

IN RE: DEVELOPMENT PLAN HEARING
and PETITION FOR VARIANCE -
Westgate (aka Glyn Garth)
Hanover Pike/Reisterstown Road
4th Election District
3rd Councilmanic District

Sterling L. Leppo, Owner;
Sterling Land Company II, LLC,
Developer

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. IV-448 & 97-439-A

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for consideration of a development plan prepared by STV Inc., for the proposed development of the subject property by Sterling L. Leppo, Owner, and Sterling Land Company II, LLC, Developer, with 13 single family dwellings, in accordance with the development plan submitted into evidence as Developer's Exhibit 1. In addition to development plan approval, the Owner/Developer requests variance relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and the Comprehensive Manual of Development Policies (C.M.D.P.) to permit front yard to property line/front building face to street right-of-way setbacks of 19 feet for Lot 4 and 9 feet for Lot 5, both in lieu of the required 25 feet for each; to permit rear yard/rear building face setbacks of 10 feet (Type A) or 16 feet (Type B) for Lot 6, 21 feet for Lot 7, and 27 feet for Lot 8; to permit side yard/side building face to tract boundary setbacks of 14 feet (Type A) or 8 feet (Type B) in lieu of the required 15 feet for Lot 11; and from Section 413.1.E.1 of the B.C.Z.R. to permit two decorative entrance wall signs totaling 165 sq.ft. in lieu of the permitted one sign of 15 sq.ft. total. A revised Petition for Variance was filed subsequent to the first Hearing Officer's Hearing and will be discussed further on in this Opinion. The subject property and relief requested are more particularly described on the site

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Date 9/29/97
By [Signature]

plan/development plan submitted into evidence as Developer's Exhibit 1/ Petitioner's Exhibit 1. The subject property consists of a gross area of 9.09 acres, more or less, of which 8.805 are zoned D.R. 3.5 with the remaining 0.285 acres zoned M.L.R., and is located on the south side of Geroed Avenue and the west side of Hanover Pike in the Reisterstown/Glyndon area. The property is presently vacant with the exception of the old barn which was the subject of the revised Petition for Variance requests, and subsequently, a settlement agreement reached between the adjoining property owners, Matthew and Cindy Martin.

As to the history of this project, the concept plan conference for this development was conducted on July 8, 1996. As required, a community input meeting was held on August 7, 1996 at Franklin High School. Subsequently, a development plan was submitted and a conference held thereon on April 30, 1997. Following the submission of that plan, the appropriate reviewing agencies of Baltimore County submitted comments and a revised development plan incorporating these comments was submitted at the first Hearing Officer's Hearing held before me on May 23, 1997. That hearing was postponed and subsequently rescheduled for July 8, 1997 to allow the adjoining property owners, Matthew and Cindy Martin to retain Counsel and to allow Counsel for the Owner/Developer to amend its Petition requests to include a Petition for Special Hearing. The Petition for Special Hearing sought approval of several waivers from Public Works standards as recommended by the Development Review Committee and shown on the development plan. At the July 8, 1997 hearing, the matter was rescheduled to allow Counsel for the Owner/Developer to amend its Petition for Variance requests relative to the existing barn. Specifically, the Owner/Developer requested additional variance relief from Sections 400.1, 400.2

and 400.3 and Section 101 of the B.C.Z.R. to permit the existing barn to remain on the property with a height of 25 feet in lieu of the maximum permitted 15 feet, and a footprint larger than the existing home on the adjacent property owned by Matthew and Cindy Martin, known as 81 Hanover Pike, and to permit said barn to remain in its present location, which is not in the third of the lot farthest removed from a public road. This amended variance request was as a result of a settlement agreement reached between the Owner/Developer and the adjacent property owners, Matthew and Cindy Martin. A final Hearing Officer's Hearing was scheduled for September 15, 1997 and the presentation of testimony and evidence was completed on this date.

Appearing at the various public hearings held for this project were Sterling Lippo, Property Owner and representative of Sterling Land Company II, LLC, Developer, Mark Padeletti, also with Sterling Land Company, Debra Wittle, Kay Morin, and A. Kenneth Green, representatives of STV, Inc., and Newton A. Williams, Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing, including Ervin McDaniel and Lynn Lanham with the Office of Planning (OP), Michael Kulis and R. Bruce Seeley with the Department of Environmental Protection and Resource Management (DEPRM), and Don Rascoe, Project Manager, and John Lewis, David A. Bayer, Ron Goodwin, and Bob Bowling, all representatives of the Department of Permits and Development Management (DPDM). Several residents from the surrounding locale appeared as Protestants, including Matt and Cindy Martin, who were represented by J. Carroll Holzer, Esquire, and Joseph F. Soler. Also appearing at the hearing was Mary Pat Fannon, a representative of Councilman Bryan McIntire, in whose district the subject property lies.

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At the preliminary stage of the public hearing before me, I am required to determine what, if any, County agency issues/comments remain unresolved. Testimony and evidence received was that all issues raised within the comments submitted by the various County reviewing agencies have been resolved and incorporated within the revised development plan. However, the Department of Public Works noted that several waivers from Public Works standards had been requested by the Owner/Developer which were recommended to be approved by the Director of Public Works. The details of those waiver requests will be discussed later in this Order. In addition, Ms. Mary Pat Fannon raised as an issue on behalf of the Reisterstown/Owings Mills/Glyndon Community Association, the Owner/Developer's request for variance to permit two signs at the entrance to this development.

As to Mr. & Mrs. Martin, who reside immediately adjacent to the subject property and originally appeared as Protestants in this matter, Mr. Holzer indicated that the Owner/Developer and the Martins have reached an agreement resolving all of the issues that existed between the parties prior to the final hearing date. That agreement was entered into evidence as Joint Exhibit 1 and is dated September 15, 1997. This agreement has been signed by Mr. and Mrs. Martin and Messrs. Sterling Leppo and Mark Padeletti, representatives of the Sterling Land Company II, LLC. Several items were agreed to and resolved between the parties, the most important of which involves the existing barn and the transfer of a certain parcel of land from the Sterling Land Company II, LLC to Mr. and Mrs. Martin. It was determined by way of proffer and testimony offered that the barn was at one time, part and parcel of the Martin house and property. Over the years, the barn became subdivided from the property that was purchased by the Martins. The Owner/Developer and the Martins now wish to rejoin the

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barn with the house and property owned by the Martins. However, in order to transfer the barn and property to the Martins, the amended variance relief is necessary in order to legitimize existing conditions and allow the barn to remain in its present status. There were no other unresolved issues/comments relative to the development plan and all issues that may have existed between the Martins and the Owner Developer were resolved by way of the aforementioned agreement. Therefore, the development plan submitted into evidence as Developer's Exhibit 1, is hereby approved, consistent with the comments contained herein.

As to the Petitions for Variance relief, testimony revealed that the subject property is highly irregularly shaped, and there are a number of wetlands and topographic features which add to the uniqueness of this parcel. Because of these factors, the requested variances are generated. In addition, the Owner/Developer has requested variance relief for the existing barn, which as a result of this hearing, will be transferred to Mr. & Mrs. Martin. Testimony and evidence presented demonstrated that this barn has existed on the property, in its present location and at its present height, for many years. Clearly, to require strict compliance with the zoning regulations at this time would result in a practical difficulty and unreasonable hardship for the Owner/Developer and the Martins. Thus, the relief requested is appropriate and should be granted.

The Developer has also requested several waivers of Public Works standards, one of which would allow a smaller section entrance road to lead into this 13-lot subdivision. The Developer proposes a 21-foot paved section in lieu of the required 30-foot paved section, all of which sits on a 44-foot right-of-way. This waiver to allow a narrower entrance road will help to preserve wetlands and other natural features existing on the

Walter
Walter

property. In addition, a waiver has been requested to allow curbs and gutters to be constructed on only one side of this entrance road in lieu of the required two sides. All of these waivers of public works standards are being requested to preserve the natural integrity of the environment and to minimize intrusion upon the natural features on the property. These waivers have been recommended to be granted by the Director of the Department of Public Works. Finally, several variances are generated on some of the lots within this subdivision. These are caused by the irregular shape of the overall tract of land. In addition, the Developer proposes to install a monument identification sign at the entrance to the property. Thus, the requested variances are necessary in order to proceed as proposed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result

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if the special hearing and all of the variances requested are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that the requirements from which the Owner/Developer (Petitioner) seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the Petitions for Special Hearing and Variance granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 29th day of September, 1997 that the development plan for Westgate (aka Glyn Garth), identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petitions for Variance seeking relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and the Comprehensive Manual of Development Policies (C.M.D.P.) to permit front yard to property line/front building face to street right-of-way setbacks of 19 feet for Lot 4 and 9 feet for Lot 5, both in lieu of the required 25 feet for each; to permit rear yard/rear building face setbacks of 10 feet (Type A) or 16 feet (Type B) for Lot 6, 21 feet for Lot 7, and 27 feet for Lot 8; to permit side yard/side building face to tract boundary setbacks of 14 feet (Type A) or 8 feet (Type B) in lieu of the

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AND ZONING
CITY OF BALTIMORE
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required 15 feet for Lot 11; and from Section 413.1.E.1 of the B.C.Z.R. to permit two decorative entrance wall signs totaling 165 sq.ft. in lieu of the permitted one sign of 15 sq.ft. total, in accordance with Developer's Exhibit 1/Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the amended variance request seeking relief from Sections 400.1, 400.2 and 400.3 and Section 101 of the B.C.Z.R. to permit the existing barn to remain on the property with a height of 25 feet in lieu of the maximum permitted 15 feet, and a footprint larger than the existing home at 81 Hanover Pike, and to permit said barn to remain in its present location, which is not in the third of the lot farthest removed from a public road, in accordance with Developer's Exhibit 1/Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the special hearing to approve waivers from Public Works standards to allow a 21-foot paved section in lieu of the required 30-foot paved section, all of which sits on a 44-foot right-of-way, and to allow curbs and gutters to be constructed on only one side of this entrance road in lieu of the required two sides, in accordance with Developer's Exhibit 1/Petitioner's Exhibit 1, be and is hereby APPROVED; and,

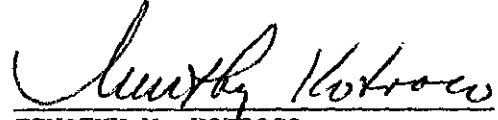
IT IS FURTHER ORDERED that the settlement agreement between the Owner/Developer and Mr. and Mrs. Matthew Martin, entered into evidence as Joint Exhibit 1 and dated September 15, 1997, shall be incorporated into this Order, as if more fully set forth herein, and shall be enforceable as if a part of this Order; and,

IT IS FURTHER ORDERED that the transfer of the barn and surrounding land to Mr. & Mrs. Matthew Martin is a proper and appropriate subdivi-

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sion of this property and is in compliance with the B.C.Z.R. and other applicable regulations.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.



TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

TMK:bjs

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7:55
12/1/10
[Handwritten initials]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

September 29, 1997

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams
502 Washington Avenue, Suite 700
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING AND PETITION FOR VARIANCE
(Westgate (aka Glyn Garth))
Hanover Pike/Reisterstown Road
4th Election District - 3rd Councilmanic District
Sterling L. Leppo, Owner; Sterling Land Company II, LLC, Developer
Case Nos. IV-448 & 97-439-A

Dear Mr. Lippo:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Messrs. Sterling L. Leppo and Mark Padeletti
3106 Saturday Court, Finksburg, Md. 21048

Ms. Debra Wittle, Ms. Kay Morin and Mr. A. Kenneth Green
STV, Inc., 21 Governors Court, Baltimore, Md. 21244

Mr. Milton L. McCarthy, 14458 Old Mill Road, Upper Marlboro, Md. 20776
J. Carroll Holzer, Esq., 305 Washington Ave., #502, Towson, Md. 21204
Mr. & Mrs. Matthew Martin, 81 Hanover Road, Reisterstown, Md. 21136
Mr. Joseph Soler, 101 Geroed Avenue, Reisterstown, Md. 21136

Donald Rascoe, Proj. Mgr., DPDM; DEPRM; DPW; R&P; People's Counsel;
Case Files



RE: PETITION FOR VARIANCE * BEFORE THE
W/S Hanover Pike, 181.5' S of c/l Geroed Av * ZONING COMMISSIONER
4th Election District, 3rd Councilmanic *
Legal Owner: Sterling L. Leppo * OF BALTIMORE COUNTY
Contract Purchaser: Sterling Land Company II, Inc. *
Petitioners * CASE NOS. 97-439-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



AMENDED **97-439-SPHA**
Petition for Variance
97-439-SPHA
to the Zoning Commissioner of Baltimore County
for the property located at 81 Hanover Pike, Reisterstown

which is presently zoned D.R.3.5

This Petition shall be filed with the Department of Permits & Development Management
 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 Variance from Section(s)
SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attached

Property is to be posted and advertised as prescribed by Zoning Regulations.
 I, or we, agree to pay expenses of above Variance 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

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/Lessee

Matthew R. Martin/Cynthia P. Martin
 (Type or Print Name)

Matthew R. Martin
 Signature

81 Hanover Pike
 Address

Reisterstown, MD
 City State Zipcode

Attorney for Petitioner

Newton A. Williams
 (Type or Print Name) Nolan, Plumhoff & Williams, Chtd.

Newton A. Williams
 Signature

502 Washington Ave., Suite 700
 Address 410-823-7800 Phone No.

Towson MD 21204
 City State Zipcode

Legal Owner(s):

Sterling Land Company, II, LLC
 (Type or Print Name)

Sterling L. Leppo
 Signature

Sterling L. Leppo
 (Type or Print Name)

Signature

P. O. Box 264
 Address Phone No

Finksburg, MD 21048
 City State Zipcode
 Name, Address and phone number of representative to be contacted.

Name

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
 unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING
 Date 8/22/97
 By JBP

Printed with Soybean Ink on Recycled Paper
 Revised 9/5/95

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NO REVIEW
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REVISED

Requested Variances

Sections 400.1, 400.2 and 400.3 and Section 101 Accessory Structure for the existing barn to remain, as follows:

1. To remain up to 25 feet in height in lieu of the permitted 15 feet;
2. To remain with a footprint larger than the existing home at 81 Hanover Pike; and
3. To remain located as at present, there being no one-third of the lot located furthest from the public road, and to be located in any area of the rear yard not in the one-third furthest removed from the public right-of-way.

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By [Signature]

**Reasons for Requested Accessory
Buildings Variance**

1. The subject barn is an existing building located to the rear of the Martin home and garage.
2. The barn on a small surrounding area is to be conveyed from the Sterling Leppo property to the Martins via a lot line.
3. The barn is non-conforming as to its presence, height and location, dating to agricultural use of the area prior to major road construction.
4. The barn is a part of the area and will remain so if approved as a part of this lot line adjustment.
5. The barn and Martin property are bordered by three (3) streets, Gerard Avenue on the north, Hanover Pike on the east and the Westgate access road to the south. Hanover, the Westgate access road, is not abutting the barn property. Thus, the barn location is appropriate - there being no part of the Martin property and barn not abutting or near a public street. The barn, however, is in the Martin rear yard as to proposed to be enlarged by this lot line adjustment.

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Date

1/29/97

By

[Signature]

Petition for Variance

Item 439 Revised

to the Zoning Commissioner of Baltimore County

for the property located at Hanover Pike/Reisterstown Road

which is presently zoned D.R.3.5

This Petition shall be filed with the Department of Permits & Development Management. 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 Variance from Section(s)

See attached variances (REVISED) M.D.P.P.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See attached reasons

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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 adapted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that (We are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee.

Sterling Land Company II, LLC

(Type or Print Name)

Sterling L. Leppo

Signature

P.O. Box 264

Address

Finksburg, MD 21048

City

State

Zipcode

Attorney for Petitioner: Stephen J. Nolan & Newton A. Williams

(Type or Print Name)

Newton A. Williams

Signature

Nolan, Plumhoff & Williams

502 Washington Avenue

Suite 700

823-7800

Address

Phone No.

Towson MD 21204

City

State

Zipcode

Legal Owner(s):

Sterling L. Leppo

(Type or Print Name)

Sterling L. Leppo

Signature

(Type or Print Name)

Signature

P.O. Box 264 833-9001

Address

Phone No

Finksburg MD 21048

City

State

Zipcode

Name, Address and phone number of representative to be contacted. Stephen J. Nolan & Newton A. Williams Nolan, Plumhoff & Williams

502 Washington Avenue Suite 700 823-7800

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 5/8/97* unavailable for Hearing the following dates _____ Next Two Months

ALL _____ OTHER _____ REVIEWED BY: *ML* DATE 6/5/97 (revision)

* combined w/ H04

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Date

By

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Revised 9/5/95

REQUESTED VARIANCES

1. From Section (Table) 1B01.2C.1.b. and the CMDP to permit front yards as follows, from front building face to public street right of way or property line; namely:

- a. Lot 4, of 22 feet; and
- b. Lot 5, of 10 feet.

*in lieu of the required 25 feet
M.A.W.*

2. From Section (Table) 1B01.2C.1.b. and the CMDP to permit rear yards, ie. from rear building face to property line, as follows; in lieu of the required 30 feet, namely:

- a. Lot 6, of 10 feet (Type A) or 16 feet (Type B); and
- b. Lot 7, of 22 feet.

3. From Section (Table) 1B01.2.C.1.b. and the CMDP to permit a side yard, ie. from side building face to tract boundary of 14 feet (Type A) or 8 feet (Type B) in lieu of the required 15 feet, for Lot 11.

4. For a variance from Section 413.1,E.1. to permit a pair of decorative entrance wall signs totaling 165 s.f. in lieu of the allowed 15 s.f. sign only standard.

REVISED REQUESTED VARIANCES

1. From Section (Table) 1B01.2C.1.b. and the CMDP to permit front yards as follows, from front building face to public street right of way or property line in lieu of the required 25 feet; namely:

- a. Lot 4, of 19 feet; and
- b. Lot 5, of 9 feet.

2. From Section (Table) 1B01.2C.1.b. and the CMDP to permit rear yards, ie. from rear building face to property line, as follows, in lieu of the required 30 feet, namely:

- a. Lot 6, of 10 feet (Type A) or 16 feet (Type B); and
- b. Lot 7, of 21 feet.
- c. Lot 8 of 27 feet.

3. From Section (Table) 1B01.2.C.1.b. and the CMDP to permit a side yard, ie. from side building face to tract boundary of 14 feet (Type A) or 8 feet (Type B) in lieu of the required 15 feet, for Lot 11.

4. For a variance from Section 413.1,E.1. to permit a pair of decorative entrance wall signs totaling 165 s.f. in lieu of the allowed 15 s.f. sign only standard.

Revised May 30, 1997 by Newton A. Williams per STV Plan.

Newton A. Williams

 Newton A. Williams

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Date: 5/29/97

By: [Signature]

NEED AND JUSTIFICATION FOR THE REQUESTED VARIANCES

1. The requested variances are not extensive, and only 4 of 13 lots are involved.
2. The subject site is unique, as an interior site, with a long, stem-like access street.
3. The subject site is an infill site on an historically underdeveloped area situated between Route 140, Westminster Pike, Reisterstown Road or Hanover Pike and Maryland Route 30 Relocated.
4. The only practical way to accommodate the lots on this site is around a park like area on a triangular shaped court, with three of the lots at the NE/C, namely Lots 5, 6 and 7. Reasonably sized, useable homes cannot fit on Lots 5, 6 and 7 without some minor variance relief as requested.
5. Lot 11 at the NW/C of the site is most appropriately developed with the house rotated cater-corner to the street, necessitating the requested side yard variance on the east side. Because of the house being turned, only the corner, and not the entire building face, intrudes into the 15 foot area.
6. The requested variances only affect the small in fill site known as Westgate, and do not affect nearby properties.
7. The requested variances will foster new, well done infill development, and will not harm the health, safety and welfare of this area.

ORDER RECEIVED FOR FILING

Date 9/29/97
 By [Signature]



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Hanover Pike/Reisterstown Road

which is presently zoned D.R.3.5.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.

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

I, or we, agree to pay expenses of 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/Lessee:

Sterling Land Company II, LLC

(Type or Print Name)

Sterling L. Leppo, Member.
Signature

P.O. Box 264

Address

Finksburg MD 21048

City State Zipcode

Attorney for Petitioner: Stephen J. Nolan & Newton A. Williams
Nolan, Plumhoff & Williams

(Type or Print Name)

Newton A. Williams
Signature
Suite 700 - Nottingham Centre
502 Washington Avenue 823-7800

Address Phone No.
Towson MD 21204

City State Zipcode

Legal Owner(s):

Sterling L. Leppo

(Type or Print Name)

Sterling L. Leppo
Signature

(Type or Print Name)

Signature

P.O. Box 264

833-9001

Address

Phone No.

Finksburg

MD

21048

City State Zipcode

Name, Address and phone number of representative to be contacted.

Stephen J. Nolan/Newton A. Williams
Nolan, Plumhoff & Williams

Name 700 Nottingham Centre
502 Washington Ave.

410-823-7800

Address Towson, MD 21204 Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date Next Two Months

ALL OTHER

REVIEWED BY: WCR DATE 4-30-97





STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

ZONING DESCRIPTION WESTGATE HANOVER PIKE, REISTERSTOWN BALTIMORE COUNTY, MARYLAND

Beginning at a point on the west side of Hanover Pike, Maryland Route No. 30, which is 66 feet wide, at the distance of 181.5 feet measured southerly of the centerline of Geroed Avenue, which is 20 feet wide. Thence leaving said west side of Hanover Pike and running as follows:

1. North 80°49'51" West 564.55 feet to a point thence,
2. South 07°23'24" West 182.58 feet to a point thence,
3. North 36°46'14" West 73.72 feet to a point thence,
4. North 84°41'33" West 357.50 feet to a point thence,
5. North 12°07'07" East 362.22 feet to a point thence,
6. North 77°08'13" West 281.39 feet to a point on the southeast side of Butler Road, part of Maryland Route No. 795 (ak/a Maryland Route 30 Relocated), thence along same the six following courses and distances,
7. North 48°19'44" East 239.08 feet to a point thence,
8. North 58°34'39" East 172.42 feet to a point thence,
9. South 84°01'56" East 50.72 feet to a point thence,
10. North 65°57'49" East 132.26 feet to a point thence,
11. North 74°59'31" East 181.19 feet to a point thence,
12. North 84°18'32" East 53.07 feet to a point, thence leaving Butler Road and running,
13. South 21°47'53" West 508.36 feet to a point thence,
14. South 79°53'58" East 184.30 feet to a point on the south side of the aforesaid Geroed Avenue, thence on same,



STV Incorporated

15. South 79°56'49" East 330.31 feet to a point, thence leaving said Geroed Avenue and running,
16. South 05°52'25" West 85.00 feet to a point thence,
17. South 80°00'42" East 160.00 feet to a point on the aforesaid west side of Hanover Pike, thence along same,
18. South 05°51'53" West 84.30 feet to the place of beginning as recorded in Deed Liber S.M. No. 11633, Folio 358.

Containing 9.035 acres of land, also known as No. 77 Hanover Road, located in Reisterstown, Fourth (4th) Election District.

January 17, 1997

STV INCORPORATED

Mark A. Riddle

MD Professional Land Surveyor No. 10899



87-439-SPHA
Rev 8/22/97



STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

REVISED
ZONING DESCRIPTION
WESTGATE
HANOVER PIKE, REISTERSTOWN
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the west side of Hanover Pike, Maryland Route No. 30, which is 66 feet wide, at the distance of 181.5 feet measured southerly of the centerline of Geroed Avenue, which is 20 feet wide. Thence leaving said west side of Hanover Pike and running as follows:

1. North 80°49'51" West 564.55 feet to a point thence,
2. South 07°23'24" West 182.58 feet to a point thence,
3. North 36°46'14" West 73.72 feet to a point thence,
4. North 84°41'33" West 357.50 feet to a point thence,
5. North 12°07'07" East 362.22 feet to a point thence,
6. North 77°08'13" West 281.39 feet to a point on the southeast side of Butler Road, part of Maryland Route No. 795 (ak/a Maryland Route 30 Relocated), thence along same the six following courses and distances,
7. North 48°19'44" East 239.08 feet to a point thence,
8. North 58°34'39" East 172.42 feet to a point thence,
9. South 84°01'56" East 50.72 feet to a point thence,
10. North 65°57'49" East 132.26 feet to a point thence,
11. North 74°59'31" East 181.19 feet to a point thence,
12. North 84°18'32" East 53.07 feet to a point, thence leaving Butler Road and running,
13. South 21°47'53" West 508.36 feet to a point thence,
14. South 79°53'58" East 184.30 feet to a point on the south side of the aforesaid Geroed Avenue, thence on same,



STV Incorporated

15. South 79°56'49" East 490.31 feet to a point on the aforesaid west side of Hanover Pike, thence along same,
16. South 05°51'53" West 169.12 feet to the place of beginning, as recorded in Deed Liber S.M. No. 11633, Folio 358, and Liber S.M. 10727, Folio 201.

Containing 9.346 acres of land, also known as Nos. 77 and 81 Hanover Road, located in Reisterstown, Fourth (4th) Election District.

STV INCORPORATED

Mark A. Riddle

MD Professional Land Surveyor No. 10899

January 17, 1997

Revised: August 21, 1997



WESTGATE PDM-#4-448

CERTIFICATE OF POSTING

RE: Case No.: 97-439 SPHA
Petitioner/Developer: S. LEPPO, ETAL
NEWTON WILLIAMS ESQ
Date of Hearing/Closing: 7/8/97

CONTINUED.

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

penalties of perjury that the necessary sign(s) required by law
properly located at W/S HANOVER RD. S.
GEREOD AVE C SITE

6/8/97
(Month, Day, Year)

Sincerely,
Patrick M. O'Keefe 6/13/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

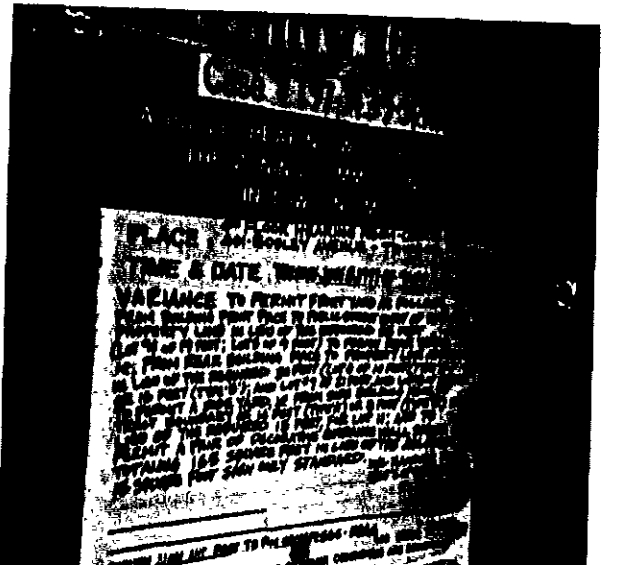
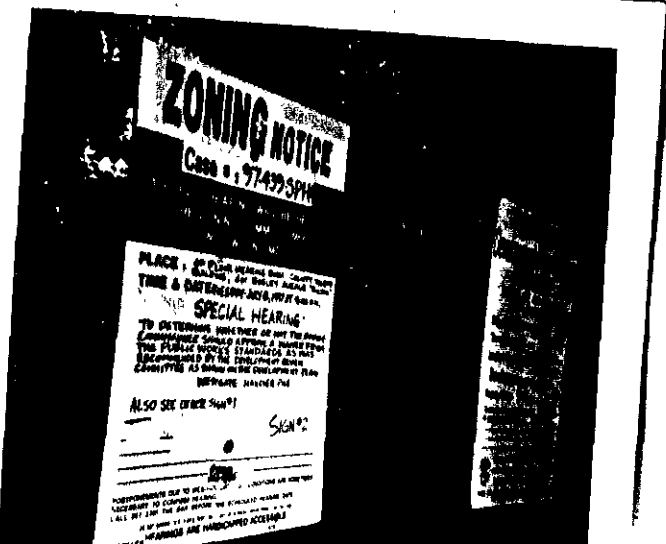
(410) 666-5366

(Telephone Number)

905-9571
Pager (410) 666-5364



PDM-4-448



RE: Case No.: 7-439 SPHA

Petitioner/Developer: STERLING LAND CO., II, INC
c/o NEWTON WILLIAMS ETAL

Date of Hearing/Closing: 9-15-97
@ 2:00 PM
RM-106 COB
SEPT. 15, 1997

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

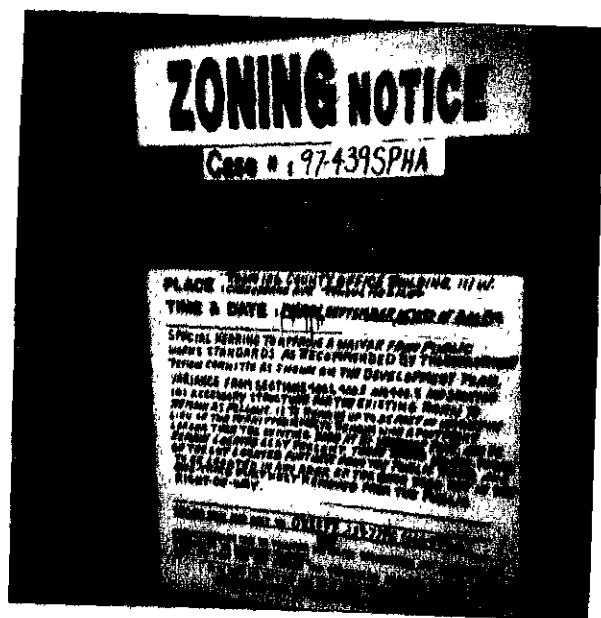
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at W/S HANOVER PIKE,
181.5' S. OF E GERDOD AVE.

The sign(s) were posted on 8/28/97
FIXED (Month, Day, Year)

Sincerely, Patrick M. O'Keefe
Patrick M. O'Keefe 9/1/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)
523 Penny Lane
(Address)
Hunt Valley, MD 21030
(City, State, Zip Code)
(410) 666-5366 9058571
(Telephone Number) Pager (410) 646-6334



97-439-SPHA
W/S HANOVER PK. P-8/28/97
STERLING LAND Co. II
NEWTON WILLIAMS H-9/15/97

Request for Zoning: Variance, Special Exception, or Special Hearing

439

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: * _____

DATE AND TIME: * _____

REQUEST: *to permit a 22' front setback for Lot 4 and a 10' front setback for Lot 5 both in lieu of 25'; to permit a 10' rear setback for Lot 6 and a 22' rear setback for Lot 7 both in lieu of 30'; to permit an 8' side to front boundary in lieu of 15' for Lot 11, and to permit two signs of 165 sq ft. in lieu of one sign of 15 sq ft.*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 439

Petitioner: Sterling J. Leppo, Sterling Land Company, II, LLC

Location: 415 Reisterstown Road, W of Route 140

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Newton A. Williams

ADDRESS: 700 Nottingham Center
502 Wood Ave
Towson, Md, 21204

PHONE NUMBER: 823-7800

AJ:ggs

(Revised 04/09/93)



TO: PUTUMENT PUBLISHING COMPANY
April 24, 1997 Issue - Jeffersonian

Please forward billing to:

Newton A. Williams, Esq.
200 Nottingham Center
502 Washington Avenue
Towson, MD 21204
410-823-7800

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-439-A

West Gate

W/S Hanover Pike, 181.5' S of c/l Geroed Avenue

4th Election District - 3rd Councilmanic

Legal Owner(s): Sterling L. Leppo

Contract Purchaser: Sterling Land Company II, Inc.

Variance to permit front yards of 22 feet (Lot 4) and 10 feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and 22 feet (Lot 7) in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totalling 165 square feet in lieu of the allowed 15 square feet.

HEARING: FRIDAY, MAY 23, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 18, 1997

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 in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING

Project Number: IV-448
Project Name: Westgate aka Glyn Garth
Location: S/S Geroed Avenue, W/S Reisterstown Road
Acres: 9.09
Developer: Sterling Land Company II, LLC
Proposal: 14 single family lots

and

CASE NUMBER: 97-439-A
West Gate
W/S Hanover Pike, 181.5' S of c/l Geroed Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Sterling L. Leppo
Contract Purchaser: Sterling Land Company II, Inc.

Variance to permit front yards of 22 feet (Lot 4) and 10 feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and 22 feet (Lot 7) in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totalling 165 square feet in lieu of the allowed 15 square feet.

HEARING: FRIDAY, MAY 23, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

Arnold Jablon
Director

cc: Sterling L. Leppo/Sterling Land Company II, LLC
Newton A. Williams, Esq.

- NOTES: (1) YOU MUST HAVE THE DEVELOPMENT HEARING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 24, 1997.
YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 8, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

May 1, 1997

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 in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING

Project Number: IV-448
 Project Name: Westgate aka Glyn Garth
 Location: S/S Geroed Avenue, W/S Reisterstown Road
 Acres: 9.09
 Developer: Sterling Land Company II, LLC
 Proposal: 14 single family lots

*Mailed out
 to cc's on
 5/6/97
 scj*

and

CASE NUMBER: 97-439-SPHA
 West Gate
 W/S Hanover Pike, 181.5' S of c/l Geroed Avenue
 4th Election District - 3rd Councilmanic
 Legal Owner(s): Sterling L. Leppo
 Contract Purchaser: Sterling Land Company II, Inc.

Special Hearing to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.

Variance to permit front yards of 22 feet (Lot 4) and 10 feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and 22 feet (Lot 7) in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totalling 165 square feet in lieu of the allowed 15 square feet.

HEARING: FRIDAY, MAY 23, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

Arnold Jablon
 Director

cc: Sterling L. Leppo/Sterling Land Company II, LLC
 Newton A. Williams, Esq.

NOTES: (1) YOU MUST HAVE THE DEVELOPMENT HEARING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 24, 1997.
YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 8, 1997.



Printed with Soybean Ink
 on Recycled Paper

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 1, 1997

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 in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING

Project Number: IV-448
Project Name: Westgate aka Glyn Garth
Location: S/S Geroed Avenue, W/S Reisterstown Road
Acres: 9.09
Developer: Sterling Land Company II, LLC
Proposal: 14 single family lots

and 27 feet (Lot 8)

and

CASE NUMBER: 97-439-SPHA
West Gate
W/S Hanover Pike, 181.5' S of c/1 Geroed Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Sterling L. Leppo
Contract Purchaser: Sterling Land Company II, Inc.

9, 8 feet or

Special Hearing to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.
Variance to permit front yards of ~~22~~¹⁹ feet (Lot 4) and ~~30~~ feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and ~~22~~ feet (Lot 7) in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totalling 165 square feet in lieu of the allowed 15 square feet.

21

HEARING: FRIDAY, MAY 23, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

Arnold Jablon
Director

cc: Sterling L. Leppo/Sterling Land Company II, LLC
Newton A. Williams, Esq.

NOTES: (1) YOU MUST HAVE THE DEVELOPMENT HEARING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 24, 1997.
YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 8, 1997.



Printed with Soybean Ink on Recycled Paper (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353. (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 867-3391.

Rec'd 5/8/97

TO: PUTUMENT PUBLISHING COMPANY
~~May 8, 1997~~ Issue - Jeffersonian
JUNE 17

Please forward billing to:

Newton A. Williams, Esq.
200 Nottingham Center
502 Washington Avenue
Towson, MD 21204
410-823-7800

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-439-SPHA
West Gate
W/S Hanover Pike, 181.5' S of c/l Geroed Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Sterling L. Leppo
Contract Purchaser: Sterling Land Company II, Inc.

Special Hearing to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.

Variance to permit front yards as follows, from front building face to public street right of way or property line in lieu of the required 25 feet (Lot #4 of 19 feet; Lot #5 of 9 feet) to permit rear yards, i.e. from rear building face to property line, as follows, in lieu of the required 30 feet (Lot #6 of 10 feet (Type A) or 16 feet (Type B)); and Lot #7 of 21 feet, and Lot #8 of 27 feet; to permit a side yard, i.e. from side building face to tract boundary of 14 feet (Type A) or 8 feet (Type B) in lieu of the required 15 feet, for Lot 11; and to permit a pair of decorative entrance wall signs totaling 165 square feet in lieu of the allowed 15 square foot sign only standard.

HEARING: TUESDAY, JULY 8, 1997 at 9:00 a.m. in Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

June 6, 1997

COPY

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 in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING

Project Number: IV-448
 Project Name: Westgate aka Glyn Garth
 Location: S/S Geroed Avenue, W/S Reisterstown Road
 Acres: 9.09
 Developer: Sterling Land Company II, LLC
 Proposal: 14 single family lots

and

CASE NUMBER: 97-439-SPHA
 West Gate
 W/S Hanover Pike, 181.5' S of c/l Geroed Avenue
 4th Election District - 3rd Councilmanic
 Legal Owner(s): Sterling L. Leppo
 Contract Purchaser: Sterling Land Company II, Inc.

Special Hearing to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.

Variance to permit front yards as follows, from front building face to public street right of way or property line in lieu of the required 25 feet (Lot #4 of 19 feet; Lot #5 of 9 feet) to permit rear yards, i.e., from rear building face to property line, as follows, in lieu of the required 30 feet (Lot #6 of 10 feet (Type A) or 16 feet (Type B); and Lot #7 of 21 feet, and Lot #8 of 27 feet; to permit a side yard, i.e. from side building face to tract boundary of 14 feet (Type A) or 8 feet (Type B) in lieu of the required 15 feet, for Lot 11; and to permit a pair of decorative entrance wall signs totaling 165 square feet in lieu of the allowed 15 square foot sign only standard.

HEARING: TUESDAY, JULY 8, 1997 at 9:00 a.m. in Room 407 Courts Building, 401 Bosley Avenue.

Arnold Jablon
 Director

cc: Sterling L. Leppo/Sterling Land Company II, LLC
 Newton A. Williams, Esq.

NOTES: (1) YOU MUST HAVE THE DEVELOPMENT HEARING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 9, 1997.
 (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 16, 1997

Newton A. Williams, Esquire
Noian, Plumhoff & Williams
502 Washington Avenue, Suite 700
Towson, MD 21204

RE: Item No.: 439
Case No.: 97-439-A
Petitioner: Sterling L. Leppo

Dear Mr. Williams:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 10, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 28, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SIGNED: ROBERT W BOWLING

SUBJECT: Zoning Advisory Committee Meeting
for April 28, 1997
Item No. 439

The Development Plans Review Division has reviewed the subject zoning item.

The street trees on Sheet 2 of 3 should be placed between the curb and sidewalk. The center island with the gazebo should include various major deciduous trees. Refer to previously submitted marked-up schematic landscape plan.

RWB:HJO:cab

cc: File

ZONE428.439

Attach original petition

Due Date 4/29/97

To: Arnold L. Jablon

From: Bruce Seeley *BS/PP*

Subject: Zoning Item #439

Westgate

Zoning Advisory Committee Meeting of April 21, 1997

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

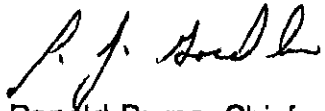
RE: Baltimore County 4.21.97
Item No. 439 MJK

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 30 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

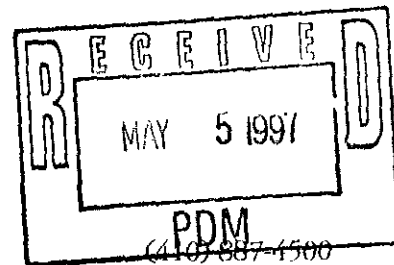
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500



April 22, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

Re: Property Owner: Sterling L. Leppo

Location: DISTRIBUTION MEETING OF April 28, 1997

Item No.: 439 Zoning Agenda:

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.

1. Relocate hydrant opposite parhandle drive to lot #110 to be located at straight away opposite lots #102 & #104.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4081, MG-1103

cc: File



BALTIMORE COUNTY, MARYLAND

SUBJECT: DEVELOPMENT PLAN COMMENTS

DPC DATE: 4/30/97
9:00 a.m., Room 123

FROM: PDM - ZONING REVIEW

HOH DATE: 5/23/97
9:00 a.m., 4th Floor, NCB

PROJECT NAME: **Westgate**
(AKA Glyn Garth, FKA Glyndon Grace Condos)

PLAN DATE: 3/31/97

LOCATION: S/S Geroed Avenue,
W/S Reisterstown Road

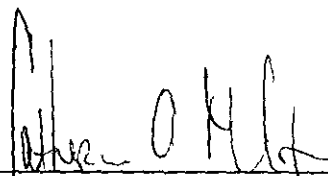
DISTRICT: 4c3

PROPOSAL: 13 Single Family Dwellings

Prior to development plan approval, the following must be shown on the plan:

- A. Dimension all lines of division and clearly indicate the proposed ownership of all areas that are not roads or lots.
- B. Indicate the current case number on the plan.

This office's approval is contingent on obtaining the variances in case #97-439-A. A Final Development Plan (FDP) will be required and the outcome of the hearing needs to be shown on the plan.



CATHERINE A. MILTON
Planner I
Zoning Review

CAM:scj

c: zoning case #97-439-A

REQUEST FOR HOH

PROJECT MANAGER: DONALD RASCOE

NAME: WESTGATE AKA: GLYN GARTH

NUMBER: 04-448

LOCATION: S/S GEROED AVENUE, W/S
REISTERSTOWN RD

ACRES: 9.09

DEVELOPER: STERLING LAND COMPANY II, LLC

ENGINEER: STV INCORPORATED

PROPOSAL: 14 SINGLE-FAMILY LOTS

REVIEWER:

DOES THIS NEED A SPECIAL EXCEPTION OR A VARIANCE

YES _____ NO _____

ITEM NUMBER AND/OR DROP-OFF DATE _____ FOR
VARIANCE, ET AL.

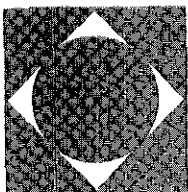
ESTIMATED LENGTH OF HEARING: 2 hrs.

ATTORNEY: None

OPPOSING ATTORNEY: None

DATE (S) NOT TO SET: _____

*TO: Don
FROM: Joyce*



STV Incorporated
 Engineers/Architects/Planners/Construction Managers
 21 Governor's Court
 Baltimore, MD 21244-2722
 410/944-9112, FAX 410/298-2794

97-439-SPHA
LETTER OF TRANSMITTAL

DATE 8/22/97	OUR JOB NO. 61-1199
FILE NO.	YOUR JOB NO.
ATTENTION CARL RICHARDS	
RE: WEST GATE	

TO BART. CO. OFFICE BLDG.
ZONING DEPT., RM 111
TOWSON, MD.

WE ARE SENDING YOU Attached Under separate cover via HAND DELIVER the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order

DRAWING NO.	FILE NO.	DESCRIPTION	ACTION
	12	REVISED DEVELOPMENT PLANS	

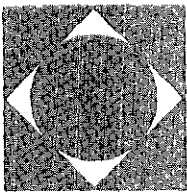
THESE ARE TRANSMITTED as checked below:

- For approval As requested Submit ___ copies for distribution
 For your use Resubmit ___ copies for approval Return ___ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19 ____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

COPY TO: _____

SIGNED: [Signature]



STV Incorporated

Engineers/Architects/Planners/Construction Managers
21 Governor's Court
Baltimore, MD 21244-2722
410/944-9112, FAX 410/298-2794

LETTER OF TRANSMITTAL

DATE 8/21/97	OUR JOB NO. 61-1199
FILE NO.	YOUR JOB NO.
ATTENTION NEWTON WILLIAMS	
RE: WESTGATE	

TO NOLAN, PLUMHOFF & WILLIAMS
502 WASHINGTON AVENUE,
SUITE 700
TOWSON MD 21204

WE ARE SENDING YOU Attached Under separate cover via HAND DELIVER the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order SEE BELOW

DRAWING NO.	FILE NO.	DESCRIPTION	ACTION
	①	REVISED ZONING DESCRIPTIONS	
	②	AMMENDED BALTIMORE CO. 200 SCALE ZONING MAP	
	②	HIGHLIGHTED TAX MAPS.	
		<i>Site Plans to follow shortly.</i>	

THESE ARE TRANSMITTED as checked below:

- For approval As requested Submit ___ copies for distribution
 For your use Resubmit ___ copies for approval Return ___ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19 ____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

COPY TO: _____

SIGNED: _____

If enclosures are not as noted, kindly notify us at once.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 2, 1997

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams, Chtd.
502 Washington Avenue, Suite 700
Towson, MD 21204

RE: Drop-Off Revision Review
Case 97-439-SPHA

Dear Mr. Williams:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

Title for person signing for legal owner must be printed or typed on the petition form.

Telephone number for legal owner must be on the petition form.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mitchell J. Kellman".

Mitchell J. Kellman
Planner II, Zoning Review

MJK:scj

Enclosure (receipt)

c: Zoning Commissioner





Tom K.

LAW OFFICES
J. CARROLL HOLZER, PA
J. HOWARD HOLZER
1907-1989
THOMAS J. LEE
OF COUNSEL

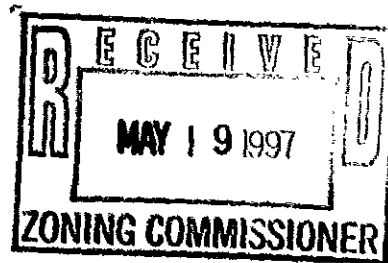
TOWSON OFFICE
305 WASHINGTON AVENUE
SUITE 502
TOWSON, MD 21204
(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@MAIL.BCPL.LIB.MD.US

May 19, 1997

HAND DELIVERED

Lawrence Schmidt
Zoning Commissioner
Old Courthouse
400 Washington Ave.
Towson, Maryland 21204

Re: WestGate
PDM File No: IV-488



Dear Mr. Schmidt:

I represent Matthew Martin of 81 Hanover Road, Reisterstown, Maryland. After having met with him this morning to generally review the new development known as WestGate, I am through this letter entering my appearance on behalf of Mr. Martin and requesting a postponement of the hearing scheduled for Friday, May 23, 1997. Obviously, I have not been able to thoroughly review this case and prepare for the hearing.

Also, on Friday, May 23, I am the settlement officer of a settlement for the sale of a multi-million dollar manufacturing plant in Harford County and will find it impossible to be present at the scheduled hearing. Additionally, in the morning, I will be before Judge Byrnes of the Circuit Court in a specially assigned civil matter, *Cromwell Station Homeowners Assn. v. Cromwell Station Jt. Venture*. As is my practice, I will make all efforts to accommodate the Zoning Commissioner to reschedule at the earliest opportunity. At the present time, I am unaware of who represents the developer, STV Incorporated, and have not been able to request a postponement of other counsel.

If you have any questions, I can be reached at 410-825-6961.

Very truly yours,

J. Carroll Holzer

JCH:clg
cc: M. Martin

VILLIAMS
RENNER
NGLEHART, JR
NOLAN*

HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR
C. WILLIAM CLARK
E. BRUCE JONES**
STUART A. SCHADT

*ALSO ADMITTED IN D.C.
**ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX (410) 296-2765

(revised)
JAMES D. NOLAN
(RETIRED 1980)
J. EARLE PLUMHOFF
(1940-1988)
RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
823-7856

June 2, 1997

Honorable Lawrence E. Schmidt
Zoning Commissioner
Courthouse
Towson, Maryland 21204

Mr. Carl Richards
Permits and Development Management
County Office Building
Towson, Maryland 21204

TO MSK
6/4/97
WCK
ITEM 439

Re: Development Plan Hearing
Westgate Project No. IV-448
Continued Hearing for Counsel for Adjoining Neighbor and
Readvertising and Reposting of Additional and Altered Variances
For July 8th or 11th, Agreed Available Dates

Dear Commissioner Schmidt and Mr. Richards:

Everyone will recall at the Hearing Officer's Hearing on Friday, May 23, 1997, the matter was continued in order that a neighbor, Mr. Martin, could obtain counsel, and he indicated that he had retained J. Carroll Holzer, Esquire.

It was also discovered that due to an increase in the width of certain panhandles, from 10 to 12 feet, that some of the variances needed to be revised.

After talking with Mr. Carl Richards at Zoning, we are enclosing a copy of the original Petition for Variances with a revised Requested Variances attached, properly initialled. Mr. Richards indicated that this is the procedure to follow.

Mr. Holzer indicated during a conversation on May 22, that he did not have time available until the latter part of June, and it was indicated that July 8 or 11 were the best available dates for the resumption of this hearing.

As for the days in late June, after talking with Mrs. Gwen Stephens, there is not adequate hearing time available, nor is there an opportunity to readvertise and repost for the variances.

We are also enclosing our check in the amount of \$100.00 for a revision fee as indicated by Carl Richards, and will appreciate hearing from Carl and Gwen regarding the sufficiency of the revised filing and whether the advertising and posting can be taken care of with certainty for either July 8 or 11. If these dates are not available, please check with this office and Mr. Holzer, (410) 825-6961, for the earliest possible dates.

Honorable Lawrence E. Schmidt
Mr. Carl Richards
June 2, 1997
page two

Finally, we would like Mr. Holzer to confirm that he and his client are available on those dates.

Thanking everyone concerned for their attention to this matter, I am

Respectfully,



Newton A. Williams

NAW:mao
encls.

cc: Mrs. Gwen Stephens, PDM
Mr. Sterling Leppo, Sterling Homes
Mr. Mark Padeletti, Sterling Homes
Ms. Deborah Wittle, STV, Inc.
Mrs. Kay Morin, STV, Inc.
J. Carroll Holzer, Esquire

FAX TRANSMISSION

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED
 502 WASHINGTON AVENUE, SUITE 700
 TOWSON, MARYLAND 21286
 410-823-7800
 FAX: 410-296-2765

File # 5401/01

To: *Mr. Don Rascoe* Date: *April 11, 1997*
 Fax #: *Project Manager - POM.* Pages: *1*, including this cover sheet.
887-5708
 From: *Newton Williams*
 Subject: *Westgate, POM II - 448, Item 439*
 COMMENTS: *Sterling Land Company*

Don: Please refer to my April 9 fax.

- 1. Mitch Kellman has taken the case in officiously on 4/10 - Item 439. - York & Lynn Vananier.*
- 2. We are, of course, anxious that it be scheduled with the Hearing Officer's hearing.*
- 3. Also, we are looking forward to the Development Conference, etc. Thank you.*

Best regards, Newton

"WARNING: Unauthorized interception of this telephonic communication could be a violation of Maryland and Federal law."

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

Fax CC - Mrs. Gwen Stephens, Zoning, 887-5708
Sterling Land Company - Fax 833-9619
Mrs. Kay S. Martin, RLA, STV, Fax 298-2794

FAX TRANSMISSION

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED

502 WASHINGTON AVENUE, SUITE 700

TOWSON, MARYLAND 21284

410-823-7800

FAX: 410-296-2765

File No. 5401/01

To: Mrs. Gwen Stephens

Date: May 9, 1997.

Fax #: 410-887-5708

Pages: 2, including this cover sheet.

From: Newton Williams

Subject: Omission from Sterling Land Company, II, LLC, Notice of Hearing

COMMENTS: Case No. 97-439-5PHA

Gwen:

In preparing for the hearing, I noted an omission from the Notice of Hearing, received on May 8th.

There were alternative variances for Lot 11 requested of 8 feet or 14 feet in lieu of the required 15 feet.

The Petition is correct, the site plan is correct but the notice of hearing is incorrect, see attached.

We have not yet seen the ad in the paper. Please review and advise. Thanks.

Newton

“WARNING: Unauthorized interception of this telephonic communication could be a violation of Maryland and Federal law.”

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Mr. Pat O'Keefe, 410-628-2574

Mr. Sterling Zappo, Mr. Mark Padaletti, Sterling Homes, ⁴¹⁰ 833-9619

Ms. Debra Wittle, Ms. Kay Morin, STV, 410-298-2794



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

May 1, 1997

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 in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING

Project Number: IV-448
 Project Name: Westgate aka Glyn Garth
 Location: S/S Geroed Avenue, W/S Reisterstown Road
 Acres: 9.09
 Developer: Sterling Land Company II, LLC
 Proposal: 14 single family lots

and

CASE NUMBER: 97-439-SPHA
 West Gate
 W/S Hanover Pike, 181.5' S of c/l Geroed Avenue
 4th Election District - 3rd Councilmanic
 Legal Owner(s): Sterling L. Leppo
 Contract Purchaser: Sterling Land Company II, Inc.

8 feet or

Special Hearing to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.

Variance to permit front yards of 22 feet (Lot 4) and 10 feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and 22 feet (Lot 7) in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totalling 165 square feet in lieu of the allowed 15 square feet.

HEARING: FRIDAY, MAY 23, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

Arnold Jablon
 Director

cc: Sterling L. Leppo/Sterling Land Company II, LLC
 Newton A. Williams, Esq.

NOTES: (1) YOU MUST HAVE THE DEVELOPMENT HEARING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 24, 1997.
YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 8, 1997.



Rec'd 5/8/97

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS

CHARTERED

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX: (410) 296-2765

JAMES D. NOLAN
(RETIRED 1980)

J. EARLE PLUMHOFF
(1940-1988)

RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
823

AMS
IER
EHART, JR.
LAN
LEY, JR.
SHAKOW
HENNING
B.W.
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
E. BRUCE JONES**
STUART A. SCHAPT

* ALSO ADMITTED IN D.C.
** ALSO ADMITTED IN NEW JERSEY

TELECOPY COVER PAGE

DATE: 5-23-97 **CLIENT MATTER NO:**
TO: Honorable Timothy M. Kotroco 410-887-3468
 Mr. Don Rascoe 410-887-5708
FROM: Newton A. Williams
RE: Westgate IV-448, 97-439-SPHA, Proposed Revised Variances
TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 4
IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL: Marcie
at 823-7800

◆ Dear Mr. Kotroco and Mr. Rascoe:

1. Thank you both for your attention at the continued hearing today.
2. Everyone will try for a continued hearing on Tuesday, July 8, 1997
3. Due to the changes to 12 foot panhandles for Lots 5, 6 and 7, are to be changed as shown on enclosure from STV.
4. I have marked up and I enclose a hearing notice that picks up the 3 changes, includes the 8 foot alternative on Lot 11 and adds the new 27 foot for 30 foot variance on Lot 8.
5. I AM ASKING EVERYONE TO CHECK THESE CAREFULLY FOR CORRECTNESS, BEFORE THE SITE IS READVERTISED AND REPOSTED.
6. Please let us know when these are checked, and will go to the paper. Thank you.

Respectfully,
Newton Williams

FAX CC'S TO:

Ms. Kate Milton, PDM
Ms. Gwen Stephens, PDM
Mr. Sterling Leppo, Mr. Mark Padiletti
J. Carroll Holzer, Esq.
Mr. Pat O'Keefe

TELECOPIER NUMBER:

410-887-5708
410-887-5708
410-833-9619
410-825-4923
410-882-2469

"WARNING: Unauthorized interception of this telephonic communication could be a violation of Maryland and Federal L

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WAYS SHALL BE PAVED WITH A DURABLE, DUSTLESS SURFACE MAINTAINED SO AS TO NOT CREATE JITTERS.

AS A 2-CAR GARAGE AND DRIVEWAY. VISITOR PARKING SPACES IS PROPOSED ON THE ADJACENT ROAD.

JURISDICTION 3 W 650 SF ADJUT - 8,450 SF (0.19 AC.±)

THE LOCAL OPEN SPACE REQUIREMENTS HAS BEEN MET PER A LETTER RECEIVED FROM BALTIMORE DEPARTMENT OF RECREATION AND PARKS DATED 1/19/88.

1/20 = 84.25 P.U. (24 MO)
1/15 = 22.87 P.U. (71.15 MO)
1/40 = 499.166 MO)

12 72
13 P.U. (24 MO)
14 P.U. (24 MO)
15 P.U. (24 MO)
16 P.U. (24 MO)

THE LOCAL OPEN SPACE REQUIREMENTS HAS BEEN MET PER A LETTER RECEIVED FROM BALTIMORE DEPARTMENT OF RECREATION AND PARKS DATED 1/19/88.

G.L.B. 2876-063
ZONED ~ DR 3.5
EX. DWELLING

WORKS STANDARDS HAS APPROVED. (DEL 6/20/88)
A. TO ALLOW SIDEWALK ON ONE SIDE OF THE STREET
B. TO ALLOW A 21' PAVING WIDTH ON A 40' RIGHT-OF-WAY
C. TO ALLOW OPEN SECTION OF PAVING
11. AN EXISTING CLASS 117-P BRIDGE & STREAM IS LOCATED ON THE SITE.
12. THERE ARE WETLANDS AND AN ASSOCIATED FOREST BUFFER LOCATED ON THE SITE.

13. THE SITE IS NOT ON THE LANDMARKS LIST. A PORTION OF THE SITE IS LOCATED IN A NATIONAL REGISTERED HISTORIC DISTRICT (NRHD).
14. THERE ARE NO KNOWN CRITICAL AREAS, HAZARDOUS MATERIALS, EXISTING WELLS, SEPTIC SYSTEMS OR UNDERGROUND STORAGE TANKS LOCATED ON THE SITE.

15. SITE LIGHTING WILL BE PROVIDED. ALL LIGHTING WILL BE ARRANGED SO AS NOT TO SHINE OR REFLECT ONTO ADJOINING PROPERTIES OR INTO THE PATH OF ONCOMING VEHICLES.
16. EXISTING VEGETATION ON THE SITE CONSISTS OF MEADOW, A SMALL PORTION OF LAWN AREA AND A DECIDUOUS WOODED AREA LOCATED AT THE WESTERNMOST CORNER ADJACENT TO ROUTE 795. A LANDSCAPE PLAN WILL BE PROVIDED AS REQUIRED BY BALTIMORE COUNTY LANDSCAPE MANUAL STANDARDS.
17. THE SITE IS LOCATED IN BALTIMORE ZONING MAP NO. MW 17-K.

18. ESTIMATED AVERAGE DAILY TRIPS:
SINGLE FAMILY DWELL: 13 DWELL @ 10.0/UNIT = 130 ADT'S
STORM WATER MANAGEMENT FACILITIES AS SHOWN ON THE PLAN WILL BE PROVIDED. BIODEGRADABLE PONDINGS ARE FOR WATER QUALITY PURPOSES ONLY.

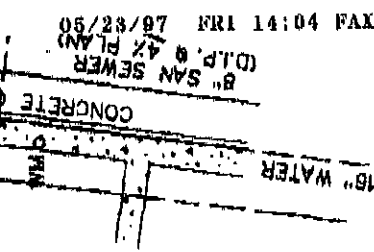
20. THE FOLLOWING ZONING VARIANCES SHALL BE REQUESTED: (ZONING CASE NUMBER 97-499 - SPHA)
LOT 4 A VARIANCE IS REQUIRED TO ALLOW A 1/2 FRONT YARD INSTEAD OF THE ALLOWED 25'
LOT 5 A VARIANCE IS REQUIRED TO ALLOW A 1/2 FRONT YARD INSTEAD OF THE ALLOWED 25'
LOT 6 A VARIANCE IS REQUIRED TO ALLOW A 10'± (TYPE 'A') OR 16'± (TYPE 'B') REAR YARD INSTEAD OF THE ALLOWED 30'
LOT 7 A VARIANCE IS REQUIRED TO ALLOW A 1/2 REAR YARD INSTEAD OF THE ALLOWED 30'
LOT 11 A VARIANCE IS REQUIRED TO ALLOW A 0'± (TYPE 'B') OR 14'± (TYPE 'A') SIDE YARD INSTEAD OF THE ALLOWED 15' AND 5'
A SIGN VARIANCE TO ALLOW 2 SIGNS WITH A COMBINED AREA OF 165 S.F. IN LIEU OF THE ALLOWED 1 SIGN AT 15 S.F.

LOT 8 A VARIANCE IS REQUIRED TO ALLOW 27'± REAR YARD INSTEAD OF THE ALLOWED 30'

PLAN PREPARATION

Table with 3 columns: DRAWN BY, DESIGNED BY, CHECKED BY; T. KILLMEYER, J. SCHARFE, D. WITTE; DATE, SCALE, JOB NO. (MARCH 31, 1997, 1"=30', 61-1199)

90



21. ALL LOTS WILL BE FEE SIMPLE. A H.O.A. ASSOCIATION WILL BE RESPONSIBLE FOR THE SITE AS WELL AS INDIVIDUAL LOTS OF THE SITE.
22. LIGHTING DESIGN IS CONCEPTUAL AND SUBJECT TO MODIFICATION (FINAL DESIGN).

23. A STORMWATER MANAGEMENT VARIANCE WAS APPROVED 4/25/97 FROM THE REQUIREMENT TO PROVIDE 10 YEAR QUANTITY MANAGEMENT.
A STORMWATER MANAGEMENT VARIANCE WAS APPROVED 4/25/97 FROM THE REQUIREMENT TO PROVIDE 10 YEAR QUANTITY MANAGEMENT.

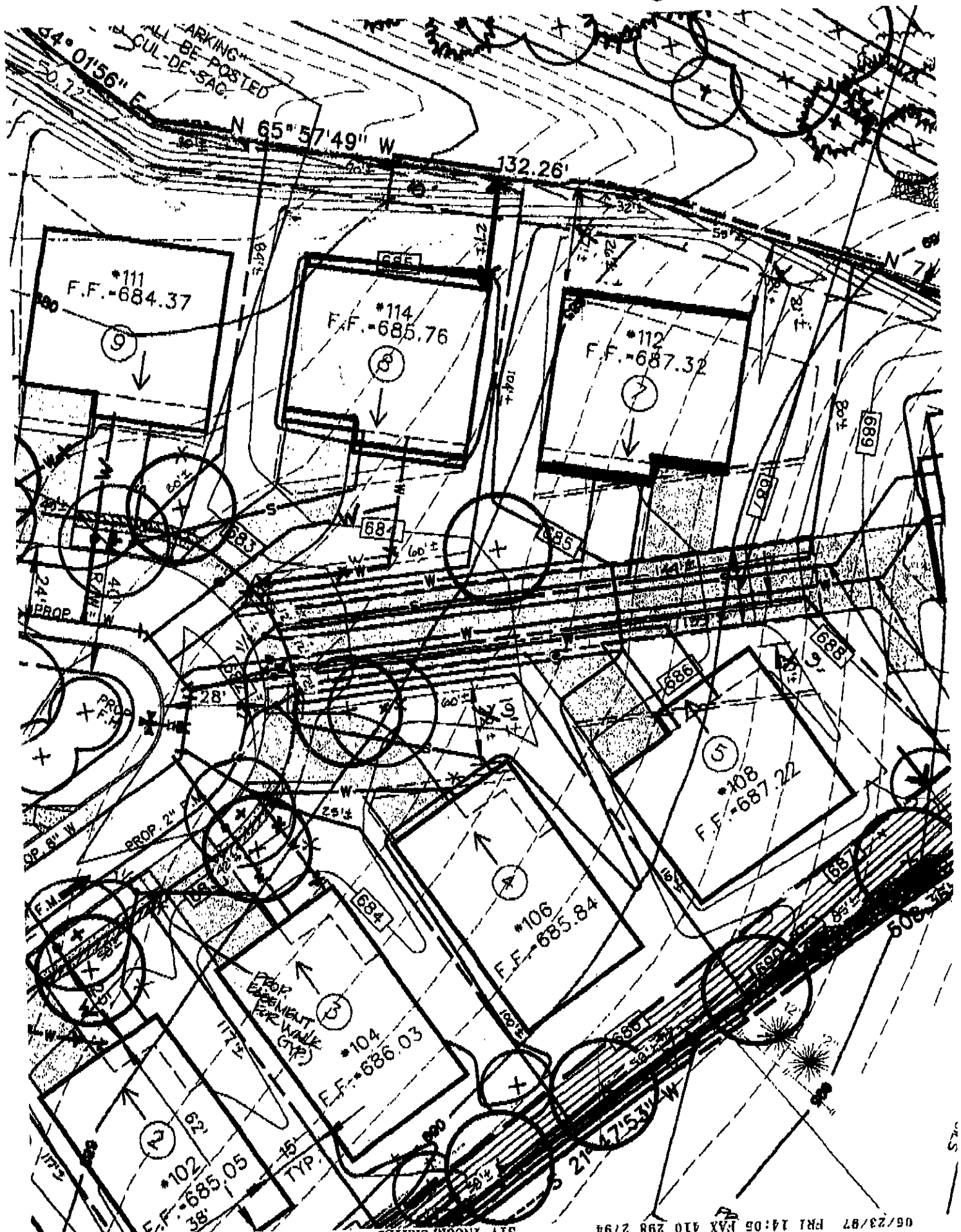
DEVELOPMENT PLAN, PLAT TO ACCOMPANY V. AND PRELIMINARY FOREST CONSERVATION I

WestGate

REISTERSTOWN ~ 4TH ELECTION DIS BALTIMORE COUNTY, MD.

PDM FILE IV-448

002



003

STV INCORPORATED

06/23/87 FRI 14:05 FAX 410 298 2794



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 1, 1997

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 in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING

Project Number: IV-448
Project Name: Westgate aka Glyn Garth
Location: S/S Geroed Avenue, W/S Reisterstown Road
Acres: 9.09
Developer: Sterling Land Company II, LLC
Proposal: 14 single family lots

and

CASE NUMBER: 97-439-SPHA
West Gate
W/S Hanover Pike, 181.5' S of c/l Geroed Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Sterling L. Leppo
Contract Purchaser: Sterling Land Company II, Inc.

and 27 feet (Lot 8)

Special Hearing to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.
Variance to permit front yards of ~~25~~ ¹⁹ feet (Lot 4) and ~~25~~ ⁹ feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and ~~25~~ ⁸ feet (Lot 7) in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totalling 165 square feet in lieu of the allowed 15 square feet.

21

HEARING: FRIDAY, MAY 21, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

Arnold Jablon
Director

cc: Sterling L. Leppo/Sterling Land Company II, LLC
Newton A. Williams, Esq.

NOTES: (1) YOU MUST HAVE THE DEVELOPMENT HEARING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 24, 1997.
YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 8, 1997.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Rec'd 5/8/97

CC: Sterling Homes and STV, FAX 410-833-9619, FAX 410-298-2794.
Pat O'Keefe, FAX-410-882-2469

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

File No. 5401/01

Mr. Mitch Kellman
Zoning Office
Hand Delivered

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX: (410) 296-2765

6/6/97
Hand Delivered 8

June 6, 1997

REVISED VARIANCES 97-439-SPHA

Westgate -
106449

Mitch:

READVVERTISE AND REPOST FOR JULY 8, 1997

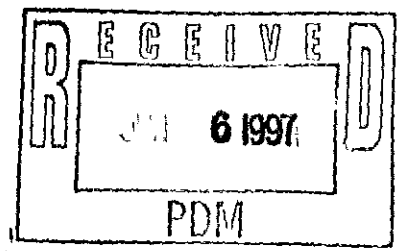
Per your request, an additional \$50 check, #10298, in this matter is enclosed to cover the additional variance added on Lot No. 8.

As you know, Zover is holding July 8th for a continued hearing which must be readvertised and reposted promptly.

It will be appreciated if you will advise Zover of the need to readvertise and repost. We will need the new Notice of Hearing promptly, as will Pat O'Keefe to revise the Variances signs.

Thank you for your attention and help with this revision.

Enclosure - June 2nd letter to Zoning with attachments - Sincerely, Newton



NOLAN, PLUMHOFF & WILLIAMS, CHARTERED

C.A. ACCOUNT

10298

DATE : Jun 5, 1997
CHE # : 10298
AMOUNT: \$50.00
ACCOUNT: 2
PAID TO: Baltimore County

Cost Advanced Check
Addition of Lot#8 to Variance Request-Sterling Homes

CLIENT: 5401 - Sterling Land Company II, LLC
MATTER: 5401-1

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED		10298	
C.A. ACCOUNT		MERCANTILE SAFE DEPOSIT & TRUST COMPANY	
NOTTINGHAM CENTER SUITE 700 502 WASHINGTON AVENUE		BALTIMORE, MARYLAND 91	
TOWSON, MD 21204-5325		7-61-520	
(410) 823-7800			
Fifty *****		00/100	
	DATE	AMOUNT	
	Jun 5, 1997	\$50.00	
PAY TO THE ORDER OF	Baltimore County		
	VOID IF NOT PRESENTED WITHIN 60 DAYS FROM DATE OF ISSUE		
Addition of Lot#8 to Variance Request-Sterling Homes		<i>Newton A. Williams</i> AUTHORIZED SIGNATURE	
⑈010298⑈ ⑆052000618⑆		E30672⑈	

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED

C.A. ACCOUNT

10298

DATE : Jun 5, 1997
CHE # : 10298
AMOUNT: \$50.00
ACCOUNT: 2
PAID TO: Baltimore County
Addition of Lot#8 to Variance Request-Sterling Homes
CLIENT: 5401 - Sterling Land Company II, LLC
MATTER: 5401-1
LAWYER: Stephen J. Nolan
P.O. Box 264

** GENERAL BALANCES **
UNBILLED DISBS: 100.00
A/R BALANCE : 6999.10

Finksburg
Maryland
21048
Westgate Development

** TRUST BALANCES **
Trust Acct 1: 0.00

TRUST BALANCE : 0.00

NEWTON A. WILLIAMS
 THOMAS J. RENNER
 WILLIAM R. ENGLEHART, JR.
 STEPHEN J. NOLAN*
 ROBERT L. HANLEY, JR.
 ROBERT S. GLUSHAKOW
 STEPHEN M. SCHENNING
 DOUGLAS L. BURGESS
 ROBERT E. CARROLL, JR.
 C. WILLIAM CLARK
 E. BRUCE JONES**
 STUART A. SCHATZ

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
 CHARTERED

SUITE 700, NOTTINGHAM CENTRE
 502 WASHINGTON AVENUE
 TOWSON, MARYLAND 21204-4528
 (410) 823-7800
 TELEFAX: (410) 298-2765

JAMES D. NOLAN
 (RETIRED 1980)
 J. EARLE PLUMHOFF
 (1940-1988)
 RALPH E. DEITZ
 (1918-1980)

WRITER'S DIRECT DIAL
 823-7850

*ALSO ADMITTED IN D.C.
 **ALSO ADMITTED IN NEW JERSEY

June 2, 1997

Honorable Lawrence E. Schmidt
 Zoning Commissioner
 Courthouse
 Towson, Maryland 21204

Mr. Carl Richards
 Permits and Development Management
 County Office Building
 Towson, Maryland 21204

Re: Development Plan Hearing
 Westgate Project No. IV-448, 97-439-SPHA
 Continued Hearing for Counsel for Adjoining Neighbor and
 Re-advertising and Reposting of Additional and Altered Variances
For July 8th or 11th. Agreed Available Dates

Dear Commissioner Schmidt and Mr. Richards:

Everyone will recall at the Hearing Officer's Hearing on Friday, May 23, 1997, the matter was continued in order that a neighbor, Mr. Martin, could obtain counsel, and he indicated that he had retained J. Carroll Holzer, Esquire.

It was also discovered that due to an increase in the width of certain panhandles, from 10 to 12 feet, that some of the variances needed to be revised.

After talking with Mr. Carl Richards at Zoning, we are enclosing a copy of the original Petition for Variances with a revised Requested Variances attached, properly initialled. Mr. Richards indicated that this is the procedure to follow.

Mr. Holzer indicated during a conversation on May 22, that he did not have time available until the latter part of June, and it was indicated that July 8 or 11 were the best available dates for the resumption of this hearing.

As for the days in late June, after talking with Mrs. Gwen Stephens, there is not adequate hearing time available, nor is there an opportunity to re-advertise and repost for the variances.


We are also enclosing our check in the amount of \$100.00 for a revision fee as indicated by Carl Richards, and will appreciate hearing from Carl and Gwen regarding the sufficiency of the revised filing and whether the advertising and posting can be taken care of with certainty for either July 8 or 11. If these dates are not available, please check with this office and Mr. Holzer, (410) 825-6961, for the earliest possible dates.

Honorable Lawrence E. Schmidt
Mr. Carl Richards
June 2, 1997
page two

Finally, we would like Mr. Holzer to confirm that he and his client are available on those dates.

Thanking everyone concerned for their attention to this matter, I am

Respectfully,



Newton A. Williams

NAW:mao
encls.

cc: Mrs. Gwen Stephens, PDM
Mr. Sterling Leppo, Sterling Homes
Mr. Mark Padeletti, Sterling Homes
Ms. Deborah Wittle, STV, Inc.
Mrs. Kay Morin, STV, Inc.
J. Carroll Holzer, Esquire

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at

Hanover Pike/Reisterstown Road

which is presently zoned D.R.3.5

This Petition shall be filed with the Department of Permits & Development Management.
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 Variance from Section(s)

See attached variances *(REVISED) M, P, W.*

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See attached reasons

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

I, or we, agree to pay expenses of above Variance 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.

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/Lessee:

Sterling Land Company II, LLC

(Type or Print Name)

Sterling L. Leppo

Signature

P.O. Box 264

Address

Finksburg, MD 21048

City

State

Zipcode

Attorney for Petitioner: Stephen J. Nolan & Newton A. Williams

(Type or Print Name)

Newton A. Williams

Signature

Nolan, Plumhoff & Williams

502 Washington Avenue Suite 700 823-7800

Address

Phone No.

Towson MD 21204

City

State

Zipcode

Legal Owner(s):

Sterling L. Leppo

(Type or Print Name)

Sterling L. Leppo

Signature

(Type or Print Name)

P.O. Box 264 833-9001

Address

Phone No.

Finksburg MD 21048

City

State

Zipcode

Name, Address and phone number of representative to be contacted.
Stephen J. Nolan & Newton A. Williams Nolan, Plumhoff & Williams

502 Washington Avenue Suite 700 823-7800

Address

Phone No.

Towson, MD 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

5/8/97

the following date _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



Printed with Soybean Ink on Recycled Paper

Revised 9/5/95

REVISED REQUESTED VARIANCES

1. From Section (Table) 1B01.2C.1.b. and the CMDP to permit front yards as follows, from front building face to public street right of way or property line in lieu of the required 25 feet; namely:
 - a. Lot 4, of 19 feet; and
 - b. Lot 5, of 9 feet.

2. From Section (Table) 1B01.2C.1.b. and the CMDP to permit rear yards, ie. from rear building face to property line, as follows, in lieu of the required 30 feet, namely:
 - a. Lot 6, of 10 feet (Type A) or 16 feet (Type B); and
 - b. Lot 7, of 21 feet.
 - c. Lot 8 of 27 feet.

3. From Section (Table) 1B01.2.C.1.b. and the CMDP to permit a side yard, ie. from side building face to tract boundary of 14 feet (Type A) or 8 feet (Type B) in lieu of the required 15 feet, for Lot 11.

4. For a variance from Section 413.1.E.1. to permit a pair of decorative entrance wall signs totaling 165 s.f. in lieu of the allowed 15 s.f. sign only standard.

Revised May 30, 1997 by Newton A. Williams per
STV Plan.



Newton A. Williams

NEED AND JUSTIFICATION FOR THE REQUESTED VARIANCES

1. The requested variances are not extensive, and only 4 of 13 lots are involved.
2. The subject site is unique, as an interior site, with a long, stem-like access street.
3. The subject site is an infill site on an historically underdeveloped area situated between Route 140, Westminster Pike, Relsterstown Road or Hanover Pike and Maryland Route 30 Relocated.
4. The only practical way to accommodate the lots on this site is around a park like area on a triangular shaped court, with three of the lots at the NE/C, namely Lots 5, 6 and 7. Reasonably sized, useable homes cannot fit on Lots 5, 6 and 7 without some minor variance relief as requested.
5. Lot 11 at the NW/C of the site is most appropriately developed with the house rotated cater-corner to the street, necessitating the requested side yard variance on the east side. Because of the house being turned, only the corner, and not the entire building face, intrudes into the 15 foot area.
6. The requested variances only affect the small in fill site known as Westgate, and do not affect nearby properties.
7. The requested variances will foster new, well done infill development, and will not harm the health, safety and welfare of this area.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 1, 1997

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 in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING

Project Number: IV-448
Project Name: Westgate aka Glyn Garth
Location: S/S Gerrod Avenue, W/S Reisterstown Road
Acres: 9.09
Developer: Sterling Land Company II, LLC
Proposal: 14 single family lots

and 27 feet (Lot 8)

and

CASE NUMBER: 97-439-SPHA
West Gate
W/S Hanover Pike, 181.5' S of c/l Gerrod Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Sterling L. Leppo
Contract Purchaser: Sterling Land Company II, Inc.

9 feet or
21

Special Hearing to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.
Variance to permit front yards of ~~25~~ ¹⁹ feet (Lot 4) and ~~25~~ ⁹ feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and ~~25~~ ²¹ feet (Lot 7) in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totalling 165 square feet in lieu of the allowed 15 square feet.

HEARING: FRIDAY, MAY 23, 1997 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Basile Avenue.

Arnold Jablon
Director

cc: Sterling L. Leppo/Sterling Land Company II, LLC
Newton A. Williams, Esq.

NOTES: (1) YOU MUST HAVE THE DEVELOPMENT HEARING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 24, 1997.
YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 8, 1997.

Printed with Soybean Ink (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
on Recycled Paper (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 867-3391.

Rec'd 5/8/97

5087/2

FAX TRANSMISSION

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED
502 WASHINGTON AVENUE, SUITE 700
TOWSON, MARYLAND 21204
(410) 823-7800
FAX: (410) 296-2765

To: J. Carroll Holzer, Esq.

Date: June 12, 1997.

Fax #: 410-825-4923

Pages: 2, including this cover sheet.

From: Newton Williams

Subject: Mistgate, 97-439-SPHA, Continued Hearing Date - Tues., July 8, 1997
Pan continued HOH, IV-448 9 A.M. - Room #87 Court Bldg.

COMMENTS:

Carroll: Per our recent discussions, Gwen, has put this case back in on the 8th. One of your early available dates in July.

Please note that the variances have changed very slightly - all at the other end of development from your client The Mortens.

We presume they have given you a copy of the Plan. If you know their concerns, we would like to discuss them with you now to save time, etc. later, as well as expense for all.

Gwen and Commissioner Schmidt may not have your Entry of Appearance in the file, as only our office and Larry who could be Gwen. Please review and lets talk at your earliest convenience.

Sincerely,
Newton

CONFIDENTIALITY NOTICE

"WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and Maryland laws."

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

Mr. Don Pascoe, Project Manager, PDM - 410-887-5708

Mrs. Gwen Stephens, PDM Same

Mr. Sterling Lepp, Mr. Mark Padilotti - 410-833-7619

Mrs. Reb Whittle, STV - 410-898-2794

Mrs. Kay Moun, STV Same

Mr. Pat O'Keefe - 410-882-2469 - Re. alteration/Correction of Variances & Notice of Cont'd Hearing to 7/8/97, (15 Days Req'd).

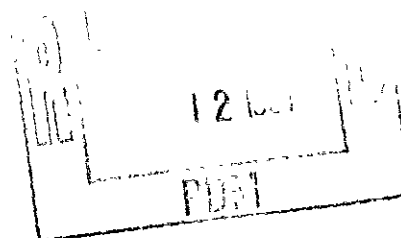
JUN-12-'97 THU 08:37 ID: BALTO CO PERMITS&LIC TEL NO: 301-887-2824

#427 P01

TO: PUSKERT PUBLISHING COMPANY
~~1200-1200-1200~~ - Juffermanlab
JUNE 19

Please forward billing to:

Newton A. Williams, Esq.
 200 Nottingham Center
 503 Washington Avenue
 Towson, MD 21204
 410-823-7800



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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-499-SPM
 West Gate
 R/S Hanover Pike, 181.5' S of e/l Gerrod Avenue
 4th Election District - 3rd Councilmanic
 Legal Owner(s): Sterling L. Leppo
 Contract Purchaser: Sterling Land Company II, Inc.

Special Hearing to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.
 Variance to permit front yards as follows, from front building face to public street right of way or property line in lieu of the required 25 feet (Lot #4 of 19 feet; Lot #5 of 9 feet) to permit rear yards, i.e., from rear building face to property line, as follows, in lieu of the required 30 feet (Lot #6 of 10 feet (Type A) or 16 feet (Type B); and Lot #7 of 21 feet, and Lot #8 of 27 feet; to permit a side yard, i.e., from side building face to tract boundary of 14 feet (Type A) or 8 feet (Type B) in lieu of the required 15 feet, for Lot 11; and to permit a pair of decorative entrance wall signs totaling 165 square feet in lieu of the allowed 15 square foot sign only standard.

HEARING: TUESDAY, JULY 8, 1997 at 9:00 a.m. in Room 407 Courts Building, 401 Bayley Avenue.

LAWRENCE E. SCHMIDT
 ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Fax CC - Mr. Carl Richards DDN, 410-887-5708
Mrs. Levon Stephens

FAX TRANSMISSION

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED
502 WASHINGTON AVENUE, SUITE 700
TOWSON, MARYLAND 21204
(410) 823-7800
FAX: (410) 296-2765

URGENT

NEED TO FILE A.M.
ON WED. 8/20.

To: Mr. Deb Whittle } STV
Mrs. Kay Mowin }
Fax #: 410-298-2744
From: Newton Williams
Subject: Martin Variances - 81 Hanover Pike

Date: Aug. 19, 1997.

Pages: 6, including this cover sheet.

Case No. 97-437-SPHA.

COMMENTS:

Deb and Kay: Per Carl Richards, we just need to amend our case by: ^{Amended:} 1, (3) Petitions + Reasons (NPA's) done
2, (2) site Plans (3 Extra) with new Plat Note 22 on sheet 1 of 3 and Martin Property included (show approx. new boundary line around barn), (First Amended Description Case No. 97-437-SPHA)
3, (7) sealed descriptions - include Martin in overall description -
4, (2) amended 200 scales with Martin Property included - just show corner.
5, Amendment fee of \$100 - we will advance.
6, Need it by this week to get it to Levon, i.e., Wed. Aug. 20th.

CONFIDENTIALITY NOTICE

Thanks, Newton

"WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and Maryland laws."

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Sterling Leppo - 410-299-3041

According to
GGS, this has
not been
filed yet.
8/21/97



AMENDED Petition for Variance

97-439-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at

81 Hanover Pike, Reisterstown

which is presently zoned D.R.3.5

This Petition shall be filed with the Department of Permits & Development Management
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 Variance from Section(s)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See Attached

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance 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.

(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/Lessee:

Matthew R. Martin/Cynthia P. Martin

(Type or Print Name)

Matthew R. Martin Cynthia P. Martin
Signature

81 Hanover Pike
Address

Reisterstown, MD
City State Zipcode

Attorney for Petitioner:

Newton A. Williams

(Type or Print Name)

Nolan, Plumhoff & Williams, Chtd.

Newton A. Williams
Signature

502 Washington Ave., Suite 700
Address Phone No.

Towson MD 21204
City State Zipcode

Legal Owner(s):

Sterling Land Company, II, LLC

(Type or Print Name)

Sterling L. Ippolito
Signature

Sterling L. Ippolito
(Type or Print Name)

Signature

P. O. Box 264

Address Phone No.

Finksburg, MD 21048

City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

Requested Variances

Sections 400.1, 400.2 and 400.3 and Section 101 Accessory Structure for the existing barn to remain, as follows:

1. To remain up to 25 feet in height in lieu of the permitted 15 feet;
2. To remain with a footprint larger than the existing home at 81 Hanover Pike; and
3. To remain located as at present, there being no one-third of the lot located furthest from the public road, and to be located in any area of the rear yard not in the one-third furthest removed from the public right-of-way.

**Reasons for Requested Accessory
Buildings Variance**

1. The subject barn is an existing building located to the rear of the Martin home and garage.
2. The barn on a small surrounding area is to be conveyed from the Sterling Leppo property to the Martins via a lot line.
3. The barn is non-conforming as to its presence, height and location, dating to agricultural use of the area prior to major road construction.
4. The barn is a part of the area and will remain so if approved as a part of this lot line adjustment.
5. The barn and Martin property are bordered by three (3) streets, Gerard Avenue on the north, Hanover Pike on the east and the Westgate access road to the south. Hanover, the Westgate access road, is not abutting the barn property. Thus, the barn location is appropriate - there being no part of the Martin property and barn not abutting or near a public street. The barn, however, is in the Martin rear yard as to proposed to be enlarged by this lot line adjustment.

E TO BALTIMORE COUNTY D.E.P.R.M. AD REG-

ES TO ALLOW A PUBLIC ROAD AND A S.W.M. FACILITY TO
H INTO THE FOREST BUFFER.

DE TO ALLOW A PUBLIC ROAD TO ENCRDACH INTO THE WETLANDS.

DE TO ALLOW DWELLING TO ENCRDACH INTO THE 35' BUILDING
FROM FOREST BUFFER.

ROAD WILL BE PUBLIC. A WAIVER FROM PUBLIC
ARDS WAS APPROVED.

OW SIDEWALK ON ONE SIDE OF THE STREET
OW A 21' PAVING WIDTH ON A 40' RIGHT-OF-WAY
OW OPEN SECTION OF PAVING

CLASS III-P ORDER 1 STREAM IS LOCATED ON THE SITE.

WETLANDS AND AN ASSOCIATED FOREST BUFFER LOCATED ON THE

NOT ON THE LANDMARKS LIST. A PORTION OF THE SITE IS
A NATIONAL REGISTERED HISTORIC DISTRICT (NRHD).

NO KNOWN CRITICAL AREAS, HAZARDOUS MATERIALS,
WELLS, SEPTIC SYSTEMS OR UNDERGROUND STORAGE TANKS
THE SITE.

ING WILL BE PROVIDED. ALL LIGHTING WILL BE ARRANGED SO AS NOT
REFLECT ONTO ADJOINING PROPERTIES OR INTO THE PATH OF
VEHICLES.

VEGETATION ON THE SITE CONSISTS OF MEADOW, A SMALL PORTION OF
AND A DECIDUOUS WOODED AREA LOCATED AT THE WESTERNMOST
ADJACENT TO ROUTE 795. A LANDSCAPE PLAN WILL BE PROVIDED AS
BY BALTIMORE COUNTY LANDSCAPE MANUAL STANDARDS.

IS LOCATED ON BALTIMORE ZONING MAP NO. NW 17-K.

AVERAGE DAILY TRIPS:

MULTI DWELL: 13 DWELL = 10.0/UNIT = 130 ADT'S

ER MANAGEMENT FACILITIES AS SHOWN ON THE PLAN WILL BE
BIORETENTION PONDS ARE FOR WATER QUALITY PURPOSES ONLY.

OWING ZONING VARIANCES SHALL BE REQUESTED:

A VARIANCE IS REQUIRED TO ALLOW A 22'± FRONT YARD INSTEAD
OF THE ALLOWED 25'

A VARIANCE IS REQUIRED TO ALLOW A 10'± FRONT YARD INSTEAD
OF THE ALLOWED 25'

A VARIANCE IS REQUIRED TO ALLOW A 10'± (TYPE 'A') OR 16'±
(TYPE 'B') REAR YARD INSTEAD OF THE ALLOWED 30'

A VARIANCE IS REQUIRED TO ALLOW A 22'± REAR YARD INSTEAD OF
THE ALLOWED 30'

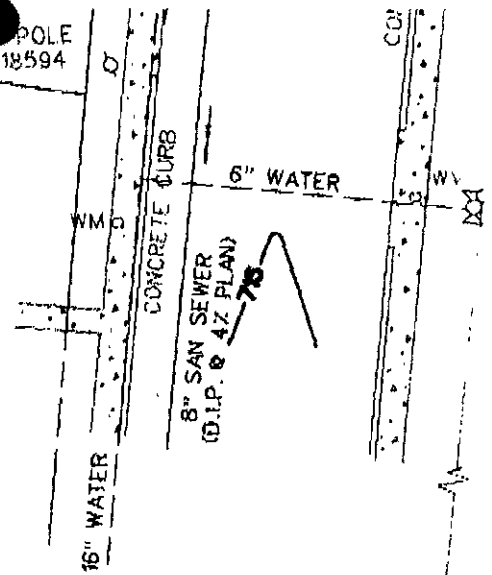
A VARIANCE IS REQUIRED TO ALLOW A 8'± (TYPE 'B') OR 14'±
(TYPE 'A') SIDE YARD INSTEAD OF THE ALLOWED 15' AND 5'

VARIANCE TO ALLOW 2 SIGNS WITH A COMBINED AREA OF 165 S.F.
OF THE ALLOWED 1 SIGN AT 15 S.F.

JOHN D. SPANGLER AND WIFE
G.L.B. 2876-063
ZONED - DR 3.5

EX.
DWELLING

UT. POLE
•118594



21. ALL LOTS WILL BE FEE SIMPLE. A H.O.H. (HOME OWNER'S
ASSOCIATION) WILL BE RESPONSIBLE FOR MAINTENANCE
OF THE SITE AS WELL AS INDIVIDUAL LOTS.

*New
Plat Note*

*22: Case No. 97-439-30119 has been
amended to include the Martin
Property at 81 Danover Pike, UT. POLE
due to proposed lot line adjustment
with proposed return of the easer
to the rear of the Martin Property
with the following variances:
1. To remain up to 25 feet in height
in lieu of the permitted 15 feet;
2. To remain with a footprint
larger than the existing frame at 81
Danover Pike.*

DEVELOPMENT PLAN, PLAT TO ACCOMPANY VARIANCE
AND PRELIMINARY FOREST CONSERVATION PLAN

PREPARATION

MEYER	DATE:	MARCH 31, 1997
HARFE	SCALE:	1"=30'
VITTLE	JOB NO.:	61-1199

WestGate

REISTERSTOWN ~ 4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

PDM FILE • IV-448

*3. To remain located as at present,
there being no one third of the
lot located furthest from the
public road, and to be located in
any area of the rear yard not in the
one third furthest removed from the
public right-of-way*

SKG, ET AL
58-796
2 3.5

LIMITS OF DISTURBANCE -
PROPERTY LINE

LIMITS OF NATIONAL
REGISTERED HISTORIC DISTRICT

EXISTING BARN
TO BE REMOVED

MICHAEL GEORGE PALYA JR.
E.P.A. JR. 5300-862
ZONED - DR 3.5

N 64,500

W 60,400

EA DWELLING

EA DWELLING

PRIVATE ROAD

Avenue

1/2" WIDE MACADAM PAVEMENT

PROP. 10'
DRAINAGE &
UTILITY ESMT.

MATTHEW R. MARTIN AND
CYNTHIA P. MARTIN
10727 / 201
ZONED - DR 3.5-303

2 STORY
FRAME
DWELLING

FRAME
GARAGE

1 STORY
FRAME BARN

EXISTING TREES
TO BE REMOVED

Md. Rte. 30

APPROX. 350' TO MD ROUTE 30 RELOCATED

8" SAN SEWER
(P.V.C. @ 1.4% PLAN)

CONCRETE SIDEWALK

16" WATER

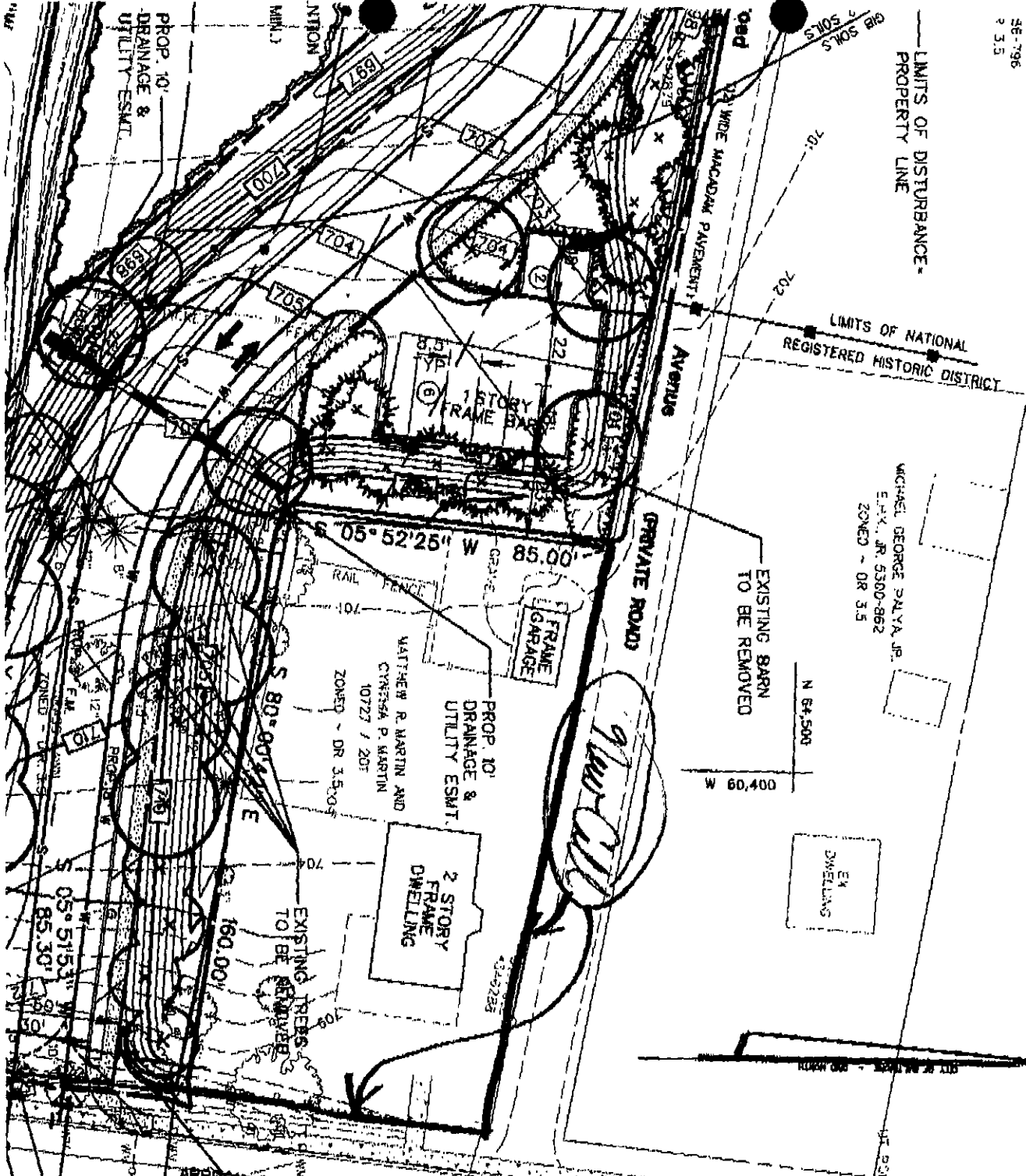
PROP.
WALL WITH
SIGN

9" UT. POLE
#21795
C.M.P. 10

9" UT. POLE
#21796

SMH
TOP 714.02
FIN 714.85
18V 54-698.25
18V 54-698.21
18V 54-698.18

EXISTING TREES
TO BE
REMOVED (2)



CC: Mr. Atkinson, Suppo.
J. Carroll Holzer, Esq
STU.

5401/01
97-439-SPHA

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS

CHARTERED

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX: (410) 296-2765

Mr. Carl Richards

DDM

Nand Deborah

Re: Amendment of
Case No. 97-439-SPHA.

August 22, 1997

Dear Carl: Thank you, Don Passer and Lynn Stephens for your help with amending this case. We are asking for 3 amendments to be added to the case to cover transfer of the loan.

We enclose: 1. \$100 Amendment fee;

- 2. 3 Petitions signed by the old & new parties;
- 3. Site Plans - note heavy line on Note 22;
- 4. 7 Descriptions - adding the Martin Property to Case No. 97-439-SPHA.

REVISIONS
DROP OFF
REVIEW
NO 8/22/97

We thank you all for waiting the case for Friday September 12th at 2 P.M. Please call immediately if any problems.

Thanks,

Sincerely,
Nolan

9C-439-SPHA

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS

CHARTERED

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528

(410) 823-7800
TELEFAX: (410) 296-2765

LOAM,

Hand Delivered

M. Carl Richards

PDM.

Re - Matzgate

Case No. 97-439-SPHA

August 23, 1997

Dear Carl:

Here is the whole Matzgate package

except the Site Plans. I am expecting

them any minute and will get them

to you and Gwen. Thanks for your help.

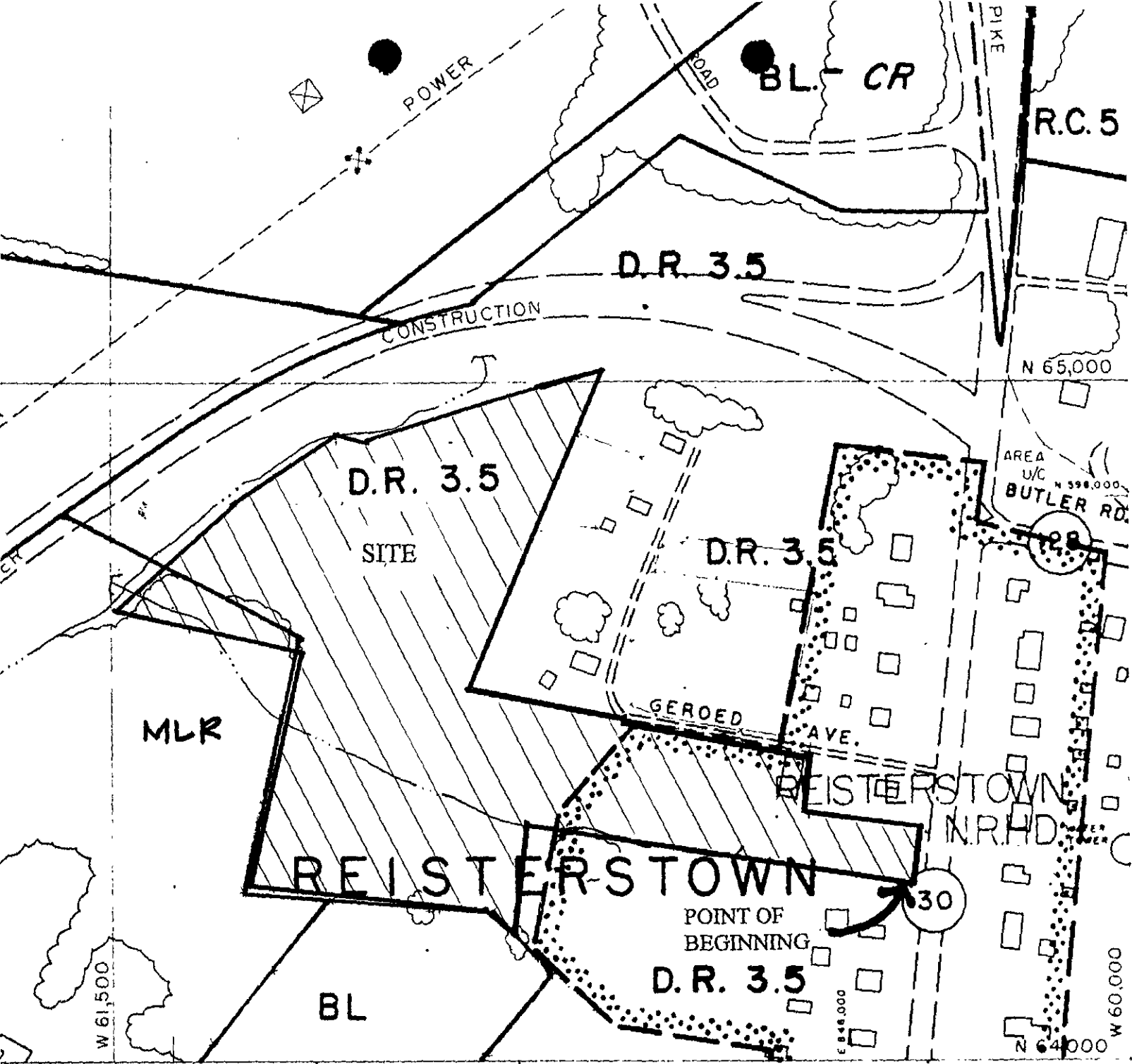
REVISIONS

*DEP: DEW
DO REVISIT*

Lincoln,

Newton.

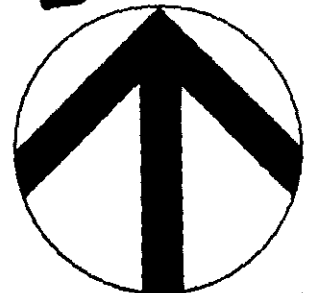
8/22/97



97-439-A

ZONING MAP
WestGate

439



NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Lot 500, Maryland on the property identified herein as follows:

Case #87-438-SFVA
West Side
W/S Heister Park 161.5, S of
of General Avenue
4th Election District
3rd Councilmanic
Legal Owners:
Sterling L. Lapan
Contract Purchaser:
Sterling Land Company II,
Inc.

Special Hearing: to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan. **Variance:** to permit front yards of 22 feet (Lot 4) and 10 feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and 22 feet (Lot 7), in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totaling 165 square feet in lieu of the allowed 15 square feet.

Hearing: Friday, May 23, 1987 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations
Please Call 887-3353
(2) For information concerning the file and/or Hearing, Please Call (410) 887-3391.

5/13/89 May 8 C141113

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/8, 1997

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 5/8, 1997.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/24, 1997

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 4/24, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

NOTICE OF HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: 887-431

West Side

MS Number: 111
Address: 111 S. of
4th Eastern District
3rd Commercial

Legal Owner(s):

Sterling L. Leppo

Contract Purchaser:

Sterling Land Company II, Inc.

Variance: to permit front yards of 22 feet (Lot 4) and 10 feet (Lot 5) in lieu of the required 25 feet; to permit rear yards of 10 feet or 16 feet (Lot 6) and 22 feet (Lot 7) in lieu of the required 30 feet; to permit a side yard from side building face to tract boundary of 14 feet in lieu of the required 15 feet for Lot 11, and to permit a pair of decorative entrance wall signs totaling 165 square feet in lieu of the allowed 15 square feet.

Hearing: Friday, May 23, 1987 at 9:00 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

4/375 April 24 C137825

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the following application for a Special Use Variance:

Case No. 1997-0011

W&S Building, Inc., 101.5 S. of Bennett Avenue

4th Election District

3rd Councilmanic

Legal Owner(s): Sterling L. Leppo

Contract Purchaser: Sterling Land Company, II, Inc.

Special Hearing: to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan. **Variance:** to permit front yards, as follows, from front building face to public street right of way or property line in lieu of the required 25 feet (Lot #4 of 19 feet, Lot #5 of 9 feet) to permit rear yards, i.e. from rear building face to property line, as follows, in lieu of the required 30 feet (Lot #6 of 10 feet, (Type A) or 16 feet (Type B), and Lot #7 of 21 feet and Lot #8 of 27 feet, to permit a side yard, i.e. from side building face to tract boundary of 14 feet (Type A) or 8 feet (Type B) in lieu of the required 15 feet for Lot 11; and to permit a pair of decorative entrance wall signs totaling 165 square feet in lieu of the allowed 15 square foot sign only standard.

Hearing: Tuesday, July 8, 1997 at 9:00 a.m., in Room 407 Courts Bldg., 401 Bostley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/19, 1997

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 6/19, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

NOTICE OF HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #97-439-SPHA
West Gate
W/S Hammer Pike, 181.5' S of
Oa Gerold Avenue
4th Election District
3rd Councilmanic
Legal Owner(s): Sterling L
Leppo
Contract Purchaser: Sterling
Land Company II, Inc.

Special Hearing: to approve a waiver from Public Works Standards as recommended by the Development Review Committee as shown on the Development Plan.

Variance: from Sections 400.1, 400.2 and 400.3 and Section 101 accessory structure for the existing barn to remain, as follows: 1) to remain up to 25 feet in height in lieu of the permitted 15 feet to remain with a footprint larger than the existing square at 81 feet by 81 feet, and to remain located on the property being proposed for public use, and to be located in any area of the site zoned in the one-way residential zone, removed from the public right-of-way.

Hearing: Friday, September 12, 1997 at 2:00 p.m., Room 180 County Office Building, 1311 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are handicapped accessible for special accommodations. Please Call (410) 887-3363. (2) For information concerning the Pre and/or Hearing, Please Call (410) 887-3391.

8/3/24 Aug 28 C169788

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug 28, 1997

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 Aug 28, 1997.

THE JEFFERSONIAN,
A. H. Erickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 02875

DATE 4/10/97 ACCOUNT 01-615

Item: 439

By: MISC

AMOUNT \$ 500.00

RECEIVED FROM: Nolan, Plumhoff, - Williams - (Westgate) *Rest of Hand Pkt*

010 - 5 rez variances (lots 5) - \$250.00
000 - 1 comm variance - \$250.00
500.00

FOR:

01A00#0020MICHR0 \$500.00
BY 0002:29FMD4-JL-97

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

035863

PAID RECEIPT

04/30/97 01 4 CHL R 10666
Det 5 SLS ZONING VARIANCE
CR NO. 35863
\$250.00 CK P-A-1-0
Baltimore County Maryland
Office Of Budget & Finance

DATE 4/30/97 ACCOUNT 001-6150

AMOUNT \$ 250.00 (WCR)

RECEIVED FROM: Nolan, Plumhoff & Williams

FOR: Case #97-439-A -- Westgate
#040 - SPECIAL HEARING

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No.

035863

DATE 4/30/97 ACCOUNT 001-6150

AMOUNT \$ 250.00 (WCR)

RECEIVED FROM: Nolan, Plumhoff & Williams

FOR: Case #97-439-A -- Westgate
#040 - SPECIAL HEARING

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

04/30/97 01 4 CML R 10666
Dept 5 513 ZONING VERIFICATION
CR NO. 358863

\$250.00 CK P-A-I-D
Baltimore County Maryland
Office Of Budget & Finance

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARY' AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No.

043302

DATE 8/22/97 ACCOUNT 001-6150

AMOUNT \$ 100.00 (WCR)

RECEIVED FROM: Nolan, Plumhoff & Williams

FOR: #110 - Revisions

#97-439-SPHA Revised Plats, Desc & Petition
81 Hanover Pike

Drop-Off - No Review

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
REG M001	8/25/1997	09:26:51
CASHIER CLUM CML DRAWER		
MISCELLANEOUS CASH RECEIPT		
Receipt #	019703	OFFER
CR NO.	043302	

100.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No.

038047

DATE 6/5/97 ACCOUNT 01-615

Item: 439 (revised)
By: mrl

AMOUNT \$ 150.00

RECEIVED FROM: Nolan, Plumbhoff, + Williams - Westgate Holt

FOR: 010 - Res Variances - 1 lot added - \$50.00
110 - Revision Variances - \$100.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL LID
6/05/1997 6/05/1997 1005200
REF 0306 CASHIER KNOWN EXM 000000
MISCELLANEOUS CASH RECEIPT
Receipt # 000505 0000
OR 038047
\$150.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

Preliminary Forest Conservation Notes:

NET TRACT AREA	393,346.8 S.F.
FOREST CONSERVATION REQUIRED	47,916 S.F.
FOREST CONSERVATION PROPOSED	47,916 S.F.
REQUIRED PAYMENT INTO BALTIMORE FUND FOR FOREST CONSERVATION	0

- EXPLANATION OF HOW THE PROVISIONS OF SECTION 15-506 OF BILL NO. 224-92 (BALT. CO.) HAVE BEEN MET:
 - PRELIMINARY OUTLINE: THREE-YEAR MAINTENANCE AGREEMENT
 - WAITING PLANTS: WRITING SHALL BE PROVIDED DURING THE GROWING SEASON AS REQUIRED ACCORDING TO THE FOLLOWING SCHEDULE:
 - NOT GROWING SEASON: ONE A WEEK ONCE A MONTH
 - 2ND AND 3RD GROWING SEASON: DURING JULY AND AUGUST
 - FERTILIZING PLANS: ORGANIC FERTILIZERS MAY ONLY BE USED AS NECESSARY.
 - CONTROL OF COMPETING VEGETATION: ALL TREES WILL BE WATCHED AT THE TIME OF INSTALLATION.
 - PROTECTION FROM DISEASE AND MECHANICAL INJURY: A PROPOSED FENCE LOCATED ALONG THE SOUTHERN EDGE OF THE ROAD WILL SERVE AS A DELINEATION OF THE FOREST BUFFER DISTURBANCE BY THE NEW RESIDENTS. THE SOUTHERN EDGE OF THE PROPOSED AFFORESTATION AREA WILL BE PROTECTED BY THE EXISTING EXISTING BARBED WIRE FENCE ALONG SOUTHERN PROPERTY LINE.
 - SIGNS WILL BE POSTED AT THE EDGE OF THE AFFORESTED AREA. PERIODIC INSPECTIONS WILL BE MADE FOR ANY EVIDENCE OF DISEASE OR DAMAGE.
- REIMPLEMENT PLANTING PROVISIONS: A MINIMUM OF 75% OF THE TOTAL NUMBER OF TREES PLANTED PER MAINTENANCE PERIOD SHALL BE NATIVE TREE SEEDLINGS AT LEAST 12" TALL FOUND AS A RESULT OF NATURAL REGENERATION MAY BE COUNTED UP TO 50% OF THE TOTAL NUMBER.
 - COMPANY/INDIVIDUAL RESPONSIBLE FOR TREE CARE: UNKNOWN AT THIS TIME.
 - AFFORESTATION REQUIRED:
 - 1.1 AC @ 700 P.U./AC = 770 P.U.
 - AFFORESTATION PROPOSED:
 - 16" CALIPER @ 7 P.U./TREE = 112 P.U.
 - 12" CALIPER @ 2 P.U./TREE = 188 P.U.
 - 99 HARDWOOD WHIPS @ 2 P.U./WHIP = 198 P.U.
 - TOTAL = 498 P.U.
 - TOTAL CANOPY DOMINANT SPECIES = 148 (49%)
 - TOTAL UNDERSTORY SPECIES = 93 (40%)

Proposed Afforestation Per Area Designation

Common Understory Species	Area Designations			Total Per Species
	A	B	C	
Acer rubrum/red maple				17
2" Caliper	3			
1" Caliper		2		
Hardwood Whips			7	
Acer spicatum/silver maple				16
2" Caliper				
1" Caliper	6		5	
Hardwood Whips				19
Corpus callosum/rowan	4			
2" Caliper				
1" Caliper	3		5	
Hardwood Whips				16
Juglans nigra/black walnut				16
2" Caliper				
1" Caliper	4		7	
Hardwood Whips				17
Prunus serotina/black cherry				17
2" Caliper				
1" Caliper	4		3	
Hardwood Whips				10
Quercus palustris/red oak				14
2" Caliper	3			
1" Caliper				
Hardwood Whips	7		4	
Total Understory Species	39	26	34	99

Certification as to Delinquent Accounts

I, Mark A. Wittle, certify under oath that there are no delinquent accounts for any other development with respect to the proposed development of the above described property. I am a financial interest in the proposed development or a person who has provided professional services on behalf of the proposed development.



STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

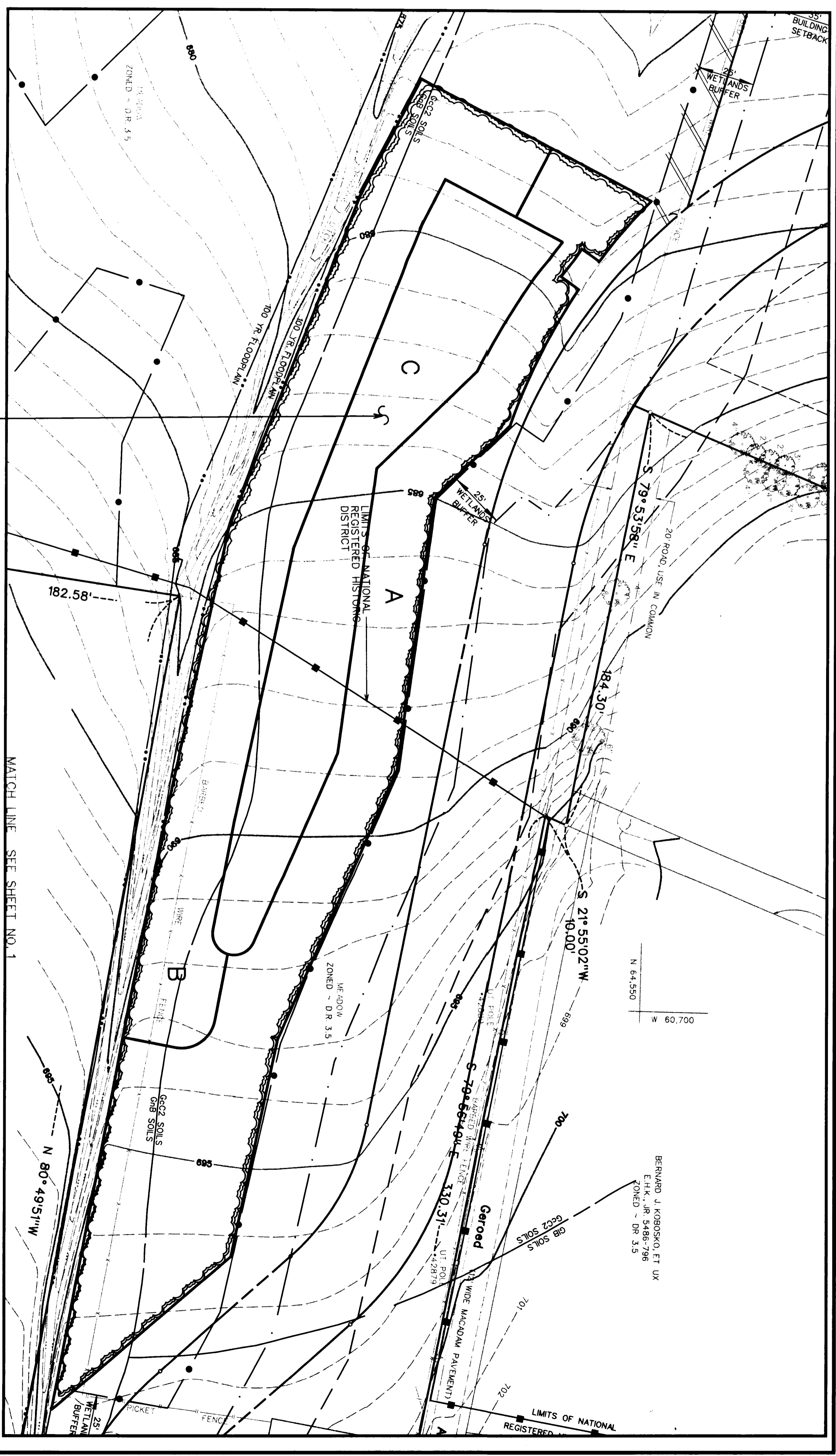
Landscape Architect's and Owner's Signature and Certification Form

I CERTIFY THAT I HAVE REVIEWED THIS SCHEMATIC LANDSCAPE PLAN THAT I AM AWARE OF THE LANDSCAPE REGULATIONS PRESENTED IN THE CODES WITH THESE REGULATIONS AND ALL APPLICABLE POLICE, ORDINANCE, AND ORDINANCES.

LANDSCAPE ARCHITECT'S SIGNATURE: Mark A. Wittle
PRINT NAME: MARK A. WITTLE
DATE: 1/16/97

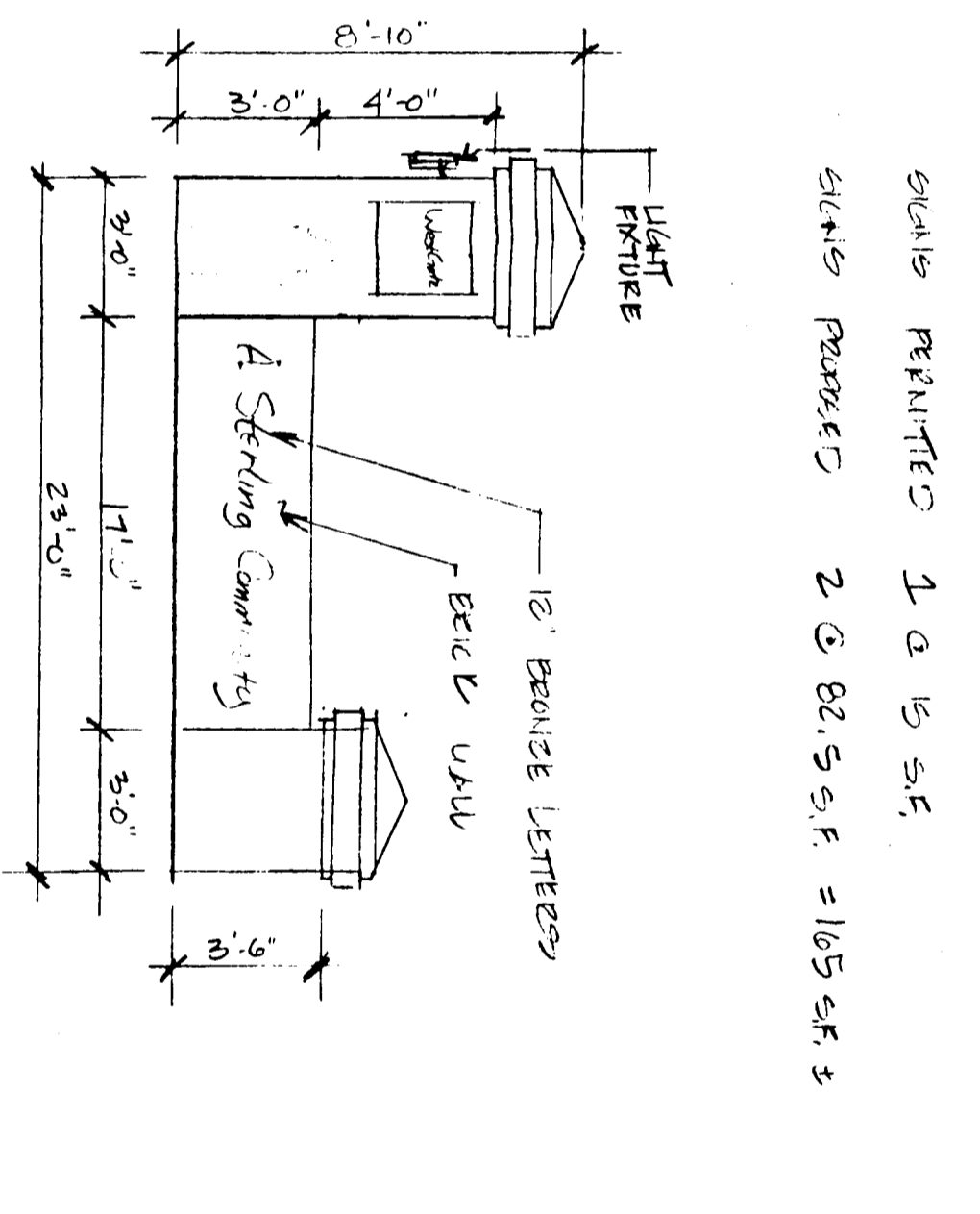
OWNER'S SIGNATURE: [Signature]
PRINT NAME: [Name]
DATE: [Date]

Canopy Dominant Species	Area Designations			Total Species
	A	B	C	
* Liquidambar styraciflua/liquid tree				51
1" Caliper	4			
2" Caliper		20		
Hardwood Whips			24	
Quercus rubra/northern red oak				50
2" Caliper	2		13	
1" Caliper				25
Hardwood Whips				47
Fraxinus americana/white ash				47
2" Caliper				
1" Caliper	24		7	
Hardwood Whips				16
Total Canopy Dominant Species	43	40	65	148



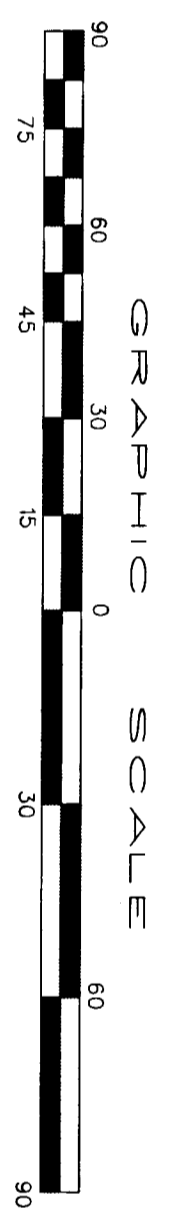
NOTE: SEE SHEETS 1 AND 2 FOR LIMITS OF DISTURBANCE

ENTRANCE SIGN DETAIL



REVISIONS

NO.	DATE	DESCRIPTION



PLAN PREPARATION

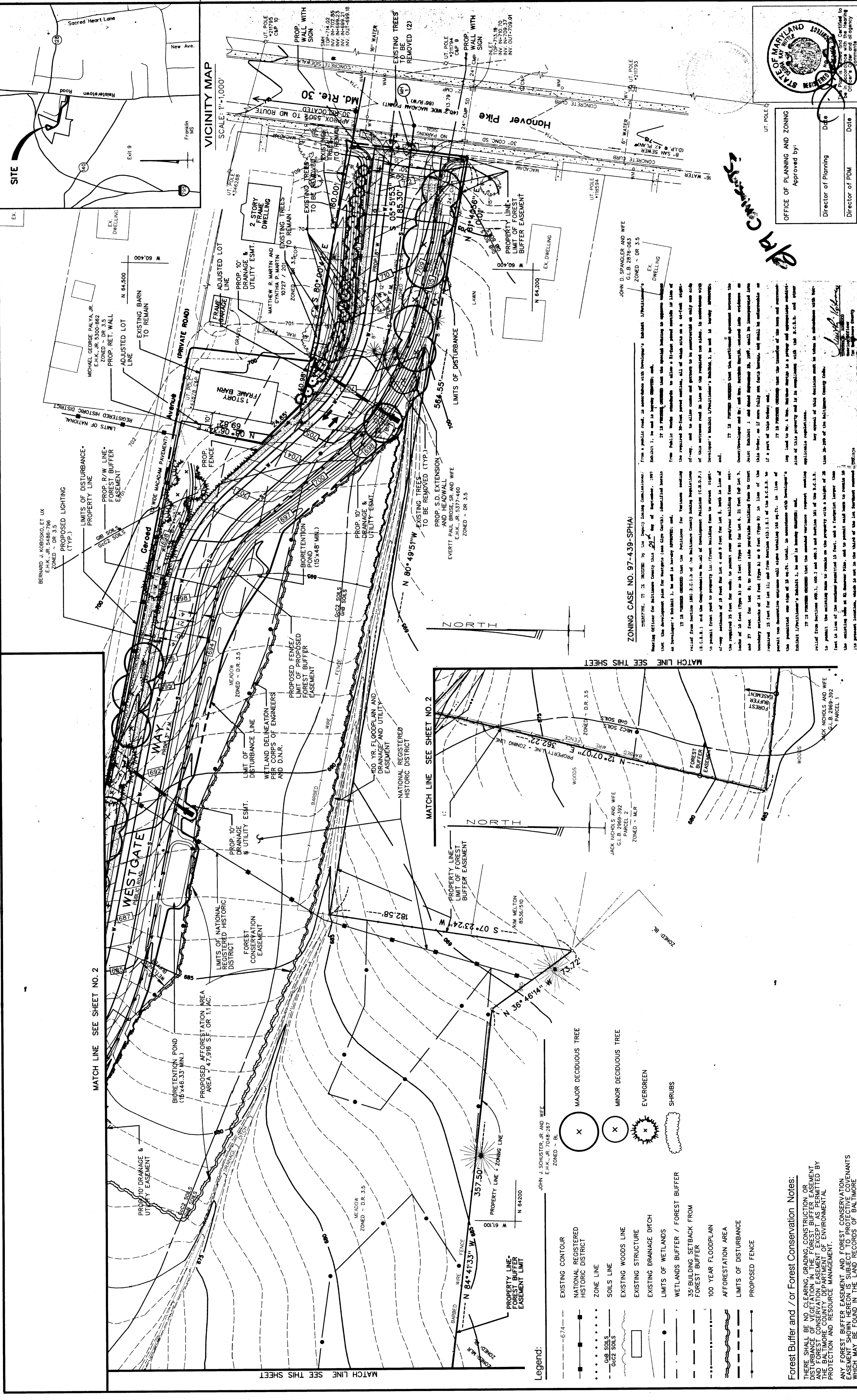
DRAWN BY: T. KILLMEYER	DATE: MARCH 31, 1997
DESIGNED BY: J. SCHAEFER	SCALE: AS SHOWN
CHECKED BY: D. WITTLE	JOB NO.: 61-199

DEVELOPMENT PLAN PLAT TO ACCOMPANY VARIANCE AND PRELIMINARY FOREST CONSERVATION PLAN
WestGate
REISTERSTOWN ~ 4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

DRAWING NO. DP-3
SHEET NO. 3 of 3

PRINTED
APP. 7 1997
STV INCORPORATED

PDM FILE#V-448



STV Incorporated
engineers / architects / planners / scientists / construction managers
 21 Governor's Court, Baltimore, MD 21244-2722 (410) 944-9112

STV Incorporated
 ENGINEERS, ARCHITECTS, PLANNERS, SCIENTISTS, CONSTRUCTION MANAGERS
 21 GOVERNOR'S COURT, BALTIMORE, MD 21244-2722 (410) 944-9112

REVISIONS

NO.	DATE	DESCRIPTION
1	PER BALTIMORE COUNTY STANDARDS	
2	7/17/98	PER BALTIMORE COUNTY COMMENTS

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MAY 21, 1998
DESIGNED BY:	J. SCHWARF	SCALE:	1"=30'
CHECKED BY:	D. WITTE	JOB NO.:	61-189

FINAL DEVELOPMENT PLAN

WestGate

REISTERSTOWN - 4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

PDM FILE#V-448

OFFICE OF PLANNING AND ZONING

Approved by: _____ Date: _____

Director of Planning _____ Date: _____

Director of PDM _____ Date: _____

GRAPHIC SCALE

0 30 60 90

LEGEND:

- 674- EXISTING CONTOUR
- NATIONAL REGISTERED HISTORIC DISTRICT
- ZONE LINE
- SOILS LINE
- G-62 SOILS
- G-62 SOILS
- EXISTING WOODS LINE
- EXISTING STRUCTURE
- EXISTING DRAINAGE DITCH
- LIMITS OF WETLANDS
- WETLANDS BUFFER / FOREST BUFFER
- 35' BUILDING SETBACK FROM FOREST BUFFER
- 100 YEAR FLOODPLAIN
- AFForestation AREA
- LIMITS OF DISTURBANCE
- PROPOSED FENCE

Forest Buffer and / or Forest Conservation Notes:

THESE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY PROTECTION AND RESOURCE MANAGEMENT.

ANY FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

ZONING CASE NO. 97-439-SPHA:

RESOLUTION: 22-23-2000 BY THE BOARD OF ZONING ADJUSTMENTS, BALTIMORE COUNTY, MD. ON SEPTEMBER 21, 2000. THE BOARD OF ZONING ADJUSTMENTS HAS GRANTED A VARIANCE TO THE ZONING ORDINANCE TO PERMIT THE PROPOSED DEVELOPMENT TO BE CONFORMANT WITH THE ZONING ORDINANCE.

Preliminary Forest Conservation Notes:

NET TRACT AREA	293.5462 S.F.
FOREST CONSERVATION REQUIRED	47.916 S.F.
FOREST CONSERVATION PROPOSED	47.916 S.F.
REQUIRED PAYMENT INTO BALTIMORE COUNTY FOREST CONSERVATION FUND	0

5. THE LIMITS OF THE PROPOSED SECTION 15-506 OF BAL. CO. ZONING ORDINANCE 18A.17. CO. 1 HAVE BEEN MET.

PROPOSED ON-SITE AFFORESTATION WILL BE PROPOSED IN A PRIORITY AREA. THE PROPOSED LOCATION FOR AFFORESTATION ADJOINING AN EXISTING AFFORESTATION AREA WILL ENHANCE THE EXISTING FORESTED AND WETLANDS AREAS. THE PROPOSED LOCATION WILL ALSO BUFFER THE PROPOSED COMMUNITY FROM THE ADJOINING RESIDENTIAL AREAS.
6. PRELIMINARY OUTLINE: THREE-YEAR MAINTENANCE AGREEMENT

A. WATERING PLANS:
WATERING SHALL BE PROVIDED DURING THE GROWING SEASON AS REQUIRED ACCORDING TO THE FOLLOWING SCHEDULE:
1ST GROWING SEASON: ONCE A WEEK ONCE A MONTH
2ND AND 3RD GROWING SEASONS: DURING JULY AND AUGUST

B. FERTILIZING PLANS:
ORGANIC FERTILIZERS MAY ONLY BE USED AS NECESSARY.

C. CONTROL OF COMPETING VEGETATION:
ALL TREES WILL BE MARKED AT THE TIME OF INSTALLATION.

D. PROTECTION FROM DISEASE AND MECHANICAL INJURY:
A PROPOSED FENCE LOCATED ALONG THE SOUTHERN EDGE OF THE ROAD WILL SERVE AS A DELINEATION OF THE FOREST BUFFER. THE FENCE SHALL BE A 4' TALL WIRE FENCE WITH A 1' HIGH BARRIER. THE SOUTHERN EDGE OF THE AFFORESTATION SHALL BE SOUTHERLY OF THE EXISTING EXISTING BARRIERS. THE FENCE SHALL BE SOUTHERLY OF THE EXISTING EXISTING BARRIERS.

E. SIGNAGE:
SIGNS WILL BE POSTED AT THE EDGE OF THE AFFORESTED AREAS.

F. MONITORING:
PERIODIC INSPECTIONS WILL BE MADE FOR ANY EVIDENCE OF DISEASE OR DAMAGE.

E. REINFORCEMENT PLANTING PROVISIONS:
A MINIMUM OF 10% OF THE TOTAL NUMBER OF TREES PLANTED PER MAINTENANCE PERIOD SHALL SURVIVE AT THE END OF THE 10-YEAR MAINTENANCE PERIOD.

F. HEALTHY NATIVE TREE SPECIES AT LEAST 10% TALL, FOUND AS A RESULT OF NATURAL REGENERATION MAY BE COINTEGRATED UP TO 50% OF THE SURVIVAL NUMBER.

G. COMPANY/INDIVIDUAL RESPONSIBLE FOR TREE CARE:
UNKNOWN AT THIS TIME.

H. AFFORESTATION REQUIRED:
1.1 AC @ 100 P.U./AC = 110 P.U.

I. AFFORESTATION PROPOSED:
18.2" CALIPER @ 1 P.U./TREE = 112 P.U.
1.5" CALIPER @ 1 P.U./TREE = 112 P.U.
93 HARDWOOD WHIPS @ 2 P.U./TREE = 186 P.U.
TOTAL = 412 P.U.

J. TOTAL CANOPY DOMINANT SPECIES = 148 (60%)
TOTAL UNDERSTORY SPECIES = 19 (8%)

K. AFFORESTATION CONCEPT:
THE PROPOSED AFFORESTATION AREA WILL BE COMPRISED OF SPECIES WHICH WAS FOUND AS A DOMINANT SPECIES AND ACER NUBIUM WAS FOUND AS A CO-DOMINANT SPECIES. THE SPECIES FOUND IN THE AFFORESTATION AREA WERE FOUND IN THE SAME FORESTED AND LOCATED ON THE ADJOINING PARCEL. THE SPECIES ARE ALL TYPICAL OF THE STONORE-GREEN ASH-DOG ELDER-SILVER MAPLE FOREST COVER TYPE.

L. THE AFFORESTATION AREA, INCLUDING PROPOSED ROAD LATER AREA, WILL CONSIST OF THE STREAM AREA B. IT WILL CONSIST OF 1" CALIPER TREES, SMALLER STOCK WILL BE PROPOSED IN THE INTERIOR AREA (AREA C).

Landscape Architects and Owners
Signature and Certification Form

I CERTIFY THAT I HAVE REVIEWED THIS SCHEMATIC LANDSCAPE PLAN, BALTIMORE COUNTY LANDSCAPE MANUAL, LATEST EDITION, AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GENERAL, AND SPECIAL.

DATE: 10/17/12

LANDSCAPE ARCHITECT'S SIGNATURE: [Signature]

PRINT NAME: DEBBIE K. WITTE

LANDSCAPE ARCHITECT'S SIGNATURE: [Signature]

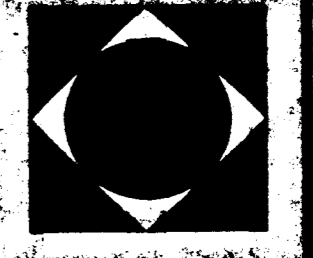
PRINT NAME: [Name]

Proposed Afforestation Per Area Designation

Canopy Dominant Species	Area Designations			Total Per Species
	A	B	C	
Acer rubrum/red maple				17
2" Caliper	3			
1" Caliper		5		
Hardwood Whips			7	
Acer spicatum/silver maple				16
2" Caliper				
1" Caliper		5		
Hardwood Whips			5	
Carbua aceriflora/ironwood				19
2" Caliper	4			
1" Caliper		5		
Hardwood Whips			7	
Aglone nigra/black locust				16
2" Caliper	4			
1" Caliper		7		
Hardwood Whips			5	
Prunus serotina/black cherry				17
2" Caliper	4			
1" Caliper		3		
Hardwood Whips			10	
Quercus petraea/red oak				14
2" Caliper	3			
1" Caliper		7		
Hardwood Whips			4	
Total Understory Species	18	28	34	80

Certification as to Delinquent Accounts

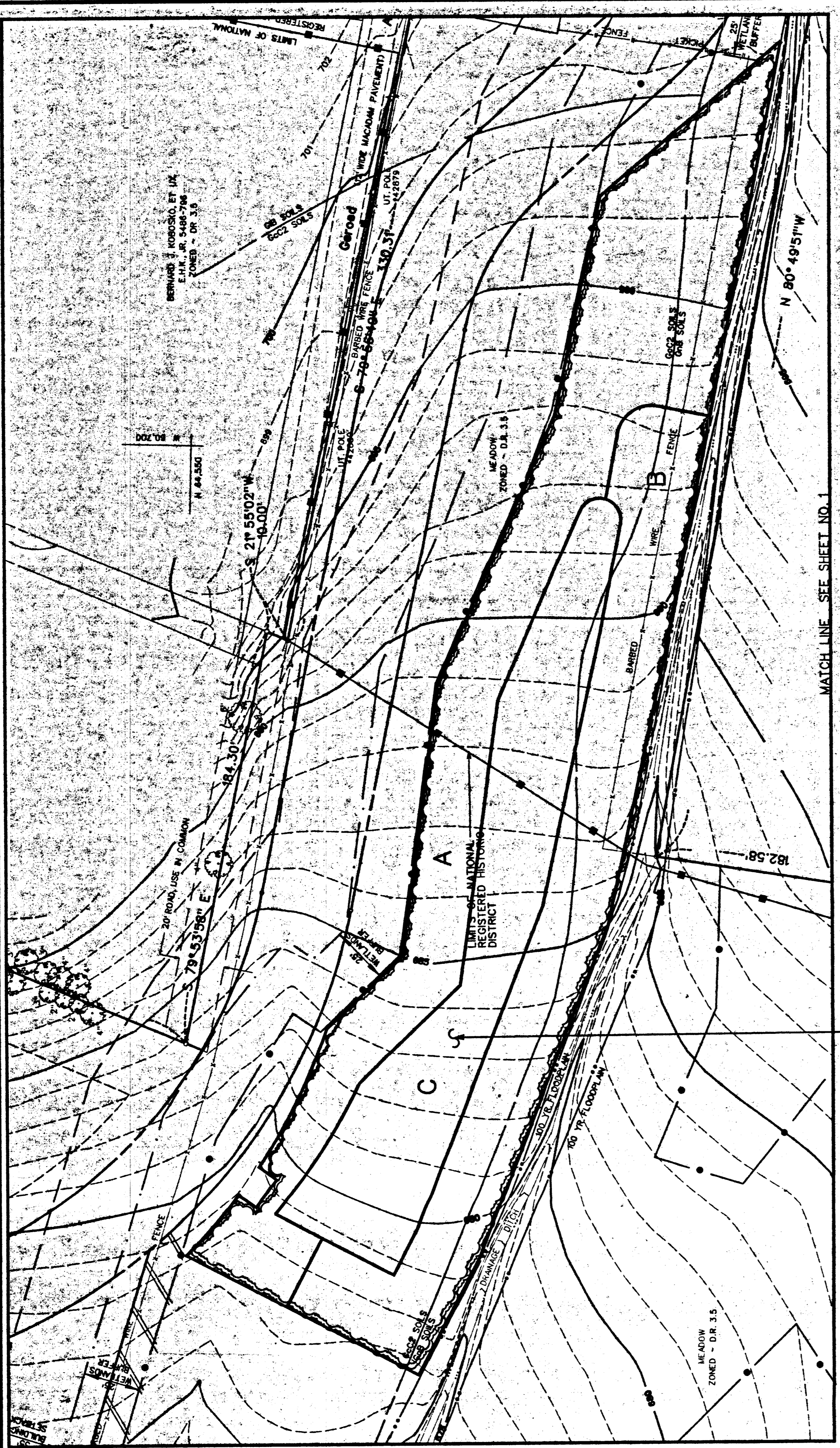
I, [Signature], CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS DUE TO ANY OF THE FOLLOWING: THE AFFORESTATION CONTRACTOR, THE AFFORESTATION CONTRACTOR'S SURETY, OR THE AFFORESTATION CONTRACTOR'S SUBCONTRACTORS, ON BEHALF OF THE PROPOSED DEVELOPMENT.



STV Incorporated
engineering/architecture/planning/scenic/architectural conservation managers
21 Governor's Court, Baltimore, MD 21244-2722; (410) 944-9112

NO.	DATE	DESCRIPTION
1		PER BALTIMORE COUNTY COMMENTS

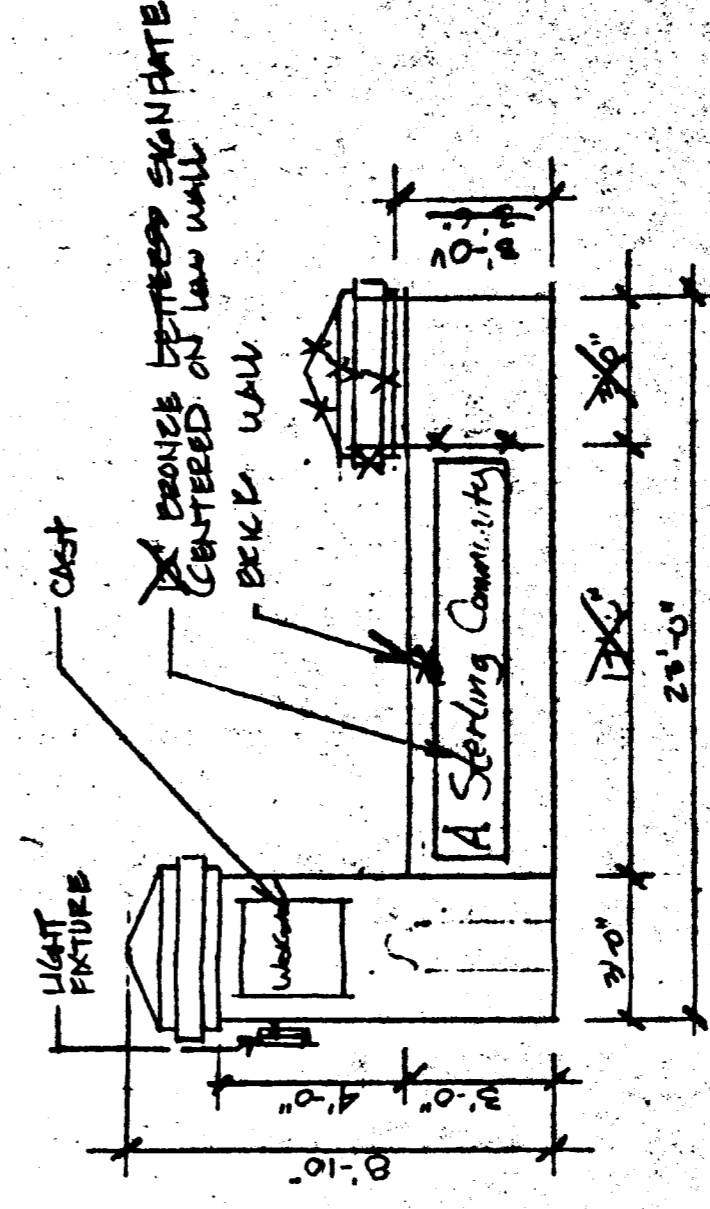
REVISIONS



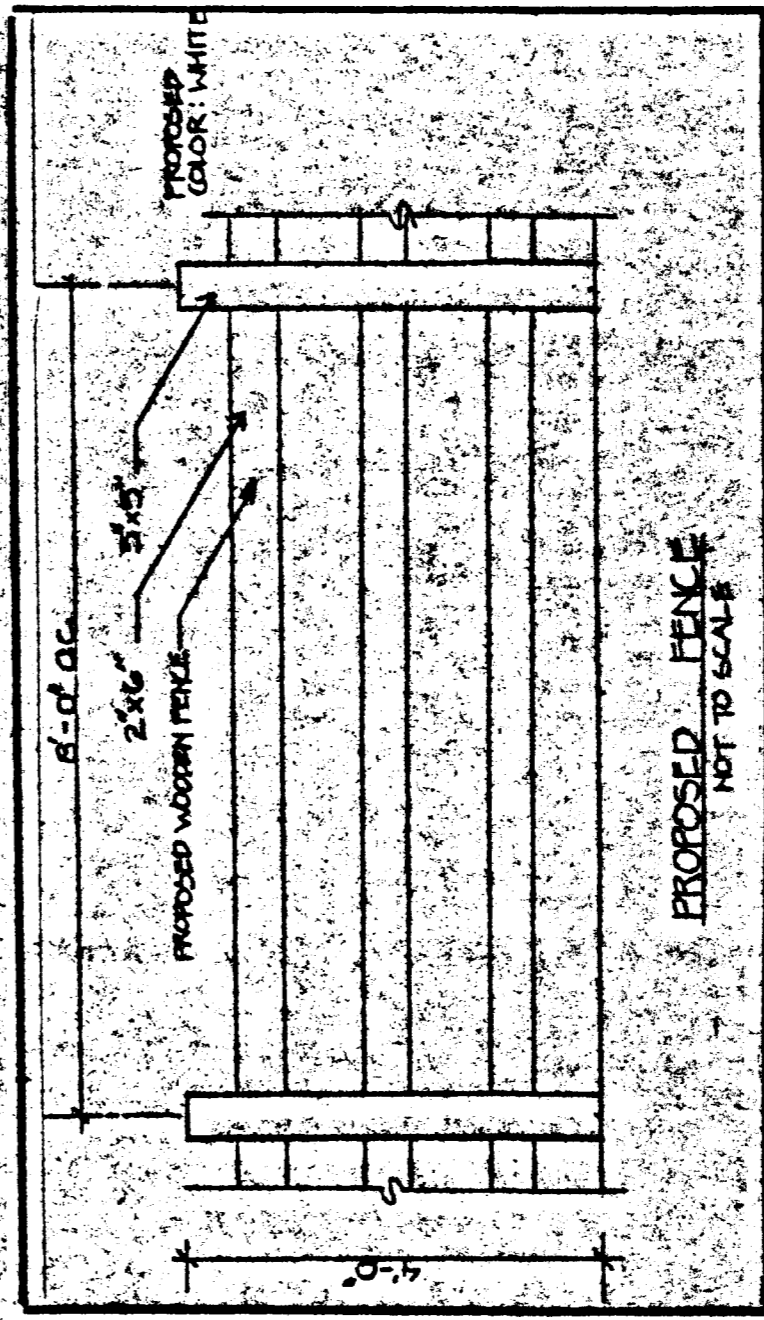
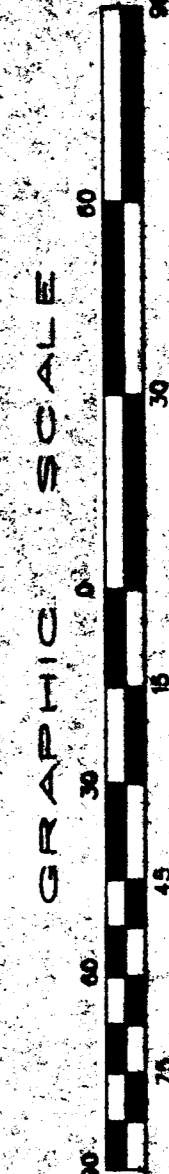
NOTE: SEE SHEETS 1 AND 2 FOR LIMITS OF DISTURBANCE

ENTRANCE SIGN DETAIL

SKIN REQUIRED 1 0 5 SF
SIGN REQUIRED 2 0 82.5 SF = 165 SF ±



ELEVATION



NOTE: FENCE DESIGN IS CONCEPTUAL AND SUBJECT TO MODIFICATION UPON FINAL DESIGN

ROAD LINE

DEVELOPMENT PLAN TO ASSURE VISIBILITY AND PRELIMINARY FOREST CONSERVATION PLAN

DRAWING NO. DP-3

SHEET NO. 3 of 3

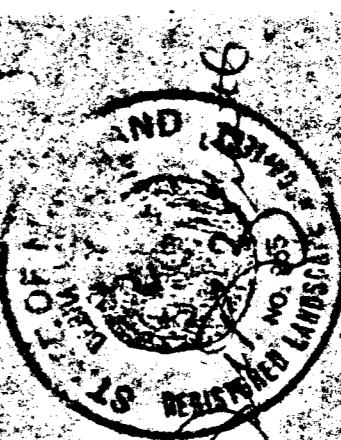
WestGate

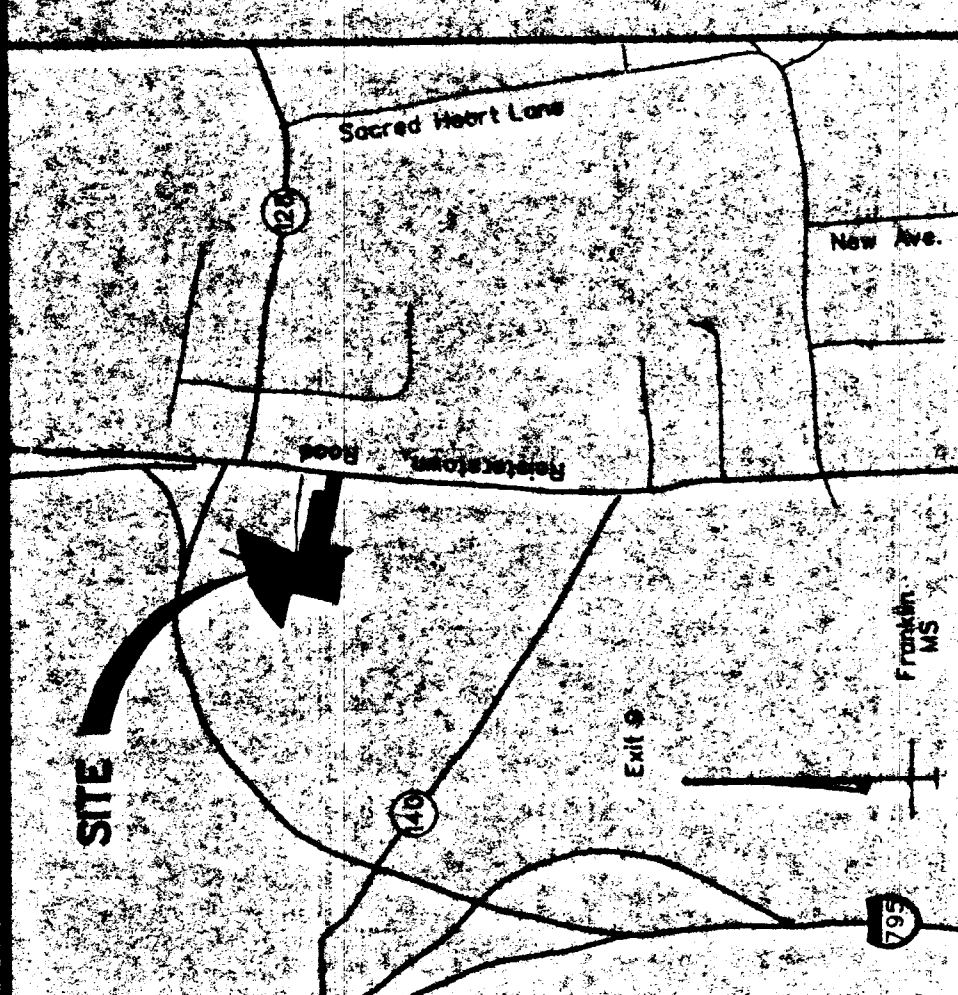
REISTERSTOWN 4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

PDF# FLEW-446

PLAN PREPARATION

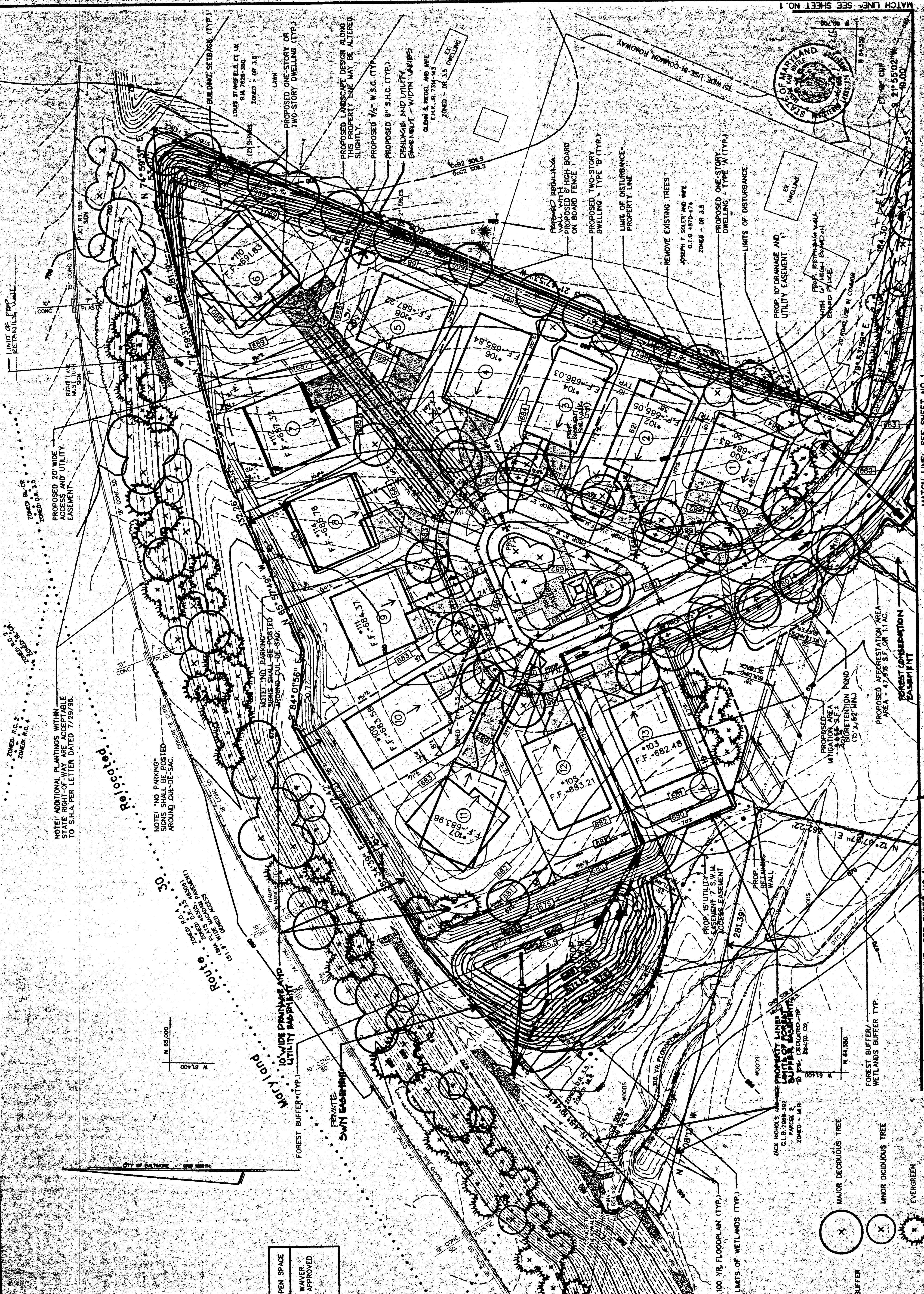
DESIGNED BY	J. SCHMIDT	DATE	MARCH 31, 1997
DRAWN BY	D. WITTE	JOB NO.	81-109





VICINITY MAP
SCALE: 1"=1,000'

Site Development Proposal			
DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	OPEN SPACE
SINGLE FAMILY	13	13 @ 2 SP	EACH DWELLING UNIT TO HAVE 2-CAR GARAGE
			WAVES APPROVED



- Legend:
- EXISTING CONTOUR
 - NATIONAL REGISTERED HISTORIC DISTRICT
 - ZONE LINE
 - SOILS LINE
 - EXISTING WOODS LINE
 - EXISTING STRUCTURE
 - EXISTING DRAINAGE DITCH
 - LIMITS OF WETLANDS
 - WETLANDS BUFFER / FOREST BUFFER
 - 35' BUILDING SETBACK FROM FOREST BUFFER
 - 100' YEAR FLOODPLAIN
 - AForestation AREA
 - LIMITS OF DISTURBANCE
 - PROPOSED FENCE
 - 100 YR. FLOODPLAIN (TYP.)
 - LIMITS OF WETLANDS (TYP.)
 - ZONE LINE
 - SOILS LINE
 - EXISTING WOODS LINE
 - EXISTING STRUCTURE
 - EXISTING DRAINAGE DITCH
 - LIMITS OF WETLANDS
 - WETLANDS BUFFER / FOREST BUFFER
 - 35' BUILDING SETBACK FROM FOREST BUFFER
 - 100' YEAR FLOODPLAIN
 - AForestation AREA
 - LIMITS OF DISTURBANCE
 - PROPOSED FENCE
 - MAJOR DECIDUOUS TREE
 - MINOR DECIDUOUS TREE
 - EVERGREEN
 - SHRUBS

DRAWING NO. DP-2
SHEET NO. 2 of 3

STV Incorporated
engineers / architects / planners / landscape architects / construction managers
21 Governor's Court Baltimore, MD 21244-2722; (410) 944-9112

REVISIONS
PER BALTIMORE COUNTY COMMENTS

NO.	DATE	DESCRIPTION
1		

PLAN PREPARATION
DRAWN BY: T. HILLMEYER DATE: MARCH 31, 1997
DESIGNED BY: J. SCHARFE SCALE: 1"=30'
CHECKED BY: D. WITTE JOB NO.: 61-109

DEVELOPMENT PLAN FOR ACCOMPANYING VARIANCE AND PRELIMINARY FOREST CONSERVATION PLAN
WestGate
REISTERSTOWN - 4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.
POM FILE#V-448

GRAPHIC SCALE
0 30 60 90

MATCH LINE - SEE SHEET NO. 1

