

IN RE: DEVELOPMENT PLAN HEARING
W/S Liberty Road, 2200' NW
of centerline of Windy Hill Road
2nd Election District
2nd Councilmanic District

* BEFORE THE
* HEARING OFFICER
* OF BALTIMORE COUNTY
* Case Nos. II-591 & 99-447-SPH

(10301 Liberty Road)
Beverly Kram & Brian Jaeger
Owners/Developers

* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County as a requested approval of a development plan prepared by W. Duvall & Associates, Inc. (Civil Engineers and Land Planners) for the proposed development of a parcel of property located on the southeast corner of the intersection of Falls Run Road and Liberty Road in the Randallstown area of Baltimore County. In addition to the requested approval of the development plan, the Petitioners have also requested special hearing relief for a waiver pursuant to Sections 26-171, 26-172(b), 26-203(c)(8) and Section 26-278 to raze a historic structure.

Appearing at the hearing on behalf of the Petitioner were: G. Dwight Little, professional engineer with W. Duvall & Associates, Inc.; David Gonzales and Richard Demmitt, on behalf of Chestnut Woods, LLC; Brian Jaeger, one of the current owners of the property; and, Howard Alderman, Jr., attorney at law, representing the Petitioners.

Appearing in opposition to the Petitioners' request were Michael Chapman, adjacent property owner; Elizabeth Wilhelm and H. Gerard Knoche, also adjacent property owners. Mr. Knoche and Ms. Wilhelm were represented by Rob Hoffman and Timmy Ruppertsberger, attorneys at law. As is customary, representatives from the various Baltimore County reviewing agencies also attended the hearing, namely, Jun R. Fernando, (Zoning), Colleen M. Kelly (Land Acquisition), and Robert W. Bowling (Development Plans Review), all from the Office of Permits & Development Management; Jan Cook from the Department of Recreation & Parks; R. Bruce Seeley from the Department of

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Date 7/20/99
By J.R. Spawton

Environmental Protection and Resource Management; and Cynthia Pollock from Councilman Kevin Kamenetz's office.

As to the history of the development plan project, a concept plan conference was held February 16, 1999, followed by a community input meeting held at the Hernwood Elementary School on March 23, 1999. A development plan conference followed on June 23, 1999 and a Hearing Officer's Hearing was held on July 15, 1999 in Room 106 of the County Office Building.

At the preliminary stage of the development plan hearing, I attempted to determine what, if any, agency issues remained unresolved at the time of the hearing before me. In response to my inquiry, a couple of issues were identified by Mr. Alderman, on behalf of the developer, Mr. Hoffman and Ms. Ruppertsberger on behalf of their clients, as well as Mr. Chapman. Furthermore, Bob Bowling, a representative of the Department of Permits & Development Management, also identified an issue. Those issues were unable to be resolved at the preliminary stage of the hearing and, therefore, testimony and evidence was taken on those particular topics.

As to the project itself, testimony and evidence offered by the developer indicated that the property, which is the subject of this approval request, consists of 114 acres, zoned R.C.5. The subject property is located on the south side of Liberty Road in the Randallstown area of Baltimore County. The property at this time is currently being farmed by the current owners of the property, Brian Jaeger and Beverly Kram. The owners of the property and the developer, Chestnut Woods, LLC, are interested in developing the property with 37 single family residential lots. Those 37 lots are depicted on Developer's Exhibit No. 1, the development plan of the property. All lots will be serviced by private water and septic. Access to the lots is provided by a main entrance road which intersects Liberty Road.

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Date 7/22/99

By R. Kamenetz

As stated previously, several issues were identified by the citizens in attendance. One issue involved the road improvements that are proposed to be made to Liberty Road at the intersection of the entrance road to this development. The developer, in accordance with State Highway requirements, is proposing to provide acceleration and deceleration lanes along Liberty Road at the entrance to this subdivision. In addition, a bypass lane will be constructed on the northeast side of Liberty Road, which would allow vehicles to bypass automobiles which turn into the subdivision. Furthermore, the State Highway Administration is requiring the developer to install curbs and gutters along Liberty Road. The developer and the citizens in attendance at the hearing objected to these road improvements, in that, in their opinion, these types of improvements take away from the rural character of the surrounding area. I indicated to the citizens in attendance that I do not have legal jurisdiction over this matter, in that Liberty Road is a State road which does not fall under my purview. However, the State Highway Administration has always taken into consideration the findings and facts and conclusions of law made by this Hearing Officer, as well as Hearing Officer Schmidt in our opinions and orders. Therefore, the findings made herein are advisory in nature and are not an attempt to supercede the judgment of the State Highway Administration.

However, after considering the testimony and evidence of the citizens, as well as my personal knowledge of the property and the surrounding community, I find that it would be more appropriate to not install curb and gutters along Liberty Road at this location. The installation of curbs and gutters do, in fact, detract from the rural feel of a scenic road such as Liberty Road. In addition, there are no other curbs and gutters in this vicinity. Therefore, I believe a better design of the entrance to this proposed community would be to eliminate the installation of curbs and gutters. Along those same lines, I feel that the acceleration and deceleration lanes, as well as the bypass land would be appropriate, given the amount of traffic that utilizes Liberty Road on any given day. These are safety features that I do believe should be installed by the developer. In any event, my findings

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DATE 7/20/99
BY [Signature]

are only advisory in nature and the ultimate decision on this issue shall be made by the State Highway Administration.

Another issue raised at the hearing before me involved two proposed panhandle driveways located within the subdivision. The first panhandle driveway at issue services Lots 32, 35 and 36, as shown on the development plan. Mr. Bowling, the representative of the Department of Public Works, objected to the design of the panhandle driveway, in that the developer has failed to provide a T-turnaround area at the end of the panhandle driveway. These turnaround areas are provided on panhandle driveways that exceed 300 ft. in length. The purpose of these T-turnaround areas is to afford emergency vehicles an area to turn their vehicles around and exit the panhandle driveway. Mr. Bowling testified that the panhandle that services Lots 32, 35 and 36 and also the panhandle that services Lots 13, 14, 15 and 16 is actually longer than 300 feet and therefore, a T-turnaround area is mandated.

The developer disagrees with Mr. Bowling's position and argues that the actual portion of the panhandle driveway that is used in common by those lots in question is less than 300 feet. Additional testimony was provided by both the developer and Mr. Bowling as to the policy reasons for installing T-turnaround areas and why the length of 300 feet appears to be the determining factor. In addition to the testimony received, the developer indicated that the T-turnaround areas are unsightly to the homeowners who eventually purchase those lots, given that the large paved area would be situated in their front yards. The developer believes the installation of a T-turnaround at these two locations is unnecessary in that the use and common area of the driveway is less than 300 feet.

After considering the testimony and evidence of the developer, as well as Mr. Bowling, I find that the two panhandles in question do, in fact, exceed the 300 ft. use in common requirement and therefore, T-turnaround areas must be provided by the developer at the end of the panhandle that services Lots 32, 35 and 36 and also the panhandle that services Lots 13, 14, 15 and 16.

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Date 7/22/98
By H. C. Jensen

In addition to the issues previously raised, the adjacent property owners, Reverend H. Gerard Knoche, speaking on behalf of his family, who own 72 acres adjacent to this site, identified an issue of a landscape screen that is to be provided by the developer between the two properties. The developer has set aside a 30 ft. landscape area which is situated immediately adjacent to the property owned by Reverend Knoche's family. At issue between these neighbors is the amount and type of landscaping to be installed upon this berm. Reverend Knoche testified that a Class A landscape screen, plus an additional 25% of plantings would be an appropriate screen to buffer his family's property from the proposed development. On the other hand, the developer submitted into evidence as Developer's Exhibits 3 & 4, schematic landscape drawings of the buffer they wish to provide between the two properties. The parties were unable to come to an agreement at the hearing before me as to the appropriate type of landscaping to be provided on this berm. Therefore, this issue must be resolved by way of this decision.

As an alternative to requiring this developer to provide a landscape buffer, the Knoche family has offered to purchase Lots 1-9 from the developer which would not be built upon, thereby providing a very nice buffer between their property and those lots upon which houses would be built. This offer was made as an alternative to providing the landscape strip and screening. However, at the time of the hearing before me, the parties had not reached an agreement as to the purchase price for Lots 1-9. Therefore, it becomes necessary to rule upon the landscaping issue.

After considering the testimony and evidence offered by the developer, as well as Reverend Knoche, I find that the Developer shall be required to submit a landscape plan to Mr. Avery Harden, the landscape architect for Baltimore County, for his review and approval. Mr. Harden shall take into consideration, when reaching what he believes to be an appropriate screen between the properties, the landscape plans submitted by the developer marked as Developer's Exhibit No. 3, and the position of the Knoche Family who requested a Class A screen with planting units increased by 25%. It shall be Mr.

ORDER RECEIVED FOR FILING

Date

7/22/99

By

J.R. Spason

Harden's responsibility to ultimately decide on the amount and type of appropriate screening to be placed on this landscape berm.

One final matter was raised by Mr. Mike Chapman, adjacent property owner. Mr. Chapman raised a concern over the intensity of this development and the location of the wells and septic reserve areas located on the lots within this subdivision. Mr. R. Bruce Seeley, a representative of DEPRM, testified on this particular issue. Mr. Seeley stated that his office has reviewed this subdivision, the location of the lots, and the wells and septic areas as shown on the plan, and assured Mr. Chapman that given the recharge rate for lots of this size, that there would be no adverse affects on groundwater in the area or septic problems associated with this property. Mr. Seeley also based his testimony on the data maintained in his office as to the availability of groundwater in this area of Baltimore County and the fact that the soils are good soils for providing septic drain fields. After considering the testimony provided by Mr. Seeley, I find that Mr. Chapman's concerns over the amount of wells and septic areas on these lots is not sufficient to warrant a denial of this development plan.

No other issues were raised at the hearing before me. The issues that were raised at the hearing were resolved by way of this Order and were not sufficient to warrant a denial of the development plan. Therefore, the development plan submitted into evidence as Developer's Exhibit No. 1, be and is hereby approved.

In addition to the requested approval of the development plan, the Developers also requested a waiver pursuant to Sections 26-171, 26-172(b), Section 26-203(c)(8), and Section 26-278 of the Baltimore County Code, requesting approval to raze a historic structure. The issue of whether to raze the historic structure which at one time served as a dwelling on the subject property was, in fact, reviewed by the Landmarks Preservation Commission. After reviewing the issue, the Commission ruled that they had no objection to the property owners tearing down the old structure on the property. Photographs showed the structure to be extremely deteriorated and a safety hazard. Based on the

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Date 7/20/99
By R. Seeley

testimony and evidence presented, I am persuaded to grant the requested special hearing relief. The undisputed testimony and evidence presented demonstrated that the subject structure has little historic value and need not be preserved. Therefore, it shall be appropriate for the structure to be torn down and the special hearing shall be granted.

Pursuant to the advertisement and posting of the property, and after considering the testimony and evidence offered by all parties in attendance, I find that the development plan submitted as Developer's Exhibit No. 1, shall be approved and the special hearing request to raze a historic structure granted.

THEREFORE, IT IS THIS 20th day of July, 1999, by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County, that the developer's requested approval of the Development Plan submitted as Developer's Exhibit No. 1, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the special hearing request for a waiver, pursuant to Sections 26-171, 26-172(b), Section 26-203(c)(8), and Section 26-278 of the Baltimore County Code, to raze a historic structure, be and is hereby GRANTED.

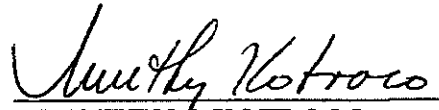
IT IS FURTHER ORDERED, that the relief granted herein is subject to the following conditions and restrictions:

- 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 his time is at their own risk until such time as the 30 day appellate process from this Order has expired. If an appeal is filed and the Order is reversed, the relief granted herein shall be rescinded.
- 2) The special hearing relief to raze a historic structure is contingent upon the Petitioners submitting photographic documentation of the subject structure prepared to National Register standards, as approved by the County historian.

COMMUNITY DEVELOPMENT DEPARTMENT
7/20/99
R. G. GIBSON

- 3) The developer shall submit a landscaping proposal to Mr. Avery Harden, Landscape Architect for Baltimore County, within thirty (30) days from the date of this Order. Mr. Harden shall have ultimate authority to determine the amount, type and appropriateness of the screening that is to be provided on the 30 ft. landscape strip located between the property to be developed herein and the adjacent property owned by the Knoche Family.
- 4) The developer shall be required to install T-around areas at the end of the panhandle servicing Lots 14, 15 and 16 and the panhandle servicing Lots 32, 35 and 36.
- 5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CASES RECEIVED FOR FILING
Date 7/22/99
by R. J. [signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 21, 1999

Howard Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 99-447-SPH & II-591
Property: 10301 Liberty Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The development plan has been approved, in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Encl.

Copies to:

Mr. G. Dwight Little
W. Duvall & Associates, Inc.
530 E. Joppa Road
Towson, Maryland 21286

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Mr. David Gonzales
c/o Chestnut Woods, LLC
17 Glenberry Court
Phoenix, Maryland 21131

Mr. Richard Demmitt
Chestnut Woods, LLC
P. O. Box 228
Clarksville, Maryland 21029

Mr. Brian Jaeger
3390 Edolen Farms Court
Finksburg, Maryland 21048

Mr. H. Gerard Knoche
6425 Bellview Drive
Columbia, Maryland 21043

Ms. Elizabeth K. Wilhelm
10405 Liberty Road
Randallstown, Maryland 21133

Mr. Michael Chapman
10229 Liberty Road
Randallstown, Maryland 21133

Robert A. Hoffman, Esquire
Timmy Ruppertsberger, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10301 Liberty Road
which is presently zoned RC5

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve A WAIVER pursuant to Sections 26-171, 26-172(b), BCC of Sections 26-203(c)(8) and section 26-278 to raze a historic dwelling.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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.

Contract Purchaser/Lessee:

Chestnut Woods LLC
c/o David Gonzales
Name - Type or Print
David E. Jayob (MEMBER)
Signature
17 Glen Berry Ct. (410) 785-9630
Address Telephone No.
Phoenix MD 21131
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Legal Owner(s):

Beverly Kram
Name - Type or Print
Beverly Kram
Signature
Brian Jaeger
Name - Type or Print
Brian Jaeger
Signature
10519 Marriottsville Rd (410) 998-7860
Address Telephone No.
Randallstown MD 21133
City State Zip Code

Representative to be Contacted:

Chuck Merritt
c/o W. Duvall & Associates, Inc.
Name
530 E. Joppa Road (410) 583-9571
Address Telephone No.
Towson, MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr.

UNAVAILABLE FOR HEARING _____

Case No. 99-447-SPH

Reviewed By [Signature] Date 5-11-99

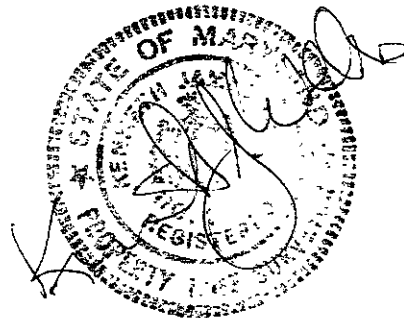
ORDER RECEIVED FOR FILING

Date 7/20/99

447
←

ZONING DESCRIPTION FOR
THE KRAM-JAEGER PROPERTY
2nd ELECTION DISTRICT, BALTIMORE COUNTY

Beginning at a point on the west side of Liberty Road, 66 feet wide, at the distance of 2200 feet northwest of the centerline of the nearest improved intersecting street, Windy Hill Road which is 50 feet wide; thence (1) South 25 degrees 14 minutes 29 seconds West 3768.50 feet; thence (2) South 77 degrees 51 minutes 41 seconds East 798.62 feet; thence (3) South 58 degrees 52 minutes 37 seconds East 587.69 feet; thence (4) North 25 degrees 46 minutes 08 seconds East 1876.76 feet; thence (5) North 58 degrees 51 minutes 19 seconds West 263.98 feet; thence (6) North 22 degrees 57 minutes 06 seconds East 1252.80 feet; thence (7) North 58 degrees 34 minutes 27 seconds West 200.00 feet; thence (8) North 35 degrees 00 minutes 58 seconds East 539.82 feet; thence (9) North 56 degrees 58 minutes 37 seconds West 1133.30 feet to the place of beginning. As recorded in the Land Records of Baltimore County in Liber S.M. 12844 folio 181, containing 114.31 acres of land, more or less.



99-447-SPH

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

4477
Item No. **067304**

DATE 5-11-99

ACCOUNT R-201-6650

AMOUNT \$ 50.00

RECEIVED FROM: W. Russell & Sons, Inc.

FOR: Special Hearing (Husband) Filing Fee
10301 Kibory Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

ADDRESS 96104 DATE 5/11/99
R/G 602 CASHIER LSH LMS DINNER
Dept 5 528 ZONING VERIFICATION
Rec'd Pl # 092726 07/14
CR. NO. 067304

Rec'd 101 50.00
50.00 OK 00 09
Baltimore County, Maryland

99-447-3PH
CASHIER'S VALIDATION

1. This document is the property of the County of Baltimore and is loaned to you for your use only. It is not to be distributed outside of your office. If you are unable to return this document to the County of Baltimore, please contact the County Office at 410-388-2000.

CERTIFICATE OF PUBLICATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-447 SPH
10301 Liberty Road
W/S Liberty Road, 2200' NW
of centerline Windy Hill Road
2nd Election District
2nd Councilmatic District
Legal Owner(s):
Beverly Kraml & Brian Jaeger
Contract Purchaser:
Chestnut Woods, LLC

Special Hearing: to approve a waiver pursuant to Sections 28-171, 28-172(b), BCC of Sections 28-203(C)(8) and Section 28-278 to reze a historic dwelling.

Hearing: Thursday, July 15, 1999 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or hearing, contact the Zoning Review Office at (410) 887-3361.

C320976
633B

TOWSON, MD., 6/24, 1999

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 6/24, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-447-A
PETITIONER/DEVELOPER:
(Chestnut Woods LLC)
DATE OF Hearing
(July 15, 1999)

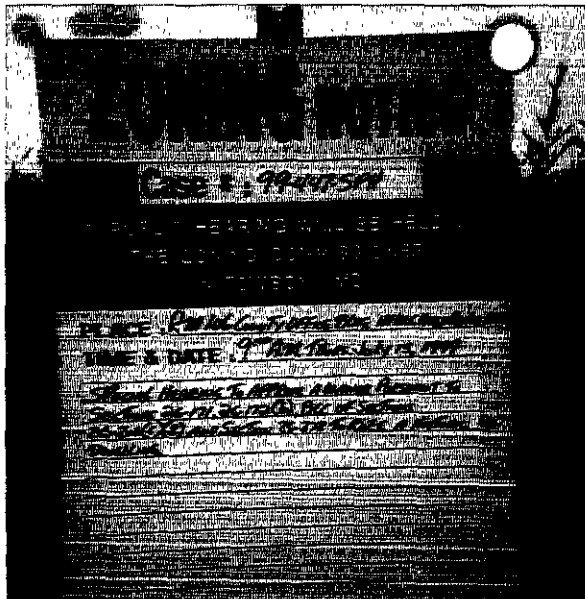
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
10301 Liberty Road Baltimore , Maryland 21133_____

The sign(s) were posted on _____ 6-28-99 _____
[Month, Day, Year]



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 99-447-SPH

Petitioner: CHESTNUT WOODS LLC

Address or Location: 10301 LIBERTY ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHESTNUT WOODS LLC
% DAVID GONZALES

Address: 17 GLEN BERRY CT
PHOENIX MD 21131

Telephone Number: 410 785-9630

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 99- 447 -SPH Address 10301 Liberty Rd.

Contact Person: John Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5-11-99 Posting Date: 5-23-99 Closing Date: 6-7-99

Any contact made with this office regarding the status of the administrative special hearing should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE SPECIAL HEARING SIGN FORMAT

Case Number 99- 447 -SPH Address 10301 Liberty Rd.

Petitioner's Name B. Kram & B. Jaeger Telephone 410-992-7860

Posting Date: 5-23-99 Closing Date: 6-7-99

Wording for Sign: Administrative Special Hearing to approve A WATSON PERMIT to Section 26-171; 26-172(b), BCC of Sections 26-203(c)(8) and Section 26-278 to raze a historic dwelling.

TALK TO JLL



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204
 pdmlandacq@co.ba.md.us

June 1, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

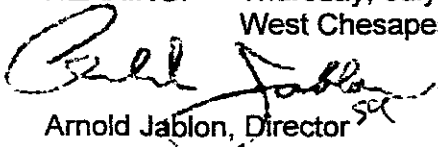
HEARING OFFICER HEARING
 PROJECT NAME: Kram/Jaeger Property
 Project Number: 2-591
 Location: S/S Liberty Road, SEC Falls Run Road
 Acres: 114.3
 Developer: Chestnut Woods, LLC
 Engineer: W. Duvall & Associates, Inc.
 Proposal: 37 Single Family Dwellings

*****AND*****

CASE NUMBER: 99-447-SPH
 10301 Liberty Road
 W/S Liberty Road, 2200' NW of centerline Windy Hill Road
 2nd Election District – 2nd Councilmanic District
 Legal Owner: Beverly Kram & Brian Jaeger
 Contract Purchaser: Chestnut Woods LLC

Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), BCC of Sections 26-203(C)(8) and Section 26-278 to raze a historic dwelling.

HEARING: Thursday, July 15, 1999 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue


 Arnold Jablon, Director ^{SEC}

c: Beverly Kram & Brian Jaeger
 Chestnut Woods LLC
 W. Duvall & Associates, Inc.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 30, 1999.**
 (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
June 24, 1999 Issue – Jeffersonian

Please forward billing to:
Chestnut Woods LLC
c/o David Gonzales
17 Glen Berry Court
Phoenix, MD 21131

410-785-9630

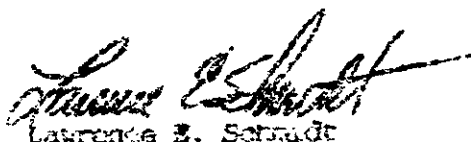
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CASE NUMBER: 99-447-SPH
10301 Liberty Road
W/S Liberty Road, 2200' NW of centerline Windy Hill Road
2nd Election District – 2nd Councilmanic District
Legal Owner: Beverly Kram & Brian Jaeger
Contract Purchaser: Chestnut Woods LLC

Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), BCC of Sections 26-203(C)(8) and Section 26-278 to raze a historic dwelling.

HEARING: Thursday, July 15, 1999 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue



Lawrence E. Schmidt

²⁴
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING
10301 Liberty Road, W/S Liberty Rd,
2200' NW of c/1 Windy Hill Rd
2nd Election District, 2nd Councilmanic

Legal Owner: Brian Jaeger and Beverly Kram
Contract Purchaser: Chestnut Woods, LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-447-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 1999 a copy of the foregoing Entry of Appearance was mailed to Chuck Merritt, W. Duvall & Assoc., Inc., 530 E. Joppa Road, Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: June 11, 1999

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: No. 10301 Liberty Road

INFORMATION

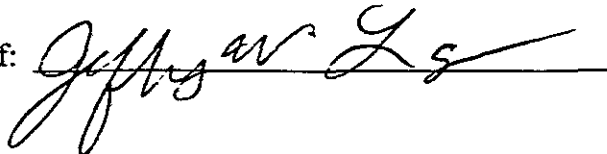
Item Number: 99-447
Petitioner: Chuck Merritt (Project Representative)
Zoning: RC- 5
Requested Action: Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

This historic structure, "Plains of Paran," is listed on the Maryland Historical Trust Inventory as MHT BA # 17. The house was listed on the inventory as a notable historic structure in 1965, at the suggestion of Mr. Herrera, then president of the Baltimore County Historical Society. According to John McGrain's research, the oldest part of the house was likely built between 1788 and 1798. The house has been not been habitable since 1978, but enough ruins exist to provide a photographic record on the structure that may reveal important information on the County's architectural history.

At their meeting on March 11, 1999, the Commission unanimously agreed to recommend approval of the demolition of the structure, conditioned on the submittal of photographic documentation, prepared to National Register standards as approved by the County Historian. We will be sending the photographic documentation requirements under separate cover to Chuck Merritt, project representative.

Section Chief:



KA:kra

cc: Chuck Merritt

BALTIMORE COUNTY, MARYLAND

SUBJECT: DEVELOPMENT PLAN COMMENTS

DPC DATE: 6/23/99
9:00 a.m., Rm. 123

FROM: PDM - ZONING REVIEW

HOH DATE: 7/15/99
9:00 a.m., Rm. 106 COB

PROJECT NAME: **Kram/Jaeger Property**

PLAN DATE: 4/23/99

LOCATION: S/S Liberty Road, SEC Falls Run Road

DISTRICT: 2c2

PROPOSAL: 37 Single Family Dwellings

ZONING: R.C.-5

The plan has been reviewed by the staff at this level of detail and has been found to be in general compliance with the Baltimore County Zoning Regulations (BCZR) for development approval. To avoid any possible delays in the development review and zoning approval process, when additional details are available or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. Only if necessary, will they be up-dated and/or supplemented during the review of the zoning final development plan.



JUN R. FERNANDO
Planner II
Zoning Review

JRF:scj

REQUEST FOR HOH

PROJECT MANAGER: **CHRISTINE RORKE**

NAME: **KRAM/JAEGER PROPERTY**

NUMBER: **2-591**

LOCATION: **S/S LIBERTY RD. S/E CORNER
FALLS RUN RD**

ACRES: **114.3**

DEVELOPER: **CHESTNUT WOODS, LLC**

ENGINEER: **W. DUVALL & ASSOCS., INC.**

PROPOSAL: **37 SFDS**

REVIEWER: **JUN**

DOES THIS NEED A SPECIAL EXCEPTION OR A VARIANCE **SPH**

YES NO
99-447-SPH

ITEM NUMBER AND/OR DROP-OFF DATE _____ FOR **not filed yet**
VARIANCE, ET AL.

ESTIMATED LENGTH OF HEARING: **1 1/2 hr**

ATTORNEY: **N/A**

OPPOSING ATTORNEY: **N/A**

DATE (S) NOT TO SET: **6/24-25**

**THURS 7/15
9AM
RM 106**

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME

ADDRESS

Jun R. Fernando

Colleen M. Kelly

JAN COOK

R. Bruce Sedley

Robert W. Bowling

CYNTHIA POLLOCK

PDM - Zoning

PDM - Land Reg.

REC & PARKS

DEPRM

PDM - Dev Plans Review

HON. KEVIN KAMENETZ



PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Timmy Ruppertsberger
H Gerard Knoche
Elizabeth K. Wilhelm
Michael Chapman

210 Allegheny Ave 21204
6425 Bellview Dr Columbia
10405 Liberty Rd Randallstown 21133
10225 Liberty Rd 21133

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

HOWARD L. AUERMAN JR ESQ

LEVIN & GANN PA SUITE 113

305 W. Chesapeake Ave Towson 21284
W. Duvall + Assoc
530 E. Joppa Rd Towson 21286

Dwight Little

Brian Jaeger

3390 Edolen Farms Ct.
Finksburg MD 21048

DAVID GONZALES

17 GLENBERRY CT
PHOENIX MD 21131

Richard Demmitt

PO Box 228
CLARKSVILLE MD 21029



Maryland Historical Trust State Historic Sites Inventory Form

Survey No. BA 17

Magi No. 0300175204

DOE yes no

1. Name (indicate preferred name)

historic PLAINS OF PARAN

and/or common KRAM-JAEGER PROPERTY (SUBDIVISION)

2. Location

street & number 10301 Liberty Road ___ not for publication

city, town Harrisonville vicinity of congressional district

state Maryland county Baltimore County

3. Classification

Category	Ownership	Status	Present Use	
<input type="checkbox"/> district	<input type="checkbox"/> public	<input type="checkbox"/> occupied	<input type="checkbox"/> agriculture	<input type="checkbox"/> museum
<input checked="" type="checkbox"/> building(s)	<input checked="" type="checkbox"/> private	<input checked="" type="checkbox"/> unoccupied	<input type="checkbox"/> commercial	<input type="checkbox"/> park
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational	<input type="checkbox"/> private residence
<input type="checkbox"/> site	Public Acquisition	Accessible	<input type="checkbox"/> entertainment	<input type="checkbox"/> religious
<input type="checkbox"/> object	<input type="checkbox"/> in process	<input checked="" type="checkbox"/> yes: restricted	<input type="checkbox"/> government	<input type="checkbox"/> scientific
	<input type="checkbox"/> being considered	<input type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial	<input type="checkbox"/> transportation
	<input type="checkbox"/> not applicable	<input type="checkbox"/> no	<input type="checkbox"/> military	<input checked="" type="checkbox"/> other: RUIN

4. Owner of Property (give names and mailing addresses of all owners)

name Beverly J. Kram, Brian Jaeger, James L. Brian

street & number 10519 Marriottsville Road telephone no.:

city, town Randallstown state and zip code MD 21133

5. Location of Legal Description

courthouse, registry of deeds, etc. County Courts Building liber SM 12844

street & number 401 Bosley Avenue folio 181

city, town Towson state MD 21204

6. Representation in Existing Historical Surveys

title MHT Inventory, "Plains of Paran"

date July 29, 1965 federal state county local

depository for survey records Office of Planning 401 Bosley Avenue

city, town Towson state MD 21204

7. Description

Survey No. BA 17

Condition		Check one	Check one
<input type="checkbox"/> excellent	<input type="checkbox"/> deteriorated	<input type="checkbox"/> unaltered	<input checked="" type="checkbox"/> original site
<input type="checkbox"/> good	<input checked="" type="checkbox"/> ruins	<input checked="" type="checkbox"/> altered	<input type="checkbox"/> moved date of move _____
<input type="checkbox"/> fair	<input type="checkbox"/> unexposed		

Prepare both a summary paragraph and a general description of the resource and its various elements as it exists today.

SUMMARY

Plains of Paran is a primitive house in stone and stucco, partially dating from the late 18th century, so primitive that it lacked a stairway to the sleeping loft. The history of alteration and enlargement is of considerable interest to students of vernacular building techniques. Two families in different centuries radically altered this simple frontier-era dwelling for their own purposes.

Plains of Paran is a stone house much altered over the years. It could date from 1788 when a large, speculative land survey was subdivided into a workable farm parcel for Henry Jones. Jones had a 20 by 20-foot stone house of two stories in the 1798 tax list of Soldiers Delight Hundred. The oldest part of this house is probably the south end. The former owners, the Herreras, believed the house was lengthened in 1853 and was given applied Victorian era scroll-sawn decorations. The house was gable-roofed when completed in the 1850s. After Garfield Herrera acquired the farm in 1916, the roof was converted to a rear-sloping shed design and the applied decorations removed.

Wilson Herrera kept the old house for its historic interest, although it was uninhabitable. Since its listing in the MHT Inventory in 1965, the structure became roofless and its porches collapsed.

The surviving ruin is that of a stone, vernacular style house, about 40 feet by 20 feet, two stories. The south end wall is blank in the rural tradition of Baltimore County. The south end clearly shows that a gable roof had been heightened with stone infill, including some large quoins, to create a rear-sloping roof. The house was covered with the old form of sandy stucco described in the newspapers of 1835 as "rough-cast in the modern style." (1) The stucco has fallen off in places but clings tenaciously in other sections. The coating was only applied to the oldest half of the structure.

**Maryland Historical Trust/
National Register of Historic Places
Continuation Sheet**

MHT Inventory No.

name of property: Plains of Paran

Section number 7 Page 2

Several window lintels are flat arches made of oversized brick. The west door is fairly high above grade, unusually tall, narrow, and topped by a transom. The south end of the house contains a large, primitive, stone fireplace vented by an inside-end-chimney with an additional opening for a stove pipe.

A brick, inside chimney rises about midway along the west side wall and provided openings for stove pipes.

The house is four bays in width. Most window sashes are 6-over-6 types. Some window frames were assembled with small pegs. At the NE corner of the house, at the rear, an unusually wide rectangular opening apparently gave access to a cellar. The lintel over this opening is a massive length of squared timber still supporting the masonry above it. The collapsed porches are somewhat crude, the planks nailed to half-round sapling logs with relatively modern nails.

The house is mainly interesting for its primitive qualities, its vernacular style, and its history of alterations. Many timbers were adze-hewn. Possibly the starter house was 1-½ stories and could have been the residence of the first settler on this parcel when the Harrisonville area was thinly settled, still a lingering frontier. There was originally only one room downstairs and one up. Former owner, Wilson Herrera, related to the landmarks surveyor in 1978 that the house originally lacked a stairway, and a ladder was kept in the fireplace corner for access to the loft. Children were traditionally relegated to the loft in a primitive house.

The property contains a small, possibly 20th century, tenant house of frame and a Colonial Revival style house dating from 1921 where the Herrera family actually lived. There is also a well built square stone spring house near a pond. The family residence and spring house were to be preserved according to the plan for developing the property. The Baltimore County planning staff visited this site on March 2, 1999.

NOTE:

1. Pot Spring at 2207 Eastlake Road, Timonium, was advertised as built "in the modern style, of stone, rough cast" in the Baltimore American, April 28, 1835.

margin

margin

8. Significance

Period	Areas of Significance—Check and justify below			
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input type="checkbox"/> landscape architecture	<input type="checkbox"/> religion
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science
<input type="checkbox"/> 1500-1599	<input checked="" type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input type="checkbox"/> sculpture
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> architecture	<input type="checkbox"/> education	<input type="checkbox"/> military	<input type="checkbox"/> social/ humanitarian
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> art	<input type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> theater
<input checked="" type="checkbox"/> 1800-1899	<input type="checkbox"/> commerce	<input checked="" type="checkbox"/> exploration/settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> transportation
<input type="checkbox"/> 1900-	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input type="checkbox"/> politics/government	<input type="checkbox"/> other (specify)
		<input type="checkbox"/> invention		

Specific dates 1788-1798 **Builder/Architect** Unknown

check: Applicable Criteria: A B C D
and/or
Applicable Exception: A B C D E F G

Level of Significance: national state local

Prepare both a summary paragraph of significance and a general statement of history and support.

SUMMARY

Plains of Paran is a small, primitive stone house named for a 1729 land survey that was resurveyed in 1758. This property may have been a merely speculative holding until 1788 when acquired by Henry Jones, who is found with a small square stone house in the 1798 tax list. Many years later the house was doubled in size and treated to Victorian-era decorations that were all removed in the 20th century to replace a gable roof with a shed-roof. A search of the sparse records concerning this property undermines the neighborhood tradition that the house dated from the 1600s. The Herrera family kept this house for its historic interest long after its usefulness had ceased.

There were two colonial land surveys called Plains of Paran, presumably named for a desert area in the Sinai near the Red Sea. (1) The first survey was laid out in 1729 for Henry Owings at 200 acres; the second was a 1,580-acre tract, a resurvey, laid out in 1758 for Alexander Lawson. The 1776 census shows that Alexander Lawson lived elsewhere: in Middlesex Hundred rather than Soldiers' Delight Hundred.

The Herrera farm traces back to the Lawson holdings. In 1788, Henry Lawson conveyed part of the Plains of Paran to Henry Jones (Deeds Liber WG No. BB 636). Henry Jones was found in the 1798 tax list of Soldiers' Delight Hundred, the only holder of any fragment of the large Plains of Paran tract to own a masonry house, in this case, a two-story stone house 20 by 20 feet on a 468-acre parcel. Soldiers' Delight Hundred contained few brick or stone houses in that assessment and the area was apparently only slightly advanced beyond frontier conditions.

**Maryland Historical Trust/
National Register of Historic Places
Continuation Sheet**

MHT Inventory No.

name of property: Plains of Paran

Section number 8 Page 2

Henry Jones' death at Soldiers' Delight, age 69, was reported in the Baltimore Telegraphe on February 14, 1809.

An 1809 deed reference in the Tract Index books in the Clarence Mitchell Courthouse in the city shows that 483 acres of Plains of Paran passed from one Jones to another, the exchange recorded in Liber WG No. 102:309. The same 483 acres were leased by Ellis Jones to several members of the Wilson family and to Henry Payson in 1814 (Deeds WG 127:394). In 1816, Henry Payson and others deeded the 483 acres to the Franklin Manufacturing Company (Deeds WG 135:662). In 1817, the manufacturing company assigned 467 acres to John Worthington (Deeds WG 142:618).

The 1823 tax ledger for Old District No. 6 showed John Worthington with 467 acres, part of the Plains of Paran. The improvements on the tract were assessed at \$60. The 1850 county map by J. C. Sidney and P. J. Browne showed the house that survived in 1999 as the property of John Worthington. At least one other house belonged to Worthington on that map, so the question arises as to which was his residence. (2) Worthington sold the farm on "Liberty Town Road" to Stephen Peck in 1856 (Deeds HMF 17:419, Towson). Peck and his wife sold to Isabella Bower, wife of George Wilson Bower, in 1859 (Deeds GHC 27:403). The 1877 G.M. Hopkins Atlas of Baltimore County, Maryland, showed the residence of G. W. Bower at this same location. Bower was also an atlas patron and in the tabulated list of subscribers, he listed himself as a native of Baltimore City who had settled in the county in 1830; he gave his acreage as 133- $\frac{1}{4}$. His post office was Harrisonville.

The Bower heirs sold in 1816 to Garfield Herrera (Deeds WPC 461:283). Garfield Herrera was both a wheelwright and a farmer. Herrera conveyed the property to his son Wilson Herrera in 1968 (Deeds OTG 4930:494). Wilson Herrera was a Baltimore County school principal and a collector of local history. Mr. Herrera believed that the house was built by the Worthingtons and enlarged in 1853 by the Bowers. However, it is more likely that the oldest part of the house was built by Henry Jones between 1788 and 1798.

The house has an obvious seam in the west wall showing that it had been extended in width. The prevalence of brick jack-arches over the window frames would discourage the idea that the house dated from the 1600s or even the early 1700s. This structure had long been roofless when the farm was scheduled for development in early 1999 by the Herrera heirs. A large fireplace had stood at the south end, vented by an inside end-chimney. Another brick inside chimney on the west wall was fitted with a round opening to vent a stove. The timber in this house had been squared by adze work in many instances. Some window frames were fitted together with pegs.

**Maryland Historical Trust/
National Register of Historic Places
Continuation Sheet**

name of property: Plains of Paran

Section number 8 Page 3

This house was suggested for the first survey of notable historic structures in 1965 by Wilson Herrera, then president of the Baltimore County Historical Society, which was helping the newly established Maryland Historical Trust develop a State-wide inventory. At the time of digitizing the accumulated historic sites in 1978, Mr. Herrera told John McGrain that his father had removed Victorian and Italianate applied decorations added by the Bower family about 60 years before; at that time, the roof was converted at a shed design. Mr. Herrera also noted in 1978 that the house had been built without a stairway and ladders kept in the fireplace closets were the only access to the second story. The original configuration was one room downstairs and one room above.

m a r g i n

m a r g i n

NOTES:

1. For a discussion of the origin of the name Plains of Paran, see Encyclopaedia Judaica, s.v., "Paran," where references are given to Genesis, 14:6 and 21:21; also, 1 Samuel 25:1; and Deuteronomy, 1:1. The Mount Paran Presbyterian Church derived its name from the name already given to the ground on which it was built. Mount Gilboa A.M.E. Church near Oella was also constructed on a tract that already had a biblical name. Ebenezer United Methodist Church at Chase derived its name in a similar way.
2. John Worthington, no longer owner of this property, was reported to have died at his residence in Baltimore County at age 70 (Baltimore County Advocate, May 17, 1862).

ACTION SUMMARY, Item 6.a

Meeting Date: 3/11/99

Deadline: Not applicable

Site 10301 Liberty Road, Harrisonville, (circa 1788)

Historic status "Plains of Paran" MHT BA # 17 (see attached description by John McGrain)

Applicant Chuck Merritt (project representative)

Proposal Request for a waiver from Sec. 26-278, to allow demolition

LPC action Consider making recommendations to the Hearing Officer

Staff's suggestion LPC should recommend approval for the demolition, conditioned on photographic documentation of the structure, prepared to National Register standards and approved by the County Historian.

Post-It® Fax Note	7671	Date	# of pages ▶ 3
To	Chuck Merritt	From	K. Aue
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

Authority for action County Code Sec. 26-532

Ret Ex #1
~~Doc Ex 5~~



Baltimore County
Office of Planning

401 Bosley Avenue
Towson, Maryland 21204
410-887-3211
Fax: 410-887-5862

June 18, 1999

Chuck Merritt
Duvall and Associates, Inc.
530 E. Joppa Road
Towson, MD 21286

Dear Mr. Merritt:

Thank you very much for your cooperation with us on our visit in March to the historic structure called "Plains of Paran," at 10301 Liberty Road. We have attached our interoffice response to (Special Hearing #447) for your files.

The following are the specific requirements for National Register photographic documentation to provide an appropriate record for this significant historic structure.

1. Take current black-and-white photographs which will provide appropriate visual documentation for the building. Exterior photographs will include general views of the building within its setting, views showing each elevation of the building, and detail views showing significant architectural features.
2. Black-and-white photography must be completed in large (minimum 4"x 5") format, using a view camera with full perspective correction. General photographic documentation requirements are outlined on page 13, and in appendices D and E of the "Guidelines for Completing the Maryland Inventory of Historic Properties Form, Standard Structures" (copy of page 13 and appendices D and E enclosed.)
3. Furnish this office with black-and-white 4" by 5" contact prints, with negatives, and 35 mm color slides documenting the building. Each photograph and color slide will be identified with the following information: name of site, MHT inventory number, site location, name of photographer, date of photograph, and a brief caption describing the view. This information will be printed legibly in soft pencil only on the backs of all photographic prints, and in ink on the slide mounts.
4. Negatives will be placed in archival negative sleeves and will be identified with the site name, inventory number, name of photographer, and date taken.

Come visit the County's Website at www.co.ba.md.us

Ret Ex #2



Mr. Merritt
June 18, 1999
Page 2

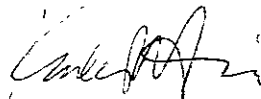
5. Photographic documentation must meet professional standards comparable to those of the Historic American Buildings Survey/ Historic American Engineering Record.

I have attached John McGrain's historic documentation that will be useful to the photographer.

You may prefer to employ a professional photographer with the equipment and experience to fulfill these specifications for documenting Historic Structures; please contact me if you wish to have the state's list of photographers known to be qualified for this work. If, instead, your firm prepares the photos, it would be best to arrange to have John McGrain accompany the photographer for advice on the selection of views and details to be recorded.

If necessary, please feel free to call us at 410-887-3495, or Peter Kurtz from the Maryland Historic Trust (410-514-7649) for a list photographer known to produce qualified work.

Sincerely,



Kimberly Abe
Administrative Secretary, LPC

PHOTOGRAPHS

Submit clear and descriptive black and white prints and color slides with each inventory form. The negatives for the black and white prints should also be included.

The photographs should be recent and give an honest visual representation of the historical integrity and significant features of the property. The number of views needed will vary according to the complexity of the property. Photographs must clearly depict the current condition of the property, including both positive and negative aspects. Prints of historic photographs may supplement documentation and may be particularly useful in cases where alterations make a property's historic integrity questionable.

Refer to Appendix D for guidelines for photographic coverage.

Refer to Appendix E for labeling instructions.

SKETCH FLOOR PLAN

Provide a plan of the room arrangement of the principal historic building(s) that characterizes the property. The plan need not be drawn to precise scale, but it should be generally proportional and should indicate overall exterior dimensions. It may be drawn either freehand or hardline, but must be clear and detailed. Graph paper is helpful for organizing the drawing. The plan should illustrate the principal floor (generally the first floor) and needs to include additions, porches, etc. Denote the arrangement of rooms, chimney or fireplace locations, and the placement of stairs, doors, and windows. Conventional symbols for representing these elements should be used.

The plan should include the scale and a north arrow and must be labeled with the survey or inventory number, name of the property, town or town vicinity, county, year drawn, name of person who prepared it, and the floor represented. Plans should be drawn to fit an 8 1/2" X 11" sheet of paper.

MARYLAND COMPREHENSIVE HISTORIC PRESERVATION PLAN DATA

On a separate continuation sheet identify the applicable statewide historic context delineated in the Maryland Comprehensive Historic Preservation Plan. Using the framework and terminology given in Appendix F, list the geographic organization(s), chronological and developmental period(s), and most prominent theme(s) represented by the property being documented.

APPENDIX D

GUIDELINES FOR PHOTOGRAPHIC COVERAGE

The number of photographic views depends on the size and complexity of the property. Submit as many photographs as needed to depict the current condition and significant aspects of the property. Include representative views of both contributing and noncontributing resources. Prints of historic photographs may supplement documentation and may be particularly useful in describing the history integrity of properties that have undergone many alterations or changes.

Buildings, Structures, and Objects

- Submit one or more views to show the principal facades and the environment or setting in which the property is located.
- Additions, alterations, intrusions, and dependencies should appear in the photographs.
- Include views of interiors, outbuildings, landscaping, or unusual details if the significance of the property is entirely or in part based on them.

Architectural and Historical Districts

- Submit photographs representing the major building types and styles, pivotal buildings and structures, representative noncontributing resources, and any important topographical or spatial elements defining the character of the district.
- Streetscapes, landscapes, or aerial views are recommended.
- Views of individual buildings are not necessary, if streetscapes and other views clearly illustrate the significant historical and architectural qualities of the district.
- Key all photographs to the Resource Sketch Map for the district or prepare a separate photograph map.

APPENDIX E

INSTRUCTIONS FOR LABELING PHOTOGRAPHIC PRINTS

For black and white prints the following information must be provided for each print (in this order):

- Inventory number if known
- Historic name of property or, for districts, the name and survey number of the historic district
- County and state where property is located
- Name of photographer
- Date of photograph
- Location of negative. If the negative is given to the Maryland Historical Trust, write Maryland SHPO. If the negative is retained by others, give specific information such as the photographer with his address, the government and the specific agency, such as the City of Baltimore, Commission for Historical and Architectural Preservation, or Washington County Department of Planning. Do not use initials for agencies other than the SHPO.
- Description of subject of photograph such as view indicating direction of camera (ex: view east on Main Street from Third Street), elevation of resource (ex: NW elevation of the house or corncrib or bridge, etc.), other (ex: main house, first floor SW parlor; tenant house, second floor back hall, etc.) or for districts, a specific resource (ex: Reese House, 20 Main Street, SE elevation).
- Number of photograph keyed to total number of photographs (ex: 1 of 36, 1/36).

DO NOT USE SELF-ADHESIVE LABELS as they fall off the print over time.

Use a soft pencil, number 1 lead preferred, to write the information on the back.

APPENDIX E (continued)

For slides follow the guide below, using a fine tip pen with permanent ink. Self-adhesive labels applied to slide mounts are not acceptable, cardboard mounts are preferred to plastic.

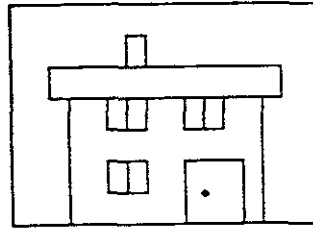
Leave this area blank for library accession number

Name of site
Location of site

Harvey House
Smithton

Z-8

MHT
Historic Sites
Inventory number; if not known, leave area blank



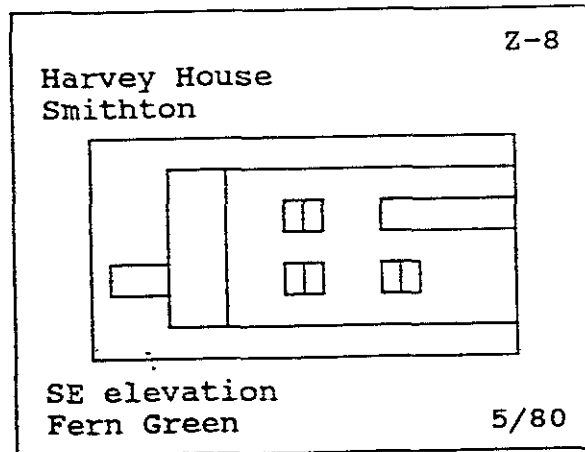
View
Name of Photographer

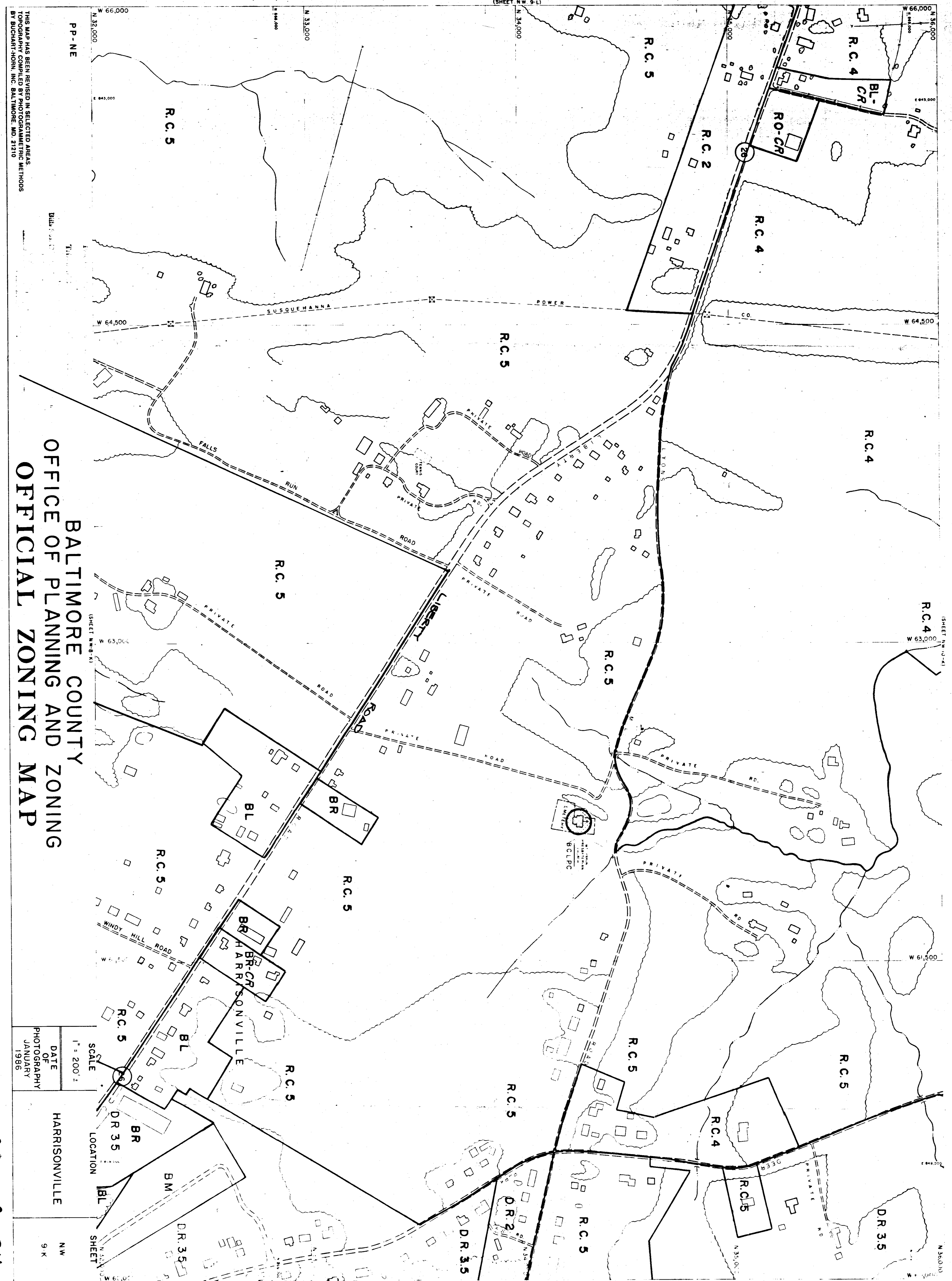
SE elevation
Fern Green

5/80

Date photo taken

SLIDES ARE ALWAYS LABELED THE SAME WAY, EVEN WITH A HORIZONTAL SHOT AS BELOW



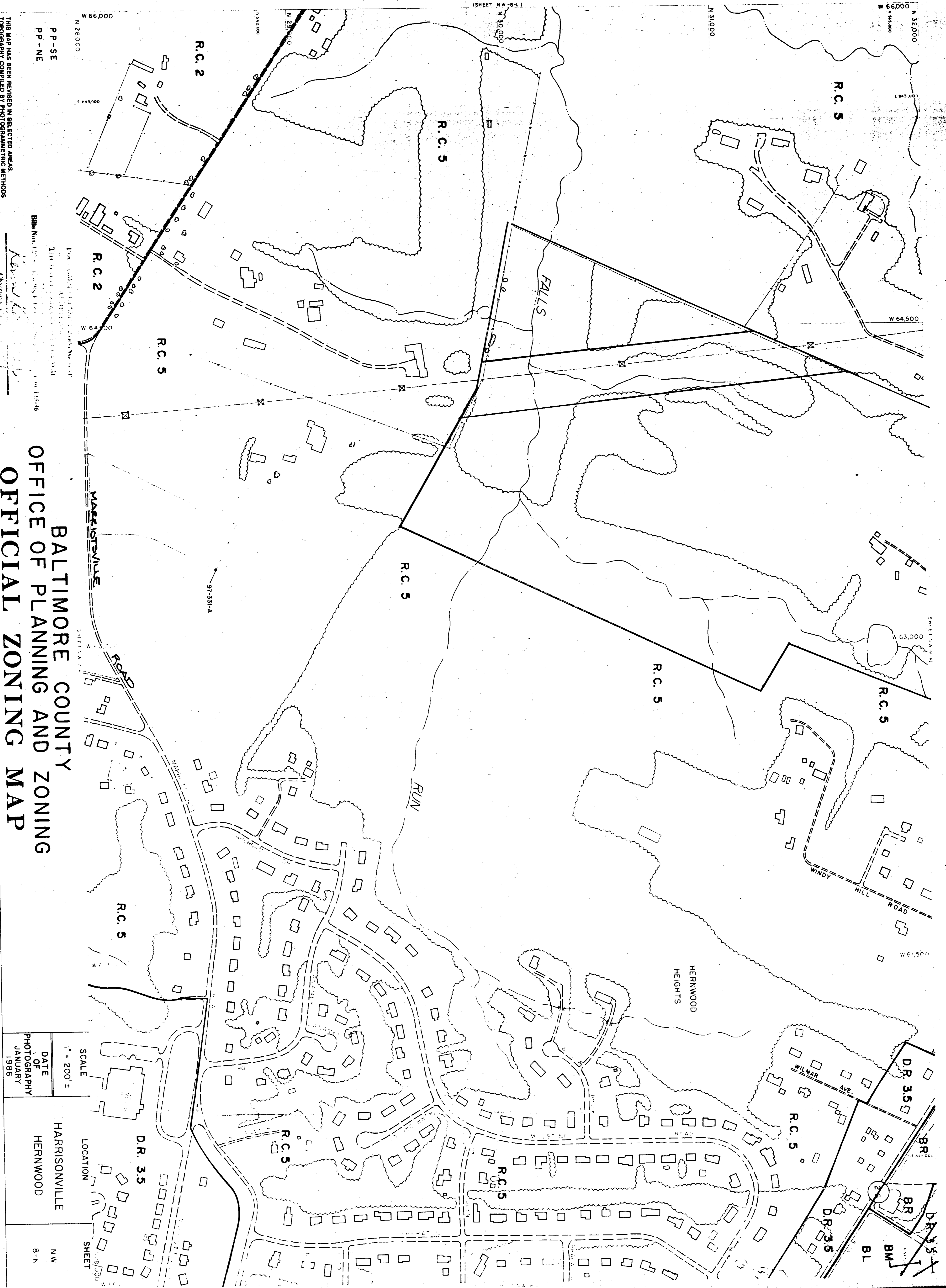


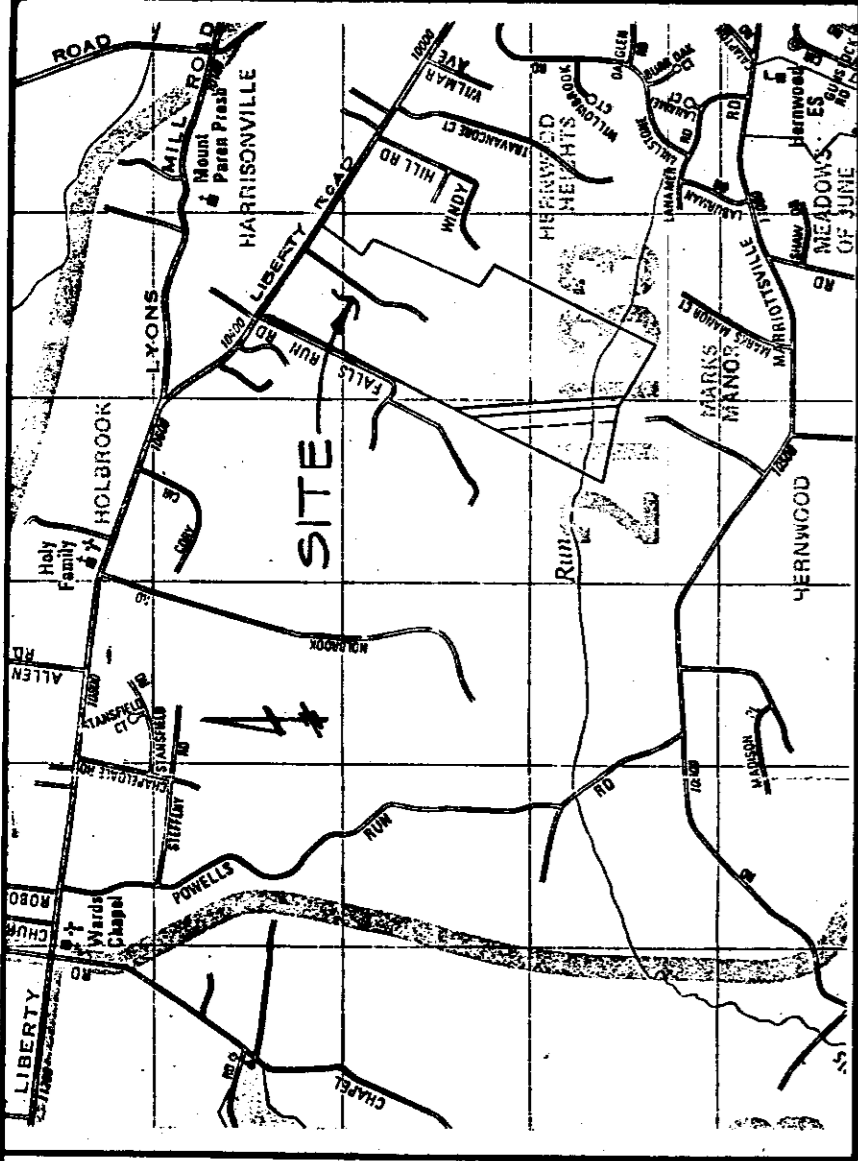
**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

SCALE	1" = 200'
DATE OF PHOTOGRAPHY	JANUARY 1986
LOCATION	HARRISONVILLE
SHEET	NW 9-K

99-449-SPH

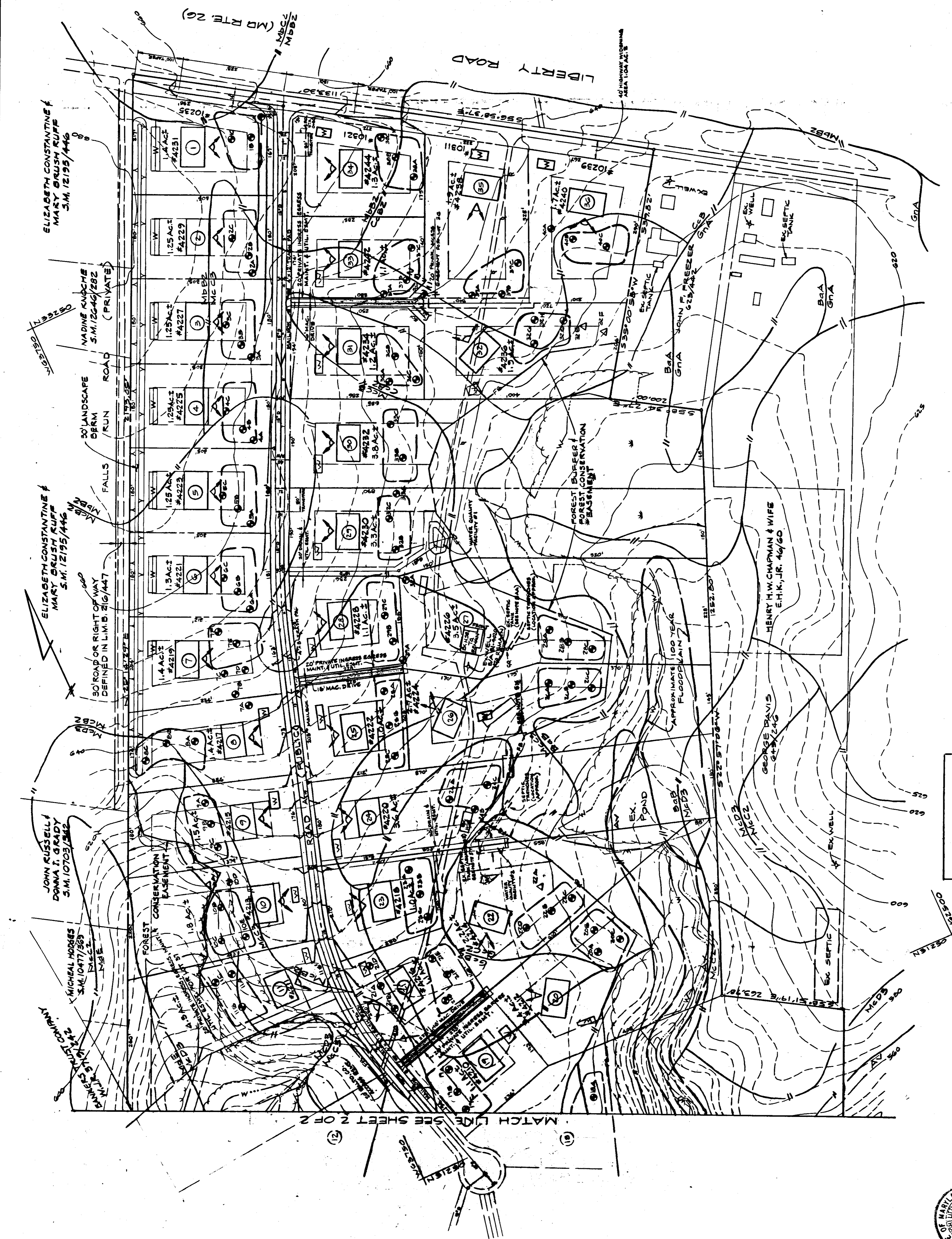
449





GENERAL NOTES

1. Applicant: M. Dwight Little, Jr. Constable
Chesterfield Woods LLC
17 Glen Berry Ct.
Phoenix, Maryland 21131
2. Site Location: Election District No. 2, Councilmanic District No. 2
Assessed No. 422.02
Code Reference 1284/181
Dead End No. 02-020301810
Tax Account No. 02-020301810
3. Property Ownership: Raymond Jeger
8599 Harwood Road
Baltimore, MD 21286
4. Reference for Existing Features Shown on Plan:
A. Topography shown in taken from Baltimore County Photogrammetric Maps NW 8K & 9K.
B. Soil Lines and Types shown are taken from Baltimore County Photogrammetric Maps NW 8K & 9K.
C. Property Lines are based on a Boundary Survey prepared by W. Duvall & Associates, Inc.
D. Existing Zoning is RC-3.
E. General Information:
1. All use comply with B.C.Z.R. Sec. 1403.0.A, 1403.0.B.1 & 2.
2. A Storm Water Management Plan (SWMP) has been approved by DEPDM on April 5, 1999. Water Quality Management is required.
3. Existing land use within 200' of site is Single Family Residential and Business.
4. Streets, Wetlands and other existing features are based on Field Surveys.
5. There shall be no clearing, grading, construction or disturbance of vegetation permitted by the Baltimore County Department of Environmental Protection and Resource Management.
6. Any Forest Buffer Easement, or Forest Conservation Easement shown herein is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.
7. There are no known underground storage tanks, on site.
8. There are no known archaeological sites, on site.
9. There are no known hazardous waste materials or historical buildings located within the site boundaries.
10. There are no known underground storage tanks, on site.
11. There are no Residential Transition Areas on the site.
12. Maximum permitted height per B.C.Z.R. Section 14.04.3.A is 35'.
13. There are no prior zoning hearings for the site.
14. Per B.C.Z.R. Section 14.04.3.B, they may be covered by impermeable surfaces.
15. The areas between the sight line and the curb line must be cleared, graded and kept free of any obstructions.
16. The parking spaces to be 9' x 18' Minimum. Two parking spaces (Min) for each lot.
17. House Stalls will be such that the front of one house will not face the rear of another.
18. This property is located in the Harwood Elm, Deer Park Middle, and Bardslowtown High School Districts. Estimated Pupil Yields: Elem - 9, Middle - 5, High - 4.
19. A building setback of 35 feet applies to all Forest Buffer and/or Forest Conservation Easement Limits.
20. The developer's plan as shown on the plan has been filed since 1979. The developer's employee as shown on the plan has been filed since 1979. The developer's plan has been utilized, recorded or represented as a matter of fact to support any off-site zoning.
21. A landscape plan is required and should be approved prior to the approval of the record plan.
22. There are no known wetlands or riparian areas within 100' of the site boundaries, except those shown.
23. Existing Historic Structure to be raised consistent with the recommendations of the Landmarks Preservation Commission (Meeting of 3/11/99).
24. The existing Septic area on Lot 24 shall be properly abandoned.
25. The owners, and all successors have the right to use the 15' easement as outlined in deed 1759/164.
26. The existing well 4 septic area on lot 23 shall be tested, repaired as needed and utilized.
27. No access to Falls Run Road is permitted.



DEVELOPMENT PLAN
KRAM / JAEGER PROPERTY
ELECTION DISTRICT BALTO. COUNTY, MD.
SCALE: 1"=100'
DATE: JAN. 4, 1999
APRIL 23, 1999
SHEET NO. 1 OF 2
PDM # II-511

99.447-SPA

DEVELOPER
CHESTERFIELD WOODS LLC
17 GLEN BERRY COURT
PHOENIX MD 21131
TAX ACCT. NO. 02-020301810

NOTE
I, G Dwight Little, Jr. certify under oath that to the best of my knowledge, there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

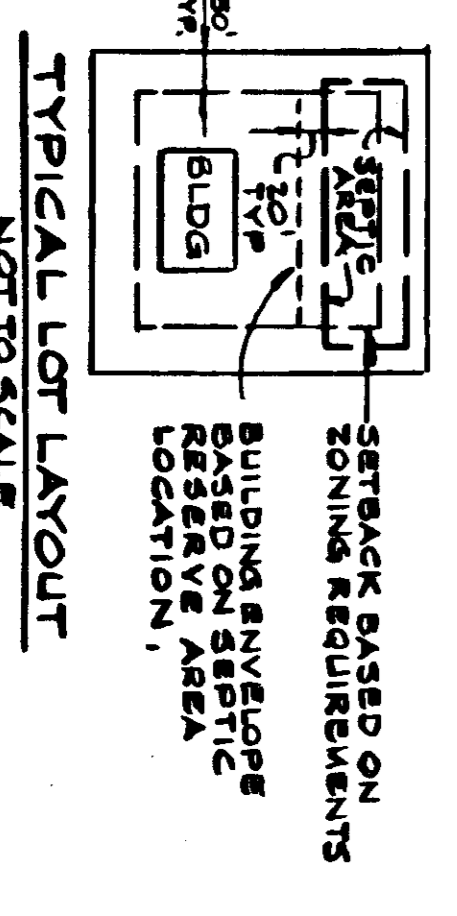
This Plan is Sealed and Certified to be in accordance with the Hearing Officer's Order and all agency comments.



W. DUVALL & ASSOCIATES, INC.
ENGINEERS, SURVEYORS, LAND PLANNERS
1000 W. PATENT AVENUE, SUITE 210
TOWSON, MARYLAND 21286
TEL: (410) 333-8571
FAX: (410) 333-1513



W. DUVALL & ASSOCIATES, INC.
 10100 W. 11th Street, Suite 200
 Overland Park, Kansas 66113
 Tel. (913) 234-2100
 Fax (913) 234-1813



ADDITIONAL INFORMATION

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE ACCURATE TO THE BEST OF HIS KNOWLEDGE.

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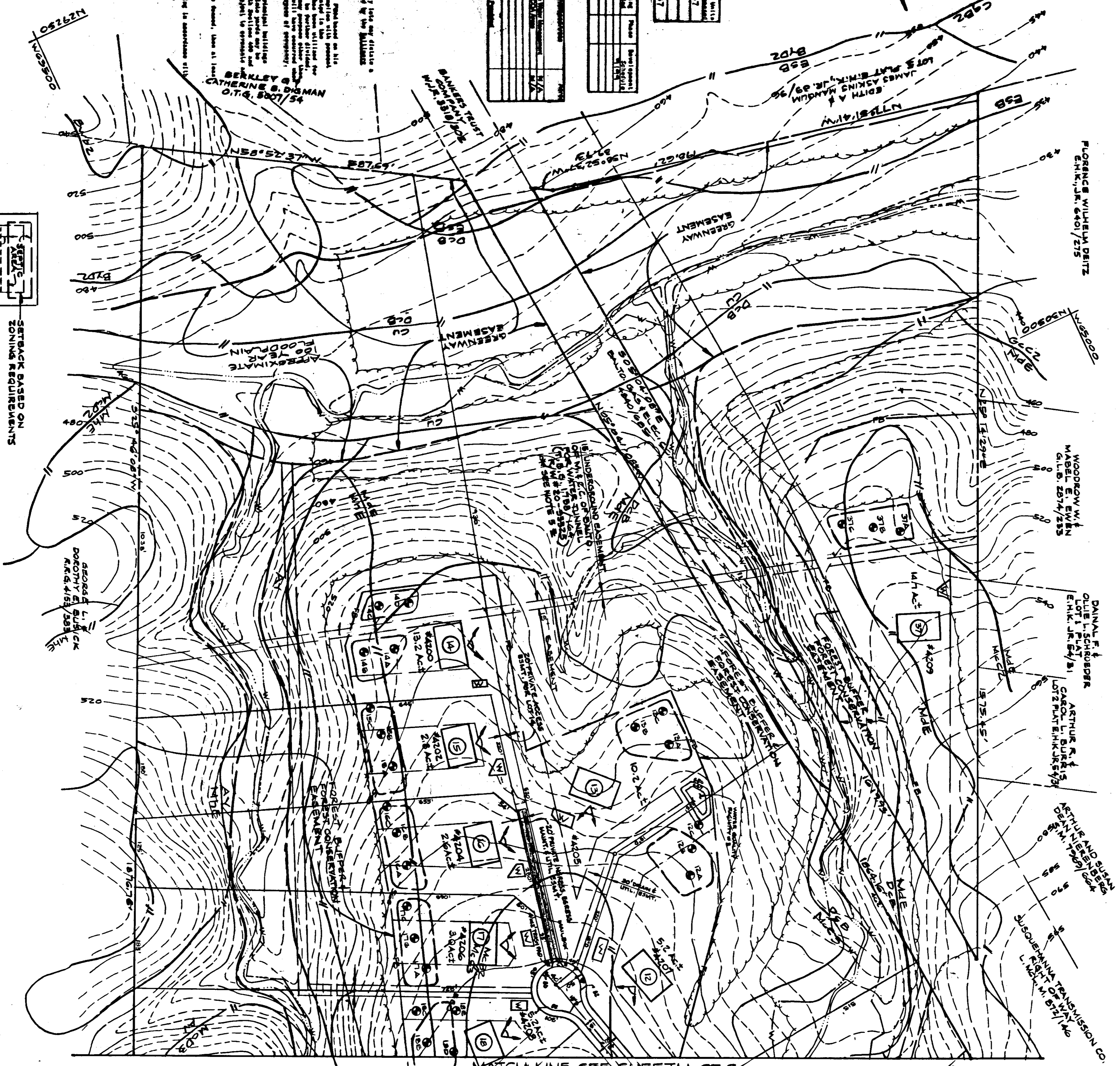
5. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE ACCURATE TO THE BEST OF HIS KNOWLEDGE.

OPEN SPACE PROPOSAL

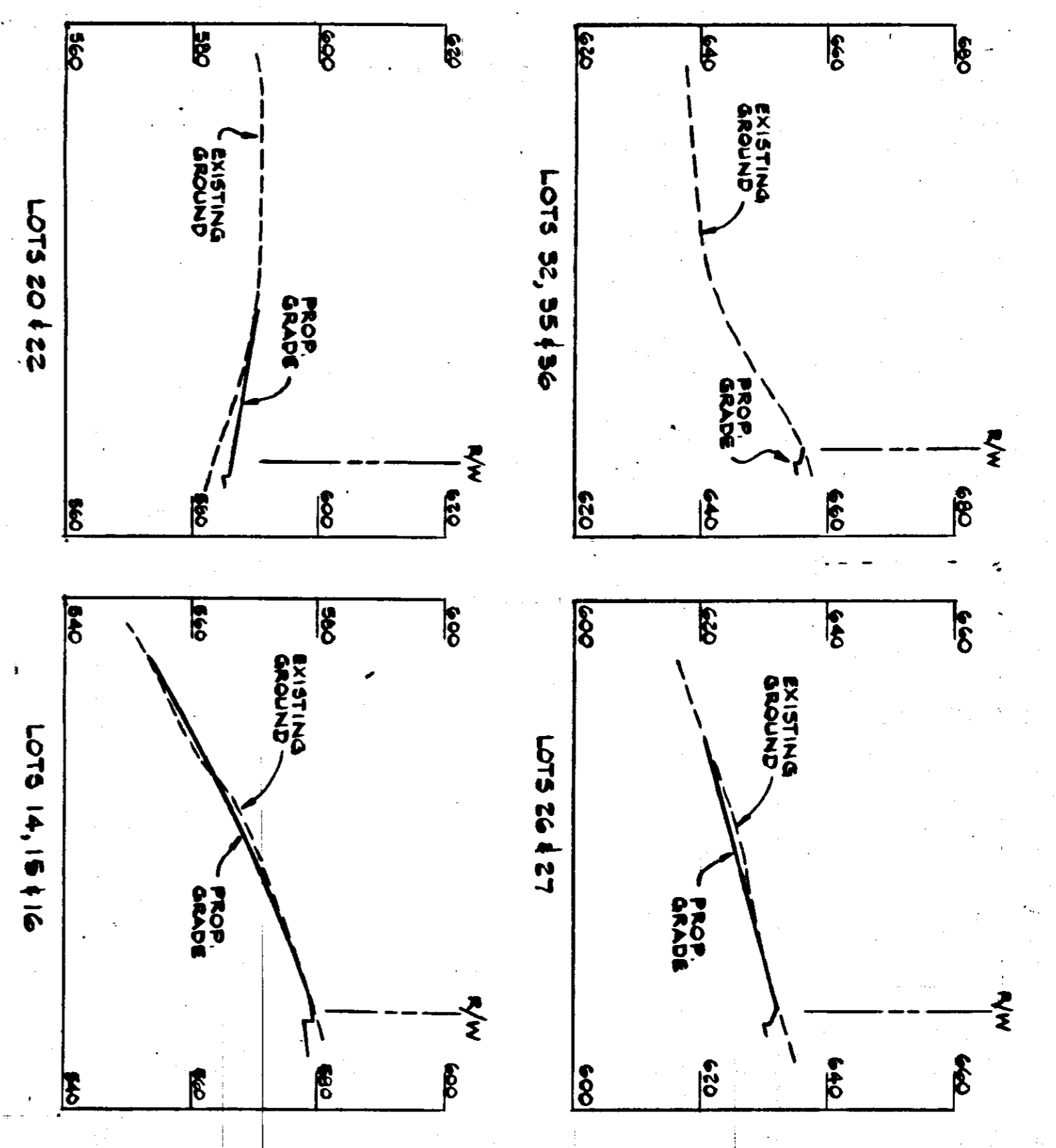
Proposed	Existing	Proposed	Existing	Proposed	Existing
Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48
49	50	51	52	53	54
55	56	57	58	59	60
61	62	63	64	65	66
67	68	69	70	71	72
73	74	75	76	77	78
79	80	81	82	83	84
85	86	87	88	89	90
91	92	93	94	95	96
97	98	99	100		

DATE: 1/11/90

Lot No.	Area (sq. ft.)	Proposed	Existing
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100



MATCH LINE SEE SHEET 1 OF 2



DEVELOPMENT PLAN
KRAM/JAEGER PROPERTY
 2ND ELECTION DISTRICT
 BALTIMORE COUNTY, MD
 DATE: JAN 4, 1990
 SHEET NO 2 OF 2
 PDM # II-511

79116