

IN RE: PETITION FOR SPECIAL HEARING

NW of Knox Avenue, 1300 feet SW from
c/l of Falls Road
8th Election District
2nd Councilmanic District
(1924 Knox Avenue)

John B. Moores, Executor of the
Estate of Lillian A. Moores
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* **Case No. 08-373-SPH**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by John B. Moores, Executor of the Estate of Lillian A. Moores, the legal property owner. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve amendments to the Petition and site plan previously approved by Order of the Zoning Commissioner dated July 24, 2007 in Case No. 07-500-SPH, and to approve the well and septic in the R.C.5 zone on Lot 1 to support the existing residence on the R.C.4 zone on Lot 1. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing relief was W. Scott Moores on behalf of his brother, John B. Moores, and the Estate of Lillian A. Moores ("Petitioners"), and his attorney, J. Neil Lanzi, Esquire. Also appearing in support of the requested relief was Scott Lindgren with Gerhold, Cross & Etzel, Ltd., the professional land surveyor who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

ORDER RECEIVED FOR FILING
Date 5-14-08
By [Signature]

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel with frontage on Knox Avenue in Reisterstown. The subject property contains a gross area of 6.145 acres, more or less, and is split-zoned R.C.4 (2.056 acres) and R.C.5 (4.089 acres). The property was purchased in 1945 by the Petitioner's parents, Robert G. and Lillian A. Moores, who built a 1½-story wood frame family home, known as 1924 Knox Avenue, on the southeastern portion of the property. In 1976, the R.C.4 zone was created and bisected the property leaving the family home in the R.C.4 zone and the accessory structures and well in the R.C.5 zoning classification.

In order to give some context to the instant request for zoning relief, it is necessary to discuss and incorporate the recent zoning history regarding this property. This matter came before this Commission almost one year ago in Case No. 07-500-SPH. In that case, Petitioners requested special hearing relief to permit: (1) an existing dwelling on proposed Lot 1 in an R.C.4 zone with the existing well and a portion of the proposed septic reserve area in an R.C.5 zone; (2) to approve two non-density/non-buildable areas in the R.C.5 portion of proposed Lot 1; (3) to allow an existing R.C.4 portion of proposed Lot 1 with less than the 3 acre minimum requirement, and (4) to have two existing accessory buildings in the R.C.5 portion of proposed Lot 1.

Following the passing of Robert and Lillian Moores, and in order to divide the family estate for the surviving children and create two parcels, Petitioners requested approval to create an internal lot line dividing the property. The site plan from the prior case showed that the R.C.4 zoning line divides the tract with the existing well, accessory buildings and a portion of the proposed septic reserve area in the R.C.5 zone. The special hearing relief was requested in that case to locate the lot lines so as to maximize the amount of R.C.4 property needed to support the

existing dwelling; however, part of the 10,000 square foot septic reserve area required by the Ground Water Management Section of the Department of Environmental Protection and Resource Management (DEPRM) had to be placed in the R.C.5 portion of the property. The need to do so was driven by the extent of steep slopes and associated forest buffer easements in the R.C.4 portion of the lot.

The Office of Planning did not support what was perceived to be the creation of a two-acre lot instead of the three-acre minimum lot area required in the R.C.4 zone. The Office of Planning also had concerns about the placement of the new dwelling on the R.C.5 lot (Lot 2) in view of the amount of disturbance required and the length of the panhandle driveway which would serve the new lot. Petitioners' land surveyor, Bruce Doak, testified at the prior hearing in response to the Office of Planning's concerns that site constraints dictate that the proposed placement is virtually the only portion of the property that a dwelling could be located. Large portions of Lot 2 have slopes greater than 25% which eliminated the use for the septic reserve areas. The proposed house placement also provided the greatest separation between houses, maintaining the rural character of the neighborhood.

Based upon the testimony and evidence presented at the prior hearing, Zoning Commissioner William J. Wiseman, III issued an Order dated July 24, 2007 granting the requested relief, finding that the Petition for Special Hearing would allow the location of the internal lot line to accurately reflect conditions on the site. The proposed minor subdivision plan (07-066-M) would not create an undersized R.C.4 lot. Commissioner Wiseman further indicated that this zoning classification is an existing condition created long ago in large part by a meandering stream on the opposite side of Knox Avenue that runs parallel to the road on its eastern side, and that Petitioners did not create the existing site limitations, vis-à-vis the R.C.4

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5-14-08
BY

zoning classification. All of these conditions (excluding the septic reserve area) were created in the 1940's, and the requested relief would reconcile the property inherited by Lillian Moores' sons from their mother. A copy of Commissioner Wiseman's Opinion and Order was marked and accepted into evidence as Petitioners' Exhibit 2.

Thereafter, People's Counsel for Baltimore County appealed the decision of the Zoning Commissioner. Following meetings between People's Counsel and counsel for Petitioners, the parties jointly requested that the Board of Appeals remand the case to the Zoning Commissioner for a hearing to consider an amended Petition and site plan, and submitted a Joint Motion for Remand on January 8, 2008, which was signed by the Board on January 14, 2008. A copy of the Motion and the Board of Appeals Remand Order was marked and accepted into evidence as Petitioners' Exhibits 3A and 3B, respectively.

The instant Petition and amended site plan now propose to create two lots on the site. Lot 1 shall contain a total of 3.22 acres consisting of approximately 1.72 acres zoned R.C.4 and 1.5 acres zoned R.C.5. Lot 1 shall contain the existing improvements, including the well and septic. Lot 2 shall contain a total of 2.69 acres for a proposed dwelling consisting of approximately 2.59 acres zoned R.C.5 and .10 acres zoned R.C.4 for a panhandle strip. Photographs of the surrounding area, and in particular the site conditions currently present on proposed Lot 2, were marked and accepted into evidence as Petitioners' Exhibits 4A through 4L. The intent is to show that the rural character of the property will be maintained even after the minor subdivision. People's Counsel also indicated in the Joint Motion that it does not oppose the instant special hearing relief, and is satisfied that the amended site plan will not be adverse to the public interest.

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Date 5-14-08
By [signature]

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management (DEPRM) dated March 6, 2008 which indicates the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains, and must comply with the Forest Conservation Regulations. The aforementioned regulations had preliminary approval. As long as the Forest Buffer and Forest Conservation Easements do not change with the proposed subdivision adjustments, only a final Forest Conservation Plan and Protective Covenants are needed.

Based on the testimony and evidence presented, I am persuaded to grant the special hearing relief and approve the amended site plan. In my judgment, Petitioner's plans are appropriate and will not be detrimental to the health, safety, or general welfare of the surrounding locale.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 14th day of May, 2008 that Petitioners' request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve amendments to the Petition and site plan previously approved by Order of the Zoning Commissioner dated July 24, 2007 in Case No. 07-500-SPH, and to approve the well and septic in the R.C.5 zone on Lot 1 to support the existing residence on the R.C.4 zone on Lot 1, be and are hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

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Date 5-14-08
By [Signature]

1. Petitioners may apply for permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. 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).
3. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
4. A Final Forest Conservation Plan and Protective Covenants are needed.
5. In accordance with 1A04.4 of the B.C.Z.R., any new construction in the R.C.5 zone requires a finding by the Director of Planning that the proposed new construction is in compliance with the R.C.5 zone. The following information must be submitted to the Office of Planning should any new construction be proposed:
 - a. Photographs of existing adjacent dwellings (these are in the case file and marked as Petitioner's Exhibit 2).
 - b. Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval and its determination that the proposed dwelling is compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone or cedar is encouraged.
 - c. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
 - d. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
 - e. Provide landscaping along the public road, if consistent with the existing streetscape.

ORDER RECEIVED FOR FILING
Date 5-14-08
By [signature]

6. When applying for any permits, the site plan must reference this case and set forth and address the restrictions of this Order.
7. The covenants and agreements set forth in the Joint Motion to Remand between Petitioners and People's Counsel, which was marked and accepted into evidence as Petitioners' Exhibit 3A are incorporated by reference herein.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING
Date 5-14-08
By 103



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 14, 2008

Neil Lanzi, Esquire
J. Neil Lanzi, P.A.
409 Washington Avenue, Suite 617
Towson, Maryland 21204

Re: PETITION FOR SPECIAL HEARING

NW of Knox Avenue, 1300 feet SW from c/l of Falls Road
8th Election District - 2nd Councilmanic District
(1924 Knox Avenue)

John B. Moores, Executor of the Estate of Lillian A. Moores – *Petitioner*
Case No. 08-373-SPH

Dear Mr. Lanzi:

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:dlw
Enclosure

c: W. Scott Moores, 1930 Knox Avenue, Reisterstown, MD 21136
John B. Moores, 2716 Appleseed Road, Finksburg, MD 21048
Scott Lindgren, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., #100,
Towson, MD 21286
People's Counsel, DEPRM, Office of Planning



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1924 Knox Avenue, Reisterstown, MD 21136

which is presently zoned RC4 and RC5

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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
(This box to be completed by planner)

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:

J. Neil Lanzi

Name - Type or Print

Signature

J. Neil Lanzi, P.A.

Company

409 Washington Ave, Suite 617 410-296-0686

Address

Telephone No.

Towson, MD 21204

City

State

Zip Code

Legal Owner(s):

John B. Moores, Executor of the Estate of Lillian A. Moores

Name - Type or Print

Signature

Name - Type or Print

Signature

2716 Appleseed Road 410-833-0170

Address

Telephone No.

Finksburg, MD 21048

City

State

Zip Code

Representative to be Contacted:

J. Neil Lanzi, Esquire

Name

409 Washington Ave, Suite 617 410-296-0686

Address

Telephone No.

Towson, MD 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No.

08-373-SPH

REV 9/15/98

UNAVAILABLE FOR HEARING

Date

2/14/08

COPIES RECEIVED FOR FILING

Date

5-14-08

By

[Signature]

Petition for Special Hearing Attachment

John B. Moores, Executor of the Estate of Lillian A. Moores, Petitioner, hereby petitions the Zoning Commissioner of Baltimore County for a Special Hearing:

1. To approve amendments to the Petition and site plan previously approved by Order of the Zoning Commissioner dated July 24, 2007. (CGR MC. 07-500 -SPH)
2. To approve the well and septic in the RC5 zone on Lot 1 to support the existing residence on the RC4 zone on Lot 1.

Petitioner submits its amended petition and amended site plan proposing to create two lots on the site in lieu of the three lots previously requested and approved. Lot 1 shall contain a total of 3.22 acres consisting of approximately 1.72 acres zoned RC4 and 1.5 acres zoned RC5. Lot 1 shall contain the existing improvements, including the well and septic. Lot 2 shall contain 2.59 acres zoned RC5 and .10 acres zoned RC4 for a panhandle strip for a total of 2.69 acres for a proposed dwelling.

For such other reasons to be provided at the hearing on this matter.



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

January 30, 2008

**ZONING DESCRIPTION
MOORES PROPERTY
1924 KNOX AVENUE
BALTIMORE COUNTY, MARYLAND**

Beginning on the northwest side of Knox Avenue, 1,300 feet, more or less, southwesterly from the center of Falls Road, thence binding on the northwest side of Knox Avenue, the two following lines, viz: (1) South 42 degrees 27 minutes 27 seconds West 266.24 feet, and (2) By a line curving to the left having a radius of 1,800 feet for an arc distance of 63.81 feet (the chord of said arc bearing South 41 degrees 26 minutes 30 seconds West 63.81 feet), thence leaving Knox Avenue, (3) North 54 degrees 56 minutes 50 seconds West 640.03 feet, (4) North 34 degrees 10 minutes 12 seconds East 586.33 feet, (5) South 16 degrees 53 minutes 43 seconds East 435.47 feet, and (6) South 56 degrees 31 minutes 33 seconds East 347.70 feet to the place of beginning.

Containing 5.913 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.



373

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: #08-373-SPH

1924 Knox Avenue

N/west of Knox Avenue at the distance of 1,300 ft.
s/west from c/line of Falls Road

8th Election District - 2nd Councilmanic District

Legal Owner(s): John B. Moores,

Executor of Estate of Lillian Moores

Special Hearing: to approve amendments to the Petition and site plan previously approved by Order of the Zoning Commissioner dated July 24, 2007 (Case 07-500-SPH) and to approve the well and septic in the RC-5 zone on Lot 1 to support the existing residence on the RC-4 zone on Lot 1.

Hearing: Wednesday, April 9, 2008 at 11:00 a.m. in Room 106, County Office Building, 111 West Chesapeake 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/3/829 Mar. 25

167905

CERTIFICATE OF PUBLICATION

3/27/2008

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 3/25/2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **1056**

Date: **2-14-02**

PAID RECEIPT

BUSINESS - ACTUAL TIME DOM

2/14/2000 2/14/2000 11:25:56

RES-006 WALTON KNOX KNOX

RECEIPT # 614279 2/14/2000 DELA

5 520 ZONING VERIFICATION

011056

Recpt Tot: \$65.00

\$65.00 DE \$1.00 CA

Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				65.00

Total: **65.00**

Rec

From: **NEIL LANZI**

For: **PETITION FOR SPECIAL HEARING**

1524 KNOX AVE

ITEM # 373

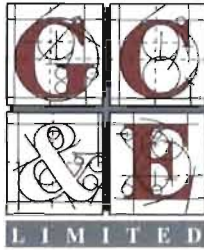
DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

CERTIFICATE OF POSTING

RE: CASE# 08-373-SPH
PETITIONER/DEVELOPER:
John B. Moores, Executor of the
Estate of Lillian Moores
DATE OF HEARING: April 9, 2008

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:
1924 Knox Avenue

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

POSTED ON: 3/24/08

ZONING NOTICE

CASE # :08-373-SPH

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

County Office Building, Room 106
PLACE: 111 W. Chesapeake Ave, Towson, MD
TIME: Wednesday, April 9, 2008 at 11:00 a.m.

Special Hearing: to approve amendments
to the Petition and site plan previously approved
by Order of the Zoning Commissioner dated July
24, 2007 (Case 07-500-SPH) and to approve the
well and septic in the RC-5 zone on Lot 1 to sup-
port the existing residence on the RC-4 zone on
Lot 1.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

DO NOT REMOVE THIS SIGN AND POST ON THE DAY OF HEARING, UNDER PENALTY OF LAW
HEARINGS ARE HANDICAPPED ACCESSIBLE

1920



ZONING NOTICE

CASE # 08-373-SPH

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

County Office Building, Room 108
111 W. Chesapeake Ave. Towson, MD

PLACE: Wednesday, April 9, 2009 at 11:00 a.m.

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: 08-373-SP4

Petitioner: John moares

Address or Location: 1924 Knox Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: J Neil Lanz

Address: 409 Washington Ave

Suite 617

Towson MD 21204

Telephone Number: 410 296 0686

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 25, 2008 Issue - Jeffersonian

Please forward billing to:

J. Neil Lanzi
409 Washington Avenue, Ste. 617
Towson, MD 21204

410-296-0686

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: 08-373-SPH

1924 Knox Avenue

N/west of Knox Avenue at the distance of 1,300 ft. s/west from c/line of Falls Road

8th Election District – 2nd Councilmanic District

Legal Owners: John B. Moores, Executor of Estate of Lillian Moores

Special Hearing to approve amendments to the Petition and site plan previously approved by Order of the Zoning Commissioner dated July 24, 2007 (Case 07-500-SPH) and to approve the well and septic in the RC-5 zone on Lot 1 to support the existing residence on the RC-4 zone on Lot 1.

Hearing: Wednesday, April 9, 2008 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

February 26, 2008
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: 08-373-SPH

1924 Knox Avenue

N/west of Knox Avenue at the distance of 1,300 ft. s/west from c/line of Falls Road

8th Election District – 2nd Councilmanic District

Legal Owners: John B. Moores, Executor of Estate of Lillian Moores

Special Hearing to approve amendments to the Petition and site plan previously approved by Order of the Zoning Commissioner dated July 24, 2007 (Case 07-500-SPH) and to approve the well and septic in the RC-5 zone on Lot 1 to support the existing residence on the RC-4 zone on Lot 1.

Hearing: Wednesday, April 9, 2008 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

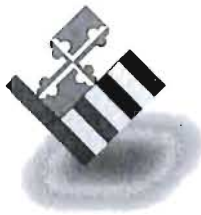
A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: J. Neil Lanzi, 409 Washington Avenue, Ste. 617, Towson 21204 ✓
John Moores, 2716 Applesseed Road, Finksburg 21048

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 25, 2008.**
- (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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

April 2, 2008

J. Neil Lanzi, P.A.
409 Washington Avenue, Suite 617
Towson, Maryland 21204

Dear Mr. Lanzi:

RE: Case Number: 08-373-SPH, 1924 Knox Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 14, 2008. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
John B. Moores, Executor of the Estate of Lillian A. Moores 2716 Appleseed Road
Finksburg 21048

TB 419
11am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
MAR 06 2008

BY:.....

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination *JWL*
DATE: March 6, 2008
SUBJECT: Zoning Item # 08-373-SPH
Address 1924 Knox Avenue

Zoning Advisory Committee Meeting of February 25, 2008

_____ 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:

The aforementioned regulations had preliminary approval. As long as the Forest Buffer and Forest Conservation Easements don't change with the proposed subdivision adjustments, only a final Forest Conservation Plan and Protective Covenants are needed.

Reviewer: Brian Lindley

Date: 2/25/08



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

February 27, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 25, 2008

Item Number: 373,375,379

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Roland P. Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 4, 2008

FROM: Dennis A. ^{DAK}Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 3, 2008
Item Nos. 08-370, 371, 372, 373, 374,
375, 376, 378, 379, 380, 381, 382, and 383

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-02292008.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *SLB*

DATE: March 6, 2008

SUBJECT: Zoning Item # 08-373-SPH
Address 1924 Knox Avenue

Zoning Advisory Committee Meeting of February 25, 2008

_____ 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:

The aforementioned regulations had preliminary approval. As long as the Forest Buffer and Forest Conservation Easements don't change with the proposed subdivision adjustments, only a final Forest Conservation Plan and Protective Covenants are needed.

Reviewer: Brian Lindley

Date: 2/25/08

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



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

Maryland Department of Transportation

Date: 2-21-2008

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

RE: Baltimore County
Item No. CE-373-SPH
1924 KNOX AVENUE
MCCRES PROPERTY
SPECIAL HEARING

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. CE-373-SPH

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,

A handwritten signature in black ink that reads "Michael Bailey".

For ¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 21, 2008

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 25, 2008
Item Nos. 08-337, 341, 348, 355, 356, 358,
359, 360, 361, 362, 363, 365, and 373

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

DAK:CEN:clw

cc: File

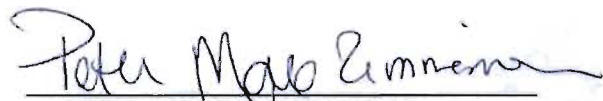
ZAC-NO COMMENTS-02212008.doc

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
1924 Knox Avenue; NW/S Knox Avenue, *
1,300' SW of Falls Road * ZONING COMMISSIONER
8th Election & 2nd Councilmanic Districts *
Legal Owner(s): John Moores, Executor of * FOR
the Estate of Lillian Moores *
Petitioner(s) * BALTIMORE COUNTY
* 08-373-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 21st day of February, 2008, a copy of the foregoing Entry of Appearance was mailed to, J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

FEB 21 2008

Per.....

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 1924 KNOX AVENUE
CASE NUMBER 08-373 SPH
DATE APRIL 9, 2008

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.: 08- 373- 5PH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan (current main sub plan) - page 1 (from original hearing w/ present redlines) page 2	
No. 2	previous order	
No. 3	joint motion to remove + order	
No. 4	photos of property	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

IN RE: **PETITION FOR SPECIAL
HEARING**

N/W Side of Knox Avenue, 1,300'
S/W of Falls Road
(1924 Knox Avenue)

8th Election District
2nd Council District

Estate of Lillian A. Moores
Petitioner

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 07-500-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 John B. Moores, as the Executor of the Estate of Lillian A. Moores, the deceased owner of the subject property. The Petitioner requests a special hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit: (1) an existing dwelling on proposed Lot 1 in an R.C.4 zone with the existing well and a portion of the proposed septic reserve area in an R.C.5 zone; (2) to approve two non-density/non-buildable areas in the R.C.5 portion of proposed Lot 1; (3) to allow an existing R.C.4 portion of proposed Lot 1 with less than the 3 acre minimum requirement, and (4) to have two existing accessory buildings in the R.C.5 portion of proposed Lot 1. The subject property and the requested relief are more particularly described on the colorized 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 Bruce E. Doak, the surveyor who prepared the site plan for this property, the Executor of the Estate, John B. Moores, and his brother, W. Scott Moores. There were no Protestants or other interested persons present.

PETITIONER' S

EXHIBIT NO.

2

Testimony and evidence offered disclosed that the subject property is an irregularly shaped parcel with frontage on Knox Avenue in Reisterstown. The subject property contains a gross area of 6.145 acres, more or less, and split-zoned R.C.4 (2.056 acres) and R.C.5 (4.089 acres). The property was purchased in 1945 by the Petitioner's parents, Robert G. and Lillian A. Moores, who built a 1-½ story wood frame family home, known as 1924 Knox Avenue, on the southeastern portion of the property. In 1976, the R.C.4 zone was created and bisected the property leaving the family home in the R.C.4 zone and the accessory structures and well in the R.C.5 zone classification.

Robert first, followed by Lillian, recently passed away and their son, John Moores, is the personal representative of her estate. In order to divide the family estate for the surviving children and create two parcels, the Petitioner requests approval to create an internal lot line dividing the property. As more particularly shown on the site plan, the R.C.4 zoning line divides the tract with the existing well, accessory buildings and a portion of the proposed septic reserve area in the R.C.5 zone. Under the Petition for Special Hearing, relief is requested to locate the lot lines so as to maximize the amount of R.C.4 property needed to support the existing dwelling, however, part of the 10,000 square foot septic reserve area required by the Ground Water Management Section of the Department of Environmental Protection and Resource Management (DEPRM) had to be placed in the R.C.5 portion of the property. The need to do so is driven by the extent of steep slopes and associated forest buffer easements in the R.C.4 portion of the lot. The Office of Planning does not support what is perceived to be the creation of a two-acre lot instead of the three-acre minimum lot area required in the R.C.4 zone. The Office of Planning also has concerns about the placement of the new dwelling on the R.C.5 lot (Lot 2) in view of the amount of disturbance required and the length of the panhandle driveway which will serve the

new lot. Mr. Doak testified as to the Office of Planning's concerns and the proposed placement of a home on Lot 2. Site constraints dictate that the placement as shown is virtually the only portion of the property that a dwelling could be located. Large portions of Lot 2 have slopes greater than 25% which eliminated the use for the septic reserve areas. The "flatter area" on the southwestern portion of the lot adjacent to William and Nancy Moore's property is considered by Ground Water Management to be a drainage swale and cannot be utilized for a septic area. Perc tests (2C and 2B) failed due to considerable amounts of bedrock requiring the septic area to be moved further north up the hill. This proposed house placement does provide the greatest separation between houses, maintaining the rural character of the neighborhood. It is noted that the Office of Planning also wanted the Petitioner to investigate the gaining of access through the adjoining subdivision known as "Tufton Ridge". John Moores indicated that this was fully investigated and a means of access to utilize a driveway off the end of Tufton Ridge Road was met with reluctance and hostility from the lot owners when inquiries were made about obtaining permission to use the driveway as an alternative - to that of a panhandle driveway from Lot 1 traveling in a serpentine fashion to the proposed 30' x 70' T turn-around as shown on Petitioner's Exhibit 1.

Based upon the testimony and evidence presented, it is clear that the relief requested is appropriate. In my judgment, granting the Petition for Special Hearing will allow the location of the internal lot line to accurately reflect conditions on the site. The minor subdivision plan (07-066-M) does not create an undersized R.C.4 lot. This zoning classification is an existing condition created long ago in large part by the meandering stream on the opposite side of Knox Avenue that runs parallel to the road on its eastern side. The existing sheds on the R.C.5 portion of proposed Lot 1 will be razed after the subdivision process is complete. In short, the Petitioner,

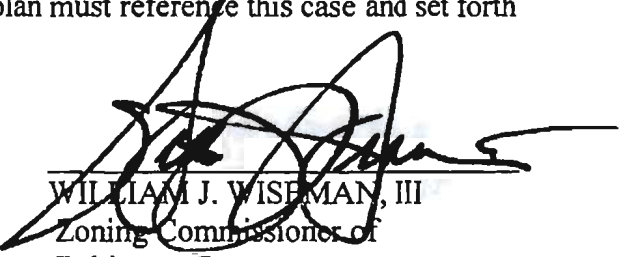
and his parents before him, did not create the problem. All of these conditions (excluding the septic reserve area) were created in the 1940's. The request is no doubt an appropriate approach to reconcile the property inherited by these sons from their mother. I find that the proposed configuration of the lot line will not be detrimental to any adjacent property owner or the surrounding neighborhood.

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.

24th THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of July 2007, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit: (1) an existing dwelling on proposed Lot 1 in an R.C.4 zone with the existing well and a portion of the proposed septic reserve area in an R.C.5 zone; (2) two non-density/non-buildable areas in the R.C.5 portion of proposed Lot 1; (3) an existing R.C.4 portion of proposed Lot 1 with less than the 3 acre minimum requirement, and (4) two existing accessory buildings in the R.C.5 portion of proposed Lot 1, in accordance with Petitioner's Exhibit 1, be and is hereby granted, subject to the following restrictions:

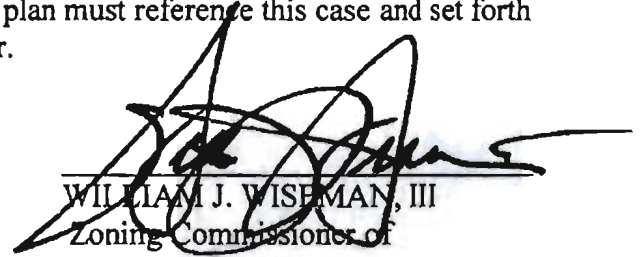
1. ADVISORY: This Order approves the requested Special Hearing request but does not address the proposed subdivision. The Petitioners' subdivision proposal to create the proposed Lots 1 and 2 must continue its review by the Development Review Committee for consideration and processing.
2. In accordance with 1A04.4 of the B.C.Z.R., any new construction in the R.C.5 zone requires a finding by the Director of Planning that the proposed new construction is in compliance with the R.C.5 zone. The following information must be submitted to the Office of Planning should any new construction be proposed:
 - a. Photographs of existing adjacent dwellings (these are in the case file and marked as Petitioner's Exhibit 2).

- b. Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval and its determination that the proposed dwelling is compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone or cedar is encouraged.
 - c. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
 - d. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
 - e. Provide landscaping along the public road, if consistent with the existing streetscape.
3. When applying for any permits, the site plan must reference this case and set forth and address the restrictions of this Order.



WILLIAM J. WISEMAN, III
Zoning Commissioner of
Baltimore County

- b. Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval and its determination that the proposed dwelling is compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone or cedar is encouraged.
 - c. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
 - d. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
 - e. Provide landscaping along the public road, if consistent with the existing streetscape.
3. When applying for any permits, the site plan must reference this case and set forth and address the restrictions of this Order.



WILLIAM J. WISEMAN, III
Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
1924 Knox Avenue; NW/S Knox Avenue, *
1,300' SW of Falls Road * ZONING COMMISSIONER
8th Election & 2nd Councilmanic Districts *
Legal Owner(s): John Moores, Executor of * FOR
the Estate of Lillian Moores *
Petitioner(s) * BALTIMORE COUNTY
* 07-500-SPH

* * * * *

REMAND ORDER TO ZONING COMMISSIONER

This matter comes before this Board on appeal filed by the People's Counsel for Baltimore County from a decision of the Zoning Commissioner dated July 24, 2007 in which the Petitioner requested certain relief related to a minor subdivision of 6.145 acres, split-zoned R.C. 4 and R.C. 5, into two lots; in general terms and to summarize, the relief requested (i) approval of one lot, zoned R.C. 4, which would be undersized, that is, consist of 2 acres in lieu of the minimum 3 acres; and (ii) special hearing relief to permit the well and part of the septic reserve area servicing the existing dwelling located on a separate lot in the R.C. 4 zone, to be located in the R.C. 5 zone. Peoples' Counsel appealed the decision of the Deputy Zoning Commissioner approving the requested relief.

Following meetings between Peoples' Counsel and Counsel for the Petitioner, the parties agreed to remand the case to the Zoning Commissioner for hearing on an amended Petition and Site Plan, and pursuant thereto submitted a Joint Motion for Remand on or about January 8, 2008. The purpose of the Joint Motion is to afford the Zoning Commissioner the opportunity to consider a revised site plan and specified conditions.

Upon consideration of said JOINT MOTION FOR REMAND, therefore, it is this 14th day of January, 2008, by the Board of Appeals of Baltimore County,

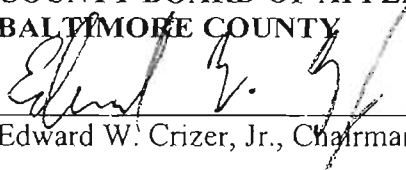
PETITIONER' S

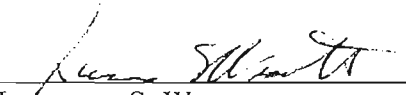
EXHIBIT NO. 3A+3B

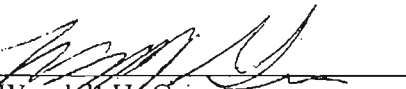
ORDERED that said Joint Motion to Remand be and is hereby GRANTED; and it is further

ORDERED that the above captioned case is REMANDED to the Zoning Commissioner for Baltimore County for proceedings and further review consistent with the purpose stated in the Motion for Remand.

**COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY**


Edward W. Crizer, Jr., Chairman


Lawrence S. Wescott


Wendell H. Grier



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

January 8, 2008

Kathleen Bianco, Administrator
County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

Re: In the Matter of: John Moores, Executor of the Estate
of Lillian Moores -Legal Owners/Petitioners
Case No.: 07-500-SPH

Dear Ms. Bianco:

Enclosed please find a Joint Motion for Remand for filing with regard the above-referenced case. I do not believe this matter has yet been scheduled for hearing. Mr. Lanzi met with me today and authorized me to sign his name to the Joint Motion.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carole S. Demilio", is written over a faint, circular official stamp.

Carole S. Demilio
Deputy People's Counsel for Baltimore County

CSD\rmw
Enclosures

cc: J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson, MD 21204

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
1924 Knox Avenue; NW/S Knox Avenue,		
1,300' SW of Falls Road	*	ZONING COMMISSIONER
8 th Election & 2 nd Councilmanic Districts		
Legal Owner(s): John Moores, Executor of	*	FOR
the Estate of Lillian Moores		
Petitioner(s)	*	BALTIMORE COUNTY
	*	07-500-SPH

* * * * *

JOINT MOTION TO REMAND

People's Counsel for Baltimore County and J. Neil Lanzi, attorney for Petitioner, move to remand this case to the Zoning Commissioner, and state as follows:

1. People's Counsel appealed the July 24, 2007 approval of the special hearing in Case 07-500-SPH. Petitioner sought zoning approval to permit, among other relief, the creation of a 2 acre lot in lieu of the minimum 3 acres in the R.C. 4 zone, in conjunction with a proposed 3 lot minor subdivision. People's Counsel opposes the creation of an undersized lot in the R.C. 4 zone to support 3 lots on the site. The parties discussed their respective concerns and seek to achieve a reasonable resolution consistent with the law governing the Resource Conservation Zones.

2. By way of background pertinent to the issues, Petitioner is the owner of approximately 6.145 acres on Knox Avenue, near its intersection with Falls Road, in northwestern Baltimore County. Under the 2000 Comprehensive Zoning Map Process (CZMP) the County Council, as part of a larger issue encompassing many acres, rezoned the site. Under the current zoning the site is split-zoned - 2.056 acres are R.C. 4 (Watershed Protection) and 4.089 acres are R.C. 5 (Rural-Residential). The site is improved with a single-family dwelling, located in the R.C. 4 zone. In the course of establishing the zoning line in the CZMP, the well and septic for the existing home are now located in the R.C. 5 portion of the site. Petitioner also seeks special hearing relief to approve location of the well and septic in a different zone from the residence they serve.

3. BCZR 1A03.4 B.1 requires a minimum lot size of 3 acres for subdivisions between 6 and 10 acres in the R.C. 4 zone; BCZR 1A04.3 B. 1.a. permits .5 dwelling per acre and requires a minimum lot size of 1 ½ acres for lots created in the R.C. 5 zone. People's

Counsel maintains that in order to meet the minimum lot requirements for each zone, Petitioner is limited to two density units on the entire site.

4. Petitioner maintains the site can be subdivided to create one undersized lot on the R.C. 4 portion and two additional residential lots in the R.C. 5 zone (4 acres). People's Counsel's is opposed to creating an undersized lot in the R.C. 4 zone in order to support development in the R.C. 5 zone.

5. Following discussions between People's Counsel and Counsel for Petitioner, the parties agree as follows:

- (a) Petitioner shall amend its Petition and site plan and propose instead to create two lots on the site. Lot 1 shall contain a total of 3.22 acres, consisting of approximately 1.72 acres zoned R.C. 4, and 1.5 acres zoned R.C. 5. Lot 1 shall contain the existing improvements, including the well and septic. Lot 2 shall contain 2.59 acres zoned R.C. 5 plus and .10 acres zoned R.C. 4 panhandle strip for a total of 2.69 acres for a proposed dwelling.
- (b) Petitioner shall request special hearing relief to approve the well and septic in the R.C. 5 zone on Lot 1, to support the existing residence in the R.C. 4 zone on Lot 1. People's Counsel does not oppose the special hearing relief, which originated with the rezoning of the site under CZMP.
- (c) Petitioner agrees to amend its site plan, including the notes on the plan, to reflect and state the terms of this proposed Motion and Order, including designation of proposed Lots 1 and 2. In accordance therewith, Petitioner agrees to amend its Petition, and seek approval of the amended Petition in accordance with the Baltimore County Zoning Regulations and the Baltimore County Code as applicable.
- (d) Petitioner acknowledges that it must also obtain minor subdivision approval for the proposed two lots in accordance with the Baltimore County Zoning Regulations and the Baltimore County Code as applicable.

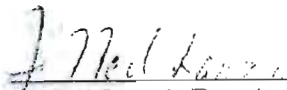
6. People's Counsel agrees, upon remand, to withdraw its opposition, subject to adoption by the Zoning Commissioner's Office of the aforesaid amendments, conditions and clarifications, subject to Petitioner's submission of an Amended Site Plan to reflect the terms of this Motion. People's Counsel is satisfied that the amended plan will not be adverse to the public interest.

7. The Petitioner and People's Counsel further agree that this proposed reconsideration and remand is not to be considered a precedent and People's Counsel does not forego at any time in the future any legal argument as to the interpretation or application of these issues in future cases.

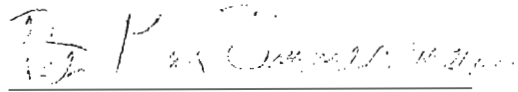
8. The most efficient way to present the revised amendments, conditions and clarifications as well as to produce for the record the revised site plan is to present them for consideration to the Zoning Commissioner, who is familiar with the case, for a hearing and for an Amended Order.

9. This proposed Motion and Order is subject to review by the County Board of Appeals and, upon remand, the Zoning Commissioner, for consistency with the law and the public safety, health and welfare. Attman v. Mayor & City Council 314 Md. 689 (1989).

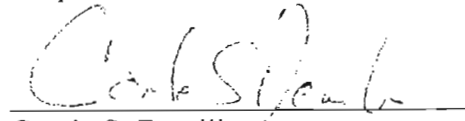
WHEREFORE, People's Counsel and Petitioner request that the case be remanded to the Zoning Commissioner for further proceedings consistent with this Motion.



J. Neil Lanzi, Esquire
409 Washington Avenue, Suite 617
Towson, MD 21204
Attorney for Petitioner



Peter Max Zimmerman
People's Counsel for Baltimore County



Carole S. Demilio,
Deputy People's Counsel for Baltimore County
400 Washington Avenue, Room 47
Towson, Maryland 21204
410-887-2188

and his parents before him, did not create the problem. All of these conditions (excluding the septic reserve area) were created in the 1940's. The request is no doubt an appropriate approach to reconcile the property inherited by these sons from their mother. I find that the proposed configuration of the lot line will not be detrimental to any adjacent property owner or the surrounding neighborhood.

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.

~~THEREFORE~~, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of July 2007, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit: (1) an existing dwelling on proposed Lot 1 in an R.C.4 zone with the existing well and a portion of the proposed septic reserve area in an R.C.5 zone; (2) two non-density/non-buildable areas in the R.C.5 portion of proposed Lot 1; (3) an existing R.C.4 portion of proposed Lot 1 with less than the 3 acre minimum requirement, and (4) two existing accessory buildings in the R.C.5 portion of proposed Lot 1, in accordance with Petitioner's Exhibit 1, be and is hereby granted, subject to the following restrictions:

1. ADVISORY: This Order approves the requested Special Hearing request but does not address the proposed subdivision. The Petitioners' subdivision proposal to create the proposed Lots 1 and 2 must continue its review by the Development Review Committee for consideration and processing.
2. In accordance with 1A04.4 of the B.C.Z.R., any new construction in the R.C.5 zone requires a finding by the Director of Planning that the proposed new construction is in compliance with the R.C.5 zone. The following information must be submitted to the Office of Planning should any new construction be proposed:
 - a. Photographs of existing adjacent dwellings (these are in the case file and marked as Petitioner's Exhibit 2).

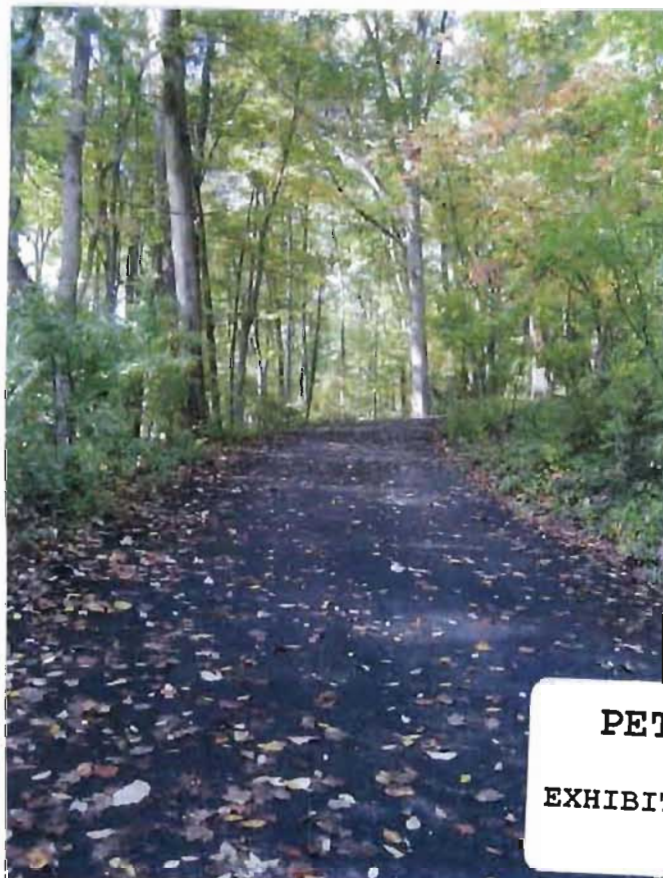
MOORES Sub-Division
Surrounding Area Conditions and
Proposed Development Site at 1922 Knox Avenue
October 27, 2007

Page 1



Entrance to adjacent site –
1930 and 1936 Knox Avenue - looking NE

Driveway up 18 degree slope >
as seen from Knox Avenue,
splits at the top, before White Oak



PETITIONER'S
EXHIBIT NO. 4A-L

MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 2



Driveway split, 1936 to left, 1930 to right; Note 5' cut into bank on right



Driveway to 1936
Note closeness of trees to roadway



Driveway to 1930
Note cut and bend to left at top of hill

MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 3

1930 Driveway curving left,
approach to house, >
House blocked by trees



< Entrance to parking/turnaround,
marked by two Tulip trees
12-18" from paving
House is to left

1930 Knox Avenue >
English Tudor Style
2700 Sq Ft.
Note closeness of trees
This is the model for proposed
construction at 1922 Knox



MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 4

Private road – extension of
Tufton Ridge Road >
100 yds west of “point” in back
of proposed 1922 Knox Ave



< Entrance to 2105 Tufton Ridge Rd
as seen from private road, 250 yds
west of 1922 property “point”
14 degree slope to Santos home –
(1 of 8 who deny access)

2105 Tufton Ridge Road >
3500 sq ft English Tudor style



MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 5

Entrance to 1909 Knox Avenue >
Facing SE from Knox Ave.,
300 yds NE from proposed 1922 site.
Road crosses stream and curves right
(Note bank on left and cut)



< 1909 Driveway curves back to left

1909 driveway continues left, then,
around bend, unseen, curves back right >
house is through the woods on right
(Note: driveway is est. to be 800')

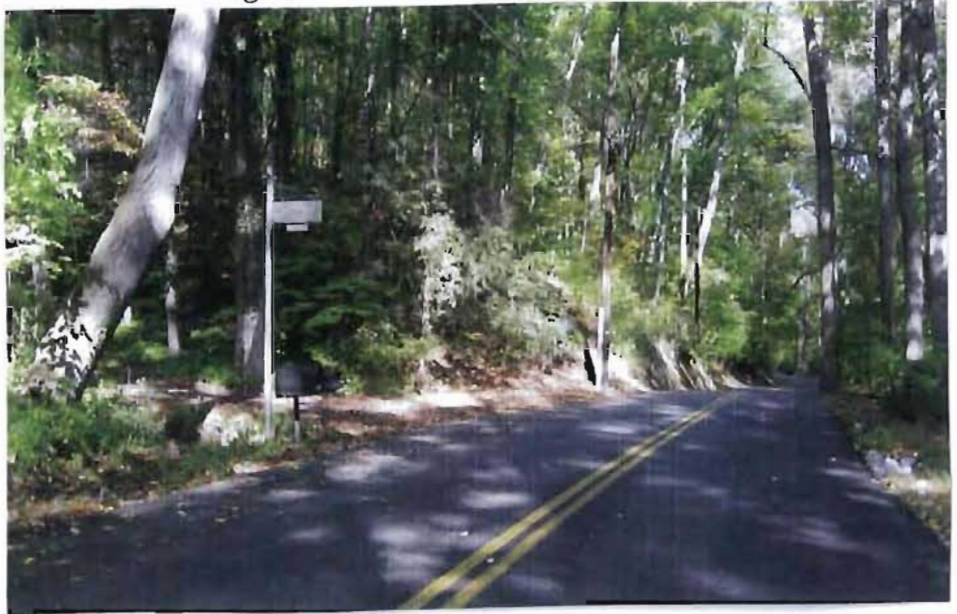


MOORES Sub-Division

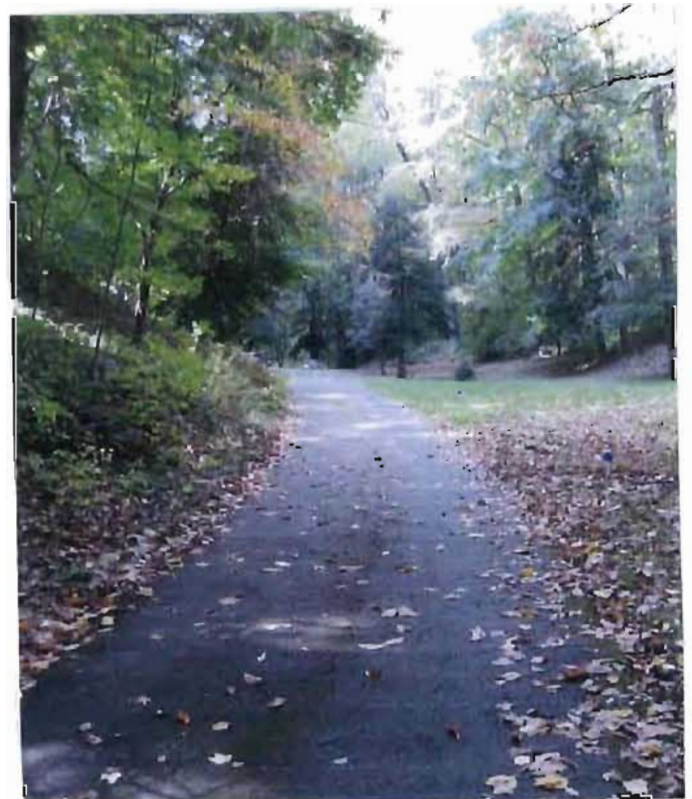
Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 6

Entrance to subject property,
1920, 1924 and proposed 1922 >
Knox Avenue, looking NE
(Note: Property has be in the
Moore's family for 59 years)



^ Beginning of 1920/24 driveway ^
As seen looking NW from Knox Ave.



^ Driveway up to split, ^
1924 on left, 1920 on right

MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 7



< Split at top of existing driveway;
1924 to left, shed to left to be raised
1920 to right, parking pad straight
Ahead where proposed road is to be
Extended for 1922 driveway

1920 driveway curves right, >
Note cut in bank and 24"
Tulip tree on edge of bank



< Proposed direction of 1922
driveway (converg. red lines) through
Holly grove. 4 trees will need to be
transplanted via clamshell per
Rob Carter (Pinchurst Nurseries)
at approx. cost of \$6000

Alt. route is shown as red dotted line
around Holly grove

MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 8

"Baseball Field" clearing, >
Up a bank and just past
Holly Grove, facing west
1930 Knox property is on left,
1936 Knox house is in center.
Beginning of proposed 1922
forest buffer is on right.



< View from bank to right side of
Baseball Field clearing showing
direction of road and curve to
right, up the hill into woodline

View from Baseball Field looking
north showing proposed driveway >
curving right into woodline.
Note fill area indicated by red
hash marks



MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 9

View of curve from
woodline looking south >
back at Baseball Field



< View from woodline
looking north, after curve,
showing direction of
straightaway up the hill
Photo position #1 on map



View of old motorcycle trail and outline of >
Proposed driveway on same line in red up the hill.
Seen from end of curve, looking east.
Note line of Tulip, White Oak & Tulip on right
to be preserved; Tulip on left to be removed.

Photo position #2 on map

MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 10

View of proposed driveway near
top looking NE and beginning to
curve left toward turnaround >
(Note fallen tree across old
motorcycle trail)

Photo position #3 on map



< View from top looking SW
back down hill.
(Note Tulip tree to be removed)

Photo position #4 on map



View from turnaround >
looking west; septic reserve
is on left, beginning of house
site on right edge

Photo position #5 on map



MOORES Sub-Division

Surrounding Area Conditions and Proposed Development Site at 1922 Knox Avenue

Page 11

View of proposed turnaround and parking area facing north. >
House would be in distance to left. Tulip tree in center (to be preserved) marks left entrance of turnaround.

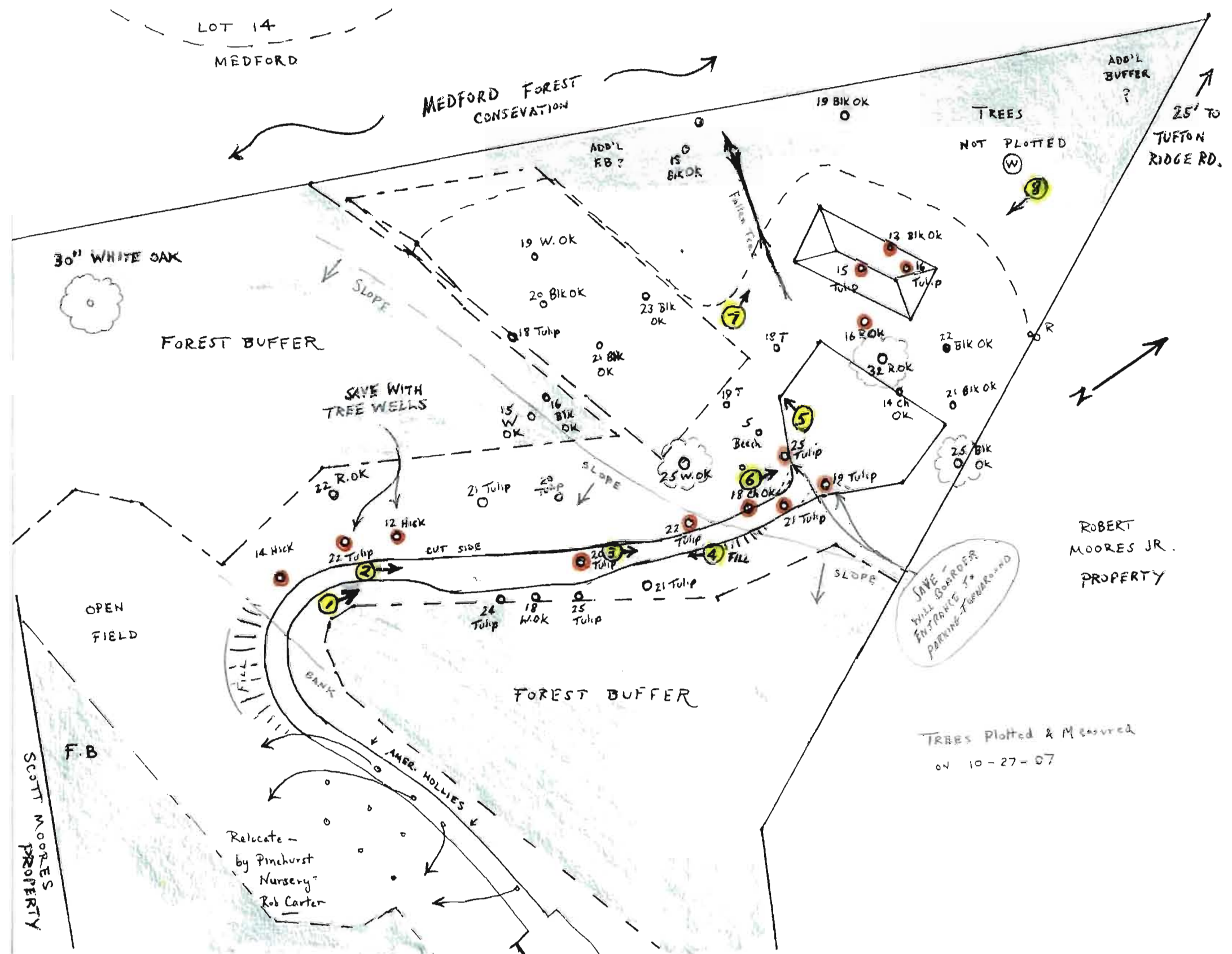
Photo position #6 on map

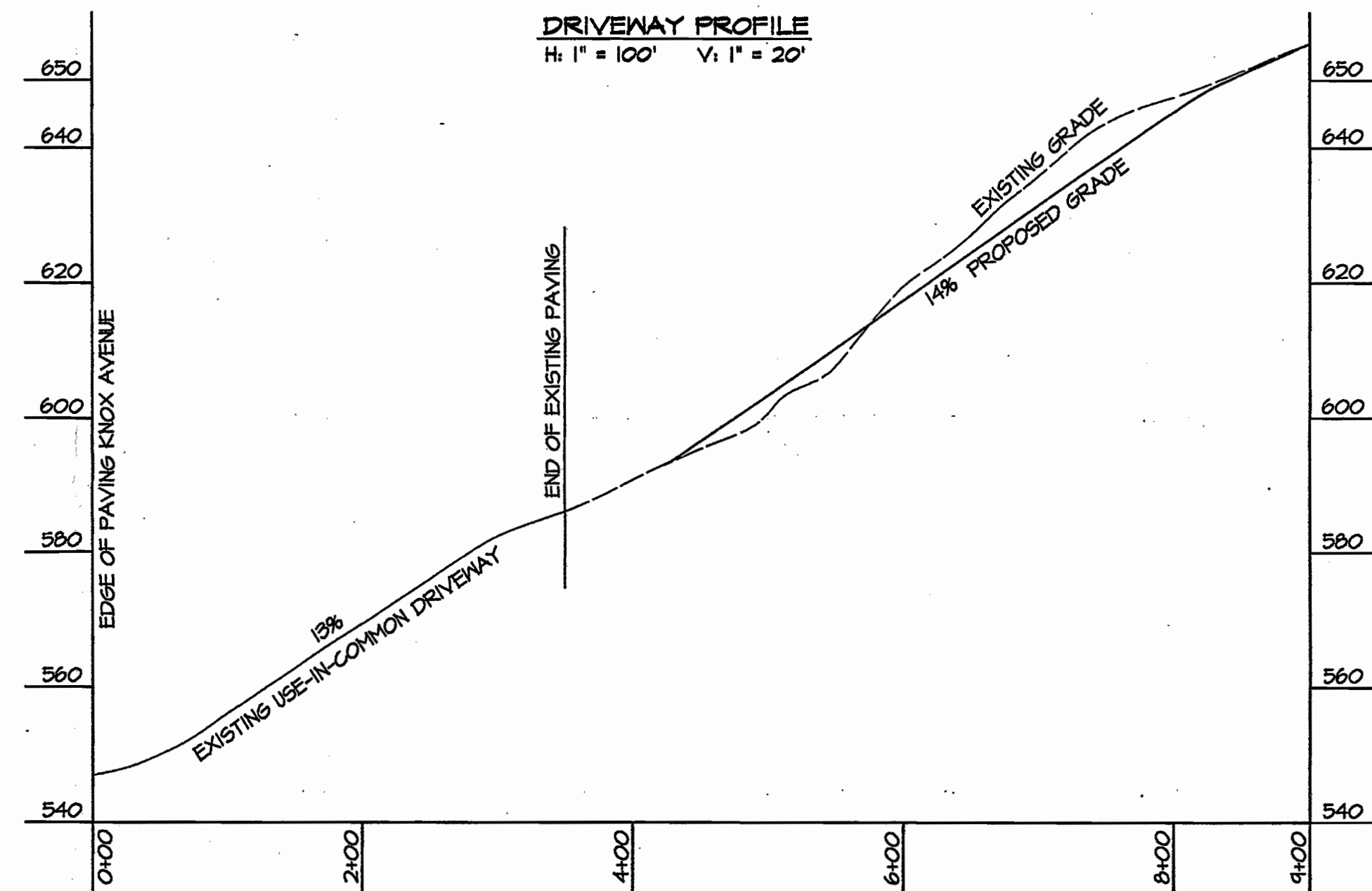
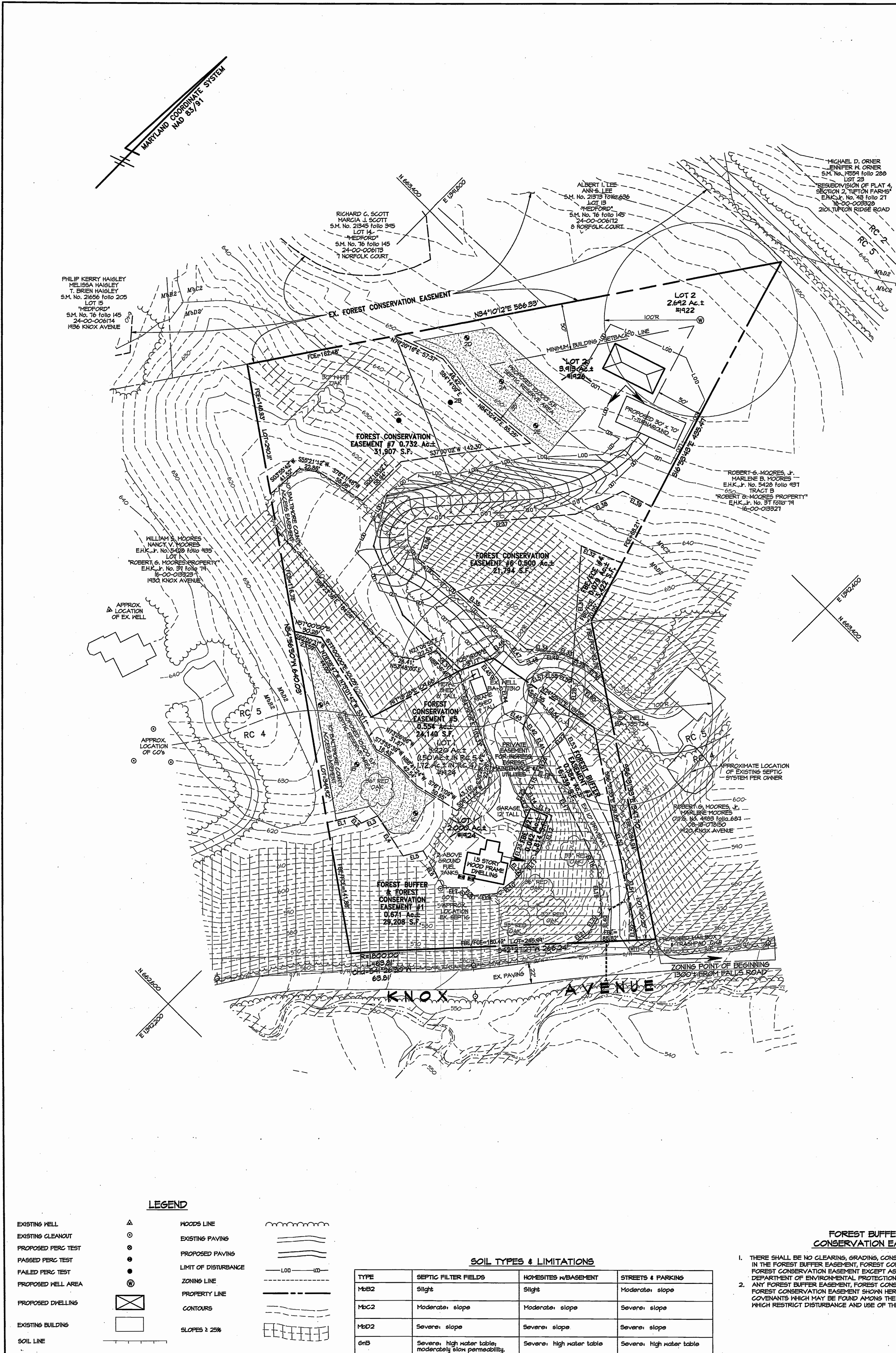


< View from 50' left of
Turnaround looking NNW.
Shows front lawn area; house
is near fallen tree on right
Photo position #7 on map

View from well area >
looking south.
House is right center
Photo position #8 on map







AMENDED RELIEF REQUESTED

SPECIAL HEARING TO APPROVE AMENDMENTS TO THE PETITION AND SITE PLAN PREVIOUSLY APPROVED BY ORDER OF THE ZONING COMMISSIONER DATED JULY 24, 2007 AND TO APPROVE THE WELL AND SEPTIC IN THE RC 5 ZONE ON LOT 1 TO SUPPORT THE EXISTING RESIDENCE ON THE RC 4 ZONE ON LOT 1.

RELIEF REQUESTED

AN EXISTING DWELLING ON PROPOSED LOT 1 IN AN RC 4 ZONE WITH THE EXISTING WELL AND A PORTION OF THE PROPOSED SEPTIC RESERVE AREA IN AN RC 5 ZONE.

TWO NON-DENSITY/NON-BUILDABLE AREAS IN THE RC 5 PORTION OF PROPOSED LOT 1.

EXISTING RC 4 PORTION OF PROPOSED LOT 1 WITH LESS THAN THE 3 ACRE MINIMUM REQUIREMENT.

TWO EXISTING ACCESSORY BUILDINGS IN THE RC 5 PORTION OF PROPOSED LOT 1.

MINOR SUBDIVISION NOTE

THIS PROJECT IS CURRENTLY BEING REVIEWED FOR A MINOR SUBDIVISION PDH 101-066H.

SHEET 2 OF 2

PLAT TO ACCOMPANY

PETITION FOR SPECIAL HEARING

OF THE

MOORES PROPERTY

1924 KNOX AVENUE

Deed Ref: J.M.B. No. 1617 folio 378

TRACT "A"

"ROBERT G. MOORES PROPERTY"

E.H.K., Jr. No. 37 folio 79

Tax Account No.: 16-00-013326

Zoned RC 4, RC 5; 615 Tile 41 B3

Tax Map 41; Grid 21; Parcel 35

8th ELECTION DISTRICT

2nd COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

Scale: 1"=50'

Date: APRIL 30, 2007



RED LINED FOR AMENDED PETITION	01/28/08
4th RELIEF REQUESTED ITEM ADDED	05/04/07
RELIEF REQUESTED REVISED	05/05/07
REVISION	DATE
COMPUTED: EPD-L	DRAWN: C.J.S.
CHECKED: S.A.L.	FILE: X:\Moore Knox\zoning.pro

GERHOLD, CROSS & ETZEL, LTD.

REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100

320 East Tomsontown Boulevard

Towson, Maryland 21286

(410) 823-4470

EASEMENT LINE TABLES

LINE	BEARING	DISTANCE
EL1	N31°17'57"E	28.55'
EL2	N89°28'22"E	11.05'
EL3	N20°14'48"E	18.89'
EL4	S77°41'00"E	50.62'
EL5	N37°40'00"E	22.13'
EL6	S74°49'23"E	45.48'
EL7	N45°00'00"E	24.30'
EL8	N89°58'12"E	11.82'
EL9	N47°14'23"E	25.14'
EL10	N07°58'48"E	30.31'
EL11	N20°08'12"W	36.91'
EL12	N02°43'07"W	38.41'
EL13	S70°08'03"W	20.67'
EL14	N75°48'10"W	19.68'
EL15	N19°35'57"W	26.23'
EL16	N63°53'45"E	19.13'
EL17	S71°25'39"E	65.97'
EL18	S88°56'40"E	45.52'
EL19	S69°52'27"E	44.98'
EL20	S13°54'17"E	27.42'
EL21	S08°24'57"W	16.11'

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EL25	N18°35'57"W	11.27'
EL26	N18°35'57"W	24.89'
EL27	N07°32'00"W	33.88'
EL28	N40°47'49"W	72.60'
EL29	N89°18'16"E	14.25'
EL30	N89°05'28"E	24.17'
EL31	N40°47'49"W	120.89'
EL32	N68°02'21"E	47.10'
EL33	S09°16'16"W	18.39'
EL34	S50°23'07"W	35.44'
EL35	S84°22'30"W	152.55'
EL36	N27°50'39"W	35.00'
EL37	N37°56'11"E	161.37'
EL38	N19°13'58"E	56.03'
EL39	N73°06'17"E	35.00'

LINE	BEARING	DISTANCE
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EL46	N08°24'54"E	30.00'
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EL49	N47°49'28"E	24.45'
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EL51	N49°52'27"W	51.55'
EL52	N88°56'40"W	51.21'
EL53	N71°26'35"W	114.33'
EL54	N83°55'05"W	27.38'
EL55	S74°34'34"W	16.18'
EL56	N54°57'03"W	18.97'
EL57	N20°42'22"E	21.57'
EL58	N47°49'28"E	15.84'
EL59	N89°18'16"E	18.64'
EL60	N84°05'28"E	45.93'

GENERAL NOTES

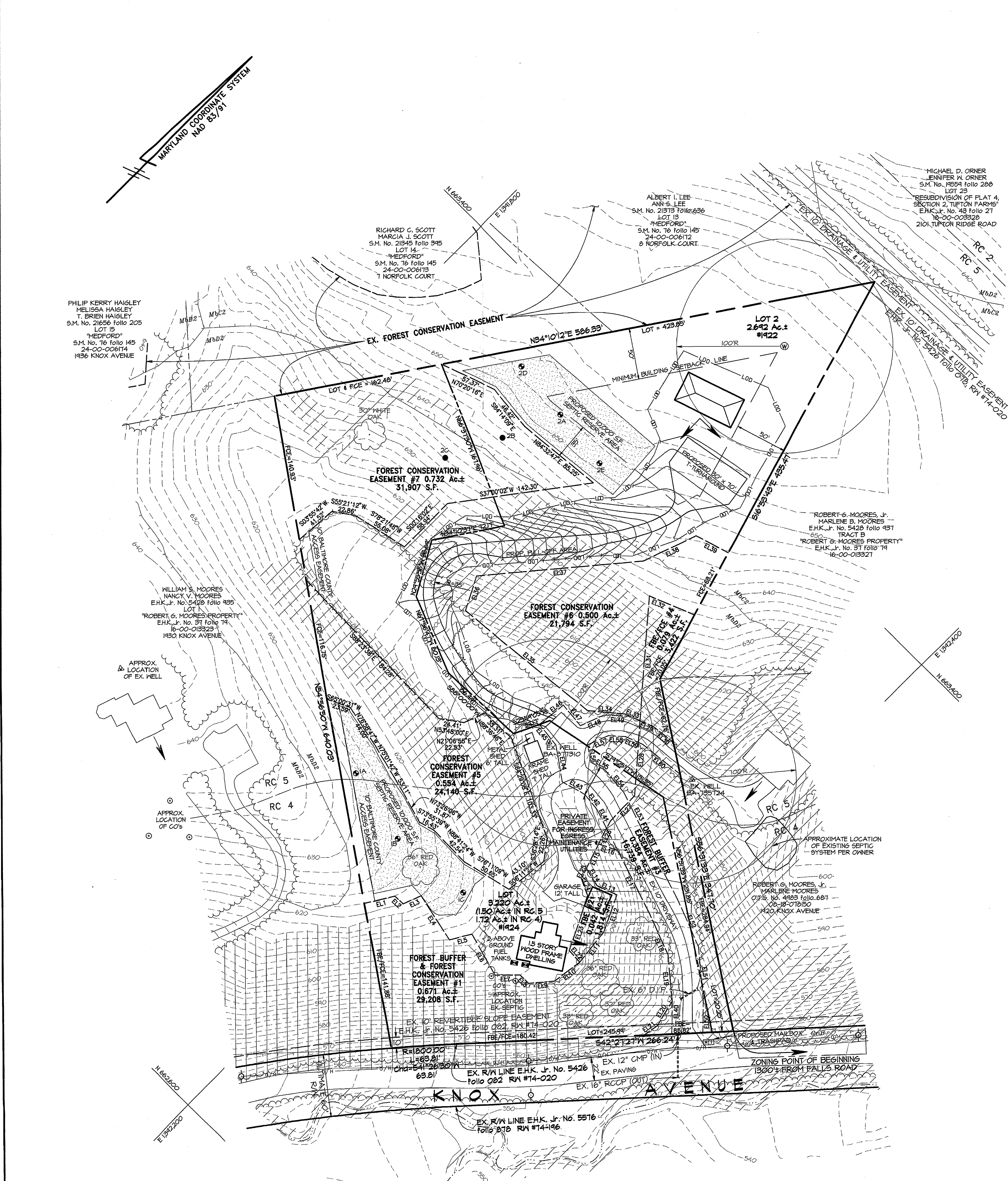
- THE BOUNDARY SHOWN HEREON IS FROM A SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
- THE TOPOGRAPHY SHOWN HEREON HAS BEEN TAKEN FROM BALTIMORE COUNTY GIS TILE 41 B3.
- THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 21.
- CONUS TRACT: 408501 REGIONAL PLANNING DISTRICT: 307
- WATERSHED: LOCH RAVEN SUBWATERSHED: 36 N
- A.D.M. MAP 4 GRID: T1 64
- THERE ARE KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
- THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS NOT LOCATED IN THE GIESSEFAKE, DAY CRITICAL AREA.
- THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
- ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
- ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
- NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREAS.
- THE ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY.
- ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
- AVERAGE DAILY TRIPS (2 Lds) x 12.4 = 24.8
- LOCAL OPEN SPACE IS NOT REQUIRED FOR MINOR SUBDIVISIONS.
- ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
- HIGHWAY, SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED INTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND.
- BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAT TO USE ALL OR ANY PART OF THAT LAND DESIGNATED AS PRIVATE RIGHT-OF-WAY FOR THE PURPOSE OF INGRESS, EGRESS, REGRESS, OR THE RIGHT TO OPEN OR EXCAVATE RIGHT-OF-WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS, BUT NOT LIMITED TO, WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TELEVISION.
- THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE FEBRUARY 13, 1974. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
- THE PANHANDLE DRIVEWAY SHALL CONFORM TO STANDARD PLATE R-P, R-Q, OR R-R.
- THE PANHANDLE SHALL BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.
- ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY ARE TO REMAIN.
- THE EXISTING USE IS 1 SINGLE FAMILY DWELLING, THE PROPOSED USE IS 2 SINGLE FAMILY DWELLINGS.

DENSITY CALCULATIONS

GROSS AREA	6.145 Ac.±
AREA IN ROAD R/W	0.252 Ac.±
NET AREA	5.893 Ac.±
GROSS AREA IN RC 4	2.056 Ac.±
LOTS PERMITTED IN RC 4	1
LOTS PROPOSED IN RC 4	1
GROSS AREA IN RC 5	4.094 Ac.±
LOTS PERMITTED IN RC 5	0.5 X 4.1 = 2
LOTS PROPOSED IN RC 5	1

OWNER/DEVELOPER

ESTATE OF:
ROBERT G. MOORES
LILLIAN A. MOORES
c/o WILLIAM S. MOORES
1930 KNOX AVENUE
REISTERSTOWN, MD 21136-5612
410-252-6481



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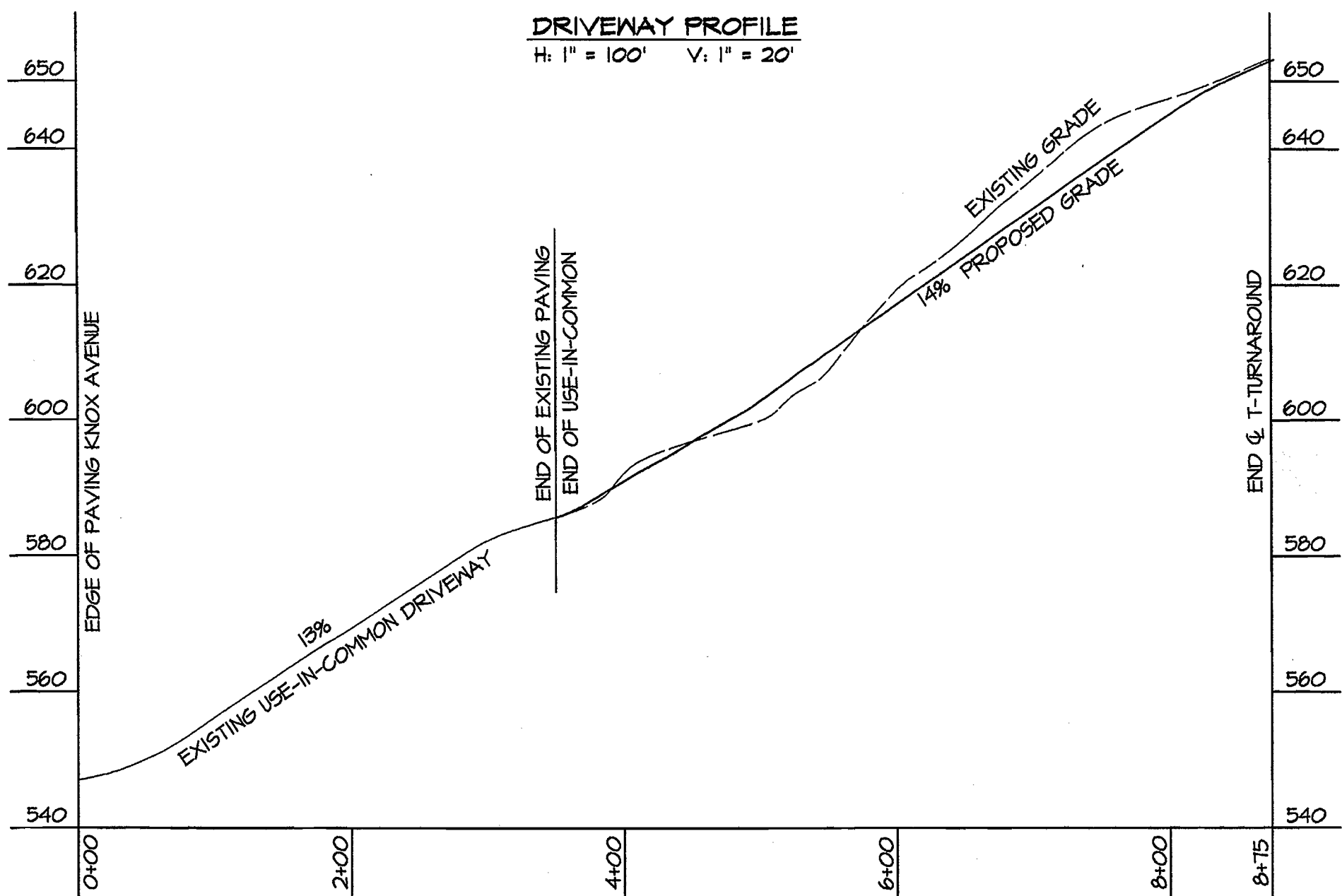
ZONING CASE No. 07-500-SPH

WHEREFORE, IT IS ORDERED by the Zoning Commission of Baltimore County that on July 24, 2007, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit: (1) an existing dwelling on proposed Lot 1 in an R.C.4 zone with the existing well and a portion of the proposed septic reserve area in an R.C.5 zone; (2) two non-density/non-buildable areas in the R.C.5 portion of proposed Lot 1; (3) an existing R.C.4 portion of proposed Lot 1 with less than the 3 acre minimum requirement; and (4) two existing accessory buildings in the R.C.5 portion of proposed Lot 1, in accordance with Petitioner's Exhibit 1, be and is hereby granted, subject to the following restrictions:

- ADVISORY: This Order approves the requested Special Hearing request but does not address the proposed subdivision. The Petitioner's subdivision proposal to create the proposed Lots 1 and 2 must continue its review by the Development Review Committee for consideration and processing.
- In accordance with 1A04.4 of the B.C.Z.R., any new construction in the R.C.5 zone requires a finding by the Director of Planning that the proposed new construction is in compliance with the R.C.5 zone. The following information must be submitted to the Office of Planning should any new construction be proposed:
 - Photographs of existing adjacent dwellings (these are in the case file and marked as Petitioner's Exhibit 2).
 - Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval and its determination that the proposed dwelling is compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone or cedar is encouraged.
 - Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
 - Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
 - Provide landscaping along the public road, if consistent with the existing streetscape.
- When applying for any permits, the site plan must reference this case and set forth and address the restrictions of this Order.

AN APPEAL OF THIS CASE WAS FILED BY THE OFFICE OF PEOPLE'S COUNSEL

DRIVEWAY PROFILE



FOREST BUFFER & FOREST CONSERVATION EASEMENT NOTES

- THERE SHALL BE NO CLEARINGS, GRADINGS, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT, FOREST CONSERVATION EASEMENT OR FOREST BUFFER & FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST BUFFER EASEMENT, FOREST CONSERVATION EASEMENT OR FOREST BUFFER & FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO THE PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- APPROVAL OF A COMBINED VARIANCE AND ALTERNATIVES ANALYSIS WAS GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FROM REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. CONDITIONS WERE PLACED ON THIS APPROVAL TO REDUCE WATER QUALITY IMPACTS.

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/ BASEMENT	STREETS & PARKING
MbB2	Slight	Slight	Moderate slope
MbC2	Moderate slope	Moderate slope	Severe slope
MbD2	Severe slope	Severe slope	Severe slope
dB	Severe, high water table, moderately slow permeability	Severe, high water table	Severe, high water table

GENERAL NOTES

- THE BOUNDARY SHOWN HEREON IS FROM A SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
- THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 41 B3
- THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SURVEY MAP No. 21
- CENSUS TRACT 403031 REGIONAL PLANNING DISTRICT 501
- WATERSHED LOCH RAVEN SUBWERSHED 56 N
- SCHOOL DISTRICT FRANKLIN H.S., FRANKLIN H.S., FRANKLIN H.S.
- A.D.C. MAP # 6 GRID IT 64
- PRIOR ZONING CASE HISTORY ON THE SUBJECT PROPERTY, 07-500-SPH
- THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT
- THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY
- THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
- THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN
- ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS
- ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED
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- ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY ARE TO REMAIN
- THE EXISTING USE IS 1 SINGLE FAMILY DWELLING. THE PROPOSED USE IS 2 SINGLE FAMILY DWELLINGS
- THE MAXIMUM BUILDING HEIGHT OF A PRINCIPAL STRUCTURE IN AN RC ZONE IS 25 FEET
- NO MORE THAN 10% OF ANY LOT IN AN RC 4 ZONE MAY BE COVERED BY IMPERMEABLE SURFACES
- NO MORE THAN 15% OF ANY LOT IN AN RC 3 ZONE MAY BE COVERED BY BUILDINGS
- NO MORE THAN 25% OF THE NATURAL VEGETATION MAY BE REMOVED FROM ANY LOT IN AN RC 4 ZONE
- ARCHITECTURAL ELEVATION DRAWINGS MUST BE SUBMITTED TO THE OFFICE OF PLANNING FOR REVIEW AND APPROVAL IN ACCORDANCE WITH SECTION 1A04.5 B.C.Z.R. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION OF ANY PROBLEM WHICH MAY RESULT DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES WILL BE THE FULL RESPONSIBILITY OF THE DEVELOPER

DENSITY CALCULATIONS

GROSS AREA	6,145 Ac.
AREA IN ROAD R/W	0.292 Ac.
NET AREA	5,815 Ac.
GROSS AREA IN RC 4	2,056 Ac.
LOTS PERMITTED IN RC 4	1
LOTS PROPOSED IN RC 4	1
GROSS AREA IN RC 5	4,084 Ac.
LOTS PERMITTED IN RC 5	0.5 X 4.1 = 2
LOTS PROPOSED IN RC 5	2

OWNER/DEVELOPER

ESTATE OF ROBERT G. MOORES
LILLIAN A. MOORES
c/o WILLIAM S. MOORES
1830 KNOX AVENUE
REISTERSTOWN, MD 21186-5612
410-252-6451

RELIEF REQUESTED

SPECIAL HEARING TO APPROVE AMENDMENTS TO THE PETITION AND SITE PLAN PREVIOUSLY APPROVED BY ORDER OF THE ZONING COMMISSION DATED JULY 24, 2007 AND TO APPROVE THE WELL AND SEPTIC IN THE RC 5 ZONE ON LOT 1 TO SUPPORT THE EXISTING RESIDENCE ON THE RC 4 ZONE ON LOT 1.

SHEET 1 OF 2
PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING
PDM #07-066-M
MINOR SUBDIVISION
OF THE

MOORES PROPERTY

1924 KNOX AVENUE
Deed Ref: J.M.B. No. 1617 folio 378
TRACT "A"
"ROBERT G. MOORES PROPERTY"
E.H.K., Jr. No. 37 folio 714
Tax Account No.: 16-00-013326
Zoned RC 4, RC 5; 615 Tile 41 B3
Tax Map 41, Grid 21; Parcel 35
8th ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=50'

Date: JANUARY 28, 2008

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

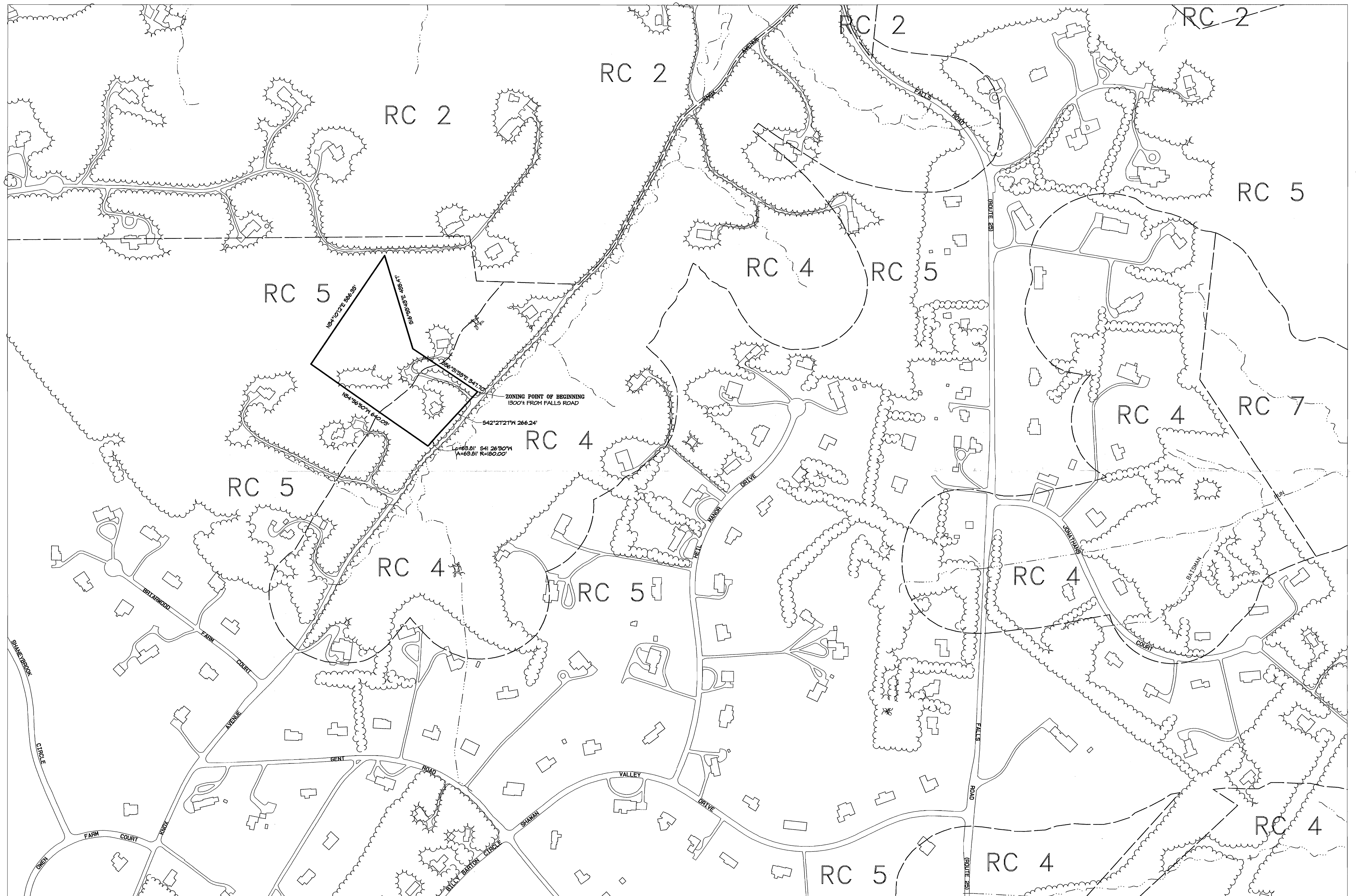
Suite 100
320 East Towson Town Boulevard
Towson, Maryland 21286
(410) 823-4470

PETITIONER'S

EXHIBIT NO. 1



REVISION	DATE	COMPUTED, E.F.D.-L	DRAWN, C.J.S.	CHECKED, S.A.L.	FILE, X:Moore Knowzoning2.pro



MARYLAND COORDINATE SYSTEM
NAD83 (1991)

ZONING MAP

GIS TILE: 4|B3

SCALE: 1" = 200'

#373