

IN RE: PETITION FOR SPECIAL HEARING  
 N/S of Kent Avenue, 127' E  
 the c/1 of Markworth Road  
 (Lots 100 - 107 of Brigadoon)  
 1st Election District  
 1st Councilmanic District  
 Elysian Dev. Corp, Kent Ltd.  
 Part., Brigadoon Joint Venture  
 Petitioners

BEFORE THE  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 Case No. 90-167-SPH

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Petitioners herein request a special hearing to approve an amendment to the Final Development Plan for Brigadoon to permit revisions to the grading of Lots 100 through 107 in the rear, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Harold Paris, Jr., President, Elysian Development Corporation, General Partner, appeared, testified, and were represented by Benjamin Bronstein, Esquire. Appearing as Protestants in the matter were numerous residents of the area, including Edward G. King, President of the Brigadoon Homeowners' Association.

Testimony indicated that the subject property is part of the subdivision known as Brigadoon which is proposed for development with single family individual and townhouse dwelling units, of which some have been completed. Said property, also known as Lots 100 through 107 on Bonnie Doon Court, is zoned D.R. 5.5 and is proposed for development with townhouse dwelling units. Testimony indicated that Petitioners requested Land Design/Research, Inc. to investigate the subject property for potential storm water runoff drainage problems from the adjoining single family dwellings. As a result of their findings, Petitioners were advised that the height of the berm was 5 feet higher than than originally shown on the approved grading plan; however, the extra height had no significant effect

on the amount of water runoff onto the subject property. Land Design/Research, Inc. recommended that the property be regraded and additional landscaping planted to reduce the height of the berm and improve its appearance. They further recommended that a timber retaining wall be installed for aesthetic purposes as well as a subdrain to reduce the wetness of the soil. Petitioners therefore filed the instant Petition to amend the previously approved grading plan for the subject development to incorporate the recommended improvements. Testimony indicated that the relief requested will result in any detriment to the health, safety or general welfare of the surrounding community and, in fact, will further enhance the aesthetics of the open space between the single family and townhouse dwelling units.

The Protestants contend the subject property is a common area belonging to the residents of the community which was originally set aside for recreational use. Testimony indicated the land was never properly seeded and/or graded, causing erosion and flooding of the adjoining properties.

At the end of the hearing, the Petitioners and the Protestants agreed to work together to find an amicable solution to their concerns. Subsequent to the hearing, a landscape plan was developed and submitted to the residents for their review and approval. (See the Supplementary Landscaping at Berm plan dated 12/8/89). By letter dated January 6, 1990, Edward King indicated that the Brigadoon Homeowners' Association had conditionally approved the Petitioners' latest plan. The Amended Final Development Plan received approval by the Planning Board on April 19, 1990.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would re-

sult if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of May, 1990 that the Petition for Special Hearing to approve an amendment to the Final Development Plan for Brigadoon to permit revisions to the grading of Lots 100 through 107, in accordance with Petitioner's Exhibit 1 and the Supplemental Landscaping Plan dated 12/8/89, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

AMN:hjs

*C. H. Nastarowicz*  
 ANN M. NASTAROWICZ  
 Deputy Zoning Commissioner  
 for Baltimore County

ORDER RECEIVED FOR FILING  
 Date 5/23/90  
 By [Signature]

Baltimore County  
 Zoning Commissioner  
 Office of Planning & Zoning  
 Towson, Maryland 21284  
 (301) 887-3333  
 J. Robert Habes  
 Zoning Commissioner

May 23, 1990



Dennis F. Rasmussen  
 County Executive

Benjamin Bronstein, Esquire  
 29 W. Susquehanna Avenue, Suite 205  
 Towson, Maryland 21284

RE: PETITION FOR SPECIAL HEARING  
 N/S of Kent Avenue, 127' E of the c/1 of Markworth Road  
 (Lots 100 through 107, Bonnie Doon Court)  
 1st Election District - 1st Councilmanic District  
 Elysian Dev. Corp. and Kent Ltd. Part., General Partners,  
 and Brigadoon Joint Venture - Petitioners  
 Case No. 90-167-SPH

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*C. H. Nastarowicz*

ANN M. NASTAROWICZ  
 Deputy Zoning Commissioner  
 for Baltimore County

AMN:hjs

cc: Mr. Edward King, President  
 Brigadoon Homeowners' Association  
 P.O. Box 1162, Cockeysville, Md. 21030

People's Counsel  
 File

ORDER RECEIVED FOR FILING  
 Date 5/23/90  
 By [Signature]

**PETITION FOR SPECIAL HEARING**  
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an Amendment to the Final Development Plan for Brigadoon. Revision to grading Lots 100 thru 107 in rear.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc. upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	(Type or Print Name) Elysian Development Corporation, General Partner
Signature	Signature Kent Limited Partnership, General Partner
Address	Signature Brigadoon Joint Venture
City and State	(Type or Print Name)
Address	Signature Harold Paris, Jr., President
City and State	Address
Attorney for Petitioner:	Address
DWIGHT, GIBBS & BRANSHEN	Phone No.
Benjamin Bronstein	City and State
(Type or Print Name)	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Signature	Address
29 W. Susquehanna Avenue	City and State
Suite 205	Name J. Robert Habes, Zoning Commissioner, Inc.
Address	Address
Towson, Maryland 21284	City and State
City and State	Address
Attorney's Telephone No. (301) 286-0300	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of May, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of May, 1990, at 11 o'clock P.M.

RECORDED LETTER OF RECORDS  
 INDEXED FOR FILING  
 FILED IN CASE NO. 90-167-SPH  
 DATE 5-23-90

**KIDDE CONSULTANTS, INC.**

DESCRIPTION  
 0.5073 ACRES OF H.O.A. OPEN SPACE  
 SECTION 1 BRIGADOON  
 EHK JR LIBER 54 FOLIO 4  
 1ST ELECTION DISTRICT  
 BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point designated as number 268, as shown on a plat entitled "Section 1 Brigadoon", which is recorded among the Land Records of Baltimore County, Maryland in Plat Book EHK 54 at Folio 4, said point 268, being on the northerly side of Kent Avenue 45 foot wide and distant 127.00 feet easterly from the center line of Markworth Road, thence leaving said Kent Avenue and binding on the easterly side of lots 118 and 117, as shown on said plat, referring all courses of this description to the Baltimore County Metropolitan District Grid Meridian,

- 1) North 42 degrees 15 minutes 37 seconds West 147.00 feet, thence binding on part of the easterly side of Lot 116,
- 2) North 45 degrees 28 minutes 48 seconds West 65.41 feet, thence crossing the existing H.O.A. area and binding on the southerly side of lots 114, 113 and part of 112,
- 3) North 29 degrees 57 minutes 13 seconds East 63.60 feet, thence crossing the existing H.O.A. area and binding on the westerly side of lots 107 thru 100,
- 4) South 60 degrees 02 minutes 47 seconds East 190.00 feet, thence for a new line of division thru the existing H.O.A. area,

**KIDDE CONSULTANTS, INC.**

Description  
 0.5073 Acres - Brigadoon  
 July 21, 1989  
 Page 2

- 5) South 83 degrees 02 minutes 24 seconds East 67.10 feet, to intersect the northerly side of said Kent Avenue, thence binding thereon,
- 6) South 47 degrees 44 minutes 23 seconds West 158.75 feet to the Point of Beginning.

CONTAINING 0.5073 acres of land, more or less.  
 BEING part of the existing H.O.A. area of a plat entitled "Section 1 Brigadoon" which is recorded among the Land Records of Baltimore County, Maryland in Plat Book EHK 54 at Folio 4.  
 AP/bkb KCI Job Order 01-84117S July 21, 1989  
 Work Order No. 52501X



*C. Allen Paul*

Land Design/Research, Inc.  
 Quarry Park Place Suite 100  
 975 Catford Road  
 Columbia, Maryland 21046-2606  
 301/792-4300 Baltimore  
 301/498-8500 Washington  
 301/498-5070 FAX

November 10, 1989

**LDR**

Mr. Harold Paris  
 Brigadoon Joint Venture  
 P.O. Box 1422  
 Ellicott City, Maryland 21043

Dear Mr. Paris:

At your request, we have evaluated a parcel of open space located behind a row of town houses on the west side of Bonnie Doon Court in the Brigadoon development in Baltimore County.

This open space parcel is approximately 180 feet long by 80 feet wide, roughly rectangular in shape, with the long axis running north to south. The parcel is bounded on the west side by the rear yards of three single-family detached houses, on the north and east by the rear yards of townhouse units, and on the south by an RTA buffer.

From the west side, the ground slopes upward for approximately 30 feet, reaching a maximum height of about five feet above the elevation of the western edge. The grade then descends approximately 10 feet in elevation to the rear yards of the townhouses on the east. The slope of the slope does not appear to exceed 33%. Runoff from the eastern side of the slope drains into a swale running southward across the back yards of the townhouses.

At the time of our visit, less than 24 hours after a heavy rain, the soil in this swale was wet, but there was no standing water.

The height of the berm behind the townhouses is approximately five feet greater than what was originally shown on the approved grading plan. This additional height provides a greater degree of privacy to all of the adjoining residences but creates a more imposing slope when viewed from the townhouses. It is our opinion that the extra height has no significant effect on the amount of water running into the swale on the east.

Planning/Urban Design  
 Landscape Architecture  
 Graphic Design  
 Development Economics

**PETITIONER'S EXHIBIT 4A**

LAW OFFICES  
EVANS, GEORGE AND BRONSTEIN  
3400 HANOVER BUILDING, SUITE 308  
28 WEST BUSHMANN AVENUE  
TOWSON, MARYLAND 21204  
(301) 296-0200  
FAX (301) 296-3718

L. ROBERT EVANS  
HARRIS JAMES GEORGE  
BENJAMIN BRONSTEIN  
MICHAEL J. CHOMEL  
DONALD A. STUBBS  
WILLIAM R. LEVASSOUR, JR.

WALLACE DANN  
COUNSEL

December 26, 1989

RECEIVED  
DEC 29 1989

ZONING OFFICE

The Honorable Ann Nastarowicz  
Deputy Zoning Commissioner for  
Baltimore County  
County Office Building  
Mail Stop 1108  
Towson, Maryland 21204

Re: Your Case No.: 90-167SPH  
Item No.: 24

Dear Mrs. Nastarowicz:

On November 14, 1989 the above entitled matter was heard by you on the approval of an amendment to the final development plan for development known as Brigadoon.

At the end of the hearing the developer and the residents of the community agreed to attempt to negotiate an amicable settlement. Since that time a landscaping plan has been submitted to the residents for their consideration and it appears likely that a settlement will be reached. I am therefore requesting that you give us some additional time to resolve the matter.

Assuming that a settlement is reached the development plan will have to be forwarded to the Planning Board for their approval. Thank you for your kind consideration and attention to this matter.

Very truly yours,  
EVANS, GEORGE & BRONSTEIN  
*[Signature]*  
Benjamin Bronstein

BB/mlh

RECEIVED  
NOV 14 1989

ZONING OFFICE

1141 Brigadoon Trail  
Baltimore, Maryland 21207  
November 10, 1989

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Avenue, Room 109  
Towson, Maryland 21204

RE: Case # 90-176-SPH 90-167-SPH

Dear Sir:

With regard to the November 14, 1989 hearing on the above-referenced case, I would like to express the following concerns. The area in question is jointly owned by all the residents of the Brigadoon Development since this is a common area belonging to the Homeowners Association. As such, all 136 homeowners in the Brigadoon Development are affected by this proceeding.

The area in question is unsightly. It was never properly graded or seeded. It was also left much higher than originally planned. This has caused severe run-off and erosion as well as flooding of some of the adjacent homes. In its present condition, the area is not useful to the homeowners of Brigadoon, as originally intended and should not be the burden of the Homeowners Association to correct.

We would therefore strongly object to any amendment to change the original specifications of this area.

Sincerely,  
*[Signature]*  
Robert E. Lewis Sr.  
Robert E. Lewis Sr.  
Gloria M. Lewis

RECEIVED  
NOV 17 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

Re: Case # 90-176-SPH 90-167-SPH

Dear Sir:

October 31, 1989

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
*[Signature]*  
Stan J. Welle  
1122 BRIGADOON TRAIL  
BALTIMORE, MD 21207

RECEIVED  
NOV 14 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
Mr. + Mrs. David Kern  
14 Bonnie Dorn Court  
Baltimore, Md. 21207

RECEIVED  
NOV 13 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
Mrs. Ruth P. Hefz  
13 Bonnie Dorn Ct

RECEIVED  
NOV 13 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

Re: Case # 90-176-SPH 90-167-SPH

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
Mr. Thomas M. Clark  
Mrs. Theresa Clark  
1219 Brigadoon Trail  
Baltimore, MD 21207

RECEIVED  
NOV 13 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
Jane Weinkam  
James E. Crawford Jr.

RECEIVED  
NOV 13 1989

ZONING OFFICE

DAVID W. EARLS  
5 Bonnie Dorn Ct  
Baltimore, MD 21207

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,  
*[Signature]*

RECEIVED  
NOV 13 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,

*Harold Schumey*  
13 Bonnie Jean Ct.  
Baltimore, MD 21207

RECEIVED  
NOV 13 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,

*Colleen P. Ruhoff*  
1113 Markworth Rd.  
Baltimore, MD 21207

RECEIVED  
NOV 13 1989  
ZONING OFFICE

19 Bonnie Doon Ct.  
BALTIMORE, MARYLAND  
21207

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,

*Edward G. King*  
EDWARD G. KING  
PRESIDENT,  
BRIGADOON HOME OWNERS  
ASSOCIATION

RECEIVED  
NOV 13 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,

*Jeffrey J. Egan*

RECEIVED  
NOV 9 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

Re: Case # 90-176-SPH 90-167-SPH

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I would therefore object to any amendment to change the original specifications of this area.

Mr. & Mrs. Walter P. Mullis  
6005 Prince George St.  
Baltimore, MD 21207

Sincerely,

*Walter P. Mullis*  
11-1-89

*File  
Nov 3  
11/14*

RECEIVED  
NOV 3 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,

*Kevin H. Smith*  
7 Bonnie Jean Ct.  
Baltimore, MD 21207

RECEIVED  
NOV 6 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,

*Joseph S. Hayes*  
1135 Brigadoon Trail  
Baltimore, MD 21207

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J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
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Sincerely,

*Jerry Powell*  
4 Bonnie Doon Ct.  
Baltimore, MD 21207

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NOV 3 1989  
ZONING OFFICE

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111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

Re: Case # 90-176-SPH 90-167-SPH

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I would therefore object to any amendment to change the original specifications of this area.

*James T. Davies*  
Sincerely,  
James T. Davies  
1139 Brigadoon Tel.

RECEIVED  
NOV 6 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

Re: Case # 90-176-SPH 90-167-SPH

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*April S. Jackson*  
Sincerely,  
April S. Jackson

RECEIVED  
NOV 6 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,  
*Mrs. Nellie B. Cary*

RECEIVED  
NOV 6 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
*Mr. Hermitte Taylor*

Rosemary Herbst  
10 Bonnie Doon Ct.  
Baltimore, Md. 21207  
Lot #103

RECEIVED  
NOV 6 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,

I find the above situation to be so severe and unacceptable, that I plan to take time from my busy work schedule and attend the above meeting.

*Rosemary Herbst*  
Rosemary Herbst

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NOV 6 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,

*Thomas C. Martin*

RECEIVED  
NOV 6 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,

*Constance D. Harris*  
9 Bonnie Doon Ct. Bldg 6  
Baltimore, Maryland  
21207

Matthew Thierer  
6000 Johnnycake Road  
Baltimore, Maryland 21207

RECEIVED  
NOV 6 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,  
*Matthew Thierer*  
Matthew Thierer

John A. Cheatham  
Kathy E. Cheatham  
2 Bonair Dorn Court  
Baltimore, MD 21207  
(301) 744-5945

RECEIVED  
NOV 3 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,  
Kathy Cheatham  
Kathy Cheatham

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

Re: Case # 90-176-SPH 90-167-SPH

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Sincerely,  
David T. Fodel

DAVID T. FODEL  
1111 MARLBOROUGH RD.  
BALTIMORE, MD 21207

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,

Andrew M. Greenblatt

ANDREW M. GREENBLATT  
1100 MARSWORTH RD (21207)  
P.O. BOX 24161  
BALTIMORE, MD 21227

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,

Richard S. Demaree, Jr.  
1166 KEN AVE.  
BALTIMORE, MD 21207  
301-788-1888  
Assistant to Commissioner

RECEIVED  
NOV 3 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
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Sincerely,

Ann A. Korne  
17 Bonair Dorn Ct.

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,

Ellen Reiman  
ELLEN REIMAN

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,

Steve Rasmussen  
Lisa Rasmussen  
1202 Brigadoon Trail

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,

Hardeepak Munday  
24 Maccormack Sq  
BALTIMORE, MD 21207

RECEIVED  
NOV 8 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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*Jogiv S. J. S.*  
Sincerely,  
J. S. JODUKA M.D.  
1105 MARKS WORTH RD.  
21207

*file*

RECEIVED  
NOV 8 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,  
*Betty J. Warren*  
1101 Markworth Rd  
Baltco. Md 21207

RECEIVED  
NOV 7 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,  
*John E. McMahon Jr*

RECEIVED  
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Sincerely,  
*Stephanie Stunman*  
6007 Prince George St  
Baltco MD 21207

RECEIVED  
NOV 7 1989

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J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
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Sincerely,  
*Mr & Mrs J. H. d. Waller*  
1331 Bugamore Trail  
Baltco Md 21207

*Michael Draper*  
112 Markworth Road  
Baltimore, Md. 21207

RECEIVED  
NOV 7 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
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Sincerely,  
*Michael Draper*

RECEIVED  
NOV 7 1989

ZONING OFFICE

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111 West Chesapeake Ave., Room 109  
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Sincerely,  
*William B. Haring*

1126 BRIGADOON TRAIL  
BALTIMORE, MD 21207  
NOVEMBER 6, 1989

RECEIVED  
NOV 7 1989

ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,  
*William B. Haring*  
1615 Prince George St  
Baltimore Md 21202

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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Sincerely,  
Nancy M. Ska

RECEIVED  
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ZONING OFFICE

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Sincerely,  
John W. Hollman

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ZONING OFFICE

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11 Bonnie Jon Cr.  
21207

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Sincerely,  
Alex M. Swartz

Alex M. Swartz  
16 Bonnie Jon Cr.  
BALTIMORE, MD 21207

RECEIVED  
NOV 7 1989  
ZONING OFFICE

file

RECEIVED  
NOV 7 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
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Sincerely,  
Brian R. Lewis

Brian R. Lewis  
1120 Brigadoon Tr  
Baltimore MD 21207

RECEIVED  
NOV 12 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

Re: Case # 90-176-SPH

Dear Sir: October 31, 1989

With regard to the November 14, 1989 hearing on the referenced case, I would like to express the following concerns. The area in question is jointly owned by all the residents of the Brigadoon development since this is a common area belonging to the Homeowners Association. As such all 136 homeowners in the Brigadoon development are affected by this proceeding.

The area in question is unsightly, it was never properly graded or seeded. It was also left much higher than originally planned. This has caused severe run-off and erosion as well as flooding of some of the adjacent homes. The area in its present condition is not usefull to the homeowners of Brigadoon as originally intended, and should not be the burden of the Homeowners Association to correct.

I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
Jay S. Cudde

Jay S. Cudde  
(301) 744-3857

RECEIVED  
NOV 2 1989  
ZONING OFFICE

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

Re: Case # 90-176-SPH

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
Mary Lee Hunt

Mary Lee Hunt  
22 MacCommunity Square

J. Robert Haines, Zoning Commissioner  
111 West Chesapeake Ave., Room 109  
Towson, Maryland 21204

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I would therefore object to any amendment to change the original specifications of this area.

Sincerely,  
John H. Lewis Jr.

RECEIVED  
NOV 2 1989  
ZONING OFFICE

John H. Lewis Jr.  
1204 Sandpiper Trail  
BALTIMORE MD 21207

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

Date of Posting: 10-24-87 90-167-SPH

District: 1st

Posted for: Special Hearing

Petitioner: Elysian Development Corp./Kent Limited/Brigadoon Joint Venture

Location of property: N.W. of Bromie Down Court (Lots 100-107) Subdivision of Brigadoon

Location of Sign: N.W. side of Bromie Down Court opposite 7761 South of Brigadoon Lane

Remarks: 1-2-87 Date of return: 10-27-87

Posted by: J. Robert Haines

Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 837-3333

J. Robert Haines  
Zoning Commissioner

Benjamin Bronstein, Esq.  
29 W. Susquehanna Avenue, Suite 205  
Towson, Maryland 21284

DATE: 10/24/87

Re: Petition for Special Hearing  
CASE NUMBER: 90-167-SPH  
MS Bromie Down Court (Lot #100 - 107)  
Subdivision of Brigadoon  
1st Election District - 1st Councilmanic  
Petitioner(s): Elysian Development Corp./Kent Ltd. Part./Brigadoon Joint Venture  
HEARING: TUESDAY, NOVEMBER 14, 1989 at 11:00 a.m.

Dear Mr. Bronstein:

Please be advised that \$102.63 is due for advertising and posting of this show.

**receipt**

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21284

Account: B-001-6150 No. 286

Number: 1-17

Date: \_\_\_\_\_

Phone: 837-3301 (to confirm hearing date.)

Please make checks payable to: Baltimore County

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 103 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing  
CASE NUMBER: 90-167-SPH  
MS Bromie Down Court (Lot #100 - 107)  
Subdivision of Brigadoon  
1st Election District - 1st Councilmanic  
Petitioner(s): Elysian Development Corp./Kent Ltd. Part./Brigadoon Joint Venture  
HEARING: TUESDAY, NOVEMBER 14, 1989 at 11:00 a.m.

Special Hearings to approve an amendment to the Final Development Plan for Brigadoon, Revision to grading Lots #100 thru #107 in rear.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

cc: Thomas J. Rice, III  
Benjamin Bronstein, Esq.  
File

**CERTIFICATE OF PUBLICATION**

THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 19 1987

CATONSVILLE TIMES  
*S. Zabe Orban*  
Publisher

PO 17314  
ny 134248  
ca 90-167-SPH  
price \$7763

July 20, 1989 #24

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 837-3333

J. Robert Haines  
Zoning Commissioner

TO: Zoning Hearing Petitioner

Your petition, despite not being 100% complete and/or accurate, is being accepted for filing at your absolute insistence. If the necessary additions and/or revisions to the petition forms, zoning descriptions and/or site plans are not submitted and the appropriate revision fee paid within seven (7) days, then the petition will be dismissed and the fee(s) not refunded.

Very truly yours,  
*J. Robert Haines*  
J. Robert Haines  
Zoning Commissioner

JRS:acj

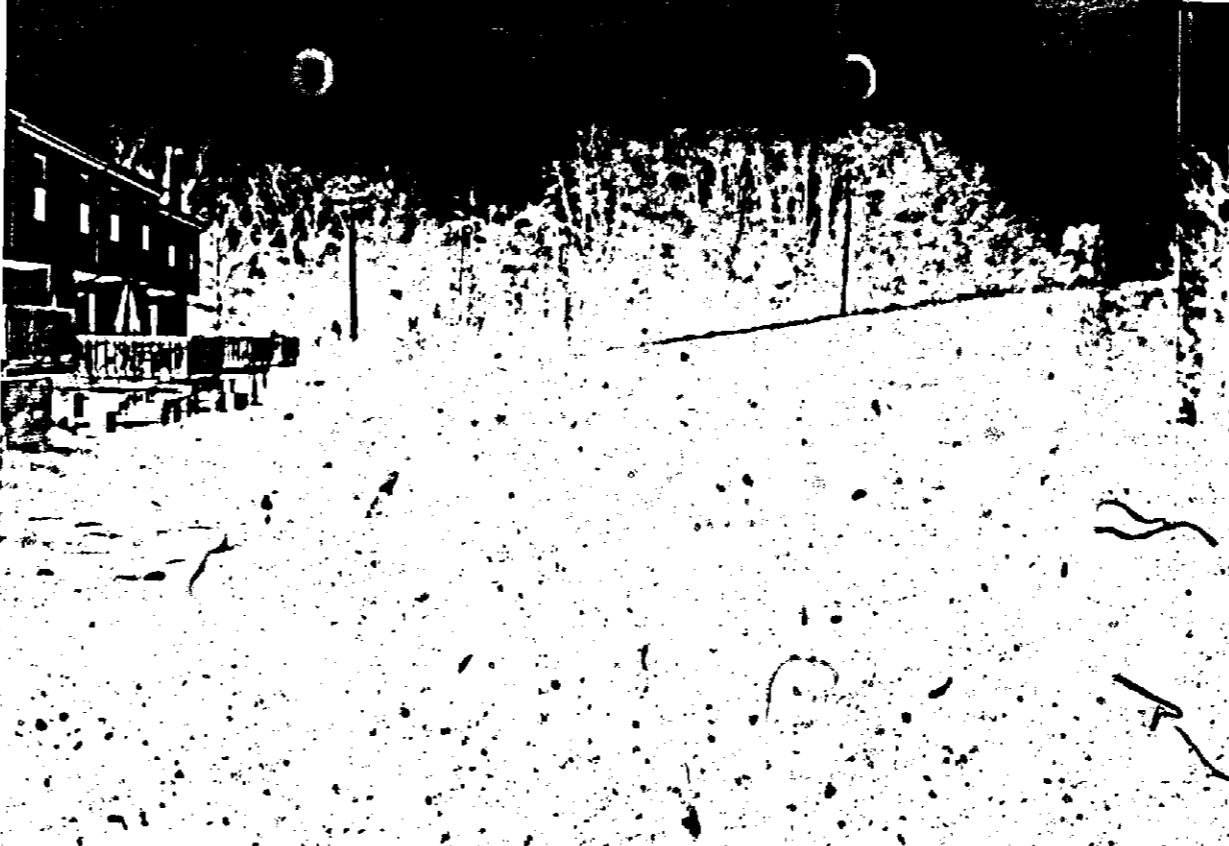
*F. H.*  
Item #24

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. Oct 20, 1987

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 11, 19 87.

THE JEFFERSONIAN.  
*S. Zabe Orban*  
Publisher





BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 31, 1989

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21284

- MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Benjamin Bronstein, Esquire  
Evans, George & Bronstein  
29 W. Susquehanna Avenue, Suite 205  
Towson, MD 21204

RE: Item No. 24, Case No. 90-167-SPH  
Petitioner: Elysian Dev. Corp., et al  
Petition for Special Hearing

Dear Mr. Bronstein:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Harold Paris, Jr.  
Mr. Thomas J. Rice

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner



Nov. 14

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
DATE: November 2, 1989  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Zoning Petition No. 90-167  
Elysian Development Corporation, General Partner,  
Brigadoon Joint Venture, Item 24

The Petitioner requests a Special Hearing to approve an amendment to the final development plan for Brigadoon - Revision to grading lots 100 through 107 in rear.

In reference to this request, Staff offers the following comments:

The Petitioner has not provided sufficient information to enable Staff to provide relevant comments. Staff is concerned with how the proposed grading would impact potential pathways, tot lots, and existing vegetation. A detailed plan should be provided which includes existing conditions and proposed grading action. The plan, if required, should be submitted to the Department of Recreation and Parks; Office of Planning and Zoning; and any other appropriate agency.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:gg1  
ZPVARIUO

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Your petition has been received and accepted for filing this 26th day of August, 1989.

Petitioner: Elysian Dev. Corp., et al  
Petitioner's Attorney: Benjamin Bronstein

11/8/89 mailed letter & comments per

NOV 2 1989

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21284  
(301) 887-3554

RECEIVED  
AUG 3 1989  
ZONING OFFICE



Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

Dennis F. Rasmussen  
County Executive

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 21, 22, 23, and 24.

Very truly yours,

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineer Associate II

Letter to The Honorable Ann Nastarowicz  
April 30, 1990  
Page 2

Thank you for your kind consideration and patience in this matter.

Very truly yours,

EVANS, GEORGE AND BRONSTEIN

*Benjamin Bronstein*  
Benjamin Bronstein

BB/mlh  
Enclosure

cc: Mr. Edward King  
Brigadoon Home Owner's Association (with enclosure)  
Mr. Harold Paris (with enclosure)

Baltimore County  
Planning Board  
Towson, Maryland 21204  
(301) 887-3211

TO: J. Robert Haines  
Zoning Commissioner

DATE: April 24, 1990

FROM: P. David Fields, Secretary  
To The Planning Board  
SUBJECT: Amended Final Development  
Plan "Brigadoon"

Pursuant to Section 1801.3A.7.b.i of the Baltimore County Zoning Regulations, the proposed amendments to the Final Development Plan of "Brigadoon" were approved by the Baltimore County Planning Board at its meeting on April 19, 1990 and may now proceed to the special exception hearing.

FDE/TD/prh

cc: Frank Fisher  
Benjamin Bronstein, Esquire

*P. David Fields*  
P. David Fields

RECEIVED  
APR 30 1990

EVANS, GEORGE &  
BRONSTEIN

Baltimore County  
Fire Department  
806 York Road  
Towson, Maryland 21284-2586  
(301) 887-4200  
Paul H. Reinecke  
Chief

AUGUST 2, 1989

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204



RE: Property Owner: ELYSIAN DVLEMT. OPERA., KENT LMTD.,  
BRIGADOON JT. VTR.

Location: LOT #100-107  
Item No.: 24 Zoning Agenda: AUGUST 1, 1989  
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.  
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Paul H. Reinecke*  
Noted and Approved  
Planning Group  
Special Inspection Division

JK/kek

LAW OFFICES  
EVANS, GEORGE AND BRONSTEIN  
SUSQUEHANNA BUILDING, SUITE 205  
29 WEST SUSQUEHANNA AVENUE  
TOWSON, MARYLAND 21204  
(301) 296-0200  
FAX: (301) 296-3719

L. ROBERT EVANS  
HARRIS JAMES GEORGE  
BENJAMIN BRONSTEIN  
MICHAEL J. CHOMEL  
DOUGLAS A. STUBBS  
WILLIAM R. LEVASSEUR, JR.

April 30, 1990

RECEIVED  
MAY 1 1990  
ZONING OFFICE

The Honorable Ann Nastarowicz  
Deputy Zoning Commissioner for Baltimore County  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Case No. 90-167SPH  
Elysian Development  
Corporation, et. al.,  
Petitioner

Dear Mrs. Nastarowicz:

This case came before you on November 14, 1989 on the Petitioner's request to amend the Final Development Plan for Brigadoon by changing the grade on a berm in the rear of certain lots as shown on the Petitioner's Exhibit 1. At the request of my client and the Brigadoon Home Owner's Association, protestant, you agreed to withhold your decision in order to accommodate the parties in their settlement negotiation.

The Brigadoon Home Owner's Association, by its president, Edward King, has now approved the plan for regrading and supplementary landscaping as shown on a plan dated December 8, 1989, prepared by LDR. I have enclosed a copy of that plan. The amendment to the Final Development Plan has also been approved by the Planning Board at its meeting of April 19, 1990. A copy of the Planning Board's minutes are enclosed.

I am therefore requesting that you pass the appropriate order.

Baltimore County  
Planning Board  
Towson, Maryland 21204  
(301) 887-3211

#90-167-SPH  
#24

TO: J. Robert Haines  
Zoning Commissioner

DATE: April 24, 1990

FROM: P. David Fields, Secretary  
To The Planning Board  
SUBJECT: Amended Final Development  
Plan "Brigadoon"

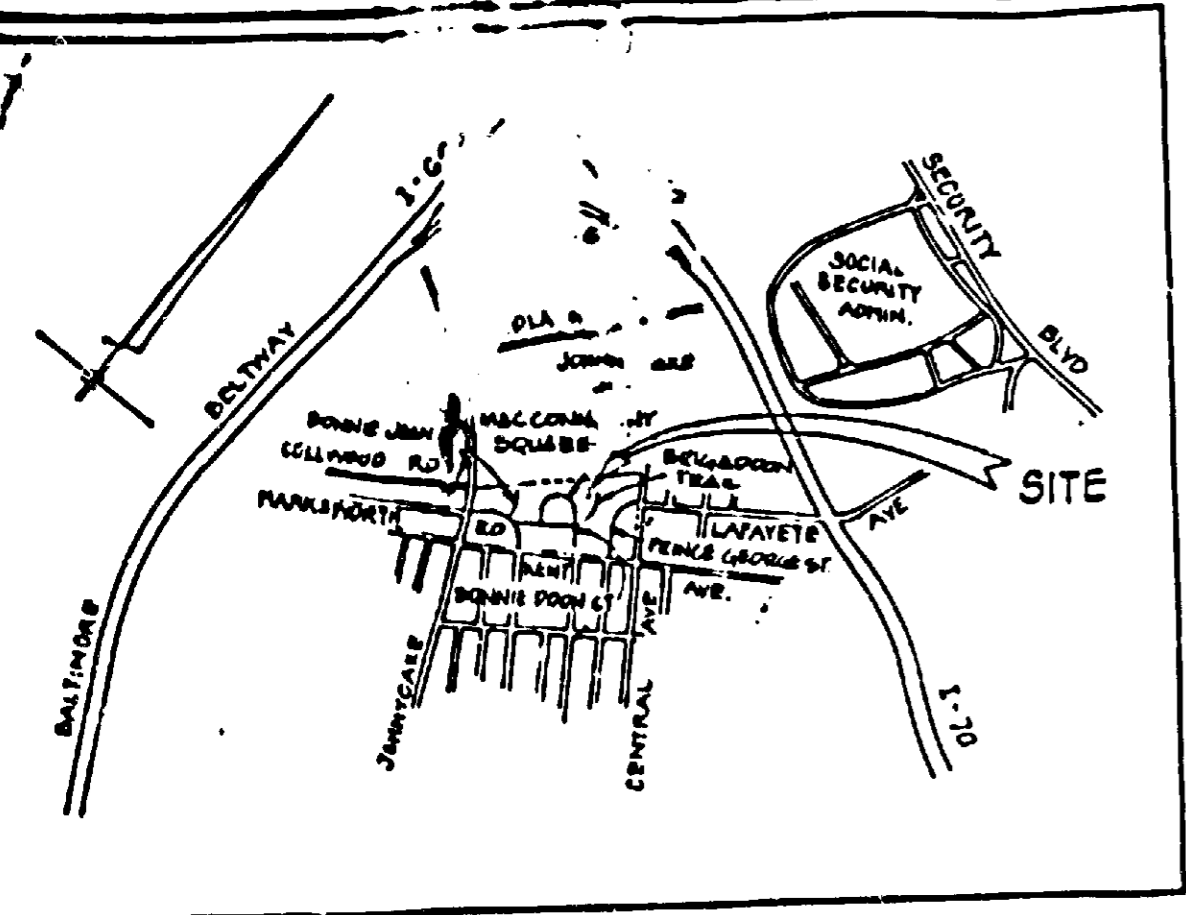
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FDE/TD/prh

cc: Frank Fisher  
Benjamin Bronstein, Esquire

RECEIVED  
APR 26 1990  
ZONING OFFICE

RECEIVED APR 27 1990

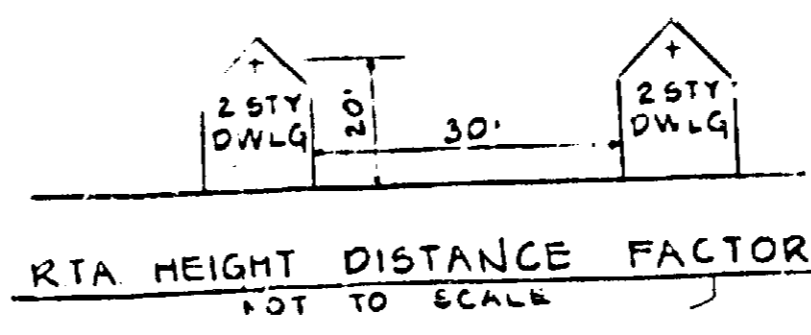
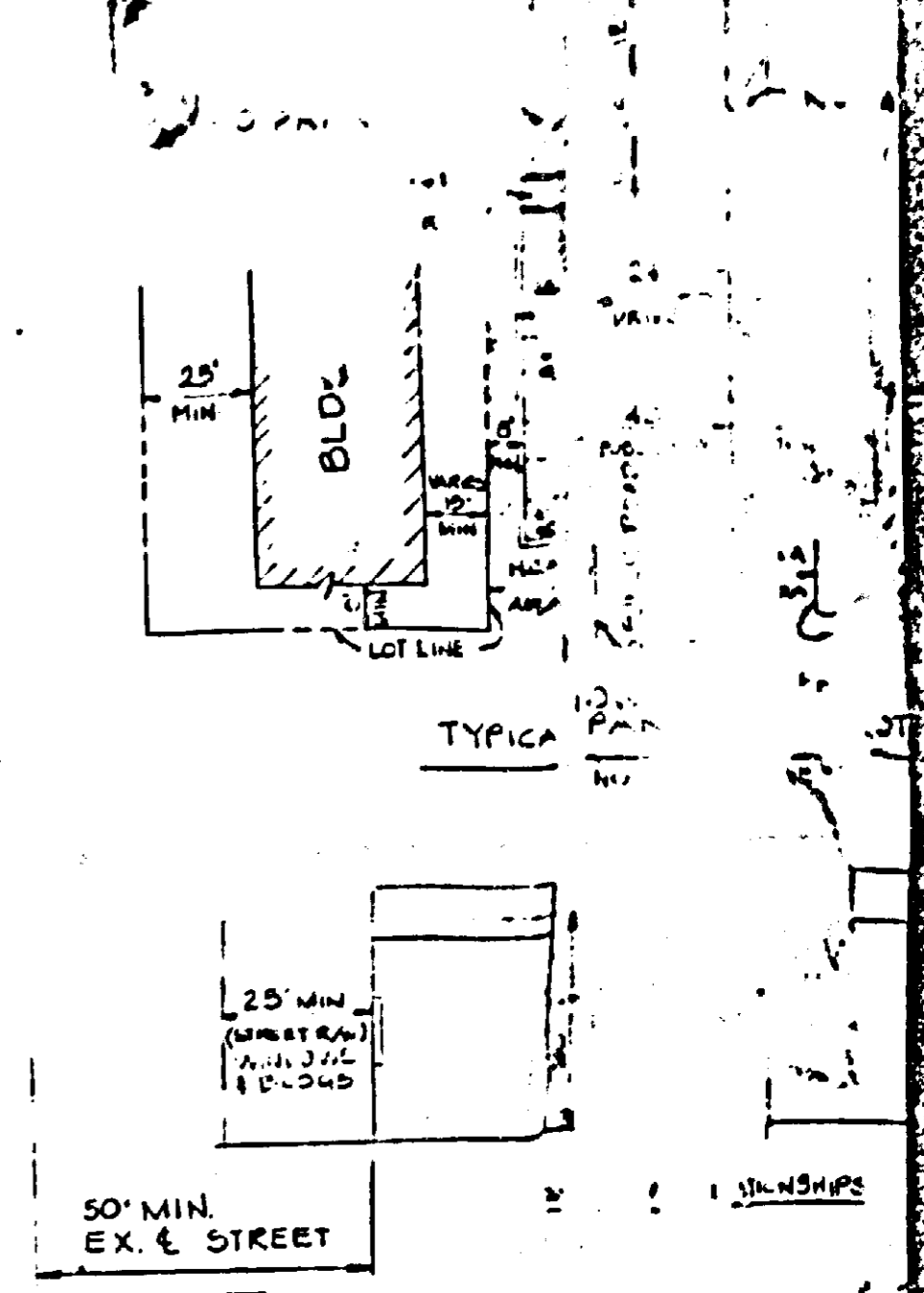


VICINITY MAP  
SCALE: 1" = 2000'

### GENERAL NOTES

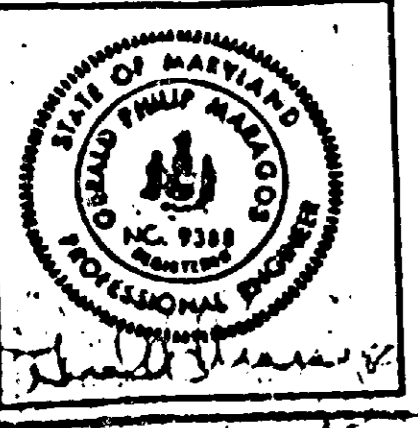
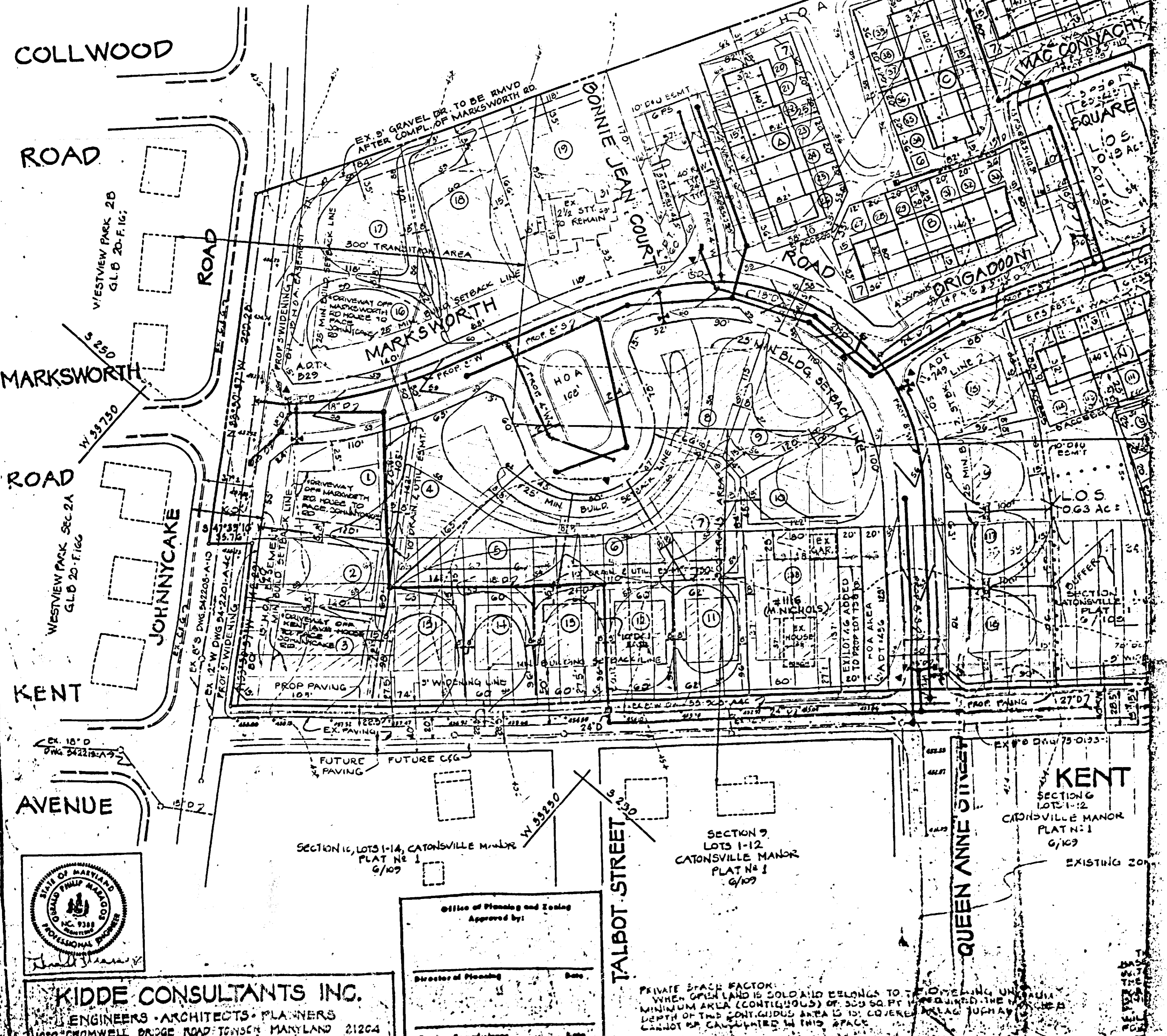
- 1. GROSS AREA OF TRACT: 25.52 AC. (INCLUDING 1/2 ADJOINING R/W'S), NET AREA 24.70 AC.
- 2. EXISTING ZONING OF TRACT: DR-5.5
- 3. EXISTING USE OF PROPERTY: VACANT LAND
- 4. DENSITY CALCULATIONS:  
A. GROSS AREA OF PROPERTY: 25.52 AC. (INCLUDING LOT 106)  
B. NET AREA OF PROPERTY: 24.74 AC.  
C. ALLOWED NO. OF LOTS: 140.96 (23.52 x 5.5 = 140.36)  
D. PROPOSED NO. OF LOTS: 138
- 5. C.R.G. PLAN APPROVED NOVEMBER 14, 1984
- 6. PARKING:  
A. PARKING REQUIRED: 252.25 (SINGLE - 43 x 20 = 86)  
TOWNHOUSES - 95 x .75 = 166.25)  
B. PARKING PROPOSED: 280
- 7. ALL LOTS SHOWN HEREON ARE TO BE SOLD.
- 8. MAXIMUM BUILDING HEIGHT OF ANY STRUCTURE IS 35'
- 9. ▲ DENOTES STREET LIGHT LOCATIONS
- 10. ROAD MAINTENANCE AND SNOW REMOVAL ARE PROVIDED TO THE STREET RIGHT OF WAY BY BALTIMORE COUNTY.
- 11. ENVELOPES SHOWN HEREON ARE FOR LOCATION OF ALL PRINCIPLE BUILDINGS ONLY, ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTION 400 & 301 OF THE BALTO. COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS & APPLICABLE BUILD PERMIT. TYPICAL PARKING SPACE IS 9'x18').
- 12. THERE IS NO MAJOR VEGETATION ON THIS SITE.
- 13. NO GRADING WILL OCCUR WITHIN THE 100 YEAR FLOOD PLAIN.
- 14. NO GRADING REQUIRED (138 DU x 650 SQ. FT./DU) = 2.06 AC.
- 15. OPEN SPACE PROVIDED = 3.53 AC. (INCLUDING 1/2 OF 100 YR FLOOD PLAIN)
- 16. OPEN SPACE PROVIDED - 3.53 AC. (INCLUDING 1/2 OF 100 YR FLOOD PLAIN 3.00 AC. x 30' x 150' AC.) REMAINING AREA = 2.03 AC.
- 17. OPEN SPACE TO BE MAINTAINED BY THE BRIGADOON HOMEOWNER ASSOCIATION.
- 18. ALL DRIVEWAYS TO BE PAVED WITH MACADAM.
- 19. LANDSCAPE TREATMENT SHALL BE IN ACCORDANCE WITH LANDSCAPE MANUAL. MIN. TREES REQ'D 1 TREE/DWU = 138 (MIN. 20 TO BE MAJOR DECIDUOUS.) SEE LANDSCAPE PLAN FOR DETAILS.
- 20. REFUSE COLLECTED BY BALTIMORE COUNTY TWICE WEEKLY (THERE WILL BE NO DUMPSTERS OR TRASH PADS).
- 21. A LANDSCAPING PLAN WILL BE REVIEWED AND APPROVED BY THE O.P.Z. PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.

... DENOTES L.O.S. AREA



NOTE: IN RESIDENTIAL TRANSITION AREA THE DISTANCE BETWEEN BUILDINGS IS 1 1/2 TIMES THE HEIGHT OF THE HIGHER BUILDING (20' x 1 1/2 = 30' DIST. BETWEEN BLDGS) NO WINDOWS ON ENDS OF UNITS.

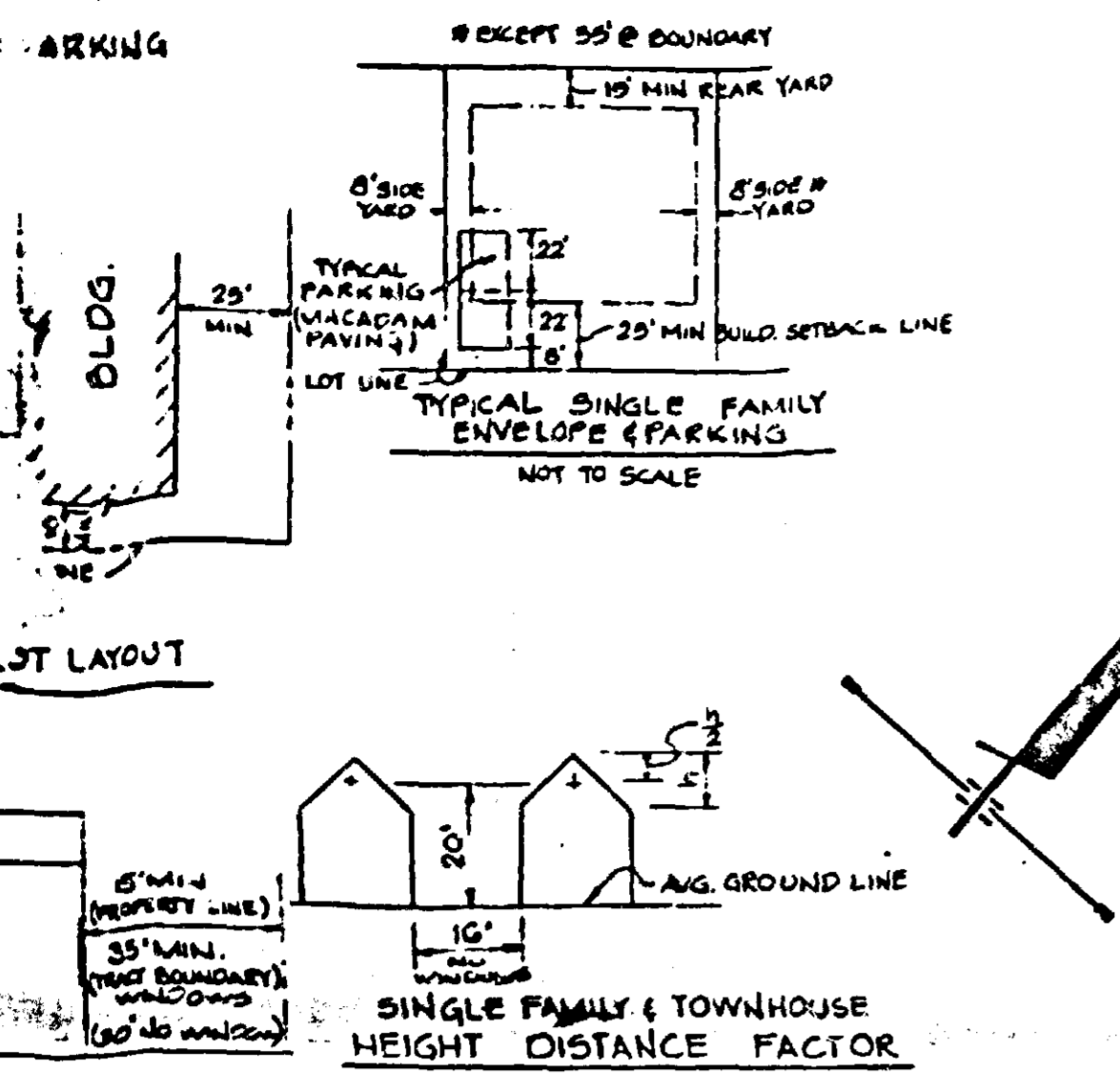
EXISTING ZONING DR-5.5  
BOARD OF EDUCATION OF BALTIMORE  
JOHNNYCAKE  
302/283  
32-62A



KIDDE CONSULTANTS INC.  
ENGINEERS - ARCHITECTS - PLANNERS  
1022 CROMWELL BRIDGE ROAD TOWSON MARYLAND 21284

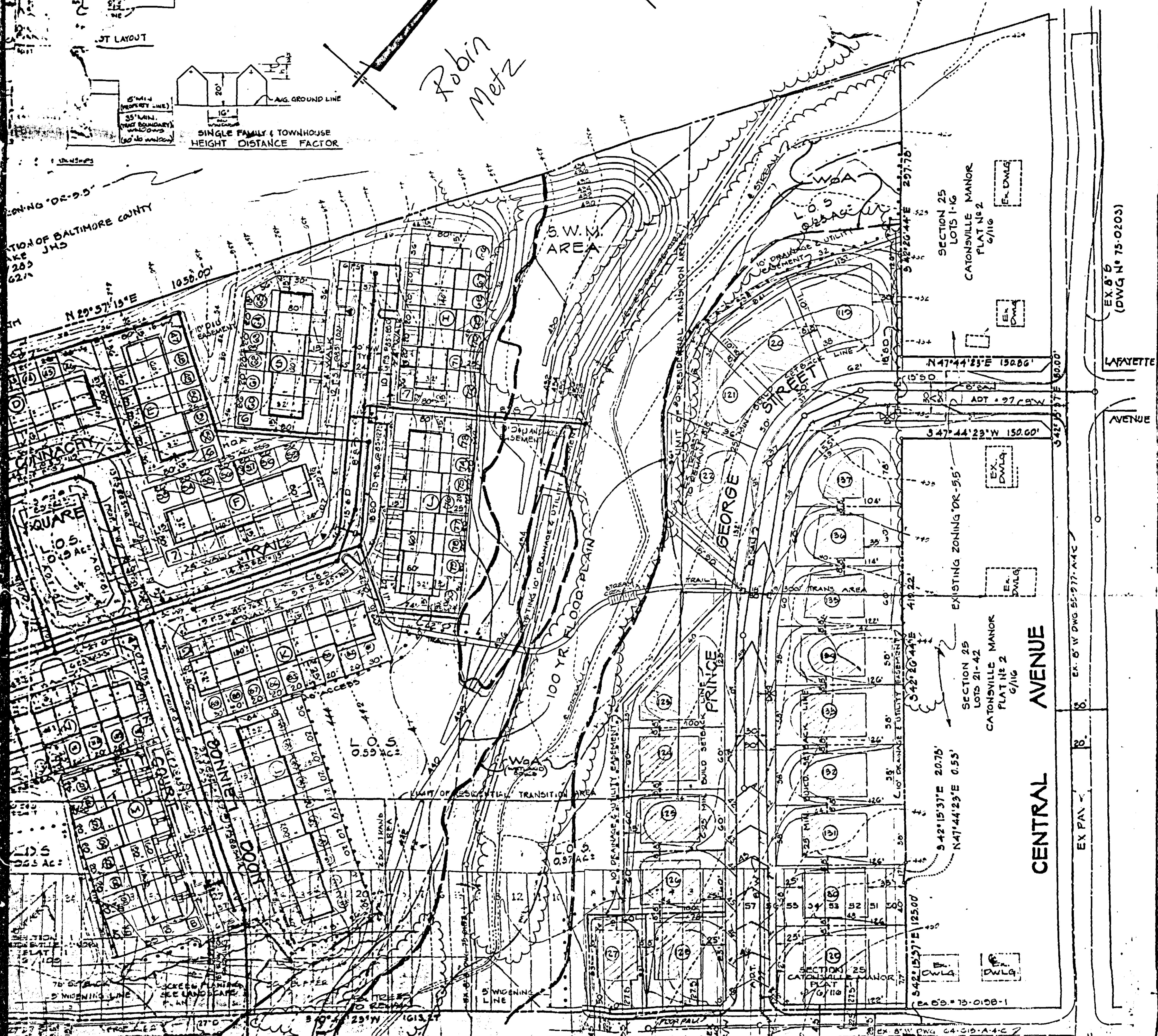
Office of Planning and Zoning Approved by:	
Director of Planning	Date

PRIVATE SPACE FACTOR: WHEN OPEN LAND IS SOLD AND BELONGS TO THE OWNING UNIT MINIMUM AREA (CONTIGUOUS) OF 300 SQ. FT. IS REQUIRED. THE MINIMUM DEPTH OF THIS CONTIGUOUS AREA IS 15'. COVERED AREAS SUCH AS GARAGES CANNOT BE CALCULATED IN THIS SPACE.



Robin Metz

SECTION OF BALTIMORE COUNTY  
 MAP 205  
 62/1



**PETITIONER'S EXHIBIT**

RESUBDIVISION OF  
 CATONVILLE MANOR SECTION 25, LOTS 50 THROUGH 71  
 PLAT 1, 6/109 AND SECTION 1, LOTS 1 THRU 71  
 PLAT 1, 6/109  
 FINAL DEVELOPMENT PLAN  
 for  
**BRIGADOON**

**OWNERS**  
 KARL REILMAN ETAL - ROY FILBERT & M. NICHOLS, ETAL  
 7107 DOAN ROAD BALTIMORE, MD. 21207

**DEVELOPER**  
 CHASS DEVELOPMENT CORPORATION  
 MILTON OPERING PLAZA  
 PRAESVILLE, MARYLAND 21244  
 TEL. 301-484-3100

11th ELECTION DISTRICT BALTIMORE COUNTY  
 SCALE 1" = 50' MARCH 7, 1988  
 COUNCILMANIC DISTRICT NO. 1 CENSUS TRACT 5701  
 WATERSHED 26 SUBSEWER SHEET 15

THIS DEVELOPMENT PLAN IS APPROVED BY THE ZONING COMMISSIONER  
 BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS THAT IT COMPLIES  
 WITH THE ZONING REGULATIONS AND THE ZONING CONTROLS AS THEY ARE ORIGINATED IN  
 THE REGULATIONS. ANY PART OF THIS PLAN THAT HAS BEEN CHANGED IN  
 ORDER TO COMPLY WITH THE REGULATIONS SHALL NOT BE ENFORCEABLE  
 UNLESS IT IS SPECIFICALLY APPROVED BY THE ZONING COMMISSIONER. ANY  
 CHANGES MADE TO THIS PLAN SHALL BE SPECIFICALLY APPROVED BY THE  
 ZONING COMMISSIONER. THIS PLAN IS VALID FOR THE PERIOD OF 180 DAYS  
 FROM THE DATE OF APPROVAL. IF A BUILDING IS CONSTRUCTED AND OCCUPIED  
 FOR THE PURPOSE OF OCCUPANCY.

Quarry Park Place  
Suite 100  
9715 Guilford Road  
Columbia, MD 21046

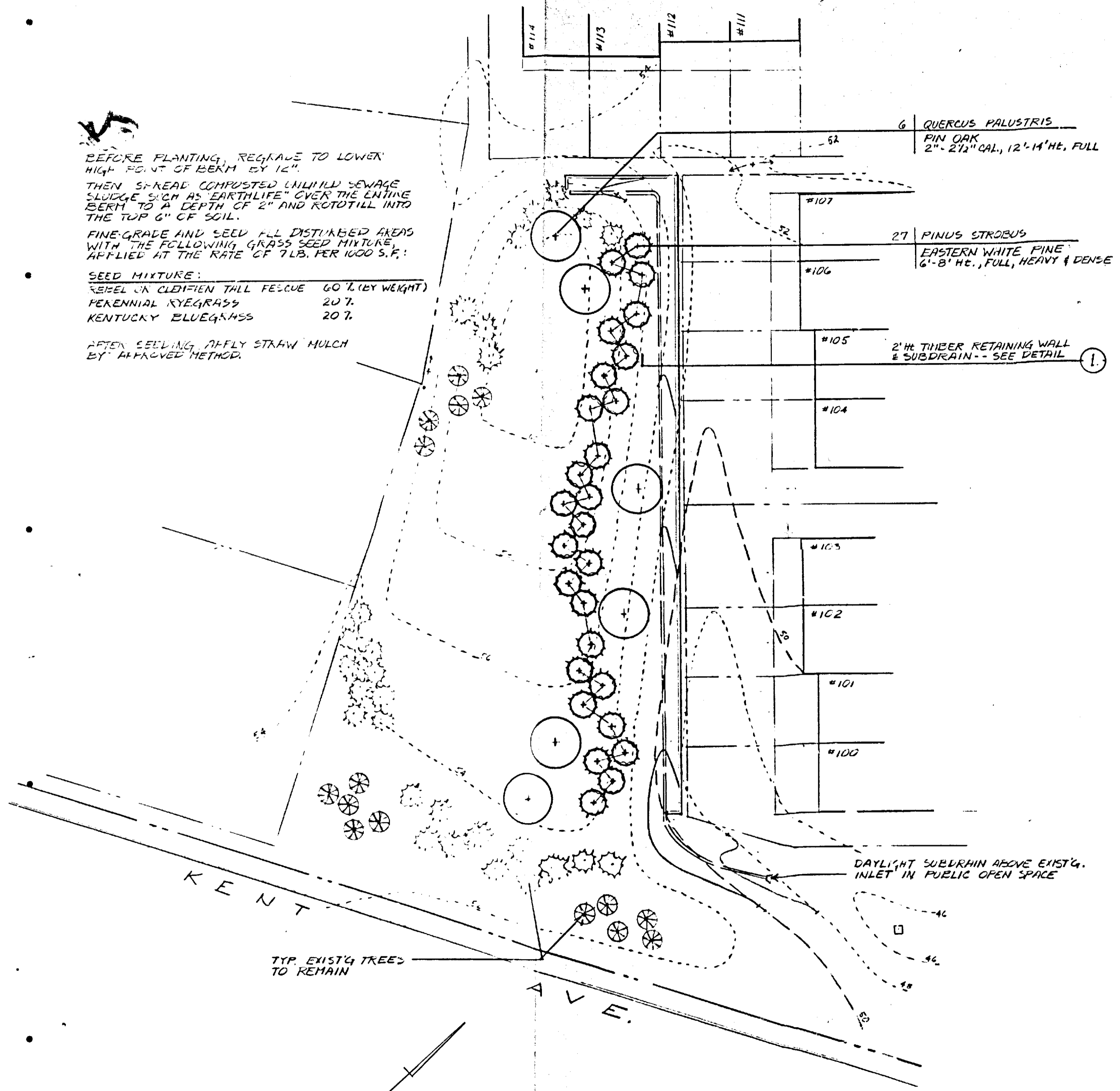
Baltimore  
301/792/4360  
Washington  
301/498/8500

### Revisions

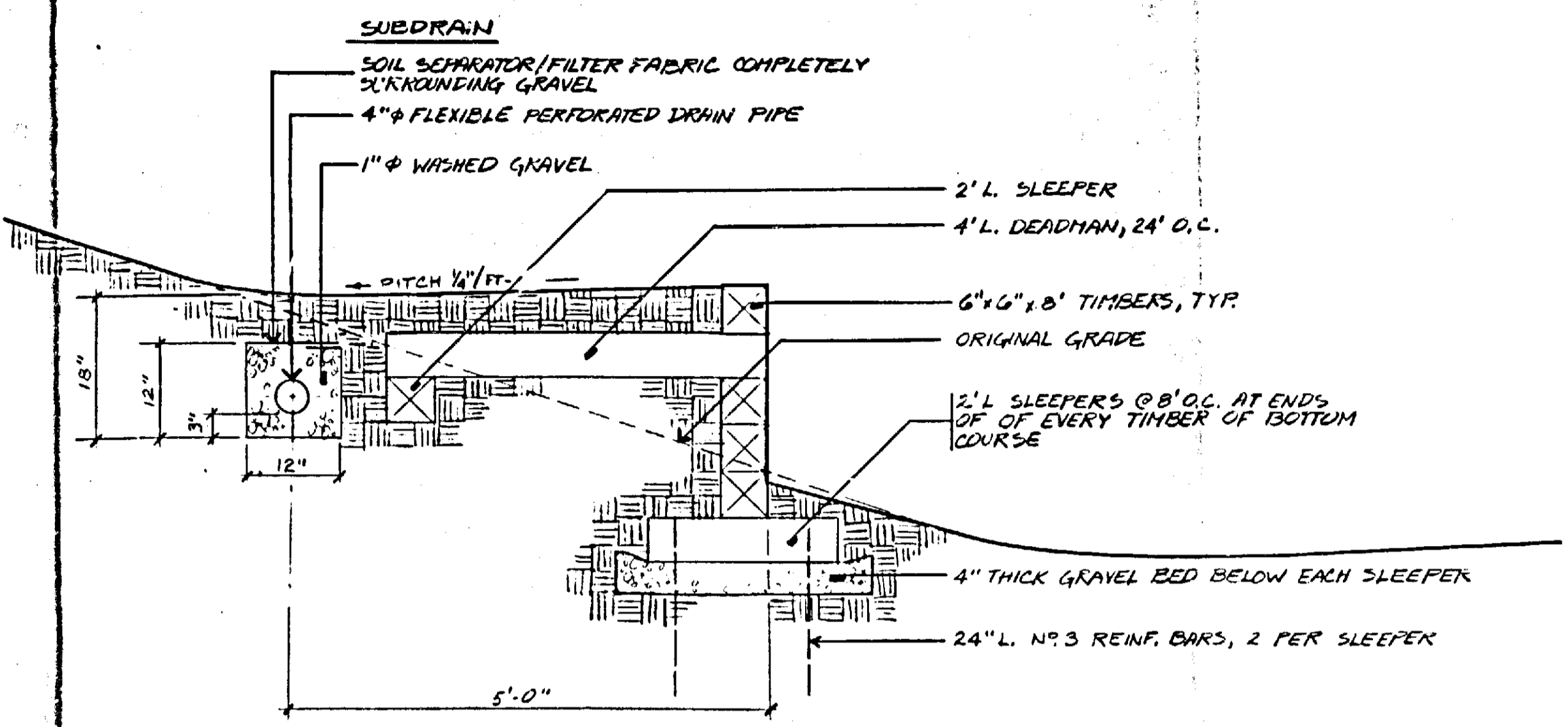
Number	Description	Date

ALL TIMBER SHALL BE NO. 2 GRADE OR BETTER SOUTHERN YELLOW PINE, PRESSURE TREATED WITH CCA PRESERVATIVE TO .40 LB / CU. FT. RETENTION, MINIMUM.  
SECURE EACH TIMBER WITH 2 HOT-DIPPED GALVANIZED SPIKES, MIN. 10" LONG.

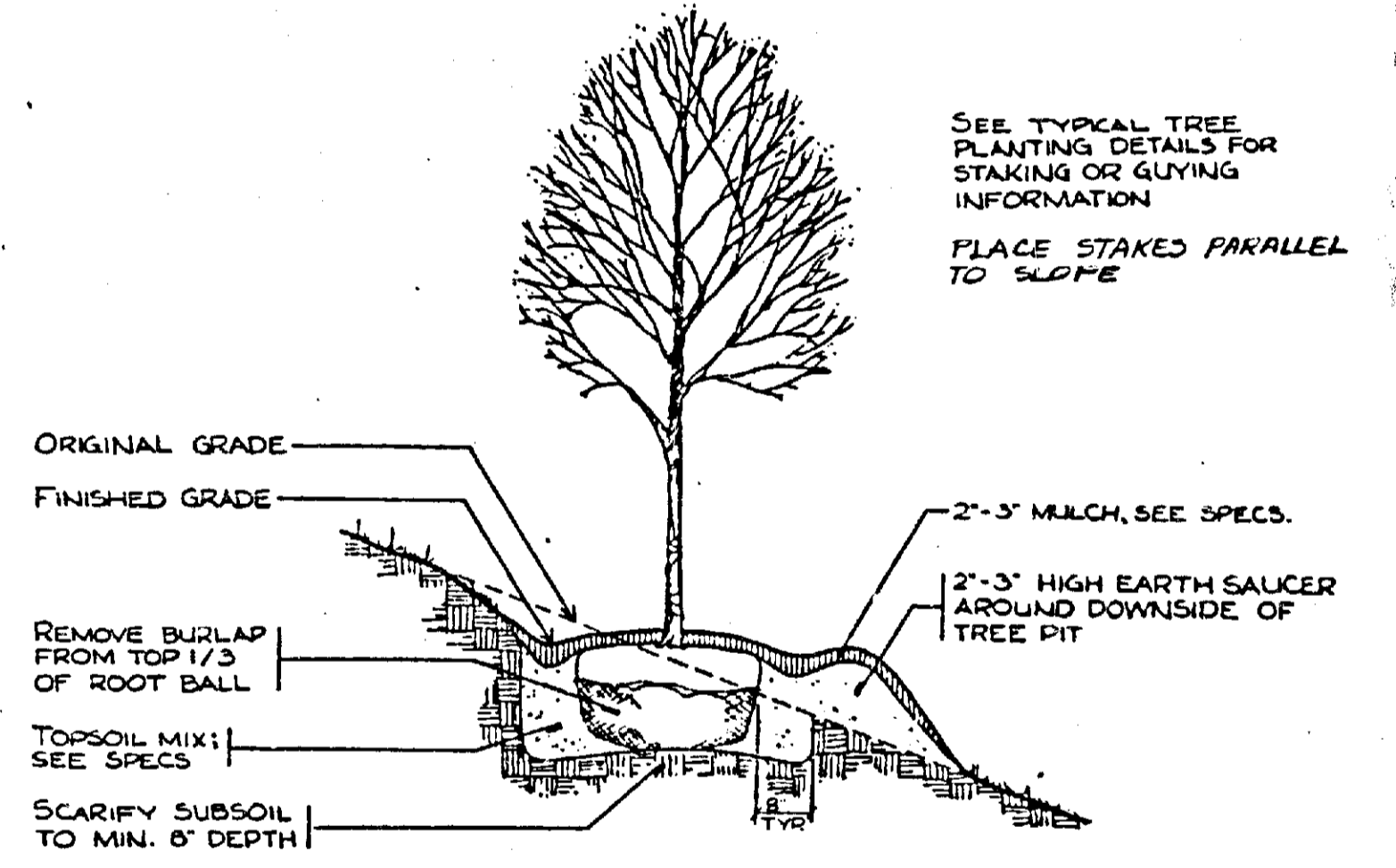
BEFORE PLANTING, REGRADE TO LOWER HIGH POINT OF BERM BY 12".  
THEN SPREAD COMPOSTED UNIMULDED SEWAGE SLODGE SUCH AS "EARTHLIFE" OVER THE ENTIRE BERM TO A DEPTH OF 2" AND ROTOTILL INTO THE TOP 6" OF SOIL.  
FINE GRADE AND SEED ALL DISTURBED AREAS WITH THE FOLLOWING GRASS SEED MIXTURE, APPLIED AT THE RATE OF 7 LB. PER 1000 S.F.:  
**SEED MIXTURE:**  
BENEFIX CLIP-TEN TALL FESCUE 60% (BY WEIGHT)  
PERENNIAL RYEGRASS 20%  
KENTUCKY BLUEGRASS 20%  
AFTER SEEDING, APPLY STRAW MULCH BY APPROVED METHOD.



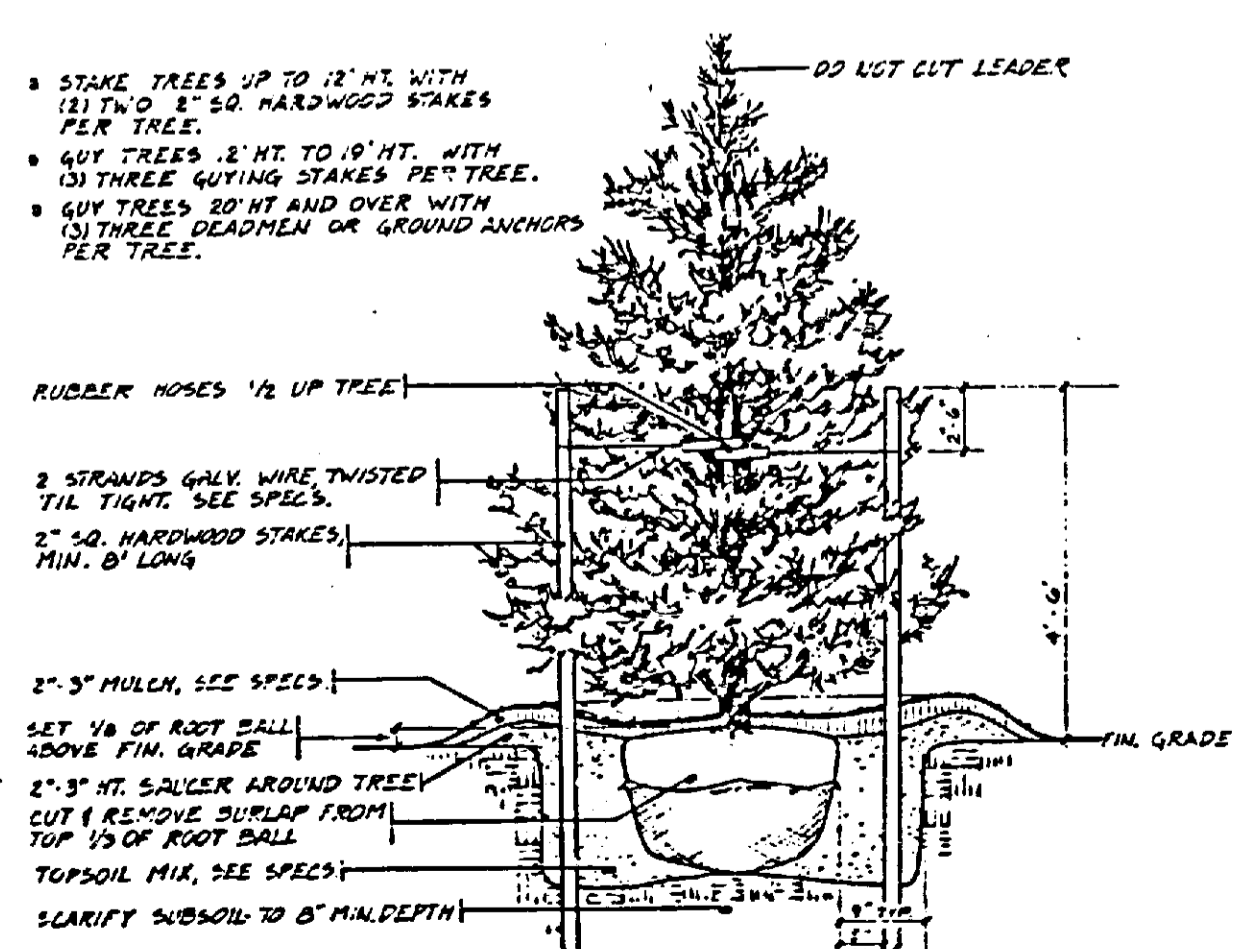
PLAN  
1" = 20'



1 TIMBER WALL & SUBDRAIN  
1/4" = 1'-0"  
SECTION



2 TREE PLANTING ON SLOPE  
NO SCALE

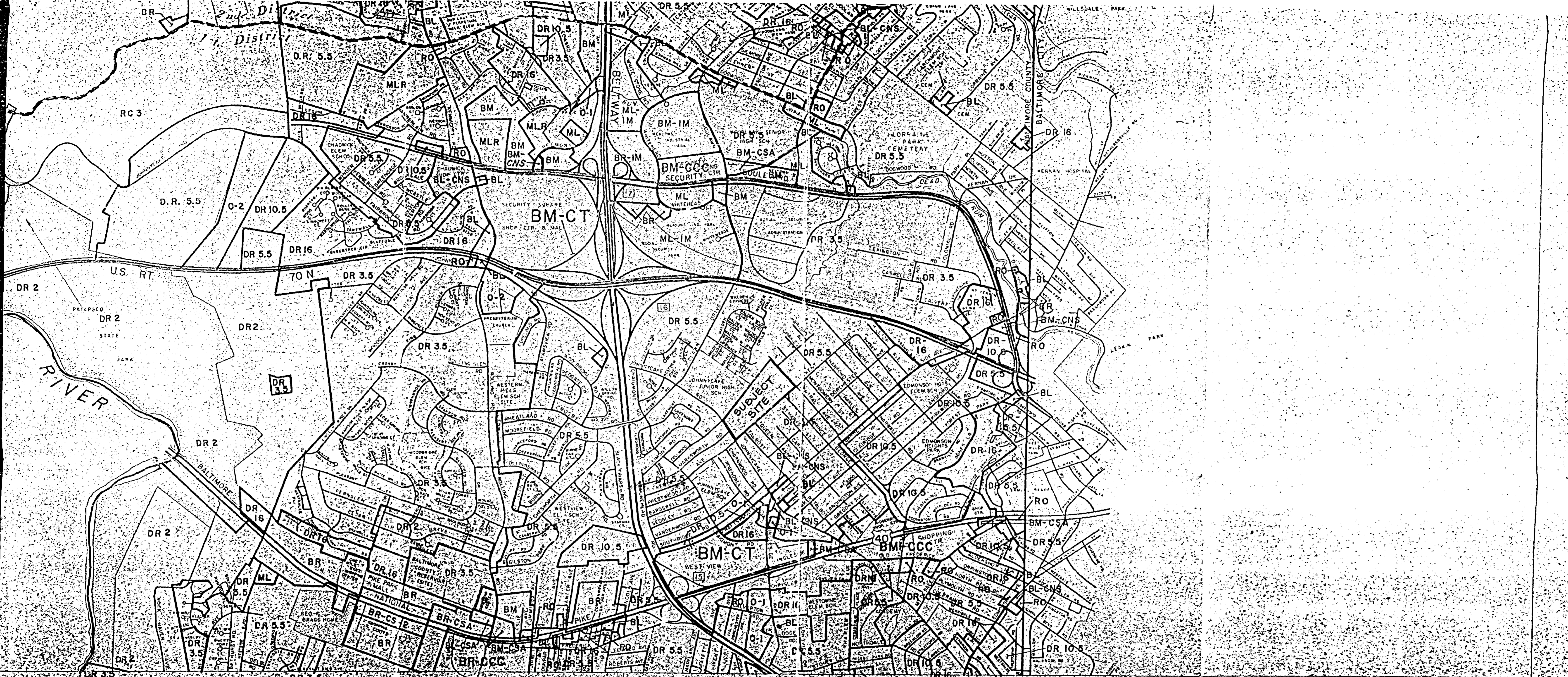


3 EVERGREEN TREE PLANTING  
NO SCALE

## BRIGADOON

### Supplemental Landscaping at Berm

Project Number 10054 00  
Scale AS SHOWN Date 12/8/77  
Drawn by JRS Checked by  
Sheet Number



**BALTIMORE COUNTY OFFICE  
OF PLANNING AND ZONING**

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 13, 1988  
BM No. 144-08-75-00-14-40-14-29-144-00-1-00-189

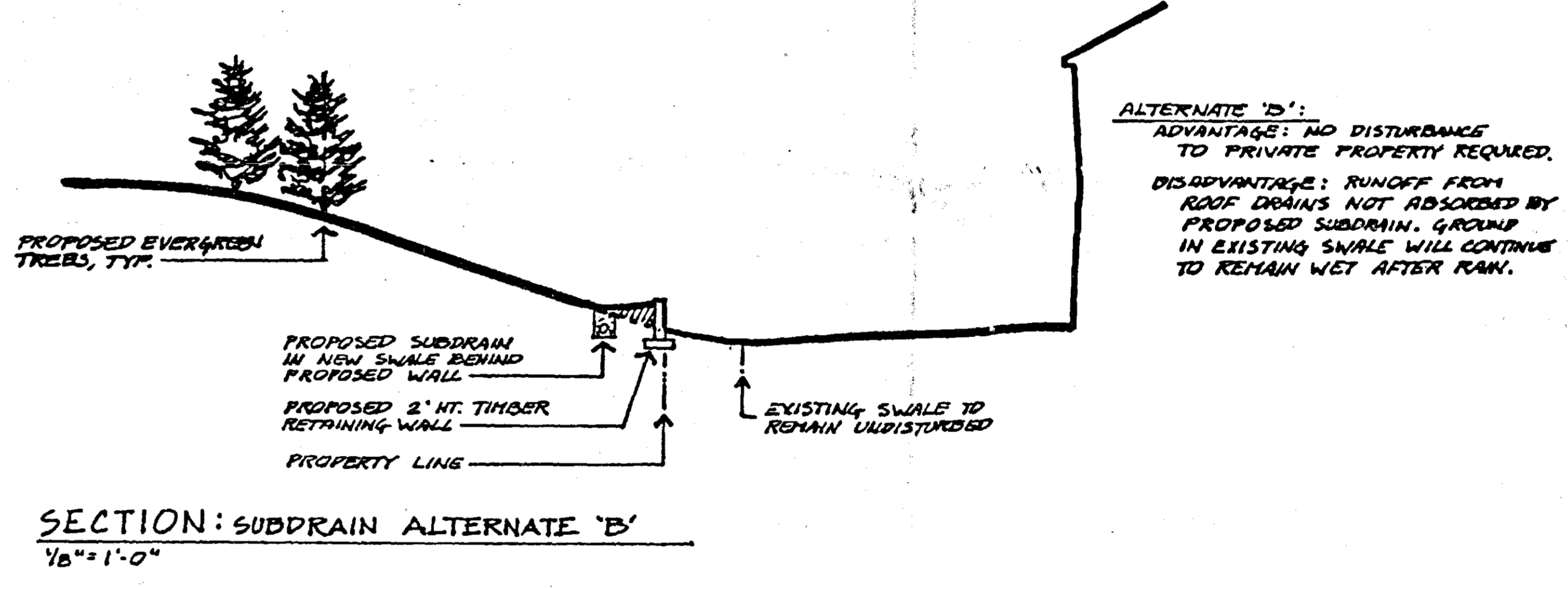
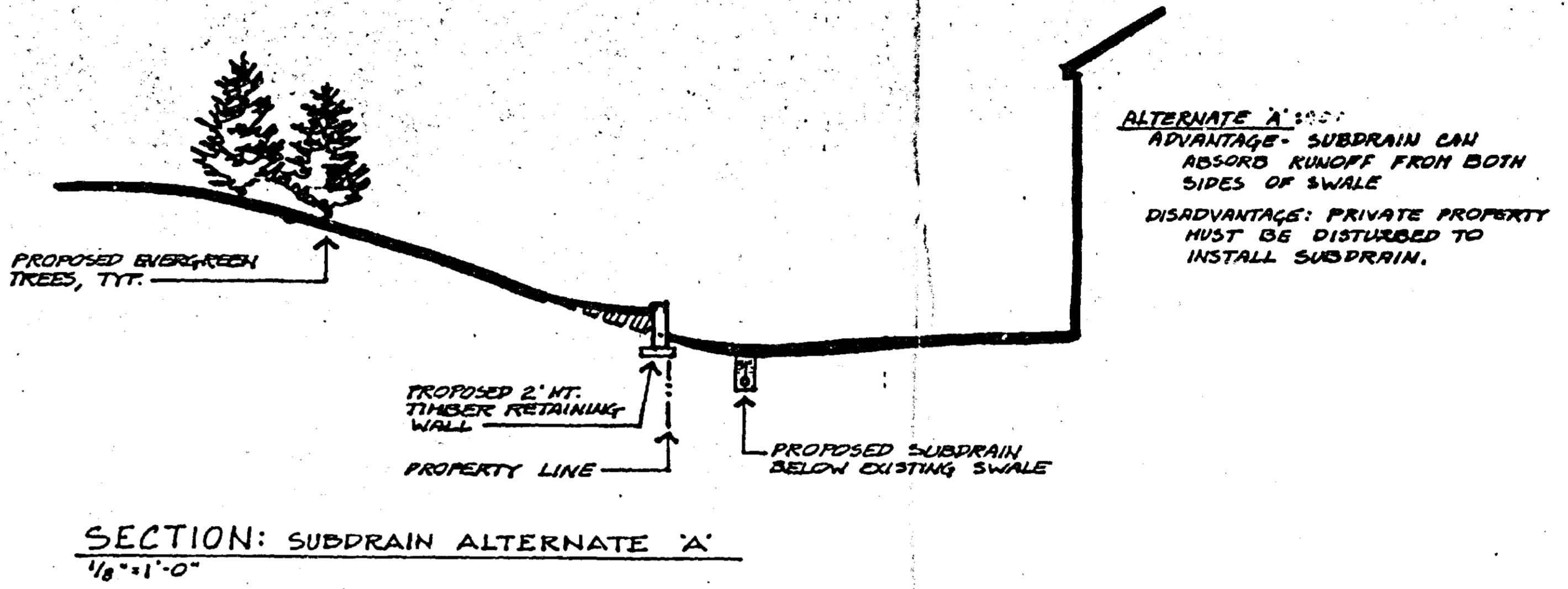
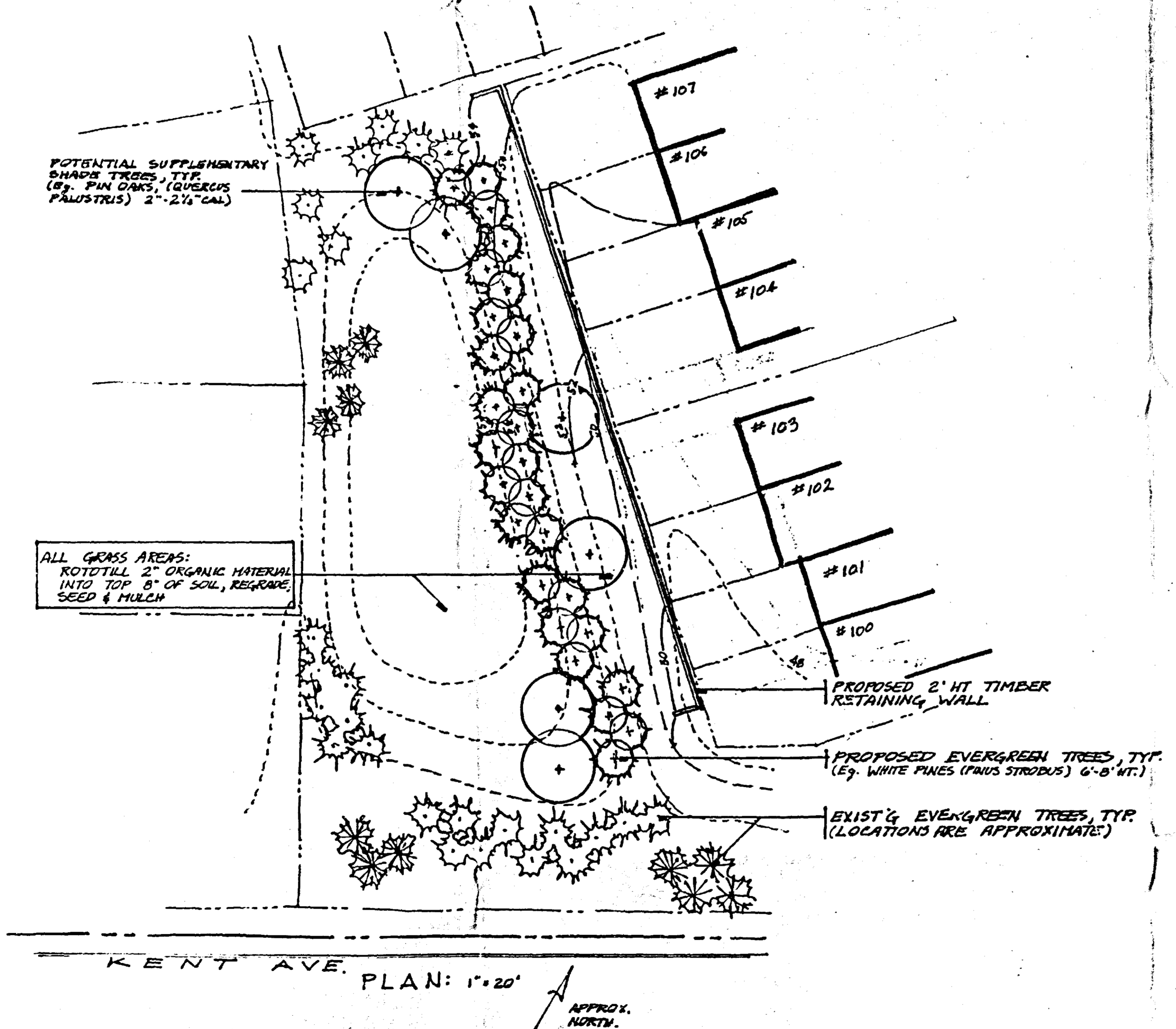
**WESTERN AREA**

BALTIMORE COUNTY BASE MAP SERIES

REVISED DATE	
OCT 88	FEB 89
MAR 88	JUN 88
JULY 87	SEP 76
MAR 84	AUG 75
SEP 80	FEB 75
MAY 80	MAY 75
MAY 78	MAY 75

2B

#24



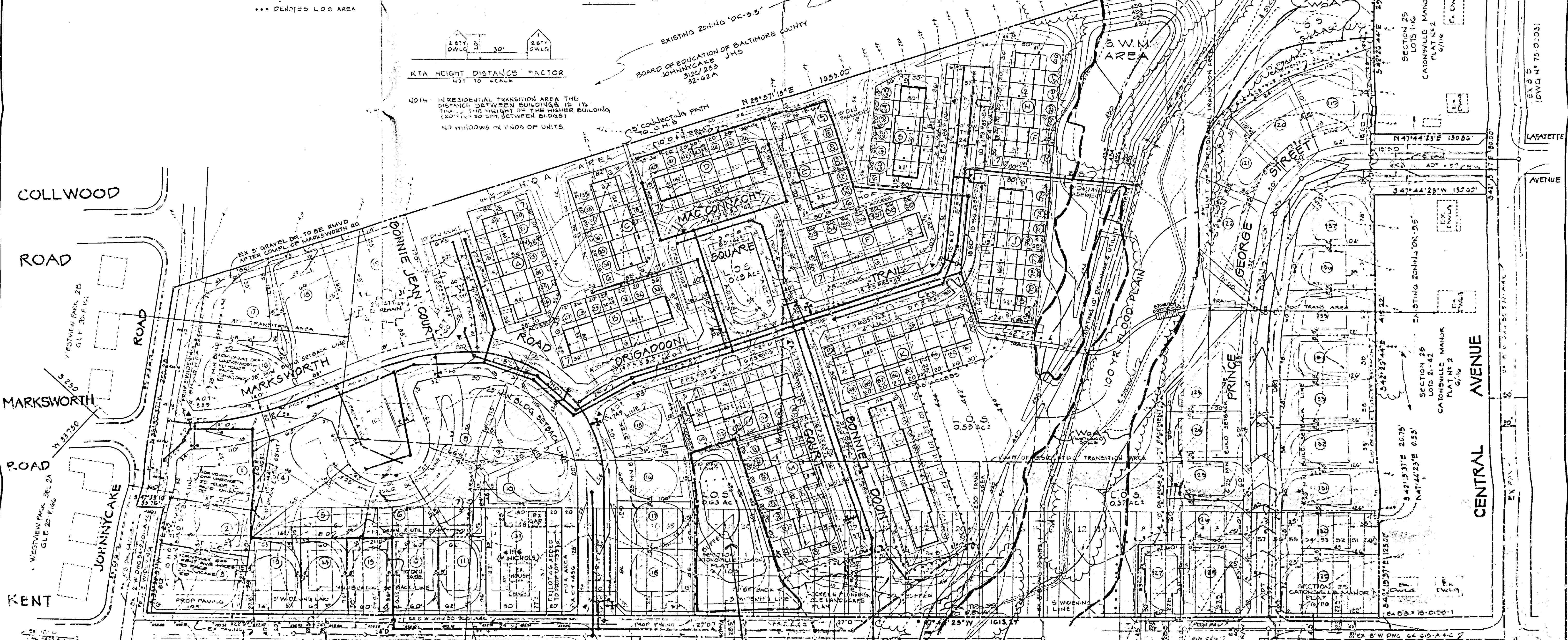
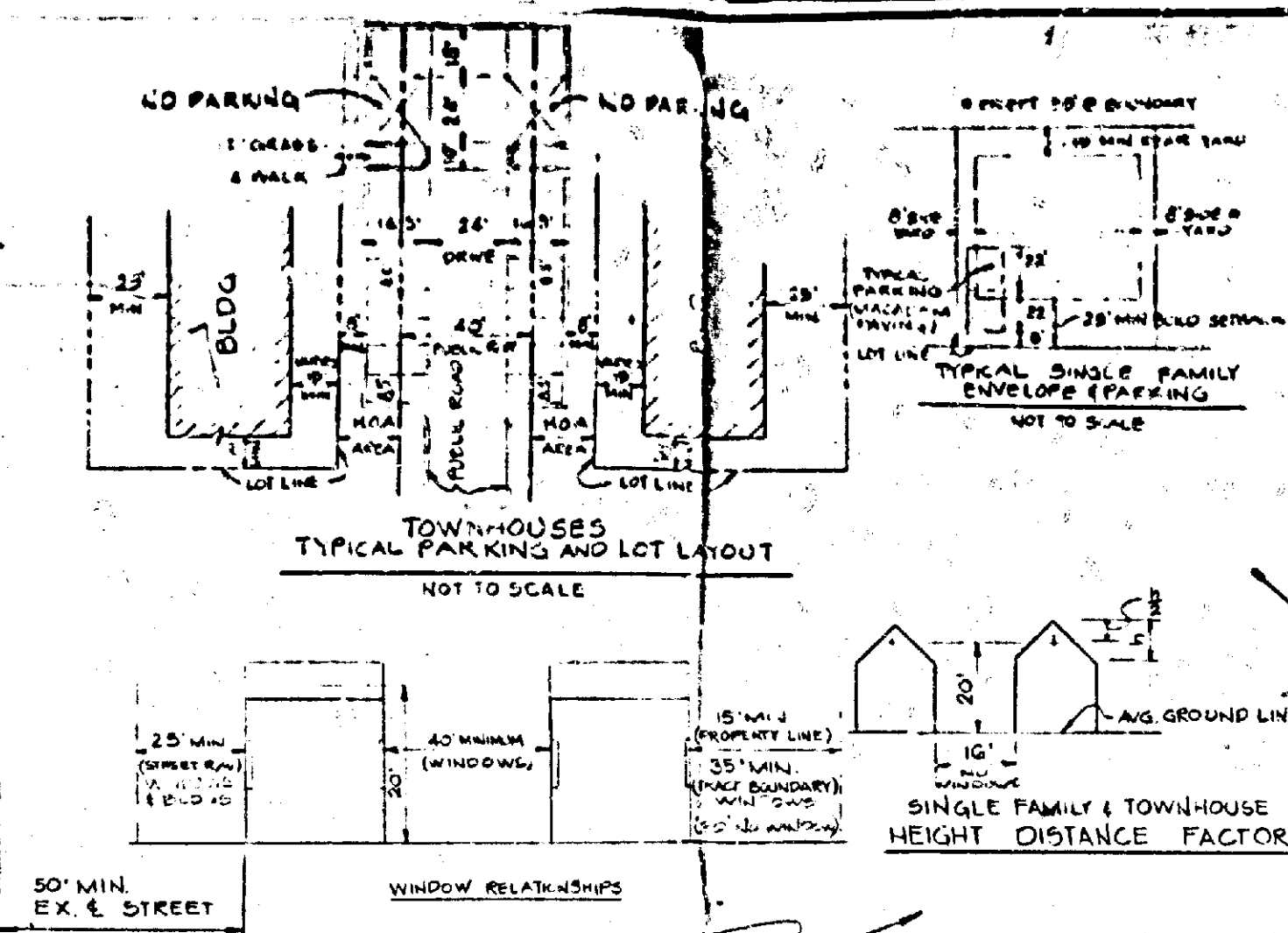
SUPPLEMENTARY LANDSCAPE TREATMENT  
BRIGADOON

LDR 11/13/89 SCALE AS INDICATED.

PETITIONER'S  
EXHIBIT 4B

**GENERAL NOTES**

- EXISTING AREA OF TRACT IS 22.82 AC (INCLUDING 1.5 AC OF LAND)
- EXISTING USE IS RESIDENTIAL SINGLE-FAMILY
- DENSITY CALCULATION: 1.5 UNITS PER ACRE
- NET AREA OF PROPERTY IS 22.82 AC (INCLUDING LOT 100)
- ALLOWED MAX. G.C. IS 140.55 (2352 + 55 + 140.55)
- EXISTING ZONING IS DC-9.5
- C.R.C. PLAN APPROVED NOVEMBER 14, 1984
- PARKING: 1.5 SPACES PER UNIT (TOTAL 22.5 SPACES)
- PARKING PROVIDED: 22.5 (11 TOWNHOUSES - 55' x 175' x 16.25')
- ALL LOTS SHOWN HEREON ARE TO BE SOLD
- MAXIMUM BUILDING HEIGHT OF ANY STRUCTURE IS 55'
- ALL DENOTES LIGHT LOCATIONS
- 20' SIDE YARD SETBACK AND 10' FRONT YARD SETBACK ARE PROVIDED TO THE STREET RIGHT OF WAY E. BALTIMORE COUNTY
- ENVELOPES SHOWN HEREON ARE FOR LOCATION OF ALL PRINCIPLE BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTION 400 & 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS & APPLICABLE BUILD PERMITS)
- TYPICAL PARKING SPACE IS 9' x 11'
- THERE IS NO MAJOR VEGETATION ON THIS SITE
- NO GRADING WILL OCCUR WITH THE 100 YEAR FLOOD PLAIN
- OPEN SPACE PROVIDED (150' D.W. x 50' FT. / O.U.) = 2.06 AC ±
- OPEN SPACE PROVIDED (3.55 AC ± INCLUDING 1/2 OF 100 YR FLOOD PLAIN 3.00 AC ± (150' D.W. x 150' AC ±) REMAINING AREA 2.05 AC ±
- OPEN SPACE TO BE CONSERVED BY THE BRIGADOON HOMEOWNER ASSOCIATION.
- ALL DRIVEWAYS TO BE PAVED WITH MACADAM
- LANDSCAPE TREATMENT SHALL BE IN ACCORDANCE WITH LANDSCAPE MANUAL. MIN. TREES: 20' 1" TREE / O.U. UP 185' (MIN. 40' TO BE MAJOR DECIDUOUS). SEE LANDSCAPE PLAN FOR DETAILS
- REFUSE COLLECTED BY BALTIMORE COUNTY TWICE WEEKLY
- SEWERAGE TREATMENT PLANT WILL BE PROVIDED AND APPROVED BY THE O.P.Z.
- NO WINDOWS IN ENDS OF UNITS.
- NO WINDOWS IN ENDS OF UNITS.



**KIDDE CONSULTANTS INC.**  
ENGINEERS • ARCHITECTS • PLANNERS  
1200 BRIDGE ROAD TOWSON, MARYLAND 21284

Office of Planning and Zoning  
Approved by: \_\_\_\_\_  
Director of Planning  
Sealing Consultant: \_\_\_\_\_

**DEVELOPER**  
CHASE DEVELOPMENT CORPORATION  
HILTON OFFICE PLAZA  
PIKESVILLE, MARYLAND 21208  
TEL: 501-424-5100

**SECTION 9**  
LOTS 1-12  
CATONSVILLE MANOR  
PLAT # 1  
6/109

**SECTION 5**  
LOTS 1-12  
CATONSVILLE MANOR  
PLAT # 1  
6/109

**SECTION 2**  
LOTS 1-12  
CATONSVILLE MANOR  
PLAT # 1  
6/109

**SECTION 25**  
LOTS 1-6  
CATONSVILLE MANOR  
PLAT # 2  
6/116

**SECTION 25**  
LOTS 21-42  
CATONSVILLE MANOR  
PLAT # 2  
6/116

**ST. MARY'S STREET**

**PRINCE GEORGE STREET**

**PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING**

**1ST AMENDED NOTE:**  
REASON FOR AMENDMENT: REVISION TO GRADING REAR OF LOTS 100 THROUGH 110

**PETITIONER'S EXHIBIT**

**1ST AMENDED RESUBMISSION OF CATONSVILLE MANOR SECTION 25, LOTS 50 THRU 57 PLAT 1 6/116 AND SECTION 1, LOTS 1 THRU 71 PLAT 1 6/109**

**FINAL DEVELOPMENT PLAN for BRIGADOON**

18<sup>TH</sup> ELECTION DISTRICT  
SCALE: 1" = 50'

BALTIMORE COUNTY MARLAND  
MARCH 7, 1985

COUNCILMANIC DISTRICT #1  
WATERSHED 26

CENSUS TRACT 401.01  
SUBWATERSHED 03

#24

EAST DEN 15111

LDR

Visually, the impact of the berm is made harsh by the very poor condition of the grass and by the absence of trees, near the top of the slope. We recommend that the soil be amended with organic material, regraded and reseeded, and that additional trees, mostly evergreens, be planted along the slope below the crest to reduce the apparent height of the berm. A low timber retaining wall located along the rear property line of the townhouses would also improve the appearance of the space by establishing an edge at the toe of the slope. The wetness of the soil in the swale can be reduced by installing a subdrain. These recommendations are illustrated in the accompanying sketches.

Very truly yours,  
Land Design/Research, Inc.  
*John Bassett*  
John Bassett  
Associate  
JB/mjw  
Enclosure

Planning Urban Design  
Landscape Architecture  
Graphic Design  
Development Economics

PROTESTANT'S EXHIBIT

With regard to case #90-176-SPH to be heard on November 14, 1989, I, the undersigned, object to any amendment to change the original specifications of this area. The area in question is a common area belonging to the residents of the Brigadoon development and was set aside for recreational use and to complement the homes. Instead the area was never properly seeded or graded, has caused erosion and flooding and is an eyesore.

- 1. Peli Richard Hely, 13 Bonnie Dean Ct. Balto MD. 747-5428
2. ...
22. ...

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PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Handwritten note: Name of signee

Table with columns NAME and ADDRESS. Includes Harold Paris, Jr. and Benjamin Bronstein.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

Table with columns NAME and ADDRESS. Includes various protestant names and addresses.

LAW OFFICES EVANS, GEORGE AND BRONSTEIN

L. ROBERT EVANS, HARRIS JAMES GEORGE, BENJAMIN BRONSTEIN, MICHAEL J. CHOMEL, DOUGLAS A. STUBBS, WILLIAM R. LEVASSEUR, JR.

January 19, 1990

The Honorable Ann Nastarowicz, Deputy Zoning Commissioner for Baltimore County, County Office Building, Mail Stop 1108, Towson, Maryland 21204

Re: Your Case No.: 90-167SPH

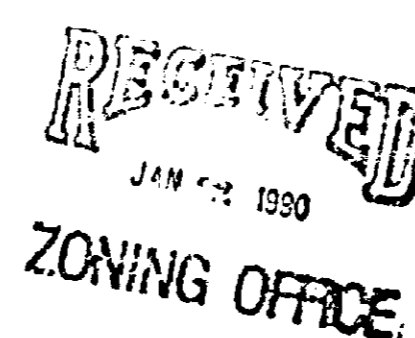
Dear Mrs. Nastarowicz:

The purpose of this letter is to bring you up to date on the negotiations with the Home Owners Association pertaining to the above entitled matter. I have enclosed a copy of a letter dated January 8, 1990 from Mr. King, President of the Association. It appears that we have been able to reach an amicable settlement.

The amended final development plan needs to be referred to the Planning Board. I will keep you posted as to further developments. Thank you for your kind patience and understanding.

Very truly yours, EVANS, GEORGE & BRONSTEIN Benjamin Bronstein

BB/mlh Enclosure cc: Mr. Harold Paris, Jr., Mr. Edward G. King, President



BRIGADOON HOME OWNERS ASSOC. P.O. BOX 1162; Cockeysville, MD 21030



EVANS, GEORGE & BRONSTEIN

BRIGADOONJOINT VENTURE P.O. BOX 1422 ELLICOTT CITY, MARYLAND 21043

ATTN: HAROLD PARIS JR.

SUBJECT: PLAN FOR CHANGE TO HILL BEHIND BLDG M REFERENCE: LDR PROJECT NO. 10054.00, DWS DATED 12/6/89

DEAR HAROLD,

I HAVE REVIEWED YOUR LATEST PLAN FOR THE CHANGE TO THE SUBJECT HILL WITH OTHER MEMBERS OF THE ASSOCIATION AND WE FIND IT ACCEPTABLE WITH THE FOLLOWING MINOR COMMENTS (WHICH WERE MADE AT OUR EARLIER MEETINGS WITH YOU):

- 1. ANY EXISTING PRIVATE PROPERTY DISTURBED OR DAMAGED DURING THE WORK REFERENCED WILL BE RETURNED TO ITS PREVIOUS CONDITION.
2. AFTER REMOVAL OF THE TCF 12" OF THE BERM THE TOP OF THE BERM WILL BE LEVELED TO THE MAXIMUM EXTENT PRACTICAL TO MAKE THIS COMMON AREA USEABLE SPACE FOR THE BENEFIT OF THE RESIDENTS.
3. THE WORK DESCRIBED WILL BE COMPLETED BY APRIL 30, 1990 (WEATHER PERMITTING).

IN CLOSING, WE WISH TO THANK YOU FOR THE PROMPT AND PROFESSIONAL MANNER IN WHICH YOU HANDLED THIS MATTER AND ARE LOOKING FORWARD TO SEEING THE FINISHED PRODUCT IN THE SPRING.

BEST WISHES TO YOU AND YOURS FOR THE NEW YEAR.

SINCERELY, BRIGADOON H.O.A. EDWARD G. KING, PRES.

Accepted Brigadoon Joint Venture By: Harold Paris, Jr.

Since we have not received the final okay from the County, it is possible that the work may not be completed by 4/30/1990. We add that one additional condition.

Serving The Home Owners of Brigadoon and The Clans of Joppatowne Baltimore, Maryland 21080