

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
NW side of Valley Mill Road, 1,700 feet		
SW of the c/l of Bentley Road	*	DEPUTY ZONING
6 th Election District		
3 rd Councilmanic District	*	COMMISSIONER
(20116 Valley Mill Road)		
	*	FOR BALTIMORE COUNTY
Barbara L. Miller		
<i>Petitioner</i>	*	CASE NO. 2011-0163-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 the owner of the subject properties, Barbara L. Miller. Petitioner requests Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the transfer of a density unit to an adjoining parcel of land from Barbara L. Miller (Parcel 52) to Barbara L. Miller (Parcel 308) and the nondensity transfer of 6.8 acres to an adjoining parcel of land from Barbara L. Miller (Parcel 308) to Barbara L. Miller (Parcel 52).¹ The subject properties and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing relief was Petitioner Barbara L. Miller and Bruce E. Doak with Gerhold Cross & Etzel, Ltd., the professional land surveyor who prepared the site plan, as well as Petitioner's son, Brent Miller, her husband Jeffrey Miller, and Tristan Raab. Also attending was Wallace A. Lippincott, Jr., Program Manager for Agricultural and Rural Land Preservation on behalf of the Department of Environmental Protection and Resource Management. There were no Protestants or other interested persons in attendance.

¹ At the start of the hearing, Mr. Doak requested to amend the Petition to reflect that the request for nondensity transfer was actually for 10.07 acres and not 6.8 acres as indicated in the Petition. This amendment was granted.

ORDER RECEIVED FOR FILING

Date 1-10-11

Testimony and evidence presented revealed that the subject properties are irregular shaped and are located on the northwest side of Valley Mill Road, north of Walker Road and east of Beckleysville Road, in the Freeland area of northern Baltimore County. The properties consist of Parcel 308, which contains approximately 44.636 acres, and Parcel 52, which contains 8.706 acres. Both parcels are split zoned R.C.2 and R.C.8. The density calculations and devolutions of title for the properties are detailed on the site plan. Parcel 308 is improved with Petitioner's existing two-story dwelling, as well as a stable and several agricultural outbuildings.

The R.C.2 zoned portion of Parcel 308 has utilized the one density unit permitted with Petitioner's existing single-family dwelling. The R.C.2 zoned portion of Parcel 52 has one density unit available. In addition, the R.C.8 zoned portions of Parcels 308 and 52 have two total density units available. Petitioner desires to help her son build a home on the available density on Parcel 52; however, as shown on the site plan and the aerial photographs that were marked and accepted into evidence as Petitioner's Exhibits 2A and 2B, the topography of Parcel 52 shows significant slopes and is heavily wooded. As also shown on the aerial photographs, there are areas of Parcel 308 that are cleared of trees. Hence, Petitioner desires to help her son locate a proposed house on one of those cleared areas of Parcel 308 as shown on the site plan. This location also has very good access at the terminus of the existing driveway from Valley Mill Road. In order to do so, Petitioner desires to transfer a density unit from Parcel 52 to adjoining Parcel 308. In addition, Petitioner desires approval of a nondensity transfer of 10.07 acres from Parcel 308 to Parcel 52. This would result in the location of one single-family dwelling on the newly enlarged 18.776 acre Parcel 52 and a reduction in the size of Parcel 308 from 44.636 acres to 34.566 acres.

ORDER RECEIVED FOR FILING

Date 1-10-11

By PJ

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments were received from the Office of Planning dated December 15, 2010 stating that the Office supports the requested transfer of the single development right and the non-density tract provided that it can be demonstrated that the development right still exists with Parcel 52 and was not utilized by the 4.7 acres saved and exempted from L7370F146. The Planning Office recommends as a condition of approval that the Petitioner apply to the Development Review Committee for determination of further subdivision process. Comments were received from the Department of Environmental Protection and Resource Management dated December 20, 2010 which indicates that development of the property must comply with the Regulations for the Protection of Water quality, Streams, Wetlands and Floodplains and must also comply with the Forest Conservation Regulations. Mr. Lippincott with DEPRM's Agricultural Preservation also indicated in the same DEPRM comment that the property is located in an Agricultural Preservation Area in the Freeland area. It is split zoned R.C.2 and R.C.8. The two parcels were originally part of the same parcel. The property is in the vicinity of preserved properties. It is primarily wooded with some hay fields. It is adjacent to a significant amount of woods. The property is generally steep and has streams on it. While there are two density units on Parcel 52, the R.C.2 unit is in a location that would result in significant expense and environmental impact to construct. The R.C.8 unit appears to be even more problematic.

Mr. Lippincott met with the Miller family and Bruce Doak on December 16, 2010 to discuss the request, the preservation objectives in the area and the background on positions held on nondensity transfers in R.C.2. The best agricultural and resource use of the land is for forestry rather than for cropland or pasture. Locating one dwelling in the approximate area indicated on the site plan would have less impact on the resources than in the current R.C.2 area

ORDER RECEIVED FOR FILING

Date 1-10-11

By PZ

on Parcel 52. As such, the request is supported subject to the following conditions: Eliminate the R.C.8 density unit on Parcel 52 leaving only the RC 2 unit for the construction of a dwelling; and require that forest management plans for both properties be conducted within one year of the zoning decision.

Considering all of the evidence and testimony presented at the hearing, I am persuaded to grant the Petition for special hearing. I agree with Petitioner's consultant, Mr. Doak, and with Mr. Lippincott of DEPRM that the manner in which to best utilize the density unit from Parcel 52 is to allow the transfer of density from Parcel 52 to Parcel 308, and to in turn approve the nondensity transfer of a 10.07 acre portion of Parcel 308 to Parcel 52 in order to place a proposed dwelling further back on the newly enlarged Parcel 52 in an already cleared area. This results in much less environmental impact or disturbance, preserving existing wooded areas, and also takes advantage of existing access to the private driveway from Valley Mill Road. These conditions are shown in the photographs of Parcel 52 that were marked and accepted into evidence as Petitioner's Exhibits 3A through 3I. A condition of the relief will be that Petitioner agree to eliminate and forfeit the R.C.8 density unit on Parcel 52 leaving only the R.C.2 density unit for construction of a dwelling thereon.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 10th day of January, 2011 that Petitioner's request for Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the transfer of a density unit to an adjoining parcel of land from Barbara L. Miller (Parcel 52) to

ORDER RECEIVED FOR FILING

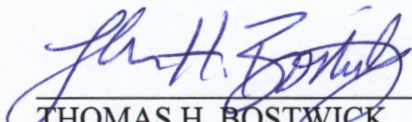
Date 1-10-11

By PB

Barbara L. Miller (Parcel 308) and the nondensity transfer of 10.07 acres to an adjoining parcel of land from Barbara L. Miller (Parcel 308) to Barbara L. Miller (Parcel 52) be and are hereby **GRANTED** subject to the following conditions:

1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner 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).
4. Forest management plans for both properties shall be conducted within one year of the date of this Order.
5. Petitioner acknowledges and agrees to the forfeiture and elimination of the R.C.8 density unit on Parcel 52 leaving only the R.C.2 density unit for construction of a dwelling thereon.
6. Petitioner shall apply to the Development Review Committee for determination of further subdivision process and for a lot line adjustment.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 1-10-11

By [Signature]



KEVIN KAMENETZ
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 10, 2011

BARBARA L. MILLER AND JEFFREY MILLER
20116 VALLEY MILL ROAD
FREELAND MD 21053

Re: Petition for Special Hearing
Case No. 2011-0163-SPH
Property: 20116 Valley Mill Road

Dear Mr. and Mrs. Miller:

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.

Sincerely,

A handwritten signature in dark ink, appearing to read "TH H Bostwick", is written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: Bruce E. Doak, Gerhold Cross & Etzel, Ltd., 320 East Towsontown Blvd., Suite 100,
Towson MD 21286
Wallace A. Lippincott, Jr., Program Manager, Agricultural and Rural Land Preservation,
Department of Environmental Protection and Resource Management (DEPRM)



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at #20116 Valley Mill Road

which is presently zoned R.C. 2 & R.C. 8

(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)

the transfer of a density unit to an adjoining parcel of land
from Barbara L. Miller (Parcel 52) to Barbara L. Miller (Parcel 308)
&
the non-density transfer of 6.8 Acres to an adjoining parcel of land
from Barbara L. Miller (Parcel 308) to Barbara L. Miller (Parcel 52)

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Date _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Barbara L. Miller

Name - Type or Print _____
Signature Barbara L. Miller

Name - Type or Print _____
Signature _____
20116 Valley Mill Road (410)-343-0117
Address Telephone No.
Freeland Maryland 21053
City State Zip Code

Representative to be Contacted:

Bruce E. Doak (Gerhold, Cross & Etzel, Ltd.)
Name _____
320 E. Towsontown Blvd. Suite 100 (410)-823-4470
Address Telephone No.
Towson Maryland 21286
City State Zip Code

OFFICE USE ONLY

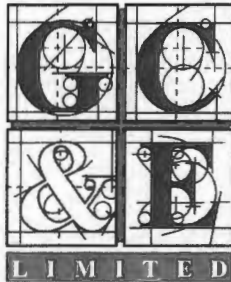
ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2011-0163-SPH

REV 9/15/98

Reviewed By [Signature] Date 11/4/10



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

October 21, 2010

ZONING DESCRIPTION

Miller Property

Tax ID: 20-00-012109

+ 19-00-010905

Overall

Valley Mill Road

Baltimore County, Maryland

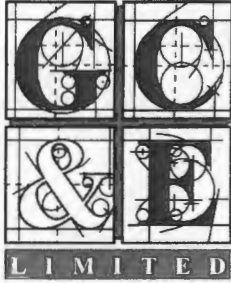
All that piece or parcel of land situate, lying and being in the Sixth Election District, Third Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning at a point in the center of Valley Mill Road, 1770' more or less southwesterly along the centerline of said road from its intersection with the centerline of Bentley Road, thence running along said road,

- 1) South 42 degrees 27 minutes 02 seconds West 245.28 feet,
- 2) South 40 degrees 11 minutes 00 seconds West 100.65 feet,
- 3) South 38 degrees 44 minutes 00 seconds West 120.24 feet,
- 4) South 23 degrees 31 minutes 15 seconds West 72.84 feet,
- 5) South 38 degrees 44 minutes 00 seconds West 261.05 feet, thence leaving the centerline of said road
- 6) North 51 degrees 16 minutes 00 seconds West 15.00 feet,
- 7) South 45 degrees 12 minutes 00 seconds West 58.74 feet,
- 8) South 61 degrees 15 minutes 00 seconds West 60.00 feet,
- 9) South 72 degrees 25 minutes 00 seconds West 190.00 feet,
- 10) North 50 degrees 05 minutes 00 seconds West 238.77 feet
- 11) South 82 degrees 25 minutes 00 seconds West 214.50 feet,
- 12) South 53 degrees 40 minutes 00 seconds West 270.60 feet,
- 13) North 02 degrees 37 minutes 00 seconds West 1949.13 feet,
- 14) North 85 degrees 08 minutes 00 seconds East 915.00 feet,

2011-0163-SP14

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

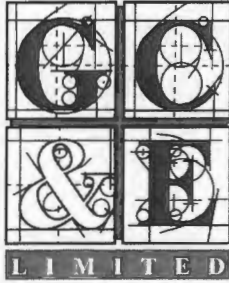
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

- 15) South 78 degrees 54 minutes 00 seconds East 165.00 feet,
- 16) South 22 degrees 58 minutes 00 seconds East 512.51 feet,
- 17) South 22 degrees 58 minutes 00 seconds East 323.22 feet,
- 18) South 11 degrees 09 minutes 00 seconds East 456.32 feet to the place of beginning.

Containing 53.342 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.



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

October 21, 2010

ZONING DESCRIPTION

Miller Property

Tax ID: 19-00-010905

Valley Mill Road

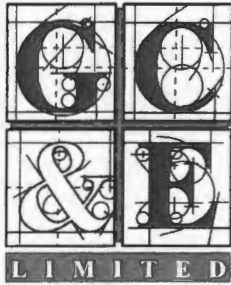
Baltimore County, Maryland

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

Beginning at a point in the center of Valley Mill Road, 2230' more or less southwesterly along the centerline of said road from its intersection with the centerline of Bentley Road, thence leaving said road and running and binding along the center of a 20 feet wide farm road,

- 1) North 40 degrees 30 minutes 00 seconds West 35.72 feet,
- 2) North 03 degrees 57 minutes 00 seconds West 80.15 feet,
- 3) North 06 degrees 10 minutes 00 seconds East 78.56 feet,
- 4) North 25 degrees 36 minutes 00 seconds East 109.82 feet,
- 5) North 18 degrees 01 minutes 00 seconds West 41.30 feet,
- 6) North 60 degrees 57 minutes 00 seconds West 43.25 feet,
- 7) North 89 degrees 05 minutes 00 seconds West 99.50 feet,
- 8) North 53 degrees 53 minutes 00 seconds West 46.12 feet,
- 9) North 33 degrees 42 minutes 00 seconds West 193.31 feet,
- 10) North 30 degrees 16 minutes 00 seconds West 85.69 feet,
- 11) North 36 degrees 27 minutes 00 seconds West 52.83 feet,
- 12) North 56 degrees 10 minutes 00 seconds West 50.40 feet,
- 13) North 31 degrees 49 minutes 00 seconds West 50.60 feet,
- 14) North 53 degrees 13 minutes 00 seconds East 626.68 feet,
- 15) North 22 degrees 58 minutes 00 seconds West 512.51 feet,
- 16) North 78 degrees 54 minutes 00 seconds West 165.00 feet,
- 17) South 85 degrees 08 minutes 00 seconds West 915.00 feet,
- 18) South 02 degrees 37 minutes 00 seconds East 1949.13 feet,
- 19) North 53 degrees 40 minutes 00 seconds East 270.60 feet,
- 20) North 82 degrees 25 minutes 00 seconds East 214.50 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

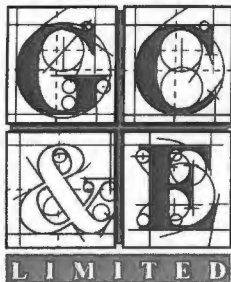
Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

- 21) South 50 degrees 05 minutes 00 seconds East 238.77 feet,
- 22) North 72 degrees 25 minutes 00 seconds East 190.00 feet,
- 23) North 61 degrees 15 minutes 00 seconds East 60.00 feet,
- 24) North 45 degrees 12 minutes 00 seconds East 58.74 feet,
- 25) South 51 degrees 16 minutes 00 seconds East 15.00 feet, thence running and binding on
the center of Valley Mill Road
- 26) North 38 degrees 44 minutes 00 seconds East 261.05 feet, and
- 27) North 23 degrees 31 minutes 15 seconds East 72.84 feet to the place of beginning.

Containing 44.636 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.



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

October 21, 2010

ZONING DESCRIPTION

Miller Property

Tax ID: 19-00-010905 (remainder)

Valley Mill Road

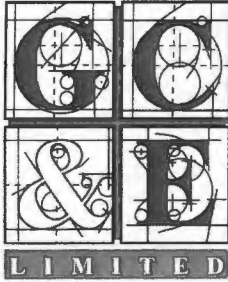
Baltimore County, Maryland

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

Beginning at a point in the center of Valley Mill Road, 2230' more or less southwesterly along the centerline of said road from its intersection with the centerline of Bentley Road, thence leaving said road and running and binding along the center of a 20 feet wide farm road,

- 1) North 40 degrees 30 minutes 00 seconds West 35.72 feet,
- 2) North 03 degrees 57 minutes 00 seconds West 80.15 feet,
- 3) North 06 degrees 10 minutes 00 seconds East 78.56 feet,
- 4) North 25 degrees 36 minutes 00 seconds East 109.82 feet,
- 5) North 18 degrees 01 minutes 00 seconds West 41.30 feet,
- 6) North 60 degrees 57 minutes 00 seconds West 43.25 feet,
- 7) North 89 degrees 05 minutes 00 seconds West 99.50 feet,
- 8) North 53 degrees 53 minutes 00 seconds West 46.12 feet,
- 9) North 33 degrees 42 minutes 00 seconds West 193.31 feet,
- 10) North 30 degrees 16 minutes 00 seconds West 85.69 feet,
- 11) North 36 degrees 27 minutes 00 seconds West 52.83 feet,
- 12) North 56 degrees 10 minutes 00 seconds West 50.40 feet,
- 13) North 31 degrees 49 minutes 00 seconds West 50.60 feet,
- 14) North 22 degrees 16 minutes 18 seconds West 350.00 feet,
- 15) North 55 degrees 10 minutes 09 seconds East 285.00 feet, thence leaving said farm road and running
- 16) North 15 degrees 57 minutes 54 seconds West 395.00 feet,
- 17) South 85 degrees 08 minutes 00 seconds West 767.00 feet,
- 18) South 02 degrees 37 minutes 00 seconds East 1949.13 feet,
- 19) North 53 degrees 40 minutes 00 seconds East 270.60 feet,
- 20) North 82 degrees 25 minutes 00 seconds East 214.50 feet,

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



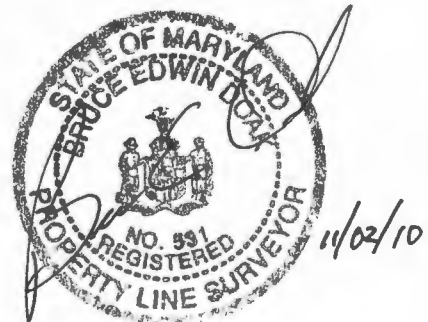
Gerhold, Cross & Etzel, Ltd.

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

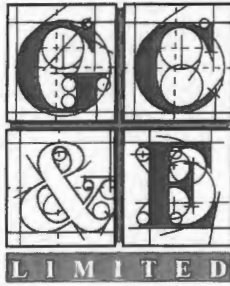
- 21) South 50 degrees 05 minutes 00 seconds East 238.77 feet,
- 22) North 72 degrees 25 minutes 00 seconds East 190.00 feet,
- 23) North 61 degrees 15 minutes 00 seconds East 60.00 feet,
- 24) North 45 degrees 12 minutes 00 seconds East 58.74 feet,
- 25) South 51 degrees 16 minutes 00 seconds East 15.00 feet, thence running and binding on
the center of Valley Mill Road
- 26) North 38 degrees 44 minutes 00 seconds East 261.05 feet, and
- 27) North 23 degrees 31 minutes 15 seconds East 72.84 feet to the place of beginning.

Containing 37.835 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.

2011- 0163- SP4



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

October 21, 2010

ZONING DESCRIPTION

Miller Property

Tax ID: 20-00-012109

+ Transfer portion

Valley Mill Road

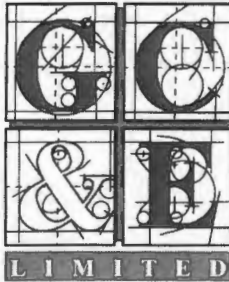
Baltimore County, Maryland

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

Beginning at a point in the center of Valley Mill Road, 1770' more or less southwesterly along the centerline of said road from its intersection with the centerline of Bentley Road, thence running along said road,

- 1) South 42 degrees 27 minutes 02 seconds West 245.28 feet,
- 2) South 40 degrees 11 minutes 00 seconds West 100.65 feet,
- 3) South 38 degrees 44 minutes 00 seconds West 120.24 feet, thence leaving said road and running and binding along the center of a 20 feet wide farm road
- 4) North 40 degrees 30 minutes 00 seconds West 35.72 feet,
- 5) North 03 degrees 57 minutes 00 seconds West 80.15 feet,
- 6) North 06 degrees 10 minutes 00 seconds East 78.56 feet,
- 7) North 25 degrees 36 minutes 00 seconds East 109.82 feet,
- 8) North 18 degrees 01 minutes 00 seconds West 41.30 feet,
- 9) North 60 degrees 57 minutes 00 seconds West 43.25 feet,
- 10) North 89 degrees 05 minutes 00 seconds West 99.50 feet,
- 11) North 53 degrees 53 minutes 00 seconds West 46.12 feet,
- 12) North 33 degrees 42 minutes 00 seconds West 193.31 feet,
- 13) North 30 degrees 16 minutes 00 seconds West 85.69 feet,
- 14) North 36 degrees 27 minutes 00 seconds West 52.83 feet,
- 15) North 56 degrees 10 minutes 00 seconds West 50.40 feet,
- 16) North 31 degrees 49 minutes 00 seconds West 50.60 feet,
- 17) North 22 degrees 16 minutes 18 seconds West 350.00 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

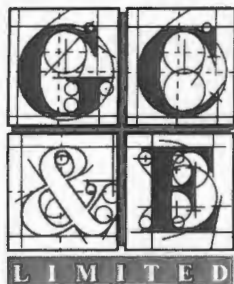
- 18) North 55 degrees 10 minutes 09 seconds East 285.00 feet, thence leaving said farm road and running
- 19) North 15 degrees 57 minutes 54 seconds West 395.00 feet,
- 20) North 85 degrees 08 minutes 00 seconds East 148.00 feet,
- 21) South 78 degrees 54 minutes 00 seconds East 165.00 feet,
- 22) South 22 degrees 58 minutes 00 seconds East 512.51 feet,
- 23) South 22 degrees 58 minutes 00 seconds East 323.22 feet,
- 24) South 11 degrees 09 minutes 00 seconds East 456.32 feet to the place of beginning.

Containing 15.508 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.

2011-0163-SPH



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286

Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

October 21, 2010

ZONING DESCRIPTION

Miller Property

Tax ID: 20-00-012109

Valley Mill Road

Baltimore County, Maryland

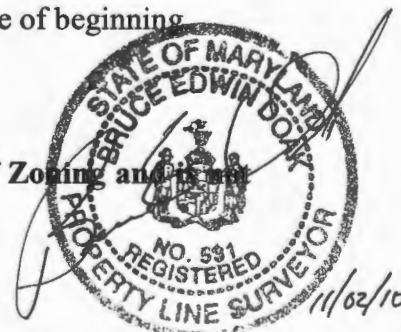
All that piece or parcel of land situate, lying and being in the Sixth Election District, Third Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning at a point in the center of Valley Mill Road, 1770' more or less southwesterly along the centerline of said road from its intersection with the centerline of Bentley Road, thence running along said road,

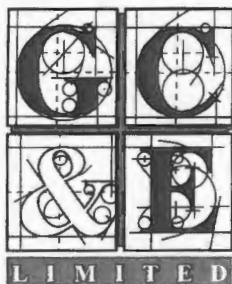
- 1) South 42 degrees 27 minutes 02 seconds West 245.28 feet,
- 2) South 40 degrees 11 minutes 00 seconds West 100.65 feet,
- 3) South 38 degrees 44 minutes 00 seconds West 120.24 feet, thence leaving said road and running and binding along the center of a 20 feet wide farm road
- 4) North 40 degrees 30 minutes 00 seconds West 35.72 feet,
- 5) North 03 degrees 57 minutes 00 seconds West 80.15 feet,
- 6) North 06 degrees 10 minutes 00 seconds East 78.56 feet,
- 7) North 25 degrees 36 minutes 00 seconds East 109.82 feet,
- 8) North 18 degrees 01 minutes 00 seconds West 41.30 feet,
- 9) North 60 degrees 57 minutes 00 seconds West 43.25 feet,
- 10) North 89 degrees 05 minutes 00 seconds West 99.50 feet,
- 11) North 53 degrees 53 minutes 00 seconds West 46.12 feet,
- 12) North 33 degrees 42 minutes 00 seconds West 193.31 feet,
- 13) North 30 degrees 16 minutes 00 seconds West 85.69 feet,
- 14) North 36 degrees 27 minutes 00 seconds West 52.83 feet,
- 15) North 56 degrees 10 minutes 00 seconds West 50.40 feet,
- 16) North 31 degrees 49 minutes 00 seconds West 50.60 feet, thence leaving said farm road and running
- 17) North 53 degrees 13 minutes 00 seconds East 626.68 feet,
- 18) South 22 degrees 58 minutes 00 seconds East 323.22 feet,
- 19) South 11 degrees 09 minutes 00 seconds East 456.32 feet to the place of beginning

Containing 8.706 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and Planning to be used for the purposes of conveyance.



2611-0163-SPH



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

October 21, 2010

ZONING DESCRIPTION

Miller Property

Tax ID: 19-00-010905 (transfer portion)

Valley Mill Road

Baltimore County, Maryland

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

Beginning at a point North 11 degrees 09 minutes 00 seconds West 456.32 feet, North 22 degrees 58 minutes 00 seconds West 323.22 feet from a point in the center of Valley Mill Road, 1770' more or less southwesterly along the centerline of said road from its intersection with the centerline of Bentley Road, thence running,

- 1) North 22 degrees 58 minutes 00 seconds West 512.51 feet,
- 2) North 78 degrees 54 minutes 00 seconds West 165.00 feet,
- 3) South 85 degrees 08 minutes 00 seconds West 148.00 feet,
- 4) South 15 degrees 57 minutes 54 seconds East 395.00 feet,
- 5) South 55 degrees 10 minutes 09 seconds West 285.00 feet,
- 6) South 22 degrees 16 minutes 18 seconds East 350.00 feet, and
- 7) North 53 degrees 13 minutes 00 seconds East 626.68 feet to the place of beginning.

Containing 6.800 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.

2011- 0163- SP4

BAaltimore County, Maryland
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 61035

Date: 11/4/10

PAID RECEIPT

BUSINESS ACTUAL TIME DRW

11/04/2010 11/04/2010 09:39:29 2

REG NG05 WALKIN DOOL DMD

>>RECEIPT # 551264 11/04/2010 OFLR

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				65.00

Total: 65.00

Rec From: Brent L. Miller

For: 20116 Valley Mill RD

2053

2011-0163-SPH

Dept 5 528 ZONING VERIFICATION

CR NO. 061035

Recpt Tot \$65.00

\$65.00 CR \$1.00 CA

Baltimore County, Maryland

CASHIER'S
VALIDATION

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



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

1-3

CERTIFICATE OF POSTING

RE: Case#2011-0163-SPH

PETITIONER: Barbara Miller

DATE OF HEARING: January 3, 2011

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:
20116 Valley Mill 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: 12/16/10

ZONING NOTICE

CASE # :2011-0163-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:

Monday, January 03, 2011

DATE :

at 11:00 am

Special Hearing to permit the transfer of a density unit to an adjoining parcel of land from Barbara L. Miller (Parcel 52) to Barbara L. Miller (Parcel 308) and the non-density transfer of 6.8 acres to an adjoining parcel of land from Barbara L. Miller (Parcel 308) to Barbara L. Miller (Parcel 52).

20116

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 16, 2010 Issue - Jeffersonian

Please forward billing to:

Brent Miller
20116 Valley Mill Road
Freeland, MD 21053

410-343-0117

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: 2011-0163-SPH

20116 Valley Mill Road

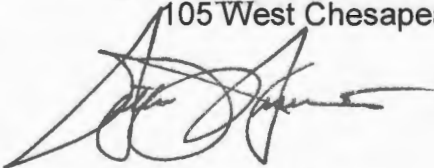
N/w side of Valley Mill Road, 1,700 feet s/west of the centerline of Bentley Road

6th Election District – 3rd Councilmanic District

Legal Owners: Barbara Miller

Special Hearing to permit the transfer of a density unit to an adjoining parcel of land from Barbara L. Miller (Parcel 52) to Barbara L. Miller (Parcel 308) and the non-density transfer of 6.8 acres to an adjoining parcel of land from Barbara L. Miller (Parcel 308) to Barbara L. Miller (Parcel 52).

Hearing: Monday, January 3, 2011 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 30, 2010

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: 2011-0163-SPH

20116 Valley Mill Road

N/w side of Valley Mill Road, 1,700 feet s/west of the centerline of Bentley Road

6th Election District – 3rd Councilmanic District

Legal Owners: Barbara Miller

Special Hearing to permit the transfer of a density unit to an adjoining parcel of land from Barbara L. Miller (Parcel 52) to Barbara L. Miller (Parcel 308) and the non-density transfer of 6.8 acres to an adjoining parcel of land from Barbara L. Miller (Parcel 308) to Barbara L. Miller (Parcel 52).

Hearing: Monday, January 3, 2011 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Barbara Miller, 20116 Valley Mill Road, Freeland 21053
Bruce Doak, GC & E, 320 E. Towsontown Blvd., Ste. 100, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., DECEMBER 18, 2010.**
- (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.

**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: 2011-0163-SPH

Petitioner: Barbara L. Miller

Address or Location: 20116 Valley Mill Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Brent Miller

Address: 20116 Valley Mill Road
Freeland, MD. 21053

Telephone Number: (410) - 343-0117



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

December 28, 2010

Barbara M. Miller
20116 Valley Mill Road
Freeland, Maryland 21053

Dear Ms. Miller:

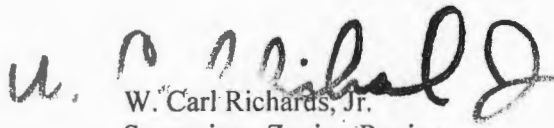
RE: 2011-0163-SPH Case Number, 20116 Valley Mill Rd

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 4, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc
Enclosures

c: People's Counsel
Bruce E. Doak (Gerhold, Cross, & Etzel, LTD) 320 E. Towsontown Blvd Suite 100 Towson Md.21286

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 20 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

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

DATE: December 20, 2010

SUBJECT: Zoning Item # 11-163-A
Address 20116 Valley Mill Road
(Miller Property)

Zoning Advisory Committee Meeting of November 15, 2010.

- 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). - *Charles Batchelder; Environmental Impact Review*
- 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). - *Charles Batchelder; Environmental Impact Review*

Additional Comments:

Background: Property is located in Agricultural Preservation Area in Freeland Area. It is split zoned RC 2 and RC 8. The two parcels were originally part of the same parcel. The property is in the vicinity of preserved properties. It is primarily wooded with some hay fields. It is adjacent to a significant amount of woods. The property is generally steep and has streams on it.

Request: To reconfigure the property to add acreage to Parcel 52 from Parcel 308 for the purpose of creating a buildable property for a child. While there are two density units on Parcel 52, the RC 2 unit is in a location that would result in significant expense and environmental impact to construct. The RC 8 unit appears to be even more problematic. I

Zoning Item: # 11-163-A (cont.)

met with the Miller family and Bruce Doak on December 16, 2010 to discuss the request, the preservation objectives in the area and the background on positions held on nondensity transfers in RC 2.

Recommendation: The best agricultural and resource use of the land is for forestry rather than for cropland or pasture. Locating one dwelling in the approximate area indicated on the plan would have less impact on the resources than in the current RC 2 area on Parcel 52. The request is supported subject to the following conditions:

Eliminate the RC 8 density unit on Parcel 52 leaving only the RC 2 unit for the construction of a dwelling.

Require that forest management plans for both properties be conducted within one year of the Zoning decision. – *Wally Lippincott, Jr.; Agricultural Preservation*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, (Interim) Director
Department of Permits and
Development Management

DATE: December 15, 2010

FROM: Jeff Mayhew
Acting Director, Office of Planning

RECEIVED

SUBJECT: 20116 Valley Mill Road

DEC 21 2010

INFORMATION:

Item Number: 11-163

ZONING COMMISSIONER

Petitioner: Barbara L. Miller

Zoning: RC 2 and RC 8

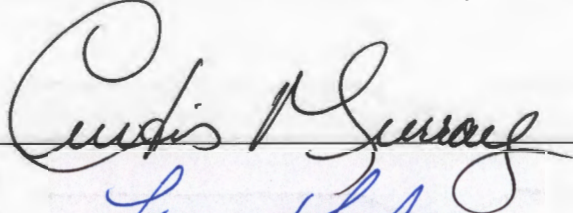
Requested Action: Special Hearing

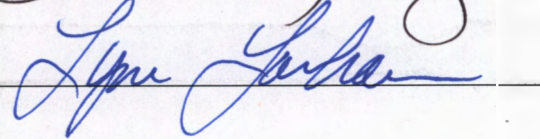
The petitioner requests a special hearing for the transfer of a density unit to an adjoining parcel of land from Barbara L. Miller (Parcel 52) to Barbara L. Miller (Parcel 308). And for the non-density transfer of 6.8 acres to an adjoining parcel of land from Barbara L. Miller (Parcel 308) to Barbara L. Miller (Parcel 52).

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the requested transfer of the single development right and the non-density tract provided that it can be demonstrated that the development right still exists with parcel 52 and was not utilized by the 4.7 acres saved and exempted from L7370 F146. The Office of Planning recommends as a condition of approval that the petitioner apply to the Development Review Committee for determination of further subdivision process.

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

Prepared by: 

Division Chief: 
AFK/LL: CM

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

November 24, 2010

Dept of PDM
Room 111, County Office Building
111 West Chesapeake Ave.
Towson, MD 21204
MS #1105

Attention Kristen Matthews

The Fire Marshal's office has no comment on the following zoning cases:

2011-0159-A, 2011-0160-A, 2011-0161-A, 2011-0162-A, 2011-0163-A, 2011-0163-A,
2011-0165-A, 2011-0166-A, 2011-0167-A, 2011-0168-SPH, 2011-0169-A, 2011-0170-A,
2011-0171-XA, 2011-0172-A, 2011-0173-SPH, 2011-0174-A, 2011-0175-A,
2011-0176-SPH, 2011-0177-A, 2011-0178-A, 2011-0179-A.

Thank you,



Steven Judlick, Fire Marshal
Baltimore County Fire Department
Office of the Fire Marshal
410-887-4880

Visit the County's Website at www.baltimorecountyonline.info





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

State Highway
Administration

Beverley K. Swalm-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Nov. 24, 2010

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

RE: Baltimore County
Item No. 2011-0163-A
20116 VALLEY MILL RD
MILLER PROPERTY
SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0163-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 29, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For November 29, 2010
Item Nos. 2011- 160, 161, 162, 163,
164, 165, 166, 167, 168, 169, 170,
171, 173, 174, 175, 177, 178 and 179

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-11292010 -NO COMMENTS.doc

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
20116 Valley Mill Road; NW/S of Valley *
Mill Road, 1,700' SW of c/line of Bentley Rd* ZONING COMMISSIONER
6th Election & 3rd Councilmanic Districts *
Legal Owner(s): Barbara Miller * FOR
Petitioner(s) *
BALTIMORE COUNTY
2011-163-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

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

DEC 08 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, Gerhold, Cross & Etzel, 320 E Towsontown Boulevard, Suite 100, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

June 24 2011

Bruce E. Doak, Principal
Gerhold, Cross & Etzel, Ltd.
Suite 100
320 E. Towsontown Boulevard
Towson, Maryland 21286

RE: Spirit and Intent Response for Zoning Case 2011-0163-SPH
20116 Valley Mill Road, Tax Map 6, Parcel 52 & 308
6th Election District

Dear Mr. Doak

Your letter to the Director of Permits, Approvals and Inspections has been referred to me for reply. Based on the information contained in the BCZR (Baltimore County Zoning Regulations) and research of the available records the following has been determined.

The property known as 20116 Valley Mill Road is currently zoned R.C. 2 and R.C. 8 (Resource Conservation 2 and Resource Conservation 8) and has not changed since the zoning hearing referenced above. On January 10, 2011 a Special Hearing was granted to approve the transfer of a density unit to an adjoining parcel of land from Parcel 52 to Parcel 308 and the nondensity transfer of 10.07 acres to an adjoining parcel of land from Parcel 308 to Parcel 52.

Since a recent survey of the farm shows that the transfer of 10.07 acres of land is actually 10.972 acres, our office has no objection to this change. This difference will not affect density and therefore is considered within the spirit and intent of zoning case 2011-0163-SPH. It will be the responsibility of you or the owner for compliance of all conditions outlined in this order.

Spirit and Intent of Zoning Case No. 2011-0163-SPH

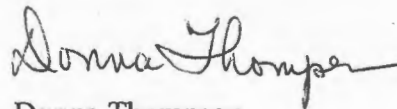
June 24, 2011

Page 2

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Donna Thompson".

Donna Thompson
Planner II, Zoning Review

DT

Cc: Zoning Case No. 2011-0163-SPH

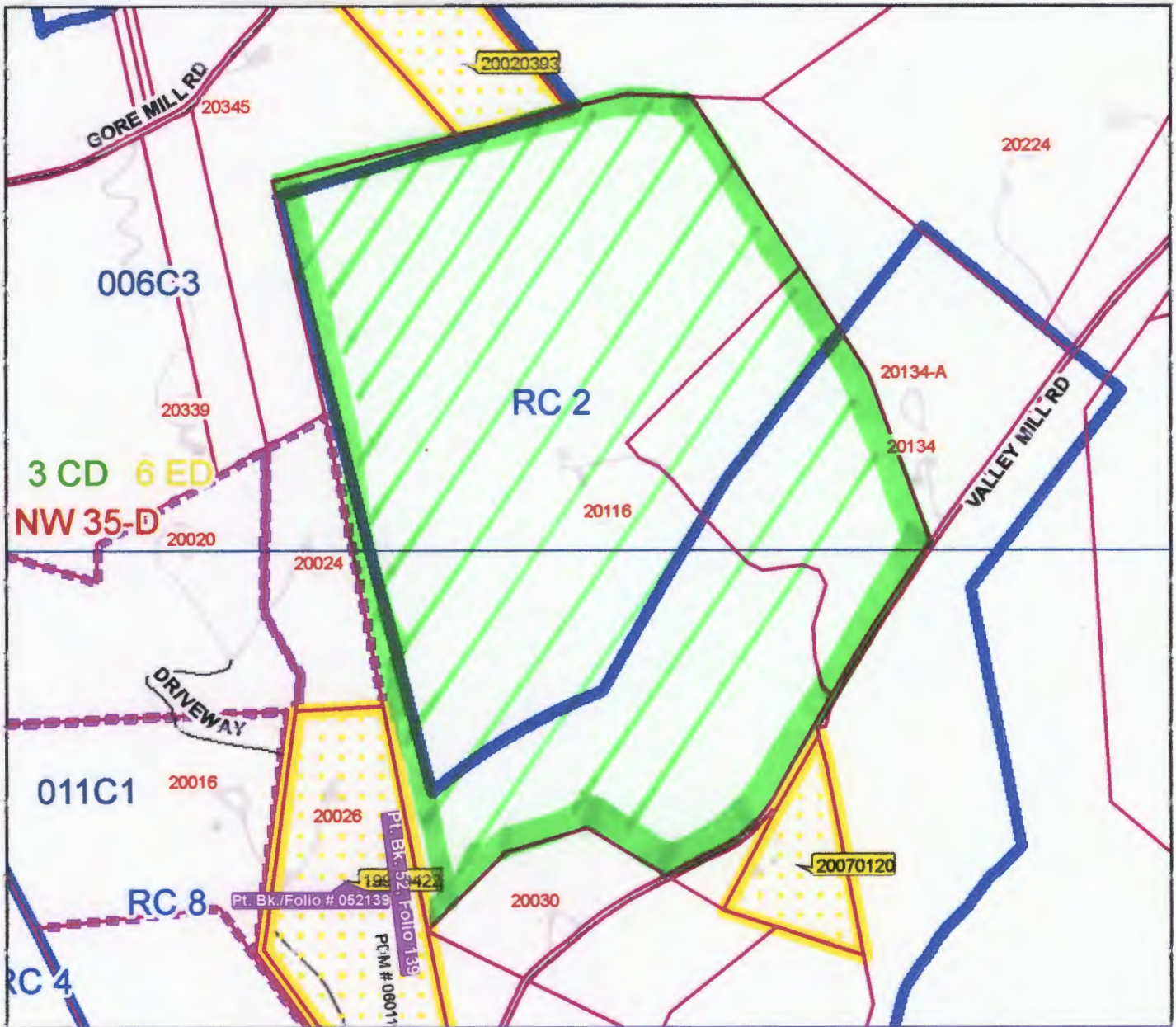
CASE NAME MILNER PROPERTY
CASE NUMBER 2011-0163-SP4
DATE 1/03/11

[illegible]

CASE NAME _____
CASE NUMBER 201F-0163-SPH
DATE 1-3-11

[illegible]

20116 Valley Mill Road



Publication Date: November 04, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 400 800
Feet

1 inch = 400 feet

2011-0163-SPH

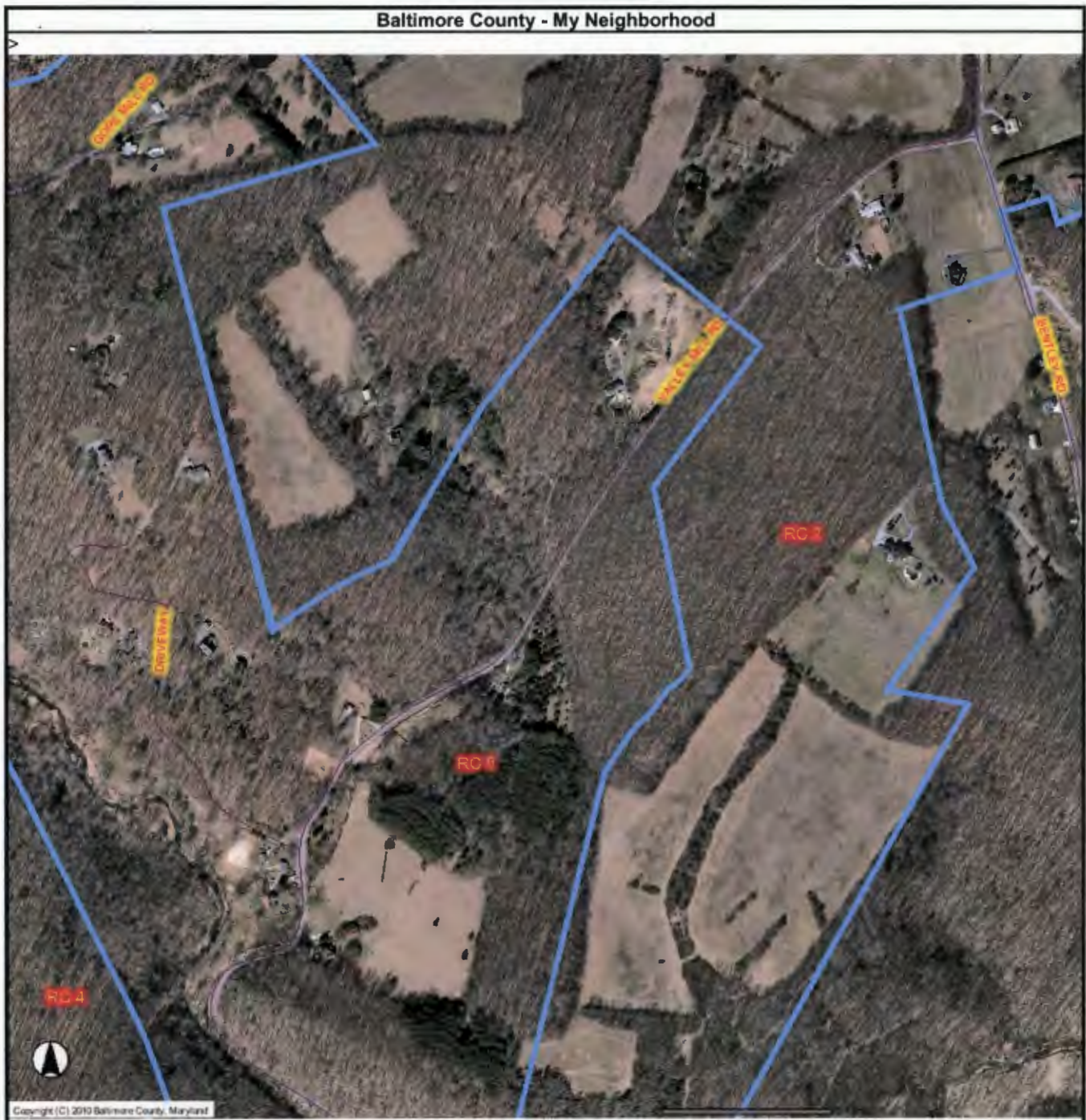
Case No.: 2011- 0163- SPH

Exhibit Sheet

Petitioner/Developer

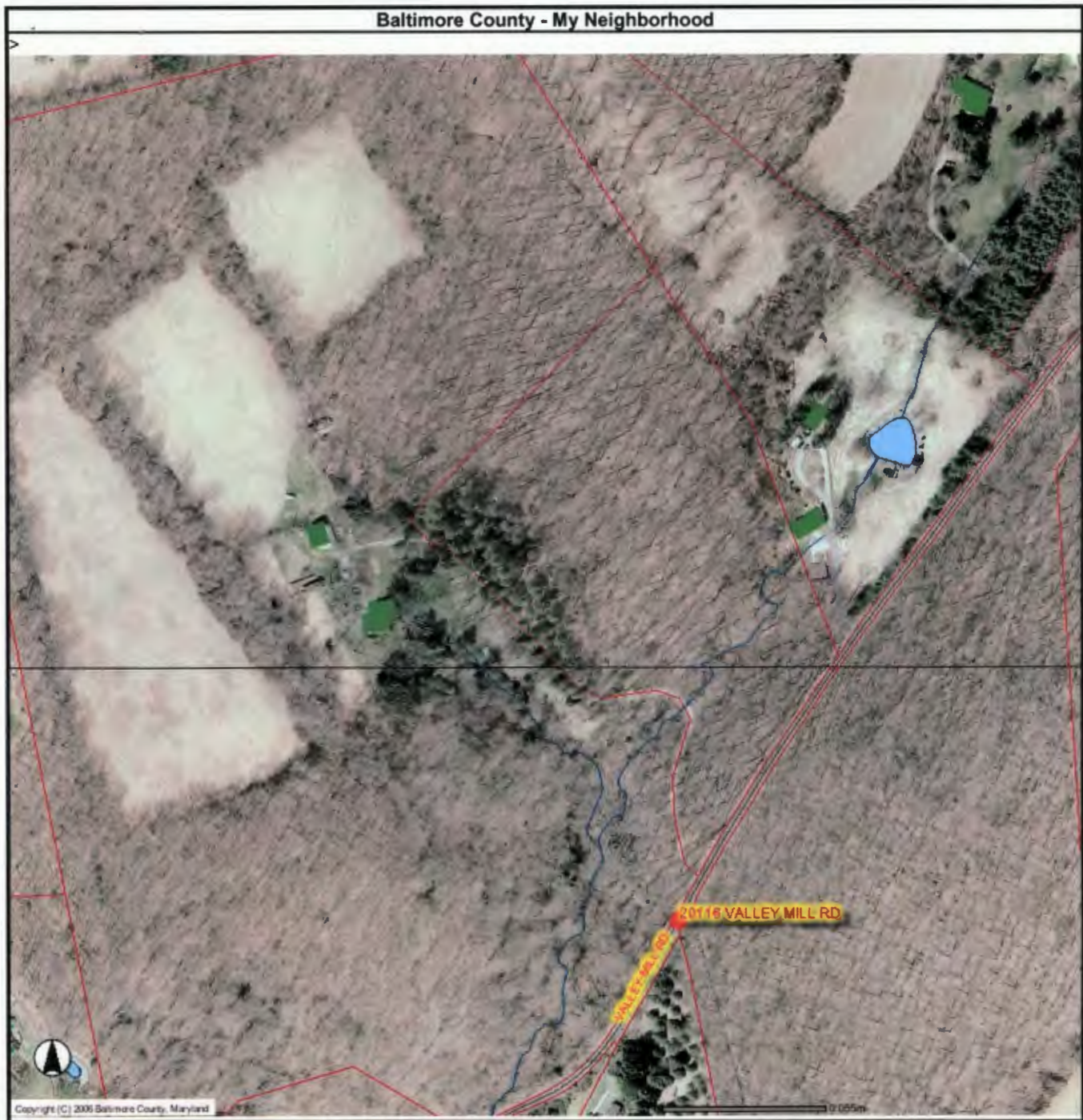
Protestant

No. 1	site plan	
No. 2 A+B	aerial photos	
No. 3 A-I	photos of property	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO. 2A



PETITIONER' S

EXHIBIT NO. 2B



A.



B.



C.



D.

PETITIONER'S

EXHIBIT NO. 3A-I



E.



F.



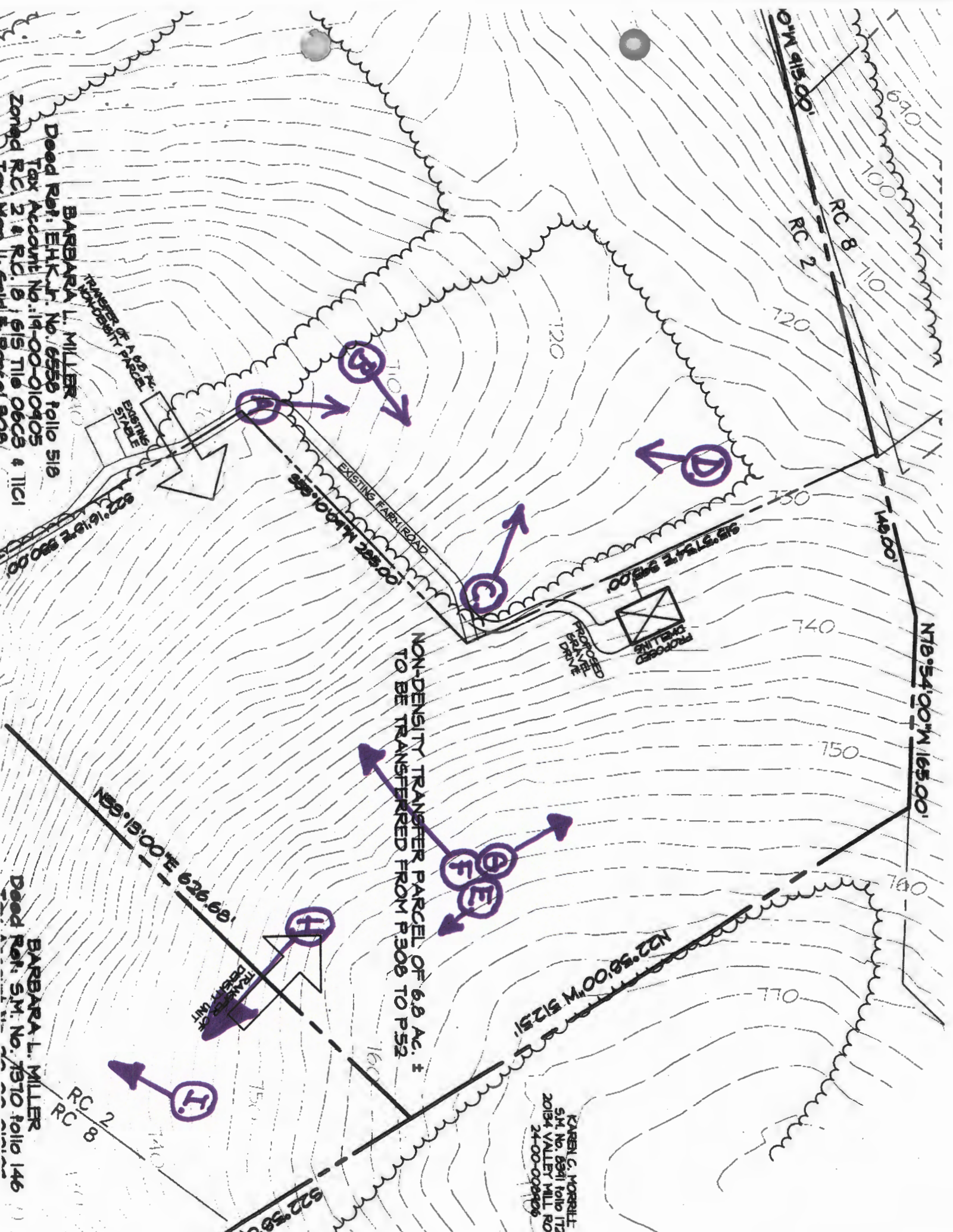
G.



H.



I.

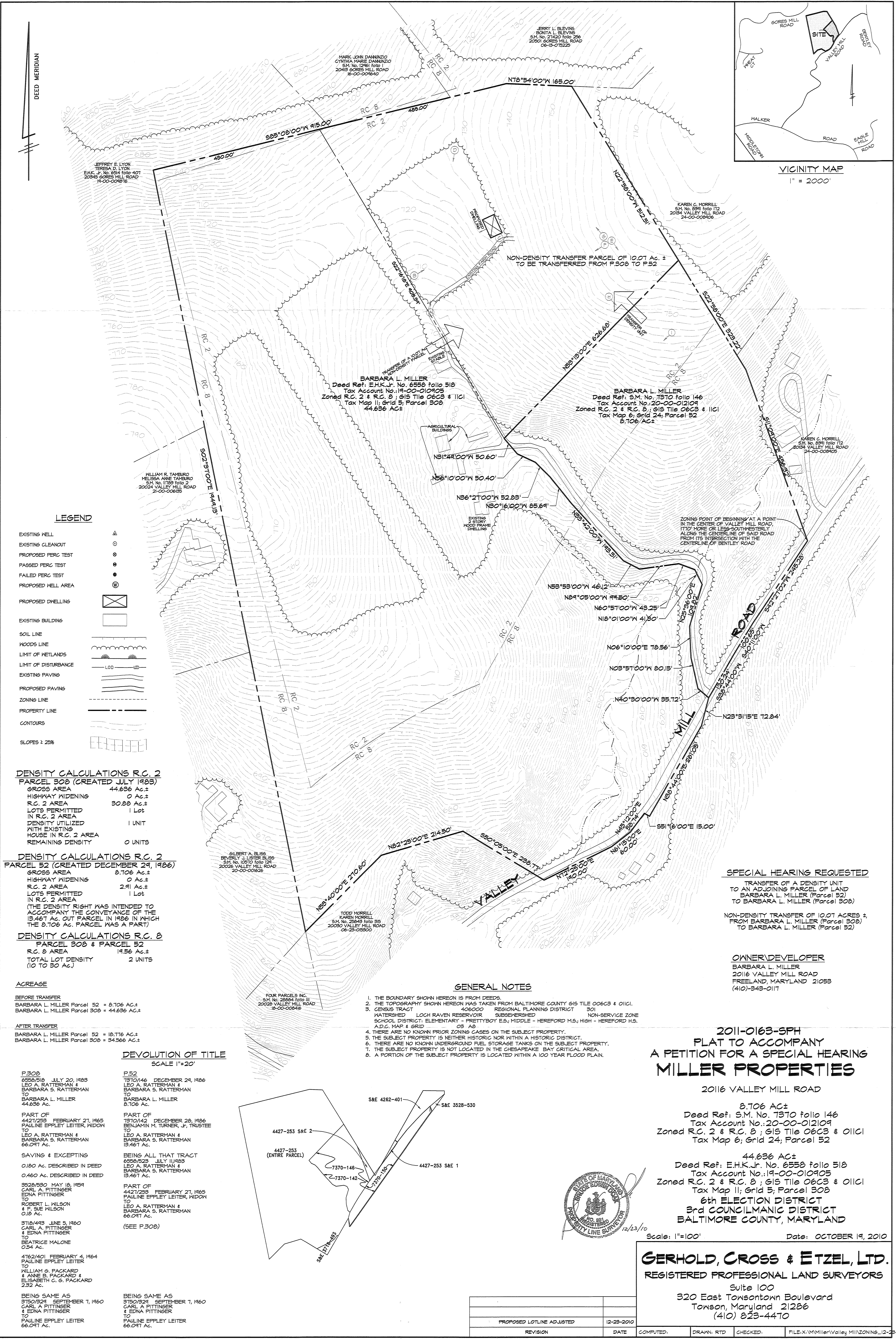


BARBARA L. MILLER
Deed Ref: EHK-Jr. No. 6558 folio 518
Tax Account No: 14-00-010405
Zoned RC 2 & RC 8
Total Area: 11.661 ac. of 2014

BARBARA L. MILLER
Deed Ref: S.M. No. 7570 folio 146
Total Area: 11.661 ac. of 2014

KAREN C. MORRIS
S.M. No. 6541 folio 172
2014 VALLEY HILL ROAD
24-00-009406

NON-DENSITY TRANSFER PARCEL OF 6.8 AC. ±
TO BE TRANSFERRED FROM P306 TO P52



EXISTING WELL
EXISTING CLEANOUT
PROPOSED PERC TEST
PASSED PERC TEST
FAILED PERC TEST
PROPOSED WELL AREA



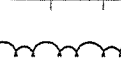
PROPOSED DWELLING



EXISTING BUILDING



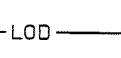
SOIL LINE



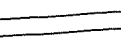
WOODS LINE



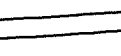
LIMIT OF WETLANDS



LIMIT OF DISTURBANCE



EXISTING PAVING



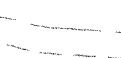
PROPOSED PAVING



ZONING LINE



PROPERTY LINE



CONTOURS



SLOPES ≥ 25%



DENSITY CALCULATIONS R.C. 2

PARCEL 308 (CREATED JULY 1983)
GROSS AREA 44.636 Ac.±
HIGHWAY WIDENING 0 Ac.±
R.C. 2 AREA 30.88 Ac.±
LOTS PERMITTED 1 Lot
IN R.C. 2 AREA
DENSITY UTILIZED 1 UNIT
WITH EXISTING
HOUSE IN R.C. 2 AREA
REMAINING DENSITY 0 UNITS

DENSITY CALCULATIONS R.C. 2

PARCEL 52 (CREATED DECEMBER 29, 1986)
GROSS AREA 8.706 Ac.±
HIGHWAY WIDENING 0 Ac.±
R.C. 2 AREA 2.91 Ac.±
LOTS PERMITTED 1 Lot
IN R.C. 2 AREA
(THE DENSITY RIGHT WAS INTENDED TO
ACCOMPANY THE CONVEYANCE OF THE
13.461 AC. OUT PARCEL IN 1986 IN WHICH
THE 8.706 AC. PARCEL WAS A PART)

DENSITY CALCULATIONS R.C. 8

PARCEL 308 & PARCEL 52
R.C. 8 AREA 14.56 Ac.±
TOTAL LOT DENSITY 2 UNITS
(10 TO 30 AC.)

ACREAGE

BEFORE TRANSFER

BARBARA L. MILLER Parcel 52 = 8.706 AC.±
BARBARA L. MILLER Parcel 308 = 44.636 AC.±

AFTER TRANSFER

BARBARA L. MILLER Parcel 52 = 18.716 AC.±
BARBARA L. MILLER Parcel 308 = 34.566 AC.±

DEVOLUTION OF TITLE

SCALE 1"=20'

P.308
6558/518 JULY 20, 1983
LEO A. RATTERMAN &
BARBARA S. RATTERMAN
TO
BARBARA L. MILLER
44.636 AC.

PART OF
4427/253 FEBRUARY 27, 1965
PAULINE EPFLEY LEITER, WIDOW
TO
LEO A. RATTERMAN &
BARBARA S. RATTERMAN
66.091 AC.

SAVING & EXCEPTING
0.180 AC. DESCRIBED IN DEED
0.460 AC. DESCRIBED IN DEED

3528/530 MAY 18, 1954
CARL A. FITTINGER
EDNA FITTINGER
TO
ROBERT L. WILSON
& F. SUE WILSON
0.18 AC.

3718/443 JUNE 5, 1960
CARL A. FITTINGER
& EDNA FITTINGER
TO
BEATRICE MALONE
0.54 AC.

4162/401 FEBRUARY 4, 1964
PAULINE EPFLEY LEITER
TO
WILLIAM G. PACKARD
& ANNE B. PACKARD
ELISABETH C. G. PACKARD
2.32 AC.

BEING SAME AS
3750/524 SEPTEMBER 7, 1960
CARL A. FITTINGER
& EDNA FITTINGER
TO
PAULINE EPFLEY LEITER
66.091 AC.

P.52
7370/146 DECEMBER 29, 1986
LEO A. RATTERMAN &
BARBARA S. RATTERMAN
TO
BARBARA L. MILLER
8.706 AC.

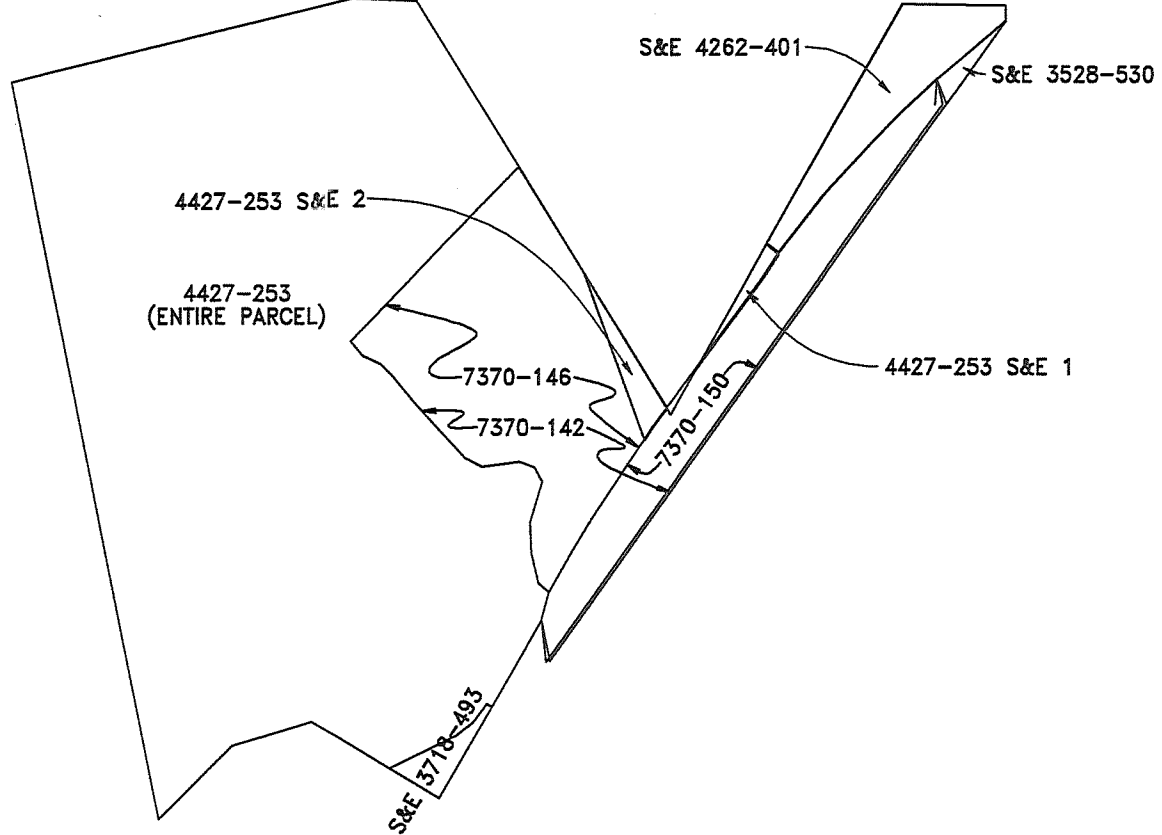
PART OF
7370/142 DECEMBER 28, 1986
BENJAMIN M. TURNER, JR., TRUSTEE
TO
LEO A. RATTERMAN &
BARBARA S. RATTERMAN
13.461 AC.

BEING ALL THAT TRACT
6558/523 JULY 11, 1983
LEO A. RATTERMAN &
BARBARA S. RATTERMAN
13.461 AC.

PART OF
4427/253 FEBRUARY 27, 1965
PAULINE EPFLEY LEITER, WIDOW
TO
LEO A. RATTERMAN &
BARBARA S. RATTERMAN
66.091 AC.

(SEE P.308)

BEING SAME AS
3750/524 SEPTEMBER 7, 1960
CARL A. FITTINGER
& EDNA FITTINGER
TO
PAULINE EPFLEY LEITER
66.091 AC.



GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM DEEDS.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 615 TILE 006C3 & 011C1.
3. CENSUS TRACT 406000 REGIONAL PLANNING DISTRICT 301 WATERSHED LOCH RAVEN RESERVOIR SUBWERSHED NON-SERVICE ZONE SCHOOL DISTRICT: ELEMENTARY - PRETTYBOY E.S.; MIDDLE - HEREFORD M.S.; HIGH - HEREFORD H.S. A.D.C. MAP & GRID C8 A8
4. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
6. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
7. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
8. A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN A 100 YEAR FLOOD PLAIN.

SPECIAL HEARING REQUESTED

TRANSFER OF A DENSITY UNIT
TO AN ADJOINING PARCEL OF LAND
BARBARA L. MILLER (Parcel 52)
TO BARBARA L. MILLER (Parcel 308)

NON-DENSITY TRANSFER OF 10.07 ACRES ±,
FROM BARBARA L. MILLER (Parcel 308)
TO BARBARA L. MILLER (Parcel 52)

OWNER/DEVELOPER

BARBARA L. MILLER
20116 VALLEY MILL ROAD
FREETLAND, MARYLAND 21053
(410)-348-0117

2011-0163-5PH
PLAT TO ACCOMPANY
A PETITION FOR A SPECIAL HEARING
MILLER PROPERTIES

20116 VALLEY MILL ROAD

8.706 AC.±
Deed Ref: S.M. No. 7370 folio 146
Tax Account No.: 20-00-012104
Zoned R.C. 2 & R.C. 8; 615 Tile 06C3 & 011C1
Tax Map 6; Grid 24; Parcel 52

44.636 AC.±
Deed Ref: E.H.K.Jr. No. 6558 folio 518
Tax Account No.: 19-00-010905
Zoned R.C. 2 & R.C. 8; 615 Tile 06C3 & 011C1
Tax Map 11; Grid 5; Parcel 308
6th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=100' Date: OCTOBER 19, 2010

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

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

PROPOSED LOTLINE ADJUSTED	12-23-2010	COMPUTED:	DRAWN: RTD	CHECKED:	FILE: X:\Miller\Valley Mill\ZONING-12-23
REVISION	DATE				

PETITIONER'S

EXHIBIT NO. 1