

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
 PETITION FOR VARIANCE - W/S
 Middletown Road, bet. Parsonage Road * ZONING COMMISSIONER
 and Rayville Road
 6th Election District * OF BALTIMORE COUNTY
 3rd Councilmanic District
 * Case No. VI-220 & 00-550-A
 Jerry Phillips
 Owner/Developer *

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a combined hearing, pursuant to Section 26-206.1 of the Baltimore County Code. That Section permits a property owner/applicant to request a single public hearing seeking development plan approval and zoning relief for a particular project. In this case, the Owner/Developer, Jerry Phillips, seeks approval of a red-lined development plan, prepared by George W. Stephens, Jr. and Associates, Inc., for the proposed development of the subject property with 31 single family dwellings, one of which is existing. In addition to development plan approval, the Owner/Developer requests variance relief from Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure to be larger in area than the existing principal structure on Lot 16 and, from Section 400.3 of the B.C.Z.R. to permit said accessory structure with a height of 35 feet in lieu of the maximum allowed 15 feet. The proposed development and relief requested are more particularly described on the red-lined development plan which was submitted at the hearing and marked into evidence as Developer's Exhibit 1. The subject property consists of a gross area of 56.5 acres, more or less, zoned R.C.5, and is located on the west side of Middletown Road, between Parsonage Road and Rayville Road in northern Baltimore County.

As to the history of this project through the development review process codified in Title 26 of the Baltimore County Code, a concept plan of the proposed development was submitted and a conference held thereon on August 31, 1998. As required, a community input

ORDER RECEIVED FOR FILING

Date

By

meeting was held on October 13, 1998 at the Prettyboy Elementary School. Thereafter, the plan was significantly amended and a second concept plan conference was held on March 13, 2000. The amended plan was reviewed at a community input meeting on April 26, 2000 at Prettyboy Elementary School. Subsequently, a development plan was submitted and a conference held thereon on August 9, 2000. Following the submission of that plan, the appropriate reviewing agencies of Baltimore County submitted comments and a revised development plan incorporating these comments was submitted at the combined Hearing Officer's Hearing for review of the development plan and consideration of the Petition for Variance on August 30, 2000.

Appearing at that hearing on behalf of the Owner/Developer were Rick Chadsey, Professional Engineer, and David Martin, Landscape Architect, both from George W. Stephens, Jr. & Associates, Inc., and Robert A. Hoffman, Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including Walter Smith (Project Manager, Development Management), Robert Bowling (Development Plans Review), Lloyd Moxley (Zoning Review) and Colleen Kelly (Land Acquisition), all divisions of the Department of Permits and Development Management (PDM). Also appearing on behalf of the County were Anne Roane from the Office of Planning (OP), Jan Cook from the Department of Recreation & Parks (R&P), and R. Bruce Seeley from the Department of Environmental Protection and Resource Management (DEPRM). Several residents from the surrounding locale appeared in opposition to the plan, all of whom signed the Citizen's Sign In Sheet which is contained in the case file and is a part of the record.

As noted above, the property at issues consists of 56.5 acres, zoned R.C.5, and is located adjacent to Middletown Road between Parsonage Road and Rayville Road in northern Baltimore County. Presently, the property is improved with one single family dwelling, known as 19200 Middletown Road, and several outbuildings, all of which will be retained as Lot 16. The property is currently being used for agricultural purposes (crops), and also features areas of wetlands, slopes, and forests. As noted above, the Owner/Developer proposes a residential subdivision of the property to create 30 additional building lots. Vehicular access to the proposed

development will be predominantly by way of a new public road leading from Middletown Road; however, 5 lots on the western portion of the tract will be served by a narrow panhandle driveway from Parsonage Road. Additionally, a relatively large area (11 acres) will be retained as a forest conservation reservation area and an existing pond will also be retained. Other details of the site, including storm water management reservations, lot locations, landscaping, etc., are more particularly shown on Developer's Exhibit 1.

Pursuant to Section 26-206 of the Baltimore County Code, which regulates the conduct at the Hearing Officer's Hearing, I am required to first identify any unresolved agency comments or issues. Following the identification of any such issues, testimony and/or evidence is received on each. In this regard, Robert W. Bowling, on behalf of the Department of Public Works (DPW), raised the first unresolved issue. That issue relates to a utility pole which is presently located at the intersection of Middletown Road and Parsonage Road. The Department of Public Works seeks the relocation of that utility pole. Those members of the community who were present at the hearing supported that request. It was indicated that the pole is located close to the travel portion of the road and that relocation of the pole would permit better traffic flow and is supported for concerns over public safety.

On behalf of the Developer, Mr. Hoffman indicated that the requested relocation was in the nature of an off-site public improvement. He produced a copy of the Public Facilities Policy maintained by DPW. Section 9.5 thereof (Construction Costs) summarizes the Developer's responsibility for public improvements relative to the proposed development. As Mr. Hoffman correctly noted, that Section does not require a Developer to undertake off-site improvements.

Although off-site improvements are not required as a part of the regulations promulgated by DPW, Section 26-206(o) of the Baltimore County Code authorizes the Hearing Officer to impose conditions/restrictions on the approval of any development plan. Those conditions and/or restrictions may only be imposed for issues identified and raised by a party, and if the restriction/condition requested will remedy what would otherwise be an adverse impact caused by the development. Although I recognize that the pole presently exists at a location off-

ORDER RECEIVED FOR FILING

Date

By

site from the Developer's property, the testimony and evidence presented was persuasive that this development will produce additional traffic in the vicinity and more particularly at the subject intersection. The location of the pole is but one property removed from the subject tract proposed for development. In addition to the traffic that will be generated by the future residents of this site, additional traffic will be generated through the intersections of Parsonage Road and Rayville Road with Middletown Road in the nature of school buses, delivery trucks, etc.

Based upon the cumulative testimony and evidence offered, I am persuaded that an appropriate condition should be imposed requiring the Developer to relocate the pole as requested by DPW. This condition is not imposed because of any Public Work's policy or standard, but based upon the tests set out in Section 26-206(o) of the Code. Specifically, I find that the intensity of the project justifies the implementation of this "off-site improvement" by the Developer. Thus, as a condition to the approval of the plan, the Developer shall amend same by notation thereon indicating that the subject pole shall be relocated at the Developer's expense in a manner mandated by DPW.

The second issue identified at the hearing related to certain concerns expressed by the Land Acquisition division of PDM relative to the right-of-way for Parsonage Road. This issue was actually resolved at the hearing and the plan amended accordingly. Other County agency representatives present indicated that the plan met their respective department's requirements. Mr. Moxley from the Zoning Review division of PDM indicated there were no outstanding issues, as did Mr. Cook from R&P, and Mr. Seeley from DEPRM. Mr. Seeley's testimony was particularly helpful in addressing certain of the environmental concerns expressed by the residents and neighbors who appeared. Both Mr. Chadsey, on behalf of the Developer, and Mr. Seeley, as a representative of the County agency responsible for reviewing these items, discussed storm water management and well/septic issues. The storm water management issue is of particular concern to those representatives who appeared on behalf of the Genessee Valley Learning Center. This facility is located adjacent to the site and is a well-known recreational institution serving children and adults in Baltimore County. Part of the attraction of Genessee Valley is its recreational use of

ORDER RECEIVED FOR FILING

Date

By

streams, ponds and water resources within the property. The representatives of this institution were concerned over impacts that might be caused by the proposed development.

In this regard, the plan appears to be well thought out and meets all County requirements. Mr. Chadsey explained that much of the property is presently farmed and that runoff under current conditions is uncontrolled and can contain the pesticides and fertilizers which are used as part of the farming operation. Under the proposed plan, portions of the site are being reforested and storm water management procedures are being applied. Mr. Seeley, whose agency is charged by statute with the independent monitoring of storm water management design and implementation, concurred with the testimony of Mr. Chadsey. In sum, I am persuaded by the testimony of these expert witnesses and do not believe that the proposed development will cause any environmental degradation to adjacent properties or facilities.

A third issue was raised by Ms. Roane from the Office of Planning. She identified the scenic nature of the roads and views which surround this site and offered extensive testimony relative to her department's objections to certain proposed lots. Ms. Roane referenced Baltimore County's Comprehensive Manual of Development Policies (CMDP) which I reviewed carefully subsequent to the hearing. Generally, that Manual identifies that many areas of the County feature valuable scenic views and vistas and that those should be maintained through "sensitive site analysis and planning." Certain guidelines are presented therein to protect the scenic views, "with no density losses." Furthermore, different types of scenic views are defined, (i.e., enclosed, expansive and focused), and guidelines are offered to protect those views.

In response to the objections and concerns voiced by Ms. Roane, the Developer offered testimony through David Martin, a Landscape Architect. Mr. Martin's testimony was both credible and persuasive and discussed the design elements which had been implemented within the plan in an effort to preserve the scenic views. Particular factors of note are the landscaping that is to be added and the existing areas of forest. I also note that the scenic view for which the Office of Planning seeks protection is from Parsonage Road. The lots at issue are

located a significant distance therefrom. Moreover, the large schematic drawings presented by Mr. Martin at the hearing were reviewed and considered.

Upon due consideration of the testimony and evidence offered on this issue, I am not persuaded that the lots in question should be removed. Certainly, I appreciate the Office of Planning's efforts to retain and protect the scenic vistas in this area. However, a reading of the relevant portions of the CMDP suggests that lots should not be eliminated, except when efforts at mitigation do not reasonably protect the views. In this case, the Developer's proposed landscaping, as well as the existing features of the property (i.e., forest and topography) are persuasive to a finding that the scenic views and vistas can be appropriately protected. Thus, I decline to adopt the Office of Planning's recommendation in this respect and will approve the number and location of the lots proposed. In this case, I believe that the Office of Planning's request is inappropriately harsh.

In addition to the above concerns, certain other objections were also identified at the hearing by the residents who appeared. One such objection relates to the orientation of the houses on proposed Lots 7, 8 and 9. It is to be noted that those lots abut Parsonage Road and the existing dwellings located on the other side of that roadway directly front that road. The building envelopes shown on the plan for Lots 7, 8 and 9 indicate that the front of those houses may either face Parsonage Road or will be turned a full 90 degrees so that the sides of those houses will face that roadway.

Based upon the comments raised by the neighbors, I am persuaded that the houses should predominantly face Parsonage Road. That is, the orientation arrows for the houses on Lots 7, 8 and 9 should be amended to show that the houses either directly face Parsonage Road, or there is no more than a 45 degree angle for the front face of the buildings to that roadway.

Secondly, at the request of Ms. Donna Miele, the Developer shall revise its plan to provide additional screening to the rear of Lots 25, 26, 27 and 28. Specifically, the screening shall be planted from the southwest corner of the overall tract (e.g., the extreme rear of Lot 25) to the location of the R.C.5/M.L. zoning line behind Lot 28. Ms. Miele indicated that her property,

which abuts this section of the tract, is used for agricultural purposes and that additional screening is warranted to buffer the future residential uses on the subject site and the agricultural operations on her property. Thus, the plan shall be amended accordingly.

There were a series of other issues raised at the hearing by the residents as either concerns or objections. Many of these are summarized in a written statement submitted at the hearing by William L. and Dorothy E. Hughes, residents of 19239 Middletown Road. These issues relate to concerns over well water supply, additional traffic, and the alleged negative impact of the proposed development on local public schools and bus transportation, as well as police, fire and ambulance safety issues. I do not find any of these objections rise to a level as to warrant a denial of the plan or the imposition of additional conditions. As to well water, I am persuaded through the testimony of Messrs. Chadsey and Seeley that the proposed wells meet all County Codes and will not cause adverse impacts to existing wells in the area. As to traffic, admittedly the development will produce traffic in the vicinity. However, Mr. & Mrs. Hughes' acknowledged in their written statement that Middletown Road is, "now a major highway artery that is heavily traveled." Although rural in location, the subject property does have acceptable vehicular access to Middletown Road and other main roads in this locale. Greater concern would exist if the property had access only to one of the numerous country lanes that exist in this area. Those lanes are often winding and sub-standard. In this case, although traffic will be produced, I believe that the adjacent and nearby road system in this vicinity is sufficient to handle same.

The other issues of public safety are always of concern but have been considered and addressed here. The Fire Department has approved this development and the project will be in compliance with the County's existing rural fire suppression program, which requires ready access to water resources in the event of fire. Moreover, under the guidelines set out in the County's recently enacted public facilities law, there will not be an inappropriate burden to the public schools in the area. In sum, I do not find that these objections rise to the level sufficient to deny the plan or the imposition of additional conditions thereon.

ORDER RECEIVED FOR FILING

Date

By

As to the Petition for Variance, testimony was offered by Mr. Chadsey. As noted above, the overall tract is presently improved with one dwelling and several outbuildings which are accessory thereto. These buildings will be preserved as Lot 16. As shown in photographs submitted at the hearing, Lot 16 features a barn which is larger in area than the principal structure. The barn is also taller than what is permitted for accessory buildings under Section 400.3 of the B.C.Z.R. It appears appropriate that the dwelling and barn should be retained as they presently exist. Both buildings are quite old and pre-date the B.C.Z.R.; however, compliance with same or variance relief is necessary in order to redevelop the property as proposed. Based upon the undisputed testimony and evidence offered, I am persuaded that the Owner/Developer has met the legal requirements set forth in Section 307 of the B.C.Z.R. for variance relief to be granted. It is also to be noted that the Office of Planning supports the request within their development plan comments, and none of the residents who were present voiced any objections. Thus, I am persuaded that the relief requested can be granted without causing any detriment to the health, safety or general welfare of the surrounding locale.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 14th day of September, 2000 that the development plan for Phillips Purchase, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure larger in area than the principal structure on proposed Lot 16, and, from Section 400.3 of the B.C.Z.R. to permit said accessory structure to have a height of 35 feet in lieu of the maximum allowed 15 feet, in accordance with Developer's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions/conditions:

- 1) Within thirty (30) days of the date of this Order, the Developer shall submit a revised plan incorporating a notation that the utility pole located at the intersection of Middletown Road and Parsonage Road shall be relocated, at the Developer's expense, in a manner mandated by the Department of Public Works.
- 2) Said revised plan shall also reflect an amendment to the orientation of the proposed dwellings for Lots 7, 8 and 9. That is, the plan shall be amended to show that the houses on those lots will either directly face Parsonage Road or will be oriented at an angle no more than 45 degrees to that road.
- 3) The revised plan shall also provide for additional screening to the rear of Lots 25, 26, 27 and 28. Said screening shall commence at the southwest corner of the overall tract (e.g., the extreme rear of Lot 25) and extend to the R.C.5/M.L. zoning line behind Lot 28.
- 4) When applying for any permits, the site development plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

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



LAWRENCE E. SCHMIDT
Zoning Commissioner/Hearing Officer
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
9/14/00
bjs



Baltimore County
Zoning Commissioner

September 13, 2000

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

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITION FOR VARIANCE (Phillips Purchase)
W/S Middletown Road, between Parsonage Road and Rayville Road
6th Election District – 3rd Council District
Jerry R. Phillips – Owner/Developer
Cases Nos. VI-220 & 00-550-A

Dear Mr. Hoffman:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Jerry R. Phillips, 19200 Middletown Road, Parkton, Md. 21120-9693
Messrs. Rick Chadsey & David Martin, George W. Stephens, Jr. & Assoc., Inc.
1020 Cromwell Bridge Road, Towson, Md. 21286
Ms. Donna J. Miele, 1614 Rayville Road, Parkton, Md. 21120
Mr. & Mrs. William L. Hughes, 19239 Middletown Road, Parkton, Md. 21120
Mr. & Mrs. Ronald J. Huber, Sr., 19235 Middletown Road, Parkton, Md. 21120
Mr. & Mrs. John Arthur, 2001 Parsonage Road, Parkton, Md. 21120
Mr. & Mrs. Richard Fisher, 1702 Parsonage Road, Parkton, Md. 21120
Mr. Ronald L. Baldwin, 4 Patchwork Court, Monkton, Md. 21111
Mr. Philip A. Grill, 818 W. University Parkway, Baltimore, Md. 21210
Ms. Theresa Lacko, 1704 Parsonage Road, Parkton, Md. 21120
Mr. Thomas E. Kerr, 1845 Laurel Ridge Drive, Parkton, Md. 21120
Mr. Robert Brown, 1207 Brandy Springs Road, Parkton, Md. 21120
Mr. Larry Nickel, 1712 Parsonage Road, Parkton, Md. 21120
Ms. Doris A. LaMonica, 1700 Rayville Road, Parkton, Md. 21120
Walt Smith, DPDM; DEPRM; Bob Bowling (DPW); OP; R&P; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at ^{19200 Middletown Rd.} West side of Middletown Road, south
which is presently zoned RC5 of Parsonage R

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)

SEE ATTACHED *hr*

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 the 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:

Robert A. Hoffman
Name - Type or Print _____
Signature _____

Venable, Baetjer and Howard, LLP
Company _____
210 Allegheny Avenue ^{Day + Evening} 410-494-6200
Address _____ Telephone No. _____
Towson Maryland 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Jerry R. Phillips
Name - Type or Print _____
Signature *Jerry R. Phillips* _____
Name - Type or Print _____

Signature _____
19200 Middletown Road ^{Day + Evening} 410-329-6801
Address _____ Telephone No. _____
Parkton MD 21120-9693
City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman
Name _____
210 Allegheny Avenue 410-494-6200
Address _____ Telephone No. _____
Towson Maryland 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____
Reviewed By BR Date 6/22/00

joint hearing with Hoff
"Phillips Purchase"

ORDER RECEIVED FOR FILING

Date 6/15/00
By [Signature]

Case No. 00-550-A

REC 9/15/98

Petition for Variance

19200 Middletown Road
West Side of Middletown Road, South of Parsonage

1. Variance from Section 101 of the Baltimore County Zoning Regulations to permit an accessory structure larger in area than the principal structure on Lot #16.
2. Variance from Section 400.3 of the Baltimore County Zoning Regulations to permit an accessory building height of 35 feet in lieu of the 15 feet permitted on Lot #16.

ORDER RECEIVED FOR FILING

Date

9/14/00

By

[Signature]

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 the Phillips Purchase Property

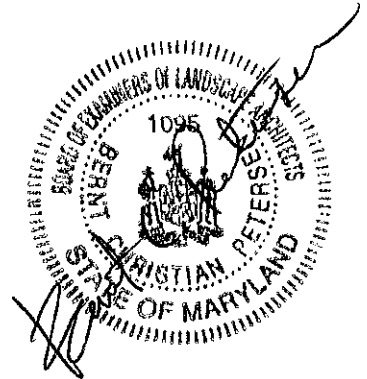
June 6, 2000
Page (1)

Beginning at a point on the westerly right-of-way of Middletown Road, said point being North 01°45'14" West 92.82 feet more or less, from a point formed by the intersection of the centerlines of Rayville Road and Middletown Road running thence the following courses;

1. South 59°43'20" West 195.19 feet,
2. North 67°31'40" West 85.80 feet,
3. South 12°46'40" East 190.70 feet,
4. South 54°51'20" West 1703.48 feet,
5. North 28°47' West 441.28 feet,
6. North 28°25'54" East 840.68 feet,
7. South 86°22'30" West 560.03 feet,
8. North 09°28'14" East 969.15 feet, to a point at or near the center of the roadbed of Parsonage Road, thence running at or near the center of the said roadbed the following course;
9. South 82°37'10" East 1187.95 feet to a point off the South side of Parsonage Road, thence the following course;
10. North 01°22'30" West 137.98 feet to a point off the North side of Parsonage Road, thence the following course;
11. North 86°10'30" East 225.21 feet to a point at or near the center of Parsonage Road, thence the following courses;
12. South 02°45'51" East 130.0 feet,
13. North 88°04'15" East 270.00 feet to a point at or near the center of the roadbed of Middletown Road, thence running at or near the center of the said roadbed the following course;
14. South 10°59' East 706.93 feet, to the point of beginning.

Containing 56.5 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.



00-550-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083580

DATE 6/22/00 ACCOUNT Revenue

AMOUNT \$ 250.00

RECEIVED FROM: ATM Inc

FOR: to 222 2nd St, Baltimore

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

2700 24 550

PAID RECEIPT

PRINTED DATE TIME
6/22/2000 6/22/2000 11:11:32
FED. RES. CASHIER ENCL. AND POWER
DATE 6/22/2000 VERIFICATION
RECEIPT # 1000000000
CR NO. 083580

PAID TO: 250.00
250.00 OK 100 01
Baltimore County, Maryland

CASHIER'S VALIDATION

A-022-00

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 000002

DATE 7/15/00 ACCOUNT 90010100

AMOUNT \$ 100.00

RECEIVED
FROM:

FOR:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

**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: #00-950-A
19200 Middletown Road
W/S Middletown Road, 330'
N of centerline Rayville Road
6th Election District
3rd Councilmanic District
Legal Owner: Jerry R. Phillips
Variance: to permit an accessory structure larger in area than the principal structure on Lot 16 and to permit an accessory building height of 35 feet in lieu of the 15 feet permitted on Lot 16.

Hearing: **Wednesday,
August 30, 2000 at 9:00
a.m. in Room 407, County
Courts Building, 401 Bos-
ley 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.

JT/8/655 Aug. 15 C411879

CERTIFICATE OF PUBLICATION

TOWSON, MD, 8/18/, 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 8/15/, 2000.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

**RE: CASE # 00-550-A
PETITIONER/DEVELOPER
(Phillips Purchase)
DATE OF Hearing
(8-30-00)**

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

ATTENTION : MS. GWENDOLYN STEPHENS

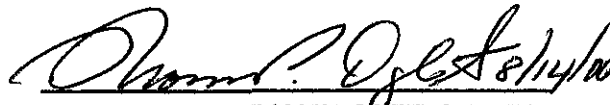
LADIES AND GENTLEMEN:

**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**

Posted on Middletown & Parsonage Roads Baltimore , Maryland 21120_____

THE SIGN(S) WERE POSTED ON_____ 8-14-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

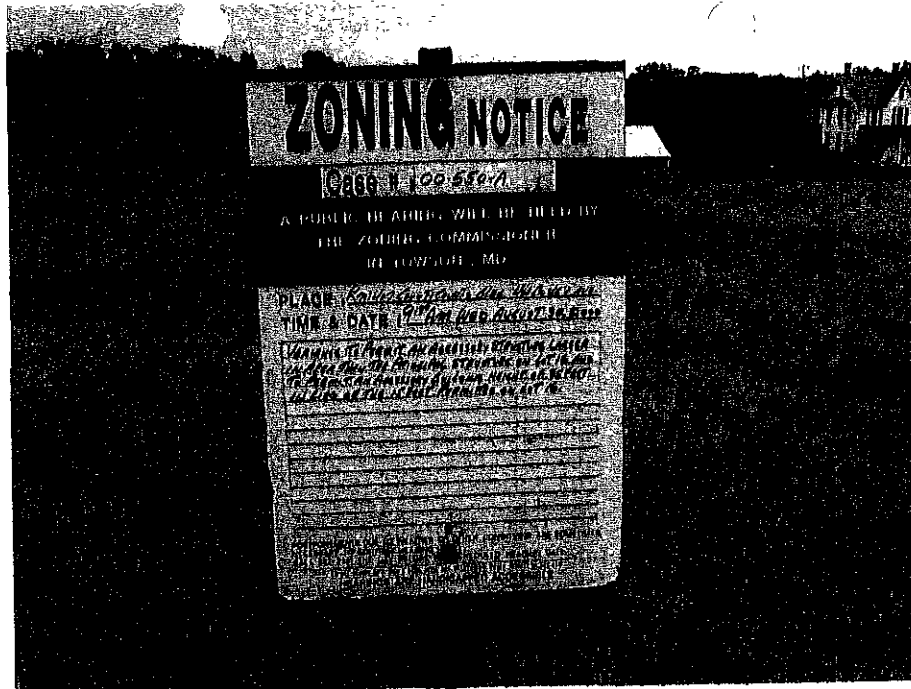
_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

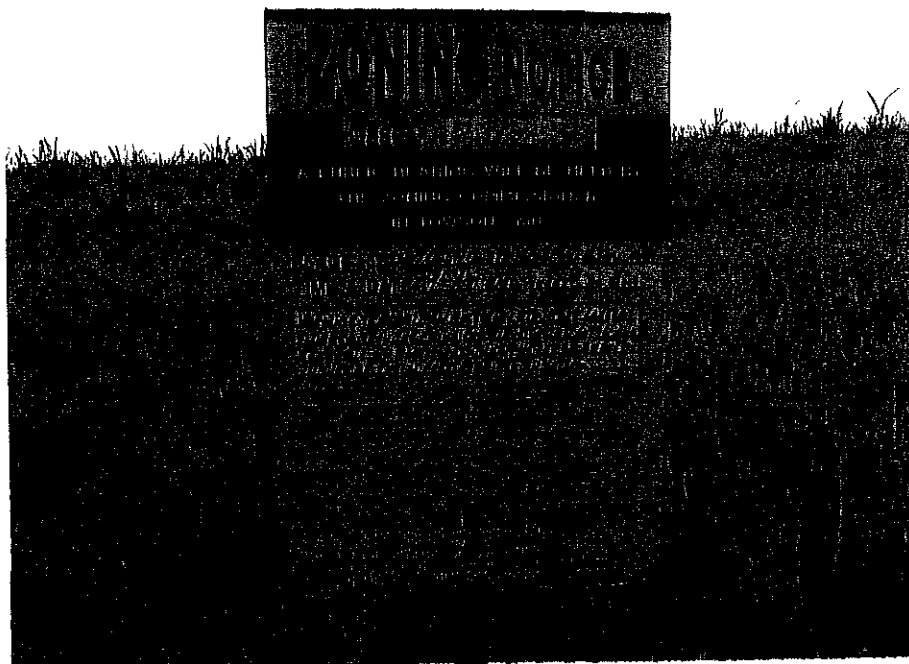
_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)



Posted on Parsonage Road



Posted on Middletown Road

RE: PETITION FOR VARIANCE
19200 Middletown Road, W/S Middletown Rd,
300' N of c/l Rayville Rd
6th Election District, 3rd Councilmanic

Legal Owner: Jerry R. Phillips
Petitioner(s)

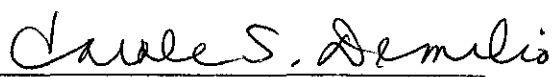
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-550-A

* * * * *

ENTRY OF APPEARANCE

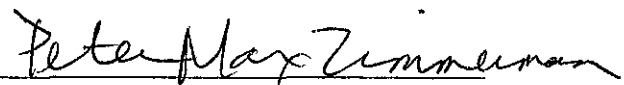
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


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 28th day of July, 2000 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).


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

July 21, 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

PROJECT NAME: Phillips Purchase -- Re-Design

Project Number: 06-220

Location: W/S Middletown Road at Rayville Road

Acres: 56.5

Developer: Jerry Phillips

Engineer: George W. Stephens Jr. & Associates, Inc.

Proposal: 1 Existing, 33 Proposed Single Family Units NOW 31 Single Family Dwellings

***** AND *****

CASE NUMBER: 00-550-A

19200 Middletown Road

W/S Middletown Road, 330' N of centerline Rayville Road

6th Election District -- 3rd Councilmanic District

Legal Owner: Jerry R. Phillips

Variance to permit an accessory structure larger in area than the principal structure on Lot 16 and to permit an accessory building height of 35 feet in lieu of the 15 feet permitted on Lot 16.

HEARING: Wednesday, August 30, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Robert Hoffman, Esquire, Venable, Baetjer and Howard, LLP, 210 Allegheny Avenue, Towson, MD 21204
Jerry Phillips, 19200 Middletown Road, Parkton, MD 21120-9693

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 15, 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
Tuesday, August 15, 2000 Issue – Jeffersonian

Please forward billing to:

Barbara W. Ormord, Legal Assistant 410-494-6201
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

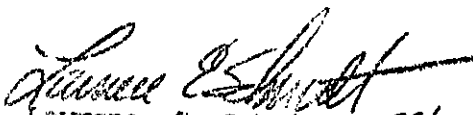
NOTICE OF ZONING HEARING

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: 00-550-A
19200 Middletown Road
W/S Middletown Road, 330' N of centerline Rayville Road
6th Election District – 3rd Councilmanic District
Legal Owner: Jerry R. Phillips

Variance to permit an accessory structure larger in area than the principal structure on Lot 16 and to permit an accessory building height of 35 feet in lieu of the 15 feet permitted on Lot 16.

HEARING: Wednesday, August 30, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt SC/

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: 00-550-A
Petitioner: Jerry Phillips
Address or Location: 19200 Liddleton 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

August 23, 2000

Robert Hoffman, Esquire
Venable, Baetjer & Howard LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 00-550-A, 19200 Middletown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 28, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Jerry Phillips, 19200 Middletown Road, Parkton 21120
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 17, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For July 17, 2000
Item Nos. 545, 546, 547, 548, and 550

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 17, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For August 7, 2000
Item Nos. 022, 023, 024, 026, 027, 028
030, 031, 032, 033, 034, 035, 036

and

~~00-55076~~, Revised 7/14/2000

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 17, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For August 7, 2000
Item No. 025

The Bureau of Development Plans Review has reviewed the subject zoning item. The developer is to dedicate the right-of-way for the cut-back of the property lines at the intersection of Taylor Avenue and Chestnut Avenue at no cost to the county.

Per the Department of Public Works' Design Manual, Road and Streets, Section II, Paragraph I, *"the minimum distance from the property line P.I. at an intersection and the property line chord points shall be a minimum of 10 feet"*.

The issue of on-site parking should be addressed.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

July 13, 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 June 10, 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:

544, 545, 546, 547, 548, 549, 550

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 *ac/RBS*

DATE: September 11, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of July 31, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
024	7103 Milford Industrial Road
025	2900 Taylor Avenue
027	3825 Blenheim Road
028	700 Western Run Road
030	12324 Michaelsford Road
031	412 Bloomsbury Avenue
032	2306 Shaded Brook Drive
036	12040 & 12407 Falls Road
550 Revised	Phillips Purchase

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 10, 2000

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 516, 517, 518, 520, 522, 527, 528,
530, 541, 545, 549 and 550.

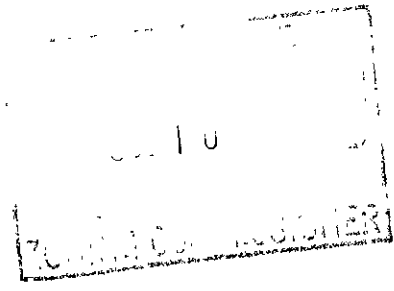
The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



hes
8/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 31, 2000

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

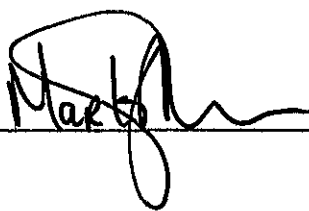
JUL 31

SUBJECT: Zoning Advisory Petition(s): Case(s) 00- 550, 01-031, 6 and 028, 01-030, 01-032, 01-036.

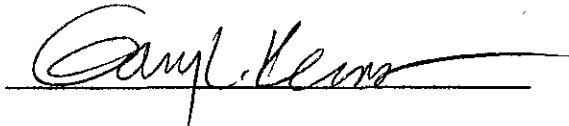
The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



**Maryland Department of Transportation
State Highway Administration**

hs
9/30
Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: *6.30.00*

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

RE: Baltimore County
Item No. *550* *BR*

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,

kw 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



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7.31.00

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

RE: Baltimore County
Item No. 00-550-A
REV. 7.14.00

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).

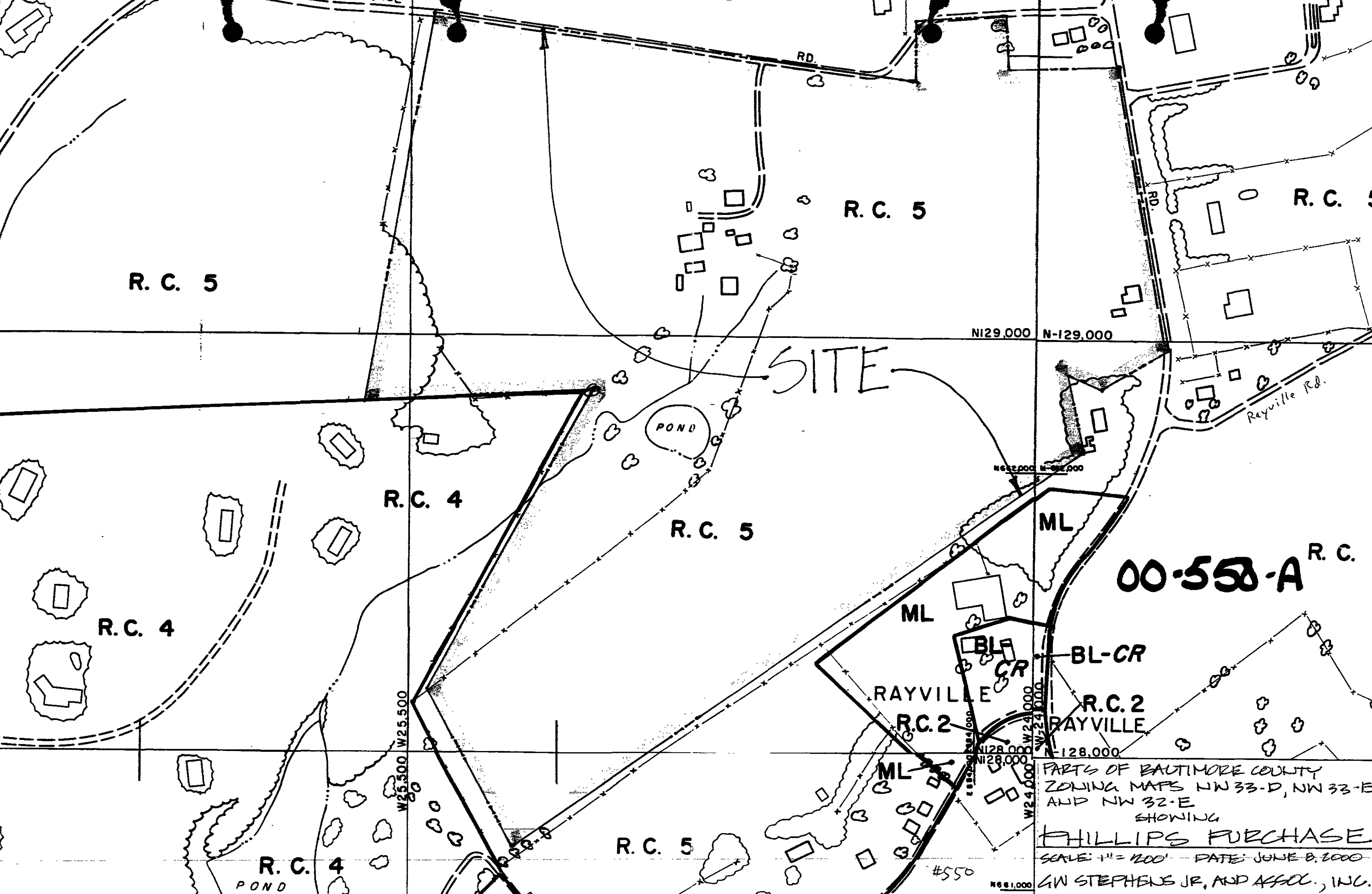
Very truly yours,

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

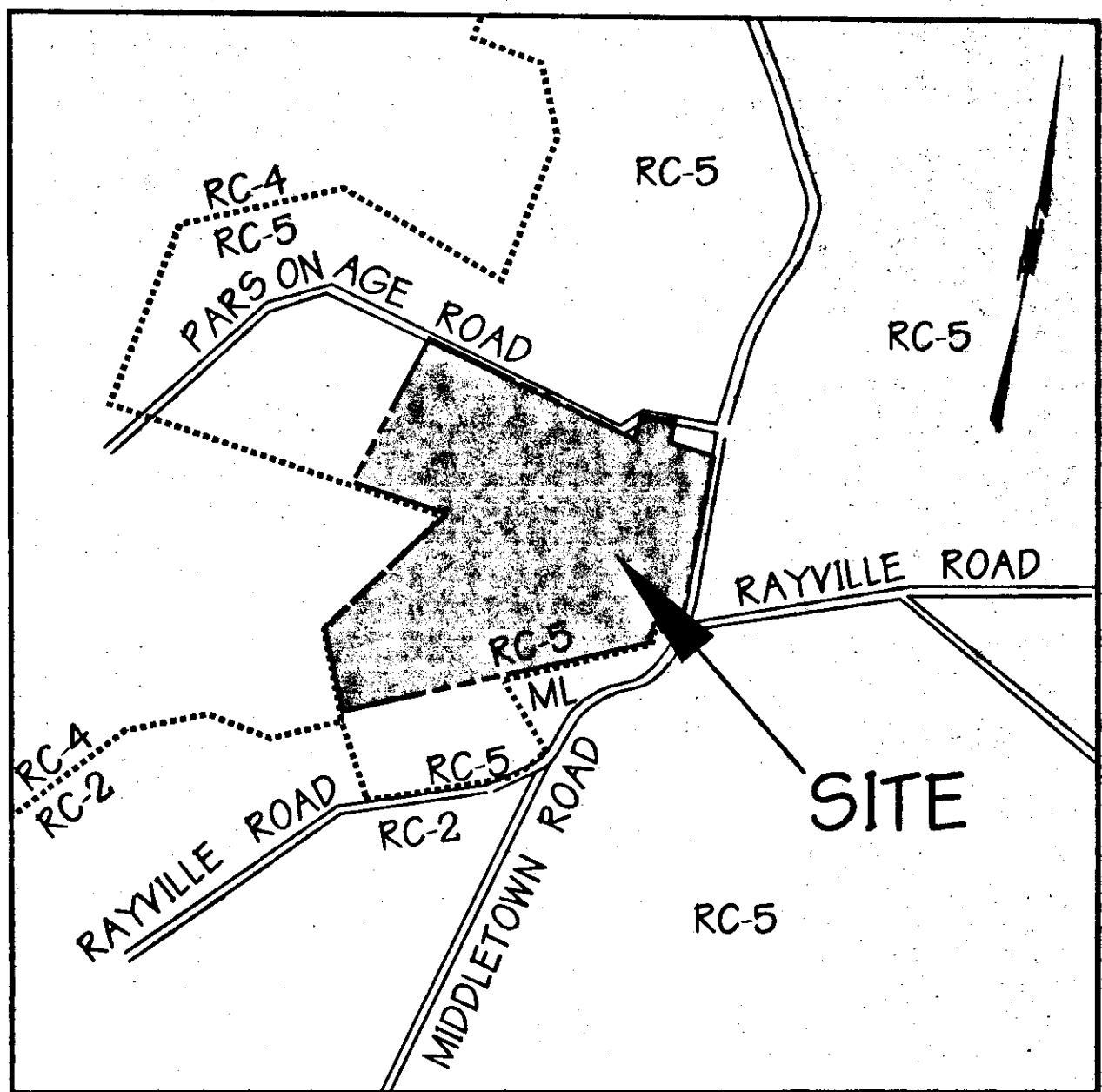
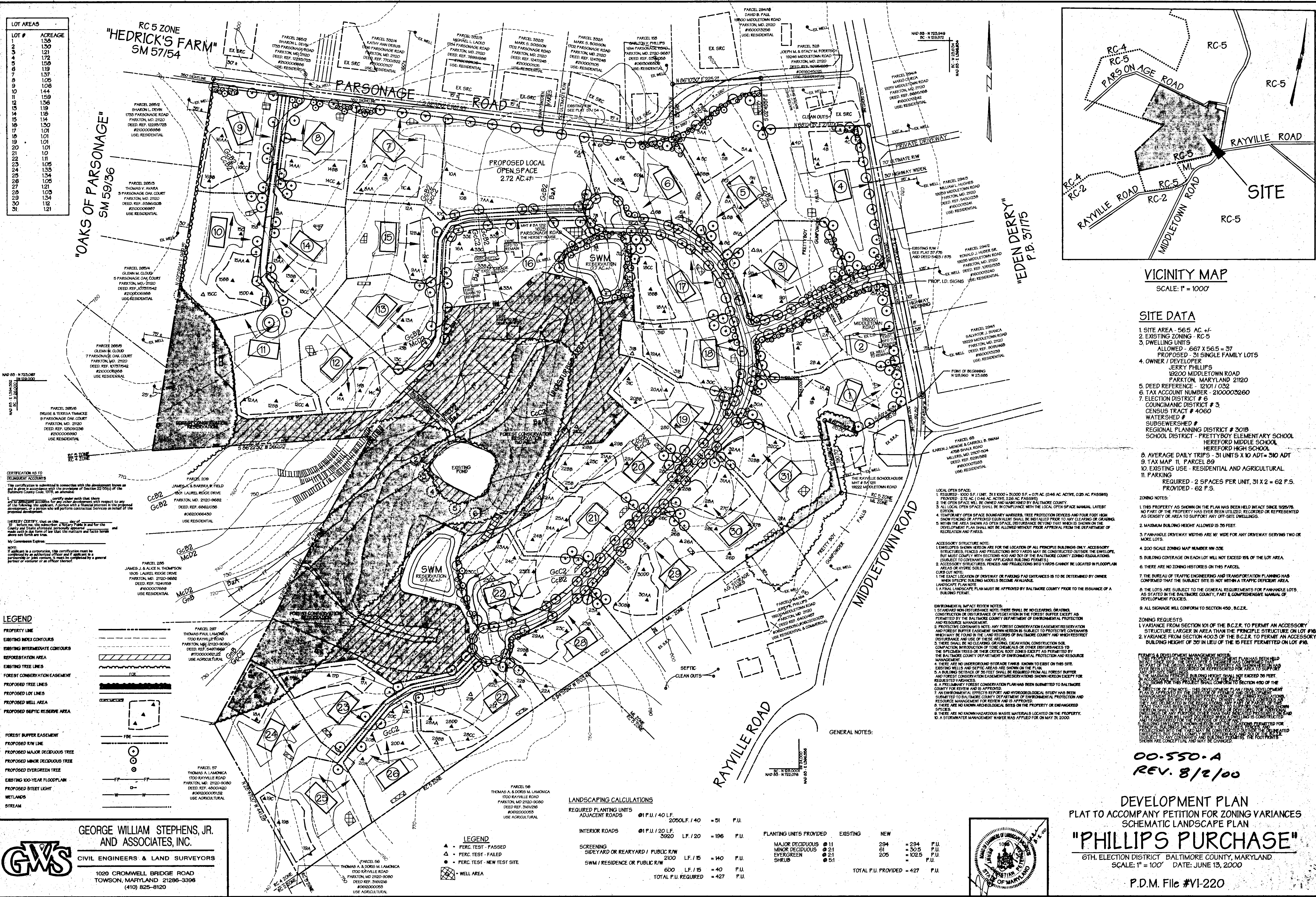
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



00-550-A R.C.

PARTS OF BALTIMORE COUNTY
ZONING MAPS NW 33-D, NW 33-E
AND NW 32-E
SHOWING
PHILLIPS PURCHASE
SCALE: 1" = 1200' DATE: JUNE 8, 2000
GW STEPHENS JR, AND ASSOC., INC.

LOT #	ACREAGE
1	136
2	130
3	121
4	122
5	125
6	119
7	137
8	106
9	108
10	144
11	159
12	136
13	118
14	130
15	101
16	101
17	101
18	101
19	101
20	101
21	101
22	101
23	105
24	134
25	135
26	134
27	121
28	103
29	134
30	112
31	121



VICINITY MAP
SCALE: 1" = 1000'

- SITE DATA**
1. SITE AREA - 56.5 AC +/-
 2. EXISTING ZONING - RC-5
 3. DWELLING UNITS
ALLOWED - 667 X 56.5 = 37
PROPOSED - 31 SINGLE FAMILY LOTS
 4. OWNER / DEVELOPER
JERRY PHILLIPS
19200 MIDDLETOWN ROAD
PARKTON, MARYLAND 21120
 5. DEED REFERENCE - 12101 / 032
 6. TAX ACCOUNT NUMBER - 2100003260
 7. ELECTION DISTRICT # 6
COUNCILLMAN DISTRICT # 3
CENSUS TRACT # 4060
WATERSHED #
SUBWATERSHED #
REGIONAL PLANNING DISTRICT # 301B
SCHOOL DISTRICT - PRETTYBOY ELEMENTARY SCHOOL
HEREFORD MIDDLE SCHOOL
 8. AVERAGE DAILY TRIPS - 31 UNITS X 10 ADT = 310 ADT
 9. TAX MAP 11, PARCEL B9
 10. EXISTING USE - RESIDENTIAL AND AGRICULTURAL
 11. PARKING
REQUIRED - 2 SPACES PER UNIT, 31 X 2 = 62 P.S.
PROVIDED - 62 P.S.

- ZONING NOTES:**
1. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INACT SINCE 10/20/78. NO PART OF THE PROPERTY HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
 2. MAXIMUM BUILDING HEIGHT ALLOWED IS 35 FEET.
 3. MAXIMUM DRIVEWAY WIDTHS ARE 16' WIDE FOR ANY DRIVEWAY SERVING TWO OR MORE LOTS.
 4. 200 SCALE ZONING MAP NUMBER NW-33E
 5. BUILDING COVERAGE ON EACH LOT WILL NOT EXCEED 15% OF THE LOT AREA.
 6. THERE ARE NO ZONING RESTRICTIONS ON THIS PARCEL.
 7. THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
 8. THE LOTS ARE SUBJECT TO THE GENERAL REQUIREMENTS FOR PARHANDLE LOTS AS SET FORTH IN THE BALTIMORE COUNTY PART 1 COMPREHENSIVE MANUAL OF DEVELOPMENT PLANS.
 9. ALL SIGNAGE WILL CONFORM TO SECTION 400, B.C.Z.R.
- ZONING REQUESTS:**
1. VARIANCE FROM SECTION 101 OF THE B.C.Z.R. TO PERMIT AN ACCESSORY STRUCTURE LARGER IN AREA THAN THE PRINCIPLE STRUCTURE ON LOT #18.
 2. VARIANCE FROM SECTION 400.3 OF THE B.C.Z.R. TO PERMIT AN ACCESSORY BUILDING HEIGHT OF 35 IN LIEU OF THE 35 FEET PERMITTED ON LOT #18.

PERMIT A DEVELOPMENT MANAGEMENT NOTES:

1. A STANDARD NON-DISTURBANCE NOTE 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.
2. PROTECTIVE COVERING SHALL BE MAINTAINED FOR THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
3. 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.
4. THERE ARE NO UNDERGROUND STORAGE TANKS KNOWN TO EXIST ON THIS SITE.
5. EXISTING WELLS AND SEPTIC AREAS ARE SHOWN ON THE PLAN.
6. A BUILDING DISTANCE OF 30 FEET SHALL BE MAINTAINED FROM ALL FOREST BUFFER AND FOREST CONSERVATION EASEMENTS/RESERVATIONS SHOWN HEREON EXCEPT FOR REQUESTED VARIANCES.
7. A PRELIMINARY FOREST CONSERVATION PLAN HAS BEEN SUBMITTED TO BALTIMORE COUNTY FOR REVIEW AND IS APPROVED.
8. AN ENVIRONMENTAL EFFECTS REPORT AND HYDROGEOLOGICAL STUDY HAS BEEN SUBMITTED TO BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FOR REVIEW AND IS APPROVED.
9. THERE ARE NO KNOWN ARCHAEOLOGICAL SITES ON THE PROPERTY OR ENDANGERED SPECIES.
10. THERE ARE NO KNOWN HAZARDOUS WASTE MATERIALS LOCATED ON THE PROPERTY.
11. A STORMWATER MANAGEMENT PLAN WAS APPLIED FOR ON MAY 31, 2000.

00-550-A
REV. 8/2/00

DEVELOPMENT PLAN
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES
SCHEMATIC LANDSCAPE PLAN
"PHILLIPS PURCHASE"
6TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 100' DATE: JUNE 13, 2000
P.D.M. File #VI-220

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-3396
(410) 825-8120

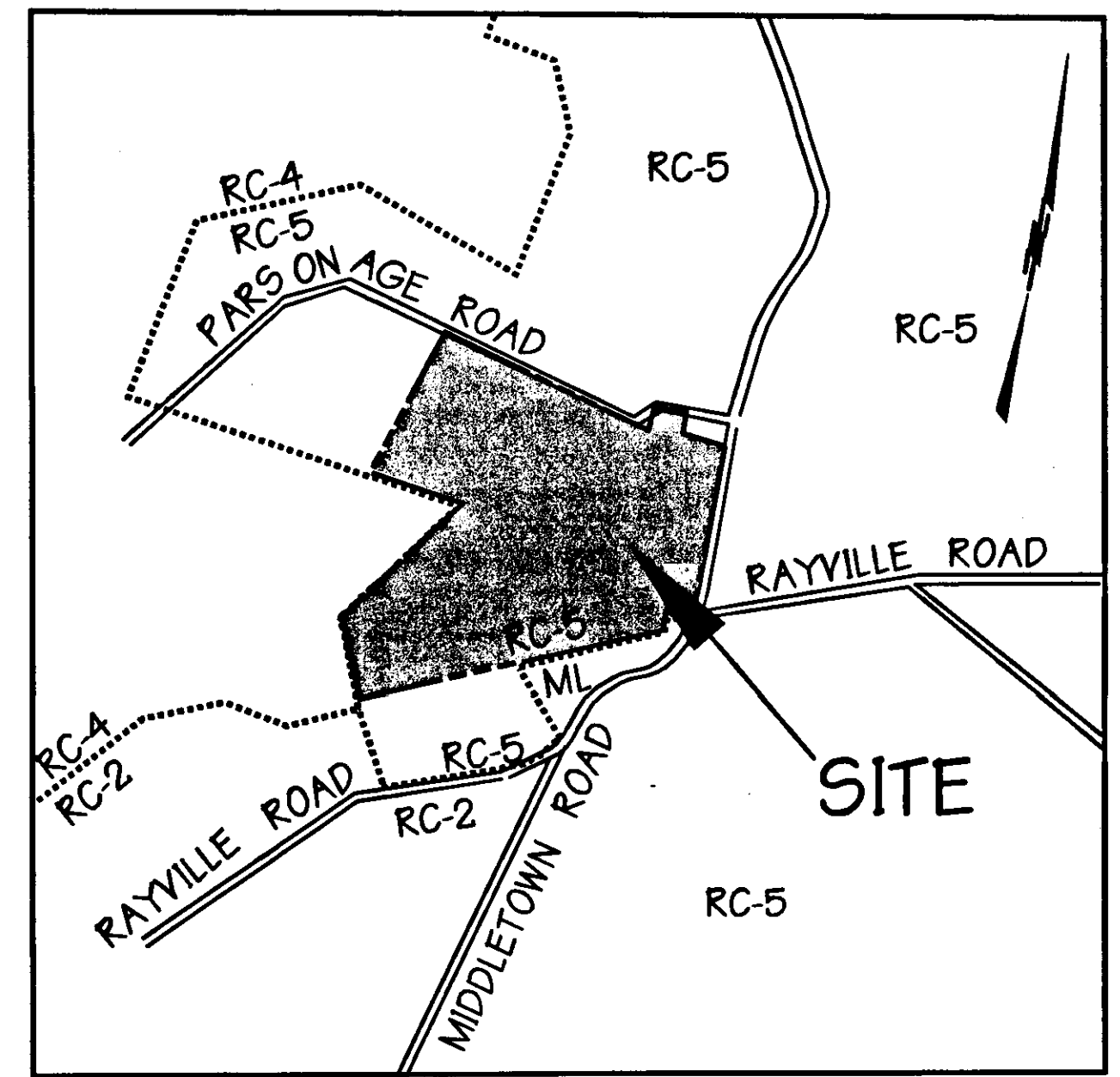
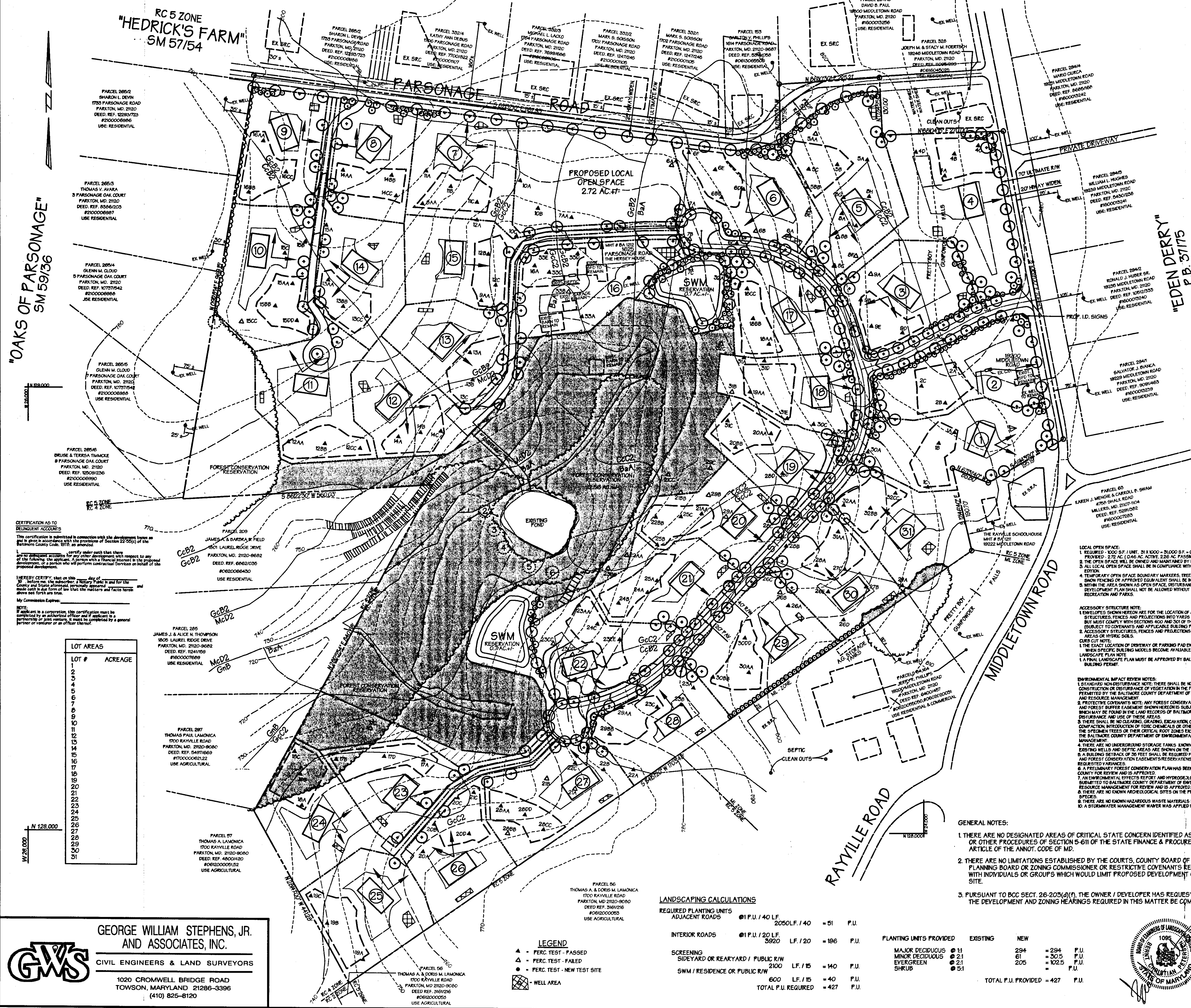
LANDSCAPING CALCULATIONS

REQUIRED PLANTING UNITS				
ADJACENT ROADS	1 P.U. / 40 L.F.	2050 L.F. / 40	= 51	P.U.
INTERIOR ROADS	1 P.U. / 20 L.F.	3920 L.F. / 20	= 196	P.U.
SCREENING				
SIDEYARD OR REARYARD / PUBLIC R/W	2100	L.F. / 15	= 140	P.U.
SWM / RESERVATION OR PUBLIC R/W	600	L.F. / 15	= 40	P.U.
TOTAL P.U. REQUIRED			= 427	P.U.

PLANTING UNITS PROVIDED	
MAJOR DECIDUOUS	6
MINOR DECIDUOUS	6
EVERGREEN	6
SHRUB	6

PLANTING UNITS PROVIDED

EXISTING	NEW	P.U.
MAJOR DECIDUOUS	294	= 294 P.U.
MINOR DECIDUOUS	61	= 305 P.U.
EVERGREEN	205	= 1025 P.U.
SHRUB	61	= 61 P.U.
TOTAL P.U. PROVIDED		= 427 P.U.



VICINITY MAP
SCALE: 1" = 100'

SITE DATA

1. SITE AREA - 56.5 AC +/-
2. EXISTING ZONING - RC-5
3. DWELLING UNITS
ALLOWED - 667 X 56.5 = 37
PROPOSED - 31 SINGLE FAMILY LOTS
4. OWNER / DEVELOPER
JERRY PHILLIPS
19200 MIDDLETOWN ROAD
PARKTON, MARYLAND 21202
5. DEED REFERENCE - 12101 / 032
6. TAX ACCOUNT NUMBER - 2100003260
7. ELECTION DISTRICT # 6
COUNCILMANIC DISTRICT # 3
CENSUS TRACT # 4060
WATERSHED #
SUBWERSHED #
REGIONAL PLANNING DISTRICT # 301B
SCHOOL DISTRICT - PRETTYBOY ELEMENTARY SCHOOL
HEREFORD MIDDLE SCHOOL
HEREFORD HIGH SCHOOL
8. AVERAGE DAILY TRIPS - 31 UNITS X 10 ADT = 310 ADT
9. TAX MAP - 11, PARCEL 89
10. EXISTING USE - RESIDENTIAL AND AGRICULTURAL
11. PARKING
REQUIRED - 2 SPACES PER UNIT, 31 X 2 = 62 P.S.
PROVIDED - 62 P.S.

ZONING NOTES:

1. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN FIELD RECORDED SINCE 1975/76. NO PART OF THE PROPERTY HAS EVER BEEN USED, OCCUPIED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
2. MAXIMUM BUILDING HEIGHT ALLOWED IS 35 FEET.
3. PAVEMENT DRIVEWAY WIDTHS ARE 16' WIDE FOR ANY DRIVEWAY SERVING TWO OR MORE LOTS.
4. 200 SCALE ZONING MAP NUMBER MM-33E
5. BUILDING COVERAGE ON EACH LOT WILL NOT EXCEED 85% OF THE LOT AREA.
6. THERE ARE NO ZONING HISTORIES ON THIS PARCEL.
7. THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.

ZONING REQUEST

1. VARIANCE FROM B.C.Z. SECTION 1404.3B.2 TO PERMIT A BUILDING SETBACK OF 50 FEET FROM THE STREET CENTERLINE FOR THE EXISTING SINGLE FAMILY DWELLING ON PROPOSED LOT 2. IN LIEU OF THE REQUIRED 75 FEET.

NOTES: A DEVELOPMENT PLAN REVIEW NOTE: THE DEVELOPMENT PLAN HAS BEEN HELD FOR REVIEW BY THE BUREAU OF PLANNING AND ZONING. THE PLAN HAS BEEN HELD FOR REVIEW FOR 30 DAYS. THE REVIEWER HAS REVIEWED THE PLAN AND HAS FOUND IT TO BE IN COMPLIANCE WITH THE ZONING REGULATIONS. THE REVIEWER HAS REVIEWED THE PLAN AND HAS FOUND IT TO BE IN COMPLIANCE WITH THE ZONING REGULATIONS. THE REVIEWER HAS REVIEWED THE PLAN AND HAS FOUND IT TO BE IN COMPLIANCE WITH THE ZONING REGULATIONS.

GENERAL NOTES:

1. THERE ARE NO DESIGNATED AREAS OF CRITICAL STATE CONCERN IDENTIFIED AS SUCH OR OTHER PROCEDURES OF SECTION 6-611 OF THE STATE FINANCE & PROCUREMENT ARTICLE OF THE ANNOT. CODE OF MD.
2. THERE ARE NO LIMITATIONS ESTABLISHED BY THE COURTS, COUNTY BOARD OF APPEALS, PLANNING BOARD OR ZONING COMMISSIONER OR RESTRICTIVE COVENANTS RECORDED WITH INDIVIDUALS OR GROUPS WHICH WOULD LIMIT PROPOSED DEVELOPMENT ON THE SITE.
3. PURSUANT TO BCC SECT. 26-203(d)(1), THE OWNER / DEVELOPER HAS REQUESTED THAT THE DEVELOPMENT AND ZONING HEARINGS REQUIRED IN THIS MATTER BE COMBINED.

LANDSCAPING CALCULATIONS

REQUIRED PLANTING UNITS		ADJACENT ROADS		INTERIOR ROADS	
SCREENING	2050 LF / 40	2050 LF / 40	= 51	P.U.	
SIDEYARD OR REARYARD / PUBLIC R/W	2100 LF / 15	2100 LF / 15	= 140	P.U.	
SWM / RESIDENCE OR PUBLIC R/W	600 LF / 15	600 LF / 15	= 40	P.U.	
TOTAL P.U. REQUIRED		TOTAL P.U. PROVIDED		TOTAL P.U. PROVIDED	
				= 427	

PLANTING UNITS PROVIDED		EXISTING		NEW	
MAJOR DECIDUOUS	11	294	= 294	P.U.	
MINOR DECIDUOUS	21	61	= 30.5	P.U.	
EVERGREEN	21	205	= 102.5	P.U.	
SHRUB	51				

- LEGEND
- ▲ - PERC. TEST - PASSED
 - △ - PERC. TEST - FAILED
 - - PERC. TEST - NEW TEST SITE
 - ⊗ - WELL AREA

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-3396
(410) 825-8120

DEVELOPMENT PLAN
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE
SCHEMATIC LANDSCAPE PLAN
"PHILLIPS PURCHASE"
6TH. ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 100' DATE: MAY 31, 2000
P.D.M. File #VI-220



RECEIVED
MAY 31 2000

CHECKPRINT

P.N. 9166