

IN RE: PETITION FOR SPECIAL HEARING
NW/S Harford Road, NE/Corner Park
Forest Lane and New Cut Road
(12828 Harford Road, aka Parcels 1 & 4
McCann Property)
11th Election District
6th Council District

Diana W. McCann
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-454-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 owner of the subject property, Diana W. McCann. The Petitioner requests a special hearing to approve the subdivision of the subject property to create two new lots (proposed Lots 1 and 2), and to confirm that Parcel 4 is a valid non-density parcel with possible future transfer to adjacent Parcel 5 or 6. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Diana W. McCann, property owner, and John Staley, a representative of KLS Consultants, Inc., who prepared the site plan for this property. There were no Protestants or other interested persons present; however, subsequent to the hearing, this Office received a letter from the Long Green Valley Association in which they voiced opposition to the request. That letter has been incorporated into the case file.

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel with frontage on Harford Road (Maryland Route 147), just north of New Cut Road in northeastern Baltimore County. The property contains a gross area of 14.88 acres, more or less, zoned R.C. 2 and is improved with a single family dwelling known as 12828 Harford Road. The property was originally part of a larger tract of land that was owned by the Petitioner's parents.

ORDER RECEIVED FOR FILING

Date

By

Apparently, they acquired the site in approximately 1936 at which time the entire parcel consisted of 21.5 acres in area. Over the years, there have been subdivisions and out-conveyances of part of the overall tract. Specifically, in 1952, those lands shown on the site plan as Lots 6 and 7 (0.98 acres total) were out-conveyed by the elder Mr. & Mrs. McCann. In 1954, a small portion of what is now shown as Lot 3 was out-conveyed. In 1965, the Parcel shown as Lot 5 (0.78 acres) was out-conveyed. In 1975, what is shown as Lot 2 (1.14 acres), was conveyed. Finally, in 1976, the remaining portion of what is now shown as Lot 3 was conveyed, leaving a total area for Lot 3 of 2.44 acres. Thus, by 1976, the original holdings by the Petitioner's parents were reduced to what is now shown as Lot 1 (14.88 acres), which is the subject of this hearing, and a small parcel shown as Lot 4 (0.70 acres). Lot 4 is a non-contiguous parcel that is separated from Lot 1 by Lots 2, 3, 5, 6 and 7 as described above. Moreover it was indicated that Lot 4 is undevelopable in view of its small size, and the existence of streams and environmental constraints associated therewith. It is to be emphasized that the creation of these lots and the existing boundaries were all established prior to 1979, the date of the adoption of the R.C.2 zoning regulations.

The Petitioner wishes to legitimize these conveyances through the Petition for Special Hearing, and more importantly, obtain recognition of a proposed subdivision of Lot 1. As more particularly shown on the plan, the Petitioner proposes to subdivide Lot 1 to create two lots. New Lot 1 will contain 2.16 acres and retain the existing dwelling. Proposed Lot 2 will contain the remaining 12.72 acres. It is to be noted that this subdivision is permitted as of right, pursuant to the R.C.2 regulations established in 1979, which allows that any parcel containing between 2 and 100 acres may be subdivided one time. The Petitioner also seeks designation of the orphan Lot 4 as a "non-density" parcel. The Petitioner recognizes that this lot is undevelopable and cannot be utilized for any density purposes. Moreover, it is expected that Lot 4 will ultimately be conveyed to the owners of Lots 5 or 6 so as to essentially increase the area of those lots; however, it cannot be used to increase the density associated with those lots.

Based upon the testimony and evidence presented, I am persuaded to grant the special hearing relief. As noted above, the proposed subdivision of existing Lot 1 is permitted as of right.

Moreover, the proposed designation of Lot 4 as a non-density parcel is appropriate and consistent with the historic subdivision of this property. I find that there will be no detrimental impacts to the health, safety or general welfare of the surrounding locale by the granting of the special hearing relief and that same is consistent with the applicable provisions of the B.C.Z.R.

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 3rd day of July, 2001 that the Petition for Special Hearing to approve the subdivision of the subject property to create proposed Lots 1 and 2, and to confirm that Parcel 4 is a valid non-density parcel with possible future transfer to adjacent Parcel 5 or 6, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that a 30-day appeal period runs from the date of this Order. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Within sixty (60) days of the date of this Order, a copy of this decision shall be recorded in the Land Records of Baltimore County to reflect that Parcel 4 shall remain a non-density parcel.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 7/3/01
By [Signature]



Baltimore County
Zoning Commissioner

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

July 3, 2001

Ms. Diana W. McCann
12828 Harford Road
Hydes, Maryland 21082

RE: PETITION FOR SPECIAL HEARING
NW/S Harford Road, NE/Corner Park Forest Lane and New Cut Road
(12828 Harford Road)
11th Election District – 6th Council District
Diana W. McCann - Petitioner
Case No. 01-454-SPH

Dear Ms. McCann:

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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. John Staley, KLS Consultants, Inc.
4401 Philadelphia Road, Bel Air, Md. 21015
Ms. Charlotte Pine, President
Long Green Valley Assoc., P.O. Box 91, Baldwin, Md. 21013
People's Counsel; Case File

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 12828 Harford Road
which is presently zoned RC-2

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 property to be subdivided (proposed lots 1 & 2) and to confirm that parcel 4 is a valid non-density parcel with possible future transfer to an adjacent parcel 5 or 6

amr

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):

Diana W. McCann

Name - Type or Print _____

Signature _____

Name - Type or Print _____

Signature _____

12828 Harford Road 592-9203

Address _____ Telephone No. _____

Hydes, Maryland 21082

City _____ State _____ Zip Code _____

Representative to be Contacted:

Ronald Kearney K.L.S. Consultants, Inc.

Name _____

4401 Philadelphia Road 989-0445

Address _____ Telephone No. _____

Bel Air, Maryland 21015

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 4/26/01

ORDER RECEIVED FOR FILING
Date 7/3/01
By [Signature]
REV 9/15/98

Case No. 01-454-SPH

ZONING DESCRIPTION
PROPOSED LOTS 1 & 2

Beginning at a point in the center of Harford Road, Md. Route 147, at a distance of 2900 feet East of the centerline of nearest intersecting road, New Cut Road. As recorded in Liber O.T.G. No. 5274 page 728 and described as follows, South 51 degrees 12 minutes 45 seconds West 348.53 feet, North 38 degrees 47 minutes 46 seconds West 239.54 feet, South 75 degrees 40 minutes 15 seconds West 132.04 feet, North 01 degrees 29 minutes 02 seconds East 204.54 feet, North 71 degrees 01 minutes 13 seconds West 131.09 feet, South 88 degrees 28 minutes 18 seconds West 20.00 feet, North 17 degrees 00 minutes 25 seconds East 228.73 feet, North 03 degrees 52 minutes 10 seconds West 631.33 feet, North 64 degrees 37 minutes 59 seconds East 470.26 feet, and South 10 degrees 58 minutes 40 seconds East 1255.57 feet, to the place of beginning. Containing 14.88 acres of land more or less.

PARCEL 4

Beginning at a point in the center of Harford Road, Md. Route 147, at a distance of 1700 feet East of the centerline of nearest intersecting road, New Cut Road. As recorded in Liber O.T.G. No. 5274 page 728 and described as follows, North 38 degrees 47 minutes 15 seconds West 185.00 feet, North 16 degrees 15 minutes 50 seconds West 38.38 feet, North 89 degrees 51 minutes 13 seconds East 215.69 feet, South 38 degrees 48 minutes 15 seconds East 85.76 feet, and 551 degrees 12 minutes 45 seconds West 183.20 feet to the place of beginning. Containing 0.70 acres of land more or less.

01-454-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 92966

DATE 4/26/01 ACCOUNT R-001-006-6150

AMOUNT \$ 150.00

RECEIVED FROM: KLS Consultants, Inc.

FOR: 12828 Hartford Road (Diana W. McCann)

01-454-SPH

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
4/26/2001 4/26/2001 09:16:30

REL. US03 CASHIER UNIT LOW DRAWER

RECEIPT # 180730

REF 5 528 ADHOC VERIFICATION

CR IN. 092966

Prept Tot 150.00

150.00 OK .00 CA

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: # 01-454-SPH
12828 Harford Road
NW/S Harford Road, Cor
NES Forest Lane and New
Cut Road.

11th Election District
6th Councilmanic District
Legal Owner(s): Diana W.
McCann.

Special Hearing: to approve
property to be subdivided
(proposed lots 1 & 2) and
to confirm that parcel 4 is a
valid non-density parcel
with possible future transfer
to an adjacent parcel 5 or 6.

Hearing: Friday, June 29,
2001 at 10:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue.

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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

6/086 June 14 C474624

CERTIFICATE OF PUBLICATION

6/14, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 6/14, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. 01-454 SPRH

Petitioner/Developer KEARNEY, ETAL

Date of Hearing/Closing. 6/29/01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #12828 HARFORD ROAD
ONSITE

The sign(s) were posted on 6/1/01
(Month, Day, Year)

it® Fax Note 7671		Date	# of pages
To	<u>ROBIN/BETTY</u>	From	<u>O'KEEFE</u>
Co./Dept.	<u>ZONING COMMISH</u>	Co	
Phone #	<u>301-4386</u>	Phone #	<u>410-324-430</u>
Fax #	<u>887-3468</u>	Fax #	<u>512-324-430</u>

Sincerely,

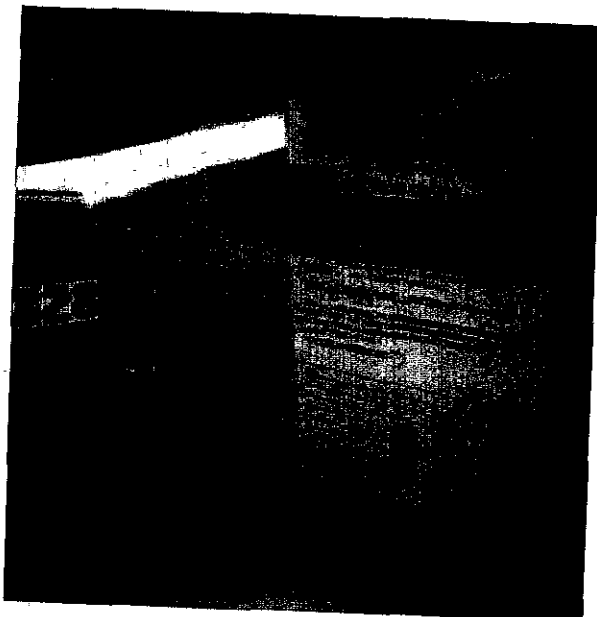
Patrick M. O'Keefe 6/1/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



01-454 SPRH
#12828 HARF

6/29/01

**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: OF-454-SPH

Petitioner: DIANA W. McCANN

Address or Location: 12828 HARFORD ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: DIANA W. McCANN

Address: 12828 HARFORD ROAD

HYDES, MD 21082

Telephone Number: 410-592-9203

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 14, 2001 Issue – Jeffersonian

Please forward billing to:
Diana W McCann
12828 Harford Road
Hydes MD 21082

410 592-9203

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: 01-454-SPH
12828 Harford Road
NW/S Harford Road, Cor. NES Forest Lane and New Cut Road
11th Election District – 6th Councilmanic District
Legal Owner: Diana W McCann

Special Hearing to approve property to be subdivided (proposed lots 1 & 2) and to confirm that parcel 4 is a valid non-density parcel with possible future transfer to an adjacent parcel 5 or 6.

HEARING: Friday, June 29, 2001 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDL
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.



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

May 23, 2001

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: 01-454-SPH
12828 Harford Road
NW/S Harford Road, Cor. NES Forest Lane and New Cut Road
11th Election District – 6th Councilmanic District
Legal Owner: Diana W McCann

Special Hearing to approve property to be subdivided (proposed lots 1 & 2) and to confirm that parcel 4 is a valid non-density parcel with possible future transfer to an adjacent parcel 5 or 6.

HEARING: Friday, June 29, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon *GDZ*
Director

C: Diana W McCann, 12828 Harford Road, Hydes 21082
Ronald Kearney, K.L.S. Consultants, Inc, 4401 Philadelphia Road, Bel Air 21015

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 14, 2001.**
(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.



Baltimore County
Department of Permits and
Development Management

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

June 22, 2001

Diana W McCann
12828 Harford Road
Hydes, MD 21082

Dear Ms. McCann:

RE: Case Number: 01-454-SPH, 12828 Harford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 26, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

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

WCR: gdz

Enclosures

C: Ronald Kearney, K.L.S. Consultants, Inc, 4401 Philadelphia Rd, Bel Air 21015
People's Counsel

Jim
6/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 21, 2001

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

MAY 21

SUBJECT: 12828 Harford Road

INFORMATION:

Item Number: 01-454

Petitioner: Diana W. McCann

Property Size: 14.88 acres, Parcel 1 or Proposed Lots 1 & 2, .7 acres Parcel 4

Zoning: RC 2

Requested Action:

Hearing Date:

The petitioner requests approval for a two lot minor subdivision of Parcel 1, a 41.88 acre parcel that was deeded on June 6, 1972. In addition, a non-density transfer has been requested to allow an undersized Parcel 4, of which .7 acres would be transferred in the future to either Parcels 5 or 6. Parcel 5 and 6 are contiguous, undersized parcels. It is unclear whether there is any density remaining on these parcels even if all were combined for a total of 2.46 acres.

SUMMARY OF RECOMMENDATIONS:

This office does not oppose the non-density transfer that provided it is not for building purposes.

Section Chief:



AFK:di

RE: PETITION FOR SPECIAL HEARING
12828 Harford Road, NW/S Harford Rd, cor NE/S Park
Forest Ln
11th Election District, 6th Councilmanic

Legal Owner: Diana W. McCann
Petitioner(s)

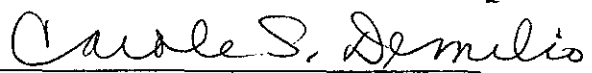
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-454-SPH

* * * * *

ENTRY OF APPEARANCE

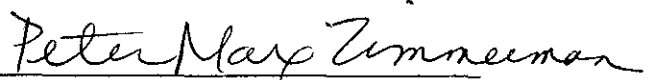
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 4th day of June, 2001 a copy of the foregoing Entry of Appearance was mailed to Ronald M. Kearney, K.L.S. Consultants, Inc., 4401 Philadelphia Road, Bel Air, MD 21015, representative for Petitioners.


PETER MAX ZIMMERMAN

NOTE TO HEARING FILE

TO: File

FROM: Jeffrey Perlow, Planner II
Zoning Review

RE: 12828 Harford Road (01-454-SPH)

The Zoning Review Office suggests that a covenant restriction be placed against Parcel 4 in the County Land Records Office stating that said Parcel 4 shall remain a non-buildable parcel. If Special Hearing request were granted, this suggestion could be included in any final order.

01-#4574

**BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT**

Inter-Office Correspondence

To: Joe Chmura, Department of Permits and Development Management

From: Alli Cauthorn, Development Coordination, DEPRM *AC*

Date: December 4, 2000

Subject: **MINOR SUBDIVISION REVIEW**

Project Name: McCann Property (Diana and Joseph)
Minor Sub No.: 00130M
District: 11C6
Engineer: K.L.S. Consultants, Inc.
Phone No.: 410-879-1441

The following comments must be addressed prior to plan approval:

1. The proposed well on Lot 2 cannot be located in the Forest Buffer Easement. Wells must be a minimum of 15 feet from permanent easements.
2. Show the location of any existing underground storage tanks on site or within 100 feet of the property. If none exist, add a note to the plan.
3. Show the location of any existing wells and septic systems on site or within 100 feet of the property. If none exist, add a note to the plan.
4. Show the components of the existing sewage disposal system on Lot 1. The condition of the existing sewage disposal system must be verified by a licensed sewage disposal contractor. If any repairs are necessary, they must be completed prior to subdivision approval.
5. The existing well on Lot 1 must be inspected. If any upgrades are necessary, they must be completed prior to subdivision approval.
6. Show topographic contours at 5 foot intervals.
7. The septic reserve area on Lot 1 must be at least 100 feet from the existing stream.
8. Show the Forest Buffer Easement for the existing stream.
9. Septic reserve areas must be a minimum of 25 feet from slopes that exceed 25%—check Lot 1.
10. Apply for and conduct the soil percolation tests. Contact Groundwater Management (410-887-2762) for details.
11. Further comments may follow.

LONG GREEN VALLEY ASSOCIATION
P.O. Box 91 Baldwin, Maryland 21013

July 2, 2001

Mr. Lawrence E. Schmidt
Zoning Commissioner of Baltimore County
401 Bosley Avenue
County Court Building
Room 405
Towson, Maryland 21204

JUL 2

**RE: June 29, 2001 Zoning Special Hearing Case #01-454-SPH
12828 Harford Road**

Dear Mr. Schmidt:

I am writing as president of the Long Green Valley Association within whose boundaries the above-referenced property lays. Carol Shaw, a member of the Board of Directors of the LGVA, had intended to offer testimony on our behalf at the hearing last Friday. Due to an unforeseen occurrence, she was unable to attend but did speak with your office prior to the hearing. She indicated that we would like to send a letter with our comments and was told that that was allowable and that you would be so informed that our letter would be forthcoming promptly.

With regard to that part of the Special Hearing request that is asking you to confirm that parcel 4 is a valid non-density parcel with possible future transfer to an adjacent parcel 5 or 6, the Long Green Valley Association is opposed to allowing a possible future transfer to one of the adjacent parcels since parcels 6 and 7 are already in existence as a result of an original exception to Deed 5274/728.

If you should decide that the property owner is allowed a possible future transfer of parcel 4, a non-density parcel, to either parcel 5 or 6, then the Association is strongly in agreement with the comments of Zoning Review and Planning that a covenant restriction should

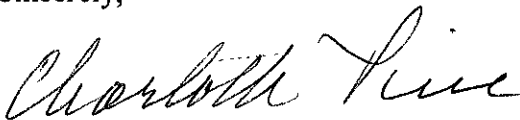
be placed against parcel 4 stating that parcel 4 should remain a non-density buildable parcel and that this covenant should be included in the final order if the Special Hearing request is granted.

With regard to that section of the Special Hearing request that is asking that you allow parcel 1 to be sub-divided into proposed parcels 1 and 2, e.g., carving another building lot out of existing lot 1, the Association again is strongly opposed to this request since the property owner has already been allowed one Special Exception on this Deed 5274/728 when additional lots were created.

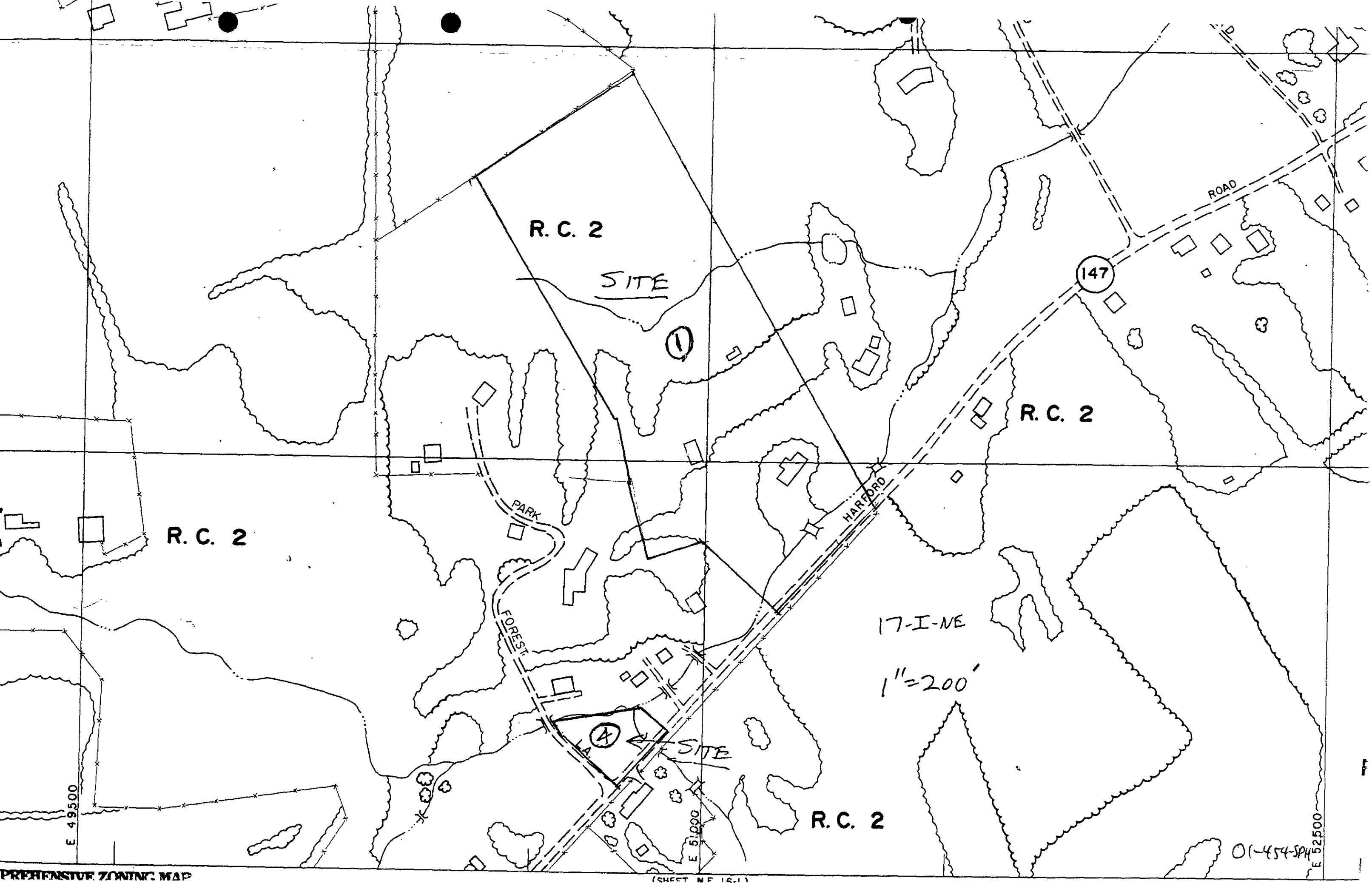
If exceptions like this one are allowed to be made, then the whole underlying legal basis for allowing sub-divisions on RC-2 land is undermined.

Thank you for your consideration of our position and our comments. If you have any questions with regard to our position, please feel free to call me at 410-823-5200 or Carol Shaw at 410-592-5670. We would also appreciate receiving a copy of your final order.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charlotte Pine".

Charlotte Pine
President, Long Green Valley Association



R.C. 2

SITE

①

R.C. 2

R.C. 2

17-I-NE

1"=200'

④

SITE

R.C. 2

ROAD

147

HARFORD

PARK

FOREST

E 49500

E 51000

E 52500

Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 12828 Harford Road

Subdivision name: N/A
plat book# _____, folio# _____, lot# _____, section# _____

OWNER: Diana W McCann (PARCELS 1 & 4)*

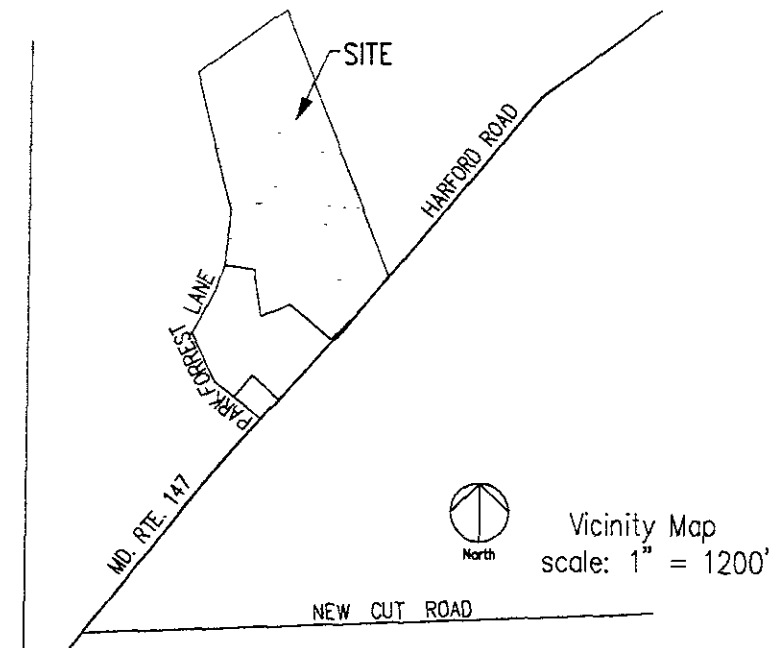
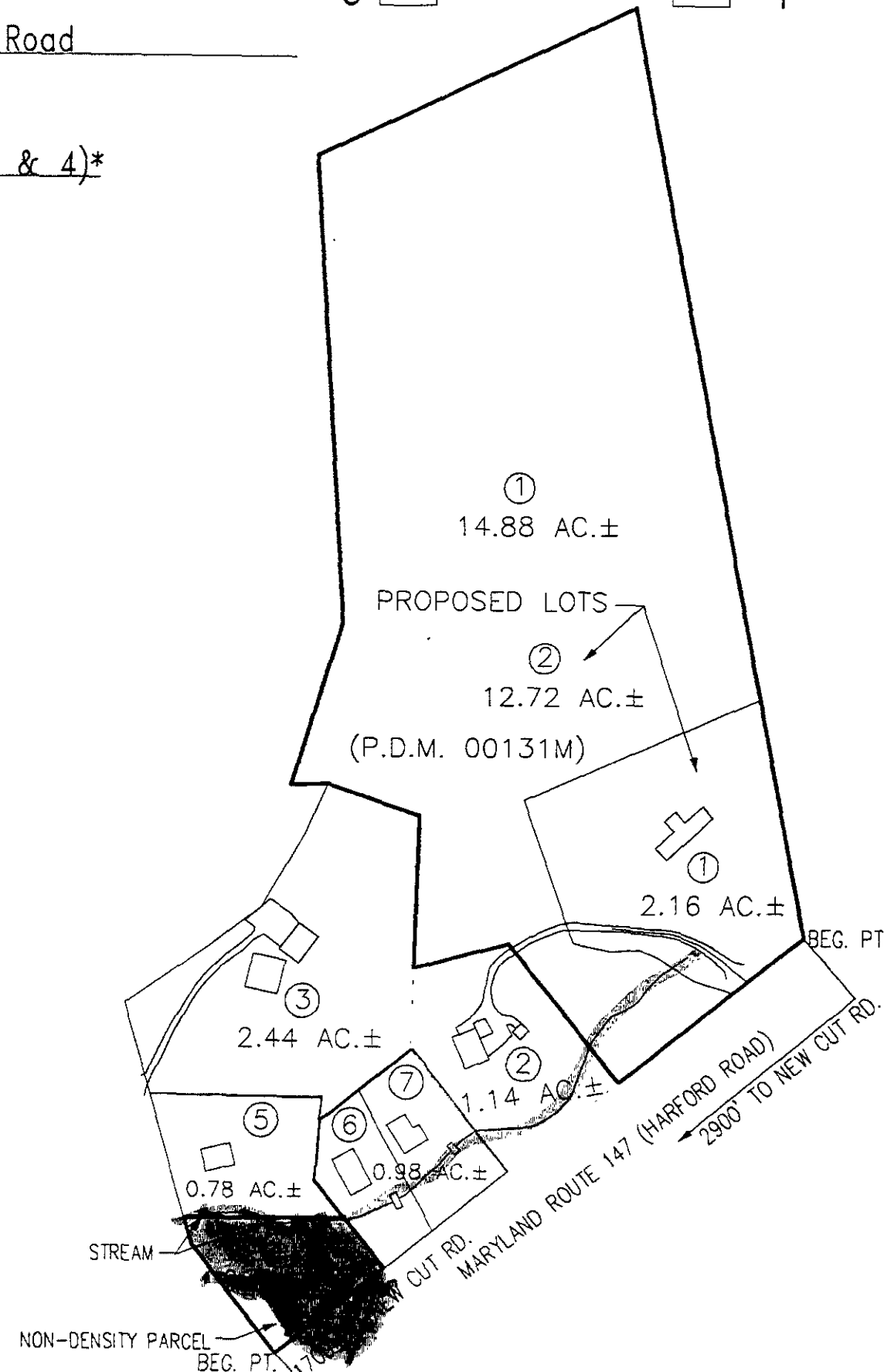
PARCELS:

- *1 DEED REFERENCE 5274/728
DATED JUNE 6, 1972
- 2 DEED REFERENCE 5517/920
DATED APRIL 1, 1975
- 3 DEED REFERENCE 5667/003
DATED AUGUST 13, 1976
- *4 PART OF DEED REFERENCE
5274/728
- 5 DEED REFERENCE 4456/612
DATED MAY 13, 1965
- 6 DEED REFERENCE 8666/86
DATED NOVEMBER 23, 1990
- 7 DEED REFERENCE 10530/673
DATED MAY 10, 1994

ORIGINAL EXCEPTION:
2143/330 IN 5274/728



date: 1/22/01 - REV. 4/25/01
prepared by: J. Campbell
Scale of Drawing: 1"=200'



LOCATION INFORMATION

Councilmanic District: 6
Election District: 11
1" = 200' scale map#: 171 NE
Zoning: RC-2

Lot sizes:

	acreage	square feet
Prop. lots 1 & 2:	14.88 AC.±	648172 SQ. FT.±
Parcel 4:	0.70 AC.±	30492 SQ. FT.±

SEWER: ☐ public ☒ private
WATER: ☐ yes ☒ no
Cheapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE
Part of lot 1 is in the 100 year riverine flood plain. Flood plain issues are being resolved under minor subdivision review (00-131-M).

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____