

FROM	NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 17-0034		

DATE: April 18, 2017

TO

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0034 introduced by the Administration (Department of Transportation).

The purpose of the Bill is to consent to and approve a petition to extend the Metropolitan District of Baltimore County to a certain tract of land; and providing for a special effective date.

This extension request is for a parcel of land approximately 27.7932 acres in size and located south of Nicodemus Road and northeasterly of and adjacent to Berryman’s Lane, in the 4th Election District of Baltimore County, Maryland. It is contiguous to the Metropolitan District and is within the County’s Urban Rural Demarcation Line.

Resolution 70-16 approved by the Baltimore County Council on July 5, 2016 found District Extension 165 to meet the requirements for requesting an extension of water service from Baltimore City. The request conforms with the Baltimore County Master Water Supply and Sewerage Plan, the Baltimore County Land Use Master Plan, and the Comprehensive Zoning Map. The property is zoned DR-1, a low density residential zoning classification that permits the development of one residential unit per acre. The development plan approved by Baltimore County for this parcel allows for 24 residential lots to be developed and served by public water and sewer.

A petition for an extension of the Baltimore County Metropolitan District to be valid under Maryland Law must be approved by the Mayor and City Council of Baltimore. This Department has confirmed that the petition request can be adequately served with water from the existing water distribution system. Based on these findings, the Department of Public Works supports passage of City Council Bill 17-0034.

Sincerely,


Rudolph S. Chow, P.E.
Director

RSC/MMC:ela

**METROPOLITAN DISTRICT EXTENSION
FACT SHEET**

Extension Number: 165

City Council Bill Number: 17-0034

Brief Description of Extension Area: This request would extend the Metropolitan District to a tract of land of approximately 27.7932 acres, located in the vicinity of the northeasterly side of Berryman's Lane, south of Nicodemus Road. The requested expansion is located within the County's Urban-Rural Demarcation Line (URDL).

Purpose of the Request: The petitioner is the owner of the property who is requesting the extension for a low density housing development. Existing zoning allows for this use. The area requested to be served with public water abuts the Metropolitan District along the southerly boundary of the property.

County Action: Resolution 70-16 approved by the County Council on July 5, 2016 found District Extension 165 to meet the requirements for requesting an extension of water service from Baltimore City. The request conforms with the Baltimore County Master Water Supply and Sewerage Plan and the Baltimore County Land Use Master Plan and zoning. The property is zoned DR-1. DR-1 requires public water and sewer utility service and would permit a maximum of one residential unit per acre. The County approved development plan for this parcel permits 24 residential lots to be developed. The affected property owner is the petitioner.

Adequate Service: The proposed extension can be adequately served with water from the Reisterstown 5th Zone.

The Metropolitan District Act (1924), jointly supported by Baltimore City and Baltimore County before the State Legislature, defined geographic limits within Baltimore County whereby the City would develop a water system and supply water to the County, at cost. The Act further allowed for expansion of the District provided 3/5 of the property owners in an area contiguous to the District request it. The Act places no limits on expansion requests. The City's responsibility to supply water to District Extensions was upheld in the Maryland Court of Appeals decision in *Dinneen v. Rider*, 152 Md. 343 (1927). The Court stated the City is "... directed to make installation of water supply service pipes to be connected to its water mains, whenever and wherever requested..."