



KATHERINE A. KLAUSMEIER
County Executive

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

April 14, 2025

Anthony Gorski, Esquire agg@aggorski.com
2661 Riva Road, Building 300
1st Floor
Annapolis, MD 21401

RE: Petition for Special Exception
Case No. 2024-0243-X
Property: 9043 Old Court Road

Dear Mr. Gorski:

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,

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB: dlm
Enclosure
c: -See next page -

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Case No: 2024-0243-X

- c: Alan Kratz sandrakratz@comcast.net & akratz119@hotmail.com
Adam Maust amaust@bprsurveying.com
Freedom 40 Farms LLC – akratz119@hotmail.com
Ben Stompler nstompler@hotmail.com
Kathleen Skullney – ksskullney@verizon.net
Jeff Furr – jfurr@bprsurveying.com
William Skullney weskatel873@verizon.net
Cathy Wolfson oakknob@comcast.net
Brenda Williams – 9045 Old Court Road, Windsor Mill, MD 21244
Roy Krabet – 9037 Old Court Road, Windsor Mill, MD 21244
Ron – ron@trentonhills.com

IN RE: PETITION FOR SPECIAL	*	BEFORE THE
EXCEPTION	*	OFFICE OF
(9043 Old Court Road)	*	ADMINISTRATIVE HEARINGS
2 nd Election District	*	FOR BALTIMORE COUNTY
4th Council District	*	Case No: 2024-0243-X
Alan Kratz		
<i>Legal Owner</i>		
Freedom 40 Farms, LLC		
<i>Contract Purchaser/Lessee</i>		

Petitioners

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) on a Petition for Special Exception filed by Alan Kratz (legal owner), and the Freedom 40 Farms, LLC (contract purchaser/lessee) (collectively “Petitioners”), of the property located at 9043 Old Court Road, Windsor Mill, Baltimore County, Maryland (the “Property”). The Petition requests special exception approval pursuant to Baltimore County Zoning Regulations (“BCZR”), §1A01.2.C.5, to permit a “camp, including day camps.”

An In Person/Virtual/Hybrid hearing was conducted on March 24, 2025. The Petition was properly advertised and posted. Alan Kratz, Jr. appeared at the hearing on behalf of Petitioners. Also present were Adam Maust and Jeff Furr from BPR Surveying, LLC, who assisted in the preparation of the Boundary Survey and Concept Plan. Petitioner was represented by Anthony G. Gorski, Esquire. Multiple community members appeared in opposition and presented testimony including: Benjamin Stompler, Vanessa Adams, Brenda Williams, Jackie Burnham, Myrna Krabet, Cathy Wolfson, and Kathleen Skullney on behalf of the Greater Patapsco Community Association (collectively referred to as “Protestants”).

Petitioner submitted the following exhibits into the record: (1) Certificate of Posting; (2) Petition and supporting documents; (3) Boundary Survey with deed description; (4) Concept Plan;

and (5) Site Photographs. The following Zoning Advisory Committee (“ZAC”) comments were received and admitted into the record: (1) Department of Planning (“DOP”); (2) Development Plans Review (“DPR”) on behalf of DPR/DPW&/Rec & Parks; and (3) Department of Environmental Protection and Sustainability (“DEPS”). ZAC comments do not indicate objection to the special exception approval but provide recommendations for compliance. The Office of People’s Counsel for Baltimore County also submitted comments (County Exhibit 5). People’s Counsel’s written testimony expressed objection to the proposed camp. At the conclusion of the hearing, Petitioner was permitted to file a response to People’s Counsel’s written testimony. That response was received on April 4, 2025 and is included in this record. Protestants submitted materials and the following exhibits were admitted into the record: (1) Property Maps; (2) Deeds; (3) Photographs (driveway); (4) Photographs (driveway approach); (5) Photographs (large trucks); (6) Photographs (road damage) [Stompler Exhibits]; (7) Petition; (8) Deed; (9) State Department of Assessments and Taxation (“SDAT”) 407 Ronsdale; (10) SDAT Piney Run Court; (11) SDAT Business Entity Search – Freedom 40 Farms, LLC [Greater Patapsco Community Association Exhibits]. Other materials were submitted by Protestants including evidence regarding alleged harassment, civil actions, peace orders, or similar materials. These exhibits were not admitted into the record and were not considered as they are not relevant and therefore inadmissible.

In summary, Petitioner’s application fails on two grounds: (1) Petitioner fails to meet its burden of production; and (2) Protestants successfully rebutted the presumption of validity for special exceptions by presenting competent and credible evidence that site access to the property creates adverse impacts above and beyond those typically associated with a campground use regardless of its location within the zone, as more thoroughly discussed below. Therefore, the Petition is denied.

I. Findings of Fact

The Property is approximately 22 acres in land area and is zoned RC 2. The Property is improved with a single-family dwelling and accessory agricultural structures. Petitioner stated that the property is used both for residential and agricultural purposes (e.g., hay production). Petitioner proposes to use the property as a campground for both tent and recreational vehicle (RV) camping. The Concept Plan indicates the campground use will be developed in four phases on different parts of the property. Pet. Exhibit 4. The subject lot is accessed via an “earth road” from Old Court Road traversing three adjacent parcels owned under separate title from the subject lot and terminating at the subject property (hereinafter referred to as “access easement” or “driveway”).

A. Petitioner’s Case in Chief

Alan Kratz, Jr. testified on behalf of Petitioners. Mr. Kratz described the property’s current use as both residential and agricultural (e.g., hay production) and the intended use of the property as a campground with rustic tent and RV sites. The proposed campground will complement but not supplant the existing uses and will provide an amenity for agritourism (oftentimes referred to as “farm camping”). Mr. Kratz explained that they were in the beginning stages of planning and the Concept Plan was a general plan only. Mr. Kratz testified that they would comply with Baltimore County requirements with respect to water and sewerage during the development plan review phase and that additional wells and sewerage options would be addressed later in the development process. Mr. Katz stated that “sewage is going to be addressed in the permit application.” With regard to well capacity, Mr. Kratz stated that the existing well on the property, which services the home, is “oversized” to also serve agricultural uses. Mr. Kratz described the two-laned wide “road” which provides access to the Property as wide enough and capable of carrying campers and RVs safely to the property. Mr. Katz described the road’s surface as partially

paved, partially gravel, and partially dirt with a total width, including both improved and unimproved areas, between 25-50 ft. He further described his understanding of the title history to the road, its physical history, and its function. Mr. Kratz described the intensity of use of the campground and the access drive as being “intermittent.” Mr. Kratz described the four phases of the proposed development as illustrated and marked in the Concept Plan explaining where tent and RV sites would go, including in open field areas currently used for hay and in existing wooded areas. *See* Pet. Exhibit 4. Mr. Kratz stated that phase 3 might even include a “bed and breakfast.” In terms of density, Mr. Katz stated that they “were looking for a minimum of one [campsite] per acre, no more than double that” resulting in a total number of campsites requested between 22-44. Mr. Kratz also stated that the property is located within proximity to public transit and the campground would be accessible for public transit users. Finally, Mr. Kratz provided his lay opinion that the proposed campground use satisfies the special exception standards in Baltimore County and would create no adverse impacts to the surrounding community. Illustrative photographs were submitted showing examples of type of campground proposed. Pet. Exhibit 5.

Adam Maust, an engineering tech from BPR Surveying, was called by Petitioner as a witness. Mr. Maust described his academic and professional background and stated that he is not a licensed surveyor or engineer in the State of Maryland. Mr. Maust testified that the topographical area of the property was considered in the design of the campground and efforts were made to minimize the amount of ground disturbed by the design. Mr. Maust testified with regard to the preparation of the Boundary and Concept Plans. *See* Pet. Exhibits 3 & 4. Further, Mr. Maust testified that, according to the boundary survey (Pet. Exhibit 3), the GIS record (County Exhibit 5, PC Exh. 2) incorrectly locates the access easement as traversing the Williams property when, instead, the easement runs adjacent to the Williams property and provides vehicular access to that

property as well as the subject property. Mr. Maust stated that similar campground sites in Pennsylvania were used as template sites for the proposed campground development. Mr. Maust provided a general description of the property, the proposed use in terms of layout, amenities, and utilities, and the adequacy of the site for a campground use, including the adequacy of access for campground users to reach the campground using the existing “road” (e.g., access easement) from Old Court Road. Mr. Maust further testified regarding the adequacy of the use with respect to the special exception factors under BCZR. Mr. Maust stated that the impact of the proposed campground use at this location would not be any more adverse here than elsewhere in the RC-2 zone.

Jeff Furr, a civil engineering project manager from BPR, was also called by Petitioner to testify. Mr. Furr described his academic and professional background and stated that he is not a licensed surveyor or engineer in the State of Maryland. Mr. Furr described the title history of the property and adjacent lots as well as the preparation of the boundary survey and concept plan and the development of the campground in four phases. Mr. Furr testified that after an extensive land records search of both the subject lot and surrounding lots, he could not locate any metes and bounds description of the access easement or “driveway” nor any further description of any right of way or the width of any right of way. Therefore, Mr. Furr’s testimony with regard to the Petition was based upon a visual inspection of the existing driveway, absent any legal description or delineation of the siting of the access easement. Mr. Furr reiterated Mr. Maust’s testimony that the plan proposed is merely conceptual in nature and would be further refined in the development process. Mr. Furr further testified that the planned campground was not designed to maximize the potential capacity of the site, but rather, was intended to limit impacts by provided for a minimal number of campsites in order to maintain the property’s residential and agricultural uses. Mr. Furr

stated that the existing width of the driveway would not have a substantial impact on the proposed use itself, but any deficiencies identified in engineering review would need to be addressed at that time. Upon driving the site, Mr. Furr estimated the paved portion of the driveway to be 8-10 ft. in width. Mr. Furr further stated that the existing condition of the driveway would support RVs or similarly-sized vehicles. Lastly, Mr. Furr stated that the impact of the proposed campground use at this location would not be any more adverse here than elsewhere in the RC-2 zone.

At the conclusion of Petitioners' case, all of Petitioner's exhibits were admitted into the record and considered herein.

B. Protestant's Evidence

Benjamin Stompler testified in opposition to the Petition. Mr. Stompler's properties lay adjacent to the subject site and are accessed via the shared driveway. Protestants' Exhibit 1. Mr. Stompler testified to the history of the former farm site from its subdivision in 1908 to present. Protestants' Exhibit 2. He submitted deeds and records regarding the lots and opined that the existing drive was too narrow and was too in disrepair to serve the proposed campground. *See* Protestant's Exhibits 2, 3, 4, 5, & 6. He stated that campground users would further degrade the "road" through frequent use including with large trucks, trailers, and RVs. Mr. Stompler submitted photographs showing the entrance drive and existing state of the road which is partially paved. *Id.* Mr. Stompler generally testified to the adverse impacts to his properties that would occur if the proposed campground were to be approved. Mr. Stompler further stated that the only access to the Kratz lot is a "privately owned road" that cannot accommodate large vehicles. Other materials or testimony including evidence regarding alleged harassment, civil actions, peace orders, or similar materials were not admitted into this record as they are deemed inadmissible as not relevant for purposes of the Petition, and were therefore not considered.

Vanessa Adams, Brenda Williams, Cathy Wolfson, and Jackie Burnham all testified to the insufficiency of the road to support to the proposed campground use. They also testified to the current state of the road and that vehicles often veer off the path and onto adjacent residential yards causing property damage. They stated their concern that approval of the proposed campground will increase the frequency of vehicle trespass as the road is not marked, lined, sufficiently paved, or of a sufficient width to allow two vehicles to pass one another safely. They also stated concerns with respect to property damage, maintaining peace and enjoyment of their residential properties, noise and disturbances emanating from the campground, traffic, the potential for trespass of campground users onto their lots, and the lack of walkability to and from the subject property from Old Court Road. Other materials or testimony including evidence regarding alleged harassment, civil actions, peace orders, or similar materials were not admitted into this record as they are deemed inadmissible as not relevant for purposes of the Petition, and were therefore not considered.

Kathleen Skullney testified on behalf of the Greater Patapsco Community Association. Ms. Skullney raised preliminary objections with regard to the legal sufficiency of the Petition as well as the legal status of the business entity known as Freedom 40 Farms LLC to legally conduct business. Both of these objections were overruled at the hearing. I find here that the Petition was signed by Mr. Kratz, Sr., and otherwise meets the filing requirements prescribed under BCZR and Baltimore County Code (“BCC”); and, Freedom 40 Farms, LLC, while not a business in good standing according to SDAT records, has not lost its right to do business in Maryland by forfeiture.¹ *See generally* A Guy Named Moe, LLC v. Chipotle Mexican Grill of Colorado, LLC, 447 Md. 425,135 A.3d 492 (2016) (holding that once a foreign limited liability company comes

¹ Under the LLC statute, “forfeiture” is the formal termination of an LLC’s right to do business in the State of Maryland, which is a *more* adverse position than the lesser “not in good standing”.

into compliance with the statute [curing its forfeiture status], it may maintain its action even though not registered when initiating the suit). Ms. Skullney further articulated the association's position that campground uses are, generally, permitted in RC-2 zones by special exception and that the association does not object to that use in general terms. However, Ms. Skullney indicated the association objects to this proposed campground because the only access is from a private right of way. Ms. Skullney further argued that the existing access easement was not meant to serve commercial uses like a campground and that such shared access rights granted to adjacent land owners are not transferrable to members of the general public (via a public use like a campground). Ms. Skullney further opined that similar access easements exist on other interior landlocked parcels in RC-2 zones that provide access to county roads but similarly are relegated to existing agricultural and residential uses. Ms. Skullney articulated the association's position that "it is impossible to satisfy the special exception requirements when you have that kind of ingress and egress."

The Office of People's Counsel submitted written testimony and submitted on that record. People's Counsel's comments indicate objection to the proposed campground. That objection focuses primarily on the inadequacy of the ingress and egress to the subject property from Old Court Road. In summary, People's Counsel argues that the private right-of-way serves the five existing residential parcels and is not intended or adequate to serve a campground use with potentially numerous large and small vehicles. "The intensity, frequency, and manner of use of the right-of-way the proposed campground will create far exceeds the intended purpose—a private access road for 5 residential lots." County Exhibit 5, p. 3. People's Counsel opines that "it is far more detrimental to grant the special exception for a campground use in this particular location

than elsewhere in the R.C. 2 zone as it would overburden the right-of-way and overcrowd the land.” *Id.*

II. Conclusions of Law

A. Preliminary Objections

With respect to the legal sufficiency of the Petition, I find that the Petition was signed by Mr. Kratz, Sr., and otherwise meets the filing requirements prescribed under BCZR and BCC. With respect to the legal status of Freedom 40 Farms, LLC, while not a business in good standing according to SDAT records, the entity has not lost its right to do business in Maryland by forfeiture². Therefore, I find that Freedom 40 Farms, LLC is not barred from pursuing zoning relief under BCZR. *See generally* A Guy Named Moe, LLC v. Chipotle Mexican Grill of Colorado, LLC, 447 Md. 425,135 A.3d 492 (2016) (holding that once a foreign limited liability company comes into compliance with the statute [curing its forfeited status], it may maintain its action even though not registered when initiating the suit).

B. BCZR § 1A01.2.C.5: Camps, including day camps

BCZR does not define “Camps, including day camps” even though that use is designated as a special exception under the BCZR § 1A01.2.C.5. Pursuant to BCZR § 101.1, when express terms remain undefined, “Any word or term not defined in this section shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged.” BCZR § 101.1. Webster's Third New International Dictionary of the English Language, Unabridged, provides the following definition(s) for “camp”:

- (1) a place of temporary shelter, lodging, or residence often at a distance from urban areas or the tents, cabins, or other buildings used for such shelter, lodging, or residence:

- (a) the ground on which tents or buildings are erected for shelter or usually temporary residence (as for troops, prisoners, or vacationers)
- (b) the group of tents, cabins, or buildings either temporary or permanent in construction or location erected on such ground
- (c) a town usually new and often temporary sprung up especially in an isolated lumbering or mining region
- (d) a place of rest, lodging, or assembly specifically: a place where cattle or other livestock are rounded up
- (e) (1): a place provided with tents or cabins usually in mountain or lake areas designed for rest or recreation especially for children during the summer

BCZR § 101.1. BCZR § 101.1.C offers some further insight by providing definitions for CAMPING UNIT (a tent, cabin, lean-to, recreational vehicle or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education or vacation purposes, and CAMPSITE (any plot of land within a campground intended for exclusive occupancy by a camping unit or units, occupied by a camper), CAMPGROUND (a tract of land upon which two or more campsites are located, established or maintained for occupancy by camping units as temporary living quarters for recreation, education or vacation purposes) and DAY CAMP (a plot of ground upon which children may engage in supervised recreational, educational, cultural or artistic activities outdoors during daylight hours, but day camp does not include schools or child care centers). *See* BCZR § 101.1.C.

C. Special Exception (Campground)

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the Court of Appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. “A special

exception is presumed to be in the interest of the general welfare, and therefore a special exception enjoys a presumption of validity. *Id.* at 285 (citing Schultz, 291 Md. at 11, 432 A.2d at 1325 (1981). “A special exception...is merely deemed *prima facie* compatible in a given zone. The special exception requires a case-by-case evaluation by an administrative zoning body or officer according to legislatively-defined standards. That case-by-case evaluation is what enables special exception uses to achieve some flexibility in an otherwise semi-rigid comprehensive legislative zoning scheme.” *People’s Couns. for Baltimore Cnty. v. Loyola Coll. in Maryland*, 406 Md. 54, 71–72, 956 A.2d 166, 176 (2008). In Baltimore County, Petitioners are further required to satisfy the special exception factors enumerated under BCZR § 502.1, as it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air;
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 Zone, and for consideration of a solar facility use under Article 4F, the inclusion of the R.C. 3, R.C. 6, and R.C. 8 Zones.

BCZR § 502.1. OAH is required to make affirmative findings in regard to these special exception factors as well as the prevailing common law with respect to special exceptions.

1. Petitioner Fails to Adequately Establish Facts Necessary to Evaluate the Proposed Special Exception and therefore Fails to Meet its Burden of Production

While it is accurate that Petitioner is not required at this stage of the development review process to provide a detailed Site Plan articulating in definite terms various aspects of the proposed use including density, water, sewerage, building plans, traffic control, road and infrastructure improvements, etc., any plan submitted requesting zoning relief needs to put forward sufficient facts for a fact-finder to make affirmative findings under the BCZR § 502.1 factors. “It is undisputed that “both the burden of production and the burden of persuasion on the issue of whether the special exception should be granted” fall on the applicant, whereby the applicant must persuade the Board “by a preponderance of the evidence that the special exception will conform to all applicable requirements.” *Attar v. DMS Tollgate, LLC*, 451 Md. 272, 286, 152 A.3d 765, 774 (2017) (citing *Loyola Coll. in Md.*, 406 Md. at 109, 956 A.2d at 199).

Petitioner’s Concept Plan (Pet. Exhibit 4) presents this project in four phases including areas demarcated for tent camping sites and recreational vehicle (RV) camping sites. But when asked details about the proposed campground, Mr. Kratz provided insufficient answers. When asked about water and sewerage, Mr. Kratz testified to possibilities that ranged from a single-well water source, digging additional well sites, dump stations, temporary portable bathroom facilities, underground storage tanks and additional septic reserves to a possible separate bathhouse. When asked about RV sites, Mr. Kratz provided insufficient answers to the types of sites that would be utilized by RVs including whether they would be grass, gravel, or pad sites, or if they would have water/electric/sewerage hookups, or not. The lengths of RVs permitted on site were also never addressed. Mr. Kratz did not provided information regarding camp operations and, other than describing the use as a “transient” use and not a tenancy, failed to articulate how long campers would be permitted to stay or other details regarding duration or long-term storage of RVs (which would be a prohibited use in this RC-2 zone). When asked about ingress and egress to the site, Mr.

Kratz, Mr. Maust, and Mr. Furr provided answers to questions regarding the state, character, and width of the existing shared driveway that either contradicted photographic evidence of the driveway, or otherwise failed to satisfactorily address access issues necessary to make affirmative findings under BCZR §502.1. Critically for purposes of this application, both the Boundary Survey (Pet. Exhibit 3) and the Concept Plan (Pet. Exhibit 4) fail to provide an approximate width of the roadway (referred to as “existing earth road”) or otherwise delineate its path or suitability for handling vehicles of various sizes for its current and proposed uses. There remains no legal description of the metes and bounds of the right-of-way in the land records nor any attempt to further define the extent or parameters of the right-of-way. *See* Pet. Responsive Memo, p. 2. Therefore, Petitioners’ plans fail to address or adequately demonstrate how the BCZR §502.1 B, C, E, or G can be satisfied. For these reasons, Petitioner has failed to meet its burden of production in this case. Without sufficient information to evaluate the proposed use, the Petition for Special Exception fails. Notwithstanding this finding, sufficient evidence was submitted by Protestants to rebut the presumption in favor of special exceptions for the proposed campground.

2. The Presumption of Validity for a Special Exception (Campground) is Sufficiently Rebutted by Credible and Competent Evidence of Inadequate Access

Even if Petitioner were to satisfy their burden of production, I find that the presumption of validity for the proposed special exception in this RC zone is sufficiently rebutted with respect to lack of adequate access. The subject property is accessed via a shared access easement that is depicted on Petitioner’s boundary survey and concept plan as an “earth road.” This “road” functions more as a shared driveway and acts as the sole ingress and egress for the subject property and at least three other adjoining residential lots. Under this record, the land records describing the various property interests in that shared driveway are insufficient to establish or define the dimensions of that easement or how it provides legal, safe, and adequate access for the users of

the proposed campground. The earliest reference of “the old road” is contained in the 1908 deed subdividing the farm property into separate parcel which states:

...That they will aid and assist in keeping open, and in good repair at all times, the old road long used as a way to and from said property.

Pet. Responsive Memo, p. 2. (referencing WPC335/0366 at 368, 370 & 372). Petitioner’s expert witness, Mr. Furr, stated that a title search yielded no further insight into the delineation, location, or maintenance provisions of the easement other than it was intended to benefit (and be maintained by) adjoining parcels. Other deeds make reference to a “dirt road” (5664/368&373) “road” (5664/372) or “roads” (7500/409) or “earth road” (0015056/061) which traverses on or through adjacent lots. However, while these deeds make reference the “road” as being part of their respective conveyances, no further delineation of the road is contained in those instruments. Protestants assert that this “road” was meant to serve the resulting residential lots carved out of the farm property that was subdivided into residential lots in 1909. Protestants further opine that access to the “road” was to be preserved and the “road” maintained by future holders of title of the subdivided lots. Petitioner counters that “This road was not created to provide access the five residential lots. In fact, the road was used to farm the original 72 +/- acres purchased in 1857. That farming activity continued after the division of the property in 1908.” *See* Petitioner’s Response to OPC’s written testimony, p. 3-4. Even if true, there is little credible evidence in this record to demonstrate that this “road” provides adequate, safe, or unencumbered access to the subject property.

With the exception of Mr. Furr’s testimony that the driveway is sufficient to accommodate vehicles entering and existing the campground, there is nothing in this record to demonstrate that the road’s width, curve, conditions, improvements, or capacity is sufficient for potential guests and visitors of the campground. To the contrary, the lack of delineation and improvements would make

it nearly impossible for users to maintain safe usage of the road without trespassing onto adjacent residential lots and potentially causing safety concerns or property damage. Protestants photographs and direct testimony indicate otherwise support this finding. Petitioners' plans further do not indicate the existence of any secondary egress point for fire, police, or emergency vehicle access which could pose a danger to public health and safety, given the nature and condition of existing access from Old Court Road.

The current state of the driveway is insufficient to support the proposed use of RVs and other similarly-sized vehicles. The road entrance is narrow making wide turns difficult for larger vehicles like RVs or trailers, and while partially paved, photographs show deteriorating conditions. *See* Protestant's Exhibits 3, 4, 5 & 6. Despite Mr. Kratz's statements regarding the road's width to be between 25-50 ft. (including unimproved shoulder areas), the record lacks any defined and reliable measurement of its width and multiple sections appear to be too narrow to accommodate two standard size vehicles, let alone large RVs. According to Protestants' testimony and evidence, vehicles would be unable to pass one another without deviating off the paved portions of the road and onto adjacent residential yards. According to Mr. Furr, Petitioners' own witness, no further delineation between the access easement and adjacent residential lots could be located beyond what was already provided. For this reason, I find that drivers would be unable to distinguish between vehicle right-of-way and abutting residential yards. While these conditions currently exist, the use of the property for residential and/or agricultural uses at least mitigates these impacts by limiting the number of vehicles using the driveway on a regular basis. If approved for a campground, the number of vehicles that could potentially use the access easement would exceed typical residential/agricultural uses thus causing further adverse impacts to adjacent lots.

In summary, ingress and egress to the site is both legally insufficient, as the legal description of the right of way is both indeterminant and undefined, and structurally insufficient, as the condition, width, and character of the access easement are inadequate to provide safe and reliable access for users of the campground. In order to cure these deficiencies, the access easement would need to be platted, establishing legal or equitable interests for common users entitled to its use, and such interests memorialized by Agreement or through condemnation and reconveyance. Furthermore, the right-of-way would need to be improved, or at least any subsequent approval conditioned upon substantial structural improvements, to provide safe and reliable ingress and egress to the property.

For all these reasons, and upon consideration of all the exhibits and testimony offered in this case, I conclude that the Protestants presented credible and competent facts and circumstances showing that the adverse impacts of this campground use at this particular location would be above and beyond those inherently associated with the special exception use. Access to the site is so deficient at this location that it creates adverse impacts above and beyond those impacts inherently associated with a campground use as articulated above.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 14th day of **April, 2025** that the Petition for Special Exception pursuant to BCZR § 1A01.2.C.5, requesting approval for a “camp, including day camps” be, and is hereby, **DENIED**.

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



DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB/dlb



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 9043 Old Court Rd, Windsor Mill, MD 21244 Currently Zoned RCZ
Deed Reference 15056 / 58 10 Digit Tax Account # 0223500620
Owner(s) Printed Name(s) ALAN R. KRATZ & SANDRA L. KRATZ

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

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

- 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)

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:
Freedom 40 Farms LLC
Name - Type or Print
[Signature]
Signature
515 Piney Run Ct. Sykesville MD
Mailing Address City State
21784 / 410 812 1189 / AKRATZ119
Zip Code Telephone # Email Address
@hotmail.com

Legal Owners (Petitioners):
ALAN KRATZ
Name #1 - Type or Print Name #2 - Type or Print
Alan Kratz
Signature #1 Signature #2
9043 Old Court Rd Windsor Mill MD
Mailing Address City State
21244 / 410 790 1244 / sandakratz@comcast.net
Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:
Anthony G Gotski AIS# 9012180263
Name - Type or Print
[Signature]
Signature
2661 Riva Rd, Bldg 300, 1st Fl., Annapolis, Md
Mailing Address City State
21401 / 443-837-3504 / AGG@AGGorski.com
Zip Code Telephone # Email Address

Representative to be contacted:
ADAM MAUSS BPR SURVEYING
Name - Type or Print
Adam Mauss
Signature
150 AIRPORT DRIVE, UNIT #4 WESTMINSTER MD
Mailing Address City State
21157 / 410-857-9030 / AMAUSS@BPRSURV.COM
Zip Code Telephone # Email Address

Case Number 2024-0243-X Filing Date 11 / 8 / 24 Do Not Schedule Dates _____ Reviewer JS



ZONING PROPERTY DESCRIPTION FOR 9043 OLD COURT ROAD

Described as shown in deed liber 15056, folio 58, recorded on Dec. 9, 2000: Beginning at a point on the south side of Old Court Road which is 70 feet wide at a distance of 1497.50 feet south of the centerline of Polly Hill Court which is 40 feet wide. Thence the following courses and distances: 1) N.59 45' 00" E. 1155.00', 2) S.38 00' 00" E. 924', 3) S.48 00' 00" W. 831.27', 4) N.54 00'00" W. 1165.23 to the point of beginning as recorded in Deed Liber 15056, Folio 58, containing 22.711 acres of land, more or less. Located in the second Election District and fourth Council District.

Saving and Excepting therefrom, as shown in deed liber 10556, folio 58, recorded on Dec. 9, 2000: Beginning at a point on the south side of Old Court Road which is 70 feet wide at a distance of 1495.50 feet south of the centerline of Polly Hill Court which is 40 feet wide. Thence the following courses and distances: 1) S.49 55'00" W. 170.30', 2) N.36 16'00" W. 256.00', 3) N.49 55'00" E. 170.30', 4) S.36 16' 00" E. 256.00', to the point of beginning as recorded in Deed Liber 15056, Folio 58, containing 1.00 acre of land, more or less. Located in the second Election District and fourth Council District.



Scott M. Landis
 Scott M. Landis
 I have reviewed this document
 slandis@bprsurveying.com
 2024.10.22 16:46:37-04'00'

2024-0243-X

December 9, 2024

Office of Administrative Hearings
105 W.Chesapeake Ave., Ste. 103
Towson, MD 21204

Reference: Petition for Special Exception
9043 Old Court Road, Case No. 2024 – 0243 – X

To Who It May Concern,

We, the property owners listed below oppose the special exception and request a postponement of Zoning case 2024–0243 – X. The postponement is crucial in order that the property owners adjacent to the property at 9043 Old Court Rd. or adjacent to the right of way have time to prepare to fully participate in the zoning process. At present, we have been given only 18 days notice. It is well known that this time of the year is one of the busiest and most important of holiday times, and we have previous plans for travel, etc., which cannot be changed. This creates impossible conflicts extending into January.

Our objections to a special exception for a campground require more time to prepare and are as follows:

Access to 9043 is only one dead end lane which runs across and belongs to the owners of the adjacent properties. There is only a 12 foot right of way for the half mile part asphalt part gravel lane leading to the public road. The lane has two steep narrow sections, difficult to negotiate in bad weather where one stuck vehicle would block all passage for emergency vehicles or limit the ability of residents to exit in an emergency. The existing lane passes only 20 feet from the bedroom wall of 9039 and the noise of numerous camping vehicles passing in and out will be disturbing to residents. Potentially dangerous, the large camping

vehicles may not see small children crossing the lane as we have many small children as guests and also residents. The existing lane passes only 70 feet from the front of 9047 creating the same problem and the campground would surround these residents on all four sides.

The community of five single-family properties would potentially have as many as 25 resident camping vehicles added resulting in congestion and security concerns due to opening our private lane to the general public. The applicants have a recent history of zoning violations, one for improper campground for which they were fine. In addition, the applicants have shown a general disregard for the peace and safety of the neighbors. Driving past our homes at excessive speeds for the last three years. This has been dangerous, especially to children, and has been a constant annoyance as clouds of dust settle on our vehicles and properties. They have also been driving off the sides of the lane damaging adjacent property. We have had to repair damages numerous times and try to protect our properties with signs, speed bumps, fence posts, and other barriers which they have removed or run over on numerous occasions.

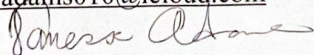
In addition, such a campground would affect the community at large and time is needed to explore the full extent and secure whatever assistance we may need, most especially through the office of Peoples Counsel, with which we have not yet had time to consult.

The first sure opportunity allowing for the residents full preparation for participation in the hearing would be after 12 February 2025.

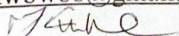
Below is a list of the adjoining property owners who oppose this special exception case and request a postponement.

Sincerely,

Vanessa Adams
9115 Old Court Road, Windsor Mill, Maryland 21244
vadams010@icloud.com



Kelly Williams
9045 Old Court Road, Windsor Mill, Maryland 21244
Kwbw88@gmail.com



Brenda Williams
9045 Old Court Road, Windsor Mill, Maryland 21244
esangel521@gmail.com

Brenda Williams

Ben Stompler
9039 Old Court Road, Windsor Mill, Maryland 21244
Nstompler@hotmail.com

N

Nipaporn Stompler
9039 Old Court Road, Windsor Mill, Maryland 21244
Nstompler@hotmail.com

nipaporn Stompler

Cc: Alan Kratz sandrakratz@comcast.net
Anthony Gorski, Esq. AGG@aggorski.com
Freedom 40 farms LLC Akratz119@hotmail.com

Greater Patapsco Community Association, Inc.
gpc21163@gmail.com

Department of permits, approvals, and inspections
Bmwilliams@baltimorecounty.md.gov

The office of Peoples Counsel
peoplescounsel@baltimorecounty.md.gov

The County councilman's office
dmjones@baltimorecounty.md.gov



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL
Jefferson Building
105 West Chesapeake Avenue, Suite 204
Towson, Maryland 21204
410-887-2188
Fax 410-823-4236



Emily D. Jolicoeur
ejolicoeur@baltimorecountymd.gov
People's Counsel for Baltimore County

WHAT IS "PEOPLE'S COUNSEL?"

The position of People's Counsel was created by the citizens of Baltimore County when they amended the Baltimore County Charter in 1974. Originally, People's Counsel was to defend the comprehensive zoning maps, but in 1978 the voters expanded the function to include defense of the master plan and protection of the air, land and water resources of Baltimore County.

People's Counsel is an experienced attorney, a Baltimore County resident, and a member of the Maryland Bar. The Charter intends that the position be free from political influence, and to act on behalf of the general public. In this connection, after appointment, People's Counsel has tenure, and there is no need for reappointment.

WHAT DOES PEOPLE'S COUNSEL DO?

People's Counsel may appear as a party before local, state, and federal administrative agencies and courts, on behalf of the public in general in land use and environmental cases. People's Counsel's standing in these cases is equal to that of other parties. This means that the office can pursue appeals to the Circuit Court and to the Appellate courts.

In addition, while the office cannot represent any individual person or association, it

frequently helps to facilitate the presentation of land use cases before the Zoning Commissioner or the County Board of Appeals by persons or groups without attorneys,

In accordance with the Charter mandate, People's Counsel also investigates special situations dealing with land use. This may take the form of site visits, consultations with various experts in or out of the county, legal or other research. The County Charter empowers People's Counsel to "have full access to the records of all county agencies," to "be entitled to call upon the assistance of county employees," and to "have the benefit of all other facilities or information of the county in carrying out his duties."

WHAT MATTERS DOES PEOPLE'S COUNSEL ENTER?

People's Counsel enters an appearance in all cases involving reclassifications, petitions for variances, special exceptions, and special hearings; as well as other land use related matters, to determine if legal involvement is appropriate. Standards for involvement are based on the possibility of broad public impact; adverse effect on the public health, safety, and welfare; establishment of important precedent for the future; and the existence of significant legal issues.

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

No. 235024

Date: 11/8/24

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$ 500.00
Total:									\$ 500.00

Rec From: ALAN KRATZ

For: 2024-0243-X

9043 OLD COURT ROAD

DISTRIBUTION


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

**CASHIER'S
 VALIDATION**

ALAN R KRATZ JR 08/08
 407 RONSDALE RD
 ELDERSBURG, MD 21784-8957

190
 65-330/550

10/23/24 Date

PAY to the order of Baltimore County \$ 500.00
Five Hundred ————— Dollars  Security Features Details on Back



BRANCH BANKING AND TRUST COMPANY
 1-800-BANK BBT BBT.com

To Fee

Signature  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 **two** signs 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: 2024-0243-X
Property Address: 9043 Old Court Road, Baltimore Md, 21244
Legal Owners (Petitioners): Alan R. Kratz
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): _____
Address: Alan Kratz
9043 Old Court Road
Baltimore, MD 24244
Telephone Number: 410-812-1189

*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.

CERTIFICATE OF POSTING

Date 11-24-24

Case Number: 2024-0243-X

Petitioner/Developer: K RATZ

Date of Hearing/Closing: 12-18-24 10AM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 9043 Old Court Rd

The signs(s) were posted on 11-24-24
(Month, Day, Year)

J Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTCJGRAPH

1015 Old Barn Road
Parkton, Md 21120

443-834-8162

CERTIFICATE OF POSTING

Date 3-20-25

Case Number: 2024-0243-X RECERT

Petitioner/Developer: KRATZ

Date of Hearing/Closing: 3-24-25 1:30 PM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 9043 Old Court Rd

The signs(s) were posted on 3-20-25 RECERT
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
Parkton, Md 21120

443-834-8162

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # ZD24-0243-X

Address 9043 OLD COURT RD **LOCATION:** SEAST SIDE OF OLD COURT RD, SWEST OF RIDGE RD, THEN 1800 FT SW ON PRIVATE R&R

PETITION REQUEST: SPECIAL EXCEPTION: FOR CAMPING SITES

Hearing Date: Monday 3/24/2025 1:30 PM

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext.0
Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0243-X

Address 9043 OLD COURT ROAD LOCATION: S/EAST SIDE OF OLD COURT RD., S/WEST OF RIDGE RD., THEN 1800 FT. SW ON PRIVATE ROAD

PETITION REQUEST: SPECIAL EXCEPTION FOR CAMPING

SITES: _____

Hearing Date: WEDNESDAY 12/18/2024 10AM

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext 6
Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # Z024-0243-X

Address 9043 OLD COURT RD LOCATION: SEAST SIDE OF OLD COURT RD, SWEST OF RIDGE RD, THEN 1800 FT SW ON PRIVATE R&

PETITION REQUEST: SPECIAL EXCEPTION: FOR CAMPING

SITES

Hearing Date: THURSDAY 2/27/2025 10AM

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext.0
Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

Date 2-27-25

Case Number: 2024-0243-X

Petitioner/Developer: KRATZ

Date of Hearing/Closing: 3-24-25 1:30 PM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 9043-Old Court Rd

The signs(s) were posted on 2-27-25
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOCGRAPH

1015 Old Barn Road
Parkton, Md 21120

443-834-8162

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 26, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0243-X
Address: 9043 OLD COURT ROAD
Legal Owner: Alan Kratz

Zoning Advisory Committee Meeting of November 26, 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 (GWM) requests that it be conditioned to include the following:
 - a. A detailed water usage letter must be completed and submitted to Kevin Koepenick, kkoepenick@baltimorecountymd.gov, for review and approval for the proposed work. The water usage form and policy related to properties with non-residential on-site sewage disposal systems (OSDS) can be found on Ground Water Management's overview page. See page 10 of the policy manual for information to include in the water usage letter.
 - b. Ground Water Management approval must be obtained prior to approval of the building permit. Requirements for approval will include submission of a site plan that meets GWM site plan requirements, and an OSDS inspection report locating all septic system components, and will include submission of perc test application to conducting percolation testing for installing a new septic system for the proposed use.
 - c. Baltimore County approval of a permit for a camp ground must be obtained prior to approval of a permit by Ground Water Management.

- d. The proposed dump station must be reviewed and approved by Maryland Department of the Environment, Wastewater Permits division prior to approval by Ground Water Management.
- e. Proposal for camp ground must be in compliance with State Code COMAR 10.16.03 and Baltimore County code Article 21, Title 6. - Camps

Additional Comments:

Reviewer: Mia Lowery, L.E.H.S.
Ground Water Management

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

- The requirements of the aforementioned environmental protection laws will have to be satisfied prior to submission of any concept plan, development plan, project plan, building permit or grading permit (whichever comes first) for the subject project.

Reviewer: Michael S. Kulis, NRS
Environmental Impact Review, DEPS

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: November 16, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0243-X

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

DPR: No comments.

DPW-T: An ultimate land use conditions 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".

Landscaping: If Special Exception is granted a Landscape Plan is required per the Baltimore County Landscape Manual and a Lighting Plan is also required.

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: 12/2/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0243-X

INFORMATION:

Property Address: 9043 Old Court Road
Petitioner: Alan R. & Sandra Kratz
Zoning: RC 2
Requested Action: Special Exception

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

Special Exception – To allow for camping sites.

The proposed site is a 22-acre property zoned RC 2. It is surrounded by mostly rural agricultural properties and residences. The applicant proposes camping sites on the premises.

The request above is essentially to have an Air B&B style camping site. Applicants will register and reserve camping spaces thru an app. The petitioner is targeting audiences who have RV's and will be allowed to stay over night or up to a week. There will be designated tent areas (13'x16') that are numbered to indicate the users camping area. There will also be designated RV parking areas and a proposed dump station with 1500 gallon holding tank. The petitioner also proposes a 40'X 40' bath house and kitchen area. The site has gas and electric for appliances and the site is currently on well and septic with additional designated septic reserve areas. The request has no adverse impacts on the health, safety and wellness of the community.

Pursuant to the Baltimore County Code, a person may not operate a camp without receiving a license from the Department of Permits, Approvals and Inspections subject to:

1. The approval of the Department of Environmental Protection and Sustainability; and
2. The applicant's compliance with all county laws and regulations.

If the applicant is an individual, firm, or corporation that is engaged in the operation of camps, the applicant shall file a separate application for each camp. Contents of the application include:

1. The applicant shall apply for a license to operate a camp on a form designated by the Department of Permits, Approvals and Inspections which shall require the applicant to state for the existing or proposed camp:
 - a. Its exact location;
 - b. Its type;

- c. The approximate number of individuals to be quartered; and
 - d. Its existing or proposed
 - i. Source of water; and
 - ii. Method of sewage and garbage disposal.
2. The applicant shall include with the application a detailed site layout plan for a proposed camp or proposed changes on an existing camp.

Pursuant to BCC section 21-6-103 pertaining to water supply,:

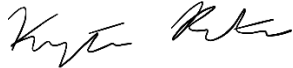
- a) Water supply to comply with applicable plumbing codes. The water supply serving the plumbing facilities of a licensed camp, including drinking fountains, hose bibs, lavatories, and showers shall comply with appropriate current state and county plumbing codes.
- b) Protection against back flow required. The water distribution system shall be protected against backflow.
- c) If a public water supply system is available to the camp, connection shall be made as required in the state and county plumbing codes.

The Department has no objections in granting the above requested relief conditioned upon the following:

1. The applicant complies with all applicable regulations outlined in Sections 21-6-101, 21-6-102, 21-6-103, 21-6-104 and 21-6-105 of the Baltimore County Code for camps.

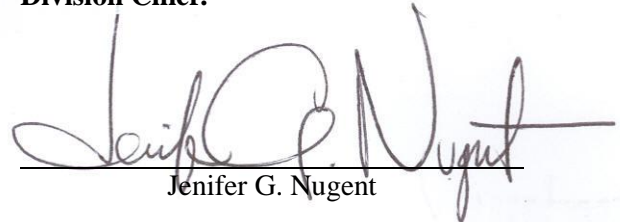
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

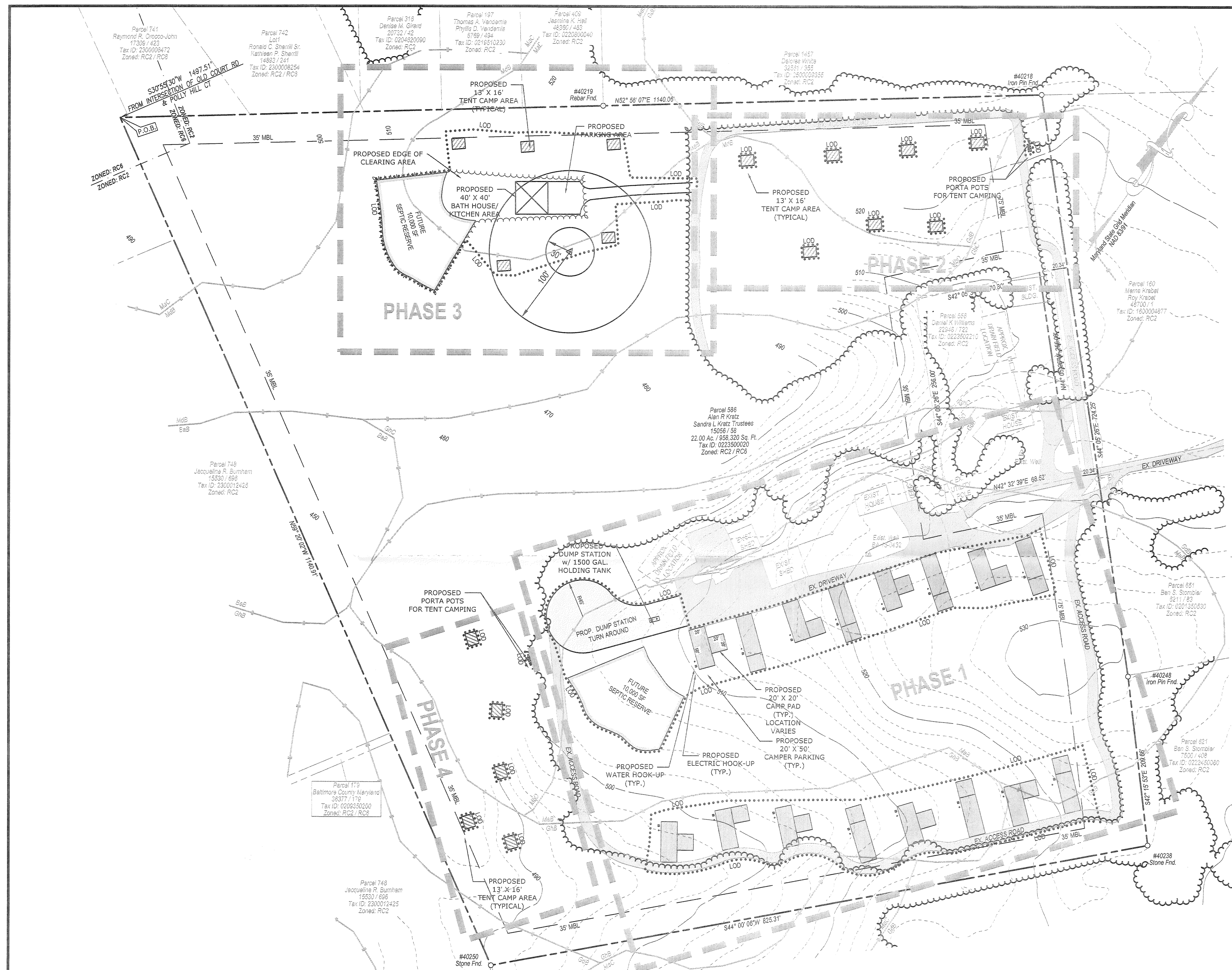
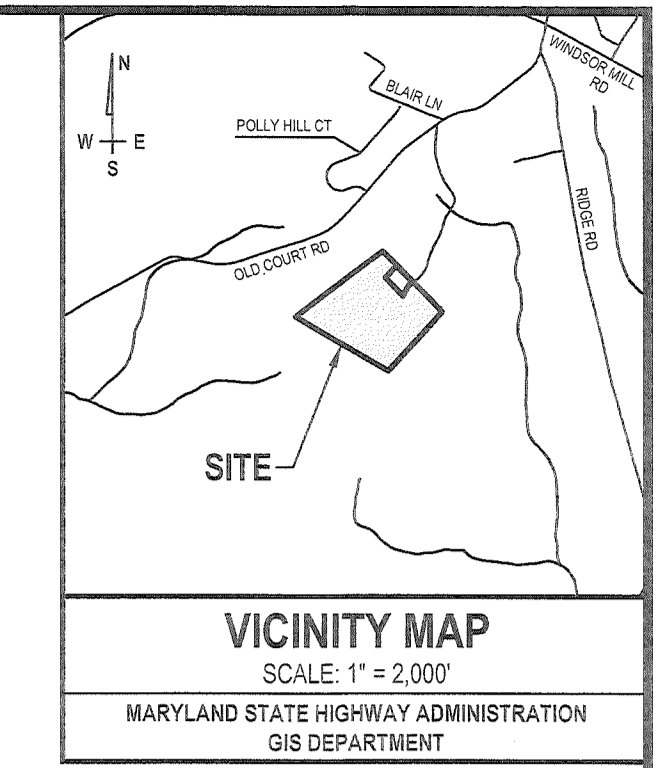
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Adam Maust, BPR Surveying
Anthony Gorski, Attorney
Yolanda Gregory, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



LIMIT OF DISTURBANCE
 PHASE 1 = 107400 SF / 2.465 AC
 PHASE 2 = 2545 SF / 0.058 AC
 PHASE 3 = 47130 SF / 1.082 AC
 PHASE 4 = 1885 SF / 0.043 AC

DATA BLOCK
 1. Zoning district: RC2
 2. Number of lots proposed: 1
 3. Total area of subdivision: 958320 SF / 22.00 AC

2024-0243-X

LEGEND	
	DENOTES SIMM DRYWELL
	DENOTES SOILS LINE
	DENOTES PROPOSED WELL
	DENOTES EXISTING WELL
	DENOTES PROPOSED SANDMOUND TEST
	DENOTES OBSERVATION HOLE
	DENOTES 25% SLOPES
	DENOTES PERCOLATION TEST
	DENOTES PASSED PERCOLATION TEST
	DENOTES FAILED PERCOLATION TEST

OWNER
Alan R Kratz Sandra L Kratz Trustees 9043 Old Court Rd Baltimore, MD 21244

SURVEYOR'S CERTIFICATE
 This is to certify that this survey was personally prepared by me or that I was in responsible charge over its preparation and the surveying work reflected in it and that this Survey is in compliance with COMAR Sections 09.13.06.12 of the Minimum Standards of Practice as now adopted by the board for Professional Land Surveyors.

Scott M. Landis
 I have reviewed this document
 slandis@bprsurveying.com
 2024.10.22 16:43:03-04'00'

Scott M. Landis Date
 Professional Land Surveyor (Maryland No. 21613)
 Expires/Renews: 8-18-2025

DATE	ISSUE	BY

LAND SURVEYING & CIVIL ENGINEERING
 150 Airport Drive, Suite 4
 Westminster, Maryland 21157 | WWW.BPRSURVEYING.COM

CONCEPT PLAN
PLAN TO ACCOMPANY SPECIAL EXCEPTION HEARING
9043 OLD COURT ROAD
 514 OBRECHT ROAD
 SYKESVILLE MD, 21784
 2nd ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
 TAX MAP - 87 GRID - 1 PARCEL - 556

SHEET 1 of 1

Baltimore County - My Neighborhood



NW 6-1

DRIVEWAY

OLD COURT RD

PAI # 020603

PAI # 020603

PAI # 020603

PAI # 020540

POLLY HILL CT

077A3

1961-5392-X

DRIVEWAY

1999-0061-A

RC 3

RC 5

PAI # 020540

2007-0234-SPH
1988-0245-SPH
1984-0204-X

PAI # 020540

GROWTH TIER 3

(New Major Subs. of 4 or More Additional Lots Req. Plan. Bd. Approval)

PAI # 020729

PAI # 020729

2018-0078-X

PAI PERMIT HOLD: See Dev. Mgt. - Rm. 123
Solar Facility - Needs Security & DRC Letter

PAI # 020729 PAI # 020729

2001-036

PAI # 02062

2008-0187-A

PA, PAI # 020546

PAI # 020546

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

4 CD

ROAD

PAI # 020546

NW 5-1

RC 6

RC 2

2 ED

1974-028

1974-011

2018-0048

087A1

PAI # 020526

PAI # 020759

PAI # 020526

PAI # 020526

PAI # 020526

PAI # 020759

PAI # 020759

PAI # 020759

PAI # 020759

RC 3

RC 6

NW 6-1

PAI # 020603

PAI # 020603

PAI # 020603

077A3

1999-0061-A

RC 5

2007-0234-SPH
1988-0245-SPH
1984-0204-X

1961-5392-X

RC 3

PAI # 020540

PAI # 020540

PAI # 020540

PAI # 020729

PAI # 020729

2018-0078-X

GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

PAI PERMIT HOLD: See Dev. Mgt. - Rm. 123
Solar Facility - Needs Security & DRC Letter

PAI # 020729 PAI # 020729

2001-036

PAI # 02062

2008-0187-A

PAI # 020546

PAI # 020546

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

4 CD

ROAD

1974-028

1974-011

2018-0045

NW 5-1

RC 6

RC 2

2 ED

087A1

PAI # 020546

PAI # 020759

PAI # 020526

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RC 3

RC 6

