

IN RE: **PETITION FOR SPECIAL HEARING** *
W/Side York Road, 100' N from Intersection of *
York Road and Sparks Road *
(York Road) *
8th Election District *
3rd Council District *
Michael & Alex Flanagan, *Legal Owners* *
Michael A. Goff, *Contract Purchaser* *

BEFORE THE
ZONING COMMISSIONER
FOR
BALTIMORE COUNTY

Case No. 2009-0223-SPH

Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Michael K. and Alex L. Flanagan. The Petitioners request a special hearing to approve the non-density transfer of 2.4 acres of land from their property to the contract purchaser and owner of an adjacent parcel, Michael A. Goff. The subject property and requested relief are more particularly described on the redlined site plan, which was marked and accepted into evidence as Petitioners' Exhibit 1.¹

Appearing at the requisite public hearing in support of the requested relief were Michael Flanagan, property owner, and Bruce E. Doak, the registered property line surveyor with Gerhold, Cross & Etzel, Ltd., who prepared the site plan for this property. Michael A. Goff, the owner of the adjacent parcel that would receive the non-density transfer, and John G. Turnbull, II, another adjacent landowner, also appeared in support of the request. There were no Protestants or other interested persons in attendance at the public hearing.

¹ At the outset of the public hearing, Petitioners amended the site plan and petition for special hearing to reflect the correct zoning of the subject property, R.C.4, which had been incorrectly labeled as R.C.7. Since the amendment simply corrected a clerical error, Petitioners were permitted to proceed.

COPY SENT TO ZONING COMMISSIONER FOR FILING
Date 5-12-09
By [Signature]

Testimony and evidence presented revealed that the Petitioners own a 48.4-acre tract of land located on the west side of York Road (Route 45), not far from the Baltimore Harrisburg Expressway (I-83) in Sparks, Maryland. The southern boundary of this property abuts another parcel of land owned by Michael Goff and is currently being used by members of the Goff family for residential purposes. The Flanagans and the Goffs have entered into an agreement to transfer a small 2.4-acre parcel from the Flanagans' holdings to Mr. Goff in conjunction with the uses on the Goff property. Testimony indicated that Mr. Goff owns approximately 5.026 acres of land that is improved with a single-family dwelling, pool, and accessory structures. The land that will be transferred from the Flanagan property is largely wooded, and has for years been used and maintained by Mr. Goff with the Flanagan's permission. At this point, the Flanagans wish to formally transfer the property to Mr. Goff, and the conveyance is not for the purpose of transferring any density, but merely to provide additional land and to establish a new property line between these respective owners, consistent with the actual use and topographical features of these parcels.

A Zoning Advisory Committee (ZAC) comment received on April 21, 2009 from Wallace Lippincott, Jr., on behalf of the Department of Environmental Protection and Resource Management (DEPRM), which stated in pertinent part that his Department supports this proposal and that the transfer is a property line adjustment that is small and has minimal impact on agriculture. Similarly, a comment received from the Office of Planning also indicated that they did not oppose the requested relief.

Based upon the testimony and evidence offered, I easily find that the Petition for Special Hearing should be granted. Clearly, there will be no detrimental impact to any adjacent property owners. Moreover, as noted above, there is no density or rights of subdivision being conveyed.

FILED FOR FILING
Date 5-12-09
By [Signature]

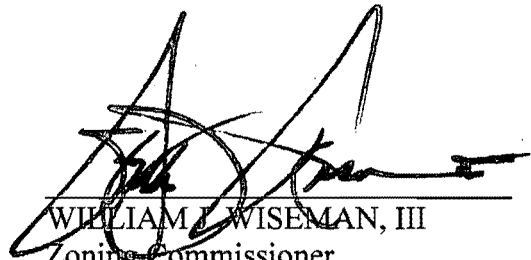
Thus, there will be no alteration to the existing property rights of these owners, and the Petition for Special Hearing shall be granted.

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

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this 12th day of May 2009, that the Petition for Special Hearing to approve the conveyance of a 2.4-acre parcel from the land of Michael and Alex Flanagan to Michael A. Goff (owner of an adjacent tract) for non-density purposes, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

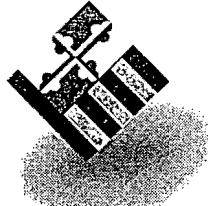
- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is strictly for a non-density transfer and there are no density or development rights associated with this conveyance. No residential structures, other than accessory structures, are to be located on this portion of the land. There are no rights of subdivision associated with this transfer.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORIGINAL RECEIVED FOR FILING
DATE 5-12-09
BY [initials]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 12, 2009

Michael K. Flanagan
15010 York Road
Sparks, Maryland 21152

IN RE: PETITION FOR SPECIAL HEARING

W/Side York Road, 100' N from Intersection of York Road and Sparks Road

(York Road)

8th Election District - 3rd Council District

Michael and Alex Flanagan, Legal Owners;

Michael A. Goff, *Contract Purchaser* – Petitioners

Case No. 2009-0223-SPH

Dear Mr. Flanagan:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III".

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Bruce E. Doak, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Boulevard, #100,
Towson, MD 21204
Michael A. Goff, 8 Stoddard Court, Sparks, MD 21152
The Honorable John Grason Turnbull, II and Anne Hottel Turnbull, 501 Belfast Road,
Sparks, Maryland 21152
People's Counsel; DEPRM; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

(1090' S BELFAST RD)

for the property located at York Road

which is presently zoned RC 4

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

THE NON-DENSITY TRANSFER OF A 2.4 ACRE PARCEL

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:

MICHAEL A. GOFF
Name - Type or Print

[Signature]
Signature

B STODDARD COURT 410-371-4626
Address Telephone No.

SPARKS Mo 21152
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

MICHAEL K. FLANAGAN
Name - Type or Print

x [Signature]
Signature

ALEX L. FLANAGAN
Name - Type or Print

x [Signature]
Signature

15010 YORK ROAD 410 472 1702
Address Telephone No.

SPARKS Mo 21152
City State Zip Code

Representative to be Contacted:

BRUCE E. DOAK
GERHOLD, CROSS & ETREL, LTD.
Name

320 E. TOWSONTOWN BLVD. 410-823-4470
Address Telephone No.

TOWSON Mo 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

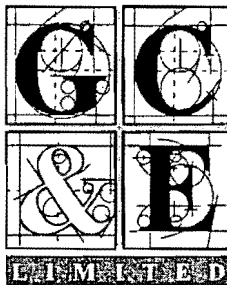
UNAVAILABLE FOR HEARING _____

Case No. 2009-0223-SPH

ORDER RECEIVED FOR FILING By D.T. Date 2/26/09

Date 5-12-09

By [Signature]



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

September 19, 2008

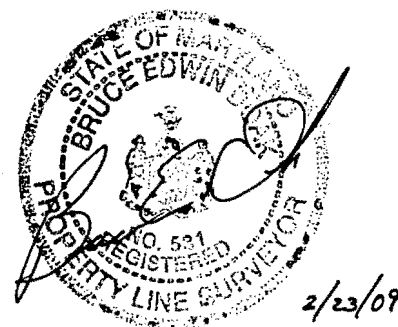
ZONING DESCRIPTION

Michael K. Flanagan and Alex L. Flanagan property
York Road
Baltimore County, Maryland

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

Beginning for the same at a point on the west side of York Road, 100 feet± North from the intersection York road and Sparks Road and running thence,

- 1) South 16 degrees 25 minutes 26 seconds East 316.64 feet,
- 2) South 58 degrees 36 minutes 14 seconds West 232.47 feet,
- 3) North 37 degrees 23 minutes 46 seconds West 25.50 feet,
- 4) North 59 degrees 01 minutes 14 seconds East 166.75 feet,
- 5) North 38 degrees 34 minutes 46 seconds West 135.00 feet,
- 6) South 56 degrees 42 minutes 14 seconds West 163.50 feet,
- 7) North 37 degrees 23 minutes 46 seconds West 72.58 feet,
- 8) South 63 degrees 32 minutes 14 seconds West 408.00 feet,
- 9) South 09 degrees 33 minutes 46 seconds East 156.11 feet,
- 10) South 85 degrees 43 minutes 55 seconds East 211.16 feet,
- 11) North 57 degrees 10 minutes 05 seconds East 111.38 feet,
- 12) South 21 degrees 55 minutes 13 seconds West 467.78 feet,
- 13) South 67 degrees 26 minutes 55 seconds West 896.17 feet,
- 14) North 26 degrees 13 minutes 59 seconds West 633.04 feet,
- 15) North 27 degrees 00 minutes 23 seconds West 652.43 feet,
- 16) North 10 degrees 15 minutes 00 seconds West 260.10 feet,
- 17) North 36 degrees 54 minutes 44 seconds East 331.00 feet,
- 18) South 82 degrees 58 minutes 29 seconds East 183.99 feet,
- 19) North 32 degrees 51 minutes 46 seconds East 165.52 feet,
- 20) North 51 degrees 30 minutes 38 seconds West 94.55 feet,
- 21) North 26 degrees 05 minutes 09 seconds East 86.62 feet,
- 22) North 69 degrees 23 minutes 58 seconds East 91.33 feet,
- 23) South 86 degrees 40 minutes 00 seconds East 305.27 feet,
- 24) North 63 degrees 16 minutes 11 seconds East 94.27 feet,
- 25) South 39 degrees 51 minutes 40 seconds East 1001.17 feet,
- 26) North 73 degrees 49 minutes 50 seconds East 369.33 feet to the point of beginning.



Containing 48.401 Acres of land, more or less.

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

2009-0223-SPH

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

No. 35596

Date: 11/26/01

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Sub Obj	Dept	Obj	BS Acct	Amount
001	200	000		100					100.00
Total:									100.00

Rec From: THOMSON

For: TRAINING OFF
4000 RD
D THOMPSON

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF PUBLICATION

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: #2009-0223-SPH

York Road
w/side of York Road, 100 feet +/- north from Intersection of York Road and Sparks Road
8th Election District
3rd Councilmanic District
Legal Owner(s):

Michael & Alex Flanagan
Contract Purchaser:
Michael Goff

Special Hearing: to permit the non-density transfer of a 2.4-acre parcel.

Hearing: Wednesday, April 22, 2009 at 9:00 a.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/4/612 Apr 7 198351

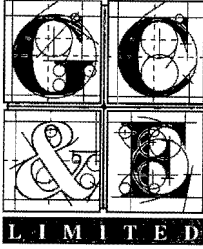
4/9/2009

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 4/7/2009.

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

J. Wilkinson

LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

CERTIFICATE OF POSTING

RE: CASE# 2009-223-SPH

OWNER/DEVELOPER:
Michael & Alex Flanagan

PETITIONER & CONTRACT
PURCHASER: Michael Goff

DATE OF HEARING:
April 22, 2009

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

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

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

(see page 2 for full size photo)

LOCATION:
York Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

POSTED ON: 4/01/09

592

ZONING NOTICE

CASE # :2009-0223-SPH

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

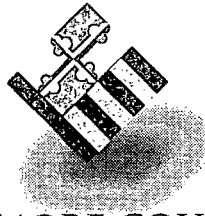
PLACE: Room 104 Jefferson Building
105 W. Chesapeake Avenue, Towson 21204

TIME:
DATE : Wednesday, April 22, 2009
at 9:00 am

Special Hearing to permit the non-
density transfer of a 2.4 acre parcel.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 410.887.3361 THE DAY BEFORE THE SCHEDULED HEARING DATE
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. UNDER PENALTY OF LAW
HEARINGS ARE HANDICAPPED ACCESSIBLE





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

March 17, 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: 2009-0223-SPH

York Road

W/side of York Road, 100 feet +/- north from intersection of York Road and Sparks Road
8th Election District – 3rd Councilmanic District

Legal Owners: Michael & Alex Flanagan

Contract Purchaser: Michael Goff

Special Hearing to permit the non-density transfer of a 2.4-acre parcel.

Hearing: Wednesday, April 22, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads 'Timothy M. Kotroco'.

Timothy M. Kotroco
Director

TK:klm

C: Bruce Doak, GC&E, 320 E. Towsontown Blvd., Towson 21286
Michael Goff, 8 Stoddard Court, Sparks 21152
Mr. & Mrs. Flanagan, 15010 York Road, Sparks 21152

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 7, 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, April 7, 2009 Issue - Jeffersonian

Please forward billing to:
Michael Goff
8 Stoddard Court
Sparks, MD 21152

410-371-4626

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: 2009-0223-SPH

York Road

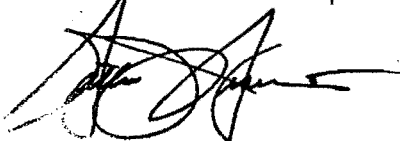
W/side of York Road, 100 feet +/- north from intersection of York Road and Sparks Road
8th Election District – 3rd Councilmanic District

Legal Owners: Michael & Alex Flanagan

Contract Purchaser: Michael Goff

Special Hearing to permit the non-density transfer of a 2.4-acre parcel.

Hearing: Wednesday, April 22, 2009 at 9:00 a.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 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.

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: 2009-0223-SPH

Petitioner: FLANAGAN / GOFF

Address or Location: YORK ROAD - 1090' SOUTH OF BELFAST ROAD

PLEASE FORWARD ADVERTISING BILL TO:

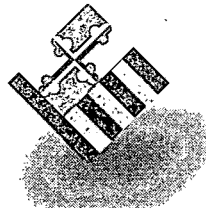
Name: MICHAEL A. GOFF

Address: 8 STODDARD COURT

SPARKS MO 21152

Telephone Number: 410-371-4626

Revised 7/11/05 - SCJ



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*
April 17, 2009

Michael & Alex Flanagan
15010 York Rd.
Sparks, MD 21152

Dear: Michael & Alex Flanagan

RE: Case Number 2009-0223-SPH, York Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 26, 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
Michael A. Goff; 8 Stoddard Ct.; Sparks, MD 21152
Bruce E. Doak; 320 E. Towsontown Blvd.; Towson, MD 21286

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

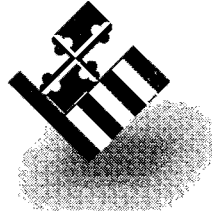
DATE: March 20, 2009

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For March 23, 2009
Item Nos. 2009-0153, ~~0223~~, 0224, 0230,
0235, and 0236

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

DAK:CEN:lrk
cc: File
ZAC-03232009 -NO COMMENTS



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 18, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 16, 2009

Item Numbers 0223,0224,0230,0235 and 0236

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

BW 4/22
9 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 30, 2009

RECEIVED

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

APR 01 2009

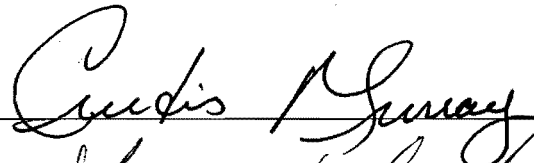
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-223- 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





State Highway Administration

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

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

Maryland Department of Transportation

Date: 3/23/2009

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

RE: Baltimore County
Item No 2009-0223-SPH
STODDARD RD, WEST OF
YORK RD/INTERSECTION
GOFF 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. 2009-0223-SPH1.

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,

Michael P. Bailey

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 York Road; W/S York Road, 100' N of * ZONING COMMISSIONER
 York Road & Sparks Road * FOR
 8th Election & 3rd Councilmanic Districts * BALTIMORE COUNTY
 Legal Owner(s): Michael & Alex Flanagan *
 Contract Purchaser(s): Michael Goff *
 Petitioner(s) *
 * 09-223-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

MAR 25 2009

.....*UW*.....

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 25th day of March, 2009, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

From: Wallace Lippincott
To: Wiley, Debra
Date: 04/21/09 8:07:50 AM
Subject: Re: Telephone Message

Debra,

Thanks and tell Bill, I had an issue with Judge Turnbull's property being in a State Agricultural District, however, this has been remedied by Mr. Turnbull having submitted a letter to remove the property from the District. Otherwise I see the transfers as property line adjustments that are small and minimal impact on agriculture, I have no issue with the requests.

Wally

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

>>> Debra Wiley 4/20/2009 2:21 PM >>>
Hi Wally,

I left you a telephone message today and my reason for calling was Bill will be hearing two (2) cases this Wed., 4/22 regarding non-density transfers (R.C.7 and R.C. 5) and he's asking if you'd like to comment.

I have provided case descriptions below for your convenience.

CASE NUMBER: 2009-0223--SPH

York Road

Location: W side of York Road, 100 feet N from the intersection of York Road and Sparks Road.
8th Election District, 3rd Councilmanic District
Legal Owner: Michael and Alex Flanagan
Contract Purchaser: Michael A. Goff

SPECIAL HEARING The non-density transfer of a 2.4 acre parcel

Hearing: Wednesday, 4/22/2009 at 9:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

CASE NUMBER: 2009-0224--SPH

501 Belfast Road

Location: SE side of Belfast Road, 1900 feet W of York Road.
8th Election District, 3rd Councilmanic District
Legal Owner: John and Anne Turnbull
Contract Purchaser: Michael A. Goff

SPECIAL HEARING The non-density transfer of a 1.9 acre parcel.

Hearing: Wednesday, 4/22/2009 at 10:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Thanks and have a great day !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103

PLEASE PRINT CLEARLY

CASE NAME Turnbull
CASE NUMBER 2009-223 & 2009-224
DATE 4/22/09

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
BRUCE DOAK			
GERHOLD CROSS & ETAL	320 E. TOWSON BLVD	TOWSON MD 21286	
MICHAEL GOFF	8 ST. ANDREW CE.	SPARKS, 21152	
MICHAEL FLANAGAN	15010 YORK RD	SPARKS 21152	
JOHN C. TURNBULL	501 BELFAST RD	SPARKS 21152	

Case No.: 2009-0223-SPH W/S YORK ROAD 1090'S BELFAST

Exhibit Sheet

Petitioner/Developer

Protestant

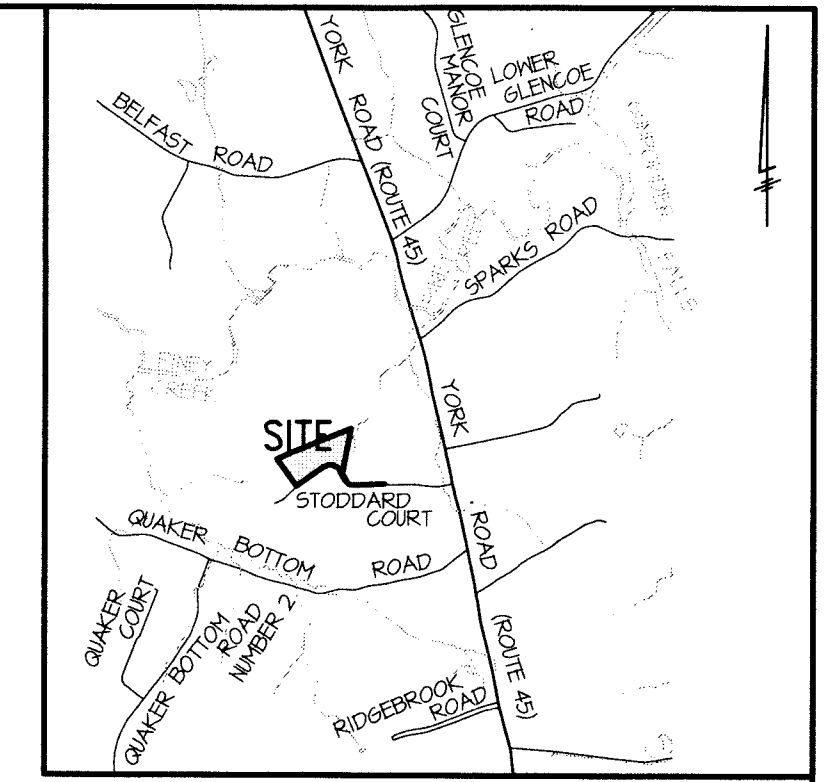
No. 1	Petitioner/Developer	Protestant
No. 2	RED LINE SITE PLAN	
No. 3	COLORIZED SITE PLAN	
No. 4	TAX MAP 34	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

**THE TURNBULL PROPERTY
BEARINGS AND DISTANCES**

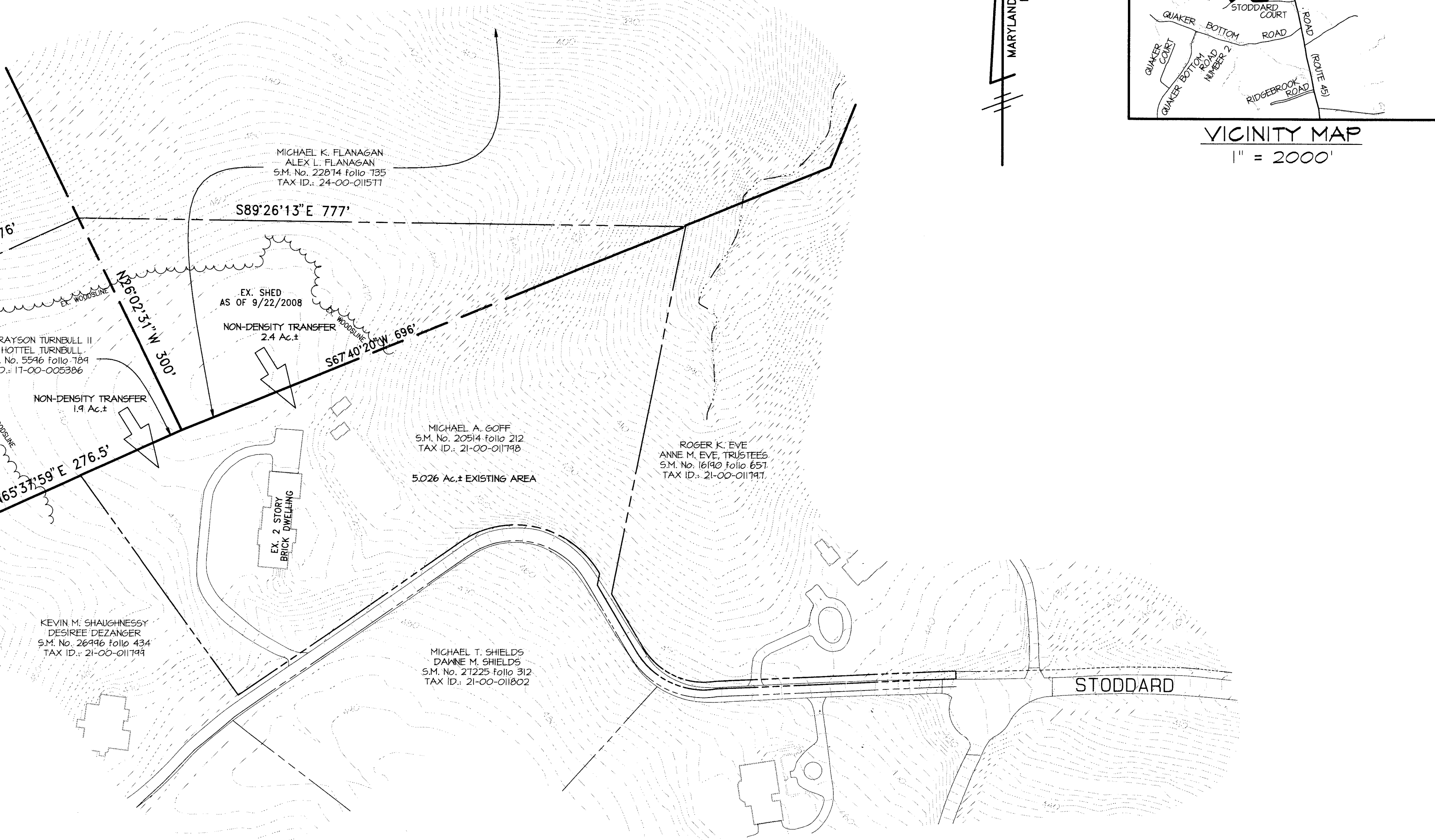
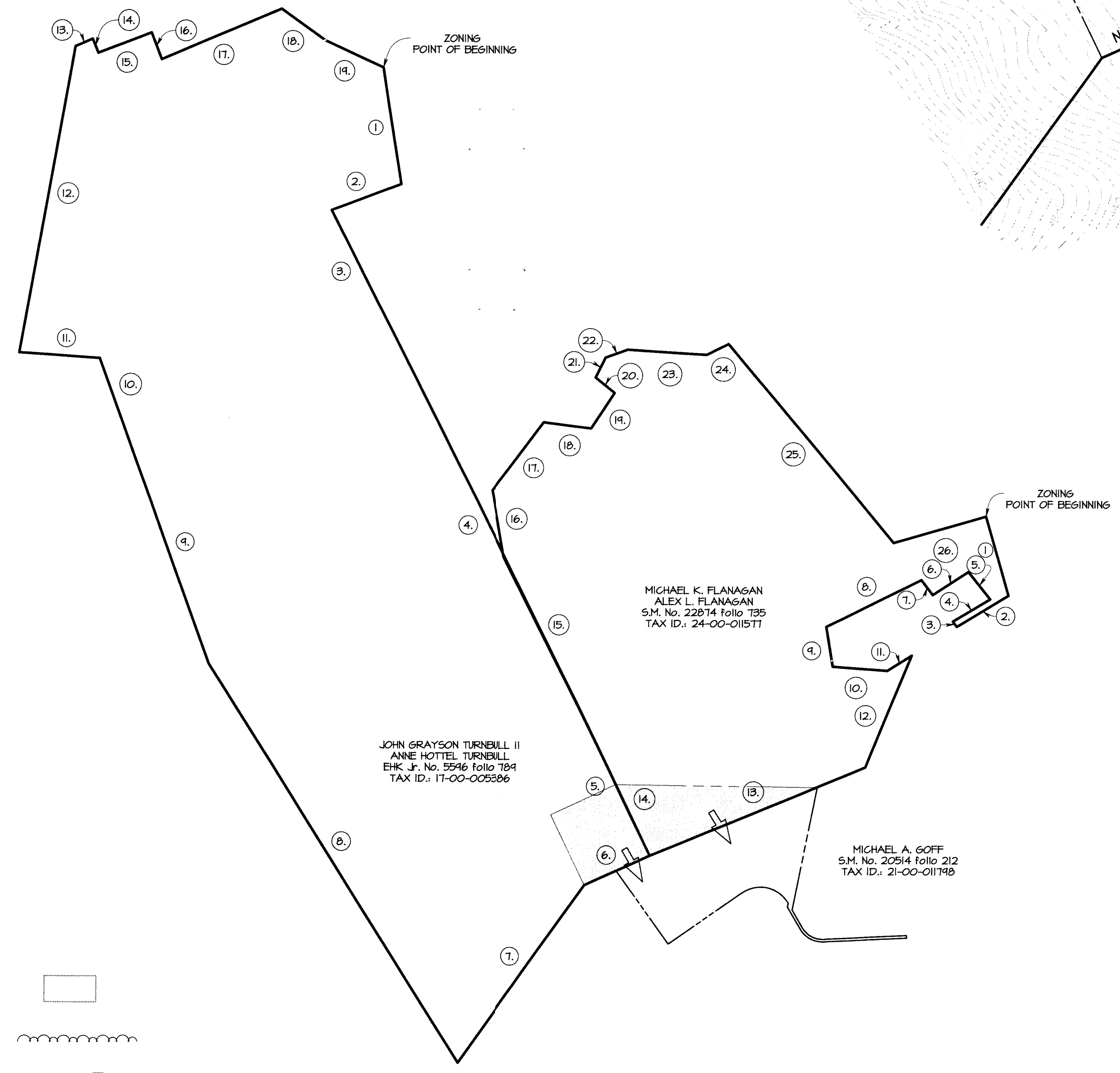
1. 500° 50'00"E 452.67'
2. 511° 17'30"W 281.20'
3. 510° 43'30"E 445.35'
4. 510° 34'00"E 1657.42'
5. 511° 54'00"E 635.08'
6. 513° 41'30"W 276.71'
7. 543° 31'30"W 841.82'
8. N24° 10'30"W 1015.00'
9. N11° 43'00"W 490.50'
10. N11° 43'00"W 264.50'
11. N11° 56'30"W 300.20'
12. N10° 12'00"E 1200.52'
13. N14° 25'00"E 12.06'
14. S14° 41'00"E 50.00'
15. N11° 04'00"E 220.00'
16. S12° 56'00"E 104.70'
17. N15° 01'00"E 502.30'
18. S46° 16'30"E 207.80'
19. 557° 40'00"E 246.50'

**THE FLANAGAN PROPERTY
BEARINGS AND DISTANCES**

1. 516° 25'26"E 316.64'
2. 550° 36'14"W 232.47'
3. N31° 23'46"W 25.50'
4. N54° 01'14"E 166.75'
5. N30° 34'46"W 135.00'
6. 556° 42'14"W 163.50'
7. N31° 23'46"W 12.50'
8. 563° 32'14"W 409.00'
9. S04° 33'46"E 156.11'
10. S05° 43'55"E 211.16'
11. N57° 10'05"E 111.30'
12. S21° 55'13"W 467.78'
13. S67° 26'55"W 846.17'
14. N26° 13'54"W 633.04'
15. N27° 00'23"W 652.43'
16. N10° 15'00"W 260.10'
17. N36° 54'44"E 331.00'
18. S02° 50'24"E 103.49'
19. 32° 51'46"E 165.52'
20. S1° 30'30"W 44.55'
21. 26° 05'04"E 86.62'
22. N64° 23'50"E 41.33'
23. 86° 40'00"E 305.27'
24. N65° 16'11"E 44.27'
25. S34° 51'40"E 100.11'
26. 73° 44'50"E 364.33'



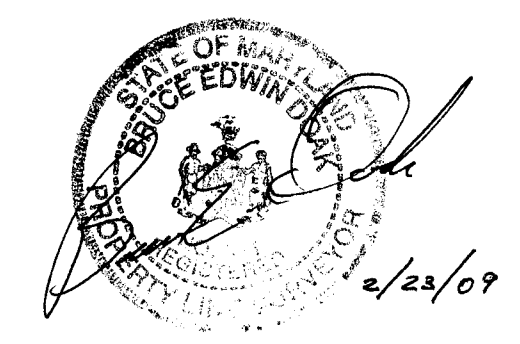
MARYLAND COORDINATE SYSTEM
NAD83(1991)



**PLAN TO ACCOMPANY A PETITION
FOR SPECIAL HEARING
TURNBULL AND FLANAGAN
PROPERTIES**

501 BELFAST ROAD
Deed Ref: E.H.K., Jr. No. 5596 folio 789
Tax Account No.: 17-00-005386
Zoned RC-3; GIS Tile 34B1
Tax Map 34; Grid 3; Parcel 83

YORK ROAD
Deed Ref: S.M. No. 22874 folio 735
Tax Account No.: 24-00-011577
Zoned RC-7; GIS Tile 034B1, 034B2
Tax Map 34; Grid 3; Parcel 432
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



Scale: 1"=100' Date: FEBRUARY 23, 2009

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

LEGEND

- EXISTING BUILDING
- WOODS LINE
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

REVISION	DATE	COMPUTED:	DRAWN:	CHECKED:	FILE: X:\5\Goff\znan

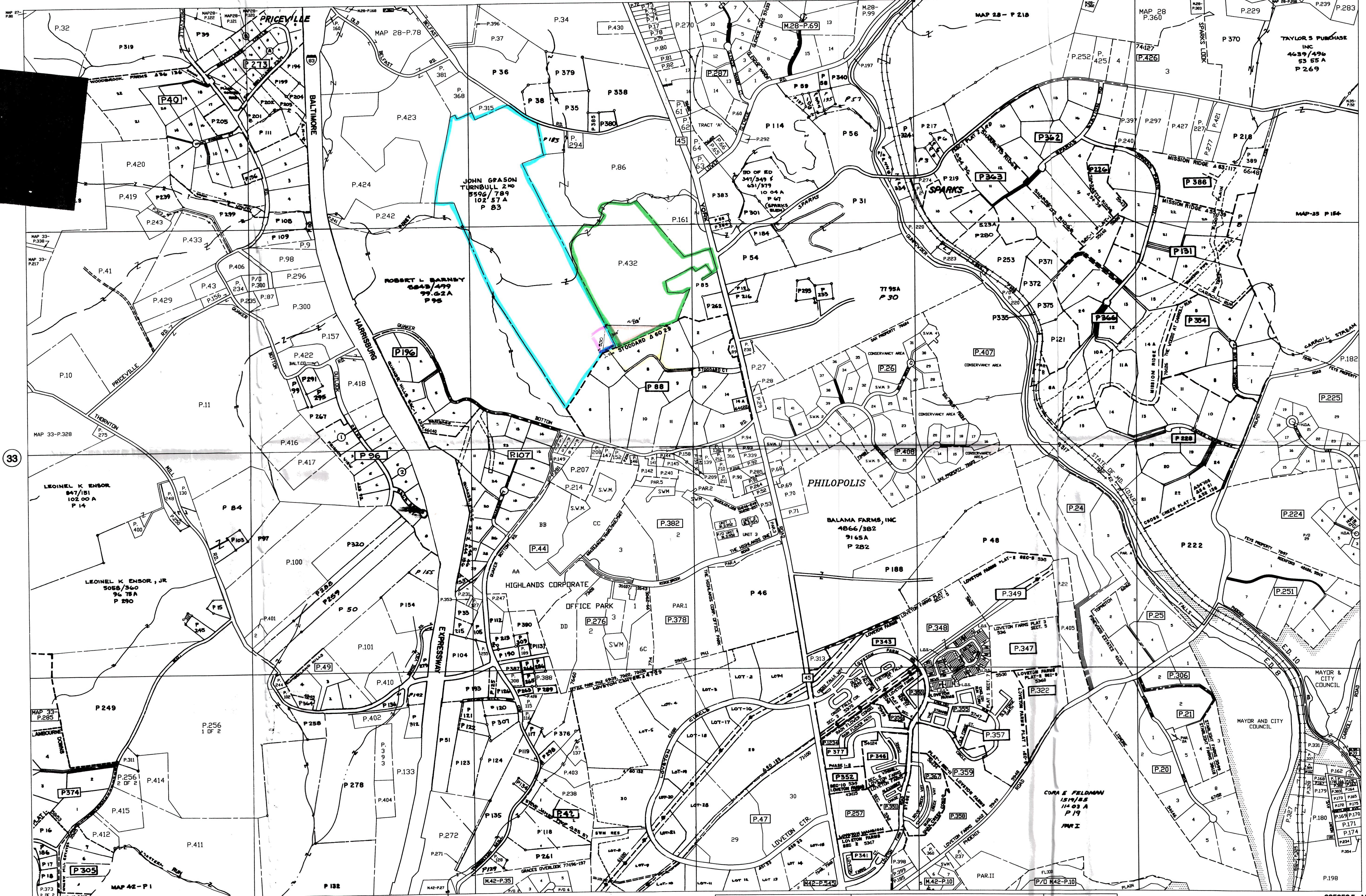
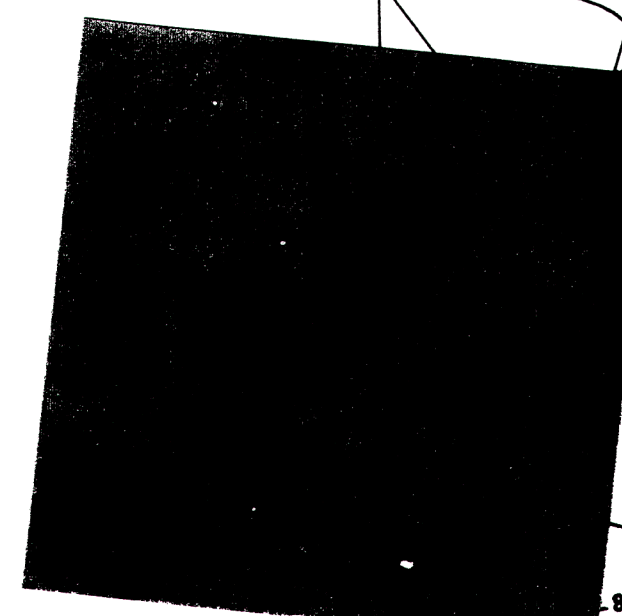
PETITIONER'S
EXHIBIT NO. 1

SPS-CR20-6002

208712.5mN
427457.5mE

208710.8mN
432944.0mE

624



621

618

615

612

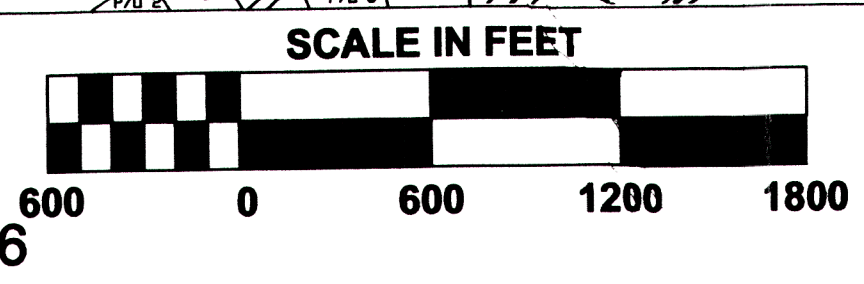
205054.9mN
427457.5mE

205053.5mN
432944.1mE

890-612

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COMPILED BY:
MARYLAND DEPARTMENT OF PLANNING
PROPERTY MAPPING SECTION
The information shown on this map has been compiled from deed
descriptions and plats and is not an actual survey. It should not be
used for legal descriptions. Users noting errors are urged to notify
the Maryland Department of Planning, Property Mapping Section,
Room 1101, 301 W. Preston St., Baltimore, MD 21201-2305.

PROPERTY LINE
SUBDIVISION BOUNDARY
TOWN BOUNDARY
PRIVATE ROAD
STREET LINE
CONTINUING OWNERSHIP
PARCEL NUMBERING - P.# (ASSIGNED TO IDENTIFY OWNERSHIP; MUST BE PRECEDED BY
SCALE 1"=600' (RF 1:7200) A MAP NUMBER.)



BALTIMORE COUNTY,
MARYLAND

MAP NO.
34

890

893

896

899

905

908

PETITIONER'S

EXHIBIT NO. 3

