

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
 PETITIONS FOR SPECIAL HEARING and * DEPUTY ZONING COMMISSIONER
 VARIANCE (Calverton Ct.-Alt.1) *
 N of Lodge Rd., E/S Ingleside Ave. * OF BALTIMORE COUNTY
 1st Election District *
 1st Councilmanic District *
 * Case No. I-463 & 98-44-SPHA
 Milton F. Porter & Linda C. Rogers, Owners;
 Signature Land Management, LLC, Developers
 * * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for consideration of a development plan prepared by George W. Stephens, Jr. and Associates, Inc., for the proposed development of the subject property by Milton F. Porter and Linda C. Rogers, Owners, and Signature Land Management, LLC, Developer, with 21 single family dwellings, one of which has existed on the property for many years and will remain, in accordance with the development plan submitted into evidence as Developer's Exhibit 1. In addition to development plan approval, the Owners/Developers seek approval, based on a pre-existing "zoning anomaly," of the accruing of density among the D.R. 5.5 and D.R. 10.5 zones without the necessity of double-counting each proposed dwelling, and a variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the required 15 feet for the existing dwelling. The subject property and proposed improvements are more particularly described on the site plan/development plan submitted into evidence and marked as Developer's/Petitioner's Exhibit 1.

As to the history of this project, a concept plan for this development was prepared and a conference held thereon on June 30, 1997. As required, a community input meeting was held on July 28, 1997 at the Catonsville Library. Subsequently, a development plan was submitted and a conference held thereon on September 24, 1997. Following the submission

ORDER RECEIVED FOR FILING
 Date 10/28/97
 By [Signature]

of that plan, comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on October 16, 1997.

Appearing at the public hearing required for this project were Milton F. Porter, co-owner of the subject property, Harold Paris, Jr., a representative of Signature Land Management, LLC, Developers, C. Richard Moore with Wells & Associates, Rick Chadsey with George W. Stephens, Jr. & Associates, Inc., who prepared the development plan for this project, and Howard L. Alderman, Jr., Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including Christine Rorke, Project Manager, and Robert W. Bowling, both representatives of the Department of Permits and Development Management (DPDM), R. Bruce Seeley with the Department of Environmental Protection and Resource Management (DEPRM), and Ervin McDaniel with the Office of Planning (OP). Several residents from the surrounding locale appeared, all of whom signed the Citizen Sign-In Sheet which was circulated at the hearing.

At the preliminary stage of the public hearing before me, I am required to determine what, if any, agency issues or comments relative to the development plan remain unresolved. On behalf of the Owners/Developers, Counsel indicated that they were unaware of any unresolved issues which needed to be addressed. In addition, the representatives from the various Baltimore County reviewing agencies indicated that all issues raised within their respective comments have been resolved and incorporated into the revised development plan. However, Mr. Robert W. Bowling, Chief of the Developers Plans Review Division of DPDM, noted that the Developers have requested several waivers from public works standards, which were, in

fact, being recommended for approval by Mr. Bowling's Department. Those waivers will be identified later on in this Opinion. Furthermore, the citizens who appeared at the hearing did not voice any objections to the development plan or the special hearing and variance relief sought, and indicated they merely attended the hearing to gather information.

Inasmuch as there were no unresolved issues or comments relative to the development plan, same shall be approved. As to the Petitions for Special Hearing and Variance relief sought, testimony indicated that the special hearing request arises out of the location of the D.R. 5.5 and D.R. 10.5 zoning lines. As shown on the development plan, this property consists of a gross area of 3.08 acres, of which 0.90 acres are zoned D.R. 5.5, and the remaining 2.18 acres are zoned D.R. 10.5. The total density allowed for this property, based on its size and zoning classifications, is 27.84 lots. The Owners/Developers, however, propose to construct only 20 duplex dwelling units, with the existing dwelling to remain, for a total of 21 dwellings. Thus, the Developers are well below the density permitted for this site. However, the "anomaly" arises by virtue of the fact that the D.R. 5.5/D.R. 10.5 zoning line traverses directly through the houses that will be located on Lots 15, 16, 17, 18, 19 and 20. As a result, a special hearing is necessary to approve the location of those houses and the calculation of density associated therewith. In addition, the variance request is necessary due to the location of the existing dwelling, which is situated 5 feet from the street right-of-way for Calverton Court, the access road for the proposed duplex dwellings.

Based upon the testimony and evidence proffered by Mr. Alderman as well as the witnesses in attendance, it is clear that a practical difficulty or unreasonable hardship would result if the special hearing and

ORDERED 10/28/97
Date
By

variance relief were not granted. It has been established that the requirements from which the Owners/Developers seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

As noted above, the Owners/Developers have requested certain waivers of public works standards and the Development Plans Review Division of DPDM has recommended that those waivers be granted. Specifically, the Owners/Developers have requested the following waivers: 1) that there shall be no widening of Ingleside Avenue, south of Calverton Court (proposed) to the southern property line of the subject property; however, Ingleside Avenue will be widened north of Calverton Court to the northern property line of the subject property; 2) to permit a 30-foot paved roadway on a 40-foot wide right-of-way, together with a 5-foot wide sidewalk easement outside of and adjacent to the right-of-way for Calverton Court; 3) to permit the cul-de-sac to have an 80-foot diameter paved section on a 90-foot diameter right-of-way, together with a 5-foot wide sidewalk easement outside of and adjacent to the right-of-way for Calvert Court (proposed) to coincide with the 30-foot paved section on a 40-foot right-of-way described above, and as more particularly shown on Developer's Exhibit 1; and, 4) to permit a reduced centerline separation between intersecting public roadways (Calvert Street and Calverton Court) as more particularly described on Developer's Exhibit 1.

At the hearing, Mr. Bowling testified that his department has recommended approval of these waiver requests. Given the recommendation of approval of these waiver requests by the Development Plans Review Division of DPDM, I shall approve same as set forth above.

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 restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 28th day of October, 1997 that the development plan for Calverton Court, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

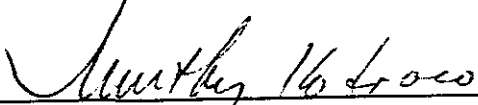
IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval, based on a pre-existing "zoning anomaly," of the accruing of density among the D.R. 5.5 and D.R. 10.5 zones without the necessity of double-counting each proposed dwelling, in accordance with Developer's/Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the required 15 feet for the existing dwelling, in accordance with Developer's/Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the waivers from public works standards as set forth herein shall be APPROVED.

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

TMK:bjs


TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning

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

October 28, 1997

Howard L. Alderman, Jr., Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and
PETITIONS FOR SPECIAL HEARING and VARIANCE
(Calverton Court - Alt.1)
N of Lodge Road, E/S Ingleside Avenue
1st Election District - 1st Councilmanic District
Milton F. Porter & Linda C. Rogers, Owners;
Signature Land Management, LLC, Developers
Case No. I-463 & 98-44-SPHA

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petitions for Special Hearing and 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: Mr. Milton F. Porter, 600 Woodhurst Way, Baltimore, Md. 21228
Mr. Harold Paris, Jr., Signature Land Management, LLC
104 Church Lane, Baltimore, Md. 21208
Ms. Ruby M. Rustic, 712 Ingleside Avenue, Baltimore, Md. 21228
Mr. & Mrs. Nicholas Hupfl, 5322 Clifton Avenue, Baltimore, Md. 21207
Mr. Rick Chadsey, G. W. Stephens, Jr. & Assoc., Inc.
658 Kenilworth Drive, Towson, Md. 21204
Mr. C. Richard Moore, Wells & Assoc.
420 Virginia Ave., Towson, Md. 21204
Chris Rorke, Project Mgr., DEPRM; DPW; R&P; People's Counsel; File ✓





Petition for Special Hearing

98-44-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at

706 Ingelside Avenue

which is presently zoned DR 5.5 & 10.

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

SEE ATTACHMENT

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.

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/XXXX

Legal Owner(s):

SIGNATURE LAND MANAGEMENT, LLC

MILTON F. PORTER

(Type or Print Name)

(Type or Print Name)

By:

Signature Harold Paris, Jr., Member

Signature Milton F. Porter

104 Church Lane, Suite 204

LINDA C. ROGERS

Address

(Type or Print Name)

Pikesville, Maryland 21208

Signature Linda C Rogers

City

State

Zipcode

Attorney for Petitioner:

706 Ingelside Avenue

Address

Phone No.

(Type or Print Name)

Signature Howard L. Alderman, Jr.

Baltimore, Maryland 21228

City

State

Zipcode

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

LEVIN & GANN, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, Maryland 21204

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204
Tel.: (410) 321-0600

Attorney's Phone No.: (410) 321-0600

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JPA

DATE

8-5-97



ORDER RECEIVED FOR FILING

Date 8/5/97

By [Signature]

44.

SPECIAL HEARING CONTINUATION SHEET

98-44-SPHA

Address: 706 Ingleside Avenue
Owner: Milton F. Porter & Linda C. Rogers
Contract Purchaser: Signature Land Management, LLC
Zoning: DR 5.5 & 10.5

Special Hearing [Held in Conjunction w/ Development Plan Hearing BCC §26-206.1]:

To approve, based on a pre-existing "zoning anomaly," the accruing of density among the DR 5.5 and 10.5 zones without the necessity of double-counting each proposed dwelling.

FOR FURTHER INFORMATION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Suite 113
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801

ORDER RECEIVED FOR FILING
Date 11/28/09
By [Signature]



Petition for Variance

98-44-SPHA
to the Zoning Commissioner of Baltimore County

for the property located at 706 Ingleside Avenue
which is presently zoned DR 5.5 & 10.5

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 Variance from Section(s)

SEE ATTACHMENT

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

SEE ATTACHMENT

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.

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: ~~XXXXX~~

Legal Owner(s):

SIGNATURE LAND MANAGEMENT, LLC

(Type or Print Name)

MILTON F. PORTER

(Type or Print Name)

By: Harold Paris, jr.

Signature Harold Paris, jr., Member

Signature Milton F. Porter

104 Church Lane, Suite 204

Address

LINDA C. ROGERS

(Type or Print Name)

Pikesville, Maryland 21208

City State Zipcode

Signature Linda C. Rogers

Attorney for Petitioner:

(Type or Print Name)

Signature Howard L. Alderman, Jr.

706 Ingleside Avenue

Address

Phone No

Baltimore, Maryland 21228

City State Zipcode

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

LEVIN & GANN, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, Maryland 21204

Attorney's Phone No.: (410) 321-0600

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204
Tel.: (410) 321-0600

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JMA

DATE 08-05-97



44

VARIANCE CONTINUATION SHEET

Address: 706 Ingleside Avenue
Owner: Milton F. Porter & Linda C. Rogers
Contract Purchaser: Signature Land Management, LLC
Zoning: DR 5.5 & 10.5

Variance Request [Held in Conjunction w/ Development Plan Hearing BCC §26-206.1]:

From BCZR § 1B01.2.C.1.b. to permit a side yard setback of 5 feet in lieu of the 15 feet required for the existing home to remain.

Justification:

1. Variance requested is for existing residential structure;
2. Shape and configuration of lot;
3. Narrow and shallow buildable area based on DPW road requirements; and
4. Such further reasons as will be presented at the time of the hearing held on this petition.

FOR FURTHER INFORMATION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Suite 113
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801

98-44-SPHA

July 22, 1997

DESCRIPTION TO ACCOMPANY

VARIANCE AND SPECIAL HEARING

**1-ST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
CONTAINING 3.10 ACRES OF LAND, MORE OR LESS**



Beginning for the same at a point in the bed of Ingleside Avenue, said point being distant South 23 degrees 00 minutes 00 seconds East 40.00 feet from the centerline intersection of Ingleside Avenue and Calverton Street, thence leaving said point of beginning and the bed of Ingleside Avenue and running the three following courses:

1. North 87 degrees 00 minutes 00 seconds East 625.36 feet
2. North 00 degrees 55 minutes 42 seconds East 215.01 feet and
3. South 87 degrees 00 minutes 00 seconds West 640.09 feet to a point in or near the center of Ingleside Avenue, thence running in or near the center thereof
4. South 03 degrees 00 minutes 00 seconds East 214.50 feet to the point of beginning.
Containing 3.10 acres of land, more or less.

(Note: The above description is for zoning purposes only and is not to be used for conveyances or agreements.)

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept 18, 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 Sept. 18, 1997.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

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:

Cash, #88-44-SPH
706 Ingleside Avenue
E/S Ingleside Avenue, across
Ingleside Avenue from Calver-
ton Road
1st Election District
1st Subdivision

Legal Owner(s):
Millon F. Porter and Linda C
Rogers
Contract Purchaser(s):
Signature Land Manage-
ment, Inc.

(Special Hearing) to approve, based on a pre-existing zoning anomaly, the acquiring of density without the necessity of double-counting each proposed dwelling. Variance to permit a side yard setback of 5 feet in lieu of the 15 feet required for the existing home to remain.

Hearing: Thursday, October 16, 1997 at 9:00 a.m., Room 407 Centre Bldg., 401 Basley 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) 887-8391.

9/24/88 Sept. 18 C174440

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 08-05-97 ACCOUNT R.001.6150
ITEM # 44 No. 042707

AMOUNT \$ 500.00

RECEIVED FROM: SIGNATURE CAMP. FLET.
020 COMM. DAD. 250.00
040 SPECIAL ADOLEC. 250.00
TOTAL 500.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

SDA

PAID RECEIPT

PROCESS # 005/1997 ACTUAL TIME
08/05/1997 11:30:19
REG # 0506 CASHIER KIM KIM DRYNER
MISCELLANEOUS CASH RECEIPT
RECEIPT # 010514 UFLH
CR NO. 042707

500.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

DEVELOPMENT PLAN HRG. H.O.H.
P.D.M. #1-463

RE: Case No.: 98-44 SPH

Petitioner/Developer: SIGNATURE LAND MANAGEMENT
INC., ETAL
c/o DEAN HOOVER

Date of Hearing/Closing: 10/16/97
@ 9:00 A.M.

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 706 INGLESIDE AVE.

The sign(s) were posted on 9/16/97
(Month, Day, Year)

Sincerely,

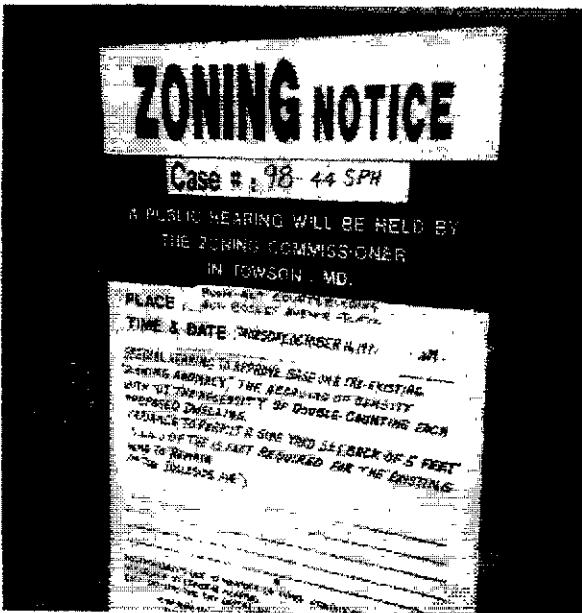
Patrick M. O'Keefe 9/18/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)

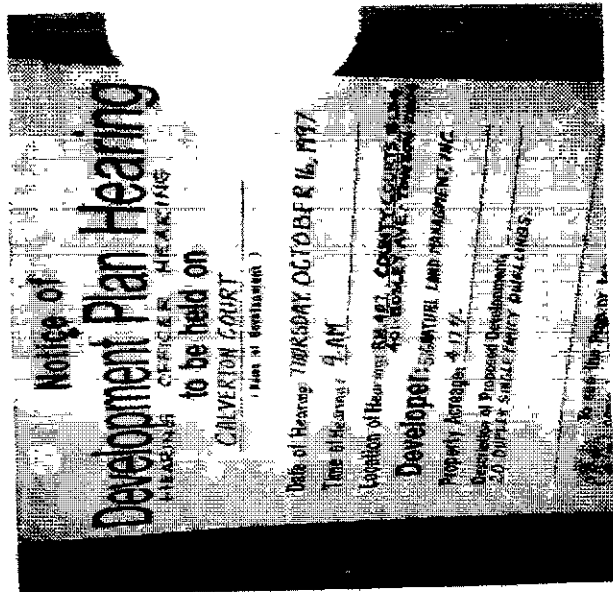
523 Penny Lane
(Address)

Hunt Valley, MD 21030
(Zip Code)

Page (4/10) 905-8571



98-44 SPH G.W.S.
706 INGLESIDE AVE
SIGNATURE LAND MANAGEMENT, INC
9/16/97 H. 10/16/97 @ 9 AM



CALVERTON COURT
'D' PLAN HRG. - SIGNATURE LAND
MANAGEMENT, INC.
G.W.S. HRG. - OCT. 16, 1997
9/16/97



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Ave
 Towson, Maryland 21286

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 44
 Petitioner: MILTON PORTER / LYNDIA ROGERS / SIGNATURE LAND MANAGEMENT LLC
 Location: 706 Ingleside Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SIGNATURE LAND MANAGEMENT LLC c/o Harold Peris
 ADDRESS: 104 CHURCH LANE, SUITE 204
PIKESVILLE MD 21208
 PHONE NUMBER: 410-653-0386

AJ:ggs

(Revised 09/24/96)

44

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

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: VARIANCE FOR EXISTING HOUSE TO NEW SIDE STREET SETBACK
OF 5 FT IN LIEU OF THE REQUIRED 15 FT. AND
SPECIAL HEARING TO ALLOW HOUSES TO BE BUILT OVER
ZONING LINE THAT DIVIDES AN EXISTING PROPERTY

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

TO: PUTTIXENT PUBLISHING COMPANY
September 18, 1997 Issue - Jeffersonian

Please forward billing to:

Signature Land Management LLC
c/o Harold Paris
104 Church Lane, Suite 204
Pikesville, MD 21208
410-653-0386

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: 98-44-SPH^A
706 Ingleside Avenue
E/S Ingleside Avenue, across Ingleside Avenue from Calverton Street
1st Election District - 1st Councilmanic
Legal Owner(s): Milton F. Porter and Linda C. Rogers
Contract Purchaser(s): Signature Land Management, Inc.

Special Hearing to approve, base on a pre-existing "zoning anomaly", the accruing of density without the necessity of double-counting each proposed dwelling.
Variance to permit a side yard setback of 5 feet in lieu of the 15 feet required for the existing home to remain.

HEARING: THURSDAY, OCTOBER 16, 1997 at 9:00 a.m., 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

September 12, 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: I-463

Project Name: Calverton Court

Location: N of Lodge Road, E/S Ingleside Avenue

Acres: 4.17

Developer: Michael N. Netzer and Barbara A. Netzer

Proposal: 1 single family dwelling (detached) and 18 single family dwellings (attached)

and

CASE NUMBER: 98-44-SPH^A

706 Ingleside Avenue

E/S Ingleside Avenue, across Ingleside Avenue from Calverton Street

1st Election District - 1st Councilmanic

Legal Owner(s): Milton F. Porter and Linda C. Rogers

Contract Purchaser(s): Signature Land Management, Inc.

Special Hearing to approve, base on a pre-existing "zoning anomaly", the accruing of density without the necessity of double-counting each proposed dwelling.

Variance to permit a side yard setback of 5 feet in lieu of the 15 feet required for the existing home to remain.

HEARING: THURSDAY, OCTOBER 16, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon
Director

cc: Milton F. Porter and Linda C. Rogers
Signature Land Management, LLC
Howard Alderman, Jr., Esq.
G. W. Stephens, Jr. & Associates.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 17, 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

October 2, 1997

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, MD 21204

RE: Item No.: 44
Case No.: 98-44-SPHA
Petitioner: M. Porter & L. Rogers

Dear Mr. Alderman:

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 August 5, 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 cursive script that reads "Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

August 19, 1997

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

RE: Property Owner: MILTON F. PORTER & LINDA C. ROGERS
BALTIMORE COUNTY, MD

Location: DISTRIBUTION MEETING OF August 25, 1997

Item No.: 044 AND 045

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. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code" (NFPA) and any other applicable codes.

REVIEWER: LT. ROBERT P. SAUERBAUGH

The National Fire Protection Association, 1997, NFPA 101




BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: August 22, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
for August 25, 1997
Item Nos. 044, 045, 046 047, 048,
049, 050, and 051

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE825.NOC



**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 8.14.97
Item No. 044 JRD

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration 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,

R. J. Burns
to 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, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: October 7, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RBS/gp*
Subject: Zoning Item #44

Porter Property (Calverton Courts) - 706 Ingleside Avenue

Zoning Advisory Committee Meeting of August 18, 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).

BS:BK:sp



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 23, 1999

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: Porter/Rodgers Property; Signature Land Management LLC - Contract Purchaser
Case Nos. I-463 & 98-44-SPHA; 98-309-A

Dear Mr. Alderman:

I have reviewed your letter of May 18, 1999 and the enclosures thereto. I have also received correspondence from the Office of Planning regarding that agency's concurrence in your request that I find that the revised Plat to Accompany the Petition for Zoning Variance, revised most recently on April 21, 1999 (the "Currently Revised Plat"), is within the spirit and intent of the above-referenced zoning and development approvals, subject to the conditions and restrictions specified herein.

After completing my review, there is no doubt that the Currently Revised Plat presents a more traditional pattern of housing development on the subject property, which is a long, narrow lot. The homes shown on the Currently Revised Plat are oriented toward the street and each includes a garage incorporated as part of the dwelling. The parties have met with representatives of the Office of Planning and agreed to certain landscaping and fencing requirements. The pattern of development shown on the Currently Revised Plan, being a more traditional development pattern with far less concrete massing, obviates the need for the extensive, prior conditions and restrictions imposed.

Given that no modification of the prior approved variance relief is sought, I find that the pattern of development as shown on the Currently Revised Plat is within the spirit and intent of the orders issued in the above-referenced cases, provided that: i) landscaping is provided in accordance with the landscape manual, including without limitation foundation plantings; and ii) a uniform, perimeter fencing standard, as approved by Avery Harden, the County's Landscape Architect, is made applicable to any boundary fences constructed along the north and south tract boundaries of the land being developed and that the same standard is also incorporated in the private *Declaration of Covenants and Restrictions* applicable to the homes to be constructed on

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Howard L. Alderman, Jr, Esquire


June 23, 1999

Page 2 (Re: Porter/Rodgers Property; Signature Land Management LLC - Contract Purchaser
Case Nos. I-463 & 98-44-SPHA; 98-309-A)

the subject property, in lieu of the conditions and restrictions specified in the orders listed above. I will sign the three copies of the Currently Revised Plat that you have provided to me and send those signed copies and three copies of this letter to the Department of Permits and Development Management for inclusion in each of the three cases listed above.

This finding applies only to the Currently Revised Plat as submitted. The conditions specified in this letter shall replace the conditions and restrictions contained in the above-referenced orders.

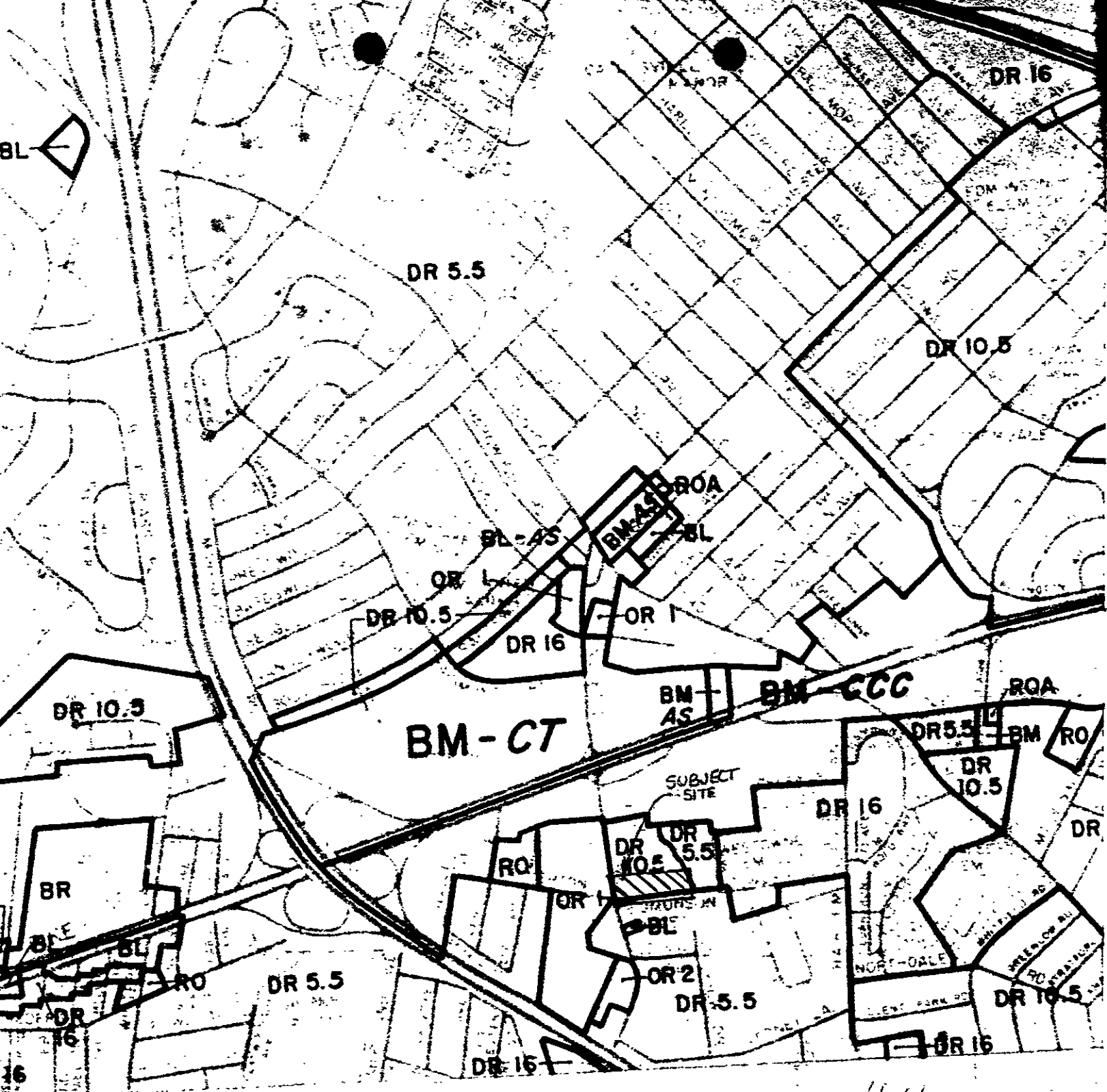
Sincerely,



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

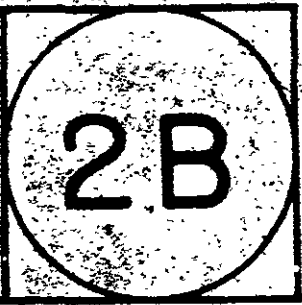
cc: Ms. Carol McEvoy (w/copy of Currently Revised Plat)
Case File Nos. I-463, 98-44-SPHA; and 98-309-A



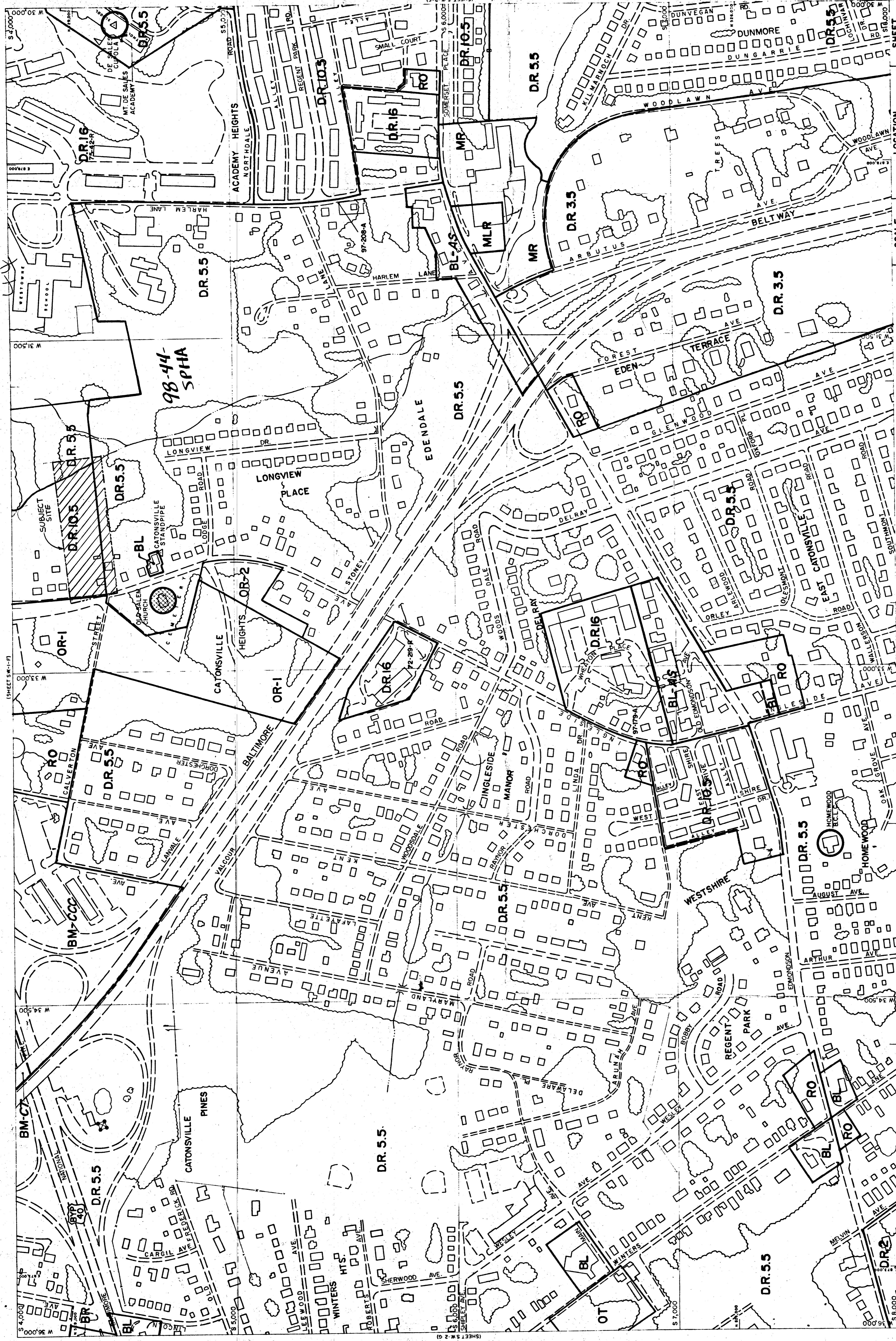
98-44-SPHA

WESTERN AREA

REVISED DATE
FEB. 95



BALTIMORE COUNTY BASE MAP SERIES



H-NE G-NW
 1986 COMPREHENSIVE ZONING MAP
 ADOPTED BY
 THE BALTIMORE COUNTY COUNCIL
 OCTOBER 8, 1995
 BILL Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
 Kevin Kamareny
 Chairman, County Council
 THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210
 SCALE 1" = 200' ±
 DATE OF PHOTOGRAPHY JANUARY 1986
 LOCATION CATONSVILLE
 SHEET S.W. 2-F

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

98-44-SPHA

(SHEET S.W. 2-F)
 (SHEET S.W. 2-F)
 (SHEET S.W. 2-F)

PLAT TO ACCOMPANY PETITION FOR ZONING X VARIANCE SPECIAL HEARING
 PROPERTY ADDRESS: 706 INGLESIDE AVE.
 SUBDIVISION NAME: CALVERTON COURT
 DEED 56251062 TAX ACCOUNT # 1-0116600492
 OWNER: MILTON F. PORTER
 LINDA C. ROGERS
 DEVELOPER: SIGNATURE LAND MANAGEMENT, LLC

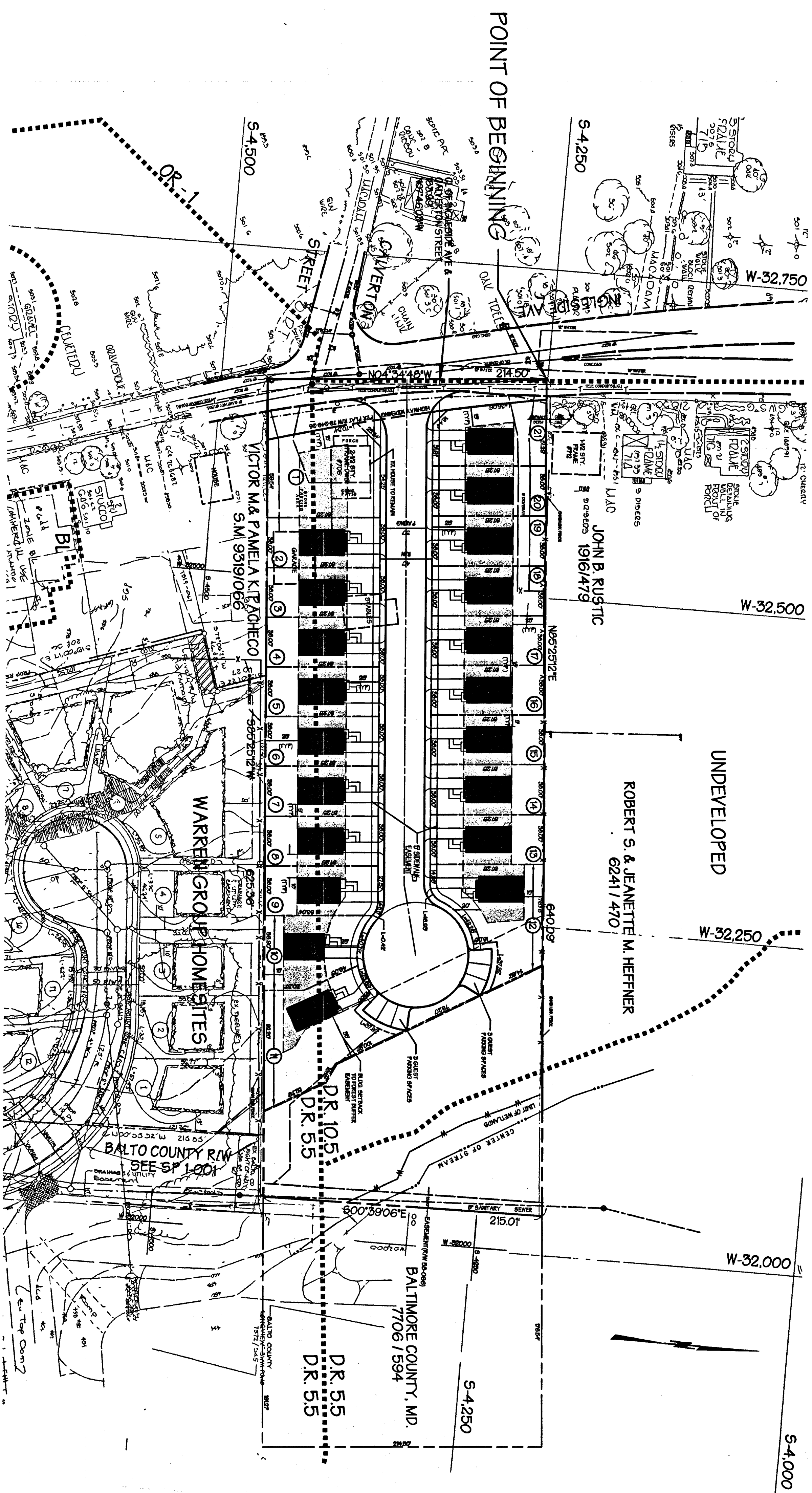


TABLE 'A'
 LOT AREAS

LOT	AGEAGE	SQUARE FOOTAGE
1	0.15 AC.±	5,704.28 SF.±
2	0.08 AC.±	3,315.50 SF.±
3	0.08 AC.±	3,315.49 SF.±
4	0.08 AC.±	3,315.50 SF.±
5	0.08 AC.±	3,315.49 SF.±
6	0.08 AC.±	3,315.50 SF.±
7	0.08 AC.±	3,315.49 SF.±
8	0.08 AC.±	3,315.50 SF.±
9	0.08 AC.±	3,315.49 SF.±
10	0.08 AC.±	3,315.50 SF.±
11	0.14 AC.±	6,294.22 SF.±
12	0.12 AC.±	5,251.06 SF.±
13	0.08 AC.±	3,315.50 SF.±
14	0.08 AC.±	3,315.50 SF.±
15	0.08 AC.±	3,315.51 SF.±
16	0.08 AC.±	3,315.50 SF.±
17	0.08 AC.±	3,315.51 SF.±
18	0.08 AC.±	3,315.50 SF.±
19	0.08 AC.±	3,315.50 SF.±
20	0.08 AC.±	3,315.50 SF.±
21	0.09 AC.±	4,008.88 SF.±

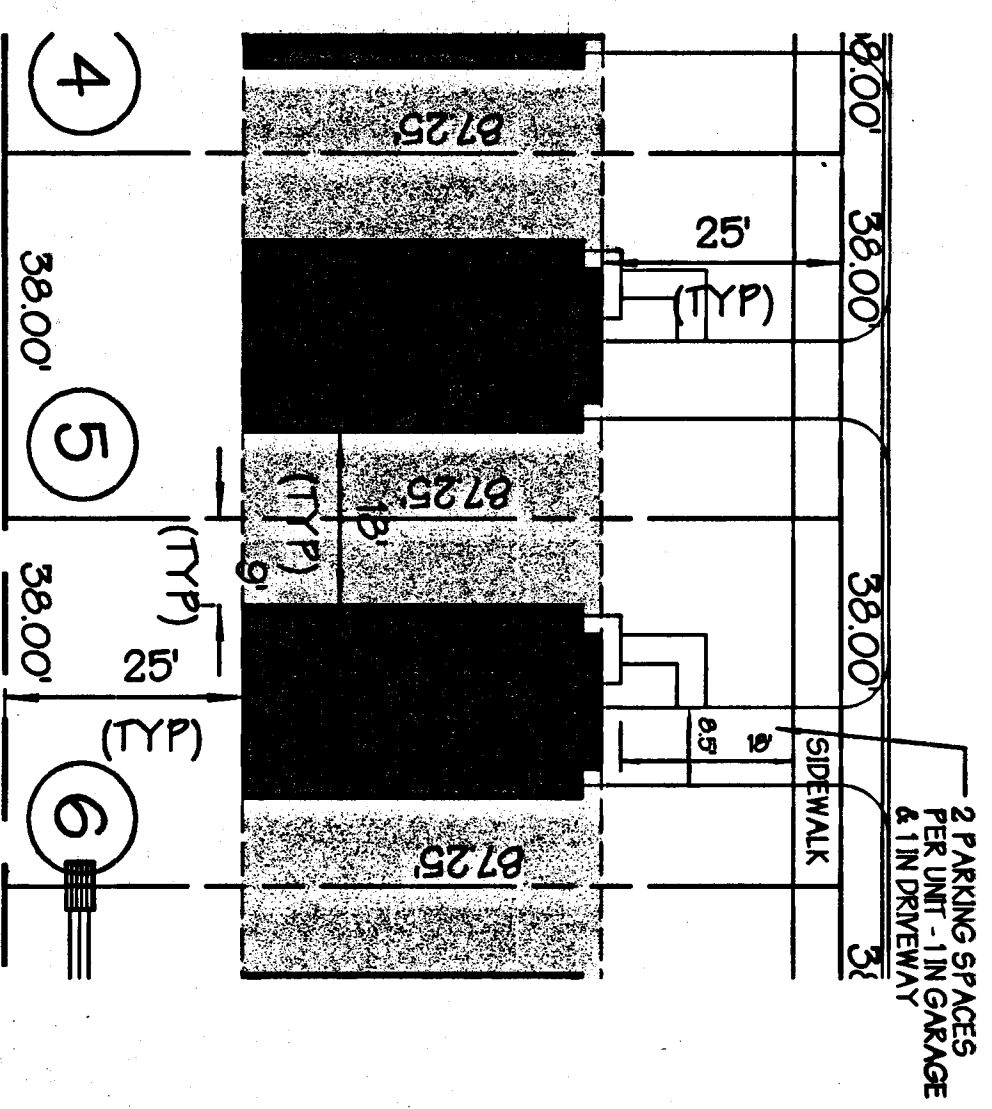


TABLE 'B'
 VARIANCE REQUESTS

LOT #	VARIANCE 1	VARIANCE 2	VARIANCE 3	VARIANCE 4
1	1	1	1	1
2	1	1	1	1
3	1	1	1	1
4	1	1	1	1
5	1	1	1	1
6	1	1	1	1
7	1	1	1	1
8	1	1	1	1
9	1	1	1	1
10	1	1	1	1
11	1	1	1	1
12	1	1	1	1
13	1	1	1	1
14	1	1	1	1
15	1	1	1	1
16	1	1	1	1
17	1	1	1	1
18	1	1	1	1
19	1	1	1	1
20	1	1	1	1
21	1	1	1	1

VARIANCE REQUESTS:
 THE FOLLOWING VARIANCE REQUESTS FROM SECTION: BO12.C1P OF THE BCZK

VARIANCE 1: TO PERMIT A MINIMUM DISTANCE OF 25' FROM A REAR BUILDING FACE TO A REAR PROPERTY LINE IN LIEU OF THE REQUIRED 30'.

VARIANCE 2: TO PERMIT A MINIMUM DISTANCE OF 18' FROM A SIDE BUILDING FACE TO A SIDE BUILDING FACE IN LIEU OF THE REQUIRED 20'.

VARIANCE 3: TO PERMIT A MINIMUM DISTANCE OF 15' FROM A REAR BUILDING FACE TO A REAR PROPERTY LINE IN LIEU OF THE REQUIRED 30'.

VARIANCE 4: TO PERMIT A MINIMUM DISTANCE OF 20' FROM A FRONT BUILDING FACE TO A PUBLIC RIGHT OF WAY IN LIEU OF THE REQUIRED 25'.

NET AREA: 0.974 = 2.08
 1/4 ROAD RIGHT OF WAY UP TO 30' 0.034 = 0.10
 GROSS AREA: 0.908 = 2.18

DR 55 0.90 X .05 = 4.50
 DR 105 2.18 X .05 = 10.90
 TOTAL = 15.40
 PROPOSED = 21

PARKING REQUIRED: 42 SPACES (21 X 2) = 42 SPACES
 PARKING PROVIDED: 6 GUEST SPACES

ZONING HISTORY:
 1. CASE NO. 98-44-SFH
 A. SPECIAL HEARING TO APPROVE, BASED ON A PRE-EXISTING ZONING ANOMALY, THE ACCRUING OF DENSITY WITHOUT THE NECESSITY OF DOUBLE COUNTING EACH PROPOSED DWELLING APPROVED OCT 28, 1997.
 B. VARIANCE TO PERMIT A SIDE YARD SETBACK OF 5 FEET IN LIEU OF THE 15 FEET REQUIRED APPROVED OCT 28, 1997.
 2. DEVELOPMENT PLAN HEARING CASE NO. 1-463 APPROVED OCT 28, 1997.

- SITE
- DEED REFERENCE 56251062
 - TAX ACCOUNT # 1-0116600492
 - CONSTRUCTION # 1-0116600492
 - OWNER: MILTON F. PORTER
 - DEVELOPER: SIGNATURE LAND MANAGEMENT, LLC
 - ALL PROPOSED ROADS AND DRAINS ARE TO BE PUBLIC UNLESS OTHERWISE NOTED.
 - EXACT LOCATION OF CURB CUTS FOR DRIVEWAY OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY OWNER WHEN EXACT BUILDING FOOTPRINTS BECOME AVAILABLE BUT PRIOR TO INSTALLATION.
 - ALL PARKING SPACES WILL BE A MINIMUM OF 8.5' X 18'.
 - UNLESS OTHERWISE NOTED AS LARGER.
 - ALL BUILDINGS TO BE RAZED ARE NOTED ON THE PLAN. THEY SHALL BE RAZED DURING THE GRADING OF THE PROPERTY.

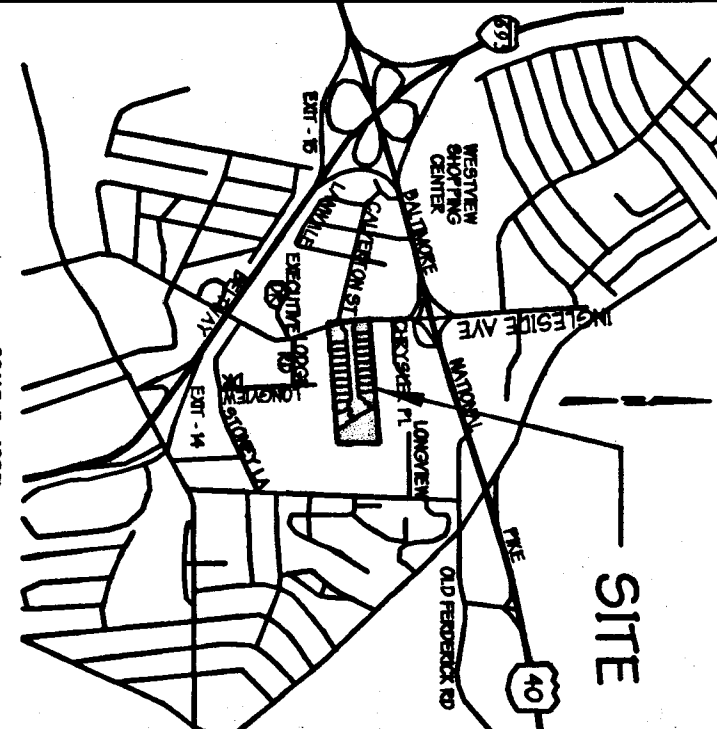
PREPARED BY:

GEORGE WILLIAM STEPHENS, JR.
 AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS
 658 KENILWORTH DRIVE, SUITE 100
 TOWSON, MARYLAND 21284
 (410) 853-9180

DATE: FEBRUARY 12, 1998
 REVISED: MAY 7, 1998, APRIL 21, 1999

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION
 COUNCILMANIC DISTRICT 15T
 ELECTION DISTRICT 15T
 1" = 200' SCALE MAP #S.W. 2-F
 LOT SIZE: SEE TABLE 'A'

ZONING OFFICE USE ONLY
 REVIEWED BY: [Signature]
 ITEM # []
 CASE NO. []

