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HARFORD COUNTY COUNCIL

AUG 17 2016

ZONING BOARD OF APPEALS
HARFORD COUNTY, MD

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014

Case No. 5870
Date Filed _____
Hearing Date _____
Receipt _____
Fee \$1600.00
Type SE

Shaded areas for Office Use Only

Information to be Submitted with Application

1. A plot plan drawn to scale indicating all pertinent data.
2. A list of all adjoining property owners with mailing addresses.
3. Names and addresses of all persons having legal or equitable interest in the property.
4. All required supporting documentation or additional studies as may be required; including traffic and environmental studies, etc.

NOTE:

All applicants **MUST** schedule a pre-application meeting with the Department of Planning and Zoning prior to filing any application to the Board of Appeals.

To schedule please call **410-638-3119.**

Nature of Request and Section(s) of Code

CASE 5870 MAP 55 TYPE Special Exception
ELECTION DISTRICT 03 TAX ID 03053202
LOCATION 3010 Reckord Road, Fallston 21047
BY 3010 Reckord Road, LLC, 206 Reckord Road, Fallston 21047
Appealed because a Special Exception pursuant to Section 267-88E(2) and Section 267-88H(1) of the Harford County Code to permit firewood processing and distribution and a Special Exception for a construction services use in the AG District requires approval by the Board.

Owner (please print or type)

Name 3010 Reckord Road, LLC Phone Number (410) 592-7321
Address 206 Reckord Road Fallston MD 21047
Street Number Street City State Zip Code

Co-Applicant Harford Tree Experts and Landscaping, Inc. Phone Number (410) 592-7321
Address 206 Reckord Road Fallston MD 21047
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Attorney/Representative Bradley R. Stover, Esquire Phone Number 410-420-7992
Shaffer, McLaughlin & Stover, LLC
Address 836 S. Main Street, Suite 102 Bel Air MD 21014
Street Number Street City State Zip Code

Land Description

Address and Location of Property

3010 Reckord Road, Fallston, MD 21047

Subdivision Lot 1, Revised Final Plat, Land of Board Child
Care of the Annual Conference of the Methodist Lot Number 1
Church, Inc.

Acres/Lot Size 24.671 Election District 3rd Zoning AG Tax ID # 03-053202

Tax Map No. 55 Grid No. 4B Parcel 67 Water/Sewer: Private X Public _____

List ALL structures on property and current use: Residential Dwelling and detached garage,
both currently vacant

Estimated time required to present case: 2 hours

If this Appeal is in reference to a Building Permit, state number _____

Would approval of this petition violate the covenants and restrictions for your property? Yes _____ No X

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No X

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes X No _____

Is this request within one (1) mile of any incorporated town limits? Yes _____ No X

Request

- 1) To operate a firewood processing and distributio nuse in the agricultural (AG) district. §267-88(c)(2).
- 2) To operate a construction services use in the agricultural (AG) district. §267-88(h)(1).

Justification

See attached.

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

REQUEST AND JUSTIFICATION FOR A SPECIAL EXCEPTION
HARFORD COUNTY BOARD OF APPEALS STANDARD APPLICATION

Request

1. To operate a firewood processing and distribution use in the agricultural (AG) district.
2. To operate a construction services use in the agricultural (AG) district.

Justification

The subject property is a 24.67 acre parcel located at 3010 Reckord Road, Fallston, Maryland 21047 (the "Subject Property"). The Subject Property is zoned agricultural (AG) as defined in the Harford County Zoning Code. The Subject Property is currently improved by a vacant residential dwelling and garage. Applicant 3010 Reckord Road, LLC has recently purchased the Subject Property in order to locate Applicant Harford Tree Experts & Landscaping, Inc.'s firewood processing and construction services uses thereon. The Applicants intends to in the future subdivide the Subject Property, creating a smaller parcel of approximately 2.60 acres, upon which the principal of the Applicants, Mark Jolly, intends to locate his principal residence. The balance of the Subject Property would be used to: a) operate Applicant Harford Tree Experts & Landscaping, Inc.'s business, which consists of firewood processing and storage of vehicles for its' tree trimming and landscaping business; and b) the existing vacant residential dwelling and garage, which may be utilized as an accessory use as a tenant house for Applicant employee's, or for storage or office uses. The Subject Property is currently already wooded and subject to a forest conservation declaration. The Subject Property is located near both residential and other commercial uses.

With respect to the proposed firewood processing and distribution use, the Applicants' equipment operates approximately 100 hours, cumulatively, per year. The Applicants satisfy the provisions of Section 267-88(e)(2). The minimum parcel size of 10 acres is met. The firewood processing use shall occur within either the proposed "100' Proposed Pole Barn" or the "Proposed Storage Area" as shown on the attached site plan, and a type E buffer of 50 feet shall be placed along adjacent properties and roads as shown on the attached site plan. A 6' high solid fence shall surround both the proposed pole barn to be used for firewood process and the surrounding storage area, all as shown on the attached site plan.

The Applicants meet the special exception requirements for construction service, as set forth in Section 267-88(h)(1). The parcel size meets the minimum 5 acre requirement in the AG district. All construction vehicles and equipment shall either be stored within the "100' Proposed Pole Barn" or within the storage area as shown on the site plan. Moreover, the Applicants' vehicles and equipment are largely located off site at any given time at the respective jobs at which the Applicant Harford Tree Experts & Landscaping, Inc.'s is working. All parking area and storage areas will be paved as shown on the site plan. The subject code provision requires only a type C buffer yard, however, the firewood processing use will require a type E buffer yard as noted above, therefore, the buffer yard will be even more intense then that as required under the code for construction services.

The proposed uses fall within the applicable limitations guidelines and standards to be adhered to by the Board of Appeals as set forth in Section 267-9(i):

1. The Subject Property and uses thereon should not have an impact on the number of persons living or working in the immediate area, which consists of some older residential uses and some commercial uses.

2. The proposed uses should not have any negative impact on traffic conditions. It is anticipated that the firewood processing use will only be utilized approximately 100 hours per year. Commercial vehicles travelling to and from the Subject Property will access the Reckord Road onto a driveway on the Subject Property. It is anticipated that the bulk of all these vehicles will be off site at job locations for the applicant.

3. The proposed uses should not affect the orderly growth of the neighborhood and community, given the existence of older residential uses and commercial uses in the nearby area.

4. The effect of any odors, dust, gas, smoke, fumes, vibration, glare, noise on the surrounding properties will be abated by the required buffer yards and the location of the proposed uses on the Subject Property. The use will also be fenced and surrounded by trees. The Applicants will agree to reasonable restrictions regarding hours of use of the firewood processing (i.e., during day hours). The Applicants will further agree reasonable restrictions regarding hours during which commercial vehicles may enter and exit the Subject Property.

5. The proposed uses shall not have any impact on facilities, fire protection, sewage, water, trash and garbage collection or the like. It is anticipated that there will be one bathroom located within the facility for both uses on the Subject Property. The Subject Property is currently served by well and septic. As part of the development process, the Applicant will need to assure that all Health Department regulations are being met and adhered to.

6. The requested uses are consistent with generally accepted engineering and planning principles and practices. The proposed uses relate to firewood and a landscaping business, consistent with the area.

7. The proposed uses shall not have any impact on structures in the vicinity, such as schools, houses of worship, theaters, or hospitals, none of which are located in close proximity of the Subject Property.

8. The proposed uses are consistent with the purposes of the Code, the Master Plan and related studies for land use and the like, insofar as the uses are special exception uses in the AG district.

9. The proposed uses shall not have any environmental impact on any nearby sensitive features. There are no applicable opportunities for recreation or open space.

10. The proposed uses shall not have any negative impacts on any cultural or historic landmarks, which none are known on the Subject Property.



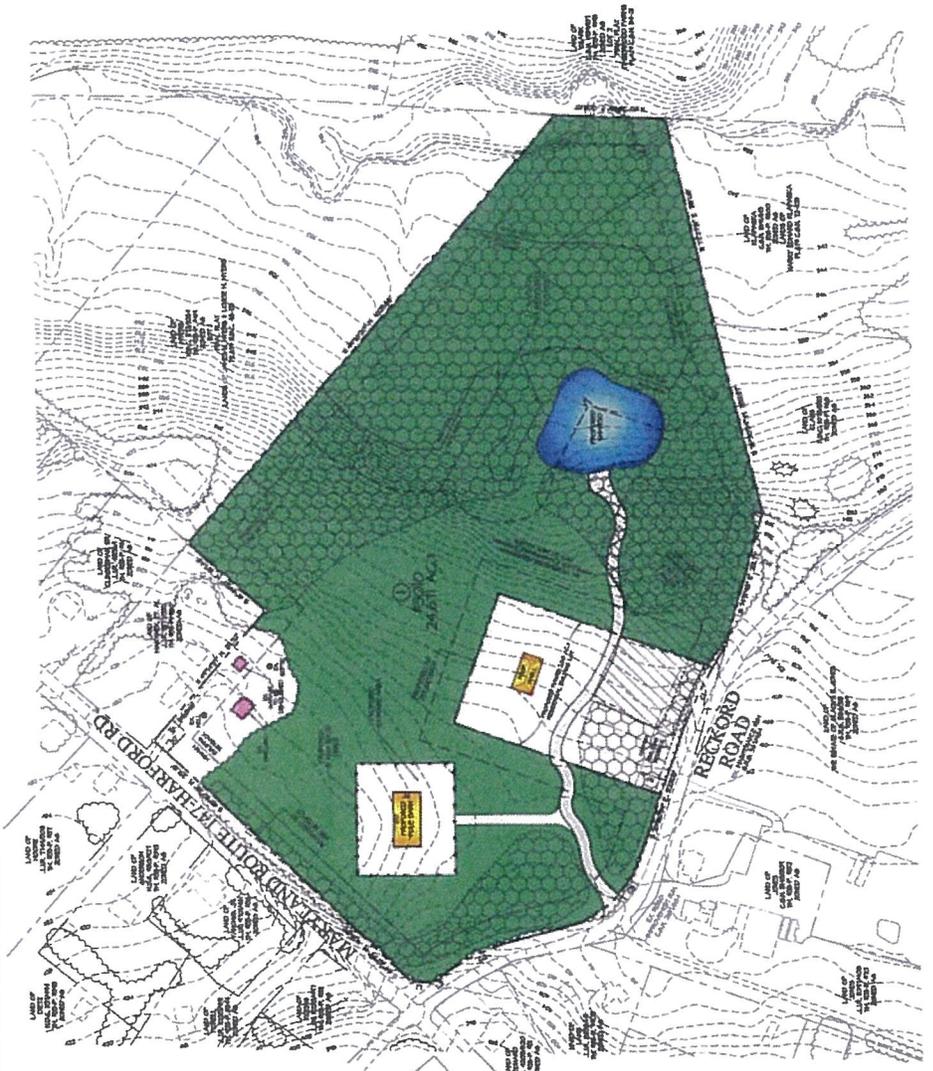
LOCATION MAP
SCALE: 1" = 2000'

SITE DATA

1. OWNER/DEVELOPER: 3010 RECKORD ROAD LLC, 3010 RECKORD ROAD, ATTN: THE HARK JULLY
2. SITE ADDRESS: 3010 RECKORD ROAD, PARCEL 167
3. TAX MAP: 165B - PARCEL 167
4. COUNTY: BALTIMORE
5. ZONING: R-1
6. PROJECT NAME: 3010 RECKORD ROAD
7. PROJECT TYPE: RESIDENTIAL
8. SITE AREA: 24.9 ACRES
9. PROPOSED: 100 UNITS OF SINGLE-FAMILY DWELLINGS AND ONE BUILDING
10. PROPOSED AND PROPOSED IMPROVEMENTS AND CONSTRUCTION AS SHOWN ON THE ATTACHED SITE PLAN
11. DATE OF PREPARATION: 08/20/2007
12. TOTAL NUMBER OF SHEETS: 08/20/2007
13. SHEET NO. 01 OF 01, APPROX. 167.2 ACRES

LEGEND

- CONCRETE AND FINISH FLOOR SURFACES
- CONCRETE DRIVEWAYS
- CONCRETE DRIVEWAYS WITH CURBS
- CONCRETE DRIVEWAYS WITH CURBS AND SIDEWALKS
- CONCRETE DRIVEWAYS WITH CURBS AND SIDEWALKS AND BIKEWAYS
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CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	ANGLE
1+00.00	S 89° 58' 00" W	100.00	100.00	90.00
1+100.00	S 89° 58' 00" W	100.00	100.00	90.00
1+200.00	S 89° 58' 00" W	100.00	100.00	90.00
1+300.00	S 89° 58' 00" W	100.00	100.00	90.00
1+400.00	S 89° 58' 00" W	100.00	100.00	90.00
1+500.00	S 89° 58' 00" W	100.00	100.00	90.00
1+600.00	S 89° 58' 00" W	100.00	100.00	90.00
1+700.00	S 89° 58' 00" W	100.00	100.00	90.00
1+800.00	S 89° 58' 00" W	100.00	100.00	90.00
1+900.00	S 89° 58' 00" W	100.00	100.00	90.00
2+000.00	S 89° 58' 00" W	100.00	100.00	90.00

LINE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	ANGLE
1+00.00	S 89° 58' 00" W	100.00	100.00	90.00
1+100.00	S 89° 58' 00" W	100.00	100.00	90.00
1+200.00	S 89° 58' 00" W	100.00	100.00	90.00
1+300.00	S 89° 58' 00" W	100.00	100.00	90.00
1+400.00	S 89° 58' 00" W	100.00	100.00	90.00
1+500.00	S 89° 58' 00" W	100.00	100.00	90.00
1+600.00	S 89° 58' 00" W	100.00	100.00	90.00
1+700.00	S 89° 58' 00" W	100.00	100.00	90.00
1+800.00	S 89° 58' 00" W	100.00	100.00	90.00
1+900.00	S 89° 58' 00" W	100.00	100.00	90.00
2+000.00	S 89° 58' 00" W	100.00	100.00	90.00

PLAN
SCALE: 1" = 100'

PLAN TO ACCOMPANY SPECIAL EXCEPTION REQUEST
#3010 RECKORD ROAD
 TAX MAP 165B - PARCEL 167
 REVISED FINAL PLAN, LAND OF BOARD OF CALLED CARE OF THE BALTIMORE ANNUAL CONFERENCE OF THE METHODIST CHURCH, INC.
 HERRINGTON ELECTRIC DISTRICT



BAY STATE LAND SERVICES
 Registered Professional Land Surveyors
 3011 Iron Spring Road, P.O. Box 21000
 Prince Georges County, MD 20686
 Phone: (410) 485-1000 Fax: (410) 485-1001
 www.baystateland.com

PROJECT NO: **ZE01**
 SHEET: 1 OF 1
 DATE: 08/20/07

OWNER/DEVELOPER
 3010 RECKORD ROAD LLC
 3010 RECKORD ROAD
 ATTN: THE HARK JULLY
 PLANTY GARDEN, MD

NO.	DATE	REVISIONS	DESCRIPTION