

IN RE: PETITION FOR SPECIAL HEARING
E/S Monkton Farms Drive, 4,194.25' SW
of the c/l Corbett Road
(1712 Monkton Farms Drive)
10th Election District
3rd Councilmanic District

Jeffrey Malick, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-203-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Jeffrey V. and Lisa B. Malick, through their attorney, Edward C. Covahey, Jr., Esquire. The Petitioners request a special hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 26-211 of the Baltimore County Code (B.C.C.), to approve an amendment to the First Amended Final Development Plan for Monkton Farms, Lot 27 thereof, to permit the relocation and refinement of the Natural Resources Conservation Easement (forest buffer) and to revise the building envelope. The subject property and relief sought are more particularly described on the amended Final Development Plan, which was accepted into evidence and marked as Petitioner's Exhibit 2.

Appearing at the requisite public hearing held in support of the request were Jeffrey and Lisa Malick, property owners, James D. Grammer and Ambrose E. Gmeiner, II, representatives of McKee & Associates, the engineering firm which prepared the development plan for this property, and Edward C. Covahey, Jr., Esquire, attorney for the Petitioners. Appearing as an interested party was Donna J. Saddler, a neighbor who owns adjacent property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel containing a gross area of 5.279 acres, more or less, zoned R.C.4. The property is also known as Lot 27 of Monkton Farms, a residential subdivision located in northern Baltimore

ORDER RECEIVED FOR FILING

Date 12/27/99

By [Signature]

County. The property is unimproved at this time; however, the Petitioners propose to develop the site with a single family dwelling and swimming pool. Testimony indicated that when the final development plan for this subdivision was approved, and the record plat recorded in the Land Records of Baltimore County at Plat Book 61, Folio 148, areas for the building envelope and forest buffer easement for Lot 27 were already shown. The Petitioners request approval of an amendment to the plan to permit a slight adjustment to the building envelope and forest buffer easement areas. In this regard, Mr. Grammer testified that the topography of this lot is unique and that the Petitioners wish to construct their dwelling on the most level portion of the property. Additionally, they wish to preserve a certain area of mature trees. In order to accomplish these goals, the Petitioners propose an amendment to the final development plan as shown on Petitioner's Exhibit 2 and a plat of the subject lot, marked as Petitioner's Exhibit 3. Although the proposed relocation of the building envelope and forest buffer areas will reduce the designated area of forest buffer by 7,800 sq.ft., the proposed amendment will increase the buffer area in another portion of the property by 7,000 sq.ft. Additionally, it is to be noted that the Petitioners obtained variance relief from the Department of Environmental Protection and Resource Management (DEPRM)'s regulations for the protection of water quality, streams, wetlands, and floodplains. By DEPRM's letter of September 14, 1999, a copy of which was submitted into evidence as Petitioner's Exhibit 1, a number of restrictions were imposed upon the Petitioners as a condition of the grant of that variance. The Petitioners indicated that those restrictions were acceptable and agreed that they could be incorporated into this Zoning Commissioner's Order.

Ms. Saddler, the adjoining property owner, indicated she had no objections to the Petitioners' request, for so long as the lot was improved in the specific manner proposed.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. In my judgment, the relocation of the building envelope and adjustment to the forest buffer easement areas as proposed are appropriate and acceptable. Additionally, I will attach as restrictions to the grant of relief herein, the terms and conditions of DEPRM's letter of September 14, 1999.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of December, 1999 that the Petition for Special Hearing to approve an amendment to the First Amended Final Development Plan for Monkton Farms, Lot 27 thereof, to permit the relocation and refinement of the Natural Resources Conservation Easement (forest buffer) and to revise the building envelope, in accordance with Petitioner's Exhibits 2 and 3, be and is hereby GRANTED, subject 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.
- 2) Compliance with the terms and conditions of DEPRM's letter dated September 14, 1999, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT

Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 12/27/99
By [Signature]

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

October 18, 1999

ZONING DESCRIPTION

LOT 27, MONKTON FARMS

NO. 1712 MONKTON FARMS DRIVE

10TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

BEGINNING at a point on the east side of Monkton Farms Drive, being 40 feet wide, said point being distant 4,194.25 feet more or less from the southwest side of Corbett Road as laid out 60 feet wide. **BEING** Lot No. 27, Monkton Farms as recorded among the Land Records of Baltimore County in Plat Book 61/148, containing 5.279 acres of land, more or less.

ALSO KNOWN as 1712 Monkton Farms Drive and located in the 10th Election District, 3rd Councilmanic District.

00-203.SPA-

00-203-SP#
No. 673706

DATE _____

11 9.99

ACCOUNT

SECRET

AMOUNT

\$ 50.00

RECEIVED
FROM: _____

571004 ALICK.

10.5 hr. Heating

FOR:

11. *Agave americana* L. (Century plant)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

5007

CASHIER'S VALIDATION

NOTICE OF CORRECTED ZONING 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: #00-203-SPH

1712 Monkton Farms Drive

E/S of Monkton Farms Road, 4,194 feet SW of Corbett Road

10th Election District — 6th Councilmanic District

Legal Owner: Lisa and Jeffrey Malick

Special Hearing: to approve an amendment of the Amended Final Development Plan of Monkton Farms; relocation of the conservation easement, and revise the building envelope.

Hearing: Monday, December 20, 1999 at 11:00 a.m. in Room 407 County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/12/617 Dec. 7

C357846

CERTIFICATE OF PUBLICATION

TOWSON, MD, 12-9, 1999

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 12-7, 1999.

THE JEFFERSONIAN,

J. Wilkinson

LEGAL ADVERTISING

**NOTICE OF ZONING
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 #00-203-SPH
1712 Monkton Farms Drive
E/S of Monkton Farms
Road, 4,194 feet +/- SW of
Corbett Road
10th Election District
6th Councilmanic District

Verano to ...

... in height ... 15 feet
permitted 15 feet
**Hearing: Monday, December 20, 1999 at 11:00 a.m.
in Room 407 County Courts
Building, 401 Basley Avenue.**

LAWRENCE E SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391

11/315 Nov 25 C355879

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11-26, 1999

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 11-25, 1999.

S. Williams
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 00-203 SPH

Petitioner/Developer: COVAHEY, ETAL

Date of Hearing/Closing: 12/20/99

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 # 1712 MONKTON FARMS DR

The sign(s) were posted on

12/4/99
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 12/12/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

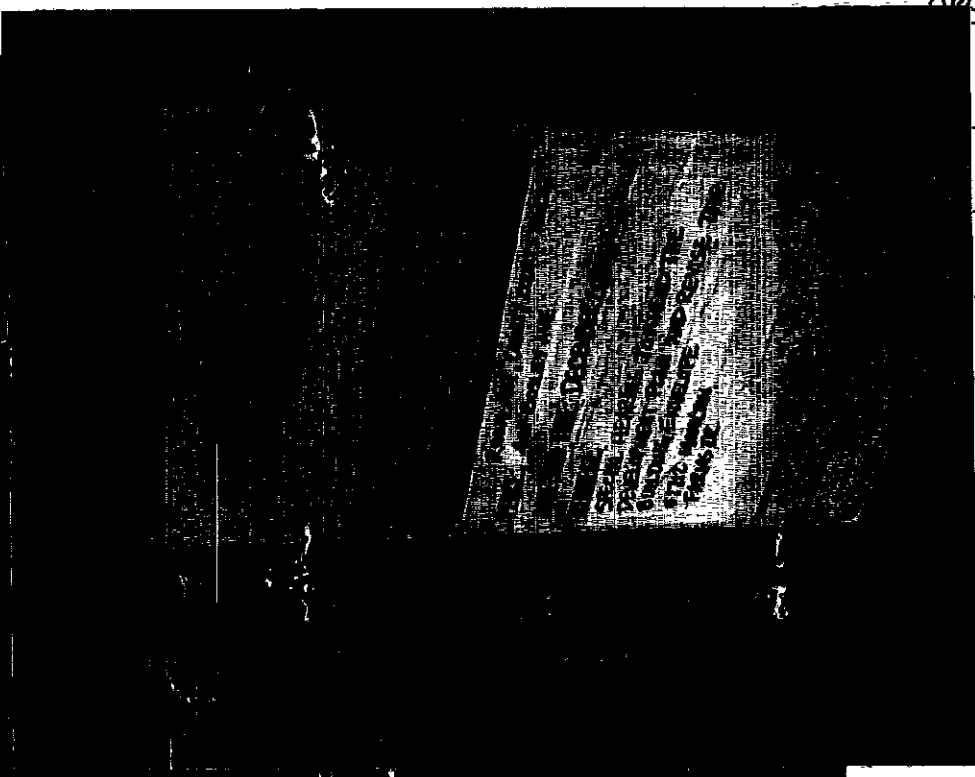
HUNT VALLEY, MD. 21030

(City, State, Zip Code)

10-666-5366 ; CELL 410-905-8571

(Telephone Number)

Mailed
Young C
has his
copy



CERTIFICATE OF POSTING

RE: Case No.: 00-203SPH

Petitioner/Developer: MALICK, ETAL
% EDWARD COVAHEY, JR. ESQ

Date of Hearing/Closing: 12/20/99

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 #1712 MONKTON FARMS

COURT

The sign(s) were posted on

12/2/99

(Month, Day, Year)

Sincerely,

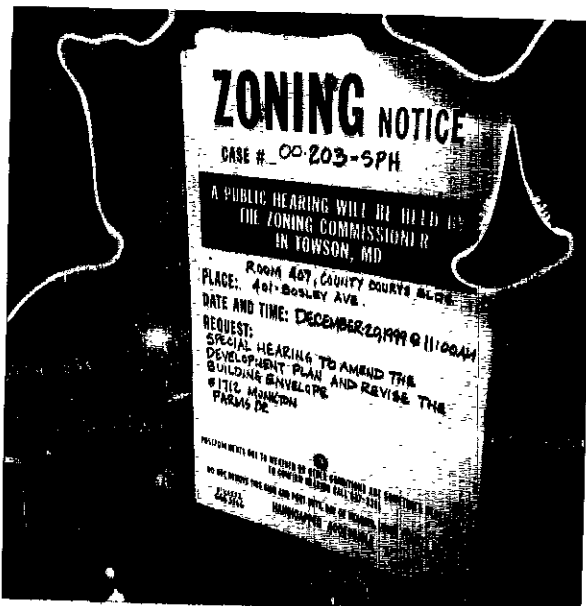
Patrick M. O'Keefe 12/4/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



#1712 - MONKTON FARMS DR.

12/3/99

C98

00-203 SPH

12/10/99

RE: PETITION FOR SPECIAL HEARING
1712 Monkton Farms Drive,
E/S Monkton Farms Dr, 4194' SW of Corbett Rd
10th Election District, 6th Councilmanic

Legal Owner: Jeffrey & Lisa Malick
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-203-SPH

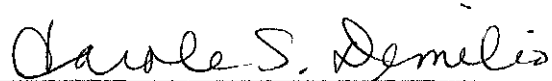
* * * * *

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
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of November, 1999 a copy of the foregoing Entry of Appearance was mailed to Edward C. Covahey, Jr., Esq., Covahey & Boozer, 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.



PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 1, 1999

NOTICE OF CORRECTED ZONING 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: 00-203-SPH
1712 Monkton Farms Drive
E/S Monkton Farms Road, 4194' SW of Corbett Road
10th Election District – 6th Councilmanic District
Legal Owner: Lisa and Jeffrey Malick

SPECIAL HEARING to approve an amendment of the Amended Final Development Plan of Monkton Farms; relocation of the conservation easement; and revise the building envelope.

HEARING: Monday, December 20, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

c: Edward C. Covahey, Jr., Esquire, 614 Bosley Avenue, Towson 21204
Lisa & Jeffrey Malick, 37 Murdock Road, Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY DECEMBER 5, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 7th Issue – Jeffersonian

NO CHARGE, PER SUSAN (Telephone Call with Sophia on 12/1/99)

NOTICE OF CORRECTED ZONING 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: 00-203-SPH

1712 Monkton Farms Drive

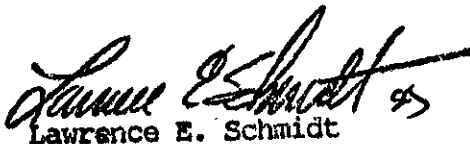
E/S Monkton Farms Road, 4194' SW of Corbett Road

10th Election District – 6th Councilmanic District

Legal Owner: Lisa and Jeffrey Malick

SPECIAL HEARING to approve an amendment of the Amended Final Development Plan of Monkton Farms; relocation of the conservation easement; and revise the building envelope.

HEARING: Monday, December 20, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES:** (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

November 19, 1999

NOTICE OF ZONING 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: 00-203-SPH
1712 Monkton Farms Drive
E/S of Monkton Farms Road, 4,194 feet+/- SW of Corbett Road
10th Election District - 6th Councilmanic District

Variance to permit an accessory structure to be 28 feet in height in lieu of the permitted 15 feet.

HEARING: MONDAY, DECEMBER 20, 1999 at 11:00 A.M. IN ROOM 407 COUNTY COURTS
BUILDING, 401 BOSLEY AVENUE.

Arnold Jablon
Director

cc: Jeffrey and Lisa Malick
Edward C. Covahey, Jr., Esq.

*12/1/99 -
Called Petitioner
wrong wording -
will run ad on Tues.
(info) - no change
per Susan self*

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY DECEMBER 5, 1999.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
November 25, 1999 Issue - Jeffersonian

Please forward billing to:

Jeffrey Malick
37 Murdock Road
Baltimore, MD 21212
410-377-6714

NOTICE OF ZONING 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: 00-203-SPH
1712 Monkton Farms Drive
E/S of Monkton Farms Road, 4,194 feet +/- SW of Corbett Road
10th Election District - 6th Councilmanic District

Variance to permit an accessory structure to be 28 feet in height in lieu of the permitted 15 feet.

HEARING: MONDAY, DECEMBER 20, 1999 at 11:00 A.M. IN ROOM 407 COUNTY COURTS
BUILDING, 401 BOSLEY AVENUE.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE
CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING
REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-203 - SPA

Petitioner: Jeffrey & Lisa Malick

Address or Location: 1712 Monkton Farms Drive, Lot 27 - Monkton Farms

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey Malick

Address: 37 Murdock Road
Baltimore, MD 21212

Telephone Number: 410 377-6714

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 17, 1999

Mr. Edward Covahey
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

Dear Mr. Covahey:

RE: Case Number 00-203-SHP , 1712 Monkton Farms Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 11/9/99.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures

c: Jeffrey Malick



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

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

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: November 29, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for November 29, 1999
 Item Nos. 199, 200, (203) & 204

 The Bureau of Development Plans Review has reviewed the subject
zoning items, and we have no comment.

RWB:HJO:cab

cc: File

ZAC11299.NOC



Baltimore County
Fire Department

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

December 29, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

RECEIVED JAN 14 2000

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 22, 1999

Item No.: See Below

Dear Ms. Stephens:

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:

199, 203, 204, 202,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley /ms
DATE: December 7, 1999
SUBJECT: Zoning Item #203
1712 Monkton Farms Drive

Zoning Advisory Committee Meeting of November 15, 1999

- _____ 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.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - X 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 (Section 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).
 - X Environmental Impact Review has approved a variance to the above-referenced regulations. This variance approval included the revised Natural Resource Conservation Easement (Forest Buffer Easement) as indicated on the attached amended Final Development Plan.

12/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

30

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

Date: November 30, 1999

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

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 187, 192, 195, 197, and 203

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

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

James D. Grammer

McKEE & ASSOCIATES 5 Shawan Rd
21030

Ambrose E. GMEINER, II

McKEE & ASSOCIATES

LISA B. MALICK

37 MURDOCK RD., BALTO. 21212

Jeffrey V. MALICK

37 MURDOCK RD BALTO 21212





Baltimore County
Department of Environmental Protection
and Resource Management

Office of the Director
401 Bosley Avenue, Suite 416
Towson, Maryland 21204

September 14, 1999

Handwritten signature

Mr. James D. Grammer
McKee & Associates
Shawan Place Suite 1
5 Shawan Rd.
Cockeysville, Md. 21030

Re: Amended Forest Buffer Variance Request for Lot 27 Monkton Farms

Dear Mr. Grammer:

An amended request for a variance from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains was received by this Department on September 9, 1999. This request proposes the reduction of 7800 square feet of the forest buffer to allow for the construction of a single family dwelling and a rear yard pool. The proposal is to maintain the majority of the forest buffer that would be required by current regulations in the rear yard area, and to increase the buffer by 7,000 square feet. This Department has reviewed your request, and has determined that a practical difficulty/unreasonable hardship does exist, and that the potential for impacts to water quality and aquatic resources as a result of this proposal can be minimized by performing mitigative measures. Therefore, we will grant this request in accordance with Section 14-334 of the Baltimore County Code, with the following conditions:

1. The following note must appear on all plans submitted for this project:

"A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains. The Forest Buffer Easement and building setback shown hereon are reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts."

2. The Forest Buffer Easement shall be permanently posted at 50 to 100 foot intervals with "Forest Buffer - Do Not Disturb" signs that are available from this Department, prior to approval of any permits. The interval shall be 50 feet in the area of the proposed rear yard.
3. The permit plans must include a grading study, and the proposed sediment controls. Additional sediment control measures may be required.

RECEIVED SEP 22 1999

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

ORDER RECEIVED FOR FILING

Date

By

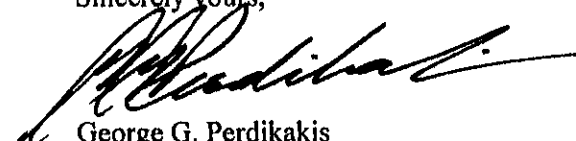
4. Prior to any permit approvals, high visibility blaze orange fence must be placed at the limits of disturbance (lod), where the lod is within 50 feet of the forest buffer easement. Environmental Impact Review must approve the fence location.
5. The Forest Buffer Easement must be recorded in the Baltimore County Land Records in accordance with the attached procedures prior to any permit approvals, or October 29, 1999, whichever comes first.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and an amended variance request.

Please have the property owner sign the statement below and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Mr. Paul A. Dennis of Environmental Impact Review at (410) 887-3980.

Sincerely yours,



George G. Perdikakis
Director

GGP: pad
Attachment
Pd7Uo27monkfrmsfbvarapp

I/we agree to the above conditions to bring my/our property into compliance with Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Property Owner

Date

Property Owner

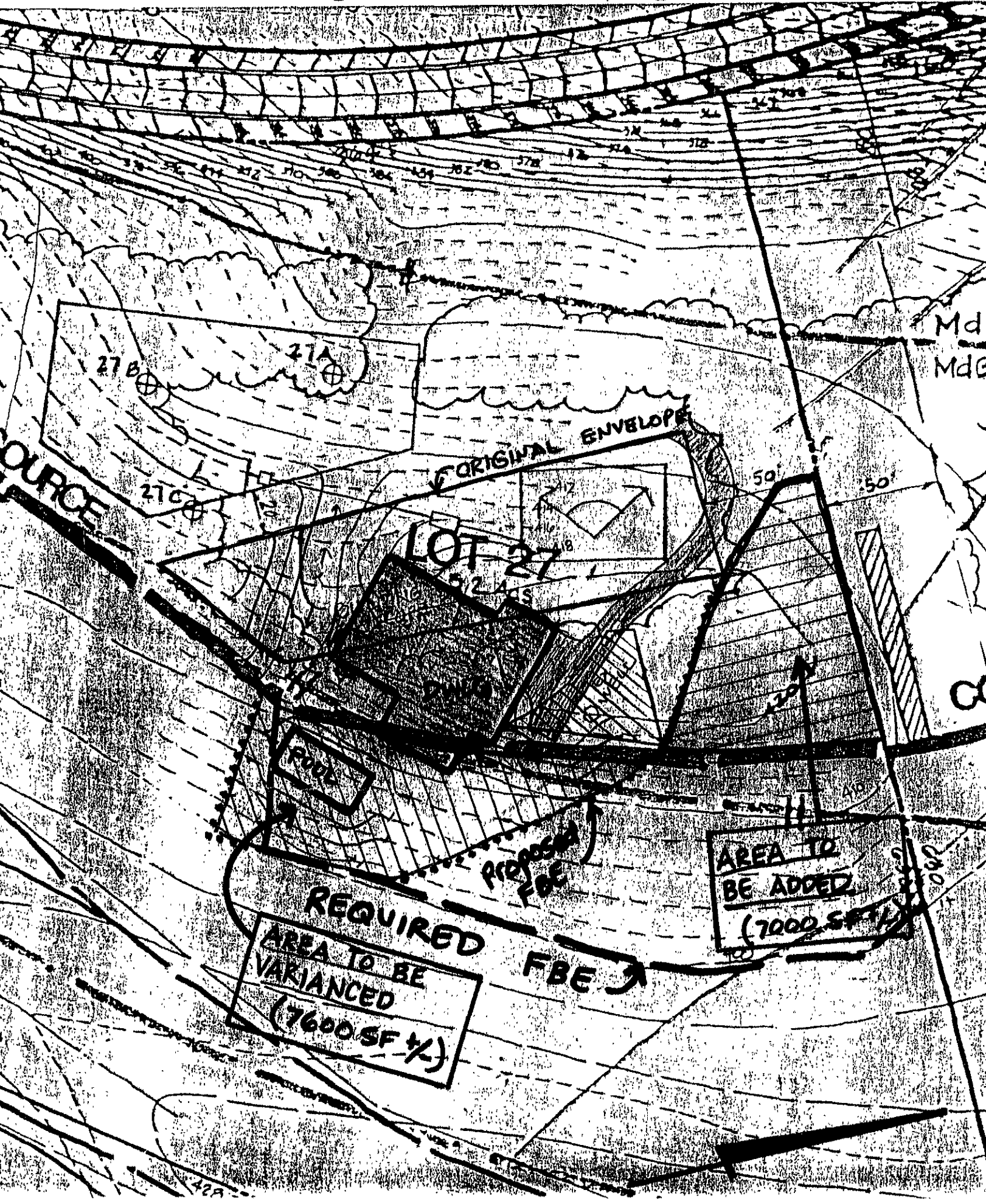
Date

ORDER RECEIVED FOR FILING
Date 12/22/99
By [Signature]

EXHIBIT 'B'

Petition No 3

1"=50'



R. C. 4

N 97.000

00-203 SPH

N 63.000

R. C. 4

MONKTON FARMS DR.

SITE

POB

90-506-A
(G-1C)
POB NW 24-A

000' 206.5

N 96.000

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

CORBETT

N. W.
25- A

William A. Howard IV
Chairman, County Council

Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

G

Petitioner's
Exhibit 4 & 5
photographs
(00-203-SPH)

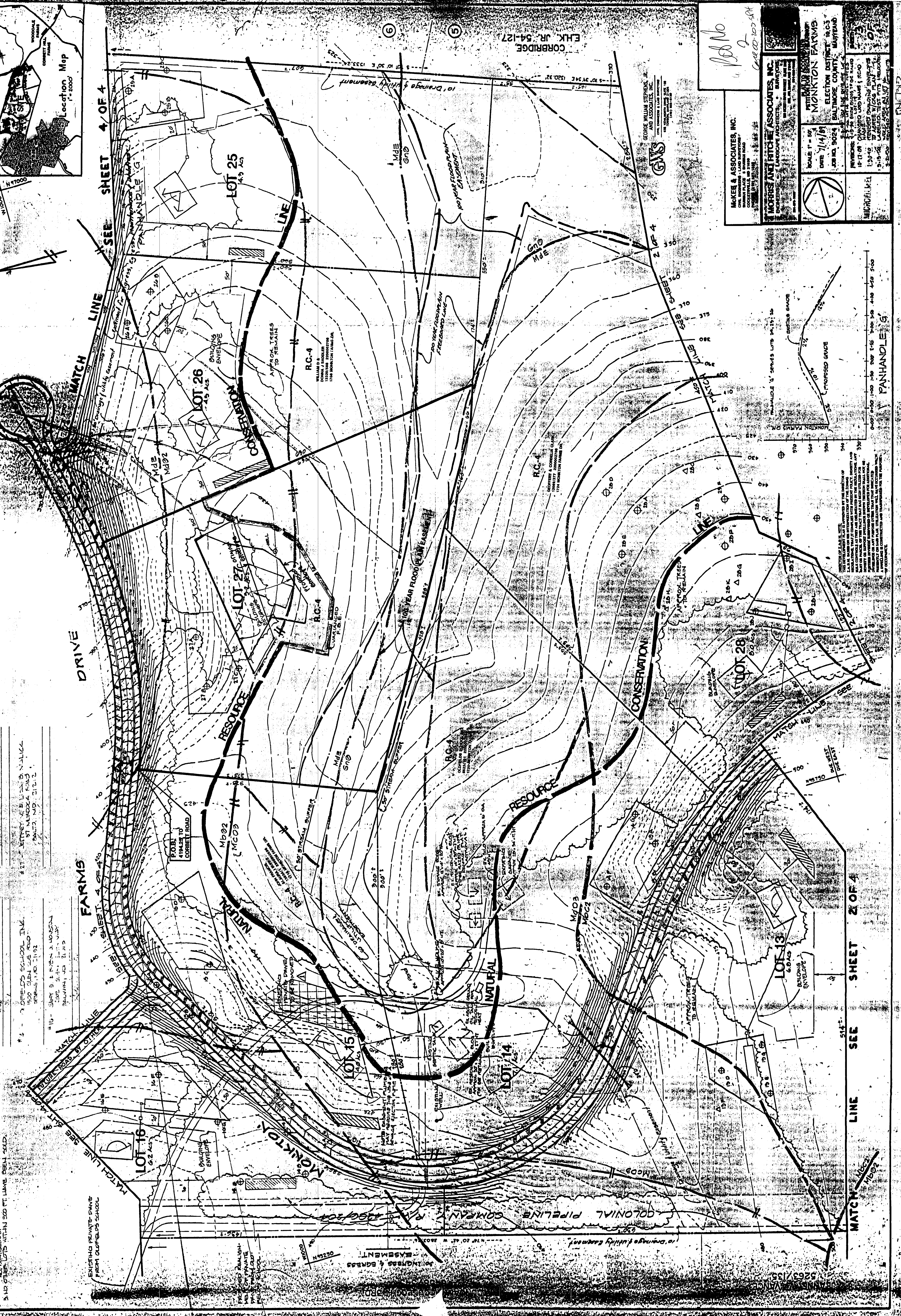


3. AND OTHER LOTS WITHIN 300 FT. HAVE BEEN SOLD.

#1 - JOSEPH'S SCHOOL, INC.
1000 ALLEN AVE. N.W.
BALTO, MD. 21212

#10 - SONY & KAREN A. HOUNSON
1000 ALLEN AVE. N.W.
BALTO, MD. 21212

#17 - BETTE, NE & BILLY B. NALICK
51 NAROKA ROAD
BALTO, MD. 21212



McKEE & ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS
CONSULTING ENGINEERS - EROSION CONTROL
1700 MONKTON FARMS DRIVE
BALTIMORE, MARYLAND 21204
TELEPHONE: 336-1100

MORRIS AND RITCHIE ASSOCIATES, INC.
ARCHITECTS - LANDSCAPE ARCHITECTS - SURVEYORS
1700 MONKTON FARMS DRIVE
BALTIMORE, MARYLAND 21204
TELEPHONE: 336-1100

MONKTON FARMS
ELECTION DISTRICT 18-03
DATE 7/14/69
JOB NO. 9024
BALTIMORE COUNTY, MARYLAND

REVISIONS:
1. 7/14/69 CHANGED LOT 25 TO 4.5 AC.
2. 7/14/69 CHANGED LOT 26 TO 4.5 AC.
3. 7/14/69 CHANGED LOT 27 TO 4.5 AC.
4. 7/14/69 CHANGED LOT 28 TO 4.5 AC.
5. 7/14/69 CHANGED LOT 13 TO 4.5 AC.
6. 7/14/69 CHANGED LOT 14 TO 4.5 AC.
7. 7/14/69 CHANGED LOT 15 TO 4.5 AC.
8. 7/14/69 CHANGED LOT 16 TO 4.5 AC.

SCALE:
1" = 50'

LOCATION MAP
1" = 2000'

MATCH LINE SEE SHEET 2 OF 4

MATCH LINE SEE SHEET 4 OF 4



Baltimore County
Zoning Commissioner

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

December 27, 1999

Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
E/S Monkton Farms Drive, 4,194.25' SW of the c/l Corbett Road
(1712 Monkton Farms Drive)
10th Election District - 3rd Councilmanic District
Jeffrey V. Malick, et ux - Petitioners
Case No. 00-203-SPH

Dear Mr. Covahey:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Jeffrey V. Malick
37 Murdock Road, Baltimore, Md/ 21212

DEPRM; People's Counsel; Case File

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

1712 Monkton Farms Drive
for the property located at Monkton, MD 21111
which is presently zoned _____

This Petition shall be filed with the Department of Permits and 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, pursuant to Section 26-211 of the Baltimore County Code, an amendment of the First Amended Final Development Plan and record plat for Lot 27 of the Monkton Farms Subdivision, as recorded among the Plat Records of Baltimore County, Maryland in Platbook 61 at folio 148, to permit relocation and refinement of the Natural Resources Conservation Easement (Forest Buffer), and to revise the building envelope.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print _____

Signature _____

Address _____

Telephone No. _____

City _____

State _____

Zip Code _____

Attorney For Petitioner:

Edward C. Covahey, Jr.

Name - Type or Print _____

Signature _____

Covahey & Boozer, P.A.

Company _____

614 Bosley Avenue

410-828-9441

Address _____

Telephone No. _____

Towson,

MD

21204

City _____

State _____

Zip Code _____

Legal Owner(s):

Jeffrey Malick

Name - Type or Print _____

Signature _____

Lisa Malick

Name - Type or Print _____

Signature _____

37 Murdock Road

410-377-6714

Address _____

Telephone No. _____

Baltimore,

MD

21212

City _____

State _____

Zip Code _____

Representative to be Contacted:

Jeffrey Malick

Name _____

37 Murdock Road

410-377-6714

Address _____

Telephone No. _____

Baltimore,

MD

21212

City _____

State _____

Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____

Date _____

11-9-99

ORDER RECEIVED FOR FILING

Date 12/15/98
By [Signature]

Case No. 00-203-SPA