

IN RE: **PETITION FOR VARIANCE**
SW/S Falls Road, 398' S of c/line of
Graves Run Road
(19234 Falls Road)
5th Election District
3rd Council District

Alford Homes, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
* **Case No. 2009-0126-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by Willie R. Alford, Jr., President of Alford Homes, Inc., the owner of the subject property. The Petitioner requests Variance relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an existing accessory structure (shown as a "barn" on the site plan)¹, with a height of 27 feet in lieu of the maximum required 15 feet. The subject property and requested relief are more particularly described on the site plan, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Willie R. Alford, Jr., on behalf of the property owner, and J. Scott Dallas, of J.S. Dallas, Inc., the consultant who prepared the site plan for this property and is assisting the Petitioner through the minor subdivision process (Case No. 05-034M). There were no Protestants or other interested persons present, and it should be noted that there were no adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies.

¹ Section 400 of the B.C.Z.R. pertains to accessory buildings in residential zones and mandates their location only in the rear . . . with a height limitation of 15 feet. Sections 1A01.3A and 300.1 more specifically pertain to accessory structures in the Resource Preservation Zone and specifically state that the height of farm buildings and barns are an exception to Section 400. It became obvious, however, at the outset of the hearing that the accessory structure in this case, while a barn, is not being used for agricultural purposes at this time. Accordingly, the Zoning Review Office within the Department of Permits and Development Management, determined that it was subject to the provisions of Section 400.1.

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Date 1-20-09
By [Signature]

Testimony and evidence disclosed that the Petitioner has owned the property since 2003 and now desires to subdivide the property, raze the existing home, build two (2) new single-family dwellings and retain the 100-year old existing barn that is 27' high x 23' wide x 38' deep built on a stone foundation and located along the eastern portion of the property near Graves Run Road. In this regard, the subject property is an irregularly shaped parcel, approximately 20.847 acres in area, zoned R.C.2, and located in northern Baltimore County at its borderline with Carroll County. The property is on a State scenic byway referred to as "Indian Run" on the west side of Falls Road opposite Graves Run Road. Given its configuration, the lot has 998 feet of frontage on Falls Road and 846 feet along the Carroll County division line. The property is known as Parcel 5 on Maryland Department of Assessments and Taxation Real Property Tax Map 9 and contains a two-story dwelling that was constructed in 1890. As shown on the site plan, proposed Lot 1 will be 17.634 acres and contains the subject barn that will be in the rear yard of the proposed new dwelling. Lot 2 will encompass the southwestern portion of the tract and will be 3.213 acres. Access to both lots will be from Woods Road that connects to Falls Road in Baltimore County, traverses through the northwestern tip of the subject property, and then runs into Carroll County. The evidence offered was that the approved configuration of these lots would result in the most logical and compatible lot configuration possible. Neither of these two (2) lots can be further improved with additional dwellings. Mr. Alford believes the barn to be aesthetically appealing and in keeping with the characteristics of the mid-19th century appearance of the area. He stated that the barn is in fair condition and he intends to restore it pending variance approval. He testified that tearing the barn down would cause a hardship as it is in fair condition, can be renovated to excellent condition and is positioned in one of the finest residential areas in the metropolitan area. It is in keeping with the historical styles of other barns in the area. Although the barn will be used in an agricultural manner, it is not commercial in

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Date 1-20-09
By [Signature]

nature, and so it does not fall under the statutory definition of a "barn", which has no height restrictions. Unlike a commercially used agricultural barn, this structure is required to conform to B.C.Z.R. Section 400.3 and not exceed 15 feet in height. No County agency found fault with the proposed variance. I agree with the Petitioner that there is no reason for the barn to be taken down. It is structurally sound and has been in continuous use since 1890. Thus, I am persuaded that relief can be granted without detrimental impact to adjacent properties or surrounding locale. In my judgment, the Petitioner has satisfied the requirements of Section 307 of the B.C.Z.R. and *Cromwell v. Ward*, 102 Md. App. 691 (1995). The variance in this case is driven by the structure's age and location on property that is within a scenic and historical area of the County.

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 for Baltimore County this 20th day of January 2009 that the Petition for Variance from 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure with a height of 27 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

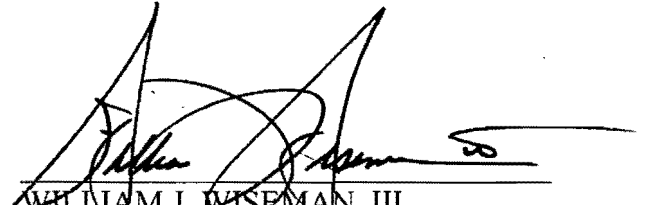
- 1) ADVISORY: The Petitioner shall return to the Development Review Committee (DRC) for a limited exemption under Baltimore County Code (B.C.C.) Section 32-4-106(a)(1)(viii) concerning the minor subdivision and lot line adjustment.
- 2) The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30)-day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

ORDER RECEIVED FOR FILING
Date 1-20-09
By [Signature]

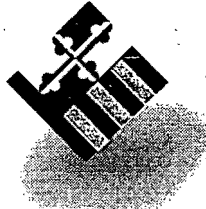
- 3) The accessory barn shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioner shall not allow or cause the barn to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen or bathroom facilities.
- 4) When applying for a permit, the site plan filed must reference this case and set forth and address the conditions and restrictions of this Order.

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

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

RECEIVED FOR FILING
Date 1-20-09
By [signature]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 20, 2009

J. Scott Dallas
J.S. Dallas, Inc.
P.O. Box 26
Baldwin, Maryland 21013

RE: **PETITION FOR VARIANCE**
SW/S Falls Road, 398' S of c/line of Graves Run Road
(19234 Falls Road)
5th Election District - 3rd Council District
Alford Homes, Inc. - Petitioner
Case No. 2009-0126-A

Dear Mr. Dallas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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 truly yours,

A handwritten signature in black ink, appearing to read 'William J. Wiseman III', written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Willie R. Alford, Jr., President, Alford Homes, Inc., 329 John Owings Road,
Westminster, MD 21158
People's Counsel; Development Review Committee (DRC), DPDM;
Development Plans Review, DPDM; File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at #19234 Falls Road

which is presently zoned RC2

Deed Reference: 18184 / 360 Tax Account # 05 0523035290

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 Variance from Section(s) 400.3 BCZR to allow an existing accessory structure with a height of 27 feet in lieu of the maximum required 15'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.) Barn has existed on site for many years. Existing dwelling in barn vicinity will be razed. Proposed dwelling will be sited approximately 400 feet from barn.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Alford Homes, Inc. (Willie R. Alford Jr)

Name - Type or Print

Signature

Name - Type or Print

Signature

329 John Owings Road

410-876-6609

Address

Westminster, MD 21158

Telephone No.

City

State

Zip Code

Representative to be Contacted:

J.S. Dallas, Inc (J. Scott Dallas)

Name

P.O. Box 26

410-817-4600

Address

Baldwin

MD

21013

Telephone No.

City

State

Zip Code

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by

SK

Date

10/29/08

REV 8/20/07

Case No. 2009-0126-A

ORDER RECEIVED FOR FILING

Date 1-20-09

By [Signature]

P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

**ZONING DESCRIPTION
#19234 FALLS ROAD
(PROPOSED LOTS 1 AND 2 ALFORD PROPERTY)**

BEGINNING for the same at a point on the southwest side of Falls Road, approximately 50 feet wide; distant 398' +- south from the extension of the center of Graves Run Road thence running the six following courses and distances: **(1) South 25 degrees 17 minutes 08 seconds West 683.06 feet (2) North 62 degrees 47 minutes 12 seconds West 153.47 feet (3) North 10 degrees 24 minutes 27 seconds East 284.19 feet (4) North 68 degrees 08 minutes 49 seconds West 191.61 feet (5) North 44 degrees 52 minutes 13 seconds West 646.75 and (6) North 15 degrees 25 minutes 33 seconds East 846.05 feet** to intersect said southwest side of Falls Road thence running with and binding on said southwest side of Falls Road the eleven following courses and distances: **(1) South 40 degrees 56 minutes 15 seconds East 131.38 feet (2) South 42 degrees 29 minutes 15 seconds East 89.56 feet (3) South 58 degrees 23 minutes 36 seconds East 372.82 feet (4) South 51 degrees 39 minutes 52 seconds East 198.73 feet (5) South 51 degrees 17 minutes 17 seconds East 74.50 feet (6) South 39 degrees 52 minutes 17 seconds East 69.50 feet (7) South 18 degrees 15 minutes 20 seconds East 61.84 feet (8) South 07 degrees 18 minutes 54 seconds East 199.72 feet (9) South 04 degrees 49 minutes 45 seconds East 89.80 feet (10) South 03 degrees 20 minutes 27 seconds East 99.49 feet and (11) South 06 degrees 07 minutes 55 seconds East 48.12 feet** the place of beginning.

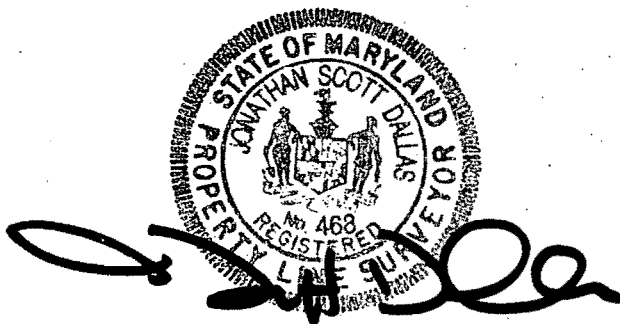
CONTAINING 908,107 square feet or 20.847 acres of land, more or less.

COMPRISING PROPOSED LOTS 1 AND 2.

BEING that parcel which by deed dated May 30, 2003 and recorded among the Land Records of Baltimore County in Liber S.M. No. 18184 folio 360 etc. was conveyed by Joseph M. Getty and others to Alford Homes, Inc.

ALSO being known as **#19234 FALLS ROAD** and located in the 5th Election District 3rd Councilmanic District.

Note: above description is for zoning purposes only.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **22067**

Date: **10/29/10**

Fund	Dept	Unit	Sub Unit	Rev	Sub	Obj	Sub Obj	Dept Obj	BS Acct	Amount
				Source/	Rev/					
001	806	001								\$ 6,000.00

Total: **\$ 6,000.00**

Rec From: _____

For: _____

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

VOID RECEIPT

NOV 2 2010
 10:20 AM
 BALTIMORE COUNTY
 OFFICE OF BUDGET AND FINANCE
 1000 E. CALVERT STREET
 BALTIMORE, MD 21202
 TEL: 410-388-1000
 FAX: 410-388-1001
 WWW.BALTIMOREMD.GOV

**CASHIER'S
 VALIDATION**

Handwritten: 10/29/10 0126

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: # 2009-0126-A

19234 Falls Road
S/west side of Falls Road, 398 feet south of centerline of Graves Run Road
5th Election District
3rd Councilmanic District
Legal Owner(s): Alford Homes, Inc.

Variance: to allow an existing accessory structure with a height of 27 feet in lieu of the maximum allowed 15 feet.

Hearing: Wednesday, January 14 2009 at 11:00 a.m. in Room 104, Jefferson Building, 105 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) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 12/826 Dec. 30 191416

CERTIFICATE OF PUBLICATION

1/2/, 2009

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 12/30/, 2008.

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

S. Wilkins

LEGAL ADVERTISING

BW 1/14
11AM

RECEIVED

CERTIFICATE OF POSTING

JAN 12 2009

ZONING COMMISSIONER

ATTENTION: KRISTEN MATHHEWS

DATE: 12/27/08

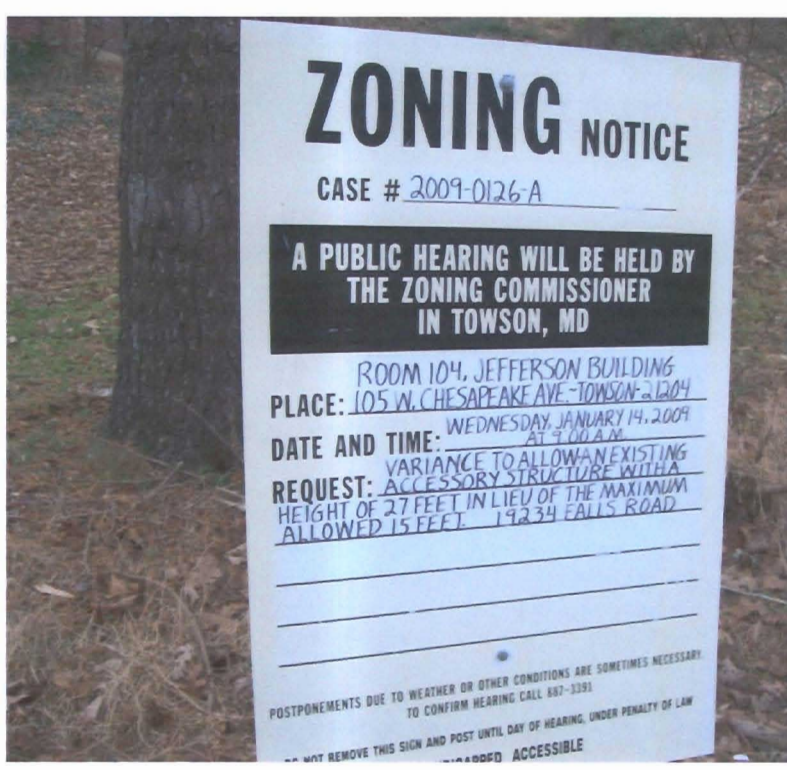
Case Number: 2009-0126-A

Petitioner / Developer: WILLIE ALFORD, JR.~J. S. DALLAS, INC.

Date of Hearing (Closing): JANUARY 14, 2009

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
19234 FALLS ROAD

The sign(s) were posted on: DECEMBER 26, 2008



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 11, 2008
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

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19234 Falls Road

S/west side of Falls Road, 398 feet south of centerline of Graves Run Road

5th Election District – 3rd Councilmanic District

Legal Owners: Alford Homes, Inc.

Variance to allow an existing accessory structure with a height of 27 feet in lieu of the maximum allowed 15 feet.

Hearing: Wednesday, January 14, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Timothy M. Kotroco
Director

TK:klm

C: Willie Alford, Jr., 329 John Owings Road, Westminster 21158
J. S. Dallas, P.O. Box 26, Baldwin 21013

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 30, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 30, 2008 Issue - Jeffersonian

Please forward billing to:
Alford Homes, Inc.
329 John Owings Road
Westminster, MD 21158

410-876-6609

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: 2009-0126-A

19234 Falls Road

S/west side of Falls Road, 398 feet south of centerline of Graves Run Road

5th Election District – 3rd Councilmanic District

Legal Owners: Alford Homes, Inc.

Variance to allow an existing accessory structure with a height of 27 feet in lieu of the maximum allowed 15 feet.

Hearing: Wednesday, January 14, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 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.

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.

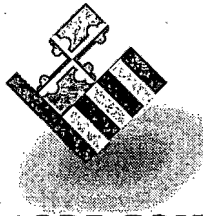
For Newspaper Advertising:

Item Number or Case Number: 2009-0126-A
Petitioner: ALFORD HOMES, INC.
Address or Location: 19234 FALLS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ALFORD HOMES, INC.
Address: 329 JOHN OWINGS RD.
WESTMINSTER MD.
21158
Telephone Number: 410-876-6609

Revised 7/11/05 - SCJ



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
January 08, 2009

Willie R. Alford Jr.
Alford Homes, INC
329 John Owings Rd.
Westminster, MD 21158

Dear: Willie R. Alford Jr.

RE: Case Number 2009-0126-A, 19234 Falls Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 29, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
J. Scott Dallas: J.S. Dallas, INC; P.O. Box 26; Baldwin, MD 21013



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

November 20, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 17, 2008

ItemNumbers 0111, ~~0126~~, 0127, 0128, 0129, 0130, 0131, 0132, 0133, 0135, 0137, 0138, 0140

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 24, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For November 24, 2008
Item No.: 2009-111, 121, 126, 127,
128, 130, 131, 132, 133, 137, 138 & 140

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

DAK:CEN:cab
cc: File

ZAC-11242008-NO COMMENTS

BW 1/14
11 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 26, 2008

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

RECEIVED
NOV 26 2008

SUBJECT: 9-126 -Variance

BY:.....

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 27 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Jessie Bialek at 410-887-3480.

Prepared by:

Curtis B. Gussing

Section Chief:

Lynne L. Leland

AFK/LL: CM



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

State Highway
Administration

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

Maryland Department of Transportation

Date: Nov. 19, 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 2009-0126-A
19234 FALLS ROAD
ALFORD HOMES, INC.
VARIANCE

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. 2009-0126-A.

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,

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

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



RE: PETITION FOR VARIANCE * BEFORE THE
19234 Falls Road; SW/S Falls Road, 398' S *
of c/line of Graves Run Road * ZONING COMMISSIONER
5th Election & 3rd Councilmanic Districts *
Legal Owner(s): Alford Homes, Inc * FOR
Petitioner(s) * BALTIMORE COUNTY
* 09-126-A

* * * * *

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.

RECEIVED

NOV 24 2008

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of November, 2008, a copy of the foregoing Entry of Appearance was mailed to J.S. Dallas, P.O. Box 26, Baldwin, MD 21013, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Matthews, Kristen; Williams, LaShenda
Date: 01/12/09 8:50:49 AM
Subject: 2009-0126-A - January 14th @ 11 AM

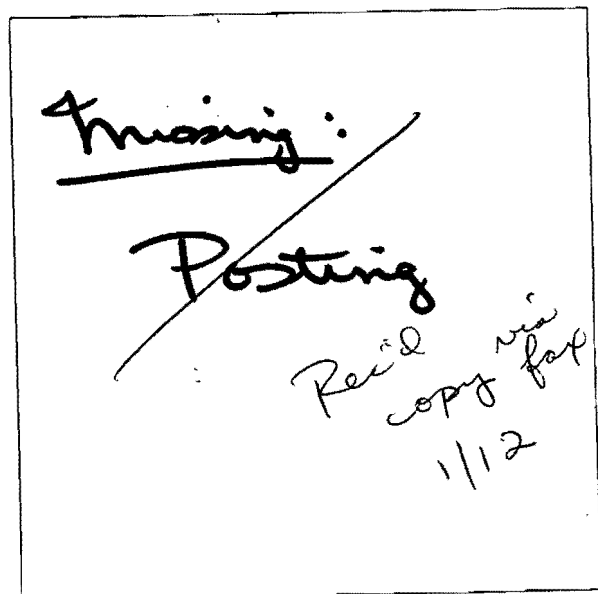
Good Morning,

Hope you both had a great weekend, although I'm quite aware of how short they can be!

In reviewing the above-referenced file for Bill, it appears the sign posting certification is missing and before I contact the rep., can you please double check to see if you have it there.

Thanking you in advance.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



CASE NAME Reford Thomas Inc.
CASE NUMBER 2009-0126-A
DATE 1-14-09

CASE NAME Reford Thomas Inc.
CASE NUMBER 2009-0126-A
DATE 1-14-09

[illegible]

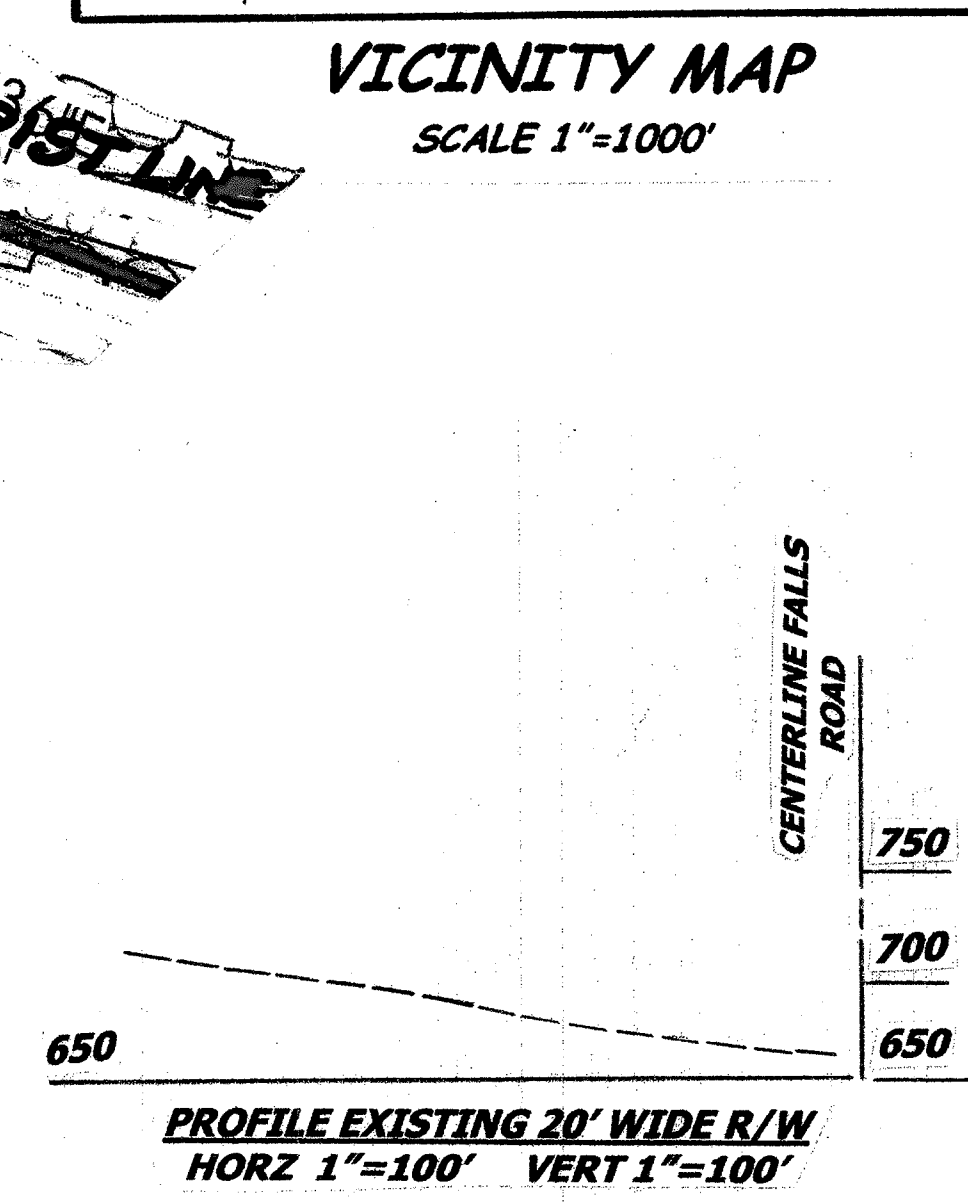
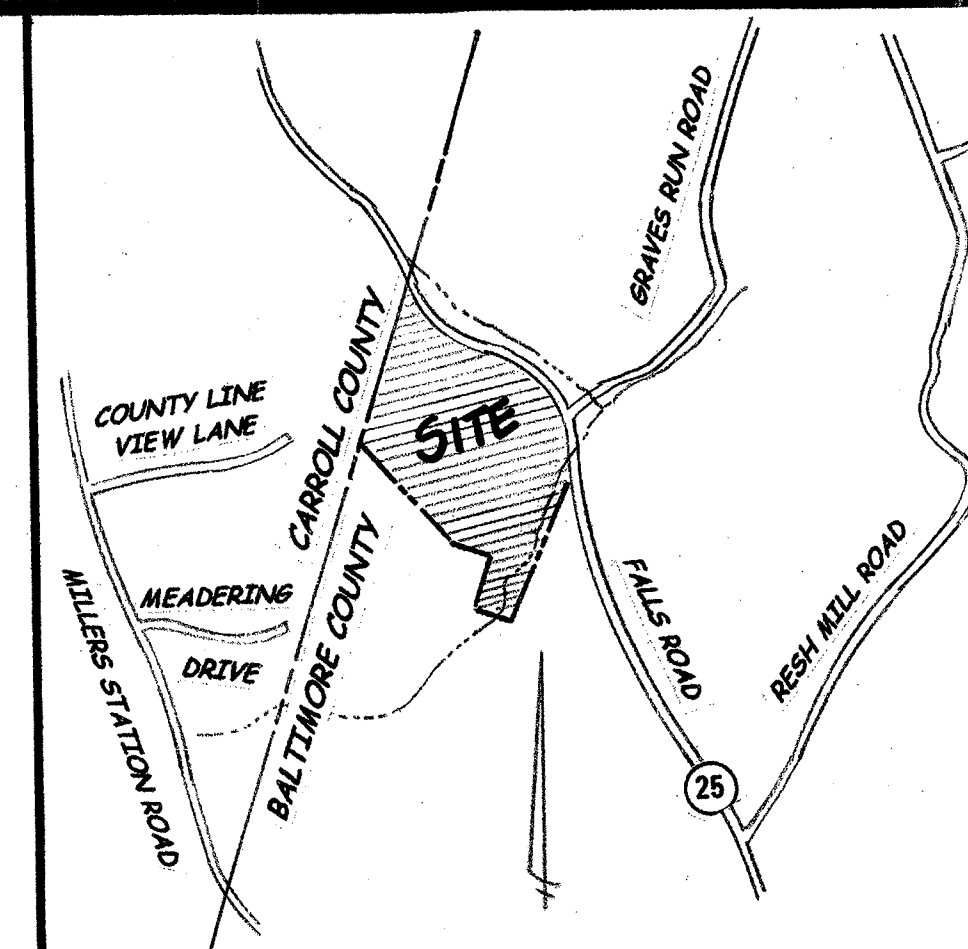
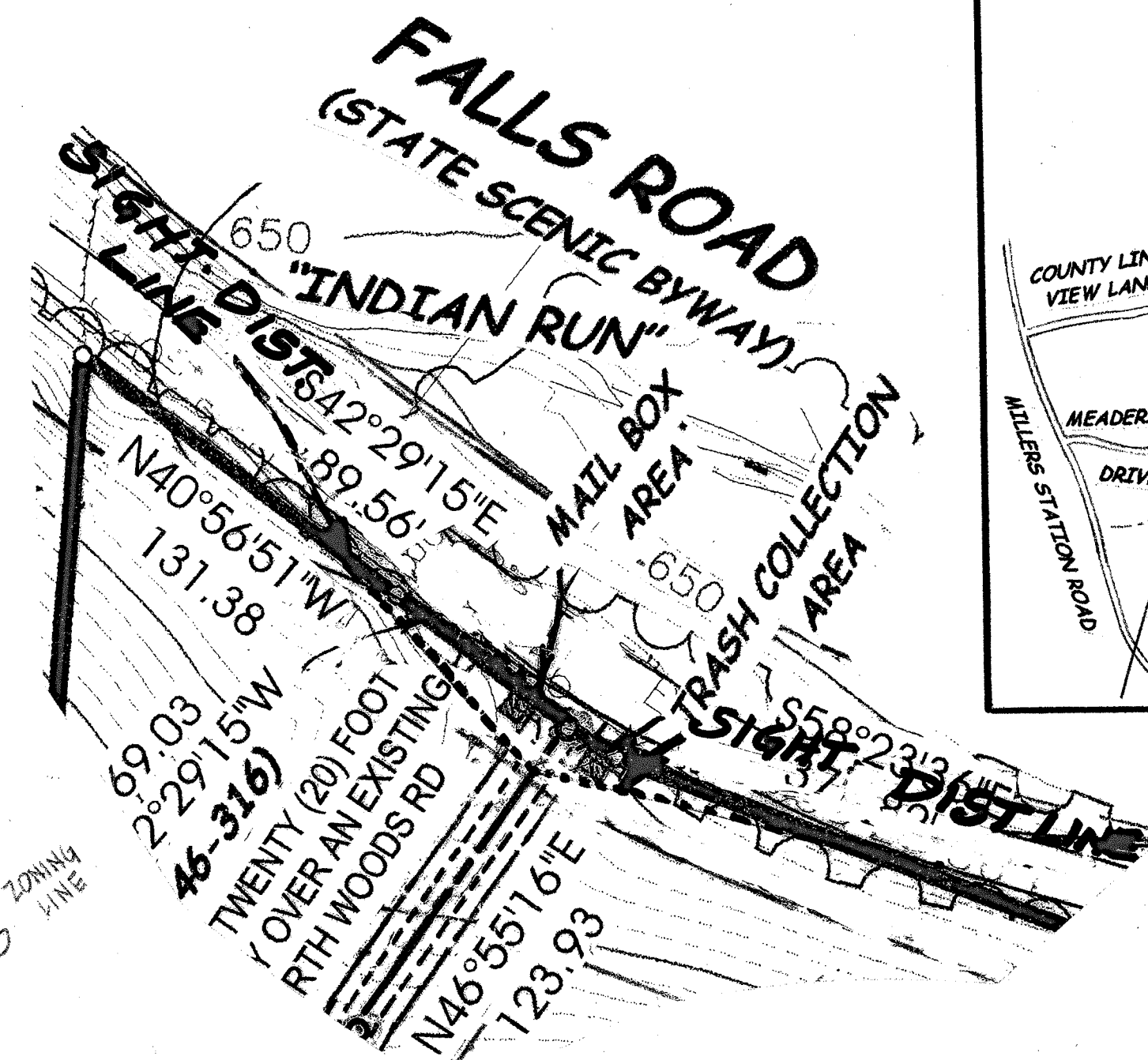
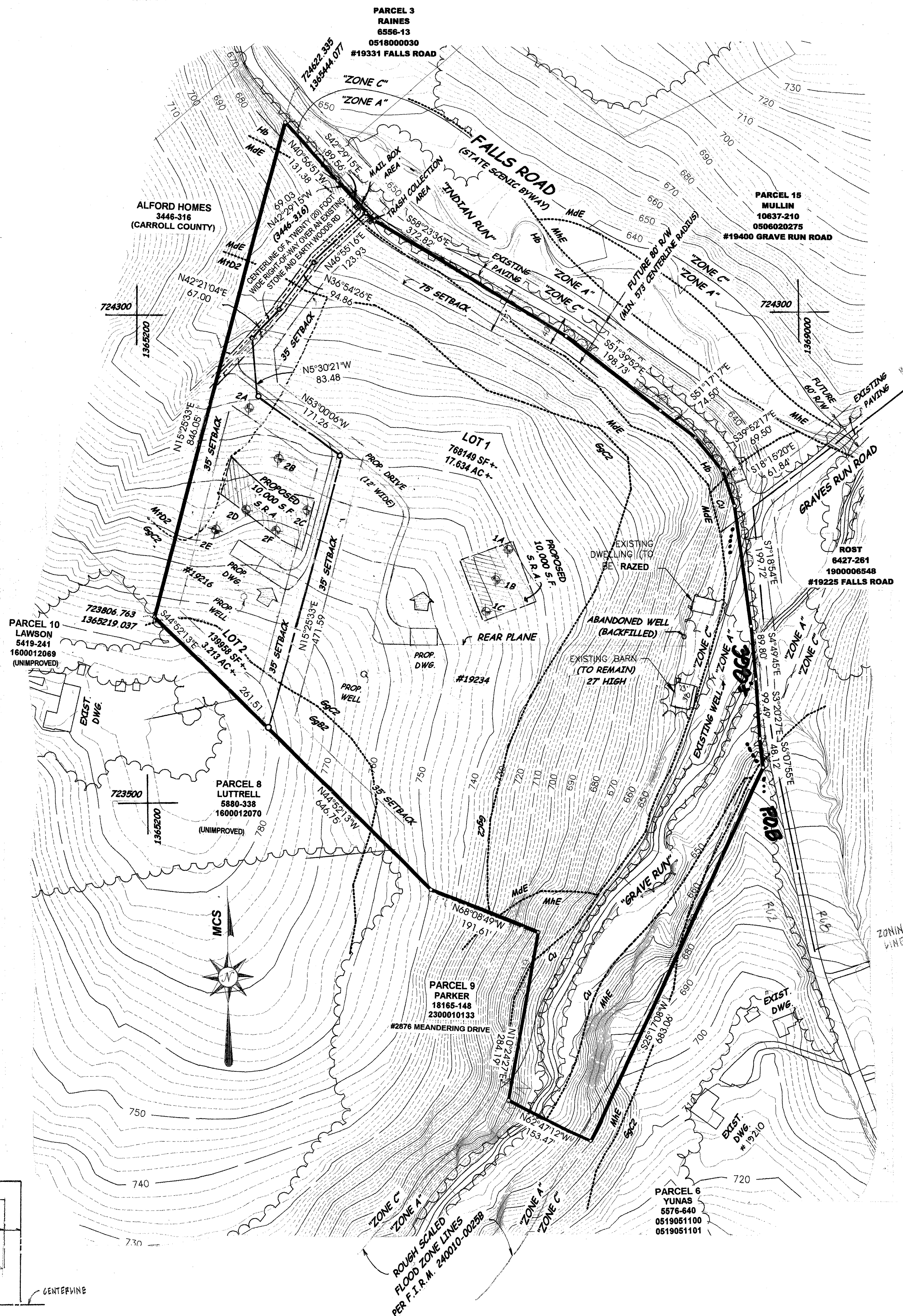
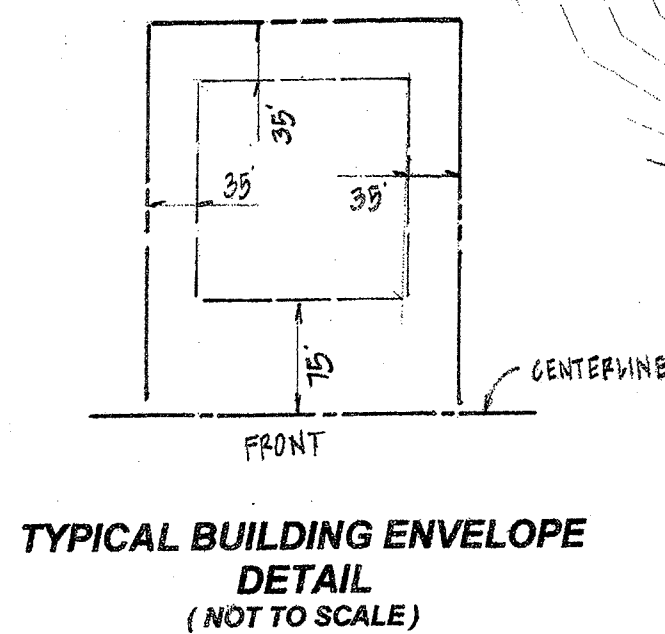
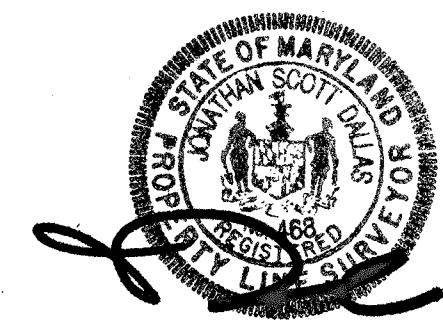
- REQUIRED STORM WATER MANAGEMENT NOTES:
1. All site runoff must be conveyed to a suitable outfall without imposing an adverse impact on the receiving waterbody, watercourse, wetland, storm drain or adjacent property.
 2. All impervious areas should be limited to 30 percent of cleared area and conveyed as sheet flow through vegetated area without concentrating or causing erosion.
 3. House down spouts are to be discharged onto pervious areas or into dry wells, where feasible.
 4. Additional subdivision on these parcels and/or lots may require SWM controls for this site and the additional subdivision.
 5. Total area of land disturbed must be noted on plan. Limits of disturbance must be delineated.

NOTES:

1. OWNER: ALFORD HOMES, INC. 329 JOHN OWING'S ROAD (410-876-6609) WESTMINSTER, MD 21158-3103
2. DEED REFERENCE: 18184-350 TAX MAP 9 GRID 18 PARCEL 5 ACOT NO. 0523035290
3. ZONING NOTES: ZONING: R.C. 2 PER CPZ NW 33-1 TRACT AREA = 20.847 AC ± (GROSS) 2-100 AC. 2 LOTS ALLOWED LOTS ALLOWED = 2 LOTS PROPOSED = 2 (NO KNOWN ZONING HEARINGS FOR SUBJECT PROPERTY)
4. LOT AREAS:
PROPOSED LOT 1 = 768,149 S.F. ± (17.634 AC. ±) GROSS
PROPOSED LOT 2 = 139,959 S.F. ± (3.213 AC. ±) GROSS
THERE IS ONE EXISTING DWELLING AND NO KNOWN STORAGE TANKS.
SITE LIES WITHIN FLOOD ZONE C AND ZONE A per F.E.M.A. BALTIMORE COUNTY F.I.R.M. 240010-00258 (SEE SHEET NO. 1).
5. SITE SOIL TYPES SHOWN ON SHEET 1 PER BALTIMORE COUNTY SOIL SURVEY MAP NO. 7
6. SITE LIES IN: COUNCILMANIC DISTRICT 3 WATERSHED - PRETTY BOY
ELECTION DISTRICT 5 SUBSEWERSHED - INDIAN RUN/PRETTY BOY
CENSUS TRACT 4050
REGIONAL PLANNING DISTRICT 302
SCHOOLS: (Elem) 5th DISTRICT (Middle) HEREFORD (High) HEREFORD
9. TOPOGRAPHY HEREON PER BALTIMORE COUNTY - OIT GIS SERVICES UNIT MAP (FILE ID: 009c3)
10. TAX ACCOUNT # 0523035290
11. EXISTING USE OF PROPERTY: 1 SINGLE FAMILY DWELLING
12. PROPOSED USE PROPERTY - 2 SINGLE FAMILY DWELLINGS
13. MAXIMUM HEIGHT OF PRINCIPAL STRUCTURES IS 35'
14. THE PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1964. THE DEVELOPER'S ENGINEER 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. COORDINATES HEREON ARE GRAPHICAL REPRESENTATION ONLY.
15. AREA BETWEEN SIGHT LINE AND ROADWAY MUST BE CLEARED, GRADED AND KEPT FREE OF ANY OBSTRUCTIONS.
17. NO KNOWN ZONING CHANGES WITHIN 200' OF SUBJECT SITE (PER B.C.O.P.E.).
18. PROPERTY SHOWN HEREON AS APER A.C.S., INC. SURVEY DATED 12-17-2003.
19. THE DRIVEWAY 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.
20. THE EXISTING HUND-DUG WELL MUST BE ABANDONED/BACK-FILLED BY A LICENSED WELL DRILLER WHO MUST SUBMIT A WELL ABANDONMENT REPORT TO DEPRM.
21. THE EXISTING SEPTIC SYSTEM (TANK) AND THE OUTHOUSE MUST ALSO BE PROPERLY ABANDONED/BACK-FILLED. SEND VERIFICATION TO DEPRM.
22. THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANT 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, WOULD BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
23. BUILDING ENVELOPES OR TYPICAL DETAILS AS SHOWN DICTATE A SPECIFIC LOCATION AND ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES. SHOULD THE LOCATION OR ORIENTATION CHANGE OR CREATE CONFLICTS WITH THE REGULATIONS AND POLICIES, THE LOCATION OR ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT.
24. ALL DRIVEWAYS WILL COMPLY WITH SECTION 409.4 (BCZR). ALL DRIVEWAY, PARKING AND MANUEVERING AREAS WILL BE PAVED WITH ASPHALT.
25. PRIVATE DRIVEWAY ENTRANCES SHALL CONFORM WITH BALTIMORE COUNTY STANDARD DETAIL PLATE R-15 FOR TYPICAL DRIVEWAY ENTRANCES FROM ROAD WITHOUT CURB AND GUTTER.
26. SITE IS NOT WITHIN ANY FAILED BASIC SERVICES MAP AREA OR AN AREA OTHERWISE RESTRICTED FOR DEVELOPMENT BY THE STATE OR BALTO. CO.
27. SUBJECT SITE DOES NOT APPEAR ON ANY KNOWN EXISTING PLAT OF RECORD.

28. NOT IN CBGA (JSD)

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600



PETITIONER'S
EXHIBIT NO. 1

PLAN TO ACCOMPANY PETITION FOR
ZONING VARIANCE
ALFORD PROPERTY AT FALLS ROAD
5th ELECTION DISTRICT BALTIMORE COUNTY, MD
SCALE 1"=100' 3rd COUNCILMANIC DISTRICT
9-11-08