

IN RE: PETITION FOR SPECIAL HEARING
SE 1/4 Chickentown Road, 709
SW of North Ruhl Road
(2615 Chickentown Road)
6th Election District
3rd Councilmanic District
Cynthia E. Riley, et al
Petitioners
BEFORE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-428-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners originally requested a special hearing to approve the addition of a .97 acre parcel to an adjoining, separately deeded, .46 acre parcel, in order for the building right of the .46 acre parcel to be utilized and the Baltimore County Health Department regulations for well and septic systems to be adhered to, as more particularly described on the plan submitted and identified as Petitioner's Exhibit 1.

At a hearing held on May 3, 1989, the Petitioners, by Cynthia E. Riley and Gregory S. Cornwell, appeared, testified, and were represented by Julius W. Lichter, Esquire and Howard Alderman, Esquire. Also appearing on behalf of the Petition was Russell Bell, a nearby property owner. There were no Protestants.

Testimony indicated that the subject property, known as 2615 Chickentown Road, consists of three proposed lots, Lot 1 containing 10.0 acres, Lot 2 containing 1.43 acres, and Lot 3 containing 2.26 acres, all zoned R.C. 2. Lot 3 is currently developed with a two story single family dwelling and detached garage. Lots 1 and 2 are proposed for development with single family residences. Petitioners purchased 16.24 acres of R.C. 2 land located off of Chickentown Road in northern Baltimore County on November 30, 1988. Said property has been a parcel of record since October 1951. Chickentown Road runs through a rear portion of the site, sepa-

rating 3.01 acres more or less of the subject property from the remaining acreage. Mrs. Riley testified that, based upon her discussions with personnel in the Zoning office and simultaneous to their purchase of the property, the Petitioners transferred the 3.01 acres to William and Alva Smith in exchange for a parcel of land owned by them located on the other side of Chickentown Road and contiguous to the remaining portion of Petitioner's property which contained 0.46 acres more or less. Said parcel was a parcel of record obtained by William Smith in June, 1975 and recorded in the land records of Baltimore County in June 1979. At the time of said transfer of the 3.01 acres to the Smiths, the deed referenced the transfer of the acreage as a non-density transfer for agricultural purposes. The original parcels and proposed parcels have been clearly depicted in Petitioner's Exhibit 2.

Subsequent to the May 3, 1989 hearing, it was agreed by all parties present that the hearing would be continued and Petitioners filed a revised Petition for Special Hearing to approve the transfer of density across a public road. The hearing on the amended Petition was held on September 19, 1989.

Testimony presented indicated Mr. Smith had been farming the 3.01 acres prior to its transfer and that he was extremely pleased with the transfer as the 3.01 acres could be farmed by him in contrast to the .46 acres, which was and would remain wooded. Mr. Cornwell, who currently is a part-time farmer with twelve years farming experience, testified that if the requested relief was granted, the spirit and intent of the R.C. zoning regulations would be met as the subdivision of the parcels provides for continued agricultural use. Petitioners agreed to file a plat in the land records of Baltimore County, which states that the parcels as set forth in

Petitioner's Exhibit 2, now owned by Petitioners, shall have no more than three density units and that said plat will be acknowledged by Mr. & Mrs. Smith verifying the 3.01 acres transferred to them shall be a non-density transfer for agricultural purposes only.

Counsel for Petitioners argued that the proposed relief was consistent with the Zoning Office's policy as set forth in R.S.D. 7 and met the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.), and the purpose of the R.C. 2 regulations for agricultural preservation.

Mr. Bell, a property owner of land further down Chickentown Road, testified as to his concerns with the proposed development of residential dwelling units in the area would have an adverse effect on agricultural uses. Mr. Bell noted the narrowness of Chickentown Road and feared the future placement of fences along the property lines which he argued would interfere with the ingress and egress of farm equipment from Ruhl Road onto Chickentown Road. Petitioners agreed that if any fencing were erected, it would be set back so as not to interfere with the farm equipment.

After due consideration of the testimony and evidence presented, it is clear the relief requested is appropriate and that practical difficulty would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of January, 1990 that the Petition for Special Hearing to approve the transfer of density from Parcel A on Petitioner's Exhibit 2 across the public road and the addition of a .97 acre parcel to an adjoining, separately deeded, .46 acre parcel, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioners shall have a new record plat recorded in the Land Records for Baltimore County depicting the parcels as set forth in Petitioner's Exhibit 2 and specifying the following:

a) The 3.01 acres shall contain no density units now and forever and shall be used for agricultural purposes only.

b) Petitioners agree that Lots 1, 2 and 3, as depicted in Petitioner's Exhibit 2, shall contain only three (3) density units, one (1) density unit per lot, unless the B.C.Z.R. are hereafter amended and additional density units are permitted as of right under the newly adopted regulations.

c) Lots 1 and 2 shall be used for agricultural purposes and the proposed dwellings shall be situated so as not to interfere with prime and productive soils as determined by the Baltimore County Department of Environmental Protection and Resource Management and the Office of Planning.

d) There shall be no structure of any nature, including, but not limited to, fences, erected within 15 feet of either side of Chickentown Road.

3) The new plat shall be signed by Petitioners and Mr. & Mrs. Smith and recorded in the Land Records for

Baltimore County within forty-five (45) days of the date of this Order.

4) Compliance with all Baltimore County Health Department regulations regarding development of Lots 1 and 2, including, but not limited to, well and septic systems.

5) Petitioners shall make reference to this case and the conditions and restrictions contained herein in all transfers of any portion of the subject property.

6) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or a duly Zoning Commissioner should approve an amendment to the relief requested in Case No. 89-428-SPH to permit the transfer of density across a public road.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Legal Owner(s):
Cynthia E. Riley
Type or Print Name
Signature
Gregory S. & Carol M. Cornwell
Type or Print Name
Signature
Augusta Bull Ransom Cornwell
Signature

19204 York Road 329-8055
Address
Parkton, MD 21120 Phone No.
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Julius W. Lichter, Esquire
Name 305 W. Chesapeake Ave, Ste. 113
Towson, Maryland 21204 321-0600
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of January, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19 day of September, 1989, at 9:30 o'clock P.M.

J. Robert Hines
Zoning Commissioner of Baltimore County

PARTICULAR DESCRIPTION OF A 0.971 ACRE TRACT

Beginning at a stone at the end of the front or S 25° E, 30.5 perch line which is recorded among the land records of Baltimore County in Liber No. 6039, Folio 53 dated June 25, 1919, thence S 55° 27' 26" W for a distance of 210.05 feet, thence N 21° 52' 29" W for a distance of 175.00 feet, thence N 39° 45' 09" E for a distance of 223.84 feet, thence with the centerline of Chicken Town Road for the next course, with a curve to the left in a southeasterly direction with a radius of 117.03 feet, an arc distance of 28.75 feet and being subtended by a chord S 37° 56' 07" E, 28.68 feet, thence S 21° 52' 29" E for a distance of 207.75 feet, to the point of beginning containing 42,332.14 square feet or 0.971 acres, more or less.

Being the same land, which by deed dated October 6, 1951, and recorded among the land records of Baltimore County in Liber No. 2024 Folio 377, was granted and conveyed by Frank H. Wams and Elizabeth C. Wams to Glenn Elwood McCullough and Jennie Irene McCullough.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances, and advantages to the same belonging or any wire appertaining.

Subject to any and all easements, right-of-way, restriction as previously recorded and lease agreement.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland 89-428-SPH
District 6th
Date of Posting April 8-89
Posted for: Special Hearing
Petitioner: Cynthia E. Riley, Gregory and Carol Cornwell
Location of property: SE side of Chickentown Road, 709 SW of North Ruhl Road, (2615 Chickentown Road)
Location of Sign: 1. Location sign at the intersection of Chickentown Road and North Ruhl Road, and 1 sign on SE side of Chickentown Road, front of subject property.
Remarks: A. J. Post
Posted by: A. J. Post
Number of Signs: 2
Date of return: 4-14-89

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 29, 1989
IS TO CERTIFY, that the annexed advertisement was in TOWSON TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive first publication appearing on August 24, 1989.
THE JEFFERSONIAN
TOWSON TIMES,
S. Zabe Olson
Publisher
PO 16241
M 3430
89-428-SPH
price \$ 90.53

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 6th Date of Posting: August 30, 89
 Petitioner: Cynthia E. Riley, et al.
 Location of property: SE corner of Chickentown Road, 709' SW of North Ruhl Road
 Location of Sign: Location signs at the intersection of Chickentown Road and North Ruhl Road, 1/2 mile S. side of Chickentown Road in front of subject property
 Posted by: D. J. Haines Date of return: September 1, 89
 Number of Signs: 2

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
 CASE NUMBER: 89-428-SPH
 2615 Chickentown Road, 709' SW of North Ruhl Road
 6th Election District - 3rd Councilmanic
 Petitioner(s): Cynthia E. Riley, et al.
 HEARING SCHEDULED: TUESDAY, SEPTEMBER 19, 1989 at 9:30 a.m.

Special Hearings To permit the transfer of density across a public road.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:ps
cc: Cynthia E. Riley
Gregory S. & Carol M. Cornwell
Julius W. Lichter, Esq.
Russell Bell
File

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

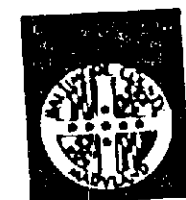
NAME	ADDRESS
Julius W. Lichter	305 W. Chesapeake Avenue 21204
GREGORY S. CORNWELL	10 Jordan Mill Ct White Hall MD 21161
CYNTHIA E. RILEY	18034 Park Rd. Parkton MD 21120
Howard L. Alderman, Jr.	305 W. Chesapeake Ave 21204

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Russell Bell	Freehold Md. 21053

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE: 9/6/89



Dennis F. Rasmussen
County Executive

Julius W. Lichter, Esq.
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204
 Re: Petition for Special Hearing
 CASE NUMBER: 89-428-SPH
 2615 Chickentown Road, 709' SW of North Ruhl Road
 6th Election District - 3rd Councilmanic
 Petitioner(s): Cynthia E. Riley, et al.
 HEARING SCHEDULED: TUESDAY, SEPTEMBER 19, 1989 at 9:30 a.m.

Dear Sir:

Please be advised that \$115.53 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Should you fail to return the sign & post set(s), there will be a charge for each such set.

BALTIMORE COUNTY, MARYLAND No. 074413

OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE: 9/19/89 ACCOUNT: R-001-615-000

AMOUNT: \$ 115.53

RECEIVED FROM: Riley & Cornwell

FOR: P.A. 9/19/89 (# 89-428-SPH)

BALTIMORE COUNTY, MARYLAND No. 074413

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AMOUNT: \$ 115.53

RECEIVED FROM: Riley & Cornwell

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AMOUNT: \$ 115.53

RECEIVED FROM: Riley & Cornwell

FOR: P.A. 9/19/89 (# 89-428-SPH)

BALTIMORE COUNTY, MARYLAND No. 074413

OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE: 9/19/89 ACCOUNT: R-001-615-000

AMOUNT: \$ 115.53

RECEIVED FROM: Riley & Cornwell

FOR: P.A. 9/19/89 (# 89-428-SPH)

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 6, 1989
 THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 6, 1989.

TOWSON TIMES,

S. Zeke Orlov
 Publisher

PO 10919
 reg M27121
 no 89-428-SPH

LAW OFFICES
 LEVIN & GANN
 A PROFESSIONAL ASSOCIATION
 305 W. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21204
 301-321-0600
 FAX 301-296-2801

March 21, 1989

J. Robert Haines, Zoning Commissioner
 Baltimore County Office of Planning and Zoning
 111 West Chesapeake Avenue
 Towson, Maryland 21204

RE: Petition for Special Hearing
 Cynthia E. Riley, et al - Petitioners
 Item No. 289

Dear Mr. Haines:

Please enter the appearance of Julius W. Lichter, Esquire, and Howard L. Alderman, Jr., Esquire, in the above referenced case on behalf of the Petitioners. In addition to any correspondence or notifications being sent to Petitioners, copies should also be forwarded to counsel.

Should you need additional information regarding this matter, please contact me.

Very truly yours,
 Howard L. Alderman, Jr.
 Howard L. Alderman, Jr.

HLAJr:lp
 cc: Ms. Cynthia E. Riley
 John Wayne, P.E.

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3353
 J. Robert Haines
 Zoning Commissioner

January 27, 1989

Cynthia E. Riley
 Gregory S. & Carol M. Cornwell
 19024 York Road
 Parkton, MD 21120

RE: Petition for Special Hearing
 Item #289
 2615 Chickentown Road
 6th Election District

Dear Ms. Riley & Mr. & Mrs. Cornwell:

I am in receipt of ten copies of the revised plans and three copies each of the zoning descriptions for the .971 acre parcel and the 1.43 acre parcel (.971 acre + .46 acre parcels). However, I cannot process this petition any further until I receive copies of all relevant deeds i.e., for the "straw dead", the .97 acre, .46 acre, 3.01 acre and the 13.23 acre tracts, etc.

Very truly yours,

John J. Sullivan, Jr.
 Planning & Zoning Associate III

JJS:ecj
 cc: File

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 6, 1989
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 6, 1989.

THE JEFFERSONIAN,

S. Zeke Orlov
 Publisher

PO 10919
 reg M27121
 no 89-428-SPH
 price \$114.34

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-3353
 J. Robert Haines
 Zoning Commissioner

March 17, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
 CASE NUMBER: 89-428-SPH
 2615 Chickentown Road, 709' SW of North Ruhl Road
 6th Election District - 3rd Councilmanic
 Petitioner(s): Cynthia E. Riley, Gregory and Carol Cornwell
 HEARING SCHEDULED: WEDNESDAY, MAY 3, 1989 at 10:30 a.m.

Special Hearings: The addition of .97 ac. parcel to an adjoining .46 acre parcel to be utilized and the Baltimore County Health Department regulations for well and septic to be adhered to. Both parcels are in an RC-2 zone and the 97 acre parcel will be coming from a larger tract which will be utilizing its two density units.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
 Zoning Commissioner of
 Baltimore County

cc: Cynthia E. Riley
 Gregory & Carol Cornwell
 File

Julius Lichter - 3/22/89

3/23/89
Date

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

pg Commissioner
Office of Planning and Zoning
County Office Building
Baltimore, Maryland 21204

Zoning Advisory Committee Meeting of February 23, 1989

Property Owner: Cynthia E. Rely; Gregory Cairwell, et al District: C

Address: 2415 Chickentown Road Sewage Disposal: private

* Supply: private

REMARKS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

() Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.

() A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s), (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. Upon complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the state Department of the Environment.

() Prior to raising or existing structure(s), petitioner must contact the Division of Waste Management at 887-3775 regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed tanker and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.

() Soil percolation tests have been conducted.

() The results are valid.

() Soil permeability test results have expired. Petitioner should contact the Division of Water Management and Sewer to determine whether additional tests are required.

() where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County standards must be drilled.

In accordance with Section 13-3 of the Baltimore County Code, the water well yield test shall be valid until _____.

() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

If submission of plans to the County Review Group is required, a hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.

In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.

Others _____

BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

CALMAN A LEVIN
 STANFORD C. GANN*
 MELVIN A. STEINBERG
 JULIO W. LICHTER
 SONET WEHMAN
 ROBERT L. PELLIER
 ANDREW E. SANDLER
 RANDOLPH C. KNEPPER
 CAROLE E. GOLD
 MICHAEL J. KAPTEL
 BRIAN J. FRANE
 HOWARD L. ABRAMMAN, JR.
 JUDITH S. GANN*
 MARC C. GANN*
 MATS E. GIFTMAN
 EDWARD B. STEINBERG
 *ALSO ADMITTED IN DC
 *ALSO ADMITTED IN NEW YORK

LAW OFFICES
LEVIN & GANN
 A PROFESSIONAL ASSOCIATION
 305 W. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21204
 1-201-6660
 FAX 301-206-2501

ELLIS LEVIN 0893-1960
 BALTIMORE OFFICE
 900 MERCANTILE BANK & TRUST BUILDING
 2 FLOORS PLAZA
 BALTIMORE, MARYLAND 21201
 301-599-3700
 TELECOVER 301-625-9050
 CARROLL COUNTY OFFICE
 837 LIBERTY ROAD
 STYKEVILLE, MD 20784

March 21, 1990

RECEIVED
 MAR 22 1990
ZONING OFFICE

HAND DELIVERED

Ann M. Nastarowicz, Esquire
 Deputy Zoning Commissioner
 Baltimore County Office of Planning & Zoning
 111 West Chesapeake Avenue
 Towson, Maryland 21204

RE: Plat of "Jennie's View" - Chickentown Road
 Case No. 89-428-SPH
 Clarification of Order

Dear Commissioner Nastarowicz:

Enclosed please find the Final Plat of Jennie's View, revised consistent with your order of January 11, 1990 and our telephone conversation of last week. As discussed, the note regarding the number of units presently permitted on each lot indicates "dwelling" rather than "density" units.

I have received a telephone call from Anthony L. Brennan, Esquire, counsel to a potential contract purchaser of proposed Lot 1 as shown on the enclosed plat. Mr. Brennan expressed concern regarding the use of "density unit" in your order and the restriction of proposed Lots 1 and 2 for agricultural uses. Mr. Brennan has asked me to obtain written verification from your office that: 1) a single "dwelling" unit can be constructed on each of the proposed lots; and 2) that uses accessory to the dwelling units i.e. garage, pool etc. are permitted as of right.

I assured Mr. Brennan that the intent of the Order was to permit both a single dwelling unit and uses accessory thereto. However, written verification of this intent is needed to permit contract negotiations to be concluded. It is anticipated that such verification will definitely be needed to satisfy lender's counsel.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

April 3, 1990

Howard L. Alderman, Jr., Esquire
Levin & Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
SE/S Chickentown Road, 709' SW of North Ruhl Road
(2615 Chickentown Road)
6th Election District - 3rd Councilmanic District
Cynthia E. Riley, et al - Petitioners
Case No. 89-428-SPH

Dennis F. Rasmussen
County Executive

Dear Mr. Alderman:

In response to your letter dated March 21, 1990 and subsequent conversation regarding the above-captioned matter, the following additional comments are offered.

As previously stated, the restrictions contained in the Order issued January 11, 1990 were applied to insure that Lots 1 and 2 were used for agricultural purposes as presented at the hearing. Therefore, the location of any accessory uses to the dwelling units on Lots 1 and 2, as well as the location of the dwelling itself, must be approved by the Department of Environmental Protection and Resource Management and the Office of Planning to insure that they do not interfere with prime and productive soils or agricultural uses. Upon receipt of such documentation, our office will sign off on any permits, provided the accessory uses are in compliance with the Baltimore County Zoning Regulations (B.C.Z.R.) dealing with same, including, but not limited to, Sections 101 and 400 of the B.C.Z.R.

Should you have any further questions on the subject, please do not hesitate to contact me.

Very truly yours,
A. H. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

January 11, 1990

Julius W. Lichter, Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

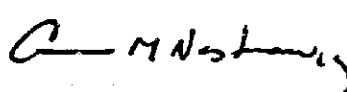
RE: PETITION FOR SPECIAL HEARING
SE/S Chickentown Road, 709' SW of North Ruhl Road
(2615 Chickentown Road)
6th Election District - 3rd Councilmanic District
Cynthia E. Riley, et al - Petitioners
Case No. 89-428-SPH

Dennis F. Rasmussen
County Executive

Dear Mr. Lichter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,


ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Place file 3/4/90 72 Howard
LAW OFFICES
LEVIN & CANN
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 301-251-0500
FAX 301-251-2800
March 9, 1990
Ann M. Nastarovich, Esquire
Deputy Zoning Commissioner
Baltimore County Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204
RE: Chickentown Road - Special Hearing
Final Plat
Case No. 89-428-SPH
C. Riley et al. Petitioners
Dear Commissioner Nastarovich:
In accordance with the restrictions contained in your final order in the above-referenced case, I enclose herewith a paper copy of the final plat for this property. Delays were encountered in securing the necessary approvals of DEPRM, due to the still evolving policy regarding prime and productive agricultural soils and other additions required to the plat by DEPRM.
You will note that all required signatures have been affixed to this plat. Absent any objection from your office, we intend to record this plat among the Land Records of Baltimore County on or before March 14, 1990.
Please call me if you desire any further information or modification to this plat.
Very truly yours,
Howard L. Alderman, Jr.
HIA/lis
Enclosure
cc: Ms. Cynthia Riley

LEIN 8 0 7 8 PAGE 8 2 6
COPY
This Deed, Made This 30th day of November
in the year one thousand nine hundred and eighty-eight
by and between
GREGORY S. CORNWELL, CAROL M. CORNWELL, his wife, and CYNTHIA E. RILEY,
of Baltimore County, State of Maryland, parties
of the first part, and
WILLIAM KENNETH SMITH and ELVA MAY SMITH, his wife, parties
of the second part.
WITNESSETH, That in consideration of the sum of ZERO (\$0) Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged
the said parties of the first part
do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives/assigns and assigns, as to the remaining undivided one-half interest
in fee simple, all
that lot of ground situate in Baltimore County, State of Maryland,
and described as follows, that is to say:
FOR DESCRIPTION: See Exhibit "A" attached hereto and made a part hereof.
B R C F 17.00
B T IX 11.00
B DCS 11.00
SH CLEK 11.00
850710 C044 REV. 1/2/88
RECEIVED FOR TRANSFER
State Dept. of
Assessment & Taxation
JRK 11/18/89
PETITIONER'S
EXHIBIT 3
AGRICULTURAL TRANSFER TAX
NOT APPLICABLE - LETTER OF INTENT
SIGNATURE Date
for Certificate and Fee Payment

BAITMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
TO: J. Robert Haines, Zoning Commissioner
FROM: Pat Keller, Deputy Director, Office of Planning and Zoning
SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case No. 89-428-SPH
Item No. 289
Re: Cynthia E. Riley, et al.
DATE: May 3, 1989
RECEIVED
MAY 3 1989
ZONING OFFICE
This office opposes this petition. Section 1A01.1.A.1.d., Baltimore County Zoning Regulations, states clearly that urban intrusion into productive agricultural areas not only destroys the specific area on which the development occurs, but is incompatible with the agricultural use of the area. Furthermore, Sections 1A00.1.d. and 1A00.1.f., Baltimore County Zoning Regulations, raise concerns about the County's ability to provide services to "urban sprawl" development.
The Zoning Regulations are clear with respect to density and lot size. Section 1A01.3.B.2 states that a lot less than 1 acre may not be created as an RC 2 zone. The 0.46 acre parcel created by deed 8078/823 would not be considered a building lot by this section. The proposal to add a 0.97 acre parcel to a 0.46 acre parcel is not viable because neither parcel has any density inherent to it. In addition, the request violates the intent of the Baltimore County Zoning Regulations and the goals of the RC 2 zone.
This office recommends that any subdivision of the 13.23 acre parcel which remained after the conveyance of the 3.01 acre of land to William E. Smith in deed 8078/823 be done in a manner that best protects the agricultural value of the land. The following recommendations should be considered:
a. dwelling and lots will be located in a manner to permit the maximum retention of agricultural value to the remainder of the property;
b. wherever possible dwelling should not be located on actively farmed land or prime or productive soils;
c. maximum lot size should be three acres but still subject to one dwelling per 50 acres maximum density per parcel;
d. building setbacks should be a minimum of 100' from a lot line, which borders farmland in prime or productive soils;
e. dwellings should be located along existing roads unless use of a panhandle is necessary to comply with a. or b. listed above; and
f. lots located along existing roads should provide, when possible and when not in conflict with the other standards, for common access to reduce road cuts.

Proposed Revision 14 Dec 88
RSD-10 SUBDIVIDING R.C.-2 ZONED LAND
(See Also RSD-2 & RSD-8)
Subdivision or further subdividing of legally existing R.C.-2 zoned lots of record prior to Bill 178-79 (effective 11/25/79) is permitted provided that:
only the most recent deed shall be used to determine the number of lots of record and that:
the lots recorded met the existing zoning regulations at that time.
If the property is recorded by multiple deeds or the deed contains multiple parcels, or the subdivision needs further clarification, the following may be required at the discretion of the Zoning Commissioner:
1. To properly identify the parcels, a property plat should be prepared listing and color coding each parcel according to the description in the deed.
2. The plats, deeds, and other supporting documentation should be prepared and certified by either a land surveyor, registered professional engineer or title attorney.
3. All of the above information and documents should be submitted for review at least 15 working days prior to zoning approval or the C.R.G. meeting.
When legally existing parcels or deeds qualify to be subdivided or resubdivided, each separate parcel must be subdivided individually.
If the intent is to reconfigure the existing lots, the main purpose must be for the protection and preservation of farm land and not to create "more uniform" lots for homesites.
See the Following Cases:
89-428-SPH
88-314-SPH - 88-227 SPH
85-281-SPH
85-104-SPH

LEIN 8 0 7 8 PAGE 8 2 0
COPY
This Deed, Made This 30th day of November
in the year one thousand nine hundred and eighty-eight
by and between
GLENN ELWOOD MCCULLOUGH
of Baltimore County, State of Maryland, party
of the first part, and
GREGORY S. CORNWELL and CAROL M. CORNWELL, his wife, and CYNTHIA E. RILEY, parties
of the second part.
WITNESSETH, That in consideration of the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged,
the said party of the first part
do grant and convey to the said Gregory S. Cornwell and Carol M. Cornwell, his wife, as tenants by the entireties, their assigns, the survivor of them and such survivor's personal representatives and assigns, as to an undivided one-half interest; and to the said Cynthia E. Riley, her personal representatives and assigns, as to the remaining undivided one-half interest
in fee simple, all
that lot of ground situate in Baltimore County, State of Maryland,
and described as follows, that is to say:
FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.
AGRICULTURAL TRANSFER TAX
NOT APPLICABLE - LETTER OF INTENT
SIGNATURE Date
RECEIVED FOR TRANSFER
State Dept. of
Assessment & Taxation
JRK 11/18/89
B R C F 17.00
B T IX 11.00
B DCS 11.00
SH CLEK 11.00
850710 C044 REV. 1/2/88
PETITIONER'S
EXHIBIT 3

LEIN 8 0 7 8 PAGE 8 2 6
This Deed, Made This 30th day of November
in the year one thousand nine hundred and eighty-eight
by and between
GREGORY S. CORNWELL, CAROL M. CORNWELL, his wife, and CYNTHIA E. RILEY,
of Baltimore County, State of Maryland, parties
of the first part, and
WILLIAM KENNETH SMITH and ELVA MAY SMITH, his wife, parties
of the second part.
WITNESSETH, That in consideration of the sum of 12500 (\$0) Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged
the said parties of the first part
do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives/assigns and assigns, as to the remaining undivided one-half interest
in fee simple, all
that lot of ground situate in Baltimore County
and described as follows, that is to say:
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JRK 11/18/89
AGRICULTURAL TRANSFER TAX
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SIGNATURE Date
for Certificate and Fee Payment

LEIN 8 0 7 8 PAGE 8 2 3
COPY
This Deed, Made This 30th day of November
in the year one thousand nine hundred and eighty-eight
by and between
WILLIAM KENNETH SMITH and ELVA MAY SMITH, his wife,
of Baltimore County, State of Maryland, parties
of the first part, and
GREGORY S. CORNWELL and CAROL M. CORNWELL, his wife, and CYNTHIA E. RILEY, parties
of the second part.
WITNESSETH, That in consideration of the sum of No Consideration and other good and valuable considerations, the receipt whereof is hereby acknowledged,
the said parties of the first part
do grant and convey to the said Gregory S. Cornwell and Carol M. Cornwell, his wife, as tenants by the entireties, their assigns, the survivor of them and such survivor's personal representatives and assigns, as to an undivided one-half interest; and to the said Cynthia E. Riley, her personal representatives and assigns, as to the remaining undivided one-half interest
in fee simple, all
that lot of ground situate in Baltimore County, State of Maryland,
and described as follows, that is to say:
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JRK 11/18/89
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B T IX 11.00
B DCS 11.00
SH CLEK 11.00
850710 C044 REV. 1/2/88
PETITIONER'S
EXHIBIT 4

LEIN 8 0 7 8 PAGE 8 2 6
This Deed, Made This 30th day of November
in the year one thousand nine hundred and eighty-eight
by and between
GREGORY S. CORNWELL, CAROL M. CORNWELL, his wife, and CYNTHIA E. RILEY,
of Baltimore County, State of Maryland, parties
of the first part, and
WILLIAM KENNETH SMITH and ELVA MAY SMITH, his wife, parties
of the second part.
WITNESSETH, That in consideration of the sum of 12500 (\$0) Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged
the said parties of the first part
do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives/assigns and assigns, as to the remaining undivided one-half interest
in fee simple, all
that lot of ground situate in Baltimore County
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AGRICULTURAL TRANSFER TAX
NOT APPLICABLE - LETTER OF INTENT
SIGNATURE Date
for Certificate and Fee Payment



1) LOT 1 & 5 ARE TO BE SUBDIVIDED
 2) LOT 1 IS TO BE 100 ACRES
 3) LOT 5 IS TO BE 100 ACRES
 4) LOT 1 & 5 ARE TO BE SUBDIVIDED
 5) LOT 1 & 5 ARE TO BE SUBDIVIDED
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 99) LOT 1 & 5 ARE TO BE SUBDIVIDED
 100) LOT 1 & 5 ARE TO BE SUBDIVIDED

LEGEND
ESTABLISHED BOUNDARY LINE
CENTER-LINE RD. (DEED)
PREVIOUS BOUNDARY LINE
PERCOLATION TEST
PROPOSED HOUSE
WELL
PROPOSED WELLS

CURVE NO.	DELTA	RADIUS	ARC	TAN	CHORD	BEARING
1	11° 22' 07"	30.40'	53.00'	20.0'	53.71'	S 25° 39' 03" E
2	12° 17' 05"	117.03'	10.00'	545'	10.93'	S 26° 13' 57" E
3	12° 27' 34"	117.03'	10.00'	545'	10.93'	S 26° 13' 57" E
4	12° 10' 10"	117.03'	10.00'	545'	10.93'	S 26° 13' 57" E
5	12° 10' 10"	117.03'	10.00'	545'	10.93'	S 26° 13' 57" E

FINAL PLAT

"DERRIE'S VIEW"

Located 1/4 of

CHICKEN TOWN ROAD

SIXTH ELECTION DISTRICT

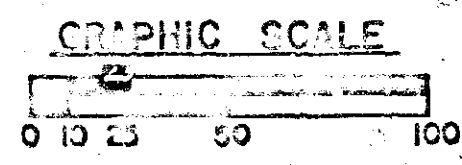
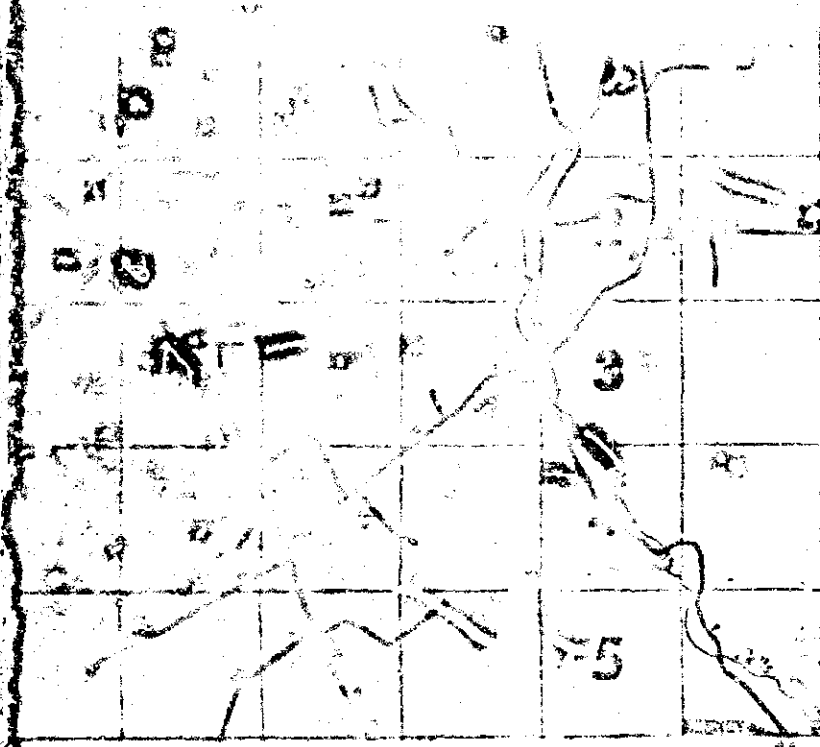
THOMAS COUNTY, MARYLAND

CONSULTING ENGINEERS

1450 YORK ROAD

THOMAS, MD. 21088

301-222-6000



CHICKENTOWN ROAD (PUBLIC)

McCullough To Cornwell/Riley
3372/820
16.24 ± AC

GENERAL NOTES

- 1) NO KNOWN OIL OR CHEMICAL TANKS ON ADJACENT PROPERTIES.
- 2) NO EXISTING PUBLIC WATER OR SEWER LINES.
- 3) PROPERTY IS LOCATED IN ZONE "RS-2".
- 4) DEVELOPER IS: CODY RILEY, PROPERTY & CAROL CORNWELL, FAIRFAX, I.D.
- 5) ACERAGE: LOT 1 435,503.40 ± 100 AC ±
LOT 2 62,472.25 ± 1.43 AC ±
LOT 3 98,492.47 ± 2.26 AC ±
- 6) SOIL TYPES: C602 below contour line 840 (A)
C602 above 840 (C)
- 7) REVISED DATE 1/17/87

LEGEND

- ESTABLISHED BOUNDARY LINE
- CENTER-LINE RD. (DEED)
- PREVIOUS BOUNDARY LINE
- PERCOLATION TEST
- NO. 4 REDAR SET
- STONE FOUND
- PK NAIL SET
- EXIST. WELL / PROPOSED WELL

CURVE DATA

CURVE NO.	DELTA	RADIUS	ARC	TAN	CHORD	BEARING
1.0 (1)	11° 22' 07"	301.40'	59.00'	30.0'	59.71'	S 25° 39' 09" E
1.0 (2)	00° 19' 55"	117.03'	10.89'	5.45'	10.89'	S 23° 13' 57" E
1.0 (3)	22° 24' 34"	117.03'	66.20'	34.01'	65.32'	S 47° 05' 11" E
1.0 (4)	12° 18' 15"	103.54'	33.65'	12.00'	33.76'	S 75° 00' 08" E
1.0 (5)	42° 13' 23"	53.42'	53.39'	31.14'	55.04'	N 65° 23' 46" E

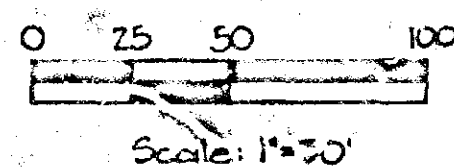
FINAL PLAT

JENNIE'S VIEW
Located off of
CHICKEN TOWN ROAD
SIXTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND.

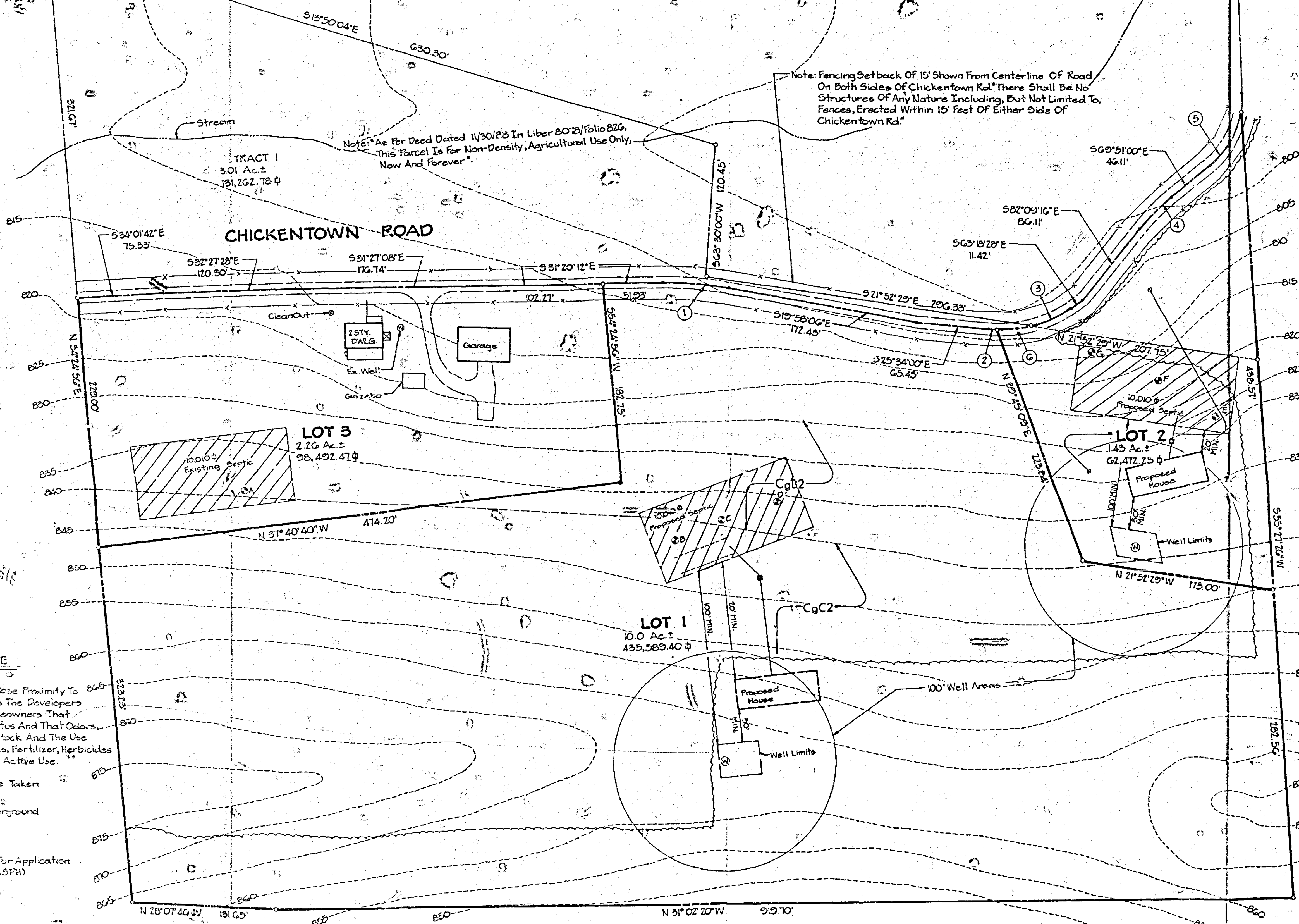
WHITNEY
BAILEY
COX
MAGNANI

CONSULTING
ENGINEERS
1830 YORK ROAD
TIMONUM, MD. 21093
301-252-6060

DATE OF FIELD SURVEY 11/18/83 SCALE 1"=40'
DRAWN BY FELDMAN CHECKED BY J. WATNE DATE 12/20/83
W.D.C. NO. 92-236-03 SHEET NO. 1



Note: Basis Of Bearing Based On
Deed G039/053



Note: Fencing Setback Of 15' Shown From Centerline Of Road
On Both Sides Of Chickentown Rd. There Shall Be No
Structures Of Any Nature Including, But Not Limited To,
Fences, Erected Within 15' Feet Of Either Side Of
Chickentown Rd.

Note: As Per Deed Dated 11/30/83 In Liber 8072/Folio 826,
This Parcel Is For Non-Density, Agricultural Use Only,
Now And Forever.

LOTS 1, 2 AND 3 AS SHOWN HEREON SHALL CONTAIN ONLY ONE
(1) DWELLING UNIT PER LOT, HAVING A COMBINED TOTAL OF
THREE DWELLING UNITS, UNLESS THE BALTIMORE COUNTY ZONING
REGULATIONS ARE AMENDED AFTER THE EFFECTIVE DATE OF THE
ORDER OF THE ZONING COMMISSIONER IN CASE NO. 89-428-SPH
(JANUARY 11, 1990), AND ADDITIONAL DWELLING UNITS ARE
PERMITTED AS OF RIGHT UNDER NEWLY ADOPTED REGULATIONS.

LOTS 1 AND 2 AS SHOWN HEREON SHALL BE USED FOR
AGRICULTURAL PURPOSES, AND THE PROPOSED DWELLINGS SHALL
BE SITUATED SO AS NOT TO INTERFERE WITH PRIME AND
PRODUCTIVE SOILS AS DETERMINED BY THE BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE
MANAGEMENT AND THE OFFICE OF PLANNING.

AGRICULTURAL NOTE

Note: This Proposed Development Is In Close Proximity To
Active Agricultural Operations. It Is The Developers
Responsibility To Advise Future Homeowners That
Agriculture Has A Transferred Use Status And That Odors,
Noise, Dust, Farm Equipment, Livestock And The Use
Of Agricultural Chemicals (Pesticides, Fertilizer, Herbicides
And Other Control Agents) Are In Active Use.

Approximate Location Of Woods Line Taken
From U.S.G.S. Quadrant Map.

Note: There Is No Visible Evidence Of Underground
Real Tunnels.

Note: Case Number Must Be Referenced For Application
For Building Permits (Case# 89-428-SPH).

Soil Types: CgCz= Chester Gravelly Silt Loam, 8 To 15% Slopes
CgBz= Chester Gravelly Silt Loam, 3 To 8% Slopes

CURVE DATA						
CURVE NO.	DELTA	RADIUS	ARC	TAN	CHORD	BEARING
NO. (1)	11° 22' 07"	301.40'	59.60'	30.0'	59.71'	S 25° 39' 03" E
NO. (2)	05° 19' 55"	117.03'	10.89'	5.45'	10.89'	S 28° 13' 57" E
NO. (3)	32° 24' 34"	117.03'	66.20'	34.01'	65.32'	S 47° 05' 11" E
NO. (4)	12° 18' 16"	135.54'	33.85'	20.0'	139.78'	S 76° 00' 05" E
NO. (5)	42° 18' 29"	80.42'	59.38'	31.54'	59.04'	N 88° 53' 45" E
NO. (6)	14° 04' 36"	117.03'	28.75'	14.45'	28.66'	S 37° 55' 01" E

OWNERS CERTIFICATE:

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT,
HEREBY CERTIFIES THAT, TO THE BEST OF ITS KNOWLEDGE,
THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-103 OF
THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE
OF MARYLAND HAS BEEN COMPLIED WITH, INsofar AS SAME
CONCERN THE MAKING OF THE PLAT AND THE SETTING OF THE
MARKERS.

John D. Wynn 2-12-90
DATE

REVISED *John D. Wynn* DATE: 2/22/90

SURVEYORS CERTIFICATE:

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE
STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE
SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND
SHOWN ON THIS PLAT HAS BEEN Laid Out AND THE PLAT
THEREOF HAS BEEN PREPARED, IN COMPLIANCE WITH
SUBSECTION (C) OF SECTION 3-103 OF THE REAL PROPERTY
ARTICLE OF THE ANNOTATED CODE OF MARYLAND,
PARTICULARLY INsofar AS SAME CONCERN THE MAKING OF
THE PLAT AND SETTING OF THE MARKERS.

John D. Wynn 2-12-90
DATE

REVISED *John D. Wynn* DATE: 3/19/90

FINAL PLAT "JENNIE'S VIEW"

Located Off Of
CHICKENTOWN ROAD
Sixth Election District
Baltimore County, Maryland



**WHITNEY
BAILEY
COX
MAGNANI** CONSULTING
ENGINEERS
1850 YORK ROAD
TIMONUM, MD. 21093
301-252-6060

DATE OF FIELD SURVEY 2/15/90 SCALE 1"=50'
DRAWN BY MAV CHECKED BY JWW DATE 2/28/90
S.B.C.M. 89-428-SPH SHEET NO. 1

3-5-90
DIRECTOR, DEPT. OF ENVIRONMENTAL PROTECTION
RESOURCE MANAGEMENT
DATE
P.S.

A BOUNDARY SURVEY FOR CINDY RILEY, BALTIMORE COUNTY, MARYLAND

PARTICULAR DESCRIPTION
OF LAND
SURVEYED FOR CINDY RILEY

DESCRIPTION I, DESCRIBES A 16.24 ACRE TRACT

Beginning at a stone said stone being the same beginning point of a parcel of land which by deed dated October 6, 1951, and recorded among the land records of Baltimore County in Liber No. 2024, Folio 377 was conveyed by Frank H. Wams and Elizabeth C. Wams to Glenn Elwood McCullough and Jennie Irene McCullough thence N 28° 07' 40" W for a distance of 131.65 feet, to a stone, thence N 54° 24' 56" E for a distance of 874.5 feet, thence S 13° 50' 04" E for a distance of 630.3 feet, thence S 63° 30' 30" W for a distance of 120.45 feet, thence S 21° 52' 29" E for a distance of 504.08 feet, to a stone, thence S 55° 27' 26" W for a distance of 492.56 feet, thence N 21° 02' 26" W for a distance of 219.70 feet to the point of beginning containing 707,677.47 square feet or 16.24 acres, more or less.

Being all and the same land, which by deed dated October 6, 1951, and recorded among the land records of Baltimore County in Liber No. 2024, Folio 377, was granted and conveyed by Frank H. Wams and Elizabeth C. Wams to Glenn Elwood McCullough and Jennie Irene McCullough.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances, and especially the right to the use of a spring as granted in a deed referred to herein after from Margaret Masenore and husband to William Shearers.

DESCRIPTION II, DESCRIBES A 0.46 ACRE TRACT

Beginning at a stone at the end of the fifth or S 21° 52' 29" E, 504.08 foot line given in the first description herein above, also at the end of the fourth and S 25° 34' 00" E, 30.5 perch line which is recorded among the land records of Baltimore County in Liber No. 6039, Folio 53 dated June 25, 1979. Thence N 21° 52' 29" W for a distance of 207.75 feet, to the centerline of Chicken Town Road. Thence with the centerline of Chicken Town Road for the next six courses, with a curve to the left in a southeasterly direction with a radius of 177.03 feet, an arc distance of 37.44 feet and being subtended by a chord S 54° 08' 32" E 37.28 feet, thence S 63° 18' 28" E for a distance of 11.42 feet, thence S 63° 18' 28" E for a distance of 11.42 feet, thence with a curve to the right in a southeasterly direction with a radius of 185.54 feet, an arc distance of 39.85 feet and being subtended by a chord S 76° 00' 08" E, 39.77 feet, thence S 69° 51' 00" E for a distance of 46.11 feet, thence with a curve to the left in a southeasterly direction with a radius 80.42 feet, an arc distance of 59.38 feet and being subtended by a chord N 88° 59' 46" E for a distance of 58.04 feet thence S 55° 27' 26" W for a distance of 219.70 feet to the point of beginning containing 20,140.11 square feet or 0.46 acres, more or less.

Being the same tract of land which was conveyed by C. Wilbert Smith and Eleanor A. Smith to William Kenneth Smith, on June 12th, 1975 and recorded among the land records of Baltimore County in Liber No. 5537 Folio 730.

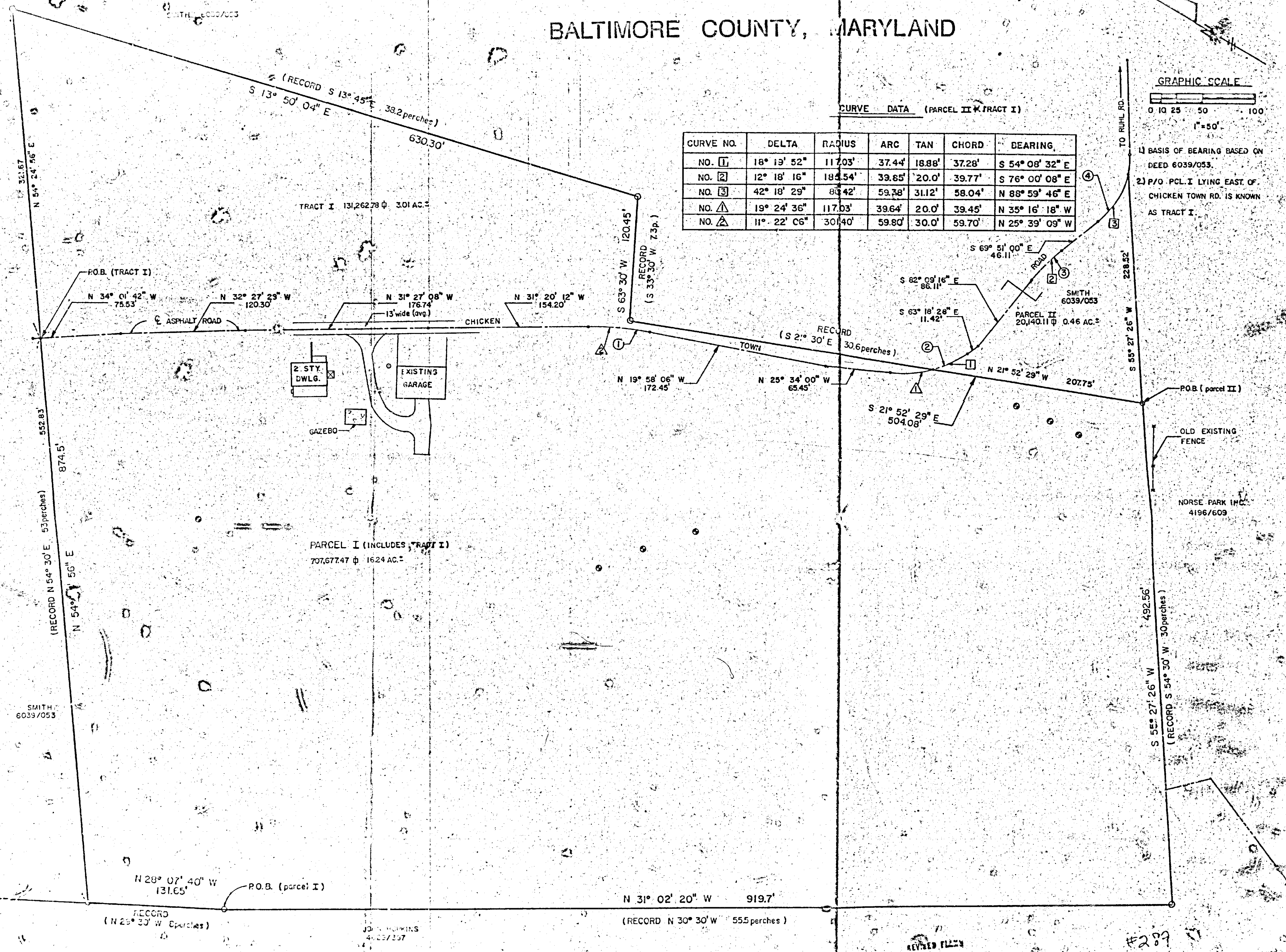
Together with the buildings and improvements thereupon erected, made or being and all and ever, the rights, alleys, ways, waters, privileges, appurtenances, and advantages, to the same belonging or anywise appertaining.

DESCRIPTION III, DESCRIBES A 3.01 ACRE TRACT

Beginning at a stone said stone being the same beginning point of a parcel of land which by deed dated October 6, 1951, and recorded among the land records of Baltimore County in Liber No. 2024, Folio 377 was conveyed by Frank H. Wams and Elizabeth C. Wams to Glenn Elwood McCullough and Jennie Irene McCullough. N 28° 07' 40" W for a distance of 131.65 feet, to a stone, thence N 54° 24' 56" E for a distance of 874.5 feet, thence S 13° 50' 04" E for a distance of 630.3 feet, thence S 63° 30' 30" W for a distance of 120.45 feet, thence S 21° 52' 29" E for a distance of 504.08 feet, to the centerline of Chicken Town Road, thence with the centerline of Chicken Town Road for the next eight courses, with a curve to the right in a northwesterly direction with a radius of 117.03 feet, an arc distance of 37.44 feet and being subtended by a chord N 35° 16' 18" W, 39.45 feet, thence N 25° 34' 00" W for a distance of 65.45 feet, thence N 19° 58' 06" W for a distance of 172.45 feet, thence with a curve to the left in a northwesterly direction with a radius of 321.40 feet, an arc distance of 59.38 feet and being subtended by a chord N 25° 39' 03" W, 59.70 feet, thence N 31° 02' 20" W for a distance of 919.7 feet, thence N 31° 27' 08" W for a distance of 176.74 feet, thence N 32° 27' 25" W for a distance of 120.30 feet, thence N 34° 01' 42" W for a distance of 75.53 feet to the true point of beginning containing 131,262.78 square feet or 3.01 acres, more or less.

Being all and part of the same land, which by deed dated October 6, 1951, and recorded among the land records of Baltimore County in Liber No. 2024, Folio 377, was granted and conveyed by Frank H. Wams and Elizabeth C. Wams to Glenn Elwood McCullough and Jennie Irene McCullough.

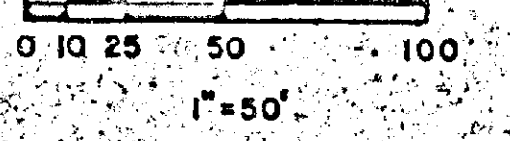
Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances, and especially the right to the use of a spring as granted in a deed referred to herein after from Margaret Masenore and husband to William Shearers.



CURVE DATA (PARCEL II & TRACT I)

CURVE NO.	DELTA	RADIUS	ARC	TAN	CHORD	BEARING
NO. 1	18° 19' 52"	117.03'	37.44'	18.88'	37.28'	S 54° 08' 32" E
NO. 2	12° 18' 16"	184.54'	39.65'	20.0'	39.77'	S 76° 00' 08" E
NO. 3	42° 18' 29"	83.42'	59.38'	31.12'	58.04'	N 88° 59' 46" E
NO. 4	19° 24' 36"	117.03'	39.64'	20.0'	39.45'	N 35° 16' 18" W
NO. 5	11° 22' 06"	301.40'	59.80'	30.0'	59.70'	N 25° 39' 09" W

GRAPHIC SCALE



- 1) BASIS OF BEARING BASED ON DEED 6039/053.
- 2) P/O PCL. I LYING EAST OF CHICKEN TOWN RD. IS KNOWN AS TRACT I.

LEGEND	
---	ESTABLISHED BOUNDARY LINE
---	CENTER-LINE OF EXIST. LIVING
○	PERMANENT TEST POLE
○	STONE FOUND
○	NO. 4 IRON SET

CURVE DATA (CHICKEN TOWN ROAD)

CURVE NO.	DELTA	RADIUS	ARC	TAN	CHORD	BEARING
NO. 1	11° 22' 07"	301.40'	59.80'	30.0'	59.70'	S 25° 39' 09" E
NO. 2	37° 44' 23"	117.03'	77.03'	40.0'	75.70'	S 44° 26' 14" E
NO. 3	12° 18' 16"	184.54'	39.65'	20.0'	39.77'	S 76° 00' 08" E
NO. 4	42° 18' 29"	83.42'	59.38'	31.12'	58.04'	N 88° 59' 46" E

I, JOHN D. WAYNE, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MARYLAND. THIS SURVEY AND PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

JOHN D. WAYNE, PROFESSIONAL LAND SURVEYOR NO. 10853 DATE 11/25/88



**WHITNEY
BAILEY
CORP.**
MAGNANI

CONSULTING
ENGINEERS
1850 PARK ROAD
TIMONUM, MD. 21088
301-252-6060

DATE OF FIELD SURVEY 11/18/88
DRAWN BY J. ELLMAN CHECKED BY J.D.W. DATE 11/25/88
RECORD NO. 68-236-05 SHEET 1 OF 1