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THE CHAID FO

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE

SW/S Black Rock Road, 1540' SE of the c/l

Benson Mill Road \* ZONING COMMISSIONER

(3355 Black Rock Road)

Sth Election District \* OF BALTIMORE COUNTY

3<sup>rd</sup> Council District

\* Case No. 06-602-SPH

Nancy Jeanne Vias Petitioner

er ·

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Nancy Jeanne Vias. The Petitioner requests a special hearing to approve the non-density transfer of 18.09 acres of agricultural land from the subject property to the owners of an adjacent parcel (Michael D. Hankin and Ann D. Hankin). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibits 1 and 2.

Appearing at the requisite public hearing on behalf of the Petitioners were Nancy Vias, property owner, Michael Hankin, adjacent property owner, Wallace Lippincott, Jr., a representative of the Department of Environmental Protection and Resource Management, and Bruce E. Doak, the Surveyor who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a large, irregular shaped tract of land located on the west side of Black Rock Road, just south of Benson Mill Road, in northern Baltimore County. The property contains a gross area of 63.08, more or less, zoned R.C.2, and is unimproved. Ms. Vias' neighbors to the rear, Michael and Ann Hankin, have contracted to buy 18.09 acres of the subject property to use in conjunction with the agricultural uses on their property. This 18.09-acre parcel is shown on the site plan as a rectangular shaped parcel located towards the rear of the overall tract, immediately adjacent to the Hankin property. It was indicated that this portion of the property is presently half wooded and half planted with corn

STATE OF THE STATE

and that the agricultural use of the property would continue, in keeping with its R.C.2 zoning. Moreover, there is no density associated with the transfer. In this regard, a Zoning Advisory Committee (ZAC) comment received from Wallace Lippincott, Jr. of the Department of Environmental Protection and Resource Management indicates they have no objections to the transfer, provided that the 18.09-acre parcel is placed in a permanent easement that precludes use for residential purposes. The Petitioners agreed to the imposition of this condition.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. There were no adverse comments submitted by any County reviewing agency and no one appeared in opposition to the request. As noted above, the proposal is for a non-density transfer and as such, the Hankins will not acquire any rights of subdivision. In my judgment, the conveyance will not be detrimental to the health, safety or general welfare of the locale and is entirely consistent with the R.C.2 zoning and agricultural use of the subject and adjacent property.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August 2006, that the Petition for Special Hearing seeking approval of the non-density transfer of 18.09 acres from the subject property to the owners of an adjacent parcel (Michael D. Hankin and Ann D. Hankin), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein for the non-density transfer of 18.09 acres from the subject property to the adjacent parcel owned by Mr. & Mrs. Michael D. Hankin, is for agricultural purposes, only. There are no rights of subdivision associated with this transfer.
- 3) Pursuant to the revised ZAC comment submitted by DEPRM, the 18.09 acres shall be placed in a permanent conservation easement similar to a

Maryland Environmental Trust easement that protects the agricultural and environmental features of the land and while permitting uses such as a tenant house in association with a larger property, precludes the development of the 18.09 acres as a residential lot.

- 4) Within sixty (60) days of the date of this Order, new deeds shall be recorded in the Land Records of Baltimore County referencing this case and incorporating the conditions and restrictions of this Order.
- 5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:bjs

Zoning Commissioner for Baltimore County



WORKED FOR FLINE

# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	Black	Rock	Road	
which is	presently	zoned _	TC-Z	

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

see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

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

			I/We do solemnly declar perjury, that I/we are the is the subject of this Pet	legal owner(s) of th	the penalties of ie property which
Contract Purchaser/Le	essee:		Legal Owner(s):		
Name - Type or Print	·	<u> </u>	Name - Type or Print	e Vias	
Signature		. <u></u>	Signature	9 Una	<u> </u>
Address	<u> </u>	Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		<del> </del>
Attorney For Petitione	<u>r:</u>		G Feat Ct. Ag	1. B 410-E	28-7751 Telephone No.
Name - Type or Print			Cockeyoville	MD State	21030 Zip Code
Signature	······	<u> </u>	Representative to t	<u>be Contacted:</u>	
Company	<u>.</u>		Gerhold Gros	5 d Etzel	
Address		Telephone No.	320 E. Towsur	town Blud. 8	723-4470 Telephone No.
City	State	Zip Code	City City	MD State	21286 Zip Code
			<u>OFFI</u>	E USE ONLY	•
			ESTIMATED LENGT	H OF HEARING	
Case No. 06.6	02-SP+	1	UNAVAILABLE FOR		·
ַצ <u>'</u>		Rev	iewed By	Date 05	5-25-0C

### Petition for a Special Hearing

Black Rock Road

For a non-density transfer of approximately 18.09 acres of agricultural land from Vias to Hankin.

OG-602-5P4



### 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 1, 2006

### ZONING DESCRIPTION OF VIAS PROPERTY Black Rock Road, Baltimore County, Maryland

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

Beginning for the same at a point on the South West side of Black Rock Road, 1,540 feet South East from the intersection of the centerline of Benson Mill Road and the South West side of Black Rock Road, running thence along the South West side of said Black Rock Road,

- 1) South 53 degrees 59 minutes 56 seconds West 583.27 feet,
- 2) North 54 degrees 34 minutes 15 seconds West 15.85 feet,
- 3) South 53 degrees 59 minutes 43 seconds West 331.98 feet,
- 4) South 54 degrees 29 minutes 58 seconds East 719.94 feet,
- 5) South 44 degrees 27 minutes 42 seconds West 540.30 feet,
- 6) South 12 degrees 15 minutes 55 seconds West 726.50 feet,
- 7) South 17 degrees 49 minutes 17 seconds West 808.91 feet,
- 8) North 68 degrees 53 minutes 01 seconds West 1404.08 feet,
- 9) North 25 degrees 23 minutes 46 seconds East 95.00 feet,
- 10) North 36 degrees 59 minutes 42 seconds East 234.39 feet, 11) North 36 degrees 17 minutes 43 seconds East 249.24 feet,
- 12) North 35 degrees 11 minutes 14 seconds East 357.25 feet,
- 13) North 40 degrees 20 minutes 11 seconds East 193.42 feet,
- 14) North 39 degrees 55 minutes 01 seconds East 264.49 feet,
- 15) North 48 degrees 27 minutes 38 seconds West 142.16 feet,
- 16) North 40 degrees 04 minutes 47 seconds East 335.58 feet, 17) North 49 degrees 55 minutes 22 seconds East 360.78 feet,
- 18) North 60 degrees 45 minutes 39 seconds East 378.52 feet,
- 19) North 56 degrees 49 minutes 27 seconds East 157.90 feet,
- 20) North 49 degrees 36 minutes 51 seconds West 338.35 feet,
- 21) North 35 degrees 27 minutes 57 seconds East 985.92 feet,
- 22) South 17 degrees 21 minutes 19 seconds East 625.80 feet,
- 23) South 39 degrees 01 minutes 49 seconds East 54.11 feet,
- 24) South 39 degrees 01 minutes 49 seconds East 65.09 feet, to the point of beginning.

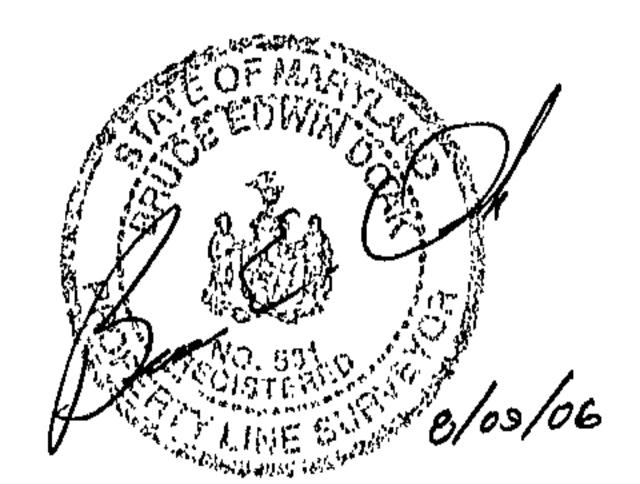
Containing 63.084 Acres of land, more or less.

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



AUG 1 0 2006

ZONING COMMISSIONER



### 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: # 06-602-SPH

Black Rock Road

Southwest side of Black Rock Road, 1,600 feet south of Benson Mill Road

5th Election District — 3rd Councilmanic District

Legal Owner(s): Nancy Jeanne Vlas

Special Hearing: for a non-density transfer of approximately 18.08 acres of agricultural land from Vlas to Hankin.

Hearing: Tuesday, August 1, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-hue, 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.

17/678 July 18

### CERTIFICATE OF PUBLICATION

$\frac{7/20}{2006}$
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
$\frac{118}{,2006}$
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings-
LEGAL ADVERTISING

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### 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

### CERTIFICATE OF POSTING

RE: CASE#06-602-SPH PETITIONER/DEVELOPER:

**Nancy Jeanne Vias** 

**DATE OF HEARING: August 1, 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

**LOCATION:** 

Black Rock Road

(see page 2 for full size photo)

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: 7/14/06

# SISSING OF THE STATE OF THE STA

CASE #:06-602-SPH

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

PLACE: 481 Bosley Avenue, Towson, MD

11.00 am Tuesday August 1, 201

Special Hearing: for a non-density transfer of approximately 18.08 acres of agricultural land from Vias to Hankin.

TOAK WON AKT LAND CAPPER ACCIONOMICE

TO: PATUXENT PUBLISHING COMPANY

Tuesday, July 18, 2006 Issue - Jeffersonian

Please forward billing to:

Nancy Vias 6 Foal Court, Apt. B Cockeysville, MD 21030 410-628-7751

### **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: 06-602-SPH

Black Rock Road

Southwest side of Black Rock Road, 1,600 feet south of Benson Mill Road

5<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Nancy Jeanne Vias

Special Hearing for a non-density transfer of approximately 18.08 acres of agricultural land from Vias to Hankin.

Hearing: Tuesday, August 1, 2006 at 11:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZQNING 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

June 12, 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: 06-602-SPH

Black Rock Road

Southwest side of Black Rock Road, 1,600 feet south of Benson Mill Road

5<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Nancy Jeanne Vias

Special Hearing for a non-density transfer of approximately 18.08 acres of agricultural land from Vias to Hankin.

Hearing: Tuesday, August 1, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Nancy Vias, 6 Foal Court, Apt. B, Cockeysville 21030 Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 17, 2006.

- (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.



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

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:								
tem Number or Case Number: <u>のもらのと 毎門</u>								
Petitioner: NANCY VIA5								
Address or Location: 3355 BLACK ROCK ROAD								
PLEASE FORWARD ADVERTISING BILL TO:								
Name: HAHCY VIAS								
Address: G FOAL COURT APT 6								
CACKEYSYILLE, MD 74030								
410-628-7751								
Telephone Number:								

Revised 7/11/05 - SCJ



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director Department of Permits and

July 26, 2006

Department of Permits and Development Management

Nancy Jeanne Vias 6 Foal Court, Apt.B Cockeysville, MD 21030

Dear Ms. Vias:

RE: Case Number: 06-602-SPH, Black Rock Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 25, 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

u. Callabal D.

WCR:amf

Enclosures

c: People's Counsel

Gerhold, Cross & Etzel 320 E. Towsontowne Boulevard Towson 21286

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** June 20, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 12, 2006 Item Nos. 176, 597, 598, 599, 601, 602, 603, 604, 605, 606, 607, and 608

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-06202006

### Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination JWL

DATE:

June 22, 2006

SUBJECT:

Zoning Item

# 06-602-SPH

Address

Southwest side of Black Rock Road, 1600 feet South

of Benson Mill Road (Vias Property)

Zoning Advisory Committee Meeting of June 5, 2006

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

These properties are zoned RC-2 and located in an Agricultural Preservation and Rural Legacy Area. They are located in the largest preserved block of agricultural land in the County (greater than 10,000 acres). This request, because it transfers land from one large property to another, can be supported subject to the following conditions: 1.) The 18.09 acres be placed in a permanent easement that precludes use for residential purposes and 2.) That a condition be attached that indicates that any further subdivision of the Vias property is limited to the creation of a small lot (2 acres or less) that minimizes impact on agricultural resources.

Reviewer:

W. Lippincott

cott Date: June 5, 2006

### Inter-Office Correspondence

RECEIVED



AUG 0 7 2006

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

August 1, 2006

SUBJECT:

Zoning Item # 06-602 SPH

Address

Southwest side of Black Rock Road, 1600 feet South

of Benson Mill Road (Vias Property)

Revised Comments – August 1, 2006

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

These properties are zoned RC-2 and located in an Agricultural Preservation Area and Rural Legacy Area. They are located in the largest block of agricultural land in the County (greater than 10, 000 acres). This request, because it transfers land one large property to another, can be supported subject to the following condition: The 18.09 acres be placed in a permanent conservation easement similar to a Maryland Environmental Trust easement that protects the agricultural and environmental features of the land and while permitting uses such as a tenant house in association with a larger property, precludes the development of the 18.09 acres as a residential lot

Reviewer:

W.S. Lippincott, Jr.

Date: August 1, 2006

43US

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-602- Special Hearing

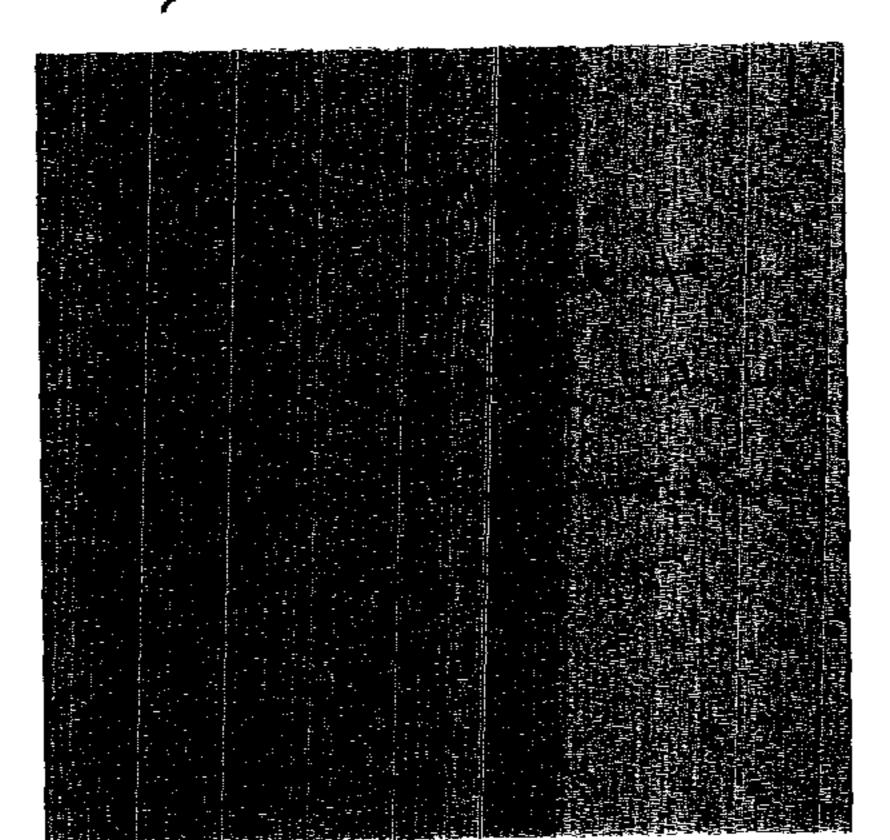
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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: Cugin Justing

**Division Chief:** 

CM/LL



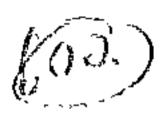
**DATE:** June 21, 2006

JUN 2 9 2006



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 June 6,2006



ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 5, 2006

Item Numbers: Item Number 176, 598 through 608

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



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

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

Maryland Department of Transportation

Date: 6.5.216

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

RE:

Baltimore County .

Item No. 602

AST (

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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

1. 1. And

Engineering Access Permits Division



### 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

August 9, 2006

William J. Wiseman III, Zoning Commissioner County Courts Bldg 401 Bosley Avenue, Fourth Floor Towson, Maryland 21204

Dear Mr. Wiseman,

This letter is in regard to your questions about the acreage discrepancies on the Vias property at 3355 Black Rock Road.

After doing research we found a discrepancy in the deeds for Hankin and Vias. We have corrected these and updated the plat and zoning description to reflect the correct acreage, bearings and distances.

Please replace the previous petitioners exhibit #1 with the updated plat.

Thank you for your consideration in this matter.

Sincerely,

Scott Hodgkins

AUG 1 0 2006

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20MG (CMMS)0MM

RE: PETITION FOR SPECIAL HEARING

Black Rock Road; SW/S Black Rock Road,

1,600' S of Benson Mill Road

5<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts

Legal Owner(s): Nancy Jeanne Vias

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

\* BALTIMORE COUNTY

\* 06-602-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

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue

Towson, MD 21204 (410) 887-2188

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of June, 2006, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

.... 0 7 2006

Per

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Case No.:

# 06-602 SPH

BLACK ROCK RD

### **Exhibit Sheet**

### Petitioner/Developer

### Protestant

No. 1	1	
	SITE PLAN	
No. 2	avril Photo-	
No. 3	DEPRM Revised Commis	
No. 4	•	
No. 5		
No. 6		,
No. 7		
No. 8	•	,
No. 9		
No. 10	• • • • • • • • • • • • • • • • • • •	
No. 11		
No. 12		,
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# PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

# PETITIONER'S SIGN-IN SHEET

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E- MAIL																
CITY, STATE, ZIP	10000 Mo 21286	Town Md 21204	ry Bon Mr	San ma 21												
ADDRESS	320 E. Townson Town	1600 RuxtonRd 13-12	BLACK ROCK	9												
NAME	Coace	Thankey 1 has	MICHAEL / HANKIN	Wallace S. Copince that												

### Inter-Office Correspondence





AUG 0 7 2006

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

August 1, 2006

SUBJECT:

Zoning Item # 06-602 SPH

Address

Southwest side of Black Rock Road, 1600 feet South

of Benson Mill Road (Vias Property)

Revised Comments – August 1, 2006

\_\_\_\_\_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

These properties are zoned RC-2 and located in an Agricultural Preservation Area and Rural Legacy Area. They are located in the largest block of agricultural land in the County (greater than 10, 000 acres). This request, because it transfers land one large property to another, can be supported subject to the following condition: The 18.09 acres be placed in a permanent conservation easement similar to a Maryland Environmental Trust easement that protects the agricultural and environmental features of the land and while permitting uses such as a tenant house in association with a larger property, precludes the development of the 18.09 acres as a residential lot

Reviewer:


W.S. Lippincott, Jr.

Date: August 1, 2006

PETITIONER'S

C:\My Documents\develop review\Vias Hanekin nondensity.dot

EXHIBIT NO.



DEED MERIDIAN
S.M. 12628/602
& S.M. 19779/489 23.00

٥6-662-59H

ZONING MAP

GIS TILES: 026B3 \$ 032B

SCALE: |" = 200