

Friday, August 25, 2006 @ 10:00 am Km 407

Appeal

06-675-675
SPH

CERTIFICATE OF POSTING

1) Posted 8/10 Hearing Date _____
2) Posted _____ Hearing Date _____

ADS

1) Paper/Date 8/9 Enc _____
Paper/Date _____ Enc _____

2) Paper/Date _____ Enc _____
Paper/Date _____ Enc _____

P&A FEES

1) _____
2) _____

COMMENTS

Planning _____ Fire ☒ Traffic ☒
Critical Area _____ WIA _____ EPA _____
Health: _____

plans review ☒

Associate _____

Issuing Violation # _____

Prior Hearing(s) _____

20060675 "A"
supplemental

06-675-SPH

①

7/24/08

IN THE MATTER OF
THE APPLICATION OF
WILLIAM C. BELT – LEGAL OWNER;
MICHAEL L. SNYDER – C.P. /PETITIONERS
FOR SPECIAL HEARING ON PROPERTY
LOCATED ON THE S/S GLEN FALLS ROAD,
1,143' (PARCEL 2), 1,243' (PARCEL 1), W OF
C/L OF HANOVER PIKE (5407 GLEN FALLS RD)
4th ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 06-675-SPH
*

* * * * *

OPINION

This matter comes before the Board of Appeals on appeal by the Petitioner of the Order of the Deputy Zoning Commissioner denying his request for a special hearing to permit a lot line adjustment of the subject properties to increase the size of both parcels from approximately ½ acre to 1 acre each. Prior to the hearing, Petitioner dismissed a companion case (06-676-SPH) leaving in effect the relief granted below by the Deputy Zoning Commissioner. The only issue then remaining before the Board was that of the requested lot line adjustments to add non-density parcels to Lot 1 and Lot 2 in the instant matter.

Howard Alderman, Jr., Esquire, appeared on behalf of the Petitioner. No Protestant or counsel for Protestant appeared.

Jeffrey C. Schultz, President of McKee & Associates, Inc., testified. He was presented as a registered land surveyor familiar with Baltimore County Zoning Regulations and the development and design process in Baltimore County in general. He was accepted by the Board as an expert witness as regards land surveying and the zoning and development process of Baltimore County. He testified as to his review of the site and its history. The lots in question were created in 1962, are separate lots of record, and are approximately 20,000 sq. ft. each. Lot 1 is improved by a single-family dwelling with its own separate existing well and septic reserve area and is surrounded by a privacy fence. Lot 2 is undeveloped. Each lot when created met the applicable R-20 zoning regulations then in effect as to dimensions and area setback

requirements. The witness expressed his opinion that the properties were obviously deeded with the intention of being separately developed pursuant to those applicable R-20 standards.

In 1975, the zoning was changed to R.C. 2. Mr. Schultz stated that, although no minimum lot size was required prior to the R.C. 2, the applicable regulations now require a minimum of 1-acre lot size to create a lot. He stated that it was his expert opinion that the adjoining non-density parcels approved by the Deputy Zoning Commissioner in the dismissed appeal (06-676-SPH) could, under the regulations, be combined with existing lots 1 and 2 to create two lots of 1 acre each, thus meeting the R.C. 2 minimums.

He observed that the relief requested would still leave Lot 1 with one dwelling and Lot 2 with the capability of one dwelling. He further opined that, pursuant to the Zoning Commissioner's Policy Manual and the *Baltimore County Zoning Regulations*, the resulting enlarged Lots 1 and 2 could not be further subdivided. He likewise concluded that under § 32-4-106(a)(1)(viii) of the *Baltimore County Code*, the requested lot line adjustments would be permitted. Further, he noted that two lots would exist prior to the combination and two lots would exist after the combination; and that the density would remain unchanged throughout.

Finally, he addressed the principles found in § 502.1 of the BCZR and delineated his conclusions that the proposed combination of non-density parcels to Lots 1 and 2 would not:

- A. Be detrimental to the health, safety, or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other dangers;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements;
- F. Interfere with adequate light and air;
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;

- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C. 2, R.C. 4, R.C. 5 or R.C. 7 Zone.

He concluded his testimony by reiterating his conclusion that the special hearing relief permitting the combination of the intervening non-density with the existing Lots 1 and 2 should be granted.

The Board has reviewed the testimony and exhibits presented, as well as the applicable definitions and regulations relevant to this matter. Baltimore County Zoning Regulations subsection 101 defines a "lot of record" as:

A parcel of land with boundaries as recorded in the Land Records of Baltimore County on the same date as the effective date of the zoning regulation which governs the use, subdivision, or other condition thereof.

Subsection 1A00.4.b(2) of the Baltimore County Zoning Commissioner's Policy Manual, adopted as part of the *Baltimore County Code*, states:

In an RC-2 zone, a parcel could possibly be transferred from the overall development tract to an adjacent existing lot of record provided that the end result does not permit a re-subdivision into a greater number of lots.

The subdivision and use of R.C. 2 property is also noted in subsection 1A01.3A.1:

Subdivision lot density. No lot of record lying with an R.C. 2 one and having a gross area of less than two acres may be subdivided....

Subsection 2 of that same regulation relates "Lot size. A lot having an area less than one acre may not be created in an R.C. 2 Zone."

And finally, subsection 32-4-106(a)(1)(viii) permits lot line adjustments as long as "...the alteration does not result in an increase or decrease in the number of lots and there is no increase in total residential density available to the lots considered as a whole."

Accordingly, this Board finds unanimously that the subject lots were created under the R-20 zoning regulations and were lots of record when R.C. 2 zoning was applied to the area in 1975. We

further find that it is clear that the subject lots were recorded, intended, and utilized as separate entities. We find that the non-density parcels approved previously can be added to Lots 1 and 2 respectively in order to raise them to 1-acre lots by lot line adjustment and thereby to bring them into conformance with subsection 1A01.3B.2 and that such combination will neither increase the number of lots resulting nor increase existing density in conformance with § 32-4-106(a)(1)(viii); or allow for further subdivision, as limited in subsection 1A01.3B.1 and the Zoning Commissioner's Policy Manual 1A00.4B(2).

For these reasons above-noted, this Board unanimously grants Petitioner's special hearing requested relief.

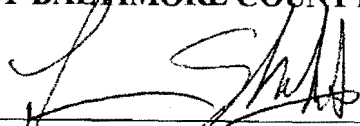
ORDER

THEREFORE, IT IS THIS 24th day of July, 2008 by the
County Board of Appeals of Baltimore County

ORDERED that Petitioner's requested special hearing relief for lot line adjustments to add non-density parcels to Lot 1 and Lot 2 as set forth in the above opinion be and the same is hereby **GRANTED**.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

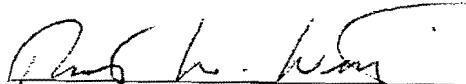
**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence M. Stahl, Panel Chairman



Wendell H. Grier



Robert W. Witt



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

July 24, 2008

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, MD 21204-4525

RE: *In the Matter of: William C. Belt; Michael L. Snyder -Petitioner*
Case No. 06-675-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules of Procedure*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all subsequent Petitions for Judicial Review filed from this decision should be noted under the same civil action number as the first Petition.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Kathleen Bianco/sc

Kathleen C. Bianco
Administrator

Enclosure

c: Michael L. Snyder, Esquire
William C. Belt
Geoffrey C. Schultz /McKee & Associates, Inc.
S. Glenn Elseroad /Hanover Road Community Assn.
Dale C. Smith
Kevin Gombeski
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

APPEAL

Petition for Special Hearing
5407 Glen Falls Road
South side of Glen Falls Road, 1,143 feet (Parcel 2), 1,243 feet (Parcel 1), west of centerline of
Hanover Pike
4th Election District – 3rd Councilmanic District
Legal Owner(s): William C. Belt
Contract Purchaser(s): Michael L. Snyder

Case No.: 06-675-SPH

- ✓ Petition for Special Hearing (June 28, 2006)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (July 13, 2006)
- ✓ Certification of Publication (August 10, 2006)
- ✓ Certificate of Posting (August 9, 2006) by William D. Gulick, Jr.; McKee & Associates, Inc.
- ✓ Entry of Appearance by People's Counsel (July 17, 2006)
- ✓ Petitioner(s) Sign-In Sheet – 1 Sheet
- Protestant(s) Sign-In Sheet - None
- ✓ Citizen(s) Sign-In Sheet – 1 Sheet
- ✓ Zoning Advisory Committee Comments

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DEC 13 2006
BALTIMORE COUNTY
BOARD OF APPEALS

Petitioners' Exhibit

- ACCORDION FILE*
- ✓ 1. Plat to accompany Petitions for Special Hearing
 - ✓ 2. Plat from 93-289-SPH
 - ✓ Plan from the Coppersmith Property, 92-282-M
 - ✓ 3A – 3C. Deed from Belt Property, 5407 Glen Falls Road
 - ✓ 4. Development Plan Hearing Order – Case Nos. IV-623 & 05-392-SPH
 - ✓ 4B Plat to accompany 97-90-SPH
 - ✓ 4C DRC
 - ✓ 4D Order from Petition for Special Hearing 93-289-SPH
 - ✓ 4E Board of Appeals Opinion and Order from Case Nos. 95-263-SPH, 95-264-SPH & 95-265-V
 - ✓ 5. Additional information, as requested, for Case Nos. 06-675-SPH & 06-676-SPH

Protestants' Exhibits:

- None

Miscellaneous (Not Marked as Exhibit)

- ✓ 1) Existing Parcel configuration and devolution of title information
- ✓ 2) Letter from Michael L. Snyder *dated 8/25/06*
- ✓ 3) Page #1A-10 from BCZR

- ✓ Deputy Zoning Commissioner's Order (Granted in accordance with order September 21, 2006)
- ✓ Notice of Appeal received on October 17, 2006 from Michael L. Snyder ✕

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
William C. Belt 5407 Glen Falls Road Reisterstown 21136
Geoffrey C. Schultz McKee & Associates, Inc 5 Shawan Road, Suite 1 Cockeysville 21030
S. Glenn Elseroad 5423 Mt. Gillan Road Reisterstown 21136
Dale C. Smith 15222 Old Hanover Road Upperco 21155
Kevin Gombeski 29 Thomas Shilling Court Upperco 21155

date sent December 13, 2006, amf

APPEAL

Petition for Special Hearing
5407 Glen Falls Road
South side of Glen Falls Road, 1,143 feet (Parcel 2), 1,243 feet (Parcel 1), west of centerline of
Hanover Pike
4th Election District – 3rd Councilmanic District
Legal Owner(s): William C. Belt
Contract Purchaser(s): Michael L. Snyder

Case No.: 06-675-SPH

Petition for Special Hearing (June 28, 2006)

Zoning Description of Property

Notice of Zoning Hearing (July 13, 2006)

Certification of Publication (August 10, 2006)

Certificate of Posting (August 9, 2006) by William D. Gulick, Jr.; McKee & Associates, Inc.

Entry of Appearance by People's Counsel (July 17, 2006)

Petitioner(s) Sign-In Sheet – 1 Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet – 1 Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Plat to accompany Petitions for Special Hearing
2. Plat from 93-289-SPH
Plan from the Coppersmith Property, 92-282-M
- 3A – 3C. Deed from Belt Property, 5407 Glen Falls Road
4. Development Plan Hearing Order – Case Nos. IV-623 & 05-392-SPH
- 4B Plat to accompany 97-90-SPH
- 4C DRC
- 4D Order from Petition for Special Hearing 93-289-SPH
- 4E Board of Appeals Opinion and Order from Case Nos. 95-263-SPH, 95-264-SPH & 95-265-V
5. Additional information, as requested, for Case Nos. 06-675-SPH & 06-676-SPH

Protestants' Exhibits:

None

Miscellaneous (Not Marked as Exhibit)

- 1) Existing Parcel configuration and devolution of title information
- 2) Letter from Michael L. Snyder
- 3) Page #1A-10 from BCZR

Deputy Zoning Commissioner's Order (Granted in accordance with order September 21, 2006)

Notice of Appeal received on October 17, 2006 from Michael L. Snyder

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
William C. Belt 5407 Glen Falls Road Reisterstown 21136
Geoffrey C. Schultz McKee & Associates, Inc 5 Shawan Road, Suite 1 Cockeysville 21030
S. Glenn Elseroad 5423 Mt. Gillan Road Reisterstown 21136
Dale C. Smith 15222 Old Hanover Road Upperco 21155
Kevin Gombeski 29 Thomas Shilling Court Upperco 21155

date sent December 13, 2006, amf

**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

December 12, 2006

Michael L. Snyder
Coady & Farley
400 Allegheny Avenue
Towson, MD 21204

Dear Mr. Snyder:

RE: Case: 06-675-SPH, 5407 Glen Falls Road

Please be advised that an appeal of the above-referenced case was filed in this office on October 17, 2006 by Michael L. Snyder. 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

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DEC 13 2006

**BALTIMORE COUNTY
BOARD OF APPEALS**

TK:amf

- c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
William C. Belt 5407 Glen Falls Road Reisterstown 21136
Geoffrey C. Schultz McKee & Associates, Inc 5 Shawan Road, Suite 1 Cockeysville 21030
S. Glenn Elseroad 5423 Mt. Gillan Road Reisterstown 21136
Dale C. Smith 15222 Old Hanover Road Upperco 21155
Kevin Gombeski 29 Thomas Shilling Court Upperco 21155

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



COADY & FARLEY

ATTORNEYS AND COUNSELLORS AT LAW

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EMAIL: general@coadyandfarley.com

MICHAEL L. SNYDER
PATRICIA O'C.B. FARLEY
THOMAS J. RYAN

JOHN T. COADY, EMERITUS

CHARLES P. COADY (1868-1934)
JOHN A. FARLEY (1893-1958)
CHARLES P. COADY, JR. (1901-1983)
JOHN A. FARLEY, JR. (1921-2005)
THOMAS J. CARACUZZO (1914-1994)

HAND DELIVERED

October 17, 2006

Zoning Review Bureau
Room 111
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Case No. 06-675-SPH and
Case No. 06-676-SPH

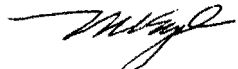
Dear Sir/Madam:

Please accept this written request for an appeal of the decision of Deputy Zoning Commissioner John V. Murphy in Case Nos. 06-675-SPH and 06-676-SPH. The Commissioner's Order for these two cases is dated September 21, 2006.

Accompanying this written request for an appeal to the Board of Appeals please find two checks made payable to Baltimore County in the amount of \$400.00 each.

Please send me a notification of the hearing date before the Board of Appeals.

Sincerely yours,



Michael L. Snyder

c.c. John V. Murphy
Deputy Zoning Commissioner
Baltimore County, Maryland
401 Bosley Avenue
County Courts Building, Room 405
Towson, MD 21204

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OCT 17 2006

Per. *A.M.J.*...



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9/21/06

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
S/S of Glen Falls Road, 1,143 ft. (parcel 2), *
1,243 ft. (parcel 1), west of centerline of * DEPUTY ZONING COMMISSIONER
Hanover Pike
4th Election District *
3rd Councilmanic District * OF BALTIMORE COUNTY
(5407 Glen Falls Road)

William C. Belt
Legal Owner and Petitioner * CASE NO. 06-675-SPH
Michael L. Snyder *
Contract Purchaser *

* * * * *

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
S/S of Glen Falls Road, 800 feet west *
Of centerline of Hanover Pike * DEPUTY ZONING COMMISSIONER
4th Election District *
3rd Councilmanic District * OF BALTIMORE COUNTY
(5319 Glen Falls Road)

Francis M. Coppersmith
Legal Owner and Petitioner * CASE NO. 06-676-SPH
Michael L. Snyder *
Contract Purchaser *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner on August 25, 2006 as a Petition for Special Hearing. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for the following:

Case No. 06-675-SPH: This property is located at 5407 Glen Falls Road. Special Hearing relief is requested by William Belt to permit a lot line adjustment to the existing Parcels 1 and 2 with the adjacent Coppersmith Property, to increase the size of both parcels from approximately 1/2 acre to one acre each.

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9-21-06
P3

Case No. 06-676SPH: This property is located at 5319 Glen Falls Road. Special Hearing relief is requested by Francis and Phyllis Coppersmith to permit a lot line adjustment with the adjacent Belt Parcels to increase the size of both parcels, and a refinement to the approved Minor Subdivision Plan of the Coopersmith Property to reduce the total area of the subdivision in accordance with the proposed lot line adjustment and to reconfigure Lots 1 and 2 of said minor subdivision. No change in densities will occur as a result of these proposed adjustments.

The properties were posted with Notice of Hearing on August 8, 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 August 10, 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.

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 the Department of Environmental Protection and Resource Management dated August 11, 2006 which opposed the requested relief. Subsequently a revised comment was received dated August 23, 2006 from this Department which continued to oppose a portion of the relief requested.

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P3

Interested Persons

Appearing at the hearing on behalf of the requested special hearing were Dale Smith, Kevin Gombeski, Geoffrey Schultz of McKee & Associates, Inc., who prepared the site plan and Michael L. Snyder, Esquire, contract purchaser. Glenn Elseroad, President of the Hanover Road Community Association, attended the hearing in support of the request. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

By agreement both cases were presented together and all evidence in either is evidence in both cases.

Mr. Elseroad, President of the Hanover Road Community Association, testified that he attended a community meeting at which Mr. Snyder presented his plans for lot line adjustments, that the Coppersmith family have been long standing members of the Association and that the Association voted not to oppose the requests.

Mr. Schultz, a professional engineer, testified that he examined the history of the subject properties and presented an existing parcel configuration and evolution of title for each as shown on the Plat to Accompany, Petitioner exhibit 1. Each property is zoned RC 2. Parcels 1 and 2 as shown on exhibit 1 are owned by Petitioner Belt. Parcel 3 is owned by the Coppersmith family. Mr. Schultz pointed out that these properties are improved by two homes which lie along the south side of Glen Falls Road. Although the area is zoned RC 2, there are about eight homes in the immediate area which is primarily residential and not agricultural.

Mr. Schultz first reviewed the Coppersmith property (Parcel 3) and presented a plat for minor subdivision of the property which was approved in 1993. See exhibit 2. This shows that Parcel 3 contained 6.3 acres in 1962 (as shown on exhibit 1) and was subdivided into two lots in

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P3

1992 such that two homes could be built on the property. The subdivided lots contained 2.445 acres for lot 1 which is improved by an existing home and 3.89 acres for lot 2 which is unimproved. Apparently the deeds for the minor subdivided lots were never recorded.

The Petitioner now proposes further changes to the minor subdivision as shown in exhibit 1 by lot line adjustment which would result in lot 1 being reduced in size to 1.9 acres, lot 2 reduced to 3.3 acres and 1.0 acre being transferred to the adjacent Belt property in two 0.5 parcels. One of the 0.5 parcels would attach to Belt lot 1 and the other 0.5 parcel would attach to Belt lot 2 as shown. Mr. Schultz opined that the DRC would approve the lot line adjustments outlined without any hearing ordinarily.

He indicated that the Zoning Office wanted the special hearing which is the subject of the present case to confirm the 0.5 acre non density transfers to the Belt lots so as to increase each to one acre which is the minimum lot size for RC 2 zoned property.

Mr. Schultz opined that Belt lot 1 has one density unit and is in fact improved by a single family dwelling. He further opined that Belt lot 2 has one density unit and is unimproved. Finally he indicated that the Coppersmith property had density units and after all transfers would continue to have two density units. He opined that the result of all the lot line adjustments would not increase allowed density in any way. Belt has two density units of which one has been used. Coppersmith has two density units of which one has been used. The bottom line is that the Petitioner could build two new homes on the overall tract.

In support of his opinions, he presented deeds to the Belt and Coppersmith properties as exhibit 3 A through 3 C which showed each Belt lot to be exactly 0.459 acres. These lots were created by deed as part of the distribution of estate assets of a deceased owner of a larger parcel. He indicated that after a thorough search of the Zoning Office records, no zoning map applicable

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in 1962 could be found. However, he opined that the two Belt lots were exactly the size the County required at the time for R-20 zones. Consequently he concluded that these lots were R-20 legal lots in 1962. As each was a lot of record prior to November 1979 when the revised RC 2 legislation took effect, he opined each is entitled to one density unit and the Petitioner was entitled to a building permit for Belt lot 2 today even in its present configuration as there is room for well and septic systems on the existing lot. However, approving the non density transfers requested as above would make each lot more useable and environmentally compatible. He disagreed with the revised DEPRM comment and again opined that the parcels were entitled to 4 lots before and after the proposed lot line adjustments. He argued that Section 304 of the BCZR makes lot 2 a buildable lot even though it has not been improved with a dwelling.

In further support of his contentions, he presented Development Plan for the Elseroad property, Case IV- 623 and companion zoning Case 05-392-SPH (exhibit 4A), the Worthington/Neer property Case No. 97-90-SPH (exhibit 4 B), the Obrect/Gordon property DRC No. 062705B (exhibit 4C), the Henning property, Case No. 93-289-SPH (exhibit 4D), and the Morrill property 95-263 SPH and 95-264-SPH (exhibit 4E). At this point in the hearing the undersigned offered to keep the record open to receive additional case histories in support of the Petitioner's contentions. By letter dated August 31, 2006 the Petitioner presented a cover letter with additional argument, the decision in the Campbell property, Case No. 03-560-SPHA, and a companion case in the Morrill Property, Case No. 95-265-SPH which have been entered into evidence as exhibit 5.

Findings of Fact and Conclusions of Law

Case No. 06-676SPH: A special hearing was requested by Francis and Phyllis Coppersmith to permit lot line adjustments with the adjacent Belt Parcels to increase the size of both parcels, and

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9-21-06
P3

a refinement to the approved Minor Subdivision Plan of the Coppersmith Property to reduce the total area of the subdivision in accordance with the proposed lot line adjustment and to reconfigure Lots 1 and 2 of said minor subdivision.

The exiting subdivision which was approved in 1993 shows two lots one of which is improved by the Coppersmith home. The second lot is vacant. To the extent the proposed lot lines are adjusted is not controversial and as mentioned at the hearing, likely would not have required a hearing. Rather the DRC would consider the requests and likely approve the adjustments. Density is not affected as the 1993 subdivision shows two lots which would allow one new home and the existing Coppersmith home. The revised DEPRM comment indicates no objection to these changes. Consequently I find the request should be granted as there will be no adverse affect on the community to the extent that the adjustment involves the Coppersmith property and not the Belt property which will be considered below.

Case No. 06-675-SPH: Special Hearing was requested by William Belt to permit a lot line adjustment to the existing Parcels 1 and 2 with the adjacent Coppersmith Property, to increase the size of both parcels from approximately ½ acre to one acre each. This proposal is quite controversial as the intent of the adjustments is to increase the size of the Belt lots so as to make both buildable under the present regulations. Presently Belt lot 1 is improved by the Petitioner's home and the question then arises as to whether or not the Belt lot 2 can be expanded by combining this lot with ½ acre of Coppersmith property to allow a second house. Mr. Schultz opined that Belt lot 2 is a lot of record prior to 1979 and is entitled to one density unit. As such when the Coppersmith property is combined with it, a second house can be built.

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9-21-06
P3

First let me address the Petitioner's contention that Section 304 makes Belt lot 2 a buildable lot. The Petitioner argues that this lot meets the criteria of Section 304 and therefore is a buildable lot as it stands. I disagree.

Perhaps an overview would help. Section 32-3-302 of the Baltimore County Code specifies that requests for variance and special hearing have a rather formal procedure of posting of the property, advertising and full public hearing. The Zoning regulations and administrative rules require applicants to submit formal sealed plans, much information and in some cases be representation by attorneys. Petitions are reviewed, evidence presented at a full public hearing and a written decision issued.

However, the Council has provided two procedural exceptions to the above formal process. The first is the administrative variance procedure of Section 32-3-303 which allows homeowners to file for routine variances without a public hearing. The property is posted with a description of the request and, if no protest is received, the request is considered administratively. If a protest is received from neighbors or negative comment from County agencies, the case is set for public hearing. In either case the merits of the request are then considered and written decision issued. There is no guarantee that the request will be granted.

Similarly the Council has provided that under very limited circumstances, building permits for certain isolated undersized lots can be processed without a formal public hearing for variance. The property is posted with a description of the request and if no protest is received, the request is considered administratively. If a protest is received from neighbors or negative comment from County agencies, the case is set for public hearing. In either case the merits of the request are then considered and written decision issued. According to the statute the request may be approved, denied or modified. There is no guarantee that the request will be granted.

7-21-06
PB

Given the similarities of the two procedures, Section 304 procedure was likely the model for the administrative variance procedure.

In order to qualify for the shortened procedure under Section 304 the Council specified that .

- A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;
- B. All other requirements of the height and area regulations are complied with; and
- C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

Meeting these requirements only allows the building permit on an undersized isolated lot to proceed in the shortcut process described. It is not an entitlement. Reading Section 304 as a whole reveals a step by step procedure culminating in a decision. This Section is not a guarantee an undersize lot is buildable but rather outlines a procedure under certain circumstances which may allow a dwelling to be erected on an isolated undersized lot without the formal variance process.

So I find the considerable effort the Petitioner exerts to declare Belt lot 2 buildable has no basis in the Code or Regulations.

Nor would Belt lot 2 actually qualify even for the shortened procedure given in Section 304. The lot was not created prior to 1958. However, the Petitioner cites the Board of Appeals cases involving the Morrill property (Case Nos. 95-263 through 95-265- SPH) as standing for the proposition that after imposed RC zoning allows the cutoff date to be extended if the lot was a legal lot prior to the imposition of the RC zone. I have read the cited Board of Appeals cases and disagree. The cases cited never mention Section 304, and never address extending the time limit

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of condition 1 of Section 304 in either the opinion or the Order. I see no basis in law that the time limit of condition 1 was or could be extended by the Board of Appeals.

In addition Belt lot 2 fails to meet condition three of Section 304. Petitioner clearly owns adjacent property, Belt Lot 1, which if combined with Belt lot 2 would conform to the one acre minimum lot size. Belt lot 2 is not an isolated lot. I do not know whether or not Belt lot 2 meets condition 2 of this section.

As an aside there is another issue which I will simply mention at this point. Belt lot 1 has only ½ acre and no public water or sewer are or will be available to this lot in the foreseeable future. It is possible that the septic system for the existing house on this lot employs all or part of Belt lot 2. It may be other uses were made of Belt lot 2 by the Belt family which might indicate the lots have merged. I make no finding in this regard but simply note the possibility that the doctrine of zoning merger may apply to these lots. How this would affect the proposed uses is not before me at this point.

Returning to the main issue in this case, I questioned at the hearing whether adding ½ acre of Coppersmith land to Belt lot 2 would violate the provisions of Section 1A01.3 B 1 of the BCZR which specify:

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. [Bill Nos. 199-1990; 125-2005]

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The Coppersmith property had 6+ acres in 1963 and according to the regulations can be divided into two lots. In fact this has been done as shown by Petitioner's exhibit 2. By transferring 1/2 acre from Coppersmith to Belt to make Belt lot 2 meet the RC2 regulations, it would appear that the transfer is attempting to divide the Coppersmith lot into a third (and perhaps fourth) lot. If so, this would violate the regulations.

The Petitioner contends the transfer of the 1/2 acre is a non density transfer because Belt 2 already has a density unit as an undersized lot which preexisted the imposition of the RC 2 zoning in 1979. the Petitioner argues this is not creating a third lot out of Coppersmith but simply a lot line adjustment for the convenience of Belt. On the other hand, if transfer of the 1/2 acre Coppersmith property would make the lot buildable, clearly the net effect of the transfer would be to create a third lot in violation of the regulations.

At this point let me distinguish between a buildable lot and density unit. The Petitioner contends these are one and the same. If the lot has a density unit, it is buildable. I disagree.

I do agree that many prior cases decided by this Commission and the Board of Appeal has used the term "density unit " to describe a characteristic of an undersized lot recorded prior to November 1979 when the RC 2 regulations went into affect. The first I have come across is the McGee property Case No. 94-42-SPH in which Commissioner Schmidt found that a 0.7 acre lot which had been recorded in the land records of the County prior to 1979 had one density unit associated with it. The Zoning Commissioner denied the Petition for other reasons but gave an excellent summary of prior Commission, Board of Appeals and Circuit Court cases which address the question of whether a lot with a density unit may be transferred to another lot to make the receiving lot buildable. This case is the mirror image of those cases. In the subject case the Petitioner wants to combine property with a lot which he contends has a density unit to

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make a buildable lot. However, Commissioner Schmidt, while finding the lot had one density unit, observed that the RC regulations do not use the term "density" and that Circuit Court Judge Howe in the Gudeman v Peoples Counsel, 89-CG-911 observed that there is nothing in the statutes to allow transfers of density.

The Petitioner cites the Campbell property Case 03-560-SDPHA rendered by this Deputy Commissioner granting certain variances and allowing a 0.60 acre lot in RC 2 zone to be used as a building lot. I note this decision involved the question of whether or not a lot of record prior to 1979 in an RC 2 zone was buildable under the circumstance of that case. The Petitioner in Campbell owned no adjacent property as Belt does in the case at bar. There was no practical use the Petitioner could make of this isolated lot without relief. In contrast Belt lot 2 can be used as the side yard and septic reserve area for the existing house.

The Petitioner also cites development plan/zoning case for the Elseroad property, Case No. IV- 623 and 05-392-SPH in support of his contention. (I believe that this is the same Mr. Elseroad who testified in this case for the Petitioner). Commissioner Wiseman approved adding property to Parcel 210 by lot line adjustment to make the resulting parcel 1.01 acre thus meeting the minimum lot size for RC 2 based on the evidence of the case. I note that Commissioner Wiseman based his approval on the prospect that clustering homes on the south side of the property will leave the northern acreage available for continuation of agricultural uses. There is no benefit to agriculture in the subject case.

Further the Petitioner cites the Worthington/Neer property, case No. 97-90-SPH in which Commissioner Schmidt approved transfer of three oddly shaped parcels on a non density basis to adjacent property owners to provide those owners slightly larger parcels. However

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9-21-06 BY [signature]

Commissioner Schmidt noted that none of the transfers would be made to increase these owners right to subdivide.

In addition the Petitioner cites the DRC approval in the Obrecht/Gordon property Case No. DRC 062705B) of 0.24 acres of property by lot line adjustment citing the Zoning Commissioner's Policy Manual 1A00.4b(2) which provides small parcels may be transferred as long as there is no resultant transfer of density.

Finally the Petitioner cites the Hennings property, Case No. 93-289-SPH in which Deputy Commissioner Kotroco approved subdivision of property split zoned RC 2 and RC 4 into various lots with density units, portions of lots without density and non density transfers to adjacent property owners for additional rear yard for the adjacent property. The purpose of the transfer was not to make the recipient lot buildable.

On the other hand, the Board of Appeals in the Webbert property Case No. 99-11-SPH found that there were no development rights in either a 0.301 acre or 0.47 acre parcel zoned RC 2 which had been recorded prior to 1979. An expert witness testified that neither lot had been part of an approved site plan or development plan. The Board found that any vested development rights pertaining to these two small parcels became lost when the Baltimore County Council imposed the RC 2 regulations, and as no construction had begun on either lot, development right had not vested in either lot.

The Board went on to cite the Zoning Commissioner's Policy Manual. Section 1A004.b which allows transfer of small RC zoned parcels for non density purposes and Section 1A01.3.B.1 which specifies "that if the intent is to reconfigure the existing lots, the main purpose must be for the protection and preservation of farm land and not to create more uniform lots for home sites". The Board found that the proposed use of these undersized lots violated the Zoning

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P3

Commissioner's Policy Manual which is not to allow the transfer of small RC zoned parcels for purposes other than protection of agriculture.

I also note that the Zoning Commissioner 's Policy Manual at 1A00 4. B(2) that a parcel could possibly be transferred from the overall development tract to an adjacent existing lot of record provided the end result does not permit a re-subdivision into a greater number of lots.

Summary

Based upon my review of the regulations, and cases cited by the Petitioner and otherwise, it seems to me that Section 304 of the BCZR is not an entitlement but rather a shortened administrative process for building permits. Undersized isolated lots that qualify may be processed by this shortened means but that whether the lot is buildable depends on the facts of the case. There is no guarantee that a building permit for a lot which qualifies for the shortened administrative process will be approved.

Non density transfers for the purpose of preserving agriculture have been accepted at this Commission for many years. In addition to the guidance of the Zoning Commissioner Policy Manual sections cited above, in practice this Commission has found that it is better for agriculture to locate proposed residential uses in RC 2 zones on small lots, adjoining streets or roads, and away from prime productive land. This procedure allows the largest area to be preserved for agricultural uses unbroken by driveways, dwellings and septic systems.

Non density transfers may be allowed where there is a demonstrated need for access or to preserve agriculture but not if the end result is permitting re-subdivision into a greater number of residential lots or to create more uniform lots for homesites.

Lots in RC 2 zones created by deed prior to November 1979 are expressions of the wishes of the grantor but have not been approved by the County so as to allow the owner to erect

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9-21-06
[Signature]

a dwelling. Such lot may have a density unit of one but this is only one criteria to make a buildable lot.

Applying these principles to this case I find that the transfer of ½ acre of land from the Coppersmiths to the Belts to increase the size of the Belt lots violates the spirit and intent of the RC 2 regulations and Zoning Commissioner's Policy Manual. There is no value to agriculture in any transfer. Rather these transfers are proposed only to increase the number of lots for homesites. The effect of the transfers is to allow a third lot to the Coppersmith property which violated the RC 2 regulations.

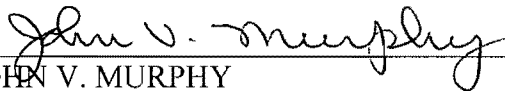
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioners' request for special hearing in Case No. 06-676SPH should be granted and in Case No. 06-675 should be denied.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 21st day of September, 2006, that the Petitioners' request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) in Case No. 06-675-SPH to permit a lot line adjustment to the existing Parcels 1 and 2 with the adjacent Coppersmith Property, to increase the size of both parcels from approximately ½ acre to one acre each is hereby DENIED to the extent that this transfer would allow a new home to be built on Belt lot 2 and ½ acre from the Coppersmith property; and,

IT IS FURTHER ORDERED in Case No. 06-676-SPH to permit a lot line adjustment and refinement to the approved Minor Subdivision Plan of the Coppersmith Property to reduce the total area of the subdivision in accordance with the proposed lot line adjustment and to reconfigure Lots 1 and 2 of the Coppersmith subdivision is hereby GRANTED.

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[Signature]

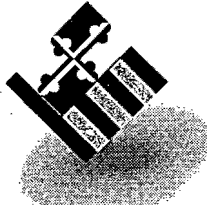
Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

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9-21-06
pz



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

September 21, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

MICHAEL SNYDER, ESQUIRE
COADY & FARLEY
400 ALLEGHENY AVENUE
TOWSON MD 21204

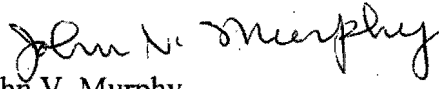
Re: Petition for Special Hearing
Case No. 06-675-SPH and 06-676-SPH
Property: 5704 Glen Falls Road and 5319 Glen Falls Road

Dear Mr.:

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
Deputy Zoning Commissioner
for Baltimore County

JVM:pz

Enclosure

c: William C. Belt, 5407 Glen Falls Road, Reisterstown MD 21136
Francis M. Coppersmith, 5319 Glen Falls Road, Reisterstown MD 21136
Geoffrey Schultz, McKee & Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville MD 21030
Dale Smith, 15222 Old Hanover Road, Upperco MD 21155
Kevin Gombeski, 29 Thomas Shilling Court, Upperco MD 21155
J. Glenn Elseroad, 5423 Mt. Gilead Road, Reisterstown MD 21135

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JVM



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 5407 Glen Falls Road
which is presently zoned RC-2

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

Lot line adjustments to the existing Parcels one and two with the adjacent Coppersmith Property to increase the size of both parcels from approximately one-half acre to one acre each.

(Please note that no change in densities will occur as a result of these proposed adjustments)

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 Michael L. Snyder
Signature [Signature]
Address 400 Allegheny Avenue Telephone No. 410-337-0200
Towson MD 21204
City State Zip Code

Attorney For Petitioner:

Name - Type or Print _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City State Zip Code

Legal Owner(s):

Name - Type or Print William C. Belt
Signature [Signature]
Name - Type or Print William C. Belt
Signature _____
Address 5407 Glen Falls Road Telephone No. 410-429-2901
Reisterstown MD 21136
City State Zip Code

Representative to be Contacted:

Name Geoffrey C. Schultz c/o McKee & Assoc., Inc.
Address 5 Shawan Road, Suite 1 Telephone No. 410-527-1555
Cockeysville MD 21030
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 06-28-06

Case No. 06-675-SPU

REV 9/15/98

COPIES RECEIVED FOR FILING
9-21-06
[Signature]

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

June 26, 2006

ZONING DESCRIPTION

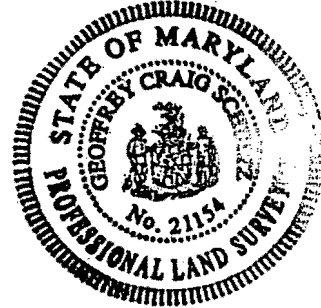
Belt- Coppersmith Properties

Parcel One

3rd Councilmanic District

4th Election District

Baltimore County, MD



Beginning at a point on the South side of Glen Falls Road, said point being 1,243 feet west of the centerline of Hanover Pike, thence running S 03° 45' E 201.00 feet, S 88° 09' W 100.00 feet, N 03° 45' W 201.00 feet, and N 88° 09' E 100.00 feet to the point of beginning.

Containing 0.459 acres of land as recorded in Deed Liber 4219 Folio 259 (Parcel 1).

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

June 26, 2006

ZONING DESCRIPTION

Belt- Coppersmith Properties

Parcel Two

3rd Councilmanic District

4th Election District

Baltimore County, MD



Beginning at a point on the South side of Glen Falls Road, said point being 1143 feet west of the centerline of Hanover Pike, thence running S 03° 45' E 201.00 feet, S 88° 09' W 100.00 feet, N 03° 45' W 201.00 feet, and N 88° 09' E 100.00 feet to the point of beginning.

Containing 0.459 acres of land as recorded in Deed Liber 4219 Folio 259 (Parcel 2).

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

100 670 574
00 073 574
No. 1276

DATE 06-28-06 ACCOUNT RC010066100

AMOUNT \$195.00

RECEIVED FROM COPD & STAFF

FOR 2 SPECIMEN HOURS
FOR 5319 GLENFARM RD
5467 GLENFARM RD

DISTRIBUTION
WHITE CASHIER
PINK AGENCY
YELLOW CUSTOMER

5707

PAID RECEIPT

BUSINESS ACTUAL TIME TRU
6/29/2006 6/29/2006 09:39:16
RECEIVED FROM TRIC INC
RECEIVED FROM TRIC INC
DEPT 56 FOR ZIMING VERIFICATION
GRAND 007276

Rec'd Tot \$195.00
\$195.00 DR \$0.00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 21752

DATE 7/30/06 ACCOUNT 001-006 6150

AMOUNT \$ 400.00

RECEIVED FROM: Kelly + Michael Singer

FOR: Appt. fee

06-675-5171

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE TIME DRW
10/30/2006 10 30/2006 07:37:50 2
REG WSO2 MAIL DEPT JEL
RECEIPT # 41150 10/30/2006 OF-LN
Dept 5 525 COUNTY VERIFICATION
CR NO. 021752

Receipt tot 1000.00
\$400.00 (F 1.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: #06-675-SPH

5407 Glen Falls Road

S/side of Glen Falls Rd., 1143 ft. (parcel 2), 1,243 ft. (parcel 1), west of centerline Hanover Pike

4th Election District - 3rd Councilmanic District

Legal Owner(s): William C. Belt

Contract Purchaser: Michael L. Snyder

Special Hearing: to permit lot line adjustment to the existing Parcels 1 and 2 with the adjacent Coppersmith Property to increase the size of both parcels from approximately one-half acre to one acre each.

Hearing: Friday, August 25, 2006 at 10:00 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.

8/088 Aug. 10

105057

CERTIFICATE OF PUBLICATION

8/10/2006

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 8/10/2006.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

MCKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning
Real Estate Development

DATE: Aug. 9, 2006

TO: Baltimore County, PDM

RE : Case No. : 06-675-SPH

MAI : Job No. : 06-117

ATTENTION: Mrs. Kristen Matthews

(X) We are submitting () We are returning () We are forwarding
() Herewith () Under separate cover

No.	Description
1	Certificate Of Posting
2	Photos

(X) For processing () For your use () For your review
() Please call when ready () Please return to this office () In accordance with your request

Remarks:

For further information, please contact the writer at this office.

Very truly yours,

Mckee & Associates, Inc.

William D. Gulick, Jr.

cc:

AUG - 9 2006

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030

Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits &
Development Management
111 W. Chesapeake Avenue, Rm. 111
Towson, MD 21204

Attention: Mrs. Kristen Matthews

Date: Aug. 9, 2006
MAI Job No. : 06-117

RE: Case Number: 06-675-SPH

Petitioner/Developer: Michael L. Snyder

Date of Hearing/Closing:

This is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at # 5407 Glen Falls Road

The sign(s) were posted on

Aug. 8 , 2006

(Month, Day, Year)


(Signature of Sign Poster)

William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.
5 Shawan Road, Suite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

SEE
**ATTACH PHOTOGRAPH
OF
SIGN POSTED ON
PROPERTY**

Revised 3/1/01 - SCJ

ZONING NOTICE

CASE # 06-675-SPH

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

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

FRIDAY
DATE AND TIME: AUG. 25, 2006 @ 10:00 AM

REQUEST: SPECIAL HEARING

TO PERMIT LOT LINE ADJUSTMENT TO
THE EXISTING PARCELS 1 AND 2 WITH
THE ADJACENT COPPERSMITH PROP-
ERTY TO INCREASE THE SIZE OF BOTH
PARCELS FROM APPROXIMATELY ONE-HALF
ACRE TO ONE ACRE EACH.

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

08-108-2006



GLEN FALLS ROAD

08.08.2006

Requested: 1/24/2007

APPEAL SIGN POSTING REQUEST

CASE NO. 06-675-SPH

5407 GLEN FALLS ROAD

4TH ELECTION DISTRICT

APPEALED: 10/17/2006

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.: 06-675-SPH

LEGAL OWNER: WILLIAM C. BELT

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

5407 GLEN FALLS ROAD

The sign was posted on 4-5-07, 2007.

By: [Signature]
(Signature of Sign Poster)

JASON SEIDELMAN
(Print Name)

WAB
9-113
plc 2

ZONING APPEAL
PUBLIC HEARING
CASE NUMBER
26-675-SPH
FOR INFORMATION CALL
410-887-3180
DO NOT REMOVE
UNDER PENALTY OF LAW
BALTIMORE COUNTY BOARD OF APPEALS

WESTMINSTER

**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: OG- GZS- SP4
Petitioner: MICHAEL SNYDER
Address or Location: BELT & COPPERSMITH PROPERTIES

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL SNYDER
Address: 400 Allegheny Ave
Towson md 21204
Telephone Number: (410) 337- 0200

Revised 2/20/98 - SCJ

OG-GZS-SP4

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 10, 2006 Issue - Jeffersonian

Please forward billing to:
Michael Snyder
400 Allegheny Avenue
Towson, MD 21204

410-337-0200

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: 06-675-SPH

5407 Glen Falls Road

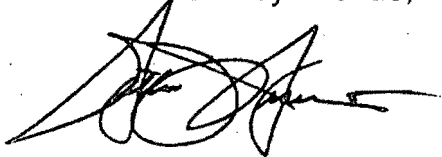
S/side of Glen Falls Rd., 1143 ft. (parcel 2), 1,243 ft. (parcel 1), west of centerline Hanover Pike
4th Election District – 3rd Councilmanic District

Legal Owner: William C. Belt

Contract Purchaser: Michael L. Snyder

Special Hearing to permit lot line adjustment to the existing Parcels 1 and 2 with the adjacent Coppersmith Property to increase the size of both parcels from approximately one-half acre to one acre each.

Hearing: Friday, August 25, 2006 at 10:00 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 ZONING REVIEW OFFICE AT 410-887-3391.



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

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

July 13, 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: 06-675-SPH

5407 Glen Falls Road
S/side of Glen Falls Rd. 1143 ft. (parcel 2), 1,243 ft. (parcel 1), west of centerline Hanover Pike
4th Election District – 3rd Councilmanic District
Legal Owner: William C. Belt
Contract Purchaser: Michael L. Snyder

Special Hearing to permit lot line adjustment to the existing Parcels 1 and 2 with the adjacent Coppersmith Property to increase the size of both parcels from approximately one-half acre to one acre each.

Hearing: Friday, August 25, 2006 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: William Belt, 5407 Glen Falls Road, Reisterstown 21136
Michael Snyder, 400 Allegheny Avenue, Towson 21204
Geoffrey Schultz, McKee & Associates, Inc., 5 Shawan Rd., Ste. 1, Cockeysville 21030 ✓

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVAL POSTER ON THE PROPERTY BY THURSDAY, AUGUST 10, 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.



County Board of Appeals of Baltimore County

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

*pp'd to 10/16/07 -
rev of Journal for
Petitioners*

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

May 1, 2007

NOTICE OF ASSIGNMENT

CASE #: 06-675-SPH

**IN THE MATTER OF: WILLIAM C. BELT – Legal Owner;
MICHAEL L. SNYDER – Contract Purchaser
5407 Glen Falls Road 4th E; 3rd C**

9/21/06 – D.Z.C.'s decision in which requested special hearing relief for lot line
adjust to existing Parcels 1 and 2 w/adj Coppersmith Property was DENIED

and

CASE #: 06-676-SPH

**IN THE MATTER OF: FRANCIS M. AND PHYLLIS K.
COPPERSMITH – Legal Owners; MICHAEL L. SNYDER –
Contract Purchaser 5319 Glen Falls Road 4th E; 3rd C**

9/21/06– D.Z.C.'s Decision in which requested special hearing relief to permit
lot line adjustment and refinement to approved MS Plan of Coppersmith
Property was GRANTED.

ASSIGNED FOR:

WEDNESDAY, AUGUST 1, 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 /Petitioner

: Michael L. Snyder, Esquire

Legal Owner /06-675-SPH

: William C. Belt

Legal Owner /06-676-SPH

: Francis M. and Phyllis K. Coppersmith

Geoffrey C. Schultz /McKee & Associates, Inc.

S. Glenn Elseroad /Hanover Road Community Assn.

Dale C. Smith

Kevin Gombeski

Office of People's Counsel

William J. Wiseman III /Zoning Commissioner

Pat Keller, Planning Director

Timothy M. Kotroco, Director /PDM



COUNTY BOARD OF APPEALS

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

FACSIMILE TRANSMITTAL SHEET

TO AND FAX NUMBER:

HOWARD ALDERMAN, JR., ESQUIRE
410-296-2801

FROM:

KATHLEEN BIANCO
FAX: 410-887-3182

TELEPHONE: 410-887-3180



DATE:

MAY 4, 2007

TOTAL NO. OF PAGES INCLUDING
COVER:

TWO (2)

RE: COPIES REQUESTED

In the Matter of: William Belt 06-675-
SPH and Francis Coppersmith et ux
06-676-SPH /Michael Snyder - CP

URGENT

FOR REVIEW

FOR YOUR RECORDS

PLEASE REPLY

PLEASE RECYCLE

PERSONAL AND CONFIDENTIAL

HOWARD:

**I RECEIVED A CALL THIS MORNING FROM MICHAEL SNYDER REGARDING THE
SUBJECT APPEALS – SCHEDULED FOR HEARING ON 8/01/07; NOTICE DATED
5/01/07 SENT OUT THIS WEEK.**

**MR. SNYDER INDICATED THAT YOU WOULD BE ENTERING YOUR APPEARANCE
IN THIS MATTER AND FURTHER THAT YOU WERE UNAVAILABLE THE FIRST
WEEK OF AUGUST, WHICH COINCIDENTALLY JUST HAPPENS TO BE THE DATE
THIS MATTER IS SCHEDULED. THOUGHT YOU MIGHT NEED A COPY OF THIS
NOTICE, IN THE EVENT YOU ARE ABOUT TO GET INVOLVED IN THIS CASE.**

IF YOU NEED ANYTHING ADDITIONAL, PLEASE CALL ME.

kathi

HOWARD L. ALDERMAN, JR.
haldeman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

May 8, 2007

VIA TELEFAX & REGULAR MAIL

Kathleen Bianco, Administrator
County Board of Appeals for Baltimore County
Old Courthouse, Suite 49
400 Washington Avenue
Towson, Maryland 21204

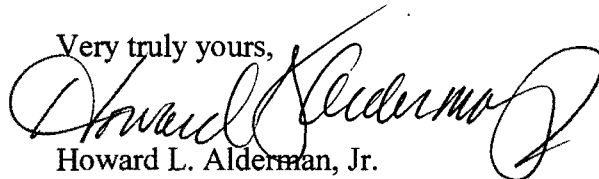
RE: William C. Belt and Francis M. and Phyllis K. Coppersmith, Legal Owners and Michael L. Snyder, Contract Purchaser
Case Nos. 06-675-SPH & 06-676-SPH
Entry of Appearance and Request for Postponement

Dear Ms. Bianco:

Please accept for filing the enclosed *Entry of Appearance* and *Request for Postponement* in the above-referenced matter. A proposed Order for the Board's use is also enclosed.

Should you or any member of the Board require any additional information in this regard or I need to come to the Board's hearing room to put the postponement request on the record, please contact either or both of us.

Thank you for your attention to this matter.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk

Enclosures

c (w/encl.): William C. Belt and Francis M. and Phyllis K. Coppersmith, Legal Owners and Michael L. Snyder, Contract Purchaser (via telefax only)
Office of People's Counsel

RECEIVED
MAY 09 2007

BALTIMORE COUNTY
BOARD OF APPEALS

10/16

**IN THE MATTER OF: WILLIAM C.
BELT, Legal Owner; Michael L.
Snyder, Contract Purchaser**

**5407 Glenn Falls Road
4th Election District
3rd Councilmanic District**

**IN THE MATTER OF: FRANCIS M.
AND PHYLLIS K.
COPPERSMITH, Legal Owner;
Michael L. Snyder, Contract
Purchaser**

**5319 Glenn Falls Road
4th Election District
3rd Councilmanic District**

**BEFORE THE COUNTY BOARD
OF APPEALS FOR
BALTIMORE COUNTY**

Case No. 06-675-SPH

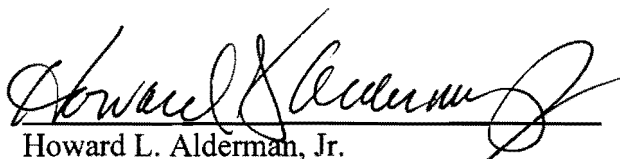
Case No. 06-676-SPH

ENTRY OF APPEARANCE

Madame Clerk:

Please enter the appearance of the undersigned counsel on behalf of William C. Belt and Francis M. and Phyllis K. Coppersmith, Legal Owners and Michael L. Snyder, Contract Purchaser in the above-captioned cases and forward all further notices and other communications to me at the address listed below.

Thank you.

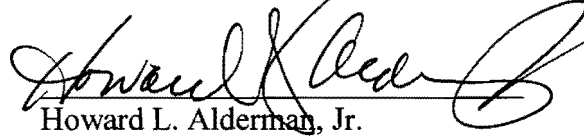


Howard L. Alderman, Jr.
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
410.321.0600 [voice]
410.296.2801 [fax]
halderman@LevinGann.com [e-mail]

CERTIFICATE OF NOTICE

In accordance with the *Rules of Practice and Procedure of the Baltimore County Board of*

Appeals, Rule 2.b, I HEREBY CERTIFY that on this 8th day of May, 2007, a copy of the foregoing **Entry of Appearance** was sent, via postage-paid, First Class United States Mail to: Office of People's Counsel, Attn: Peter Max Zimmerman, Esquire and Carole S. Demilio, Esquire, Old Courthouse, Room 44, 400 Washington Avenue, Towson, Maryland 21204.



Howard L. Alderman, Jr.

Date: May 8, 2007

**IN THE MATTER OF: WILLIAM C.
BELT, Legal Owner; Michael L.
Snyder, Contract Purchaser**

**5407 Glenn Falls Road
4th Election District
3rd Councilmanic District**

**IN THE MATTER OF: FRANCIS M.
AND PHYLLIS K.
COPPERSMITH, Legal Owner;
Michael L. Snyder, Contract
Purchaser**

**5319 Glenn Falls Road
4th Election District
3rd Councilmanic District**

**BEFORE THE COUNTY BOARD
OF APPEALS FOR
BALTIMORE COUNTY**

Case No. 06-675-SPH

Case No. 06-676-SPH

REQUEST FOR POSTPONEMENT

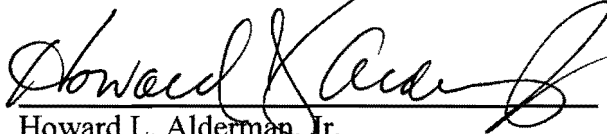
William C. Belt and Francis M. and Phyllis K. Coppersmith, Legal Owners and Michael L. Snyder, Contract Purchaser, parties in the above-referenced cases, by their undersigned counsel, hereby request a postponement of the hearing scheduled in the above-captioned matters and in support thereof state:

1. The *Notice of Assignment*, dated May 1, 2007, and mailed by the Board was received within the past week.
2. Upon notice of the scheduled date of the hearing, which is **August 1, 2007 at 10:00 a.m.**, the Legal Owners and Contract Purchaser contacted the undersigned legal counsel regarding representation in accord with the Board's cautionary language in the *Notice of Assignment*.
3. The Respondents were advised that the undersigned legal counsel will be out of the State beginning the evening of Friday, July 27, 2007 and returning to his office on Tuesday, August 7, 2006.
4. This request is made more than fifteen (15) days prior to the scheduled hearing as

required by Board Rule 2.c.

THEREFORE, in order to provide for adequate legal representation in this matter, the Legal Owners and Contract Purchaser hereby request:

- A. That the hearing on the above-captioned matters be postponed until the earliest date and time after August 7, 2007 as the calendar of the Board permits; and
- B. For such further relief as the nature of this request may require.

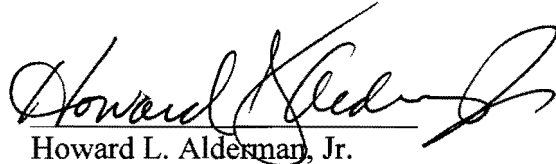


Howard L. Alderman, Jr.
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
410.321.0600 [voice]
410.296.2801 [fax]
halderman@LevinGann.com [e-mail]

Attorneys for William C. Belt and Francis M. and
Phyllis K. Coppersmith, Legal Owners and Michael L.
Snyder, Contract Purchaser

CERTIFICATE OF NOTICE

In accordance with the *Rules of Practice and Procedure of the Baltimore County Board of Appeals*, Rule 2.b, I HEREBY CERTIFY that on this 8th day of May, 2007, a copy of the foregoing **Request for Postponement** and proposed Order attached thereto were sent, via postage-paid, First Class United States Mail to: Office of People's Counsel, Attn: Peter Max Zimmerman, Esquire and Carole S. Demilio, Esquire, Old Courthouse, Room 44, 400 Washington Avenue, Towson, Maryland 21204.



Howard L. Alderman, Jr.

**IN THE MATTER OF: WILLIAM C.
BELT, Legal Owner; Michael L.
Snyder, Contract Purchaser**

**5407 Glenn Falls Road
4th Election District
3rd Councilmanic District**

**IN THE MATTER OF: FRANCIS M.
AND PHYLLIS K.
COPPERSMITH, Legal Owner;
Michael L. Snyder, Contract
Purchaser**

**5319 Glenn Falls Road
4th Election District
3rd Councilmanic District**

**BEFORE THE COUNTY BOARD
OF APPEALS FOR**

BALTIMORE COUNTY

Case No. 06-675-SPH

Case No. 06-676-SPH

ORDER

After consideration of the Request for Postponement filed by the Legal Owners and the Contract Purchaser in these cases, it is by the County Board of Appeals for Baltimore County this ____ day of _____, 2007,

ORDERED that the Request for Postponement be and it is hereby GRANTED, and the Board hereby directs that the hearing be rescheduled until the next regularly scheduled appeal date after August 7, 2007 or an earlier date if the same becomes available and that any rescheduling be coordinated with all counsel/parties of record.

COUNTY BOARD OF APPEALS:



County Board of Appeals of Baltimore County

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

Hearing Room – Room 48

Old Courthouse, 400 Washington Avenue

June 12, 2007

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 06-675-SPH

IN THE MATTER OF: WILLIAM C. BELT – Legal Owner;
MICHAEL L. SNYDER – Contract Purchaser
5407 Glen Falls Road 4th E; 3rd C

9/21/06 – D.Z.C.'s decision in which requested special hearing relief for lot line adjust to existing Parcels 1 and 2 w/adj Coppersmith Property was DENIED

and

CASE #: 06-676-SPH

IN THE MATTER OF: FRANCIS M. AND PHYLLIS K.
COPPERSMITH – Legal Owners; MICHAEL L. SNYDER –
Contract Purchaser 5319 Glen Falls Road 4th E; 3rd C

9/21/06 – D.Z.C.'s Decision in which requested special hearing relief to permit lot line adjustment and refinement to approved MS Plan of Coppersmith Property was GRANTED.

which had been assigned for hearing on 8/01/07 has been POSTPONED at the request of Counsel for Petitioners /Legal Owners /Contract Purchaser due to schedule conflict; and has been

REASSIGNED FOR:

TUESDAY, OCTOBER 16, 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:	Counsel for Appellant /Petitioner /Legal Owners	: Howard L. Alderman, Jr., Esquire
	Appellant /Petitioner /CP	: Michael L. Snyder, Esquire
	Legal Owner /06-675-SPH	: William C. Belt
	Legal Owner /06-676-SPH	: Francis M. and Phyllis K. Coppersmith
	Geoffrey C. Schultz /McKee & Associates, Inc.	

S. Glenn Elseroad /Hanover Road Community Assn.
Dale C. Smith
Kevin Gombeski

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM





County Board of Appeals of Baltimore County

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

October 24, 2007

NOTICE OF DELIBERATION

IN THE MATTER OF:

WILLIAM C. BELT – Legal Owner; MICHAEL L. SNYDER -CP
Case No. 06-675-SPH

Having heard this matter on 10/16/07, public deliberation has been assigned for the following date and time:

DATE AND TIME : WEDNESDAY, DECEMBER 19, 2007 at 2:30 p.m.

LOCATION : Hearing Room 48, Basement, Old Courthouse

PLEASE NOTE THAT REQUESTED MEMO IS DUE ON
FRIDAY, NOVEMBER 2, 2007
(Original and three [3] copies)

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Kathleen C. Bianco
Administrator

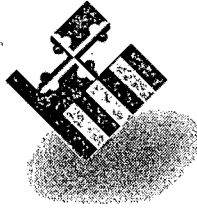
c: Counsel for Appellant /Petitioner /Legal Owners : Howard L. Alderman, Jr., Esquire
Appellant /Petitioner /CP : Michael L. Snyder, Esquire
Legal Owner : William C. Belt
Geoffrey C. Schultz /McKee & Associates, Inc.

S. Glenn Elseroad /Hanover Road Community Assn.
Dale C. Smith
Kevin Gombeski

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

FYI: 2-4-6





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

August 16, 2006

William C. Belt
5407 Glen Falls Road
Reisterstown, MD 21136

Dear Mr. Belt:

RE: Case Number: 06-675-SPH, 5407 Glen Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 28, 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 black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Geoffrey C. Schultz c/o McKee & Associates, Inc. 5 Shawan Road, Suite 1
Cockeysville 21030
Michael L. Snyder 400 Allegheny Avenue Towson 21204

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *ML*

DATE: August 11, 2006

SUBJECT: Zoning Item # 06-675-SPH
Address 5407 Glen Falls Road
(Belt Property)

Zoning Advisory Committee Meeting of July 10, 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:

 X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

 X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Oppose. Existing parcels 1 and 2 should be combined to create one lot and parcel 3 should be subdivided in a manner to retain the maximum amount of acreage with the existing house and agricultural buildings. These parcels are located on the edge of an Agricultural Preservation Area and are zoned RC-2. These planning and zoning

measures are intended to limit density so as to reduce conflicts with agricultural activities and contain sprawl. To grant variances or special approvals is in conflict with the stated public purpose of the zone and Master Plan.

Combining parcels 1 and 2 to create one lot instead of subdividing acreage from Parcel 3 leaves the full parcel acreage to be split off one small lot (as permitted by zoning) on Glen Falls Road and leave sufficient acreage with the existing house and agricultural buildings to meet the minimum three acres for a farm use.

– W.S. Lippincott, Agricultural Preservation

The Forst Buffer Easement and Forest Conservation Easement must be recorded in Baltimore County Land Records.

- John Russo, Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Memorandum

TO: Zoning Commissioner DATE: August 23, 2006

FROM: Wally Lippincott, Jr. 

SUBJECT: 06-676 sph – Revised comment
5319 Glen Falls Road
(Coppersmith Property)

It has come to my attention since submitting the comments that the Coppersmith property was subdivided in 1993 creating a 2.45 acre lot and 3.89 acre lot. Part of the request before the Zoning Commissioner is to reduce the 2.45 acre lot and increase the 3.89 acre lot. On this request, I take no position on this request.

The other part of the request, however, to further subdivide the Coppersmith property to add acreage to two undersize lots, however, does conflict with the purposes and intent of the RC 2 zone and this comment is to oppose that request. First from a policy perspective the RC 2 zone seeks to limit the extent and the "urbanization" of the "agricultural areas" thus retaining a low density conducive to the continuation of agriculture and to reduce the demand for urban services (BCZR 1A01.1). Secondly, the RC 2 zone differs from other zones in that it limits the number of subdivision of lots between 2 and 100 acres (BCZR 1A01.3). This request violates that provision by proposing to further subdivide the Coppersmith property (originally 6.3 acres) beyond what is permitted (ie one subdivision) for the purpose of making a substandard lot buildable.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: August 11, 2006
SUBJECT: Zoning Item # 06-676-SPH
Address 5319 Glen Falls Road
(Coppersmith Property)

Zoning Advisory Committee Meeting of July 10, 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:

 X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

 X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Oppose. Existing parcels 1 and 2 should be combined to create one lot and parcel 3 should be subdivided in a manner to retain the maximum amount of acreage with the existing house and agricultural buildings. These parcels are located on the edge of an Agricultural Preservation Area and are zoned RC-2. These planning and zoning

measures are intended to limit density so as to reduce conflicts with agricultural activities and contain sprawl. To grant variances or special approvals is in conflict with the stated public purpose of the zone and Master Plan.

Combining parcels 1 and 2 to create one lot instead of subdividing acreage from Parcel 3 leaves the full parcel acreage to be split off one small lot (as permitted by zoning) on Glen Falls Road and leave sufficient acreage with the existing house and agricultural buildings to meet the minimum three acres for a farm use. *

— W.S. Lippincott, Agricultural Preservation

The Forst Buffer Easement and Forest Conservation Easement must be recorded in Baltimore County Land Records.

- John Russo, Environmental Impact Review

* Example of layout is provided. While not supporting subdivision for 2nd undersized lot if it is to be done this would be more appropriate.

jm 8/25

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 18, 2006

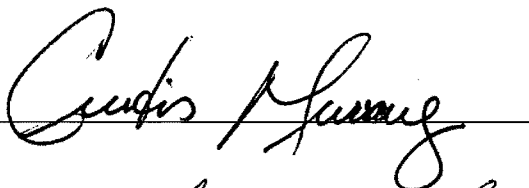
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-675- Special Hearing (also see case 6-676)**

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

For further questions or additional information concerning the matters stated herein, please contact Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

RECEIVED

JUL 27 2006

ZONING COMMISSIONER

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

July 13, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: July 10, 2006

Item No.: 638, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686,
687 and 688.

Pursuant to your request, the referenced plan(s) have been reviewed by the Fire Marshal's Office and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

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

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



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



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

Maryland Department of Transportation

Date: 7.11.06

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

RE: Baltimore County
Item No. 675 JRA

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 13, 2006

FROM: Dennis A. Kennedy, ^{DM}Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 17, 2006
Item Nos. 623, 638, 674, 675, 676, 677,
678, 679, 680, 683, 684, 685, 686, 687, and 688

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-7132006.doc

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
5407 Glen Falls Road; S/S Glen Falls Road, *
1,143' W c/line Hanover Pike * ZONING COMMISSIONER
4th Election & 3rd Councilmanic Districts *
Legal Owner(s): William C. Belt * FOR
Contract Purchaser(s): Michael L. Snyder *
Petitioner(s) * BALTIMORE COUNTY
* 06-675-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 17th day of July, 2006, a copy of the foregoing Entry of Appearance was mailed to, Geoffrey C. Schultz, McKee & Associates, Inc, 5 Shawan Road, Suite 1, Cockeysville, MD 21030, Representative for Petitioner(s).

RECEIVED

JUL 17 2006

Per *[Signature]*

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

COADY & FARLEY

ATTORNEYS AND COUNSELLORS AT LAW

400 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204

(410) 337-0200

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MICHAEL L. SNYDER
PATRICIA O'C.B. FARLEY
THOMAS J. RYAN

JOHN T. COADY, EMERITUS

CHARLES P. COADY (1868-1934)
JOHN A. FARLEY (1893-1958)
CHARLES P. COADY, JR. (1901-1983)
JOHN A. FARLEY, JR. (1921-2005)

THOMAS J. CARACUZZO (1914-1994)

August 25, 2006

RECEIVED

AUG 25 2006

ZONING COMMISSIONER

John V. Murphy
Deputy Zoning Commissioner
Baltimore County, Maryland
401 Bosley Avenue
County Courts Building, Room 405
Towson, MD 21204

RE: Case No. 06-675-SPH and
Case No. 06-676-SPH

Dear Deputy Commissioner Murphy:

Thank you for your time at the hearing of these two cases this morning.

You graciously agreed to hold these cases "open" until we have time to submit copies of cases and opinions to support our position that existing Parcel Two is a non-conforming density parcel. We intend to present these cases and opinions to you within the next week or two for your consideration.

Should you have any additional questions or comments, please call me.

Thank you for your courtesies in this regard.

Sincerely yours,



Michael L. Snyder

MLS/mdd



Representing Our Clients In The Practice of Law For More Than 100 Years
Est. 1894

COADY & FARLEY

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August 31, 2006

RECEIVED

SEP - 1 2006

ZONING COMMISSIONER

John V. Murphy
Deputy Zoning Commissioner
Baltimore County, Maryland
401 Bosley Avenue
County Courts Building, Room 405
Towson, MD 21204

RE: Case No. 06-675-SPH and
Case No. 06-676-SPH

Dear Deputy Commissioner Murphy:

On Friday, August 25, 2006 I appeared before you as attorney for the Petitioners in the two cases captioned above. This letter is submitted pursuant to your suggestion made at the conclusion of the hearings that we present additional information to you on the following issue.

It is our understanding that you are concerned about whether or not "EXISTING PARCEL 2", shown on the "PLAT TO ACCOMPANY PERC PLAN BELT & COPPERSMITH PROPERTIES", is currently a buildable lot because it is less than one acre in size. In response to your concern we submit the following:

1. Enclosed herewith please find a one page summary of the "ZONING HISTORY OF SUBJECT PROPERTIES". We researched this zoning history with the officials of the Office of Zoning. The conclusion is that in 1963, the year when the PARCEL 2 lot was created, the subject properties were zoned R.6, which only required a minimum buildable lot size of 6,000 square feet. PARCEL 2 is approximately 20,000 square feet in size.

2. We also enclose herewith a copy of your Order in Case No. 03-560-SPHA, from July 29, 2003, wherein you ruled that a 0.60 acre lot in an R.C.2 zone, which lot was created in 1959, was a buildable lot because it existed prior to the establishment of the R.C.2 zoning regulations which were established in 1971. The lot in this case is located approximately one mile from our lots.



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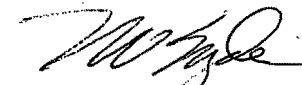
John V. Murphy,
Deputy Zoning Commissioner
August 31, 2006
Page 2

In our cases we established by the testimony of our engineer, Geoffrey Schultz, that PARCEL 2 is of sufficient size to meet all area requirements for a dwelling, and septic system, and well, without the need for any variance(s). This is our contention, that PARCEL 2 is already a valid buildable lot, and our request to add an additional non-density parcel to it is unnecessary, but it is our desire to do so merely to increase the size of the lot. No additional density is requested.

3. We also enclose herewith a copy of the Opinion of the County Board of Appeals in Case Nos. 95-263 SPH, 95-264-SPH, and 95-265-V. This Opinion states that Section 304 of the Baltimore County Zoning Regulations applies to lots created after 1955.

Thank you for allowing us this opportunity to submit this information. If you desire to discuss this matter further please contact me.

Sincerely yours,



Michael L. Snyder

MLS/ap
Enc.

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

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8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

October 31, 2007

Lawrence M. Stahl, Chairman
County Board of Appeals for Baltimore County
400 Washington Avenue, Suite 49
Towson, Maryland 21204

RECEIVED
OCT 31 2007
BALTIMORE COUNTY
BOARD OF APPEALS

RE: Petition for Special Hearing - 5407 Glen Falls Road
Case No. 06-675-SPH
William C. Belt, *et al*, Petitioners

Dear Mr. Stahl:

At the conclusion of the hearing on the above-referenced case, the Board requested, in lieu of oral, closing argument of counsel, the legal points and authorities relied upon in support of the relief requested. The Board specifically directed that a recitation of the testimony and evidence was to be kept to a minimum in this post-hearing correspondence.

The principal issue is that of a non-density, lot line adjustment. In response to a prior decision of this Board that there was no guidance in the *Baltimore County Code* ("Code") regarding the approval of lot line adjustments, the Baltimore County Council passed Council Bill No. 54-05. That legislation modified Code § 32-4-106 (limited exemptions) which reads, in pertinent part, as follows:

Lot line adjustments in residential zones for lots that are not part of an approved Development Plan under this title or an approved Development Plan under Article 1B of the Baltimore County Zoning Regulations. For purposes of this subsection, "lot line adjustment" means **one or more alterations of a divisional property line or lines** between two or more lots in common ownership **or by agreement of the owners**, provided that the **alteration does not result in an increase or decrease in the number of lots and there is no increase in total residential density available to the lots considered as a whole**

Code § 32-4-106(a)(1)(viii) (Emphases added.) (See, Petitioners' Exhibit CBA No. 8)

The uncontradicted evidence in this case is that the two lots owned by William Belt were

Lawrence M. Stahl, Chairman
October 31, 2007
Page 2

created in 1962, approximately 13 years before the Resource Conservation (RC) zones were adopted. Those lots were created in accord with the then applicable R-20 zoning classification and were designed to meet or exceed the minimum dimensional and area requirements of that zone. Neither lot is part of an approved development plan.

The *Baltimore County Zoning Regulations* ("BCZR") define a **lot of record** as "[a] parcel of land with boundaries as recorded in the land records of Baltimore County on the same date as the effective date of the zoning regulation which governs the use, subdivision or other condition thereof." BCZR § 101 - Definition of **Lot of Record**. Petitioners' Exhibits CBA No. 2 through 5 are the deeds that created the two Belt lots and reflect their conveyance from the date of their creation to the date conveyed to Mr. Belt. The boundaries of the two lots have not changed since the date of initial creation by the recordation of the first deed.

With respect to the RC-2 zoning classification now applied to the two Belt lots, the BCZR provide that:

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

BCZR § 1A01.3B.2 (Emphasis added.)

The requested relief is not to create the Belt lots. That was accomplished in 1962 and each of the lots is greater than the 20,000 square feet in size then required. The requested relief is not to subdivide the Belt lots. Clearly, they are too small to be subdivided as per BCZR § 1A01.3B.1 which provides that:

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.

(Emphases added.)

Each of the two Belt lots is approximately 0.459 acres in size. Only one of those lots has a dwelling on it. The required well and septic area are located completely on that lot. That lot has a

Lawrence M. Stahl, Chairman
 October 31, 2007
 Page 3

yard that is completely fenced behind the house, without even a gate providing access to the adjoining lot. The vacant lot was purchased as a vacant building lot and has never been combined with the improved lot. (See, Petitioners' Exhibit CBA No. 9, *Affidavit by William C. Belt*)

The non-density parcel approved by the final Order of the Deputy Zoning Commissioner for Baltimore County in Case No. 06-676-SPH [prior, pending appeal dismissed per Board Rule 3.b.1] adjoins the two Belt lots. The combination of portions of that non-density parcel with each of the two, Belt lots is consistent with applicable law and regulation. The *Baltimore County Zoning Commissioner's Policy Manual* ("ZCPM") has been adopted as part of the Code of County Regulations pursuant to Code § 3-7-101 *et seq.* ZCPM § 1A00.4.b pertains to the sale or transfer of small parcels in the RC zones. Section 1A00.4.b(1) is a general policy, whereas Section 1A00.4.b(2) is specifically applicable only to RC-2 zoned properties such as the two Belt lots and the non-density parcel. That regulation provides:

In an RC-2 zone, a parcel could possibly be transferred from the overall development tract to an adjacent existing lot of record provided that the end result does not permit a re-subdivision into a greater number of lots. (Emphases added.)

The two Belt lots are lots of record, having been recorded in 1962. Adding a portion of the non-density parcel to Belt Lot No. 1 and the balance of the non-density parcel to Belt Lot No. 2 will not result in a greater number of lots. The two Belt lots will be enlarged and nothing more. Even after being enlarged to just over 1.0 acre each, neither of those lots can be further subdivided. (See, BCZR § 1A01.3.B1 [subdivision lot density] *infra*.)

The legal analysis of the issues in this case can be summarized as:

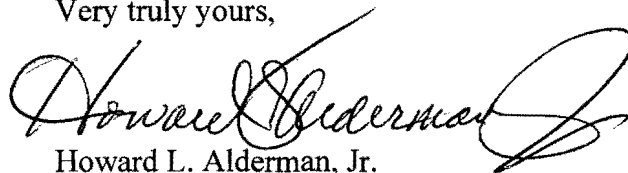
ISSUE	REGULATION/EVIDENCE
Belt Lots Created in 1962	Petitioners' Exhibit Nos. CBA 2-5
Belt Lots Met Applicable R-20 Zoning Regulations when created	Petitioners' Exhibit No. CBA-6
Belt Lots each were a Lot of Record when the RC-2 zoning was attached in 1975	BCZR § 101 - Definition of Lot of Record

Lawrence M. Stahl, Chairman
October 31, 2007
Page 4

If the requested relief is granted to add a portion of the adjoining non-density parcel to each of the Belt lots increasing their respective sizes to just over 1.0 acre, neither could be further subdivided	BCZR § 1A01.3B.2 - to create a lot in the RC-2 zone, it must be 1 acre in size; there is no minimum lot size for lots of record before the adoption of the RC zones BCZR § 1A01.3B.1 - a lot must be greater than 2.0 acres in size before it can be subdivided
The transfer of portions of the non-density parcel to each of the Belt lots is permissible	ZCPM 1A00.4b(2) - in the RC-2 zone, such transfer is specifically authorized, provided that the resultant, enlarged lot can't be further subdivided
A lot line adjustment or alteration of a divisional property line as proposed has been specifically authorized by the County Council; two lots of record exist at present; two lots will exist after adjustment per the requested relief	Code § 32-4-106(a)(1)(viii) - lot line adjustments are permitted provided that the alteration of lot lines does not increase or decrease the number of lots or increase density
The improved Belt Lot is fenced and was never intended to be combined with or used with the 2nd Belt Lot	Petitioners' Exhibit No. CBA 9 - Affidavit by William Belt

Should you or any member of the Board desire additional information in this case, please do not hesitate to contact me.

Very truly yours,



Howard L. Alderman, Jr.

HLA/gk

c: Michael L. Snyder, Esquire *et al*

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

WILLIAM C. BELT - L/O
MICHAEL L. SNYDER - CP
407 CROWN FALLS ROAD

06-675-SPH

06-675-SPH

~~8/8/07 @ 10³⁰ and 11⁰⁰ PM~~
10/16/07 @ 10 a.m.
12/19/07 @ 2³⁰ pm Delib.

Issued
July 24, 2008

20060675 "A"

supplemental

06-675-SPH
~~FILE 1 OF 2~~

BELT & GEOPERSMITH
PROPERTIES
06-675-SPH & 06-676-SPH
10/16/07

Decision file
contains Attorney's
Exhibits

2

EXHIBITS



NOTES

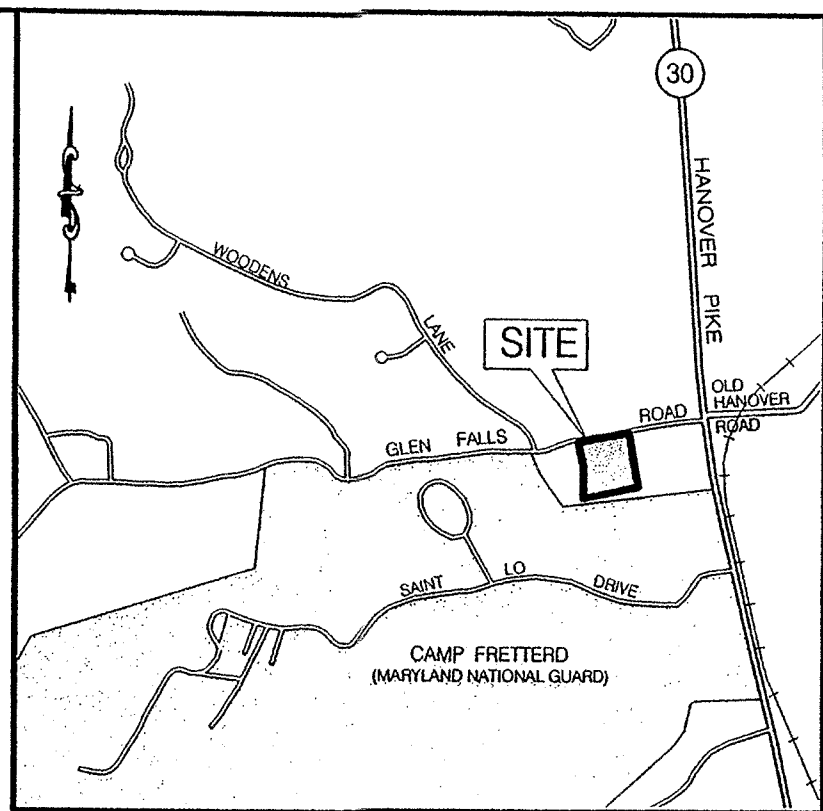
1. EXISTING ZONING OF SITE: RC-2
2. THERE HAVE BEEN NO PRIOR ZONING HEARINGS ON THESE PROPERTIES.
3. PROPERTIES OPERATE ON ON PRIVATE WELL AND SEPTIC SYSTEMS.
4. THIS SITE DOES NOT LIE IN A 100 YEAR FLOOD PLAIN.
5. THIS SITE IS NOT HISTORIC.
6. THE HEIGHT OF THE EXISTING DWELLING IS 28 FEET.

AREA SUMMARY

PARCEL NO.	EXISTING AREA	PROPOSED AREA	EXISTING DENSITY	PROPOSED DENSITY
1	0.459 AC.±	1.0 AC.±	1 LOT	1 LOT
2	0.459 AC.±	1.0 AC.±	1 LOT	1 LOT
3	6.3 AC.±	5.2 AC.±	2 LOTS	2 LOTS

SOILS LIMITATION CHART

MAP SYMBOL	SOIL SERIES	HOME/SITES LIMITATIONS	SEPTIC SYSTEMS LIMITATIONS	HYDRIC	'K' VALUE	CAPABILITY UNIT
BaB	BAILE	SEVERE	SEVERE	YES	0.43	Vw-1
GcB2	GLENELG	SLIGHT	SLIGHT	NO	0.32	Ile-4
GcC2	GLENELG	MODERATE SLOPE	MODERATE SLOPE	NO	0.32	Ile-4
GnB	GLENVILLE	SEVERE WATER	SEVERE WATER	NO	0.32	Ile-16
EhC2	ELIOAK	SEVERE	SEVERE	NO	0.32	Ile-4



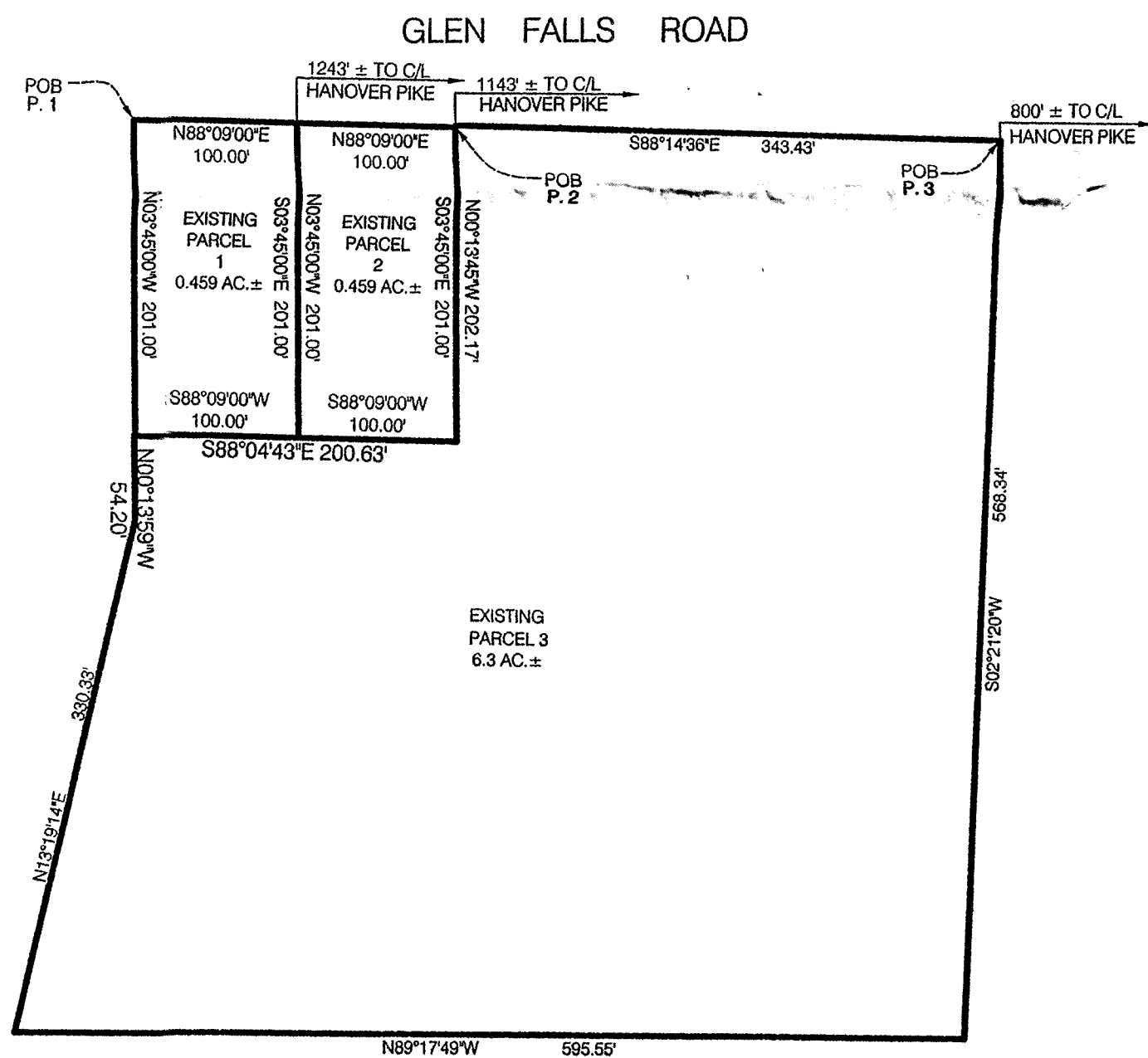
VICINITY MAP
SCALE: 1"=2000'

LEGEND

- EX. CONTOURS
- SLOPES > 25%
- EX. STREAM
- PERC TEST
- PROP. SEPTIC AREA
- SOIL TYPES
- FOREST BUFFER EASEMENT
- LIMIT OF WETLANDS
- EX. WOODS LINE
- PROP. HOUSE SITE w/ DIRECTION ARROW

NOTE:

PARCELS 3-1 AND 3-2 REPRESENT A RECONFIGURATION OF LOTS 1 AND 2 AS SHOWN ON AN APPROVED MINOR SUBDIVISION PLAN OF "THE COOPERSMITH PROPERTY" RECORDED ON AUGUST 9, 1993 IN PLAT BOOK 1 FOLIO 68.



EXISTING PARCEL CONFIGURATION AND
DEVOLUTION OF TITLE INFORMATION
SCALE: 1"=100'

PARCEL 1

TAX MAP 39 - PARCEL 44-1
DEED 4219/259 (PARCEL 1)
ACCT-NO. 04-02-020077
CREATED AND HELD INTACT
SINCE 8/25/1962
BY DEED 4045/351
EX. ZONING = RC-2
EX. DENSITY = 1 LOT
PROPOSED DENSITY = 1 LOT

PARCEL 2

TAX MAP 39 - PARCEL 44-2
DEED 4219/259 (PARCEL 2)
ACCT-NO. 04-02-020078
CREATED AND HELD INTACT
SINCE 8/25/1962
BY DEED 4045/351
EX. ZONING = RC-2
EX. DENSITY = 1 LOT
PROPOSED DENSITY = 1 LOT

PARCEL 3

TAX MAP 39 - PARCEL 99
DEED 13803/630
ACCT-NO. 04-03-049890
CREATED AND HELD INTACT
SINCE 8/25/1962
EX. ZONING = RC-2
EX. DENSITY = 2 LOTS
PROPOSED DENSITY = 2 LOTS



McKEE & ASSOCIATES, INC.
Engineering - Surveying - Natural Resources Planning

Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

OWNER

PARCELS 1 + 2
WILLIAM C. BELT
5407 GLEN FALLS ROAD
REISTERSTOWN, MD 21136

OWNER

PARCEL 3
FRANCIS M. COPPERSMITH
PHYLLIS K. COPPERSMITH
5319 GLEN FALLS ROAD
REISTERSTOWN, MD 21136

PLAT TO ACCOMPANY
PETITIONS FOR SPECIAL HEARING

BELT & COPPERSMITH PROPERTIES

4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: JUNE 26, 2006

NOTES

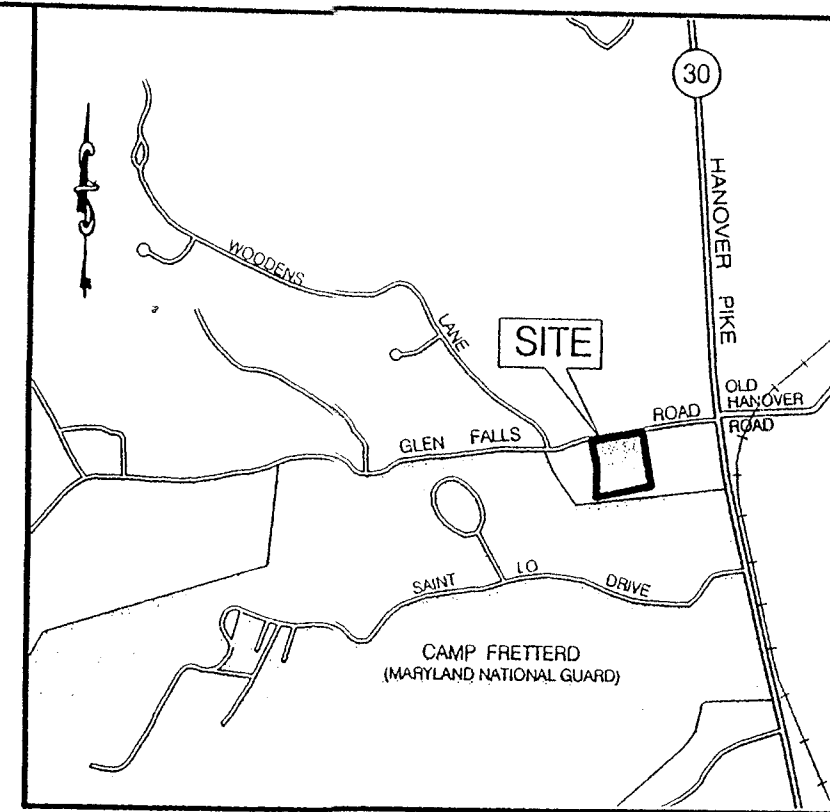
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GnB	GLENVILLE	SEVERE: WATER	SEVERE: WATER	NO	0.32	Ile-16
EhC2	ELIOAK	SEVERE	SEVERE	NO	0.32	Ile-4



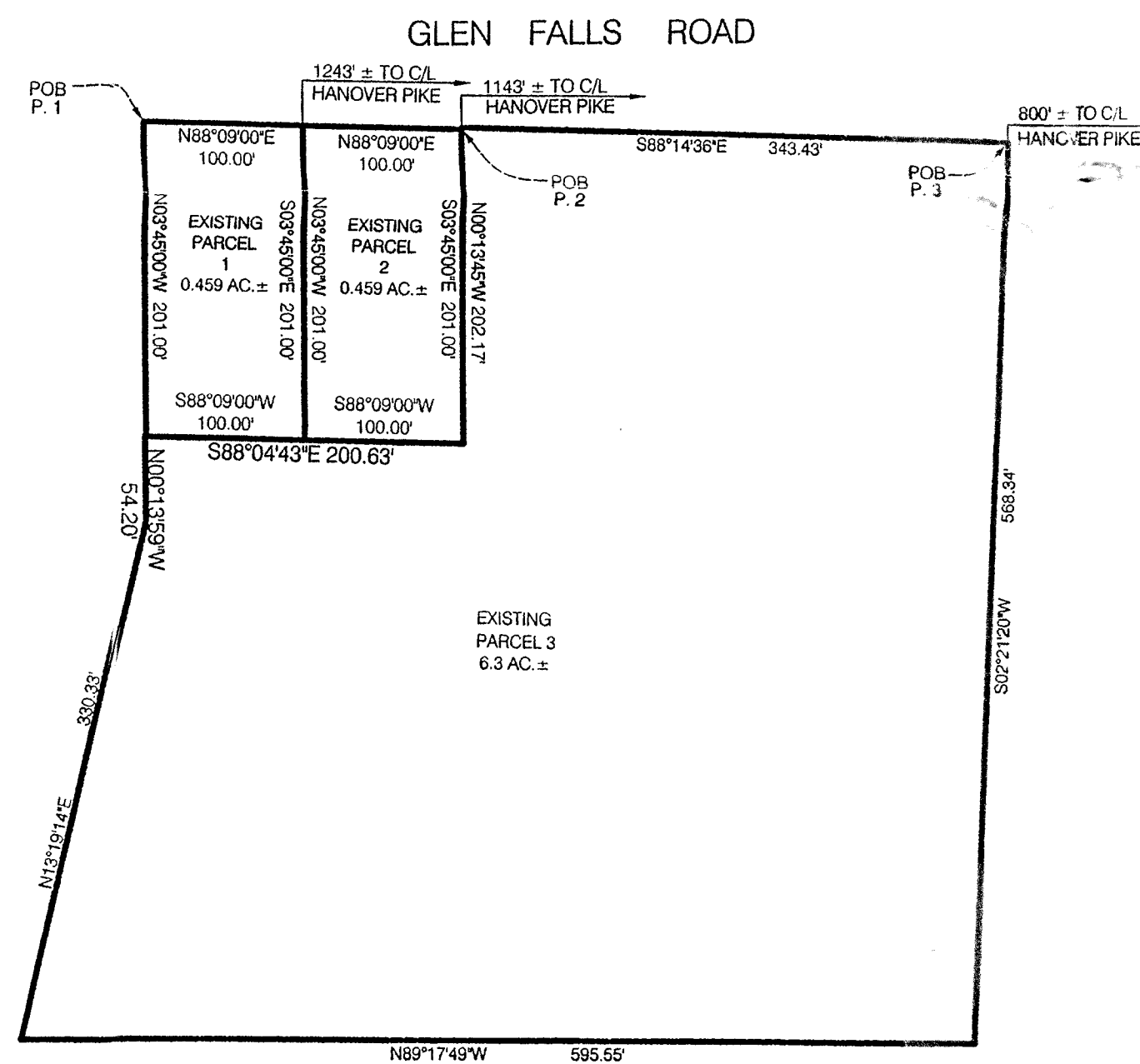
VICINITY MAP
SCALE: 1"=200'

LEGEND

- EX. CONTOURS
- SLOPES > 25%
- EX. STREAM
- PERC TEST
- PROP. SEPTIC AREA
- SOIL TYPES
- FOREST BUFFER EASEMENT
- LIMIT OF WETLANDS
- EX. WOODS LINE
- PROP. HOUSE SITE w/ DIRECTION AIRFLOW

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SCALE: 1"=100'

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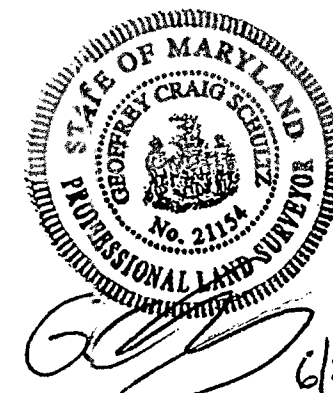
PARCEL 2
TAX MAP 39 - PARCEL 44-2
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ACCT-NO. 04-02-020078
CREATED AND HELD INTACT
SINCE 8/25/1962
BY DEED 4045/351
EX. ZONING = RC-2
EX. DENSITY = 1 LOT
PROPOSED DENSITY = 1 LOT

PARCEL 3
TAX MAP 39 - PARCEL 44-3
DEED 13803/530
ACCT-NO. 04-03-04985
CREATED AND HELD INTACT
SINCE 8/25/1962
EX. ZONING = RC-2
EX. DENSITY = 2 LOTS
PROPOSED DENSITY = 2 LOTS

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Natural Resources Planning

Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
HUNT VALLEY, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563



OWNER
PARCELS 1 & 2
WILLIAM C. BELT
5407 GLEN FALLS ROAD
REISTERSTOWN, MD 21136

OWNER
PARCEL 3
FRANCIS M. COOPERSMITH
PHYLLIS K. COOPERSMITH
5319 GLEN FALLS ROAD
REISTERSTOWN, MD 21136

PLAT TO ACCOMPANY
PETITIONS FOR SPECIAL HEARING
BELT & COPPERSMITH PROPERTIES

4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: JUNE 26, 2006

ZONING HISTORY OF SUBJECT PROPERTIES

1) The First Zoning Map of Baltimore County was Established in 1955.

- a) The subject properties were not mapped in 1955 (*see* Exhibit “A”).
 - i) According to Mr. David Duvall and the Zoning Office, the 1955 maps stopped at Map 18K, and the subject properties would have been located on map 19K.
 - ii) According to the Zoning Office, a property unmapped in 1955 defaults into the residual R-6 zoning category.
 - iii) According to Mr. John Lewis in the Zoning Office, R.C.2 zoning was did not exist until at least 1971 when density zoning was created

2) The 1955 Baltimore County Zoning Regulations.

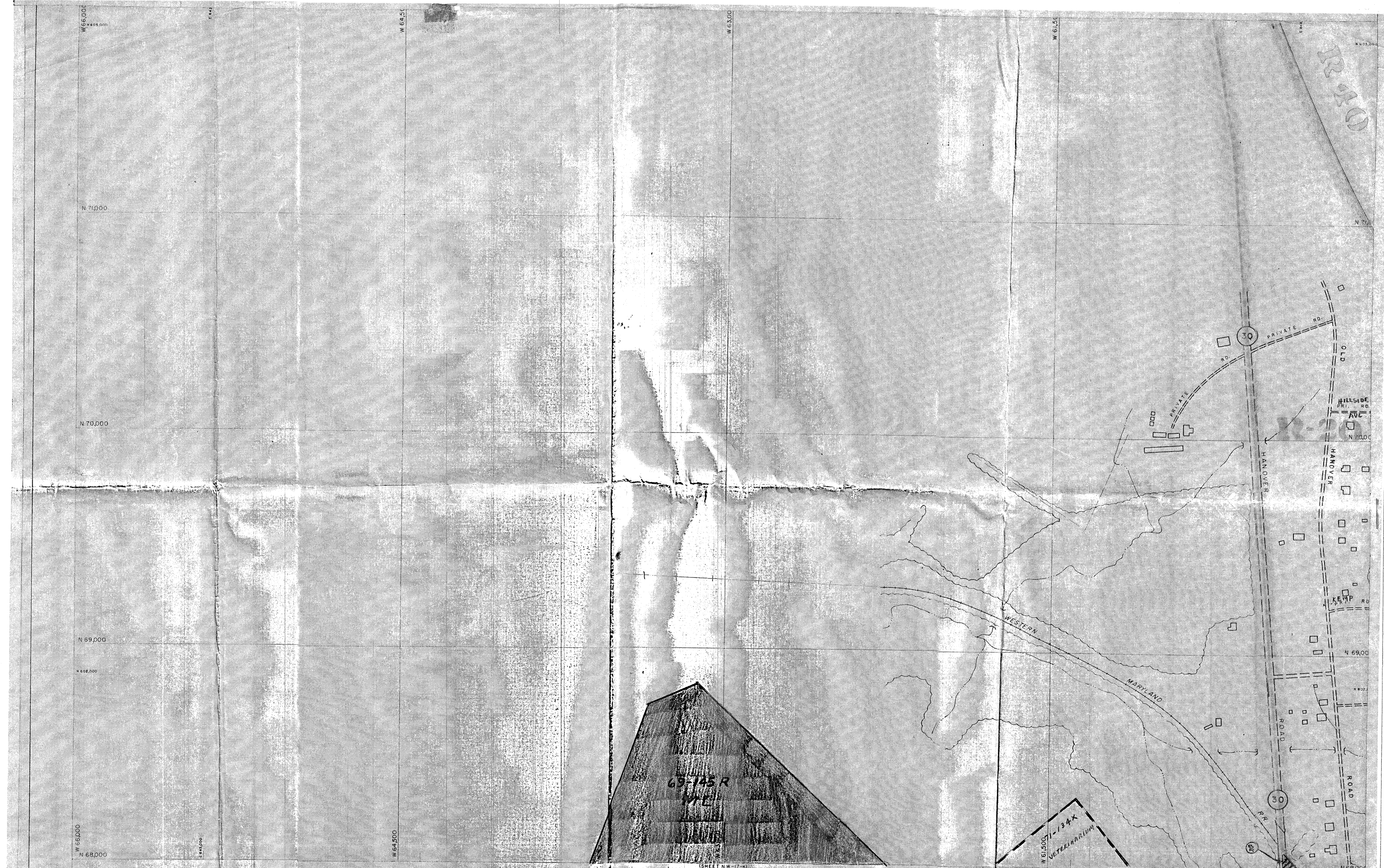
- a) §211.1 of the B.C.Z.R. established the minimum requirements for area regulations in a R.6 zone (*see* Exhibit “B”).
 - i) §211.1 states “Each one-family dwelling ... hereafter erected shall be located on a lot having an area of not less than 6,000 square feet...”
 - ii) At this time the subject properties were conforming lots.

3) The 1963 Amendments to the Baltimore County Zoning Regulations.

- a) The amendments did not alter the language of §211.1 as quoted above in 2(a)(i).

4) The Next Change to the Zoning Maps of Baltimore County was in 1971.

- a) The 1971 map established RDP Zoning for the subject properties (*see* Exhibit “C”).



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE 1" = 200'	LOCATION GLEN MORRIS 4TH DIST.	SHEET NW 18-K
BY	DATE			
		DATE OF PHOTOGRAPHY APRIL 1953		

Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION-PHILADELPHIA, PA

EXHIBIT "B"

RECEIVED

JUL 10 1997

BALTIMORE COUNTY CIRCUIT
COURT LAW LIBRARY

**BALTIMORE COUNTY
ZONING REGULATIONS**

AS ADOPTED BY

COUNTY COMMISSIONERS

OF

BALTIMORE COUNTY

March 30, 1955, in accordance with Title 30, Section
532 (c) of the Code of Public Local Laws of Baltimore
County (1955 Edition).

1955

Michael J. Birmingham
President

Robert B. Hamill

Augustine J. Muller
County Commissioners of Baltimore County

Francis T. Peach
County Solicitor

George M. Berry
Deputy Solicitor

Wilsie H. Adams
Zoning Commissioner

R. 10 ZONE

per cent of the lots may have an area less than 10,000 square feet (see Section 304).

208.2—Front Yard—For dwellings, the front building line shall be not less than 30 feet from the front lot line and not less than 55 feet from the center line of the street, except as specified in Section 303.1; for other principal buildings—50 feet from the front lot line and not less than 75 feet from the center line of the street, except as specified in Section 303.1.

208.3—Side Yards—For dwellings, 10 feet wide for one side yard and not less than 25 feet for the sum of both, except that for a corner lot the building line along the side street shall be not less than 30 feet from the side lot line and not less than 55 feet from the center line of the street; for other principal buildings—20 feet wide, except that for a corner lot the building line along the side street shall be not less than 35 feet from the side lot line and not less than 60 feet from the center line of the street.

208.4—Rear Yard—30 feet deep.

R. 6 Zone—Residence, One and Two-Family

Section 209—USE REGULATIONS

The following uses only are permitted:

209.1—Uses permitted and as limited in R. 40 Zone;

209.2—Two family dwellings, as defined in Section 101;

209.3—Special Exceptions—Same as R. 10 Zone, except sanitary landfills and trailer parks which are not permitted (see Sections 270 and 502).

Section 210—HEIGHT REGULATIONS:

Same as R. 40 Zone.

Section 211—AREA REGULATIONS

Minimum requirements, except as provided in ARTICLE 3, shall be as follows:

211.1—Lot Area and Width—Each one-family dwelling and each other principal non-residential building hereafter erected shall be located on a lot having an area of not less than 6,000 square feet and a width at the front building line of not less than 55 feet; each two-family dwelling hereafter erected shall be located on a lot(s) having an area of not less than

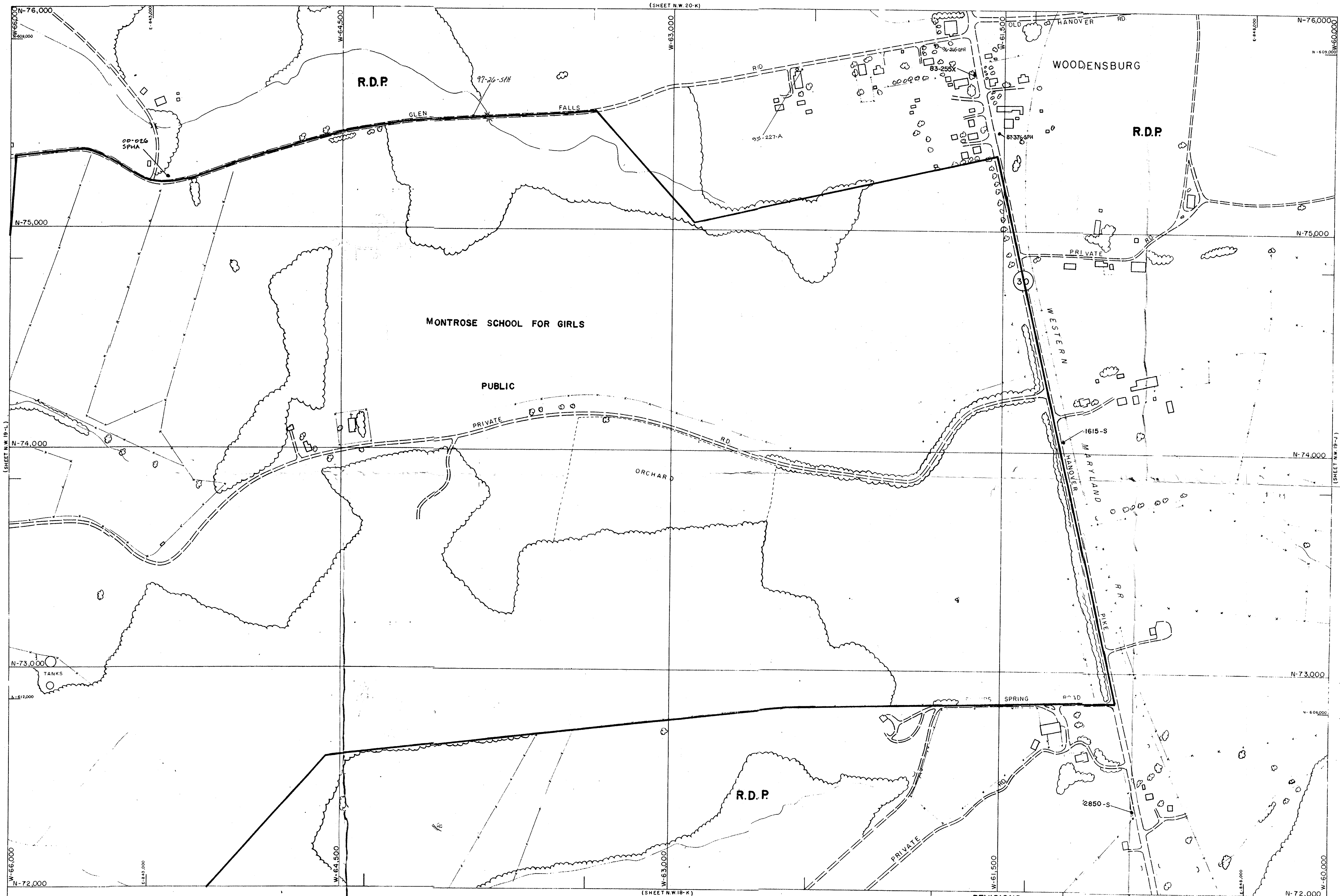
R. 6 ZONE

10,000 square feet and a width at the front building line of not less than 80 feet for a duplex dwelling and 90 feet for the pair of lots occupied by a semi-detached dwelling (see Section 304).

211.2—Front Yard—For dwellings, the front building line shall be not less than 25 feet from the front lot line and not less than 50 feet from the center line of the street, except as specified in Section 303.1; for other principal buildings—40 feet from the front lot line and not less than 65 feet from the center line of the street, except as specified in Section 303.1.

211.3—Side Yards—For one-family dwellings, 8 feet wide for one side yard and not less than 20 feet for the sum of both, except that for a corner lot the building line along the side street shall be not less than 25 feet from the side lot line and not less than 50 feet from the center line of the side street; for two-family dwellings, side yards shall be as provided in Sections 214.1 and 214.3; for other principal buildings, same as in Section 208.3.

211.4—Rear Yard—30 feet deep.



X - NE

ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
MARCH 24, 1971
BY BILLS NOS. 28, 29, 30, 31, and 32

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY, MARYLAND OFFICIAL ZONING MAP

REVISIONS			SCALE	LOCATION	SHEET
BY	DATE				
			1" = 200'	WOODENSBURG	N. W.
Compiled By Photogrammetric Methods MAPS, INCORPORATED - BALTIMORE 22, MARYLAND			DATE OF PHOTOGRAPHY		19-K

CASE 06-675-SPH

PETITIONER'S EXHIBITS

Waived
10-16-07

- ✓ 1. PLAT DRAWINGS
- ✓ 2. DEED DATED 8/21/62 RIMBEY AND COPPERSMITH
- ✓ 3. DEED DATED 8/25/62 RIMBEY AND PAT HOLDING COMPANY.
- ✓ 4. DEED DATED 8/25/62 PAT HOLDING CO AND RIMBY
- ✓ 5. DEED DATED 10/22/63 RIMBEY AND BELT.
- ✓ 6. R20 ZONE REGULATIONS
- ✓ 7. ZONING COMMISSIONER'S POLICY MANUAL 1900.4.b.2
- ✓ 8. BC ZONING REG. 32-4-106 LIMITED EXEMPTIONS.
- ✓ 9. AFFIDAVIT BY WILLIAM C. BELT.

NOTES

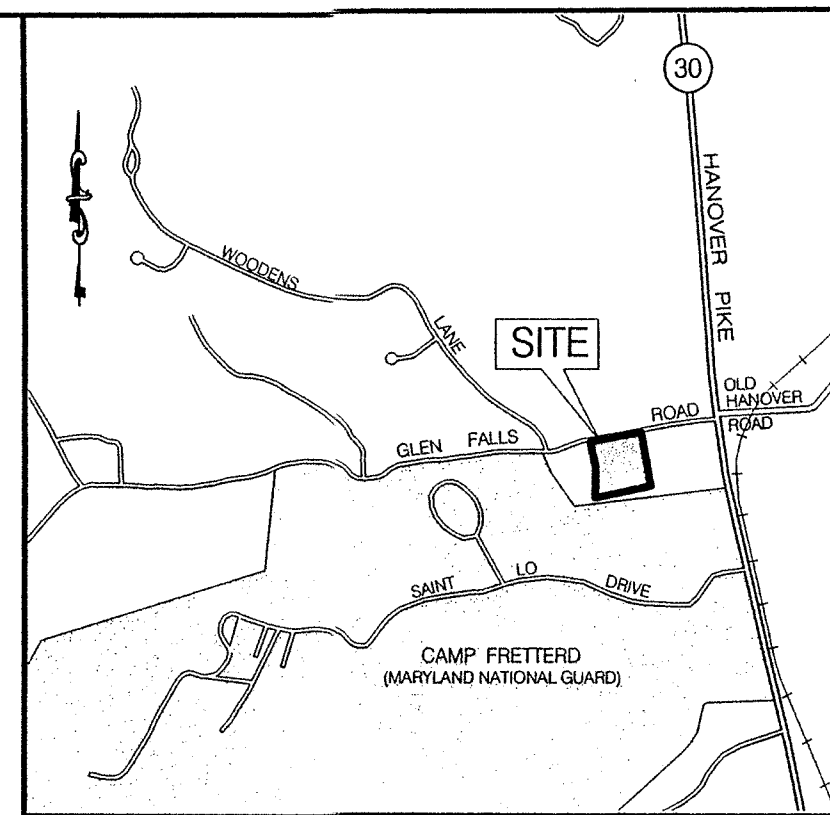
1. EXISTING ZONING OF SITE: RC-2
2. THERE HAVE BEEN NO PRIOR ZONING HEARINGS ON THESE PROPERTIES.
3. PROPERTIES OPERATE ON ON PRIVATE WELL AND SEPTIC SYSTEMS.
4. THIS SITE DOES NOT LIE IN A 100 YEAR FLOOD PLAIN.
5. THIS SITE IS NOT HISTORIC.
6. THE HEIGHT OF THE EXISTING DWELLING IS 28 FEET.

AREA SUMMARY

PARCEL NO.	EXISTING AREA	PROPOSED AREA	EXISTING DENSITY	PROPOSED DENSITY
1	0.459 AC.±	1.0 AC.±	1 LOT	1 LOT
2	0.459 AC.±	1.0 AC.±	1 LOT	1 LOT
3	6.3 AC.±	5.2 AC.±	2 LOTS	2 LOTS

SOILS LIMITATION CHART

MAP SYMBOL	SOIL SERIES	HOMESITES LIMITATIONS	SEPTIC SYSTEMS LIMITATIONS	HYDRIC	K VALUE	CAPABILITY UNIT
BaB	BAILE	SEVERE	SEVERE	YES	0.43	Vw-1
GcB2	GLENELG	SLIGHT	SLIGHT	NO	0.32	Ile-4
GcC2	GLENELG	MODERATE SLOPE	MODERATE SLOPE	NO	0.32	Ile-4
GnB	GLENVILLE	SEVERE WATER	SEVERE WATER	NO	0.32	Ile-16
EhC2	ELIOAK	SEVERE	SEVERE	NO	0.32	Ile-4



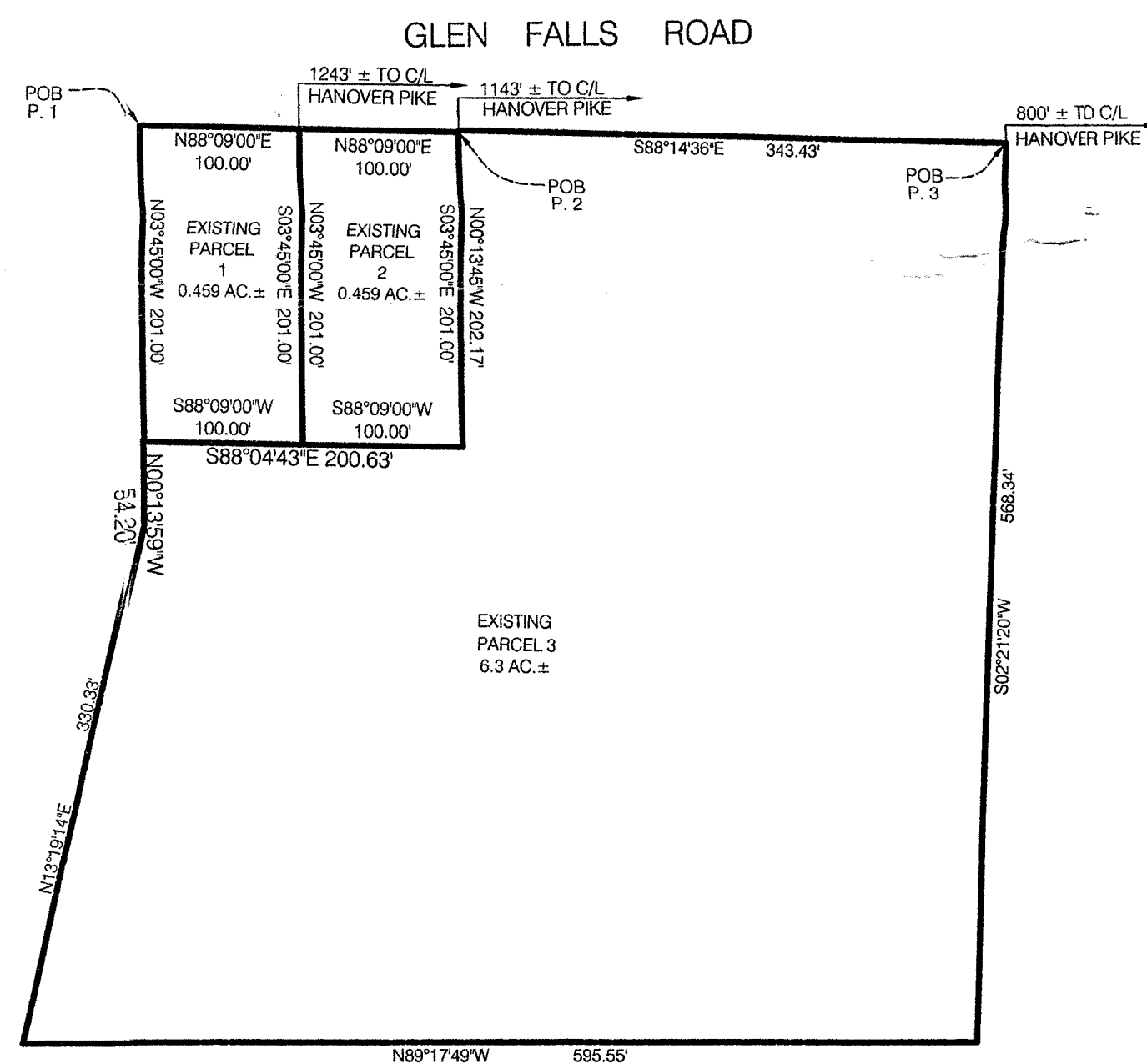
VICINITY MAP
SCALE: 1"=200'

LEGEND

- EX. CONTOURS
- SLOPES > 25%
- EX. STREAM
- PERC TEST
- PROP. SEPTIC AREA
- SOIL TYPES
- FOREST BUFFER EASEMENT
- LIMIT OF WETLANDS
- EX. WOODS LINE
- PROP. HOUSE SITE w/ DIRECTION ARROW

NOTE:

PARCELS 3-1 AND 3-2 REPRESENT A RECONFIGURATION OF LOTS 1 AND 2 AS SHOWN ON AN APPROVED MINOR SUBDIVISION PLAN OF "THE COOPERSMITH PROPERTY" RECORDED ON AUGUST 9, 1993 IN PLAT BOOK 1 FOLIO 68.



EXISTING PARCEL CONFIGURATION AND
DEVOLUTION OF TITLE INFORMATION

SCALE: 1"=100'

PARCEL 1
TAX MAP 39 - PARCEL 44-1
DEED 4219/259 (PARCEL 1)
ACCT-NO. 04-02-020077
CREATED AND HELD INTACT
SINCE 8/25/1962
BY DEED 4045/351
EX. ZONING = RC-2
EX. DENSITY = 1 LOT
PROPOSED DENSITY = 1 LOT

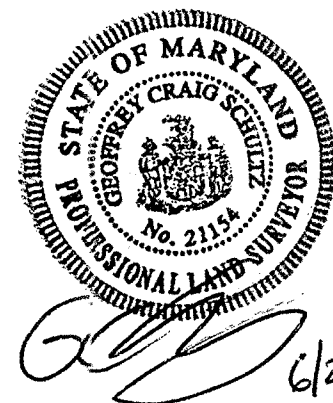
PARCEL 2
TAX MAP 39 - PARCEL 44-2
DEED 4219/259 (PARCEL 2)
ACCT-NO. 04-02-020078
CREATED AND HELD INTACT
SINCE 8/25/1962
BY DEED 4045/351
EX. ZONING = RC-2
EX. DENSITY = 1 LOT
PROPOSED DENSITY = 1 LOT

PARCEL 3
TAX MAP 39 - PARCEL 99
DEED 13803/530
ACCT-NO. 04-03-049896
CREATED AND HELD INTACT
SINCE 8/25/1962
EX. ZONING = RC-2
EX. DENSITY = 2 LOTS
PROPOSED DENSITY = 2 LOTS

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Natural Resources Planning

Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1553

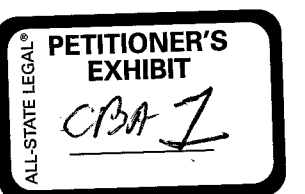


OWNER
PARCELS 1 + 2
WILLIAM C. BELT
5407 GLEN FALLS ROAD
REISTERSTOWN, MD 21136

OWNER
PARCEL 3
FRANCIS M. COPPERSMITH
PHYLLIS K. COPPERSMITH
5319 GLEN FALLS ROAD
REISTERSTOWN, MD 21136

PLAT TO ACCOMPANY
PETITIONS FOR SPECIAL HEARING
BELT & COPPERSMITH PROPERTIES

4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: JUNE 26, 2006



REAL ESTATE TITLE CO.
Kaiser Building
Baltimore, Md.
LE xington 9-3212

LIBER 4046 PAGE 110



FEE SIMPLE DEED

This Deed, Made this 21st day of August - - - - -

in the year one thousand nine hundred and sixty-two - - - - - by Jesse R. Rimbey and Anna V. Rimbey, his wife, Floyd G. Rimbey and Patsy O. Rimbey, his wife, Claude E. Rimbey and Margaret A. Rimbey, his wife, parties of the first part; and Francis M. Coppersmith and Phyllis K. Coppersmith, his wife, parties of the second part.



WITNESSETH that in consideration of the sum of five dollars, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first part - - - - - do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the heirs and assigns of the survivor of them - - - - - ~~hereinafter~~ in fee-simple, all that lot or parcel of ground - - - - - situate, lying and being in the Village of Woodanburg, South side of the County Road leading from Woodanburg to Glen Falls, Baltimore County, State of Maryland - - - - - and described as follows, that is to say

Beginning at the end of the south 85 degrees, 30 minutes West 83.12 perches line of the whole tract, of which this is a part; and running thence on the outline thereof as surveyed by Charles B. McClean in 1899 North 8 degrees, 30 minutes East 20 perches line to a stone; thence North 7 degrees, 30 minutes West 15.5 perches line to stone on south side of County Road leading from Glen Falls to Woodanburg; thence along the south side of said road; North 85 degrees, 15 minutes East 32.7 perches line to the stone now set; South 4 degrees, 45 minutes East 34.4 perches line to stone now set in the south 85 degrees, 30 minutes West 83.12 perches line of the whole tract; and thence on the same line south 85 degrees, 30 minutes West 36 perches line to the beginning; containing 7 acres, 28 perches, more or less.

SAVING AND EXCEPTING, however, from the hereinabove described parcel of land the following property:

BEGINNING for the same at an old boundary stone approximately 15 feet south of the centerline of the present road-bed of Glen Falls Road at the end of the North 07 degrees, 30 minutes West 15.5 perches line as described in a deed from John Emory Tinkler and wife to George O. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W. P. C. No. 606 folio 311 etc., thence along the south side of Glen Falls Road and binding on the above mentioned deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same, North 88 degrees, 09 minutes East 100.00 feet to a pipe; thence by a line of division and running parallel with the first above mentioned deed line, south 03 degrees, 45 minutes East 201.00 feet to a pipe; thence by another line of division and parallel with the first line of the parcel being described herein, south 88 degrees, 09 minutes West 100.00 feet to a pipe and to intersect the North 07 degrees, 30 minutes West 15.5 perches line of the above mentioned deed; thence

Continued

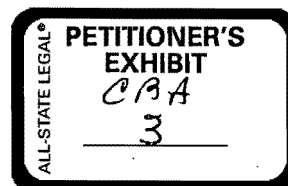
ALL-STATE LEGAL
PETITIONER'S
EXHIBIT
CBA
2

THIS DEED, Made this 25th day of August, in the year one thousand nine hundred sixty-two, by and between JESSE R. RIMBEY and ANNA V. RIMBEY, his wife, of Baltimore County, State of Maryland; FLOYD G. RIMBEY and PATSY O. RIMBEY, his wife, of Anne Arundel County, State of Maryland; CLAUDE E. RIMBEY and MARGARET A. RIMBEY, his wife, of Baltimore County, State of Maryland, parties of the first part, and PAT HOLDING COMPANY, INC., a body corporate of the State of Maryland, party of the second part.

WITNESSETH, That for and in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Jesse R. Rimbey and Anna V. Rimbey, his wife, Floyd G. Rimbey and Patsy O. Rimbey, his wife, Claude E. Rimbey and Margaret A. Rimbey, his wife, do grant and convey unto the said Pat Holding Company, Inc., a body corporate, its successors and assigns, forever, in fee simple, all those two lots or parcels of ground, situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, and described as follows, in accordance with a survey made by C. A. Myers, Registered Surveyor, in August, 1961, that is to say:

BEGINNING for the first at a pipe 15 feet South of the centerline of the present road-bed of Glen Falls Road, said pipe also being at the end of 100.00 feet in the North 85 degrees 15 minutes East 32.7 perches line as described in a Deed from John Emory Tinkler and wife to George C. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence binding on that Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same and running along the South side of Glen Falls Road, North 88 degrees 09 minutes East 100.00 feet to a pipe, thence by a line of division and parallel with the North 07 degrees 30 minutes West 15.5 perches line in the aforementioned Deed, South 03 degrees 45 minutes East 201.00 feet to a pipe, thence by another line of division and parallel with the first line of the parcel herein being described, South 88 degrees 09 minutes West 100.00 feet to a pipe, thence by still another line of division and parallel with the second line of the parcel now being described, North 03 degrees 45 minutes West 201.00 feet to the place of beginning. Containing four hundred and fifty-nine one thousandths of an acre (0.459) of land more or less.

BEGINNING for the second at an old boundary stone approximately 15 feet South of the centerline of the present road-bed of Glen Falls Road at the end of the North 07 degrees 30 minutes West 15.5 perches line as described in a Deed from John Emory Tinkler and wife to George C. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence along the South side of Glen Falls Road and binding on the above mentioned Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same, North 88 degrees 09 minutes East 100.00 feet



STRAW - for sale

THIS DEED, Made this 25 day of August, in the year one thousand nine hundred sixty-two, by and between PAT HOLDING COMPANY, INC., a body corporate of the State of Maryland, party of the first part, and JESSE R. RIMBEY and ANNA V. RIMBEY, his wife, of Baltimore County, State of Maryland, parties of the second part.

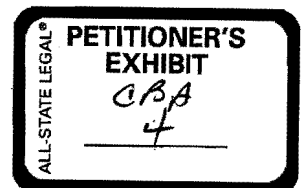
WITNESSETH, That for and in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Pat Holding Company, Inc., a body corporate, does hereby grant and convey unto the said Jesse R. RimbeY and Anna V. RimbeY, his wife, as tenants by the entireties, their assigns, the survivor of them, and the heirs and assigns of the survivor, forever, in fee simple, all those two lots or parcels of ground, situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, and described as follows, in accordance with a survey made by C. A. Myers, Registered Surveyor, in August, 1961, that is to say:

BEGINNING for the first at a pipe 15 feet South of the centerline of the present road-bed of Glen Falls Road, said pipe also being at the end of 100.00 feet in the North 85 degrees 15 minutes East 32.7 perches line as described in a Deed from John Emory Tinkler and wife to George C. RimbeY and Gertrude RimbeY, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence binding on that Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same and running along the South side of Glen Falls Road, North 88 degrees 09 minutes East 100.00 feet to a pipe, thence by a line of division and parallel with the North 07 degrees 30 minutes West 15.5 perches line in the aforementioned Deed, South 03 degrees 45 minutes East 201.00 feet to a pipe, thence by another line of division and parallel with the first line of the parcel herein being described, South 88 degrees 09 minutes West 100.00 feet to a pipe, thence by still another line of division and parallel with the second line of the parcel now being described, North 03 degrees 45 minutes West 201.00 feet to the place of beginning. Containing four hundred and fifty-nine one-thousandths of an acre (0.459) of land more or less.

BEGINNING for the second at an old boundary stone approximately 15 feet South of the centerline of the present road-bed of Glen Falls Road at the end of the North 07 degrees 30 minutes West 15.5 perches line as described in a Deed from John Emory Tinkler and wife to George C. RimbeY and Gertrude RimbeY, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence along the South side of Glen Falls Road and binding on the above mentioned Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same, North 88 degrees 09 minutes East 100.00 feet to a pipe, thence by a line of division and running parallel with the first above mentioned Deed line, South 03 degrees 45 minutes East 201.00 feet to a pipe, thence by another line of division and parallel with the first line of the parcel being described herein



Paid to Baltimore County, Maryland . . . Office of Finance
 4/17/62 21943 Invoice No.
 1679 Transaction No.
 Amount \$7.50
 Charles S. Pichon Authorized Signature





36,878

This Deed, Made this

22nd

day of OCTOBER

in the year one thousand nine hundred and sixty-three

, by and between JESSE R.

RIMBEY and ANNA V. RIMBEY, his wife,

of Baltimore County

in the State of Maryland, of the first part, and

WILLIAM C. BELT and CHARLOTTE C. BELT, his wife, of said County and State,

of the second part.

Witnesseth, That in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged,

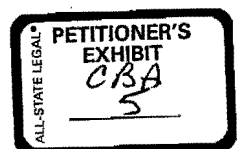
the said parties of the first part

do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and said survivor's

heirs and assigns, in fee simple, all those two lots or parcels of ground, situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, aforesaid, and described as follows, to wit:— in accordance with a survey made by C. A. Myers, Registered Surveyor, in August, 1961, that is to say:

Beginning for the first at a pipe 15 feet South of the centerline of the present road-bed of Glen Falls Road, said pipe also being at the end of 100.00 feet in the North 85 degrees 15 minutes East 32.7 perches line as described in a Deed from John Emory Tinkler and wife to George C. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence binding on that Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same and running along the South side of Glen Falls Road, North 88 degrees 09 minutes East 100.00 feet to a pipe, thence by a line of division and parallel with the North 07 degrees 30 minutes West 15.5 perches line in the aforementioned Deed, South 03 degrees 45 minutes East 201.00 feet to a pipe, thence by another line of division and parallel with the first line of the parcel herein being described, South 88 degrees 09 minutes West 100.00 feet to a pipe, thence by still another line of division and parallel with the second line of the parcel now being described, North 03 degrees 45 minutes West 201.00 feet to the place of beginning. Containing four hundred and fifty-nine one-thousandths of an acre (0.459) of land more or less.

BEGINNING for the second at an old boundary stone approximately 15 feet South of the centerline of the present road-bed of Glen Falls Road at the end of the North 07 degrees 30 minutes West 15.5 perches line as described in a Deed from John Emory Tinkler and wife to George C. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence along the South side of Glen Falls Road and binding on the above mentioned Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same, North 88 degrees 09



Section 203—USE REGULATIONS

The following uses only are permitted:

203.1—Uses permitted and as limited in R.40 Zone, except that animal boarding place, Class A and kennel are permitted only as Special Exceptions. [Revised by Bill No. 85, 1967]

203.2—Special Exceptions—Same as in R.40 Zone, Section 200.15, except airports, antique shops and residential art salons, which are not permitted, and except that animal boarding place, Class A and Kennel are permitted as special exceptions (see Sections 270 and 502). [Revised by Bill No. 76, 1964; Bill No. 85, 1967]

Section 204—HEIGHT REGULATIONS: Same as R.40 Zone.

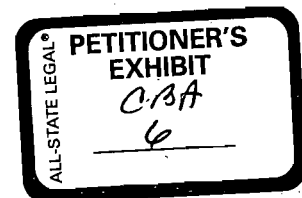
Section 205—AREA REGULATIONS

Minimum requirements, except as provided in ARTICLE 3, shall be as follows:

205.1—Lot Area and Width—each principal building hereafter erected shall be located on a lot having an area of not less than 20,000 sq. ft., and a width at the front building line of not less than 100 ft., except that for four or more lots in the same ownership, and in the same tract, a minimum lot area of 15,000 sq. ft. is permitted if an average of all the lot sizes in the same ownership and in the same tract equals 20,000 sq. ft. or more, but not more than thirty per cent of the lots may have an area less than 20,000 sq. ft. (see Section 304). [Revised by Resolution, November 21, 1956]

205.1.1—In a cluster subdivision a minimum lot area of 13,000 square feet is permitted, provided that the average area of all lots in the subdivision equals at least 16,000 square feet and that the total area in residential lots plus the area of the local open space tract(s) equals or exceeds the number of lots multiplied by 20,000 square feet. In such subdivision, not more than 75 percent of the lots may be less than 16,000 square feet in area and the minimum permitted width at the front building line is 80 feet. [Bill No. 106, 1963]

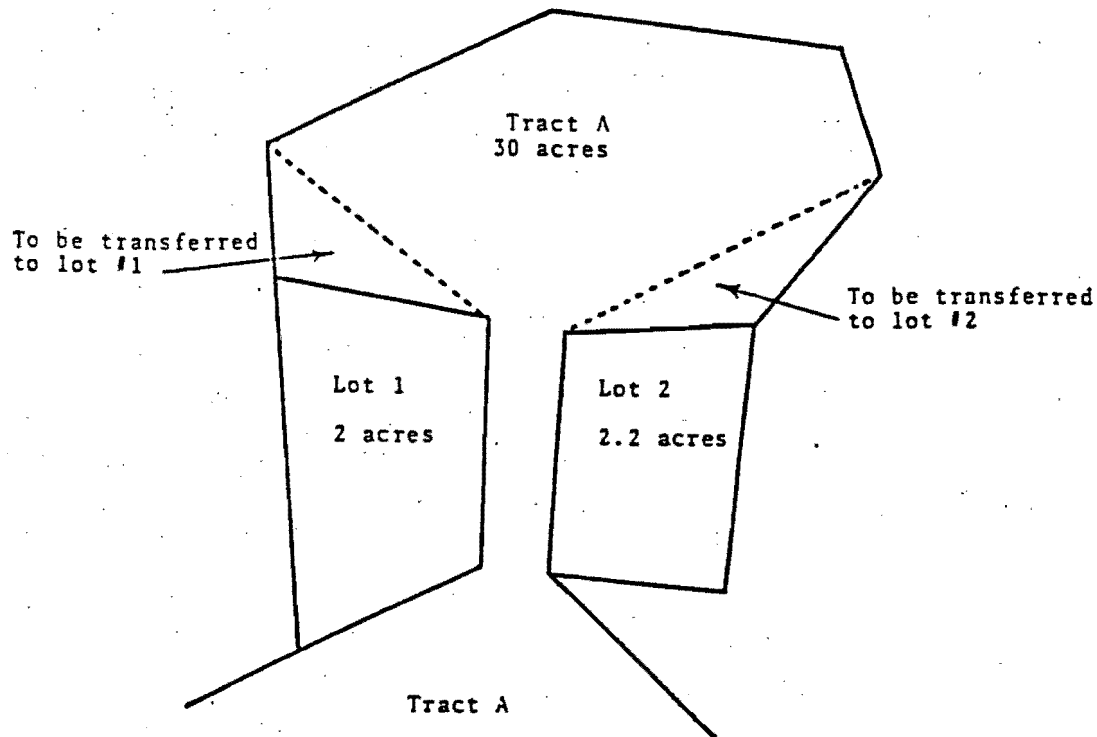
205.2—Front Yard—For dwellings, the front building line shall be not less than 40 feet from the front lot line and not less than 65 feet from the center line of the street, except as specified in Section 303.1; for other principal buildings—60 feet from the front lot line and not less than 85 feet from the center line of the street, except as in Section 303.1.



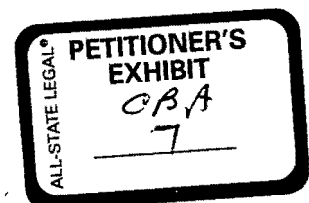
1A00.4.a AMENDMENTS TO DEVELOPMENT PLANS - INDIVIDUAL LOT OWNERS
(See Section 1B01.3.A.7.C Z.C.P.M., Page 1B-21)

1A00.4.b SALE OR TRANSFER OF SMALL PARCELS

- (1) The sale or transfer of small R.C. zoned parcels, usually too small to meet the minimum lot size, for non-density purposes such as access, or agriculture, may be permitted.
- (2) In an R.C. 2 zone, a parcel could possibly be transferred from the overall development tract to an adjacent existing lot of record provided that the end result does not permit a re-subdivision into a greater number of lots.
- (3) Depending on the use and the size of the parcels, a special hearing before the Zoning Commissioner may be required to determine if a non-density transfer is permitted.



- (4) Persons shall be advised to read both the Circuit Court and Special Appeals Cases for Steven H. Gudeman, et ux, All Parties v. People's Counsel for Baltimore County.



§ 32-4-105. GENERAL EXEMPTIONS.

(a) *Voluntary Cleanup Program exemption.* The creation of a separate lot of record for the sole purpose of applying for or participating in the Voluntary Cleanup Program under Title 7, Subtitle 5 of the Environment Article of the Annotated Code of Maryland is exempt from Articles 32 and 33 of this Code and from the Baltimore County Zoning Regulations for the period of time that the lot is subject to the requirements of the state law.

(b) *Agricultural exemption.* Subject to compliance with all applicable Baltimore County Zoning Regulations, the subdivision of land for agricultural purposes is exempt from this title if no new streets are involved.

(1988 Code, § 26-170) (Bill No. 18, 1990, § 2; Bill No. 79-01, § 2, 7-1-2004; Bill No. 150-05, § 1, 3-5-2006)

§ 32-4-106. LIMITED EXEMPTIONS.

(a) *Exemption from development review and approval process.*

(1) The following proposed development is exempt from compliance with Subtitle 2 of this title:

(i) The building or preparation of land for building a dwelling for one or two families:

1. On a single lot or tract that is not part of a recorded plat; or
2. On a lot or lots exempt from the lapse provisions of § 32-4-273 of this title;

(ii) The building or preparation of land for building on a lot of record lawfully in effect at the time of the building or preparation of the land for building, provided the lot of record did not result from a subdivision of land exempt under § 32-4-105 of this subtitle;

(iii) The construction of one tenant house or the location of one trailer on a farm tract;

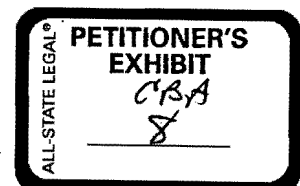
(iv) The subdivision of property in accordance with a court order, a will, or the laws of intestate succession;

(v) The resubdivision or lot line adjustment of industrially zoned or commercially zoned parcels of land that have been the subject of a previously approved Development Plan and recorded plat;

(vi) The construction of residential accessory structures or minor commercial structures;

(vii) The construction of a building owned and operated by a county volunteer fire, ambulance, or rescue company that is used primarily for:

1. Storage or training purposes;



AFFIDAVIT
BY
WILLIAM C. BELT

On this 6th day of OCTOBER 2007, I, WILLIAM C. BELT, do make this Affidavit under oath. I hereby affirm as follows:

1. I purchased the property k/a 5407 Glen Falls Road, Baltimore County, Maryland, by Deed dated October 22, 1963, from Jesse R. Rimbey and Anna V. Rimbey. The Deed is recorded among the Land Records of Baltimore County in Liber No. 4219, Page 259. This property is approximately one-half acre in size. Included with the lot was a newly constructed dwelling. I resided in that dwelling until 2006 when I sold the lot and dwelling to Michael L. Snyder. This lot includes my well and septic system which are located entirely within the boundaries of this lot.

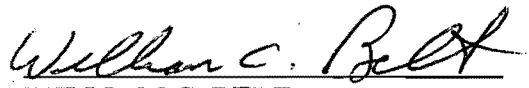
2. At the same time that I purchased 5407 Glen Falls Road, I also purchased the adjacent one-half acre lot from Jesse R. Rimbey and Anna V. Rimbey. This lot is unimproved. There is nothing constructed on this lot.

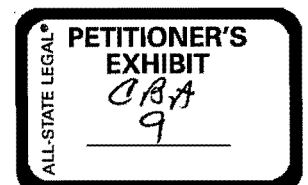
3. Jesse R. Rimbey was the son of George C. Rimbey. George C. Rimbey owned all of the land along this part of Glen Falls Road. He subdivided his land into several building lots in the 1950's and 1960's, constructed houses on them and sold them to my neighbors. George C. Rimbey died on August 25, 1961. In his Will, he left my two lots to his three sons in order to settle his estate. One of his sons, Jesse R. Rimbey, sold my two lots to me.

4. I purchased the unimproved lot as a separate building lot. At no time did I combine the two lots. The two lots are separately described and were created by a metes and bounds subdivision and survey made by C. A. Myers, Registered Surveyor, in August, 1961, in order to settle the Estate of George C. Rimbey.

5. I purchased the unimproved lot with the understanding that I could build a house on it, or sell it separately from my dwelling and lot. The zoning at the time of the purchase permitted me to build a house on the unimproved lot. Mr. Rimbey was going to build another house on the unimproved lot if I had not purchased it from him.

If you need anything further concerning this lot, please contact me.

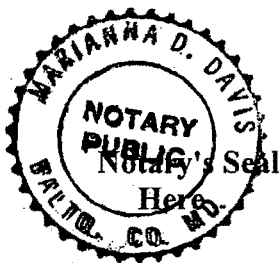

WILLIAM C. BELT
1000 Weller Circle
Westminster, MD 21158
(410) 848-7603



STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 6th day of OCTOBER, 2007, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared WILLIAM C. BELT, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, who signed the same in my presence, and confirmed that the contents of this Affidavit are true and correct.

WITNESS my hand and Notarial Seal.



Marianna D. Davis
Notary Public

My commission expires: 5/1/08

NOTES

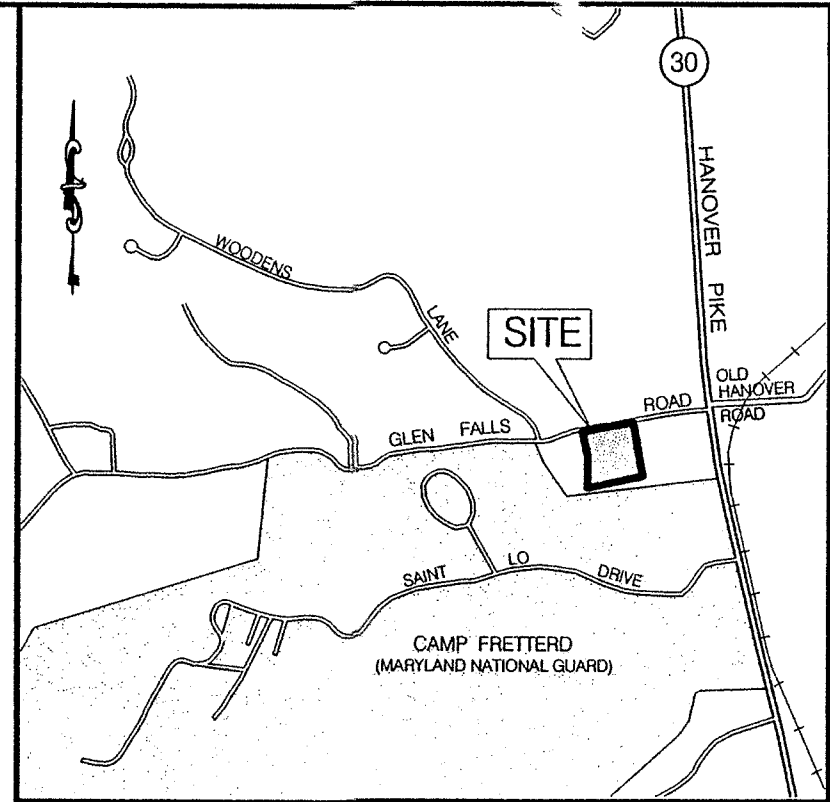
1. EXISTING ZONING OF SITE: RC-2
2. THERE HAVE BEEN NO PRIOR ZONING HEARINGS ON THESE PROPERTIES.
3. PROPERTIES OPERATE ON ON PRIVATE WELL AND SEPTIC SYSTEMS.
4. THIS SITE DOES NOT LIE IN A 100 YEAR FLOOD PLAIN.
5. THIS SITE IS NOT HISTORIC.
6. THE HEIGHT OF THE EXISTING DWELLING IS 28 FEET.

AREA SUMMARY

PARCEL NO.	EXISTING AREA	PROPOSED AREA	EXISTING DENSITY	PROPOSED DENSITY
1	0.459 AC.±	1.0 AC.±	1 LOT	1 LOT
2	0.459 AC.±	1.0 AC.±	1 LOT	1 LOT
3	6.3 AC.±	5.2 AC.±	2 LOTS	2 LOTS

SOILS LIMITATION CHART

MAP SYMBOL	SOIL SERIES	HOME SITES LIMITATIONS	SEPTIC SYSTEMS LIMITATIONS	HYDRIC	K' VALUE	CAPABILITY UNIT
BaB	BAILE	SEVERE	SEVERE	YES	0.43	Vw-1
GcB2	GLENELG	SLIGHT	SLIGHT	NO	0.32	Ile-4
GcC2	GLENELG	MODERATE SLOPE	MODERATE SLOPE	NO	0.32	Ile-4
GnB	GLENVILLE	SEVERE WATER	SEVERE WATER	NO	0.32	Ile-16
EhC2	ELIOAK	SEVERE	SEVERE	NO	0.32	Ile-4



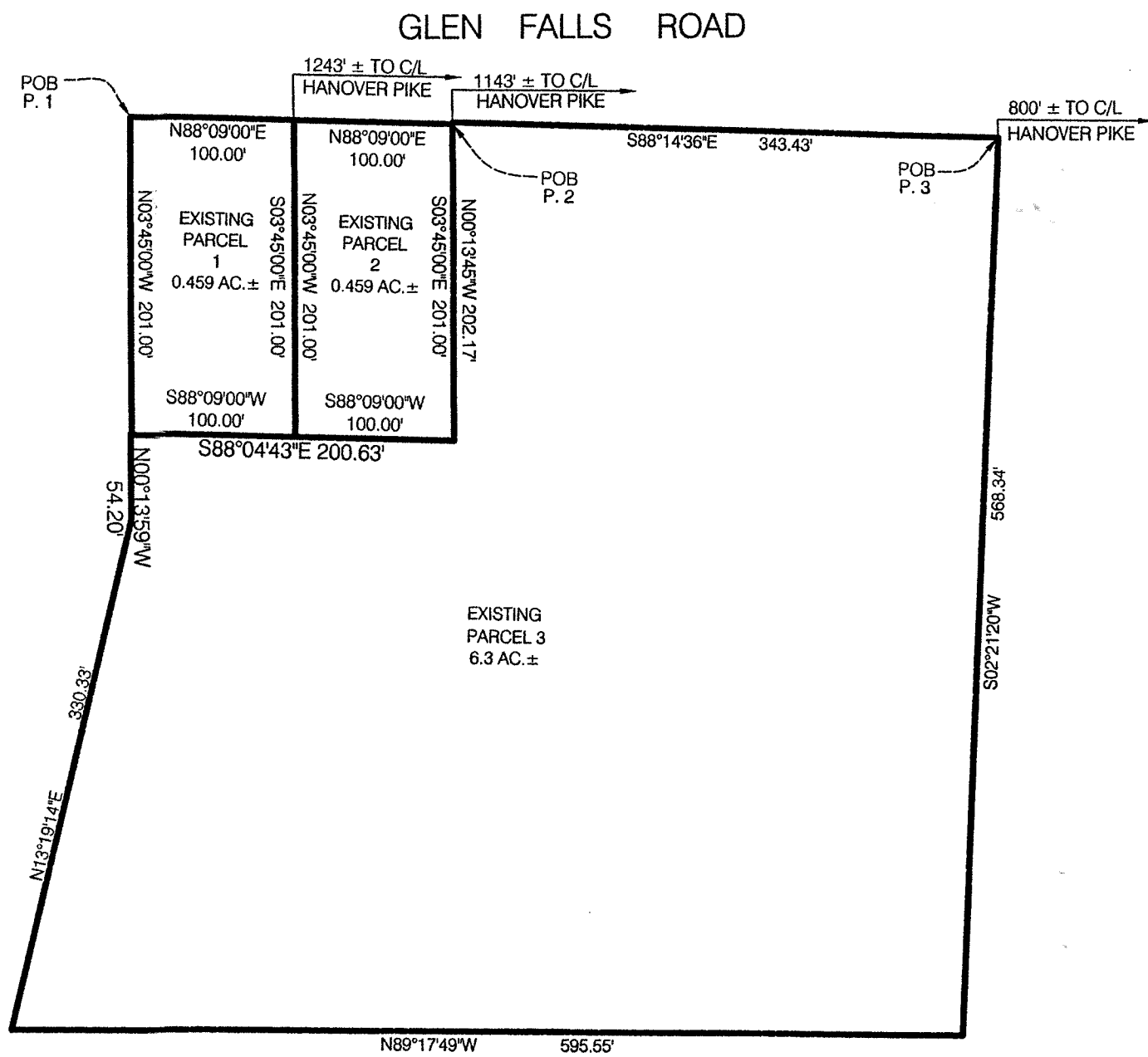
VICINITY MAP
SCALE: 1"=200'

LEGEND

- EX. CONTOURS
- SLOPES > 25%
- EX. STREAM
- PERC TEST: A-1 PASSED, A-1 FAILED, A-1
- PROP. SEPTIC AREA
- SOIL TYPES
- FOREST BUFFER EASEMENT
- LIMIT OF WETLANDS
- EX. WOODS LINE
- PROP. HOUSE SITE w/ DIRECTION ARROW

NOTE:

PARCELS 3-1 AND 3-2 REPRESENT A RECONFIGURATION OF LOTS 1 AND 2 AS SHOWN ON AN APPROVED MINOR SUBDIVISION PLAN OF "THE COOPERSMITH PROPERTY" RECORDED ON AUGUST 9, 1993 IN PLAT BOOK 1 FOLIO 68.



EXISTING PARCEL CONFIGURATION AND
DEVOLUTION OF TITLE INFORMATION
SCALE: 1"=100'

PARCEL 1

TAX MAP 39 - PARCEL 44-1
DEED 4219/259 (PARCEL 1)
ACCT-NO. 04-02-020077
CREATED AND HELD INTACT
SINCE 8/25/1962
BY DEED 4045/351
EX. ZONING = RC-2
EX. DENSITY = 1 LOT
PROPOSED DENSITY = 1 LOT

PARCEL 2

TAX MAP 39 - PARCEL 44-2
DEED 4219/259 (PARCEL 2)
ACCT-NO. 04-02-020078
CREATED AND HELD INTACT
SINCE 8/25/1962
BY DEED 4045/351
EX. ZONING = RC-2
EX. DENSITY = 1 LOT
PROPOSED DENSITY = 1 LOT

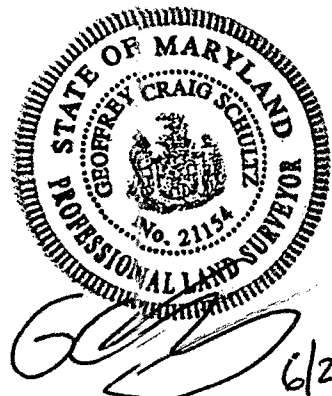
PARCEL 3

TAX MAP 39 - PARCEL 99
DEED 19803/530
ACCT-NO. 04-03-049890
CREATED AND HELD INTACT
SINCE 8/25/1962
EX. ZONING = RC-2
EX. DENSITY = 2 LOTS
PROPOSED DENSITY = 2 LOTS

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Natural Resources Planning

Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563



OWNER

PARCELS 1 + 2
WILLIAM C. BELT
5407 GLEN FALLS ROAD
REISTERSTOWN, MD 21136

OWNER

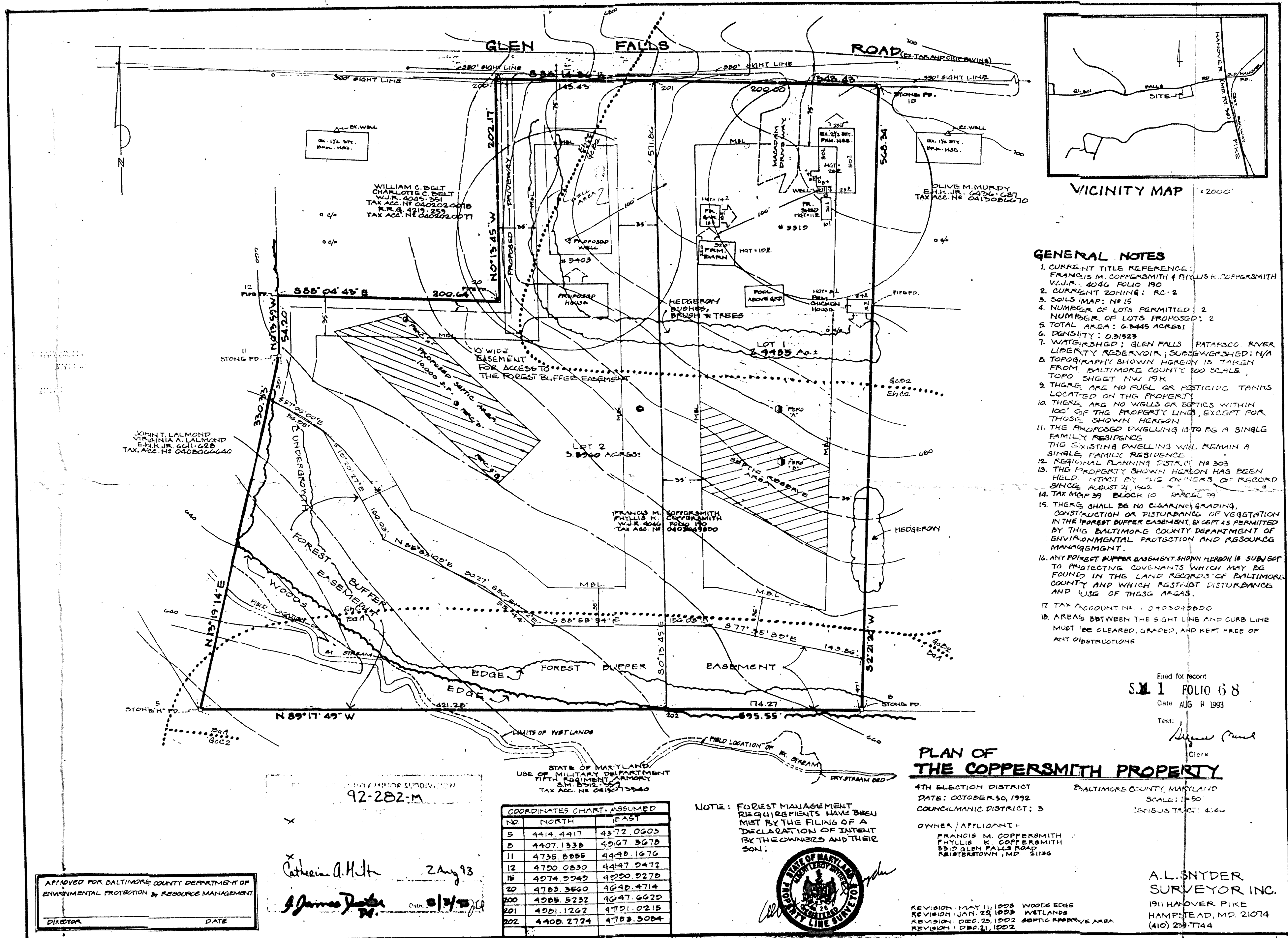
PARCEL 3
FRANCIS M. COPPERSMITH
PHYLLIS K. COPPERSMITH
5319 GLEN FALLS ROAD
REISTERSTOWN, MD 21136

PLAT TO ACCOMPANY
PETITIONS FOR SPECIAL HEARING

BELT & COPPERSMITH PROPERTIES

4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: JUNE 26, 2006

RECEIVED
JUN 27 2006
WILLIAM C. BELT
PHYLLIS K. COPPERSMITH



GENERAL NOTES

1. CURRENT TITLE REFERENCE: FRANCIS M. COPPERSMITH & PHILLIS K. COPPERSMITH V.L.M. 4046 FOLIO 190
2. CURRENT ZONING: R-2
3. SOILS MAP: NR 15
4. NUMBER OF LOTS PERMITTED: 2
5. NUMBER OF LOTS PROPOSED: 2
6. TOTAL AREA: 6.8445 ACRES
7. DENSITY: 1.05125
8. WATERSHED: GLEN FALLS PATASCO RIVER LIBERTY RESERVATION, SURVEYED: N/A
9. TOPOGRAPHY SHOWN HEREON IS TAKEN FROM BALTIMORE COUNTY 100 SCALE TOPO SHEET NR 19K
10. THERE ARE NO FUEL OR PESTICIDE TANKS LOCATED ON THE PROPERTY
11. THERE ARE NO WELLS OR SEPTICS WITHIN 100' OF THE PROPERTY LINES, EXCEPT FOR THOSE SHOWN HEREON
12. THE PROPOSED DWELLING IS TO BE A SINGLE FAMILY RESIDENCE
13. THE EXISTING DWELLING WILL REMAIN A SINGLE FAMILY RESIDENCE
14. REGIONAL PLANNING STR. NR 303
15. THE PROPERTY SHOWN HEREON HAS BEEN HELD "IN TRUST" BY THE OWNERS OF RECORD SINCE AUGUST 2, 1992
16. TAX MAP 33 BLOCK 10 PARCEL 30
17. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT, EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
18. ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTING COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS
19. TAX ACCOUNT NR. 0403040000
20. AREAS BETWEEN THE SIGHT LINE AND CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS

Filed for Record
S.M. 1 FOLIO 68
Date AUG 9 1993

Text:
A.L. Snyder
Clerk

PLAN OF THE COPPERSMITH PROPERTY

4TH ELECTION DISTRICT
DATE: OCTOBER 30, 1992
COUNCILMANIC DISTRICT: 3

BALTIMORE COUNTY, MARYLAND
SCALE: 1"=50'
CENSUS TRACT: 464

OWNER/APPLICANT:
FRANCIS M. COPPERSMITH
PHILLIS K. COPPERSMITH
5515 GLEN FALLS ROAD
PATERSON, MD. 21106

A.L. SNYDER
SURVEYOR INC.
1911 HANOVER PIKE
HAMPSHIRE, MD. 21074
(410) 293-7744

REVISION: MAY 11, 1993 WOODS EDGE
REVISION: JAN 22, 1993 WETLANDS
REVISION: DEC 23, 1992 SEPTIC RESERVE AREA
REVISION: DEC 21, 1992

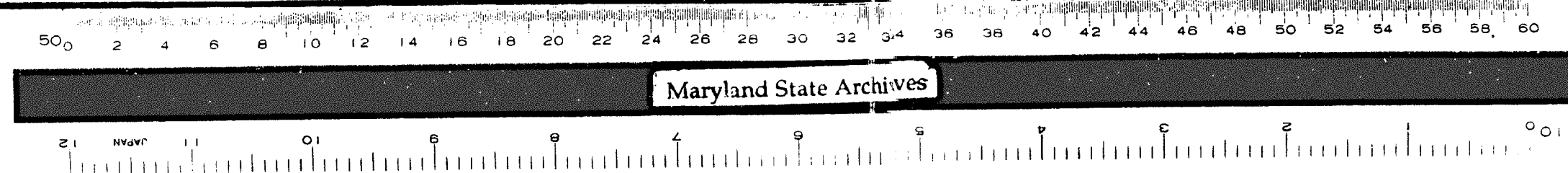
COORDINATES CHART, ASSUMED		
NO.	NORTH	EAST
5	4414.4417	4372.0203
6	4407.1339	4367.5678
11	4735.8856	4448.1970
12	4750.0630	4447.2472
15	4774.5542	4450.9278
22	4783.3650	4448.4714
200	4285.5232	4647.6622
201	4281.1262	4701.0215
202	4408.2774	4789.3084

NOTE: FOREST MANAGEMENT REQUIREMENTS HAVE BEEN MET BY THE FILING OF A DECLARATION OF INTENT BY THE OWNERS AND THEIR SON.



APPROVED FOR BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
DIRECTOR _____ DATE _____

Catherine A. H. H. 2 Aug 93
James D. H. H. 8/14/93



Ref # 2

BELT
ORIGINAL

LIBER 4045 PAGE 351

THIS DEED, Made this 26th day of August, in the year one thousand nine hundred sixty-two, by and between JESSE R. RIMBEY and ANNA V. RIMBEY, his wife, of Baltimore County, State of Maryland; FLOYD G. RIMBEY and PATSY O. RIMBEY, his wife, of Anne Arundel County, State of Maryland; CLAUDE E. RIMBEY and MARGARET A. RIMBEY, his wife, of Baltimore County, State of Maryland parties of the first part, and PAT HOLDING COMPANY, INC., a body corporate of the State of Maryland, party of the second part.

WITNESSETH, That for and in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Jesse R. Rimbey and Anna V. Rimbey, his wife, Floyd G. Rimbey and Patsy O. Rimbey, his wife, Claude E. Rimbey and Margaret A. Rimbey, his wife, do grant and convey unto the said Pat Holding Company, Inc., a body corporate, its successors and assigns, forever, in fee simple, all those two lots or parcels of ground, situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, and described as follows, in accordance with a survey made by C. A. Myers, Registered Surveyor, in August, 1961, that is to say:

BEGINNING for the first at a pipe 15 feet South of the centerline of the present road-bed of Glen Falls Road, said pipe also being at the end of 100.00 feet in the North 85 degrees 15 minutes East 32.7 perches line as described in a Deed from John Emory Tinkler and wife to George C. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence binding on that Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same and running along the South side of Glen Falls Road, North 88 degrees 09 minutes East 100.00 feet to a pipe, thence by a line of division and parallel with the North 07 degrees 30 minutes West 15.5 perches line in the aforementioned Deed, South 03 degrees 45 minutes East 201.00 feet to a pipe, thence by another line of division and parallel with the first line of the parcel herein being described, South 88 degrees 09 minutes West 100.00 feet to a pipe, thence by still another line of division and parallel with the second line of the parcel now being described, North 03 degrees 45 minutes West 201.00 feet to the place of beginning. Containing four hundred and fifty-nine one thousandths of an acre (0.459) of land more or less.

BEGINNING for the second at an old boundary stone approximately 15 feet South of the centerline of the present road-bed of Glen Falls Road at the end of the North 07 degrees 30 minutes West 15.5 perches line as described in a Deed from John Emory Tinkler and wife to George C. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence along the South side of Glen Falls Road and binding on the above mentioned Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same, North 88 degrees 09 minutes East 100.00 feet

RET
3A



06-117
5407 Glen Falls Road

BELT
This Deed, Made this

22nd

day of OCTOBER

in the year one thousand nine hundred and sixty-three

, by and between JESSE R.

RIMBEY and ANNA V. RIMBEY, his wife,

of Baltimore County

in the State of Maryland, of the first part, and

WILLIAM C. BELT and CHARLOTTE C. BELT, his wife, of said County and State,

of the second part.

Witnesseth, That in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged,

the said parties of the first part

do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and said survivor's

heirs and assigns, in fee simple, all those two lots or parcels of ground, situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, aforesaid, and described as follows, ~~that is to say~~ in accordance with a survey made by C. A. Myers, Registered Surveyor, in August, 1961, that is to say:

~~Beginning for the~~ first at a pipe 15 feet South of the centerline of the present road-bed of Glen Falls Road, said pipe also being at the end of 100.00 feet in the North 85 degrees 15 minutes East 32.7 perches line as described in a Deed from John Emory Tinkler and wife to George C. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence binding on that Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same and running along the South side of Glen Falls Road, ~~North 88 degrees 09 minutes East 100.00 feet to a pipe~~, thence by a line of division and parallel with the North 07 degrees 30 minutes West 15.5 perches line in the aforementioned Deed, ~~South 03 degrees 45 minutes East 201.00 feet to a pipe~~, thence by another line of division and parallel with the first line of the parcel herein being described, ~~South 88 degrees 09 minutes West 100.00 feet to a pipe~~, thence by still another line of division and parallel with the second line of the parcel now being described, ~~North 03 degrees 45 minutes West 201.00 feet to the place of beginning~~. Containing four hundred and fifty-nine one-thousandths of an acre (0.459) of land more or less.

BEGINNING for the second at an old boundary stone approximately 15 feet South of the centerline of the present road-bed of Glen Falls Road at the end of the North 07 degrees 30 minutes West 15.5 perches line as described in a Deed from John Emory Tinkler and wife to George C. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W.P.C. No. 606 folio 311 etc., thence along the South side of Glen Falls Road and binding on the above mentioned Deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same, North 88 degrees 09.

Pet
3B

REAL ESTATE TITLE CO.
Kaiser Building
Baltimore, Md.
LE Kingdon 9-3212

LIBER 4046 PAGE 110



COPPERSMITH

PER SIMPLE DEED

This Deed, Made this 21st day of August - - - - -

in the year one thousand nine hundred and sixty-two - - - - - by Jesse R. Rimbey and Anna V. Rimbey, his wife, Floyd G. Rimbey and Patsy O. Rimbey, his wife, Claude E. Rimbey and Margaret A. Rimbey, his wife, parties of the first part; and Francis M. Coppersmith and Phyllis K. Coppersmith, his wife, parties of the second part.



WITNESSETH that in consideration of the sum of five dollars, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first part - - - - -

do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the heirs and assigns of the survivor of them - - - - - in fee-simple, all that lot or parcel of ground

- - - - - situate, lying and being in the Village of Woodenberg, South side of the County Road leading from Woodenburg to Glen Falls, Baltimore County, State of Maryland - - - - - and described as follows, that is to say

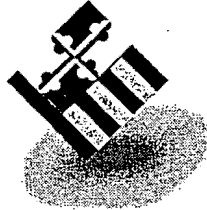
Beginning at the end of the south 85 degrees, 30 minutes West 83.12 perches line of the whole tract, of which this is a part; and running thence on the outline thereof as surveyed by Charles B. McClean in 1899 North 8 degrees, 30 minutes East 20 perches line to a stone; thence North 7 degrees, 30 minutes West 15.5 perches line to stone on south side of County Road leading from Glen Falls to Woodenburg; thence along the south side of said road North 85 degrees, 15 minutes East 32.7 perches line to the stone now set; South 4 degrees, 45 minutes East 34.4 perches line to stone now set in the south 85 degrees, 30 minutes West 83.12 perches line of the whole tract; and thence on the same line south 85 degrees, 30 minutes West 36 perches line to the beginning; containing 7 acres, 28 perches, more or less.

SAVING AND EXCEPTING, however, from the hereinabove described parcel of land the following property:

BEGINNING for the same at an old boundary stone approximately 15 feet south of the centerline of the present road-bed of Glen Falls Road at the end of the North 07 degrees, 30 minutes West 15.5 perches line as described in a deed from John Emory Tinkler and wife to George G. Rimbey and Gertrude Rimbey, his wife, dated December 3, 1924, recorded among the Land Records of Baltimore County in Liber W. F. C. No. 606 folio 311 etc., thence along the south side of Glen Falls Road and binding on the above mentioned deed as now surveyed by magnetic bearings of 1961 with due allowance for the magnetic declination to follow the same, North 88 degrees, 09 minutes East 100.00 feet to a pipe; thence by a line of division and running parallel with the first above mentioned deed line, south 03 degrees, 45 minutes East 201.00 feet to a pipe; thence by another line of division and parallel with the first line of the parcel being described herein, south 88 degrees, 09 minutes West 100.00 feet to a pipe and to intersect the North 07 degrees, 30 minutes West 15.5 perches line of the above mentioned deed; thence

Continued

Pet
3C



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

July 6, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
502 Washington Avenue, Suite 800
Towson, Maryland 21204

RE: **DEVELOPMENT PLAN HEARING and
PETITION FOR SPECIAL HEARING
(Elseroad Property)**
4th Election District – 3rd Council District
S. Glenn and Ruth Elseroad – Owners/Developers
Case Nos. IV-623 & 05-392-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved and the Petition for Special Hearing granted with conditions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a circular stamp.

WILLIAM J. WISEMAN, III
Zoning Commissioner/Hearing Officer
for Baltimore County

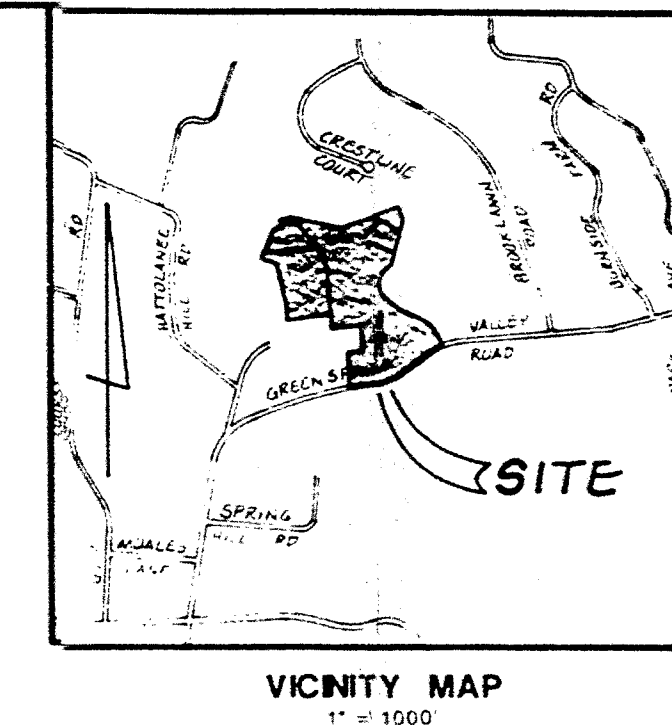
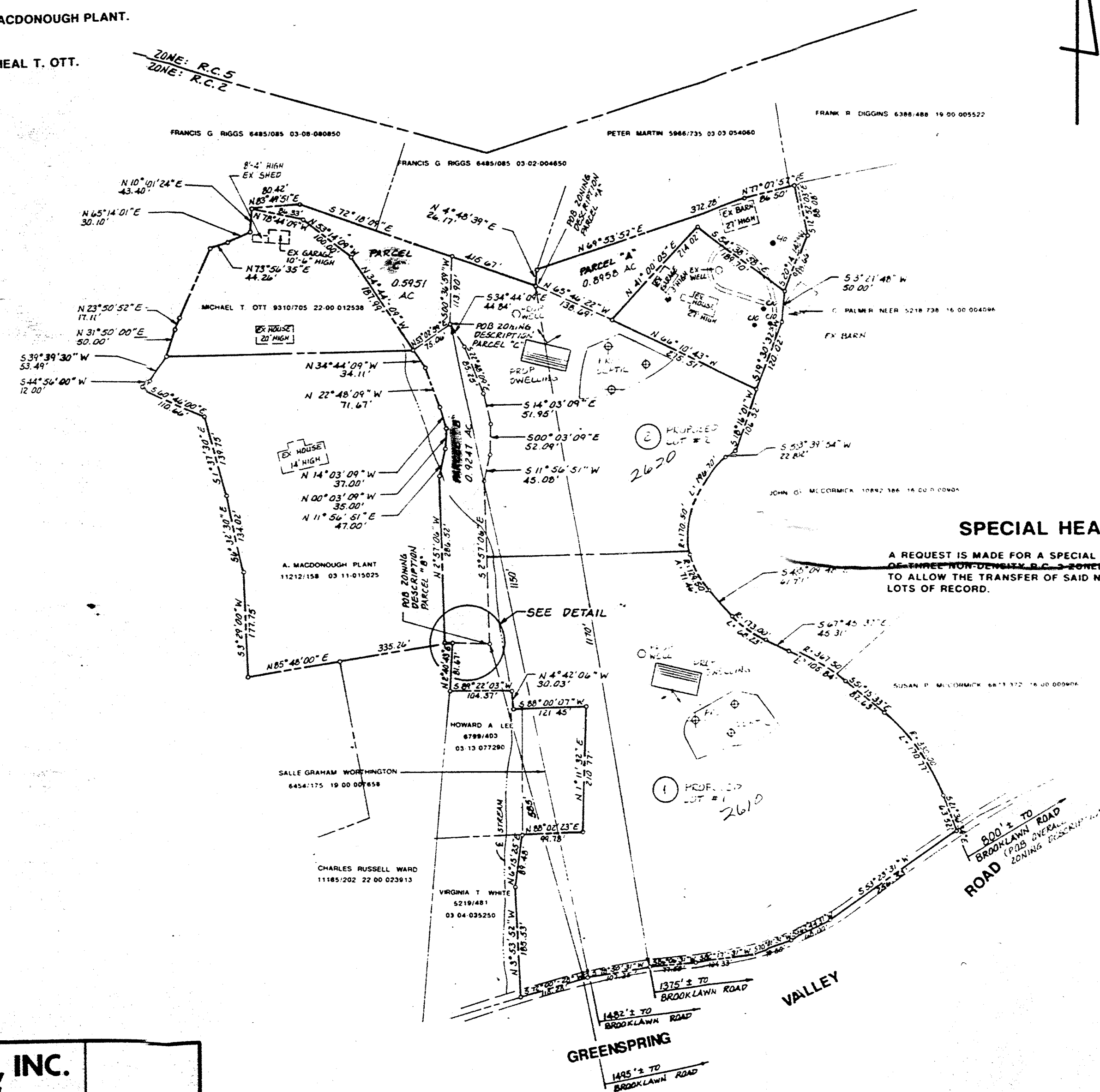
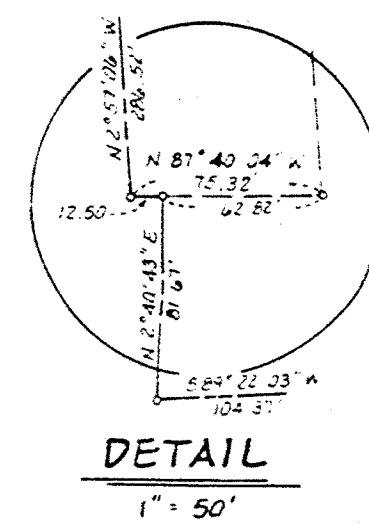
WJW:dlw

- c: Mr. and Mrs. S. Glenn Elseroad, 5423 Mt. Gilead Road, Reisterstown, Md. 21136
✓ Mr. Guy C. Ward, McKee & Associates, Inc., 5 Shawan Rd., Ste. 1, Cockesville, Md. 21030
Mr. & Mrs. Vincent J. Palmiotto, 14622 Old Hanover Rd., Reisterstown, Md. 21136
Mr. Bruce Nolte, 14618 Old Hanover Rd., Reisterstown, Md. 21136
Mr. George Neubeck, 14301 Hanover Pike, Reisterstown, Md. 21136
Mr. Tobe Carter, II, P.O. Box 33, Boring, Md. 21020
Ms. Chris Rorke, , DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case File
Avery Harden, Baltimore County Landscape Architect

RECEIVED JUL 11 2006

Ret
4A

1. THERE ARE NO PRIOR ZONING CASES ON THIS PROPERTY.
2. PARCEL "A" TO BE TRANSFERRED TO C.PALMER NEER.
3. PARCEL "B" TO BE TRANSFERRED TO A.MACDONOUGH PLANT.
4. PARCEL "C" TO BE TRANSFERRED TO MICHEAL T. OTT.



PROPERTY OWNER	EX ACREAGE	PROP ACREAGE	EX DENSITY UNITS	PROP DENS UNITS
OTT	1.000	2.100	1	1
NEER	1.000	1.000	1	1
PLANT	4.000	5.000	2	2
WORTHINGTON/NEER	12.000	10.500	2	

A REQUEST IS MADE FOR A SPECIAL HEARING TO PERMIT THE CREATION OF THREE NON-DENSITY B.C. ZONED PARCELS (I.E. PARCELS A, B, AND C) AND, TO ALLOW THE TRANSFER OF SAID NON-DENSITY PARCELS TO CONTIGUOUS LOTS OF RECORD.

Councilman District

Election District:

1:200 scale map: 1.1

Zoning: -
Lot area:

acreage square

SEY

WAT

Chesapeake Bay Critical Area
Prior Zoning Map Sheet 1

ing, hearings.

97-90-SPH

ADDITIONAL INFORMATION

WORTHINGTON, SALLIE-GRAHAM & NEER, JEAN HURST
100 HARRISON FOREST ROAD
GANNON, MARYLAND 20995

TAX ACCOUNT NO 03 02 301000 DEED REFERENCE - W 175
TAX MAP NO JA GRID 1 PA 103

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING

WORTHINGTON / NEER PROPERTY

3RD ELECTION DISTRICT

SCALE: 1"= 100

BALTIMORE CO., MD

DATE: Aug 22, 1996

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(410) 527-1555

Computed by AEG/GCW

Drawn by: WVG

Checked by ECW

[illegible]

Lester 8/22/96

James W. McKee Date
(Maryland Registered No. 9012)

Zoning Office USE ONLY

RECEIVED BY <i>[Signature]</i>	ITEM # 91	CASE #
-----------------------------------	--------------	--------

97-90-SPH

Ret
4B

IN RE: PETITION FOR SPECIAL HEARING
B/S Greenspring Valley Rd.,
300 ft. W of Brooklawn Road
260 S. Judd Greenspring Valley Rd.,
3rd Election District
3rd Councilmatic District
Sallie Graham Worthington, et al
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 97-90-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the parcel known as the Worthington/Neer property located adjacent to Greenspring Valley Road in north central Baltimore County. The Petition is filed by Sallie Graham Worthington and Jean Hurst Neer, property owners. Special Hearing relief is requested to approve the creation of three non-density R.C.2 parcels and permit the transfer of said parcels to three contiguous properties. The subject property and requested relief is more particularly shown on Petitioners' Exhibit No. 1, the Minor Subdivision Plat, and Petitioners' Exhibit No. 2, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case were Sallie Graham Worthington and Jean H. Neer, property owners. Also present were Geoffrey C. Schultz and Guy C. Ward from McKee & Associates. That firm prepared the site plan the Minor Subdivision Plat. The Petitioners were represented by Thomas Washburne, Esquire, Virginia Scott, a new-by property owner also appeared and participated at the hearing.

Testimony and evidence presented was that the subject site is 14.9 acres in area, zoned R.C.2. Presently, the site is unimproved. However, the Petitioners propose subdividing the property so as to create two lots. This number is permitted under the R.C.2 regulations relating to the subdivision. Lot No. 1 will abut Greenspring Valley Road. A proposed single family dwelling envelope is shown on the Minor Subdivision Plan.

Lot No. 2 is to the north of lot No. 1 and farther back from Greenspring Valley Road. The Minor Subdivision Plan also shows a single family dwelling site for that lot. Both lots will be served by a driveway to be constructed from Greenspring Valley Road.

As part of the subdivision process, the Petitioners propose transferring three small parcels to adjacent landowners. These parcels are all small in area and irregular in shape. They are part of the larger tract of 14.9 acres described above. The transfers to be made to adjust property lines consistent with conditions in the field and provide adjacent landowners with slightly larger lots. None of the transfers will impact the rights of these adjacent property owners from a subdivision standpoint. That is, the transfers are made only for the purpose of conveying acreage and not to increase the adjacent property owners rights of subdivision. Parcel A will be transferred to C. Palmer Neer. As shown, Parcel A is .09588 acres in area and is vacant but for an existing barn. Parcel B is .0247 acres and will be transferred to A. MacDonough Plant. Parcel C is .5991 acres in area and will be transferred to Michael T. Ott.

Based upon the testimony and evidence presented, I am persuaded that the relief should be granted. The effect of the proposed transfers is innocuous, and will cause no detriment to the surrounding properties. In my judgment there will be no negative impact to the health, safety or general welfare of the community at large.

The testimony offered by Ms. Scott is not relative to the transfers, per se. She raised certain questions about the maintenance of the subject property and the proposed subdivision. The subdivision is permitted by right and it does not appear that the property is maintained improperly. The parties agree to confer after the hearing to discuss these issues, which are outside the reach of the Zoning Commissioner's decision on this issue.

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

WHEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County (this 7th day of October, 1996 that, pursuant to the Petition for Special Hearing, approval for the creation of three non-density R.C.2 parcels and to permit the transfer of said parcels to three contiguous properties, be and is hereby GRANTED, subject, however, to the following restriction:

1. The 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.

James E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date 10/10/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 7, 1996

Thomas Washburne, Esquire
120 E. Baltimore Street
Baltimore, Maryland 21202

RE: Petition for Special Hearing
Case No. 97-90-SPH
Property: Greenspring Valley Road
Sallie-Graham Worthington & Jean Hurst Neer, Petitioners

Dear Mr. Washburne:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

James E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

encl:
07 Ms. Sallie-Graham Worthington, 106 Garrison Forest Road, Garrison, Md., 21055
Ms. Jean Hurst Neer, 2602 Greenspring Valley Rd., Stevenson, 21153
Ms. Virginia Scott, 260 Greenspring Valley Road, Stevenson, 21153

Petition for Special Hearing
97-90-SPH
to the Zoning Commissioner of Baltimore County
for the property located at Greenspring Valley Road

which is presently zoned RC-2
The Petition shall be filed with the Office of Zoning Administration & Development Management.
The advertisement, legal description of the property located 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 20-2 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the creation of three non-density R.C.2 parcels and permit the transfer of said non-density parcels to three contiguous properties.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, the undersigned, legal owner of the property located 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 20-2 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Legal Description:
Sallie-Graham Worthington
Jean Hurst Neer
Jean Hurst Neer
106 Garrison Forest Road 363-1492
Garrison, Maryland 21055
McKee & Associates, Inc. 527-1555
5 Shawan Place, Hunt Valley, MD 21030

MCKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
Telephone: (410) 527-1555
Facsimile: (410) 527-1563

August 23, 1996 97-90-SPH

Zoning Description to
Accompany Special Hearing for
Worthington/Neer Property
260 Greenspring Valley Road

Beginning at a point on the North side of Greenspring Valley Road at a distance of 800 feet, more or less, west of Brooklawn Road. As recorded in Deed Liber 6454 Folio 175 thence running the following 36 lines:

1. S 53° 23' 31" W 256.52', 2. S 62° 44' 31" W 68.00', 3. S 70° 01' 31" W 70.50',
4. 80° 17' 31" W 104.33', 5. S 86° 06' 31" W 77.58', 6. S 78° 50' 31" W 107.25',
7. S 72° 09' 28" W 115.25', 8. N 01° 55' 32" W 185.52', 9. N 06° 19' 25" E 89.48',
10. N 80° 02' 23" E 98.78', 11. N 01° 11' 31" E 210.77', 12. S 88° 00' 07" W 121.45',
13. N 04° 42' 06" W 30.03', 14. S 89° 22' 03" W 104.37', 15. N 02° 40' 43" E 81.67',
16. N 87° 40' 04" W 12.50', 17. N 02° 57' 06" W 286.52', 18. N 11° 56' 51" E 87.00',
19. N 00° 07' 09" W 35.00', 20. N 14° 03' 09" W 37.00', 21. S 22° 48' 09" W 71.67',
22. N 34° 44' 09" W 222.00', 23. N 53° 14' 09" W 100.00', 24. N 78° 44' 09" W 86.33',
25. N 83° 49' 51" E 80.42', 26. S 72° 18' 09" E 415.67', 27. N 04° 48' 39" E 26.17',
28. N 69° 52' 57" E 372.38', 29. N 77° 07' 37" E 86.50', 30. S 10° 52' 05" E 88.06',
31. S 20° 14' 14" W 98.60', 32. N 54° 38' 58" W 189.70', 33. S 41° 00' 05" W 214.02',
34. S 66° 10' 43" E 275.51', 35. S 18° 18' 01" W 106.52', 36. S 33° 39' 54" W 22.82'. Thence by a curve with a radius of 170.50' and an arc length of 196.70' and a chord of S 19° 30' 13" W 185.97'. Thence by a curve with a radius of 120.50' and an arc length of 71.40' and a chord of S 20° 21' 17" E 70.50'. Thence S 45° 09' 49" E 61.71'. Thence by a curve with a radius of 173.00' and an arc length of 68.23' and a chord of S 56° 27' 42" E 88.23'. Thence running the following seven lines: 1. S 67° 42' 37" E 45.31', 2. S 22° 14' 23" W 367.50', 3. N 38° 44' 27" E 367.50', 4. S 51° 19' 53" E 82.60', 5. S 28° 44' 27" W 330.00', 6. N 68° 22' 56" E 330.00', 7. S 21° 16' 34" E 63.52' to the point of beginning.

Containing 650,999 square feet or 14.944 acres more or less. Also known as Greenspring Valley Road and located in the 3rd Election District, 3rd Councilmatic District.

MCKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
Telephone: (410) 527-1555
Facsimile: (410) 527-1563

August 23, 1996 97-90-SPH

Zoning Description for Proposed Parcel "A" to Accompany
Special Hearing for
Worthington/Neer Property
260 Greenspring Valley Road

Beginning at a point said point being 1170 north of Greenspring Valley Road and at a distance of 1375' west, measured along Greenspring Valley Road, of the intersecting Brooklawn Road. Being part of the deed recorded in Deed Liber 6454 Folio 175 and running the following 8 lines:

1. N 04° 48' 39" E 26.17', 2. N 06° 53' 37" E 372.28', 3. N 77° 07' 37" E 86.50',
4. S 12° 52' 05" E 88.06', 5. S 20° 14' 14" W 98.60', 6. S 41° 38' 58" W 189.70',
7. S 41° 00' 05" W 214.02', 8. N 65° 46' 22" W 138.69' to the place of the beginning.

Containing 39,021 square feet or 0.8958 acres more or less.

Also known as part of Greenspring Valley Road located in the 3rd Election District, 3rd Councilmatic District.

MCKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
Telephone: (410) 527-1555
Facsimile: (410) 527-1563

August 23, 1996 97-90-SPH

Zoning Description for Proposed Parcel "B" to Accompany Special Hearing for
Worthington/Neer Property
260 Greenspring Valley Road

Beginning at a point, said point being located at 585' north of Greenspring Valley Road and at a distance of 1,490 feet west, measured along Greenspring Valley Road, on the intersecting Brooklawn Road. Being part of the deed recorded in Deed Liber 6454 Folio 175 and running the following 15 lines:

1. N 87° 40' 04" W 62.82', 2. N 37° 40' 04" W 12.50', 3. N 02° 57' 06" W 286.52',
4. N 11° 56' 51" E 87.00', 5. N 06° 07' 09" W 35.00', 6. N 14° 03' 09" W 37.00',
7. N 22° 48' 09" W 71.67', 8. N 34° 44' 09" W 222.00', 9. N 53° 14' 09" W 100.00',
10. S 34° 44' 09" E 84.84', 11. S 22° 48' 09" E 88.23', 12. S 14° 03' 09" E 81.67',
13. S 00° 07' 09" E 35.00', 14. S 11° 56' 51" W 45.08', 15. S 02° 57' 06" E 283.65' to the place of the beginning.

Containing 40,281 square feet or 0.9247 acres of land, more or less.

Also known as part of Greenspring Valley Road located in the 3rd Election District, 3rd Councilmatic District.

MCKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development
SHAWAN PLACE 3 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
Telephone (410) 527-1555
Telex (410) 527-1553
August 23, 1996
97-90-SPH
91
Zoning Description for Proposed Parcel "C"
to Accompany Special Hearing for
Worthington/Neer Property
Greenspring Valley Road
Beginning at a point, said point being located 1,130 feet north of Greenspring Valley Road
and 1,497 feet west, measured along Greenspring Valley Road, from the intersecting Brooklawn
Road. Being part of the deed recorded in Deed Liber 6454 Folio 175 thence running the
following 7 lines:
1 S 53° 03' 00" W 75.06'; 2 N 34° 44' 00" W 187.00'; 3 S 53° 14' 00" W 100.00';
4 N 78° 44' 00" W 86.37'; 5 N 83° 40' 51" E 80.42'; 6 S 72° 18' 09" E 265.67';
7 S 00° 36' 09" W 113.90' to the point of beginning.
Containing 25,923 square feet or 0.5951 acres more or less. Also known as part of
Greenspring Valley Road located in the 3rd Election District and 3rd Councilmatic District.

CERTIFICATE OF PUBLICATION
TOWSON, MD. Sept. 6, 1996
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of successive
weeks, the first publication appearing on Sept. 5, 1996.
THE JEFFERSONIAN
LEGAL AD. - TOWSON

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
97-90-SPH
ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES
Baltimore County zoning regulations 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 and placement of a notice in at least one newspaper of
general circulation in the County.
This office will ensure that the legal requirements for posting and
advertising are satisfied. However, the petitioner is responsible for the
costs associated with these requirements.
PAYMENT WILL BE MADE AS FOLLOWS:
1) Posting fees will be assessed and paid to this office at the
time of filing.
2) Billing for legal advertising, due upon receipt, will come
from and should be remitted directly to the newspaper.
NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.
ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No. 91 Petitioner: _____
For legal advertising:
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Sallie Graham Worthington and Jean Neer
ADDRESS: 106 Garrison Forest Road
Towson, Maryland 21204
PHONE NUMBER: (410) 243-1444

TO: POTENTIAL PETITIONER
September 3, 1996
Please forward billing to:
Sallie Graham Worthington and Jean Neer
106 Garrison Forest Road
Towson, MD 21204
301-243-1444
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
from 10:00 a.m. to 12:00 p.m. on the following date:
DATE: MONDAY, OCTOBER 2, 1996 at 10:00 a.m. in Room 106, County Office Building.
CASE NUMBER: 97-90-SPH (Item 91)
2010 and 2020 Greenspring Valley Road
N/2 Greenspring Valley Road, 800' W of Brooklawn Road
3rd Election District - 3rd Councilmatic
Legal Owner(s): Sallie Graham Worthington and Jean Neer
Special hearing to approve the creation of three non-density R-C-2 parcels and permit the transfer of
said non-density parcels to three contiguous properties.
HEARING: MONDAY, OCTOBER 2, 1996 at 10:00 a.m. in Room 106, County Office Building.
LAWRENCE E. SCHWARTZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY
NOTES: (1) HEARINGS ARE PUBLICLY ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 807-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 807-3353.

Baltimore County
Department of Permits and
Development Management
September 30, 1996
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
from 10:00 a.m. to 12:00 p.m. on the following date:
DATE: MONDAY, OCTOBER 2, 1996 at 10:00 a.m. in Room 106, County Office Building.
CASE NUMBER: 97-90-SPH (Item 91)
2010 and 2020 Greenspring Valley Road
N/2 Greenspring Valley Road, 800' W of Brooklawn Road
3rd Election District - 3rd Councilmatic
Legal Owner(s): Sallie Graham Worthington and Jean Neer
Special hearing to approve the creation of three non-density R-C-2 parcels and permit the transfer of
said non-density parcels to three contiguous properties.
HEARING: MONDAY, OCTOBER 2, 1996 at 10:00 a.m. in Room 106, County Office Building.
Arnold Jablon
Director
cc: Sallie Graham Worthington and Jean Neer
Neer & Associates, Inc.
NOTES: (1) ZONING CASE & POST MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DAY.
(2) HEARINGS ARE PUBLICLY ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 807-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 807-3353.

Baltimore County
Department of Permits and
Development Management
September 24, 1996
Ms. Sallie Worthington and Ms. Jean Neer
106 Garrison Forest Road
Garrison, MD 21055
RE: Item No. 91
Case No.: 97-90-SPH
Petitioner: S. Worthington, et al
Dear Ms. Worthington and Ms. Neer:
The Zoning Advisory Committee (ZAC), which consists of representa-
tives from Baltimore County approval agencies, has reviewed the plans
submitted with the above referenced petition, which was accepted for
processing by Permits and Development Management (PDM), Zoning Review, on
August 23, 1996.
Any comments submitted thus far from the members of ZAC that offer or
request information on your petition 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. Only those comments
that are informative will be forwarded to you; those that are not
informative will be placed in the permanent case file.
If you need further information or have any questions regarding these
comments, please do not hesitate to contact the commenting agency or
Keclyn Eubanks in the zoning office (807-3391).
Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor
WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE
September 9, 1996
TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
FROM: Robert A. Wirth (R.W.)
DEPRM
SUBJECT: Zoning Item #91 - Worthington-Neer Property
Greenspring Valley Road
Zoning Advisory Committee Meeting of September 3, 1996
The Department of Environmental Protection and Resource Management offers
the following comments on the above-referenced zoning item:
Development of the property must comply with the Regulations for the
Protection of Water Quality, Streams, Wetlands and Floodplains (Sections
14-23 through 14-30 of the Baltimore County Code).
Development of this property must comply with the Forest Conservation
Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
WCR:sp
PRANW:sp
WORTHING/DEPRM/TTSPB

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
September 13, 1996
TO: Arnold Jablon, Director
Department of Permits & Development
Management
FROM: Robert M. Swilling, Chief
Development Plans Review Division
SUBJECT: Zoning Advisory Committee Meeting
for September 9, 1996
Item Nos. 081, 082, 086, 088,
089, 090, 091, 092, & 093
The Development Plans Review Division has reviewed the subject
zoning item, and we have no comments.
RMS:RJO:jrb
cc: File
ZONEL25

Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Avenue
Towson, MD 21204

410-887-3335

July 6, 2005

McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, MD 21030

RE: Obrecht/Gordon Properties
2610 & 2628 Greenspring Valley Road
DRC Number 062705B; Dist. 3C2

Dear Sir or Madam:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Sections 32-1-101, 32-3-401, and 32-3-517 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 32-4-106 and Section 32-4-262 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management (PDM).

The DRC has, in fact, met in an open meeting on June 27, 2005, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 32-4-106(a)(1)(viii). Please provide copies of the newly recorded deeds to the Land Acquisition Office so our Geographical Information System (GIS) database files can be brought up-to-date

Ret
4C

**BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT**

DEVELOPMENT REVIEW COMMITTEE (DRC) APPLICATION

DRC# _____
County Use Only

Filing Date: _____
Stamp in w/PDM date stamp here

This application must be accompanied by the following:

1. One copy of the completed DRC application form checklist.
2. Three copies of this DRC application, completed in full.
3. Three copies of a letter of request (attach one to each DRC application).
4. Nine copies of the plan folded to 8 1/2 x 11 inches.
5. \$50 fee (check made payable to Baltimore County and non-refundable; do not staple check to request form)

Project Name: Overrecht / Gordon Properties PDM File #: 00-033-M
Project Address: 2610 & 2628 GreenSpring Valley Rd Zip Code: 21117 ADC Map #: 5D4
OWINGS MILLS MD
Councilmanic District: 310 Election District: 320 Project Acreage: 14.0 A & 0.6 A
Tax Account No(s): 2300000311 & 0313077290 Zoning: RC-2

Engineer: MCKEE & ASSOC, INC Engineer's Phone No.: 410-527-1555

Applicant: Thomas Overrecht GUY WARD Applicant's Phone No.: 410-527-1555

Address: 5 SHAWAN ROAD, SUITE 1
COCKEYSVILLE MD Zip 21030 Email: gene@mckee-inc.com

Is this an antenna? Yes ☒ No ☐ If "Yes" check one of the following: Cellular ☐ Water Tower ☐ MonoPole ☐
(CAC) (WTC) (CFC)

REQUESTED ACTION (TO BE COMPLETED BY THE APPLICANT)

- ☒ Limited Exemption under Section 32-4-106 (a)(1)(viii)
() Material Amendment to the plan
() Plan Refinement
() Waiver of public works standards
() Requires a Zoning () Special Hearing; () Special Exception; () Variance
() Other _____

This application must be accompanied by a written request. That request must be in the form of a letter, legibly printed or typed, and signed by the applicant. The letter must contain the name, address and telephone number of the applicant and must provide details of the request.

Please note that a DRC application form checklist is available in room 123 of the Baltimore County Office Building and on the Baltimore County web site at www.co.ba.md.us. A copy of that checklist must be completed and included along with this DRC application.

Please see the DRC application form checklist for complete submittal requirements.

IN RE: PETITION FOR SPECIAL HEARING
W/S West Liberty Road, 338' NE
of the c/l of Harris Mill Road
(21304 and 21308 W. Liberty Road)
7th Election District
3rd Councilmanic District
Richard W. Henning, et al
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-289-SPH

93-289-SPH MAY 29 1993

ZADM

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property, Richard W. Henning and his son, David W. Henning. The Petition, as filed, requests approval to subdivide R.C. 4 zoned land with a gross area of less than 6 acres, into more than two parcels and to create two non-density parcels of less than 1 acre each in an R.C. 2 zone, as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Richard Walter Henning, one of the property owners, and Robert R. Wilson, Registered Land Surveyor. Dorothy D. Cromwell appeared and testified as a Protestant.

Testimony indicated that the subject property, known as 21308 West Liberty Road, consists of 10.78 acres, more or less, split zoned R.C. 4 and R.C. 2, and is improved with a single family dwelling, two accessory sheds, and a graveyard. All existing improvements are located on the R.C. 2 zoned portion of the site which consists of approximately 5.73 acres, more or less. The R.C. 4 zoned portion of the site contains approximately 5.05 acres, more or less, and is unimproved. The Petitioners purchased the subject property in 1990 at which time, David Henning moved into the dwelling thereon. The Petitioners rented the surrounding acreage to a farmer for agricultural purposes, but ceased the farming operation earlier

Pet
AD

RECEIVED MAY 22 1996



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Peter Max Zimmerman
People's Counsel
for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: Case Nos. 95-263-SPH,
95-264-SPH and 95-265-V
Todd Morrill - Petitioner

Dear Mr. Zimmerman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules and Procedure. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

encl.

cc: Howard L. Alderman, Jr., Esquire
Mr. Todd Morrill
✓ Mr. Geoffrey Schultz
McKee & Associates, Inc.
Pat Keller
Timothy M. Kotroco
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



Ret
4E

COADY & FARLEY

ATTORNEYS AND COUNSELLORS AT LAW

400 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204

(410) 337-0200

FACSIMILE (410) 337-0164

EMAIL: general@coadyandfarley.com

MICHAEL L. SNYDER
PATRICIA O'C.B. FARLEY
THOMAS J. RYAN

JOHN T. COADY, EMERITUS

CHARLES P. COADY (1868-1934)
JOHN A. FARLEY (1893-1958)
CHARLES P. COADY, JR. (1901-1983)
JOHN A. FARLEY, JR. (1921-2005)
THOMAS J. CARACUZZO (1914-1994)

August 31, 2006

RECEIVED

SEP - 1 2006

ZONING COMMISSIONER

John V. Murphy
Deputy Zoning Commissioner
Baltimore County, Maryland
401 Bosley Avenue
County Courts Building, Room 405
Towson, MD 21204

RE: Case No. 06-675-SPH and
Case No. 06-676-SPH

Dear Deputy Commissioner Murphy:

On Friday, August 25, 2006 I appeared before you as attorney for the Petitioners in the two cases captioned above. This letter is submitted pursuant to your suggestion made at the conclusion of the hearings that we present additional information to you on the following issue.

It is our understanding that you are concerned about whether or not "EXISTING PARCEL 2", shown on the "PLAT TO ACCOMPANY PERC PLAN BELT & COPPERSMITH PROPERTIES", is currently a buildable lot because it is less than one acre in size. In response to your concern we submit the following:

1. Enclosed herewith please find a one page summary of the "ZONING HISTORY OF SUBJECT PROPERTIES". We researched this zoning history with the officials of the Office of Zoning. The conclusion is that in 1963, the year when the PARCEL 2 lot was created, the subject properties were zoned R.6, which only required a minimum buildable lot size of 6,000 square feet. PARCEL 2 is approximately 20,000 square feet in size.

2. We also enclose herewith a copy of your Order in Case No. 03-560-SPHA, from July 29, 2003, wherein you ruled that a 0.60 acre lot in an R.C.2 zone, which lot was created in 1959, was a buildable lot because it existed prior to the establishment of the R.C.2 zoning regulations which were established in 1971. The lot in this case is located approximately one mile from our lots.



Representing Our Clients In The Practice of Law For More Than 100 Years
Est. 1894

Det
#5



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 29, 2003

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

Re: Petitions for Special Hearing & Variance
Case No. 03-560-SPHA
Property: 4915 Pleasant Grove Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have been granted in accordance with the enclosed Order.

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".
John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

RECEIVED AUG - 4 2003



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on Recycled Paper

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



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

November 15, 1995

NOTICE OF DELIBERATION

Having concluded this case on October 25, 1995, and Memorandum of Counsel filed by November 15, 1995, the County Board of Appeals has scheduled the following date and time for deliberation in the matter of:

TODD MORRILL -PETITIONER/APPELLEE
CASES NO. 95-263-SPH; NO. 95-264-SPH;
AND NO. 95-265-A.

DATE AND TIME : Wednesday, December 13, 1995 at 9:00 a.m.

LOCATION : Room 48, Basement, Old Courthouse

cc: People's Counsel for Baltimore County
Howard L. Alderman, Jr., Esquire
Mr. Todd Morrill
Mr. Geoffrey Schultz
McKee & Associates, Inc.
Pat Kelier
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Kathleen C. Bianco
Administrative Assistant

R.L.K. /copied

LEGEND

- EXISTING CONTOURS
- EXISTING BUILDINGS
- EXISTING SPECIMEN TREES
- EXISTING TREELINE
- 35% AND GREATER SLOPES
- EXISTING STREAM CENTERLINE
- EXISTING ROADS & DRIVE
- PROPOSED DWELLING
- SEPTIC RESERVE AREA
- PERCOLATION TEST
- PROPOSED WELL LOCATION
- HOUSE ORIENTATION ARROWS
- FOREST BUFFER EASEMENT
- LIMIT OF WETLANDS

GENERAL NOTES

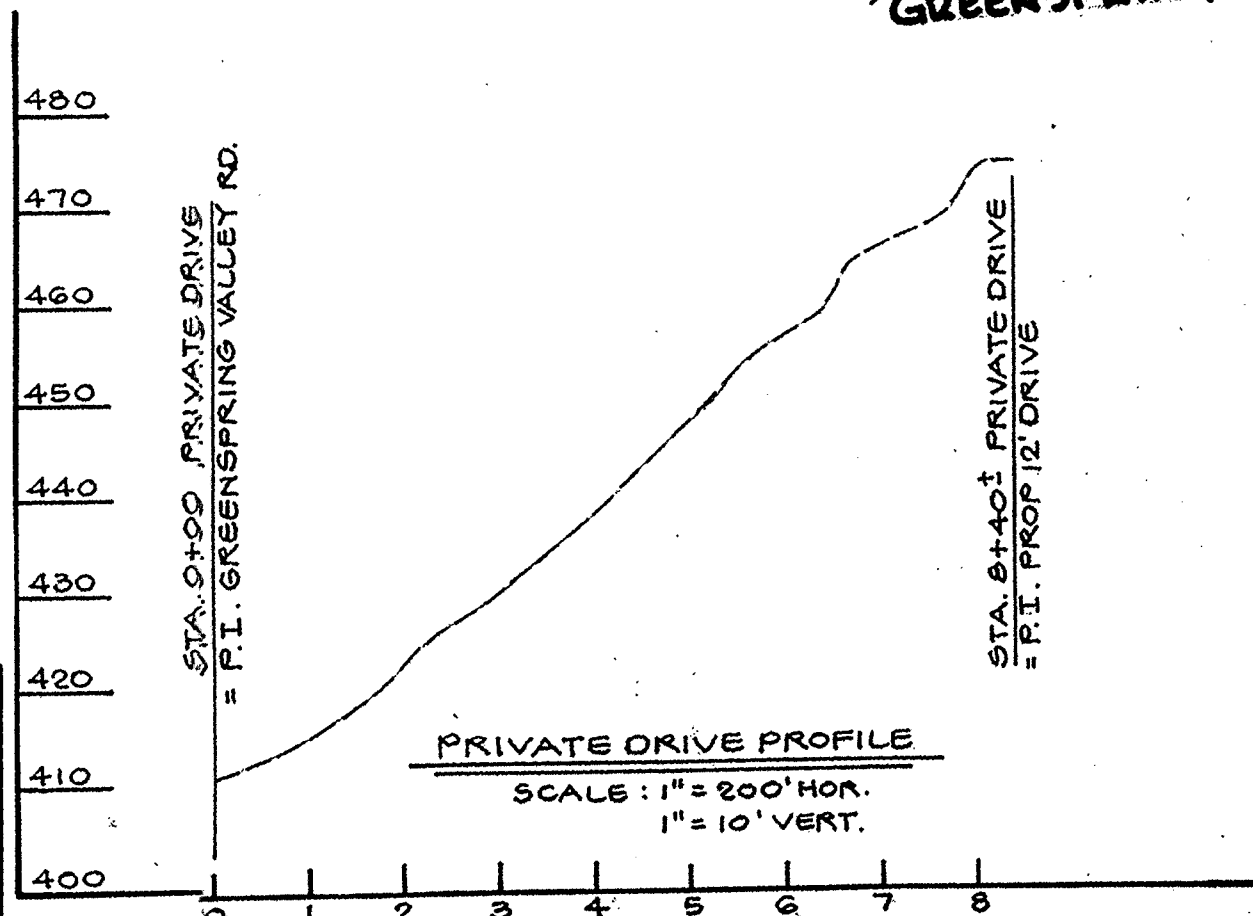
- All lots shown hereon to be served by private well and septic systems.
- Soil types taken from Baltimore County soil Survey Map Number 27.
- There are no underground fuel storage tanks apparent on the site.
- All existing septic systems, well, and percolation tests were field located.
- Site is not located in the Chesapeake Bay Critical Area.
- A.D.T.'s $2 \times 12.4 = 24.8 = 25$.
- Local open is not required for Minor Subdivisions.
- There are no existing or proposed wells or septic systems within 100' of the property lines unless otherwise shown.
- There are no zoning lines within 200 feet of this property unless otherwise shown.
- The property shown hereon is designated as S-7, W-7 on the Baltimore County master plan for metropolitan water and sewer service.
- Existing landcover is forest and lawn.
- Topography shown hereon is based on Baltimore County Photogrammetric Maps. (Map # NW 11-F)
- This project is exempt from storm water management.
- There shall be no clearing, grading, construction, or disturbance of vegetation in the Forest Buffer Easement except as allowed by the Baltimore County Department of Environmental Protection and Resource Management.
- Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the land records of Baltimore Co. and which restrict disturbance and use of these areas.
- Lots 1 and 2 are for single family residential use.
- There are no existing accessory structures.
- The existing private driveway is paved.
- This property as shown on the plan has been held intact since Oct. 03, 1997. The developers engineer has confirmed the plan has never been utilized, recorded or represented as density or area to support any off-site dwellings. (SEE NOTE 20. BELOW)
- Zoning History - Case 97-90-SPH to permit the creation of three non-density parcels (A,B,C) and to allow the transfer of said non-density parcels to contiguous lots of record. Order was granted with the following restriction: proceeding at their own risk within the 30-day appeal period. Parcel 'A' was subsequently transferred to Jean Hurst Neer and C. Palmer Neer. Parcels 'B' and 'C' were not created or transferred.
- Baltimore County makes no warranty expressed or implied as to the right of any present or future owner of any lot shown on this plan to use all or any part of that land designated as private right of way for the purpose of ingress, egress, or the right to open or excavate the aforesaid private right of way for the purposes of installing, constructing, and maintaining utilities such as but not limited to water, sewer, electrical, telephone or cable television.
- The project is within the Greenspring Valley National Register Historic District.

SOILS LIMITATION CHART

MAP SYMBOL	SOIL SERIES	HOMESTEAD LIMITATIONS	SEPTIC SYSTEM LIMITATIONS	HYDROIC "K" VALUE	CAPABILITY UNIT
GW22	CHICKADEE	SLIGHT	SLIGHT	110	111e-24
GW22	GLENNDA	MODERATE: SLOPE	MODERATE: SLOPE	110	111e-4
GW22	GLENNDA	SEVERE	SEVERE	110	111e-11
MB22	MAJOR	SEVERE	SEVERE	110	111e-25
MC22	MAJOR	MODERATE: SLOPE	MODERATE: SLOPE	110	111e-25
ME	MAJOR	SEVERE	SEVERE	110	111e-3
MH	MELVIN	SEVERE	SEVERE	110	111w-3

AREA OF LOT LINE ADJUSTMENT 0.24 AC. TO BE TRANSFERRED TO GORDON FROM OBRECHT

23. A FOREST CONSERVATION DECLARATION OF INTENT FOR AN INTRA-FAMILY TRANSFER WILL BE FILED TO ADDRESS THE REQUIREMENTS OF THE FOREST CONSERVATION REGULATIONS



PRIVATE DRIVE PROFILE
SCALE: 1" = 200' HOR.
1" = 10' VERT.

DATE	DESCRIPTION
7-26-04	REV. DWLG. ON LOT 2, REMOVED F.C.E.
5-23-00	REVISED PER COUNTY COMMENTS
REVISIONS	

J. LAWRENCE PULSON
MD. P.E. QUALIFIED PROFESSIONAL

BALTIMORE COUNTY MINOR SUBDIVISION
PROJECT NO. 00033-M

DEVELOPMENT REGULATIONS

EXEMPT FROM DIVISION 2
PANHANDLE, EXEMPT FROM
SECTIONS 24-202 & 24-206

ZADM CERTIFICATION

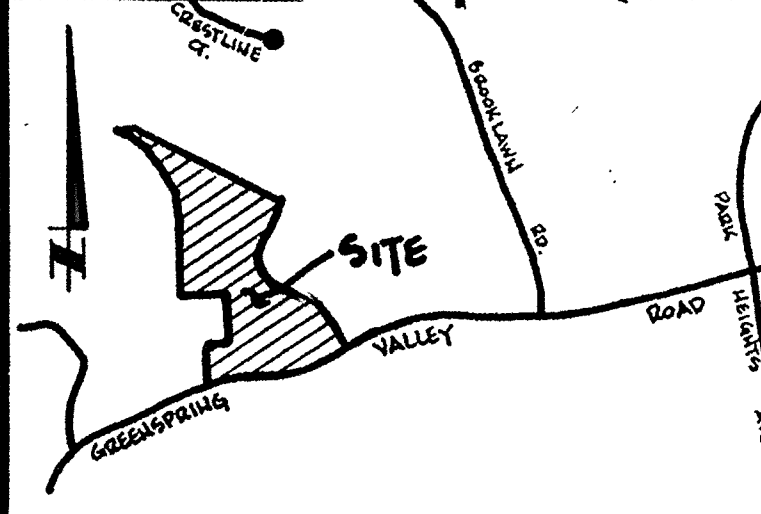
APPROVED DATE:

APPROVED, DEPRM

APPROVED DATE:

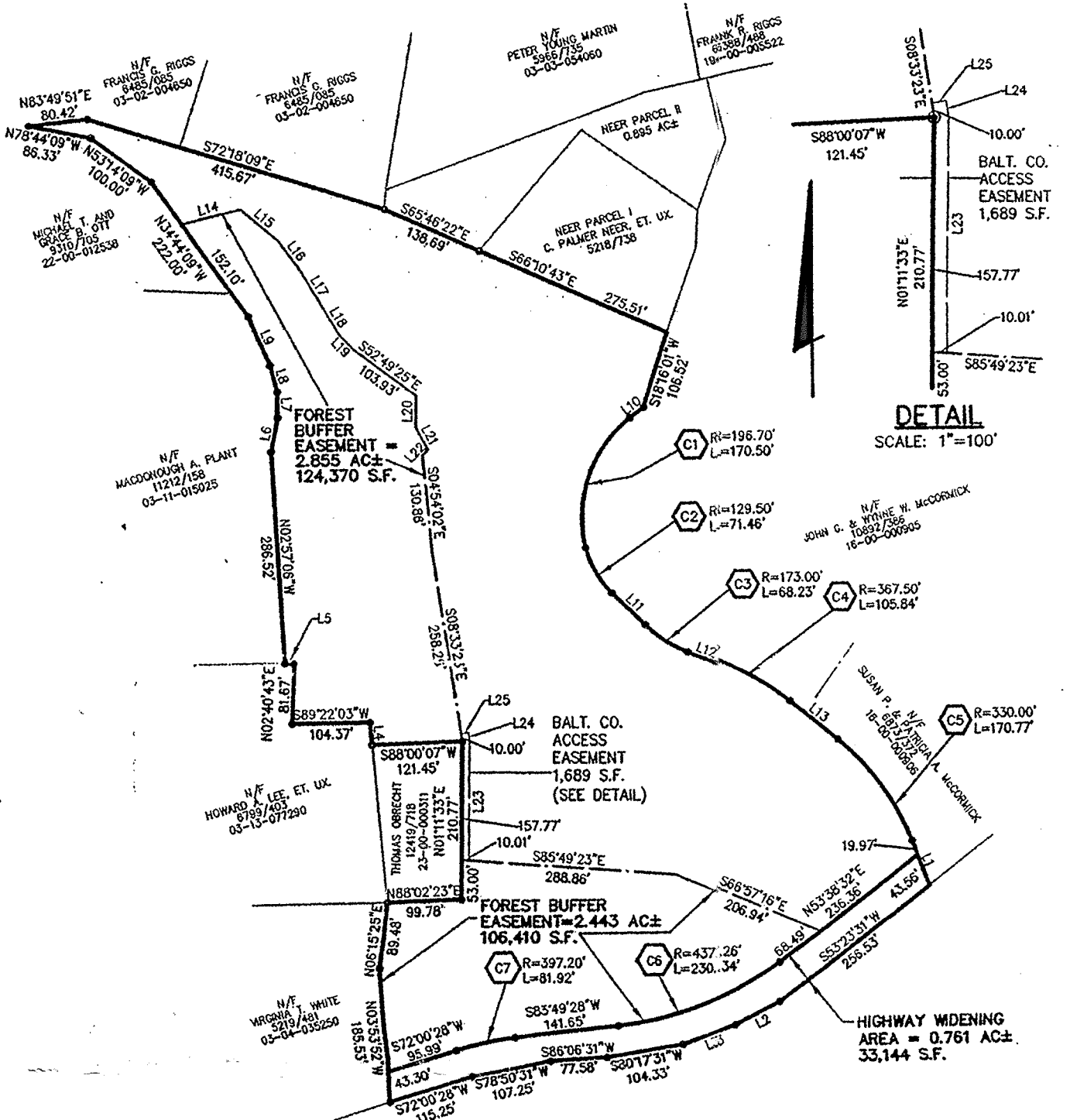


I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE MINOR SUBDIVISION PLAN COMMENTS DATED 04/07/00, AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCY COMMENTS.



LOCATION MAP
1" = 1000'

LINE	BEARING	LENGTH
L1	S21°19'19"E	63.59
L2	S82°29'46"W	68.00
L3	S89°48'46"W	70.56
L4	N04°56'52"W	30.03
L5	N07°54'49"W	12.50
L6	N11°42'28"E	41.00
L7	N00°17'54"W	35.00
L8	N16°17'54"W	37.00
L9	N23°02'54"W	71.47
L10	S53°26'08"W	22.82
L11	S42°26'33"E	61.71
L12	S60°12'21"E	45.31
L13	S51°10'18"E	62.63
L14	S47°05'30"E	65.30
L15	S70°16'33"E	60.10
L16	S33°31'04"E	52.68
L17	S33°31'04"E	57.76
L18	S33°31'04"E	40.00
L19	S44°10'41"E	28.02
L20	S01°05'41"W	42.48
L21	S27°17'27"E	34.77
L22	S46°16'21"W	10.43
L23	N00°56'17"E	159.13
L24	S08°33'21"E	10.83
L25	N01°26'37"E	10.00



DETAIL
SCALE 1" = 200'

SITE DATA

- AREA OF TRACT: 60056 ± 14.05 AC. ± NET = 13.29 AC. ±
- EXISTING BUILDING: R.C.2
- DENSITY CALCULATIONS: LOTS ALLOWED = (2-100 AC.) X 14 AC. = 2 LOTS
LOTS PROPOSED = 2
- CENSUS TRACT: 4090.01
- COUNCILMANIC DISTRICT: 3
- REGIONAL PLANNING DISTRICT: 319A
- SCHOOL DISTRICT: 144 'FORT GARRISON'
- WATERSHED: 24
- SUBSEWERLINED: 61

DESIGN AND DRAWING BASED ON
MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD 83/91
VERTICAL - NAVD 88

OWNER / DEVELOPER

THOMAS OBRECHT

2610 GREENSPRING VALLEY ROAD
OWINGS MILLS, MD 21117

TAX ACCOUNT NO. 23-00000311 DEED REFERENCE 12419 / 719
TAX MAP NO. 60 GRID 1 PARCEL 502

(410) 561-5858

PLAN TO ACCOMPANY ORC PETITION THOMAS OBRECHT PROPERTY

(FORMERLY KNOWN AS WORTHINGTON / NEER PROPERTY)

REV. 6-7-05

ELECTION DISTRICT: 3RD
SCALE: 1" = 100'

BALTIMORE COUNTY, MD.
DATE: MARCH 1, 2000

McKEE & ASSOCIATES, INC.

ENGINEERING - SURVEYING - REAL ESTATE DEVELOPMENT

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

(410) 927-1555

COMPUTED BY: ECW
DRAWN BY: JMB/WOG
CHECKED BY: ECW
JOB NUMBER: 26-14/

JAMES W. McKEE
MARYLAND REGISTRATION NO. 9012