IN RE: PETITION FOR SPECIAL HEARING East Side of Yeoho Road, 2513' southeast of c/l of Tracey Road 5th Election District 3rd Councilmanic District **(2119 Yeoho Road)** Cold Bottom Farms, Inc. *Petitioner*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 06-256-SPH

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner on a Petition for Special Hearing for the property located at 2119 Yeoho Road in the northern area of Baltimore County. The Petition was filed on behalf of Cold Bottom Farms, Inc., by Charles E. Ensor, Jr., President. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Baltimore County Code, Section 32-4-409(c), to approve access to local street through an existing right-of-way instead of an in-fee strip.

The property was posted with Notice of Hearing on December 12, 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 December 15, 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.

Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: A ZAC comment was received by the Department of Environmental Protection and Resource Management (DEPRM) dated December 9, 2005, which recommended approval of the Petition, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing relief were Christy Copenhauer, Benjamin Copenhauer and Charles Ensor, Petitioner, as well as Mitch Kellman from Daft, McCune & Walker, Inc., who prepared the site plan. D. Dusky Holman, Esquire represented the Petitioner. Kenneth Bosley attended the hearing as an interested citizen. There were no protestants attending the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Mr. Holman proffered that the subject property contains approximately 59 acres zoned RC 2 and is a working farm. The Petitioner would like to rebuild a house for his daughter and son-in-law on the far rear of the property, which had been razed in the 1950's. This site had been served by a 1/2 mile long private driveway from Yeoho Road to the old home as shown on Petitioner's Exhibit 1. The driveway has been used for nearly a century or more for access to the old home site and as a farm road over which heavy farm machinery and trucks regularly pass.

Mr. Holman indicated that his client was requesting a "child lot" exemption from the development regulations based upon the Petitioner's daughter and son-in-law building a new home on the lot. He noted that this one-acre parcel is not nor had not been farmed, so that

Date 1-15-06
By

approving the new lot and home would not adversely affect agriculture in any way. He pointed out that the land preservation review section of DEPRM endorsed this proposal as shown in the comment from DEPRM dated December 9, 2005. This comment also indicated that the property was subject to an agricultural easement and the new home and lot approved by the County Agricultural Land Preservation Advisory board as well as the Maryland Agricultural Land Preservation Foundation.

In regard to questions regarding the driveway ability to support a 65,000 pound fire truck, Mr. Ensor testified that 75,000 pound dump trucks used for the farm regularly use the driveway to move agricultural products without a problem even in the spring of the year. He opined that the stone base of the driveway is approximately 2 feet deep which will support virtually any vehicle. In addition, the drive has locations along its length, which will allow vehicles to pull off to pass one another.

Finally, Mr. Holman proffered that this request met every criteria of Section 502.1 of the B.C.Z.R. and would not adversely affect the community.

Mr. Bosley attended the hearing in order to see how his request for use of a similar driveway would be handled.

Findings of Fact and Conclusions of Law

The overwhelming issue in RC 2 zoned property is whether or not the request "fosters conditions favorable to continued agricultural use of productive agricultural areas of the County." See Section 1A01.1 of the B.C.Z.R. The guardian of all things agricultural is the land preservation section of DEPRM who remarkably endorse this request. The immediate site of the new home is the site of a previously existing home, which was razed in the 1950's. This fact explains why there is an existing driveway from the public road to the site. It also explains why

ORDER RECEIVED FOR FILING
Date 1-5-06
By

the one-acre parcel has not been farmed. Again, I note the two other watchdogs of agricultural preservation (the Foundation and Advisory Board) also approve this request.

I also find that this request meets the spirit and intent of the RC 2 regulations and will not adversely affect the community. Under these very peculiar circumstances I find the request most reasonable. I trust the Fire Department will carefully review the driveway to determine if it meets the fully loaded fire truck test during the subdivision review.

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' request for special hearing should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 5 day of January 2006, that the Petitioners' request for special hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Baltimore County Code, Section 32-4-409(c), to approve access to local street through an existing right-of-way instead of an in-fee strip, 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:dlw

Date 1-5-06
By

BALTIMORE COUNTY
MARYLAND

January 5, 2006

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

D. Dusky Holman, Esquire
Gildea & Schmidt, LLC
300 East Lombard Street
Suite 1440
Baltimore, Maryland 21202

Re: Petition for Special Hearing
Case No. 06-256-SPH
Property: 2119 Yeoho Road

Dear Mr. Cross:

Enclosed please find the decision rendered in the above-captioned case.

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:dlw
Enclosure

c: Charles E. Ensor, Jr., President, Cold Bottom Farms, Inc., 15801 Buffalo Run Road, Sparks, MD 21152
Christy & Benjamin Copenhauer, 15801 Buffalo Run Road, Sparks, MD 21152
Mitch Kellman, 200 E. Pennsylvania Ave., Towson, MD 21286
Kenneth Bosley, Box 585, Sparks, MD 21152
People's Counsel; Case File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2119 Yeoho Road

which is presently zoned RC-2

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

Special Hearing per Baltimore County Code, Section 32-4-409(c) to approve access to local street through an existing right-of-way instead of an in-fee strip.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Cold Bottom Farms, Inc.
Name - Type or Print

Pres
Signature

By: Charles E. Ensor, Jr., President
Name - Type or Print

Pres.
Signature

15801 Buffalo Run Road
Address — Telephone No.

Sparks, MD 21152
City — State — Zip Code

Attorney For Petitioner:

Sebastian A. Cross
Name - Type or Print

Signature Sebastian A. Cross

Gildea & Schmidt, LLC
Company

300 East Lombard Street, Suite 1440 — 410-234-0070
Address — Telephone No.

Baltimore — MD — 21202
City — State — Zip Code

Representative to be Contacted:

Sebastian A. Cross
Name

300 East Lombard Street Suite 1440 — 410-234-0070
Address — Telephone No.

Baltimore — MD — 21202
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By UTM Date 11/10/05

ORDER RECEIVED FOR FILING
Date 11-15-06
By

Case No. 06-256-SPH

REV 9/15/98

Description

To Accompany Zoning Petition

For an Area of Special Hearing

One-Acre Lot

Cold Bottom Farms

Fifth Election District, Baltimore County, Maryland

DMW

Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
http://www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land Planners, Landscape Architects, Golf Course Architects, Engineers, Surveyors & Environmental Professionals

Beginning for the same at the end of the following course and distance measured from the point formed by the intersection of the centerline of Tracey Road with the centerline of Yeoho Road, (1) South 89 degrees 20 minutes 51 seconds East 2513 feet, more or less, to the point of beginning, said point having a coordinate value of North 100265.12, West 27177.45, thence running through, over, and across a portion of the first tract of land described in a deed dated December 31, 1998, from Benson Yeoho Farms, L.L.C., a Maryland Limited Liability Company, to Cold Bottom Farms, Inc., a Maryland Corporation, and recorded among the Land Records of Baltimore County, Maryland, in Liber S.M. 13582, Folio 291, referring all courses and distances of this description to the Grid Meridian established in the Baltimore County Metropolitan District, the following four courses and distances, (1) North 22 degrees 56 minutes 11 seconds West 195.50 feet, thence (2) North 67 degrees 03 minutes 49 seconds East 238.14 feet, thence (3) South 14 degrees 01 minute 13 seconds East 197.90 feet, thence (4) South 67 degrees 03 minutes 49 seconds West 207.47 feet to the point of beginning; containing 1.00 acre of land, more or less.

#256

Being and comprising a portion of that land conveyed by a deed dated December 31, 1998, from Benson Yeoho Farms, L.L.C., a Maryland Limited Liability Company, to Cold Bottom Farms, Inc., a Maryland Corporation, and recorded among the Land Records of Baltimore County, Maryland, in Liber S.M. 13582, Folio 291.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

September 19, 2005

Project No. 05074.Z (L05074.Z)

STATE OF MARYLAND
MICHAEL DAVID MARTIN
NO. 21234
PROFESSIONAL LAND SURVEYOR

9/19/05

#256

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
'SCELLANEOUS RECEIPT

No. 1101

DATE 10/11/03 ACCOUNT 1200-000-650

AMOUNT $ [illegible]

RECEIVED FROM: [illegible]

FOR: [illegible]

DISTRIBUTION
'TE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

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: #06-256-SPH
2119 Yeoho Road
East side of Yeoho Road, 2,513 feet southeast of centerline of Tracey Road
5th Election District
3rd Councilmanic District
Legal Owner(s):
Cold Bottom Farms, Inc.
Charles Ensor, Jr.

Special Hearing: to approve access to a local street through an existing right-of-way instead of an in-fee strip.

Hearing: Friday, December 30, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.

12/150 Dec 15 78247

CERTIFICATE OF PUBLICATION

12/16/, 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 12/15/, 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.: 06-256-SPH

Petitioner/Developer: COLD BOTTOM FARMS, CHARLES ENSOR

Date of Hearing/Closing: DEC 30, 2005

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

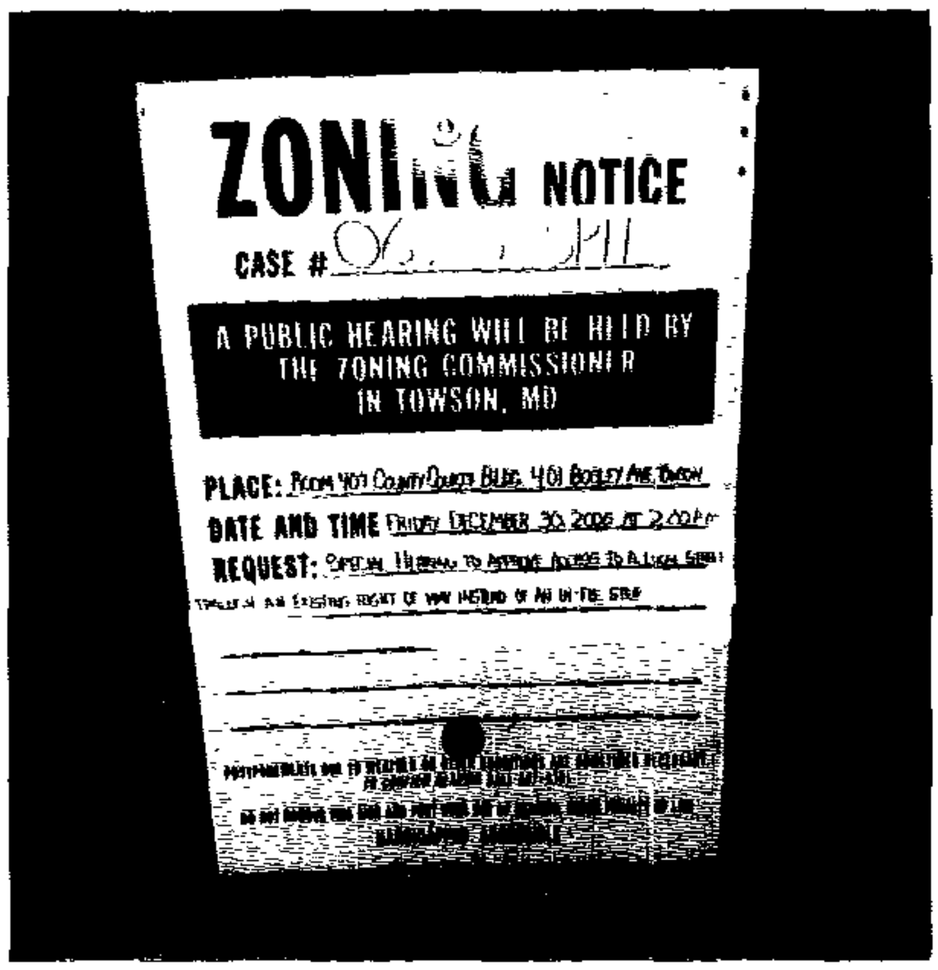
ATTN: Kristen Matthews {(410) 887-3394}

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: 2119 YEOHO RD

The sign(s) were posted on 12-12-05
(Month, Day, Year)

Sincerely,



Robert Black 12-13-05
(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)

YEOHO RD

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 15, 2005 Issue - Jeffersonian

Please forward billing to:
Sebastian A. Cross
Gildea & Schmidt, LLC
300 East Lombard Street, Ste. 1440
Baltimore, MD 21202

410-234-0070

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: 06-256-SPH
2119 Yeoho Road
East side of Yeoho Road, 2,513 feet southeast of centerline of Tracey Road
5th Election District – 3rd Councilmanic Distric
Legal Owners: Cold Bottom Farms, Inc., Charles Ensor, Jr.

Special Hearing to approve access to a local street through an existing right-of-way instead of an in-fee strip.

Hearing: Friday, December 30, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III
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

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

November 25, 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: 06-256-SPH
2119 Yeoho Road
East side of Yeoho Road, 2,513 feet southeast of centerline of Tracey Road
5th Election District – 3rd Councilmanic Distric
Legal Owners: Cold Bottom Farms, Inc., Charles Ensor, Jr.

Special Hearing to approve access to a local street through an existing right-of-way instead of an in-fee strip.

Hearing: Friday, December 30, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Sebastian Cross, 300 E. Lombard Street, Ste. 1440, Baltimore 21202
Charles Ensor, 15801 Buffalo Run Road, Sparks 21152

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 15, 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.

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: 06-256-SPH

Petitioner: Cold Bottom Farms, Inc

Address or Location: 2119 Yeoho Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Sebastian A. Cross

Address: 300 East Lombard Street, Suite 1440
Balto. MD
21202

Telephone Number: 410-234-0070

Revised 7/11/05 - 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

December 26, 2005

Sebastian A. Cross
Gildea & Schmidt, LLC.
300 East Lombard Street, Ste 1440
Baltimore, Maryland 21202

Dear Mr. Cross:

RE: Case Number: 06-256-SPH, 2119 Yeoho Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 10, 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
Cold Bottom Farms, Inc. Charles Ensor 15801 Buffalo Run Road Sparks 21152

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

November 29, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: November 14, 2005

Item No.: 250, 252, 253, 254, 255, 256, 257, 258, 260, 262.

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.

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 5, 2005

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 21, 2005
Item Nos. 103, 250, 256, 257, 258, 259, 260 and 262

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-12052005.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Timothy M. Kotroco

FROM: R. Bruce Seeley

DATE: December 9, 2005

SUBJECT: Zoning Item # 06-256-SPH
Address 2119 Yeoho Road
(Cold Bottom Farms)

Zoning Advisory Committee Meeting of November 14, 2005

_X_ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Agricultural Preservation

The lot location has been approved by the Baltimore County Agricultural Land Preservation Advisory Board and Maryland Agricultural Land Preservation Foundation. The property is under an Agricultural Easement. The lot and access should have minimal impact on the agricultural resources. Recommend approval.

Reviewer: W.S. Lippinncott Date: December 7, 2005

S:\Devcoord\ZAC06-256.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 9, 2005

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-256- Special Hearing**

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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By: _____

Division Chief: _____

CM/LL

W \DEVREV\ZAC\6-256 doc

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

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 11.28.05

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

RE: Baltimore County
Item No. 256 LTM

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,

L. T. Gredlein

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING 2119 Yeoho Road; E/S Yeoho Road, 2,513' SE c/line Tracey Road 5th Election & 3rd Councilmanic Districts Legal Owner(s): Cold Bottom Farms, Inc by Charles E. Ensor, President Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-256-SPH

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

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of November, 2005, a copy of the foregoing Entry of Appearance was mailed to Sebastian A. Cross, Esquire, Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
NOV 2 9 2005
Per.....

BALTIMORE COUNTY, MARYLAND
Interoffice Memorandum

DATE: December 14, 2005

TO: Zoning Commissioner and File

FROM: Donna Thompson, Planner II, Zoning Review

SUBJECT: Petition for Special Hearing, Item #256,
Case No. 06-256-SPH
2119 Yeoho Road

Received a telephone call from Ms. Stacy McHugh who resides at 16213 Yeoho Road who has informed our office that the sign for the above referenced property was mistakenly placed on her property. Left message for the attorney for petitioner, Sebastian A. Cross with Gildea and Schmidt that this error has occurred.

DT

PLEASE PRINT CLEARLY

CASE NAME 2119 Yeoho Rd
CASE NUMBER 06-256-SPH
DATE 12/30/05

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
D. Dusky Holman	300 E. Lombard St. Suite 1440	Balt. MD	21202 dholman@gildealle.com
Mitch Kellman	200 E. Pennsylvania Ave	Towson	21286 mkellman@dmw.com
Charles Benson	15801 Buffalo Run Rd	Sparks, MD	21152
Christy Copenhaver	15801 Buffalo Run Rd	Sparks, Md	21152
BENJAMIN A. COPENHAVER	15801 Buffalo Run Rd.	SPARKS, MD.	21152

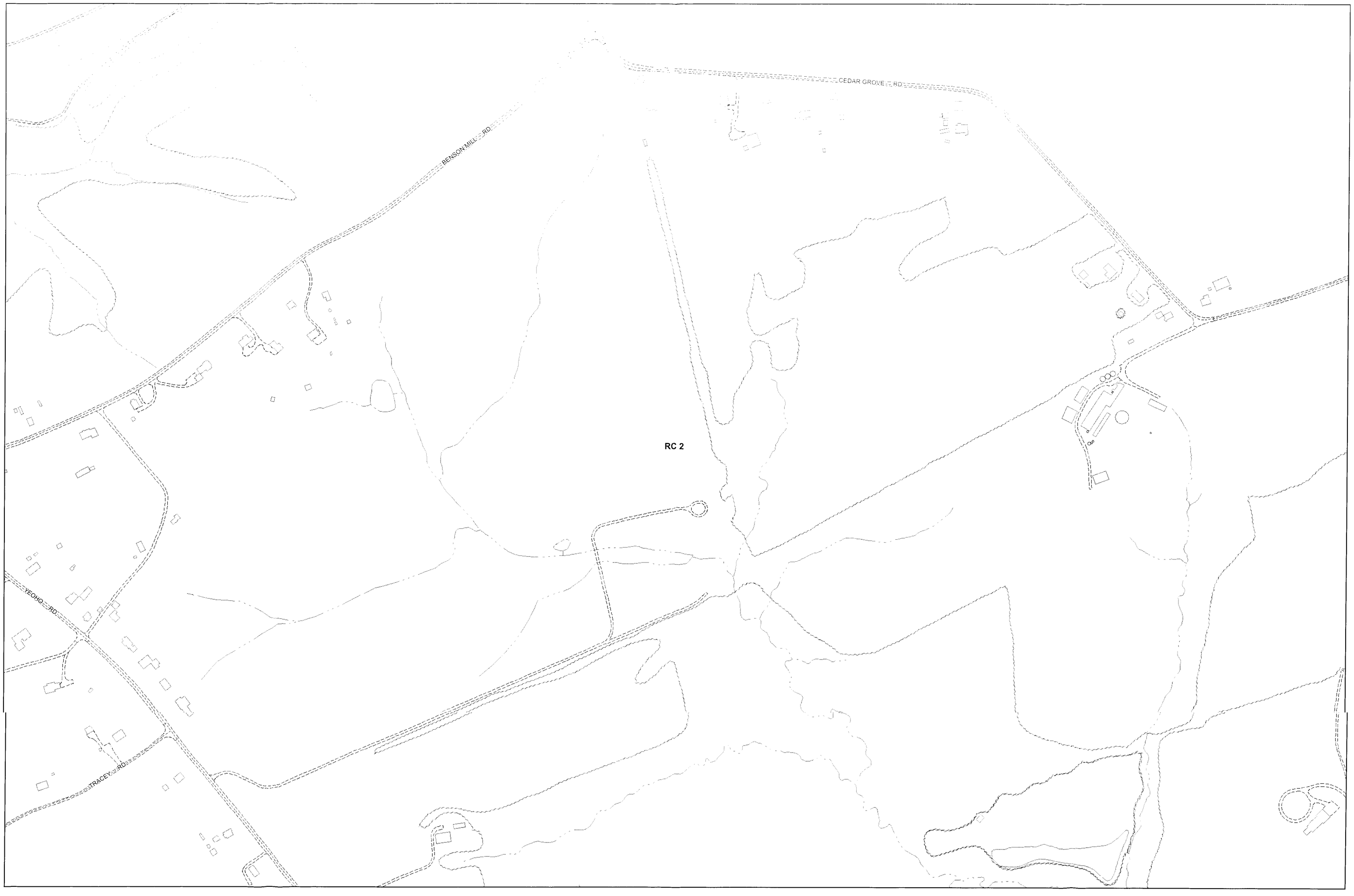
PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

CITIZEN'S SIGN-IN SHEET

interest

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
KENNETH BOSLEY	BOX 585,	SPARKS, Md 21152	



Plan Sheet: *027B1*

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

Buildings — Streams — Vegetation
Zoning — Roads — Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

020C3	021A3	021B3	021C3	022A3
026C1	027A1	027B1	027C1	028A1
026C2	027A2	027B2	027C2	028A2

Scale

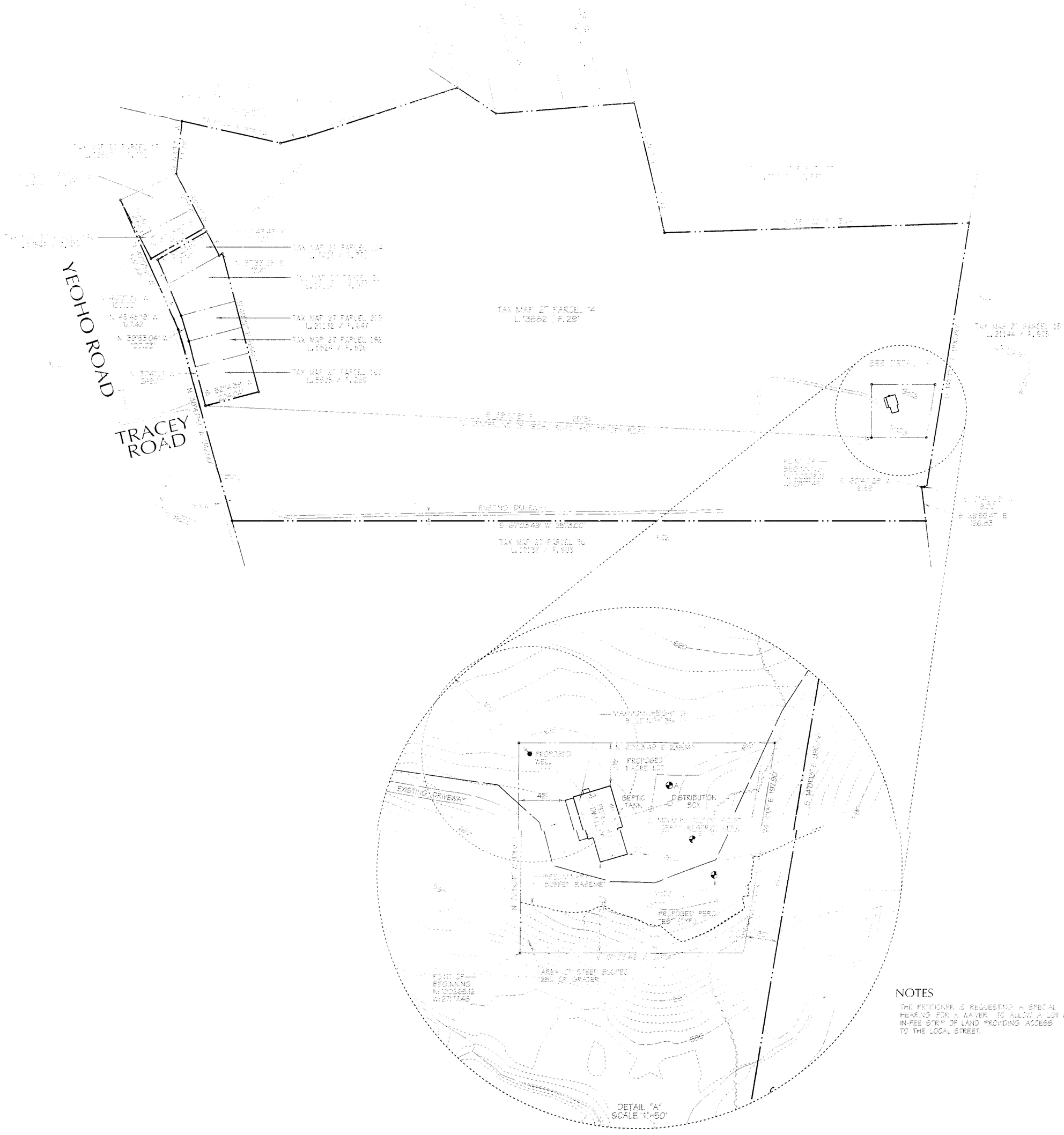
1" = 200'

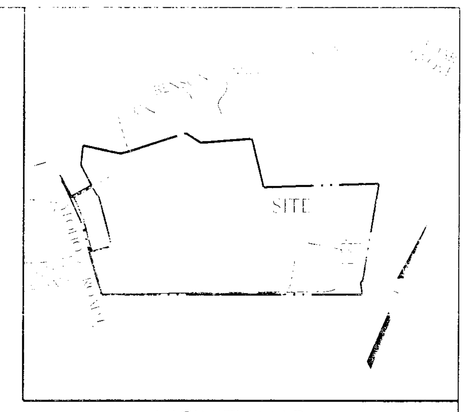
0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

#256





VICINITY MAP

GENERAL NOTES

THE PROPERTY [illegible] ZONED RC 2 PER THE 2004 COMPREHENSIVE ZONING MAPS [illegible]

ALL [illegible] SHOWN HEREON ARE BASED ON FIELD SURVEY [illegible]

THE VALUE OF HISTORIC ASSESSED PROPERTY WITHIN THIS PETITION IS INSIGNIFICANT [illegible]

WETLANDS [illegible] STUDY [illegible]

THE SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

THE PROPOSED LOT IS NOT WITHIN A 100 YEAR FLOODPLAIN.

THE SITE IS NOT WITHIN A HISTORIC DISTRICT AND THERE ARE NO HISTORIC BUILDINGS ON SITE.

THERE ARE NO REPORTED CEMETERIES ON SITE.

THE SITE IS NOT LOCATED WITHIN AN AREA SERVED BY DEFICIENT AREAS.

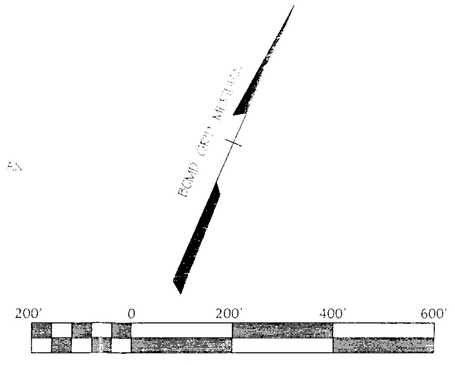
OWNER/APPLICANT: [illegible]

SOILS CHART

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

NOTES

THE PETITIONER IS REQUESTING A SPECIAL HEARING FOR A WAIVER TO ALLOW A LOT WITHOUT AN IN-FEE STRIP OF LAND PROVIDING ACCESS TO THE LOCAL STREET.



Scale 1" = 200'

DMW

Daft · McCune · Walker, Inc.

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Towson, Maryland 21286
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PLAN TO ACCOMPANY SPECIAL HEARING

COLD BOTTOM FARMS

2119 YEOHO ROAD

TAX MAP 27 GRID 3 PARCEL 14

8TH COUNCILMANIC DISTRICT
5TH ELECTION DISTRICT — BALTIMORE COUNTY, MARYLAND

DATE	BY	REVISIONS

Scale: 1" = 200'	Field Crew:
	Processed by: R.C.
Date: JULY 8, 2005	Drawn by: H.U.
	Project Manager: D.M.
Project No: 05074.S	Checked by: — Date:

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