

IN RE: PETITION FOR SPECIAL HEARING *
(Falls Road)
5th Election District *
3rd Councilmanic District *
Robert W. Tracey/*Legal Owner* *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0087-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Bruce E. Doak, on behalf of the legal owner, Robert W. Tracey. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), for the non-density transfer of 27.579 acres to adjoining owner (Robert W. Tracey).

Appearing at the public hearing in support of the requests was Robert W. Tracey, property owner, and Bruce E. Doak, from Bruce E. Doak Consulting, LLC, who prepared the site plan and is assisting the Petitioner in the permitting process. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested citizens in attendance at the hearing. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the County reviewing agencies.

The subject property is 32.709 +/- acres in size and is zoned RC 2. Petitioner proposes to transfer 27.579 acres to the adjoining 93.68 acre parcel, also owned by Mr. Tracey. The parcel proposed for transfer, and the 93.68 acre parcel (both zoned RC 2) would be subject to a conservation easement. The remaining parcel (approximately 5.130 acres) would – according to the site plan – have “two density rights.” Exhibit 1.

ORDER RECEIVED FOR FILING

Date 12-17-13

By low

Based upon the testimony and evidence presented, I will grant the petition. As noted, this will be a "non-density" transfer, and as such it will not result in the creation of additional building lots, which would be inimical to the RC 2 zoning designation.

Pursuant to the advertisement, posting of the property, and the public hearing, I find that Petitioner's Special Hearing request should be granted, subject to the conditions noted below.

THEREFORE, IT IS ORDERED this 17th day of December 2013, by this Administrative Law Judge, that Petitioner's request for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve the non-density transfer of 27.579 acres to adjoining owner (Robert W. Tracey), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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. The 27.579 acre parcel transferred herein shall have no development potential, and shall not at any time be included in, or provide density for, a residential subdivision or development.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 12-17-13

By lw 2

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 17, 2013

Robert W. Tracey
4616 Mt. Carmel Road
Hampstead, Maryland 21074

RE: Petition for Special Hearing
Property: Falls Road
Case No.: 2014-0087-SPH

Dear Mr. Tracey:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Bruce E. Doak, Bruce E. Doak Consulting, LLC, 3801 Baker Schoolhouse Road,
Freeland, MD 21053



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address FALLS ROAD which is presently zoned RC2
Deed References: SM 33600/40 10 Digit Tax Account # 0523035260
Property Owner(s) Printed Name(s) ROBERT W. TRACEY

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED SHEET

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a Variance from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2014-0087-SPH

Filing Date 10/10/13

Legal Owners (Petitioners):

ROBERT W. TRACEY

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

4616 Mt Carmel Road Hampstead Mo 21074

Mailing Address

City

State

21074 / 410-239-6732 / None

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MO

Mailing Address

City

State

21053 / 410-419-4906 / BDOAK@

Zip Code

Telephone #

Email Address

BRUCE@DOAKCONSULTING.COM

Do Not Schedule Dates:

Reviewer km

Zoning Petition for the Tracey Property- Falls Road

**Petition requested: Special hearing for the non-density transfer of 27.579 acres to
an adjoining owner (Robert W. Tracey)**

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

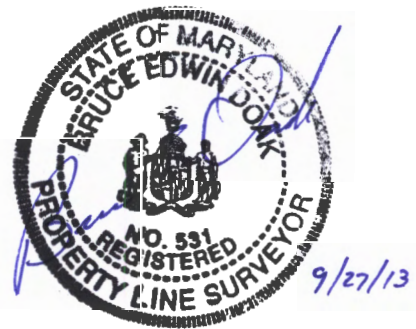
Zoning Description

Falls Road- 32.709 Acre Parcel
Fifth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point in the intersection of Mt. Carmel Road and Falls Road, thence running in the bed of Falls Road, the following course and distance, viz 1) North 19 degrees 23 minutes 38 seconds West 1055.51 feet, thence leaving Falls Road and running on the outlines of the subject property, the seven following courses and distances, viz 2) North 41 degrees 04 minutes 02 seconds East 165.00 feet, 3) North 40 degree 04 minutes 02 seconds East 726.00 feet, 4) North 71 degrees 23 minutes 12 seconds East 982.27 feet, 5) South 03 degrees 51 minutes 25 seconds East 965.38 feet, 6) South 71 degrees 08 minutes 35 seconds West 1320.15 feet, 7) South 09 degrees 51 minutes 25 seconds East 825.09 feet and 8) South 87 degrees 08 minutes 35 seconds West 33.00 feet to the place of beginning.

Containing 32.709 acres of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

**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: 2014-0087 SPH

Petitioner: ROBERT W. TRACEY

Address or Location: FALLS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT W. TRACEY

Address: 4616 MT CARMEL ROAD

HAMPSTEAD MD 21074

Telephone Number: 410-239-6732

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

No. **105010**
 Date: **10/9/13**

PAID RECEIPT

BUSINESS ACTUAL TIME
 10/09/2013 10:09/2013 10:43:34
 REC M002 MALKIN JESSA ICE
 >> RECEIPT # 000032 10/09/2013 OPEN
 Dept 15 528 ZWING VERIFICATION
 CR NO. 105010
 Recpt Tot 175.00
 175.00 CH 1.00 CH
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.-

Total: **75.-**

Rec From: **ROBERT TRACEY**
 For: **2014-0087-SPH**

CASHIER'S

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

November 21, 2013

Re:

Case Number: 2014- 0087-SPH

Petitioner / Developer: Robert Tracey

Date of Hearing: December 16, 2013

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

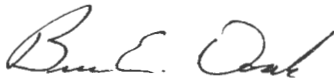
Attention: Kristen Lewis

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 **Falls Road**.

The sign(s) were posted on **November 21, 2013**.

Sincerely,



Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2014-0087-SPH

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE IN TOWSON
MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MD 21204**

DATE&TIME: Monday December 16, 2013 10:00AM

**SPECIAL HEARING for the non-density transfer of
27.579 acres to an adjoining owner (Robert W.
Tracey).**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391. THE HEARING IS
HANDICAPPED ACCESSIBLE**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

ZONING NOTICE

CASE NO. 2014-0087-SPH

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE IN TOWSON
MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
409 W. CHESAPEAKE AVENUE
TOWSON, MD 21204

DATE/TIME: Monday December 16, 2013 10:00AM

SPECIAL HEARINGS for the non-judicial transfer of
37,079 acres to an existing owner (Robert W.
Troyer)

NOTICE: This notice is posted on the subject property and adjacent
properties to inform the public of the hearing and to provide an
opportunity for the public to be heard. The public is invited to
attend the hearing and to provide comments. The public is also
invited to submit written comments to the hearing officer.
The hearing officer will consider all comments received.



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

November 28, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on November 26, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: #2014-0087-SPH

Falls Road

Located on N/east corner of intersection of Falls and Mt. Carmel Roads

5th Election District - 3rd Councilmanic District

Legal Owner(s): Robert Tracey

Special Hearing: for the non-density transfer of 27.579 acres to an adjoining owner (Robert W. Tracey).

Hearing: Monday, December 16, 2013 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 11/808 Nov. 26 959530



KEVIN KAMENETZ
County Executive

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

October 31, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0087-SPH

Falls Road

Located on N/east corner of intersection of Falls and Mt. Carmel Roads

5th Election District – 3rd Councilmanic District

Legal Owner: Robert Tracey

Special Hearing for the non-density transfer of 27.579 acres to an adjoining owner (Robert W. Tracey).

Hearing: Monday, December 16, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Robert Tracey, 4616 Mt. Carmel Road, Hampstead 21074
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 26, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 26, 2013 Issue - Jeffersonian

Please forward billing to:
Robert Tracey
4616 Mt. Carmel Road
Hampstead, MD 21074

410-239-6732

NOTICE OF ZONING HEARING

The Administrative Law Judge 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:

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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

MEMORANDUM

DATE: January 27, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0087-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on January 16, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
Falls Road; located NE corner of intersection	*	OF ADMINISTRATIVE
of Falls Road & Mt. Carmel Road	*	HEARINGS FOR
5 th Election & 3 rd Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Robert W. Tracey	*	2014-087-SPH
Petitioner(s)		

* * * * *

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.

RECEIVED

OCT 28 2013

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of October, 2013, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014-

0087-SPH

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

10/23

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

10/22

STATE HIGHWAY ADMINISTRATION

No Obj w/c

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 11/26/13

SIGN POSTING Date: 11/21/13 by DOCK

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

December 12, 2013

Robert W. Tracey
4616 Mt. Carmel Road
Hampstead MD 21074

RE: Case Number: 2014-0087 SPH, Address: Falls Road

Dear Mr. Tracey:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 10, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel
Bruce E. Doak, Bruce E. Doak Consulting LLC, 3801 Baker School House Road, Freeland MD 21053

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 10-22-13

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2014-0087-SPH
Special Hearing
Robert W. Tracey
Falls Road
MD 25

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 10-21-13. A field inspection and internal review reveals that an entrance onto MD 25 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing.
Case Number 2014-0087-SPH.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

* At this time an entrance is not required. When the lots are developed an access permit will be required for entrance on MD 25.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

John Beverungen - Re: case 2014-0087-SPH

From: Wallace Lippincott
To: Beverungen, John
Date: 12/16/2013 11:48 AM
Subject: Re: case 2014-0087-SPH
CC: Lykens, David

John,

First, I have no issue with what is being done, however, it was my opinion and this is what I advised Mr. Doak that I thought the correct way to do this was through 32-4-415 a General Exemption for agriculture but that he should consult the DRC for their opinion.

I do not know of any other relevant policy than 1A00.4.b or its precursor RSC-8. I do know that over the years that landowners have used this provision to seek a "nondensity" transfer of acreage that one would not consider "small." For that reason I differ to the Zoning Office and the DRC to give the guidance on what path should be taken.

Wally Lippincott, Jr.
Land Preservation Manager
Baltimore County
Department of Environmental Protection and Sustainability
wlippincott@baltimorecountymd.gov
410-887-3854 410-887-4804 fax

*Preserving Farms, Forests and
Natural Areas for Future Generations*

>>> John Beverungen 12/16/2013 10:36 AM >>>

Wally,

I just had a hearing in this case, which seeks approval for a non-density transfer of 27 acres to an adjoining parcel of 90 +/- acres. Zoning is RC2. It is known as the Tracey Property, near the intersection Falls and Mt. Carmel Roads.

Mr. Doak said he spoke with you about the request, and I didn't see any ZAC comments in the file. The reason I write is because I cannot find any mention of such transfers in the BCZR, other than a very brief reference in the zoning commissioner's policy manual, which discusses transfer of "small RC zoned parcels."

Are there any other policies or regulations concerning such transfers? Any language your agency wants included in an order granting such relief?

Thanks for any assistance you can provide.

John.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: October 23, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For October 28, 2013
Item No. 2014-0087, 0091, 0092, 0093, 0095, 0096, 0098 and 0099

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

DAK:CEN
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC10282013 -.doc

Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 05 Account Number - 0523035260		
Owner Information		
Owner Name:	TRACEY ROBERT W	Use: AGRICULTURAL
Mailing Address:	4616 MOUNT CARMEL RD HAMPSTEAD MD 21074-	Principal Residence: NO
		Deed Reference: 1) /33600/ 00040 2)
Location & Structure Information		
Premises Address:	3526 MT CARMEL RD UPPERCO 21155-9584	Legal Description: 137.67 AC 3525 MT CARMEL RD NS 900 NE COR FALLS RD
Map: 0020	Grid: 0010	Parcel: 0013
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2014
Plat No:	Plat Ref:	Town: NONE
Special Tax Areas:		
Primary Structure Built 1884	Above Grade Enclosed Area 2,509 SF	Finished Basement Area
Property Land Area 137.6700 AC	County Use 05	
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior SIDING	Full/Half Bath 2 full	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		Phase-in Assessments
		As of
		As of
Land:	145,100	145,100
Improvements	219,800	219,800
Total:	364,900	364,900
Preferential Land:	40,100	
Transfer Information		
Seller: WHEELER CLARENCE EDWIN	Date: 05/10/2013	Price: \$1,748,825
Type: NON-ARMS LENGTH OTHER	Deed1: /33600/ 00040	Deed2:
Seller: WHEELER JORDAN B,JR	Date: 04/23/2010	Price: \$2,520,000
Type: NON-ARMS LENGTH OTHER	Deed1: /29395/ 00466	Deed2:
Seller: WHEELER JORDAN B,JR	Date: 06/28/2007	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /26614/ 00034	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County: 000		0.00
State: 000		0.00
Municipal: 000		0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	AGRICULTURAL TRANSFER TAX	
Homestead Application Information		
Homestead Application Status: No Application		

CASE NAME Tracey Property
CASE NUMBER 2014-0087-5PH
DATE 12/16/13

[illegible]

Case No.: 2014-0087 SPH

Exhibit Sheet

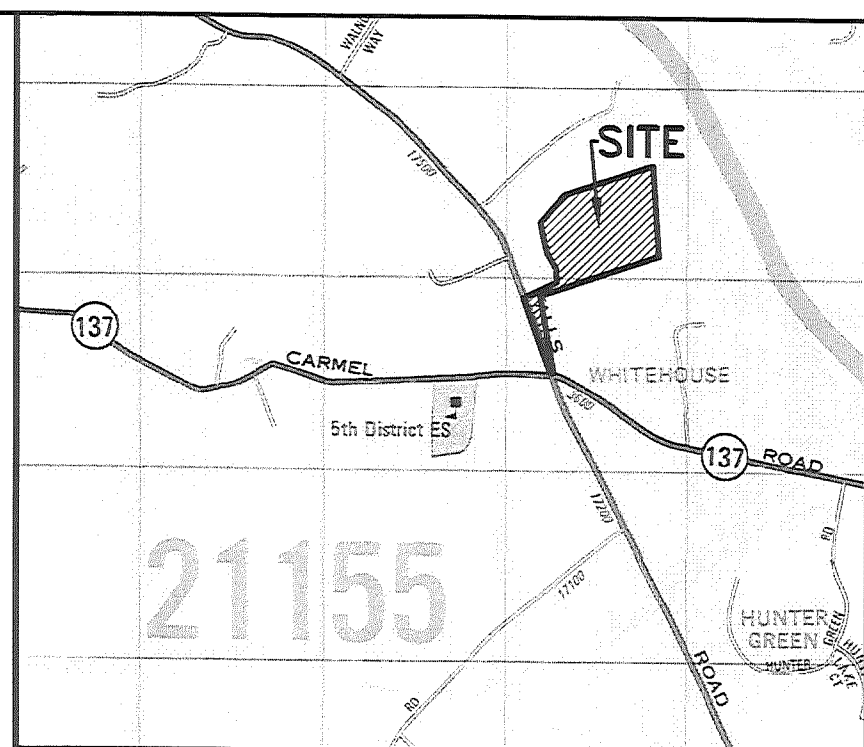
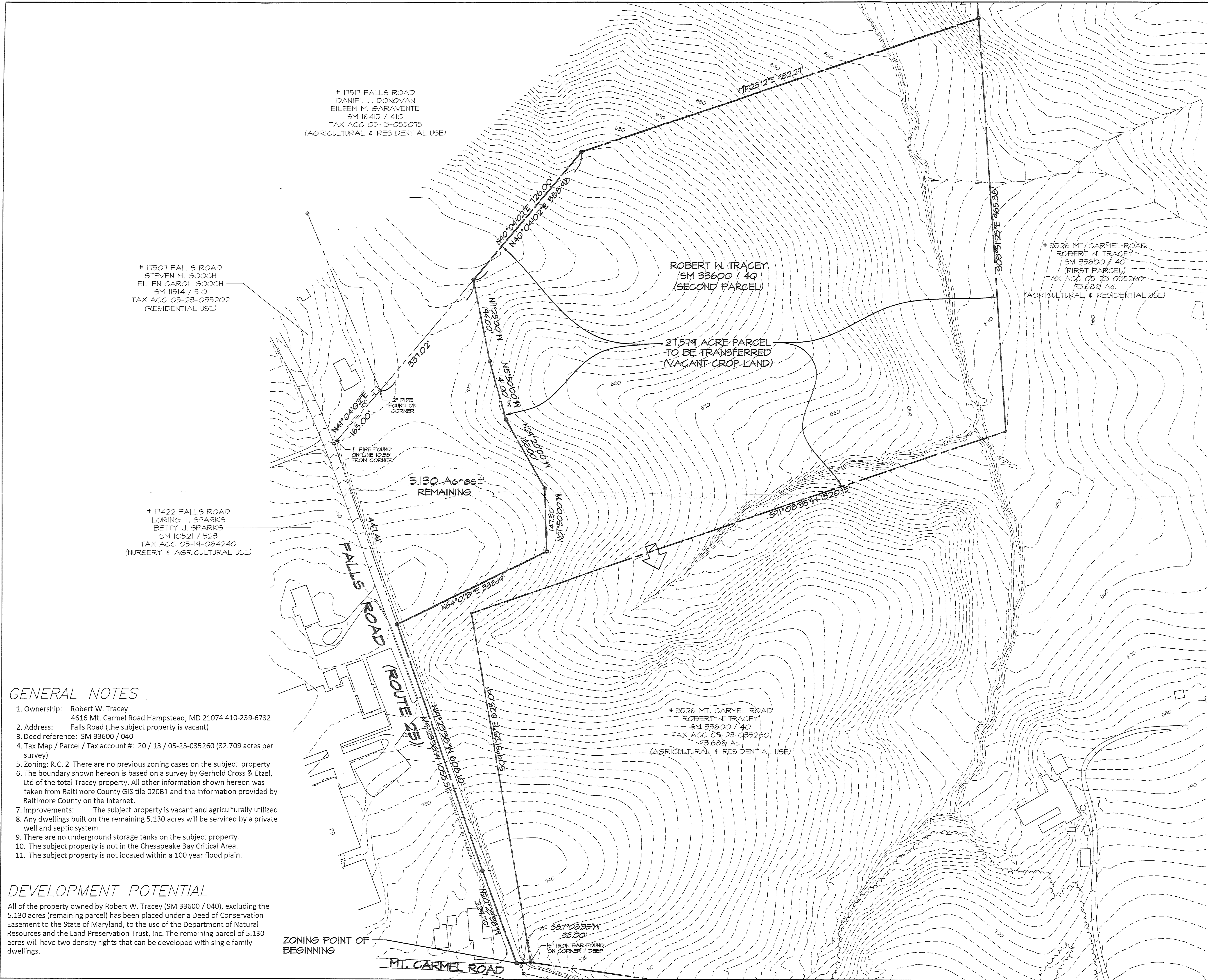
Petitioner/Developer

DJ 1-27-14

Protestant

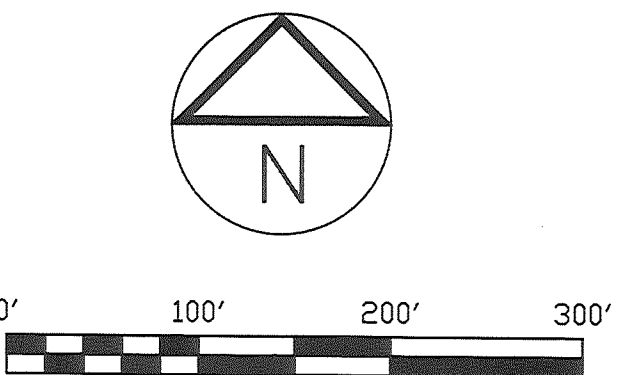
DW 12-17-13

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



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

PETITION REQUESTED
Special hearing for the non-density transfer of 27.579 acres to an adjoining owner (Robert W. Tracey)



- GENERAL NOTES**
1. Ownership: Robert W. Tracey
4616 Mt. Carmel Road Hampstead, MD 21074 410-239-6732
 2. Address: Falls Road (the subject property is vacant)
 3. Deed reference: SM 33600 / 040
 4. Tax Map / Parcel / Tax account #: 20 / 13 / 05-23-035260 (32.709 acres per survey)
 5. Zoning: R.C. 2 There are no previous zoning cases on the subject property
 6. The boundary shown hereon is based on a survey by Gerhold Cross & Etzel, Ltd of the total Tracey property. All other information shown hereon was taken from Baltimore County GIS tile 02081 and the information provided by Baltimore County on the internet.
 7. Improvements: The subject property is vacant and agriculturally utilized
 8. Any dwellings built on the remaining 5.130 acres will be serviced by a private well and septic system.
 9. There are no underground storage tanks on the subject property.
 10. The subject property is not in the Chesapeake Bay Critical Area.
 11. The subject property is not located within a 100 year flood plain.

DEVELOPMENT POTENTIAL
All of the property owned by Robert W. Tracey (SM 33600 / 040), excluding the 5.130 acres (remaining parcel) has been placed under a Deed of Conservation Easement to the State of Maryland, to the use of the Department of Natural Resources and the Land Preservation Trust, Inc. The remaining parcel of 5.130 acres will have two density rights that can be developed with single family dwellings.

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
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Freeland, MD 21053
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PLAN TO ACCOMPANY A PETITION ON THE TRACEY PROPERTY

FALLS ROAD
5th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Date: 9/5/2013
Scale: 1"=100'

STATE OF MARYLAND
JUDGE EDWIN W. BROWN
BALTIMORE COUNTY
BALTIMORE COUNTY SURVEYOR
10/6/13