

**IN RE: PETITIONS FOR SPECIAL EXCEPTION
AND VARIANCE**

E side Ridge Road, 1100 feet N of Freeland
and Ridge Roads

6th Election District

3rd Councilmanic District

(21109 Ridge Road)

Chad Neal

Legal Owner

*

BEFORE THE

*

DEPUTY ZONING

*

COMMISSIONER

*

FOR BALTIMORE COUNTY

*

Case No. 08-426-XA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by Chad Neal for property located at 21109 Ridge Road. The Special Exception is requested pursuant to Section 1A01.2.C.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a landscape service operation. The Variance requests are as follows:

- From Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (garage) height of 21 feet in lieu of the required 15 feet; and
- From Sections 400.1 and 101 of the B.C.Z.R. to allow an accessory building (garage) size of 2,520 square feet; and
- From Sections 1A01.3.B.3 and 404.1.B of the B.C.Z.R. to permit a side yard setback from garage of 18 feet in lieu of the required 35 feet and 50 feet, respectively.

The subject property and the requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit I.

Appearing at the requisite public hearing in support of the Special Exception and Variance requests were Petitioner Chad Neal and his wife Jennifer Neal, as well as Gary and Linda Neal, Petitioner's parents and the legal owners of the subject property. Also appearing in support of the requested relief were Petitioner's attorney, Michael R. McCann, Esquire and Jeffrey Penza of

FILED RECEIVED FOR FILING

6-25-08
pm

Penza + Bailey Architects, the firm that prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing, though several individuals residing on Ridge Road sent letters of opposition that are contained in the case file and will be discussed later in this Order.

Testimony and evidence offered revealed that the subject property is an irregular-shaped property and contains 1.09 acres zoned R.C.2. The property is located on the east side of Ridge Road and north of Freeland Road in the Freeland area of Baltimore County. The property is improved with a 1½-story wood frame single-family dwelling with aluminum siding. It is also improved with a one-story wood frame three-car garage with matching siding located at the end of the driveway toward the rear of the property, and a small shed located close to the rear property line.

Gary and Linda Neal have owned the property since 1985. For the last 13 years, Gary Neal and his son, Chad Neal, (collectively referred to as "Petitioners") have owned and operated Whispering Meadows, Inc., a landscaping business specializing in conservation projects including forest and wetlands restoration. The business has operated with three employees -- father and son and a seasonal employee. Petitioners have used the basement of the dwelling on the subject property as an office for the administrative functions of the business (i.e. filing, bookkeeping, etc.). Because of the duration and size of their projects, Petitioners normally store all their landscaping equipment on jobsites, moving it from one site to another as work is completed at one location and needed at another; however, some subtle changes in the business involving smaller jobs and requiring storage of equipment for intervals of time dictate the need for a central location for the business and its equipment. As such, Petitioners request a special exception to use the subject property for a landscape service operation. In addition, Petitioners desire to erect an

RECEIVED FOR FILING
6-25-08
m

accessory building on the rear of the property for storage of equipment, and request several variances from the height, size, and side yard setback requirements of the B.C.Z.R.

In support of the requested relief, Petitioners submitted a number of photographs which depict their property and improvements thereon, as well as photographs depicting nearby properties. Marked and accepted into evidence as Petitioners' Exhibits 2A through 2D are photographs of Petitioners' property. These photographs show the dwelling and three-car garage, and also show the rather large side and rear yard areas at the north side of the property. Petitioners' Exhibit 2D also shows a heavily wooded area to the rear of the property near the proposed location of the accessory building. Marked and accepted into evidence as Petitioners' Exhibits 3A through 3C are photographs of the property to the immediate north at 21117 Ridge Road. This property was previously owned for a number of years by Petitioner Gary Neal's father. According to Petitioners, in 2002, the property was sold to the Winkler family and is the location of their fence business known as Winkler Fencing. As shown in the photographs, located to the rear of the property are several accessory buildings which appear to be related to the fencing business. Also marked and accepted into evidence as Petitioners' Exhibits 4A through 4C are photographs of the property to the immediate south at 21105 Ridge Road. These photographs depict a single-family dwelling with three accessory structures located to the rear of the property.

Petitioners desire to use the property for a landscape service operation and for the accessory building of the size proposed is driven by the need to store equipment for the business indoors, away from unsightly views and away from the elements. In particular, Petitioners wish to store two skip loaders (i.e. 'bobcat'), two trucks, one cherry picker (a large apparatus used for trimming trees), and a flatbed trailer for lawn mowing equipment. Petitioner Chad Neal testified that the height variance is primarily to accommodate the man-lift attached to the cherry picker, as

RECEIVED FOR FILING
6.25.08
m

well as to have a similar peaked roofline, and the size of the building is necessary to adequately store all the equipment. He also emphasized that the accessory building will be used strictly for storage. There will be no inventory of any parts or materials, nor any deliveries or loading and unloading. There will be no customers serviced at the location. All work is performed at other properties where the company's projects are located.

Also testifying in support of the requested relief was Jeffrey Penza, a principal with the firm of Penza + Bailey Architects. Mr. Penza has been a licensed architect for the past 21 years and specializes in custom residential and institutional uses. He is familiar with the Baltimore County Zoning Regulations and has acted as a consultant for Petitioners on the proposed use of the property as a landscape service operation and particularly as to the location of the proposed accessory building on the property. Mr. Penza was offered and accepted as an expert in land use and zoning and interpretation of the Baltimore County Zoning Regulations.

As shown on the site plan which also contains a floor plan and side and end elevations, the building would be rectangular in shape (36 feet wide by 70 feet long) with an exterior of ribbed metal, tan in color with a three foot green lower base. The building would also have a pitched roof comparable to other similar structures on Ridge Road and to the garage and dwelling on the subject property. The west side of the building facing Ridge Road would have two 12 foot by 12 foot garage style doors. The south side of the building would have an entrance near the front end and another garage door near the back end. To visually illustrate some of the similar structures on Ridge Road, Mr. Penza submitted several photographs that were marked and accepted into evidence as Petitioners' Exhibits 5A through 5D. These photographs show large garage-like accessory structures of varying heights and sizes on Ridge Road within one-half mile of the subject property. Specifically, Petitioners' Exhibits 5C and 5D depict accessory structures very

FORM RECEIVED FOR FILING
6-25-08
[Signature]

similar to that proposed by Petitioners. In terms of placement of the building as proposed, the need for the side yard variance of 18 feet is due to an existing septic reserve area to the rear of the property and the desire to not be so close to the rear of the property so as to necessitate a rear yard variance. At the same time, Petitioners wish to have the building set back far enough so as to not be visible from Ridge Road.

Turning to the relevant special exception criteria, Mr. Penza testified that the proposed use of the property as a landscape service operation satisfies all the criteria set forth in Section 502.1 of the B.C.Z.R. In particular, the proposed use will not be detrimental to the health, safety or general welfare of the locality, will not create congestion in roads or streets, and will not create a potential hazard from fire, panic or other danger. Additionally, and although of substantial size, the placement of the accessory building toward the rear of the property will not overcrowd the land. There will still be sufficient open space in the front and side yards, as well as much of the rear yard. The use will not interfere with the provision of public services or with adequate light and air, and will not be inconsistent with the property's agricultural zoning classification or with the spirit and intent of the B.C.Z.R., and will not be detrimental to any other applicable special exception criteria.

Moreover, in addition to meeting the requirements outlined in Section 502.1 of the B.C.Z.R., the proposed landscape service operation will also satisfy the requirements of Section 404.3.C of the B.C.Z.R. Mr. Penza testified that the property is of sufficient size to accommodate the proposed building. He also testified that the location of parking and storage will be compatible with surrounding uses and will be properly screened. The vehicles and equipment will be sufficiently screened by virtue of their storage inside the building. The building itself will be

RECEIVED FOR FILING
6.25.08
[Signature]

landscaped with shrubs and trees to provide screening from the road and from adjacent residentially used properties.

A Petition in Support of Special Exception and Variances was circulated by Petitioners and signed by 10 individuals residing on Ridge Road near the subject property, including the neighbors immediately adjacent on either side. This petition was marked and accepted into evidence as Petitioners' Exhibit 7.

In opposition to the requested variance relief, the undersigned received seven letters from residents also residing on Ridge Road. These residents universally voiced their objection to the proposed height and square footage of the accessory building, as well as the variance request from the side yard setback requirements. They view the proposed accessory building as a commercial use structure that might set a precedent for similar requests in the future, as well as potentially denigrating property values and creating an increase in traffic and exhaust fumes on Ridge Road. The letters were marked and accepted into evidence as Protestants' Exhibits 1A through 1G.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The comments received from the Department of Environmental Protection and Resource Management (DEPRM) dated April 16, 2008 indicate that prior to building permit approval the septic area must be shown on the site plan. The proposed building must be 20 feet from the Septic Reserve Area. If plumbing is proposed in the building, percolation tests may be required. Comments received from the Office of Planning dated April 9, 2008 indicate that office does not oppose Petitioners' special exception and variance requests, but recommends that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities. A landscape plan that shows the existing and proposed landscaping should be submitted, and should also show access to the site and limits of

STAMP RECEIVED FOR FILED
JUN 25 08
PM

the gravel-covered areas. In addition, the proposed garage should have a style and architecture that is consistent with the surrounding rural character of the community.

In regard to the requested special exception to use the property for a landscape service operation, I am persuaded to grant this relief. Section 1A01.2.C.14 permits a landscape service operation in the R.C.2 Zone by special exception provided the criteria set forth in Section 502.1 of the B.C.Z.R. are met, subject also to the provisions of Sections 404.1 and 404.3 of the B.C.Z.R. Section 404.1.B of the B.C.Z.R. requires that controlled-environment structures and accessory structures be located at least 50 feet from any property line, including any right-of-way line. Petitioners have requested a variance from this requirement that will be addressed below. Section 404.3.C states that a landscape service operation is subject to the following additional standards: (1) that the site shall be of sufficient size and properly designed to insure protection of existing neighboring dwellings from noise, dust, glare and other nuisance factors, and (2) that the location of the vehicle parking and equipment storage area shall be compatible with surrounding uses and shall be screened from residentially zoned or used properties as specified in Section 404.1.C. The uncontroverted testimony and evidence from Petitioners and their architectural consultant indicates that the proposed use meets the required 502.1 criteria and meets the requirements of Section 404.3. Because I am also persuaded to grant the variance from the side yard setback requirement of Section 404.1.B, I am convinced that the use proposed at the subject location would not have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone (See, *Schultz v. Pritts*, 291 Md. 1 (1981)), nor would the use be detrimental to the primary agricultural uses in its vicinity.

In regard the request for variances, based on the testimony and evidence, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of

NOTED RECEIVED FOR FILING

6.25.08

p27

the variance requests. These are the kind of peculiar circumstances that make the regulations impact this property disproportionately compared to others in the district. Therefore I find the property unique in a zoning sense. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

Finally, I find these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered, I find that the Petitioners' request for Special Exception and the requests for Variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 9th day of July, 2008 that Petitioner's request for Special Exception pursuant to Section 1A01.2.C.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a landscape service operation is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's Variance requests as follows:

- From Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (garage) height of 21 feet in lieu of the required 15 feet; and
- From Sections 400.1 and 101 of the B.C.Z.R. to allow an accessory building (garage) size of 2,520 square feet; and
- From Sections 1A01.3.B.3 and 404.1.B of the B.C.Z.R. to permit a side yard setback from garage of 18 feet in lieu of the required 35 feet and 50 feet, respectively

be and are hereby GRANTED.

The granting of the above relief shall be subject, however, to the following conditions:

1. Petitioners may apply for any permits required and be granted same upon receipt this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If,

FILED FOR FILING
6-25-08
PM

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

2. Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The use of the structure is limited to the storage of equipment related to the special exception use of the property for a landscape service operation. Any proposed change in the use of the accessory building from the storage of equipment related to the landscape service operation shall require a public hearing. In addition, if such use of the property for a landscape service operation is discontinued or abandoned by Petitioners or subsequent owners, then the structure shall be removed at Petitioners' or the subsequent owners cost and expense within ninety (90) days of such discontinuance or abandonment.
4. Petitioners shall submit a landscape plan to the Office of Planning that shows the existing and proposed landscaping, and also shows access to the site and the limits of the gravel-covered areas.
5. The proposed accessory building shall be constructed so as to have a style and architecture that is consistent with the surrounding rural character of the community.
6. Prior to building permit approval, the septic area must be shown on the plan. The proposed building must be 20 feet from the Septic Reserve Area. If plumbing is proposed in the building, percolation tests may be required.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

NOT RECEIVED FOR FILING



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 21109 Ridge Road, Frederick, MD

which is presently zoned RC-2

Deed Reference: 221199 Tax Account # 0614010056

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

landscape service operation pursuant to § 1A01.2.C(14)

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Michael R. McCann
Name - Type or Print

Michael R. McCann
Signature

Michael R. McCann PA
Company

118 N. Pennsylvania
Address

Towson
City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

Case No. 08-426XA

REV 07/27/2007

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By CW Date 3/12/08

RECEIVED FOR FILING

6-25-08

PM



Petition for Variance

to the **Zoning Commissioner of Baltimore County** for the property
located at 21109 Ridge Road, Freeland, MD
which is presently zoned RC-2

Deed Reference: 221159 Tax Account # 0614010050

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 Variance from Section(s)

(see attached)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

(to be established at hearing)

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Michael R. McCann
Name - Type or Print

Michael R. McCann
Signature

Michael R. McCann, PA
Company

118 W. Pennsylvania (410) 825-2150
Address Telephone No.

Towson, MD 21204
City State Zip Code

Legal Owner(s):

Chad Neal
Name - Type or Print

Chad Neal
Signature

Name - Type or Print

Signature

21109 Ridge Road (410) 825-2150
Address Telephone No.

Freeland MD 21053
City State Zip Code

Representative to be Contacted:

Michael R. McCann
Name

118 W. Pennsylvania (410) 825-2150
Address Telephone No.

Towson MD 21204
City State Zip Code

Case No. 09-426-A 374A XA

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by CM Date 3-12-08

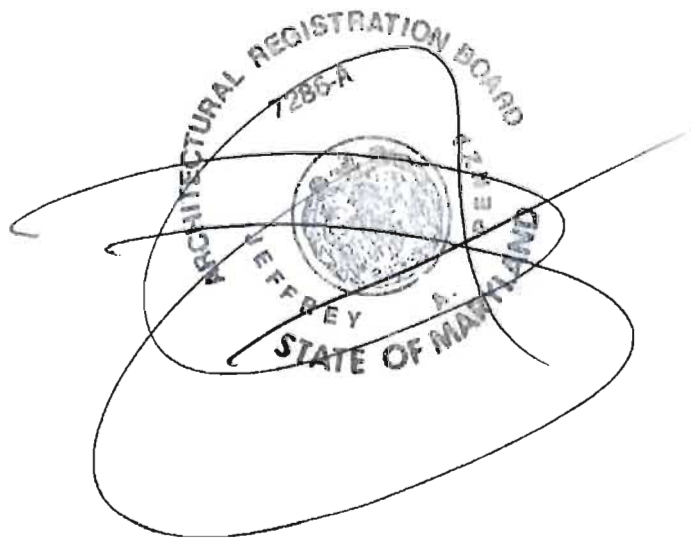
16:25 08
PM

Attachment to Petition for Variances
21109 Ridge Road, Freeland MD 21053

1. BCZR section 400.3 to permit an accessory building (garage) of 21 feet in height in lieu of required 15 feet.
2. BCZR sections 400.1 and 101 to allow accessory building (garage) of 2520 square feet.
3. BCZR sections 1A01.3.B.3 and 404.1.B to permit sideyard setback from garage of 18 feet in lieu of required 35 feet and 50 feet, respectively.

08-420-4224-1
KA

BEGINNING FOR THE SAME AT A POINT ON THE EAST SIDE OF RIDGE ROAD MARKED BY A STONE, AN ORIGINAL CORNER MARKER FOR ROBINSON'S MAIN TRACT, IT BEING AT THE END OF THE SOUTH 25 1/2 DEGREES EAST 26 PERCHES LINE OF THE WHOLE TRACT AND RUNNING THENCE FROM THIS POINT OF BEGINNING ALONG THE EAST SIDE OF RIDGE ROAD SOUTH 9 1/2 DEGREES WEST 120 FEET TO A POINT THENCE BY LINES OF DIVISION ALONG LAND OF THE GRANTOR NORTH 82 1/2 DEGREES EAST 293 FEET THENCE NORTH 18 1/2 DEGREES WEST 200 FEET THENCE ALONG A LOT ABOUT TO BE CONVEYED TO LESTER NEAL SOUTH 82 1/2 DEGREES WEST 237 FEET TO THE FIRST MENTIONED LINE THENCE ALONG THE SAID LINE AND BINDING THEREON SOUTH 25 1/2 DEGREES EAST 80 FEET TO THE PLACE OF BEGINNING. THE IMPROVEMENTS THEREON BEING KNOWN AS 21109 RIDGE ROAD.



00-426-XA

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: # 08-426-XA

21109 Ridge Road

E/side of Ridge Road, 1100 feet north of Freeland and Ridge Roads

6th Election District - 3rd Councilmanic District

Legal Owner(s): Chad Neal

Special Exception: for a landscape service operation.
Variance: to permit an accessory building (garage) of 21 feet in height in lieu of the required 15 feet and to allow accessory building (garage) of 2520 square feet and to permit side yard setback from garage of 18 feet in lieu of the required 35 feet and 50 feet respectively.

Hearing: Monday, May 19, 2008 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/006 May 1

171625

CERTIFICATE OF PUBLICATION

5/11, 2008

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 5/11, 2008.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **11409**

Date: **3-12-08**

PAID RECEIPT

BUSINESS ACTUAL TIME DAY

3/12/2008 3/12/2008 09:10:29 1

REC #01 WALKIN JRIC JNR

>>RECEIPT # 366996 3/12/2008 OFU

Dept 5 520 ZONING VERIFICATION

011409

Recpt Tot \$705.00

\$705.00 CR 1.00 CA

Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001		001		6150				705.00

Total: **705.00**

Rec From: **M. McGAW**

For: **21109 RISE R**
SPECIAL EXCEPTED VOUCHER
05-926-KA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 08-426-XA

Petitioner/Developer: MICHAEL
McCANN P.A.

Date Of Hearing/Closing: 5/19/08

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

Attention:

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
at 21109 RIDGE ROAD

This sign(s) were posted on May 3, 2008

(Month, Day, Year)

Sincerely,

Martin Ogle 5/3/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



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: 08-4268A

Petitioner: CHAD NEAL

Address or Location: 21109 RIDGE RD FREELAND MD

21053

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL McCANN

Address: 118 W. PENNSYLVANIA AVE
TOWSON MD 21204

Telephone Number: 410-825-2150

Revised 2/20/98 - SCJ



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

April 1, 2008
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

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: 08-426-XA

21109 Ridge Road

E/side of Ridge Road, 1100 feet north of Freeland and Ridge Roads

6th Election District – 3rd Councilmanic District

Legal Owners: Chad Neal

Special Exception for a landscape service operation. Variance to permit an accessory building (garage) of 21 feet in height in lieu of the required 15 feet and to allow accessory building (garage) of 2520 square feet and to permit side yard setback from garage of 18 feet in lieu of the required 35 feet and 50 feet respectively.

Hearing: Monday, May 19, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204


Timothy Kotroco
Director

TK:klm

C: Michael McCann, 118 W. Pennsylvania Avenue, Towson 21204
Chad Neal, 21109 Ridge Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 3, 2008.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 1, 2008 Issue - Jeffersonian

Please forward billing to:
Michael McCann
118 W. Pennsylvania Avenue
Towson, MD 21204

410-825-2150

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: 08-426-XA

21109 Ridge Road

E/side of Ridge Road, 1100 feet north of Freeland and Ridge Roads

6th Election District – 3rd Councilmanic District

Legal Owners: Chad Neal

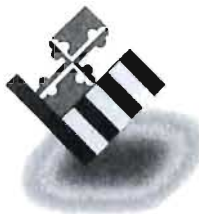
Special Exception for a landscape service operation. Variance to permit an accessory building (garage) of 21 feet in height in lieu of the required 15 feet and to allow accessory building (garage) of 2520 square feet and to permit side yard setback from garage of 18 feet in lieu of the required 35 feet and 50 feet respectively.

Hearing: Monday, May 19, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.



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

May 15, 2008

Chad Neal
21109 Ridge Rd.
Freeland, MD 21053

Dear Chad Neal

RE: Case Number:2008-0426-A , Address

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 12, 2008 . This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Michael R. McCann, 118 W. Pennsylvania Av., Towson, MD 21204



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 26, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 24, 2008

Item Number: 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 429, 430, 431, 432, 433, 434
and 435

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 1, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For March 31, 2008
Item Nos. 08-401, 418, 419, 420, 421, 422,
426, 427, 428, 429, 430, 431, 432, 433, 434,
435, 438, 439, and 440

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-03282008.doc



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MARCH 24, 2008

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

RE: Baltimore County
Item No. 8-426-XA
21109 RIDGE ROAD
SPECIAL EXCEPTION
VARIANCE
NEAL PROPERTY

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. 8-426-XA.

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,

for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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

TB 5/19
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 9, 2008

RECEIVED
APR 09 2008

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

BY: _____

SUBJECT: 8-426 – Special Exception and Variance

The Office of Planning does not oppose the petitioner's request for special exception or to permit an accessory structure (garage) with a height of 26 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
2. The proposed garage shall have a style and architecture that is consistent with the surrounding rural character of the community.
3. Submit a landscape plan that shows existing and proposed landscaping. Also show access to the site and the limits of the gravel-covered areas.

For further information concerning the matters stated herein, please contact Jessie Bialek at 410-887-3480.

Prepared by: Candis Murray

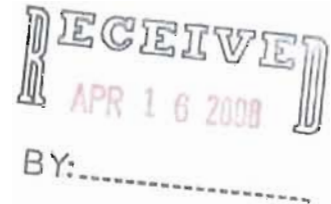
Section Chief: Lynn Lanher

AFK/LL: CM

TB 5/19
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

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

DATE: April 16, 2008

SUBJECT: Zoning Item # 08-426-XA
Address 21109 Ridge Road
(Neal Property)

Zoning Advisory Committee Meeting of March 24, 2008

- _____ 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:

Prior to building permit approval, the septic area must be shown on the plan. The proposed building must be 20 feet from the Septic Reserve Area. If plumbing is proposed in the building, percolation tests may be required. – S. Farinetti; Ground Water Management

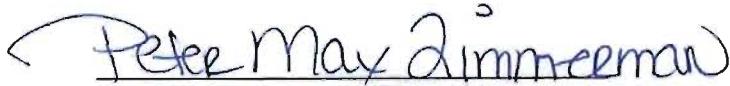
RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE
21109 Ridge Road; E/S Ridge Road, 1,100' N * ZONING COMMISSIONER
Freeland & Ridge Roads
6th Election & 3rd Councilmanic Districts * FOR
Legal Owner(s): Chad Neal
Petitioner(s) * BALTIMORE COUNTY
* 08-426-XA

* * * * *

ENTRY OF APPEARANCE

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

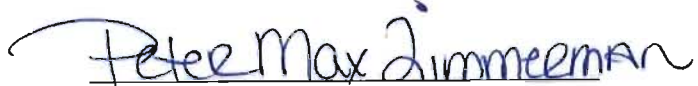
RECEIVED
MAR 24 2008
Per.....


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to Michael McCann, Esquire, 118 W. Pennsylvania Avenue, Towson, Maryland 21204 , Attorney for Petitioner(s).


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER 08-426-XA
DATE _____

[illegible]

Case No.:

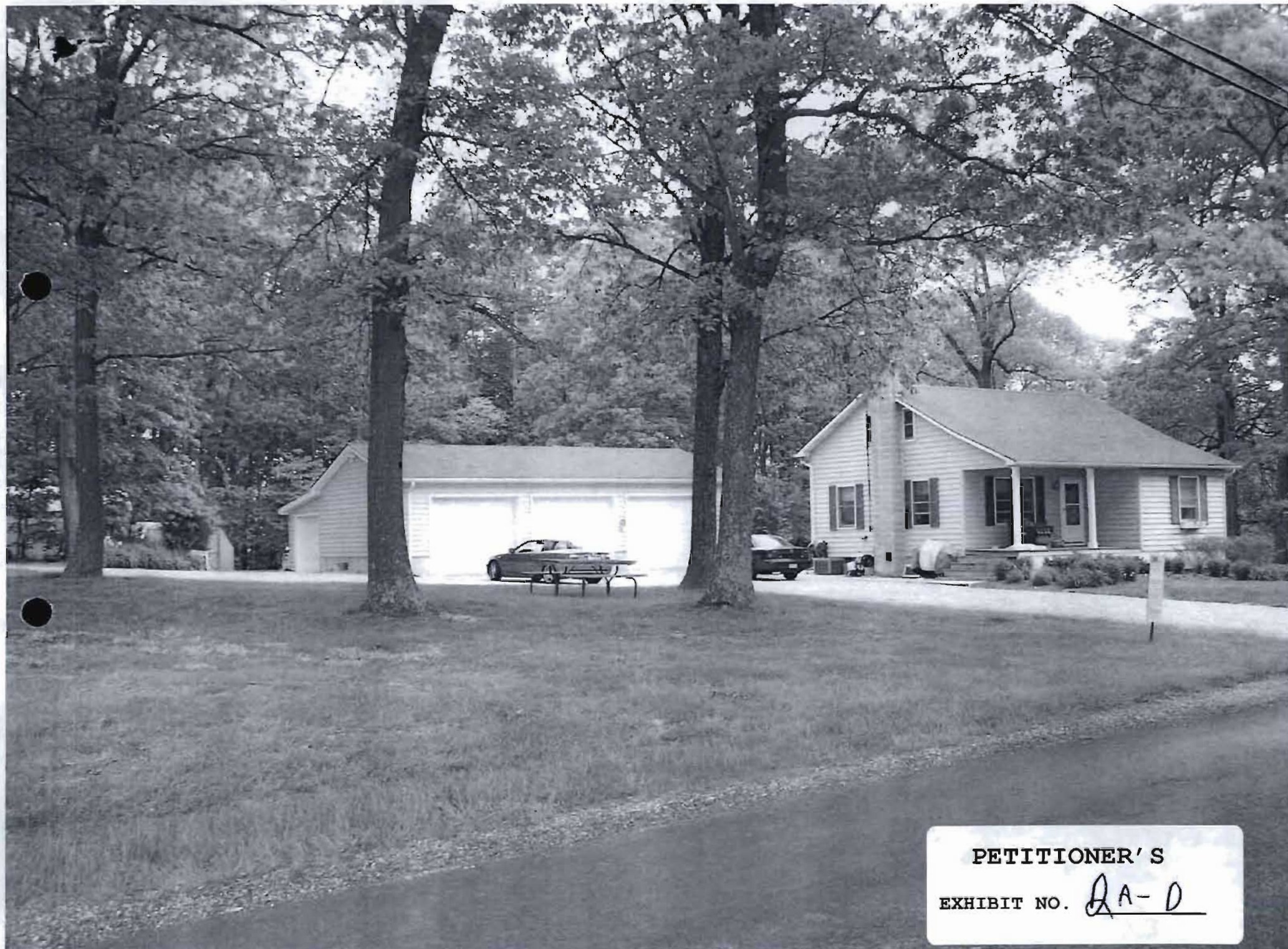
08-426-XA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	Petition against requester relief
No. 2	photos of property	
No. 3	photos of property to left	
No. 4	photos of property to right	
No. 5	photos of similar garage structures w/in $\frac{1}{2}$ mile	
No. 6	photo of large County Building w/ $\frac{3}{4}$ mile	
No. 7	Petition in support of relief	
No. 8	thank you letter from rarily Johora's Witnesses	
No. 9		
No. 10		
No. 11		
No. 12		



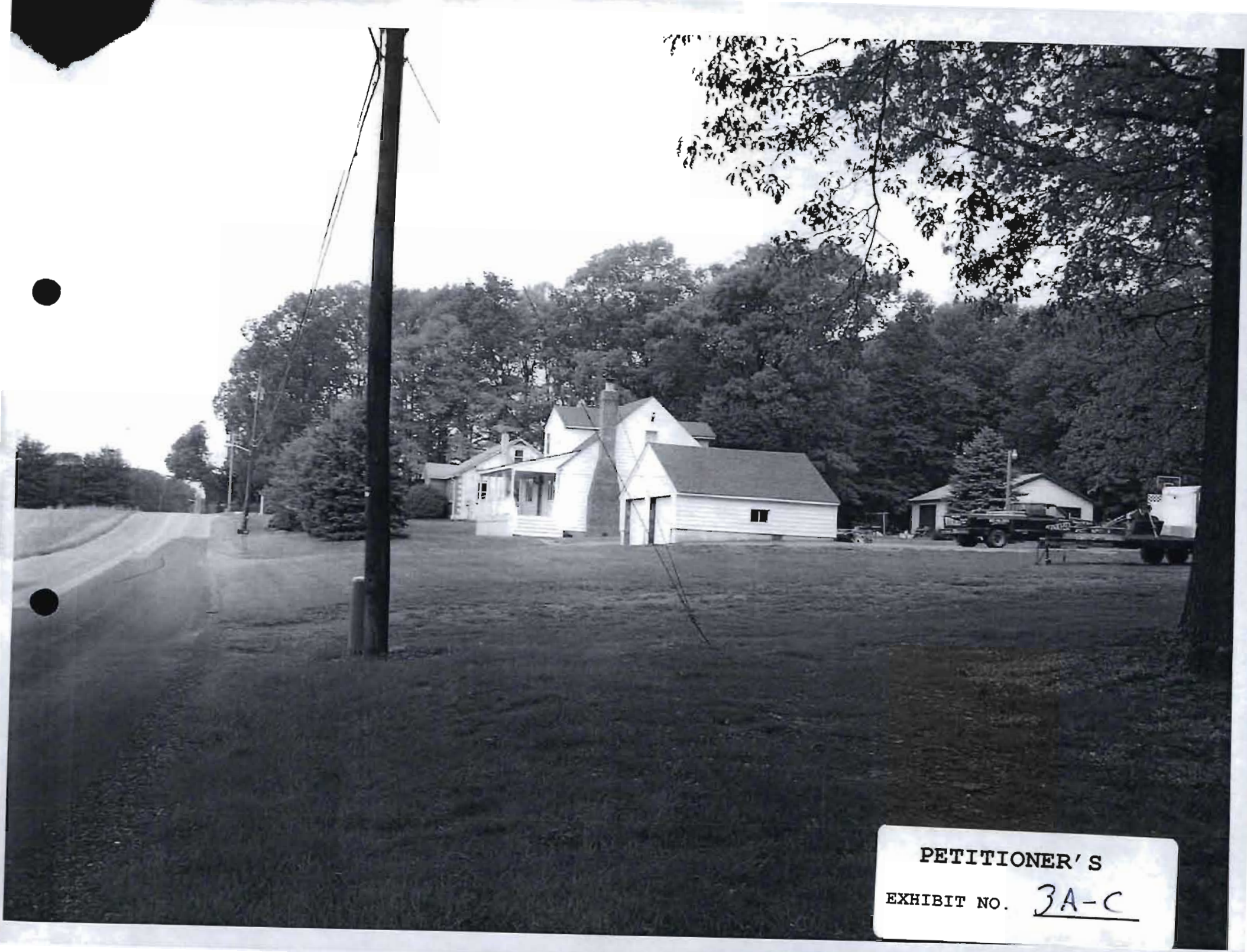
PETITIONER'S

EXHIBIT NO. QA-D









PETITIONER' S
EXHIBIT NO. 3A-C



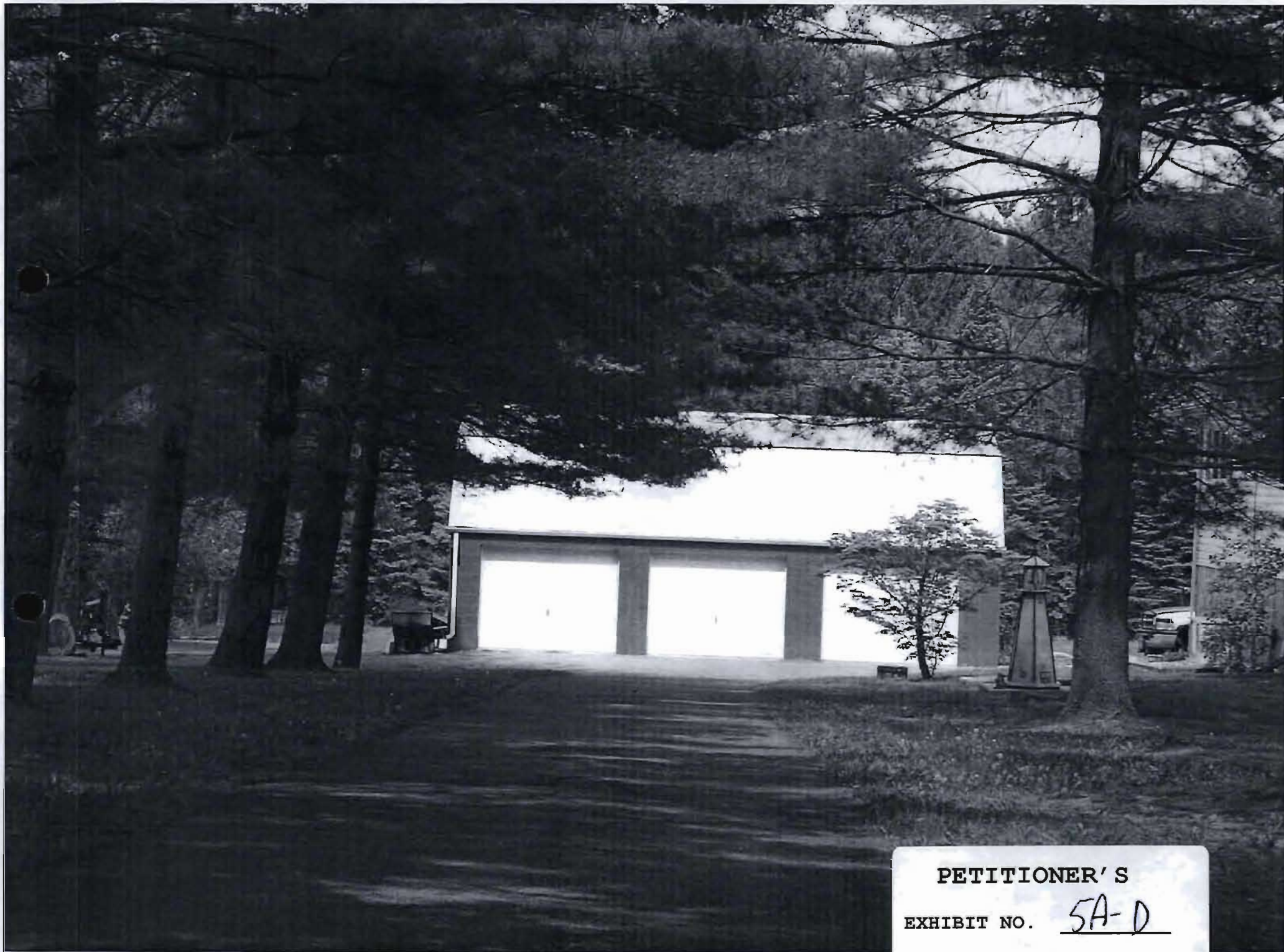




PETITIONER'S
EXHIBIT NO. 4A-C



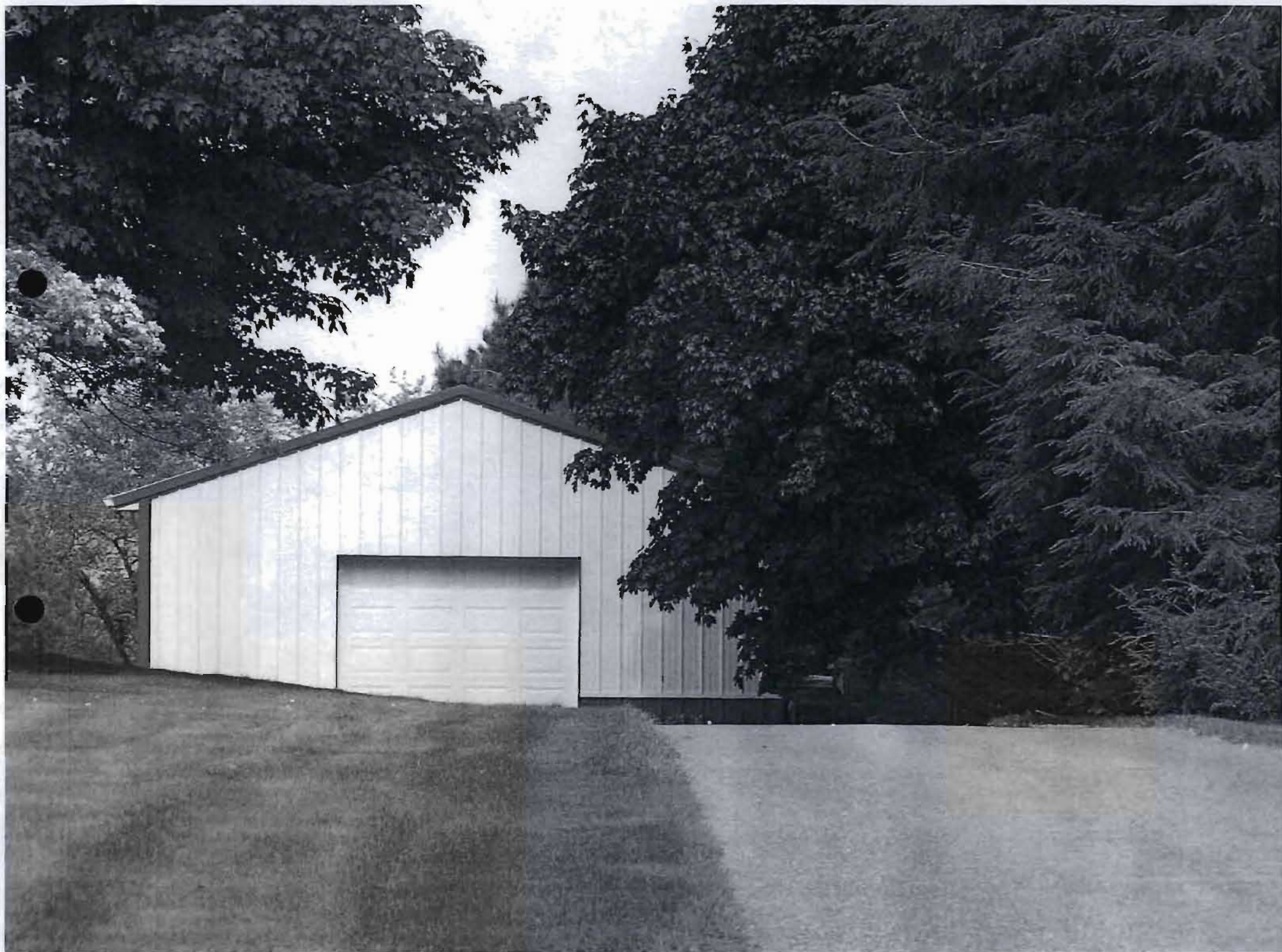




PETITIONER'S

EXHIBIT NO. 5A-D









PETITIONER'S

EXHIBIT NO. 6

Petition in Support of Special Exception and Variances
Before the Baltimore County Zoning Commissioner
Case No. 08-426-A/21109 Ridge Road

We, the undersigned, approve and support the Petition for Special Exception and Petition for Variances filed by Chad Neal at 21109 Ridge Road requesting approval to construct a new garage for his landscape service operation. Mr. Neal has shown us the plans for this garage and/or explained what he is proposing. We believe that Mr. Neal's proposal meets the standard in Section 502.1 of the County's Zoning Regulations, a copy of which is attached hereto.

Name

Address

Date

(p10)	Jean Simons	21105 Ridge Rd. Freeland md 21053	5/10/9
	James Johnson	1723 Oakland Rd Freeland md 21053	5-9-08
	Shirley Winkler	21206 Ridge Rd Freeland md 21053	5-9/8
(p8)	James Whitcomb	21130 Ridge Rd Freeland md	5-9-08
	Robert E. Jones	21016 Ridge Rd. Freeland md	5-14-08
	Betty Yeager	21016 Ridge Rd Freeland md 21053	5-14-08
(p96+118)	William Winkler	21117 Ridge Rd Freeland md 21053	5-14-08
	Robert A. Morris	1400 Morris Rd. Freeland md. 21053	5/14/08
(p757)	Richard Corona	21131 Ridge Rd	5/14/08
	Sam Mangello	21202 Ridge Rd	5/15/08

PETITIONER'S

EXHIBIT NO.

7

502.1 Before any special exception may be granted, it must appear that the use for which the special exception is requested will 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 danger;
- 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; [Bill No. 45-1982]
- 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; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- 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. [Bill No. 74-2000]

(Lot 1)

Freeland Congregation of Jehovah's Witnesses

October 22, 2007

Whispering Meadows
21109 Ridge Road
Freeland, Md 21053

Dear Chad,

We just to thank you again for all the hard work you and your crew have done for us over the years we've been neighbors.

We appreciate the help with the landscaping of our Kingdom this past September and donating the use of your equipment again. The leaves are dropping so we'd like to use the blowers later this month or next and hopefully you won't have to push snow anytime soon.

The use of your equipment and gas certainly saves us a considerable amount of money and the generosity of your time is also appreciated.

Sincerely,

The Freeland Congregation of Jehovah's Witnesses

Scott Wagner

Preach this good news of the Kingdom

PETITIONER'S

EXHIBIT NO. 8

CASE NUMBER: 8-426-XA

21109 Ridge Road

Location: E side Ridge Road, 1100 feet N of Freeland and Ridge Roads.

6th Election District, 3rd Councilmanic District

Legal Owner: Chad Neal

SPECIAL EXCEPTION Landscape service operation.

VARIANCE To permit an accessory building (garage) of 21 feet in height in lieu of required 15 feet and to allow accessory building (garage) of 2520 square feet and to permit side yard setback from garage of 18 feet in lieu of required 35 feet and 50 feet, respectively.

Hearing: Monday, 5/19/2008 at 9:00:00 AM, County Courts Building, 401 Bosley Avenue, Room 407, Towson 21204

OPPOSE	FAVOR
Stuart and Elizabeth Leinwand 21011 Ridge Road Freeland, MD 21053-9568	
Thomas and Bonnie Mason 21025 Ridge Road Freeland, MD 21053-9568	
Christopher Marciniak 21321 Ridge Road Freeland, MD 21053-9594	
Douglas Bellin 21330 Ridge Road Freeland, MD 21053-9544	
Carolyn Anoff 21217 Ridge Road Freeland, MD 21053-9572	
Tara and Martin Kuser 21334 Ridge Road Freeland, MD 21053-9544	
Ray V. Beacham 21301 Ridge Road Freeland, MD 21053-9594	

PROTESTANT' S

EXHIBIT NO.

1A-6

As of 05/16/08

Bonnie & Tom Mason
bonnie.mason@hughes.net
21025 Ridge Road
Freeland, MD 21053

May 7, 2008

Re: Variance No.: 2008 - 426 - XA
Hearing Monday, May 19, 2008
9:00 a.m.
Baltimore County Zoning OFC
Room 407 - Towson, MD
County Courts Building 21204

To: Hearing Officers/Members Variance Committee - Baltimore County
To: All neighbors on Ridge Rd - Freeland MD 21053

When you purchased or rented your home on Ridge Rd. Freeland, MD 21053 you, hopefully, correctly, assumed that you were purchasing/renting valuable property that was and would continue to be zoned residential and/or agricultural. Further, you assumed that Baltimore County, MD would protect your property rights - and NOT allow devaluing of your property.

Within their rights - our neighbors, the Neals - Whispering Meadows Landscaping - have requested that Baltimore County allow them a "Variance" to construct a large building - 21 FEET HIGH - and 2520 SQ FT to hold landscaping equipment. Further, their Variance Request asks that they the building be exempted from the set back rules that - **all of our homes have had to comply with.**

You have the right to KEEP the zoning and ask Baltimore County to NOT allow DEVALUING of your property by this COMMERCIAL USE structure being placed on Ridge Rd. If this VARIANCE is allowed, and this COMMERCIAL USE BUILDING goes in this allows other COMMERCIAL use "VARIANCE" APPLICANTS TO ARGUE THAT A PRECEDENT HAS BEEN ALLOWED IN THE PAST AND SHOULD BE ALLOWED **PRESENTLY AND IN THE FUTURE.** This means that an even LESS DESIRABLE commercial application may be granted in the future - thus DENIGRATING our property values further.

You have the right to state that the building they are proposing would INCREASE THE NUMBER OF VEHICLES PUTTING OUT EXHAUST FUMES AND GENERALLY CAUSING AN INCREASE IN TRAFFIC ON Ridge Rd. Please place your name on this line Tom + Bonnie Mason, place your address on this line 21025 Ridge Rd Freeland, MD sign your name on the following line BB Mason Thomas Neals, place this letter in the mail with a 4 cent stamp - the mailing address is pre-printed on the back -- simply tri-fold, scotch tape, and place in mailbox. Thanking you in advance for your effort to maintain property values and peacefulness.

Bonnie & Tom Mason
bonnie.mason@hughes.net
21025 Ridge Road
Freeland, MD 21053

May 7, 2008

Re: Variance No.: 2008 - 426 - XA
Hearing Monday, May 19, 2008
9:00 a.m.
Baltimore County Zoning OFC
Room 407 - Towson, MD
County Courts Building 21204

To: Hearing Officers/Members Variance Committee - Baltimore County
To: All neighbors on Ridge Rd - Freeland MD 21053

When you purchased or rented your home on Ridge Rd. Freeland, MD 21053 you, hopefully, correctly, assumed that you were purchasing/renting valuable property that was and would continue to be zoned residential and/or agricultural. Further, you assumed that Baltimore County, MD would protect your property rights - and NOT allow devaluing of your property.

Within their rights - our neighbors, the Neals - Whispering Meadows Landscaping - have requested that Baltimore County allow them a "Variance" to construct a large building - 21 FEET HIGH - and 2520 SQ FT to hold landscaping equipment. Further, their Variance Request asks that they the building be exempted from the set back rules that - **all of our homes have had to comply with.**

You have the right to KEEP the zoning and ask Baltimore County to NOT allow DEVALUING of your property by this COMMERCIAL USE structure being placed on Ridge Rd. If this VARIANCE is allowed, and this COMMERCIAL USE BUILDING goes in this allows other COMMERCIAL use "VARIANCE" APPLICANTS TO ARGUE THAT A PRECEDENT HAS BEEN ALLOWED IN THE PAST AND SHOULD BE ALLOWED **PRESENTLY AND IN THE FUTURE.** This means that an even LESS DESIRABLE commercial application may be granted in the future - thus DENIGRATING our property values further.

You have the right to state that the building they are proposing would INCREASE THE NUMBER OF VEHICLES PUTTING OUT EXHAUST FUMES AND GENERALLY CAUSING AN INCREASE IN TRAFFIC ON Ridge Rd. Please place your name on this line CHRISTOPHER MACCINIAR, place your address on this line 21321 RIDGE RD, sign your name on the following line Christoph Macciniar, place this letter in the mail with a 41 cent stamp - the mailing address is pre-printed on the back -- simply tri-fold, scotch tape, and place in mailbox. Thanking you in advance for your effort to maintain property values and peacefulness.

Bonnie & Tom Mason
bonnie.mason@hughes.net
21025 Ridge Road
Freeland, MD 21053

May 7, 2008

Re: Variance No.: 2008 - 426 - XA
Hearing Monday, May 19, 2008
9:00 a.m.
Baltimore County Zoning OFC
Room 407 - Towson, MD
County Courts Building 21204

To: Hearing Officers/Members Variance Committee - Baltimore County
To: All neighbors on Ridge Rd - Freeland MD 21053

When you purchased or rented your home on Ridge Rd. Freeland, MD 21053 you hopefully, correctly, assumed that you were purchasing/renting valuable property that was and would continue to be zoned residential and/or agricultural. Further, you assumed that Baltimore County, MD would protect your property rights - and NOT allow devaluing of your property.

Within their rights - our neighbors, the Neals - Whispering Meadows Landscaping - have requested that Baltimore County allow them a "Variance" to construct a large building - 21 FEET HIGH - and 2520 SQ FT to hold landscaping equipment. Further, their Variance Request asks that they the building be exempted from the set back rules that - **all of our homes have had to comply with.**

You have the right to KEEP the zoning and ask Baltimore County to NOT allow DEVALUING of your property by this COMMERCIAL USE structure being placed on Ridge Rd. If this VARIANCE is allowed, and this COMMERCIAL USE BUILDING goes in this allows other COMMERCIAL use "VARIANCE" APPLICANTS TO ARGUE THAT A PRECEDENT HAS BEEN ALLOWED IN THE PAST AND SHOULD BE ALLOWED **PRESENTLY AND IN THE FUTURE.** This means that an even LESS DESIRABLE commercial application may be granted in the future - thus DENIGRATING our property values further.

You have the right to state that the building they are proposing would INCREASE THE NUMBER OF VEHICLES PUTTING OUT EXHAUST FUMES AND GENERALLY CAUSING AN INCREASE IN TRAFFIC ON Ridge Rd. Please place your name on this line Douglas Bellin, place your address on this line 21330 Ridge Road, sign your name on the following line Douglas Bellin, place this letter in the mail with a 4¢ cent stamp - the mailing address is pre-printed on the back -- simply tri-fold, scotch tape, and place in mailbox. Thanking you in advance for your effort to maintain property values and peacefulness.

Bonnie & Tom Mason
bonnie.mason@hughes.net
21025 Ridge Road
Freeland, MD 21053

May 7, 2008

Re: Variance No.: 2008 – 426 - XA
Hearing Monday, May 19, 2008
9:00 a.m.
Baltimore County Zoning OFC
Room 407 – Towson, MD
County Courts Building 21204

To: Hearing Officers/Members Variance Committee – Baltimore County
To: All neighbors on Ridge Rd – Freeland MD 21053

When you purchased or rented your home on Ridge Rd. Freeland, MD 21053 you, hopefully, correctly, assumed that you were purchasing/renting valuable property that was and would continue to be zoned residential and/or agricultural. Further, you assumed that Baltimore County, MD would protect your property rights – and NOT allow devaluing of your property.

Within their rights – our neighbors, the Neals – Whispering Meadows Landscaping –have requested that Baltimore County allow them a “Variance” to construct a large building – 21 FEET HIGH – and 2520 SQ FT to hold landscaping equipment. Further, their Variance Request asks that they the building be exempted from the set back rules that – **all of our homes have had to comply with.**

You have the right to KEEP the zoning and ask Baltimore County to NOT allow DEVALUING of your property by this COMMERCIAL USE structure being placed on Ridge Rd. If this VARIANCE is allowed, and this COMMERCIAL USE BUILDING goes in this allows other COMMERCIAL use “VARIANCE” APPLICANTS TO ARGUE THAT A PRECEDENT HAS BEEN ALLOWED IN THE PAST AND SHOULD BE ALLOWED **PRESENTLY AND IN THE FUTURE.** This means that an even LESS DESIRABLE commercial application may be granted in the future – thus DENIGRATING our property values further.

You have the right to state that the building they are proposing would INCREASE THE NUMBER OF VEHICLES PUTTING OUT EXHAUST FUMES AND GENERALLY CAUSING AN INCREASE IN TRAFFIC ON Ridge Rd. Please place your name on this line Tara + Marty Kuser, place your address on this line 21334 Ridge Rd., sign your name on the following line Tara L. Kuser, place this letter in the mail with a 4 cent stamp – the mailing address is pre-printed on the back -- simply tri-fold, scotch tape, and place in mailbox. Thanking you in advance for your effort to maintain property values and peacefulness.

Bonnie & Tom Mason
bonnie.mason@hughes.net
21025 Ridge Road
Freeland, MD 21053

May 7, 2008

Re: Variance No.: 2008 - 426 - XA
Hearing Monday, May 19, 2008
9:00 a.m.
Baltimore County Zoning OFC
Room 407 - Towson, MD
County Courts Building 21204

To: Hearing Officers/Members Variance Committee - Baltimore County
To: All neighbors on Ridge Rd - Freeland MD 21053

When you purchased or rented your home on Ridge Rd. Freeland, MD 21053 you, hopefully, correctly, assumed that you were purchasing/renting valuable property that was and would continue to be zoned residential and/or agricultural. Further, you assumed that Baltimore County, MD would protect your property rights - and NOT allow devaluing of your property.

Within their rights - our neighbors, the Neals - Whispering Meadows Landscaping - have requested that Baltimore County allow them a "Variance" to construct a large building - 21 FEET HIGH - and 2520 SQ FT to hold landscaping equipment. Further, their Variance Request asks that they the building be exempted from the set back rules that - **all of our homes have had to comply with.**

You have the right to KEEP the zoning and ask Baltimore County to NOT allow DEVALUING of your property by this COMMERCIAL USE structure being placed on Ridge Rd. If this VARIANCE is allowed, and this COMMERCIAL USE BUILDING goes in this allows other COMMERCIAL use "VARIANCE" APPLICANTS TO ARGUE THAT A PRECEDENT HAS BEEN ALLOWED IN THE PAST AND SHOULD BE ALLOWED **PRESENTLY AND IN THE FUTURE.** This means that an even LESS DESIRABLE commercial application may be granted in the future - thus DENIGRATING our property values further.

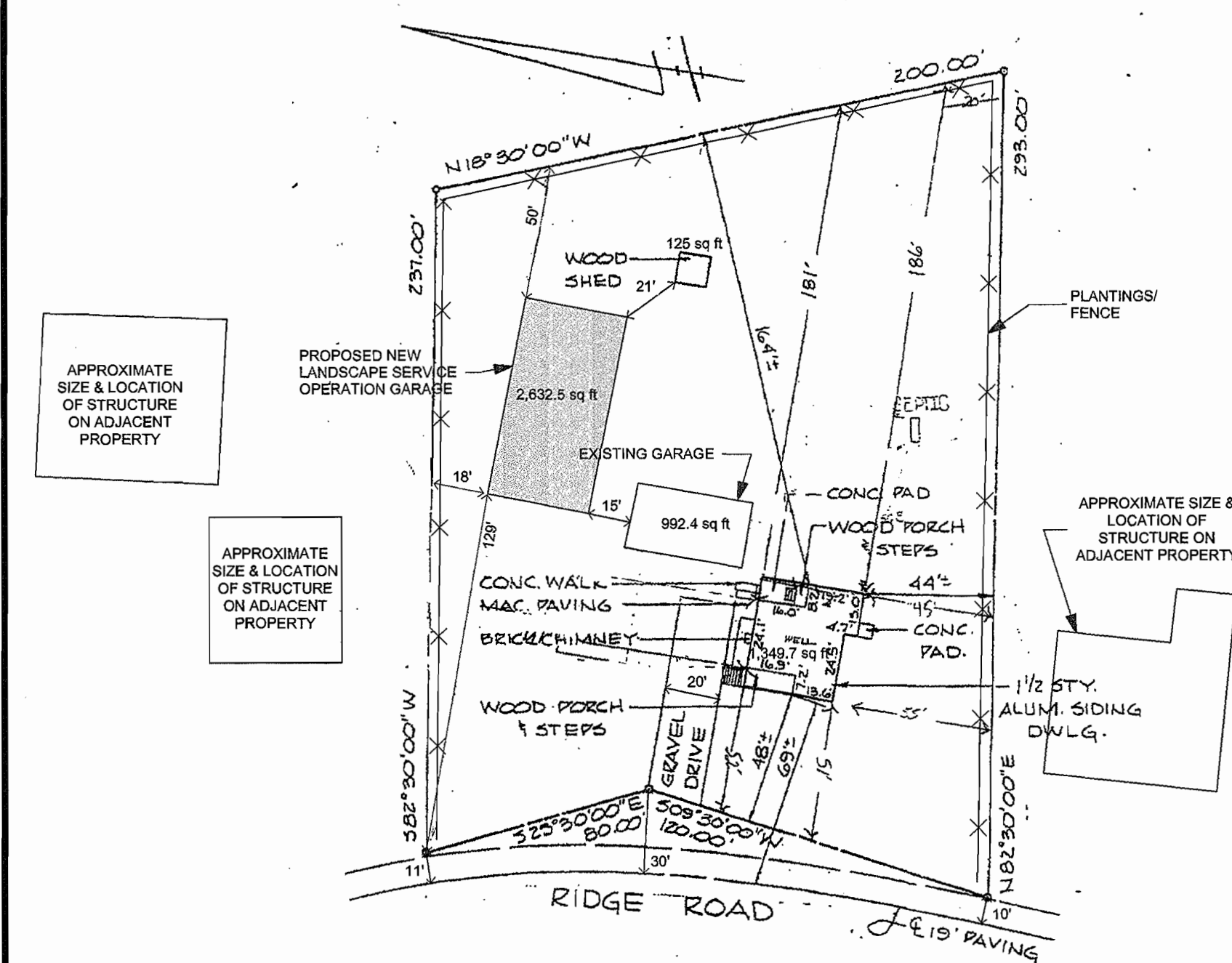
You have the right to state that the building they are proposing would INCREASE THE NUMBER OF VEHICLES PUTTING OUT EXHAUST FUMES AND GENERALLY CAUSING AN INCREASE IN TRAFFIC ON Ridge Rd. Please place your name on this line RAY V. BEACHAM, place your address on this line 21301 RIDGE ROAD, sign your name on the following line Ray Beacham, place this letter in the mail with a 41 cent stamp - the mailing address is pre-printed on the back -- simply tri-fold, scotch tape, and place in mailbox. Thanking you in advance for your effort to maintain property values and peacefulness.

WE ARE OPPOSED!!



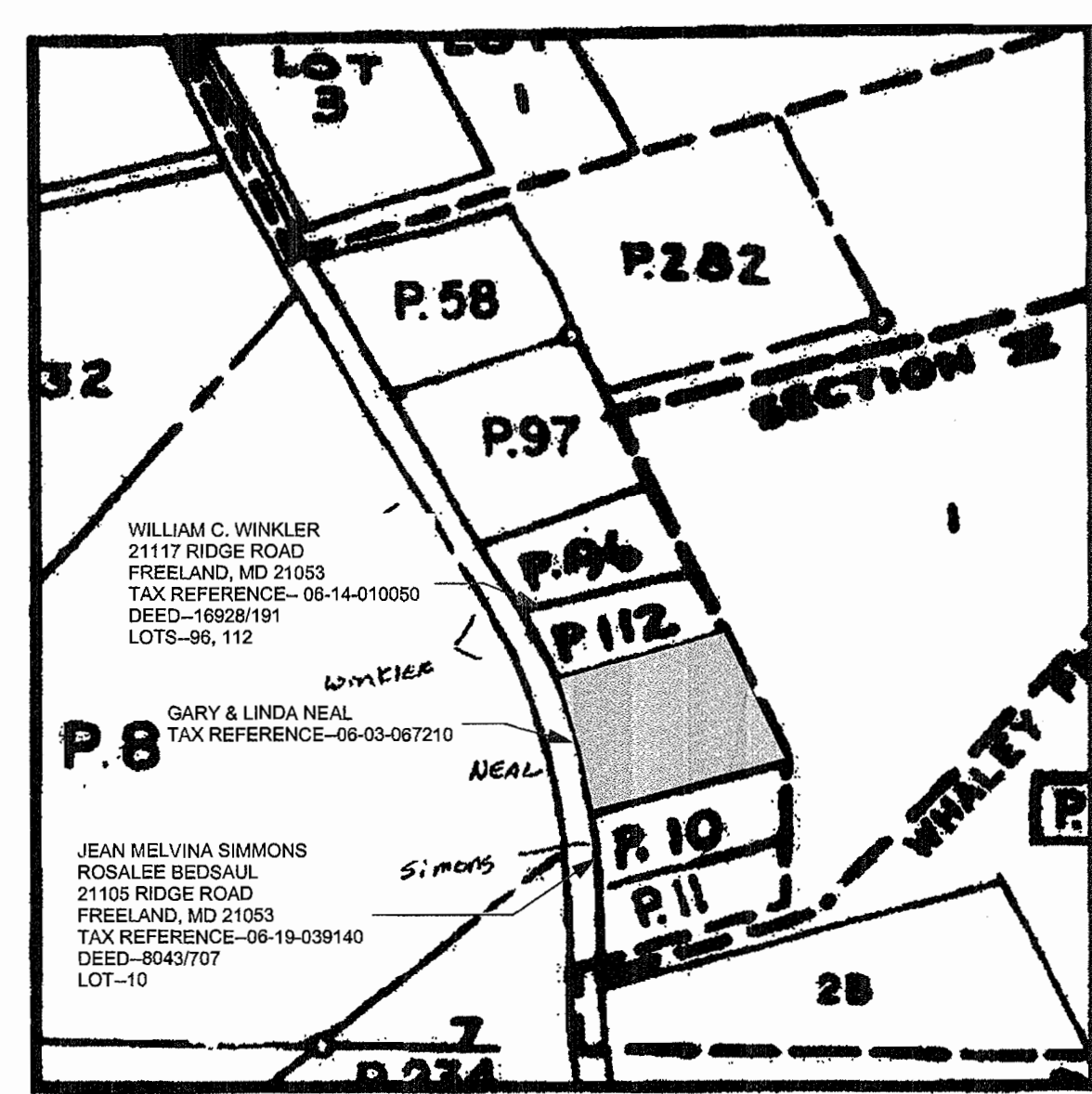
RAY V. BEACHAM
21301 Ridge Rd.
Freeland, MD 21053

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

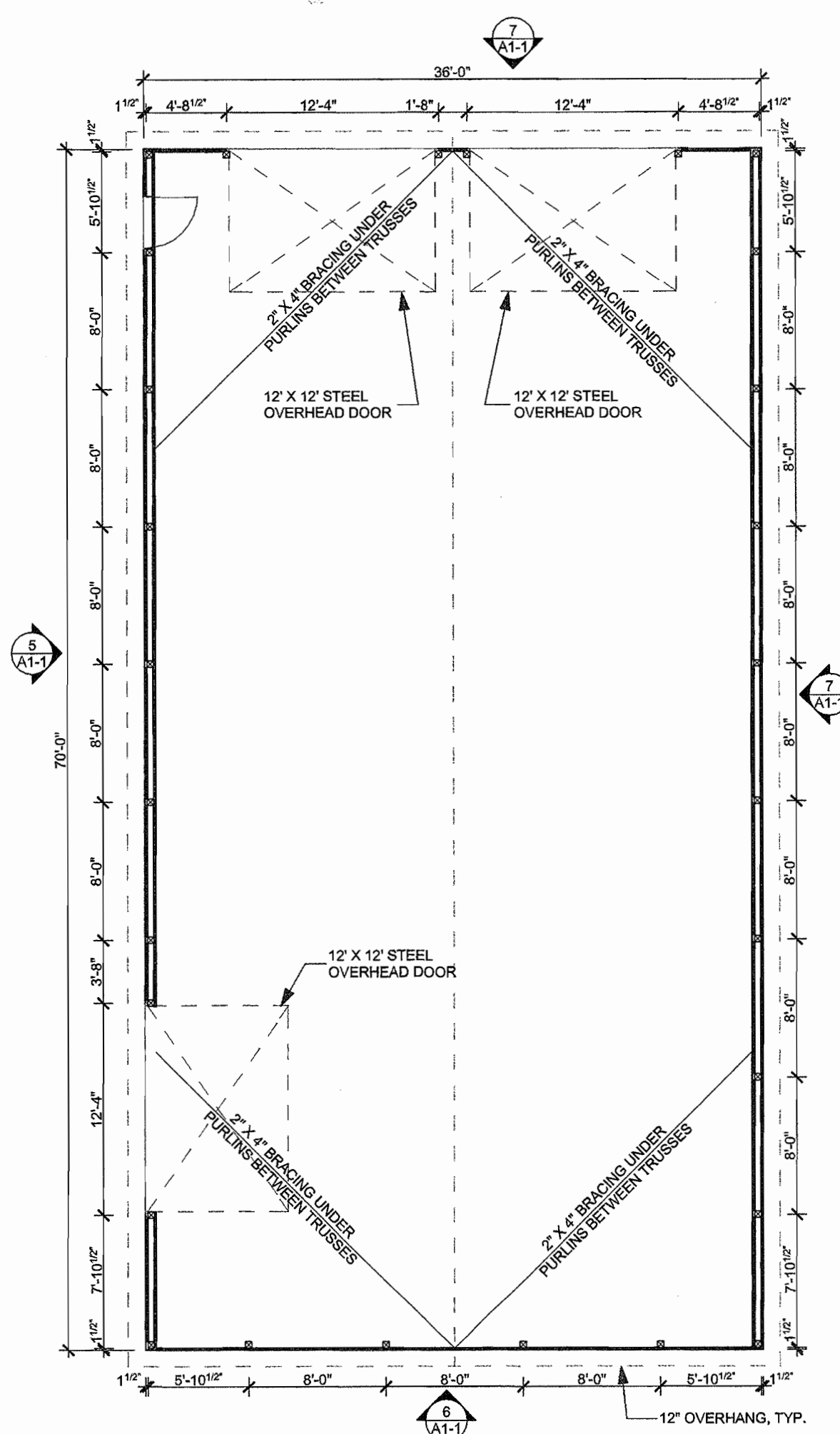


I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown. This plat is not intended for use in establishing property lines.

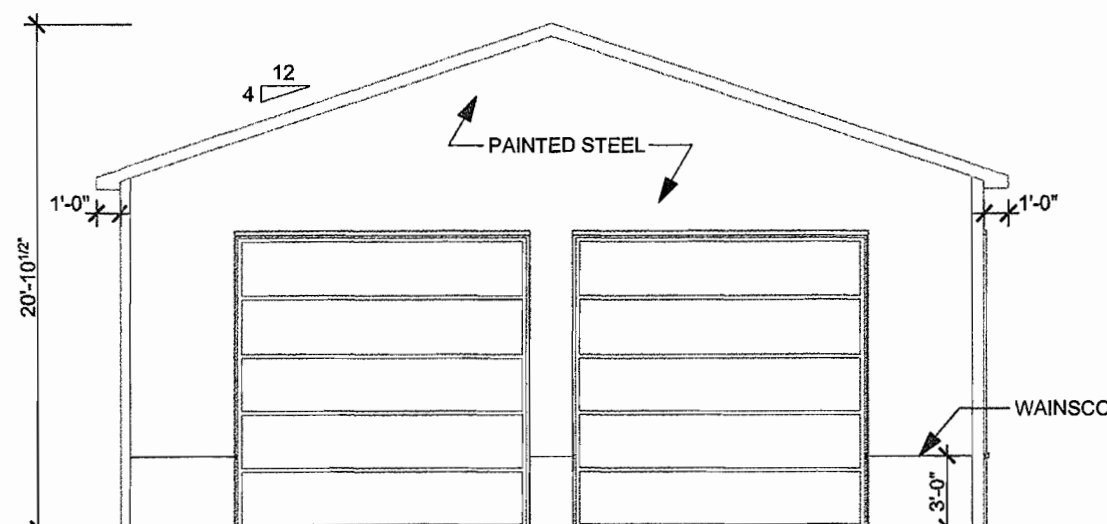
DEED REFERENCE: 5154/221
ELECTION DISTRICT: BALTIMORE COUNTY, MD.



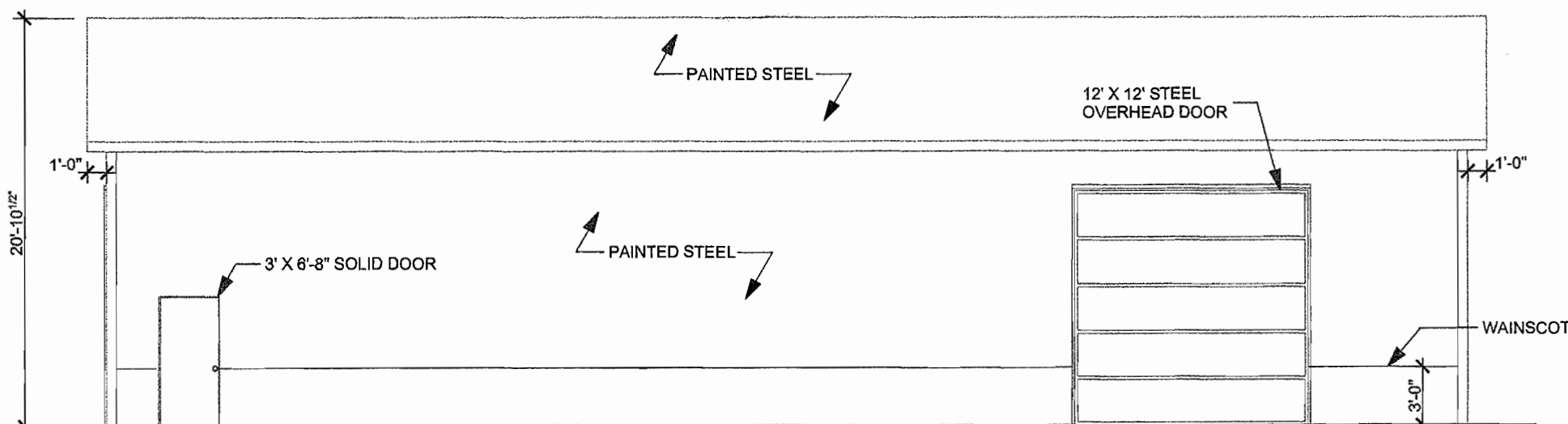
2 ADJACENT PROPERTIES



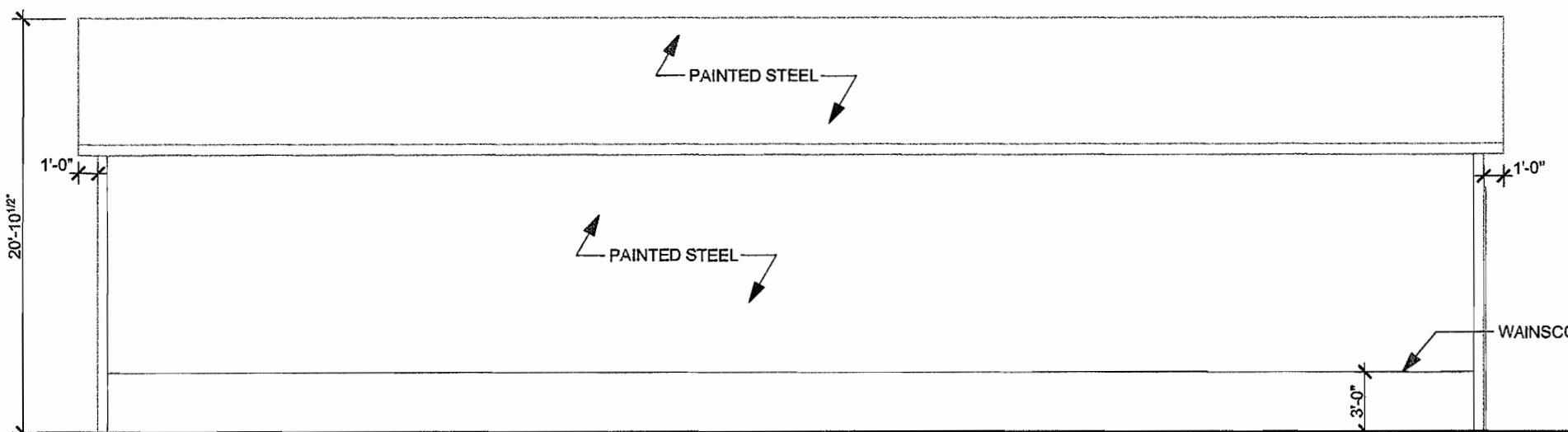
3 FLOOR PLAN
SCALE: 1/8" = 1'-0"



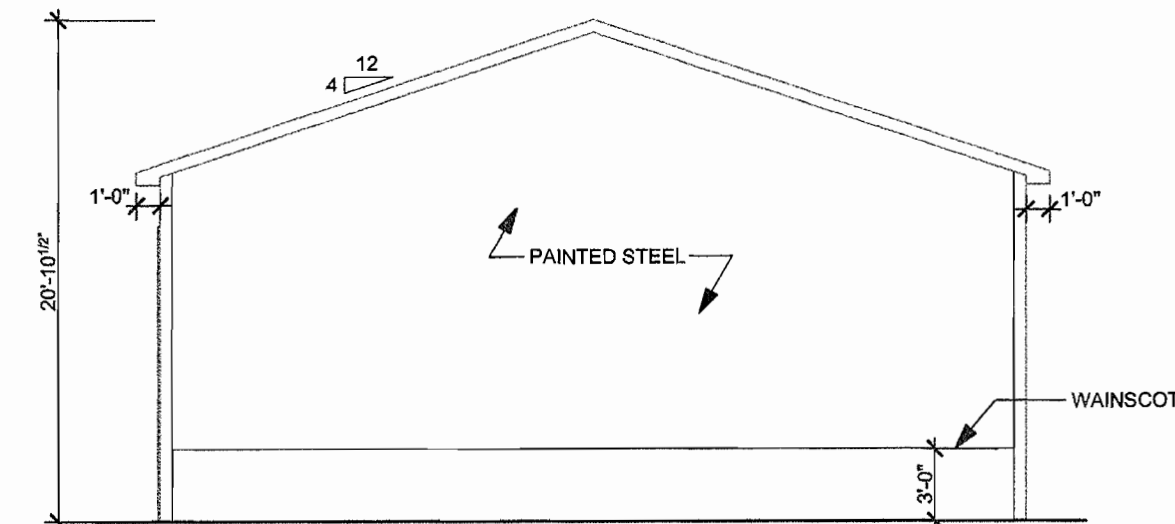
4 END ELEVATION
SCALE: 1/8" = 1'-0"



5 SIDE ELEVATION
SCALE: 1/8" = 1'-0"

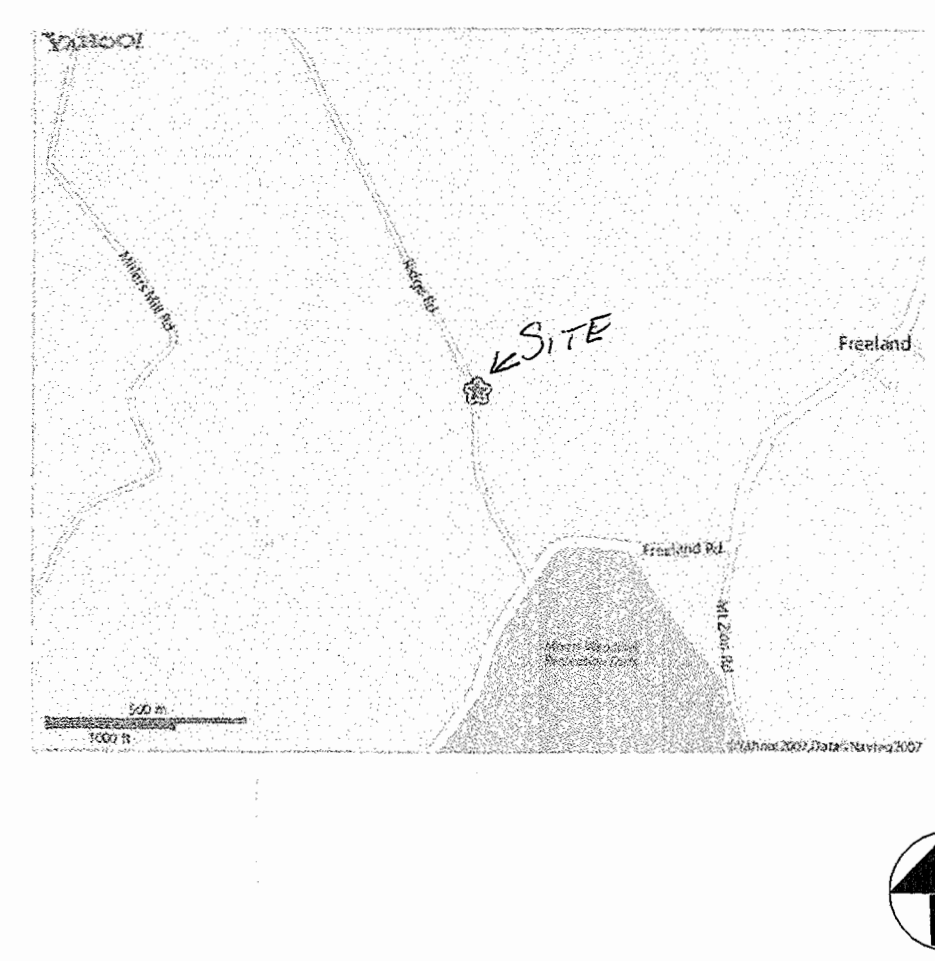


6 SIDE ELEVATION
SCALE: 1/8" = 1'-0"



7 END ELEVATION
SCALE: 1/8" = 1'-0"

VICINITY MAP SCALE: 1"=1000'



LOCATION INFORMATION

PROPERTY ADDRESS: 21109 RIDGE ROAD, FREELAND, MD 21053

FOLIO # 221 LOT # 59

OWNER(S): GARY & LINDA NEAL

TAX ACCOUNT NUMBER: 0603067210

ELECTION DISTRICT: 6

COUNCILMANIC DISTRICT: 3

ZONING: RC-2

LOT SIZE: 1.09 ACRES 50,699 SQ. FT.

SEWER: PRIVATE

WATER: PRIVATE

CHESAPEAKE BAY CRITICAL AREA: NO

100 YEAR FLOOD PLAIN: NO, 869' ELEVATION

HISTORIC BUILDING/PROPERTY: NO

PRIOR ZONING HEARING: NO

200 Scale Map 00621

BEGINNING FOR THE SAME AT A POINT ON THE EAST SIDE OF RIDGE ROAD MARKED BY A STONE, AN ORIGINAL CORNER MARKER FOR ROBINSON'S MAIN TRACT, IT BEING AT THE END OF THE SOUTH 25 1/2 DEGREES EAST 26 PERCHES LINE OF THE WHOLE TRACT AND RUNNING THENCE FROM THIS POINT OF BEGINNING ALONG THE EAST SIDE OF RIDGE ROAD SOUTH 9 1/2 DEGREES WEST 120 FEET TO A POINT THENCE BY LINES OF DIVISION ALONG LAND OF THE GRANTOR NORTH 82 1/2 DEGREES EAST 293 FEET THENCE NORTH 18 1/2 DEGREES WEST 200 FEET THENCE ALONG A LOT ABOUT TO BE CONVEYED TO LESTER NEAL SOUTH 82 1/2 DEGREES WEST 237 FEET TO THE FIRST MENTIONED LINE THENCE ALONG THE SAID LINE AND BINDING THEREON SOUTH 25 1/2 DEGREES EAST 80 FEET TO THE PLACE OF BEGINNING. THE IMPROVEMENTS THEREON BEING KNOWN AS 21109 RIDGE ROAD.

PERMIT APPROVAL ZONING OFFICE USE

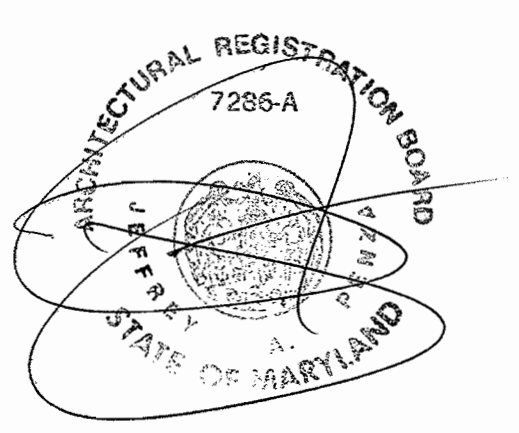
REVIEWED BY: _____

ITEM #: _____

CASE #: _____

PENZA-BAILEY
ARCHITECTS

401 Woodbourne Avenue
Baltimore, Maryland 21212
T 410-435-6677 F 410-435-6868
www.PenzaBailey.com



RENOVATIONS TO

WHISPERING MEADOWS

21109 RIDGE ROAD
FREELAND, MARYLAND 21053

#	DATE	DESCRIPTION
	12/12/2007	ZONING REVIEW
	02/19/2008	
	03/12/2008	

ISSUED FOR:

☒ REVIEW ☐ _____

☐ BID ☐ _____

☐ PERMIT ☐ CD SET

©2007 PENZA BAILEY ARCHITECTS, INC.

DRAWN: LRR PROJECT #: 07569

CHECKED: Jeffrey A. Penza, AIA

CAD FILE: WHISPERING MEADOWS.pln

DATE: 12/11/2007

PLANS & ELEVATIONS
TO ACCOMPANY
ZONING HEARING

A1-1