

IN RE: PETITION FOR VARIANCE

SW/S Oakland Road and Millers Mill Road
(21328 Millers Mill Road)
6th Election District
3rd Council District

David H. Dubel, et ux
Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 00-531-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, David H. and Mary Lane Dubel. The Petitioners seek relief, pursuant to Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.), from Section 26-266(4) of the Baltimore County Code (B.C.C.) to permit two panhandle strips in excess of the 1,000-foot maximum length permitted in an R.C. zone, for a proposed three-lot subdivision. The subject property and relief requested are more particularly described on the site plan submitted with the Petition filed and marked into evidence as *Petitioner's Exhibit 1*.

Appearing at the requisite public hearing held in support of this request were Mary Lane Dubel, property owner, and Scott Lindgren, a representative of Gerhold, Cross & Etzel, the land surveying firm which prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel containing a gross area of approximately 117 acres, split zoned R.C.2 (83.7 acres) and R.C.4 (33.3 acres). The property is located on the south side of Oakland Road and the west side of Millers Mill Road in the Freeland area of northern Baltimore County. Presently, the property is improved with a two-story dwelling in which the Petitioners reside and bears the address of 21328 Millers Mill Road. Much of the property is actively used for agricultural purposes (crops). In fact, the bulk of the property has been placed in the Maryland Agricultural

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Date

By

Land Preservation Foundation Program, insuring that the property will remain used for agricultural purposes. Note No.17 on the plan describes the purposes and encumbrances of that program.

The Petitioners propose to subdivide their property to provide two additional building lots for their children. These lots will be located towards the rear of the overall tract and as such, lengthy panhandle driveways will be necessary to provide vehicular access thereto. The particulars of the building lots, their location on the subject property, and the panhandle driveways are more particularly shown on the plan. As shown on the site plan, the respective panhandles will have a length of 1,865 feet and 1,735 feet, more or less.

The subject request was reviewed by Wallace Lippincott, a representative of the Department of Environmental Protection and Resource Management (DEPRM). Mr. Lippincott administers the Maryland Agricultural Land Preservation Easement Program in Baltimore County. Mr. Lippincott submitted written Zoning Advisory Committee (ZAC) comments relative to the instant Petition, stating that "This request can be supported. The property is in a Maryland Agricultural Land Preservation Easement and the lot sites have been approved by the Maryland Agricultural Land Preservation Foundation." Apparently, the lot sites were located so as to have minimal impact on active agricultural operations.

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. However, as a technical matter, I do not believe that the Petition for Variance is the appropriate tool to obtain the requested relief. Specifically, the subject variance, and variances in general, are sought pursuant to Section 307 of the B.C.Z.R. and Section 26-127 of the Baltimore County Code. A reading of those Sections discloses that the Zoning Commissioner is empowered to grant relief from height, area, and parking and sign regulations, as contained within the B.C.Z.R. The panhandle regulations at issue are contained within Section 26-266(4) of the Baltimore County Code (B.C.C.), Division 4, General Design Standards and Requirements. In my judgment, the more appropriate means of obtaining relief from that Section would be a waiver of the strict application of the panhandle requirements set forth therein. This Zoning Commissioner does have

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Date

By

the authority to issue such waivers from those requirements, pursuant to Section 26-172 of the Baltimore County Code.

Public notice of the requested relief has been provided under the Petition for Variance filed in this case. The relief is not altered or amended under this Order; rather, the means for obtaining same. Under the circumstances, I will grant the Petitioners the relief they request and amend the Petition for Variance to a Petition for Special Hearing, seeking a waiver of the strict application of Section 26-266(4) of the Baltimore County Code, pursuant to Section 26-172 thereof. Mr. Lippincott's written ZAC comment constitutes an affirmative recommendation of the waiver, as required under Section 26-172(a) of the Code.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of August, 2000, that the Petition for Variance, as amended herein to request special hearing relief to approve a waiver of the requirements of Section 26-266(4) of the Baltimore County Code to permit two panhandle strips in excess of the 1,000-foot maximum length permitted in an R.C. zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any party shall have thirty (30) days from the date of this Order to file an appeal of this decision.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 8/9/00

By [Signature]



Baltimore County
Zoning Commissioner

August 9, 2000

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

Mr. & Mrs. David H. Dubel
21328 Millers Mill Road
Freeland, Maryland 21053

RE: PETITION FOR VARIANCE
SW/S Oakland Road and Millers Mill Road
(21328 Millers Mill Road)
6th Election District – 3rd Council District
David H. Dubel, et ux - Petitioners
Case No. 00-531-A

Dear Mr. & Mrs. Dubel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance, as amended, 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 the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Scott Lindgren, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Suite 100, Towson, Md. 21286
Mr. Wally Lippincott, DEPRM; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21328 Millers Mill Road

which is presently zoned RC 2 & RC 4

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 Variance from Section(s) under Section 307 of the

Baltimore County Zoning Regulations; a Variance of Section 26-266(4) of the Baltimore County Code; to allow 2 panhandle strips in a RC Zone to exceed the 1000 foot maximum length permitted. The strips to be 1865 feet, more or less, and 1735 feet, more or less.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) The proposed dwelling sites were agreed upon in discussions between the property owners, Mr. Wally Lippincott of the Baltimore County Department of Environmental Protection and Resource Management and the Maryland Agricultural Land Preservation Foundation.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

Legal Owner(s):

David H. Dubel

Name - Type or Print

Signature

Mary Lane Dubel

Name - Type or Print

Signature

21328 Millers Mill Road 410-329-6757

Address

Telephone No.

Freeland

Maryland

21053

City

State

Zip Code

Representative to be Contacted:

Scott Lindgren

Gerhold, Cross & Etzel, Ltd.

Name Suite 100

320 E. Towsontown Blvd. 410-823-4470

Address

Telephone No.

Towson,

Maryland

21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

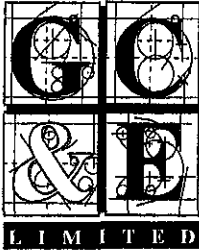
Reviewed By TAG

Date 6/12/00

Case No. 00-531-A

Date 9/15/98

ORDER RECEIVED FOR FILING
Date 9/15/98



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

ZONING DESCRIPTION DUBEL PROPERTY 21328 MILLERS MILL ROAD

All that piece or parcel of land situate, lying and being in the Sixth Election District of Baltimore County, State of Maryland and described as follows:

Beginning in the center of the intersection of Oakland Road and Millers Mill Road and running in or near the center of Oakland Road 1) North 76 degrees 27 minutes 22 seconds West 727.65 feet, thence leaving Oakland Road and running 2) South 07 degrees 36 minutes 28 seconds West 383.68 feet, 3) North 80 degrees 03 minutes 22 seconds West 81.41 feet, 4) South 38 degrees 30 minutes 28 seconds West 486.51 feet, 5) South 32 degrees 36 minutes 38 seconds West 693.00 feet, 6) South 57 degrees 51 minutes 38 seconds West 1056.00 feet, 7) South 46 degrees 51 minutes 38 seconds West 119.63 feet, 8) South 56 degrees 56 minutes 38 seconds West 301.13 feet, 9) South 48 degrees 23 minutes 22 seconds East 399.30 feet, 10) South 21 degrees 24 minutes 22 seconds East 835.00 feet, 11) South 21 degrees 24 minutes 22 seconds East 651.67 feet, 12) North 75 degrees 54 minutes 38 seconds East 229.00 feet, 13) South 08 degrees 36 minutes 22 seconds East 381.63 feet, 14) South 45 degrees 29 minutes 22 seconds East 503.25 feet, 15) North 19 degrees 35 minutes 38 seconds East 648.50 feet, 16) North 41 degrees 57 minutes 38 seconds East 572.55 feet, 17) North 49 degrees 12 minutes 58 seconds West 407.86 feet, 18) North 60 degrees 48 minutes 11 seconds East 359.17 feet, 19) North 30 degrees 38 minutes 38 seconds West 889.53 feet, 20) North 63 degrees 09 minutes 38 seconds East 1006.22 feet to the center of Millers Mill Road, thence running in the center of Millers Mill Road, 21) North 00 degrees 35 minutes 38 seconds East 68.23 feet, 22) North 09 degrees 22 minutes 53 seconds East 620.00 feet, 23) North 07 degrees 34 minutes 38 seconds East 462.07 feet and 24) North 07 degrees 09 minutes 48 seconds East 458.76 feet to the place of beginning.

Containing 150.3 Acres of Land, more or less.

This description only satisfies the requirements of the Baltimore County Office of Zoning and is not to be used for conveyance purposes.



C:\Mr Documents\dubel\des.doc

00-531-A

00-531-A

A-1E2-00

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083248

DATE 6-12-00 ACCOUNT K001 6150
AMOUNT \$ 50.00

RECEIVED FROM: Gerhold, Cross + Etzel, Inc

FOR: Variance - 21328 Millers M.I. Ed.

00-531-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
6/12/2000	6/12/2000	09:09:33
REG 0306	CASHIER KIM KIM BRANER	
Dept 5	528 ZONING VERIFICATION	
Receipt #	001964	0FLN
CP NO.	083248	

Receipt Tot 50.00
50.00 CK 00 PA
Baltimore County, Maryland

CASHIER'S VALIDATION

**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: #00-531-A
21328 Millers Mill Road
SWC Millers Mill and Oakland Roads
6th Election District
3rd Councilmanic District
Legal Owner(s): Mary Lane & David H. Dubel

Variance: to allow 2 pan-handle strips (1865 +/- feet and 1735 +/- feet) in a R.C. zone to exceed the 1,000-foot maximum length permitted.

Hearing: Monday, July 31, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley 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) 887-3391.

7/085 July 13 C403750

CERTIFICATE OF PUBLICATION

TOWSON, MD, 7/13, 2000

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 7/13, 2000.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

ZONING NOTICE

Case # 00-531-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE *East 467 County Route 205, 4th Parcel Ave.*
TIME & DATE *10:00 AM Mon. July 31, 2000*

*VARIANCE TO ALLOW R. HANDICAPPED STAIRS (885.2 FEET
AND 1731.2 FEET) IN A R.G. BUNK TO 885.0
THE 1,000 FOOT MAXIMUM LENGTH PERMITTED.*

FOR CONVENIENCE DUE TO WEATHER OR OTHER CONDITIONS ARE SOONER
NECESSARY TO COMPLY HEARING
CALL 410-538-1111 THE DAY BEFORE THE SCHEDULED HEARING DATE.
IF IT PROVES TO BE NECESSARY TO HOLD THE HEARING AT THE
HEARINGS ARE HANDICAPPED ACCESSIBLE

21328 Millers Mill Road

CERTIFICATE OF POSTING

**RE: CASE #00-531-A
PETITIONER/DEVELOPER
(David H. Dubel)
DATE OF Hearing
(7-31-00)**

**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
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

21328 Millers Mill Road Freeland, Maryland 21053____

THE SIGN(S) WERE POSTED ON _____ 7-14-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

_____ 410-687-8405 _____
(TELEPHONE NUMBER)

RE: PETITION FOR VARIANCE
21328 Millers Mill Road, SW Cor Oakland
and Millers Mill Rd
6th Election District, 3rd Councilmanic

Legal Owner: David H. & Mary L. Dubel
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-531-A

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 13th day of July, 2000 a copy of the foregoing Entry of Appearance was mailed to Scott Lindgren , Gerhold, Cross & Etzel, 320 E. Towsontowne Blvd., Suite 100, Towson, MD 21286, representative for Petitioners.



PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

July 5, 2000

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 NUMBER: 00-531-A
21328 Millers Mill Road
SWC Millers Mill and Oakland Roads
6th Election District – 3rd Councilmanic District
Legal Owner: Mary Lane & David H. Dubel

Variance to allow 2 panhandle strips (1865 +/- feet and 1735 +/- feet) in a R.C. zone to exceed the 1,000-foot maximum length permitted.

HEARING: Monday, July 31, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Mary & David Dubel, 21328 Millers Mill Road, Freeland , MD 21053
Scott Lindgren, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., Suite
100, Towson, MD 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 16, 2000.**
(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.



TO: PATUXENT PUBLISHING COMPANY
Thursday, July 13, 2000 Issue – Jeffersonian

Please forward billing to:

David H. & Mary Lane Dubel 410-329-6757
21328 Millers Mill Road
Freeland, MD 21053

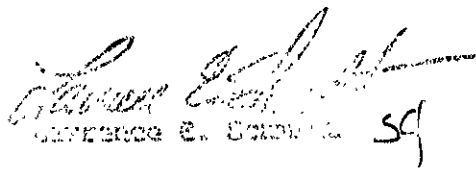
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HEARING: Monday, July 31, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

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.

**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: 00-531-A

Petitioner: David H. & Mary Lane Dubel

Address or Location: 21328 Millers Mill Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: David H. & Mary Lane Dubel

Address: 21328 Millers Mill Road

Freeland, Maryland 21053

Telephone Number: 410-329-6757

Revised 2/20/98 - SCJ

00-531-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 26, 2000

Mr. Scott Lindgren
Gerhold, Cross & Etzel, Ltd.
320 E. Towsontown Blvd.
Towson MD 21286

Dear Mr. Lindgren:

RE: Case Number 00-531-A, 21328 Millers Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 6/12/00.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures

c: David Dubel

completed 7-5-00



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 17, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 3, 2000
Item Nos. 516, 517, 518, 519, 520, 521, 522,
523, 524, 526, 527, 528, 529, 530, 531, 532,
534, 535, 536, 537, 538, 540, 541, and 543

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

June 29, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 26, 2000

Item No.: See Below

Dear Ms. Stephens:

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

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

516, 517, 518, 519, 522, 524, 525, 526, 527, 528,
529, 530, 531, 533, 535, 536, 537, 538, 539, 540,
541, 543,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *MB*
DATE: July 25, 2000
SUBJECT: Zoning Item #531
21328 Millers Mill Road

Zoning Advisory Committee Meeting of June 26, 2000

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- _____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X Agricultural Preservation: This request can be supported. The property is in a Maryland Agricultural Land Preservation Easement and the lot sites have been approved by the Maryland Agricultural Land Preservation Foundation.

Reviewer: Wally Lippincott

Date: July 10, 2000

hs
7/31

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: June 26, 2000

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

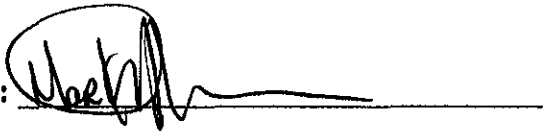
JUN 26

SUBJECT: Zoning Advisory Petition(s): Case 531.

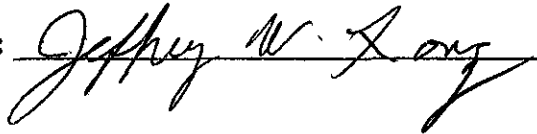
The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 6.26.00

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 531

TAG

Dear Ms. Jackson:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

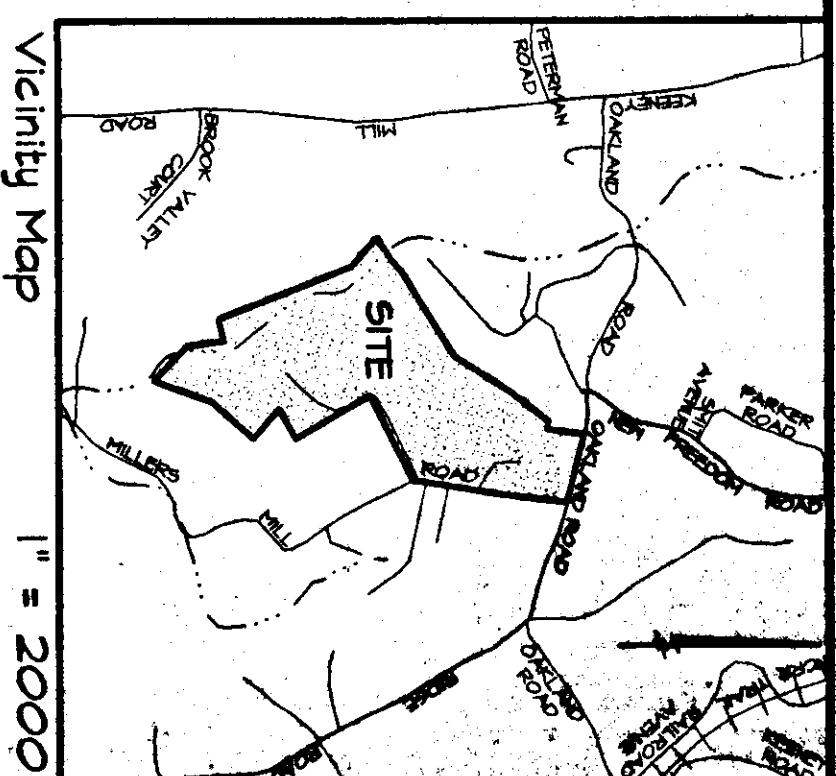
Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



GENERAL NOTES

- DENSITY CALCULATIONS
- | | |
|------------------------|------------------------|
| SGROSS AREA | 117 A.C. (COMPTED) |
| SGROSS AREA IN RC 2 | |
| LOTS PERMITTED IN RC 2 | |
| SGROSS AREA IN RC 4 | |
| LOTS PERMITTED IN RC 4 | |
| TOTAL LOTS PERMITTED | 0 (SEE NOTE #17 & #23) |
| LOTS PROPOSED | 9 (SEE NOTE #17 & #23) |
| | 3 |
- OWNER/DEVELOPER
- DAVID H. DIEHL &
MARLYN LANE DIEHL
21328 MILLERS HILL ROAD
FREE LAKE, ND 58039-4553
410-324-6751

VARIANCE REQUESTED:
 A VARIANCE SECTION 307 OF THE BALTIMORE COUNTY ZONING REGULATIONS,
 A VARIANCE OF SECTION 26-266(4) OF THE BALTIMORE COUNTY CODE,
 TO ALLOW 2 PANNHARDT STRIPS IN A RC ZONE TO EXCEED THE 1000 FOOT
 MAXIMUM LENGTH PERMITTED.

DUBEL PROPERTY
 PLAT TO ACCOMPANY A
 PETITION FOR VARIANCE
 OAKLAND ROAD & MILLEES MILL ROAD
 Deed Ref: O.T.G. No. 5223 Folio 185
 Tax Account No.: 16-00-004885
 Zoned RC 2 & RC 4
 Tax Map 6, Grid 4, Parcel 5
 6th ELECTION DISTRICT
 3rd COUNCILMANIC DISTRICT
 BALTIMORE COUNTY, MARYLAND

Scale: 1" = 200'

Scale: 1" = 200'

June 1, 2000

REGISTERED PROFESSIONAL | AND SURVEYORS

320 East Tomsontown Boulevard

(410) 823-4470

AL.	FILE: X:\VIDEO\BASEPLAN.pro
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00-531-A

SYMBOLS LEGEND

	EXISTING WELL
	PASSED PERK TEST
	PROPOSED DWELLING
	EXISTING DWELLING
	SOIL LINE
	WOODS LINE
	LIMIT OF WETLANDS
	PRICE LINE
	EXISTING FENCING
	ZONING LINE
	PROPERTY LINE
	LIMIT OF DISTURBANCE

TYPE	SPECIFIC FILTER FIELDS	HOUSING TYPE / MODIFICATION	STREETS & PARKING
Cd2, Cd3	Modern, moderate permeability, slope	Slight	Modern, slope
Cd2, Cd3	Modern, slope	Modern, slope	Modern, slope
Cd	Severe, moderate, high water table, flooding hazard	Severe, flooding hazard	Severe, flooding hazard
Cv	Severe, flooding hazard	Severe, flooding hazard	Severe, flooding hazard
Cd3, Cd3	Severe, slope	Severe, slope	Severe, slope

SOIL TYPES & LIMITATIONS

DETAIL
1" = 100'

H: 1" = 200' V: 1" = 10'

SYMBOLS LEGEND

SOIL LINE

SOIL TYPES & LIMITATIONS

LIMIT OF WETLANDS

x FENCE LINE

EXISTING PAVING

ZONING LINE

PROPERTY LINE

- Limit of Disturbance

1

9/8/2000

