RE: DEVELOPMENT PLAN AND PETITION FOR SPECIAL HEARING	*	BEFORE THE
1101 Stevenson Lane; E/S Stevenson Lane, 240' S Fairway Drive	*	ZONING COMMISSIONER
9th Election & 5th Councilmanic Districts	*	FOR
Legal Owners(s): Country Club of Maryland Petitioner(s)	*	BALTIMORE COUNTY
	*	Case Nos.: XI- 779 and 06-642-SPH

* * * * * * * * * * * * *

AMENDED ORDER

Upon review of the timely motion for reconsideration filed by People's Counsel for Baltimore County and the response of counsel for the Petitioner, I afforded the parties an opportunity to propose an agreed resolution consistent with the law. After further review of the proposed resolution, including the submission of a site plan to show "Existing Conditions," I hereby amend the Order dated December 7, 2006, with specific reference to the approval of the special hearing for nonconforming use entered in this case.

THEREFORE, IT IS ORDERED, by the Hearing Officer/Zoning Commissioner for Baltimore County, this 8th day of March, 2007, that the Order issued in conjunction with the Hearing Officer's Opinion and Development Plan Order dated December 7, 2006 be, and hereby is, amended, to add the following condition pertaining to the part of the Order on Page 13 which approves the special hearing for nonconforming use.

> "For the purpose of this case and for future reference, the nonconforming country club use approved herein for the Country Club of Maryland, Inc. is as shown on the "Existing Conditions" site plan exhibit signed and sealed by Morris & Ritchie Associates dated February 7th, 2007 and made a part of the file. Any future improvements to the country club --- whether called renovations, replacements, or additions --- shall be subject to the Maryland law on nonconforming uses and to Baltimore County Zoning Regulation 104 (or as amended)."

IT IS FURTHER ORDERED that the Order dated December 7, 2006, approving both the development plan, with stated conditions, and special hearing for nonconforming country club use, is otherwise incorporated herein and carried forward as if fully set forth.

Any appeal of this Amended Order shall be taken within 30 days in accordance with Sections 32-3-401 and 32-4-281 of the Baltimore County Code.

WILLIAM J. WISEMAN III
Zoning Commissioner/Hearing Officer
for Baltimore County

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 9, 2007

Lawrence E. Schmidt, Esquire
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Towson, Maryland 21204

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, Maryland 21286

Peter Max Zimmerman
People's Counsel for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

Michael R. McCann, Esquire
213 E. Montgomery Street
Baltimore, Md. 21230

RE: **MOTION FOR RECONSIDERATION**
DEVELOPMENT PLAN HEARING AND PETITION FOR SPECIAL HEARING
E/S Sherwood Rd., S Stevenson Lane
(Country Club of Maryland)
9th Election District
5th Council District
Country Club of Maryland, Inc. – Owner/Developer
Case Nos. IX-779 & 06-642-SPH

Dear Counsel:

In response to the Motion for Reconsideration filed by People's Counsel for Baltimore County, please find a copy of an Amended Order. The "Existing Conditions" Site Plan received as Developer's Exhibit 18, referred to in and the granting of same by this office, this Amended Order is being sent to both the development and zoning files kept in the Department of Permits of Development Management for safekeeping.

As in the past, should any party find the decision rendered unfavorable, they party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

Mr. George Friedman, 611 Valley Lane, Towson, Md. 21286
Ms. Alexandra Doumani, 6714 Sherwood Road, Baltimore, Md. 21239
Mr. Ron Lesser, 709 Stevenson Lane, Baltimore, Md. 21286
Mr. David Knopp & Ms. Carolyn Cecil, 6609 Sherwood Road, Baltimore, Md. 21239
Ms. Anne Martin, 1326 Glendale Road, Baltimore, Md. 21239
Mr. Jason Fitzsimmons, 501 Dogwood Lane, Towson, Md. 21286
Mr. Bob Barczak, 1601 Alston Road, Towson, Md. 21204
Ms. Cynthia Jabs, 6605 Sherwood Road, Baltimore, Md. 21239
Mr. Dan Ellis, 6705 Canongate Road, Baltimore, Md. 21239
Ms. Janet Sanford, 1315 Heather Mill Road, Baltimore, Md. 21239
Mr. Jack Dillon, 207 Courtland Avenue, Towson, Md. 21204
Mr. & Mrs. Newell E. Gilmour, 503 Hickory Lane, Towson, Md. 21286
Ms. Peggy Squitieri, 1215 Overbrook Road, Baltimore, Md. 21239
Ms. Ann M. Cumor, 901 Litchfield Road, Baltimore, Md. 21239
Mr. Andrew Sobel, 6110 Sherwood Road, Baltimore, Md. 21239
Mr. Bill Leibovici & Ms. Dana Reed, 802 Oak Hill Road, Baltimore, Md. 21239
Mr. Kenneth Quandt, 8 Jacobo Lane, Baltimore, Md. 21286
Mr. John Keenan, 1129 Overbrook Road, Baltimore, Md. 21239
Mr. and Mrs. John D. Cheseldine, 903 Overbrook Road, Baltimore, Md. 21239
Ms. Phyllis Johnson, 503 Forest Lane, Towson, Md. 21286
Mr. Patrick Millard & Ms. Gabrielle Millard, 6705 Sherwood Road,
Baltimore, Md. 21239
Ms. Heidi Bunes, 7021 Kenleigh Road, Baltimore, Md. 21212
Ms. Betsy Garrett, 1002 Litchfield Road, Baltimore, Md. 21239
Ms. Candace McCall & Mr. Garrett Millard, 1107 Overbrook Road,
Baltimore, Md. 21239
Mr. James Mosher, 210 W. Pennsylvania Avenue, Suite 30, Towson, Md. 21204
J. Carroll Holzer, Esq., 508 Fairmount Avenue, Towson, Md. 21286
Mr. Bill Monk, 1220-C East Joppa Road, Suite 505, Towson, Md. 21286
Walter Smith, DPDM; DEPRM; LA; DPW; OP; R&P; People's Counsel; Case File

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL
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410-887-2188
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PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

December 20, 2006

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: DEVELOPMENT PLAN AND PETITION FOR SPECIAL HEARING
Country Club of Maryland, Inc- Petitioners
Case Nos: IX-779 and 06-642-SPH

Dear Mr. Wiseman:

Please accept this letter as a Motion for Reconsideration under Rule 4K of the Findings of Fact and Conclusions of Law and Order dated December 7, 2006 in the above-referenced case.

The purpose of this letter is to clarify and correct the dictum in the decision on Page 12 with respect to the anticipated upgrade and improvements to the club. At present, the only actual issue before the Commissioner is the availability of the 13.8 acres for residential development and the point that it does not actually change the existing nonconforming country club use. This is what we focused on when we reviewed the proposed draft submitted by Petitioner's attorney.

We initially overlooked the reference to upgrade and, in particular, the sentence on Page 12,

> "Said improvements may include the renovation or construction of buildings incidental to the use and improvements to the golf course."

This sentence is unnecessary to the case, overbroad, and potentially in conflict with nonconforming use law. The purpose of nonconforming use law is gradually to eliminate such uses, not expand them. County Council for Prince George's County v. Gardner 293 Md. 259 (1992). Any potential building replacements or additions are subject to the

Maryland law of nonconforming uses generally relating to extensions as well as replacements, and to Section 104 of the Baltimore County Zoning Regulations specifically with respect to changes, discontinuity, additions, and reconstruction.

Therefore, any renovation or construction of buildings would be subject to compliance with this law and, in the event of any legitimate question, be subject to a further special hearing for a determination of law under BCZR 500.7.

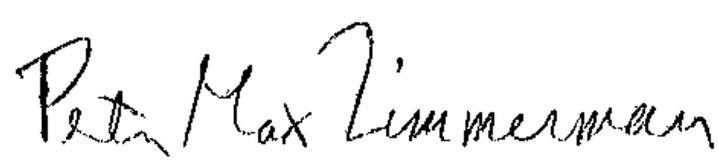
It is important that the locations and dimensions of the existing nonconforming use be described specifically. There should be filed a site plan to show the as-built country club buildings and facilities measured precisely so that there is a baseline for reference in the future. The site plan accompanying the petition is inadequate.

For these reasons, the Commissioner should add the following language to the order as *Condition 5*:

"5. There shall be filed within 30 days a site plan showing specifically the as-built nonconforming country club use, excluding the separate 13.8 acres to be developed. Any future improvements to the country club --- whether called renovations, replacements, or additions --- shall be subject to the Maryland law on nonconforming uses and to Baltimore County Zoning Regulation 104 (or as amended). A further special hearing shall be held to determine any legitimate questions with respect to compliance."

It is my understanding that J. Carroll Holzer, attorney for several individuals and area associations, concurs with my views. I have alerted Lawrence E. Schmidt, the attorney for the Petitioner, as to my concerns, but the authorship of the proposed condition is entirely my own.

Very truly yours,



Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw

cc: Lawrence E. Schmidt, Esq.
J. Carroll Holzer, Esq.

IN RE: **DEVELOPMENT PLAN HEARING AND SPECIAL HEARING**	*	BEFORE THE
E/S Sherwood Rd., S Stevenson Lane **(Country Club of Maryland)**	*	ZONING COMMISSIONER
9th Election District 5th Council District	*	FOR
	*	BALTIMORE COUNTY
Country Club of Maryland, Inc. Owner/Developer	*	**Case Nos. IX-779 & 06-642-SPH**

* * * * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before the Hearing Officer/Zoning Commissioner for a combined public hearing pursuant to the development regulations codified in Article 32, Title 4 of the Baltimore County Code (B.C.C.), for consideration of the redlined Development Plan prepared by Morris and Ritchie Associates, which depicts a proposed residential development on a portion of the property owned by The Country Club of Maryland, Inc. (hereinafter the "Property Owner" or "Club") in Towson. Additionally, this matter is before the undersigned Zoning Commissioner pursuant to a Petition for Special Hearing, wherein relief is requested "to establish/confirm the non-conforming use and operation of an existing country club/golf course, pursuant to Baltimore County Zoning Regulations (B.C.Z.R.) Section 104.1." Section 32-4-230 of the B.C.C. permits an applicant to request development plan approval and zoning relief through a single public hearing. The subject property, proposed development, and requested zoning relief are all more particularly shown on Developer's Exhibit 12, the six-page amended redline Development Plan.

Insofar as the review of this matter in accordance with the development plan review regulations contained in Article 32, Title 4 of the B.C.C., a Concept Plan was filed by the Property Owner and a Concept Plan Conference (CPC) with representatives of reviewing

County agencies was held on August 15, 2005. Thereafter, as required by law, a Community Input Meeting (CIM) was conducted at the Idlewylde Center on September 21, 2005. This meeting was held in order to obtain community input regarding the proposed plan. Subsequently, the Developers filed a Development Plan, and a Development Plan Conference (DPC) was conducted between representatives of the Developers and reviewing County agencies on June 14, 2006. The Hearing Officer's Hearing was conducted over several hearing dates, including July 7, 2006, August 31, 2006, and September 8, 2006.

Appearing at the Hearing Officer's Hearing were numerous representatives and members of the Club, including but not limited to Robert Booker (President), John Ashford (Treasurer), and Brad Seeley (Director). The Club was represented by Lawrence E. Schmidt, Esquire of Gildea & Schmidt, LLC. Also present were James Hermann and William Monk of Morris and Ritchie, the engineering, planning, and consulting firm that prepared the Development Plan, and Mickey Cornelius of The Traffic Group, the firm that conducted a traffic survey for this Development Plan.

The subject proposal produced significant public interest and comment, as was reflected by the attendance of many residents from the area at the Community Input Meeting and Hearing Officer's Hearing. These residents represented their own individual interests and a number of community associations. These included Peggy Squiterri, Cynthia Jabs and Jack McWilliams. Mr. McWilliams represented the family that owns and operates the Maxalea Nursery, which is located immediately adjacent to the parcel to be developed. The names of numerous other citizens who appeared at the hearing are found on the sign-in sheets circulated at the hearings and included in the case file. Ultimately, these citizens/Associations and the Club reached an agreement culminating in unanimous community support. Those individuals

and Associations (as reflected on the Settlement Agreement hereinafter referred to) were represented by J. Carroll Holzer, Esquire. Michael McCann, Esquire, appeared on behalf of the Stone Oaks Condominium Association, which also supported the proposal.

Also appearing at the hearing were representatives from County agencies that had reviewed the subject project for compliance with various requirements and standards for development in Baltimore County. These representatives included Curtis Murray from the Office of Planning, Jan Cook and Bruce Gill from the Department of Recreation and Parks, and David Lykens from the Department of Environmental Protection and Resource Management (DEPRM). DEPRM, in particular, was intimately involved in the evolution of the development plan, given the environmental constraints associated with this property. Also present were various members of reviewing divisions from the Department of Permits and Development Management, including John Sullivan from Zoning Review, Dennis Kennedy from Development Plans Review, and Ron Goodwin from the Bureau of Land Acquisition. Walt Smith, the Project Manager assigned to this matter from the Department of Permits and Development Management, was also in attendance.

The Country Club of Maryland is a Towson landmark that has existed at its current location since 1925. The Club owns a large, irregularly shaped parcel of land, approximately 156.8 acres in area, zoned D.R. 3.5. The property is nestled within a residential suburban area in the Towson community of central Baltimore County and is the largest open and undeveloped tract (from a building standpoint) in the vicinity. The residential communities identified above are all located in close vicinity to the Club. The property has been continuously used as a country club/golf course since its establishment and includes an 18-hole golf course; a driving range and practice putting green; a clubhouse building, including meeting and dining facilities;

Date 12-5-06
By

along with the typical outbuildings and supporting areas common to a country club/golf course operation. There are several unique environmental features on the property. Chief among these is a stream (Herring Run), which traverses the property, as well as areas of steep slopes, forest and other environmentally sensitive areas. Indeed, several of the golf course fairways cross over Herring Run and much of the remainder of the course is impacted by environmentally sensitive areas and constraints.

Although the 18-hole course and amenities thereto occupy the vast majority of the subject property, a 13.8-acre portion of the site is not in active use as part of the golf course operation. This non-active portion is located adjacent to the Stone Oaks condominium community with frontage on Sherwood Road. As more particularly shown on the plan, this 13.8-acre parcel is primarily wooded, and is up gradient from the course's fourteenth hole. The Club proposes a subdivision of this portion of the property. Specifically, the 13.8-acre site will be developed with 36 side-by-side semi-detached units. (See Developer's Pattern Book, Developer's Exhibit 5). These units will be age restricted, in accordance with proposed homeowners' association covenants that were prepared and submitted with the Development Plan. These covenants state that at least one of the residents of each unit must be fifty-five years of age or older. Vehicular access to the property will be by way of the extension of Sherwood Road into the property, which will take a circular configuration in the interior of the site. Additionally, a pedestrian pathway will be provided in order to provide access to the recreational amenities at the adjacent Stoneleigh Elementary School. The new dwellings will be served by public water and sewer and there is a proposed storm water management system to handle runoff. The above is but a brief summary of the proposal, which is shown in

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significant detail on the six-page Amended Redline Development Plan accepted into evidence as Developer's Exhibit 12.

Given the location and historic use of the property, this proposed development has generated significant public interest and substantial governmental scrutiny. It is to be noted that the developer initially submitted a concept plan proposing 56 units. The residential density of the project was later reduced, so that the next development plan filed featured 46 units. Following extensive negotiations between the Club and its neighbors, compromise was reached as to the number of units to be developed, the layout of the proposed subdivision, and numerous other issues of interest to the community at large. This resulted in the Club's submittal of an amended plan (Developer's Exhibit 12), which depicts the agreed-upon subdivision containing 36 units. The layout of this subdivision was designed to provide a buffer between the proposed development and both the Stone Oaks Condominium community across Sherwood Road, and the Maxalea nursery operation immediately abutting the subject site to the south. A lengthy Settlement Agreement by and between the Club and the numerous community associations and individual residents of the locale has been executed and received into evidence and the record of this case as Developer's Exhibit 13. The terms of that Agreement will not be listed at length herein, but shall be incorporated as a condition to the approval of the Plan. As noted above, the Agreement reflects a consensus between the parties as to the number and layout of the units, the retention and maintenance of buffers, limits upon construction activities, etc.

Insofar as other concerns, the Stone Oaks community, represented by separate counsel although not a party to the Settlement Agreement referenced above, will undoubtedly be beneficiaries of the terms of that Agreement. Additionally, Stone Oaks and the Club separately

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negotiated an Agreement as to a buffer area between the proposed subdivision and existing condominiums. In this regard, the parties agreed to mutually request that the undersigned Hearing Officer require an area of approximately 27,500 square feet located on the western side of the property be retained in its natural state. This area of the property is presently wooded and will provide a visual buffer from the proposed subdivision to the Stone Oaks condominiums. This area was originally shown as active local open space in order to meet the requirements set forth in Baltimore County's Local Open Space Manual. In regard to the open space requirements, the Property Owner received a waiver from the passive open space requirement from the Department of Recreation and Parks. Although it supports a similar waiver of the active open space requirements, the Department of Recreation and Parks deferred to the Hearing Officer to address the issue.

Analysis now turns to this active open space issue. As shown on the plan, the subject property is immediately adjacent to Stoneleigh Elementary School and the active recreational amenities located there (ball fields, tennis courts, exercise trail, etc.). Moreover, the plan shows that the Club will provide a walking path from the subject property to the school grounds. For all of these reasons, I find providing an area of active open space on the subject property would be unsuitable and unnecessary. In fact, I find that active open space would adversely impact adjacent properties in that it would necessitate the loss of naturally wooded areas, which now provide privacy to adjacent lands and add to the attractiveness of the property. For this reason, I shall add as a condition to the approval of the plan, pursuant to B.C.C. Section 32-4-229, a requirement that the areas of the property adjacent to Stone Oaks and the Maxalea Nursery remain in their present natural state in lieu of dedicating these areas as active open space. This requirement is not explicitly a "waiver" of the open space requirement; rather, it is a condition

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Date 10-7-09
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of my order to protect the subject site and neighboring properties. Without such a condition, those properties would be detrimentally impacted by dedicated open space. It should also be noted that this condition is requested not only by the Club, the Stone Oaks community, and Maxalea Nursery, but is also endorsed by the Office of Planning and Department of Recreation and Parks. Active open space need not be provided elsewhere on the site, given the recreational opportunities available nearby. The Club shall pay a fee to the Department of Recreation and Parks in lieu of providing active open space.

In addition to the agreements with its neighbors, the Club also entered into a contract of sale with Baltimore County, Maryland (Developer's Exhibit 14). This contract identifies certain environmentally sensitive areas within the 156.8-acre tract that will be protected in perpetuity. Specifically, as more particularly shown on the plan, areas abutting the stream will be designated as forest buffer easement areas, while other areas in and about the golf course will be designated forest conservation easement areas. Additionally, an area adjacent to the stream will be designated as a permanent conservation area. The intent of the contract of sale between the County and the Club is to permit the development of the 13.8-acre parcel as described hereinabove, while securing the long-term viability of the property for use as a golf course and ensuring that the environmentally sensitive areas of the property will be protected. That is, the Club will develop the 13.8-acre parcel, but the environmentally sensitive areas throughout the property will be preserved. Moreover, there is a 25-year prohibition on residential, commercial and/or institutional development unrelated to the use of the property as a golf course/country club elsewhere on the property. In the event of the development of the property after the expiration of the 25-year limitation, the environmentally sensitive areas adjacent to the stream will be conveyed to the County in fee simple for future use as a public

ORDER RECEIVED FOR FILING
Date 12-5-09
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park. The above description of the Club's agreements with the County and its neighbors, including the Stone Oaks and the various communities/individuals represented by Mr. Holzer, is not intended to be comprehensive, but merely descriptive of those understandings. The Settlement Agreement with Mr. Holzer's clients shall be incorporated herein as a condition to the approval of the plan. Moreover, the contract with the County, at the time of this writing, has been executed by both parties, but not consummated by settlement. The occurrence of this settlement is likewise a condition precedent to the approval of the plan.

At the Hearing Officer's Hearing, James Hermann, the Registered Landscape Architect who supervised the preparation of the plan, testified the plan complied with all relevant and applicable County standards, regulations, and policies for development. The Developer identified no open issues or unresolved agency comments.

Similarly, the representatives of the County agencies who appeared at the hearing ultimately indicated there were no outstanding issues and the plan met the various requirements, standards, and policies for development in Baltimore County. Initially, Mr. Lykens, on behalf of Baltimore County, identified several unresolved issues largely related to the forest buffer variance that was required by the County. In this regard, DEPRM required compliance with its regulations for the entire 156.8-acre site, not only the 13.8 acres proposed for development. Due to the location of Herring Run, a forest buffer variance is required in order to permit the continued use of the golf course. Indeed, if strict adherence to the regulations were required, the course could not function as a conventional 18-hole golf course (based upon United States Golf Association standards), in that certain of the golf holes would be required to contain undisturbed buffer which would eliminate fairways and greens. Ultimately, a forest buffer variance was approved and the conditions attached thereto were

Date 12-7-00
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accepted by the Club. Additionally, as noted above, the contract of sale between the Club and the County provides for the preservation and designation of areas of forest buffer, forest conservation, and permanent conservation easement. These areas will never be developed and the remainder of the golf course property shall be subject to a 25-year moratorium on further development. In the event of future development on the balance of the Club property, the Club will have been deemed to be in compliance with DEPRM's regulations and requirements (absent a change in the law). The Club is also undertaking a stream restoration program for that portion of the Herring Run that is located within its property. This program is to stabilize the stream, and to prevent and cure erosion problems largely resulting from up stream development. Ultimately, all of the issues initially raised by DEPRM were resolved, and Mr. Lykens recommended approval of the Development Plan consistent with the provisions of the contract with the County and the grant of the forest buffer variance.

The other County representatives identified above stated the plan was in compliance with all applicable standards for development, as administered by their respective agencies. The Planning Office indicated support for the project and reviewed the proposed covenants and building elevations. Additionally, notwithstanding that Towson High School and Stoneleigh Elementary School have enrollments in excess of their respective state rated capacities, the Planning Office stated that they are not considered "overcrowded" under the standard set forth within the Adequate Public Facility ordinance. Thus, the requisite School Impact Analysis prepared by the Property Owner had been reviewed and approved. Planning also supports the proposed buffers (towards Stone Oaks and Maxalea) and the relief required in order to provide them. In sum, the Office of Planning recommends approval of the Plan and advised that it satisfied all of the requirements they control.

Date 12-5-09
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The Department of Public Works indicated that two waivers of Public Works standards were at issue and Mr. Dennis Kennedy of that Department stated support for both requests. The first waiver is to allow a road right-of-way width of 40 feet, which is less than the 50 feet required for the internal public road. It is to be noted, however, that the paving of the road will meet the 30-foot requirement prescribed by Public Works, and, also, that granting a modestly reduced right-of-way width will allow for greater buffers from adjacent properties. This waiver will not adversely impact the layout of the proposed subdivision. The second waiver relates to a request to eliminate the requirement for a sidewalk on the east side of the entrance road (proposed Road A) from its intersection with existing Sherwood Avenue to Lot 1. A sidewalk will be provided on the other (western) side of the road, as more particularly shown on the Plan. Both of these waivers are supported by the Department of Public Works and I easily find that they meet the requirements for waiver relief as set out in Section 32-3-107 of the Baltimore County Code.

Other County reviewing agencies advised the project met their requirements and standards. The record of the case will reflect that several initial comments offered by the County agencies were ultimately resolved through redline revisions to the plan.

Based upon the testimony and evidence offered, I am persuaded the Development Plan meets all applicable standards and requirements for development in Baltimore County and should be approved. All parties are to be commended for their efforts, which resulted in the production of a plan that is appropriate for this property. Thus, the Development Plan shall therefore be approved, with conditions as described hereinabove.

In addition to Development Plan approval, the matter comes before the undersigned Zoning Commissioner pursuant to a Petition for Special Hearing, seeking approval to continue

Date 12-5-08
By

to utilize the balance of the Club property (i.e., 156.8 acres less the proposed 13.8 acre development area) as a non-conforming use. As noted above, the Club has operated as a country club/golf course at this site since 1925, well prior to the adoption of the first zoning regulations in Baltimore County. A country club/golf course use is not permitted in the D.R. 3.5 zone as of right; therefore, this operation can be permitted only by special exception or as a designated non-conforming use. Non-conforming uses are regulated by Section 104 of the B.C.Z.R. Essentially, the non-conforming use designation can be utilized to "grandfather" an otherwise non-permitted use.

In this instance, I am persuaded to grant the Petition for Special Hearing. It is clear that the country club/golf course has operated continuously without interruption since well prior to the adoption of the County's first zoning regulations. Moreover, the explicitly expressed desire of the neighbors and Baltimore County in keeping the vast majority of the property in its current use is a significant factor. In this regard, both the neighbors and Baltimore County have recognized the desirability of maintaining the country club/golf course use, as this is the largest open and natural setting remaining in the greater Towson area

It is further noted that this portion of the entire property, the 13.8 acre parcel to be developed with residences, has never been a part of the golf course. In this context, development of this 13.8 acre parcel will not result in any change to the layout of the golf course, as there are no tee boxes, fairways, hazard areas and/or greens located thereon.

Therefore, as a practical matter, under the unusual circumstances of this case, including the provisions for retaining of natural wooded areas, forest buffer and conservation easements, I find that there is no change to the non-conforming use. Furthermore, there will be no adverse impact to the property and neighborhood as a result. I find that special and peculiar

Date 12-7-06
By D.J.

circumstances exist in this instance that justify the grant of the Petition for Special Hearing. In this regard, evidence offered at the hearing is that the Club intends to continue the active country club/golf course operation on the balance of the site, as it has in the past, and will upgrade that use. Said improvements may include the renovation or construction of buildings incidental to the use and improvements to the golf course. My ruling in this regard is intended to be narrowly construed and based upon the specific factors as enumerated herein.

Pursuant to the advertising, posting of the property, and public hearing, and pursuant to the zoning and development plan regulations of Baltimore County as contained within the Baltimore County Zoning Regulations (B.C.Z.R.) and Article 32, Title 4 of the Baltimore County Code (B.C.C.), the six-page Development Plan (Developer's Exhibit 12) shall be approved, and the Petition for Special Hearing shall be granted consistent with the comments contained herein.

THEREFORE, IT IS ORDERED, by the Hearing Officer/Zoning Commissioner for Baltimore County, this 7th day of December 2006 that the six-page amended redline Development Plan for the **Country Club of Maryland**, identified herein as Developer's Exhibit 12, be and is hereby APPROVED; subject to the following conditions:

1. The Settlement Agreement by and between the Club and the numerous community associations and individuals identified therein is hereby incorporated as a condition to the approval of the development plan.

2. In lieu of the designation of portions of the property as active open space, the Development Plan shall be approved so that those areas of the subject property adjacent to the Stone Oaks community and the Maxalea Nursery operation shall be retained in their natural states, in order to provide a buffer between the proposed subdivision and those existing adjacent uses.

3. The approval of this Plan is conditioned upon the settlement of the contract of sale between the Club and Baltimore County, so that if the sale is not consummated, the Club may pursue approval of an alternate development plan.

PLANNING/ZONING
Date 12-7-06
By

4. The terms and conditions of the grant of the forest buffer variance by the Department of Environmental Protection and Resource Management shall be incorporated as a condition to the approval of the Development Plan.

IT IS FURTHER ORDERED that the Petition for Special Hearing to establish/confirm the non-conforming use and operation of an existing country club/golf course, pursuant to Baltimore County Zoning Regulations (B.C.Z.R.) Section 104.1 be and is hereby GRANTED.

Any appeal of this Order shall be taken in accordance with Sections 32-3-401 and 32-4-281 of the Baltimore County Code; and,

WILLIAM J. WISEMAN III
Zoning Commissioner/Hearing Officer
for Baltimore County

ORDER RECEIVED FOR FILING
Date 12-6-05
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

December 7, 2006

Lawrence E. Schmidt, Esquire
Gildea & Schmidt, LLC
300 E. Lombard Street, Ste. 1440
Baltimore, MD 21202-3228

RE: DEVELOPMENT PLAN HEARING AND PETITION FOR SPECIAL HEARING
E/S Sherwood Rd., S Stevenson Lane
(Country Club of Maryland)
9th Election District
5th Council District
Country Club of Maryland, Inc. – Owner/Developer
Case Nos. IX-779 & 06-642-SPH

Dear Mr. Schmidt:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved with conditions and 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:dlw

Mr. Jim Hermann, 1895 Eden Mill Road, Pylesville, Md. 21132
C. William Clark, Esq., 502 Washington Avenue, Suite 700, Towson, Md. 21204
Mr. Robert Booker, 3 Theo Lane, Towson, Md. 21204
Mr. Constantine Lanzi, 205 Belmont Forest Court, #206, Timonium, Md. 21092
Mr. Delbert L. Adams, 6410 Pratt Avenue, Baltimore, Md. 21212
Mr. Henry Leskinen, 1527 York Road, Lutherville, Md. 21093
Mr. Mickey Cornelius, 9900 Franklin Square Drive. Suite H, Baltimore, Md. 21236
Howard Alderman, Esq., 502 Washington Avenue, 8th Fl., Towson, Md. 21204
Mr. Richard Celeste, 29 Far Corners Loop, Sparks, Md. 21152
Mr. Stewart Dunn, 313 Presway Road, Timonium, Md. 21093
Mr. Richard C. Cumbers, 1267 Cedarcroft Road, Baltimore, Md. 21239
Mr. John Ashford, 1207 Merediths Ford Road, Towson, Md. 21286
Mr. & Mrs. Craig Smith, 17 Brookstone Court, Timonium, Md. 21093
Mr. Michael P. Goodrich, 1010 Cloverlea Road, Baltimore, Md. 21239
Ms. Dorothy Stoltz & Mr. Adreon Hubbard, 1207 Overbrook Road, Baltimore, Md. 21239
Mr. Donald Hart, 806 Overbrook Road, Baltimore, Md. 21239
Ms. Linda Crawford, 1321 Regester Avenue, Baltimore, Md. 21239
Ms. Michelle List, 1103 St. Albans Road, Baltimore, Md. 21239
Ms. Joan Kolubielski, 6710 Sherwood, Baltimore, Md. 21239
Ms. Jane Page, 616 Windwood Road, Baltimore, Md. 21212
Ms. Tina Farling, 1008 Overbrook Road, Baltimore, Md. 21239
Ms. Kimberly Deinlein, 1101 Overbrook Road, Baltimore, Md. 21239
Ms. Jill R. Hull, Ms. Sarah O. Hull & Mr. Matthew T. Hull, 1016 Overbrook Road, Baltimore, Md. 21239
Mr. Kyle Miller, 1008 Overbrook Road, Baltimore, Md. 21239
Ms. Dawn Schneiderman, 1109 Regester Avenue, Baltimore, Md. 21239
Ms. Nancy Lidard, 6517 Beverly Road, Baltimore, Md. 21239
Mr. Gene Dombrowski, 6802 Sherwood Road, Baltimore, Md. 21239
Mr. & Mrs. Brian Dolan, 905 Litchfield Road, Baltimore, Md. 21239
Mr. Ray A. Lucas, 6612 Raven Hill Road, Baltimore, Md. 21239
Ms. E.H. Krohn, 6504 Beverly, Baltimore, Md. 21239
Ms. Eileen Witte, 907 Overbrook Road, Baltimore, Md. 21239
Mr. Gary Fisher, 2101 Kimrick Place, Timonium, Md. 21093
Mr. and Mrs. Ray Brooks, 807 Stevenson Lane, Towson, Md. 21286
Mr. Bob Vaughan, 817 Fairway Drive, Towson, Md. 21286
Ms. Carol McEvoy, 9304 Luray Drive, Baltimore, Md. 21234
Mr. Brad Seeley, 916 Fairway Drive, Towson, Md. 21286
Mr. Harry Roger Kauffman, 1705 Welford Road, Lutherville, Md. 21093
Resident, 7719 Grand Lake Drive, Seven Valleys, Pa. 17360
Mr. Paul Romney, 6903 Banbury Road, Baltimore, Md. 21239
Mr. David Henry, 425 Kenneth Square, Baltimore, Md. 21212

IN RE: DEVELOPMENT PLAN HEARING AND SPECIAL HEARING E/S Sherwood Rd., S Stevenson Lane **(Country Club of Maryland)** 9th Election District 5th Council District Country Club of Maryland, Inc., Owner/Developer	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY **Case Nos. IX-779 & 06-642-SPH**

* * * * * * *

MEMORANDUM AND ORDER

Pending before this Hearing Officer is a Motion to Postpone these proceedings filed by the Idlewylde Community Association and other entities and individual residents of the community who oppose the proposed development by the Country Club of Maryland. Essentially, the moving parties request a postponement until such time as the Office of Planning approves and adopts[1] the regulations required by County Council Bill 24-06 concerning potential school overcrowding under the Adequate Public Facilities Ordinance.

By way of background and pursuant to the Rules of Practice and Procedure contained in the Baltimore County Zoning Regulations (B.C.Z.R.) Appendix G, Rule 4G, and the Baltimore County Code (B.C.C.) Section 3-2-1103, Permits and Development Management Director, Timothy M. Kotroco, "administered" the law as permitted when he denied the request of Mr. Holzer's clients as well as a similar request from Michael Ertel on behalf of The Greater Towson Council of Community Associations, Inc. when he denied their written request(s) for postponement on June 29, 2006. Attached to his denial was a June 21, 2006 letter from the Director of the Office of Planning, Arnold F. 'Pat' Keller, III, to Mr. Kotroco, withdrawing in part the Office of Planning's development plan conference comment, dated June 14, 2006,

[1] The regulations have been drafted and dispersed by the Division of Community Planning, however await a public hearing, tentatively scheduled for August 1, 2006, before becoming real and actual.

stating, "I . . . hereby rescind the requests for continuance sought by my office . . . pending . . . before the Zoning Commissioner". It went further to note that it is incumbent upon the Office of Planning to enforce and apply Bill No. 24-06 when reviewing development proposals.

It is not contested that Council Bill 24-06 with its effective date of January 2, 2006 applies to the Country Club of Maryland's plan. B.C.C. Section 32-6-103 as amended by this bill states in pertinent part:

> "The Office of Planning shall make the recommendation of whether a district is an overcrowded district and whether the proposed Development Plan would result in the school district becoming an overcrowded school district at the time of the filing date".

The above section goes on to establish the guidelines that the Office of Planning shall consider. It is evident that the ones most affected, i.e., the community are not included in this decision-making process. It is the Office of Planning that makes the recommendation to the Hearing Officer.

Accordingly, I will continue to receive testimony and evidence on the development plan and absent a recommendation from the Office of Planning prior to the conclusion of this process, the record of the case will remain open until such time as the recommendation is received and reviewed by all parties. Anyone feeling aggrieved with the Office of Planning's findings may request the hearing to be reconvened by filing a written request within fifteen (15) days supported by the grounds and reasons for the request. Testimony and argument will then be received on the limited issue of the Adequate Public Facilities Law and the Office of Planning's recommendation.

THEREFORE, it is ORDERED, by the Zoning Commissioner/Hearing Officer for Baltimore County this _____ day of _____ 2006 that the request for a postponement

raised as a preliminary matter at the outset of the hearing be and is hereby DENIED in accordance with the terms and conditions outlined above.

WILLIAM J. WISEMAN, III
Zoning Commissioner/Hearing Officer
for Baltimore County

c: Counsel of Record

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1101 Stevenson Lane

which is presently zoned DR 3.5

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

To establish/confirm the non-conforming use and operation of an existing country club/golf course, pursuant to Baltimore County Zoning Regulations Section 104.1.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Lawrence E. Schmidt
Name - Type or Print

Signature Lawrence E. Schmidt

Gildea & Schmidt, LLC
Company

300 East Lombard Street, Suite 1440 — 410-234-0070
Address — Telephone No.

Baltimore — MD — 21202
City — State — Zip Code

Legal Owner(s):

Country Club of Maryland, Inc.
Name - Type or Print

Signature Robert R. Booker, President

Name - Type or Print

Signature

1101 Stevenson Lane
Address — Telephone No.

Towson — MD — 21286
City — State — Zip Code

Representative to be Contacted:

Lawrence E. Schmidt
Name

300 East Lombard Street, Suite 1440 — 410-234-0070
Address — Telephone No.

Baltimore — MD — 21202
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 6/13/06

Case No. 06-642-SPH

REV 9/15/98

Date 12-7-06
By W.C. Jay

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

May 31, 2006

ZONING DESCRIPTION

Beginning at a point at or near the intersection of Stevenson Lane and the entrance to Country Club of Maryland at a distance of 240 feet southerly of Fairway Drive, thence the following courses and distances, viz;

North 05°10'12" East 763.67 feet; North 85°55'48" West 15.00 feet; North 04°24'12" East 530.25 feet; South 87°50'48" East 10.00 feet; North 00°46'12" East 234.67 feet; South 83°41'48" East 730.42 feet; South 01°53'48" East 757.42 feet; South 36°08'48" East 83.50 feet; South 74°40'48" East 594.75 feet; North 26°24'12" East 590.25 feet; South 38°54'48" East 617.53 feet; South 34°55'43" West 2736.20plt feet; South 37°47'15" West 631.23 feet; South 84°51'34" West 477.45 feet; North 34°28'48" West 158.95 feet; North 30°16'00"" West 219.36 feet; North 36°04' 24"" West 155.19 feet; North 57°02'23" West 238.34 feet; North 44°32'10" West 162.42 feet; North 81°33'02" West 208.14 feet; South 44°28'08" West 166.17 feet; North 82°50'14" West 110.62 feet; North 07°09'46" East 135.03 feet; North 29°39'12" East 125.58 feet; North 48°04'12" East 60.00 feet; North 67°04'12" East 85.00 feet; North 31°36'12" East 50.00 feet; North 16°41'48" West 204.08 feet; North 12°55'48" West 257.58 feet; North 25°00'48" West 104.50 feet; North 23°29'48" West 181.17 feet; South 85°16'48" East 30.17 feet; North 45°43'12" East 206.25 feet; North 57°13'12" East 173.25 feet; North 61°13'12" East 453.67 feet; South 05°21'48" East 15.00 feet; North 65°54'12" East 101.00 feet; North 77°50'12" East 346.50 feet; North 78°36'12" East 189.75 feet to the point of beginning, having an address of 1101 Stevenson Lane and being located along the southeasterly side of said Stevenson Lane.

Containing an area of 6,225,861 square feet or 142.926 acres of land, more or less, and being located in the Ninth Election District, Fifth Councilmanic District, Baltimore County, Maryland.

Robert Bowling
Professional Engineer No. 14015

P:\14083.02\Survey\Description\14083 Zoning Description.doc

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD (410) 515-9000 + Laurel, MD (410) 792-9792 + Towson, MD (410) 821-1690 + Georgetown, DE (302) 855-5734 + Wilmington, DE (302) 326-2200 + York, PA (717) 751-6073

06-642-SPH

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: #06-642-SPH
1101 Stevenson Lane
East side of Stevenson Lane, 240 feet south of Fairway Drive
9th Election District - 5th Councilmanic District
Legal Owner(s): Country Club of Maryland, Inc., Robert Booker, President

Spcial Hearing: to establish/confirm the non-conforming use and operation of an existing country club/golf course, pursuant to Baltimore County Zoning Regulations Section 104.1.

Hearing: Friday, July 7, 2006 at 9:00 a.m. in Room 106, County Office Building, 111 West Cheasapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

6/340 June 22 99846

CERTIFICATE OF PUBLICATION

6/22/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/22/, 2006.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

DATE 6/3/00 ACCOUNT 1-001-006-6150

AMOUNT $ 325.00

RECEIVED FROM: Lawrence E. Schmidt

FOR: Special Hearing - 1101 Severson Lane
00-642-SPH (Zoning Code of Baltimore Co.)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

GILDEA & SCHMIDT, LLC

4482

Date: Jun 12/06 **Amount** $325.00 File Petitions for Special Hearing

Paid to: Baltiomre County

Matter No. 444-001 Country Club of Maryland

Re: Stevenson Lane

GILDEA & SCHMIDT, LLC

4482

Firm Stub

DATE : Jun 12, 2006 **CLIENT :** Country Club of Maryland

AMOUNT : $325.00 **MATTER :** 444-001

ACCOUNT : 1 **RE:** Stevenson Lane

PAID TO : Baltiomre County

Expl: File Petitions for Special Hearing

MoBLE TO REORDER 1 800 662-2331 MLT103C-1

02004578220001 040330130438

B

0285

CERTIFICATE OF POSTING

RE: Case No.: 06-642-SPH

Petitioner/Developer: COUNTRY CLUB OF MARYLAND

Date of Hearing/Closing: JULY 7, 2006

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

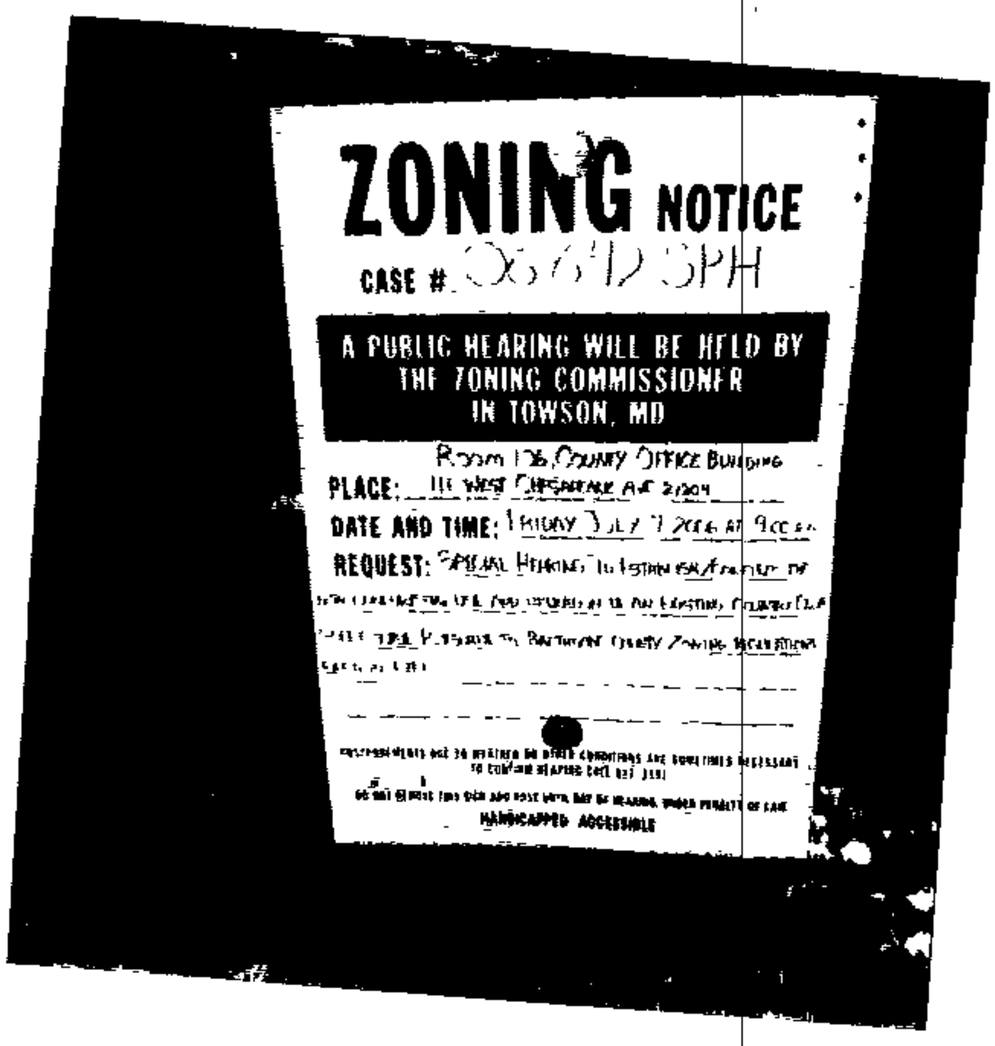
ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 1101 STEVENSON LANE

The sign(s) were posted on 6-22-06
(Month, Day, Year)

Sincerely,



Robert Black 6-23-06
(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)

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 22, 2006 Issue - Jeffersonian

Please forward billing to:
Lawrence Schmidt
Gildea & Schmidt
300 E. Lombard Street, Ste. 1440
Baltimore, MD 21202

410-234-0070

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: 06-642-SPH
1101 Stevenson Lane
East side of Stevenson Lane, 240 feet south of Fairway Drive
9th Election District – 5th Councilmanic District
Legal Owners: Country Club of Maryland, Inc., Robert Booker, President

Special Hearing to establish/confirm the non-conforming use and operation of an existing country club/golf course, pursuant to Baltimore County Zoning Regulations Section 104.1.

Hearing: Friday, July 7, 2006 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN 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 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

June 19, 2006

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: 06-642-SPH
1101 Stevenson Lane
East side of Stevenson Lane, 240 feet south of Fairway Drive
9th Election District – 5th Councilmanic District
Legal Owners: Country Club of Maryland, Inc., Robert Booker, President

Special Hearing to establish/confirm the non-conforming use and operation of an existing country club/golf course, pursuant to Baltimore County Zoning Regulations Section 104.1.

Hearing: Friday, July 7, 2006 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Lawrence Schmidt, 300 E. Lombard Street, Ste. 1440, Baltimore 21202
Robert Booker, 1101 Stevenson Lane, Towson 21286
Sebastian Cross, 300 E. Lombard Street, Ste. 1440, Baltimore 21202

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 22, 2006.**
(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
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 06-642-SPH

Petitioner: Country Club of Maryland, Inc.

Address or Location: 1101 Stevenson Lane, Towson, MD 21286

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt

Address: Gildea & Schmidt, LLC
300 East Lombard Street, Suite 1440
Baltimore, MD 21202

Telephone Number: 410-234-0070

Revised 7/11/05 - SCJ

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

June 30, 2006

Lawrence Schmidt
Gildea & Schmidt, LLC
300 E. Lombard St.
Baltimore, MD 21202

Dear: Mr. Schmidt,

RE: Case Number: 06-642-SPH, 1101 Stevenson Lane.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 13, 2006.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:sma

Enclosures

c: People's Counsel
Country Club of Maryland, Inc. 1101 Stevenson Lane Towson, MD 21286

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 27, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 21, 2006
Item Nos. 611, 621, 622, 623, 624, 626, 627, 628, 632, 633, 635, 636, 637, 640, 641, 642 and 643

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- 06272006.doc

BW 7/7
+7/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 11, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-642- Special Hearing**

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 Kevin Gambrill in the Office of Planning at 410-887-3480.

Prepared By: Cindy Murray

Division Chief: Jeff Mayhew

RECEIVED
JUL 14 2006
ZONING COMMISSIONER

CM/LL

W \DEVREV\ZAC\6-642 doc

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

June 20,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 19, 2006

Item Numbers: Item Number 611,621,624-637, 639-643

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.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

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

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 6.20.06

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

RE: Baltimore County
Item No. 642 JAP

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,

S. F. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Walt Smith, Development Manager, DPDM
Kristen Matthews, DPDM

DATE: February 26, 2007

FROM: William J. Wiseman, III, Zoning Commissioner
Zoning Commissioner's Office

SUBJECT: **Motion for Reconsideration – Development Plan Hearing & Petition for Special Hearing**
E/S Sherwood Rd., S Stevenson Lane
(Country Club of Maryland)
9th Election District – 5th Council District
Country Club of Maryland, Inc. – Owner/Developer
Case Nos. IX-779 & 06-642-SPH

As you may know Pete Zimmerman filed a Motion for Reconsideration in the above-captioned development plan/special hearing case which will result in another exhibit being referenced in my Order. That exhibit will be a new site plan of "Existing Conditions Exhibit". I therefore would appreciate each of you looking into the respective files under your control and providing me with copies of the exhibit sheets which should be contained in those files. I will then affix a new exhibit label to the site plan and provide copies to you with the amended Order.

Please do not hesitate to give me a call if you have any questions. As always, I appreciate your assistance and cooperation.

WJW:dlw

RE: PETITION FOR SPECIAL HEARING 1101 Stevenson Lane; E/S Stevenson Lane, 240' S Fairway Drive 9th Election & 5th Councilmanic Districts Legal Owners(s): Country Club of Maryland Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-642-SPH

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

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

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June, 2006, a copy of the foregoing Entry of Appearance was mailed to, Lawrence E. Schmidt, Esquire, Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

RECEIVED
JUN 26 2006
Per.

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

From: "Larry Schmidt" <lschmidt@gildeallc.com>
To: "Debra Wiley" <dwiley@co.ba.md.us>
Date: 12/27/06 2:50:44 PM
Subject: Re: Motion for Reconsideration - Country Club of MD

I agree:
Tell Bill I'll talk to him next week. Thanks
Larry
Sent via BlackBerry from Cingular Wireless

-----Original Message-----
From: "Debra Wiley" <dwiley@co.ba.md.us>
Date: Wed, 27 Dec 2006 14:43:41
To:<lschmidt@gildeallc.com>
Subject: Motion for Reconsideration - Country Club of MD

Hi Larry,

(Hope you and your family had a wonderful Christmas!!)

Bill asked me to send the following email on his behalf in reference to the above-captioned received from Pete Zimmerman, dated 12/20/06:

Why don't we look at this as old 2006 business that will have to be addressed in the New Year. I am sure you got Pete's letter about the Country Club of Maryland where he addresses an additional condition be added to the Order.

Prior to taking any action, we will wait to receive receipt of your advice.

P.S. Wouldn't a GIS map showing the improvements suffice?

Thanking you in advance for your usual cooperation!

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
401 Bosley Avenue, Rm. 405
Towson, MD 21204
410-887-3868

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Walt Smith, Development Manager, DPDM
Kristen Matthews, DPDM

DATE: February 26, 2007

FROM: William J. Wiseman, III, Zoning Commissioner
Zoning Commissioner's Office

SUBJECT: **Motion for Reconsideration – Development Plan Hearing & Petition for Special Hearing**
E/S Sherwood Rd., S Stevenson Lane
(Country Club of Maryland)
9th Election District – 5th Council District
Country Club of Maryland, Inc. – Owner/Developer
Case Nos. IX-779 & 06-642-SPH

As you may know Pete Zimmerman filed a Motion for Reconsideration in the above-captioned development plan/special hearing case which will result in another exhibit being referenced in my Order. That exhibit will be a new site plan of "Existing Conditions Exhibit". I therefore would appreciate each of you looking into the respective files under your control and providing me with copies of the exhibit sheets which should be contained in those files. I will then affix a new exhibit label to the site plan and provide copies to you with the amended Order.

Please do not hesitate to give me a call if you have any questions. As always, I appreciate your assistance and cooperation.

WJW:dlw

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 11, 2007

Peter Max Zimmerman
People's Counsel for Baltimore County
Office of People's Counsel
Room 47, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

Lawrence E. Schmidt, Esquire
Gildea & Schmidt, LLC
300 East Lombard Street, Suite 1440
Baltimore, Maryland 21202

RE: **MOTION FOR RECONSIDERATION**
DEVELOPMENT PLAN HEARING AND PETITION FOR SPECIAL HEARING
E/S Sherwood Rd., S Stevenson Lane
(Country Club of Maryland)
9th Election District - 5th Council District
Country Club of Maryland, Inc. -- Owner/Developer
Case Nos. IX-779 & 06-642-SPH

Gentlemen:

It is my understanding that you have met and discussed the issues surrounding the Motion for Reconsideration. I will withhold any further action with respect to this Motion until I receive further correspondence from Mr. Zimmerman after he has had an opportunity to review the plan, which will form a basis for the new exhibit.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

Baltimore County, Maryland
OFFICE OF PEOPLE'S COUNSEL
Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

February 26, 2007

RECEIVED
FEB 2007

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: DEVELOPMENT PLAN AND PETITION FOR SPECIAL HEARING
Country Club of Maryland, Inc- Petitioners
Case Nos: IX-779 and 06-642-SPH

Dear Mr. Wiseman:

We appreciate the opportunity you afforded the parties to arrive at a constructive resolution of our office's Motion for Reconsideration of the December 7, 2006 Order.

This led to the preparation by Morris & Ritchie Associates of the "Existing Conditions" Site Plan Exhibit (revision date February 7, 2007) to show the current situation at the site. Lawrence Schmidt, Esq., attorney for the Petitioner, transmitted a copy to you and the parties by letter dated February 23, 2007.

In consultation with Mr. Schmidt, I prepared a proposed Amended Order, which is enclosed for your review and consideration. It adds a condition with respect to the part of your December 7, 2006 Order pertaining to the nonconforming use special hearing. In brief, it links the nonconforming use approval to the aforesaid Morris & Ritchie Associates site plan exhibit and clarifies that any future improvements are subject to the Maryland and Baltimore County law on nonconforming uses. It otherwise incorporates and carries forward the original order.

I am hopeful and fairly confident that the attorneys for the other parties will be satisfied with this Amended Order, but trust that a reasonable time may be given for them to respond and/or concur. We also hope that you are satisfied that the Amended Order is appropriate and should be approved.

Thank you for the opportunity to work with the parties on this case.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw

cc: Lawrence E. Schmidt, Esq.
J. Carroll Holzer, Esq.
Michael McCann, Esq.

GILDEA & SCHMIDT, LLC

600 WASHINGTON AVENUE
SUITE 200
TOWSON, MARYLAND 21204
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DAVID K. GILDEA
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ANNAPOLIS, MD OFFICE
95 CATHEDRAL STREET
SUITE 100
ANNAPOLIS, MARYLAND 21401
TELEPHONE 410-295-0070

February 23, 2007

Sent Via Hand Delivery Only
Peter Zimmerman, Esquire
People's Counsel
400 Washington Avenue, Room 47
Towson, MD 21204

Re: Country Club of Maryland
Case No. 06-642-SPH

Dear Mr. Zimmerman:

Pursuant to our meetings and discussions, enclosed please find the revised "Existing Conditions Exhibit" for the Country Club of Maryland. This contains information depicting the property in its current state and is provided as it relates to the non-conforming use of the country club and golf course. The exhibit has been updated with the changes and updates that you have requested.

As we discussed, I understand that you will submit proposed language to Commissioner Wiseman to resolve the Motion for Reconsideration that you have filed. This language clarifies the non conforming use and essentially provides that it is subject to the applicable provisions of law. Please forward that proposed language to the Commissioner so that he may clarify his previous order in the manner that we have agreed. By copy of this letter, I am submitting a copy of the exhibit to him so that it can be referenced as an exhibit in this case.

Thank you for your anticipated cooperation and please contact me should you have any questions. With kind regards, I am

Very truly yours,

Lawrence E. Schmidt

LES: dls
Cc: J. Carroll Holzer, Esquire (w/enclosures)
Michael R. McCann, Esquire (w/enclosures)
William J. Wiseman, III, Zoning Commissioner (w/enclosures)

GILDEA & SCHMIDT, LLC

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TELEPHONE 410-337-7057

January 2, 2007

Via Facsimile and Regular Mail
William J. Wiseman, III
Zoning Commissioner
Office of the Zoning Commissioner
401 Bosley Avenue, Suite 405
County Courts Building
Towson, MD 21204

Re: Country Club of Maryland
Case No. 06-642-SPH

Dear Commissioner Wiseman:

I am in receipt of People's Counsel's letter of December 20, 2006, regarding the above matter, which was filed as a Motion for Reconsideration of your Opinion and Order issued in this case on December 7, 2006. Mr. Zimmerman had indeed contacted me to advise of his intended filing and I appreciate his courtesy.

I respectfully disagree with Mr. Zimmerman that the offending sentence is unnecessary, overbroad, and contrary to the law. Rather, it reflects the testimony and evidence that was offered in open hearing; to wit, that the Club intended to continue the country club/golf course operation on the balance of the property (exclusive of the 13.8-acre development tract) and that the capital obtained from this project would be used to upgrade that operation. This was discussed at the hearing and was of concern not only to the Club members, but to the neighbors as well.

The Club is well aware of the ramifications of the non-conforming use designation. Indeed, I believe that it is unnecessary for your decision to state the obvious: that the continued use of the property as a country club/golf course is subject to the law of non-conforming uses as stated in the BCZR and construed by the courts of this State. Every non-conforming use in Baltimore County is subject to those regulations and law.

In order to placate the concerns of People's Counsel, I agree that an exhibit should be included in the County case file reflecting existing conditions on the site. This would include all buildings and parking areas. If, in the future, the Club decided to expand its operation, the County would then have a baseline from which to determine the state of the property when the non-conforming use was

granted. As noted above, any proposed expansion would be subject to the applicable provisions of the BCZR and law.

Aside from the proposed exhibit, insertion of People's Counsel's proposed language is, in my judgment, unnecessary, overbroad, and contrary to law. Requiring a further special hearing to address "legitimate" questions (who is to say what questions are legitimate?) creates more confusion that it resolves. If the Club proposes a building expansion, it will require a building permit and the County will have the opportunity to review the plans for compliance. There are already monitors in place to assure ongoing compliance with the law.

I have asked Morris and Ritchie (the Club's engineers) to review their files to determine if they have such an exhibit already. It may be in the form of an aerial photograph, a plat, or both. They are to get back to me and I will submit the exhibit when available. I will forward a copy to People's Counsel and Mr. Holzer. Mr. McCann will also be furnished with a copy.

Upon receipt and review of this correspondence, please feel free to contact this office with any comments or questions you may have. As always, I am

Very truly yours,

Lawrence E. Schmidt

cc: J. Carroll Holzer, Esquire
Michael McCann, Esquire
John Ashford, Country Club of Maryland
Sebastian A. Cross, Esquire
David K. Gildea, Esquire

GILDEA & SCHMIDT, LLC

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TOWSON, MD OFFICE
220 BOSLEY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 410-337-7057

June 12, 2006

Sent Via Hand Delivery Only
W. Carl Richards, Jr.
Permits and Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Country Club of Maryland
Petition for Special Hearing

Dear Mr. Richards:

As discussed with your office previously, enclosed please find the filing package for a Special Hearing for the Country Club of Maryland. Per Section 32-4-230 of the Baltimore County Code, this Special Hearing can be combined with the Hearing Officer's Hearing for this property which is currently scheduled for the dates of July 7 and July 14, 2006. Combination of these hearings is consistent with the County Code and is being made per the Office of Permits and Development Management's suggestion. In order to satisfy the posting and advertising requirements it may be necessary to schedule this special hearing for the July 14, 2006 date.

Upon receipt and review of these materials, please contact this office to confirm the date this Special Hearing will be heard and inform us of any additional information you may require. With kind regards, I am

Very truly yours,

Sebastian A. Cross

SAC: dls
Cc: Jeff Purlow, PDM
John Ashford, Country Club of Maryland
William Monk, MRA
Jim Hermann, MRA
David K. Gildea, Esquire
Lawrence E. Schmidt, Esquire

06-642-SPH

BARBARA F. BACHUR

July 12, 2006

TRANSMITTED BY FAX 410.887-3468

Mr. William Wisemen
Baltimore County Hearing Officer
111 West Chesapeake Avenue
Towson, MD 21204

Re: The Country Club of Maryland

Dear Bill:

During my tenure on the Baltimore County Council, 1978 – 1990, a variety of potentially explosive zoning issues came before us. However by bringing together communities and developers, the very large majority of these were resolved and brought to fruition. To name a few: The Blakehurst Retirement Community on West Joppa Road; the Towson Towne Mall; the major office buildings on the south side of York Road in Lutherville; and Timothy House – a church sponsored, elderly housing development on Fairmount Avenue. In each case, there was give and take between community and developer and concessions were made on both sides within a reasonable time frame. I take little credit for this; it was the communities and the developers who ultimately decided on the best approach to constructive and responsible development. .

This has not been the case with the Country Club of Maryland. Community leaders met with club representatives regularly with the hope of finding agreement on a unit number that would not negatively affect surrounding neighborhoods and businesses. However each time the group convened, the country club returned with yet a larger unit proposal. Only at the eleventh hour, did they offer even the most meager of "concessions.' - to restrict their development to residents fifty-five and over, a restriction difficult and costly to enforce, with the burden placed on surrounding communities. Further, this offer is a bit supercilious since the development was designed to contain semi-detached townhouses with a minimum of three floors with no provision of elevators. And according to traffic experts, this type of development generates the same number of daily per household vehicular trips. To their benefit, the club reduced the project to its original size before submitting this recent plan. Still the number of projected units will cause considerable impact on a variety of environmental issues and great stress on the very narrow and topographically difficult Sherwood Road, the only ingress and egress.

At every step, we have been mislead or lied to. At the onset, the club stated that the proceeds from the sale of their record plat were deigned for streambed restoration in order to preserve their 14th green, repairs and upgrades to the clubhouse and the provision of an antiquated maintenance facility. However after questioning, the vice-president representing the club sheepishly stated that their ultimate desire was to construct a ballroom. An engineer who stated that he had no vested interest in the plan presented their proposal; in fact, he is/was a member-owner.

1209 OVERBROOK ROAD • BALTIMORE, MD • 21239-1607
PHONE: 410.377.4125 • FAX: 410.377.9703
EMAIL: BBACHUR@GMAIL.NET

Cleverly, the club hired lawyers with very close ties to the County Executive. In addition, they sought counsel from Les Pitler, the County Council's de facto appointment to the Revenue Authority. Sadly, by mid process County Executive Smith had met directly with club members. However, he refused to meet with representatives of the associations. He still has not.

In late winter, after a council vote on legislation that favored communities, club members were overheard thanking the Director of Recreation and Parks for his help in defeating this bill. Later, despite an earlier, contrary commitment to the communities, the director waived open space requirements.

At the onset of the Idlewylde Master Plan process, the Director of Planning stated that our plan should be a priority issue. Later, he reversed himself saying that others that took precedence - plans of no immediate urgency that were being prepared by county planners and had been in process for nearly two years. Due to sharp time constraints, Idlewylde and its surrounding communities had agreed to prepare our plan so as be prepared for constructive participation in issues pertinent to us.

On April 18, 2006 I presented the Idlewylde Master Plan to the Planning Office for distribution and posting. At that time the chief of community planning informed me that our original agreement regarding the posting of our plan would not be honored. Rather new guidelines - ones that could potentially jeopardize our work - had been created. Fortunately, our determination to hold the county to its commitment prevailed and the Master Plan was posted as originally agreed upon. Finally at recent hearing, the Director of Planning stated that our sector planner, Kevin Gambrill, had not been involved with the preparation of The Idlewylde Community Master Plan; that he attended meetings only as an observer. This is an outright lie. Kevin participated fully at each meeting. As validation you will find a few copies of the many emails that he or I generated to each other during the process.

Bill, this is so unfortunate. During the years I served, we worked through the earlier, well-deserved criticism and paranoia regarding developers and elected/appointed officials. Doors to county offices were open to communities and developers alike. Today, this is not the case, and I am looking to you for help.

I sincerely hope that you will take the leadership I know that you are capable of and use your wisdom and experience to see that community needs are not overlooked. In conjunction, please review the Proposal Section of The Idlewylde Community Master Plan to see the concessions our communities have made regarding the development of the country club property and understand the broad reaching effects infill development has on a community already identified for special protections.

With appreciation,

Barbara Bachur

Copies: John Keenan, Cynthia Jabs, Peggy Squitterri, Idlewylde Community Association
Casey Marsh, Idlewylde Webmaster
Pat Keller, Director of Planning
Bob Barrett, Director of Recreation and Parks

enclosures (4)

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Appendix 16 - Land Use acreage

From: Kevin Gambrill <kgambrill@co.ba.md.us>
To: <bomsterjam@comcast.net>,<bbachur@gmail.com>, <pashannon@verizon.net>
Date: May 3 2006 - 3:00pm

Greetings All,

Please note that the Land Use "Single Family Single Detached" should be changed to "Single Family Semi-Detached". I was reviewing my E-mail attachment from March 31st, and realized that we were mis-stating that particular Land Use category.

We are still awaiting County agency comments, but I do understand the Development Plan for CCMD has been submitted. I have yet to see it on my desk for review, but anticipate it to arrive before the end of the work week.
If anyone has any specific questions, don't hesitate to contact me.

Regards,

KMG

Kevin M. Gambrill
Planner

Baltimore County Office of Planning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, MD 21204

410-887-3480
410-887-5862 (F)

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032906 - Planning Office Update

From: Kevin Gambrill <kgambrill@co.ba.md.us>
To: <bugsandping@aol.com>,<famfuchs@aol.com>, <failte@bcpl.net>, <bccdistrict5@comcast.net>, <bomsterjam@comcast.net>, <johnashford@comcast.net>, <jtsanford@comcast.net>, <keenan32@comcast.net>, <lanzilaw@cs.com>, <marymcw@earthlink.net>, <bbachur@gmail.com>, <bradseeley@hotmail.com>, <georgerover@msn.com>, <dtellis@starpower.net>, <pashannon@verizon.net>, <kzpg@yahoo.com>
Date: Mar 29 2006 - 7:22pm

Greetings All -

Attached are our Offices latest contributions to the community planning effort.
I will have hard copies available at tonights meeting.

If anyone has any questions or comments, feel free to contact me

Regards,

Kevin M. Gambrill
Planner

Baltimore County Office of Planning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, MD 21204

410-887-3480
410-887-5862 (F)

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Message **1** of **1** in conversation

To Kevin Grambrill

From: Barbara Bachur <bbachur@gmail.com>
To: Cynthia Jabs <bomsterjab@comcast.net>
Date: Mar 5 2006 - 8:19pm

To: Kevin Gambrill kgambrill@co.ba.us 3.02.06
Cc: Peggy Squitterri , John Keenan

Hello,

And thank you for your time and interest last night.

As promised, here's a listing of the work items to which you committed. You can forward any responses that are available by Wednesday, March 8, directly to me and copy Peggy Squitterri. Others we can pick up at the meeting that night.

1. Demographic analysis of the Idlewdyle area. Your notes include comment regarding median income from census.
2. Open space statistics that address ideal amount of open space acreage (passive and active) to number of people. Peggy believes this figure relates to 1,000 people.
3. Maryland Historical Trust for possible sites. We believe that the Idlewylde Methodist may be on this listing.
4. History of the Comprehensive Zoning Issue related to the Country Club property. This should be included in the 1992 cycle. We are interested in knowing the original zoning, the proposed zoning, by whom (planning staff, community, country club. If any of this information contains a history of the Club, that would be very useful as well.
5. Date of submission of the Country Club's Concept Plan.
6. Possible topo map info on the gradations of Sherwood Road that reflect its steep topography.
7. Finally, the size of the Country Club tract that would be rezoned from DR2 to DR1. This excludes the sixteen acres under current consideration.

On behalf of the communities, thank you for this work. Should it be easiest to fax any portion of it, my fax number is 410.377.9703. For easy reference, my phone is 410.377.4125. Email: bbachur@gmail.com

Sincerely,
Barbara Bachur

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Message **4** of **4** in conversation

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Re: Zoning of other Golf Courses

From: Barbara Bachur <bbachur@gmail.com>
To: Kevin Gambrill <kgambrill@co.ba.md.us>
Date: Mar 23 2006 - 8:23pm

Kevin -

Excellent!

And thanks -
b

On 3/23/06, Kevin Gambrill wrote:
>
> Greetings All -
>
> I have found the zoning for those remaining Golf Courses / Clubs;
>
> Hayfields RC-2
> 700 Hayfields Road
>
> Woodlands/Diamond Ridge RC-6
> 2309 Ridge Road
> Windsor Mill, MD
>
> Suburban Club DR-2
> 7600 Park Heights
>
> Red/Blue RC-6
> 14101 Phoenix Road
>
> Regards,
>
>
>
> Kevin M. Gambrill
> Planner
>
> Baltimore County Office of Planning
> County Courts Building, Suite 406
> 401 Bosley Avenue
> Towson, MD 21204
>
> 410-887-3480
> 410-887-5862 (F)
>

Jul 12 06 06:06p Barbara Bachur 410.377.9703 p.6

PLEASE PRINT CLEARLY

CASE NAME Country Club of MD
CASE NUMBER IX-779
DATE 7/7/06

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Walter Smith	PDM		
Jan Cook	Rec. & Parks		
Curtis Murray	Planning		
Jeff Livingston	DEPRM		
Eric Rockel	Land Acq. 111 W. Chesapeake		
Donald A. Gabriel	Land Acq		
Vishnu Desai	Development Plans Review		
Jeffrey Perlow	Zoning Review-PDM		

PLEASE PRINT CLEARLY

CASE NAME COUNTRY CLUB OF MD
CASE NUMBER IX-779
DATE 7/7/06

PETITIONER'S SIGN-IN SHEET

HEARING OFFICER'S HEARING

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
LAWRENCE E SCHMIDT	220 BOSLEY AVE	TOWSON, MD 21204	—
Jim Hermann	1895 EDEN HILL ROAD	PYLESVILLE MD 21132	JHermann@mragta.com
J. William Clark	502 WASHINGTON AVE STE 700	TOWSON MD 21204	cwclark@nolanplumhoff.com
ROBERT BOOKER	3 THEO LANE	TOWSON, MD 21204	RBOOKER@MAUI.VG
Constantine N. Lanzi	205 Belmont Forest Ct #206	Timonium MD 21092	clanzi@weitzenbullaw.com
Delbert L Adams	6410 PRATT AVE	BALTIMORE MD 21212	dadams@ilexconstruction.com
Henry Leskinen	1527 York Rd	Lutherville, MD 21093	espiemail@aol.com
MICKEY CORNELIUS	9900 FRANKLIN SQ. DR SUITE H	BALTIMORE, MD 21236	mcornelius@traffic-group.com
HOWARD HOFFMAN	502 Washington Ave Suite 700	TOWSON MD 21204	hoffmanhl@comcast.net
RICHARD CELESTE	29 FAIR GROUNDS LOOP E.	SPARKS MD 21152	RCEL278002@ATL.COM

PLEASE PRINT CLEARLY

CASE NAME Country Club of MD
CASE NUMBER IX-1779
DATE 7/7/06

PROTESTANT'S ~~PETITIONER'S~~ SIGN-IN SHEET

HEARING OFFICER'S HEARING

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
John E McWilliams	904 Oakhill Rd	Baltimore 21239	MARYMCW@Earthlink.net
PATRICIA NICHOLLS	6674 LOCH HILL RD.	BALTO MD 21239	failte@bcpl.net
Sue Streckfus	3913 Longmoor Circle	Phoenix, Md. 21131	Susanstreckfus@aol.com
GEORGE FRIEDMAN	611 VALLEY LANE	TOWSON MD 21286	FRIEDMAN@TOWSON.EDU
Alexandra Doumani	6714 Sherwood Rd	Baltimore 21239	ajdoumani@comcast.net
Ron Lesser	709 Stevenson Ln	Baltimore 21286	rlesser@comcast.net
DAVID KNOPP	6609 SHERWOOD RD	BALTIMORE 21239	DLKNOPP@VERIZON.NET
Carolyn Cecil	6609 Sherwood Rd	BALTO 21236	dlknopp@verizon.net
Anne Martin	1326 Glendale Rd	Baltimore 21239	martinjr@bcpl.net
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Cynthia Jobs	6605 Sherwood Rd	Balt 21239	Bomsterjab@comcast.net
Don Ellis	6705 Canongate Rd	Balt 21239	dtellis@starpower.net
JANET SANFORD	1315 HEATHER HILL RD	BALTO 21239	jtsanford@COMCAST.NET
Jack Dillon	207 Cranford Rd	21204	jackdillon@dwan.com
NEWELL E. GILMOUR	503 HICKORY LA	TOWSON MD 21286	
BARBARA A. GILMOUR	503 HICKORY LA	TOWSON MD 21286	
Peggy SQUIERI	1215 Overbrook Rd	Baltimore MD 21239	pashannon@Verizon.net
Ann M. Cumor	901 Litchfield Rd.	Baltimore, Md. 21239	edgar.cumor@verizon.net

PLEASE PRINT CLEARLY

CASE NAME Country Club of MD
CASE NUMBER IX-1779
DATE 7/7/06

CITIZEN'S SIGN-IN SHEET

Hearing Officer's Hearing

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Gary Fisher	2101 Kimmen Ln	Timonium MD 21093	
Ray & JoAnn Brooks	807 Stevenson Ln	Towson 21286	
BOB KAUGHAN	817 FAIRWAY DR.	TOWSON 21286	
Carol McEvoy	9304 Larcy Drive	Balto MD 21234	
Brad Seeley	916 Fairway Dr.	21286	
Ron Lauffman	1705 Welford Rd	Lutherville md 21093	
[illegible]	7719 GRAND LAKE DR	SEVEN VALLEYS 17360	
Paul Romney	6905 Banbury Rd	Baltimore, MD 21239	paulromney03@netscape.net
John Ashford	1207 Meredith Ford Rd	Towson, MD 21286	JohnAshford@comcast.net
~~Ron Lesser~~	~~209 Stevenson~~ Lane	~~Towson~~ 21286	~~rlesser1@yahoo.com~~
David Henry	425 Kenneth Sq	BALTO 21212	[illegible]@people.pc.com
Neil Lanzi	409 Washington Ave Ste 617	Towson MD 21204	
Michael McCann	36 S. Charles St,	Balt MD 21201	mmccann@[illegible].com
Doug Biser	705 Stoneleigh Rd	Bal MD 21212	
Carl Robbins	4403 Selgwick Rd	Balto MD 21210	chrobbins@comcast.net
Martin Bossler	11843 Silverbrook Dr	Timonium MD 21093	mbossler@comcast.net

Case No.: IX-779 Country Club of Maryland Inc

Exhibit Sheet (SEE ALSO - 06-642 SPH)

	Petitioner/Developer	Protestant
No. 1	Red Line Development Plan 1A thru 1E	Collectively - Photographs 1A thru 1L taken 7/04 1M taken 7/1/06
No. 2	Resume of James V. Hermann, RLA	2A thru 2C Photo's of Maxella Nursery
No. 3	Aerial GIS Overview of Property	3A thru 3C Photo's of Sherwood Rd. 3A - Looking North towards CCMD. Prop.
No. 4	(Sheet 2 of Dev. Plan Package) Notes Existing Zoning	Photograph - Looking North/East Denoting Trees Wants No Road Widening
No. 5	Revised Pattern Book	Photo's - Collectively Depicts Sherwood Road
No. 6 *	Colorized Development Plan.	All Exhibits
No. 7	Rear Yard Expansion Exhibit	Placed in
No. 8	School Impact Analysis Collectively grouped	Development File
No. 9	9A Cover Letter 9B - Revised Amended Plan 9/6/06	
No. 10	Colorized Plan Possible Easement Areas - Pending Approvals	
No. 11	Revised School Impact Analysis - 7/31/06	
No. 12	Le Page - Amended Red Line Refinement Plan Amended 9/25/06	

* mounted.

Case No.: IX-779 Country Club of Md. Inc.

Exhibit Sheet - Continued

	Petitioner/Developer		Protestant
No. 13	Settlement Agreement of Parties - attachments A thru E		
No. 14	Agreement Between the County and CC of Md. - 1 attachment		
No. 15	Revised School Impact Analysis - and Revised Comment		
No. 16	Attachment to County's Agreement (2.3 - Exhibit A)		
No. 17	Forest Buffer Variance Tree Plan		
No. 18			
No. 19			
No. 20			
No. 21			
No. 22			
No. 23			
No. 24			

Case No.: IX-779 Country Club of Md Inc

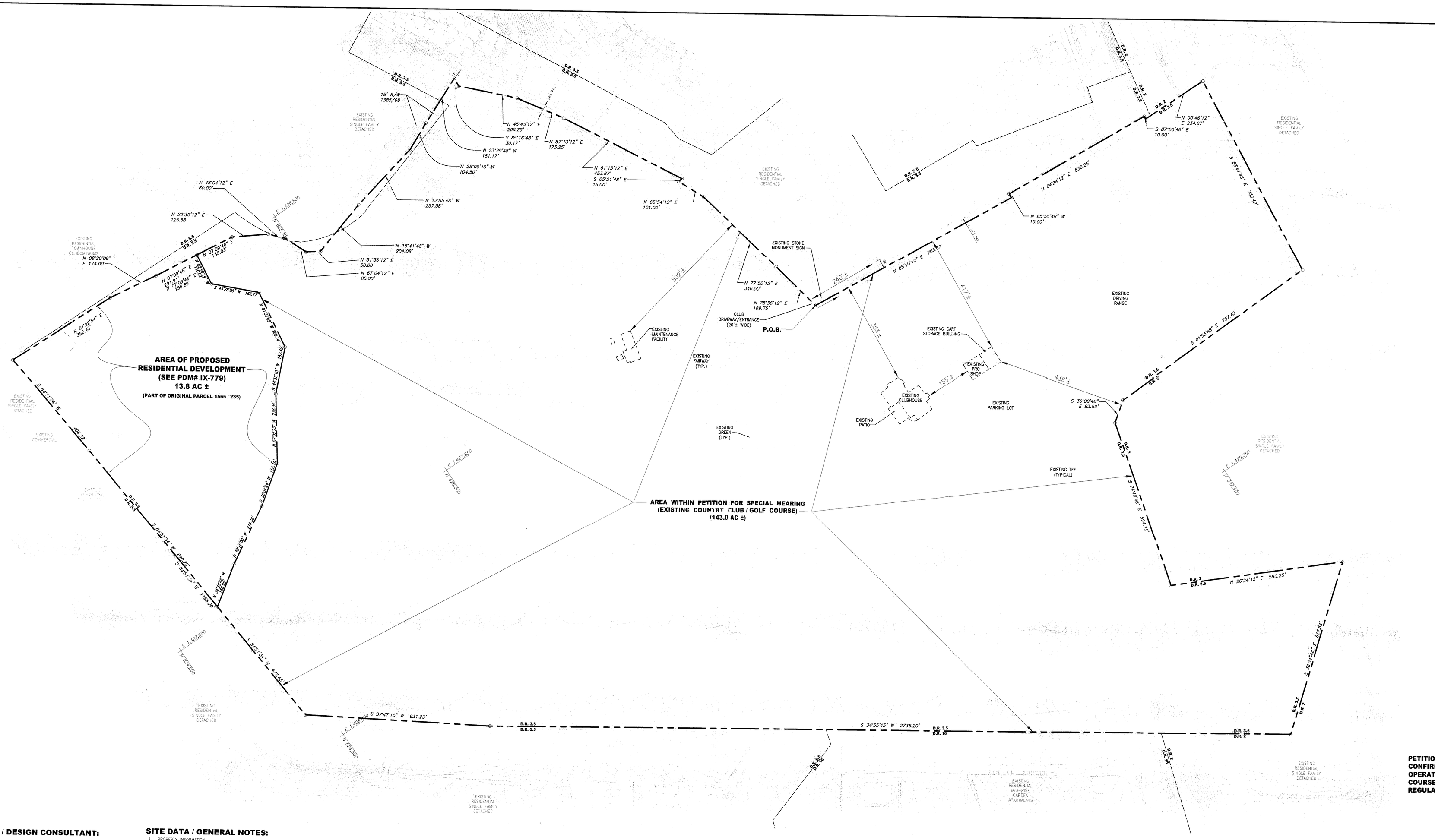
Community Exhibits

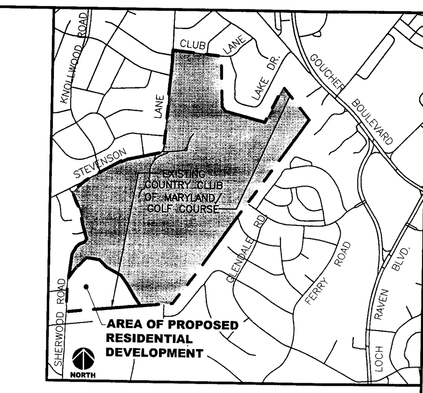
No. 1	INTRODUCED BY MICHAEL MCCANN Esq counsel for STONE OAKS Condominium Assoc.	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Case No.: IX-779 Country Club of Md.

County Exhibits

No. 1	LOCAL OPEN SPACE SIGNED Jeanette Tansey 6/30/02
No. 2	Local OPEN Space Revised Comment 9/28/06
No. 3	
No. 4	
No. 5	
No. 6	
No. 7	
No. 8	
No. 9	
No. 10	
No. 11	
No. 12	





VICINITY MAP

1" = 1,000'

CERTIFICATION AS TO DELINQUENT ACCOUNTS

THIS CERTIFICATION IS SUBMITTED IN CONNECTION WITH THE DEVELOPMENT KNOWN AS COUNTRY CLUB OF MARYLAND AND IS GIVEN IN ACCORDANCE WITH THE PROVISIONS OF SECTION 32-4-113 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED.

I, John E. Ashford CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO WHICH I AM CONTROLLED BY, CONTROLLED BY A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO SHALL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

For Country Club of Maryland, Inc. John E. Ashford
(PRINTED NAME) (SIGNATURE)

I HEREBY CERTIFY, THAT ON THIS 14 DAY OF MARCH BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED JOHN E. ASHFORD AND MADE OATH IN DUE FORM OF LAW THAT THE MATTERS AND FACTS HEREIN ABOVE SET FORTH ARE TRUE

AS WITNESS MY HAND AND NOTARIAL SEAL

NOTARY PUBLIC
MY COMMISSION EXPIRES

ZONING CERTIFICATION

THIS IS TO CERTIFY THAT THERE ARE NO KNOWN ZONING VIOLATIONS ON ANY PROPERTIES WITHIN BALTIMORE COUNTY OWNED OR CONTROLLED BY THE UNDERSIGNED PROPERTY OWNER(S) AND OR DEVELOPER(S) OF THE DEVELOPMENT KNOWN AS COUNTRY CLUB OF MARYLAND.

THE UNDERSIGNED ACKNOWLEDGE(S) THAT ANY ZONING VIOLATIONS BE DISCOVERED DURING PROCESSING OF THIS DEVELOPMENT, THE PROCESSING MAY BE HALTED AND THE ZONING OFFICE OF THE COUNTY FROM GRANTING APPROVALS AT ANY STAGE OF THE PROCESS.

Country Club of Maryland, Inc. John E. Ashford, President, OWNER
(NAME OF OWNER)

NOTE: IF APPLICANT IS A CORPORATION, THIS CERTIFICATION MUST BE SIGNED BY AN AUTHORIZED OFFICER AND IF APPLICANT IS A PARTNERSHIP OR A JOINT VENTURE, IT MUST BE COMPLETED BY A GENERAL PARTNER OR VENTURE OR AN OFFICER THEREOF, IF THE PARTNER OR VENTURER IS A CORPORATION.

COUNTY ADOPTED PLANS

OK		BALTIMORE COUNTY MASTER PLAN 2010
OK		COMMUNITY OR REVITALIZATION PLANS
OK		RECREATION AND PARKS PLAN (TOWSON COMMUNITY PLAN)
N/A		STREETSCAPE PLAN
OK		GREENWAYS PLAN (HERRING RUN ENVIRONMENTAL GREENWAY)
		OTHER

EXISTING CONDITIONS

EXIST.	NOT EXIST.	
X		LOCATIONS OF EXISTING BUILDINGS WITHIN 200 FT. OF SITE BOUNDARIES
X		LOCATION OF EXISTING ROADS WITHIN 200 FT. OF SITE BOUNDARIES
	X	LOCATION OF HISTORIC SITES AS PER LANDMARKS PRESERVATION COMMISSION OR THE MD HISTORIC TRUST INVENTORY
	X	DESIGNATED SITES AS PER THE MARYLAND ARCHEOLOGICAL SURVEY
	X	SIGNIFICANT VIEWS
X		SIGNIFICANT FEATURES (SPECIMEN TREES, BUILDINGS, STREETSCAPES, ETC.)
X		LAND USES ON AND WITHIN 200 FT. OF SITE
X		ROADS RIGHT-OF-WAY AND EASEMENTS

ENVIRONMENTAL INFORMATION

EXIST.	NOT EXIST.	
X		TOPOGRAPHY AND STREET GRADES (MIN. 5 FT. CONTOUR APPROPRIATELY LABELED)
X		SLOPES GREATER THAN 25%
X		100 YEAR FLOOD PLAIN
X		SOILS MAPPED ACCORDING TO SOIL SURVEY, BALTIMORE COUNTY, MARYLAND
X		STREAMS, SEEPS, PONDS OR OTHER WATER BODIES SHOWN ON SITE AND WITHIN 200 FT. OF THE SITE
X		WETLANDS
X		FOREST BUFFER LIMITS INCLUDING ADJUSTMENTS FOR STEEP SLOPES AND/OR ERODIBLE SOILS
X		LAND COVER ON OR WITHIN 200 FT. OF SITE
	X	SIGNIFICANT REGULATED PLANT / WILDLIFE COMM.
	X	WELLS ON SITE OR WITHIN 100 FT. OF SITE
	X	SEPTIC ON SITE OR WITHIN 100 FT. OF SITE
	X	SOIL EVALUATION TESTS (PERC TESTS)

PETITION FOR SPECIAL HEARING TO ESTABLISH / CONFIRM THE NON-CONFORMING USE AND OPERATION OF AN EXISTING COUNTRY CLUB / GOLF COURSE, PURSUANT TO BALTIMORE COUNTY ZONING REGULATIONS SECTION 104.1.

OWNER / APPLICANT / DESIGN CONSULTANT:

1. PROPERTY OWNER / APPLICANT:
   COUNTRY CLUB OF MARYLAND, INC.
   1101 STEVENSON LA
   TOWSON, MD 21286
   ATTN: MR. JOHN ASHFORD
   PHONE: 410-823-6710

2. PLAN PREPARED BY:
   MORRIS & RITCHIE ASSOCIATES, INC. (MRA)
   1220-C EAST JOPPA ROAD, SUITE 505
   TOWSON, MD 21286
   ATTN: MR. BILL MONK
   PHONE: 410-821-1690

SITE DATA / GENERAL NOTES:

1. PROPERTY INFORMATION
   a. TAX ACCOUNT NUMBER: 0906100470
   b. DEED REFERENCE: 15651/235
   c. COUNCILMANIC DISTRICT: 05
   d. ELECTION DISTRICT: 09
   e. CENSUS TRACT: 4913
   f. ADC MAP LOCATION: MAP 27, GRID: B7, B6, 9E, 9F, 9G, 10E AND 10F
   g. BALTIMORE GIS TILES: 070B3, 080B1
   h. BALTIMORE COUNTY ZONING MAP: 070B3, 080B1
   i. TAX MAP, GRID, PARCEL: 70, 21, 663
   J. WATERSHED: BACK RIVER
   k. SUBSEWERSHED: 51
   l. REGIONAL PLANNING DISTRICT: 315
   m. SCHOOL DISTRICTS: STONELEIGH ELEMENTARY SCHOOL, DUMBARTON MIDDLE SCHOOL, TOWSON HIGH SCHOOL
2. EXISTING ZONING: D.R. 3.5
3. SITE AREA:

OVERALL NET TRACT AREA:	156.8 ACRES±	(6,830,200 SF±)
OVERALL GROSS TRACT AREA:	156.8 ACRES±	(6,830,200 SF±)
PROPOSED DEVELOPMENT AREA:	13.8 ACRES±	(601,100 SF±)
AREA OF EXISTING COUNTRY CLUB/ GOLF COURSE TO BE RETAINED	143.0 ACRES±	(6,229,100 SF±)

4. PER MR. JOHN MCGRAIN, BALTIMORE COUNTY HISTORIAN, THERE ARE NO BUILDINGS, PROPERTY OR SITE WITHIN OR CONTIGUOUS TO THE SUBJECT PROPERTY INCLUDED ON THE MARYLAND HISTORICAL TRUST INVENTORY OF HISTORICAL PROPERTIES, THE BALTIMORE COUNTY PRELIMINARY OR FINAL LANDMARKS LIST, THE NATIONAL REGISTER OF HISTORIC PLACES, THE MARYLAND ARCHAEOLOGICAL SURVEY OR IDENTIFICATION OF ANY BALTIMORE COUNTY HISTORIC DISTRICT OR NATIONAL REGISTER DISTRICT COVERING THE PROPOSED DEVELOPMENT.
5. THE MARYLAND DEPARTMENT OF NATURAL RESOURCES HAS DETERMINED THAT THERE ARE NO RARE, THREATENED, OR ENDANGERED SPECIES WITHIN THE BOUNDARIES OF THE PROJECT SITE. THE U.S. DEPARTMENT OF THE INTERIOR HAS DETERMINED THAT THERE ARE NO THREATENED OR ENDANGERED SPECIES KNOWN TO EXIST WITHIN THE PROJECT SITE.
6. A 100-YEAR FLOODPLAIN EXISTS ON SITE AND WAS COMPUTED BY BIOHABITATS, INC. ACCEPTED FOR FILING BY PDM: PENDING
   FEMA FLOOD PANEL NO.: 265 (BALTIMORE COUNTY)
   FLOODPLAIN DESIGNATION: A
   FLOODPLAIN ELEVATION: VARIES AS SHOWN
7. WETLANDS EXIST ON SITE AND WERE DELINEATED BY ECO-SCIENCE PROFESSIONALS AND FIELD SURVEYED BY MRA IN MAY 2005.
8. THE PROPOSED FOREST BUFFER, STEEP SLOPES, AND ERODIBLE SOILS WERE CALCULATED BY ECO-SCIENCE PROFESSIONALS IN JUNE 2005.
9. FOREST STAND DELINEATION PREPARED BY ECO-SCIENCE PROFESSIONALS IN JULY, 2005.
10. PRELIMINARY FOREST CONSERVATION PLAN PREPARED BY ECO-SCIENCE PROFESSIONALS IN APRIL 2006. DEPRM APPROVAL PENDING.
11. FOREST RETENTION / AFFORESTATION INVESTIGATION REPORT PREPARED BY ECO-SCIENCE PROFESSIONALS IN APRIL 2006. DEPRM APPROVAL PENDING.
12. FOREST BUFFER VARIANCE AND ALTERNATIVES ANALYSIS PREPARED BY ECO-SCIENCE PROFESSIONALS IN APRIL 2006. DEPRM APPROVAL PENDING.
13. ENVIRONMENTAL EFFECTS REPORT PREPARED BY ECO-SCIENCE PROFESSIONALS IN APRIL 2006. DEPRM APPROVAL PENDING.
14. TOPOGRAPHY IS FROM BALTIMORE COUNTY GIS.
15. BOUNDARY INFORMATION GENERATED FROM A FIELD SURVEY COMPLETED IN 1999 BY CENTURY ENGINEERING, INC.
16. SOILS ARE MAPPED AND LABELED IN ACCORDANCE WITH THE SOIL SURVEY, BALTIMORE COUNTY, MARYLAND. MAP NO. 35.
17. AN ENVIRONMENTAL GREENWAY EASEMENT OF THE 100-YEAR FLOODPLAIN OR THE WETLAND OR FOREST BUFFER (ASSOCIATED WITH HERRING RUN), WHICHEVER IS GREATER, SHALL BE DEDICATED TO BALTIMORE COUNTY.
18. SITE SERVICED BY PUBIC WATER AND SEWER.
19. SITE IMPROVEMENTS AND OPERATIONS INCLUDE CLUBHOUSE, GOLF / PRO SHOP, CART STORAGE BUILDING, MAINTENANCE BUILDINGS, FACILITIES, 18-HOLE GOLF COURSE, DRIVING RANGE, ETC.
20. CLUB ESTABLISHED IN 1925 AND OPERATED CONTINUOUSLY AS A COUNTRY CLUB / GOLF COURSE.
21. FOR INFORMATION REGARDING DEVELOPMENT PROPOSED UNDER PDM CASE #IX-779 AND THE DEVELOPMENT PLAN FILED THEREIN, SEE PDM FILE LOCATED AT ROOM 123, BALTIMORE COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204. THE PETITION FOR SPECIAL HEARING IS FILED IN CONJUNCTION WITH THE DEVELOPMENT PLAN AND CONTAINS APPROPRIATE / APPLICABLE INFORMATION SHOWN HEREON IS INCORPORATED HEREIN.
22. A PORTION OF THE GOLF COURSE PROPERTY IS DESIGNATED AS WITHIN AN ENVIRONMENTAL GREENWAY EASEMENT. SPECIFICALLY, THE ENVIRONMENTAL GREENWAY EASEMENT AREA IS LOCATED ADJACENT TO THE HERRING RUN, WHICH TRANSECTS A PART OF THE PROPERTY. IN ACCORDANCE WITH THE LOCAL OPEN SPACE MANUAL, THE COUNTRY CLUB WILL DEDICATE AN EASEMENT TO BALTIMORE COUNTY FOR THE GREENWAY AREA. A FEE SIMPLE CONVEYANCE IS NOT REQUIRED. ADDITIONALLY, THE FOLLOWING NOTE, AS REQUIRED BY THE LOCAL OPEN SPACE MANUAL, WILL BE ADDED TO THE DEVELOPMENT PLAN: "WITHIN THE AREA SHOWN AS BALTIMORE COUNTY ENVIRONMENTAL GREENWAY EASEMENT, ACCESS BY BALTIMORE COUNTY, OR ITS ASSIGNS, FOR PUBLIC SAFETY OR MAINTENANCE AS ALLOWED, SUBJECT TO APPROVAL BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. PUBLIC ACCESS IS NOT REQUIRED, NOR WILL IT BE ALLOWED."
23. ALL OF THE APPLICABLE ITEMS IN BALTIMORE COUNTY CODE ARTICLE 33, TITLE 3 FOR PROTECTION OF WATER QUALITY, STREAMS, WETLANDS, AND FLOODPLAINS, AND TITLE 6 FOR FOREST CONSERVATION ARE ADDRESSED ON THE ENTIRE PROPERTY (156.8 ACRES). FOREST BUFFER EASEMENTS AND FOREST CONSERVATION EASEMENTS ARE REQUIRED TO BE SHOWN THROUGHOUT. CONTINUED USE OF PORTIONS OF THE GOLF COURSE WILL REQUIRE APPROVAL FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT (DEPRM) AND APPROPRIATE CONCEPTUAL MITIGATION PLANS WILL NEED TO BE APPROVED.
24. NO DEED OR RECORDING REFERENCES FOR SHERWOOD ROAD HAVE BEEN IDENTIFIED AT TIME OF DEVELOPMENT PLAN SUBMISSION.
25. THERE ARE NO PRIOR ZONING CASES FOR THIS PROPERTY.

LEGEND:

- EXISTING PROPERTY LINE
- PROPOSED SUBDIVISION LINE
- EXISTING RIGHT OF WAY
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING WOODS
- D.R. 5.5 — EXISTING ZONING
- LIMIT OF SOILS/SOILS TYPE
- EXISTING STREAM
- EXISTING WETLAND
- EXISTING 100-YEAR FLOODPLAIN
- PROPOSED BALTIMORE COUNTY FOREST BUFFER EASEMENT
- EXISTING STRUCTURE

NORTH

MARYLAND COORDINATE SYSTEM (MCS)

MRA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1746
MRA@TA.COM

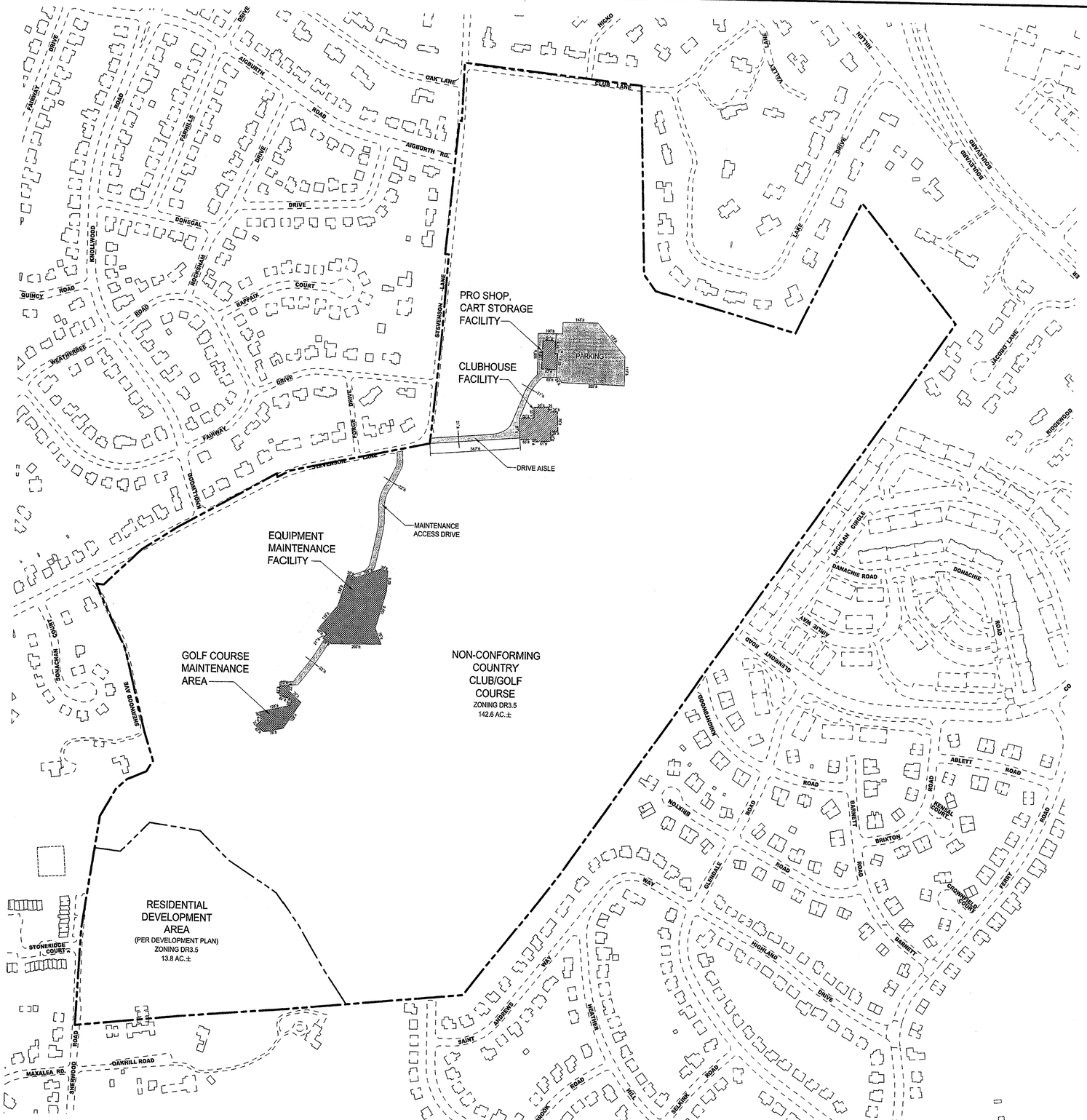
PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

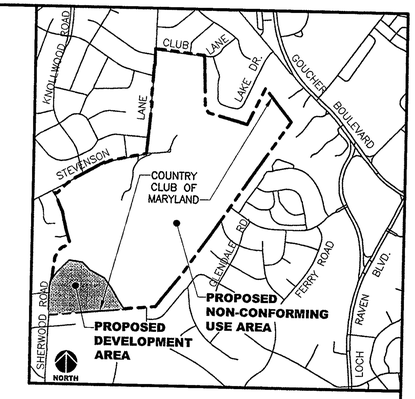
COUNTRY CLUB OF MARYLAND
1101 STEVENSON LANE
TOWSON, MARYLAND 21286

ELECTION DISTRICT 09 — BALTIMORE COUNTY, MARYLAND — COUNCILMANIC DISTRICT 05

DATE	REVISIONS		
		JOB NO.:	14083.01
		SCALE:	1"=100'
		DATE:	05/31/06
		DRAWN BY:	JAB
		DESIGN BY:	WPM
		REVIEW BY:	WPM
		SHEET:	1 OF 1

06-692-SPH





VICINITY MAP

1"= 1,000'

GENERAL NOTES:

1. THIS PLAN WAS PREPARED PURSUANT TO THE PETITION FOR SPECIAL HEARING TO ESTABLISH / CONFIRM A NON-CONFORMING USE FOR A COUNTRY CLUB / GOLF COURSE (SEE CASE NUMBER 06-642-SPH).
2. THE ZONING IS DR 3.5.
3. THE TOTAL TRACT ACREAGE IS 156.4± ACRES. THE NON-CONFORMING 18 HOLE GOLF COURSE / COUNTRY CLUB AREA IS 142.6± ACRES AND THE DEVELOPMENT AREA IS 13.8± ACRES.
4. PARKING AREA (MACADAM):
   59,266 S.F.±
   136 SPACES
5. PRO SHOP AND GOLF CART STORAGE FACILITY:
   6,642 S.F.±
   20' ±MAX. HEIGHT (1 STORY)
6. CLUBHOUSE FACILITY:
   16,390 S.F.±
   25' ±MAX. HEIGHT (2 STORIES)
7. EQUIPMENT MAINTENANCE FACILITY:
   55,172 S.F.±
   15' ±MAX. HEIGHT (1 STORY)

   (USES INCLUDE OFFICE FACILITY, MATERIAL STORAGE FACILITIES, MOWERS AND GROUNDS MAINTENANCE EQUIPMENT, GROUND MAINTENANCE MATERIALS (MULCH, FERTILIZERS, PESTICIDES, SAND, DRAIN PIPES. ETC.))
8. GOLF COURSE MAINTENANCE AREA:
   13,949 S.F.±

   (INCLUDES OPEN CONTAINERS, ORGANIC MATERIAL, RECYCLING, ETC.)

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748

MRAGTA.COM

2/15/07
STATE OF MARYLAND
JAMES D. MARTIN III
NO. 3290
LICENSED LANDSCAPE ARCHITECT

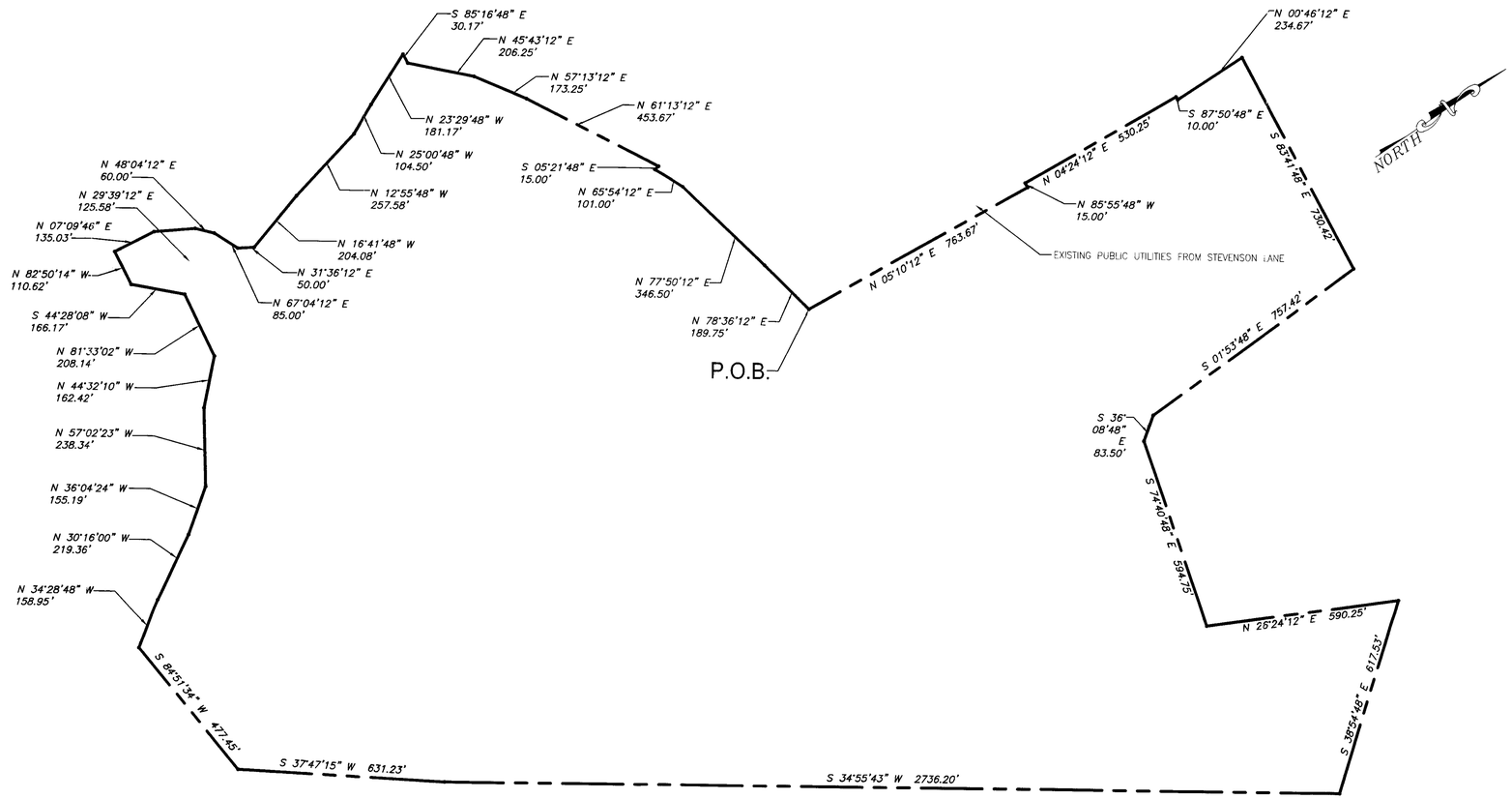
EXISTING CONDITIONS EXHIBIT

COUNTRY CLUB OF MARYLAND

BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS
2/15/07	Added notes # 1-7.

JOB NO.:	14083
SCALE:	1"=200'
DATE:	02/07/07
DRAWN BY:	JAB
DESIGN BY:	N/A
REVIEW BY:	
SHEET:	1 OF 1



Plan Sheet: *070B3, 080B1*

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

Zoning — Streams — Vegetation
Buildings — Roads — Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

069C2	070A2	070B2	070C2	071A2
069C3	070A3	070B3	070C3	071A3
079C1	080A1	080B1	080C1	081A1

Scale
1" = 200'

1

Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
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MRAGTA.COM

ZONING MAP TO ACCOMPANY PETITION FOR SPECIAL HEARING

COUNTRY CLUB OF MARYLAND
1101 STEVENSON LANE
TOWSON, MARYLAND 21286

ELECTION DISTRICT 09 BALTIMORE COUNTY, MARYLAND COUNCILMANIC DISTRICT 05

DATE	REVISIONS		
		JOB NO.:	14083.01
		SCALE:	1"=200'
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		DRAWN BY:	JAB
		DESIGN BY:	JAB
		REVIEW BY:	WPM
		SHEET:	1 OF 2

06-143-SPH

Mr. Jim Hermann, 1895 Eden Mill Road, Pylesville, Md. 21132
C. William Clark, Esq., 502 Washington Avenue, Suite 700, Towson, Md. 21204
Mr. Robert Booker, 3 Theo Lane, Towson, Md. 21204
Mr. Constantine Lanzi, 205 Belmont Forest Court, #206, Timonium, Md. 21092
Mr. Delbert L. Adams, 6410 Pratt Avenue, Baltimore, Md. 21212
Mr. Henry Leskinen, 1527 York Road, Lutherville, Md. 21093
Mr. Mickey Cornelius, 9900 Franklin Square Drive. Suite H, Baltimore, Md. 21236
Howard Alderman, Esq., 502 Washington Avenue, 8th Fl., Towson, Md. 21204
Mr. Richard Celeste, 29 Far Corners Loop, Sparks, Md. 21152
Mr. Stewart Dunn, 313 Presway Road, Timonium, Md. 21093
Mr. Richard C. Cumbers, 1267 Cedarcroft Road, Baltimore, Md. 21239
Mr. John Ashford, 1207 Merediths Ford Road, Towson, Md. 21286
Mr. & Mrs. Craig Smith, 17 Brookstone Court, Timonium, Md. 21093
Mr. Michael P. Goodrich, 1010 Cloverlea Road, Baltimore, Md. 21239
Ms. Dorothy Stoltz & Mr. Adreon Hubbard, 1207 Overbrook Road, Baltimore, Md. 21239
Mr. Donald Hart, 806 Overbrook Road, Baltimore, Md. 21239
Ms. Linda Crawford, 1321 Regester Avenue, Baltimore, Md. 21239
Ms. Michelle List, 1103 St. Albans Road, Baltimore, Md. 21239
Ms. Joan Kolubielski, 6710 Sherwood, Baltimore, Md. 21239
Ms. Jane Page, 616 Windwood Road, Baltimore, Md. 21212
Ms. Tina Farling, 1008 Overbrook Road, Baltimore, Md. 21239
Ms. Kimberly Deinlein, 1101 Overbrook Road, Baltimore, Md. 21239
Ms. Jill R. Hull, Ms. Sarah O. Hull & Mr. Matthew T. Hull, 1016 Overbrook Road, Baltimore, Md. 21239
Mr. Kyle Miller, 1008 Overbrook Road, Baltimore, Md. 21239
Ms. Dawn Schneiderman, 1109 Regester Avenue, Baltimore, Md. 21239
Ms. Nancy Lidard, 6517 Beverly Road, Baltimore, Md. 21239
Mr. Gene Dombrowski, 6802 Sherwood Road, Baltimore, Md. 21239
Mr. & Mrs. Brian Dolan, 905 Litchfield Road, Baltimore, Md. 21239
Mr. Ray A. Lucas, 6612 Raven Hill Road, Baltimore, Md. 21239
Ms. E.H. Krohn, 6504 Beverly, Baltimore, Md. 21239
Ms. Eileen Witte, 907 Overbrook Road, Baltimore, Md. 21239
Mr. Gary Fisher, 2101 Kimrick Place, Timonium, Md. 21093
Mr. and Mrs. Ray Brooks, 807 Stevenson Lane, Towson, Md. 21286
Mr. Bob Vaughan, 817 Fairway Drive, Towson, Md. 21286
Ms. Carol McEvoy, 9304 Luray Drive, Baltimore, Md. 21234
Mr. Brad Seeley, 916 Fairway Drive, Towson, Md. 21286
Mr. Harry Roger Kauffman, 1705 Welford Road, Lutherville, Md. 21093
Resident, 7719 Grand Lake Drive, Seven Valleys, Pa. 17360
Mr. Paul Romney, 6903 Banbury Road, Baltimore, Md. 21239
Mr. David Henry, 425 Kenneth Square, Baltimore, Md. 21212
Neil Lanzi, Esq., 409 Washington Avenue, Suite 617, Towson, Md. 21204
Michael McCann, Esq., 36 South Charles Street, Baltimore, Md. 21201
Mr. Doug Biser, 705 Stoneleigh Road, Baltimore, Md. 21212
Mr. Carl Robbins, 4403 Sedgwick Road, Baltimore, Md. 21210
Mr. Martin Bossle, 11843 Sherbourne Drive, Timonium, Md. 21093
Mr. Barry Rollins, 611 Sussex Road, Baltimore, Md. 21286
Mr. John E. McWilliams, 904 Oak Hill Road, Baltimore, Md. 21239
Ms. Patricia Nicholas, 6674 Loch Hill Road, Baltimore, Md. 21239
Ms. Sue Streckfus, 3913 Longmoor Circle, Phoenix, Md. 21131

Neil Lanzi, Esq., 409 Washington Avenue, Suite 617, Towson, Md. 21204
Michael McCann, Esq., 36 South Charles Street, Baltimore, Md. 21201
Mr. Doug Biser, 705 Stoneleigh Road, Baltimore, Md. 21212
Mr. Carl Robbins, 4403 Sedgwick Road, Baltimore, Md. 21210
Mr. Martin Bossle, 11843 Sherbourne Drive, Timonium, Md. 21093
Mr. Barry Rollins, 611 Sussex Road, Baltimore, Md. 21286
Mr. John E. McWilliams, 904 Oak Hill Road, Baltimore, Md. 21239
Ms. Patricia Nicholas, 6674 Loch Hill Road, Baltimore, Md. 21239
Ms. Sue Streckfus, 3913 Longmoor Circle, Phoenix, Md. 21131
Mr. George Friedman, 611 Valley Lane, Towson, Md. 21286
Ms. Alexandra Doumani, 6714 Sherwood Road, Baltimore, Md. 21239
Mr. Ron Lesser, 709 Stevenson Lane, Baltimore, Md. 21286
Mr. David Knopp & Ms. Carolyn Cecil, 6609 Sherwood Road, Baltimore, Md. 21239
Ms. Anne Martin, 1326 Glendale Road, Baltimore, Md. 21239
Mr. Jason Fitzsimmons, 501 Dogwood Lane, Towson, Md. 21286
Mr. Bob Barczak, 1601 Alston Road, Towson, Md. 21204
Ms. Cynthia Jabs, 6605 Sherwood Road, Baltimore, Md. 21239
Mr. Dan Ellis, 6705 Canongate Road, Baltimore, Md. 21239
Ms. Janet Sanford, 1315 Heather Mill Road, Baltimore, Md. 21239
Mr. Jack Dillon, 207 Courtland Avenue, Towson, Md. 21204
Mr. & Mrs. Newell E. Gilmour, 503 Hickory Lane, Towson, Md. 21286
Ms. Peggy Squitieri, 1215 Overbrook Road, Baltimore, Md. 21239
Ms. Ann M. Cumor, 901 Litchfield Road, Baltimore, Md. 21239
Mr. Andrew Sobel, 6110 Sherwood Road, Baltimore, Md. 21239
Mr. Bill Leibovici & Ms. Dana Reed, 802 Oak Hill Road, Baltimore, Md. 21239
Mr. Kenneth Quandt, 8 Jacobo Lane, Baltimore, Md. 21286
Mr. John Keenan, 1129 Overbrook Road, Baltimore, Md. 21239
Mr. and Mrs. John D. Cheseldine, 903 Overbrook Road, Baltimore, Md. 21239
Ms. Phyllis Johnson, 503 Forest Lane, Towson, Md. 21286
Mr. Patrick Millard & Ms. Gabrielle Millard, 6705 Sherwood Road,
Baltimore, Md. 21239
Ms. Heidi Bunes, 7021 Kenleigh Road, Baltimore, Md. 21212
Ms. Betsy Garrett, 1002 Litchfield Road, Baltimore, Md. 21239
Ms. Candace McCall & Mr. Garrett Millard, 1107 Overbrook Road,
Baltimore, Md. 21239
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