



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

December 13, 2024

Lester K. Leung
Elizabeth D. Chambers-Leung – wellspringlifefarm@gmail.com
16312 Old York Road
Monkton, MD 21111

RE: Petitions for Special Hearing & Variance
Case No. 2024-0228-SPHA
Property: 16312 Old York Road

Dear Petitioners:

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

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Maureen E. Murphy". The signature is written in a cursive style with a large, stylized 'M' and 'E'.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm
c: -See Next Page -

c:	Brian Edwards	bedwards@baltimorecountymd.gov
	Mark Gardner	mgfire17@comcast.net
	Renee Hamidi	renee@thevpc.org
	Michael Almony	pattyalmony@yahoo.com
	Neighbor	recexal@yahoo.com

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
& VARIANCE		
(16312 Old York Road)	*	OFFICE OF
10th Election District		
3rd Council District	*	ADMINISTRATIVE HEARINGS
Lester Leung, Elizabeth Chambers-Leung		
<i>Legal Owners</i>	*	FOR BALTIMORE COUNTY
 Petitioners	 *	 Case No. 2024-0228-SPHA
 * * * * *		 * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as Petitions for Special Hearing and a Variance filed by the legal owners, Lester K. Leung and Elizabeth Chambers-Leung (“Petitioners”) for the property located at 16312 Old York Road, Monkton (the “Property”). The Petition for Special Hearing was filed under Baltimore County Zoning Regulations (“BCZR”), §500.7 to make a non-density transfer of the location of a lot of record with a same size lot of equal size in accordance with Baltimore County Zoning Policy Manual RSD.17. A Petition for Variance was also filed seeking relief from the BCZR, §1A01.3.B.2 to allow the area of the new lot to be less than 1 acre in the RC 2 zone.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on December 3, 2024. The Petition was properly advertised and posted. Petitioners appeared at the hearing in support of the Petition along with Patrick C. Richardson, Jr., PE, of Richardson Engineering, LLC, a professional civil engineer who prepared and sealed a site plan (the “Site Plan”) and a redlined site plan (the “Redlined Site Plan”). (Pet. Exs. 1, 1A). Renee Hamidi appeared individually and not on behalf of Valley’s Planning Council. There were no Protestants who testified in opposition at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) which agency did not oppose the requested relief. Department of Environment Protection and Sustainability (“DEPS”) provided the following comment in regard to perc testing:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:

- a. A perc application must be submitted and approved by Ground Water Management prior to approval. A minimum 10,000 sq. ft. septic reserve area and proposed well location must be established that meets COMAR regulations, 26.04.03.00., prior to approval from GWM.

Development Plans Review (“DPR”)/Department of Public Works and Transportation (“DPWT”) provided the following comment in regard to a floodplain:

DPWT: An ultimate land use conditions non-tidal, riverine, flood study meeting the Baltimore County Department of Public Works and Transportation (DPWT) Design Manual and the Baltimore County Department of Permits, Approvals and Inspections (PAI) Bureau of Development Plans Review is required and must be submitted to PAI to be “Accepted for Filing”. Code 32-8-101(g)(2) defines subdivision of land as development.

The Property is 71.078 acres +/- and consists of two (2) lots. (Pet. Ex. 1). The larger lot is improved with a single-family dwelling and a barn, and was purchased by the Petitioners in 2009. It is used as a farm for horses, livestock and crops. The smaller lot is vacant, measuring 0.912 acres +/- and was purchased by them in 2011 (the “Original Vacant Lot”). (Pet. Ex. 2). The Original Vacant Lot was carved out of a larger parcel by Deed dated August 10, 1978, as recorded in the Land Records of Baltimore County (Liber 5922, folio 665). (Pet. Ex. 2). The Property is zoned Agricultural (RC 2) which zone was created in 1979. Because the Original Vacant Lot existed prior to the RC2 zone, it is buildable, and has density units associated with it.

Street view photographs of the Property were submitted. (Pet. Exs. 3). These photographs show the topography has a significant downward slope in the pasture area. The Property is subject to a Deed of Easement with Maryland Agricultural Land Preservation Foundation (“MALPF”) dated December 7, 1994 and recorded in the Land Records of Baltimore County on March 3, 2005. (Pet. Ex. 5). The use and development of agricultural land is subject to Title 2, Subtitle 5 of the Agricultural Article of the Annotated Code of Maryland. (BCZR, §1A01.4). The purpose of the Deed of Easement is to preserve and restrict land to agricultural use.

Due to their extensive connection with the military, Petitioners own and operate Wellspring of Life Farm therapeutic programs (“Wellspring”), a 501(c)(3) organization which serves and benefits Maryland Veterans and first responders. (Pet. Ex. 4). Specifically, Wellspring provides equine, canine and caprine therapeutic sessions, monthly military activities and outreach events for military family members through its partnerships with Maryland Department of Veteran Affairs, local high school ROTC programs and college ROTC programs, National Guard units and Walter Reed Service members. In 2023, Wellspring was awarded a Bond Bill by the Maryland State legislature to expand its therapeutic service facilities on the Property adjacent to the existing red barn.

Toward that end, Petitioners seek to transfer the Original Vacant Lot, and all the density associated with it, (as outlined in blue on the Site Plan) to the northern corner of the Property (“Relocated Vacant Lot”) (outlined in green). The lot size (0.912 acres +/-) will remain the same, as will access onto Old York Rd. (Pet. Ex. 1). For clarification, the DOP, in its ZAC comment, requested that the Site Plan be amended to include the acreage of the Vacant Lot. Consequently, a Redlined Site Plan was submitted showing this acreage. (Pet. Ex. 1A). Petitioners are not adding any additional density or lots, but simply changing the metes and bounds coordinates, and moving

the existing density to the new position, within the same Property. Petitioners indicated that the Relocated Vacant Lot may be developed at some future time, but is not being developed as part of this Case. MALPF approved the proposed land swap because the same amount of land as set forth in the Deed of Easement, and remain preserved for agricultural use.

With the new position of the Relocated Vacant Lot, Petitioners can use the previous location to construct an indoor riding ring which will connect to the existing red barn. This area is level and ideal for handicap accessible use. The existing access drive from Old York Rd. will remain. The indoor ring will allow services to be provided year-round. Petitioners have provided letters of support from neighboring properties owners. (Pet. Ex. 4).

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

In the instant case, I find that the Original Vacant Lot was a lot of record, created by Deed in 1978, and shown on the Redlined Site Plan in blue. (Pet. Exs. 1A, 2). As such, because it existed prior to the enactment of the RC2 zone, it has density rights associated with it, and those density rights can be transferred to the new location on the Property as shown in green on the Redlined Site Plan. There is no increase in density or change in the size of the lot; the Original Vacant Lot measures 0.912 acres +/-, and the Relocated Vacant Lot will measure 0.912 acres +/-.

The Original Vacant Lot has access onto Old York Rd., and the Relocated Vacant Lot will have access onto Old York Rd. The same number of lots will exist before and after the transfer. Given the facts here, while there will be a new metes and bounds description associated with the Relocated Vacant Lot, the Petitioners are not actually “creating” a lot where previously none existed, they are moving the existing lot to a new position. Accordingly, I find that this request is consistent with the purpose and intent of the RC2 Bulk Regulations in BCZR, §1A01.3. I further find that the proposed transfer of the Original Vacant Lot to the Relocated Vacant Lot position as shown on the Redlined Site Plan is also compatible with the community, particularly given the support of neighboring property owners.

VARIANCE

A Variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The Property is unique due to its topography which, as shown in the photographs submitted, has a steep downward slope, rendering it inaccessible to handicap individuals and

unusable for the therapeutic services provided at the Property. The level area where the Original Vacant Lot is currently located will enable Wellspring to provide this accessibility and expand its service area to create an indoor, year-round, riding ring, connected to the existing barn. It will continue to have access to Old York Rd. using the same entrance/exit. For these reasons, I find that the unique Property features create a practical difficulty and unreasonable hardship on the Petitioners in that they would not be able to construct the needed indoor riding ring, without first moving the Vacant Lot. I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the support of neighboring property owners.

THEREFORE, IT IS ORDERED, this 13th day of **December, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing under BCZR, §500.7 to transfer the location of a lot of record (Original Vacant Lot) with another lot of equal size (Relocated Vacant Lot), with all the density rights associated with the Original Vacant Lot, as shown specifically on the Redlined Site Plan, and in accordance with Baltimore County Zoning Policy Manuel RSD-17 be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED that the Petition for Variance, from the BCZR, §1A01.3.B.2 to allow the area of the Relocated Vacant Lot, to be less than 1 acre in the RC 2 zone, be and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. The Redlined Site Plan, (Pet. 1A) is attached hereto and incorporated herein.
3. Petitioners shall comply with DOP, DEPS, and DPR/DPWT ZAC comments which are attached hereto and incorporated herein.
4. Petitioners shall record in the Land Records of Baltimore County, a Deed for the Relocated Vacant Lot.

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



MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM/dlm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 11/14/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0228 - SPHA

INFORMATION:

Property Address: 16312 Old York Road
Petitioner: Lester K. Leung and Elizabeth D. Chambers-Leung
Zoning: RC-2
Requested Action: Special Hearing and Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing -

- i. To make a non-density transfer of the location of a lot of record with a same size lot of equal size in accordance with Baltimore County Policy Manual RSD-17

Variance -

- ii. Per section 1A01.3.B.2 to allow the area of the new lot to be less than 1 acre in the RC-2 zone

The subject property is located along Old York Road, covering 71.23 acres in the Monkton area of Baltimore County. Zoned RC-2, the property is designated primarily for agricultural use and is improved with a residential dwelling and barns. It is surrounded by other farms, forest conservation areas, and residential dwellings.

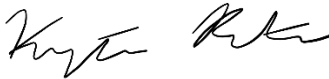
The RC-2 zone is a zoning district established to preserve the rural character of the area and promote low-density residential development. This district is intended to maintain the natural beauty and peacefulness of the surrounding countryside, while providing for compatible land uses and development patterns.

The Department of Planning has determined that the proposed non-density transfer and the creation of a lot under one acre within the RC-2 zone does not negatively impact the character of the area. The County Land Preservation Advisory Board reviewed and recommended approval for a land swap involving the easement during their meeting on December 13, 2023. Subsequently, the Maryland Agricultural Land Preservation Foundation (MALPF) Board reviewed and recommended approval of this swap on January 23, 2024, subject to specific conditions. One such condition requires written evidence from the County confirming that the .912-acre lot has been approved as a buildable, undersized lot. However, the final decision rests with the Administrative Law Judge, ensuring that the applicant adheres to the following conditions:

1. *Scenic Route Consideration:* Old York Road is recognized as a scenic route per the Baltimore County Master Plan 2030, which emphasizes the importance of preserving such routes as key visual amenities. Therefore, the Department of Planning mandates that any future developments must comply with the Scenic Route Development Guidelines outlined in Baltimore County's Comprehensive Manual of Development Policies (CMDP), specifically Division IV, Special Areas and Procedures, Scenic View Page 5 Development Guidelines, to safeguard Baltimore County's unique aesthetic and character.
2. *Area Transfer Details:* Applicants must specify the total area involved in the transfer, including the resulting size of the affected areas. This should detail both the area being transferred, the remaining size from which it was taken, and the final total size post-transfer.
3. *MALPF Easement Note:* The plan should include a note indicating that the farm is subject to a Maryland Agricultural Land Preservation Foundation (MALPF) easement, referencing Deed 10882/200.

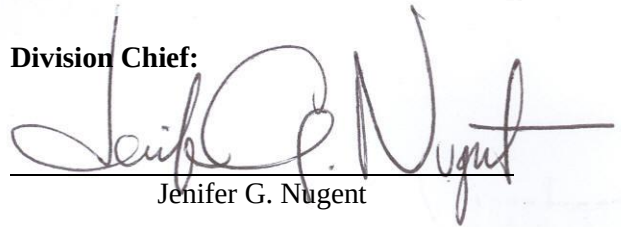
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Richardson Engineering, LLC
Megan Benjamin and Joseph Wiley, Community Planners
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: November 8, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0228-SPHA
Address: 16312 OLD YORK ROAD
Legal Owner: Lester Leung, Elizabeth Chambers-Leung

Zoning Advisory Committee Meeting of November 12, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. A perc application must be submitted and approved by Ground Water Management prior to approval. A minimum 10,000 sq. ft. septic reserve area and proposed well location must be established that meets COMAR regulations, 26.04.03.00., prior to approval from GWM.

Additional Comments:

Reviewer: Mia Lowery, L.E.H.S.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0228-SPHA

DATE: November 4, 2024

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: An ultimate land use conditions non-tidal, riverine, flood study meeting the Baltimore County Department of Public Works and Transportation (DPWT) Design Manual and the Baltimore County Department of Permits, Approvals and Inspections (PAI) Bureau of Development Plans Review is required and must be submitted to PAI to be "Accepted for Filing". Code 32-8-101(g)(2) defines subdivision of land as development.

Landscaping: No comment.

Recreations & Parks: No comment LOS & No Greenways affected.

VKD: sc
cc: file



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 16312 Old York Road

Currently Zoned RC-2

Deed Reference 27920/ 234

10 Digit Tax Account # 1600011849

Owner(s) Printed Name(s) LESTER K. LEUNG, ELIZABETH D. CHAMBERS-LEUNG

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

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

3. X **a Variance** from Section(s)
See Attached

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/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

LESTER K. LEUNG / ELIZABETH D. CHAMBERS-LEUNG

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

16312 Old York Road

Monkton MD

Mailing Address

City

State

21111 / 410-472-3682 / wellspringlifefarm@gmail.com

Zip Code

Telephone #'s (Cell and Home)

Email Address

Representative to be contacted:

Richardson Engineering, LLC

Name - Type or Print

Signature

7 Deneison Street Timonium

MD

Mailing Address

City

State

21093 / 410-560-1502

Zip Code

Telephone #

/ rick@richardsonengineering.net

Email Address

Case Number 2024-0228-SP4A Filing Date 10, 23, 24 Do Not Schedule Dates

Reviewer JS

Zoning relief for 16312 Old York Road

Special Hearing to make a non-density transfer of the location of a lot of record with a same size lot of equal size in accordance with Baltimore County Policy Manual RSD-17

Variance per section 1A01.3.B.2 to allow the area of the new lot to be less than 1 acre in the RC-2 zone



Richardson
ENGINEERING

CIVIL | COMMERCIAL
RESIDENTIAL
INDUSTRIAL

RICHARDSON ENGINEERING, LLC.
7 DENEISON ST. | TIMONIUM, MD 21093
410-560-1502 | RICHARDSONENGINEERING.NET

**ZONING PROPERTY DESCRIPTION FOR
16312 OLD YORK ROAD
10th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Located at a point on the West side of Old York Road approximately 1,310+/- feet South of the intersection of Old York Road and Markoe Road. Then running Southwest along Old York Road the following bearings and distances 1) South 13 degrees 46 minutes 55 seconds West 463.29 feet, 2) North 75 degrees 48 minutes 05 seconds West 284.35 feet 3) South 09 degrees 12 minutes 15 seconds West 158.85 feet, 4) South 68 degrees 25 minutes 40 seconds East 270.52 feet, 5) South 21 degrees 34 minutes 20 seconds West 150.50 feet, 6) South 14 degrees 11 minutes 55 seconds West 147.29 feet, 7) South 17 degrees 47 minutes 15 seconds West 615.42 feet, 8) South 81 degrees 17 minutes 15 seconds West 1,255.93 feet, 9) North 23 degrees 41 minutes 38 seconds West 1,665.69 feet, 10) North 70 degrees 58 minutes 50 seconds East 1,590.95 feet, 11) North 22 degrees 54 minutes 12 seconds West 432.21 feet, 12) North 72 degrees 01 minutes 36 seconds East 36.15 feet, 13) South 22 degrees 55 minutes 26 seconds East 653.78 feet, 14) South 76 degrees 41 minutes 02 seconds East 719.42 feet, to the place of beginning.

Containing a net area of 3,135,902 square feet or 71.078 acres +/-.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2021

2024-0728-SP4A



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 16312 Old York Road

Currently Zoned RC-2

Deed Reference 27920/ 234

10 Digit Tax Account # 1600011849

Owner(s) Printed Name(s) LESTER K. LEUNG, ELIZABETH D. CHAMBERS-LEUNG

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

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Contract Purchaser/Lessee:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

LESTER K. LEUNG / ELIZABETH D. CHAMBERS-LEUNG

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

16312 Old York Road

Monkton

MD

Mailing Address

City

State

21111 / 410-472-3682 / wellspringlifefarm@gmail.com

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/ rick@richardsonengineering.net

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Case Number 2024-0728-SP4A Filing Date 10, 23, 24 Do Not Schedule Dates Reviewer JS

Zoning relief for 16312 Old York Road

Special Hearing to make a non-density transfer of the location of a lot of record with a same size lot of equal size in accordance with Baltimore County Policy Manual RSD-17

Variance per section 1A01.3.B.2 to allow the area of the new lot to be less than 1 acre in the RC-2 zone



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PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2021

2024-0728-SP4A

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

No. 235012

Date: 10/23/24

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		650					\$ 150.00
Total:									\$ 150.00

Rec From: RICK RICHARDSON

For: 2024-0228-SP4A

LEUNG / 16312 OLD YORK RD

JSS 24-1009

DISTRIBUTION

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

CASHIER'S
VALIDATION

WELLSPRING OF LIFE FARM INC

16312 OLD YORK RD
MONKTON, MD 21111-1709

08-18

1523

15-3/540
426

DATE 10/7/24

CHECK ARMOR
FRAUD PROTECTION

PAY
TO THE
ORDER OF

Baltimore County Maryland

\$ 75.00

seventy five and 00/100

DOLLARS

Photo
Safe
Deposit
Details on back

PNC BANK

PNC Bank, N.A. 040

FOR Henry for Bond Bail and

R. Chambers

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Richardson Engineering, LLC 12/14
7 Deneison Street
Timonium, MD 21093
(410) 560-1502

MANUFACTURERS & TRADERS TR CO
7-11/520

13142

Oct 18, 2024

PAY TO THE
ORDER OF

Baltimore County, MD

\$ 75.00

Seventy five and 00/100

DOLLARS

Patricia C. Richardson

Details on Back
eekLock™ Secure Check
MP

**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.

For Newspaper Advertising:

Case Number: 2024-0228-SP4A
Property Address: 16312 OLD YORK RD
Legal Owners (Petitioners): LESTER & ELIZABETH LEUNG
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): _____
Address: ELIZABETH LEUNG
16312 OLD YORK RD
MONKTON, MD 21111
Telephone Number: 410-472-3682

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Revised 3/2022

CERTIFICATE OF POSTING

2024-0228-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lester Leung, Elizabeth Chambers-Leung

December 3, 2024

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Jeff Perlow:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

16312 Old York Road ***SIGN 1A & 1B***

November 12, 2024

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

~~November 12, 2024~~

(Signature of Sign Poster) _____ (Date) _____

SSG Robert Black

(Print Name)

1508 Leslie Road

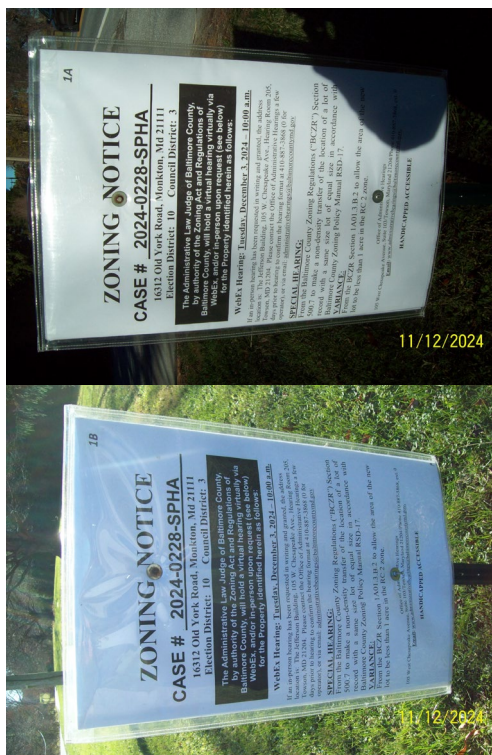
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: November 8, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0228-SPHA
Address: 16312 OLD YORK ROAD
Legal Owner: Lester Leung, Elizabeth Chambers-Leung

Zoning Advisory Committee Meeting of November 12, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. A perc application must be submitted and approved by Ground Water Management prior to approval. A minimum 10,000 sq. ft. septic reserve area and proposed well location must be established that meets COMAR regulations, 26.04.03.00., prior to approval from GWM.

Additional Comments:

Reviewer: Mia Lowery, L.E.H.S.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: November 4, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0228-SPHA

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: An ultimate land use conditions non-tidal, riverine, flood study meeting the Baltimore County Department of Public Works and Transportation (DPWT) Design Manual and the Baltimore County Department of Permits, Approvals and Inspections (PAI) Bureau of Development Plans Review is required and must be submitted to PAI to be "Accepted for Filing". Code 32-8-101(g)(2) defines subdivision of land as development.

Landscaping: No comment.

Recreations & Parks: No comment LOS & No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 11/14/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0228 - SPHA

INFORMATION:

Property Address: 16312 Old York Road
Petitioner: Lester K. Leung and Elizabeth D. Chambers-Leung
Zoning: RC-2
Requested Action: Special Hearing and Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing -

- i. To make a non-density transfer of the location of a lot of record with a same size lot of equal size in accordance with Baltimore County Policy Manual RSD-17

Variance -

- ii. Per section 1A01.3.B.2 to allow the area of the new lot to be less than 1 acre in the RC-2 zone

The subject property is located along Old York Road, covering 71.23 acres in the Monkton area of Baltimore County. Zoned RC-2, the property is designated primarily for agricultural use and is improved with a residential dwelling and barns. It is surrounded by other farms, forest conservation areas, and residential dwellings.

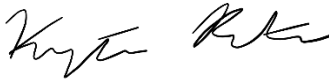
The RC-2 zone is a zoning district established to preserve the rural character of the area and promote low-density residential development. This district is intended to maintain the natural beauty and peacefulness of the surrounding countryside, while providing for compatible land uses and development patterns.

The Department of Planning has determined that the proposed non-density transfer and the creation of a lot under one acre within the RC-2 zone does not negatively impact the character of the area. The County Land Preservation Advisory Board reviewed and recommended approval for a land swap involving the easement during their meeting on December 13, 2023. Subsequently, the Maryland Agricultural Land Preservation Foundation (MALPF) Board reviewed and recommended approval of this swap on January 23, 2024, subject to specific conditions. One such condition requires written evidence from the County confirming that the .912-acre lot has been approved as a buildable, undersized lot. However, the final decision rests with the Administrative Law Judge, ensuring that the applicant adheres to the following conditions:

1. *Scenic Route Consideration:* Old York Road is recognized as a scenic route per the Baltimore County Master Plan 2030, which emphasizes the importance of preserving such routes as key visual amenities. Therefore, the Department of Planning mandates that any future developments must comply with the Scenic Route Development Guidelines outlined in Baltimore County's Comprehensive Manual of Development Policies (CMDP), specifically Division IV, Special Areas and Procedures, Scenic View Page 5 Development Guidelines, to safeguard Baltimore County's unique aesthetic and character.
2. *Area Transfer Details:* Applicants must specify the total area involved in the transfer, including the resulting size of the affected areas. This should detail both the area being transferred, the remaining size from which it was taken, and the final total size post-transfer.
3. *MALPF Easement Note:* The plan should include a note indicating that the farm is subject to a Maryland Agricultural Land Preservation Foundation (MALPF) easement, referencing Deed 10882/200.

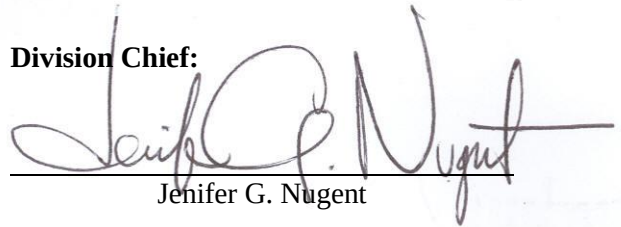
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

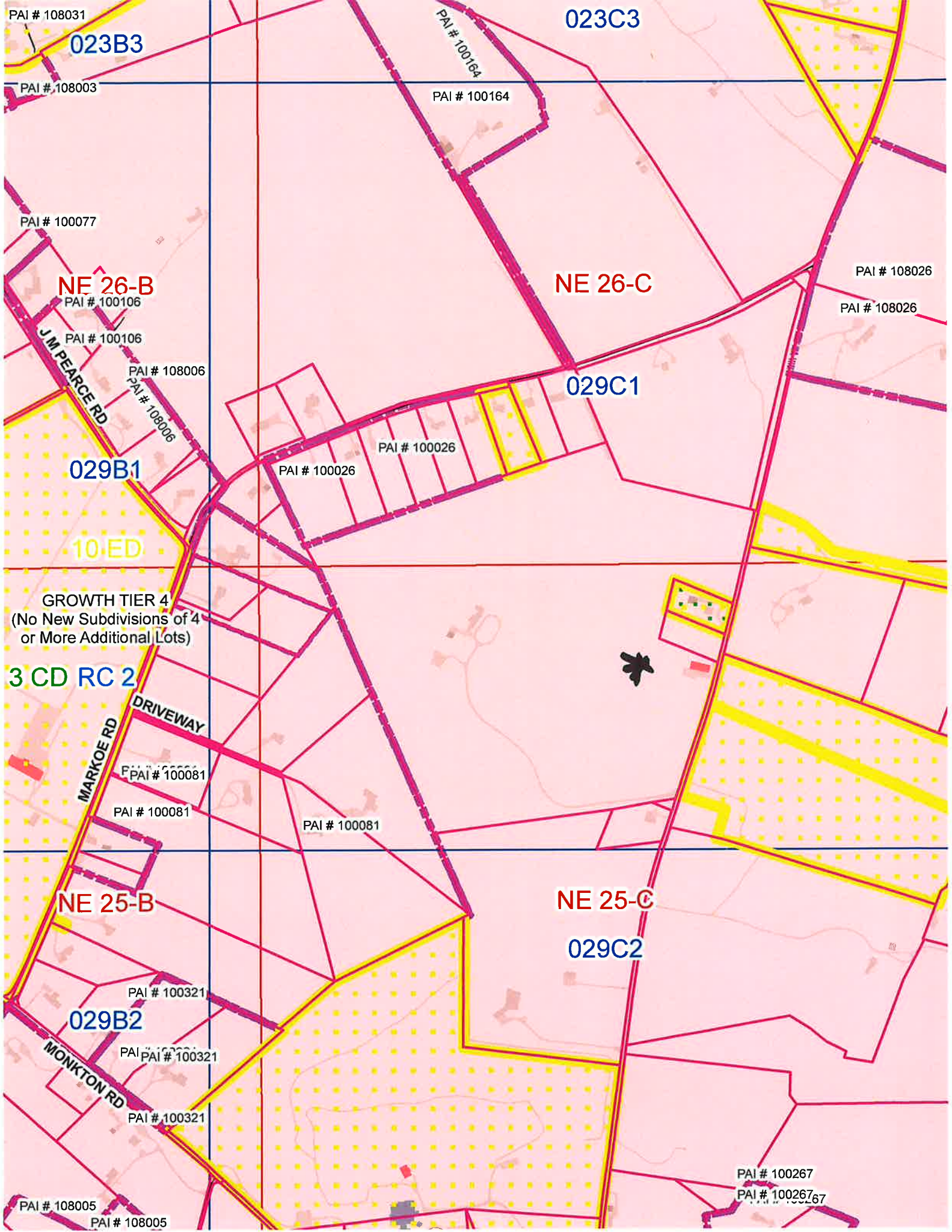
SL/JGN/KP

c: Richardson Engineering, LLC
Megan Benjamin and Joseph Wiley, Community Planners
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Real Property Data Search ()

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration	
Special Tax Recapture: AGRICULTURAL TRANSFER TAX			
Account Identifier:	District - 10 Account Number - 1600011849		
Owner Information			
Owner Name:	LEUNG LESTER K CHAMBERS-LEUNG ELIZABETH D	Use: AGRICULTURAL Principal Residence: YES	
Mailing Address:	16312 OLD YORK RD MONKTON MD 21111-1709	Deed Reference: /27920/ 00234	
Location & Structure Information			
Premises Address:	16312 OLD YORK RD MONKTON 21111-1709	Legal Description: 71.2333 AC 16312 OLD YORK RD 1300FT S MARKOE RD	
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:	Plat Ref:		
0029 0005 0232 10030035.04 0000 2023			
Town: None			
Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use			
1984 3,710 SF 71.2300 AC 05			
StoriesBasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements			
1 1/2 YES STANDARD UNITBRICK/ 5 3 full 1 Attached			
Value Information			
	Base Value	Value	Phase-in Assessments
		As of	As of
		01/01/2023	07/01/2024
Land:	148,100	208,100	
Improvements	494,700	639,200	
Total:	642,800	847,300	847,300
Preferential Land:	13,100	13,100	
Transfer Information			
Seller: SIMONS TALMADGE E	Date: 04/13/2009	Price: \$1,540,000	
Type: ARMS LENGTH IMPROVED	Deed1: /27920/ 00234	Deed2:	
Seller: IGLEHART F N JR AG USE 83-84	Date: 12/13/1982	Price: \$166,850	
Type: ARMS LENGTH IMPROVED	Deed1: /06464/ 00554	Deed2:	
Seller:	Date:	Price:	
Type:	Deed1:	Deed2:	
Exemption Information			
Partial Exempt Assessments: Class		07/01/2024	07/01/2025
County: 000		0.00	
State: 000		0.00	
Municipal: 000		0.00 0.00	0.00 0.00
Special Tax Recapture: AGRICULTURAL TRANSFER TAX			
Homestead Application Information			
Homestead Application Status: Approved 12/23/2009			
Homeowners' Tax Credit Application Information			
Homeowners' Tax Credit Application Status: No Application Date:			



PAI # 108031

023B3

023C3

PAI # 108003

PAI # 100164

PAI # 100077

NE 26-B

PAI # 100106

PAI # 100106

PAI # 108006

PAI # 108006

J M PEARCE RD

029B1

10 ED

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

3 CD RC 2

MARKOE RD
DRIVEWAY

PAI # 100081

PAI # 100081

PAI # 100081

NE 25-B

029B2

PAI # 100321

PAI # 100321

PAI # 100321

MONKTON RD

PAI # 108005

PAI # 108005

NE 26-C

PAI # 108026

PAI # 108026

029C1

PAI # 100026

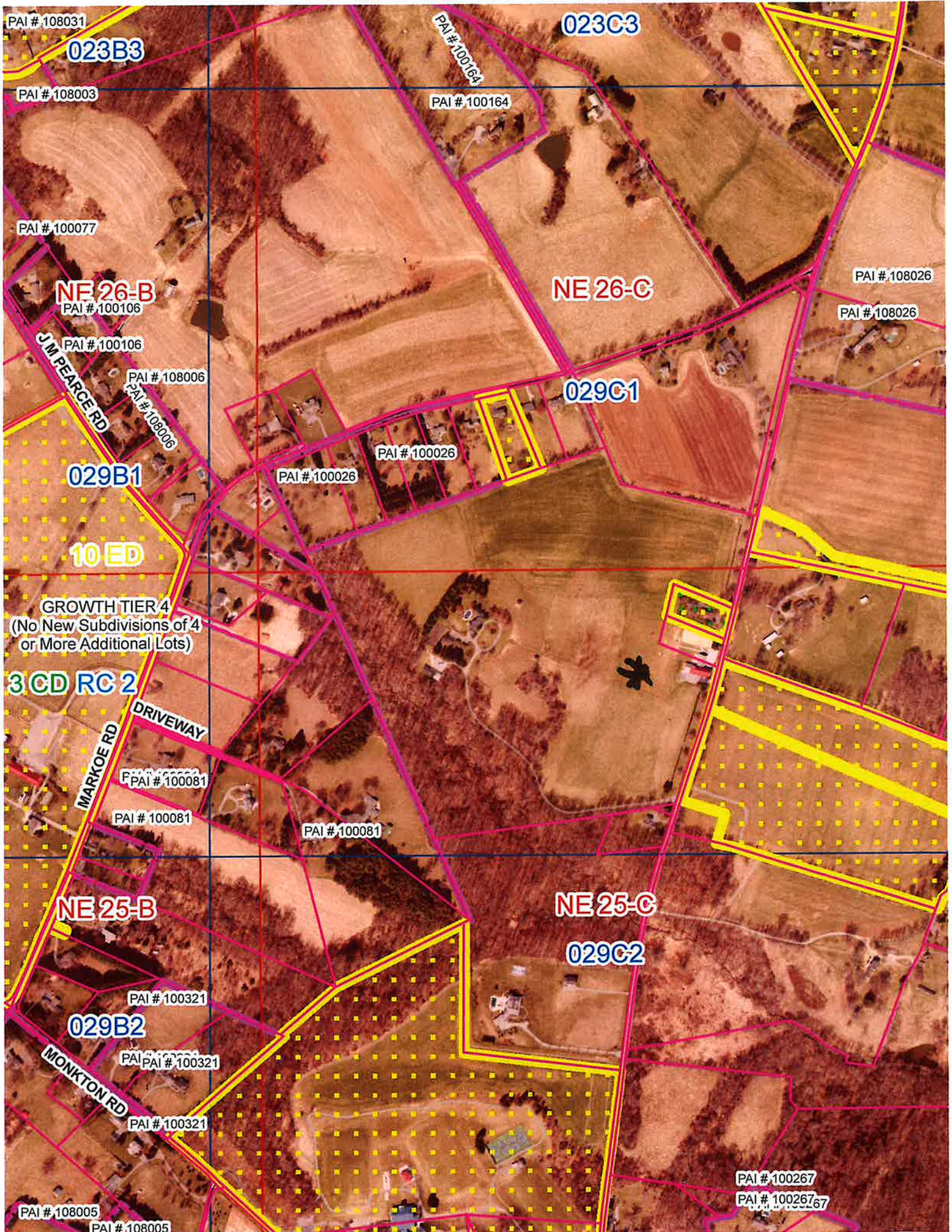
PAI # 100026

NE 25-C

029C2

PAI # 100267

PAI # 10026767



PAI # 108031

023B3

PAI # 108003

PAI # 100164

023C3

PAI # 100164

PAI # 100077

NE 26-B

PAI # 100106

NE 26-C

PAI # 108026

PAI # 108026

JM PEARCE RD

PAI # 100106

PAI # 108006

PAI # 108006

029C1

PAI # 100026

PAI # 100026

029B1

10 ED

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

3 CD RC 2

MARKOE RD

PAI # 100081

PAI # 100081

PAI # 100081

NE 25-B

NE 25-C

029C2

PAI # 100321

029B2

PAI # 100321

PAI # 100321

PAI # 100321

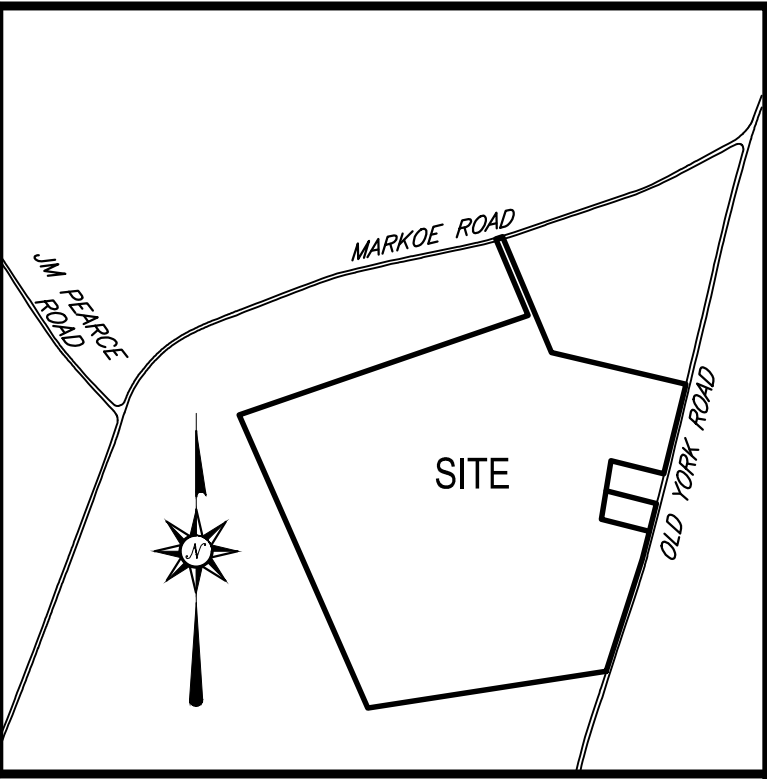
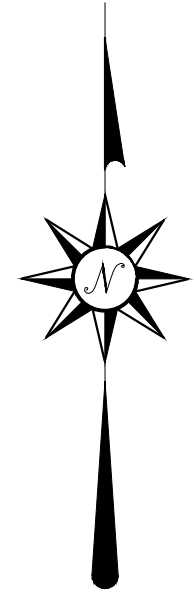
MONKTON RD

PAI # 108005

PAI # 108005

PAI # 100267

PAI # 100267



VICINITY MAP
SCALE: 1" = 1,000'

SITE DATA

- APPLICANT
LESTER LEUNG & ELIZABETH D CHAMBERS-LEUNG
16312 OLD YORK ROAD
MONKTON MD 21111-1709
- SITE ADDRESS
LESTER LEUNG & ELIZABETH D CHAMBERS-LEUNG
16312 OLD YORK ROAD
MONKTON MD 21111-1709
- SITE AREA
GROSS 3,135,902 SF OR 71.078 AC.±
NET 3,135,902 SF OR 71.078 AC.±
- EXISTING ZONING
RC2
- PROPOSED ZONING
NO CHANGE
- TAX MAP 29, GRID 05, PARCEL 232
- ZONING MAP
28C01
- DEED REFERENCE
27920/234 & 31437/32
- ELECTION DISTRICT
10TH
- COUNCILMANIC DISTRICT
3RD
- CENSUS TRACT
410100
- PROPERTY ACC. #
1600011849 & 1800003299
- EXISTING USE
FARM AND VACANT LOT
- PROPOSED USE
FARM AND VACANT LOT
- EXISTING BUILDING AREA
4,480 SF
- PREVIOUS ZONING CASES
NONE
- SETBACKS FOR RC ZONE

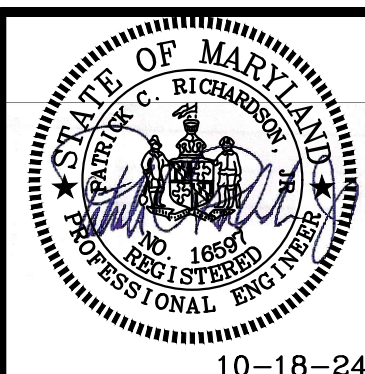
	REQUIRED	PROVIDED
FRONT	75'	1,243'
SIDE	35'	593'
REAR	35'	593'
- BASIC SERVICE MAPS (2024)

TYPE	DEFICIENCY(Y/N)	NOTE
WATER	N	-
SEWER	N	-
TRANSPORTATION	N	-
- THE SUBJECT PROPERTIES ARE NOT LOCATED WITHIN THE CBQA.
- THE SUBJECT PROPERTIES ARE LOT LOCATED WITHIN A 100 YEAR FLOODPLAIN.

MALPF Easement Note: This farm is subject to a Maryland Agricultural Land Preservation Foundation (MALPF) easement, referencing Deed 10882/200.

PLAN
SCALE: 1" = 100'

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 06-15-2025



10-18-24

Richardson
ENGINEERING

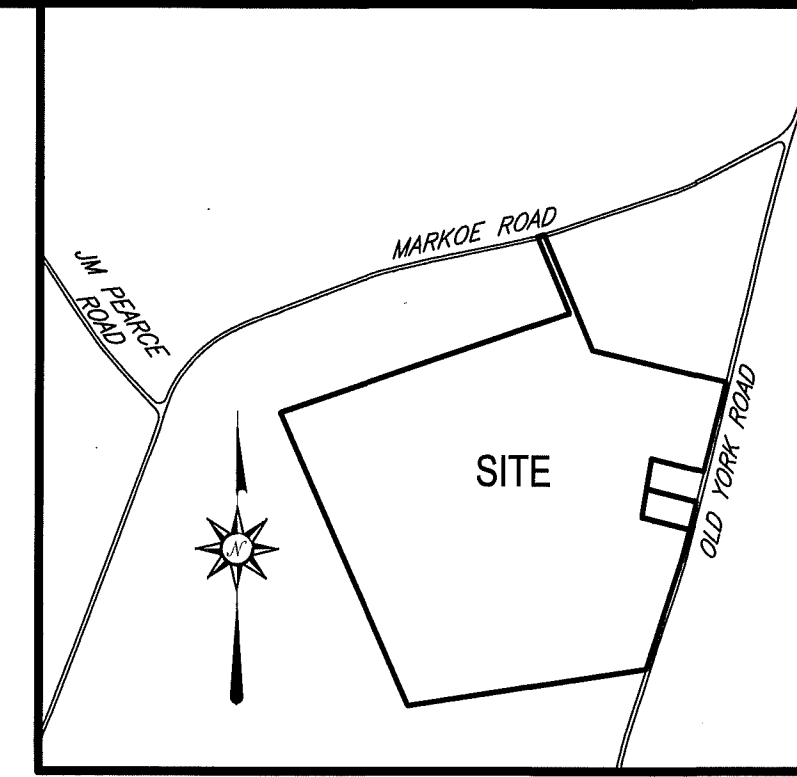
7 Daneison Street
Timonium, Maryland 21093
Phone: 410-560-1502, info@richardsonengineering.net
rick@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION FOR WELLSPRING OF LIFE FARM

16312 OLD YORK ROAD

BALTIMORE COUNTY MARYLAND
10 ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	PCR	PCR	1" = 100'
	DATE:	JOB NO.:	SHEET NO.:
	10-18-24	24173	1 OF 1



VICINITY MAP
SCALE: 1" = 1,000'

SITE DATA

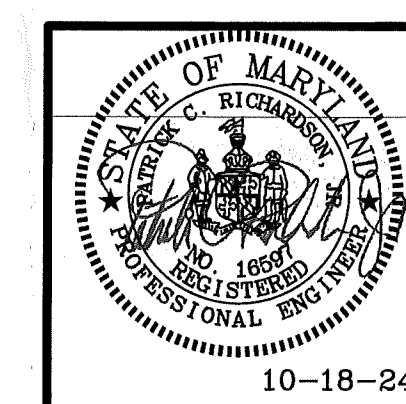
1. APPLICANT LESTER LEUNG & ELIZABETH D CHAMBERS-LEUNG
16312 OLD YORK ROAD
MONTGOMERY MD 21111-1709
2. SITE ADDRESS LESTER LEUNG & ELIZABETH D CHAMBERS-LEUNG
16312 OLD YORK ROAD
MONTGOMERY MD 21111-1709
3. SITE AREA GROSS 3,135,902 SF OR 71.078 AC±
NET 3,135,902 SF OR 71.078 AC±
4. EXISTING ZONING RC2
5. PROPOSED ZONING NO CHANGE
6. TAX MAP 29, GRID 05, PARCEL 232
7. ZONING MAP 29C01
8. DEED REFERENCE 27920/234 & 31437/32
9. ELECTION DISTRICT 10TH
10. COUNCILMANIC DISTRICT 3RD
11. CENSUS TRACT 410100
12. PROPERTY ACC. # 1600011849 & 1800003299
13. EXISTING USE FARM AND VACANT LOT
14. PROPOSED USE FARM AND VACANT LOT
15. EXISTING BUILDING AREA 4,480 SF
16. PREVIOUS ZONING CASES NONE
17. SETBACKS FOR RC ZONE
FRONT REQUIRED 75' PROVIDED 1,243'
SIDE 35' 593'
REAR 35' 585'
18. BASIC SERVICE MAPS (2024)
TYPE DEFICIENCY(Y/N) NOTE
WATER N -
SEWER N -
TRANSPORTATION N -
19. THE SUBJECT PROPERTIES ARE NOT LOCATED WITHIN THE CBGA.
20. THE SUBJECT PROPERTIES ARE LOT LOCATED WITHIN A 100 YEAR FLOODPLAIN.

2024-0228-SPHA



PLAN TO ACCOMPANY ZONING PETITION
FOR
WELLSPRING OF LIFE
FARM

16312 OLD YORK ROAD
BALTIMORE COUNTY MARYLAND
10 ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 06-15-2025

PLAN
SCALE: 1" = 100'

