

5/10/07

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF		
<u>RUSSELL ERICH HILSE, JR. AND RUSSELL</u>	*	COUNTY BOARD OF APPEALS
<u>ERICH HILSE -LEGAL OWNERS /</u>		
PETITIONERS FOR SPECIAL HEARING ON	*	OF
PROPERTY LOCATED ON THE E/S TRACEY'S		
STORE RD, 1005' N OF PRETTYBOY DAM RD	*	BALTIMORE COUNTY
5 TH ELECTION DISTRICT	*	CASE NO. 06-443-SPH
3 RD COUNCILMANIC DISTRICT		
* * * * *		

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Peter M. Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, from a decision of the Deputy Zoning Commissioner dated May 1, 2006, in which the requested zoning relief was granted with conditions.

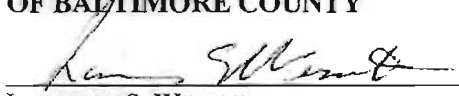
WHEREAS, the Board is receipt of a letter of withdrawal of the Petition for Special Hearing filed on May 3, 2007 by Bruce E. Doak, GEROLD, CROSS, & ETZEL, LTD., on behalf of Russell Erich Hilse, Jr., and Russell Erich Hilse, Petitioners (a copy of which is attached hereto and made a part hereof); and

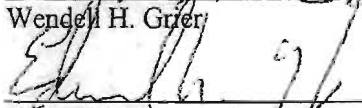
WHEREAS, said Petitioners request that the Petition filed in the above-referenced matter be withdrawn as of May 3, 2007,

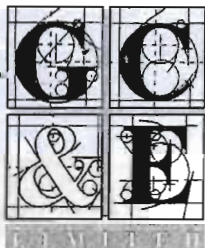
IT IS THEREFORE this 10th day of May, 2007, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. 06-443-SPH is **WITHDRAWN AND DISMISSED**, and that the Deputy Zoning Commissioner's Order dated May 1, 2006, including any and all relief granted therein, is rendered **null and void**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott


Wendell H. Grier

Edward W. Crizer, Jr.



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286

Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

May 2, 2007

Kathleen C. Bianco
County Board of Appeals of Baltimore County
Old Court House, Room 49
400 Washington Avenue
Towson, MD 21204

Re: Case #06-443-SPH Russell Hilse Property

Dear Ms. Bianco,

We request with this letter that our petition be withdrawn for consideration. This request will also delete the need for the Board of Appeals hearing scheduled for May 10, 2007. Please feel free to contact me with anything else you may need.

Thank you for your attention to this matter.

Sincerely,

Bruce E. Doak

RECEIVED
MAY - 3 2007
BALTIMORE COUNTY
BOARD OF APPEALS

5/1/06

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
East side of Traceys Store Road, 1005 feet		
North of Prettyboy Dam Road	*	DEPUTY ZONING COMMISSIONER
5th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(Traceys Store Road (E/S 1005 ft. N		
of Prettyboy Dam Road)	*	CASE NO. 06-443-SPH

Russell Erich Hilse, Jr. & Russell Erich Hilse*

Legal Owners

Petitioners

* * * * *

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 Traceys Store Road at the East side, 1005 ft. North of Prettyboy Dam Road in the Parkton area of Baltimore County. The Petition was filed by Russell Erich Hilse, Jr. and Russell Erich Hilse. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the creation of a 107.220 acre non-density parcel for continued agricultural use and transfer of density rights to create two intra-family buildable lots on 6.101 acres.

The property was posted with Notice of Hearing on April 6, 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 April 6, 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

ORDER RECEIVED FOR FILING

Date

By

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

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) Comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from DEPRM dated April 10, 2006, a copy of which is attached hereto and made a part hereof. The comment noted that there were no intra-family transfers in this situation. The Petitioner agreed.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing were Deborah Hilse, Russell Hilse, Marcie Duncan, Tricia Dell, John Loufer and Bruce Doak of Gerhold, Cross & Etzel, Ltd., the firm that prepared the site plan for 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

Mr. Doak proffered that the subject property is approximately 113 acres, and zoned RC 2, RC 7 and RC 8 as shown on Exhibit 1. The primary use today is a working farm and woodland. The property is bordered on the north by the Prettyboy Dam reservoir. Access to public road is via Tracey's Store Road. It is on Tracey's Store Road that the Petitioner would like to create two lots of 3 acres each for his childrens' homes. The result of this minor subdivision would be that the remaining tract of approximately 107 acres would contain most prime agricultural land and woodland.

Mr. Doak proffered that based on his examination of the title history of this property it has been held in tact since 1963 as shown on the Devolution of Title insert on Petitioner's Exhibit 1. He opined that the RC 2 portion of the property, which contains approximately 95

acres, would be entitled to two density units. However, he noted a 1989 out conveyance used one of the two density units. Again, he opined that parcel 3, which contains 1.24 acres, has itself one density unit. Thus, the RC 2 portion of the property would have two more density units at present. The Petitioner proposes to use these two density units to create two lots located on Tracey's Store Road, which will be occupied by the Petitioner's children. These lots are actually being farmed at present as shown in the aerial photograph, Exhibit 2.

This arrangement leaves the great majority of the working farm and woodlands on the RC 2 portion of the property without any density, thus preserving same for agriculture and natural resources. The agriculture preservation arm of DEPRM endorsed the proposal stating that, "The location of these lots and maintaining the remaining acreage of 107 acres in one parcel promotes the protection on agricultural resources". Petitioner's Exhibit 1 confirms "Remaining (Non Density) Tract 107 acres. In addition, several nearby residents attended the hearing in support of the request and welcomed the Petitioner's children to the neighborhood.

However, Mr. Doak continued that the density of the remaining tract was not zero but rather, because portions of the property are zoned RC 7 and RC 8, there are 3 additional density units available for future subdivision within the remaining non-density tract. The details of the basis for this allegation are again shown on the Density Calculations detail on Exhibit 1.

Findings of Fact and Conclusions of Law

It is clearly in the County's and communities' best interest to consolidate development allowed on RC 2 zoned property along a road frontage as proposed. This leaves the remaining portions of the tract preserved for agriculture and woodlands. This is the classic reason that non-density parcels are approved in RC 2 zones. I find the proposed arrangement of the lots,

farmland and woodlands would not be detrimental to the health, safety, and welfare of the community. Both DEPRM and the community support the requests.

I agree having a non-density tract of 107 acres, which will continue to be used for agriculture and woodlands, is within the spirit and intent of the RC 2 zone. Consequently, I will approve the request for special hearing creating a non-density parcel of 107 acres. I find that the two parcels which make up the RC 2 portion of the subject tract were each lots of record as of November 24, 1979 when RC 2 was imposed on the property. As such, these parcels are entitled to three density units. As noted on the plan, there was an out conveyance of one density unit in 1989 leaving two density units associated with the RC 2 portion of the property. The two lots proposed use up these density units.

However, there is a remaining issue in this case as to what density is left to the Petitioner if the request is granted? The parcel is 113 acres. Two lots, 3 acres each, would be created for a total of 6 acres used for the new homes. This leaves 107 acres. What density would be left, if any, on the 107-acre remainder? The RC 2 portion of the property contains approximately 96 acres.

It seems to me that the basis of support by the Agriculture Preservation arm of DEPRM is their belief that the 107 acres would have no density as the result of this hearing. In addition, Exhibit 1 specifically states that the remaining 107 acres is "non density". The Petition states the Petitioner wants to "permit creation of 107.22 acre non density" parcel. From this information, it appears that the Petitioner asks that the 107-acre parcel have no density whatsoever remaining. Said another way, one could conclude that the Petitioner waives his right to any further density units even if entitled to more units.

On the other hand, the Density Calculations given on Exhibit 1 indicates that while the density allowed for the RC 2 portion of the lot is used up by the two new lots, there are three density units left generated by the RC 7 and RC 8 portions of the tract, which the Petitioner retains for future development. Mr. Doak testified to that effect.

I will make no ruling on whether or not the Petitioner has three additional density units. Frankly, I have some doubt as to whether the 1.24 acre, RC 7 portion of the property is not simply a drafting error. If this were true and, I am not ruling on this issue, then I would be concerned whether such a parcel would be entitled to any density at all. I have similar concerns about the RC 8 portion of the tract. These issues were not presented nor reviewed by the County agencies. I believe their review was predicated on the words of the petition and the designation of the 107-acre remainder as "non density". I will require that if the Petitioner ever chooses to use these three density units that the Petitioner files for a special hearing.

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.

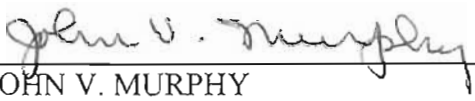
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 1st day of May 2006, that the Petitioners' request for Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the creation of a 107.220 acre non-density parcel for continued agricultural use and transfer of density rights to create two buildable lots on 6.101 acres, be and is hereby GRANTED, subject to the following conditions:

1. The Petitioners may apply for their building permit and be granted same upon receipt 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 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.

2. If the Petitioner attempts to use density units associated with the RC 7 or RC 8 portions of the property, the Petitioner shall apply for a special hearing to determine whether or not such density is permitted.
3. When applying for any permits, the site plan and/or landscape plan filed must reference this case and set forth and address the restrictions of this Order.

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

ORDER RECEIVED FOR FILING
Date 5-1-09
By [Signature]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 1, 2006

Mr. & Mrs. Russell Hilse
17535 Prettyboy Dam Road
Parkton, MD 21120

Re: Petition for Special Hearing
Case No. 06-443-SPH
Property: Traceys Store Road
(East side of Traceys Store Road, 1005 feet
North of Prettyboy Dam Road)

Dear Mr. & Mrs. Hilse:

Enclosed please find the decision rendered in the above-captioned case. The petition for Special Hearing has been granted with restrictions in accordance with the enclosed Order.

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

Very truly yours,

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:raj
Enclosure

c: Bruce Doak, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., Ste. 100, Towson, MD 21286
Marcie Duncan, 17211 Hunter Green Road, Upperco, MD 21155
Tricia Dell, 17539 Prettyboy Dam Road, Parkton, MD 21120
John Loufer, 2018 Falls Road, Parkton, MD 21120



Gerhold, Cross & Etzel, Ltd.

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March 14, 2006

Zoning Description Hilse Property Traceys Store Road

All that piece or parcel of land situate, lying and being in the Fifth Election District and Third Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point in or near the center of Traceys Store Road 1005 feet more or less Northwesterly along the centerline of Traceys Store Road from its intersection with the centerline of Prettyboy Dam Road thence running, (1) North 18 degrees 21 minutes 22 seconds West 106.56 feet, (2) North 12 degrees 26 minutes 40 seconds West 627.00 feet, (3) North 03 degrees 15 minutes 45 seconds West 528.00 feet, (4) North 03 degrees 24 minutes 10 seconds West 594.00 feet, (5) North 04 degrees 48 minutes 40 seconds West 151.80 feet, (6) North 07 degrees 06 minutes 06 seconds West 72.71 feet, (7) North 60 degrees 47 minutes 27 seconds East 288.99 feet, (8) North 06 degrees 24 minutes 42 seconds West 164.90 feet, (9) South 81 degrees 03 minutes 19 seconds West 242.73 feet, (10) North 06 degrees 53 minutes 03 seconds West 100.08 feet, (11) North 81 degrees 05 minutes 07 seconds East 243.13 feet, (12) North 06 degrees 21 minutes 23 seconds West 220.00 feet, (13) North 06 degrees 21 minutes 23 seconds West 199.77 feet, (14) South 83 degrees 54 minutes 37 seconds West 248.70 feet, (15) North 06 degrees 40 minutes 06 seconds West 242.30 feet, (16) North 46 degrees 51 minutes 59 seconds East 24.71 feet, (17) North 46 degrees 51 minutes 59 seconds East 1001.65 feet, (18) South 46 degrees 07 minutes 18 seconds East 1473.50 feet, (19) South 09 degrees 54 minutes 26 seconds West 1285.93 feet, (20) South 01 degrees 01 minutes 51 seconds East 743.40 feet, (21) South 07 degrees 39 minutes 57 seconds West 823.99 feet, (22) South 14 degrees 34 minutes 59 seconds West 365.27 feet, (23) North 55 degrees 34 minutes 28 seconds West 142.44 feet, (24) North 43 degrees 40 minutes 12 seconds West 519.50 feet, (25) North 38 degrees 46 minutes 23 seconds West 19.87 feet, (26) South 83 degrees 28 minutes 25 seconds East 25.00 feet, (27) North 49 degrees 32 minutes 05 seconds East 398.62 feet, (28) North 28 degrees 00 minutes 53 seconds West 209.82 feet, (29) South 49 degrees 33 minutes 29 seconds West 419.88 feet, (30) South 27 degrees 37 minutes 59 seconds East 57.94 feet, and (31) South 69 degrees 47 minutes 01 seconds West 526.65 feet to the place of beginning.

Containing 4,936,283 sq. ft. or 113.321 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



06-443-SPH

3/14/06



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Traceys Store Road (East Side, 1005' North of Prettyboy Rd)
which is presently zoned R.C. 2, R.C. 7 & R.C. 8

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

To permit creation of a 107.220 acre non-density parcel for continued agricultural use and transfer of density rights to create two intra-family buildable lots on 6.101 acres.

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 _____
Signature _____

Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Case No. 06-443-SPH

Legal Owner(s):

Russell Erich Hulse Jr.
Name - Type or Print _____
Russell Erich Hulse Jr.
Signature _____
RUSSELL E HULSE
Name - Type or Print _____
Russell Erich Hulse
Signature _____
#7535 Pretty Boy Non Rd
Address _____ Telephone No. _____
Parkton Md. Md. 21120
City _____ State _____ Zip Code _____

Representative to be Contacted: 410-357-5652

Gerhold, Cross, & Etzel, Ltd. - Mike Alexander
Name _____
320 E. Towsontown Blvd. Ste. 100
Address _____ Telephone No. _____
Towson, Maryland 21286 (410)-823-4470
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 3/14/06

ORDER RECEIVED FOR FILING

Date 3/15/06
By _____

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: #06-443-SPH

Traceys Store Road (East side: 1005 ft. North of Pretty Boy Dam Road)

East side of Traceys Store Road, 1005 north of Pretty Boy Dam Road

5th Election District — 3rd Councilmanic District

Legal Owner(s): Russell Erich Hilse, Jr. and Russell Erich Hilse

Special Hearing: to permit the creation of a 107.220 acre non-density parcel for continued agricultural use and transfer of density rights to create two intra-family buildable lots on 6.101 acres.

Hearing: Friday, April 21, 2006 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.

4/036 Apr. 6

90408

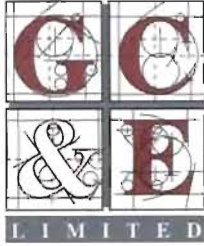
CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 4/6 successive weeks, the first publication appearing on 4/6, 2006.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING



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Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE#06-443-SPH
PETITIONER/DEVELOPER:
Russell Erich Hilse, Jr. & Russell
Erich Hilse
DATE OF HEARING: April 21, 2006

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN 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 PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:
Tracey's Store Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

POSTED ON: March 30, 2006

13042

ZONING NOTICE

CASE # 06-41-SFH
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWN OF MD.

Office of Zoning, 15000 Building
PLACE, 10000000000, 10000, MD

7:00 PM Friday April 21, 2006

Special Hearing to present the
creation of a 107.50 acre new density
transfer for residential development of one and
two family residential lots to cover two
lots. See Exhibit 10000 10000 10000

03 30 2006 19:26

ZONING NOTICE

CASE # :06-443-SPH

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

Room 407 County Courts Building
PLACE: 401 Bosley Avenue, Towson, MD

2:00 PM Friday April 21, 2006

Special Hearing to permit the
creation of a 107.220 acre non-density
parcel for continued agricultural use and
transfer of density rights to create two
intra-family buildable lots on 6.101
acres.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 410-587-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER HEARING UNDER PENALTY OF LAW

HEARINGS ARE HANDICAPPED ACCESSIBLE

03 30 2006 19:26

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 4949

DATE 3/14/06 ACCOUNT 0010066150

AMOUNT \$ 65.00

RECEIVED FROM: GERHOLD CROSE & ETZEL

FOR: ITEM # 443 OL-443-SPH

TRACEY STRE CD ES 1.005' N OF PRETTY BAY

Damn RD.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	ITEM
3/15/2006	3/14/2006	09:39:37	4
REC MSG	MSG KTH	KCH KCH	
RECEIPT # 494910	3/14/2006	OFFR	
Dept	5	528	200000 VERIFICATION
CD NO.	000000		
Receipt Tot		665.00	
665.00	OK	6.00	CA
Baltimore County, Maryland			

CASHIER'S VALIDATION

DT

**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: 06-443-SPH

Petitioner: Russell Erich Hilse and Russell Erich Hilse, Jr.

Address or Location: Traceys Store Road (East Side; 1005 Feet North of Prettyboy Dam Road)

PLEASE FORWARD ADVERTISING BILL TO:

Name: Deborah M. Hilse

Address: 2330 Traceys Store Road
Parkton, Maryland 21120-9640

Telephone Number: (410) - 357-9554

**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*

March 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: 06-443-SPH

Traceys Store Road (East side: 1005 ft. North of Prettyboy Dam Road)
East side of Traceys Store Road, 1005 feet north of Prettyboy Dam Road
5th Election District – 3rd Councilmanic District
Legal Owner: Russell Erich Hilse, Jr. and Russell Erich Hilse

Special Hearing to permit the creation of a 107.220 acre non-density parcel for continued agricultural use and transfer of density rights to create two intra-family buildable lots on 6.101 acres.

Hearing: Friday, April 21, 2006 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson, MD 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:raj

C: Russell Erich Hilse, Jr. and Russell E. Hilse, 17535 Pretty Boy Dam Road, Parkton, MD 21120
Mike Alexander, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., Ste. 100, Towson, MD 21286

**NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN
APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 6, 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
Thursday, April 6, 2006 Issue - Jeffersonian

Please forward billing to:
Deborah M. Hilse (410-357-9554)
2330 Traceys Store Road
Parkton, MD 21120-9640

NOTICE OF ZONING HEARING

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CASE NUMBER: 06-443-SPH

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East side of Traceys Store Road, 1005 feet north of Pretty Boy Dam Road
5th Election District – 3rd Councilmanic District
Legal Owner: Russell Erich Hilse, Jr. and Russell Erich Hilse

Special Hearing to permit the creation of a 107.220 acre non-density parcel for continued agricultural use and transfer of density rights to create two intra-family buildable lots on 6.101 acres.

Hearing: Friday, April 21, 2006 at 2:00 p.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.

APPEAL SIGN POSTING REQUEST

CASE NO. 06-443-SPH

TRACEYS STORE ROAD

5TH ELECTION DISTRICT

APPEALED: 5/19/2006

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*****COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, MD 21204

Attention: Kathleen Bianco
Administrator

CASE NO.: 06-443-SPH

LEGAL OWNER: RUSSELL E. HILSE, SR.
AND
RUSSELL E. HILSE, JR.

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

TRACEYS STORE ROAD

MAP 6-A6

The sign was posted on 8/4, 2006.

By:

Jeff Radcliffe
(Signature of Sign Poster)

Jeff Radcliffe
(Print Name)



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

*Petition
w/10 by
Petitioner
5/03/07*

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

April 9, 2007

NOTICE OF ASSIGNMENT

CASE #: 06-443-SPH

**IN THE MATTER OF: RUSSELL ERICH HILSE, JR., AND
RUSSELL ERICH HILSE - Legal Owners /Petitioners**
Tracey's Store Road 5th Election District; 3rd Councilmanic District

5/01/2006 – D.Z.C.'s decision in which requested zoning relief was GRANTED.

ASSIGNED FOR:

THURSDAY, MAY 10, 2007 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Appellant : Office of People's Counsel
Petitioner /Legal Owner : Russell Hilse
Deborah Hilse
Marcie Duncan
Tricia Dell
John Loufer
Bruce Doak /Gerhold, Cross & Etzel, Ltd.
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM



**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*

April 14, 2006

Russell Erich Hilse, Jr.
Russell Erich Hilse
17535 Pretty Boy Dam Road
Parkton, MD 21120

Dear Misters Hilse:

RE: Case Number: 06-443-SPH, Traceys Store Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 14, 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,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel, Ltd 320 E. Towsontowne Blvd, Ste 100 Towson, MD 21286

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



jm
4/21

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 1 2006

ZONING

COMMISSIONER

TO: Timothy M. Kotroco

FROM: Jeff Livingston, DEPRM - Development Coordination

DATE: April 10, 2006

SUBJECT: Zoning Item # 06-443-SPH
Address Tracey's Store Road
(Hilse Property)

Zoning Advisory Committee Meeting of March 27, 2006

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

The location of these lots and maintaining the remaining acreage of 107 acres in one parcel promotes the protection of agricultural resources and is supported by DEPRM's Agricultural Preservation group. One note of correction on the petition: The petition refers to *intra-family* lots and there are no provisions for *intra-family* lots in the BCZR RC-2 Code.

Reviewer: Wallace Lippincott

Date: April 4, 2006

UNDER REVIEW FOR FILING
Date 5-1-06
By [Signature]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 29, 2006

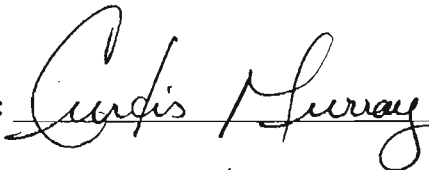
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-443- Special Hearing**

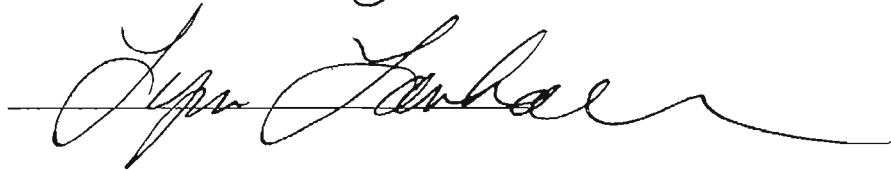
The Office of Planning has reviewed the above referenced case(s) and defers to the Department of Environmental Protection and Resource Management.

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

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



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

Maryland Department of Transportation

Date: 3.24.06

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

RE: Baltimore County
Item No. 443 DT

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, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 3, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For April 3, 2006
Item Nos. 442, 443, 444, 445, 447, 448,
449, 450, 452, 453, 454, 455, and 456

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-04032006.doc

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

March 29, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: March 27, 2006

Item Numbers: 442, 443, 444, 445, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
Traceys Store Road; E/S 1005' N Prettyboy
Dam Road * ZONING COMMISSIONER
5th Election & 3rd Councilmanic Districts
Legal Owner(s): Russell Hilse, Jr. & Russell Hilse* FOR
Petitioner(s)
* BALTIMORE COUNTY
* 06-443-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 and all 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 27th day of March, 2006, a copy of the foregoing Entry of Appearance was mailed to, Gerhold, Cross, Etzel, Ltd, 320 E. Towsontown Blvd, Ste. 100, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

MAR 27 2006

Per.....

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

**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

June 9, 2006

Mr. & Mrs. Russell Hilse
17535 Prettyboy Dam Road
Parkton, MD 21120

Dear Mr. & Mrs. Hilse:

RE: Case: 06-443-SPH, Traceys Store Road

Please be advised that an appeal of the above-referenced case was filed in this office on May 19, 2006 by the office of People's Counsel of Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Bruce Doak, 320 E. Towsontown Blvd., Ste. 100, Towson 21286
Marcie Duncan, 17211 Hunter Green Road, Upperco 21155
Tricia Dell, 17539 Prettyboy Dam Road, Parkton 21120
John Loufer, 2018 Falls Road, Parkton 21120

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





Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

May 19, 2006

CAROLE S. DEMILIO
Deputy People's Counsel

Hand-delivered

Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING
E/S Traceys Store Road, 1005' N of Prettyboy Dam Road
(Traceys Store Road, E/S 1005' N of Prettyboy Dam Road)
5th Election District; 3rd Council District
Russell Erich Hilse, Jr & Russell Erich Hilse - Petitioners
Case No.: 06-443-SPH

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated May 1, 2006 by the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

RECEIVED

MAY 19 2006

Per.

PMZ/CSD/rmw

cc: Bruce E. Doak
Russell E. Hilse, Jr
Russell E. Hilse

APPEAL

Petition for Special Hearing
Tracey's Store Road
E/S 1005 ft. N of Prettyboy Dam Road
5th Election District – 3rd Councilmanic District
Legal Owners: Russell Erich Hilse, Jr. & Russell Erich Hilse, Jr.

Case No.: 06-443-SPH

- ✓ Petition for Special Hearing (March 14, 2006)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (March 24, 2006)
- ✓ Certification of Publication (The Jeffersonian – April 6, 2006)
- ✓ Certificate of Posting (March 30, 2006) by Bruce Doak
- ✓ Entry of Appearance by People's Counsel (March 27, 2006)
- ✓ Petitioner(s) Sign-In Sheet – One Sheet
- Protestant(s) Sign-In Sheet - None
- Citizen(s) Sign-In Sheet - None
- ✓ Zoning Advisory Committee Comments
- Petitioners' Exhibit
 - ✓ 1. Plan to accompany petition for Special Hearing
 - ✓ 2. Aerial Map
- Protestants' Exhibits
 - None
- ✓ Miscellaneous (Not Marked as Exhibit)
 - 1. Letter dated April 21, 2006 from John Roemer
- ✓ Deputy Zoning Commissioner's Order (GRANTED – May 1, 2006)
- ✓ Notice of Appeal received on May 19, 2006 from People's Counsel



c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Bruce Doak, 320 E. Towsontown Blvd., Ste. 100, Towson 21286
Marcie Duncan, 17211 Hunter Green Road, Upperco 21155
Tricia Dell, 17539 Prettyboy Dam Road, Parkton 21120
John Loufer, 2018 Falls Road, Parkton 21120

CASE #: 06-443-SPH

IN THE MATTER OF: RUSSELL ERICH HILSE, JR., AND
RUSSELL ERICH HILSE - Legal Owners /Petitioners
Tracey's Store Road 5th Election District; 3rd Councilmanic District

SPH – To permit creation of 107.220-acre non-density parcel for continued agricultural use and transfer density rights to create two intra-family buildable lots on 6.101 acres.

5/01/2006 – D.Z.C.'s decision in which requested zoning relief was GRANTED.

4/09/07 --Notice of Assignment sent to following; assigned for hearing on Thursday, May 10, 2007 at 10:00 a.m.:

Office of People's Counsel
Russell Hilse
Deborah Hilse
Marcie Duncan
Tricia Dell
John Loufer
Bruce Doak /Gerhold, Cross & Etzel, Ltd.
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

5/03/07 – Letter of withdrawal of Petition filed by Bruce E. Doak, GERHOLD, CROSS & ETZEL, LTD., on behalf of Petitioners. Order of Dismissal of Petition to be issued; case pulled from 5/10/07 hearing schedule.

21 April 2006

FAX TRANSMITTAL
410-887-3468

Zoning Commissioner
Room 407, County Courts Building
401 Bosley Avenue
Towson, Maryland 21286

Re: Case # :06-443-SPH

Dear Zoning Commissioner:

My family and I are long-time adjoining neighbors of the Hilse family, and I support their application for a transfer of density rights to create two intra-family building lots on their property along Traceys Store Road. The agricultural part of their property is well-operated and the wooded areas are sensibly maintained. The Hilses are generous and considerate neighbors, and I encourage you to grant their request at today's special hearing.

Sincerely,



John Roemer
2334 Traceys Store Road
Parkton, Maryland 21120-9640

410-357-9420
443-310-7581 (Cellular)

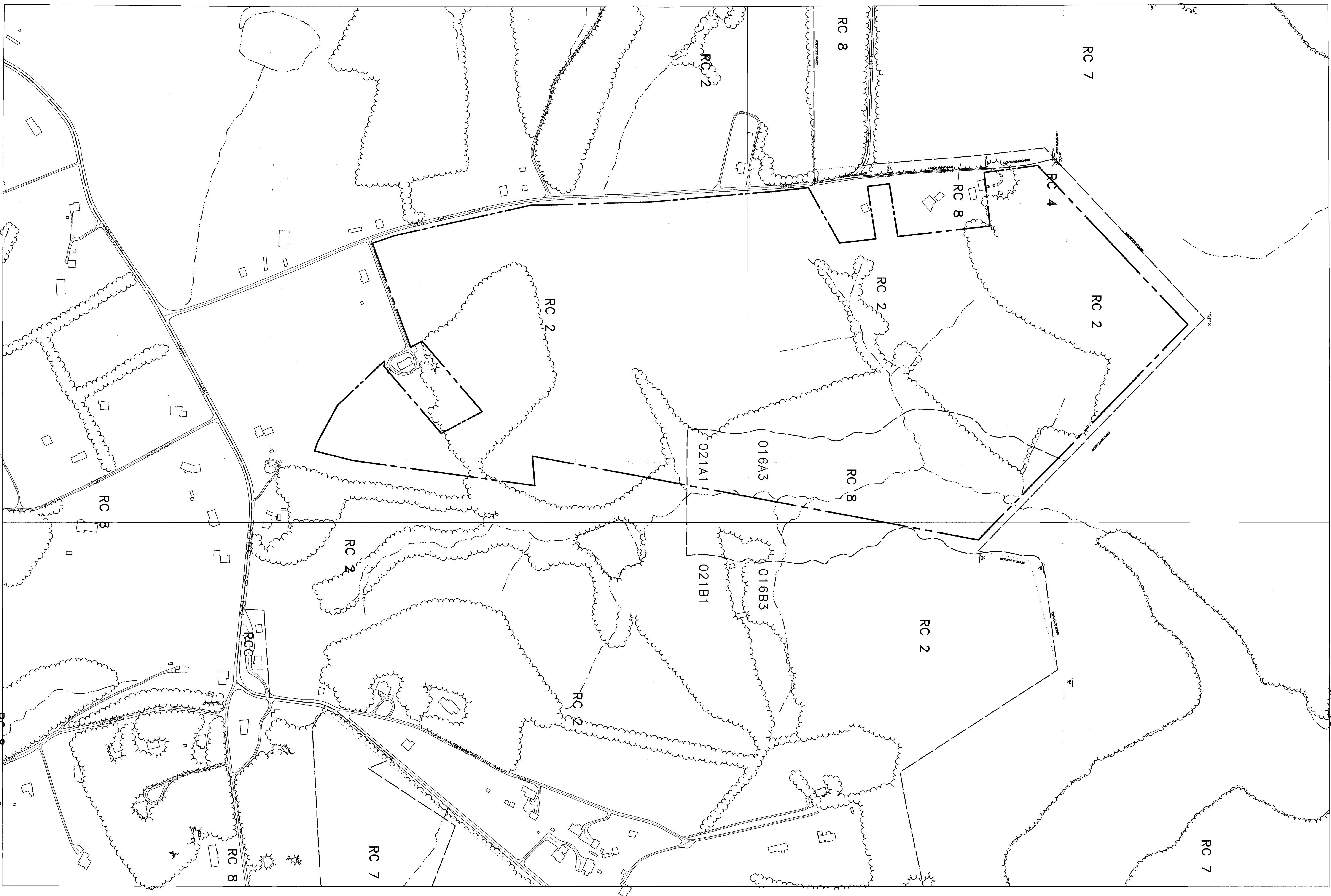
CASE NAME HILSE
CASE NUMBER 06-443-SP4
DATE 4/20/06

[illegible]



Copyright (C) 2005 Baltimore County, Maryland

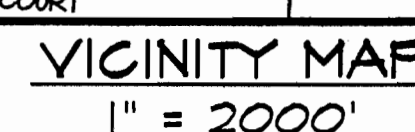
Pet # 2



ZONING MAP

GIS Tiles: 016A3, 016B3, 021A1 & 021B1

Scale: 1" = 200'

[illegible]

DEVOLUTION OF TITLE
SCALE 1" = 400'
ACREAGES SHOWN HERE IN DEVOLUTION REFLECTS THOSE FOUND IN DEEDS
LARGE DISCREPANCIES EXIST BETWEEN DEEDS AND FIELD RUN SURVEY

PENALTY OF COVERTURE

GROSS AREA: 119,321 ACRES

RC 2

S.M. No. 13644 FOLIO 504 (PARCEL 1) 94.74 ACRES (BY SURVEY)
DENSITY UNITS (2-100 ACRES = 2 LOTS): 2

LESS S.M. No. 16128 FOLIO 634 (1989 CONVEYANCE OF 1,947 ACRES LOT)
DENSITY UNITS: -1

DENSITY UNITS REMAINING: 1

S.M. No. 13644 FOLIO 504 (PARCEL 3) 1.24 ACRES (BY SURVEY)
DENSITY UNITS: 1

TOTAL RC 2 DENSITY UNITS POSSIBLE: 2
RC 2 LOTS REQUESTED: 2

RC 7

S.M. No. 13644 FOLIO 504 (PARCEL 1) 1.24 ACRES (BY SURVEY)
DENSITY UNITS: 1

RC 7 LOTS REQUESTED: 0

RC 8

S.M. No. 13644 FOLIO 504 (PARCEL 1) 16.70 ACRES (BY SURVEY)
DENSITY UNITS (10-30 ACRES = 2 LOTS): 2

S.M. No. 13644 FOLIO 504 (PARCEL 3) 0.04 ACRES (BY SURVEY)
DENSITY UNITS (10-30 ACRES = 2 LOTS): 0

RC 8 LOTS REQUESTED: 0

NET AREA CALCULATIONS	
GROSS AREA	113.321 Ac.±
HIGHWAY WIDENING	0 Ac.
NET AREA	113.321 Ac.±

PLAN TO ACCOMPANY
PETITION FOR SPECIAL HEARING
HILSE PROPERTY

TRACEYS STORE ROAD
Deed Ref: S.M. No. 13644 folio 503
Tax Account No.: 05-08-055080
Zoned R.C. 2, R.C. 7 and R.C. 8;
615 Tiles 016A3, 016B3 & 021A1
Tax Map 21; Grid 2; Parcel 156
5th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE	COMPUTED: S.T.L.	DRAWN: M.E.A.	CHECKED: S.A.L.	FILE: X:\Hilse\zoneplan.pro
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ADDITIONAL NOTE
ANY DRILLING MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING, BUT NOT LIMITED TO, NOISE, ODORS, AND VIBRATION. THE OPERATIONS WILL BE CONDUCTED DURING A 24 HOUR PERIOD (INCLUDING NIGHTTIME), THE STORAGE AND DISPOSAL OF MANURE AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE COUNTY SHALL NOT CONSIDER AN OPERATIONAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE IF THE OPERATION COMPLIES WITH THE APPLICABLE ORDINANCES AND ALL FEDERAL, STATE, OR COUNTY HEALTH OR ENVIRONMENTAL REGULATIONS.

FROM ANY BUILDING FACE TO:
CENTERLINE OF ANY STREET

R.C. 8 PRINCIPAL STRUCTURE

FROM ANY BUILDING FACE TO:
RIGHT-OF-WAY OF PUBLIC OR
PRIVATE INTERIOR STREETS

FROM ANY BUILDING FACE TO ANY PRINCIPAL BUILDING	80
FROM ANY BUILDING FACE TO REAR LOT LINE	50

EXISTING WELL	
EXISTING CLEANOUT	
PASSED PERC TEST	
PROPOSED WELL AREA	
PROPOSED DWELLING	
EXISTING BUILDING	
SOIL LINE	
WOODS LINE	
EXISTING PAVING	
ZONING LINE	
PROPERTY LINE	
CONTOURS	

SOIL TYPES & LIMITATIONS			
TYPE	SEPTIC FILTER FIELDS	HOMESITE W/ABSTENT	STREETS & PARKING
dc8B2	Slight	Slight	Moderate: slope
dc8C2, M6C2	Moderate: slope	Moderate: slope	Severe: slope
M6C2, M6D5	Severe: less than 8 feet to bedrock/slope	Severe: slope; less than 8 feet to rippled bedrock	Severe: slope
enB	Severe: high water table; moderately slow permeability	Severe: high water table	Severe: high water table
M6C2	Severe: less than 8 feet to bedrock/slope	Moderate: less than 8 feet to rippled bedrock/slope	Severe: slope
M6C2, M6D5	Severe: slope	Severe: slope	Severe: slope

PRETTYBOY DAM ROAD

NOW OR FORMERLY
ARTHUR HOWARD WELLS
R.J.S. No. 1484 FOLIO 160
17520 PRETTYBOY DAM ROAD
05-23-015150

OC 143 - FBI