IN RE: PETITION FOR SPECIAL HEARING

W/Side of Chilcoat Road, 873' N of intersection
Of W/Side Belfast Road

(Chilcoat Road)

8th Election District

* OF

3rd Council District

* BALTIMORE COUNTY

Carson Enterprises, LLC

Petitioner

* Case No. 08-060-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 owner of the subject property, Carson Enterprises, LLC, through its attorney, Howard L. Alderman, Jr., Esquire. The Petitioner requests a special hearing to approve a transfer of 0.839 acres, more or less, and 1 density right from Carson Enterprises, LLC (parcel 365) to Carson Enterprises, LLC (Parcel 316); and for a transfer of 1.167 acres, more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 366) thereby relocating the density from one parcel to another. The subject property and requested relief are more particularly described on the redlined site plan and colorized postzoning approval plats describing the parcels which were accepted and marked into evidence as Petitioner's Exhibits 1, 2 and 3.

Appearing at the requisite public hearing in support of the requests were Petitioner's Counsel, Howard L. Alderman, Jr., Esquire, and Bruce E. Doak, a registered property line surveyor with Gerhold Cross & Etzel, Ltd., the consultant who prepared the site plan(s) for this property. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that the Petitioner owns three (3) contiguous parcels of land on the west side of Chilcoat Road, all of which are zoned R.C.2 and

Date 10 10 10 TOR FILING

The redlined plan submitted was modified in response to comments received from Wallace Lippincott, Jr., Land Preservation Manager, from the Department of Environmental Protection and Resource Management (DEPRM), requesting the proposed dwelling on Parcel 366 be moved and shifted towards Chilcoat Road so that the rear of the house would be at least 400 feet off the adjacent property line of William and Craig Peters as their property is under a permanent Maryland Agricultural Land Preservation Foundation easement.

\$

T

located north of Belfast Road in northern Baltimore County. The size and configuration and dimension of the parcels as they presently exist are more particularly described on Petitioner's Exhibit 1. As shown on that exhibit, the parcels include a one-story brick dwelling and accessory sheds on the northern parcel (Parcel 316) containing 8.095 acres. This parcel has two (2) dwelling rights and the existing home is occupied by the daughter and son-in-law of Jay Griswald, General Manager of Carson Enterprises, LLC. The second parcel, centered between the two, contains 2.006 acres, unimproved and has two dwelling rights (Parcel 365). The southern most parcel (Parcel 366) contains 2.226 acres and has no dwelling rights. Mr. Doak indicated at the hearing that the three parcels were specifically identified as separate lots of record as of November 25, 1979, the date of the adoption of the R.C.2 zoning classification in Baltimore County.

Insofar as rights of subdivision, the Petitioner is requesting the approval of approximately 0.839 acres of the center parcel (Parcel 365), together with an existing dwelling right, to be combined with the northern most parcel (Parcel 316). The remaining 1.167 acres of the center parcel, together with that parcel's one remaining density right, will be combined with the southern most parcel (Parcel 366). In other words, if relief is granted, the Petitioner is requesting that I approve the *merging of the portions of the center parcel* with the northern and southern most parcels. By enlarging the northern and southern parcels, Mr. Doak submits would be conserving land and promoting the agricultural character and objectives of the R.C.2 classification. Apparently, much of the site is in active agricultural use and that use will be minimally disturbed as a result of this subdivision. He further indicated that the layout of the lots and building envelope were designed in an effort to minimize impacts on existing agricultural uses and environmental constraints associated with the property and will provide the Petitioner with the opportunity to conserve land and consider conservation donations.

Based upon the testimony and evidence offered, I am persuaded to grant the requested relief. In my judgment, the proposed subdivision appears appropriate. The relief granted herein is only as to the transfer of density rights and the limited relief sought under the Petition for

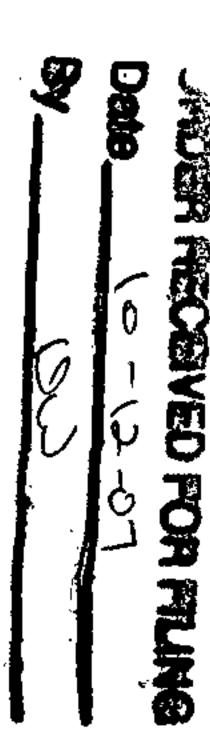


T

Special Hearing. That is, the relief granted herein is not to be construed as a waiver of any of the requirements the property owner needs to satisfy as part of the development review process. It is anticipated that this project will be reviewed in more detail by appropriate County agencies during that process. The requested approval of the merger of the transferred portions of the center parcel with the adjoining parcels will result in two, in tact, separately defined parcels and there will not be an increase in overall density as a result of the requested relief.

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

- 1. <u>ADVISORY:</u> After the reconfiguration, it is recommended that the Petitioner consult with a Land Trust to investigate placing the proposed 8.934-acre lot (Parcel 316) in a land preservation program.
- 2. The Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 3. Within one hundred and eighty (180) days of the date of this Order, the Petitioner shall record new deeds in the Land Records of Baltimore County referencing this case and the terms and conditions hereof. Copies of the new deeds shall be forwarded to the Department of Permits and Development Management (DPDM) for inclusion in the case file.
- 4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



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

WJW:dlw

MAM JOWISEMAN, III

Zoning Commissioner for Baltimore County

Done 10-12-07
By



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

October 12, 2007

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. Nottingham Centre, 8th Floor 502 Washington Avenue Towson, MD 21204

RE: PETITION FOR SPECIAL HEARING

W/Side of Chilcoat Road, 873' N of intersection o W/Side Belfast Road (Chilcoat Road)

8th Election District - 3rd Council District

Carson Enterprises, LLC – Petitioner

Case No. 08-060-SPH

Dear Mr. Alderman:

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

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

Very touly yours,

WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

c: Bruce E. Doak, Gerhold Cross & Etzel, Ltd., 320 Towsontown Blvd., Towson, MD 21286 People's Counsel; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	CHILCOAT	ROAD
—	resently zoned	RC2

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. Legal Owner(s): Contract Purchaser/Lessee: ENTERPRISES. LLC CARSON CARSON ENTERPRISES, LLE Name - Type or Print Name - Type or Print PRINCIPAL Signature JAY GRISWALD GRISWALD Signature Name - Type or Print Telephone No. Address HOWARD ALDERMAN Zip Code Signature State City 410 - 321 - 0 FOD 901 S.BOND ST Attorney For Petitioner: Telephone No. Address BALTIMORE City toward L. Alderman Zip Code State Representative to be Contacted: Signature GERHOLD, (ROSS & ETZEL Name Company 410-223-441 Levin & Gann, P.A. TOWSONFOUN BLUD 410- 321-0600 320 502 Washington Avenue Telephone No. Address Telephone No. Address 8th Floor 21286 MA TOWSON Towson, MD 21204 State State Zip Code Zip Code City City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING Case No. ___ 08-060-SPH_ ORDER RECEIVED FOR FILINGEVIEWED By ____ Date __ 8 007 REV 9/15/98 Date_ By

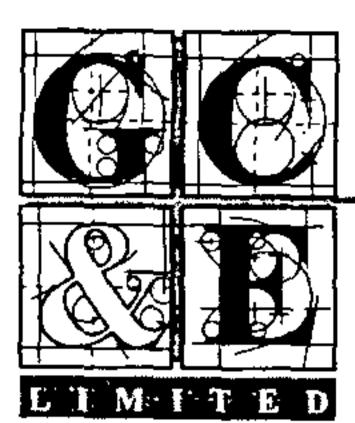
CHILCOAT ROAD

SPECIAL HEARING REQUESTED

FOR A TRANSFER OF 0.839 ACRES MORE OR LESS, AND 1 DENSITY RIGHT FROM CARSON ENTERPRISES LLC (Parcel 365) TO CARSON ENTERPRISES LLC (Parcel 316)

FOR A TRANSFER OF 1.167 ACRES MORE OR LESS, AND 1 DENSITY RIGHT FROM CARSON ENTERPRISES LLC (Parcel 365) TO CARSON ENTERPRISES LLC (Parcel 366)

REALLOCATION OF DENSITY FROM ONE PARCEL TO ANOTHER



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

August 1, 2007

ZONING DESCRIPTION Carson Enterprises LLC Chilcoat Road Baltimore County, Maryland

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

Beginning for the same at a point on the west side of Chilcoat Road, 873 feet from the intersection of the west side of Chilcoat Road and the north side of Belfast Road, thence running northerly to place of beginning, thence running,

- 1) North 69 degrees 17 minutes 10 seconds West 338.47 feet,
- 2) North 00 degrees 04 minutes 23 seconds East 141.98 feet,
- 3) North 89 degrees 56 minutes 50 seconds West 532.86 feet,
- 4) Curve to the left with a radius of 330.00 feet for a distance of 165.41 feet, chord of said arc being South 47 degrees 07 minutes 32 seconds West 163.70 feet,
- 5) South 32 degrees 45 minutes 50 seconds West 178.17 feet to the point of beginning.

Containing 2.006 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.

08-060-SPH

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: # 08-060-SPH

Chilcoat Road

W/side of Chilcoat Road, 873 feet north of intersection of w/side Belfast Road

8th Election District - 3rd Councilmanic District
Legal Owner(s): Carson Enterprises LLC

Legal Owner(s): Carson Enterprises, LLC

Special Hearing: for a transfer of 0.839 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcei 365) to Carson Enterprises, LLC (Parcei 316). For a transfer of 1.167 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcei 365) to Carson Enterprises, LLC (Parcei 366). Reallocation of density from one parcel to another.

Hearing: Thursday, October 4-, 2007 at 10:00 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.

missioner'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 9/712 Sept. 18 149167

CERTIFICATE OF PUBLICATION

9/20 ,2007
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 <u>9/18</u> ,20 <u>07</u> .
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

J. W. LUNG LEGAL ADVERTISING

OFFICE MISCELL BALTIMORE COUNT OF BUDGET ANEOUS RECEIPT AND FINANCE r, MARYLAND

.55

SE SE

H

From: Rec DISTRIBUTION For: WHITE - CASHIER Fund OO Pagey LEREGIA HIF-COA Orgn PINK - AGENCY Orgn Sub 8095 <u>02101</u> Source Rev Sub Rev Rept Catg Total Date: Ö YELLOW - CUSTOMER Acct BS 183 HOMP SON Amount 日日) Pept HE 0 101 >XEC[1PT # 341550 8/(3/2007 BUSINESS PAID Recipt Tot Baltimore County, Maryland 004183 \$65.00 医公里 528 ZONING VERIFICATION MECEIPT THE VALIDATION **CASHIER'S** 8/03/2007 09:27:55 ACTUAL. JRIC JAR 8/03/2007 \$45.00 HII ₽



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#08-060-SPH
PETITIONER/DEVELOPER:
Carson Enterprises, LLC
DATE OF HEARING: October 4, 2007

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

(see page 2 for full size photo)

LOCATION:

Chilcoat Road

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

POSTED ON: September 18, 2007



JAMES T. SMITH, JR. County Executive

August 24, 2007
TIMOTHY M. KOTROCO. Director

Department of Permits and Development Management

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: 08-060-SPH

Muth Kotroce

Chilcoat Road

W/side of Chilcoat Road, 873 feet north of intersection of w/side Belfast Road

8th Election District – 3rd Councilmanic District

Legal Owners: Carson Enterprises, LLC

Special Hearing for a transfer of 0.839 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 316). For a transfer of 1.167 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 366). Reallocation of density from one parcel to another.

Hearing: Thursday, October 4, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Howard Alderman, Jr., Levin & Gann, 502 Washington Avenue, 8th Fl., Towson 21204 Jay Griswald, Carson Enterprises, LLC, 901 South Bond Street, Towson 21286 Gerhold, Cross & Etzel, 320 Towsontown Blvd., Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPT. 19, 2007

- (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.

NOTICE NOTICE

CASE # :08-060-SPH

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

PLACE: 401 Bosley Avenue, Towson, MD

10:00 am Thursday, October 4, 2007

Special Hearing: for a transfer of 0.839 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 316). For a transfer of

1.167 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 366). Reallocation of density from one parcel to another.

POSTPONEITER TO WEATHER OR CITHER CONDITIONS ARE SOMETIMES NECESSARY TO WEATHER THE BCHEDULED HEARING DATE.

PEARINGS ARE HANGE APPED ACCESSIBLE



JAMES T. SMITH, JR. County Executive

August 24, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and

Department of Permits and Development Management

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: 08-060-SPH

Muthy Kotroca

Chilcoat Road

W/side of Chilcoat Road, 873 feet north of intersection of w/side Belfast Road

8th Election District – 3rd Councilmanic District

Legal Owners: Carson Enterprises, LLC

Special Hearing for a transfer of 0.839 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 316). For a transfer of 1.167 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 366). Reallocation of density from one parcel to another.

Hearing: Thursday, October 4, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., Levin & Gann, 502 Washington Avenue, 8th Fl., Towson 21204 Jay Griswald, Carson Enterprises, LLC, 901 South Bond Street, Towson 21286 Gerhold, Cross & Etzel, 320 Towsontown Blvd., Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPT. 19, 2007

- (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, September 18, 2007 Issue - Jeffersonian

Please forward billing to:

Carson Enterprises, LLC Attn: Jay Griswald 901 South Bond Street

Baltimore, MD 21231

410-321-0600

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: 08-060-SPH

Chilcoat Road
W/side of Chilcoat Road, 873 feet north of intersection of w/side Belfast Road
8th Election District – 3rd Councilmanic District
Legal Owners: Carson Enterprises, LLC

<u>Special Hearing</u> for a transfer of 0.839 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 316). For a transfer of 1.167 acres more or less, and 1 density right from Carson Enterprises, LLC (Parcel 365) to Carson Enterprises, LLC (Parcel 366). Reallocation of density from one parcel to another.

Hearing: Thursday, October 4, 2007 at 10:00 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 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 <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.

Item Numb	er or Case Number: 08-060-SPH
Petitioner:	CALSON ENTERPRISES, LLC
Address or	Location: 301 S. BOND VT, BAKMOR, MD. 2/23. CHILCOAT RD PARCEL 365
PLEASE F	ORWARD ADVERTISING BILL TO:
Name:	CARSON ENTERPRISES, LCC (TAY GRISWALD)
	901 S. BOND ST.
	BALTIMORE, MD 21231
- Telephone	Number: 4/0 -32/-0600

Revised 7/11/05 - SCJ



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 26, 2007

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

Dear Mr. Alderman:

RE: Case Number: 08-060-SPH, Chilcoat Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 2, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf Enclosures

c: People's Counsel

Carson Enterprises, LLC Jay Griswold, Principal 901 S. Bond Street Towson 21286 Gerhold, Cross & Etzel, Ltd. 320 Towsontowne Blvd Towson 21286

Bw 10/4

BALTIMORE COUNTY, MARYLAND

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

TO:

Development Coordination

DATE: October 2, 2007

FROM:

Wally Lippincott, Jr. 1524

SUBJECT:

Carson Enterprises LLC - Chilcoat Road - 08-60-sph

DECEIVE OCT 0 2, 2007

Recommend the following conditions:

Move the proposed dwelling location on the proposed 3.393-acre lot forward so that the rear of the house is at least 400 feet off the adjacent property line of the Peters. The Peters property is under a permanent Maryland Agricultural Land Preservation Foundation easement.

Opportunity

After the reconfiguration, recommend that the landowner consult with a land trust to investigate placing the proposed 8.394-acre lot in a land preservation program.

If there are any questions about these comments, please contact me at Ext. 3776.

Du 10/4



ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

TO:

Development Coordination

DATE: October 2, 2007

FROM:

Wally Lippincott, Jr. 1560

SUBJECT:

Carson Enterprises LLC – Chilcoat Road – 08-60-sph

DECEIVE OCT 0 2 2007

Recommend the following conditions:

Move the proposed dwelling location on the proposed 3.393-acre lot forward so that the rear of the house is at least 400 feet off the adjacent property line of the Peters. The Peters property is under a permanent Maryland Agricultural Land Preservation Foundation easement.

After the reconfiguration, recommend that the landowner consult with a land trust to investigate placing the proposed 8.394-acre lot in a land preservation program.

If there are any questions about these comments, please contact me at Ext. 3776.



INTER-OFFICE CORRESPONDENCE

DATE: August 23, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Chilcoat Road

INFORMATION:

Item Number:

8-060

Petitioner:

Carson Enterprises, LLC

Zoning:

RC 2

Requested Action:

Special Hearing

The petitioner requests a special hearing for a transfer of 0.839 acres more or less, and 1 density right from Carson Enterprises LLC (Parcel 365) to Carson Enterprises LLC (Parcel 316). Also for a transfer of 1.167 acres more or les, and 1 density right from Carson Enterprises LLC (Parcel 365) to Carson Enterprises LLC (Parcel 366).

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the special hearing request for a reallocation of density rights from one parcel to another, provided that the statement below written on the site plan is followed through and one density unit is actually donated to a land trust foundation, "I density parcel unit to be transferred from the existing 2 density units, and it will be donated to a land trust".

For further information concerning the matters stated here in, please contact Jessie Bailek at 410-887-3480.

Reviewed by:

Division Chief:

AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 15, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 20, 2007

Item No. 060

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

We have no objection to the proposed density transfer provided that the subdivision is subsequently approved in according with all development regulations.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 060-08152007.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** August 23, 2007

FROM:

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

SUBJECT:

Chilcoat Road

INFORMATION:

Item Number:

8-060

Petitioner:

Carson Enterprises, LLC

Zoning:

RC₂

Requested Action:

Special Hearing

The petitioner requests a special hearing for a transfer of 0.839 acres more or less, and 1 density right from Carson Enterprises LLC (Parcel 365) to Carson Enterprises LLC (Parcel 316). Also for a transfer of 1.167 acres more or les, and 1 density right from Carson Enterprises LLC (Parcel 365) to Carson Enterprises LLC (Parcel 366).

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the special hearing request for a reallocation of density rights from one parcel to another, provided that the statement below written on the site plan is followed through and one density unit is actually donated to a land trust foundation, "1 density parcel unit to be transferred from the existing 2 density units, and it will be donated to a land trust".

For further information concerning the matters stated here in, please contact Jessie Bailek at 410-887-3480.

Reviewed by:

Division Chief: AFK/LL: CM

W:\DEVREV\ZAC\8-060.doc





Mail Message

N



Mail Properties

From: Debra Wiley

Wednesday - October 3, 2007 11:48 AM

To: Wiseman, Bill

Subject: 08-060-SPH - 10/4 for 10 AM - Comments from DEPRM

Hi Bill,

Wally Lippincott stopped by to talk to you about his comment for the above-referenced case. His department is recommending the following condition:

"Move the proposed dwelling location on the proposed 3.393-acre lot forward so that the rear of the house is at least 400 feet off the adjacent property line of the Peters. The Peters property is under a permanent Maryland Agricultural Land Preservation Foundation easement.

After the reconfiguration, recommend that the landowner consult with a land trust to investigate placing the proposed 8.394-acre lot in a land preservation program.

If there are any questions about these comments, please contact me at Ext. 3776."

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



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

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

August 14, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 14, 2007

Item Number: Item Number 49 and 052 through 075

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



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: AUGUST 13, 2007

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

RE:

Baltimore County

Item No. 8-60-5PH

CHILCOAT ROAD

CARSON ENTERPRISES, LLC

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-60-5PA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief \\
Engineering Access Permits

Division

SDF/MB.

RE: PETITION FOR SPECIAL HEARING
Chilcoat Road; W/S Chilcoat Road, 873'
N intersection W/S Belfast Road
8th Election & 3td Councilmanic Districts
Legal Owner(s): Carson Enterprises, LLC
Contract Purchaser(s): Carson Enterprises
Petitioner(s)

BEFORE THE

* ZONING COMMISSIONER

* FOR

BALTIMORE COUNTY

* 08-060-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

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 16th day of August, 2007, a copy of the foregoing Entry of Appearance was mailed to, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED AUG 16 2007

Per....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

2 Max 2 mounder

PLEASE PRINT CLEARLY

CASE NUMBER 08 - OGO - STA DATE 10 - 4-01

CITIZEN'S SIGN-IN SHEET

E-MAIL					
CITY, STATE, ZIP	Towson Mo 21286				
ADDRESS	220 E. Towsowrowy Bus. Lewin & General M. Swite 88	502 Washington Am			
NAME	Bance E. Doan Germore Leass & Erzer Howard L. Alderman Ir				

Case No.: 08-060-SPH CHILCOAT RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site RAN				
No. 2	Colonizais Post Zoning Approval		•		
No. 3	Photographs and Plan to accompany				
No. 4					
No. 5					
No. 6					
No. 7				<u>. </u>	
No. 8					
No. 9					<u></u>
No. 10		<u> </u>			
No. 11		, ,,, 			<u> </u>
No. 12					
1					



