

IN RE: PETITIONS FOR SPECIAL HEARING *

E/Side of Falls Road, 3,880' S of
Beckleysville Road *

(18603 Falls Road) *

Edward B. Wilson, et ux, Legal Owners *

N/S of a private driveway, 1,250' E of Falls
Road, 3,880' S of Beckleysville Road *

(4209 Beckleysville Road) *

Richard Ciman & Mary Zodhiates, Legal Owners *

5th Election District *

3rd Council District *

Petitioners *

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case Nos. 2009-0193-SPH and
2009-0194-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing filed by Edward B. Wilson, Jr. and his wife, Penny Rae Wilson, owners of 18603 Falls Road, and Richard Ciman and Mary Zodhiates, owners of 4209 Beckleysville Road. Since the properties abut one another, the two (2) cases were heard contemporaneously. As originally filed in both instances, relief was requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow non-density transfers of equal land portions between the parties of 2.2 acres.¹ The subject property and requested relief are more particularly described on the redlined site plan submitted in each case, which were accepted into evidence and respectively marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the proposed land exchanges was Richard E. Matz, with Colbert Matz Rosenfelt, Inc., the professional engineer who prepared the

¹ In response to a Zoning Advisory Committee (ZAC) comment received from Wally Lippincott, Jr., the Land Preservation Manager with the Department of Environmental Protection and Resource Management (DEPRM), the site plan(s) were amended subsequent to the hearing to reflect reduced transfers of 0.40 acre between the parties or just enough land to encompass the Wilson' driveway encroaching on the land of Ciman/Zodhiates.

UNIDENTIFIED
Date 7-8-10
By [Signature]

site plan(s). Also in attendance was Jonathan R. Rathbone, a concerned citizen, farmer and resident of the community, who, following his review of the site plans, had no problem with the proposal as there were no visual changes or construction taking place on either property.

Testimony and evidence offered revealed that the subject properties are irregular shaped parcels located to the east of Falls Road (Md. Route 25), just south of Beckleysville Road in Hampstead. The properties are zoned R.C.2 and R.C.8. The Wilson property (Case No. 2009-0193-SPH) is identified as Parcel 212 on Maryland Tax Map 15 and contains 11.81 acres of agricultural land improved with a 1-½ story single-family dwelling built in 1986 and a detached garage. As illustrated on Exhibit 1, the Wilson's gravel and macadam driveway serving their improvements extends some 900 feet along the common boundary line and encroaches onto the lands of their neighbors, Richard Ciman and Mary Zodhiates. A non-density transfer of 0.40 acre (a narrow 15 foot strip) of Ciman/Zodhiates land that runs along the adjacent side of the existing driveway would allow the Wilsons to proceed with a lot line adjustment, thereby removing this potential cloud on their title.

The Ciman/Zodhiates property (Case No. 2009-0194-SPH) is identified as Parcel 216 on Tax Map 15 and contains 53.99 acres of agricultural land and improved with a 2-½ story circa 1921 single-family residence and a number of associated farm structures clustered along the northwestern portion of the tract. This property is subject to a Maryland Agricultural Land Preservation Foundation (MALPF) easement. Testimony indicated that these Petitioners intend to use their property for agricultural uses pursuant to the requirements of the agricultural preservation easement to which the property is subject. In this regard, the Wilsons will exchange a like amount or 0.40 acres of their adjacent land to the Ciman/Zodhiates for agricultural purposes. There are no density or development rights associated with the transfers of these

ORDER RECEIVED FOR FILING

Date 7-8-10
By [Signature]

properties. However, with respect to the contemplated transfer of land from Parcel 216 to Parcel 212, Mr. Lippincott has raised concerns that I should refrain from ruling on the matters until the Maryland Agricultural Land Preservation Foundation (MALPF) has had an opportunity to review the request and issue a decision thereon. Accordingly, the record in both cases remained open pending a resolution by MALPF and DEPRM.

That favorable resolution having been received from Mr. Lippincott on March 8, 2010 that MALPF approved the transfer of land and upon due consideration of the testimony and evidence presented, I am easily persuaded to grant the requested relief. As noted above, the proposal is for the equal exchange of small portions of land and neither of the Petitioners will acquire any rights of subdivision. In my judgment, the conveyances will not be detrimental to the health, safety or general welfare of the locale and is entirely consistent with the R.C.2 and R.C.8 zoning and agricultural use of the subject and adjacent properties.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions 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 8th day of July 2010, that the Petition for Special Hearing filed in Case No. 2009-0193-SPH seeking approval of a non-density transfer of a 0.40 acre of land from Edward B. and Penny Rae Wilson (18603 Falls Road) to Richard Ciman and Mary Zodhiates (4209 Beckleystown Road), in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 2009-0194-SPH seeking approval of a non-density transfer of a 0.40 acre of land from Richard Ciman and Mary Zodhiates (4209 Beckleystown Road) to Edward B. and Penny Rae Wilson

ORDER RECEIVED FOR FILING

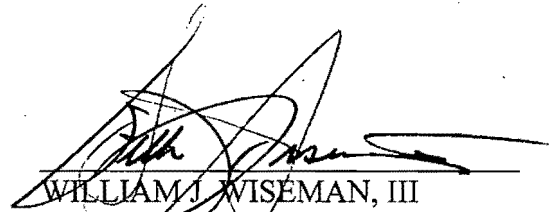
Date 7-8-10

By [Signature]

(18603 Falls Road), in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein for the non-density transfer of 0.40 acres is conditioned on it not having density rights associated with its transfer.
- 3) Within one hundred twenty (120) days of the date of this Order, a new deed for the property shall be recorded in the Land Records of Baltimore County referencing this case and incorporating the conditions and restrictions of this Order.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that any appeal of this decision must be entered within thirty (30) days of the date hereof.

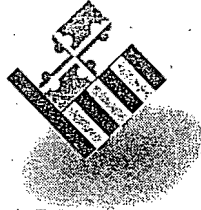

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date 7-8-16

By WJW



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

July 8, 2010

Richard E. Matz, P.E.
Colbert Matz Rosenfeld, Inc.
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209

IN RE: **PETITIONS FOR SPECIAL HEARING**
E/Side of Falls Road, 3,880' S of Beckleysville Road
(18603 Falls Road)
Edward B. Wilson, et ux, Legal Owners

N/S of a private driveway, 1,250' E of Falls Road, 3,880' S of Beckleysville Road
(4209 Beckleysville Road)
Richard Ciman & Mary Zodhiates, Legal Owners
5th Election District - 3rd Council District
Case Nos. 2009-0193-SPH and 2009-0194-SPH
Petitioners

Dear Mr. Matz:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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 large, stylized signature graphic.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Edward B. & Penny Rae Wilson, 18603 Falls Road, Hampstead, MD 21074
Richard Ciman & Mary Zodhiates, 4209 Beckleysville Road, Hampstead, MD 21074
Jon Rathbone, 18301 Gunpowder Road, Parkton, MD 21120
People's Counsel; Wallace S. Lippincott, Jr., DEPRM; Office of Planning; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the properties located at: ~~18603 Falls Road and~~ 4209 Beckleysville Road
which are presently zoned RC-2 and RC-8

Page 2 of 2

Deed Reference ~~8181/181~~ and 23281/472
Tax Account # ~~200006664~~ and 200006312

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 of thereof, hereby petition for a Special Hearing under 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commission should approve

0.268
A non-density transfer, of *2.2* acres, from 18603 Falls Road to 4209 Beckleysville Road.

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

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

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

Legal Owner(s):

Richard Ciman
Name - Type or Print _____
Richard Ciman
Signature _____
Mary Zodiates
Name - Type or Print _____
Mary Zodiates
Signature _____
4209 Beckleysville Road
Address _____ Telephone No. _____
Hampstead MD 21074
City _____ State _____ Zip Code _____

Representative to be Contacted:

Richard E. Matz, P.E.
COLBERT MATZ ROSENFELT, INC
2835 Smith Avenue, Suite G
Address _____ Telephone No. _____
Baltimore MD 21209
City _____ State _____ Zip Code _____

OFFICE USE ONLY

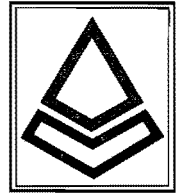
ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____
Reviewed By *W* Date *1/21/09*

COPY ORDER RECEIVED FOR FILING

Date *11-8-10*
By *low*

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION 4209 BECKLEYSVILLE ROAD AND A PORTION OF 18603 FALLS ROAD

Beginning at a point on the north side of a driveway which is 1,250 feet, more or less, east of Falls Road (Md. Route 25), which is of varying width, at a distance of 3,880 feet south of Beckleysville Road, which is of varying width, thence the following courses and distances:

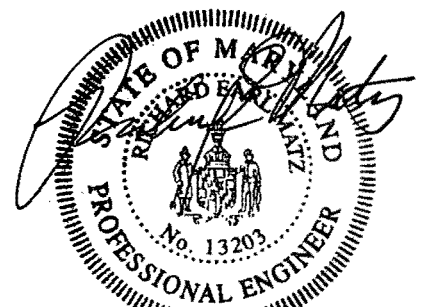
N 59°15'46" W, 755.25 ft.;
N 23°08'11" E, 116.33 ft.;
N 09°53'09" W, 264.31 ft.;
N 13°28'52" E, 198.77 ft.;
N 52°25'17" E, 559.62 ft.;
N 23°07'15" E, 297.83 ft.;
N 61°02'46" W, 399.36 ft.;
N 03°57'52" W, 110.58 ft.;
N 12°57'57" E, 131.62 ft.;
N 89°15'41" E, 446.79 ft.;
N 06°51'49" E, 117.62 ft.;
S 88°06'08" E, 222.97 ft.;
S 61°10'52" E, 320.59 ft.;
S 63°06'49" W, 753.50 ft.;
S 44°34'41" W, 333.64 ft.;
S 57°13'43" E, 100.00 ft.;
S 08°04'09" E, 269.00 ft.;
S 50°34'05" W 352.49 ft.;
S 02°50'39" E, 100.26 ft.;
S 50°34'05" E, 1079.45 ft., thence
S 56°21'52" W, 82.80 ft. to the Point of Beginning.

As recorded in the Baltimore County land records, Deed Liber 23281, folio 472 and containing 56.25 acres. Also known as 4209 Beckleysville Road and located in the 5th Election District, 3rd Councilmanic District.

Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203, Expiration Date: 11-2-10

2835 Smith Avenue, Suite G Baltimore, Maryland 21209
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953



Jan 20, 2009
2009-0194-SPH

BALTIMORE COUNTY, MARYLAND
 OFFICE OF BUDGET AND FINANCE
 MISCELLANEOUS CASH RECEIPT

No. 05046

Date: 1/21/09

Fund	Dept	Unit	Sub	Unit	Obj	Source/	Rev	Sub	Obj	Dept	Obj	BS/ Acct	Amount
001	216	0000				6150							65.00

Total 65.00

Rec From

Collect White Roseville Rd

For

18 4209 Beckleyville Rd

2009-0147-5PH

Ref 18603-Fall R

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

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: #2009-0194-SPH
4209 Beckleysville Road
N/side of Driveway, 1250 feet east of Falls Road, 3880 feet south of Beckleysville Road
5th. Election District — 3rd Councilmanic District
Legal Owner(s): Richard Climan & Mary Zodhlates

Special Hearing: for a non-density transfer of 2.2 acres from 18603 Falls Road to 4209 Beckleysville Road.

Hearing: Wednesday, March 18, 2009 at 2:30 p.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

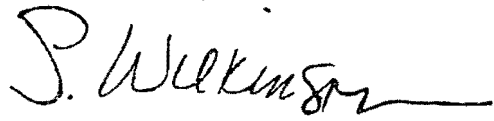
WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 3/430 Mar. 3 195757

CERTIFICATE OF PUBLICATION

_____ 3/5/2009

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 3/3/2009.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 03/03/09

Case Number: 2009-0194-SPH

Petitioner / Developer: RICHARD CIMAN, MARY ZODHIATES~
COLBERT, MATZ & ROSENFELT, INC.

Date of Hearing (Closing): MARCH 18, 2009

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:
4209 BECKLEYSVILLE ROAD

The sign(s) were posted on: MARCH 1, 2009



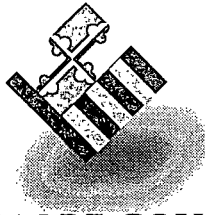
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

February 19, 2009
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: 2009-0194-SPH

4209 Beckleysville Road

N/side of Driveway, 1250 feet east of Falls Road, 3880 feet south of Beckleysville Road

5th Election District – 3rd Councilmanic District

Legal Owners: Richard Ciman & Mary Zodhates

Special Hearing for a non-density transfer of 2.2 acres from 18603 Falls Road to 4209 Beckleysville Road.

Hearing: Wednesday, March 18, 2009 at 2:30 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Richard Ciman, Mary Zodhates, 4209 Beckleysville Rd., Hampstead 21074
Richard Matz, Colbert, Matz & Rosenfelt, 2835 Smith Ave., Ste. G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 3, 2009.**
- (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
Tuesday, March 3, 2009 Issue - Jeffersonian

Please forward billing to:
Edward Wilson
18603 Falls Road
Hampstead, MD 21074

410-977-3270

NOTICE OF ZONING HEARING

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CASE NUMBER: 2009-0194-SPH

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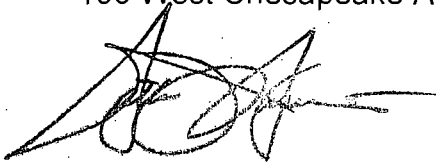
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105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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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: 2009-194-SPH
Petitioner: Richard Ciman and Mary Zohiates
Address or Location: 4209 Beckleysville Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. Edward Wilson
Address: 18603 Falls Road
Hampstead, Md 21074

Telephone Number: 410-977-3270

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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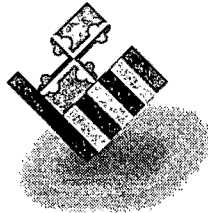
For Newspaper Advertising:

Item Number or Case Number: 2009-194-SPH
Petitioner: Richard Ciman and Mary Zodiates
Address or Location: 4209 Beckleysville Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. Edward Wilson
Address: 18603 Falls Road
Hampstead, Md 21074

Telephone Number: 410-977-3270



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
March 12, 2009

Richard Ciman & Mary Zodiates
4209 Beckleysville Rd.
Hampstead, MD 21074

Dear: Richard Ciman & Mary Zodiates

RE: Case Number 2009-0194-SPH, 4209 Beckleysville Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 21, 2009. 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Richard E. Matz: Colbert Matz Rosenfelt, INC; 2835 Smith Ave. Ste. G; Baltimore, MD 21209

BW 3/18
2+2:30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 19, 2009

RECEIVED

FEB 23 2009

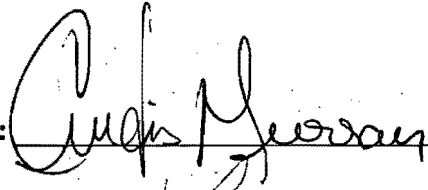
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

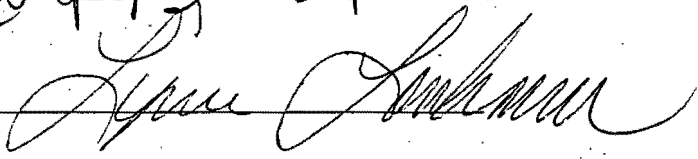
ZONING COMMISSIONER

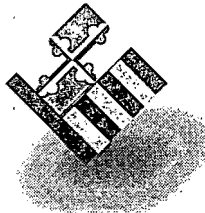
SUBJECT: Zoning Advisory Petition(s): Case(s) 09-193 and 9-194- Special Hearing

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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By: 

Division Chief: 
CM/LL



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

February 2, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 2, 2009

Item Numbers 0166, 0190, 0191, 0192, 0193, ~~0194~~ 0195, 0196

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:** February 4, 2009
Department of Permits &
Development Management

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

SUBJECT: Zoning Advisory Committee Meeting
For February 9, 2009
Item Nos. 2009-0166, 0191, 0192, 0193, and 0194

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:lrk
cc: File
ZAC-02092009 -NO COMMENTS



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

State Highway
Administration

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

Maryland Department of Transportation

Date: FEB. 6, 2009

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

RE: Baltimore County
Item No 2009-0194-SPA
4209 BECKLEYSVILLE RD
ZODIATES PROPERTY
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. 2009-0194-SPA

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



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 4209 Beckleystville Road; N/S of Driveway; ZONING COMMISSIONER
 1250' E of Falls Rd, 3880' S of Beckleystville*
 5th Election & 3rd Councilmanic District
 Legal Owners: Richard Ciman & Mary Zodiates* FOR
 Petitioner(s)
 * BALTIMORE COUNTY
 * 09-194-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.

RECEIVED
 FEB 04 2009

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County
Carole S Demilio

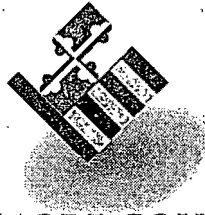
 CAROLE S. DEMILIO
 Deputy People's Counsel
 Jefferson Building, Room 204
 105 West Chesapeake Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of February, 2009, a copy of the foregoing Entry of Appearance was mailed to Richard E. Matz, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209, Representative for Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 19, 2010

Richard E. Matz, P.E.
Colbert Matz Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209

IN RE: PETITIONS FOR SPECIAL HEARING
E/Side of Falls Road, 3,880' S of Beckleysville Road
(18603 Falls Road)
Edward B. Wilson, et ux, Legal Owners

N/S of a private driveway, 1,250' E of Falls Road, 3,880' S of Beckleysville Road
(4209 Beckleysville Road)
Richard Ciman & Mary Zodhiates, Legal Owners

5th Election District - 3rd Council District
Case Nos. 2009-0193-SPH and 2009-0194-SPH

Dear Mr. Matz:

The case files, as you know, have been retained in my office and remain open pending the decision of the Maryland Agricultural Land Preservation Foundation. Have the parties received any word that would allow them to proceed with the transfer of the subject property involving the driveway encroachment? Should the non-density transfers be dismissed at this time without prejudice? Can the case files be returning to the Zoning Review Office for safekeeping? I would appreciate a short response as to the status of this matter.

I shall await your advice.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", written over a large, stylized graphic element.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Edward B. & Penny Rae Wilson, 18603 Falls Road, Hampstead, MD 21074
Richard Ciman & Mary Zodhiates, 4209 Beckleysville Road, Hampstead, MD 21074
People's Counsel; Wallace S. Lippincott, Jr., DEPRM; Office of Planning; DPR; File

From: "Dick Matz" <dmatz@cmrengineers.com>
To: dwiley@baltimorecountymd.gov
Date: 7/20/2009 2:05 PM
Subject: RE: Case Nos. 2009-0193-SPH & 2009-0194-SPH - Wilson/Zodhiates

Debra - The lot line adjustment was tentatively approved by the State Ag Board, however there are still some conditions to satisfying the State including going to the State Board of Public Works. Carmela Iacovelli of DEPRM is coordinating this with the Zodhiates. The State sent a letter to the Zodhiates outlining the remaining steps. It appears Wally Lippincott will not send us his approval until the State send it's final approval. We will keep you informed. Dick Matz

-----Original Message-----

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Monday, July 20, 2009 11:20 AM
To: Dick Matz
Subject: Case Nos. 2009-0193-SPH & 2009-0194-SPH - Wilson/Zodhiates

Good Morning,

As you may recall Bill was retaining the files pending word from the Maryland Agricultural Land Preservation Foundation with regard to the above. Bill indicated back in April you were making progress and that the plan would perhaps go to the Co. Ag. Brd. in May and then to the St. Ag. Brd. in June.

Would you have any update regarding the above?

Thanks and have a great day !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

CC: sdarley@cmrengineers.com

Bill Wiseman - Falls Road - Wilsons and Zodhiates properties

From: "Dick Matz" <dmatz@cmengineers.com>
To: <wwiseman@baltimorecountymd.gov>
Date: 04/08/09 9:14 AM
Subject: Falls Road - Wilsons and Zodhiates properties
CC: "Stu Darley" <sdarley@cmengineers.com>

Bill – We are making progress. The plan will go to the May County ag board and then to the June State ag board meeting at which time Mrs Zodhiates and Wally Lippincott will hopefully be able to write a letter to you ok ing the lot line adjustment. It looks like the lot line will move 15' rather than the 10' we had on our redline plan because Mrs. Zodhiates wants to incorporate all road and plants belonging to the Wilsons on the Wilson property. Wally was ok with this change. Anyhow, thanks for your patience. I will follow up in late May to let you know what has transpired. Dick

Richard E. Matz, P.E.

Colbert Matz Rosenfelt, Inc.

410-653-3838

From: Debra Wiley
To: Iacovelli, Carmela
Date: 03/24/09 8:16:34 AM
Subject: Case Nos. 2009-0193-SPH & 2009-0194-SPH - Wilson & Ciman/Zodhiates

Good Morning,

Bill Wiseman received your note concerning the Ciman/Zodhiates desire to proceed slowly with the land swap. Please let us know what takes place at your April board meeting.

Attached is our **proposed** Order which will be held until we hear from you.

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

CC: Lippincott, Wallace

From: Debra Wiley
To: dmatz@CMREngineers.com
Date: 03/23/09 2:07:04 PM
Subject: Case Nos. 2009-193-SPH & 2009-194-SPH - Wilson & Ciman/Zodhiates - 3/18/09

Good Afternoon,

Per Bill, please find attached a copy of the **Proposed Order**. Also, please be aware that the Zoning Commissioner's Office will retain the files pending word from the Maryland Agricultural Land Preservation Foundation (MALPF). By copy of this e-mail to Kristen Matthews, we are advising her of same.

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

CC: Matthews, Kristen

Bill Wiseman - RE: Zodhiates - Wilson swap

From: "Dick Matz" <dmatz@cmreengineers.com>
To: "Judy Floam" <jfloam@cmreengineers.com>, "Stu Darley" <sdarley@cmreengineers.com>
Date: 03/19/09 1:59 PM
Subject: RE: Zodhiates - Wilson swap
CC: <wwiseman@baltimorecountymd.gov>

Bill – There apparently still some issues. As soon as I get a handle on what is happening with the parties I will let you know - Dick

-----Original Message-----

From: Judy Floam
Sent: Thursday, March 19, 2009 12:34 PM
To: Dick Matz; Stu Darley
Subject: FW: Zodhiates - Wilson swap

Stu and Dick - FYI

Judy

From: Carmela Iacovelli [mailto:ciacovelli@baltimorecountymd.gov]
Sent: Thu 3/19/2009 9:30 AM
To: Judy Floam
Cc: Wallace Lippincott
Subject: Zodhiates - Wilson swap

Good Morning Judy,

Wally Lippincott and I spoke with Richard Ciman and Mary Zodhiates yesterday regarding the swap of land with the Wilsons. Richard and Mary would like to discuss the swap further and wish to postpone the request until the April meeting. I wanted to inform you of the postponement.

Our April board meeting will take place on Tuesday April 21, 2009 and this item will be discussed then.

Thank you,

Carmela

Carmela M. Iacovelli
Agricultural Land Preservation Program
Baltimore County DEPRM
410-887-4488 ext. 315
ciacovelli@baltimorecountymd.gov

From: Wallace Lippincott
To: Wiley, Debra
Date: 03/19/09 4:42:31 PM
Subject: Re: Case Nos. 2009-0193-SPH & 2009-0194-SPH - 18603 Falls Rd./4209 Beckleysville Rd.

Thanks to you all.
Wally

Wally Lippincott, Jr.
Balto County DEPRM
(410)887-3514

>>> Debra Wiley 3/19/2009 9:52 AM >>>
Good Morning Wally,

Bill heard the two (2) above-referenced cases yesterday and only one (1) member of the community was present (Jon Rathbone). With the testimony and evidence being received, Bill will delay preparing the Order until he receives assurances that the Cimans/Zodhiates are satisfied with the accuracy of the revised redlined plan, which will reflect a land swap of 0.268 acres instead of 2.2 acres originally proposed and will also await to hear from you concerning MALPF proposal.

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dewiley@baltimorecountymd.gov

From: Wallace Lippincott
To: Wiley, Debra
Date: 3/8/2010 3:24 PM
Subject: Case No. 2009-0193 and 0194

Debbie,

I apologize for not notifying your office that the MALPF did approve the transfer of land between these two parties to resolve an property line dispute. I do not know if the work for the transfer has been completed or not. If you need to know that please advise and I will look into it.

Wally

Wallace Lippincott, Jr.
Balto County DEPRM
105 West Chesapeake Ave
Towson, MD 21204
(410)887-3854

From: Debra Wiley
To: Livingston, Jeffrey
Date: 03/16/09 10:41:14 AM
Subject: Case Nos. 2009-0193-SPH & 2009-0194-SPH

*Missing DEPPH
comment*

Good Morning,

Bill is scheduled to hear both of the above-referenced cases at the same time this Wednesday, March 18th, however, a comment was only received for 2009-0193-SPH. Please issue a comment for 2009-0194-SPH before the hearing date and as always, thanks for your usual cooperation. I have provided case descriptions for both cases for your convenience.

CASE NUMBER: 2009-0193--SPH

18603 Falls Rd

Location: E side of Falls Road, 3880 feet S of Beckleysville Road.

5th Election District, 3rd Councilmanic District

Legal Owner: Edward & Penny Wilson

SPECIAL HEARING for a non-density transfer of 2.2 acres from 4209 Beckleysville Road to 18603 Falls Road.

Hearing: Wednesday, 3/18/2009 at 2:00:00 PM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

CASE NUMBER: 2009-0194--SPH

4209 Beckleysville Rd

Location: N side of Driveway, 1250 feet E of Falls Road, 3880 feet S of Beckleysville Road.

5th Election District, 3rd Councilmanic District

Legal Owner: Richard Ciman & Mary Zodiates

SPECIAL HEARING for a non-density transfer, of 2.2 acres from 18603 Falls Road to 4209 Beckleysville Road.

Hearing: Wednesday, 3/18/2009 at 2:30:00 PM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

CC: Lippincott, Wallace

010A3

19930126

20030548

Pt. Bk. 36 Folio 42

PDM # 050223

19990151

RC 2

NW 32-I

3 CD

5 ED

015A1

RC 8

RC 2

NW 31-I

19940371

PDM # 050087

Pt. Bk. 30 Folio 122

2009-0194-SPH



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
 Real Property Data Search (2007 vw2.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 05 **Account Number -** 2000006312

Owner Information

Owner Name:	CIMAN RICHARD ZODHIATES MARY	Use:	AGRICULTURAL
Mailing Address:	4209 BECKLEYSVILLE RD HAMPSTEAD MD 21074-2704	Principal Residence:	NO
		Deed Reference:	1) /23281/ 472 2)

Location & Structure Information

Premises Address	Legal Description
4209 BECKLEYSVILLE RD	53.997 SSR 1240FT BECKLEYSVILLE RD 2900 FT E FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
15	2	216						2	Plat Ref:

Special Tax Areas

	Town
	Ad Valorem
	Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1921	3,442 SF	54.00 AC	05

Stories	Basement	Type	Exterior
2 1/2	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value			Phase-in Assessments	PREFERRED LAND VALUE INCLUDED IN LAND VALUE
		As Of	As Of	As Of		
		01/01/2008	07/01/2008	07/01/2009		
Land	92,250	152,250				
Improvements:	179,760	306,860				
Total:	272,010	459,110	334,376	396,742		
Preferential Land:	12,250	12,250	12,250	12,250		

Transfer Information


Seller: BARRETT DAVID W	Date: 01/25/2006	Price: \$1,124,500
Type: MULT ACCTS ARMS-LENGTH	Deed1: /23281/ 472	Deed2:
Seller: KNITTLE F JAMES, JR	Date: 02/24/1986	Price: \$270,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 7100/ 262	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

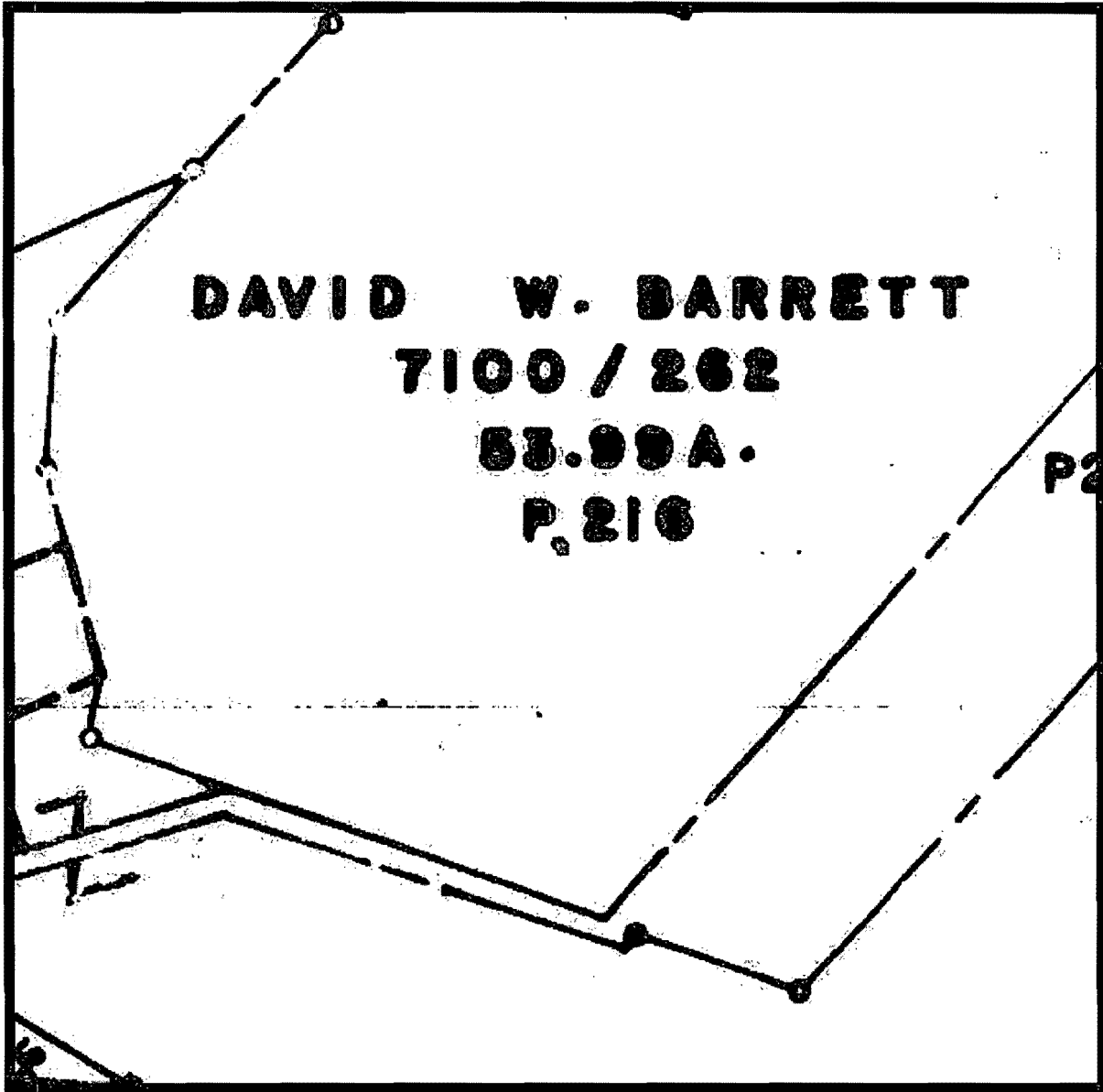
Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 AGRICULTURAL TRANSFER TAX

	Maryland Department of Assessments and Taxation	Go Back
	BALTIMORE COUNTY	View Map
	Real Property Data Search	New
		Search

District - 05 Account Number - 2000006312



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdpl.state.md.us/webcom/index.html

MALPF regulations

DEPRMS Policy —

32-4-415

- ① State Regulations for Transfers of less than 50 acres from agricultural easement are prohibited.
- Should be referred to MALPF BRD FOR ITS DETERMINATION.

32-4-415

To Promote agricultural uses →

Case No.: 2009-0194-SPH 4209 Beckleysville RD

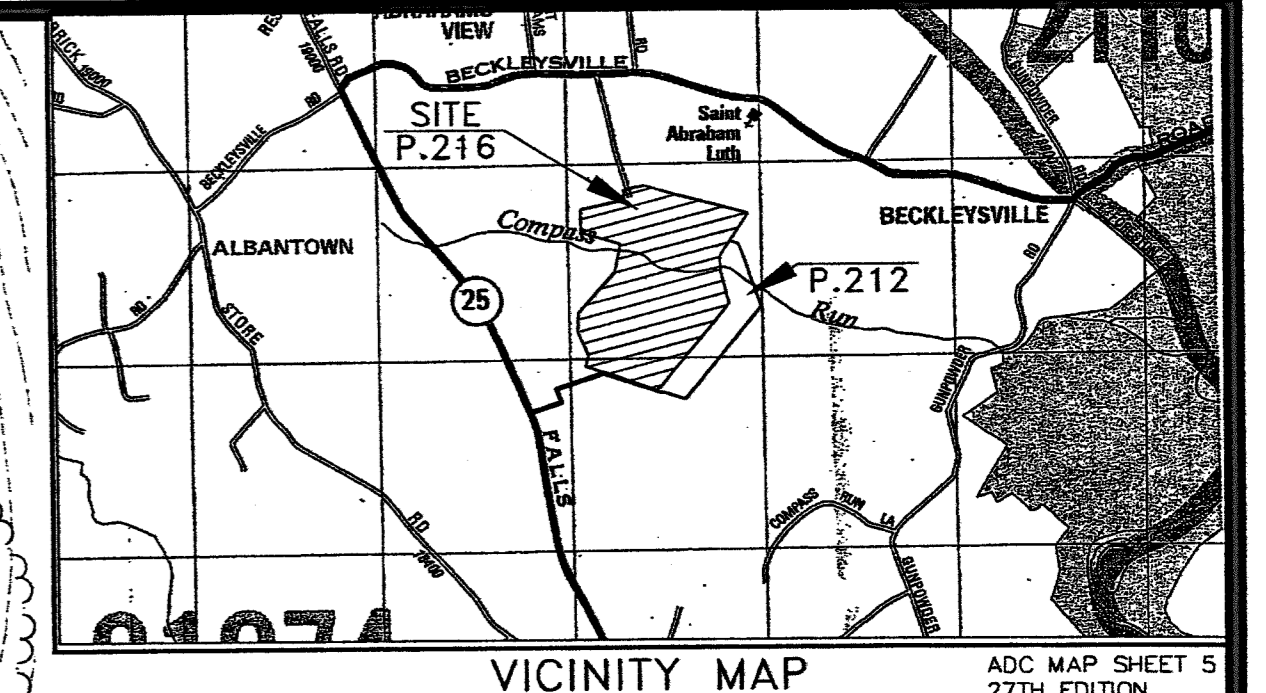
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Petitioner/Developer	Protestant
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Reb LINED SITE
PLAN EX 1



- GENERAL NOTES**
1. P. 216 OWNER: RICHARD CIMAN & MARY ZODHATES
4209 BECKLEYSVILLE ROAD
HAMPSTEAD, MD. 21074
DEED REF.: 23281/472
TAX ACCOUNT NO.: 05-200006312
TAX MAP: 15 GRID: 2 PARCEL: 216
 2. SITE AREA: P. 216 - 2,352,117 SQ. FT.± OR 53.99 AC.±
 3. ZONING: RC 2 & RC 8
 4. ELECTION DISTRICT: 5 COUNCILMANIC DISTRICT: 3
 5. NO BUILDINGS ARE PROPOSED.
 6. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO PREVIOUS ZONING CASES ASSOCIATED WITH THIS SITE.
 7. THE SUBJECT SITE IS SERVED BY PRIVATE WATER AND SEWER.
 8. THE SUBJECT SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 9. THERE MAY BE A 100-YEAR FLOODPLAIN ON THIS SITE BUT IT IS NOT PERTINENT TO THIS REQUEST.

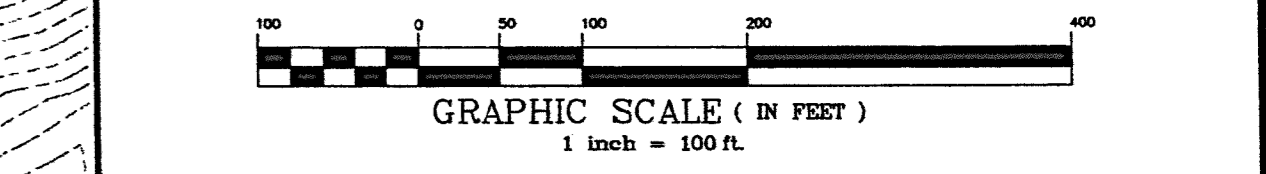
LOT ZONING TABULATION

PARCEL 216	EXISTING RC2 - 37.85 ACRES
	EXISTING RC8 - 16.31 ACRES
	PROPOSED RC2 - 86.68 ACRES
	PROPOSED RC8 - 18.48 ACRES
	1.00 ACRES

REDLINE

**PLAN TO ACCOMPANY SPECIAL HEARING
4209 BECKLEYSVILLE ROAD**

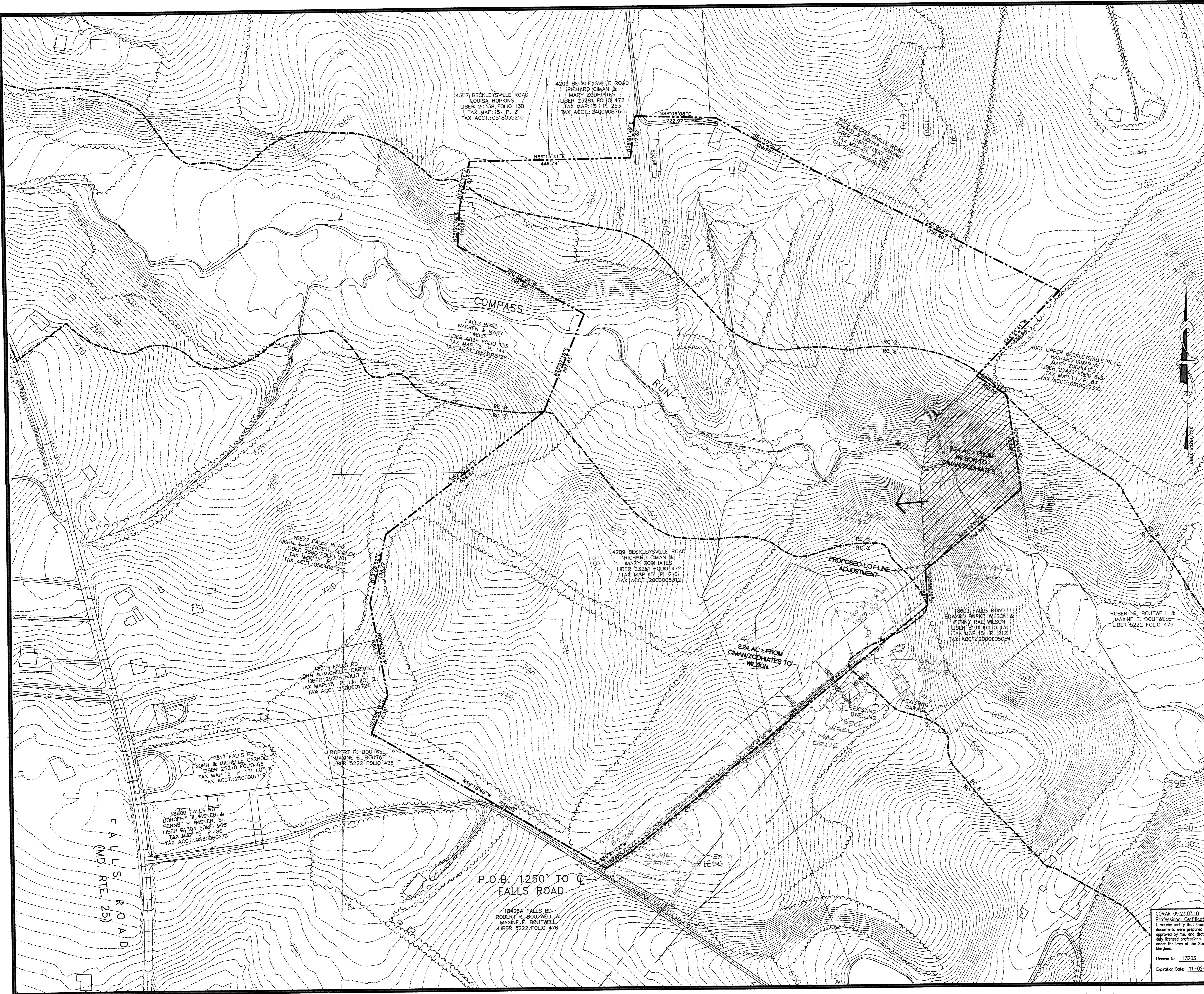
FIFTH ELECTION DISTRICT THIRD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



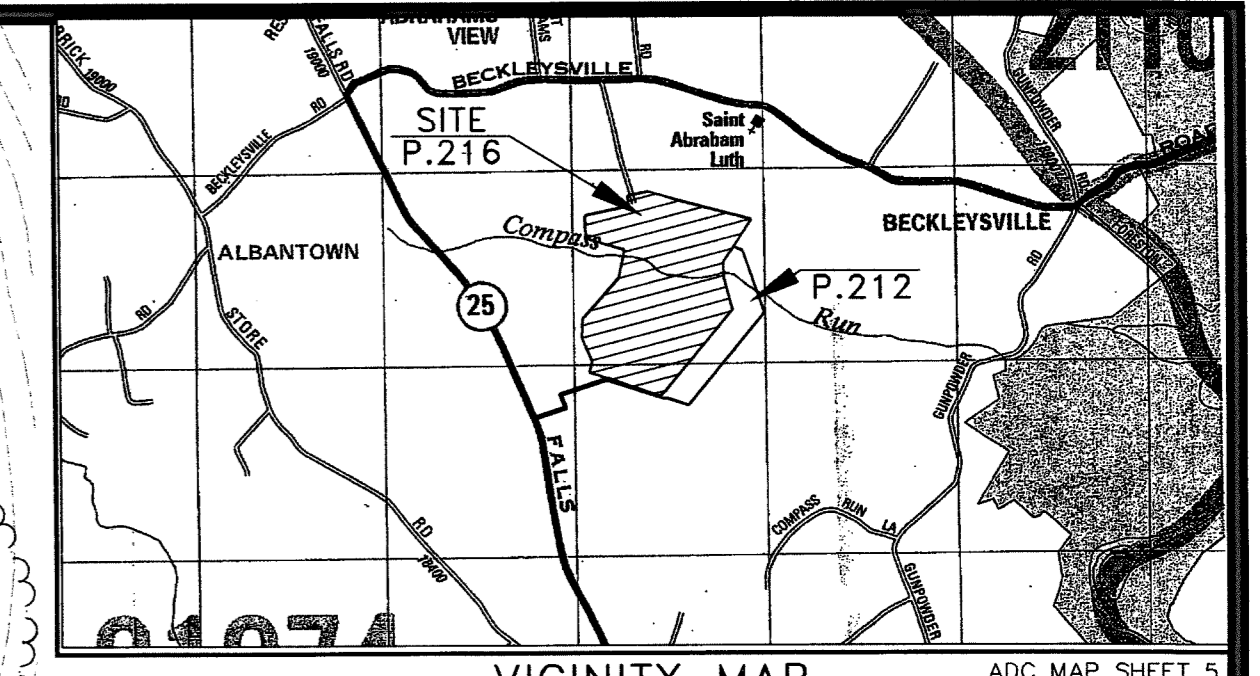
Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

COMAR 09.23.03.10 Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 13203 Expiration Date: 11-02-10	SCALE: 1" = 100' DATE: JANUARY 20, 2009 JOB NO.: 2008-145 DESIGNED: SLD DRAWN: AKC/SLD CHECKED: JMF/KJC FILE: 2008145DRG.dwg DRAWING NUMBER: SPH-1
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PETITIONER'S
EXHIBIT NO. 1
2009-0194-SHA



N:\2008\proj\200808145\CMR\DRG\2008145 SPH.dwg, 1/20/2009 3:18:21 PM, ACrowd



VICINITY MAP
SCALE: 1"=2000'
ADC MAP SHEET 5
27TH EDITION

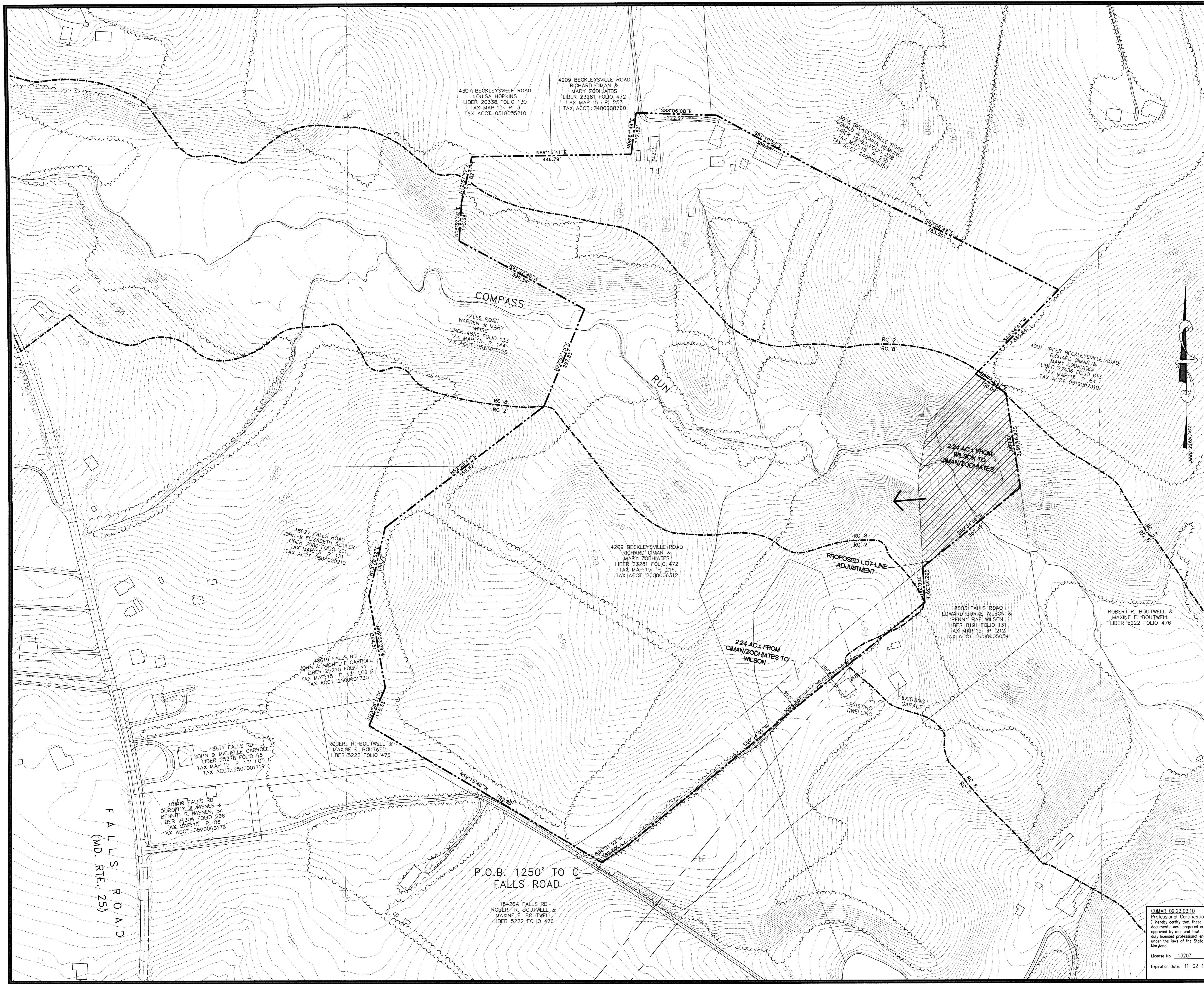
GENERAL NOTES

1. P. 216 OWNER: RICHARD CIMAN & MARY ZODHIATES
4209 BECKLEYSVILLE ROAD
HAMPSHIRE, MD. 21074
DEED REF.: 23281/472
TAX ACCOUNT NO.: 09-200006312
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8. THE SUBJECT SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
9. THERE MAY BE A 100-YEAR FLOODPLAIN ON THIS SITE BUT IT IS NOT DEFINED ON THIS MAP.

Map No. 015A1

LOT ZONING TABULATION

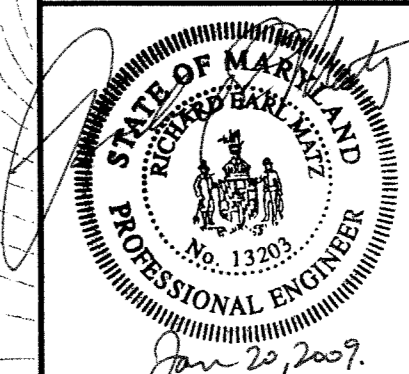
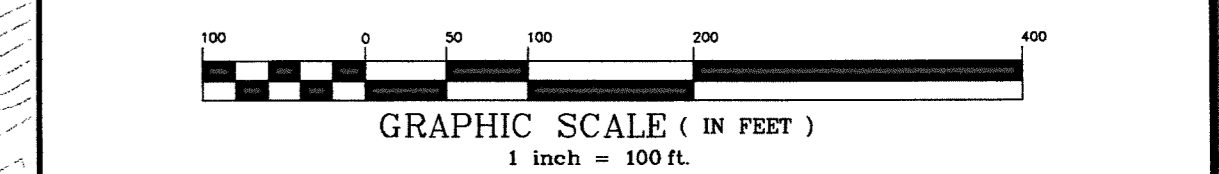
PARCEL 216	EXISTING RC2- 37.69 ACRES
	EXISTING RC8- 16.31 ACRES
	PROPOSED RC2- 35.58 ACRES
	PROPOSED RC8- 18.49 ACRES



2009-0174-SPH

**PLAN TO ACCOMPANY SPECIAL HEARING
4209 BECKLEYSVILLE ROAD**

FIFTH ELECTION DISTRICT THIRD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

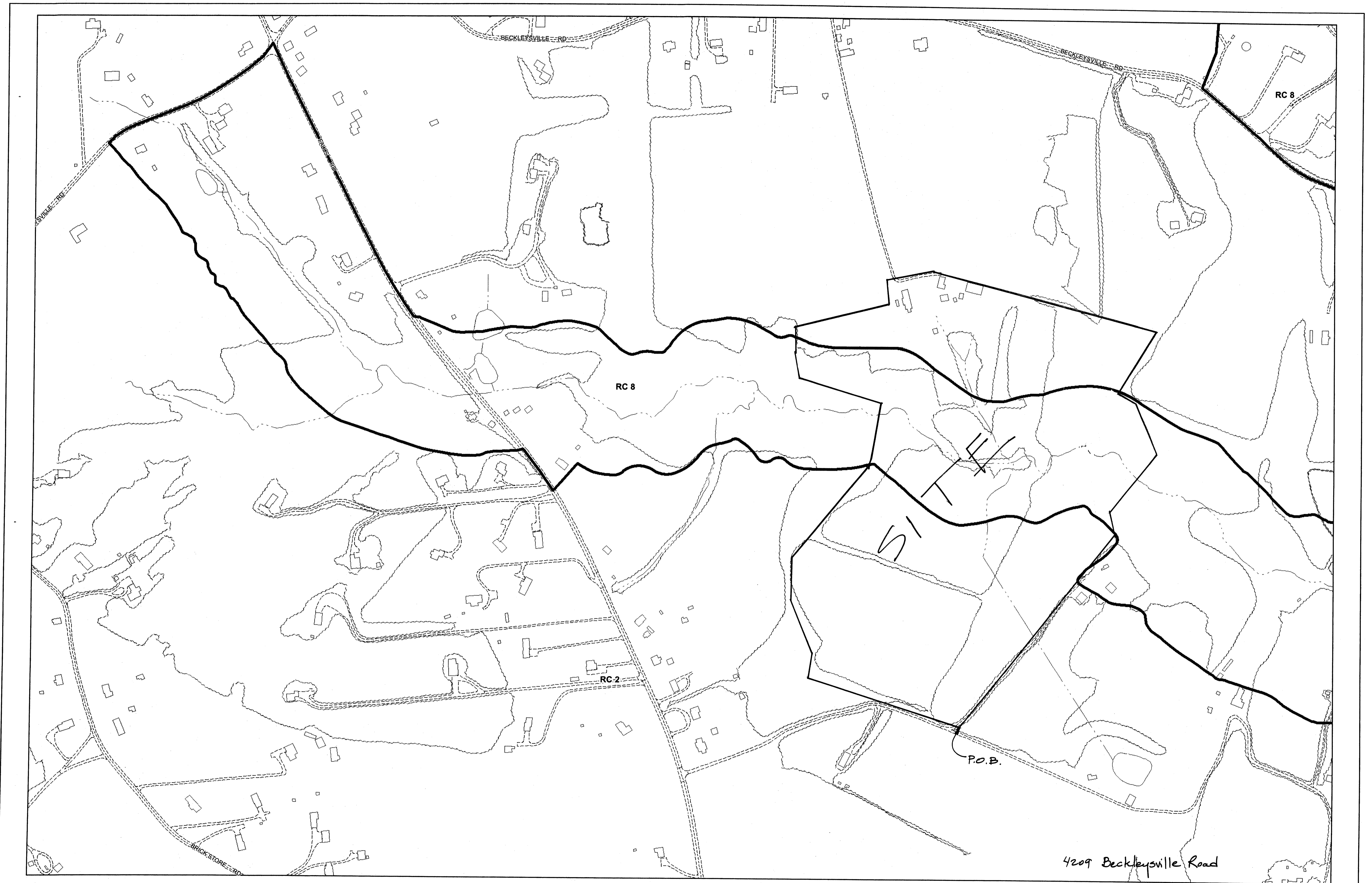


Colbert Matz Rosenfelt, Inc.

Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

COMAR 09.23.03.10
Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 13203
Expiration Date: 11-02-10

SCALE: 1"= 100'	DATE: JANUARY 20, 2009			
JOB NO.: 2008-145	DESIGNED: SLD			
DRAWN: AKC/SLD	CHECKED: JMF/KJC			
FILE: 2008145ORC.dwg	DRAWING NUMBER: SPH-1			
NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1



Plan Sheet: 015A1

Note:
 The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

- Buildings
- Streams
- Vegetation
- Zoning
- Roads
- Rail Lines

**Baltimore County
 Office of Planning and Zoning
 Official Zoning Map**

009C3	010A3	010B3	010C3
014C1	015A1	015B1	015C1
014C2	015A2	015B2	015C2

Scale
 1" = 200'
 0 100 200 400
 Feet

1 2009-0194-SPH

Data Sources:
 Planimetric Data - Baltimore County
 OIT/GIS Services Unit
 1:2400, from 1995/96 photography
 Zoning - Baltimore County Office of Planning
 1:2400, 2004