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<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 <sup>th</sup> FLOOR
	SUBJECT	CITY COUNCIL BILL #09-0365/SALE OF PROPERTY-PORION OF CITY PROPERTY- POPLAR HILL ROAD- BALTIMORE COUNTY

CITY of  
BALTIMORE  
**MEMO**



**TO**

DATE:  
September 9, 2009

The Honorable President and  
Members of the City Council  
City Hall, Room 400  
100 N. Holliday Street  
Baltimore, MD 21202

At its regular meeting of September 3, 2009 the Planning Commission considered City Council Bill #09-0365, which is for the purpose of authorizing the Mayor and City of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land located in Baltimore County in the vicinity of Poplar Hill Road and no longer needed for public use; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommends approval of City Council Bill #09-0365 and adopted the following resolution, eights (8) members being present (eight in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #09-0365 be passed by the City Council.

If you have questions, please contact Mr. Wolde Ararsa, Division Chief of the Land Use and Urban Design Division, at 410-396-4488.

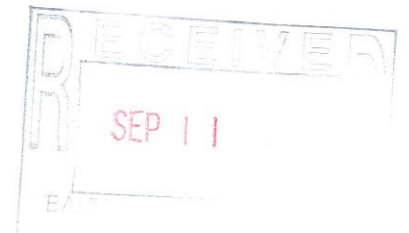
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Attachments

cc:

- Mr. Andy Frank, Deputy Mayor
- Mr. Demuane Millard, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable "Rikki" Spector, City Council Commission Representative
- Ms. Nikol Nabors-Jackson, DHCD
- Mr. Larry Greene, Council Services
- Ms. Mandy Martin, DHCD
- Ms. Marcia Collins, DPW
- Mr. Paul Barnes, DPW

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Sheila Dixon  
Mayor

## PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

### STAFF REPORT



Thomas J. Stosur  
Director

September 3, 2009

**REQUEST:** City Council Bill #09-0365/Sale of Property – Portion of City Property – Poplar Hill Road – Baltimore County

For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land located in Baltimore County in the vicinity of Poplar Hill Road and no longer needed for public use; and providing for a special effective date.

**RECOMMENDATION:** Approval

**STAFF:** Ken Hranicky

**PETITIONER:** The Administration - Department of Public Works

**OWNER:** Mayor and City Council

#### **SITE / GENERAL AREA**

**Site Conditions:** The subject property is located in Baltimore County in the vicinity of Poplar Hill Road. The area is currently developed with one single family home. This site is 2.9028 acres in size.

**General Area:** The surrounding area is mainly forested and serves as a buffer to the City's Lock Raven Reservoir.

#### **HISTORY**

The Loch Raven Reservoir was established by ordinance 141 of the Baltimore City Council in 1908, and the initial funding of \$5,000,000 USD. The dam was constructed between 1912 and 1914 and when completed its crest was 188 feet (57 m) above mean sea level, and 51 feet (16 m) from the original valley floor. It is fed by the Big Gunpowder Falls River, and has a capacity of 23 billion gallons of water.

#### **CONFORMITY TO PLANS**

- The sale of land conforms to Baltimore County's 1990 - 2000 Water Supply and Sewerage Plan.

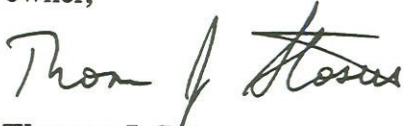
#### **ANALYSIS**

The request is for the sale of land. The property in question is near Lock Raven Reservoir, one of three city-owned reservoirs in Baltimore County. The City owns about 24,500

acres of land around these reservoirs including 8,000 acres around the Lock Raven Reservoir. The City purchased its property around Loch Raven from the Warren Manufacturing Co. in 1922, though one piece of property did not get acquired by the City. That piece of land remained undeveloped until permits were approved in 1997 to build a house which was completed in 2000. It was during an attempt to sell the house that the title report revealed portions of the driveway encroaching on the City's adjoining land. Further investigation by the City revealed that the entire house and most of the driveway were located on City property. City attorneys determined that the developer's actions were not intentional but the result of using an outdated and inaccurate survey.

The approval of this Bill will allow the City to settle with the land owner, though the City Board of Estimates, on what is essentially a land swap where the City will be getting four acres and the owner will have three acres (buffered house and driveway). In addition, a charge of \$65,000 is being levied against the land owner for use of City land.

Staff notified Law Department, the Real Estate Department and the affected property owner,

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive, flowing style.

**Thomas J. Stosur**  
**Director**