IN RE: DEVELOPMENT PLAN HEARING

N side Church Road, at NE corner

Delight Road

4th Election District

4th Councilmanic District

(PETER BERGER PROPERTY)

Adam Skolnick, Charter Homes, LLC Developer/Petitioner **BEFORE THE**

HEARING OFFICER

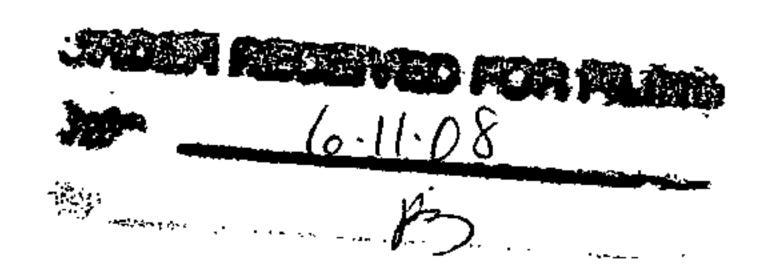
FOR BALTIMORE COUNTY

HOH Case No. IV-657 Zoning Case No. 07-456-SPH

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

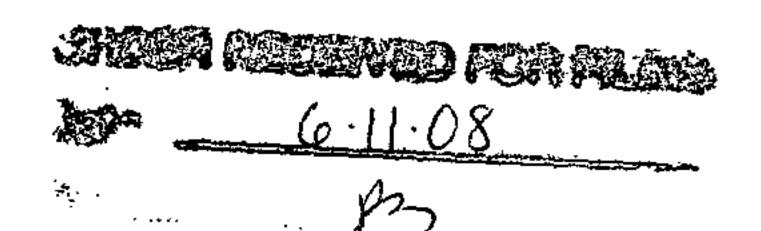
This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, for a public hearing on a Development Plan proposal submitted in accordance with the development review and approval process contained in Article 32, Title 4, of the Baltimore County Code (B.C.C.). The Developer of the property, Charter Homes, LLC of Ellicott City, MD submitted for approval a development plan prepared by Colbert Matz Rosenfelt, Inc., known as "Peter Berger Property" on behalf of the legal property owners, Peter S. Berger and Suzanne T. Berger of Baldwin, MD. The Developer is proposing the development of the subject property into 10 dwellings on approximately 4.7 acres of land, consisting of 3.9 acres zoned D.R.2 and 0.80 acre zoned D.R.3.5. The proposed development is more particularly described on the redlined Development Plan and Landscaping Plan, which were marked and accepted into evidence as Developer's Exhibits 2A and 2B, respectively.

The Developer is also requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve, to the extent the same may be required, the density, house location, use areas, and lot configurations for Lots 3 and 4 as a Density Anomaly; and to approve such additional relief as the nature of this case as presented at the time of the heairing on this Petition may require, within the spirit and intent of the B.C.Z.R.



The property was posted with Notice of Hearing Officer's Hearing on March 5, 2008, for 20 working days prior to the hearing, in order to notify all interested citizens of the date and location of the hearing.

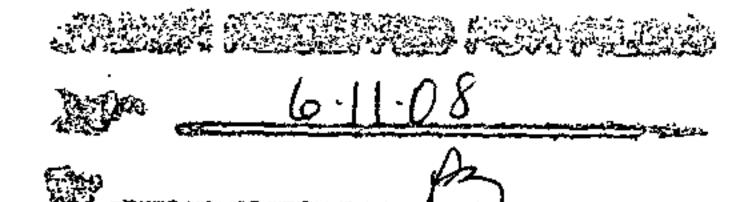
As to the history of the project, a concept plan of the proposed development was prepared and Concept Plan Conference (CPC) was held on August 1, 2007 at 9:00 AM in the County Office Building. As the name suggests, the concept plan is a schematic representation of the proposed subdivision and is initially reviewed by and between representatives of the Developer and the reviewing County Agencies at the CPC. Thereafter, as is also required in the development review process, notice of a Community Input Meeting (CIM) is posted and scheduled during evening hours at a location near the proposed subdivision to provide residents of the area an opportunity to review and comment firsthand on the plan. In this case, the CIM was held on September 10, 2007 at 7:00 PM at the Reisterstown Public Library located at 21 Cockeys Mill Road, where representatives of the Developer and the County attended, as well as a number of interested persons from the community. Subsequently, a development plan is prepared, based upon the comments received at the CPC and the CIM, and the development plan is submitted for further review at a Development Plan Conference (DPC), which, again, is held between the Developer's consultants and County agency representatives to further review and scrutinize the plan. The DPC occurred on March 12, 2008. Both the Hearing Officer's Hearing for this proposed development and the related zoning hearing were then held on April 3, 2008 at 9:00 AM in Room 106 of the County Office Building. Section 32-4-230 of the B.C.C. allows the Developer to proceed with the hearings on the proposed development and the zoning matters in one combined Hearing Officer's Hearing.



It should be noted at this juncture that the role of each reviewing County agency in the development review and approval process is to independently and thoroughly review the development plan as it pertains to their specific area of concern and expertise. These agencies provide comments to the plan and make determinations where necessary as to whether the plan complies with applicable Federal, State, and/or County laws and regulations pertaining to development and related issues. In addition, these agencies carry out this role throughout the entire development plan and approval process.

Appearing at the requisite public hearing in support of the Development Plan approval request and the Special Hearing request was Howard L. Alderman, Jr., Esquire on behalf of the Developer, Charter Homes, LLC. Also appearing in support of the Development Plan and the related request for zoning relief was Richard Matz, with Colbert Matz Rosenfelt, Inc., the professional engineer who prepared the redlined Development Plan. Appearing as an interested citizen opposed to the development and zoning relief was J. Michel Collins of 115 Sunnymeadow Lane in Reisterstown.

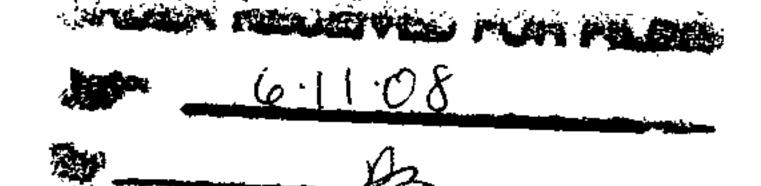
Also in attendance were representatives of the various Baltimore County reviewing agencies, including the following individuals from the Department of Permits and Development Management: John Sullivan (Project Manager), Dennis Kennedy (Development Plans Review), Aaron Tsui (Zoning Review Office), and Gigi Hampshire (Bureau of Land Acquisition). Also appearing on behalf of the County were David Lykens from the Department of Environmental Protection and Resource Management (DEPRM); Jenifer German from the Office of Planning; and Bruce Gill from the Department of Recreation & Parks. In addition, written comments were received from Lt. Roland Bosley, Jr. of the Baltimore County Fire Marshal's Office and Steven D. Foster on behalf of the Maryland State Highway Administration. These and other agency remarks



are contained within the case file.

The subject property is owned in part by Suzanne T. Berger, Esquire. Ms. Berger is employed with Baltimore County, Maryland as an attorney in the Office of Budget and Finance, Division of Insurance. B.C.C. Section 32-1-102 states that "[a] county employee may not have an interest, either directly or indirectly, in a county zoning proceeding or in any fee, commission, or other thing of value paid or payable with respect to a zoning proceeding during the employee's term of office unless: (1) [t]he employee makes a public disclosure of the interest to the County Council; and (2) [t]he Council, by resolution, determines that the interest does not contravene the public welfare." On or about May 21, 2007, the County Council was notified by the reading of Resolution No. 51-07 that Ms. Berger had applied for the instant development plan approval and related zoning relief. On or about that same date, the Council unanimously (by the six members present) approved the resolution, finding that Ms. Berger's application for approval of the development plan and Petition for Special Hearing does not contravene the public welfare. A copy of Resolution No. 51-07 was marked and accepted into evidence as Developer's Exhibit 1.

Turning now to the proposed development plan and zoning hearing, pursuant to B.C.C. Sections 32-4-227 and 32-4-228, which regulates the conduct of the Hearing Officer's Hearing, I am required, first, to identify any unresolved comments or issues as of the date of the hearing. Upon making inquiry to counsel for the Developer, Mr. Alderman, he indicated that, although he had not spoken directly with the Office of Planning or Land Acquisition just prior to the hearing, he was not aware of any outstanding issues that would prevent approval of the redlined Development Plan. The only issue he was specifically aware of was related to a five foot gap between the paving at Church Road and the property line. Mr. Alderman indicated that if necessary, an additional right-of-way might be required. Mr. Alderman also indicated he was



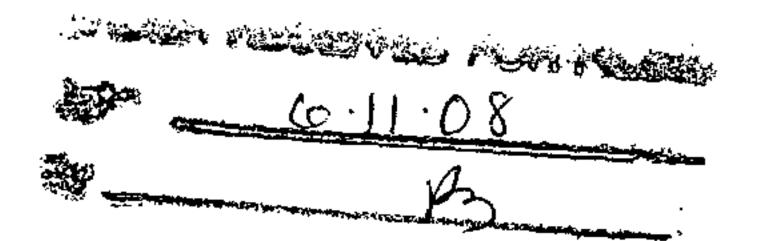
aware of the County agency comments from the Development Plan Conference as well as the comments from Mr. Collins in his letter dated September 10, 2007.

I then inquired as to the particular County agencies and asked that they state whether there were any outstanding issues applicable to their particular agency. Their responses are summarized below:

Recreation and Parks: Bruce Gill appeared on behalf of the Department of Recreation and Parks and indicated that the required local open space for the 10 units is 10,000 square feet or 0.23 acres, with 6,500 square feet active and 3,500 square feet passive open space. Mr. Gill also indicated that a proposed development involving 20 units or less should be considered for a fee in lieu of open space if requested. He confirmed that a waiver of local open space requirements, pursuant to B.C.C. Section 32-6-108(e)(3)(ii) and (d), was requested by the Developer to pay a fee in lieu of providing local open space. The Department granted that request as shown by the letter dated May 11, 2007, which was marked and accepted into evidence as Baltimore County Exhibit 1, and indicated that a fee of \$54,468.00 is to be paid prior to the recordation of the Record Plat. Therefore, the Department of Recreation and Parks recommended approval of the redlined Development Plan.

Planning Office: Jenifer German appeared on behalf of the Office of Planning. Ms. German indicated that a School Impact Analysis was received and revealed the schools were operating within State Rated Capacity. She also confirmed that a revised pattern book had been submitted and recently received by her Office and appeared to be in compliance with Section 260 of the B.C.Z.R, but would need to be further examined to ensure compliance with the Performance Standards. The pattern book was marked and accepted into evidence as Developer's Exhibit 5.

Ms. German also stated that as of the date of the hearing, the Developer's Landscape Plan had not

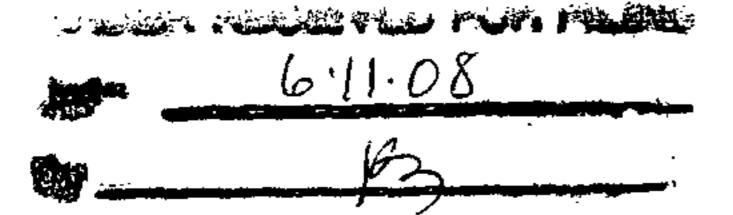


yet been received. The Developer then presented its Landscape Plan to Ms. German, which was marked and accepted into evidence as Developer's Exhibit 2B. Ms. German indicated the Landscape Plan and the revised pattern book would be reviewed and her Office would submit revised comments. She did not believe these issues would ultimately prevent approval of the plan, and consented to leaving the hearing record open for a short period of time in an attempt to resolve these issues.

Development Plans Review (Public Works): Dennis Kennedy appeared on behalf of the Bureau of Development Plans Review. Mr. Kennedy pointed out that the Developer's original plan called for access to the proposed development from Delight Road; however, that plan was rejected due to sight distance and safety concerns. Mr. Kennedy then confirmed that the Developer's redlined Development Plan met all of his department's requirements and comments, and that his department recommended approval of the plan.

Department of Environmental Protection and Resource Management: David Lykens appeared on behalf of DEPRM. Mr. Lykens indicated that two minor issues at the Development Plan Conference involved connecting the existing home that is to remain on Lot 1 to the public sewer and addressing the forest conservation plan requirements. Mr. Lykens then indicated that both of these issues had been addressed as redlined Notes and recommended approval of the redlined Development Plan.

Office of Zoning Review: Aaron Tsui appeared on behalf of the Zoning Review Office. Mr. Tsui indicated that all comments had been addressed in the redlined plan and that there were no outstanding issues other than the Special Hearing requested related to density crossing zoning lines. Upon favorable resolution of that issue, he indicated his department recommended approval of the redlined Development Plan.

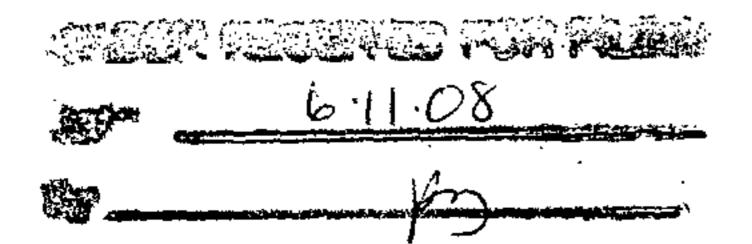


Land Acquisition: Gigi Hampshire appeared on behalf of the Bureau of Land Acquisition.

Ms. Hampshire indicated that the only issue from her agency's perspective concerned the previously mentioned issued involving the gap in paving between Church Road and the property line, and that an offsite right-of-way may be required prior to record plats and permits. Otherwise, her department recommended approval of the redlined Development Plan.

I then inquired of members of the community in attendance and heard from J. Michael Collins. Mr. Collins indicated that he lives approximately 1½ miles from the proposed development. He is also Vice President of the Sunnybrook Farms Community Association. Mr. Collins identified several issues and provided testimony as well, which are summarized as follows:

First, Mr. Collins expressed concern over the right-of-way issue with Delight Road. According to Mr. Collins, this road was probably first paved approximately 30 years ago and is maintained by the County, though not necessarily County owned. Baltimore County allows development plans to be approved and processed despite offsite rights-of-way not having been acquired, either for road improvements or other public improvements such as water or sewer lines, as long as the rights-of-way are acquired prior to recordation of the plat. In this case, according to Mr. Collins, the Developer has not yet acquired the necessary right-of-way to bring the public sewer line on the other side of the center line of Delight Road into the property, and he argues Baltimore County does not have property rights, either in "fee simple" or "right-of-way", in the paving and roadbed of Delight Road to allow for the installation of this sewer line. Mr. Collins argues the approval of this development is premature and should not be permitted to proceed until the Developer or Baltimore County acquires the right to extend the sewer line.



Mr. Collins then expressed concerns over the Developer's plan for panhandle lots and compliance with the Adequate Facilities law. In short, Mr. Collins indicated the Developer's plan for panhandles is driven by its desire to maximize the number of lots, and not due to any real necessity such as environmental or other site driven constraints. He also believes the adequate facilities provisions dealing with school capacity are understated because, presumably, when calculating the capacity of relevant elementary, middle, and high schools in a particular district, the calculation does not include other pending developments in the district. Mr. Collins also presented a letter dated September 10, 2007 to Project Manager John Sullivan outlining these and additional concerns. This letter was marked and accepted into evidence as Protestant's Exhibit 1.

Moving next to the more formal portion of the hearing, Mr. Alderman, the Developer's attorney, called on Richard Matz to present the development plan and to provide testimony in support of the related zoning case. Mr. Matz testified that he is a professional engineer licensed in Maryland and a principle with the firm of Colbert Matz Rosenfelt, Inc. He is a member of the American Society of Civil Engineers and has been practicing in Maryland for the past 28 years. He indicated he is familiar with Baltimore County zoning and development regulations and procedures and has been offered and accepted as an expert in Baltimore County in numerous residential and commercial development projects over the years. Mr. Alderman then offered Mr. Matz as an expert in the area of civil engineering, land development, and the necessary zoning and land use requirements in Baltimore County, and Mr. Matz was accepted as such without objection.

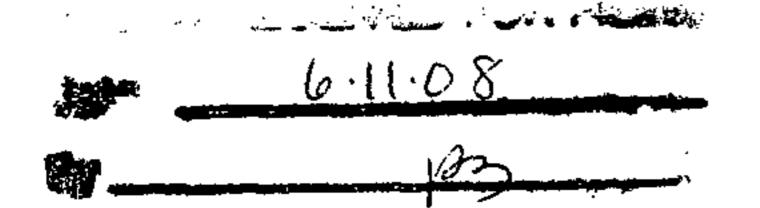
Mr. Matz testified that he was directly involved in the development and preparation of the instant development plan. Following the Development Plan Conference, his firm reviewed the comments from the relevant County agencies and made modifications to the plan that are contained in the sealed redlined Development Plan marked and accepted into evidence as

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Developer's Exhibit 2A. Mr. Matz then explained that the subject property consists of slightly less than 5 acres, split zoned D.R.2 (approximately 4 acres) and D.R.3.5 (approximately 0.75 acre). The property has access to public water and sewer services from Delight Road and Church Road. A new sewer line will be located next to the existing water line on Delight Road. The water line is on the north side of Delight Road and the proposed sewer line will be located closer to the center line of Delight Road. In addition, the proposed storm water management pond located on the southeastern side of the property will connect to an existing storm drain.

The existing one-story brick and frame home on the northern side of the property fronting Delight Road will remain. This existing lot is identified on the development plan as Lot 1. The Developer proposes nine new lots. These lots will have access via Ben Court, a proposed private road off Church Road. As shown on the Landscape Plan that was marked and accepted into evidence as Developer's Exhibit 2B, landscaping will be provided for screening along Delight Road to the west and Church Road to the south. Additional landscaping will provide screening from the existing development on Cedarmere Road, along the eastern side of the property. Landscaping will also provide a buffer for Lots 4 and 5 from the proposed storm water management reservation and pretreatment area. Mr. Matz also submitted the most recent pattern book that was marked and accepted into evidence as Developer's Exhibit 5. A copy of the pattern book was given to Ms. German for consideration by the Office of Planning.

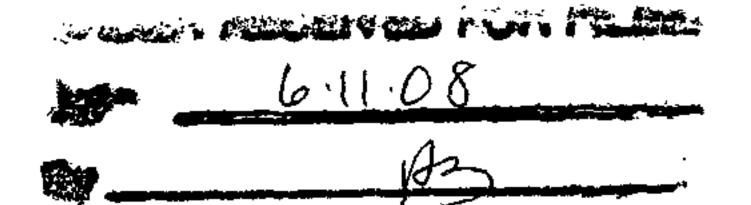
Turning to the Special Hearing request, Mr. Matz indicated that, although the property is comprised of one parcel, it is zoned primarily D.R.2, with a small area of D.R.3.5 running north-south along the eastern side of the property. Lots 1 and 2 and 5 through 10 are located solely in the D.R.2 zone; however, Lots 3 and 4 are located in both the D.R.2 and D.R.3.5 zones, necessitating zoning relief. Mr. Matz indicated the split zoning situation in this context is



commonly referred to as a "density anomaly" and comes under the County's Density Anomaly Policy. Mr. Alderman submitted a copy of the relevant part of the Code of Baltimore County Regulations dated October 22, 1992 entitled "Policy: Density Anomalies." This was marked and accepted into evidence as Developer's Exhibit 3. This policy recognizes situations that arise particularly in the R.C. and D.R. zones where a property is split zoned and as a result permits different densities within the same property. It becomes even more complicated where a proposed lot or lots within a property are split zoned such that the lot(s) has two different density calculations. In this situation, as in the instant matter, the Policy allows a Special Hearing to be requested in order to determine when and how density should be calculated.

In the instant matter, the D.R.2 portion of the property (4 acres) allows up to eight dwellings and the D.R.3.5 portion of the property (.762 acre) allows up to two dwellings, for a total of 10 dwellings. The Developer requests special hearing relief to approve the density calculation, the house locations, the use areas, and lot configurations of Lots 3 and 4 as a Density Anomaly, consistent with the County's aforementioned Policy. In support, Mr. Matz pointed out that the relief does not result in any greater density requested (10 dwellings) than what is allowed by the regulations (10 dwellings), and serves in this case only to legitimize the natural consequence of a zoning line running through a property, rather than along the property's boundary. He also indicated that granting the special hearing relief would not be detrimental to the health, safety, or general welfare of the locale, nor adversely affect any other relevant criteria contained in Section 502.1 of the B.C.Z.R. Mr. Matz also indicated the Office of Planning has no objection to the request for special hearing relief.

In conclusion, Mr. Matz testified that the redlined Development Plan had been presented to County agency representatives and had addressed all of those agencies' comments. Finally, he

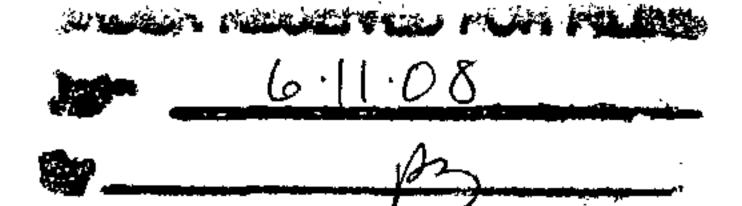


offered his opinion based on his professional knowledge and experience, that but for the final approval of the Office of Planning as to the pattern book and Landscape Plan, the redlined Development Plan marked and accepted into evidence as Developer's Exhibit 2A fully complies with the development regulations, rules and policies contained in the Baltimore County Zoning Regulations (B.C.Z.R.) and the Baltimore County Code (B.C.C.). Following the Hearing on April 3, 2008 and with the record having been kept open, the undersigned subsequently received email notification from Ms. German of the Planning Office that all issues had been addressed to date and that her Office recommended approval of the redlined Development Plan. A copy of the email is contained within the case file.

The Baltimore County Code (B.C.C.) clearly provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." B.C.C. Section 32-4-229.

After due consideration of the testimony and evidence presented concerning the development plan proposal and the request for special hearing, as well as the concurrence of the various County agencies, I find that the redlined Development Plan accepted into evidence as Developer's Exhibit 2A is in compliance with all applicable policies, rules, and regulations. I am persuaded by the testimony of the Developer's engineer, Mr. Matz, and his presentation of the development plan, and the input from the relevant County agencies that this development plan is in keeping with the spirit and intent of the development regulations and will not have a detrimental effect on the health, safety, and welfare of the public, or the surrounding locale.

As to the issue raised by Mr. Collins concerning the acquisition of appropriate right-ofway access at Delight Road, this type of situation is not at all unusual. Baltimore County permits a development project to proceed through the development approval process with the

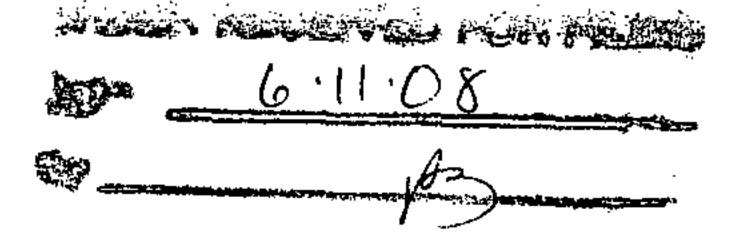


understanding that any offsite rights-of-way must be acquired prior to the plat recordation. Although more research may be required, perhaps including the Developer acquiring the necessary right-of-way to complete the sewer line connection at Delight Road, regardless, the County Code does not give me, as the Hearing Officer in a development plan case, the authority to determine property rights, nor will I attempt to do so. I believe this is an issue more appropriately to be handled, if necessary, during the next phase of the development process. If the Developer cannot demonstrate that any required offsite rights-of-way can be acquired, the development will not proceed forward; however, I will not deny approval of the development plan on this basis.

As to the Special Hearing, based on the testimony and evidence and my review of the County's Density Anomaly Policy, I find that the split zoning of the property and the resulting split zoning of Lots 3 and 4 presents a Density Anomaly. I also find that this anomaly will not increase the density calculation otherwise allowable for this property, and will not be detrimental to the health, safety, or general welfare of the locale nor any of the other criteria set forth in Section 502.1 of the B.C.Z.R. Finally, I find that the granting of relief is within the spirit and intent of the Zoning Regulations, and in particular the Code of Baltimore County Regulations.

Therefore, having identified no remaining unresolved or outstanding issues that would prevent plan approval, the Developer has satisfied its burden of proof and, therefore, is entitled to approval of the redlined Development Plan and the grant of the requested Special Hearing relief.

Pursuant to the advertisement, posting of the property, and public hearing held thereon, the requirements of which are contained in Article 32, Title 4, of the Baltimore County Code, the redlined "Peter Berger Property" Development Plan, introduced as Developer's Exhibit 2A, shall be approved consistent with the comments contained herein, and the Petition for Special Hearing relief shall be granted.



THEREFORE, IT IS ORDERED by this Hearing Officer/Deputy Zoning Commissioner for Baltimore County, this _______ day of June, 2008, that the redlined "PETER BERGER PROPERTY" Development Plan, entered into evidence as "Developer's Exhibit 2A," be and is hereby APPROVED; and

IT IS FURTHER ORDERED that the Petition for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve the density, house location, use areas, and lot configurations for Lots 3 and 4 as a Density Anomaly be and is hereby GRANTED.

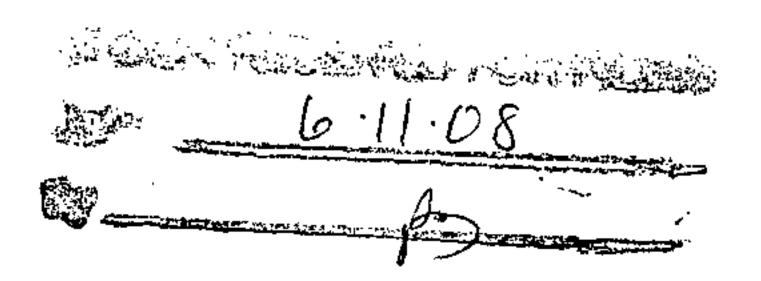
Any appeal of this decision must be taken in accordance with Section 32-4-281 of the Baltimore County Code.

THOMAS H. BOSTWICK

Hearing Officer/Deputy Zoning Commissioner

for Baltimore County

THB:pz





REV 9/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 115 DELIGHT ROAD which is presently zoned DR 2 & 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

SEE ATTACHED

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

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

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/XXXXXXX CHARTER HOMES, LLC PETER S. BERGER Name - Type or Print / Name - Type or Print By: Signature Signature SUZANNE T. BERGER (410) 480-3213 3230 Bethany Lane, Suite 8 Name - Type or Print Telephone No. Address MD21042 Ellicott City Zip Code Signature City State 410) 592- 3225 5615 SWEET AIR ROAD **Attorney For Petitioner:** Telephone No. Address Howard L. Alderman, Jr., Esquire 21013 MD BALDWIN Zip Code State Name - Type or Print City Representative to be Contacted: Signature Colbert, Matz, Rosenfelt, Inc. Richard Matz, PE Levin & Gann, PA Name Company 410-653-3838 2835 Smith Avenue, Suite G 410-321-0600 502 Washington Avenue, Suite 800 Telephone No. Address Telephone No. **Address** 21209 MD BALTIMORE 21204 Maryland Towson Zip Code State City Zip Code State City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING _____ Case No. 07-456-SPH UNAVAILABLE FOR HEARING _____ Reviewed By D.T. Date 4/6/07

Attachment 1

PETITION FOR SPECIAL HEARING

CASE NO: 07- 456 -SPH

Address:

115 Delight Road

Legal Owner: Peter S. & Suzanne T. Berger

Present Zoning:

DR 2 & 3.5

REQUESTED RELIEF:

"why the Zoning Commissioner should" [1] to the extent the same may be required, approve the density, house location, use areas and lot configurations for Lot Nos. 3 & 4 shown on the Plat to Accompany this Petition as a Density Anomaly; and [2] approve such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR.

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

₃(410) 321-0600. Fax: (410) 296-2801 halderman@LevinGann.com

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

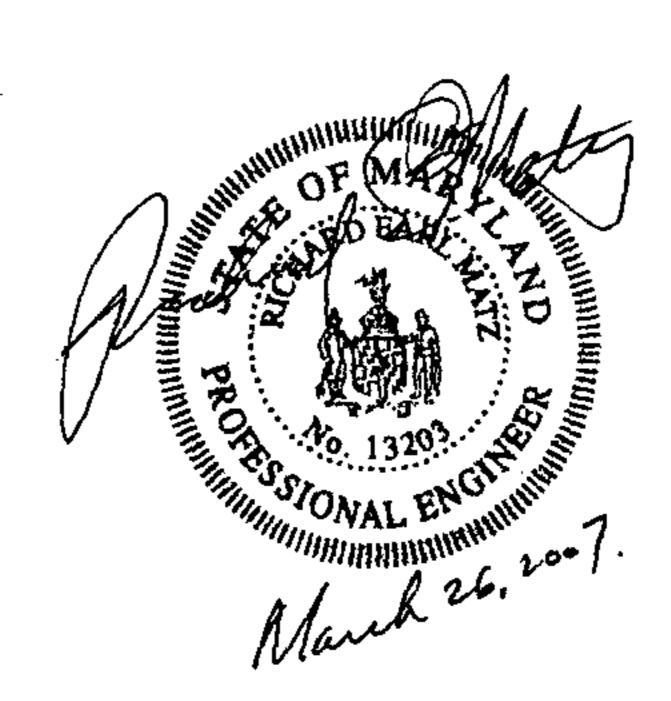


ZONING DESCRIPTION BERGER PROPERTY

Beginning at a point on the north side of Church Road, which is of varying width, at a distance of 425 feet east of Delight Road, which is of varying width, thence the following courses and distances:

N 50°44'19" W, 324.09 ft.; N 59°24'19" W, 134.86 ft.; N 36°49'29" E, 489.63 ft.; S 53°06'19" E, 390.90 ft. thence S 29°01'01" W, 492.87 ft. to the Point of Beginning

As recorded in Deed Liber 14284, Folio 713, and containing 4.821 acres. Also known as #115 Delight Road and located in the 4th Election District, 4th 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: #07-456-SPH

115 Delight Road

N/side of Church Road, 425 feet east of Delight Road

Wiside of Church Road, 425 feet east of Delight Road

Wiside of Church Road, 425 feet east of Delight Road

Legal Owner(s): Peter S.-& Suzanne T. Berger

Contract Purchaser: Charter Homes, LLC

Special Hearing: to approve the density, house location, use areas and lot configurations for Lot Nos. 3 & 4 shown on the Plat to Accompany this petition as a Densi-

ty Anomaly. Hearing: Thursday, June 14, 2007 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesa-peake 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/5/800 May 29

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THIS IS TO CERTIFY, that the annexed advertisement was publish in the following weekly newspaper published in Baltimore County, Moonce in each of successive weeks, the first publication appearing on	
ent was pub re County,	

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

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LEGAL ADVERTISING

ICE OF ZONING HEARING

The Zong entire solutions of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County withhold a public hearing in Towson, Maryland on the property identified herein as follows:

Case 17 (1986) Of Church Road, 425 feet east of Delight Road Att Election District - 4th Councilmanic District Legal Owner(s): Peter S. & Suzanne T. Berger Contract Purchaser: Charter Homes, LLC Special Hearing: to approve the density, house location, use areas and lot configurations for Lot Nos. 3 & 4 shown on the Plat to Accompany this petition as a Density Anomaly.

Hearing: Thursday, August 23, 2007 at 9:00 a.m. In Room 106, County Office Building, 111 West Chesaposake 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 8/607 Aug. 7

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OF PUBLICATION _ 20th

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

X The Jeffersonian Arbutus Times

Catonsville Times Towson Times

Times Owings Mills NE Booster/Reporter

News North County Wullus

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE

From: Rec WHITE - CASHIER MISCELLANEOUS RECEIPT DISTRIBUTION Fund 10 S Agcy Orgn PINK - AGENCY Orga Sub Source Rev Rev Sub Rept Catg Total: No. YELLOW - CUSTOMER Date: Acct SB Amount they ste Ť. **排源** RUSZION. Respt for Baltimar cant; EN MINES WALKING. the delication is 開光時 相互联系法法 经附近 統 VALIDATION CASHIER'S 17的200 孫頂樹、 **网络温度** 11,57,00 Fred 1. 11.11 **有一颗。** ... **

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE ACCOUNT OD OD LO SO	RECEIVED HAKTER HONES	FOR TENT 1/50 OF ILLAS PH	LS DELIGHT ROLLINGSON	WHITE - CASHIER PINK - AGENCY YELOW - CUSTOMER

From: DISTRIBUTION WHITE - CASHIER For: Rec MISCELLANEOUS RECEIPT BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE Fund Agcy DEDEN Orgn PINK - AGENCY Orgn Sub 12 Source Rev TO X Sub Rept Catg Total: -SP4 YELLOW - CUSTOMER <u>N</u> Date: Acct SB 0936 Amount 90... Tep. 4,297,007 3(E) MESS 703 \$200,00 Weight 10* 別し、 はいいい はいまい 代和節 ****** VALIDATION CASHIER'S 6 18 TW. WH W 3H 65.6 7 . (A). 机体 小 化基 \$ (R),(N) ŧ. (iii)

天

CERTIFICATE OF POSTING

ATTENTION: KRISTEN	DATE: 05/02/07		
Case Number: 07-456-S	PH & HEARING OFFICER HEARING F	P.D.M. # IV-657	
Petitioner/Developer: Howard	Alderman-Peter & Suzanne Berger-Charl	ter Homes~Richard Matz	
Date of Hearing (Closing): June 14			
This is to certify under the penalties of p conspicuously on the property located a			
The sign(s) were posted on:	May 1, 2007		
		(Signature of Sign Poster)	
		Linda O'Keefe	
		(Printed Name of Sign Poster)	
		523 Penny Lane	
		(Street Address of Sign Poster)	
e per ser en la personal de la companya de la comp	- "	Hunt Valley Maryland 21030	
		(City, State, Zip Code of Sign Poster)	
		410-666-5366	
		(Telephone Number of Sign Poster)	

115 Delight Road

ZONING NOTICE

CASE # 07-456-SPH

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

ROOM 106, COUNTY OFFICE BUILDING

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

Notio of Hearing Officer's Hearing

Date and Time:

ROOM 106 COUNTY OF FICE BUILDING WEST CHESAPEAKE AVENUE

Developer: CHARTER HOMES

Property Acreage: 4.206 ACRE

Bescription of Proposed Development: 10.5/NGLE FAMILY DWELLINGS. P.P.M. #IV-657

You may review the plan or obtain additional information at: Bepartment of Permits and Development Management County Office Building, Room 123 111 West Chesapeake Avenue, Towson, MD 21204 (410) 887-3335

HANDICAPPED ACCESSIBLE

Church Road (ON-SITE)

ZONING NOTICE

CASE # 07-456-5PH

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

ROOM 106. COUNTY OFFICE BLOG. PLACE: ____ W. CHESAPEAKE AVE. TOWSON-21204

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

Notice of Hearing Officer's Hearing THURSDAY, JUNE 14, 2007 Date and Time:_ TOWSON, MD 21204 Developer: CHARTER HOMES Property Acreage: 4,206 ACRES Bescription of Proposed Development: 10 SINGLE FAMILY DWELLINGS, P.D.M. # TV-657 9. 0 You may review the plan or obtain additional information at:

Department of Permits and Development Management

County Office Building, Room 123

County Office Building, Room 123

111 West Chesapeake Avenue, Towson, MO 21204

(410) 887-3335

HANDICAPPED ACCESSIBLE



JAMES T. SMITH, JR. County Executive

July 2, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
RING
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: 07-456-SPH

115 Delight Road

N/side of Church Road, 425 feet east of Delight Road

4th Election District – 4th Councilmanic District

Legal Owners: Peter S. & Suzanne T. Berger

Contract Purchaser: Charter Homes, LLC

Special Hearing to approve the density, house location, use areas and lot configurations for Lot Nos. 3 & 4 shown on the Plat to Accompany this petition as a Density Anomaly.

Hearing: Thursday, August 23, 2007 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204 Peter & Suzanne Berger, 5615 Sweet Air Road, Baldwin 21013 Charter Homes, LLC, 3230 Bethany Lane, Ste. 8, Ellicott City 21042 Richard Matz, 2835 Smith Avenue, Ste. G., Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 8, 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, August 7, 2007 Issue - Jeffersonian

Please forward billing to:
Charter Homes, LLC

3230 Bethany Lane, Ste. 8 Ellicott City, MD 21042

410-480-3213

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: 07-456-SPH

115 Delight Road N/side of Church Road, 425 feet east of Delight Road 4th Election District – 4th Councilmanic District Legal Owners: Peter S. & Suzanne T. Berger Contract Purchaser: Charter Homes, LLC

Special Hearing to approve the density, house location, use areas and lot configurations for Lot Nos. 3 & 4 shown on the Plat to Accompany this petition as a Density Anomaly.

Hearing: Thursday, August 23, 2007 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

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

TIMOTHYAMPKOTOROLO Director

Department of Permits and

Development Management

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CASE NUMBER: 07-456-SPH

·115 Delight Road

N/side of Church Road, 425 feet east of Delight Road

4th Election District – 4th Councilmanic District

Legal Owners: Peter S. & Suzanne T. Berger

Contract Purchaser: Charter Homes, LLC

Special Hearing to approve the density, house location, use areas and lot configurations for Lot Nos. 3 & 4 shown on the Plat to Accompany this petition as a Density Anomaly.

Hearing: Thursday, June 14, 2007 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204 Peter & Suzanne Berger, 5615 Sweet Air Road, Baldwin 21013 Charter Homes, LLC, 3230 Bethany Lane, Ste. 8, Ellicott City 21042 Richard Matz, 2835 Smith Avenue, Ste. G., Baltimore 21209

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 30, 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, May 29, 2007 Issue - Jeffersonian

Please forward billing to:

Charter Homes, LLC 3230 Bethany Lane, Ste. 8 Ellicott City, MD 21042 410-480-3213

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: 07-456-SPH

115 Delight Road

N/side of Church Road, 425 feet east of Delight Road

4th Election District – 4th Councilmanic District

Legal Owners: Peter S. & Suzanne T. Berger

Contract Purchaser: Charter Homes, LLC

Special Hearing to approve the density, house location, use areas and lot configurations for Lot Nos. 3 & 4 shown on the Plat to Accompany this petition as a Density Anomaly.

Hearing: Thursday, June 14, 2007 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 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: 07-456-SPH
Petitioner: CHARTER HOMES LLC
Address or Location: 15 DELIGHT RD.
PLEASE FORWARD ADVERTISING BILL TO:
Name: CHARTER HOMES LLC
Address: 3330 BETHANY LANE, SUITE 8
ELLICOTT CITY, MD 21042
Telephone Number: 410-480-3213

Revised 2/20/98 - SCJ



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

Maryland Department of Transportation

John D. Porcari, Secretary

Neil J. Pedersen, Administrator

Date: 4/24/2007

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

RE: **Baltimore County**

Item No. 07-456-5PH

115 DELIGHT ROAD BERGER PROPERTY

SPECIAL HEARING

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. 07-466, SPH.

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 U 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

April 24, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of: April 23,2007

Item No.: 454, 455, 456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467, 468, 469, 470, 471, and 472.

Pursuant to your request, the referenced plan(s) have been reviewed by the Fire Marshal's Office 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



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

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 24, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 30, 2007

Item Nos. 07-454, 455, 456, 457, 458, 459, 461, 464, 465, 467, 468, 471, 472, and 473

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 04242007.doc

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 5, 2007

Department of Permits & Development

Management

.

FROM: Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 9, 2007

Item Nos, 07-456) 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, and 594

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-07052007.doc

Inter-Office Correspondence



ECEIVE FEB 1 3 2008				
FEB	1	3	2008	J

TO:	Timothy M. K	Cotroco				BY:	
FROM:	Dave Lykens,	DEPRM - I	Developm	ent Coor	dination 3	WL	
DATE:	DATE: February 12, 2008						
SUBJECT:	Zoning Item Address	# 07-456-8 115 Deligh (Berger Pro	t Road	sed	-		
Zoning	g Advisory Cor	nmittee Mee	eting of F	ebruary 4	1, 2008		
	epartment of E ents on the abo				esource M	anagement h	as no
	epartment of Education Englands end to the Education Englands end to the Education Education Englands end to the Education Edu					~	ffers
	Development Protection of 33-3-101 thro	Water Qualit	ty, Strean	ns, Wetla	nds and Fl	oodplains (Se	
<u>X</u>	Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).						
<u> </u>	Development Critical Area other Sections	Regulations	(Sections	33-2-10	1 through 3	-	•
<u>Additi</u>	onal Comment	<u>s:</u>				•	

Reviewer: Glenn Shaffer

Date: February 11, 2008

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 7, 2008

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 11, 2008

Item Nos. 67-456; 08-325, 326, 328, 329, 330, 331, 333, 334, 335, 336, 338, and 339

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- 02072008.doc

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 29, 2007

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

SENT BY TELECOPIER - 410-887-3468
AND REGULAR MAIL

Mr. William J. Wiseman, III, Zoning Commissioner Baltimore County Hearing Officer 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

HOWARDJL. ALDERMAN, JR.

halderman@LevinGann.com

DIRECT DIAL

410-321-4640

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

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

Re:

115 Delight Road - Berger Property

Case Nos.: 07-456-SPH and PDM IV-657

Request for Postponement

Dear Messrs. Wiseman and Kotroco:

As you are aware, I represent the Applicant and Petitioner in the above-referenced cases. In addition to the zoning case, a development plan was filed within one year of the community input meeting held on this project as required by the development regulations for Baltimore County.

Recently, a development plan conference was held at which time the Applicant received comments from all reviewing County agencies. As a result of the comments received, modifications to the development plan as originally submitted must be made. In order to ensure that the modifications made are reviewed and considered by all reviewing agencies, it will be necessary to postpone the hearing scheduled on this matter presently set for June 14, 2007 at 9:00 a.m. in Room 106 of the County Office Building.

Upon submission of the development plan revised and further comments received, we will work with Mr. John Sullivan, Project Manager, to reschedule the required hearings. Should you need any additional information in support of this request, as always, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.

HLA/pal

cc: Charter Homes, LLC

Mr. Richard Matz, PE

Mr. and Mrs. Peter Berger

Peter Max Zimmerman, People's Counsel

LAW OFFICES

LEVIN & GANN

A PROFESSIONAL ASSOCIATION

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

June 28, 2007

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

HAND DELIVERED

HOWARD L. ALDERMAN, JR.

halderman@LevinGann.com

DIRECT DIAL

410-321-4640

W. Carl Richards, Jr., Zoning Supervisor
 Baltimore County Department of Permits
 and Development Management
 West Chesapeake Avenue
 Towson, Maryland 21204

RE: Additional Check - Amended Plan to Accompany Special Hearing

115 Delight Road

Case No.: 07-456-SPH

Dear Mr. Richards:

When we spoke with County representatives regarding the filing of amended plans in the above-referenced case, we were advised that the filing fee was \$100.00. Subsequently, Donna Thompson of your department called to advise that the review fee was \$200 - this firm's additional check for \$100 is enclosed.

Very truly yours,

Laward L. Alderman, Jr.

HLA/gk Enclosure

c (w/out encl.):

Charter Homes, LLC

Colbert Matz Rosenfelt, Inc. Mr. and Mrs. Peter S. Berger John Sullivan, Project Manager LAW OFFICES

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

> DIRECT DIAL 410-321-4640

A PROFESSIONAL ASSOCIATION

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

November 8, 2006

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

HAND DELIVERED

W. Carl Richards, Jr., Zoning Supervisor Baltimore County Department of Permits and Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

RE:

Amended Plan to Accompany Special Hearing

115 Delight Road Case No.: 07-456-SPH

Dear Mr. Richards:

As a result of a recent Development Plan Conference held on the above-referenced proeprty, the configuration of proposed lots had to be changed. Accordingly, I am submitting herewith twelve (12) copies of the Plan to Accompany Zoning Special Hearing Petition which have been changed to reflect the reconfigured development.

I have also enclosed this firm's check in the amount of \$100.00 as the required free for review of revised zoning plans. Should you or any other County review agency need anyadditional information, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk

Enclosures (13)

c (w/out encl.):

Charter Homes, LLC

Colbert Matz Rosenfelt, Inc. Mr. and Mrs. Peter S. Berger John Sullivan, Project Manager

Called Howard 9:25 4/27/67 Mad additional

PETITION FOR SPECIAL HEARING RE:

115 Delight Road; N/S Church Road;

425' E Delight Road

4th Election & 4th Councilmanic Districts Legal Owner(s): Peter & Suzanne Berger

Contract Purchaser(s): Charter Homes, LLC

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-456-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

People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of April, 2007, a copy of the foregoing Entry of Appearance was mailed to, Richard E. Matz, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

APR 2.7 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

COLBERT MATZ ROSENFELT, INC.

2835 Smith Avenue Suite G BALTIMORE, MARYLAND 21209

LETTER OF TRANSMITTAL

TO Belt County Journa Office 111 W. Cherapeake Auc	POH # IT - 6st 7
CASE NO. 07-456-5PH WE ARE SENDING YOU Attached Under separate cover via Shop drawings Prints Plans Copy of letter Change order	the following items: Samples Specifications
COPIES DATE NO. Beisel 30 Revision 60	DESCRIPTION LING Plan (\$\frac{100.00}{}
THESE ARE TRANSMITTED as checked below: For approval	☐ Submit copies for distribution
REMARKS We have just reserve Pereloque Selace flee Submetted in flee you for Case no. 07-456-SF	flans flevrously 4. Seals
SIGNED: SIGNED	

REVISED

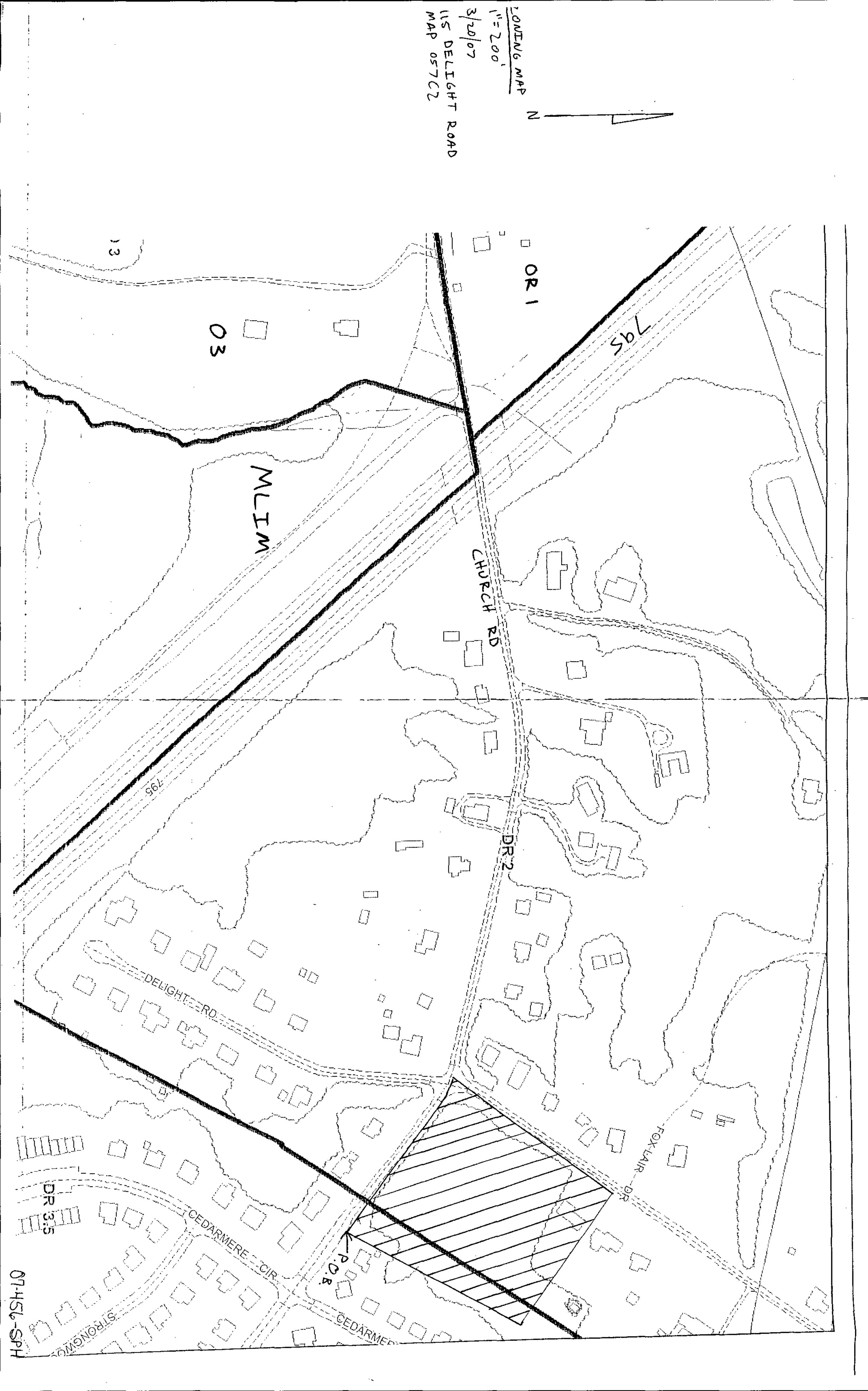
PLAN
AND
DEVELOPMENT PLAN

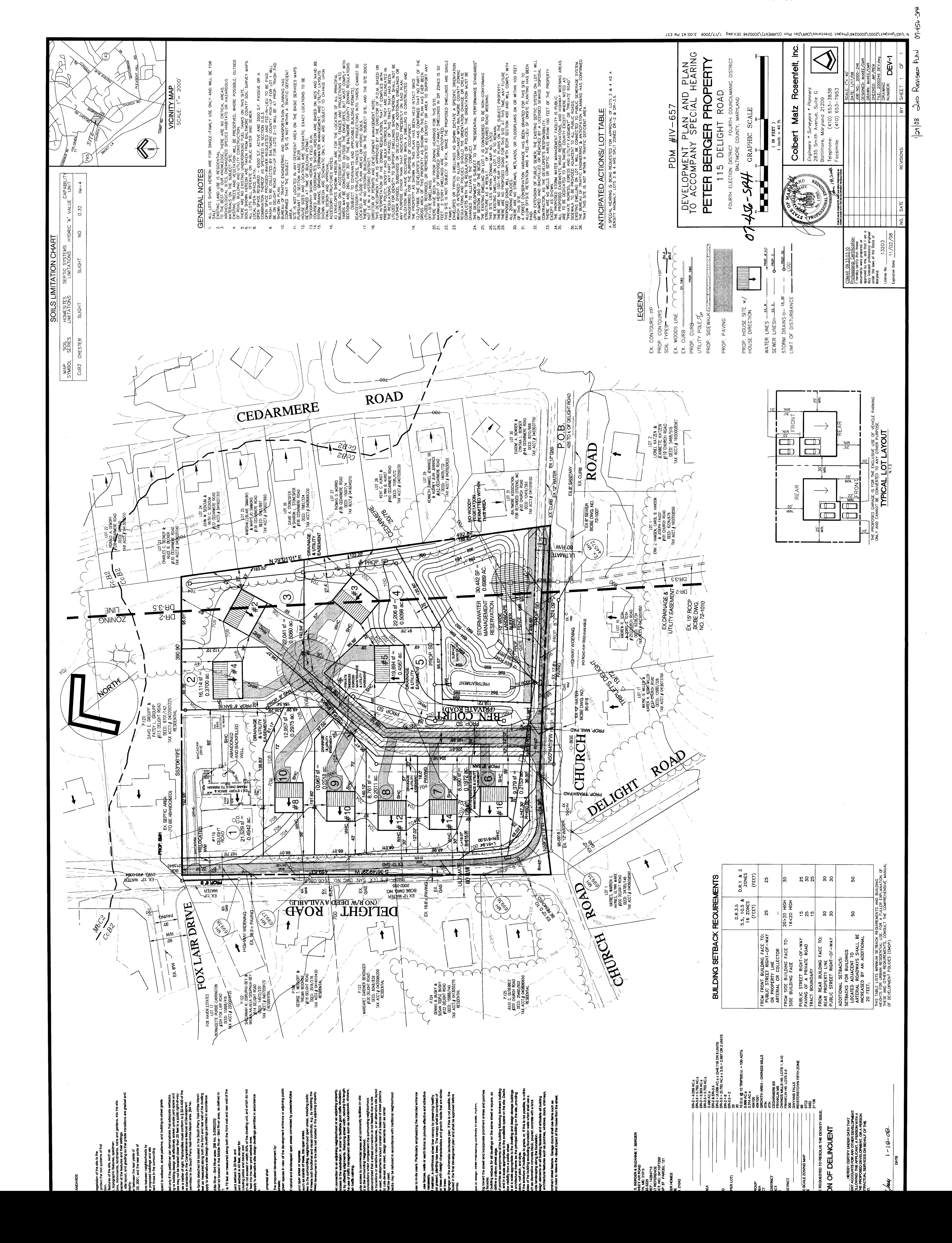
07-456-SPH

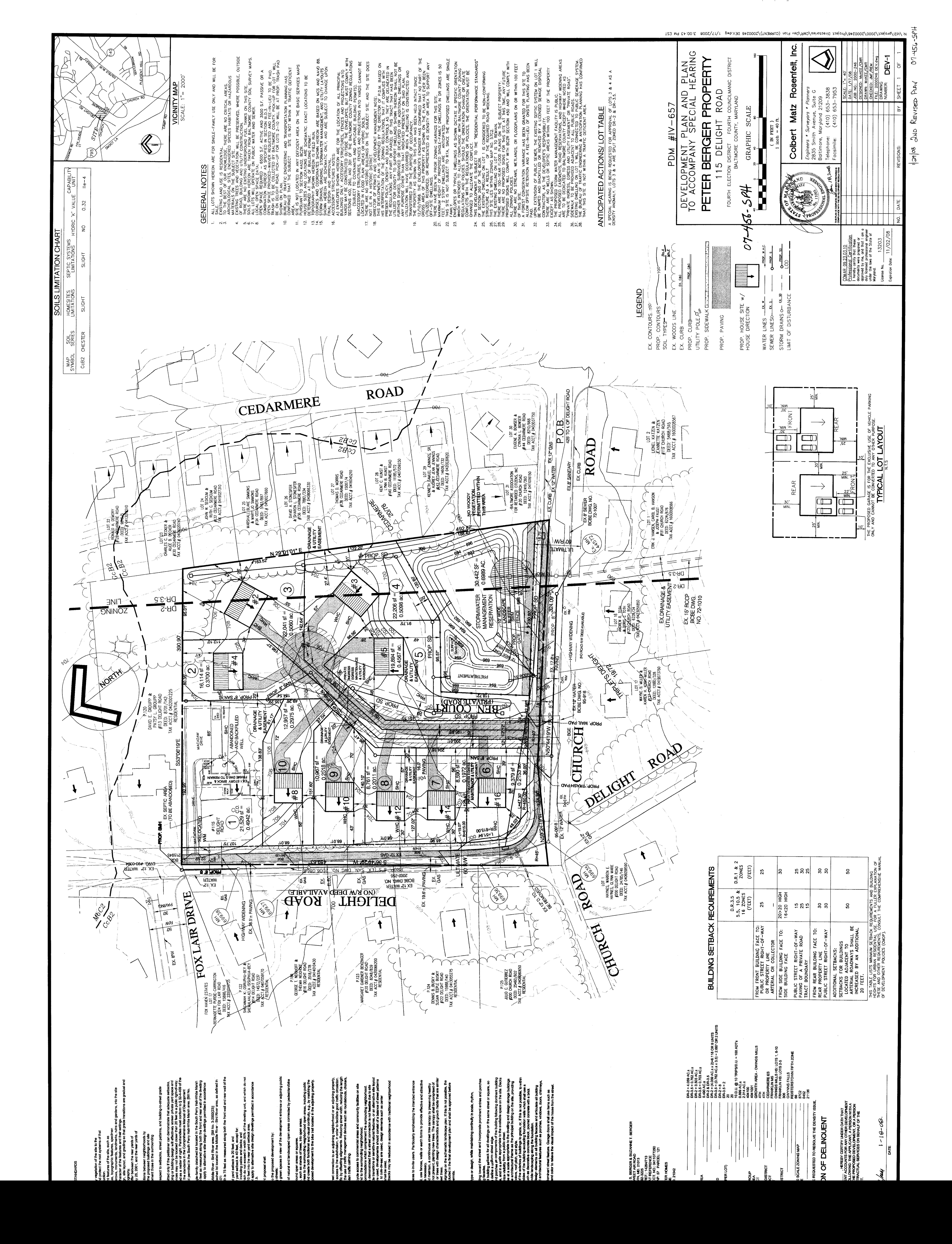
REVISED PLANS

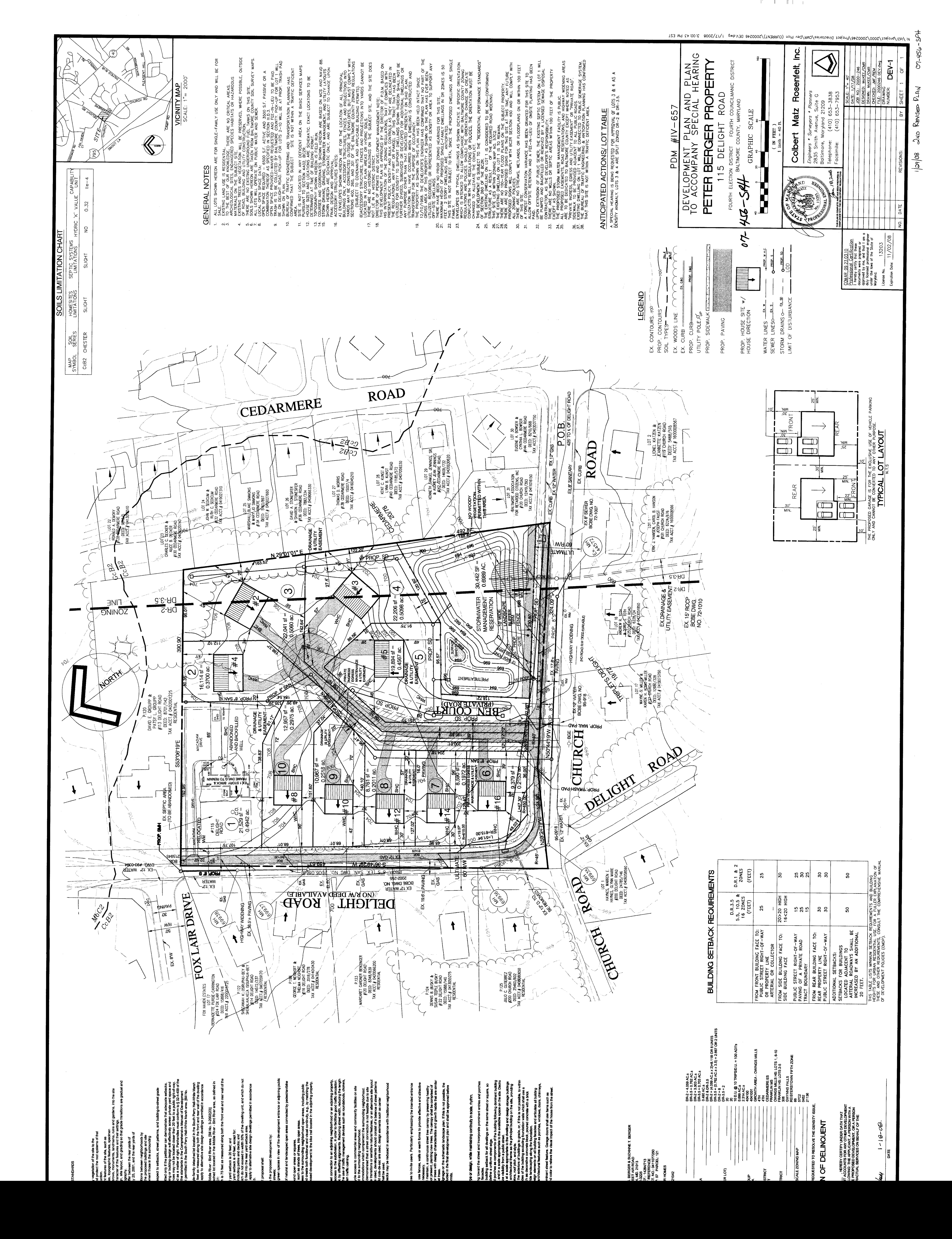
07-456-SPH

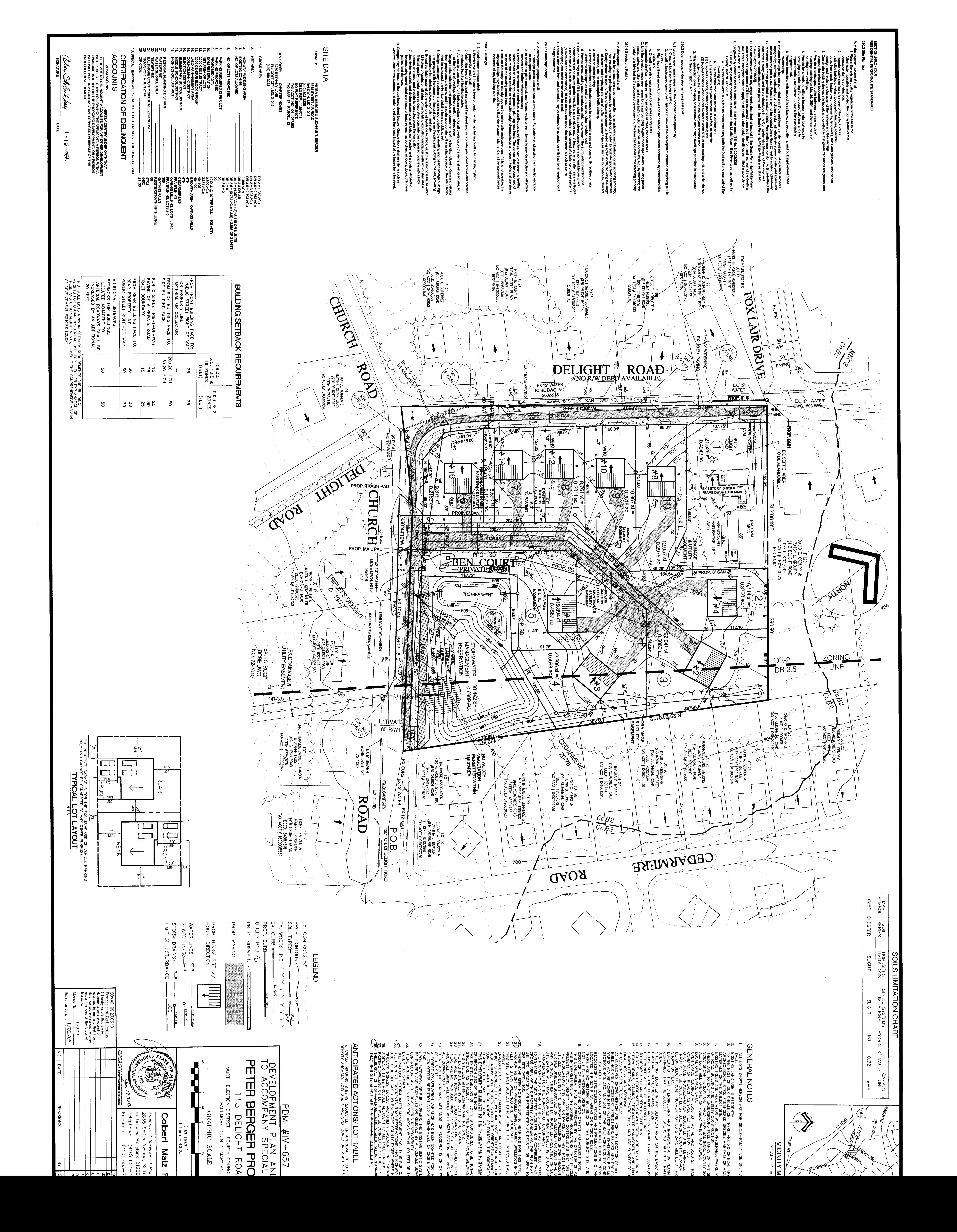
AGENDA 2/4/08




















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




07-456-SPH



REVISED PLANS 07-456-SPA



REVISED PLANS 07-456-CPH