IN RE: PETITION FOR ADMIN. VARIANCE NW/Corner Mink Hollow Court and Sihler Oaks Trail (2 Mink Hollow Court) 2nd Election District 3rd Councilmanic District Wilbur Harrell, Jr., et ux Petitioners	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 99-119-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Wilbur Harrell, Jr., and his wife, Barbara M. Harrell. The Petitioners seek relief from Sections 1B01.2.C.b and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit rear yard setbacks of 18 feet and 19 feet in lieu of the required 22.5 feet for a proposed bi-level deck. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the

B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of October, 1998 that the Petition for Administrative Variance seeking relief from Sections 1B01.2.C.b and 301..1A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit rear yard setbacks of 18 feet and 19 feet in lieu of the required 22.5 feet for a proposed bi-level deck, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 10/15/98
By

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 16, 1998

Mr. & Mrs. Wilbur Harrell, Jr.
2 Mink Hollow Court
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/Corner Mink Hollow Court and Sihler Oaks Trail
(2 Mink Hollow Court)
2nd Election District - 3rd Councilmanic District
Wilbur Harrell, Jr., et ux - Petitioners
Case No. 99-119-A

Dear Mr. Harrell:

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

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

Very truly yours,

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 2 MINK HOLLOW CT. 21117

which is presently zoned DR 3.5

This Petition shall be filed with the Dept. 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) 1B01.2.C.b & 301.1.A; BC 72

TO PERMIT REARYARD SETBACKS OF 19 FT. AND 18 FT. FOR A BI-LEVEL DECK IN LIEU OF THE PERMITTED 22.5 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) WHEN WE PURCHASED THIS HOUSE ON THIS LOT, WE WERE NOT MADE AWARE OF ANY RESTRICTIONS PERTAINING TO OUR ABILITY TO BUILD A DECK THAT WOULD COMPLIMENT OUR HOME AND MEET OUR FAMILY'S NEEDS. AS YOU CAN SEE, THE LOCATION OF OUR HOUSE WITHIN THE LOT IS AWKWARD AND LIMITS OUR ABILITY TO CONSTRUCT A REASONABLE DECK. THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER.

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/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner N/A

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

WILBUR HARRELL JR.
(Type or Print Name)

Wilbur Harrell Jr
Signature

BARBARA M. HARRELL
(Type or Print Name)

Barbara M. Harrell
Signature

(W) 410-965-5458

2 MINK HOLLOW CT. (H) 410-356-3880
Address Phone No

OWINGS MILLS MD 21117
City State Zipcode

Name Address and phone number of representative to be contacted

SAME
Name

Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, 19___ that the subject matter of this petition be set for a public hearing, advertised as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 10/13/98
By

REVIEWED BY: JWM DATE 9-17-98

ESTIMATED POSTING DATE: 9-27-98

Printed with Soybean Ink on Recycled Paper

ITEM #: 119

99-119-A

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at # 2 MINK HOLLOW CT
address

OWINGS MILLS MD 21117
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

WHEN WE PURCHASED THIS HOUSE ON THIS LOT, WE WERE NOT MADE AWARE OF ANY RESTRICTIONS PERTAINING TO OUR ABILITY TO BUILD A DECK THAT WOULD COMPLIMENT OUR HOME AND MEET OUR FAMILY'S NEED FOR OUTSIDE GATHERING AND ENTERTAINMENT SPACE FOR FAMILY AND FRIENDS.

AS THE LOCATION DRAWING INDICATES, THE LOCATION OF OUR HOUSE WITHIN THE LOT IS AWKWARD AND LIMITS OUR ABILITY TO CONSTRUCT A REASONABLE DECK

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Wilbur Harrell Jr.
(signature)
WILBUR HARRELL JR.
(type or print name)

BALTIMORE COUNTY MARYLAND

Barbara M. Harrell
(signature)
BARBARA M. HARRELL
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17 day of August, 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

WILBUR HARRELL JR & BARBARA HARRELL

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/17/98
date

Suzette C. Dorsey
NOTARY PUBLIC

My Commission Expires:

Suzette C. Dorsey, Notary Public
City of Baltimore
State of Maryland
My Commission Expires Apr. 1, 2002

ORDER RECEIVED FOR FILING
Date 10/15/98
By

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 2 MINK HOLLOW CT 21117

which is presently zoned _____

This Petition shall be filed with the Dept. 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)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) WHEN WE PURCHASED THIS HOUSE ON THIS LOT, WE WERE NOT MADE AWARE OF ANY RESTRICTIONS PERTAINING TO OUR ABILITY TO BUILD A DECK THAT WOULD COMPLIMENT OUR HOME AND MEET OUR FAMILY'S NEEDS. AS YOU CAN SEE, THE LOCATION OF OUR HOUSE WITHIN THE LOT IS AWKWARD AND LIMITS OUR ABILITY TO CONSTRUCT A REASONABLE DECK. THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER.

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/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

N/A

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

WILBUR HARRELL JR.

(Type or Print Name)

x Wilbur Harrell Jr.

Signature

BARBARA M. HARRELL

(Type or Print Name)

x Barbara M. Harrell

Signature

#2 MINK HOLLOW CT. (W) 410-965-5458 (H) 410-356-3880

Address Phone No

OWINGS MILLS, MD. 21117

City State Zipcode

Name Address and phone number of representative to be contacted

Name

Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this ___ day of _____ 19___ that the subject matter of this petition be set for a public hearing, advertised as required by the Zoning Regulations of Baltimore County in two newspapers of general circulation throughout Baltimore County and that the property be posted

Zoning Commissioner of Baltimore County

REVIEWED BY DATE:

ESTIMATED POSTING DATE:

Printed with Soybean Ink on Recycled Paper

ITEM #: _____

ZONING DESCRIPTION

2 MINK HOLLOW CT.

BEING THAT LOT LOCATED ON THE NORTHEAST CORNER of SILLER OAKS TRAIL AND MINK HOLLOW CT., ALSO KNOWN AS LOT NO. 81 of THE SUBDIVISION MCDONOGH OAKS, E.D. 2; C.D. 3.

119

99-119-A

necessary outcome. Now that the negotiations are over, PDM can offer specifics on to how that necessary outcome can be achieved.

Mr. Gerahty states that he submitted a lighting design, as required, for my review and that I never responded. My review of his plan was a moot point because the lighting had been installed and operating for six weeks before he made his submittal. If and when Mr. Gerahty genuinely solicits from us what he needs to do to make his lighting acceptable, we stand ready to oblige him. The lighting poles and fixtures on the residential zone line should be moved in 10 feet to the inside edge of the Class A buffer line. The angled lighting along Taylor Avenue that presently glares across the site into the residential area should be turned to face perpendicular to the ground. Lowering the lights to 15 feet and using cut-offs on the fixtures to further corral the light is also necessary.

Councilman Bartenfelder gave Mr. Gerahty the right to physically expand his business. However, Mr. Gerahty's precipitous ill conceived lighting installation has created a visual land grab that extends well into the residential community.

I believe that with a properly designed lighting installation, combined with adherence to the approved residential buffer design, it is possible for the *Poor Boy's Country Market* to adequately light its area without being a nuisance to the surrounding neighborhood. Unfortunately, the cost of having to modify his lighting and fence will be burdensome because of Mr. Gerahty's precipitous action.

Arnold, I am copying this memo to those in PDM that are involved in this issue. However, because of Mr. Gerahty's various inaccurate statements, the other County officials on Mr. Gerahty's lengthy copy list should, in my opinion, receive a timely response from PDM. Please let me know your thoughts.

cc: Robert Bowling
Rick Wisnom
James Thomas
Hunter Rowe

attachment

BALTIMORE COUNTY, MARYL 119
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 054727

DATE 9-17-98 ACCOUNT R001-6150

AMOUNT $ 50.00

RECEIVED FROM: W. HAZELL — 2 MINK CT.

FOR: (OIC) AA. VAR.

99-119-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

JCM

PAID RECEIPT
PROCESS ACTUAL TIME
9/18/1998 9/17/1998 15:45:27
REG W002 CASHIER JMC JMC DRAWER 2
5 MISCELLANEOUS CASH RECEIPT
Receipt # 054727 OFLP
CR NO. 054727
50.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLA R
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 054726

DATE 9-17-98 ACCOUNT R001-6150

AMOUNT $ 11.00

RECEIVED FROM:

FOR: Copies

99-119-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
9/18/1998 9/17/1998 15:45:19
REG W002 CASHIER JMC JMC DRAWER 2
5 MISCELLANEOUS CASH RECEIPT
Receipt # 054726 OFLP
CR NO. 054726
11.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 99-119-A

Petitioner/Developer:

MR. WILBUR HARRELL

Date of Hearing/Closing: 10-12-98

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

#2 MINK HOLLOW CT.

The sign(s) were posted on SEPT. 25TH 1998
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

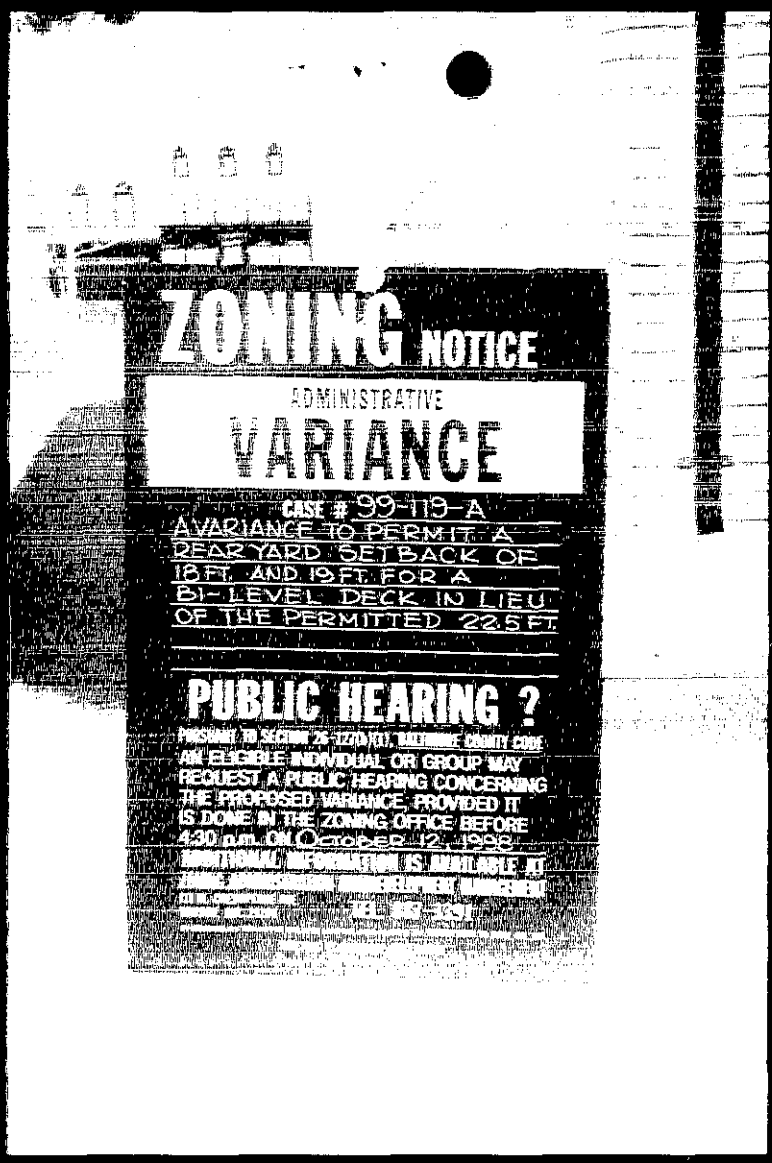
3225 RYERSON CIRCLE
(Address)

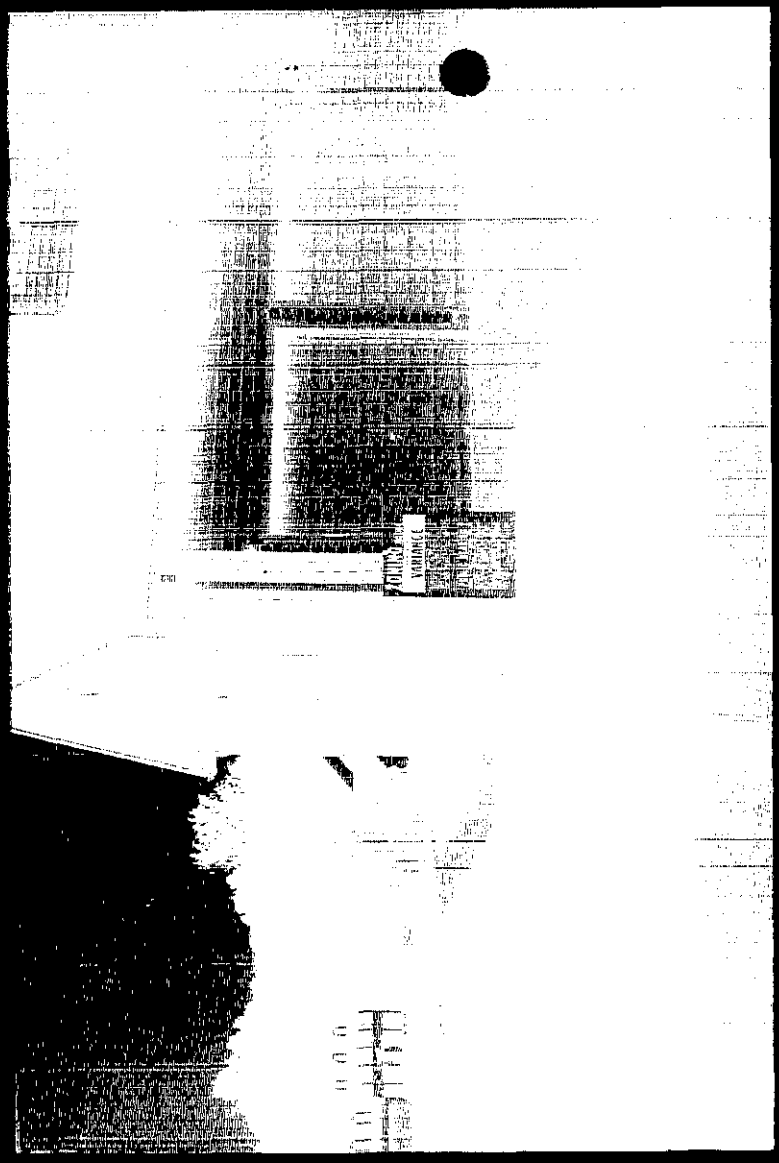
BALTIMORE, MD. 21227
(City, State, Zip Code)

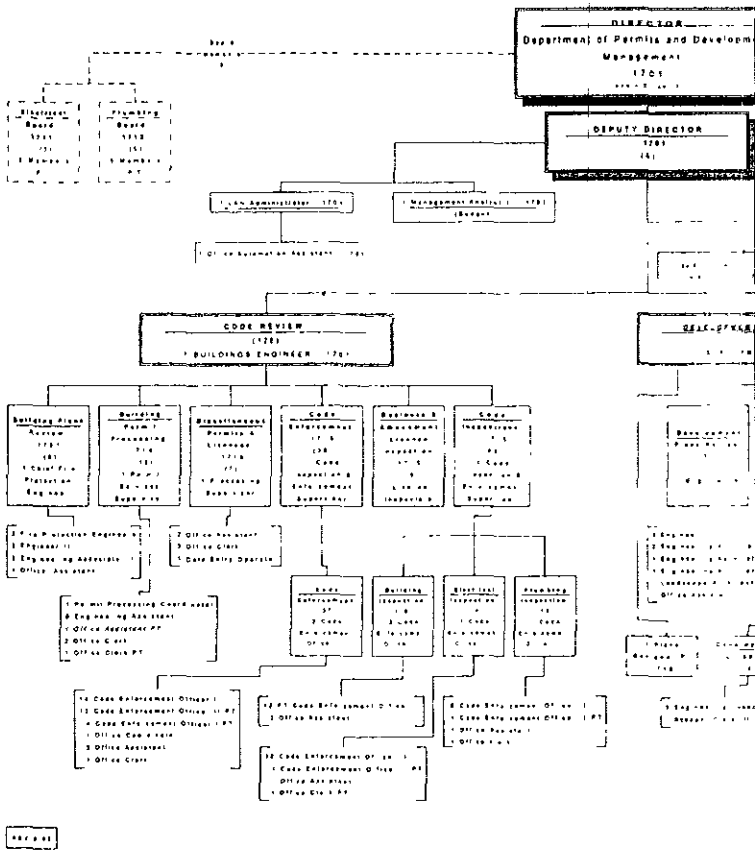
(410) 242-4263
(Telephone Number)

RECEIVED
SEP 29 1998
PDM

9/96
cert.doc


ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 99-119-A
A VARIANCE TO PERMIT A
REAR YARD SETBACK OF
18 FT. AND 19 FT. FOR A
BI-LEVEL DECK IN LIEU
OF THE PERMITTED 22.5 FT.
PUBLIC HEARING ?
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON OCTOBER 12, 1998




DIRECTOR
Department of Permits and Developm
Management
DEPUTY DIRECTOR
CODE REVIEW
BUILDINGS ENGINEER
Building Plans Review
Building Plans & Processing
Miscellaneous Permits & Licensing
Code Enforcement
Business & Administrative Licensing
Code Inspections
Building Inspection
Electrical Inspection
Plumbing Inspection

Baltimore County
Department of Permits and
Development Management

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

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.: 119

Petitioner: Same

Location: Same

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Wilbur & Barbara Harell

ADDRESS: #2 Mink Hollow Ct.
Owings Mills, MD 21117

PHONE NUMBER: 410-356-3977

AJ:ggs

(Revised 09/24/96)

99-119-A

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# ____ ,folio# ____ ,lot# ____ ,section# ____

OWNER: _____

North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____

North

Vicinity Map

scale: 1"=1000'

LOCATION INFORMATION

Election District:

Councilmanic District:

1"=200' scale map#:

Zoning:

Lot size: _____ acreage _____ square feet

	public	private
SEWER:	☐	☐
WATER:	☐	☐

	yes	no
Chesapeake Bay Critical Area:	☐	☐

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:

-15-

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99-119A -A Address 2 Mink Hollow Ct

Contact Person: J. Merrey Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9-17-98 **Posting Date:** 9-27-98 **Closing Date:** 10-12-98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99-119 -A Address 2 Mink Hollow Ct.

Petitioner's Name WILBUR HARELL Telephone 410-356-3977

Posting Date: 9-27-98 **Closing Date:** 10-12-98

Wording for Sign: A VARIANCE To Permit REARYARD SETBACKS of 18ft. & 19ft. FOR A BI-LEVEL DECK IN LIEU of The PERMITTED 22.5 ft.

WCR - Revised 7/2/98

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

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

Date: October 5, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
for October 5, 1998
Item Nos. 115, 116, 118, and 119

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

RWB:HJO:jrb

cc: File

ZAC1005.NOC

Baltimore County
Fire Department

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

September 28, 1998

TO: Arnold Jablon, Director
Permits and Development Management
MAIL STOP-1105

FROM: LT. ROBERT P. SAUERWALD
FIRE MARSHAL OFFICE
MAIL STOP - 1102F, PHONE 887-4881

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 28, 1998.

Item No.: SEE BELOW 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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 113, 114, 115, 116, 117, 118 AND 119

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 9.25.97

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

RE: Baltimore County
Item No. 119 JCM

Dear Ms. Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

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, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: September 28, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comment on the following petition (s):
Item No (s): 113, 115, 117, 118, and 119

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffrey W. Long

AFK/JL

RECEIVED
PDM

S:\ZAC\113.doc

McDONOGH OAKS, L.C.
6820 ELM STREET, SUITE 200 ■ MCLEAN, VA 22101
PHONE: 703-734-9730 ■ FAX: 703-734-0322

VIA FACSIMILE

August 24, 1998

Mr. and Mrs. Harrell
Lot 81
McDonogh Oaks

Re: Architectural Committee Approval

Dear Mr. and Mrs. Harrell:

Your submittal for the construction of a deck and walkway at your residence at the above location has been received and approved, pending receipt of the necessary Baltimore County permits, and following restrictions:

(1) Deck construction requires a County permit, and may require a waiver due to construction outside your BRL. It is incumbent upon the owners to meet all Baltimore County Codes in this type of construction;

(2) This site has underground utilities. State law requires you to contact Miss Utility prior to any excavating (800-257-7777);

(3) Your front walkway should only extend to existing sidewalk, and not past sidewalk through public right-of-way.

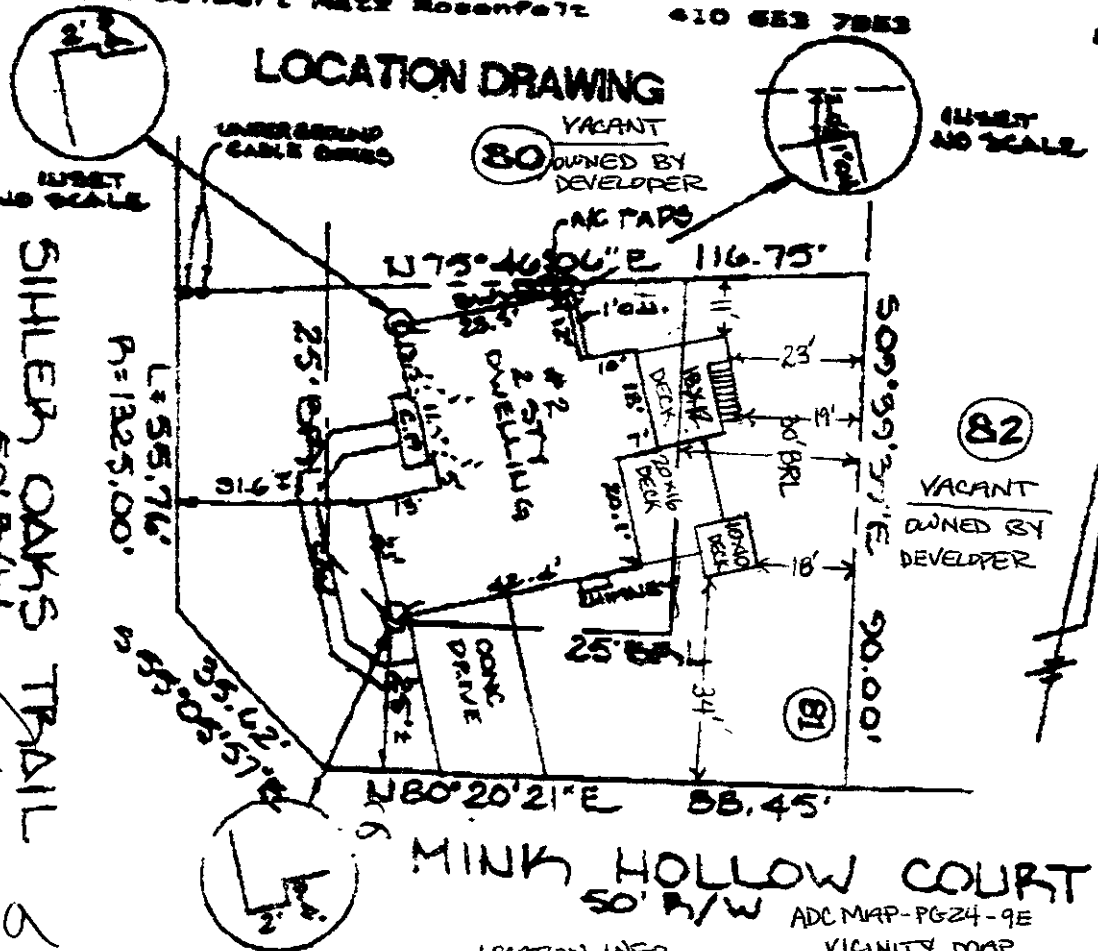
If you have any questions, please don't hesitate to call.

Sincerely,

Russell J. Dickens
Manager
McDonogh Oaks, L.C.

99-119-A

LOCATION DRAWING



LOCATION INFO

COUNCIL DISTRICT - 3
ELEC DISTRICT - 2
MAP # - NW8-I
ZONING - DR3.5
LOT SIZE - 10440 ft - 1/4 ACRE
SEWER - PUBLIC
WATER - PUBLIC
CRITICAL - NO
PRIOR HEARING - NO

LOT 81
McDONOGH OAKS
PLAT BOOK S.M. 68 FOLIO 116
BALTIMORE CO., MARYLAND

1. THE LOT SHOWN HEREON LIES WITHIN ZONE "C" AREA OF MINIMAL FLOODING AS DETERMINED BY FLOOD INSURANCE RATE MAP FOR BALTIMORE COUNTY, MARYLAND PANEL NO. 240010 0275 B DATED EFFECTIVE 3/2/81.
2. THE PLAT IS NOT TO BENEFIT TO A CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING, OR REFINANCING.
3. THE PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS.
4. THE PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.

THIS IS TO CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS ON THE LOT SHOWN HEREON, AND THAT SAID IMPROVEMENTS EXIST.

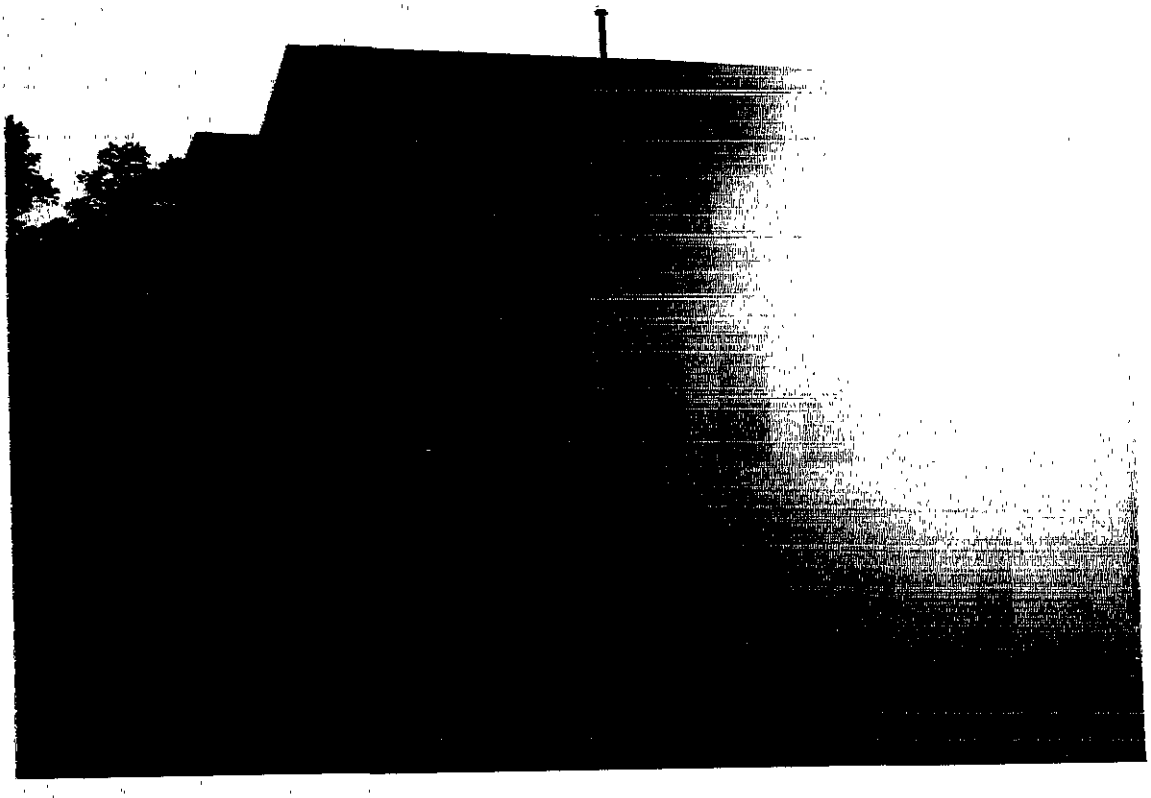
3-17-98

THE LEVEL OF ACCURACY AND ACCURACY OF APPARENT SETBACK DISTANCES IS ± 2

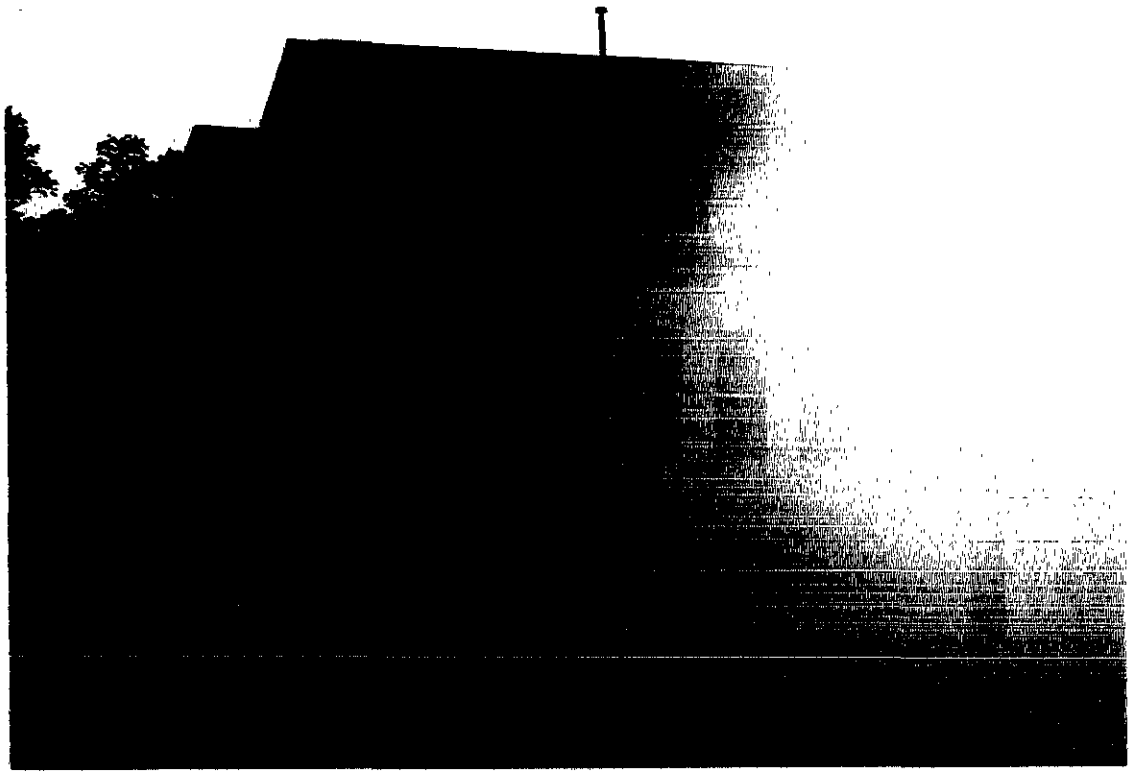
STATE OF MARYLAND
PROPERTY LINE SURVEYOR

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
2835 SMITH AVENUE, SUITE G
Baltimore, Maryland 21209
Telephone (410) 653-3926
Facsimile (410) 653-7953

SCALE 1" = 30' DATE 3-17-98



99-119-A



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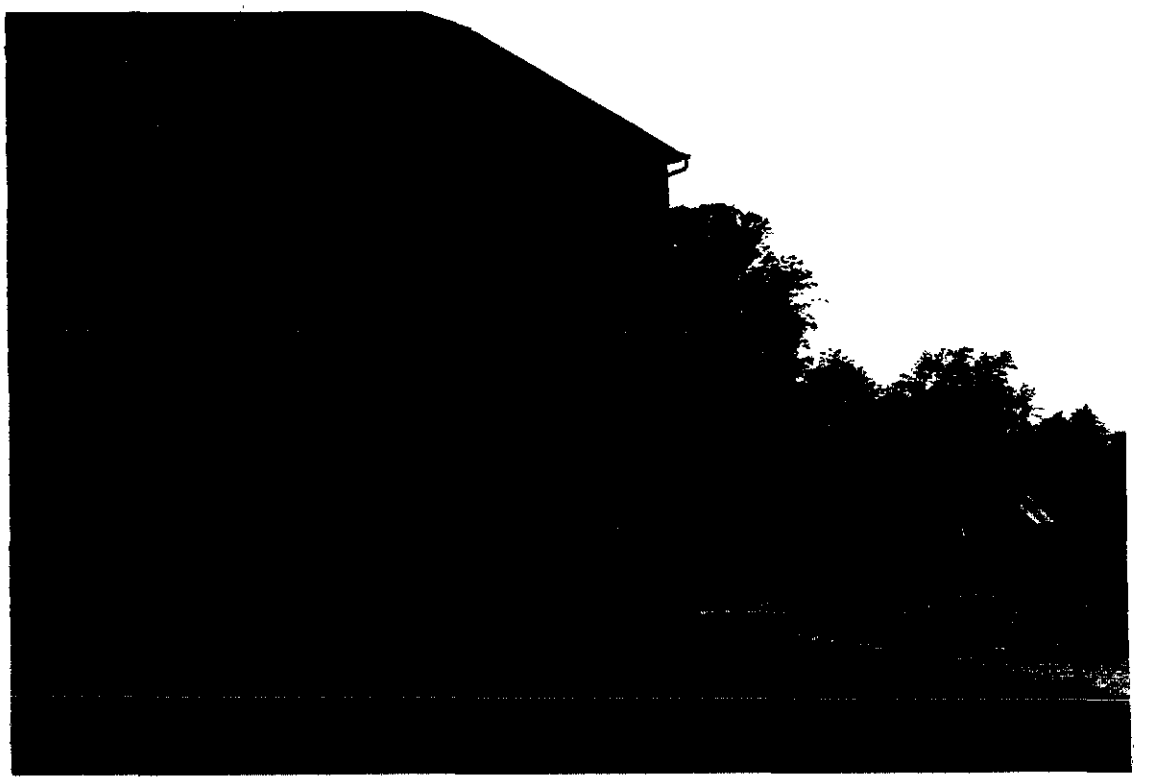
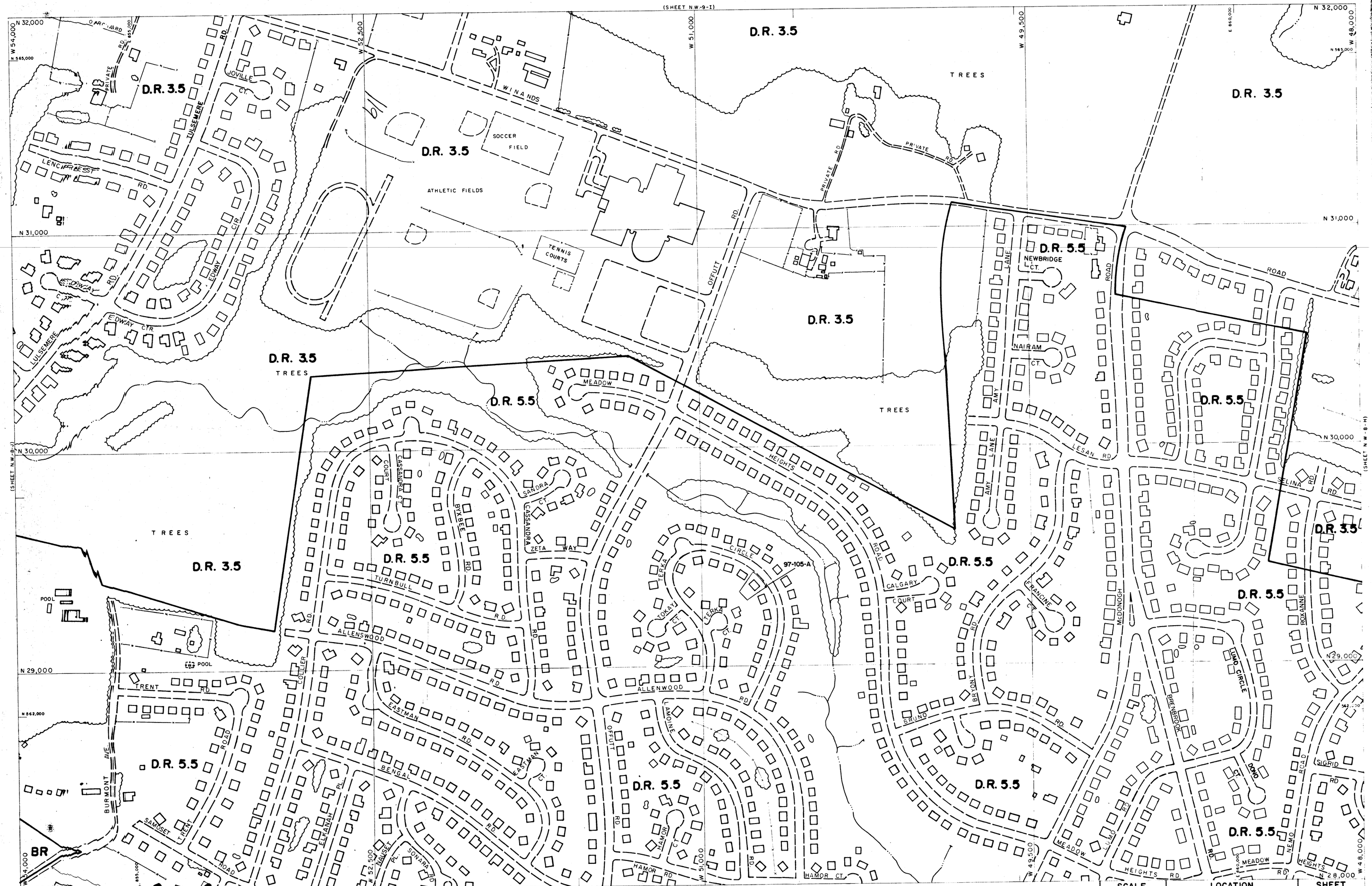


99-119-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'±	RANDALLSTOWN	N.W. 8-I
DATE OF PHOTOGRAPHY JANUARY 1986		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401



99-119-A

P-SW
P-NW

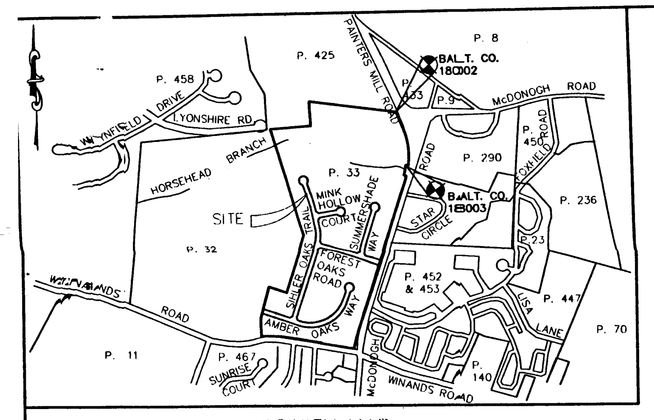
1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kamenetz
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC., BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

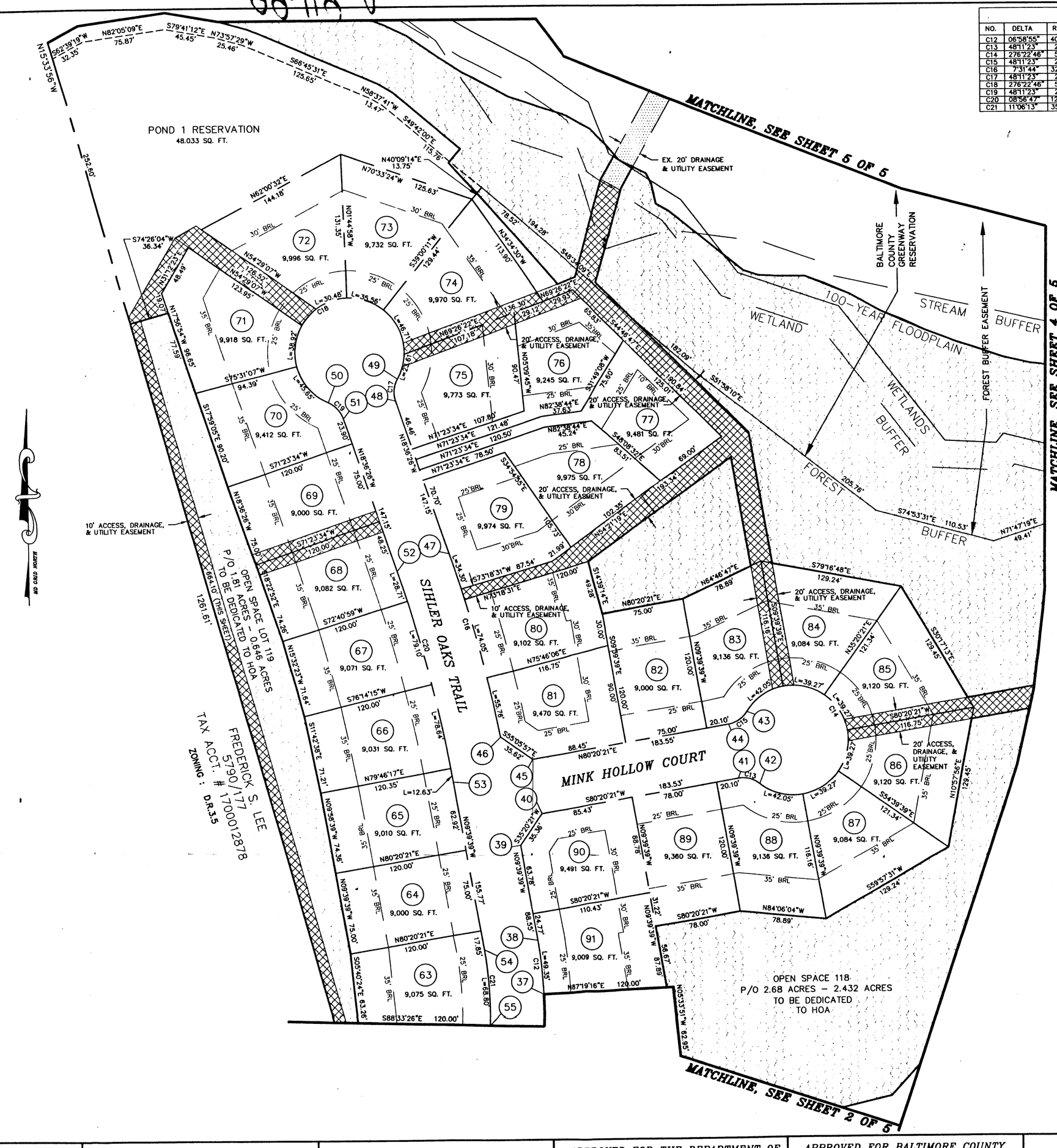
SCALE	LOCATION	SHEET
1" = 200'±	RANDALLSTOWN	N. W. 8-I
DATE OF PHOTOGRAPHY JANUARY 1986		



VICINITY MAP
SCALE : 1" = 1000'

CURVE DATA					
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD
C12	06°58'55"	405.00'	49.35'	24.71'	N06°10'11"W 49.32'
C13	48°11'23"	25.00'	21.03'	11.18'	S75°33'57"E 20.41'
C14	276°22'46"	50.00'	241.19'	44.72'	N09°39'39"E 66.67'
C15	48°11'23"	25.00'	21.03'	11.18'	S36°14'45"W 20.41'
C16	7°31'44"	325.00'	174.11'	87.18'	N14°50'34"W 173.99'
C17	48°11'23"	25.00'	21.03'	11.18'	N05°29'16"E 20.41'
C18	276°22'46"	50.00'	241.19'	44.72'	S71°23'34"W 66.67'
C19	48°11'23"	25.00'	21.03'	11.18'	S42°42'07"E 20.41'
C20	08°56'47"	1275.00'	199.08'	99.74'	S14°08'02"E 198.88'
C21	11°06'13"	355.00'	68.80'	34.51'	S04°06'32"E 68.69'

DENSITY CALCULATIONS		
	THIS SHEET	TOTAL SITE
AREA (GROSS)	15.132 AC.	72.642 AC.
AREA (NET)	15.132 AC.	69.778 AC.
ZONING:		
DR 3.5	15.132 AC.	60.074 AC.
DR 5.5	0 AC.	12.330 AC.
NO. UNITS ALLOWED IN DR 3.5	52.96 UNITS	210 UNITS
NO. UNITS ALLOWED IN DR 5.5	0 UNITS	67 UNITS
TOTAL NO. UNITS ALLOWED	52.96 UNITS	277 UNITS
TOTAL NO. UNITS PROPOSED	29 UNITS	116 UNITS
TOTAL AREA OF LOTS	6.218 AC.	24.852 AC.
TOTAL AREA OF PARCELS	0 AC.	13.733 AC.
TOTAL AREA OF HIGHWAY ACQUISITION	1.300 AC.	5.730 AC.
TOTAL AREA OF PLAT	15.132 AC.	69.778 AC.
OPEN SPACE REQUIRED (# UNITS X 650 SQ. FT.)	0.433 AC.	1.731 AC.
OPEN SPACE PROVIDED:		
LOCAL OPEN SPACE	0 AC.	0 AC.
GREENWAY RESERVATION	3.433 AC.	10.709 AC.
HOME OWNER'S ASSOCIATION AREA	3.078 AC.	12.551 AC.
STORMWATER MANAGEMENT RESERVATION	1.103 AC.	2.203 AC.
PARKING REQUIRED	58 SPACES	232 SPACES
PARKING PROVIDED	58 SPACES	232 SPACES



LEGEND

FOREST CONSERVATION EASEMENT

PROPOSED ACCESS, DRAINAGE, & UTILITY EASEMENT

COORDINATES		
NO.	NORTH	WEST
32	32,366.5792	49,397.8287
33	32,415.6159	49,403.1296
34	32,502.9069	49,417.9891
40	32,531.7477	49,397.5390
41	32,562.5459	49,216.6172
42	32,557.4574	49,196.8515
43	32,623.1786	49,208.0392
44	32,611.8364	49,225.0104
45	32,581.0348	49,405.9523
46	32,601.4178	49,435.1698
47	32,769.5984	49,479.7390
48	32,909.0598	49,526.6922
49	32,929.3786	49,524.7402
50	32,908.1068	49,587.9221
51	32,893.1059	49,574.0787
52	32,753.6445	49,527.1254
53	32,560.7853	49,478.5610
54	32,407.2252	49,452.4206
55	32,338.7117	49,447.4987

GENERAL NOTES

1. HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, GREENWAY AREAS IN FEE OR EASEMENT, AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED UNTO THE OWNER AND, EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST.
2. STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE; THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
3. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 26-216.
4. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF THE STREETS OR UTILITIES BY BALTIMORE COUNTY.
5. THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
6. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
7. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
8. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
9. THE PLAN FOR THE PROPERTY SHOWN ON THIS PLAT WAS APPROVED ON DECEMBER 29, 1995.
10. COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT BASED ON THE FOLLOWING TRAVERSE STATIONS:
11. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
12. THE AREA DESIGNATED AS FLOODPLAIN INCLUDES THA AREA INUNDATED BY THE 100-YEAR FREQUENCY STORM AND A MINIMUM OF 1 FOOT VERTICAL FREEBOARD. THE ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100-YEAR DESIGN FREQUENCY SURFACE ELEVATIONS.
13. ANY FOREST BUFFER 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.
14. THE APPROVAL OF THIS PLAT IS BASED ON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WHICH IS PLANNED FOR THIS DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES AREA COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE? THE PROPOSED DEVELOPMENT.
15. THE SITE IS LOCATED IN THE ____ SEWERSHED.
16. TRASH COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREET RIGHT OF WAY.
17. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACE AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.

McDONOGH OAKS

SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE : 1" = 50'

SHEET 3 OF 5

OWNER'S CERTIFICATE

THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT OF SUB-SECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

CLAIRE L. BRUNTON, TRUSTEE — DATE

FREDERICK W. BRUNTON, TRUSTEE — DATE

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN SURVEYED AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUB-SECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

JOHN MILDENBERG, P.L.S. — LICENSE # 10718 — DATE

NOTE:

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE COORDINATES AND BEARINGS OF THE FOLLOWING TRAVERSE STATIONS:

BALTO. CO. HUB # 18002 — N 33,647.06 W 48,484.86 — ELEV. 496.15

BALTO. CO. HUB # 18003 — N 33,065.16 W 48,399.19 — ELEV. 478.72

OWNER
CLAIRE LOUISE BRUNTON
4200 McDONOGH ROAD
OWINGS MILLS, MARYLAND 21117
TAX ACCT NO.: 02-17-00-012873

CONTRACT PURCHASER
McDONOGH OAKS, L.C.
6820 ELM STREET, SUITE 200
McLEAN, VIRGINIA 22101
(703) 734-9730

APPROVED FOR THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICE OF PLANNING AND ZONING

DIRECTOR OF PUBLIC WORKS — DATE

APPROVED FOR BALTIMORE COUNTY

DIRECTOR OF DEPT. OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT — DATE

P.W.A. COMPLETED : _____
FINAL PLAT CHECKED : _____
PLANNING : _____
ENGINEERING : _____
HOUSE NOS. : _____

MILDENBERG, BOENDER & ASSOC., INC.
Engineers Planners Surveyors
5072 Dorsey Hall Drive, Suite 202, Ellicott City, Maryland 21042
(410) 997-0296 Balt. (301) 621-5521 Wash. (410) 997-0298 Fax.

DRAWN BY: SJD	CHECKED BY: JBM	PROJECT #: 95012	DATE: JULY 1996