IN RE: PETITION FOR ADMIN. VARIANCE SW/S of Hammond Avenue, 212' W centerline of First Avenue 3rd Election District 4th Councilmanic District (3 Hammond Avenue) Boris and Nina Chernin *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 02-575-A

* * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Boris and Nina Chernin, legal owners, of that property known as 3 Hammond Avenue in the Reisterstown area of Baltimore County. The Petitioners herein seek relief from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 18 ft. in lieu of the required 22.5 ft. (25% of 30 ft.) for a deck. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING
Date 7/18/02
By R. Jenkins

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 18th day of July, 2002, that a variance from Section 301.1.A of the B.C.Z.R., to permit a rear yard setback of 18 ft. in lieu of the required 22.5 ft. (25% of 30 ft.) for a deck, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until 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.

Timothy M. Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 7/18/02
By

Baltimore County
Zoning Commissioner

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

July 18, 2002

Mr. & Mrs. Boris Chernin
3 Hammond Avenue
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 02-575-A
Property: 3 Hammond Avenue

Dear Mr. & Mrs. Chernin:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance 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,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Printed with Soybean Ink
on Recycled Paper

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3 Hammond Ave

which is presently zoned _____

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.1.A TO PERMIT A REAR YARD SETBACK OF 18 FT. IN LIEU OF 22.5 FT. (25% OF 30 FT.)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

Contract Purchaser/Lessee:

BORIS CHERNIN
Name - Type or Print

B. Chernin
Signature

3 Hammond Ave (410/517-0297
Address Telephone No.

Reisterstown MD 21136
City State Zip Code

Legal Owner(s):

BORIS CHERNIN
Name - Type or Print

B. Chernin
Signature

NINA CHERNIN
Name - Type or Print

Nina Chernin
Signature

3 Hammond Ave (410/517-0297
Address Telephone No

Reisterstown MD 21136
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this ____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 7/10/02
By B. Gerber

CASE NO. 02-575-A

REV 10/25/01

Reviewed By SPM Date 06-19-02

Estimated Posting Date 07-01-02

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3 Hammond Ave
Address
Reisterstown MD 21136
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The way house set up on the property is not enought room for deck wide enought for tables & chairs, also the level of the ground, slopes enough so we need a raised deck.
Canopy to cover, when it is a bad weather

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

B. Chernin
Signature

Boris Chernin
Name - Type or Print

Nina Chernin
Signature

Nina Chernin
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of June 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Boris Chernin & Nina Chernin the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires 02/03

REV 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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Canopy to cover, when it is a bad weather

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B. Chernin
Signature

Boris Chernin
Name - Type or Print

Nina Chernin
Signature

Nina Chernin
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10 day of June 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Boris Chernin & Nina Chernin the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires 02/03.

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3 Hammond Ave

which is presently zoned _____

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.1 A. To Permit a Rear Yard Setback of 15 Ft in lieu of 22.5 Ft. (25% of 90 Ft.)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

Contract Purchaser/Lessee:

Boris Cheekin
Name - Type or Print

B. Cheekin
Signature

3 Hammond Ave (410) 517-0297
Address Telephone No.

Reisterstown MD 21136
City State Zip Code

Legal Owner(s):

Boris Cheekin
Name - Type or Print

B. Cheekin
Signature

Nina Cheekin
Name - Type or Print

Nina Cheekin
Signature

3 Hammond Ave (410) 517-0297
Address Telephone No.

Reisterstown MD 21136
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-575-A

Reviewed By SDD **Date** 06-19-02

Estimated Posting Date 07-01-02

REV 10/25/01

ZONING DESCRIPTION

ZONING DESCRIPTION FOR **3 HAMMOND AVENUE, REISTERSTOWN, MD 21136**

Beginning at the point on the west ~~side~~ END of **Hammond Ave.** which is 25feet wide at the distance of 212 feet ~~South~~ West of the centerline of the nearest improved intersecting street **First Avenue** which is 25feet wide. Being Lot #6, Block —, Section # — in the subdivision of Dorofrio Property as recorded in Baltimore County Plat Book # 70, Folio # 69, containing 5540sf. Also known as 3Hammond Ave. and located in the 4 Election District, 3rd Councilmanic District.

02-575-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 143[illegible]

DATE [illegible] ACCOUNT [illegible]

AMOUNT $ [illegible]

RECEIVED FROM: [illegible]

FOR: Admin Res Var [illegible]
Total [illegible]
$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

DATE RECEIPT
[illegible]
Recpt Tot $50.00
.00 CK 40.00 CA
10.00 CH
Baltimore County, Maryland

CERTIFICATE OF POSTING

ADMIN. VAR.

RE: Case No.: 02-575-A

Petitioner/Developer: CHERNIN, ETAL

Date of Hearing/Closing: 7/16/02

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

Attention:

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 #3-HAMMOND AVE.

The sign(s) were posted on 7/1/02
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 7/10/02
(Signature of Sign Poster and Date)

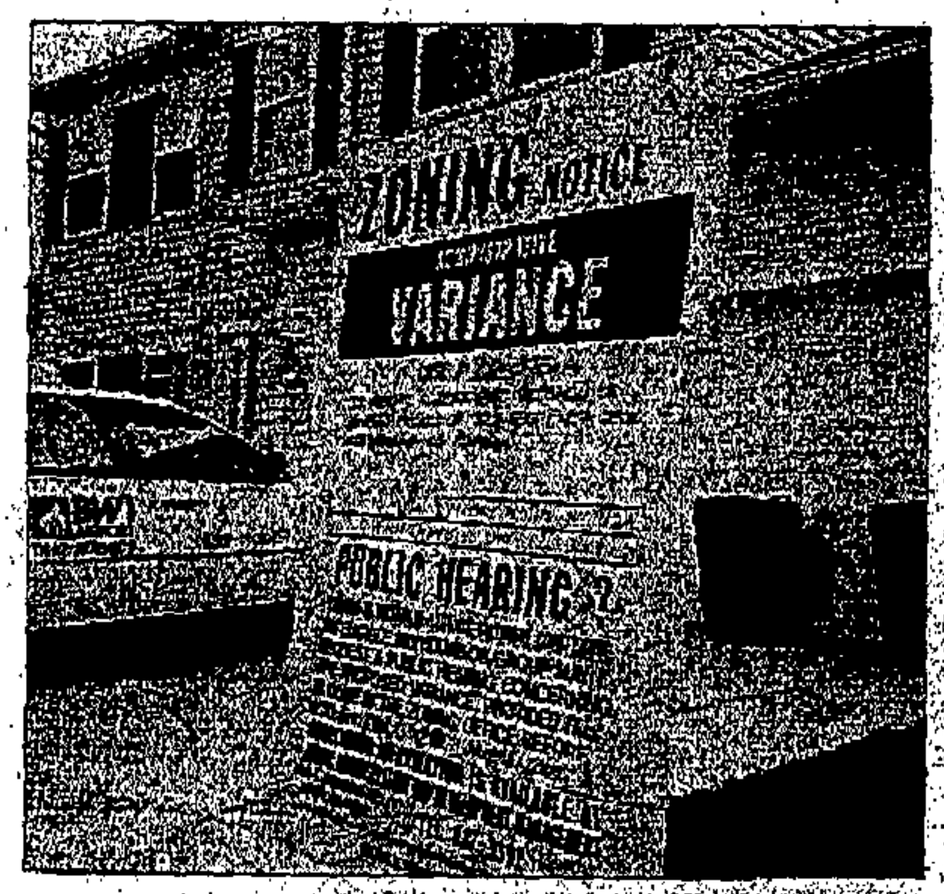
PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

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

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

Post-it® Fax Note 7671	Date	# of pages ▶ 1
To ROBIN	From OK	
Co./Dept. ZONING	Co.	
Phone #	Phone #	
Fax # 887-	Fax #	



02-575-A
#3-HAMMOND AVE
CHERNIN 7/16

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02-575 -A Address 3 HAMMOND WAY

Contact Person: SOHN RALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 06-20-02 **Posting Date:** 7-1-02 **Closing Date:** 7-16-02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02-575 -A Address 3 HAMMOND AVE

Petitioner's Name: CHERLN LN. Telephone 410-517-0297

Posting Date: 07-01-02 **Closing Date:** 07-16-02

Wording for Sign: *To Permit* A REAR SETBACK OF 18 FT. IN LIEU OF 22.5 FT. FOR A DECK.

WCR - Revised 6/28/00

02-579-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

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 15, 2002

Mr. & Mrs. Boris Chernin
3 Hammond Avenue
Reisterstown MD 21136

Dear Mr. & Mrs. Chernin:

RE: Case Number: 02-575-A, 3 Hammond Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 19, 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: People's Counsel

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

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

July 2,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 8, 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:

575-582

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

cc: File

RECEIVED
JUL 5 2002
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

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

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 5, 2002

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

SUBJECT: *Zoning Advisory Committee Meeting*
For July 15, 2002
Item Nos. 575, 576, 577, 578, 579, 580,
581, and 582

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

DATE: August 7, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 8, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

575-577, 579, 581,582

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 9, 2002

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 02-575**

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: Lynn Lochhead

AFK/LL:MAC

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7·3·02

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

RE: Baltimore County
Item No. 575 JRA

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,

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

My telephone number is _____

We, the undersigned, DO NOT APPOSE Boris Chernin of
3 Hammond Ave. of building a Deck the size of 26'x12'x12'.

Name	Address	
Lot 5 Brian Abbott	1 Hammond AVE Reisters town MD 21136	
Lot 3 Robert GAGE	48 HANOVER Rd Reisterstown MD 21136	
ext. house 52 Hanover Ken Wilson	52 Hanover	

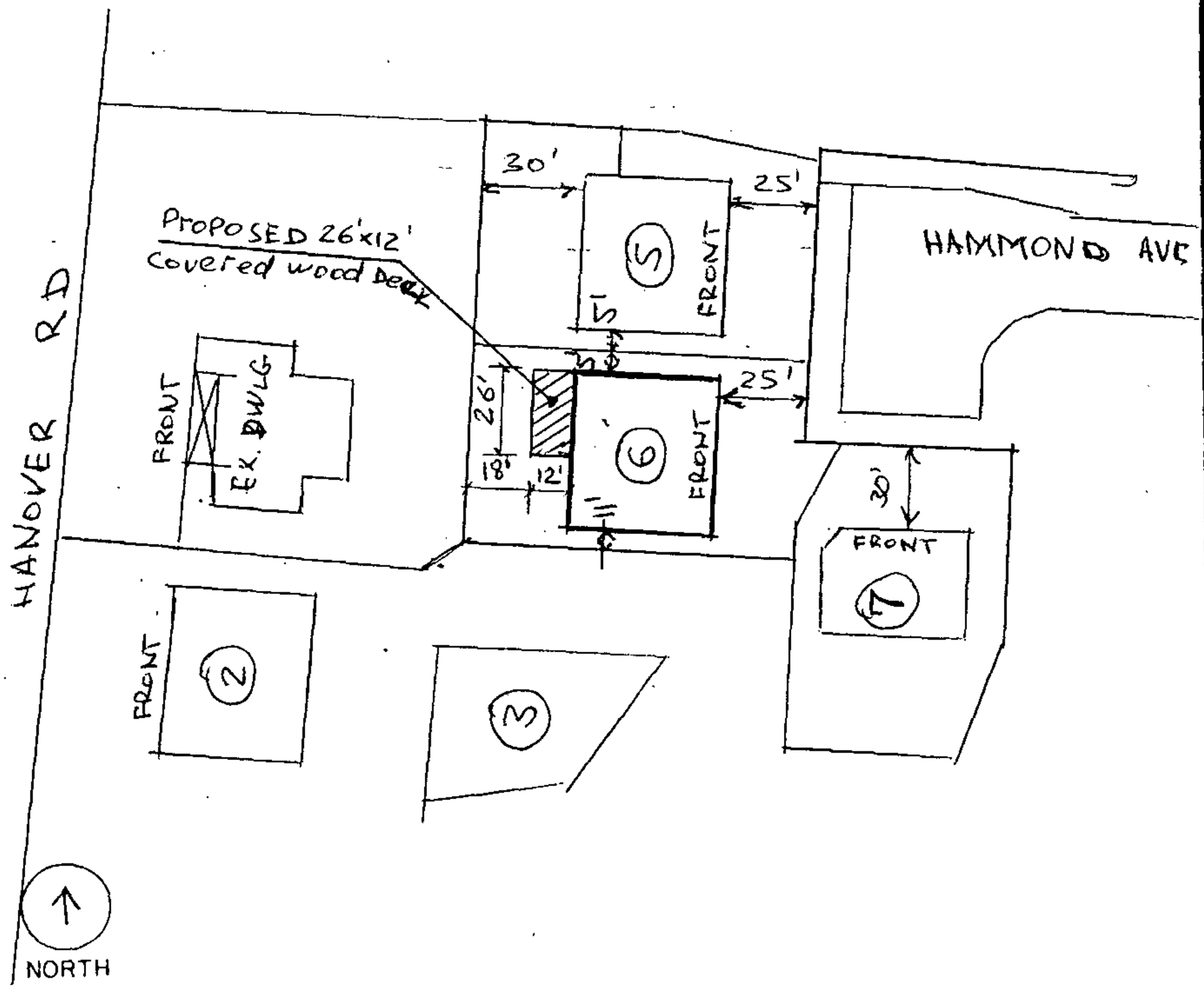
PLAT TO ACCOMPANY PETITION FOR ZONING ☑ VARIANCE ☐ SPECIAL HEARING

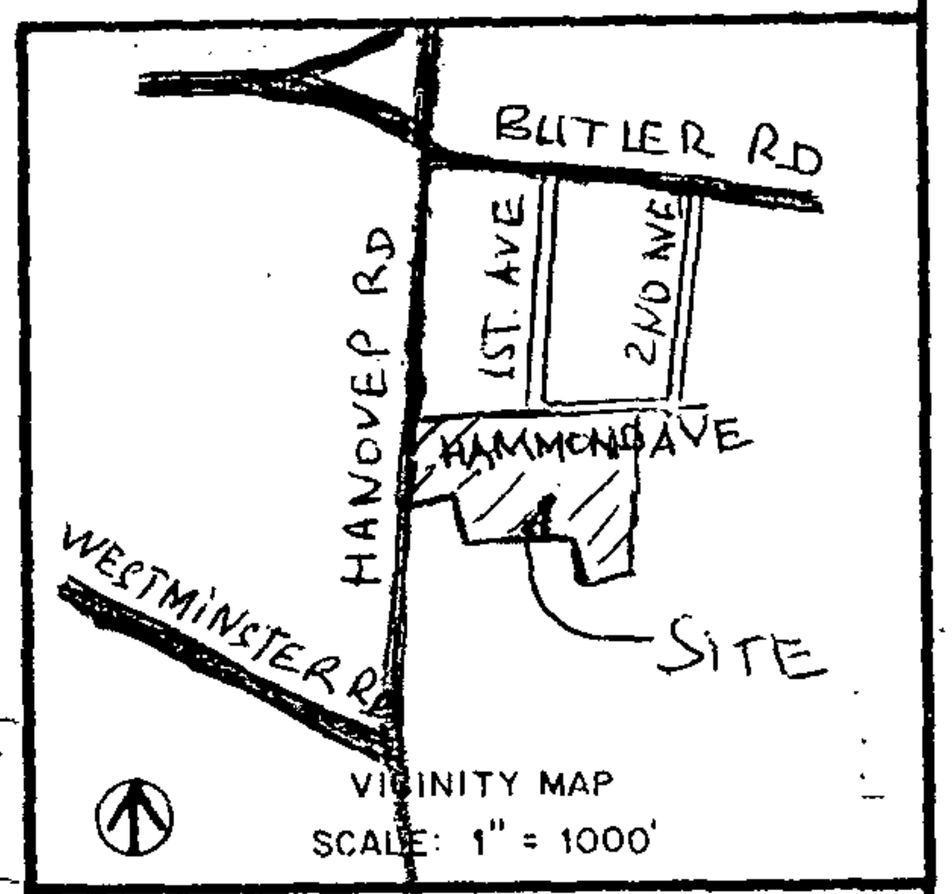
PROPERTY ADDRESS 3 Hammond ave. Reisterstown SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Donofacio property

PLAT BOOK # 70 FOLIO # 69 LOT # 6 SECTION # —

OWNER Boris + Nina Chernin





VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 04

COUNCILMANIC DISTRICT 03

1" = 200' SCALE MAP # NW 16-J

ZONING DR 3.5

LOT SIZE 0.127 ACREAGE 5540 SF SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☑	☐
WATER	☑	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☑
100 YEAR FLOOD PLAIN	☐	☑
HISTORIC PROPERTY/ BUILDING	☐	☑
PRIOR ZONING HEARING		

ZONING OFFICE USE ONLY

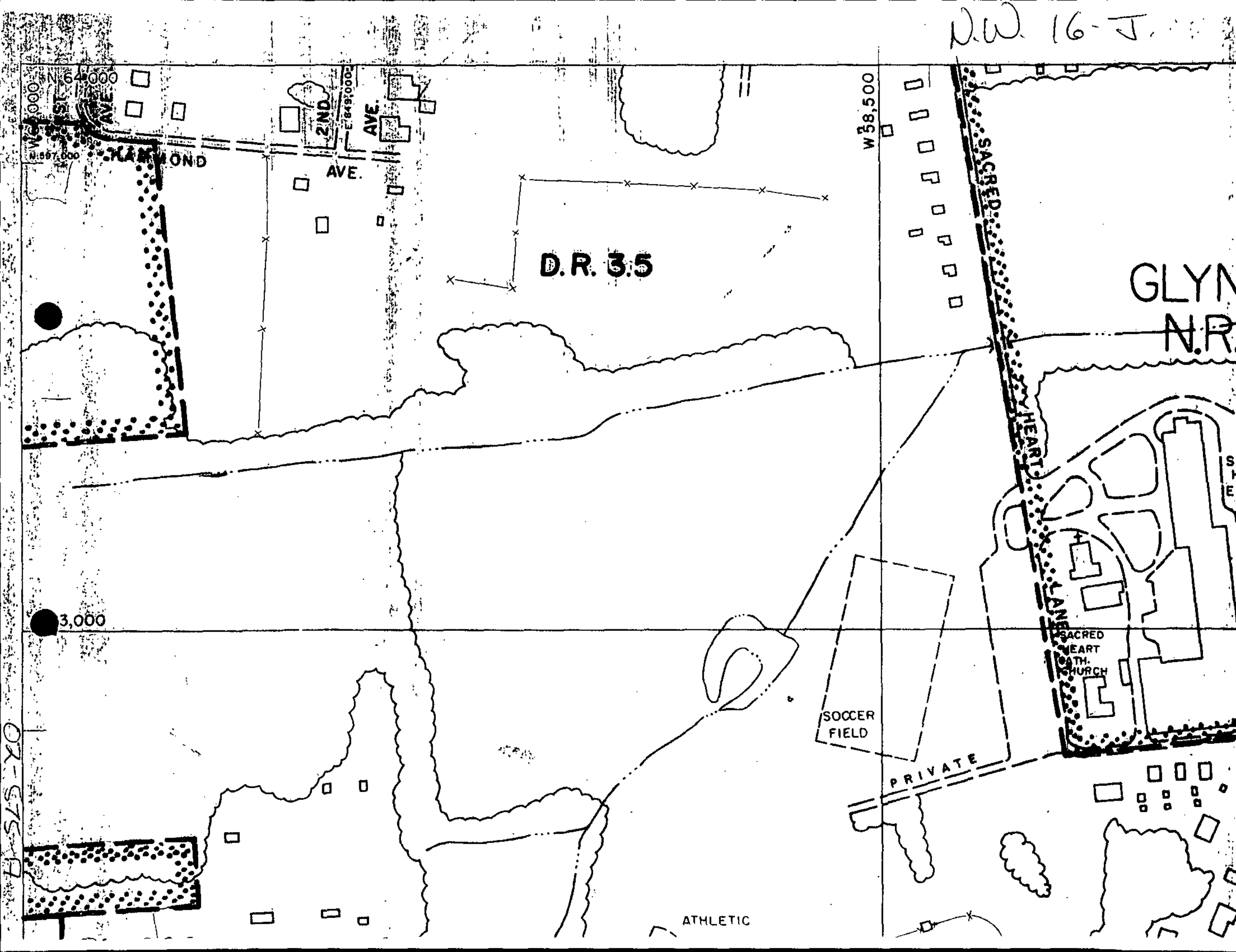
REVIEWED BY	ITEM #	CASE #
SDM		02-575-A

PREPARED BY _____ SCALE OF DRAWING: 1" = 50

Pet. Ex. #1

-15-

N.W. 16-J


N 64,000
W 1,000
N 597,000
HAMMOND
AVE.
2ND
AVE.
E 849,000
D.R. 3.5
W 38,500
SACRED
HEART
LANE
GLYN
N.R
3,000
SACRED
HEART
CATH.
CHURCH
SOCCER
FIELD
PRIVATE
ATHLETIC
OR-575-A

HOUSE CONTINUED BEYOND PHOTO

DECK WILL HAVE ROOF BUT NO WALLS OR SCREEN.

REAR YARD.

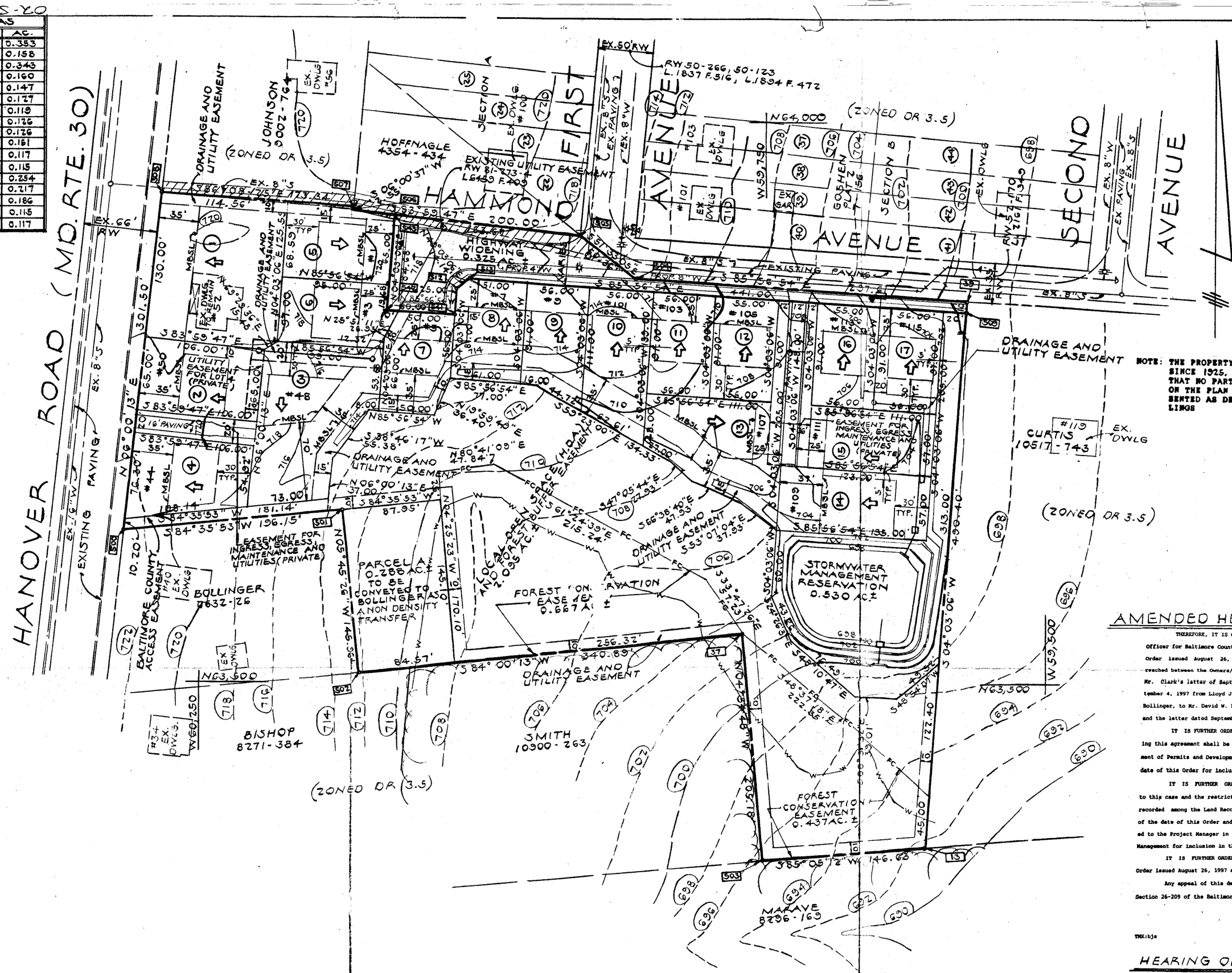
SIDE YARD.

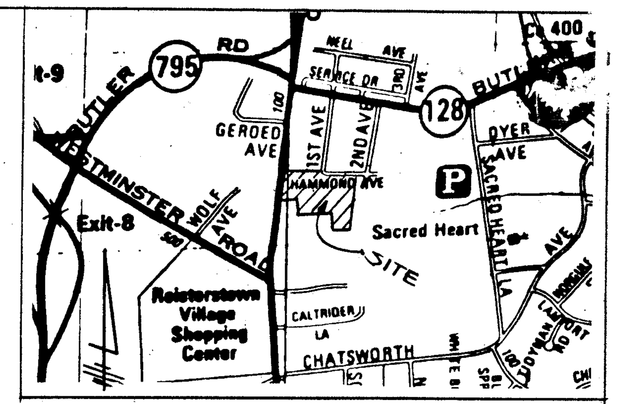
SIDE YARD

02-575. A

07-575-A

LOT AREAS		
NO.	SF	AC.
1	15,377	0.353
2	6,890	0.158
3	14,818	0.343
4	6,854	0.160
5	6,414	0.147
6	5,540	0.127
7	5,160	0.118
8	5,501	0.126
9	5,496	0.126
10	7,000	0.161
11	5,096	0.117
12	5,005	0.115
13	11,068	0.254
14	9,471	0.217
15	8,103	0.186
16	5,005	0.115
17	5,096	0.117





VICINITY MAP
SCALE: 1"=1000'

NOTES

1. ALL LOTS ARE FOR SALE.
2. DISTURBANCE OF OPEN SPACE WILL NOT BE PERMITTED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.
3. A FINAL LANDSCAPE PLAN SHALL BE APPROVED PRIOR TO ISSUANCE OF A GRADING PERMIT OR BUILDING PERMIT.
4. A.D.T. = 17 LOTS X 10.5 = 179
5. THIS FINAL DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS AND THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
6. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THIS ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS.
7. THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY THE OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE BUT PRIOR TO THEINSTALLATION OF STREET CURBS.
8. THIS DEVELOPMENT PLAN COMPLIES WITH THE HEARING OFFICER'S ORDER AND DEVELOPMENT PLAN APPROVED AUGUST 26, 1997
9. REFUSE TO BE COLLECTED BY BALTIMORE COUNTY WITHIN THE PUBLIC RIGHT-OF-WAY.
10. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
11. ANY FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
12. CENSUS TRACT 4044.01
    WATERSHED 27
    SUBSEWERSHED 67
    SCHOOL DISTRICT - GLYNDON AND FRANKLIN ELEMENTARY
    REGIONAL PLANNING DISTRICT - 306A
13. AS KNOWN TO THE PREPARER OF THIS PLAN, NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIALS SITES, CRITICAL AREAS, SPRINGS, WELLS, SEPTIC SYSTEMS, UNDERGROUND STORAGE TANKS OR ENDANGERED SPECIES HABITAT EXIST ON THIS SITE.
14. PANHANDLE DRIVEWAYS
    COVENANTS ARE TO BE NOTED ON THE RECORD PLAT PROVIDING FOR COMMON USE AND MAINTENANCE OF THE PANHANDLE DRIVEWAY.
    A PAVED TRASH COLLECTION AREA SHALL BE LOCATED AT THE RIGHT SIDE INTERSECTION OF THE DRIVEWAY AND PUBLIC ROAD AS THE DRIVEWAY IS EXITED. THE TRASH COLLECTION AREA SHALL PROVIDE AT LEAST 16 S.F. PER DWELLING UNIT SERVED BY THE PANHANDLE DRIVEWAY.
    THE MAIL DELIVERY AREA SHALL BE LOCATED AT THE LEFT INTERSECTION OF THE PANHANDLE DRIVEWAY AND PUBLIC ROAD AS THE DRIVEWAY IS EXITED.
15. REAR DECKS MAY EXTEND A MAXIMUM OF 7.5 FEET INTO THE REQUIRED 30 FOOT REAR YARD.
16. THE DEVELOPER SHALL REMOVE THE EXISTING GARAGE PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
17. ▲ DENOTES PROPOSED STREET LIGHTS
18. THIS SITE IS LOCATED IN THE REISTERSTOWN NATIONAL HISTORIC DISTRICT. THE EXISTING DWELLING LOCATED AT 52 HANOVER ROAD IS ON THE MARYLAND HISTORIC TRUST INVENTORY AS SITE NOS. BA 1309.
19. A VARIANCE HAS BEEN GRANTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FROM REGULATIONS FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS WHICH BECAME EFFECTIVE ON JANUARY 1, 1991. THE FOREST BUFFER EASEMENT AND BUILDING SETBACKS SHOWN HEREON IS REFLECTIVE OF THE FACT THAT THE VARIANCE WAS GRANTED. CONDITIONS WERE PLACED ON THE VARIANCE TO REDUCE WATER QUALITY IMPACTS.
20. SALES PERSONS MUST INFORM ALL POTENTIAL BUYERS OF LOTS ABOUT THE PRESENCE OF THE FOREST BUFFER AND FOREST CONSERVATION EASEMENTS ON THE DEVELOPMENT.

NOTE: THE PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1925. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THE PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS

AMENDED HEARING OFFICER'S ORDER

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 25th day of September, 1997 that the Order issued August 26, 1997 shall be AMENDED to reflect the agreement reached between the Owners/Developers and the Bollingers, as set forth in Mr. Clark's letter of September 16, 1997, and its attached letters of September 4, 1997 from Lloyd J. Hammond, Esquire, attorney for Mr. and Mrs. Bollinger, to Mr. David W. Billingsley, the Owners/Developers' engineer, and the letter dated September 8, 1997 from Mr. Billingsley to Mr. Clark.

IT IS FURTHER ORDERED that a revised development plan incorporating this agreement shall be submitted to the Project Manager in the Department of Permits and Development Management within sixty (60) days of the date of this Order for inclusion in the development plan case file; and,

IT IS FURTHER ORDERED that a new deed incorporating a reference to this case and the restrictions and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order and a copy of the recorded deed shall be forwarded to the Project Manager in the Department of Permits and Development Management for inclusion in the case file, and,

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued August 26, 1997 shall remain in full force and effect.

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

TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

TMK:bjs

HEARING OFFICER'S ORDER

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 26th day of August, 1997 that the development plan for Donofrio Property, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, subject to the following restrictions:

1) The Developer shall install extensive screening and landscaping along the common property line shared by Mr. & Mrs. Johnson and proposed Lots 1 and 5. This area is shown in the extreme northeast corner of the subject property. The type, amount, and method of screening to be utilized shall be specifically reviewed and approved by Mr. Avery Harden, Landscape Architect for Baltimore County. The purpose and intent of this landscaping is to provide sufficient screening for Mr. & Mrs. Johnson from the effects of the proposed houses to be built in the northeast corner of the subject development.

2) As a condition of approval of this development plan, the Developer shall convey to Mr. & Mrs. Bollinger that area of land that is the subject of a title dispute between the Bollingers and the owner of that property. The property which is the subject of that dispute does not figure into any of the calculations the Developer utilized to move forward with this project. It is not necessary for these parties to continue to expend money and legal fees when the issue can be resolved by way of this hearing. Therefore, as a condition of approval, the Developer shall convey that particular parcel of land to Mr. & Mrs. Bollinger as a non-density transfer. Furthermore, the cost of such transfer shall be borne by the Developer.

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

TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

TMK:bjs

ENVELOPES SHOWN ON SINGLE FAMILY LOTS DICTATE A SPECIFIC ORIENTATION WHICH ALLOWS COMPLIANCE WITH THE BALTIMORE COUNTY ZONING REGULATIONS AND SHOULD THE ORIENTATION CHANGE, THE SETBACKS REQUIRED BY SECTION 1B01.2C.1B. MUST BE MET.

	B.R. 3.5, 5.5 10.5, 16 Zones
From Front Building Face To:	
Public Street Right-of-Way, or property line: arterial or collector	25'
	--
From Side Building Face To:	
Side building face	16'< 20' high
	20'> 20' high
Public street right-of-way	15'
Paving of a private road	25'
Tract boundary	13'
From Rear Building Face To:	
Rear property line	30'
Public street right-of-way,	30'
Additional Setbacks: Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 20 feet.	
Building Height Requirements:	50'

NOTES:

1. ZONING - DR 3.5
2. GROSS AREA (INCL. 1/2 OF ADJACENT ROAD R/W).....6.535 AC.
   NET AREA.....5.853 AC.
   AREA OF HIGHWAY WIDENING.....0.325 AC.
3. DENSITY CALCULATIONS:
   NO. OF LOTS ALLOWED = 6.535 X 3.5 = 22
   NO.OF LOTS PROPOSED = 17
4. OPEN SPACE REQUIRED = 17 LOTS X 650 S.F./LOT = 11,050 S.F. = 0.254 AC.
   OPEN SPACE PROVIDED = 2.095 AC.
   OPEN SPACE TO BE PRIVATELY OWNED BY HOMEOWNER'S ASSOCIATION
5. EACH LOT SHALL HAVE TWO (2) OFFSTREET PARKING SPACES.
6. OWNER: NELSON & DONOFRIO, INC.
   52 HANOVER ROAD
   REISTERSTOWN, MARYLAND 21136
   DEED REFERENCE: 7246-443 AND 7246-445
   ACC. # 1700007719 AND 0404020377

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH THE HEARING OFFICER'S ORDER AND DEVELOPMENT PLAN DATED AUGUST 26, 1997 AMENDED SEPTEMBER 25, 1997

STATE OF MARYLAND
JOHN C. RUHL, JR.
No. 123
REGISTERED LANDSCAPE ARCHITECT

APPROVED BY

DIRECTOR OF PLANNING DATE 12/16/97

DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT DATE

CENTRAL DRAFTING AND DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MARYLAND 21040
(410) 679-8719

FINAL DEVELOPMENT PLAN

DONOFRIO PROPERTY

ELECTION DISTRICT 4-C3
BALTIMORE COUNTY, MD.
SCALE: 1" = 50'
SEPTEMBER 16, 1997
REV. NOV. 24, 1997

DEVELOPER
SARGENT DEVELOPMENT CORP. II
13243 WESTMEATH LANE
CLARKSVILLE, MD. 21029

PADM FILE NO. IV-509