IN RE: PETITION FOR SPECIAL HEARING NE/S Reisterstown Road, 900' S of the c/l Gwynnbrook Road **(Amended Plat A, Summer Woods)** 4th Election District 2nd Council District First Development Group, LLC Petitioners	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 04-099-SPH

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, First Development Group, LLC, by Michael Thomasson. The Petitioners request a special hearing to approve an amendment to the Final Development Plan of "Summer Woods" to revise the location of a tot lot. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Michael Thomasson, a principal with First Development Group, LLC, property owners, and Mitchell Kellman, on behalf of Daft-McCune-Walker, Inc., the consultants who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the northeast side of Reisterstown Road, just south of Gwynnbrook Avenue in Owings Mills. The property contains a gross area of 45 acres, more or less, split zoned O.R.2, D.R.10.5, and D.R.3.5, and was approved for residential development with 101 townhouse and 32 single family dwelling units by then Deputy Zoning Commissioner Timothy M. Kotroco on May 10, 1995. In addition to the residential development, the Developer proposed the construction of a tot lot with playground equipment for smaller children as a recreational amenity. It was indicated that although the residential community has been largely built out, the Department of

ORDER RECEIVED FOR FILING
Date 10/29/03
By

Recreation and Parks has requested the relocation of the tot lot. As shown on the site plan, the tot lot was originally proposed to be located in a small triangular shaped area immediately adjacent to Summer Woods Way, which is one of the main residential roads that provides internal access to this subdivision. As importantly, the proposed area, which is located immediately adjacent to Building C-4 (Units 108 through 114), is steeply sloped. It was indicated that Mr. Jan Cook from the Department of Recreation and Parks had visited the site and determined that the grade of this area was not suitable for the tot lot.

As an alternative, the Petitioners now propose relocating the tot lot across the street. As shown on the site plan, the new location will be on a private circular road that provides access to a number of townhouse units. The paving of the road surrounds a .10-acre lawn area (island) that is surrounded on three sides by the road and townhouses and on the fourth side by Summer Woods Way, the main access road. The Petitioner proposes relocating the tot lot to that grassy (island) area. It was indicated that there was sufficient space within this area to accommodate the tot lot.

An adverse Zoning Plans Advisory Committee (ZAC) comment was received from the Office of Planning which raised concern over the fact that since the tot lot was proposed to be located on the island, small children would have to cross the road to access the lot. Although that is true, the street that they would cross is a private circular road that provides access only to five groups of townhouses, not a through road. Thus, there will be a minimum volume of traffic on this road and speeds will be minimal, compared to the originally approved location immediately adjacent to the main access road for this subdivision. Although the residents who reside on the south side of Summer Woods Way would not have to cross a road to access the tot lot where originally proposed, many of the townhouse residents would have to cross a more busy public road to access that lot. Moreover, as noted above, the originally approved area has a significant grade.

Based on all of these factors, I am persuaded that the proposed relocation of the tot lot is appropriate, both from a traffic safety standpoint and from a practical standpoint in terms of grade. I further find that the request complies with the special exception requirements of Section 502.1 of the B.C.Z.R. Thus, the special hearing relief shall be granted.

ORDER RECEIVED FOR FILING
Date 10/29/03
By

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of October 2003 that the Petition for Special Hearing to approve an amendment to the Final Development Plan of "Summer Woods" to revise the location of a tot lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

Any appeal of this decision must be entered within thirty (30) days of the date hereof.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/29/03
By

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

October 30, 2003

Mr. Michael Thomasson
First Development Group, LLC
1332-A Cape St. Claire Road
Annapolis, Maryland 21401

RE: PETITION FOR SPECIAL HEARING
NE/S Reisterstown Road, 900' S of the c/l Gwynnbrook Road
(Amended Plat A, Summer Woods)
4th Election District – 2nd Council District
First Development Group, LLC - Petitioners
Case No. 04-099-SPH

Dear Mr. Thomasson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Mitchell Kellman, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
Office of Planning; People's Counsel; Case File; Rec & Parks

Printed on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Northeast Side of Reisterstown Road, 900 Ft South Centerline of Gwynnbrook Ave. (Summer Woods Development)

which is presently zoned OR-2

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 of "Summer Woods" to revise the location of a tot lot.

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:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

First Development Group, LLC
Name - Type or Print

Signature Michael Thompson

Name - Type or Print

Signature — 410-320-1644

1332 A Cape St. Claire Rd.
Address — Telephone No.

Annapolis MD 21401
City — State — Zip Code

Representative to be Contacted:

Mitch Kellman, DMW Inc.
Name

200 East Pennsylvania Ave 410-296-3333
Address — Telephone No.

Towson, Maryland 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BN Date 8/26/03

Case No. 04-099-SPH

ORDER RECEIVED FOR FILING
Date 10/29/03
By BBR

REV 9/15/98

Description

To Accompany Petition for Special Hearing

Amended Plat A, Summer Woods

Northeast Side of Reisterstown Road

Fourth Election District, Baltimore County, Maryland

DMW

Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
http://www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land Planners, Landscape Architects, Golf Course Architects, Engineers, Surveyors & Environmental Professionals

Beginning for the same on the northeast side of Reisterstown Road at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Gentlebrook Road with the centerline of Reisterstown Road (1) Northeasterly along said centerline of Reisterstown Road 275 feet, and thence (2) Northeasterly 33 feet more or less, to the point of beginning, thence leaving said place of beginning and running on the outline of the plat entitled "Amended Plat A, Summer Woods," which plat is recorded among the Land Records of Baltimore County, Maryland, in Plat Book S.M. 71, Plat 79, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, the eleven following courses and distances, viz: (1) North 51 degrees 25 minutes 44 seconds East 196.39 feet, thence (2) North 52 degrees 19 minutes 54 seconds East 113.37 feet, thence (3) North 42 degrees 08 minutes 10 seconds West 75.89 feet, thence (4) North 51 degrees 32 minutes 57 seconds East 349.47 feet, thence (5) South 43 degrees 06 minutes 53 seconds East 225.86 feet, thence (6) South 10 degrees 27 minutes 00 seconds East 21.59 feet, thence (7) North 22 degrees 12 minutes 52 seconds East 26.22 feet, thence (8) South 67 degrees 47 minutes 08 seconds East 50.00 feet, thence (9) South 22 degrees 12 minutes 52 seconds West 35.81 feet, thence (10) South 43 degrees 15

#99

minutes 05 seconds East 448.95 feet, and thence (11) South 47 degrees 26 minutes 47 seconds West 660.05 feet to intersect the easterly side of Reisterstown Road, thence binding thereon North 43 degrees 05 minutes 56 seconds West 714.81 feet to the point of beginning; containing 11.575 acres of land, more or less.

Being all of the land shown on "Amended Plat A, Summer Woods," which plat was recorded among the Land Records of Baltimore County, Maryland, in Plat Book S.M. 71, Plat 79.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 11, 2003

Project No. 94097.N1 (L94097.N1)

STATE OF MARYLAND
ANTHONY JOSEPH MATTI
No. 10951
Registered
PROFESSIONAL LAND SURVEYOR
8/11/03

#99

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 28118

DATE 8/26/03 ACCOUNT R001-006-6150

AMOUNT $ 325.00

RECEIVED FROM: [redacted] Fox Development Group LLC

FOR: Special Hearing

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 099

DATE RECEIPT
PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
8/26/2003	8/26/2003	08:51:10	5

REG W905 WALKIN CHRG CLH
>>RECEIPT # 322898 8/26/2003 OPLH
Dept 5 528 ZONING VERIFICATION
CR NO. 028118
Recpt Tot $325.00
325.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #04-099-SPH
N/east side of Reisterstown Rd., 900 ft. s/of centerline of Gwynnbrook Ave.
N/east side of Reisterstown Rd., 900 ft. s/of centerline of Gwynnbrook Ave.
4th Election District - 2nd Councilmanic District
Legal Owner(s): First Development Group, Michael Thompson

Special Hearing: to permit an amendment of the Final Development Plan of "Summer Woods" to revise the location of a tot lot.

Hearing: Tuesday, October 14, 2003 at 11:00 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.

9/427 Sept. 25 C628093

CERTIFICATE OF PUBLICATION

9/25/, 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 9/25/, 2003.

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

S. Willinger

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-099-SPH

Petitioner/Developer: FIRST DEVELOP-
MENT GROUP MICHAEL THOMPSON

Date of Hearing/Closing: OCT 14, 2003

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

ATTN: Becky Hart {(410) 887-3394}

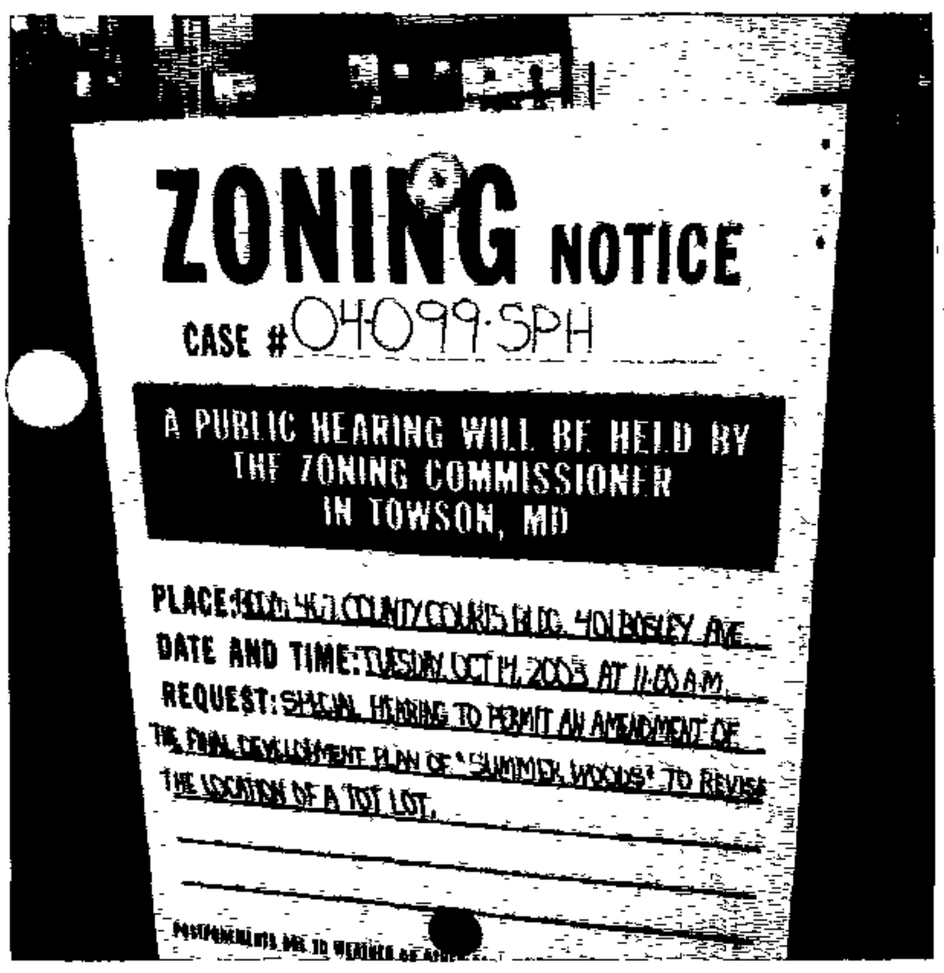
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

N/EAST SIDE OF REISTERSTOWN RD., 900 FT
S/OF CENTERLINE OF GWYNNBROOK AVE

The sign(s) were posted on 9/27/03
(Month, Day, Year)

Sincerely,



(Signature of Sign Poster) 9/27/03 (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

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

(410) 282-7940
(Telephone Number)

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

September 11, 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: 04-099-SPH
N/east side of Reisterstown Rd., 900 ft. s/of centerline of Gwynnbrook Ave.
N/east side of Reisterstown Rd., 900 ft. s/of centerline of Gwynnbrook Ave.
4th Election District – 2nd Councilmanic District
Legal Owner: First Development Group, Michael Thompson

Special Hearing to permit an amendment of the Final Development Plan of "Summer Woods" to revise the location of a tot lot.

Hearings: Tuesday, October 14, 2003, at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco
Director

TK:klm

C: First Development Group, LLC, Michael Thompson, 1332 A Capa St. Claire Road, Annapolis 21401 , Mitch Kellman, DMW, Inc., 200 E. Pennsylvania Ave., Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, SEPTEMBER 29, 2003.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 25, 2003 Issue - Jeffersonian

Please forward billing to:
Mitch Kellman 410-296-3333
DMW, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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N/east side of Reisterstown Rd., 900 ft. s/of centerline of Gwynnbrook Ave.
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Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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: 04-099-SPH

Petitioner: First Development Group, LLC

Address or Location: Northeast Side of Reisterstown Rd, 900 Ft South of Gwynnbrook Ave (Summer Woods Development)

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mitch Kellman

Address: DMW, Inc.
200 East Pennsylvania Ave
Towson MD 21286

Telephone Number: 410-296-3333

Department of Permits and Development Management

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 10, 2003

First Development Group, LLC
Michael Thomasson
1332 A Cape St. Claire Road
Annapolis, MD 21401

Dear Mr. Thomasson:

RE: Case Number: 04-099-SPH, N/east side of Reisterstown Rd., 900 ft. +/- s/of Gwynnbrook Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 26, 2003.

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

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Mitch Kellman, 200 E. Pennsylvania Avenue, Towson 21286

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

SHA
Driven to Excel
State Highway Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 9.10.03

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

RE: Baltimore County
Item No. 099 (BTR)

Dear Ms. Hart:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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

LS 10/14

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley RBS/TGT

DATE: October 17, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of September 8, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

04-98,99,103,108,109

RECEIVED

OCT 20 2003

ZONING COMMISSIONER

fro 10/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: September 22, 2003

RECEIVED

SEP 22 2003

ZONING COMMISSIONER

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

SUBJECT: Summer Woods

INFORMATION:

Item Number: 04-099

Petitioner: First Development Group, LLC.

Zoning: OR 2, DR 3.5, DR 10.5, and DR 16

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the petitioner's request be **DENIED**.

The proposed tot lot will be located within the center-island of a roadway. As such, children will have to cross the road and its parking bays in order to access the tot lot. The development plan indicates a 221 ADT at the intersection of Summer Woods Way and Wildbranch Court. The proposed tot lot should be relocated to a safer location.

Prepared by: Mark A Cunningham

Section Chief: Lynn Lanham

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 26, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For September 15, 2003
Item Nos. 099, 101, 102, 103, 104,
106, 107, 108, and 109

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	*	BEFORE THE
	NE/side of Reisterstown Road, 900' South		
	c/line of Gwynnbrook Avenue	*	ZONING COMMISSIONER
	4th Election & 2nd Councilmanic Districts		
	Legal Owner(s): First Development Group,	*	FOR
	LLC, Michael Thompson		
	Petitioner(s)	*	BALTIMORE COUNTY
		*	04-99-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

RECEIVED
SEP 16 2003
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of September, 2003, a copy of the foregoing Entry of Appearance was mailed to Mitch Kellman, DMW, Inc, 200 E Pennsylvania Avenue, Towson, MD 21204, Representative for Petitioner(s).

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

PLEASE PRINT CLEARLY

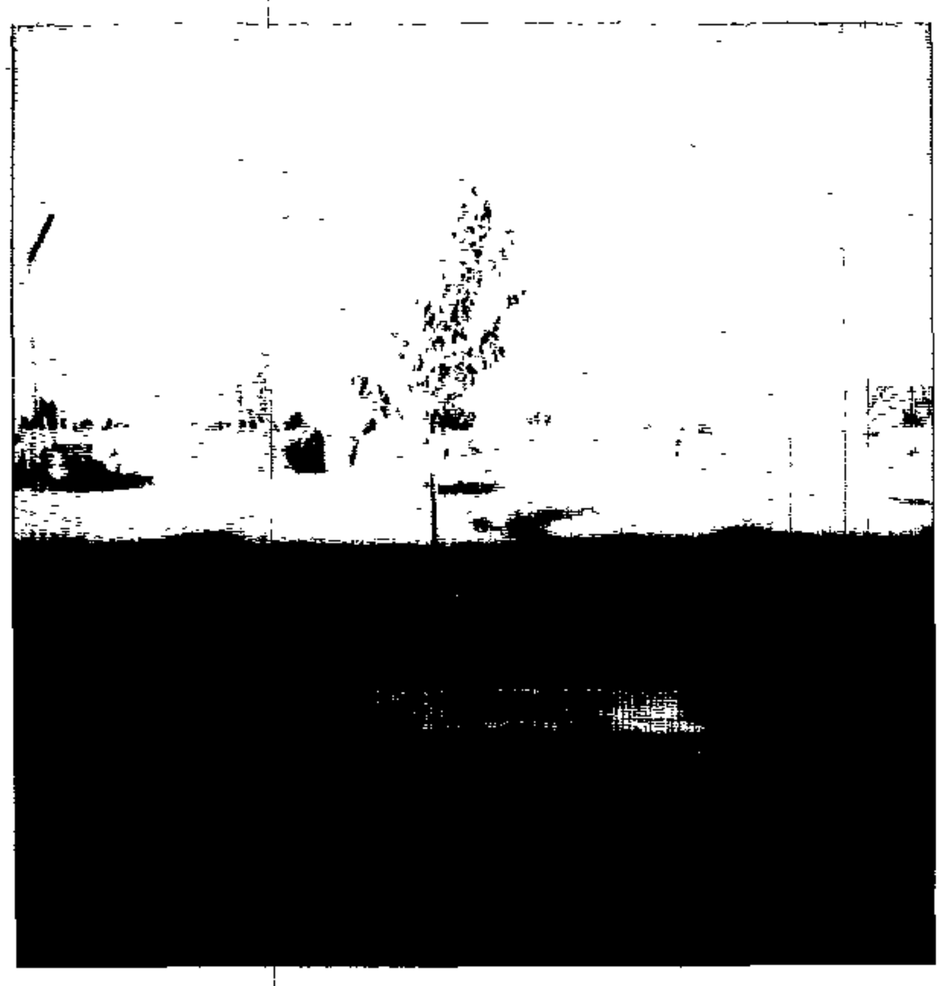
CASE NAME
CASE NUMBER 4-99-SPH
DATE 10/14/03

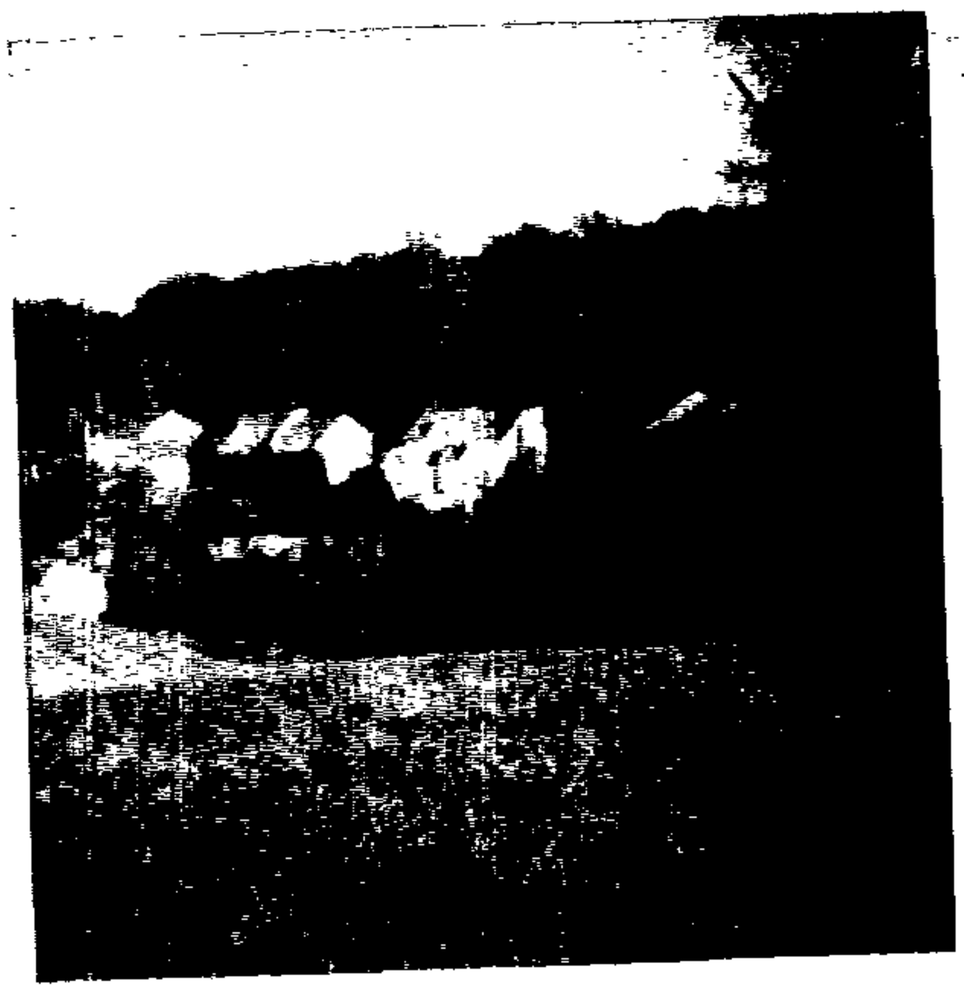
PETITIONER'S SIGN-IN SHEET

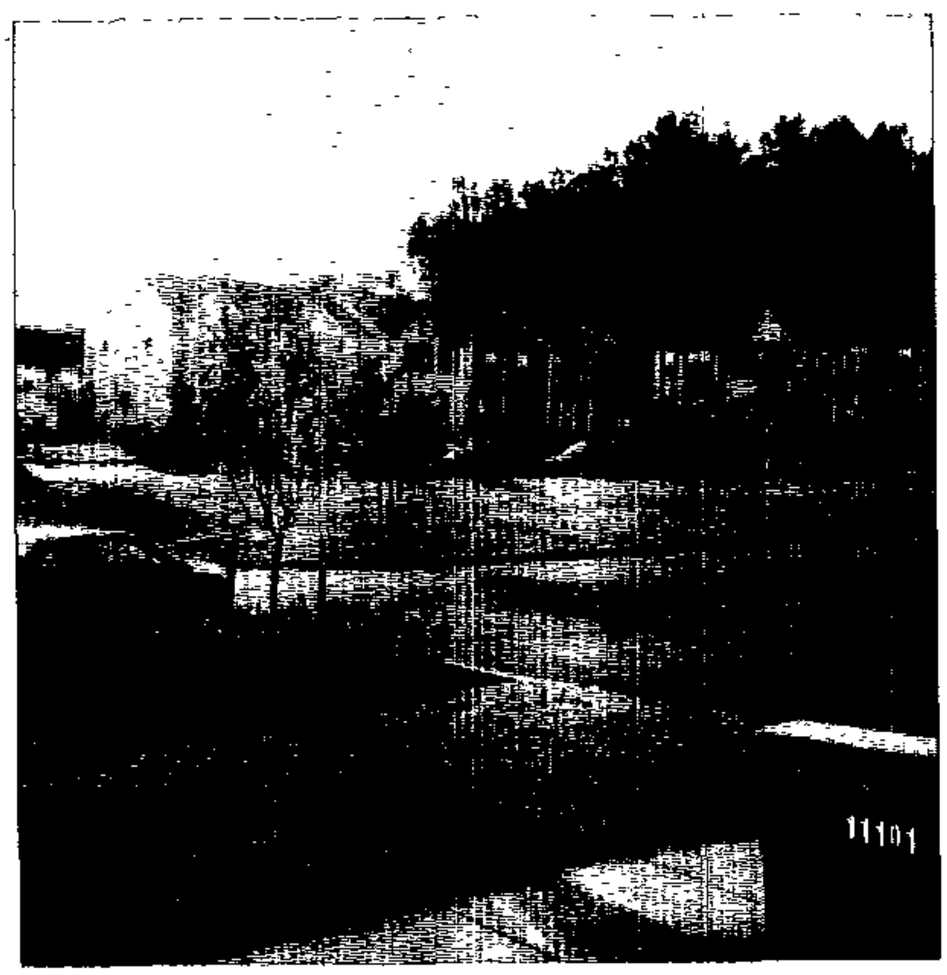
NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Mitch Kellman	DMW, Inc. 200 E. Pennsylvania Ave	Towson, MD 21286	mkellman@DMW.com
Mike Thomas	1338-A Capt. St. Charles Rd.	Annapolis MD 21401	

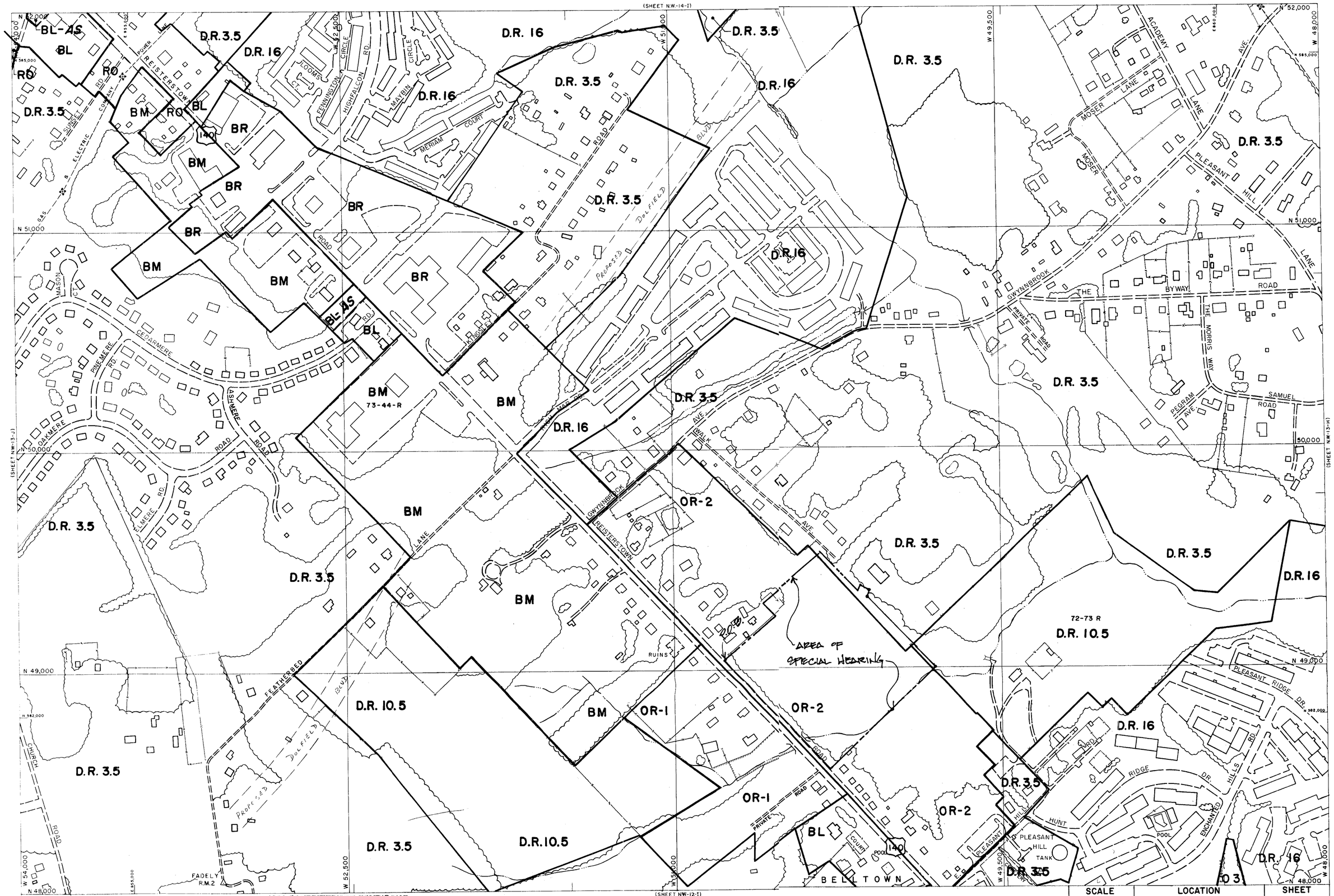
photographs
#04-099-5PN

Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204






11101



2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Chairman, County Council

T - NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	BELLTOWN	N.W. 13-I
DATE OF PHOTOGRAPHY JANUARY 1986		

NW 13 I

GENERAL NOTES

1. Owner/Developer: Ron Schaffel
Summer Woods One, LLC
Texas Center, Suite 2B
9822 York Road
Cockeysville, MD 21030 (410) 666-1900

2. Election District 4; Councilmanic District 3; Census Tract 4042.02

3. Watershed 27; Subwatershed 87

4. Site Data:

Current Zoning and Acreage:

Net =
10.5 Acres ± O-2
12.8 Acres ± DR 3.5
21.6 Acres ± DR 10.5
0.1 Acres ± DR 16
45.0 Acres ± Total

Gross =
11.0 Acres ± O-2 (Includes 30' Reisterstown Rd. R/W)
12.8 Acres ± DR 3.5
21.6 Acres ± DR 10.5
0.1 Acres ± DR 16
45.5 Acres ± Total

Density

Allowed =
10.5 Ac. OR-2 @ 10.5 = 110.25 D.U.
12.8 Ac. @ 3.5 = 44.80 D.U.
21.6 Ac. @ 10.5 = 226.80 D.U.
0.1 Ac. @ 16 = 1.60 D.U.
Total = 383.45 D.U.

Proposed =
OR-2 = 65 D.U. Townhouse
DR 3.5 = 26 D.U. Single Family Lots
DR10.5 = 36 D.U. Townhouse
DR 16 = 6 D.U. Single Family
= -- D.U.
Total = 133 D.U. (101 Townhouse, 32 Singles)
*Additional = 2 D.U.
135 D.U. (101 Townhouse, 32 Singles)

All units will be for sale.

All off-site dwellings and small lots of record create an RTA on site are shown with the required area, setbacks and buffers. This can no longer be accumulated across zone lines, therefore Lots 19 and 13 use 2 dwelling units each.

Parking

Required =
101 Type 1 Townhouse @ 2.3/unit = 232.30 sp.
32 Single Family Lots @ 2.75/unit = 84.00 sp.
required = 316.3 = 297 sp. (7 H/C)

Proposed = 298 Spaces (incl. 7 H/C)

All spaces will be a minimum of 8 1/2' x 18' striped. Each parking court provides 1 handicapped space with a durable, dustless surface, and suitable parking which meets or exceeds county requirements.

Local Open Space

Required = 133 D.U. @ 650 s.f./D.U. = 1.99 Ac.

Proposed = 26.8 Ac. ±

Total area on Summerwoods to be owned and maintained by Baltimore County and built by developer. Natural open space will be owned and maintained by Baltimore County. A sand volleyball court will be provided in and by Pleasant Walk.

Temporary open space boundary markers, tree protection devices, and four foot high snow fence will be installed prior to any clearing or grading. Disturbance of the open space will not be permitted without prior approval of the Department of Recreation and Parks.

Landscape Planting

See schematic landscape plan

5. Two existing septic areas as shown on the site plan will be pumped and either backfilled or removed prior to record plat. One well exists which will be backfilled by a licensed well driller prior to record plat and well abandonment reports submitted to Baltimore County DEPRM.

6. Soils:

Soil	Hydro Class	Limitations W/Basements	W/o Basements	Streets & Parking
Glenelg (GcB2)	B	Slight	Slight	Mod: Slope
(GcC2)	B	Mod: Slope		Severe: Slope
Glenville (GnB)	C	Severe: High Water Table	Moderate	Severe
Manor (MbD2,3)	B	Severe: Slope		
Haiboro (Hb)	D	Severe: Flooding, High Water Table		Codorus
(Cu)	C	Severe: Flooding Hazard		

As per Sec. 26-277, where development occurs on soils with possible severe or moderate limitations, borings will be taken to determine whether such conditions exist and the elevation at which they occur. Appropriate actions to be taken will be determined during construction by a licensed professional soils engineer.

7. The site is wooded. Existing trees will remain as possible. Reforestation will occur as required by the Baltimore County Forest Conservation Act.

8. Stormwater management for the western portion of the site will be provided for quality and quantity in one new above ground facility as shown on the plan. The proposed facility for the adjacent "Pleasant Walk" development will be sized to accommodate additional run-off generated by development of the eastern portion of the site.

9. Existing streams, springs, bodies of water and their associated 100 year floodplains on this property have been field located and are shown with their required forest buffers.

10. FCE/FBE Easement Notes

+ Standard Nondisturbance Note

The limits of Forest Conservation (FCE) and Forest Buffer Easements (FBE) are as shown on the plan. There will be no clearing, grading, construction or disturbance of vegetation in the FCE or FBE except as permitted by the Baltimore County DEPRM.

+ Protective Covenants Note

Any FBE or FCE 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.

+ FBE/FCE Access Note

Access to FBE/FCE will be from Reisterstown Road.

11. No existing buildings are historic. All existing buildings will be razed.

12. Ownership: Ursa Horst
21 Walk Avenue
Owings Mills, MD 21117

Palisades Const. Corp./Contractee: Eql. Corp.
3330 Washington Boulevard
Arlington, VA 22201

Deed References: 4292/017, 5887/672

4873/108, 4361/040, 4361/046, 6649/792, 7225/325, 7264/847, 7301/195

Tax Account Numbers: 04-08-068[illegible], 17-00-007701

04-16-0[illegible]0, 20-00-011342, 04-20-067141, 04-01-0[illegible]0, 04-18-030172, 14-19-072526, 04-20-067140

13. Average Daily Trips:

101 Townhouses @ 8.5/Unit = 858.5 ADT's
32 Single Family @ 10/Unit = 320.0 ADT's
Total = 1,178.5 ADT's

14. There are no known significant geologic formations, critical areas, archeological sites, endangered species habitats, underground tanks or hazardous materials on the site.

15. Elementary School District: Owings Mills
School Capacity: 598
1994 Enrollment: 692
Estimated Pupil Yield: 34

16. Listing of Requested Zoning and Standards Relief

a. Modification of Zoning Standards

(1) CMDP, Part II, p. 21, to allow a maximum building length of seven units in lieu of allowed six units per CMDP Part II, p. 22., Buildings C3, C4, A2, B5

b. Zoning Modification

(1) CMDP, Part II, p. 21, to allow as many as 13 parking spaces to occur without a landscape peninsula separation in lieu of allowed 10 spaces.

c. Environmental Standards Variance

Variance of standards have been approved on lots 4,7,8,14, 15 and 16 to allow homes within the 35-foot Forest Buffer Setback; lots 5, 6, 7 and 13 to allow grading within the Forest Buffer Easement; and lots 8-12, SWM area, 3 sanitary sewer connections and Gwynnswood Road to allow grading and construction to occur within the Forest Buffer Easement

17. Zoning History

a. Special Exception Case #3493-S to erect a sign was denied on April 25, 1955.

b. Zoning Reclassification Case #64-65R to change zoning from R10 to RA was granted March 9, 1964.

c. Zoning Reclassification Case #71-110R to change zoning from R10 to RA was denied on April 8, 1971.

d. Zoning Reclassification Case #72-73R - change in zoning from DR 3.5 to DR 10.5 was granted December 30, 1971.

e. ZONING CASE 01-141-A IN 19 BRIGHT SKY CT. NOVEMBER 13TH 2000. VARIANCE GRANTED TO PERMIT A 24' DISTANCE BETWEEN BUILDING FACES IN LIEU OF 30' AND A SPECIAL HEARING GRANTED TO AMEND THE FDP, SUBJECT TO THE 30 DAY APPEAL PERIOD.

18. Unresolved community concerns raised at the C.I.M. held February 1, 1995, are as follows:

a. Traffic congestion along Reisterstown Road
b. Connection and improvements to Walk Avenue
c. Location of entry road across from Gentlebrook Rd. and provision of signal
d. Retention of vegetation along stream buffers and along Reisterstown Road

19. Data Sources

a. Summer Woods topographic survey prepared by Daft-McCune-Walker, Inc., December, 1994.
- existing on-site topography, utilities, building locations, and curb lines

b. Property boundary and rights of way prepared by Daft-McCune-Walker, Inc., October, 1994.

FDP Notes

1. Setbacks - Single Family
Front Bldg. to Str. R/W 25'
Rear Bldg. to PL 30'
Side Bldg. to Str. R/W 15'
Side Bldg. to Tract 15'
Side Bldg. to Side Bldg. 20' (>20' high)

Setbacks - Townhouses
Front Bldg. to Str. R/W
Non-garage units perpendicular parking 13'
Side Bldg. to Side Bldg. 25'
Side Bldg. to Public Street R/W 25'
Rear Bldg. to Rear PL 30'
Rear Bldg. to Public Str. R/W 45'
Any Bldg. Face to Tract Boundary 30'

Setbacks adj. to Reisterstown Rd. should be increased by 20 additional feet.

2. Private Space Factor (for group dwellings only). When open land is sold and belongs to the dwelling unit, a minimum area (contiguous) of 500 sq. ft. is required. The minimum depth of this contiguous area is 15'. Covered areas such as porches cannot be calculated in this space.

3. Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.)

4. Accessory structures, fences and projections into yard cannot be located in flood plain areas or hydric soils.

5. This development plan is approved by the Dir. of PDM based on his interpretation of the Zoning Regulations, 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. The exact location of curb cuts for driveway or parking pad entrances is to be determined by owner when exact building models become available but prior to installation of street curbs.

7. If drainage, utility and walkway easements are fenced, then at least 5 feet must remain open for pedestrian access.

If townhouses are built near to or on the 500 sq. foot envelope line, on-grade decks will require a zoning variance (public hearing) if they project more than 4' x 10' and extend into the required 500 sq. foot open yard space. Walk-outs or second level decks are permitted to extend into the required yard space if they remain open underneath. See policy S-11.C.3.d.

8. A landscape plan must be approved by the Dept. of Public Works prior to the issuance of a building permit.

9. Trash will be collected by Baltimore County at curb.

LEGEND

- Existing Contour
- Proposed Contour
- Existing Utility
- Proposed Utility
- Limit of Soils
- Limit of Wetlands
- Limit of Forest Buffer
- Limit of 100 Year Flood Plain
- Existing Tree Line
- Proposed Tree Line to Remain
- Orientation of Building
- Centerline of Stream
- Limit of Disturbance

I, DAVID E. ALTFELD, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

Signed 3-8-95 Date

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 10th day of May, 1995 that the development plan for Summer Woods, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, contingent upon the following:

1) The Owner/Developer shall install Leyland Cypress Trees, approximately 5 to 6 feet in height, at 5-foot intervals along their property line adjacent to the Borgesen property line behind Buildings D5 and D6 as those buildings are depicted on Developer's Exhibit 1. The planting of these trees shall commence at the westernmost property line of the end townhouse unit in Building D6 and run along the utility easement adjoining the property line and terminate on the easternmost property line of the end unit of Building D5. The trees shall be installed prior to the occupancy of these townhouse units by any residents.

IT IS FURTHER ORDERED that the approval of this Development Plan is contingent upon DEPRM approving the following: 1) the requested variance to forest buffer requirements; 2) the Forest Conservation Plan; 3) the Alternative Analysis Plan; and, 4) the Forest Retention Investigation Report. These approvals must be made within fifteen (15) days of the date of this Order.

IT IS FURTHER ORDERED that in the event the State Highway Administration (SHA) determines that a traffic light is necessary at the intersection of Gentle Brook Road and Reisterstown Road, the Developer will not be responsible for contributing to the cost of installing same.

IT IS FURTHER ORDERED that this Developer shall not be required to install a T-turnaround on their property at the end of Pleasant Ridge Road. The Developer may, at the discretion of the Department of Public Works, be required to install signage or a barricade at the dead-end of Pleasant Ridge Road to clearly mark the fact that the road does not continue on to their property.

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

TMK:bjs

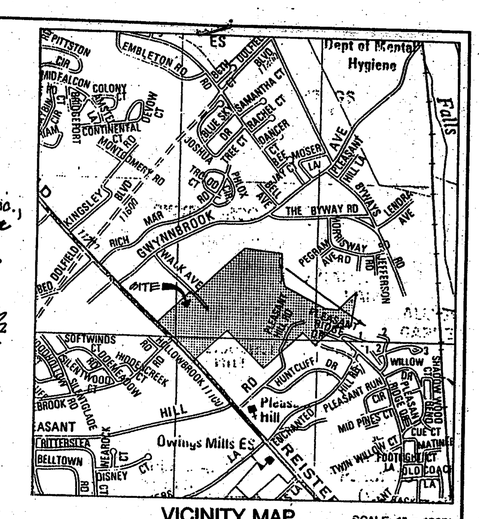
Δ REASON FOR FIRST AMENDMENT

REVISE LOCATION OF THE TOT LOT FROM THE OPEN SPACE ADJACENT TO LOT 108 TO THE OPEN SPACE LOT BETWEEN BUILDINGS B.1 & B.5.

I, MATHEW ETNER, COMANCO, INC., AGENT FOR SUMMERWOODS TOWNHOUSE HOMEOWNERS ASSOCIATION, INC. AM SIGNING OFF FOR ALL HOMEOWNERS WITHIN 300' OF THE REVISION.

MATHEW ETNER 9 JAN 03 DATE

DRC # 082602B



VICINITY MAP SCALE: 1" = 1000'

Copyright ADC The Map People Permitted Use No. 20093233

APPROVED BY:

DIRECTOR OF PLANNING DATE

DIRECTOR OF P.D.M. DATE

3/08/95

DMW
Daft · McCune · Walker, Inc.
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals
200 East Pennsylvania Avenue, Towson, Maryland 21286, 410 296 3333, Fax 296 4705
FIRST AMENDED

DEVELOPMENT PLAN/
FINAL DEVELOPMENT PLAN
SUMMER WOODS
PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

5-18-95 J. Marcus
DATE PROJECT MANAGER
PDM NO. IV-475

4th Election District Balt. County, MD 3rd Council District

RECEIVED FEB 26 DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

This Plan is Approved and Certified as being in accordance with all agency comments.

DATE	BY	REVISIONS
MARCH 20, 1995	MEP	ADD ZADM NO., FDP NOTES
MAY 5, 1995	MST	CO. COMMENTS
MAY 16, 1995	DGT	ADDED ORDER
AUGUST 16, 2002	MJK	SPECIAL HEARING REVISIONS

Scale: 1" = 50'

Project No: 94097

1 of 2

Computed: Drawn: dew Checked:

Fn: 94097 D.L.: SURFACE3

#99

Ex. Single-Family Residential

Sparse Woods

Pasture

Charles E. & Rita M. Jones
7197/277
0404050970

William J. and Hilda L. Gunter
3842/102
04 01 060140

William L. Ford and Mary Elizabeth Snodgrass
10612/684
04 06 048760

Claus Peter Thode
5133/712
04 20 045244

Henry R. and Mary E. Earhart
2421/171

Frederick J. and Michelley Burgesen
9634/526
22 00 015422

Frederick J. and Michelley Burgesen
9496/623

Enchanted Hills Apartments
c/o Pulaski Wynnesser
7657/621

Ex. Apartment Community

109 Limited Partnership
7053/245,248

A 6 11 Limited Partnership
8219/31
8201/281

Baltimore County, MD
8372/813

WALK AVENUE

FUTURE R/W 50'

N 47°16'31" E 965.79'

S 68°48'29" E 425.31'

S 24°32'40" E 222.38'

S 55°09'03" E 448.50'

S 45°11'50" W 550.26'

N 45°11'50" E 473.86'

S 45°11'50" W 463.84'

S 84°48'32" W 263.36'

S 10°38'37" W 336.55'

S 09°47'42" W 132.58'

S 43°06'52" E 81.76'

N 43°15'05" W 670.45'

S 43°15'05" E 242.10'

S 45°11'50" W 25.01'

N 43°39'47" W 200.10'

EX. POND

LIMIT OF 100 YEAR FLOOD PLAIN

LIMIT OF DISTURBANCE

LIMIT OF FOREST BUFFER/ FOREST CONSERVATION EASEMENT

LOCAL OPEN SPACE 4.85 AC±

LOCAL OPEN SPACE 16.90 AC±

LOCAL OPEN SPACE 16.90 AC±

LIMIT OF WETLANDS TYPICAL

LIMIT OF WETLANDS

PROPOSED SWM POND

EX. 10' D & U EASEMENT

EX. 20' D & U EASEMENT

EX. 10' DRAINAGE AND UTILITY EASEMENT

ROACHES RUN

PLEASANT RIDGE DRIVE

BLDG D1 6 UNITS

BLDG D2 6 UNITS

BLDG D3 6 UNITS

BLDG D4 6 UNITS

BLDG D5 6 UNITS

BLDG D6 6 UNITS

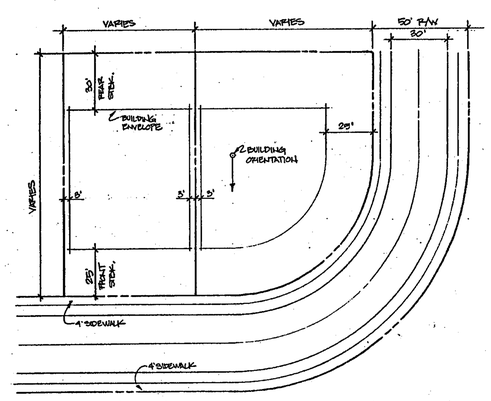
TOT LOT

FUTURE 50' R/W

EX. DWELLING

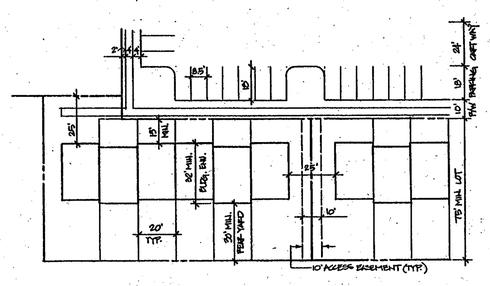
EX. APARTMENTS

MATCH LINE SHEET 1 OF 2



TYPICAL LOT LAYOUT
NOT TO SCALE

TYPICAL BUILDING ENVELOPES SHOWN ON THESE LOTS DICTATE A SPECIFIC ORIENTATION WHICH ALLOWS COMPLIANCE WITH BCZR. SHOULD THE ORIENTATION CHANGE, THE SETBACKS REQUIRED BY SECTION 1B01.2.C.1.b MUST BE MET.



TYPICAL TOWNHOUSE LAYOUT
NOT TO SCALE

3/08/95

DMW
Daft · McCune · Walker, Inc.
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals
200 East Pennsylvania Avenue
Towson, Maryland 21286
410 296 3333
Fax 296 4705

FIRST AMENDED

DEVELOPMENT PLAN/ FINAL DEVELOPMENT PLAN
SUMMER WOODS

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

PDM NO. IV-475

4th Election District — Balt. County, MD — 3rd Council District

STATE OF MARYLAND — THOMAS R. SCHULTZ — No. 25 — PROFESSIONAL ENGINEER

This Plan is Certified as being in accordance with all agency comments.

DATE	BY	REVISIONS
MARCH 20, 1995	MEP	ADD ZADM NO., POP NOTES
MAY 5, 1995	TTC	CA COMMENTS
MAY 16, 1995	MSF	ADDED ORDER
AUGUST 6, 2003	MTK	SPECIAL HEARING REVISION

APPROVED BY:

DIRECTOR OF PLANNING — DATE

DIRECTOR OF P.D.M. — DATE

Scale: 1" = 50'

Project No: 94097

2 of 2

Computed: | Drawn: dsw | Checked:

Fn: 94097 D.L.: SURFACE2