

IN RE: PETITION FOR SPECIAL HEARING

SE side of Belfast Road, 2450 feet E of
Joyce Lane
8th Election District
3rd Councilmanic District
(2003 Belfast Road)

Harry and Marian Randall

Petitioners

Douglas Hamilton

Contract Purchaser

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* **Case No. 2009-0215-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 Harry and Marian Randall, the legal property owners, and Douglas Hamilton, the contract purchaser. Special Hearing relief is requested in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow the non-density transfer of a R.C.2 zoned 9.96 acre parcel from the Harry and Marian Randall property to the adjacent Douglas and Tsogni Hamilton property. The subject property and requested relief are more fully described on the site plan that 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 Petitioner Marian Randall and the contract purchaser, Douglas Hamilton. Also appearing in support of the requested relief was Bruce Doak, Petitioner's land use consultant and surveyor with Gerhold Cross & Etzel, Ltd., who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that Petitioners own a large tract of land that is irregular in shape and contains approximately 55.226 acres, zoned R.C.2. The property is

RECEIVED FOR FILED
5.7.09
m

located on the southeast side of Belfast Road, north of Western Run Road and east of Falls Road in the Butler area of northern Baltimore County. Petitioners' property actually consists of three deeded properties, all located contiguous to one another. As shown on the site plan, the property outlined in "blue" consists of 13.841 acres and the property outlined in "green" consists of 3.904 acres. These properties have a mix of cleared and wooded areas and appear to be largely unimproved. The property outlined in "orange" consists of 37.481 acres and is improved with Petitioners' two-story single-family residence and a one-story garage building.

Adjacent to Petitioners' property immediately to the south is Mr. Hamilton's property, with access on Western Run Road. His property is outlined in "yellow" on the site plan and consists of 34.731 acres. His property is mostly cleared, though there is a wooded area that runs along the east side of the property. There is also a pond located near the center of his property. His property is improved with a one-story dwelling, a one-story garage building, and a two-story dwelling that is the primary residence.

As indicated above and shown on the site plan, Petitioners and Mr. Hamilton are neighbors on these significant tracts of land. Mr. Hamilton has owned his property for 10 years and has resided there for the last four years. Petitioners have owned their property since 1970 and have lived there since 1972. As the site plan depicts, the area of improvements where Mr. Hamilton's home is located backs up fairly close to Petitioners' property. As the parties indicated, they are very good neighbors with one another, however, Mr. Hamilton is concerned with his "backyard" in the event Petitioners may eventually sell their property. Without knowing the intentions of any subsequent owners, Mr. Hamilton is concerned in the event future development is sought for Petitioners' property. In short, Mr. Hamilton would like to have a built-in buffer between his property and Petitioners' property.

RECEIVED FOR FILE
5-7-09
PM

The parties have discussed the situation and in order to address this issue, Petitioners have agreed to convey a 9.96 acre piece of the southern areas of their property to Mr. Hamilton. This area is depicted on the site plan in a "pink" outline. In effect, this area would become the northern property line of Mr. Hamilton and would provide him with the buffer he desires. In order to do so, Petitioners have filed the instant special hearing to request a non-density transfer of the 9.96 acres to Mr. Hamilton.

In support of the request, Mr. Doak submitted an aerial photograph that was marked and accepted into evidence as Petitioners' Exhibit 2. The photograph gives a visual perspective of the properties depicted on the site plan. In particular, it shows the wooded area, as well as a small tributary, running along the east side of Mr. Hamilton's property, and also shows the heavily wooded area between the parties' properties (specifically the area that is the subject of the non-density transfer). Mr. Doak also commented that the 9.96 acre subject area is relatively unusable in any respect due to its dense forest and its steep slopes, as indicated by the topographical lines on the site plan. For this reason, the non-density transfer of this land in order for it to become a desired natural buffer between the properties makes sense. The conveyance is not for the purpose of transferring any density, but merely to provide Mr. Hamilton with additional land and to establish a new property line between these respective neighbors, consistent with the use and topographical features of these parcels. He also emphasized that there would be no disturbance or re-grading of the land.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition to the requested relief, except the comment received from the Department of Environmental Protection and Resource Management dated April 22, 2009 indicates that the property must comply with the Regulations for the

RECEIVED FOR FILE
5-7-09
pm

Protection of Water Quality, Streams, Wetlands and Floodplains. The property must also comply with the Forest Conservation Regulations.

Considering of all the testimony and evidence presented, I am persuaded to grant the special hearing relief. Clearly, there will be no detrimental impact to any adjacent property owners. Moreover, as noted above, there is no density or rights of subdivision being conveyed. Thus, there will be no alteration of the existing property rights of these owners. Hence, in my view the special hearing should be granted.

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

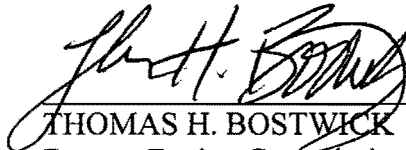
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 7th day of May, 2009 that Petitioners' request for Special Hearing relief filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow the non-density transfer of a R.C.2 zoned 9.96 acre parcel from the Harry and Marian Randall property to the adjacent Douglas and Tsogni Hamilton property, be and is hereby GRANTED, subject to the following:

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 this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
3. 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).

RECEIVED FOR FILE
5.7.09
m

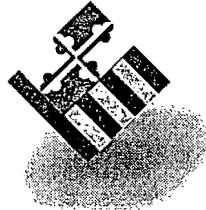
4. Within one hundred twenty (120) days of the date of this Order, new deeds shall be recorded among the Land Records of Baltimore County referencing this case and incorporating the conditions and/or restrictions of this Order.
5. When applying for any permits, the site plan filed must reference this case and set forth and the address the conditions and/or restrictions of this Order

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

RECEIVED FOR FILED
5.7.09
m



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 7, 2009

HARRY AND MARIAN RANDALL
2003 BELFAST ROAD
COCKEYSVILLE MD 21030

Re: Petition for Special Hearing
Case No. 2009-0215-SPH
Property: 2003 Belfast Road

Dear Mr. and Mrs. Randall:

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,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Douglas Hamilton, 1900 Western Run Road, Cockeysville MD 21030
Bruce Doak, Gerhold Cross & Etzel Ltd, 320 East Towsontown Blvd., Towson MD 21286



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2003 BELFAST ROAD
which is presently zoned RC2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE NON-DENSITY TRANSFER OF A RC2 ZONED 9.96 ACRE PARCEL FROM
THE RANDALL PROPERTY TO THE ADJACENT HAMILTON PROPERTY

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:

DOUGLAS HAMILTON
Name - Type or Print
[Signature]
Signature
1900 WESTOWN RUN ROAD 410-771-4301
Address Telephone No.
COCKEYSVILLE MO 21030
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

HARRY G. RANDALL
Name - Type or Print
[Signature]
Signature
MARIAN P. RANDALL
Name - Type or Print
[Signature]
Signature
2003 BELFAST ROAD 410-472-4822
Address Telephone No.
COCKEYSVILLE MO 21030
City State Zip Code

Representative to be Contacted:

BRUCE E. DOAK
GERHOLD CROSS & ETZEL, LTD
Name
320 E. TOWSONTOWN BLVD. 410-823-4470
Address Telephone No.
TOWSON MO 21286
City State Zip Code

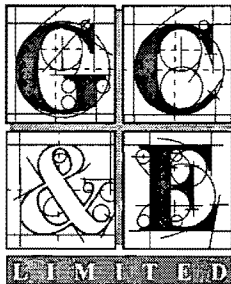
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1HR

UNAVAILABLE FOR HEARING -

Case No. 2009 0215 SPH

Reviewed By VL Date 2/19/09



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

February 4, 2009

ZONING DESCRIPTION

Harry G. and Marin P. Randall property

Tax ID: 16-00-004074

17-00-009434

18-00-012350

Belfast Road

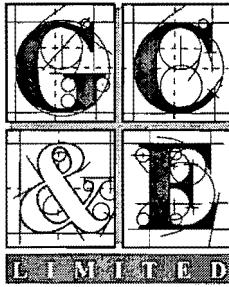
Baltimore County, Maryland

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

Beginning for the same at a point in the center of the Belfast Road being Southwesterly 2450 feet $\pm$ from the intersection of Belfast Road with Joyce Lane along the centerline of Belfast Road and running thence,

- 1) North 53 degrees 24 minutes 44 seconds East 138.10 feet,
- 2) South 39 degrees 11 minutes 55 seconds East 492.89 feet,
- 3) North 53 degrees 13 minutes 05 seconds East 265.37 feet,
- 4) South 39 degrees 11 minutes 55 seconds East 617.36 feet,
- 5) South 39 degrees 21 minutes 04 seconds East 56.06 feet,
- 6) North 84 degrees 52 minutes 49 seconds East 71.76 feet,
- 7) North 84 degrees 15 minutes 20 seconds East 766.24 feet,
- 8) North 84 degrees 44 minutes 38 seconds East 753.13 feet,
- 9) North 81 degrees 29 minutes 48 seconds East 358.06 feet,
- 10) North 22 degrees 51 minutes 03 seconds East 280.60 feet,
- 11) South 78 degrees 40 minutes 23 seconds East 259.68 feet,
- 12) South 26 degrees 52 minutes 33 seconds West 402.07 feet,
- 13) South 11 degrees 57 minutes 34 seconds West 461.98 feet,
- 14) North 80 degrees 54 minutes 40 seconds West 494.71 feet,
- 15) South 09 degrees 01 minute 48 seconds West 232.80 feet,
- 16) South 15 degrees 14 minutes 22 seconds East 281.37 feet,
- 17) South 74 degrees 28 minutes 40 seconds West 942.69 feet,
- 18) South 20 degrees 30 minutes 03 seconds West 200.00 feet,

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



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

- 19) South 68 degrees 00 minutes 10 seconds West 50.93 feet,
- 20) South 68 degrees 00 minutes 10 seconds West 251.84 feet,
- 21) North 31 degrees 58 minutes 41 seconds West 604.65 feet,
- 22) North 28 degrees 13 minutes 22 seconds West 766.16 feet,
- 23) North 39 degrees 11 minutes 21 seconds West 1,095.16 feet to the point of beginning.

Containing 59.665 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.

2009 0215 5PM

Date: 2/19/09

100-443887-100

BUSINESS	ACTUAL	TIME	ORIGIN
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100

4/23/2009 5:27:19 PM 11:57:29

W002 : WALKIN RIDG LRB

DATE: 10/10/2019 10:19:29

7. TUNING VERIFICATION

0-15544

Receipt for	145.00
-------------	--------

865.00 CR 1.00 CA

Baltimore County, Maryland

Total: 65.00

Rec From G. Leland Cross & Et al

For: Rico SPH 2003 Belfast Ed

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2009-0215-SPH

2003 Belfast Road
S/east side of Belfast Road,
2450 feet eas of Joyce Lane
8th Election District
3rd Councilmanic District
Legal Owner(s): Harry & Ma-
rian Randall

Special Hearing: to permit
the non-density transfer of
a RC-2 zoned 9.96 acres
parcel from the Randall
property to the adjacent
Hamilton property.

**Hearing: Friday, April 17,
2009 at 11:00 a.m. in
Room 104, Jefferson
Building, 105 West Ches-
apeake Avenue, Towson
21204.**

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-4386.

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

4/033 April 2 197933

CERTIFICATE OF PUBLICATION

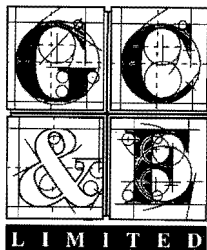
4/2/, 2009

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 4/2/, 2009.

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

J. Wilkinson

LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

CERTIFICATE OF POSTING

RE: CASE# 2009-215-SPH

OWNER& PETITIONER:
Harry & Marian Randall

CONTRACT PURCHASER:
Douglas Hamilton

DATE OF HEARING:
April 17, 2009

**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:
2003 Belfast Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

POSTED ON: 4/01/09

ZONING NOTICE

CASE # :2009-0215-SPH

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

PLACE: Room 104 Jefferson Building
105 W. Chesapeake Avenue, Towson 21204

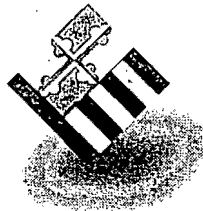
TIME: Friday April 17, 2009
DATE : at 11:00 am

Special Hearing to permit the non-density transfer of a RC-2 zoned 9.96 acre parcel from the Randall property to the adjacent Hamilton property.

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 UNTIL DAY OF HEARING. UNDER PENALTY OF LAW
HEARINGS ARE HANDICAPPED ACCESSIBLE



ZONING NOTICE
The Board of Zoning Appeals has received a petition from the owner of the property located at 10000 N. 100th St., Suite 100, Minneapolis, MN 55438, to change the zoning of the property from R-1 to R-2. The Board has scheduled a public hearing on this matter for the date, time and place indicated below. Any person who wishes to object to or support the proposed change should appear at the hearing and state their objections or support in person. Written objections or support may also be submitted to the Board of Zoning Appeals at the address above. The Board will consider all objections and support and will make a decision on the proposed change at the next meeting of the Board. The date, time and place of the next meeting of the Board will be published in the local newspaper.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

March 10, 2009
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: 2009-0215-SPH

2003 Belfast Road

S/east side of Belfast Road, 2450 feet east of Joyce Lane

8th Election District – 3rd Councilmanic District

Legal Owners: Harry & Marian Randall

Special Hearing to permit the non-density transfer of a RC-2 zoned 9.96 acres parcel from the Randall property to the adjacent Hamilton property.

Hearing: Friday, April 17, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

C: Harry & Marian Randall, 2003 Belfast Road, Cockeysville 21030
Douglas Hamilton, 1900 Western Run Road, Cockeysville 21030
Bruce Doak, GC &E, 320 Towsontown Blvd., Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 2, 2009.**
- (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
Thursday, April 2, 2009 Issue - Jeffersonian

Please forward billing to:
Douglas Hamilton
1900 Western Run Road
Cockeysville, MD 21030

410-771-4301

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: 2009-0215-SPH

2003 Belfast Road

S/east side of Belfast Road, 2450 feet east of Joyce Lane

8th Election District – 3rd Councilmanic District

Legal Owners: Harry & Marian Randall

Special Hearing to permit the non-density transfer of a RC-2 zoned 9.96 acres parcel from the Randall property to the adjacent Hamilton property.

Hearing: Friday, April 17, 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 0215 SPH

Petitioner:

RANDALL

Address or Location:

2003 BELFAST RD

PLEASE FORWARD ADVERTISING BILL TO

Name:

DOUGLAS HAMILTON

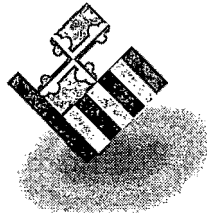
Address:

1900 WESTERN RUN RD

COCKEYSVILLE, MD 21030

Telephone Number:

410 771 4301



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 9, 2009

Harry & Marian Randall
2003 Belfast Rd.
Cockeysville, MD 21030

Dear: Harry & Marian Randall

RE: Case Number 2009-0215-SPH, 2003 Belfast Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 19, 2009. 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Douglas Hamilton; 1900 Western Run Rd.; Cockeysville, MD 21030
Bruce E. Doak: Gerhold Cross & Etzel, LTD.; 320 E. Towsontown Blvd.; Towson, MD 21286

TB 4/17
11 am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 16, 2009

RECEIVED

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

MAR 18 2009

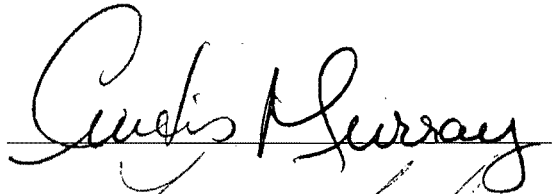
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-215- Special Hearing**

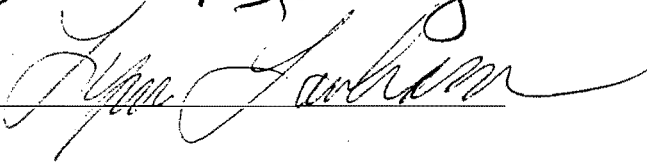
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

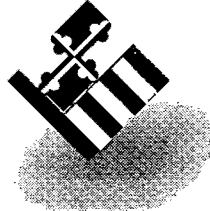
For further questions or additional information concerning the matters stated herein, please contact Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:
CM/LL





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

March 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 2, 2009

Item Numbers 0212, 0214, 0215, 0216, 0217, 0218 and 0220

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

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

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

cc: File



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

State Highway
Administration

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

Maryland Department of Transportation

Date: MARCH 6, 2009

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

RE: Baltimore County
Item No 2009-0215-SPH
RANDALL PROPERTY
2003 BELFAST RD
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. 2009-0215-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,

^{for} Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



TB
4-17-09

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 22 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: April 22, 2009

SUBJECT: Zoning Item # 09-215-SPH
Address 2003 Belfast Road
(Randall Property)

Zoning Advisory Committee Meeting of March 2, 2009

- 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).

Additional Comments:

Reviewer: Gris Batchelder

Date: April 17, 2009

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
2003 Belfast Road; SE/S of Belfast Road, * ZONING COMMISSIONER
2450' E of Joyce Lane *
8th Election & 3rd Councilmanic Districts * FOR
Legal Owner(s): Harry & Marian Randall *
Petitioner(s) * BALTIMORE COUNTY
* 09-215-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.

RECEIVED

MAR 11 2009

.....

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 11th day of March, 2009, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - Re: DPR Comments Needed - 4/14 & 4/17 Hearings (2009-0211-X & 2009-0215-SPH)

From: Dennis Kennedy
To: Wiley, Debra
Date: 04/14/09 7:57 AM
Subject: Re: DPR Comments Needed - 4/14 & 4/17 Hearings (2009-0211-X & 2009-0215-SPH)
CC: Richards, Carl

Deb:
We have no comments on either of these items.
Dennis

>>> Debra Wiley 4/10/2009 12:40 PM >>>
Hi Dennis,

Tom Bostwick has scheduled before him 2009-0211-X (4/14 @ 9 AM) and 2009-0215-SPH (4/17 @ 11 AM), and unfortunately no comments were found in either file folder from your office. I have provided a case description below for your convenience as follows:

CASE NUMBER: 2009-0211--X

7110 Liberty Road
Location: NE side of Liberty Road, 250 feet NW of the c/l of Essex Road.
2nd Election District, 4th Councilmanic District
Legal Owner: Pak US CO, a Maryland Corporation

SPECIAL EXCEPTION For used motor vehicles and the petitioner also requests confirmation that the side yard setback variance approved by the Deputy Zoning Commissioner in case no. 03-099-A, of 15 feet in lieu of the required 30 feet, is applicable to the use of the property for the sales of used motor vehicles, as well as for a service garage.

Hearing: Tuesday, 4/14/2009 at 9:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

CASE NUMBER: 2009-0215--SPH

2003 Belfast Road
Location: SE Side of Belfast Road, 2450 feet East of Joyce Lane.
8th Election District, 3rd Councilmanic District
Legal Owner: Harry and Marian Randall

SPECIAL HEARING The non-density transfer of a RC-2 zoned 9.96 acres parcel from the Randall property to the adjacent Hamilton property.

Hearing: Friday, 4/17/2009 at 11:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Thanks for your usual cooperation and have a wonderful holiday weekend !

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 _____
CASE NUMBER 2009-0215- JPH
DATE 4-12-09

[illegible]

Case No.: 2009-0215-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Aerial Photograph	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

SOIL TYPES & LIMITATIONS			
TYPE	SEPTIC FILTER FIELDS	HOMESITES W/SEASMENT	STREETS & PARKING
BmB2, CwB2, MdB2	Slight	Slight	Moderate: slope
BwC2, CwC2, SsC2, MxC2	Moderate: slope	Moderate: slope	Moderate: slope
Cu	Severe: moderately high water table; flooding hazard.	Severe: flooding hazard	Severe: flooding hazard
GvB	Severe: high water table; moderately slow permeability.	Severe: high water table	Severe: high water table
Hs	Severe: high water table; flooding hazard.	Severe: high water table; flooding hazard.	Severe: high water table; flooding hazard.
HvB, LTP, MdB, MxC2, MxC3, MxC4	Severe: slope	Severe: slope	Severe: slope
HvC	Severe: very rocky	Severe: very rocky	Severe: very rocky slope
NeB2	Moderate: moderate permeability.	Slight	Moderate: slope
NeC2	Moderate: slope, moderate permeability.	Moderate: slope	Severe: slope

LEGEND

EXISTING BUILDING

HOODS LINE

EXISTING PAVING

ZONING LINE

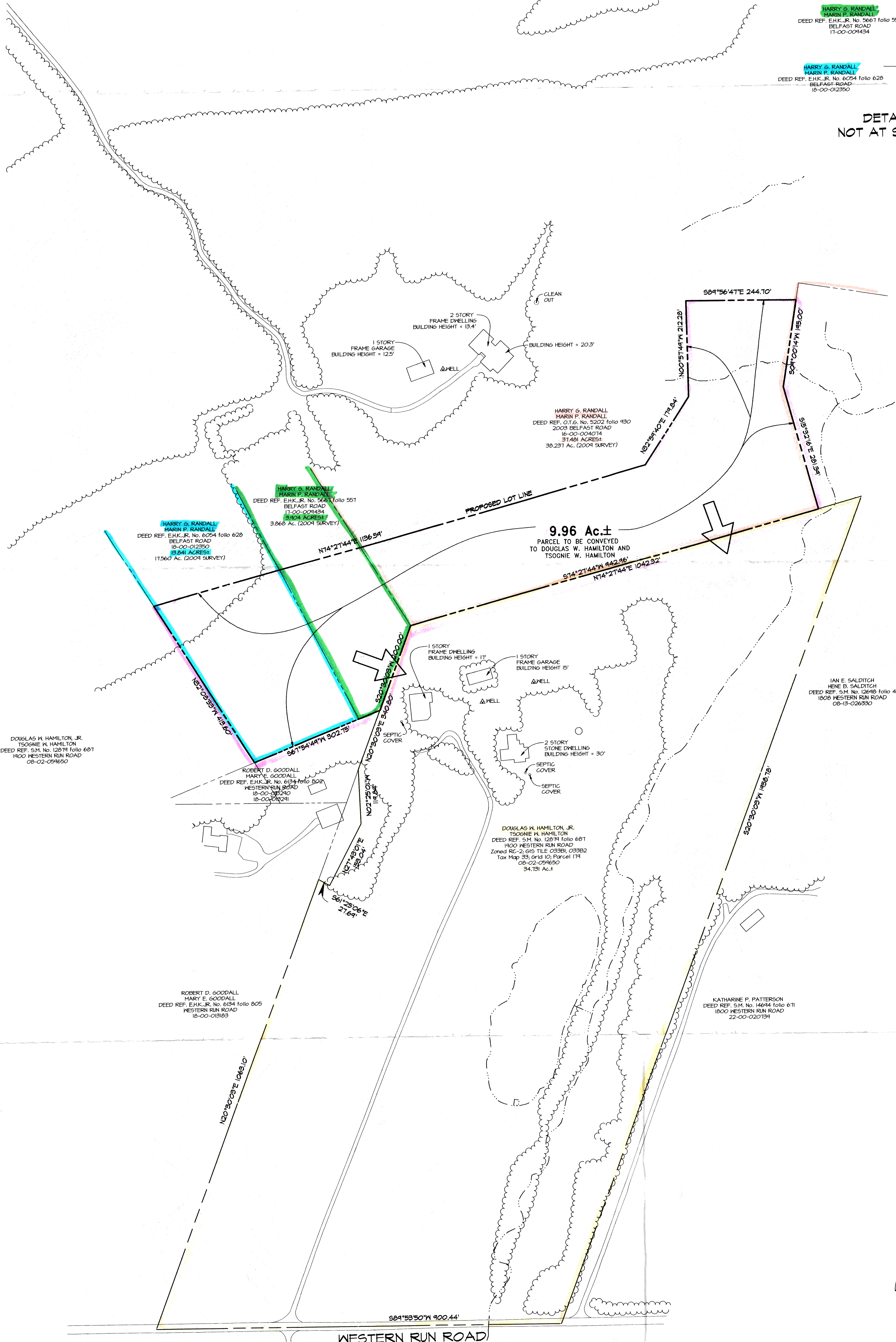
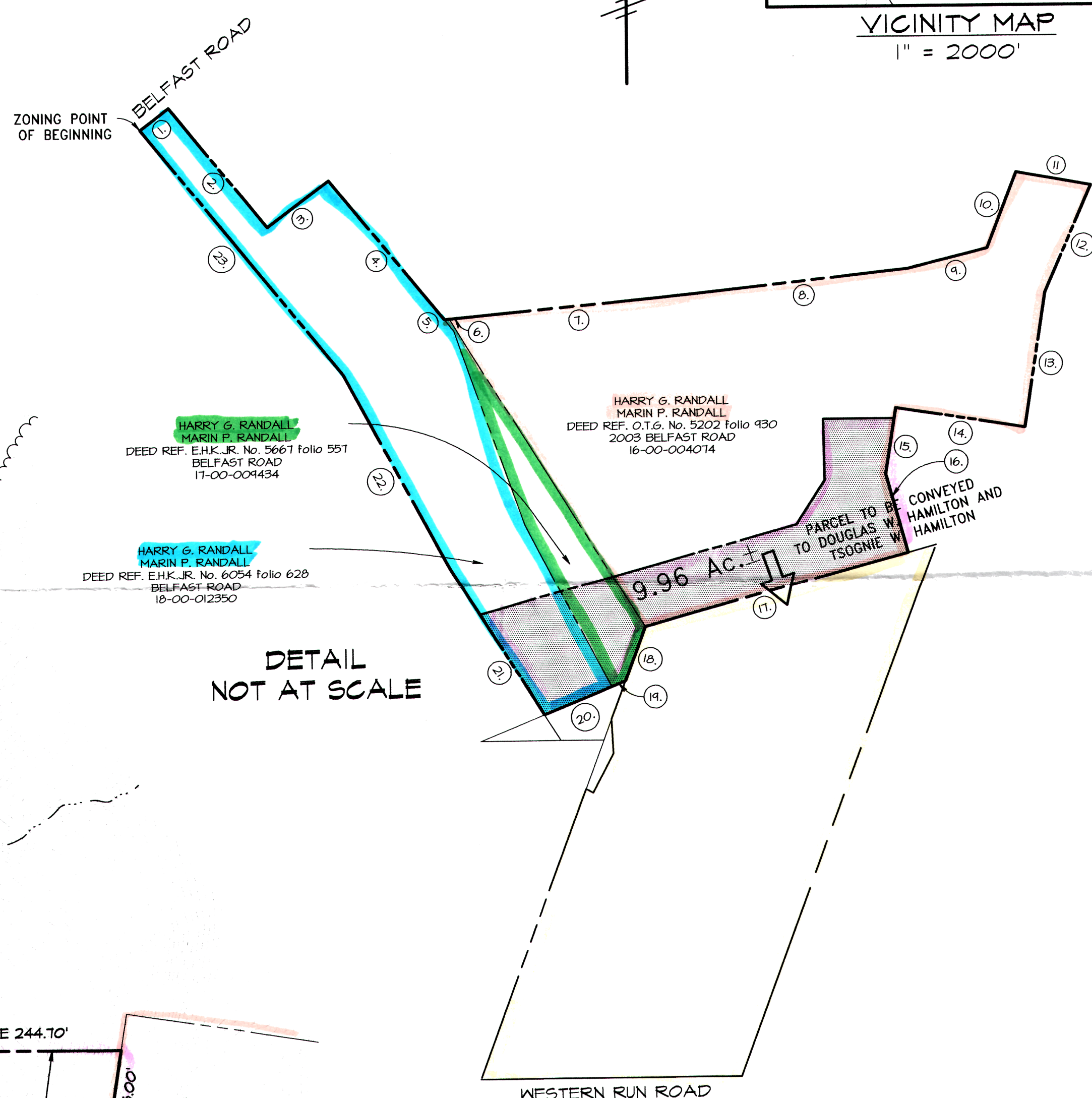
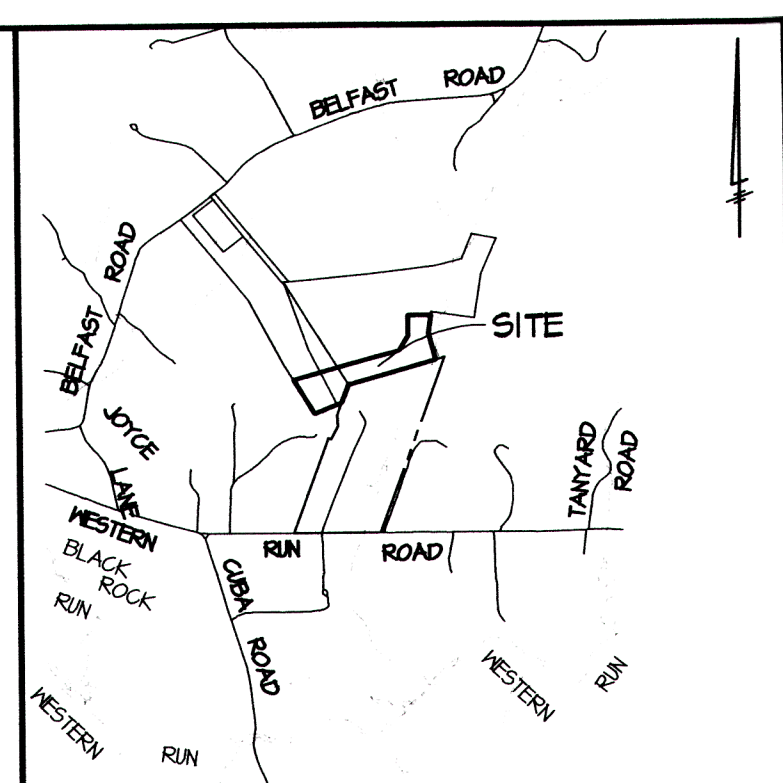
PROPERTY LINE

CONTOURS

THE RANDALL PROPERTY (OVERALL TRACT)

BEARINGS AND DISTANCES:

- N83° 24' 44"E 188.10'
- S34° 11' 30"E 492.24'
- N83° 13' 05"E 265.31'
- S34° 11' 30"E 411.36'
- S34° 21' 04"E 56.06'
- N84° 52' 45"E 11.76'
- N84° 19' 20"E 166.24'
- N84° 44' 36"E 153.13'
- N81° 24' 40"E 256.06'
- N22° 51' 03"E 280.60'
- S78° 40' 23"E 254.68'
- S28° 52' 33"W 402.07'
- S11° 51' 34"W 461.49'
- N50° 34' 40"W 444.71'
- S04° 01' 40"W 232.80'
- S10° 14' 22"E 281.87'
- S74° 28' 40"W 542.64'
- S20° 30' 03"W 200.00'
- S68° 00' 10"W 50.43'
- N31° 58' 41"W 604.65'
- N28° 13' 22"W 166.16'
- N81° 11' 21"W 1045.16'



CONTRACT PURCHASER:
DOUGLAS W. HAMILTON, JR.
TSOGNIE W. HAMILTON
1800 WESTERN RUN ROAD
COCKEYSVILLE, MARYLAND 21030-1123
(410) 771-4301

OWNER:
HARRY G. RANDALL
2003 BELFAST ROAD
COCKEYSVILLE, MARYLAND 21030
(410) 412-4822

GENERAL NOTES

- THE BOUNDARY OF THE HAMILTON PROPERTY SHOWN HEREON IS FROM THE TITLE DEED.
- THE BOUNDARY OF THE RANDALL PROPERTY SHOWN HEREON IS FROM A 2004 GERHOLD, CROSS AND ETZEL, LTD. SURVEY.
- A.D.G. MAP & GRID.
- THERE IS A ZONING CASE ON 1800 WESTERN RUN ROAD PROPERTY, CASE # 2003-112-5PH, PERMITTED RENOVATIONS TO AND CONSTRUCTION OF AN ADDITION TO A HISTORIC STRUCTURE, IDENTIFIED ON THE MARYLAND HISTORIC TRUST INVENTORY AS #BA-180, AND TO APPROVE AN EXISTING ACCESSORY STRUCTURE AS A CARETAKER'S HOUSE, GUEST HOUSE OR TENANT HOUSE.
- THE PROPERTY 1800 WESTERN RUN ROAD IS NUMBER BA-180 OF THE MARYLAND HISTORIC INVENTORY.
- THE SUBJECT PROPERTY IS WITHIN THE WESTERN RUN NATIONAL 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 APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
- ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
- 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).

R.C. 2 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

FROM ANY BUILDING FACE TO:
CENTERLINE OF ANY STREET 15'
FROM ANY BUILDING FACE TO:
LOT LINE OTHER THAN A STREET LINE 35'

0215
PETITIONER'S
EXHIBIT NO. 1

PLAN TO ACCOMPANY A PETITION FOR A SPECIAL HEARING FOR A NON-DENSITY TRANSFER RANDALL PROPERTY

8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=100' Date: FEBRUARY 12, 2009

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

REVISION	DATE	COMPUTED	DRAWN	C.L.M.	CHECKED	FILE
						X:\V\HAMILTON_WESTERN RUN\090199

PETITIONER'S

EXHIBIT NO.

2



Copyright (C) 2008 Baltimore County, Maryland