

IN THE MATTER OF
JOSEPH AND MARGARET ARDOLINO -
LEGAL OWNERS/PETITIONERS
PETITION FOR VARIANCE ON THE
PROPERTY LOCATED ON THE NW/CORNER
OF WALKER RD AND VALLEY MILL RD
(1502 WALKER RD)

6TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 12-253-A

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Robert D. Porter, Esquire as counsel for the Appellants, Charles W. Krantz, III, Winifred Krantz, John M. Lotz, and Donna L. Lotz, from a decision of the Administrative Law Judge dated June 14, 2012, in which the Petition for Variance to permit a proposed 3,000' panhandle access length in lieu of the maximum permitted panhandle access length of 1,000' in a RC zone was granted.

WHEREAS, the Board is in receipt of a hand delivered Stipulation of Dismissal filed on September 4, 2012, by Robert D. Porter, Esquire, as counsel for the Appellants, and Jeffrey H. Gray, Esquire, as counsel for Petitioners (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel agree and stipulate that the appeal taken in this matter be DISMISSED WITH PREJUDICE as of September 4, 2012;

IT IS ORDERED this 7th day of September 2012 by the Board of Appeals of Baltimore County that the appeal taken in Case No. 12-253-A be and the same is hereby DISMISSED WITH PREJUDICE.

BOARD OF APPEALS
OF BALTIMORE COUNTY


Wendell H. Grier, Chairman



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

September 7, 2012

Jeffrey H. Gray, Esquire
16925 York Road, Suite C
Monkton, MD 21111

Robert D. Porter, Esquire
Wagonheim Law
303 International Circle, Ste 390
Hunt Valley, MD 21030

RE: *In the Matter of: Joseph and Margaret Ardolino – Legal Owners/Petitioners*
Case No.: 12-253-A

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

TRS/klc
Enclosure
Duplicate Original Cover Letter

c: Joseph and Margaret Ardolino
Douglas Hodges
Jeff Clise
Charles and Winifred Krantz
John and Donna Lotz
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

IN RE: PETITION FOR VARIANCE

NW Corner of Walker Road and
Valley Mill Road
6th Election District
3rd Councilmanic District
(1502 Walker Road)

Joseph and Margaret Ardolino
Petitioners

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BEFORE THE

BALTIMORE COUNTY

BOARD OF APPEALS

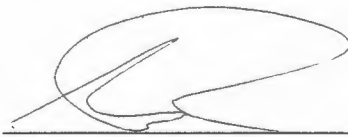
CASE NO. 2012-0253-A

* * * * *

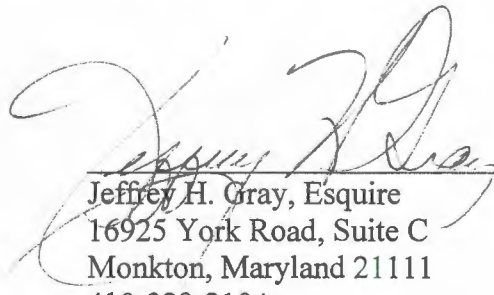
STIPULATION OF DISMISSAL

Charles W. Krantz, III, Winifred T. Krantz, John M. Lotz and Donna L. Lotz, Appellants,
by their attorneys, Robert D. Porter, Esquire and Wagonheim Law, and Joseph Ardolino and
Margaret Ardolino, Appellees, by their attorney, Jeffrey H. Gray, Esquire, agree and stipulate
that the captioned appeal, which is scheduled for hearing before this Honorable Board on
Wednesday, September 5, 2012 at 10:00 a.m., be DISMISSED WITH PREJUDICE.

Respectfully submitted,



Robert D. Porter, Esquire
Wagonheim Law
303 International Circle, Suite 390
Hunt Valley, Maryland 21030
410-584-1110
Attorneys for Appellants



Jeffrey H. Gray, Esquire
16925 York Road, Suite C
Monkton, Maryland 21111
410-329-2104

Attorney for Appellees

RECEIVED
SEP 04 2012

BALTIMORE COUNTY
BOARD OF APPEALS

IN RE: PETITION FOR VARIANCE

NW Corner of Walker Road and
Valley Mill Road
6th Election District
3rd Council District
(1502 Walker Road)

Joseph and Margaret Ardolino
Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

CASE NO. 2012-0253-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Variance filed by the legal owners, Joseph and Margaret Ardolino. The Petitioners are requesting Variance relief from Section 32-4-409(e) of the Baltimore County Code (B.C.C.), to permit a proposed 3,000' panhandle access length in lieu of the maximum permitted panhandle access length of 1,000' in a RC zone.¹ The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the variance request were Petitioners Joseph and Margaret Ardolino. They were represented at the hearing by Jeffrey H. Gray, Esquire. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R. Two neighbors – Charles Krantz and John Lotz – represented by Robert D. Porter, Esquire, attended the hearing and opposed the Petition.

¹ Under the B.C.Z.R., the Office of Administrative Hearings may grant variances with respect to height and area, parking and sign regulations. B.C.Z.R. § 307.1. The regulations provide that the Office of Administrative Hearings "shall have no power to grant any other variances." *Id*; see also B.C.C. § 32-3-301. Even so, the development regulations provide that the panhandle driveway length is subject to variance under B.C.Z.R. § 307. B.C.C. § 32-4-409(e)(3). This would seem to raise an interesting issue of statutory construction, but in the case at hand I will assume the Office of Administrative Hearings has authority to grant relief in these circumstances.

ORDER RECEIVED FOR FILING

Date 10-14-12

Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. A ZAC comment was received from the Bureau of Development Plans Review (DPR), dated April 26, 2012, indicating their support as long as the Developer complies with all of their minor subdivision comments dated January 17, 2012.

Testimony and evidence revealed that the subject property is 53.68 acres (2,338,300 square feet) and split-zoned RC 2 and RC 4. The property is in the Freeland area of Baltimore County, and Petitioners are seeking approval of a minor subdivision for 3 residential dwellings on the site. The Petitioners have already constructed their residence on the RC 2 portion of the site, and wish to construct two additional single family dwellings on the RC 4 portion of the site. To do so requires variance relief.

Based upon the testimony and evidence presented, I am persuaded to deny the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md 53, 80 (2008).

Petitioners have met this test.

The property qualifies as "unique" as that term is used in the law. The parcel is large, rural, and of irregular dimensions. Indeed, it would be hard to even describe the shape of the parcel using geometric terminology. See Exhibit 1. While the peculiarity or uniqueness of property is obviously required, courts have stated that the dispositive element in variance cases is whether the applicant will suffer a hardship or will be denied a "reasonable and significant" use for the property. Chesley v. City of Annapolis, 176 Md. App. 413, 427-32(2007).

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Date 6-14-12

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By [Signature]

In this case, if relief is denied, the Petitioners will be unable to construct dwellings on proposed Lots 2 and 3, a use which is permitted by the B.C.Z.R. and supported by reviewing County agencies. Mr. Porter is correct when he argued that denial of relief would not be tantamount to an unconstitutional taking, given that Petitioners could certainly farm the property. Even so, variances are permitted even in circumstances where strict application of the regulations would not constitute a "taking." Belvoir Farms v. North, 355 Md. 259, 281 (1999).

While I am mindful of the concerns articulated by Petitioners' neighbors, I do not believe their testimony was sufficient to serve as a basis for denial of relief. The driveway was designed and oriented in coordination with Baltimore County environmental authorities, and will not have a detrimental impact upon the community or neighboring owners. I understand and am sympathetic to the concerns raised by Messrs. Kratz and Lotz, but I believe the gist of their concerns centered on the two additional homes proposed by Petitioners, which is not the issue in this case. Both gentlemen expressed concern with traffic, over crowding and environmental impacts, all of which no doubt arise when new homes are constructed. But Petitioners do not need relief or permission to construct the homes. It is solely the driveway at issue in this case, and while its proposed length is three times that permitted by the Code, I do not believe that the additional length will cause any negative impacts upon the community.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and after considering the testimony and evidence offered by the Petitioner, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 14 day of June, 2012, by this Administrative Law Judge, that Petitioners' Variance request from Section 32-4-409(e) of the Baltimore County Code (B.C.C.), to permit a proposed 3,000' panhandle access length in lieu of the maximum

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Date 6-14-12 3

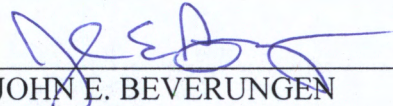
By PJ

the maximum permitted panhandle access length of 1,000' in a RC zone, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioner may apply for a building permit and may be granted same upon receipt of this Order. However the Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.
2. Compliance with the ZAC comments made by the Bureau of Development Plans Review dated January 17, 2012 and April 26, 2012, copies of which are attached hereto and made a part hereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

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Date 6-14-12

By pz



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

June 14, 2012

JEFFREY H. GRAY, ESQUIRE
16925 YORK ROAD "C"
MONKTON MD 21111

RE: Petition for Variance
Case No.: 2012-0253-A
Property: 1502 Walker Road

Dear Mr. Gray:

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure

c: Robert D. Porter, Esquire, Wagonheim Law, 303 International Circle, Suite 390, Hunt Valley MD 21030

BALTIMORE COUNTY, MARYLAND

SUBJECT: MINOR SUBDIVISION REVIEW COMMENTS
R.C. ZONING

DATE: January 17, 2012

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review
Dept. of Permits, Approvals and Inspections

PROJECT NAME: <i>ARDOLINO PROPERTY</i> MINOR SUB. NO.: <i>11036M</i> LOCATION: <i>WALKER ROAD</i> DISTRICT: <i>6C3</i>	RECEIVED JUN 14 2012 OFFICE OF ADMINISTRATIVE HEARINGS
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- ✓ *The following comments, as checked, are supplied in response to our review of the subject site.*

GENERAL COMMENTS:

- ☐ In accordance with *Bill No. 18-90, Section 26-279* dredging, filling or construction in any wetland is prohibited.
- ☐ The contours on the plan reveal rather excessive grading. The developer's engineer is cautioned not to exceed the maximum set by Baltimore County standards. Benching requirements shall be in accordance with *Section 41.02, Item 3 of the 1983 Maryland Standards and Specifications for Soil Erosion and Sediment Control*. Retaining walls that are proposed along road rights-of-way shall be located away from the right-of-way a distance that is at least equal to the height of the wall.
- ☐ Offsite rights-of-way are necessary for roads, storm drains or other utilities. The developer is hereby advised that the final plat and / or building permits will not be approved until the offsite right-of-way is acquired.
- ☐ The developer's engineer shall investigate the need and obtain the necessary permits for the facilities serving this site that may require a "*Corps of Engineer's Permit*", a "*Water Resources Permit*", a "*Water Quality Certification*", and any other federal or state permits. These facilities cannot be sent to contract until such permits have been received.
- ☐ The developer shall not allow any cable television cables to be installed in this subdivision without the required county permits obtained. Baltimore County will not assume any rights-of-way, easements, or maintenance of any public improvements, where such cables have been installed without a permit until the cables are satisfactorily located.

ORDER RECEIVED FOR FILING

Date

6/14/12

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HIGHWAY COMMENTS:

- ✓ Walker Road & Valley Mill Road are existing roads which shall ultimately be improved as a 60-foot right-of-way respectively.
- ✓ Show future 60- foot right-of-way on plan for both roads.
- It shall be the responsibility of the developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and / or abandonment of these right-of-way.
- ✓ Private driveway entrances shall conform with *Baltimore County Standard Detail Plate R-15, for "Typical Driveway Entrances from Road Without Curb and Gutter"*.
- ✓ The panhandles shall be a minimum of 20 feet in width to serve one lot and a minimum of 12 feet in width per lot where two or more lots are involved. The developer shall be required to provide a paved-panhandle drive where more than one lot is to be served prior to occupancy.
- ✓ The panhandle driveway shall conform to Standard Plate R-P, R-Q, or R-R.
- ✓ Covenants must be recorded prior to, or along with the recording of the plat, establishing a cross easement over the panhandles for access over and maintenance of the common panhandle driveway, and for installation and maintenance of the private and /or sewer connections where applicable.
- _____ is a state road. All improvements, intersections, entrances, drainage requirements and construction affecting a state road right-of-way are subject to the standards, specifications, and approval of the Maryland State Highway Administration in addition to those of Baltimore County.
- ✓ 350- Foot sight distances should be shown on plan for new entrances.
- ✓ Sight lines are to be drawn from the centerline of the proposed access at a point 10 feet behind the extension of the main road curb line to the centerline of the nearest approach lane on the main road.
- ✓ All subsequent plans must note that the areas between the sight line and the curb line must be cleared, graded, and kept free of any obstructions.

STORM DRAINS AND SEDIMENT CONTROL COMMENTS:

- ✓ The developer is responsible for the total actual cost of drainage facilities required to carry the storm water runoff through the property to be developed to a suitable outfall. The developer's cost responsibilities include the acquiring of easements and right-of-way both onsite and offsite and the deeding in-fee of said right-of-way at no cost to the county. Preparation of all construction, right-of-way and easement drawings, engineering

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Date 6.14.12

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By [Signature]

and surveys, and payment of all actual construction costs including the county overhead both within and outside the development are also the responsibilities of the developer.

- ✓ The developer must provide necessary drainage facilities (*temporary or permanent*) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result due to improper grading or improper installation of drainage facilities will be the full responsibility of the developer.
- A flood plain study will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.
- The developer must furnish the *Bureau of Development Plans Review* with a flood plain study containing the following information:

A map of scale 1"=200', for the entire drainage area which contributes to the stream, including a tabulation of flow quantities. Hydrology Computations shall be in accordance with the June, 1986 version of TR55.

Field run cross sections of the stream with the flood plain of a 100-year design storm indicated on them. These sections are to be taken at 50-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.

A profile of the stream.

A plan with the location of the field run cross sections indicated.

Hydraulic computations which were used to establish the elevation of the flood plain for each cross section bases on "The Standard Step Method" or "The U.S. Corps of Engineers Computer Program HEC-2".

Hydraulic computations, including inlet and outlet control analysis, which determine the size of any proposed structure within the flood plain. The developer's engineer shall submit economically comparable designs (type, size, and location), with estimated construction costs included, to verify his selection.

The stream is to be cleared of all fallen trees, stumps, and debris.

- In accordance with *Bill No. 173-93, Section 26-276*, no development in any riverine flood plain shall be permitted except the establishment of property subdivision lines and the installation of any pond, culvert, bridge, street, utility or drainage facility that the county finds not detrimental to flood plain management programs.
- ✓ Sediment control provisions will be required for each individual building permit application.
- The rear of buildings may not be constructed within 20-feet of the limits of the flood plain as established for a 100-year flood level with a 1-foot freeboard. See *Plate 19D* in the *Baltimore County Design Manual*.

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- ☐ In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1-foot over the flood plain elevation in all construction.
- ☐ The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

WATER AND SANITARY SEWER COMMENTS:

- ✓ Public water is not available to serve this property. Therefore, private well systems must be provided in conformance with the *Environmental Protection and Sustainability* requirements. A water appropriation permit must be approved prior to signature on the record plat.
- ✓ Public sewers are not available to serve this property; therefore, private sewage systems must be provided. Soil tests must be conducted on each lot prior to approval of a record plat in accordance with the *Environmental Protection and Sustainability* requirements.

SITE SPECIFICS COMMENTS:

Show a 60-foot right-of-way for Walker Road and Valley Mill Road, but label it as a zoning setback measurement line. Show highway widening along both roads. The width of the widening will be from the property line 10 feet from the edge of the pavement or maintained ditch, with a cutback at the intersection.

Show existing driveway being widened to 16 feet.

Submit driveway profile.

Show and label the locations of trash and mail pad on Walker Road.

Show and label the in-fee strips to each proposed lot.

Add due diligence note.

DAK:CEN:

ORDER RECEIVED FOR FILING

Date 6-14-12

By 

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For May 7, 2012
Item No. 2012-0253

DATE: April 26, 2012

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

We support granting the variance as long as the Developer complies with all of our minor subdivision comments dated January 17, 2012.

DAK:CEN
cc: File
ZAC-ITEM NO 12-0253-05072012.doc

ORDER RECEIVED FOR FILING

Date 6-14-12

By [Signature]



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 1502 Walker Rd. Freeland, Md. 21053 which is presently zoned RC2/RC4

Deed References: L. 8656 F. 658 10 Digit Tax Account # 22 00 00 59 42

Property Owner(s) Printed Name(s) Joseph and Margaret Ardolino

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s) A variance from § 32-4-409(e) of the Baltimore County Code Development Regulations, to permit a proposed 3,000 feet panhandle access length in lieu of the maximum permitted panhandle access length 1,000 feet in a RC zone.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Please see attached

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2012-0253 A Filing Date 4/11/12

Do Not Schedule Dates: _____

Reviewer GP/AT

REV. 10/4/11

ORDER RECEIVED FOR FILING

10:14:12

April 5, 2012

Office of Administrative Law of Baltimore County

Attn: Zoning Hearing Review Board

Re: Ardolino Property
Minor Subdivision #11036M

Dear Boardmembers,

As requested by the Zoning Office during the Minor Subdivision review for the above referenced project, please find the following Variance Justification.

The subject property is located at 1502 Walker Road in Freeland, Maryland at the intersection of Walker Road and Valley Mill Road. Both of these roads are 60' wide County Right-of-Ways. The subject property, known as Parcel 26 (Tax Map 11 Grid 11), is 53.68 acres in size and contains woodlands, farm fields, along with existing improvements such as a home, garage, and driveways. The property is zoned RC-2, which includes the existing improvements, and RC-4, which includes most of the existing woodland and environmental features. The property is unique, in that, it is long and narrow and the RC-4 area is located in the back of the property.

The property owners, Joseph and Margaret Ardolino, would like to subdivide the entire property into 3 lots. Lot 1(RC-2) will contain the existing home owned by the Ardolinos and lots 2 and 3 (RC-4) are to be created for their two daughters to construct homes at a later date. Due to the nature of the zoning for RC-2 and RC-4, subdivision to create the two additional lots can only occur in the RC-4 zone. Please refer to the included Zoning Hearing Plan. The RC-4 Zone area is located in the back of the property approximately 3,000 linear feet (L.F.) from the street frontage onto Walker Road. Per the Zoning Review Section, these lots must be considered "Panhandle Lots" and be served by a panhandle driveway. The minimum panhandle driveway length is 1,000 L.F. per Section 32-4-409(e) of the County Code.

1. To prove undue hardship for this variance, I list the following three (3) items:

- (i) Denial of access to a public right-of-way from the proposed lots within the RC-4 portion would not allow for legal subdivision of the property through the minor subdivision process.
- (ii) The dual zoning of the parent parcel along with the location of the "subdividable" portion of the property is unique to this property.
- (iii) The shape of the property was designated by the previous owner and the zoning division was approved by Baltimore County. The hardship was not the result of the Ardolino's own actions.

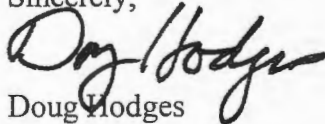
2012-0253-1

2. To prove practical difficulty for this variance, I list the following three (3) items:
- (i) Strict adherence to Zoning Code Section 32-4-409(e), would "unreasonably prevent the use of the property for a permitted use".
 - (ii) Strict adherence would also create an injustice to the Ardolino's, as well as, other similar future properties within Baltimore County. Granting of this variance, "...would give substantial relief".
 - (iii) Granting of this variance will maintain the "spirit" of this particular section of the County Code. Granting of this variance will NOT create an insecurity for both the safety and welfare of the public.
 - (iv) "No increase in residential density beyond that allowed by the BCZR" will occur with the granting of this petition.

On behalf of the Ardolinos, I ask for this variance to this standard due to the unusual property shape and zoning nature of the property. Denial of this petition would create a great financial hardship for the Ardolinos, who have worked diligently with the various review agencies Baltimore County on this project.

If you have any questions or need any other information, please call our office. Thank you for your attention to this matter.

Sincerely,



Doug Hodges
Landesign

2012-0253-A

April 5, 2012

Office of Administrative Law of Baltimore County

Attn: Zoning Hearing Review Board

Re: Ardolino Property
Minor Subdivision #11036M

Dear Boardmembers,

As requested by the Zoning Office during the Minor Subdivision review for the above referenced project, please find the following Variance Justification.

The subject property is located at 1502 Walker Road in Freeland, Maryland at the intersection of Walker Road and Valley Mill Road. Both of these roads are 60' wide County Right-of-Ways. The subject property, known as Parcel 26 (Tax Map 11 Grid 11), is 53.68 acres in size and contains woodlands, farm fields, along with existing improvements such as a home, garage, and driveways. The property is zoned RC-2, which includes the existing improvements, and RC-4, which includes most of the existing woodland and environmental features. The property is unique, in that, it is long and narrow and the RC-4 area is located in the back of the property.

The property owners, Joseph and Margaret Ardolino, would like to subdivide the entire property into 3 lots. Lot 1(RC-2) will contain the existing home owned by the Ardolinos and lots 2 and 3 (RC-4) are to be created for their two daughters to construct homes at a later date. Due to the nature of the zoning for RC-2 and RC-4, subdivision to create the two additional lots can only occur in the RC-4 zone. Please refer to the included Zoning Hearing Plan. The RC-4 Zone area is located in the back of the property approximately 3,000 linear feet (L.F.) from the street frontage onto Walker Road. Per the Zoning Review Section, these lots must be considered "Panhandle Lots" and be served by a panhandle driveway. The minimum panhandle driveway length is 1,000 L.F. per Section 32-4-409(e) of the County Code.

1. To prove undue hardship for this variance, I list the following three (3) items:

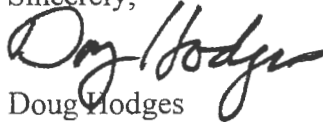
- (i) Denial of access to a public right-of-way from the proposed lots within the RC-4 portion would not allow for legal subdivision of the property through the minor subdivision process.
- (ii) The dual zoning of the parent parcel along with the location of the "subdividable" portion of the property is unique to this property.
- (iii) The shape of the property was designated by the previous owner and the zoning division was approved by Baltimore County. The hardship was not the result of the Ardolino's own actions.

2. To prove practical difficulty for this variance, I list the following three (3) items:
- (i) Strict adherence to Zoning Code Section 32-4-409(e), would “unreasonably prevent the use of the property for a permitted use”.
 - (ii) Strict adherence would also create an injustice to the Ardolino’s, as well as, other similar future properties within Baltimore County. Granting of this variance, “...would give substantial relief”.
 - (iii) Granting of this variance will maintain the “spirit” of this particular section of the County Code. Granting of this variance will NOT create an insecurity for both the safety and welfare of the public.
 - (iv) “No increase in residential density beyond that allowed by the BCZR” will occur with the granting of this petition.

On behalf of the Ardolinos, I ask for this variance to this standard due to the unusual property shape and zoning nature of the property. Denial of this petition would create a great financial hardship for the Ardolinos, who have worked diligently with the various review agencies Baltimore County on this project.

If you have any questions or need any other information, please call our office. Thank you for your attention to this matter.

Sincerely,



Doug Hodges
Landesign

2012-0253-A

April 5, 2012

Office of Administrative Law of Baltimore County

Attn: Zoning Hearing Review Board

Re: Ardolino Property
Minor Subdivision #11036M
Parcel 26
Liber: 8656 folio:658
Area = 53.68 acres
Horizontal Datum: NAD 83/91

NOTE:

As a requirement for Minor Subdivision submittal, the property must be in Maryland State Datum. The original deed (Liber: 8656 folio: 658) was prepared in Baltimore County Grid Datum. In addition, the point of beginning in the original deed was a marked stone in the most northeast corner of the property (13th Point of Call), as listed below

ZONING HEARING PROPERTY DESCRIPTION

Beginning at the centerline of Walker Road, which is sixty (60) feet of right-of-way width, at a distance of forty (40) feet west of the centerline of the nearest improved intersecting street, Valley Mill Road, which is sixty (60) feet wide;

Thence the following courses and distances:

- 1st Point of Call – “POC”: North 00 degrees 34 minutes 22 seconds West, 311.10 feet,
- 2nd POC: North 05 degrees 52 minutes 26 seconds West, 217.75 feet,
- 3rd POC: North 01 degrees 16 minutes 16 seconds West, 120.03 feet,
- 4th POC: North 00 degrees 50 minutes 35 seconds East, 48.00 feet,
- 5th POC: North 01 degrees 48 minutes 00 seconds West, 126.34 feet,
- 6th POC: North 09 degrees 39 minutes 57 seconds West, 86.15 feet,
- 7th POC: North 00 degrees 18 minutes 47 seconds West, 85.00 feet,
- 8th POC: North 26 degrees 43 minutes 05 seconds West, 298.57 feet,
- 9th POC: North 29 degrees 18 minutes 55 seconds East, 1,378.18 feet,
- 10th POC: North 07 degrees 57 minutes 19 seconds East, 1,592.03 feet,
- 11th POC: South 27 degrees 51 minutes 18 seconds East, 1,452.00 feet,
- 12th POC: South 21 degrees 21 minutes 18 seconds West, 264.06 feet,
(to the Original Point of Beginning L. 8656 f. 658 “marked stone”)
- 13th POC: South 53 degrees 59 minutes 00 seconds West, 257.16 feet,
- 14th POC: South 58 degrees 56 minutes 03 seconds West, 723.27 feet,
- 15th POC: South 26 degrees 15 minutes 48 seconds West, 579.63 feet,

2012-0253-A

16th POC: South 38 degrees 23 minutes 22 seconds East, 827.32 feet,
17th POC: South 44 degrees 11 minutes 05 seconds West, 240.23 feet,
18th POC: South 39 degrees 31 minutes 43 seconds West, 880.73 feet,
19th POC: North 71 degrees 56 minutes 04 seconds West, 22.56 feet,
20th POC: North 77 degrees 57 minutes 24 seconds West, 153.18 feet,

Back to the point of beginning, containing 2,338,300 sq.ft. or 53.68 acres. Located in the 6th Election District and the 3rd Council District.

2012-0253-A

April 5, 2012

Office of Administrative Law of Baltimore County

Attn: Zoning Hearing Review Board

Re: Ardolino Property
Minor Subdivision #11036M
Parcel 26
Liber: 8656 folio:658
Area = 53.68 acres
Horizontal Datum: NAD 83/91

NOTE:

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20th POC: North 77 degrees 57 minutes 24 seconds West, 153.18 feet,

Back to the point of beginning, containing 2,338,300 sq.ft. or 53.68 acres. Located in the 6th Election District and the 3rd Council District.

2012-0253-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 05/15/2012

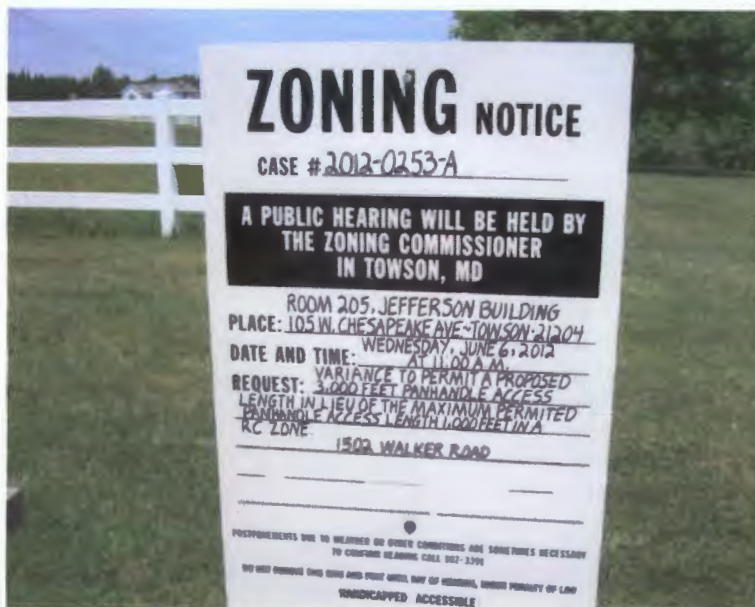
Case Number: 2012-0253-A

Petitioner / Developer: JEFFREY GRAY, ESQ.~MR.&MRS. ARDOLINO~DOUGLAS HODGES

Date of Hearing (Closing): JUNE 6, 2012

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:
1502 WALKER AVENUE

The sign(s) were posted on: MAY 12, 2012



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)

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0253-A
1502 Walker Road
N/w corner of Walker Road
and Valley Mill Road
6th Election District
3rd Councilmanic District
Legal Owner(s): Joseph &
Margaret Ardolino
Variance: to permit a proposed 3,000 feet panhandle access length in lieu of the maximum permitted panhandle access length 1,000 feet in a RC zone.
Hearing: Wednesday,
June 6, 2012 at 11:00
a.m. In Room 205, Jefferson
Building, 105 West
Chesapeake Avenue,
Towson 21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations
Please Contact the
Administrative Hearings Office
at (410) 887-3868.

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

05/195 May 17 303250

CERTIFICATE OF PUBLICATION

5/17, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 5/17, 2012.

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

S. Wilkinson

LEGAL ADVERTISING

No. 82121
Date: 4/11/12

Date: 4/11/12

PAID RECEIPT

BUSSINESS	ACTUAL	TIME	DRM
4/13/2012	4/11/2012	11:14:18	2

NO 4502 WALKER JOHN JEE

RECEIPT # 75752 491 302 0517

5 523 304144 VERIFICATION

C. NO. 082121

Receipt for \$75.00

175.00 1.00 1.00

Baltimore County, Maryland

[illegible]

	\$75
Total:	

Rec
From:

For:

1502 WALKER RD.

2012-0253-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



WAGONHEIM LAW

July 12, 2012

BY HAND DELIVERY

Office of Administrative Hearings
for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED

JUL 12 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Petition for Variance
Case no.: 2012-0253-A
Property: 1502 Walker Road
Notice of Appeal

Ladies and Gentlemen:

Enclosed for filing please find a Notice of Appeal in the referenced matter and our firm's check for the filing fee. Thank you for your assistance with this matter.

Sincerely,

Robert D. Porter

RDP/sbs
Enclosures

cc: Via First-Class Mail
Mr. and Mrs. Charles W. Krantz, III
Mr. and Mrs. John M. Lotz
Jeffrey H. Gray, Esquire

IN RE: PETITION FOR VARIANCE

NW Corner of Walker Road and
Valley Mill Road
6th Election District
3rd Councilmanic District
(1502 Walker Road)

Joseph and Margaret Ardolino
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **CASE NO. 2012-0253-A**

* * * * *

NOTICE OF APPEAL

Mr. and Mrs. Charles W. Krantz, III and Mr. and Mrs. John M. Lotz, by their undersigned counsel, hereby file an appeal to the Baltimore County Board of Appeals from the Opinion and Order of the Office of Administrative Hearings (Honorable John E. Beverungen, presiding). Pursuant to Rule 3 of the Rules of Practice and Procedure of the Board of Appeals, the names and addresses of the appellants are as follows:

Charles W. Krantz, III and Winifred T. Krantz
20008 Valley Mill Road
Freeland, Maryland 21053

John M. Lotz and Donna L. Lotz
20016 Valley Mill Road
Freeland, Maryland 21053.

Respectfully submitted,



Robert D. Porter
Wagonheim Law
303 International Circle, Suite 390
Hunt Valley, Maryland 21030
410-584-1110

RECEIVED

JUL 12 2012

OFFICE OF ADMINISTRATIVE HEARINGS

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

No. **74418**

Date: **7-12-12**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					265.00

Total: **265.00**

Rec From: **Wagonheim Law - Bob Porter**

For: **Appeal Case # 2012-0253-A**
1502 Walker Road.

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME AM
7/13/2012 7:45PM 10:00PM 2
REC NO. 00410 JENN JEE
RECEIPT # 70990 7/12/2012 0010
Dep 5 500 20000 VERIFICATION
CR NO. 074410
Recpt Tot. 1265.00
1265.00 00 1.00 00
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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:

11-036 M

2012-0253-A

Petitioner:

Joseph and Margaret Ardolino

Address or Location:

1502 Walker Road Freeland, Md 21053

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Joseph and Margaret Ardolino

Address:

1502 Walker Road

Freeland, Md. 21053

Telephone Number:

410-913-9182

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 15, 2012 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. Joseph Ardolino
1502 Walker Road
Freeland, MD 21053

410-913-9182

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0253-A

1502 Walker Road

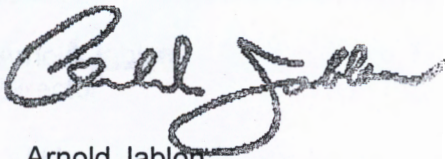
N/w corner of Walker Road and Valley Mill Road

6th Election District – 3rd Councilmanic District

Legal Owners: Joseph & Margaret Ardolino

Variance to permit a proposed 3,000 feet panhandle access length in lieu of the maximum permitted panhandle access length 1,000 feet in a RC zone.

Hearing: Tuesday, May 29, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 17, 2012 Issue - Jeffersonian

Please forward billing to:
Mr. & Mrs. Joseph Ardolino
1502 Walker Road
Freeland, MD 21053

410-913-9182

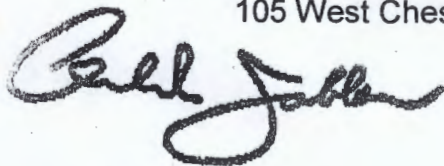
NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0253-A
1502 Walker Road
N/w corner of Walker Road and Valley Mill Road
6th Election District – 3rd Councilmanic District
Legal Owners: Joseph & Margaret Ardolino

Variance to permit a proposed 3,000 feet panhandle access length in lieu of the maximum permitted panhandle access length 1,000 feet in a RC zone.

Hearing: Wednesday, June 6, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

May 8, 2012

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0253-A

1502 Walker Road

N/w corner of Walker Road and Valley Mill Road

6th Election District – 3rd Councilmanic District

Legal Owners: Joseph & Margaret Ardolino

Variance to permit a proposed 3,000 feet panhandle access length in lieu of the maximum permitted panhandle access length 1,000 feet in a RC zone.

Hearing: Wednesday, June 6, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Jeffrey Gray, 10925 York Road "C", Monkton 21111
Mr. & Mrs. Ardolino, 1502 Walker Road, Monkton 21053
Douglas Hodges, 2905 Mitchellville Road, #111, Bowie 20716

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 17, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

8/31/12 Message saved

Jeffrey Gray & Robert
Porter
410 329 2104

Re: 12-253-A

Andolino

Appeal hrg 9/5

Have agreed - need to sign

Request postponement

1:20pm - I called back to
let him know you were
out - he hopes to have all
signatures today & check
clear on Tues - if all →

goes well he'll deliver
The stipulation & ~~and~~
dismissal on Tues -

1:22 - Wendell called me
back on Minton - &
advised of possible
settlement/postponement



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

July 20, 2012

NOTICE OF ASSIGNMENT

CASE #: 12-253-A

**IN THE MATTER OF: Joseph and Margaret Ardolino
Legal Owners / Petitioners**

1502 Walker Road, Freeland, MD 21053
6th Election District; 3rd Councilmanic District

Re: Petition for Variance to permit a proposed 3,000 feet panhandle access length in lieu of the maximum permitted panhandle access length 1,000 feet in a RC zone.

6/14/12 Opinion and Order of the Administrative Law Judge GRANTING requested Petition for Variance.

ASSIGNED FOR: WEDNESDAY, SEPTEMBER 5, 2012, AT 10:00 A.M.

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton, Administrator

c: Counsel for Petitioner/LO
Petitioner/LO

: Jeffrey H. Gray, Esquire
: Joseph and Margaret Ardolino

Counsel for Appellants
Appellants

: Robert D. Porter, Esquire / Wagonheim Law
: Charles W. Krantz, III and Winifred T. Krantz
: John M. Lotz and Donna L. Lotz

Douglas Hodges
Jeff Clise

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

May 31, 2012

Joseph and Margaret Ardolino
1502 Walker Road
Freeland, MD 21053

RE: Case Number: 2012-0253-A, Address: 1502 Walker Road, 21053

Dear Mr. & Ms. Ardolino:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 11, 2012. 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, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Douglas Hodges, 2905 Mitchellville Road, Bowie, MD 20716
Jeffrey H. Gray, 16925 York Road, Monkton, MD 21111

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 4-26-12

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

RE: Baltimore County
Item No 2012-0253-A
Variance
Joseph & Margaret Ardolino
1502 Walker Road

Dear Ms. Lewis:

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. 2012-0253-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For May 7, 2012
Item No. 2012-0253

DATE: April 26, 2012

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

We support granting the variance as long as the Developer complies with all of our minor subdivision comments dated January 17, 2012.

DAK:CEN
cc: File
ZAC-ITEM NO 12-0253-05072012.doc

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1502 Walker Road; NW corner of Walker Road *
And Valley Mill Road * OF ADMINISTRATIVE
6th Election & 3rd Councilmanic Districts *
Legal Owner(s): Joseph & Margaret Ardolino * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2012-253-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

APR 30 2012

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 30th day of April, 2012, a copy of the foregoing Entry of Appearance was mailed to Douglas Hodges, 2905 Mitchellville Road, Suite 111, Bowie, MD 20716 and Jeffrey Gray, Esquire, 16925 York Road "C", Monkton, MD 21111, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

July 17, 2012

Jeffrey H. Gray, Esquire
16925 York Road "C"
Monkton, Maryland 21111

RECEIVED
JUL 17 2012

RE: **APPEAL TO BOARD OF APPEALS**
Case No. 2012-0253-A
Location: 1502 Walker Road

**BALTIMORE COUNTY
BOARD OF APPEALS**

Dear Mr. Gray:

Please be advised that an appeal of the above-referenced case was filed in this Office on June 12, 2012. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

c **Baltimore County Board of Appeals**
People's Counsel for Baltimore County
Arnold Jablon, Director, Department of Permits, Approvals, and Inspections
Robert D. Porter, Esquire, Wagonheim Law, 30 International Circle, Suite 390,
Hunt Valley, MD 21030

APPEAL

**Petition for Variance
1502 Walker Road
NW corner of Walker Road and Valley Mill Road
6th Election District – 3rd Councilmanic District
Legal Owners: Joseph and Margaret Ardolino
Case No.: 2012-0253-A**

April 5, 2012	Zoning Description of Property
April 11	Petition for Variance filed by Joseph and Margaret Ardolino, Petitioners attaching April 5 Correspondence from Doug Hodges, Landesign
April 11	Miscellaneous Cash Receipt – Variance Fee
Undated	Advertising Requirements and Procedures for Zoning Hearings
April 30	Entry of Appearance filed by People's Counsel for Baltimore County
May 1	Notice of Zoning Hearing for Petitioners and Patuxent Publishing Co.
May 3	Correspondence from Doug Hodges, Landesign
May 8	New Notice of Zoning Hearing for Petitioners and Patuxent Publishing Co.
May 15	Certificate of Posting
May 17	Certificate of Publication
May 31	Correspondence from W. Carl Richards, Jr. – ZAC Comments
June 6	Petitioner's and Citizen's Sign-In Sheets
June 6	Petitioner's Exhibits: 1 – Site Plan Protestant's Exhibits: 1 – ADC Map 2 – CZMP Map page 3 – CZMP Map page 4 – CZMP Map page 5 – CZMP Map page
June 8	Email from Patricia Zook re: 1 st Request for January 17 th ZAC comments
June 14	Email from Patricia Zook re: 2 nd Request for January 17 th ZAC comments
June 14	Email from Dennis Kennedy re: January 17 th ZAC comments
June 14	Letter and Opinion and Order from Judge John E. Beverungen
July 12	Notice of Appeal and Miscellaneous Cash Receipt filed by Robert D. Porter, Esq. for Mr. and Mrs. Charles W. Krantz, III and Mr. and Mrs. John M. Lotz
Undated	Photos – Not Exhibits – (38 Pages)

c: Baltimore County Board of Appeals
Peter Max Zimmerman, People's Counsel for Baltimore County
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director, Department of Permits, Approvals and Inspections

Date Sent: July 17, 2012

APPEAL

Petition for Variance
1502 Walker Road
NW corner of Walker Road and Valley Mill Road
6th Election District – 3rd Councilmanic District
Legal Owners: Joseph and Margaret Ardolino
Case No.: 2012-0253-A

- ✓ April 5, 2012 Zoning Description of Property
- ✓ April 11 Petition for Variance filed by Joseph and Margaret Ardolino, Petitioners attaching April 5 Correspondence from Doug Hodges, Landesign
- ✓ April 11 Miscellaneous Cash Receipt – Variance Fee
- ✓ Undated Advertising Requirements and Procedures for Zoning Hearings
- ✓ April 30 Entry of Appearance filed by People's Counsel for Baltimore County
- ✓ May 1 Notice of Zoning Hearing for Petitioners and Patuxent Publishing Co.
- ✓ May 3 Correspondence from Doug Hodges, Landesign
- ✓ May 8 New Notice of Zoning Hearing for Petitioners and Patuxent Publishing Co.
- ✓ May 15 Certificate of Posting
- ✓ May 17 Certificate of Publication
- ✓ May 31 Correspondence from W. Carl Richards, Jr. – ZAC Comments
- ✓ June 6 Petitioner's and Citizen's Sign-In Sheets
- ✓ June 6 Petitioner's Exhibits:
 - ✓ 1 – Site Plan
- Protestant's Exhibits:
 - ✓ 1 – ADC Map
 - ✓ 2 – CZMP Map page
 - ✓ 3 – CZMP Map page
 - ✓ 4 – CZMP Map page
 - ✓ 5 – CZMP Map page
- ✓ June 8 Email from Patricia Zook re: 1st Request for January 17th ZAC comments
- ✓ June 14 Email from Patricia Zook re: 2nd Request for January 17th ZAC comments
- ✓ June 14 Email from Dennis Kennedy re: January 17th ZAC comments
- ✓ June 14 Letter and Opinion and Order from Judge John E. Beverungen
- ✓ July 12 Notice of Appeal and Miscellaneous Cash Receipt filed by Robert D. Porter, Esq. for Mr. and Mrs. Charles W. Krantz, III and Mr. and Mrs. John M. Lotz
- ✓ Undated Photos – Not Exhibits – (38 Pages)

c: Baltimore County Board of Appeals
Peter Max Zimmerman, People's Counsel for Baltimore County
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director, Department of Permits, Approvals and Inspections

Date Sent: July 17, 2012

Landesign

Engineers
Land Surveyors
Planners

2905 Mitchellville Road ■ Suite #111 ■ Bowie Professional Center
Bowie, Maryland 20716 ■ (301) 249-8802 ■ Fax: 249-8804

May 3, 2012

Office of Zoning Review

Attn: Kristen Lewis

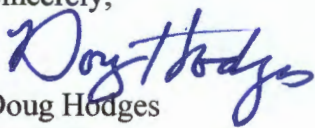
Re: Ardolino Property
Minor Subdivision #11036M
CASE NUMBER: 2012-0253-A

Dear Ms. Lewis,

Per your instruction, I respectfully submit this request for a rescheduling of the current Zoning Hearing date from May 29, 2012 to the next available date and time. My clients, Joseph and Margaret Ardolino, have asked me to submit this request because their attorney Jeffrey Gray will be out of town and will not be able to attend the hearing.

If you have any questions or need any other information, please call our office. Thank you for your attention to this matter.

Sincerely,


Doug Hodges
Landesign

Patricia Zook - Case 2012-0253-A (1502 Walker Road) (January 17 comments)

From: Patricia Zook
To: Kennedy, Dennis
Date: 6/8/2012 11:47 AM
Subject: Case 2012-0253-A (1502 Walker Road) (January 17 comments)

Good morning Dennis -

I am working on an Order for the above-referenced case. The file contains your comments dated April 26, 2012 which state:

"We support granting the variance as long as the Developer complies with all of our minor subdivision comments dated January 17, 2012."

However, the file does not contain your January 17 comments. If you could e-mail this to me I can then attach the April 26 and January 17 comments to the final Order.

As always, thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

*1st
request*



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Patricia Zook - Case 2012-0253-A (1502 Walker Road) (January 17 comments)

From: Patricia Zook
To: Kennedy, Dennis
Date: 6/14/2012 9:46 AM
Subject: Case 2012-0253-A (1502 Walker Road) (January 17 comments)

Good morning Dennis -

I am working on an Order for the above-referenced case. The file contains your comments dated April 26, 2012 which state:

"We support granting the variance as long as the Developer complies with all of our minor subdivision comments dated January 17, 2012."

However, the file does not contain your January 17 comments. If you could e-mail this to me I can then attach the April 26 and January 17 comments to the final Order.

As always, thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

2nd request



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Patricia Zook - Re: Case 2012-0253-A (1502 Walker Road) (January 17 comments)

From: Dennis Kennedy
To: Zook, Patricia
Date: 6/14/2012 2:51 PM
Subject: Re: Case 2012-0253-A (1502 Walker Road) (January 17 comments)
Attachments: ARDOLINO PROPERTY MINOR SUB 11036M.doc

Here you go, sorry about that.

>>> Patricia Zook 6/14/2012 9:46 AM >>>
Good morning Dennis -

I am working on an Order for the above-referenced case. The file contains your comments dated April 26, 2012 which state:

"We support granting the variance as long as the Developer complies with all of our minor subdivision comments dated January 17, 2012."

However, the file does not contain your January 17 comments. If you could e-mail this to me I can then attach the April 26 and January 17 comments to the final Order.

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Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov



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6/6 11 AM
205

5/9 @ 11 AM Page 1 of 1
Rext - JB out

Debra Wiley - ZAC Comments - Distribution Mtg. of 4/23

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 4/23/2012 10:09 AM
Subject: ZAC Comments - Distribution Mtg. of 4/23

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0253-A - 1502 Walker Road
No hearing date assigned in data base as of today

2012-0254-A - 14006 Sunnybrook Road
Administrative Variance - Closing Date: 5/7/12

2012-0255-A - 31 Sproul Street
Administrative Variance - Closing Date: 5/7/12

2012-0256-SPHA - 6727 B Windsor Mill Road
No hearing date assigned in data base as of today

2012-0257-X - 4111 Washington Boulevard
No hearing date assigned in data base as of today

2012-0259-A - 11116 Bird River Grove Road - **CBCA / FLOODPLAIN**
No hearing date assigned in data base as of today

2012-0260-A - 3313 Lee Court
Administrative Variance - Closing Date: 5/14/12

2012-0261-XA - 9530 Philadelphia Road - **FLOODPLAIN**
No hearing date assigned in data base as of today

Thanks.

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

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: January 4, 2013

TO: David Duvall
Zoning Review Office
Permits, Approvals & Inspections

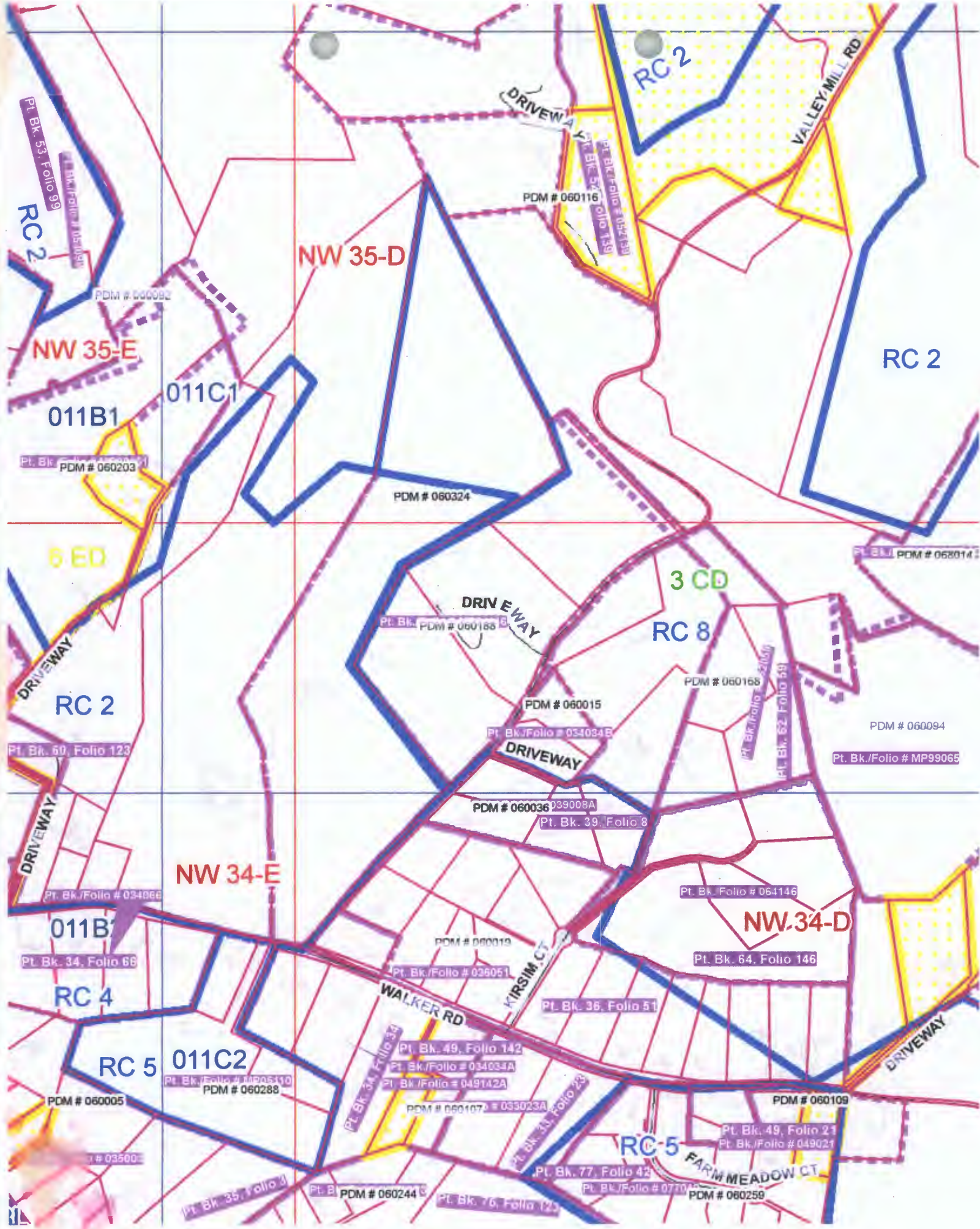
FROM: Sunny Cannington, Legal Secretary
Board of Appeals

SUBJECT: CLOSED APPEAL CASE FILES/CASES DISMISSED

The following cases have been closed as of the above date and are being returned to your office for storage.

<u>Case No:</u>	<u>Case Name:</u>	<u>Note:</u>
12-117-A	Steven and Joyce Miller	This file has been returned to Colleen Kelly along with related case no CBA-12-051
12-138-XA	William Turner	
12-198-A	Gregory and Helene Belcher	
12-253-A	Joseph and Margaret Ardolino	
MC-13-01	2400 North Point LLC	

c: Arnold Jablon, Director/PAI
Michael Field, County Attorney
Nancy West, Assistant County Attorney



CASE NAME Ardoilino
CASE NUMBER 2012-293-A
DATE 6/6/2012

[illegible]

CASE NAME Ardo line
CASE NUMBER 2012-253-A
DATE 6/6/12

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
CHARLES KRANTZ	20008 Valley Mill RD	Freeland MD 21053	
John Latz	20016 Valley Mill RD	Freeland MD 21053	
Robert D. Porter, Esq.	(represented Messrs Krantz & Latz)		

Case No.:

2012-253-A

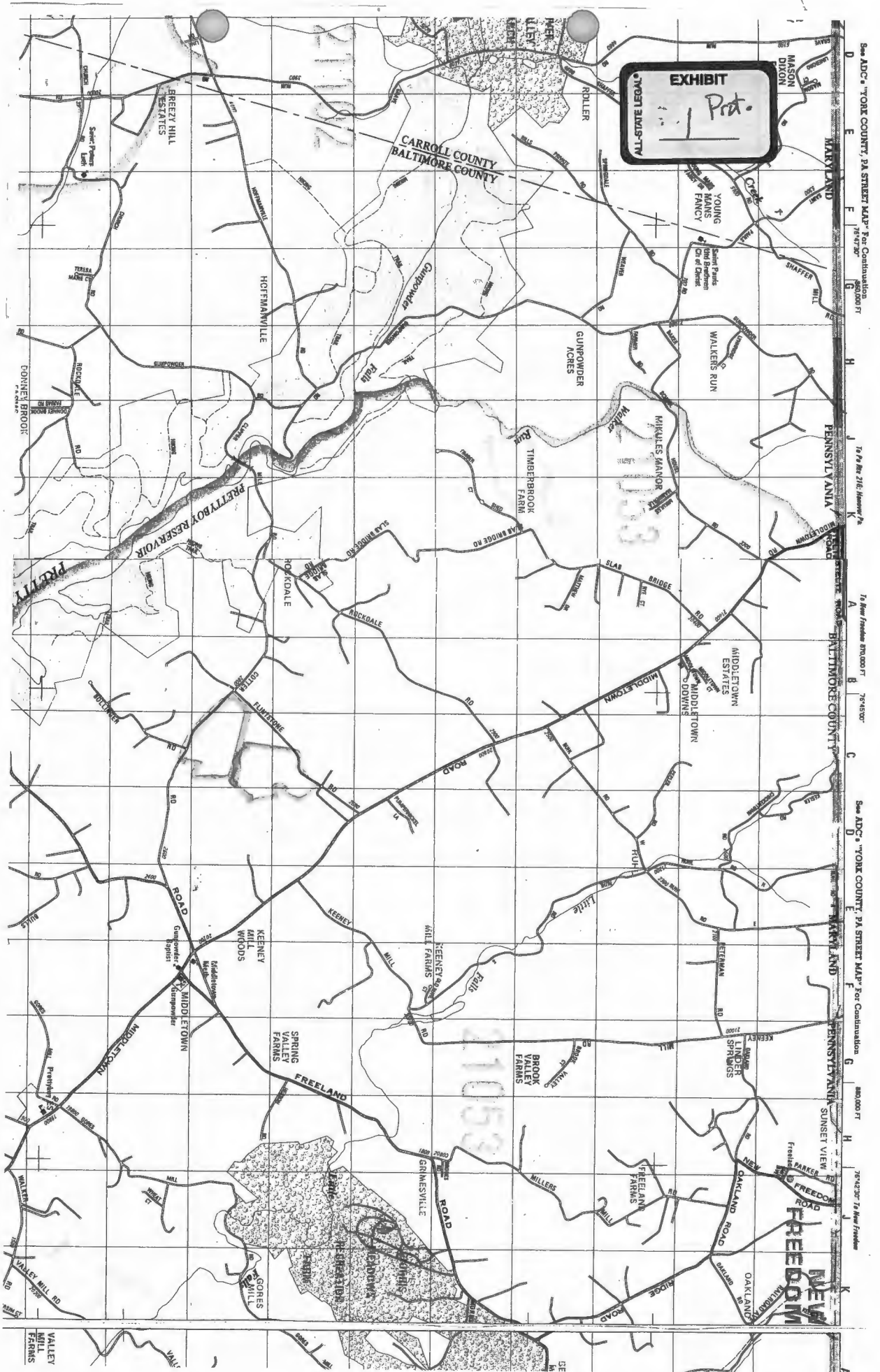
Exhibit Sheet

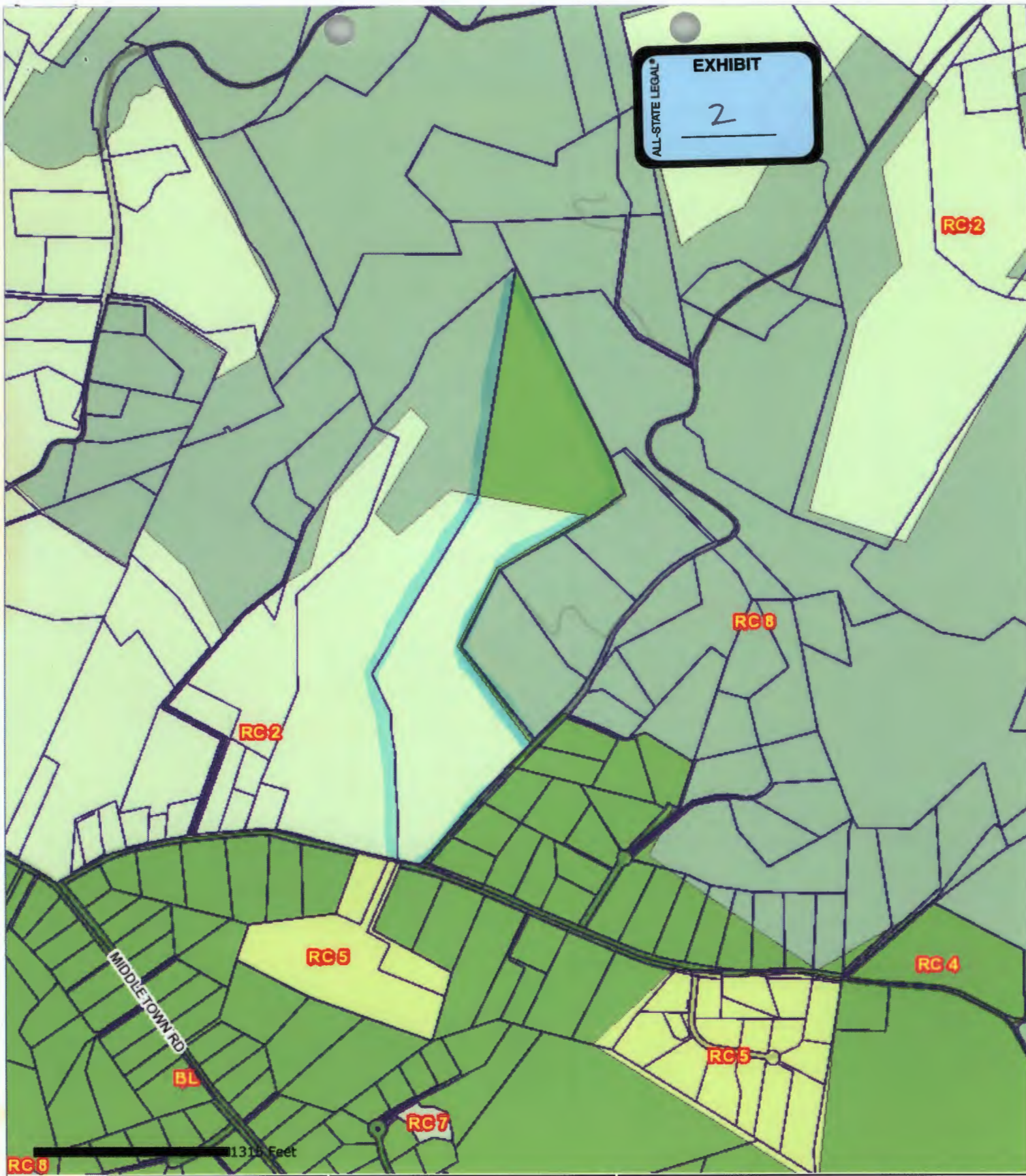
6/8/12
pm

Petitioner/Developer

Protestant

No. 1	Site Plan	ADC Map
No. 2		CZMP Map page
No. 3		CZMP Map page
No. 4		CZMP Map page
No. 5		CZMP Map Page
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





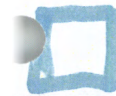
CZMP 2012 Map

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Printed 6/6/2012



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Account Identifier: District - 06 Account Number - 2200005942

Owner Information

Owner Name: ARDOLINO JOSEPH
ARDOLINO MARGARET
Use: AGRICULTURAL
Principal Residence: YES
Mailing Address: 1502 WALKER RD
FREELAND MD 21053
Deed Reference: 1) /08656/ 00658
2)

Location & Structure Information

Premises Address
1502 WALKER RD
0-0000
Legal Description
53.68 AC
NS WALKER RD
NW COR VALLEY MLL RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0011	0011	0026		0000				2	

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1995	2,990 SF	53.6800 AC	05

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2011	07/01/2011	07/01/2012	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	159,210	104,200			
Improvements:	421,540	348,800			
Total:	580,750	453,000	453,000	453,000	
Preferential Land:	9,210			9,200	

Transfer Information

Seller:	Date:	Price:
CALK ROY H	11/26/1990	\$350,000
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/08656/ 00658	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: Approved 10/22/2008

Maryland Department of Assessments and Taxation
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Account Identifier: District - 06 Account Number - 2200005941

Owner Information			
<u>Owner Name:</u>	DARCANGELO JAMES M DARCANGELO MARILYN L	<u>Use:</u>	AGRICULTURAL
<u>Mailing Address:</u>	1504 WALKER RD FREELAND MD 21053-9538	<u>Principal Residence:</u>	YES
		<u>Deed Reference:</u>	1) /27377/ 00626 2)

Location & Structure Information	
<u>Premises Address</u> 1504 WALKER RD 0-0000	<u>Legal Description</u> 53.68 AC 1504 WALKER RD 160 FT N VALLEY MILL RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0011	0011	0358		0000				2	

<u>Special Tax Areas</u>	<u>Town</u> NONE
	<u>Ad Valorem</u>
	<u>Tax Class</u>

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1920	3,690 SF	53.6800 AC	05

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

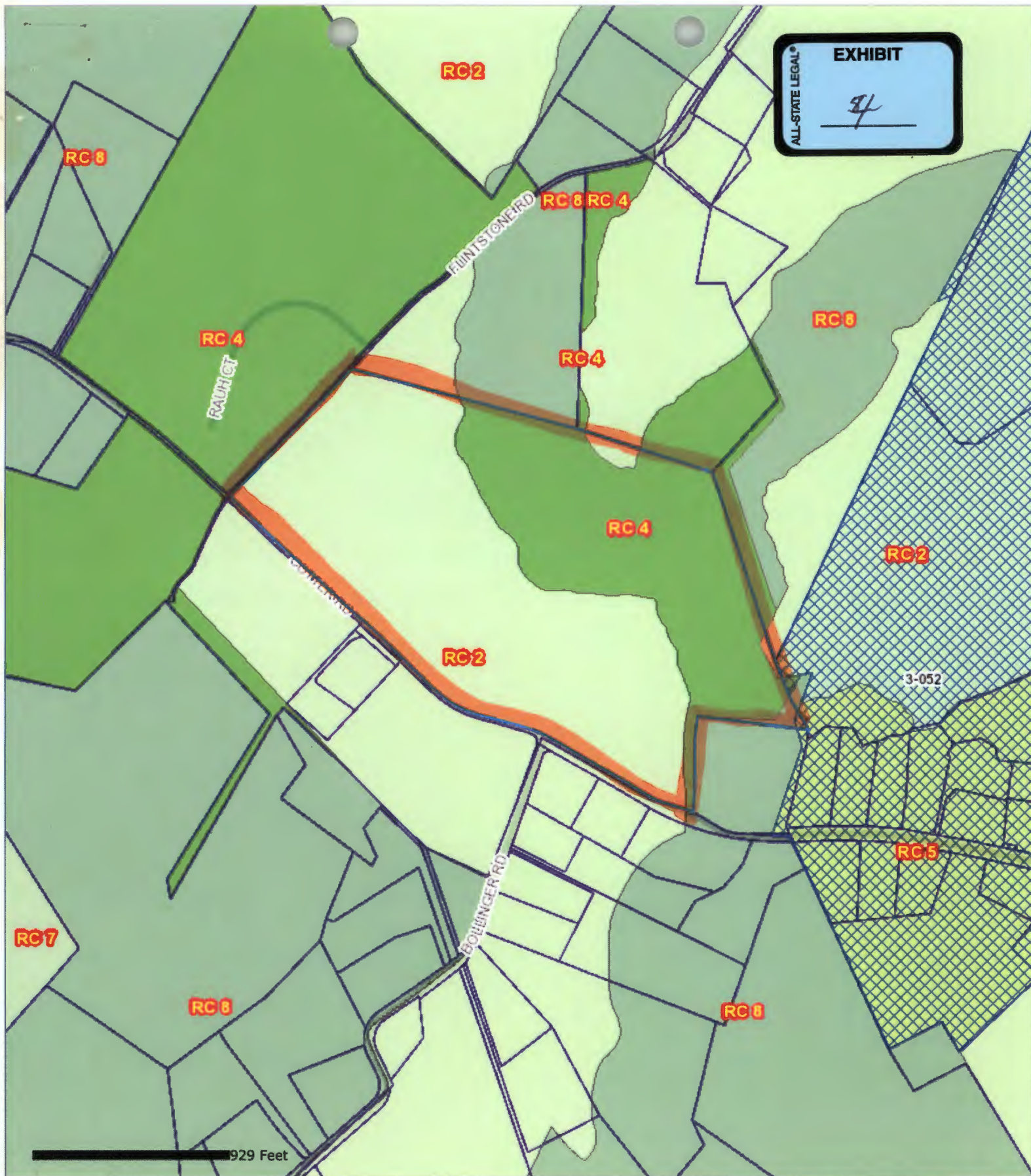
Value Information					
	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	PREFERENTIAL LAND VALUE
		01/01/2011	07/01/2011	07/01/2012	INCLUDED IN LAND VALUE
<u>Land</u>	148,230	103,200			
<u>Improvements:</u>	398,690	325,700			
<u>Total:</u>	546,920	428,900	428,900	428,900	
<u>Preferential Land:</u>	8,230			8,200	

Transfer Information					
<u>Seller:</u>	DARCANGELO JAMES	<u>Date:</u>	10/07/2008	<u>Price:</u>	\$0
<u>Type:</u>	NON-ARMS LENGTH OTHER	<u>Deed1:</u>	/27377/ 00626	<u>Deed2:</u>	
<u>Seller:</u>	CALK ROY H	<u>Date:</u>	11/26/1990	<u>Price:</u>	\$450,000
<u>Type:</u>	ARMS LENGTH IMPROVED	<u>Deed1:</u>	/08656/ 00641	<u>Deed2:</u>	
<u>Seller:</u>		<u>Date:</u>		<u>Price:</u>	
<u>Type:</u>		<u>Deed1:</u>		<u>Deed2:</u>	

Exemption Information			
<u>Partial Exempt Assessments</u>	<u>Class</u>	07/01/2011	07/01/2012
<u>County</u>	000	0.00	
<u>State</u>	000	0.00	
<u>Municipal</u>	000	0.00	0.00

<u>Tax Exempt:</u>	<u>Special Tax Recapture:</u>
<u>Exempt Class:</u>	AGRICULTURAL TRANSFER TAX

Homestead Application Information	
<u>Homestead Application Status:</u>	Approved 09/03/2008



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Account Identifier: District - 06 Account Number - 0618000101

Owner Information

Owner Name: FREEFOLLIE FARMS LL **Use:** AGRICULTURAL
Mailing Address: C/O MARIANNE S HELLAUER **Principal Residence:** NO
6225 SMITH AVE **Deed Reference:** 1) /22135/ 00728
BALTIMORE MD 21209-3626 2)

Location & Structure Information

Premises Address **Legal Description**
COTTER RD 123.51 AC
0-0000 E3 COTTER RD
NR BOLLINGER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0005	0024	0057		0000				2	
									Plat Ref:

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		123.5100 AC	05

Stories **Basement** **Type** **Exterior**

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2011	07/01/2011	07/01/2012	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	15,430	15,400			
Improvements:	0	0			
Total:	15,430	15,400	15,400	15,400	
Preferential Land:	15,430			15,400	

Transfer Information

Seller: RUTH GLADYS	Date: 06/29/2005	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /22135/ 00728	Deed2:
Seller: RAUH JAY T	Date: 09/29/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /00000/ 00000	Deed2:
Seller: RAUH GLADYS E	Date: 11/26/2003	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /19219/ 00270	Deed2:

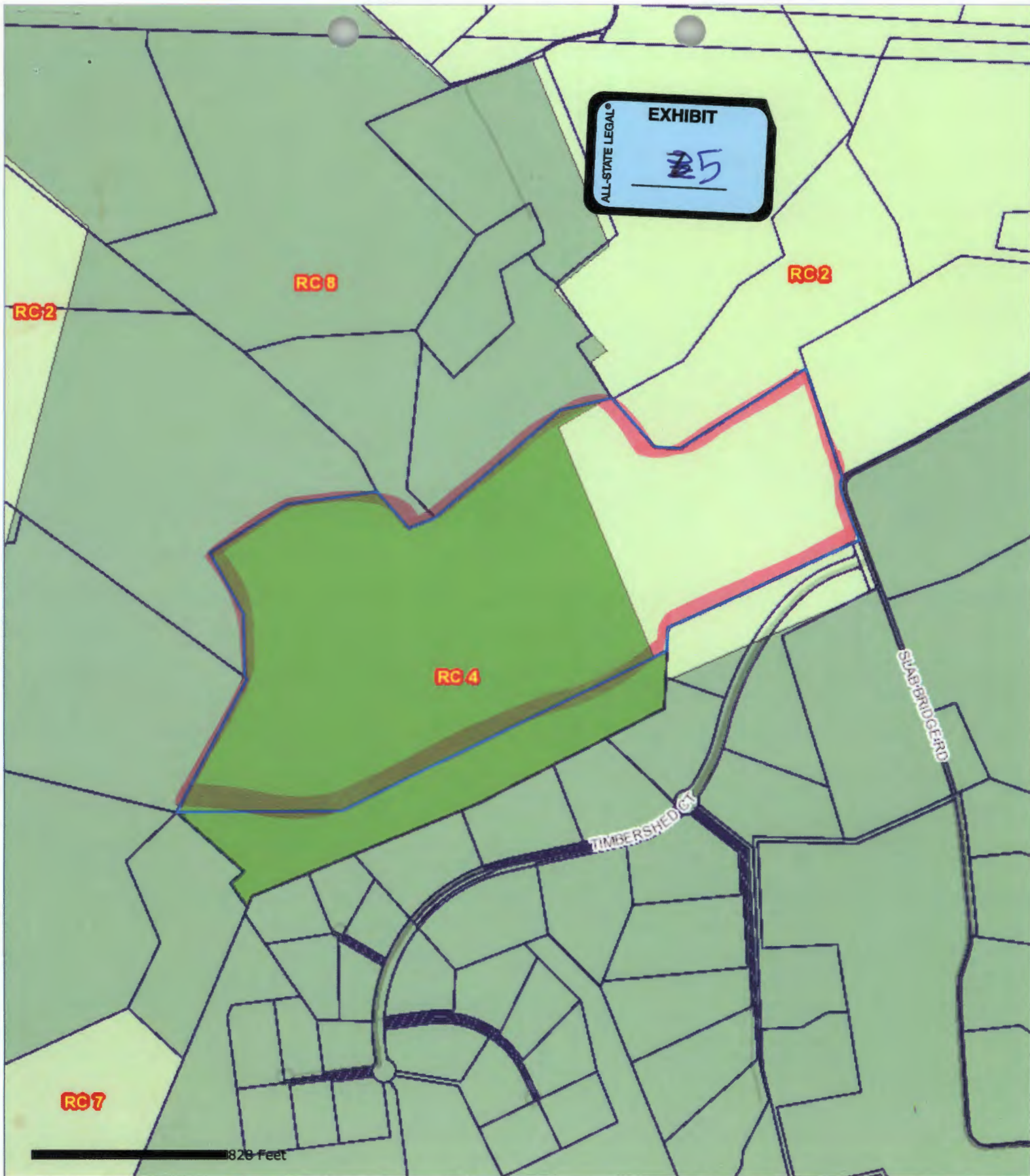
Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application



CZMP 2012 Map

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[GroundRent Registration](#)

Account Identifier: District - 06 Account Number - 0613055225

Owner Information

Owner Name: PFEIFER WALTRAUD S **Use:** AGRICULTURAL
Mailing Address: 6 NEW FOREST CT **Principal Residence:** NO
BALTIMORE MD 21286-1741 **Deed Reference:** 1) /06104/ 00084
2)

Location & Structure Information

Premises Address 21000 SLAB BRIDGE RD
0-0000
Legal Description 66.40 AC SWS
SLAB BRIDGE RD
5300 SW MIDDLETOWN RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0005	0010	0016		0000				2	

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1886	1,224 SF	66.4000 AC	05

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value As Of 01/01/2011	Phase-in Assessments As Of 07/01/2011	As Of 07/01/2012	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	133,080	108,000			
Improvements:	201,800	191,600			
Total:	334,880	299,600	299,600	299,600	
Preferential Land:	13,080			13,000	

Transfer Information

Seller:	Date:	Price:
PFEIFER JOHN W A G USE 83-84	11/16/1979	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/06104/ 00084	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

2012-0253-A

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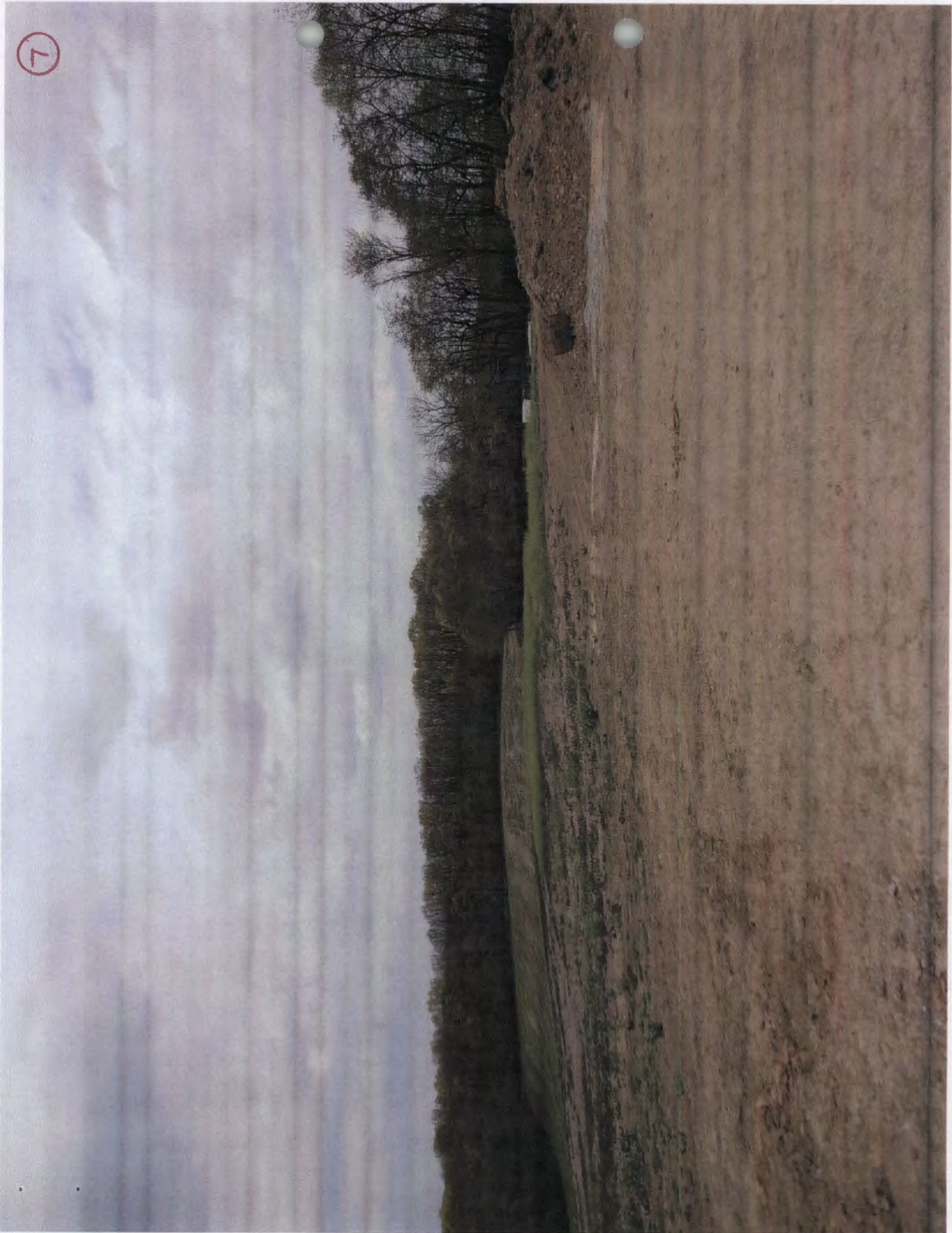






















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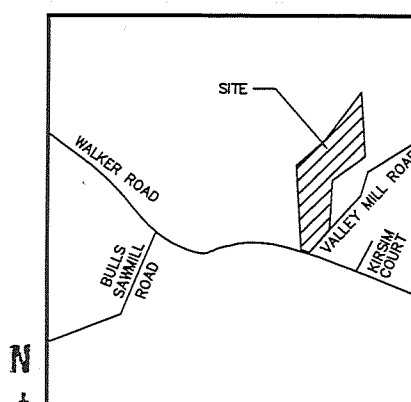
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 1502 WALKER ROAD FREELAND, MD 21053 OWNER(S) NAME(S) JOSEPH & MARGARET ARDOLINO

SUBDIVISION NAME LOTS 1-3 ARDOLINO SUBDIVISION PAR. # 26 BLOCK # N/A SECTION # N/A

PLAT BOOK # N/A FOLIO # N/A 10 DIGIT TAX # 2200005942 DEED REF. # 8656 / 658

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 011C1/011C2

SITE ZONED RC-2/RC-4

ELECTION DISTRICT 6

COUNCIL DISTRICT 3

PAR. AREA ACREAGE 53.68

OR SQUARE FEET 2,338,300

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC PRIVATE X

SEWER IS:

PUBLIC PRIVATE X

PRIOR HEARING? NO

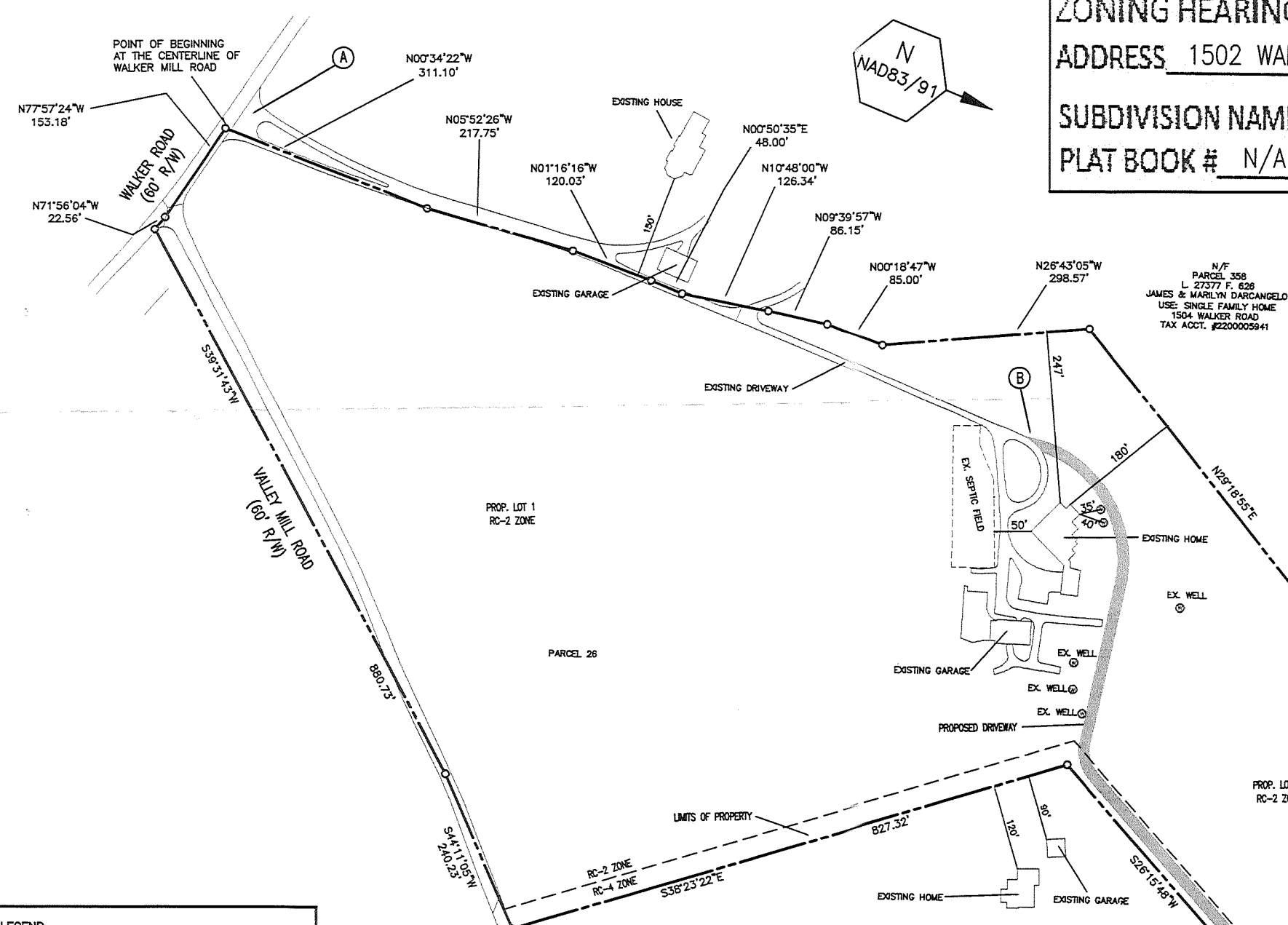
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

LATION CASE INFO:

PETITIONER'S

EXHIBIT NO. _____

2012-0253-A



LEGEND

LIMITS OF PROPERTY

PROPOSED LOT LINE

EXISTING FEATURES

PROPOSED DRIVEWAY

PROPOSED HOME

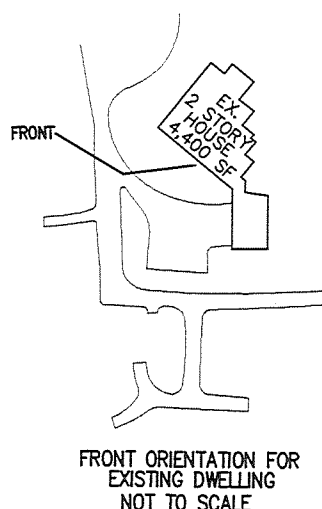
ZONING BOUNDARY

VARIANCE REQUEST TO COUNTY
CODE SECTION #32-4-409 (e):
MAXIMUM PANHANDLE DRIVEWAY
LENGTH = 1,000 L.F.

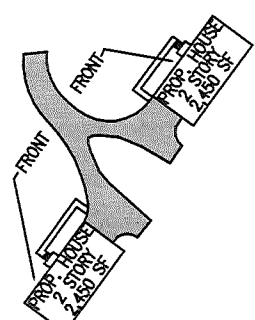
LENGTH OF EXISTING DRIVEWAY:
(A) TO (B) = 1,200 L.F.

LENGTH OF PROPOSED DRIVEWAY:
(B) TO (C) = 1,800 L.F.

TOTAL LENGTH OF DRIVEWAY:
(A) TO (C) = 3,000 L.F.



FRONT ORIENTATION FOR
EXISTING DWELLING
NOT TO SCALE



FRONT ORIENTATION FOR
PROPOSED DWELLINGS
NOT TO SCALE

TOTAL AREA OF PARCEL 26 = 53.68 ACRES

RC-4 Watershed Protection

Intents: To provide for the protection of the water supplies of metropolitan Baltimore by preventing contamination through unsuitable types or levels of development in the watersheds.

Typical Uses Permitted by Right: Single-family detached dwelling, farm.

Typical Uses Permitted by Special Exception: Antique shop, church, golf course/country club, landscape operation.

Notes: The RC-4 zone has explicit criteria that must be met in order to apply for a reclassification of RC-4 zoned land. See the Baltimore County Zoning Regulations (1A03.2).

Residential development in the RC-4 zone requires the allocation of an unbuildable area (conservancy area) of 70% of the tract acreage. The 70% shall include forest stands, farm fields, steep slopes, and/or wetlands. Two alternative development densities are offered in the RC-4 zone:

- 1) 0.2 of gross acreage (cluster option)
- 2) 0.1 of gross acreage (non-cluster option)

Height and Area Requirements

A CITIZEN'S GUIDE TO ZONING IN BALTIMORE COUNTY # 9

RC-2 Agriculture

Intents: To foster conditions favorable to a continued agricultural use of the productive agricultural areas of Baltimore County by preventing incompatible forms and degrees of urban uses.

Typical Uses Permitted by Right: Farm, farmette, single-family detached dwelling, farmer's roadside stand, tenant house.

Typical Uses Permitted by Special Exception: Antique shop, animal boarding place, church, farm market, landscape operation, agricultural support uses.

Height and Area Requirements

A CITIZEN'S GUIDE TO ZONING IN BALTIMORE COUNTY # 7

Landesign

ENGINEERS * SURVEYORS * PLANNERS

2905 MITCHELLVILLE ROAD SUITE NO. 111

BOWIE, MARYLAND 20716

(301) 249-8802

PLAN DRAWN BY

DATE 4/5/12

SCALE: 1 INCH = 200' FEET