

RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

E/S of the End of Falls Run Road, 3,500' SW*
C/line of Liberty Road (MD Rte. 26)

(2994, 2995 & 2998 Falls Run Road)

2nd Election District
4th Council District

Florence W. Bell, Petitioner

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Case No. 2009-0254-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Florence Wilhelm Deitz Bell, through her attorney, C. William Clark, Esquire. The Petitioner requests a special hearing to approve a waiver, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), and Section 32-4-409 (c) of the Baltimore County Code (B.C.C.), Development Regulations, to permit access to a local street (Liberty Road) through an existing right-of-way instead of an in-fee panhandle strip for a proposed three (3) lot minor subdivision. In addition, Petitioner requests a variance from B.C.C. Section 32-4-409(e)(2) to allow access to the subject property by way of a 3,500 ± feet panhandle length (Falls Run Road) in lieu of the maximum permitted 1,000 feet in an R.C. zone. The subject property and requested relief are more particularly described on the three-page site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1A-1C.

Appearing at the requisite public hearing in support of the requests were Petitioner's son, Arthur Bell, Mark Tsitlik, P.E., with KCW Engineering Technologies, Inc., the land planners and consultants who prepared the site plan and participated in his capacity as an expert in the

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Date 6-9-09
By [Signature]

interpretation of the Baltimore County Zoning Regulations and Development Regulations, and C. William Clark, Esquire, counsel for Petitioner. Appearing as an interested person was Edward A. Terry, Jr., a nearby neighbor, whose four-lot subdivision utilizes Falls Run Road for ingress and egress.

Testimony and evidence offered disclosed that the Petitioner owns 17.149 acres of land located at the end of Falls Run Road, an existing private road (just west of Herrera Court) leading to Liberty Road in the Holbrook community that is within the Greater Randallstown area of the County. The subject property is zoned R.C.5 in its entirety, undeveloped and mostly wooded, with environmental constraints covering the southern half of the site. In this regard, the Falls Run stream traverses the property from west to east requiring extensive forest buffer, forest conservation and greenway easements that consume 11.675 acres and drives all development to the north and northeastern portions of the site. These constraints limit development to three (3) lots. The irregularly shaped property is currently undergoing a minor subdivision review process to create three (3) residentially permitted lots to be improved with single-family dwellings. Proposed Lot 1 (identified as 2998 Falls Run Road) will contain 2.0012 acres, Lot 2 (to be known as 2994 Falls Run Road) contains 2.0014 acres, and Lot 3 (identified as 2995 Falls Run Road) will contain 13.006 acres and has the topographical and environmental constraints. In view of the proposed subdivision, relief is necessary to legitimize or provide road connection to Liberty Road by way of the existing long private ingress, egress right-of-way described by deed, dated March 3, 1982 (Petitioner's Exhibit 2) as a use-in-common 30-foot and 50-foot right-of-way known as Falls Run Road approximately 3,500 feet in length. A proposed cul-de-sac will be constructed at the end of this right-of-way interiorly on the property for emergency vehicle access and turnaround. Private driveways, as illustrated on Petitioner's Exhibit 1A, will run

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Date 9-9-07
By 30

from the cul-de-sac to each of the proposed lots. The issue in this case is the variance request to allow the panhandle strip to exceed the maximum length. The current length of the right-of-way is 3,500 feet over half a mile extending from Liberty Road to the subject property owned by the Petitioner. As attorney William Clark aptly points out, it is a pre-existing use. A variance for its use is, therefore, not necessary. It exists, albeit non-conforming to current codes regarding the length of the panhandle driveway. Several of the existing subdivisions that utilize Falls Run Road (See Petitioner's Exhibits 4 and 5 – Subdivision Plats of Edward A. Terry property – [PDM No. II-609 and the Bell property – Minor Subdivision No. 08065M]) were planned prior to the existing panhandle code. However, I find that although the existing driveway is longer than the Code requires, it does achieve the Code's main objectives stated in 32-4-409(a)(1)(i)-(iv). The dwelling is to be built on Petitioner's property, should a subdivision be approved, would not lengthen Falls Run Road, as the property is at the very end of this existing driveway. There is no other possible service to a public road, it is within a protected area (R.C. zone) not to mention surrounding adjacent residential developments. I, therefore, find it meets both the uniqueness and practical difficulty required by Section 307 and *Cromwell v. Ward*, 102 Md. App. 691 (1995). There is no dispute that the subject right-of-way driveway has been established and is currently in use. Section 32-4-409(c) therefore allows access via an existing right-of-way instead of in-fee strip where same has been established before the development plan is submitted. The evidence before me clearly establishes that this access was created by deed in 1982. Moreover, Edward Terry, speaking on behalf of his family members and other residents who use Falls Run Road, opined that the Petitioner can legally burden the right-of-way with more traffic for the three (3) new homes proposed and that this use would not overburden the right-of-way. Consequently, he had no objections to the subdivision or Petitioner's use. Mail and trash pads

are provided at Liberty Road (See Exhibit 1C). It is clear that the proposed subdivision will not overburden the panhandle and there will be no detrimental impacts to the health, safety or general welfare of the surrounding locale. In my judgment, the panhandle strip is the only practical and possible way to access the parcel and with the improvements proposed, is appropriate. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and Baltimore County is reviewing the proposed subdivision under the Minor Subdivision process.

The issues raised in the petitions are pursuant to the authority granted in Section 500.7 of the B.C.Z.R. Thus, my decision in this matter is based on the zoning of the subject property, the proposed uses on the parcels and other zoning defined issues. I do not have the authority, nor will this decision attempt, to determine issues of processing limited exemptions from the Department regulations which have relegated by the County Council to the Development Review Committee (DRC). See *Long Meadow Association, Inc., et al*, 168 Md. App. 765 (2006) and County Council Bill 54-05. A review of the facts, evidence and testimony presented in this case reveals that the Petitioner and her counsel are in agreement with this conclusion.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be GRANTED.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of June 2009, that the Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 32-4-409(c) of the Baltimore County Code (B.C.C.), Development Regulations, to allow access to a local street (Liberty Road) through an existing right-of-way instead of an in-fee panhandle strip for a proposed three (3) lot minor subdivision, in accordance with Petitioner's Exhibit 1A-

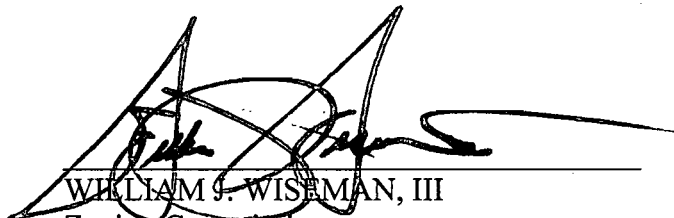
RECEIVED FOR FILING
Date 6-9-09
BY 32

1C, be and is hereby GRANTED; and

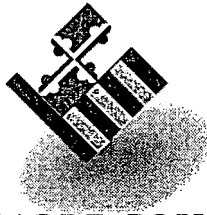
IT IS FURTHER ORDERED that the Petition for Variance from Section 32-4-409(e)(2) of the Baltimore County Code (B.C.C.) to allow a panhandle length of 3,500 $\pm$ feet in lieu of the permitted 1,000 feet in an R.C. zone, for the proposed Minor Subdivision, in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED, subject to the following restrictions:

1. ADVISORY: This Order approves the requested Special Hearing and Variance but does not address the proposed subdivision. The Petitioner's subdivision proposal to create the proposed Lots 1, 2 and 3 must continue its review by the Development Review Committee (DRC) for consideration and processing.
2. Development and use of the subject property shall comply with all environmental regulations that may be subsequently required by the Department of Environmental Protection and Resource Management (DEPRM).
3. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this Order shall be taken within thirty (30) days in accordance with Baltimore County Code (B.C.C.) Section 32-3-401.


WILLIAM G. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 6-9-89
By [Signature]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 8, 2009

C. William Clark, Esquire
Nolan, Plumhoff & Williams
502 Washington Avenue, Suite 700
Towson, MD 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE

E/S of the End of Falls Run Road, 3,500' SW c/line of Liberty Road (MD Rte. 26)
(2994, 2995 & 2998 Falls Run Road)
2nd Election District - 4th Council District
Florence W. Bell, Petitioner
Case No. 2009-0254-SPHA

Dear Mr. Clark:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted with restrictions, in accordance with the attached Order.

In the event anyone 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 circular stamp or seal.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

- c: Florence W. Bell, c/o Arthur Bell, 10331 South Dolfield Road, Owings Mills, MD 21117
Mark Tsitlik, P.E., KCW Engineering Technologies, Inc., 810 Landmark Drive,
Suite 215, Glen Burnie, MD 21061
Edward A. Terry, Jr., 3914 Falls Run Road, Randallstown, MD 21133
People's Counsel; Office of Planning; DEPRM; Development Plans Review; File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at Falls Run Road (proposed 2994, 2995 and 2998 Falls Run Road)

which is presently zoned RC-5

Deed Reference: 6401 -- / 275 Tax Account # 1900006782 --

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) 32-4-409 (e) 2 of the Baltimore County Code to allow a panhandle length of $\pm$ 3500 feet in lieu of the permitted 1000 feet in an RC zone for proposed minor subdivision.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.) practical difficulty, for reasons to be advanced at a hearing on this Petition.

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:

C. William Clark

Name - Type or Print

Signature

Nolan, Plumhoff & Williams, Chtd.
Company

502 Washington Ave., Ste. 700

Address Telephone No.

Towson, MD 21204 (410) 823-7800

City State Zip Code

Legal Owner(s):

Florence W. Bell

Name - Type or Print

Signature

Name - Type or Print

Signature

c/o Art Bell

10331 Dolfield Road (410) 363-0880

Address

Telephone No.

Owings Mills,

MD

21117

City

State

Zip Code

Representative to be Contacted:

KCW Engineering Technologies

Name

801 Landmark Dr., Ste. 215

Address

Telephone No.

Glen Burnie, MD 21061

(410) 768-7700

City

State

Zip Code

Case No. 2009-0254-6PHA

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by

A-Tsu

Date

03/30/2009

REV 8/20/07

ORDER RECEIVED FOR FILING

Date

6-9-09

By

100



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Falls Run Road (proposed 2994, 2995
and 2998 Falls Run Road)
which is presently zoned RC-5

(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
(This box to be completed by planner)

access to the local street through the existing right of way instead of an in-fee strip pursuant to Section 32-4-409 (c) of the Baltimore County Code for proposed minor subdivision.

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:

N/A
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

C. William Clark
Name - Type or Print

Signature

Nolan, Plumbhoff & Williams, Chtd.
Company

502 Washington Ave., Ste. 700
Address Telephone No.

Towson, MD 21204 (410) 823-7800
City State Zip Code

Legal Owner(s):

Florence W. Bell
Name - Type or Print

Signature

Flore
Name - Type or Print

Signature

c/o Art Bell
Address Telephone No.

10331 Dolfield Road (410) 363-0880
City State Zip Code

Representative to be Contacted:

KCW Engineering Technologies
Name

801 Landmark Dr., Ste. 215
Address Telephone No.

Glen Burnie, MD 21061 (410) 768-7700
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2009-0254-SPHA
REV 9/15/98

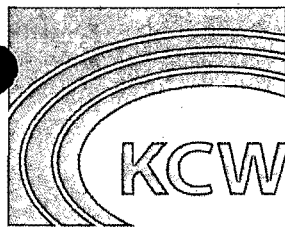
UNAVAILABLE FOR HEARING

Reviewed By A. Fan Date 03/30/2009

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Date 6-9-09

By low



**KCW ENGINEERING
TECHNOLOGIES**

KCW Engineering Technologies, Inc.

810 Landmark Drive, Suite 215 • Glen Burnie, MD 21061

Phone: 410.768.7700 • **Fax:** 410.768.0200

www.kcw-et.com

ZONING DESCRIPTION

PROPERTY of FLORENCE BELL FALLS RUN ROAD (NO EXACT ADDRESS)

Beginning at a point on the east side of the end of Falls Run Road which is 50 feet wide private right-of-way, at the distance of 3,500± feet southwest of the centerline of Liberty Road (MD Rte. 26), variable width right-of-way, thence the following courses and distances:

1.	S 58°12'26" E	642.95'
2.	S 25°07'32" W	557.32'
3.	N 78°30'25" W	730.99'
4.	N 37°52'00" W	389.22'
5.	N 11°53'32" E	394.55'
6.	N 77°00'11" E	531.56'
7.	S 26° 24'24" W	12.12'
8.	S 00°50'46" E	105.12'
9.	N 89°09'14" E	50.00'

Being the same property as recorded in Deed EHK, Jr. Liber 6401, folio 275.

Containing 17.0194 acres of land, more or less. Located in the 2nd Election District of Baltimore County, MD.



2009-0254-SPHA

William K. Woody, L.S.
President and CEO

J. Peter McDonnell
Executive Vice President

Kimberly M. Groves, P.E.
Vice President, Engineering

Reginald C. Roberts
Associate, Dry Utilities Specialist

Douglas L. Kennedy, P.E.
Senior Vice President

Melissa M. Walker
Vice President, CFO

Kevin C. Anderson, Jr., P.E.
Vice President, Director of
Land Development

Michael D. Trent
Associate, Chief of Surveys

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

No. **37878**

Date: **03/30/09**

PAID RECEIPT

BUSINESS ACTUAL TIME BUD
 3/31/2009 3/30/2009 11:00AM 7
 0.4500 0.4500 0.0000 0.0000
 RECEIPT 0.0000 0.0000 0.0000 0.0000
 0.0000 0.0000 0.0000 0.0000
 0.0000 0.0000 0.0000 0.0000
 0.0000 0.0000 0.0000 0.0000

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	866	0001		6170						5.50

Total: **5.50**

Rec From: **NOLAN PLUMMETT & ASSOCIATES (ARTIST)**

For: **5001 - 0254 - CASHIA**

FLOWERS 2900 2992 20019 FALL BELL BLD

DISTRIBUTION

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: # 2009-0254-SPHA

2994, 2995 & 2998 Falls Run Road
E/side of Falls Run Road, 3,500 feet s/west of
centerline of Liberty Road
2nd Election District - 4th Councilmanic District
Legal Owner(s): Florence Bell

Special Hearing: to allow access to the local street through the existing right-of-way instead of an in-fee strip pursuant to Section 32-4-409 (c) of the Baltimore County Code for proposed minor subdivision. **Variance:** to allow a parhandle length of 3,500+/- feet in the lieu of the permitted 1000 feet in an RC zone for proposed minor subdivision.

Hearing: Friday, May 22, 2009 at 9:00 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.

5/049 May 7

200799

CERTIFICATE OF PUBLICATION

5/7/, 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 5/7/, 2009.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 05/10/09

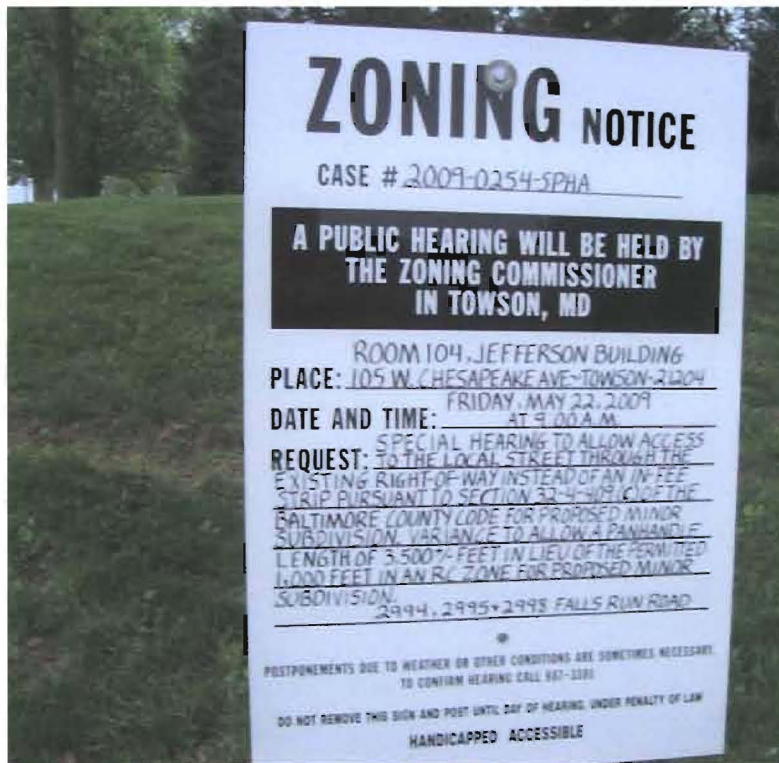
Case Number: 2009-0254-SPHA

Petitioner / Developer: C. WILLIAM CLARK, ESQ.~FLORENCE BELL
c/o ART BELL~KCW ENGINEERING TECHNOLOGIES

Date of Hearing (Closing): MAY 22, 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:
2994, 2995 & 2998 FALLS RUN ROAD

The sign(s) were posted on: MAY 6, 2009



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)

1 Sign posted @ Entrance to
Falls Run Road from Liberty Road
(ON-SITE)



1 Sign posted ~ Entrance to Panhandle @
2994, 2995 + 2998 Falls Run Road
(ON-SITE)

**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: 2009-0254-SPHX

Petitioner: Florence W. Bell. c/o Art Bell

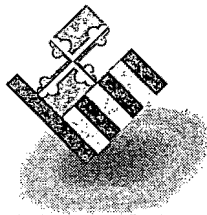
Address or Location: Falls Run Road (no exact address)

PLEASE FORWARD ADVERTISING BILL TO:

Name: C. WILLIAM CLARK

Address: 502 WASHINGTON AVE SUITE 700
TOWSON MD 21204

Telephone Number: 410-823-7800



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

April 27, 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: 2009-0254-SPHA

2994, 2995 & 2998 Falls Run Road

E/side of Falls Run Road, 3,500 feet s/west of centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: Florence Bell

Special Hearing to allow access to the local street through the existing right-of-way instead of an in-fee strip pursuant to Section 32-4-409 (c) of the Baltimore County Code for proposed minor subdivision. Variance to allow a panhandle length of 3,500+/- feet in the lieu of the permitted 1000 feet in an RC zone for proposed minor subdivision.

Hearing: Friday, May 22, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: C. William Clark, 502 Washington Avenue, Ste. 700, Towson 21204
Florence Bell, c/o Art Bell, 10331 Dolfield Road, Owings Mills 21117
KCW Engineering Technologies, 801 Landmark Dr., Ste. 215, Glen Burnie 21061

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 7, 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, May 7, 2009 Issue - Jeffersonian

Please forward billing to:

C. William Clark
502 Washington Avenue, Ste. 700
Towson, MD 21204

410-823-7800

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: 2009-0254-SPHA

2994, 2995 & 2998 Falls Run Road

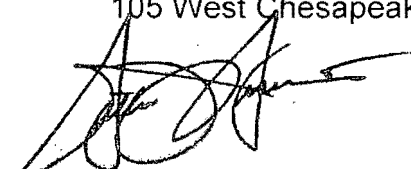
E/side of Falls Run Road, 3,500 feet s/west of centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: Florence Bell

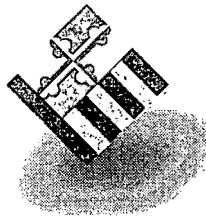
Special Hearing to allow access to the local street through the existing right-of-way instead of an in-fee strip pursuant to Section 32-4-409 (c) of the Baltimore County Code for proposed minor subdivision. Variance to allow a panhandle length of 3,500+/- feet in the lieu of the permitted 1000 feet in an RC zone for proposed minor subdivision.

Hearing: Friday, May 22, 2009 at 9:00 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.



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
May 14, 2009

C. William Clark
Nolan, Plumhoff, Williams, Chtd.
502 Washington Ave. Ste. 700
Towson, MD 21204

Dear: C. William Clark

RE: Case Number 2009-0254-SPHA, 2994; 2995 and 2998 Falls Run Road1

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 30, 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Florence W. Bell; 10331 Dolfield Rd.; Owings Mills, MD 21117
KCW Engineering Technologies; 801 Landmark Dr. Ste. 215; Glen Burnie, MD 21061

BW 5/2/09

Please
file
in
folder
Thanks.

TIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 9, 2009

RECEIVED

JUN 11 2009

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-254- Variance and 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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray

Division Chief:
CM/LL

Lynn Parker

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 9, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For April 13, 2009
Items Nos. 2009-238, 244, 247, 248,
249, 250, 251, 252, 253, ~~254~~, 255 and 256

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

DAK:CEN:cab

cc: File

ZAC-04072008-NO COMMENTS



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

April 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 9, 2009

Item Numbers 0244, 0250 and 0254

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
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



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

April 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 4, 2009

Item Numbers 0234, ~~0254~~, 0281, 0283, 0285, 0286 and 0287

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: APRIL 7, 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. 2009-0254-SPAA
2994, 2995, 2998 FALLS RUN RD
FLORENCE BELL PROPERTY
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. 2009-0254-SPAA

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

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



BW 5/22
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 13 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: April 13, 2009

SUBJECT: Zoning Item # 09-254-SPHA
Address 2994, 2995, 2996 Falls Run Road
(Bell Property)

Zoning Advisory Committee Meeting of April 6, 2009

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

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

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

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

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

Additional Comments:

Reviewer: J. Russo

Date: 4/13/09

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 11, 2009
Items Nos. 09-0234, 254, 281, 283, 285
and 287

DATE: May 13, 2009

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

DAK:CEN:cab

cc: File

ZAC-05112009-NO COMMENTS

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
2994, 2995, 2998 Falls Run Road; E/S Falls * ZONING COMMISSIONER
Run Road, 3,500' SW c/line of Liberty Road *
2nd Election & 4th Councilmanic Districts * FOR
Legal Owner(s): Florence Bell *
Petitioner(s) * BALTIMORE COUNTY
* 09-254-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/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

APR 20 2009

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of April, 2009, a copy of the foregoing Entry of Appearance was mailed to KCW Engineering, 801 Landmark Drive, Suite 215, Glen Burnie, MD 21061 and C. William Clark, Esquire, Nolan, Plunhoff & Williams, Chtd., 502 Washington Avenue, Suite 700, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

2994, 2945, 2970
CASE NAME Falls Rd. (Bees)
CASE NUMBER 2009-0254-SHA
DATE 5-22-09

[illegible]

2009-0254-SPHA
Case No.:

2994, 95 & 2998 Falls Run Road

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	3 Page site PLAN 1-A 1-B 1-C	
No. 2	MR tsitlik Resume	
No. 3	Deed Establishing	
No. 4	Terry - Subdivision	
No. 5	Burris - Subdivision	
No. 6	Regulations - rt-of-way - Existing Easement Map to Dev. Plan	
No. 7	Aerial - denoting Panhandle lengths in vicinity	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

06/03/2008

State of Maryland
Department of Labor, Licensing and Code Administration
STATE BOARD FOR PROFESSIONAL ENGINEERS
MARK TSITLIK, P.E.

23 05 33351

MARK TSITLIK

KCW Engineering Technologies, Inc.
810 Landmark Drive, Suite 215
Glen Burnie, MD 21061
Phone: (410) 768-7700
E-mail: mtsitlik@kcw-et.com

Experience

1996-Present

Project Engineer (1996-2006) and Project Manager (2006-Present)
KCW Engineering Technologies, Inc.
Baltimore, Maryland

Project Manager and Project Engineer responsible for engineering design, coordination, planning, and construction inspection of various residential, commercial and industrial land development projects in Baltimore Metropolitan Area. This work involves design and preparation of site development plans, grading and sediment control plans, stormwater management plans, road and utility plans and profiles; preparation of specifications and cost estimates; construction inspection and as-built certification. Besides design tasks, I am responsible for directing draftsmen and design engineers; coordination of projects with developers, contractors, architects, structural, geotechnical, mechanical and electrical engineers; processing plans and permits with multiple approving agencies in different jurisdictions. I have especially extensive experience in 2000 SWM regulations and Baltimore County development process.

I am experienced user of AutoCAD, Eagle Point and numerous other engineering programs including TR-55 and TR-20.

Education

B.S. in Civil Engineering (1992)
Belarussian National Technical University, Minsk, Belarus

Completed 30 credits (computer, AutoCAD, surveying)
CCBC, The Community College of Baltimore County (1993-1998)

Registration

Registered Professional Engineer (2006), Maryland License #33351

References

Kevin C. Anderson, P.E., Director of Land Development, KCW, 410-768-7700.

EXHIBIT

2

NO TITLE EXAMINATION

THIS DEED, Made this 3rd day of March, in the year one thousand nine hundred and eighty-two, by and between KENNETH L. WILHELM and KATHLEEN STURGILLE WILHELM, HIS WIFE, of Baltimore County, State of Maryland, parties of the first part, and FLORENCE WILHELM DEITZ, party of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) *(No Consideration)* and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Kenneth L. Wilhelm and Kathleen Sturgille Wilhelm, his wife do grant and convey unto the said Florence Wilhelm Deitz, her personal representatives and assigns, in fee simple, all that piece or parcel of ground situate, lying and being in the Second Election District of Baltimore County, State of Maryland, and described by Gerhold, Cross & Etzel, as follows, that is to say:

BEGINNING for the same at a point in the fourth or South 30 $\frac{1}{2}$ degrees West 142.95 perches line of a parcel of land firstly described in a deed dated October 26, 1951 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2033 folio 158 which was conveyed by James W. Ruckman and wife to Kenneth L. Wilhelm and wife, said point being distant South 29 degrees 49 minutes 14 seconds West 1834.32 feet measured along said fourth line from a stone heretofore set at the beginning of said line and running thence with and binding on the remainder of said fourth line and on the fifth line of said parcel of land, as the courses are referred to the magnetic meridian of 1952, the two following courses and distances, viz: South 29 degrees 49 minutes 14 seconds West 558.35 feet to a stone heretofore set at the end of said fourth line and North 73 degrees 45 minutes 38 seconds West 385.70 feet to the end of said fifth line and also to the end of the first line of the parcel of land secondly described in the aforesaid deed from Ruckman to Wilhelm, thence binding reversely on the first and last lines of said secondly described parcel of land, the two following courses and distances viz: North 73 degrees 45 minutes 38 seconds West 345.50 feet to a stone heretofore set at the beginning of said secondly described parcel of land and North 33 degrees 04 minutes 49 seconds West 389.22 feet to a stone heretofore set at the beginning of the aforesaid last line of said secondly described parcel of land and also at the beginning of the ninth or North 12 3/4 degrees East 83 perches line of the parcel of land firstly described in the aforesaid deed from Ruckman to Wilhelm, thence running with and binding on a part of said ninth line, North 16 degrees 40 minutes 43 seconds East 394.55 feet to the end of the fourth line of a parcel of land which by a deed dated August 24, 1955 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2764, folio 390 was conveyed by Kenneth L. Wilhelm and wife to Arnold J. Parrish and wife, thence binding reversely on said fourth line North 81 degrees 32 minutes 59 seconds East 532.48 feet to a pipe set on the northwest side of a 50 foot right-of-way, thence binding on the northwest side of said 50 foot right-of-way, the two following courses and distances viz: South 31 degrees 15 minutes 10 seconds West 12.12 feet and South 4 degrees 00 minutes 00 seconds West 105.12 feet, thence crossing said 50 foot right-of-way at its southernmost end, South 86 degrees 00 minutes 00 seconds East 50.00 feet to a point on the east side of said 50 foot right-of-way and to the end of the second or North 53 degrees 21 minutes 40 seconds West 642.98 foot line of a parcel of land which by a deed dated December 20, 1955 and recorded among the Land Records of Baltimore County

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE *KJ* DATE *6-7-82*

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
Per *[Signature]*
Authorized Signature
Date *6-7-82* Sec. 11-85 *C*

-1-

EXHIBIT

3

(2) The total number of signs to be kept to a minimum; and

(3) Informational signs not to be placed or be of such a number or design as to distract drivers' attention from traffic-control signs or devices.

(c) *Benches and street lighting.*

(1) The county may require benches and other outdoor furniture to be grouped and to be of a "break-away" design.

(2) The county shall require street lighting to be of a type and size that is adequate for safety and appropriate to the vicinity.

(d) *Transit facilities.* The county may require transit facilities, such as bus turnouts, for sites to be served by public transit.

(1988 Code, § 26-264) (Bill No. 79-01, § 2, 7-1-2004)

§ 32-4-409. PANHANDLE DRIVEWAYS.

(a) *In general.*

(1) The county may only allow a panhandle lot:

(i) To achieve better use of irregularly shaped parcels;

(ii) To avoid development in environmentally sensitive areas;

(iii) Where the lot will not be detrimental to adjacent properties; and

(iv) Where the lot will not conflict with efforts to provide for public safety and general welfare.

(2) The county may only allow a panhandle driveway where necessary to provide access to interior lots where a public road is neither feasible nor desirable.

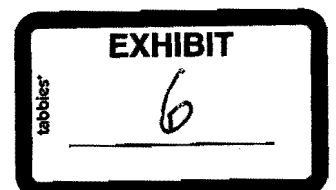
(b) *In-fee strip; required.*

(1) Except as provided in subsection (c) of this section, the county may permit a panhandle lot if the lot includes an in-fee strip of land for access to the local street.

(2) Panhandle fee strips shall be a minimum of:

(i) 20 feet in width to serve one lot;

(ii) 12 feet in width per lot where two lots are involved;

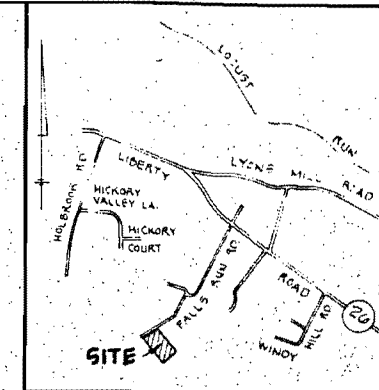


GENERAL NOTES

- HIGHWAY & HIGHWAY WIDENING, SLOPE EASEMENTS, & DRAINAGE & UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTO. CO. MD. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED UNTO BALTO. CO. MD. AT NO COST.
- RECORDING OF THE PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
- THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTO. CO. MD.
- THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-68 BILL 56-82.
- INFORMATION SHOWN MAY BE SUPERCEDED BY A SUBSEQUENT OR AMENDED PLAT.
- ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING & ZONING AND THE DEPT. OF PUBLIC WORKS.
- THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
- FOR PANHANDLE LOTS, REFUSE COLLECTION, SNOW REMOVAL, & ROADWAY MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PANHANDLE & STREET R/W LINE, AND NOT ONTO THE PANHANDLE LOT DRIVEWAY.
- BEARINGS & COORDINATES SHOWN HEREON ARE BASED ON ASSUMED DATUM.
- THE STREETS & ROADS SHOWN HEREON AND THE VENTURE THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE BEGS THEREON IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS & ASSIGNS.

DENSITY NOTES

- EXISTING ZONING R-2-B
- GROSS AREA OF TRACT 5.012 AC ±
- NO. OF LOTS ALLOWED (5.012 AC x .667) 3 lots
- NO. OF LOTS PROPOSED 2 lots
- NO. OF PARKING SPACES REQD. (2 PER LOT) 4 spaces
- NO. OF PARKING SPACES PROPOSED 4 spaces



LOCATION MAP

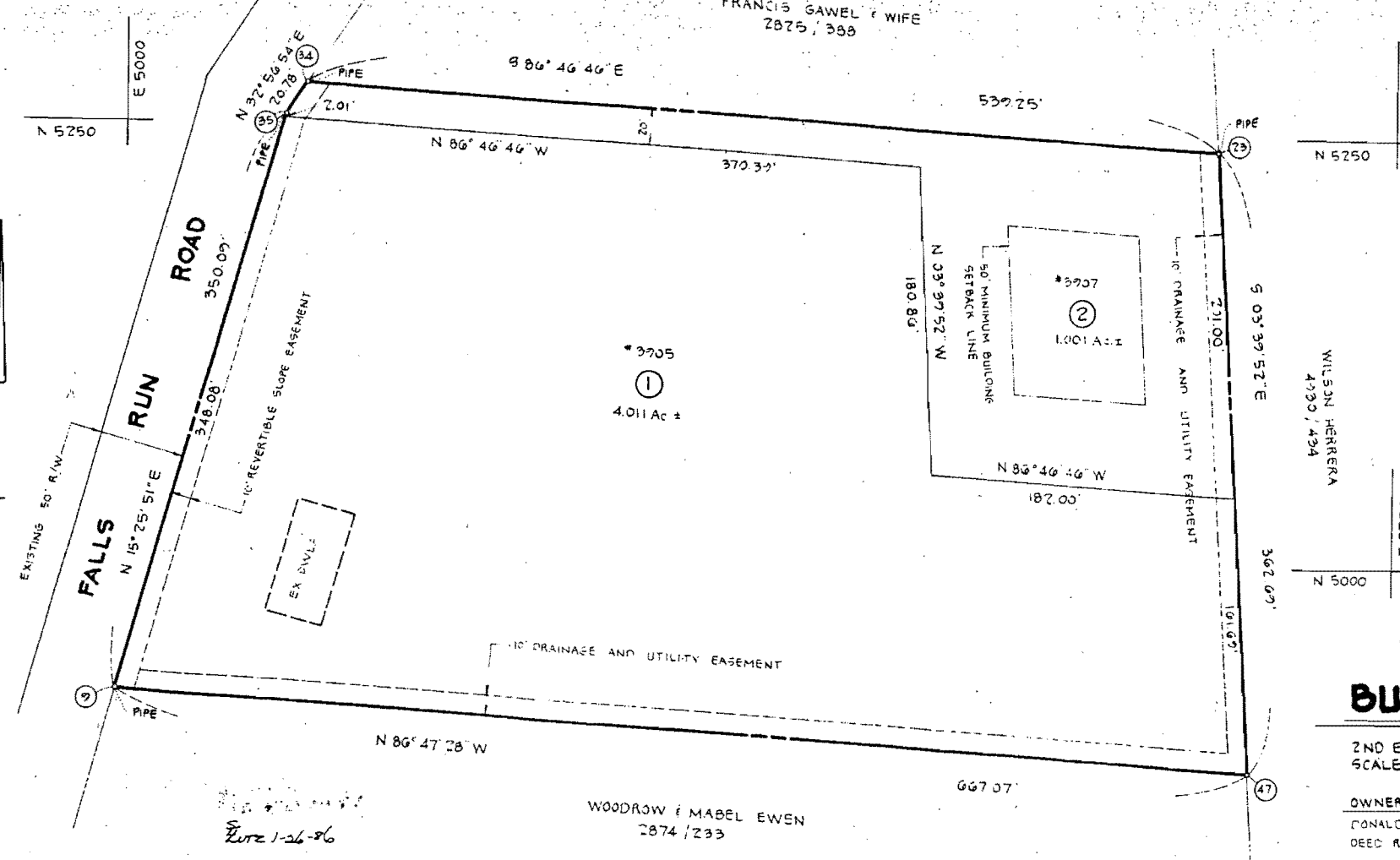
SCALE 1" = 2000'

EMK. JR. 54 FOLIO 31

DATE: JAN 20/1986

BY: [Signature]

FRANCIS GAWEL & WIFE
2875, 388



COORDINATES:

NO.	NORTH	EAST
7	4917.731	5000.343
23	5242.340	5043.687
34	5272.330	5104.774
35	5155.202	5093.495
47	4880.370	5068.368

FINAL SUBDIVISION PLAT

BURRIS PROPERTY

2ND ELECTION DIST. BALTIMORE CO., MD
SCALE: 1" = 50' DECEMBER 3, 1985

OWNER: DONALD F. SCHROEDER
DEED REFERENCE: 2874/230

CONTRACT PURCHASER: ARTHUR BURRIS
3508 PEELE STREET
BALTIMORE, MD 21211

APPROVED BALTO. CO. MD. OFFICE OF PLANNING & ZONING

DATE: 1-9-86 DIRECTOR: [Signature]

APPROVED: BALTO. CO. MD. DEPT. OF HEALTH

DATE: 1-9-86 DEPUTY STATE & COUNTY HEALTH OFFICER: [Signature]

APPROVED BALTO. CO. MD. DEPT. OF PUBLIC WORKS

DATE: 1-9-86 DIRECTOR: [Signature]

OWNER'S CERTIFICATION

THE UNDERSIGNED, OWNER OF THE LAND SHOWN HEREON, DOES HEREBY CERTIFY THAT TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (1) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAS BEEN COMPLIED WITH, AS SAME CONCERNS THE MAKING OF THE PLAT AND MARKER SETTING.

OWNER'S: [Signature] DATE: [Signature]

SURVEYOR'S CERTIFICATION

THE UNDERSIGNED, A REGISTERED SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THE PLAT AND THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (1) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS SAME CONCERNS THE MAKING OF THE PLAT & MARKER SETTING.

JAMES W. MCKEE (MD REG NO 3312) DATE: [Signature]

McKEE & ASSOCIATES, INC.

CIVIL ENGINEERS - LAND SURVEYORS
1717 YORK ROAD LUTHERVILLE, MARYLAND 21073
301-252-5520

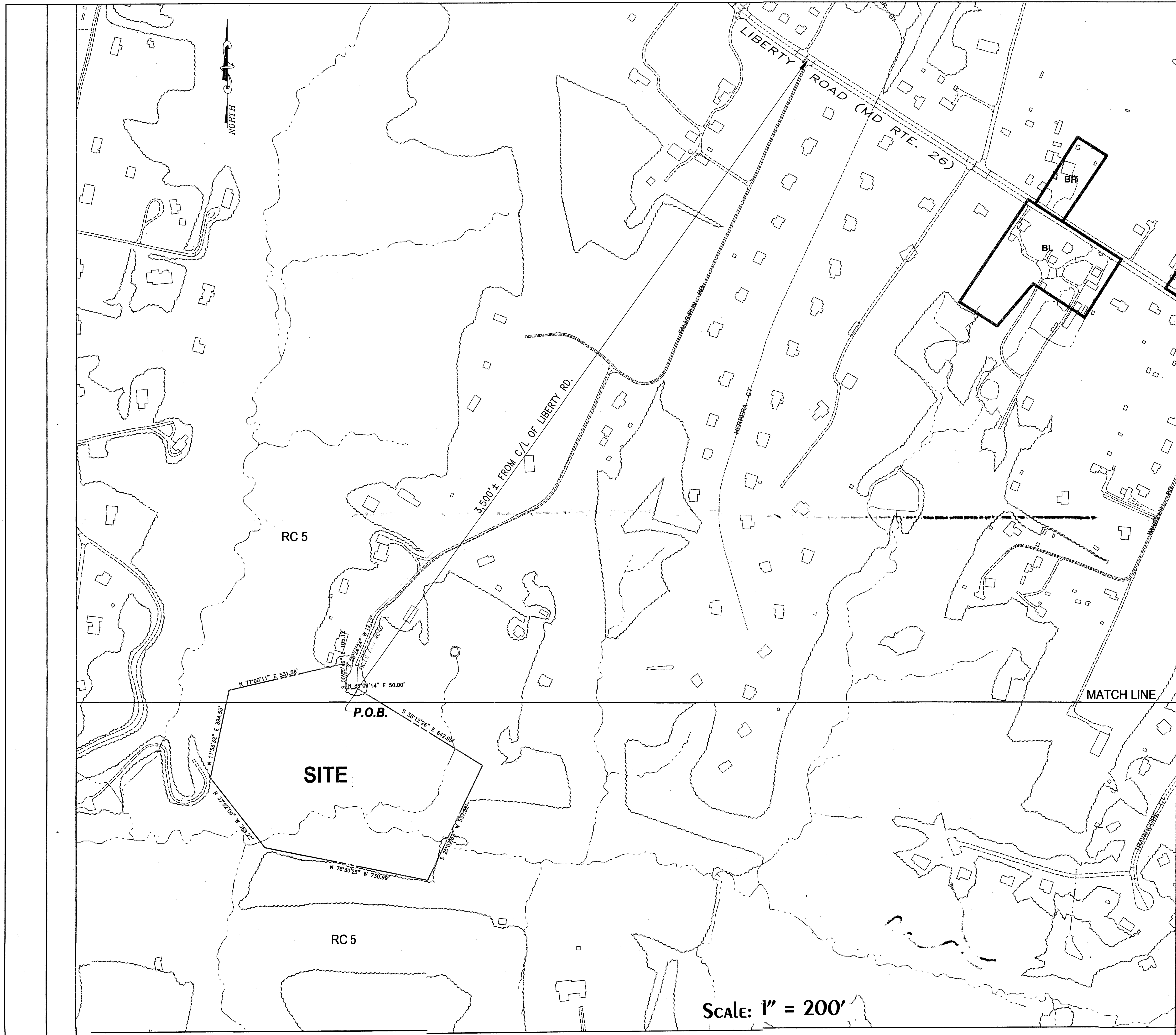
MSD SSU 1236-4629

EXHIBIT

5



Copyright (C) 2003 Esri/arcmap, Maryland



Plan Sheet: 066B3

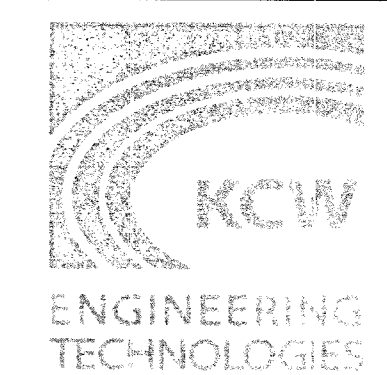
Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

MATCH LINE

Plan Sheet: 076B1

Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

2009-0254-SPHX



KCW Engineering Technologies, Inc.
810 Landmark Drive, Suite 215
Glen Burnie, MD 21061
Phone: 410.768.7700
Fax: 410.768.0200
www.kcw-et.com

ZONING MAP

MINOR SUBDIVISION OF BELL PROPERTY

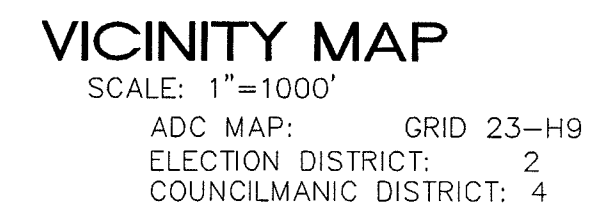
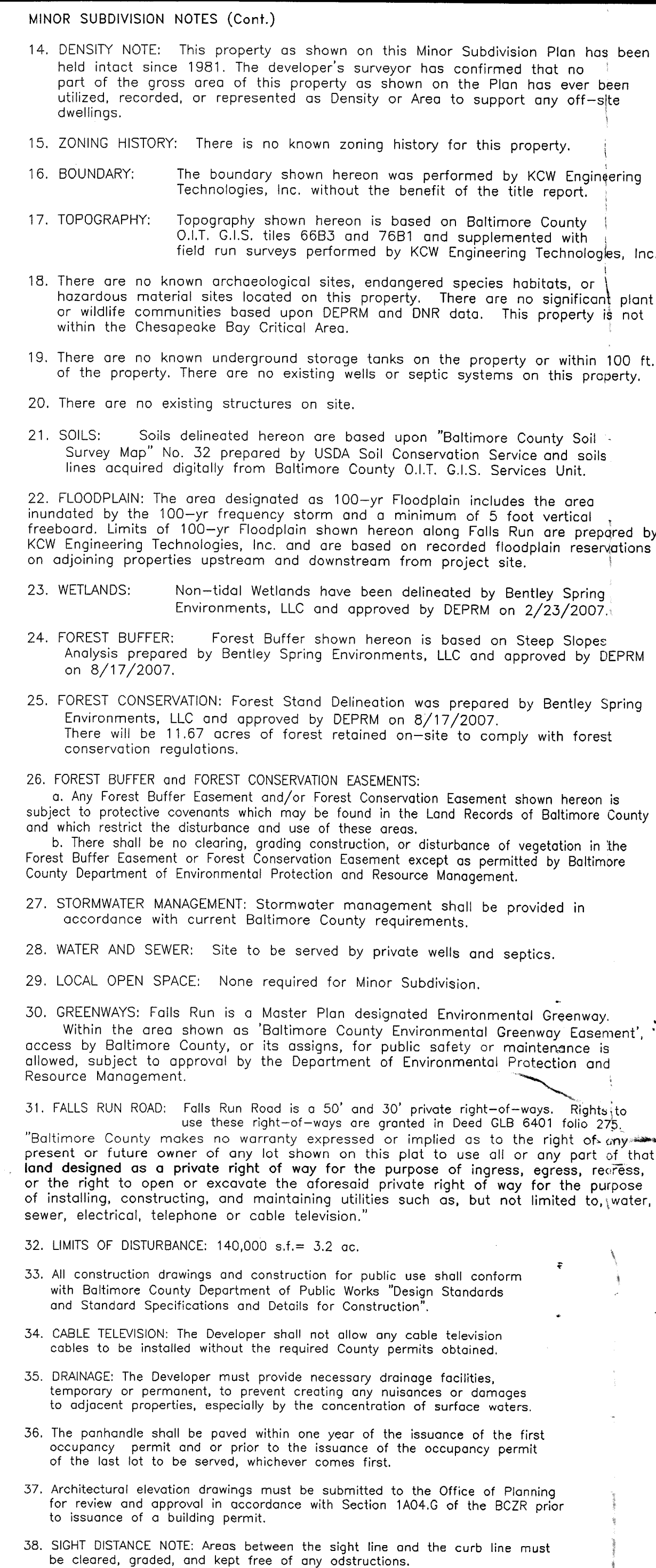
MINOR SUBDIVISION # 08065M

FALLS RUN ROAD

RANDALLSTOWN
BALTIMORE COUNTY, MARYLAND

ELECTION DISTRICT - 2
COUNCILMANIC DISTRICT - C - 4

Scale: 1" = 200'



1. ADDRESS: Falls Run Road (no exact address)
Randallstown, Maryland 21133

2. AREA: NET = 17.0194 ac.± GROSS = 17.1494 ac.±

3. ZONING: R.C.5
(1"=200' Scale Zoning Map 66B3, 76B1)

4. DENSITY: R.C.5: 0.5 lot per acre x 17.0194 ac. = 8 Lots Allowed
Number of Lots Proposed = 3

EXISTING LAND USE: Vacant.
PROPOSED LAND USE: Subdivision into three lots for three single-family dwellings.
Vehicular access to new lot shall be via Falls Run Road.

Lot No. 1 Area	=	87,171 s.f.	=	2.0012 ac.±
Lot No. 2 Area	=	87,180 s.f.	=	2.0014 ac.±
Lot No. 3 Area	=	567,013 s.f.	=	13.0168 ac.±
Total Area	=	741,364 s.f.	=	17.0194 ac.±

5. OWNER: Florence Wilhelm Bell
c/o Art Bell, Jr.
10331 S. Doldfield Road, Owings Mills, MD 21117
Tele: 410-363-0860

6. TAX ACCOUNT NO.: 1900006782

7. PLAT REFERENCE: None

8. DEED: Liber 6401, folio 275

9. TAX MAP: 66, Grid 21, Parcel 559

10. CENSUS TRACT: 4022.01
REGIONAL PLANNING: HARRISONVILLE
ELEMENTARY SCHOOL DISTRICT: HERNWOOD E.S.
MIDDLE SCHOOL DISTRICT: DEER PARK MAGNET M.S.
HIGH SCHOOL DISTRICT: NEW TOWN H.S.
WATERSHED: PATAPSCO
SUB-SEWERSHED: *

11. ELECTION DISTRICT: 2
COUNCILMANIC DISTRICT: C4

12. PARKING REQUIRED: 2 Parking Spaces per Lot x 3 Lots = 6 P.S.
Each Lot will have 2 Parking Spaces meeting BCZR criteria.

13. BUILDING SETBACKS: (Minimum for R.C.5 Zoning per BCZR 1A04.3.B):
150 ft. from centerline of collector road or scenic road,
100 ft. from centerline of any road that leads to collector road,
75 ft. from centerline of any other street or road,
50 ft. from any lot line other than a street line,
BUILDING HEIGHT: Maximum building height for non-agricultural principal structures is 35 ft.
MINIMUM LOT SIZE: 1.5 acre
MINIMUM BUILDING SIZE: 15% of lot size

SPECIAL HEARING TO APPROVE ACCESS TO THE LOCAL STREET THROUGH THE EXISTING PRIVATE RIGHT OF WAY INSTEAD OF AN IN-FEE STRIP PURSUANT TO SECT. 32-4-409(C) OF THE BALTIMORE COUNTY CODE.

VARIANCE FROM SECTION(S) 32-4-409(E)2 OF THE BALTIMORE COUNTY CODE TO ALLOW A PANHANDLE LENGTH OF 3,500 FEET IN LIEU OF THE PERMITTED 1,000 FEET IN AN RC ZONE.

	TRACT BOUNDARY LINE
	LOT LINE
	EASEMENT LINE
	EXISTING 2' CONTOUR
	EXISTING 10' CONTOUR
	SOIL TYPE BOUNDARY
	EXISTING WOODS LINE
	STREAM
	WETLANDS
	100-YR FLOODPLAIN
	FOREST BUFFER-FOREST CONSERVATION EASEMENT
	BUILDING RESTRICTION LINE
	LIMITS OF DISTURBANCE
	SLOPES GREATER THAN 25%
	PROP. SRA WITH PERC TESTS
	EXISTING WELL
	PROPOSED WELL
	PROPOSED SWM DRY WELL

REVISIONS		KCW J.O.: 2050138
DATE	DESCRIPTION	SCALE: 1" = 100'
		DESIGNED: MT
		DRAWN: MT
		CHECKED: MT/MDT
		DATE: MARCH 19, 2009
		DWG. NO.: ZP-1

**MINOR SUBDIVISION OF
BELL PROPERTY**
SHEET 1 OF 3
FALLS RUN ROAD

ELECTION DISTRICT - 2
COUNCILMANIC DISTRICT - C - 4

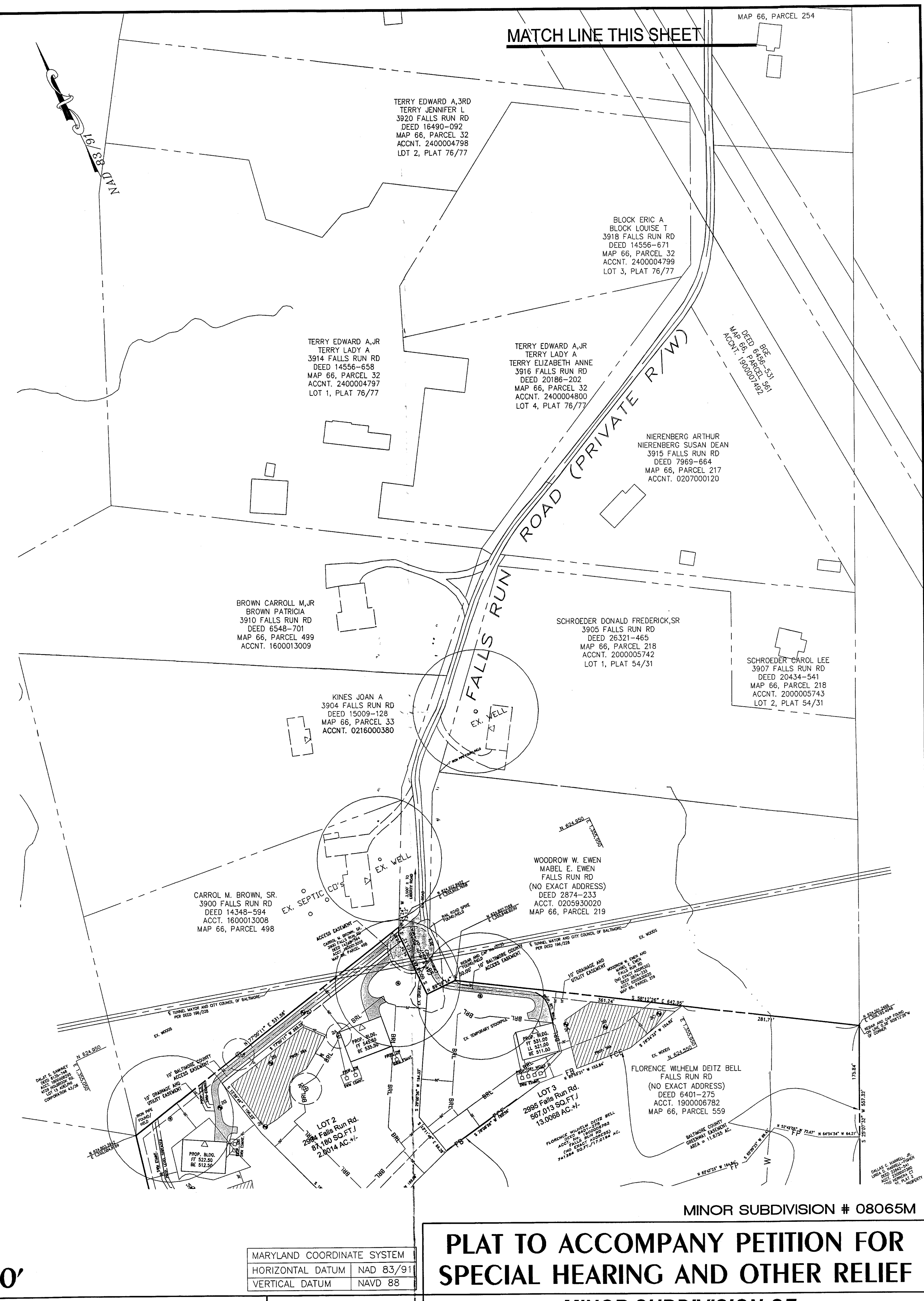


Professional Certification.
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 33351.
Expiration Date 06-30-2010

OWNER/DEVELOPER:
FLORENCE WILHELM BELL
c/o ART BELL, JR.
10331 S. DOLFIELD RD.
OWINGS MILLS, MD 21117
Tele: (410) 363-0880

PETITIONER'S

EXHIBIT NO. 1
1A 1B 1C



SCALE: 1" = 100'

REVISIONS		KCW J.O.: 2050138
DATE	DESCRIPTION	SCALE: 1" = 100'
		DESIGNED: MT
		DRAWN: MT
		CHECKED: MT/MDT
		DATE: MARCH 19, 2009
		DWG. NO.: ZP-2

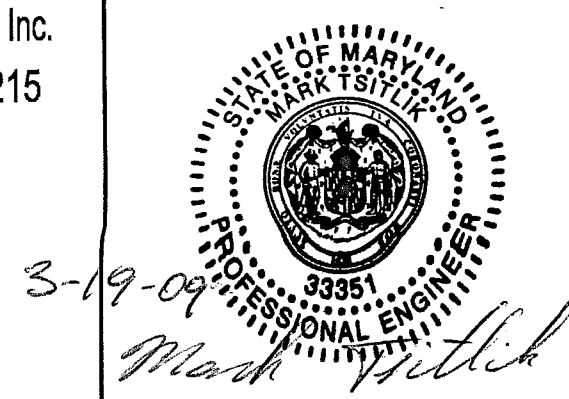
KCW J.O.:	2050138
SCALE:	1" = 100'
DESIGNED:	MT
DRAWN:	MT
CHECKED:	MT/MDT
DATE:	MARCH 19, 2009
DWG. NO.:	ZP-2

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING AND OTHER RELIEF

**MINOR SUBDIVISION OF
BELL PROPERTY**
SHEET 2 OF 3
FALLS RUN ROAD

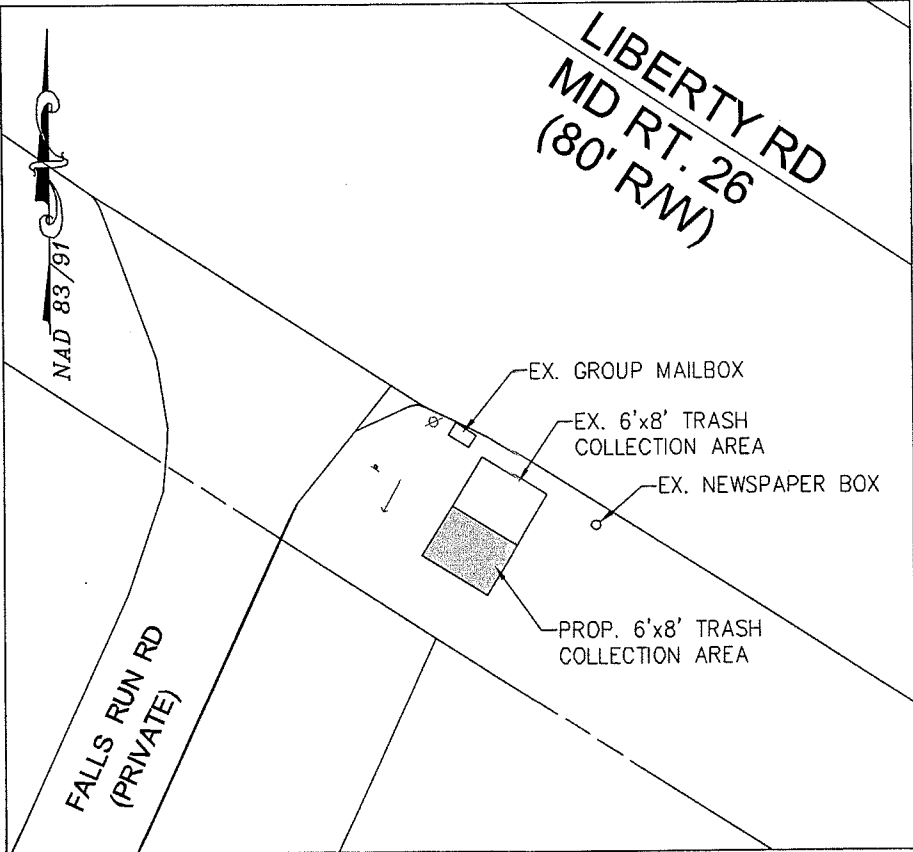
RANDALLSTOWN
BALTIMORE COUNTY, MARYLAND

ELECTION DISTRICT - 2
COUNCILMANIC DISTRICT - C - 4



Professional Certification.
I hereby certify that these documents were
prepared or approved by me, and that I am
a duly licensed professional engineer under
the laws of the State of Maryland.
License No. 33351.
Expiration Date 06-30-2010.

c/o ART BELL, JR.
10331 S. DOLFIELD RD.
OWINGS MILLS , MD 21117
Tele: (410) 363-0880



**MINOR SUBDIVISION OF
BELL PROPERTY
SHEET 3 OF 3
FALLS RUN ROAD**

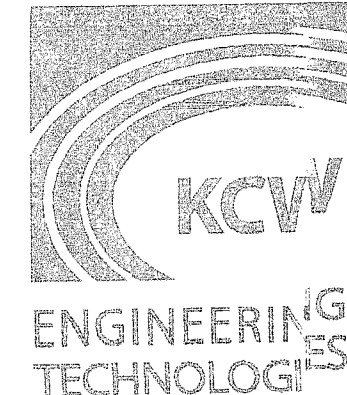
ELECTION DISTRICT - 2
COUNCILMANIC DISTRICT - C - 4

REVISIONS		KCW J.O.: 2050138
DATE	DESCRIPTION	SCALE: 1" = 50'
		DESIGNED: MT
		DRAWN: MT
		CHECKED: MT/MDT
		DATE: MARCH 19, 2009
		DWG. NO.: 2P-3

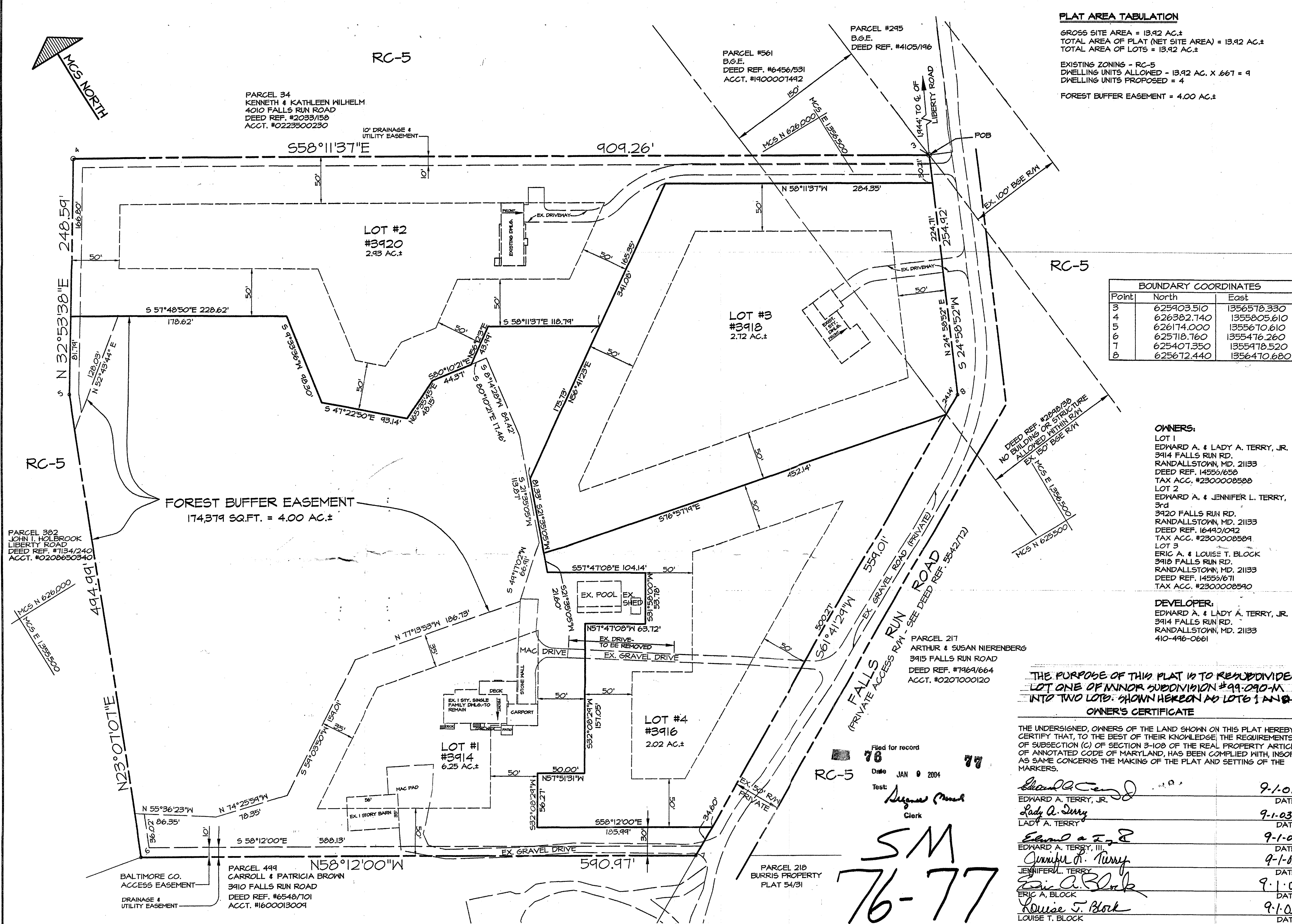
KCW Engineering Technologies, Inc.
810 Landmark Drive, Suite 215
Glen Burnie, MD 21061
Phone: 410.768.7700
Fax: 410.768.0200
www.kcw-et.com

OWNER/DEVELOPER:
FLORENCE WILHELM BELL
c/o ART BELL, JR.
10331 S. DOLFIELD RD.
OWINGS MILLS , MD 21117
Tele: (410) 363-0880

Professional Certificate No. 33351
I hereby certify that these documents were
prepared or approved by me, and that I am
a duly licensed professional engineer under
the laws of the State of Maryland.
License No. 33351
Expiration Date 06-30-2010.



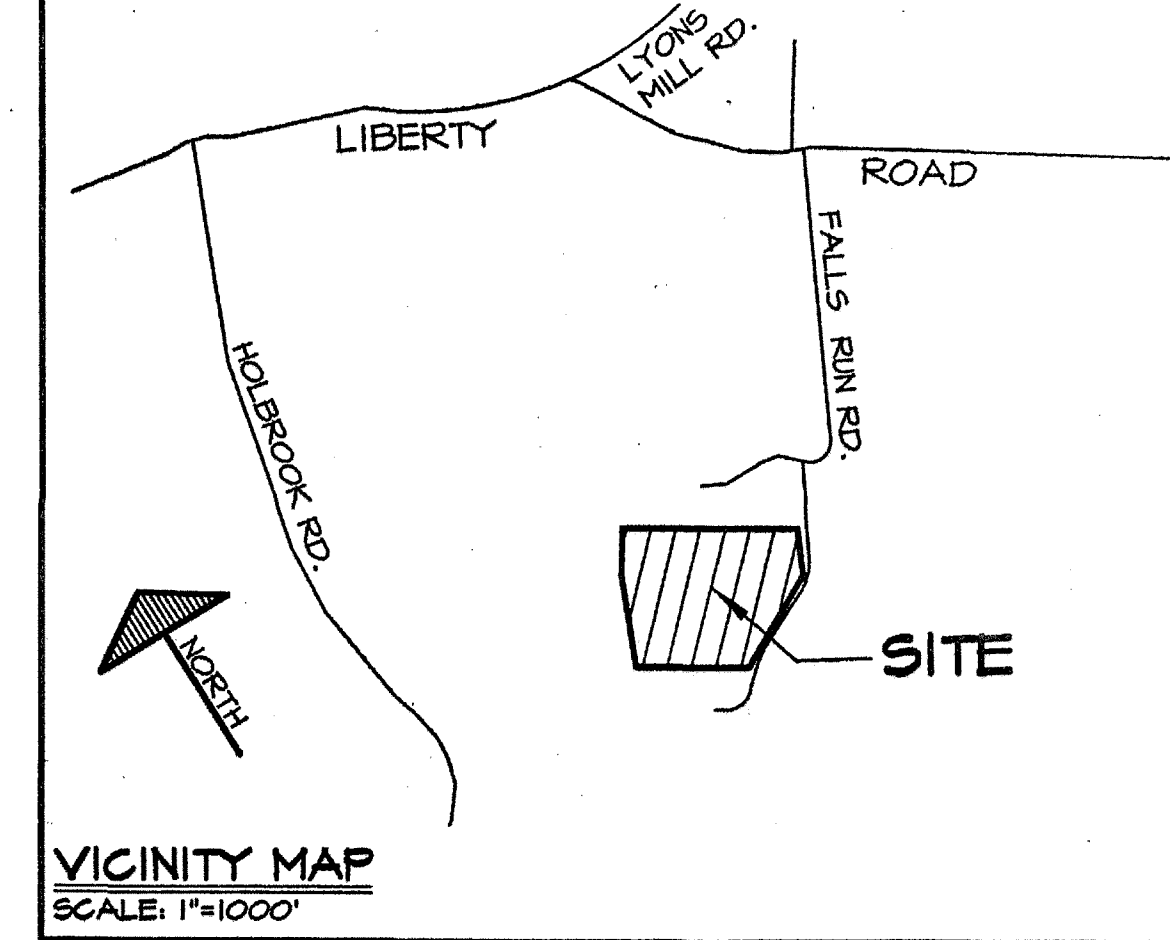
6
5
4
3
2
1
Maryland State Archives



PLAT AREA TABULATION
GROSS SITE AREA = 13.92 AC.±
TOTAL AREA OF PLAT (NET SITE AREA) = 13.92 AC.±
TOTAL AREA OF LOTS = 13.92 AC.±

EXISTING ZONING - RC-5
DWELLING UNITS ALLOWED - 13.92 AC. X .667 = 9
DWELLING UNITS PROPOSED = 4

FOREST BUFFER EASEMENT = 4.00 AC.±



BOUNDARY COORDINATES		
Point	North	East
3	625403.510	1356578.330
4	626382.740	1355805.610
5	626174.000	1355670.610
6	625718.760	1355476.260
7	625407.350	1355478.520
8	625672.440	1356470.680

OWNERS:
LOT 1
EDWARD A. & LADY A. TERRY, JR.
3914 FALLS RUN RD.
RANDALLSTOWN, MD. 21133
DEED REF. 14553/658
TAX ACC. #2300008588
LOT 2
EDWARD A. & JENNIFER L. TERRY,
3rd
3920 FALLS RUN RD.
RANDALLSTOWN, MD. 21133
DEED REF. 16440/042
TAX ACC. #2300008589
LOT 3
ERIC A. & LOUISE T. BLOCK
3918 FALLS RUN RD.
RANDALLSTOWN, MD. 21133
DEED REF. 14553/671
TAX ACC. #2300008590

DEVELOPER:
EDWARD A. & LADY A. TERRY, JR.
3914 FALLS RUN RD.
RANDALLSTOWN, MD. 21133
410-446-0661

THE PURPOSE OF THIS PLAT IS TO RESUBDIVIDE LOT ONE OF MINOR SUBDIVISION #99-090-M INTO TWO LOTS: SHOWN HEREON AS LOTS 1 AND 2.
OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFY THAT, TO THE BEST OF THEIR KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

Edward A. Terry, Jr. 9-1-03
EDWARD A. TERRY, JR. DATE
Lady A. Terry 9-1-03
LADY A. TERRY DATE
Edward A. Terry 9-1-03
EDWARD A. TERRY, III DATE
Jennifer L. Terry 9-1-03
JENNIFER L. TERRY DATE
Eric A. Block 9-1-03
ERIC A. BLOCK DATE
Louise T. Block 9-1-03
LOUISE T. BLOCK DATE

STANDARD NON-DISTURBANCE NOTE:
THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AREA EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

PROTECTIVE COVENANTS NOTE:
ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS

SURVEYOR'S CERTIFICATE
THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND PARTICULAR INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

Clyde Brooke Miller 9/4/03
NAME: CLYDE BROOKE MILLER RPLS #135 DATE:

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE APPROVED FDP DATED 07/24/02 AND HAVE PREPARED WITH DUE DILIGENCE THIS RECORD PLAT PURSUANT TO SAID FDP APPROVAL.

APPROVED FOR THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215(C), BALTIMORE COUNTY CODE
Donald T. Rouse 1-9-04
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT DATE:

APPROVED FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
Thomas L. Johnson 11-12-03
DIRECTOR OF DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT DATE:

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE MARYLAND COORDINATE SYSTEM NAD 83/91 AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS:

615 * 41 N 830009.78 E 1344043.25
615 * 42 N 820255.71 E 1368880.60

PWA COMPLETED: N/A
FINAL PLAT: DDP 12-3-03
P.D.M. 11-18-03
DEV. DESIGN: R. B. 10/20/03
DEV. ENGINEER: H. B. 10/17/03
STREETS, NUMBERING: 10/17/03
PLANNING:
LAND ACQUISITIONS: DDP 12-3-03
ASSESSMENTS: DDP 12-3-03
REC. & PARKS: 10-8-03

PLAT OF EDWARD A. TERRY, JR. PROPERTY PDM No. # 11(2)-609 PREVIOUSLY MINOR SUBDIVISION #99-090-M TAX MAP #66, GRID #20, PARCELS #32, 654 & 655 2nd ELECTION DISTRICT, 1st COUNCILMANIC BALTIMORE COUNTY, MD	
SCALE: 1"=50'	DRAWN: TJH/ZJJ
DATE: 08/20/03	CHECKED:
JOB NO.: 0365-02	DRAWING NUMBER:
DESIGNED: TJH	RP-1
406 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 410-246-3668 FAX 410-246-5326	SHEET OF
REVISIONS:	
EXHIBIT 4	

OWINGS MILLS PLAN

