

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E/S Grove Road, 95' N		
centerline of Orbitan Road	*	DEPUTY ZONING COMMISSIONER
11th Election District		
6th Councilmanic District	*	OF BALTIMORE COUNTY
(Parcel "B" of Oak Grove)		
NE corner of Grove Rd. & Green Oak Ct.	*	CASE NO. 01-238-SPH
Oak Woods, LLC, Legal Owner	*	
and		
Jean Scott, Contract Purchaser	*	
Petitioners		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the Petitioner, Jean Scott. The special hearing request is to require the owners of the development of Oak Grove to comply with Restriction No. 5 of my previously approved Hearing Officer's decision in Case No. XI-806. The special hearing petition was filed by Jean Scott an adjacent property owner to the residential subdivision owned by Oak Woods, LLC.

Appearing at the hearing on behalf of the special hearing request were Jean Scott, the Petitioner, as well as Alice and John Baker, David Lari, Raymond Bauer and Ruth Baisden. Appearing, representing Oak Woods, LLC was Howard Alderman, Jr., attorney at law. Prior to the taking of any testimony on this special hearing petition, Mr. Alderman raised a preliminary motion to dismiss the Petitioner's special hearing request. Mr. Alderman indicated that my order issued in Case No. XI-806, is currently on appeal to the Circuit Court for Baltimore County. That appeal was taken by Mrs. Scott, the Petitioner in this case. Inasmuch as the order is not final, as it is on appeal, Mr. Alderman argued that the matter is not properly before me at this time.

ORDER FOR PETITION
 2/5/01
 R. Alderman

Anthony Kovace

TMK:raj

2



Baltimore County
Zoning Commissioner

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

February ⁵/₂, 2001

Ms. Jean Scott
3705 Green Oak Court
Baltimore, Maryland 21234

Re: Petition for Special Hearing
Case No 01-238-SPH
Property: Parcel "B" of Oak Grove
(NE corner of Grove Rd. & Green Oak Ct.)

Dear Ms. Scott:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Hearing has been 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 and 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,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Copies to:

Howard L. Alderman, Jr., Esq.
Levin & Gann, P.A.
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, MD 21204

Ruth Baisden
7706 Oak Avenue
Baltimore, MD 21234

Mr. & Mrs. John Baker, Jr.
2307 Ellen Avenue
Baltimore, MD 21234

Mr. David Lari
3008 Lavender Avenue
Baltimore, MD 21234

Mr. Raymond Bauer
8915 Grove Road
Baltimore, MD 21234



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

Parcel "B" of Oak Grove
for the property located at NE. corner of Grove Rd. and Green Oak Court
which is presently zoned Dr 5.5

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should confirm

that
The owners of the development of Oak Grove have failed to comply with the restriction (#5) requiring the conveyance of parcel "B" to Jean Scott as shown on the approved development plan in the Permits and Development Management file #XI-806 and therefore, due to said failure, the development plan approval is void.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Petitioner

Jean Scott
Name - Type or Print
Jean Scott
Signature
3705 Green Oak Court 410 - 661 - 0872
Address Telephone No.
Baltimore Md 21234
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Legal Owner(s):

OAK WOODS LLC.
Name - Type or Print
Signature
Name - Type or Print
Signature
2043 EAST JOPPARD, 410-325-6210
Address Telephone No.
BOX 320 BALTO. MD 21234
City State Zip Code

Representative to be Contacted:

Name
Address Telephone No.
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HOURS

UNAVAILABLE FOR HEARING —

Reviewed By JL Date 12/11/00

Case No. 01 238 SPH

RECEIVED FOR FILING
DATE 12/15/00
BY [Signature]

~~SPECIAL HEARING PLAN~~

FOR OAK GROVE
PDM# XI-806

ED. 11
ED. 6

ZONING DR5,5,
MAP# NE8E

AREA OF PARCEL "B" IN OAK GROVE, 0.0644 ACRE ±
NO PUBLIC WATER OR SEWER ON PARCEL "B" (NOT BUILDABLE PARCEL)

PETITIONER: JEAN M. SCOTT
3705 GREEN OAK CT,
BALTO MD 21234
PHONE 410-661-0872

ZONING DESCRIPTION PARCEL "B" OF OAK GROVE
BEGINNING AT A POINT ON THE EAST SIDE OF GROVE RD.
A 30±' R.W. AT A DISTANCE OF 95' N. OF THE CENTER
LINE OF ORBITAL RD, A 50 FT. RIGHT OF WAY. THENCE
THE FOLLOWING COURSES AND DISTANCES: EASTERLY ALONG
THE RIGHT OF WAY ~~OF~~ (SOUTH SIDE) OF GREEN OAK CT,
A DISTANCE OF 305 FT. ± THEN LEAVING THE RIGHT OF WAY
IN A SOUTHERLY DIRECTION A DISTANCE OF 90 FT. THEN
WESTERLY 15 FT. THEN NORTHERLY 67 FT. THEN WESTERLY
290.13 FT. WITH AN AREA OF 0.0644 ACRE ±

2300

THE UNDERSIGNED IS RESPONSIBLE
FOR THE INFORMATION AS DRAWN
BY BALTIMORE COUNTY
Shank

12/8/00

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

#238
JLL

No.

90112

DATE

12/11/00

ACCOUNT

R0016150

AMOUNT

\$ 50.00

RECEIVED
FROM:

JEAN SCOTT

FOR:

RES SPH

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

ISSUED: 12/11/2000 11:11/2000 15:30:10
REG NO: CASHIER 2001 AND OWNER 2
Dept: 520 ZONING METRO PLAN 1704
Receipt #: 163902
CP NO. 090115

Perpet 161 50.00
50.00 OK 00 04
Baltimore County, Maryland

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: #01-238-SPH

Grove Road

E/S Grove Road, 95' +/- N of centerline Orbital Road
(Oak Grove, Parcel "B")

11th Election District - 6th Councilmanic District

Legal Owner(s): Oak Woods LLC

Contract Purchaser: Jean Scott

Special Hearing: to confirm that the owners of Oak Grove have failed to comply with the restriction (#5) as shown on the approved development plan XI-806 and therefore, due to said failure, the development plan approval is void.

Hearing: Monday, January 29, 2001 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.

1/079 Jan 11

C443239

CERTIFICATE OF PUBLICATION

TOWSON, MD, 1/11/, 2001

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 1/11/, 2001.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-238-SPH

Petitioner/Developer: _____

JEAN SCOTT

Date of Hearing/Closing: 1/29/2001

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

E/S GROVE RD., 95'± N. OF C.L. ORBITAN RD

The sign(s) were posted on 1/12/2001
(Month, Day, Year)

Sincerely,

Richard E. Hoffman 1/12/01
(Signature of Sign Poster and Date)

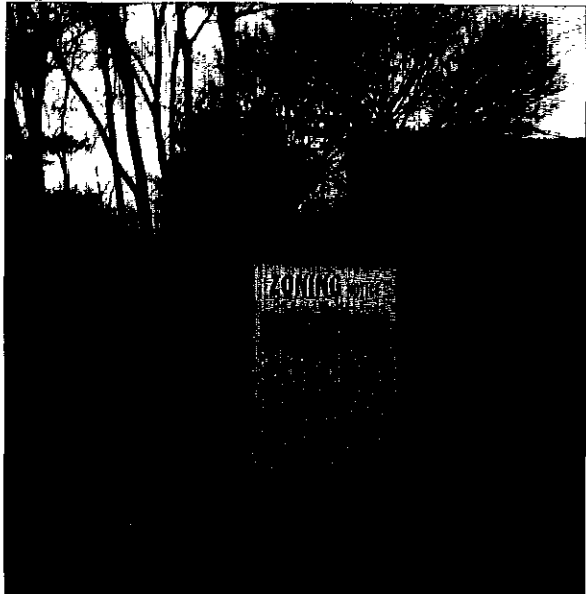
RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

CASE # 01-238-SPH



E/S GROVE RD., 95'± N. OF ORBITAN RD

POSTED 1/12/2001

Richard E. Hoffman 1/12/01

RE: PETITION FOR SPECIAL HEARING
Oak Grove Parcel B, E/S Grove Rd,
95' +/- N of c/l Orbitan Rd
11th Election District, 6th Councilmanic

Legal Owner: Oak Woods, LLC
Contract Purchaser / Petitioner: Jean Scott

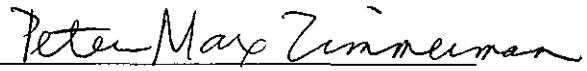
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-238-SPH

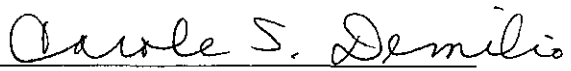
* * * * *

ENTRY OF APPEARANCE

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

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 December, 2000 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Oak Woods, LLC, 2043 E. Joppa Road, Box 320, Baltimore, MD 21234, and to Contract Purchaser / Petitioner Jean Scott, 3705 Green Oak Court, Baltimore, MD 21234.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

December 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:

CASE NUMBER: 01-238-SPH

Grove Road

E/S Grove Road, 95' +/- N of centerline Orbital Road (Oak Grove, Parcel "B")

11th Election District – 6th Councilmanic District

Legal Owner: Oak Woods LLC

Contract Purchaser: Jean Scott

Special Hearing to confirm that the owners of Oak Grove have failed to comply with the restriction (#5) as shown on the approved development plan XI-806 and therefore, due to said failure, the development plan approval is void.

HEARING: Monday, January 29, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the number "672" written below it.

Arnold Jablon
Director

C: Jean Scott, 3705 Green Oak Court, Baltimore 21234
Oak Woods LLC, 2043 E. Joppa Road, Box 320, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY JANUARY 12, 2001.**
(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, January 11, 2001 Issue – Jeffersonian

Please forward billing to:

Jean Scott
3705 Green Oak Court
Baltimore, MD 21234

410 661-0872

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Lawrence E. Schmidt
GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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Baltimore County
Department of Permits and
Development Management

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

December 21, 2000

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Arnold Jablon
Director

C: Jean Scott, 3705 Green Oak Court, Baltimore 21234
Oak Woods LLC, 2043 E. Joppa Road, Box 320, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY JANUARY 12, 2001.**
(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.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

APPROVED SIGN POSTERS

Stacy Gardner
Shannon-Baum Signs, Inc.
105 Competitive Goals Drive
Eldersburg, MD 21784

Telephone: 410-781-4000
Toll Free: 800-368-2295
Fax: 410-781-4673

Richard Hoffman
904 Dellwood Drive
Fallston, MD 21047

Telephone: 410-879-3122

Garland E. Moore
3225 Ryerson Circle
Baltimore, MD 21227

Telephone: 410-242-4263
Mobile 410-382-4470

Tom Ogle
325 Nicholson Road
Baltimore, MD 21221

Telephone 410-687-8405
Mobile 410-262-8163
Fax: 410-687-4381

Patrick M. O'Keefe, Sr
523 Penny Lane
Hunt Valley, MD 21030

Telephone: 410-666-5366
Cell: 410-905-8571
Fax: 410-628-2574
410-882-2469

Linda M. Jones
Daft-McCune-Walker, Inc
200 East Pennsylvania Avenue
Towson, MD 21286

Telephone: 410-296-3333
Fax: 410-296-4705

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST BE ALSO BE DONE BY ONE OF THESE APPROVED POSTERS IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

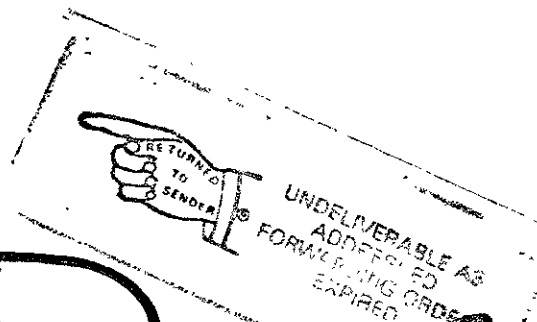
THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.



Baltimore County
Department of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Return Service Requested

Undeliverable
Commercial Mail Receiving Agency
No Authorization To Receive Mail
For This Addressee



Oak Woods LLC
2043 E. Joppa Road
Box 320
Baltimore MD 21234

**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: 01-238 - SPH

Petitioner: Jean Scott

Address or Location: East side of Grove Rd, 95'± N of the center line of Oakton Rd
Parcel "B" of Oak Grove.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jean Scott

Address: 3705 Green Oak Court
Balto. md. 21234

Telephone Number: 410-661-0872



Baltimore County
Department of Permits and
Development Management

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

January 26, 2001

Jean Scott
3705 Green Oak Court
Baltimore MD 21234

Dear Ms. Scott:

RE: Case Number: 01-238-SPH, Grove Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 11, 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. 602
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Oak Woods LLC, 2042 E Joppa Road, Box 320, Baltimore 21234
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 18, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For January 2, 2001
Item Nos. 233, 234, 235, 236, 238, 239,
240, 241, 244, 246, 247, 248, 249, and 250

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

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

December 27, 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 December 26, 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:

231, 233, 234, 235, 236, 237, 238, 240, 241, 243, 244,
245, 246, 247, 249, and 250

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

cc: File

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *Ac/RBS*

DATE: January 18, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of December 26, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
231	8100 Salt Lake Drive
233	1305 Lincoln Woods Drive
234	3 Arrowhead Court
235	1223 Lake Falls Road
238	Oak Grove Parcel B
239	Crondall Corner
241	10 McCormick Avenue
242	1324 & 1325 Chippendale Road
243	Pikesville Giant
244	4800 Mt. Carmel Road
245	6 Aston Court
246	3700 Essex Road
247	7163 E. Baltimore Street
248	113 Westminster Road
250	10002 & 10002A Lodge Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

JAN - 3

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

DATE: January 2, 2000

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-231, 01-234, 01-235, 01-238, & 01-249.

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



Maryland Department of Transportation
State Highway Administration

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

Date: 1.3.01

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

RE: Baltimore County
Item No. 238 JLL

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,

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

GEORGE

PER A. J. SCHEDULE

~~FILE~~ BEFORE TIM

K.

NOTE TO FILE ITEM # 238

THIS FILE WAS ASSEMBLED FROM
EXISTING INFORMATION IN COUNTY
FILES SUPPORTED BY INFORMATION
FROM THE PETITIONER.

THIS IS TO BE FILED FOR PURPOSES
OF RESOLVING A DISAGREEMENT
BETWEEN THE PETITIONER AND
THE OWNERS OF CAK GROVE.

A.J. ADVISED APPLICANT
TO FILE THIS HEARING (AS
YOU SEE IT) FOR ~~SE~~ RESOLUTION
OF THE ISSUE UNDER DISPUTE.
THERE IS NO OWNER SIGNATURE
DUE TO THIS. JLL.

*No Consideration
No Examination of Title*

DEED

*[Conveyance Required by Hearing Officer's Final Order
and in Settlement of Case No. 03-C-99-006842 AAE]*

THIS DEED, made this _____ day of _____, 2000, by and between
OAK WOODS LLC, a Maryland limited liability company, Grantor, and **JEAN SCOTT**, Grantee.

WITNESSETH, that in consideration of the sum of One Dollar (\$1.00), the value and adequacy of which is hereby acknowledged (although no actual consideration was paid), the said Grantor does hereby grant and convey unto the Grantee, and to her personal representatives, heirs, successors and assigns, in fee simple, all of that lot of ground situate in the Eleventh (11th) Election District of Baltimore County described as follows:

All that property shown labeled and identified as "PARCEL B" on the *1st Amended Plat of Oak Grove*, as the same is recorded among the Land Records of Baltimore County in Plat Book No. 72, at page 141, being comprised of 0.0604 ± acres.

BEING a portion of the property required, by the final order of the Deputy Hearing Officer for Baltimore County dated March 11, 1999, to be conveyed by the Grantor to the Grantee.

BEING a portion of the same lot of ground which by Grantor acquired by a Deed dated October 7, 1996 from the Estate of Coretta K. Dietz, Deceased (Estate No. 28,137 as filed and recorded among the Records of the Register of Wills of Harford County, Maryland) and John R. Dietz, individually, recorded among the Land Records of Baltimore County in Liber 11903, folio 400.

TOGETHER with the buildings thereupon located and the rights, alleys, ways, waters,

privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the property herein conveyed and premises to the Grantee in Fee Simple.

Reservation by Grantor

The Grantor hereby reserves unto itself, its successors and assigns the right to enter the property conveyed hereby until the earlier to occur of: i) the close-out of the subdivision/development known as Oak Grove which adjoins the property of the Grantee; or ii) December 31, 2003, to perform such grading, stabilization and landscaping as necessary or required in connection with the approvals obtained as part of the subdivision and development of the land shown on the Approved Development Plan for Oak Grove. All such work shall be performed in strict accordance with all applicable governmental laws and regulations. Grantee, by acceptance of this deed agrees that Grantee shall not change or otherwise modify any grading, stabilization and/or landscaping on the property hereby conveyed without first obtaining approval (whether required by law or not) from all appropriate agencies of Baltimore County, Maryland.

AND the Grantor hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the Authorized Member of the Grantor.

WITNESS:


PATRICIA A. WLODARCZYK

GRANTOR:

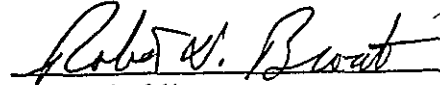
OAK WOODS LLC, a Maryland limited liability company

By:  (SEAL)
Timothy O'Shea, Authorized Member

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY that on this 11TH day of OCTOBER, 2000, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Timothy O'Shea who acknowledged himself to be the Authorized Member of Oak Woods L.L.C., a Maryland limited liability company, Grantor herein and that he, as such Authorized Member, being authorized so to do, executed the within instrument on behalf of said company for the purposes herein contained by signing the name of the company by himself as such Authorized Member.

AS WITNESS my Hand and Notarial Seal.

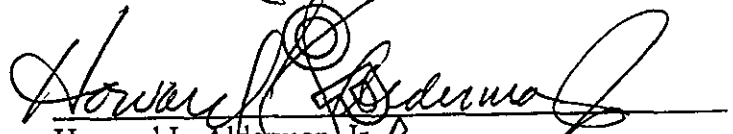

Notary Public



My Commission Expires: 1-1-03

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY that the above instrument was prepared by me, an attorney admitted to practice before the Court of Appeals of Maryland, or under my supervision.


Howard L. Alderman, Jr.

AFTER RECORDATION, PLEASE RETURN TO:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

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

Jean Scott
8917 Grove Road
Baltimore, Maryland 21234
Phone 410-661-0872 Fax 410-665-1180

Mr. Timothy M. Kotrocco
Deputy Zoning Commissioner
Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

October 23, 2000

RE: Development Plan Hearing (Oak Grove)
E/S Grove Road at end of Orbitan Road
11th Election District - 6th Councilmanic District.
Oak Woods, LLC - Ownership/Developers
Case # XI-806

*Tim -
They can go on
that file for
Jean Scott
TS*

Dear Mr. Kotroco,

Enclosed please find a copy of the letter I sent this morning to Mr. Jim Thompson, Code Enforcement Supervisor.

I am fully aware that you can not discuss this matter with me. I just wanted you to be informed of my current situation, which doesn't appear to have improved much since July of this year.

I am certain that you will be contacted by Mr. Thompson in response to my letter to him. I am hoping closure can be brought to this situation, if not for my own personal reasons, but that you may at last be allowed to move on and finally be rid of this case and my long letters.

Thanking you in advance,

Jean Scott

Jean Scott
8917 Grove Road
Baltimore, Maryland 21234
Phone 410-661-0872 Fax 410-665-1160

October 23, 2000

Mr. James Thompson
Baltimore County
Code Inspections and Enforcement's

Re: Case # XI-806
Oak Woods, LLC Owner/Developer

Dear Mr. Thompson,

I do not expect you to recall our telephone conversation on August 1, 2000, concerning the "Oak Grove" development, but maybe I can help refresh your memory.

I received a letter dated July 26, 2000, from Mr. Kotroco that said that my letter had been faxed to Mr. Arnold Jablon and yourself. In this letter, he suggested that I call you for assistance in trying to get enforcement of Article #5, in the final approval for the "Oak Grove" development, signed by Mr. Kotroco on March 11, 1999. .

You were very responsive and sent a letter to Mr. Larry E. Schmidt, Zoning Commissioner, so that he would be informed of my problems before his ruling on a variance that was being requested by the developer on a lot located in the development. Mr. Schmidt allowed a lengthy discussion that resulted in a verbal commitment by Mr. Alderman (attorney to the developer) to have this matter resolved on or before August 15, 2000. Although Mr. Schmidt was kind enough to hear my complaints he did not enforce the, subject to, restriction put upon the developer and it was not made part of his ruling on the variance. Which of course did not give the developers the incentive needed to fulfill this commitment. Needless to say the developer got his variance and not only didn't keep his promise, but in addition, he added a restriction that is now required to be on my deed. It is called a " Reservation by Grantor" and reads as follows,

The Grantor hereby reserves unto itself, its successors and assigns the right to enter the property conveyed hereby until the earlier to occur of: 1) the close out of the subdivision/ development known as Oak Grove which adjoins the property of the Grantee; or ii) December 31, 2003, to perform such grading, stabilization and landscaping as necessary or required in connection with the approvals obtained as part of the subdivision and development of the land shown on the Approved Development Plan for Oak Grove. All such work shall be performed in strict accordance with all applicable governmental laws and regulations. Grantee, by acceptance of this deed agrees that Grantee shall not change or otherwise modify any grading, stabilization and/or landscaping on the property hereby conveyed without first obtaining approval (whether required by law or not) from all appropriate agencies of Baltimore County, Maryland.

We have agreed to let them enter our property to complete all grading and landscaping that is required on the Approved Development Plan. But they are insisting on a date of December 31, 2003, which means more then three years to complete the grading of my property. They are not making the other homeowners wait three years to grade and seed.

They are also insisting that we obtain approval from Baltimore County for any kind of landscaping on the conveyed land. Whether required by law or not. What does this mean? What could we do to two feet of land and are they allowed to insist on this?

This is not a requirement contained in other deeds in this development. I have a copy of a deed that was executed by the developer, Mr. Tim O'Shea for lot #6 conveyed on 7/27, 2000, that does not contain restrictions of any sort. And in reading the final order of Mr. Kotrocco, I have not found any reference to special restrictions, leading me to believe we are being unfairly discriminated against.

The two foot strip of land extends into my sons property and he is also being required to agree to all of these restrictions. And since Mr. Kotrocco instructed the developer to incorporate the conveyed strip into our existing property we will both have a restriction on our deeds that could adversely effect our ability to sell our properties in the future.

And because the developer has been allowed to develop his land before conveyance was completed, it has caused me the loss to receive mail and the right to legally enter onto my driveway which fronts the new road. This two feet wide strip of land has technically landlocked me and is preventing legal entry onto the new public road. Something that is not allowed by law and is the reason Mr. Kotrocco made the ruling in the first place.

When the developer was given the red light to build, my mailbox (located on Grove Road for the past twenty-four years) was found to be on land belonging to the subdivision and was knocked down. I was forced to receive mail at my sons address. And even though I have put in several request at the post office for a temporary change of address for mail delivery, I do not always get my mail delivered.

If the regular mailman is off, a substitute does not put mail addressed to 8917 Grove Road into the mail box of 8919 Grove Road. I am no longer located on Grove Road but do not have the legal right to use my new address because I have not been conveyed the two foot strip of land required. I do not believe by law, I can be deprived of this privilege.

I am requesting that you, as the enforcement representative of Baltimore County, please inform me of what can be done to resolve this situation and what restrictions we are expected to comply with, pertaining only to the original triangle that is mentioned in the Development Plan hearing decision made by Mr. Kotroco on March 11, 1999.

We feel that the demands/restrictions the developer has imposed on us were not intended by Mr. Kotroco and have strong suspicion that they can be viewed as discriminative. Especially if we are to be the only ones in the development with any restrictions of this kind in our deeds. If it is the intention of Mr. Kotroco and/or Baltimore County to allow these restrictions referred to as "Reservation Of Grantor" to be included in our deeds, then it is our request to be informed of this in writing.

I need to establish legality for access onto a public street from my driveway and the right to have an address with a mailbox in front of my house ASAP, and I need Baltimore County to do what has to be done to please provide it.

And please be informed that we have a separate agreement with the developers concerning a 15' x 87' foot +/- parcel of land that was originally part of lot #23. It is understood by us that Baltimore County has no obligation to respond to any questions or request pertaining to this separate agreement.

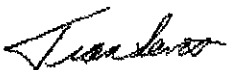
The developers have somehow been allowed to combine these different parcels into one agreement and have taken full advantage of the situation causing unjustified delays and great financial expense. We need someone to determine what is to be allowed and when enforcement's can be expected from Baltimore County.

I am sorry to have written such a long letter, but I needed you to be fully aware of the situation and of how important it is for you to mediate in order for me to achieve closure in the very near future.

I hope I haven't offended you in any way, and am hoping that you understand my frustration in having tried to resolve this matter for over a year.

Your help is greatly appreciated and I may be contacted at 410-661-0872.

Respectfully awaiting a speedy reply,



Jean Scott

- c: Mr. Timothy Kotrocco, Deputy Zoning Commissioner
- Mr. Lawrence Schmitd, Zoning Commissioner
- Mr. Arnold Jablon, Director/PDM

Jean Scott
8917 Grove Road
Baltimore, Maryland 21234

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

RUTH BAISTEN

7706 OAK AVE, 21234

ALICE M. BAKER

2307 ELLEN AVE 21234

JOHN B. BAKER, JR

"

Lean Scott

3705 Green Oak Ct.

David Lari

3008 Lavender Ave

Bauer Raymond

5916 Grove Rd (8915)



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

HOWARD L. ALDERMAN JR, ESQ.

ADDRESS

LEVIN & GANN PA
NOTTINGHAM CENTRE 8th Floor
552 WASHINGTON AVE
TOWSON MD 21204 halderman@
levinGann.com



IN RE: DEVELOPMENT PLAN HEARING
E/S Grove Road at end of Orbitan Road
(Oak Grove)
11th Election District
6th Councilmanic District

Oak Woods, L.L.C.
Owner/Developer

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. XI-806
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a development plan prepared by W. Duvall & Associates, Inc., for the proposed development of the subject property by Oak Woods, L.L.C., Owner/Developer, with 23 single family dwellings, in accordance with the development plan submitted into evidence and marked as Developer's Exhibit 1. The subject property consists of a gross area of 10.57 acres, zoned D.R. 5.5, and is located on the east side of Grove Road at the end of Orbitan Road, not far from the intersection of Walther Boulevard and Maryland Route 43 in White Marsh.

As to the history of this project, a concept plan of the proposed development was prepared and a conference held thereon on August 10, 1998. As required, a community input meeting (CIM) was held on September 16, 1998 at the Carney Elementary School. A second CIM was held on October 15, 1998 at the same location. Subsequently, a development plan was submitted and a conference held thereon on February 3, 1999. Following the submission of that plan, development plan comments were submitted by the appropriate reviewing agencies of Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on February 26, 1999.

Appearing at the public hearing required for this project were Timothy S. O'Shea, a representative of Oak Grove, L.L.C., Owners/Developers of the subject property, G. Dwight Little, Professional Engineer with W. Duvall and Associates, Inc., the engineering firm which

prepared the development plan for this project, Mickey Cornelius, Traffic Engineering expert with The Traffic Group, and Howard L. Alderman, Jr., Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including Donald T. Rascoe, Project Manager, and Robert Bowling and Ronald Goodwin, all representatives of the Zoning and Development Review Divisions of the Department of Permits and Development Management (DPDM), Gayle Parker from the Department of Environmental Protection and Resource Management (DEPRM), and Jeffrey Long from the Office of Planning (OP). Several citizens from the surrounding community appeared at the hearing, including Ms. Jean Scott, adjoining property owner, all of who signed the Citizens Sign-In sheet. Ms. Scott was represented by Malcolm Spicer, Esquire.

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 concerns. In this regard, testimony and evidence received from the Developer's witnesses and the Baltimore County agency representatives was that all issues raised within the comments submitted by the various County reviewing agencies have been resolved and incorporated within the revised development plan. The citizens who attended the hearing, however, raised several issues which needed to be addressed.

The first issue raised concerned a small, triangular parcel of land located adjacent to the northeast corner of Ms. Scott's property. Testimony revealed that this parcel of land was originally going to be dedicated to Baltimore County as part of the right-of-way for the entrance road to the Oak Grove subdivision. However, after discussing this matter further among those in attendance at the hearing, it was determined that it would be better for this triangular parcel of land to be deeded to Ms. Scott for incorporation into her land holdings. The Developer has offered to convey this parcel of land to Ms. Scott if the development plan is approved. Having resolved this issue by way of informal discussion between the parties, it was not necessary to take formal testimony on this matter. However, the Developer shall be required to convey this triangular-shaped parcel to Ms. Scott as a condition of approval of this development plan.

A second, and perhaps, most important issue, was raised by Ms. Scott and several other citizens in attendance. They are concerned about the Developer's proposal to widen Grove Road to a maximum width of 18 feet. These residents believe an 18-foot width is insufficient, given the proposed development of 23 additional homes in their community. This issue was not fully resolved, and thus, it became necessary to take formal testimony on this matter. Furthermore, Ms. Scott objected to any road improvements being made to Grove Road north of its intersection with Orbitan Road. She opined that Grove Road is a private road, and therefore, cannot be widened. Again, testimony was taken on this issue.

A third issue was raised by Mr. Raymond Bauer, whose family owns several parcels of land in the immediate vicinity of this subdivision. Mr. Bauer is concerned about additional storm water runoff being cast upon his family's properties as a result of the proposed development. After preliminary discussions with Mr. Bauer and the Developer's witnesses, as well as County agency representatives, it was represented that no additional runoff would be cast upon the Bauer family's properties. Thus, as a condition of approval, appropriate conditions and restrictions will be imposed upon the Developer by way of this Order to insure that no additional storm water runoff will be cast onto the lands owned by the Bauer family.

Another issue was raised concerning the water and sewer connections to the proposed development. Some residents were concerned about the inconvenience that existing residents might experience during the Developer's extension of the public water line to the proposed subdivision. Preliminary discussions between all parties in attendance indicated that any inconveniences that might occur as a result of the extension of the water line would be minor, and the installation of the water line itself could be accomplished in one day. Having resolved this issue by way of informal discussion between the parties, it was not necessary to take formal testimony on this issue. However, as a condition of approval of this development plan, I shall impose a restriction at the end of this Order to address this issue.

No other issues were raised during the preliminary phase of the hearing. Thus, the hearing proceeded on the issue of widening Grove Road north of Orbitan Road. Ms. Jean Scott,

a 23-year resident who resides adjacent to the subject property at 8917 Grove Road, testified in opposition to the proposed development. Ms. Scott particularly objects to the road improvements that are to be made by the Developer to Grove Road north of Orbitan Road. She indicated that Grove Road is a private road and was never intended to be widened or improved to public standards. She believes that the 18-foot minimum width required by Baltimore County for the proposed development is insufficient to accommodate the additional traffic that will be generated by the proposed 23 homes. In addition, she testified concerning some prior paving work that was done on Grove Road in July, 1998. Ms. Scott testified that at that time, Grove Road was paved and widened to a width of 15 feet. She indicated that the paving contractor actually paved over land on her side of Grove Road, thereby widening Grove Road from 12 feet to 15 feet along her property line. When Ms. Scott made an inquiry to Baltimore County about this paving project, she found out that Baltimore County had not hired or paid anyone to pave Grove Road. Apparently, the company who paved Grove Road did so without being compensated for their work. Ms. Scott was unable to find out who actually did the paving work; however, she surmised that the road was widened in an effort to accommodate this Developer. She testified that the widening of Grove Road occurred shortly after she was approached to sell her property to this Developer, which she adamantly refused. Ms. Scott further asserted that Grove Road north of Orbitan Road is a private road in that the two homes at the end of this road, known as 3520 and 3522 Grove Road, have private panhandle driveways extending down to Orbitan Road. She believes that as a result of this panhandle configuration, Grove Road was never intended to be a public road, which explains why the panhandles were required in the first place. She is therefore opposed to any widening of Grove Road north of Orbitan Road, for the purpose of furthering the development of the subject property.

In response to Ms. Scott's testimony on this issue, the Developer asserts that Grove Road is a public road, and that right-of-way easements have been established on both sides of the road for its future widening. Counsel for the Developer, Mr. Alderman, questioned Ms. Scott about her deed, which establishes a 30-foot wide right-of-way in front of her property.

Furthermore, submitted into evidence as Developer's Exhibit 2 was a County right-of-way deed, dated November 9, 1998, wherein Baltimore County acquired the panhandle right-of-way to the Romanowski property. That deed and the dedication of the panhandle right-of-way to Baltimore County as a public right-of-way, do, in fact, permit this Developer to widen Grove Road north of Orbitan Road to a minimum width of 18 feet. The Developer does not have to trespass onto private lands in order to widen Grove Road in that a sufficient amount of land exists within the right-of-way dedicated by the Romanowski family to perform the road widening.

After considering the testimony and evidence regarding the issue of widening Grove Road north of Orbitan Road, I find that the minimum paving width of 18 feet to be provided by this Developer is sufficient to accommodate the additional traffic that will be generated by the proposed 23 homes. I further find, based upon the testimony of traffic engineering expert Mickey Cornelius, that the 18-foot road width proposed by the Developer is sufficient to accommodate emergency vehicles. It is to be noted that 18-foot road widths are found throughout Baltimore County and are apparently sufficient to accommodate two-way traffic as well as emergency vehicles. Thus, I find that the proposed 18-foot width is appropriate in this instance. I further find that the Developer has sufficient land to accommodate the additional paving necessary for an 18-foot wide road width, by virtue of the Romanowski conveyance to Baltimore County by deed dated November 9, 1998. Thus, the issue concerning the widening of Grove Road north of Orbitan Road is not sufficient to warrant a denial of this development plan. I further find that the Developer has, in fact, satisfied the requirements of the B.C.Z.R., the Baltimore County Code, and the development regulations of Baltimore County as to providing access to the proposed 23 homes.

There being no other issues that remain unresolved, I shall approve the plan consistent with the comments contained herein. However, as stated previously, I shall impose certain conditions and restrictions at the end of this Order to address those issues which were resolved during the preliminary phase of the Hearing Officer's Hearing.

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 subject to the restrictions set forth below.

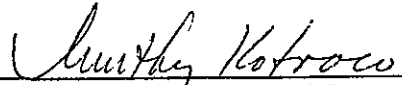
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 11th day of March, 1999 that the development plan for Oak Grove, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, subject to the following terms and restrictions:

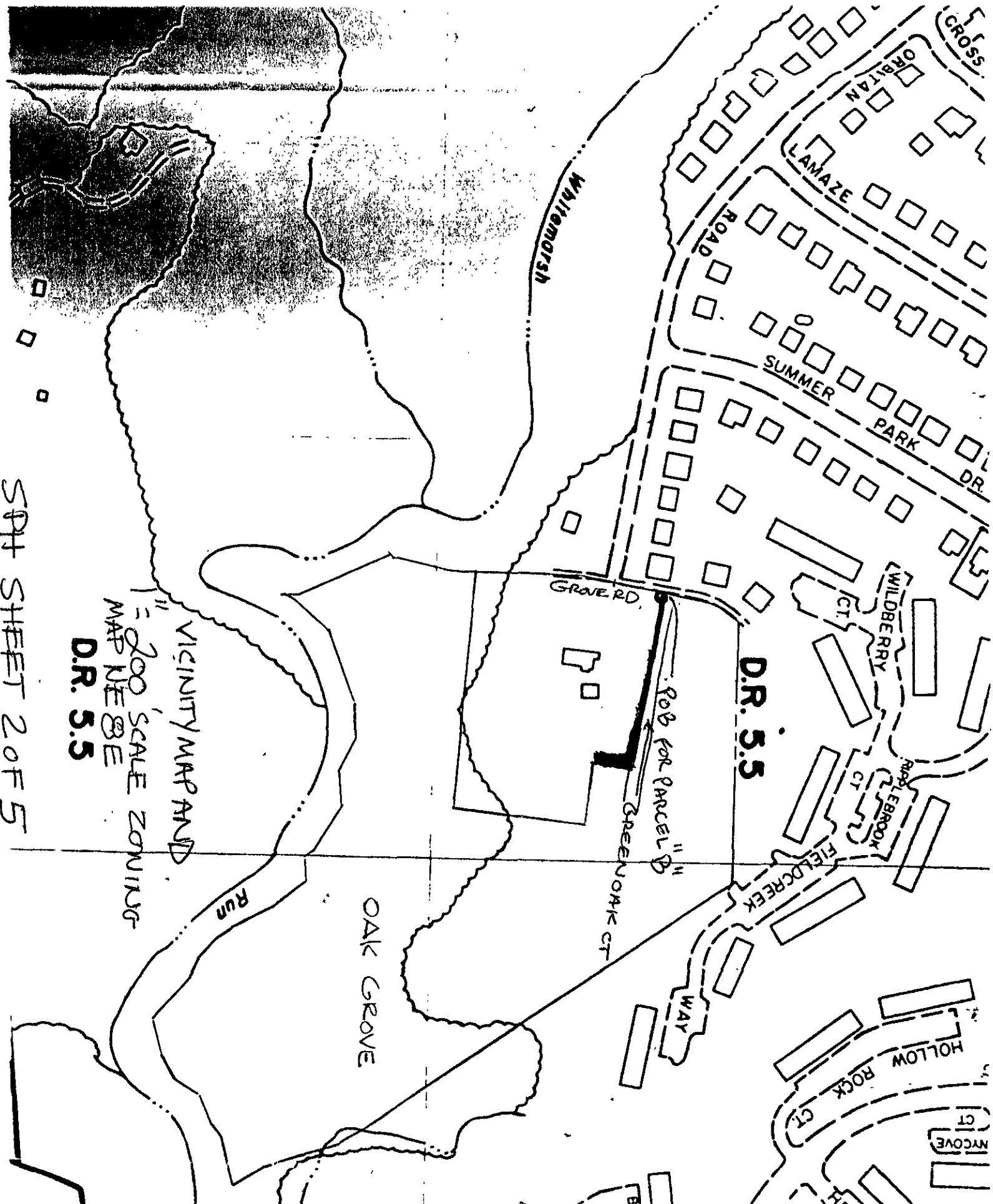
- 1) The Owners/Developers may apply for their building permit and be granted same upon receipt of this Order; however, they are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Developer shall take appropriate sediment control measures, both during and after the construction phase of the proposed development, to insure that no additional storm water runoff will be cast upon the Bauer properties located just south and west of proposed Lots 22 and 23 of Oak Grove.
- 3) The Developer shall take appropriate steps to insure that those residents who are affected by the installation of the water line in Grove Road have continuous and unobstructed access to their properties.
- 4) Once all utilities are installed in Grove Road, the Developer shall be required to pave Grove Road north of Orbitan Road at a width of 18 feet from Orbitan Road up to and including the entranceway to the Oak Grove development. The Developer shall pave this road in a uniform width and depth and shall not be permitted to patch the road in any area.
- 5) The small triangular parcel of land located between the entrance road and the northeast corner of the Scott property shall be conveyed to Ms. Scott at no cost to her. That triangular parcel of land shall then be incorporated into and made a part of the Scott property. Furthermore, Ms. Scott shall have free and unrestricted accessibility to all public utilities found in the entrance roadbed of this subdivision. Thus, she shall be permitted to connect to the water, sewer and gas lines in the roadbed. Furthermore, the Developer shall provide a driveway apron for the Scott property at no cost to Ms. Scott in the event she wishes to access her property by way of this new roadway.

- 6) When applying for any permits, the site 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.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner/
Hearing Officer for Baltimore County



SPR SHEET 2 OF 5

D.R. 5.5

VICINITY MAP AND
200' SCALE ZONING
MAP NEGE

1"=50' SCALE.

SEE RESTRICTION #5

N
SHEET
30F5
SPH

PARCEL B

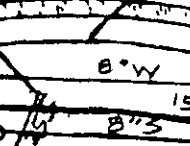
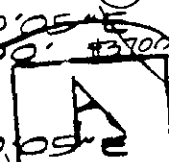
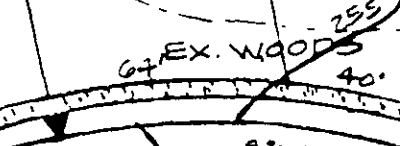
LIMIT OF COUNTY
MAINTENANCE

PARCEL 'A' TO BE
CONVEYED TO THE
OWNERS OF #3522
ORBITAN ROAD

EX. FENCE
TO REMAIN

389°29'55"E
31.00'

425.00'
62'
#3710
#3708



STONE DR

GREEN OAK

PARCEL 'B' TO BE
CONVEYED TO THE OWNER
OF 8917 GROVE ROAD

JEAN SCOTT
7102/334
#8917



EX.
DWLG.

EX.
DWLG.

PATRICIA L. JOSEPH P.
JEAN SCOTT 572/155
#8919

PARCEL 'C' (2 FOOT STRIP) TO BE
CONVEYED TO THE OWNERS OF
8919 GROVE RD.

RAYMOND C. &
VIOLET R. BAUER
8212/796

KARL C. &
GINA M. BAUER
8212/806

EX.
DWLG.
#3522

N31500
#3520

EX. C&P
BOXES

#3518
EX.
DWLG.
ORBITAN
ROAD

ST. RAVING
3477-0630

BLV

GROVE RD

95'

the location of all principal buildings, structures, fences and projections into yards may be outside the envelope, but must comply with Sections 400 and Baltimore County Zoning Regulations. (Subject to covenants and building permits.)

ACCESS EASEMENTS (where applicable)
utility and walkway across easements are fenced, then at least remain open for pedestrian access.

BACK REQUIREMENTS

G. FRONT TO R/W 25'
E YARD (BLDG. TO BLDG.) 16' TO 20' DEPENDING ON HEIGHT
R YARD 30'
DING SIDE TO R/W 15'
TRACT BOUNDARY
MINUM HEIGHT 50'

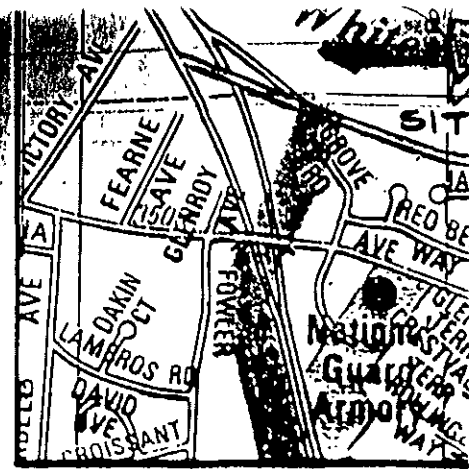
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 11 day of March, 1999 that the development plan for Oak Grove, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, subject to the following terms and restrictions:

- 1) The Owners/Developers may apply for their building permit and be granted same upon receipt of this Order; however, they are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Developer shall take appropriate sediment control measures, both during and after the construction phase of the proposed development, to insure that no additional storm water runoff will be cast upon the Bauer properties located just south and west of proposed Lots 22 and 23 of Oak Grove.
- 3) The Developer shall take appropriate steps to insure that those residents who are affected by the installation of the water line in Grove Road have continuous and unobstructed access to their properties.
- 4) Once all utilities are installed in Grove Road, the Developer shall be required to pave Grove Road north of Orbital Road at a width of 18 feet from Orbital Road up to and including the entranceway to the Oak Grove development. The Developer shall pave this road in a uniform width and depth and shall not be permitted to patch the road in any area.
- 5) The small triangular parcel of land located between the entrance road and the northeast corner of the Scott property shall be conveyed to Ms. Scott at no cost to her. That triangular parcel of land shall then be incorporated into and made a part of the Scott property. Furthermore, Ms. Scott shall have free and unrestricted accessibility to all public utilities found in the entrance roadbed of this subdivision. Thus, she shall be permitted to connect to the water, sewer and gas lines in the roadbed. Furthermore, the Developer shall provide a driveway apron for the Scott property at no cost to Ms. Scott in the event she wishes to access her property by way of this new roadway.
- 6) When applying for any permits, the site 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.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner

SPH SHEET 4 OF 5



VIC
SC

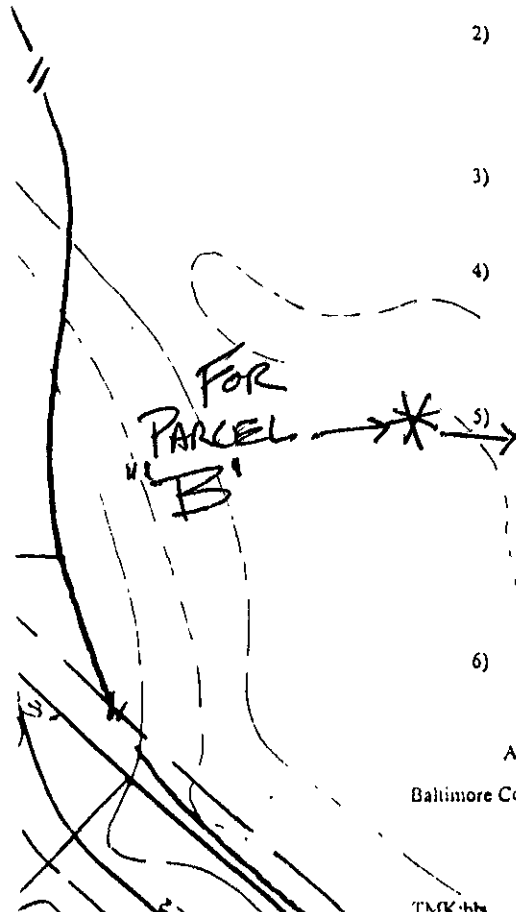
GEI

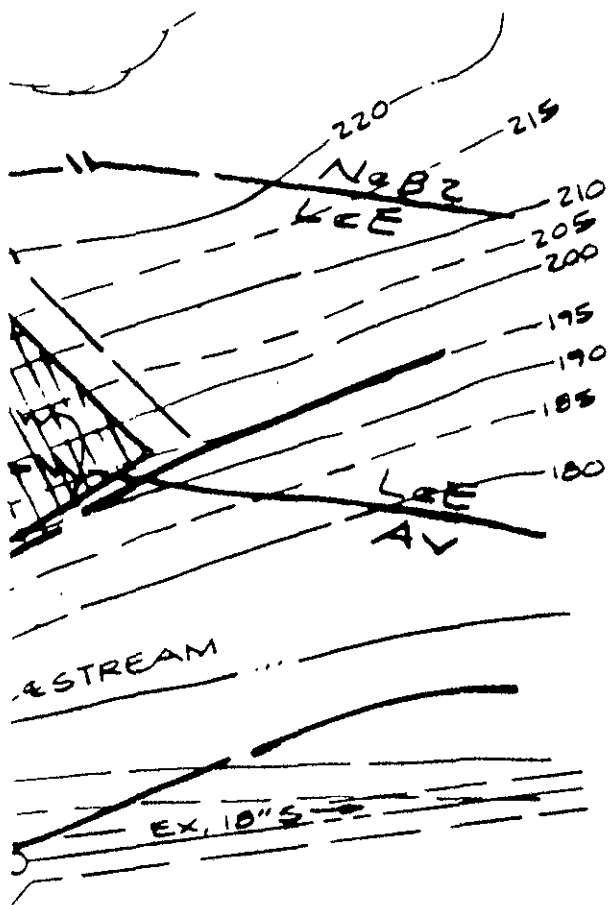
1. APPLICANT:
Oak Woods,
2043 E. Jopp
Baltimore, M
Phone No. (4
2. SITE LOCATION
Election Dist
Watershed N
Census Tract
Deed Referen
Tax Account

3. PROPERTY INFO
Own

5. REFERENCE FC
A. Topography
300 scale To
B. Property out
prepared by
C. Existing Zon
D. Soil lines & t
Map No. 36.

5. GENERAL INFO.
A. Existing use
Proposed Use
B. Stormwater M
C. Existing zoni





PERPETUAL EASEMENT
FOR STREAM RELOCATION
SHA PLAT NO.'S 50353
& 50354.

1ST REVISION (3-20-00)
EASEMENT BETWEEN
PARCELS 'B' AS SHOWN,
PARCELS 'C' AND REVISE
50' ADJACENT TO PARCELS 'C'.
THIS WAS APPROVED BY
3/13/00, DRC #

site.

- H. Site is located in the White Marsh Run Drainage Area.
- I. ADT's shown thus 
- J. Sidewalk to be provided adjacent to all Public Roads.
- K. This property has a prior zoning hearing case #97-291-X, and has since been abandoned.
- L. School Districts: Carney Elementary School
Pine Grove Middle School
Parkville High School
- M. This property as shown on the plan has been held intact since prior to 1970. The developer's engineer has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any off-site dwelling.
- N. Access to the local open space, forest buffer and White Marsh Run is provided from Grove Road.
- O. Grove Road shall be widened in the area used to access the development to the extent necessary to provide a minimum of 18' of public paving.
- P. No future variances to the forest buffer/forest conservation easements or their setback will be granted by DEPRM to facilitate development of proposed lots 16, 17 & 18.
- Q. A Landscape Plan must be approved prior to Building Permit Application.

PLAN TO ACCOMPANY
HEARING OFFICER'S ORDER

3-27-00

DATE

Donald T. Rouse
PROJECT MANAGER

1ST REVISED DEVELOPMENT PLAN "OAK GROVE"

ELECTION DISTRICT II

BALTO. COUNTY, MD.

SCALE: 1" = 50'

DATE: APRIL 12, 1999

PDM # XI-806

SPH SHEET 5 OF 5

Mr. Lawrence Schmidt
Zoning Commissioner
Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

October 23, 2000

RE: Development Plan Hearing (Oak Grove)
E/S Grove Road at end of Orbitan Road
11th Election District - 6th Councilmanic District.
Oak Woods, LLC - Ownership/Developers
Case # XI-806

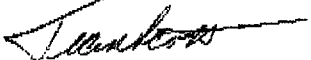
Dear Mr. Lawrence,

I am sending you a copy of my letter to Mr. Jim Thompson regarding the present status of my ongoing saga with the "Oak Grove Development"

As noted in my letter to Mr. Thompson, please let me take this time to thank you for the curtesy of allowing me to address my problems on August 2, 2000 at the variance hearing for Oak Grove. I am aware that it turned into a lengthy discussion and apologize for that.

As indicated in my letter, the commitment made by Mr. Alderman was not honored and I am still reaching out for closure. Thank you again for being a gentleman and if there is anything that you can do to help me with my dilemma it would greatly be appreciated.

Sincerely,



Jean Scott