FOR FILING ORDER RECEIVED

IN RE: PETITION FOR SPECIAL HEARING E/S Offutt Road, 2,195' SW of the c/i

> Wilber Avenue (3309 Offutt Road) 2nd Election District 4th Council District

Paul Taylor, et ux Petitioners

- BEFORE THE
- ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 05-143-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, Paul Taylor and his wife, Cheryl M. Taylor. The Petitioners request a special hearing seeking approval of a proposed lot with an area of 1.067 acres in lieu of the minimum required 1.5 acres (pursuant to County Council Bill #55-04), and a determination that the overall density will not be affected by the proposal. 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 Paul Taylor, property owner, and Vincent Moskunas on behalf of Site Rite Surveying, Inc., the consultants who prepared the site plan for this property. Appearing as Protestants in the matter were Stacy Moore James and Wesley Wyatt, adjacent property owners.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located with frontage on the east side of Offutt Road, south of Liberty Road in Randallstown. The property contains a gross area of 3.0 acres, more or less, zoned R.C.5. Presently, the site is improved with a dwelling, known as 3309 Offutt Road, and a driveway that leads into the propertyfrom Offutt Road. The Petitioners recently purchased the subject property with the intention of subdividing same to create a second building lot. As shown on the site plan, proposed Lot 1 would consist of 1.067 acres and all existing improvements. Proposed Lot 2 would contain the balance of the acreage (1.773 acres), and was proposed for development with a single-family dwelling. Access to Lot

OR FILING QUOENT CANADER 2 would be provided via a panhandle driveway leading into the property from Offutt Road along the northern property line.

The Protestants who appeared are opposed to the request. They reside immediately north of the subject property at 3315 Offutt Road and are concerned over increased water runoff and ponding onto their property as a result of the proposed panhandle driveway. They also suggested that a 20-foot grassy strip be provided between the panhandle driveway and their common property line to serve as a buffer and absorb the water runoff.

During the course of the proceedings in this matter, discussion ensued concerning recent legislation that would impact the subject property and the proposed subdivision. It is to be noted that the minor subdivision plat was filed on June 10, 2004, just one day prior to the enactment of this new legislation on June 11, 2004. It should also be noted that Bill No. 55-04 contained a retroactive filing date of June 7, 2004 for concept plans such as Petitioners. Thus, the grandfathering aspects of the subject proposal places Petitioner's plan in question. (See State Ethics Commission v. Evans, 352 Md. 370 (2004). In any event, subsequent to the hearing, this office was advised by Mr. Taylor via e-mail dated November 17, 2004 that he wished to withdraw the instant Petition. Apparently, the Petitioners have decided to reconfigure the proposed subdivision in an effort to meet all zoning requirements.

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 dismissed without prejudice.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of November, 2004 that the Petition for Special Hearing seeking approval of a proposed lot with an area of 1.067 acres in lieu of the minimum required 1.5 acres (pursuant to County Council Bill #55-04), and a determination that the overall density will not be affected by the proposal, be and is

hereby DISMISSED without prejudice.

Zoning Commissioner

for Baltimore County

WILLIAM J. WISEMAN, III

WJW:bjs

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

November 22, 2004

Mr. & Mrs. Paul Taylor 9005 Forest Oaks Road Owings Mills, Maryland 21117

RE: PETITION FOR SPECIAL HEARING
E/S Offutt Road, 2,195' SW of the c/l Wilber Avenue
(3309 Offutt Road)

2nd Election District – 4th Council District
Paul Taylor, et ux - Petitioners
Case No. 05-143-SPH

Dear Mr. & Mrs. Taylor:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been 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.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Vincent Moskunas, Site Rite Surveying, Inc.
200 E. Joppa Road, Towson, Md. 21286
Ms. Stacy Moore James & Mr. Wesley Wyatt, 3315 Offutt Road,
Randallstown, Md. 21133
People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

	H
for the pro	perty located at #3309 Offutt Poad
	which is presently zoned PCS
owner(s) of the property situate in Baltimore County and made a part hereof, hereby petition for a Special Hear County, to determine whether or not the Zoning Commis an area of load ashes in	ermits and Development Management. The undersigned, legal which is described in the description and plat attached hereto and ring under Section 500.7 of the Zoning Regulations of Baltimore sioner should approve A proposed lot with lieu of the minimum required neither than the minimum required neither than the side of the description and to density will not be a flected.
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Special Hearing, advertised as prescribed by zoning regulations and restrictions of Baltimore County adopted	vertising, posting, etc. and further agree to and are to be bounded by the
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print Signature Address Telephone No.	Paul Taylov Name - Type or Print Signature Chery M. Taylor Name - Type or Print
	Culayar
City State Zip Code Attorney For Petitioner:	Address Own as LLMS MD 21117 Telephone No.
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted: Site life Swaning M.
Company Address Telephone No.	Address Addres
State Zip Code	
	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING
Stase No. 05-143 ST21	UNAVAILABLE FOR HEARING
	Reviewed By Date 9-16-04
PP1 9115198	

ZONING DESCRIPTION FOR #3309 OFFUTT ROAD

BEGINNING AT A POINT ON THE EAST SIDE OF OFFUTT ROAD WHICH IS 60 FEET WIDE AT THE DISTANCE OF 2,195 FEET SOUTHWEST OF THE CENTERLINE OF WILBER AVENUE WHICH IS 30 FEET WIDE. AS RECORDED IN DEED LIBER 18369, FOLIO 280; THENCE RUNNING AND BINDING ALONG S 51 DEGREES 53 MINUTES 00 SECONDS E, 247.41; THENCE S 17 DEGREES 36 MINUTES 00 SECONDS W, 200.52 FEET; THENCE N 51 DEGREES 53 MINUTES 00 SECONDS W, 247.41 FEET AND THENCE N 17 DEGREES 36 MINUTES 00 SECONDS E, 200.52 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.067 ACRES OF LAND, MORE OR LESS. ALSO KNOWN AS #3309 OFFUTT ROAD AND LOCATED IN THE 2ND ELECTION DISTRICT, 4TH COUNCILMANIC DISTRICT.

MICHAEL V. MOSKUNAS REG. NO. 21175

SITE RITE SURVEYING, INC. 200 E. JOPPA ROAD ROOM 101 TOWSON, MD 21286 (410)828-9060 September 15, 2004

142

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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: #05-143-SPH
3309 Offutt Road
E/side of Offutt Road, 2,195
ft, s/west of centerline of
Wilbur Avenue
2nd Election District 2nd Election District
4th Councilmanic District
Legal Owner(s): Paul and
Cheryl Taylor
Special Hearing: to allow a
proposed lot with an area
of 1.067 acres in lieu of the

minimum required 1.5 acres. To determine that overall density will not be affected.

Hearing: Monday, November 8, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

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,
10/213 Oct 21 26401

CERTIFICATE OF PUBLICATION

1021,2004
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
on 1021,2004.
The Jeffersonian
🖵 Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

ZONING NOTICE

CASE # 05-143-SPH

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: TOWSON, MD, 21204

DATE AND TIME: AT 11:00 A.M.

REQUEST: SPECIAL HEARING TO ALLOW

APROPOSED LOT WITH A AREA OF 1.067 ACRES

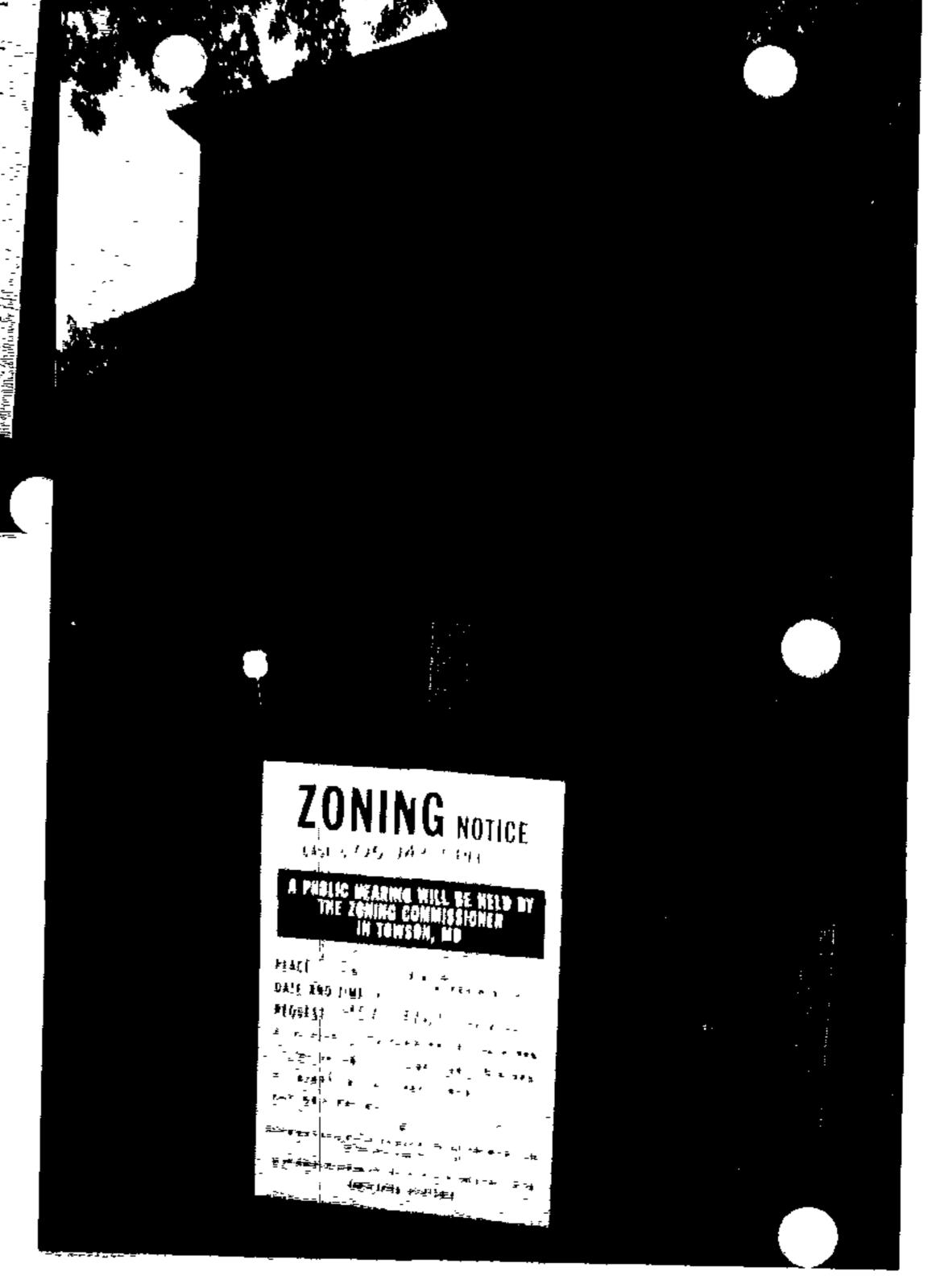
IN LIEU OF THE MINIMUM REQUIRED 1.5. ACRES

TO DETERMINE THAT OVERALL DENSITY WILL

NOT BE AFFECTED.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

CO NOT REMOVE THIS SIGN AND POST WHILL DAY OF HEARING, UNDER PENALTY OF LAW HANDICAPPED ACCESSIBLE



45- F 1	Petitioner/Developer: Paule Chenyl Taylor
•	Date of Hearing/Closing: 101/18, 12004
timore County Department of mits and Development Management uity Office Building, Room 111 West Chesapeake Avenue yson, MD 21204	
ention: Becky Hart	
dies and Gentlemen: This letter is to cert	ify under the penalties of perjury that the necessary sign(s) required by
V Were posted conspicuously on the areas	erty located at \$3500 OFFUT (2001)
o. o bosson constructionally du tito biobi	eny located at 12000 (12001)
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sign(s) were posted on ()C7.	77.7004
	27, 2004 (Month, Day, Year)
•	Sincerely,
	Ma Call
	(Signature of Sign Poster and Date)
	GARLANDE. Moore
	(Printed Name)
	3225 RYERSON CIRCLES (Address)
	PAUT INIARE, MD. 21227 (City, State, Zip Code)
	C410) 242-4263
	(Telephone Number)

RE: Case No.: 05-143-9PH

RECEIVED

OCT 2.5 2003

DEPT. OF PERMITS OF THE STATE O

Thursday October 21, 2004 January Leffenson

Thursday, October 21, 2004 Issue - Jeffersonian

Please forward billing to:

Paul Taylor 9005 Forest Oaks Road Owings Mills, MD 21117

443-742-9420

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: 05-143-SPH

3309 Offutt Road

E/side of Offutt Road, 2,195 ft. s/west of centerline of Wilbur Avenue

2nd Election District – 4th Councilmanic District

Legal Owners: Paul and Cheryl Taylor

Special Hearing to allow a proposed lot with an area of 1.067 acres in lieu of the minimum required 1.5 acres. To determine that overall density will not be affected.

Hearing: Monday, November 8, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204



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.

Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

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

September 28, 2004

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: 05-143-SPH

3309 Offutt Road

E/side of Offutt Road, 2,195 ft. s/west of centerline of Wilbur Avenue

2nd Election District – 4th Councilmanic District

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Special Hearing to allow a proposed lot with an area of 1.067 acres in lieu of the minimum required 1.5 acres. To determine that overall density will not be affected.

Hearing: Monday, November 8, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Paul & Cheryl Taylor, 9005 Forest Oaks Road, Owings Mills 21117 Site Rite Surveying, Inc., 200 E. Joppa Rd., Rm. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 23, 2004.

- (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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 05-143-5PH
Petitioner: Paul Taylor
Address or Location: #3309 Offult Poad
PLEASE FORWARD ADVERTISING BILL TO:
Name: Paul Taylor
Address: 9005 Forest Oaks Poad Owings Mills MD 21117
OWINGS MINS MP 21117
Telephone Number: 443 - 742 - 9420

Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708





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

November 3, 2004

Paul Taylor Cheryl Taylor 9005 Forest Oaks Road Owings Mills, Maryland 21117

Dear Mr. and Mrs. Taylor:

RE: Case Number:05-143-SPH, 3309 Offutt Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 16, 2004.

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. Call Rila (S)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel C: Site Rite Surveying, Inc. 200 E. Joppa Road, Rm. 101 Towson 21286



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

September 29, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: September 27, 2004

Item No.:

138-143

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File



INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 7, 2004

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 4, 2004

Item Nos 138, 139, 140, 141, 142,

and 143

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr

DEPRM

DATE:

December 10, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of September 27, 2004.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-138 05-139 05-140

05-142

Reviewers:

Sue Farinetti, Dave Lykens

BUN 9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

3309 Ouffutt Road

INFORMATION:

Item Number:

5-143

Petitioner:

Paul Taylor

Zoning:

RC 5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request to create an undersized lot is a RC 5 zone and recommends that the petitioner's request be **DENIED**.

Prepared by:

Division Chief:

AFK/LL:MAC:

RECEIVED

DATE: October 8, 2004

OCT 1 4 2004

ZONING COMMISSIONIT



Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 9. 28. 04

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

RE: Balt

Baltimore County

Item No. 143

215

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

Steven D. Foster, Acting Chief Engineering Access Permits Division

1. 1. Smed

RE: PETITION FOR SPECIAL HEARING
3309 Offutt Road; E/side Offutt Road,
2,195' SW c/line Wilbur Avenue
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Paul & Cheryl Taylor
Petitioner(s)

*

BEFORE THE

ZONING COMMISSIONER

* FOR

BALTIMORE COUNTY

05-143-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 and documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

OUT 9 4 2004

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Peramone

From: "Paul Taylor" <pltjr@africanarchitecture.com>

To: Bill Wiseman

Date: Wednesday - November 17, 2004

Subject: 3309 Offutt Rd

Case Number 05-143-SPH

Dear Commissioner Wiseman,

I hereby rescind my request for a determination through a Special Hearing on the referenced property.

Through discussions with both Planning and Public Works
Mr. Vincent Moskunas has been successful in satisfying their requirements and eliminating the undersized lot condition.

Thank you for your consideration of this matter.

Paul L. Taylor, Jr., AIA, NOMA

Click here for a plain text ADA compliant screen.



Go Back View Map **New Search Ground Rent**

Account Identifier:

District - 02 Account Number - 0219850010

Owner Information

Owner Name:

Mailing Address:

TAYLOR PAUL L

TAYLOR CHERYL M

Use:

RESIDENTIAL

9005 FOREST OAKS RD

OWINGS MILLS MD 21117-4803

Principal Residence:

NO

Deed Reference:

1) /18369/ 280

Location & Structure Information

Premises Address

3309 OFFUTT RD

Legal Description

3309 OFFUTT RD SS

1400FT SW OF WILBUR AVE

Grid Sub District Subdivision Map Parcel Section Lot Group Plat No: Block 77 13 205 Plat Ref: 80

Special Tax Areas

Town **Ad Valorem** Tax Class

Primary Structure Built **Enclosed Area Property Land Area County Use** 1941 1,362 SF 3.19 AC 04 **Stories Basement**

Exterior Type YES STANDARD UNIT ASBESTOS SHINGLE

Value Information

Base Phase-in Assessments Value Value As Of As Of As Of 01/01/2004 07/01/2004 07/01/2005 Land: 48,760 60,950 Improvements: 49,780 101,070

Total:

119,700 98,540 162,020 140,860 Preferential Land:

Transfer Information

Seller: STERN DAVID M Date: 07/11/2003 Price: \$172,000 Deed1: /18369/ 280 IMPROVED ARMS-LENGTH Deed2: Type:

Seller: SUDMAN FRANCIS 5 & MARY E 05/27/1970 \$20,000 Date: Price: Type: IMPROVED ARMS-LENGTH **Deed1:** / 5095/ 389 Deed2:

Seller: Date: Price: Type: Deed1: Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005	
County	000	0	0	
State	000	0	0	
Municipal	000	0	0	

Tax Exempt: **Exempt Class:** NO

Special Tax Recapture:

* NONE *

1.

32-4-409 mperstrup 201 WIDE

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2004, Legislative Day No. 9

Bill No. <u>55-04</u>

Mr. Kevin Kamenetz, Councilman

By the County Council, May 3, 2004

A BILL ENTITLED

AN ACT concerning

Zoning Regulations - R.C. 5 Zone

FOR the purpose of amending the minimum lot requirement in the R.C. 5 Zone; providing exceptions; repealing obsolete references; altering the building setback requirement of the R.C. 5 Zone; providing performance standards for residential development in the R.C. 5 Zone; providing for the application of the Act; and generally relating to residential development in R.C. 5 Zones.

BY repealing

Sections IA04.2.A.12 and IA04.4

WAD

By repealing and re-enacting, with amendments

List than 1 and 2.— such set back 75' from c/c. 77d. and 50' from any lot line

Sections 1A04.3.B.1. and 2.— such set back 75' from c/c. 77d.

Baltimore County Zoning Regulations, as amended

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

Strike out indicates matter stricken from bill.

Underlining indicates amendments to bill.

PLEASE PRINT CLEARLY

CASE NUMBER 05-143 SPH DATE

CITIZEN'S SIGN-IN SHEET

E- MAIL											
CITY, STATE, ZIP	ann. 122 21133										
ADDRESS	336 Comun Net.										
NAME	Shay Make Suives	Margal Willes									

PLEASE PRINT CLEARLY

CASE NAME 3309 OFFLAT P. L. CASE NUMBER OS-1425 PH. DATE II 68 04

PETITIONER'S SIGN-IN SHEET

	コングランシュー									
r, STATE,	BUNION MB. 41286									
ADDRESS 7-21- Troop of	GOOS FOREST DAKS Rd									
NAME NAME OF THE STATE OF THE S	Me. TAYLOR									

VINCE MUSKUNAS

Paul Tohery 1 taylor

Case No.:	05 -	143	SPI	4
			·· - ·	

Exhibit Sheet

Petitioner/Developer

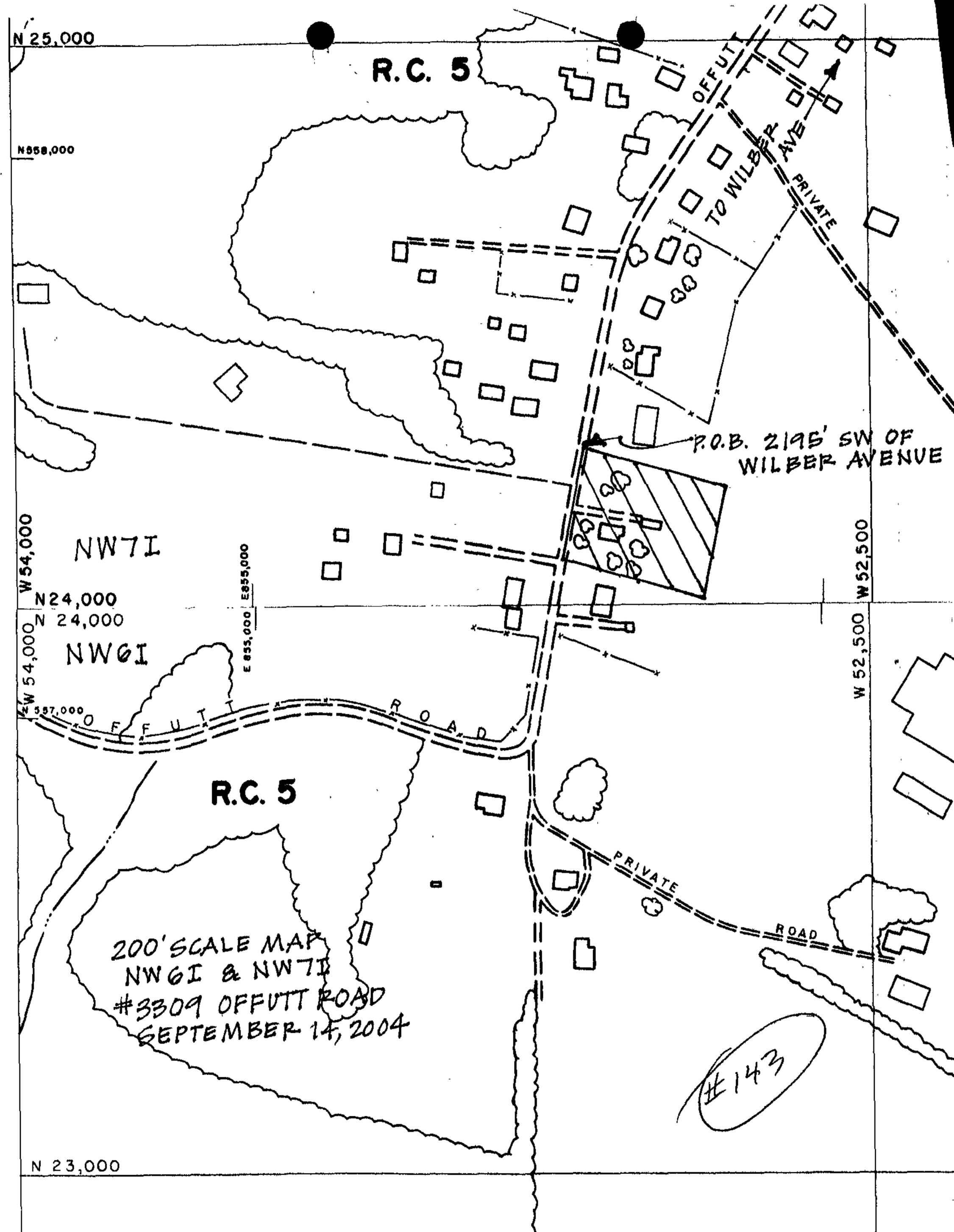
Protestant

	<u> </u>
No. 1	MINOR SUBDIVISON PLAN
No. 2	Logislation Effective Date 4/7/04 or 6/11/04
No. 3	FILING DATE FILING DATE Date Stamped (6/10/04) SUBMISSION OF SUBBIUSION SUBMISSION OF PLAN
No. 4	Memorandum dated 7/19/04 Handwritten wotation that Plan 1+cepter UNDER OLD RC5 Rego
No. 5	Petetionees Deep 5 9/03
No. 6	JOHN SULLIVANS COMMENTS 7/19/04 - NO MENTION OF NEW REGS AS APPLICABLE
No. 7	RIGHT OFWAY-HIGHWAY Comments - DEED OVER LOO'RTONWAY FOR 40' SHEEET
No. 8	Location PLAT NOTING POTHER SIMILIAR USES IN AFEA
No. 9	VIII SINVIVICE USES TIVITEDI
No. 10	
No. 11	
No. 12	
1	1

View Map

District - 02 Account Number - 0219850010 80 212 P 695 P.1057 P.214 E03. P 215 P 204 P 205 218 P 927

Property maps provided courtesy of the Maryland Department of Planning ©2004. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at



GARAGE DOORS SHALL USE ITEMS SUCH AS WINDOWS, DECORATIVE PATTERNS,

AND COLOR TO RELIEVE THE VISUAL IMPACT OF THE HOUSE FROM THE STREET.

SECTION 4. AND BE IT FURTHER ENACTED, that this Act shall not apply to any concept plan or application for limited exemption or waiver accepted for filing prior to

September 2, 2003 June 7, 2004

SECTION 5. AND BE IT FURTHER ENACTED, that this Act shall not apply to the

Back River Neck District as defined in Section 4A03.13 of the Baltimore County Zoning

Regulations.

SECTION 5 6. AND BE IT FURTHER ENACTED, that any structure, building or use in existence prior to the effective date of this Act that is damaged or destroyed by fire or other casualty after the effective date of this Act is subject to the provisions of Section 104 of the Baltimore County Zoning Regulations regarding nonconforming uses.

SECTION 6 7. AND BE IT FURTHER ENACTED, that this Act, having been passed by the affirmative vote of five members of the County Council, shall take effect June 11, 2004.

605504.AMENDED3.BIL

10

11

12

13

14

AMENOUP STAMP

J.S.P. (: II. LYNN)

TO OF CAPINCY.

POPY

FEIIIIONER'S
EXHIBIT 2

410.887-3353

SITE AND THE ADDITIONAL SUBDIVISION.

21. THE AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUSE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTION.

22. PROPOSED IMPERVIOUS AREA: 5580 SF W 0.128 Az W 3,842.97

A STORMWATER MANAGEMENT WAIVER IS BEING REQUESTED; A FEE IS TO BE PAID INTO THE STORMWATER MANAGEMENT FUND.

23. A FOREST CONSERVATION VARIANCE WAS APPROVED APRIL 12, 2004. PAYMENT TO BE MADE TO THE LEONARD PROPERTY BANK.

24. THE DRILLED WELL AT THE EXISTING DWELLING HAS BEEN ABANDONED 5/03/2004.

25. PROPOSED DWIG. SHOWN FOR ILLUSTRATIVE PUPPOSES ONLY.

tensi to read. BCFCRegulations have been met by purchasing 1.7 acres credit in an approved forest returns bank.

26. The pawhandle shall be paved within one year at the 13 snance of the first occupancy permit and prior to the issnance of the occupancy permit of the last lot to be served, whichever comes first.

MINOR SUBDIVISION
TAYLOR PROPERTY
#3309 OFFUTT ROAD

TAX MAP: 77 GRID: 13 PARCEL: 206

TAX ACCT. NO. 0219850010

DEED REF.: 5095/389

ELECTION DISTRICT NO. 2 COUNCILMANIC DISTRICT NO. 4

BALTIMORE COUNTY, MD

SCALE: 1" = 40' JUNE 4, 2004

JUN 1 0 2004

BALTIMORE COUNTY MINOR SUBDIVISION PROJECT NO. 04-096-M.

DEVELOPMENT REGULATIONS

EXEMPT FROM DIVISION 2

PANHANDLE, EXEMPT FROM SECTION #26-202 & #26-20

PDM CERTIFICATION

APPROVED

3015APPROVED DATE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Joe Chmura

Department of Permits and Development Management

FROM:

Donnell Zeigler

Development Review Section

Office of Planning

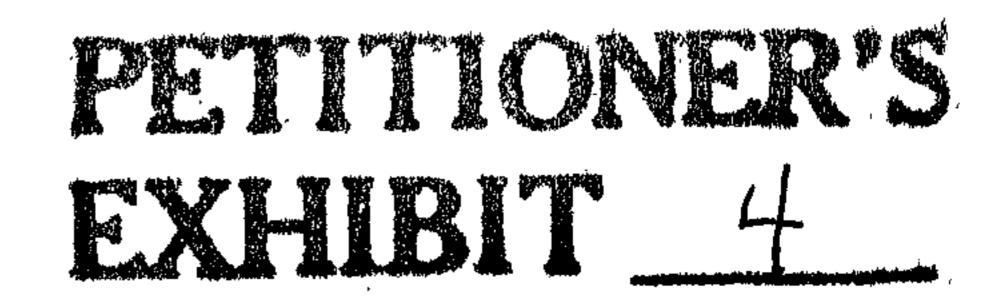
PROJECT NAME: Taylor, Paul Property

PROJECT NO.:

04096 M

The Office of Planning has reviewed the above referenced project and offers the following comments:

- 1. Eliminate the existing driveway and service both lots with the proposed panhandle drive.
- 2. Provide a compact dense evergreen screening along the northern property line to mitigate the impact of front to rear yard orientation to the existing dwelling located immediately north of this site.
- 3. Be advised that the proposed development is subject to the requirements of the new RC 5 regulations (effective date June 7, 2004). Consult with the Zoning Department regarding this issue. Some of the new requirements are as follows:
 - a. Density calculation: 0.667 dwelling per acre.
 - b. Minimum lot area: 1.5 Acres
 - c. Setbacks:
 - i. 150 feet from the centerline of any collector road. (designed/posted for speeds of 35 mph)
 - ii. 100 feet from the centerline of any road that leads to or connects with a collector road.
 - iii. At least 75 feet from any other street or road.
 - iv. At least 50 feet from any lot line.
 - d. Performance Standards



DATE: July 19, 2004

PALLE RD, SUITE 616 TOWSON, MD 21286 JEL 410-826-1100

0018369 280

CTS# 4696 Parcel I.D. Tax (d #02-02-19-860010

DEED, Made this 9th day of May, in the year Two Thousand Three, by and tween Jane R. Stern, party of the first part, and Paul L. Taylor and Cheryl M. Taylor, parties of the second part.

WITNESSETH, that in consideration of the sum of One Hundred Seventy-Two Thousand and 00/100 (\$172,000.00) Dollars, receipt whereof is hereby acknowledged, the said party of the first part, does grant and convey to the said party of the second part, their paraonal representatives, heirs and assigns, in fee simple, as tenants by the entirety, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME in the centre of the County Road (now known as Offutt Road) at the beginning of that parcel of land firstly described which by Deed dated September 24, 1935, and recorded among the Land Records of Beltimore County in Liber CWB Jr. No. 980, folio 448 &c., was conveyed by Christina Peach (single) to Lens Barbara Helwig, running thence binding on the first or South 14 degrees West 37 perches line of said land, and in the centre of the aforesaid road South 17 degrees 36 minutes West 232 55/100 feet, running thence for lines of division the two following courses and distances, viz; South 51 degrees 53 minutes East 600 feet and North 17 degrees 38 minutes East 232 55/100 feet to intersect the last or closing line of the above mentioned land, running thence binding on said line North 51 degrees 83 minutes West 600 feet to the place of beginning. Containing 3 screes of land, more or tess.

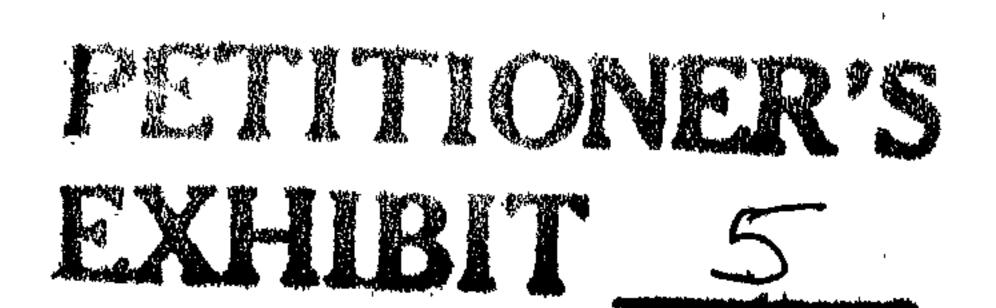
The improvements thereon being known as No. 3309 Offutt Road.

BEING the same property described in a Deed dated May 18, 1970, and recorded among the Land Records of Baltimore County in Liber 5095, follo 389, from Francis S. Sudman and Mae E. Sudman, his wife, unto David M. Stern and Jane R. Stern, his wife. The said David M. Stern having died March 14, 2002 thereby vesting title unto Jane R. Stern as the surviving tenant by the entirety.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said parties of the second part, their personal representatives, heirs and sesigns, in fee simple.

AND the said party of the first part hereby covenants that he/she has not done or suffered to be done any set matter or thing whatsoever, to encumber the property hereby conveyed; that he/she will warrant specially the property hereby granted; and that he/she



0018369 281

Will execute such further assurances of the seme as may be requisite.

WITNESS the hand(a) and seal of said grantor(s).

WITNESS:

Hane A. Stern Prantor

(SEAL) Paul L. Taylor Grantee

Cheryl M. Taylor Grantoe

STATE OF PLO

Baltimore County, TO WIT: Vante

I Hereby Certify, That on this 9th day of May, 2003, before me, the subscriber, did personally appear Jane R. Stern, known to me or satisfactorily proven to be the person whose name is/are set forth in the within deed, and did further acknowledge that he/she executed the foregoing deed for the purposes therein contained,

WITNESS MY HAND AND NOTARIAL SEAL.

My Commission Expires:

STATE OF Ballimore County, TO WIT; Valence /

I Hereby Certify, That on this 8th day of May, 2003, before me, the subscriber, did personally appear Paul L. Taylor and Cheryl M. Taylor, known to me or antiefactorily proven to be the person whose name is/are set forth in the within deed, and did further acknowledge that he/she executed the foregoing deed for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL.

My Commission Expires: 7/1/05 NOTARY PUBLIC

I certify that this instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

TITLE INSURER: CASE # REMIT TO:

Chicago Title Inaurance Co.

4698

Government Title Services, inc.

8600 LaSalle Road, Suite 615, Oxford Building

Towson, Maryland 21286

Taylor, Paul Property Minor Sub # 04-096-M

Plan Date: June 4, 2004

Comments Due: July 19, 2004 Comments Date: July 15, 2004 Comments Typed: July 15, 2004

- 1. Clearly designate the site on the Vicinity map & recheck the 1 inch=200 ft. scale zoning map number (s).
- 2. Is the owner's address 3309 Offutt Rd or 9005 Forest Oaks Rd?
- 3. Complete the watershed & sub water shed information in General Note #8.
- 4. Add the Minor Subdivision number to the Title block.
- 5. Label from orientation of the existing and the proposed dwellings.
- 6. Clarify the front setback to the street centerline of the existing dwelling (enclosed portion and open porch or deck.
- 7. Add the age of existing dwelling.
- 8. Add the height of both dwellings.
- 9. Add zone lines within 200 feet of this site (if applicable).
- 10. Add the distance from this site to the closest intersecting street.
- 11. Show a revision block & date all revisions.
- 12. Indicate location of mailbox and paved thrash collection area.
- 13. Indicate width of paved driveway.
- 14. Complete General Note #19 with the date (month and year).

Any requests for further information from the Zoning Office must include a reference to the minor subdivision file number and written correspondence or revised plans must be accompanied by a copy of these comments.

John J. Sallivan, Jr.

Planner II Zoning Review

PETITIONER'S
EXHIBIT

Minor Subdivision Review INTEROFFICE CORRESPONDENCE

		DATE: 8-26-04
	DEPRM - DC (Bruce Seeley/John offmen) GWM (Dan Esser) Agric. Pres. (Wally Lippincott) SWM (Al Wirth/Ed Schmaus) EIR (Par Farr) Mike Kulis, John Russe) DPW - Solid Waste Management Fire Dept. (Lt. Jim Mezick) OPCC - Development Review Mark Cunningham PDM - House Numbers & Street Names (Janice Kemp) Land Acquisition (Steve Houk) Rec & Parks (Jan Cook) SHA (Larry Gredlein)	
POM:	Tehn Sullvan Planner, Zoning Review	
UBJECT:	Minor Subdivision Review Minor Subdivision Name: TAYLOR PROPERT Minor Subdivision Number: 04-096 M Elec Engineer: S. te R. Le Sunveying Fre. Pho	Ction District: 224 one No.: 410-828-9060
CTION;	Please review the attached plan for compliance with the comments to this office by 9-10-04. If you not need to review this plan, please indicate by placing you Please initial here if your agency requests Land Acquisition——HIGHWAY WIDENING——FOREST ENGREENWAY——FLOODPL	urrent regulations and return ou have no comments or do r initials here to acquire: BUFFER AIN ORKS AGREEMENT
DMMENTS		
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THE PROPERTY OF

HIGHWAY COMMENTS:

an existing road which shall ultimately be improved as a which-of-way.

Show the D foot right-of-way on plans deed over the right of way.

It shall be the responsibility of the developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

Private driveway entrances shall conform with Baltimore County Standard Detail Plate R-15, for "Typical Driveway Entrance from Road Without Curb and Gutter".

The panhandles shall be a minimum of 20 feet in width to serve one lot and a minimum

The panhandle driveway shall conform to Standard Plate R-P, R-Q, or R-R.

Covenants must be recorded prior to, or along with the recording of the plat, establishing a cross easement over the panhandles for access over and maintenance of the common panhandle driveway, and for installation and maintenance of the private and/or sewer connections where applicable.

of 12 feet in width per lot where two or more lots are involved. The developer shall be

required to provide a paved-panhandle drive where more than one lot is to be served prior

is a state road. All improvements, intersections, entrances, drainage requirements and construction affecting a state road right-of-way are subject to the standards, specifications, and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

-foot sight distance should be shown on plan for new entrances.

Sight lines are to be drawn from the centerline of the proposed access at a point 10 feet behind the extension of the main road curb line to the centerline of the nearest approach lane on the main road.

All subsequent plans must note that the areas between the sight line and the curb line must be cleared, graded, and kept free of any obstructions.

STORM DRAINS AND SEDIMENT CONTROL COMMENTS:

The developer is responsible for the total actual cost of drainage facilities required to carry the storm water runoff through the property to be developed to a suitable outfall. The developers cost responsibilities include the acquiring of easements and rights-of-way both onsite and offsite — and the deeding in-fee of said rights-of-way to the county. Preparation of all construction, rights-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the county overhead both within and outside the development, are also the responsibilities of the developer.

