IN RE: PETITION FOR SPECIAL HEARING NE/S of Nuwood Drive, 44' NE centerline of Chantilla Road 1st Election District 1st Councilmanic District (Powers Lane & Nuwood Drive) Merry Hill, LLC *Petitioner*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-313-SPH

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Merry Hill, LLC. The special hearing request involves property located at the intersection of Powers Lane and Nuwood Drive, which property is split-zoned D.R.16 and D.R.3.5. The special hearing request is to approve the First Amended Partial Development Plan, Section 1 and Partial Final Development Plan, Section 2 of "Catonsville Gateway".

Appearing at the hearing on behalf of the special hearing request were Eric Levitt and Paul Steinhardt, appearing on behalf of the owner of the property, Dwight Little, the professional engineer who prepared the site plan of the property, and Robert Hoffman and David Karceski, attorneys at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, is known as the "Catonsville Gateway", located on the east side of Nuwood Drive, north of Powers Lane in Catonsville. The property is currently improved with condominiums. The owner of the property now proposes to construct townhouses on the subject property, the details of which are shown on Petitioner's Exhibit No. 1, the site plan submitted into evidence. The developer has had extensive negotiations with the existing community. They have entered into written agreements with the existing residents regarding the manner in which

ORDER RECEIVED FOR FILING
Date 3/12/03
By

this property is to be developed. The results of those negotiations are depicted on the site plan submitted into evidence. In addition to the special hearing request filed before me, the developer also was required to amend the CRG plan for the property. That amendment has been approved. All that remains at this time is the special hearing request filed before me.

Mr. Dwight Little, testifying on behalf of the developer, mentioned that a comment was placed on the Final Development Plan in error. That comment related to window to street travel way distance requirements. All agreed at the hearing that the comment should not be included on the Development Plan and permission was given to Mr. Little to strike that comment from Petitioner's Exhibit No. 1. As to the special hearing request to amend the Final Development Plan, based on the testimony and evidence presented at the hearing and the lack of opposition and the negotiations and agreements entered into between this developer and the surrounding communities, the Development Plan shall be amended.

After due consideration of the testimony and evidence presented at the hearing and the lack of opposition to this special hearing request, I find that the request should be granted. It is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 10th day of March, 2003, that the Petitioner's Request for Special Hearing, to

approve the First Amended Partial Development Plan, Section 1 and Partial Final Development Plan, Section 2 of "Catonsville Gateway", be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

Baltimore County
Zoning Commissioner

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

March 12, 2003

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

Re: Petition for Special Hearing
Case No. 03-313-SPH
Property: Powers Lane & Nuwood Drive

Dear Messrs. Hoffman & Karceski:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been approved in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Printed with Soybean Ink
on Recycled Paper

Copies to:

Eric Levitt
Paul Steinhardt
Merry Hill, LLC
8 Greenspring Valley Road, Suite 200
Owings Mills, MD 21117

Dwight Little
1045 Taylor Avenue, Suite 111
Towson, MD 21286

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Powers Lane & Nuwood Drive
which is presently zoned DR 16 & DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

TheFirst Amended Partial Development Plan - Sec. 1 and partial Final Development Plan - Sec. 2
"Catonsville Gateway"

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP
Company

210 Allegheny Avenue (410) 494-6200
Address — Telephone No.

Towson, Maryland 21204
City — State — Zip Code

Legal Owner(s):

Merry Hill, LLC
Eric Levitt, Member
Name - Type or Print

Signature

Name - Type or Print

Signature

8 Greenspring Valley Road, Suite 200 (410) 356 - 9110
Address — Telephone No.

Owings Mills MD 21117
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 _____

Reviewed By JRP **Date** 1/8/03

Case No. 03-313-SPH

ORDERED By The Zoning Commissioner
Date 3/12/03
Reviewed By

January 7, 2003

ZONING DESCRIPTION FOR
SECTION TWO
CATONSVILLE GATEWAY
1ST ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND

Beginning at a point on the northeast side of Nuwood Drive, which is 70 feet wide, at the distance of 44 feet northeast of the centerline of the nearest improved intersecting street, Chantilla Road, which is 50 feet wide. Thence **(1)** North 70 degrees 51 minutes 40 seconds West 78.68 feet; thence **(2)** North 11 degrees 38 minutes 20 seconds East 141.05 feet; thence **(3)** South 71 degrees 10 minutes 09 seconds East 891.71 feet; thence **(4)** South 09 degrees 40 minutes 48 seconds West 184.62 feet; thence **(5)** North 70 degrees 27 minutes 10 seconds West 75.80 feet; thence **(6)** South 61 degrees 08 minutes 40 seconds West 317.28 feet; thence **(7)** South 19 degrees 32 minutes 50 seconds West 248.47 feet; thence **(8)** South 79 degrees 32 minutes 50 seconds West 129.66 feet; thence **(9)** North 19 degrees 44 minutes 50 seconds East 477.87 feet; thence **(10)** North 71 degrees 10 minutes 09 seconds West 427.47 feet; thence **(11)** North 19 degrees 11 minutes 00 seconds East 109.64 feet to the place of beginning. Being a part of that land described in a deed recorded in Liber S.M. 12569 folio 60, containing 6.2110 acres of land, more or less.

STATE OF MARYLAND
LEONARD THOMAS BOHAGER
No. 10859
REGISTERED
PROFESSIONAL LAND SURVEYOR

1-7-03

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: #03-313-SPH
Powers Lane & Nuwood Drive
Northeast side of Nuwood Drive at the distance of 44 feet northeast centerline Chantilla Road
1st Election District
1st Councilmanic District
Legal Owner(s): Merry Hill LLC, Eric Levitt, Member

Special Hearing: to approve the First Amended Partial Development Plan Section 1 and Partial Final Development Plan Section 2, "Catonsville Gateway".

Hearing: Tuesday, March 11, 2003 at 10:00 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/2/783 Feb. 25 C589608

CERTIFICATE OF PUBLICATION

2/28/, 2003

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 2/25/, 2003.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 16384

DATE 1-8-03 ACCOUNT 001-006-6150

AMOUNT $ 325.00

RECEIVED FROM: Reisterstown Hills LLC
Petition for N and Dr.

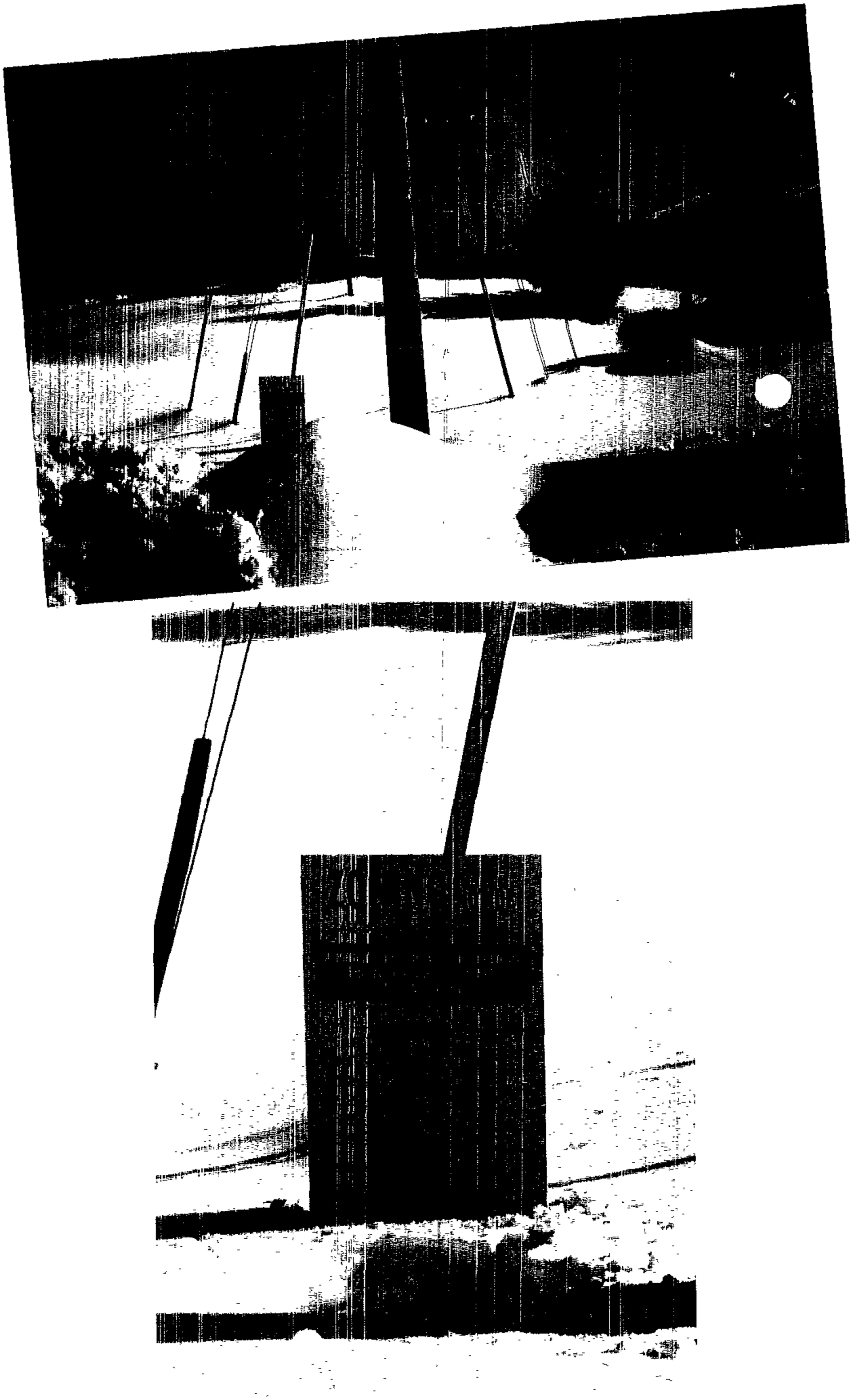
FOR: OAH - Special Hearing

ITEM # 313
TAKEN BY: JRF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DATE RECEIPT
(MISC RECEIPT)
BUSINESS ACTUAL TIME
1/08/2003 1/08/2003 15:28:29
REG WOOD WALKER DWOL DWD DRAWER 2
RECEIPT # 210836 1/08/2003 OFLH
Dept 5 528 ZONING VERIFICATION
CP NO. 016384
Recpt Tot $325.00
325.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION



CERTIFICATE OF POSTING

RE: Case No.: 03-313-SPH

Petitioner/Developer: MERRY HILL, LLC,

Date of Hearing/ Closing: MARCH. 11, 2003

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

Attention: Mr. 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 N.E. SIDE OF NUWOOD DRIVE 44 FEET N.E. OF CHANTILLA RD.

The sign(s) were posted on FEB. 20, 2003
(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)

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

January 29, 2003

NOTICE OF ZONING HEARING
CORRECTION

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: 03-313-SPH
Powers Lane & Nuwood Drive
Northeast side of Nuwood Drive at the distance of 44 feet northeast center line Chantilla Road
1st Election District – 1st Councilmanic District
Legal Owner: Merry Hill LLC, Eric Levitt, Member

Special Hearing to approve the First Amended Partial Development Plan Section 1 and Partial Final Development Plan Section 2. "Catonsville Gateway".

Hearings: Tuesday, March 11, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: Robert A. Hoffman, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Merry Hill, LLC, Eric Levitt, Member, 8 Greenspring Valley Road, Suite 200, Owings Mills 21117
Chuck Merritt, Little & Associates, 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 MONDAY, FEBRUARY 24, 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.

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 25, 2003 Issue - Jeffersonian

Please forward billing to:
Merry Hill, LLC 410-296-1636
8 Greenspring Valley Road, Ste. 200
Owings Mills, MD 21286

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: 03-313-SPH
Powers Lane & Nuwood Drive
Northeast side of Nuwood Drive at the distance of 44 feet northeast center line Chantilla Road
1st Election District – 1st Councilmanic District
Legal Owner: Merry Hill LLC, Eric Levitt, Member

Special Hearing to approve the First Amended Partial Development Plan Section 1 and Partial Final Development Plan Section 2. "Catonsville Gateway".

Hearings: Tuesday, March 11, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt
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.

Director's Office
County Office Building

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: 03-313-SPH
Powers Lane & Nuwood Drive
Northeast side of Nuwood Drive at the distance of 44 feet northeast center line Chantilla Road
1st Election District – 1st Councilmanic District
Legal Owner: Merry Hill LLC, Eric Levitt, Member

Special Hearing to ~~amend~~ approve the First Amended Partial Development Plan Section 1 and Partial Final Development Plan ~~and Partial Final Development Plan~~ - Sec. 2 "Catonsville Gateway."

Hearings: Tuesday, March 11, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Change made on 1/29 by Amy Dontel

Arnold Jablon
Director

AJ:rlh

C: Robert A. Hoffman, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Merry Hill, LLC, Eric Levitt, Member, 8 Greenspring Valley Road, Suite 200, Owings Mills 21117
Chuck Merritt, Little & Associates, 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 MONDAY, FEBRUARY 24, 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.

Printed with Soybean Ink on Recycled Paper

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: 03-313-SPH

Petitioner: Merry Hill, LLC

Address or Location: Powers Lane & Nuwood Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Merry Hill, LLC

Address: 8 Greenspring Valley Road, Suite 200

Owings Mills, MD 21117

Telephone Number: (410) 356 - 9110

Revised 2/20/98 - SCJ

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

March 7, 2003

Rob A. Hoffman
Venable, Baetjer and Howard LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 03-313-SPH, Powers Lane and Nuwood Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 8, 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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Merry Hill, LLC, Eric Levett, Member, 8 Greenspring Valley Road, Suite 200, Owings Mills 21117
Chuck Merritt, c/o Little & Associates, Inc., 1045 Taylor Avenue, Suite 111, Towson 21286

Printed with Soybean Ink
on Recycled Paper

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. 313 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

Baltimore County
Fire Department

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(s).: 306, 312-~~315~~ 313

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.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code; the NFPA 1 & 101, 2000 editions, prior to occupancy or beginning of operation.

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

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS HTGT

DATE: February 20, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of January 21, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

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

Jeri 3/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 27, 2003

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-313**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A Cunningham

Section Chief: Lynn Lanham

AFK/LL:MAC

RECEIVED
JAN 28 2003
ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 28, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For January 27, 2003
Item Nos. 305, 306, 307, 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 Powers Lane and Nuwood Drive; NE side of Nuwood Drive,44ft NW ctrline Chantilla Rd 1st Election District 1st Councilmanic District Legal Owner(s): Merry Hill, LLC, Eric Levitt, Member Petitioner(s)	* * * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 03-313-SPH

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

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio

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 22nd day of January, 2003, a copy of the foregoing Entry of Appearance was mailed to Chuck Merritt, c/o Little & Associates, Inc, 1045 Taylor Avenue, Suite 111, Towson, MD 21286 and Robert A. Hoffman, Venable, Baetjer and Howard, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

Maryland Department of Planning

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
Local Planning Assistance Unit

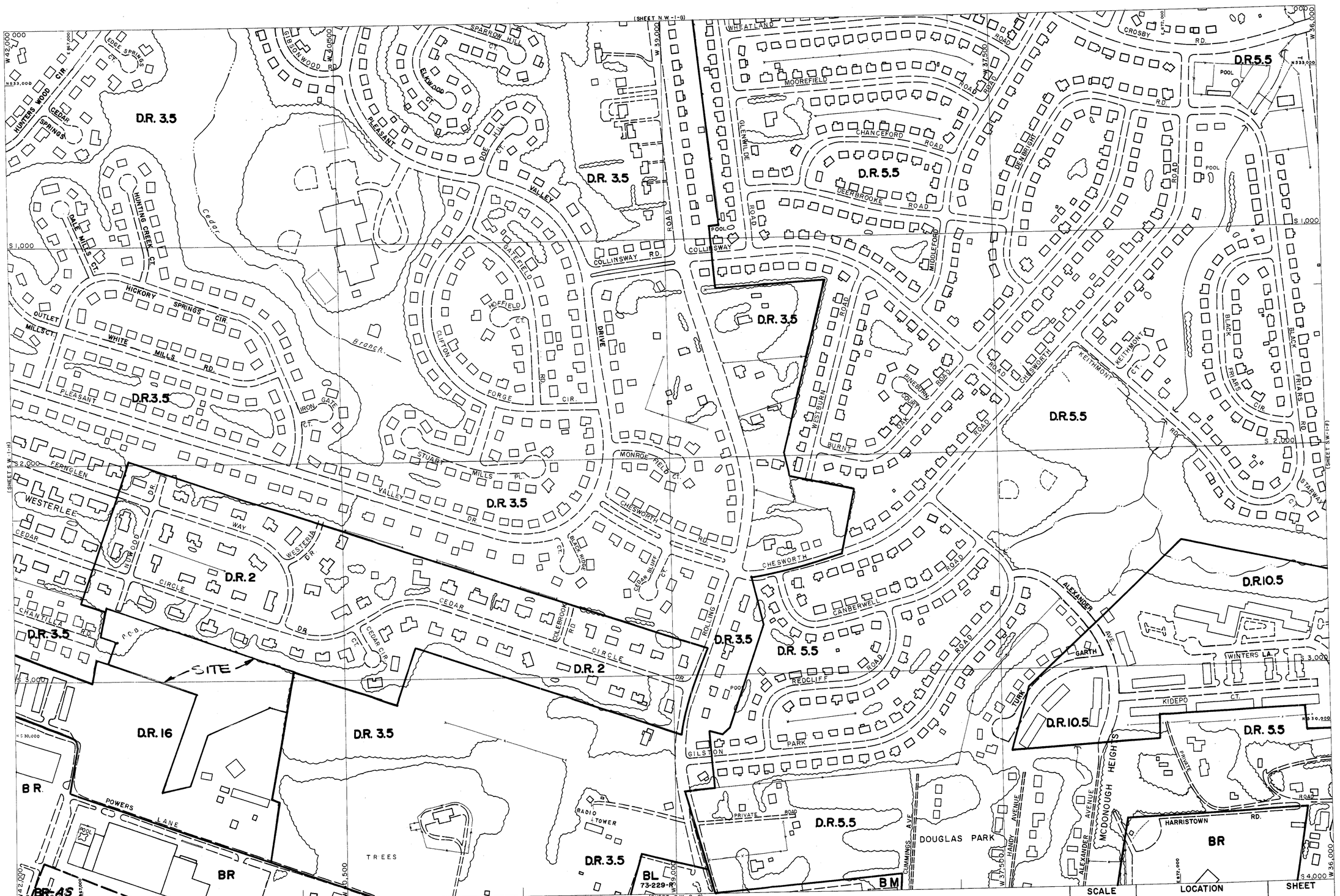
cc: Mike Nortrup

PLEASE PRINT CLEARLY

CASE NAME Merryhill, LLC
CASE NUMBER 03-313-SPH
DATE 3/11/03

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Eric Levitt, Merryhill LLC	8 Greenspring Valley Rd. Suite 200	Owings Mills, MD 21117	Eric@RegionalNewHomes.com
Robert Hoffman	210 Allegheny Ave.	Towson, MD 21204	rahoffman@verizon.com
David Karlsberg			
Paul Steinhardt	8 Greenspring Valley Rd Suite 200	Owings Mills, Md 21117	Paul@RegionalNewHomes.com
Dwight Little	1045 Taylor Ave. Suite 111	Towson MD 21286	



313

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 97-00, 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

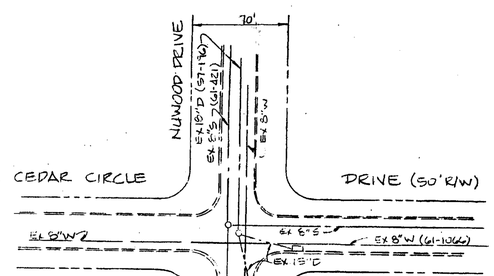
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	CATONSVILLE	S. W. I - G
DATE OF PHOTOGRAPHY JANUARY 1986		

SW 1G

REASONS FOR FIRST AMENDED PARTIAL DEVELOPMENT PLAN - SEC. 1 AND PARTIAL FINAL DEVELOPMENT PLAN - SEC.2 (1/7/02) 03

1. REVISE SEC. 2 LAYOUT TO CONDOMINIUM UNITS, REVISE ZONING BOUNDARIES, REVISE GENERAL NOTES, REVISE DENSITY CALCULATIONS, ADD SECTION 2 OWNERSHIP INFO., REVISE NUWOOD DRIVE TO 24'/70' SECTION ABOVE DLONG ROAD, ADD TEE INTERSECTION AT NUWOOD DRIVE & CHANTILLA ROAD, REMOVE APT. BLDG. AND PARKING AREA FROM SEC. 2, ADD BUFFER AREAS, REVISE OPEN SPACE AREAS, REVISE H.C. PARKING DETAIL FOR SEC. 2, REMOVE TYPICAL PARKING DETAIL FOR SINGLE FAMILY LOTS, REMOVE PANHANDLE PROFILE.
2. REVISE PER PRE-CRG COMMENTS DATED JULY 15,2002
3. REVISE STORM WATER MANAGEMENT AREA TO ADDRESS COMMUNITY CONCERNS. THIS CHANGE WAS APPROVED BY THE DRC AS A REFINEMENT ON 12/23/02. (DRC NO. 122302A)



SETBACK REQUIREMENTS:

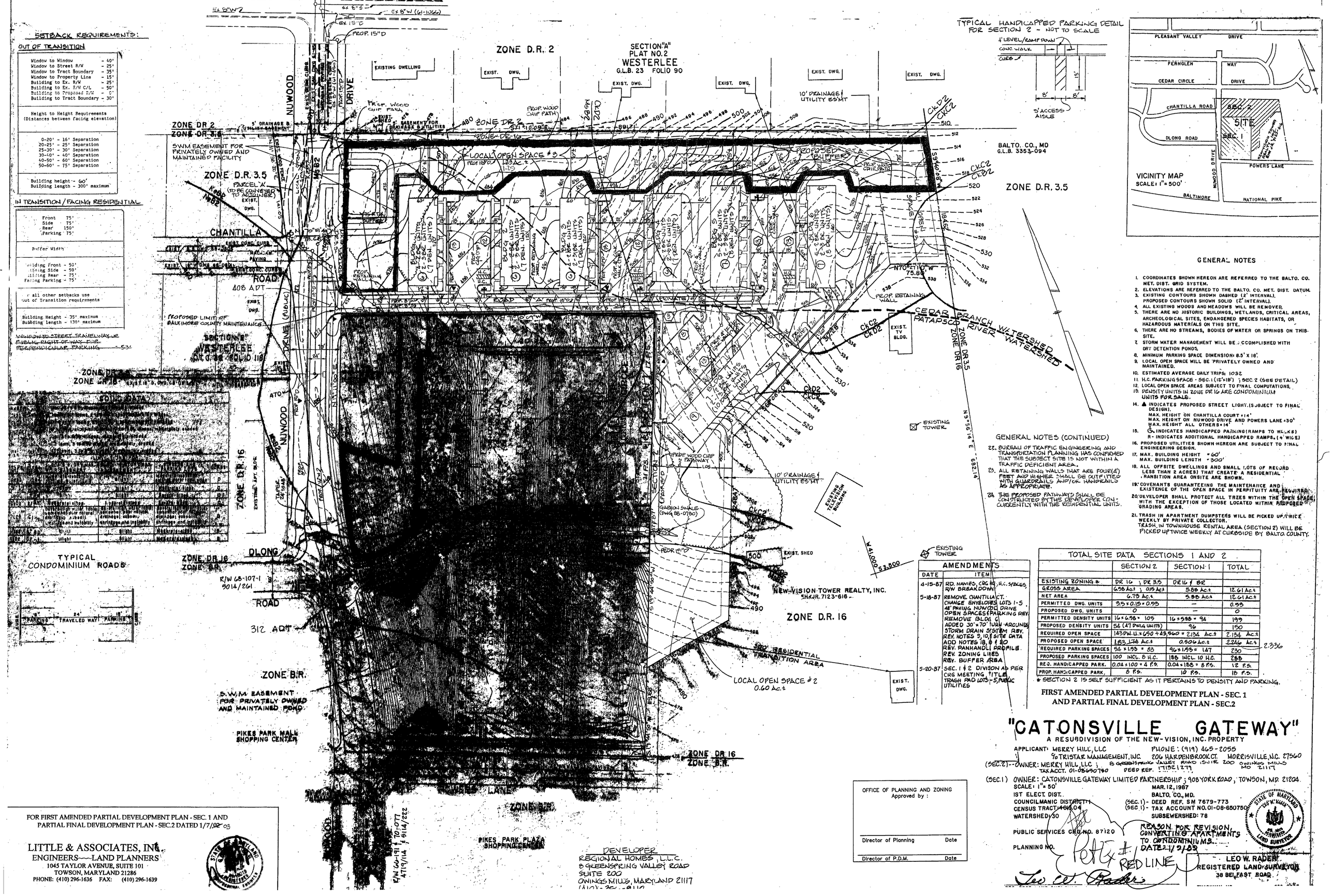
OUT OF TRANSITION

Window to Window	40'
Window to Street R/W	25'
Window to Tract Boundary	35'
Window to Property Line	15'
Building to Ex. R/W	25'
Building to Ex. R/W C/L	50'
Building to Proposed R/W	0'
Building to Tract Boundary	30'
Height to Height Requirements (Distances between facing elevation)	
0-20'	16' Separation
20-25'	25' Separation
25-30'	30' Separation
30-40'	40' Separation
40-50'	60' Separation
50-60'	75' Separation
Building height	60'
Building length	300' maximum

IN TRANSITION / FACING RESIDENTIAL

Front	75'
Side	75'
Rear	150'
Parking	75'
Buffer Width	
Building Front	50'
Building Side	50'
Building Rear	75'
Facing Parking	75'
For all other setbacks use Out of Transition requirements	
Building Height	35' maximum
Building length	130' maximum

WINDOW TO STREET TRAVELWAY OR PUBLIC RIGHT-OF-WAY FOR PERPENDICULAR PARKING - 53'



TYPICAL CONDOMINIUM ROADS

GENERAL NOTES

1. COORDINATES SHOWN HEREON ARE REFERRED TO THE BALTO. CO. MET. DIST. GRID SYSTEM.
2. ELEVATIONS ARE REFERRED TO THE BALTO. CO. MET. DIST. DATUM.
3. EXISTING CONTOURS SHOWN DASHED (2' INTERVAL). PROPOSED CONTOURS SHOWN SOLID (2' INTERVAL).
4. ALL EXISTING WOODS AND MEADOWS WILL BE REMOVED.
5. THERE ARE NO HISTORIC BUILDINGS, WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON THIS SITE.
6. THERE ARE NO STREAMS, BODIES OF WATER OR SPRINGS ON THIS SITE.
7. STORM WATER MANAGEMENT WILL BE ACCOMPLISHED WITH DRY DETENTION PONDS.
8. MINIMUM PARKING SPACE DIMENSION: 8.5' X 18'.
9. LOCAL OPEN SPACE WILL BE PRIVATELY OWNED AND MAINTAINED.
10. ESTIMATED AVERAGE DAILY TRIPS: 1032
11. H.C. PARKING SPACE - SEC. 1 (12'x18') ; SEC. 2 (SEE DETAIL)
12. LOCAL OPEN SPACE AREAS SUBJECT TO FINAL COMPUTATIONS.
13. DENSITY UNITS IN ZONE DR 16 ARE CONDOMINIUM UNITS FOR SALE.
14. ▲ INDICATES PROPOSED STREET LIGHT. (SUBJECT TO FINAL DESIGN).
    MAX. HEIGHT ON CHANTILLA COURT = 14'
    MAX. HEIGHT ON NUWOOD DRIVE AND POWERS LANE = 30'
    MAX. HEIGHT ALL OTHERS = 14'
15. ♿ INDICATES HANDICAPPED PARKING (RAMPS TO WALKS)
    R - INDICATES ADDITIONAL HANDICAPPED RAMPS. (4' WIDE)
16. PROPOSED UTILITIES SHOWN HEREON ARE SUBJECT TO FINAL ENGINEERING DESIGN.
17. MAX. BUILDING HEIGHT = 60'
    MAX. BUILDING LENGTH = 300'
18. ALL OFFSITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT CREATE A RESIDENTIAL TRANSITION AREA ONSITE ARE SHOWN.
19. COVENANTS GUARANTEEING THE MAINTENANCE AND EXISTENCE OF THE OPEN SPACE IN PERPITUITY ARE REQUIRED WITH THE EXCEPTION OF THOSE LOCATED WITHIN AND PONDS & GRADING AREAS.
21. TRASH IN APARTMENT DUMPSTERS WILL BE PICKED UP TWICE WEEKLY BY PRIVATE COLLECTOR. TRASH IN TOWNHOUSE RENTAL AREA (SECTION 2) WILL BE PICKED UP TWICE WEEKLY AT CURBSIDE BY BALTO. COUNTY.

GENERAL NOTES (CONTINUED)

22. BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THIS SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
23. ALL RETAINING WALLS THAT ARE FOUR(4') FEET AND HIGHER SHALL BE OUTFITTED WITH GUARDRAILS AND/OR HANDRAILS AS APPROPRIATE.
24. THE PROPOSED PATHWAYS SHALL BE CONSTRUCTED BY THE DEVELOPER CONCURRENTLY WITH THE RESIDENTIAL UNITS.

AMENDMENTS

DATE	ITEM
4-15-87	RD. NAMES, CRG NO., H.C. SPACES, R/W BREAK DOWN
5-18-87	REMOVE CHANTILLA CT. CHANGE ENVELOPES LOTS 1-5, 48' PAVING NUWOOD DRIVE OPEN SPACES & PARKING REV. REMOVE BLDG. G ADDED 30'x70' TURN AROUNDS, STORM DRAIN SYSTEM REV. REV. NOTES 9, 10, & SITE DATA ADD NOTES 18, 19 & 20 REV. PANHANDLE PROFILE. REV. ZONING LINES REV. BUFFER AREA
5-20-87	SEC. 1 & 2 DIVISION AS PER CRG MEETING, TITLE TRASH PAD LOTS 1-5, PUBLIC UTILITIES

TOTAL SITE DATA SECTIONS 1 AND 2

	SECTION 2	SECTION 1	TOTAL
EXISTING ZONING *	DR 16 ; DR 3.5	DR 16 & BR	
GROSS AREA	6.58 Ac.± ; 0.15 Ac.±	5.88 Ac.±	12.61 Ac.±
NET AREA	6.73 Ac.±	5.88 Ac.±	12.61 Ac.±
PERMITTED DWG. UNITS	3.5 x 0.15 = 0.53	—	0.53
PROPOSED DWG. UNITS	0	—	0
PERMITTED DENSITY UNITS	16 x 6.58 = 105	16 x 5.88 = 94	199
PROPOSED DENSITY UNITS	54 (47 DWLG UNITS)	96	150
REQUIRED OPEN SPACE	143 DW.U. x 650 ÷ 43,560 = 2.134 Ac.±		2.134 Ac.±
PROPOSED OPEN SPACE	1.83 Ac.±	0.506 Ac.±	2.336 Ac.±
REQUIRED PARKING SPACES	54 x 1.53 = 83	96 x 1.53 = 147	230
PROPOSED PARKING SPACES	100 INCL. 8 H.C.	188 INCL. 10 H.C.	288
REQ. HANDICAPPED PARK.	0.04 x 100 = 4 P.S.	0.04 x 188 = 8 P.S.	12 P.S.
PROP. HANDICAPPED PARK.	8 P.S.	10 P.S.	18 P.S.

2.336

* SECTION 2 IS SELF SUFFICIENT AS IT PERTAINS TO DENSITY AND PARKING.

FIRST AMENDED PARTIAL DEVELOPMENT PLAN - SEC. 1 AND PARTIAL FINAL DEVELOPMENT PLAN - SEC.2

"CATONSVILLE GATEWAY"

A RESUBDIVISION OF THE NEW-VISION, INC. PROPERTY

APPLICANT: MERRY HILL, LLC — PHONE: (919) 465-2055
c/o TRISTAR MANAGEMENT, INC. 206 HARDENBROOK CT. MORRISVILLE, N.C. 27560
(SEC.2) -- OWNER: MERRY HILL, LLC ; 8 GREENSPRING VALLEY ROAD SUITE 200 OWINGS MILLS MD 21117
TAX ACCT. 01-0890780 DEED REF. 17132/279
(SEC.1) OWNER: CATONSVILLE GATEWAY LIMITED PARTNERSHIP ; 908 YORK ROAD, TOWSON, MD. 21204
SCALE: 1" = 50'
1ST ELECT. DIST.
COUNCILMANIC DISTRICT 1
CENSUS TRACT 4016.04
WATERSHED 30
PUBLIC SERVICES CRG NO. 87120
PLANNING NO.

MAR. 12, 1987
BALTO. CO., MD.
(SEC.1) - DEED REF. SM 7679-773
(SEC.1) - TAX ACCOUNT NO. 01-08-850750
SUBSEWERSHED: 78

REASON FOR REVISION, CONVERTING APARTMENTS TO CONDOMINIUMS.
DATE 2-1-03

Petit #1 RED LINE

Leo W. Rader

STATE OF MARYLAND — LEO W. RADER — REGISTERED PROFESSIONAL LAND SURVEYOR

LEO W. RADER
REGISTERED LAND SURVEYOR
38 BELFAST ROAD

OFFICE OF PLANNING AND ZONING
Approved by :

Director of Planning — Date

Director of P.D.M. — Date

FOR FIRST AMENDED PARTIAL DEVELOPMENT PLAN - SEC. 1 AND PARTIAL FINAL DEVELOPMENT PLAN - SEC.2 DATED 1/7/02 03

LITTLE & ASSOCIATES, INC.
ENGINEERS — LAND PLANNERS
1045 TAYLOR AVENUE, SUITE 101
TOWSON, MARYLAND 21286
PHONE: (410) 296-1636 FAX: (410) 296-1639

STATE OF MARYLAND — LICENSED PROFESSIONAL ENGINEER

DEVELOPER
REGIONAL HOMES, L.L.C.
8 GREENSPRING VALLEY ROAD
SUITE 200
OWINGS MILLS, MARYLAND 21117