IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE

PETITION FOR SPECIAL HEARING -

S/S Timonium Road, W of I-83 * ZONING COMMISSIONER

(HOLLY RIDGE, fka Blackberry Valley

and Huntridge East) *

8th Election District

2nd Council District

* OF BALTIMORE COUNTY

* Case Nos. VIII-270 & 03-307-SPH

John F. Fowble, Owner; Huntridge East, LLC, 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). Pursuant to the development review regulations codified in Title 26 thereof, the Owners/Developers seek approval of a development plan, prepared by McKee & Associates, Inc. on behalf of John F. Fowble, property owner, and Huntridge East, LLC, Developers, to develop the subject property with 19 single family dwellings. In addition, the applicants filed a Petition for Special Hearing seeking a determination seek special hearing relief: 1) to approve the density, house location, use areas and lot configurations for Lots 2 and 3 as a density anomaly; and 2) to approve such additional relief as the nature of this case may require. The subject property is an irregular shaped parcel, which contains a gross area of 8.140 acres, more or less, split zoned D.R.3.5 (5.92 acres) and D.R.2 (1.97 acres), and is located on the south side of Timonium Road, immediately adjacent to the southbound ramp of the I-83 Expressway in Timonium. The proposed subdivision is more particularly described on the redlined development plan submitted and marked into evidence as Developer's Exhibit 1.

This proposal has been reviewed in accordance with the development review regulations codified in Title 26 of the Baltimore County Code. The process described therein is initiated by the filing of a concept plan, which is a schematic representation of the proposed development. The concept plan is submitted for review at a conference held by and between representatives of the Developer and the County at a Concept Plan Conference (CPC), which in this case was conducted on November 5, 2001. Thereafter, as required, a Community Input

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Meeting (CIM) is conducted during evening hours at a public facility in the vicinity of the proposed development. The CIM provides an opportunity for residents of the locale to review and offer comment on the proposal. The first CIM for this project was held on December 5, 2001 at the Ridgely Middle School, with a second CIM held on January 9, 2002 at the same location. Subsequently, a development plan is submitted for review and comment at a conference held again between the Developer and County agency representatives. Often the development plan has been revised to incorporate changes suggested at the CPC and/or CIM. The Development Plan Conference (DPC) in this case was held on January 22, 2003. Following the DPC, a public hearing on the proposal is conducted before the Zoning Commissioner/Deputy Zoning Commissioner. In this case, the Hearing Officer's Hearing was held before then Deputy Zoning Commissioner Timothy M. Kotroco on February 13, 2003. Although issues were identified on that date, no testimony was taken; rather it was determined that the Developer needed to undertake a new sound study due to the property's close proximity to I-83 and the matter was continued. The matter was rescheduled for a public hearing, which was held before the undersigned Zoning Commissioner, on August 22, 2003.

Appearing at the public hearing required for this project were James McKee and Guy Ward with McKee & Associates; Michael Lenhart with The Traffic Group, traffic engineering consultants; Michael A. Staiano, with Staiano Engineering, Inc., sound engineering consultants; and Howard L. Alderman, Esquire, attorney for the Owner/Developers. 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): Walt Smith, Project Manager; Bob Bowling and Rahee Famili, Development Plans Review; Ron Goodwin, Land Acquisition; and, John Alexander, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); Todd Taylor, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). A number of residents from the surrounding

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community appeared including Mary Atkinson, Rita O'Brennan, Patricia A. Meffen, David N. Curley, Curtis Grieveson, Carole Van Wagner, James and Arlene Hossback, and Sheila Wheman.

As noted above, the subject property is an irregularly shaped parcel located on the south side of Timonium Road, just west of the right-of-way for I-83 and immediately east of the residential community known as Huntridge. The property contains a gross area of 8.140 acres, more or less, split zoned D.R.3.5 (5.92 acres) and D.R.2 (1.97 acres), and is presently unimproved. The plan under consideration proposes an in-fill development of 19 single-family dwellings. A new public road will be constructed to provide access to the site from Timonium Road.

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, a number of issues were identified and discussed. As noted above, the matter was postponed from an earlier hearing date so that the Developer could complete another noise assessment study to determine the impact of noise from traffic on I-83 on the proposed development. Apparently, an earlier study had been completed, but the author of that study is no longer available. Michael Staiano of Staiano Engineering, Inc. prepared the recently completed study, the details of which are contained within the case file. Essentially, Mr. Staiano concluded that the construction of a noise barrier/wall is necessary. As more particularly described in his study, a wall approximately 1500 feet in length and ranging in height from approximately 12 feet to 34 feet will be constructed along the entire length of the property adjacent to I-83. At the southeast corner of the property, the wall will turn in a 90° direction and continue in a westerly direction. The cost of this wall, which will be borne entirely by the Developer, is estimated to be approximately \$470,000.

Residents of the locale concurred that the wall is necessary due to heavy traffic and sounds emanating from I-83. It was also noted that the Maryland State Highway Administration (SHA) is currently constructing a wall immediately south of the property along I-83. This ongoing construction adjacent to I-83 is familiar to the undersigned who frequently travels along that

interstate. Apparently, when the State improvements are completed there will be a gap in the wall at the termination point of the wall built by the Developer. Discussion during the hearing was that the State improvements should be extended so that a continuous barrier/wall is in place from Timonium Road south to the interchange with the Baltimore Beltway (I-695). The undersigned concurs that this is a logical and appropriate step; however, the funding and existing contract that the SHA has executed for the improvements does not allow for such a connection at the present time. Unfortunately, it appears that there will be a gap between the two barriers. It is hoped that it will ultimately be filled in so that a continuous barrier can be provided.

In addition to the discussion about the noise barrier, there was discussion regarding landscaping. In this regard, the Developer has agreed to install landscaping and fencing along the entire western boundary of the site. Essentially, the landscaping and fencing proposed will buffer the rear of the houses in the proposed subdivision from the sides and rears of the existing houses in Huntridge. The Developer agreed and the residents of the Huntridge community have accepted a proposal to construct an 8-foot high fence along this section. The fence will also turn in a 90° direction at a point where the access road turns into the entrance to the community. As more particularly shown on the plan, a fence will be provided along both the side and rear property lines of the Atkinson property (Lot 15 of Huntridge). It is to be noted that the fence in that location will be on the Atkinson property and cannot be located within the County right-of-way for the proposed public road. I believe that the proposed 8-foot fence is appropriate and will require the construction of same as a condition to approval of the plan.

Mr. Cunningham of the Office of Planning raised the third issue. He indicated that his department had reviewed proposed building elevation and architectural drawings for model homes for this community and that his department recommends that none of the dwellings offer three car garages. A maximum size garage to accommodate two cars will be acceptable. The Developer indicated an agreement to a restriction of this nature which will prohibit 3 car garages.

But for the above issues, there were no other conditions or modifications required to the plan. Testimony and evidence offered by the County and Developer representatives present was

persuasive to a finding that the plan complies with all County requirements and regulations and standards for development.

The record of this case should reflect however, that the citizens who were present did express certain concerns regarding traffic in the area. Mr. Lenhart addressed these concerns as did Rahee Famili a traffic engineer with Development Plans Review Division of DPDM. There appears to be acceptable sight distance for traffic entering and exiting the site from Timonium Road. Although I am appreciative of occasional traffic congestion in this locale, the recent State improvements to the interchange of Timonium Road and I-83 may help remedy that congestion. Additionally, traffic signals east of the site should help provide a break in traffic to allow easier access. There is no doubt that most traffic will turn right (east) when exiting the site towards Timonium and I-83 and the Baltimore Beltway.

Turning to the Petition for Special Hearing relief is requested due to the zoning anomaly created by the split zoning of the property. As more particularly shown on the plan, a zone line bisects proposed Lots 2 and 3. A portions of those lots are zone D.R.2 and the remainder is zoned D.R.3.5. The predominant zoning of Lot 2 is D.R.2 and the proposed dwelling is located entirely in that zone. Similarly, the predominant zoning of Lot 3 is D.R.3.5 and the proposed dwelling on that lot is located entirely in that zone. Finally, as to overall density for this site, the density attributable to the dwellings on Lots 2 and 3 is assigned to the zone in which they are respectively located. As more particularly shown on the plan, the overall property has density for up to 20 lots. There are 19 lots proposed. Additionally, the density proposed in each of the two individual zones is not exceeded. For all of these reasons, the Petition for Special Hearing shall be granted to address the zoning anomaly created by the split zoning.

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 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 29th day of August, 2003 that the red-lined development plan for Holly Ridge, identified herein as Developer's Exhibit 1A, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the density, house location, use areas and lot configurations for Lots 2 and 3 is a density anomaly; and as such, the relief requested in the Petition for Special Hearing be and is hereby GRANTED, subject to the following restrictions:

- 1) The Developer shall install landscaping and fencing along the entire western boundary of the site. In addition, a fence will be provided along both the side and rear property lines of the Atkinson property (Lot 15 of Huntridge).
- 2) The Developer shall install a noise barrier/all ranging in height from approximately 12 feet to 34 feet along the entire length of the property adjacent to I-83. At the southeast corner of the property, the wall will turn in a 90° direction and continue in a westerly direction. The cost of this wall will be borne entirely by the Developer.
- 3) There shall be no three-car garages for any of the proposed dwellings.

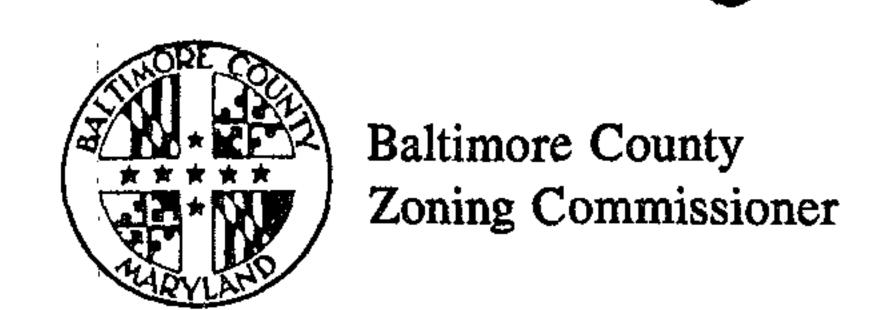
Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

LAWRENCE E. SCHMIDT

Zoning Commissioner/Hearing Officer

for Baltimore County

LES:bjs



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

August 29, 2003

Fax: 410-887-3468

Howard L. Alderman, Jr., Esquire Levin & Gann 502 Washington Avenue, Suite 800 Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING & PETITION FOR SPECIAL HEARING

S/S Timonium Road, W of I-83

(Holly Ridge, fka Blackberry Valley and Huntridge East)

8th Election District – 2nd Council District

John F. Fowble, Owner; Huntridge East, LLC, Developer

Case Nos. VIII-270 & 03-307-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved and the Petition for Special Hearing 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: Mr. John Fowble, P.O. Box 34, Timonium, Md. 21093

Messrs. James McKee & Guy Ward, McKee & Associates, Inc.

5 Shawan Road, Cockeysville, Md. 21030

Mr. Michael Lenhart, The Traffic Group, 9900 Franklin Sq.Dr., #H, Baltimore, Md. 21236

Ms. Mary Atkinson, 17 Huntress Court, Lutherville, Md. 21093

Ms. Rita O'Brennan, 15 Huntress Court, Lutherville, Md. 21093

Ms. Patricia A. Meffen, 228 Hunters Ridge Road, Timonium, Md. 21093

Mr. David N. Curley, 8804 Valleyfield Road, Timonium, Md. 21093

Mr. Curtis Grieveson, 2117 Old Pine Road, Timonium, Md. 21093

Ms. Carole Van Wagner, 201 Hunters Ridge Road, Timonium, Md. 21093

Mr. & Mrs. James Hossbach, 10 Hunters Court, Lutherville, Md. 21093

Ms. Sheila Wheman, 4 Valley Ridge Court, Timonium, Md. 21093

Walt Smith. DPDM: DEPRM: DPW: OP: R&P: People's Counsel; Case File Visit the County's Website at www.baltimorecountyonline.info



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 201 Timonium Road which is presently zoned <u>DR2/DR3.5</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

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

* Please See Attachment

03-307-5PH

Property is to be posted and advertised as prescribed by the zoning regulations.

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: <u>Legal Owner(s):</u> Huntridge/East. LIC John F. Fowble Name - Type or/Print Name - Type or Print John J. Jocolle V. MO Signature ∕Signature c/o t Shawan Road, Suite 1 (410) 527-1555 Address Telephone No. Name - Type or Print Cockeysville, MD 21030 State Zip Code Signature 201 Timonium Road (410) 252-1760 Attorney For Petitioner: Address Telephone No. Howard I. Alderman, Jr. Timonium, MD 21094 Type or Print State Zip Code Representative to be Contacted: Signature Guy C. Ward Levin and Gann, P.A. McKee & Associates, Inc. Company Nottingham Centre, 8th Floor Name 502 Washington Avenue (410) 321-0600 5 Shawan Road, Suite 1 (410) 527-1555 Address Telephone No. Address Telephone No. Towson, MD 21204 Cockeysville, MD 21030 City State Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING ___

Reviewed By

UNAVAILABLE FOR HEARING

Attachment 1

PETITION FOR SPECIAL HEARING

CASE NO:0;	3	
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Address:

201 Timonium Road

Legal Owner: John W. Fowble

Present Zoning:

DR 2 & 3.5

REQUESTED ŘĚLIEF:

"why the Zoning Commissioner should" [1] to the extent the same may be required, approve the density, house location, use areas and lot configurations for Lot Nos. 2 & 3 shown on the Plat to Accompany this Petition as a Density Anomaly; and [2] approve such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire 502 Washington Avenue
Towson, Maryland 21204
(410) 321-0600

Fax: (410) 296-2801 halderman@LevinGann.com Engineering • Surveying • Environmental Planning
Real Estate Development

Zoning Description for "Holly Ridge" (f.k.a Huntridge East) PDM VIII-270--Located at #201 Timonium Road

Beginning at a point located 38 feet, more or less, south of the centerline of Timonium Road which is 80 feet wide, more or less, at a distance of 800 feet, more or less, east of the centerline of the nearest improved intersecting street Hunter's Ridge Road which is 80 feet wide thence running the following courses and distances:

- 1. North 79 degrees 14 minutes 45 seconds East 42.06 feet, thence
- 2. North 78 degrees 45 minutes 16 seconds East 33.00 feet, thence
- 3. North 77 degrees 27 minutes 20 seconds East 76.30 feet, thence
- 4. North 81 degrees 12 minutes 10 seconds East 102.70 feet, thence
- 5. North 84 degrees 42 minutes 54 seconds East 112.45 feet, thence
- 6. South 60 degrees 52 minutes 53 seconds East 95.89 feet, thence
- 7. South10 degrees 44 minutes 23 seconds East 232.85 feet, thence
- 8. South 13 degrees 04 minutes 01 seconds East 150.00 feet thence
- 9. South 11 degrees 09 minutes 31 seconds East 150.14 feet, thence
- 10. South 08 degrees 34 minutes 30 seconds East206. 83 feet, thence
- 11. South 00 degrees 57minutes 47 seconds West 291.04 feet, thence
- 12. South 13 degrees 38 minutes 09 seconds East 21.46 feet, thence
- 13. North 80 degrees 42 minutes 34 seconds West 449.88 feet thence
- 14. North 10 degrees 16 minutes 09 seconds East 942.91 feet thence
- 15. South 80 degrees 03 minutes 12 seconds west 257.36 feet thence
- 16. South 02 degrees 38 minutes 02 seconds East 31.63 feet, thence
- 17. North 87 degrees 21 minutes 40 seconds East 49.99 feet, thence
- North 02 degrees 38 minutes 20 seconds West 106.34 feet to the place of beginning.

Containing 7.887 acres of land, more or less and being part of the land described in deed liber 12049 folio 632. Also known as the proposed subdivision "Holly Ridge" PDM # VII-270 and being located at 201 Timonium Road and located in the 8th election district, 3rd councilmanic district.



ITEM # 307

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, #03-307-SPH

5 201 Timonium Road

W/side proposed Holly Ridge Court 200 feet south Timonium Road 8th Election District - 3rd Councilmanic District

Legal Owner(s): John F. Fowble Contract Purchaser: Huntridge East, LLC

Special Hearing: to approve the density, house location, use area and lot configurations as a density anomaly for lots #2 and 3 and approve such additional relief this Petition may require.

Hearing: Friday, August 22, 2003 at 9:00 a.m. in Room , 106, County Office Building, 111 W. Chesapeake Ave-

nue.

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.

C619077 <u>. 8/006 Aug. 7</u>

CERTIFICATE OF PUBLICATION

<u>8</u> 7, 20 <u>03</u>
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 87 ,2003.
The Jeffersonian
🖵 Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

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LAWRENCE E SCHMIDT

Zoning Commissioner for Baltimore County

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130,2003
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n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 130,20 <u>03.</u>
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. WULLING
LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 20479
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03-307-	5PH
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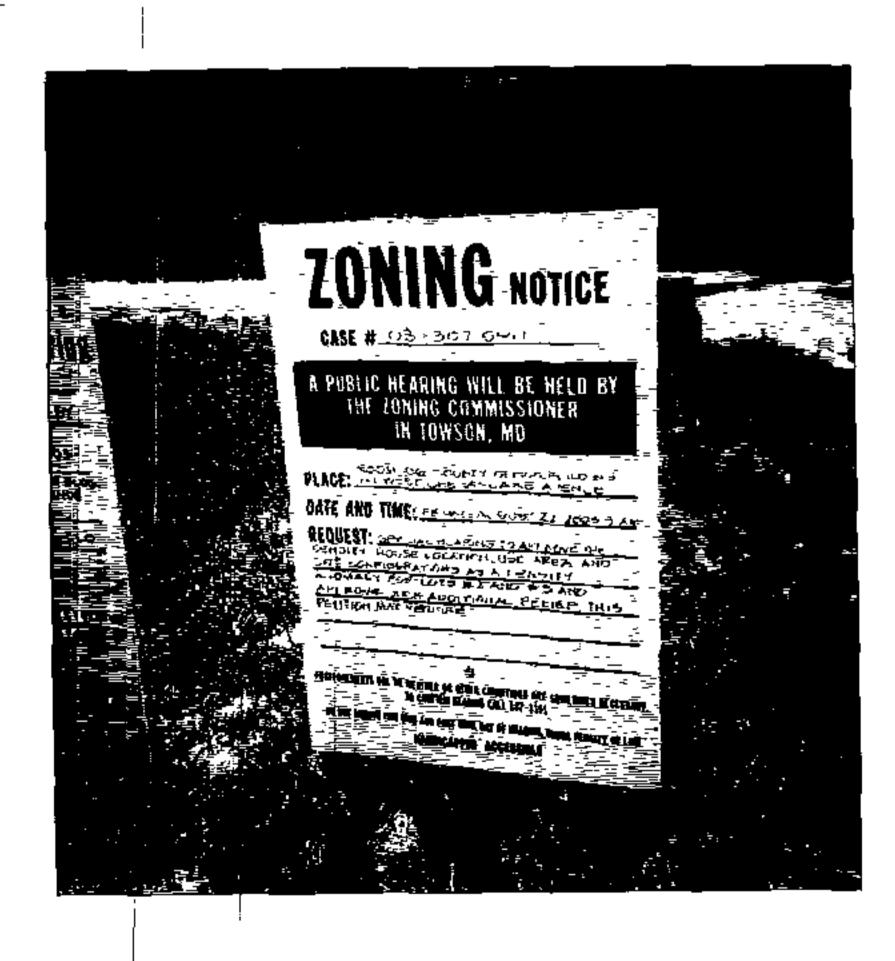
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Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

!			Date: _	July 25, 2003
1				
: RE:	Case Number03-3	07 - SFH		
	Petitioner/Developer:	Hintridge Fast, IIC	· · · · · · · · · · · · · · · · · · ·	
	Date of Hearing/Closing:	August 22, 2003		······································
: vere	This is to certify under the posted conspicuously on the			ecessary sign(s) required by law Timonium Road
-			······································	
!	The sign(s) were posted o	onJuly 25	, 2003	
			(Month,	Day, Year)



(Signature of Sign Poster)

J. Lawrence Pilson
(Printed Name of Sign Poster)

McKee and Associates, Inc.
5 Shawan Road, Strite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

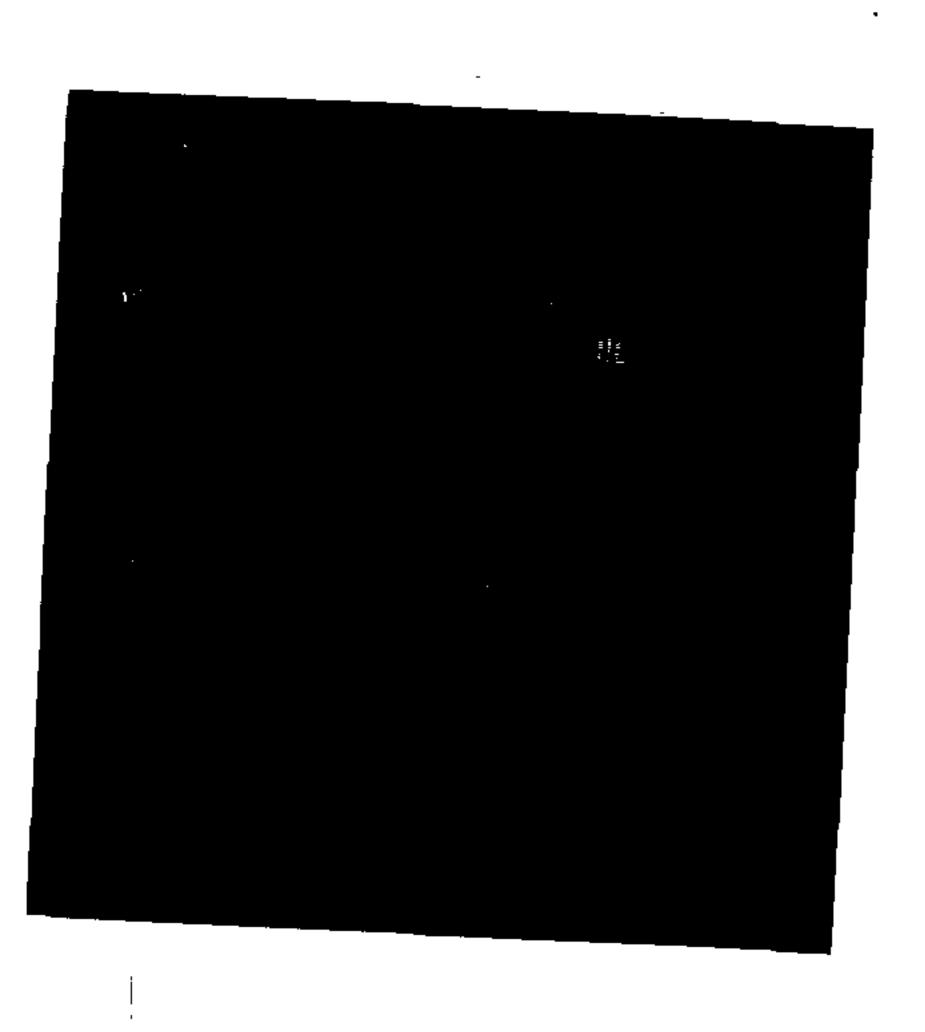
(City, State, Zip Code of Sign Poster)

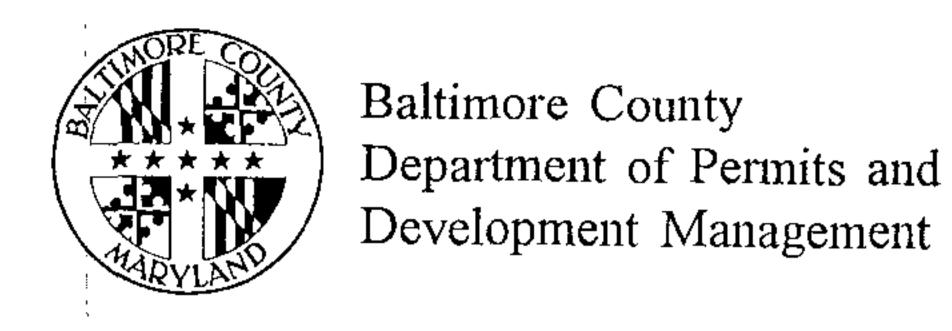
(410) 527-1555

(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

	RE: Case No.: 03-307-SPH
	Petitioner/Developer:
	Huntridge East, LLC
	Date of Hearing/Closing: 2-13-03
Baltimore County Department of Permits and Development Manager County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	ment
Attention: Ms. Gwendolyn Stephen	ns en la companya de
Ladies and Gentlemen:	
This letter is to certify under the pewere posted conspicuously on the parameter of the pewere posted conspicuously on the parameter of the pewere posted conspicuously on the parameter of the pewere posted conspicuously on the	nalties of perjury that the necessary sign(s) required by law property located at 201 Timonium Road
	anuary 28,2003
	(Month, Day, Year)
	Sincerely,
	(Signature of Sign Poster and Date)
	Stacy Gardner
	SHANNON-BAUM SIGNS INC. 105 COMPETITIVE GOALS DR.
	ELDERSBURG, MD. 21784
	(City, State, Zip Code)





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

Fax: 410-887-5708

June 4, 2003

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: 03-307-SPH

201 Timonium Road

W/side proposed Holly Ridge Court 200 feet south Timonium Road

8th Election District – 3rd Councilmanic District

Legal Owner: John F. Fowble

Contract Purchaser: Huntridge East, LLC

Special Hearing to approve the density, house location, use area and lot configurations as a density anomaly for lots #2 and 3 and approve such additional relief this Petition may require.

Hearings:

Friday, August 22, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon

Director

AJ:rlh

C: Howard L. Alderman, Levin and Gann, P.A., 502 Washington Avenue, Towson 21204

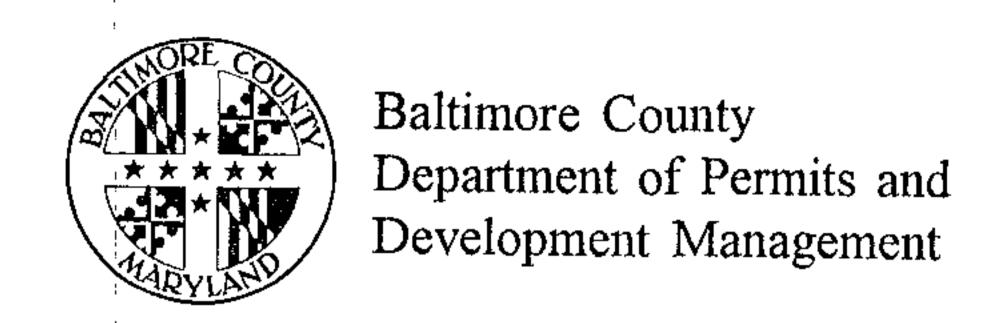
John F. Fowble, 201 Timonium Road, Timonium 21094

Huntridge East, LLC, C/O 5 Shawn Road, Suite 1, Cockeysville 21030

Guy Ward, McKee & Associates, 5 Shawan Road, Suite 1, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 7, 2003.

- (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.



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

Fax: 410-887-5708

January 22, 2003

NOTICE OF ZONING HEARING

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201 Timonium Road

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8th Election District – 3rd Councilmanic District

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Thursday, February 13, 2003 at 9:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

Arnold Jablon

Director

AJ:rlh

C: Howard L. Alderman, Levin and Gann, P.A., 502 Washington Avenue, Towson 21204

John F. Fowble, 201 Timonium Road, Timonium 21094 Huntridge East, LLC, C/O 5 Shawn Road, Suite 1, Cockeysville 21030 Guy Ward, McKee & Associates, 5 Shawan Road, Suite 1, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 29, 2003.

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

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

TO: PATUXENT PUBLISHING COMPANY

Thursday, August 7, 2003 Issue - Jeffersonian

Please forward billing to:

Huntridge East, LLC C/O 5 Shawan Road, Suite 1 Cockeysville, MD 21030

410-527-1555

NOTICE OF ZONING HEARING

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Friday, August 22, 2003 at 9:00 a.m. in Room 106, County Office Building,

111 W. Chesapeake Avenue

LAWRENCE E, SCHMIDT

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.

TO: PATUXENT PUBLISHING COMPANY

Thursday, January 30, 2003 Issue - Jeffersonian

Please forward billing to:

Huntridge East, LLC

410-527-1555

C/O 5 Shawan Road, Suite 1 Cockeysville, MD 21030

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: 03-307-SPH

201 Timonium Road

W/side proposed Holly Ridge Court 200 feet south Timonium Road

8th Election District – 3rd Councilmanic District

Legal Owner: John F. Fowble

Contract Purchaser: Huntridge East, LLC

Special Hearing to approve the density, house location, use area and lot configurations as a density anomaly for lots #2 and 3 and approve such additional relief this Petition may require.

Hearings:

Thursday, February 13, 2003 at 9:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

Lawrence B. Schmidt

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

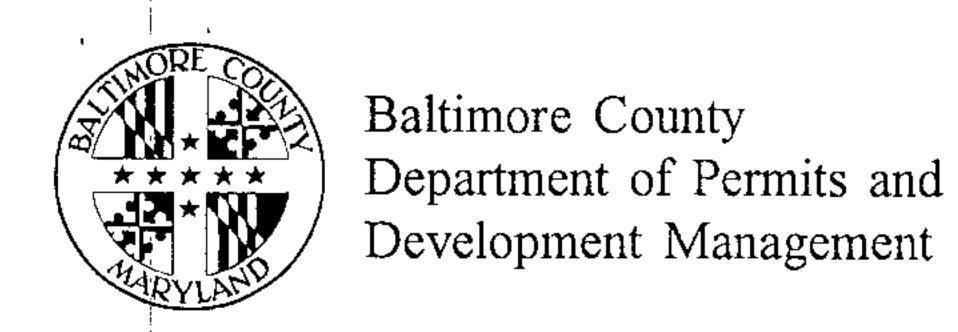
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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: 03-307-5PH Petitioner: HUNTRIDGE EAST L.L.C.	· · · · · · · · · · · · · · · · · · ·
Address or Location: Zul W. Timonium RD. Timenium	Md 21093
PLEASE FORWARD ADVERTISING BILL TO:	
Name: HUNTRIDGE EAST LLC. Address: 40 5 SHAWAN RD. SUITE 1	
Cockers ville, Mo 21030 Telephone Number: 410 -521 - 1555	<u> </u>

Revised 2/20/98 - SCJ



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

August 15, 2003

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

Dear Mr. Alderman:

RE: Case Number: 03-307-SPH, 201 Timonium Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 6, 2003.

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,

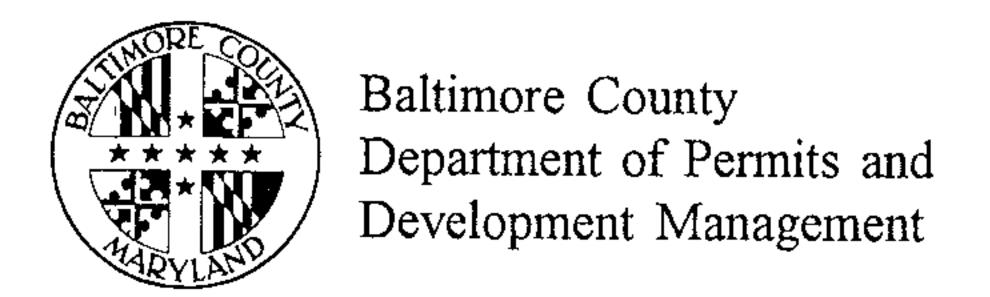
W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel John Fowble, 201 Timonium Road, Timonium 21094 Guy Ward, McKee & Associates, Inc., 5 Shawan Rd., Ste. 1, Cockeysville 21030



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

February 7, 2003

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

Dear Mr. Alderman:

RE: Case Number: 03-307-SPH, 201 Timonium Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 6, 2003.

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. Supervisor, Zoning Review

U. Callibal)

WCR:klm

Enclosures

c: People's Counsel
Huntridge East, LLC
John F. Fowble
Guy C. Ward



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 1.17.03

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

RE: Baltimore County

Item No. 307

RDD

Dear. Mr. Zahner:

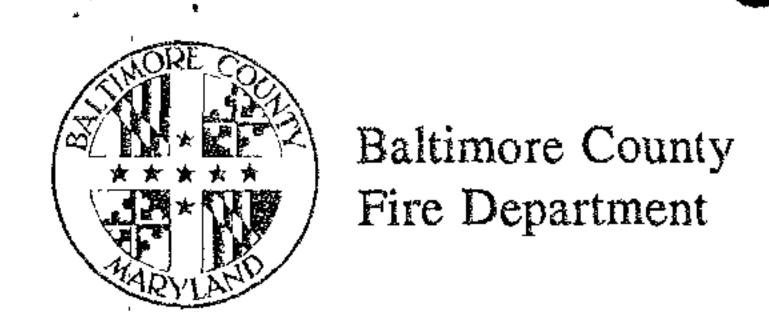
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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,

1/2

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



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Rebecca Hart

Distribution Meeting of: January 21, 2003

Item No.:

305,/307-311, 316-322, 324 &325

Dear Ms. Hart:

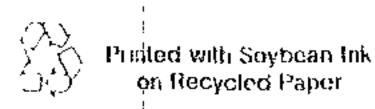
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RBS TOT

DATE:

February 20, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of January 21, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

307

305-308, 310, 311, 313, 315-319, 321-325



111 West Chesapeake Avenue Towson, MD 21204

410-887-3321

January 2, 2003

Huntridge East, LLC 5 Shawan Road, Suite 1 Cockeysville, MD 21030

Re: Blackberry Valley

PDM Number VIII-270

Dear Sir or Madam:

The Development Plan Conference, and the Hearing Officer's Hearing, have been scheduled on the above referenced project. Please arrange to attend these meetings with appropriate representation.

DEVELOPMENT PLAN CONFERENCE:

Date: Wednesday, January 22, 2003 Time: 9:00 AM

Location: Development Management Conference Room 123

County Office Building; 111 W. Chesapeake Avenue; Towson, MD 21204

HEARING OFFICER'S HEARING:

Date: Thursday, February 13, 2003 Time: 9:00 AM

Location: Rm. 106, County Office Bldg.; 111 W. Chesapeake Ave.; Towson, MD 21204

A copy of a public notification letter of the Development Plan Conference and Hearing Officer's Hearing, is attached for your convenience. Please note that it is the developer's responsibility to send a copy of the development plan, and notify all interested parties of the conference and hearing. Also, it is the developer's responsibility to post the property. Please note the property must be posted by January 15, 2003. A county authorized sign posting company must post the sign(s). A list of authorized sign posters is available in Room 123 of the County Office Building. A certificate of posting and photograph of the sign must be forwarded to this office prior to the Hearing Officer's Hearing.

Sincerely,
Sincerely,
Rancos/Jobs

Donald T. Rascoe

Project Manager

DTR:dak

c: McKee & Associates, Inc.

Come visit the County's Website at www.baltimorecountyonline.info

ITEM #307

Jem 2/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 22, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-306, 03-307, & 03-323

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

JAN 2 3 13

Section Chief:

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 28, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 27, 2003 (7)
Item Nos. 305, 306, 807, 308, 310, 311, 312, 313, 314, 315, 316, 320,

321, 322, 323, 324, and 325

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

RWB:HJO:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE

201 Timonium Rd; Wside proposed Holly Ridge

Ct; 200ft S Timonium Rd, 4500ft W I-83 * ZONING COMMISSIONER

8th Election District

3rd Councilmanic District * FOR

Legal Owner(s): John Fowble

Contract Purchaser(s): James W. McKee; * BALTIMORE COUNTY

Huntridge East, LLC

Petitioner(s) * 03-307-SPH

k * * * * * * * * *

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 ZZ day of January, 2003, a copy of the foregoing Entry of Appearance was mailed to Guy C. Ward, McKee & Associates, Inc, 5 Shawan Rd, Suite 1, Cockeysville, MD 21030 & Howard L. Alderman, Jr, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Engineering • Surveying • Environmental Planning

Real Estate Development

			DATE:	July 25, 2003
TO:	Baltimore County PA	DM	RE:	Huntridge East, LLC 03-307-SPH
ATTE	NTION: Ms. Becky Ha	art	MAI Jo	b. No.: 01-096
(X) W	e are submitting	() We are returning		() We are forwarding
(X) He	erewith	() Under separate co	over	(X) Hand Delivery
No. 1	Certificate of Posting		cription	
<u>-</u>		· · · · · · · · · · · · · · · · · · ·		
(X) F	or processing	(X) For your use		() For your review
() Pl	ease call when ready	() Please return to the	nis office	e () In accordance with your request
Rema	ırks:			
For fu	rther information, plea	se contact the writer at	this offi	ce.
			Very tr	uly yours,
			McKee	& Associates, Inc.
			× 4	wrence MARCFIVED
Enclo	sures		XXXa	wrence JUHRECFIVED

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030 Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

McKee Files

CC:

d. Lawrence Pilson, R.S.

JUL 2 8 2003

DEPT. OF PERMITS AND

DEVELOPMENT MANAGEMENT

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To:	Ms. I	Becky Har	t		From:	Howard	L. Alderman,	Jr., Esq	uire
	PAD			····	Co:	Levin &	Gann, P.A.		
		887-2824			FAX:	410-290	6- 28 01		
		ge(s) in thi		-	Ph:	410-32	1-0600		

MEMORANDUM

TO:

Ms. Becky Hart

COPY TO:

Huntridge East, LLC

FROM:

Howard L. Alderman, Jr.

DATE:

May 27, 2003

RE:

Re-scheduling of Continued Hearing

HOLLY RIDGE (f/k/a Huntridge East)/Fowble Property

Case Nos. PDM VIII-270 & 03-307-SPH Combined Hearings per BCC §26-206.1

Becky: I hope that you had a wonderful and DRY holiday weekend. Now that we are all back to reality, I spoke with Hearing Officer Kotroco regarding the rescheduling of the above-referenced hearings. The hearing was opened by Mr. Kotroco on February 13, 2003 and, after any open issues were identified, the hearing was continued to a future date. Mr. Kotroco advised me to coordinate with you the prompt rescheduling of this hearing.

Therefore, upon your receipt of this memo, please call me to discuss available dates and times. Thanks.

HOWARD L. ALDERMAN, JR. halderman@LevinGann.com

DIRECT DIAL 410-321-4640 LAW OFFICES

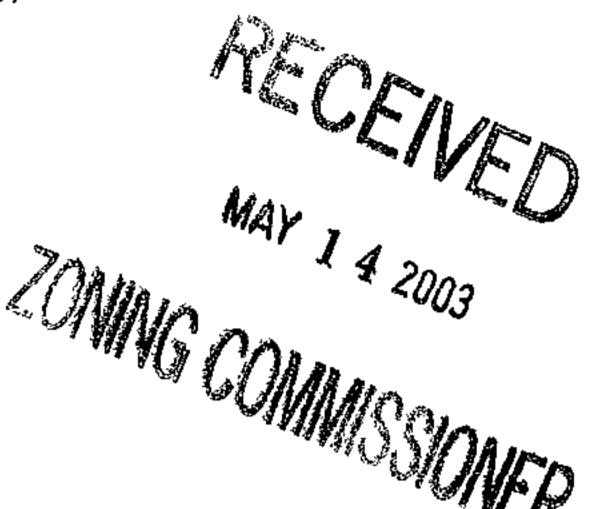
LEVIN & GANN

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE 502 WASHINGTON AVENUE 8th Floor TOWSON, MARYLAND 21204 410-321-0600 TELEFAX 410-296-2801

May 12, 2003

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)



Timothy M. Kotroco, Hearing Officer for Baltimore County 401 Bosley Avenue, Suite 407 Towson, Maryland 21204

Re: Holly Ridge (f/k/a Huntridge East)

Noise Assessment Analysis - Policy X Scheduling of Continued Meeting

Dear Mr. Kotroco:

You will recall that on February 13, 2003, you opened the hearing on the above-referenced Development Plan (PVM No. VIII-270) and Zoning Hearing 03-307-SPH, and certain testimony and evidence was received before the hearing was continued. The purpose of the continued hearing was to enable the Developer to comply with Policy No. X as adopted by the Department of Permits and Development Management. The Developer learned shortly before the hearing that the traffic engineer that it had retained had departed for India and his supervisors did not know when, if ever, he might return.

In the meantime, the Developer has retained the services of Staiano Engineering, Inc. to analyze the property in connection with Policy No. X and to prepare a noise assessment in accordance with the provisions of that Policy. I am transmitting with this letter a copy of the report prepared by Staiano Engineering together with the recommendations associated with the anticipated, calculated sound levels. By copy of this letter, I am also sending copies of the noise assessment analysis to Arnold Jablon, Director of the Department of Permits and Development Management, the Department of Public Works, and as agreed at the hearing, Mr. Michael Bogdan, the designated community contact.

To	Time	18 DAM
WHILEYO	U WER	EOUT
of	32/-16	10
Office	Ext	Telephoned Please call Returned your call Called to see you Wants to see you Will call again URGENT
MIN	lessage	Jast -
AMPAD FEETICIENICY®	Opereto	Peorder

Robin,
I Spoke to Howard
Aldernan. I told him we
would call Beeky thave
this set backin on
the Calendar.

May 12, 2003 Page 2

The second purpose of this letter is to request that the combined Hearing Officer and Zoning Hearing be rescheduled at your earliest possible convenience. My notes reflect that at the hearing in February, you conducted a preliminary investigation into any open issues hearing from the Developer, the County representatives and the community. Therefore, the continued hearing would focus on any open issues within the purview of the development regulations that have not been addressed previously or by the submission of the enclosed noise assessment study and for consideration of the zoning relief as prayed.

Upon your receipt and review of this letter and its enclosure, please call me to discuss when we might get back to a hearing on this project.

Very truly yours,

Howard L. Alderman, Jr.

HLA/pal Enclosure

c/enc: Mr. Arnold Jablon, Director

Mr. Robert Bowling, PE

Mr. Walter Smith Mr. Michael Bogdan

Huntridge East, LLC

G:\Clients\HuntridgeEast (13580)\kotroco-t.ltr.wpd

w. .

HOWARD L. ALDERMAN, JR.

halderman@LevinCann.com

DIRECT DIAL

410-321-4640

LAW OFFICES

LEVIN & GANN

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

May 27, 2003

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME	TELEFAX NO.
Ms. Becky Hart c: Huntridge East, LLC	410-887-2824 410-527-1563

FROM:

HOWARD L. ALDERMAN, JR., ESQUIRE

NUMBER OF PAGES [INCLUDING THIS COVER PAGE]:

2

CLIENT/MATTER: Holly Ridge Hearing

COMMENTS:

Becky: a request to schedule a continued hearing follows per direction

received from Tim Kotroco.

[x] ORIGINAL WILL NOT BE MAILED

If you do not receive all of the pages indicated above, please call 321-0600 as soon as possible.

My return FAX Number Is (410) 296-2801.

WARNING: UN AUTHORIZED INTERCEPTION OF THIS TELEFAX COMMUNICATION COULD BE A VIOLATION OF FEDERAL AND MARYLAND LAW.

The information contained in this transmission is attorney privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone collect and return the original message to us at the above address via the U.S. Postal Service. We will reimburse you for expenses. Thank You.



Robert L. Ehrlich Jr. Governor Michael S. Steele Lt. Governor

Audrey E. Scott Secretary

January 21, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 01/27/03 re: case numbers 03-305-SPH, 03-306-X, 03-307-SPH, 03-308-A, 03-309-A, 03-310-A, 03-311-A, 03-312-X, 03-313-SPH, 03-314-XA, 03-315-SPH, 03-316-SPHX, 03-317-A, 03-318-A, 03-319-A, 03-320-A, 03-321-A, 03-322-A, 03-323-SPHA, 03-324-A, 03-325-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 01/16/03. 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,

James R. Gatto

Manager

Metropolitan Planning

janin Call.

Local Planning Assistance Unit

cc: Mike Nortrup

