

IN RE: **PETITION FOR SPECIAL HEARING**

SE/S Belfast Road, 1,900' W of
York Road
(501 Belfast Road)

8th Election District
3rd Council District

John Grason Turnbull, II, et ux, *Legal Owners*
Michael A. Goff, *Contract Purchaser*

Petitioners

BEFORE THE
ZONING COMMISSIONER
FOR
BALTIMORE COUNTY

Case No. 2009-0224-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, John G. Turnbull, II, and his wife, Anne Hottel Turnbull. The Petitioners request a special hearing to approve the non-density transfer of 1.9 acres of land from the subject 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 John G. Turnbull, II, 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 nondensity transfer, and Michael Flanagan,

¹ At the outset of the public hearing, Petitioners amended the petition for special hearing to reflect the correct zoning of the subject property, R.C.2, which had been incorrectly labeled as R.C.5. Since the amendment simply corrected a clerical error, Petitioners were permitted to proceed.

COPIES RECEIVED FOR FILING
Date 4-28-09
By [Signature]

another adjacent landowner, also appeared in support of the special hearing. There were no Protestants or other interested persons in attendance at the public hearing.

Testimony and evidence presented revealed that the Petitioners own a large tract of land containing approximately 102.45 acres of land zoned R.C.2. The Turnbull property is located on the southwest side of Belfast Road, not far from the Baltimore Harrisburg Expressway (I-83) in Sparks, Maryland. The property abuts another parcel of land owned by Michael Goff and used by members of the Goff family for residential purposes. The Turnbolls and the Goffs have entered into an agreement to transfer a small, 1.9-acre parcel from the Turnbolls' 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 Turnbull property is unimproved, largely wooded, and has for years been used and maintained by Mr. Goff with the Turnbull's permission. At this point, the Turnbolls 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), 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.

COPY RECEIVED FOR FILING

Date 4-28-09

By

102

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

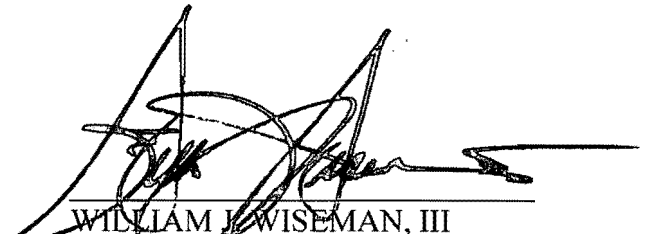
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this 28th day of April 2009, that the Petition for Special Hearing to approve the conveyance of a 1.9-acre parcel from the land of John Grason Turnbull and Anne Hottel Turnbull 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:

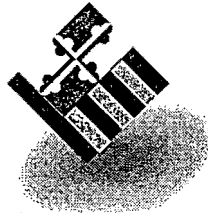
- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein 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.

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

COPIES RECEIVED FOR FILING
Date 4-28-09
By 123



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 28, 2009

The Honorable John Grason Turnbull, II
Anne Hottel Turnbull
501 Belfast Road
Sparks, Maryland 21152

IN RE: PETITION FOR SPECIAL HEARING
SE/S Belfast Road, 1,900' W of York Road
(501 Belfast Road)
8th Election District - 3rd Council District
John Grason Turnbull, II, et ux, *Legal Owners*;
Michael A. Goff, *Contract Purchaser* – Petitioners
Case No. 2009-0224-SPH

Dear Mr. and Mrs. Turnbull:

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 "W. J. Wiseman III", written over the typed name.

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
Michael Flanagan, 15010 York Road, Sparks, MD 21152
People's Counsel; DEPRM; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 501 BELFAST ROAD
which is presently zoned RC-3

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 1.9 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
8 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):

JOHN GRASON TURNBULL 2ND
Name - Type or Print
[Signature]
Signature
ANNE HOTTEL TURNBULL
Name - Type or Print
[Signature]
Signature
501 BELFAST ROAD 410-771-8114
Address Telephone No.
SPARKS MO 21152
City State Zip Code

Representative to be Contacted:

BRUCE E. DOAK
Name
GERHOLD, CROSS & ETZEL, 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. 2009-0224-SPH

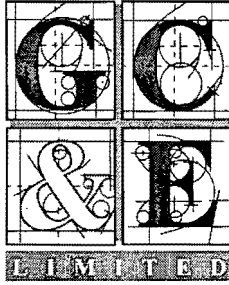
REV 9/15/98

ORDER RECEIVED FOR FILING

Date 4-28-09

By [Signature]

Reviewed By D.T. Date 2/26/09



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

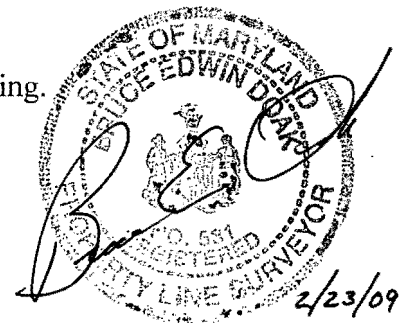
**John Grason Turnbull, II and Anne Hottel Turnbull property
501 Belfast Road
Baltimore County, Maryland**

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 centerline intersection of York Road and Belfast Road being Easterly 1870 feet $\pm$ from York Road along the centerline of Belfast Road and running thence,

- 1) South 00 degrees 58 minutes East 452.67 feet,
- 2) South 77 degrees 17 minutes 30 seconds West 287.20 feet,
- 3) South 18 degrees 43 minutes 30 seconds East 495.55 feet,
- 4) South 18 degrees 34 minutes East 1657.42 feet,
- 5) South 17 degrees 59 minutes East 635.08 feet,
- 6) South 73 degrees 41 minutes 30 seconds West 276.77 feet,
- 7) South 43 degrees 31 minutes 30 seconds West 841.82 feet,
- 8) North 24 degrees 18 minutes 30 seconds West 1815 feet,
- 9) North 11 degrees 43 minutes West 990.5 feet,
- 10) North 11 degrees 43 minutes West 264.5 feet,
- 11) North 77 degrees 56 minutes 30 seconds West 311.80 feet,
- 12) North 18 degrees 12 minutes East 1200.52 feet,
- 13) North 74 degrees 25 minutes East 72.06 feet,
- 14) South 14 degrees 41 minutes East 58 feet,
- 15) North 77 degrees 04 minutes East 220 feet,
- 16) South 12 degrees 56 minutes East 109.70 feet,
- 17) North 75 degrees 01 minutes East 502.38 feet,
- 18) South 46 degrees 16 minutes 30 seconds East 207.8 feet,
- 19) South 57 degrees 40 minutes East 246.5 feet to the point of beginning.

Containing 102.5 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.

2009-0224-SPH

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

No. **35597**

Date: **8/26/09**

PAID RECEIPT

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	306	0000		1050					105.00

Total: **105.00**

Rec From: **GERHOLD CROSS & ETHOL**

For: **2009-0404-2 AM**
TORLON 1.60FF

501 BERRY RD

21704200N

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: #2009-0224-SPH

501 Belfast Road -
S/east side of Belfast Road,
1900 feet west of York Road
8th Election District
3rd Councilmanic District
Legal Owner(s):

John & Anne Turnbull

Special Hearing: to permit
the non-density transfer of
a 1.9-acre parcel.

Hearing: Wednesday,
April 22, 2009 at 10:00
a.m. in Room 104, Jeffer-
son Building, 105 West
Chesapeake Avenue,
Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

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

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

JT/4/613 Apr 7 198352

CERTIFICATE OF PUBLICATION

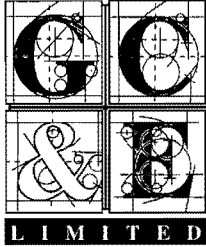
4/9/, 2009

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# 2009-224-SPH

OWNER/DEVELOPER:
John & Anne Turnball

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:
501 Belfast 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

ZONING NOTICE

CASE # :2009-0224-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 10:00 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 410-587-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.
DO NOT BE ABSENT TWO HOURS AND FORTY-FIVE MINUTES OF HEARING. UNDER PENALTY OF LAW.

HEARINGS ARE HANDICAPPED ACCESSIBLE

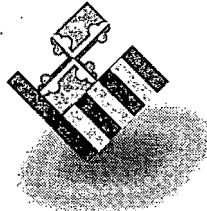


KRISTIN:

PLEASE SCHEDULE

2009-0223-SPH AND 2009-0224-SPH
TOGETHER (one after the other)

THANKS



BALTIMORE COUNTY

M A R Y L A N D

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: 2009-0224-SPH

501 Belfast Road

S/east side of Belfast Road, 1900 feet west of York Road

8th Election District – 3rd Councilmanic District

Legal Owners: John & Anne Turnbull

Special Hearing to permit the non-density transfer of a 1.9-acre parcel.

Hearing: Wednesday, April 22, 2009 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Bruce Doak, GC&E, 320 E. Towsontown Blvd., Towson 21286

Michael Goff, 8 Stoddard Court, Sparks 21152

Mr. & Mrs. Turnbull, 501 Belfast 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: 2009-0224-SPH

501 Belfast Road

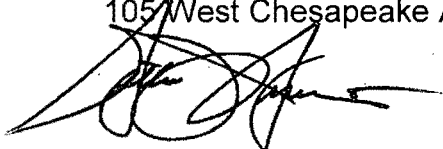
S/east side of Belfast Road, 1900 feet west of York Road

8th Election District – 3rd Councilmanic District

Legal Owners: John & Anne Turnbull

Special Hearing to permit the non-density transfer of a 1.9-acre parcel.

Hearing: Wednesday, April 22, 2009 at 10:00 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: 2009-0224-SP4

Petitioner: TURNBULL / GOFF

Address or Location: 501 BELFAST ROAD

PLEASE FORWARD ADVERTISING BILL TO:

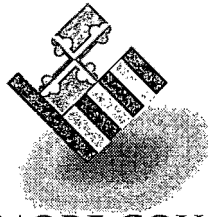
Name: MICHAEL A. GOFF

Address: B STODDARD COURT

SPARKS, MD 21152

Telephone Number: 410 - 371 - 4626

Revised 7/11/05 - SCJ



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
April 17, 2009

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

Dear: Michael & Alex Flanagan

RE: Case Number 2009-0224-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.".

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

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

DATE: March 20, 2009

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

BW 4/22
10 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

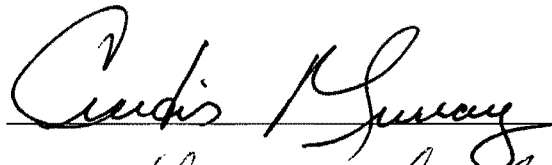
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-224- Special Hearing**

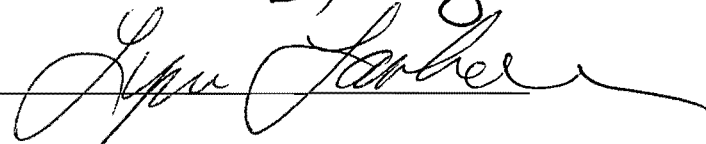
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

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



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: 3/23/2009

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

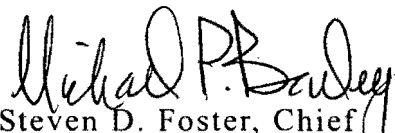
RE: Baltimore County
Item No. 2009-0224-SPH
501 BELFAST RD.
GOFF PROPERTY
SPECIAL HEARING

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. 2009-0224-SPH

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
501 Belfast Road; SE/S of Belfast Road, *
1900' W of York Road * ZONING COMMISSIONER
8th Election & 3rd Councilmanic Districts *
Legal Owner(s): John & Anne Turnbull * FOR
Contract Purchaser(s): Michael Goff *
Petitioner(s) * BALTIMORE COUNTY
* 09-224-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

LW

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

Bruce Doak

From: Wallace Lippincott [wlippincott@baltimorecountymd.gov]
Sent: Tuesday, April 21, 2009 8:08 AM
To: Debra Wiley
Cc: Jeffrey Livingston; Bruce Doak
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

Prior Order

IN RE: **PETITION FOR SPECIAL HEARING**

SW/S Belfast Road, 1,870' S of
Old Belfast Avenue
(501 Belfast Road)

8th Election District
3rd Council District

John Grason Turnbull, II, et ux
Petitioners

*

*

*

*

*

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Case No. 2008-0588-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the legal owners of the subject property, John G. Turnbull, II, and his wife, Anne Hottel Turnbull. The Petitioners request a special hearing to approve the non-density transfer of 4.05 acres of agricultural land from the subject property to the owner of an adjacent parcel (McAfee Family Limited Partnership). The subject property and requested relief are more particularly described on the site plan submitted which were accepted into evidence and marked as Petitioners' Exhibits 1.

Appearing at the requisite public hearing in support of the request were John G. Turnbull, II, property owner, and Bruce E. Doak, the registered property line surveyor with Gerhold, Cross & Etzel, Ltd., who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the Petitioners own a large tract of land containing approximately 102.45 acres in area, zoned R.C.2 on the southwest side of Belfast Road, not far from the Baltimore Harrisburg Expressway (I-83) in Sparks, Maryland. The property abuts another parcel of land owned by the McAfee Limited Partnership and used by members of the McAfee family for residential/agricultural purposes. The Turnbolls and the McAfees have entered into an agreement to transfer a small, 4.05-acre parcel from the Turnbolls'

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

[illegible]

Case No.: 2009-0224-SPH w/s York Rd (501 BELFAST RD)

Exhibit Sheet

Petitioner/Developer

Protestant

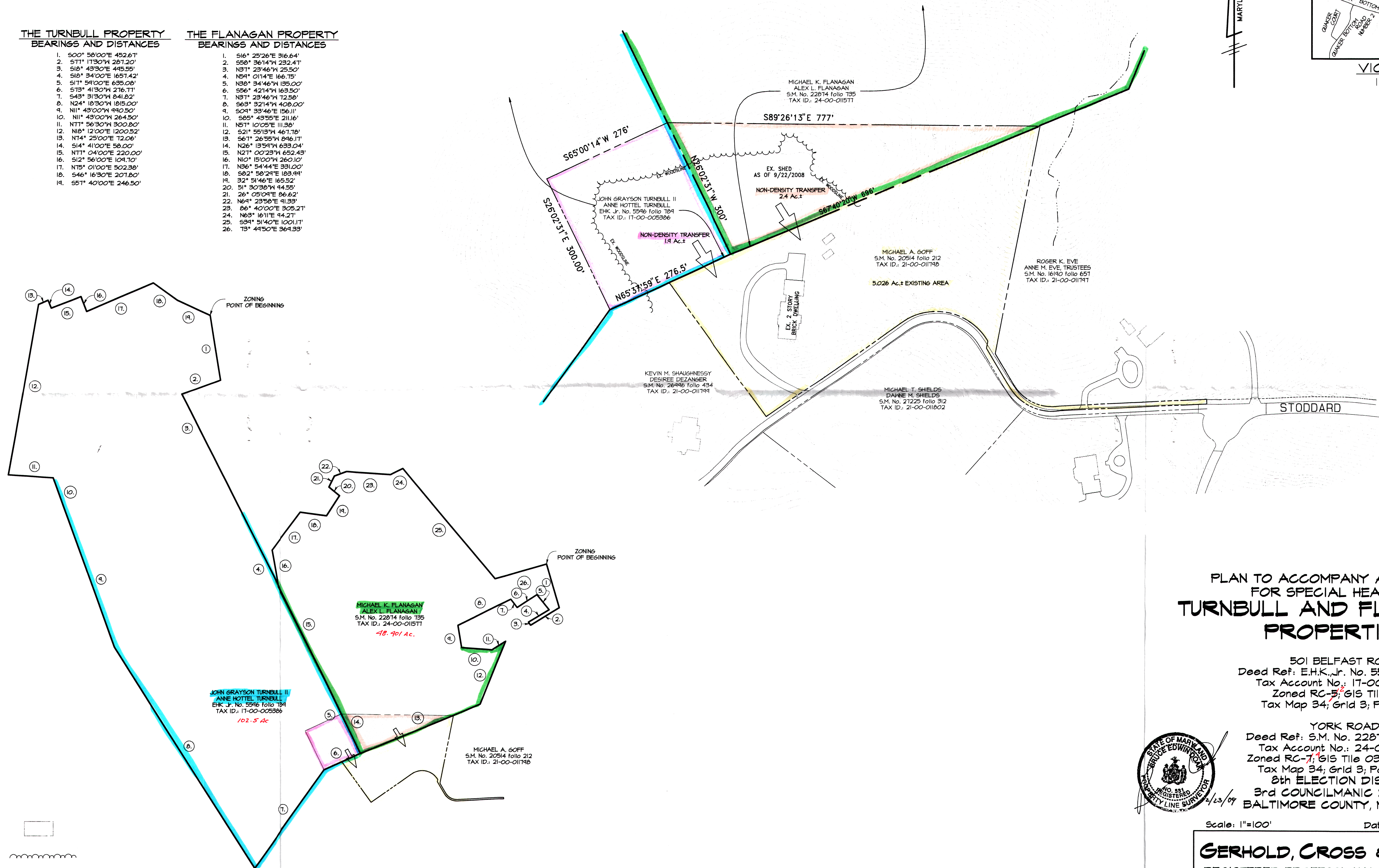
No. 1	RED LINE SITE PLAN	
No. 2	Colorized SITE PLAN	
No. 3	TAX MAP 34	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

THE TURNBULL PROPERTY BEARINGS AND DISTANCES

1. 500° 58'00"E 452.61'
2. 511° 17'30"W 281.20'
3. 518° 43'30"E 448.58'
4. 518° 34'00"E 657.42'
5. 511° 54'00"E 635.08'
6. 513° 41'30"W 276.71'
7. 543° 31'30"W 841.82'
8. N24° 18'30"W 1015.00'
9. N11° 48'00"W 940.50'
10. N11° 43'00"W 264.50'
11. N11° 56'30"W 300.80'
12. N18° 12'00"E 1200.52'
13. N14° 25'00"E 12.06'
14. S14° 41'00"E 58.00'
15. N11° 04'00"E 220.00'
16. S12° 56'00"E 104.10'
17. N15° 01'00"E 502.38'
18. S46° 16'30"E 207.80'
19. S51° 40'00"E 246.50'

THE FLANAGAN PROPERTY BEARINGS AND DISTANCES

1. S16° 25'26"E 316.64'
2. S58° 36'14"W 232.41'
3. N81° 23'46"W 25.50'
4. N51° 01'14"E 166.75'
5. N88° 34'46"W 135.00'
6. S56° 42'14"W 163.50'
7. N81° 23'46"W 12.58'
8. S63° 32'14"W 408.00'
9. S04° 38'46"E 156.11'
10. S85° 43'55"E 211.16'
11. N51° 10'05"E 111.38'
12. S21° 55'13"W 467.78'
13. S61° 26'55"W 846.11'
14. N26° 13'54"W 653.04'
15. N27° 00'23"W 652.43'
16. N10° 15'00"W 260.10'
17. N86° 54'44"E 331.00'
18. S82° 58'24"E 183.94'
19. S2° 51'46"E 165.52'
20. S1° 30'38"W 144.55'
21. S6° 05'04"E 86.62'
22. N64° 23'50"E 41.93'
23. S6° 40'00"E 305.21'
24. N63° 16'11"E 44.21'
25. S34° 51'40"E 1001.11'
26. T3° 44'30"E 564.33'



REVISION	DATE	COMPUTED	DRAWN	CHECKED	FILE: X:\6\gerhold\zoning plan.pro

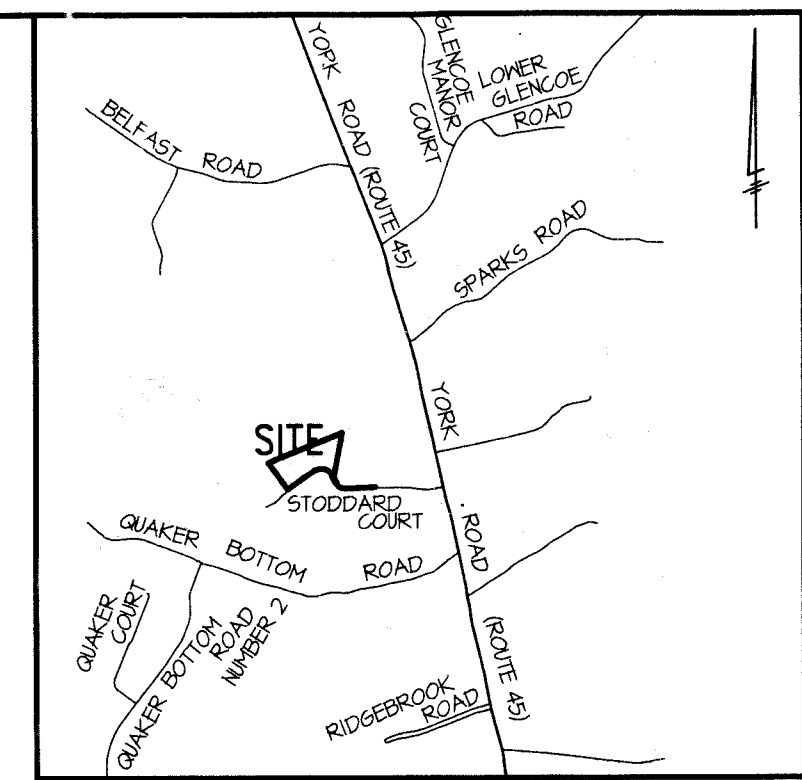
THE TURNBULL PROPERTY BEARINGS AND DISTANCES

1. 500° 58'00"E 452.61'
2. 511° 17'30"W 281.20'
3. 518° 43'30"E 449.55'
4. 518° 34'00"E 1651.42'
5. 511° 54'00"E 635.08'
6. 513° 41'30"W 276.71'
7. 543° 31'30"W 841.82'
8. N24° 18'30"W 1815.00'
9. N11° 43'00"W 940.50'
10. N11° 43'00"W 264.50'
11. N11° 56'30"W 300.80'
12. N18° 12'00"E 1200.52'
13. N14° 25'00"E 72.06'
14. 514° 41'00"E 58.00'
15. N11° 04'00"E 220.00'
16. 512° 56'00"E 104.10'
17. N15° 01'00"E 502.38'
18. 546° 16'30"E 207.80'
19. 551° 40'00"E 246.50'

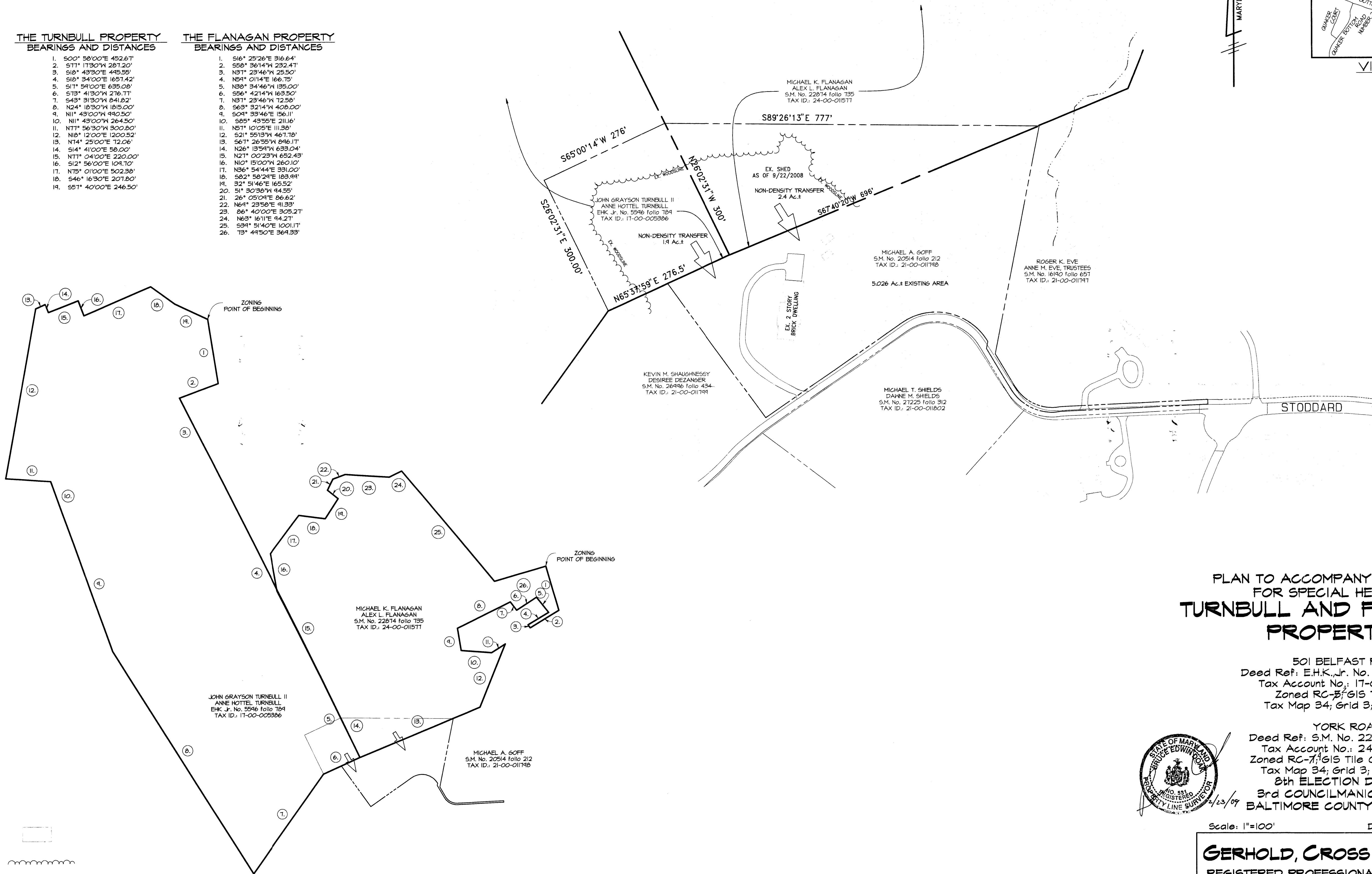
THE FLANAGAN PROPERTY BEARINGS AND DISTANCES

1. 516° 25'26"E 316.64'
2. 558° 36'14"W 232.41'
3. N31° 23'46"W 25.50'
4. N54° 01'14"E 166.75'
5. N38° 34'46"W 135.00'
6. 556° 42'14"W 163.50'
7. N31° 23'46"W 12.58'
8. 563° 32'14"W 409.00'
9. 504° 33'46"E 156.11'
10. 585° 43'55"E 211.16'
11. N51° 10'05"E 111.38'
12. 521° 55'13"W 461.78'
13. 561° 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. 582° 58'24"E 183.94'
19. 32° 51'46"E 165.52'
20. 51° 30'38"W 44.55'
21. 26° 05'04"E 86.62'
22. N64° 23'58"E 41.33'
23. 86° 40'00"E 305.27'
24. N63° 16'11"E 44.27'
25. 534° 51'40"E 100.11'
26. 73° 44'50"E 364.33'

MARYLAND COORDINATE SYSTEM
NAD83(1991)



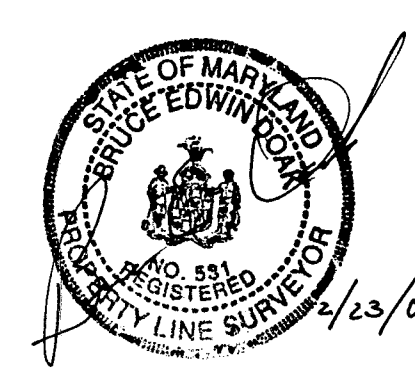
VICINITY MAP
1" = 2000'



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

501 BELFAST ROAD
Deed Ref: E.H.K., Jr. No. 5546 folio 784
Tax Account No.: 17-00-005386
Zoned RC-7; GIS Tile 34B1
Tax Map 34; Grid 3; Parcel 83

YORK ROAD
Deed Ref: S.M. No. 22874 folio 735
Tax Account No.: 24-00-011571
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 Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

PETITIONER'S
EXHIBIT NO. 1

REVISION	DATE	COMPUTED	DRAWN	CHECKED	FILE: X:\6\607\zoning plan.pro

HS-1820-6002

208712.5mN
427457.5mE

208710.8mN
432944.0mE

624

621

618

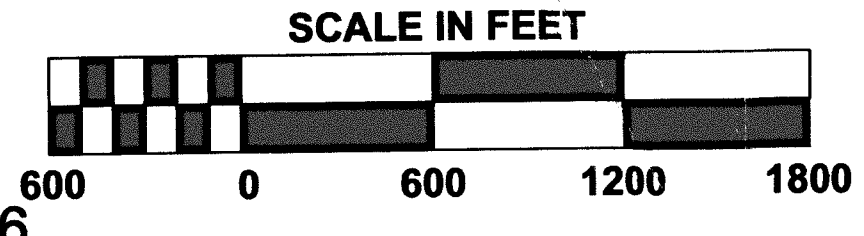
615

612

890-612
MAP NO.
34

205054.9mN
427457.5mE
COPYRIGHT - 1992 BY THE
STATE OF MARYLAND
ALL RIGHTS RESERVED.

THESE MAPS ARE PROTECTED BY COPYRIGHT. THEY MAY NOT BE COPIED
OR REPRODUCED IN ANY FORM INCLUDING ELECTRONIC MEANS SUCH AS:
DIGITIZING, SCANNING, VECTORING, OR IMAGE PROCESSING, OR BY ANY
SYSTEM NOW KNOWN OR TO BE INVENTED WITHOUT PERMISSION IN
WRITING FROM THE MARYLAND DEPARTMENT OF PLANNING.



42

MARYLAND DEPARTMENT OF PLANNING PROPERTY MAPPING SECTION			
The information shown on this map has been compiled from deed descriptions and data 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 21201-2306.			
REVISED TO:	DATE	BY	LIBER
	JUN 07	ML	
LAST P. NO.		QUARTER-QUADRANGLE	DATE OF PHOTO
			SHA GRID



BALTIMORE COUNTY,
MARYLAND

205053.5mN
432944.1mE

908

PETITIONER'S
EXHIBIT NO. 3