

IN THE MATTER OF
THE APPLICATION OF
DANIEL G. & LORRAINE E. NARANGO -
OWNERS /PETITIONERS FOR SPECIAL
HEARING ON PROPERTY LOCATED
ON THE S/S MEREDITY ROAD, 1400'
W OF KIRKWOOD SHOP ROAD
(2635 MEREDITH ROAD)
7th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 01-096-SPH

* * * * *

ORDER

Petitioners filed for Special Hearing relief to create a second residential lot on Lot 3 in the residential subdivision of Meredith's Range.

The subdivision was created in 1976 under the Rural Deferred Planning (RDP) zone. It is now zoned R.C. 2.

The Special Hearing Petition was approved by the Zoning Commissioner on November 1, 2000. People's Counsel filed an appeal. A hearing was held before the Board of Appeals of Baltimore County on January 3, 2002. Mr. Doug Myers, land use consultant for Petitioners, and Carole S. Demilio, Deputy People's Counsel, were present. Ms. Demilio stated that People's Counsel filed an appeal based on the negative comment of the Department of Environmental Protection & Resource Management (DEPRM) and on *Baltimore County Zoning Regulations* §§ 1A00.4 and 1B01.3. Mr. Myers and Ms. Demilio proffered that the parties had reached an understanding regarding the proposed subdivision.

As a result of discussions between parties, Petitioners agree to place the proposed second house in an area on Lot 3 that does not interfere with agricultural operations on the surrounding properties. Additionally, the site plan dated November 1, 2000 is amended to reflect the location of the house in accordance with DEPRM recommendations. The revisions to the site plan are dated February 7, 2001 and February 15, 2001, and designate those areas where no dwellings will ever be

constructed, to avoid interference with contiguous agricultural operations. The revised site plan was submitted to the Board on the date of the hearing.

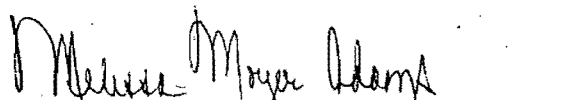
WHEREFORE, in consideration of the evidence proffered by the parties and the revised site plan entered into evidence in this case, it is, by the County Board of Appeals of Baltimore County, this 18th day of April, 2002,

ORDERED that the Petition for Special Hearing is hereby **GRANTED**, provided Petitioners locate the second house in accordance with the revised site plan filed with this Board, having Revisions Dates February 3, 2001 and February 15, 2001.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, Panel Chairman


Melissa Moyer Adams


C. Lynn Barranger

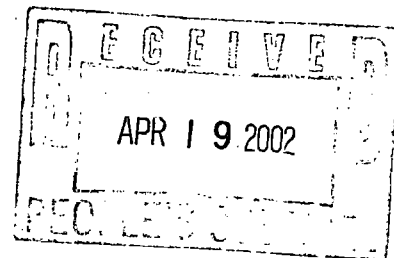


County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

CG 1/1/2

April 18, 2002



Mr. and Mrs. Daniel G. Narango
2635 Meredith Road
White Hall, MD 21161

RE: *In the Matter of: Lorraine E. & Daniel G. Narango*
Case No. 01-096-SPH

Dear Mr. and Mrs. Narango:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

The subject file will be closed after a period of 30 days from the date of this Order.

Very truly yours,

Kathleen C. Bianco
Kathleen C. Bianco
Administrator

Enclosure

c: Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Douglas C. Myers
Darren Narango
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM



2000 is amended to reflect the location of the house in accordance with DEPRM recommendations. The revisions to the site plan are dated February 7, 2001 and February 15, 2001, and designate those areas where no dwellings will ever be constructed, to avoid interference with contiguous agricultural operations. The revised site plan was submitted to the Board on the date of the hearing.

WHEREFORE, in consideration of the evidence proffered by the parties and the revised site plan entered into evidence in this case, it is, by the County Board of Appeals for Baltimore County, this _____ day of March, 2002, ORDERED that the Petition for Special Hearing is hereby GRANTED, provided Petitioners locate the second house in accordance with the revised site plan filed with this Board, having Revisions Dates February 3, 2001 and February 15, 2001.

Any petition for judicial review must be filed within thirty (30) days of the date of this Order.

LAWRENCE S. WESCOTT, Panel Chairman

MELISSA MOYER ADAMS, Board Member

C. LYNN BARRANGER, Board Member



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

March 8, 2002

CAROLE S. DEMILIO
Deputy People's Counsel

Lawrence S. Wescott, Panel Chairman
County Board of Appeals
of Baltimore County
401 Washington Avenue, Room 49
Towson, MD 21204

Hand-delivered

RECEIVED
COUNTY BOARD OF APPEALS
02 MAR -8 AM 5:24

Re: **Petition for Special Hearing**
2635 Meredith Road
Daniel G. & Lorraine E. Narango, Petitioners
Case No.: 01-96-SPH

Dear Chairman Wescott:

Enclosed for the Board's review and consideration is proposed Order in the above case.

Very truly yours,

A handwritten signature in cursive script that reads "Peter Max Zimmerman".

Peter Max Zimmerman
People's Counsel for Baltimore County

A handwritten signature in cursive script that reads "Carole S. Demilio".

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/cdf
Enclosure

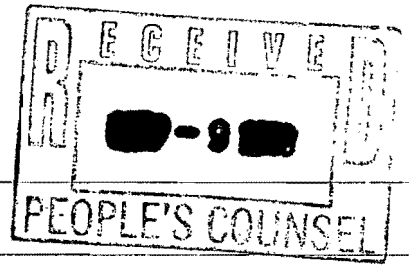
cc: Daniel G. & Lorraine E. Narango, 2635 Meredith Road, White Hall, MD 21161

Douglas C. Myers, 5724 Emory Road, Upperco, MD 21155,
Representative for Petitioners

Carole

11-9-00

JUN SAID



1A00: ~~3~~B1 (BCZR 1975)

NO DENSITY IN RDP ZONE
EXCEPT MIN. OF 1 AC. LOT.

... IF RECORD PLAT IS VESTED
THEY CAN CREATE LOTS BASED
ON RDP REGS. - NOT THE
CURRENT RC-2 ZONE REGS. "

[ATTESTATIONS]

COUNTY COMMISSIONERS OF BALTIMORE COUNTY¹

/s/ Michael J. Birmingham
Michael J. Birmingham, President

/s/ Augustine J. Muller
Augustine J. Muller

/s/ Robert B. Hamill
Robert B. Hamill

* * *

April 3, 1975

I hereby certify, in accordance with Section 22-29 of the Baltimore County Code 1968, that the amendments and supplements to the Baltimore County Zoning Regulations of 1955 are fully and accurately printed in the 1975 edition of the Baltimore County Zoning Regulations.

/s/ Thomas Toporovich
Thomas Toporovich
Secretary pro tem
County Council of Baltimore County²

1. The attestation of the County Commissioners of Baltimore County applies to B.C.Z.R., 1955 only.
2. The attestation of the Secretary pro tem of the County Council applies to all amendments and supplements enacted through October 10, 1974.

11. Golf driving ranges, miniature-golf ranges, or baseball-batting ranges.
12. Helistops.
13. Marinas.
14. Public-utility uses not permitted as of right.
15. Residential art salons (see Section 402C).
16. Riding stables (commercial or noncommercial).
17. Sanitary landfills (see Section 412).
18. Shooting ranges.
19. Volunteer-fire-company facilities.
20. Wireless transmitting and receiving structures, except that a radio antenna in conjunction with transmitting and receiving facilities used by a resident amateur radio operator possessing an amateur radio operator's license issued by the Federal Communications Commission shall be considered an accessory structure or, if attached to another structure, an accessory use, and, as such, is permitted without a special exception, provided: (a) that if it is an accessory structure, it shall be subject to the provisions of Section 400; (b) that if it is a rigid-structure antenna, it shall be no higher than 100 feet or the horizontal distance to the nearest property line, whichever is less, above grade level, and no supporting structure thereof shall be closer than 50 feet to any property line; and, further, (c) that it does not extend closer to the street on which the lot fronts than the front building line
21. Large-scale unit developments, as provided in Section 430

1A00.3—Height and Area Regulations. [Bill No. 100, 1970.]

A. Height. No structure in an R.D.P. zone shall exceed a height of 35 feet, except as otherwise specifically provided in these Zoning Regulations (see Section 300). [Bill No. 100, 1970.]

B. Area Regulations. [Bill No. 100, 1970.]

1. Lot Area. No lot less than 1 acre in net area shall be hereafter created in an R.D.P. zone, subject to attaining percolation tests satisfactory to the Baltimore County Department of Health and conforming to the applicable health requirements. [Bill No. 100, 1970.]
2. Minimum Linear Dimension. Except as otherwise provided in Subparagraph 3, below, the minimum linear dimension of any lot hereafter created in an R.D.P. zone shall be 150 feet. For the purposes of these regulations, the minimum linear dimension of any lot shall be the diameter of the largest circle in a horizontal plane which may be inscribed within the lot boundaries. [Bill No. 100, 1970.]
3. The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet; the minimum distance between the building and the center line of any street shall be 75 feet. [Bill No. 100, 1970.]

IN RE: PETITION FOR SPECIAL HEARING
S/S Meredith Road, 1400' W of the c/l
Kirkwood Shop Road
(2635 Meredith Road)
7th Election District
3rd Council District

Daniel G. Narango, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-096-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Daniel G. and Lorraine E. Narango. The Petitioners request a special hearing to approve two (2) proposed panhandles on the subject property to be 6 feet wide in lieu of the required 12 feet; or, in the alternative, to allow access to the proposed lot by the existing right-of-way in lieu of the required panhandle driveway. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Daniel Narango, property owner, his son, Darren Narango, and Douglas C. Myers, land use consultant. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located approximately 500 feet off the south side of Meredith Road, not far from that road's intersection with Kirkwood Shop Road in White Hall. The property is also known as Lot 3 of the residential subdivision known as Meredith's Range, and contains a gross area of 6.430 acres, more or less, zoned R.C.2.

A review of the history of this subdivision is helpful in understanding the relief requested. Meredith's Range was created in 1976 and the plat for same recorded in the Land Records of Baltimore County on December 14, 1976. It is of note that this date is prior to Baltimore County's adoption of the R.C.2 zoning classification on November 25, 1979. Meredith's Range was created as a five-lot subdivision. Lots 1 and 2 are immediately adjacent to Meredith

Road and have direct vehicular access thereto. Lots 3, 4 and 5 are located to the rear of Lots 1 and 2 and have vehicular access to Meredith Road through a panhandle driveway. The subdivision features an hourglass shape, with Lots 1 and 2 encompassing the top of the hourglass adjacent to Meredith Road, and Lots 3, 4 and 5, the bottom of the hourglass, with no direct road frontage. All five lots have been improved with single family dwellings.

Under the R.C.2 zoning regulations, any parcel with that zoning classification and sized between 2 and 100 acres, may be subdivided once to create two building lots. In the instant case, the Petitioners propose to subdivide their lot to create one additional building lot. Proposed Lot 1 would contain 3.439 acres and the existing Narango residence. Lot 2 would contain 3.000 acres, and will be deeded to the Petitioners' son, Darren Narango, who will develop the lot with a single family dwelling for himself.

The site plan clearly depicts the proposed subdivision and location of the existing and proposed dwellings. It is to be noted that the subject property is bifurcated by a drainage and utility easement which runs through the middle of the lot and limits the building area. Both houses will be located in front (west) of that easement, adjacent to the driveway that serves existing Lots 3, 4 and 5. Presently, that driveway is 8 feet wide. The Petitioners seek relief to allow the construction of a 12-foot wide panhandle driveway, which will run parallel to the existing 8-foot wide panhandle driveway, to provide access to the new lot. In the alternative, the Petitioners request approval to allow the use of the existing 8-foot panhandle driveway to provide access to both lots, without the required separate panhandle driveway for each lot.

In support of the requested relief, the Petitioners submitted letters signed by the owners of Lots 4 and 5 indicating their approval. William G. Leonard, owner of Lot 4, indicates his consent to allow Mr. & Mrs. Narango the right to use the existing driveway and approves their subdivision. Robert M. Cox, the owner of Lot 5, signed a similar letter. Although there were no Protestants present and the Petitioners' proposal has the support of the impacted neighbors and users of the panhandle driveway, adverse Zoning Advisory Committee comments were received from the Office of Planning (OP) and the Department of Environmental Protection and Resource Management (DEPRM). The Office of Planning does not support the request to allow two 6-foot

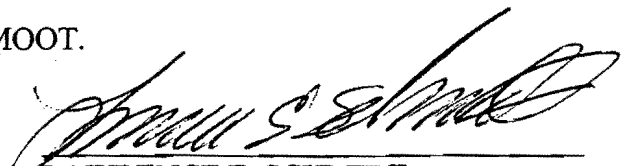
wide panhandle driveways and believes that same would be inadequate to provide safe negotiation of vehicular traffic. DEPRM's comments indicate that an additional subdivision of Lot 3 is not consistent with maintaining low density for continued agricultural use.

With all due respect to these agencies, I believe the facts of this case, and the history of this subdivision, are persuasive factors which warrant the grant of the relief requested. As noted above, Meredith's Range was created prior to the adoption of the R.C.2 zoning regulations in 1979. Thus, the Petitioners are, by right, permitted to subdivide their property as noted above. Moreover, the addition of one single family dwelling will certainly not overwhelm or overburden the existing roadway. This is clearly recognized by the impacted neighbors who have consented to the proposed subdivision and use of the existing panhandle driveway. For these reasons, I am persuaded to grant the Petition for Special Hearing. In my judgment, the relief requested is appropriate under the circumstances and will not cause any detrimental impact on adjacent or surrounding properties.

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 10th day of November, 2000 that the Petition for Special Hearing to allow access to the proposed lots via the existing right-of-way in lieu of the required separate panhandle driveway for each lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the requisite thirty (30) day appeal period; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval of two (2) proposed panhandles on the subject property at a width of 6 feet in lieu of the minimum required 12 feet, be and is hereby DISMISSED AS MOOT.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



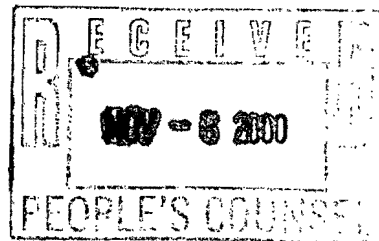
Baltimore County
Zoning Commissioner

November 1, 2000

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

Mr. & Mrs. Daniel G. Narango
2635 Meredith Road
White Hall, Maryland 21161

RE: PETITION FOR SPECIAL HEARING
S/S Meredith Road, 1400' W of the c/l Kirkwood Shop Road
(2635 Meredith Road)
7th Election District - 3rd Councilmanic District
Daniel G. Narango, et ux - Petitioners
Case No. 01-096-SPH



Dear Mr. & Mrs. Narango:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact 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. Douglas C. Myers
5724 Emory Road, Upperco, Md. 21155
Mr. Darren Narango
1828 Loch Shiel Road, Baltimore, Md. 21234
Office of Planning; DEPRM; People's Counsel; Case File





Petition for Special Hearing^{gbl}_{ph}

to the Zoning Commissioner of Baltimore County

for the property located at 2635 Meredith Rd., White Hall, Md. 21161
which is presently zoned RC2

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

to allow the (2) proposed panhandles to be 6 feet wide in lieu of the required 12 feet width, or, to allow access to the proposed lot by the existing right of way in lieu of a panhandle.

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:

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

Attorney For Petitioner:

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

Legal Owner(s):

Daniel G. Narango
Name - Type or Print _____
Signature *Daniel G. Narango* _____
Lorraine E. Narango
Name - Type or Print _____
Signature *Lorraine E. Narango* _____
2635 Meredith Road 410-343-0924
Address Telephone No.
White Hall, Maryland 21161
City State Zip Code

Representative to be Contacted:

Douglas C. Myers
Name _____
5724 Emory Road 410-429-5007
Address Telephone No.
Upperco, Maryland 21155
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP/76 Date 8/25/00

Case No. 01-096-SPH



Baltimore County
Department of Permits and
Development Management

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

October 6, 2000

Douglas C. Myers
5724 Emory Road
Upperco, MD 21155

Dear Mr. Myers:

RE: Case Number: 01-096-SPH, 2635 Meredith Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 25, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Daniel G. & Lorraine E. Narango, 2635 Meredith Road, White Hall 21161.
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 11, 2000

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

SUBJECT: 2635 Meredith Rd

INFORMATION:

Item Number: 01-096

Petitioner: Daniel G. Narango

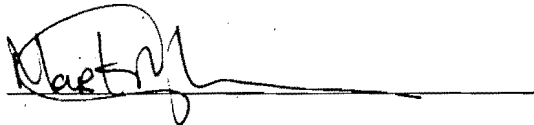
Zoning: RC 2

Requested Action: Special Hearing

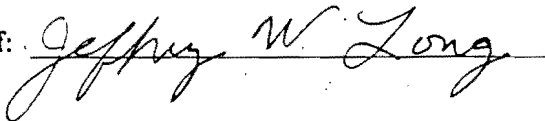
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the request to allow 6 foot panhandles in lieu of the minimum required 12 foot width per lot. This office has determined that a six foot panhandle is inadequate to provide safe negotiation of vehicular traffic. Furthermore, the creation of 6 foot panhandles would not be consistent with the spirit and intent of Section 26-266 of the Baltimore County Code.

Prepared by:



Section Chief:



AFK:MAC:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 11, 2000

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

SUBJECT: 2635 Meredith Rd

INFORMATION:

Item Number: 01-096

Petitioner: Daniel G. Narango

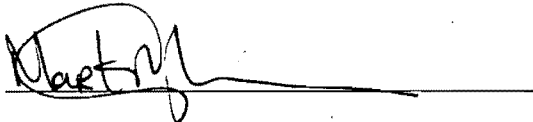
Zoning: RC 2

Requested Action: Special Hearing

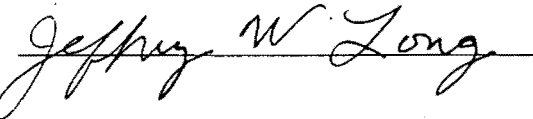
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Prepared by:



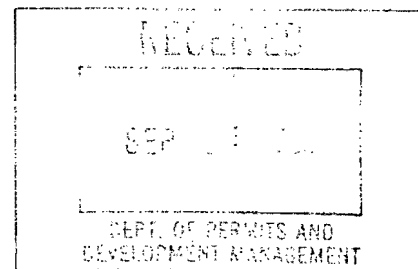
Section Chief:



AFK:MAC:

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *lms*
DATE: September 20, 2000
SUBJECT: Zoning Item #096
2635 Meredith Road



Zoning Advisory Committee Meeting of September 11, 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:
- X 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 may need to 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 is in an Agricultural Preservation Area and in close proximity to agricultural easements. Additional subdivision is not consistent with maintaining low density for continued agricultural use.

Reviewer: Wally Lippincott
Reviewer: Bruce Seeley

Date: September 18, 2000
Date: September 20, 2000

RE: PETITION FOR SPECIAL HEARING
2635 Meredith Road, S/S Meredith Rd,
1400' W of Kirkwood Shop Rd
7th Election District, 3rd Councilmanic

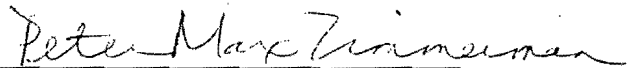
Legal Owner: Daniel G. & Lorraine E. Narango
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-96-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. 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 September, 2000 a copy of the foregoing Entry of Appearance was mailed to Douglas C. Myers, 5724 Emory Road, Upperco, MD 21155, representative for Petitioners.


PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

TO: Peter Zimmerman DATE: November 28, 2000

FROM: Wally Lippincott, Jr.

SUBJECT: Resubdivision of parcel on Meredith Road

Mr. Doug Myers was in to see me on the resubdivision of the property on Meredith Road. He asked about my comment that additional density was in conflict with the protection of agricultural resources in the area.

I explained to him that my comment was based upon two principles. The first is that the overall reduction in density was beneficial to resource protection because of the indirect impacts caused by more and more people in an area dedicated to agricultural production and resource protection.

The second is the direct impact of the loss of agricultural land, encroachment on agricultural soils and conflict with adjacent agricultural operations. For this property, Mr. Myers indicated that the site is entirely wooded and the proposed new dwelling would be well within the woods. After review of the materials, I concur there would be no direct impact on the agricultural resources. We also discussed the possibility of his client putting the woodland between the drainage easement and the adjacent farm under a Forest Conservation Easement that would preclude any future conflict.

If the resubdivision is permitted, I would be willing to withdraw my objection if the applicant limits the proposed dwelling location to the area shown on the plan and provides for some assurance such as a Forest Conservation Easement that would insure that protection of the wooded screen between the house sites and the open field.

Post-It® Fax Note	7671	Date	11/28	# of pages	2
To	Pete Zimmerman	From	W Lippincott		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	3182	Fax #			

BALTIMORE COUNTY, MARYLAND

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

TO: Peter Zimmerman

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If the resubdivision is permitted, I would be willing to withdraw my objection if the applicant limits the proposed dwelling location to the area shown on the plan and provides for some assurance such as a Forest Conservation Easement that would insure that protection of the wooded screen between the house sites and the open field.

Post-It® Fax Note 7671		Date 11/28	# of pages 2
To Pete Zimmerman	From W Lippincott Jr		
Co./Dept.	Co.		
Phone #	Phone #		
Fax # 3182	Fax #		



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

December 19, 2000

CAROLE S. DEMILIO
Deputy People's Counsel

Daniel G. & Lorraine E. Narango
2635 Meredith Road
White Hall, MD 21161

Re: Petition for Special Hearing
2635 Meredith Road, S/S Meredith Rd,
1400' W of Kirkwood Shop Rd
Daniel & Lorraine Narango, Petitioners
Case No.: 01-96-SPH

Dear Mr. and Mrs. Narango:

Our office filed an appeal of your Petition for Special Hearing for a minor subdivision.

Wally Lippincott of DEPRM expressed to us his concern that a subdivision of a portion of your property into two lots may have an adverse effect on local farming operations in the area.

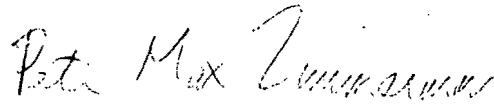
After a discussion with your engineer, it is our understanding that you have agreed to place a part of your property on the side of the drainage utility easement into a Forest Conservation Easement, which is to be left unimproved. Your site plan will have to be amended to reflect this condition.

If you consent to the easement, and proceed to a fully executed written agreement, our office will not oppose your Petition for Special Hearing. Naturally, we have no way of knowing if interested citizens would appear at a hearing in opposition to your proposed minor subdivision. However, no one has contacted our office to date regarding this matter.

We will be happy to discuss the procedures with your engineer if he advises us you are proceeding with a written easement. If you have any questions, please contact us.

Daniel G. & Lorraine E. Narango
December 19, 2000
Page Two

Very truly yours,



Peter Max Zimmerman
People's Counsel for Baltimore County



Carole S. Demilio
Deputy People's Counsel

CSD/caf

cc: Douglas C. Myers, 5724 Emory Road, Upperco, MD 21155

CERTIFICATION OF APPROVAL OF DEVELOPMENT PLAN OR PLAT
REGARDING THE PROTECTION OF BALTIMORE COUNTY'S
SOIL RESOURCES
(Baltimore County Council Bill No. 134-89)

1-12-01

The development plan or plat submitted by Doug Myers
_____ and referenced as Narangi Property
Meredith Rd has been
reviewed for consistency with Baltimore County Council Bill No. 134-89
and has determined to be (☒) consistent (☐) inconsistent with the
requirements of this Bill.

W. J. Lippincott Jr.



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

November 21, 2000

CAROLE S. DEMILIO
Deputy People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR SPECIAL HEARING
2635 Meredith Road, S/S Meredith Rd,
1400' W of Kirkwood Shop Rd,
7th Election Dist., 3rd Councilmanic
Daniel G. & Lorraine E. Narango, Petitioners
Case No.: 01-96-SPH

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated November 1, 2000 of the Baltimore County Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

A handwritten signature in cursive script that reads "Peter Max Zimmerman".

Peter Max Zimmerman
People's Counsel for Baltimore County

A handwritten signature in cursive script that reads "Carole S. Demilio".

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/cdf

cc: Daniel G. & Lorraine E. Narango, 2635 Meredith Road, White Hall, MD 21161, Petitioners

Douglas C. Myers, 5724 Emory Road, Upperco, MD 21155, representative for Petitioners



Baltimore County
Department of Permits and
Development Management

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

December 14, 2000

Mr. & Mrs. Daniel G. Narango
2635 Meredith Road
White Hall, MD 21161

Dear Mr. & Mrs. Narango:

RE: Case No. 01-96-SPH, 2635 Meredith Road

Please be advised that an appeal of the above-referenced case was filed in this office on November 21, 2000 by People's Counsel for Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Arnold Jablon
Director

GDZ

AJ: gdz

C: Daniel Narango, 1828 Loch Shiel Road, Baltimore 21234
Douglas C. Myers, 5724 Emory Road, Upperco 21155
People's Counsel



APPEAL

Petition for Special Hearing
2635 Meredith Road
S/S Meredith Road, 1400' W of the centerline Kirkwood Shop Road
7th Election District – 3rd Councilmanic District
Lorraine E. & Daniel G. Narango - Legal Owners
Case Number: 01-96-SPH

Petition for Special Hearing (filed 8/25/00)

Description of Property

Notice of Zoning Hearing (dated 9/8/00)

Certification of Publication (9/26/00 – The Jeffersonian)

Certificate of Posting (9/27/00 –posted by Patrick M. O'Keefe)

Entry of Appearance by People's Counsel (dated 9/13/00)

Petitioner(s) Sign-In Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibits:

1 Plat to Accompany Petition for Special Hearing (dated 8/18/00)

Misc. (Not Marked as Exhibits):

❖ Letters (2) giving right to use the driveway of adjoining lot

Zoning Commissioner's Order dated 11/1/00 (Granted in part; Dismissed as Moot in part)

Notice of Appeal received on 11/21/00 from People's Counsel for Baltimore County

C: Mr. & Mrs. Daniel G. Narango, 2635 Meredith Road, White Hall 21161
People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM



Maryland Department of Assessments and Taxation
Real Property System

[\[Go Back\]](#)

BALTIMORE COUNTY

[\[Start Over\]](#)

DISTRICT: 07 ACCT NO: 1700013332

Owner Information

Owner Name: NARANGO DANIEL GEORGE
NARANGO LORRAINE E
Use: RESIDENTIAL

Mailing Address: 2635 MEREDITH RD
WHITE HALL MD 21161-9070
Principal Residence: YES

Transferred

From: MOORE THOMAS W **Date:** 11/28/1978 **Price:** \$77,900

Deed Reference: 1) / 5963/ 216 **Special Tax Recapture:**

2)

* NONE *

Tax Exempt: NO

Location Information [\[View Map\]](#)

Premises Address: 2635 MEREDITH RD
Zoning:
Legal Description: 6.43 AC
915 SE GREEN RD
MEREDITHS RANGE

Map	Grid	Parcel	Subdiv	Sect	Block	Lot	Group	Plat No:
8	21	220				3	81	Plat Ref: 40/ 130

Special Tax Areas

Town:

Ad Valorem:

Tax Class:

Primary Structure Data

Year Built:	Enclosed Area:	Property Land Area:	County Use:
1978	2,058 SF	6.43 AC	04

Value Information

	Base Value	Current Value	Phase-In Value	Phase-in Assessments	
		As Of	As Of	As Of	As Of
		01/01/1999	07/01/2001	07/01/2000	07/01/2001
Land:	51,500	58,860			
Impts:	100,650	104,050			
Total:	152,150	162,910	162,910	63,720	162,910
Pref Land:	0	0	0	0	0

from the Director of the Department of Environmental Protection and Resource Management.

- (2) The recommendations shall be provided to the Board of Appeals within 30 days after the Department is notified by certified mail, return receipt requested, by the petitioner of the filing of the petition for reclassification, unless the Department by written request to the Board of Appeals, with good cause shown, moves that additional time not to exceed an additional 30 days is required to prepare and file said recommendations with the Board of Appeals.

B. The meeting of criteria established in this article for the filing of zoning reclassification petitions shall not in itself be sufficient grounds to reclassify property.

1A00.4 Plans and plats. Development plans and final subdivision plats shall be required in the manner prescribed under Section 1B01.3, and, for the purpose of this section, all references to D.R. Zones shall include the R.C. Zones.

1A00.5 Application to tract divided by zone boundary. Whenever a single tract is divided by a zone boundary so that portions of such a tract lie within R.C. Zones of different classifications, the total number of dwellings or density units permitted shall apply to each tract individually and, for the purpose of these regulations, shall be considered as separate parcels.

2. Under the provisions adopted pursuant to the authority of Section 504.2, development in D.R. Zones may be made subject to additional standards of lot area, yard space, open-space distribution, building distribution or other aspects or characteristics of site planning or project design. Such standards shall be based upon specified existing, prospective or stipulated conditions or circumstances of development, and shall be designed to further the specific purposes of this article and the purposes of these zoning regulations in general.
3. Local open space. Local open space tracts in D.R. Zones shall be designed, established and maintained in accordance with the standards, guidelines and procedures set forth in the Baltimore County Local Open Space Manual as enabled in Section 26-283 of the Baltimore County Code, 1988 Edition, as revised.⁵

1B01.3 Plans and plats.

A. Development plans.

1. Purpose. This paragraph is intended:
 - a. To provide for the disclosure of development plans to prospective residents and to protect those who have made decisions based on such plans from inappropriate changes therein; and
 - b. To provide for review of residential development plans to determine whether they comply with these regulations and with standards and policies adopted pursuant to the authority of Section 504.
2. Partial development plan. For the purposes of this article, a "partial development plan" is a portion of a final development plan, and a partial or final development plan is "applicable" to a given lot if it covers all property in the subdivision within 300 feet of the given lot, in addition to the lot itself.
3. Subdivision lot sales, development and use subject to partial development plan. No interest in any lot which is in a D.R. Zone and is hereafter created by subdivision of a record lot existing on the effective date of this article or created by consolidation of such lots may be sold unless a final or partial development plan applicable to the lot has been approved as required under Paragraph 6, below; further, no use may be established and no construction may take place on any lot so created except in accordance with such a plan. The provisions of this paragraph shall not apply to Class A assisted living facilities. **[Bill No. 188-1993]**
4. Notice in conveyance. Any party who sells an interest in real property within an area covered by an approved partial or final development plan shall attach to the instrument of sale a notice directing the buyer's attention

⁵ Editor's Note: Former Subsection C, Open Space, Building Separation and Other Area Standards, which followed, was repealed by Bill No. 126-1992.

to the plan (including any amendment) and listing the location of the various certified copies which may be publicly inspected (Paragraph 6), together with a listing of the recorded plats covering all portions of the subdivision as a whole. The notice shall also generally apprise the buyer of the rights, requirements and remedies provided under the development plan, those provided under this article and these zoning regulations in general, and those set forth in provisions adopted pursuant to the authority of Section 504, and, to this end, the notice shall be on a form issued by the county and approved by the Office of Law, the Zoning Commissioner, and the Planning Board as being clear and sufficient for the purpose.

5. Forms and content of plans.
 - a. Forms. Each partial development plan must be filed both as a separable document or set of documents and as part of a final development plan which includes all partial development plans as approved for other portions of the subdivision. Upon approval, each final development plan thus filed supersedes previous final development plans of the subdivision.
 - b. Content. Each partial and final development plan must show: the locations, types and exterior dimensions of all proposed structures and all existing structures to be retained; generalized floor plans to scale; layout of parking facilities; streets and drives giving access to and lying within the tract; existing topography and major vegetation; proposed grading; common amenity open space (including local open space); all additional information that may be required under procedures adopted pursuant to the authority of Section 504; and all additional information which is necessary, as determined by the Director of the Department of Permits and Development Management, to ascertain whether the project will comply with the zoning and subdivision requirements of Baltimore County. The plan shall contain the note that landscaping and screening shall conform to the standards contained in the Baltimore County Landscape Manual adopted pursuant to Section 26-283 of Title 26 of the Baltimore County Code, 1988 Edition, as revised.
6. Initial review and approval procedure. Procedural steps and requirements in the submission and review of various preliminary versions of partial and final development plans shall be as established provisions adopted pursuant to the authority of Section 504 or, in the absence of such provisions, as established by the Office of Planning. In formulating such steps and requirements, the Planning Board or the Office of Planning shall effect maximum coordination between the integration with similar and related steps and requirements in the submission and review of plans pursuant to the subdivision regulations. If the partial and final development plans for a subdivision are approved by the Zoning Commissioner as complying with the zoning regulations, approved by the Director of Planning as being consistent with the subdivision regulations and any subdivision plans filed

pursuant thereto, and approved in such other manner as may be prescribed under provisions adopted pursuant to the authority of Section 504, copies of the plans, certified by the Zoning Commissioner and the Director of Planning as having been so approved, shall be filed with such county or state agencies as they may direct and as may otherwise be required, and shall be retained in the files of the Office of Planning, including the files of the Zoning Commissioner.

7. Amendment of approved development plans. After partial or final development plans have been approved as provided under Paragraph 6, preceding, they may be amended only as provided below:
 - a. Amendment prior to sale of interest in nearby property. The development plans may be amended by simple resubmission, or by the submission of appropriate documents of revision, subject to the same requirements as are applied to original plans, if there is no change with respect to any lot, structure or use within 300 feet of a lot or structure which has been sold since the original plans were filed.
 - b. Amendment after sale of interest in nearby property or upon demand for hearing. In the case of an amendment not allowed under Subparagraph a, by reason of sale of property within the area, or in case of a demand for hearing by an eligible individual or group, the plans may be amended through special exception procedures, in the manner provided under Section 502 and subject to the following provisions:
 - (1) The amendment must be in accord with the provisions of the Comprehensive Manual of Development Policies and with the specific standards and requirements of this article, as determined by the Office of Planning. The Director, on behalf of the Planning Board, shall notify the Zoning Commissioner accordingly. **[Bill No. 29-1995]**
 - (2) Only an owner of a lot abutting or lying directly across a street or other right-of-way from the property in question, an owner of a structure on such a lot, or a homes association (as may be defined under the subdivision regulations or under provisions adopted pursuant to the authority of Section 504) having members who own or reside on property lying wholly or partially within 300 feet of the lot in question are eligible to file a demand for hearing. **[Bill No. 29-1995]**
 - (3) It must be determined in the course of the hearing procedure that the amendment would be consistent with the spirit and intent of the original plan and of this article. **[Bill No. 29-1995]**
 - c. Amendment upon request by owner of lot within subdivision. The Zoning Commissioner may, without a public hearing but with the concurrence of the Director of Planning, amend the plans with respect

to a structure on an individual lot created under the plans and used according to the purpose stated therein, or with respect to such lot, at the request of the lot owner, under the following requirements and conditions:

- (1) Reasonable notification, by a standard method established pursuant to the authority of Section 504 and approved by the County Attorney, must be given to the occupants and owners of all real property which is fully or partially situated within 300 feet of the lot in question.
 - (2) It must be determined that a formal demand for hearing by an eligible individual or group, as described in Paragraph b, has not been filed.
 - (3) It must be determined that standards adopted under the authority of Section 504, in addition to the specific requirements under these regulations, will not be violated by the amendment.
 - (4) The Zoning Commissioner and the Director of Planning must certify that the amendment is in keeping with the spirit and intent of this article and other Baltimore County land use and development requirements administered by them; and both must certify that the amendment does not violate the spirit and intent of the original plan.
- d. Any amended development plan and any document of amendment of such a plan must be filed with all agencies or officials with whom copies of the original plan have been filed pursuant to paragraph above, and no amendment takes effect otherwise.

B. Final subdivision plat.

1. Purpose. Pursuant to the regulations for D.R. Zones, a portion of a tract of land may be subdivided for development at a higher residential density than the maximum average density permitted, lessening the permitted density of development on the remainder of the tract; or a portion of the tract may be subdivided for development at less than the maximum average density, thus increasing the density at which the remainder of the tract may be developed (Section 1B01.2.A). It is the purpose of this paragraph to assure that these factors will be identified in the sale of any portion of a development tract in a D.R. Zone and, in particular, to prevent the unknowing purchase of a tract which, as a result of such prior subdivision, may not itself be developed at the average gross density specified in the regulations.
2. Effect. No subdivision of a tract or a portion of a tract may be created after the effective date of this article, except as otherwise provided under Section 1B02.3.A.2 unless the final subdivision plat therefore contains a summary showing the total number of dwelling or density units allowed for the entire tract under the applicable D.R. Zones. The summary shall indicate, as appropriate, the number of dwelling or density units utilized by previous

final subdivision plats for portions of the same tract, the number of dwelling or density units contained in the current subdivision plat, and the balance of dwelling or density units allowed for the remainder of the tract under the applicable D.R. Zone(s). It is the intent of these zoning regulations to prohibit subdivision or resubdivision of portions of a tract in a D.R. Zone in a manner so as to exceed the total number of dwelling or density units allowed under the applicable D.R. Zone(s) for the entire tract.

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1989, Legislative Day No. 16
BILL NO. 134-89

Mr. William R. Evans, Councilman
By Request of County Executive

By the County Council, September 5, 1989

A BILL
ENTITLED

AN ACT concerning

Development Regulations-Agricultural Preservation

FOR the purpose of preserving agricultural lands and protecting
prime and productive soils in the development process.

BY adding

Section 22-37(b) (5)
Division 1

Section 22-39 new definition "Prime and Productive Soils"
Division 1

Section 22-99(c)
Division 3

BY repealing and reenacting with amendments

Section 22-55(b) (3)
Division 2

All of Article IV.
Title 22 "Planning, Zoning and Subdivision Control"
Baltimore County Code, 1978, 1987 Cumulative Supplement
as amended

1. SECTION 1. Be it enacted by the County Council of Baltimore
2. County, Maryland, that Sections 22-37(b) (5), 22-39 new definition
3. "Prime and Productive Soils, and 22-99 (c), be and they are hereby
4. added to Article IV. title "Planning, Zoning and Subdivision Control"
5. of the Baltimore County Code, 1978, 1987 Cumulative Supplement, to read
6. as follows:
7. Sec. 22-37. Development policies.
8. ((b) These regulations are intended to protect and promote public
9. health, safety and welfare and to ensure provision for public

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

IN THE MATTER OF TREES
PDM III-369

Petitioner

v.

THE BALTIMORE COUNTY
BOARD OF APPEALS

Respondent

IN THE
CIRCUIT COURT

FOR

BALTIMORE COUNTY

95-C-10889

* * * * *

CBA-95-180

Opinion

This matter came before the Court on June 25, 1997, on Petitioner's appeal from the Baltimore County Board of Appeal's decision affirming the Baltimore County Zoning Commission's approval of the Trees Development's use of panhandle lots to provide access from the housing lots on their property to Old Court Road.

The Court has reviewed the file, read both transcripts and heard oral argument from all interested parties. In reviewing the final decision of an administrative agency, the Court determines only the legality of the decision and whether there was "substantial evidence" from the record as a whole to support the decision. Board of Education, Montgomery County v. Paynter, 303 Md. 22, 35, 491 A.2d 1186, 1192 (1985). The Court may reverse or modify an administrative decision if a substantial right of the appellant has been prejudiced because a finding, conclusion or decision of the agency; (i) is unconstitutional; (ii) exceeds the statutory authority or jurisdiction of the agency; (iii) results from an unlawful procedure; (iv) is affected by other error of law; (v) is unsupported by competent, material and substantial evidence in light of the entire record as submitted; or (vi) is arbitrary or capricious. Md. Code Ann., State Gov't § 10-222(h)(3). The "reviewing court must defer to an agency's factual findings and inferences that are

IN THE MATTER OF
TREES PROPERTY /PDM III-369
S/S OF OLD COURT ROAD, E OF
BRANCHWOOD ROAD
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

RE: FINAL APPROVAL OF
DEVELOPMENT PLAN

* BEFORE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: CBA-95-180

* * * * *

O P I N I O N

This case comes on appeal of the Deputy Zoning Commissioner's August 24, 1995 decision in which the instant development plan was approved with restrictions. Pursuant to Baltimore County Code (BCC) Section 26-209, the matter was set for hearing and was heard on October 10, 1995. Appearing for the developer was Benjamin Bronstein, Esquire; appearing for the Old Court /Greenspring Improvement Association and Elaine O'Mansky, Appellants, was Stephen J. Nolan, Esquire, NOLAN, PLUMHOFF AND WILLIAMS; appearing for the Arundel Corporation, Appellants was Nancy E. Paige, Esquire, and, also appearing as interested party and member of the BAR was Phyllis Friedman, formerly People's Counsel for Baltimore County.

As in other appeals on the final action of the development plan, the case before the Board was limited to argument only; however, due to developer's Motion, in his rebuttal, to striking of Old Court /Greenspring Improvement Association as an aggrieved party the Board allowed Ms. O'Mansky to testify on the narrow issue of her and her civic association's position as an aggrieved party pursuant to Section 26-209 and, subsequently pursuant to Section 26-209(b), and to Rule 8 of the Board's Rules of Procedure.

Old Court /Greenspring Improvement Association, et al, alleged that they, in fact, have standing pursuant to BCC Section 26-209;

App-95 # 132

FILE#: CBA-95-180
NAME: Trees Property (Harry Belman & Irv Plashuk /Dev)
STREET: Old Court Road, S/s, E of Branchwood Road
TYPE: PDM /III-369 -Approval of development plan
DISTRICT: 3;2
DATE APPEALED: 9/19/95
HRG. DATE: 10/10/95
ORDER DATE: 10/25/95
DECISION: REMANDED to H.O. to make findings of 2 dens. units
CLOSED: 2/16/99
UP: X

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

PETITION OF THE ARUNDEL CORPORATION
34 LOVETON CIRCLE
SPARKS, MD 21152

FOR JUDICIAL REVIEW OF THE DECISION OF
THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
ROOM 49, OLD COURTHOUSE, 400 WASHINGTON
AVENUE, TOWSON, MARYLAND 21204

CIVIL ACTION
No. 3-C-95-010889

IN THE CASE OF: IN THE MATTER OF
TREES PROPERTY /PDM III-369
S/S OF OLD COURT ROAD, E OF
BRANCHWOOD ROAD
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

FINAL APPROVAL OF DEVELOPMENT PLAN

CASE NO. CBA-95-180

* * * * *

PROCEEDINGS BEFORE THE OFFICE OF PERMITS
AND DEVELOPMENT MANAGEMENT
AND THE BOARD OF APPEALS OF BALTIMORE COUNTY

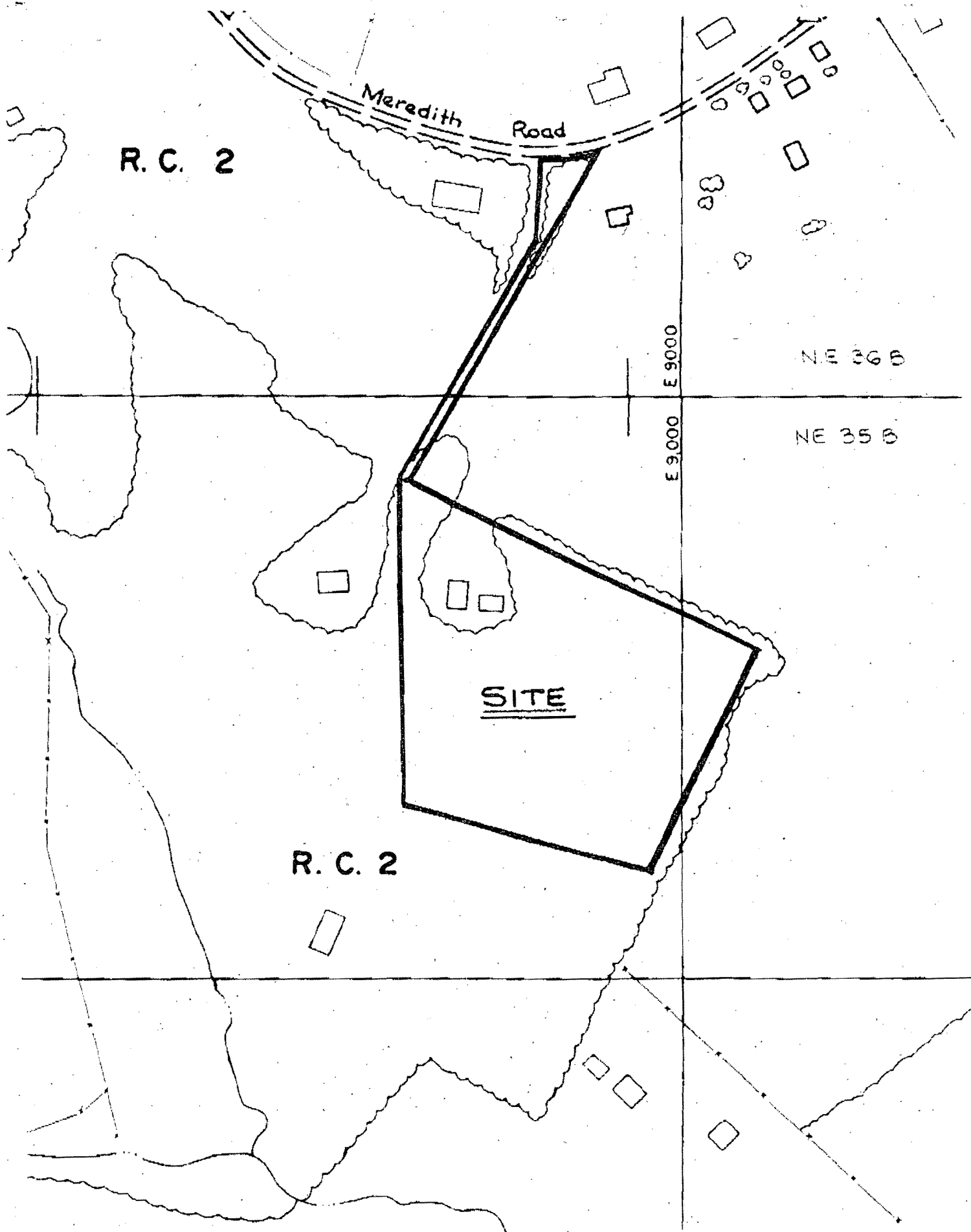
TO THE HONORABLE, THE JUDGE OF SAID COURT:

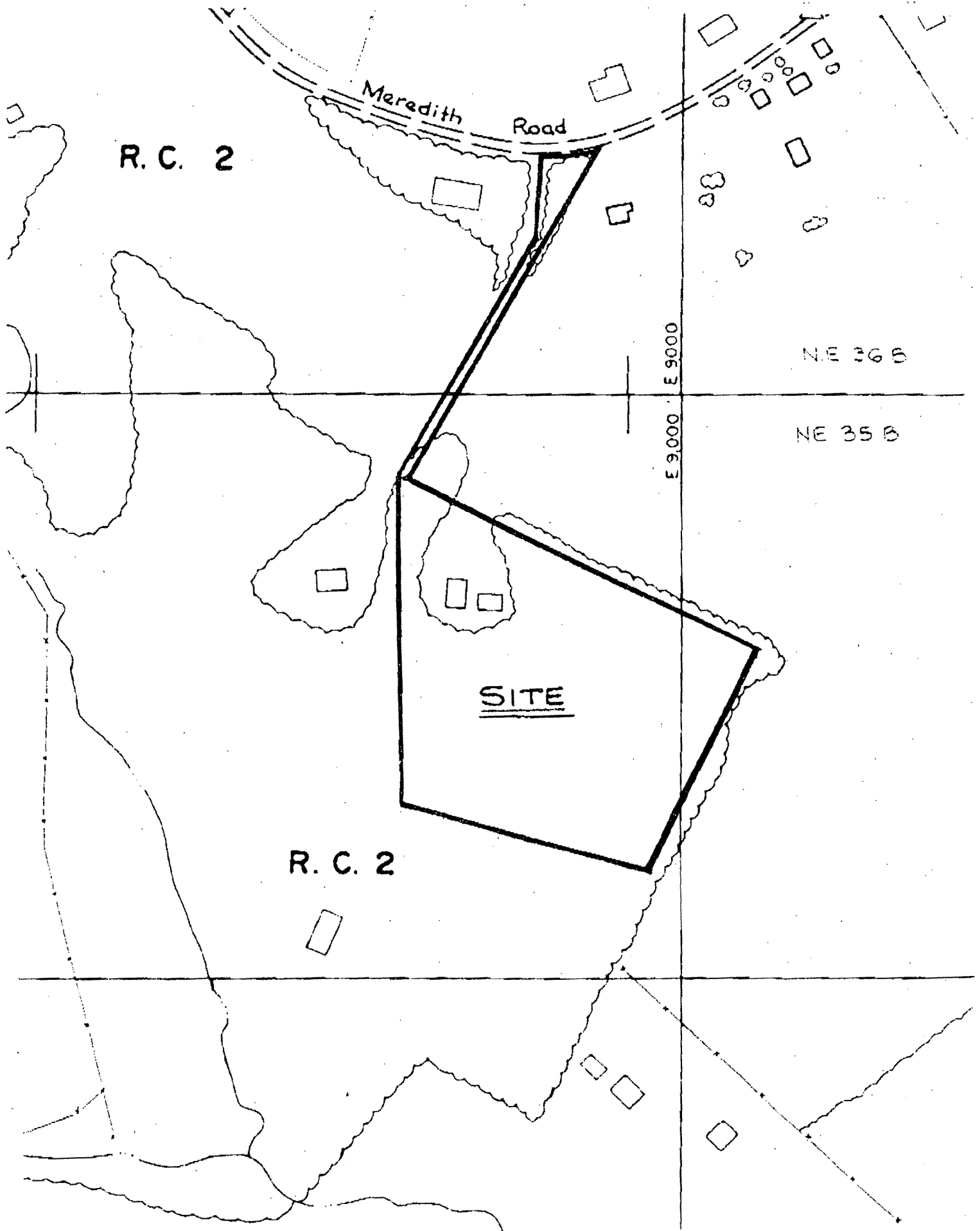
And now come Robert O. Schuetz, Lawrence M. Stahl, Margaret Worrall, constituting the County Board of Appeals of Baltimore County, and in answer to the Petitions for Judicial Review directed against them in this case, herewith return the record of proceedings had in the above-entitled matter, consisting of the following certified copies or original papers on file in the Office of Permits and Development Management and the Board of Appeals of Baltimore County:

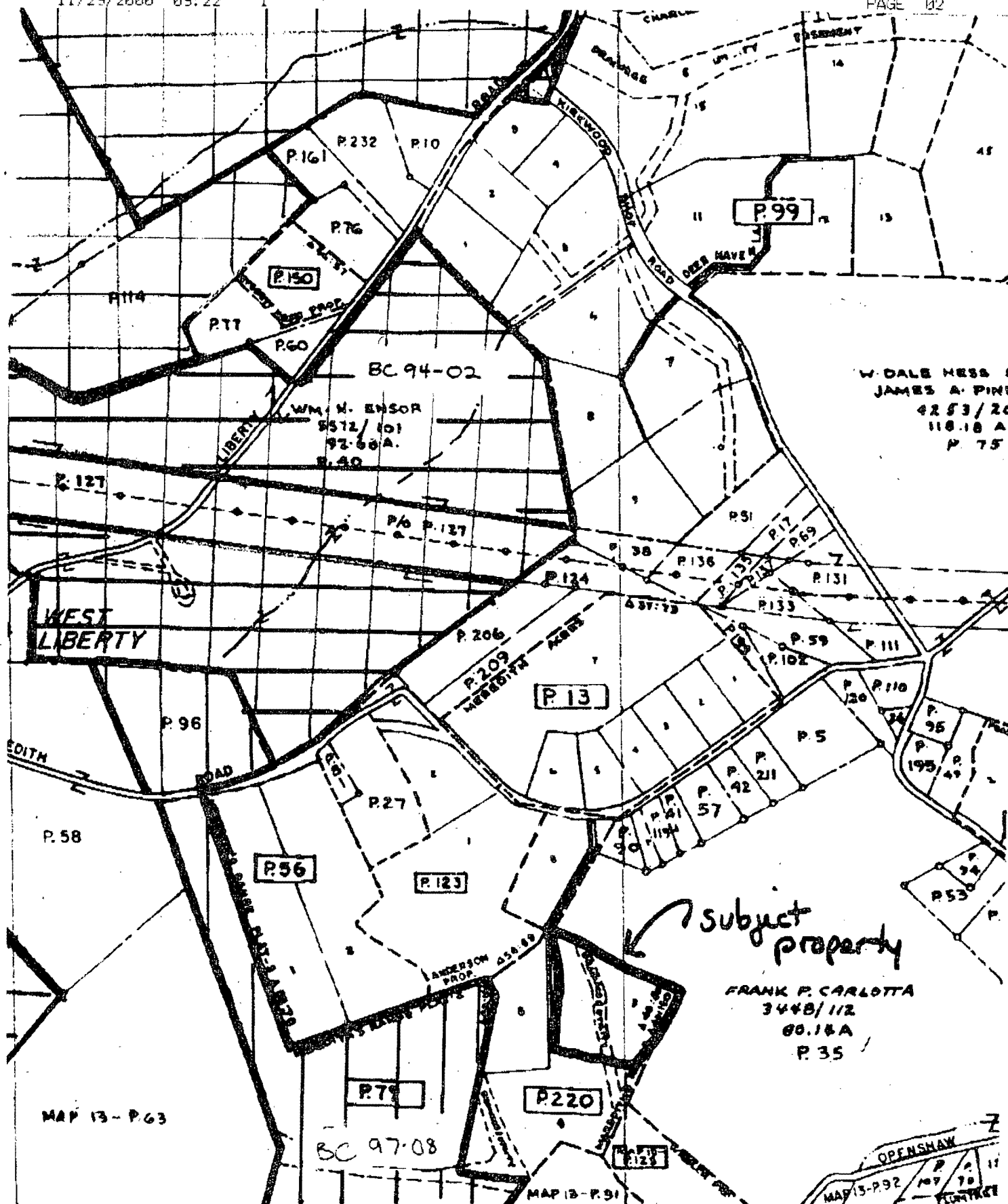
ENTRIES FROM THE DOCKET OF THE BOARD OF APPEALS AND
OFFICE OF PERMITS AND DEVELOPMENT MANAGEMENT
OF BALTIMORE COUNTY

CBA-95-180

February 21, 1995 Concept Plan Conference







DEPT. OF ASSESSMENTS & TAXATION
PROPERTY MAP DIVISION

THE INFORMATION SHOWN HEREON HAS BEEN CC
FROM DEED DESCRIPTIONS AND IS NOT AN
SURVEY. IT SHOULD NOT BE USED FOR LEGAL D
TION. PLEASE NOTIFY ERRORS ARE URGED TO NO:

Note: Total area of disturbance = 18,000 S.F.

- All impervious area should be limited to 30% of cleared area and conveyed as street flows through vegetated areas without concentrating or causing erosion.
- All areas between site line & curb line must be cleared, graded and kept free of any obstructions.
- All site runoff must be conveyed to a suitable outfall without imposing an adverse impact on receiving water body, watercourse, wetland, storm drain or adjacent properties.
- House downspouts are to be discharged onto pervious areas or into dry wells where feasible.
- Additional subdivision on these parcels and/or lots will require DWM controls for this site and the additional subdivision.

OWNER: DANIEL GEORGE NARANGO & WIFE
2635 MEREDITH ROAD
WHITE HALL, MD. 21161
Phone (410) 343-0524

Note:

There are no streams, storm water management systems, drainage pipe systems or low year floodplains on this site or within 50' of this property.

All underground (PUE) storage tanks on site or within 100 feet of the property lines are shown hereon.
"The underground storage tank located at 2635 Meredith Road will remain. On Feb. 6, 2001, a Certificate of Tank Tightness was issued."

Note:

Gross Area = 6,430 A.C.

Net Area = 6,430 A.C.

Zoning: RC2 Map No. 11333

Density Calculations (for RC2 Zoning)

Minimum lot size (R/W access) = 3,000 A.C.

No. of Lots Allowed = 2.14 = 2

No. of Lots Proposed = 2

Topo Map: NE 35B

Tax Account No. 7-1700013332

Deed Reference: SD63/216 etc.

Tax Map No. 8, Block 21, R/L 220

Curse Tract 4070.00

Regional Planning Dist: 301A

School Dist: Elementary - 7th Dist.

Watershed: Deer Creek

Subwatershed: 01

Commuter Dist: 3

Maximum height of dwelling is 35

Topo - Baltimore County

Soil Map # 3

200' scale Zoning Maps NE 35B/36B

OWNER:

DANIEL G. NARANGO

LORRAINE S. NARANGO

2635 MEREDITH ROAD

WHITE HALL, MD. 21161

(410) 343-0524

Note: All zoning within 200'

of this property is RC2

Note:

The Owner intends to invoke the intrafamily transfer exemption in accordance with the provisions of the Baltimore County Forest Conservation Program, Section 14-402 (O)(1) and COMAR 08.15.01.04 for a period of at least 5 favorable years.

Note: This proposed house location has been approved within the Area of Disturbance in accordance with Section 26-277 (a) policies established by CDFRM.

Howard J. Volz & Wife
Liber 7217 Folio 764 etc.
7-200007349

Lot 5
Robert M. Cox
Liber 13820 Folio 197 etc.
7-1700013334

Ronald B. Davidson & Wife
Liber 10226 Folio 500 etc.
7-1700013331

NOTE: The Memorandum Agreement for the "Use in Common Drive" will be recorded simultaneously with the Deed of Lot 2, as shown on this plan, from Daniel G. Narango and Lorraine S. Narango, his wife, to Daniel G. Narango and Lorraine S. Narango, his wife, with the following and respective obligations:

Daniel G. Narango (50%)	25%
Lorraine S. Narango (50%)	25%
Daniel G. Narango & Wife (50%)	25%
Lorraine S. Narango & Wife (50%)	25%

Uses of property
Lot 1 - 3,430 A.C. Existing S.F.O. (24'x) #2435 802' wooded
Lot 2 - 3,000 A.C. Proposed S.F.O. (24'x) #2435A 807' wooded

Note: All houses, wells, septic systems within 100' of this property are shown hereon.

"This property as shown hereon has been held intact since December 14, 1976. The developers surveyor has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any off-site dwellings."

WATER AND SANITARY SERVICE COMMENTS:

Public water is not available to serve this property. Therefore, private well systems must be provided in conformance with the Department of Environmental Protection and Resource Management requirements.

Public sewage are not available to serve this property; therefore, private sewage systems must be provided. Soil tests must be conducted on each lot prior to approval of a record plat in accordance with Department of Environmental Protection and Resource Management requirements.

BALTIMORE COUNTY ANNOYANCE SURVEILLANCE

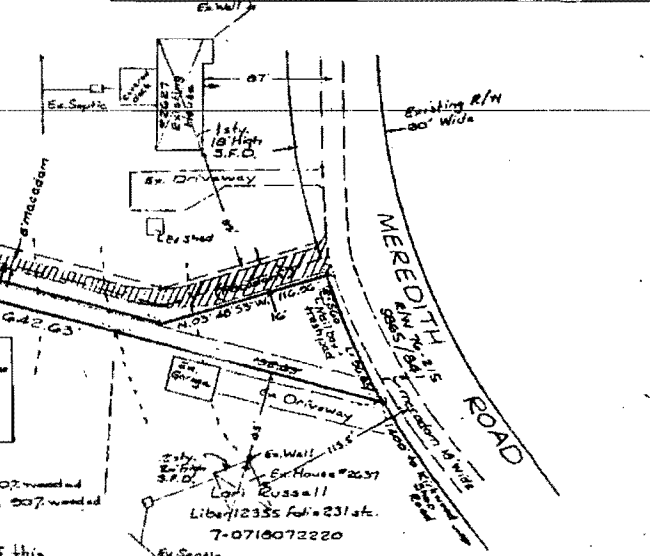
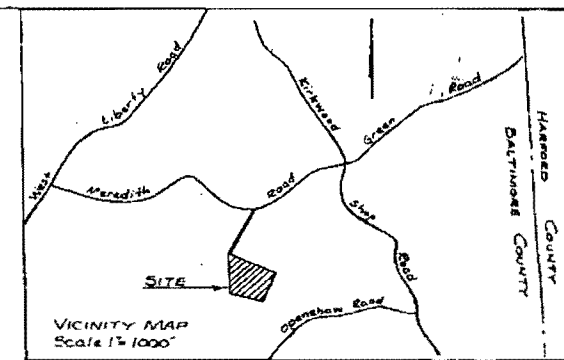
Project No.	Project Name	Project Location	Project Status
2000-0001	2000-0001	2000-0001	2000-0001

I hereby certify that I have reviewed with due diligence the Minor Subdivision comments dated 1/23/01 and have prepared with due diligence this Minor Subdivision Plan pursuant to those agency comments.



01006-M- MINOR SUBDIVISION OF
DANIEL G. NARANGO & WIFE PROPERTY
REDEVELOPMENT LOT 3, "MEREDITH'S RANGE" & 40-113
7TH DISTRICT, BALTIMORE COUNTY, MD.
SCALE 1"=50' NOVEMBER 1, 2000

S. F. RAHIEL & ASSOCIATES
PROFESSIONAL LAND SURVEYOR
205 COURTLAND AVE.
TOWSON, MD. 21204



SPECIAL HEARING - Case No. 01-036-3PH

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of November, 2000 that the Petition for Special Hearing to allow access to the proposed lots via the existing right-of-way in lieu of the required separate panhandle driveway for each lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the requisite thirty (30) day appeal period; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval of two (2) proposed panhandles on the subject property at a width of 6 feet in lieu of the minimum required 12 feet, be and is hereby DISMISSED AS MOOT.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Note: Total area of disturbance = 18,000 S.F.

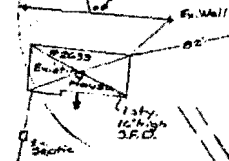
- All impervious area should be limited to 30% of cleared area and conveyed as sheet flow through vegetated areas without concentrating or causing erosion.
- All areas between site line & four line must be cleared, graded and kept free of any obstructions.
- All site runoff must be conveyed to a suitable outfall without imposing an adverse impact on receiving water body, watercourse, wetland, storm drain or adjacent properties.
- House downspouts are to be discharged onto pervious areas or into dry wells where feasible.
- Additional subdivision on these parcels and/or lots will require DWM controls for this site and the additional subdivisions.

OWNER: DANIEL GEORGE NARANGO & WIFE
2635 MEREDITH ROAD
WHITE HALL, MD. 21161
Phone (410) 343-0924

Note:

There are no streams, storm water management systems, drainage pipe systems or 100 year floodplains on this site or within 50' of this property.

All underground (PUE) storage tanks on site or within 100 feet of the property lines are shown hereon.
"The underground storage tank located at 2635 Meredith Road will remain. On Feb. 6, 2001, a Certificate of Tank Tightness was issued."



Note:

Gross Area = 6,430 A.S.
Net Area = 6,430 A.S.

Zoning: R-2 Map No. 4330

Density Calculations (per R-2 Zoning)

Minimum lot size (R/W across) = 3,000 S.F.

No. of Lots Allowed = 2.14 = 2

No. of Lots Proposed = 2

Tapo Map: NE 35B

Tax Account No. 7,1700013332

Deed Reference: 5963/216 etc.

Tax Map No. 8, Block 21, R/L 220

Current Tract: 4070.00

Regional Planning Dist: D-1A

School Dist: Harford Elementary - 7th DIST.

Watershed: Deer Creek

Subwatershed: B1

Councilmanic Dist: 3

Maximum height of dwelling is 35'

Tapo - Baltimore County

Soil Map # 3

200' scale Zoning Maps NE35B-36B

OWNER:

DANIEL G. NARANGO
LORRAINE E. NARANGO
2635 MEREDITH ROAD
WHITE HALL, MD. 21161
(410) 343-0924

Note: All zoning within 200' of this property is R-2

Note:

The Owner intends to invoke the intrafamily transfer exemption in accordance with the provisions of the Baltimore County Forest Conservation Program, Section 18-002(b)(3) and COMAR 08.12.01.03 for a period of at least 5 taxable years.

Note: The proposed house location has been approved within the Area of Disturbance in accordance with Section 26-277(c)(1) policies established by DEPRM.

Howard J. Volz & Wife
Liber 7217 Folio 764 etc.
7-200007349

Lot 5
Robert M. Cox
Liber 13820 Folio 197 etc.
7-1700013334

Ronald B. Davidson & Wife
Liber 10205 Folio 500 etc.
7-1700013331

Frank P. Carlotto & Wife
Liber 3448 Folio 112 etc.
7-0703000350

NOTE: The Memorandum Agreement for the "Use in Common Drive" will be recorded simultaneously with the Deed of Lot 1, as shown on this plan, from Daniel G. Narango and Lorraine E. Narango, his wife, to Steven C. Narango and Kristin M. Narango, his wife, with the following endorsement obligations:

Robert M. Cox (2431 Meredith Road)	25%
William C. Leonard (2433 Meredith Road)	25%
Daniel G. Narango & Wife (2635 Meredith Road)	25%
Steven C. Narango & Wife (2435A Meredith Road)	25%

USES of property
Lot 1 - 3,430 A.S. Existing S.F.D. (2.14) #2635 807 wooded
Lot 2 - 3,000 A.S. Proposed S.F.D. (2.14) #2635A 807 wooded

Note: All houses, wells, & septic systems within 100' of this property are shown hereon.

"This property as shown hereon has been held intact since December 14, 1970. The developer's surveyor has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any off-site dwellings."

WATER AND SANITARY SEWER COMMENTS:

Public water is not available to serve this property. Therefore, private well systems must be provided in conformance with the Department of Environmental Protection and Resource Management requirements.

Public sewers are not available to serve this property; therefore, private sewage systems must be provided. Soil tests must be conducted on each lot prior to approval of a record plat in accordance with Department of Environmental Protection and Resource Management requirements.

Stamp: BALTIMORE COUNTY MINOR SUBDIVISION PROJECT NO. 01006-M-113 NOVEMBER 1, 2000

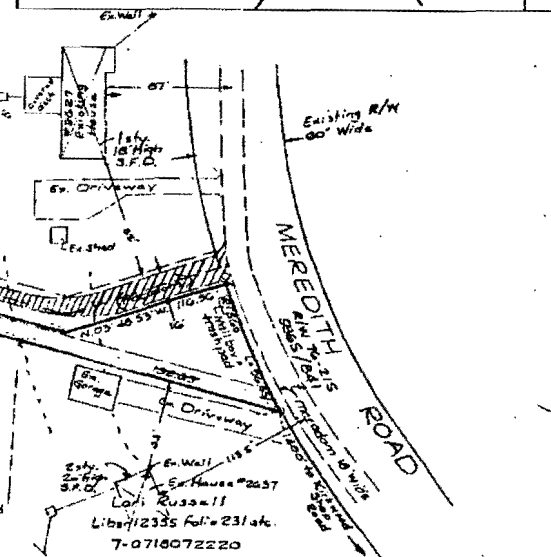
I hereby certify that I have reviewed with due diligence the Minor Subdivision comments dated 1/22/01 and have prepared with due diligence the Minor Subdivision Plan pursuant to those agency comments.



01006-M-113 MINOR SUBDIVISION OF
DANIEL G. NARANGO & WIFE PROPERTY
RESUBDIVISION LOT 3, MEREDITH'S RANGE - 400:113
7TH DISTRICT, BALTIMORE COUNTY, MD.

SCALE 1"=50'
NOVEMBER 1, 2000
S. F. RABIEL & ASSOCIATES
PROFESSIONAL LAND SURVEYOR
205 COWLAND AVE.
TOWSON, MD. 21204

VICINITY MAP
Scale 1"=1000'



SPECIAL HEARING - Case No. 01-096-3PH
THEREFORE, IT IS ORDERED by the Zoning Commission for Baltimore County this 1st day of November, 2000 that the Petition for Special Hearing to allow access to the proposed lots via the existing right-of-way in lieu of the required separate driveway for each lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the requisite thirty (30) day appeal period; and,
IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval of two (2) proposed setbacks on the subject property at a width of 6 feet in lieu of the minimum required 12 feet, be and is hereby DISMISSED AS MOOT.

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

Note: Total area of disturbance = 18,000 S.F.

- All impervious area should be limited to 30% of cleared area and conveyed as sheet flow through vegetated areas without concentrating or cause erosion.
- All areas between site line & curb line must be cleared, graded and kept free of any obstructions.
- All site runoff must be conveyed to a suitable outfall without imposing an adverse impact on receiving waterbody, watercourse, wetland, storm drain or adjacent properties.
- House downspouts are to be discharged onto pervious areas or into dry wells where feasible.
- Additional subdivision on these parcels and/or lots will require SWM controls for this site and the additional subdivision.

OWNER: DANIEL GEORGE NARANGO & WIFE
2635 MEREDITH ROAD
WHITE HALL, MD. 21161
PHONE (410) 343-0924

Note:

There are no streams, storm water management systems, drainage pipe systems or 100 year floodplains on this site or within 50' of this property.

All underground (fuel) storage tanks on site or within 100 feet of the property lines are shown hereon.
"The underground storage tank located at 2635 Meredith Road will remain. On Feb. 6, 2001, a Certificate of Tank Tightness was issued."

Note:

Gross Area = 6,430 A.±

Net Area = 6,430 A.±

Zoning: RC2 Map No. NE35B

Density Calculations (per RDP Zoning)

Minimum lot size (R/W access) = 3.0 A.±

No. of Lots Allowed = 2.1 A.± = 2

No. of Lots Proposed = 2

Topo Map: NE35B

Tax Account No. 7-1700013332

Deed Reference: 5963/216 etc.

Tax Map No. 8, Block 21, R1, 220

Census Tract 4070.00

Regional Planning Dist: 301A

School Dist. Elementary - JMDIST

Watershed: Deer Creek

Subwatershed: B1

Councilmanic Dist. 3

Maximum height of dwelling is 35'

Topo - Baltimore County

Soil Map #3

200' scale Zoning Maps NE35B, 36B

OWNER:

DANIEL G. NARANGO

LORRAINE E. NARANGO

2635 MEREDITH ROAD

WHITE HALL, MD 21161

(410) 343-0924

Note: All zoning within 200'

of this property is RC2

Note:

The Owner intends to invoke the intrafamily transfer exemption in accordance with the provisions of the Baltimore County Forest Conservation Program, Section 14-402(B)(13) and COMAR 08.19.01.04 for a period of at least 5 favorable years.

Note: The proposed house location has been approved within the Area of Disturbance in accordance with Section 26-277(c) & policies established by DEPRM.

Howard J. Volz & Wife
Liber 7217 folio 764 etc.
7-2000007349

Lot 5
Robert M. Cox
Liber 13820 folio 197 etc.
7-1700013334

Ronald B. Davidson & Wife
Liber 10206 folio 589 etc.
7-1700013331

NOTE: The Maintenance Agreement for the "Use in Common Drive" will be recorded simultaneously with the Deed of Lot 2, as shown on this plat, from Daniel G. Narango and Lorraine E. Narango, his wife to Darren C. Narango and Kristie M. Narango, his wife, with the following maintenance obligations:

Robert M. Cox (2631 Meredith Road)	25%
William G. Leonard (2633 Meredith Road)	25%
Daniel G. Narango & Wife (2635 Meredith Road)	25%
Darren C. Narango & Wife (2635A Meredith Road)	25%

USES of property
Lot 1 - 3.430 A.± Existing S.F.D. (2 sty.) #2635 80% wooded
Lot 2 - 3.000 A.± Proposed S.F.D. (2 sty.) #2635A 20% wooded

Note: All houses, wells, & septic systems within 100' of this property are shown hereon.

"This property as shown hereon has been held intact since December 14, 1976. The developers surveyor has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any other site dwellings."

WATER AND SANITARY SEWER COMMENTS:

Public water is not available to serve this property. Therefore, private well systems must be provided in conformance with the Department of Environmental Protection and Resource Management requirements.

Public sewers are not available to serve this property; therefore, private sewage systems must be provided. Soil tests must be conducted on each lot prior to approval of a record plat in accordance with Department of Environmental Protection and Resource Management requirements.

BALTIMORE COUNTY MINOR SUBDIVISION	
Project No.	
DEVELOPMENT REGULATIONS	
☒ Exempt from Division 2	
☒ Panhandle, exempt from Sections 26-202 & 26-206	
POM CERTIFICATION	
By: [Signature]	Date: 02-16-01
APPROVED DEPRM	
By: [Signature]	Date: 2/23/01

I hereby certify that I have reviewed with due diligence the Minor Subdivision comments dated 1/22/01 and have prepared with due diligence this Minor Subdivision Plan pursuant to those agency comments.



01006-M- MINOR SUBDIVISION OF
DANIEL G. NARANGO & WIFE PROPERTY
RESUBDIVISION LOT 3, "MEREDITH'S RANGE" & 40:113
7TH DISTRICT, BALTIMORE COUNTY, MD.

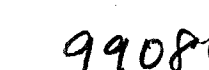
SCALE 1"=50'

NOVEMBER 1, 2000

Revisions	Date
1	8/3/01
2	2/15/01

E. F. RAPHEL & ASSOCIATES
PROFESSIONAL LAND SURVEYOR
205 COURTLAND AVE.
TOWSON, MD. 21204

PET# 2
10/23/06
99086



NP/ _{IG}	096	01-096-SPH
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