IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE

W/S Runnymeade Court, 130 ft. NW centerline of Endora Court
2nd Election District
3rd Councilmanic District
(Debaltic Circle)

(Rebekka Circle)

SDR Properties Limited Partnership, By: SDR Development, Inc., Gen. Ptnr., Legal Owner

and

The Ryland Group, Inc. By: Edward W. Gold, Vice President, Contract Purchaser

Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-014-SPHA

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owner of the subject property, SDR Properties Limited Partnership and The Ryland Group, Inc., the contract purchaser. The Petitioners are requesting variance relief for property located at Runnymeade Circle, located in the northern area of Baltimore County. The variance requests are from Section 1B01.2.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b & c of the Comprehensive Manual of Development Policies (C.M.D.P.) as follows:

- 1. to permit building to building separations of 20 ft., in lieu of the required 25 ft., 30 ft., 40 ft. or 60 ft. depending on height of structure and/or in lieu of the required window to window separation of 40 ft. and window to property/lot line of 10 ft. in lieu of the 15 ft. required;
- 2. to permit side building face to public ROW of 15 ft. in lieu of 25 ft. or window to right-of-way;
- 3. to permit an open projection deck to be located 20 ft. from the rear property line in lieu of 26.25 ft.; and

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4. to permit an open projection deck to be located 10 ft. from the rear property line in lieu of the 11.25 ft. required, for each lot identified in Table A, a copy of which is attached hereto and made a part hereof.

In addition, special hearing relief is requested to amend the Final Development Plan for "Winterset" and all prior amendments thereto consistent with the relief granted.

The property was posted with Notice of Hearing on July 15, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on July 22, 2003 to notify any interested persons of the scheduled hearing date.

Notice is taken that the property, which is the subject of these special hearing and variance requests, consists of 9.4069 acres, more or less, and is zoned D.R.5.5 and DR 3.5. The property is unimproved but has an approved CRG subdivision plan which is the subject of the special hearing.

Applicable Law

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Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Section 307 of the B.C.Z.R. - Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to

the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: NONE received as of 7/30/03 from Office of Planning, DEPRM or Development Plans Review.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing and variance relief was Dwight Little of Little & Associates, Inc., a professional civil engineer who prepared the site plan of the property. Steven Rosen appeared at the hearing for the owner of the property, as did Earl Robinson, representing the contract purchaser. Howard L. Alderman, Jr., Esquire, was the attorney representing the Petitioners. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case but did not participate in the hearing.

Appearing as citizens were nearby property owners Robyn Taylor, Gina Swanson, Martin Swanson, Aaron Moore and Samuel Cosby. Mona Finch, a contract purchaser for one of the lots subject to this request appeared as well.

Testimony and Evidence

Variance Requests

While there are many dimensional variances requested, the purpose of each variance in summation is to allow two story pitched roof houses to be built in the subdivision instead of rancher, or windowless homes by allowing less distance between homes and more height for the homes than is allowed under the old CRG regulations. A second request is for a blanket variance for each lot for a deck larger than would normally be allowed.

I find there are special circumstances or conditions existing on the premises that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no increase in residential density beyond that otherwise allowable by the Zoning Regulations. I further find that such variances can be granted in strict harmony with the spirit and intent of the height and area regulations and would grant relief without injury to the public health, safety and general welfare.

Special Hearing

The request for special hearing involves the highly technical question of whether variance granted to an approved subdivision require by definition amendment to the subdivision plan to reflect those variances. Having determined to grant the requested variances, I further will approve an amendment to the final development plan to reflect these variances.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 21 day of July, 2003, that the Petitioners' requests for a variance from Section 1B01,2.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b & c of the Comprehensive Manual of Development Policies (C.M.D.P.): (1) to permit building to building separations of 20 ft., in lieu of the required 25 ft., 30 ft., 40 ft. or 60 ft. depending on height of structure and/or in lieu of the required window to window separation of 40 ft. and window to property/lot line of 10 ft. in lieu of the 15 ft. required; (2) to permit side building face to public ROW of 15 ft. in lieu of 25 ft. or window to right-of-way; (3) to permit an open projection deck to be located 20 ft. from the rear property line in lieu of 26.25 ft.; and (4) to permit an open projection deck to be located 10 ft. from the rear property line in lieu of the 11.25 ft. required, for each lot identified in Table A (a copy of which is attached hereto and made a part hereof), be and is hereby GRANTED, subject, however, to the following condition:

1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

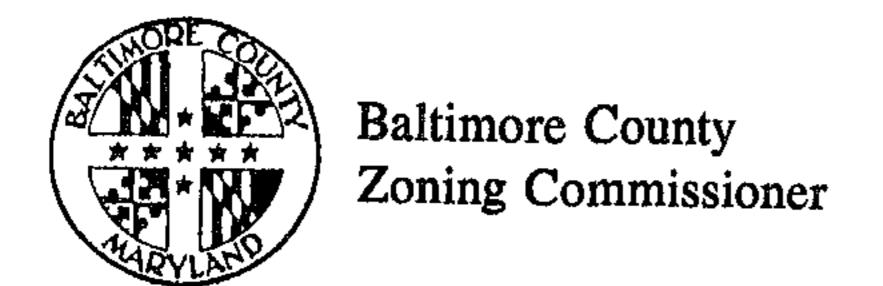
IT IS FURTHER ORDERED, that the special hearing relief requested to amend the Final Development Plan for "Winterset" and all prior amendments thereto consistent with the relief granted herein, be and is hereby GRANTED.

OHNW. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



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

Fax: 410-887-3468

July 31, 2003

Howard Alderman, Esquire Levin & Gann 502 Washington Avenue, 8th Floor Towson, Maryland 21204

Re: Petitions for Special Hearing & Variance

Case No. 04-014-SPHA Property: Rebekka Circle

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have 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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

Copies to:

Steven Rosen
SDR Properties Ltd.
3722 Birchmere Court
Owings Mills, MD 21117

Earl Robinson
John Meade
The Ryland Group, Inc.
7250 Parkway Drive, Suite 520
Hanover, Maryland 21076

Dwight Little Little & Associates, Inc. 1945 Taylor Avenue, Suite 111 Towson, MD 21286

Mona Finch 3631 Rockdale Ter. Baltimore, MD 21244

Robyn Taylor 4528 Runnymeade Road Owings Mills, MD 21117

Gina & Martin Swanson 4526 Runnymeade Road Owings Mills, MD 21117

Aaron Von Moore 4512 Runnymeade Road Owings Mills, MD 21117

Samuel Cosby
24 Cheltenham Court
Owings Mills, MD 21117



Petition for Variance And Hearth Petition for Variance And Petitioner of Relatimore County Hearth

to the Zoning Commissioner of Baltimore County

for the property located at Rebekka Circle

which is presently zoned 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 Variance from Section(s)

See Attached

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

To be discussed at hearing

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

| | | | | I/We do splemnly d perjury, that I/we ar is the subject of this | e the legal owns | n, under the p ir(s) of the pr | enaities of operty which |
|--------------------|----------------|---------------|--------------|---|--|--|-----------------------------|
| Contract Purch | aseriLessee: | | | Legal Owner(s |) : | | |
| The Ryland Grou | | | | SDR Properties L | | šhip | |
| Edward W. Gold, | | | | By: SDR Develop | ment Inc., Gen | eral Partner | r |
| Name Type of Print | | | Name · | - Type or Pike | × 1000 | | |
| Signature | H-K-H- | | - | Signature | | <u> </u> | |
| 7250 Parkway Dr | ive. Suite 520 | | | Steve D. Rosen | | | |
| Address | | Telephone No. | - ~ | Name - Type or Print | | | |
| Hanover | MD | 21076 | | | | | |
| City | State | Zip Code | - | Signature | | | |
| Attorney For Pe | etitioner: | | | 3722 Birchmere C | ourt | 410-36 | 3-8320 |
| | | | | Address | | | Telephone No. |
| Heward Aderman | n, ا | | | Owings Mills | MD | 21117 | |
| Name Type or Print | 1 XIII Don | | City | | State | Zip C | ode |
| Lilley | 1 Julie | | | Representative | to be Conta | cted: | |
| Signature (| | 9 | | Little & Associate | s, Inc. | | |
| Levin & Gann P. | Ä | | _ | C-HERITAGE TO | WANT LITTE | -É | |
| Company | A 046 Flans | 440 004 0000 | | Neme | | | |
| 509 Washington | Ave, ath Floor | 410-321-0600 | _ | 1045 Taylor Ave, | Suite 111 | 410-296 | 3-1636 |
| Address | | Telephone No. | _ | Address | | | elephone No. |
| Towson | MD | 21204 | - | Towson | MD | 2128 | |
| City | State | Zip Code | | City | - 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- | State | Zip Code |
| | No. | | | Q | FFICE USE ONLY | | |
| Case No. | 4-014- | SPNA | | ESTEMATED LENGTH | OF HEARTING | ************************************** | |
| REV 9235/98 | | Reviewed | | - UNAVATLABLE FOR H | EARTING 7.0 | 7.03. | |
| · 3 | | | | | | | |

Attachment 1 PETITION FOR VARIANCE

CASE NO: $03-\frac{0}{4}$

Address:

Rebekka Circle

Legal Owners:

SDR Properties Limited Partnership

Contract Purchaser:

The Ryland Group, Inc.

REQUESTED RELIEF:

Variances from BCZR§ 1B01.2.C.2 and CMDP §V.B.6.b & c (as previously adopted and applicable to this development approved by the CRG) as follows:

- "A" to permit building to building separations of 20 feet, in lieu of the required 25', 30', 40' or 60' depending on height of structure and/or in lieu of the required window to window separation of 40' and window to property/lot line of 10' in lieu of the 15' required; and
- "B" to permit side building face to public ROW of 15' in lieu of 25' or window to right of way; and
- "C" to permit an open projection deck to be located 20' from the rear property line in lieu of 26.25 feet; and
- "D" to permit an open projection deck to be located 10' from the rear property line in lieu of the 11.25 feet required, for each lot identified in Table A below; and

To amend the final development plan for Winterset and all prior amendments thereto consistent with the relief granted.

JUSTIFICATION:

- A. Irregularly shaped lots;
- B. Existing topographic and environmental constraints; and
- C. For such further reasons that will be presented at the hearing on this Petition.

Page A1

04-014-A

TABLE A:

| Lot No. | Variance A | Variance B | Variance C | Variance D |
|---------|---------------|---------------|---------------|---------------------------------------|
| 457 | X | | X | |
| 458 | X | | X | |
| 459 | X | | X | |
| 460 | X | | X | |
| 461 | X | | X | |
| 462 | X | | X | |
| 463 | X | | X | |
| 464 | X | | X | |
| 465 | X | | X | |
| 466 | X | | X | · · · · · · · · · · · · · · · · · · · |
| 467 | X | | X | |
| 468 | X | | X | <u></u> |
| 469 | X | | X | |
| 470 | X | | X | |
| 471 | X | | X | |
| 472 | X | | X | · · · · · · · · · · · · · · · · · · · |
| 473 | X | | X | |
| 474 | X | | | X |
| 475 | X | | | X |
| 476 | X | | | X |
| 477 | X | | | X |
| 478 | X | | | X |
| 479 | X | X | | X |
| 480 | X | | | X |
| 481 | X | | | X |
| 482 | X | | | X |
| 483 | X | | | X |
| 484 | X | | | X |

Page A2

(4.0) 4-4

31/03

June 26, 2003

ZONING DESCRIPTION FOR THE STEWART PROPERTY MAP 66 GRID 11 PARCEL 492 & 4530 RUNNYMEADE ROAD

Beginning at a point on the west side of Runnymeade Court, which is 60 feet wide, at a distance of 130 feet northwest of the centerline of the nearest improved intersecting street, Endora Court, which is 50 feet wide. Thence (1) North 71degrees 12 minutes 05 seconds West 220.80 feet; thence (2) South 08 degrees 36 minutes 59 seconds East 549.28 feet; thence (3) South 85 degrees 45 minutes 27 seconds West 553.26 feet; thence (4) North 05 degrees 12 minutes 40 seconds West 774.87 feet; thence (5) South 83 degrees 51 minutes 42 seconds East 662.72 feet; thence (6) South 45 degrees 33 minutes 23 seconds West 88.41 feet; thence (7) North 71 degrees 12 minutes 05 seconds West 177.78 feet; thence (8) by a curve to the left having a radius of 410.00 feet and an arc lengthe of 70.51 feet to the place of beginning. Containing 9.4069 acres of land, more or less and being known as that land recorded in Deed Liber S.M. 8720 folio 603 and located in the 2nd Election District.



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| BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT | 04-014-A No. 255. | |
|---|---|--------------------------------------|
| DATE 07.07.03 ACCOUNT S AMOUNT S RECEIVED | 5.001.00.00.00.00.00.00.00.00.00.00.00.00 | 1/09/1903 7/03/2003 12:36:35 0 |
| FOR: DATE TULTURE | XMAXT = 650°CC | Foithmore County, Haryland |
| DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUS | OMER SJ)-1 | CASHIER'S VALIDATION |

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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: # 04-014-SPHA

Rebekka Circle

N/west side of Runnyside Road, 130 feet southwest centerline

Endora Court

3rd Election District – 2nd Councilmanic District
Legal Owner(s): SDR Properties, Limited Partnership by SDR
Development, Steve Rosen, General Partner
Contract Purchaser: The Ryland Group, Inc., Edward Gold,

Vice President

Variance: to permit reduced building to building separa-tions, window to window separations and a reduced building/window to right of way distance; to permit open projections to be located less than the required setback from rear property lines of lets, and to amend the current final development plan for Winterset, all as shown more particularly on the Petition.

Hearing: Wednesday, July 30, 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.

TT-7/777 July 22 C616532

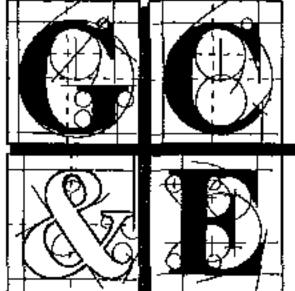
Japa 2000

CERTIFICATE OF PUBLICATION

| i |
|--|
| 7/24,20_03 |
| THIS IS TO CERTIFY, that the annexed advertisement was published |
| in the following weekly newspaper published in Baltimore County, Md., |
| once in each ofsuccessive weeks, the first publication appearing on 22 ,2003 |
| on 722,2003. |
| The Jeffersonian |
| ☐ Arbutus Times |
| ☐ Catonsville Times |
| ☐ Towson Times |
| ☐ Owings Mills Times |
| ☐ NE Booster/Reporter |
| ☐ North County News |
| |
| |

LEGAL ADVERTISING

1. Willenson



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

LIMITED

CERTIFICATE OF POSTING

RE: CASE # 04-014-SPHA
PETITIONER/DEVELOPER:
SDR Properties, Steve Rosen,
General Partner
DATE OF HEARING:
July 30, 2003

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

ATTENTION: REBECCA HART

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

LOCATION: Rebekka Circle,

N/west side of Runnyside Road 130 feet southwest centerline Endora Court

DATE:

July 17, 2003

SIGNATURE OF SIGN POSTER

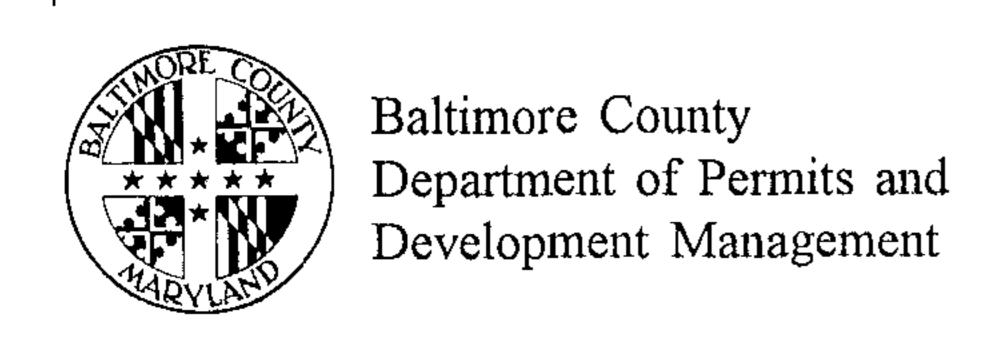
BRUCE DOAK

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

07/15/2003

POSTED ON: July 15,

2003



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

Fax: 410-887-5708

July 15, 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: 04-014-SPHA

Rebekka Circle

N/west side of Runnyside Road, 130 feet southwest centerline Endora Court 3rd Election District – 2nd Councilmanic District

Legal Owner: SDR Properties, Limited Partnership by SDR Development,

Steve Rosen, General Partner

Contract Purchaser: The Ryland Group, Inc., Edward Gold, Vice President

<u>Variance</u> to permit reduced building to building separations, window to window separations and a reduced building/window to right of way distance; to permit open projections to be located less than the required setback from rear property lines of lots; and to amend the current final development plan for Winterset, all as shown more particularly on the Petition.

Hearings:

Wednesday, July 30, 2003, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., Levin & Gann, P.A., 509 Washington Ave., 8th Fl., Towson 21204 SDR Properties Limited Partnership, Steve Rosen, 3722 Birchmere Ct., Owings Mills 21117 The Ryland Group, Edward Gold, Vice President, 7520 Parkway Dr., Ste. 520, Hanover 21076

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 15, 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, July 22, 2003 Issue - Jeffersonian

Please forward billing to:

SDR Development, Inc. 3722 Birchmere Court Owings Mills, MD 21117

410-363-8320

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: 04-014-SPHA

Rebekka Circle

N/west side of Runnyside Road, 130 feet southwest centerline Endora Court 3rd Election District – 2nd Councilmanic District

Legal Owner: SDR Properties, Limited Partnership by SDR Development,

Steve Rosen, General Partner

Contract Purchaser: The Ryland Group, Inc., Edward Gold, Vice President

<u>Variance</u> to permit reduced building to building separations, window to window separations and a reduced building/window to right of way distance; to permit open projections to be located less than the required setback from rear property lines of lots; and to amend the current final development plan for Winterset, all as shown more particularly on the Petition.

Hearings:

Wednesday, July 30, 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.

(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.

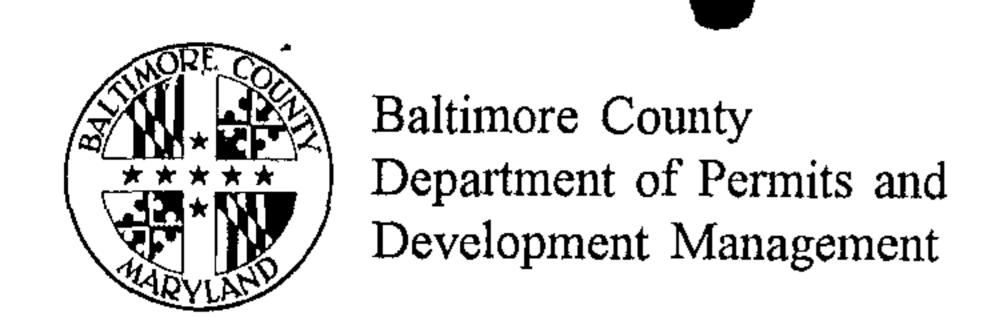
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

| For Newspaper Advertising: |
|--|
| Item Number or Case Number: O4-O(4-D |
| Petitioner: SDR Properties Limited Partnership |
| Address or Location: The Villages of Winterset |
| |
| PLEASE FORWARD ADVERTISING BILL TO: |
| Name: SDR Development, Inc. |
| Address: 3722 Birchmere Court |
| Owings Mills, Maryland 21117 |
| Telephone Number:410-363-8320 |

Revised 2/20/98 - SCJ

(74014.A.



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

July 25, 2003

Howard Alderman, Jr. Levin & Gann, P.A. 509 Washington Avenue, 8th Floor Towson, MD 21204

Dear Mr. Alderman:

014 RE: Case Number: 04-0144-SPHA, Rebekka Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 7, 2003.

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

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

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:klm

Enclosures

People's Counsel C: SDR Properties Limited Partnership, Steve Rosen, 3722 Birchmere Ct., Owings Mills 21117 The Ryland Group, Edward Gold, V.P., 7520 Parkway Dr., Ste. 520, Hanover 21076 Little & Associates, Dwight Little, 1045 Taylor Avenue, Ste. 111, Towson 21286

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





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

July 16, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: July 14, 2003

Item No.:

002 (014)

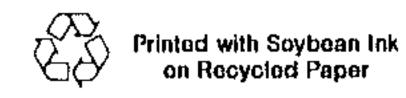
Dear Ms. Hart:

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, Administrator

JRA

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 7.16.673

Baltimore County

Item No. 014

RE:

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

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

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 30, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

The Village of Winterset Addition

(Lots 457 through 484)

INFORMATION:

Item Number:

04-014

Petitioner:

SDR Properties Limited Partnership

Zoning:

DR 3.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning reviewed the development plan and has determined that the petitioner's requests are the result of attempting to gain the maximum allowable density yield, which in this case, amounts to over development of the property. The subject site should be developed in accordance with the 6th amended Final Development Plan and 1st revised CRG – The Village of Winterset (PDM#: II-403) – that was approved on May 31, 2002.

Therefore, this office recommends that the petitioner's requests be DENIED.

Prepared by:

Section Chief:

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: September 9, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits &

Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 21, 2003

Item Nos. 001, 002, 003, 005, 006, 007, 008, 009, 010, 011, 013, and 014

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

RWB:CEN:jrb

cc: File

| * | * | * | * | * | * | * | * | * | * | * | * | * |
|-----|------|-----------------|---------|----------|--------|----------|---|------|--------|--------|--------|----|
| | | | | | Petit | ioner(s) | | | | | | |
| | Inc, | Edward | l W Gol | d V.P. | | | * | 04-0 | 14-SPF | łΑ | | |
| | | | | • / | Ryland | Group, | | | | | | |
| | | • | | tner Ste | | | * | BAI | ЛІМОІ | RE COU | JNTY | |
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| | | | | Counciln | | | * | FOR | 1 | | | |
| | 130' | SW c/l | ine End | lora Cou | ırt | | | | | | | |
| | | | • | W/side | Runnys | ide Rd, | * | ZON | IING C | OMMIS | SSIONE | ER |
| RE: | | ITION) VARI | | PECIAL | HEAR | ING | * | BEF | ORE T | HE | | |
| | | | | | | | | | | | | |

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 22day of July, 2003, a copy of the foregoing Entry of Appearance was mailed to Chuck Merritt, Little & Associates, Inc, 1045 Taylor Avenue, Suite 111, Towson, MD 21286, and to Howard L Alderman, Jr, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, Md 21204, Attorney for Petitioner(s).

RECEIVED

JUL 2 2 2003

Per.....

JETER MAX ZIMMERMAN

People's Counsel for Baltimore County



Nonresidential principal building setbacks in DR Zones.

Nonresidential Principal Building Setbacks

| | Front Yard (feet) | Side Yard Interior (feet) | Corner Street Side (feet) | Rear Yard (feet) |
|----------|-------------------------|---------------------------------|---------------------------------|------------------------|
| D.R.1 | 70 | 40 | 65 | 50 |
| D.R.2 | 60 | 30 | 50 | 40 |
| D.R.3.5 | 50 | 20 | 35 | 30 |
| D.R.5.5 | 40 | 20 | 35 | 30 |
| D.R.10.5 | 25 | 20 | 35 | 50 |
| D.R.16 | 30 | 25 | 25 | 30 |

b. Single-family detached, two-family alternative site design dwellings.

Single-Family Detached, Two-Family Alternative Site Design Dwellings

| | | | Alternative Site Design Dwellings | |
|--|-------------------------------|---|---|---|
| | D.R. 1 & 2 Zones (feet) | D.R.3.5, 5.5, 10.5 & 16 Zones (feet) | Zero & Zipper Lots All D.R. Zones (feet) | Neo- Traditional All D.R. Zones (feet) |
| From front building face to: Public street right-of-way or property line | 25 | 25 | 25 | 15 |
| Arterial or collector | | <u> </u> | - | 25 |
| From side building face to: Side building face | 30 | 16 < 20 high 20 > 20 high | 16 | 16 < 20 high 20 > 20 high |
| Public street right-of-way | 25 | 15 | 15 | 15 |
| Paving of a private road | 30 | 25 | 25 | 25 |
| Tract boundary | 25 | 15 | 15 | 15 |
| From rear building face to: Rear property line Public street right-of-way | 30 30 | 30 30 | 20 20 | 50 50 |
| Additional setbacks: Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 20 feet. | | | | |

This table lists minimum setback requirements and building heights for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies (CMDP).

7 - 25 - 20011B-13

* SEE SECTION V.B.6.d for Townhouses, Garage Townhouses and mixed

V.B.6.b. WINDOW TO PROPERTY LINE

A minimum distance of 15 feet must be maintained between any dwelling unit window or windowed door* and the property line, except in residential transition areas or in small subdivisions as governed by Subsection 1802.3 of the Zoning Regulations. See Figure 5-6. See Section V.B.6.c. for exceptions.

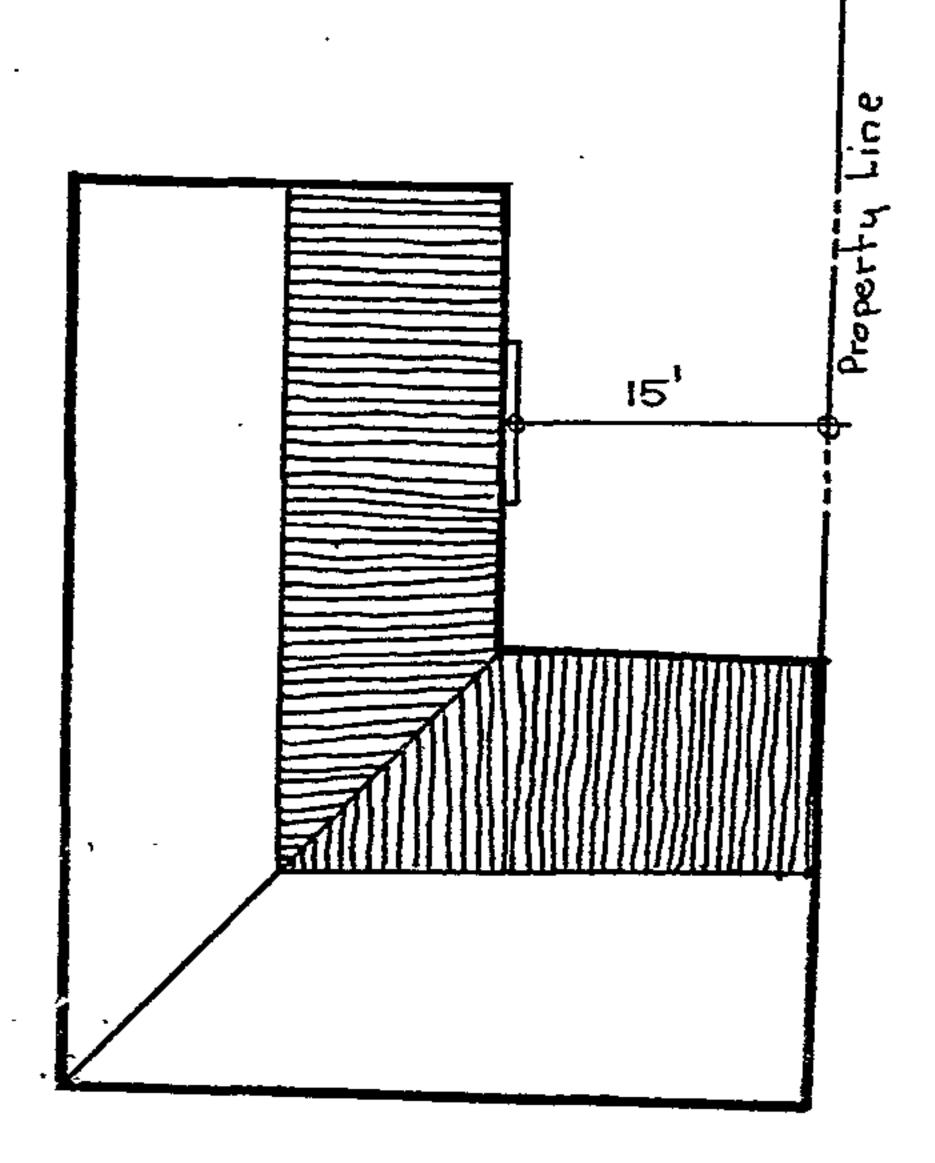


Figure 5-6

^{*}A windowed door is a door of which more than 30% of the door area is glass.

*REFERENCE SECTION 1B01.2.C.2.b B.C.Z.R.

V.B.6.c. WINDOW TO WINDOW

The minimum distance between any facing window of different dwelling units on the same subdivision must be 40 feet. See Figure 5-7. Facing windows are defined as two windows that face each other to the extent that one is visible through the other; or windows whose surfaces are either parallel or within the area formed by an acute angle of less than 75 degrees of the window surface.

Exception to the window to window and the window to property line is made in cases where there is a door with 30% or less of the door area in glass, a high window where the sill is 5'-0" above finished floor, in cellar or basement window two feet or less in height, where architectural techniques such as clearstory or glass brick windows are used or where topography limits view.

Tinted or frosted glass panes are not considered as a permanent means of blocking vision.

A site design solution to the window to window distance would be to stagger the units as illustrated.

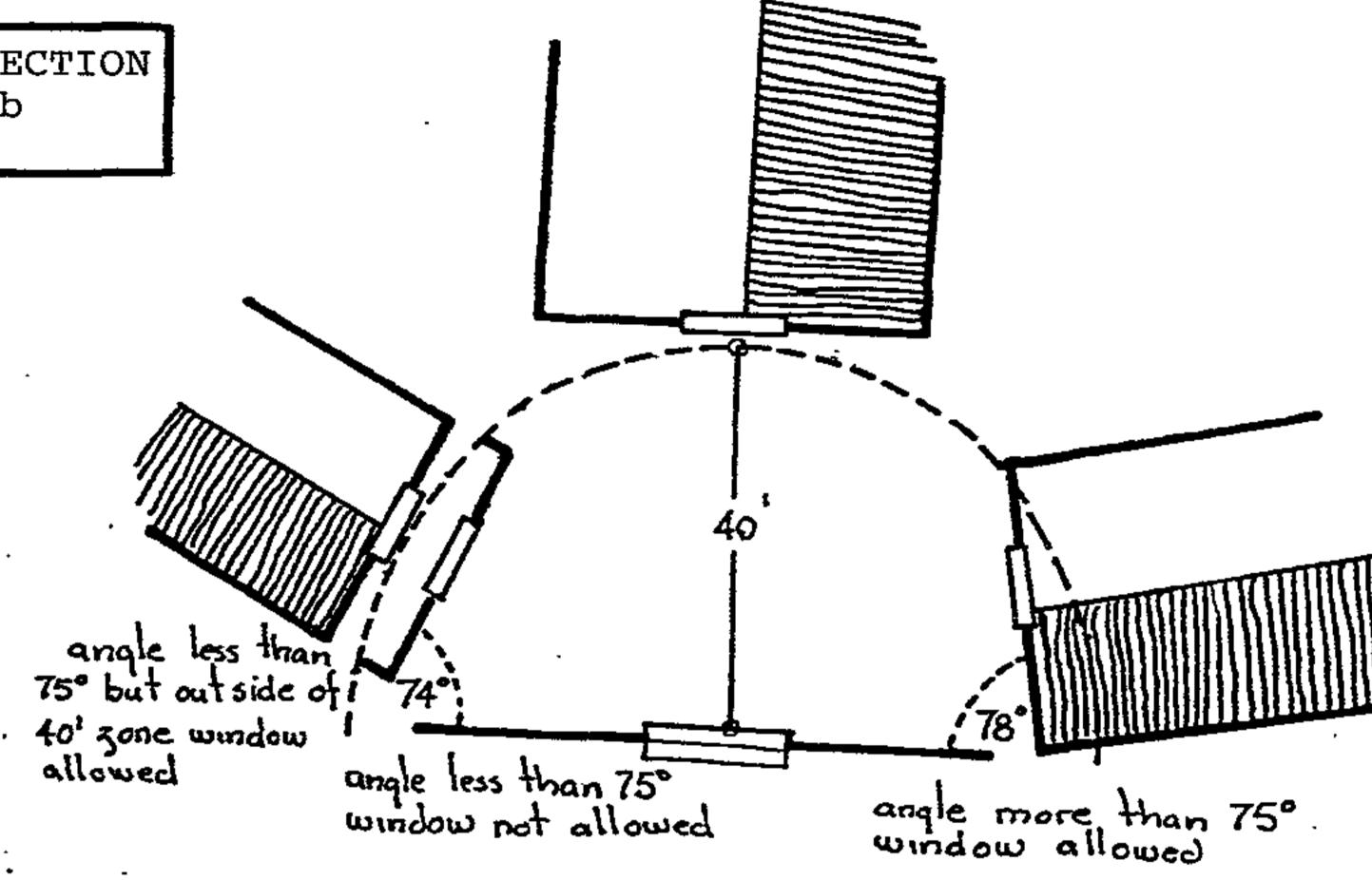
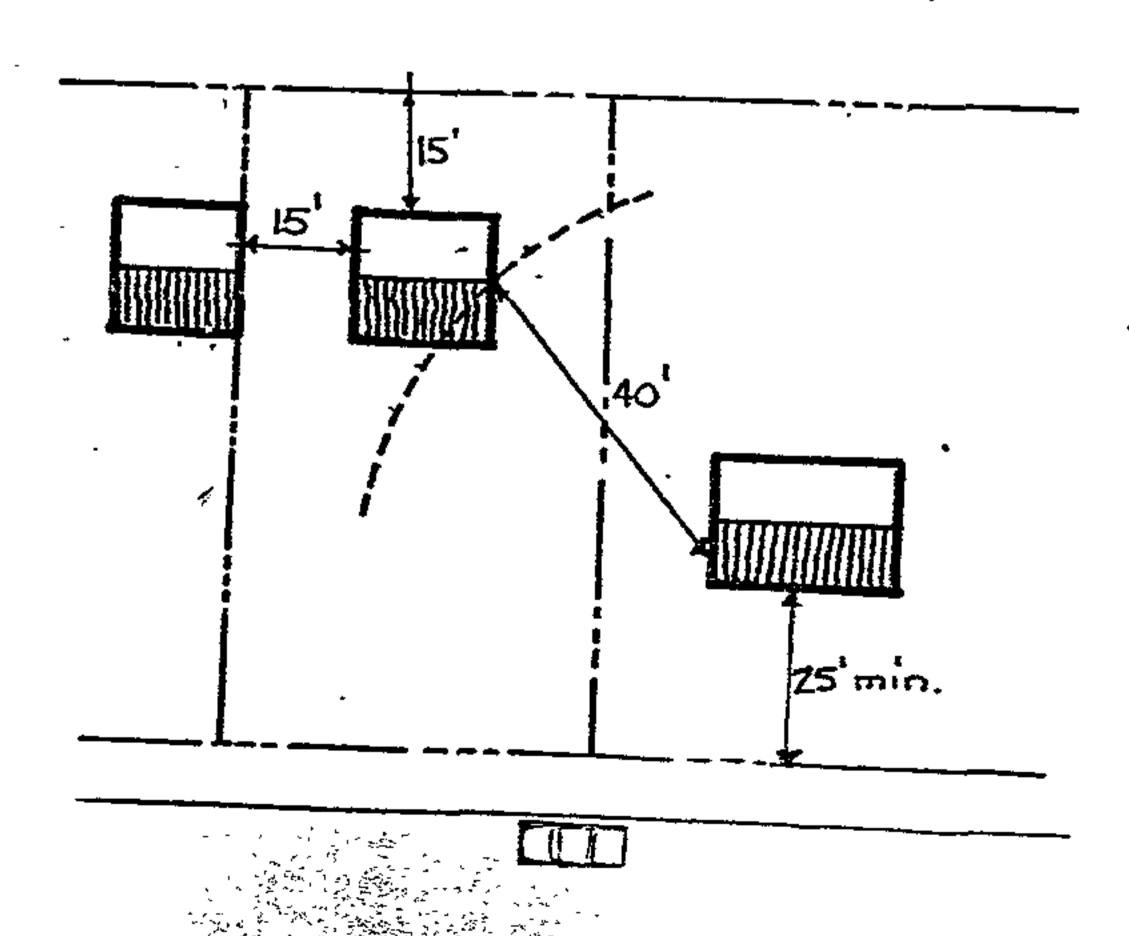


Figure 5-7



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

DIRECT DIAL 410-321-4640 LAW OFFICES
LEVIN & GANN

A PROFESSIONAL ASSOCIATION

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

June 30, 2003

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

DROPOFF

ORIGINALLY REVIEWED BY JOHN ALEXANDER - changes needed to plan to accompany Petition – all changes made

REQUEST FOR EXPEDITED HEARING FILED THIS DATE

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

DIRECT DIAL 410-321-4640 LAW OFFICES

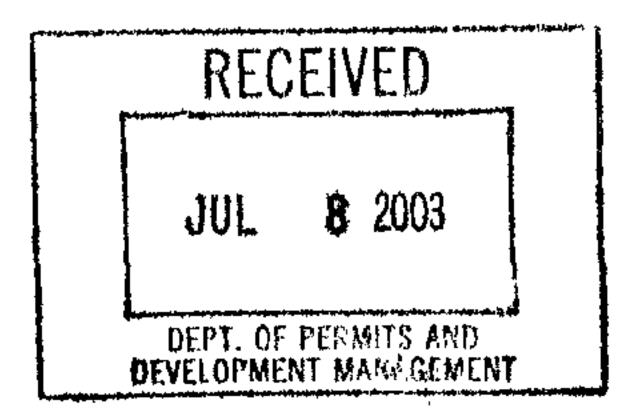
LEVIN & GANN

A PROFESSIONAL ASSOCIATION

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

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

July 7, 2003



HAND DELIVERED

Mr. John Alexander 111 W. Chesapeake Avenue, Room 111 Towson, Maryland 21204

Re: Winterset

Dear Mr. Alexander:

As per Howard Alderman's instructions, enclosed for filing are three original Petitions for Variance for the above-referenced property.

Very truly yours,

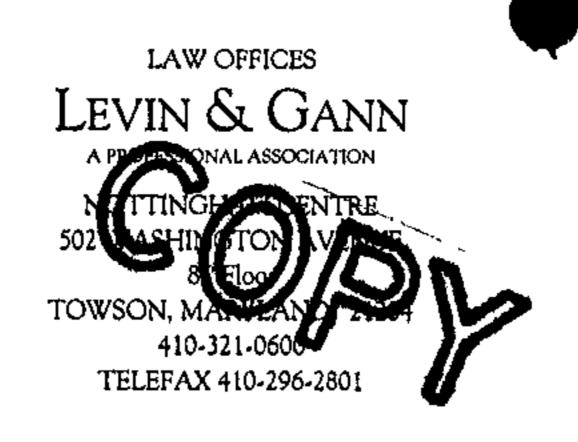
Patricia A. Loukota, Secretary to Howard L. Alderman, Jr.

HLA/pal Enclosure

G:\Clients\sdr development (13867)\alexander-j.ltr.wpd

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

DIRECT DIAL 410-321-4640



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

04.014.0

June 30, 2003

HAND DELIVERED

Timothy M. Kotroco, Director
Baltimore County Department of Permits
and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: Request for Expedited Hearing

Petition for Variance - Winterset (Rebekka Circle)

Dear Mr. Kotroco:

I have the pleasure of representing SDR Properties Limited Partnership, owner of the above-referenced property. We have processed previously the development of the property through the CRG process (DRC 022601E) and by way of Special Hearing (02-532-SPH) to amend the previously approved final development plan. Although there were no variances requested at that time, the contract purchaser has determined that to conform the proposed homes with those already in existence in Winterset, variances are required as requested. I have met previously with Mr. John Alexander to review the filing with him and have returned the package to him today with several minor additions added to the drawing as originally reviewed.

In order for our client and the contract purchaser to meet their contractual obligations on time, we are requesting an expedited hearing date for a hearing that should not take more than one hour to present. Should you or your staff need additional information in this regard or in support of the expedited hearing, please let me know.

Thank you for your consideration of this request.

Very truly yours

Howard L. Alderman, Jr

HLA/gk

c: SDR Properties Limited Partnership

G. Dwight Little, PE Mr. John Alexander Ms. Becky Hart

04014 17.

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

> DIRECT DIAL 410-321-4640

LAW OFFICES

LEVIN & GANN

A PROFESSIONAL ASSOCIATION

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

June 30, 2003

Becker Ser Mail

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

HAND DELIVERED

Timothy M. Kotroco, Director Baltimore County Department of Permits and Development Management 111 West Chesapeake Avenue, Suite 109 Towson, Maryland 21204

RE: Request for Expedited Hearing

Petition for Variance - Winterset (Rebekka Circle)

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Thank you for your consideration of this request.

Very truly yours,

HLA/gk

SDR Properties Limited Partnership

G. Dwight Little, PE Mr. John Alexander Ms. Becky Hart

RECEIVED 03-2291 JUN 3 0 2003

> DEFT, OF LE PHIS APP DEVELOPMENT MANUSCRIPT

WINTERSET [REBEKKA CIRCLE]

PROPOSED LANGUAGE FOR SIGN [as requested by Carl Richards]

Variances to permit reduced building to building separations, window to window separations and a reduced building/window to right of way distance; to permit open projections to be located less than the required setback from rear property lines of lots; and to amend the current final development plan for Winterset, all as shown more particularly on the Petition.

C40(4)

WINTERSET [REBEKKA CIRCLE]

PROPOSED LANGUAGE FOR SIGN [as requested by Carl Richards]

Variances to permit reduced building to building separations, window to window separations and a reduced building/window to right of way distance; to permit open projections to be located less than the required setback from rear property lines of lots; and to amend the current final development plan for Winterset, all as shown more particularly on the Petition.

Intake Planner

Date Assigned

DROP-OFF PETITIONS PROCESSING CHECK-OFF

| | Two Questions Answered on Cover Sheet: |
|--|--|
| | Any previous reviews in the zoning office? |
| | Any current building or zoning violations on site? |
| | Petition Form Matches Plat in these areas: |
| —————————————————————————————————————— | Address |
| | Zoning |
| | Legal Owner(s) |
| | Contract Purchaser(s) |
| | Request (if listed on plat) |
| | Petition Form (must be current PDM form) is Complete: |
| | Request: Section Numbers |
| | Correct Wording (must relate to the code, especially floodplain and historical standar |
| | wording. Variances must include the <u>request</u> in lieu of the <u>required</u> code quantities. |
| | Hardship/Practical Difficulty Reasons |
| | Legal Owner/Contract Purchaser: |
| | Signatures (originals) |
| | Printed/Typed Name and Title (if company) |
| | Attorney (if incorporated) |
| | Signature/Address/Telephone Number of Attorney |
| | Correct Number of Petition Forms, Descriptions and Plats |
| | 200 Scale Zoning Map |
| · | Check: Amount Correct? Signed? |
| | |
| | ZAC Plat Information: |
| LJ | Location (by Carl) Nuls Runny meade Rd. 130 ft. sw conton ine |
| | Endura ot. |
| | Zoning: Acreage: Previous Hearing Listed With Decision |
| | Election District Councilmanic District Case # |
| | Check to See if the Subject Site or Request is: |
| | CBCA Cloodelein |
| | Floodplain |
| | Elderly Historical |
| | Pawn Shop |
| | Haliaantar [.] |
| | *If Yes. Print Special Handling Category Here |
| | *If Yes, Print Special Handling Category Here REQUESTION EXPLOITED *If No, Print No |
| | OU BUILD HEARING |
| · | Date Accepted for Filing |
| ~~~ | NUISSON ASSISTAN |

Item Number Assigned

Date Accepted for Filling

Robert L. Ehrlich, Jr. Governor

Michael S. Steele

Lt. Governor



Audrey E. Scott Secretary

Florence E Burian
Deputy Secretary

July 15, 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,07/21/03 re: case numbers 04-1-SPH, 04-2-A, 04-3-SPHA, 4-4-SPH, 4-5-SPH, 4-6-SPHA, 4-7-SPHA, 4-8-A, 4-9-A, 4-10-SPHX, 4-11-SPHX, 4-12-SPH, 4-13-A, 4-14-SPHA

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 07/14/03. 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

Planning Services

cc: Mike Nortrup

CASE NAME Rebekka Civila CASE NUMBER 04 -014-59HA DATE 7/30/03

PETITIONER'S SIGN-IN SHEET

| NAME ADDRESS | | E- MAIL |
|--|---|--|
| LITTLE & ASSOC, INC., 1045 Taylor Are, | Suk 111, Towson, MD 21286 | |
| The Ryland Group, Inc | \$550 Parkwy Do Ste 520 21014 | · · · · · · · · · · · · · · · · · · · |
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| | CHMERE CT, OWNIGE MILLS ZILL | 7 |
| LEVIN & GANN, PA | | |
| 502 Washington Ave, 8th Flow | Towsan MD 21204 | |
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| | Little Assoc, Inc., 1045 Taylor Are, The Ryland Group, Inc. SDR PROP. LTD 3722 Bir. LEVIN & GANN, PA Sor Washington Ave, 8th Flow | LITTLE & ASSOC, FAK, 1045 Taylor Are, Sink III, Tenson, MD 21286 The Ryland Group. Inc \$550 Parkney Do Ste 520 210Th SIX PROP. LTD 3722 BIRCHMERE CT, OWNICK MILLS 2111 LEVIN & GRAND, PA 502 Washington Ave, 8th Floor Toroson MD 2120.4 |

| CASE | NAME | R | EBE | ZKK | A | CIR | |
|------|------|-----|-----|------|---|-----|--|
| CASE | NUMB | ER_ | 04 | -014 | ر | PHA | |
| DATE | 1 | | | | | | |

CITIZEN'S SIGN-IN SHEET

| NAME | ADDRESS | CITY, STATE, ZIP | E- MAIL |
|---------------------------------------|---|--|--|
| MONA FINCH | 3631 Epokdole Ter | 34 MS 21244 | |
| Robyn Taylor | | Owins Smills, Md 2117 | |
| Sina Swarsh | 452 Lunnymeade Rd | Duings Mills Mrs 21117 | |
| Martin Swanson | 4526 Runnipriade Rd | ((| |
| faron Von Moore | 4512 Runnymeade Rd | Dwings Mills Fld 21117 | |
| SAMUEL COSby | 24 Cheltenham Ct. | | |
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RUMMANAMA Acres HOMES





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- VARIANCES FROM BCZR 1801.2.C.2 AND CMDP V.B.6.b & c (AS PRÉVIOUSLY ADOPTED AND APPLICABLE TO THIS DEVELOPMENT APPROVED BY THE CRG) AS FOLLOWS:
- "A" TO PERMIT BUILDING TO BUILDING SEPARATIONS OF 20 FEET, IN LIEU OF THE REQUIRED 25', 30', 40' OR 60' DEPENDING ON HEIGHT OF STRUCTURE AND/OR IN LIEU OF THE REQUIRED WINDOW TO WINDOW SEPARATION OF 40' AND WINDOW TO PROPERTY/LOT LINE OF 10' IN LIEU OF THE 15' REQUIRED; AND
- "B" TO PERMIT SIDE BUILDING FACE TO PUBLIC ROW OF 15' IN LIEU OF 25' OR WINDOW TO RIGHT OF WAY; AND
- "C" TO PERMIT AN OPEN PROJECTION DECK TO BE LOCATED 20' FROM THE REAR PROPERTY LINE IN LIEU OF 26.25 FEET; AND
- "D" TO PERMIT AN OPEN PROJECTION DECK TO BE LOCATED 10' FROM THE REAR PROPERTY LINE IN LIEU OF THE 11.25 FEET REQUIRED, FOR EACH LOT IDENTIFIED IN TABLE A BELOW; AND
- TO AMEND THE FINAL DEVELOPMENT PLAN FOR WINTERSET AND ALL PRIOR AMENDMENTS THERETO CONSISTENT WITH THE RELIEF GRANTED.

| | | TABLE 'A' | | |
|-------------------------|---|-----------|---|---------------------------------------|
| LOT NO. *VARIANCE TYPE* | | | | |
| LOT NO. | Α | В | С | D |
| 457 | X | | X | |
| 458 | X | | X | |
| 459 | X | | X | |
| 460 | X | | X | · · · |
| 461 | X | | Х | ··· |
| 462 | X | | Х | · · - |
| 463 | X | | Х | |
| 464 | Х | | X | · · · · · · · · · · · · · · · · · · · |
| 465 | Х | | X | - |
| 466 | Х | | X | |
| 467 | X | | × | |
| 468 | Х | | × | <u></u> |
| 469 | Х | | X | |
| 470 | Х | | X | |
| 471 | Х | | X | |
| 472 | X | | X | |
| 473 | Х | | X | |
| 474 | X | | | X |
| 475 | X | | | × |
| 476 | X | | | × |
| 477 | X | | | Х |
| 478 | Х | | | Х |
| 479 | Χ | Х | | Х |
| 480 | × | | | Х |
| 481 | Х | | | Х |
| 482 | Х | | | Х |
| 483 | X | | | Х |
| 484 | Х | | ţ · · · · · · · · · · · · · · · · · · · | X |

| | | | | |
|---------|---------------|-----------------|---------------|--|
| | _OT_ARE/ | <u> A TABLE</u> | | |
| LOT NO. | AREA (AC.) | LOT NO. | AREA (AC.) | |
| 457 | 0.2333 | 471 | 0.1561 | |
| 458 | 0.1630 | .1630 472 | | |
| 459 | 0.1664 | 473 | 0.1606 | |
| 460 | 0.1693 | 474 | 0.2508 | |
| 461 | 0.1675 | 475 | 0.1645 | |
| 462 | 0.2612 | 476 | 0.1612 | |
| 463 | 0.4281 | 477 | 0.1650 | |
| 464 | 0.2147 | 478 | 0.2227 | |
| 465 | 0.1800 | 479 | 0.1747 | |
| 466 | 0.1865 | 480 | 0.1351 | |
| 467 | 0.3599 | 481 | 0.1485 | |
| 468 | 0.2567 | 482 | 0.1522 | |
| 469 | 0.2019 | 483 | 0.1542 | |
| 470 | 0.1351 | 484 | 0.2014 | |

THESE PLANS ARE SEALED AND CERTIFIED AS BEING IN ACCORDANCE WITH THE APPROVED C.R.G. PLANS.

LITTLE & ASSOCIATES, INC. 1045 TAYLOR AVENUE, SUITE 111

TOWSON, MARYLAND 21286 PHONE: (410)296-1636 FAX: (410)296-1639

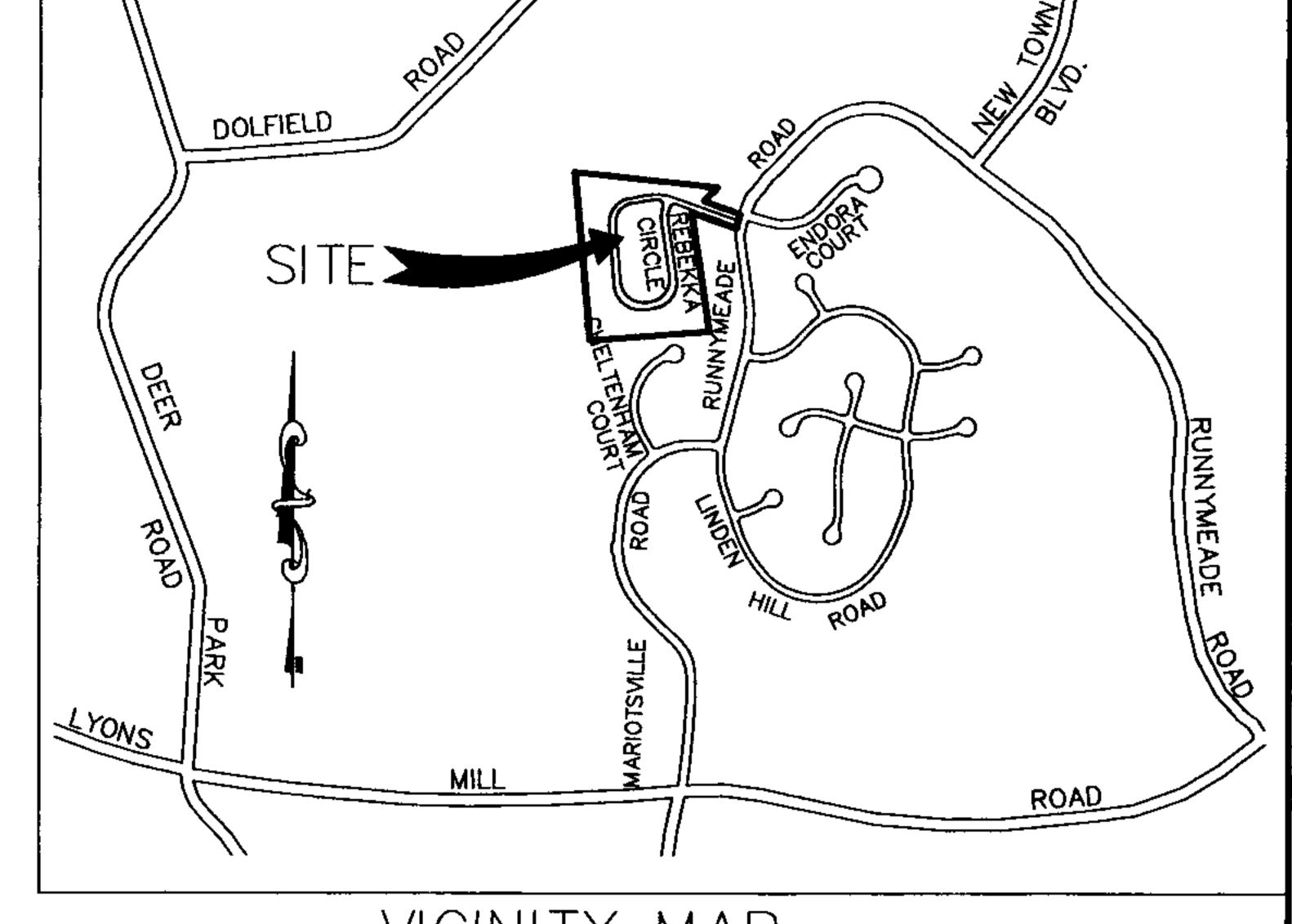


OWNER PARTNERSHIP 3722 BIRCHMERE COURT OWINGS MILLS, MARYLAND 21117

S.M. 13258/581 TAX NO. 2300001320

THE RYLAND GROUP, INC.
7250 PARKWAY DRIVE
SUITE 520
HANOVER, MARYLAND 21076

- LIMIT OF WETLANDS (TYP) FOREST BUFFER NORTHWEST AREA PARK BALTIMORE COUNTY, MARYLAND S.M. 12458/512 TAX ACCT. # 2200028592 LOCAL OPEN SPACE AND EXISTING WOODS -20, DRAINAGE & UTILITY
EASEMENT TO REMAIN EXCEPT AS OTHERWISE INDICATED PROP 6' MACADAM PATH (22,279 SF) N 05-12'40" W 774.87' - PROJECTION BALTIMORE COUNTY MARYLAND PROP 20' DRAINAGE DECK (TYP) AND UTILITY EASEMENT TAX ACCT. # 2200013296 E 1362250 JTORNWATER MANAGEMENY TRACEY BOWERS DEED 14638/464 220001067 BARRY SNYDER 15863/208 TAX ACCT. # 0214650060 KEVIN W. ELLISON & KENDRA L. THOMPSON #4524 ROLLING RIDGE RESIDENTIAL DECK (TYP) 1362750 E 1362750 C ROLLING RIDGE CONTRACT PURCHASER SDR PROPERTIES LIMITED NOTE: DESIGN AND DRAWING BASED ON THE MARYLAND COORDINATE SYSTEM



VICINITY MAP SCALE: 1" = 1000'

ELEV.: 625.66 2" BRASS DISC AT THE SOUTHWEST CORNER OF NEW TOWN BLVD & AVATAR LANE N 631,784.05 E 1,364,512.74

THERE IS NO 100 YEAR FLOOD PLAIN ON SITE

GENERAL NOTES I. APPLICANT/OWNER:

SDR PROPERTIES LIMITED PARTNERSHIP BY: SDR DEVELOPMENT, INC., GENERAL PARTNER 3722 BIRCHMERE COURT

A. GROSS AREA OF SITE = 9.407 AC + /-

B. NET AREA OF SITE = 9.407 AC+/-C. ELECTION DISTRICT 2

E. EXISTING USE: VACANT . PROPOSED USE: RESIDENTIAL

G. PARKING REQUIRED = 56 SPACES - (2 SP./D.U.)H. PARKING PROPOSED = 56 SPACES

3. EXISTING ZONING OF SITE IS DR 3.5, DR 5.5 IN ACCORDANCE WITH 200 SCALE MAP NW 10J

4. PROPERTY OUTLINE SHOWN FOR THE VILLAGES OF WINTERSET ADDITION IS TAKEN FROM A BOUNDARY SURVEY PREPARED BY

COLONIAL LAND SURVEYING, INC. IN OCTOBER, 2001. 5. PUBLIC WATER & SEWER IS AVAILABLE TO SERVE THE SITE.

AND SHALL MEET THE REQUIREMENTS OF BALTIMORE COUNTY. 7. THERE ARE NO STREAMS, WETLANDS, OR 100-YR FLOODPLAINS

LOCATED ON THE SITE.

8. ALL DRAINAGE FACILITIES ON AND WITHIN 50' OF THE SITE ARE

9. SITE IS LOCATED IN THE GWYNNS FALLS WATERSHED. 10. SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL

11. ALL ROADS WITHIN THE DEVELOPMENT ARE TO BE PUBLIC. ALL UTILITIES WITHIN THE DEVELOPMENT ARE TO BE PUBLIC UNLESS

OTHERWISE INDICATED. 12. THE PLAT FOR THIS DEVELOPMENT HAS BEEN RECORDED IN THE

LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK S.M. 75, PAGE 51 (TAX ACCOUNT NOS. 02-2400002197 THROUGH 02-

PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY, AND WHICH RESTRICT

14 PRIOR ZONING HISTORY:

VILLAGES OF WINTERSET -CASE 95-131-XA - PETITION FOR VARIANCES SEEKING RELIEF IN ACCORDANCE WITH SUMMARY OF VARIANCE REQUESTS AND SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A GROUP CHILD

CARE CENTER FACILITY WAS GRANTED ON DECEMBER 7, 1994. -DRC 03275L - LOT LINE ADJUSTMENTS / EXTEND WATTS ROAD WAS DETERMINED TO BE ELIGIBLE AS A REFINEMENT ON MARCH 27.

-CASE NO. 97-98-A - PETITION FOR VARIANCES SEEKING RELIEF IN ACCORDANCE WITH SUMMARY OF VARIANCE REQUESTS AND TO AMEND RESTRICTIONS OF ORDER ISSUED IN PRIOR CASE 91-490-A

TO REFLECT THE RELIEF REQUESTED IN THE CURRENT CASE WAS GRANTED ON NOVEMBER 27, 1996. -DRC 04105E - TOWNHOUSE UNITS - DRC DETERMINED TO BE ELIGIBLE AS A REFINEMENT ON JANUARY 23, 1997. -DRC 08117L - REPLACE CONDOMINIUMS WITH APARTMENTS WAS

DETERMINED BY THE DRC TO BE ELIGIBLE AS A REFINEMENT ON -DRC 08187H - DAY CARE FACILITY WITHIN THE REVISED RECREATIONAL AREA WAS DETERMINED BY THE DRC TO BE ELIGIBLE

AS A REFINEMENT ON AUGUST 18, 1997. -CASE NO. 98-77-SPHA - APPROVAL OF AMENDMENT TO THE VARIANCES SEEKING RELIEF FROM THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) AND (CMDP) WAS GRANTED ON OCTOBER 7

ACTUAL LOT DIMENSIONS SHOWN IN ERROR ON THE FINAL DEVELOPMENT PLAN WAS APPROVED BY THE DRC ON JANUARY 16,

VILLAGES OF WINTERSET ADDITION: -DRC 022601E - TO ADD THE ADJOINING PARCEL OF LAND TO THE VILLAGES OF WINTERSET PLAN WAS APPROVED AS A MATERIAL

PARCEL OF LAND TO THE VILLAGES OF WINTERSET PLAN WAS APPROVED ON JULY 31, 2002.

PLAN TO ACCOMPANY PETITION

FOR ZONING VARIANCE THE VILLAGES OF WINTERSET ADDITION

> (LOTS 457 THROUGH 484) BALTIMORE COUNTY,MD

DISTRICT 2c3 SCALE: 1"=50' PDM FILE NO. II-403 JUNE 25, 2003 SHEET 1 OF 1

HORIZONTAL -NAD 83/91,

VERTICAL-NAVD 88

Mr. Little testified that this is the last section to be developed of a much larger development know as Villages at Winterset containing 893 homes. The subject subdivision has 28 lots yet to be built according to a subdivision plat laid out pursuant to the old CRG standards. Mr. Little testified that the gist of this older plan was to require greater distances between homes as the height of the homes increased. Present regulations do not have such a requirement. He testified that the larger tract had been developed with a highly desirable style of taller homes with less space between homes through prior requests for variances which were granted on the other portions of the tract. Petitioners' Exhibit 2 contains photographs of this style of building which he proposes here.

Mr. Little testified that the property was unique in the sense that it was the last section of the larger tract to be built, had an irregular shape and was bounded by other subdivisions and parks so that no more property could be acquired to satisfy the applicable regulations while still building the more modern style of homes found in the surrounding communities.

The citizens had many questions about the project but in summation fully supported the project being developed according to the newer style buildings. In fact one citizen had executed a contract to purchase one of the lots in this subdivision with the newer style home on it although this variance request had not been granted. Obviously she supported granting the variances to allow the newer style homes to be built. No one wanted rancher homes built on the premises.

In regard to the request for larger decks, Mr. Little testified that he made this request at the urging of the County to avoid having individual homeowners who we now know want larger decks coming in one by one to the County for similar variances. This would clearly save the homeowners and the County time and money which otherwise would be a hardship and practical difficulty for all concerned.

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