

IN RE: DEVELOPMENT PLAN HEARING * BEFORE THE
and PETITION FOR VARIANCE * HEARING OFFICER
(Glen Arbor North) *
S/S White Marsh Road, E of * OF BALTIMORE COUNTY
Bucks School House Road *
14th Election District * CASE NO. XIV-374 & 00-397-A
6th Councilmanic District *
Thomas & Tara Dorn, Owners *
Pulte Home Corporation, Developer *
Petitioners *

* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Deputy Zoning Commissioner for Baltimore County as a combined hearing involving a requested approval of a Development Plan known as "Glen Arbor North" and a Petition for Variance involving Lot #32 of that development. The Developer herein is requesting approval for the development of a 26.5 acre tract of land with 37 single-family residential units. The subject property is located on the north side of Bucks School House Road, south of White Marsh Road. A Development Plan of the subject property was entered into evidence, marked Developer's Exhibit 1A and 1B, which was prepared by G.W. Stephens Jr. & Associates, Inc. The Development Plan shows the particulars of this 37 lot single-family residential subdivision.

In addition to the requested approval of the Development Plan, the Petitioners, at the request of Permits and Development Management (PDM), have requested a variance for Lot #32. The

Developer disagreed with PDM as to the necessity of the variance itself, believing that no variance was needed. After hearing arguments from counsel for the Petitioner as well as Mr. Mitchell Kellman, representative of PDM, the variance was dismissed as being unnecessary.

ORDER RECEIVED FOR FILING
Date 5/19/00
By R. J. [Signature]

Appearing at the hearing on behalf of the Development Plan approval request were Thomas Dorn, owner of the property, Mickey Cornelius, a representative of the Traffic Group, David Martin, appearing on behalf of G. W. Stephens, Jr. & Associates, Inc., James Grande, appearing on behalf of Pulte Homes, the proposed homebuilder of the houses to be constructed within this subdivision and Patricia Malone, attorney at law, representing the Developer. Appearing as Protestants in the matter were citizens from the surrounding community, namely Joseph M. Dieter, Jackie Dieter, Linda Rosier, Mary Tyner, Michele Neuman and Tom Seymour. As is usual and customary, representatives from the various Baltimore County reviewing agencies also attended the hearing, namely, Robert W. Bowling and Mitch Kellman, from the Office of Permits & Development Management; R. Bruce Seeley from the Department of Environmental Protection & Resource Management (DEPRM); Lynn Lanham from the Office of Planning; and Jan Cook from the Department of Recreation and Parks.

As to the Development Plan, a Concept Plan Conference was held November 8, 1999, followed by a Community Input Meeting held on December 9, 1999 at the White Marsh Library. Subsequently, a Development Plan Conference followed on February 23, 2000 and a Hearing Officer's Hearing was held on March 16, 2000 in Room 106 of the County Office Building. The hearing was continued and reset for hearing on May 5, 2000 in Room 407 of the county Courts Building.

At the Hearing Officer's Hearing before me, I attempt to determine what, if any, agency issues or comments remain unresolved at the time of the hearing. Several issues were raised during the preliminary phase of the hearing which required open discussion, as well as the imposition of conditions and restrictions at the end of this Order. The main issue raised by the citizens who attended the hearing involved a culvert that is located in White Marsh Road at the eastern end of this

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Date 5/19/00

By R. J. J. J. J.

subject property. This culvert has been the issue that has most concerned the residents who live in the area and has been the subject of two previous hearing officer's hearings, one involving the White Marsh Road property and the other involving the Wolf Property, both hearing officer hearings that came before this hearing officer. The citizens are concerned that the box culvert on White Marsh Road would not be widened in accordance with the widening of White Marsh Road itself, thereby creating an extreme bottleneck at this location. In response to the concerns raised by the citizens, the Developer stated that they are required to widen their half of the box culvert to the full 40 ft. width required by the County. Their widening will occur only on the south side of White Marsh Road, given that they own that side of the right-of-way. The north side of White Marsh Road at the box culvert is to be widened by Baltimore County, utilizing funding that has been set aside in a special public works account. Mr. Bob Bowling, appearing on behalf of Permits and Development Management, testified that their office has required this developer to pay for the widening of their side of the box culvert while Baltimore County will pay for the widening on the north side of White Marsh Road. However, he further testified that since the County will participate in the widening effort, it will be the responsibility of Baltimore County to hire a contractor and oversee the widening of the culvert. Therefore, the timing of when the box culvert would actually be widened came into question.

The Developer in this instance has fully agreed to post their necessary one half of the funds in order to accomplish the widening. They have no objection to paying for their share. However, the timing of the actual widening itself was left in the hands of Baltimore County over which this Developer has no control. Mr. Bowling assured the citizens in attendance that his office will move with all due diligence in order to expedite the widening of the culvert itself. This not only involves the actual construction, but also obtaining the necessary permit approvals from both the Maryland

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Date 5/19/00
By J.R. Jernigan

Department of the Environment and the Army Corps of Engineers. It was clear that the widening of the box culvert is in fact going to occur, but the timing was left at the discretion of the Office of Permits and Development Management. All agreed that the widening of the culvert should coincide with the ultimate widening of White Marsh Road, thereby avoiding the bottleneck issue.

Furthermore, the Developer testified and the Development Plan clearly indicates that the development of this Dorn property will have little if any impact on the box culvert itself. There are only two proposed lots in this development that will actually impact the box culvert for access to their lots. The bulk of the 37 homes proposed to be constructed on this property will have access directly to Bucks School House Road and will have no affect whatsoever on the box culvert in question. Therefore, this issue was not sufficient to warrant that the Development Plan be denied. It was sufficient, however, to impose a condition and restriction upon the Developer that they post all funds necessary to cover the costs of their participation in the widening of this box culvert.

The citizens also raised a concern over the 350 ft. sight distance proposed by the Developer at their entrance to Bucks School House Road. The Development Plan indicates that the main entrance to the 37 homes to be constructed will be located on Bucks School House Road. The Developer indicates on their Development Plan that they will be providing a sight distance of 350 ft. in each direction along Bucks School House Road. The citizens are concerned that it is not possible to achieve this 350 ft. sight distance. Testimony demonstrated that the Developer will be required to obtain a right-of-way from Baltimore City in order to perform some minor pruning and grading off site of their property in order to achieve this sight distance. The Development Plan submitted shows that the adjacent property owner to this subdivision is the Mayor and City Council of Baltimore, in that the lands adjacent to this property is the sight of the Fullerton Reservoir. Mr. Bowling indicated that no permits will be issued for access to Bucks School House Road until such right-of-

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Date

5/19/00

By

J. R. Jameson

way agreements are executed with Baltimore City and reviewed by Baltimore County. Therefore, it is necessary for this Developer to gain permission from Baltimore City in order to provide a safe entrance to this development. While this issue does not warrant that the Development Plan be denied, it does require that a condition and restriction be imposed mandating that the Developer provide this 350 ft. sight line distance in each direction along Bucks School House Road which shall be verified by representatives of Baltimore County prior to the issuance of a grading permit for the subject development.

Another issue raised by the citizens in attendance involved the storm water management facilities proposed for the subject property. Again, this is the common concern that has been raised in other hearing officer hearings for properties being developed in this area. The cause for concern of the citizens is generated by the problems they are having with the development of the 105 single-family homes by Nottingham Properties. Apparently these residents are experiencing tremendous runoff problems with that particular development and they are concerned that the same or similar problems will result by virtue of the development of the property which is the subject of the hearing before me now. This particular concern is speculative in that no one can say for sure at this time whether this particular Developer, and the storm water management practices proposed for this development, will fail in the future. This Developer, as well as all developers, are required to abide by and comply with all regulations concerning sediment control and storm water management. Any violation of those regulations will have to be reported to the Department of Environmental Protection and Resource Management for investigation and prosecution. However, this issue is not sufficient to warrant that the Development Plan be denied at this time.

The citizens also had a concern that during the construction phase of this development that White Marsh Road and Bucks School House Road would not be appropriately posted with signage

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Date 5/19/00
By J.P. Jenson

warning approaching motorists of ongoing road work and construction work taking place. At the present time there is a lack of signage in the area for the development that is presently occurring on the Nottingham Property. Therefore, they have requested that either the Developer or the Baltimore County Bureau of Traffic Engineering post appropriate signage during construction to warn motorists of changing road conditions and construction vehicles. While this does not warrant that the plan be denied, it does warrant the imposition of an appropriate restriction. There were no other issues raised at the hearing before me that warranted the denial of this Development Plan. Accordingly, the plan shall be approved.

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 19th day of May, 2000, that the Development Plan known as "Glen Arbor North", submitted into evidence as Developer's Exhibit No. 1, for the reasons set forth in this Order, shall be APPROVED, subject, however, to the following conditions and restrictions:

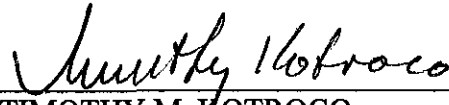
1. The Developer shall be required to post the necessary funds in order to pay for the cost of the widening of the box culvert in White Marsh Road at the time they are requested to do so by the Office of Permits and Development Management. Furthermore, the Developer shall cooperate in all respects with Baltimore County and any other state or federal agency in an effort to obtain the necessary permits for the widening of this box culvert.
2. The Developer shall be required to provide a sight distance of at least 350 ft. in each direction at the intersection of the entrance road to this subdivision and Bucks School House Road. All necessary right-of-way agreements must be acquired from Baltimore City in order to provide this sight distance. No grading permit shall be issued for the property until such time as these right-of-way agreements are executed and the sight distances provided.
3. The Developer shall be required to utilize all appropriate sediment control and storm water management practices in order to insure that no runoff adversely affects any of the surrounding properties to this development or the White Marsh Run. In addition to any other remedies afforded the Department of Environmental Protection and Resource Management for any violation of sediment control or storm water management regulations, the Office of Permits and Development Management shall be entitled to suspend all active permits on this project until such time as any violation of these regulations is remedied.

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DEC 5/19/00
By: J.P. Gemenon

4. During the construction phase of this development, the Developer shall be required to post appropriate signage along Bucks School House Road and White Marsh Road warning passing motorists of the construction that is taking place along these roadways.

IT IS FURTHER ORDERED that the Variance request filed pursuant to Case No. 00-397-A, be and is hereby DISMISSED.

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



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER/
HEARING OFFICER
FOR BALTIMORE COUNTY

TMK:raj

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5/19/00
R. J. G. Mason



Baltimore County
Zoning Commissioner

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

May 19, 2000

Patricia A. Malone, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Hearing Officer's Hearing No. XIV-374 &
Case No. 00-397-A
Glen Arbor North
Property: S/S White Marsh Road, E of
Bucks School House Road

Dear Ms. Malone:

Enclosed please find the decision rendered in the above-captioned case. The Development Plan has been approved and the Petition for Variance dismissed, in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits & Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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

Copies to:

Mr. David Martin
c/o G.W. Stephens, Jr. & Assoc., Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21286

Mr. James Grande
c/o Pulte Homes
1501 S. Edgewood Street
Baltimore, Maryland 21227

Mr. Mickey Cornelius
Traffic Group
9900 Franklin Square Drive, Suite H
Baltimore, Maryland 21236

Mr. Thomas Dorn
346 Upper Landing Road
Baltimore, Maryland 21221

Mr. Joseph M. Dieter
8911 Clement Avenue
Baltimore, Maryland 21234

Ms. Jackie Dieter
5026 White Marsh Road
Baltimore, Maryland 21237

Ms. Linda Rosier
4910 White Marsh Road
Baltimore, Maryland 21237

Ms. Mary J. Tyner
4716 White Marsh Road
Baltimore, Maryland 21237

Ms. Michele Neuman
4515 White Marsh Road
Baltimore, Maryland 21237

Mr. Tom Seymour
7719 Babikow Road
Baltimore, Maryland 21237



Petition for Variance

to the Zoning Commissioner of Baltimore County

South side of White Marsh Road, east
for the property located at of Bucks School House Road
which is presently zoned DR3.5

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 Variance from Section(s)

Variance from Section 303.1 of the Baltimore County Zoning Regulations to permit a front yard depth of 15 feet in lieu of the required ~~50~~ 50 feet for Lot No. 32, if necessary

* STREET BUILDING LINE SETBACK

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

To be determined at hearing.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, 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:

Patricia A. Malone

Name - Type or Print

Signature

Venable, Baetjer & Howard, LLP

Company

210 Allegheny Avenue 410-494-6200

Address Telephone No.

Towson MD 21204

City State Zip Code

Legal Owner(s):

Thomas Dorn

Name - Type or Print

Signature

Tara Dorn

Name - Type or Print

Signature

346 Upper Landing Road (410) 686-3744

Address Telephone No.

Baltimore MD 21221

City State Zip Code

Representative to be Contacted:

Patricia A. Malone

Name

210 Allegheny Avenue 410-494-6200

Address Telephone No.

Towson MD 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By LTM Date 3/24/00

Case No. 00-397-A

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD • TOWSON, MARYLAND 21286-3396

DESCRIPTION TO ACCOMPANY
VARIANCE PETITION FOR GLEN ARBOR NORTH

March 23, 2000
Page 1

Beginning at a point 9 feet more or less off the northerly pavement edge of Bucks School House Road, said point being South 40° 34' 27" East 135.5 feet from a point formed by the intersection of the centerlines of Bucks Schoolhouse Road and the existing access driveway to the Dorn Property (Glen Arbor North) thence leaving said point of beginning and following at or near the centerline of Bucks Schoolhouse Road the following course,

1. North 81° 34' 39" West 383.14 feet, thence leaving said roadbed,
2. North 3° 48' 23" East 943.58 feet,
3. North 81° 18' 23" East 683.1 feet,
4. North 20° 32' 27" East 357.99 feet to a point at or near the centerline of White Marsh Road thence following at or near the centerline of said road the following courses,
5. South 53° 13' 58" East 60.48 feet,
6. South 50° 35' 54" East 338.35 feet,
7. South 54° 49' 10" East 138.35 feet, thence leaving said roadbed,
8. South 3° 49' 12" West 362.09 feet,
9. South 49° 53' 21" West 1155 feet to the point of beginning.

Containing 24.69 Acres of land more or less.

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



397

00-397-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **080412**

DATE 3/24/00 ACCOUNT RC001 6150

AMOUNT \$ 50.00

RECEIVED FROM: VEHICLE

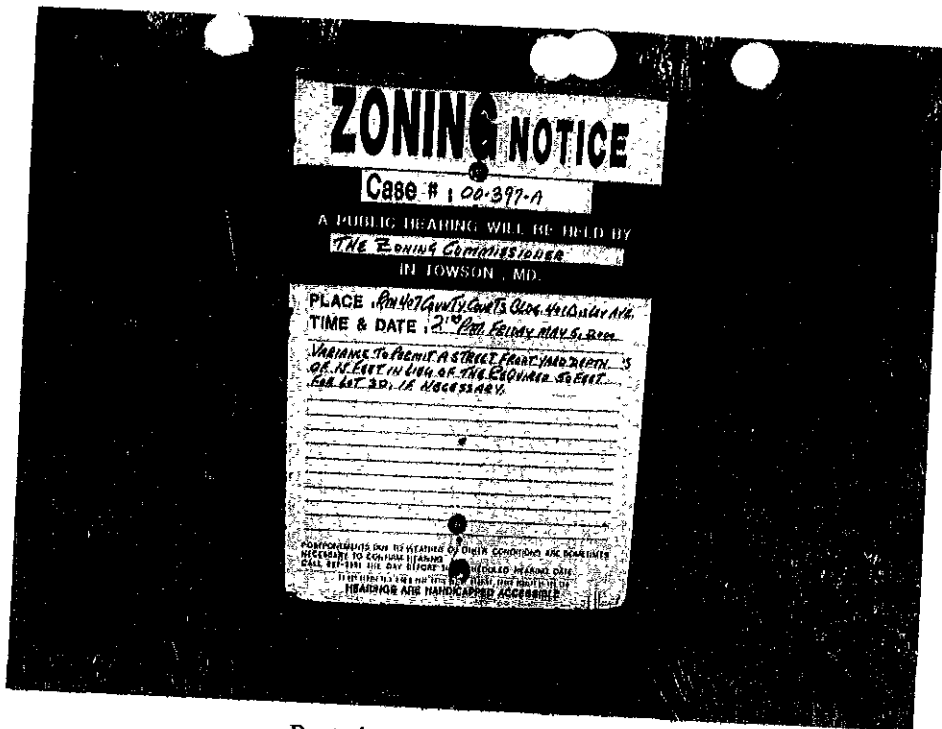
FOR: OLG VARIANCE

PAID RECEIPT
 3/27/2000
 BALTIMORE COUNTY
 RECEIVED FROM THE OFFICE OF BUDGET & FINANCE
 FOR THE PURPOSE OF THE
 RECEIPT NO. 080412
 RECEIVED FOR THE PURPOSE OF THE
 BALTIMORE COUNTY

00-397-A

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION



Posted on White Marsh Road

**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: #00-397-A
NE/S Bucks - Schoolhouse Road, approximately 1850' S & W of White Marsh Road, also SW/S White Marsh Road 14th Election District 6th Councilmanic District Legal Owner(s):

Variance: to permit a street front yard depth of 15 feet in lieu of the required 50 feet for lot 32, if necessary.

Hearing: Friday, May 6, 2000 at 2:00 p.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.

4/21/2000 April 20 C385198

CERTIFICATE OF PUBLICATION

TOWSON, MD, _____ 4/20/ _____, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/20/ _____, 2000.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

**RE: CASE # 00-397-A
PETITIONER/DEVELOPER
(Glen Arbor N. (AKA Dorn Prop.))
DATE OF Hearing
(5-5-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

White Marsh & Bucks Schoolhouse Roads Baltimore, Maryland 21220_____

**THE SIGN(S) WERE POSTED ON _____ 4-19-00 _____
(MONTH, DAY, YEAR)**

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

**_____ 410-687-8405 _____
(TELEPHONE NUMBER)**



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

April 10, 2000

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:

HEARING OFFICER HEARING (Continued from 3/16/00)
PROJECT NAME: Glen Arbor North (FKA Dorn Property)
Project Number: 14-374
Location: S/S White Marsh Road, E Bucks Schoolhouse Road
Acres: 26.5
Developer: Pulte Home Corp.
Engineer: George William Stephens, Jr. & Assoc., Inc.
Proposal: 40 SFDs

***** AND *****

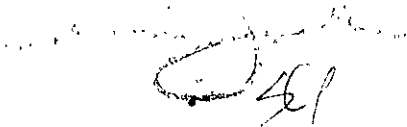
CASE NUMBER: 00-397-A
NE/S Bucks Schoolhouse Road, approximately 1850' S & W of White Marsh Road, also
SW/S White Marsh Road
14th Election District – 6th Councilmanic District
Legal Owner: Tara & Thomas Dorn

Variance to permit a street front yard depth of 15 feet in lieu of the required 50 feet for lot 32, if necessary.



HEARING OFFICER HEARING (Continued from 3/16/00)
PROJECT NAME: Glen Arbor North (FKA Dorn Property)
CASE NUMBER: 00-397-A
PAGE 2

HEARING: Friday, May 5, 2000 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Arnold Jablon, Director
Director

c: Patricia Malone, Esquire, 210 Allegheny Avenue, Towson 21204
Tara & Thomas Dorn, 346 Upper Landing Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY APRIL 20, 2000.**
- (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
Thursday, April 20, 2000 Issue – Jeffersonian.

Please forward billing to:

Barbara W. Ormord, Legal Assistant
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

410-494-6201

NOTICE OF ZONING HEARING

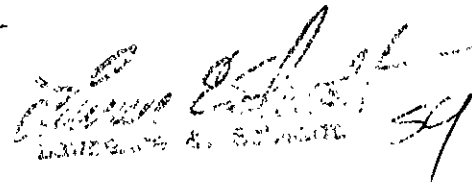
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CASE NUMBER: 00-397-A

NE/S Bucks Schoolhouse Road, approximately 1850' S & W of White Marsh Road, also
SW/S White Marsh Road
14th Election District – 6th Councilmanic District
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HEARING: Friday, May 5, 2000 at 2:00 p.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 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.

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: 00-397-A

Petitioner: Thomas Dorn, et ux.

Address or Location: South Side of White Marsh Road, east of
Bucks School House Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA W. ORMORD, LEGAL ASSISTANT

Address: VENABLE, BAETJER & HOWARD, LLP
210 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

Telephone Number: 410-494-6201

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

April 28, 2000

Attorney Patricia A. Malone
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson MD 21204

Dear Attorney Malone:

RE: Case Number 00-397-A , SS White Marsh Rd., E of Bucks School House Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 24, 2000.

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, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

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



Baltimore County
Fire Department

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

April 6, 2000

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

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 3, 2000

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:

381, 382, 384, 385, 387, 388, 389, 391, 392, 393, 394,
395, and (397)

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 *RB*
DATE: April 10, 2000
SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of April 4, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
381	1954 Catanna Avenue
382	19621 Middletown Road
383	50 Westminster Pike
384	245 Ashland Road
387	9415 Horn Avenue
388	515 Picadilly Road
389	5504 Dunrovin Lane
390	3738 Butler Road
391	115 Carolstowne Road
392	113 Carolstowne Road
393	142 Carolstowne Road
394	140 Carolstowne Road
395	11930 Jericho Road
397	Glen Arbor North
335	Liberty Road

BALTIMORE COUNTY, MARYLAND

*Den
5/18
(w/NOH)*

INTER-OFFICE CORRESPONDENCE

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

DATE: April 4, 2000

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

APR 4

SUBJECT: Dorn Property (F/K/A Glen Arbor North)

INFORMATION:

Item Number: 397

Petitioner: Thomas and Tara Dorn

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The applicants request a variance from Section 303.1 of the BCZR to permit a front yard depth of 15 feet in lieu of the required 50 feet for Lot 32, if necessary. A development plan conference was held relative to the applicants' overall proposal on February 23, 2000, at which time the staff submitted general comments (see attached). It was at the time of the development plan conference that a determination was made that a variance would be required for Lot 32. The Office of Planning supports the applicants' request; however, additional landscaping should be provided along White Marsh and the side of the dwelling should be treated with finished materials to mitigate the impact of the reduced setback.

Prepared by:  _____

Section Chief:  _____

AFK/JL:MC

Attachment



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 4.3.00

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

RE: Baltimore County
Item No. 397 LTM

Dear Ms. Jackson:

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,

A handwritten signature in cursive script, appearing to read 'K. J. McDonald Jr.'.

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

RE: PETITION FOR VARIANCE
S/S White Marsh Road, E of Bucks Schoolhouse Road,
N/S Bucks Schoolhouse Rd, 135.5' of intersection
of Dorh property access drive
14th Election District, 6th Councilmanic

Legal Owner: Thomas Dorn
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-397-A

* * * * *

ENTRY OF APPEARANCE

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



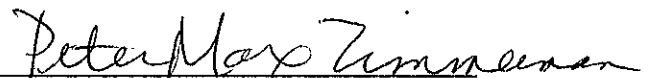
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



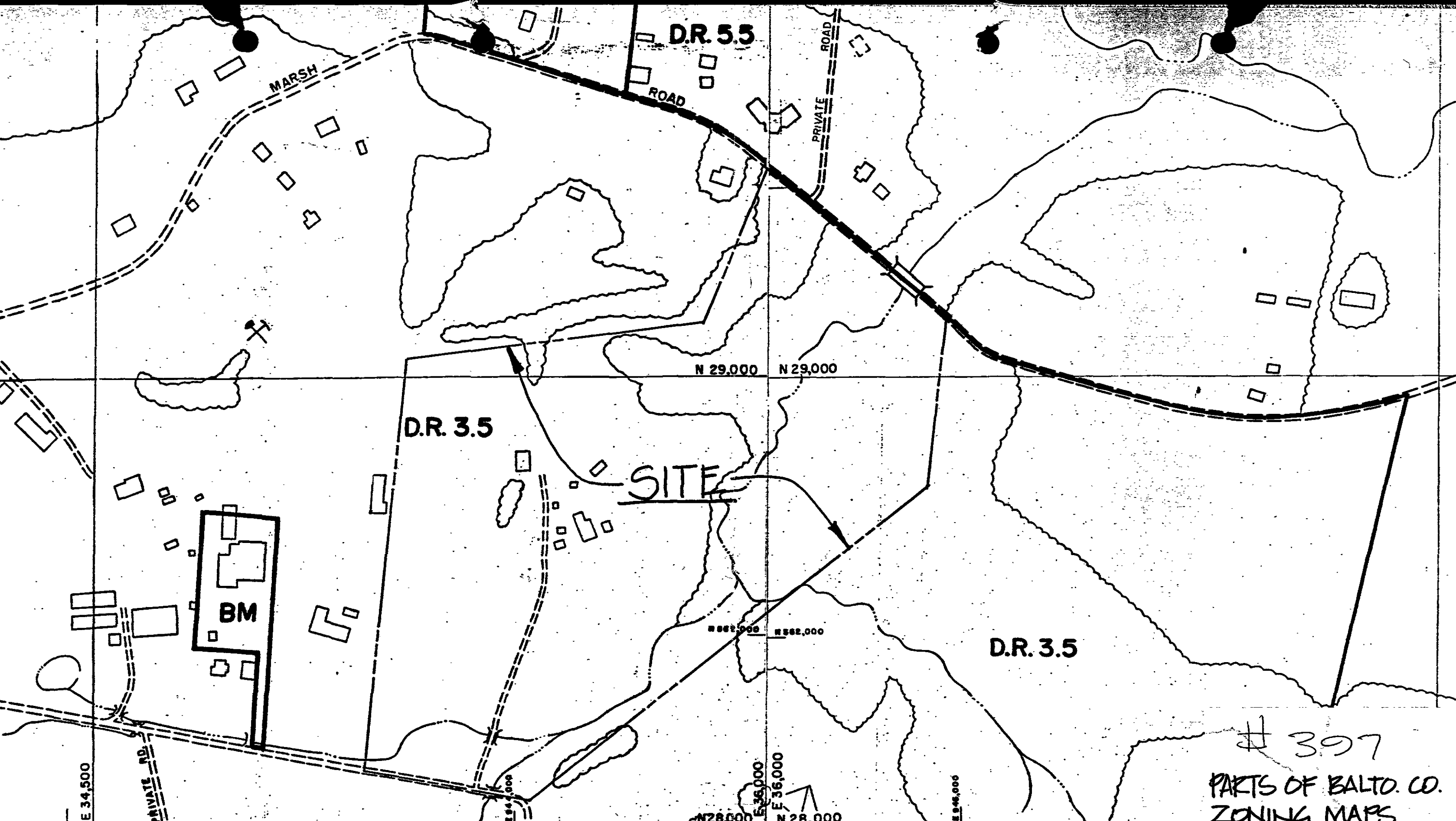
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Patricia A. Malone, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, P.O. Box 5517, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN



397
 PARTS OF BALTO. CO.
 ZONING MAPS
 NE B-F AND NE B-G
 SCALE: 1" = 200'
 DATE: MARCH 24, 2000
 G.W. STEPHENS JR & ASSOC, INC

00-397-A

SCALE
 1" = 200' ±

DATE
 OF
 PHOTOGRAPHY

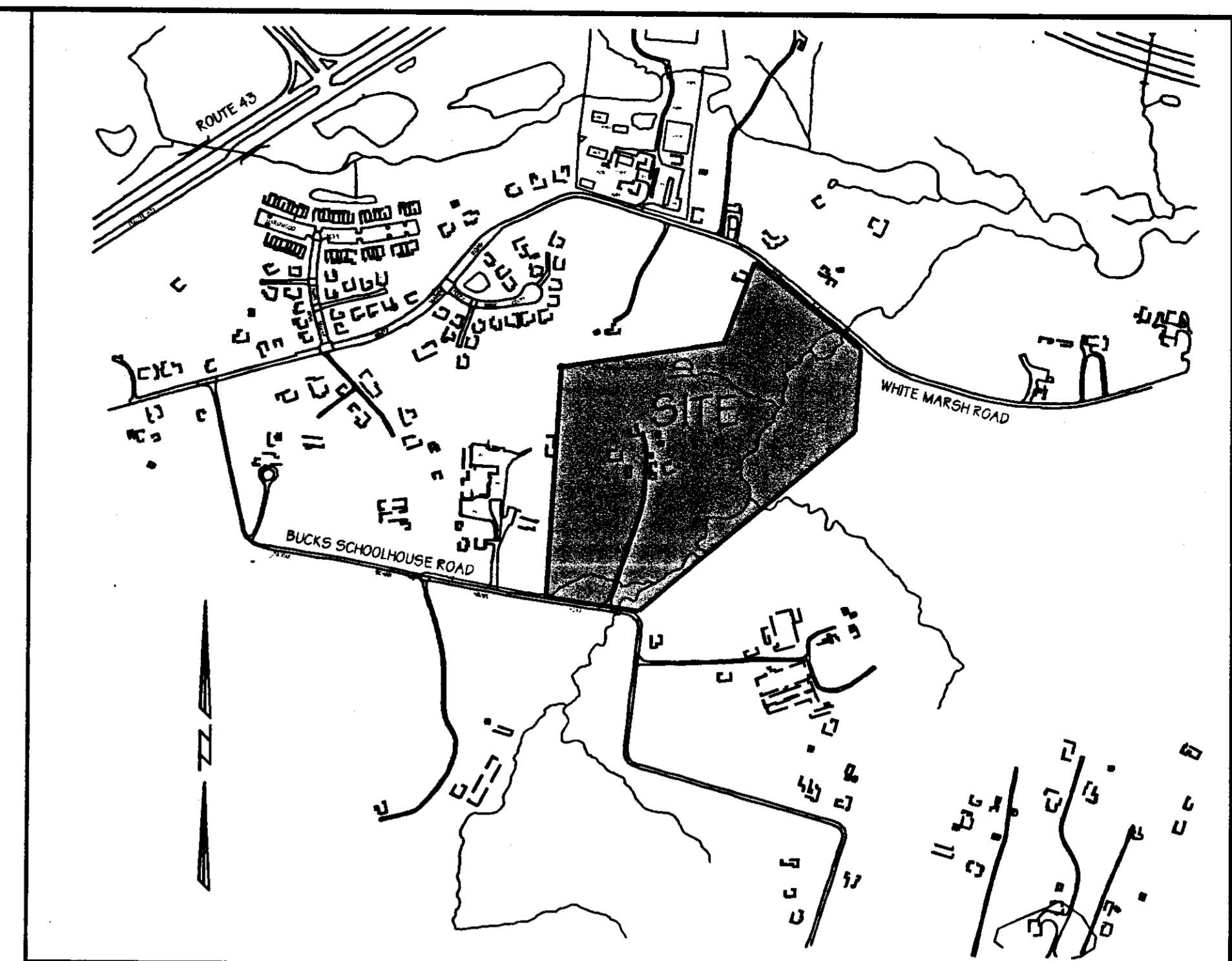
LOCATION
 FULLERTON

SHEET
 N.E.
 8-F

M-SW
 M-NW

LEGEND

TRACT BOUNDARY	---
PARCEL LINES	---
LOT LINE	---
FOREST CONSERVATION EASEMENT	---
EXISTING TREELINES	---
PROPOSED TREELINES	---
EXISTING SOIL CLASSIFICATIONS	---
EXISTING 10' CONTOUR	---
EXISTING 20' CONTOUR	---
ZONING LINE	---
EASEMENT	---
EXISTING RIGHT-OF-WAY LINE	---
PROP. RIGHT-OF-WAY LINE	---
FOREST BUFFER EASEMENT	---
WETLAND LIMIT LINE	---
100 YEAR FLOOD PLAN LINE	---
25% SLOPES	---
PROPOSED STREET LIGHT	---
PROPOSED MAJOR DECIDUOUS TREE	---
PROPOSED MINOR DECIDUOUS TREE	---
PROPOSED EVERGREEN TREE	---



VICINITY MAP
SCALE: 1" = 500'

- SITE DATA**
- 1. LOCATION: DISTRICT 14
 - 2. CONDOMINIUM DISTRICT 6
 - 3. ZONING: R-4000
 - 4. SUBDIVISION: 15
 - 5. DEED REFERENCE: 1504475
 - 6. TAX ACCOUNT NUMBER: 150423340
 - 7. TAX MAP REFERENCE: 150423340
 - 8. SCHOOL DISTRICT: FULLERTON ELEMENTARY
 - 9. EXISTING ZONING: R-4000
 - 10. DEED REFERENCE: 1504475
 - 11. PERMITTED DENSITY: 28.5 UNITS PER ACRE
 - 12. PROPOSED: 28.5 UNITS PER ACRE
 - 13. PROPOSED: 78 P.S. (ON LOT DRIVEWAYS & GARAGES)
 - 14. DRIVEWAY: 15' WIDE
 - 15. PARKING: 1000 SF UNIT, 1000 SF UNIT, 50,000 SF NON-ENVIRONMENTALLY CONstrained
 - 16. PROPOSED: 2000 SF UNIT, 1000 SF UNIT, 50,000 SF NON-ENVIRONMENTALLY CONstrained
 - 17. TOTAL LOTS: 100 (20 AC) NON-ENVIRONMENTALLY CONstrained AND 100 (20 AC) ENVIRONMENTALLY CONstrained LOTS
 - 18. TOTAL LOTS: 100 (20 AC) NON-ENVIRONMENTALLY CONstrained AND 100 (20 AC) ENVIRONMENTALLY CONstrained LOTS
 - 19. AVERAGE DAILY TRAFFIC: 10 PER UNIT A 200 + 500 ADTS
 - 20. MAXIMUM CONCRESSION: 400'
 - 21. ALL PROPOSED STREETS ARE PUBLIC
 - 22. ALL LOTS ARE FOR SALE
- ZONING NOTES:**
1. TYPICAL BUILDINGS SHOWN ON THESE SINGLE FAMILY LOTS INDICATE A SPECIFIC ORIENTATION THAT COMPLES WITH THE ZONING BY THE DEVELOPER. THE DISTANCE REQUIRED BY SECTION 303.10 SHALL GOVERN AS FOLLOWS:
 - FROM FRONT BLDG FACE TO PUBLIC RIGHT OF WAY OR PROPERTY LINE: 25 FEET
 - FROM FRONT BLDG FACE TO FOREST BUFFER: 15 FEET
 - FROM SIDE BLDG FACE TO PUBLIC RIGHT OF WAY: 15 FEET
 - FROM SIDE BLDG FACE TO PRIVATE ROAD: 15 FEET
 - FROM REAR BLDG FACE TO TRACT BOUNDARY: 15 FEET
 - FROM REAR BLDG FACE TO PROPERTY LINE: 15 FEET
 - FROM REAR BLDG FACE TO PUBLIC STREET RIGHT OF WAY: 15 FEET
 2. THE PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD IN CONTACT SINCE 1978 BY THE DEVELOPER. THE DEVELOPER HAS BEEN ADVISED BY THE DEPT. OF PERMITS & DEVELOPMENT MANAGEMENT THAT THE PROPERTY IS SUBJECT TO THE ZONING REGULATIONS OF SECTION 303.10. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EXISTING STRUCTURES SHOWN HEREON IN ACCORDANCE WITH APPLICABLE REGULATIONS.
 3. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPLE BUILDINGS ONLY. ACCESSORY STRUCTURES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOODPLAIN AREAS. ENVIRONMENTAL EASEMENTS OR EASEMENTS SHALL BE LOCATED IN FLOODPLAIN AREAS.
 4. ALL PRIVATE FENCES SHALL BE PLACED CLOSER THAN 10 FEET FROM RIGHTS OF WAYS.
- COMMUNITY INPUT REVIEW:**
1. ALL COMMUNITY INPUT REVIEW MEETINGS ARE REQUIRED.
 2. THE MINUTES OF THE MEETING AS REQUIRED BY THE DEPT. OF PERMITS & DEVELOPMENT MANAGEMENT SHALL BE SUBMITTED TO THE DEPT. OF PERMITS & DEVELOPMENT MANAGEMENT BY THE DEVELOPER.
 3. GENERAL CONCERNS RAISED BY THE COMMUNITY INCLUDE:
 - A. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
 - B. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
 - C. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
 - D. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
 - E. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
 - F. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
 - G. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
 - H. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
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 - H. ROAD IMPROVEMENT REQUIREMENTS TO WHITE MARSH ROAD AND BUCKS SCHOOL HOUSE ROAD
- ENVIRONMENTAL IMPACT REVIEW:**
1. STATEMENT OF NON-IMPACT REVIEW: THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF THESE AREAS IN FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT.
 2. PRELIMINARY INVESTIGATION REVEALS THAT MAJORITY OF THE SITE HAS GROUP "B" SOILS. PRELIMINARY INVESTIGATION REVEALS THAT MAJORITY OF THE SITE HAS GROUP "B" SOILS.
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- STORM WATER MANAGEMENT:**
1. PRELIMINARY HYDROLOGICAL COMPUTATIONS AND SUPPORTING DRAINAGE AREA MAPS HAVE BEEN SUBMITTED TO BALTIMORE COUNTY FOR REVIEW.
 2. ALL STORM WATER MANAGEMENT OUTFALLS HAVE BEEN FIELD VERIFIED AS SUITABLE CONVEYERS FOR STORM WATER DISCHARGE AND MEET THE REQUIREMENTS OF SECTION 303.10.
 3. A 2-YEAR PEAK QUANTITY MANAGEMENT IS REQUIRED AND PROVIDED FOR THIS DEVELOPMENT.
 4. WATER QUALITY MEASURES CONSIDERED AND MET THE REQUIREMENTS OF SECTION 303.10.
 5. MINIMUM WATER QUALITY SHALL BE PROVIDED FOR THE FIRST 24 HOURS OF RAINFALL FROM ALL PROPOSED PERMANENT AREAS. MULTIPLE CONSTRUCTION SHALL BE PREFERRED OVER MULTIPLE PREFERRED WHERE PRACTICAL.
- PERMITS & DEVELOPMENT MANAGEMENT:**
1. PRELIMINARY INVESTIGATION REVEALS THAT MAJORITY OF THE SITE HAS GROUP "B" SOILS. PRELIMINARY INVESTIGATION REVEALS THAT MAJORITY OF THE SITE HAS GROUP "B" SOILS.
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CERTIFICATION AS TO DELINQUENT ACCOUNTS

I, the undersigned, certify that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 20____.

My Commission Expires: _____

NOTES: If applicant is a corporation, this certification must be completed by an authorized officer and if applicant is a partnership or joint venture, it must be completed by a general partner or member or an officer thereof.

GEORGE WILLIAM STEPHENS, JR.

OWNER

DEVELOPER

PREPARED BY

DATE

LANDSCAPING CALCULATIONS

REQUIRED PLANTING UNITS	EXISTING	NEW
ADJACENT ROADS	0	24.6
INTERIOR ROADS	0	12.5
SCREENING	0	46.0
SWIMMING POOL	0	31.8
ADJ. RESIDENTIAL SUBDIVISION	0	24.6
ADJ. PUBLIC RIGHT-OF-WAY	0	24.6
TOTAL P.U. REQUIRED	0	246

PRELIMINARY STORMWATER MANAGEMENT COMPUTATIONS

ALL SWIM AND WATER QUALITY FUNDS TO BE OWNED AND MAINTAINED BY BALTIMORE COUNTY STORMWATER MANAGEMENT COMPUTATIONS: 2" 24-HR YEAR 1 WATER QUALITY MANAGEMENT

EXISTING CONDITION ALLOWABLE DISCHARGE:

2-YR FLOW = 28.1 CFS	STORAGE REQUIRED & PROVIDED POND #1 (WATER QUALITY MANAGEMENT)
10-YR FLOW = 15.56 CFS	STORAGE REQUIRED = 48,046 CF
	STORAGE PROVIDED: BET. ELEV. 150.00 & 157.00 = 50,000 CF

PROPOSED CONDITION ALLOWABLE DISCHARGE (UNMANAGED & ROUTED THROUGH SWIM FUND #1):

2-YR FLOW = 28.1 CFS	STORAGE REQUIRED & PROVIDED POND #2 (WATER QUALITY MANAGEMENT)
10-YR FLOW = 15.56 CFS	STORAGE REQUIRED = 790 CF
	STORAGE PROVIDED: BET. ELEV. 120.00 & 122.00 = 3660 CF

DEVELOPMENT PLAN AND PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

GLEN ARBOR NORTH

PDM # XIV-374

***50**

- ZONING REQUESTS**
1. VARIANCE FROM B.C.Z.R. SECTION 303.10 TO PERMIT A FRONT YARD DEPTH OF 15 FEET FROM THE WHITE MARSH ROAD RIGHT-OF-WAY LINE IN LIEU OF THE 30 FOOT FRONT YARD DEPTH REQUIRED FOR LOT NO. 32, IF NECESSARY.