

IN RE: PETITION FOR VARIANCE
S/S Forge Road, 1900' SE of the c/l
Cross Road
(4713A, B & C Forge Road)
11th Election District
6th Council District

Melvin Guy
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-108-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Melvin Guy. The Petitioner seeks relief from Sections 259.9.C.1.a and 259.9.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the minor subdivision of the subject property, zoned D.R.3.5H and located in the Honeygo District, with create three single family dwelling lots, all of which will share a panhandle driveway. The regulations cited above permit panhandle lots in the Honeygo District only on land zoned D.R.1 and only two lots may share a single driveway. 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 James Guy, the son of Melvin Guy, property owner; Dwight Little, the engineer who prepared the site plan for this property; and, Howard L. Alderman, Jr., Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

This most interesting case presents a number of difficult issues for consideration. The subject property is an irregular shaped parcel located on the south side of Forge Road not far from Cross Road in the Honeygo District of Perry Hall. The property contains a gross area of 3.23 acres, more or less, zoned D.R.3.5 H and is presently vacant. The Petitioner proposes to subdivide the property to create three lots and provide access to each by way of a shared panhandle driveway

ORDER RECEIVED FOR FILING

Date

By

off of Forge Road. As shown on the site plan, the property is shaped somewhat like an upside down "T", with the stem of same a narrow strip approximately 45 feet wide by 307 feet deep, which provides the property's frontage on Forge Road. That is, the property only has 45 feet of frontage on Forge Road. The majority of the property (the cross part of the "T") is located to the rear of the properties known as 4711, 4713, 4715, 4717 and 4801 Forge Road.

As is well-settled, the Honeygo District is a designated growth area in Perry Hall. The regulations for the H-District include a number of stringent requirements to assure high quality development. As noted above, the Petitioner proposes a minor subdivision of the property to create three single family lots which are to be served by a single panhandle driveway leading from Forge Road through the above described narrow strip to the developable portion of the site. As more particularly shown on the site plan, proposed Lot 1 will be 1.099 acres in area; proposed Lot 2, which abuts Lot 1 on the east side and Lot 3 on its west side, will be .843 acres in area; and, Lot 3 will be 1.239 acres in area.

In support of the request, Mr. James Guy testified as to the significant efforts he made in formulating the proposed development. He indicated that he contacted a number of County reviewing agencies before preparing the subject plan to assure that same was feasible and would be endorsed by those agencies. For example, the rear of the property abuts a substantial subdivision known as Perry Hall Farms. Mr. Guy made arrangements to extend an existing sewer line serving that subdivision into the subject site, and has, in fact, completed that connection. The availability of sewer is an issue requiring significant review and authorization under the Honeygo regulations (see Section 259.7 of the B.C.Z.R.).

Additionally, Mr. Guy contacted the Office of Planning prior to the formulation of his subdivision plan. In this regard, he testified that the Office of Planning indicated at that time that they would not oppose his proposal if certain conditions were met. Specifically, the Office of Planning indicated the proposed subdivision should be limited to not more than 3 houses, significantly less than the 11 permitted under the property's D.R.3.5 zoning classification and its acreage. Moreover, the Office of Planning advised Mr. Guy that the proposed homes need be

oriented so as to not face the rear of those dwellings that front on Forge Road. Thus, the Petitioner prepared his plan in accordance with those comments and submitted same for minor subdivision approval under Project No. 01-69M; however, a decision on the minor subdivision will not be made until after this case is decided.

A preliminary issue in this case is whether the Zoning Commissioner is authorized to grant variances from the requirements of Sections 259.9.C.1.a and b of the B.C.Z.R. As is well-settled, the Zoning Commissioner can grant a variance from bulk and area regulations of the B.C.Z.R. (see Section 26-127 of the Baltimore County Code and Section 307 of the B.C.Z.R.); however, the Zoning Commissioner does not have the authority to grant use variances. It is clear that the language of Section 259.9.C.1.b of the B.C.Z.R., which provides that no more than two lots may share a single panhandle driveway, is in the nature of an area or bulk standard and therefore may be varied. The requirement that the underlying zoning of the property be D.R.1 as set out in Section 259.9.C.1.a of the B.C.Z.R. is a different type restriction. In examining this issue, it is clear that the relief sought is not a request for the approval of a use that is not permitted in the D.R.1 zone. Single family dwellings are permitted uses by right in the D.R.1 zone, and certainly allowed in the Honeygo District. Moreover, Section 259.9.C of the B.C.Z.R. is labeled as a "building and site design standard." Based upon these factors, I find that the relief sought may be properly considered by this Zoning Commissioner.

Regulations governing panhandle driveways are also found in Section 26-266 of the Baltimore County Code. That Section falls within Division IV of the Development Regulations which set out general design standards and requirements. Although the Zoning Commissioner may waive the requirements contained within Division IV of the Development Regulations, pursuant to Sections 26-171 and 26-172 of the Code, there is no waiver requested here. Apparently, the Petitioner believes that the requirements set out in Section 26-266 of the Code are or will be met, insofar as the proposed panhandle driveway is concerned. It is indeed clear that those requirements must be met in that no waiver has been requested, nor will same be granted within this case.

11/21/01
Jep

It is to be noted that Section 26-266 of the Code mandates panhandle lots and driveways are permitted only to achieve better use of irregularly shaped parcels, to avoid development in environmentally sensitive areas, and to provide access to interior lots where a public road is neither feasible nor desirable. In considering whether these criteria are applicable in this case, the history of the subject property need be reviewed.

The subject property was originally part of a larger tract acquired by the Guy family a number of years ago. The Petitioner submitted a copy of the deed recorded in the Land Records of Baltimore County at Liber 4616, Folio 149 and dated April 27, 1966. That deed shows that James Guy's grandparents, Melvin R. Guy, Sr., and his wife, Aloyse E. Guy, acquired the subject parcel (3.23 acres) as part of a larger tract (5.061 acres) from Joseph H. Volz and his wife, Mary A. Volz. Several years later, the senior Mr. & Mrs. Guy conveyed a portion of that property (4.35 acres) to their son, Melvin R. Guy, Jr., and his wife, Patricia Lynn Guy, by deed dated April 23, 1969 at Liber 4988, Page 302. The senior Mr. & Mrs. Guy retained .711 acres, which was ultimately developed with a single family dwelling shown on the site plan as 4715 Forge Road. Melvin Guy, Jr. and his wife eventually acquired that parcel as an inheritance when the senior Mr. & Mrs. Guy passed away. That property abuts the eastern property line of the proposed panhandle strip.

After their acquisition of the 4.35 acres, the junior Mr. & Mrs. Guy later conveyed, by deed at Liber 5199, Page 657, dated July 1, 1971, a 1.12-acre tract to Wayne A. Teubner and his wife, Susan L. Teubner. The reason behind this subdivision and conveyance is of note. Apparently, Melvin Guy, Jr. worked for the Bethlehem Steel Corporation in the early 1970s. At that time, his parents were still alive and resided at 4715 Forge Road, the .711 acre parcel which was later acquired by Mr. Guy by inheritance. In any event, Mr. Guy, Jr. was transferred by his employer to Bethlehem, Pennsylvania and in order to obtain funds necessary to buy a house in Pennsylvania, he subdivided a portion of the 4.35 acre parcel he had acquired from his parents. Specifically, he sold the 1.12-acre parcel to Mr. & Mrs. Teubner. That parcel was ultimately conveyed to Lawrence A. Wheeler and is shown on the site plan as being located on the west side of the strip where the panhandle driveway will be located. A single family dwelling was ultimately constructed thereon.

As noted above, the history of these subdivisions is significant as it explains the current T-shape of the subject property. It is also to be noted that several of these subdivisions occurred prior to the adoption of County Council Bill No. 100, which was passed on August 5, 1970 and made effective on September 17, 1970, and referenced with the adoption of the zoning maps on March 31, 1971.

Based upon this history, it is clear that the subject parcel is indeed irregularly shaped. Thus, the one requirement under Section 26-266 that panhandle lots are permitted only to achieve better use of irregularly shaped parcels is clearly met. Additionally, it is obvious that it would be inappropriate to construct a public road through the strip to serve the three lots proposed. Such a road would adversely impact adjacent properties and is certainly not necessary to serve only three dwellings. Thus, the second requirement of Section 26-266 that panhandles be provided only to provide access to interior lots where a public road is neither feasible nor desirable is also met. I easily find that it is neither practical nor feasible or desirable to construct a public road within the strip of the property, between the lots known as 4713 and 4715 Forge Road.

The final requirement under Section 26-266 of the Code is that panhandle lots are permitted only to avoid development in environmentally sensitive areas. Testimony and evidence offered at the hearing by Mr. Little is that this requirement is also met. There was no contrary evidence offered. It is evident that there are no floodplains or wetlands within the area of the panhandle driveway. However the property does appear to be wooded and thus could be considered environmentally sensitive. Moreover, the construction of a public road would require a larger area of macadam than the panhandle drive, which would alter the amount of impervious surface on this property. Thus, it is clear that the criteria of Section 26-266 of the Code have been met. Again, as noted above, there is no waiver requested from any of the requirements contained therein.

Turning to the requirements set out in Section 259.9.C of the B.C.Z.R., variance relief can be granted only if strict adherence to the requirements of Section 307 of the B.C.Z.R. are met. That Section has been construed by the Court of Special Appeals in Cromwell v. Ward, 102 Md. App. 691 (1995). Essentially, Section 307 and the case law requires that variance relief can be

granted only upon a showing that the subject property is unique and that such uniqueness drives the need for the variance. Moreover, relief can be granted only if a practical difficulty would result. Finally, it must be shown that there will be no detrimental impact on surrounding properties.

For the reasons discussed above, it is obvious that the subject property is unique. The shape of the property is quite unusual in terms of its narrow strip leading from Forge Road to a wider body encompassing the rear of the parcel. The physical characteristics of this property, most specifically, its configuration, leads to the conclusion that it is unique. I also find that a grant of the variance would not cause adverse impacts on surrounding properties. To the contrary, this is one of those unusual cases where strict adherence with the regulations would adversely impact adjacent properties, far more than if the variance were granted. That is, it is clear that the Petitioners could construct a public road from Forge Road to the interior of the lot in order to provide vehicular access to those lots. However, the construction of a public road would result in more impervious surface and would cause a greater detrimental impact on neighboring properties than the construction of the panhandle drive.

Finally, as to the practical difficulty test, I am persuaded that the Petitioner has met that requirement. It is particularly significant here that the density yield of the property is 11 units. The Petitioner proposes only 3 units, far less than that allowed given the size of the property and its density. Moreover, the lots are all over 30,000 sq.ft. in area, and are as large, if not larger, than other lots in the area. This is not an instance where the property owner is seeking maximum development of a given property, which might be inconsistent with surrounding properties. In this regard, I concur with the recommendations originally made by the Office of Planning, that a panhandle driveway is appropriate here, for so long as development is limited to three houses and those houses are oriented on the lots so as to not detrimentally impact existing properties.

For all of these reasons I will grant the Petition for Variance. Although I am cognizant of the strict design requirements imposed by the Honeygo regulations, this property is indeed unique and the issue presented here is unusual. In my judgment the Petitioners' proposal represents a well thought out scheme of development for this irregularly shaped parcel and should therefore be approved. Obviously, this ruling is without prejudice to the Petitioner or the reviewing

ORDER RECEIVED FOR FILING

Date

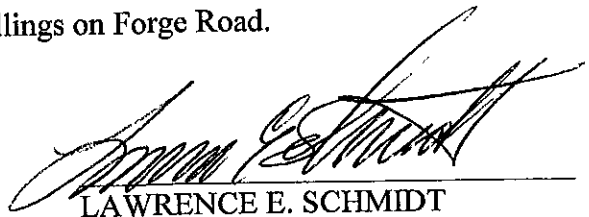
By

agencies of Baltimore County as it relates to the minor subdivision process. The Petitioner must satisfy the development review requirements codified in Title 26 of the Baltimore County Code. The relief granted herein is limited only to a variance from Sections 259.9.C.1a and b 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 20th day of November, 2001 that the Petition for Variance seeking relief from Sections 259.9.C.1.a and 259.9.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit three panhandle lots in the Honeygo District on land zoned D.R.3.5H, and to permit those lots to share one panhandle driveway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is limited only to a variance from Sections 259.9.C.1a and b of the B.C.Z.R. to permit three panhandle lots sharing one driveway on the subject property zoned D.R.3.5H.
- 3) The dwellings on the three lots shall be oriented in such a manner so as to not adversely impact the existing dwellings on Forge Road.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 11/21/01

By [Signature]



Baltimore County
Zoning Commissioner

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

November 21, 2001

Howard L. Alderman, Jr., Esquire
Levin & Gann
502 Washington Avenue, 8th Floor
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
S/S Forge Road, 1900' SE of the c/l Cross Road
(4713A, B & C Forge Road)
11th Election District – 6th Council District
Melvin Guy - Petitioner
Case No. 02-108-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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. Melvin Guy
995 W. Macada Road, Bethlehem, PA 18017
Mr. James Guy
4715 Forge Road, Perry Hall, Md. 21128
Mr. Dwight Little, Little & Associates, Inc.
1045 Taylor Avenue, suite 101, Towson, Md. 21286
Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4713 A Forge Road 4713 A, BIG FORGE ROAD
which is presently zoned DR 3.5 H

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 259.9.C.1.a & 259.9.C.1.b (BC2R) to permit panhandle

in a minor subdivision in the Honeyg District
lots where the underlying zoning of the land is "not" D.R.1 and where "more than two" lots (3 lots) share a driveway. The variance relief requested is to allow lots with panhandles which the above stated sections do not permit. If determined that the above sections apply of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: UCL
(indicate hardship or practical difficulty) Due to the limited lot frontage to Forge Road, panhandle strips are needed.

Without panhandles, this site cannot be subdivided.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Melvin Guy

Name - Type or Print

Signature

Name - Type or Print

Signature

995 W. Macada Road

410 529-9128

Address

Telephone No.

Bethlehem,

PA

18017

State

Zip Code

Representative to be Contacted:

Chuck Merritt c/o Little & Associates, Inc.

Name

1045 Taylor Ave., Suite 101

410-296-1636

Address

Telephone No.

Towson,

MD

21286

City

State

Zip Code

OFFICE USE ONLY

Case No.

02-108-A

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

JNP

Date

9/13/01

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

ZONING DESCRIPTION FOR
"THE GUY PROPERTY"
PARCEL 476 FORGE ROAD
11th ELECTION DISTRICT, BALTIMORE COUNTY, MD
~~6th COUNCILMANIC DISTRICT~~

Beginning at a point in the center of Forge Road at the distance of 1900 feet southeast of the centerline of Cross Road, thence (1) South 74 degrees 57 minutes 08 seconds East 45.00 feet; (2) South 15 degrees 43 minutes 00 seconds West 312.00 feet; (3) South 75 degrees 02 minutes 00 seconds East 224.81 feet; (4) South 44 degrees 14 minutes 00 seconds West 246.76 feet; (5) North 71 degrees 27 minutes 00 seconds West 490.05 feet; (6) North 12 degrees 25 minutes 00 seconds East 313.63 feet; (7) North 89 degrees 44 minutes 04 seconds East 105.08 feet; (8) South 13 degrees 01 minutes 47 seconds West 155.79 feet; (9) South 75 degrees 02 minutes 00 seconds East 147.22 feet; and (10) North 15 degrees 43 minutes 00 seconds East 312.00 feet to the place of beginning. Being a part of that property described in a deed dated April 23, 1969 and recorded among the Land Records of Baltimore County in Liber 4988 folio 302, containing 3.23 acres of land, more or less.

02-108-A

MISCELLANEOUS RECEIPT

5643

DATE 9/13/07 ACCOUNT 2001-006-6750

AMOUNT \$ 130.00

RECEIVED
FROM: Melvin Guy

FOR: VARIANCES - THE A.D. & L. TORGO ROAD

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

09/15/2001 09:35:59
 FROM: GIBBER MAILBOX DRONEP 2
 TO: JIM@16165 OFLR
 SUBJECT: 2001.05 VERIFICATION
 DATE: 09/15/2001

Receivable	150.00
Due on CR	.00 on
Washburn County, Washburn	

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: #02-108-A

4713 A B & C Forge Road

SW/S of Forge Road, 1900' SE of Cross Road

11th Election District - 6th Councilmanic District

Legal Owner(s): Melvin Guy

Variance: to permit panhandle lots in a minor subdivision in the Honeymo District where the underlying zoning of the land is "not" D.R.1 and where "more than two" lots (3 lots) share a driveway. The variance relief requested is to allow lots with panhandles which the above stated sections do not permit. If determined that the above sections apply.

Hearing: Thursday, November 8, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 10/770 Oct. 23

C501704

CERTIFICATE OF PUBLICATION

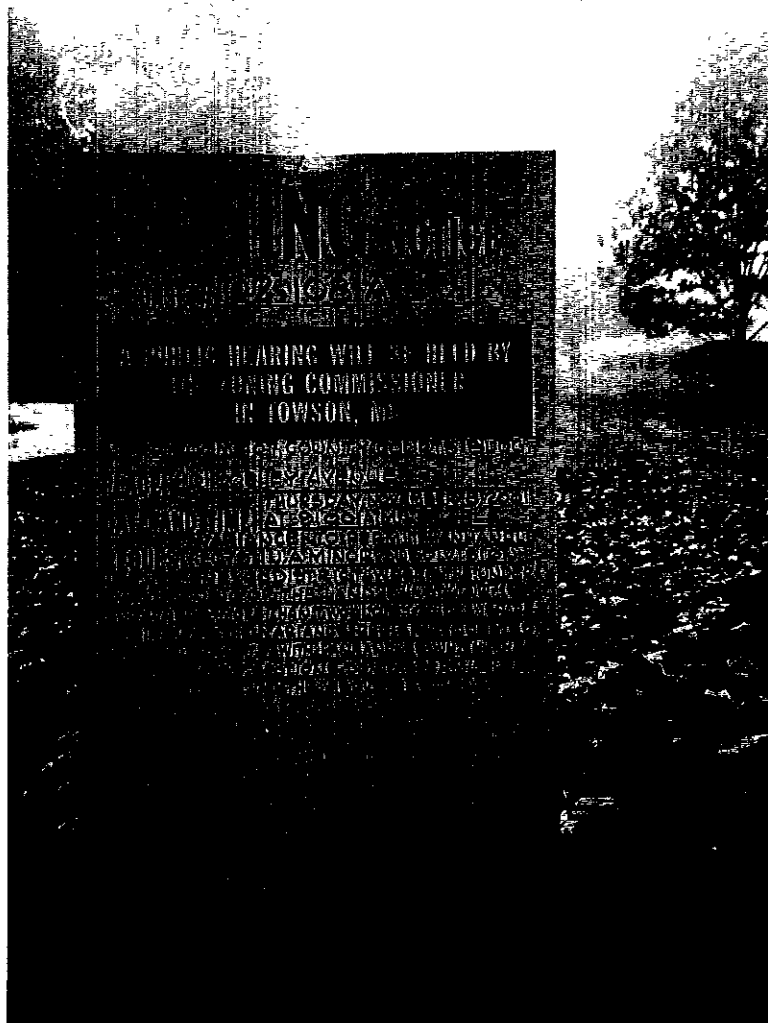
10/25/, 2001

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 10/23/, 2001.

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



LEGAL ADVERTISING



CERTIFICATE OF POSTING

RE: Case No.: 02-108-A

Petitioner/Developer: _____

MR. MELVIN GUY

Date of Hearing/Closing: 11-8-01

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 _____

SW/SIDE FORCE ROAD, SE OF CROSS ROAD

The sign(s) were posted on OCT. 23, 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 02-108-A

Petitioner: Melvin Guy *B. & G*

Address or Location: 4713A Forge Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Melvin Guy

Address: 995 W Macada Road

Bethlehem, PA 18017

Telephone Number: 410 529-9128

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 23, 2001 Issue – Jeffersonian

Please forward billing to:

Melvin Guy
995 W Macada Road
Bethlehem PA 18017

410 529-9128

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: 02-108-A
4713 A B & C Forge Road
SW/S of Forge Road, 1900' SE of Cross Road
11th Election District – 6th Councilmanic District
Legal Owner Melvin Guy

Variance to permit panhandle lots in a minor subdivision in the Honeygo District where the underlying zoning of the land is "not" D.R.1 and where "more than two" lots (3 lots) share a driveway. The variance relief requested is to allow lots with panhandles which the above stated sections do not permit. If determined that the above sections apply.

HEARING: Thursday, November 8, 2001 at 9:00 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

October 11, 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: 02-108-A
4713 A B & C Forge Road
SW/S of Forge Road, 1900' SE of Cross Road
11th Election District – 6th Councilmanic District
Legal Owner Melvin Guy

Variance to permit panhandle lots in a minor subdivision in the Honeygo District where the underlying zoning of the land is "not" D.R.1 and where "more than two" lots (3 lots) share a driveway. The variance relief requested is to allow lots with panhandles which the above stated sections do not permit. If determined that the above sections apply

HEARING: Thursday, November 8, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GJZ
Director

C: Melvin Guy, 995 W Macada Road, Bethlehem PA 18017
Chuck Merritt, Little & Associates Inc, 1045 Taylor Ave, Ste 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, OCTOBER 24, 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
pdmlandacq@co.ba.md.us

October 2, 2001

Melvin Guy
995 W Macada Road
Bethlehem PA 18017

Dear Mr. Guy:

RE: Case Number: 02-108-A, 4713 A B & C Forge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 13, 2001.

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: Chuck Merritt, Little & Associates Inc, 1045 Taylor Avenue, Suite 101,
Towson 21286
People's Counsel

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 16, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For October 8, 2001
Item Nos. 082, 101, 104, 105, 107,
108, 110, 111, 112, 113, 114, 115,
116, 117, and 118

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

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

October 15, 2001

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

ATTENTION: Gwen Stephens

RE: Property Owner: Melvin Guy - 108

Location: DISTRIBUTION MEETING OF October 1, 2001

Item No.: 108

Dear Ms. Stephens:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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

cc: File

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



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on Recycled Paper

GSP
Jm
11/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 12, 2001

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

SUBJECT: 4713 Forge Road

15

INFORMATION:

Item Number: 02-108

Petitioner: Melvin Guy

Zoning: DR 3.5H

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

Per Section 259.9.C.1 of the Baltimore County Zoning Regulation (Honeygo Regulations) panhandle lots are not permitted unless:

- a) The underlying zoning of the land is D.R. 1;
- b) No more than two lots share a driveway; and,
- c) Lots exceed 30,000 square feet in area.

The Office of Planning has determined that the petitioner does not meet the criteria sated in the Honeygo Regulations in that the subject property is zoned DR 3.5H, and three (3) lots are proposed to share a single driveway.

Additionally, Panhandle lots are not a matter of right. Section 26-266 of the Baltimore County Code (BCC) states: "Panhandle lots may only be permitted to (1) achieve better use of irregularly shaped parcels, (2) avoid development in environmentally sensitive areas, and to (3) provide access to interior lots where a public road is neither desirable or feasible. Panhandle lots may be permitted only where such lots would not be detrimental to adjacent properties and would not conflict with efforts to provide for public safety and general welfare."

The Office of Planning has further determined that while the lot might be irregular in shape, there are no environmentally sensitive areas germane to the subject property. Furthermore, the petitioner may construct a public/private road to serve the subject site. Planning staff is also concerned that the proposed development may be a creeping subdivision.

Taking into consideration all of the above, this office recommends that the request be **DENIED**.

Prepared by: Mark A. Cunniff

Section Chief: Jeffrey W. Long

AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.5.01

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

RE: Baltimore County
Item No. 108 LTM

Dear Ms. Jackson:

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

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

Very truly yours,

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

My telephone number is _____

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

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

RE: PETITION FOR VARIANCE
4713 A B & C Forge Road, SW/S Forge Rd,
1900' SE of Cross Rd
11th Election District, 6th Councilmanic

Legal Owner: Melvin Guy
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-108-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of October, 2001 a copy of the foregoing Entry of Appearance was mailed to Chuck Merritt, Little & Associates, Inc., 1045 Taylor Avenue, Suite 101, Towson, MD 21286, representative for Petitioners.



PETER MAX ZIMMERMAN

NOTE TO FILE

DATE: September 13, 2001

TO: Zoning Commissioner

FROM: Jeffrey Perlow, Planner II 
Zoning Review

RE: 02-108-XA (4713 A, B & C Forge Road)
Melvin Guy- Petitioner

The Baltimore County Zoning Regulations (BCZR) specifically exempt Minor Subdivisions from the provisions of Subsections 259.4, 259.5, 259.6, and 259.7 of the Honeygo Area regulations. However, the BCZR is silent in regard to Minor Subdivision exemptions from Subsection 259.9 relating to Honeygo Area development standards.

In the past, this office exempted Minor Subdivisions from "all" subsections of the Honeygo Area regulations. Confirmation of our position might eliminate the need for any future Minor Subdivision variance petitions that relate to Subsection 259.9 of the Honeygo Area regulations. (i.e., variances from the Honeygo Area development standards). We would appreciate any clarification that you can provide regarding the BCZR silence in regards to Minor Subdivision exemptions from Subsection 259.9 of the Honeygo Area regulations. Regardless of the outcome of the preceding, this office will inform all petitioners that Minor Subdivisions are still subject to the other sections and provisions of the BCZR.

CASE NAME Marvin Guy Bear
CASE NUMBER 02-108-A
DATE 08 Nov 01

CASE NAME Marion Evy Bear
CASE NUMBER 02-108-A
DATE 08 Nov 01

[illegible]



Baltimore County
Zoning Commissioner

November 28, 2001

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

Mr. David Marks, President
Perry Hall Improvement Association
P.O. Box 63
Perry Hall, Maryland 21128

RE: PETITION FOR VARIANCE
S/S Forge Road, 1900' SE of the c/l Cross Road
(4713A, B & C Forge Road)
11th Election District - 6th Council District
Melvin Guy - Petitioner
Case No. 02-108-A

Dear Mr. Marks:

In response to your letter of November 21, 2001 concerning the above-captioned matter, please be advised that an Order was issued on November 20, 2001 granting the relief requested, subject to certain restrictions. I have enclosed a copy for your ready reference.

In the event you are not satisfied with the decision rendered, you may either file an appeal to the County Board of Appeals, or request that your letter be accepted as a Motion for Reconsideration. However, either action must be undertaken within the thirty (30)-day appeal period.

Should you have any other questions in this regard, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Case File



But I think I have already ordered a decision in this case. Add this to case file.

PHIA can appeal or request a motion for reconsideration

Feb 11/27/01

Est. 1773
PERRY HALL
IMPROVEMENT ASSOCIATION, INC.
P.O. Box 63, Perry Hall, MD 21128

November 21, 2001

Mr. Lawrence Schmidt
Zoning Commissioner
C/o Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Schmidt:

This concerns case #02-108-A. The petitioner was seeking permission to create panhandle lots on a property on Forge Road in Perry Hall.

Unfortunately, the Web site for the Baltimore County Department of Permits and Development Management incorrectly identified this case as a Sixth District matter. In fact, the case concerns property clearly in the Fifth District.

The Perry Hall Improvement Association never learned about the case until after the hearing was held. Had we known about the hearing, we would likely have opposed the request.

When rendering your decision, please consider these facts. I am enclosing a copy of an e-mail correspondence to and from Arnold Jablon on this case.

Respectfully:

David Marks

David Marks, President
Perry Hall Improvement Association

 **WebMail - RE: Development Hearing Misidentified** 

 Delete  File  Create  Reply  Reply All  Forward  Previous  Next  Options  Index  Help

Date Sent: Friday, November 09, 2001 8:03 AM

From: phia <phia@bcpl.net> 

To: Arnold Jablon <ajablon@co.ba.md.us>

Subject: RE: Development Hearing Misidentified

 ☐ Urgent ☐ New

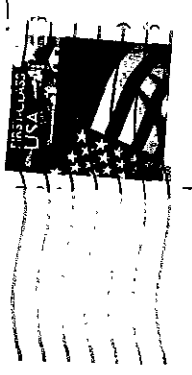
Thanks for your attention. Your office has been very responsive and helpful to us over the years. David Marks

>===== Original Message From "Arnold Jablon" <ajablon@co.ba.md.us> =====
>i understand the concern. we do try to insure that a property which is the subject of a
>hearing is placed in the proper councilmanic district. i know that i don't have to
>underscore that the web page is not official; if a hearing is required, the property is
>posted (which is the principal
>mechanism for notice) and advertised if a zoning hearing. but certainly the web is
>getting to be more significant and certainly a convenient mechanism for notice. i will
>bring this to staff's attention, and continue to strive for accuracy. thanks
>
>>> phia <phia@bcpl.net> 11/08/01 03:20PM >>>
>A hearing was held today on proposed changes to a property on Forge Road in
>Perry Hall. This was Case Number 02-108-A.
>
>The county Web site incorrectly claims that this is in the Sixth Councilmanic
>District. In fact, the property is located well within the Fifth District.
>
>The Perry Hall Improvement Association only found out about this hearing
>today, after it had already taken place.
>
>Please do your best to accurately describe development review hearings and to
>better publicize them to the community. This is not the first time the Web
>site has been wrong.
>
>David Marks
>President, Perry Hall Improvement Association

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IMPROVEMENT ASSOCIATION, INC.
P.O. Box 63 Perry Hall, MD 21128-0063



The Honorable Lawrence Schmidt
Zoning Commission
c/o Dept. of Permits and Development Mgmt.
111 W. Chesapeake Avenue
Towson, Md. 21204

21204+4615

PHONE, MU 7-6922

FRANK S. LEE
1277 NEIGHBORS AVENUE
BALTIMORE, MARYLAND 21237

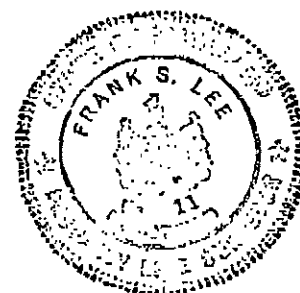
January 18, 1971

Forge Road
Part of O.T.G. 4616 folio 149
11th District Baltimore County, Maryland

Beginning for the same in or near the center of Forge Road at the beginning of the 5.061 acre tract of land which by deed dated May 13, 1966 and recorded among the land records of Baltimore County in Liber O.T.G. 4616 folio 149 was conveyed by Joseph Henry Volz and wife to Melvin Russell Guy Sr. and wife, and thence running with and binding on part of the 1st line in said deed on or near the center of Forge Road South 75 degrees 02 minutes East 166.07 feet thence leaving Forge Road for three lines of division thru the land in deed above referred to as follows:- South 15 degrees 43 minutes West 312 feet, North 75 degrees 02 minutes West 147.72 feet and North 12 degrees 20 minutes 57 seconds East 165.22 feet to the beginning of the 8th or North 12 degree 20 minute 57 second East 147.10 foot line in deed above referred to and thence running with and binding on said 8th line North 12 degrees 20 minutes 57 seconds East 147.10 feet to the place of beginning.

Containing 1.12 acres of land more or less.

Subject to a 35 foot widening for Forge Road.





INTER-OFFICE CORRESPONDENCE

BETHLEHEM STEEL

January 26, 1971

FILE REF. C 10259-Guy

FROM H. L. Boileau, Manager, Real Estate

TO J. J. O'Connell, Vice President, Industrial Relations Dept.

SUBJECT TRANSFERRED EMPLOYEE: RUSSELL GUY --
4713 FORGE ROAD,
PERRY HALL, MARYLAND

We have obtained the investment information, and the necessary appraisals to determine the fair market value and are now prepared to offer \$ 40,200.00* for the subject property.

Subject to your approval, please submit this offer to the above individual and request that he advise us of his acceptance or rejection of the offer prior to 2/9/71.

*This offer includes range and ovens, dishwasher, intercom system, telephone jacks, antenna and motor, vacuum system, garage door opener and controls, and all attached fixtures. All appliances, fixtures, and sewage disposal system to be in good working order.

Subject to written evidence of sub-division approval.

N X Railway

PERSONAL AND CONFIDENTIAL**ENDORSEMENT**

I _____ the offer of \$ _____,
accept/reject
presented to me by the Company, for the subject property.

Employee's Signature

Date

THIS DEED, Made this 1ST day of ~~June~~^{JULY}, in the year one thousand nine hundred and seventy-one, by and between MELVIN RUSSELL GUY, JR. and PATRICIA LYNNE GUY, his wife, of Baltimore County, State of Maryland, of the first part, and WAYNE A. TEUBNER and SUSAN L. TEUBNER, his wife, of the second part.

WITNESSETH that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey unto the said Wayne A. Teubner and Susan L. Teubner, his wife, as tenants by the entireties, their assigns, the survivor of them and the survivor's heirs and assigns, in fee simple, all that lot of ground situate, lying and being in Baltimore County, State aforesaid, and described as follows, that is to say:-

BEGINNING for the same in or near the center of Forge Road at the beginning of the 5.061 acre tract of land which by deed dated May 13, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. 4616, folio 149 was conveyed by Joseph Henry Volz and wife to Melvin Russell Guy, Sr. and wife and thence running with and binding on part of the first line in said deed on or near the center of Forge Road South 75 degrees 02 minutes East 166.07 feet thence leaving Forge Road for lines of division as follows: South 15 degrees 43 minutes West 312 feet to a stake, thence North 75 degrees 2 minutes West 147.22 feet to a stake, thence North 12 degrees 20 minutes 57 seconds East 165.22 feet to the beginning of the eighth line of a deed dated the 23rd day of April, 1969 and recorded among the Land Records of Baltimore County in Liber OTG 4988 folio 302 and thence running with and binding on the eighth line in said deed 147.10 feet to the place of beginning. The improvements thereon being known as 4713 Forge Road.

Containing 1.12 acres of land, more or less.

Subject to the rights of Baltimore County to a strip approximately 35 feet wide for the widening of Forge Road.

Being part of that lot of ground by Deed dated April 23, 1969 and recorded among the Land Records of Baltimore County in Liber OTG 4988, folio 302 was granted and conveyed by Melvin Russell Guy, Sr. and Aloyse Guy, his wife, to Melvin Russell Guy, Jr. and Patricia Lynne Guy, his wife, within Grantors.

This Deed, Made this

23rd

day of April

in the year one thousand nine hundred and sixty-nine, by and between ✓
RUSSELL GUY, SR. and ✓ ALOYSE GUY, his wife

of Baltimore County in the State of Maryland, of the first part, and
✓ MELVIN RUSSELL GUY, JR. and ✓ PATRICIA LYNNE GUY, his wife, of
Baltimore County in the State of Maryland
of the second part.

Witnesseth, That in consideration of the sum of Five Dollars (\$5.00) and other
good and valuable considerations, the receipt whereof is hereby
acknowledged

the said parties of the first part

do grant and convey unto the said parties of the second part, their assigns,
the survivor of them and the survivors'

heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in
Baltimore County, aforesaid, and described as follows, that is to say:—

Beginning for the same in or near the center of Forge Road at the beginning of
the 5.061 acre tract of land which by deed dated May 13, 1966 and
recorded among the land records of Baltimore County in Liber O.T.G.
4616 folio 149 was conveyed by Joseph Henry Volz and wife to Melvin
Russell Guy, Sr. and wife and thence running with and binding on part
of the first line in said deed on or near the center of Forge Road
South 75 degrees 02 minutes East 211.07 feet thence leaving Forge
Road for two new lines of division as follows:—South 15 degrees 43
minutes West 312 feet and South 75 degrees 02 minutes East 100 feet
to the beginning of the third line in deed above referred to thence
running with and binding on the third, fourth, fifth, sixth, seventh
and eight lines of said deed as follows:—South 75 degrees 02 minutes
East 224.81 feet, South 44 degrees 14 minutes West 246.76 feet, North
71 degrees 27 minutes West 490.05 feet, North 12 degrees 25 minutes
East 313.63 feet, North 84 degrees 44 minutes 04 seconds East 105.08
feet and North 12 degrees 20 minutes 57 seconds East 147.10 feet to
the place of beginning.

Containing 4.35 acres of land more or less.

Subject to the rights of Baltimore County to a strip approximately
35 feet wide for the widening of Forge Road.

BEING part of that lot of ground by Deed dated April 27, 1966 and
recorded among the Land Records of Baltimore County in Liber O.T.G.
No. 4616 folio 149 was granted and conveyed by Joseph Henry Volz
and Mary A. Volz, his wife to the within named grantors.

we extended Sewer Line 100' in EASEMENT 4 10'

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, their assigns, the survivor of them and the survivors'

heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantor

TEST:

Harriet A. Brown

Melvin Russell Guy Sr. (SEAL)
MELVIN RUSSELL GUY, SR.

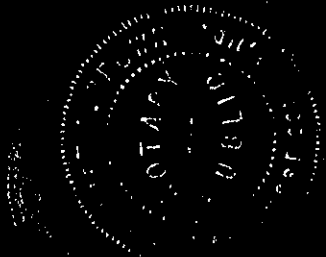
Aloyse Guy (SEAL)
ALOYSE GUY

STATE OF MARYLAND, County of Baltimore, to wit:

I HEREBY CERTIFY, That on this 23rd day of April in the year one thousand nine hundred and sixty-nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for County of Baltimore aforesaid, personally appeared MELVIN RUSSELL GUY, SR. and ALOYSE GUY, his wife

the above named grantors, and they acknowledged the foregoing Deed to be their act.

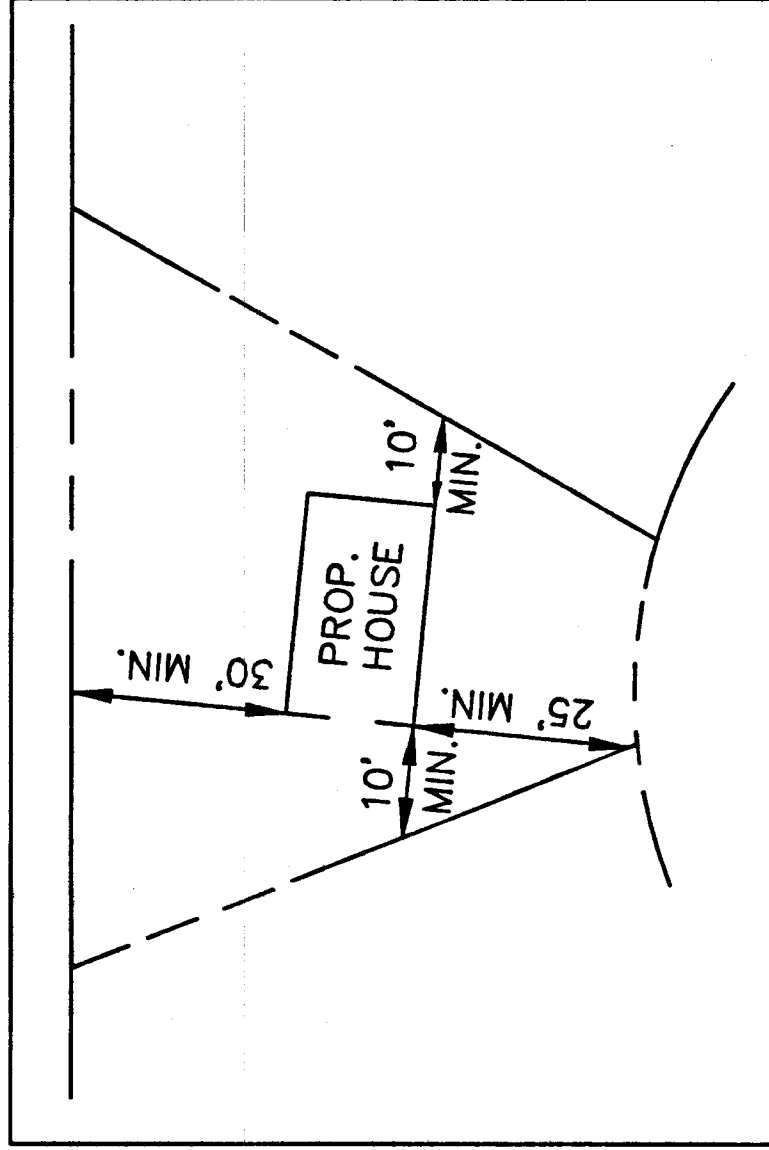
As Witness my hand and Notarial Seal.



Harriet A. Brown
Notary Public.

Rec'd for record MAY 8 1969 at 3P
Per Orville T. Connell, Clerk
Mail to M. Russell Guy Jr
Receipt No. 246448 \$ 97

NOTE: BUILDINGS SHOWN ON THESE SINGLE FAMILY LOTS INDICATE A SPECIFIC ORIENTATION WHICH ALLOWS COMPLIANCE WITH THE BALTIMORE COUNTY ZONING REGULATIONS. SHOULD THE ORIENTATION CHANGE, COMPLIANCE MUST BE MET.

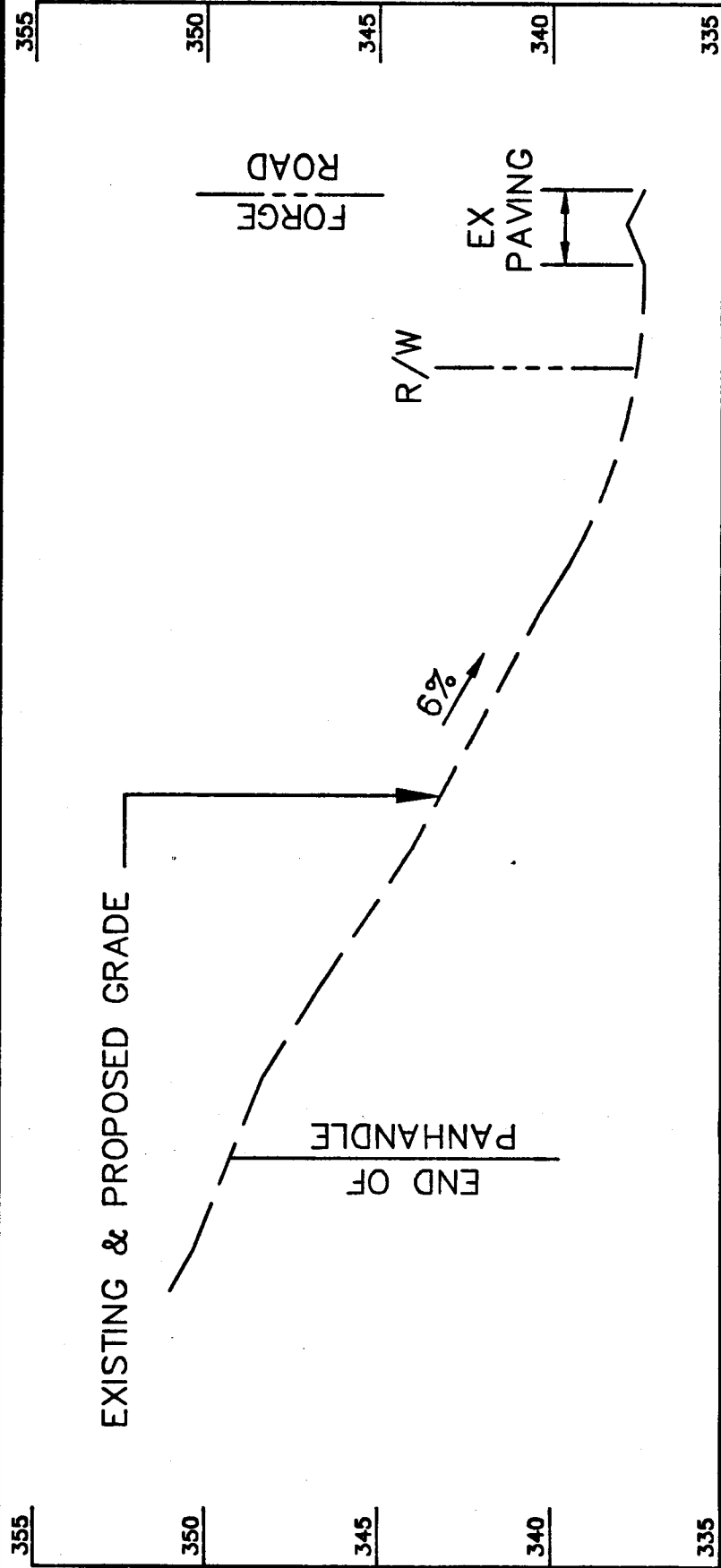


TYPICAL BUILDING SETBACKS DETAIL

NOT TO SCALE

ZONING SETBACKS (DR3.5)

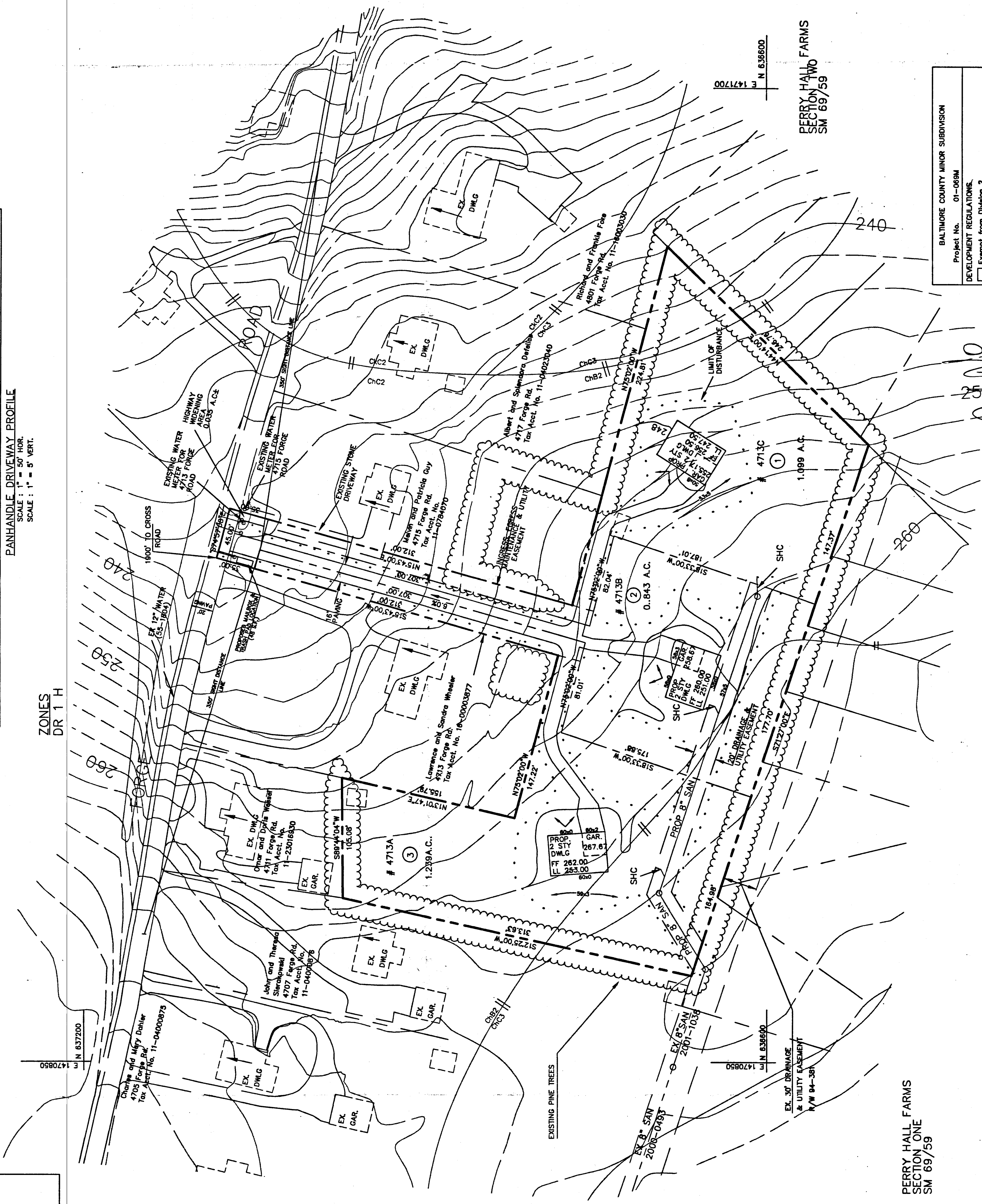
FRONT YARD 25' MIN.
REAR YARD 10' MIN.
SIDE YARD 10' MIN.
CORNER 25' MIN.
SUM OF 25'



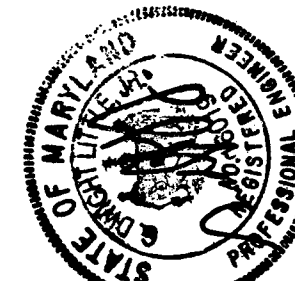
PANHANDLE DRIVEWAY PROFILE

SCALE: 1" = 5' VERT.

ZONES
DR 1 H



PERRY HALL FARMS
SECTION ONE
SM 69/59



LITTLE & ASSOCIATES, INC.
ENGINEERS-ARCHITECTS-PLANNERS
1045 TAYLOR AVENUE
SUITE 101
TOWSON, MARYLAND 21286
PHONE: (410)296-1636
FAX: (410)296-1639

I, JERRY C. LITTLE, ENGINEER, HAVE REVIEWED THIS PLAN AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCIES COMMENTS.

LIMIT OF DISTURBANCE
52,700SF OR 1.12 AC

BALTIMORE COUNTY MINOR SUBDIVISION	
Project No.	01-068M
DEVELOPMENT REGULATIONS	
☐ Exempt from Division 2	
☐ Particulars, except from Sections 26-202 & 26-208	
FORM CERTIFICATION	
☐ Approved	☐ Disapproved
By: _____	Date: _____
APPROVED DEPRM	
By: _____	Date: _____

REVISION BLOCK	
DATE	COMMENTS
08/18/07	REVISE FOR COUNTY COMMENTS

PLAN TO ACCOMPANY ZONING VARIANCE
GUY PROPERTY
6TH COUNCILMANIC DISTRICT
11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' JULY 20, 2001

STORMWATER MANAGEMENT NOTES

1. DEVELOPER GRADING SHALL MAINTAIN THE EXISTING DRAINAGE CHARACTERISTICS. DEVELOPMENT RUN-OFF WILL BE CONVERTED TO A SUITABLE OUT-LET WITHOUT IMPOSING ADVERSE IMPACTS ON THE RECEIVING WATER BODY, WATERCOURSE, WETLAND, STORM DRAIN OR OFF-SITE PROPERTY.
2. ALL IMPERVIOUS AREAS SHOULD BE LIMITED TO 30% OF CLEARED AREA AND CONVEYED AS SHEET FLOW THROUGH VEGETATED AREAS WITHOUT CONCENTRATING OR CAUSING EROSION.
3. ADDITIONAL SUBDIVISION ON THESE PARCELS, AND/OR LOT WILL REQUIRE SWM CONTROLS FOR THIS SITE AND THE ADDITIONAL SUBDIVISION.
4. HOUSE DOWN SPOUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS OR INTO DRY WELLS, WHERE FEASIBLE.

1. TOPOGRAPHY SHOWN IS BASED ON BALTIMORE COUNTY GIS TILES 7261 AND 6363.
2. TRACT BOUNDARY SHOWN HEREON IS TAKEN FROM THE DEED-PLAT.
3. THERE ARE NO KNOWN CRITICAL AREAS, HAZARDOUS WASTE SITES, ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES ON THIS PROPERTY.
4. THIS PROPERTY HAS BEEN HELD INTACT SINCE PRIOR TO 1970. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAT HAS BEEN PREVIOUSLY DEVELOPED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DRAINAGES.
5. THIS PROPERTY HAS NO KNOWN PRIOR ZONING CASES.
6. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
7. THE SOIL TYPES FOR THIS SITE WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 31.
8. THERE ARE NO WELLS OR SEPTIC AREAS ON SITE.
9. THE PANHANDLE DRIVE SHALL BE BUILT PER D.P.W. STD. PLATE R-0, 2" HOT MIX ASPHALT SURFACE OVER 8" CR-8 BASE.
10. THE PANHANDLE SHALL BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.
11. THE GRID SYSTEM SHOWN IS BASED ON THE MARYLAND COORDINATE SYSTEM.
12. THE FOREST CONSERVATION REQUIREMENT WILL BE MET BY BUYING INTO AN APPROVED BANK.
13. SIGHT LINES ARE TO BE DRAWN FROM CENTERLINE OF THE PROPOSED ACCESS AT A POINT 100 FEET FROM THE CENTERLINE OF THE PROPOSED DRIVE TO THE CENTERLINE OF THE NEAREST APPROACHING LANE ON THE MAIN ROAD.
14. ALL SUBSEQUENT PLANS MUST NOTE THAT THE AREAS BETWEEN THE SIGHT LINE AND THE CURB MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
15. BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF INGRESS, EGRESS, REGRESS OR THE RIGHT TO OPEN OR EXCAVATE THE AFORESAID PRIVATE PART OF THAT LAND DESIGNATED AS PRIVATE RIGHT-OF-WAY FOR THE PURPOSE OF UTILITIES SUCH AS BUT NOT LIMITED TO, WATER, SEWER, ELECTRICAL, TELEPHONE, OR CABLE TELEVISION.
16. A ZONING FINAL DEVELOPMENT PLAN MAY BE REQUIRED DEPENDING ON THE NUMBER OF LOTS TO BE DEVELOPED FROM ZONING AND THE EFFECTIVE DATE OF THE ZONING REGULATIONS FOR THAT ZONE.
17. THIS SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN.

GENERAL NOTES

WATER & SEWER DESIGNATIONS: W-1-S-1
INDICATES 12" SUGGESTED 20" (GUNPOWDER FALLS)

PARKING REQUIRED: 2P S/LOT x 3 LOTS = 6 P.S.
PARKING PROVIDED: 6P.S. (9x18')

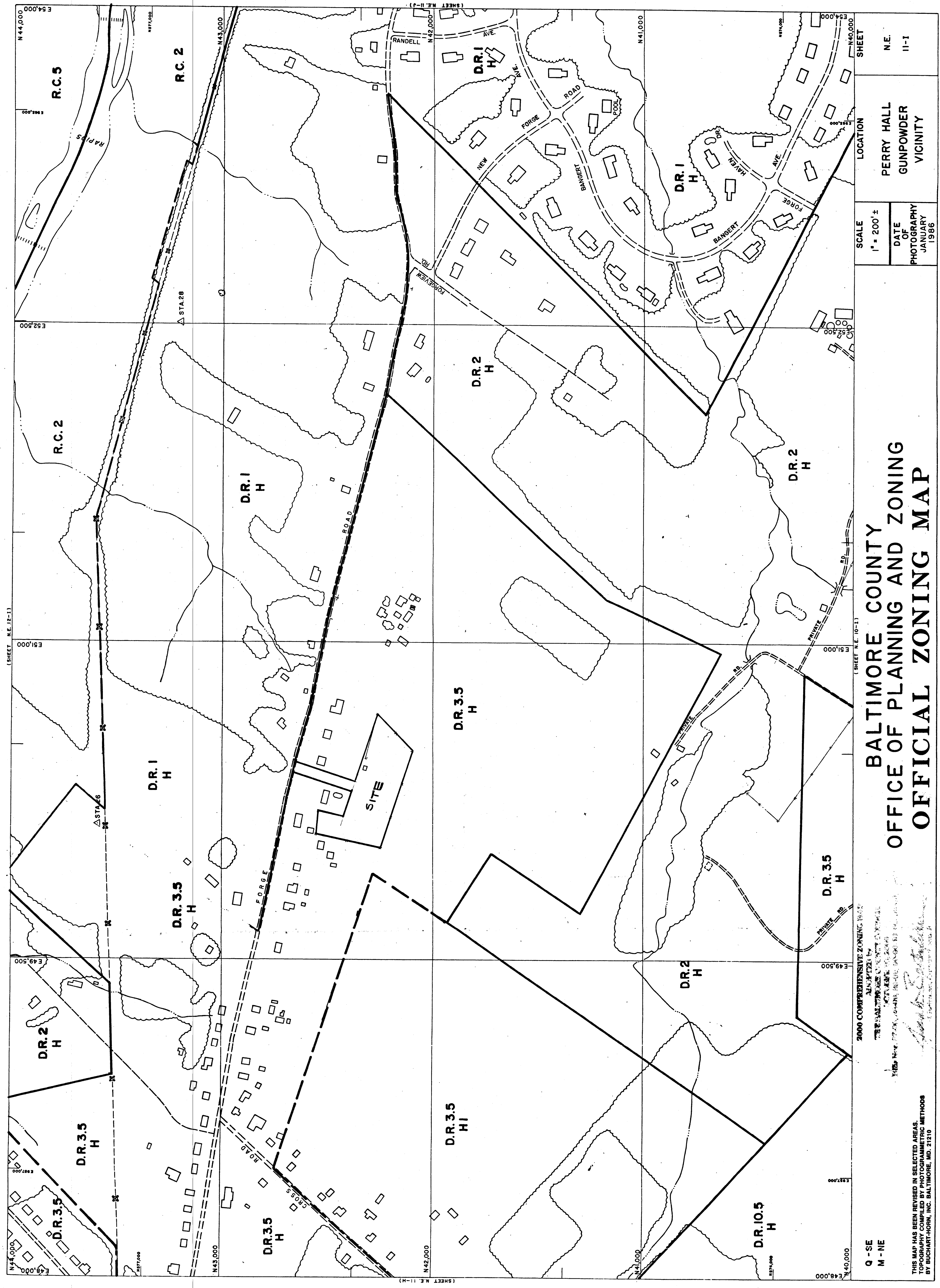
OWNER: MELVIN & PATRICIA GUY
BETHLEHEM, PA 18017-3024
PHONE NO. (410) 529-9128
TAX ACCT. NO. 11-0400875
TAX MAP NO. 63 68D 23 PARCEL 478
DEED 4889/202

SITE DATA

GROSS AREA: 3.23 AC.
NET AREA: 3.18 AC.
EXISTING ZONING: DR3.5 H, 200 SCALE MAP NE 11-1
EXISTING USE: SINGLE FAMILY DWELLINGS
DENSITY CALCULATIONS:
UNITS ALLOWED: 3.23(OR3.5) = 11 UNITS
TOTAL UNITS PERMITTED: 11
TOTAL UNITS PROPOSED: 3

VICINITY MAP
SCALE: 1" = 1000

NE 111



THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210