IN RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR VARIANCE AND SPECIAL HEARING

E/Side of North Charles Street, 400 feet South of Bellona Avenue (The Residences at North Charles)

9th Election District
5th Councilmanic District

Bozzuto Homes, Inc. Developer

BEFORE THE HEARING

OFFICER/ZONING

COMMISSIONER OF

BALTIMORE COUNTY

PDM No. IX-771

Case No. 05-673-SPHA

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

*

This matter comes before the Hearing Officer/Zoning Commissioner of Baltimore County for a combined public hearing, pursuant to Section 32-4-230 of the Baltimore County Code (B.C.C.), for development plan approval and approval of a Petition for Variance and Petition for Special Hearing filed by Bozzuto Homes, Inc. ("Developer"). The subject property, which is approximately 4 acres, is located on the east side of Charles Street, south of Bellona Avenue. The property is zoned DR 10.5, which permits development at a density of 10.5 dwelling units per acre. On this site, Developer proposes a 28 unit residential development with a mix of single-family, semi-detached, and attached homes.

In addition to development plan approval, Developer requested approval of a Petition for Variance, seeking variances related to residential transition area requirements and to a rear building setback requirement. Specifically, Developer sought variances from: (1)

Baltimore County Zoning Regulation ("BCZR") Sections 1B01.1.B.1.c and 504.2 and

MOER RECEIVED FOR THE WAY

WEST PROPERTIES

Comprehensive Manual of Development Policies ("CMDP") (Division II, Section A, pp. 15-18) to permit clearing, grading, landscaping, and construction within the required 50 foot residential transition area buffer on the northeastern and southeastern corners of the property; (2) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit residential units to be constructed within 52 feet (northeastern corner) and 68 feet (southeastern corner) of a tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3, 4, and 16; (3) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3, 4, 5, 15 and 16); and (4) BCZR Section 504.2 and CMDP (Division II, Section A, p. 19) to permit residential units with a rear building face to rear building face setback as close as 37 feet in lieu of the required 60 foot separation between condominium town houses (Unit Nos. 4-13).

Developer sought the following variances related to the western boundary of the property along Charles Street, but only if the Zoning Commissioner determined them to be necessary: (5) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp.15-18) to permit clearing, grading, landscaping, and the construction of Unit Nos. 3-16 within the required 50 feet residential transition area buffer along the western side of the property; (6) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit residential units to be constructed within 45 feet of the western tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3-16; and (7) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit residential units with a maximum height of 50

feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3-16).

Lastly, Developer also filed a Petition for Special Hearing, pursuant to BCZR Section 504.2 and CMDP (Division II, Section A, p. 23), to approve a modification of standards to allow for a 20 foot side building face to side building face setback in lieu of the required 25 foot separation (between Unit Nos. 6 and 7, Unit Nos. 9 and 10, and Unit Nos. 12 and 13).

The proposed development and requested zoning relief are more particularly described on the red-lined Residences at North Charles Development Plan submitted and marked into evidence as Developer's Exhibit 1A-D and the Plan to Accompany Variance and Special Hearing submitted and marked into evidence as Petitioner's Exhibit 1.

As to the history of the project, after a Concept Plan was filed, a Concept Plan Conference was held on March 12, 2005. A Community Input Meeting was held on April 18, 2005. The Development Plan was then filed, and a Development Plan Conference was held on July 27, 2005. Following the Development Plan Conference, a Hearing Officer's Hearing for this development was scheduled and held on August 26, 2005. Certifications contained within the case file indicate that the property was properly posted with a sign providing public notice of the hearing and that the matter was also advertised in *The Jeffersonian* newspaper. Having met these requirements, I find that proper public notice was provided.

At the hearing, Robert Hoffman and Michael Davis appeared as attorneys on behalf of Developer. Clark Wagner represented Bozzuto Homes, Inc. Also appearing were:

Timothy Madden, landscape architect and land planner, Dean Hoover, site engineer, and

ORDER RECEIVED FOR FILING

James Hermann, landscape architect, all with Morris & Ritchie Associates, Inc.; Richard Jones, urban design and landscape architect, with Mahan Rykiel Associates, Inc.; William Devereaux, architect, with Devereaux & Associates, Inc.; and Mickey Cornelius, traffic engineer with The Traffic Group, Inc.

Numerous representatives of the various Baltimore County agencies tasked with reviewing the Development Plan attended the hearing, including the following individuals: Colleen Kelly (Development Management); Bruce Seeley (DEPRM); Jan Cook (Recreation and Parks); Dennis Kennedy (Development Plans Review); Jenifer German (Office of Planning); Bruno Rudaitis (Zoning Review); and Ron Goodwin (Land Acquisition). The Fire Department submitted written comments. Larry Gredlein appeared on behalf of Maryland's State Highway Administration. Several area residents appeared at the hearing to provide comment: Neil Meyerhoff, Betsy and James Merz, Rebecca Scholz, Michael Moran, Nancy Horst, and James Cahn.

At the Hearing Officer's Hearing, I, first, attempted to determine what, if any, issues or comments remained unresolved as of the date of the hearing before me. Mr. Hoffman, on behalf of Developer, identified no unresolved issues. Next, I questioned the representatives of each of the County agencies regarding the existence of any outstanding issues. Mr. Seeley (DEPRM), Mr. Cook (Recreation and Parks), Ms. German (Office of Planning), Mr. Rudaitis (Zoning Review), and Mr. Goodwin (Land Acquisition) all confirmed that their departments' comments had been addressed and they had no outstanding or unresolved issues. On behalf of Development Plans Review, Mr. Kennedy indicated that the redlined plan met all Public Works requirements and was approvable, but his department asked for a commitment from Developer that the storm drain, to be located at the rear of the property,

would be installed prior to grading to act as the outfall for sediment control. Developer agreed to do so, and, during the hearing, Mr. Hermann added a note to the Development Plan confirming the same. Lastly, Larry Gredlein appeared and confirmed that SHA had no outstanding issues relating to development plan approval.

Next, I asked the citizens in attendance to provide their comments. Mr. Moran, a neighboring property owner, voiced his preference to have the public sidewalks along Charles Street completed from the edge of Developer's property across to Bellona Avenue. Mr. Wagner had discussed this issue with Mr. Moran in advance of the hearing and had already contacted the State Highway Administration. Bozzuto has offered SHA a \$5,000.00 contribution toward this sidewalk "retrofit" project to help ensure that the work will be done. Bozzuto submitted a letter to the Hearing Officer confirming the same, which was marked as Protestants' Exhibit 1.

As for each of the other citizens who appeared before the Hearing Officer, across the board, their concerns related to traffic safety along Charles Street. Particularly, the citizens are concerned that the project will worsen traffic conditions on Charles Street due to additional left turns that will be occurring from the project's southern-most access point.

Having heard from everyone present, the Hearing Officer provided Developer the opportunity to introduce the Development Plan and to present witnesses to address any concerns raised. Developer presented the testimony of James Hermann, a licensed landscape architect, whose firm was responsible for the preparation of the plan. Mr. Hermann gave a brief introduction of the plan, noting that 28 residential units are proposed with a mix of single-family, semi-detached, and attached homes, backing to an interior private drive with two access points along Charles Street. To assist him in describing the

project, Mr. Hermann made referenced to the Pattern Book prepared by Developer, which was introduced before the Hearing Officer as County Exhibit 2. The Pattern Book contains Developer's conceptual architectural and landscape design for the project.

As Mr. Hermann explained, no access is proposed from the new development to LaGrange Lane. As explained later in the hearing, Bozzuto had entered into an agreement with the Community, included in the Pattern Book, whereby it agreed not to provide access from LaGrange Lane. Instead, the development is proposed to have two access points along Charles Street. The southern access point would be a full movement entrance and exit, accessing a 19-foot wide private drive, and the northern access point would be restricted to right turn out only. Mr. Hermann confirmed that the plan as presented, with the zoning relief requested, meets all County, State, and Federal requirements.

Next, Developer presented Mr. Cornelius, a registered professional engineer and certified professional traffic operations engineer, to respond to the citizens' concerns about traffic. Mr. Cornelius explained that Charles Street, in the location of the property, is a four-lane undivided road. As you travel north along Charles Street, past the property, to the intersection of Bellona Avenue, Charles Street has both a "horizontal curve and vertical curve," or, in more simple terms, it goes up hill and around a bend. This curvature impacts sight distance, especially in relation to the northern access point for the project. For this reason, Mr. Cornelius explained, the northern access point must be limited to right turns out only, which movements can be safely made from this location.

With regard to the southern access point, Mr. Cornelius testified that there is sufficient sight distance in both directions to allow vehicles to pull safely out onto Charles Street at this location. As he explained, this access point has sight distance of more than 600

feet in each direction, well in excess of SHA requirements, and allows for full movement (left turn out and right turn in and out) from this location without creating a safety hazard.

With regard to general traffic conditions along Charles Street, Mr. Cornelius stated that Charles Street, in the vicinity of the proposed development, has a daily traffic volume of 24,000 vehicles per day. The new development is anticipated to add approximately 220 trips per day to the road, which is less than a 1% increase in volume. According to Mr. Cornelius, any additional traffic from this development should not even be noticeable. As he explained, traffic volumes can vary up to 5% on any given day.

Mr. Cornelius provided his expert opinion that Charles Street is adequate and has sufficient capacity to handle existing and future traffic volumes, including any additional vehicles from Bozzuto's development. According to Baltimore County's standards, the two closest intersections (Charles/Bellona and Charles/Stevenson) are currently operating at a level of service "A." I note that the Development Plan also indicates that the property is not within a "failing traffic shed" according to Baltimore County's Basic Services

Transportation Area Map. Therefore, the County's growth management legislation (BCZR Section 4A02) would not restrict development in the area on the basis of traffic.

Mr. Cornelius acknowledged that Charles Street has experienced a number of accidents in the vicinity, although many of these accidents appear to be related more to the commercial establishments to the south or to the curve in Charles Street as it reaches Bellona Avenue. He believes that the safety issues related to this development's southern access point are, instead, more directly related to the intersection at Woodbrook Lane. At that location, in his words, there has been "minimal accident activity." From his investigation, Mr. Cornelius saw no reason why this development's southern access point —

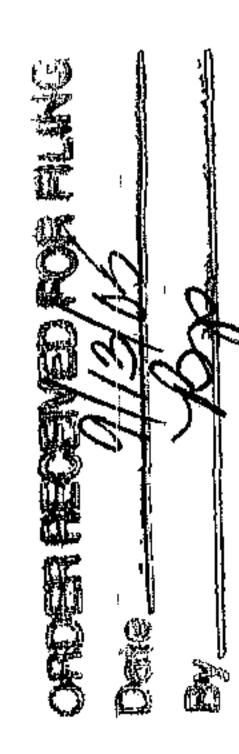
and any left turns being made from this location – would create any safety hazard that would result in additional accidents.

Having concluded the testimony and evidence on the Development Plan, the hearing moved on to the relevant zoning issues. In addition to development plan approval,

Developer also requested zoning relief in the form of a Petition for Variance and Petition for Special Hearing. This relief was detailed in the petitions that were filed and also on the Plan to Accompany Variance and Special Hearing, which I accepted into evidence as Petitioner's Exhibit 1. To summarize, Developer sought a variance from the required setback between rear building faces and variances related to the residential transition area (or "RTA") requirements contained in BCZR Section 1B01.1.B. Developer also sought, by way of a Petition for Special Hearing, a modification of standards to allow for a reduced setback between certain side building faces.

The Zoning Commissioner is permitted to grant variances, pursuant to BCZR Section 307, upon finding that special circumstances exist and that requiring strict compliance with the regulations would result in a practical difficulty for the petitioner. As outlined in BCZR Section 1B01.1.B.1.c, variances from the RTA requirements are reviewed under a different standard. The Zoning Commissioner is permitted to modify the RTA for a tract upon recommendation of an agency, such as the Office of Planning; subject to compatibility findings; and upon a finding that "such reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed." BCZR Section 1B01.1.B.1.c.2.

Mr. Madden, land planner and landscape architect, testified regarding each of the zoning requests and explained where the different elements of relief occurred in the



development. To assist him in identifying the RTA requirements and related variances, Mr. Madden presented a colored Petitioner's Exhibit 1. This plan clearly identified three areas where the RTA requirements were triggered: one area on the northeast corner of the property, one on the southeast corner, and a third area along Charles Street. Mr. Madden also explained the reduced setbacks between the houses included in the Petition for Variance and Petition for Special Hearing.

As Mr. Madden explained, the site layout was largely dictated by the terms of the agreement reached with the Community in 2004, which agreement contains restrictions as to permitted density, setbacks, access, and buffers. *See* County Exhibit 2, p. 55. These restrictions created a unique situation for Developer and made it practically difficult to comply strictly with the Zoning Regulations. In his mind, therefore, the granting of the zoning requests should be based, largely, on a determination of whether or not the proposed housing units would be compatible with existing houses on the adjoining properties.

Mr. Madden testified that this development does meet the compatibility objectives outlined in Section 32-4-42 of the Baltimore County Code and the CMDP. As more fully demonstrated in the Pattern Book, the proposed dwelling units have been designed to look like large single-family homes and to blend into the existing neighborhood. Mr. Madden also referred to the differing structural elevations, rich site details, such as decorative retaining walls, and generous landscape buffers, all of which help to mitigate any impact on neighboring properties.

Developer next presented the testimony of the architect for the project, William Devereaux. Using the architectural elevations contained in the Pattern Book, Mr. Devereaux explained that the scale of the houses along LaGrange Lane, which are single-family and

semi-detached units, is consistent with the scale of the houses in that neighborhood. The scale of the units along Charles Street, which are semi-detached and attached units, is also consistent with the larger homes across Charles Street. As he explained, the two sets of four units have been designed with certain portions of the façades being recessed to break up the massing and to provide a more residential feel to the structures. Additionally, this project has been designed with high-quality materials and architectural details to further integrate it into the community.

Having heard the testimony and considered the requests, I find that sufficient evidence and justification exists to grant all of the requested zoning relief. As outlined earlier in this opinion, Developer filed the second set of RTA variances, those along Charles Street, with the conditional "if necessary." Developer argued that, along Charles Street, the DR 10.5 zone in which the units are proposed is not "adjacent to land zoned DR 1, DR 2, DR 3.5, DR 5.5, or RC," which is what would trigger the requirements of BCZR Section 1B01.1.B and the CMDP. The DR 10.5 zoning continues to the centerline of Charles Street, a major arterial, at which point the zoning changes to DR 2. For this reason, Developer argued that the RTA does not apply along Charles Street. While this argument may have some merit, I am not going to make this determination because I am persuaded by the evidence to grant the variances.

From the witnesses who testified and the evidence presented, I find that the property to be uniquely situated, especially as restricted by the agreement with the Community, and that the requirements of BCZR Section 307 have been met. I find that a practical difficulty, therefore, will result if the setback variance is not granted. Consequently, I will grant the requested variance. I also find that Developer has met its burden with respect to the RTA

OKORH W

variances under BCZR Section 1B01.1.B.1.c. The Office of Planning has reviewed the requests and the compatibility report contained in the Pattern Book and has recommended approval of the RTA variances. I have considered this recommendation and the testimony and evidence presented before me. I find that the project will, indeed, be compatible with the surrounding properties. I also find that the RTA variances will not adversely impact the community or any surrounding properties. Lastly, Developer has filed a Petition for Special Hearing, which is related to setbacks between certain of the attached units. I find that the granting of the relief will not result in any adverse impact as it relates to purely internal setbacks within the site. For the reasons stated above, I am persuaded to grant the Petition for Special Hearing.

With the granting of the zoning petitions, based on the cumulative testimony and evidence presented by Developer, I find that the Development Plan is in compliance with all applicable County, State, and Federal Regulations. While the community did raise a concern over traffic, I find that Mr. Cornelius adequately addressed the issue of traffic safety in his testimony. I am convinced that the access points on Charles Street will allow safe ingress and egress to the site. I am not persuaded to limit access in any way. The Development Plan complies with all applicable requirements relating to traffic or roads. As Mr. Cornelius confirmed, Charles Street is adequate to carry the existing and anticipated traffic volumes, and the nearest intersections are operating at Level of Service "A." There is simply no basis to deny or condition the plan on the basis of traffic. Therefore, having identified no remaining unresolved or outstanding issues, the Development Plan shall be approved.

Pursuant to the Zoning and Development Regulations of Baltimore County as contained within the Baltimore County Zoning Regulations and in Article 32, Title 4 of the Baltimore County Code, the advertising and posting of the property, and public hearing held thereon, the Development Plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter, if any, and, for the reasons set forth above, the Petition for Variance and the Petition for Special Hearing shall be granted.

THEREFORE, IT IS ORDERED by the Hearing Officer/Zoning Commissioner of Baltimore County this 12 day of September, 2005, that the redlined Residences at North Charles Street Development Plan, entered into evidence as Developer's Exhibit 1A-1D, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED, that the Petition for Variance, seeking relief, as shown on the Plan to Accompany Variance and Special Hearing, entered into evidence as Petitioner's Exhibit 1, from: (1) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP to permit clearing, grading, landscaping, and construction within the required 50 foot residential transition area buffer on the northeastern and southeastern corners of the property; (2) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP to permit residential units to be constructed within 52 feet (northeastern corner) and 68 feet (southeastern corner) of a tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3, 4, and 16; (3) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3, 4, 5, 15 and 16); (4) BCZR Section 504.2 and CMDP to permit residential units with a rear building face to rear building face setback as close as 37 feet in lieu of the required 60 foot

SE INTERIOR

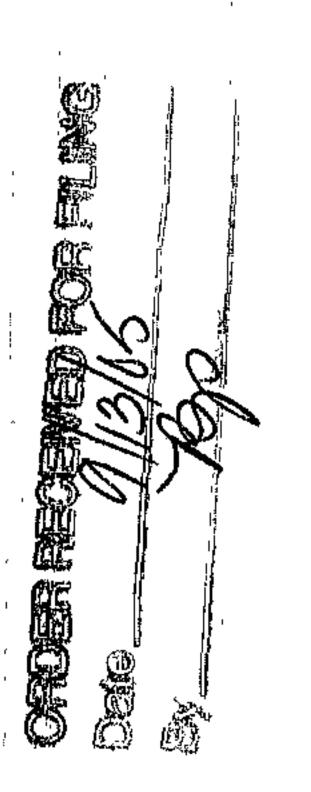
separation between condominium town houses (Unit Nos. 4-13); (5) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP to permit clearing, grading, landscaping, and the construction of Unit Nos. 3-16 within the required 50 feet residential transition area buffer along the western side of the property; (6) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP to permit residential units to be constructed within 45 feet of the western tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3-16; (7) BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3-16), is hereby GRANTED; and

IT IS FURTHER ORDERED, that the Petition for Special Hearing, pursuant to BCZR Section 504.2 and CMDP (Division II, Section A, p. 23), to approve a modification of standards to allow for 20 foot side building face to side building face setbacks in lieu of the required 25 foot separation (Unit Nos. 6 and 7, Unit Nos. 9 and 10, and Unit Nos. 12 and 13), is hereby GRANTED.

Any appeal of this decision must be taken in accordance with Section 32-4-281 of the Baltimore County Code.

Zoning Commissioner of Baltimore County

13



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

September 14, 2005

Robert A. Hoffman, Esquire Venable, LLP 210 Allegheny Avenue Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING & VARIANCE

E/S North Charles Street, 400' S of Bellona Avenue

(The Residences at North Charles)

9th Election District – 5th Council District Bozzuto Homes, Inc. – Owner/Developer Cases Nos. IX-771 & 05-673-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved and the Petitions for Special Hearing and Variance 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.

WILLIAM L WISEMAN, III

Zoning Commissioner/Hearing Officer

for Baltimore County

WJW:bjs

cc:

Mr. Clark Wagner, Bozzuto Homes, Inc., 7850 Walker Drive, #400, Greenbelt, Md. 20770

Messrs. Tim Madden, Dean Hoover, & James Hermann, Morris & Ritchie Assoc., Inc.

1220-C East Joppa Road, Suite 505, Towson, Md. 21286

Messrs. Richard Jones & Patrick Brawley, Mahan Rykiel Assoc., Inc.

800 Wyman Park Drive, Baltimore, Md. 21211

Mr. William Devereaux, 1481 Chambridge Road, Suite 302, McLean, Va. 22101

Ms. Nancy W. Horst, P.O. Box 204, Riderwood, Md. 21139

Ms. Terry Sawyer, 204 S. Tyrone Road, Baltimore, Md. 21212

Mr. J. Donald Gerding, 335 Old Trail, Baltimore, Md. 21212

Mr. Neil Meyerhoff, 9 Meadow Road, Baltimore, Md. 21212

Mr. James Cahn, 1819 Thornton Ridge, Baltimore, Md. 21204

Mr. Michael Moran, 6327 N. Charles Street, Baltimore, Md. 21212 Mr. & Mrs. James Merz, 6313 La Grange Lane, Baltimore, Md. 21212

Ms. Rebecca Scholtz, 17 Buchanan Road, Baltimore, Md. 21212

Ms. Ellie Murphy, 15 Buchanan Road, Baltimore, Md. 21212

Mr. John Riina, 101 Armagh Drive, Baltimore, Md. 21212

Mr. Morton Foster, 6311 La Grange Lane, Baltimore, Md. 21212

Ms. Chris Rorke, DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case File

Visit the County's Website at www.baltimorecountyonline.info



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

East side of North Charles Street

for the property located at 400. ft. south of Bellona Avenue which is presently zoned DR 10.5

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

SEE ATTACHED

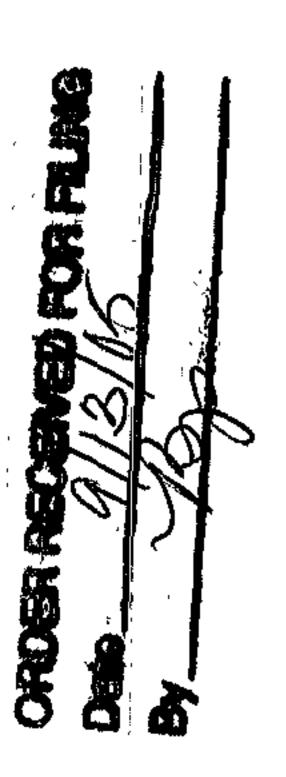
Property is to be posted and advertised as prescribed by the zoning regulations.

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.

! ! !	!		perjury.	solemnly deci that I/we are the object of this Pa	he legal ow	rm, under ner(s) of t	the penalties of he property which
Contract Purchaser/Le	<u>essee:</u>		Legal	Owner(s):			
Name - Type or Print	·		_ /	pelones,	Inc.	- <u>.</u>	
Signature	<u> </u>		Signatur		11 7	- ,	
Address		Telephone No.		ype or Print	ii, Pres	laent	
City	State	Zip Code	Signature	<u> </u>			
Attorney For Petitione	T.			lalker Dri	ve	(301)	
Robert A. Hoffman			Address	- .	1400		Telephone No.
Name - Type or Print		······································	Greenb City	elt,	MD	State	20770 Zip Code
Signature Venable LLP			Rober	t A. Hoffr		acted:	
Company			Name				
Allegheny Avenue	(410)	494-6200 Telephone No.	210 A Address	llegheny A	venue	(4	10) 494-6200
<u>.11 </u>	2100	•			MD		Telephone No.
owson. MD	State 2120	Zip Code	Towso City	11,	MD	State	21204 Zip Code
	!			OFF	ICE USE	ONLY	
	;		ESTIM	ATED LENG	TH OF H	EARING	;
Case No. 05-4	-73-SPH	A	UNAVA	ILABLE FO	R HEARI	NG	
PSA GIISIOS	!		Reviewed By	JF	Date	6-	20-05

Petition for Special Hearing for The Residences at North Charles

Special Hearing, pursuant to BCZR Section 504.2 and CMDP (Division II, Section A, p. 23), to approve a modification of standards to allow for 20 foot side building face to side building face setbacks in lieu of the required 25 foot separation (Unit Nos. 6 and 7, Unit Nos. 9 and 10, and Unit Nos. 12 and 13).





Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 400 ft. south of Bellona Ave.

which is presently zoned DR 10.5

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 Determined 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 solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	Bozzuto Homes, Inc.
Name - Type or Print	Name - Type of Print
Signature	Signature I Critical I Promident
Address Telephone No.	Charles L. Covell, President Name-Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	7850 Walker Drive (301) 220-0100 Address Telephone No
Robert A. Hoffman	Greenbelt, MD 20770
Name - Type or Print	City State Zip Code Representative to be Contacted:
Signature Venable LLP	Robert A. Hoffman
Company	Name
210 Allegheny Avenue (410) 494-6200 Address Telephone No.	210 Allegheny Avenue (410) 494-6200 Address Telephone No.
Towson, MD 21204 City State Zip Code	Towson, MD 21204 City State Zip Code
	OFFICE USE ONLY
de No AF-173 SOUA	ESTIMATED LENGTH OF HEARING
Pase No. 05-673-SPHA 20 9115198	UNAVAILABLE FOR HEARING Date 6/20 /01

Petition for Variance for The Residences at North Charles

Variance from BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit clearing, grading, landscaping, and construction within the required 50 foot residential transition area buffer on the northeastern and southeastern corners of the property.

Variance from BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit residential units to be constructed within 52 feet (northeastern corner) and 68 feet (southeastern corner) of a tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3, 4, and 16.

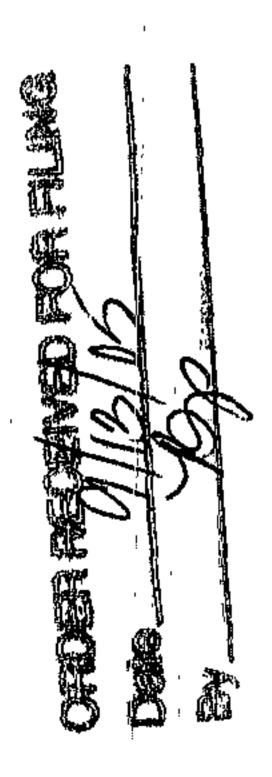
Variance from BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3, 4, 5, 15 and 16).

Variance from BCZR Section 504.2 and CMDP (Division II, Section A, p. 19) to permit residential units with a rear building face to rear building face setback as close as 37 feet in lieu of the required 60 foot separation between condominium town houses (Unit Nos. 4-13).

Variance, if necessary, from BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp.15-18) to permit clearing, grading, landscaping, and the construction of Unit Nos. 3-16 within the required 50 feet residential transition area buffer along the western side of the property.

Variance, if necessary, from BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit residential units to be constructed within 45 feet of the western tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3-16.

Variance, if necessary, from BCZR Sections 1B01.1.B.1.c and 504.2 and CMDP (Division II, Section A, pp. 15-18) to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3-16).







ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

Zoning Description

Beginning at a point located on the easterly side of Charles Street which has a width of 66 feet at the distance of 330 feet southerly of the centerline of the nearest intersecting street, Bellona Avenue, which has a variable width. Thence the following courses and distances, viz:

North 86 degrees 10 minutes 10 seconds East, 150.18 feet; South 05 degrees 47 minutes 50 seconds East, 80.93 feet; North 88 degrees 19 minutes 40 seconds East, 136.16 feet; South 05 degrees 28 minutes 44 seconds West, 131.92 feet; South 05 degrees 52 minutes 10 seconds West, 119.25 feet; South 24 degrees 07 minutes 50 seconds East, 199.58 feet; South 11 degrees 07 minutes 50 seconds East, 69.06 feet; South 84 degrees 12 minutes 10 seconds West, 138.00 feet; South 05 degrees 47 minutes 50 seconds East, 75.00 feet; South 84 degrees 12 minutes 10 seconds West, 167.19 feet; North 05 degrees 47 minutes 50 seconds West, 675.25 feet to the point and place of beginning, being known and designated as #6303 - #6321 Charles Street and #6318 LaGrange Lane.

Containing an area of 162,917 square feet or 3.7401 acres of land, more or less, and being located in the Ninth Election District of Baltimore County, Maryland.



* 613

					WALIDATION
	では、				CASHIER'S
				THE PARTY OF THE P	
				The state of the s	CUSTOMER
	ACCOUNT	TANOUNT TO THE PART OF THE PAR		· · · · · · · · · · · · · · · · · · ·	NK - ACENCY - WHILDIA - WA
BALTINORE COUNTY OFFICE OF BUDGET & FI WINDOWS HIS COUNTY WINDOWS HIS			RECEIVED		WHITE CASHIER

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: #05-673-8PHA The Residences at North Charles Street Subdivision E/side of North Charles Street, 400 feet south of Bellona Avenue

Bellona Avenue

9th Election District — 5th Councilmanic District
Legal Owner(s): Charles L. Covell, Pres.,
Buzzuto Homes, Inc.
Special Hearing: to aprove a modification of standards to allow for 20 foot side building face to side building face setbacks in lieu of the required 25 foot separation (Unit Nos. 6, 7, 9 and 10, 12 and 13). Variance: to permit clearing, grading, landscaping and construction within the required 50 foot residential transition area buffer on the portheastern and southeastern corners of the the northeastern and southeastern corners of the property to permit residential units to be constructed within 52 feet (northeastern corner) and 68 feet (southeastern corner) of a tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3, 4 and 16, to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu to the maximum permitted height of 35 feet (Unit Nos. 3, 4, 5, 15 and 16), to permit residential units with a rear building face setback as close as 37 feet in lieu of the required 60 foot separation between condominium town houses (Unit Nos. 4-13), if necessary to permit clearing, grading, landscaping and the construction of units 3-16 with the required 50 feet residential transition area buffer along the western side of the property, if necessary, to permit residential units to be constructed with 45 feet of the western tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3-16, and if necessary, to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3-16). Hearing: Friday, August 19, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake

WILLIAM J. WISEMAN, III

Avenue, Towson 21204.

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handleapped 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.

8/010 August 4-

8/010 August 4

CERTIFICATE OF PUBLICATION

8/4/,2005
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. Wilkings

LEGAL ADVERTISING

A 315187

BALTIMORE COUNTY, MARYLAND

J6/10/05

<u>Date</u> 06/08/2005

Invoice A060805 Invoice Amount

650.00

Amount Paid 650.00

A.DONTELL-43038.199654-FILING FEE

[®]VENABLE, LLP: •: TWO HOPKINS PLAZA, SUITE 1800 • BALTIMORE, MD 21201-2978

BALTIMORE COUNTY, MARYLAND

06/10/05

*<u>Date</u> *06/08/2005 Invoice A060805

Invoice Amount

650.00

A.DONTELL-43038.199654-FILING FEE

A 315187

Amount Paid 650.00

VENABLE, BAETJER AND HOWARD, LLP Including Professional Corporations

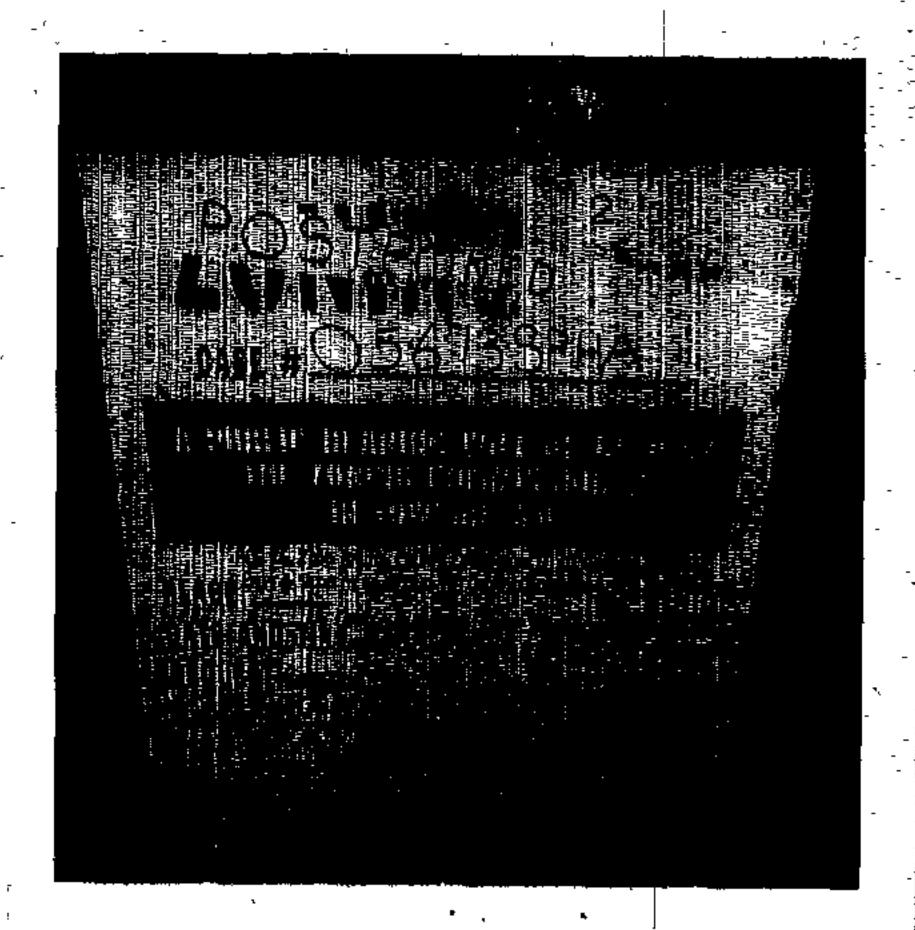
05150

•	•					00700					
OUR REF. NUMBER	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT					
	6/20/05 - \$	\$150.00									
	43038-19965	54 - Bozzuro/G	Charles Street								
Baltimore County, MD											
	Filing fee										

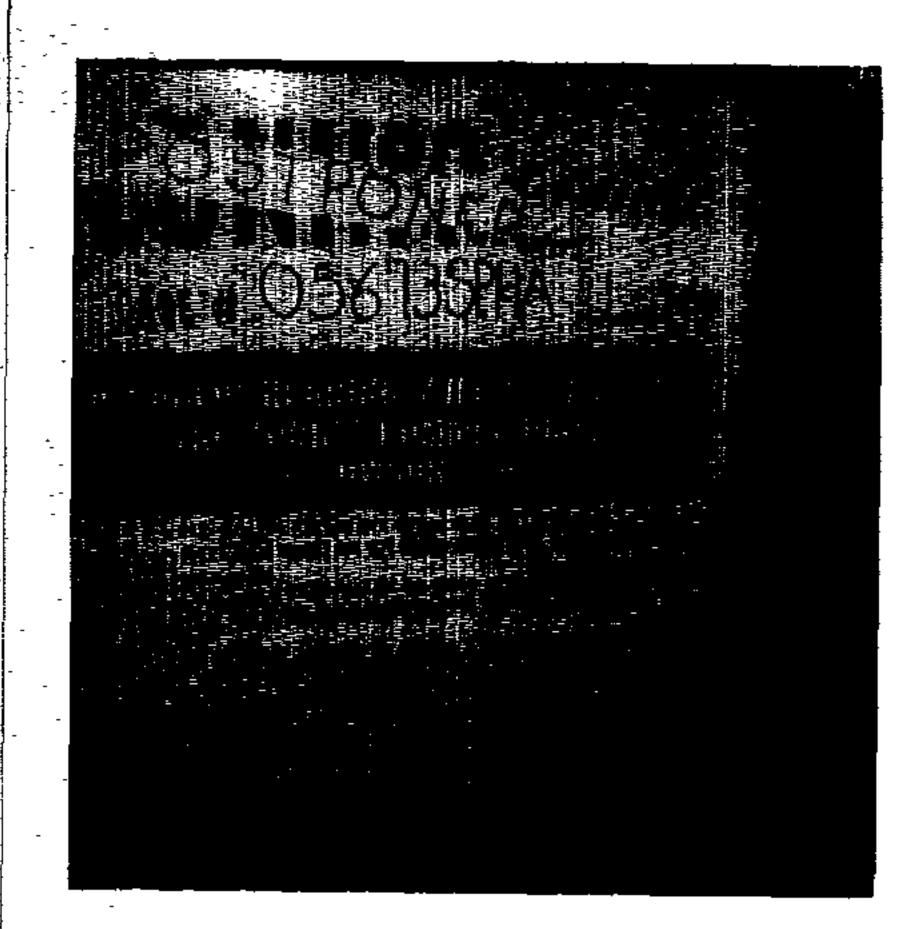
CERTIFICATE OF POSTING

RE: Case No.: 05-673-5PHH

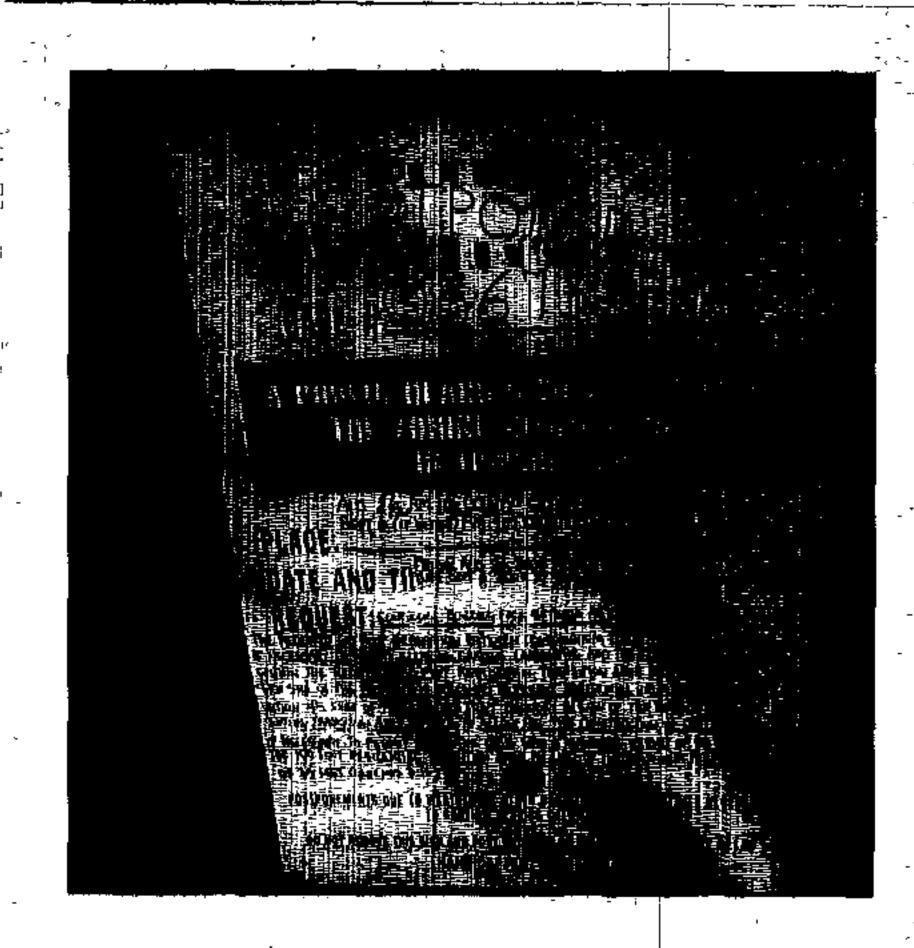
	Petitioner/Developer: BOZZOTO
	HOMES, CHARLES L, COVE AOG 26 OR Date of Hearing/Closing: SEPT 6,05 (IF NECESS
	Date of Hearing/Closing: SEPT 6.05
Baltimore County Department of	CH. MECEOS
Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Kristen Matthews {(410) 887-3394	}
Ladies and Gentlemen:	ę · ·
This letter is to certify under the penalties of posted conspicuously on the property locate	of perjury that the necessary sign(s) required by law were ed at:
	RLES & LAGRANGE LN POSTADNED
7UG 26,2005 OR SEPT	T 6, 2005 (IF NECESSARY FOR SEP!
The sign(s) were posted on	8-10-05
	(Month, Day, Year)
	Sincerely,
	(Signature of Sign Poster) (Date)
	SSG Robert Black
•	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)
f f	



SARLES ET



() ARUSS 59.



) LA GRANGE

•

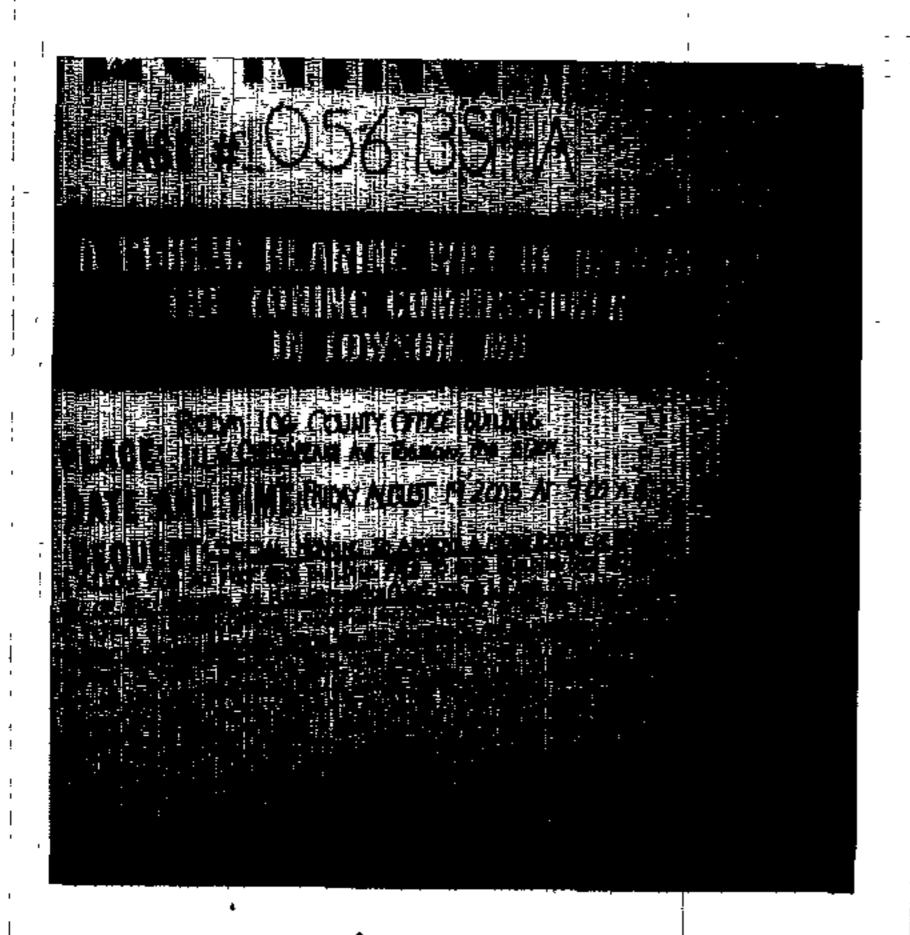


DA GRANGE

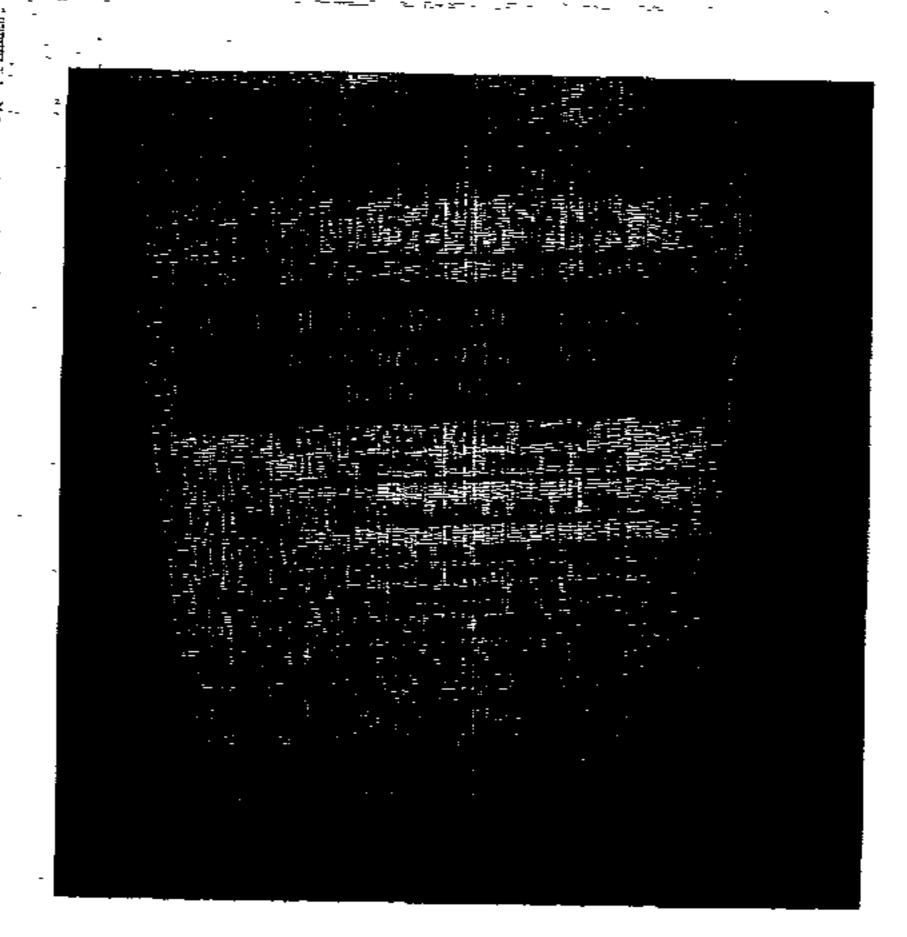
CERTIFICATE OF POSTING

RE: Case No.: 05-673 SPHA

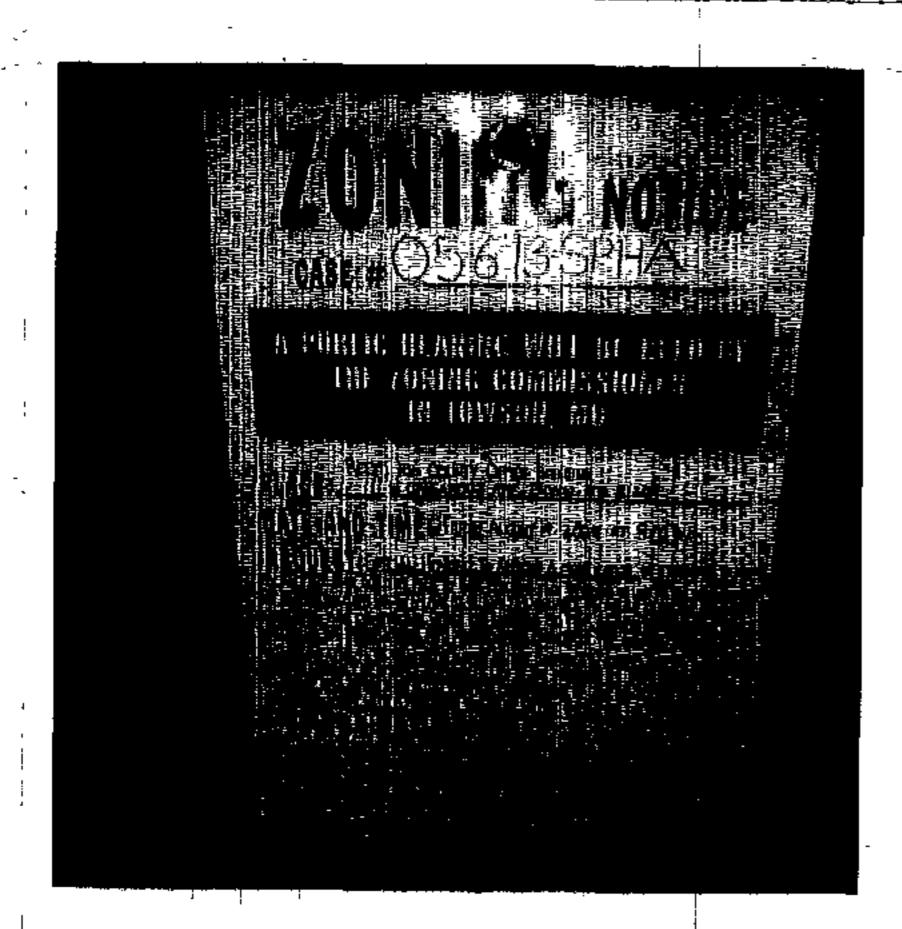
4	Petitioner/Developer: (MARLES L. COVCA
	BOZZUTO Homes, INC.
	Date of Hearing/Closing: AUG 19, 2005
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Kristen Matthews {(410) 887-3394}	
Ladies and Gentlemen:	•
This letter is to certify under the penalties of per posted conspicuously on the property located at:	jury that the necessary sign(s) required by law were
Z 3/GNS POSTE	DOQCHARLES ST AND
DO LAGRANGE LN.	
The sign(s) were posted on	7-18-05
	(Month, Day, Year)
	Sincerely,
	Robert Black 7-20-05 (Signature of Sign Poster) (Date)
!	SSG Robert Black
•	(Print Name)
	1508 Leslie Road
	(Address)
• .	Dundalk, Maryland 21222
	(City, State, Zip Code)
*	(410) 282-7940
	(Telephone Number)
r f	# · · · · · · · · · · · · · · · · · · ·



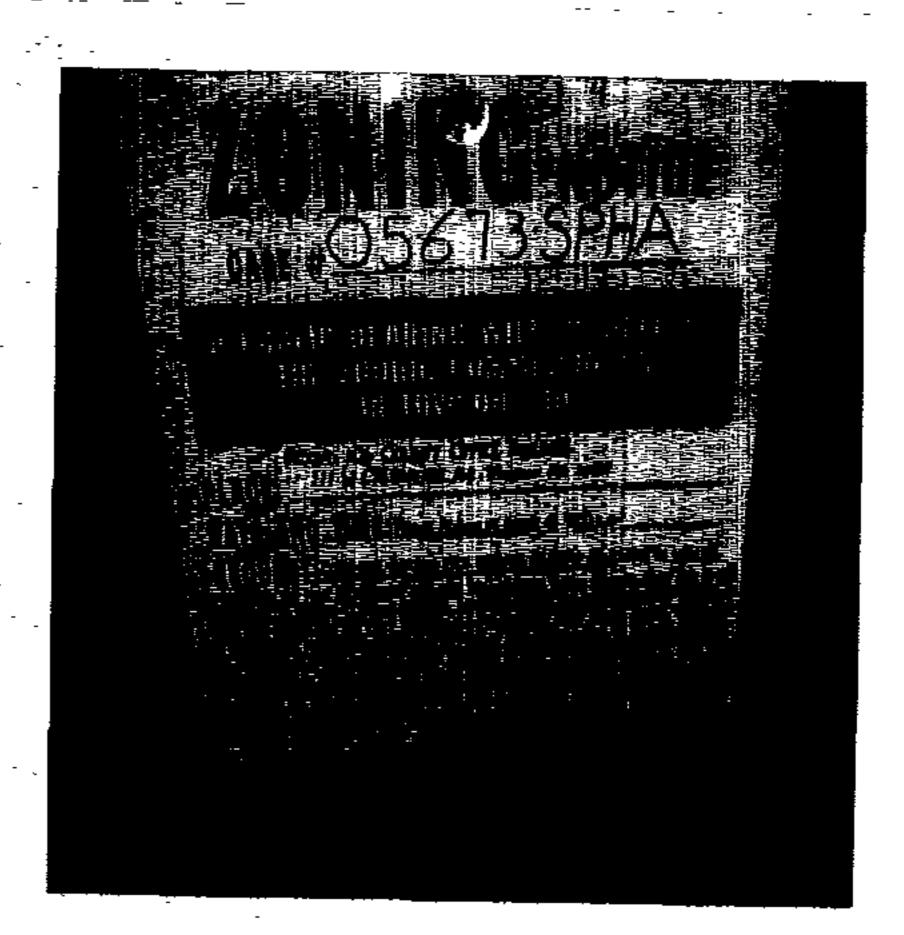
MARLES SS



() CHARES



AGRANGE LN.



JLAGRANGE LN.

Department of Permits 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

June 28, 2005

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 05-673-SPHA

The Residences at North Charles Street Subdivision

E/side of North Charles Street, 400 feet south of Bellona Avenue

9th Election District — 5th Councilmanic District

Legal Owner: Charles L. Covell, Pres., Bozzuto Homes, Inc.

Special Hearing to approve a modification of standards to allow for 20 foot side building face to side building face setbacks in lieu of the required 25 foot separation (Unit Nos. 6, 7 9 and 10, 12 and 13). <u>Variance</u> to permit clearing, grading, landscaping and construction within the required 50 foot residential transition area buffer on the northeastern and southeastern corners of the property, to permit residential units to be constructed within 52 feet (northeastern corner) and 68 feet (southeastern corner) of a tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3,4 and 16, to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3,4,5, 15 and 16), to permit residential units with a rear building face to rear building face setback as close as 37 feet in lieu of the required 60 foot separation between condominium town houses (Unit Nos. 4-13), if necessary to permit clearing, grading, landscaping and the construction of units 3-16 within the required 50 feet residential transition area buffer along the western side of the property, if necessary, to permit residential units to be constructed within 45 feet of the western tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3-16, and if necessary, to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3-16),

Hearing: Friday, August 19, 2005 at 9:00 a.m. in Room 106, County Office Building,

111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Robert Hoffman, 210 Allegheny Avenue, Towson 21204/Charles Covell, 7850 Walker Drive, 20770

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 4, 2005.

- (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.



Visit the County's Website at www.baltimorecountyonline.info

TO: PATUXENT PUBLISHING COMPANY

Tuesday, July 26, 2005 Issue - Jeffersonian

Please forward billing to:

Amy Dontell

210 Allegheny Avenue Towson, MD 21204 410-494-6200

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: 05-673-SPHA

The Residences at North Charles Street Subdivision E/side of North Charles Street, 400 feet south of Bellona Avenue 9th Election District – 5th Councilmanic District Legal Owner: Charles L. Covell, Pres., Bozzuto Homes, Inc.

Special Hearing to approve a modification of standards to allow for 20 foot side building face to side building face setbacks in lieu of the required 25 foot separation (Unit Nos. 6, 7 9 and 10, 12 and 13). Variance to permit clearing, grading, landscaping and construction within the required 50 foot residential transition area buffer on the northeastern and southeastern corners of the property, to permit residential units to be constructed within 52 feet (northeastern corner) and 68 feet (southeastern corner) of a tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3,4 and 16, to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3,4,5, 15 and 16), to permit residential units with a rear building face to rear building face setback as close as 37 feet in lieu of the required 60 foot separation between condominium town houses (Unit Nos. 4-13), if necessary to permit clearing, grading, landscaping and the construction of units 3-16 within the required 50 feet residential transition area buffer along the western side of the property, if necessary, to permit residential units to be constructed within 45 feet of the western tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3-16, and if necessary, to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3-16).

Hearing: Thursday, August 11, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM LIAMSEMAN III

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 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

June 24, 2005

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: 05-673-SPHA

The Residences at North Charles Street Subdivision

E/side of North Charles Street, 400 feet south of Bellona Avenue

9th Election District – 5th Councilmanic District

Legal Owner: Charles L. Covell, Pres., Bozzuto Homes, Inc.

Special Hearing to approve a modification of standards to allow for 20 foot side building face to side building face setbacks in lieu of the required 25 foot separation (Unit Nos. 6, 7 9 and 10, 12 and 13). <u>Variance</u> to permit clearing, grading, landscaping and construction within the required 50 foot residential transition area buffer on the northeastern and southeastern corners of the property, to permit residential units to be constructed within 52 feet (northeastern corner) and 68 feet (southeastern corner) of a tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3,4 and 16, to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3,4,5, 15 and 16), to permit residential units with a rear building face to rear building face setback as close as 37 feet in lieu of the required 60 foot separation between condominium town houses (Unit Nos. 4-13), if necessary to permit clearing, grading, landscaping and the construction of units 3-16 within the required 50 feet residential transition area buffer along the western side of the property, if necessary, to permit residential units to be constructed within 45 feet of the western tract boundary in lieu of the required 75 foot residential transition area setback to allow for the construction of Unit Nos. 3-16, and if necessary, to permit residential units with a maximum height of 50 feet within the 100 foot residential transition area in lieu of the maximum permitted height of 35 feet (Unit Nos. 3-16).

Hearing: Thursday, August 11, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Director

TK:klm

C: Robert Hoffman, 210 Allegheny Avenue, Towson 21204/Charles Covell, 7850 Walker Drive, 20770

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 27, 2005.

- (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.



Visit the County's Website at www.baltimorecountyonline.info

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.

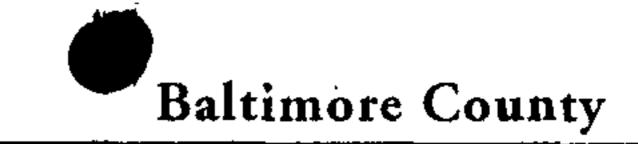
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Item Number or Case Number: 05-673-5PHA	
Petitioner: BOZZUTO HOMES The Residences @ Charles St.	
Address or Location: ES of North Charles St, 400' 5 of Bellona	Α , ς
PLEASE FORWARD ADVERTISING BILL TO:	
Name: AMY DONTELL	
Address: 210 Allegheny Ave. Towson, MD 21204	
Telephone Number: 410-494-6200	

Department of Permits and Development Management

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





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

August 8, 2005

Robert A. Hoffman Venable, LLP. 210 Allegheny Avenue Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Number:05-673-SPHA

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 20, 2005.

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.

W. Callial Sours, Callia Calli

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb:

Enclosures

c: People's Counsel Bozzuto Homes, Inc. Charles L. Covell 7850 Walker Drive Greenbelt 20770



Fire Department

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





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

June 28, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: June 20, 2005

Item No.: 621, 662-666, 668-678

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.

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

Lt J.D.Mezick Fire Marshal's Office 410-887-5178 MS-1102F

cc: File





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

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

Maryland Department of Transportation

August 1, 2005

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

RE:

Baltimore County

Item No. 673 (JRF)

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. However, the owner/developer will be required to obtain an access permit for the required roadway improvements along MD 30.

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,

Steven D. Foster, Chief

1. 1. Audh

Engineering Access Permits Division



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

Maryland Department of Transportation

Date: June 27, 2005

Baltimore County

Item No. 673 (JRF)

RE:

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

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that the Special Hearing and Variance requests will not affect the State Highway Administration's right-of-way. However, the owner/developer will be required to obtain an access permit through our office for the proposed access points along MD 139.

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,

Steven D. Foster, Chief

J. J. Hudlen

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO;

Timothy M. Kotroco, Director

DATE: July 5, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 30, 2005,

Item Nos. 664, 666, 667, 668, 669, 670, 671, 673, 674, 676, 677, and 678

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-07052005.doc

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

*

The Residenence at North Charles Street Subdivision; E/side of North Charles Street, 400' S of Bellona Avenue 9th Election & 5th Councilmanic Districts Legal Owner(s): Bozzuto Homes, Inc by Charles L. Covell, President

- BEFORE THE
- **ZONING COMMISSIONER**
- * FOR
- * BALTIMORE COUNTY
- * 05-673-SPHA

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 27th day of June, 2005, a copy of the foregoing Entry of Appearance was mailed to Robert A Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JUN 27 2005

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per....

PLEASE PRINT CLEARLY

CASE NAME KESIDENCES @
CASE NUMBER NORTH CHARLES

PETITIONER'S SIGN-IN SHEET

E-MAIL	MesmelivsOfrathegroup, com	Coragonal @ pozzito con	m Fortheloo Commermen	2-410-825-0294	SHUNGLAD TOUTH CON	belovereaux adai a care and -	I Trigides @ mrg of Con	D'ENES O MANTON AYKIEL COM	PRANUEY QUINNANDELIELCO	raxriderabcolnet	TSAWYER @ Liyera. EDU						
CITY, STATE, ZIP	SALTIMORE NO 21236	SCREENERS UD 2017	BALTO, me, my	320th Med 21012 Gull Sie 360	BANDET, WID 20770	Milean VA 22101	Jourson MAN 224	EMTIVATE MID. 21211		12 DE RUDOOD UND 21139	SALTIMORB, My 21212			The state of the s	The second secon		
ADDRESS	9900 FRANKIN SQ. DR. SINTE H	7850 WAVER DR 55/18-45	6311 M CAMORE CAR.	335-000 TRAKE RD	1600 122	1431 Chain Priche Pol Sol Wolean VA	2110 E JORDARA 21880	BED WYWAY SAME DRIVE))	P.6. Bazocy Riverces 22139	204 S. TYRING RD			La Color Color	my hair of themine	The state of the s	
NAME	MICKEY CORNELIUS	Cience Whower	MORION FOSTER	DONALD GERDING *	Scott Plugate	なる。であるが、	Tingolden	& ideal /wes	PARICK BAMIEN	MAKEY WO. HORST	TERRY SALYER						

CASE NAME RESIDENCES ©
CASE NUMBER NORTH CHARLES
DATE 8/26/05

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Newson Wednest	9 Medidon Rd	Bett. mar MO 21212	Wineyerhatt Brance of not
James Cathr	18 19 Thorn ton Ridge	e Ho	shr @ comest net
MICHINEL MONDA	6327 N CHARLES St	21/26	Ĭ,
Blay Mon	6313 Le Mauce Ln	2/2/2	merze Vocalin L
Kebeller Scholt	17 Buchandn Pa	Balto 21212	ڪ
EHIRS MARPHY	15 Buchance Rd	Balto 3121	hyd
John Rich	101 ARMAGH Delve	Baltimene 110 21212	JCRIINA @ Comers met one
TERRY Sauyer	264 S. TYROWE RD.	BALTIMBEL, MD, 21212	(A)
Found J. Sundale	V I		
Fax 410-685-6361	Www.gorebrothers.com		
RE BRC		Retirement Plan Services	
ting & Vieteo	Company, Inc.		
Baltimore. MD 21201 Towson Reporting Co. & Baltiman 17.3	Video Conferencing Litigation Support	Senior Vice President	
	Conferencing Cutr.	этете	
	Baltimore, I Member New Y	Baltimore, MD 21203 - 1476 Member New York Stock Exchange Inc./Member SIPC Jicahn@leggmason.com	

PLEASE PRINT CLEARLY

CASE NAME RESIDENCES @
CASE NUMBER NORTH CARLES
DATE 8 26 65

COUNTY REPRESENTATIVE'S SIGN-IN SHEE

E-MAIL															
CITY, STATE, ZIP					•	ROTECT MANHOER.									
ADDRESS	Tope & Topes	Dev. Plan Review	Panning	(00-02-15) 6 poin.	DEPRIM	17 SMITH PON #	Often Diand Record								
NAME	Ancoox	1 Deavis Kennedy	Merita Garman	L'ERUND RUDAITES	SEE	. 11	Ron (Soot War		1						

1X The Rusidences & North Charles

05-673-SPHA Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Petitioner Ex Color Coded to Color Coded to Color Coded to Coded t	H1B1+1	
No. 2	the Number of V	arince regul	it
No. 3	-		
No. 4			
No. 5			
No. 6			
No. 7			
No. 8		!	
No. 9			
No. 10			
No. 11			
No. 12		· · · · · · · · · · · · · · · · · · ·	

Topic with the second

Case No.: 05-673

Combined

Exhibit Sheet

RESIDENCES

1X-771 Residences Q N. Charles

Petitioner/Developer

Protestant

No. 1	DENECOPMENT PLAN	SIDEWALK CONTRIBUTION 5,000 for walkway 5-BELONA AVE
No. 2	Corenants + Purchase of 6318 Law Grange Come	Resented by REBERT S. HOLZ
No. 3	La grange Trond	
No. 4		
No. 5		
No. 6	······································	
No. 7		
No. 8		
No. 9		
1 F V + 1-1 (91)		
No. 10		
No. 11		
No. 12	1	•

Case No.: 1X-771-The Residences @ North Charles

Combined 05-673-5PHA

County Exhibits

<u> </u>	
No. 1	8/24/05 - OPENSAGE WANTER
No. 2	Office of Plannig - Pattern Book
No. 3	
No. 4	
No. 5	
No. 6	
No. 7	
No. 8	
No. 9	
No. 10	
No. 11	
No. 12	

