IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE – SW/S Garrison Forest Rd., 435' SE of Caves Road (434 Garrison Forest Road) 3rd Election District 3rd Council District

Garrison Forest School
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-470-SPHA
*

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Garrison Forest School, by G. Peter O'Neill, Jr., Head of School. The Petitioner requests a special hearing to approve a waiver, pursuant to Section 26-172 of the Baltimore County Code, of Section 26-266(2) thereof to permit access through an existing right-of-way in lieu of the required in-fee strip. In addition, variance relief is sought from Section 26-266(4) of the Baltimore County Code to permit an existing right-of-way length of 1,500 feet in lieu of the maximum allowed 1,000 feet in an R.C. zone, if necessary. 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 William Hodgetts on behalf of the Garrison Forest School, property owner; Jim Mathias and Mitch Kellman, representatives of Daft-McCune-Walker, Inc., the consultants who prepared the site plan; and, Robert A. Hoffman, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the southwest side of Garrison Forest Road, just south of that road's intersection with Caves Road in Owings Mills. The property contains a gross area of 14.47 acres, more or less, split zoned D.R.1 (.63 acres) and R.C.5 (13.84 acres), and is improved with a two-story dwelling and detached garage. The property is located immediately adjacent to the campus of the Garrison Forest

ORDER RECEIVED FOR FILING
Date 7/1/02
By

School, which is a private school providing education from Kindergarten through Grade 12. The Petitioner recently purchased the subject property and in an effort to recover some of the cost of this acquisition, they propose a minor subdivision of same into three separate parcels. The existing dwelling and garage will be incorporated into proposed Lot 1, which will contain 2.55 acres in area. A second lot (Lot 2) is proposed for development with a single family dwelling and will contain 2.51 acres in area. The remainder of the tract will be retained by Garrison Forest School and utilized for forest conservation/forest buffer purposes and/or otherwise used in connection with the school. No improvements are proposed on that portion of the tract to be retained by the school.

Special hearing and variance relief is required due to existing access to the site. Presently, the two-story dwelling on the subject property and two other off-site dwellings are served by a right-of-way easement that leads from Garrison Forest Road. The Petitioner requests a waiver to allow the continued use of this means of access. Deeds evidencing this right-of-way and its utilization over the years were submitted as Petitioner's Exhibits 2A, 2B and 2C. The right-of-way is not held in fee, but is under an easement for the benefit of the Garrison Forest School property.

Section 26-266(2) of the Baltimore County Code provides that the Hearing Officer (i.e., Zoning Commissioner) may approve access to a local or collector street through an existing right-of-way rather than an in-fee strip in those cases where the right-of-way has been established prior to the submittal of a development plan. In this case, it is clear that the right-of-way has existed for many years and works well. The addition of one new proposed home will not detrimentally impact the right-of-way or overburden same. Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing to allow the continued use of the existing right-of-way to provide access to the existing and proposed dwellings on the subject property.

Variance relief is also requested, if necessary. In this regard, Section 26-266(4) limits the length of panhandle driveways in an R.C. zone to a maximum of 1,000 feet. The driveway in this case is approximately 1500 feet in length. Whether such variance relief is necessary is questionable. Section 26-168 of the Code provides various definitions of the terms and words used in the development regulations. A panhandle driveway means that paved surface of road which serves one

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Date 2/10/12
By

or more "panhandle lots." A panhandle lot is a lot situated so that its only frontage or access to a public street is via a narrow strip of in-fee land. Proposed Lots 1 and 2 are not panhandle lots by definition in that neither has in-fee access to a public road. In that they are not panhandle lots as defined, the access thereto is not a panhandle driveway. Thus, in my judgment, the Petition for Variance is unnecessary; however, if relief were required, same would be granted. As noted above, it is clear that the existing access works well. The uniqueness of this property relates to its configuration and location. To require strict adherence to the zoning regulations would be unduly burdensome and constitute a practical difficulty.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth herein, the special hearing shall be granted and the variance dismissed as moot.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of July, 2002, that the Petition for Special Hearing to approve a waiver, pursuant to Section 26-172 of the Baltimore County Code, of Section 266(2) thereof, to permit access through an existing right-of-way in lieu of the required in-fee strip, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 26-266(4) of the Baltimore County Code to permit an existing right-of-way length of 1,500 feet in lieu of the maximum allowed 1,000 feet in an R.C. zone, be and is hereby DISMISSED AS MOOT.

Any appeal of this decision must be entered within thirty (30) days of the date of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 7/10/02
By BJS

Baltimore County
Zoning Commissioner

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

July 2, 2002

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING AND VARIANCE
SW/S Garrison Forest Road, 435' SE of Caves Road
(434 Garrison Forest Road)
3rd Election District – 3rd Council District
Garrison Forest School - Petitioner
Case No. 02-470-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, and the Petition for Variance dismissed, 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: Messrs. G. Peter O'Neill, Jr. and William Hodgetts, Garrison Forest School
300 Garrison Forest Road, Owings Mills, Md. 21117
Messrs. Mitch Kellman and Jim Mathias, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
People's Counsel; Case File

Printed with Soybean Ink on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 434 Garrison Forest Road
which is presently zoned DR-1 and RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a waiver pursuant to Section 26-266(2), BCC to permit access through an existing right-of-way instead of an in-fee strip.

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):

Garrison Forest School
Name - Type or Print

Signature

G. Peter O'Neill, Jr., Head of School
Name - Type or Print

Signature

300 Garrison Forest Road (410) 363-1500
Address Telephone No.

Owings Mills MD 21117
City State Zip Code

Representative to be Contacted:

Mitch Kellman, DMW, Inc
Name

200 E. Pennsylvania Ave (410-296-3333)
Address Telephone No.

Towson, MD 21286
City State Zip Code

ORDER RECEIVED FOR FILING
Date 4/26/02
By

Case No. 02-470-SPHA

REV 9/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By CM Date 4/26/02

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 434 Garrison Forest Road

which is presently zoned DR-1 and RC-5

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)

307, BCZR and 26-266(4), BCC to permit an existing right-of-way length of 1,500 feet in lieu of 1,000 feet, if necessary. MAXIMUM ALLOWED LENGTH IN A R.C. ZONE

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at the hearing.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Garrison Forest School
Name - Type or Print

Signature

G. Peter O'Neill, Jr., Head of School
Name - Type or Print

G. Peter O'Neill
Signature

300 Garrison Forest Road (410) 363-1500
Address Telephone No.

Owings Mills MD 21117
City State Zip Code

Representative to be Contacted:

Mitch Kellman, [redacted] DMW, Inc
Name

200 E. Pennsylvania Ave 410-296-3333
Address Telephone No.

Towson MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____
Reviewed By CM Date 4/26/02

Case No. 02-470-SPHA

ORDER RECEIVED FOR FILING
Date 9/15/98
By RZU

DMW

Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
http://www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Golf Course Architects,
Engineers, Surveyors &
Environmental Professionals

Description

To Accompany Petition for Zoning Variance

and/or Special Hearing

Part One

14.44 Acre Parcel

West of Garrison Forest Road

East of Reisterstown Road

South of Caves Road

Third Election District, Baltimore County, Maryland

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Caves Road and the centerline of Garrison Forest Road (1) Southerly 435 feet, more or less, and thence (2) Southwesterly 1108 feet, more or less, thence running for the five following courses and distances, viz: (1) South 24 degrees 35 minutes 13 seconds East 752.60 feet, thence (2) South 81 degrees 20 minutes 47 seconds West 1084.29 feet, thence (3) North 04 degrees 28 minutes 47 seconds East 688.32 feet, thence (4) North 81 degrees 25 minutes 47 seconds East 29.77 feet, and thence (5) North 76 degrees 55 minutes 47 seconds East 693.58 feet to the point of beginning; containing 14.44 acres of land, more or less, as surveyed by Daft-McCune-Walker, Inc., in February 2002.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

April 10, 2002

Project No. 90080.U (L90080.U-1)

#470

STATE OF MARYLAND
ANTHONY JOSEPH [illegible]
PROFESSIONAL LAND SURVEYOR

4/13/02

Md. Reg. #10951

DMW

Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
http://www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Golf Course Architects,
Engineers, Surveyors &
Environmental Professionals

Description

To Accompany Petition for Zoning Variance

and/or Special Hearing

Part Two

0.65 Acre Parcel

West Side of Garrison Forest Road

East of Reisterstown Road

South of Caves Road

Third Election District, Baltimore County, Maryland

Beginning for the same at the end of the following course and distance measured along the centerline of Garrison Forest Road from the intersection of the centerline of Garrison Forest Road and the centerline of Caves Road (1) Southerly 435 feet, more or less, thence binding on or near the centerline of Garrison Forest Road (1) South 28 degrees 02 minutes 38 seconds East 16.56 feet, thence running for the seven following courses and distances, viz: (2) South 76 degrees 55 minutes 47 seconds West 1109.25 feet, thence (3) South 24 degrees 35 minutes 13 seconds East 8.16 feet, thence (4) South 76 degrees 55 minutes 47 seconds West 250.55 feet to a point of curvature, thence (5) Southwesterly by a line curving to the left, having a radius of 344.00 feet, for a distance of 144.32 feet (the arc of said curve being subtended by a chord bearing South 64 degrees 54 minutes 39 seconds West 143.27 feet), thence (6) North 04 degrees 36 minutes 00 seconds West 54.43 feet, thence (7) North 76 degrees 55 minutes 47 seconds East 377.77 feet, and thence (8) North 76 degrees 55 minutes 47 seconds East 1108.23 feet to the point of beginning;

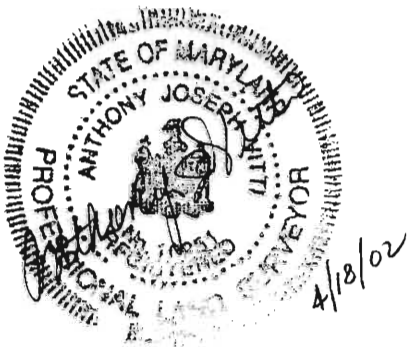
#470

containing 0.65 acres of land, more or less, as surveyed by Daft-McCune-Walker, Inc., in February 2002.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

April 15, 2002

Project No. 90080.U (L90080.U)



Md. Reg. # 10951

#470

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 13317

DATE 4/25/02 ACCOUNT R001 006 6150

AMOUNT $ 500.00

RECEIVED FROM: OMW

FOR: FHA

#470

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS	ACTUAL	TIME
4/25/2002	4/25/2002	10:09:01

REG W502 MAIL JEWA JEE DRAWER 2
>>RECEIPT # 198862 4/25/2002 OFLN
Dept 5 529 ZONING VERIFICATION
CR NO. 013517
Recpt Tot $500.00
500.00 CK .00 CA
Baltimore County, Maryland

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: #02-470-SPHA
434 Garrison Forest Road
SW/S of Garrison Forest Road, 435' SE of Caves Road
3rd Election District – 3rd Councilmanic District
Legal Owner(s): G. Peter O'Neill

Variance: to permit an existing right-of-way length of 1500 feet in lieu of the 1000 feet maximum allowed length in a R.C. zone, if necessary. **Special Hearing:** to permit access through an existing right-of-way instead of an in-fee strip.

Hearing: Monday, June 17, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avneue.

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 5/820 May 28 C541537

CERTIFICATE OF PUBLICATION

5/30/, 2002

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 5/28/, 2002.

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

S. Wilkinson

LEGAL ADVERTISING

90080.4

CERTIFICATE OF POSTING

RE: Case No. 02-470-SPHA

Petitioner/Developer G. Peter O'Neill

Date of Hearing/Closing June 17, 2002
11:00 a.m.

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

Ladies and Gentlemen:

This letter is to certify under penalties of perjury that the necessary sign(s) required by law were posted conspicuously for the property known as 434 Garrison Forest Rd.

The signs were posted on Saturday, June 1, 2002
(Month, Day, Year)

Sincerely,

6-1-02
(Signature of Sign Poster and Date)

James C. Mathias
(Printed Name)

Daft- McCune- Walker, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286
(Address)

410-296-3333
(Telephone Number)

90080.4
6/1/02

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: 02-470-SPHA

Petitioner: Garrison Forest School

Address or Location: 434 Garrison Forest Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mitch Kellman

Address: 200 E. Pennsylvania Ave
Towson, MD 21286

Telephone Number: (410) 296-3333

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
May 28, 2002 Issue – Jeffersonian

Please forward billing to:
Mitch Kellman 410 296-3333
DMW Inc
200 E Pennsylvania Avenue
Towson MD 21286

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: 02-470-SPHA
434 Garrison Forest Road
SW/S of Garrison Forest Road, 435' SE of Caves Road
3rd Election District – 3rd Councilmanic District
Legal Owner: G Peter O'Neill

Variance to permit an existing right-of-way length of 1500 feet maximum allowed length in a R.C. zone, if necessary.
Special Hearing to permit access through an existing right-of-way instead of an in-fee strip.

HEARING: Wednesday, June 12, 2002 at 11:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
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 17, 2002

NOTICE OF ZONING HEARING

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CASE NUMBER: 02-470-SPHA
434 Garrison Forest Road
SW/S of Garrison Forest Road, 435' SE of Caves Road
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HEARING: Wednesday, June 12, 2002 at 11:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

Arnold Jablon
Director

C: Garrison Forest School, G Peter O'Neill Jr, 300 Garrison Forest Road, Owings Mills 21117
Mitch Kellman, DMW Inc, 200 E Pennsylvania Avenue, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 28, 2002.**
(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.

Printed with Soybean Ink

ATTN MITCH

TO: PATUXENT PUBLISHING COMPANY
May 28, 2002 Issue – Jeffersonian

Please forward billing to:
Mitch Kellman 410 296-3333
DMW Inc
200 E Pennsylvania Avenue
Towson MD 21286

NOTICE OF ZONING HEARING

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Special Hearing to permit access through an existing right-of-way instead of an in-fee strip.

HEARING: Monday, June 17, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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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 17, 2002

NOTICE OF ZONING HEARING

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HEARING: Monday, June 17, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GDZ
Director

C: Garrison Forest School, G Peter O'Neill Jr, 300 Garrison Forest Road, Owings Mills 21117
Mitch Kellman, DMW Inc, 200 E Pennsylvania Avenue, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 28, 2002.**
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(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Printed with Soybean Ink on Recycled Paper

Baltimore County
Department of Permits and
Development Management

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

June 14, 2002

Garrison Forest School
G. Peter O'Neill Jr, Head of School
300 Garrison Forest Road
Owings Mills MD 21117

Dear Mr. O'Neill:

RE: Case Number: 02-470-SPHA, 434 Garrison Forest 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, 2002.

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.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

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Baltimore County
Fire Department

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

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

May 7,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DistrIBUTION MEETING OF May 6, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

460-462, 464-468, 470 & 471

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

cc: File

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 29, 2002

FROM: Robert W. Bowling
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 6, 2002
Item No. 470

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The proposed three lots must have in-fee frontage on the existing right-of-way.

RWB:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS | TGT

DATE: June 6, 2002

SUBJECT: Zoning Item 470
Address 434 Garrison Forest Road (Garrison Forest School)

Zoning Advisory Committee Meeting of May 6, 2002

____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

__X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

__X__ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Reviewer: Betty Kelley Date: May 17, 2002

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 8, 2002

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 02-367, and 02-470**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A Cunningham

Section Chief: Lynn Lanham

AFK/LL:MAC

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.2.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 470 LTM

Dear. Mr. Zahner:

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

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

Very truly yours,

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

RE: PETITION FOR SPECIAL HEARING PETITION FOR VARIANCE 434 Garrison Forest Road, SW/S Garrison Forest Rd, 435' SE of Caves Rd 3rd Election District, 3rd Councilmanic Legal Owner: Garrison Forest School Petitioner(s)	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY Case No. 02-470-SPHA

* * * * * * * * * * * * * *

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to Mitch Kellman, Daft-McCune-Walker, Inc., 200 E. Pennsylvania Avenue, Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allegheny Ave 21204
Bill Hodgetts	300 Garrison Forest Rd 21117
Jim Mathias	200 E. Pennsylvania Ave 21286
Mitch Kellman	OMW " "

Printed with Soybean Ink on Recycled Paper

Deed where 16' was 1st created

RJS

Ex 6

unto Thomas Soul and Marie Soul his wife their heirs and assigns all that lot of ground and premises described in a mortgage from them to the said body corporate dated November 4th 1939 recorded in the Land Records of Baltimore County in Liber C W B Jr No 1080 folio 357 free and clear from the operation of said Mortgage

AS WITNESS the corporate seal of the said body corporate and the signature of August Klecka the President thereof

Signed sealed and delivered in the presence of Fred J Van Slyke

(Corporate Seal)

August Klecka
President

Rel No 2A

STATE OF MARYLAND CITY OF BALTIMORE to wit

I HEREBY CERTIFY that on this 29th day of January 1946 before me the subscriber a Notary Public of the said State in and for the City aforesaid personally appeared August Klecka President of said body corporate Releasor and acknowledged the said Deed of Release to be the act and deed of said body corporate

WITNESS my hand and Notarial Seal

Fred J Van Slyke
Notary Public

(Notarial Seal)

Recorded Jan 30 1946 at 9 A M & exd per (Examiners W & K)

Robert J Spittel Clerk
(Red by RP)

99687
Sigmund Katz
Deed to
Edgar Allan Poe Jr & Wf
Us $57.75 Ss $52.50

THIS DEED Made this 28th day of January 1946 by and between Sigmund Katz unmarried survivor of his brother Philip Katz of the City of Baltimore State of Maryland party of the first part sometimes hereinafter called Grantor and Edgar Allan Poe Jr and Katharine R Poe his wife both of Baltimore County Maryland parties of the second part sometimes hereinafter called Grantees

WITNESSETH that in consideration of the sum of Five Dollars ($5.00) other good and valuable consideration and the covenants of the respective parties with one another as hereinafter set forth the said Sigmund Katz does hereby grant and convey unto Edgar Allan Poe Jr and Katharine R Poe his wife as tenants by entireties their assigns the survivor of said Edgar Allan Poe Jr and Katharine R Poe his wife and the heirs and assigns of such survivor in fee simple the following property

PARCEL NO I All that parcel of land situated in the Third Election District of Baltimore County bounded and described as by recent survey of S J Martenet & Company as follows

BEGINNING for the same in the center of Garrison Forrest Road at the end of the first line of the land described in a deed from Charles Morton Stewart and wife to Estelle A Diffenderfer dated July 30 1898 and recorded among the Land Records of Baltimore County in Liber N B M No 231 folio 506 etc it being the Northeasternmost corner of the whole tract of which the land now being described is a part and running thence binding on the center line of Garrison Forrest Road the [illegible] courses and distances to wit South 20 degrees East 600 feet South [illegible] feet and South 7 degrees East 79.15 feet thence running for lines of division [illegible] South 39 degrees and 27 minutes West 1125.65 feet and North 16 degrees and [illegible] West 831.95 feet to a point in the

Northernmost outline of said whole tract and thence binding on said outline North 84 degrees 43 minutes East 1108.23 feet to the place of beginning

Containing 22.27 acres of land more or less of which 0.33 of an Acre is in the bed of Garrison Forrest Road As shown on a plat of a survey of the above described parcel made by S J Martenet & Co surveyors and civil engineers dated January 17 1946 attached hereto as part hereof

BEING a part of the entire tract of land which by deed dated December 17 1925 and recorded among the land records of Baltimore County in Liber W P C No 626 folio 485 was granted and conveyed by Estelle A Diffenderfer widow to Sigmund Katz and Philip Katz as joint tenants and not as tenants in common their assigns the survivor of them and the heirs and assigns of such survivor in fee simple The said Philip Katz having departed this life on the 18th day of November 1944/leaving the said Sigmund Katz surviving

TOGETHER WITH ALL the buildings and improvements thereon and the rights ways waters easements privileges appurtenances and advantages thereto belonging or in anywise appertaining subject however to a non-exclusive perpetual right of way sixteen feet (16) wide extending along the extreme northern boundary line of the tract herein conveyed from the Garrison Forest Road westerly to a point where the west line of theproperty herein conveyed intersects said northern boundary which is hereby reserved by the Grantor to himself his heirs and assigns Said right of way containing 0.41 of an acre more or less

PARCEL NO 2 The exclusive right to the use in perpetuity of the artesian well pump and pump house located on the property of the Grantor south of and adjoining Parcel No 1 herein conveyed said artesian well pump and pump house being located near the boundary between the said property of the Grantor and the property of Mr and Mrs Douglas Lovell and the Garrison Forest School about two hundred and fifty feet (250) south of the southline of said Parcel No 1 herein conveyed together with the exclusive use in perpetuity of the water lines and conduits leading from the pump house to said Parcel No 1 herein conveyed with the right of ingress and egress to the Grantees there heirs and assigns at all times for the purpose of maintenance service deepening and repair of said well pump pump house pipes conduits and other appliances

TO HAVE AND TO HOLD all of the above granted property unto the said Edgar Allen Poe Jr and his wife Katharine R Poe as tenants by----ent'reties their assigns the survivor of Edgar Allen Poe Jr and Katharine R Poe his wife and the heirs and assigns of such survivor forever in fee simple subject to the following [illegible] restrictions and conditions

COVENANTS

The Grantor is reserving for future sale a tract of approximately twenty (20) acres bordering on and immediately south of Parcel No 1 herein conveyed, and a tract of approximately thirteen (13) acres bordering on and immediately west of Parcel No 1 herein conveyed Both the Grantor and the Grantees desire to limit the use of their respective properties to bona fide residential purposes and to restrict the number of mansion houses that may be built on each of said three (3) tracts Accordingly the Grantor for himself his heirs devisees and assigns covenants with the Grantees their heirs devisees and assigns and the Grantees for themselves their heirs devisees and assigns covenant with the Grantor his heirs devisees and assigns as follows

(a) Not more than four (4) mansion houses shall be built on any one of the three (3) tracts above mentioned Provided however if the owner of any such mansion house desires

to erect on his tract another mansion house for occupancy by members of his immediate family and by immediate family is meant parents children brothers and sisters or their descendants such use shall not be considered prohibited by this restriction

(b) No building shall be erected on anyone of the three (3) tracts above mentioned for any commercial purpose whatsoever nor shall any such building be used in whole or in part for any commercial purpose whatsoever

(c) No structure or building of any kind whatsoever shall be erected or maintained within one hundred (100) feet of the south line of Parcel No 1 herein conveyed

The aforegoing covenant shall run with and bind the three parcels above mentioned and shall bind the heirs devisees and assigns of the parties hereto

AND the said Grantor Sigmund Katz hereby covenants that he has not done nor suffered to be done any act matter or thing whatsoever to encumber the property hereby granted that he will warrant specially the property hereby granted and conveyed and he will execute such further assurances of said land as may be requsite

WITNESS the hand and seal of the said Grantor and the hands and seals of the said Grantees

WITNESS

Alma L Randel — Sigmund Katz (Seal)

Alma L Randel — Edgar A Poe Jr (Seal)

Katharine R Poe (Seal)
Grantees

ACKNOWLEDGMENT

STATE OF MARYLAND)
) SS
CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 28th day of January in the year one thousand nine hundred and forty-six before me the subscriber a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared Sigmund Katz the within named Grantor and he acknowledged the aforegoing Deed to be his act

IN TESTIMONY WHEREOF I hereunto set my hand and affix my notarial seal

Alma L Randel
Notary Public

(Notarial Seal)

My Commission expires May 5th 1947

STATE OF MARYLAND)
) SS
CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 28th day of January in the year one thousand nine hundred and forty-six before me the subscriber a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared Edgar Allan Poe Jr and Katharine R Poe his wife the within named Grantees and each acknowledged the aforegoing Deed to be his and her act respectively

IN TESTIMONY WHEREOF I hereunto set my hand and affix my notarial seal

Alma L Randell
Notary Public

(Notarial Seal)

My Commission expires May 5th 1947

Recorded Jan 30 1946 at 9.25 A M & exd per — Robert J Spittel Clerk

(Examiners W & K) — (Rcd by RP)

Deed where 16' RW is 1st mentioned in our main

P. 792 prior

Pet No 23

TBS

County aforesaid personally appeared Harry E Sm... the above named grantor and he acknowledged the foregoing Deed to be his act

As Witness my hand and Notarial Seal

(NOTARIAL SEAL) Jean P Hughes Notary Public

Recorded Apr 26 1948 at 2:05 P M and exd per T Braden Silcott Clerk Rec cmcg

Exd B K & M K

51840 Sigmund Katz : THIS DEED Made this 22nd day of April in the year one thousand
Deed to Bart Arconti e tal : nine hundred and forty eight by and between SIGMUND KATZ un-
US $7.70 SS $7.70 : married of Baltimore County in the State of Maryland party of
- - - - - - - - - - - - - - - : the first part and BART ARCONTI AND GALLIE ARCONTI his wife of Baltimore County in the State of Maryland parties 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 party of the first part does hereby grant and convey unto the said parties of the second part as tenants by the entireties their assigns and unto the survivor of them his or her heirs and assigns in fee simple all that lot of ground situate in the Third Election District of Baltimore County in the State of Maryland and described as follows that is to say

BEGINNING for the same at a point in the Northernmost outline of the whole tract of land described in a Deed from Estelle A Diffenderffer to Sigmund Katz andPhilip Katz dated December 17 1925 and recorded among the Land Records of Baltimore County in Liber W P C No 626 folio 485 etc at the end of the fifth line of the parcel of land described in a Deed from Sigmund Katz surviving joint tenant to [illegible] and wife dated January 28 1946 and recorded among said Land Records in Liber [illegible] folio 421 etc and running thence binding on a part of said Northernmost outline of said whole tract of land described in the Deed first herein referred to South 84 degrees and 43 minutes West 692.77 feet to a stone heretofore planted on the East side of a right of way 30 feet wide in the Fifth line of the land described in a Deed from C Morton Stewart and wife to Estelle A Diffenderffer dated January 20 1898 and recorded among the Land Records aforesaid in Liber N B M No 230 folio 151 etc thence binding on said Fifth line of said land South 89 degrees and 13 minutes West 30.79 feet to a stone heretofore planted at the end of said line and at the West side of said 30 foot right of way thence binding on the sixth line of said land and along the Westernmost side of said right of way South 12 degrees and 16 minutes West 689.50 feet to the beginning point of said land described in the Deed last above mentioned thence binding on part of the first line thereof North 89 degrees and 8 minutes East 1085.14 feet to intersect the aforesaid fifth line of the parcel of land described in the Deed from Sigmund Katz to Edgar Allen Poe Jr and wife hereinbefore referred to and thence binding along part of said last mentioned line North 16 degrees and 48 minutes West 753.86 feet to the place of beginning

Containing 14 and 475/1000 acres of land more or less

BEING part of the land described in a Deed from Estelle A Diffenderffer widow to Philip Katz and Sigmund Katz as joint tenants dated December 17 1925 and recorded among the Land Records of Baltimore County in Liber W P C No 626 folio 485 the said Philip Katz having since departed this life in the month of [illegible]

Together with the use in common with [illegible] feet wide laid out South of and adjacent to the Northernmost outline of the land described in said Deed to Poe and Extending from the Northeasternmost corner of the land hereinabove described Easterly to Garrison Forest Road and of another right of way connecting with the 30 foot right of way hereinbefore mentioned and to be hereinafter referred to extending Southwesterly from the Southernmost extremity of said 30 foot Right of way Southwesterly to the Reisterstown Road as granted by

DEL. PER TICKET MAY 9 1949

352 two Deeds from C Morton Stewart and wife to Estella A Diffenderffer dated January 20 1898 and July 30 1898 and recorded respectively among the Land Records aforesaid in Libers N B M No 231 folio 506 etc and also by Deed from Robert NElder and wife to Estelle ADiffenderffer dated November 20 1898 and recorded among said Land Records in Liber N B M No 230 folio 154

SUBJECT however to the reservation of the right of way 30 feet wide hereinbefore variously referred to as set forth in the aforesaid Deed from C Morton Stewart and wife to Estelle A Diffenderffer dated January 20 1898 and recorded among the Land Records aforesaid in Liber N B M No 230 folio 151 etc

SUBJECT also to the right granted to said Edgar Allan Poe Jr and wife by the terms of the aforesaid Deed from Katz to Poe to the continued use of the water and of the pipes conveying the said water from the wells or water supply located on the remaining portion of the whole tract of which the land above described is a part as the same are now and have in the past been used and enjoyed and subject to the following restrictions

(a) Not more then four (4) mansion houses shall be built on the above described tract provided however if the owner of any such mansion house desires to erect on his tract another mansion house for occupancy by members of the his immediate family and by immediate family is meant parents children brothers and sisters or their descendants such use shall not be considered prohibited by this restriction

(b) No building shall be erected on said tract a bove described for any commercial purpose whatsoever nor shall any such building be used in whole or in part for any commercial purpose whatsoever

Together with the buildings and improvements thereupon and the rights alleys ways waters privileges appurtenances and advantages to the same belonging or in anywise appertaining

To have and to hold the said lot of ground and premises unto and to the use of the said parties of the second part as tenants by the entireties their assigns and unto the survivor of them his or her heirs and assigns in fee simple forever

And the said Grantor hereby covenants that he has not done nor suffered to be done any act matter or thing whatsoever to encumber the property hereby granted that he will warrant specially the property hereby granted and conveyed and he will execute such further assurances of said land as may be requisite

Witness the hand and seal of the within named Grantor

WITNESS George C Wiedersum Sigmund Katz (SEAL)

State of Maryland Baltimore City to wit

I HEREBY CERTIFY that on this 22nd day of April in the year one thousand nine hundred and forty eight before me the subscriber a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared SIGMUND KATZ the within named Grantor and he acknowledged the aforegoing Deed to be his act

IN TESTIMONY WHEREOF I hereunto set my hand and affix my notarial seal

(NOTARIAL SEAL) George C Wiedersum Notary Public

Recorded Apr 26 1948 at 2:15 P M and exd per T Braden Silcott Clerk Rec cmcg

Exd B K & M K

51841 Margaret B S O'Neil et al : THIS DEED Made this 21st day of April in the year one
Deed to Hattie A Tolker : thousand nine hundred and forty eight by and between
US $1.65 SS $1.65 : Margaret B Schmidt O'Neil and A Michael O'Neil her husband
: of Baltimore City in the State of Maryland of the first part and Hattie A Tolker of Catonsville Baltimore County Maryland of the second part

Witnesseth that in consideration of the sum of One Thousand Four Hundred and Fifty Dollars ($1,450.00) and all accrued ground rent to the date hereof the receipt whereof is hereby acknowledged the said parties of the first part do grant and convey unto the said party of the

Current title deed

Subject

0015361 185

P 792

Ref

No

2c

434 Garrison Forest Road

DEED

This Deed is made and delivered this 27 day of JUNE, 2001 by **MYDELLE W. BERRYMAN,** a Maryland resident, (the "Grantor") to **GARRISON FOREST SCHOOL, INCORPORATED,** a Maryland corporation, (the "Grantee").

WITNESSETH: That for the actual consideration of the sum of **ONE MILLION TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS ($1,275,000),** the receipt whereof is hereby acknowledged, the Grantor grants and conveys unto the Grantee, its successors and assigns, in fee simple, all that property situate in Baltimore County, Maryland and described as follows:

BEGINNING for the same at a point in the Northernmost outline of the whole tract of land described in a Deed from Estelle A. Diffenderffer to Sigmund Katz and Philip Katz dated December 17, 1925 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 626, folio 485 etc. at the end of the fifth line of the parcel of land described in a Deed from Sigmund Katz surviving joint tenant to Edgar Allen Poe, Jr. and wife dated January 28, 1946 and recorded among said Land Records in Liber R.J.S. No. 1428 folio 421, etc. and running thence binding on a part of said Northernmost outline of said whole tract of land described in the Deed first herein referred to South 84 degrees and 43 minutes West, 692.77 feet to a stone heretofore planted on the East side of a right of way 30 feet wide in the Fifth line of the land described in a Deed from C. Morton Stewart and Wife to Estelle A. Diffenderffer dated January 20, 1898 and recorded among the Land Records aforesaid in Liber N.B.M. No. 230, folio 151, etc. thence binding on said Fifth line of said land South 05 degrees 13 minutes West, 30.79 feet to a stone heretofore planted at the end of said line and at the West side of said 30 foot right of way thence binding on the sixth line of said land and along the Westernmost side of said right of way South 12 degrees and 16 minutes West 689.50 feet to the beginning point of said land described in the Deed last above mentioned thence binding on a part of the first line thereof North 89 degrees and 8 minutes East 1085.14 feet to intersect the aforesaid fifth line of the parcel of land described in the Deed from Sigmund Katz to Edgar Allen Poe, Jr. and wife hereinbefore referred to

REVIEWED SDAT
DATE 6/29/01
BY

AGRICULTURAL TRANSFER TAX DUE
DATE
AMOUNT
SIGNATURE
CODED

Balt1:350830:1:06/27/2001
26180-3

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE-LETTER OF INTENT
SIGNATURE JST DATE 6/29/01

CODED
SIGNATURE
DATE
AMOUNT
AGRICULTURAL TRANSFER TAX DUE

TO HAVE AND TO HOLD the described lot of land hereby conveyed unto the Grantee, its successors and assigns, in fee simple, forever.

THE Grantor hereby covenants that she will warrant specially the property hereby granted and execute such further assurances of the same as may be requisite.

IN TESTIMONY WHEREOF, the Grantor has executed this Deed as of the day and year first above written.

WITNESS

MYDELLE W. BERRYMAN (SEAL)

STATE OF MARYLAND)

) SS:

~~CITY~~/COUNTY OF BALTIMORE)

I HEREBY CERTIFY that on this 27 day of JUNE, 2001, before me, the undersigned, personally appeared Mydelle W. Berryman, known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed this Deed for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

Notary Public

My Commission expires: 10/1/01

I hereby certify that this document was prepared under my supervision, a member of the Maryland Bar admitted to practice before the Court of Appeals.

John P. Machen, Esquire

JOHN P. MACHEN NOTARY PUBLIC BALTIMORE CO., MD.

Balt1:350830:1:06/27/2001
26180-3

052801 JUN 2[illegible]

005061 088

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore Co.

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Circuit Court Clerk Recording Validation

INT FD SURE 1 5.00
RECORDING FEE 20.00
REDEMPTION T 6,375.00
TX TAX STATE 6,375.00
TOTAL 12,775.00
Rcpt # 84065 Rcpt # 95873
BY LL BK # 3147
June 29, 2001 08:44 am

Special Recording

1 Type(s) of Instruments (☐ Check Box if Addendum Intake Form is Attached.)

1 Deed / Deed of Trust	☐ Mortgage / Lease	☐ Other	☐ Other	

2 Conveyance Type Check Box

☐ Improved Sale Arms-Length [1]	☐ Unimproved Sale Arms-Length [2]	☐ Multiple Accounts Arms-Length [3]	☐ Not an Arms-Length Sale [9]

3 Tax Exemptions (if Applicable) Cite or Explain Authority

Recordation	TRANSFER TO Charitable organization
State Transfer	EXEMPT PURSUAT TO Sec 13-139(a)(1)
County Transfer	

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only — Transfer and Recordation Tax Consideration	
Purchase Price/Consideration	$ 1,275,000	Transfer Tax Consideration	$ 12,750000
Any New Mortgage	$	X ( )% =	$ 19125.00
Balance of Existing Mortgage	$	Less Exemption Amount −	$
Other:	$	Total Transfer Tax =	$ 19125.00
Other:	$	Recordation Tax Consideration	$
		X ( ) per $500 =	$
Full Cash Value	$	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2
Recording Charge	$ 20	$
Surcharge	$ 5	$
State Recordation Tax	$	$
State Transfer Tax	$	$
County Transfer Tax	$	$
Other	$	$
Other	$	$

Agent: BE.
Tax Bill: ydl
C.B. Credit: —
Ag. Tax/Other: NA SDAT.

Read SDAT

6 Description of Property

SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
03	03-01-074175				☐ (5)

Subdivision Name	Unit (3a)	Block (3b)	Sect/AR(3c)	Plat Ref.	SqFt/Acreage (4)
					14.475 AC

Location/Address of Property Being Conveyed (2): 434 Garrison Forest Rd

Other Property Identifiers (if applicable) | Water Meter Account No.

Residential ☐ or Non-Residential ☒ | Fee Simple ☒ or Ground Rent ☐ Amount:

Partial Conveyance? ☐ Yes ☒ No | Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
Mydelle W. Berryman	
Doc. 1 - Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 - Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)
Garrison Forest School, Incorporated	

New Owner's (Grantee) Mailing Address: 300 Garrison Forest Rd Owings Mills Md 21117

9 Other Names to Be Indexed

Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Sandra Moxley
Firm: Chicago Title Ins. Co
Address: 19 E Fayette St - 3rd Flr Balto. Md 21202 Phone: ( ) 727-3700

☒ Return to Contact Person
☐ Hold for Pickup
☐ Return Address Provided

11 Assessment Information

IMPORTANT: *BOTH* THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

☐ Yes ☒ No Will the property be the grantee's principal residence?
☐ Yes ☒ No Does transfer include personal property? If yes, identify:
☐ Yes ☒ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only — Do Not Write Below This Line

☐ Terminal Verification ☐ Agricultural Verification ☐ Whole ☐ Part ☐ Tran. Process Verification

Transfer Number: Date Received: Deed Reference: Assigned Property No.:

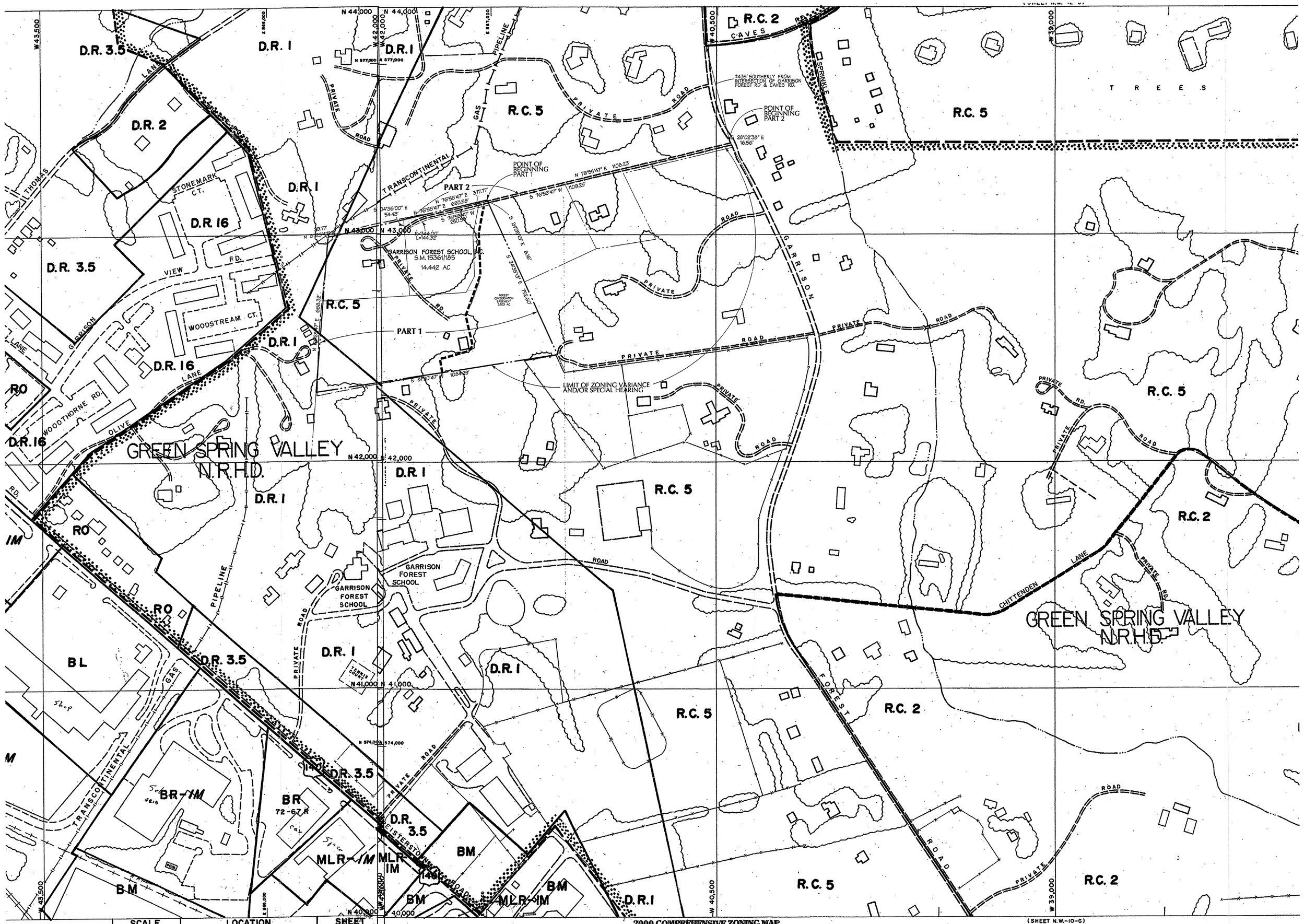
Year	19	19	Geo.	Map	Sub.	Block	
Land			Zoning	Grid	Plat	Lot	
Buildings			Use	Parcel	Section	Occ. Cd.	
Total			Town Cd.	Ex. St.	Ex. Cd.		

REMARKS:

PAID RECEIPT
PRINCIPAL 6/29/2001
REC MSOL CASHIER JRIC JMR DRAWER 1
>>RECEIPT # 04[illegible]29
DEPT TITLE TRANSFER TAX
ACCOUNT NO. 03010741[illegible]75
RECEIPT TOT 19,125.00
CK .00 CA
.10- CS
COUNTY, MARYLAND
ACTUAL 6/29/2001 08:24:17
TIME

Distribution: White - Clerk's Office; Canary - SDAT; Pink - Office of Finance; Goldenrod - Preparer; AOC-CC-300 (6/95)

Book 15361 Page 188



SCALE	LOCATION	SHEET	
1" = 200'±	OWINGS MILLS	N.W.	T-SE
DATE OF PHOTOGRAPHY JANUARY 1986	GREEN SPRING JUNCTION	II-H 11-G	P-NE

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

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Joseph Bartenfelder
Chairman, County Council

(SHEET N.W.-10-G)

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

DMW
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners, Landscape Architects, Golf Course Architects, Engineers, Surveyors & Environmental Professionals

Plan To Accompany Petition For Zoning Hearing

Garrison Forest School

Baltimore County, Maryland — 3rd Councilmanic District

NADB3 DATUM

DATE	BY	REVISIONS

ISSUE DATES
REVIEW: 4/10/02
BID:
PERMIT:
CONSTRUCTION:
BASE: CMR
DRAWN: CMR
DESIGNED:
CHECKED BY:
DATE CHECKED:
SCALE: 1"=200'
PROJECT NO.: 90080.U
DRAWING: 2 of 2

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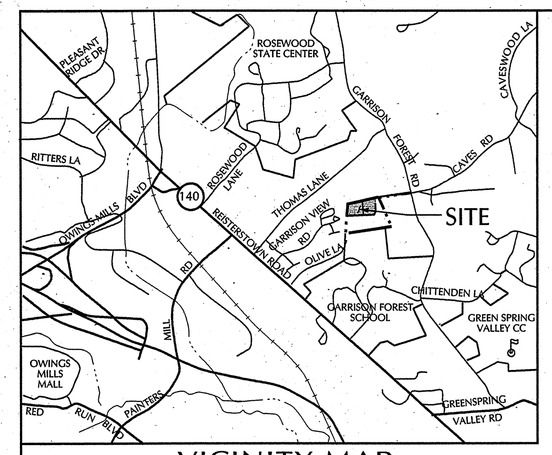


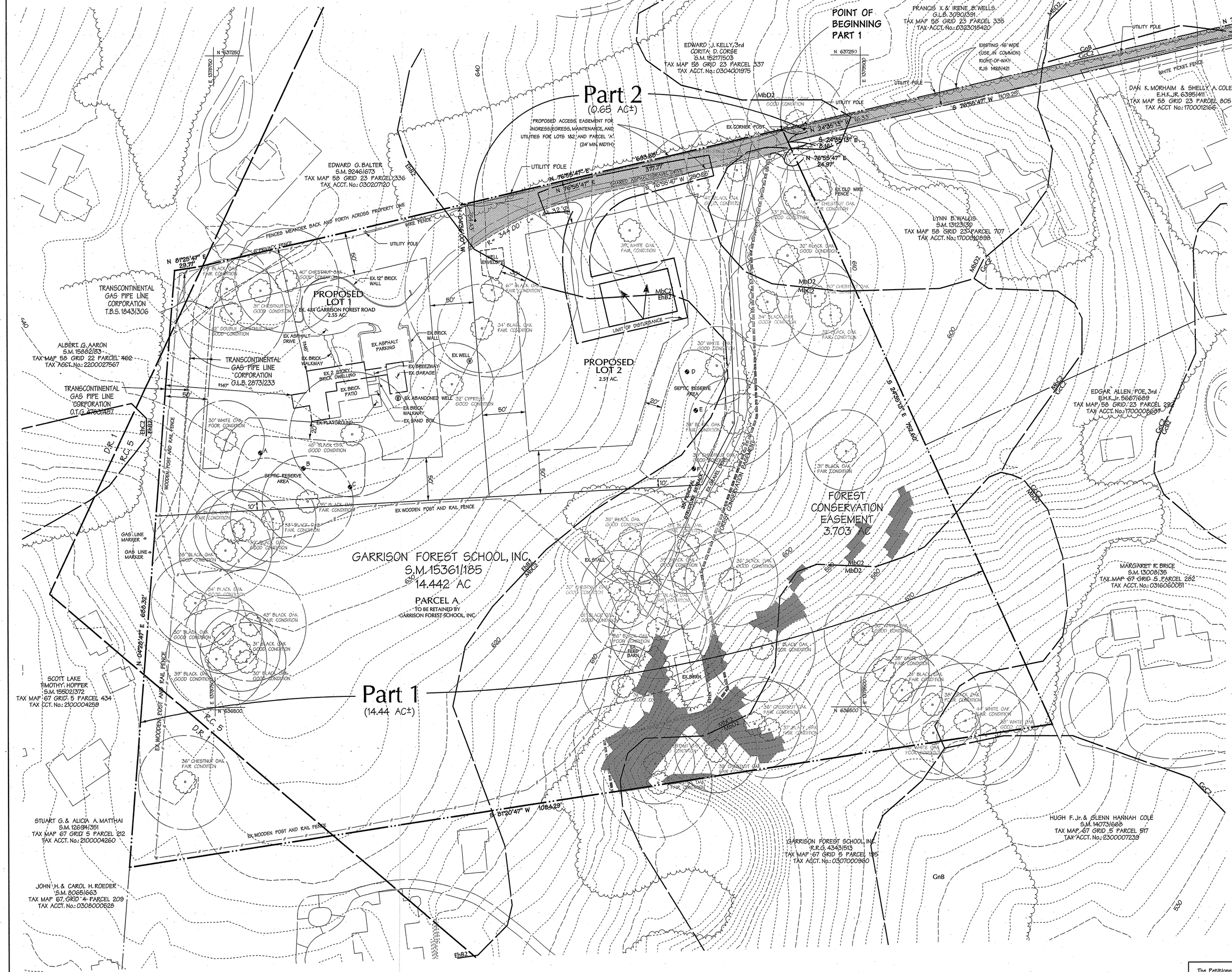
VICINITY MAP

SCALE: 1"= 2000'

GENERAL NOTES:

1. OWNER/APPLICANT: GARRISON FOREST SCHOOL
   C/O MR. DOUGLAS A. MCGREGOR
   THE ROUSE COMPANY
   10275 LITTLE PATUXENT PARKWAY
   COLUMBIA, MD 21044-3456
2. SITE: 434 GARRISON FOREST ROAD
   OWINGS MILLS, MARYLAND 21117-4009
3. SITE AREA: 14.47 ACRES +/- (GROSS/NET)
4. SITE DATA: TAX MAP 58, GRID 23, PARCEL 782
   DEED 15361/185
   TAX ACCOUNT #: 0310074175
   ELECTION DISTRICT: 3RD
   CENSUS TRACT: 4037.01
   COUNCILMANIC DISTRICT: 5
   REGIONAL PLANNING DISTRICT: 3138
   SCHOOL DISTRICT: ELEMENTARY: OWINGS MILLS (0402)
   MIDDLE: FRIENDSVILLE (0252)
   HIGH: OWINGS MILLS (0371)
   WATERSHED: JONES FALLS (12)
   SUB-SEWERSHED: NONE (B1)
   ZONE: PROPERTY IS ZONED RC-5 & DR-1
   USE: EXISTING = ONE SINGLE FAMILY DWELLING
   PROPOSED = TWO SINGLE FAMILY DWELLINGS &
   ONE PARCEL TO BE RETAINED BY
   GARRISON FOREST SCHOOL
5. THIS SITE IS LOCATED WITHIN THE GREENSPRING VALLEY NATIONAL REGISTER HISTORIC DISTRICT.
6. DENSITY CALCULATIONS:
   D.R.1 = 0.63 ACRES ±
   DENSITY ALLOWED = 0.63 UNITS
   DENSITY PROPOSED = 0
   (PART OF D.R.1 AREA IS WITHIN AN R.C.5 ZONED LOT (LOT 1))
   R.C.5 = 13.84 ACRES ±
   DENSITY ALLOWED = 13.84 x 0.67 = 9 UNITS
   DENSITY PROPOSED = 2 UNITS
7. PARKING:
   REQUIRED: 2 SPACES PER DWELLING UNIT X 2 UNITS = 4 SPACES
   PROVIDED: 4 SPACES
   PROPOSED: 4 SPACES
8. THIS PROPERTY, AS SHOWN ON THE PLAN, HAS BEEN HELD INTACT SINCE NOVEMBER 25, 1979. 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.
9. TO THE BEST OF THE DEVELOPER'S ENGINEER'S KNOWLEDGE, THERE HAVE BEEN NO ZONING ORDERS GRANTED ON THE PROPERTY, NOR COMMERCIAL BUILDING PERMITS ISSUED ON THE PROPERTY WITHIN THE LAST 10 YEARS.
10. THERE ARE NO KNOWN SIGNIFICANT GEOLOGICAL FORMATION, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON THIS SITE.
11. SOILS DESCRIPTION/CONDITION
    EhB2 ELIOAK SILT LOAM
    GCC2 GLENELG LOAM MODERATELY ERODED
    MbC2 MANOR LOAM MODERATELY ERODED
    MbD2 MANOR LOAM MODERATELY ERODED
12. ALL SITE RUNOFF WILL BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING WATERBODY, WATERCOURSE, WETLAND, STORM DRAIN OR ADJACENT PROPERTY.
13. HOUSE DOWN SPOUTS WILL BE DISCHARGED ONTO PERVIOUS AREAS.
14. TOTAL SITE IMPERVIOUS COVERAGE FOR LOTS 1 AND 2 IS TO BE MAINTAINED AT LESS THAN 15% ALL IMPERVIOUS AREAS WILL BE CONVEYED AS SHEET FLOW THROUGH VEGETATED AREAS WITHOUT CONCENTRATING FLOW OR CAUSING EROSION.
15. LIMIT OF DISTURBANCE = 0.4 ACRES ±.
16. GRADING FOR EACH INDIVIDUAL HOUSE WILL BE DONE ON AN INDIVIDUAL SITE PLAN BASIS AT THE TIME OF BUILDING PERMIT.
17. NO GRADING, FILLING, CUTTING, OR VEHICULAR TRAFFIC WILL BE PERMITTED IN THE 10,000 S.F. SEPTIC RESERVE AREA. ANY VIOLATIONS OF THIS OR INCURSIONS INTO THE DESIGNATED 10,000 S.F. SRA MAY CAUSE REVOCATION OF THE SOIL PERCOLATION TESTS APPROVAL AND DENIAL OF ANY BUILDING PERMITS ON THE SUBJECT PROPERTY.
18. CONTRACTOR TO MAINTAIN POSITIVE DRAINAGE AWAY FROM OFFSITE DWELLINGS WHEN GRADING LOTS.
19. EXISTING UTILITY LOCATION INFORMATION SHOWN ON THESE PLANS IS FOR THE CONTRACTORS CONVENIENCE ONLY. WHILE THE INFORMATION SHOWN HAS BEEN GATHERED FROM SURVEYS AND SOURCES DEEMED TO BE RELIABLE, THE CORRECTNESS OR COMPLETENESS OF THE INFORMATION SHOWN IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY ALL INFORMATION TO HIS OWN SATISFACTION.

    THE CONTRACTOR IS TO NOTIFY MISS UTILITY (800) 257-7777 A MINIMUM OF 3 WORKING DAYS PRIOR TO ANY CONSTRUCTION OR EXCAVATION. THE CONTRACTOR IS TO ALSO NOTIFY A PRIVATE UTILITY CONTRACTOR FOR ALL ON-SITE UTILITY LOCATIONS.
20. MAXIMUM BUILDING HEIGHT FOR PRINCIPAL STRUCTURES IS 35'.
21. STORMWATER MANAGEMENT HAS BEEN PROVIDED BY ENVIRONMENTALLY SENSITIVE DEVELOPMENT CREDIT.
22. AT THE TIME OF THIS HEARING APPLICATION, THE PROPERTY IS UNDER MINOR SUBDIVISION REVIEW. THERE ARE NO OTHER DEVELOPMENT PROCESS ACTIONS ON THE PROPERTY.
23. OTHER THAN STREET ADDRESS SIGNS PERMITTED BY THE BCZR, NO OTHER SIGNS ARE PROPOSED ON THE PROPERTY.



FOREST CONSERVATION EASEMENT NOTES:

ACCESS NOTE:

ACCESS TO THE FOREST CONSERVATION EASEMENT SHALL BE DIRECTLY FROM THE EXISTING 16' WIDE (USE IN COMMON) RIGHT OF WAY.

LEGEND

- SUBJECT PROPERTY LINE
- ADJACENT PROPERTY LINE
- 580 / 582 EXISTING CONTOURS
- MbC2 EXISTING SOILS
- EDGE OF BIT. ASPHALT PAVEMENT
- EXISTING TREE LINE
- (W) EXISTING WELL
- SEPTIC RESERVE AREA
- UTILITY POLE
- RIGHT OF WAY LINE
- GAS LINE EASEMENT
- GAS LINE RIGHT OF WAY LINE
- EXISTING 25% OR GREATER SLOPES
- EXISTING DWELLINGS
- PROPOSED DWELLING
- FOREST CONSERVATION EASEMENT
- PASSED PERC TEST
- PERMANANT FOREST PROTECTION SIGNS
- SPECIMAN TREE AND CRITICAL ROOT ZONE
- 35' PRINCIPAL STRUCTURE SETBACK
- LIMIT OF DISTURBANCE
- AREA OF PART 2

DATA SOURCES:

1. EXISTING TOPOGRAPHY INFORMATION TAKEN FROM BALTIMORE COUNTY OFFICE OF INFORMATION TECHNOLOGY GIS SERVICE UNIT (NAD 83 HORIZONTAL DATUM).
2. BOUNDARY AND EASEMENTS SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY BY DMW, INC. ON OR ABOUT MARCH 2002
3. EXISTING WELL AND SEPTIC INFORMATION SHOWN HEREON HAS BEEN FIELD LOCATED BY DMW ON 10/04/01.
4. SOILS SHOWN HEREON ARE TAKEN FROM 1976 USDA BALTIMORE COUNTY SOILS SURVEY.

DMW
Daft·McCune·Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners, Landscape Architects, Golf Course Architects, Engineers, Surveyors & Environmental Professionals

Plan To Accompany Petition For
Zoning Variance and/or Special Hearing

PROPERTY OF GARRISON FOREST SCHOOL, INC.

BALTIMORE COUNTY, MD

3rd ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT

NOAD83 DATUM

STATE OF MARYLAND — ANTHONY JOSEPH MARTIN — PROFESSIONAL LAND SURVEYOR — 10451 — 4/16/02

ISSUE DATES

REVIEW:	4/11/02
BID:	
PERMIT:	
CONSTRUCTION:	
BASE:	K.O
DRAWN:	C.M.R.
DESIGNED:	J.L.M.
CHECKED BY:	
DATE CHECKED:	
SCALE:	1"= 50'
PROJECT NO.:	90080.U
DRAWING:	1 of 2

DATE	BY	REVISIONS

Pet. No1
JES
#470 6/17/02

The Petitioner, Garrison Forest School, Inc., is requesting a special hearing to approve a waiver pursuant to Section 26-266(2)BCC, to permit access through an existing right-of-way instead of an in-fee strip, and a variance (if necessary) to permit an existing right-of-way length of 1500 ft in lieu of 1000 ft pursuant to Section 26-266(4) BCC and Section 307 BCZR.

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Tue Apr 16 15:45:36 2002 N:\90080\90080\90080U.dgn

Plat 1103

DMW
Daft ·McCune ·Walker, Inc.

DMW PROJECT #: 90080.U

Garrison Forest School

100 0 100 200 300 Feet

SOURCES:
BALTIMORE COUNTY OIT/GIS
HORIZONTAL DATUM: NAD 83
VERTICAL DATUM: NAVD 88
DATE OF CAPTURE: MARCH 1995

MD PROPERTY VIEW
DECEMBER 1999