Cabin Minuter Con FILING Date 2-21-07 IN RE: PETITION FOR VARIANCE

SE/S Reserve Court, 300' SW C/line Rolling Road

(305 Reserve Court)

1<sup>st</sup> Election District

1<sup>st</sup> Council District

K. Hovnanian Homes of Md., Inc., Owner Petitioner

\* BEFORE THE

\* ZONING COMMISSIONER

\* FOR

\* BALTIMORE COUNTY

Case No. 07-277-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, K. Hovnanian Homes of Maryland, Inc. (Petitioner). Variance relief is requested to permit a twenty-seven (27) foot rear yard setback in lieu of fifty (50) feet as required by Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and to approve the amendment of the Final Development Plan. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of the Petitioner were Charles V. Main, II and Mitchell J. Kellman of Daft McCune Walker, Inc., the engineering firm who prepared the site plan for this property, and Petitioner's attorney, Dino C. La Fiandra, Esquire. Also present on behalf of the owner was the Petitioner's development manager, Ann C. Bangert. While there were no Protestants or other interested persons present, the record of the case was left open until February 21, 2007 in view of the inclement weather in the area.

The proffered testimony and evidence offered disclosed that the subject property (Property) is located on the east side of Reserve Court just off of Rolling Road in Catonsville. The Property that is the subject of the request is known as 305 Reserve Court (Lot 5) of the

Hillcrest Reserve Development. The Property measures 0.16 acres in size and is zoned D.R.3.5. The Property is of a very odd configuration such that the rear of the Property is impacted by the encroaching property line of an adjacent property. This encroachment which actually forms a triangular corner in the rear yard of Lot 5 reduces the setback to 27 feet.

I am familiar with this project having approved the redlined development plan on October 15, 2004 for the Hillcrest Reserve 19-dwelling subdivision. The proposed design of the dwellings in the subdivision was that of the neo-traditional style. The neo-traditional style of residential dwellings is noted for the deep rear yard and accessory garage structure. The required rear yard setback for dwellings with this type of design is fifty (50) feet.

Prior to the approval of the redlined development plan in the aforementioned development case, there was a surveying error which showed the rear yard of the Property as being larger than it actually is. Because of this error in surveying, it was never realized either by the builder or by the County that the rear yard setback for Lot 5 was twenty-seven (27) feet instead of the required fifty (50). Obviously, the fact that the site was approved with this omission or mistake of the zoning setback requirements or the true location of the divisional property line between Lot 5 and its neighbor to the rear (not part of the Hillcrest Reserve tract) is not a reason for granting a variance.

The issue presented is whether there is some unique characteristic of the property which creates a practical difficulty in compliance with the zoning regulations. *Cromwell v. Ward*, 102 Md. App. 691 (1995). In addressing this issue, factors such as environmental conditions, topography and lot configuration are relevant.

The configuration of the lots in the subdivision is an important consideration here. As indicated previously, the approved subdivision is designed in the neo-traditional style.

Construction has already commenced on Lots 6 and 7. Consequently, because of the setback requirements, it is not feasible to adjust these lot lines to allocate more space for the dwelling on Lot 5. Furthermore, it does not appear that altering the lot line between Lots 4 and 5 would do anything to eliminate the deficient rear setback on Lot 5. As noted, Lot 5 has a very unusual and unique shape, particularly when compared to other lots in the Hillcrest Reserve subdivision and in the general vicinity.

Another significant factor to be considered is that the property lies within an approved subdivision in which construction has already begun. The pattern book for the development, showing the neo-traditional design has also been approved. All of the other dwellings in the subdivision are being constructed in the neo-traditional style. Without the requested variance, the structure on Lot 5 cannot be built in this neo-traditional style. Although a traditional style house could possibly be built within the building envelope, it would be smaller in size and appear drastically inconsistent with the compatibility of other homes in this development and neighborhood.

The topography on this site is also an issue. Lot 5 slopes downward from the front along Reserve Court to the rear of the property. It continues to slope dramatically toward the rear and there is significant forest cover present as well. The underlying basis for building setbacks is to prevent structures on adjoining lots from being built too close to one another. Given the elements present in the rear of the property, namely the topography and dense forest cover, it is very unlikely that the adjoining property owner would build anything close to the property line. In this regard, the Zoning Advisory Committee (ZAC) comment received from the Department of Environmental Protection and Resource Management (DEPRM) states in pertinent part, "The proposed principal structure must be a minimum of 35 feet from the Forest Conservation

Easement and Forest Buffer Easement." This requirement is satisfied and was confirmed by Mr. Main who scaled the site plan during open hearing.

Section 260 of the B.C.Z.R. sets forth the Residential Performance Standards, which apply to all residential development of four (4) or more lots in Baltimore County that is located within the urban/rural demarcation line. The Residential Performance Standards require uniformity and consistency in terms of architectural style, building design, building setbacks, and building-to-street grade relationships. Section 260.6A.1 requires that a development proposal shall, "Provide variety in housing type or design, while maintaining continuity in scale, rhythm, proportion and detail." There can be no question that if the developer did not respect the building envelope for a traditional or a neo-traditional structure on Lot 5, the structure would not be in proportion to the rest of the dwellings in the subdivision and appear out of place.

As noted above, Section 32-4-402 of the Baltimore County Code (B.C.C.) sets forth the compatibility requirements for the development of property in Baltimore County. Subject to the mandates of that section, a proposed development shall be compatible with the surrounding neighborhoods. When the development plan for Hillcrest Reserve went through the approval process, a compatibility analysis was performed and the development was found to be compatible with the surrounding area. Should the variance be denied, continuing validity of the compatibility analysis would be called into question.

Based on my review of the site plan as well as proffered testimony, I do find that the subject property is so constrained that it creates a unique condition that creates a practical difficulty in the strict adherence to Section 1B01.2.C.1.b of the B.C.Z.R. I also find that the relief sought is within the spirit and intent of the zoning regulations and indeed that without the relief sought the proposed dwelling on Lot 5 would lack the proportionality and design

characteristics that create the desired harmony with the rest of the subdivision, and the compatibility of the elements of the Hillcrest Reserve subdivision compared to nearby neighborhoods as well. It is important that the structures in this subdivision be well placed and well proportioned in order to maintain the character of this neighborhood. There is no question but that the granting of this variance would not be injurious to the health, safety or general welfare of the neighborhood.

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

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this 21st day of February, 2007, that the Petition for Variance to permit a twenty-seven (27) foot rear yard setback in lieu of fifty (50) feet as permitted by Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and to approve the amendment of the Final Development Plan, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

The Petitioner may apply for its building permit and be granted same upon receipt 1) of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30 day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be taken in accordance with Sections 32-3-301 and

32-3-401 of the Baltimore County Code.

IAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

Date,



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 21, 2007

Dino C. La Finandra, Esquire Whiteford, Taylor & Preston, L.L.P. 210 W. Pennsylvania Avenue Towson, MD 21204

RE: PETITION FOR VARIANCE

SE/S Reserve Court, 300' SW c/line Rolling Road (305 Reserve Court)

1<sup>st</sup> Election District - 1<sup>st</sup> Council District

K. Hovnanian Homes of Md., Inc., Owner - Petitioner Case No. 07-277-A

Dear Mr. La Fiandra:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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 trally yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

Messrs. Charles V. Main, II & Mitchell J. Kellman, Daft McCune Walker, Inc., 200 East Pennsylvania Avenue, Towson, Md. 21286
 Ms. Ann C. Bangert, Development Manager, K. Hovnanian Homes of Md., Inc. 1802 Brightseat Road, 6<sup>th</sup> Floor, Landover, Md. 20785
 People's Counsel; DEPRM; Case File



REV 9/15/98

### Petition for Variance

AND AMENO FOP to the Zoning Commissioner of Baltimore County

for the property located at 305 Reserve Court which is presently zoned DR 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1301.2.C.1.6 BCZR and II.A. page 13, CMDP, Part III to permit a 27-Ft rear yard setback in Irew of 50 Feet and to approve the amendment

of the Final Development Plan

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

To be determined at hearing

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Name - Type or Print Signature Name - Type or Print Address Telephone No. City Zìp Code State Signature 301-772 Attorney For Petitioner: 8900 Telephone No. 20785 Name - Type or Print City Zip Code Representative to be Contacted: Signature Company ) MW. 200 East Pennsylvania Ave Address Telephone No. Telephone No. owson City State Zip Code State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING \_\_\_\_\_ UNAVAILABLE FOR HEARING \_

Reviewed By

UNDER MEDERALD FOR FILING

### Zoning Description for 305 Reserve Court

Beginning on the southeast side of Reserve Court, 40 feet wide, at the distance of 300 feet southwest the centerline of Rolling Road. Being Lot Number 5 of the Hillcrest Reserve Subdivision, Plat Book 78, Folio 123. Also known as 305 Reserve Court containing .160 acres in the 1<sup>st</sup> Election District and 1<sup>st</sup> Councilmanic District.

Item #277

### 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: # 07-277-A

305 Reserve Court
Southeast side of Reserve Court, 300 feet +/- southwest of centerline of Rolling Road

1st Election District 1st Councilmanic District
Legal Owner(s): K. Hovnanian Homes of MD, Inc.
Legal Owner(s): K. Hovnanian Homes of MD, Inc.

Variance: to permit a 27-foot rear yard setback in lieu of the final Development Plan

Hearing: Wednesday, February 14, 2007 at 11:00 a.m.

a.m. In Room 407, County Courts Building, 401 Boxley 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) 887-3868.
(2) For information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.
JT 1/794 Jan. 30

| ( )          |
|--------------|
| E            |
| $\mathbf{H}$ |
| R            |
| $\vdash$     |
| H            |
| T            |
|              |
|              |
|              |
|              |
|              |
| I            |
|              |
|              |
| $\perp$      |
| _            |
| T            |
| F            |
| P            |
| PU           |
| PU           |
| P            |
| PU           |
| PU           |
| PUBLIC       |
| PUBLIC       |
| PU           |
| PUBLIC       |
| PUBLICATION  |
| PUBLIC       |

in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY, that the annexed advertisement was published successive weeks, the first publication appearing

<u>, 2007</u>

| ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News | The Jeffersonian  Arbutus Times  Catonsville Times |
|--|--|
|--|--|

LEGAL ADVERTISING

| DISTRIBUTION WHITE CASHIER |  | FOR:   | RECEIVED<br>FROM: |            | DATE    | BALTIMORE<br>OFFICE OF BU                         |
|----------------------------|--|--|-------------------|------------|---------|---|
| PINK - AGENCY              | EDP  | The state of the s |                   |            |         | RE COUNTY, M/<br>BUDGET & FINANC<br>ANEOUS RECEIP |
| YELLOW - CUSTOME           |  |  |                   | AMOUNT \$  | ACCOUNT | ARYLAND   |
| H .                        |  | ance.  |                   |            |         | 8   |
|                            | A TOTAL STREET, STREET |  |                   |            |         |   |
| CASHIE                     | 227  |  |                   |            |         |   |
| R'S VALIDATION             |  |  |                   | <b>不 以</b> |         |   |
|                            |  |  |                   | FILM IN    |         |   |

### CERTIFICATE OF POSTING

RE: Case No.: 07-2'77-A

Petitioner/Developer: K. HOVNANIAN

HOMES OF MD INC. Date of Hearing/Closing: 1-14-07. **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: 305 RESERVE CT 1-31-07 The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster) **SSG Robert Black** (Print Name) CASE # 01-211A 1508 Lestie Road A PUBLIC HEARING WILL BE HELD BY (Address) THE ZONING COMMISSIONER IN TOWSON, MD ROOM HOT. COUNTY COUNTY BELLOWER HOT BOSLEY AVENUE 21264 Dundalk, Maryland 21222 PLACE: DATE AND THE WITHIS DE FERRINA 14, 2007 AT B no # + (City, State, Zip Code) REQUEST: VARIANT TO FEWAL A 2 7 FOOT PEAR MADE CATEMO IN LIKE OF THE FORE AND TO REPORT THE PROFESSION OF THE FORE DEWS. CHANGE LATER (410) 282-7940 (Telephone Number)

Ą.

- . . • \*Andrews\*\*\*\* • • •

PETITION FOR VARIANCE RE: 300' SW c/line Rolling Road

305 Reserve Court; SE/S Reserve Court,

1<sup>st</sup> Election & 1<sup>st</sup> Councilmanic Districts

Legal Owner(s): K Hornanian Homes of MD\* Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

**BALTIMORE COUNTY** 

07-277-A

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4<sup>th</sup> day of January, 2007, a copy of the foregoing Entry of Appearance was mailed to,, Mitch Kellman, DMW, 200 East Pennsylvania Avenue, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

JAN 0 4 2007

mmerman PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



JAMES T. SMITH, JR. County Executive

### 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: 07-277-A

305 Reserve Court

Southeast side of Reserve Court, 300 feet +/- southwest of centerline of Rolling Road 1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owners: K. Hovnanian Homes of MD, Inc.

Variance to permit a 27-foot rear yard setback in lieu of 50 feet and to approve the amendment of the Final Development Plan.

Hearing: Wednesday, February 14, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Ann Bangert, 1802 Brightseat Road, 6<sup>th</sup> Floor, Landover 20785 Mitchell Kellman, 200 E. Pennsylvania Avenue, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 31,2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, January 30, 2007 Issue - Jeffersonian

Please forward billing to:

Mitch Kellman

**DMW** 

200 E. Pennsylvania Avenue

Towson, MD 21286

410-296-3333

### 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: 07-277-A

305 Reserve Court

Southeast side of Reserve Court, 300 feet +/- southwest of centerline of Rolling Road 1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owners: K. Hovnanian Homes of MD, Inc.

ey Appendie, Towson 21204

Variance to permit a 27-foot rear yard setback in lieu of 50 feet and to approve the amendment of the Final Development Plan.

Hearing: Wednesday, February 14, 2007 at 11:00 a.m. in Room 407, County Courts Building,

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 ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

| For Newspaper Advertising:  |
|---|
| Item Number or Case Number: 277 (87-277-A)  Petitioner: K Hovnanian |
| Address or Location: 305 Reserve Court                              |
| PLEASE FORWARD ADVERTISING BILL TO: Name: M. + L Kellman, DMW       |
| Address: 200 East Pennsylvania Au                                   |
| Touson MU 71286   |
| Telephone Number: <u>416- 796- 3333</u>                             |



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

February 6, 2007

K. Hovnanian Homes of MD, Inc. Ann C. Bangert 1802 Brightseat Road, 6<sup>th</sup> Floor Landover, MD 20785

Dear Ms. Bangert:

RE: Case Number: 07-277-A, 305 Reserve Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 15, 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

U. Callibal)

WCR:amf

Enclosures

c: People's Counsel

Mitchell J. Kellman DMW 200 East Pennsylvania Avenue Towson 21286



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

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

### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-2-2007

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

RE:

**Baltimore County** 

Item No.7-277A

305 RESERVE COURT BANGERT PROPERTY

VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-2774.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Engineering Access Permits

Division

SDF/MB

### Fire Department

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



### **Baltimore County**

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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 December 21,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 25, 2006

Item Number(s): 267 trough 269 and 271 through 280

271

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

BW 2/14

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 12, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-277- Variance (revised)

The Office of Planning has reviewed the above referenced case(s) and is in support of the petitioner's request.

For further questions or additional information concerning the matters stated herein, please contact Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By

**Division Chief:** 

CM/LL

### BALTIMORE COUNTY, MARYLAND

### **Inter-Office Correspondence**



| TO:          | Timothy M. k           | Cotroco   |
|--------------|------------------------|---|
| FROM:        | Dave Lykens,           | DEPRM - Development Coordination שענ  |
| DATE:        | February 9, 2          | 007   |
| SUBJECT:     | Zoning Item<br>Address | # 07-277-A<br>305 Reserve Court<br>(K. Hovnanian Homes of MD)   |
| Zonir        | ng Advisory Con        | mmittee Meeting of December 25, 2006  |
|              | •                      | nvironmental Protection and Resource Management has no ve-referenced zoning item.   |
|              | •                      | invironmental Protection and Resource Management offers ents on the above-referenced zoning item:   |
| <u>X</u>     | Protection of          | of the property must comply with the Regulations for the Water Quality, Streams, Wetlands and Floodplains (Section ough 33-3-120 of the Baltimore County Code). |
| <u>X</u>     |                        | of this property must comply with the Forest Regulations (Sections 33-6-101 through 33-6-122 of the unty Code).   |
|              | Critical Area          | of this property must comply with the Chesapcake Bay Regulations (Sections 33-2-101 through 33-2-1004, and s, of the Baltimore County Code).                    |
| The proposed | •                      | s:  ture must be a minimum of 35 feet from the Forest  Forest Buffer Easement.  |

Date: January 9, 2007

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2007\ZAC 07-277-A.doc

J. Russo

Reviewer:

-BW)

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** January 25, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

Zoning Advisory Petition(s): Case(s) 7-277- Variance

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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By

**Division Chief:** 

CM/LL

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 2, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 1, 2006

Item Nos. 07-266, 268, 270, 271, 272, 273, 274, 275, 277, 278, 279, and 280

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

DAK:CEN:clw cc: File

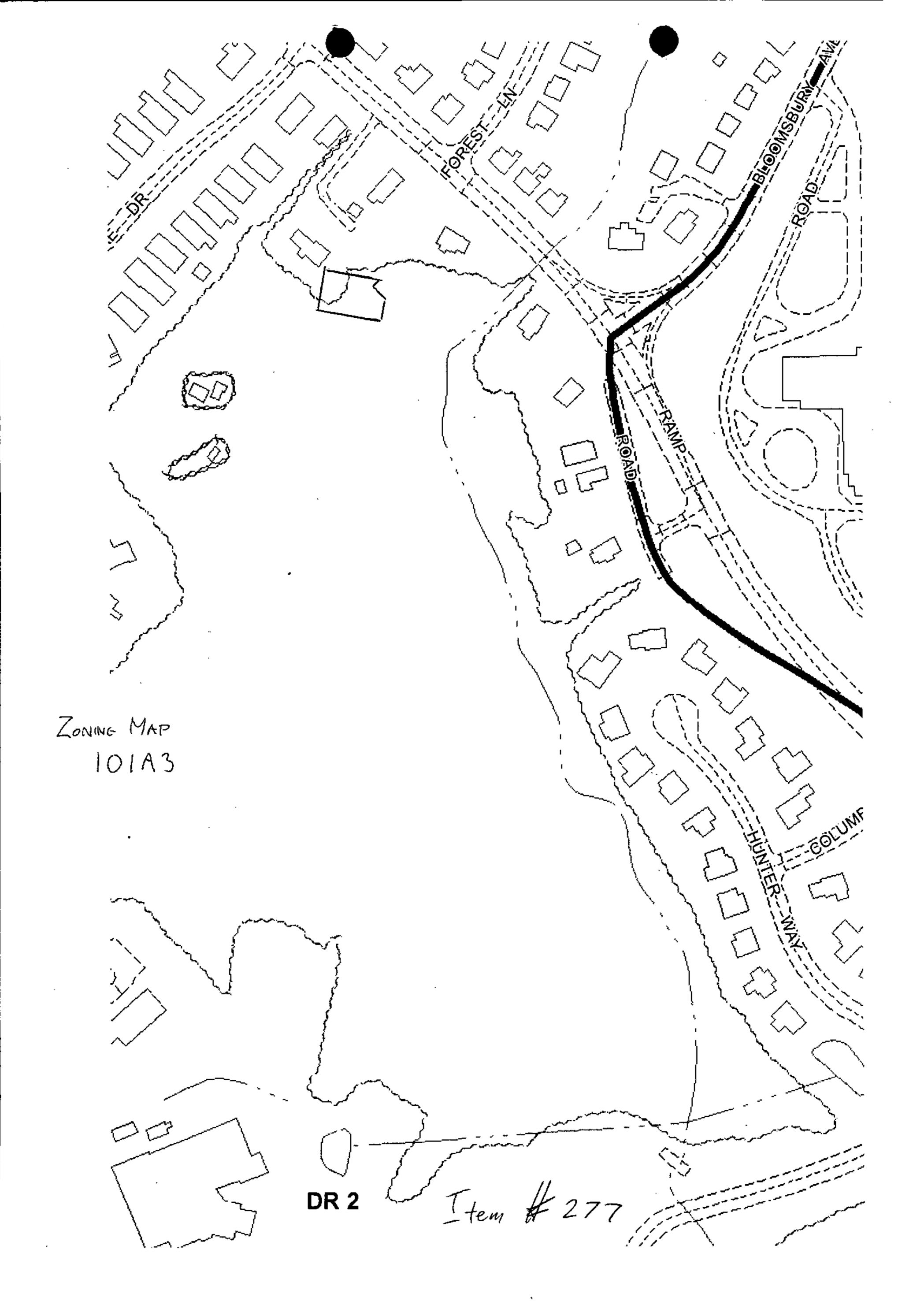
ZAC-NO COMMENTS-01022007.doc

## PLEASE PRINT CLEARLY

CASE NAME Hullcrest Reserve CASE NUMBER 07-277-4 DATE 2/14/67

# PETITIONER'S SICN-IN SHEET

| E- MAIL          | marias dmw. com          | Mkellman@ dem. com |  |  |  |  |  |  |  |  |  |
|------------------|--------------------------|--------------------|--|--|--|--|--|--|--|--|--|
| CITY, STATE, ZIP | 18212 CM 40212           | 7.1                |  |  |  |  |  |  |  |  |  |
| ADDRESS          | 200 6. Pennsylvania Ave. | ا ب                |  |  |  |  |  |  |  |  |  |
| NAME             | Charles V. Main &        | Mitchel J. Kellman |  |  |  |  |  |  |  |  |  |



Case No.: 07-277-A 305 RESERVE COURT

### Exhibit Sheet

### Petitioner/Developer

### Protestant

| No. 1  | <del></del> |  |                                       | <del></del>  | <del></del>    |          |                         | <u> </u>                                     | <u> </u>      | <del></del>                           |
|--------|-------------|--|---------------------------------------|--------------|----------------|----------|-------------------------|--|---------------|---------------------------------------|
|        | Site        | PLAN   |                                       |              |                |          |                         |  |               |                                       |
| No. 2  |             |  |                                       |              | •              |          |                         | <u>-</u>                                     | <u>-</u>      | · · · · · · · · · · · · · · · · · · · |
| No. 3  |             | <u></u>                                      | · · · · · · · · · · · · · · · · · · · |              |                |          | <u> </u>                | <u> </u>                                     |               |                                       |
| No. 4  |             | <u></u>                                      |                                       | <del>-</del> |                |          | <del></del>             | <del></del> , <u>-</u>                       | <del></del> , | <u> </u>                              |
| No. 5  | <u> </u>    |  | <u> </u>                              |              |                |          |                         |  |               |                                       |
| No. 6  | <u> </u>    | <u>.                                    </u> | ·                                     |              |                | <u> </u> | <del></del>             | <del></del>                                  | •<br>•        | <u> </u>                              |
| No. 7  |             | ·  | <u> </u>                              |              |                |          |                         |  | <u>.</u> .    | ·<br>                                 |
| No. 8  |             | <u> </u>                                     | <u> </u>                              |              |                | <u> </u> | · .                     | <del>-</del>                                 | <del></del>   | <u> </u>                              |
| No. 9  |             |  |                                       |              | <del>_</del> . |          | <del>.</del> . <u> </u> |  |               | <u> </u>                              |
| No. 10 |             |  | <del></del>                           |              | <u> </u>       |          | <del></del>             | <del></del>                                  | <del></del>   |                                       |
| No. 11 |             |  | <u></u>                               |              | <u></u>        | <u> </u> | <u> </u>                | <u>.                                    </u> |               |                                       |
| No. 12 |             | <u> </u>                                     | <u> </u>                              |              |                |          | ·–——— <u>—</u>          |  | <u> </u>      |                                       |
|        |             |  |                                       | İ            |                |          |                         |  |               | }                                     |

Frides to teason 2006