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FINAL DECISION OF THE COUNTY COUNCIL/BOARD OF APPEALS

RE: Zoning Appeal Case No. 5284

APPLICANT: Diane Murray

LOCATION: 2225 Grafton Shop Road, Forest Hill

REQUEST: Special Exception and variance to locate a personal care boarding home in the Agricultural District

WHEREAS, the County Council/Board of Appeals has reviewed the file and briefs in this matter; and

WHEREAS, the County Council/Board of Appeals has reviewed the record developed by the Hearing Examiner and has considered the recommendation of the Hearing Examiner; and

WHEREAS, the County Council/Board of Appeals has heard all final arguments based on the evidence in the record;

NOW, THEREFORE, BE IT RESOLVED that the Harford County Council/Board of Appeals, by affirmative vote of 5-0 , ratifies and adopts the Hearing Examiner's recommended decision, dated April 30, 2003 and hereby approves the requested special exception and variance, based upon the findings of fact and conclusions of law set forth in said recommended decision with this approval subject to the following conditions:

- 1. The Applicant shall prepare a detailed site plan to be reviewed and approved through the Development Advisory Committee (DAC).**
- 2. The number of boarders shall be limited to 10.**
- 3. The Applicant shall obtain any and all necessary permits and inspections.**



4. The Applicant shall prepare and submit a landscaping plan for review and approval by the Department of Planning and Zoning. The plan shall include, at a minimum, provision for planting of trees and shrubbery which will screen the use from view of adjoining properties and will provide a suitable relocation for the existing driveway so it is entirely on the Applicant's property.

5. The Applicant shall make provision for a minimum of 7 parking spaces.

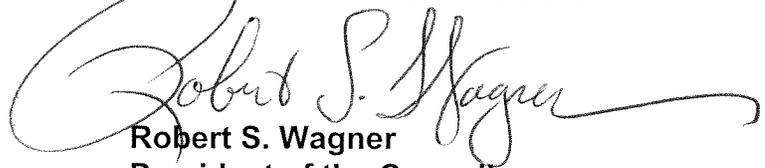
6. No further expansion or special exception use beyond the existing structure or a use which includes more than 10 boarders shall be permitted without further Board of Appeals review and approval.

7. The special exception use shall terminate upon transfer of title to the property by Applicant, Applicant ceases to being the on-site owner-manager of the facility, or Applicant ceases to use the property as a personal care boarding home.

8. Bruce W. Murray, Co-owner of property, shall join in signing the application or provide an affidavit that he is in agreement with the request of Applicant.

9. The Applicant shall comply with all State laws, regulations, and other requirements, including, but not limited to, those related to fire sprinklers.

COUNTY COUNCIL OF HARFORD COUNTY



Robert S. Wagner
President of the Council

October 21, 2003

Final decision of the County Council/Board of Appeals may be appealed with the required fees to the Circuit Court for Harford County on or before November 21, 2003 Filing instructions may be obtained from the Clerk of the Circuit Court.