ate 1-31-07 111114G

IN RE: PETITION FOR SPECIAL HEARING

W/S Green Road, 1500' N of c/l

Mantua Mill Road

(14301 Green Road)

8th Election District

3rd Council District

Windy Meadows Farm, LLC Legal Owner/Petitioner BEFORE THE

* ZONING COMMISSIONER

OF

* BALTIMORE COUNTY

* Case No. 07-228-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by Daniel B. Brewster, managing member of the legal owner of the subject property, Windy Meadows Farm, LLC. The Petitioner requests a special hearing to approve a non-density transfer of 103.18 acres of agricultural land from Windy Meadows Farm, LLC to Windy Meadows Farm, LLC. The subject property and requested relief are more particularly described on the amended redlined site plan submitted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of Petitioner was Gerry Brewster, son of Daniel B. Brewster, who signed the petition filed in the instant case and medically unable to attend the hearing this day (January 22, 2007). Also appearing were Bruce E. Doak, registered property line surveyor with Gerhold, Cross & Etzel, Ltd., the consultants who prepared the site plan for the property, Robert A. Hoffman, Esquire and David H. Karceski, Esquire, counsel for Petitioner. There were no Protestants or other interested citizens present.

Testimony and evidence offered revealed that the instant Petition involves the transfer of a total of 103.18 acres of R.C.2 zoned land from two lots of Petitioner's "Windy Meadows Farm" to an adjacent lot of the farm also zoned R.C.2. This adjacent or receiving lot is labeled

"Lot 1" on the site plan and now consists of approximately 25.81 acres. The neighboring land that surrounds the Windy Meadows Farm property is likewise zoned R.C.2, as shown and indicated on Petitioner's Exhibit(s) 2 and 3. As more particularly shown on the site plan, the two lots from which this acreage will be transferred now contain approximately 59.3 acres and 48.38 acres. By way of this proposed non-density transfer, 56.8 acres of the 59.3-acre lot and 46.38 acres of the 48.38-acre lot will be transferred to the receiving lot. As a result, Lot 1 will contain 128.99 acres, including the 103.18 acres referenced in the instant Petition. Testimony indicated that the land areas subject to this transfer are now in productive agricultural use as pastureland.

As a result of these transfers, the lots from which this acreage will be taken will be reduced in size to 2.0 acres and 2.5 acres, and the one density unit now associated with each lot will remain with those lots. The lots are labeled "PROPOSED LOT 2" and "PROPOSED LOT 3" on Petitioner's Exhibit 1. The site plan provides that Lots 2 and 3 will be used for residential purposes by two of Mr. Brewster's children and be limited to their reduced acreages following the transfer. As such, they are labeled "children's" lots on the site plan. Petitioner explained that no transfer of density to the receiving parcel would result from approval of this Petition for special hearing nor would there be an overall increase of the allowed density associated with the Windy Meadows Farm. Additionally, the land subject to Petitioner's request, now in productive use as pastureland, will continue as such consistent with the purposes of the R.C.2 zoning classification. If approved, Petitioner provided testimony that the conveyance will not be detrimental to the health, safety or general welfare of the surrounding R.C.2 zoned locale.

A review of the Zoning Advisory Committee (ZAC) comments issued in this case evidences that none of the reviewing County agencies were in opposition to this transfer. At the hearing, Mr. Brewster explained that the Department of Environmental Protection and Resource

Management (DEPRM) and the Office of Planning (OP) were actually in support of the request. He had met with DEPRM's Wally Lippincott, Landmarks Preservation Program Manager, and OP's Jeffrey Long, Deputy Director, prior to the hearing and their support for the Petition was confirmed. As such, no ZAC comments were issued by these agencies for inclusion in the case file.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. As noted, the proposal is for a non-density transfer, and, as such, Petitioner will not acquire any rights of subdivision through my approval of this Petition for Special Hearing. In my judgment, the conveyance will not be detrimental to the health, safety, or general welfare of the locale and is entirely consistent with its R.C.2 zoning classification and current agricultural use of the subject property.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of January, 2007, that the Petition for Special Hearing seeking approval of a non-density transfer of 103.18 acres of agricultural land from Windy Meadows Farm, LLC to Windy Meadows Farm, LLC, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2. Within one hundred twenty (120) days of the date of this Order, new deeds shall be recorded in the Land Records of Baltimore County referencing this case and incorporating the conditions and restrictions of this Order.

3. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WILLIAM I WISEMAN, III Zoning Commissioner for

Baltimore County

ONDER RECEIVED FOR FILING
Date

By



JAMES T. SMITH, JR. County Executive

January 31, 2007

WILLIAM J. WISEMAN III

Zoning Commissioner

Robert A. Hoffman, Esquire David H. Karceski, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, MD 21204

RE: PETITION FOR SPECIAL HEARING

W/S Green Road, 1500' N of c/l Mantua Mill Road (14301 Green Road)
8th Election District - 3rd Council District
Windy Meadows Farm, LLC - Legal Owner/Petitioner
Case No. 07-228-SPH

Dear Messrs. Hoffman and Karceski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted with restrictions, 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,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw

c: Mr. Daniel B. Brewster, 14301 Green Road, Glyndon, Md. 21136

Mr. Gerry Brewster, 527 Allegheny Avenue, Towson, Md. 21204

Mr. Bruce E. Doak, Gerhold, Cross & Etzel, Ltd., 320 East Towsontown Boulevard, Suite 100, Towson, Md. 21286

Office of Planning; DEPRM; People's Counsel; Case File; Dennis Kennedy



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Scen Road
which is presently zoned R.C.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

See attached

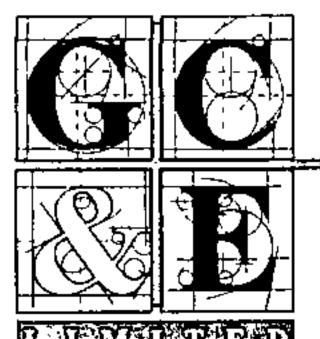
Property is to be posted and advertised as prescribed by the zoning regulations.

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

			I/We do solemnly declar perjury, that I/we are the subject of this Police is the subject of the Police III and the subject of the Police III are the subject of the subject of the Police III are the subject of the sub	he legal owner(s) of the	ne penalties of e property which
Contract Purchaser/Lessee:			Legal Owner(s):		
Name - Type or Pr	rint		Daniel Print -	3. Brewster Brews	the state of the s
Signature			Signature		
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
<u>Attorney For</u>	<u>Petitioner:</u>		14301 Gree Address Glyndon	n Road MD	Telephone No.
Name - Type or Pri	int		City	Ştate	Zip Code
Signature	. <u> </u>	<u> </u>	Representative to	_	C.E.
Company			Name ~	Towsontown	
Address		Telephone No.	Address	MD	Telephone No.
City	State	Zip Code	City 410 - 8	23-4470	Zip Code
				ICE USE ONLY	
			ESTIMATED LENG	TH OF HEARING	
Case No.	07-228-SPH		UNAVAILABLE FO	R HEARING	
R <i>EV 9 15 98</i>	07-228-5PH Date	ED FOR FILING	ewed By 13M	Date	6/01
	3y(2	De Pus	•		

SPECIAL HEARING WINDY MEADOWS FARM LLC

FOR A NON-DENSITY TRANSFER OF 103.18 ACRES OF AGRICULTURAL LAND FROM WINDY MEADOWS FARM LLC TO WINDY MEADOWS FARM LLC.



Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

November 13, 2006

ZONING DESCRIPTION WINDY MEADOWS FARM LLC PROPERTY GREEN ROAD

Baltimore County, Maryland

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

Beginning for the same at the intersection of the centerline of Mantua Mill Road and the east side of Green Road, running northerly 2,400 feet along the east side of Green Road, continuing along the east side of Green Road N01°15'00"W 63.32', thence running along the east side of Green Road,

North 01°15'00" West 1694.03 feet,

South 88°45'00" West 116.85 feet,

North 01°15'00" West 38.57 feet,

South 88°45'00" West 20.00 feet,

South 01°15'00" East 30.96 feet,

South 51°38'05" West 341.93 feet,

South 49°20'00" East 2184.00 feet,

South 44°35'00" West 422.18 feet,

North 82°29'30" West 574.50 feet,

North 85°04'00" West 168.40 feet,

South 89°44'30" West 482.27 feet,

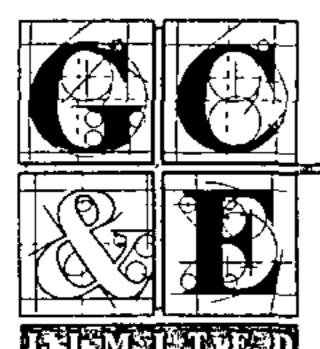
South 81°21'30" West 147.21 feet,

South 61°41'30" West 116.60 feet,

South 50°54'30" West 268.96 feet to the point of beginning.

Containing 46.38 Acres of land, more or less.

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



Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

November 13, 2006

ZONING DESCRIPTION WINDY MEADOWS FARM LLC PROPERTY GREEN ROAD Baltimore County, Maryland

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

Beginning for the same at the intersection of the centerline of Mantua Mill Road and the east side of Green Road, running northerly 2,400 feet along the east side of Green Road, thence leaving Green Road,

North 50°54'30" East 303.06 feet,

North 61°41'30" East 103.26 feet,

North 83°21'30" East 134.91 feet,

North 89°44'30" East 476.37 feet,

South 85°04'00" East 165.04 feet,

North 82°29'30" West 80.00 feet,

South 02°52'24" East 294.23 feet,

South 87°07'36" West 330.00 feet,

South 02°52'24" East 233.77 feet,

South 82°29'30" East 171.61 feet,

South 45°02' East 1817.12 feet,

South 22°22' West 119.94 feet,

North 85°56' West 140 feet,

South 49°33' West 65 feet,

North 60°19' West 138 feet.

South 18733' West 190 feet,

South 16°06' West 160 feet,

South 87°23' West 200 feet,

North 33°09' West 212 feet,

North 33°09' West 45.61 feet,

South 76°45'40" West 334.08 feet,

North 00°33' West 641.89 feet,

South 89°34' West 600'

South 89°34'00" West 1132.50 feet,

North 01°15'00" West 709.96 feet to the point of beginning.

Containing 56.8 Acres of land, more or less.

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

11/13/06



Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

November 13, 2006

ZONING DESCRIPTION WINDY MEADOWS FARM LLC PROPERTY GREEN ROAD

Baltimore County, Maryland

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

Beginning for the same at the intersection of the centerline of Mantua Mill Road and the east side of Green Road, running northerly 2,400 feet along the east side of Green Road, continuing along the east side of Green Road N01°15'00"W 63.32', leaving Green Road for the following bearings and distances N50°54'30"E 268.96', N61°41'30"E 116.60', N81°21'30"E 147.21', N89°44'30"E 482.27', S85°04'00"E 168.40', S82°29'30"E 574.50', N44°35'00"E 422.18', thence running,

South 85°50'00" East 330.00 feet,

South 45°25'00" East 990.00 feet,

South 12°47'00" East 119.00 feet,

South 32°27'00" East 196.00 feet,

South 43°06'00" East 220.00 feet,

South 01°15'00" East 88.00 feet,

South 74°36'00" West 110.00 feet,

North 76°07'00" West 135.00 feet,

South 04°55'00" West 200.00 feet,

South 26°23'00" East 105.00 feet, South 08°42'00" West 60.00 feet,

C . . 1 . 0 2 0 5 . 4 0 0 1 . 3 1 . . . 0 4 0 0 . . .

South 83°54'00" West 94.00 feet,

South 22°22'00" West 30.06 feet,

North 45°02'00" West 1858.23 feet,

North 44°35'00" East 453.51 feet, to the point of beginning.

Containing 25.81 Acres of land, more or less.

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

•		
		•
•		•
		••
	2 3 0	-
; ·		
	2	
_		
•		•
•	CELLA CELLA CELLA CELLA CELLA CELLA CELLA CELLA CELLA CASHIERA CAS	•
		•

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: #07-228-SPH

14301 Green Road

W/side of Green Road, 1500 feet north of centerline of

Mantua Mili Road

8th Election District

3rd Councilmanic District

Legal Owner(s): Daniel Brewster
Special Hearing: To allow a non-density transfer of [103.18 acres of agricultural land from Windy Meadows .

Farm LLC to Windy Meadows Farm LLC

Hearing: Monday, January 22, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosiey Ave-

nue, 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.

- 1/009 Jan. 4

CERTIFICATE OF PUBLICATION

14,2007
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
nce in each ofsuccessive weeks, the first publication appearing
on 14,20 <u>07.</u>
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING



Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE#07-228-SPH PETITIONER/DEVELOPER:

Daniel Brewster

DATE OF HEARING: 1/22/07

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

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION:

14301 Green Road

(see page 2 for full size photo)

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

POSTED ON: 1/04/07

MACH AND TOTAL

CASE #:07-228-SPH

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

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

TIME & DATE:

10:00 AM Monday January 22, 2007

Special Hearing: To allow a non-density transfer of 103.18 acres of agricultural land from Windy Meadows Farm LLC to Windy Meadows Farm LLC.

RE: PETITION FOR SPECIAL HEARING
14301 Green Road; W/S Green Rd, 1,500'
N c/line Mantua Mill Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Daniel Brewster
Petitioner(s)

* BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 07-228-SPH

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of November, 2006, a copy of the foregoing Entry of Appearance was mailed to Scott Hodgkins, Gerhold, Cross & Etzel, Ltd, 320 E. Towsontown Blvd, Suite 100, Towson, MD Representative for Petitioner(s).

RECEIVED

NOV 2 8 2006

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per....

TO: PATUXENT PUBLISHING COMPANY

Thursday, January 4, 2007 Issue - Jeffersonian

Please forward billing to:

Daniel Brewster 14301 Green Road Glyndon, MD 21136

410-823-4470

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: 07-228-SPH

14301 Green Road

W/side of Green Road, 1500 feet north of centerline of Mantua Mill Road

8th Election District – 3rd Councilmanic District

Legal Owner: Daniel Brewster

Special Hearing to allow a non-density transfer of 103.18 acres of agricultural land from Windy Meadows Farm LLC to Windy Meadows Farm LLC.

Hearing: Monday, January 22, 2007 at 10:00 a.m. in Room 407, County Courts Building,

40/1 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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

December 7, 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: 07-228-SPH

14301 Green Road

W/side of Green Road, 1500 feet north of centerline of Mantua Mill Road

8th Election District – 3rd Councilmanic District

Legal Owner: Daniel Brewster

Special Hearing to allow a non-density transfer of 103.18 acres of agricultural land from Windy Meadows Farm LLC to Windy Meadows Farm LLC.

Hearing: Monday, January 22, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Just Kotroco
Timothy Kotroco

Director

TK:klm

C: Daniel Brewster, 14301 Green Road, Glyndon 21136 Scott Hodgkins, 320 E. Towsontown Blvd., Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 6, 2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 07-228-58H
Petitioner: DANIEL B. BREWSTER
Address or Location: 14301 GREEN ROAD
PLEASE FORWARD ADVERTISING BILL TO:
Name: <u>DANIEL</u> B. BREWSTER
Address: 14301 GREEN ROAD
GLYNDON, MD ZII36
Telephone Number: 410-823-4470
Revised 7/11/05 - SCJ



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

January 18, 2007

Daniel B. Brewster 14301 Green Road Glyndon, MD 21136

Dear Mr. Brewster:

RE: Case Number: 07-228-SPH, 14301 Green Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 16, 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,

u. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel Scott Hodgkins Gerhold, Cross & Etzel 320 Towsontowne Blvd Towson 21286

Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 November 22,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 20, 2006

Item Number(s): 213 through 228

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

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

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 28, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 27, 2006

Item Nos. 07-72, 139, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, 227, and 228)

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-11272006.doc

122

DATE: November 28, 2006

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

d

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-228- Special Hearing

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

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

Prepared By:

Division Chief:

CM/LL

ZUMMY.



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: NOVEMBER 27, 2006

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

RE: Baltimore County Item No. 7-228-SPH 14301 GREEN ROAD WINDY MEADOUS FARH, ILC BREWSTER PROPERTY VARIANCE SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-2284.

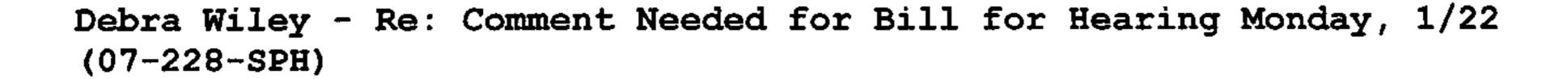
Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief U Engineering Access Permits

Division

SDF/MB



From:

Dennis Kennedy

To:

Wiley, Debra

Date:

01/19/07 10:57 AM

Subject:

Re: Comment Needed for Bill for Hearing Monday, 1/22 (07-228-SPH)

Debra and Mr. Wiseman:

We made no comment on the referenced item because it is a transfer of raw land that is already in an Ag. Preservation easement. Even if the flood plain were delineated, we would not be able to obtain any easement over it. Western Run is, I'm sure, covered by the FIRM Map. That flood plain could have been shown on this plan and you could still require it, but since the requested transfer is from the property owner to the same property owner, he presumably knows what he is getting.

Dennis Kennedy

>>> Debra Wiley 01/19/07 10:36 AM >>> Hi Dennis,

Bill is scheduled to hear 07-228-SPH and the file indicates it's a "Flood" case. If possible, can you provide us with a comment before the hearing scheduled for Monday at 10 AM?

07-228-SPH
Daniel B. Brewster
14301 Green Road
Glyndon, MD 21136

Thanking you in advance for your usual cooperation.

From:

Debra Wiley

To:

Kennedy, Dennis

Date:

01/19/07 10:36:44 AM

Subject:

Comment Needed for Bill for Hearing Monday, 1/22 (07-228-SPH)

Hi Dennis,

Bill is scheduled to hear 07-228-SPH and the file indicates it's a "Flood" case. If possible, can you provide us with a comment before the hearing scheduled for Monday at 10 AM?

07-228-SPH Daniel B. Brewster 14301 Green Road Glyndon, MD 21136

Thanking you in advance for your usual cooperation.

Case No.:

07-228 SPH

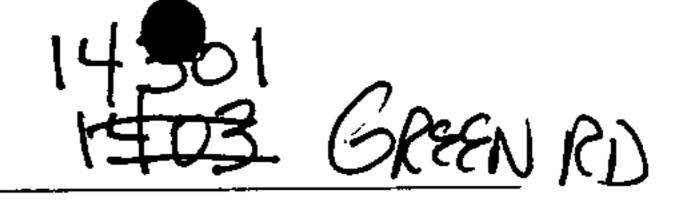


Exhibit Sheet

Petitioner/Developer

Protestant

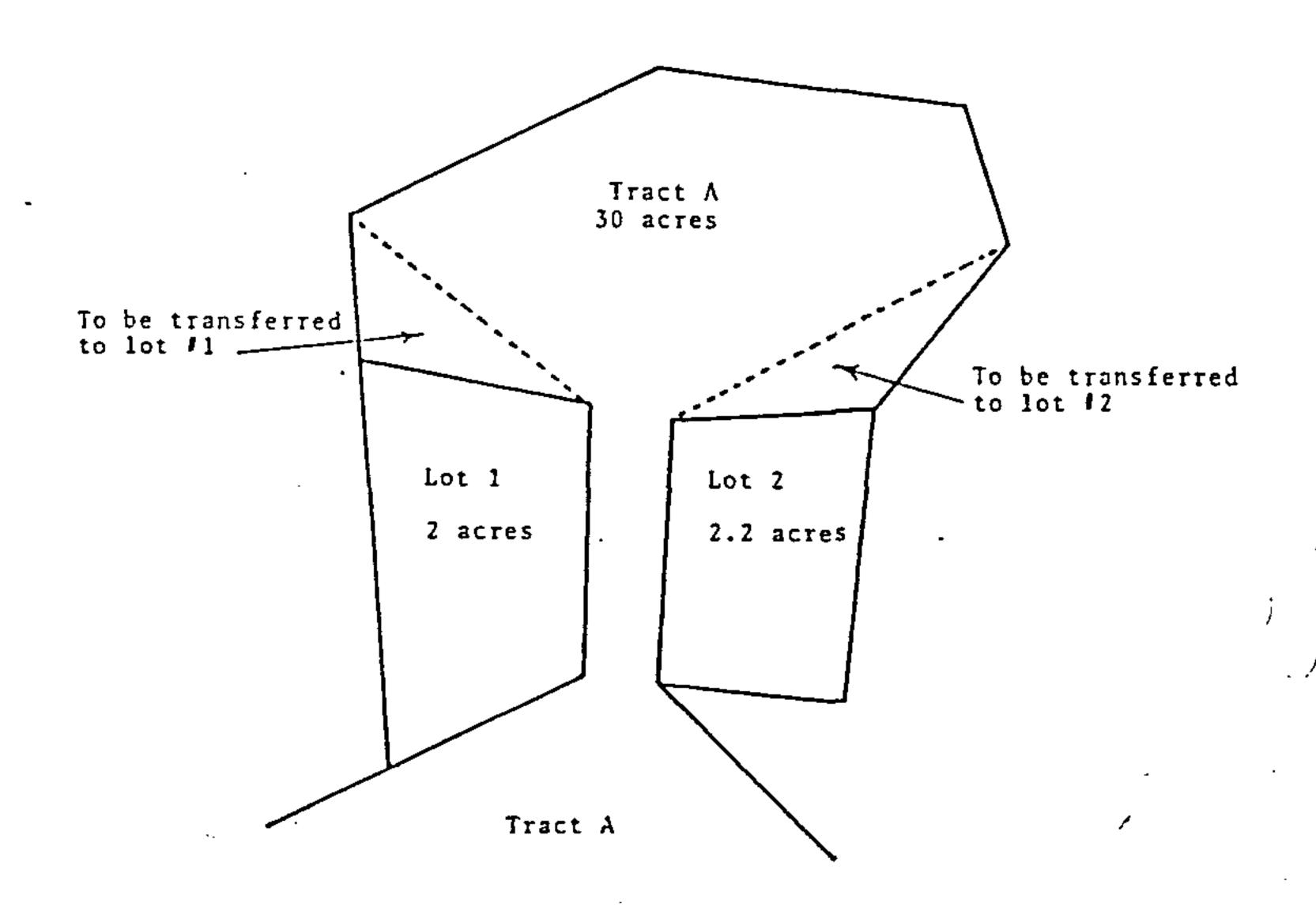
No. 1	RED LINED AMENDED 5 ItE PLAN	
No. 2	ZONING MAP	
No. 3	G15 arrial	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

ONER'

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.

PLEASE PRINT CLEARLY

CASE NAME 1436 | GREEN |
CASE NUMBER 07 2/67 2285P

PETITIONER'S SIGN-IN SHEET

E- MAIL STATE, ZIP 2/286 1257 Towson DW-20-ADDRESS Towsaltown Seve Dan Frens
Sierry Brews
Sierry Brews
John Hoffman NAME

