IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING AND VARIANCE – W/S McDonogh Rd., N of Winands Road (McDonogh Oaks North, Resubdivision of Parcel A)
2nd Election District
3rd Council District

Brunton Family LLC, Owners;
Mastercraft Communities, LLC, Developer

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. II-544 & 03-003-SPHA
*

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a single public hearing, pursuant to Section 26-206.1 of the Baltimore County Code (B.C.C.) to consider a development plan and Petitions for Special Hearing and Variance for the proposed residential development of the subject property with 74 single family dwelling units. Pursuant to the development review regulations codified in Title 26 thereof, the Owners/Developers seek approval of a development plan, prepared by Little & Associates, Inc. on behalf of Frederick and Claire Brunton, Trustees/Owners, and Mastercraft Communities, LLC, Developers, and Petitions for Special Hearing and Variance. Specifically, special hearing relief is requested to confirm that proposed Lots 33 and 34 should be calculated in the D.R.5.5 zone and Lots 35 through 42 should be calculated in the D.R.3.5 zone, thereby approving the density anomalies associated therewith. In addition, a series of variances are requested from Sections 1B01.2.C.1.b and 1B01.2.C.1.c of the Baltimore County Zoning Regulations (B.C.Z.R.) and Division II, Section A, Pgs. 5 and 19 of the Comprehensive Manual of Development Policies (C.M.D.P.) as follows: 1) to permit a minimum side building face to side building face setback of 14 feet in lieu of the required 20 feet for Lots 34, 35, 36, 37, 38, 39, 40 and 41 located in the D.R.3.5 and D.R.5.5 zones; 2) to permit a minimum side building face to side building face setback of 14 feet in lieu of the required 25 feet for Lots 6, 7, 23, 24, 27 and 28 located in the D.R.5.5 zone; 3) to permit a minimum rear building face to rear property line setback of 18 feet in lieu of the required 30 feet for Lots 1 through 18, and 43 through 74 located in the D.R.5.5 zone; 4) to permit a minimum side building face to public street right-of-way setback of 15 feet in lieu of the required 25 feet for Lots 50, 51, 62, 63

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and 74 located in the D.R.5.5 zone; 5) to permit a minimum side building face to arterial roadway setback of 35 feet in lieu of the required 45 feet for Lot 1 located in the D.R.5.5 zone; and, 6) to permit a minimum front building face to public street right-of-way setback of 20 feet in lieu of the required 25 feet for garage townhouses on Lots 1, 62, and 74 located in the D.R.5.5 zone. The proposed development and requested relief are more particularly shown on the two-page, red-lined development plan submitted and marked into evidence as Developer's Exhibit 1, Sheets 1 & 2.

As to the history of this project through the development review process codified in Title 26 of the Baltimore County Code, a concept plan of the proposed development was prepared and a conference held thereon on April 22, 2002. As required, a Community Input Meeting (CIM) was held on May 14, 2002 at the Randallstown High School. Subsequently, a development plan was submitted and a conference held thereon on July 24, 2002. Following the submission of that 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 August 30, 2002.

Appearing at the public hearing required for this project were Gary Berman, Managing Member of Mastercraft Communities, LLC, Developer; Mike Lenhart, a traffic consultant retained by the Developer; Dwight Little and Chris Hanson with Little & Associates, Inc., the consultants who prepared the development plan; and, Robert A. Hoffman, Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Christine Rorke, Project Manager; Bob Bowling, Development Plans Review; Ron Goodwin, Land Acquisition; and, Jun Fernando, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); R. Bruce Seeley, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). Appearing as an interested person was Kacey Macomber, on behalf of nearby McDonogh School.

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Appearing at the public hearing required for this project were Gary Berman, Managing Member of Mastercraft Communities, LLC, Developer; Mike Lenhart, a traffic consultant retained by the Developer; Dwight Little and Chris Hanson with Little & Associates, Inc., the consultants who prepared the development plan; and, Robert A. Hoffman, Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Christine Rorke, Project Manager; Bob Bowling, Development Plans Review; Ron Goodwin, Land Acquisition; and, Jun Fernando, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); R. Bruce Seeley, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). Appearing as an interested person was Kacey Macomber, on behalf of nearby McDonogh School.

The subject property is an irregularly shaped parcel with frontage on the west side of McDonogh Road at its intersection with Painters Mill Road in Owings Mills. The property consists of approximately 18.78 acres, split zoned D.R.3.5 (6.635 acres) and D.R.5.5 (12.088 acres) and is presently unimproved. The property was formerly known as Parcel A of the McDonogh Oaks subdivision, which was approved for residential development in 1996. Since then, that subdivision has been built out and features 116 single family detached homes. At the time of its approval, Parcel A was retained for future development and a note was added on the McDonogh Oaks plan accordingly.

The Owner/Developer now proposes development of Parcel A with a combination of 64 townhouse and 10 duplex dwelling units as shown on the plan. A new circular public road providing access to the interior of the site is proposed. This road will provide access from Painters Mill Road and a new intersection will be constructed with the proposed new road where it connects with McDonogh Road and Painters Mill Road. It is to be noted that a significant portion of the site will remain as local open space and forest conservation and easement areas. Additionally, the site has significant environmental constraints which limit development. Also, part of the site is shown as a Baltimore County recreational greenway reservation.

Pursuant to Section 26-206 of the Baltimore County Code, which regulates the conduct at the Hearing Officer's Hearing, I am required to first identify any unresolved agency comments or issues. In this regard, the Developer and County agency representatives indicated that the plan complies with all comments, regulations and requirements. There were no open issues identified; however, on behalf of the Department of Public Works, Mr. Bowling requested the addition of a note on the plan requiring the Developer undertake the necessary road improvements to the intersection of McDonogh Road and Painters Mill Road. A note to that effect was added to the plan at the hearing. Finally, it is to be noted that the site is subject to the compatibility requirements contained in Section 26-282 of the Baltimore County Code. On behalf of the Developer, Mr. Little opined that the project met those standards.

As to community participation, only Ms. Macomber on behalf of McDonogh School was present. She raised several questions regarding the details shown on the plan, but did not raise any objections or identify any issues of concern.

Based upon the uncontradicted testimony and evidence presented, I am persuaded to approve the development plan. It is clear that the plan meets all County requirements, standards and regulations, and should be approved, pursuant to Section 26-206 of the Code.

Turning to the zoning relief sought, the Petition for Special Hearing relates to the split zoning of the property. As shown on the plan, the D.R.3.5/D.R.5.5 zone line bisects the property between Lots 33 through 42, which are to be developed with duplex dwelling units. Apparently, the Zoning Review Division of DPDM requested that the Developer file a Petition for Special Hearing to clarify whether the calculation methods for determining density for development of those duplex lots would be attributable to the D.R.3.5 zone, or to the D.R.5.5 zone. The Developer advised that its position was that the location of the dwellings on respective sides of the zone line should be controlling. I agree. Thus, given the location of the zone line, it appears appropriate that the density for Lots 33 and 34 should be attributed to the D.R.5.5 zone, and the density for Lots 35 through 42 should be attributed to the D.R.3.5 zone. It should also be noted that the plan contains a density chart which shows that the overall project is under density. As shown therein, the acreage of the overall tract would permit 201 dwelling units in the D.R.3.5 zone and 66 units in the D.R.5.5 zone. The McDonogh Oaks portion of the tract has utilized 116 of the 201 units allowed in the D.R.3.5 zone. Only 8 additional units are proposed for the D.R.3.5 zoned portion of Parcel A, and, as permitted, 66 units are proposed in the D.R.5.5 zone. Thus, I find that the relief requested is appropriate and will not detrimentally impact adjacent properties, and that the Petition for Special Hearing should be granted.

As noted above, a series of variances are also requested. These relate to the buildings and are largely driven by the unique character of the site. Specifically, Parcel A features environmental constraints and is relatively narrow in width when compared to its depth. The Developer indicated that both the Office of Planning and representatives of the community

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As noted above, a series of variances are also requested. These relate to the buildings and are largely driven by the unique character of the site. Specifically, Parcel A features environmental constraints and is relatively narrow in width when compared to its depth. The Developer indicated that both the Office of Planning and representatives of the community

requested that there be "high-end" townhouses with garages and sunrooms. In order to accommodate this request, larger building envelopes are shown and certain variance relief is necessary.

Based upon the uncontradicted testimony and evidence offered, I am persuaded that the variances should be granted and that the Developer has complied with the requirements of Section 307 of the B.C.Z.R. as well as Cromwell v. Ward, 102 Md. App. 691 (1995). Thus, the Petition for Variance shall be granted.

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

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 12th day of September, 2002 that the red-lined development plan for the Brunton Property, identified herein as Developer's Exhibit 1, Sheets 1 and 2, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to confirm that proposed Lots 33 and 34 should be calculated in the D.R.5.5 zone and Lots 35 through 42 should be calculated in the D.R.3.5 zone, thereby approving the density anomalies associated therewith, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 1B01.2.C.1.b and 1B01.2.C.1.c of the Baltimore County Zoning Regulations (B.C.Z.R.) and Division II, Section A, Pgs. 5 and 19 of the Comprehensive Manual of Development Policies (C.M.D.P.) as follows: 1) to permit a minimum side building face to side building face setback of 14 feet in lieu of the required 20 feet for Lots 34, 35, 36, 37, 38, 39, 40 and 41 located in the D.R.3.5 and D.R.5.5 zones; 2) to permit a minimum side building face to side building face setback of 14 feet in lieu of the required 25 feet for Lots 6, 7, 23, 24, 27 and 28 located in the D.R.5.5 zone; 3) to permit a minimum rear building face to rear property line setback of 18 feet in

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lieu of the required 30 feet for Lots 1 through 18, and 43 through 74 located in the D.R.5.5 zone; 4) to permit a minimum side building face to public street right-of-way setback of 15 feet in lieu of the required 25 feet for Lots 50, 51, 62, 63 and 74 located in the D.R.5.5 zone; 5) to permit a minimum side building face to arterial roadway setback of 35 feet in lieu of the required 45 feet for Lot 1 located in the D.R.5.5 zone; and, 6) to permit a minimum front building face to public street right-of-way setback of 20 feet in lieu of the required 25 feet for garage townhouses on Lots 1, 62, and 74 located in the D.R.5.5 zone, in accordance with Developer's Exhibit 1, Sheets 1 and 2, be and is hereby GRANTED.

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

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

LES:bjs

lieu of the required 30 feet for Lots 1 through 18, and 43 through 74 located in the D.R.5.5 zone; 4) to permit a minimum side building face to public street right-of-way setback of 15 feet in lieu of the required 25 feet for Lots 50, 51, 62, 63 and 74 located in the D.R.5.5 zone; 5) to permit a minimum side building face to arterial roadway setback of 35 feet in lieu of the required 45 feet for Lot 1 located in the D.R.5.5 zone; and, 6) to permit a minimum front building face to public street right-of-way setback of 20 feet in lieu of the required 25 feet for garage townhouses on Lots 1, 62, and 74 located in the D.R.5.5 zone, in accordance with Developer's Exhibit 1, Sheets 1 and 2, be and is hereby GRANTED.

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

LES:bjs

Baltimore County
Zoning Commissioner

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

September 13, 2002

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

RE: DEVELOPMENT PLAN HEARING and
PETITIONS FOR SPECIAL HEARING & VARIANCE
W/S McDonogh Road at Painters Mills Road, N of Winands Road
(McDonogh Oaks North, Resubdivision of Parcel A, aka Brunton Property)
2nd Election District – 2nd Council District
Brunton Family LLC, Owners; Mastercraft Communities, LLC, Developer
Case No. II-544 and 03-003-SPHA

Dear Mr. Hoffman:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Claire Louise Brunton, 4200 McDonogh Road, Owings Mills, Md. 21117
Mr. Gary Berman, Mastercraft Communities, LLC, P.O. Box 531, Owings Mills, Md. 21117
Messrs. Dwight Little & Chris Hanson, Little & Assoc., 1045 Taylor Ave., #111, 21286
Ms. Kacey Macomber, McDonogh School, 8600 McDonogh Rd., Owings Mills, Md. 21117
Chris Rorke, DPDM; Bruce Seeley, DEPRM; Bob Bowling, DPW; Mark Cunningham, OP;
Jan Cook, R&P; People's Counsel; Case File

Printed with Soybean Ink
on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Brunton Property

which is presently zoned DR 3.5 & 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 approve

See Attached

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:

Gary Berman; Managing Member
Name - Type or Print

Gary A. Berman Mar. Member
Signature Mastercraft Communities LLC

P. O. Box 531 410-580-0010
Address Telephone No.

Owings Mills MD 21117
City State Zip Code

Legal Owner(s):

Brunton Family, LLC
Name - Type or Print

Henry F. LeBrun Agt. for owner
Signature

Henry F. LeBrun Agt for owner
Name - Type or Print

Signature

555 E. Washington Ave., Apt. 705
Address Telephone No.

Sunnyvale CA 94086-2179
City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print

Robert A. Hoffman /DHC
Signature

Venable, Baetjer and Howard
Company

210 Alleghany Avenue 410-494-6200
Address Telephone No.

Towson Maryland 21204
City State Zip Code

Representative to be Contacted:

Chuck Merritt c/o Little & Associates, Inc.
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** 7/1/02

Case No. 03-003-SPHA

REV 9/15/98

ORDERED BY THE ZONING COMMISSIONER THIS 9/12/02 DAY OF 9/12/02

Petition for Special Hearing

Special Hearing to confirm that Lot Nos. 33 and 34 should be calculated in the D.R. 5.5 zone and Lot Nos. 35 through 42 should be calculated in the D.R. 3.5 zone, thereby approving the density anomalies.

TO1DOCS1/ald99/#139961 v1

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By

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Brunton Property

which is presently zoned DR 3.5 & 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 Variance from Section(s)

See Attached

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

To Be Determined at Hearing

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

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

Contract Purchaser/Lessee:

Gary Berman; Managing Member
Name - Type or Print

Gary Berman Mgr. Member
Signature

Mastercraft Communities LLC
P. O. Box 531 410-580-0010
Address Telephone No.
Owings Mills MD 21117
City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print

Robert A. Hoffman / BMC
Signature

Venable, Baetjer and Howard
Company
210 Alleghany Avenue 410-494-6200
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

Brunton Family, LLC
Name - Type or Print

Henry F. LeBrun Agt. for owner
Signature

HENRY F. LeBRUN AGT. for owner
Name - Type or Print

Signature

555 E. Washington Ave., Apt. 705
Address Telephone No.
Sunnyvale CA 94086-2179
City State Zip Code

Representative to be Contacted:

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

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 03-003-SPHA

Reviewed By JRE Date 7/1/02

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 9/12/02
By

Petition for Variance

1. Variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("BCZR") and Division II, Section A, page 5 of the Comprehensive Manual of Development Policies ("CMDP") to allow a minimum side building face to side building face setback of 14 feet in lieu of the required 20 feet for Lot Nos. 34, 35, 36, 37, 38, 39, 40 and 41 in the D.R 3.5 and D.R. 5.5 zones.

2. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum side building face to side building face setback of 14 feet in lieu of the required 25 feet for Lot Nos. 6, 7, 23, 24, 27 and 28 in the D.R. 5.5 zone.

3. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum distance of 18 feet from rear building face to rear property line in lieu of the required 30 feet for Lot Nos. 1 through 18 and 43 through 74 in the D.R.5.5 zone.

4. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum distance of 15 feet from side building face to public street right-of-way in lieu of the required 25 feet for Lot Nos. 50, 51, 62, 63 and 74 in the D.R. 5.5 zone.

5. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum distance of 35 feet from side building face to arterial roadway in lieu of the required 45 feet for Lot No. 1 in the D.R. 5.5 zone.

6. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum distance of 20 feet from front building face to public street right-of-way for garage townhouses in lieu of the required 25 feet for Lot Nos. 1, 62, and 74 in the D.R.5.5 zone.

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Date 9/12/02
By

June 25, 2002

ZONING DESCRIPTION FOR PARCEL "A"
McDONOGH OAKS
2ND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the west side of Painters Mill Road which is of varying width at a distance of 90 feet northwesterly of the centerline of the nearest improved intersecting street, McDonogh Road which is of varying width; thence **(1)** South 22 degrees 10 minutes 35 seconds East 172.07 feet; thence **(2)** by a curve to the right having a radius of 870.47 feet, an arc length of 456.42 feet and a chord bearing South 07 degrees 09 minutes 19 seconds East 451.21 feet; thence **(3)** North 81 degrees 33 minutes 37 seconds West 7.40 feet; thence **(4)** North 06 degrees 33 minutes 04 seconds East 52.94 feet; thence **(5)** North 06 degrees 46 minutes 30 seconds West 14.12 feet; thence **(6)** North 70 degrees 31 minutes 52 seconds West 16.11 feet; thence **(7)** South 61 degrees 47 minutes 15 seconds West 53.97 feet; thence **(8)** South 82 degrees 28 minutes 19 seconds West 50.54 feet; thence **(9)** North 79 degrees 00 minutes 04 seconds West 18.31 feet; thence **(10)** North 44 degrees 44 minutes 45 seconds West 34.18 feet; thence **(11)** North 86 degrees 15 minutes 21 seconds West 112.64 feet; thence **(12)** North 80 degrees 20 minutes 13 seconds West 51.83 feet; thence **(13)** North 79 degrees 05 minutes 23 seconds West 118.67 feet; thence **(14)** North 68 degrees 27 minutes 04 seconds West 142.43 feet; thence **(15)** North 61 degrees 22 minutes 50 seconds West 91.80 feet; thence **(16)** North 61 degrees 00 minutes 57 seconds West 171.51 feet; thence **(17)** North 39 degrees 31 minutes 17 seconds West 41.69 feet; thence **(18)** North 54 degrees 46 minutes 35 seconds West 53.38 feet; thence **(19)** North 61 degrees 36 minutes 23 seconds West 85.23 feet; thence **(20)** North 44 degrees 50 minutes 00 seconds West 109.75 feet; thence **(21)** North 62 degrees 32 minutes 13 seconds West 17.93 feet; **(22)** North 02 degrees 34 minutes 01 seconds West 262.91 feet; thence **(23)** South 82 degrees 04 minutes 01 seconds East 969.31 feet to the place of beginning. Being Parcel "A" in the subdivision of McDonogh Oaks as recorded in Baltimore County Plat Book S.M. 68 folio 118 containing 11.471 acres of land, more or less.

STATE OF MARYLAND
LEONARD THOMAS BOMAGER
NO. 10859
REGISTERED
PROFESSIONAL LAND SURVEYOR

#003

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 14451

DATE 7-1-02 ACCOUNT 001-006-6150

AMOUNT $ 650.00

RECEIVED FROM: BRUNTON PROP. (Dwight Lee = 500, Mazo-craft = 150)

FOR: Variance & Special Hearing ITEM 03-003-SPHA TAKEN BY: JRP

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
BUSINESS ACTUAL TIME
7/02/2002 7/01/2002 15:44:16
REG WS03 WALKIN CHAT SPW DRAWER 3
>>RECEIPT # 243715 7/01/2002 OFLN
Dept 806 ZONING VERIFICATION
LR NO. 014451
Recpt Tot $650.00
650.00 CK .00 CA
Baltimore County, Maryland

ZONING NOTICE

CASE # 03-003-SPHA

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

PLACE: ROOM 106, BALTO CO. OFFICE BUILDING
111 CHESAPEAKE AVENUE
TOWSON, MD 21204

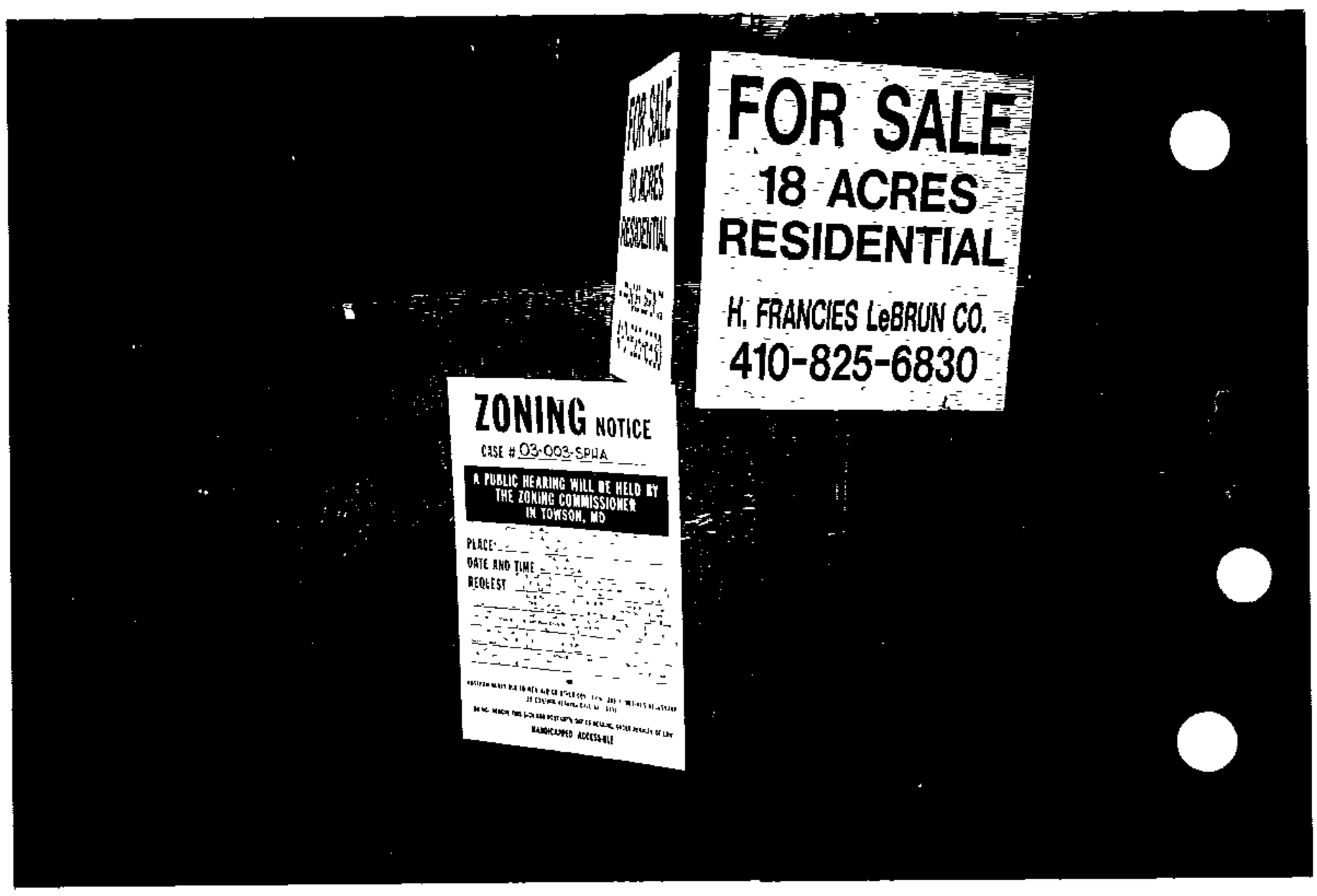
DATE AND TIME: FRIDAY, AUGUST 30, 2002 AT 9:00 A.M.

REQUEST: SPECIAL HEARING TO CONFIRM THAT LOTS NOS 33 & 34 SHOULD BE CALCULATED IN THE DR 5.5 ZONE AND LOT NOS 35 THROUGH 42 SHOULD BE CALCULATED IN THE DR 3.5 ZONE, THEREBY APPROVING THE DENSITY ANOMALIES. VARIANCE - TO ALLOW A MINIMUM SIDE BUILDING FACE TO SIDE BUILDING FACE SETBACK OF 4 FEET IN LIEU OF THE REQUIRED 20 FEET FOR LOTS NOS 34, 35, 36, 37, 38, 39, 40 AND 41; TO ALLOW A MINIMUM SIDE BUILDING FACE TO SIDE BUILDING FACE SETBACK OF 4 FEET IN LIEU OF THE REQUIRED 25 FEET FOR LOT NOS 6, 7, 23, 24, 27 & 28; TO ALLOW A MINIMUM REAR YARD OF 18 FEET FROM REAR BUILDING FACE TO REAR PROPERTY LINE IN LIEU OF THE REQUIRED 30 FEET FOR LOT NOS 1 THROUGH 18 & 43 THROUGH 74; TO ALLOW A MINIMUM DISTANCE OF 5 FEET FROM SIDE BUILDING FACE TO PUBLIC STREET RIGHT-OF-WAY IN LIEU OF THE REQUIRED 25 FEET FOR LOTS 50, 51, 62, 63 & 74 IN THE DR 5.5 ZONE; TO ALLOW A MINIMUM DISTANCE OF 35 FEET FROM SIDE BUILDING FACE TO ARTERIAL ROADWAY IN LIEU OF THE REQUIRED 47 FEET FOR LOTS 1, 2; TO ALLOW A MINIMUM DISTANCE OF 20 FEET FROM FRONT BUILDING FACE TO PUBLIC STREET RIGHT-OF-WAY FOR GARAGE TOWNHOUSES IN LIEU OF THE REQUIRED 25 FEET FOR LOTS 1, 62 & 74

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887 3391

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

HANDICAPPED ACCESSIBLE



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: 03-003-SPHA

Petitioner: Gary Berman

Address or Location: Brunton Property (Westside of Painters Mill Rd opposite McDonogh Rd.)

PLEASE FORWARD ADVERTISING BILL TO:

Name: MASTERCRAFT COMMUNITIES, LLC

Address: P.O. BOX 531
OWINGS MILLS, MD 21117

Telephone Number: 443-794-4400

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 15, 2002 Issue – Jeffersonian

Please forward billing to:
Mastercraft Communities LLC
Gary Berman
P O Box 531
Owings Mills MD 21117

443-794-4400

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: 03-003-SPHA
Painters Mill Road
W/S Painters Mill Road opposite McDonough Road
2nd Election District – 3rd Councilmanic District
Legal Owner: Brunton Family LLC

Special Hearing to confirm that Lots Nos. 33 & 34 should be calculated in the D.R.3.5 zone, thereby approving the density anomalies. Variance to a minimum side building face to side building face setback of 14 feet in lieu of the required 20 feet for lots Nos. 34,35,36,37,38,39,40 & 41; to allow a minimum side building face to side building face setback of 14 feet in lieu of the required 25 feet for lots Nos 6,7,23,24,27 & 28; to allow a minimum distance of 18 feet from rear building face to rear property line in lieu of the required 30 feet for lot Nos. 1 through 18 & 43 through 74; to allow a minimum distance of 35 feet from side building face to arterial roadway in lieu of the required 45 feet for lot No. 1; to allow a minimum distance of 20 feet from front building face to public street right-of-way for garage townhouses in lieu of the required 25 feet for lots Nos. 1,62 & 74.

HEARING: Friday, August 30, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

PLEASE MAKE CHANGE ON OTHER SHEET
THANKS

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
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

July 16, 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: 03-003-SPHA
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W/S Painters Mill Road opposite McDonough Road
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HEARING: **Friday, August 30, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue**

Arnold Jablon
Director

C: Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Brunton Family LLC, Henry F LeBrun, 555 E Washington Avenue, Apt 705, Sunnyvale CA 94086-2179
Mastercraft communities LLC, Gary Berman, P O Box 531, 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 THURSDAY, AUGUST 15, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
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Printed with Soybean Ink on Recycled Paper

Baltimore County
Department of Permits and
Development Management

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

July 16, 2002

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W/S Painters Mill Road opposite McDonough Road
2nd Election District – 3rd Councilmanic District
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Arnold Jablon GDZ
Director

C: Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Brunton Family LLC, Henry F LeBrun, 555 E Washington Avenue, Apt 705, Sunnyvale CA 94086-2179
Mastercraft communities LLC, Gary Berman, P O Box 531, Owings Mills 21117
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Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 15, 2002 Issue – Jeffersonian

Please forward billing to:
Mastercraft Communities LLC
Gary Berman
P O Box 531
Owings Mills MD 21117

443-794-4400

NOTICE OF ZONING HEARING

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HEARING: Friday, August 30, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(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

August 23, 2002

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

Dear Mr. Hoffman:

RE: Case Number: 03-003-SPHA, Brunton Property

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 01, 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: Brunton Family LLC, Henry R LeBrun, 555 E Washington Avenue, Apt 705, Sunnyvale CA 94086-2179
Mastercraft Communities LLC, Gary Berman, Managing Member, P O Box 531, Owings Mills 21117
Chuck Merritt, Little & Associates Inc, 1045 Taylor Avenue, Suite 111, Towson MD 21286
People's CounselCome visit the County's Website at **www.co.ba.md.us**

Printed with Soybean Ink
on Recycled Paper

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 18,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 15, 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:
583; 001-005; 007+008; 010-013; 015

003

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

cc: File

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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 22, 2002
Item Nos. 583, 001, 002, 003, 004, 005,
006, 007, 008, 009, 010, 011, 012, 015,
and 016

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 RBS ITEM

DATE: July 22, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 15, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

003

583, 001-008, 011, 014, 016

AP 8/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 16, 2002

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-003, 03-011, 03-013, & 03-015**

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/LL:MAC

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7·16·02

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

RE: Baltimore County
Item No. 03 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,

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

My telephone number is _____

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

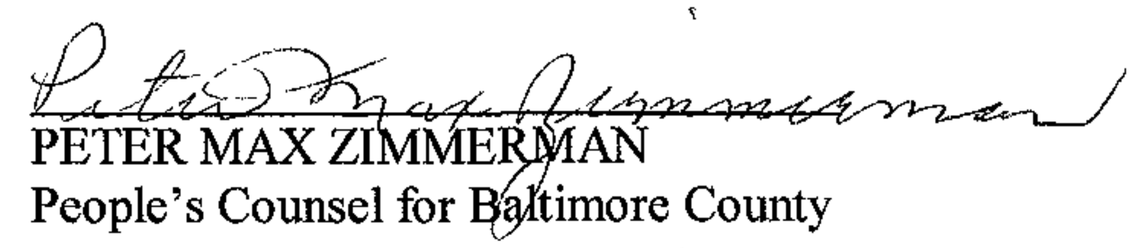
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE:	PETITION FOR SPECIAL HEARING & VARIANCE	*	BEFORE THE
	W/side Painters Mill Road opposite McDonough Road	*	ZONING COMMISSIONER
	2nd Election District 3rd Councilmanic District	*	FOR
	Legal Owner: Brunton Family, LLC	*	BALTIMORE COUNTY
	Henry F. LeBrun , Agent for owner Petitioner(s)	*	03-003-SPHA

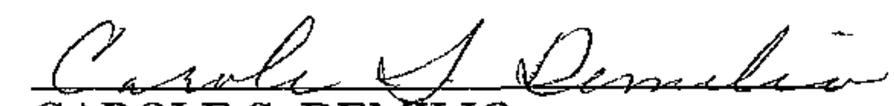
* * * * * * * * * * * * *

ENTRY OF APPEARANCE

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



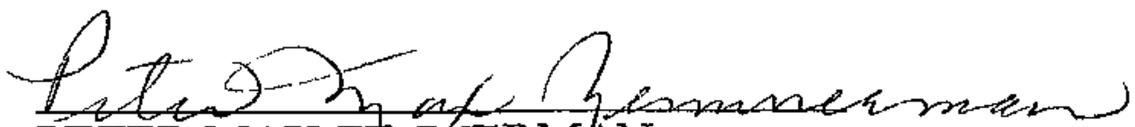
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 19th day of July, 2002, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue, Towson, Maryland 21204 Attorney for Petitioner(s).



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

JRF
Intake Planner

6/28/02
Date Assigned

DROP-OFF PETITIONS
PROCESSING CHECK-OFF

schedule with BRUNTON PROPERTY NOH 8/16/02 9:00 am Rm 106

☑ **Two Questions Answered on Cover Sheet:**
- Any previous reviews in the zoning office?
- Any current building or zoning violations on site?

☑ **Petition Form Matches Plat in these areas:**
- Address
- Zoning
- Legal Owner(s)
- Contract Purchaser(s)
- Request (if listed on plat)

☑ **Petition Form (must be current PDM form) is Complete:**
- Request:
  - Section Numbers
  - Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.
  - Hardship/Practical Difficulty Reasons
- Legal Owner/Contract Purchaser:
  - Signatures (originals)
  - Printed/Typed Name and Title (if company)
- Attorney (if incorporated)
- Signature/Address/Telephone Number of Attorney

☑ **Correct Number of Petition Forms, Descriptions and Plats**

☑ **200 Scale Zoning Map**

☑ **Check:** Amount Correct? Signed? $650.00

☐ **ZAC Plat Information:**
✓ Location (by Carl) w/s Painters Mill Rd. opposite McDonogh Rd.

Zoning: DR 3.5 / DR 5.5 Acreage: 11.471 Ac. Previous Hearing Listed With Decision
Election District 2 Councilmanic District 3 Case # _____
Check to See if the Subject Site or Request is:
- CBCA
- Floodplain
- Elderly
- Historical
- Pawn Shop
- Helicopter
- *If Yes, Print Special Handling Category Here
- *If No, Print No

NO

03-003-SPHA
Item Number Assigned

7-1-02
Date Accepted for Filing

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

October 1, 2004

Mr. Dwight Little
Little & Associates, Inc.
1045 Taylor Avenue, Suite 307
Towson, Maryland 21286

RE: DEVELOPMENT PLAN/PETITIONS FOR SPECIAL HEARING & VARIANCE
W/S McDonogh Road at Painters Mills Road, N of Winands Road
(McDonogh Oaks North, Resubdivision of Parcel A, aka Brunton Property)
2nd Election District – 2nd Council District
Brunton Family LLC, Owners; Mastercraft Communities, LLC, Developer
Case No. II-544 and 03-003-SPHA

Dear Mr. Little:

In response to your letter of September 22, 2004 concerning the above-captioned matter, the following comments are offered.

You have indicated that there are two lots in this subdivision, namely Lots 56 and 57, that were inadvertently excluded when the Petition for Variance was filed in this case, however, were shown on the plan presented at the hearing. You have requested clarification that the relief granted by my Order dated September 12, 2002 included relief to allow a side building face to side building face setback of 14 feet for Lots 56 and 57.

I have reviewed the representations made in your letter, the attachments thereto, the County's case file in this matter and the documents contained therein and concur that the required variance relief for Lots 56 and 57 was inadvertently excluded from the variance Petition. However, the final development plan on file with the County shows the building envelopes for both lots in the identical location as was shown on the site plan filed with the instant Petition. The proposed building locations are also to scale and indicate a separation of 14 feet. Under these circumstances, I am persuaded that the case file should be amended to reflect that variance relief is also approved for a separation of 14 feet between the dwellings on Lots 56 and 57. This letter will be inserted in the case file to confirm this finding.

Should you have any further questions in this regard, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs
cc: Mr. Don Rascoe, DPDM; Case File(s)

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6244

aldontell@venable.com

June 28, 2002

HAND DELIVERED
Mr. W. Carl Richards
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Petitions for Special Hearing and Variance
Petitioner: Mastercraft Communities LLC
Location: Brunton Property

Dear Mr. Richards:

I am drop filing the enclosed Petitions for Variance and Special Hearing for the above-referenced property. To the best of our knowledge, this property is not in violation of any zoning laws. With this letter, I have enclosed the following documents:

1. Petition for Special Hearing (3)
2. Petition for Variance (3)
3. Zoning Description (3)
4. Site Plan (12)
5. 200' Scale Zoning Map (1)
6. Check for $500.00 (1)

If you have any questions or concerns regarding this filing, please give me a call.

Sincerely,

Amy L. Dontell

Amy L. Dontell
Paralegal

Enclosures
TO1DOCS1/ALD99/#139964 v1

RECEIVED
JUN 28 2002
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

LITTLE & ASSOCIATES, INC.
Engineers ~~~ Land Planners ~~~ Surveyors

1055 Taylor Avenue
Suite 307
Towson, MD 21286
Phone: (410) 296 – 1636
Fax: (410) 296 – 1639

September 22, 2004

Mr. Larry Schmidt, Zoning Commissioner
Baltimore County – Z.C.O.
Courts Building - 4th Fl.
401 Bosley Avenue
Baltimore, MD 21204

Re: Brunton Property
fka McDonogh Oaks –
Sect 3
PN 02610B

Dear Mr. Schmidt:

This writing is per our discussion today and is with regard to Case No. 03-003-SPHA. This Zoning Variance Case was heard in combination with the Hearing Officer's Hearing for approval of the Development Plan for the referenced project.

As we discussed, there are two lots which were inadvertently excluded from the variance petition; as a result they were also left out of the Order that you authored. The side building face to side building face variance sought for these lots (Lots 56 and 57) was, however, indicated at the Hearing both verbally and pictorially. The red-line Development Plan, which was the only document presented on the display board at the Hearing, indicates the variance relief sought for these lots. That plan also shows the proposed building location, is to scale, and depicts a separation of the 14 feet requested. It was the intention at the Hearing that Lots 56 and 57 be included in the Petition request. The Plan to Accompany the Special Hearing and Variance Request was not actually displayed at the Hearing, but does agree with the Development Plan as to building location on these two lots. There was only support for the variances requested from the Office of Planning, and the community - no objections.

The Final Development Plan, which has since been approved, also refers to the variance sought for these lots.

As a result, we respectfully request written clarification from you that it was the intention to include the side building face to side building face variance relief sought for Lots 56 and 57 in your Order as being granted, and that as such, building permits may be issued accordingly.

Please find enclosed the following to assist you in evaluating our request:

a.) A copy of your Order,
b.) A print of the Red-Line Development Plan as was presented at the Hearing Officer's Hearing,
c.) A Print of the Approved Final Development Plan,
d.) A copy of the Petition Form, Attachment, Plan to Accompany Petition, and Hearing Notice

Thank you in advance for your attention to this matter.

Very truly yours,
LITTLE & ASSOCIATES, INC.

G. Dwight Little, Jr., P.E.
President

GDL/dr

Enclosures

1. APPLICANT:
MASTERCRAFT COMMUNITIES L.L.C.
P.O. BOX 531
OWINGS MILLS, MD 21117

2. SITE LOCATION

Election District No.	2	Councilmanic District No.	3
Watershed No.	27	Subwatershed No.	65
Census Tract	4025	Tax Map 67 Grid 20 Parcel	33
Census Block Group	01	Regional Planning District	312
Transportation Zone	483	Land Management Area	OWINGS MILLS GROWTH AREA
Water Map Designation	W-1	Zip Code	21117
Sewer Map Designation	S-1		

3. PROPERTY INFORMATION:
OWNERSHIP: CLAIR & FREDERICK (W. TRUSTEES) BRUNTON
555 E. WASHINGTON AVE., APT. 705
SUNNYVALE, CA. 94086-2179
TAX ACCT. NO. : 2200027845
PLAT REF: 68/118

4. REFERENCES FOR EXISTING FEATURES SHOWN ON PLAN
A. Topography shown hereon is based on Baltimore County 200 Scale GIS Tile 67A3.
B. Property outline is taken from deed information and plats of surrounding properties.
C. Existing zoning is DR 5.5 & D.R. 3.5, 200 scale map NW 9-1.
D. Soil lines and types shown are taken from Baltimore County USDA Soils Map No. 33.

5. GENERAL INFORMATION:
A. Existing use on site: Vacant
B. Existing land use within 200' of site is single family residential and commercial.
C. There are no known endangered species habitats, archeological or historical sites, or contaminated areas on the subject property.
D. Total average daily trips (A.D.T.'s) for Phase 3 is 629 (74 units x 8.5 trips per unit =629).
E. School Districts: New Town Elementary School
Deer Park Middle Magnet
Randallstown High School
F. This property as shown on the plan has been held intact since 1971.
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 dwellings.
G. This site has no prior zoning history.
H. All roads adjacent to the development are public.
I. The Bureau of Traffic Engineering and Transportation Planning has confirmed that the subject site is not within a traffic deficient area.
J. There are no known underground storage tanks onsite.
K. There are no known wells or septic reserve areas onsite.
L. Site signage, if any, will meet the requirement of Section 450, BCZR.
M. Garages cannot be converted to non-garage or storage use. this restriction is to be included in the deeds for each lot.
N. Local Open Space shall be dedicated to Baltimore County.
O. Within the area shown as 'Baltimore County Recreational Greenway Reservation', permitted uses may include: public access for hiking, bicycling, fishing, nature/environmental studies, and Baltimore County supervised trail improvements and maintenance, subject to approval by the Department of Environmental Protection and Resource Management.
P. All Drainage & Utility Easements shown on-site shall be dedicated to Baltimore County.
Q. Lots 1 through 18 shall be screened using evergreen plant material in combination with appropriate opaque fencing.
R. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement and Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
S. Any Forest Buffer Easement and 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.
T. A landscape plan will be approved prior to building application.
U. A minimum private yard area of 500 contiguous square feet with a minimum 15 foot dimension is required to ensure adequate yard space for every housing type except multi-family buildings and back to back group houses, which are separately regulated. Either the side or rear yard or some combination of both may be used to meet this requirement and may include decks and/or patios but not structures which might be enclosed. Zoning variances granted in Case #03-003-SPHA supersede this requirement on certain lots.

BUILDING ENVELOPE NOTE
Envelopes or typical house locations on single family lots may dictate a specific building orientation. The setbacks required by the Baltimore County Zoning Regulations must be met.

DIRECTOR OF PDM NOTE
The Development Plan is approved by the Director of PDM based on his interpretation of the Zoning Regulations, 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.

ACCESSORY STRUCTURE NOTE
Building envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to convenience and applicable building permits.) (where applicable)

WALKWAY AND ACCESS EASEMENTS
If drainage, utility and walkway access easements are fenced, then at least 5 feet must remain open for pedestrian access.

Surrounding Zoning Land Use

North:	DR 16	Single Family Attached
South:	DR 3.5	Single Family Detached
East:	DR 3.5	Multi-Family
West:	DR 3.5	Single Family Detached

Dwelling Type	Proposed Units	Parking Required	Parking Proposed	Open Space Required	Open Space Proposed	Phase	Development Schedule
SINGLE FAMILY DETATCHED	55	110	110	0.91 ac.	19.10 ac.	1	EXISTING
SINGLE FAMILY DETACHED	61	122	122	0.82 ac.	8.63 ac.	2	EXISTING
TOWNHOUSE	64	128	151*	1.10 ac. (48,100 sf)	2.70 ac. (117,525 sf)	3	6/03
DUPLEX	10	20	20*			3	6/03
TOTAL	190	380	403	2.83 ac.	30.43 ac.		

SITE DATA
Existing Zoning and Maximum Density Permitted

Zone	Acres	Units Allowed	Units Proposed Phase 3	Units Proposed Total
DR 3.5	57.69	201	8	124
DR 5.5	12.09	66	66	66
Total	69.78	267	74	190

*Parking Calculation For Visitor Parking
Parking Required = 148 P.S.
Visitor Parking Required (148 x 15%) = 23 P.S.
Total Required = 171 P.S.

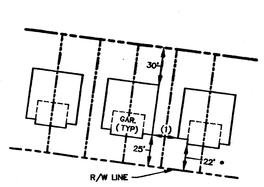
OPEN SPACE PROPOSAL

Open Space Type	Acres
Local Open Space	2.70
Baltimore County Greenway/Easement	Existing
Stormwater Management	0.86
Total Provided	

ADDITIONAL INFORMATION
Anticipated Actions: Variances

CASE NO. 03-003 SPHA
1. To allow for side building face to side building face of 14 feet in lieu of the required 25 feet on lots 6, 7, 23, 24, 27, 28, 34, 35, 36, 37, 38, 39, 40, and 41, 56 and 57.
2. To allow for a rear building face to rear property line of 18 feet in lieu of the required 30 feet on lots 1 through 18 and 43 through 74.
3. To allow for side building face to right-of-way of 15 feet in lieu of the required 25 feet on lots 50, 51, 62, 63 & 74; and 35 feet in lieu of the required 45 feet on lot 1.
4. To allow for a front building face to public street right-of-way or property line of 20 feet in lieu of the required 25 feet on lots 1, 62 and 74.

Waivers: Waiver of Public Works standards to allow for centerline curve radii of 55 feet in lieu of the required 100 feet.
Special Exceptions: NONE
Other: Special Hearing to approve a density anomaly to allow the front yards of the semi-detached dwellings on lots 33 through 42, which are in part in the DR 5.5 zone, not to count against the DR 5.5 density.
Consistency with design manuals: Yes



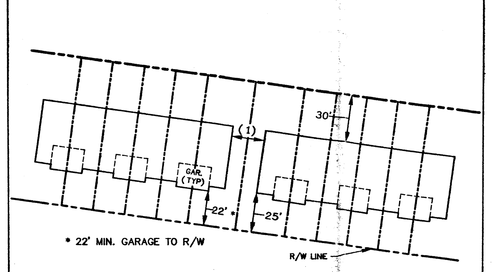
* 22' MIN. GARAGE TO R/W

TYPICAL BUILDING SETBACKS DETAIL
NOT TO SCALE

Single Family Detached, Two-Family Alternative Site Design Dwellings

	D.R. 1 & 2 ZONES (FEET)	D.R. 3.5, 5.5, 10.5, & 16 ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: ZERO & ZIPPER LOTS ALL D.R. ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: NEO-TRADITIONAL ALL D.R. ZONES (FEET)
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25	25	25	15
ARTERIAL OR COLLECTOR	–	–	–	25
(1) FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	30	16<20 HIGH 20>20 HIGH	16	16<20 HIGH 20>20 HIGH
PUBLIC STREET RIGHT-OF-WAY	25	15	15	15
PAVING OF A PRIVATE ROAD	30	25	25	25
TRACT BOUNDARY	25	15	15	15
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30	30	20	50
PUBLIC STREET RIGHT-OF-WAY	30	30	20	50
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET				
MAXIMUM BUILDING HEIGHT	50	50	50	50

THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE. FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP)

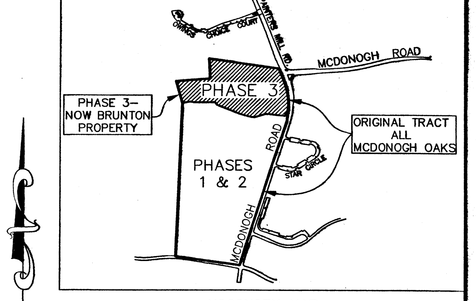


* 22' MIN. GARAGE TO R/W

TYPICAL BUILDING SETBACKS DETAIL
NOT TO SCALE

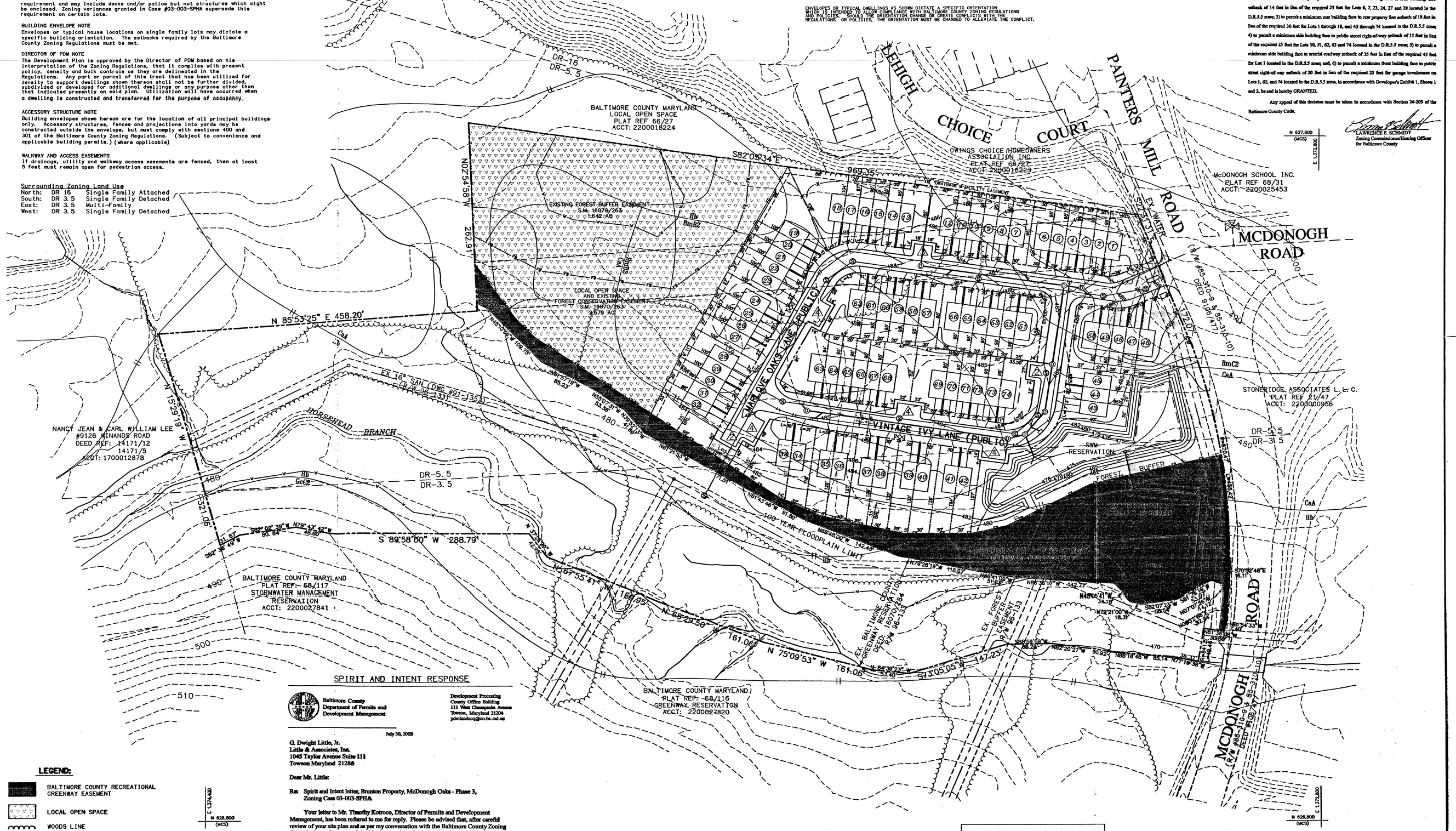
GROUP HOUSES	
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25 FEET
GARAGE UNITS	25 FEET
NON-GARAGE UNITS	
PERPENDICULAR PARKING	13 FEET
PARALLEL PARKING	15 FEET
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	25, 20 FEET (1)
PUBLIC STREET RIGHT-OF-WAY	25 FEET
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30 FEET
PUBLIC STREET RIGHT-OF-WAY	40 FEET
ANY BUILDING FACE TO: TRACT BOUNDARY	30 FEET
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET	
MAXIMUM BUILDING HEIGHT	50 FEET
MAXIMUM BUILDING LENGTH	180 FEET

THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE.FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP)
(1) SEE CMDP SECTION 1.SINGLE-FAMILY ATTACHED.



VICINITY MAP
SCALE : 1" = 1000'

ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES. SHOULD THE ORIENTATION CHANGE OR CREATE CONFLICTS WITH THE REGULATIONS OR POLICIES, THE ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT.



HEARING OFFICER'S ORDER
PDM # II-544

ZONING CASE #03-003-SPHA

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 12th day of September, 2002 that the red-lined development plan for the Brunton Property, identified herein as Developer's Exhibit 1, Sheets 1 and 2, be and it hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to confirm that proposed Lots 33 and 34 should be calculated in the D.R.5.5 zone and Lots 35 through 42 should be calculated in the D.R.3.5 zone, thereby approving the density anomalies associated therewith, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 1B01.2.C.1.b and 1B01.2.C.1.e of the Baltimore County Zoning Regulations (B.C.Z.R.) and Division II, Section A, Pgs. 5 and 19 of the Comprehensive Manual of Development Policies (C.M.D.P.) as follows: 1) to permit a minimum side building face to side building face setback of 14 feet in lieu of the required 20 feet for Lots 34, 35, 36, 37, 38, 39, 40 and 41 located in the D.R.3.5 and D.R.5.5 zones; 2) to permit a minimum side building face to side building face setback of 14 feet in lieu of the required 25 feet for Lots 6, 7, 23, 24, 27 and 28 located in the D.R.5.5 zone; 3) to permit a minimum rear building face to rear property line setback of 18 feet in lieu of the required 30 feet for Lots 1 through 18, and 43 through 74 located in the D.R.5.5 zone; 4) to permit a minimum side building face to public street right-of-way setback of 15 feet in lieu of the required 25 feet for Lots 50, 51, 62, 63 and 74 located in the D.R.5.5 zone; 5) to permit a minimum side building face to arterial roadway setback of 35 feet in lieu of the required 45 feet for Lot 1 located in the D.R.5.5 zone; and, 6) to permit a minimum front building face to public street right-of-way setback of 20 feet in lieu of the required 25 feet for garage townhouses on Lots 1, 62, and 74 located in the D.R.5.5 zone, in accordance with Developer's Exhibit 1, Sheets 1 and 2, be and is hereby GRANTED.

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

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

SPIRIT AND INTENT RESPONSE

Baltimore County
Department of Permits and Development Management

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

July 30, 2003

G. Dwight Little, Jr.
Little & Associates, Inc.
1045 Taylor Avenue Suite 111
Towson Maryland 21286

Dear Mr. Little:

Re: Spirit and Intent letter, Brunton Property, McDonogh Oaks - Phase 3, Zoning Case 03-003-SPHA

Your letter to Mr. Timothy Kotroco, Director of Permits and Development Management, has been referred to me for reply. Please be advised that, after careful review of your site plan and as per my conversation with the Baltimore County Zoning Commissioner, Lawrence Schmidt, the granting of the above variance results in private yard areas of less than 500 contiguous square feet for lot 1 through 18, and 43 through 74, and as noted under general note 5.U is within the spirit and intent of the zoning case number 03-003-SPHA.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Jan R. Fernando
Planner 2
Zoning Review

LEGEND:
- BALTIMORE COUNTY RECREATIONAL GREENWAY EASEMENT
- LOCAL OPEN SPACE
- WOODS LINE
- SOILS LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- FOREST BUFFER EASEMENT LIMIT
- FOREST CONSERVATION EASEMENT LIMITS
- WETLANDS LIMIT
- 100 YEAR FLOOD PLAIN

THESE PLANS ARE SEALED AND CERTIFIED AS BEING IN ACCORDANCE WITH THE APPROVED DEVELOPMENT PLANS.

LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1045 TAYLOR AVENUE, SUITE 111
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

STATE OF MARYLAND
G. DWIGHT LITTLE, JR.
No. 19079
REGISTERED PROFESSIONAL ENGINEER

REASONS FOR PARTIAL FIRST AMENDMENT
1. TO REFLECT THE DEVELOPMENT PROPOSAL FOR PARCEL 'A'. (PER HEARING OFFICERS ORDER DATED 9/12/02.
2. TO CHANGE THE NAME FOR PHASE 3 TO 'BRUNTON PROPERTY'
3. NO 300 FOOT PROVISORY SECTION WAS SHOWN FOR THIS PHASE 3 OF 'MCDONOGH OAKS' SINCE THERE WAS NO DEVELOPMENT WITHIN 300 FEET OF PHASES 1 AND 2.
4. NO LOTS HAVE BEEN SOLD WITHIN 300' OF THIS CHANGE.

NOTE: SIGNAL MODIFICATIONS REQUIRED BY THE BUREAU OF TRAFFIC ENGINEERING AT THE INTERSECTION OF McDONOGH ROAD AND PAINTERS MILL ROAD SHALL BE PERFORMED BY THE DEVELOPER AT HIS SOLE EXPENSE.

OFFICE OF PLANNING AND ZONING
Approved by :
Director of Planning — Date
Director of P.D.M. — Date 8/21/03

Revisions

Date	Description

NOTE: THIS PLAN REPRESENTS A "MATERIAL CHANGE" TO THE PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR McDONOGH OAKS (APPROVED 1/26/96). AS SUCH, REGULATIONS IN EFFECT AT THAT TIME APPLY.

RECEIVED

PARTIAL FIRST AMENDED FINAL DEVELOPMENT PLAN
McDONOGH OAKS

McDONOGH OAKS PHASE 3
TO BE NAMED
BRUNTON PROPERTY
FORMERLY 'McDONOGH OAKS NORTH'
RESUBDIVISION OF PARCEL 'A'

PDM #II-544

DISTRICT 2C3 — BALTIMORE COUNTY, MARYLAND
SCALE : 1" = 60' — JUNE 26, 2003

SHEET 1 OF 1

Brunton Property

Required Variances

Lot No.	Variance Type* 1	2	3	4	5	6
1			X		X	X
2			X			
3			X			
4			X			
5			X			
6		X	X			
7		X	X			
8			X			
9			X			
10			X			
11			X			
12			X			
13			X			
14			X			
15			X			
16			X			
17			X			
18			X			
19						
20						
21						
22						
23		X				
24		X				
25						
26						
27		X				
28		X				
29						
30						
31						
32						
33						
34	X					
35	X					
36	X					
37	X					
38	X					
39	X					
40	X					
41	X					
42						
43			X			
44			X			
45			X			
46			X			
47			X			
48			X			
49			X			
50			X	X		
51			X	X		
52			X			
53			X			
54			X			
55			X			
56			X			
57			X			
58			X			
59			X			
60			X			
61			X			
62			X	X		X
63			X	X		
64			X			
65			X			
66			X			
67			X			
68			X			
69			X			
70			X			
71			X			
72			X			
73			X			
74			X	X		X

Petition for Variance

1. Variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("BCZR") and Division II, Section A, page 5 of the Comprehensive Manual of Development Policies ("CMDP") to allow a minimum side building face to side building face setback of 14 feet in lieu of the required 20 feet for Lot Nos. 34, 35, 36, 37, 38, 39, 40 and 41 in the D.R 3.5 and D.R. 5.5 zones.

2. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum side building face to side building face setback of 14 feet in lieu of the required 25 feet for Lot Nos. 6, 7, 23, 24, 27 and 28 in the D.R. 5.5 zone.

3. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum rear building face to rear property line of 18 feet in lieu of the required 30 feet for Lot Nos. 1 through 18 and 43 through 74.

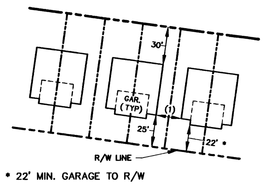
4. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum distance of 15 feet from side building face to public street right-of-way in lieu of the required 25 feet for Lot Nos. 50, 51, 62, 63 and 74 in the D.R. 5.5 zone.

5. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum distance of 35 feet from side building face to arterial roadway in lieu of the required 45 feet for Lot No. 1 in the D.R. 5.5 zone.

6. Variance from BCZR Section 1B01.2.C.1.c and Division II, Section A, page 19 of the CMDP to allow a minimum distance of 20 feet from front building face to public street right-of-way for garage townhouses in lieu of the required 25 feet for Lot Nos. 1, 62, and 74 in the D.R.5.5 zone.

Petition for Special Hearing

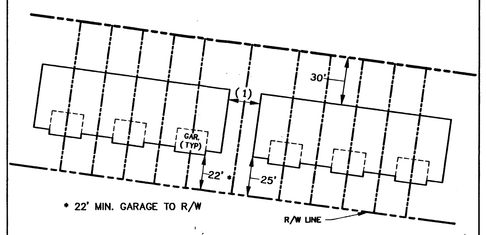
Special Hearing to confirm that Lot Nos. 33 and 34 should be calculated in the D.R. 5.5 zone and Lot Nos. 35 through 42 should be calculated in the D.R. 3.5 zone, thereby approving the density anomalies.



TYPICAL BUILDING SETBACKS DETAIL
NOT TO SCALE

Single Family Detached, Two-Family Alternative Site Design Dwellings	D.R. 1 & 2 ZONES (FEET)	D.R. 3.5, 5.5, 10.5, & 16 ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: ZERO & ZIPPER LOTS ALL D.R. ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: NEO-TRADITIONAL ALL D.R. ZONES (FEET)
FROM FRONT BUILDING FACE TO:				
PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25	25	25	15
ARTERIAL OR COLLECTOR	-	-	-	25
FROM SIDE BUILDING FACE TO:				
(1) SIDE BUILDING FACE	30	16<20 HIGH 20>20 HIGH	16	16<20 HIGH 20>20 HIGH
PUBLIC STREET RIGHT-OF-WAY	25	15	15	15
PAVING OF A PRIVATE ROAD	30	25	25	25
TRACT BOUNDARY	25	15	15	15
FROM REAR BUILDING FACE TO:				
REAR PROPERTY LINE	30	30	20	50
PUBLIC STREET RIGHT-OF-WAY	30	30	20	50
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET				
MAXIMUM BUILDING HEIGHT	50	50	50	50

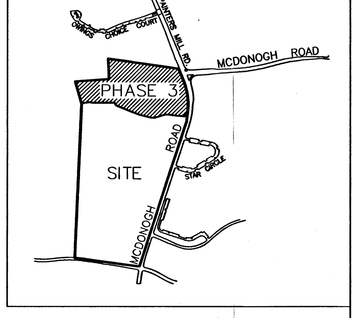
THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE. FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP)



TYPICAL BUILDING SETBACKS DETAIL
NOT TO SCALE

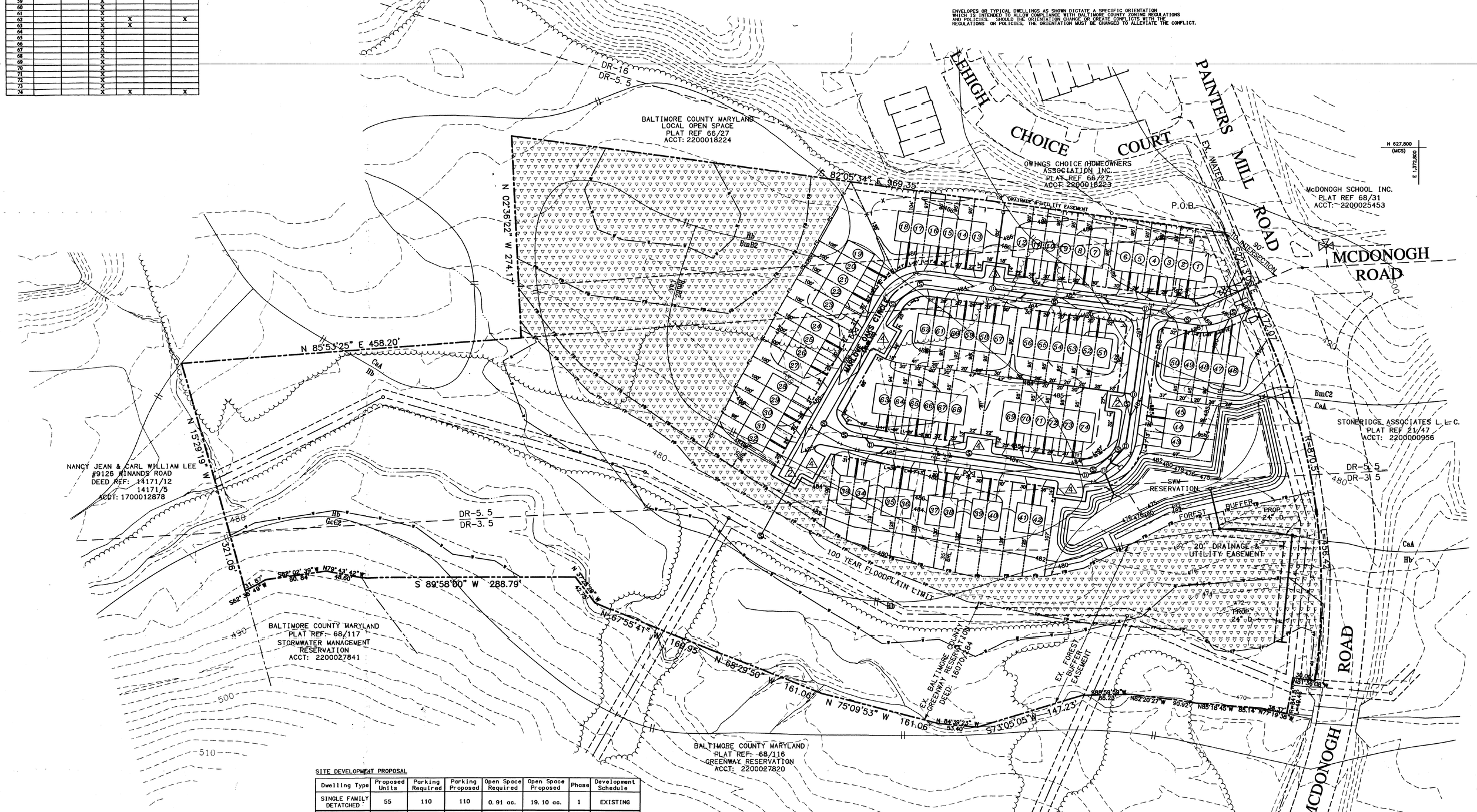
GROUP HOUSES	
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	
GARAGE UNITS	25 FEET
NON-GARAGE UNITS	
PERPENDICULAR PARKING	13 FEET
PARALLEL PARKING	15 FEET
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	25, 20 FEET (1)
PUBLIC STREET RIGHT-OF-WAY	25 FEET
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30 FEET
PUBLIC STREET RIGHT-OF-WAY	40 FEET
ANY BUILDING FACE TO: TRACT BOUNDARY	30 FEET
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET	
MAXIMUM BUILDING HEIGHT	50 FEET
MAXIMUM BUILDING LENGTH*	180 FEET

THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE.FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP)
(1) SEE CMDP SECTION *, SINGLE-FAMILY ATTACHED.



VICINITY MAP
SCALE : 1" = 1000'

ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES. SHOULD THE ORIENTATION CHANGE OR CREATE CONFLICTS WITH THE REGULATIONS OR POLICIES, THE ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT.



LEGEND:

- LOCAL OPEN SPACE
- WOODS LINE
- SOILS LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- FOREST BUFFER EASEMENT LIMIT
- FOREST CONSERVATION EASEMENT LIMITS
- WETLANDS LIMIT
- 100 YEAR FLOOD PLAIN

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Proposed	Open Space Required	Open Space Proposed	Phase	Development Schedule
SINGLE FAMILY DETACHED	55	110	110	0.91 ac.	19.10 ac.	1	EXISTING
SINGLE FAMILY DETACHED	61	122	122	0.82 ac.	8.63 ac.	2	EXISTING
TOWNHOUSE	64	128	151	1.10 ac.	4.46 ac.	3	6/03
DUPLEX	10	20	20	(48,100 sf)	(195,144 sf)	3	6/03
TOTAL	190	380	403	2.83 ac.	32.19 ac.		

SITE DATA

Existing Zoning and Maximum Density Permitted

Zone	Acres	Units Allowed	Units Proposed Phase 3	Units Proposed Total
DR 3.5	57.69	201	10	126
DR 5.5	12.09	66	64	64
Total	69.78	267	74	190

OPEN SPACE PROPOSAL

Open Space Type	Acres
Local Open Space	4.48
Baltimore County Greenway/Easement	Existing
Stormwater Management	0.86
Total Provided	

ADDITIONAL INFORMATION

Anticipated Actions:
Variances
Waivers — Waiver of Public Works standards to allow for centerline curve radii of 55 feet in lieu of the required 100 feet.
Special Exceptions — NONE
Other
Consistency with design manuals — Yes

NOTE:
I, G. Dwight Little, Jr. certify under oath that to the best of my knowledge, there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

STATE OF MARYLAND — G. DWIGHT LITTLE, JR. — 20401 — REGISTERED PROFESSIONAL ENGINEER

NOTE: THIS PLAN REPRESENTS A "MATERIAL CHANGE" TO THE PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR McDONOGH OAKS (APPROVED 1/26/96). AS SUCH, REGULATIONS IN EFFECT AT THAT TIME APPLY.

LITTLE & ASSOCIATES, INC.
ENGINEERS~~~LAND PLANNERS
1045 TAYLOR AVENUE
SUITE 111
TOWSON, MARYLAND 21286
PHONE: (410)296-1636
FAX: (410)296-1639

This Plan is Sealed and Certified to be in accordance with the Hearing Officer's Order and all agency comments.

Revisions	
Date	Description

PLAN TO ACCOMPANY SPECIAL HEARING AND VARIANCE REQUEST

BRUNTON PROPERTY

(McDONOGH OAKS PHASE 3)
FORMERLY 'McDONOGH OAKS NORTH'
RESUBDIVISION OF PARCEL 'A'
PDM #II-544

DISTRICT 2C3 — BALTIMORE COUNTY, MARYLAND
SCALE : 1" = 60' — JUNE 21, 2002

SHEET 1 OF 1

GENERAL NOTES

1. APPLICANT:
   MASTERCRAFT COMMUNITIES L. L. C.
   P. O. BOX 531
   OWINGS MILLS, MD 21117

2. SITE LOCATION

Election District No.	2	Councilmanic District No.	3
Watershed No.	27	Subsewershed No.	65
Census Tract	4025	Tax Map 67 Grid 20 Parcel	33
Census Block Group	01	Regional Planning District	312
Transportation Zone	483	Land Management Area	OWINGS MILLS GROWTH AREA
Water Map Designation	W-1	Zip Code	21117
Sewer Map Designation	S-1		

3. PROPERTY INFORMATION:
   OWNERSHIP: CLAIR & FREDERICK (W. TRUSTEES) BRUNTON
   555 E. WASHINGTON AVE., APT. 705
   SUNNYVALE, CA. 94086-2179
   TAX ACCT. NO. : 2200027845
   PLAT REF: 68/118

4. REFERENCES FOR EXISTING FEATURES SHOWN ON PLAN:
   A. Topography shown hereon is based on Baltimore County 200 Scale GIS Tile 67A3.
   B. Property outline is taken from deed information and plats of surrounding properties.
   C. Existing zoning is DR 5.5 & D.R. 3.5, 200 scale map NW 9-I.
   D. Soil lines and types shown are taken from Baltimore County USDA Soils Map No. 33.

5. GENERAL INFORMATION:
   A. Existing use on site: Vacant
   B. Existing land use within 200' of site is single family residential and commercial.
   C. There are no known endangered species habitats, archeological or historical sites, or contaminated areas on the subject property.
   D. Total average daily trips (A.D.T.'s) for Phase 3 is 629 (74 units x 8.5 trips per unit =629).
   E. School Districts: New Town Elementary School
      Deer Park Middle Magnet
      Randallstown High School
   F. This property as shown on the plan has been held intact since 1971.
      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 dwellings.
   G. This site has no prior zoning history.
   H. All roads adjacent to the development are public.
   I. The Bureau of Traffic Engineering and Transportation Planning has confirmed that the subject site is not within a traffic deficient area.
   J. There are no known underground storage tanks onsite.
   K. There are no known wells or septic reserve areas onsite.
   L. Site signage, if any, will meet the requirement of Section 450, BCZR.
   M. Garages cannot be converted to non-garage or storage use.
   N. Local Open Space shall be dedicated to Baltimore County.
   O. Within the area shown as "Baltimore County Recreational Greenway Reservation", permitted uses may include: public access for hiking, bicycling, fishing, nature/environmental studies, and Baltimore County supervised trail improvements and maintenance, subject to approval by the Department of Environmental Protection and Resource Management.
   P. All Drainage & Utility Easements shown on-site shall be dedicated to Baltimore County.
   Q. Lots 1 through 18 shall be screened using evergreen plant material in combination with appropriate opaque fencing.

BUILDING ENVELOPE NOTE
Envelopes or typical house locations on single family lots may dictate a specific building orientation. The setbacks required by the Baltimore County Zoning Regulations must be met.

DIRECTOR OF PDM NOTE
The Development Plan is approved by the Director of PDM based on his interpretation of the Zoning Regulations, 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.

ACCESSORY STRUCTURE NOTE (where applicable)
Building envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to convenience and applicable building permits.)

WALKWAY AND ACCESS EASEMENTS
If drainage, utility and walkway access easements are fenced, then at least 5 feet must remain open for pedestrian access.

Surrounding Zoning Land Use

North:	DR 16	Single Family Attached
South:	DR 3.5	Single Family Detached
East:	DR 3.5	Multi-Family
West:	DR 3.5	Single Family Detached

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Proposed	Open Space Required	Open Space Proposed	Phase	Development Schedule
SINGLE FAMILY DETATCHED	55	110	110	0.91 ac.	19.10 ac.	1	EXISTING
SINGLE FAMILY DETACHED	61	122	122	0.82 ac.	8.63 ac.	2	EXISTING
TOWNHOUSE	64	128	151*	1.10 ac. (48,100 sf)	2.70 ac. ~~4.46 ac.~~	3	6/03
DUPLEX	10	20	20*		~~(195,144 sf)~~	3	6/03
TOTAL	190	380	403	2.83 ac.	~~32.19 ac.~~ 30.43 ac.		

SITE DATA

Existing Zoning and Maximum Density Permitted

Zone	Acres	Units Allowed	Units Proposed Phase 3	Units Proposed Total
DR 3.5	57.69	201	~~10~~ 8	~~125~~124
DR 5.5	12.09	66	~~64~~ 66	~~64~~ 66
Total	69.78	267	74	190

*Parking Calculation For Visitor Parking
Parking Required = 148 P.S.
Visitor Parking Required (148 x 15%) = 23 P.S.
Total Required = 171 P.S.

OPEN SPACE PROPOSAL

Open Space Type	Acres
Local Open Space	~~4.482~~ 70
Baltimore County Greenway/Easement	Existing
Stormwater Management	0.86
Total Provided	

ADDITIONAL INFORMATION

CASE NO. 03-003 SPHA

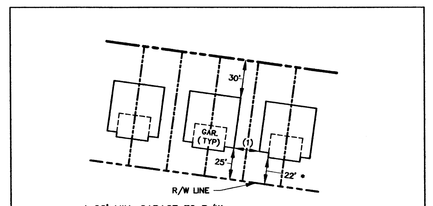
Anticipated Actions: Variances
1. To allow for side building face to side building face of 14 feet in lieu of the required 25 feet on lots 6, 7, 23, 24, 27, 28, 34, 35, 36, 37, 38, 39, 40, 41, 56 and 57.
2. To allow for a rear building face to rear property line of 18 feet in lieu of the required 30 feet on lots 1 through 18 and 43 through 74.
3. To allow for side building face to right-of-way of 15 feet in lieu of the required 25 feet on lots 50, 51, 62, 63 & 74; and 35 feet in lieu of the required 45 feet on lot 1.
4. To allow for a front building face to public street right-of-way or property line of 20 feet in lieu of the required 25 feet on lots 1, 62 and 74.

Waivers: Waiver of Public Works standards to allow for centerline curve radii of 55 feet in lieu of the required 100 feet.

Special Exceptions: NONE

Other: Special Hearing to approve a density anomaly to allow the front yards of the semi-detatched dwellings on lots 33 through 42, which are in part in the DR 5.5 zone, not to count against the DR 5.5 density.

Consistency with design manuals: Yes



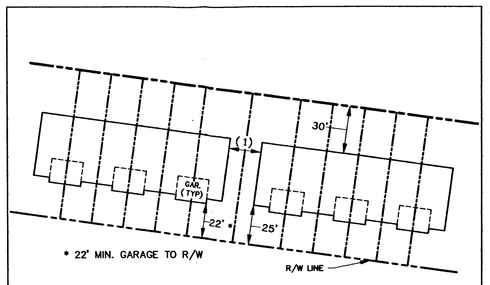
* 22' MIN. GARAGE TO R/W

TYPICAL BUILDING SETBACKS DETAIL
NOT TO SCALE

Single Family Detached, Two-Family Alternative Site Design Dwellings

	D. R. 1 & 2 ZONES (FEET)	D. R. 3. 5, 5. 5, 10. 5, & 16 ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: ZERO & ZIPPER LOTS ALL D. R. ZONES (FEET)	ALTERNATIVE SITE DESIGN DWELLINGS: NEO-TRADITIONAL ALL D. R. ZONES (FEET)
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25	25	25	15
ARTERIAL OR COLLECTOR	–	–	–	25
(1) FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	30	16<20 HIGH 20>20 HIGH	16	16<20 HIGH 20>20 HIGH
PUBLIC STREET RIGHT-OF-WAY	25	15	15	15
PAVING OF A PRIVATE ROAD	30	25	25	25
TRACT BOUNDARY	25	15	15	15
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30	30	20	50
PUBLIC STREET RIGHT-OF-WAY	30	30	20	50
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET				
MAXIMUM BUILDING HEIGHT	50	50	50	50

THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE. FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP)



* 22' MIN. GARAGE TO R/W

TYPICAL BUILDING SETBACKS DETAIL
NOT TO SCALE

GROUP HOUSES	
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE GARAGE UNITS	25 FEET
NON-GARAGE UNITS PERPENDICULAR PARKING	13 FEET
PARALLEL PARKING	15 FEET
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	25, 20 FEET (1)
PUBLIC STREET RIGHT-OF-WAY	25 FEET
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30 FEET
PUBLIC STREET RIGHT-OF-WAY	40 FEET
ANY BUILDING FACE TO: TRACT BOUNDARY	30 FEET
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET	
MAXIMUM BUILDING HEIGHT	50 FEET
MAXIMUM BUILDING LENGTH	180 FEET

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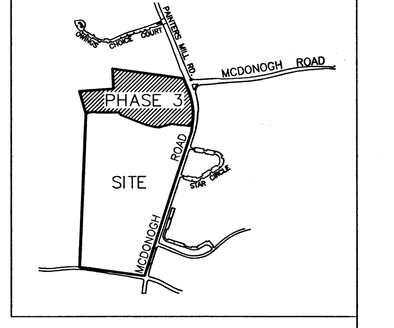
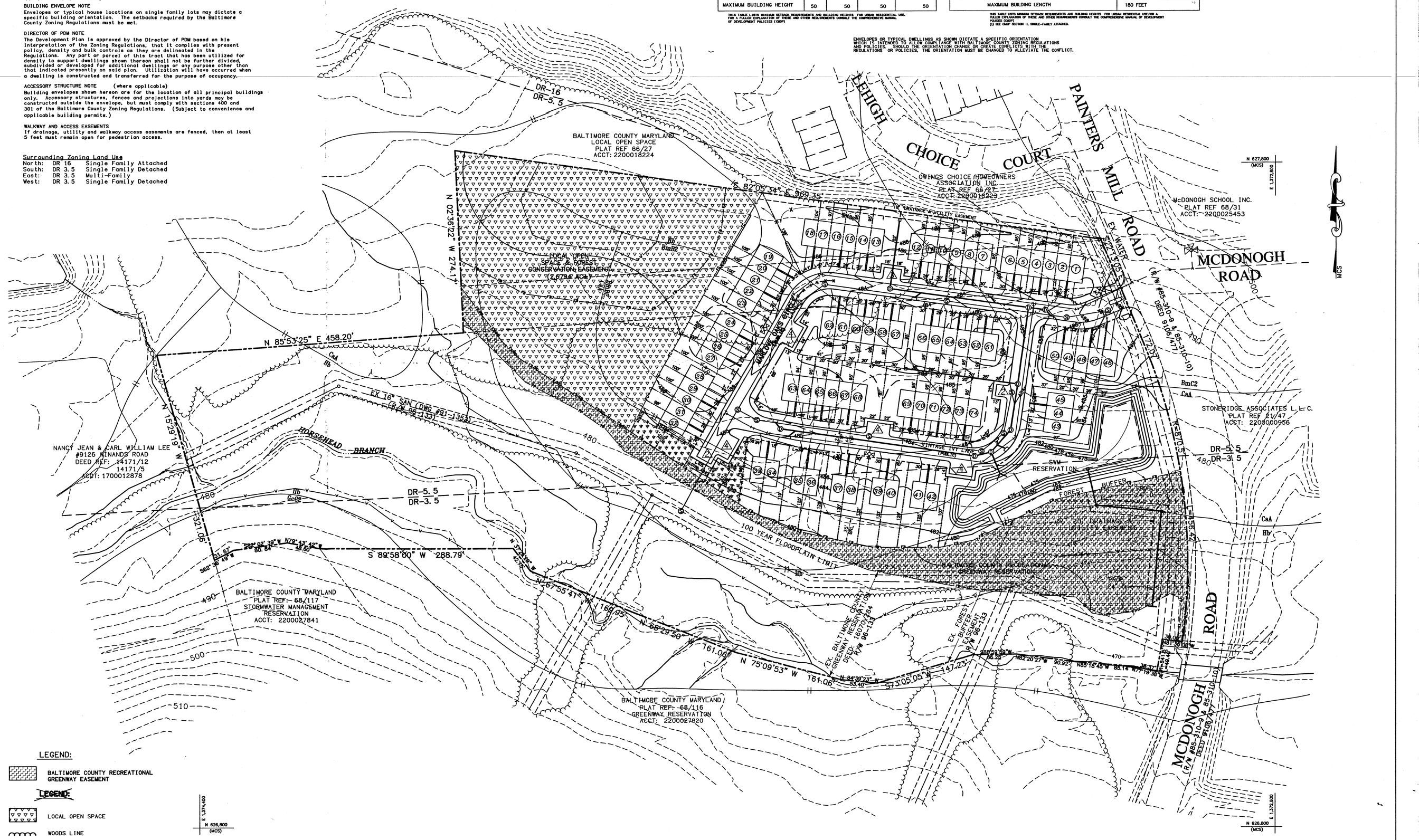
(1) SEE CMDP SECTION 11, SINGLE-FAMILY ATTACHED.



VICINITY MAP
SCALE : 1" = 1000'

ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES. SHOULD THE ORIENTATION CHANGE OR CREATE CONFLICTS WITH THE REGULATIONS OR POLICIES, THE ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT.



LEGEND:

BALTIMORE COUNTY RECREATIONAL GREENWAY EASEMENT

~~LEGEND:~~

LOCAL OPEN SPACE
WOODS LINE
SOILS LINE
---100--- EXISTING CONTOUR
—100— PROPOSED CONTOUR
—FB— FOREST BUFFER EASEMENT LIMIT
—FC— FOREST CONSERVATION EASEMENT LIMITS
—W— WETLANDS LIMIT
—FP— 100 YEAR FLOOD PLAIN

NOTE: THIS PLAN REPRESENTS A "MATERIAL CHANGE" TO THE PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR McDONOGH OAKS (APPROVED 1/26/96). AS SUCH, REGULATIONS IN EFFECT AT THAT TIME APPLY.

LITTLE & ASSOCIATES, INC.
ENGINEERS~~~LAND PLANNERS
1045 TAYLOR AVENUE
SUITE 111
TOWSON, MARYLAND 21286
PHONE: (410)296-1636
FAX: (410)296-1639

This Plan is Sealed and Certified to be in accordance with the Hearing Officer's Order and all agency comments.

NOTE:
I, G. Dwight Little, Jr. certify under oath that to the best of my knowledge, there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

NOTE: SIGNAL MODIFICATIONS REQUIRED BY THE BUREAU OF TRAFFIC ENGINEERING AT THE INTERSECTION OF McDONOGH ROAD AND PAINTERSMILL ROAD SHALL BE PERFORMED BY THE DEVELOPER AT HIS SOLE EXPENSE.

Revisions	
Date	Description

AS PRESENTED AT H. O. H. 8/30/02

DEVELOPMENT PLAN

BRUNTON PROPERTY

(McDONOGH OAKS PHASE 3)

FORMERLY 'McDONOGH OAKS NORTH'

RESUBDIVISION OF PARCEL 'A'

PDM #II-544

DISTRICT 2C3 — BALTIMORE COUNTY, MARYLAND

SCALE : 1" = 60' — JUNE 17, 2002 — AUGUST 22, 2002

SHEET 1 OF 2

ENVIRONMENTAL INFORMATION

Existing	Not Existing	Field Verified	
✓			Topography and street grades (minimum 5ft. contour appropriately labeled)
	✓		Slopes greater than 25%
✓			100 year floodplain
✓			Soils mapped according to Soil Survey, Baltimore County, Maryland
✓			Streams, seeps, ponds or other water bodies shown on site and within 200ft. of site boundaries
		✓	Wetlands
✓			Forest buffer limits including adjustments for steep slopes and/or erodible soils
✓			Land cover on or within 200ft. of site
	✓		Significant regulated plant or wildlife communities
	✓		Wells on site or within 100ft. of site
	✓		Septic on site or within 100ft. of site
	✓		Soil evaluation tests (perc tests)

EXISTING BUILT CONDITIONS

Existing	Not Existing	Field Existing	
✓			Locations of existing buildings within 200ft. of site boundaries
✓			Location of existing roads within 200ft. of site boundaries
	✓		Designated historic sites as per Landmarks Preservation Commission or the MD Historic Trust Inventory
	✓		Designated sites as per the Maryland Archeological Survey
	✓		Significant views
	✓		Significant features (specimen trees, buildings, streetscape, etc.)
✓			Land uses on and within 200ft. of site
✓			Roads right-of-way and easements

COUNTY ADOPTED PLANS

Existing	Not Existing	In Conformance	
		✓	Balto. Co. Master Plan 1989-2000
		✓	Community or Revitalization Plan (s)
		✓	Recreation and Parks Plan
		✓	Streetscape Plan
		✓	Greenways Plan
		✓	Other:

SITE DATA

Existing Zoning and Maximum Density Permitted (SEE SHEET 2 OF 2)

~~Zone~~	~~Acres~~	Units Allowed	~~Units Proposed~~
~~DR 3.5~~	~~6.69~~	20	~~8~~ 10
~~DR 5.5~~	~~12.09~~	66	~~84~~ 65
~~Total~~	~~18.78~~	86	~~72~~ 75

SITE DEVELOPMENT PROPOSAL (THIS PHASE ONLY)

Dwelling Type	Proposed Units	Parking Required	Parking Proposed	Phase	Development Schedule
Duplex	~~8~~ 10	~~16~~ 20	~~16~~ 20		
Townhomes	~~84~~ 65	~~128~~ 130	~~128~~ 130		
Overflow			~~22~~ 23		
Total	~~72~~ 75	~~144~~ 150	~~166~~ 173		

OPEN SPACE PROPOSAL (THIS PHASE ONLY)

Open Space Type	Acres
Local Open Space	~~4.63~~ 4.47
Baltimore County Greenway/Easement	Existing
Stormwater Management	
Total Provided	

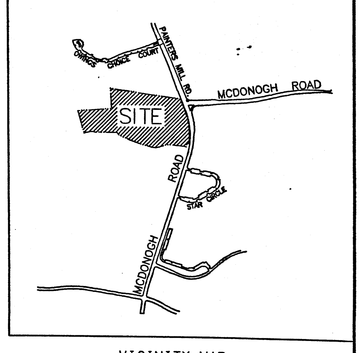
ADDITIONAL INFORMATION

Anticipated Actions:
Variances NONE TO ALLOW FOR A BUILDING, TO BUILDING RELATIONSHIP OF 14 FEET IN LIEU OF THE REQUIRED 20 FEET.
Waivers NONE
Special Exceptions NONE
Other
Consistency with design manuals YES

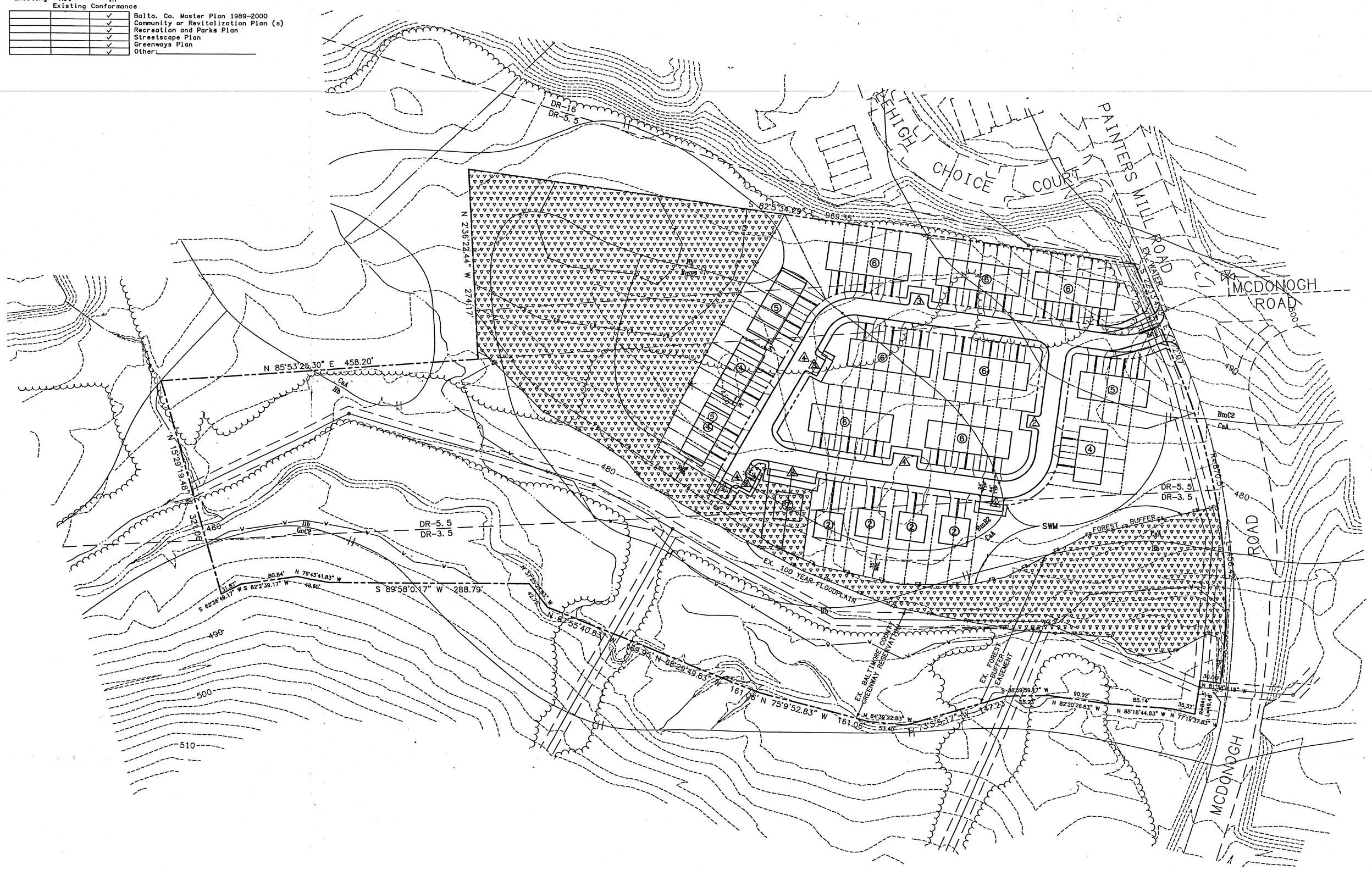
GENERAL NOTES

1. TOPOGRAPHY SHOWN ON SITE IS BASED ON BALTIMORE COUNTY GIS TILE 67A2.
2. PROPERTY OUTLINE SHOWN IS TAKEN FROM DEED INFORMATION AND PLATS OF SURROUNDING PROPERTIES.
3. ENTIRE SITE IS ZONED DR 3.5 & DR 5.5
4. SOIL LINE TAKEN FROM BALTIMORE COUNTY SOILS MAP NO. 33.
5. THERE ARE NO KNOWN ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY.
6. THERE ARE NO KNOWN WELLS OR SEPTIC SYSTEMS ON SITE.
7. EXISTING LAND USE WITHIN 200' OF SITE IS SINGLE FAMILY RESIDENTIAL.
8. TOTAL AVERAGE DAILY TRIPS (A.D.T.'S) FOR THE SITE IS 612. (THIS PHASE ONLY)
9. OPEN SPACE CALCULATIONS: (THIS PHASE ONLY)
   OPEN SPACE REQUIRED ~~75~~ 72 UNITS X 650 SF/UNIT = ~~46,800~~ ~~(1.93 AC±)~~
   OPEN SPACE PROVIDED: 201,580 SF (4.63 AC. ±) 48,750 (1.12 AC±)

   LOCAL OPEN SPACE SHOWN THUS:



VICINITY MAP
SCALE : 1" = 1000'



NOTE: THIS PLAN REPRESENTS A "MATERIAL CHANGE" TO THE PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR McDONOGH OAKS (APPROVED 1/26/96). AS SUCH, REGULATIONS IN EFFECT AT THAT TIME APPLY.

STATE OF MARYLAND
S. BRIGHT LITTLE JR.
No. 16019
REGISTERED PROFESSIONAL ENGINEER

LITTLE & ASSOCIATES, INC.
ENGINEERS~~~LAND PLANNERS
1045 TAYLOR AVENUE
SUITE 111
TOWSON, MARYLAND 21286
PHONE: (410)296-1636

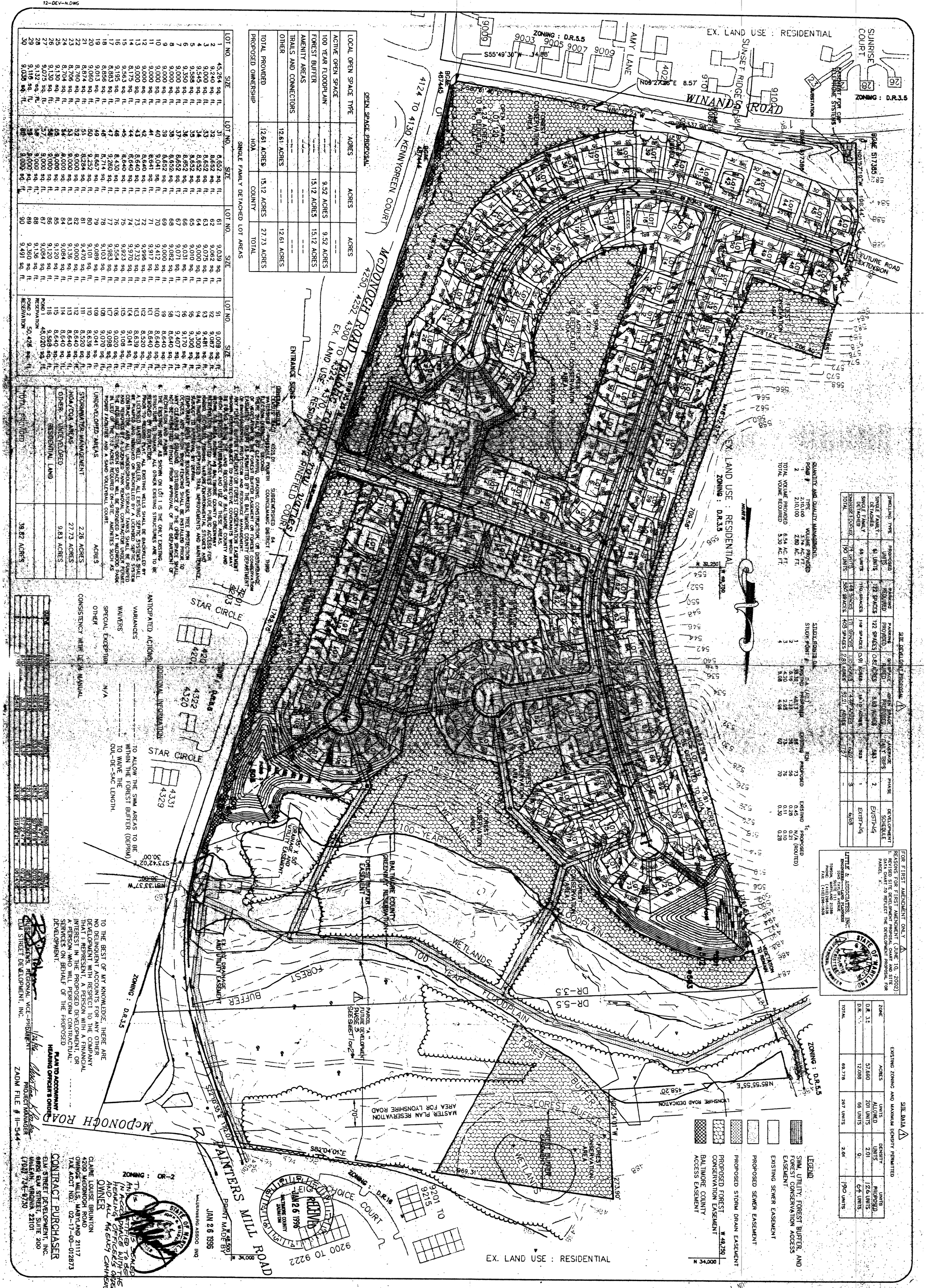
OWNER
CLAIR & FREDERICK (W. TRUSTEES) BRUNTON
555 E. WASHINGTON AVE., APT. 705
SUNNYVALE, CA. 94086-2179

DEVELOPER
MASTERCRAFT COMMUNITIES, LLC
P.O. BOX 531
OWINGS MILLS, MD. 21117

CONCEPT PLAN

McDONOGH OAKS NORTH

RESUBDIVISION OF PARCEL 'A'
PDM #II-544



SITE DEVELOPMENT PROPOSAL ⚠1

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROVIDED	OPEN SPACE REQUIRED	OPEN SPACE PROPOSED	AVERAGE DAILY TRIPS	PHASE	DEVELOPMENT SCHEDULE
SINGLE FAMILY DETACHED	61 UNITS	122 SPACES	122 SPACES	0.82 ACRES	8.63 ACRES	583	2	EXISTING
SINGLE FAMILY DETACHED	55 UNITS	110 SPACES	110 SPACES	0.91 ACRES	19.10 ACRES	525	1	EXISTING
TOWNHOUSE & DUPLEX	74 UNITS	148 SPACES	171 SPACES	1.10 ACRES	4.48 ACRES	629	3	6/03
TOTAL	190 UNITS	380 SPACES	403 SPACES	2.83 ACRES	32.21 ACRES	1737	–	

FOR FIRST AMENDMENT ONLY ⚠1

REASONS FOR FIRST AMENDMENT (JUNE 10, 2002):
1. REVISED SITE DEVELOPMENT PROPOSAL CHART AND SITE DATA CHART TO REFLECT THE DEVELOPMENT PROPOSAL FOR PARCEL 'A'.

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PHONE: (410) 296-1636
FAX: (410) 296-1639

STATE OF MARYLAND
REGISTERED PROFESSIONAL ENGINEER
10019

SITE DATA ⚠1

EXISTING ZONING AND MAXIMUM DENSITY PERMITTED

ZONE	ACRES	UNITS ALLOWED	DENSITY UNITS	UNITS PROPOSED
D.R. 3.5	57.690	201 UNITS	2.01	126 UNITS
D.R. 5.5	12.088	66 UNITS	0	64 UNITS
TOTAL	69.778	267 UNITS	2.01	190 UNITS

QUANTITY AND QUALITY MANAGEMENT:

POND #	TYPE	VOLUME PROVIDED
1	2,10,100	3.74 AC. FT.
2	2,10,100	2.80 AC. FT.

TOTAL VOLUME PROVIDED 6.54 AC. FT.
TOTAL VOUME REQUIRED 5.30 AC. FT.

STUDY POINTS DA:

STUDY POINT #	D.A. (AC.) EXISTING	D.A. (AC.) PROPOSED	RCN EXISTING	RCN PROPOSED	Tc EXISTING	Tc PROPOSED
1	38.32	48.13	58	73	0.45	N/A (ROUTED)
2	5.16	1.23	56	56	0.28	0.21
3	4.20	2.95	73	76	0.11	0.10
4	9.08	4.96	60	70	0.30	0.28

LEGEND
- ▤ SWM, UTILITY, FOREST BUFFER, AND FOREST CONSERVATION ACCESS EASEMENT
- ☐ EXISTING SEWER EASEMENT
- ░ PROPOSED SEWER EASEMENT
- ▦ PROPOSED STORM DRAIN EASEMENT
- ⬡ PROPOSED FOREST CONSERVATION EASEMENT
- ▩ BALTIMORE COUNTY ACCESS EASEMENT

NORTH
EX. LAND USE : RESIDENTIAL
ZONING : D.R.3.5
ZONING : D.R.5.5
ZONING : D.R.16
ZONING : OR-2
W 49,750
N 34,000
W 48,500
SUNRISE COURT
WINAND ROAD
SUNSET RIDGE
AMY LANE
FUTURE ROAD EXTENSION
EASEMENT FOR C&P TELEPHONE SYSTEMS
SUBSTATION
FOREST CONSERVATION AREA
OPEN SPACE LOT 121 2.59 ACRES TO BE DEDICATED TO HOA
OPEN SPACE LOT 120 4.23 ACRES TO BE DEDICATED TO HOA
OPEN SPACE LOT 119 1.81 ACRES TO BE DEDICATED TO HOA
VEGETATION TO REMAIN
4124 TO 4130 KENNYGREEN COURT
McDONOGH ROAD (public road row varies)
4250, 4252, 4300 TO 4324, 4370, AND 4372 PINEFIELD COURT
EX. LAND USE : RESIDENTIAL
ENTRANCE SIGNS
STAR CIRCLE
4201 4203
4322 4320
4331 4329
PAINTERS MILL ROAD
McDONOGH ROAD
EX. 10' DRAINAGE AND UTILITY EASEMENT
35' X 50' DRAINAGE UTILITY EASEMENT
BALTIMORE COUNTY GREENWAY RESERVATION
FOREST BUFFER EASEMENT
PARCEL "A" FUTURE DEVELOPMENT PHASE 3 SEE SHEET 1 OF 2
MASTER PLAN RESERVATION AREA FOR LYONSHIRE ROAD
LYONSHIRE ROAD DEDICATION
100 YEAR FLOODPLAIN
WETLANDS
FOREST BUFFER
DR-5.5
DR-3.5
CHOICE COURT
9201 TO 9215
9200 TO 9222
N85°55'55"E
458.20'
N02°34'01"W
273.90'
969.31'
S83°04'01"E
S22°10'35"E 172.07'
S73°42'02"E 30.00'
N81°33'37"W 30.00'
1762.78'
709.58'
N01°57'19"W 196.44'
70'

OPEN SPACE PROPOSAL

LOCAL OPEN SPACE TYPE	ACRES	ACRES	ACRES
ACTIVE OPEN SPACE	---	---	---
100 YEAR FLOODPLAIN	---	9.52 ACRES	9.52 ACRES
FOREST BUFFER	---	15.12 ACRES	15.12 ACRES
AMENITY AREAS	---	---	---
TRAILS AND CONNECTORS	---	---	---
OTHER	12.61 ACRES	---	12.61 ACRES
TOTAL PROVIDED	12.61 ACRES	15.12 ACRES	27.73 ACRES
PROPOSED OWNERSHIP	HOA	COUNTY	TOTAL

SINGLE FAMILY DETACHED LOT AREAS

LOT NO.	SIZE	LOT NO.	SIZE	LOT NO.	SIZE	LOT NO.	SIZE
1	45,264 sq. ft.	31	8,652 sq. ft.	61	9,039 sq. ft.	91	9,009 sq. ft.
2	9,240 sq. ft.	32	8,652 sq. ft.	62	9,062 sq. ft.	92	9,087 sq. ft.
3	9,000 sq. ft.	33	8,652 sq. ft.	63	9,075 sq. ft.	93	9,481 sq. ft.
4	9,545 sq. ft.	34	8,652 sq. ft.	64	9,000 sq. ft.	94	9,300 sq. ft.
5	9,588 sq. ft.	35	8,652 sq. ft.	65	9,010 sq. ft.	95	9,300 sq. ft.
6	9,350 sq. ft.	36	8,652 sq. ft.	66	9,031 sq. ft.	96	9,170 sq. ft.
7	9,000 sq. ft.	37	8,652 sq. ft.	67	9,071 sq. ft.	97	9,407 sq. ft.
8	9,000 sq. ft.	38	8,652 sq. ft.	68	9,082 sq. ft.	98	8,640 sq. ft.
9	9,000 sq. ft.	39	8,652 sq. ft.	69	9,000 sq. ft.	99	8,640 sq. ft.
10	9,000 sq. ft.	40	9,041 sq. ft.	70	9,412 sq. ft.	100	8,640 sq. ft.
11	9,000 sq. ft.	41	8,641 sq. ft.	71	9,917 sq. ft.	101	8,640 sq. ft.
12	9,000 sq. ft.	42	8,640 sq. ft.	72	9,996 sq. ft.	102	8,520 sq. ft.
13	9,000 sq. ft.	43	8,640 sq. ft.	73	9,732 sq. ft.	103	8,639 sq. ft.
14	8,175 sq. ft.	44	8,640 sq. ft.	74	9,970 sq. ft.	104	9,041 sq. ft.
15	9,563 sq. ft.	45	8,640 sq. ft.	75	9,923 sq. ft.	105	9,108 sq. ft.
16	9,195 sq. ft.	46	8,430 sq. ft.	76	9,554 sq. ft.	106	9,020 sq. ft.
17	8,883 sq. ft.	47	9,260 sq. ft.	77	9,983 sq. ft.	107	9,098 sq. ft.
18	8,856 sq. ft.	48	8,714 sq. ft.	78	9,103 sq. ft.	108	9,070 sq. ft.
19	9,013 sq. ft.	49	8,657 sq. ft.	79	9,089 sq. ft.	109	9,041 sq. ft.
20	9,060 sq. ft.	50	9,252 sq. ft.	80	9,101 sq. ft.	110	8,639 sq. ft.
21	8,874 sq. ft.	51	8,284 sq. ft.	81	9,470 sq. ft.	111	8,520 sq. ft.
22	8,760 sq. ft.	52	9,000 sq. ft.	82	9,000 sq. ft.	112	8,640 sq. ft.
23	8,706 sq. ft.	53	9,000 sq. ft.	83	9,136 sq. ft.	113	8,640 sq. ft.
24	8,704 sq. ft.	54	9,000 sq. ft.	84	9,084 sq. ft.	114	8,640 sq. ft.
25	9,130 sq. ft.	55	9,000 sq. ft	85	9,120 sq. ft.	115	8,640 sq. ft.
26	9,130 sq. ft.	56	9,000 sq. ft.	86	9,120 sq. ft.	116	9,598 sq. ft.
27	9,075 sq. ft.	57	9,000 sq. ft.	87	9,084 sq. ft.	POND 1 RESERVATION	48,020 sq. ft.
28	9,132 sq. ft.	58	9,000 sq. ft.	88	9,136 sq. ft.		
29	9,116 sq. ft.	59	9,000 sq. ft.	89	9,360 sq. ft.	POND 2 RESERVATION	50,428 sq. ft.
30	9,038 sq. ft.	60	9,000 sq. ft.	90	9,491 sq. ft.		

GENERAL NOTES
1. CENSUS TRACT : 4025.01 SUBSEWERSHED : 84
   WATERSHED : PIKESVILLE FOURTH COUNCILMANIC DISTRICT : THIRD
   ELECTION DISTRICT : SECOND
2. 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.
3. ANY FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICTS DISTURBANCE AND USE OF THESE AREAS.
4. WITHIN THE AREA SHOWN AS BALTIMORE COUNTY GREENWAY RESERVATION, PERMITTED ACTIVITIES INCLUDE PUBLIC ACCESS FOR HIKING, BICYCLING, FISHING, NATURE/ENVIRONMENTAL STUDIES AND BALTIMORE COUNTY SUPERVISED TRAIL IMPROVEMENTS AND MAINTENANCE, SUBJECT TO APPROVAL BY DEPRM.
5. TEMPORARY OPEN SPACE BOUNDARY MARKERS, TREE PROTECTION DEVICES, AND 4' HIGH SNOW FENCING SHALL BE INSTALLED PRIOR TO ANY CLEARING OR GRADING. DISTURBANCE OF THE OPEN SPACE SHALL NOT BE PERMITTED WITHOUT PRIOR APPROVAL OF THE DEPARTMENT OF RECREATION AND PARKS.
6. THE EXISTING HOUSE, AS SHOWN ON LOT 1 IS THE ONLY EXISTING STRUCTURE TO REMAIN. ALL OTHER EXISTING STRUCTURES ARE TO BE REMOVED BY CONTRACTOR.
7. PRIOR TO RECORD PLAT, ALL EXISTING WELLS SHALL BE BACKFILLED BY A LICENSED MASTER WELL DRILLER, ALL EXISTING SEPTIC SYSTEMS SHALL BE PUMPED AND REMOVED OR BACKFILLED BY A LICENSED SEPTIC SYSTEM CONTRACTOR, AND ALL UNDERGROUND STORAGE TANKS SHALL BE PUMPED AND REMOVED BY A LICENSED TANK REMOVAL CONTRACTOR UNDER PERMIT.
8. THE REQUIRED ACTIVE OPEN SPACE WILL BE PROVIDED AT WILDWOOD PARK IN LIEU OF THE 1.13 ACRES REQUIRED ON-SITE. AMENITIES SUCH AS PICNIC FACILITIES AND A SAND VOLLEYBALL COURT.

UNDEVELOPED AREAS	ACRES
STORMWATER MANAGEMENT	2.26 ACRES
HOA/COA AREAS	27.73 ACRES
OTHER – UNDEVELOPED	9.83 ACRES
RESIDENTIAL LAND	
TOTAL PROVIDED	39.82 ACRES

ADDITIONAL INFORMATION

ANTICIPATED ACTIONS:

VARIANCES ---------- TO ALLOW THE SWM AREAS TO BE WITHIN THE FOREST BUFFER (DEPRM).

WAIVERS ---------- TO WAIVE THE CUL-DE-SAC LENGTH.

SPECIAL EXCEPTION N/A

OTHER

CONSISTENCY WITH DESIGN MANUAL

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	[illegible]	333.85'	167.59'	333.19'	S86°47'21"E	12°29'53"
2	[illegible]	456.42'	233.58'	451.21'	S07°09'19"E	30°02'37"
3	[illegible]	122.04'	61.13'	121.93'	S12°00'19"W	08°19'11"
4	[illegible]	36.78'	18.39'	36.78'	S17°22'47"W	02°25'15"
5	[illegible]	254.12'	127.19'	253.99'	S15°28'21"W	06°14'08"

TO THE BEST OF MY KNOWLEDGE, THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO THE COMPANY THAT I REPRESENT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

R. Dickens 1/26/96
RUSS DICKENS, REGIONAL VICE-PRESIDENT DATE
ELM STREET DEVELOPMENT, INC.

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER
Christine K Rorke
PROJECT MANAGER
ZADM FILE # II-544

RECEIVED
JAN 26 1996
BALTIMORE COUNTY ZADM/DM

PRINT MADE BY
JAN 26 1996
MILDENBERG ASSOC INC

STATE OF MARYLAND
JOHN B. MILDENBERG

THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH THE HEARING OFFICER'S ORDER AND ALL AGENCY COMMENTS.

OWNER
CLAIRE LOUISE BRUNTON
4200 McDONOGH ROAD
OWINGS MILLS, MARYLAND 21117
TAX ACCT NO.: 02-17-00-012873

CONTRACT PURCHASER
ELM STREET DEVELOPMENT, INC.
8020 ELM STREET, SUITE 200
McLEAN, VIRGINIA 22101
(703) 734-9730

project	date
95012	NOV 1995
illustration	engineering
SJD	SJB
scale	approval
1"=100'	JBM

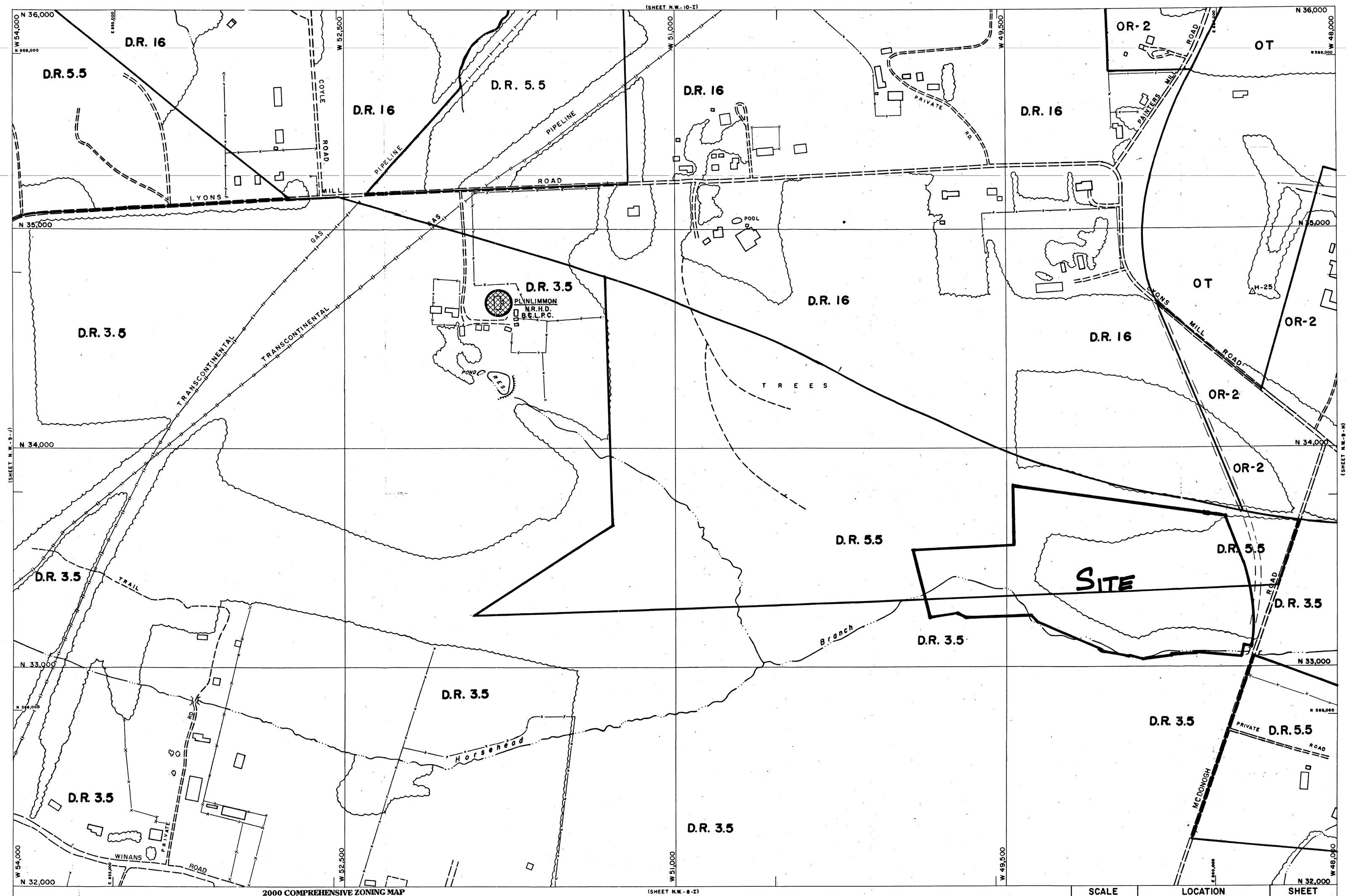
no.	description	date
	revisions	

TAX ACCT. NO. 02-17-00-012873
McDONOGH OAKS
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
⚠1 FIRST AMENDED DEVELOPMENT PLAN

MILDENBERG, BOENDER & ASSOC., INC.
Engineers Planners Surveyors
5072 Dorsey Hall Drive, Suite 202, Ellicott City, Maryland 21042
(410) 997-0296 Balt. (301) 621-5521 Wash. (410) 997-0298 Fax

2 OF 2 ⚠1

12-DEV-N.DWG



P-NW

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 Bartenfelder
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	Mc DONOUGH VICINITY	N.W. 9-I
DATE OF PHOTOGRAPHY JANUARY 1986		

NW 9 I

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: #03-003-SPHA
Painters Mill Road
W/S Painters Mill Road opposite McDonough Road
2nd Election District – 3rd Councilmanic District
Legal Owner(s): Brunton Family LLC

Special Hearing: to confirm that Lots Nos. 33 & 34 should be calculated in the D.R.5.5 zone and lot Nos. 35 through 42 should be calculated in the D.R.3.5 zone, thereby approving the density anomalies. **Variance:** to a minimum side building face to side building face setback of 14 feet in lieu of the required 20 feet for lots Nos. 34,35,36,37,38,39,40 & 41; to allow a minimum side building face to side building face setback of 14 feet in lieu of the required 25 feet for lots Nos. 6,7,23,24,27 & 28; to allow a minimum distance of 18 feet from rear building face to rear property line in lieu of the required 30 feet for lot Nos. 1 through 18 & 43 through 74; to allow a minimum distance of 15 feet from side building face to public street right-of-way in lieu of the required 25 feet for lot Nos. 50,51,62,63 & 74 in the D.R.5.5 zone; to allow a minimum distance of 35 feet from side building face to arterial roadway in lieu of the required 45 feet for lot No. 1; to allow a minimum distance of 20 feet from front building face to public street right-of-way for garage townhouses in lieu of the required 25 feet for lots Nos. 1,62 & 74.

Hearing: Friday, August 30, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake 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.

8/220 August 15 C556345

CERTIFICATE OF PUBLICATION

8/15/, 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 8/15/, 2002.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 03-003-SPHA

Petitioner/Developer: _____

MASTERCRAFT COMMUNITIES LLC.

Date of Hearing/Closing: 8-30-02

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 WEST SIDE OF PAINTERS MILL ROAD OPPOSITE MCDONOUGH ROAD

The sign(s) were posted on AUG. 14, 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)