IN RE: PETITION FOR VARIANCE
NW/S of Emory Road, 400' NE
centerline of Mount Gilead Road
4th Election District
3rd Councilmanic District
(Parcels 51 & 260, Emory Road)

Harry B. Smith *Petitioner*

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 03-173-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Harry B. Smith. The special hearing petition involves property located on the northwest side of Emory Road, which property straddles the Baltimore County/Carroll County line. The special hearing request is to approve the reconfiguration of two (2) parcels of property created prior to November 25, 1979 into two (2) parcels and Density Parcel/Tract "A", and to find that the proposed reconfiguration for the purpose of protecting agricultural land meets the spirit and intent of the Baltimore County Zoning Regulations and Policy 1A01.3.B.1.

Appearing at the hearing on behalf of the special hearing request were Dwight Little, the professional engineer who prepared the site plan of the property, Sterling Leppo, appearing on behalf of the owner of the property, and Howard L. Alderman, Jr., attorney at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the Petitioner owns two (2) parcels of land located in Baltimore County, along Emory Road. One parcel contains 1.0839 acres, more or less, and is located in the northern corner of the overall tract. In addition, Mr. Smith owns 45.2858 acres, half of which is located in Carroll County and the other half in Baltimore County. At issue in this case are the lands owned by Mr. Smith which are situated in Baltimore County. The purpose

of filing the special hearing is to reconfigure the 22.14 acres of land which are situated in Baltimore County. Mr. Smith proposes to create two building lots identified on the site plan submitted into evidence as Lots #1 and #2. Shown on the site plan are the building envelopes for houses to be constructed on those two lots. The septic reserve areas, as well as the well envelopes, are also shown. That subdivision is proceeding through the minor subdivision process.

In order to proceed with the reconfiguration of the property lines in the fashion depicted on Petitioner's Exhibit No. 1, the special hearing request is necessary. As was discussed at the hearing, the 22.4 acres of land that is located within Baltimore County has the right to have three residential dwellings constructed upon it. While two of the proposed dwellings are clearly depicted on the site plan, the third home site has not yet been determined. Mr. Wally Lippincott, a representative of the Department of Environmental Protection & Resource Management (DEPRM), indicated that he has a concern over the location of the third dwelling unit. The developer stated that they are willing to place the third home in the area where Mr. Lippincott wishes it to be constructed. However, they are not prepared at this time to actually build a house. They prefer to construct that dwelling at some time in the future. The developer agreed at the hearing that the third dwelling to be constructed in the future on this property shall be located within the northern corner of the subject property within the area of the site plan depicting the old 1.0839 acre lot of ground. That particular lot line has now been erased pursuant to this special hearing request. However, for the purposes of siting a new home on this property, the dwelling itself must be constructed within that former 1.0839 acre lot. The remainder of the subject property shall continue to be farmed in conjunction with the acreage located within

Carroll County as Mr. Smith has done over the past years. As to the special hearing relief, it shall be granted

After due consideration of the testimony and evidence presented at the hearing and the lack of opposition to this special hearing request, I find that the request should be granted. It is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.), specifically those regulations pertaining to the protection of agricultural land.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of November, 2002, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations, to approve the reconfiguration of two (2) parcels of property created prior to November 25, 1979 into two (2) parcels and Density Parcel/Tract "A", and to find that the proposed reconfiguration for the purpose of protecting agricultural land meets the spirit and intent of the Baltimore County Zoning Regulations and Policy 1A01.3.B.1., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner shall be permitted to construct three (3) single-family dwellings on his property located within Baltimore County. Two of those dwellings are now depicted on Petitioner's Exhibit No. 1, the site plan submitted into evidence. The third dwelling itself shall be constructed on the remaining 16.42 acres in the far northern corner of the remaining parcel, within the old boundary line of the 1.0839 acre lot. This restriction is imposed upon this Petitioner to satisfy the request of Mr. Lippincott and his comment dated November 15, 2002, which comment is included in the file.

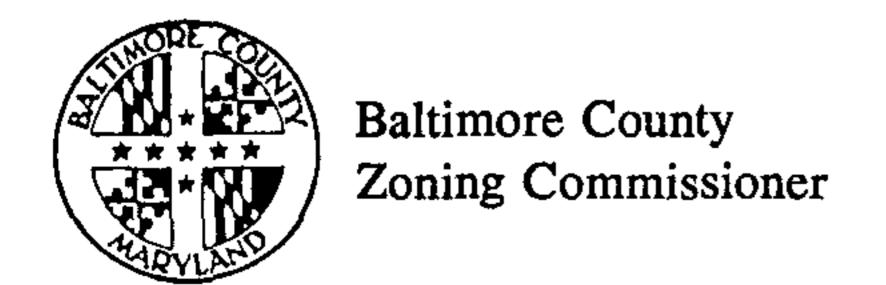
IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

November 20, 2002

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

Re: Petition for Special Hearing Case No. 03-173-SPH

Property: Parcels 51 & 260, Emory Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

luthy lotroco

TMK:raj Enclosure

c: Dwight Little, P.E. 1045 Taylor Avenue, Suite 111 Towson, MD 21286

Harry B. Smith 1617 Park Grove Road Baltimore, MD 21228 Sterling Leppo 108 Westgate Way Reisterstown, MD 21136



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Tax Map 31, Parcel 51 & 260, Emory Road

which is presently zoned __RC - 2

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

See Attached

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 dependency, that I/we are is the subject of this	eclare and affirm, under to the legal owner(s) of the Petition.	the penalties of e property which
Contract Purchaser/Lessee:	Legal Owner(s)	l:		
Name - Type or Print		Harry B. Smith		
Signature		Signature	,	······································
Address	Telephone No.	Name - Type or Print		
City	Zip Code	Signature		
Attorney For Petitioner:		1617 Park Grove F	Road	(410) 833 - 9001
Managed 17 Addamena at the		Address		Telephone No.
Howard L. Alderman, Jr. Naple - Type or Print		Baitimore	Maryland	21228
	. ()	City	State	Zip Code
Signature Signature		Representative Chuck Merritt	to be Contacted:	
Levin & Gann, P. A.		c/o Little & Associa	ates, Inc.	
502 Washington Ave., 8th Floor	(410) 321 - 0600	Name		
Address	Telephone No.	1045 Taylor Ave., Address	Suite 111 (41)	0) 296 ~ 1636 Telephone No.
<u>Towson</u> Maryland	21204	Towson	Maryland	21286
City State	Zip Code	City	State	Zip Code
		<u>o</u>	FFICE USE ONLY	į
	2 . (1)	ESTIMATED LE	NETH OF HEARING	1HR
Case No. () 5 - 1 / 5	2-3PH	UNAVAILABLE F	OR HEARING NO	OV 14 AND NOV2
REI 115198	Res	viewed By	Date 10	07/02
3				1

Attachment 1

PETITION FOR SPECIAL HEARING

CASE NO: _03-_ _SPH____

Address: Tax Map 31, Parcels 51 & 260, Emory Road

Legal Owner: Harry B. Smith

Present Zoning: RC-2

REQUESTED RELIEF:

"why the Zoning Commissioner should" [1] approve the reconfiguration of two existing parcels (created before November 25, 1979) into two (2) parcels and Density Parcel/Tract 'A'; [2] find that the proposed reconfiguration for the protection of agricultural land meets the spirit and intent of the BCZR and Policy 1A01.3.B.1 (RSD-10); and [3] for such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.

8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

(410) 321-0600 Fax: (410) 296-2801 halderman@LevinGann.com July 29, 2002

ZONING DESCRIPTION FOR THE HARRY SMITH PROPERTY 4TH ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the first at a point on the northwest side of Emory Road at the distance of 400 feet northeast of the centerline intersection of the nearest improved intersecting street, Mount Gilead Road; thence (1) North 27 degrees 40 minutes 14 seconds West 47.89 feet; thence binding on the Baltimore County and Carroll County division line (2) North 15 degrees 14 minutes 42 seconds East 1733.05 feet; thence (3) North 72 degrees 40 minutes 15 seconds East 31.99 feet; thence (4) North 51 degrees 44 minutes 39 seconds East 108.03 feet; thence (5) South 46 degrees 30 minutes 29 seconds East 892.93 feet; thence (6) North 37 degrees 37 minutes 12 seconds East 60.31 feet; thence (7) South 46 degrees 30 minutes 29 seconds East 8.66 feet; thence (8) South 37 degrees 42 minutes 16 seconds West 469.00 feet; thence (9) South 47 degrees 25 minutes 19 seconds West 262.37 feet; thence (10) South 48 degrees 36 minutes 28 seconds West 1012.64 feet to the place of beginning. Containing 21.0593 acres of land, more or less, and being a part of that land described in Liber 6241 folio 780 as recorded in the Land Records of Baltimore County.

Beginning for the second at the end of the fourth or North 51 degrees 44 minutes 39 seconds East 108.03 foot line of the above described first parcel; said point of beginning being at the distance of 2270 feet northeast of the centerline intersection of the nearest improved intersecting street, Mount Gilead Road; thence (1) North 51 degrees 44 minutes 39 seconds East 85.47; thence (2) South 54 degrees 52 minutes 20 seconds East 282.86 feet; thence (3) South 21 degrees 54 minutes 44 seconds East 302.08 feet; thence (4) North 46 degrees 30 minutes 29 seconds West 566.79 feet to the place of beginning. Containing 1.0839 acres of land, more or less, and being that land described in Liber 6361 folio 82 as recorded in the Land Records of Baltimore County.

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OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	HEST
DATE 10/07/02 ACCOUNT 00/06/6150	PEG WS(2 PRECEDED
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CASHIER'S VALIDATION

NOTICE OF ZONING . . . HEARING'

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson.

Maryland on the property identified herein as follows:

Case: #03-173-SPH Case: #03-173-SPH
Parcel 51 and 260, Emory Road
N/West side of Emory Road
4th Election District
3rd Councilmanic District
Legal Owner(s): Harry B. Smith
Special Hearing: to recontigure two existing parcels
(created before November
25, 1979) into two (2) parcels and density Parcel/Tract
Hearing: Tuesday, November
19, 2002 at 10:00 a.m.
in Room 407, County
Courts Building, 401 Bosley Avenue. ley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for

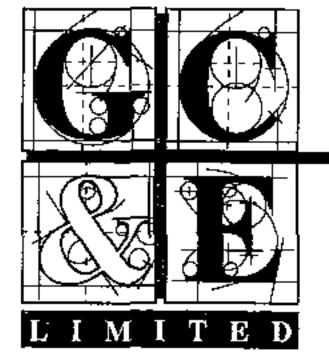
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.
(2) For information concerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-

JT/11/624 Nov5 C572861

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on5
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkinson

LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 03-173-SPH
PETITIONER/DEVELOPER:
HARRY B. SMITH
DATE OF HEARING:
NOVEMBER 19, 2002

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: REBECCA HART

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION:

Northwest side of Emory Road

11/04/2002

DATE:

November 6, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX



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CSELOS-YASSER

DESCRIBERING WILL BE HELD BY

THE ZONING COMMISSIONER

IN TOWSON, MD.

FOR SELECTION CONTROL

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LOCATION:

Northwest side of Emory Road

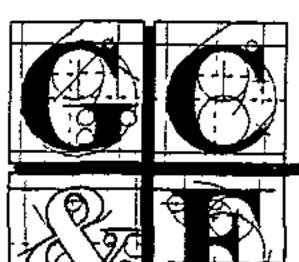
DATE:

November 6, 2002

SIGNATURE OF SIGN POSTER

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ATTENTION: REBECCA HART

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LOCATION:

Northwest side of Emory Road

ZONING NOTICE

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DATE:

November 6, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
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Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 03-173-SPH PETITIONER/DEVELOPER: HARRY B. SMITH DATE OF HEARING: NOVEMBER 19, 2002

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: REBECCA HART

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LOCATION:

Northwest side of Emory Road

ZONING NOTICE

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THE ZONING COMMISSIONER
IN TOWNSON MD

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November 6, 2002

DATE:

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

RE: PETITION FOR SPECIAL HEARING
Parcel 51 & 260 Emory Road
NW/side Emory Road 400' NE of
Mt. Gilead Road
4th Election District 3rd Councilmanic
District
Legal Owner: Harry B. Smith
Petitioner(s)

* BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 03-173-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

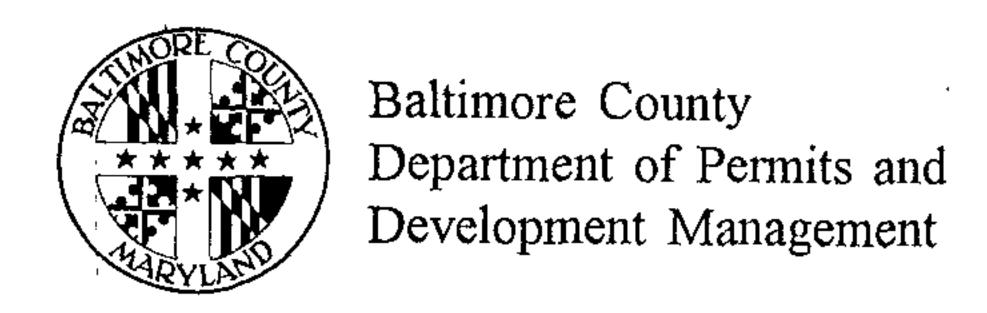
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., LEVIN & GANN, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204 Attorney for Petitioner(s).

DECEIVED ON STATE OF STATE OF

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



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

October 22, 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: 03-173-SPH

Parcel 51 and 260, Emory Road N/west side of Emory Road 4th Election District – 3rd Councilmanic District Legal Owner: Harry B. Smith

Special Hearing to reconfigure two existing parcels (created before November 25, 1979) into two (2) parcels and density Parcel/Tract.

HEARING: Tuesday, November 19, 2002 at 10:00 a.m. in Room 407 in the County Courts Building, 401 Bosley Avenue

Arnold Jablon Director

AJ:rlh

C: Howard Alderman, Levin & Gann, P.A., 502 Washington Ave., 8th Floor, Towson 21204
Harry B. Smith, 1617 Park Grove Road, Baltimore 21228
Chuck Merritt, Little & Associates, Inc., 1045 Taylor Avenue, Suite 111, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY NOVEMBER 4, 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.

TO: PATUXENT PUBLISHING COMPANY

November 5, 2002 Issue – Jeffersonian

Please forward billing to:

Sterling Companies P.O. Box 264

Finksburg, MD 21048

410-833-9001

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:

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Parcel 51 and 260, Emory Road N/west side of Emory Road

4th Election District – 3rd Councilmanic District

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Special Hearing to reconfigure two existing parcels (created before November 25, 1979) into two (2) parcels and density Parcel/Tract.

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Courts Building, 401 Bosley Avenue

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.

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

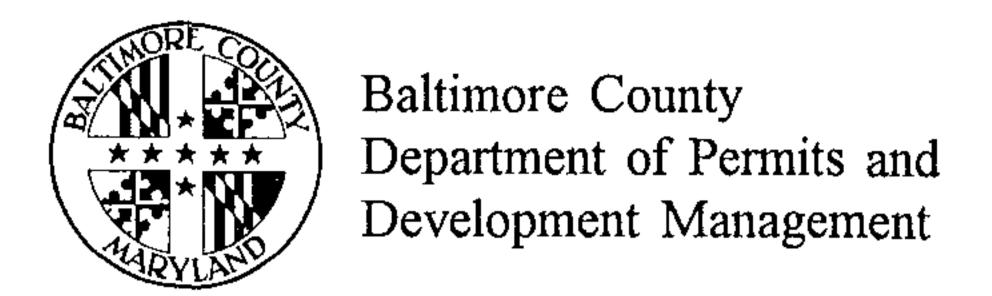
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/nelghboring property owners relative to property which is the subject of an upcoming zoning hearing. For those patitions 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.

aper Advertis	
er ör Case Nu	mber: 03-13-5PW
Harry B. Smith	
Location:	Emory Road
	ÆRTISING BILL TO:
	·
Finksburg, Marylar	ad 21048
Number:	(410) 833 - 9001
	Location: CRWARD ADVerling Companies P. O. Box 264 Finksburg, Marylan



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

November 14, 2002

Howard Alderman Levin & Gann 502 Washington Ave., 8th Floor Towson, MD 21204

Dear Mr. Alderman:

RE: Case Number: 03-173-SPH, Parcel 51 and 260, Emory Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 7, 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,

u. Callibal D

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel Harry Smith, 1617 Park Grove Road, Baltimore 21228 Chuck Merritt, 1045 Taylor Avenue, Suite 111, Towson 21286



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

October 22, 2002

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

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: 171-179, 181

113

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 14, 2002

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 28, 2002

Item Nos.171 (173, 174, 175, 176, 177,

180, and 181

and

Item No. marked: "Use Permit Posting"

(111 Hanover Pike)

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

RWB:CEN:jrb

cc: File

Jul 9

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeley [B] 72.T
DATE:	November 15, 2002
SUBJECT:	Zoning Item 173 Address Emory Road (Smith Property)
Zoning	g Advisory Committee Meeting of October 21, 2002
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment 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.
 _	epartment of Environmental Protection and Resource Management offers lowing 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).
<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).
	Additional Comments:

Reviewer: John Russo Date: 11/13/02

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RB 167

DATE:

November 15, 2002

SUBJECT:

Zoning Item 173

Address

Emory Road (Smith Property)

Zoning Advisory Committee Meeting of 10/21/02

Agricultural Preservation does not support the accumulation/ transfer of density from a 1.08 acre parcel (6361/82) to the remainder of 45 acre tract. The department does support the landowner retaining the 16.42 acres as a non-density tract to continue to be used for agricultural purposes as part of a larger farm operation that includes acreage in Carroll County. The department does not support the transfer of density from a smaller parcel because it does not further agricultural purposes; in fact, it diminishes the agricultural use of property by moving a density unit out to a productive agricultural field or wooded area that was used for nursery purposes.

Reviewer:

Wally Lippincott

Date: 11/13/02

HABITATS. AMUNEULUGICAL OR HISTORICAL SITES ON THIS PROPERTY.



BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE:

June 5, 2002

TO:

Jeffrey Perlow, Zoning Review

Department of Permits and Development Management

FROM:

Daniel J. Esser, R.S., Ground Water Management

Department of Environmental Protection & Resource Management

SUBJECT:

Minor Subdivision 2nd. Review

Project Name:

Smith, Harry Property

Minor Sub No:

01107M

4C3

District: Engineer:

Little & Associates, Inc.

Phone:

410-296-1636

The following comments still must be addressed prior to plan approval:

Comments	Date Resolved	Reviewer
 Show the existing septic system components, well(s), and underground (fuel) storage tank(s) for the adjacent residences (even if in Carroll Co.). 		
2. Also add a general note regarding this.		

Note: Please include a revision date on all revised plans submitted.

J:\PLAN REVIEW COMMENTS\Smith,H 2,MS,6-5-02.doc

Sem 11/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 28, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

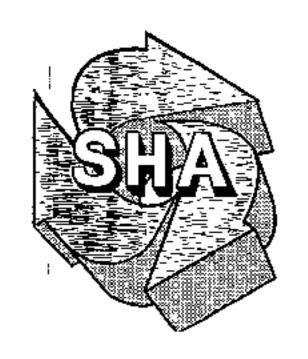
SUBJECT: Zoning Advisory Petition(s): Case(s) 03-173

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: October 23, 2002

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

RE: Baltimore County

Item No. 173 (JL)

Emory RD

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval of the variance. However, the owner will be required to obtain a residential access permit through our District office, they should contact, the Owings Mills Maintenance Facility at 410-363-1315.

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

Very truly yours,

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



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

October 22, 2002

Mr. George Zahner 111 West Chesapeake Avenue County Office Building, Room 111 Mail Stop # 1105 Towson MD 21204

Re:

Zoning Advisory Committee Agenda, October 28, 2002

Case numbers 03-171-A 03-173-SPH, 03-174-SPHA, 03-175-A, 03-176-A, 03-177-A, 03-178-A, 03-179-SPH, 03-180-SPHA, 03-181-SPH, and 111 Hanover Pike Property

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 10/21/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

OCT 2.4 2002

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

PLEASE PRINT CLEARLY

CASE NAME Harry Smith langerly CASE NUMBER DATE 15 NOV ON

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DWGHT LITTE	1045 Taylor fee Su Je 111	Towson mD 21286	<u> </u>
HOWARD LANDERMAN JRE	108 Westgate WAY TO LEVIN & Grane PA	RESTUSTED IN 21136	<u></u>
- INVITATION CONTRACTOR AICO	502 Weskington Am Sufe ser	Towen MM) 2/204	
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