IN RE: PETITION FOR SPECIAL HEARING

S/S Cedar Grove Road, across from

Arden Valley Court; N/S Cold Bottom Road

(Buffalo Run & Buffalo Run, II)

5th Election District 3rd Council District

Buffalo Run, LLC, Legal Owner

Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 05-108-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 owner of the subject property, Buffalo Run, LLC, through Katharine M. Voss. The Petitioner requests a special hearing to approve the reconfiguration of five existing contiguous parcels zoned R.C.2 and owned by Buffalo Run, LLC and Buffalo Run II, LLC, Maryland limited liability companies (referred to collectively as (**Buffalo**). The subject property and requested relief are more particularly described on the two-page, red-lined site plan which was submitted into evidence and marked as Petitioner's Exhibits 1 and 2.

The record in this case reflects that the subject property was properly posted and advertised as required by the *Baltimore County Zoning Regulations* (BCZR). Pursuant to Section 500.7 of the B.C.Z.R., the Petitioner has requested approval to reconfigure certain lot lines of five (5) existing contiguous parcels/lots of record as defined in Section 101 thereof.

Appearing at the public hearing in support of the request were Ms. Katherine Voss, an authorized member of Buffalo; G. Dwight Little, Professional Engineer and Chris McMahon of Little and Associates, Inc., the consultants who prepared the site plan; and, Howard L. Alderman, Jr., Esquire. Also appearing was Wallace S. Lippincott, Jr. a representative of the Baltimore County

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Department of Environmental Protection and Resource Management (DEPRM). Mark Watson, a neighbor, was in attendance prior to the commencement of the hearing, however, after reviewing the relief requested and discussing that relief with representatives of the Petitioner and Mr. Lippincott, Mr. Watson left the hearing room. There were no Protestants or other interested parties present.

The proffered testimony indicated that the subject property is comprised of five separate contiguous parcels of record located on the north side of Cold Bottom Road, west and south of Cedar Grove Road in northern Baltimore County. The property contains a combined gross area of 343.74 acres, more or less, zoned R.C.2 and is in active agricultural use. Parcels 227, 34, 280 and 343 are owned by Buffalo Run, LLC, and Parcel 344 is owned by Buffalo Run, II, LLC. The redline plat submitted into evidence as Petitioner's Exhibits 1 and 2 reflects the results of an in-field boundary survey and more fully describes each of the parcels, its size, zoning and agricultural preservation status (present and future). As noted above, the Petitioner proposes a reconfiguration of the parcels as more fully described below.

Parcel No. 344 presently contains approximately 165 acres in area and is part of an Agricultural Preservation Easement Program. This Parcel is improved with a single-family dwelling and numerous outbuildings accessory to the farming activities conducted thereon. The Petitioners propose to remove, initially, approximately 16 acres from this Parcel and the Agricultural Preservation Easement Program and combine the removed acreage with adjoining Parcel 343. The Baltimore County Agricultural Advisory Board has recommended to the Maryland Agricultural Land Preservation Foundation (MALPF) the approval of the removal of the acreage from the Agricultural Easement as proposed by the Petitioner. Mr. Lippincott advised at the hearing that the MALPF would not make a final decision on the modification to the easement until a decision had been

rendered in this case, but that MALPF generally relies heavily on the recommendation of the local Agricultural Preservation Boards. The lot density of Parcel No. 344 is governed by the Agricultural Preservation Easement.

Parcel No. 343, which is to the east of Parcel 344, presently contains approximately 13.5 acres in area and with the proposed addition of approximately 16 acres from Parcel 344 would be nearly 30 acres in size. The proffered testimony is that the 16 acres to be added to Parcel 343 from Parcel 344 would be subject to a separate, permanent Agricultural Easement (either State or County). In this regard, Parcel 343 presently has density for one (1) dwelling lot and that density would remain, with any home to be constructed outside of the easement area. Mr. Lippincott indicated that the property further to the east, owned by Dr. Melvin Duckett (shown on Petitioner's Exhibit 1 as the Boyce Property) is under a County/Federal agricultural/scenic easement. Mr. Lippincott's comments, dated October 13, 2004, and the drawing attached thereto which are a part of the record in this case indicate that if the requested relief is approved, a permanent preservation easement must be imposed to prevent any home from being constructed on the transferred acreage.

Parcel No. 280, is presently comprised of approximately 38.5 acres; however, the Petitioner proposes transferring approximately 19 acres from Parcel 280 to Parcel 344. The reduction in area would not alter the existing density on Parcel 280 for one (1) dwelling lot. Likewise, the land area to be combined with Parcel 344 would be subject to a permanent Agricultural Preservation Easement.

Parcel No. 34, which presently has density for one dwelling (1) lot is comprised of approximately 105 acres. The Petitioner proposes to reduce the size of this parcel to 6 acres and to add the removed acreage to adjoining Parcels 227 and 344. Specifically, approximately 36.5 acres

ORDER RECEIVED FOR FILLING
By

are to be combined with adjoining Parcel No. 227 (discussed below) with the remaining acreage to be combined with Parcel No. 344 and protected by a permanent Agricultural Preservation Easement.

Parcel No. 227 is presently comprised of approximately 19.5 acres and has existing density for two dwelling (2) lots. The request approval to add just over 36 acres from Parcel No. 34 as set forth above resulting in a single parcel of approximately 56 acres. The existing lot density will not be affected by this combination.

The proffered testimony indicated that each of the reconfigured parcels as proposed would have direct frontage on a public roadway. None of the existing lot density of the parcels would be affected by the proposed relief. Moreover, the proposed parcel reconfiguration will result in approximately 82 additional acres being subjected to a permanent Agricultural Preservation Easement. The existing configuration and size of each of the Parcels and the proposed reconfiguration and size of each Parcel are more particularly shown on Petitioner's Exhibit 2. As an aid to this Zoning Commissioner, Mr. Alderman introduced as Petitioner's Exhibit 3 a tabular chart depicting each Parcel of record, its acreage and lot density associated therewith and the approximate acreage for each Parcel after the requested reconfiguration.

Mr. Little's proffered testimony was that he was familiar with the subject property, the adjoining properties and the area of the County in which the property is located. Numerous meetings and discussions have occurred with DEPRM, particularly Mr. Lippincott, and the two Agricultural Preservation entities. Testimony indicated that the granting of the requested relief would not be detrimental to the health, safety, or general welfare of the community or tend to create congestion in roads, streets, or alleys. Each of the reconfigured Parcels will have direct frontage on a public roadway and will not create any danger or overcrowd the land. Moreover, the existing density will

not be affected and each of the reconfigured parcels will be large enough to support the available density. Lastly, the requested relief will not cause an increase or concentration in population.

It was evident from the proffered testimony that the relief requested will not be detrimental to the environment or natural resources of the County. The additional acreage to be protected permanently will promote agricultural activities. Moreover, the additional, protected acreage will enhance the already protected acreage on adjoining, off-site properties. The proffered testimony was that there would be no negative impact from the proposed reconfiguration on any public facilities or improvements and that the requested relief was consistent with the property's RC-2 zoning and the spirit and intent of the BCZR.

Based upon the proffered testimony and exhibits entered in the record, it is clear that the proposed reconfiguration of the existing parcels/lots of record should be approved, provided that certain conditions are imposed. As noted above, Mr. Lippincott has been involved in discussions regarding the subject property, submitted Zoning Advisory Committee comments regarding this proposal, and attended the public hearing on this request. It is also to be noted that Mr. Lippincott coordinates the efforts of the County and landowners to ensure that agricultural resources are protected. In this regard, Mr. Lippincott has recommended approval of the requested relief subject to very specific conditions.

Having considered the proffered testimony and evidence offered at the time of the public hearing and having reviewed the documentary evidence and written comments received from the reviewing agencies, I will approve the request, subject to the conditions enumerated below.

THE THOUSE

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this day of October, 2004, that the Petition for Special Hearing to approve the reconfiguration of

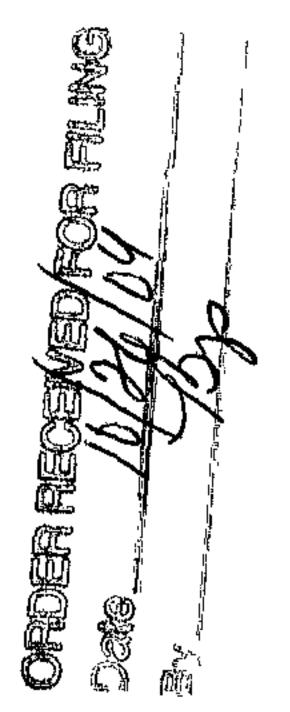
five existing contiguous parcels zoned R.C.2, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restrictions:

- Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty day Appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- The acreage being transferred from Parcel 344 to Parcel 343 is to be placed in a permanent conservation easement with the restriction that no dwelling is to be located in the area being transferred, consistent with the comments of Mr. Lippincott, dated October 13, 2004 and the drawing attached thereto.
- Any future development of the subject property shall comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120, *Baltimore County Code*, 2003 Edition [Sections 14-331 through 350, 1978 Edition]).
- Any future development of the subject property shall comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122, *Baltimore County Code*, 2003 Edition [Sections 14-401 through 422, 1978 Edition]).

When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order,

WJW:bjs

Zoning Commissioner for Baltimore County



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 William J. Wiseman III, Zoning Commissioner

October 26, 2004

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

RE: PETITION FOR SPECIAL HEARING

N/S Cold Bottom Road, 800' W of the c/l Cedar Grove Road & S/S Cedar Grove Road

(Buffalo Run & Buffalo Run II)

5th Election District – 3rd Council District

Buffalo Run, LLC - Petitioner

Case No. 05-108-SPH

Dear Mr. Alderman:

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,

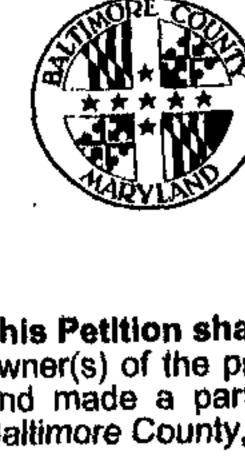
WILLIAM J. WISEMAN, III Zoning Commissioner

for Baltimore County

WJW:bjs

cc: Ms. Katharine Voss, Buffalo Run, LLC
1975 McKendree Road, West Friendship, Md. 21794
Messrs. Dwight Little & Chris McMahon, Little & Associates
1055 Taylor Avenue, Suite 307, Towson, Md. 21286
Mr. Wally Lippincott, DEPRM; People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

COLD BOTTOM RD. WEST

for the property located at OF CEDAR GROVE RD.

Legal Owner(s):

which is presently zoned R.C.-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 The France County.

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 Baitimore County adopted pursuant to the zoning law for Baitimore 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:

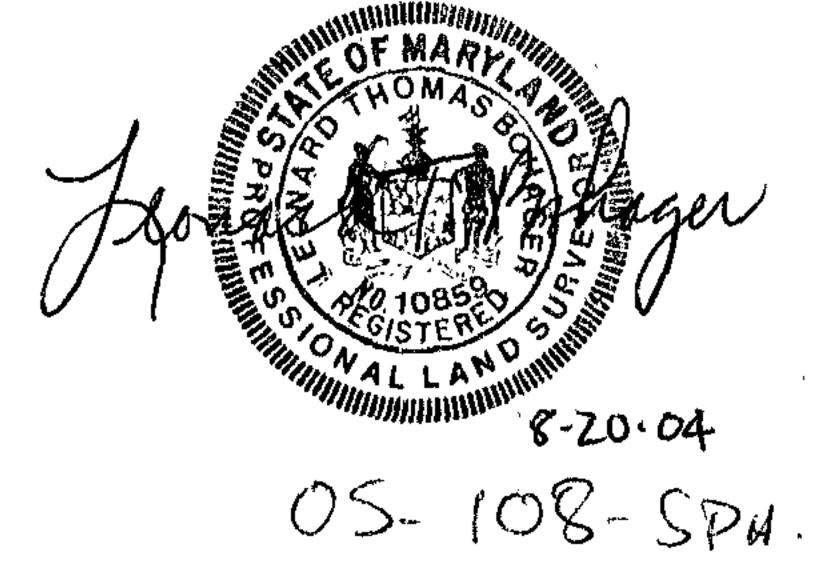
			BUFFALO RUN, LLC -	KATHARIN	IE M. VOSS
lame - Type or Print		Name	- Type or Print	e M	V000
Ignature			Signature		
ddress		Telephone No.	Name - Type or Print	· <u></u>	,
City	State	Zip Code	Signature		<u> </u>
Attorney For Petitioner:			1975 MCKENDREE ROA	<u>D</u> 4	110-442-9918 Telephone No.
TO BE DETERMINED				D	21794
Vame - Type or Print	<u>,</u>	City	Sta	te	Zip Code
			Representative to be C	ontacted:	
Signature			DWIGHT LITTLE C/O LI	TTLE & A	SSOCIATES INC.
Company	<u></u>		Name 1055 TAYLOR AVE. SU	JITE 307	410-296-1636
Address		Telephone No.	Address	······································	Telephone No.
			TOWSON	GM	21286_
City	State	Zip Code	City	State	Zip Code
			OFFICE USE	ONLY	
		-	ESTIMATED LENGTH OF HEARI	N C	
Com No (75-108	SPU		UNIAVATILABLE FOR HEARING		

CHOSEN REGISTRES

REV 9/15/98



Beginning at a point on the south side of Cedar Grove Road, which is proposed to be 60 feet wide, at the distance of 420 feet southeast from the centerline of the nearest improved intersecting street, Arden Valley Court, which is 50 feet wide; thence (1) South 12 degrees 19 minutes 50 seconds West 175.84 feet; (2) South 13 degrees 04 minutes 50 seconds East 398.06 feet; (3) North 78 degrees 18 minutes 00 seconds East 145.40 feet; (4) North 38 degrees 16 minutes 00 seconds East 304.72 feet; (5) South 54 degrees 27 minutes 30 seconds East 189.72 feet; (6) South 50 degrees 14 minutes 00 seconds East 382.00 feet; (7) South 66 degrees 04 minutes 35 seconds East 200.25 feet; (8) South 15 degrees 37 minutes 38 seconds East 1542.62 feet; (9) South 72 degrees 09 minutes 15 seconds East 252.47 feet; (10) South 08 degrees 10 minutes 45 seconds West 982.23 feet; (11) North 76 degrees 15 minutes 00 seconds West 136.32 feet; (12) North 81 degrees 14 minutes 00 seconds West 1806.75 feet; (13) South 32 degree 32 minutes 19 seconds West 553.44 feet; (14) South 86 degrees 23 minutes 30 seconds West 380.50 feet; (15) South 17 degrees 33 minutes 18 seconds East 21.26 feet; (16) South 57 degrees 50 minutes 00 seconds West 210.52 feet; (17) South 85 degrees 34 minutes 00 seconds West 377.85 feet; (18) North 86 degrees 52 minutes 06 seconds West 415.80 feet; (19) North 86 degrees 01 minutes 19 seconds West 594.00 feet; (20) North 06 degrees 07 minutes 00 seconds East 359.91 feet; (21) North 82 degrees 44 minutes 48 seconds West 277.22 feet; (22) North 26 degrees 19 minutes 24 seconds West 529.95 feet; (23) North 10 degrees 00 minutes 29 seconds West 172.63 feet; (24) North 75 degrees 04 minutes 07 seconds East 77.62 feet; (25) North 12 degrees 31 minutes 44 seconds West 829.76 feet; (26) South 74 degrees 44 minutes 42 seconds West 57.01 feet; (27) North 07 degrees 02 minutes 42 seconds East 950.00 feet; (28) North 50 degrees 01 minutes 52 seconds East 252.46 feet; (29) North 08 degrees 24 minutes 19 seconds East 299.09 feet; (30) North 27 degrees 00 minutes 20 seconds West 320.11 feet; (31) North 68 degrees 18 minutes 00 seconds East 779.63 feet; (32) North 25 degrees 15 minutes 00 seconds West 1031.50 feet; (33) North 16 degrees 29 minutes 00 seconds West 20.63 feet; (34) North 84 degrees 26 minutes 00 seconds East 40.76 feet; (35) South 16 degrees 29 minutes 00 seconds East 9.96 feet; (36) South 25 degrees 15 minutes 00 seconds East 1030.82 feet; (37) North 68 degrees 18 minutes 00 seconds East 788.60 feet; (38) North 70 degrees 52 minutes 18 seconds East 46.77 feet; (39) South 11 degrees 42 minutes 00 seconds East 426.85 feet; (40) North 69 degrees 58 minutes 46 seconds East 877.71 feet; (41) South 51 degrees 55 minutes 26 seconds East 793.29 feet to the place of beginning. Being all of that land recorded in Deed 14647 Folio 427 and Deed 14647 Folio 459 containing 343.74 acres. Also known as 16424 Cedar Grove Road, Cedar Grove Road and 1140 Cold Bottom Road and located in the 5th Election District, 3rd Councilmanic District.



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BAITIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIFT			9	
				Marrie CASMER

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! #05-108-SPH
Cold Bottom Road, West of Cedar Grove Road
N/side of Cold Bottom Road, 800 it. w/of Cedar Grove
Road, also s/side of Cedar Grove Road
5th Election District - 3rd Councilmanic District
Legal Owner(s): Buffalo Hun, LLC - Katharine Voss
Special Hearing: to determine whether the Zoning
Commissioner should approve parcel reconfiguration of
Buffalo Run and Buffalo Run il. To permit the change of
R.C.2 zoned parcels to permit 5 new parcels.
Hearing: Tuesday, October 19, 2004 at 10:00 a.m. in
Room 407, County Courts Building, 401 Bosley
Avenue.

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) 887-4388.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

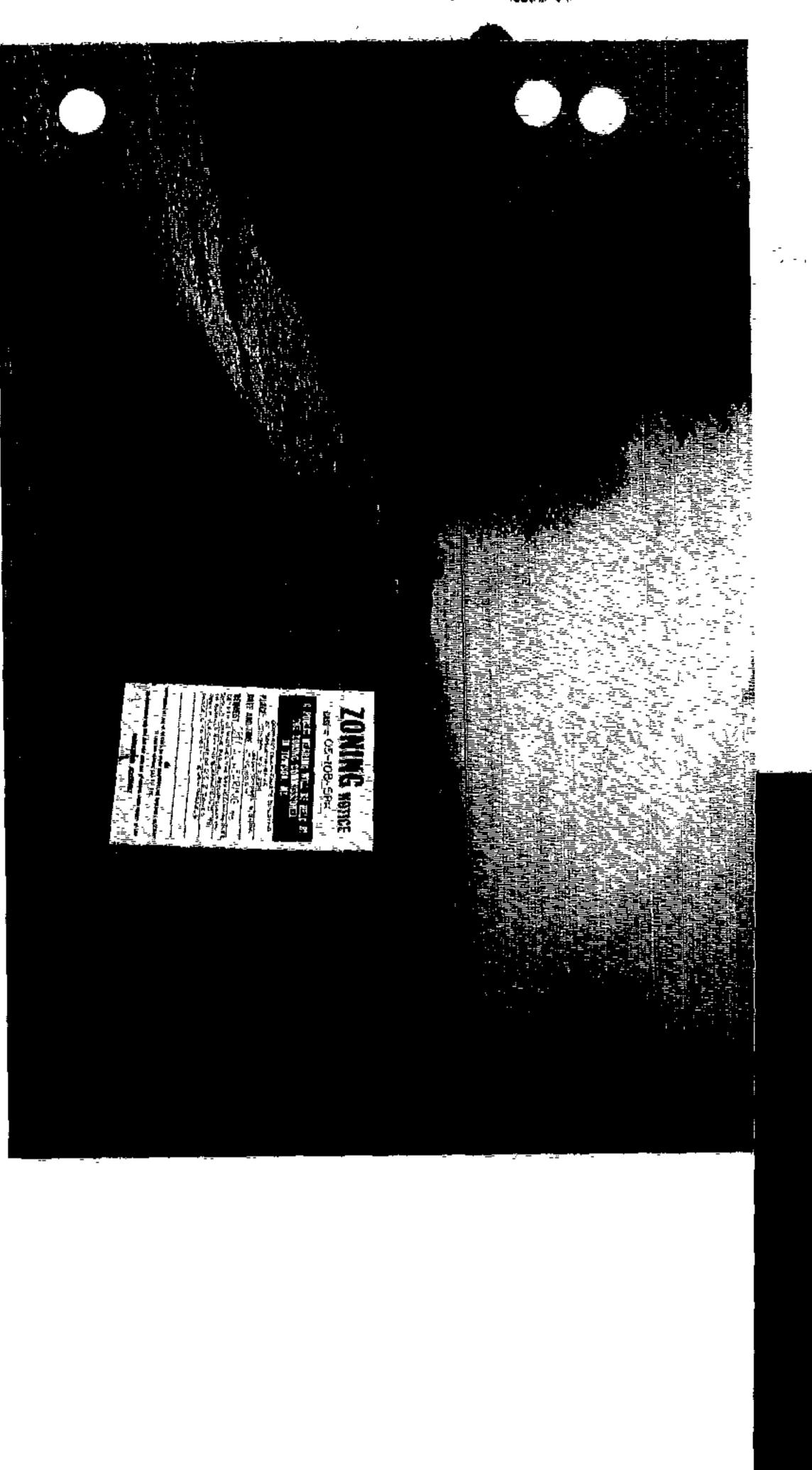
Contact the Zoning Review Office at (410) 887-3391. JT/10/617 Oct. 5

CERTIFICATE OF PUBLICATION

10/7/, 2004
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
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilking

LEGAL ADVERTISING

RE	Case No.: 05-108-5PH
	Petitioner/Developer: BUFFALD BUILLC Date of Hearing/ Closing: OCT. 19, 2004
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Becky Hart	
Ladies and Gentlemen: This letter is to certify under the law were posted conspicuously on the property located a	penalties of perjury that the necessary sign(s) required by LASIDE DE COLOBOTTOM ROAD,
BOOFT. W. OF CEPAR GR	ONG REDIO
· Still Control of the State of the Control of the	A STATE OF THE PARTY OF THE PAR
(Mont)	Day, Year) Sincerely,
	(Signature of Sign Poster and Date) CHARLANDE, MOORE
	(Printed Name) 3225 REPSON CIRCLE (Address)
	TOAUTINIORE, MO. 21227 (City, State, Zip Code)
	(Telephone Number)



J. Va

DEALTO, INTERNATIONAL PROPERTY.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

Item Numi	ber or Case Number: 05-108-574
	BUFFALO RUN, LLC / BUFFALO RUN II, LLC
	r Location: 1140 COLD BOTTOM ROAD & CEDAR GROVE ROAD
PLEASE!	FORWARD ADVERTISING BILL TO:
Name: B	UFFALO RUN, LLC / BUFFALO RUN II, LLC - KATHARINE M. VOSS
	1975 MCKENDREE ROAD
, (0.0	WEST FRIENDSHIP, MD 21794

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 5, 2004 Issue - Jeffersonian

Please forward billing to:

Katharine Voss Buffalo Run, LLC 1975 McKendree Road West Friendship, MD 21794

410-442-9918

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: 05-108-SPH

Cold Bottom Road, West of Cedar Grove Road

N/side of Cold Bottom Road, 800 ft. w/of Cedar Grove Road, also s/side of Cedar Grove Road

5th Election District — 3rd Councilmanic District

Legal Owners: Buffalo Run, LLC — Katharine Voss

Special Hearing to determine whether the Zoning Commissioner should approve parcel reconfiguration of "Buffalo Run and Buffalo Run II. To permit the change of R.C.2 zoned parcels to permit 5 new parcels.

Hearing: Tuesday, October 19, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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 10, 2004

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: 05-108-SPH

Cold Bottom Road, West of Cedar Grove Road

N/side of Cold Bottom Road, 800 ft. w/of Cedar Grove Road, also s/side of Cedar Grove Road

5th Election District – 3rd Councilmanic District

Legal Owners: Buffalo Run, LLC – Katharine Voss

<u>Special Hearing</u> to determine whether the Zoning Commissioner should approve parcel reconfiguration of "Buffalo Run and Buffalo Run II. To permit the change of R.C.2 zoned parcels to permit 5 new parcels.

Hearing: Tuesday, October 19, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Katharine Voss, 1975 McKendree Road, West Friendship 21794 Dwight Little, 1055 Taylor Avenue, Ste. 307, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, OCTOBER 4, 2004.

- (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.

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 14, 2004

Dwight Little Little & Associates 1055 Taylor Avenue, Ste. 307 Towson, Maryland 2286

Dear Mr. Little:

RE: Case Number: 05-108-SPH

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 26, 2004.

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,
U. Call Robert Jan

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Katharine M. Voss, Buffalo Run, LLC. 1975 McKendree Road West Friendship 21794

Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500



Baltimore County

James T Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

September 7, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: September 7, 2004

Item No.:

101-103, 105-111, 113-115

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 410-887-4881 MS-1102F

cc: File

Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

September 14, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: September 13, 2004

Item No.:

108, 116-119, 122-124, 128 & 129

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. 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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 28, 2004

Department of Permits &

Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 20, 2004

Item No. 108

The Bureau of Development Plans Review has reviewed the subject-zoning item.

The ultimate right-of-way for all public roads should be shown.

RWB:CEN:jrb

cc: File

BW,0119 Robert

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr 📆

DATE:

October 6, 2004

RECEIVED

0CT - 6 2004

ZONING COMMISSIONER

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of September 13, 2004

__X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-108

04-117

04-118

04-119

04-121

04-122

04-123

04-124

04-126 04-128

04-129

Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED TO: Tim Kotroco John D. Oltman, Jr 600 FROM: OCT 1 4 2004 DATE: October 14, 2004 ZONING COMMISSIONER SUBJECT: Zoning Item # 05-108 Address Cold Bottom Road (Buffalo Run, LLC Property) Zoning Advisory Committee Meeting of September 13, 2004. The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item: X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code). X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code). Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

See Attachment

Reviewer:

Paul Dennis, Wally Lippincott

Date: October 14, 2004

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Tim Kotroco
FROM:	John D. Oltman, Jr J ⁰⁰
DATE:	September 29, 2004
SUBJECT:	Zoning Item # 05-108 Address Cold-Bottom Road (Buffalo Run, LLC Property)
Zoning	Advisory Committee Meeting of September 13, 2004.
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
·	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
<u>X</u>	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
<u>X</u>	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
····	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
<u>Additi</u>	onal Comments:

Reviewer:

Paul Dennis

Date: September 29, 2004

BU/9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: October 6, 2004

RECEIVED

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

OCT - 8 2004

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-108

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

Prepared By

Division Chief:

MAC/LL

State High Way Administration 8

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 9.13.04

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

RE:

Baltimore County

Item No. 108

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Dear. Ms. Matthews:

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,

1. 1. Gradh

Steven D. Foster, Acting Chief Engineering Access Permits Division

10/19

Roberta Jameson - ZAC Item 05-108-SPH, Buffalo Run, LLC - Cold Bottom Road

From:

John Oltman

To:

Jameson, Roberta; Matthew, Kristen

Date:

10/7/2004 2:56 PM

Subject: ZAC Item 05-108-SPH, Buffalo Run, LLC - Cold Bottom Road

Wally Lippincott, the Agricultural Preservation reviewer for DEPRM approached me today and informed me that he will need to make revised comments regarding the above zoning item. The current comments will stand and will be revised to include Wally's comments as soon as I receive them from him. I will immediately forward the revised comments to your respective offices as soon as I have them.

If you have any questions please feel free to contact me.

Thank You,

John D. Oltman, Jr.
joltman@co.ba.md.us
Baltimore County
Department of Environmental Protection and Resource Management
Natural Resources Specialist

BALTIMORE COUNTY, MARYLAND

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

TO:

Development Coordination DATE: October 13, 2004

FROM:

Wally Lippincott, Jr.

SUBJECT: Buffalo Run -05-108 spH

A significant amount of this property is under a Maryland Agricultural Land Preservation Foundation easement. Reconfiguration and/or subdivision requires approval of the Foundation Board of Trustees. The Board, however, wants to have local zoning approval prior to making it's decision. The proposal to add acres to Map 27 Parcel 343 raises concerns. The adjacent property shown as Boyce is owned by Dr. Melvin Duckett and is under a County/Federal agricultural/scenic easement. The petitioners request to remove acreage from the MALPF easement adjacent to the Duckett property is not supported unless conditions are provided to prohibit construction of a residential structure in this area and a permanent preservation easement is placed on the entire property.

Recommend approval subject to approval of the MALPF and based on the condition that parcel known as MAP47 Parcel 343 is placed in a conservation easement with the restriction that no dwellings be located in the area currently under the MALPF easement (shown on attached drawing).

RE: PETITION FOR SPECIAL HEARING

Cold Bottom Rd, W of Cedar Grove Rd; N/side

of Cold Bottom Rd, 800' W Cedar Grove Rd*

5th Election & 3rd Councilmanic Districts

Legal Owner(s): Buffalo Run, LLC-

Katherine M. Voss

BEFORE THE

ZONING COMMISSIONER

FOR

Petitioner(s)

BALTIMORE COUNTY

05-108-X

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 and documentation filed in the case.

RECEIVED

SEP 27 700M

Per...

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 22nd day of September, 2004, a copy of the foregoing Entry of Appearance was mailed Dwight Little, c/o Little & Associates, Inc, 1055 Taylor Avenue, Suite 305, Towson, Md 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME OS-108 SPH CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEET

E- MAIL				+									
CITY, STATE, ZIP			300 , Jasson MD 21204	FLEWSSAMO (
ADDRESS	+ 455x. , Iwc.	1055 TaylorAve., Su, 4e 307	ashuntan 1	1975MCHELISREE RD									
NAME	DWART LITTE	3	ام	-									

PLEASE PRINT CLEARLY

CASE NAME OS. 108 SPH CASE NUMBER DATE

CITIZEN'S SIGN-IN SHEET

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Case No.: 05-108 SPH

Exhibit Sheet

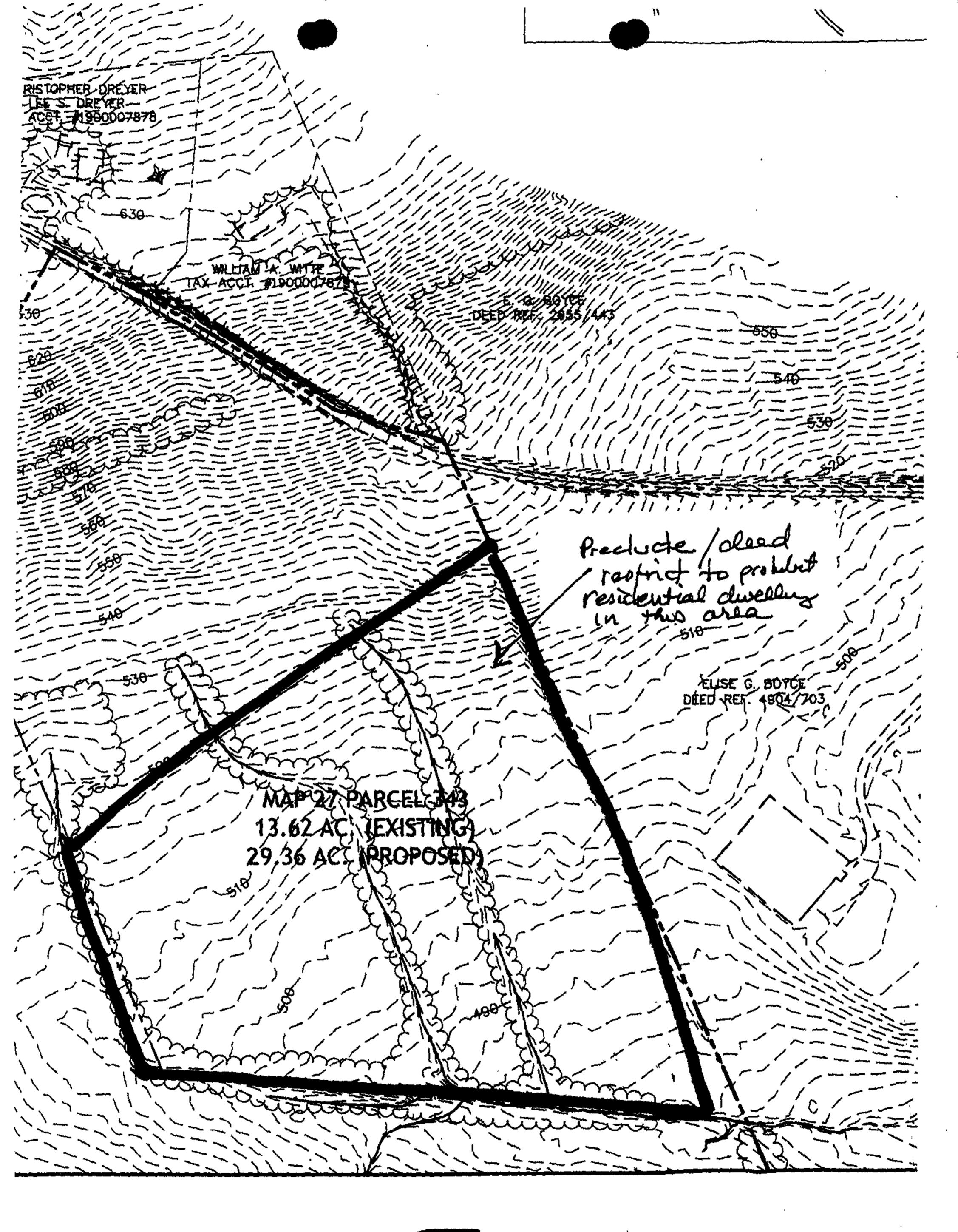
Petitioner/Developer

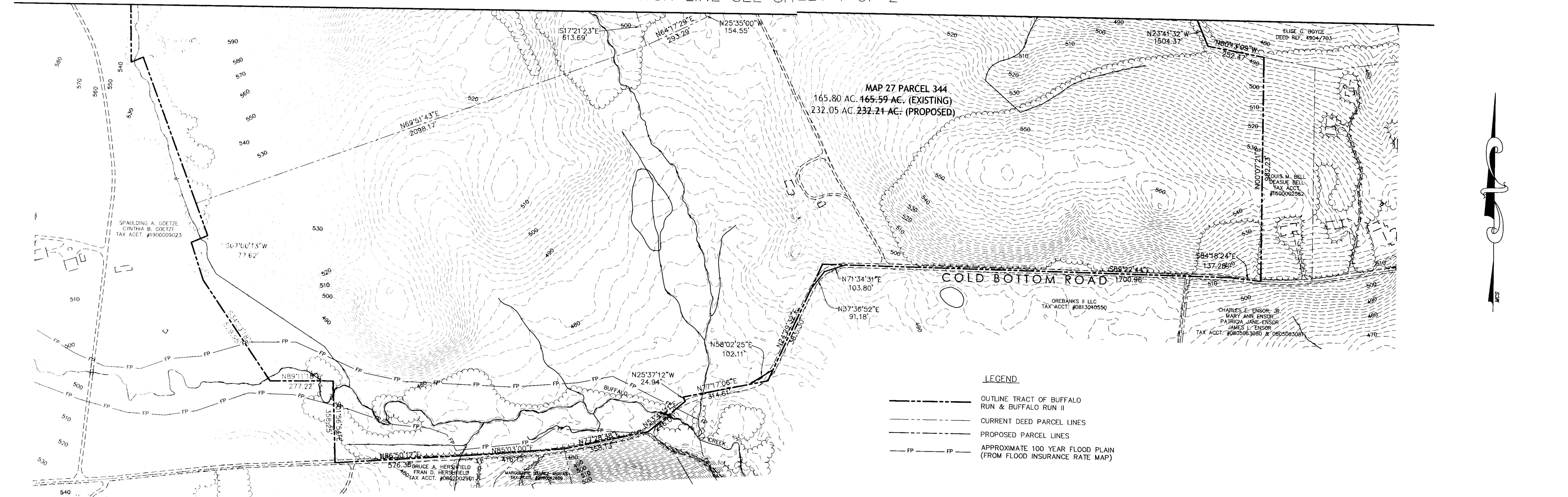
Protestant

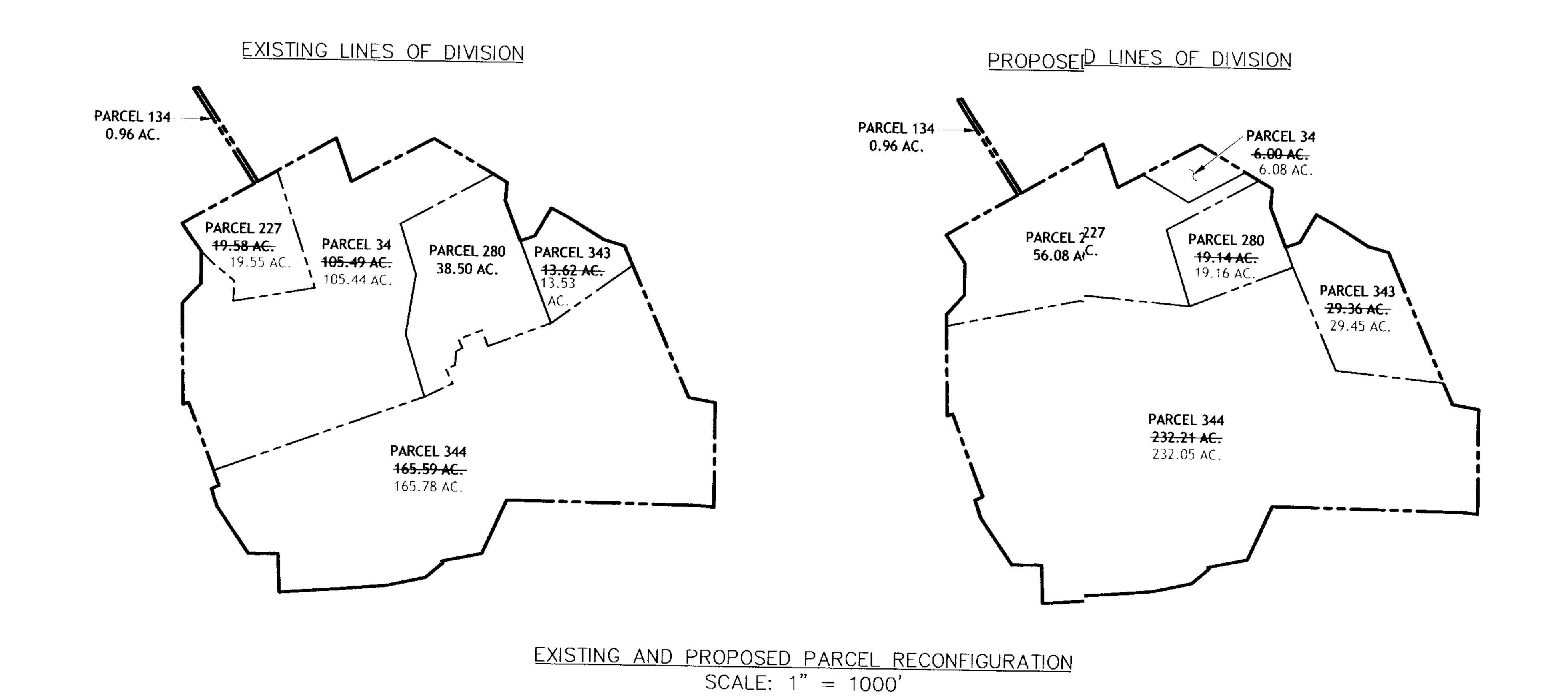
No. 1	SHEET 1012- RED LINE PLAN	
	PLAN	
No. 2	SHEST 2012-Red LINE & Property Existing & Reposes	
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	Parcel 344	Parcel 343	Parcel 280	Parcel 34	Parcel 227
Approximate Existing Acreage	165	13.5	38.5	105	19.5
Approximate Proposed Acreage	232	29.5	19.2	6	56
Lot Density Before & After Reconfiguration	Per Easement	1 Lot	1 Lot	1 Lot	2 Lots









REDLINE AS PRESENTED AT SPECIAL HEARING ON 10-19-04

PLAN TO ACCOMPANY SPECIAL HEARING
SHEET 2 OF 2

BUFFALO RUN AND BUFFALO RUN II


DISTRICT 05C3 SCALE: 1"=200'


BALTIMORE COUNTY, MD AUGUST 24, 2004

LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS

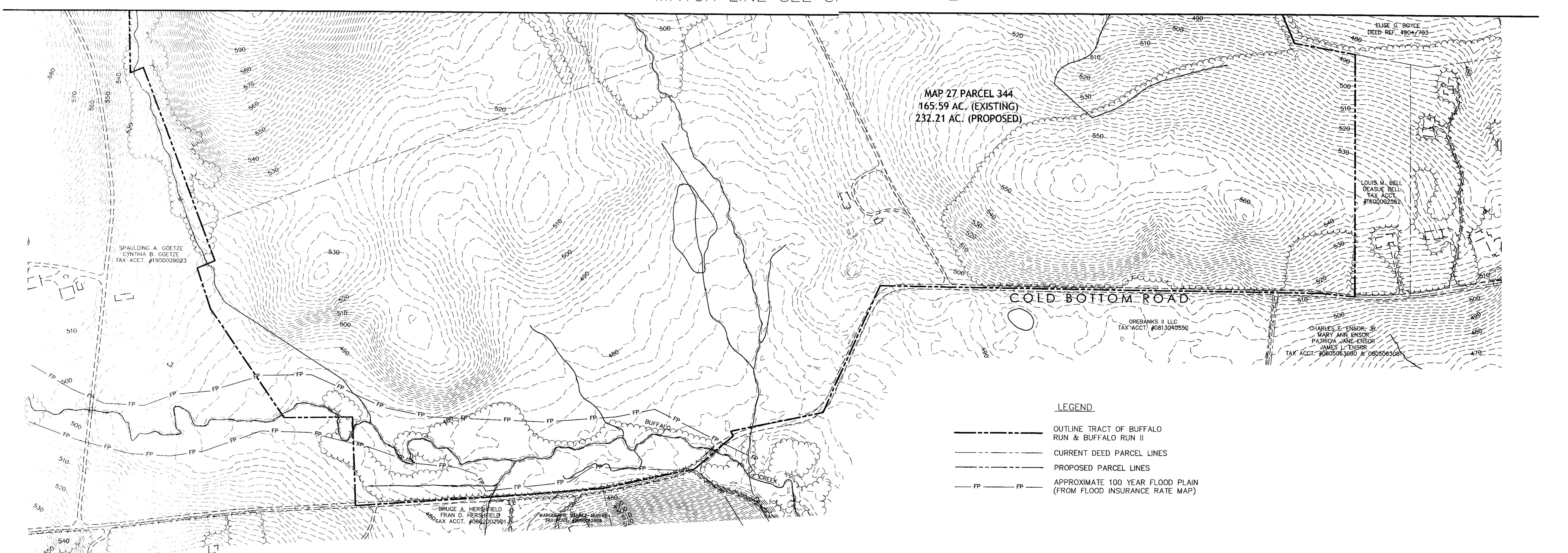
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

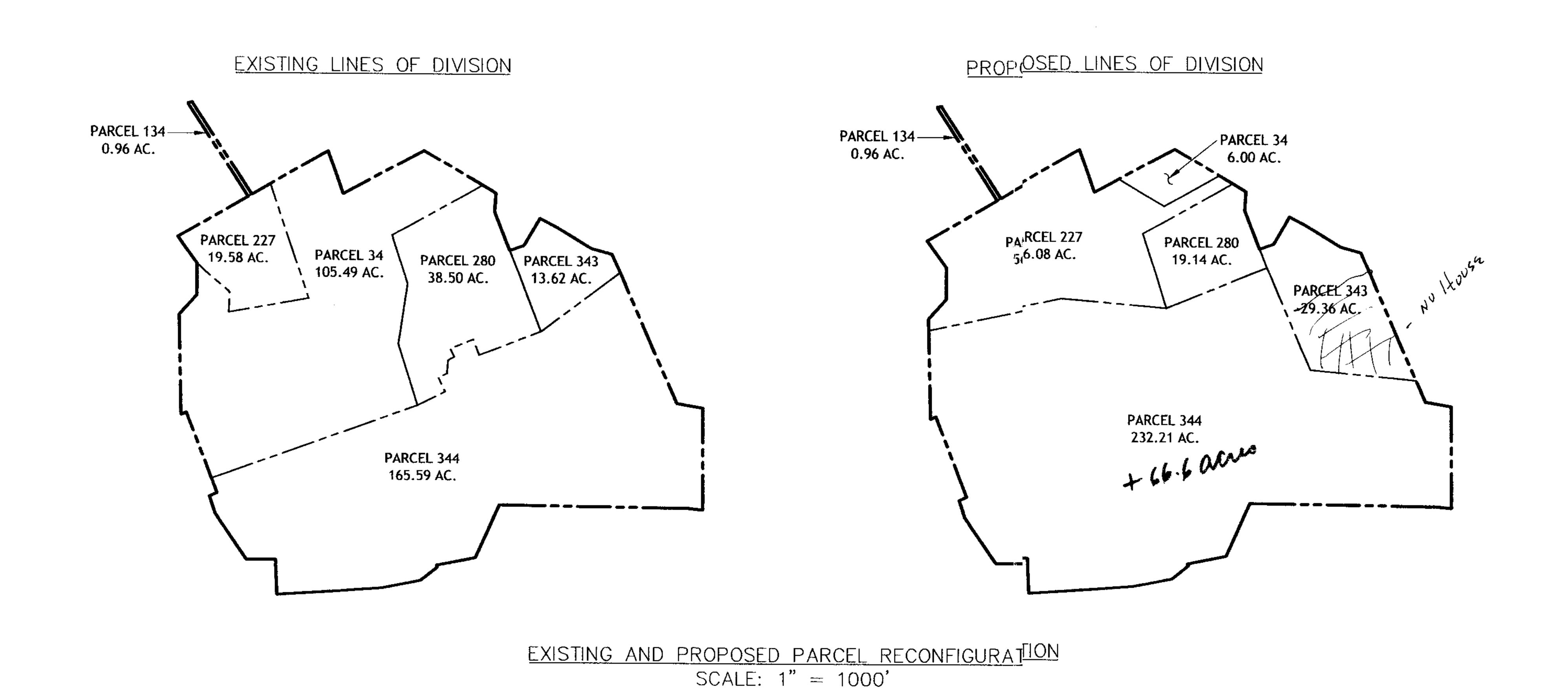
ROJECTS\BUFFALO RUN\dwg\PLAN TO ACCOMPANY ZONING HEARING 2 OF 2 10-18-04.dwg, 10/18/2004 4:04:57 PM, DesignJet 500+HPGL2 (C7770B) COLOR.pc3, User1309, 1:200





MATCH LINE SEE SHEET 1 OF 2





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PLAN TO ACCOMPANY SPECIAL HEARING SHEET 2 OF 2

BUFFALO RUN AND BUFFALO RUN II

DISTRICT 05C3 SCALE: 1"=200" BALTIMORE COUNTY, MD AUGUST 24, 2004

LITTLE & ASSOCIATES, INC.
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10WSON, MARYLAND 21286
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