

IN RE: PETITION FOR VARIANCE
W/S of Runnymede Court, 280' NW
centerline of Endora Court
2nd Election District
3rd Councilmanic District
(The Villages of Winterset)

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-532-SPH

SDR Properties Limited Partnership
By: SDR Development, Inc., Gen'l Partner *
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Special Hearing for the residential subdivision known as "The Villages of Winterset", located in the Owings Mills Town Center community in western Baltimore County. The petition was filed by SDR Properties, Limited Partnership through SDR Development, Inc., General Partner and property owner. Approval is requested of the 6th Amended Final Development of the subject property. The 6th Amended Development Plan/plat to accompany the petition for zoning variance was submitted into evidence at the hearing and marked as Petitioners' Exhibit Nos. 1A and 1B.

Appearing at the requisite public hearing held for this case was Steve Rosen, on behalf of the property owner/developer. Also present was Dwight Little, the engineer who prepared the site plan. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. Several residents of the locale also appeared as interested persons. They included Robyn L. Taylor, Robert L. and Loretta A. Smith, Angela M. Walker, Marlene B. Durio, and Charles Lee.

Testimony and evidence offered indicated that The Villages of Winterset is a major residential subdivision which is part of the development of the Owings Mills Town Center and related communities in western Baltimore County. Overall, the subdivision is approximately 200 acres in area and features 626 dwelling units. These are a variety of units including single-

ORDER RECEIVED FOR FILING

Date 7/13/02
By S.R. Jemison

family dwellings, townhouses, etc. Originally, the subdivision was approved under the CRG (County Review Group) process in 1988. At the time, the CRG approved development plans in Baltimore County, The CRG process was replaced by the current development review process in 1991. That process requires additional community input and requires that approval of subdivisions follow a public hearing before the hearing officer of Baltimore County. Notwithstanding the current process, plans approved by the CRG are grandfathered under that process. Subsequent amendments to those plans are considered by CRG and are bound by the rules, regulations, standards and procedures applicable to CRG proposals.

As noted above, the subdivision has been largely built out. The request in the instant case is to amend the original CRG plan for the 6th time. The nature of the proposed amendment relates to a 9.4 acre parcel of land zoned D.R.3.5. That parcel abuts the rear of existing houses located on Runnymede Road in the existing subdivision. Essentially, the developer has acquired the subject property and proposes to develop same as part of The Villages of Winterset subdivision. Twenty-eight single-family dwellings are proposed on the property. Actually, there will be a net increase of 27 units to the overall subdivision, in that one lot is being lost so as to provide access to the subject property. Specifically, a new public road will be constructed between the lots known as 4528 Runnymede Road and 4532 Runnymede Road. This new public road will provide access to the subject property and will be known as "Rebekka Circle". The road will be a loop road providing frontage to the 28 single-family dwelling units proposed thereon.

Testimony and evidence offered was that the new houses and lots will be consistent with the character of the existing subdivision. It was also indicated that an area of storm water management reservation (1.36 acres) will be provided.

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Date 7/31/02
By R.R. Jernigan

Two of the impacted property owners, Todd Taylor and Robyn L. Taylor, appeared at the hearing. They reside at 4528 Runnymede Road, which will be adjacent to the intersection of Rebekka Circle and Runnymede Road. Rebekka Circle will run along the side of the Taylor house. SDR properties and Mr. & Mrs. Taylor have entered into an agreement regarding the construction of that road. The agreement relates to landscaping, grading, screening, etc. A copy of the agreement was submitted at the hearing as Developer's Exhibit No. 2. At the request of the parties, it will be added as a condition to the approval of the 6th Amended Final Development Plan and petition for special hearing.

Mr. Rosen, on behalf of SDR Properties Ltd. Partnership, also indicated that similar efforts would be made to buffer the house on the other side of Rebekka Circle (i.e. 4532 Runnymede). However, presently that property has not been sold and is owned by a homebuilder.

It is to be noted that no variances are requested. As noted above, the houses and lots on the subject property will be consistent with the existing neighborhood. Additionally, the Petitioner has agreed to install landscaping to buffer the subdivision from the rear of existing houses. Additionally, the CRG has previously met and approved the amended plan. The subject petition is a necessary zoning requirement.

Although there were no objections to the subject proposal, testimony was received from Mr. Lee regarding public participation in the process. Notice of the subject hearing was provided as required by law, by the posting of a sign on the property for 15 days prior to the hearing and the insertion of an advertisement in The Jeffersonian newspaper. Additionally, it appears that based on attendance at the hearing, many individuals were made aware of the petition and public hearing. Most of those attending did not oppose the request. Unfortunately,

ORDER RECEIVED FOR FILING

Date

7/31/02

By

[Signature]

the CRG process does not require the public input required under the present process, which is one of the reasons that the CRG process was replaced. However, the Petitioner has complied with requirements of law and has made efforts to work closely with the neighbors to reduce impacts as evidenced by the agreement with Mr. & Mrs. Taylor. There is no evidence that the Developer in any way has attempted to hide its proposal from the surrounding residents. The proposal complies with all applicable provisions of law and all development and zoning regulations and should, therefore, be approved.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, this 31st day of July, 2002, by the Zoning Commissioner for Baltimore County, that the Special Hearing Request to the 6th Amended Final Development Plan, be and is hereby APPROVED, subject, however, to the following restrictions:

1. The Petitioner may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall comply with all items set forth in the agreement (regarding the construction of "Rebekka Circle) entered into between SDR Properties Limited Partnership and Mr. & Mrs. Taylor dated November 19, 2001, a copy of which is attached hereto.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

SDR Properties Limited Partnership
3722 Birchmere Court
Owings Mills, Maryland 21117
(410) 363-8320

November 5, 2001

Mr. & Mrs. Todd Taylor
4528 Runnymede Road
Owings Mills, Maryland 21117

Dear Mr. & Mrs. Taylor:

Thank you for taking the time several weeks ago to meet me regarding the roadway that will be constructed along the side of your home and serve the proposed Winterset Woods subdivision. As a result of that meeting we agreed to the following:

1) Upon completion of the curb and gutter associated with the proposed new road SDR will adjust the grading between the curb and the side of your home so as to create a gentle slope from the side of your home to the curb. SDR will completely reseed the disturbed area.

②) SDR will remove and replace the small cypress/evergreen trees that you had planted along the side of your home. If any of the trees die within one (1) year of the reinstallation SDR will replace said tree (s).

3) SDR will remove the sidewalk along the frontage of your home and replace it to the proper elevation and tie it to the proposed sidewalk along the new roadway.

4) Mr. & Mrs. Taylor grants SDR a temporary grading easement so that the work associated with items 1, 2 & 3 above can be performed and completed.

I believe that the above covers all the items we had discussed. If there are any items that I had omitted please let me know and I will be glad to add them. If you concur with the above please sign one copy of this letter below and return it to me in the enclosed envelop.

If you should have any questions please feel free to contact me at (410) 363-8320.

Sincerely,

SDR Properties Limited Partnership
By: SDR Development, Inc. GP

Steven D. Rosen
By: Steven D. Rosen
President

Accepted:

Todd Taylor
Mr. Taylor

Robyn L. Taylor
Mrs. Taylor

11/19/01
Date

2a) also, to plant additional cypress/evergreen trees to provide a natural buffer to the side adjacent to the curb (new roadway). TT RHT
(per conversation w/ S. Rosen on 11/19/01)

ORDER RECEIVED FOR FILING
Date *7/3/02*
By *S. Rosen*



Baltimore County
Zoning Commissioner

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

July 31, 2002

Howard L. Alderman, Jr., Esquire
Levin & Gann
509 Washington Avenue, 8th Floor
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 02-532-SPH
Property: The Villages of Winterset

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted 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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

Copies to:

Dwight Little, P.E.
Little & Associates, Inc.
1045 Taylor Avenue, Suite 111
Towson, MD 21286

Steve Rosen
3722 Birchmere Court
Owings Mills, MD 21117

Robyn L. Taylor
4528 Runnymede Road
Owings Mill, MD 21117

Loretta & Robert Smith
6724 Brompton Road
Baltimore, MD 21207

Angela M. Walker
4713 Avatar Lane
Owings Mills, MD 21117

Marlene B. Durio
4608 Runnymede Road
Owings Mills, MD 21117

Charles Lee
4722 Avatar Lane
Owings Mills, MD 21117



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at The Villages of Winterset

which is presently zoned DR 3.5

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 approve

The 6th Amended Final Development Plan

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

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

Contract Purchaser/Lessee:

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

Legal Owner(s): SDR Properties Limited Partnership
By: SDR Development, Inc. General Partner

Name - Type or Print _____
Signature Steve D. Rosen
Steve D. Rosen
Name - Type or Print _____

Attorney For Petitioner:

Howard Alderman, Jr.
Name - Type or Print _____
Signature Howard Alderman, Jr.
Levin & Gann, P.A.
Company _____
509 Washington Ave., 8th Fl. 410-321-0600
Address Telephone No. _____
Towson, Maryland 21204
City State Zip Code _____

Signature _____
3722 Birchmere Court 410-363-8320
Address Telephone No. _____
Owings Mills Maryland 21117
City State Zip Code _____

Representative to be Contacted:

Little & Associates, Inc.
Chuck Merritt
Name _____
1045 Taylor Ave., Suite 111 410-296-1636
Address Telephone No. _____
Towson Maryland 21286
City State Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JRF Date 5-28-02

Case No. 02-532-SPH

REC 9/15/98

ORDER RECEIVED FOR FILING

Date 7/31/02

By R. J. Gann

May 20, 2002

ZONING DESCRIPTION FOR THE STEWART PROPERTY
MAP 66 GRID 11 PARCEL 492
& 4530 RUNNYMEADE ROAD

Beginning at a point on the west side of Runnymede Court, which is 60 feet wide, at a distance of 280 feet northwest of the centerline of the nearest improved intersecting street, Endora Court, which is 50 feet wide. Thence **(1)** North 71degrees 12 minutes 05 seconds West 220.80 feet; thence **(2)** South 08 degrees 36 minutes 59 seconds East 549.28 feet; thence **(3)** South 85 degrees 45 minutes 27 seconds West 553.26 feet; thence **(4)** North 05 degrees 12 minutes 40 seconds West 774.87 feet; thence **(5)** South 83 degrees 51 minutes 42 seconds East 662.72 feet; thence **(6)** South 45 degrees 33 minutes 23 seconds West 88.41 feet; thence **(7)** North 71 degrees 12 minutes 05 seconds West 177.78 feet; thence **(8)** by a curve to the left having a radius of 410.00 feet and an arc length of 70.51 feet to the place of beginning. Containing 9.4069 acres of land, more or less and being known as that land recorded in Deed Liber S.M. 8720 folio 603 and located in the 2nd Election District.

532



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **12694,**

DATE 5-28-02 ACCOUNT 001-006-6150

AMOUNT \$ 250.00

RECEIVED FROM: Little & Associates

FOR: The Village of Winterset ITEM # 532
010 Special Hearing TAKEN BY: JRF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
5/29/2002 5/28/2002 15:11:08
REG 0903 WALKIN SWAT SMI DRAWER 3
>> RECEIPT # 241413 5/29/2002 OFLN
DEPT 5 528 ZONING VERIFICATION
CR NO. 012694
Rcpt Tot \$250.00
250.00 CK .00 CA
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: #02-532-SPH
The Villages of Winterset
WS of Runnymede Court,
280' NW of centerline of
Endora Court
2nd Election District
3rd Councilmanic District
Land Owner(s): Steve D. Rosen
Special Hearing: to ap-
prove The Sixth Amended
Final Development Plan.
**Hearing: Friday, July 19,
2002 at 2:00 p.m. in Room
407, County Courts Build-
ing, 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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/7/622 July 2 C548236

CERTIFICATE OF PUBLICATION

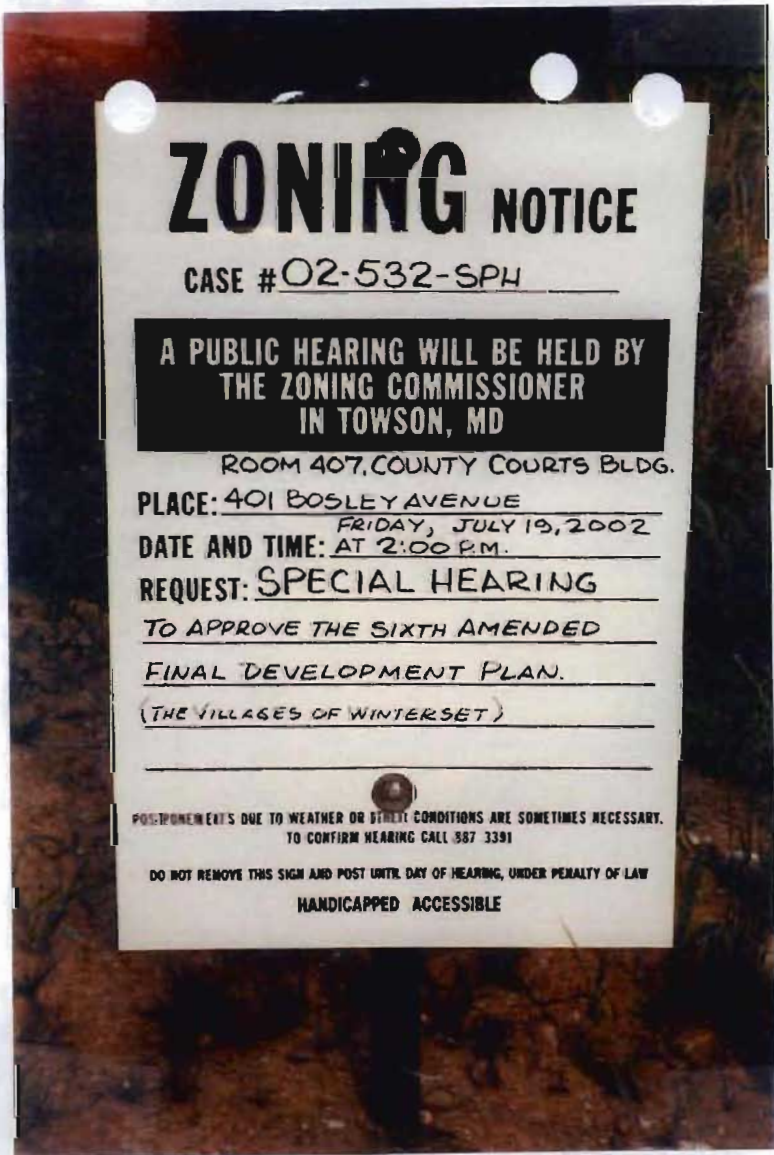
7/31, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 7/21, 2002.

- The Jeffersonian
- Arbutus Times
- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter
- North County News

J. Wilkinson

LEGAL ADVERTISING



ZONING NOTICE

CASE # 02-532-SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 407, COUNTY COURTS BLDG.

PLACE: 401 BOSLEY AVENUE

DATE AND TIME: FRIDAY, JULY 19, 2002
AT 2:00 P.M.

REQUEST: SPECIAL HEARING
TO APPROVE THE SIXTH AMENDED
FINAL DEVELOPMENT PLAN.

(THE VILLAGES OF WINTERSET)

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 387 3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 02-532-SPH

Petitioner/Developer: _____

SDR PROPERTIES LIMITED PARTNERSHIP

Date of Hearing/Closing: 7-19-2002

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 _____

W/S OF RUNNYMEAD COURT, 280' N-W COR Q. OF BARDONA CT.

The sign(s) were posted on JULY 2, 2002
(Month, Day, Year)

Sincerely,

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

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

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

(410) 242-4263
(Telephone Number)

**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: 02-532-SP4

Petitioner: SDR Properties Limited Partnership

Address or Location: The Villages of Winterset

PLEASE FORWARD ADVERTISING BILL TO:

Name: SDR Development, Inc.

Address: 3722 Birchmere Court
Owings Mills, Maryland 21117

Telephone Number: 410-363-8320

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 2, 2002 Issue – Jeffersonian

Please forward billing to:
SDR Development Inc
Steven D Rosen
3722 Birchmere Court
Owings Mills MD 21117

410 363-8320

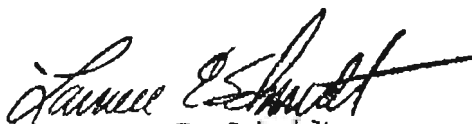
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CASE NUMBER: 02-532-SPH
The Villages of Winterset
W/S of Runnymede Court, 280' NW of centerline of Endora Court
2nd Election District – 3rd Councilmanic District
Legal Owner: Steve D Rosen

Special Hearing to approve The Sixth Amended Final Development Plan.

HEARING: Thursday, July 18, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



Baltimore County
Department of Permits and
Development Management

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

June 11, 2002

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: 02-532-SPH

The Villages of Winterset

W/S of Runnymede Court, 280' NW of centerline of Endora Court

2nd Election District – 3rd Councilmanic District

Legal Owner: Steve D Rosen

Special Hearing to approve The Sixth Amended Final Development Plan.

HEARING: Thursday, July 18, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon GDZ
Director

C: Howard L Alderman Jr, Levin & Gann, 509 Washington Ave, 8th Floor,
Towson 21204
Steve D Rosen, SDR Properties Limited Partnership, 3722 Birchmere Court,
Owings Mills 21117
Chuck Merritt, Little & Associates Inc, 1045 Taylor Avenue, Suite 111,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 3, 2002.**
- (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, July 2, 2002 Issue – Jeffersonian

Please forward billing to:
SDR Development Inc
Steven D Rosen
3722 Birchmere Court
Owings Mills MD 21117

410 363-8320

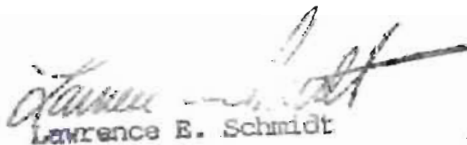
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The Villages of Winterset
W/S of Runnymede Court, 280' NW of centerline of Endora Court
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Legal Owner: Steve D Rosen

Special Hearing to approve The Sixth Amended Final Development Plan.

HEARING: Thursday, July 19, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



Baltimore County
Department of Permits and
Development Management

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

June 13, 2002

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: 02-532-SPH

The Villages of Winterset

W/S of Runnymead Court, 280' NW of centerline of Endora Court

2nd Election District – 3rd Councilmanic District

Legal Owner: Steve D Rosen

Special Hearing to approve The Sixth Amended Final Development Plan.

HEARING: Thursday, July 19, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink that reads "Arnold Jablon". The signature is written in a cursive, flowing style.

Arnold Jablon
Director

C: Howard L Alderman Jr, Levin & Gann, 509 Washington Ave, 8th Floor,
Towson 21204
Steve D Rosen, SDR Properties Limited Partnership, 3722 Birchmere Court,
Owings Mills 21117
Chuck Merritt, Little & Associates Inc, 1045 Taylor Avenue, Suite 111,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 3, 2002.**
- (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.

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





Baltimore County
Department of Permits and
Development Management

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

July 12, 2002

Howard Alderman Jr Esquire
Levin & Gann
509 Washington Avenue
8th Floor
Towson MD 21204

Dear Mr. Alderman:

RE: Case Number: 02-532-SPH, The Villages of Winterset

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 28, 2002.

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. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: SDR Properties Limited Partnership, Steve D Rosen, 3722 Birchmere Court,
Owings Mills 21117
Little & Associates Inc, Chuck Merritt, 1045 Taylor Avenue, Suite 111,
Towson 21286
People's Counsel

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





Baltimore County
Fire Department

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

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

June 5, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 3, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

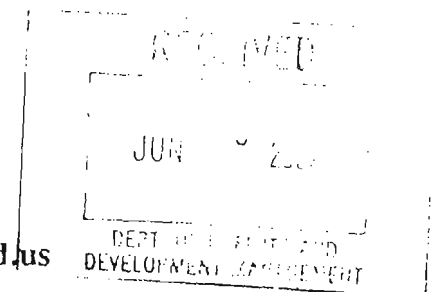
532

524-534

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

cc: File

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



file
7/19

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** July 19, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2002
Item Nos. 524, 525, 528, 529, 530, 531,
532, and 534

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

RWB:CEN:jrb

cc: File

Les
7/19

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS/TGT*
DATE: July 15, 2002



SUBJECT: Zoning Item 532
Address Villages of Winterset

Zoning Advisory Committee Meeting of June 3, 2002

 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

 The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

 X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

 X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

 X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

 Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

 X Additional Comments:

This plan appears to reflect the comments of April 2002 regarding Forest Buffers and Forest Conservation.

Reviewer: Betty Kelley

Date: July 15, 2002

As
7/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 6, 2002

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

JUN - 6 2002

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-524, 02-532, & 02-534

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: Kymberly K. Karpman

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.4.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 532 JRF

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. A. McDonald Jr.'.

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

RE: PETITION FOR SPECIAL HEARING
The Villages of Winterset W/s of Runnymede court
280 ft NW of Endora Ct
2nd Election District 3rd Councilmanic District

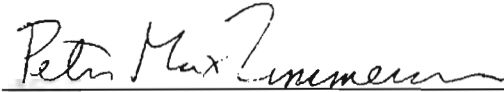
Legal Owner: Steve D. Rosen
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No 02-532-SPH

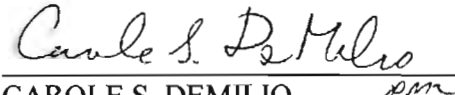
* * * * *

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 of other proceedings in this matter and of the passage of any preliminary or final Order.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of June, 2002 a copy of the foregoing Entry of Appearance was mailed to Howard Alderman, LEVIN & GANN, P.A. 509 Washington Avenue, 8th Floor, Towson, Md. 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

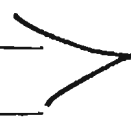
ADDRESS

Robyn L. Taylor

4528 Runnymede Rd
Owings Mills, Md 21117.

Loretta A. Smith

Robert L. Smith



6724 Brompton Rd
Baltimore, MD 21207

Angela M. Walker

4713 Avatar Lane
Owings Mills 21117

Barlene B. Durio
(MAGNET B. Durio)
Palmer

4608 Runnymede Rd.
Owings Mills MD 21117
~~4713 Avatar Lane~~
Owings Mills, MD 21117



**CASE NO. 97-98-A
SUMMARY OF VARIANCE REQUESTS**

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the variance requested should be granted.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of November, 1996 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) in accordance with the Summary of Variance Requests attached hereto and to amend Restrictions Nos. 2a, 2b, and 2h of the Order issued in prior Case No. 91-490-A to reflect the relief requested in the current case, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk. At this time as the 30-day appellate process on this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be responsible to return, and be responsible for return, any and all property to its original condition.
- 2) An open space parcel of substantial size will be created by removing house Nos. 460, 461 and 462, and by moving the remaining units, house Nos. 450 through 459, as far south as practicable to provide for a useable open space. This change is shown on the amended site plan submitted into evidence as Petitioner's Exhibit 1.
- 3) With regard to setback variance requests that allow for a rear setback that which would otherwise be necessary upon examination of the site plan the site plan as submitted will dictate the setback rather than the lesser number. For instance, where a window to street right-of-way setback of 8 feet in lieu of the required 25 feet is requested, a building setback shown to be more than 8 feet on the site plan will be built in accordance with the site plan rather than the 8 feet allowed by the variance.
- 4) Screening to block views of parking and alley easements shall be provided in accordance with the plans submitted to the Director of the Office of Planning on September 25, 1996 and dated September 10, 1996.
- 5) The developer will provide covenants restricting conversion of garages to living space.
- 6) When applying for any building permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

EMK:bjjs
CYNTHIA M. MORRICO
Deputy Zoning Commissioner
for Baltimore County

VARIANCE (1)
SECTION 1B01.2.C.1 (BCZR) and V.B.3 (CMDP)
Requires a 40 foot building-to-building separation.
REQUEST: (a) TO ALLOW 20' BUILDING-TO-BUILDING IN LIEU OF 40'.
- LOT NOS. 326-327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460 and 462.

VARIANCE (2)
SECTION 1B01.2.C.2.b. (BCZR) and V.B.6.c. (CMDP)
Requires a 40 foot window-to-window separation between centers of facing windows.
REQUEST: (a) TO ALLOW 20' WINDOW-TO-WINDOW IN LIEU OF 40'.
- LOT NOS. 304, 326-327, 401-405, 422-423, 424-425, 433-434, 438-443, 444-449, 450, 455, 460
(b) TO ALLOW 15' BUILDING-TO-BUILDING IN LIEU OF 40'.
- LOT NOS. 259-291

VARIANCE (3)
V.B.6.b. (CMDP)
Requires a 35 foot window-to-property line setback.
REQUEST: (a) TO ALLOW A MINIMUM 5' WINDOW-TO-PROPERTY LINE SETBACK (SIDE ONLY).
- LOT NOS. 300, 304, 305, 310, 311, 316, 317, 322, 323, 326, 327, 331, 332, 337, 338, 343, 344, 349, 350, 355, 356, 361, 362, 367, 368, 373, 379, 379, 380, 385, 386, 393, 392, 397, 398, 404, 405, 407, 408, 412, 413, 418, 419, 422, 423, 427, 428, 433, 434, 437, 438, 443, 444, 449, 450, 454, 455, 459, 460 and 462.

VARIANCE (4)
SECTION V.B.6.a. (CMDP)
Requires a 25 foot window-to-street: right-of-way setback.
REQUEST: (a) TO ALLOW A MINIMUM 8' WINDOW-TO-STREET RIGHT-OF-WAY IN LIEU OF 25'. (SIDE SETBACKS ONLY).
- LOT NOS. 310, 311, 322, 343, 344, 355, 356, 367, 368, 379, 380, 391, 407, 419, 434, 455

VARIANCE (5)
SECTION 413.1.e.1. (BCZR)
Allows 15 square feet maximum for community identification signage.
REQUEST: TO ALLOW 84' S.F. OF SIGNAGE IN LIEU OF THE PERMITTED 720 S.F. GRANTED IN CASE #95-131-XA (ADDITION OF 2 DOUBLE FACED FREE STANDING SIGNS, TOTALLING 144 S.F.)

VARIANCE (6)
SECTION V.B.7. (CMDP)
Requires a minimum of 500 square feet of private yard space.
REQUEST: TO ALLOW A MINIMUM OF 0 SQUARE FEET OF PRIVATE YARD SPACE IN LIEU OF 500 SQUARE FEET AND TO ALLOW A MINIMUM OF 0' IN LIEU OF 15'.
- LOT NOS. 300-399 & 403-462

VARIANCE (7)
SECTION 301.1A. (BCZR)
Requires that an open projection not extend beyond 25% of the minimum required yard depth.
REQUEST: TO ALLOW A SETBACK OF 4' TO THE REAR PROPERTY LINE FOR AN OPEN PROJECTION (USE BALCONY) IN LIEU OF 18.75' REAR PROJECTION (USE BALCONY) IN LIEU OF 22'.
- LOT NOS. 300-399 & 403-462

VARIANCE (8)
SECTION III.F.2. (CMDP)
Requires 2 spaces/unit plus 304 guest (undesignated) parking.
REQUEST: TO ALLOW 214' (75 SPACES) GUEST PARKING IN LIEU OF 304 (96 SPACES).

VARIANCE (9)
SECTION V.B.5.b. (CMDP)
Requires a 30' building-to-tract boundary setback.
REQUEST: TO ALLOW 20' BUILDING-TO-TRACT BOUNDARY IN LIEU OF 30'.
- LOT NOS. 287-291

VARIANCE (10)
SECTION 1B01.2.C.2.a. (BCZR) and V.B.5.a. (CMDP)
Requires a 4' window-to-tract boundary setback.
REQUEST: TO ALLOW A 20' WINDOW-TO-TRACT BOUNDARY IN LIEU OF 4'.
- LOT NOS. 287-291

VARIANCE (11)
SECTION V.B.8 (CMDP)
Requires a 22' foot front street right-of-way setback for garages and carports.
REQUEST: (a) TO ALLOW 20' FOOT FRONT STREET RIGHT-OF-WAY SETBACK IN LIEU OF 22'.
- LOT NOS. 260-283 & 285-291.
(b) TO ALLOW 14' FRONT STREET RIGHT-OF-WAY SETBACK IN LIEU OF 22'.
- LOT NOS. 259 AND 284.

VARIANCE (12)
SECTION V.B.6.d. (CMDP)
Requires a 47' dwelling to centerline setback.
REQUEST: TO ALLOW A MINIMUM OF 20' FROM THE DWELLING/WINDOWED PORCH TO THE CENTERLINE OF THE TRAVELLED WAY IN LIEU OF THE REQUIRED 47'.
- LOT NOS. 300-399, 403-462.

and amended Restriction Nos. 2a, 2b and 2h from Zoning Case No. 91-490-A

**CASE NO. 98-77-SPHA
SUMMARY OF VARIANCE REQUESTS**

IT IS, THEREFORE, ORDERED, this 7th day of October, 1997, that approval of an amendment to the Third Amended Final Development Plan for Section 9 of the property, dated July 16, 1997, revising the number of dwelling units and incorporate garages, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that variances from Sections V.B.3, V.B.6.d and V.B.2 of the Comprehensive Manual of Development Policies (CMP), and Sections 1B01.2.C.1, 400.1, 400.3, 413.1.d, 413.1.e.1 and 1B02.2.B of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be responsible to return, and be responsible for return, any and all property to its original condition.
2. The Petitioner shall cause the grade of the subject property around garage No. 20 to be reduced by 4 ft., as fully set forth hereabove.
3. The Petitioner shall cause there to be planted a double row of trees along the northern property line and the construction of a 6 x 6 ft. sidewalk along the northern property line. All of these conditions shall be reflected in the site plan and drawings submitted and included in the case file, as more fully set forth in the body of this opinion.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

VARIANCES:

1. Per Section 400.1 of Baltimore County Zoning Regulations:
To allow accessory buildings (detached garages) to be located in the front and side yards and for any corner lot, to permit accessory buildings to be located outside the third of the rear yard farthest removed from the street and to permit the accessory building to occupy more than 50% of such third.
2. Per Section 400.3 of the Baltimore County Zoning Regulations:
To allow an accessory building height of 18 feet in lieu of the allowed 15 foot building height.
3. Per Section 1B01.2.C.1 of the Baltimore County Zoning Regulations and V.B.3 (CMDP-1972):
To allow a minimum horizontal distance between principal buildings (43 feet high) of 37 feet in lieu of 60 feet.
4. Per Section V.B.6.d (CMDP-1972):
To allow a minimum front setback of 10 feet to the centerline of the proposed private road in lieu of 47 feet, for garage, and 53' for non-garage building setbacks.
5. Per Section V.B.2 (CMDP-1972) Sect. 1B02.2.B of the Baltimore County Zoning Regulations:
To allow a principal building other than for residential (i.e. leasing office) to have:
a front yard setback of 7 feet in lieu of 50 feet.
a rear yard setback of 7 feet in lieu of 30 feet.
a side yard setback of 7 feet in lieu of 20 feet.
6. Per Section 413.1.e.1 of the Baltimore County Zoning Regulations:
To allow a free standing sign of 96 square feet in lieu of 15 square feet.

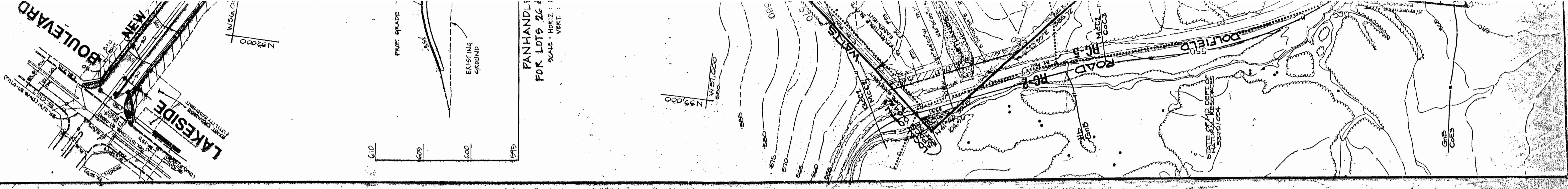
**SPIRIT AND INTENT (DAY CARE FACILITY)
CASE NO. 95-131-XA**

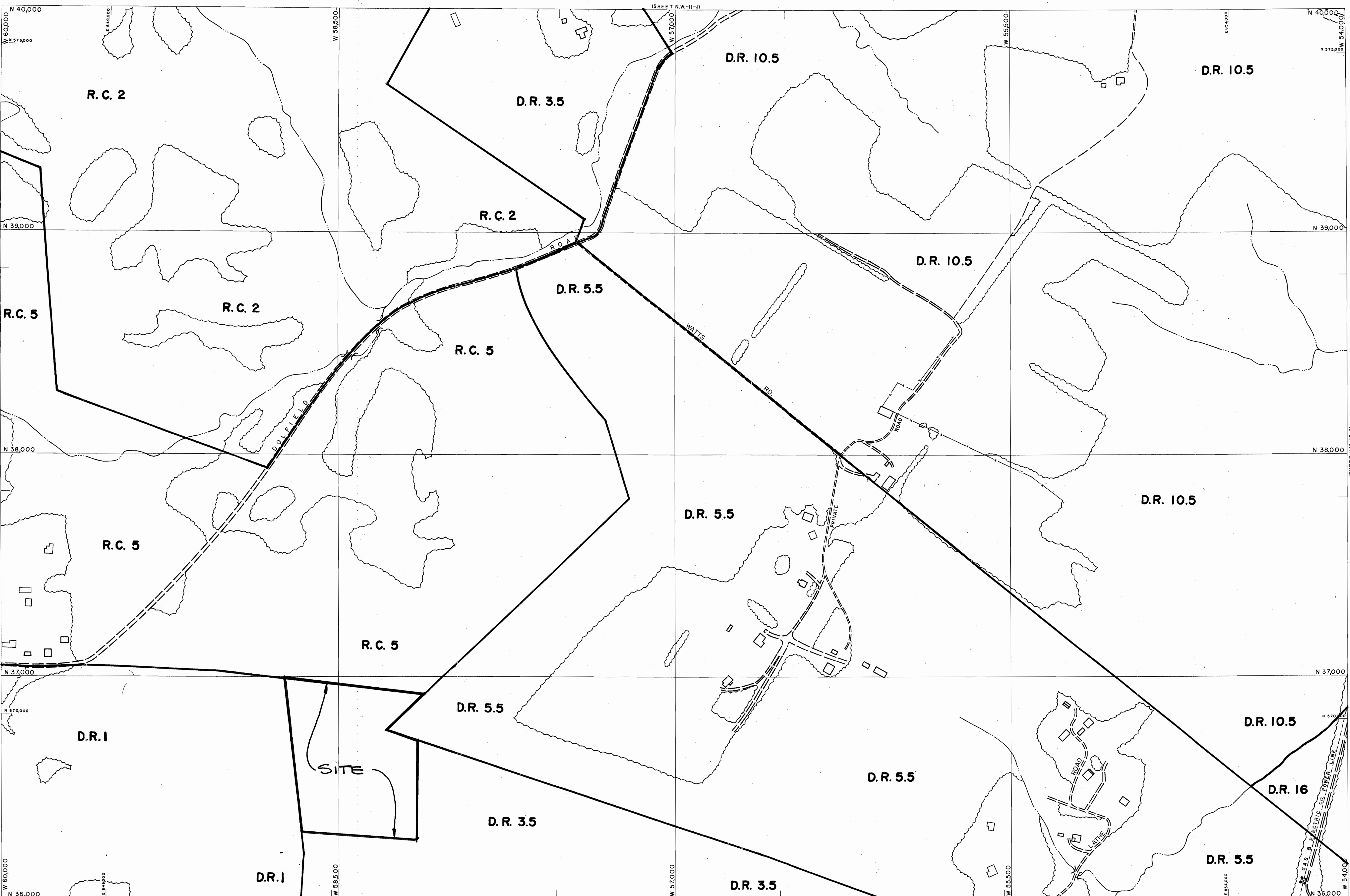
Letter
Speed
Filing
Office
of the
Deputy
Zoning
Commissioner
for Baltimore
County
1000
North
Eaton
Street
Baltimore,
Maryland
21201
Phone: 410-336-3300
Fax: 410-336-3301
www.baltimorecountymd.gov

Dear Mr. Scherr:
Please consider this correspondence an amendment to my letter of September 8, 1997. Based upon the new site plan you have submitted along with a more detailed description of where the improvements will be proposed, the Bureau of Zoning Review will consider the modifications as within the spirit and intent of the approved special exception.

Sincerely,
Mitchell J. Kelben
Planner II, Zoning Review

MJK:rye
c: zoning case 95-131-XA





P-NW PP-NE

2000 COMPREHENSIVE ZONING MAP
 ADOPTED by
 THE BALTIMORE COUNTY COUNCIL
 OCTOBER 10, 2000
 Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.

Joseph B. Battaglia
 Chairman, County Council

**BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP**

SCALE 1" = 200' ±	LOCATION SOLDIERS DELIGHT	SHEET N.W. 10-J
DATE OF PHOTOGRAPHY JANUARY 1986		

#532
 NW 10 J

