IN RE: PETITION FOR SPECIAL HEARING S/S of Breidenbaugh Lane, 750 feet Northwest of centerline of Manor Road 11th Election District 3rd Councilmanic District **(4600 Breidenbaugh Lane)** John S. and Virginia B. Anderson *Legal Owners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 06-352-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 4600 Breidenbaugh Lane in the Glen Arm area of Baltimore County. The Petition was filed by John S. and Virginia B. Anderson, Legal Owners. Special Hearing relief is requested pursuant under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine whether or not the Zoning Commissioner should approve a request to reconfigure two (2) existing parcels created before November 25, 1979.

The property was posted with Notice of Hearing on February 1, 2006, 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 January 31, 2006, 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 2-24-06
By

Zoning Advisory Committee

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: ZAC comments were received by the Department of Environmental Protection and Resource Management (DEPRM) dated February 7, 2006, and from the Office of Planning dated February 17, 2006, copies of which are attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing were Douglas Anderson, John S. Anderson and Amy Anderson, as well as Dwight Little, from Little & Associates, Inc., who prepared the site plan. Howard L. Alderman, Jr., Esquire represented the Petitioner. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The Petitioner's property is composed of two (2) parcels zoned RC 2. Mr. Alderman proffered that Parcel 496 contains approximately three (3) acres and has two (2) lot density units available to it. Parcel 99 contains 99 acres and has two lot density units available to it, one of which is used by the Anderson's existing home. See Petitioner's Exhibit 1, the redline Plat to Accompany. Reconfigured parcel 496 would then move to the southeastern corner of the property and contain approximately seven (7) acres. It would retain the two (2) lot densities and with road frontage on Meadowcliff Road would be available for residential development into two (2) lots. He noted that the lots had been held in tact since 1970.

Mr. Alderman explained that the redline changes were made to accommodate the comments of the County agencies, especially DEPRM's Agricultural Preservation Section which

ORDER RECEIVED FOR FILING
Date 2-24-06
By

support the request given the changes made by the Petitioner. Mr. Alderman indicated that DEPRM wanted the reconfigured parcel 496 to align with the lot lines of the residential uses south of the property, which are owned by the Garland and Beam families. This would also align with the existing wood line on the property. At the end of these reconfigurations, the Petitioner would still be entitled to the same total of four (4) lot density units (two on each lot).

Mr. Alderman noted that Meadowcliff Road ends at the Esposito property. As a result, a long impervious driveway would have to be constructed through the woods to give access to the two (2) lots allowed under the regulations for the existing location of parcel 496. He pointed out that the new location of parcel 496 has direct access to Meadowcliff Road reducing impervious construction. In addition, two (2) home sites on the present parcel 496 would clear substantial existing forests. In the new location, this would not occur.

Reconfigured parcel 99 would then contain approximately 95 acres, which are presently in agricultural use in addition to the Petitioner's home. As the result of discussions with DEPRM, the Petitioner agreed to apply for an agricultural easement pursuant to redline note 10. Mr. Alderman noted that competition for the limited agricultural easement is stiff as money from the state and counties are limited. Consequently, there is no guarantee that this property will be selected. In addition, if the site is selected for such an easement, the Petitioner agrees to limit future development to one (1) child lot rather than one (1) lot for each child as allowed under the agricultural easement program.

Mr. Alderman proffered that this reconfiguration would aid agriculture and the environment by keeping the agricultural uses together and wooded buffers in tact. He indicated that approval of this reconfiguration would not be detrimental to the health, safety or welfare of the community and is consistent with the spirit and intent of the RC 2 regulations as the

ORDER RECEIVED FOR FILING
Date 2-24-23
By

reconfiguration promotes agricultural uses. He opined that the plan meets each criterion listed under Section 502.1 of the B.C.Z.R.

Findings of Fact and Conclusions of Law

The evidence indicates that the Petitioner had two (2) lots with two (2) lot density each before and after the reconfiguration. One (1) lot density is used by the Petitioner's existing home. The reconfigured lots move the potential development on parcel 496 away from agricultural uses and preserve the wooded buffer for those uses. It is significant that DEPRM supports the revised reconfiguration as it can potentially serve as a buffer to encroaching development from Manor Road. I note that the Petitioner will apply for an agricultural easement and, if lucky enough to be selected, will further preserve existing agricultural uses on the property. I find that the request promotes agriculture and meets the criteria of Section 502.1 and should be granted.

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 24 day of February 2006, that the Petitioner's request for Special Hearing relief requested pursuant under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a request to reconfigure two (2) existing parcels created before November 25, 1979 as indicated in Petitioner's Exhibit 1, the redline site plan, is hereby GRANTED, subject to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has

ORDER RECEIVED FOR FILING
Date 2-24-06
By

expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

ORDER RECEIVED FOR FILING
Date 2-24-09
By Debbie Zigler

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

February 24, 2006

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
502 Washington Avenue, 8th Floor
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 06-352-SPH
Property: 4600 Breidenbaugh Lane

Dear Mr. Alderman:

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: Douglas Anderson, John S. Anderson & Amy Anderson, 4600 Breidenbaugh Lane, Glen Arm, MD 21057
Dwight Little, Little & Associates, Inc., 1055 Taylor Avenue, Suite 307, Towson, MD 21286
People's Counsel; Case File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4600 BREIDENBAUGH LANE
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

A REQUEST TO RECONFIGURE 2 EXISTING PARCELS CREATED BEFORE NOVEMBER 25, 1979

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print City

Signature

Company

Address Telephone No

City State Zip Code

Legal Owner(s):

JOHN S. ANDERSON
Name - Type or Print

Signature

VIRGINIA B. ANDERSON
Name - Type or Print

Signature

4000 BREIDENBAUGH LANE (410) 592-7422
Address Telephone No

GLEN ARM MARYLAND 21057
City State Zip Code

Representative to be Contacted:

KEVIN ROWAN, LITTLE & ASSOCIATES, INC.
Name

1055 TAYLOR AVENUE, SUITE 307 (410) 296-1636
Address Telephone No.

TOWSON MARYLAND 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BA Date 1/20/06

ORDER RECEIVED FOR FILING
Date 2-24-06
By

Case No. 06-352-SPH

REV. 9/15/98

January 3, 2006

ZONING DESCRIPTION FOR #4600 BREIDENBAUGH LANE

Beginning at a point on the north side of a 16 foot right of way known as Breidenbaugh Lane which is 770 feet northeasterly of the intersection of Manor Road and Stockbridge Lane. Thence (1) South 49 degrees 25 minutes 32 seconds East 21.79 feet; thence (2) North 83 degrees 19 minutes 28 seconds East 768.94 feet; thence (3) South 49 degrees 59 minutes 32 seconds East 38.00 feet; thence (4) South 75 degrees 26 minutes 32 seconds East 52.90 feet; thence (5) South 35 degrees 37 minutes 12 seconds East 203.11 feet; thence (6) South 44 degrees 20 minutes 28 seconds West 264.87 feet; thence (7) North 45 degrees 39 minutes 32 seconds West 200.00 feet; thence (8) South 44 degrees 20 minutes 28 seconds West 289.22 feet; thence (9) South 49 degrees 25 minutes 32 seconds East 2494.63 feet; thence (10) North 32 degrees 16 minutes 05 seconds East 834.02 feet; thence (11) North 60 degrees 54 minutes 01 seconds East 1460.43 feet; thence (12) North 21 degrees 35 minutes 59 seconds West 645.15 feet; thence (13) South 47 degrees 36 minutes 30 seconds West 798.02 feet; thence (14) North 43 degrees 36 minutes 02 seconds West 305.25 feet; thence (15) North 33 degrees 52 minutes 53 seconds West 1276.82 feet; thence (16) South 58 degrees 04 minutes 22 seconds West 1119.01 feet; thence (17) South 83 degrees 19 minutes 28 seconds West 1375.15 feet to the point of beginning. Containing 101.18 acres of land, more or less, as recorded in Deed S.M. 13340 folio 348 and Deed J.W.S. 168 folio 375. Also known as 4600 Breidenbaugh Lane and located in the 11th Election District, 3rd Councilmanic District of Baltimore County, Maryland.

STATE OF MARYLAND
LEONARD THOMAS BOWER
PROFESSIONAL LAND SURVEYOR
NO. 10000
REGISTERED

1-5-06

#352

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 2854

DATE 1/30/96 **ACCOUNT** 1001-006-6150

AMOUNT $ 130.00

RECEIVED FROM: [illegible] Properties Inc

FOR: [illegible]
Case 352

DISTRIBUTION

PAID RECEIPT

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: #06-352-SPH
4600 Breidenbaugh Lane
S/S of Breidenbaugh Lane, 750 feet northwest centerline of Manor Road
11th Election District
3rd Councilmanic District
Legal Owner(s): Virginia B & John S. Anderson
Special Hearing: to request to reconfigure 2 existing parcels created before November 25, 1979.
Hearing: Thursday, February 16, 2006 at 9:00 a.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) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 1/810 Jan. 31 82910

CERTIFICATE OF PUBLICATION

2/2/, 2006

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 1/31/, 2006.

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

S. Wilkinson

LEGAL ADVERTISING

ZONING NOTICE

CASE # 06-352-SPH

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: ROOM 407, COUNTY COURTS BUILDING 401 BOSLEY AVENUE TOWSON, MD. 21204

DATE AND TIME: THURSDAY, FEBRUARY, 16, 2006 AT 9:00 A.M.

REQUEST: SPECIAL HEARING TO REQUEST TO RECONFIGURE 2 EXISTING PARCELS CREATED BEFORE NOVEMBER 25, 1979.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 06-352-SPH

Petitioner/Developer: JOHN S. ANDERSON

Date of Hearing/Closing: FEB. 16, 2006

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

Attention: **Christen Matthews**

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 propery located at

#4600 BREIDENBAUGH LANE

The sign(s) were posted on FEB. 1, 2006
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

Department of Permits and Development Management

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

Baltimore County

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

January 24, 2006

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: 06-352-SPH
4600 Breidenbaugh Lane
S/S of Breidenbaugh Lane, 750 feet northwest centerline of Manor Road
11th Election District, 3rd Councilmanic District
Legal Owners: Virginia B. & John S. Anderson

Special Hearing to request to reconfigure 2 existing parcels created before November 25, 1979.

Hearing: Thursday, February 16, 2006 @ 9:00 a.m. in Room 407 County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:raj

C: Virginia B. & John S. Anderson, 4600 Breidenbaugh La., Glen Arm, MD 21057
Kevin Rowan, Little & Assoc., Inc., 1055 Taylor Ave., Ste. 307, Towson, MD 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 1, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 31, 2006 Issue - Jeffersonian

Please forward billing to:
John S. Anderson (410-592-7422)
4600 Breidenbaugh Lane
Glen Arm, MD 21057

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: 06-352-SPH
4600 Breidenbaugh Lane
S/S of Breidenbaugh Lane, 750 feet northwest centerline of Manor Road
11th Election District, 3rd Councilmanic District
Legal Owners: Virginia B. & John S. Anderson

Special Hearing to request to reconfigure 2 existing parcels created before November 25, 1979.

Hearing: Thursday, February 16, 2006 @ 9:00 a.m. in Room 407 County Courts Building, 401 Bosley Avenue, Towson, MD 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 410-887-3868.
(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: 06-352-SPH

Petitioner: JOHN S. ANDERSON

Address or Location: 4600 BREIDENBAUGH LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN S. ANDERSON

Address: ~~4600~~ 4600 BREIDENBAUGH LANE

GLEN ARM MARYLAND 21057

Telephone Number: (410) 592-7422

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

February 13, 2006

John Anderson
Virginia Anderson
4000 Breidenbaugh Lane

Dear Mr. and Mrs. Anderson:

RE: Case Number: 06-352-SPH, 4600 Breidenbaugh Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 20, 2006.

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
Kevin Rowan 1055 Taylor Avenue, Ste. 307 Towson 21286

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Timothy M. Kotroco

FROM: Jeff Livingston, DEPRM

DATE: February 7, 2006

SUBJECT: Zoning Item # ZAC 06-352-SPH
Address 4600 Breidenbaugh Lane
(Anderson Property)

Zoning Advisory Committee Meeting of January 30, 2006

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

Recommendation: The proposed reconfiguration is supported.

Findings: The property is located on the edge of the Long Green Valley and can potentially serve as a buffer to encroaching development from Manor Road. The location of the existing small parcel is adjacent to a farm that is preserved through the Baltimore County Agricultural Land Preservation program and the relocation of the density on the smaller parcel away from an existing residential development will facilitate the continued activities at the adjacent farm. The farm also has significant amounts of prime and productive soils. Furthermore, the landowner has indicated an interest in participating in land preservation programs.

Reviewer: W. Lippincott Date: February 7, 2006

S:\Devcoord\ZAC06-352.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 14, 2006

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

RECEIVED
FEB 1 7 2006
ZONING COMMISSIONER

SUBJECT: 4600 Breidenbaugh Lane

INFORMATION:

Item Number: 6-352

Petitioner: John S. Anderson

Zoning: RC 2

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:
The Office of Planning has reviewed the petitioner's petition to reconfigure 2 existing parcels created before November 25, 1979. The Office of Planning does not oppose the aforementioned request.

For further information concerning the matters stated here in, please contact Bill Hughey at 410-887-3480.

Prepared by: Curtis Murray

Division Chief: Jeff Mayhew

AFK/LL: CM

W:\DEVREV\ZAC\6-352.doc

ORDER RECEIVED FOR FILING
Date 2-24-06
By

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 1.24.06

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

RE: Baltimore County
Item No. 352 BPR

Dear. Ms. Matthews:

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

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

January 26, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: January 30, 2006

Item No.: 346,647,348,349,350,351,352,353,354

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 William F Connolly
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

RE: PETITION FOR SPECIAL HEARING 4600 Breidenbaugh Lane; S/S Breidenbaugh Lane, 750' NW c/line Manor Road 11th Election & 3rd Councilmanic Districts Legal Owner(s): John & Virginia Anderson Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-352-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 6th day of February, 2005, a copy of the foregoing Entry of Appearance was mailed to Kevin Rowan, Little & Associates, Inc, 1055 Taylor Avenue, Suite 307, Towson, Md 21286, Representative for Petitioner(s).

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

RECEIVED
FEB 0 6 2006
Per.....

f. Spirits manufacture, including the manufacture of alcohol to be used in gasoline/alcohol mixtures, but excluding the production of these mixtures. **[Bill Nos. 178-1979; 51-1993]**

g. Firewood operations. **[Bill No. 151-1992]**

h. Winery, including accessory retail and wholesale distribution of wine produced on-premises. Temporary promotional events, such as wine tastings or public gatherings associated with the winery, are permitted, within any limits set by the special exception. **[Bill No. 51-1993]**

i. Bottled water plant, if the source of the water is located on the same site as the plant, and provided that the Director of Environmental Protection and Resource Management makes a recommendation that the proposed facility will not adversely affect the quality or capacity of surface water or groundwater. **[Bill No. 51-1993]**

1A01.3 Height and area regulations.

A. Height regulation. No structure hereafter erected in an R.C.2 Zone shall exceed a height of 35 feet, except as otherwise provided under Section 300.

B. Area regulations. **[Bill No. 178-1979]**

1. Subdivision lot density. No lot of record lying within an R.C.2 Zone and having a gross area of less than two acres may be subdivided. No such lot having a gross area between two and 100 acres may be subdivided into more than two lots (total), and such a lot having a gross area of more than 100 acres may be subdivided only at the rate of one lot for each 50 acres of gross area. In cases where land in single ownership is crossed by existing or proposed roads, rights-of-way or easements, the portions of land on either side of the road, right-of-way or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record, with the exception that any zoning petition site plan, subdivision plan or record plat filed with or approved by the county between November 27, 1979, and October 1, 1990, shall not be so affected and be considered valid, provided as to any zoning petition pending on appeal, that it be upheld on appeal. **[Bill No. 199-1990]**

2. Lot size. A lot having an area less than one acre may not be created in an R.C.2 Zone.

3. Setback requirements. No principal structure or dwelling (whether or not it is a principal structure) in an R.C.2 Zone may be situated within 75 feet of the center line of any street or within 35 feet of any lot line other than a street line.

4. Principal dwellings per lot. No more than one principal dwelling is permitted on any lot in an R.C.2 Zone.

1A01.4 Maryland Agricultural Land Preservation Program. The use or development of land in an agricultural district established in accordance with Title 2, Subtitle 5 of the

PLEASE PRINT CLEARLY

CASE NAME Anderson) 4600 Bridenbaugh
CASE NUMBER
DATE 16 FEB 06

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Howard L Anderman Jr	Levin & Gann, PA	Towson MD 21204	
	502 Washington Ave #800		
Douglas Anderson	4600 Bridenbaugh Lane	Glenarm, Md. 21057	
Dwight Little	1055 Taylor Ave Suite 307	Towson 21286	
John S. Anderson	4600 Bridenbaugh Ln	Glenarm MD 21057	
Amy Anderson	4600 Bridenbaugh Lane	Glenarm 21057	

GENERAL NOTES

1. APPLICANT/OWNER:
   JOHN S. & VIRGINIA B. ANDERSON
   4000 BREIDENBAUGH LANE
   GLEN ARM, MD 21057
   TAX MAP: 53, GRID 16, PARCEL 99
   DEED REF. 13340/348
   TAX ACCT. # 1101004920

2. SITE DATA:
   TOTAL SITE AREA: 101.976 AC±
   ELECTION DISTRICT: 11TH
   COUNCILMANIC DISTRICT: 3RD
   EXISTING USE: AGRICULTURE
   PROPOSED USE: AGRICULTURE

3. TOPOGRAPHY SHOWN IS BASED ON BALTIMORE COUNTY GIS TILES 53B2, 53B3, 53C2 & 53C3.

4. EXISTING ZONING OF SITE IS RC 2 IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAPS # 53B2, 53B3, 53C2 & 53C3.

5. PROPERTY OUTLINE SHOWN IS BASED ON A FIELD RUN BOUNDARY SURVEY.

6. THE SUBJECT SITE IS SERVED BY PRIVATE SEPTIC AND WATER SYSTEMS.

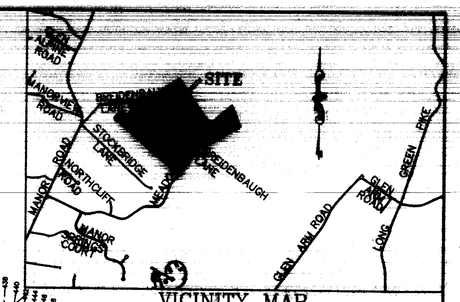
7. THERE ARE NO KNOWN CRITICAL AREAS, HAZARDOUS WASTE SITES, ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES ON THIS PROPERTY.

8. THERE ARE NO KNOWN COMMERCIAL PERMITS PREVIOUSLY APPLIED FOR ON SUBJECT SITE.

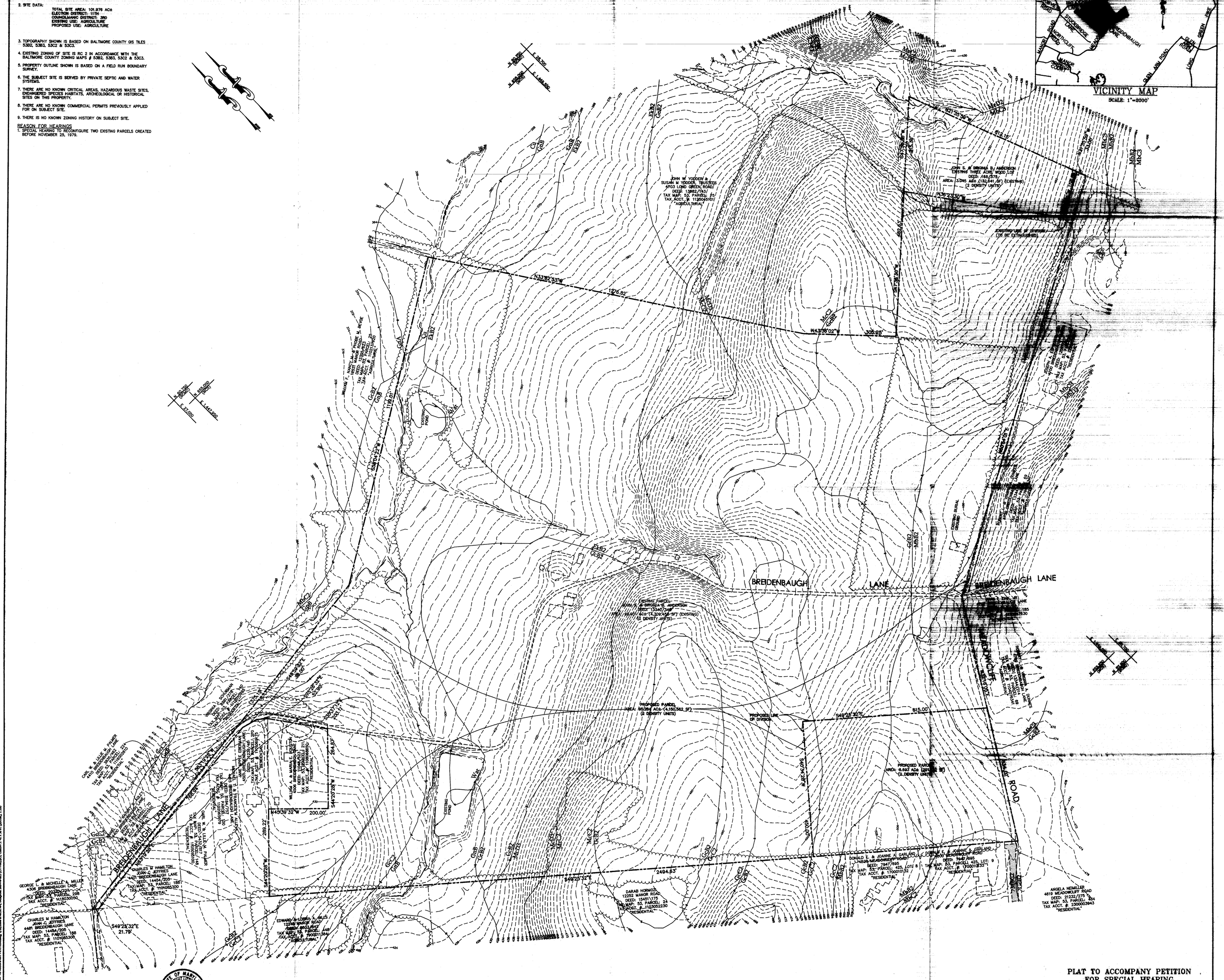
9. THERE IS NO KNOWN ZONING HISTORY ON SUBJECT SITE.

REASON FOR HEARINGS

1. SPECIAL HEARING TO RECONFIGURE TWO EXISTING PARCELS CREATED BEFORE NOVEMBER 25, 1979.



VICINITY MAP
SCALE: 1"=2000'



LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

STATE OF MARYLAND
GREGORY LITTLE
PROFESSIONAL ENGINEER

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING
MANOR HILL FARMS

DISTRICT 11c3
SCALE: 1"=100'

BALTIMORE COUNTY, MD
DECEMBER 2, 2005
SHEET 1 OF 1

#355

GENERAL NOTES

1. APPLICANT/OWNER:
   JOHN S. & VIRGINIA B. ANDERSON
   4000 BREIDENBAUGH LANE
   GLEN ARM, MD 21057
   TAX MAP: 53, BLOCK 18, PARCEL 88
   DEED REF: 13340/348
   TAX ACCT. # 1101664620

2. SITE DATA:
   TOTAL SITE AREA: 101.976 AC±
   ELECTION DISTRICT: 11TH
   COUNCILMANIC DISTRICT: 3RD
   EXISTING USE: AGRICULTURE
   PROPOSED USE: AGRICULTURE

3. TOPOGRAPHY SHOWN IS BASED ON BALTIMORE COUNTY GIS TILES 53B2, 53B3, 53C2 & 53C3.

4. EXISTING ZONING OF SITE IS RC 2 IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAPS # 53B2, 53B3, 53C2 & 53C3.

5. PROPERTY OUTLINE SHOWN IS BASED ON A FIELD RUN BOUNDARY SURVEY.

6. THE SUBJECT SITE IS SERVED BY PRIVATE SEPTIC AND WATER SYSTEMS.

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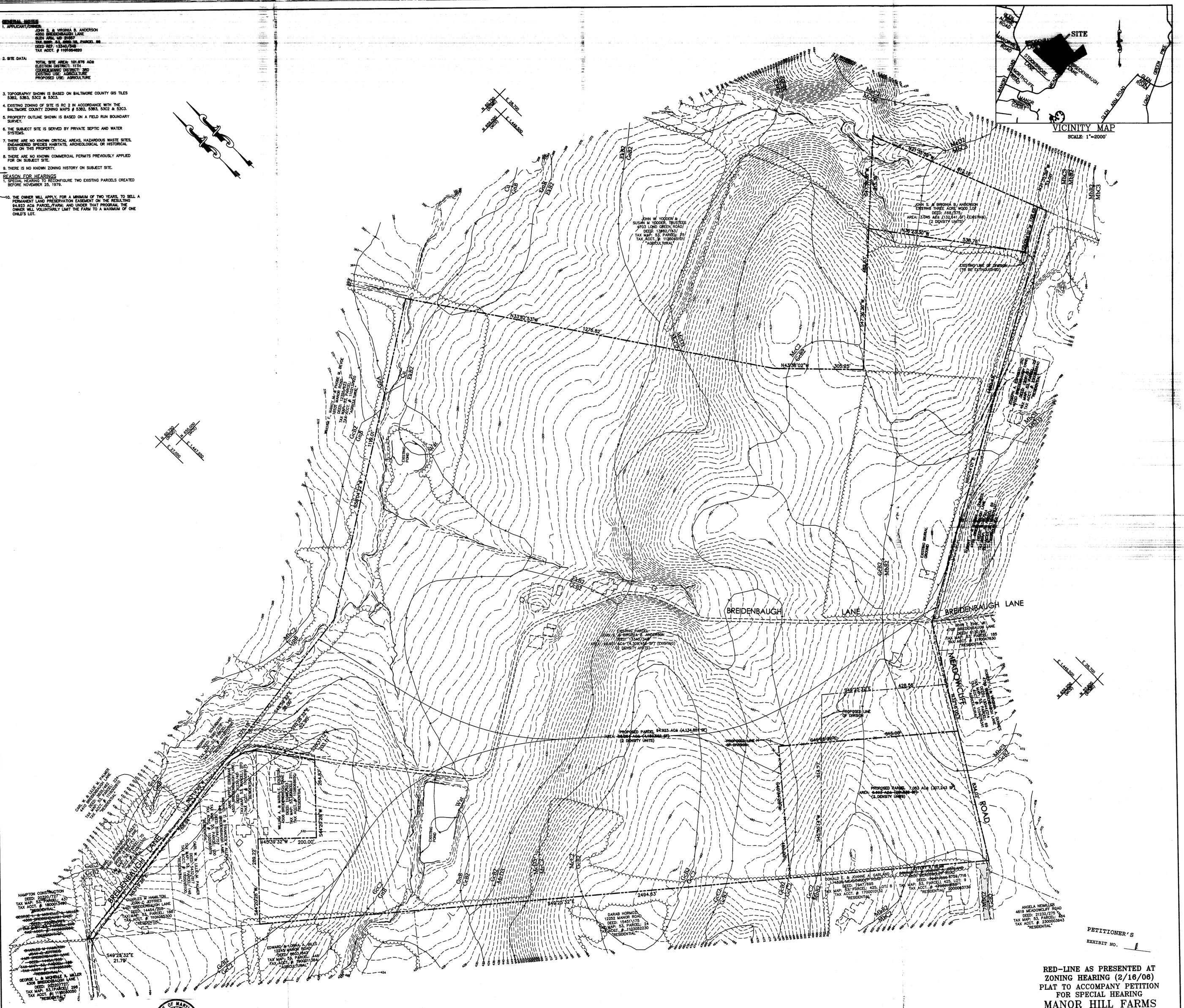
REASON FOR HEARINGS

1. SPECIAL HEARING TO RECONFIGURE TWO EXISTING PARCELS CREATED BEFORE NOVEMBER 25, 1979.

10. THE OWNER WILL APPLY, FOR A MINIMUM OF TWO YEARS, TO SELL A PERMANENT LAND PRESERVATION EASEMENT ON THE RESULTING 94.923 AC± PARCEL/FARM; AND UNDER THAT PROGRAM, THE OWNER WILL VOLUNTARILY LIMIT THE FARM TO A MAXIMUM OF ONE CHILD'S LOT.



PETITIONER'S EXHIBIT NO. 1

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PHONE: (410)296-1636 FAX: (410)296-1639

STATE OF MARYLAND — GEORGE LITTLE — REGISTERED PROFESSIONAL ENGINEER

RED-LINE AS PRESENTED AT ZONING HEARING (2/16/06)
PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

MANOR HILL FARMS

DISTRICT 11c3
SCALE: 1"=100'

BALTIMORE COUNTY, MD
DECEMBER 2, 2005
SHEET 1 OF 1