IN RE: PETITION FOR VARIANCE W/S Windys Run Road, 18' NW centerline of Caton Glen Road 1st Election District 1st Councilmanic District (W/S Windys Run Road) Forty West Group, Inc. *Petitioner*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-329-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, the Forty West Group, Inc. The special hearing request involves a subdivision known as "Caton Glen" located on the west side of Windys Run Road in the Catonsville area of Baltimore County. The special hearing request is to amend the Final Development Plan to remove the "tot lot" from the subject property, replacing it with local open space.

Appearing at the hearing on behalf of the special hearing request were Patrick Costello, appearing on behalf of the owner of the property, Dave Billingsley, the professional engineer who prepared the site plan of the property, and Anthony Palaigos, attorney at law, representing the Petitioner. Mr. Jan Cook appeared on behalf of the Department of Recreation & Parks. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, involves a 0.092 acre parcel of property which was previously set aside on the Development Plan of "Caton Glen" as a tot lot. Acting in response to concerns raised by residents who now live in this community, the Developer has requested that the requirement for the tot lot be rescinded. In lieu of installing a tot lot on the property, the Developer would simply dedicate the same area of ground as local open space. The site plan submitted into

3/26/03 Receipt

evidence verifies this fact. The property in question is situated between Lots #41 and #42 on the Development Plan. Both owners of the homes that are situated on those properties support the elimination of the tot lot and the designation of the property as local open space. Furthermore, it should be noted that Mr. Jan Cook, a representative of the Department of Recreation & Parks, also supports the elimination of the tot lot. Mr. Cook further explained that his office has required the Developer to pay a fee in lieu of the installation of the tot lot in the amount of $10,000.00. The Developer has agreed to do this.

After considering the testimony and evidence offered at the hearing, I find that the special hearing request should be granted.

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 7th day of March, 2003, that the Petitioner's Request for Special Hearing, to amend the Final Development Plan for "Caton Glen" and to remove the tot lot and redesignating that area of ground as local open space, 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 Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

3/7/03
R. Gardner

Baltimore County
Zoning Commissioner

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

March 7, 2003

Anthony P. Palaigos, Esquire
Kollman & Saucier, P.A.
20 South Charles Street, 8th Floor
Baltimore, Maryland 21201

Re: Petition for Special Hearing
Case No. 03-329-SPH
Property: W. S. Windys Run Road

Dear Mr. Palaigos:

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

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

Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: David Billingsley
Central Drafting & Design, Inc.
601 Charwood Court
Edgewood, MD 21040

Stephen H. Costello
Forty West Group, Inc.
3230 Bethany Lane
Ellicott City, MD 21042

Printed with Soybean Ink
on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at W.S. WINDYS RUN ROAD
which is presently zoned D.R. 5.5

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

AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN FOR CATON GLEN TO REMOVE THE "TOT LOT" FROM THE 0.092 ACRE LOCAL OPEN SPACE PARCEL.

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:

Anthony P. Palaigos, Esquire
Name - Type or Print

Signature

Kollman & Saucier, P.A.
Company

20 South Charles Street, 8th Floor
Address — Telephone No.

Baltimore, Maryland 21201 — 410-727-4300
City — State — Zip Code

Legal Owner(s):

FORTY WEST GROUP, INC.
Name - Type or Print

Signature

Stephen H. Costello
Name - Type or Print

Signature

3230 BETHANY LANE (410) 418-8900
Address — Telephone No.

ELLICOTT CITY, MD. 21042
City — State — Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY
Name

601 CHARWOOD CT. (410) 679-8719
Address — Telephone No.

EDGEWOOD MD. 21040
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D. THOMPSON Date 1/16/03

Case No. 03-329-SPH

REV 9/15/98

3/7/03 R. Jackson

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL HEARING TO AMEND A FINAL DEVELOPMENT PLAN

CATON GLEN SUBDIVISION

Beginning for the same at a point on the west side of Windys Run Road (50 feet wide) distant 18 feet northwesterly from it's intersection with the centerline of Caton Glen Road (40 feet wide), thence being all of the 0.092 Acre Local Open Space as shown on the plat entitled Caton Glen recorded among the plat records of Baltimore County in plat book 67 folio 124.

Containing 0.092 acre of land, more or less. Being located in the First Election District and First Councilmanic District of Baltimore County, Maryland.

STATE OF MARYLAND
J. TILGHMAN DOWNEY, JR.
No. 114
REGISTERED
PROPERTY LINE SURVEYOR

J. Tilghman Downey Jr.

03-329-SPH

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: #03-329-SPH
W.S. Windys Run Road
W/side Winds Run Road 18 feet northwest of centerline Caton Glen Road
1st Election District
1st Councilmanic District
Legal Owner(s): Forty West Group, Inc.
Special Hearing: to amend the Final Development Plan for Caton Glen to remove the "Tot Lot" from the 0.032 acre local open space parcel.
Hearing: Wednesday, March 5, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 2/708 Feb 18 C588502

CERTIFICATE OF PUBLICATION

2/20/, 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 2/18/, 2003.

- ☒ 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. 20466

DATE 1/4/03 ACCOUNT 001000150

AMOUNT $ 285.00

RECEIVED FROM: DAVID BUNGSLEY

FOR: ITEM #229 02-221-SPH

CITY ELEN SPO.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-329-SPH

Petitioner/Developer: FORTY WEST GROUP, INC

Date of Hearing/Closing: 3/5/03

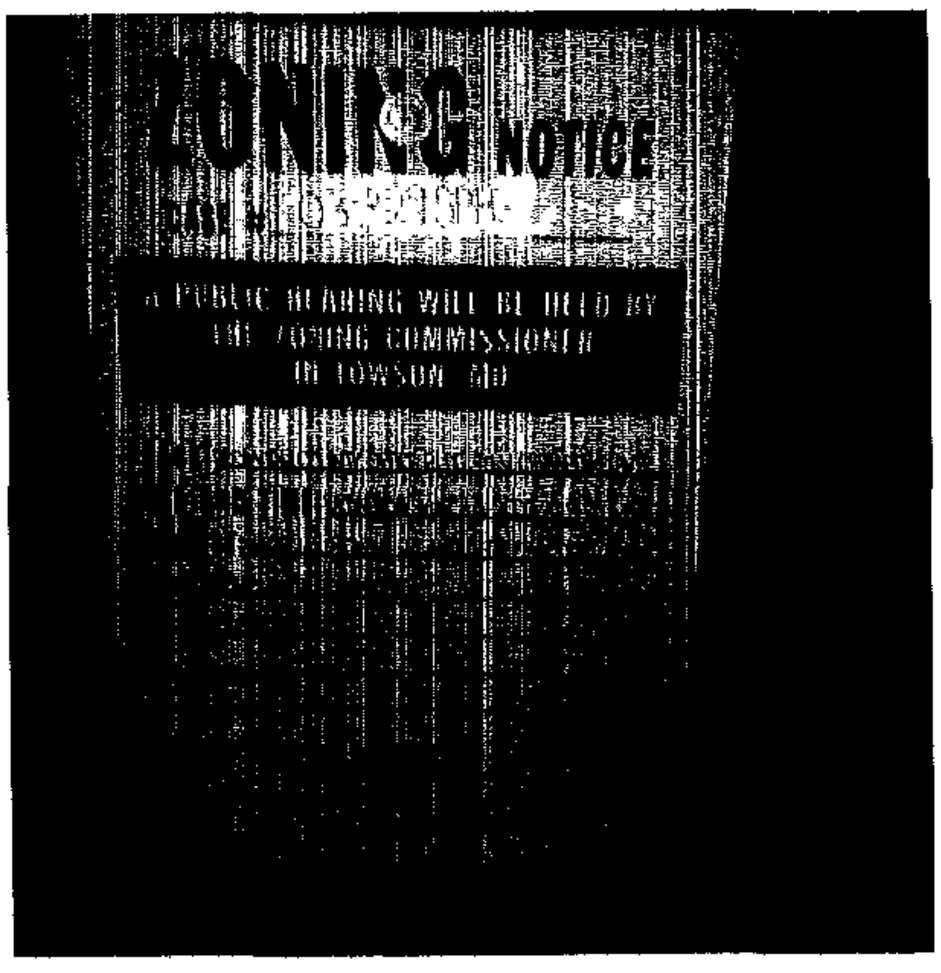
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at W. S. WINDYS RUN RD

The sign(s) were posted on 2/15/03
(Month, Day, Year)



Sincerely,

2/15/03
(Signature of Sign Poster and Date)

SSG ROBERT BLACK
(Printed Name)

1508 Leslie Rd
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(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 28, 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: 03-329-SPH
W.S. Windys Run Road
W/side Winds Run Road 18 feet northwest of centerline Caton Glen Road
1st Election District – 1st Councilmanic District
Legal Owner: Forty West Group, Inc.

Special Hearing to amend the Final Development Plan for Caton Glen to remove the "Tot Lot" from the 0.032 acre local open space parcel.

Hearings: Wednesday, March 5, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon
Director

AJ:rlh

C: Anthony Palaigos, Kollman & Saucier, 20 S. Charles Street, 8th Fl., Baltimore 21201
Forty West Group. Inc., 3230 Bethany Lane, Ellicott City 21042
David Billingsley, 601 Charwood Court, Edgewood 21040

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 18, 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 18, 2003 Issue - Jeffersonian

Please forward billing to:
Forty West Group, Inc. 410-418-8900
3230 Bethany Lane
Ellicott City, MD 21042

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: 03-329-SPH
W.S. Windys Run Road
W/side Winds Run Road 18 feet northwest of centerline Caton Glen Road
1st Election District – 1st Councilmanic District
Legal Owner: Forty West Group, Inc.

Special Hearing to amend the Final Development Plan for Caton Glen to remove the "Tot Lot" from the 0.032 acre local open space parcel.

Hearings: Wednesday, March 5, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Lawrence E. 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 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: 03-329-SPH

Petitioner: FORTY WEST GROUP, INC.

Address or Location: W/S WINDYS RUN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: FORTY WEST GROUP, INC.

Address: 3230 BETHANY LANE
ELLICOTT CITY, MD. 21042

Telephone Number: (410) 418-8900

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

February 28, 2003

Anthony P. Palaigos, Esquire
Kollman & Saucier, P.A.
20 South Charles Street, 8th Floor
Baltimore, MD 21201

Dear Mr. Palaigos:

RE: Case Number: 03-329-SPH, W.S. Winoys Run Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 16, 2001.

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
Forty West Group, Inc. 3230 Bethany Lane, Ellicott City, MD 21042
David Billingsley, 601 Charwood Ct., Edgewood, MD 21040

Printed with Soybean Ink
on Recycled Paper

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

January 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: January 28, 2003

Item No.: 326-329, 331-338

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

Printed with Soybean Ink
on Recycled Paper

State Highway Administration
Driven to Excel

STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION
Robert L. Ehrlich, Jr., *Governor* • Michael S. Steele, *Lt. Governor* • Trent M. Kittleman, *Acting Secretary*

Date: 1.28.03

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

RE: Baltimore County
Item No. 329 DT

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS | TZT

DATE: February 27, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of January 28, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

298, 326, 328, 329, 331, 334-338

Zeiss 3/5

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 31, 2003

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-329**

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
FEB 3 2003
ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 24, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For February 3, 2003
Item Nos. 298, 326, 327, 328, 329,
330, 331, 332, 334, 335, 336, 337,
and 338

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

RWB:CEN:jrb

cc: File

RE:	PETITION FOR SPECIAL HEARING W.S. Windys Run Rd; Wside Windys Run Rd; 18ft NW ctrline Caton Glen Rd 1st Election District 1st Councilmanic District Legal Owner(s): Forty West Group, Inc; Stephen H. Costello Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 03-329-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 31st day of January, 2003, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, MD 21040 & Anthony P. Palaigos, Esquire, Kollman & Saucier, P.A., 20 S. Charles Street, 8th Floor, Baltimore, MD 21201, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

December 31, 2002

Mr. James Walters, Comptroller
Forty West Group, Inc.
3230 Bethany Lane
Ellicott City, MD 21042

RE: Caton Glen

Dear Mr. Walters:

This will confirm our conversation regarding close out at the above development. You submitted a plan for the proposed tot lot to our offices and we commented that revisions would need to be made for it to meet County standards. We estimated that the cost to produce a tot lot that would comply would be approximately $10,000.

You stated that the residents really did not want a tot lot at that location and requested that it be removed from your plans. To that end, you will need to revise all pertinent plans, including Concept and Final Development Plans. As well, Forty West has agreed to make a payment in lieu of $10,000 to Baltimore County. The check should be made payable to Baltimore County, Maryland.

We will approve close out of the subdivision once the plans have been properly amended and the payment in lieu received. You will need to coordinate amendment of the plans with Mr. Don Rascoe in Permits and Development Management.

Best wishes for a Happy New Year

Sincerely,

Jeanette M. S. Tansey, Chief
Capital Planning and Development

/js
c Jan Cook, LOS Coord.

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Maryland Department of Planning

Audrey E. Scott
Secretary

Florence E. Burian
Deputy Secretary

January 29, 2003

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

Re: **Zoning Advisory Committee Agenda, 2/03/03 re: case numbers 03-298-SPH, 03-326-A, 03-327-X, 03-328-A, 03-329-SPH, 03-330-SPHX, 03-331-A, 03-332-SPH, 03-333-A, 03-334-A, 03-335-A, 03-336-A, 03-337-SPHA, 03-338-A**

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 01/28/03. 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

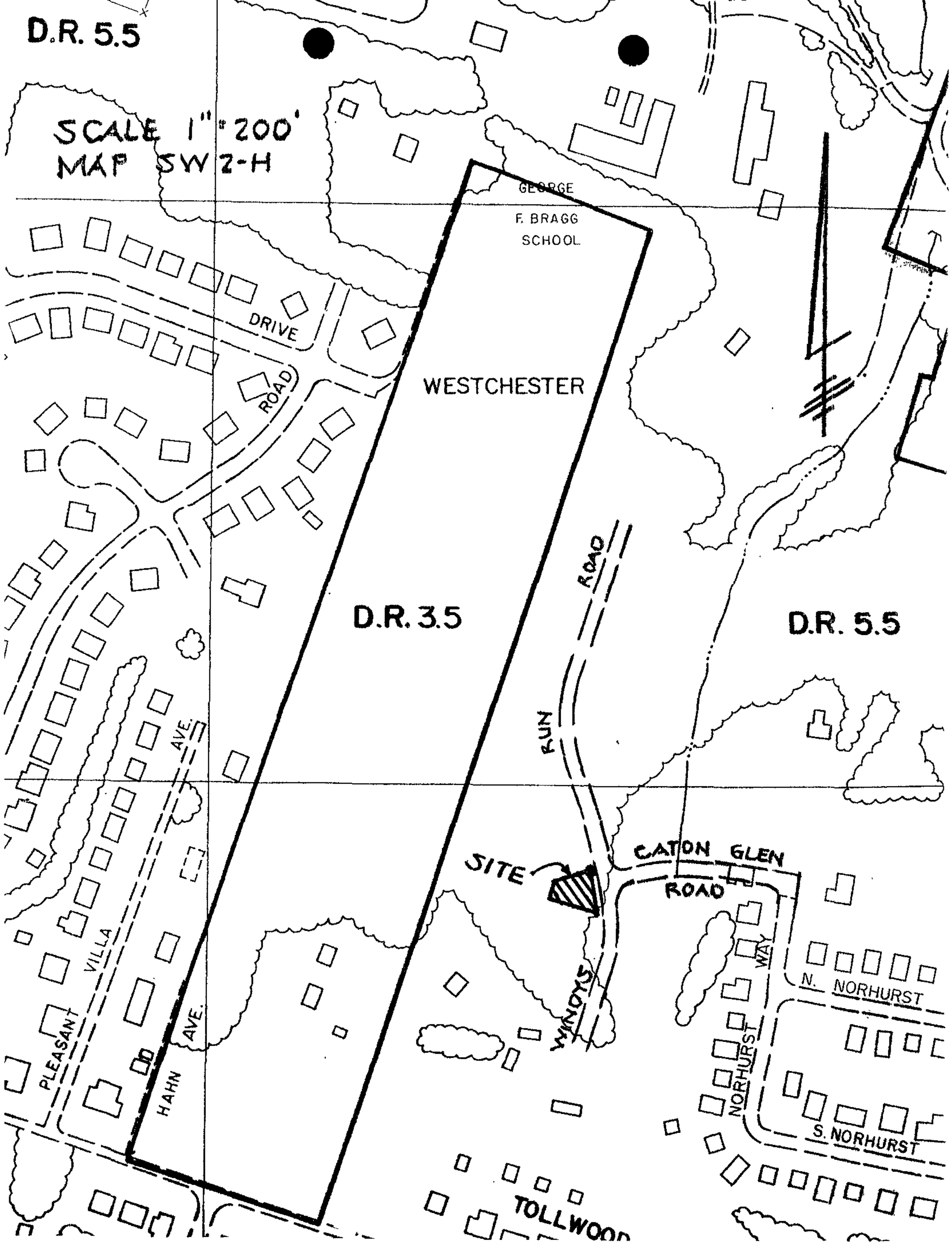
301 West Preston Street • Suite 1101 • Baltimore, Maryland 21201-2305
Tel 410.767.4500 • Fax 410.767.4480 • Toll Free 1.800.767.6272 • TTY Users Maryland Relay
Internet www.mdp.state.md.us

PLEASE PRINT CLEARLY

CASE NAME CATON GLEN
CASE NUMBER 03-329-SPH
DATE 3/5/03

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DAVE BILLINGSLEY	601 CHARWOOD CT.	EDGEWOOD, MD. 21040	
ANTHONY P. FALAGOS	20 SOUTH CHARLES ST, 8TH FL BALTIMORE, MD. 21201	BALTIMORE, MARYLAND 21201	afalagos@kollmanlaw.com
Patricia Costello	3230 Bethany Lane	Ellicott City MD 21042	


D.R. 5.5
SCALE 1" = 200'
MAP SW 2-H
GEORGE
F. BRAGG
SCHOOL
DRIVE
ROAD
WESTCHESTER
D.R. 3.5
ROAD
RUN
D.R. 5.5
AVE.
SITE
CATON GLEN
ROAD
VILLA
WINDYS
WAY
N. NORHURST
PLEASANT
AVE.
HAHN
NORHURST
S. NORHURST
TOLLWOOD

ENSITY CALCULATIONS

1. ZONING - DR 5.5
2. GROSS AREA = 15.5107 ACRES
3. NO. OF LOTS ALLOWED = 15.5107 AC. X 5.5 = 85 LOTS
4. NO. OF LOTS PROPOSED = 57 LOTS
5. OPEN SPACE REQUIRED = 57 LOTS X 650 S.F./LOT = 0.85 AC.
   OPEN SPACE PROVIDED = 3.877 AC.
   OPEN SPACE SHALL BE DEDICATED TO AND MAINTAINED BY BALTIMORE COUNTY
6. EACH LOT SHALL HAVE TWO OFFSTREET PARKING SPACES.

CONDITIONS OF APPROVAL:

1) The Developer shall comply with and be bound by the provisions of Article 32, Section 26-491 of the Baltimore County Code concerning the over-capacity of school districts. No building permits for any lots will be issued until such time as the Developer has satisfied the requirements of this provision.

2) No building permits shall be issued lots any lots in the event any traffic intersection within the Caton Glen traffic shed is determined to be operating at an "F" level of service. It is my understanding that county regulations will permit the issuance of some building permits even when a traffic intersection is operating at an "F" level. However, it is my intention that no building permits should be issued if any intersection is determined to be operating at an "F" level of service. Therefore, in the event any intersection in the Caton Glen area is downgraded to an "F" level, the Developer will be required to file a Petition for Special Variance in order to proceed.

3) The Developer shall be required to relocate the second access of access via Norhurst Way in the manner described within the body of this Order.

4) The Developer shall be required to eliminate the pedestrian access shown on the southeastern portion of the subject property, which is located between the Schlenker and Clements properties. The Developer shall convey one-half of this strip of land to Mr. Clements and one-half to Mr. Schlenker, pursuant to and in accordance with the contents of this Order.

5) During the pre-construction and grading phase of this development, the Developer shall be required to use Heimbach Road for access to this site. Once building permits are released, the Developer may utilize Oak Lodge Road as well as Heimbach Road for access.

6) The Developer shall maintain the trees located to the rear of Lots 54, 55, 56 and 57 to the extent possible. In the event any of these trees must be disturbed in the course of development, the Developer shall replace said trees on a one-to-one basis and shall retain these trees in the same area where they were removed.

7) When applying for any permits, the site plan and/or landscaping plan filed must reference this Order and set forth and address the conditions of this Order.

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

TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

NOTE: BOARD OF APPEALS ORDER DATED JAN. 12, 1993 MODIFIED HEARING OFFICER'S ORDER DELETING RESTRICTIONS 5 AND AFFIRMING REMAINDER OF DECISION.

THIS FINAL DEVELOPMENT PLAN COMPLIES WITH THE HEARING OFFICER'S ORDER AND DEVELOPMENT PLAN DATED NOV. 9, 1994

WE, THE UNDERSIGNED, HAVE NO OBJECTION TO THE 3RD AMENDMENT REMOVING THE 40' RIGHT-OF-WAY ON THE NORTH SIDE OF LOTS 22 & 23.

LOT 14	1917 WINDS RUN RD.	
LOT 15	1919 " "	
LOT 16	1921 " "	
LOT 18	1923 " "	
LOT 40	2004 " "	
LOT 41	2002 " "	
LOT 45	1330 " "	John A. Reed, Karen A. Reed

NO OTHER LOTS HAVE BEEN SOLD WITHIN 300' OF THE AMENDMENT.

NOTE: Envelopes shown on single family lots dictate a specific orientation which allows compliance with the Balto. Co. Zoning Regulations and should the orientation change, the setbacks required by Section 1B01.2C.1B. must be met.

From Front Building Face To:	
Public Street Right-of-Way, or property line:	25'
arterial or collector	--

From Side Building Face To:	
	16'< 20' high
Side building face	20'> 20' high
Public street right-of-way	15'
Paving of a private road	25'
Tract boundary	15'

From Rear Building Face To:	
Rear property line	30'
Public street right-of-way	30'

Additional Setbacks - Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 20 feet.

Building Height Requirements	50'

NOTES

1. ALL LOTS ARE FOR SALE.
2. DISTURBANCE OF OPEN SPACE WILL NOT BE PERMITTED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.
3. A FINAL LANDSCAPE PLAN SHALL BE APPROVED PRIOR TO ISSUANCE OF A GRADING PERMIT OR BUILDING PERMIT.
4. A.D.T. = 57 LOTS X 10.5 = 599
5. THIS FINAL DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS AND THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS, OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
6. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THIS ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS.
7. THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY THE OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE BUT PRIOR TO THE INSTALLATION OF STREET CURBS.
8. THIS DEVELOPMENT PLAN COMPLIES WITH THE HEARING OFFICER'S ORDER AND DEVELOPMENT PLAN APPROVED NOV. 9, 1994.
9. REFUSE TO BE COLLECTED BY BALTIMORE COUNTY WITHIN THE PUBLIC RIGHT-OF-WAY.
10. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
11. ANY FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

REASON FOR FIFTH AMENDMENT 1-6-03
1. REVISE OWNER/DEVELOPER ADDRESS
2. REMOVE "TOT LOT" FROM 0.092 AC. LOCAL OPEN SPACE PARCEL.

REASON FOR FOURTH AMENDMENT 11-27-98
1. LOT 41 PERMITTED 11 FOOT REAR SET-BACK INSTEAD OF REQUIRED 22.5 FEET FOR A DECK - SEE CASE NO. 99-178-A

REASON FOR THIRD AMENDMENT 3-19-98
1. REMOVE 40' PRIVATE RIGHT-OF-WAY ON NORTH SIDE OF LOTS 22 & 23

REASON FOR SECOND AMENDMENT 1-7-97
1. ADD BASEMENT FOR INGRESS, EGRESS, MAINT. & UTILITIES FOR LOTS 44, 45 AND 46
NOTE: NO LOTS HAVE BEEN SOLD

REASON FOR FIRST AMENDMENT 1-22-96
1. ADD 100 YR. FLOODPLAIN EASEMENT, FOREST BUFFER EASEMENT AND WATER QUALITY EASEMENT.
2. REVISE OWNER AND DEVELOPER.
3. REVISE MIN. SIDE YARDS TO 5' UNLESS OTHERWISE SHOWN AND REAR YARDS OF LOTS 13-19 AND 49-53 FROM 35' TO 30' PER DEPRM. AND REC. AND PARKS APPROVAL.
4. ADD NOTE REGARDING PLANTING OF LIVING FENCE ALONG THE REAR OF LOTS 13-19.

APPROVED BY

DIRECTOR OF PLANNING DATE

DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT DATE

DEVELOPER & OWNER
FORTY WEST GROUP, INC.
1007 LESLIE AVE.
CATON-WILLEMO
7230 BETHANY LANE
ELLICOTT CITY, MD 21042

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

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

5TH AMENDED

FINAL DEVELOPMENT PLAN

CATON GLEN

ELECTION DISTRICT 1-C1

SCALE: 1" = 50'

JANUARY 6, 2003

03-399-SPH D.T.