RE: PETITION FOR VARIANCE

3200 North Wind Road; N/S North Wind Rd,

1,880' E Harford Road

11th Election & 5th Councilmanic Districts

Legal Owner(s): Egerton Farms, LLC

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-390-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 and 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 23rd day of March, 2007, a copy of the foregoing Entry of Appearance was mailed Chuck Merritt, Merritt Development Consultants, Inc, 9831 Magledt Road, Baltimore, MD 21234 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAR 2 3 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Persone

BEFORE THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY

RE: PETITION FOR SPECIAL VARIANCE
3200 Northwind Road
n/s of Northwind Road, 1,880 ft. east
of Harford Road

11th Election District 5th Councilmanic District

Egerton Farms, LLC,

Owner

Case No.: 07-390-A

<u>ORDER</u>

After consideration of the Request for Postponement filed by the Owner/Petitioner in this case, it is by the Deputy Zoning Commissioner of Baltimore County this ____ day of May, 2007,

ORDERED that the Request for Postponement be and it is hereby GRANTED, and the Deputy Zoning Commissioner hereby directs that the hearing be rescheduled until the next regularly scheduled date and that any rescheduling be coordinated with counsel of record.

DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY:

John V. Murphy, Esquire

Copies to Counsel of Record:

Howard L. Alderman, Jr., Esquire Levin & Gann, PA 502 Washington Avenue, Suite 800 Towson, MD 21204 Peter M. Zimmerman, Esquire Carole S. Demilio, Esquire Baltimore County Office of People's Counsel Old Courthouse 400 Washington Avenue, Suite 47 Towson, MD 21204

BEFORE THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY

RE: PETITION FOR SPECIAL VARIANCE
3200 Northwind Road
n/s of Northwind Road, 1,880 ft. east
of Harford Road

11th Election District 5th Councilmanic District

Egerton Farms, LLC,

Owner

Case No.: 07-390-A

REQUEST FOR POSTPONEMENT

Egerton Farms, LLC, Owner, by its attorneys, Howard L. Alderman, Jr. and Levin & Gann, P.A., respectfully move that the Deputy Zoning Commissioner for Baltimore County postpone the hearing in this case until the next regularly scheduled date or an earlier date if the same becomes available, and in support thereof state as follows:

- 1. The hearing before the Deputy Zoning Commissioner is scheduled for Monday, May 14, 2007 at 9:00 a.m.
- 2. The relief sought pertains to the 2006 Basic Services Transportation Map as purportedly modified [legislatively] by the County Council before the adoption of that Map in 2006.
- 3. Since the filing of the Petition for Special Variance relief, the Baltimore County Council has passed County Council Bill No. 25-07 (a copy of which is attached hereto and incorporated herein as Exhibit A), which repeals the 2006 Basic Services Transportation Map [as adopted by County Council Bill 28-06, a copy of which is attached hereto and incorporated herein as Exhibit B].
 - 4. County Council Bill 25-07, pursuant to Section 5 thereof, takes effect 45 days after

its enactment.

- 5. If County Council Bill 25-07 is signed by the County Executive and takes effect as scheduled, the relief filed in the instant case will be rendered moot.
- 6. If the new legislation is not permitted to take effect as passed, a hearing in this case can be rescheduled and only the Petitioner will be affected negatively by the requested postponement.

WHEREFORE, the Owner/Petitioner respectfully requests that the Deputy Zoning Commissioner grant a postponement of the hearing in this case until the next regularly scheduled date or an earlier date if the same becomes available.

Howard L. Alderman, Jr.

Levin & Gann, P.A.

8th Floor, Nottingham Centre

502 Washington Avenue

Towson, Maryland 21204

410.321.0600 [voice]

410.296.2801 [fax]

<u>halderman@LevinGann.com</u> [e-mail]

Attorneys for Owner/Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of May, 2007 a copy of the foregoing Request for Postponement, together with the Exhibits thereto and proposed Order, was sent via telefax and was mailed via First-Class, United States Mail to Peter Max Zimmerman, Esquire and Carole S. DeMilio, Esquire, both of Baltimore County Office of People's Counsel, Old Courthouse, Room 47, Towson, Maryland 21204.

Howard L. Alderman, Jr.



Special Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at n/s Northwind Road AKA 3200 NORTHUND which is presently zoned DR 3.5 & 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)

SEE ATTACHED

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

SEE ATTACHED

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.

Legal Owner(s): Contract Purchaser/Lessee: NONE EGERTON FARMS, LLC Name - Type or Print Name - Type or Print By: IIn Signature RES Telephone No. Name - Type or Print **Address** Zip Code Signature State City 410-977-1172 2416 East Joppa Road Attorney For Petitioner: 21234 Telephone No. Address Baltimore MD r., Esquire بالر, Howard L. Alderman Zip Code State City Name - Type or Print Representative to be Contacted: Signature Merritt Development Consultants; Attn: C. Merritt Levin & Gann, PA Nottingham Centre, 8th Floor Name Company 502 Washington Avenue **410-321-0600** 410-663-5525 2416 E. Joppa Road Telephone No. Address Address Telephone No. MD 21234 Baltimore MD 21204 Towson, Zip Code City State Zip Code State City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING _____ Case No. UNAVAILABLE FOR HEARING Reviewed By _ REV 9/15/98

Attachment 1

PETITION FOR SPECIALVARIANCE

Address:	n/s Northwind Drive	
Legal Owners:	Egerton Farms, LLC	

REQUESTED RELIEF:

CASE NO: _

Variances pursuant to Baltimore County Zoning Regulations (BCZR) § 4A02.4G as follows: i) from BCZR §§ 4A02.3A.3 & 4A02.3G.1; and ii) BCZR §§ 4A02.4A & 4A02.4D, to permit the issuance of residential building permits for construction of all single-family homes as shown on the development plan entitled Egerton Property; and for such further relief as the nature of this case may require.

JUSTIFICATION:

- A. The Basic Services Map standards are not relevant to this subdivision;
- B. The granting of the requested relief will not adversely affect a person whose application was filed prior to this Petition; and
- C. For such further reasons that will be presented at the hearing on this Petition.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

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

(410) 321-0600 Fax: (410) 296-2801 halderman@LevinGann.com

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 3200 Northwind Road

Beginning at a point on the north side of Northwind Road which is 60 feet wide at the distance of 1,880 feet east of the centerline of the nearest improved intersecting street Harford Rt 147 which is 80 feet wide. Being Lot # 1-19 in the subdivision of Egerton Property as recorded in Baltimore County Plat Book # 78, Folio # 67, containing 12.26 acres and located in the 11th Election District, 5th Councilmanic District.

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: # 07-390-A

3200 Northwind Road

N/side of Northwind Road, 1,880 feet east of Harford Road

Road

11th Election District - 5th Councilmanic District Legal Owner(s): Egerton Farms, LLC, Timothy O'Shea,

Special Variance: pursuant to Baltimore County Zoning Regulations (BCZR) Section 4A02.4G as follows: 1) from BCZR Sections 4A02.3A.3 and 4A02.3G.1 and 2) BCZR Sections 4A02.4A & 4A02.4D, to permit the issuance of residential building permits for construction of all single-family homes as shown on the development plan entitled Egerton Property.

Hearing: Monday, May 14, 2007 at 2:00 p.m. in Room, 407, County Courts Building, 401, Bosley Avenue, Towson 21204. President

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.

4/364 April 26

. 2007 [

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

☐ North County News	☐ NE Booster/Reporter	Owings Mills Times	Towson Times	Catonsville Times	Arbutus Times	🛱 The Jeffersonian
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Melman

LEGAL ADVERTISING

	WO KAPA WALES WILL BE SHOWN THE REAL PROPERTY OF THE PERTY OF THE PERT				CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT J J J J J J MISCELLANEOUS RECEIPT	DATE 2/1/1/11 ACCOUNT DUL 6/50	DOME STATE OF THE PROPERTY OF	FROM: FROM:	The Marie 11 tons having	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

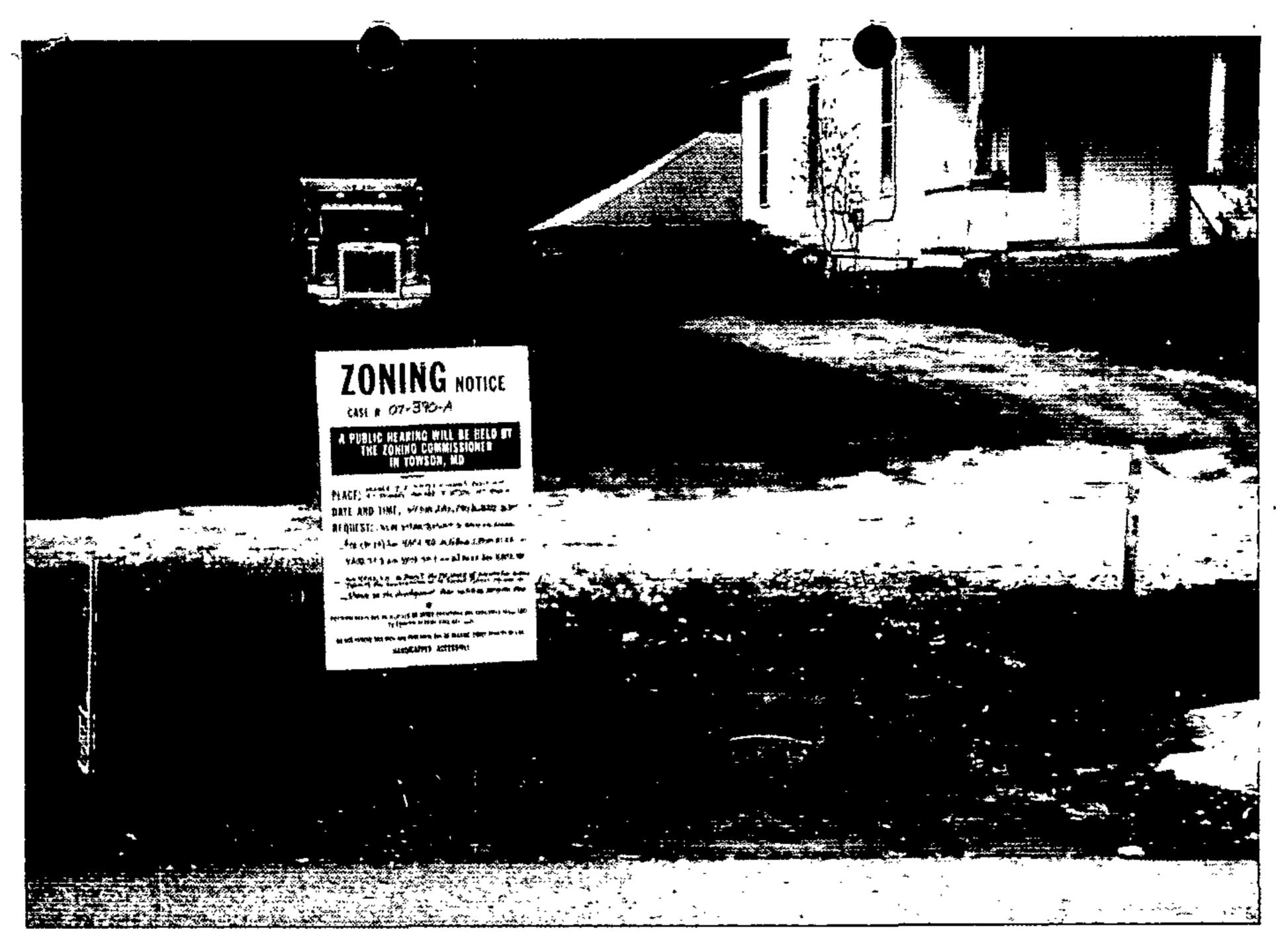
H. Walter THE TANK THE THE

CERTIFICATE OF POSTING

Æ;	Case Number: 07-390-A
	Petitioner/Developer: 666700 FARMSUCC Date of Hearing/Closing: 5/2/07
This on th	is to certify under the penalties of perjury that the necessary sing(s) required by law were posted conspicuously be property located at <u>3200 NOPTHWWD POAD</u>
The:	sign(s) were posted on <u>APPIL 16, 2007</u> (Month, Day, Year)
•	(Month, Day, Year)

Charles E. Merritt 9831 Magledt Road Baltimore, MD 21234 410-665-5562

Digrature of Dign Posters



ZONING NOTICE

CASE # 07-390-A

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: 401 BOSIEY AVENUE, TOWSON AD DISON

DATE AND TIME: WEDNESDAY MAY & 2007 2 PM

REQUEST: SPECIAL WARRIES PLANSING TO BOATE CO. ZOWING ...

REQ. (BCZR) Sec. 4AOZ. 4G AS Follows 1) FAGO BCZR Sec.

4A02.3A.3 NO 4A02.3G. | NO 2) BCZA SCE. 4A02.4A

AND MAON. MD TO POINT the ISSUANCE OF RESIDENTIAL BURNS.

PERMITS FOR CONSTRUCTION OF AN SWELL FRANCY HOMES AS

Shown on the development. Bury criticies Executive Page.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST-UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE





JAMES T. SMITH, JR. County Executive

March 19, 2007 TIMOTHY M. KOTROCO, Director Department of Permits and

NOTICE OF ZONING HEARING

Development Management

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: 07-390-A

3200 Northwind Road

N/side of Northwind Road, 1,880 feet east of Harford Road

11th Election District – 5th Councilmanic District

Legal Owners: Egerton Farms, LLC, Timothy O'Shea, President

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Hearing: Wednesday, May 2, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

buth Rotroco Timothy Kotroco

Director

-- TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, 8th Floor, Towson 21204 Timothy O'Shea, 2416 East Joppa Road, Baltimore 21234 C. Merritt, Merritt Development, 2416 E. Joppa Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 17, 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.



JAMES T. SMITH, JR. County Executive

TAMOTHOM2807ROCO, Director Department of Permits and Development Management

NEW 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: 07-390-A

3200 Northwind Road

N/side of Northwind Road, 1,880 feet east of Harford Road

11th Election District – 5th Councilmanic District

Legal Owners: Egerton Farms, LLC, Timothy O'Shea, President

<u>Special Variance</u> pursuant to Baltimore County Zoning Regulations (BCZR) Section 4A02.4G as follows 1) from BCZR Sections 4A02.3A.3 and 4A02.3G.1 and 2) BCZR Sections 4A02.4A & 4A02.4D, to permit the issuance of residential building permits for construction of all single-family homes as shown on the development plan entitled Egerton Property.

Hearing: Monday, May 14, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, 8th Floor, Towson 21204 Timothy O'Shea, 2416 East Joppa Road, Baltimore 21234 C. Merritt, Merritt Development, 2416 E. Joppa Road, Baltimore 21234

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 28, 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

Thursday, April 26, 2007 Issue - Jeffersonian

Please forward billing to:

Timothy O'Shea 2416 East Joppa Road Baltimore, MD 21158 410-663-5525

NEW 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: 07-390-A

3200 Northwind Road N/side of Northwind Road, 1,880 feet east of Harford Road 11th Election District – 5th Councilmanic District Legal Owners: Egerton Farms, LLC, Timothy O'Shea, President

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Hearing: Monday, May 14, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley 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.



JAMES T. SMITH, JR. County Executive

March 19, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and

NOTICE OF ZONING HEARING Development Management

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CASE NUMBER: 07-390-A

3200 Northwind Road

N/side of Northwind Road, 1,880 feet east of Harford Road

11th Election District – 5th Councilmanic District

Legal Owners: Egerton Farms, LLC, Timothy O'Shea, President

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Hearing: Wednesday, May 2, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, 8th Floor, Towson 21204 Timothy O'Shea, 2416 East Joppa Road, Baltimore 21234 C. Merritt, Merritt Development, 2416 E. Joppa Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 17, 2007.

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

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

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

Item Number or Case Number:	
Petitioner: FAFMS 11C	<u></u>
Address or Location: 3200 NORTHWIND FOAD	
PLEASE FORWARD ADVERTISING BILL TO: Name:	
Address: 2416 EAST TOPPA FOAD	
BATMORE ND 211583	

TO: PATUXENT PUBLISHING COMPANY

Tuesday, April 17, 2007 Issue - Jeffersonian

Please forward billing to:

Timothy O'Shea 2416 East Joppa Road Baltimore, MD 21158 410-663-5525

NOTICE OF ZONING HEARING

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3200 Northwind Road N/side of Northwind Road, 1,880 feet east of Harford Road 11th Election District – 5th Councilmanic District Legal Owners: Egerton Farms, LLC, Timothy O'Shea, President

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Hearing: , Wednesday, May 2, 2007 at 2:00 p.m. in Room 407, County Courts Building,

401 Boxfey 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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

May 9, 2007

Howard L. Alderman, Esquire Levin & Gann, PA Nottingham Centre, 8th Floor Towson, MD 21204

Dear Mr. Alderman:

RE: Case Number: 07-390-A, n/s Northwind Road, AKA #3200 Northwind

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 2, 2007.

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

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

Very truly yours,

U. Carl Bichards Ir

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Egerton Farms, LLC Timothy S. Oshea 2416 East Joppa Road Baltimore 21234 Merritt Development Consultants C. Merritt 2416 E. Joppa Road Baltimore 21234

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 4, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Edgerton Property (PDM# XI-973)

INFORMATION:

Item Number:

7-390

Petitioner:

Edgerton Farms, LLC

Zoning:

DR 3.5 and DR 2

Requested Action:

Special Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan and has no comment(s) to offer.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

Reviewed by:

Division Chief:

AFK/LL: CM



Martin O'Malley, Governor
 Anthony Brown, Lt. Governor

John D. Porcari, Secretary Designate Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MARCH 15, 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. 7-390A EGERTON FARMS, LLC

3200 NORTHWIND SPECIAL 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. 7-390 A.

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,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 19, 2007

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 26, 2007

Item Nos. 07-389, 390, 391, 392, 393, 394, 399, 400, 401, 402, 403, 404, 405

and 408

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

DAK:CEN:cab cc: File

ZAC-NO COMMENTS-03262007.doc

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

March 15, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of: March 19, 2007

Item No.: 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 405, 406, 407, 408, 409.

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.

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

Acting Lieutenant Don W. Muddiman Fire Marshal's Office (0)410-887-4880 MS-1102F

cc: File

Printed on Recycled Paper



Visit the County's Website at www.baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE:

May 14, 2007

TO:

Kristen Matthews

Dept. of Permits & Development Mgmt.

FROM:

Patricia Zook, Secretary to

John V. Murphy, Deputy Zoning Commissioner

RE:

Petition for Variance

Case No. 07-390-A

The case was postponed at the request of the Petitioner's attorney, Howard Alderman. Recent legislation by the Baltimore County Council may make the requested relief moot. Mr. Alderman will contact you if the case needs to be rescheduled.

No one came to the hearing on Monday, May 14, 2007 besides the Petitioner and Mr. Alderman.

The file is being returned to Permits & Development Management for safekeeping.

Thank you for your attention and cooperation in this matter.

HOWARD L. ALDERMAN, JR. halderman@LevinGann.com

DIRECT DIAL 410-321-4640 LAW OFFICES

LEVIN & GANN

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

May 10, 2007

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

----::火日

VIA TELEFAX & REGULAR MAIL

John V. Murphy, Esquire Deputy Zoning Commissioner for Baltimore County 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

RE:

Egerton Farms LLC, Petition for Special Variance

Case No.: 07-390-A

Request for Postponement of Scheduled Hearing

Dear Mr. Murphy:

Due to a recent legislative act of the Baltimore County Council, the relief requested in the above-referenced case may be rendered moot. The referenced legislation is presently scheduled to become effective around the middle of June, 2007. Therefore, in the interest of judicial economy, the enclosed Request for Postponement of the hearing in this case has been filed. Obviously, if the legislation, for some unknown reason, does not take effect, the hearing can be rescheduled and the delay will be adverse only to the Petitioner.

Please let me know should you desire any additional information in consideration of this request. I called your office yesterday afternoon to advise of this request and am now submitting the written pleading and referenced exhibits, together with a proposed Order.

Thank you for your consideration in this matter.

Very truly yours.

Howard L. Alderman.

HLA/gk

c: Office of People's Counsel (via telefax only)

LAW OFFICES

HOWARD L. ALDERMAN, JR. halderman@LevinGann.com

DIRECT DIAL 410-321-4640

LEVIN & GANN

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ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

April 2, 2007

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SENT BY TELECOPIER - 410-887-5708
and REGULAR MAIL

Mr. Timothy M. Kotroco
Department of Permits and
Development Management
111 W. Chesapeake Avenue, Suite 111
Towson, Maryland 21204

Re:

Case No.: 07-390-A

Egerton Farms, LLC

Request for Postponement and Rescheduling

Dear Mr. Kotroco:

I received the Notice of Zoning Hearing in the above-reference case. The hearing is presently scheduled for Wednesday, May 2, 2007 at 2:00 p.m. in Room 407. As you know, I am one of the attorneys involved in the development plan case known as Shelley's Fields. The sixth day of hearing in that matter is presently scheduled for May 2, 2007 beginning at 9:00 a.m. Therefore, I respectfully request that the above-referenced matter be postponed and rescheduled to the earliest possible date. I have reviewed this with my client, the Petitioner, and have received authorization for this request.

Should you need any additional information in this regard, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.

HLA/pal

c/enc: Egerton Farms, LLC

Merritt Development-Consultants

Ms. Kristin Matthews (Sent by Telecopier only, 410-887-5708)

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COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2006, Legislative Day No. 6

Bill No. <u>25-07</u>

All Councilmembers

By the County Council, March 19, 2007

A BILL ENTITLED

AN ACT concerning

Basic Services Maps

FOR the purpose of repealing the Basic Services Sewerage Map, the Basic Services Water Supply
Map and the Basic Services Transportation Map; and adopting a new Basic Services
Sewerage Map, a new Basic Services Water Supply Map and a new Basic Services
Transportation Map.

By repealing and reenacting, with amendments

Subsection 4A02.3.A.1.,2. and 3. Baltimore County Zoning Regulations, as amended

BY repealing

2006 Basic Services Sewerage Map 2006 Basic Services Water Supply Map 2006 Basic Services Transportation Map, all as adopted by Bill No. 28-06

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law. Strike-out indicates matter stricken from bill.

Underlining indicates amendments to bill.



BY adopting the new

2007 Basic Services Sewerage Map

2007 Basic Services Water Supply Map

2007 Basic Services Transportation Map

WHEREAS, in accordance with Subsection 4A02.3.E. of the Baltimore County Zoning Regulations, the Planning Board has recommended revisions to the Basic Services Maps and submitted those recommendations to the County Council on January 22, 2007, and the County

Council has held a public hearing thereon on March 5, 2007; now, therefore

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Basic Services Maps referred to in Subsections 4A02.3.A.1., 2. and 3. of the Baltimore County Zoning Regulations, and further identified as (1) 2006 Basic Services Sewerage Map, (2) 2006 Basic Services Water Supply Map; and (3) 2006 Basic Services Transportation Map, and any amendments and revisions previously made thereto are hereby repealed.

SECTION 2. AND BE IT FURTHER ENACTED, that the Basic Services Maps identified herein and accompanying this Act are hereby adopted and declared to be a part of this Act and incorporated by reference herein. The following maps are hereby adopted and identified as follows:

- 1. 2007 Basic Services Sewerage Map;
- 2. 2007 Basic Services Water Supply Map; and
- 3. 2007 Basic Services Transportation Map.

SECTION 3. AND BE IT FURTHER ENACTED, that upon the effective date of this Act, the Maps adopted hereby shall be signed by the Chairman of the County Council and shall be dated as of the effective date of this Act and thereafter delivered to the Zoning Commissioner of Baltimore County for custody.

SECTION 4. AND BE IT FURTHER ENACTED, that Subsection 4A02.3.A.1., 2. and 3. of the Baltimore County Zoning Regulations, be and they are hereby repealed and reenacted, with amendments, to read as follows:

Section 4A02.3 - Basic Services Maps

4A02.3 - Adoption of Basic Services Maps

A. The following basic services maps, which shall be in the custody of the Zoning Commissioner for Baltimore County, are hereby adopted and made a part of this Article:

- 1. [2006] 2007 Basic Services Sewerage Map
- 2. [2006] 2007 Basic Services Water Supply Map
- 3. [2006] 2007 Basic Services Transportation Map

SECTION 5. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five days after its enactment.

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COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2006, Legislative Day No. 6

Bill No. 28-06

All Councilmembers

By the County Council, March 20, 2006

A BILL ENTITLED

AN ACT concerning

Basic Services Maps

FOR the purpose of repealing the Basic Services Sewerage Map, the Basic Services Water Supply
Map and the Basic Services Transportation Map; and adopting a new Basic Services
Sewerage Map, a new Basic Services Water Supply Map and a new Basic Services
Transportation Map.

By repealing and reenacting, with amendments

Subsection 4A02.3.A.1.,2. and 3. Baltimore County Zoning Regulations, as amended

BY repealing

2005 Basic Services Sewerage Map

2005 Basic Services Water Supply Map

2005 Basic Services Transportation Map, all as adopted by Bill No. 35-05

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law. Strike out indicates matter stricken from bill.

Underlining indicates amendments to bill.



BY adopting the new

2006 Basic Services Sewerage Map 2006 Basic Services Water Supply Map

2006 Basic Services Transportation Map

WHEREAS, in accordance with Subsection 4A02.3.E. of the Baltimore County Zoning Regulations, the Planning Board has recommended revisions to the Basic Services Maps and submitted those recommendations to the County Council on January 24, 2006, and the County Council has held a public hearing thereon on March 6, 2006; now, therefore

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Basic Services Maps referred to in Subsections 4A02.3.A.1., 2. and 3. of the Baltimore County Zoning Regulations, and further identified as (1) 2005 Basic Services Sewerage Map, (2) 2005 Basic Services Water Supply Map; and (3) 2005 Basic Services Transportation Map, and any amendments and revisions previously made thereto are hereby repealed.

SECTION 2. AND BE IT FURTHER ENACTED, that the Basic Services Maps identified herein and accompanying this Act are hereby adopted and declared to be a part of this Act and incorporated by reference herein. The following maps are hereby adopted and identified as follows:

- 1. 2006 Basic Services Sewerage Map;
- 2. 2006 Basic Services Water Supply Map; and
- 3. 2006 Basic Services Transportation Map, WITH THE FOLLOWING AMENDMENT:

 HARFORD AND JOPPA ROADS LEVEL OF SERVICE: F.

SECTION 3. AND BE IT FURTHER ENACTED, that upon the effective date of this Act, the Maps adopted hereby shall be signed by the Chairman of the County Council and shall be dated as of the effective date of this Act and thereafter delivered to the Zoning Commissioner of Baltimore County for custody.

SECTION 4. AND BE IT FURTHER ENACTED, that Subsection 4A02.3.A.1., 2. and 3. of the Baltimore County Zoning Regulations, be and they are hereby repealed and reenacted, with amendments, to read as follows:

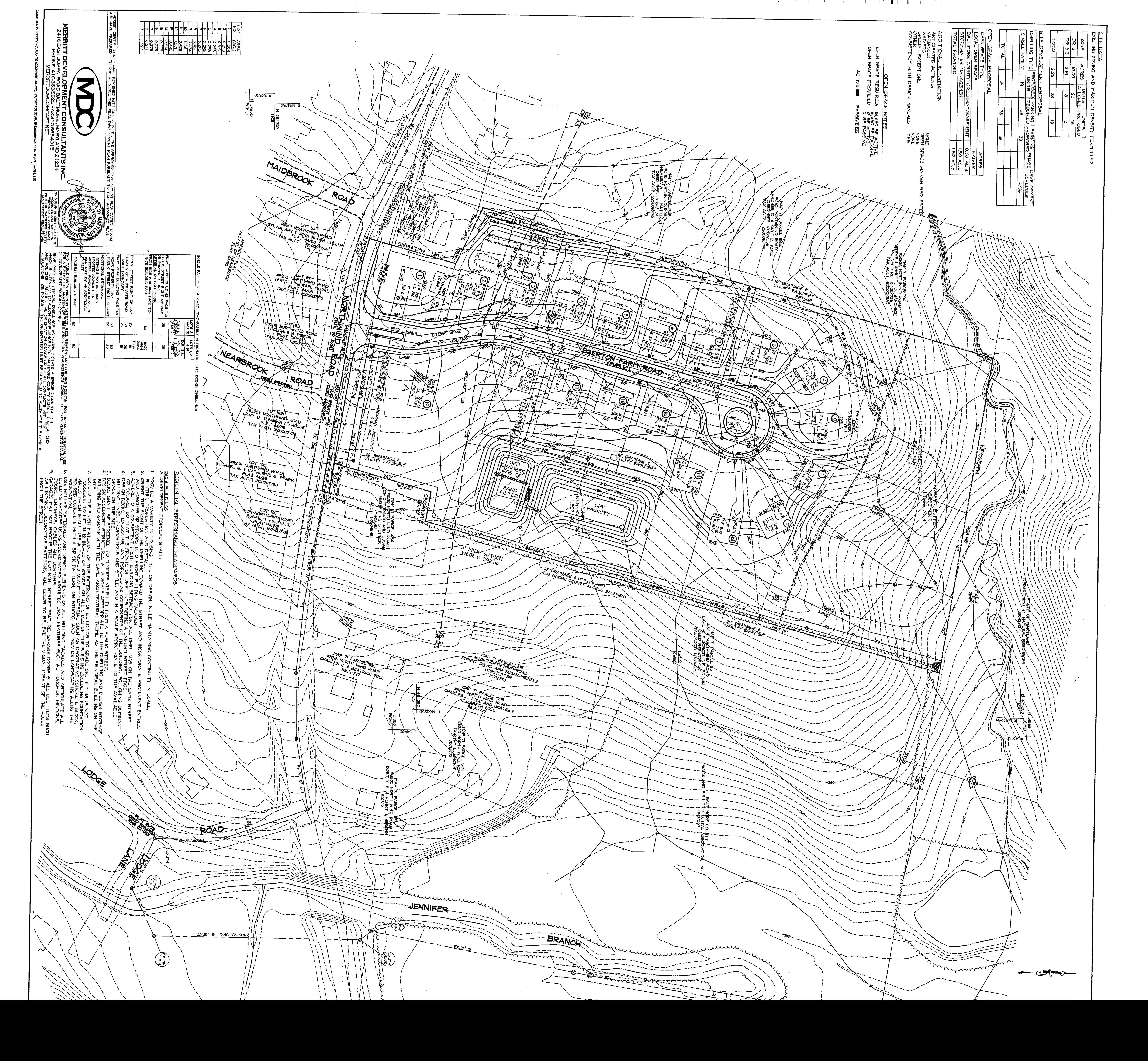
Section 4A02.3 - Basic Services Maps

4A02.3 - Adoption of Basic Services Maps

A. The following basic services maps, which shall be in the custody of the Zoning Commissioner for Baltimore County, are hereby adopted and made a part of this Article:

- 1. [2005] 2006 Basic Services Sewerage Map
- 2. [2005] 2006 Basic Services Water Supply Map
- 3. [2005] 2006 Basic Services Transportation Map

SECTION 5. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five days after its enactment.



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