IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE

PETITIONS FOR SPECIAL HEARING

AND VARIANCE - N/S Sherwood Road, * ZONING COMMISSIONER

E of York Road

8th Election District

* OF BALTIMORE COUNTY

3rd Council District

* Case Nos. VIII-763 & 03-142-SPHA

Henry F. Lebrun, Jr. Owner/Developer

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 four single family dwellings. Pursuant to the development review regulations codified in Title 26 thereof, the Owner/Developer, Henry F. LaBrun, Jr., seeks approval of a development plan, prepared by Gerhold, Cross & Etzel, Ltd., and certain zoning relief as set forth in the Petitions for Special Hearing and Variance. Specifically, special hearing relief is requested to approve a density anomaly to allow part of a proposed dwelling and well to be located within a D.R.2 zoned portion of Lot 1 where a density unit is not available, and variance relief from Section 26-266(4) of the Baltimore County Code (B.C.C.) to allow two panhandle strips in excess of the maximum permitted 500 feet in a D.R. zone. The subject property consists of a gross area of 30.659 acres, more or less, split zoned D.R.1, D.R.2, D.R.3.5, R.C.4 and R.C.5, and is located on the north side of Sherwood Road, between Montview Court and York Road in Hunt Valley. The proposed subdivision and requested zoning relief are more particularly described on the red-lined development plan that was submitted and marked into evidence as Developer's Exhibit 1.

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 between the Developer and County agency representatives was held on August 6, 2001. As required, a Community Input Meeting (CIM) was scheduled for September 11, 2001 at the Warren Elementary School; however, postponed and reset for November 13, 2001. Subsequently, a

ORDER REVENUES FOR FILING

development plan was submitted and a conference held thereon between the Developer and County agency representatives on October 9, 2002. Following the submission of that plan, comments were submitted by the appropriate reviewing agencies of Baltimore County and a revised (red-lined) development plan incorporating these comments was submitted at the hearing held before me on October 31, 2002.

Appearing at the requisite public hearing in support of this project were Henry LeBrun, Owner/Developer; Scott A. Lindgren, a Professional Land Surveyor with Gerhold, Cross and Etzel, who prepared the site plan for this project; and Benjamin, Bronstein, 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): Donald Rascoe, Project Manager; Bob Bowling, Development Plans Review; and Lloyd Moxley, 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). Virginia Ryan, an adjacent property owner, appeared as an interested citizen.

The subject property is an irregularly shaped parcel with frontage on the north side of Sherwood Road, between Montview Court and York Road in northern Baltimore County. As noted above the property consists of approximately 30.659 acres, more or less, split zoned D.R.1, D.R.2, D.R.3.5, R.C.4 and R.C.5. The site is predominantly zoned D.R.1 (27.724 acres). The property has significant environmental constraints that limit development possibilities. Although 34 lots are permitted under the density regulations, there are but 4 lots proposed. The plan shows a significant area of steep slopes, forest and wetlands, which limit the development potential of the site. As shown on the plan, vehicular access to the lots will be by way of a private driveway leading into the interior of the site from Sherwood Road. Presently, this driveway exists as a right-of-way through the subject property to provide access to adjacent parcels, including the Ryan tract. The driveway will be widened to a width of 16 feet in accordance with County standards. Two of the proposed lots will abut both sides of the property near its frontage along Sherwood Road. The other two lots are proposed more

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PETITIONS FOR SPECIAL HEARING

AND VARIANCE - N/S Sherwood Road, * ZONING COMMISSIONER

E of York Road

8th Election District

* OF BALTIMORE COUNTY

3rd Council District

* Case Nos. VIII-763 & 03-142-SPHA

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towards the rear of the site in a flat area that can accommodate construction. The balance of the property will be retained as forest buffer and conservation areas. Due to the significant environmental constraints associated with this site, much of the property will be preserved in its natural condition.

Messrs. Bronstein and Lindgren on behalf of the Developer indicated that there were no outstanding issues insofar as the development plan is concerned. That is, Mr. Lindgren opined that the red-lined development plan met all County agency development review comments and requirements. The County representatives present confirmed this representation. Each agency representative indicated that there were no outstanding issues and that the plan was in compliance with all County standards, regulations and requirements.

Ms. Ryan raised certain questions regarding the plan, specifically with respect to the existing right-of-way. As noted above, that right-of-way serves her property. As the right of way exists under deed, the Zoning Commissioner cannot alter it. Mr. LeBrun indicated that he and Ms. Ryan had discussed the matter and that those discussions would continue. Ms. Ryan is not opposed to the proposal, and indicated that any issues between her and the Developer can be resolved.

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. When there are no open issues or unresolved comments identified, I am required to approve the plan. In this regard, it is clear that the plan complies with all County agency regulations and requirements.

Turning to the zoning relief, the Petition for Special Hearing relates to the proposed building envelope for Lot 1. A shown on the plan, the zone line bisects that lot and the building envelope. The location of Lot 1 (1.35 acres in area) is governed by the topography of the site. Obviously, the significant environmental constraints associated with this property mandate the location of the 4 lots where proposed. Moreover, the site is under density. I am persuaded that special hearing relief should be granted to allow the building envelope where proposed.

As to the Petition for Variance, relief is requested to allow the panhandle driveways serving Lots 3 and 4 to be in excess of the maximum allowed length of 500 feet. Again, this request is

driven by the site constraints associated with this property and the limitations where building can occur. Mr. Lindgren indicated that the driveway would be constructed so as to meet the County standards. Specifically, the driveway must be 16 feet wide and provide a turn-around area for emergency vehicles and equipment. A comment from the Baltimore County Fire Department regarding their requirements was contained in the case file and the Developer's representatives indicated that those requirements would be met. In that the project will comply with all County standards in this regard, I am persuaded that variance relief should be granted.

Pursuant to the zoning and development 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 special hearing and variance relief granted.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this day of November, 2002 that the red-lined development plan for the Ann T. White Property, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve a density anomaly to allow part of a proposed dwelling and well to be located within a D.R.2 zoned portion of Lot 1 where a density unit is not available, in accordance with Developer's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 26-266(4) of the Baltimore County Code (B.C.C.) to allow two panhandle strips in excess of the maximum permitted 500 feet in a D.R. zone, in accordance with Developer's Exhibit 1, 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

towards the rear of the site in a flat area that can accommodate construction. The balance of the property will be retained as forest buffer and conservation areas. Due to the significant environmental constraints associated with this site, much of the property will be preserved in its natural condition.

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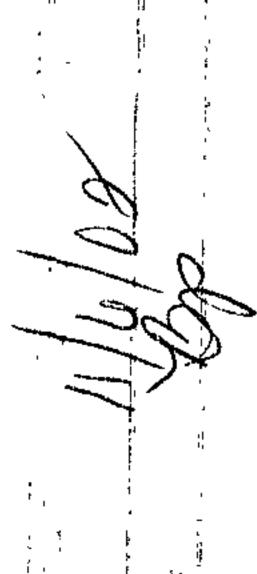
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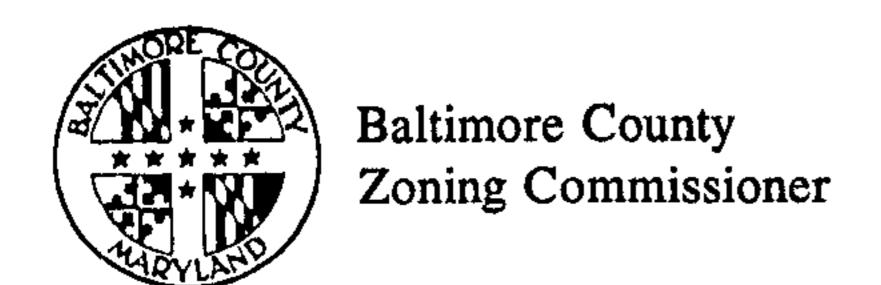
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As to the Petition for Variance, relief is requested to allow the panhandle driveways serving Lots 3 and 4 to be in excess of the maximum allowed length of 500 feet. Again, this request is

3





November 6, 2002

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

Fax: 410-887-3468

Benjamin Bronstein, Esquire Evans & Bronstein 29 W. Susquehanna Avenue Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING & VARIANCE N/S Sherwood Road, between York Road & Montview Court (Ann T. White Property)

8th Election District – 3rd Council District Henry F. LeBrun, Jr. – Owner/Developer Case Nos. VIII-763 and 03-142-SPHA

Dear Mr. Bronstein:

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,

LAWRÉNCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: Mr. Henry LeBrun, 214 Washington Avenue, Towson, Md. 21204

Mr. Scott Lindgren, Gerhold/Cross/Etzel, 320 E. Towsontown Blvd., #100, Towson, 21286

Ms. Virginia Ryan, 218 Sherwood Road, Cockeysville, Md. 21030

Ms. Ann Heaton, 10599 Topsfield Drive,/Cockeysville, Md. 21030

Don Rascoe, DPDM; Bruce Seeley, DEPRM; Bob Bowling, DPW; Mark Cunningham, OP;

Jan Cook, R&P; People's Counsel; Case/File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at <u>NW SIDE SHERWOOD ROAD</u> which is presently zoned <u>DR 1, DR 2, DR 3.5,</u>

RC 4 4 RC5

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)

26-266(4) OF THE BALTIMORE COUNTY CODE TO ALLOW 2 PANHANDLE STRIPS IN EXCESS OF THE 500 FOOT MAXIMUM PERMITTED LENGTH IN A DR ZONE

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

DUE TO STEEP SLOPES, WETLANDS & STREAM THE LONG PANHANDLE STRIPS ARE REQUIRED TO ACCESS THE BUILDABLE PORTION OF THE PROPERTY

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 Purcha	ser/Lessee:		<u>Legal Owner(s):</u>
Vame - Type or Print			Name - Type or Print
Signature	······································	+ 1	Signature H. FRANCIES LEBRUN
Address	~ ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	Telephone No	Name, Type or Print, L. Bruces Le Brus
City	State	Zìp Code	Signature
Attorney For Pe	titioner:		214 WASHINGTON AVENUE 410-823-1591 Address TOWSON MARYLAND 21204
Vame - Type or Print			City State Zip Code
ignature i.i. onpany chicess		Telephone No.	Representative to be Contacted: SCOTT A. LINDGREN GERMOLD, CROSS & ETZEL, LTD Name SUITE 100 320 E. TOWSONTOWN BLVD 410-823-4470 Address Telephone No.
回りの	State	Zip Code	TOWSON MARYLAND 21286 City State Zip Code
			OFFICE USE ONLY
Case No. 03	-145.5PHA		ESTIMATED LENGTH OF HEARING
2/F/V 05/15/6/8		Reviewed B	UNAVAILABLE FOR HEARING y Date 9// ೪/೦೭



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

is the subject of this Petition.

in combination with HOH - white Property

perjury, that I/we are the legal owner(s) of the property which

for the property located at <u>NW SIDE SHERWOOD ROAD</u>

which is presently zoned <u>DR 1, DR 2, DR 3.5,</u>

<u>RC4 \$ 2C5</u>

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

A density anomaly to allow part of a proposed dwelling and well to be located within a D.R.-2 portion of Lot 1 where a density unit is not available.

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.

Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Name - Type or Print Signature Signature H. FRANCIES LEBRUN Address Telephone No. Name - Typh or Print lauces City Signature Zip Code State 410-823-1591 214 WASHINGTON AVENUE Attorney For Petitioner: Telephone No. Address MARYLAND 21204 TOWSON, Zip Code Name - Type or Print State City Representative to be Contacted: Signature SCOTT A. LINDGREN GERHOLD, CROSS & ETZEL, LTD Company Name SUITE 100 120 320 E- TOWSONTOWN BLVD 410-823-4470 Address Telephone No. Telephone No. Address 21286 MARYLAND TOWSON (City Zip Code State Zip Code State City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 03-142-SPHA UNAVAILABLE FOR HEARING _____ Regions of Reviewed By 3h Date 9/19/02





Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone (410) 823-4470 • Fax. (410) 823-4473 • www.gcelimited.com

September 18, 2002

ZONING DESCRIPTION WHITE PROPERTY

Beginning for the same in the center of Sherwood Road, 400' more or less westerly from the center of Montvieu Court, thence leaving Sherwood Road and running (1) North 74 degrees 28 minutes 41 seconds West 83.16 feet, (2) North 51 degrees 31 minutes 26 seconds East 148.46 feet, (3) North 63 degrees 18 minutes 43 seconds West 232.93 feet, (4) North 63 degrees 30 minutes 10 seconds West 1015.37 feet, (5) North 19 degrees 52 minutes 59 seconds East 114.26 feet, (6) South 89 degrees 20 minutes 54 seconds West 221.30 feet, (7) South 89 degrees 21 minutes 57 seconds West 445.50 feet, (8) south 35 degrees 20 minutes 56 seconds West 634.65 feet, (9) South 71 degrees 47 minutes 41 seconds East 663.60 feet (10) South 02 degrees 51 minutes 08 seconds East 248.64 feet, (11) south 67 degrees 28 minutes 30 seconds East 120.28 feet, (12) South 76 degrees 20 minutes 30 seconds East 100.00 feet, (13) North 14 degrees 16 minutes 30 seconds East 64.09 feet, (14) South 74 degrees 15 minutes 19 seconds East 166.08 feet, (15) North 12 degrees 42 minutes 52 seconds East 24.66 feet, (16) South 82 degrees 49 minutes 25 seconds East 242.70 feet, (17) South 34 degrees 00 minutes 32 seconds East 86.65 feet, (18) North 57 degrees 08 minutes 29 seconds East 15.00 feet, (19) North 57 degrees 33 minutes 12 seconds East 303.33 feet, and (20) South 32 degrees 46 minutes 49 seconds East 202.33 feet to the center of Sherwood Road, thence binding in or near the center of Sherwood Road, (21) North 48 degrees 06 minutes 31 seconds East 225.00 feet, (22) North 47 degrees 06 minutes 31 seconds East 200.00 feet, and (23) North 54 degrees 21 minutes 31 seconds East 76.65 feet to the place of beginning.

Containing 30.659 Acres of land, more or less.

This description only satisfies the requirements of the Office of Zoning and should not be used for conveyance purposes.



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BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

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DISTRIBUTION
WHITE - CASHIER

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YELLOW - CUSTOMER

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 <u>Towson, Maryland</u> on the property identified herein as follows:

Case: #03-142 SPHA

NW side of Sherwood Road

NW side of Sherwood Rd, 450 east of centerine of Montriew Ct.

8th Election District - 3rd Councilmanic District

Legal Owner(s): H. Francies LeBrun

Special Hearing: to approve a density anomaly to allow part of a proposed dwelling and well to be located within a DR-2 portion of Lot 1 where a density unit is not available.

Variance: to allow 2 panhandle strips in excess of the 500 foot maximum permitted length in a DR zone.

Hearing: Thursday, October 24, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

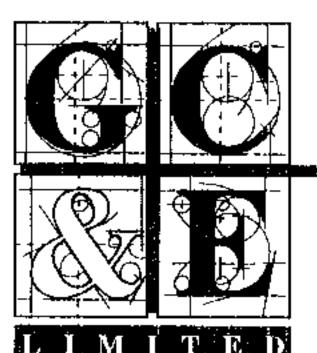
JT/10/673 Oct. 8

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on 10/8/ 2002	once in each ofsuccessive weeks, the first publication appearing	in the following weekly newspaper published in Baltimore County, Md.	THIS IS TO CERTIFY, that the annexed advertisement was published	
	pearing	y, Md.	ublishe	

☐ NE Booster/Reporter ☐ North County News	Towson Times Oning Mills Times	☐ Catonsville Times	A The Jeffersonian
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LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (414) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 03-142-SPHA
PETITIONER/DEVELOPER:
H. Frances LeBrun
DATE OF HEARING:
October 24, 2002

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

ATTENTION: GEORGE ZAHNER

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

2002

October

6

POSTED

ZONING NOTICE

CASE #:03-142-SPh

A PUBL THE RING WILL BE III.
THE ZO SQ CG AMISSION.
TIME COMMAN M.D.

PLACE: Room 407 County Courts Building
401 Bostey Avenue Towson, MD

TIME & 11 00 am Thursday October 24, 2002

Special Hearing to approve a density automaly to allow part of a proposed dwo ling and west to be located within a DR 2 portion of
Lot 1 where a density unit is not available Variance to allow 2 panhandle strips in excess of the 500 foot maximum perintled length in a DR zone

HEARMOR ARE HARDETS FOR A STABLE.

10/01/2002

LOCATION:

Sherwood Road

DATE:

October 3, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

Nooce of

Hearing Officer's Hearing

"WHITE PROPERTY"

October 31, 2002 9:00 a m

the County Office Building,

NCT!

CA3E#:C 3-14 AF :S-5

THE ZONING CO IN TOWSON, MD. MISSIONER . BE HELD BY

PLACE: Room 407 Courty Courts Building 401 Bosley Avenue, Towson, MD

TIME & 11 00 am Thursday October 24, 2002

length in a DR zone. cess of the 500 foot maximum permitted weil to be located within a DR-2 portion of aly to allow part of a proposed dwelling and Variance: to allow 2 panhandle strips in ex-Lot if where a density unit is not available. Special Hearing, to approve a density anom-

RE: PETITION FOR SPECIAL HEARING AND VARIANCE

NW side Sherwood Road

450' east of ctrl of Montview Ct.

8th Election District 3rd Councilmanic

District

Legal Owner: H. Francies LeBrun Petitioner(s)

* BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 03-142-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 2nd day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to Scott A. Lindgren, GERHOLD, CROSS & ETZEL, LTD., Suite 100, 320 E. Towsontown Blvd., Towson, MD. 21286 Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PATUXENT PUBLISHING COMPANY TO:

Tuesday, October 8, 2002 Issue - Jeffersonian

Please forward billing to H. Francies LeBrun

214 Washington Avenue Towson, MD 21204

410-823-1591

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: 03-142 SPHA

NW side Sherwood Road

N/w side of Sherwood Rd., 450' east of centerline of Montview Ct.

Election District 8th - Councilmanic District 3rd

Legal Owner: H. Francies LeBrun

SPECIAL HEARING to approve a density anomaly to allow part of a proposed dwelling and well to be located within a DR-2 portion of Lot 1 where a density unit is not available. VARIANCE to allow 2 panhandle strips in excess of the 500 foot maximum permitted length in a DR zone.

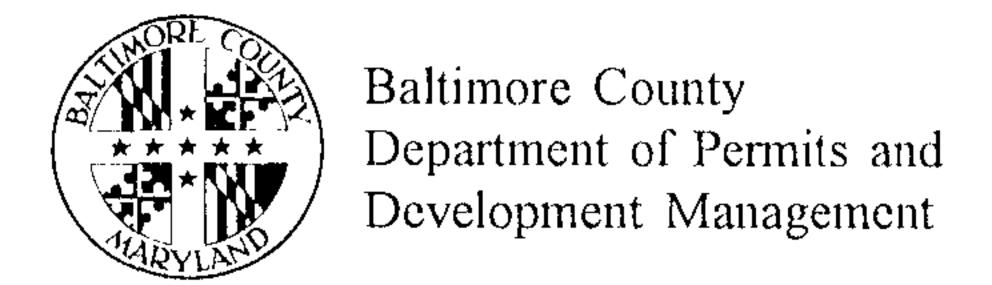
HEARING: Thursday, October 24, 2002 at 11:00 am in Room 407, County Courts Building, 401Bosley Avenue

LAWRENCE B. SCHWIDT

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.



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

September 27, 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: 03-142 SPHA

NW side Sherwood Road

N/w side of Sherwood Rd., 450' east of centerline of Montview Ct.

Election District 8th - Councilmanic District 3rd

Legal Owner: H. Francies LeBrun

SPECIAL HEARING to approve a density anomaly to allow part of a proposed dwelling and well to be located within a DR-2 portion of Lot 1 where a density unit is not available. VARIANCE to allow 2 panhandle strips in excess of the 500 foot maximum permitted length in a DR zone.

HEARING: Thursday, October 24, 2002 at 11:00 am in Room 407, County Courts

Building, 401Bosley Avenue

Arnold Jablon

Director

Cc: H. Francies LeBrun, 214 Washington Avenue Towson MD 21204 Scott A. Lindgren Gerhold, Cross & Etzel, Ltd. 320 E. Towsontown Blvd. Suite 100 Towson, MD 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Wednesday, October 9, 2002.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: <u>03-1425PHA</u> Petitioner: <u>H. FRANCIES LE BRUN</u>
Address or Location: NW SIDE OF SHERWOOD ROAD, 400 TWEST OF MONTUEU COURT
PLEASE FORWARD ADVERTISING BILL TO:
Name: H. FRANCIES LEBRUN
Address: 214 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
Telephone Number: <u>410-823-1591</u>



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

October 28, 2002

H. Francies LeBrun 214 Washington Avenue Towson, MD 21204

RE: Case Number: 03-142-A, NW Side Sherwood Road

Dear Mr. LeBrun:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 19, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

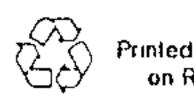
U. Call Rihally W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:rjc Enclosures

Scott A. Lindgren Gerhold, Cross & Etzel, Ltd. 320 E. Towsontown, Blvd. Ste 100 Towson MD 21286 People's Counsel

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESONDENCE

TO: Don Rascoe MS# 1105 DATE: August 29, 2001

PDM Development Management

FROM: Linda Leake

Department of Public Works

Metropolitan District Financing & Petitions

SUBJECT: Extinguishment of Front Foot Assessments

Project: Ann T White Property

PWA No:

PDM No: **8-763**

The property accounts of the project above have no existing water or sewer benefits assessments, and the concept plan idicates that the proposed lots will be served by private wells and septic systems.

If you have any questions, please call me on ext. 2432.



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

September 27, 2002

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

ATTENTION: George Zahner

Property Owner:

Location:

Item No,:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: (142)

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

cc: File

JW 31

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:		Arnold Jablon			
FROM:		Bruce Seeley RB/16T			
DATE:		October 21, 2002			
SUBJEC	CT:	Zoning Item 142 Address Sherwood Road			
2	Zoning	Advisory Committee Meeting of September 30, 2002			
		epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.			
a	an exte	Department of Environmental Protection and Resource Management requextension for the review of the above-referenced zoning item to determine that to which environmental regulations apply to the site.			
		partment of Environmental Protection and Resource Management offers owing comments on the above-referenced zoning item:			
•	X	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).			
·-	X	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).			
	· · · · · · · · · · · · · · · · · · ·	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).			

Reviewer: Paul Dennis Date: 11/26/01

JUN 10/31

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 27, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

NW side of Sherwood Road

INFORMATION:

Item Number:

03-142

Petitioner:

H. Francies LeBrunn

Zoning:

DR 1, DR2, DR 3.5, RC 4, & RC 5

Requested Action:

Special Hearing/Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's requests provided that the scenic character of the area is preserved to the greatest extent possible.

Prepared by:

Section Chief:

AFK/II.MAC



Maryland Department of Transportation State Highway Administration



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams
Administrator

Date: 10.1.02

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

RE: Baltimore County

Item No. 142 37

Dear. Mr. Zahner:

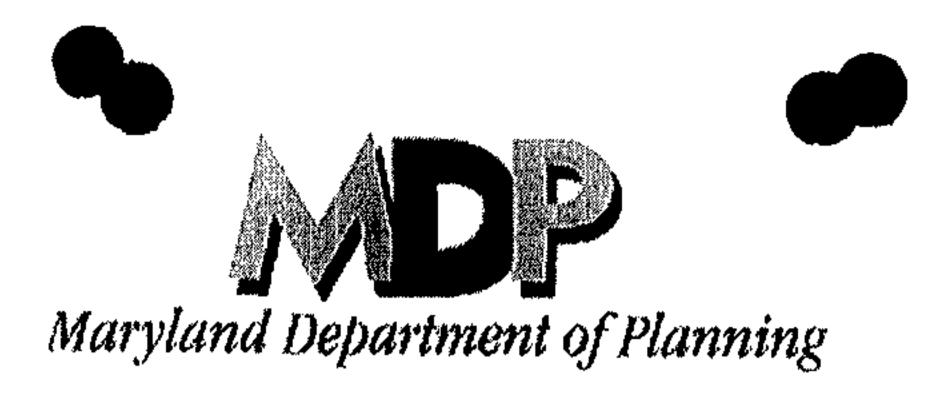
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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,

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

My telephone number is ______



Parris N Glendening Governor Kathleen Kennedy Townsend Lt. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

September 27, 2002

Mr. George Zahner
Baltimore County Dept. of Permits and Development Management
111 West Chesapeake Avenue
Room 111, Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 10/7/02 re: case numbers 03-131-A, 03-132-A, 03-133-SPHXA, 03-134-A, 03-135-A, 03-136-SPH, 03-137-SPHA, 03-138-SPH, 03-139-SPH, 03-140-A, 03-141-A, 03-142-SPHA, 03-143-SPHA, 03-144-A, 03-145-A, 03-146-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 9/26/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

Janes R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

