

## MEMORANDUM

DATE: July 27, 2018  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2018-0283-SPH – Appeal Period Expired

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The appeal period for the above-referenced case expired on July 26, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File  
Office of Administrative Hearings

|                                     |   |                         |
|-------------------------------------|---|-------------------------|
| IN RE: PETITION FOR SPECIAL HEARING | * | BEFORE THE              |
| (7531 Stream Crossing Road)         |   |                         |
| 3 <sup>rd</sup> Election District   | * | OFFICE OF               |
| 2 <sup>nd</sup> Council District    |   |                         |
| Hal & Lori Kilberg, <i>et al.</i>   | * | ADMINISTRATIVE HEARINGS |
| Petitioners                         | * | FOR BALTIMORE COUNTY    |
|                                     | * | Case No. 2018-0283-SPH  |

\* \* \* \* \*

### OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Hal & Lori Kilberg and several other individuals, all of whom reside in the vicinity of the property at issue ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") and seeks a determination of whether Lots 6, 7, 8, Parcel "A" and Drainage Reservations of the revised Plat of Old Court Gardens as recorded in Baltimore County Land Records on May 1, 1961 at WJR27, folio 77 can be processed and/or developed as individual lots or as a tract/resubdivision. A site plan was marked and admitted as Petitioners' Exhibit 1.

The Petitioners were represented by J. Carroll Holzer, Esq. Mostafa Izadi, a professional engineer, appeared on behalf of the individual owners of the above-referenced lots. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the county reviewing agencies.

This special hearing case concerns a residential development approved by the Planning Board in 1961. The Plat of Old Court Gardens was recorded in the land records at PB 27, page 77. The plat was submitted as an exhibit at the hearing, and most of the lots shown thereon have been

improved with single-family dwellings. But Lot Nos. 6, 7 & 8 are not accessible from Springbriar Lane (the cul-de-sac shown on the plat) and were never improved. Those lots are individually owned, and Mr. Izadi indicated he has been retained by the owners of Lot Nos. 6 & 7 to obtain permits for the construction of a dwelling on each of the lots.

Petitioners are concerned that constructing dwellings on these lots will caused increased water runoff onto their properties, and would also pose traffic safety issues regarding the access road proposed off of Green Spring Avenue. Petitioners contend there has been a lack of transparency concerning the potential development of these lots, and they seek a determination that improvement of these three lots would constitute a resubdivision of the 1961 plat, requiring that the owners undertake the development review process set forth in the Baltimore County Code ("BCC").

Questions frequently arise concerning the proper process and procedure to be used in evaluating development proposals for projects which were approved under prior regulatory schemes. The process for review and approval of residential developments in Baltimore County was quite different in 1961 than it is today. Unlike the current practice there was not a public hearing to consider a development proposal and a development plan for Old Court Gardens was never submitted or reviewed and approved by the County. In this case, the residential subdivision was approved by the Baltimore County Planning Board, as noted on the plat itself. Upon filing the plat in the County land records office, the developer was then able to secure permits for construction of dwellings on the building lots shown on that plat. Petitioners contend that since these lots have remained unimproved for over 50 years, the County should require a more formal and transparent review process wherein the owners are required to adhere to all current zoning and development regulations.

A special hearing is in essence a request for a declaratory judgment. *Antwerpen v. Balto. Co.*, 163 Md. App. 194, 209 (2005) (“A request for special hearing is, in legal effect, a request for a declaratory judgment”). Petitioners seek a determination (i.e., declaratory judgment) of whether the development of these lots should be considered a resubdivision or the processing of individual lots. As explained below, development of these lots would not constitute a minor subdivision or resubdivision of the 1961 plat.

The revised plat for Old Court Gardens was recorded in 1961 and the subject property (i.e., Lot Nos. 6, 7 & 8) is shown on that plat. As such, these lots were created lawfully and may be developed in accordance with the 1955 version of the BCZR. These lots are “in a recorded residential subdivision approved by the Baltimore County Planning Board.” BCZR §1B02.3.A.1. The standards applicable to the development of such lots are the “zoning regulations applicable to such use at the time the plan was approved by the Planning Board.” BCZR §1B02.3.B. The applicable regulations would therefore be the 1955 version of the BCZR.

In addition to the stormwater runoff issues—which Glenn Shaffer from the Department of Environmental Protection and Sustainability (DEPS) testified his agency is reviewing—the other significant issue raised by Petitioners concerns the means of access proposed for Lot Nos. 6 & 7. The 1961 Plat identifies a long and narrow parcel of land (i.e., “Parcel A for Access Road”) along the southern boundary of the development that would be used for this purpose. Since Lot Nos. 6 & 7 do not have “frontage [on] or access to the local or collector street” I believe they qualify as “panhandle lots” and the access road proposed would then be a “panhandle driveway.” BCZR §101.1.

The 1955 zoning regulations did not contain any reference to “panhandle” lots or driveways. Those terms were defined and added to the BCZR in 1989 by Bill 172-89. As such, at

least from a *zoning* perspective, the owner(s) of these lots would not need to comply with Section 102.4 of the current BCZR, which mandates compliance with BCC §32-4-409 concerning panhandle driveways and lots.

Even so, the County Code explicitly states the panhandle regulation (among others found in the same subtitle concerning “General Design Standards and Requirements”) applies to “all development.” BCC §32-4-401(b). Constructing a single-family dwelling on any one of these lots would constitute “development” as defined in Section 32-4-101(p)(1), and the owners would therefore need to comply with the “Panhandle Driveways” requirements found in Section 32-4-409 of the BCC.

Mr. Izadi submitted a report dated November 15, 2011 indicating that both Greenspring Avenue and the “Greenspring Service Road” are on the “Baltimore County Roads Inventory.” In addition, the panhandle driveway access road would be 25’ wide, which would also comply with B.C.C. §32-4-409. But based upon the evidence and documents presented at the hearing the owners of Lot Nos. 6 & 7 do not have a fee simple interest in the driveway, as required by the County Code.

Mr. Izadi presented documents whereby the developer of the original subdivision granted to Baltimore County a right-of-way easement through Parcel A, and that was presumably done in case the County would own and/or improve that road when it was ultimately constructed. Mr. Izadi indicated during the hearing he is discussing with the County’s Real Estate bureau a potential land “swap” that would rectify this scenario, but no further information or evidence to that effect was submitted. In addition, there are other requirements set forth in this Code section which must be satisfied by the owner(s) of these lots.

THEREFORE, IT IS ORDERED this 26th day of **June, 2018** by this Administrative Law

Judge, that Lot Nos. 6, 7, 8, Parcel "A" and Drainage Reservations shown on the revised Plat of Old Court Gardens as recorded in Baltimore County Land Records on May 1, 1961 at WJR27, folio 77 can be processed and/or developed as individual lots shown on a recorded plat, and not as a tract, resubdivision or minor subdivision.

IT IS FURTHER ORDERED that the present and/or future owners of Lot Nos. 6, 7, and 8 shown on the revised Plat of Old Court Gardens are required to comply with Section 32-4-409 of the Baltimore County Code concerning panhandle driveways.

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



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JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:slh



# 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 7531 Stream Crossing RD, et.al. (SEE ATTACHED) which is presently zoned DR 3.5  
 Deed References: 10842/00446, etc (SEE ATTACHED) Digit Tax Account # 2100003209, etc. (ATTACHED)  
 Property Owner(s) Printed Name(s) Hal S. & Lori H. Kilberg, Ronald M. & Janet R. Kaplan, etc. (SEE ATTACHED)

(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  
 The processing and approval of Lots 6, 7, 8, Parcel "A" and "Drainage Reservations" of the Revised Plat of Old Court Gardens as recorded in Baltimore County Land Records on May 1, 1961 at WJR27, folio 77 as individual lots and parcels or as a tract/resubdivision.
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☐ a **Variance** from Section(s)

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)

## TO BE PRESENTED AT HEARING

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:

N/A  
 Name- Type or Print  
 Signature  
 Mailing Address City State  
 Zip Code Telephone # Email Address

### Attorney for Petitioner:

J. CARROLL HOLZER, Esq.  
 Name- Type or Print  
 Signature  
508 Fairmount Avenue Towson, MD  
 Mailing Address City State  
21286 / (410)825-6961 jcholzer38@gmail.com  
 Zip Code Telephone # Email Address

### Legal Owners (Petitioners):

Hal S. Kilberg / Lori H. Kilberg  
 Name #1 - Type or Print Name #2 - Type or Print  
Hal S. Kilberg / Lori H. Kilberg  
 Signature #1 Signature #2  
7531 Stream Crossing Rd. Baltimore, MD.  
 Mailing Address City State  
21209-5230  
 Zip Code Telephone # Email Address

### Representative to be contacted:

James S. Patton P.E., Patton Consultants, Ltd.  
 Name - Type or Print  
 Signature  
508 Fairmount Ave. Towson, MD  
 Mailing Address City State  
21286 / (410) 960-8280 jsp@pattonconsultants.net  
 Zip Code Telephone # Email Address

CASE NUMBER 2018-0283-SPH Filing Date 4/19/18 Do Not Schedule Dates: Reviewer JS

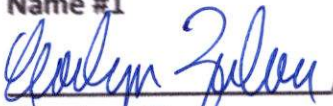
ATTACHMENT

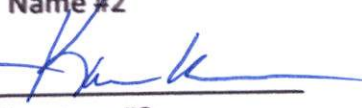
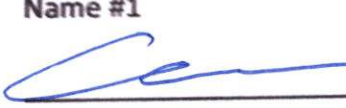
TO

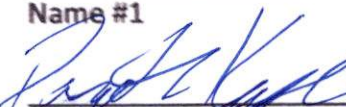
PETITION FOR SPECIAL HEARING

Regarding "the processing and approval of Lots 6, 7, 8, Parcel "A" and "Drainage Reservations" of the Revised Plat of Old Court Gardens.

Additional Legal Owners and Petitioners

Evelyn Zulver / N/A Deed 11147/00316; Tax # 2100003210  
Name #1 Name #2  
  
Signature #1 Signature #2  
7529 Stream Crossing Rd. Baltimore MD  
Mailing Address City State  
21209-5230  
Zip Code Telephone # Email

Samuel Z. Kamm / Karen A Kamm Deed 11019/00325; Tax # 2100003208  
Name #1 Name #2  
  
Signature #1 Signature #2  
7533 Stream Crossing Rd. Baltimore MD  
Mailing Address City State  
21209-5230  
Zip Code Telephone # Email Address

Ronald M. Kaplan / Janet R. Kaplan Deed 15167/00682; Tax # 2100003207  
Name #1 Name #2  
  
Signature #1 Signature #2  
7530 Stream Crossing Rd. Baltimore MD  
Mailing Address City State  
21209-5230  
Zip Code Telephone # Email Address

ATTACHMENT TO SPECIAL HEARING, (Con't)

PETITIONER: OLD COURT – GREENSPRING IMPROVEMENT ASSN., INC.

Micah Wilmoth Carton, President

Name #1

Micah Wilmoth Carton

Signature #1

3004 Old Court Rd, Pikesville, MD

Mailing Address

City

State

21208

410-486-6420

ocgsboa@aol.com

Zip Code

Telephone #

Email Address

2018-0283-SP4

## ZONING SPECIAL HEARING PETITION

### PROPERTY DESCRIPTION

#### ZONING PROPERTY DESCRIPTION FOR NORTHERLY LOTS OF GREENSPRING EAST (Stream Crossing Road) and SOUTHERLY LOTS OF OLD COURT GARDENS

Beginning at a point in the center of Stream Crossing Road at the center of the cul-de-sac, which is 80 feet in diameter, which is 355 Feet +/- north west of the centerline of the nearest improved intersecting street Lively Court which is 50 feet wide.

Being Lot # 14, 15, 16, and 17, Block --, Section # 2 in the subdivision of Greenspring East as recorded in Baltimore County Plat Book #0065, Folio # 0034 containing 18,253.00 +/- square feet or 1.573 +/- acres . Located in the 3<sup>rd</sup> Election District and 2<sup>nd</sup> Council District,

Being Lot # 6, 7, and 8 and Parcel "A", Block ---, Section # -- in the subdivision of Old Court Gardens as recorded in Baltimore County Plat Book #0027, Folio #0077 containing 5,404.09 +/- square feet or 2.7775 +/- acres. Located in the 3<sup>rd</sup> Election District and 2<sup>nd</sup> Council District,

Being Baltimore County Drainage Reservations (Tax Accounts #2100001830 and #2100001831; Deed 03755, Folio 00100) in the subdivision of Old Court Gardens as recorded in Baltimore County Plat Book #0026, Folio #0120 containing 20,037.60 +/- square feet or 0.46 +/- acres. Located in the 3<sup>rd</sup> Election District and the 2<sup>nd</sup> Council District. And

Being Baltimore County Right-of-Way (Tax Account #0302000161; Deed 04348, Folio #00215) in the subdivision of Old Court Gardens as recorded in Baltimore County Plat Book #0027, Folio #0077 containing 63,162 +/- square feet or 1.450 +/- acres. Located in the 3<sup>rd</sup> Election District and the 2<sup>nd</sup> Council District.

**Total area of concern pertaining to the Petition is 63,166.81 +/- square feet or 6.2605 +/- acres.**



KEVIN KAMENETZ  
County Executive

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

May 21, 2013

Mr. Bejan Arasteh  
3425 Wisconsin Avenue, Apt. 65  
Vicksburg, MS 39180

Re: Lot verification; lots 6, 7, 8, and parcel "A"-Old Court Gardens; 3<sup>rd</sup> Election District  
Tax acct. #2500009653; parcel A; 0.1240 acres  
Tax acct. #0311018700; lot 6; 0.8824 acres  
Tax acct. #2500009654; lot 7; 0.7800 acres  
Tax acct. #2200009352; lot 8; 0.9911 acres

Dear Mr. Arasteh:

This is a follow-up to my letter dated April 17, 2013. Based upon the updated property records in the County's real estate data system, the following has been determined.

The subject lots and parcel were created in the Old Court Gardens subdivision which was recorded in plat book #0026, folio 0120. The Baltimore County Planning Board approved the subdivision on 12/6/56. This record plat was later revised and approved by the County Planning Board in 1961 as plat #0027, folio 0077. As per the Zoning Office, lots 6, 7 and 8 can be developed with one dwelling each, subject to the zoning regulations in effect at that time. Specifically, the maximum height for any principal dwelling is 50 ft. The principal dwelling setbacks to the property lines are: front and rear-50 ft.; side (combination) 20 ft., (50 ft.) and the front setback to the centerline of the road is 75 ft.

*The foregoing is merely an informal opinion; it is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.*

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you need further information or have any questions, I can be reached at 410-887-3391.

Sincerely,

Bruno Rudaitis  
Zoning Review

Prot. 2



501 N. Calvert St., P.O. Box 1377  
Baltimore, Maryland 21278-0001  
tel: 410/332-6000  
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5616832

**Sold To:**

Greenspring East Home Owners Assoc. - CU00657068  
7526 Stream Crossing Rd  
Baltimore, MD 21209-5221

**Bill To:**

Greenspring East Home Owners Assoc. - CU00657068  
7526 Stream Crossing Rd  
Baltimore, MD 21209-5221

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

May 31, 2018

**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: 2018-0283-SPH**  
7531 Stream Crossing Road  
NE/s Greenspring Avenue, 1000 ft. NW of the cul-de-sac of Stream Crossing Road 3<sup>rd</sup> Election District - 2<sup>nd</sup> Councilmanic District  
Legal Owners: Hal & Lori Kilberg

Special Hearing to determine whether or not the Administrative Law Judge should approve the processing and approval of Lots 6, 7, 8, Parcel "A" and Drainage Reservations" of the Revised Plat of Old Court Gardens as recorded in Baltimore County Land Records on May 1, 1961 at WJR27, folio 77 as individual lots and parcels or as a tract/resubdivision.

Hearing: Friday, June 15, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

*Arnold Jablon*  
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.

5/31/2018 5616832

The Baltimore Sun Media Group

By *S. Wilkinson*  
Legal Advertising



## CERTIFICATE OF POSTING

May 25, 2018 (amended 6/01/18)  
(Amended 6/11/18)

Re:  
Zoning Case No. 2018-0283-SPH  
Legal Owner: Hal & Lori Kilberg  
Hearing date: June 15, 2018

Baltimore County Department of Permits, Approvals & Inspections  
County Office Building  
111 West Chesapeake Avenue, Room 111  
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **7531 Stream Crossing Road**.

The signs was posted on **May 25, 2018**.

**Sign #1** was moved to Greenspring Avenue and **Sign #3** was added on Greenspring Avenue

The signs were inspected again on **June 11, 2018**.

Sincerely,

Bruce E. Doak  
MD Property Line Surveyor #531

**See the attached sheet(s) for the photos of the posted sign(s)**

Bruce E. Doak Consulting, LLC  
3801 Baker Schoolhouse Road  
Freeland, MD 21053  
410-419-4906 cell / 443-900-5535 office  
[bdoak@bruceedoakconsulting.com](mailto:bdoak@bruceedoakconsulting.com)



SIGN!

# **ZONING NOTICE**

**CASE NO. 2018-0283-SPH**

**7531 Stream Crossing Road**

**A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE  
LAW JUDGE IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING  
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

**DATE & TIME: Friday June 15, 2018 1:30 PM**

**REQUEST: SPECIAL HEARING TO DETERMINE WHETHER OR NOT  
THE ADMINISTRATIVE LAW JUDGE SHOULD APPROVE THE  
PROCESSING AND APPROVAL OF LOTS 6,7,8 PARCEL "A" AND  
"DRAINAGE RESERVATIONS" OF THE REVISED PLAT OF OLD COURT  
GARDENS AS RECORDED IN BALTIMORE COUNTY LAND RECORDS  
ON MAY 1, 1961 AT WJR 27, FOLIO 77 AS INDIVIDUAL LOTS AND  
PARCELS OR AS A TRACT/ RESUBDIVISION.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES  
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER  
PENALTY OF LAW.**

**THE HEARING IS HANDICAPPED ACCESSIBLE**

*SIGN 3*

# **ZONING NOTICE**

**CASE NO. 2018-0283-SPH**

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GARDENS AS RECORDED IN BALTIMORE COUNTY LAND RECORDS  
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PARCELS OR AS A TRACT/ RESUBDIVISION.**

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PENALTY OF LAW.**

**THE HEARING IS HANDICAPPED ACCESSIBLE**

## ZONING NOTICE

CASE NO. 2018-0283-SPH  
7531 Stream Crossing Road

A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE  
LAW JUDGE IN TOWNSHIP HARTLAND

PLACE: SUITE 300 JEFFERSON BUILDING  
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Friday June 15, 2018 4:30 PM

REQUEST: SPECIAL HEARING TO DETERMINE WHETHER OR NOT  
THE ADMINISTRATIVE LAW JUDGE SHOULD APPROVE THE  
PROCESSING AND APPROVAL OF LOTS 6, 7, 8 PARCELS "B" AND  
ORDINANCE RECONSTRUCTION OF THE REVERED PLAT OR OLD COURT  
DARINGS AS RECORDED IN BALTIMORE COUNTY LAND RECORDS  
ON 1922 1, 1921 AT MAP 23, PLOD 77 AS INDIVIDUAL LOTS AND  
PARCELS OR AS A TRACT IN SUBDIVISION.

ATTENTION: ALL THE HEARINGS OF THE ADMINISTRATIVE LAW JUDGE  
NEED TO BE HELD ON THE HEARING DATE AND TIME.

DO NOT BECOME THIS HEARING FILE UNTIL THE DAY OF THE HEARING UNDER  
THEIR OWN NAME.

THE HEARING IS CONDUCTED BY ELECTRONIC.

SIGN 2

# **ZONING NOTICE**

**CASE NO. 2018-0283-SPH**

**7531 Stream Crossing Road**

**A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE  
LAW JUDGE IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING  
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

**DATE & TIME: Friday June 15, 2018 1:30 PM**

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GARDENS AS RECORDED IN BALTIMORE COUNTY LAND RECORDS  
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NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER  
PENALTY OF LAW.**

**THE HEARING IS HANDICAPPED ACCESSIBLE**



## CERTIFICATE OF POSTING

May 25, 2018 (amended 6/01/18)

Re:  
Zoning Case No. 2018-0283-SPH  
Legal Owner: Hal & Lori Kilberg  
Hearing date: June 15, 2018

Baltimore County Department of Permits, Approvals & Inspections  
County Office Building  
111 West Chesapeake Avenue, Room 111  
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **7531 Stream Crossing Road**.

The signs was posted on **May 25, 2018**.

**Sign #1** was moved to Greenspring Avenue and **Sign #3** was added on Greenspring Avenue

The signs were inspected again on \_\_\_\_\_.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Doak", with a stylized flourish at the end.

Bruce E. Doak  
MD Property Line Surveyor #531

**See the attached sheet(s) for the photos of the posted sign(s)**

Bruce E. Doak Consulting, LLC  
3801 Baker Schoolhouse Road  
Freeland, MD 21053  
410-419-4906 cell / 443-900-5535 office  
[bdoak@bruceedoakconsulting.com](mailto:bdoak@bruceedoakconsulting.com)



SIGN 1

# **ZONING NOTICE**

**CASE NO. 2018-0283-SPH**

**7531 Stream Crossing Road**

**A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE  
LAW JUDGE IN TOWSON MARYLAND**

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PENALTY OF LAW.**

**THE HEARING IS HANDICAPPED ACCESSIBLE**

*SIGN 3*

## **ZONING NOTICE**

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LAW JUDGE IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING  
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

**DATE & TIME: Friday June 15, 2018 1:30 PM**

**REQUEST: SPECIAL HEARING TO DETERMINE WHETHER OR NOT  
THE ADMINISTRATIVE LAW JUDGE SHOULD APPROVE THE  
PROCESSING AND APPROVAL OF LOTS 6,7,8 PARCEL "A" AND  
"DRAINAGE RESERVATIONS" OF THE REVISED PLAT OF OLD COURT  
GARDENS AS RECORDED IN BALTIMORE COUNTY LAND RECORDS  
ON MAY 1, 1961 AT WJR 27, FOLIO 77 AS INDIVIDUAL LOTS AND  
PARCELS OR AS A TRACT/ RESUBDIVISION.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES  
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER  
PENALTY OF LAW.**

**THE HEARING IS HANDICAPPED ACCESSIBLE**

## June Wisnom

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**To:** Bruce Doak  
**Subject:** RE: Case 2018-0283-SPH Sign posting

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**From:** Bruce Doak [mailto:doakfarm@gmail.com]  
**Sent:** Friday, June 01, 2018 11:21 AM  
**To:** June Wisnom <jwisnom@baltimorecountymd.gov>  
**Cc:** Carroll Holzer <jcholzer38@gmail.com>  
**Subject:** Case 2018-0283-SPH Sign posting

June,

Sign #1 was moved by me and another another added (Sign #3) on Greenspring Avenue.

The reason is that the subject property really fronts on Greenspring Avenue verses the address of record (7531 Stream Crossing Court).

Sign #2 was left at 7531 Stream Crossing Court.

You may want to print this email to accompany this additional sign posting cert.

Email or call me if you have any questions.



KEVIN KAMENETZ  
May 15, 2018

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

## 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: 2018-0283-SPH**

7531 Stream Crossing Road

NE/s Greenspring Avenue, 1000 ft. NW of the cul-de-sac of Stream Crossing Road

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Hal & Lori Kilberg

Special Hearing to determine whether or not the Administrative Law Judge should approve the processing and approval of Lots 6, 7, 8, Parcel "A" and Drainage Reservations" of the Revised Plat of Old Court Gardens as recorded in Baltimore County Land Records on May 1, 1961 at WJR27, folio 77 as individual lots and parcels or as a tract/resubdivision.

Hearing: Friday, June 15, 2018 at 1:30 p.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: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286  
Mr. & Mrs. Kilberg, 7531 Stream Crossing Road, Baltimore 21209  
James Patton, 508 Fairmount Avenue, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 26, 2018.**
- (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.

TO: PATUXENT PUBLISHING COMPANY  
Thursday, May 24, 2018 Issue - Jeffersonian

Please forward billing to:

Mitch Baker  
Greenspring East Home Owners Association  
7526 Stream Crossing Road  
Baltimore, MD 21209

446-204-6764

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## NOTICE OF ZONING HEARING

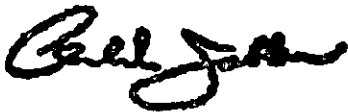
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7531 Stream Crossing Road  
NE/s Greenspring Avenue, 1000 ft. NW of the cul-de-sac of Stream Crossing Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: Hal & Lori Kilberg

Special Hearing to determine whether or not the Administrative Law Judge should approve the processing and approval of Lots 6, 7, 8, Parcel "A" and Drainage Reservations" of the Revised Plat of Old Court Gardens as recorded in Baltimore County Land Records on May 1, 1961 at WJR27, folio 77 as individual lots and parcels or as a tract/resubdivision.

Hearing: Friday, June 15, 2018 at 1:30 p.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.

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE OFFICE  
7531 Stream Crossing Road; NE/S Greenspring \*  
Avenue, 100' NW of the cul-de-sac of Stream \*  
Crossing Road OF ADMINISTRATIVE  
3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts \* HEARINGS FOR  
Legal Owner(s): Hal S. & Lori H. Kilberg \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 2018-283-SPH

\* \* \* \* \*

**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.

*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

RECEIVED

APR 25 2018

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 26<sup>th</sup> day of April, 2018, a copy of the foregoing Entry of Appearance was mailed to James Patton, P.E., Patton Consultants, Ltd, 508 Fairmount Avenue, Towson, Maryland 21286 and J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Maryland 21286, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW OFFICE**

**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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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.**

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**For Newspaper Advertising:**

Case Number: 2018-0283-SPH

Property Address: 7529, 7531, 7533, 7530 STREAM CROSSING RD. Baltimore, MD 21209-5230

Property Description: SEE ATTACHED PROPERTY DESCRIPTION

Legal Owners (Petitioners): SEE ATTACHED LIST

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mitch Barker

Company/Firm (if applicable): Greenspring East Home Owners Association

Address: 7526 Stream Crossing Road  
Baltimore, MD 21209-5230

Telephone Number: 4432046764

Revised 7/9/2015

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

No. **168019**

Date: **4/19/18**

PAID RECEIPT

BUSINESS ACTUAL TIME TRM  
4/20/2018 4/19/2018 11:19:56 3

REP: W503 WALKIN CASH  
RECEIPT # 769502 4/19/2018 OFLN

| Fund | Dept | Unit | Sub Unit | Obj | Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----|---------|----------|---------|--------|
|------|------|------|----------|-----|---------|----------|---------|--------|

|     |     |      |  |      |  |  |  |           |
|-----|-----|------|--|------|--|--|--|-----------|
| 001 | 806 | 0000 |  | 6150 |  |  |  | \$1200.00 |
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|     |     |      |  |      |  |  |  |           |
|     |     |      |  |      |  |  |  |           |
|     |     |      |  |      |  |  |  |           |

Total: **\$1200.00**

Rec From: **KILBERG**

For: **2018-0283-SP4**

Receipt Tot: \$1,200.00  
\$1,200.00 - CR \$1.00 - CA  
Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S  
VALIDATION

6-15

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: April 30, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0283-SPH  
Address 7531 Stream Crossing Road  
(Kilberg Property)

Zoning Advisory Committee Meeting of **April 30, 2018**.

X The Department of Environmental Protection and Sustainability has no  
comment on the above-referenced zoning item.

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 18, 2018

FROM: *me*  
Vishnu Desai, Supervisor  
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting  
For April 30, 2018  
Item No. 2018-0276-A, 0277-A, 0278-SPHA, 0279-A, 0280-A, 0281-A,  
0282-A and 0283-SPH

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

\* \* \* \* \*

VKD: cen  
cc: file

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
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(Kilberg Property)

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Reviewer: Steve Ford

**BALTIMORE COUNTY, MARYLAND  
INTRA-OFFICE MEMORANDUM**

**TO:** Arnold Jablon  
Deputy Administrative Officer and  
Director of Permits, Approvals and Inspections

**DATE:** 6/13/2018

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 18-283

**INFORMATION:**

**Property Address:** 7531 Stream Crossing Road  
**Petitioner:** Old Court-Greenspring Improvement Association, Inc.  
**Zoning:** DR 3.5  
**Requested Action:** Special Hearing

The Department has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the processing and approval of Lots 6, 7, 8, Parcel "A" and "Drainage Reservations" of the Revised Plat of Old Court Gardens as recorded in Baltimore County Land Records on May 1, 1961 at WJR 27, folio 77 as individual lots and parcels or as a tract/resubdivision.

A site visit was conducted on May 10, 2018. The address, "Stream Crossing Road", as indicated on the submitted site plan, and more particularly the 7531 Stream Crossing Road included on the petition, both being received by the Department on April 23, 2018, were observed to be improved with single family detached residential dwellings. Those lots, parcels and reservations as listed on the subject petition, being recorded at WJR 27 at 77, were physically inaccessible to Department staff. Analyzing Baltimore County GIS sourced imagery dated 2017, the Department finds said lots, parcels and reservations to be currently unimproved.

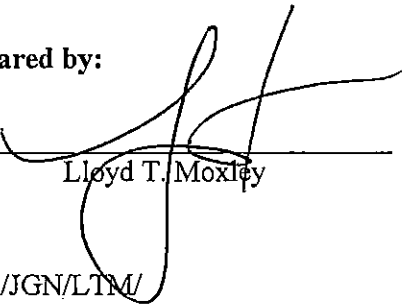
The site plan received in support of the petition on 4/23/2018 and the subsequent updated "sketch plan" received 6/4/2018 do not sufficiently convey the intent of the petition. The speculative nature of the plans prevent Department staff from offering specific comment on the petitioned zoning relief.

In the event a plan is submitted to the Department for "processing and approval" said plan will be reviewed by the Department within the context of the specific development proposal and under the correct processes as determined by proper Baltimore County authority.

Subject: ZAC #18-283  
Date: June 13, 2018  
Page 2

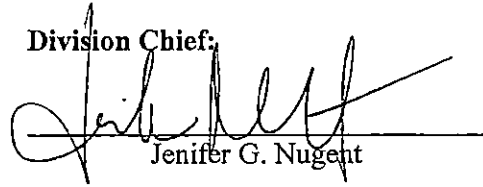
For further information concerning the matters stated herein, please contact Lloyd T. Moxley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Bill Skibinski

J. Carroll Holzer, Esq.

Office of the Administrative Hearings

People's Counsel for Baltimore County

Case No.:

2018-0283 - SPH

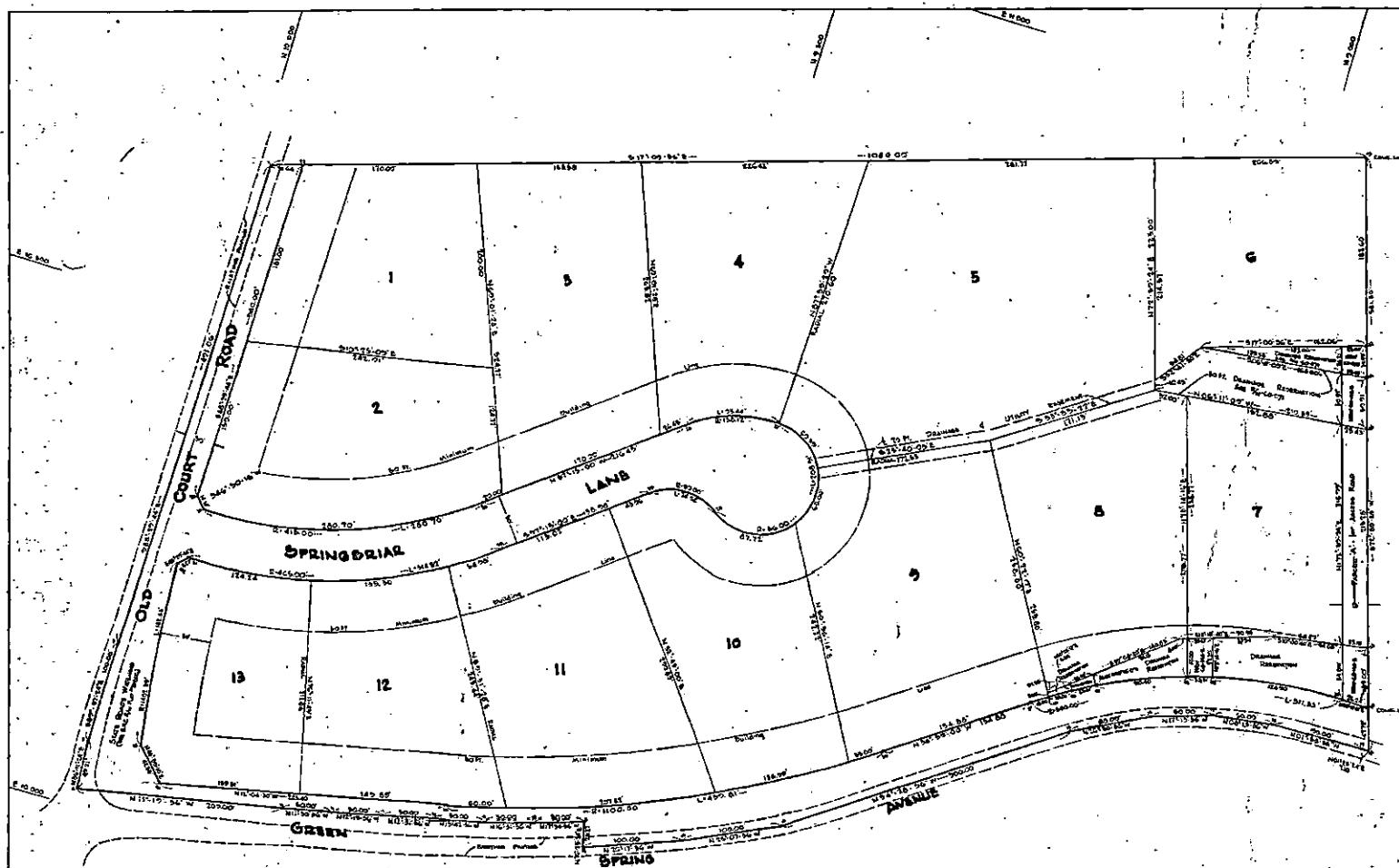
## Exhibit Sheet

Petitioner/Developer

Protestant

EW  
7-27-18Sen  
6-26-18

|        |                                         |                                                |
|--------|-----------------------------------------|------------------------------------------------|
| No. 1  | Plat - Old Ct - Garden                  | Access Road Easement Plans                     |
| No. 2  | My Neighborhood Map                     | May 21, 2013<br>Letter from Zoning Review      |
| No. 3  | Excerpt from Greenspring Community Plan | Plan showing proposed access to Lot Nos. 6 + 7 |
| No. 4  | BCC § 32 - Z - 301                      |                                                |
| No. 5  | Plan showing Lot Nos. 6, 7 + 8          |                                                |
| No. 6  | " Same "                                |                                                |
| No. 7  | " Alternate Devel. Plan "               |                                                |
| No. 8  | Service Road drawing                    |                                                |
| No. 9  | Greenspring Ave. roadway drawing        |                                                |
| No. 10 | " Same "                                |                                                |
| No. 11 | Photo of Site                           |                                                |
| No. 12 | Bur. Land Acquisition ROW drawing       |                                                |



| C U R V E S |                |           |         |              |                | 8.1000         |        |
|-------------|----------------|-----------|---------|--------------|----------------|----------------|--------|
| %           | T <sub>g</sub> | D         | L       | Δ            | T <sub>g</sub> | C.M.D.         |        |
| 9           | 30             | 300.00    | 319.93  | 360°-25' 30" | 103.70         | 16 17°-00' 00" | 508.58 |
| 10          | 30             | 1050.00   | 429.81  | 325°-14' 30" | 117.08         | 16 17°-00' 00" | 516.36 |
| 11          | 30             | 3000.00   | 539.69  | 300°-03' 30" | 130.46         | 16 17°-00' 00" | 524.14 |
| 12          | 30             | 6400.00   | 649.57  | 275°-52' 30" | 143.84         | 16 17°-00' 00" | 531.92 |
| 13          | 30             | 9800.00   | 759.45  | 250°-41' 30" | 157.22         | 16 17°-00' 00" | 539.70 |
| 14          | 30             | 13200.00  | 869.33  | 225°-30' 30" | 170.60         | 16 17°-00' 00" | 547.48 |
| 15          | 30             | 16600.00  | 979.21  | 200°-19' 30" | 183.98         | 16 17°-00' 00" | 555.26 |
| 16          | 30             | 20000.00  | 1089.09 | 175°-08' 30" | 197.36         | 16 17°-00' 00" | 563.04 |
| 17          | 30             | 23400.00  | 1198.97 | 150°-00' 00" | 210.74         | 16 17°-00' 00" | 570.82 |
| 18          | 30             | 26800.00  | 1308.85 | 125°-48' 30" | 224.12         | 16 17°-00' 00" | 578.60 |
| 19          | 30             | 30200.00  | 1418.73 | 100°-37' 30" | 237.50         | 16 17°-00' 00" | 586.38 |
| 20          | 30             | 33600.00  | 1528.61 | 75°-26' 30"  | 250.88         | 16 17°-00' 00" | 594.16 |
| 21          | 30             | 37000.00  | 1638.49 | 50°-15' 30"  | 264.26         | 16 17°-00' 00" | 601.94 |
| 22          | 30             | 40400.00  | 1748.37 | 25°-04' 30"  | 277.64         | 16 17°-00' 00" | 609.72 |
| 23          | 30             | 43800.00  | 1858.25 | 0°-53' 30"   | 291.02         | 16 17°-00' 00" | 617.50 |
| 24          | 30             | 47200.00  | 1968.13 | 345°-42' 30" | 304.40         | 16 17°-00' 00" | 625.28 |
| 25          | 30             | 50600.00  | 2078.01 | 320°-31' 30" | 317.78         | 16 17°-00' 00" | 633.06 |
| 26          | 30             | 54000.00  | 2187.89 | 295°-20' 30" | 331.16         | 16 17°-00' 00" | 640.84 |
| 27          | 30             | 57400.00  | 2297.77 | 270°-09' 30" | 344.54         | 16 17°-00' 00" | 648.62 |
| 28          | 30             | 60800.00  | 2407.65 | 245°-00' 00" | 357.92         | 16 17°-00' 00" | 656.40 |
| 29          | 30             | 64200.00  | 2517.53 | 220°-48' 30" | 371.30         | 16 17°-00' 00" | 664.18 |
| 30          | 30             | 67600.00  | 2627.41 | 195°-37' 30" | 384.68         | 16 17°-00' 00" | 671.96 |
| 31          | 30             | 71000.00  | 2737.29 | 170°-26' 30" | 398.06         | 16 17°-00' 00" | 679.74 |
| 32          | 30             | 74400.00  | 2847.17 | 145°-15' 30" | 411.44         | 16 17°-00' 00" | 687.52 |
| 33          | 30             | 77800.00  | 2957.05 | 120°-04' 30" | 424.82         | 16 17°-00' 00" | 695.30 |
| 34          | 30             | 81200.00  | 3066.93 | 94°-53' 30"  | 438.20         | 16 17°-00' 00" | 703.08 |
| 35          | 30             | 84600.00  | 3176.81 | 69°-42' 30"  | 451.58         | 16 17°-00' 00" | 710.86 |
| 36          | 30             | 88000.00  | 3286.69 | 44°-31' 30"  | 464.96         | 16 17°-00' 00" | 718.64 |
| 37          | 30             | 91400.00  | 3396.57 | 19°-20' 30"  | 478.34         | 16 17°-00' 00" | 726.42 |
| 38          | 30             | 94800.00  | 3506.45 | 0°-09' 30"   | 491.72         | 16 17°-00' 00" | 734.20 |
| 39          | 30             | 98200.00  | 3616.33 | 345°-00' 00" | 505.10         | 16 17°-00' 00" | 741.98 |
| 40          | 30             | 101600.00 | 3726.21 | 320°-48' 30" | 518.48         | 16 17°-00' 00" | 749.76 |
| 41          | 30             | 105000.00 | 3836.09 | 295°-37' 30" | 531.86         | 16 17°-00' 00" | 757.54 |
| 42          | 30             | 108400.00 | 3945.97 | 270°-26' 30" | 545.24         | 16 17°-00' 00" | 765.32 |
| 43          | 30             | 111800.00 | 4055.85 | 245°-15' 30" | 558.62         | 16 17°-00' 00" | 773.10 |
| 44          | 30             | 115200.00 | 4165.73 | 220°-04' 30" | 572.00         | 16 17°-00' 00" | 780.88 |
| 45          | 30             | 118600.00 | 4275.6  | 200°-00' 00" | 585.38         | 16 17°-00' 00" | 788.66 |

| COORDINATES |           | EAST |           | NORTH |           |
|-------------|-----------|------|-----------|-------|-----------|
| NO.         | TIME      | NO.  | TIME      | NO.   | TIME      |
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| 33          | 0 53.59.7 | 33   | 0 53.59.7 | 33    | 0 53.59.7 |
| 34          | 0 53.59.7 | 34   | 0 53.59.7 | 34    | 0 53.59.7 |
| 35          | 0 53.59.7 | 35   | 0 53.59.7 | 35    | 0 53.59.7 |
| 36          | 0 53.59.7 | 36   | 0 53.59.7 | 36    | 0 53.59.7 |
| 37          | 0 53.59.7 | 37   | 0 53.59.7 | 37    | 0 53.59.7 |
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| 41          | 0 53.59.7 | 41   | 0 53.59.7 | 41    | 0 53.59.7 |
| 42          | 0 53.59.7 | 42   | 0 53.59.7 | 42    | 0 53.59.7 |
| 43          | 0 53.59.7 | 43   | 0 53.59.7 | 43    | 0 53.59.7 |
| 44          | 0 53.59.7 | 44   | 0 53.59.7 | 44    | 0 53.59.7 |
| 45          | 0 53.59.7 | 45   | 0 53.59.7 | 45    | 0 53.59.7 |
| 46          | 0 53.59.7 | 46   | 0 53.59.7 | 46    | 0 53.59.7 |
| 47          | 0 53.59.7 | 47   | 0 53.59.7 | 47    | 0 53.59.7 |
| 48          | 0 53.59.7 | 48   | 0 53.59.7 | 48    | 0 53.59.7 |
| 49          | 0 53.59.7 | 49   | 0 53.59.7 | 49    | 0 53.59.7 |
| 50          | 0 53.59.7 | 50   | 0 53.59.7 | 50    | 0 53.59.7 |
| 51          | 0 53.59.7 | 51   | 0 53.59.7 | 51    | 0 53.59.7 |
| 52          | 0 53.59.7 | 52   | 0 53.59.7 | 52    | 0 53.59.7 |
| 53          | 0 53.59.7 | 53   | 0 53.59.7 | 53    | 0 53.5    |

WLR 27 FOLD 77

MAY 1 1961 at P.M.  
same day recorded in Litter  
F.B.I. No. folio  
One of the Records of  
Baltimore County and ex-  
amined, per  
*W. J. R.*

REVISED PLAT OF  
**• OLD COURT GARDENS •**  
 ELECTION DISTRICT NO. 9  
 SCALE: 1"=50' BALTIMORE CO., MD.  
 OCTOBER 10, 1960

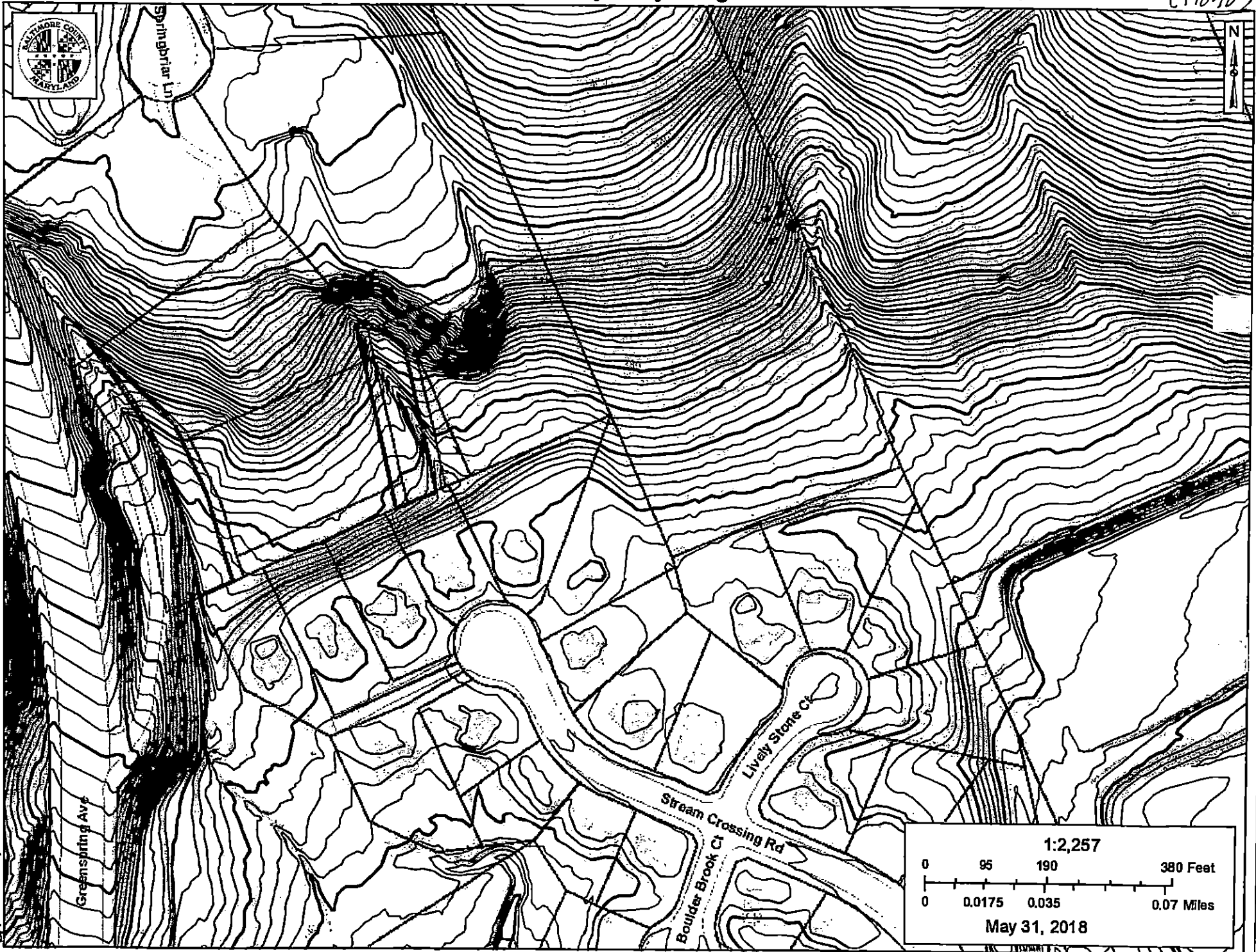
OWNER  
IRVAL COMPANY  
6609 REISTERSTOWN RD.  
BALTIMORE 15, MARYLAND

[illegible]

PETITIONER'S EXHIBIT # 1

# Baltimore County - My Neighborhood

1.9 TIMES  
(190410)



PETITIONERS EX-2

EXCERPTS FROM GREENSPRING-EAST PIKESVILLE COMMUNITY ACTION PLAN:

From PREFACE page X

"This document, which it is hoped will be adopted by the Planning Board and County Council as an amendment to the soon to be approved Master Plan 2020, (Adopted by County Council February 22, 2011) sets out the community's vision of itself into the future. It will act as a rallying point and focus for public and private efforts and attitudes as we move forward. In particular, the communities will focus their attention on the following:

- Ensuring all new development in the plan area is compatible with existing communities
- Increasing public parkland in the area so as to meet all State and County open space standards
- .....
- Protecting the natural environment to ensure continued habitat for native flora and fauna
- .....

Then, on page 30:

**GOAL 2: Preserve attractive environmentally-sensitive areas while providing more Public Open Space for our residents.**

**Action 2a:** Identify and propose the purchase of wooded areas that could be used by residents for walking, picnicking and recreation.

**Action 2b:** Working within the guidelines of the Baltimore County Open Space Manual, insure that developers provide the Open Space for parks and playgrounds as is required. Change the LOS waiver threshold from  $\frac{1}{2}$  to  $\frac{1}{4}$  acre.

**And beginning on page 38 with section II.B. Land Use and Zoning particular Goals and concerns are expressed; for example:**

"Zoning on a property that is inconsistent with current needs when it remains undeveloped, is often left in place because of benign neglect, thus creating a threat to the surrounding communities in the future. As a mature neighborhood that is recognized as entitled to conservation protection, it is important that existing zoning, particularly on undeveloped parcels and older developments on larger lots with the potential for redevelopment, be examined to be considered for different zoning, and that it be recognized that time alone does not give rise to "vesting.""

**And further on page 43:**

**"Post 1992 development:** Recognizing that the quality of development under the 1970s regulations did not meet modern expectations, an attempt was made in 1992 to find a middle ground. Although not reverting to minimum lot sizes, the current regulations provide some relief within the confines of permitted housing types and flexibility through the use of the PUD and the Special Exception. These tools if properly utilized, permit developments to provide greater open spaces, better design, and amenities for their residents. The Comprehensive Manual of Development Policies supplements and complements these regulations. A clear example of the problem is a development proposed in 2009 in a DR 1 zone on Old Court Road, where the lot sizes would have been half an acre, while the adjacent homes, built to the pre-1970 R40 code, were over an acre. Clearly, the proposal is not

compatible with the lot sizes in the surrounding neighborhood, yet technically it meets the zoning criteria."

**GOAL 2:** A recurring theme of the Community Action Plan for Pikesville-Greenspring is that there should be a sufficient variety of housing types to meet the needs of multigenerations and multi-socio/economic levels. A second recurring theme is that these goals **MUST** be supplemented with the need to retain the "green" character of our community and reach out to retain existing open space - always recognizing that the serious deficit of public open space must be met. This means that not only should there be opportunities for lower to medium priced housing, which we have been successful in achieving, but the "estate character" of Old Court Road that offers an alternative close to the city for those not wishing to live far out in the suburbs must also be preserved. These two goals act in tandem to help assure that Pikesville Greenspring remains both a green community and a community that reflects the entire spectrum of our society. It is with these goals in mind that we recommend Actions 2a, 2b, and 2c. Action 2a: Rezone the Old Court Road Corridor and the area west of Park Heights Avenue between Slade Avenue and the Beltway to an appropriate zone that will protect the character of the area. Action 2b: Baltimore County should develop a new institutional zone that allows institutional uses without residential density. **Action 2c: Add a requirement in all residential zones that lot sizes in a proposed new development should be compatible with lot sizes in the surrounding neighborhood. (*emphasis added*)"**

And further, on page 48 The Plan states:

**GOAL 4: Obtain additional public Open Space in the Plan area.**

Action 4a: Require developers to comply with Open Space requirements and provide public open space and/or other amenities to the surrounding community.

Action 4b: Encourage property owners to donate portions of their property as Open Space, through small land trusts such as NeighborSpace of Baltimore County.

Action 4c: Should any suitable tracts of land become available, wherever possible encourage the County to obtain them as public Open Space.

**§ 32-2-301. - REVIEW OF APPLICATIONS FOR BUILDING PERMITS AND PLANS.**

(a) *In general.* Except as provided in subsection (b) of this section, when an application for a building permit or for approval of a Development Plan is referred for Planning Board consideration, the Director of Planning shall report to the Planning Board any condition that may conflict with, interfere with, impede, or delay a proposal in the Master Plan for:

- 1) A street or drainage right-of-way;
- 2) An open space that has a natural condition, and present state of use, that if retained, would:
  - i. Enhance the present or potential value of abutting or surrounding urban development; or
  - ii. Maintain or enhance the conservation of natural or scenic resources; or
- 3) A flood area, school, park, playground, or any other public improvement or facility.

(b) *Exception.* The Director of Planning is not required to report to the Planning Board under subsection (a) of this section if the application for a building permit or for approval of a plan involves:

- (1) Streets, roads, drainage rights-of-way of flood areas in fee that must be provided in whole or in part at the expense of the applicant under the development regulations or a county policy manual; and
- (2) Local open space tracts, as required by the development regulations or the local open space manual.

(c) *Deadline for completing the review.* The Director of Planning shall report to the Planning Board as required under subsection (a) of this section within:

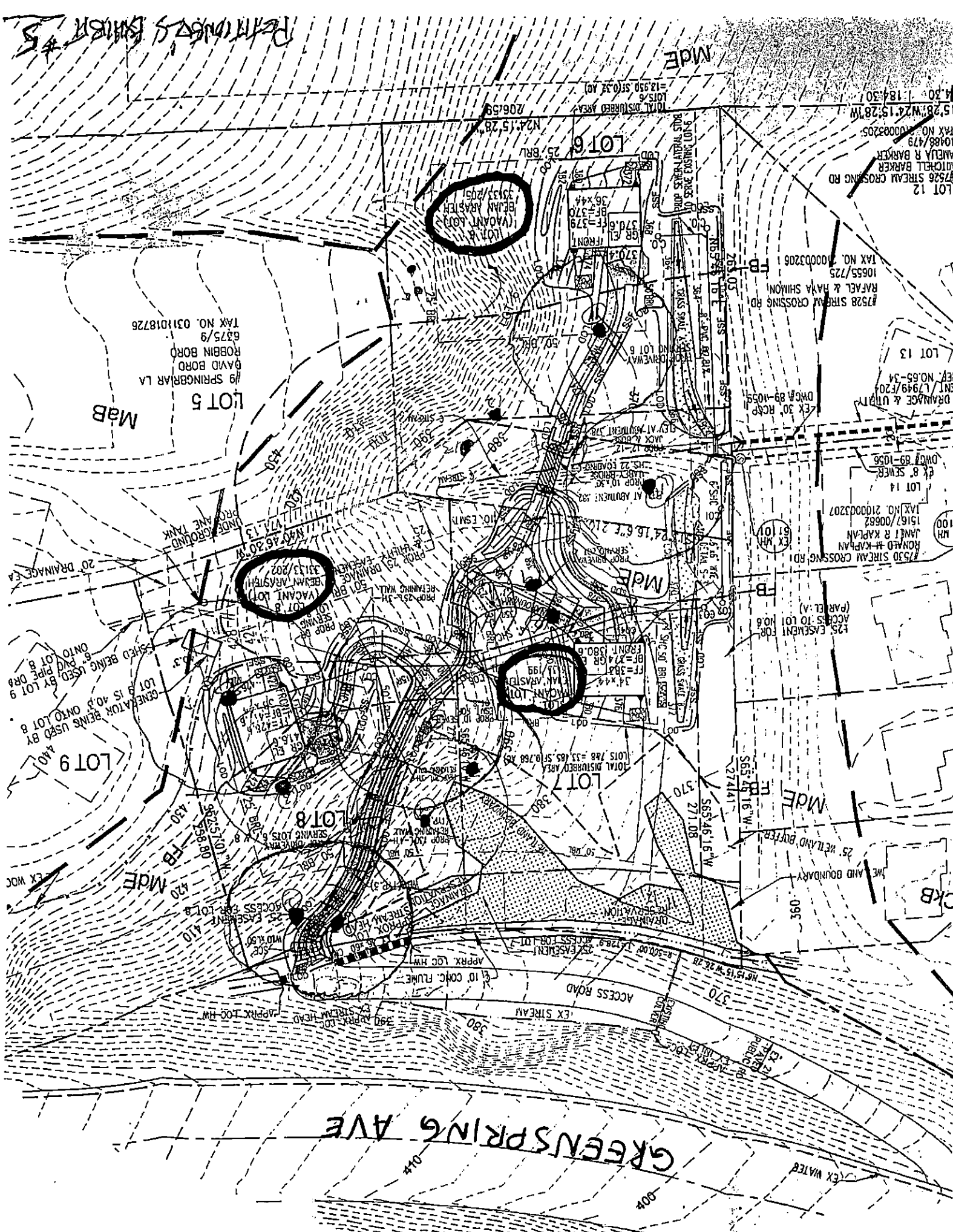
- (1) 15 days after the date an application for a building permit is filed; and
- (2) 60 days after the first community input meeting in the case of a Development Plan.

**§ 32-2-305. - RESERVATION PERIOD.**

(a) *Limitation on the period of public reservation.* The period of the public reservation may not exceed 18 months from the date of:

- (1) An application for a building permit; or
- (2) Submission of a concept plan.

(b) *Effect of reservation.* During the reservation period, a person may not erect a building or other structure on the reserved land.



GREENSPRING AVE

ACCESS ROAD

MAB

MDE

MDE

CKB

LOT 5  
DAVID BORD  
ROBBIN BORD  
6375/9  
TAX NO. 0311018726

LOT 6

LOT 7

LOT 9

LOT 8 (VACANT LOT)

LOT 7 (VACANT LOT)

LOT 8 (VACANT LOT)

LOT 12

LOT 13

LOT 14

LOT 15

LOT 16

LOT 17

LOT 18

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LOT 95

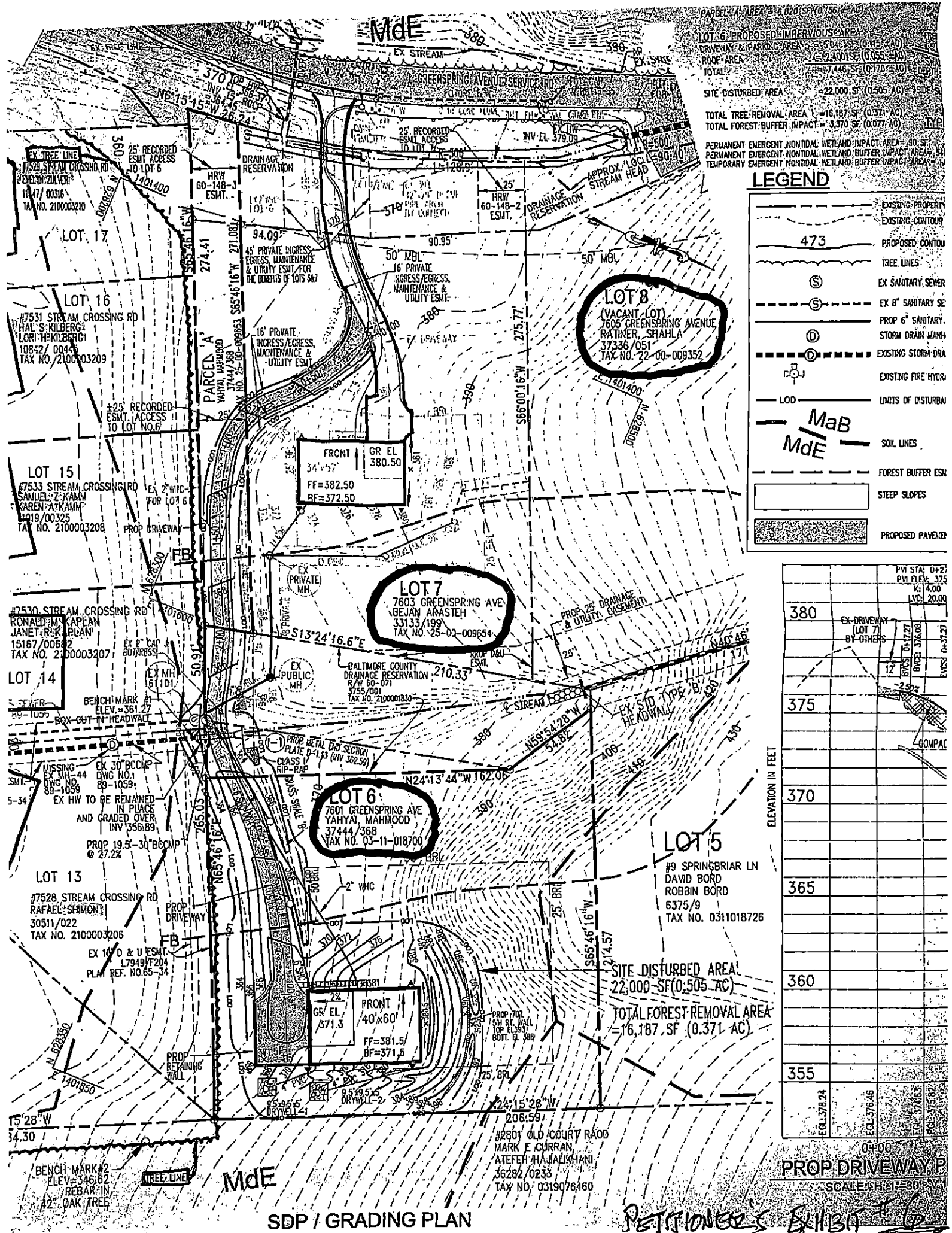
LOT 96

LOT 97

LOT 98

LOT 99

LOT 100

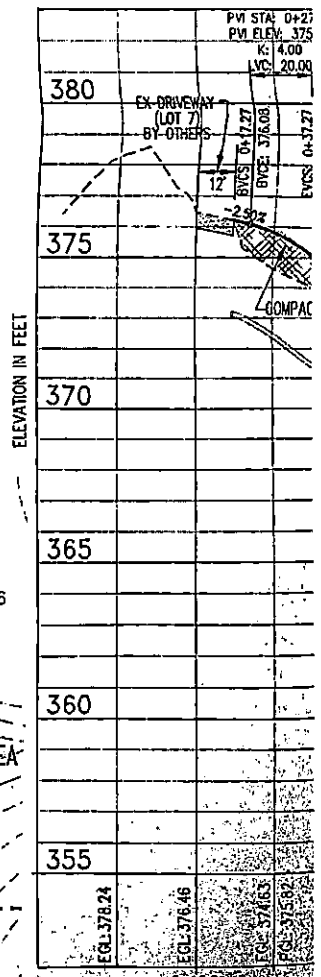


PARCEL 'A' AREA = 6,820 SF (0.156 AC)  
 LOT 6 PROPOSED IMPERVIOUS AREA  
 DRIVEWAY & PARKING AREA = 5,804 SF (0.132 AC)  
 ROOF AREA = 2,001 SF (0.055 AC)  
 TOTAL = 7,445 SF (0.170 AC)  
 SITE DISTURBED AREA = 22,000 SF (0.505 AC)  
 TOTAL TREE REMOVAL AREA = 16,187 SF (0.371 AC)  
 TOTAL FOREST BUFFER IMPACT = 3,370 SF (0.077 AC)  
 PERMANENT EMERGENT NONTIDAL WETLAND IMPACT AREA = 40 SF  
 PERMANENT EMERGENT NONTIDAL WETLAND BUFFER IMPACT AREA = 54 SF  
 TEMPORARY EMERGENT NONTIDAL WETLAND BUFFER IMPACT AREA = 11 SF

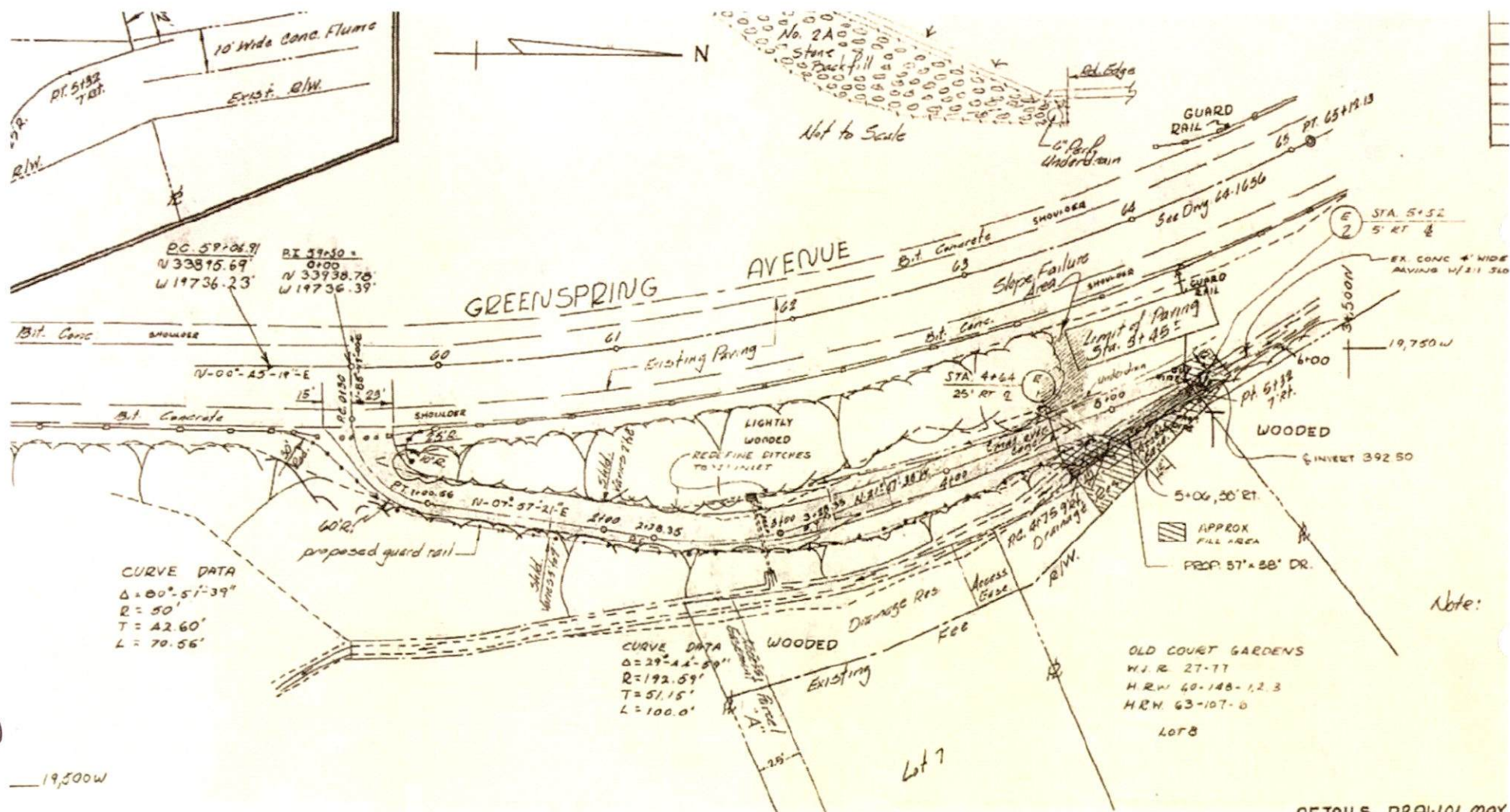
### LEGEND

- EXISTING PROPERTY
- EXISTING CONTOUR
- PROPOSED CONTOUR
- TREE LINES
- EX SANITARY SEWER
- EX 8" SANITARY SE
- PROP 6" SANITARY
- STORM DRAIN MANH
- EXISTING STORM DRA
- EXISTING FIRE HYDR
- UNITS OF DISTURBA
- SOIL LINES
- FOREST BUFFER ESU
- STEEP SLOPES
- PROPOSED PAVEMENT

**MaB**  
**MdE**

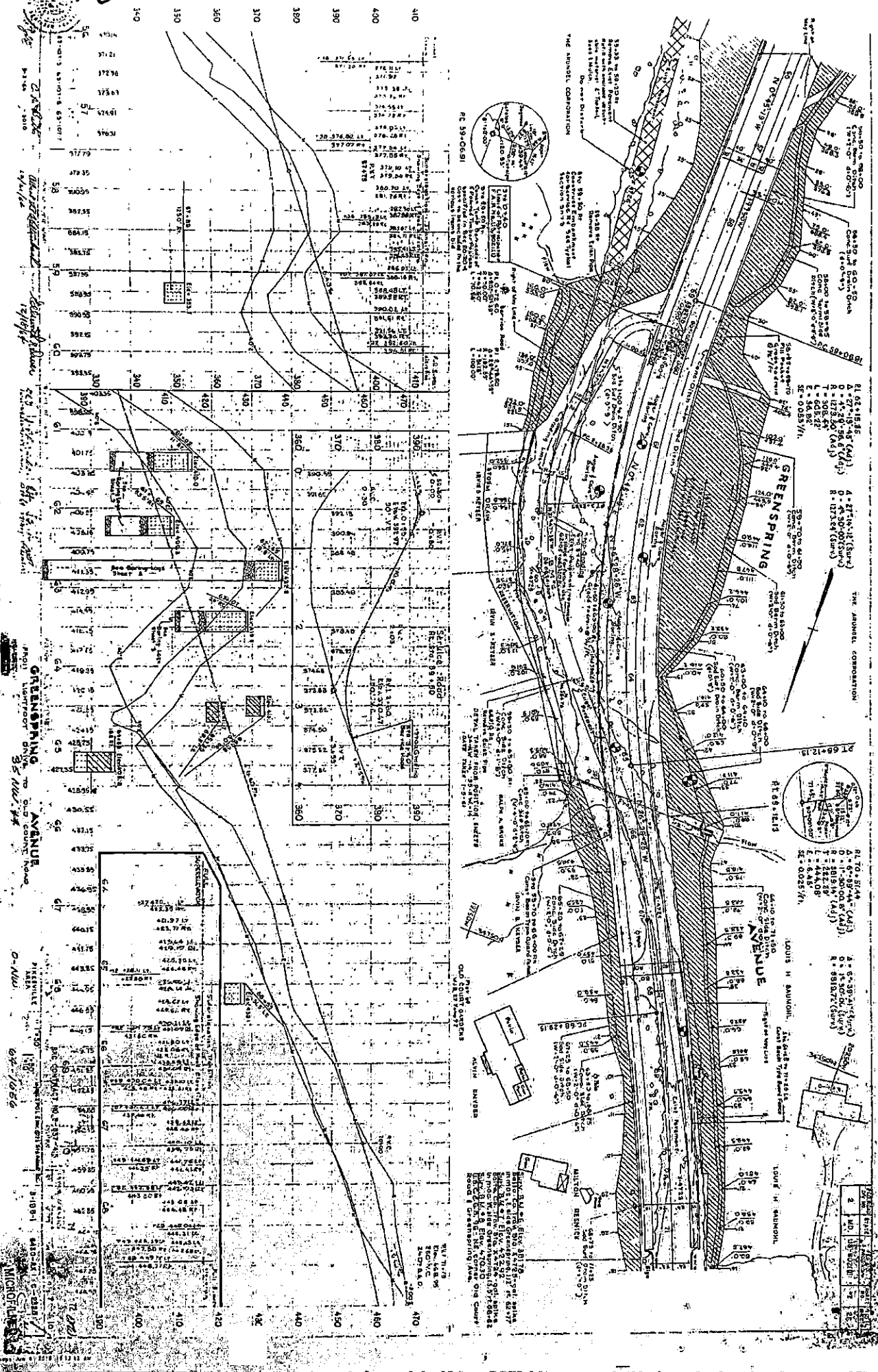






PETITIONER'S EXH #2

Ref. 3xh 10



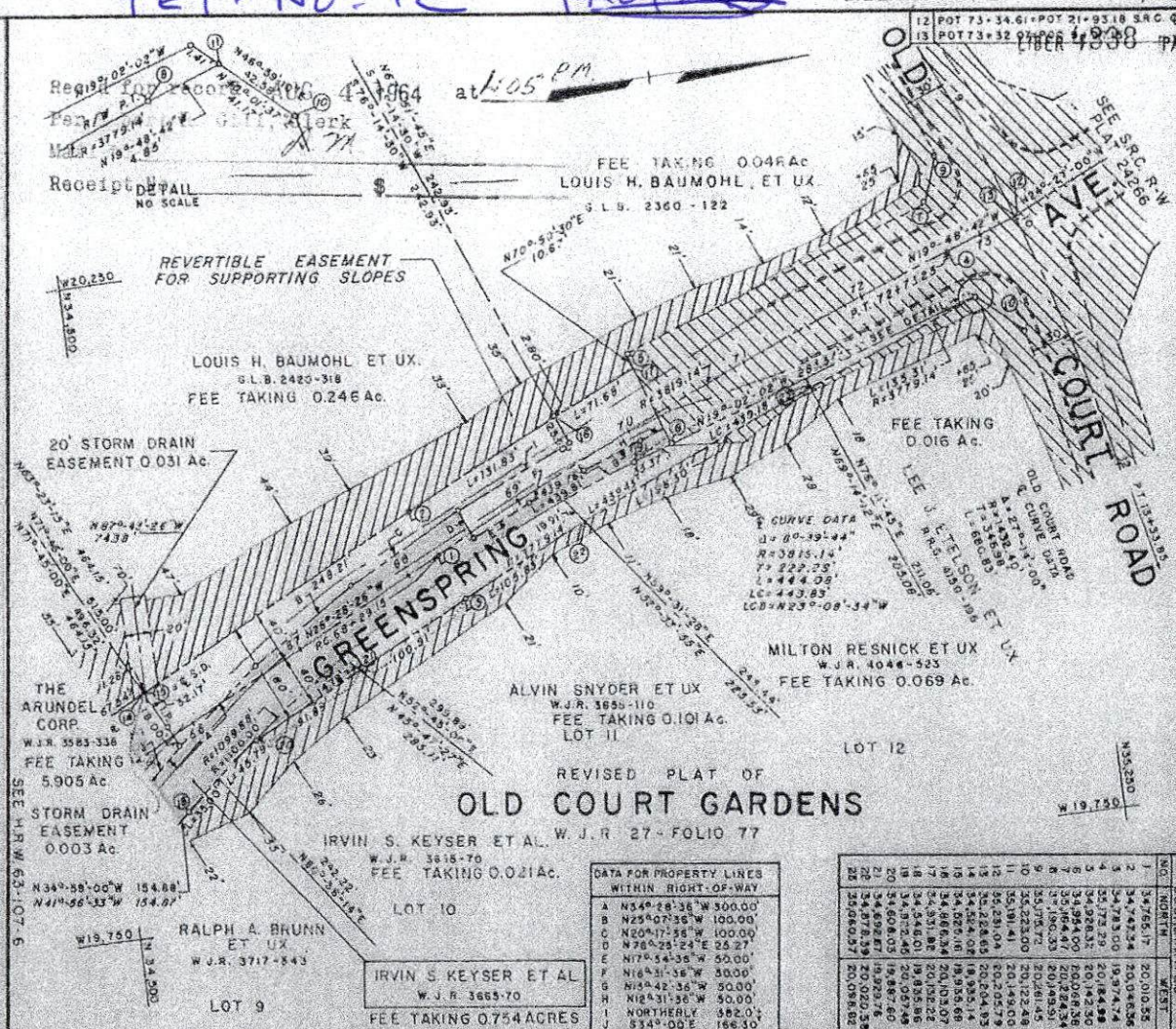
LIBR 4338 PAGE 3142

314

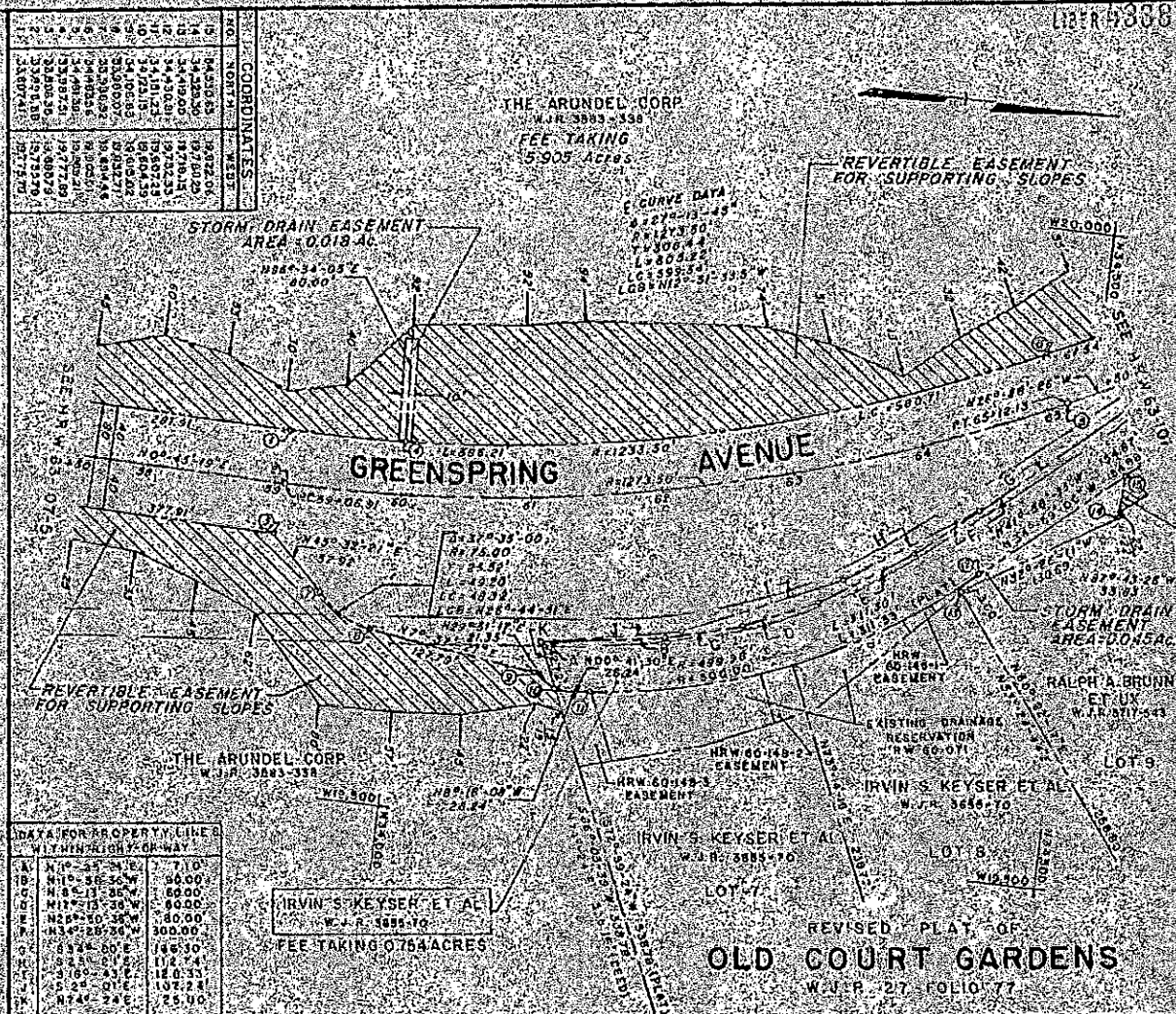
| ACQUISITIONS |                          |
|--------------|--------------------------|
| NO.          | ACQUIRED FROM. RECORDED. |
| 1            |                          |
| 2            |                          |
| 3            |                          |
| 4            |                          |
| 5            |                          |

- NOTE:
- 1 VERTICAL LETTERING DENOTES EXISTING PROPERTY LINES.
  - 2 SLANT LETTERING DENOTES PROPOSED CHANGES TO PROPERTIES.
  - 3 ALL AREAS FOUND BY PLANNIMETER, UNLESS OTHERWISE NOTED.

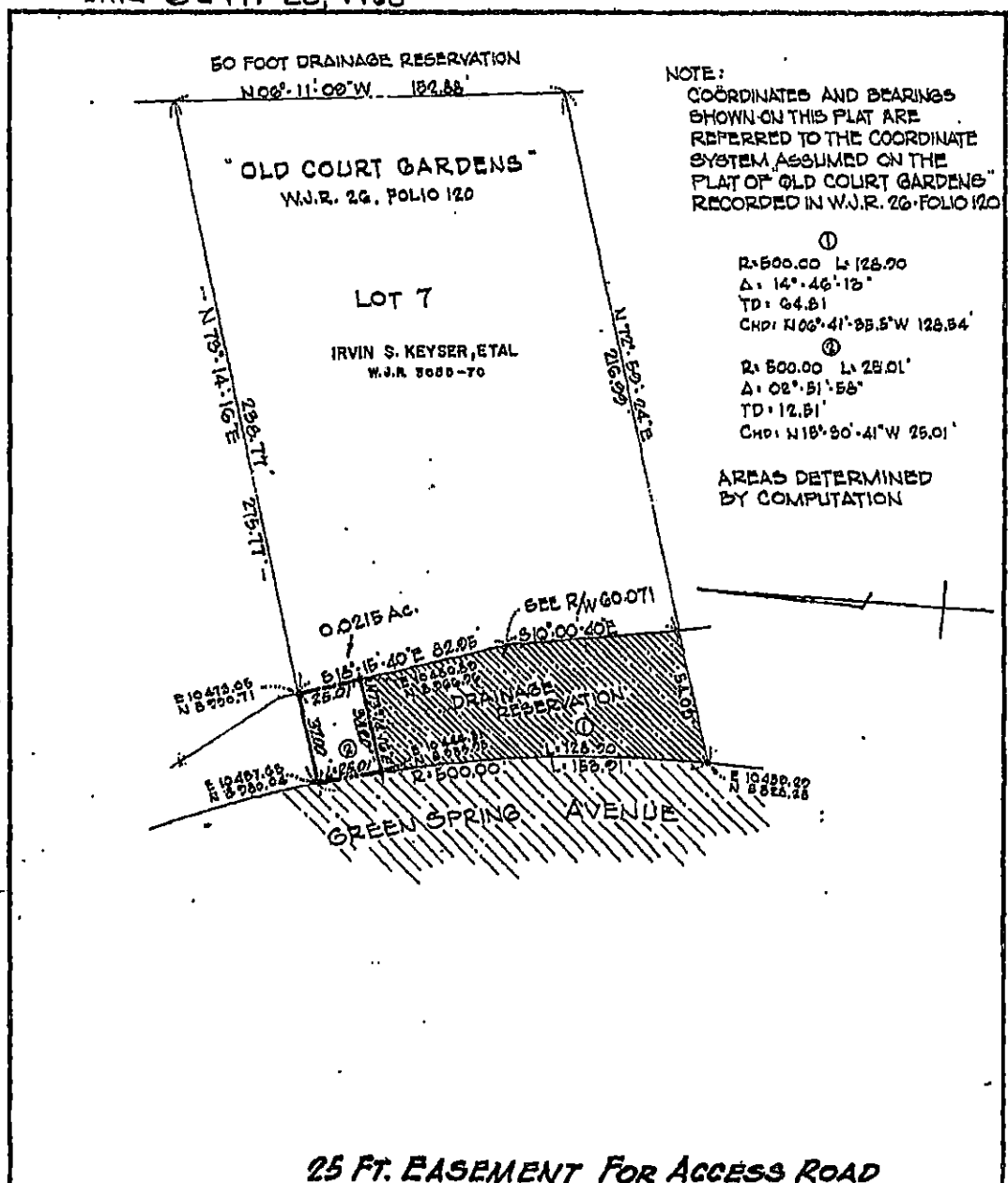
| NO. | NORTH    | WEST      |
|-----|----------|-----------|
| 1   | 3,745.17 | 20,010.55 |
| 2   | 3,473.50 | 19,936.94 |
| 3   | 3,257.32 | 19,797.47 |
| 4   | 3,047.37 | 19,680.80 |
| 5   | 2,842.63 | 19,582.33 |
| 6   | 2,643.40 | 19,500.36 |
| 7   | 2,449.30 | 19,433.33 |
| 8   | 2,260.00 | 19,380.00 |
| 9   | 2,075.23 | 19,339.23 |
| 10  | 1,894.57 | 19,310.48 |
| 11  | 1,717.61 | 19,292.48 |
| 12  | 1,544.91 | 19,284.00 |
| 13  | 1,376.94 | 19,285.94 |
| 14  | 1,213.26 | 19,298.66 |
| 15  | 1,053.46 | 19,332.66 |
| 16  | 897.16   | 19,388.16 |
| 17  | 743.86   | 19,465.86 |
| 18  | 593.60   | 19,565.60 |
| 19  | 445.96   | 19,688.96 |
| 20  | 300.57   | 19,834.57 |
| 21  | 157.97   | 19,999.97 |
| 22  | 16.02    | 20,082.02 |
| 23  | 0.07     | 20,083.82 |



|                                                                                                                                                                                                                                                                                                                                        |                        |                                                                                             |             |                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BALTIMORE COUNTY                                                                                                                                                                                                                                                                                                                       |                        | DEPARTMENT OF PUBLIC WORKS                                                                  |             | BUREAU OF LAND ACQUISITION                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                          |
| PLAN TO ACCOMPANY RIGHT-OF-WAY AGREEMENT                                                                                                                                                                                                                                                                                               |                        | HIGHWAY RIGHT OF WAY (IN FEET)                                                              |             | REVERTIBLE SLOPE CASSEMENT<br>SLOPE DRAIN EXHIBIT                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                          |
| BUREAU OF LAND ACQUISITION                                                                                                                                                                                                                                                                                                             |                        | CO-ORDINATE SHOWN HEREON ARE BASED ON U.S.C.M.S.<br>TRANSVERSE STATIONS ON HUBS AS FOLLOWS: |             |                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                          |
| APPROVED: <i>W.D. Kline</i>                                                                                                                                                                                                                                                                                                            | DATE: <i>2-17-1961</i> | X-4728                                                                                      | N 32.648 68 | W 19,692.84                                                                                                                                                                                                                                                                                                                                                                                                                       | CONSULTING ENGINEER OR SURVEYOR<br>DATE: 2-21-64 REC. NO. 3010<br>APPROVED: <i>W.D. Kline</i><br>DATE: <i>2-28-64</i><br>BY: <i>W.D. Kline</i><br>FOR: <i>W.D. Kline</i> |
|                                                                                                                                                                                                                                                                                                                                        |                        | X-4723                                                                                      | N 34.293.64 | W 19,677.19                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                        |                        | X-4723                                                                                      | N 34,922.43 | W 20,108.76                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                          |
| DIVISION OF DRAFTING                                                                                                                                                                                                                                                                                                                   |                        | CONSTRUCTION PLAN NO.                                                                       |             |  AREA TO BE ACQUIRED<br> SLOPE AREA<br> EXISTING CONVEYANCE<br> PROPERTY LINE RELEASED |                                                                                                                                                                          |
| THIS PLAN IS COMPILED FROM DEEDS AND SURVEYS. THE COURSES AND DISTANCES SHOWN ON PROPERTIES ADJOINING THE PROPOSED RIGHT OF WAY ARE THOSE CONTAINED IN THE DEED REFERRED TO BY LIBRS AND TOLLO NUMBER AND DO NOT NECESSARILY REFER TO THE MERIDIAN SHOWN HEREON NOR DO THEY IMPLY A CURRENT SURVEY OF SAID PROPERTIES UNLESS SO NOTED. |                        |                                                                                             |             | SCALE: 1" = 100'<br>J.O. 5-195-1<br>DISTRICT: 3<br>HWY 63-107-7                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                          |
| DRYAN, P.H.C.                                                                                                                                                                                                                                                                                                                          | CHECKED: J.D.B.        |                                                                                             |             |                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                          |

[illegible]

RECORDED  
LIBER NO. 3755 FOLIO 105  
DATE SEPT. 20, 1960

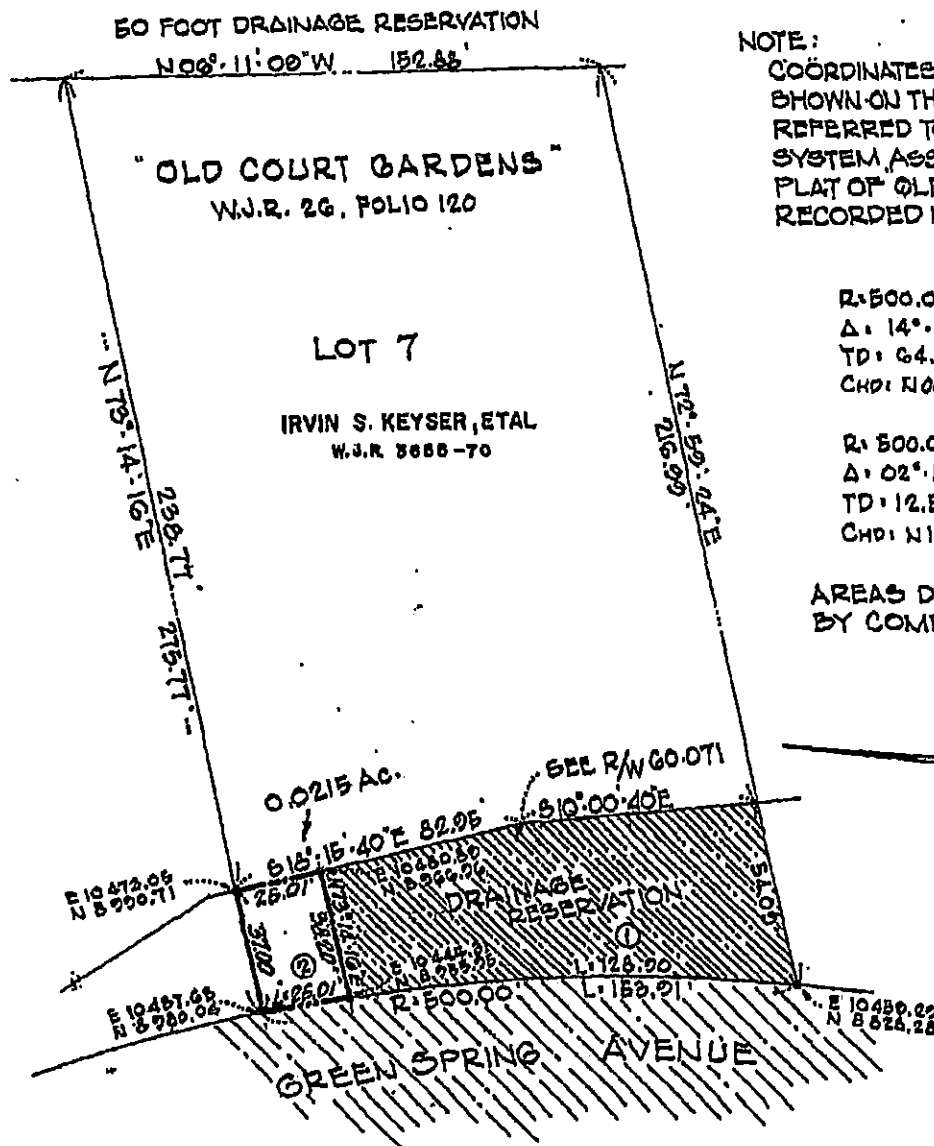


|                                                                        |                                                                                                                                                                                                                                                                                                                                        |                                                                |
|------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION |                                                                                                                                                                                                                                                                                                                                        |                                                                |
| BUREAU OF LAND ACQUISITION                                             |                                                                                                                                                                                                                                                                                                                                        |                                                                |
| APPROVED: <i>W.P. Mason</i><br>CHIEF                                   | PLAN TO ACCOMPANY<br>RIGHT-OF-WAY AGREEMENT                                                                                                                                                                                                                                                                                            | CONSULTING ENGINEER OR SURVEYOR<br>DATE: 8-11-60 REG. NO. 2221 |
| DATE: 8-12-1960                                                        | CONSTRUCTION PLAN NO.                                                                                                                                                                                                                                                                                                                  | APPROVED: _____<br>ROADS ENGINEER                              |
| DIVISION OF DRAFTING                                                   | THIS PLAT IS COMPILED FROM DEEDS AND SURVEYS. THE COURSES AND DISTANCES SHOWN ON PROPERTIES ADJOINING THE PROPOSED RIGHT OF WAY ARE THOSE CONTAINED IN THE DEED REFERRED TO BY LIGER AND FOLIO NUMBER AND DO NOT NECESSARILY REFER TO THE MERIDIAN SHOWN HEREON NOR DO THEY IMPLY A CURRENT SURVEY OF SAID PROPERTIES UNLESS SO NOTED. | AREA TO BE ACQUIRED                                            |
| APPROVED: <i>Carl Matthews Jr.</i><br>CHIEF DRAFTSMAN                  |                                                                                                                                                                                                                                                                                                                                        | SCALE: 1" = 50'                                                |
| DATE: 8-12-1960                                                        |                                                                                                                                                                                                                                                                                                                                        | J.O. 4-1-102                                                   |
| DRAWN: JD                                                              | CHECKED: H.O.W.                                                                                                                                                                                                                                                                                                                        | DISTRICT: 5                                                    |
|                                                                        |                                                                                                                                                                                                                                                                                                                                        | HRV 80-148-2                                                   |

MICROFILMED

Prot 1

DATE SEPT. 20, 1960



NOTE:

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE COORDINATE SYSTEM ASSUMED ON THE PLAT OF "OLD COURT GARDENS" RECORDED IN W.J.R. 26, FOLIO 120

①  
R: 500.00 L: 128.00  
Δ: 14° 46' 12"  
TD: 64.81  
CHD: N 06° 41' 35.5" W 128.54'

②  
R: 500.00 L: 25.01'  
Δ: 02° 51' 58"  
TD: 12.51'  
CHD: N 15° 30' 41" W 25.01'

AREAS DETERMINED BY COMPUTATION

**25 FT. EASEMENT FOR ACCESS ROAD**

BALTIMORE COUNTY

DEPARTMENT OF PUBLIC WORKS

BUREAU OF LAND ACQUISITION

BUREAU OF LAND ACQUISITION

**PLAN TO ACCOMPANY  
RIGHT-OF-WAY AGREEMENT**

CONSULTING ENGINEER OR SURVEYOR

DATE: 8-11-60 REG. NO. 2221

APPROVED

*W.P. Mason*  
CHIEF

DATE: 8-17-1960

APPROVED

ROADS ENGINEER

DATE

DIVISION OF DRAFTING

APPROVED

*Carl Matthews*  
CHIEF DRAFTSMAN

DATE: 8-17-1960

CONSTRUCTION PLAN NO.

THIS PLAT IS COMPILED FROM DEEDS AND SURVEYS. THE COURSES AND DISTANCES SHOWN ON PROPERTIES ADJOINING THE PROPOSED RIGHT OF WAY ARE THOSE CONTAINED IN THE DEED REFERRED TO BY LINE AND FOLIO NUMBER AND DO NOT NECESSARILY REFER TO THE MERIDIAN SHOWN HEREON NOR DO THEY IMPLY A CURRENT SURVEY OF SAID PROPERTIES UNLESS SO NOTED.

AREA TO BE ACQUIRED  
SLOPE AREA  
EXISTING COUNTY R/W  
AREA TO BE RELEASED

SCALE: 1" = 50'

J.O. 4-1-102

DISTRICT: 3

HY 60-112-2

DRAWN: JD

CHECKED: H.G.W.

DATE **SEPT. 20, 1966**

S 17° 00' 36" E  
206.50'

CONC. MON.  
E 10° 07' 41.10"  
N 8° 08' 02.66"

IRVIN S. KEYSER, ETAL  
W.J.R. 8888-70

LOT 6

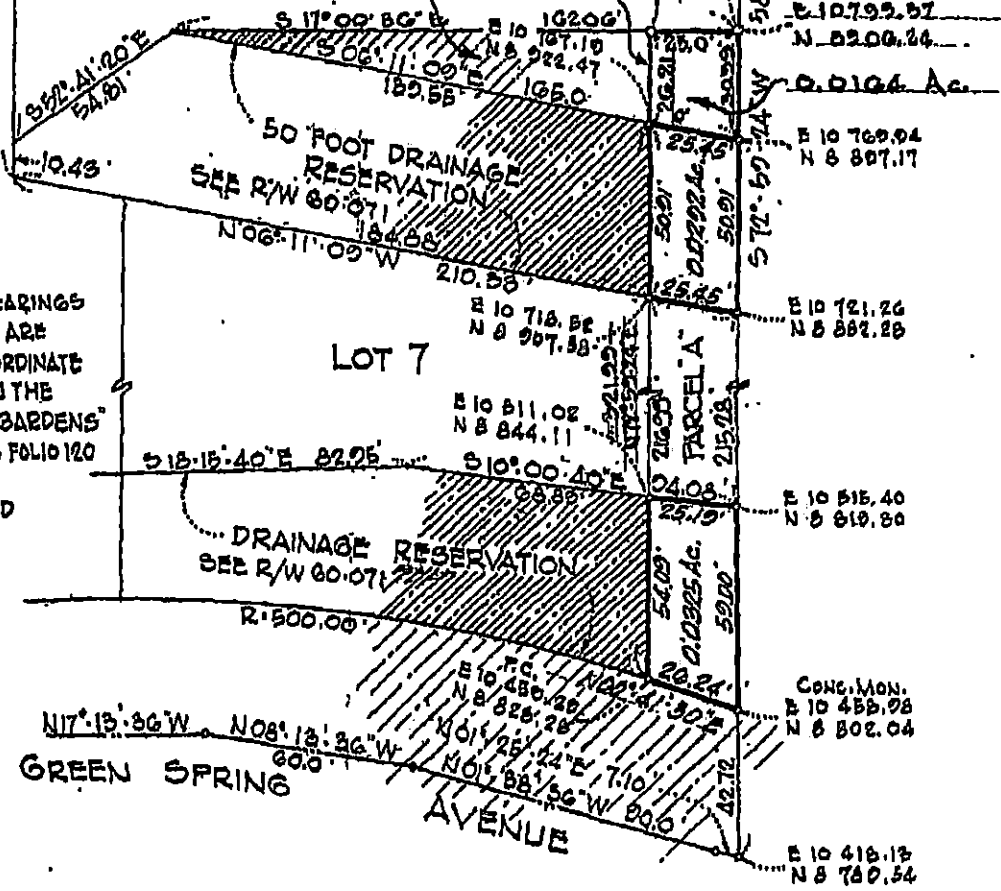
"OLD COURT GARDENS"

W.J.R. 26, FOLIO 120

DRAINAGE  
RESERVATION  
SEE R/W 60-071

N 72° 59' 24" E  
225.00'  
214.57'

152.00'



NOTE:  
COORDINATES AND BEARINGS  
SHOWN ON THIS PLAT ARE  
REFERRED TO THE COORDINATE  
SYSTEM ASSUMED ON THE  
PLAT OF OLD COURT GARDENS  
RECORDED IN W.J.R. 26 FOLIO 120

AREAS DETERMINED  
BY COMPUTATION

**25 FT. EASEMENT FOR ACCESS ROAD**

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION

BUREAU OF LAND ACQUISITION

PLAN TO ACCOMPANY  
RIGHT-OF-WAY AGREEMENT

CONSULTING ENGINEER OR SURVEYOR  
DATE **8-11-66** REG. NO. **2291**

APPROVED: *W.D. Mason*  
CHIEF

APPROVED: \_\_\_\_\_  
ROADS ENGINEER

DATE: **8-17-1960**

CONSTRUCTION PLAN NO.

DATE \_\_\_\_\_

DIVISION OF DRAFTING

APPROVED: *W.D. Mason*  
CHIEF DRAFTSMAN

THIS PLAT IS COMPILED FROM DEEDS AND SURVEYS. THE COURSES AND DISTANCES SHOWN ON PROPERTIES ADJOINING THE PROPOSED RIGHT OF WAY ARE THOSE CONTAINED IN THE DEED REFERRED TO BY LIGEN AND FOLIO NUMBER AND DO NOT NECESSARILY REFER TO THE MERIDIAN SHOWN HEREON NOR DO THEY IMPLY A CURRENT SURVEY OF SAID PROPERTIES UNLESS SO NOTED.

AREA TO BE ACQUIRED  
SLOPE AREA  
EXISTING COUNTY R/W  
AREA TO BE RELEASED

SCALE: **1"=50'**

J.O. 4-1-102

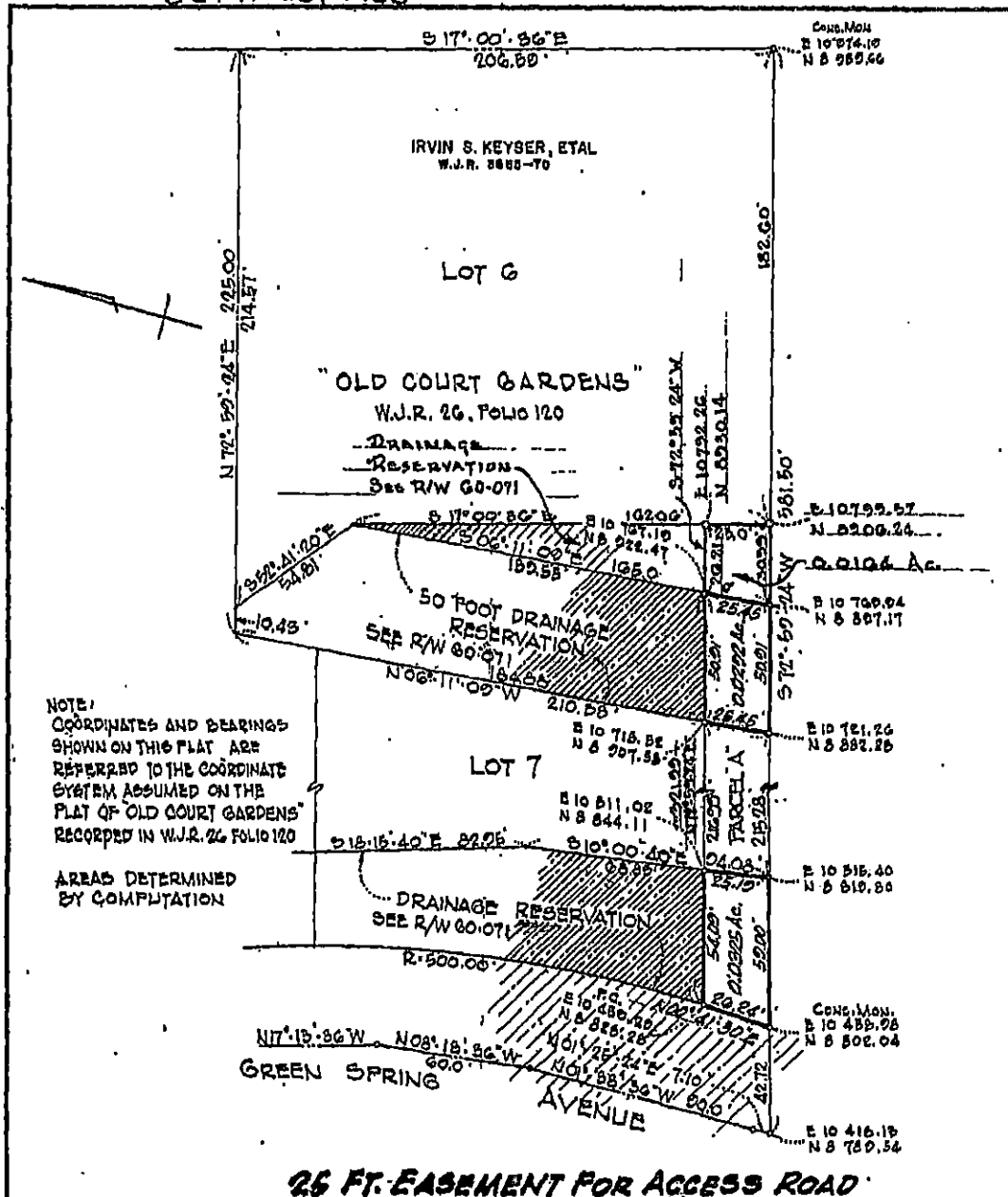
DISTRICT: **3**

DRAWN: **JD**

CHECKED: **HGW**

**HW 100-148-3**

RECORDED  
LIBER NO. 3755 FOLIO 104  
DATE SEPT. 20, 1966



**25 FT. EASEMENT FOR ACCESS ROAD**

|                                                                            |                                                                                                                                                                                                                                                                                                                                          |                                             |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| BALTIMORE COUNTY · DEPARTMENT OF PUBLIC WORKS · BUREAU OF LAND ACQUISITION |                                                                                                                                                                                                                                                                                                                                          |                                             |
| BUREAU OF LAND ACQUISITION                                                 |                                                                                                                                                                                                                                                                                                                                          | PLAN TO ACCOMPANY<br>RIGHT-OF-WAY AGREEMENT |
| APPROVED: <i>W.D. Pherson</i><br>CHIEF                                     | CONSULTING ENGINEER OR SURVEYOR<br>DATE: 8-11-66 REG. NO. 2221                                                                                                                                                                                                                                                                           |                                             |
| DATE: 8-17-1966                                                            | CONSTRUCTION PLAN NO.                                                                                                                                                                                                                                                                                                                    | APPROVED: _____<br>ROADS ENGINEER           |
| DIVISION OF DRAFTING                                                       | THIS PLAN IS COMPILED FROM DEEDS AND SURVEYS. THE COURSES AND DISTANCES SHOWN ON PROPERTIES ADJOINING THE PROPOSED RIGHT OF WAY ARE THOSE CONTAINED IN THE DEEDS REFERRED TO BY LIBER AND FOLIO NUMBER AND DO NOT NECESSARILY REPRESENT THE MERIDIAN SHOWN HEREON NOR DO THEY IMPLY A CURRENT SURVEY OF SAID PROPERTIES UNLESS SO NOTED. | AREA TO BE ACQUIRED                         |
| APPROVED: <i>Chad M. [Signature]</i><br>CHIEF DRAFTSMAN                    |                                                                                                                                                                                                                                                                                                                                          | SCALE: 1" = 50'                             |
| DATE: 8-17-1966                                                            |                                                                                                                                                                                                                                                                                                                                          | DISTRICT: 3                                 |
| DRAWN: JD                                                                  | CHECKED: HOW                                                                                                                                                                                                                                                                                                                             | AREA TO BE RELEASED                         |

MICROFILMED

## Sherry Nuffer

---

**From:** Sherry Nuffer  
**Sent:** Tuesday, June 26, 2018 9:03 AM  
**To:** Joel Beller  
**Subject:** 2018-0283-SPH 7531 Stream Crossing Road  
**Attachments:** 20180626084257202.pdf

Joel,

Per your request, attached please find a copy of Judge Beverungens Order rendered in the above mentioned case.

Should you have any questions, please feel free to contact me.

Thank you,

Sherry

CASE NAME 7531 STODAM CROSSING WAY  
CASE NUMBER 2018-0283-SPH  
DATE JUNE 15, 2018

## NAME \_\_\_\_\_

CITY, STATE, ZIP

E - MAIL

[illegible]

**Subject:** Fw: 7603 GreenSpring Av  
**From:** mizadi@aec-engineers.biz (mizadi@aec-engineers.biz)  
**To:** espijc@aol.com;  
**Date:** Friday, March 10, 2017 3:56 PM

John,  
Here is the approval of the culvert by Dave Derickson. Please make a copy and attach to your submittal to John Russo.  
Thanks,  
Mostafa

On Friday, March 10, 2017 2:14 PM, David A Derickson <dderickson@baltimorecountymd.gov> wrote:

Hi Mostafa,

The driveway culvert is sized correctly, and we are ok with the bedding and end wall treatment for the culvert. Otherwise the layout of the public and private utilities and the site plan in general is acceptable to DPR /Public Services for the building permit.

We do need to work through the remaining comments from Robin prior to our approval of the building permit, but those comments will not affect the overall site plan as noted above.

Regards,  
Dave Derickson, 410-887-3751  
[dderickson@baltimorecountymd.gov](mailto:dderickson@baltimorecountymd.gov)  
PAI, Development Plans Review  
County Office Building, Room 119  
Towson, MD 21204

---

**From:** mizadi@aec-engineers.biz [mailto:mizadi@aec-engineers.biz]  
**Sent:** Thursday, March 02, 2017 12:02 PM  
**To:** David A Derickson <dderickson@baltimorecountymd.gov>  
**Subject:** 7603 GreenSpring Av

Hi David,  
Attached please find the revised SDP showing the culvert details as we discussed the other day.  
Please review and let me know, if you have any comments. I need to know your comments, before I finalize everything the submit the final plans to John Russo for his final review. In case you approve it, please copy me on your email to John approving the SDP and the culvert.  
Thanks,  
Mostafa



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**John E. Beverungen**

---

**From:** Mostafa Izadi <mizadi@aec-engineers.biz>  
**Sent:** Monday, June 18, 2018 9:07 AM  
**To:** John E. Beverungen  
**Subject:** Lots, 6, 7, 8, and Parcel 7 Special Hearing dated 6-15-18  
**Attachments:** Engrg email Re-Serve Rd Maintenace.pdf; Greenspring Service Rd (Public Rd) Document.pdf

Dear Judge Beverungen,

I would like extend my appreciation and your patience hearing me as an engineer and not as an attorney. Attached please find the email thread initiated from Mr. Arnold Jablon regarding the County HWY Dpt. conditional acceptance of Greenspring Av. Service road for maintenance, when the property owners improve the service road, and provide striping a center lane on Greenspring Av. These requirements and conditional approval are based on Baltimore County HWY Department site visit and evaluation of the service road with respect to Greenspring Av. I have also attached Baltimore County HWY Dpt. inventory sheet proving the Greenspring Av service Rd is a public road.

On a second note, I would like to go on record and reaffirm that the driveways to Lot 6 and 7 are shared driveways and not panhandle lots as Mr. Holtzer was keep repeating. The panhandle regulationss are not applicable to shared driveways.

As I went on record in the hearing on June 15, 2018, and in the community meeting on conducted on February 6, 2018, in Mr. and Mrs. Kilberg's house, the owners of lot 6 and 7 are willing to provide a guardrail along the driveway for safety and provide landscaping along the driveway for screening purposes.

Please don't hesitate to contact me at 410-382-9180, should you have any questions.

Sincerely,

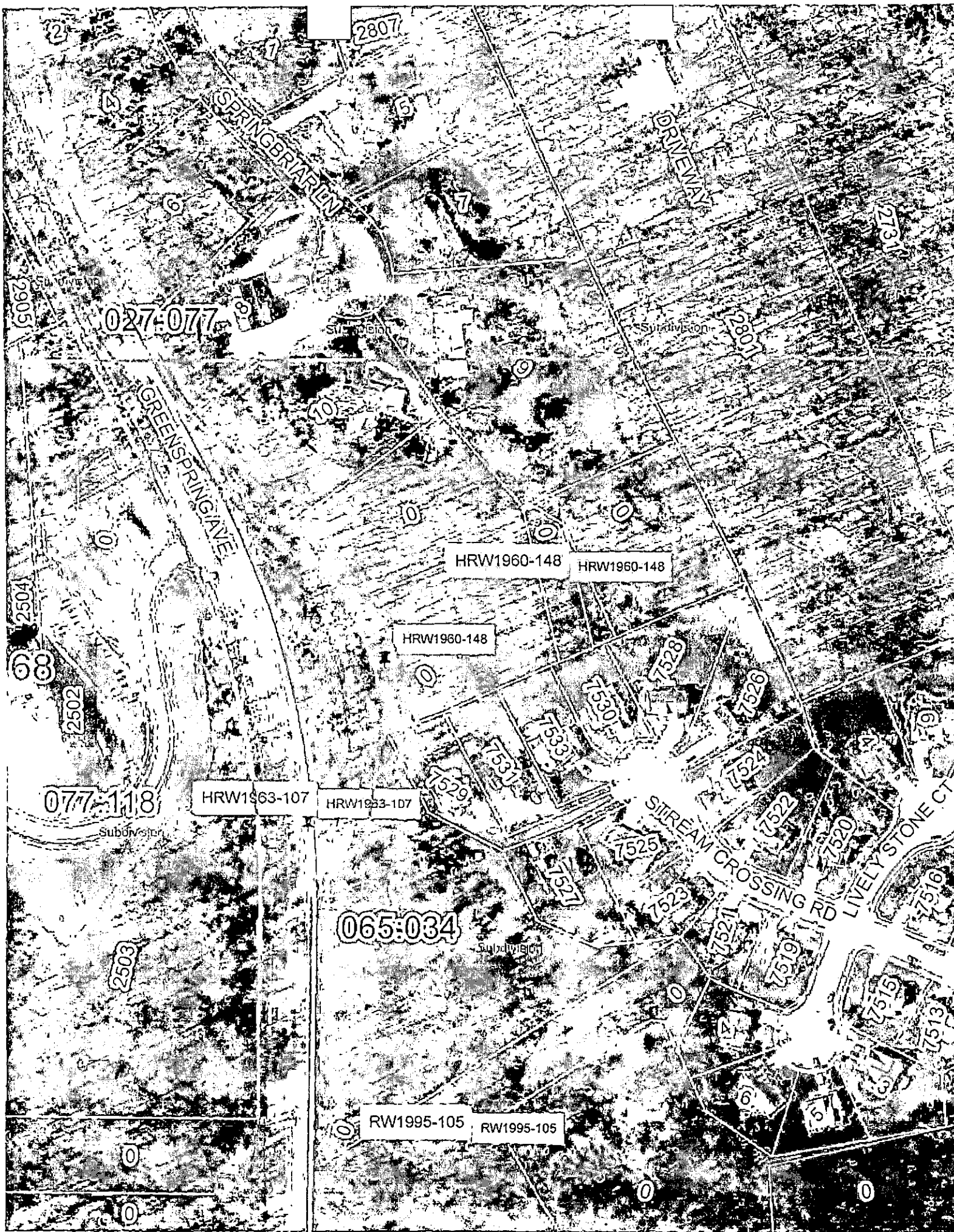
Mostafa Izadi, PE  
Advanced Engineering Consultants, PC

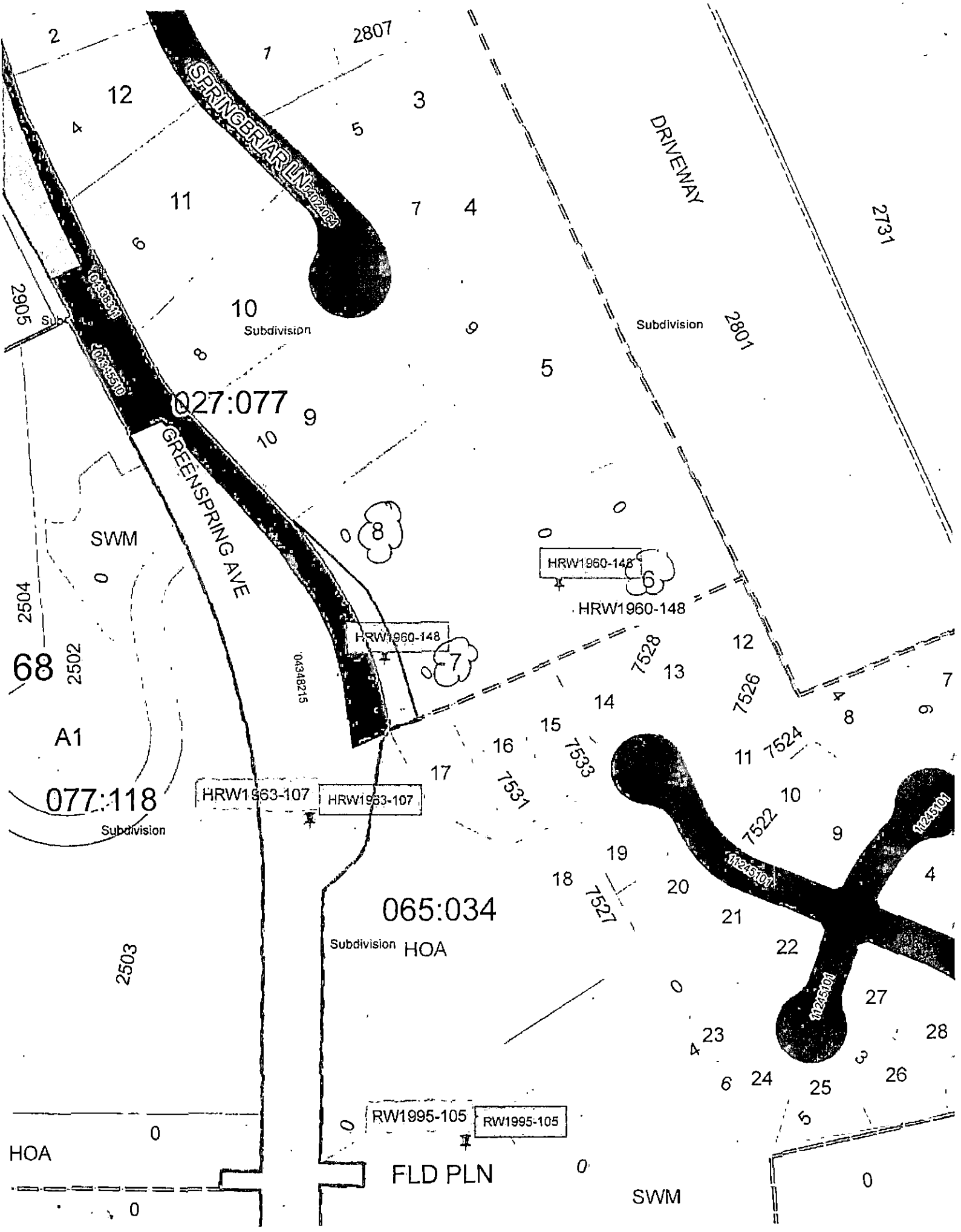
REPORT DATE - 11/15/2011

| ROAD NUMBER | ROAD NAME                | POINT / AREA | LOCATION | MILES | YR | ROAD# | ROAD NAME             | ENDING ROAD# | LOCATION                    |
|-------------|--------------------------|--------------|----------|-------|----|-------|-----------------------|--------------|-----------------------------|
| 02 2117 000 | 03 GREEN KNOLL RD        | 859 554      | 02       | .03   | 0  | 2119  | GREENMEAD RD          |              | .03E. GREENMEAD RD          |
| 02 2118 000 | 03 GREEN KNOLL RD        | 861 554      | 02       | .05   | 0  | 2112  | SOUTHGREEN RD         |              | .05SE. SOUTHGREEN RD        |
| 14 7262 000 | 03 GREEN NEEDLE DR       | 937 563      | 07       | .17   | 0  | 3482  | PUTTY HILL AV         |              | TTR. 10NE. JACK PINE PL     |
| 11 8439 000 | 03 GREEN OAK CT          | 565 936      | 07       | .16   | 03 | 5909  | GROVE RD              |              | CDS. 16E. GROVE RD          |
| 04 478 000  | 03 GREEN PARK DR         | 843 601      | 03       | .05   | 0  | 474   | NOB HILL PARK DR      |              | .05W. NOB HILL PARK DR      |
| 10 6426 000 | 03 GREEN PEAK CT         | 912 609      | 04       | .08   | 0  | 6416  | HUNT VALLEY VIEW TR   |              | CDS. 08NW. HUNT VALL. VW TR |
| 03 7431 000 | 03 GREEN SUMMIT RD       | 889 563      | 03       | .65   | 91 | 722   | GREENSPRING AV        | 1496         | OLD PIMLICO RD              |
| 03 7396 000 | 03 GREEN VALLEY LA       | 868 570      | 03       | .22   | 91 | 1682  | PITTSFIELD RD         |              | TTR. 22W. PITTSFIELD RD     |
| 02 6906 000 | 03 GREENAPPLE CT         | 875 544      | 02       | .12   | 0  |       | LAWNWOOD CR           |              | CDS. 12SW. LAWNWOOD CR      |
| 15 4097 000 | 03 GREENBANK RD          | 983 563      | 08       | 1.02  | 0  |       | .03NW. BIRDWOOD AV    |              | GREENBANK RD E.             |
| 15 8800 000 | 03 GREENBANK RD E.       | 983 563      | 08       | .35   | 00 | 4097  | GREENBANK RD          |              | .21S. CHESAPEAKE AV         |
| 03 7223 000 | 03 GREENBRIAR CR         | 876 562      | 02       | .15   | 0  | 1718  | MCHENRY AV            | 1718         | MCHENRY AV                  |
| 15 8361 000 | 03 GREENBRIAR WA         | 957 553      | 08       | .24   | 02 | 4182  | BIRD RIVER RD         |              | CDS. 24N. BIRD RIVER RD     |
| 15 8362 000 | 03 GREENBRIAR(1-330DD WA | 957 553      | 08       | .06   | 02 | 8361  | GREENBRIAR WA         | 8361         | GREENBRIAR WA               |
| 09 1205 000 | 03 GREENBRIER RD         | 916 570      | 05       | .25   | 0  | 1200  | STEVENSON LA          | 1180         | HILLEN RD                   |
| 02 7767 000 | 03 GREENBRUSH CT         | 861 554      | 02       | .11   | 95 |       | SOUTHGREEN RD         |              | CDS. 11S. SOUTHGREEN RD     |
| 14 4400 000 | 03 GREENCASTLE DR        | 938 549      | 07       | .20   | 0  | 4357  | GOLDEN RING RD        | 4403         | COMMONS RD                  |
| 15 8259 000 | 03 GREENCOVE CR          | 955 518      | 08       | 1.05  | 01 | 8262  | COVE POINT RD         | 8262         | COVE POINT RD               |
| 03 7323 000 | 03 GREENE TREE RD        | 874 566      | 03       | 1.32  | 00 | 1691  | HOOKS LA              | 1674         | CRADOCK LA                  |
| 02 7718 000 | 03 GREENERY CT           | 867 553      | 02       | .12   | 94 |       | MILFORD GARDEN DR     |              | CDS. 12S. MILFORD GARDEN DR |
| 02 2009 000 | 03 GREENFIELD AV         | 869 549      | 02       | .13   | 0  | 2007  | CRESSON AV            | 2011         | RICHWOOD AV                 |
| 11 7909 000 | 03 GREENGABLE GA         | 952 571      | 07       | .05   | 96 | 6852  | GREENHOUSE CR         |              | CDS. 05W. GREENHOUSE CR     |
| 01 2379 000 | 03 GREENGAGE RD          | 867 538      | 02       | .53   | 0  | 2367  | FAIRBROOK RD          |              | .01NE. MUNFORD RD           |
| 11 6852 000 | 03 GREENHOUSE CR         | 952 571      | 07       | .18   | 0  | 4021  | JOPPA RD              |              | TTR. 18S. JOPPA RD          |
| 11 5795 000 | 03 GREENLAND GA          | 931 595      | 07       | .08   | 0  | 5794  | NANTUCKET GA          |              | CDS. 08S. NANTUCKET GA      |
| 02 2116 000 | 03 GREENLARK RD          | 860 554      | 02       | .02   | 0  | 2112  | SOUTHGREEN RD         |              | .02S. SOUTHGREEN RD         |
| 02 1974 000 | 03 GREENLAWN RD          | 873 546      | 02       | .17   | 0  | 1900  | WINDSOR MILL RD       |              | .10SW. MEADOWLAWN RD        |
| 03 1592 000 | 03 GREENLEA DR           | 889 569      | 03       | .14   | 0  | MD133 | OLD COURT RD          |              | .14N. OLD COURT RD          |
| 11 6835 000 | 03 GREENLEAF RD          | 938 566      | 07       | .12   | 0  |       | ORBITAN CT            |              | RIDGELY AV                  |
| 09 1261 000 | 03 GREENLEIGH RD         | 913 564      | 05       | .10   | 0  | 1270  | COPELEIGH RD          | 1273         | KENLEIGH RD                 |
| 01 2605 000 | 03 GREENLOW RD           | 879 527      | 01       | .28   | 0  | 2600  | EDMONDSON AV          | 2594         | ACADEMY RD                  |
| 02 2119 000 | 03 GREENMEAD RD          | 860 555      | 02       | .59   | 0  | 2113  | NORTHGREEN RD         |              | .02SE. GREEN KNOLL RD       |
| 08 883 000  | 03 GREENMEADOW DR        | 908 586      | 06       | .79   | 0  | 917   | CINDER RD             | MD 45        | YORK RD                     |
| 01 2745 000 | 03 GREENOCH DR           | 879 525      | 01       | .11   | 0  | 2742  | DUNGARRIE RD          |              | DUNMORE RD                  |
| 08 6246 000 | 03 GREENPOINT RD         | 898 589      | 05       | .91   | 0  | 773   | PADONIA RD            | 2748         | .03SE. FOOTHILL CT          |
| 09 1033 000 | 03 GREENRIDGE CT         | 910 578      | 05       | .06   | 0  | 1034  | GREENRIDGE RD         |              | CDS. 06SE. GREENRIDGE RD    |
| 09 1034 000 | 03 GREENRIDGE RD         | 910 578      | 05       | .54   | 0  | 1029  | BELMORE RD            | MD 45        | YORK RD                     |
| 02 2097 000 | 03 GREENS LA             | 858 559      | 02       | 1.05  | 0  | MD 26 | LIBERTY RD            |              | .02S. SOUTHGREEN RD         |
| 02 8511 000 | 03 GREENS LANDING CT     | 859 555      | 02       | .12   | 04 | 2097  | GREENS LA             |              | CDS. 12NE. GREENS LA        |
| 03 7038 000 | 03 GREENSHIRE LA         | 869 570      | 03       | .15   | 0  |       | PITTSFIELD RD         |              | TTR. 15NE. PITTSFIELD RD    |
| 08 418 000  | 03 GREENSIDE DR          | 904 597      | 06       | 1.26  | 0  | MD143 | WARREN RD             | 773          | PADONIA RD                  |
| 03 722 000  | 03 GREENSPRING AV        | 890 560      | 03       | 6.35  | 0  |       | .02S. WILLOW GLEN DR  | 721          | CAVES RD                    |
| 04 722 000  | 03 GREENSPRING AV        | 890 560      | 03       | 3.03  | 0  | 721   | CAVES RD              | 441          | TUFTON AV                   |
| 08 938 000  | 03 GREENSPRING DR        | 902 589      | 06       | 1.48  | 0  |       | CDS. 57S. TIMONIUM RD | 774          | DEERCO RD                   |
| 08 1073 000 | 03 GREENSPRING DR        | 905 580      | 06       | .22   | 0  | 1071  | SPRING AV             |              | .08N. TALBOTT AV            |
| 08 1082 000 | 03 GREENSPRING DR        | 905 580      | 06       | .34   | 0  | 1071  | SPRING AV             | MD131        | SEMINARY AV                 |
| 03 7296 000 | 03 GREENSPRING WA        | 869 571      | 03       | .26   | 90 | 7152  | GREENSPRING VALLEY RD |              | TTR. 26NW. GREENSPG VLY RD  |
| 03 6393 000 | 03 GREENSPRING SERV. RD  | 889 567      | 03       | .10   | 0  | 722   | GREENSPRING AV        |              | .10NE. GREENSPRING AV       |
| 03 7152 000 | 03 GREENSPRING VALLEY RD | 869 572      | 03       | .43   | 0  | MD140 | REISTERSTOWN RD       |              | .14SW. WELLSPRING CR        |
| 02 2115 000 | 03 GREENSTONE RD         | 859 555      | 02       | .02   | 0  | 2113  | NORTHGREEN RD         |              | .02W. NORTHGREEN RD         |

IS THIS YOUR ROAD → yes

Access Rd. will be maintained by County  
when the houses are built





**Subject:** existing subdivision off of Greenspring Ave  
**From:** David A Derickson (dderickson@baltimorecountymd.gov)  
**To:** mizadi@aec-engineers.biz;  
**Cc:** vdesai@baltimorecountymd.gov;  
**Date:** Tuesday, June 12, 2018 12:12 PM

Mostafa,

Per our phone conversation, I am confirming that these are existing lots of record and are not part of a "proposed" subdivision.

The existing subdivision is recorded per plat W.J.R. 27/77 as "Old Court Gardens", and these are Lots 6, 7 and 8 of that existing subdivision.

Regards,

Dave

---

**From:** David A Derickson  
**Sent:** Tuesday, June 12, 2018 11:29 AM  
**To:** 'Mostafa Izadi' <mizadi@aec-engineers.biz>  
**Cc:** Vishnubhai K Desai <vdesai@baltimorecountymd.gov>; Rahee Famili <rjfamili@baltimorecountymd.gov>; Greg Carski <gcarski@baltimorecountymd.gov>; Michael Filsinger <mfilesinger@baltimorecountymd.gov>  
**Subject:** FW: proposed subdivision off of Greenspring Ave

Mostafa,

The County agrees to maintain the "Greenspring Avenue Service Road", subject to the conditions noted in the previous email below.

The Striping Plan will be prepared by you, but the actual striping will be done by DPW. The cost of the striping will not be included on the Agreement for the other Public Work.

Please contact me regarding this project as needed going forward.

Sincere regards,

Dave Derickson, 410-887-3751

[dderickson@baltimorecountymd.gov](mailto:dderickson@baltimorecountymd.gov)

PAI, Development Plans Review

County Office Building, Room 119

Towson, MD 21204

**From:** Rahee Famili

**Sent:** Monday, June 11, 2018 10:19 AM

**To:** Jim Lathe <[jlathe@baltimorecountymd.gov](mailto:jlathe@baltimorecountymd.gov)>

**Cc:** David A Derickson <[dderickson@baltimorecountymd.gov](mailto:dderickson@baltimorecountymd.gov)>; Angelica Daniel <[adaniel@baltimorecountymd.gov](mailto:adaniel@baltimorecountymd.gov)>; Greg Carski <[gcarski@baltimorecountymd.gov](mailto:gcarski@baltimorecountymd.gov)>; Michael Filsinger <[mfilesinger@baltimorecountymd.gov](mailto:mfilesinger@baltimorecountymd.gov)>

**Subject:** RE: proposed subdivision off of Greenspring Ave

Jim,

As discussed, the following items must be accomplished by the developer before we can move forward:

- 1) The road must be cleaned and resurfaced by 2" asphalt after the water main installation.
- 2) The side ditches and the storm drain system must be cleaned up and/or repaired.
- 3) Board of Education must be contacted about school bus access.
- 4) It has to be confirmed that trash trucks are able to turnaround at the end.
- 5) A striping plan on Greenspring Ave(Old Court to Valley Park) must be submitted to add a center turning lane along Greenspring and the developer is financially responsible.

Thanks, Rahee

**From:** Jim Lathe

**Sent:** Thursday, June 07, 2018 8:19 AM

**To:** Rahee Famili <[rjfamili@baltimorecountymd.gov](mailto:rjfamili@baltimorecountymd.gov)>

**Subject:** FW: proposed subdivision off of Greenspring Ave

Isn't this what we suggested when we were asked about it a couple months ago. Was there a storm drain pipe that needed some work ?

**From:** Arnold Jablon

**Sent:** Wednesday, June 06, 2018 12:08 PM

**To:** Steve Walsh <[swalsh@baltimorecountymd.gov](mailto:swalsh@baltimorecountymd.gov)>; Jim Lathe <[jlathe@baltimorecountymd.gov](mailto:jlathe@baltimorecountymd.gov)>

**Subject:** proposed subdivision off of Greenspring Ave

Between intersection with Old Court and Valley Park Drive.

There is a service road labeled "Greenspring Ave Service Rd" off of Greenspring, which dead ends. This service road is still listed on our inventory as a public road, but it has not been maintained for years. The developer of 3 lots (which are part of a much larger subdivision built out years ago) has access to these 3 lots off of this service road. The only means of access to these lots. The developer is willing to repair the service road to county standards, construct a turn-around at the end of the street, but wants the county to maintain, i.e., snow removal, trash pickup, etc. Can you take a look and let me know if this is unreasonable? I do have a copy of the approved plan. Thanks.



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Mical Wilmoth Carton, President  
Ayme Lederman, Vice-President  
Laurence Carton, Secretary  
Joanne Warres, Treasurer

The Old Court-Greenspring Improvement Association (OCGS) objects strongly to development of Lots 6, 7 and 8 in the 1960s development known as Old Court Gardens. The original developer intentionally left these lots undeveloped as they were inaccessible and by County standards of the time were undersized for building lots.

The property in question is still inaccessible without the currently requested forest buffer variances because the developers, at the time the property was originally subdivided, decided to leave Lots 6, 7 and 8 inaccessible to Spring Briar Lane, the road which originally was shown as accessing these lots. For this reason, any variances requested or granted to develop these lots have to be considered on the basis of hardship. But this is a self-inflicted hardship. ("Traditionally, self-created hardship requires an affirmative action, exclusively by a property owner or his predecessor in title, that is itself the sole reason for the need for the variance." See *Stansbury v. Jones* December 13, 2002, Md Court of Appeals, Bell, C. J. Eldridge Raker Wilner Cathell Harrell Battaglia, JJ). No variances should be granted for this self-inflicted hardship to develop this minor subdivision.

\*\*\*\*\*

Development should be denied on this property because it will create a serious traffic problem along a busy stretch of Greenspring Avenue by using a County maintenance access path that was clearly not intended for residential egress or ingress.

If development is approved, houses on these lots will be accessed from a shared-use in common driveway or "unique driveway." Under Article 32-4-101 of the Baltimore County Development Code this constitutes a panhandle driveway and panhandle lots. Baltimore County Council Bill 12-13, effective 4/1/2013, would limit development on this property to 1 house and would not allow a subdivision or 3 individual lots. In addition, a panhandle driveway cannot be created with access onto Greenspring Ave.

The County has previously indicated they have no problem allowing the developer to use this road for access, but any car on this road will have serious problems due to visibility, width, steepness, and access from a high speed roadway whether the access is from the south or especially from the north. The County has a limited access, part blacktop, part concrete, and part gravel road that was placed as an access road for the purpose of allowing the County to service a stream. This road is only one lane wide, it makes a severe left turn and drop upon entry and immediately falls below the level of Greenspring Avenue making it impossible for any entering or exiting vehicles to determine if any other vehicle is using the road. A car entering, or a car exiting and encountering

another vehicle, would be forced to give way, i.e. backing either onto Greenspring Avenue or backing into the proposed development. Therefore, if development were to be allowed, this 'access' road would need to be enlarged to a full sized road and the steep incline would need to be taken into consideration and mitigated.

\*\*\*\*\*

Environmental problems also impact this proposed development. Runoff of water into the adjacent subdivision (Greenspring East) has been admitted in the developer's prior request for a variance for a single lot home. The existing houses located on Stream Crossing Drive in the Greenspring East subdivision, along the borders of lots 6 through 8, currently have problems with swampy back yards and running and standing water after rain storms. Any disturbance of the forest buffer on lots 6 through 8 of the Old Court Gardens would only exacerbate the existing problems to these adjacent homeowners.

Concerning onsite mitigation to protect the goals of water quality protection, the developer has proposed to meet the mitigation obligation by purchasing credit in a buffer mitigation bank for 17,308 sq. ft. However, Baltimore County can no longer require the purchasing of this credit. On July 1, 2013 the U S Supreme Court ruled on Koontz v. St Johns River Water Management District. The decision said that, when a government engages in land-use regulation, including by denying a permit or demanding payment as a condition for a permit, the government must show that there is a nexus and rough proportionality between its demand on the landowner and the effects of the proposed land use. For the current variance request, I do not believe Baltimore County can meet this requirement.

While the County believes it can require mitigation of runoff problems intended to fix the current runoff problems by having the developer build berms, wells, slope roads, and plant foliage, the County will not assist the lower home owners if the approved mitigation solutions fail. We believe that any heavy downpour will breach these defenses and adversely affect the property values of the down hill homes.

\*\*\*\*\*

OCCS feels that these 3 lots must be considered a minor subdivision. It is our understanding that as a minor subdivision this proposed development does not meet County regulations.

While failure by the County to approve this development may constitute a taking of the property in question, we feel that the resulting decline in the down hill homes' property values also constitutes a taking of property.

\*\*\*\*\*

In summary, granting any variance requests and allowing development on these 3 land locked lots and adversely affecting the environment would be improper because:

- 1) The need for variances in order to develop this property was self-inflicted as these lots were left inaccessible by the developers of Old Court Gardens in the 1960's. As a self-inflicted hardship this does not justify variances being granted in order to develop a minor subdivision. I also believe that the Rule of Laches would apply here as the original developers of Old Court Gardens in the 1960's made no attempt to rectify the problem of access to these lots in the past.
- 2) A panhandle driveway onto Greenspring Avenue should not be allowed for many reasons, primarily including safety.
- 4) Runoff resulting from development of these lots will adversely affect existing downhill properties.

For these and other reasons this development should not be allowed.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Laurence Carton'.

Laurence Carton, Secretary  
Old Court-Greenspring Improvement Association, Inc.

Note to Hearing Officer:

2018-0283-SPH

Mr. Beverungen,

Per Carl, due to the nature of this request we advised the client that we would accept the submitted site plan for the filing but that you would want to see a larger, clearer plan at the time of the hearing.

Jason Seidelman

Zoning Review

Baltimore County, MD

410-87-3391

C H E C K L I S T

| <u>Comment Received</u>         | <u>Department</u>                                                     | <u>Support/Oppose/ Conditions/ Comments/ No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------|
| <u>5/18</u>                     | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>NO COMMENT</u>                                       |
| <u>4/30</u>                     | DEPS<br>(if not received, date e-mail sent _____)                     | <u>NO COMMENT</u>                                       |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                   |
| <u>6/15</u>                     | PLANNING<br>(if not received, date e-mail sent _____)                 | <u>Comment</u>                                          |
| <u>4/23/18</u>                  | STATE HIGHWAY ADMINISTRATION                                          | <u>NO Obj</u>                                           |
| _____                           | TRAFFIC ENGINEERING                                                   | _____                                                   |
| _____                           | COMMUNITY ASSOCIATION                                                 | _____                                                   |
| _____                           | ADJACENT PROPERTY OWNERS                                              | _____                                                   |
| ZONING VIOLATION                | (Case No. _____)                                                      |                                                         |
| PRIOR ZONING                    | (Case No. _____)                                                      |                                                         |
| NEWSPAPER ADVERTISEMENT         | Date: <u>5/31/18</u>                                                  |                                                         |
| SIGN POSTING (1 <sup>st</sup> ) | Date: <u>5/25/18</u> by <u>DOCK</u>                                   |                                                         |
| SIGN POSTING (2 <sup>nd</sup> ) | Date: <u>6/11/18</u> by <u>DOCK</u>                                   |                                                         |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>   |                                                         |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                         |

Comments, if any: \_\_\_\_\_

## Real Property Data Search

## Search Result for BALTIMORE COUNTY

| View Map                                                 |                                                  | View GroundRent Redemption                       |                             | View GroundRent Registration  |                                                        |
|----------------------------------------------------------|--------------------------------------------------|--------------------------------------------------|-----------------------------|-------------------------------|--------------------------------------------------------|
| <b>Account Identifier:</b>                               |                                                  | <b>District - 03 Account Number - 2100003209</b> |                             |                               |                                                        |
| Owner Information                                        |                                                  |                                                  |                             |                               |                                                        |
| <b>Owner Name:</b>                                       | KILBERG HAL S<br>KILBERG LORI H                  |                                                  | <b>Use:</b>                 | RESIDENTIAL                   |                                                        |
| <b>Mailing Address:</b>                                  | 7531 STREAM CROSSING<br>RD<br>BALTIMORE MD 21209 |                                                  | <b>Principal Residence:</b> | YES                           |                                                        |
|                                                          |                                                  |                                                  | <b>Deed Reference:</b>      | /10842/ 00445                 |                                                        |
| Location & Structure Information                         |                                                  |                                                  |                             |                               |                                                        |
| <b>Premises Address:</b>                                 |                                                  | 7531 STREAM CROSSING<br>RD<br>0-0000             |                             | <b>Legal Description:</b>     | .388 AC<br>7531 STREAM CROSSING RD<br>GREENSPRING EAST |
| <b>Map:</b>                                              | <b>Grid:</b>                                     | <b>Parcel:</b>                                   | <b>Sub District:</b>        | <b>Subdivision:</b>           | <b>Section: Block: Lot:</b>                            |
| 0068                                                     | 0024                                             | 0539                                             |                             | 0000                          | 2 16                                                   |
|                                                          |                                                  |                                                  |                             |                               | <b>Assessment Year:</b> 2017                           |
|                                                          |                                                  |                                                  |                             |                               | <b>Plat No:</b> 0065/<br><b>Plat Ref:</b> 0034         |
| <b>Special Tax Areas:</b>                                |                                                  |                                                  | <b>Town:</b> NONE           |                               |                                                        |
|                                                          |                                                  |                                                  | <b>Ad Valorem:</b>          |                               |                                                        |
|                                                          |                                                  |                                                  | <b>Tax Class:</b>           |                               |                                                        |
| <b>Primary Structure Built</b>                           |                                                  | <b>Above Grade Living Area</b>                   |                             | <b>Finished Basement Area</b> | <b>Property Land Area</b>                              |
| 1994                                                     |                                                  | 2,470 SF                                         |                             |                               | 16,901 SF                                              |
|                                                          |                                                  |                                                  |                             |                               | <b>County Use</b> 04                                   |
| <b>Stories</b>                                           | <b>Basement</b>                                  | <b>Type</b>                                      | <b>Exterior</b>             | <b>Full/Half Bath</b>         | <b>Garage</b>                                          |
| 2                                                        | YES                                              | STANDARD UNIT                                    | SIDING                      | 2 full/ 1 half                | 1 Attached                                             |
| <b>Last Major Renovation</b>                             |                                                  |                                                  |                             |                               |                                                        |
| Value Information                                        |                                                  |                                                  |                             |                               |                                                        |
|                                                          |                                                  | <b>Base Value</b>                                | <b>Value</b>                | <b>Phase-in Assessments</b>   |                                                        |
|                                                          |                                                  |                                                  | As of<br>01/01/2017         | As of<br>07/01/2017           | As of<br>07/01/2018                                    |
| <b>Land:</b>                                             |                                                  | 141,300                                          | 141,300                     |                               |                                                        |
| <b>Improvements</b>                                      |                                                  | 256,300                                          | 261,000                     |                               |                                                        |
| <b>Total:</b>                                            |                                                  | 397,600                                          | 402,300                     | 399,167                       | 400,733                                                |
| <b>Preferential Land:</b>                                |                                                  | 0                                                |                             |                               | 0                                                      |
| Transfer Information                                     |                                                  |                                                  |                             |                               |                                                        |
| <b>Seller:</b> RYLAND GROUP, INC                         |                                                  | <b>Date:</b> 11/23/1994                          |                             | <b>Price:</b> \$252,951       |                                                        |
| <b>Type:</b> ARMS LENGTH IMPROVED                        |                                                  | <b>Deed1:</b> /10842/ 00445                      |                             | <b>Deed2:</b>                 |                                                        |
| <b>Seller:</b> DIVERSIFIED GREENSPRING AVENUE            |                                                  | <b>Date:</b> 08/18/1994                          |                             | <b>Price:</b> \$741,098       |                                                        |
| <b>Type:</b> ARMS LENGTH MULTIPLE                        |                                                  | <b>Deed1:</b> /10710/ 00099                      |                             | <b>Deed2:</b>                 |                                                        |
| <b>Seller:</b>                                           |                                                  | <b>Date:</b>                                     |                             | <b>Price:</b>                 |                                                        |
| <b>Type:</b>                                             |                                                  | <b>Deed1:</b>                                    |                             | <b>Deed2:</b>                 |                                                        |
| Exemption Information                                    |                                                  |                                                  |                             |                               |                                                        |
| <b>Partial Exempt Assessments:</b>                       | <b>Class</b>                                     | 07/01/2017                                       |                             | 07/01/2018                    |                                                        |
| <b>County:</b>                                           | 000                                              | 0.00                                             |                             |                               |                                                        |
| <b>State:</b>                                            | 000                                              | 0.00                                             |                             |                               |                                                        |
| <b>Municipal:</b>                                        | 000                                              | 0.00 0.00                                        |                             | 0.00 0.00                     |                                                        |
| <b>Tax Exempt:</b>                                       |                                                  | <b>Special Tax Recapture:</b>                    |                             |                               |                                                        |
| <b>Exempt Class:</b>                                     |                                                  | NONE                                             |                             |                               |                                                        |
| Homestead Application Information                        |                                                  |                                                  |                             |                               |                                                        |
| <b>Homestead Application Status:</b> Approved 04/30/2008 |                                                  |                                                  |                             |                               |                                                        |
| Homeowners' Tax Credit Application Information           |                                                  |                                                  |                             |                               |                                                        |

**Homeowners' Tax Credit Application Status:** No  
Application

**Date:**

IN THE MATTER OF:  
7531 Stream Crossing Road

NE/s Greenspring Ave.

3<sup>rd</sup> Election District-2<sup>nd</sup> Council District  
Legal Owners: Hal & Lori Kilberg

\* BEFORE THE OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* Case No.: 2018-0283-SPH

\* \*

\* \* \* \* \*

**SUBPOENA DUCES TECUM**

Please issue a subpoena to the following witness to appear before the Administrative Law Judge for Baltimore County:

TO: Lloyd Moxley, Planning  
Jefferson Bldg.  
Towson, MD 21204

YOU ARE HEREBY COMMANDED TO: ( ) Personally appear; ( ) Produce documents and or objects only;

( X ) Personally appear and produce documents or objects related to above matter

(Place where attendance is required)

**FRIDAY, JUNE 15, 2018 AT 1:30 P.M. Jefferson Bldg., 105 W. Chesapeake Ave., Towson, MD 21204, Hearing Room 205, Second Floor and continuing thereafter as necessary for such witness' testimony and as scheduled by the ALJ without the need of an additional subpoena. (See attached Hearing Notice)**

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***J. Carroll Holzer, 508 Fairmount Ave., Towson, MD 21286 410-825-6961***

(Name of Party or Attorney, Address and Phone Number requesting subpoena)

Date 6/7/18



\_\_\_\_\_  
Administrative Law Judge



KEVIN KAMENETZ  
May 15, 2018  
County Executive

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

## NOTICE OF ZONING HEARING

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NE/s Greenspring Avenue, 1000 ft. NW of the cul-de-sac of Stream Crossing Road

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

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105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon  
Director

AJ:kl

C: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286  
Mr. & Mrs. Kilberg, 7531 Stream Crossing Road, Baltimore 21209  
James Patton, 508 Fairmount Avenue, Towson 21286

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 26, 2018.**
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IN THE MATTER OF:  
7531 Stream Crossing Road

NE/s Greenspring Ave.

3<sup>rd</sup> Election District-2<sup>nd</sup> Council District  
Legal Owners: Hal & Lori Kilberg

\* BEFORE THE OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* Case No.: 2018-0283-SPH  
\* \*

\* \* \* \* \*

**SUBPOENA DUCES TECUM**

Please issue a subpoena to the following witness to appear before the Administrative Law Judge for Baltimore County:

TO: Amy Grossi, Real Estate Compliance  
County Office Bldg., Room 112  
Towson, MD 21204

YOU ARE HEREBY COMMANDED TO: ( ) Personally appear; ( ) Produce documents and or objects only;

( X ) Personally appear and produce documents or objects related to above matter

(Place where attendance is required)

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Date 6/7/18



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Administrative Law Judge



KEVIN KAMENETZ  
May 15, 2018

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
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Arnold Jablon  
Director

AJ:kl

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Mr. & Mrs. Kilberg, 7531 Stream Crossing Road, Baltimore 21209  
James Patton, 508 Fairmount Avenue, Towson 21286

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NE/s Greenspring Ave.

3<sup>rd</sup> Election District-2<sup>nd</sup> Council District  
Legal Owners: Hal & Lori Kilberg

\* BEFORE THE OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* Case No.: 2018-0283-SPH  
\* \*

\* \* \* \* \*

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TO: Glenn Shaffer, DEPS  
County Office Bldg.  
Towson, MD 21204

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(Name of Party or Attorney, Address and Phone Number requesting subpoena)

Date 6/7/18



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Administrative Law Judge



KEVIN KAMENETZ  
May 15, 2018

ARNOLD JABLON  
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Arnold Jablon  
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AJ:kl

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\* BEFORE THE OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* Case No.: 2018-0283-SPH

\* \*

\* \* \* \* \*

**SUBPOENA DUCES TECUM**

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TO: James Markle, DEPS  
County Office Bldg.  
Towson, MD 21204

YOU ARE HEREBY COMMANDED TO: ( ) Personally appear; ( ) Produce documents and or objects only;  
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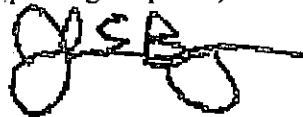
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Date 6/7/18



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Administrative Law Judge



KEVIN KAMENETZ  
May 15, 2018

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
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Director

AJ:kl

C: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286  
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\* Case No.: 2018-0283-SPH  
\* \* \*

\* \* \* \* \*

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TO: Jennifer Nugent, Planning  
Jefferson Bldg.  
Towson, MD 21204

YOU ARE HEREBY COMMANDED TO: ( ) Personally appear; ( ) Produce documents and or objects only;

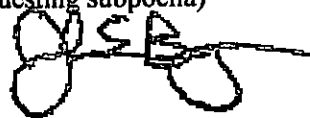
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(Name of Party or Attorney, Address and Phone Number requesting subpoena)



Date 6/7/18

\_\_\_\_\_  
Administrative Law Judge



KEVIN KAMENETZ  
May 15, 2018

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
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\* Case No.: 2018-0283-SPH  
\* \*  
\* \*  
\* \*

\* \* \* \* \*

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TO: Dennis Kennedy, Engineering Review  
County Office Bldg.  
Towson, MD 21204

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(Name of Party or Attorney, Address and Phone Number requesting subpoena)

Date 6/7/18



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Administrative Law Judge



KEVIN KAMENETZ  
May 15, 2018

ARNOLD JABLON  
Deputy Administrative Officer  
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KEVIN KAMENETZ  
County Executive

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

June 7, 2018

Hal S & Lori H Kilberg  
7531 Stream Crossing Road  
Baltimore MD 21209-5230

RE: Case Number: 2018-0283 SPH, Address: 7531 Stream Crossing Road

Dear Mr. & Ms. Kilberg:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 19, 2018. 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.", is written over a circular stamp that contains the same text as the printed name below.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel  
J Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson MD 21286  
James S Patton, P E, Patton Consultants, Ltd., 508 Fairmount Avenue, Towson MD 21286



STATE HIGHWAY  
ADMINISTRATION

Larry Hogan  
Governor  
Boyd K. Rutherford  
Lt. Governor  
Pete K. Rahn  
Secretary  
Gregory Slater  
Administrator

Date: 4/23/18

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No.

2018-0283-SPH  
Special Hearing  
Hal & Lori H. Kilberg  
7531 Stream Crossing Road.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.  
Metropolitan District Engineer  
Maryland Department of Transportation  
State Highway Administration  
District 4 - Baltimore and Harford Counties

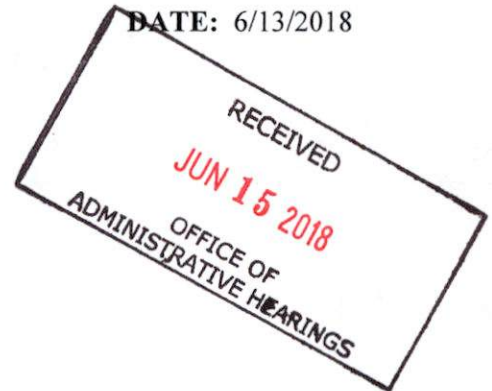
WW/RAZ

**BALTIMORE COUNTY, MARYLAND  
INTRA-OFFICE MEMORANDUM**

**TO:** Arnold Jablon  
Deputy Administrative Officer and  
Director of Permits, Approvals and Inspections

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 18-283



**INFORMATION:**

**Property Address:** 7531 Stream Crossing Road  
**Petitioner:** Old Court-Greenspring Improvement Association, Inc.  
**Zoning:** DR 3.5  
**Requested Action:** Special Hearing

The Department has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the processing and approval of Lots 6, 7, 8, Parcel "A" and "Drainage Reservations" of the Revised Plat of Old Court Gardens as recorded in Baltimore County Land Records on May 1, 1961 at WJR 27, folio 77 as individual lots and parcels or as a tract/resubdivision.

A site visit was conducted on May 10, 2018. The address, "Stream Crossing Road", as indicated on the submitted site plan, and more particularly the 7531 Stream Crossing Road included on the petition, both being received by the Department on April 23, 2018, were observed to be improved with single family detached residential dwellings. Those lots, parcels and reservations as listed on the subject petition, being recorded at WJR 27 at 77, were physically inaccessible to Department staff. Analyzing Baltimore County GIS sourced imagery dated 2017, the Department finds said lots, parcels and reservations to be currently unimproved.

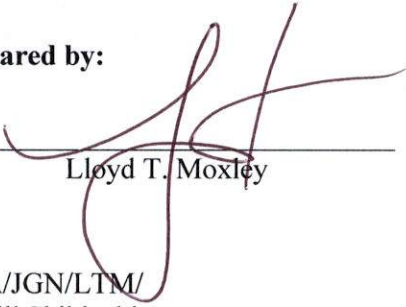
The site plan received in support of the petition on 4/23/2018 and the subsequent updated "sketch plan" received 6/4/2018 do not sufficiently convey the intent of the petition. The speculative nature of the plans prevent Department staff from offering specific comment on the petitioned zoning relief.

In the event a plan is submitted to the Department for "processing and approval" said plan will be reviewed by the Department within the context of the specific development proposal and under the correct processes as determined by proper Baltimore County authority.

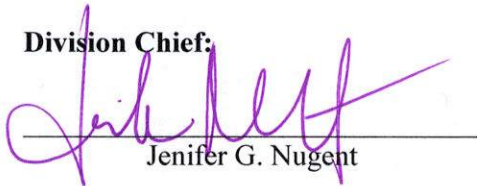
Subject: ZAC #18-283  
Date: June 13, 2018  
Page 2

For further information concerning the matters stated herein, please contact Lloyd T. Moxley at 410-887-3480.

**Prepared by:**

  
\_\_\_\_\_  
Lloyd T. Moxley

**Division Chief:**

  
\_\_\_\_\_  
Jenifer G. Nugent

AVA/JGN/LTM/

c: Bill Skibinski

J. Carroll Holzer, Esq.

Office of the Administrative Hearings

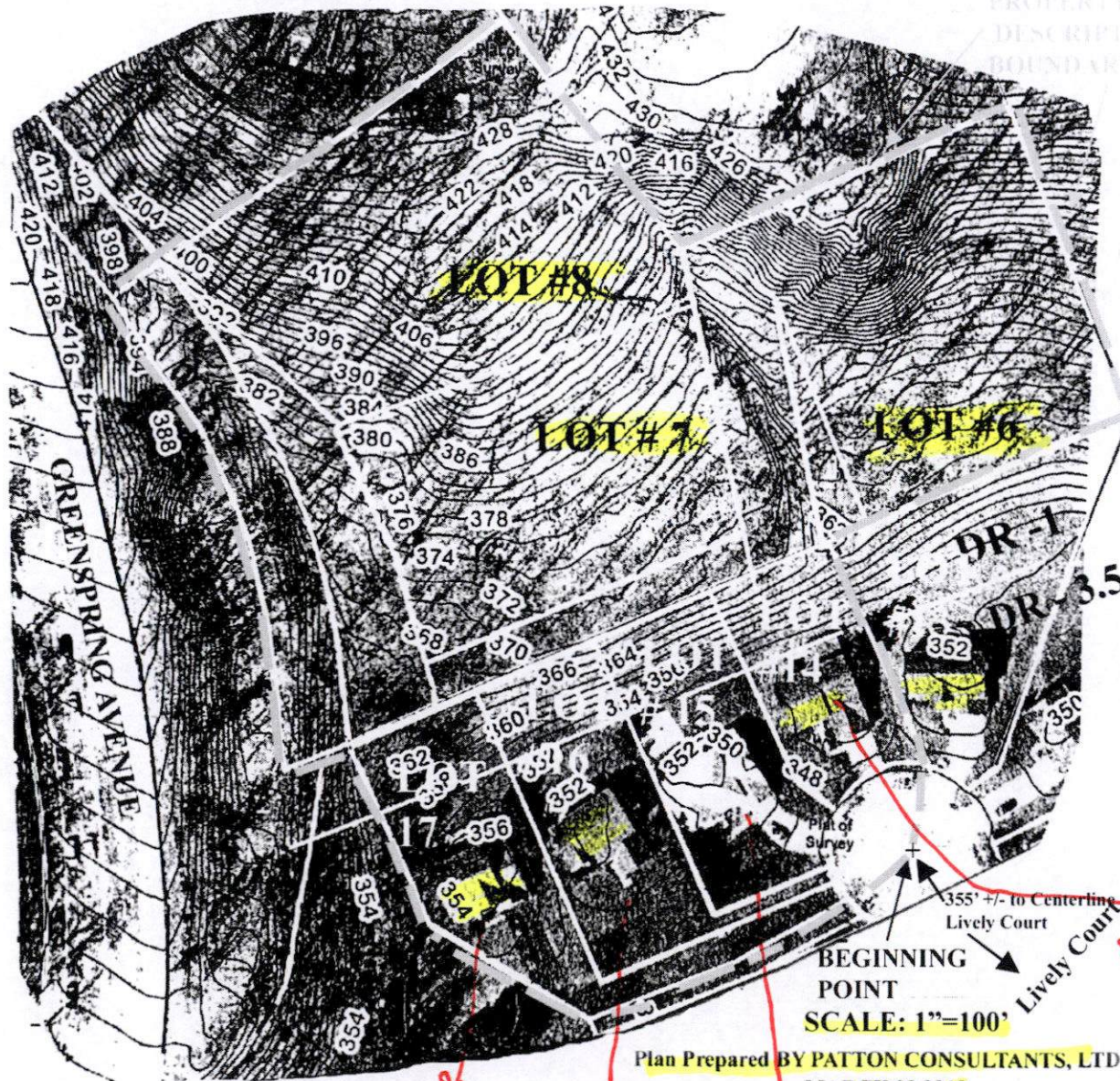
People's Counsel for Baltimore County

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

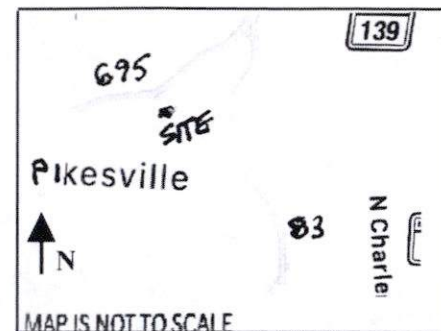
ADDRESS STREAM CROSSING Road OWNER(S) NAME(S) See ATTACHED LIST

SUBDIVISION NAME GREENSPRING EAST LOT # \_\_\_\_\_ BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_

PLAT BOOK # \_\_\_\_\_ FOLIO # \_\_\_\_\_ 10 DIGIT TAX # \_\_\_\_\_ DEED REF. # \_\_\_\_\_ SEE ATTACHED



### SITE VICINITY MAP



ZONING MAP# \_\_\_\_\_

SITE ZONED DR 3.5 ; DR-1

ELECTION DISTRICT 3

COUNCIL DISTRICT 2

LOT AREA ACREAGE See Attached

OR SQUARE FEET See Attached

HISTORIC ? NO

IN CBCA ? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC X PRIVATE \_\_\_\_\_

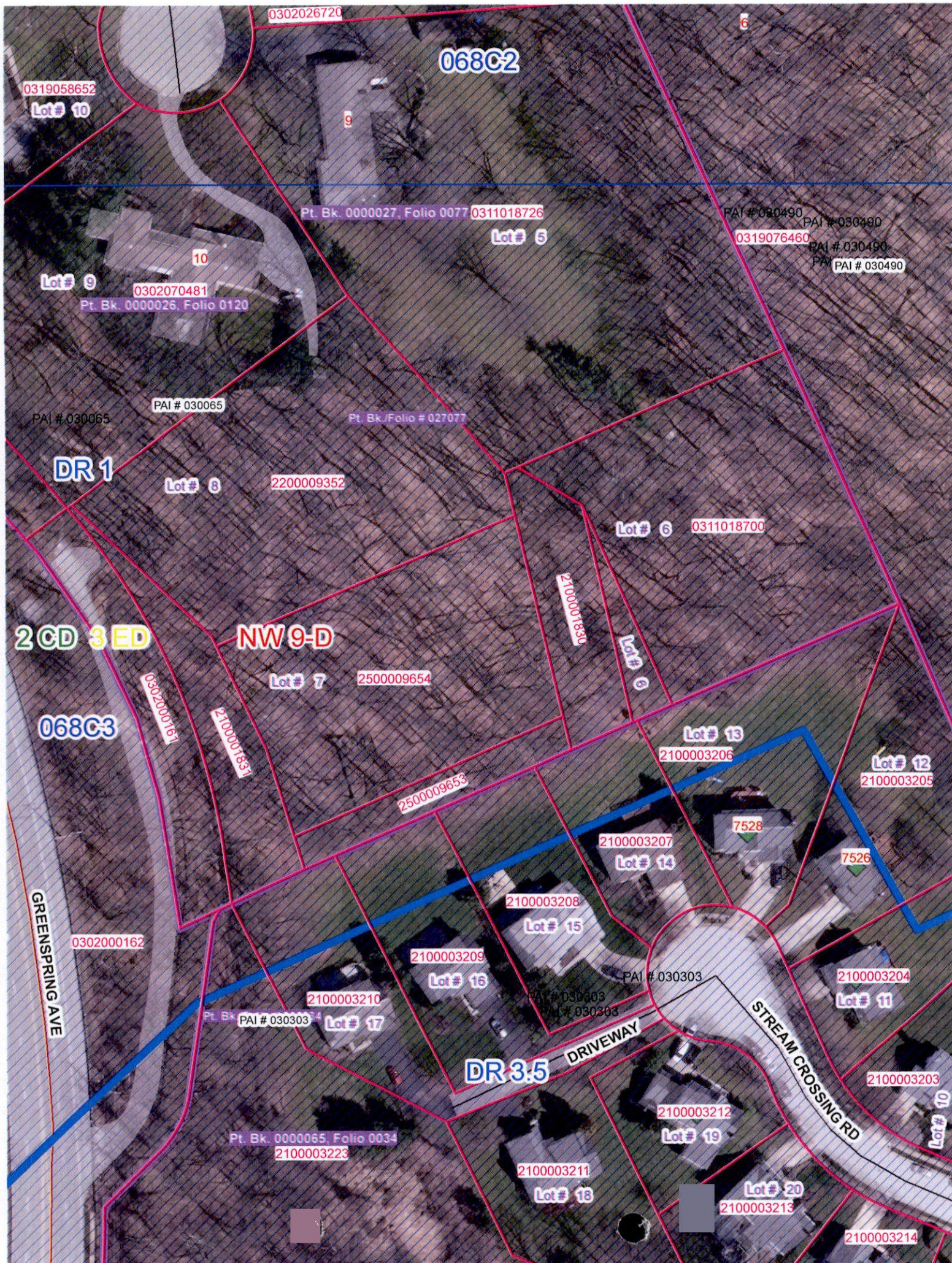
SEWER IS:

PUBLIC X PRIVATE \_\_\_\_\_

PRIOR HEARING ? NO

IF SO GIVE CASE NUMBER  
AND ORDER RESULT BELOW  
N.A.

VIOLATION CASE INFO:  
N.A.

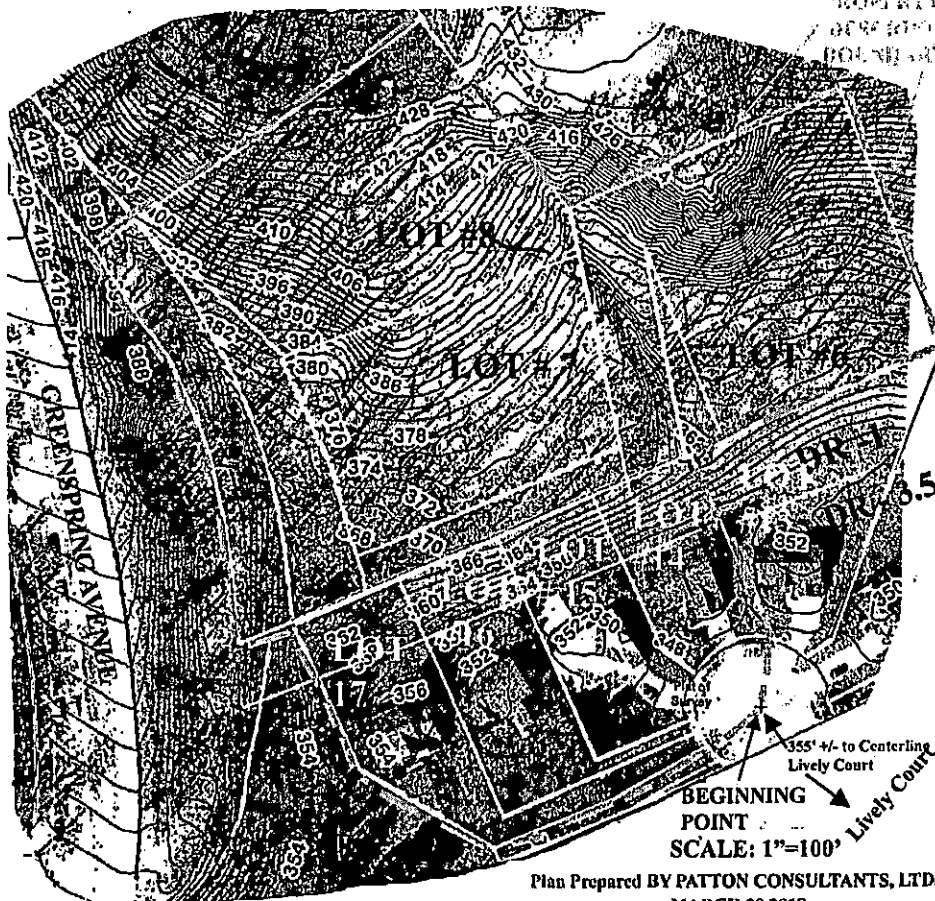


ZONING HEARING PLAN FOR VARIANCE \_\_\_\_\_ FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)

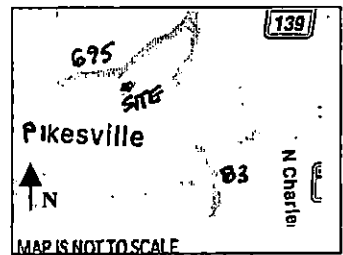
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SUBDIVISION NAME GREENSPRING EAST LOT # \_\_\_\_\_ BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_

PLAT BOOK # \_\_\_\_\_ FOLIO # \_\_\_\_\_ 10 DIGIT TAX # \_\_\_\_\_ DEED REF. # SEE ATTACHED



#### SITE VICINITY MAP



#### ZONING MAP#

SITE ZONED DR 3.5; DR-1

ELECTION DISTRICT 3

COUNCIL DISTRICT 2

LOT AREA ACREAGE See Attached

OR SQUARE FEET See Attached

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IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE \_\_\_\_\_

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PRIOR HEARING? NO

IF SO GIVE CASE NUMBER  
AND ORDER RESULT BELOW  
N.A.

#### VIOLATION CASE INFO:

N.A.

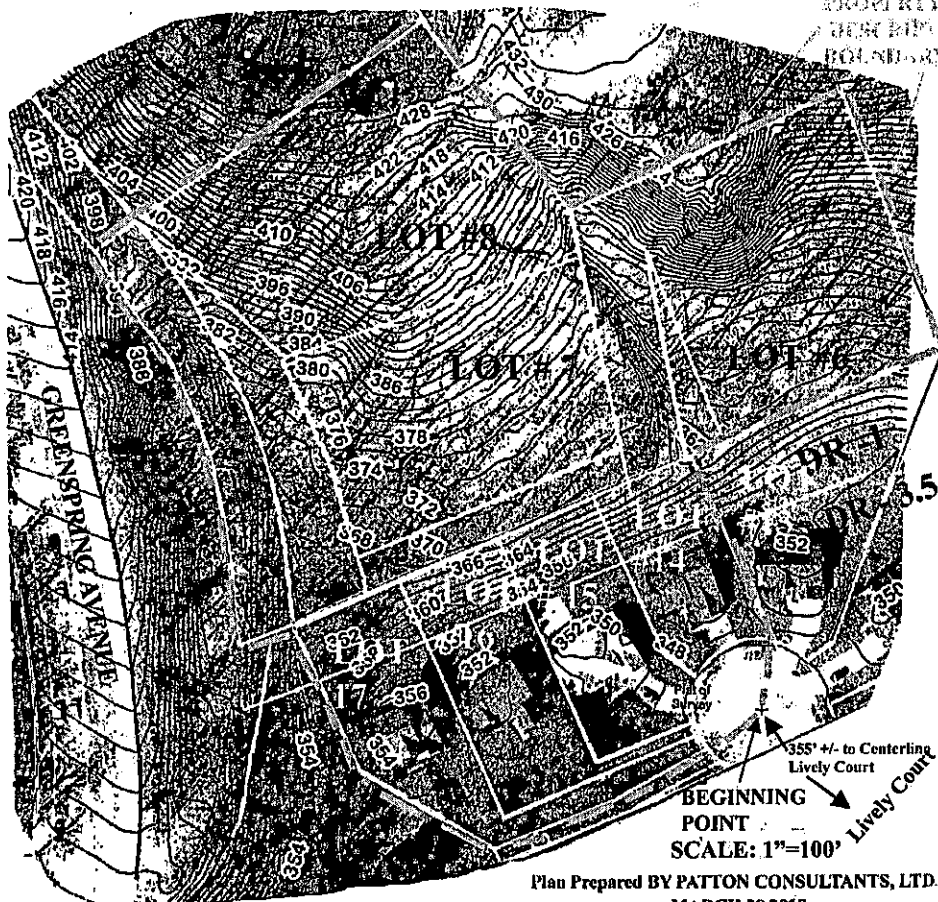
2018-0283-SP4

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

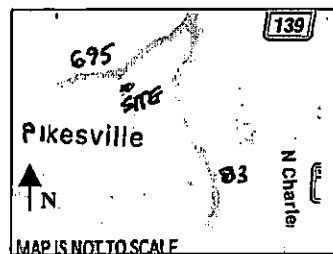
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PLAT BOOK # \_\_\_\_\_ FOLIO # \_\_\_\_\_ 10 DIGIT TAX # \_\_\_\_\_ DEED REF. # SEE ATTACHED



#### SITE VICINITY MAP



#### ZONING MAP#

SITE ZONED DR 3.5 ; DR-1

ELECTION DISTRICT 3

COUNCIL DISTRICT 2

LOT AREA ACREAGE See Attached

OR SQUARE FEET See Attached

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC X PRIVATE \_\_\_\_\_

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

N.A.

#### VIOLATION CASE INFO:

N.A.

2018-0283-SP4





DET.  
11

# Baltimore County - My Neighborhood

