

IN RE: PETITION FOR SPECIAL HEARING
N/S Lyons Mill Road, 1550' E
and Opp. Kings Point Road
2nd Election District
2nd Councilmanic District
Watts Road Land Limited Part.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-189-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to determine whether a neighborhood planned unit development (PUD) could incorporate a tract of land on which improvements have either been constructed or construction has commenced pursuant to existing zoning regulations and, if permitted, a determination as to whether the approved PUD zoning regulations would govern development of the entire tract or tracts of land then included in the PUD, all as more particularly described herein and as depicted in Petitioner's Exhibit 1.

The Petitioners, Watts Road Land Limited Partnership, Legal Owner, and NV Crown Limited Partnership, Developer, by Joh. W. Shilling, Jr., General Partner, appeared, testified, and were represented by Jeffrey H. Scherr, Esquire and Seth M. Rotenberg, Esquire. Also appearing on behalf of the Petition were David S. Thaler, Engineer with D.S. Thaler & Associates, Inc., and Fred Eisenhardt. Phyllis Friedman, Esquire, appeared on behalf of People's Counsel. Appearing as interested parties were Howard J. Dillon and M. Grant Lauderbach, nearby property owners.

Testimony indicated that the subject property is a 600-acre tract of land in the Owings Mills area located off of Lyons Mill, Liberty, Deer Park and Dolfield Roads and is proposed for use as a neighborhood planned

unit development known as "The Villages of Lyonsfield Run" hereinafter referred to as the "PUD".

Testimony indicated that prior to Petitioners purchase of the property in January 1988, approximately 189.32 acres of the tract received CRG approval, as evidenced by Petitioner's Exhibit 1. Petitioners are desirous of commencing development of Sections 1A and 1B as set forth in Petitioner's Exhibit 1, pursuant to the CRG approval, and of subsequently incorporating Sections 1A and 1B into the PUD. Petitioners testified Section 1A consists of 22 acres and is proposed to be developed with 88 townhomes with garages and Section 1B, which consists of 26.7 acres more or less, will be developed with 85 townhomes with garages and 58 townhomes without garages. The proposed development of Sections 1A and 1B would be in compliance with the approved CRG plan and the existing Baltimore County Zoning Regulations (B.C.Z.R.). At issue is whether or not Petitioners may develop the two sections and subsequently incorporate said sections into the PUD.

To support Petitioners request, Petitioners referred to the Declaration of Findings relative to planned unit developments as set forth in the B.C.Z.R., Section 430.1.A.1.d. Said regulations state that:

"The creation of diversified, well-planned and designed large integral developments is of such importance to the public interest that establishment of liberal regulations especially applicable to such development is justified if the County retains and exercises special discretionary authority to control such development..." Petitioners emphasized the use of the words "establishment of liberal regulations" and argued that to interpret the PUD regulations to apply only in the use of undeveloped land would frustrate the intent of the regulations and would result in the County categorically foregoing any PUD that sought to incorporate developed and undeveloped land. To do so Peti-

tioners contend would undermine the intended flexibility of the PUD regulations. As Petitioners noted, nothing in the B.C.Z.R. expressly prohibits the development of a PUD composed in part on developed land on which there exists structures and undeveloped land. The challenge will be upon Petitioners to present a plan that will both meet the required approval process for the PUD and incorporate the developed or partially developed tracts, Sections 1A and 1B, into the plan. Failure of Petitioners to do so will require Petitioners to choose either not to follow through with the PUD and/or deleting Sections 1A and 1B from the PUD approval process. Petitioners believe Sections 1A and 1B are not crucial to the development of the remaining acreage as a PUD and may be deleted if necessary.

Ms. Friedman on behalf of People's Counsel, stated she agrees that there is no legal impediment in the inclusion of Sections 1A and 1B provided said Sections meet the design standards and requirements of the overall Master covenants of the PUD. It was noted that the practicality of Petitioners' ability to do so could become more complicated if the PUD application and approval process is not completed prior to the actual selling of the townhomes proposed for Sections 1A and 1B.

After due consideration of the testimony and evidence presented and the legal memorandum submitted by Petitioners, in the opinion of the Deputy Zoning Commissioner, the neighborhood planned unit development may incorporate a tract of land on which improvements have been constructed or construction has commenced pursuant to the zoning regulations in effect at that time. However, the tract of land on which the improvements exist must comply with the approved PUD and the PUD's zoning regulations.

Pursuant to the advertisement, posting of the property, and public

hearing on this Petition held, and for the reasons stated above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of January, 1990 that the Petition for Special Hearing to determine that a neighborhood planned unit development (PUD) may incorporate a tract of land on which improvements have been constructed or construction has commenced pursuant to existing zoning regulations, and that the approved PUD zoning regulations will govern development of the entire tract or tracts of land then included in the PUD which would supercede the zoning regulations at the time of PUD approval, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permit 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.

2) The relief granted herein is contingent upon the tract of land simultaneously meeting all the requirements of the approved PUD authorization and the PUD zoning regulations as thereafter adopted.

3) The requirements of Section 1801.3.A.7(a) and (b) of the B.C.Z.R. shall apply and not be affected by private agreements. Compliance with Section 1801.3.A.7 (a) and (b) must be accomplished prior to or concurrent with any PUD approval. With regard to compliance with all zoning regulations, Petitioners are advised that the Zoning Commissioner's Office does not recognize nor do the regulations address any waiver and/or assignments of rights by purchasers.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

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 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a neighborhood planned unit development ("PUD") incorporating a tract of land on

which improvements have been commenced or constructed pursuant to existing zoning regulations, and if so, whether the approved PUD zoning regulations would govern development of the entire tract or tracts of land then included in the PUD.

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: Partnership
NR Development, Inc. (General Partner)
By: April L. Young, Senior Vice President
(Type or Print Name)
Signature
7601 Lewisville Road, Suite 301
Address
McLean, Virginia 22102
City and State
Attorney for Petitioner:
Jeffrey H. Scherr, Esquire
(Type or Print Name)
Signature
20 South Charles Street, 6th Floor
Address
Baltimore, Maryland 21201
City and State
Petitioner's Telephone No.: (301) 752-6030

Legal Owner(s): Watts Road Land Limited Partnership
By: NR Development, Inc. (General Partner)
By: April L. Young, Senior Vice President
(Type or Print Name)
Signature
2326 West Joppa Road
Address
Lutherville, Maryland 21093
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Jeffrey H. Scherr, Esquire
Name
20 South Charles Street, 6th Floor
Address
Baltimore, Maryland 21201
City and State
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 22 day of Sept 1989, 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 had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 22 day of Nov 1989, at 2:30 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

August 1, 1989

DESCRIPTION OF SECTION 1A OF THE VILLAGES OF LYONSFIELD RUN FOR SPECIAL HEARING

Beginning for the same at a point which is 1580 feet, more or less, easterly along the center line of Lyons Mill Road from its intersection with the center line of Kings Point Road thence, the following 9 courses and distances:

1. North 0° 54' 39" East 626.60 feet to a point;
2. North 84° 42' 01" West 207.42 feet to a point;
3. North 05° 45' 46" East 250.00 feet to a point;
4. North 85° 35' 15" East 1060.08 feet to a point;
5. 451.56' by a curve to the left having a radius of 700.00 feet, and a chord of S25° 34' 16" East 443.77 to a point;
6. South 44° 03' 01" East 170.05 feet to a point;
7. South 47° 48' 41" West 483.64 feet to a point;
8. South 71° 48' 41" West 264.00 feet to a point;
9. South 85° 59' 36" West 631.32 feet to a point of

beginning containing 21.82 acres more or less.



July 27, 1989

DESCRIPTION OF A PORTION OF THE VILLAGES LYONSFIELD RUN FOR SPECIAL HEARING

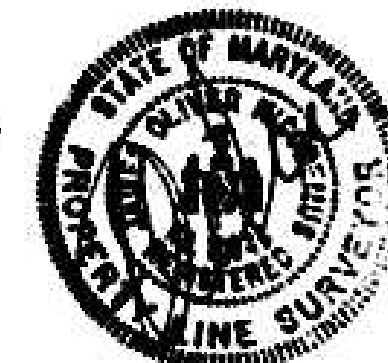
Beginning for the first at a point which is 120 feet, more or less, southeasterly along the centerline of Dolfield Road from its intersection with the centerline of Deer Park Road; thence, the following 43 courses and distances:

1. South 86° 41' 37" East 1662.65 feet to a point;
2. South 83° 34' 50" East 662.88 feet to a point;
3. North 45° 48' 56" East 1321.83 feet to a point;
4. North 16° 16' 50" West 670.18 feet to a point;
5. North 15° 44' 34" East 141.48 feet to a point;
6. South 88° 10' 28" West 1171.75 feet to a point;
7. North 31° 49' 58" West 76.09 feet to a point;
8. North 88° 09' 38" East 758.73 feet to a point;
9. North 41° 23' 39" East 490.68 feet to a point;
10. South 50° 35' 23" East 1577.13 feet to a point;
11. South 39° 25' 02" West 199.71 feet to a point;
12. South 50° 35' 26" East 296.18 feet to a point;
13. North 33° 26' 20" East 200.80 feet to a point;
14. South 50° 35' 23" East 1129.73 feet to a point;
15. South 32° 08' 37" West 1356.67 feet to a point;
16. South 71° 37' 21" East 290.50 feet to a point;
17. South 70° 33' 34" East 871.20 feet to a point;
18. South 00° 02' 56" East 660.04 feet to a point;
19. South 50° 41' 19" East 304.27 feet to a point;
20. South 60° 03' 41" West 759.00 feet to a point;
21. South 78° 03' 41" West 346.50 feet to a point;

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Description of a portion of Lyonsfield Run
July 27, 1989

22. South 47° 48' 41" West 488.40 feet to a point;
23. South 71° 48' 41" West 264.00 feet to a point;
24. South 85° 59' 36" West 631.32 feet to a point;
25. North 04° 54' 39" East 626.69 feet to a point;
26. North 84° 42' 01" West 207.42 feet to a point;
27. North 05° 45' 46" East 250.00 feet to a point;
28. North 71° 01' 57" West 1578.76 feet to a point;
29. South 08° 41' 41" East 553.28 feet to a point;
30. South 86° 01' 31" West 543.17 feet to a point;
31. South 00° 21' 40" West 2182.38 feet to a point;
32. South 85° 38' 27" West 625.00 feet to a point;
33. North 04° 21' 33" West 723.00 feet to a point;
34. South 83° 45' 13" West 756.81 feet to a point;
35. North 59° 06' 24" West 444.18 feet to a point;
36. North 06° 54' 40" East 83.79 feet to a point;
37. North 04° 48' 52" East 32.27 feet to a point;
38. North 77° 37' 26" East 319.94 feet to a point;
39. North 12° 11' 05" West 149.97 feet to a point;
40. South 77° 34' 21" West 298.64 feet to a point;
41. North 20° 59' 32" West 216.06 feet to a point;
42. North 19° 27' 50" West 767.87 feet to a point;
43. North 21° 21' 19" East 1114.32 feet to the point of beginning.

Containing 307.37 acres of land, more or less.



ANDREW JAY GRAHAM
JAMES M. KRAMON
LEE W. OGBURN
JEFFREY H. SCHERR
NANCY E. GREGORY
JAMES P. ULWICK
PHILIP M. ANDREWS
DEBORAH C. BARTLE
MARILYN MOFF F. BISHOP
MAX HIGGINS LAUTEN
PAUL S. TETTERBAUM
KATHLEEN A. BIRNBAE
KEVIN F. ARTHUR
ARON L. RUSKAS
SETH M. ROTENBERG

LAW OFFICES
KRAMON & GRAHAM, P.A.
SUN LIFE BUILDING
CHARLES CENTER
20 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 782-6030
FACSIMILE
(301) 539-1269

BEL AIR OFFICE
THE CHMORTON PROFESSIONAL BUILDING
207 LAUREL BUSH ROAD
BEL AIR, MARYLAND 21034
(301) 878-8040
(301) 838-9090
FACSIMILE
(301) 838-9208

November 20, 1989

RECEIVED
NOV 21 1989
ZONING OFFICE

Ms. Ann Nastarowicz
Deputy Zoning Commissioner
Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Special Hearing
Item No. 43
Case No.: 90-189-SPH

Dear Ms. Nastarowicz:

Enclosed is a memorandum in support of petition for special hearing on inclusion of land on which improvements have been commenced as a portion of a PUD, in preparation for the above-referenced hearing on Wednesday, November 22.

Thank you very much.

Sincerely,

Seth M. Rotenberg
Seth M. Rotenberg

SMR:ctg
Enclosures

cc: NVR Crown Limited Partnership
Mr. John W. Shilling, Jr. (via telecopy)
Mr. Fred Eisenhart (via telecopy)
David S. Thaler, P.E., L.S. (via telecopy)
Mr. F. David Fields
(hand delivery/memorandum without exhibits)
J. Robert Haines, Esquire
(hand delivery/memorandum without exhibits)
Mr. James E. Dyer
(hand delivery/memorandum without exhibits)
Phyllis C. Friedman, Esquire
(hand delivery/memorandum without exhibits)

DATE: November 20, 1989

TO: Ann Nastarowicz, Deputy Zoning Commissioner with copies to Mr. P. David Fields, J. Robert Haines, Esquire, Mr. James E. Dyer and Phyllis C. Friedman, Esquire

FROM: Jeffrey H. Scherr and Seth M. Rotenberg, Attorneys for Petitioner

Re: Item No. 43, Case No. 90-189-SPH Petitioner: Watts Road Land Limited Partnership Petition for Special Hearing

MEMORANDUM IN SUPPORT OF PETITION FOR SPECIAL HEARING ON INCLUSION OF LAND ON WHICH IMPROVEMENTS HAVE BEEN COMMENCED AS A PORTION OF A PUD

FACTS

Watts Road Land Limited Partnership owns a tract of land in Owings Mills as shown on the map attached hereto as Exhibit A. Pursuant to § 430 of the Baltimore County Zoning Regulations (hereinafter "BCZR"), NVR Crown Limited Partnership (hereinafter, "NVR Crown"), intends to develop that tract as a Neighborhood Planned Unit Development called "The Villages of Lyonsfield Run" (hereinafter the "PUD"). Watts Road Land Limited Partnership and NVR Crown are hereinafter collectively referred to as "Petitioners". On November 1, 1989, County Review Group (hereinafter "CRG") approval was obtained for the development of the two tracts of land designated as Subsections 1A and 1B on Exhibit A. A copy of the approved CRG Plan is attached hereto as Exhibit B. NVR Crown desires to begin development of Subsections 1A and 1B pursuant to the CRG

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15/s:Ham-Sup-Pet

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approval and subsequently to incorporate Subsections 1A and 1B into the PUD. After incorporation of Subsections 1A and 1B into the PUD, NVR Crown intends to construct an additional structure or structures thereon, if the PUD authorization so permits.

ISSUE

Whether tracts of land on which development has begun pursuant to CRG approval can be incorporated into a PUD and thereafter governed by approved PUD zoning regulations.

ANALYSIS

BCZR § 102.2 states:

No yard or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use.

While this section might initially appear to prohibit the incorporation of Subsections 1A and 1B into the PUD, the Baltimore County Zoning Regulations, as correctly construed, mandate a contrary conclusion.

The Declaration of Findings relating to Unit Developments (BCZR § 430.1.A.1.d) states that

the creation of diversified, well planned and designed integral developments is of such importance to the public interest that establishment of liberal regulations especially applicable to such development is justified if the County retains and exercises special discretionary authority to control such development . . .

(Emphasis added).

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15/s:Ham-Sup-Pet

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Furthermore, it has been repeatedly recognized that a key benefit PUDs afford is a flexible approach to design and development. See, e.g., BCZR § 430.1.A.1 ("procedures and regulations under which land development is permitted as of right necessarily limit development opportunities, inhibit designing flexibility, and, often, preclude optimum land-planning solutions to complex development problems"); Chanay v. Village 2 at New Hope, Inc., 429 Pa. 626, 241 A.2d 81, 87 (1968) ("One of the most attractive features of Planned Unit Development is its flexibility; the chance for the builder and the municipality to sit down together and tailor a development to meet the specific needs of the community and the requirements of the land on which it is to be built"); 4 A.M. Rathkopf & D. A. Rathkopf, The Law of Planning and Zoning § 63-1 (1986) (recognizing that planned unit developments permit a level of flexibility not present in conventional as-of-right development; C. G. Moore & C. Siskin, PUD in Practice 24 (1985) ("One of the primary advantages of the PUD process is the flexibility it provides developers, both in developing initial plans and in changing those plans to respond to changing conditions or market forces").

If these liberal regulations applied only when virgin land were available, then the County would categorically forego any PUD that sought to incorporate developed land. Obviously, such a hypertechnical construction would undermine the intended

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15/s:Ham-Sup-Pet

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breadth and flexibility of the PUD regulations. Moreover, in many instances that hypertechnical construction would cause the County to forfeit the benefits derived from PUDs. See BCZR § 430.1.A.1.b (recognizing that conventional zoning often fails to provide "the full range of nonresidential uses that may be desirable to service residential development").

Furthermore, BCZR § 102.2 certainly contemplates routine rezoning. In such rezoning, however, new regulations effectively supercede the old ones. Likewise, therefore, it is consistent with BCZR § 102.2 that new PUD regulations should be able to effectively supercede prior regulations, such as those relating to CRG approval.

Yet, even assuming BCZR § 102.2 injects some ambiguity into the PUD regulations, where statutory language is of doubtful meaning, the statute must be read in context and in relation to all its provisions. Atlantic Richfield Co. v. Sybert, 295 Md. 347, 361-62, 456 A.2d 20 (1983). It would frustrate the legislative mandate favoring PUD development (e.g., BCZR § 430.1.A.1.d) if BCZR § 102.2 were construed to preclude from incorporating Subsections 1A and 1B into the PUD. Construing BCZR § 102.2 to preclude the incorporation of Subsections 1A and 1B into the PUD would effectively ignore the interrelationship between the PUD regulations and the general provision in BCZR § 102.2.

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15/s:Ham-Sup-Pet

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Additionally, the PUD regulations (enacted in 1970) were enacted after BCZR § 102.2 (enacted in 1955). Therefore, the BCZR § 102.2 must be construed in conjunction with the PUD regulations. Department of Natural Resources v. France, 277 Md. 432, 357 A.2d 78 (1976). In that case the court held that

[w]here the statutory provisions are neither irreconcilable nor mutually repugnant, they should be construed in harmony with their respective objects and tenor... This principle is applicable even though the statutes were passed at different times and contain no reference to each other.

Id. at 461 (Emphasis added.)

Thus, BCZR § 102.2 cannot be construed so as to limit the flexibility mandated by the PUD regulations, which were enacted subsequently.

Finally, nothing in the Baltimore County Zoning Regulations expressly prohibits the development of a PUD comprised in part of land on which there exist structures constructed pursuant to conventional, as-of-right development procedures. Had the County Council intended to prohibit development of a PUD comprised in part of such land, the PUD regulations would expressly so stated. Compare Lutz v. City of Longview, 83 Wash.2d 566, 520 P.2d 1374, 1378 (1974) (discussing PUD ordinance that expressly limited PUD development to "undeveloped tracts of land") (Emphasis added). Consequently, absent any express prohibition on PUDs incorporating developed tracts, one can only infer that the Baltimore County Zoning Regulations

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15/s:Ham-Sup-Pet

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permit the development of PUDs comprised in part of developed land. See also DuPont Circle Citizens Association v. District of Columbia Zoning Comm'n, 355 A.2d 550 (D.C.), cert. denied, 429 U.S. 966 (1976) (upholding approval of a PUD that incorporated buildings that had been constructed at different times, by different individuals, and for disparate purposes).

As additional reason for granting the relief requested herein becomes apparent in view of the minimum area requirements for a neighborhood PUD (at least 250 acres or land sufficient to accommodate 2000 density units). While many jurisdiction have low, or no, minimum acreage requirements (PUDs in Practice, Supra, 14), Baltimore County's minimum area requirements entail an enormous financial commitment in order to assemble a tract of adequate size.

Moreover, unlike piecemeal development, PUD development ordinarily does not permit developers to finance the approval process for projects using profits obtained from the development of previous parcels from the same assemblage of properties. Consequently, PUD approval and development requires planning of a more intensive and costly nature than does piecemeal development. Many developers faced with the economic and administrative hurdles of developing a PUD would opt for the path of least resistance and pursue projects that would not entail additional expense or constant monitoring and cooperation with changing county agencies and personnel.

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15/s:Ham-Sup-Pet

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If Petitioner pursues the PUD, construction on Subsections 1A and 1B must commence expeditiously so that revenue may be generated as soon as reasonably possible. This is not merely a matter of Petitioner's financial convenience; rather, this is a matter of prudent land development. Real estate projects should justify themselves in financial terms. Thus, by granting the relief requested herein, the County will encourage prudent real estate development not only in this case but in other, similar cases as well.

In no respect will the granting of the relief requested compromise the quality of the PUD as a successful, well-integrated community offering advantages unavailable through the conventional development process. Though final PUD designs have not been made, Subsections 1A and 1B will be an integral part of the PUD as the first phase of development of the entire tract. These Subsections will enjoy the same ready access to the village center as will other neighborhoods in the PUD. All covenants applicable to the property as a whole will be equally applicable to Subsection 1A and 1B. Similarly, residents of Subsections 1A and 1B will be subject to any assessments imposed upon all residents of the PUD and will enjoy the recreational amenities made possible by those assessments. Architectural detailing and "street furniture" will be consistent throughout the PUD, including Subsection 1A and 1B. After approval of the Authorization Plan, any changes proposed within those

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15/s:Ham-Sup-Pet

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Subsections would be scrutinized using the framework developed by the Zoning Commission for distinguishing between major and minor change.

In sum, Subsections 1A and 1B will be a part of the PUD. They will be incorporated as part of the Authorization Plan submitted to Baltimore County for approval. The only respect in which they differ from other subparts of the PUD is that initial development of Subsections 1A and 1B will proceed according to conventional development regulations. Surely the PUD regulations are flexible enough to allow this one distinction.

Therefore, for this reason and for all of the foregoing reasons Petitioner request a ruling that, under the Baltimore County Zoning Regulations, land developed pursuant to CRG approval may be incorporated into a PUD.

Respectfully submitted,

Jeffrey H. Scherr
Jeffrey H. Scherr

Seth M. Rotenberg
Seth M. Rotenberg

Kramon & Graham, P.A.
Kramon & Graham, P.A.
Sun Life Building
Charles Center
20 South Charles Street
6th Floor
Baltimore, Maryland 21201
(301) 752-6030

Attorneys for Petitioners

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15:ra:Rev-Sup-Pet

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CERTIFICATE OF PUBLICATION

Pikesville, Md., Nov. 1 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 2nd day of Nov 1989

the first publication appearing on the 1st day of Nov 1989
the second publication appearing on the 4th day of Nov 1989
the third publication appearing on the 1st day of Nov 1989

THE NORTHWEST STAR

Jon Buch
Manager

Cost of Advertisement 32.40

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
DAVID S. THALER	2115 AMBASSADOR RD. BALT. MD. 21207
JOHN W. SHILLING, JR.	2324 N. JUPITER ROAD #330 LUTHERVILLE, MD. 21093
JEFFREY H. SCHERR	KRAMON & GRAHAM, P.A. SUN LIFE BLDG. - 6TH FL. BALT. MD. 21201
FRED EISENHART	7125 AMBASSADOR RD. BALT. MD. 21207
SETH M. ROTENBERG	KRAMON & GRAHAM, P.A. SUN LIFE BLDG. - 6TH FL. BALT. MD. 21201
Phyllis C. Friedman	People's Counsel

CERTIFICATE OF POSTING

90-189-SPH
ZONING DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

District: 2nd Date of Posting: November 1, 1989
Posted for: Special Hearing
Petitioner: Watts Road Land Limited Partnership
Location of property: N/S Lyons Mill Rd., 1550' E of & opposite Kings Point Rd., 2nd Election District - 2nd Councilmanic
Location of sign: North Side Lyons Mill Rd., opposite 300' East of Kings Point Rd.
Remarks: S. J. Grata
Posted by: S. J. Grata Date of return: November 3, 1989
Number of Signs: 1

PLEASE PRINT CLEARLY

PLEASE PRINT CLEARLY
PUBLICATION SIGN-IN SHEET

NAME	ADDRESS
Howard J. Dillon	9534 Lyons Mill Rd., Owings Mills
W. Grant Lauterbach	9532 Lyons Mill Rd., Owings Mills

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 2 1989

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 Nov 1 1989

THE JEFFERSONIAN,

S. Zake Olson
Publisher

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
N/S Lyons Mill Rd., 1550' E of & : OF BALTIMORE COUNTY
Opposite Kings Point Rd. :
(PUD - Lyonsfield Run, Sections :
1A & 1B) :
2nd Election District :
2nd Councilmanic District :
WATTS ROAD LAND LIMITED : Case No. 90-189-SPH
PARTNERSHIP, Petitioner :
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

RECEIVED
OCT 31 1989
ZONING OFFICE

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
887-2188

I HEREBY CERTIFY that on this 30th day of October, 1989, a copy of the foregoing Entry of Appearance was mailed to Jeffrey H. Scherr, Esquire, 20 S. Charles St., 6th Floor, Baltimore, MD 21201; and April L. Young, Senior Vice-President, NV Crown Limited Partnership, 7601 Levineville Rd., Suite 301, McLean, VA 22102, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 11/7/89

NV Crown Limited Partnership
c/o NV Development, Inc.
7601 Levineville Road, Suite 301
McLean, Virginia 22101

ATTN: APRIL L. YOUNG

Re: Petition for Special Hearing
CASE NUMBER: 90-189-SPH
N/S Lyons Mill Road, 1550' E of & opposite Kings Point Road
(PUD - Lyonsfield Run, Sections 1A and 1B)
2nd Election District - 2nd Councilmanic
Legal Owner(s): Watts Road Land Limited Partnership
Contract Purchaser(s): NV Crown Limited Partnership
HEARING: WEDNESDAY, NOVEMBER 22, 1989 at 9:30 a.m.

Please be advised that \$ 137.56 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R001-6150
Number

receipt
No 395

90-189-SPH

Date 11/22/89 MY000111
PUBLIC HEARING FEES QTY PRICE
080 - POSTING SIGNS & ADVERTISING : X \$137.56
LAST NAME OF OWNER: WATTS ROAD LAND TOTAL: \$137.56
B 8 D18*****13756:a =224F

Cashier Validation:

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

October 13, 1989

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 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland at follows:

Petition for Special Hearing
CASE NUMBER: 90-189-SPH
N/S Lyons Mill Road, 1550' E of & opposite Kings Point Road
(PUD - Lyonsfield Run, Sections 1A and 1B)
2nd Election District - 2nd Councilmanic
Legal Owner(s): Watts Road Land Limited Partnership
Contract Purchaser(s): NV Crown Limited Partnership
HEARING: WEDNESDAY, NOVEMBER 22, 1989 at 9:30 a.m.

Special Hearings To approve a neighborhood planned unit development ("PUD") incorporating a tract of land on which improvements have been commenced or constructed pursuant to existing zoning regulations and if so, whether the approved PUD zoning regulations would govern development of the entire tract or tracts of land then included in the PUD.

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.

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3301 to confirm hearing date.)

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

JRHggs
cc: April L. Young
Jeffrey H. Scherr, Esq.
File

SHA Maryland Department of Transportation
State Highway Administration

RECEIVED
AUG 16 1989

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

Re: Baltimore County
Village of Lyonsfield
Run
Zoning Map of 8-15-89
N/S Lyons Mill Road (MD 26)
at Lyons Mill Road
(Item 083)

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve a neighborhood planned unit development ("PUD") incorporating a tract of land on which improvements have commenced or constructed pursuant to existing zoning regulations and if so, whether the approved PUD zoning regulations would govern development of the entire tract or tracts of land then included in the PUD, we have the following comments:

We have forwarded this plan to our Traffic Engineering Section for their comment relative to this special hearing. We will provide you with their comments when they are received.

Also, we will require four additional copies of this plan for review by our various Departments concerning future right of way needs along Liberty Road and any possible traffic impact to Liberty Road created from this zoning change.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

James J. Miller, Jr.
James J. Miller, Jr., Chief
Engineering Access Permits
Division

LB:mas

cc: Mr. Darrell Wiles
Ms. B. Ostrom (w-attachment)
Mr. Robert Lambdin
Mr. J. Ogile
D.S. Thaler & Assoc., Inc.

My telephone number is (301) 333-1350 (Fax 833-1041)

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-7688
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: November 9, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 90-189-SPH
Watts Road Land Limited Partnership, Item 43

The Petitioner is requesting a Special Hearing to determine if development on "which improvements have been commenced or constructed" pursuant to existing Zoning Regulations, can be integrated into a planned development.

In reference to this request Staff provides the following information:

The purpose and intent of excluding 'developed tracts' planned unit developments are quite obvious. Within the development of findings (Sec. 430-1 A.1.a-f. and Sec. 430-1 A.2) a great deal of wordings is dedicated to the underlying precepts of why planned developments are desirable. Developed tracts which 1) have been developed according to existing zoning and development regulations, not reflect, integrated, innovative or inventive design; and blending of design (building, streets, site layout, etc.) achieved like the P.U.D. concept of a unified cohesive village are the primary reasons why 'developed tracts' are not included within planned unit developments.

The development of Lyonsfield Run (Sections 1-A and 1-B) shown on the Petitioner's exhibit as townhouse projects. The project received CRG approval on 11/1/89. The Sections have not been developed. The area is currently waiting for sewer hook-up from an adjoining tract.

The townhouse development shown on the Petitioner's exhibit has not been constructed and the site layout is standard for a development. The site is not innovative and does not reflect 'higher' than normal standards. How the existing site layout is integrated into the P.U.D. cannot be determined at this point.

Based upon the analysis conducted and information provided, the following recommendations are made regarding the Petitioner's request in this petition:

Case No. 90-189-SPH: 1) the minor percentage of area developed; 2) the integration of the developed tract (roads, site design) into the proposed planned unit development; and 3) the small size of the developed tract, subject to the following:

- The landscape plan, the architectural elevations, the building styles and materials for townhouses shall be revised to integrate with the villages of Lyonsfield Run.
- The sign program for the developed tract shall be revised to integrate (similar materials design, etc.) with the villages of Lyonsfield Run.
- It shall be demonstrated that the 1) road system, 2) space areas, and 3) general site layout of the developed tract blends harmoniously and is integrated as a key component of the Villages of Lyonsfield Run.

All of these conditions as reflected in building elevations and drawings should be reviewed and approved by the Director, Office of Planning and Zoning prior to the Zoning Commissioner granting favorable approval of this request (if deemed appropriate).

- The tract should be required to meet any of the higher standards that result from planned unit development approval. These standards might include affordable housing, open space, innovative design, etc., provision of buffer yards in lieu of existing residential transition areas. This area should be subject to the same level of review as the planned unit development and brought up to whatever standards are deemed appropriate for the planned unit development.
- No transfer of unused density from Lyonsfield Run Sections 1-A and 1-B shall be allowed into the P.U.D.

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

PK:cpl
2P90189S

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

RECEIVED
SEP 14 1989

September 5, 1989 ZONING OFFICE

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

Item No. 43
Property Owner:
Contract Purchaser:
Location:

Existing Zoning:
Proposed Zoning:

Are:
District:

Dear Mr. Haines:

There are several transportation questions about this site, that have not been answered, but can be handled at the time of the C.R.G. Hearing.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lw

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500
Paul H. Rotchen
Chief

AUGUST 10, 1989

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

RE: Property Owner: WATTS ROAD LAND LIMITED PARTNERSHIP
Location: NS LYONS MILL ROAD
Item No.: 43
Gentlemen: Zoning Agenda: AUGUST 15, 1989

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.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Jeffery Long* Noted and Approved *Paul H. Rotchen*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

LAW OFFICES
KRAMON & GRAHAM, P.A.

SUITE 200
20 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 762-6000
FACSIMILE
(301) 739-1269

November 28, 1989

ALLISON JAY GRAMANT
JAMES M. KRAMON
LEAH M. DOBSON
JEROME H. SCHERER
NANCY E. GREGORY
JAMES E. LEE
PAUL M. ANDREWS
GERTRUDE C. DARTY
MARILYN HOPE FISHER
MARK HIGGINS LAUTENT
PAUL S. TETLEBAUM
PATRICIA A. BIRNBAUM
REVINT ARTHUR
ANDREW RABIN
SEYMOUR ROTENBERG
ALSO: JENNIFER
KRAMON
KRAMON
KRAMON

BY HAND DELIVERY

Ms. Ann Nastarowicz
Deputy Zoning Commissioner
Office of Planning and Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Special Hearing Case No. 90-189-

Dear Ms. Nastarowicz:

As per your request, enclosed is a copy of the Development Plan for Subsections 1 A and 1 B referred to in the Special Hearing.

If you should need any additional documentation, please do not hesitate to contact me. Thank you.

Sincerely yours,

Seth M. Rotenberg
Seth M. Rotenberg

SMR:cif

Enclosure

cc: Mr. John W. Shilling, Jr. (without enclosure)
Mr. Fred L. Eisenhart, Jr. (without enclosure)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: ANN M. NASTAROWICZ
Deputy Zoning Commissioner

DATE: December 14, 1989

FROM: W. Carl Richards
Zoning Coordinator

SUBJECT: Petition for Special Hearing
N/S Lyons Mill Road
1550' E and Opposite Kings Point Road
2nd Election District - 2nd Councilmanic District
Watts Road Land Limited Partnership - Petitioners
Case No. 90-189-SPH

The following comments are offered in response to your concern regarding the above-captioned project.

The wording of the Petition is somewhat misleading to the PUD approval is requested when in fact, as anticipated and as the hearing indicates, the Petitioners desire there to be no conflict with the B.C.Z.R. which will be superseded by the applicable Lyons Field Run regulations when the previously approved Sections 1A and 1B are incorporated into the PUD. Presumably, the as yet to be determined conditions, restrictions, and regulations that will be incorporated into the PUD regulations will differ from the B.C.Z.R. that would be enforced until the overall PUD is approved. Simply stated, should the PUD be approved, including the previously approved Sections 1A and 1B, Petitioners want any borrowed significance or conflict with the B.C.Z.R. when regulations are superseded by the zoning regulations adopted and applied with the PUD.

I see no conflict with proceeding with the development of the approved Sections as indicated on the approved Final Development Plan. Further, I do not see any inherent or automatic conflicts with the integration or blending of the existing Sections 1A and 1B into the overall PUD subject to zoning approval, including a regulatory change from the B.C.Z.R. to the zoning regulations adopted with the PUD. However, testimony indicated that subject to overall PUD approval, there would be changes to the existing approved Sections. If these changes are proposed within 300 feet of a lot or building sold since the original PUD approval, the requirements of Section 1801.3A.7(a) and (b) of the B.C.Z.R. would apply and could be processed separately or concurrently with the PUD approval.

This requirement shall be unaffected by any reserved power of attorney by the developer/owner or any other method of waiving the notification rights for all affected owners. Also, notwithstanding the

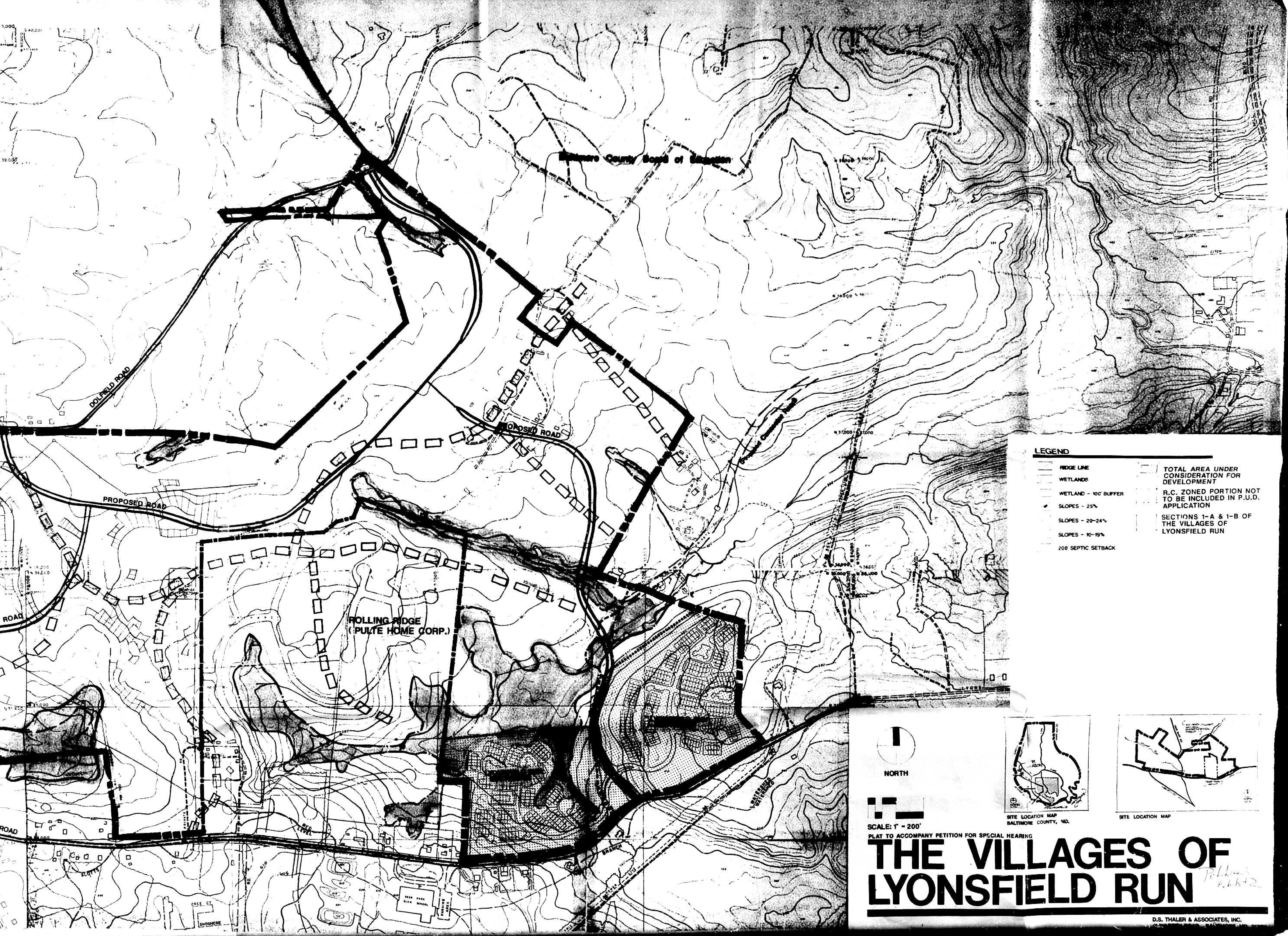
proximity requirement, all sales of a lot or building in Sections 1A and 1B prior to the final approval of the overall PUD must include in the deed of sale a notice of conveyance "approved by the Deputy Zoning Commissioner" similar to the requirements of Section 1801.3A.4 of the B.C.Z.R. (Policy RSD-11). Upon the sale, a receipt of notification signed by the Buyer shall be delivered immediately to this office for inclusion in the case file.

If you have any questions concerning these comments, please feel free to see me.

MCR:bjs

cc: File





Baltimore County Board of Education

DOLFIELD ROAD

PROPOSED ROAD

PROPOSED ROAD

ROLLING RIDGE
(PULTE HOME CORP.)



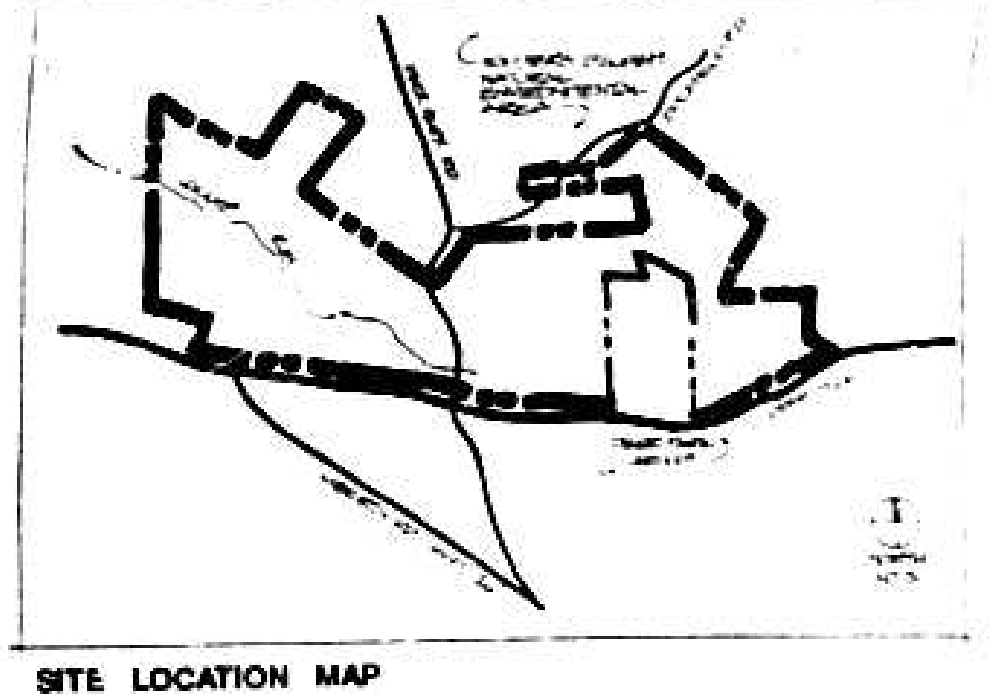
SCALE: 1" = 200'

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

THE VILLAGES OF LYONSFIELD RUN



SITE LOCATION MAP
BALTIMORE COUNTY, MD.



SITE LOCATION MAP

LEGEND

- RIDGE LINE
- WETLANDS
- WETLAND - 100' BUFFER
- SLOPES - 25%
- SLOPES - 20-24%
- SLOPES - 10-19%
- 200' SEPTIC SETBACK
- TOTAL AREA UNDER CONSIDERATION FOR DEVELOPMENT
- R.C. ZONED PORTION NOT TO BE INCLUDED IN P.U.D. APPLICATION
- SECTIONS 1-A & 1-B OF THE VILLAGES OF LYONSFIELD RUN

13

12

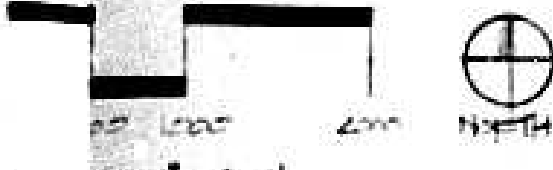
11

10

CARROLL

LIBERTY RESERVOIR

- LEGEND**
- TOTAL AREA UNDER CONSIDERATION FOR DEVELOPMENT
 - R.C. ZONED PORTION NOT TO BE INCLUDED IN P.U.D. APPLICATION
 - SECTIONS 1-A & 1-B OF THE VILLAGES OF LYONSFIELD RUN



1000 SCALE ZONING MAP
TO ACCOMPANY PETITION FOR SPECIAL HEARING
THE VILLAGES OF LYONSFIELD RUN

SOURCE: BALTO. CO. 1988
1000 SCALE ZONING MAPS 1C & 2C

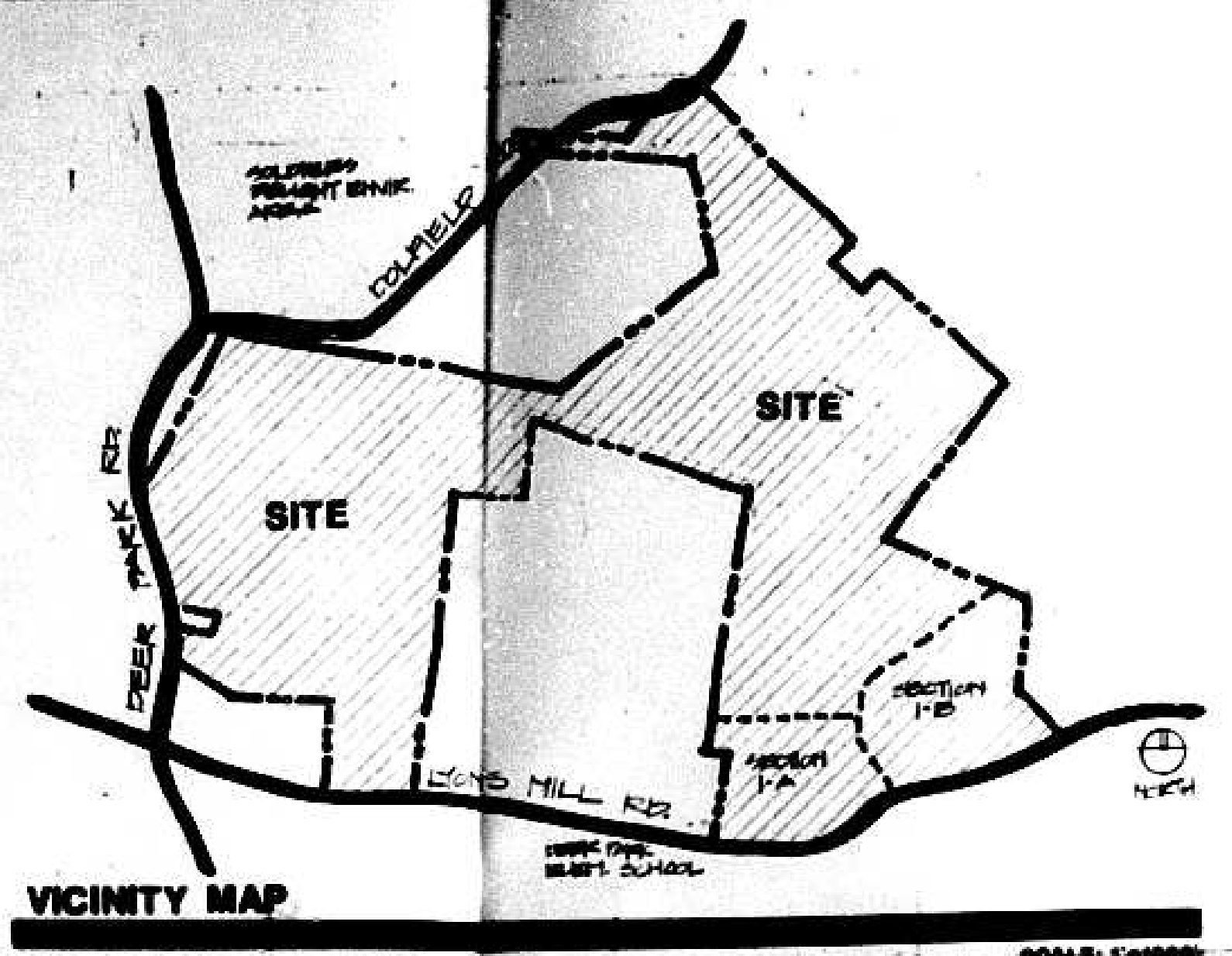
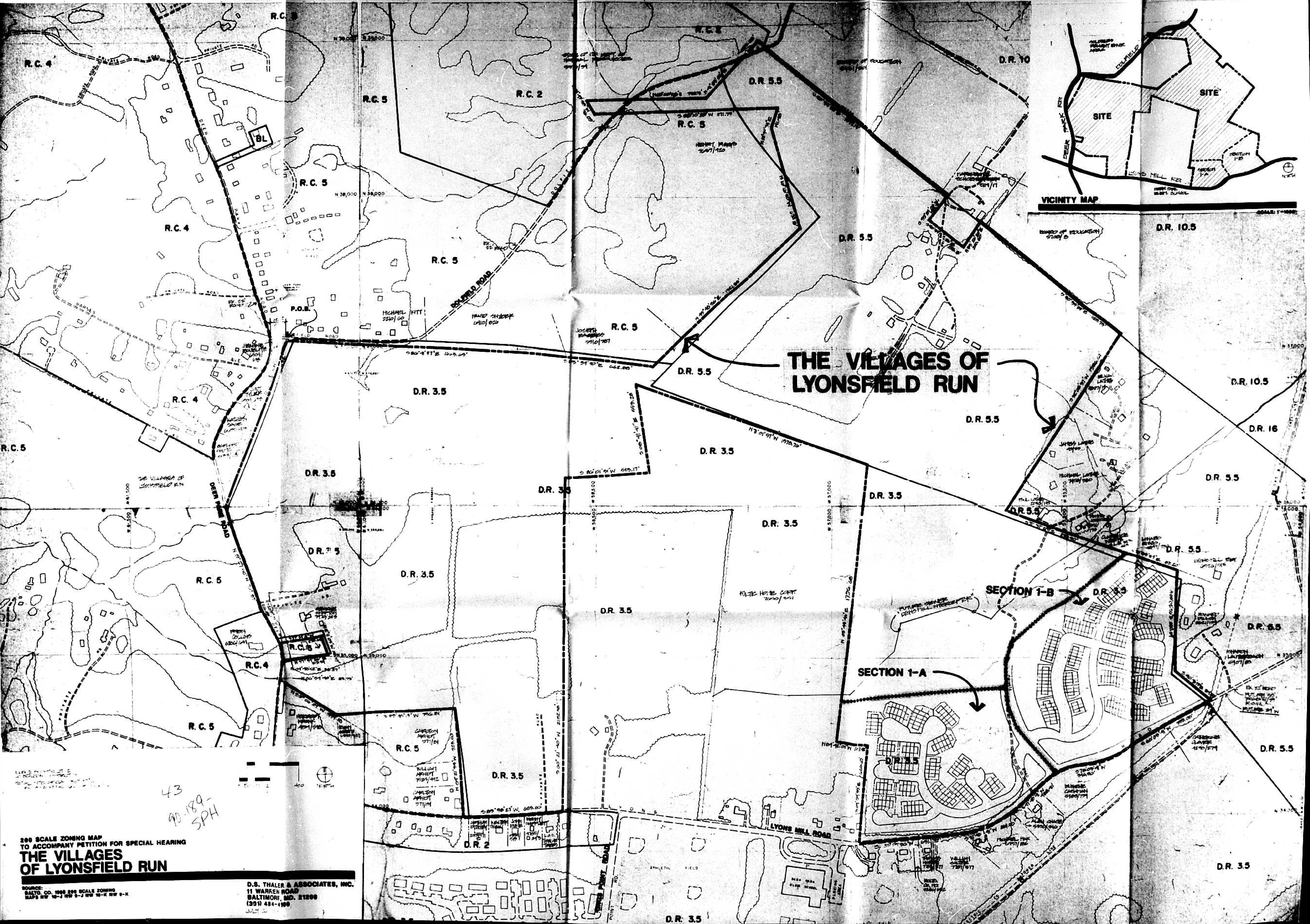
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD. 21208
(301) 484-4100

SITE

SECTION 1-B

SECTION 1-A

90-189-SPH
43



THE VILLAGES OF LYONSFIELD RUN

SECTION 1-B

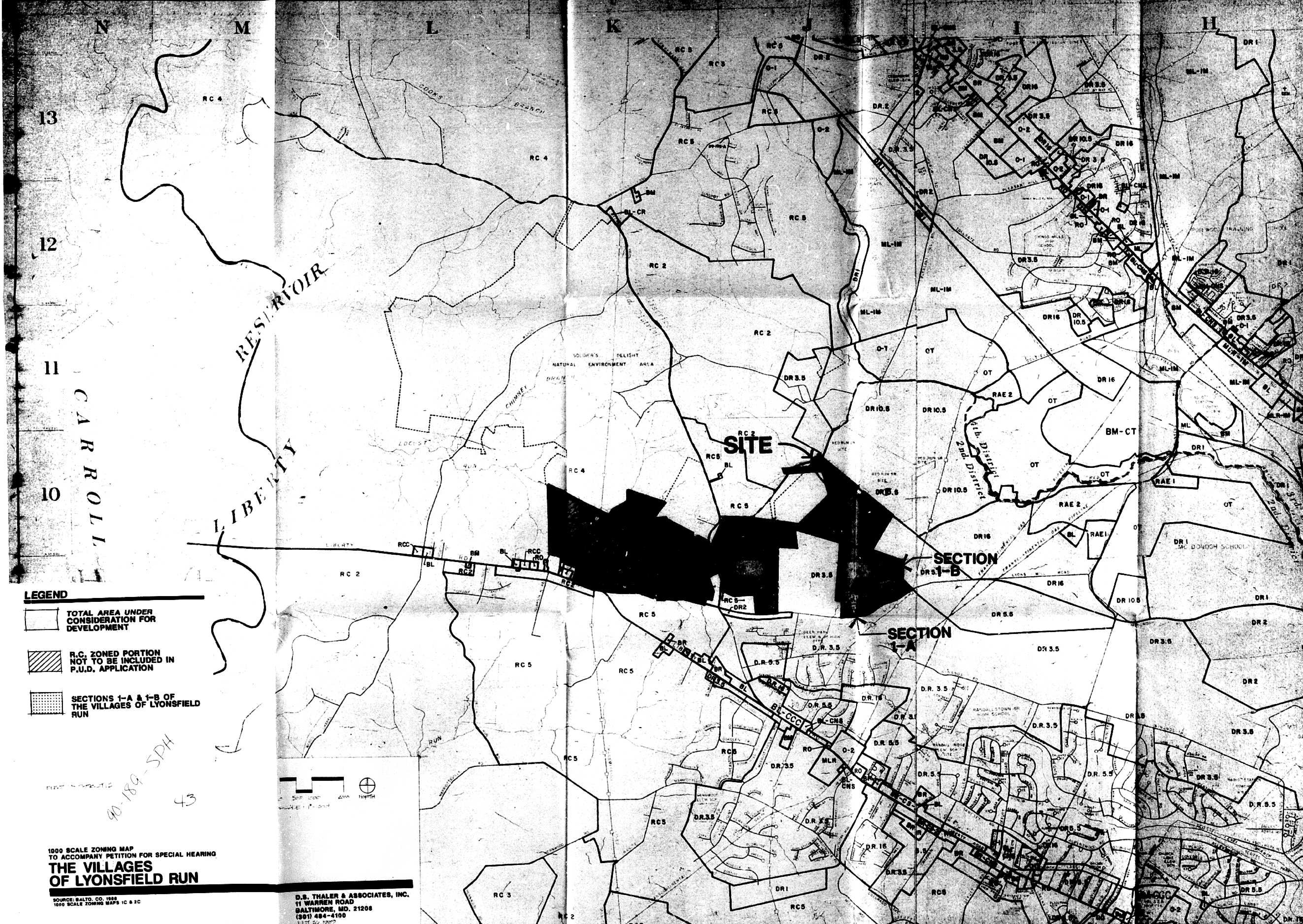
SECTION 1-A

200 SCALE ZONING MAP
TO ACCOMPANY PETITION FOR SPECIAL HEARING
**THE VILLAGES
OF LYONSFIELD RUN**

SOURCE:
BALTO. CO. 1998 200 SCALE ZONING
MAPS NW 10-J NW 9-J NW 10-K NW 9-K

D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD. 21206
(301) 484-1400
JULY 20

43
90-189-
SPH



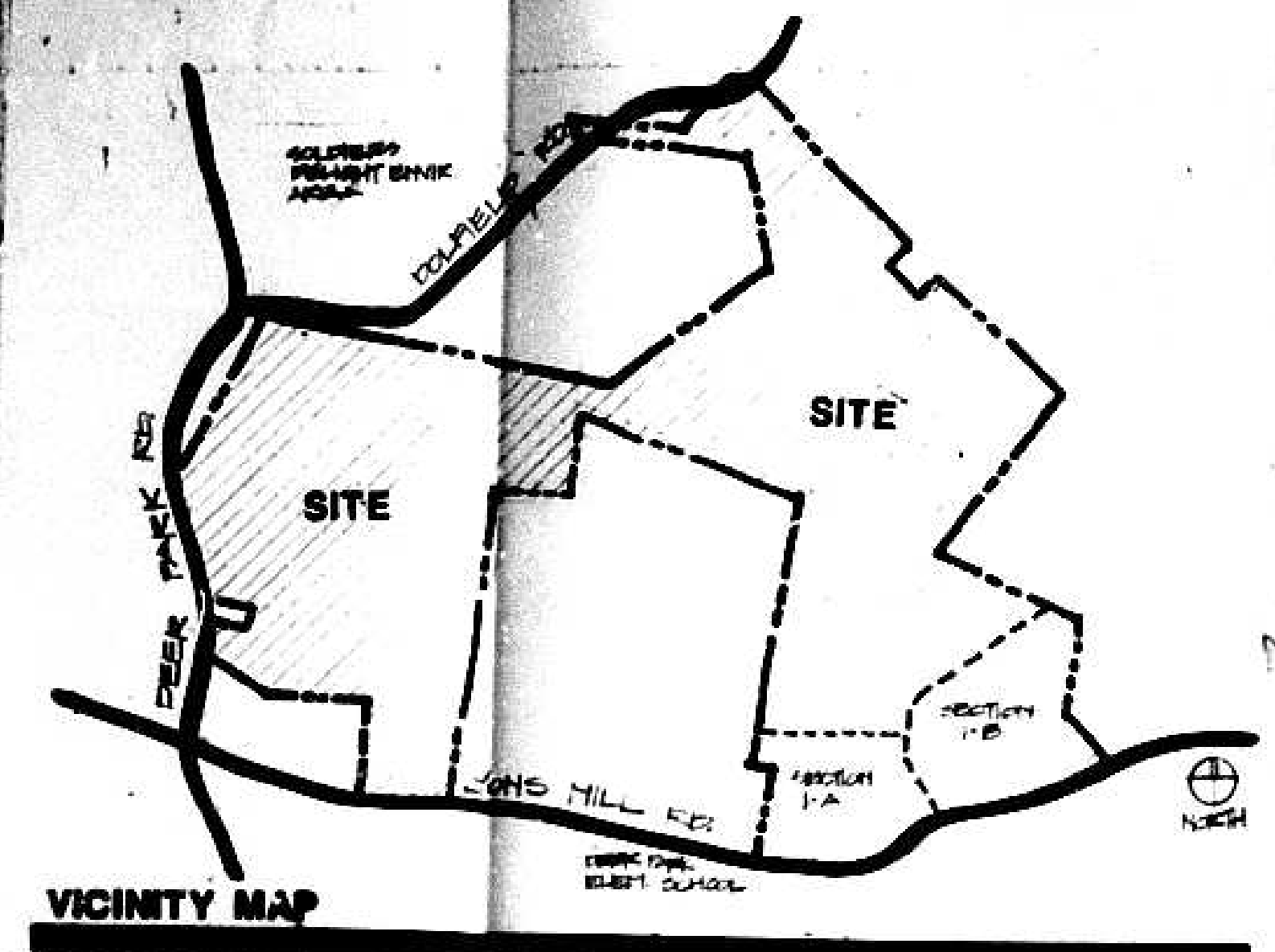
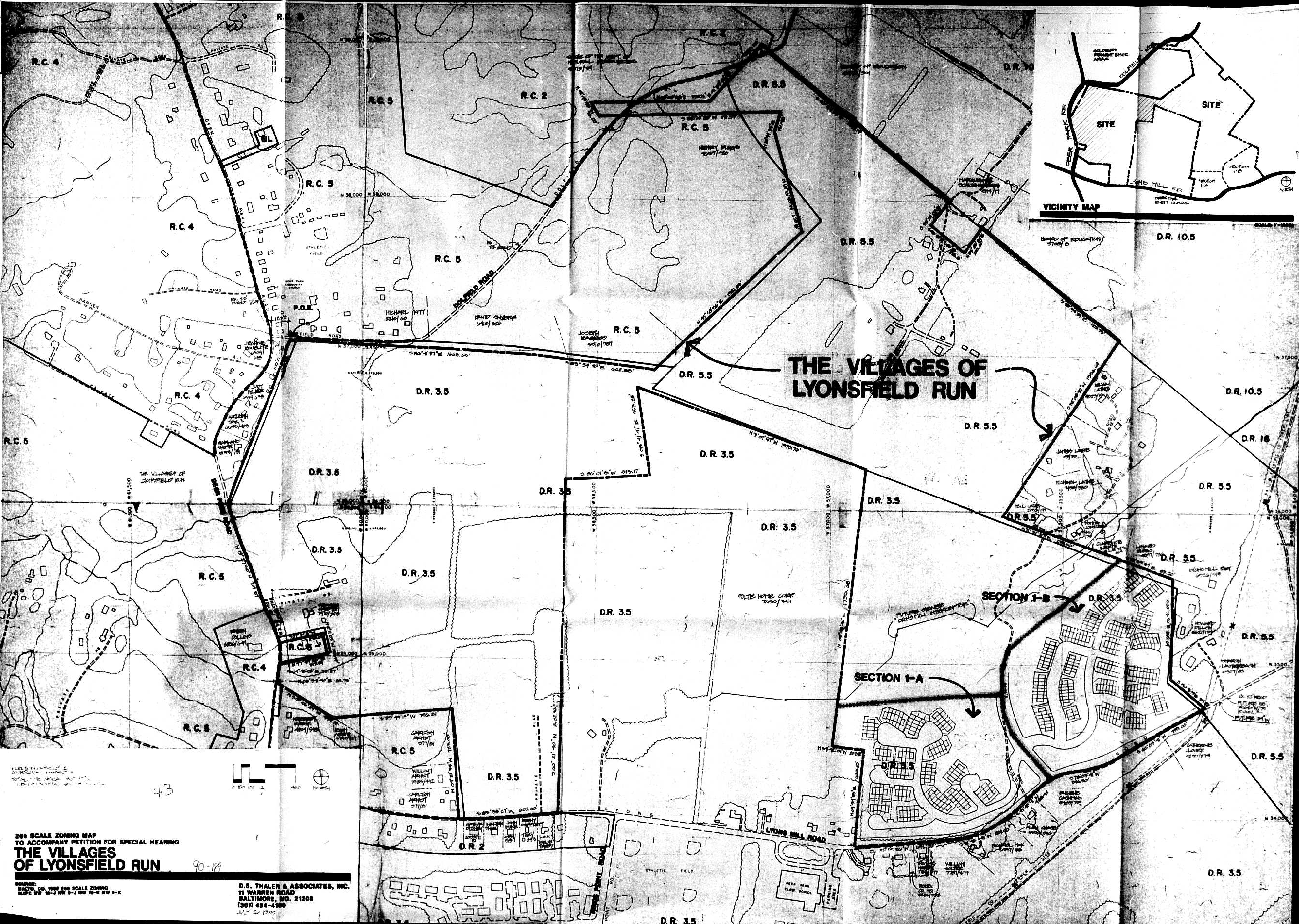
- LEGEND**
- TOTAL AREA UNDER CONSIDERATION FOR DEVELOPMENT
 - R.C. ZONED PORTION NOT TO BE INCLUDED IN P.U.D. APPLICATION
 - SECTIONS 1-A & 1-B OF THE VILLAGES OF LYONSFIELD RUN

90-189-SDH
43

THE VILLAGES OF LYONSFIELD RUN

SOURCE: BALTO. CO. 1988
1000 SCALE ZONING MAPS 1C & 2C

D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD. 21208
(301) 484-4100
JULY 20, 1989



43

200 SCALE ZONING MAP
TO ACCOMPANY PETITION FOR SPECIAL HEARING
THE VILLAGES OF LYONSFIELD RUN

SOURCE:
BALTO. CO. 1980 200 SCALE ZONING
MAPS RW 10-J NW 5-J NW 10-K NW 5-K

D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD. 21208
(301) 484-4100
JULY 20, 1985

**THE VILLAGES OF
LYONSFIELD RUN**

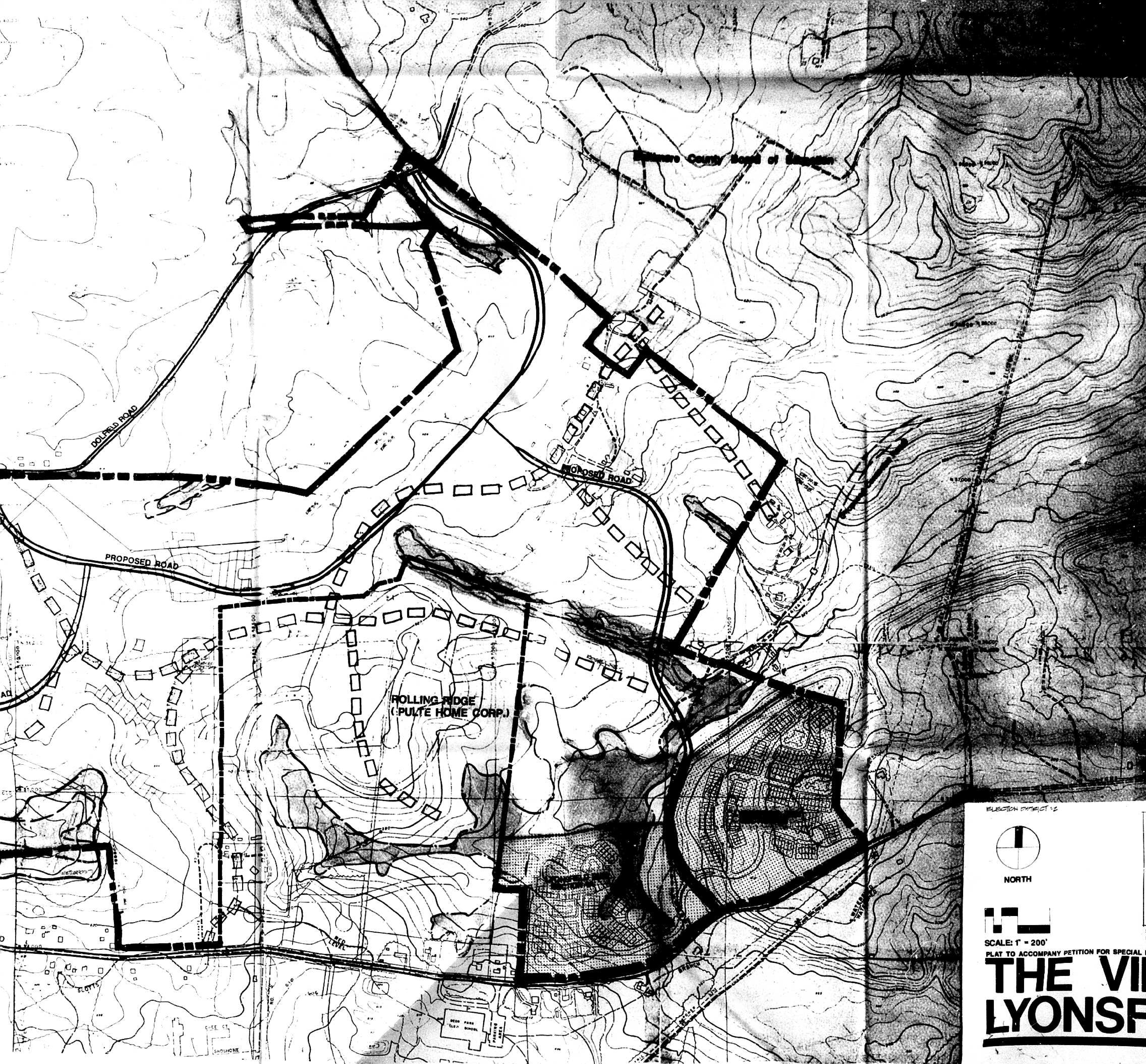
SECTION 1-B
SECTION 1-A



Soldiers Delight Natural Environmental Area

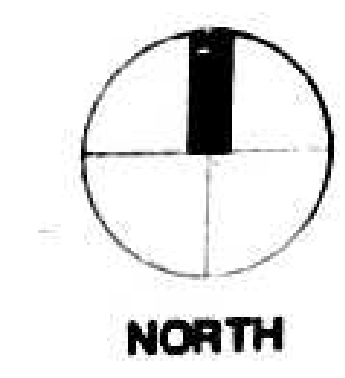
ROLLING RIDGE
(PULTE HOME CORP.)

PETITION FOR
THE
LYONS



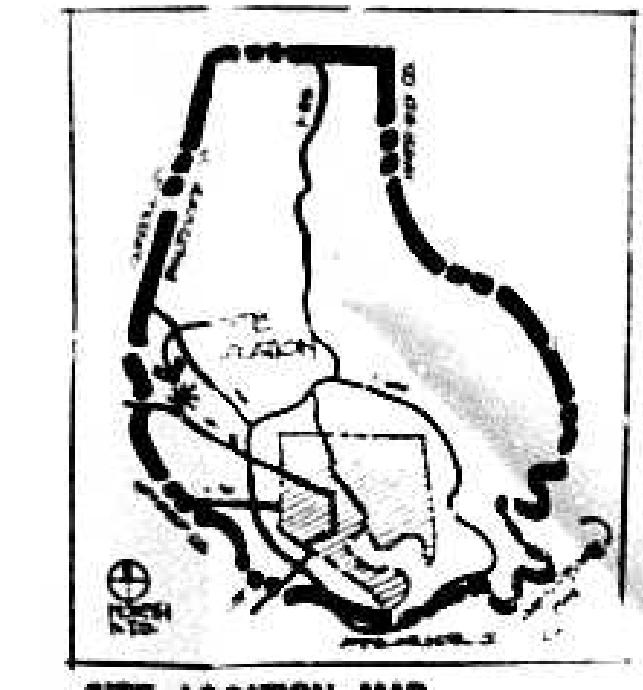
- LEGEND**
- | | |
|-----------------------|---|
| RIDGE LINE | TOTAL AREA UNDER CONSIDERATION FOR DEVELOPMENT |
| WETLANDS | R.C. ZONED PORTION NOT TO BE INCLUDED IN P.U.D. APPLICATION |
| WETLAND - 100' BUFFER | SECTIONS 1-A & 1-B OF THE VILLAGES OF LYONSFIELD RUN |
| SLOPES - 25% | |
| SLOPES - 20-24% | |
| SLOPES - 10-19% | |
| 200' SEPTIC SETBACK | |

ELECTION DISTRICT 12

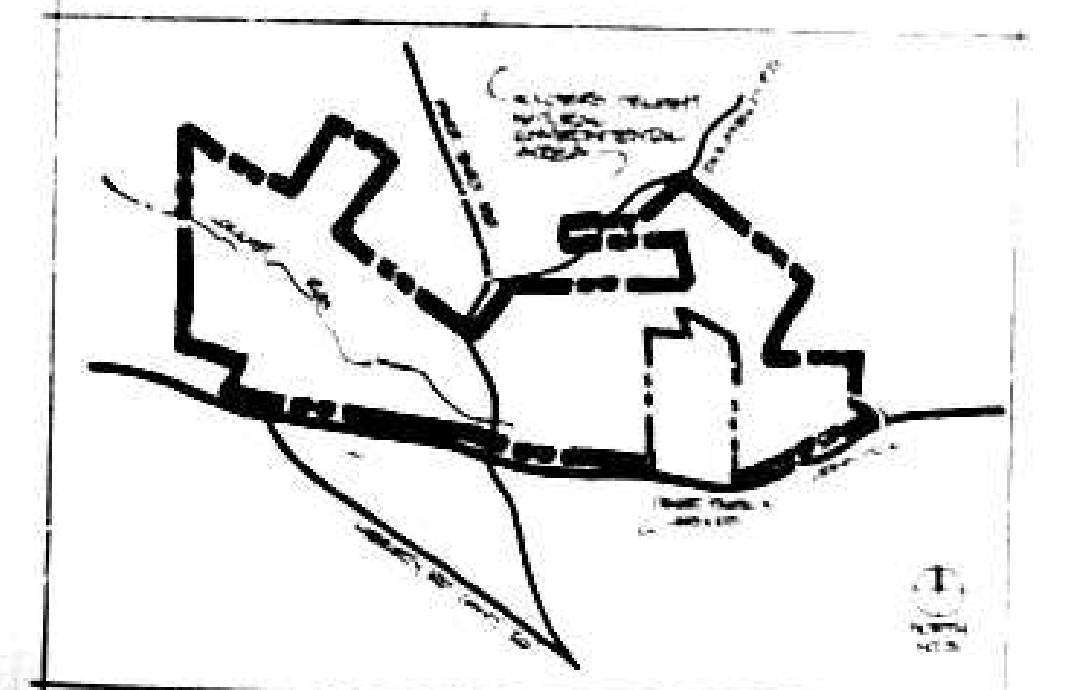


SCALE: 1" = 200'

PLAY TO ACCOMPANY PETITION FOR SPECIAL HEARING



SITE LOCATION MAP
BALTIMORE COUNTY, MD.



SITE LOCATION MAP

THE VILLAGES OF LYONSFIELD RUN

D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD BALTIMORE, MD. 21206
(301) 484-4100

NOTE: ALL LAND WITHIN SECTION 1-A IS OWNED BY D. STHALER ASSOCIATES, INC. SECTION 1-A IS AN ADJACENT TRACT TO THE VILLAGES OF LYONSFIELD RUN. THE LIMITS SHOWN ON THE PLAN WILL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.

NOTE: PROTECTION (A LIGHT SHOWN POLICE, REASON, VARIETY PLANTS, BARE OR FOLIAGE SHALL BE PLANTED CONCENTRICALLY WITH THE LIMITS OF DISTANCE AT THE CORNER WHERE THERE IS ANY CHANGING OF DIRECTION.

NOTE: ALL PROPOSED 2" DUCTS WITHIN DESIGNATED OPEN SPACE ARE TO BE PLANTED WITH A LOW MAINTENANCE TYPE OF GROUND COVER (e.g. CREMASTRELL).

--- DENOTES LIMITS OF LOCAL OPEN SPACE
--- DENOTES LIMITS OF U.S.A. OPEN SPACE

THE CITY LANDSCAPE PLANNER WILL MAKE A REVISION TO THE PLAN TO SHOW THE PLANTING AND THE CITY BUFFER IS ADEQUATE OR THE PLANTING WILL BE REQUIRED.

NOTE: SOIL LINES AND TYPES SHOWN HEREON ARE AS NOTED ON THE APPROVED C.R.G. PLAN. THE CITY BUFFER IS ADEQUATE OR THE PLANTING WILL BE REQUIRED.

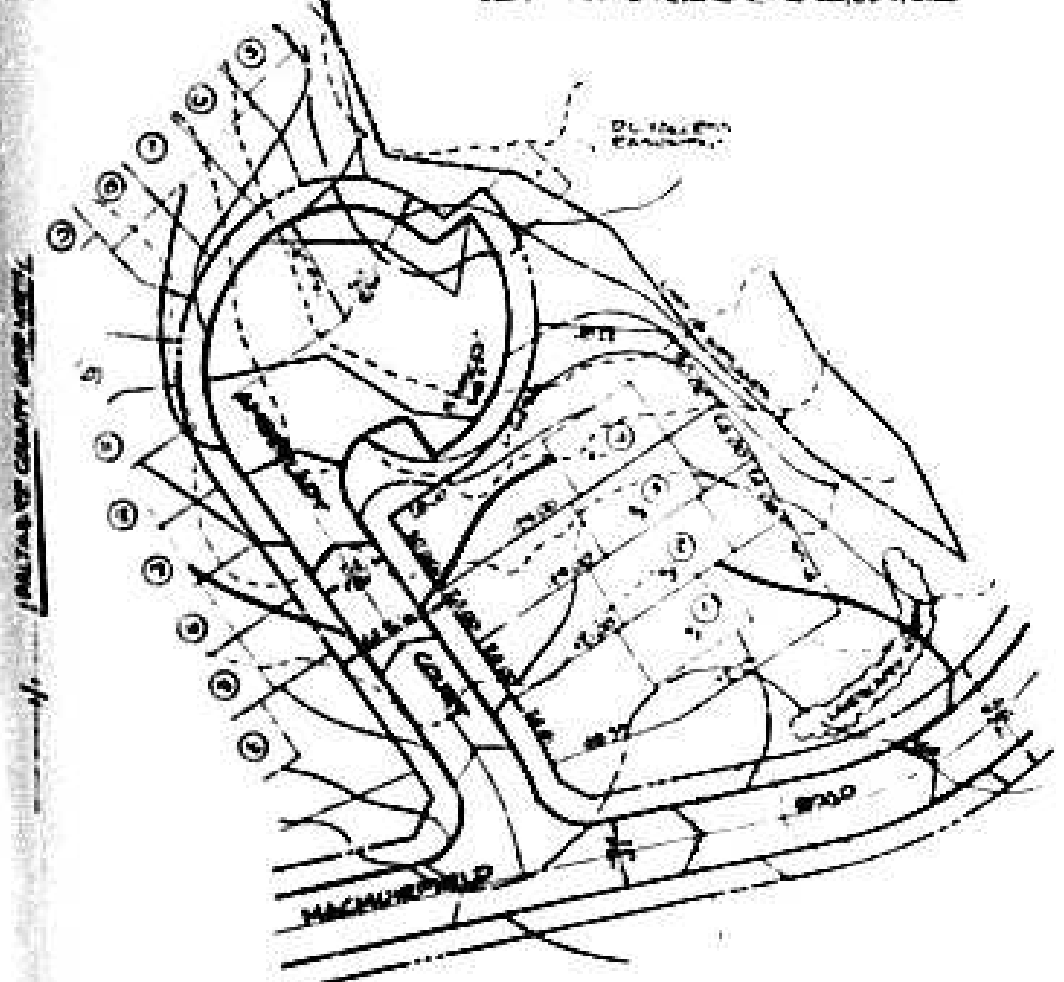
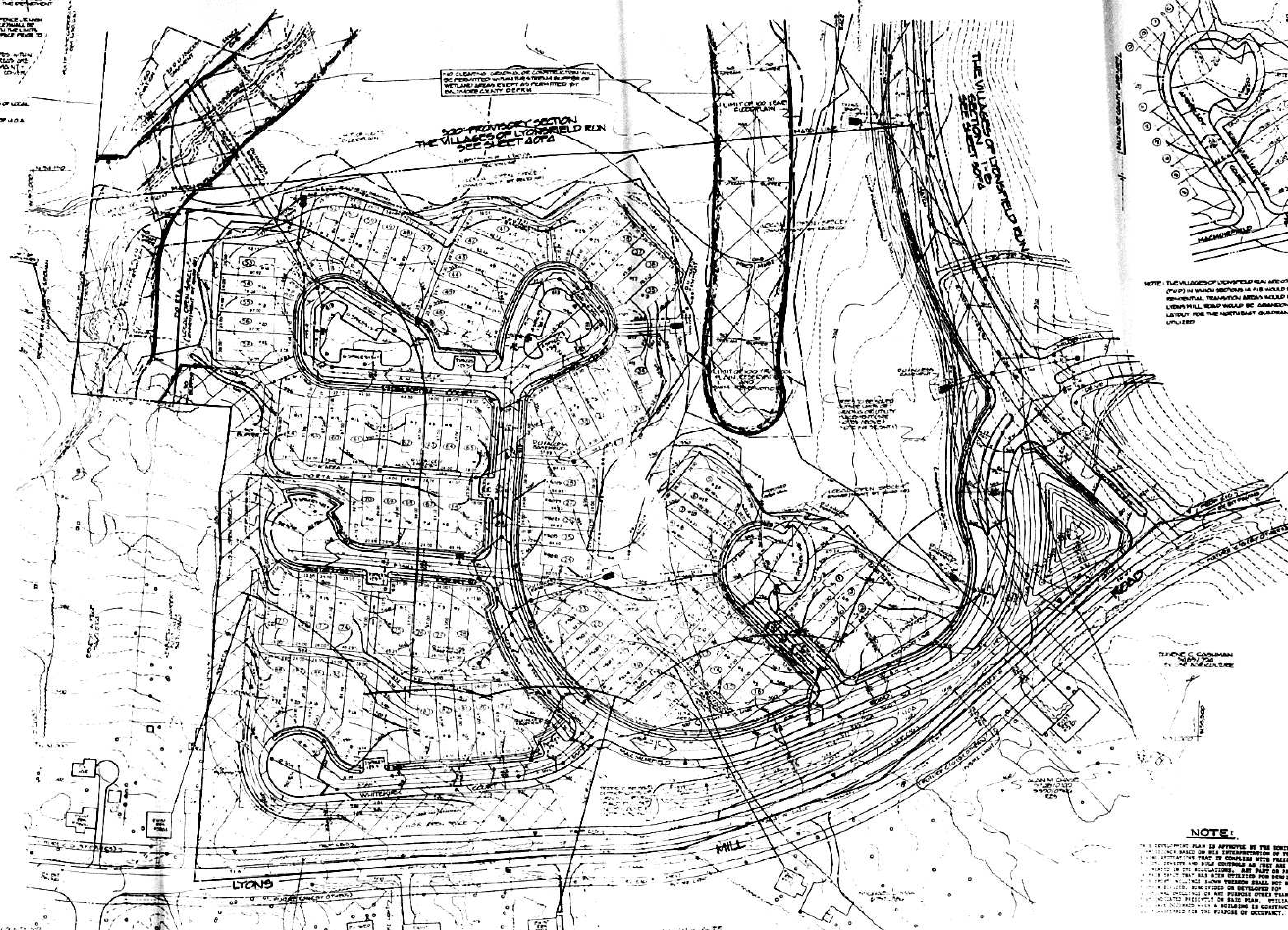
NOTE: WETLANDS AND STREAMS SHOWN HEREON HAVE BEEN FIELD LOCATED BY DPT. WILDLIFE AND WATER.

NOTE: SEE SHEET 1 OF A FOR ADDITIONAL NOTES, DETAILS, NETWORK INFORMATION, ETC.

EXISTING AND PROPOSED CONTAINERS ARE 2" INTERVALS.

NOTE: ALL UTILITIES SHOWN ARE POWERED UNLESS OTHERWISE NOTED.

THE OUTLINE TRACT BOUNDARY SHOWN HEREON IS BASED ON A SURVEY BY DPT. WILDLIFE AND WATER, THE CITED SOURCE.



NOTE: THE VILLAGES OF LYONSFIELD RUN ARE CONSIDERING A PLANNED UNIT DEVELOPMENT (PUD) IN WHICH SECTIONS 1-A AND 1-B WOULD BE A PART OF THE PUD APPLICATION. ANY AND ALL EXISTING TRANSPORTATION WOULD BE ABANDONED AND THE BUFFER AREA WOULD BE ABANDONED. IN THAT EVENT, THE EXISTING ALTERNATE LAYOUT FOR THE NORTHWEST QUADRANT OF SECTION 1-A WOULD BE UTILIZED.

PROPOSED IMPROVEMENTS TO THE ROAD ARE LIMITED TO 2" DUCTS AND 2" DUCTS.

THOMAS C. COLEMAN
CITY ENGINEER

NOTE:

THE DEVELOPMENT PLAN IS APPROVED BY THE BOARD OF RECREATION AND PARKS OF THE CITY OF BALTIMORE. THE PLAN IS SUBJECT TO THE CITY OF BALTIMORE'S POLICY AND THE CITY OF BALTIMORE'S POLICY. THE PLAN IS SUBJECT TO THE CITY OF BALTIMORE'S POLICY AND THE CITY OF BALTIMORE'S POLICY.

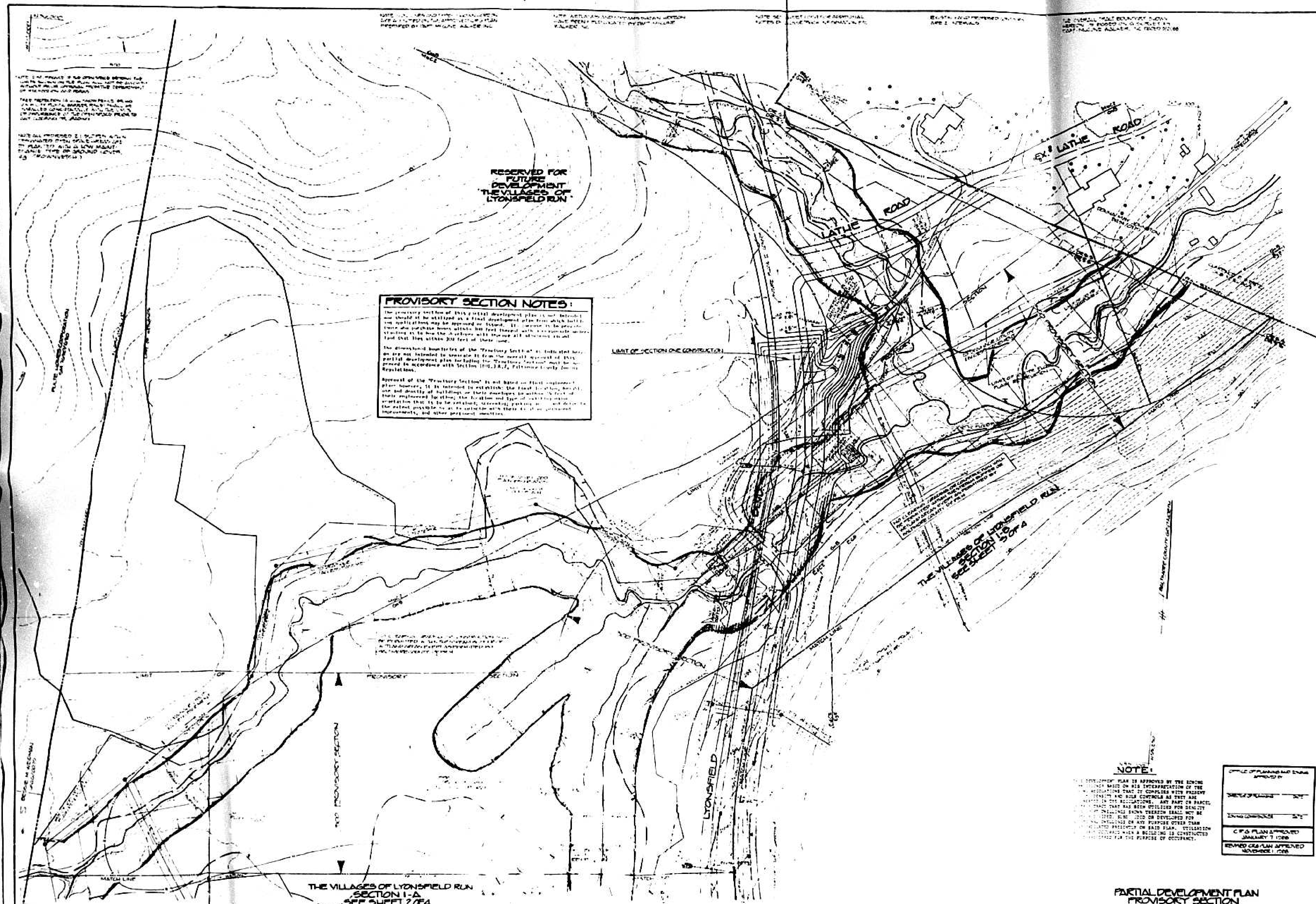
OFFICE OF PLANNING AND ZONING	APPROVED BY
DEPARTMENT OF RECREATION AND PARKS	DATE
CITY ENGINEER	DATE
C.R.G. PLAN APPROVED	JANUARY 7, 1986
REVISED PLAN APPROVED	NOVEMBER 22, 1986

D. STHALER ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND
21208
(301) 498-4100

OWNER
WATTS ROAD LAND LIMITED PARTNER
% RVR DEVELOPMENT L.P.
7601 LEWISVILLE RD SUITE 300
MILFORD, VA 22102
(703) 761-2800

DEVELOPER
CROWN DEVELOPMENT CORP.
2324 W. JOPPA RD SUITE 200
LUTHERVILLE, MD 21033
(301) 997-0004

PARTIAL DEVELOPMENT PLAN
SECTION 1-A
THE VILLAGES OF
LYONSFIELD RUN
1st ELECTION DISTRICT, BALTIMORE COMO
SCALE 1"=10'
SHEET 2 OF 4



PROVISOORY SECTION NOTES:

The provisory section of this partial development plan is not intended to be utilized as a final development plan from which building applications may be approved or refused. It is intended to be used as a guide to the general layout of the development and to show the approximate location of the various buildings and other structures which are proposed to be constructed within the section.

Approval of the "Provisory Section" is not based on final engineering plans, surveys, or other data. It is intended to establish the general layout and location of the buildings and other structures which are proposed to be constructed within the section. The final engineering plans, surveys, and other data shall be submitted to the Planning and Zoning Commission for their review and approval.

NOTE:

THE DEVELOPMENT PLAN IS APPROVED BY THE BOARD OF PLANNING AND ZONING COMMISSIONERS OF THE CITY OF BALTIMORE, MARYLAND, ON JANUARY 7, 1980. THE PLAN IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE PLAN SHALL BE CONSIDERED AS A PROVISIONAL PLAN AND SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS SUBMITTED.
2. THE PLAN SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS SUBMITTED.
3. THE PLAN SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS SUBMITTED.

OFFICE OF PLANNING AND ZONING COMMISSIONERS
DEVELOPER
DATE
APPROVED
DATE
REMOVED FROM PLAN
DATE

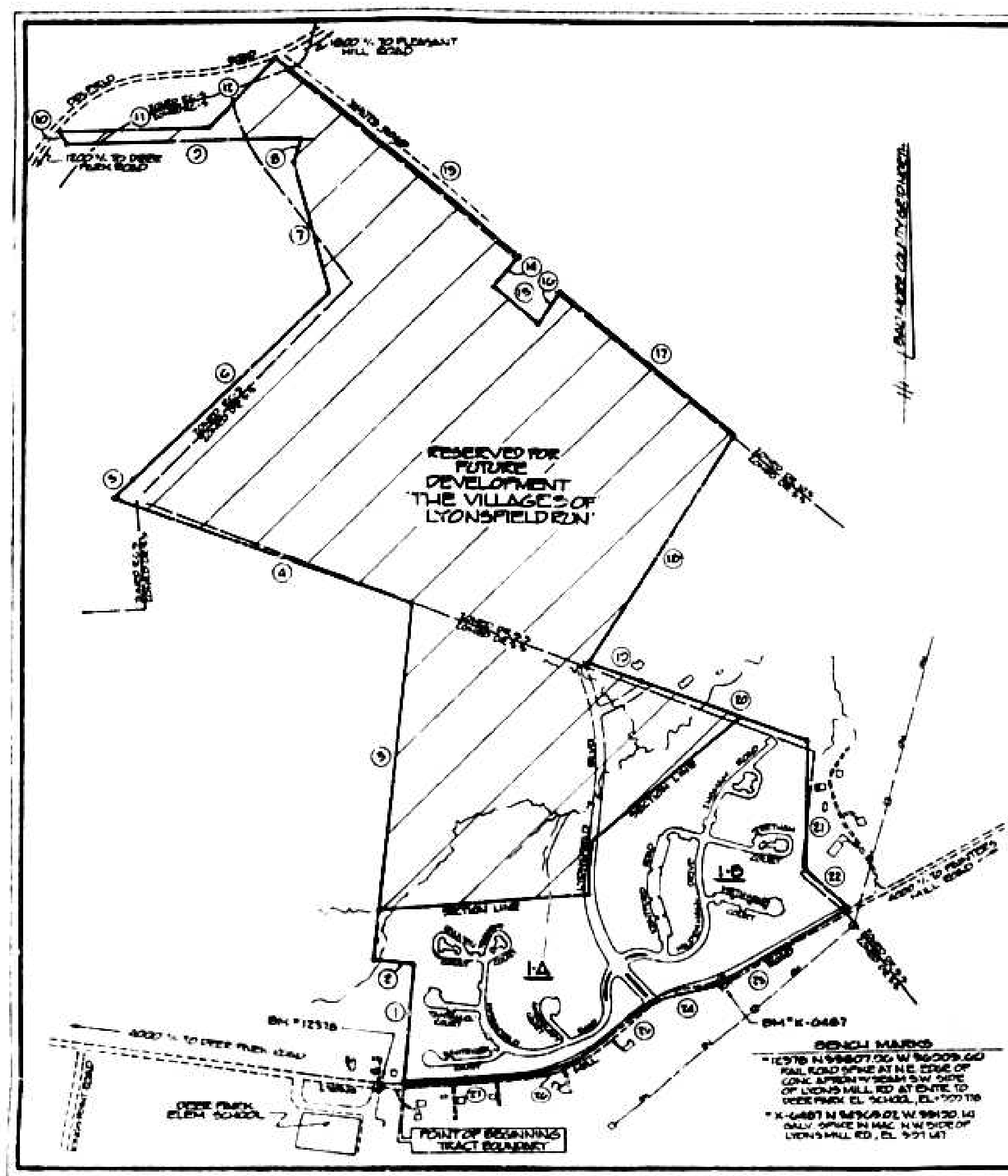
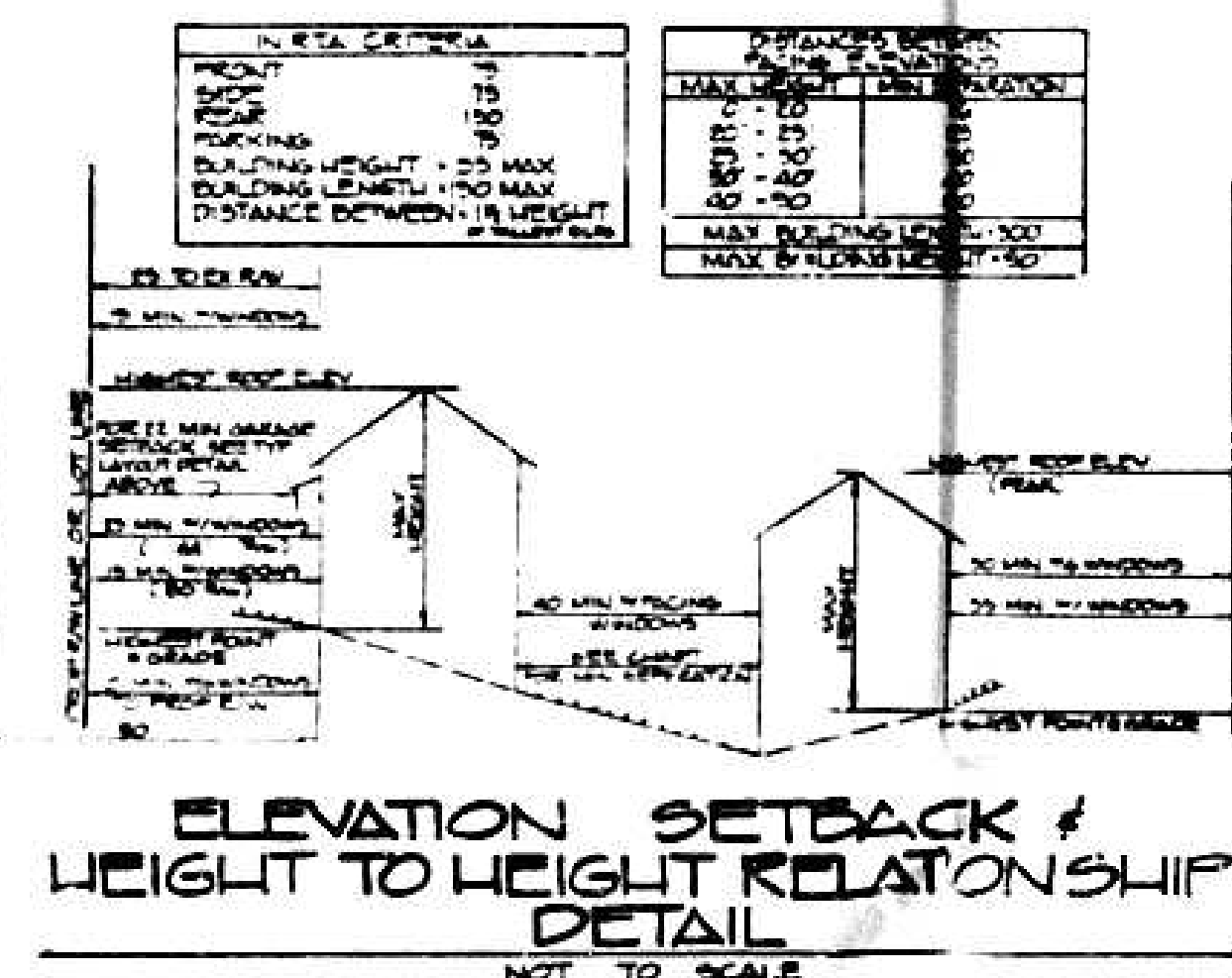
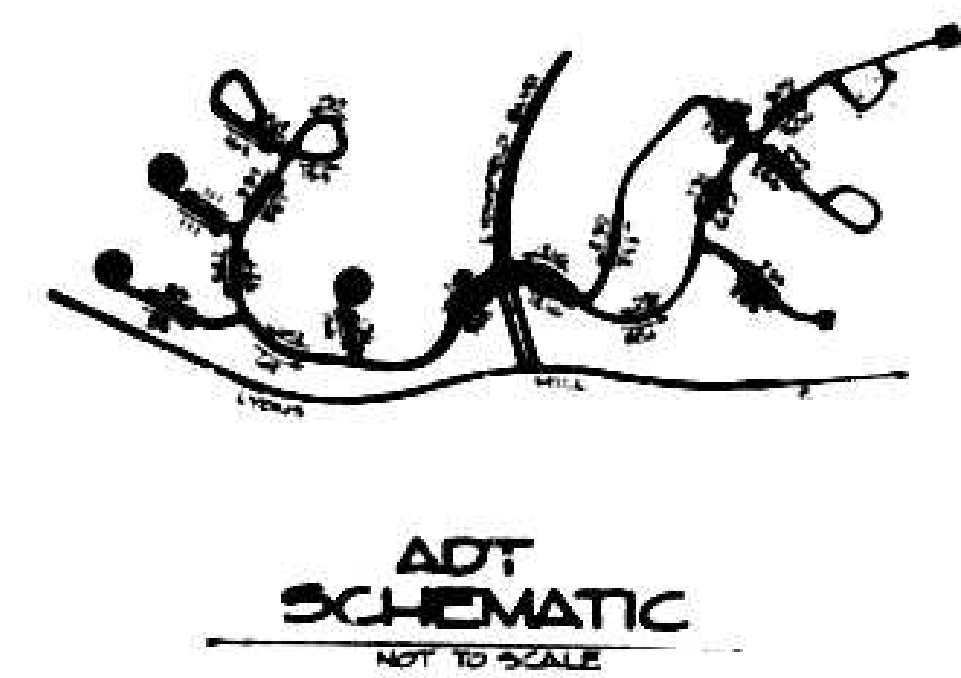
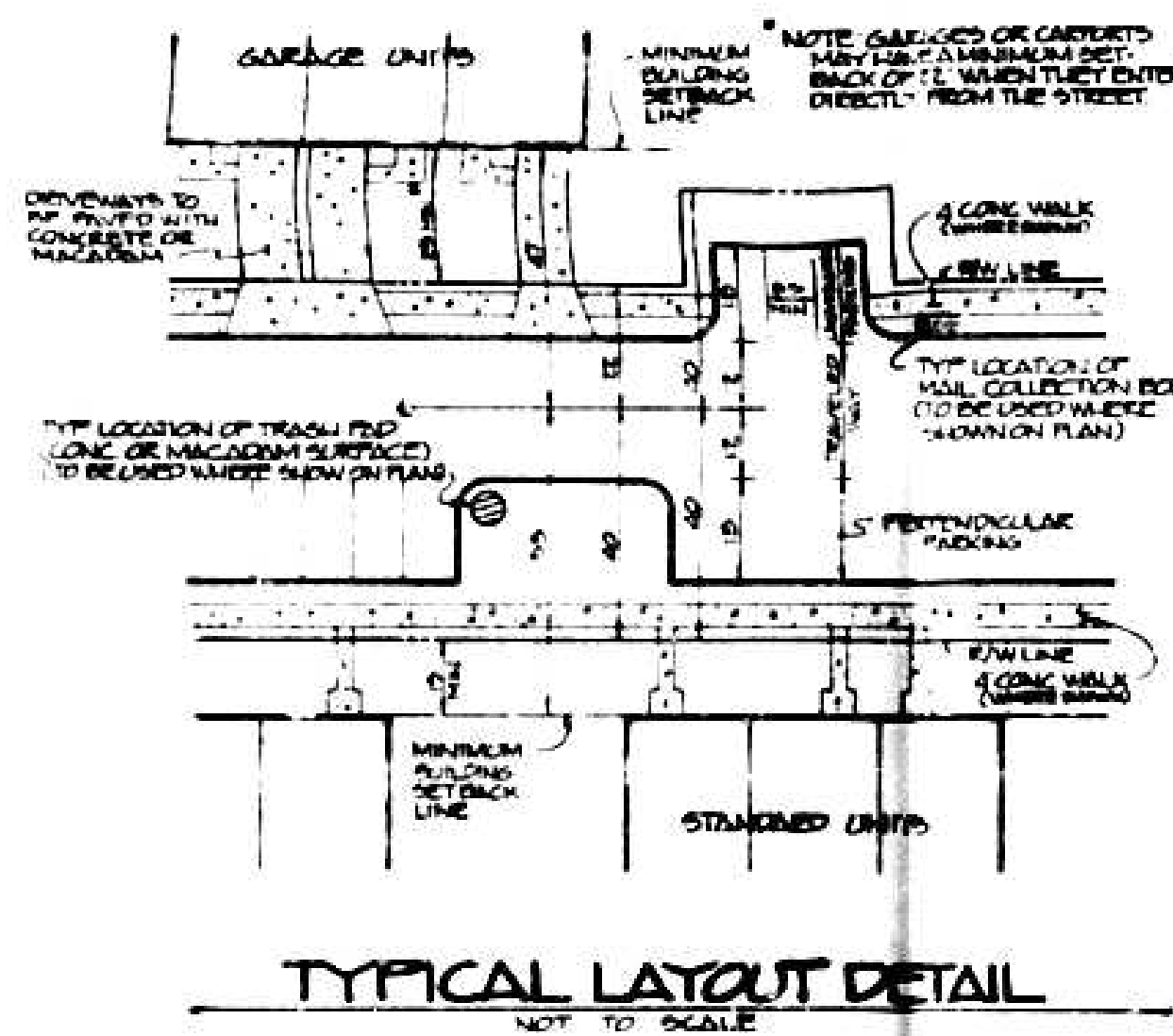
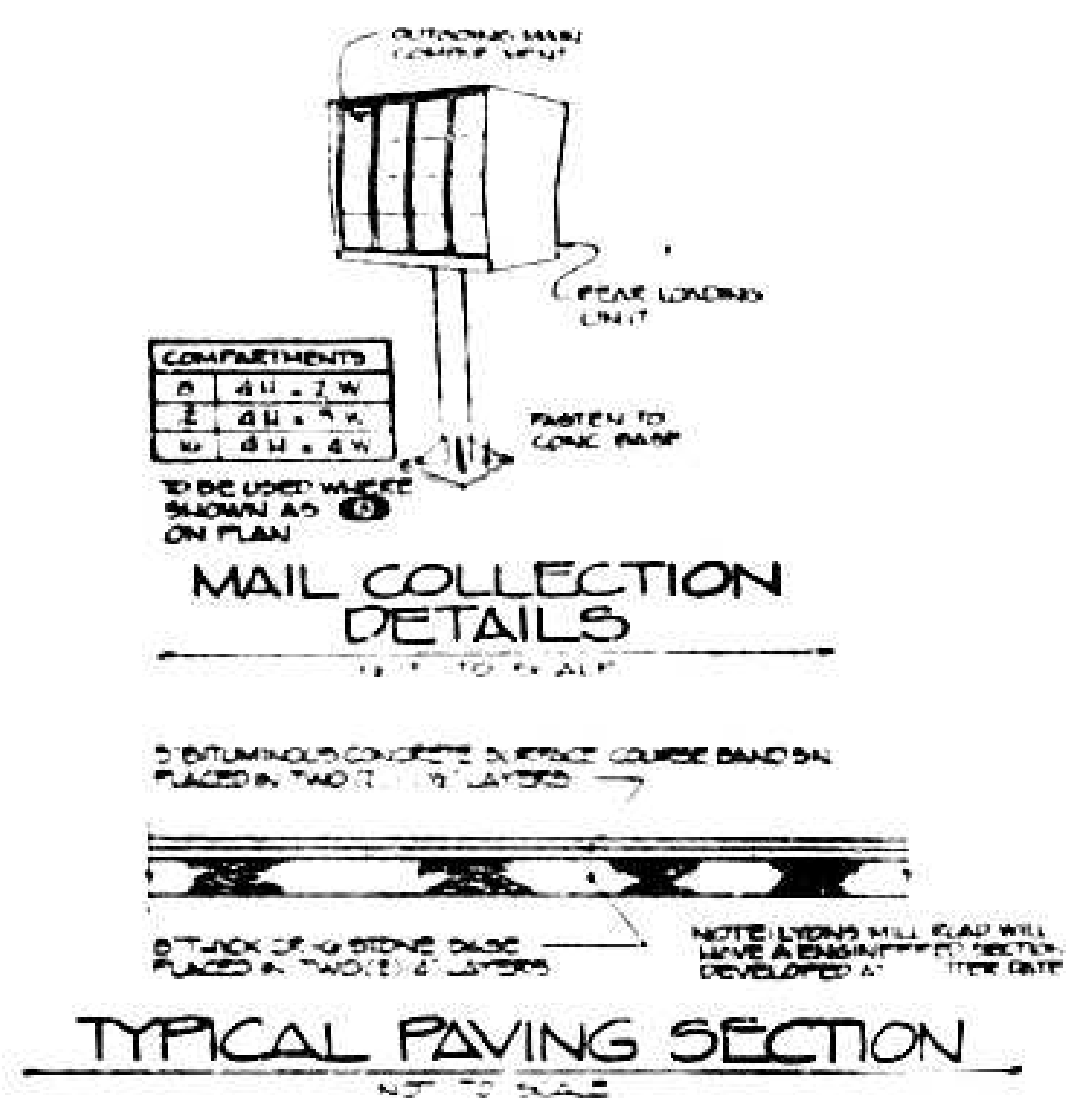
D. STHALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND 21204
(301) 421-1000

OWNER
CROWN DEVELOPMENT CORP.
2901 N. WATSON RD. SUITE 300
LUTHERVILLE, MD 21093
(301) 937-0001

DEVELOPER
CROWN DEVELOPMENT CORP.
2901 N. WATSON RD. SUITE 300
LUTHERVILLE, MD 21093
(301) 937-0001

**PARTIAL DEVELOPMENT PLAN
PROVISOORY SECTION
THE VILLAGES OF LYONSFIELD RUN**
NO. 1 ELECTION DISTRICT, BALTIMORE, COND.
SCALE: 1"=50'
SHEET 4 OF 4
NOVEMBER 22, 1980

PARTIAL DEVELOPMENT PLAN
THE VILLAGES OF
LYONSFIELD RUN
BALTIMORE COUNTY, MARYLAND



RAZING NOTES:

1. ALL BUILDINGS WILL BE DEMOLISHED BY A LICENSED CONTRACTOR AND A WELL ABANDONMENT REPORT SUBMITTED TO THE BUREAU.
2. ALL EXISTING SEWER, WATER, AND GAS LINES WILL BE RIPPED AND REMOVED PRIOR TO DEMOLITION.
3. ALL EXISTING ELECTRICAL SYSTEMS WILL BE RIPPED AND REMOVED PRIOR TO DEMOLITION.
4. ALL EXISTING FOUNDATIONS WILL BE SURVEYED FOR CONTAMINATION PRIOR TO RAZING.

NO OTHER BUILDINGS EXIST WITHIN THE LIMITS OF SECTIONS 1-A AND 1-B.

WHEN TEN LAND IS SOLD AND BELONGS
TO ONE UNIT, A MINIMUM AREA
OF 100 SQ. FT. IS REQUIRED
MINIMUM OF THIS CONTIGUOUS
AREA IS REQUIRED AREAS SUCH AS
AND CANNOT BE CALCULATED IN THIS

OVERALL TRACT BOUNDARY					
LINE #	DESCRIPTION	DISTANCE	LINE #	DESCRIPTION	DISTANCE
1	N 0° 00' 00" E	0.50111	17	S 0° 00' 00" W	11.6275
2	E 89° 59' 59" W	0.50111	18	S 89° 59' 59" W	17.96621
3	N 89° 59' 59" E	17.96621	19	N 89° 59' 59" E	0.50111
4	N 0° 00' 00" E	0.50111	20	S 0° 00' 00" W	0.50111
5	N 89° 59' 59" E	17.96621	21	S 89° 59' 59" W	0.50111
6	N 0° 00' 00" E	0.50111	22	S 0° 00' 00" W	0.50111
7	N 89° 59' 59" E	17.96621	23	S 89° 59' 59" W	17.96621
8	N 0° 00' 00" E	0.50111	24	S 0° 00' 00" W	0.50111
9	N 89° 59' 59" E	17.96621	25	S 89° 59' 59" W	0.50111
10	N 0° 00' 00" E	0.50111	26	S 0° 00' 00" W	0.50111
11	N 89° 59' 59" E	17.96621	27	S 89° 59' 59" W	0.50111
12	N 0° 00' 00" E	0.50111	28	S 0° 00' 00" W	0.50111
13	N 89° 59' 59" E	17.96621	29	S 89° 59' 59" W	0.50111
14	N 0° 00' 00" E	0.50111	30	S 0° 00' 00" W	0.50111
15	N 89° 59' 59" E	17.96621	31	S 89° 59' 59" W	0.50111
16	N 0° 00' 00" E	0.50111	32	S 0° 00' 00" W	0.50111

THE OVERALL TRACT BOUNDARY THEREAFTER IS BASED ON A PLATONIC SHAPE DATED 01-21-88

SOILS DATA				
SERIES TYPE	SOIL SYMBOL	HORIZONTE LIMITATIONS	STREET DRAINING LIMITATIONS	WATER OUT CL-OUT
Edgemo s	10 82 10 83 Pg 1	Moderate Moderate Slope Severe Slope	Moderate Moderate Slope Severe Slope	N N N
Gleason s	10 83	Severe, High water Table	Severe, High water Table	N
Gleason s	10 84	Slight	Moderate Slope	N
Rancor s	10 85 10 82	Slight Slight	Moderate Slope Moderate Slope	N N

* The Edgemoort Series contains a soil limitation of $\frac{1}{2}$ inch at 10 82 to 10 83.

GENERAL NOTES

[illegible]

NOTE:

THIS DEVELOPMENT WAS APPROVED BY THE ZONING COMMISSIONERS BASED ON THEIR INTERPRETATION OF THE ZONING REGULATIONS. THIS DEVELOPMENT DOES NOT COMPLY WITH PRESENT ZONING POLICY, DENSITY AND CONFORMANCE. THIS DEVELOPMENT IS NOT A PART OF ANY TRACT OR PARCEL OF LAND DELINEATED IN THE ZONING MAPS UTILIZED FOR DENSITY OF THE TRACT. THE DEVELOPMENT SHALL NOT BE FURTHER DEVELOPED OR BE USED OR DEVELOPED FOR ADDITIONAL DENSITY AND PURPOSE OTHER THAN THAT INDICATED THEREON ON SAID PLAN. LITIGATION WILL HAVE OCCURRED AS A BUILDING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

OFFICE OF PLANNING AND ZONING APPROVED BY	
DIRECTOR OF PLANNING	DATE
ZONING COMMISSION	DATE
C.R.O. PLAN APPROVED JANUARY 7, 1966	
REVISED C.R.O. PLAN APPROVED NOVEMBER 1, 1966	

[illegible]

NOTE: LAYOUT FOR FUTURE SECTIONS HAS NOT BEEN DETERMINED AS OF THIS DATE. AREA RESERVED FOR FUTURE DEVELOPMENT AT A RATE NOT TO EXCEED THE ABOVE ALLOWED. FUTURE PROPOSED DWELLINGS, PARKING, OPEN SPACE / LANDSCAPING WILL BE CALCULATED BASED ON FINAL ULTIMATE LAYOUT.

OVERALL DENSITY CALCULATIONS		
ZONE	GEOMARKETS IN AREAS	DU ALLOWED
RC3	0.501	0.15
RC3	3.633	2.43
DR35	86.648	302.57
DR35	0.750	518.30
DR105	6.734	2.81
TOTAL DWELLING UNITS =		833.26

PARTIAL DEVELOPMENT PLAN
THE VILLAGES OF
LYONSFIELD RUN

2ND ELECTION DISTRICT, BALTIMORE COMD
SCALE 1"=50' NOVEMBER 22, 1988
SHEET 1 OF 4

(FORMERLY KNOWN AS KENT-MAR)



CIVIL ENGINEERS • SITE PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND
21206
(301) 494-4100

OWNER
WATTS ROAD LAND LIMITED PARTNERSHIP
c/o NVR DEVELOPMENT L.P.
7601 LEWINSVILLE RD SUITE 300
MCLEAN, VA 22102
(703) 761-2400

DEVELOPER
CROWN DEVELOPMENT CORP.
2924 W. JOFFA RD. SUITE 90
LUTHERVILLE, MD. 21093
(301) 957-0604

PARTIAL DEVELOPMENT PLAN
THE VILLAGES OF
LYONSFIELD RUN

2ND ELECTION DISTRICT, BALTIMORE COMD
SCALE 1"=50' NOVEMBER 22, 1988
SHEET 1 OF 4

(FORMERLY KNOWN AS KENT-MAR)

NOTE: ALL LAND WITHIN SECTION 1-A IS ZONED RS-9. ALL LOTS WITHIN SECTION 1-A ARE GARAGE TRAILWAYS.

NOTE: OCCURRENCE OF OPEN SPACE BEYOND THE LIMITS SHOWN ON THE PLAN WILL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.

NOTE: PROTECTION OF HIGH SHOWN FENCE OR HIGH VISIBILITY PLASTIC BARRIER FENCE SHALL BE INSTALLED CONFORMANTLY WITH THE LIMITS OF OPEN SPACE AT THE OPEN SPACE FENCE TO ANY CLEARING OR GRADING.

NOTE: ALL PROPOSED 2:1 SLOPES WITHIN DESIGNATED OPEN SPACE ARE TO BE PLANTED WITH A LOW MAINTENANCE TYPE OF GRASS COVER (SEE CROWN VETCH).

--- DENOTES LIMITS OF LOCAL OPEN SPACE

--- DENOTES LIMITS OF U.O.A. OPEN SPACE

NOTE: THE COUNTY LANDSCAPE PLANNER WILL MAKE A FINAL DETERMINATION AS TO WHETHER VEGETATION RETAINED IN THE RTA BUFFER IS APPROPRIATE OR SUPPLEMENTAL PLANTINGS WILL BE REQUIRED.

NOTE: (SLOPES AND TYPES SHOWN HEREON ARE AS NOTED ON THE APPROVED C&G PLAN PREPARED BY GALT-MAGNIE-WALKER, INC.

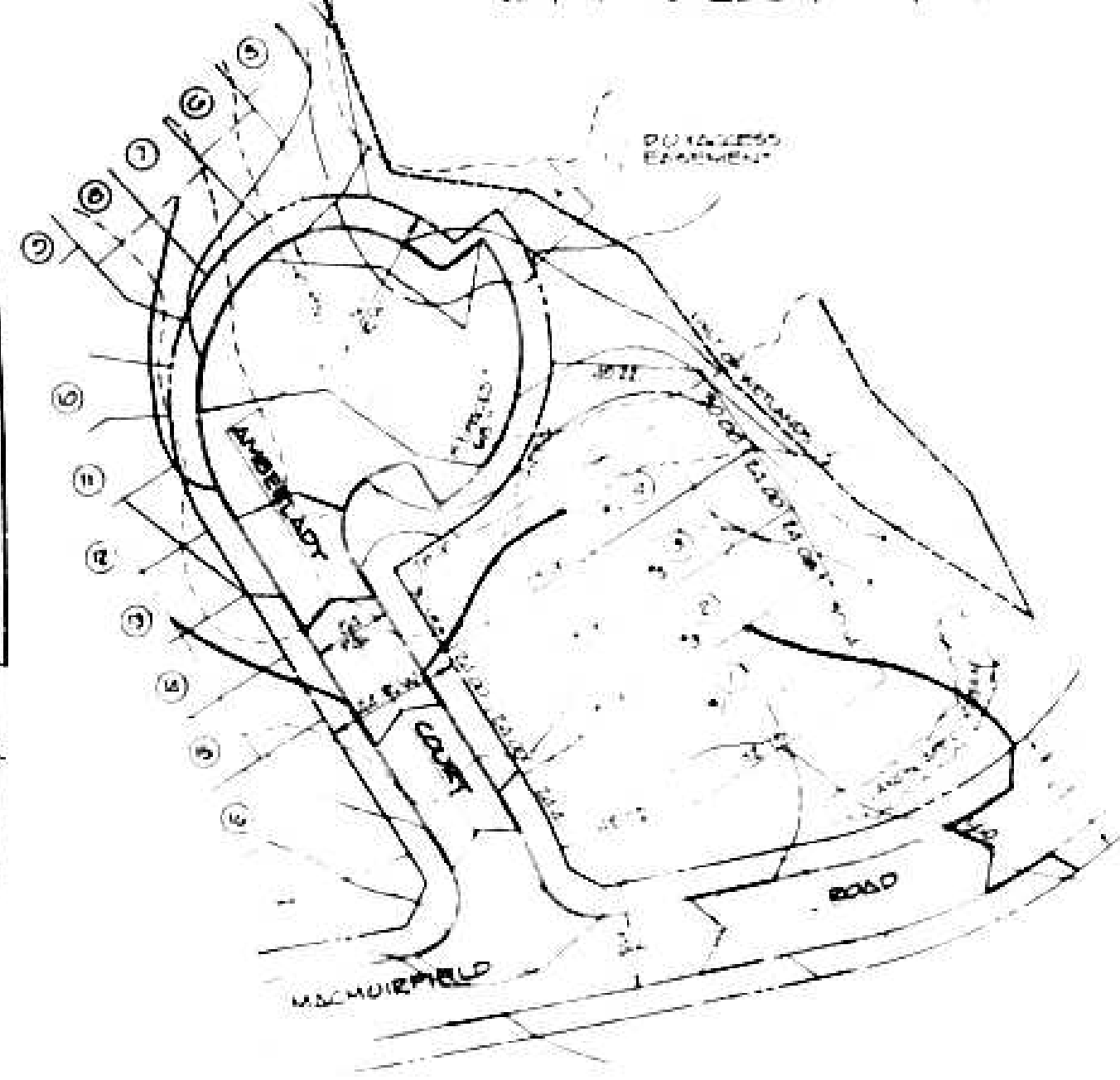
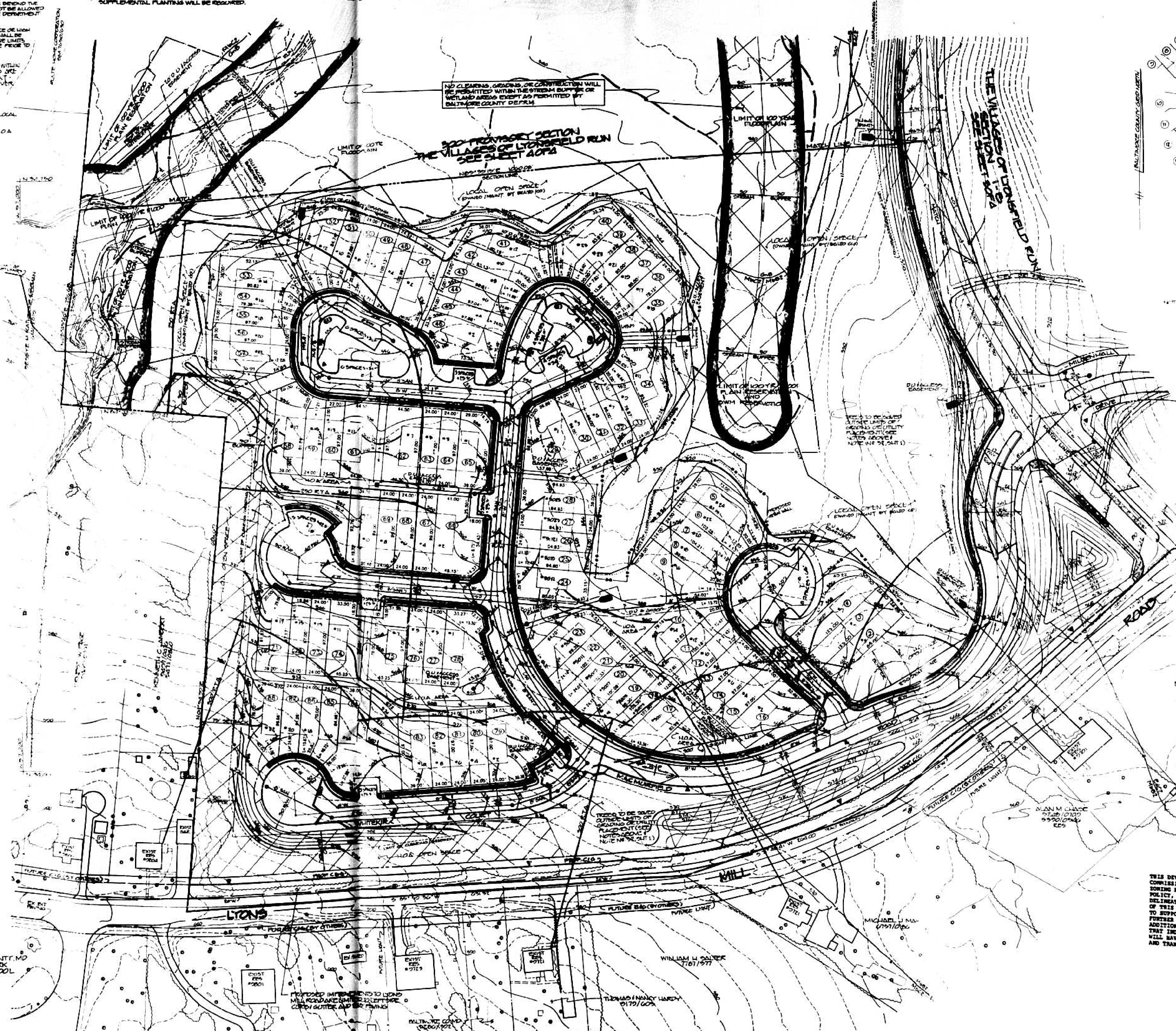
NOTE: WETLANDS AND OTHER AREAS SHOWN HEREON HAVE BEEN FIELD LOCATED BY GALT-MAGNIE-WALKER, INC.

NOTE: SEE SHEET 1 OF 4 FOR ADDITIONAL NOTES, DETAILS, SETBACK INFORMATION ETC.

EXISTING AND PROPOSED CONTOURS ARE 2' INTERVALS

NOTE: ALL UTILITIES SHOWN ARE PROVIDED UNLESS OTHERWISE NOTED

THE OVERALL TRACT FUNDAMENTAL SHOWN HEREON IS BASED ON A SURVEY BY GALT-MAGNIE-WALKER, INC. DATED 9/2/86



NOTE: THE U.O.A. IS A DESIGNATED OPEN SPACE AREA AND IS TO BE MAINTAINED AS SUCH. ANY CLEARING OR GRADING WITHIN THE U.O.A. SHALL BE APPROVED BY THE DEPARTMENT OF RECREATION AND PARKS. THE U.O.A. SHALL BE PLANTED WITH A LOW MAINTENANCE TYPE OF GRASS COVER (SEE CROWN VETCH).

BALTIMORE COUNTY, MD
PETER PARK
ELEM. SCHOOL

CIVIL ENGINEERS, SITE PLANNERS, SURVEYORS, LANDSCAPE ARCHITECTS
DSTHALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND
21208
(301) 484-4100



OWNER
WATTS ROAD LAND LIMITED PARTNERSHIP
% NVR DEVELOPMENT L.P.
7601 LEVINVILLE RD. SUITE 200
MCLEAN, VA 22102
(703) 761-2400

DEVELOPER
CROWN DEVELOPMENT CORP.
2924 W. JOPPA RD. SUITE 300
LUTHERVILLE, MD 21033
(301) 931-0004

NOTE:
THIS DEVELOPMENT PLAN IS APPROVED BY THE ENGINEERING COMMISSIONER BASED ON HIS INTERPRETATION OF THE EXISTING REGULATIONS THAT IT COMPLETES WITH PASSPORT POLICY. DENSITY, HEIGHT, AND SETBACK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT OTHER DEVELOPMENT THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLING OR ANY PURPOSE OTHER THAN THAT INDICATED HEREON. IF SAID PLAN, UTILIZATION WILL HAVE OCCURRED WITH A BUILDING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

OFFICE OF PLANNING AND ZONING	APPROVED BY
DIRECTOR OF PLANNING	DATE
SEAL AND SIGNATURE	DATE
C&G PLAN APPROVED	
JANUARY 7, 1988	
REVISED C&G PLAN APPROVED	
NOVEMBER 1, 1988	

PARTIAL DEVELOPMENT PLAN
SECTION 1-A
THE VILLAGES OF
LYONSFIELD RUN
2ND ELECTION DISTRICT, BALTIMORE COMD
SCALE 1"=50'
SHEET 2 OF 4

(FORMERLY KNOWN AS KENT MAR)

EXISTING AND PROPOSED CONTOUR
ARE 2 INTERVALS
PART SLOWN

• DENOTES LIMITS OF LOCAL OPEN SPACE

PROPOSED IMPROVEMENTS: MILLION
MILL ROAD ARE LIMITED TO LEFT SIDE
CURB / GUTTER AND 26% OF TRAVELING

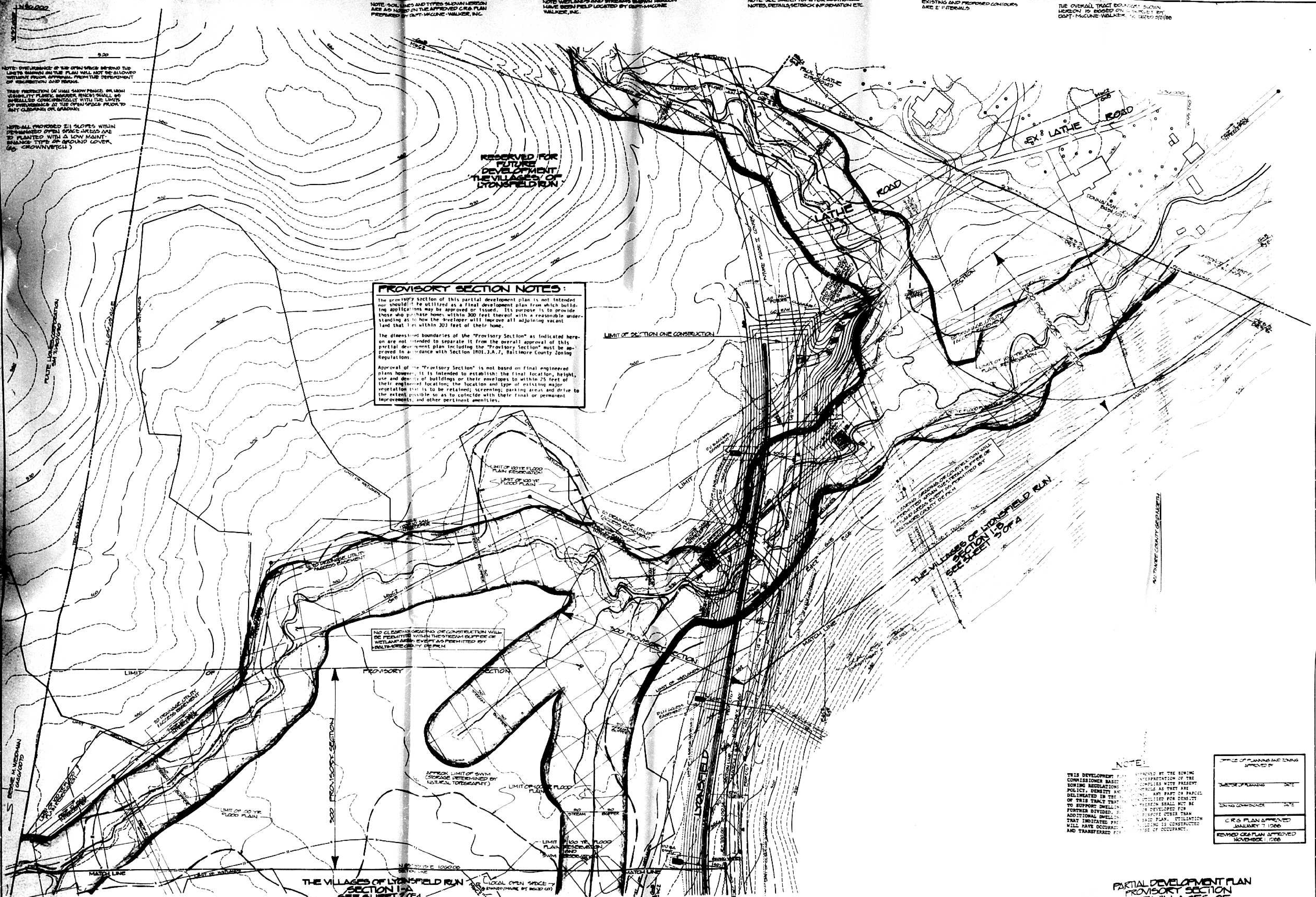
WATTS ROAD LAND LIMITED PARTNERSHIP
% NVR DEVELOPMENT L.P.
7601 LEWINSVILLE RD. SUITE 900
MCLEAN, VA. 22102
(703) 761-2400

CROWN DEVELOPMENT CORP.
2924 W. JOFFA RD. SUITE 930
LUTHERVILLE, MD. 21093
(301) 937-0604

THIS DEVELOPMENT PLAN IS APPROVED BY THE TOWNSHIP COMMISSIONER BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS AND DOES NOT COMPLY WITH PRESENT ZONING REGULATIONS. AS SUCH, ANY PART OR PARTS OF THE DEVELOPMENT PLAN WHICH WOULD BE UTILIZED FOR DENSITY OF USE OF THE TRACT THEREON SHALL NOT BE USED TO SUPPORT DEVELOPMENT OR DEVELOPED FOR FURTHER DEVELOPMENT FOR ANY PURPOSE OTHER THAN THAT INDICATED IN THE ZONING MAP. UTILIZATION WILL HAVE OCCURRED PRIOR TO THE DATE THE TRACT WAS CONVEYANCED AND THEREAFTER FOR THE PURPOSE OF OCCUPANCY.

SHEET 5 OF 4

FORMERLY KNOWN AS KENT HARR



IN 80,000
NOTE: DISTURBANCE OF THE OPEN SPACE BEYOND THE LIMITS SHOWN ON THE PLAN WILL NOT BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.
THREE FEET PROTECTION OF HILL SLOPE, OR HIGH QUALITY PLANTING, BARRIER FENCE SHALL BE MAINTAINED CONSECUTIVELY WITH THE LIMITS OF DISTURBANCE AT THE OPEN SPACE PRIOR TO ANY CLEARING OR GRADING.
OVERALL PROPOSED 2:1 SLOPES WITHIN PERMANENT OPEN SPACE AREAS ARE TO BE PLANTED WITH A LOW MAINTENANCE TYPE OF GROUND COVER (e.g. CROWN VETCH).
NOTE: SOLID LINES AND TYPES SHOWN HEREON ARE AS NOTED ON THE APPROVED C.R.S. PLAN PREPARED BY GALT-MACUNE-WALKER, INC.
NOTE: WETLANDS AND STREAMS SHOWN HEREON HAVE BEEN FIELD LOCATED BY GALT-MACUNE-WALKER, INC.
NOTE: SEE SHEET 1 OF 4 FOR ADDITIONAL NOTES, DETAILS, SETBACK INFORMATION, ETC.
EXISTING AND PROPOSED CONTOURS ARE 5' INTERVALS.
THE OVERALL TRACT BOUNDARY SHOWN HEREON IS BASED ON A SURVEY BY GALT-MACUNE-WALKER, INC. DATED 5/1/80.

PROVISORY SECTION NOTES:
The provisory section of this partial development plan is not intended nor should it be utilized as a final development plan from which building applications may be approved or issued. Its purpose is to provide those who purchase homes within 300 feet thereof with a reasonable understanding as to how the developer will improve all adjoining vacant land that is within 300 feet of their home.
The dimensioned boundaries of the "Provisory Section" as indicated hereon are not intended to separate it from the overall approval of this partial development plan including the "Provisory Section" must be approved in accordance with Section 1801.3A.7, Baltimore County Zoning Regulations.
Approval of the "Provisory Section" is not based on final engineered plans however, it is intended to establish the final location, height, use and density of buildings or their envelopes to within 25 feet of their engineered location; the location and type of existing major vegetation that is to be retained; screening; parking areas and drive to the extent possible so as to coincide with their final or permanent improvements, and other pertinent amenities.

NO CLEARING OR CONSTRUCTION WILL BE PERMITTED WITHIN THE STREAM BUFFER OR WETLANDS AREA EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPRM.

APPROX. LIMIT OF SWIM COVERAGE DETERMINED BY NATURAL TOPOGRAPHY

CIVIL ENGINEERS SITE PLANNERS SURVEYORS LANDSCAPE ARCHITECTS
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DEVELOPER
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2324 W. JORDA RD. SUITE 930
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(301) 937-0001

NOTES
THIS DEVELOPMENT PLAN IS APPROVED BY THE BOARD OF COMMISSIONERS BASED ON THE INTERPRETATION OF THE BOARD'S REGULATIONS AND POLICY, DENSITY AND SETBACKS AS THEY ARE DELINEATED IN THE PLAN. NO PART OF THIS TRACT SHALL BE DEVELOPED FOR OTHER THAN THE PURPOSES INDICATED IN THE PLAN. UTILIZATION WILL HAVE OCCURRED PRIOR TO THE DATE OF OCCUPANCY.

OFFICE OF PLANNING AND ZONING	APPROVED
DATE OF PLANING	DATE
BOARD OF COMMISSIONERS	DATE
C.R.S. PLAN APPROVED	JANUARY 7, 1988
REVISED C.R.S. PLAN APPROVED	NOVEMBER 1, 1988

**PARTIAL DEVELOPMENT PLAN
PROVISORY SECTION
THE VILLAGES OF LYONSFIELD RUN**
2ND EDITION DISTRICT, BALTIMORE COND
SCALE 1"=40'
SHEET 4 OF 4
NOVEMBER 12, 1988

LOCALLY KNOWN AS KENT MAR