CONSERVATION ESMT.	FCE FCE
FOREST BUFFER ESMT.	FBE FBE
FOREST BUFFER & FOREST CONSERVATION ESMT.	FBE/FCE FBE/FCE
BUILDING SETBACK LINE	Minimum Building Setback Line
EXISTING EDGE WOODS	
PROPOSED EDGE WOODS	
EDGE EXISTING PAVEMENT	
EXISTING BUILDING	
PROPOSED BUILDING	
EXIST. SANITARY SEWER LINE	EX. SAN.
LIMIT OF DISTURBANCE	LOD LOD LOD
PROPOSED PAVING	
SLOPES 25% OR GREATER	
PROPOSED SEPTIC RES. AREA	
PERC. TEST LOCATION	A

GENERAL NOTES:

1. GROSS AREA: 11.467 AC +/-
   NET AREA: 11.467 AC +/-
2. ZONING: RC-5 (2000 ZONING MAP NW 11-G).
   THERE IS NO ZONING CASE HISTORY FOR THIS SITE.
   OTHER THAN THE ZONING BOUNDARY SHOWN (SEE AREA SOUTH OF SITE), THERE IS NO CHANGE OF ZONE WITHIN 200 FT OF THE SUBJECT PROPERTY.
3. THIS SITE DOES NOT LIE WITHIN THE 100-YEAR FLOOD PLAIN.
4. OWNER: BRADLEY BENNETT & KARA BENNETT
   3112 W. GOLF COURSE ROAD
   OWINGS MILLS, MARYLAND 21117-4116
   410-363-0782
5. TAX ACCOUNT NO.: 1900003787
6. DEED REFERENCE: LIBER S.M. 20110, FOLIO 235
   PLAT REFERENCE: N/A
   TAX MAP 67 BLOCK 6 PARCEL 151
7. EXISTING USE: ONE SINGLE FAMILY DWELLING AND BARN
   PROPOSED USE: THREE SINGLE FAMILY DWELLINGS
8. CENSUS TRACT: 4037.01
   REGIONAL PLANNING DISTRICT: 313
   SCHOOL DISTRICT: OWINGS MILLS ELEMENTARY
   WATERSHED: JONES FALLS - 8TH
   SUB-SEWERSHED: 85
   ADC MAP 25 B 4
9. A PRIVATE INGRESS EGRESS MAINTENANCE AND UTILITY EASEMENT AGREEMENT WILL BE RECORDED WITHIN EACH LOT'S DEED.
10. TOPOGRAPHY SHOWN HEREON IS TAKEN FROM BALTIMORE COUNTY GIS TOPO TILES 058C3 & 067C1.
11. ALL LOTS SHOWN HEREON TO BE SERVED BY ITS OWN PRIVATE SEPTIC RESERVE AREA AND WELL.
12. WITHIN THE PROPERTY BOUNDARY, THERE IS 1 EXISTING ABANDONED WELL, 1 EXISTING SEPTIC SYSTEM TO REMAIN, AND 1 WELL WITHIN EACH OF THE THREE "PROPOSED WELL AREAS."
13. THERE ARE NO KNOWN UNDERGROUND FUEL OR PESTICIDE TANKS ON SITE.
14. THE ISSUANCE OF A BUILDING PERMIT AND ALL GRADING WILL BE DONE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL APPROVED BY THE BALTIMORE COUNTY SOIL CONSERVATION DISTRICT.
15. THE COURSES AND COORDINATES SHOWN HEREON ARE BASED UPON THE SYSTEM OF COORDINATES ESTABLISHED IN THE MARYLAND COORDINATE SYSTEM VERTICAL NAVD 88 & HORIZONTAL NAD 83/91.
16. LOCAL OPEN SPACE IS NOT REQUIRED FOR MINOR SUBDIVISIONS.
17. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
18. SOIL TYPES TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 27.
19. ENVELOPES SHOWN HEREON ARE FOR LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS. (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
20. PRINCIPAL BUILDING ENVELOPES SHOWN HEREON WERE COMPILED USING THE REQUIREMENTS FOR LARGE LOT SUBDIVISIONS PER THE BALTIMORE COUNTY ZONING REGULATIONS, SECTION 1B01.2.c.b.
21. HIGHWAYS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, FOREST CONSERVATION EASEMENTS, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, GREENWAY AREAS IN FEE EASEMENT AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED UNTO THE OWNER AND, EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS WILL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST, UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY. THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS THE RIGHT TO ENTER UPON THE PROPERTY FOR THE PURPOSE OF INSTALLING CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES AND STORM WATER MANAGEMENT PONDS AND FACILITIES.
22. BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAT TO USE ALL OR ANY PART OF THAT LAND DESIGNATED AS A PRIVATE RIGHT-OF-WAY FOR THE PURPOSE OF INGRESS, EGRESS, REGRESS OR THE RIGHT TO OPEN OR EXCAVATE THE AFORESAID PRIVATE RIGHT-OF-WAY FOR THE PURPOSE OF INSTALLING, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS BUT NOT LIMITED TO WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TELEVISION.
23. ALL EXISTING SEPTIC SYSTEMS, WELL AND PERCOLATION TESTS ARE FIELD LOCATED.
24. NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREA.
25. A.D.T.'S - 3 x 12.4 = 37.2
26. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
27. THIS PROPERTY IS WITHIN THE GREENSPRING VALLEY NATIONAL REGISTERED HISTORIC DISTRICT, MARYLAND HISTORICAL TRUST INVENTORY NO. 1627.
28. THE PROPERTY OWNERS WILL HOLD FREE AND HARMLESS BALTIMORE COUNTY GOVERNMENT FROM ANY AND ALL DAMAGE THAT MAY RESULT FROM ITS USE OF THE 30 FOOT WIDE USE-IN-COMMON DRIVEWAY TO ACCESS THE FOREST CONSERVATION EASEMENT.
29. NO MORE THAN 15% OF ANY LOT MAY BE COVERED BY BUILDINGS.
30. THE PANHANDLE SHALL BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.
31. AS A CONDITION OF THE APPROVAL OF THIS MINOR SUBDIVISION PLAN, ALTERATIONS OR CHANGES TO THE EXTERIOR OF THE HISTORIC STRUCTURE, IN MATERIALS AND/OR IN DESIGN, SHALL BE SUBJECT TO HISTORIC REVIEW. THE DIRECTOR OF THE OFFICE OF PLANNING MUST REVIEW AND APPROVE ANY CHANGES TO THE EXTERIOR OF SAID STRUCTURE AS GUIDED BY THE SECRETARY OF THE INTERIOR'S STANDARDS. THESE CHANGES INCLUDE, BUT ARE NOT LIMITED TO WINDOW REPLACEMENTS, SIDING REPLACEMENTS, ROOF REPLACEMENTS, PARTIAL DEMOLITIONS AND ADDITIONS.
32. A ZONING FINAL DEVELOPMENT PLAN MAY BE REQUIRED DEPENDING ON THE NUMBER OF LOTS CREATED (AS DETERMINED FROM ZONING AND THE EFFECTIVE DATE OF THE ZONING REGULATIONS FOR THAT ZONE).

DENSITY CALCULATIONS:

GROSS AREA: 11.467 Ac.+/-
NET AREA: 11.467 Ac.+/-
LOTS PERMITTED: (0.667x11.467 Ac.+/- - 7.645) = 7
LOTS PROPOSED: 3

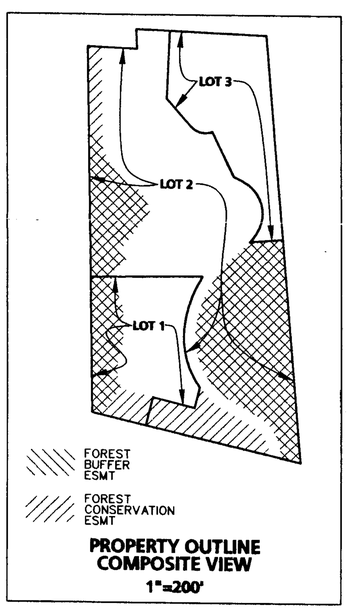
THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE PRIOR TO FEBRUARY 2, 1953. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY, AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS. A LOT LINE ADJUSTMENT WAS ACCOMPLISHED IN 1981 WHICH CHANGED THE AREA OF THE TRACT FROM 11.70-ACRES+/- TO 11.467-ACRES+/-

STORMWATER MANAGEMENT NOTES:

THIS PROPERTY HAS OBTAINED A VARIANCE FROM THE BALTIMORE COUNTY STORMWATER MANAGEMENT REQUIREMENTS. (APPROVAL LETTER DATED NOVEMBER 18, 2004 FROM BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.)

FOREST BUFFER & FOREST CONSERVATION EASEMENT NOTES:

1. THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON ARE SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY WHICH RESTRICT THE DISTURBANCE AND USE OF THESE AREAS.
2. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION OR FOREST BUFFER EASEMENTS, EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPRM.
3. ACCESS TO THE FOREST CONSERVATION EASEMENT AND FOREST BUFFER EASEMENT SHALL BE FROM WEST GOLF COURSE ROAD.
4. APPROVAL OF A COMBINED VARIANCE AND ALTERNATIVES ANALYSIS WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FROM REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. CONDITIONS WERE PLACED ON THIS APPROVAL TO REDUCE WATER QUALITY IMPACTS, INCLUDING IMPLEMENTATION OF ONSITE MITIGATION MEASURES.



PROPERTY OUTLINE COMPOSITE VIEW
1"=200'

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
GcB2	SLIGHT	SLIGHT	MODERATE: SLOPE
GcC2	MODERATE: SLOPE	MODERATE: SLOPE	SEVERE: SLOPE
GcD2	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE

LOT NUMBER	ACREAGE
LOT #1	2.000 +/-
LOT #2	7.467 +/-
LOT #3	2.000 +/-
TOTAL AREA	11.467 +/-

TOTAL AREA OF DISTURBANCE TO BE DETERMINED ON EACH NEW LOT WHEN HOUSE PLANS ARE SELECTED

*32-4-211, -217, -221, -242, -243, -251, -254, & 32-4-227, -229, & -244

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 04-033 M

DEVELOPMENT REGULATIONS
☒ Exempt from Section 2
☐ Panhandle exempt from Sections *

PDM CERTIFICATION
☒ Approved Conditionally ☐ Disapproved
By: WCR/KCM Date: 12-22-04

APPROVED DEPRM
By: Thomas H. Uhlman Date: 1/3/05
JDO

ENGINEERS CERTIFICATION:
IT IS TO CERTIFY THAT THIS PLAN IS IN COMPLIANCE WITH ALL PLANS PREVIOUSLY APPROVED BY THE COUNTY AND BALTIMORE COUNTY COMMENTS ATTENDANTS THERETO.

STEPHEN A. WARFIELD — DATE 12/15/04
REG. MD. PROFESSIONAL ENGINEER #21162

STATE OF MARYLAND — BRUCE EDWIN DOAK — NO. 551 — REGISTERED PROFESSIONAL LAND SURVEYOR — 12/15/04

SIGNED FOR MINOR SUBDIVISION
BRUCE DOAK
GERHOLD, CROSS, & ETZEL
320 TOWSONTOWN BLVD, STE 100
TOWSON, MD 21286
(410) 823-4470

STATE OF MARYLAND — ROBERT WILLIAM MATIS — No. 505 — REGISTERED PROPERTY LINE SURVEYOR — 12/15/04

SIGNED FOR BOUNDARY SURVEY
ROBERT MATIS
SURVEY SERVICES, INC.
752 CAMBERLY CIRCLE
TOWSON, MD 21204
(410) 321-8692

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

OWNER:
BRADLEY BENNETT &
KARA BENNETT
3112 W. GOLF COURSE ROAD
OWINGS MILLS, MARYLAND 21117-4116
410-363-0782

DEVELOPER:
J. PAUL BUILDERS, LLC
P.O. BOX 169
STEVENSON, MARYLAND 21153
410-602-8070

DATE	REVISION
3-2-04	FIRST SUBMITTAL
7-22-04	SECOND SUBMITTAL
11-18-04	PLOT DATE
12-13-04	MYLAR PLOT DATE

MINOR SUBDIVISION No. 04-033 M

MINOR SUBDIVISION OF SPODAK PROPERTY

3112 WEST GOLF COURSE ROAD

3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
SCALE: 1" = 50'

BALTIMORE COUNTY, MARYLAND
DATE: JULY 22, 2004