IN RE: PETITION FOR SPECIAL HEARING

N/S Caves Road, 1340' NE of the c/l

Caveswood Road

(2704, 2706 & 2708 Caves Road)

4th Election District 3rd Council District

George Cochran Doub, Jr., et al Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 03-139-SPH

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, siblings George Cochran Doub, Jr., Sophy Doub Burnham, and Anne Doub Marzin. The Petitioners request a special hearing to confirm the density of the two existing parcels as containing two density units each and approval of the reconfiguration of the parcels to create three (3) separate lots under the permitted density. 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 was Guy Ward, on behalf of McKee & Associates, Inc., the consultants who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property consists of two adjoining, irregularly shaped parcels located on the north side of Caves Road, just east of Baronet Road and Caveswood Road in Owings Mills. As shown on the site plan, the two parcels, identified as Parcels 88 and 89 thereon, contain a combined gross area of 10.418 acres, more or less, zoned R.C.2, and are presently unimproved. The Petitioners are desirous of re-subdividing the tract to create three separate lots, each of which will be developed with a single family home. As shown on the site plan, Lots 1 and 2 will primarily occupy the front portions of Parcels 88 and 89 and contain 2.33 acres in area each. Lot 3 will occupy the rear portions of both Parcels 88 and 89 and contain the remaining 5.7 acres. A 20-foot wide access strip will be provided to Lot 3 from Caves Road. Deeds for the two existing parcels were submitted into evidence as Petitioner's Exhibit 2A and 2B, which show that each parcel was a lot of record and in existence well

ORDER RECEIPTING
Date Washing

prior to November 1979, the date the R.C.2 zone was established in Baltimore County. Under the R.C.2 zoning regulations, any lot between 2 and 100 acres can be subdivided to create two building lots. It is clear based on the deeds and acreage of the property that Parcel 89 (currently 5.4 acres) would yield two building lots, as would Parcel 88 (currently 5.0 acres). Thus, the overall tract would yield four density units. The proposed subdivision will utilize only three of those density units.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Special Hearing to confirm that the density of the two existing parcels would permit the proposed subdivision into three lots. Subsequent to the hearing, a Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Resource Management (DEPRM), which notes that development of the property must comply with the regulations for the protection of water quality, streams, wetlands and floodplains, and also the forest conservation regulations. Obviously, all such development must comply with those environmental codes. Additionally, the DEPRM comment indicates that the building envelope on Lot 3 should be moved forward towards the rear of Lots 1 and 2 to provide an increased buffer from adjacent agricultural uses. Apparently, the subject property is not used for agricultural purposes and is wooded; however, adjacent properties are in active agricultural use. It is to be noted that Mr. Doub currently resides immediately adjacent to the subject property and thus, is very familiar with the agricultural operations in the area. He intends to sell his current home and move to the new dwelling on Lot 3 upon its completion. Mr. Doub indicated that building the proposed house towards the rear of Lot 3 would be the most practical site given the topography of the land, and would also provide the best view of the scenic vistas in the area. Moreover, his sisters will be living in the new dwellings to be constructed on Lots 1 and 2. Thus, I am persuaded that the proposed location of the dwelling on Lot 3 as shown on the plan is appropriate. The DEPRM comment also indicates that the fourth density unit might be eliminated in view of the site constraints and proposed use and that the standard agricultural nuisance note should be added to the plan. As for the agricultural nuisance note, this note appears appropriate and should be added to the plan. However, the potential further subdivision of these parcels so as to create a fourth building lot is highly unlikely, due to the proposed layout and access to any undeveloped part of the site would be difficult. Nonetheless, for economic reasons, the Petitioners desire to retain the fourth dwelling unit in the

event such unit is conveyed as part of a donation to the Maryland Environmental Trust. Under those circumstances, I will not require removal of the fourth unit. It is also to be noted that if a future property owner wish to utilize that unit, they would have to proceed through the full development review process and approval may be difficult.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of November, 2002 that the two existing parcels contain two density units each and as such, the Petition for Special Hearing to approve the reconfiguration of the parcels to create three (3) separate lots under the permitted density, 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) Prior to the issuance of any building permits, the Petitioners shall record new deeds in the Land Records for Baltimore County referencing this case and the terms and conditions hereto.
- 3) The fourth density unit shall remain for future donation to the Maryland Environmental Trust; however, in the event any future property owner desires to utilize the fourth density unit, full development review process will be required.
- 4) The standard agricultural nuisance note shall be added to the plan.

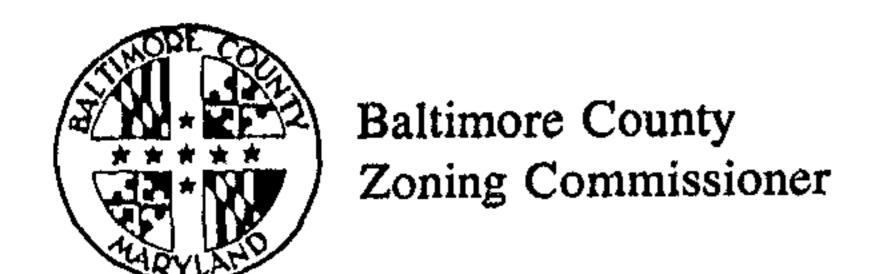
5) When applying for any permits, the site plan filed must reference these cases and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

in Ci



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

Fax: 410-887-3468

November 22, 2002

Mr. Geoffrey C. Schultz Mr. Guy Ward McKee & Associates, Inc. 5 Shawan Road, Suite 1 Cockeysville, Maryland 21030

RE: PETITION FOR SPECIAL HEARING

N/S Caves Road, 1340' NE of the c/l Caveswood Road

(2704, 2706 & 2708 Caves Road)

4th Election District – 3rd Council District

George Cochran Doub, Jr., Sophy Doub Burnham, Anne Doub Marzin - Petitioners

Case No. 03-139-SPH

Dear Messrs. McKee & Ward:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: DEPRM; People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at _	2704, 2706 & 2708 Caves Road
which is	presently zoned <u>RC-2</u>

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

The confirmation of the density of the two existing parcels of two (2) density units each for a total of 4 permitted and the reconfiguration of the pancels into three (3) lots under the permitted density.

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.

0,00

Contract Purchas	er/Lessee:		<u>Legal Owner(s):</u>	
Name - Type or Print	·	Name	George Cochran Doub, Jr	· <u>·</u>
Signature		·	Signature	Arms Day In Managina
Address	······································	Telephone No.	Sophy Doub Bumbam Name Type or Brint	Anne Doub Marzin
City	State	Zip Code	Signature. 1211/100	- Elme //4a
Attorney For Peti	tioner:		2 Hopkins Plaza Address Baltimore, Maryland	(410) 547-0400 Telephone No. 21201-2930
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·	City	State	_
Signature			Representative to be Co Geoffrey C. Schultz McKee & Associates, Inc.	
Company	······································		Name	
Address	· · · · · · · · · · · · · · · · · · ·	Telephone No.	Strite 1, 5 Shawan Road Address Cockeysville, Maryland	(410) 527-155 Telephone No. 21030
City	State	Zip Code	City	State Zip Code
			OFFICE USE O	NLY
			ESTIMATED LENGTH OF HEARING	G
Desire No. 23	5-139-SPH	•	UNAVAILABLE FOR HEARING	······································
REV 9/15/98		Revie	wed By Son	e 09-17-02
Q)			•	

September 13, 2002

ZONING DESCRIPTION OF DOUB PROPERTY P. 88 CAVES ROAD 4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND



BEGINNING for the same at a point in the centerline of Caves Road (60' wide), said point being 1,502 feet northeast of the centerline of Caveswood Road; thence running along the centerline of Caves Road, 1) South 88 degrees 54 minutes 02 seconds East, 243.41 feet; thence leaving said road and running, 2) North 10 degrees 42 minutes 58 seconds East, 502.31 feet, 3) North 34 degrees 48 minutes 58 seconds East, 325.85 feet, 4) North 50 degrees 08 minutes 02 seconds West, 240.52 feet, 5) South 34 degrees 50 minutes 00 seconds West, 398.23 feet, and 6) South 10 degrees 44 minutes 30 seconds West, 594.11 feet to the place of beginning.

CONTAINING 5.010 acres of land as recorded in deed 5597/205.

September 13, 2002

ZONING DESCRIPTION OF DOUB PROPERTY P. 89 CAVES ROAD 4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND



BEGINNING for the same at a point in the centerline of Caves Road (60' Wide), said point being 1,340 feet northeast of the centerline of Caveswood Road; thence running along the centerline of Caves Road, 1) South 84 degrees 36 minutes 40 seconds East, 82.55 feet, and 2) South 88 degrees 54 minutes 02 seconds East, 79.23 feet; thence leaving said road and running, 3) North 10 degrees 44 minutes 30 seconds East, 594.11 feet, 4) North 34 degrees 50 minutes 00 seconds East, 398.23 feet, 5) North 50 degrees 07 minutes 22 seconds West, 246.94 feet, 6) South 29 degrees 34 minutes 38 seconds West, 211.41 feet, 7) South 27 degrees 59 minutes 38 seconds West, 177.32 feet, 8) South 27 degrees 09 minutes 18 seconds West, 254.43 feet, 9) by a curve to the left, having a radius of 324.05 feet and an arc length of 193.99 feet, 10) South 07 degrees 08 minutes 41 seconds East 144.98 feet, and 11) South 03 degrees 07 minutes 41 seconds East, 160.99 feet to the place of beginning.

CONTAINING 5.408 acres of land as recorded in deed 5383/989.

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~3

CERTIFICATE OF POSTING

RE Case No 03-139-SPH

Petitioner/Developer DOUB

MCKEE

Date of Hearing/Closing. 10/24/02

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

Attention:

rand fax transmittal memo 7671

Gi in

af 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 #2704, 06 508 CAVES PD.

The sign(s) were posted on [10/8/62]

(Month, Day, Year)

	ZONING NOTICE CASE # D3 139-5PH A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD	
	PLACE: COUNTY COURTS BLUG. YOU BOSSAY, AND. HOW YOUR DATE AND TIME: HURSDRY, OCTOBER 24, 2029 9 AND AM REQUEST: SPECIAL HEARING TO APPROVE THE DENSITY OF THE TWO EXISTING PARCELS OF TWO DENSITY UNITS EACH FOR A TOTAL OF FOUR PREMITTED AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF THE PARCELS INTO THREE LATS UNITS AND THE SECTION OF T	
PAS	POMENTAL:	-

03-139 SYM #2704,06708 CAVES KD DOUB 10/24/02 Sincerely

Value Of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666:5366; CELL-410-905-8571

(Telephone Number)

RE: PETITION FOR SPECIAL HEARING
2704, 2706, 2708 Caves Road
1,502 & 1,340 ft. NE of ctrl of
Caveswood Road
4th Election 3rd Councilmanic District
Legal Owner: George Cochran Doub, Jr.
Petitioner(s)

* BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 03-139-SPH

* * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 2nd day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to Geoffrey C. Schultz, MCKEE & ASSOCIATES, INC., Suite 1, 5 Shawan Road, Cockeysville, MD. 21030 Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Tuesday October 8, 2002 Issue - Jeffersonian

Please forward billing to: George Cochran Doub, Jr.

2 Hopkins Plaza

Baltimore, MD 21201-2930

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: 03-139 SPH 2704, 2706, 2708 Caves Road

Northeast side of Caves Road, 1,502 and 1,340 ft. northeast of centerline of Caveswood

Road

Election District 4th - Councilmanic District 3rd

Legal Owner: George Cochran Doub, Jr.

SPECIAL HEARING to approve the density of the two existing parcels of two density units each for a total of 4 permitted and the reconfiguration of the parcels into three lots under the permitted density.

HEARING:Thursday, October 24, 2002, at 9:00 in Room 407, County Courts Building, 401 Bosley Avenue

all most

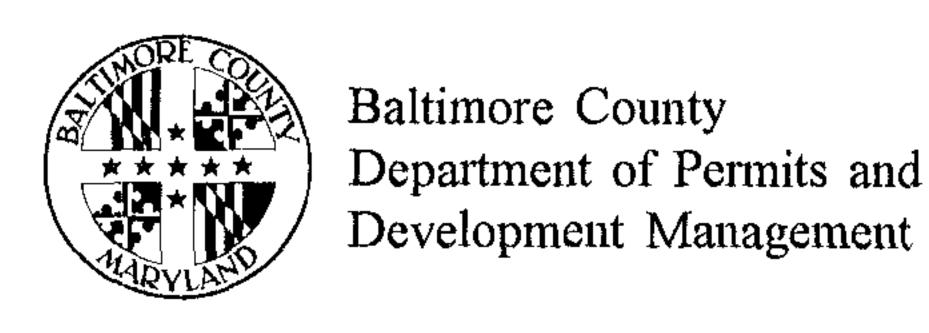
Lawrence B. Schmidt

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

Fax: 410-887-5708

September 26, 2002

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: 03-139 SPH 2704, 2706, 2708 Caves Road

Northeast side of Caves Road, 1,502 and 1,340 ft. northeast of centerline of Caveswood Road

Election District 4th - Councilmanic District 3rd

Legal Owner: George Cochran Doub, Jr.

SPECIAL HEARING to approve the density of the two existing parcels of two density units each for a total of 4 permitted and the reconfiguration of the parcels into three lots under the permitted density.

HEARING: Thursday, October 24, 2002, at 9:00 am in Room 407 County Courts Building 401 Bosley Avenue

Arnold Jablorr

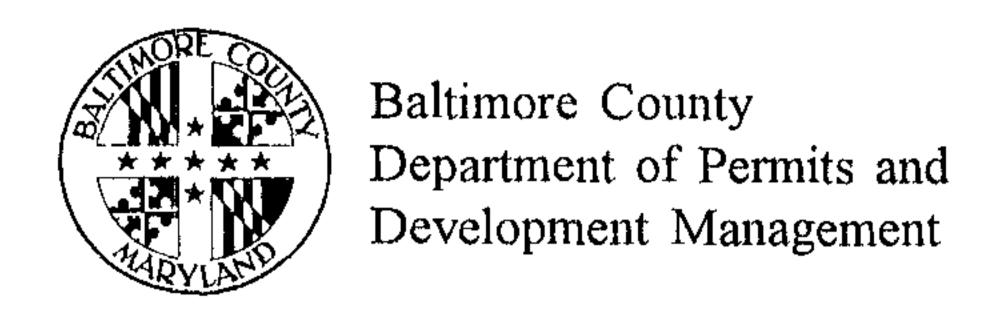
Director

Cc: George Cochran Doub 2 Hopkins Plaza Baltimore, MD 21201-2930 Geoffrey C. Schultz, McKee & Associates, Inc. Suite 1 5 Shawn Road, Cockeysville, Maryland

NOTES: (1 THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Wednesday October 9, 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



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

October 17, 2002

Mr. and Mrs. George Cochran Doub, Jr. 2 Hopkins Plaza Baltimore, MD 21201-2930

Dear Mr. and Mrs. Doub:

RE: Case Number: 03-139-SPH, 2704, 2706, and 2708 Caves Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 17, 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

W. Carl Buchards, Jr.

WCR:rlh

Enclosures

Geoffrey C. Schultz, McKee & Associates, Inc., 5 Shawan Road, Suite 1, c: Cockeysville 21030 People's Counsel



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

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

September 27, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: 131-146

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Inkon Recycled Paper

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

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BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeley RBS ITGT
DATE:	October 21, 2002
SUBJECT:	Zoning Item 139 Address Caves Road (Doub Property)
Zonin	g Advisory Committee Meeting of September 30, 2002
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an ext	Department of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	Department of Environmental Protection and Resource Management offers llowing comments on the above-referenced zoning item:
<u>X</u>	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).
<u>X</u>	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: Brian Lindley Date: 10/23/02

10/24

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley KB3 1767

DATE:

October 22, 2002

SUBJECT:

Zoning Item 139

Address

2704, 2706, 2708 Caves Road

Zoning Advisory Committee Meeting of September 30, 2002

The request is supported as long as the applicant will move the building envelope forward to the back of lots 1 and 2. Moving the house site forward will provide for the retention of the forests agricultural resources on site and maximize the distance between the house and adjacent agricultural operations for the purposes of creating an effective buffer area. It is also recommended that the fourth density right be eliminated because of site constraints and the use of both parcels for well and septic to support the third dwelling. Lastly, add agricultural nuisance note to the plan.

Reviewer: Wally Lippincott

Date: October 22, 2002

fp24

DATE: September 30, 2002

3 1 July - 🐧 1 July -

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-139, & 03-143

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:

Section Chief.

AFK/LL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 17.1.02

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

RE: Baltimore County

Item No. 139 JRA

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,

fu-

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

CASE NAME 03-139-5PH
CASE NUMBER 2704,2706 2708 Com sled

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS,	CITY, STATE, ZIP	E-MAIL
GUY WARD	SSHAMBO SVITE!		Score moken in com
	710		

Department of Permits and Development Management

Development Processing
County Office Building
H W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

May 4, 2004

George C. Doub 2 Hopkins Plaza Baltimore, MD 21201

Dear Mr. Doub:

Re: Minor subdivision 02-057-M; Doub Property; Caves Road; PDM No. IV-590; 4th Election District; tax account nos. 0404050277 & 0404050275

This office is rescinding its approval for the subject minor subdivision because the plan reviewed and approved initially (12/24/02) by this planner differs from the plan submitted and approved as the final subdivision plan. In addition, the final minor subdivision plan is inconsistent with exhibit #1, which was submitted in the petition for a Special Hearing case # 03-139-SPH, granted by the Zoning Commissioner on November 25, 2002. This office will withhold approval until such time as the Zoning Commissioner approves the amended plan.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you have any additional questions, I can be reached at 410-887-3391.

Sincerely,

Bruno Rudaitis

Planner II

Zoning Review

cc: Don Rascoe, Development Management Jeffrey Schultz, McKee & Associates, Inc.

LIBER 5597 PAGE 206

the south eighteen degrees eleven minutes east thirteen hundred and forty four and seventy one hundredths feet line of the land above referred to thence south eighteen degrees eleven minutes east binding on said line three hundred and twenty five and eighty five one hundredths feet to a stone at the end of said line and thence still binding on said land south forty two degrees seventeen minutes east five hundred and two and thirty one hundredths feet to the place of beginning containing five acres of land more or less.

December 3, 1947 and recorded among the land records of Baltimore County in Liber No. 1619, folio 284 and 285, was granted and conveyed by Clarence E. Tuttle to George Cochran Doub and Sophy Tayloe Doub, his wife, in fee simple.

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.

Reserving, however, to the Grantors a fifty (50) foot right-of-way along and adjoining on the south, the North seventy six degrees, fifty six minutes East, 249.9 foot line in the above description for the benefit of the remaining property of the Grantors adjoining the above described property on the east.

TO HAVE AND TO HOLD the said described lot of ground and premises, subject to the right-of-way aforesaid, unto and to the use of the said Anne Doub Marzin, Sophy Doub Burnham and George Cochran Doub, Jr., a one-third undivided interest each, as tenants in common, their heire and assigns, in fee simple.

LEERS 597 F461207

And the said Grantors covenant to warrant specially the property hereby granted and conveyed, and to execute such further assurances of said land as may be requisits. WITNESS the hands and seals of the said Grantors:

WITHESS:

STATE OF MARYLAND BALTIMORE County

To Wit:

I HEREBY CERTIFY, that on this 30 day of December, 1975, before me, a Notary Public of the State aforesaid, personally appeared GEORGE COCHRAN DOUB and SOPHY TAYLOR DOUB, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribid to the within instrument, who signed the same in my presence, and acknowledged that they executed the same for the purposes therein contained.

WITHESS my hand and Notarial Seal.



Notary Public

Hy Commission expires: 2-1-78

Ozgleses bruciti

Reg'd for record DEC 31 1975 et_2 Per Elmer H. Kehline, Jr., Clerk

LIBER5383 PAGE988

43. 1

No consideration

No Documentary Stampa

No Transfer Tax THIS DEED, made this "PTT day of Journe, 1973, by GEORGE COCHRAN DOUB and SOPHY TAYLOE DOUB, his wife, of Baltimore County, State of Maryland, parties of the first part, Grantors, to their children, GEORGE COCHRAN DOUB, JR., their son, of Baltimore County, State of Maryland, ANNE DOUB MARZIN, their daughter, of the City of Lyon in the Republic of France, and SOPHY DOUB BURNHAM, their daughter, of the City of Brooklyn Height., State of New York, parties of the second part, Grantees;

witnesseth, that for and in consideration of the love and affection which the Grantors have for the Grantees and for other good and valuable consideration, the said George Cochran Doub and Sophy Tayloe Doub, his wife, do hereby grant and convey to their three children, the said George Cochran Doub, Jr., their son, and Anne Doub Marzin and Sophy Doub Burnham, their daughters, a one-third undivided interest to each as tenants in common, their heirs and assigns in fee simple, in and to all that lot of ground situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, which, according to a survey made by Dollenberg Brothers, dated February 9, 1953, and revised February 25, 1953, is described as follows, that is to say:

BEGINNING for the same in the center of the Caves Road at the beginning of the second line of a parcel of land which by a deed dated December 3, 1947 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1619 folio 284 was conveyed by Clarence E. Tuttle to Goorge Cochran Doub and wife and running thence and binding on the second and third lines of said parcel of land, as now surveyed, the two following courses and distances viz: North 42 dogress 16 minutes West 594.40 foot to a pipe heretofore sot and North 18 degrees 09 minutes West 198,76 feet to a pipe heretofore set, thence leaving said outlines and running for a line of division South 76 dagrees 52 minutes 40 seconds West 246.94 feet to a point on the northeast side of a Road now laid out 50 feet wide, thence binding on the northeast side of said 50 Foot Road the six following lines viz: South 23 degrees 25 minutes 20 seconds East 211.41 feet, South 25 degrees 00 minutes 20 seconds East 177.32 feet, South 25 degrees 50 minutes 40 meconds East 254.43 feet, Southeasterly by a line curving toward the left having a radius of 324.05 feet, for a distance of 193.99 feet (the chord of said are bearing South 42 degrees 59 minutes 40 seconds East 191.11 feet) South 60 degrees 08 minutes 40 seconds East 144,98 feet and South 56 degrees 07

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minutes 40 seconds Rast 160.99 feet to the center of the Caves Road and thence binding in the center of said Caves Road the two following courses and distances viz: North 42 degrees 55 minutes East 82.22 feet and North 38 degrees 06 minutes East 79.23 feet to the place of beginning, as shown on the plat of Dollenberg Brothers revised February 25, 1953.

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Containing 5.41 Acres of land more or less.

BEING the same lot of ground and premises which by Deed dated June 1, 1953, and recorded among the Land Records of Baltimore County, Maryland, in Liber G.L.B. No. 2306 page 193, was granted and conveyed by Clarence E. Tuttle, widower to the within Grantors;

TOGETHER with the right to the parties of the second part, Grantses herein, their heirs and assigns, to use the 50 foot road mentioned above in common with others entitled thereto for all purposes of a road or right of way and with the full right of access thereto for ingress and egress;

AND TOGETHER with the buildings and improvements thereon, if any, and all the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

Reserving, however, to the parties of the first part, Grantors a fifty (50) foot right of way along and adjoining on the south, the north or South 26 degrees 52 minutes 20 seconds West 246.94 foot line in the above description for the benefit of the remaining property of the parties of the first part, Grantors, adjoining the above described property on the east, from said property of the parties of the first part, Grantors, to the Fifty (50) foot Road mentioned and referred to in the above description, and together with the use in common of said Fifty (50) foot Road;

TO HAVE AND TO HOLD, the above described lot of ground and premises, subject to the right of way aforesaid, to the said George Cochran Doub, Jr., Anne Doub Marsin and Sophy Doub Burnham, a one-third undivided interest each, as tenants in common, their

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heirs and assigns in fee simple.

AND the said Grantors do hereby warrant specially the property hereby conveyed and will execute such further assurances of the said land as may be requisite.

WITNESS the hands and seals of the said Grantors.

MITNESS: Me Nega Caller Dock (SEAL)

Storothy E. James Storby Typhe Deal (SEAL)

STATE OF MARYLAND TO WIT: CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 1973, before me the subscriber, a Notary Public of the State of Maryland, personally appeared George Cochran Doub and Sophy Tayloe Doub, his wife, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained and in my presence signed and scaled the same.

As witness my hand and Notarial Seal.

Fifting My, Commission expires:


127589A# **** MA88755 ET-8- 30A 1512004 ****1520 ET-B-DUA

TRANSFER TAX NOT REQ TRED


Authorized Signature X1.6 Se 130

Reo'd for record AUG 8 1973 at / 2 Per Elmer H. Kahling, Jr., Clerk-3-1
Mail to Line (achieve) out
Receipt No. (2.57)

marks. Water 1 5



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Engineering • Surveying • Environmental Planning
Real Estate Development

June 1, 2004

Mr. Timothy Kotroco, Director Baltimore County Dept. of Permits and Development Management 111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Mr. Kotroco:

Subject: Doub Property, Case No. 03-139 SPH

Please find enclosed, a red-lined Zoning Plan and a Zoning Commissioner's Order regarding the above-referenced property. The basic concept of the Zoning Plan has remained the same, with the exception of the following changes:

- The in-fee panhandle strip for Lot 3 has been relocated to the northeast side of Lot 2.
- The driveway access for Lot 3 has been relocated from between Lots 1 and 2 to the existing driveway northeast of the site.
- 3) The Forest Conservation Easement has changed.
- 4) The lot areas have slightly changed.

We are hereby requesting a determination as to whether the red-lined changes are in keeping with the Spirit and Intent of the Zoning Commissioner's Order.

I trust the above is sufficient for your use. Please call with any questions.

Sincerely,

McKEE AND ASSOCIATES, INC.

Geoffrey C. Schultz, Vice President

GCS:mcc Enclosures

cc: George Doub, w/enclosures Carroll Holtzer, w/enclosures Robert Hoffman, w/enclosures

04-1498

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030 Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

GCD:RF 12/29/75

LIEER5597 FASE 205

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No Documentary Stamps

No Transfer Tax THIS DEED, Made this 29 day of December, 1975, by and between GEORGE COCHRAN DOUB and SOPHY TAYLOR DOUB, his wife, of Beltimore County, Maryland, of the first part, Grantors and their children ANNE DOUB MARZIN of Lyons, France, SOPHY DOUB BURNHAM of Washington, D. C. and GEORGE COCHRAN DOUB, JR. of Beltimore County, Maryland, of the second part, Grantees.

WITNESSETH: that in consideration of the sum of Five Dollars (\$5.00), and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantope do hereby grant, convey, and assign unto the said Anne Doub Marzin, Sophy Doub Burnham and Gacrge Cochran Doub, Jr., a one-third undivided interest to each as tenants in common, their heirs and assigns, in fee simple, in and to all that lot of ground situate in Baltimore County in the State of Maryland, and described as follows, that is to say:

BECINNING for the same in the center of Caves Road at the end of the south forty two degrees seventeen minutes east five hundred and two and thirty-one hundredths fest line of the land which by a deed dated September 29, 1933 and recorded among the land records of Baltimore County in Liber LMcLM No. 917 folio 150 etc. was conveyed by Garrison Forest Land Company to George Cochran Doub and wife and running thence south thirty eight degrees six minutes west binding on the center of Caves Road two hundred m and forty three and forty one hundredths feet thence north forty two degrees seventeen minutes west five hundred and ninety four and four tenths feet north eighteen degrees eleven minutes west three hundred and ninety eight and thirty one hundredths feet to a fence thence north seventy six degrees fifty two minutes east binging on said fence two hundred and forty and nine tenths feet to intersect

Wother R. Richardson
Director of Finance
Authorized Signature

MA