FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 12535 Manor Road located in the Long Green area of northeastern Baltimore County. Parition was filed by the owner of the property, Samuel M. Tagg. Th Petitioner seeks a special hearing to approve the use of Lot 2 of Stone Manor Farms, Section One, as a buildable lot for residential purposes. The subject property and relief sought are more particularly described on the plat submitted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Samuel M Tagg, property owner, and his son-in-law, Walter L. Beaumont, Jr. There

Testimony revealed that the subject property consists of 2.6616 acres, more or less, zoned R.C. 2 and is unimproved. This property was once part of a larger tract of land owned by the Petitioner; however, in regulations would be taking effect in the near future and that any subdivi wion of his land should be done prior thereto. The Petitioner then carved transferred to his son-in-law. Walter Beaumont, and Lot 2 which is the subject of this request. Testimony demonstrated that the plat depicting

the two lots in question was recorded in the Land Records of Maltimore County on March 30, 1979, several months before the new R.C. 2 zoning regulations took effect. Lot 2 therefore became a "lot of record" which pre-dated the R.C. 2 moning regulations. Insuruch as Lot 2 contains 2.6616 acres of land, Lot 2 also enjoys a right of subdivision one time. At this time, however, the Petitioner is only seeking approval for one residence to be constructed on Lot 2 and any subdivision of the subject lot would be left for a future public hearing.

After due consideration of the testimony and evidence presented. I find that Lot 2 is a buildable lot insumuch it was recorded in the Land Records of Baltimore County prior to the effective date of the R.C. 2 zoning regulations. To deny the relief requested would create a practical difficulty or unreasonable hardship for the Petitioner. It has been established that the requirements from which the Petitioner seeks reliaf 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 relief requested in the special hearing should be granted.

THEREFORE. IT IS OFFICERD by the Decuty Zoning Commissioner for Reltimore County this 14th day of April, 1994 that the Petition for Special Hearing to approve the use of Lot 2 of Stone Manor Farms, Section One, as a buildable lot for residential purposes, in accordance with Petitioner's Exhibit 1. be and is hereby GRAWTED, subject to the following restriction:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order. - 2-

however, Petitioners are hereby made sware that pro-ceeding at this time is at their own risk until such time as the 30-day appellate process from this Order is has expired. If, for whatever reason, this order is reversed, the relisf granted herein shall be resclinded. TIMOTHY N. HOTROCO Baltimore County Government Zoring Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

April 14, 1996

Mr. Samuel M. Tagg 12607 Manor Road Glen Arm. Maryland 21057

RE: PETITION FOR SPECIAL HEARING E/S Manor Road, 520' N of Mindenere Farkway (12535 Manor Road) (12535 Manor Road) 11th Election District - 6th Councilmanic District Samuel M. Tagg - Petitioner Case No. 94-326-SPH

Dear Mr. Tagg:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special micering 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 filling an appeal, please contact the Zoning Administration and Development Management (file at 807-139)

Luigh, sofres.
TINOTHY M. KOTROCO
Deputy Zoning Commissione
for Baltimore County

: Very truly yours.

THE:bis

cc: Mr. Walter L. Beaumont, Jr. 12539 Manor Road, Glen Arm, Md. 21057

Poonin's Counsel

Petition for Special Hearing to the Zoning Commissioner of Baltimere County for the property located at 12535 Manor Rand RC 2

the use of Lot 2 as shown on the plat of Section 1, Stone Manor

Farms, E.H.X.Jr. 44-48 as a buildable lot for residential purposes.

The lot was placed back into agricultural use from 1981 to the present. If a buildable lot #s allowed we would also like to discuss posible

Property lates the <u>distance and information of the Property and the property of the public are possible</u>.

It or we, agree to pay superiors of above Special Heaving submitting, possing one along of the public, and butter agree to and After the analysis, descripts and office, under the parallel of papers. It canvel WTage 12601 Manor Rd. 592-8137 Walter L. Beaumont, Jr. 12539 Manor Boad 592-6356

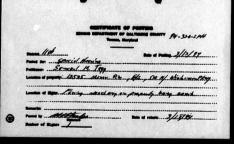
94-326-594

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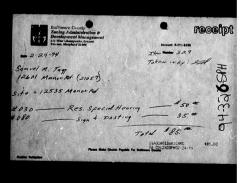
Containing 2.6616 seres of land, more or less.

heing part of a deed dated Hovember 10, 1964 and recorded smoog the last records of Baltimers County, Haryland in Liber R.R.G. 4390, felic 237 which was greated and conveys by Hinsches Höglipy, reduce to N. Leman I Ragio smoot labeling the County of the

/LOT2/DESCRPT January 31, 1994.







(410) 887-3353

DUE DATE: CLOSING DATE OF HEARING DATE

INVOICE

Walter L. Beaumont, Jr. 12539 Manor Road Glen Arm. Maryland 21057

CASE NUMBER/PROJECT NAME: 94-326-SPH

() } Zoning Notice Sign and Post Set(s) @ \$60.00/set = \$60.00 Due*

(In lieu of payment, we ask that you make use of the following waiver)

INVOICE MAINZE

CASE NUMBER/PROJECT NAME: 94-326-SPH

Zoning Notice Sign and Post Set(s).

for ZAOM

*Amount Due waived upon return of the COMPLETE sign and post set(s).

Province with Snytean Int. on Recycled Paper

Mr. Walter L. Beaumont, Jr. March 28, 1994 Page 2

2. hey attoropy choosing to file without preliminary review should be fully meare of their responsibility for soccarey and completeness. Any petition(s) filed in this memor will be reviewed and comments on by moting personnal review for the second section of the second second section of the incorrectivity, there is the possibility that another hearing will be required or that the soning commissioner will deep the petition.

3. Attorneys, engineers, and applicants who make appointments to file patitions on a regular beals and who file the patitions on a regular beals and who at required to small the appropriate filing fee at the time sor further appointment as made. Failure to keep those appointments without 72 hours advance notice will result in the fortiture of the filing fees.

111 West Chesapeake Avenue Towson, MD 21204

94-326-SPH

(41m 867,3353

CONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

<u>Nations</u> Courty Zoole Regulations require that notice be given to the quested his distribution of the control of the control of the shirth is the end-of-missipher in groups of the state. For these patitions which require a public hearing, this notice states provide a sign on the property and placement of a notice in at least one energeptor of personal circulation in the Court.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the coats associated with these requirement.

Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. For any analysis of Advertising FRES WILL STAY ISSUED OF MORES. COMPANIES OF ADVERTISING FRES WILL STAY ISSUED OF MORES.

ARROLD JABLON, DIMETOR

Item No.: 327

Prelitioner: SAMUEL M. TAGG
Location: 12601 MANNOR Rd. Grant Arm, Md. 21057 PLEASE POSSESSE ADVERTISING BILL TO:

HARE: WALTER L. BEAVENONT

ADDRESS: 12539 MANON Rd. bred ann Mel. 2007 * PHONE HUMBER: 552 6346

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 14, 1994 Zoning Administration and Development Hanagement

The Developers Engineering Section has reviewed the subject sonier time. If the approval is given for a buildsole lot for restriction of 1,000 feet in a BC Jone is required per restriction of 1,000 feet in a BC Jone is required per Department of Tublic Morks Standard Flate R-47.

FROM Lebert W. Bowling, P.E., Chief bevelopers Engineering Section

Zoning Advisory Committee Meeting for Narch 14, 1994 Item No. 327

RE:

RWB:ew

MUST BE SUPPLIED

. . d out sulem

Baltimore County Gor Office of Zoning Admi and Development Mar

(410) 887-3353

94-326-50H

The Louing Commissioner of Smiliners County, by methority of the Smilay Act and Emphatics of Smiliners County, will hold a public learing on the property identified Inerels in Rows 106 of the County Office Building, 111 % Boom 118, Old Courthouse, 400 Shabinston Susses. Propos. Survived 21204 on follow-

CASE MANDER: 94-326-599 (Item 327) 12535 Manor Road E/S Manor Road, 520° S of Mindenero Parison 11th Election District - 6th Councilmonic Putitioner(s): Semmal H. Tagg MEMERIE: MITMERION, APRIL 6, 1994 at 11:00 a.m. Rm. 106 County Office Bldg.

Special Meering to approve the use of Lot \$2 as shown on the plat of Section 1, Stone Namor Farms, as a buildable lot for residential narrows.

111 West Chesapeake Avenue Towson, MD 21204

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111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

March 28, 1994

Mr. Walter L. Beaumont 12539 Manor Road Glen Arm, MD 21057

RE: Case No. 94-326-SPH, Item No. 327 Petition for Special Hearing Petitioner: Samuel N. Tagg

The above-referenced petition and accompanying plans were accepted for the above-referenced petition and accompanying plans were accepted for the accepted period of the accepted period period of the accepted period period

The following comments are related only to the filing of future <u>Soning petitions</u> and are sized at expediting the petition filing process with this office.

The director of the Office of Zoning Administration and Development Management has instituted a system whereby those zoning attorneys who comply with all aspects of the zoning requirement and petition(s) filing requirements can file their petition(s) with this office without the necessity of a preliminary review by

8-

Maryland Department of Transportation State Highway Administration

Hal Kassoff

3-1-94

Baltimore County Item No.: & 327 (JUS)

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions

Thank you for the opportunity to review this item.

Bob Small DAYLO N. KAHSEY, ACTING CHIEF

8 CM

(410) 887-4500

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD E1806 MRIL SIDP-1105

RE: Property Owner: SEE BELOW LOCATION: SEE BELOW

700 East Joppa Road Suite 901

Zoning Agenda:

Pursuant to your request, the referenced property has been surveyed this Bureau and the comments below are applicable and required to corrected or incorporated into the final plans for the property.

8. The Fire Prevention Bureau has no communts at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 325, 326, 327, 328 & 329.



REVIEWER: LT. ROBERT P. SAUERWALD Fire Prevention, PHONE 887-4881, MS-110EF

Melling Address: P.O. Box 717 - Bellimore, MD 21983-9717 Street Address: 757 North Colvert Street - Settlemen. Serviced 21985

