IN RE: PETITION FOR SPECIAL HEARING W/S of McComas Road, 250 ft. SE from Intersection with McComas Court 10th Election District 3rd Councilmanic District **(2319 McComas Road)** Gerald and Mary Clarendon, Sr. *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 06-664-SPH

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner on a Petition for Special Hearing for the property located at 2319 McComas Road. The Petition was filed by Gerald and Mary Clarendon, Sr. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), for a non-density transfer of 11 acres of agricultural land from Clarendon to Clarendon.

The property was posted with Notice of Hearing on August 7, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on August 8, 2006, to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) Comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the

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8-23-06

Department of Environmental Protection and Resource Management dated August 11, 2006 which contains restrictions. Copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing were Gerald and Mary Clarendon, Sr. Bruce Doak of Gerhold, Cross and Etzel, prepared the site plan. No protestants or citizens appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Mr. Doak indicated that the Petitioners own adjoining parcel 5 and parcel 6 as shown on Petitioner's exhibit 1. Some of this property is being actively farmed and is planted in corn and soybeans. He noted the Petitioner also owns adjoining properties of which approximately 158 acres are in an agricultural preservation program. These parcels are not in that program. Parcel 5 now contains 43.6 acres and has two dwellings on the parcel. Parcel 6 contains 30.6 acres and has no dwellings. Each parcel is zoned RC 2 and has been held intact prior to September 1979. As such each parcel would be allowed two density units for a total of four density units between the two parcels.

The Petitioners, who have owned the property for two generations, would like to extend that ownership to their children. In preparation for this they would like to transfer 11 acres from parcel 5 to parcel 6 as shown in Petitioners' exhibit 2. The result would be that parcel 5 would have 32.62 acres and one dwelling. Parcel 6 would contain 41.58 acres and one dwelling. As the transfer would be non-density after the transfer each parcel would have one dwelling and one density unit. No further development of either parcel is planned.

Mr. Doak indicated that the boundary line shown in blue on exhibit 2, was chosen to run along the stream and then extend to the wood line. He testified that 90% of the 11 acres

transferred is wooded land with streams and steep slopes not suited to agriculture. Consequently there would be no adverse impact on agriculture. All productive agricultural land would continue as before.

Mr. Doak agreed that the transfer should be recorded in the land records of the County to notify any future purchasers of either parcel of the non-density status of the transfer but noted that he will have to actually survey the property which will take several months. As a result he asked for 6 months to record new deeds.

Findings of Fact and Conclusions of Law

The primary purpose of the RC 2 zone is given in Section 1A01.1B of the BCZR which states that the zone was established to foster conditions favorable to continued agricultural use of productive agricultural areas of the County. Section 1A01.2A continues this theme giving preferential treatment to agricultural operations. The next priority is to preserve environmentally sensitive areas while allowing some residential uses.

Mr. Doak indicated that the 11 acres to be transferred would have no impact at all on agricultural uses. Most of the 11 acres is wooded with stream and steep slopes. Transferring this area to parcel 6 will give the existing house some buffer area as well. There is no change to the overall density potential of the two parcels.

In order to make sure no confusion will arise for future purchasers regarding the development potential of the non-density parcel, I will require the Petitioner to place notice of the non-density status of the parcel on the land records of the County in a document drafted by a qualified attorney which shall give notice of this Order and the development status of the non-density parcel to future purchasers.

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8-23-06

Considering the testimony, evidence and notice of the non-density status of the parcel on the land records, I find that the request for special hearing can be granted without an adverse impact on the community and within the spirit and intent of the RC 2 regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioners' request for special hearing should be granted with conditions.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 23rd day of August, 2006, that the Petitioners' request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), for a non-density transfer of 11 acres of agricultural land from Clarendon to Clarendon. is hereby GRANTED with the following conditions:

1. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
2. Development of this property must comply with the Forrest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
3. The resulting non density parcel so created shall be used for conservation purposes only. There is no development potential for this non density parcel.
4. Within 6 months of the date of this Order, the Petitioner shall record new deeds on the Land Records of Baltimore County which refer to this case and the non density status of the non density parcel so created.

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

John V. Murphy
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

8-23-06

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

August 23, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

GERALD AND MARY CLARENDON, SR.
2319 MCCOMAS ROAD
WHITE HALL, MD 21161

Re: Petition for Special Hearing
Case No. 06-664-SPH
Property: 2319 McComas Road

Dear Mr. and Mrs. Clarendon, Sr:

Enclosed please find the decision rendered in the above-captioned case.

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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:pz

Enclosure

c: Bruce Doak, P.E., Gerhold, Cross & Etzel, Ltd, 320 E. Towsontown Blvd., Suite 100, Towson, MD 21286

8-23-06

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2319 MCCOMAS 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 declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Gerald Clarendon Sr.
Name - Type or Print

Gerald K.C. Clarendon Sr
Signature

Mary Clarendon
Name - Type or Print

Mary Ann Clarendon
Signature

2319 MCCOMAS ROAD 410-343-0417
Address — Telephone No.

WHITE HALL, MD 21161
City — State — Zip Code

Representative to be Contacted:

BRUCE DOAK
Name

320 E. TOWSONTOWN BLVD 823-4470
Address — Telephone No.

TOWSON MD 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1HR

UNAVAILABLE FOR HEARING

Reviewed By JL Date 6/22/06

Case No. 06 664 SPH

REV 9/15/98

$23.00

By

Petition for a Special Hearing
2319 McComas Road

For a non-density transfer of 11 acres of agricultural land from Clarendon to Clarendon.

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

May 19, 2006

ZONING DESCRIPTION
CLARENDON PROPERTY
2319 McComas Road
Baltimore County, Maryland

All that piece or parcel of land situate, lying and being in the Tenth Election District, Third Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point on the South West side of McComas Road, 250 feet South East from the intersection of the South West side of McComas Road and the centerline of McComas Court, thence running along the South East side of said McComas Road,

1) South 26 degrees 45 minutes East 32.6 perches,
2) South 18 degrees 57 minutes East 153.12 feet,
3) South 25 degrees 12 minutes East 116.08 feet,
4) South 33 degrees 1 minute East 100.00 feet,
5) South 42 degrees 39 minutes East 100.00 feet,
6) South 46 degrees 31 minutes East 583.55 feet,
7) South 50 degrees 26 minutes East 100.00 feet,
8) South 56 degrees 42 minutes East 115.22 feet,
9) South 67 degrees 29 minutes East 98.60 feet,
10) South 30 degrees 18 minutes West 84.70 feet,
11) South 26 degrees 35 minutes East 182.00 feet,
12) South 62 degrees 41 minutes West 220.00 feet,
13) North 71 degrees 46 minutes West 2367.20 feet,
14) North 78 degrees 15 minutes West 61 perches,
15) North 33 degrees 29 minutes East 850.96 feet,
16) North 43 degrees 19 minutes 40 seconds West 619.21 feet,
17) North 55 degrees 26 minutes 45 seconds East 150.10 feet,
18) North 55 degrees 26 minutes 45 seconds East 83.44 feet,
19) South 40 degrees 39 minutes 39 seconds East 1016.32 feet,
20) North 79 degrees East 75.6 perches, to the point of beginning.

STATE OF MARYLAND
GRADY E. EDWIN BOAR
No. 501
REGISTERED
PROPERTY LINE SURVEYOR
6/19/06

664

Containing 74.2 acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

664 No. 6073

DATE _____ ACCOUNT 001-006-6150

AMOUNT $ 130.00

RECEIVED
FROM: _____

FOR: Res. Spt. Accts
2319 Mercantile Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME MON
6/22/2006 6/22/2006 16:26:27 2
PLAT WALK IN REV MB
RECEIPT # 567789 6/22/2006 VOID
Dept: 1 ZONING VERIFICATION
Ck No. 000073
Dept Tot $130.00
$130.00 CK $.00 CA
Baltimore County, Maryland

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: # 06-664-SPH
2319 McComas Road
West side of McComas Road, 250 feet southeast from intersection with McComas Court
10th Election District — 3rd Councilmanic District
Legal Owner(s): Gerald & Mary Clarendon, Sr.

Special Hearing: to permit a non-density transfer of 11 acres of agricultural land from Clarendon to Clarendon.

Hearing: Wednesday, August 23 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 8/656 August 8 104983

CERTIFICATE OF PUBLICATION

8/10/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/8/, 2006.

- [x] 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#06-664-SPH
PETITIONER/DEVELOPER:
Gerald Clarendon, Sr. & Mary Clarendon
DATE OF HEARING: 8/23/06

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

ATTENTION: KRISTEN MATTHEWS

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:
2319 Mc Comas Road

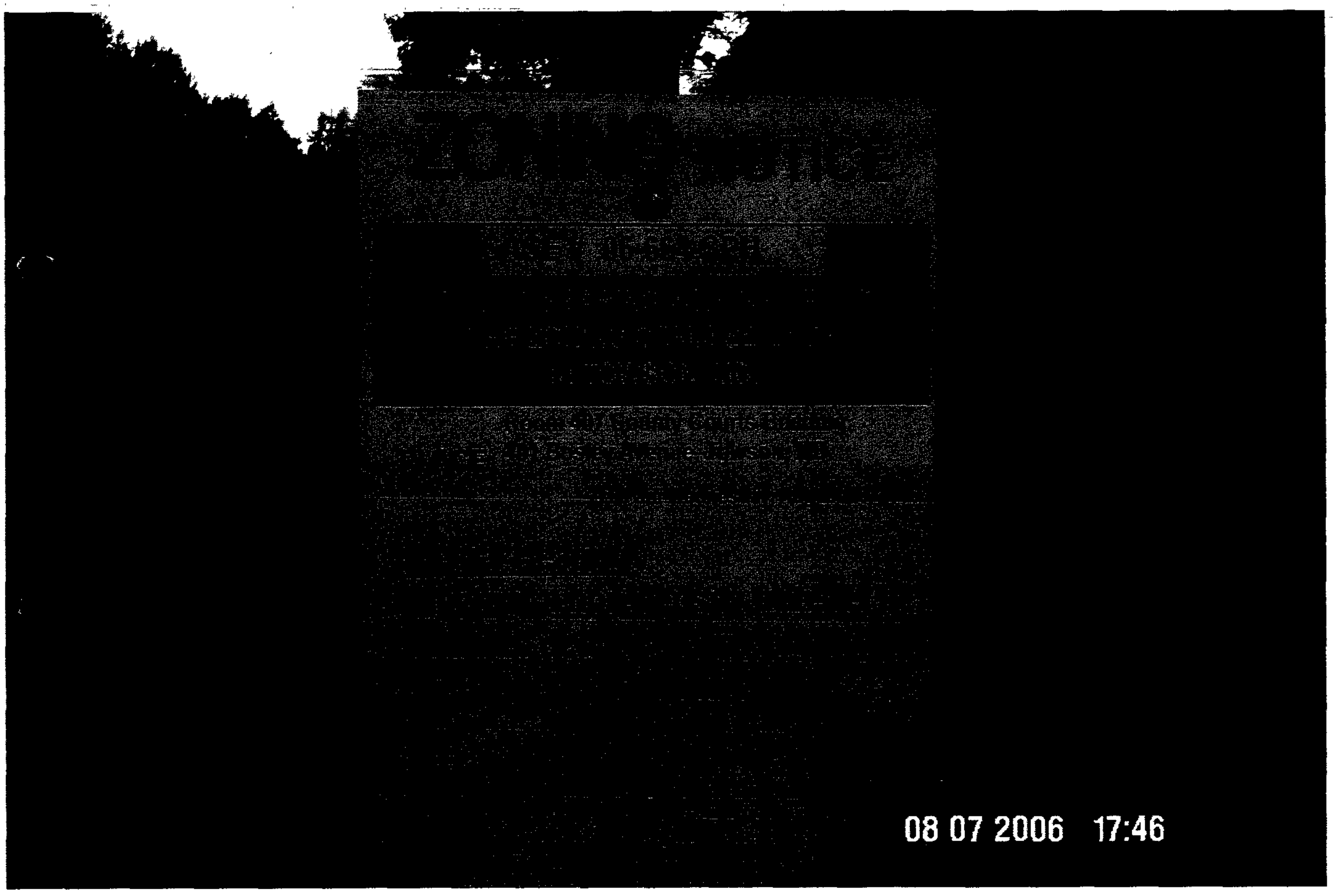
(see page 2 for full size photo)

POSTED ON: 8/07/06

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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


08 07 2006 17:46

08 07 2006 17:46

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

July 11, 2006

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: 06-664-SPH
2319 McComas Road
Westside of McComas Road, 250 feet southeast from intersection with McComas Court
10th Election District – 3rd Councilmanic District
Legal Owners: Gerald & Mary Clarendon, Sr.

Special Hearing to permit a non-density transfer of 11 acres of agricultural land from Clarendon to Clarendon.

Hearing: Wednesday, August 23, 2006 at 9:00 a.m. Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Clarendon, Sr., 2319 McComas Road, White Hall 21161
Bruce Doak, 320 E. Towsontown Blvd., Towson 21286 ✓

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 8, 2006.**
(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
Tuesday, August 8, 2006 Issue - Jeffersonian

Please forward billing to:
Gerald K.C. Clarendon, Sr. 410-343-0417
2319 McComas Road
White Hall, MD 21161

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: 06-664-SPH
2319 McComas Road
Westside of McComas Road, 250 feet southeast from intersection with McComas Court
10th Election District – 3rd Councilmanic District
Legal Owners: Gerald & Mary Clarendon, Sr.

Special Hearing to permit a non-density transfer of 11 acres of agricultural land from Clarendon to Clarendon.

Hearing: Wednesday, August 23, 2006 at 9:00 a.m. Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III
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
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 06-664-SPH

Petitioner: Gerald K.C. Clarendon

Address or Location: 2319 McComas Road, White Hall, MD 21161

PLEASE FORWARD ADVERTISING BILL TO

Name: Gerald K.C. Clarendon

Address: 2319 McComas Road, White Hall, MD 21161

Telephone Number: 410-343-0417

Revised 2/20/98 - SCJ

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

August 16, 2006

Gerald Clarendon, Sr.
Mary Clarendon
2319 McComas Road
White Hall, MD 21161

Dear Mr. and Mrs. Clarendon:

RE: Case Number: 06-664-SPH, 2319 McComas Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 22, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Bruce Doak 320 E. Towsontowne Blvd Towson, MD 21286

Baltimore County
Fire Department

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

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

July 5, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 10, 2006

Item Number(s): 65[illegible] through 673
664

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

Printed with Soybean Ink on Recycled Paper

Visit the County's Website at www.baltimorecountyonline.info

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 6.30.06

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

RE: Baltimore County
Item No. 664 JLL

Dear. Ms. Matthews:

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,

S. F. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

jm 8/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: July 11, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-664- Special Heairng**

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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By: Cindy Murray

Division Chief: Lyn Lanham

RECEIVED
JUL 26 2006
ZONING COMMISSIONER

CM/LL

W \DEVREV\ZAC\6-664 doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: August 11, 2006

SUBJECT: Zoning Item # 06-664-SPH
Address 2319 Mc Comas Road
(Clarendon Property)

Zoning Advisory Committee Meeting of July 10, 2006

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

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

_X_ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_X_ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Paul A. Dennis Date: July 24, 2006

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2006\ZAC 06-664-SPH.doc

8-23-06

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: July 10, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 10, 2006
Item Nos. 231, 657, 658, 659, 661, 662, 663, 664, 666,670,671, and 672

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-07072006.doc

RE: PETITION FOR SPECIAL HEARING 2319 McComas Road; W/S McComas Road, 250' SE intersection with McComas Court 10th Election & 3rd Councilmanic Districts Legal Owner(s): Gerald Sr & Mary Clarendon* Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-664-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 and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of July, 2006, a copy of the foregoing Entry of Appearance was mailed to, Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED
07 2006
Per

Peter Max Zimmerman

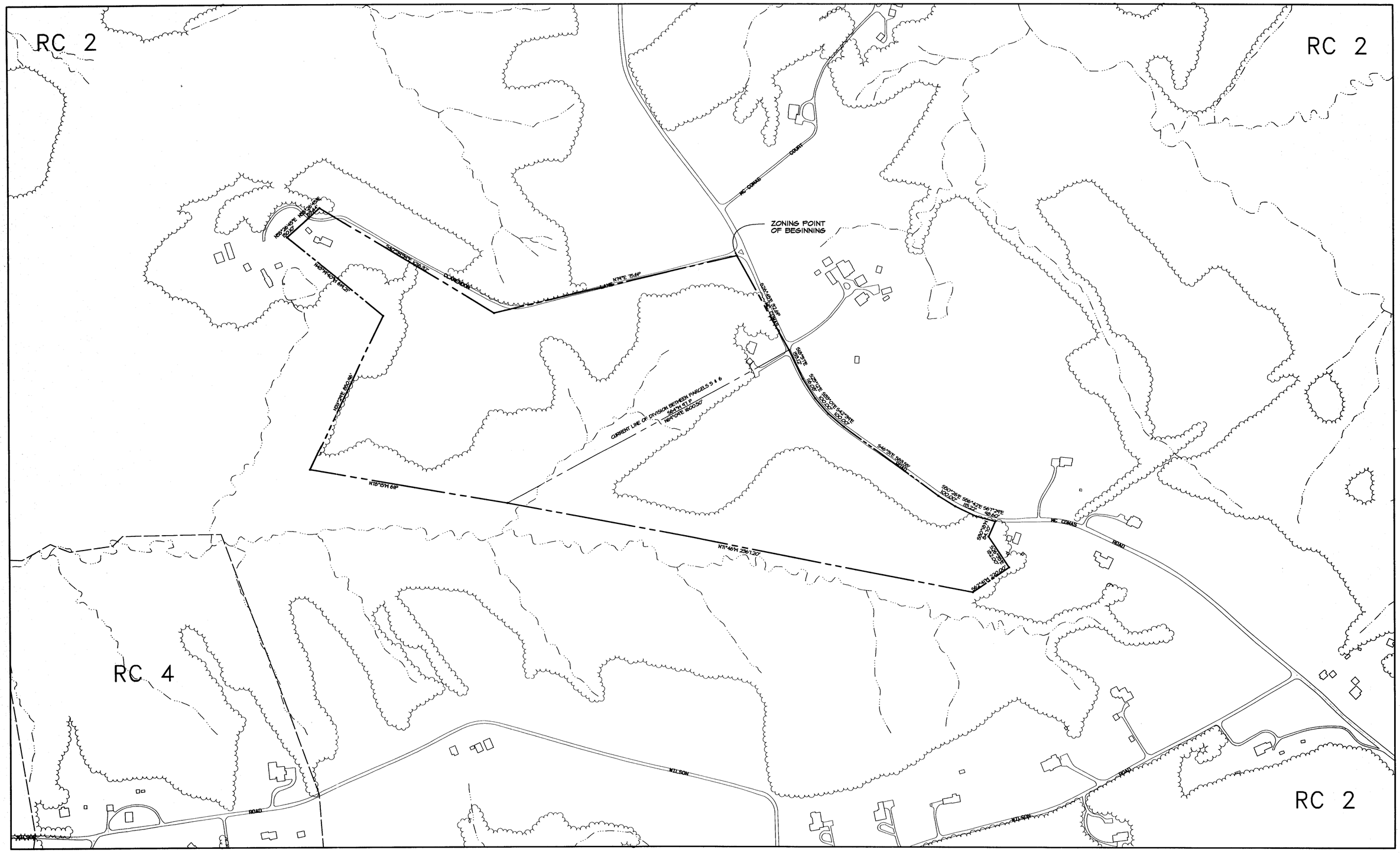
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
BRUCE DOAK	320 E. TOWSONTOWN BLVD	TOWSON MD 21286	
GEBHARDT CROSS & ETZEL			
GERALD K.C. CLARENDON, SR	2319 McCOMAS RD	WHITE HALL, MD 21161	
MARY A CLARENDON	2319 McCOMAS RD	WHITE HALL, MD 21161	

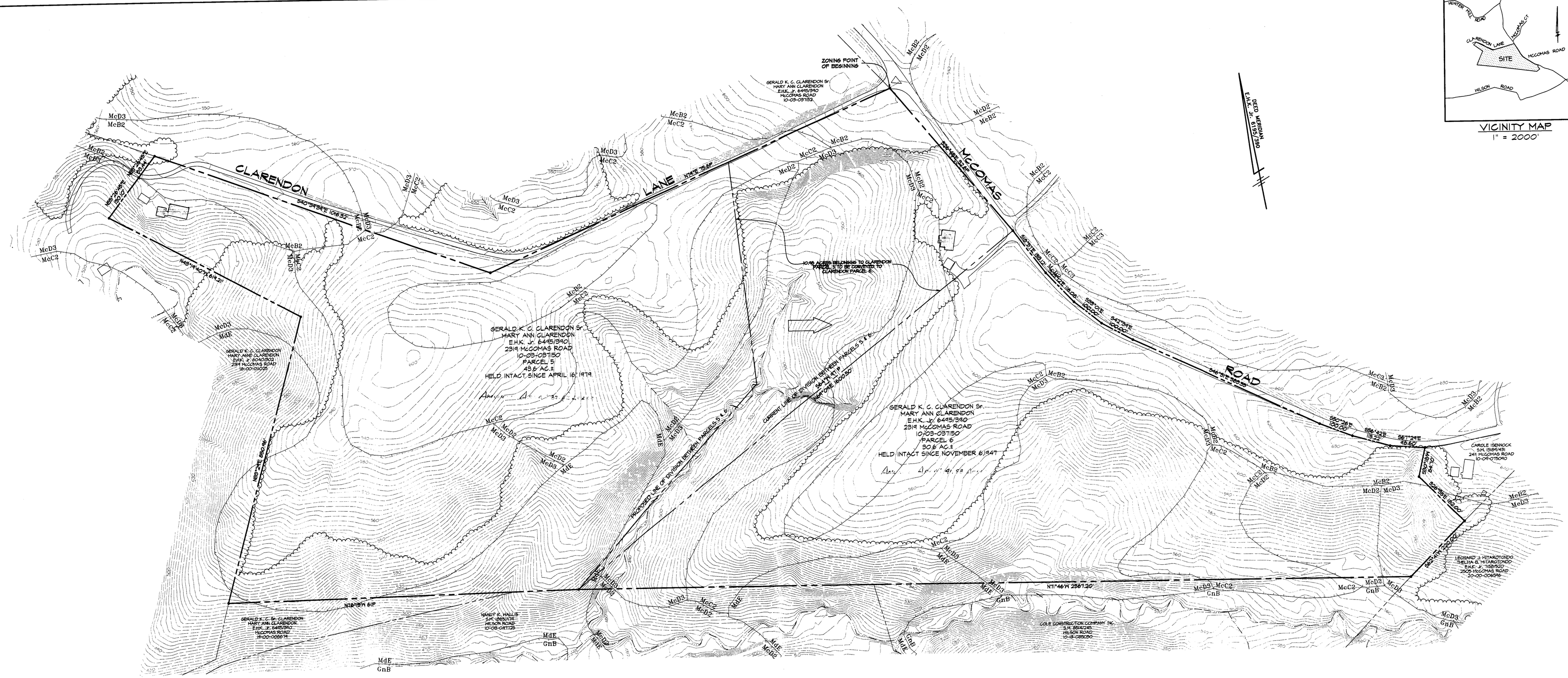


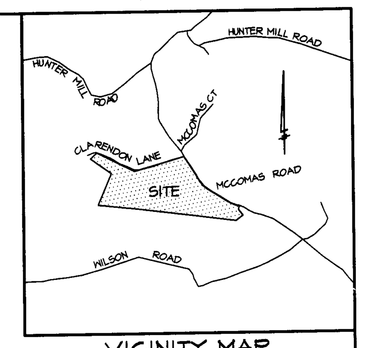
ZONING MAP

664

GIS TILES: 018A3, 018B3, 023A1, 023B1

SCALE: 1" = 200'





VICINITY MAP
1" = 2000'

OWNER\DEVELOPER
GERALD K. C. CLARENDON Sr.
MARY ANN CLARENDON
2319 McCOMAS ROAD
WHITE HALL, MD 21161
410-343-0417

ACREAGE

BEFORE TRANSFER
PARCEL 5 = 43.6 AC.±
PARCEL 6 = 30.6 AC.±
AFTER TRANSFER
PARCEL 5 = 32.6 AC.±
PARCEL 6 = 41.6 AC.±

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM DEED E.H.K. Jr. 6495/390.
2. THE TOPOGRAPHY SHOWN HEREON HAS TAKEN FROM BALTIMORE COUNTY 615 TILES 18A3, 18B3, 23A1, 23B1.
3. THE SOIL TYPES SHOWN HEREON HERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 10.
4. CENSUS TRACT 4010.00 REGIONAL PLANNING DISTRICT 308
   WATERSHED LOCH RAVEN SUBSEWERSHED NONE
   SCHOOL DISTRICT: ELEMENTARY - SEVENTH DISTRICT E.S., MIDDLE - HEREFORD M.S., HIGH - HEREFORD H.S.
   A.D.C. MAP & GRID 8 E1
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES HERE FIELD LOCATED.
11. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.

LEGEND

EXISTING BUILDING
SOIL LINE
WOODS LINE
EXISTING PAVING
PROPERTY LINE
CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKING
McB2	Slight	Slight	Moderate: slope
McC2	Moderate: slope	Moderate: slope	Severe: slope
GnB	Severe: high water table; moderately slow permeability.	Severe: high water table	Severe: high water table
McD2 McD3, MdE	Severe: slope	Severe: slope	Severe: slope

SPECIAL HEARING REQUESTED

FOR A NON-DENSITY TRANSFER OF 11 ACRES OF AGRICULTURAL LAND FROM CLARENDON TO CLARENDON.

NOTE:

THIS PROPERTY IS ZONED R.C. 2. THERE WILL NOT BE ANY CHANGES TO THE DENSITY RIGHTS ALLOWED FOR THIS PROPERTY.

STATE OF MARYLAND
BRUCE EDWARD GERHOLD
No. 5351
REGISTERED PROPERTY LINE SURVEYOR
5/9/06

PLAN TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING ON THE

CLARENDON PROPERTY

2319 McCOMAS ROAD
Deed Ref: E.H.K.,Jr. No. 6495 folio 390
Tax Account No.: 10-03-037150
Zoned R.C. 2; 615 Tile 18A3, 18B3, 23A1, 23B1
Tax Map 18; Grid 20; Parcel 57
10th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=100' Date: MAY 10, 2006

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

CLIENT REVISIONS	6/2/06
REVISION	DATE

COMPUTED: DRAWN: SHH CHECKED: FILE:X:\clarendon\ZONING PLAT.pro