ORDER RECEIVED FOR FILING Date 1/20/1/3 IN RE: DEVELOPMENT PLAN HEARING and

PETITION FOR SPECIAL HEARING

N Side Ivy Reach Court

960 Feet Northwest Center Line of

Happy Hollow Road

\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

12340 Happy Hollow Road and

2 Ivy Reach Court

8th Election District

2<sup>nd</sup> Councilmanic District \* Cases Nos. VIII-793 & 03-486-SPH

Legal Owners: Pat Gill and Clyde Winegard\* Developer, Petitioner, Contract Purchaser:

Pat Gill

#### HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a combined 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 Developer, Pat Gill, seeks approval of a development plan prepared by Little & Associates, Inc. for the proposed development of the subject property with four single family dwellings. In addition, the Developer requests a Petition for Special Hearing to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels, and to allow for a portion of the septic reserve area on Lot 4 to be located in the RC-4 zone. The subject proposal and requested relief are more particularly described on the redlined development plan submitted into evidence and marked as Developer's Exhibit 2.

As to the history of this project through the development review process codified in Title 26 of the Baltimore County Code, a concept plan of the proposed development was

prepared and a conference held between the Developer and County agency representatives at a Concept Plan Conference (CPC) held on January 27, 2003. As the name suggests, a concept plan is a schematic representation of the proposed development. Thereafter, as required, a Community Input Meeting (CIM) is held during evening hours at a location near the property to allow residents and property owners in the vicinity to review the plan and offer questions and comments. The CIM in this case was held on March 4, 2003 at the Cockeysville Library. Subsequently, a development plan is prepared, based upon the comments received at the CPC and CIM, and submitted for further review at a Development Plan Conference (DPC), which is again between the Developer's consultants and reviewing County agency representatives. In this case, the DPC was held on June 4, 2003. Following the DPC, comments are submitted by the appropriate County reviewing agencies and a revised development plan incorporating these comments is submitted at the Hearing Officer's Hearing, which in this case was held on June 26, 2003.

Appearing at the public hearing required by this project were Pat Gill, Developer, and his attorney, G. Scott Barhight, Esquire. Also present were G. Dwight Little, Jr., and Chris Hanson, on behalf of Little & Associates, Inc., the consultants who prepared the plan and Pat Gill, Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Donald Rascoe, Project Manager; Bob Bowling, Development Plans Review; Don Stires, Land Acquisition; and, Donna Thompson, Zoning Review. Also appearing on behalf of the County were Ann Roane, Office of

Planning (OP); Don Taylor, Department of Environmental Protection and Resource

Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). Mr. John

Graham, a resident at 24 Ivy Reach Court was also in attendance.

The subject property under consideration is an irregular-shaped parcel located on the North side of Ivy Reach Court, approximately 960 feet northwest of the center line of Happy Hollow Road in Cockeysville, Maryland. The property contains a gross area of 7.38 acres, split zoned RC-4 (1.00 acres) and RC-5 (6.38 acres). Presently, the property is improved with two existing dwellings, known as 2 Ivy Reach Court and 12340 Happy Hollow Road.

The current proposal is for four (4) single family dwellings. The properties will be served by septic reserve areas and private wells. No additional public road improvements will be necessary.

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, it was indicated that the property was the subject of extensive review by County representatives. During the informal portion of the Hearing Officers Hearing, all County agency representatives indicated that there were no unresolved issues.

The Developer's counsel indicated that there were several minor issues which were raised by Mr. John Graham who resides at 24 Ivy Reach Court. Through Developer's counsel, Mr. Graham introduced Developer's Exhibit No. 1, which is a copy of the Covenants which govern the existing single family development for the adjacent Curran property. Mr. Graham

desired that covenants similar to those existing for the Curran property also be applied to the proposed Development. The Developer agreed that covenants substantially similar to Developer's Exhibit No. 1 will be applied to Lots 2, 3 and 4. Mr. Graham indicated that this was acceptable. The final issue related to an alternate well area for Lot 4. Appropriate redlined notes were made on the Development Plan, Developer's Exhibit No. 2, to reflect the possible alternative well area on Lot 4 in the event that the existing septic reserve area on Lot 3 is abandoned. Mr. Taylor, speaking on behalf of DEPRM, indicated that this note was acceptable. No other issues were raised by any parties during the informal portion of the hearing.

Pursuant to Section 26-206(a), if no comment or condition remains unresolved after the initial informal phase of the Hearing, I am mandated by Baltimore County law to grant approval of the development plan. Since there are no unresolved issues, it is clear that this development plan should be, and therefore will be, approved.

Turning to the zoning relief, a Petition for Special Hearing was filed to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels, and to allow for a portion of the septic reserve area on Lot 4 to be located in the RC-4 zone. Counsel for the Developer proffered the testimony of Mr. Little, a licensed professional engineer in the State of Maryland. The proffer indicated that there is sufficient acreage zoned RC-5 to accommodate all four lots. It has long been held that the Baltimore County Zoning Regulations are interpreted to assign the density for a dwelling on a split-zoned lot to that zone in which the structure is located. In this case, there is sufficient density available in the RC-5 zone and the RC-4 zoned acreage of the property is not necessary to obtain the density for the development. Further, the minimum

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Date

acreage requirements imposed by the RC-5 zone can be met by those portions of Lots 3 and 4 which are zoned RC-5. Further, since the septic reserve area for Lot 4 meets all DEPRM standards and is contained completely within the boundaries of Lot 4, it is appropriate to permit a portion of the septic reserve area to be within the RC-4 zoned portion of the property. The proffer further indicated that there would be no detriment to the health, safety or general welfare of the proposed development or the surrounding properties should the special hearing relief be granted.

For all of these reasons, the Petition for Special Hearing shall be granted.

Pursuant to the Zoning and Development Plan Regulations of Baltimore County as contained within the B.C.Z.R. and subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the Petition for Special Hearing granted, subject to the restrictions set forth hereinafter.

IT IS FURTHER ORDERED that this Petition for Special Hearing seeking approval to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels, and to allow for a portion of the septic reserve area on Lot 4 to be located in the RC-4 zone, in accordance with Developer's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

 Restrictive Covenants, substantially in conformance with Developer's Exhibit 1, shall be imposed upon Lots 2, 3 and 4 prior to the sale of these lots for ultimate construction of single family homes.

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



#### **Baltimore County** Zoning Commissioner

June 30, 2003

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

Fax: 410-887-3468

G. Scott Barhight, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue, Suite 500 Towson, Maryland 21204

DEVELOPMENT PLAN HEARING & PETITIONS FOR SPECIAL HEARING RE: (Feese/Winegard Property, 12340 Happy Hollow Road & 2 Ivy Reach Court) N/S Ivy Reach Court, 960' NW of the c/l Happy Hollow Road 8<sup>th</sup> Election District – 2<sup>nd</sup> Council District Pat Gill and Clyde Winegard, Owners; Pat Gill, Contract Purchaser/Developer Case Nos. VIII-793 & 03-486-SPH

Dear Mr. Barhight:

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

Mr. J. Patrick Gill, 23 Ivy Reach Court, Cockeysville, Md. 21030 cc: Messrs. Dwight Little & Chris Hanson Little & Assoc., Inc., 1045 Taylor Avenue, #111, Towson, Md. 21286 Mr. John F. Graham, 24 Ivy Reach Court, Cockeysville, Md. 21030 Walt Smith, DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case File



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ORDER R

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## Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 12340 Happy Hollow Road

which is presently zoned RC-4 & RC-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

To establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels, and to allow for a portion of the Septic Reserve Area on Lot 4 to be located in the RC-4 zone

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: Legal Owner(s): Pat Gill Pat Oil Name / Type or Printy Type or Print Signature Signature #23 Ivy Reach Court (410) 561-3112 Clyde Winegard Address Telephone No. Type or Prin <u>C</u>ockeysville MD 21030 City State Zip Code Signature Attorney For Petitioner: 12340 Happy Hollow Road (410) 561-3112 Address Telephone No. Scott Barraght <u>Cockeysville</u> MD 21030 Name - Type or Print State Zip Code Representative to be Contacted: Signature/ Whiteford, Taylor & Preston G. Scott Barhight Company Name 210 West Pennsylvania Avenue (410) 832-2050 410 832-2050 210 W. Pennsylvania Ave Address Telephone No. Address Telephone No. <u>Towson</u> MD 21204 21204 Towson MD City State Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 03-486-574 UNAVAILABLE FOR HEARING Date 4-16-03 Reviewed By

## ZONING DESCRIPTION FOR #2 IVY REACH COURT

Beginning at a point on the north side of Ivy Reach Court, which is 40 feet wide, at the distance of 960 feet northwesterly from the centerline line of Happy Hollow Road, which is 50 feet wide. Thence (1) North 27 degrees 00 minutes East 465.61 feet; thence (2) South 74 degrees 00 minutes East 70.00 feet; thence (3) South 16 degrees 00 minutes West 370.00 feet; thence (4) South 74 degrees 00 minutes East 318.71 feet; thence (5) South 74 degrees 00 minutes East 25.02 feet; thence (6) South 18 degrees 28 minutes West 192.46 feet; thence (7) North 61 degrees 59 minutes West 505.35 feet to the place of beginning. Containing 2.486 acres of land as recorded in Deed S.M. 7631 folio 160. Also known as #2 Ivy Reach Court and located in the 8<sup>th</sup> Election District, 3<sup>rd</sup> Councilmanic District.

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#### ZONING DESCRIPTION FOR #12340 HAPPY HOLLOW ROAD

Beginning at a point on the north side of Ivy Reach Court, which is 40 feet wide, at the distance of 960 feet northwesterly from the centerline line of Happy Hollow Road, which is 50 feet wide. Thence (1) North 27 degrees 00 minutes East 465.61 feet; thence (2) North 74 degrees 00 minutes West 264.50 feet; thence (3) North 66 degrees 06 minutes West 394.90 feet; thence (4) South 10 degrees 22 minutes East 462.90 feet; thence (5) South 33 degrees 06 minutes West 19.36 feet; thence (6) South 61 degrees 59 minutes East 375.15 feet to the place of beginning. Containing 4.905 acres of land as recorded in Deed S.M. 16982 folio 207. Also known as 12340 Happy Hollow Road and located in the 8<sup>th</sup> Election District, 3<sup>rd</sup> Councilmanic District.

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	Cade No. 19321 03-486-5PH	PAID RECEIPT 10511435 ACTUAL TIME 1841 118/2003 4/18/2003 07:46:29 2
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#### 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: #03-486-SPH

12340 Happy Hollow Road N/side Ivy Reach Court, 960 feet northwest centerline

of Happy Hollow Road

8th Election District - 2nd Councilmanic District Legal Owner(s). Pat Gill and Clyde Winegard Contract Purchaser: Pat Gill

Special Hearing: to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels and to allow for portion of the Septic Reserve Area on Lot 4 to be located in the RC-4 zone.

Hearing: Tuesday, June 10, 2003 at 9:00 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.

Contact the Zoning Review Office at (410) 887-3391.

### CERTIFICATE OF PUBLICATION

5 23 ,	20 <u>03</u>
THIS IS TO CERTIFY, that the annexed adve	ertisement was published
in the following weekly newspaper published in	Baltimore County, Md.,
once in each ofsuccessive weeks, the fir	st publication appearing
on <u>522</u> ,20 <u>03.</u>	
The Jeffersonian  Arbutus Times  Catonsville Times  Towson Times  Owings Mills Times  NE Booster/Reporter	
☐ North County News	

LEGAL ADVERTISING

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

Case: #03-486-SPH 12340 Happy Hollow Road

N/side Ivy Reach Court, 960 feet northwest centerline • of Happy Hollow Road

8th Election District - 2nd Councilmanic District Legal Owner(s): Pat Gill and Clyde Winegard Contract Purchaser: Pat Gill

Special Hearing: to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels and to allow for portion of the Septic Reserve Area on Lot 4 to be located in ... the RC-4 zone.

Hearing: Thursday, June 26, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Ave.

#### 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.

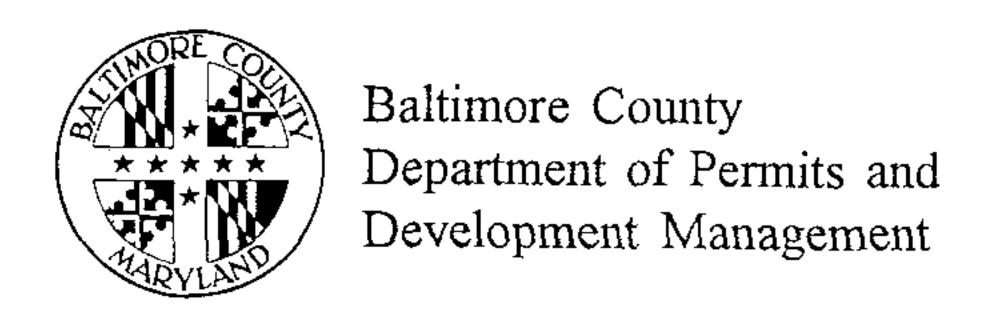
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. JT/6/666 June 10 C608758

## CERTIFICATE OF PUBLICATION

<u>6[13], 2003</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 on6/0,2003.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

## CERTIFICATE OF POSTING

	RE: Case No.: 03-986-5PH
	Petitioner/Developer: PAT
	GILL
	Date of Hearing/Closing: 6/26/0.
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Fowson, Maryland 21204	
ATTN: Becky Hart {(410) 887-3394}	
Ladies and Gentlemen:	1
This letter is to certify under the penalties of perjury the posted conspicuously on the property located at:	at the necessary sign(s) required by law were
12340 HAPPY	HOLLOW RD #2 INY
REACH Ct.	
zwo organo) were posted on	/10/03
	h, Day, Year)
Sincer	ely,
	6/10/03
•	(Signature of Sign Poster) (Date)
- - - - ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	<del></del>
· · · · · · · · · · · · · · · · · · ·	(Telephone Number)



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

Fax: 410-887-5708

May 8, 2003

#### **CORRECTED 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: 03-486-SPH

12340 Happy Hollow Road

N/side Ivy Reach Court, 960 feet northwest centerline of Happy Hollow Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner: Pat Gill and Clyde Winegard

Contract Purchaser: Pat Gill

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Special Hearing to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels and to allow for portion of the Septic Reserve Area on Lot 4 to be located in the RC-4 zone.

Hearings:

Thursday, June 26, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon Director

AJ:rlh

C: Clyde Winegard, 12340 Happy Hollow Road, Cockeysville 21030 Scott Barhight, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson 21204

Pat Gill, 23 Ivy Reach Court, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 11, 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

Tuesday, June 10, 2003 Issue - Jeffersonian

Please forward billing to:

Pat Gill #23 Ivy Reach Court

Cockeysville, MD 21030

410-561-3112

CORRECTED

#### **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: 03-486-SPH

12340 Happy Hollow Road

N/side Ivy Reach Court, 960 feet northwest centerline of Happy Hollow Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner: Pat Gill and Clyde Winegard

Contract Purchaser: Pat Gill

Special Hearing to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels and to allow for portion of the Septic Reserve Area on Lot 4 to be located in the RC-4 zone.

Hearings:

Thursday, June 26, 2003 at 9:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

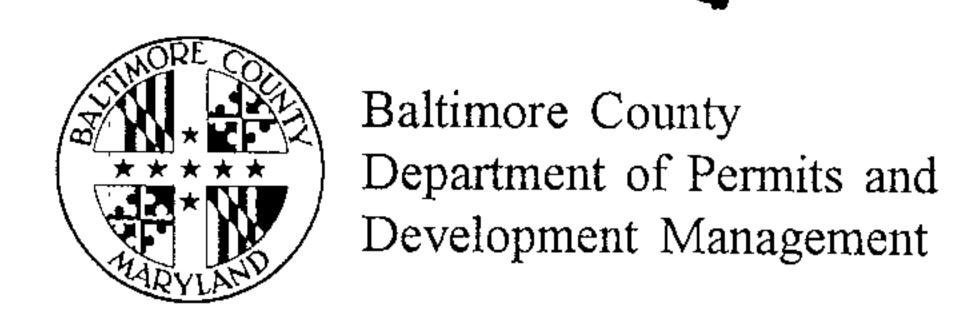
LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

Post-it® Fax Note / 7671	Date 5 # of pages /
To Ellen Harris	From Becker
Co./Dept.	Co.
Phone #	Phone # 887-332/
Fax # 4/10-825-4278	Fax #



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

Fax: 410-887-5708

April 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: 03-486-SPH

12340 Happy Hollow Road

N/side Ivy Reach Court, 960 feet northwest centerline of Happy Hollow Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner: Pat Gill and Clyde Winegard

Contract Purchaser: Pat Gill

Special Hearing to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels and to allow for portion of the Septic Reserve Area on Lot 4 to be located in the RC-4 zone.

Hearings:

Tuesday, June 40, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablor

Director

AJ:rlh

C: Clyde Winegard, 12340 Happy Hollow Road, Cockeysville 21030 Scott Barhight, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson 21204

Pat Gill, 23 Ivy Reach Court, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 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.

PATUXENT PUBLISHING COMPANY TO:

Thursday, May 22, 2003 Issue - Jeffersonian

Please forward billing to:

Pat Gill #23 Ivy Reach Court Cockeysville, MD 21030

410-561-3112

#### 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: 03-486-SPH

12340 Happy Hollow Road

N/side Ivy Reach Court, 960 feet northwest centerline of Happy Hollow Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner: Pat Gill and Clyde Winegard

Contract Purchaser: Pat Gill

Special Hearing to establish the RC-4 zoned portions of Lots 3 and 4 as non-density parcels and to allow for portion of the Septic Reserve Area on Lot 4 to be located in the RC-4 zone.

Hearings:

Tuesday, June 10, 2003 at 9:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

> 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

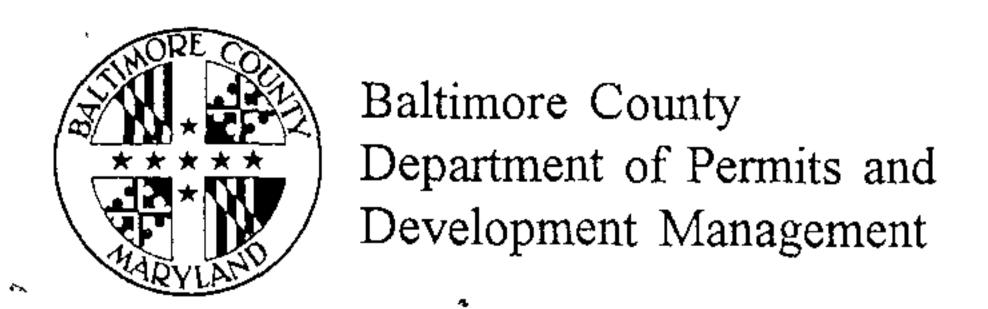
#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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.

<u>For Newspaper Advertising:</u>
Item Number or Case Number: 03-486-57H
Petitioner: Pat Gill
Address or Location: 12340 Happy Hollow Road
PLEASE FORWARD ADVERTISING BILL TO:
Name: Pat Gill
Address: #23 lvy Reach Court
Cockeysville, MD 21030
Telephone Number: (410) 561 - 3112



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

Fax: 410-887-5708

June 20, 2003

Scott Barhight Whiteford, Taylor & Preston 210 West Pennsylvania Avenue Towson, MD 21204

Dear Mr. Barhight:

RE: Case Number: 03486-SPH, 12340 Happy Hollow Road

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

WCR:klm

**Enclosures** 

c: People's Counsel Pat Gill, Clyde Winegard, 12340 Happy Hollow Road, Cockeysville 21030 Pat Gill, 23 Ivy Reach Court, Cockeysville 21030



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

April 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 28, 2003

Item No.:

478-480, 483-487, 489-490, 492-495

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.

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

cc: File



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

Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

#### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.1.03

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE:

**Baltimore County** 

Item No. 486

JJS

Dear. Ms. Hart:

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

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** May 6, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

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

Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 5, 2003 Item Nos. 479, 480, 486, 486, 487, 488, 490, 492, 493, 494, and 495

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

12340 Happy Hollow Road; N/side Ivy

Reach Ct, 960' NW C/line Happy Hollow Rd\*

8<sup>th</sup> Election & 2<sup>nd</sup> Councilmanic Districts

Legal Owner(s): Pat Gill & Clyde Winegard \*

Contract Purchaser(s): Pat Gill

\_

BEFORE THE

ZONING COMMISSIONER

**FOR** 

BALTIMORE COUNTY

03-486-SPH

\* \* \* \* \* \* \* \* \*

Petitioner(s)

#### 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 day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAY 9 6 2003

ELER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per-----

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Intak	e Planner



#### DROP-OFF PETITIONS PROCESSING CHECK-OFF

	PROCESSING CHECK-OFF
Two Questions Answer	
, , ,	ews in the zoning office? ng or zoning violations on site?
Any Current building	ig of zorning violations on site!
Petition Form Matches	Plat in these areas:
Address	
Zoning Legal Owner(s)	
Contract Purchase	er(s)
Request (if listed	
Petition Form (must be Request:	current PDM form) is Complete:
Section Nu	
	ording (must relate to the code, especially floodplain and historical standard
<b>▼</b>	ariances must include the <u>request</u> in lieu of the <u>required</u> code quantities.
•	ractical Difficulty Reasons
Legal Owner/Cont Signatures	
<del>_</del>	ed Name and Title (if company)
Attorney (if incorp	· · · · · · · · · · · · · · · · · · ·
	s/Telephone Number of Attorney
Correct Number of Peti	tion Forms, Descriptions and Plats
200 Scale Zoning Map	
Charles Amount Corres	+2 Cianod2
Check: Amount Correc	1? Signed?  200 scafe for man the road Name of Fay this Lave when the road name is Ivy Reach CT.  on the Stox tai Lane, approx. 500 w. Happy Hollow Rd.  (12340) Happy Hollow R.D.  RC-5 Acreage: 5 hours Previous Hearing Listed With Decision
ZAC-Plat Information:	200 scafe foring map the road name is Ily Reach CT
Location (by Carl)	"NETS Fox fai Lanc, approx. 500' w. Happy Hollow Rd
	(12340) Happy Hollow Red.
Zoning: <u>RA-4 &amp;</u>	Previous Hearing Listed With Decisio
Election District	Councilmanic District  Case #
Check to See if the CBCA 20	e Subject Site or Request is:
Floodplain	NO
Elderly 20	
Historical ~	$\mathcal{L}^{\prime}$
Pawn Shop	
Helicopter	
•	nt Special Handling Category Here
*If No, Prin	
03-486-SPH	4-16-03
Item Number Assigned	Date Accepted for Filing



# NW 16 D

