IN RE: **PETITION FOR VARIANCE** SE/S Norfolk Court, 518' E c/line of Pendleton Court **(7 Norfolk Court)** 8th Election District 2nd Council District Richard C. Scott, et ux Petitioners	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY **Case No. 08-148-A**

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Marcia J. Scott, and her husband, Richard C. Scott. As filed, variance relief is requested from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a principal building front yard setback of 27 feet in lieu of the minimum required 50 feet, and a side yard setback of 37 feet in lieu of the minimum required 50 feet, and approval to amend the Final Development Plan accordingly for a single lot (Lot 14) of the Final Development Plan for the subdivision of Medford to permit construction outside the designated building envelope. However, subsequent to the hearing, the petition and site plan were amended reducing the significant front yard setback and eliminating altogether the request for a side yard variance. That is, the Petitioners now request a front yard setback of 40 feet in lieu of the minimum required 50 feet. The subject property and requested relief are more particularly described on the amended site plan[1] (revision date January 17, 2008) submitted, which was accepted into evidence and marked as Petitioners' Exhibit 4.

[1] The homeowners who attended the hearing, as well as the directors of the homeowners association received the revised plan and new house location. The president of the HOA approved the revised plan and Mr. Crabill acknowledged his approval to the Petitioner.

ORDER RECEIVED FOR FILING
Date 1-22-08
By

Appearing at the requisite public hearing in support of this request were Richard C. Scott, property owner, James W. McKee, P.E. and Geoffrey Schultz, a Professional Land Surveyor with McKee & Associates, Inc., the engineering firm that prepared the site plan. Also appearing as adjacent property owners in the Medford Development and interested neighbors were Harvey A. Ramsdell, Ann S. Lee and Ralph L. Crabill.

Testimony and evidence offered at the onset of the hearing disclosed that the property is located on the south side of Norfolk Court just off of a cul-de-sac not far from Pendleton Court in Reisterstown. The property shown as Lot 14 on the Final Development Plan of Medford (Petitioners' Exhibit 2) is in an upscale community and contains a net area of 1.779 acres, zoned R.C.5 and currently unimproved. Although the area requirements are satisfied, the depth of the building envelope is constrained as illustrated on the site plan by the existence of the forest conservation and septic reserve areas which cover the rear southeastern portion of the property. In this regard, Mr. Schultz submitted extensive evidence and testimony in order to address the uniqueness requirements as provided in *Cromwell v. Ward*, 102 Md. App. 691 (1995). He opined that his firm's attempt to configure a home on this lot consistent with the pattern of development has proven to be most difficult. This is particularly true given the irregular shape of the lot, environmental constraints and existing conditions. The Department of Environmental Protection and Resource Management (DEPRM) requires that any building remain 35 feet away from the Forest Conservation Easement which effectively pushes everything to the northwest. These constraints drive the location of the buildable area. Mr. Schultz, in support of the evidence presented, cited the cases of *North v. St. Mary's County*, 99 Md. App. 502 (1994) and *McClean V. Soley*, 270 Md. App. 208 (1973) for the proposition that a variance may be and

ORDER RECEIVED FOR FILING
Date 1-24-08
By EC

should be granted if it is shown that strict application of the regulations would deprive the Petitioners of using their property for a permitted purpose.

The community members in attendance were on one hand not opposed to the Petitioners proposed home finding it to be compatible and in scale and rhythm with the Medford Development (*See* building elevations submitted as Petitioners' Exhibit(s) 3A and 3B). They did, however, oppose the substantial variances being requested. Mr. Ramsdell presented as Protestants' Exhibit 1 an abstract of the covenants of Medford entitled "Site Improvements" applicable to all lots. He further produced as an exhibit a superimposed view of the proposed home setback 27 feet from the front property line and opined that it would be visibly overpowering at this location and found the Petitioners offer to landscape to be an *inadequate* solution. The neighbors believed the Petitioners choice to request the instant zoning relief as opposed to requesting a variance from DEPRM to allow for encroachment into the conservation easement to be nothing short of a hobson's choice[2]. Realizing Petitioners dilemma, the hearing was continued without objection to allow the Petitioner and his consultants an opportunity to discuss DEPRM's Zoning Advisory Committee (ZAC) comment, dated November 19, 2007, which mandated compliance with the Forest Conservation Regulations set forth in Sections 33-6-101 through 33-6-122 of the Baltimore County Code (B.C.C.). This would allow for a true choice between two options which was desired by the residents in attendance. These consultations now concluded and an amended plan submitted that is appropriate and within the spirit and intent of the zoning regulations, the amended petition will be granted. I am persuaded that approval of the new plan will not have a detrimental impact to adjacent properties or

[2] A hobson's choice is a free choice in which only one option is offered, and one may refuse to take that option. The choice is, therefore, between taking the option or not taking it. The phrase is said to originate from Thomas Hobson, a livery stable owner at Cambridge, England who, in order to rotate the use of his horses, offered customers the choice of either taking the horse in the stall nearest the door – or taking none at all.

CASE PROCESSED FOR FILING
Date 1-24-08
By

surrounding locale. To deny the amended relief would unduly burden the Petitioners and amount to an unreasonable hardship. The evidence and testimony were substantial in showing the existing conditions and documented the subject property unique to other similarly zoned properties in the community. The relief requested is the minimum relief necessary to permit a dwelling to be located on the new lot.

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

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of January 2008, that the amended Petition for Variance seeking relief from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a front yard setback of 40 feet in lieu of the minimum required 50 feet, in accordance with Petitioners' Exhibit 4, be and is hereby GRANTED, and

IT IS FURTHER ORDERED that the Final Development Plan for Medford be amended for a single lot (Lot 14) consistent with the relief herein.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

CONTENTS PROCESSED FOR FILING
Date 1-24-08
By EM

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 24, 2008

Richard C. Scott
Marcia J. Scott
8 Avers Court
Reisterstown, Maryland 21136

RE: **PETITION FOR VARIANCE**
SE/S Norfolk Court, 518' E c/line of Pendleton Court
(7 Norfolk Court)
8th Election District - 2nd Council District
Richard C. Scott, et ux - Petitioners
Case No. 08-148-A

Dear Mr. and Mrs. Scott:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: James W. McKee & Geoffrey Schultz, McKee & Associates, Inc., 5 Shawan Road, Hunt Valley, MD 21030
Harvey A. Ramsdell, 4 Norfolk Court, Reisterstown, MD 21136
Ann S. Lee, 12903 Tuftonwoods Court, Reisterstown, MD 21136
Ralph L. Crabill, 13116 Pendleton Court, Reisterstown, MD 21136
People's Counsel; DEPRM; File

Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at 7 NORFOLK COURT

which is presently zoned RC-5

Deed Reference: 21345 /395 Tax Account # 2400006173

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)

1A04.3B2.b. to allow a front yard setback of 27 (HD) feet in lieu of the minimum required 50 feet, and a sideyard setback of 37 feet in lieu of the minimum required 50 feet, and approval to amend the final development plan accordingly for a single lot (LOT 14) of the FINAL DEVELOPMENT PLAN FOR THE SUBDIVISION OF MEDFORD TO PERMIT CONSTRUCTION OUTSIDE THE DESIGNATED BUILDING ENVELOPE.

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 EXHIBIT

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Richard C. Scott
Name - Type or Print

Richard C. Scott
Signature

Marcia J. Scott
Name - Type or Print

Marcia J. Scott
Signature

8 Avers Ct 410-771-9771
Address Telephone No.

Reisterstown MD 21136
City State Zip Code

Representative to be Contacted:

Geoffrey C. Schultz-
McKee & Associates, Inc.
Name

5 Shawan Rd 410-527-1555
Address Telephone No.

Hunt Valley MD 21030
City State Zip Code

Case No. 08-148-A

Office Use Only

Estimated Length of Hearing

Unavailable For Hearing

Reviewed by AN Date 9/24/07

REV 8/20/07

ORDER RECEIVED FOR FILING

Date 1-24-08

By

PETITION ATTACHMENT

7 NORFOLK COURT

HARDSHIP AND PRACTICAL DIFFICULTY

Due to the existing septic reserve area and the forest conservation and forest buffer easement, the building envelope is relatively narrow, preventing the construction of a reasonably-sized house, consistent with other homes built in the neighborhood.

#148

McKEE & ASSOCIATES, INC.
Engineering • Surveying • Environmental Planning
Real Estate Development

September 24, 2007

STATE OF MARYLAND
GEOFFREY CRAIG SCHULTZ
No. 21154
PROFESSIONAL LAND SURVEYOR

Zoning Description
7 Norfolk Court
8th Election District
2nd Councilmanic District
Baltimore County, MD

Beginning at a point on the South side of Norfolk Court at the distance of 518 feet east of the East side of Pendleton Court and being know and designated as Lot 14 as shown on a subdivision plat of "Medford" and recorded in Plat Book 76 Folio 145.

Being known as 7 Norfolk Court as recorded in Deed Liber 21345 Folio 395.

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030
Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

#148

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08-148-A

Petitioner: RICHARD C. SCOTT

Address or Location: 7 NORFOLK COURT

PLEASE FORWARD ADVERTISING BILL TO:

Name: RICHARD C. SCOTT

Address: 8 AVERS COURT
REISTERSTOWN, MD. 21136

Telephone Number: 410-771-9771

Revised 2/20/98 - SCJ

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 06107

Date: 9/24/07

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				$ 115.00
							Total:	$ 115.00

Rec From: McKee & Associates Inc.

For: Zoning Variance

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 148

PAID RECEIPT

BUSINESS DATE	ACTUAL DATE	TIME	REF
9/25/2007	9/24/2007	15:11:29	2

STATION 002 MAIN. DEPOSIT

RECEIPT # 357406 9/24/2007 OFLN

Rept: 5 528 ZONING REGISTRATION

Ref: (06107)

Recpt Tot 115.00

$115.00 CK $0.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

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: #08-148-A
7 Norfolk Court
S/east side of Norfolk Court, 518 feet east of centerline of Pendleton Court
8th Election District - 2nd Councilmanic District
Legal Owner(s): Richard C. & Marcia J. Scott

Variance: to allow a front yard setback of 27 feet in lieu of the minimum required 50 feet, and a side yard setback of 37 feet in lieu of the minimum required 50 feet, and approval to amend the Final Development Plan accordingly for a single lot (Lot 14) of the Final Development Plan for the subdivision of Medford to permit construction outside the designated building envelope.

Hearing: Wednesday, November 28, 2007 at 9:00 a.m. in Room 106, County Office Building, 401 Bosley 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/11/658 No13 155125

CERTIFICATE OF PUBLICATION

11/15/, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/13/, 2007.

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

S. Wilkinson

LEGAL ADVERTISING

McKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning
Real Estate Development

DATE: November 13, 2007

TO: Baltimore County, Zoning

RE : #7 Norfolk Court
Scott Property
MAI :Job No. : ~~07-194~~ 08-148-A

ATTENTION: Ms. Kristen Matthews / Mr. Timothy Kotroco

(X) We are submitting ( ) We are returning ( ) We are forwarding

( ) Herewith ( ) Under separate cover

No.	Description
1	Certificate of Posting
2	Photos

(X) For processing ( ) For your use (X) For your review

( ) Please call when ready ( ) Please return to this office ( ) In accordance with your request

Remarks:

For further information, please contact the writer at this office.

Very truly yours,

McKee & Associates, Inc.

William D. Gulick, Jr.

cc: File

RECEIVED
NOV 13 2007
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030
Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits &
Development Management
111 W. Chesapeake Avenue, Rm. 111
Towson, MD 21204

Date: November 13, 2007
MAI Job No : 07-194

Attention: Ms. Kristen Matthews / Mr. Timothy Kotroco
RE:Case Number : No. 08-148-A
Petitioner/Developer: Richard C. & Marcia J. Scott
Date of Hearing/Closing: Wed. November 28, 2007 @ 9:00 pm

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #7 Norfolk Court

The sign(s) were posted on November 12, 2007
(Month, Day, Year)

(Signature of Sign Poster)

William D. Gulick, Jr.
(Printed Name of Sign Poster)

McKee and Associates, Inc.
5 Shawan Road, Suite 1
(Street Address of Sign Poster)

Cockeysville, MD 21030
(City, State, Zip Code of Sign Poster)

(410) 527-1555
(Telephone Number of Sign Poster)

SEE
ATTACH PHOTOGRAPH OF SIGN POSTED ON PROPERTY

Revised 3/1/01 - SCJ

ZONING NOTICE

CASE # 08-148-A

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

PLACE: COUNTY OFFICE BUILDING, ROOM 106
111 W. CHESAPEAKE AVENUE
TOWSON, MD 21204

DATE AND TIME: WEDNESDAY
NOV. 28, 2007 @ 9:00 AM

REQUEST: VARIANCE TO ALLOW A FRONT YARD SETBACK OF 27 FEET IN LIEU OF THE MINIMUM REQUIRED 50 FEET, AND A SIDE YARD SETBACK OF 27 FEET IN LIEU OF THE MINIMUM REQUIRED 50 FEET, AND APPROVAL TO AMEND THE FINAL DEVELOPMENT PLAN ACCORDINGLY FOR A SINGLE LOT (LOT 14) OF THE FINAL DEVELOPMENT PLAN FOR THE SUBDIVISION OF MUDFORD TO PERMIT CONSTRUCTION OUTSIDE THE DESIGNATED BUILDING ENVELOPE.

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

11/12/2007 11:58

11.12.2007 11:58

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

October 9, 2007

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

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: 08-148-A
7 Norfolk Court
S/east side of Norfolk Court, 518 feet east of centerline of Pendleton Court
8th Election District – 2nd Councilmanic District
Legal Owners: Richard C. & Marcia J. Scott

Variance to allow a front yard setback of 27 feet in lieu of the minimum required 50 feet, and a side yard setback of 37 feet in lieu of the minimum require 50 feet, and approval to amend the Final Development Plan accordingly for a single lot (Lot 14) of the Final Development Plan for the subdivision of Medford to permit construction outside the designated building envelope.

Hearing: Wednesday, November 28, 2007 at 9:00 a.m. in Room 106, County Office Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Richard & Marcia Scott, 8 Avers Court, Reisterstown 21136
Geoffrey Schultz, 5 Shawan Road, Hunt Valley 21030

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 13, 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, November 13, 2007 Issue - Jeffersonian

Please forward billing to:
Richard Scott
8 Avers Court
Reisterstown, MD 21136

410-771-9771

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: 08-148-A
7 Norfolk Court
S/east side of Norfolk Court, 518 feet east of centerline of Pendleton Court
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Variance to allow a front yard setback of 27 feet in lieu of the minimum required 50 feet, and a side yard setback of 37 feet in lieu of the minimum require 50 feet, and approval to amend the Final Development Plan accordingly for a single lot (Lot 14) of the Final Development Plan for the subdivision of Medford to permit construction outside the designated building envelope.

Hearing: Wednesday, November 28, 2007 at 9:00 a.m. in Room 106, County Office 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.

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 20, 2007

Richard C. Scott
Marcia J. Scott
8 Avers Court
Reisterstown, MD 21136

Dear Mr. and Mrs. Scott:

RE: Case Number: 08-148-A, 7 Norfolk Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 24, 2007. This letter is not an approval, but only a **NOTIFICATION.**

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Geoffrey C. Schultz McKee & Associates, Inc. 5 Shawan Road Hunt Valley 21030

BWS 11/28
9AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
NOV 20 2007
BY:_____

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: November 19, 2007

SUBJECT: Zoning Item # 08-148-A
Address 7 Norfolk Court
(Scott Property)

Zoning Advisory Committee Meeting of October 8, 2007

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_X_ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_X_ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Michael S. Kulis Date: November 6, 2007

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2008\ZAC 08-148-A.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 11, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For October 15, 2007
Item Nos. 08-136, 145, 146, 147, 148, 149, 151, 152, 154, 158, and 161

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-10112007.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 11, 2007

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

SIGNED: Dennis A. Kennedy

SUBJECT: Zoning Advisory Committee Meeting
For October 15, 2007
Item Nos. 08-136, 145, 146, 147, 148, 149, 151, 152, 154, 158, and 161

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-10112007.doc

Baltimore County
Fire Department

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

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

October 11, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 8, 2007

Item Number: Item Number 136,145,146,147,148,149,150,151,152,154,155,158
159 and161

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.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C)443-829-2946
MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

McKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning
Real Estate Development

4TH FLOOR
TO: BALTO. CO. ZONING
COMMISSIONERS OFFICE

DATE: 1/18/08

RE: #7 NORFOLK COURT

ATTENTION: BILL WISEMAN

MAI Job No.:

( ) We are submitting ( ) We are returning (X) We are forwarding

( ) Herewith ( ) Under separate cover ( ) Hand Delivery

	Description
2	REVISED ZONING PLANS

RECEIVED
JAN 1 8 2008
BY:.....

( ) For processing (X) For your use ( ) For your review

( ) Please call when ready ( ) Please return to this office (X) In accordance with your request

Remarks: _____

For further information, please contact the writer at this office.

Very truly yours,

McKee & Associates, Inc.

RECEIVED
JAN 1 8 2008
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Geoffrey C. Schultz, Vice President

Enclosures
cc: McKee Files

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030
Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

Case No.: 08-148-A (7 NORFOLK COURT)

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	SITE PLAN	Superimposed VIEW of house on subject property at requested variance
No. 2	FINAL DEVELOPMENT PLAN OF MEDFORD	
No. 3	3A - BLDG ELEVATIONS 3B - FLOOR PLAN	
No. 4	AMENDED SITE PLAN REVISION DATE 1/17/08	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Exhibit B

ARCHITECTURAL

GUIDELINES

AND

SITE/HOUSE PLAN

SUBMISSION CHECKLISTS

FOR THE

MEDFORD DEVELOPMENT

REISTERSTOWN, MARYLAND

PROTESTANT'S

EXHIBIT NO. 1

Additional off-street parking spaces as required to accommodate guest parking should be located along the driveway and screened from view. **Since garage doors are a critical mass, they should be designed and trimmed to be architecturally compatible with the style of the house.**

B. SITE IMPROVEMENTS.

1. SITE DESIGN PLANS: Site design plans must be submitted for each lot for review by the Architectural Committee. These plans must be prepared by a registered surveyor, landscape architect or engineer. Following are explanations of some of the items to be included on the Site Design Plan:

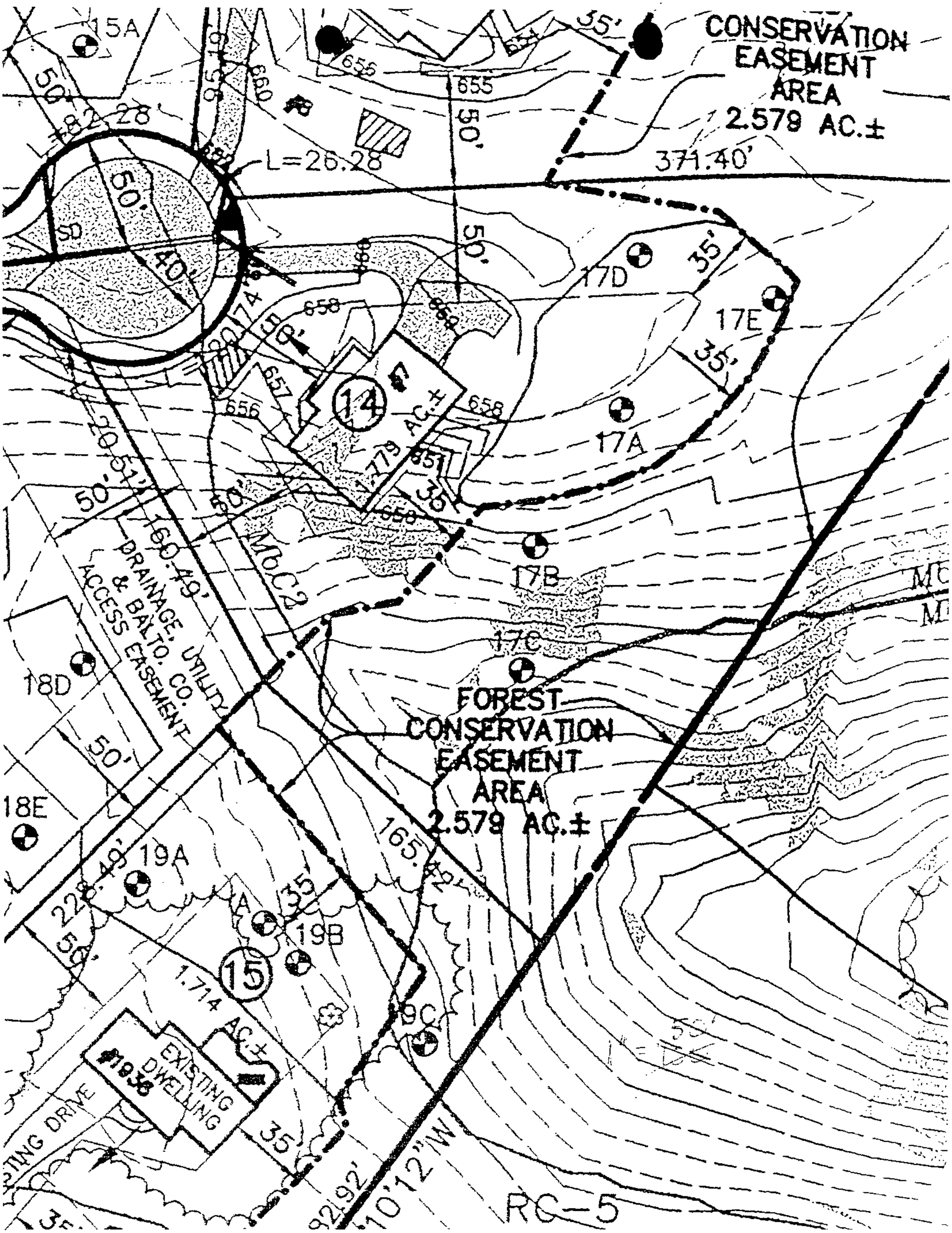
a. BUILDING ENVELOPES: The approved plat shows the allowed building envelope. The house must be sited in that envelope in such a way as to maximize privacy and views. In order to achieve the best views from each lot, provide a varied visual composition along the street, and utilize the existing trees and topography to the greatest advantage, consideration should be given to how each house location would effect the views from adjacent lots and streets, solar orientation, required setbacks, septic field location and well sites, and other existing site considerations. Houses, outbuildings and other appurtenant structures must be sited within the building envelopes, views from each site and from the public streets will be preserved.

b. CLEARING RESTRICTIONS: Clearing on each lot is restricted to 7,000 square feet pursuant to the Declaration of Covenants, Conditions and Restrictions. A certification by site engineer must be placed upon the site design plan certifying that the clearing of the lot, as shown on the plan, does not exceed the square footage limitations contained in the Declaration. The area not included within the area to be cleared must be protected by temporary fencing to insure that vegetation in this area is not damaged during the clearing, grading, and building process, provided, however, that such fencing shall be promptly removed after completion of the construction of the dwelling. Additional landscaping and/or planting may be required to mitigate any clearing of wooded areas in excess of 7,000 square feet.

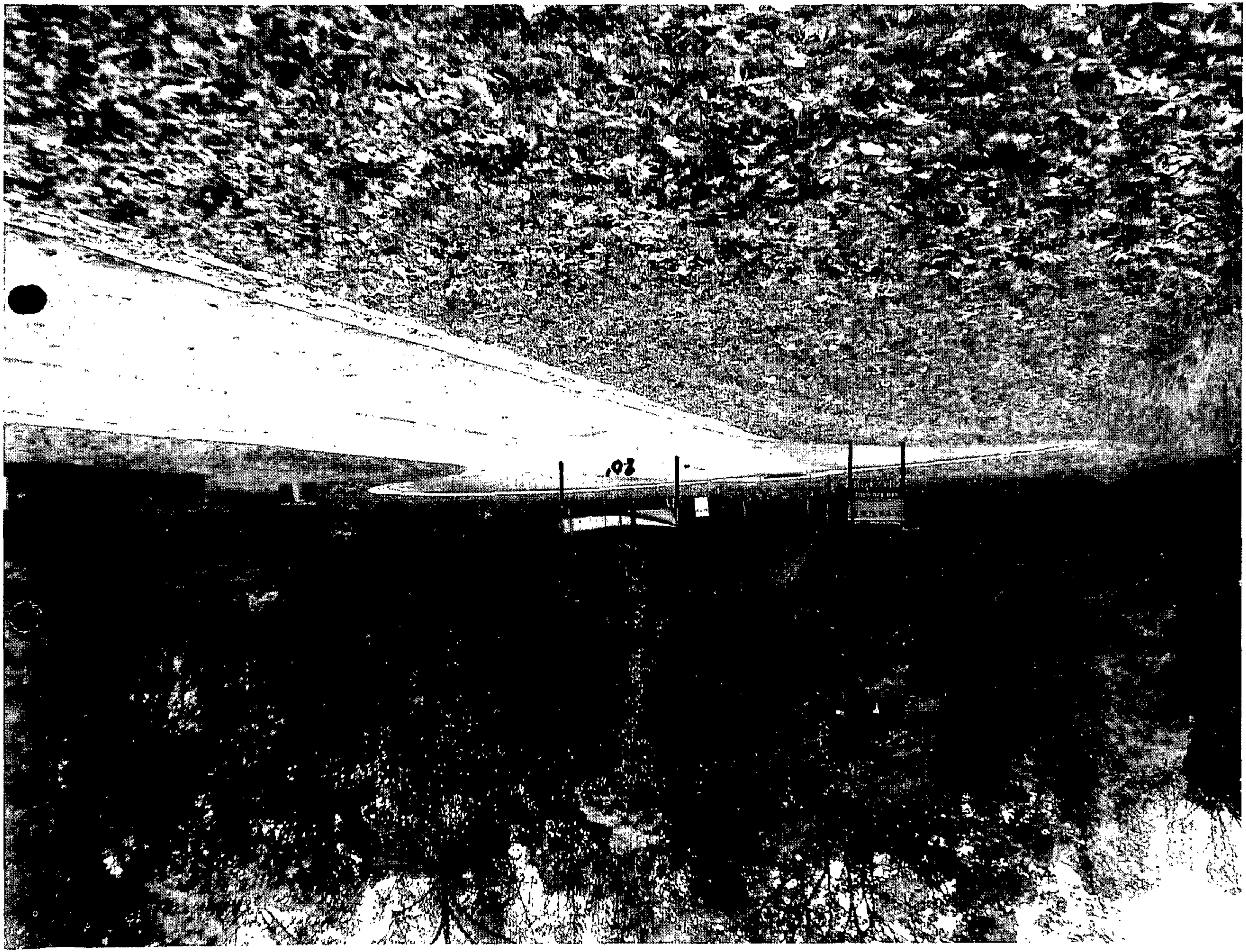
c. SETBACKS: Shall be as shown on the Record Plat. The Architectural Committee must approve final setbacks.

d. SEPTIC DRAINAGE AREA: A 10,000 square foot drainage area as required by Baltimore County Health Department is shown on the Final Development Plan for future sewer drain fields. These areas cannot be moved without the approval of the Baltimore County Health Department. No structure or paving (including driveways) can be constructed over these areas.

2. DRIVEWAYS: Driveways should be located to minimize disruption of the natural landscape and interference with natural site drainage. **Drives should be curved**


CONSERVATION EASEMENT AREA 2.579 AC.±
FOREST CONSERVATION EASEMENT AREA 2.579 AC.±
DRAINAGE, UTILITY & BALTO. CO. ACCESS EASEMENT
EXISTING DWELLING
L=26.28
371.40'
MbC2
14
15
1.714 AC.±
15A
17A
17B
17C
17D
17E
18D
18E
19A
19B
19C
RC-5

20'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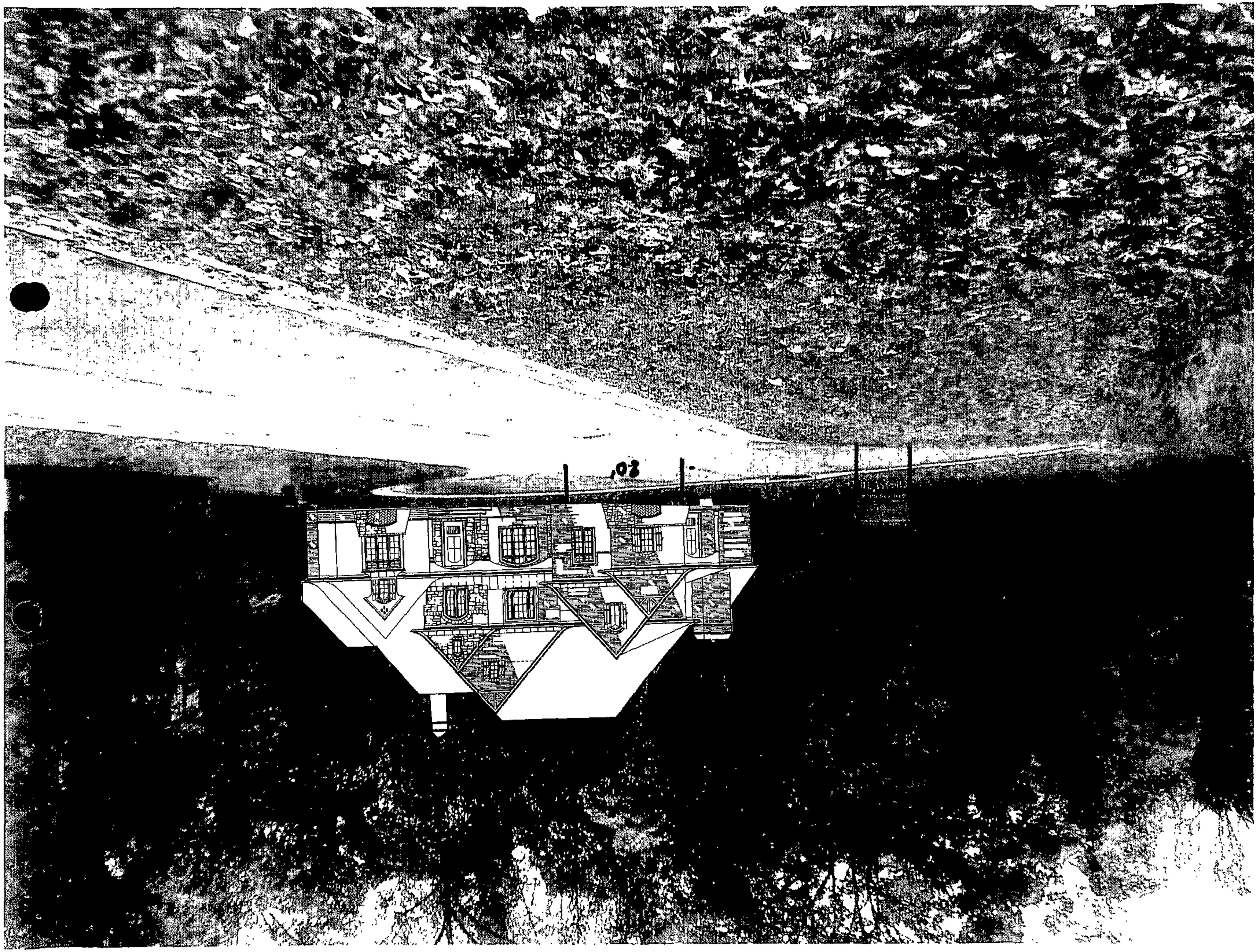

103

Case No.: 08-148-A (7 NORFOLK COURT)

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	SITE PLAN	Superimposed view of house on subject property at requested variances
No. 2	FINAL DEVELOPMENT PLAN OF MEDFORD	
No. 3	3A - BLDG ELEVATIONS 3B - FLOOR PLAN	
No. 4	AMENDED SITE PLAN REVISION DATE 1/17/08	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

FAX COVER

To: Mr. Bill Wiseman – Zoning Commissioner

From: Richard C. Scott

Fax Number: 410-887-3468

No. of Pages: 4 including cover

Office Number:

Date: January 17, 2008

Re: Case Number 08-148-A
#7 Nolfork Court

CC:

Comments:

Request for zoning variance revised Case 08-148-A.

January 17, 2008

Richard & Marcia Scott – Lot Owners
8 Avers Court
Reisterstown, MD 21036

VIA Fax: 410-877-3468

Zoning Commissioner – Mr. Bill Wiseman
Director's Office
County Office Building
111West Chesapeake Avenue Room 105
Towson, MD 21204

RE: Case Number 08-148-A
#7 Norfolk Court

Dear Mr. Wiseman,

Thank you for taking my call on Tuesday and for leaving the case open until January 18th. As discussed, I e-mailed all the homeowners who attended the hearing, as well as the directors of the Homeowners Association on Friday, January 11th, 2008. They received our revised house location, per McKee Associates revised drawing dated December 7, 2007. McKee Associates is hand delivering the plan to your office today.

I have received no negative comments or objections to the revised plan. The president of the HOA approved of the revised plan and I received a nice email from Mr. Grabill, who attended the hearing, acknowledging his approval. I have called the others as well, and received no response, which I take as no objections.

Accordingly this is to request the house be sited per the revised McKee plan dated December 7, 2007 and recorded as required.

My wife and I would like to thank you very much for all your help as well as the cooperation of all those involved.

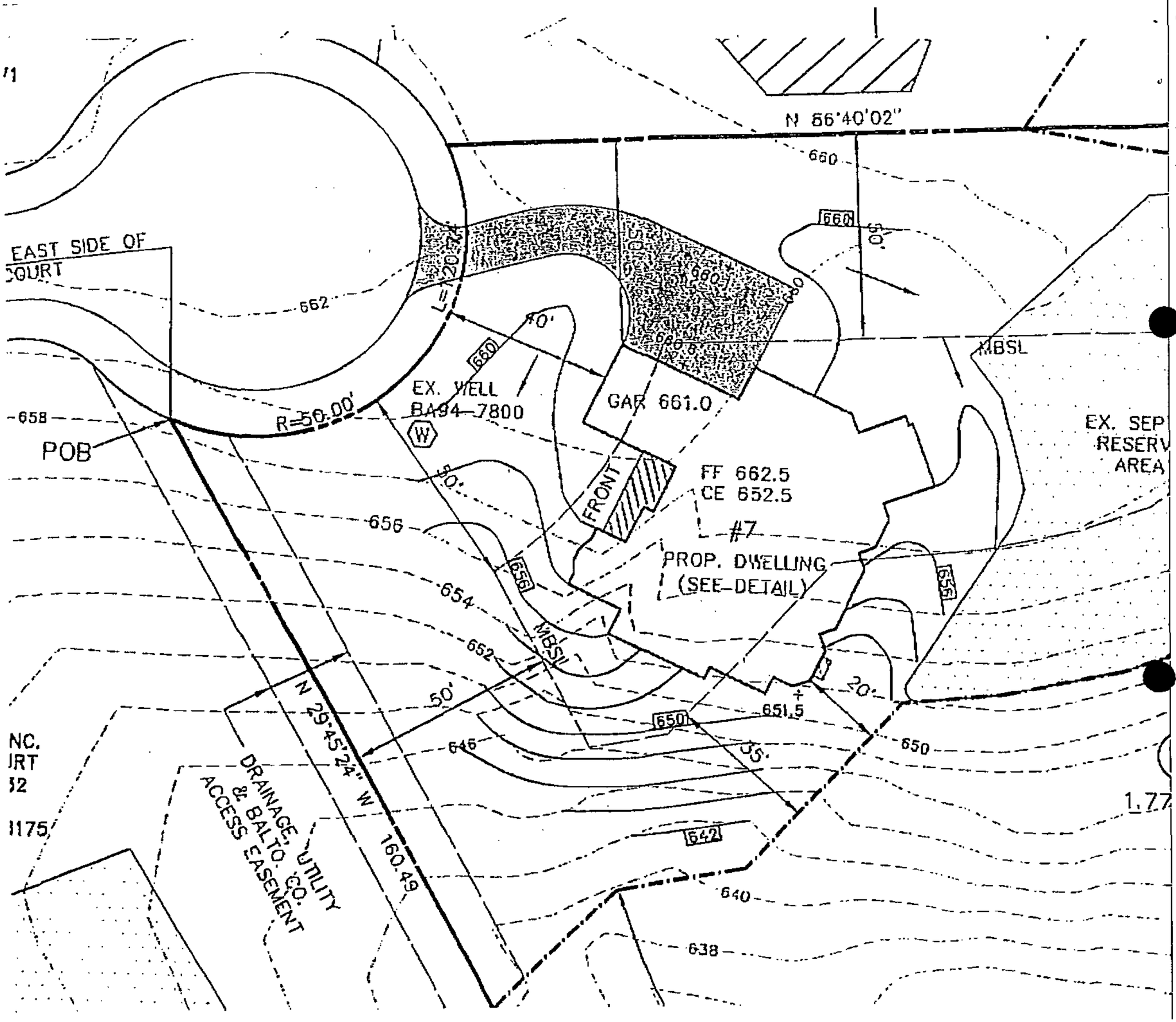
Should there be any other comments or objections please call. I will be in my office all day Friday.

Sincerely,

Richard C. Scott
410-785-2775 Office
410-530-8054 Cell

CC: McKee Associates – Geoffery Schultz P.E.

Attachment: McKee Associates house location


N 56°40'02"
660
EAST SIDE OF
COURT
662
L=20.27'
50.00'
660
50'
MBSL
EX. WELL
BA94-7800
GAR 661.0
R=50.00'
658
POB
FRONT
FF 662.5
CE 652.5
#7
PROP. DWELLING
(SEE-DETAIL)
656
654
652
MBSL
N 29°45'24" W
160.49
DRAINAGE, UTILITY
& BALTO. CO.
ACCESS EASEMENT
650
651.5
646
642
640
638
EX. SEP
RESERV
AREA
1.77

GRADING PLAN

#7 NORFOLK COURT

8TH ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30'

DATE: NOVEMBER 29, 2007

REVISED: DECEMBER 7, 2007

OWNER

RICHARD C. SCOTT &
MARCIA J. SCOTT
8 AVERS COURT
REISTERSTOWN, MD 21136

COMPUTED BY: GCS	DRAWN BY: REK	CHECKED BY: GCS	JOB No.: 07-178

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 8-148-A
DATE 11-8-07

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
GEOFFREY SCHULTE	5 SHAWAN RD	HUNT VALLEY 21030	
JAMES W. McKEE	" "	" "	
RICHARD C. SCOTT	8 AVERS CT.	REIST Rd. 21136.	

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 08-148-A
DATE November 28, 2007

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Harvey* Ramsdell	4 Norfolk Ct.	Reisterstown, MD 21136	harveyramsdell@yahoo.com
Ann S LEE	12903 Tuftonwoods CT	Reisterstown, MD 21136	annslee@saverblade.com
Ralph L. CRABILL	13116 Pendleton Ct	Reisterstown MD 21136	LCRABILL@omegahealthcare.com

BW

11-28-07
9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 22, 2007

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

RECEIVED
OCT 25 2007
BY:

SUBJECT: 7 Norfolk Court

INFORMATION:

Item Number: 8-148

Petitioner: Richard and Marcia Scott

Zoning: RC 5

Requested Action: **Variance**

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. This Office does not oppose the petitioner's request as the lot is currently constrained by the location of the forest conservation area and septic reserve area in the rear yard.

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

Reviewed by: Curtis Murray

Division Chief: Lynn Lanham
AFK/LL: CM

W:\DEVREV\ZAC\8-148.doc

RE:	PETITION FOR VARIANCE 7 Norfolk Court; SE/S Norfolk Court, 518' E c/line Pendleton Court 8th Election & 2nd Councilmanic Districts Legal Owner(s): Richard & Marcia Scott Petitioner(s)	*	BEFORE THE
		*	ZONING COMMISSIONER
		*	FOR
		*	BALTIMORE COUNTY
		*	08-148-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 all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of October, 2007, a copy of the foregoing Entry of Appearance was mailed to, Geoffrey C. Schultz, McKee & Associates, Inc, 5 Shawan Road, Suite 1, Cockeysville, MD 21030, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
OCT 11 2007
Per.....

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BY GARRELL ASSOCIATES, INC.

FRONT ELEVATION

SCALE: 1/8" = 1'-0"

PLAN BOOK
PUBLISHED
REVERSED

GARRELL ASSOCIATES INC

BELLE DEMURE LORRAINE

FRONT ELEVATION

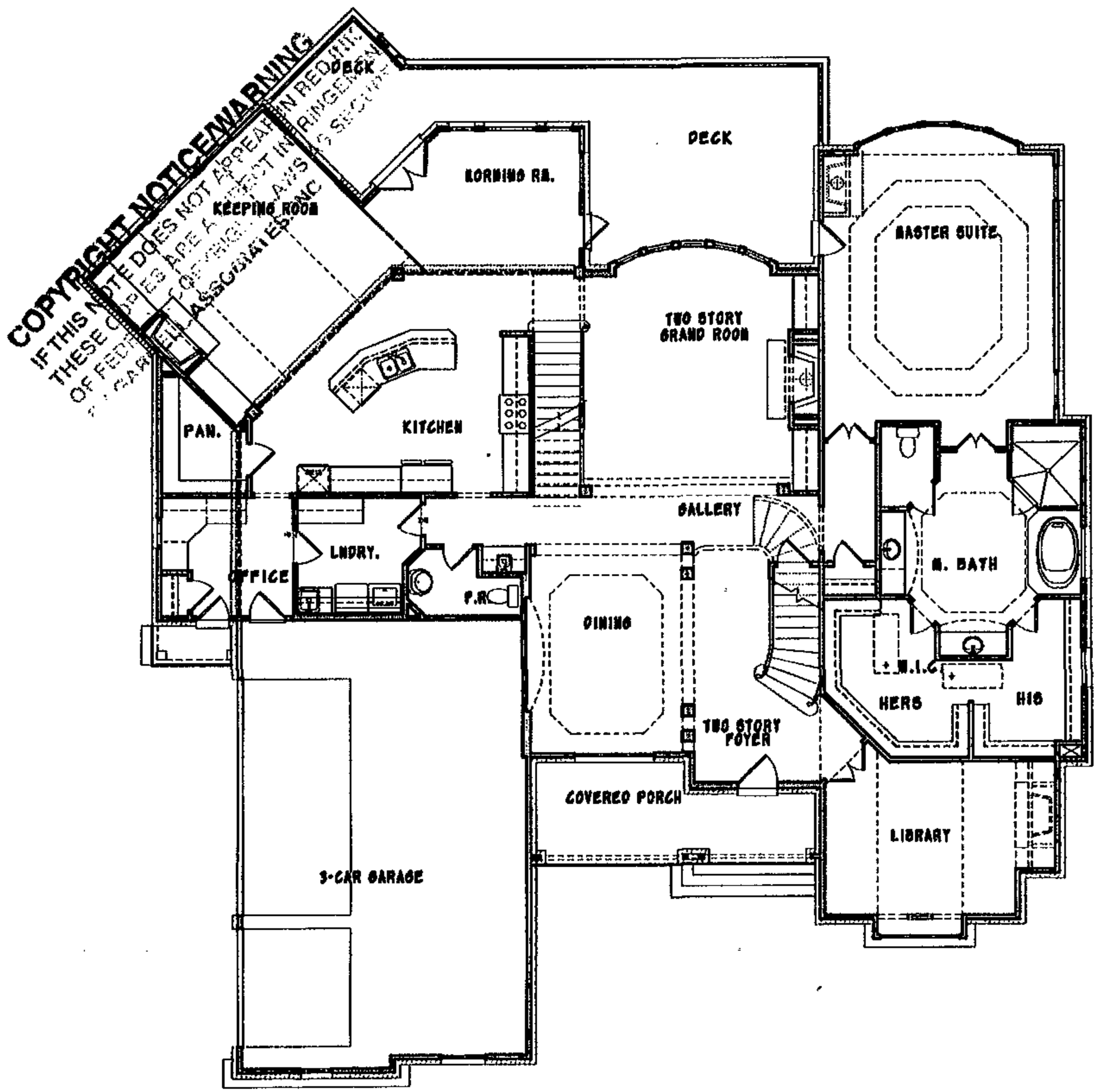
6/17/01

REV. NO.	REV. DATE
1	[illegible]
2	[illegible]
3	[illegible]

01290

DRAWN	SHEET NO
BEH/DR	E1

PET EX. 3A



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FIRST FLOOR PLAN

PLAN BOOK
PUBLISHED
REVERSED

GARRELL ASSOCIATES INC.

BELLE DEMURE LORAINE

FIRST FLOOR PLAN

8/17/01

REV. NO.	REV. DATE
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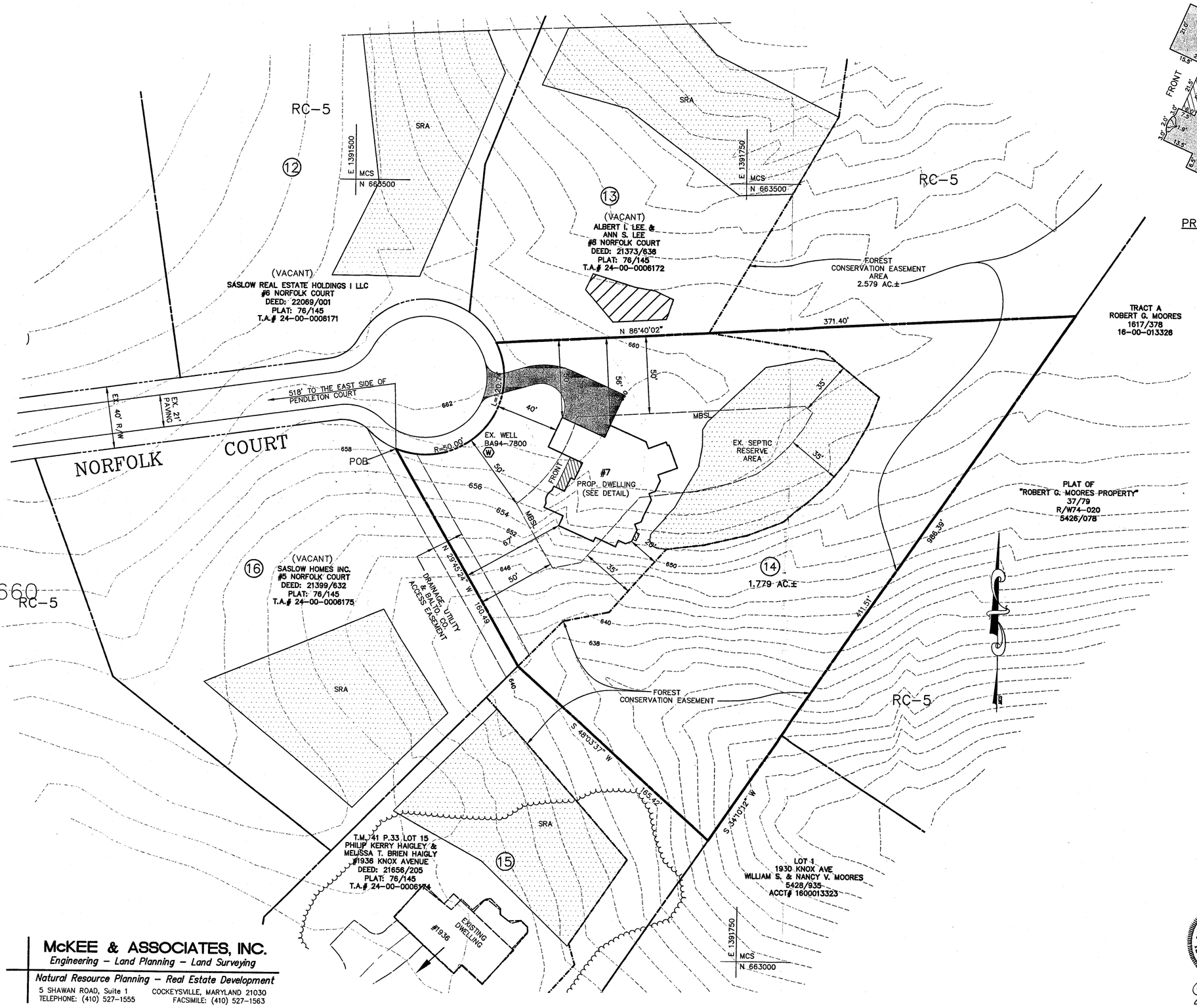
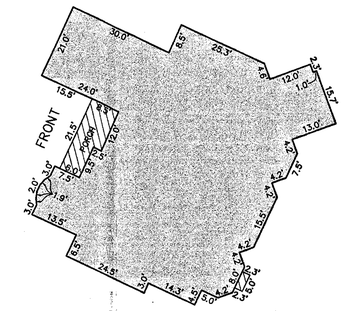
2	[illegible]
3	[illegible]

01250

DRAWN	SHEET NO
MEH/DR	A1

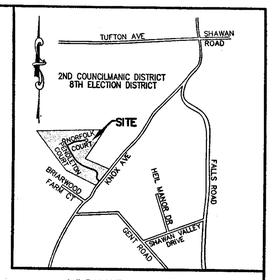
PET. EX. 3B





PROPOSED DWELLING DETAIL

SCALE: 1" = 20'



VICINITY MAP

SCALE: 1" = 2000'

LEGEND

- EX. WELL (W)
- SEPTIC RESERVE AREA
- BOUNDARY LINE
- EASEMENT LINE
- MINIMUM BUILDING SETBACK LINE — MBSL
- FOREST CONSERVATION EASEMENT

LOCATION INFORMATION

ELECTION DISTRICT: 8TH

COUNCILMANIC DISTRICT: 2ND

200 SCALE MAP No.: 041B3

PRESENT ZONING: RC-5

LOT SIZE: 1.779 ACRES +/-

	PUBLIC	PRIVATE
WATER	☐	☒
SEWER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA:	☐	☒
100-YEAR FLOOD PLAIN:	☐	☒
HISTORIC PROPERTY/ BUILDING:	☐	☒
PRIOR ZONING HEARINGS:	☐	☒

OWNER INFORMATION:

SITE ADDRESS: #7 NORFOLK COURT

DEED/MORTGAGE REFERENCE: 21345/395

PLAT REFERENCE: 76/145

TAX MAP 41, GRID 21, PARCEL 33

PROPERTY TAX ACCT. No.: 24-00-006173

McKEE & ASSOCIATES, INC.

Engineering – Land Planning – Land Surveying

Natural Resource Planning – Real Estate Development

5 SHAWAN ROAD, Suite 1
COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555
FACSIMILE: (410) 527-1563

STATE OF MARYLAND
GEORGE C. SCOTT
No. 21154
PROFESSIONAL LAND SURVEYOR

1/17/08

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCES

#7 NORFOLK COURT

8TH ELECTION DISTRICT — 2ND COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30'

DATE: AUGUST 21, 2007

REVISION DATE: JANUARY 17, 2008

OWNER

RICHARD C. SCOTT &
MARCIA J. SCOTT
8 AVERS COURT
REISTERSTOWN, MD 21136

RECEIVED
JAN 18 2008

COMPUTED BY: RLJ	DRAWN BY: RLJ	CHECKED BY: GCS	JOB No.: 07-178

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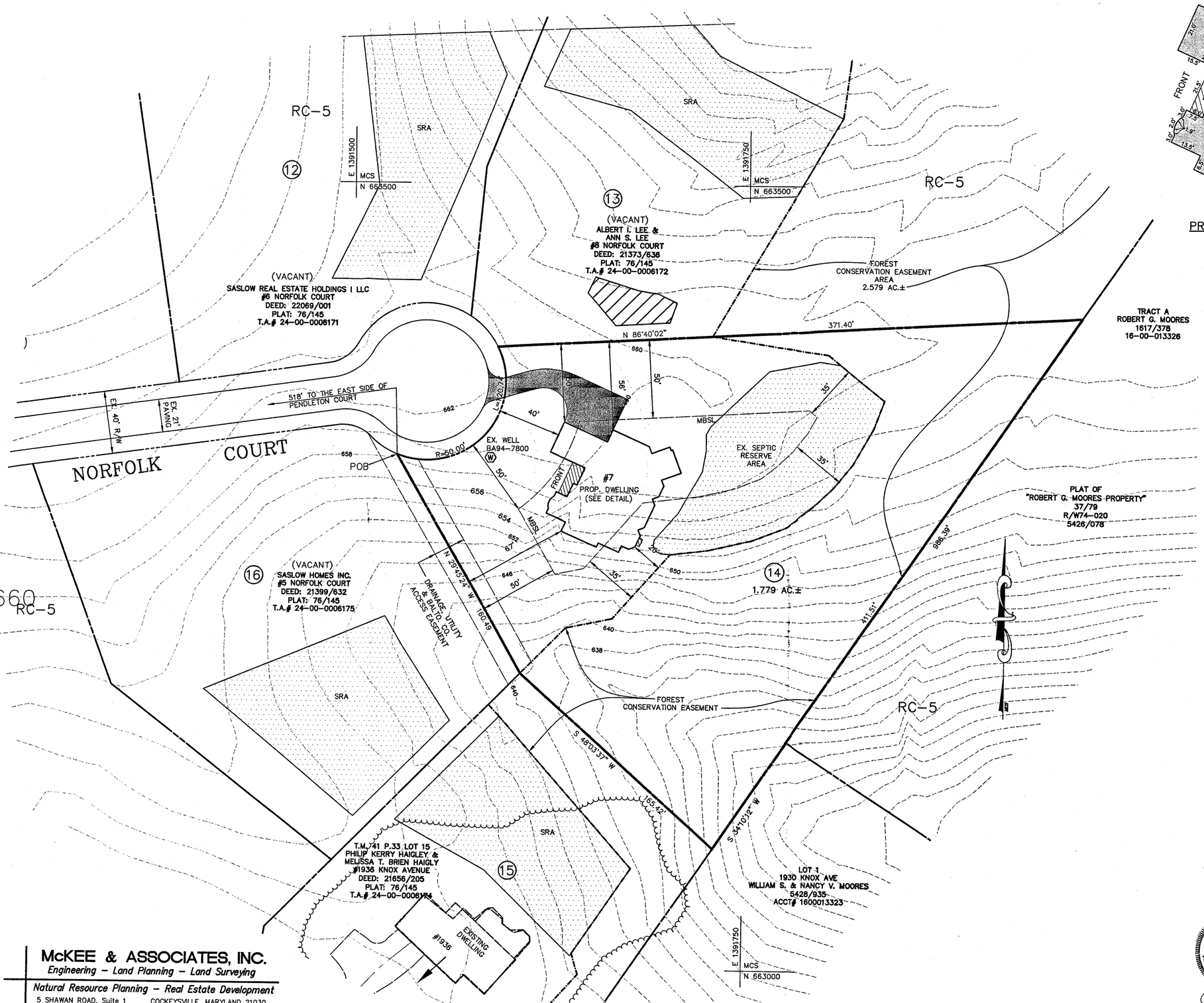

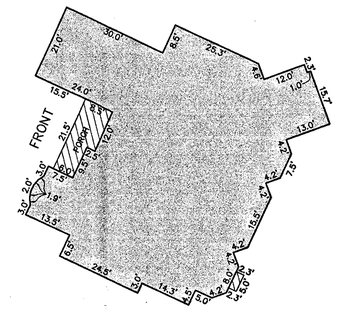

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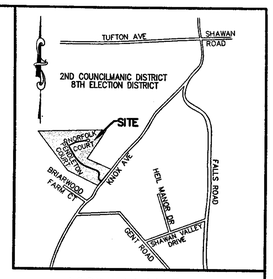
SCALE: 1" = 20'



VICINITY MAP

SCALE: 1" = 2000'

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- BOUNDARY LINE
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- FOREST CONSERVATION EASEMENT

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	PUBLIC	PRIVATE
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SEWER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA:	☐	☒
100-YEAR FLOOD PLAIN:	☐	☒
HISTORIC PROPERTY/ BUILDING:	☐	☒
PRIOR ZONING HEARINGS:	☐	☒

OWNER INFORMATION:

SITE ADDRESS: #7 NORFOLK COURT

DEED/MORTGAGE REFERENCE: 21345/395

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PROPERTY TAX ACCT. No.: 24-00-006173

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TELEPHONE: (410) 527-1555
FACSIMILE: (410) 527-1563

STATE OF MARYLAND
GEORGE C. SCOTT
No. 21156
PROFESSIONAL LAND SURVEYOR

4/7/08

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCES

#7 NORFOLK COURT

8TH ELECTION DISTRICT — 2ND COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30'

DATE: AUGUST 21, 2007

REVISION DATE: JANUARY 17, 2008

OWNER

RICHARD C. SCOTT &
MARCIA J. SCOTT
8 AVERS COURT
REISTERSTOWN, MD 21136

PROTESTANT'S
EXHIBIT NO. 4

COMPUTED BY: RLJ	DRAWN BY: RLJ	CHECKED BY: GCS	JOB No.: 07-178

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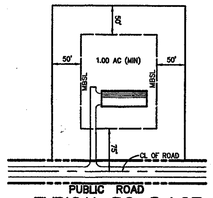
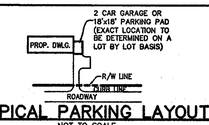
Doc: TDS400.pc3

GENERAL NOTES

1. ALL LOTS SHOWN HEREON ARE FOR SINGLE-FAMILY USE AND ARE FOR SALE.
2. EXISTING LAND USE IS FOREST AND RESIDENTIAL.
3. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, OR HAZARDOUS MATERIALS ON THIS SITE.
4. INDIVIDUAL LOT GRADING WILL BE ACCOMPLISHED BY THE INDIVIDUAL HOME BUILDING CONTRACTOR(S).
5. EXISTING TREES AND VEGETATION SHALL BE PRESERVED WHERE POSSIBLE OUTSIDE OF ROAD, BUILDING AND UTILITY CONSTRUCTION.
6. TOPOGRAPHY SHOWN HEREON IS FLOWN.
7. SOILS SHOWN HEREON ARE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP 21.
8. LOTS SHOWN HEREON SHALL OPERATE ON PRIVATE WELL AND SEPTIC SYSTEMS.
9. TOTAL AVERAGE DAILY TRIPS: 19 LOTS X 12.4 = 236 ADT'S.
10. MITIGATING MEASURES FOR SOILS WITH LIMITATIONS DUE TO STEEP SLOPES:
A. WHEREVER POSSIBLE, GRADING OR DISTURBANCE OF STEEP SLOPES SHALL BE AVOIDED.
B. ALL LOTS AND ROADS SHALL BE GRADED SO AS TO DIRECT ANY CONCENTRATED STORM WATER FLOWS AWAY FROM AREAS OF STEEP SLOPES.
C. IF DISTURBED, ALL AREAS OF STEEP SLOPES SHALL BE PROPERLY VEGETATED TO ASSURE STABILITY AND PREVENT EROSION.
11. THE AREA BETWEEN THE SIGHT LINES AND THE EDGE OF PAVING MUST BE CLEARED, GRADED AND KEPT FREE OF ANY OBSTRUCTIONS.
12. COURSES AND COORDINATES SHOWN HEREON ARE BASED ON MCS AND NAVD 88.
13. BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
14. THERE ARE NO HISTORIC BUILDINGS ON THE SUBJECT PROPERTY.
15. TRASH IS TO BE COLLECTED BY BALTIMORE COUNTY.
16. PROPOSED HOUSE SIZES AND LOCATIONS ARE SCHEMATIC ONLY. FINAL LOCATIONS TO BE DETERMINED AT TIME OF BUILDING PERMIT.
17. STORM DRAINS, GRADING, AND STORMWATER MANAGEMENT LAYOUTS SHOWN HEREON ARE SCHEMATIC ONLY, AND ARE SUBJECT TO CHANGE UPON FINAL DESIGN AND APPROVAL.
18. PART OF THIS PLAN REPRESENTS A RESUBDIVISION OF LOTS 2 AND 3 OF A SUBDIVISION OF "ROGER G. MOORES PROPERTY" RECORDED IN PLAT BOOK 37, PAGE 79.
19. THE MASTER PLAN 2010 LAND MANAGEMENT AREA PLAN DESIGNATION IS RURAL RESIDENTIAL AND RESOURCE PROTECTION AREA.
20. LOCAL OPEN SPACE NOTES:
A. OPEN SPACE REQUIRED – 12,350 S.F. ACTIVE AND 5,650 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III. D.3.
B. OPEN SPACE PROVIDED – 0 S.F., WAIVER REQUESTED AND FEE-IN-LIEU TO BE PAID.
21. 200-SCALE ZONING MAP NO. NW 18E AND 18F.
22. PROPERTY SHOWN ON THIS PLAT HAS BEEN HELD INTACT SINCE (PARCEL 33 – SEPT. 22, 1948, PARCELS 35-2 AND 35-3 – FEB. 13, 1974). DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THE PROPERTY AS SHOWN ON THIS PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
23. THERE ARE NO PROPOSED SIGNS FOR THIS SITE AT THIS TIME, ANY FUTURE PROPOSED SIGN WILL COMPLY WITH BCZR SECTION 450 AND WILL COMPLY WITH ALL ZONING POLICIES.
24. THERE HAVE BEEN NO PRIOR ZONING HEARINGS ON THIS SITE.
25. ALL PROPOSED HOUSES WILL BE A MAXIMUM 2 STORIES TALL, MAXIMUM HEIGHT 35 FEET IN ALL RC ZONES.
26. NO MORE THAN 15% OF ANY LOT IN AN RC-5 ZONE MAY BE COVERED BY IMPERMEABLE SURFACES.
27. NO MORE THAN 25% OF THE NATURAL VEGETATION MAY BE REMOVED FROM ANY LOT IN AN RC-4 ZONE.
28. THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PDM BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
29. ACCESSORY STRUCTURES NOTES:
A. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPES, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
B. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
30. ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES. SHOULD THE ORIENTATION CHANGE OR CREATE CONFLICTS WITH THE REGULATIONS OR POLICIES, THE ORIENTATION MUST BE CHANGED TO ALLEVIATE THE CONFLICT.
31. ALL EXISTING BUILDINGS ON LOT 1 ARE TO BE RAZED BY THE DEVELOPER.
32. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREA ON THE BASIC SERVICE MAPS PURSUANT TO SECTION 4A02-BCZR.
33. THE WIDENING OF KNOX AVENUE, THE PROPOSED PUBLIC ROAD RIGHT-OF-WAYS AND THE STORM WATER MANAGEMENT RESERVATIONS WILL BE DEDICATED TO BALTIMORE COUNTY AT NO COST. ALL EASEMENTS WILL BE DEDICATED TO BALTIMORE COUNTY.
34. STORM WATER MANAGEMENT FACILITIES ARE TO BE PUBLIC.
35. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO KNOWN EXISTING UNDERGROUND FUEL TANKS ON THIS SITE.
36. THERE ARE NO WELLS OR SEPTIC AREAS WITHIN 100 FEET OF THE PROPERTY EXCEPT AS SHOWN.
37. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT OR FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
38. ANY FOREST CONSERVATION EASEMENT OR FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS, WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
39. ACCESS TO THE FOREST BUFFER AND FOREST CONSERVATION EASEMENT IS DIRECTLY TO THE PROPOSED PUBLIC ROAD.
40. THE FOLLOWING LOTS MAY NEED TO UTILIZE SEWAGE EJECTOR PUMPS WHEN THE SEPTIC SYSTEMS ARE INSTALLED: LOTS 6, 7, 9, 10, 14, 17, 18 & 19.
41. PRIOR TO RECORD PLAT APPROVAL, A NEW WELL MUST BE DRILLED FOR THE EXISTING DWELLING ON LOT 1 AND CONNECTED THERETO, AND THE WELL ON LOT 10 ABANDONED.
42. PRIOR TO RECORD PLAT APPROVAL, THE EXISTING SEWAGE DISPOSAL SYSTEMS SERVING THE EXISTING DWELLINGS LOCATED ON BOTH LOTS 1 AND 19 MUST BE CLEANED AND INSPECTED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR. THE MANHOLE ON THE EXISTING SEPTIC TANK ON LOT 1 MUST BE MADE ACCESSIBLE FROM FINAL GRADE BY INSTALLATION OF CONCRETE RISERS.
43. THERE ARE NO 100-YEAR FLOOD PLAINS ON THE SUBJECT PROPERTY.
44. LANDSCAPING REQUIREMENTS WILL BE DETERMINED WHEN GRADING AND TREE SAVE PLANS ARE SUBMITTED.
45. FOR LOTS WITH DRIVEWAYS SHOWN WITHIN WELL ENVELOPES, FINAL DRIVEWAY LOCATIONS WILL BE DETERMINED AFTER WELLS HAVE BEEN DRILLED.
46. AREA OF LOT 1 IN RC-5=1.439 AC.
47. EXISTING DRAINAGE AND UTILITY EASEMENTS FOR LOT 2 AND LOT 3 "ROGER G. MOORES PROPERTY" ARE RECORDED IN LIBER 5426 FOLIO 078(R/W No. 74-020).
48. PARCELS 'A' AND 'B' ARE TO BE COMBINED WITH ADJACENT LOTS 42 AND 43 OF PLAT 2-"SHANEYBROOK".
49. ROOF DRAINS FOR LOTS 12, 13 14 & 16 WILL TIE DIRECTLY INTO PROPOSED STORM DRAIN SYSTEM (REFER TO APPROVED STORMWATER MANAGEMENT AND STORM DRAIN PLANS).
50. FOR LOT 10 AND LOT 17, HOUSE NUMBERS (EITHER PENDLETON COURT OR NORFOLK COURT) WILL BE DETERMINED BY DRIVEWAY AND MAILBOX LOCATION.



TYPICAL RC-5 LOT
NOT TO SCALE



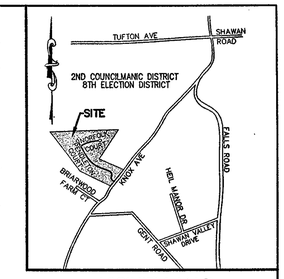
TYPICAL PARKING LAYOUT
NOT TO SCALE

SOILS LIMITATION CHART

MAP SYMBOL	SOIL SERIES	HOMESITES LIMITATIONS	SEPTIC SYSTEMS LIMITATIONS	HYDRIC	'K' VALUE	CAPABILITY UNIT
MbC2	MANOR	MODERATE: SLOPE	MODERATE: SLOPE	NO	0.37	IIIe-25
MbD2	MANOR	SEVERE: SLOPE	SEVERE: SLOPE	NO	0.37	IVe-25
GnB	GLENVILLE	SEVERE: WATER	SEVERE: WATER	NO	0.32	IIe-16
EkC2	ELIVAK	MODERATE: SLOPE	MODERATE: SLOPE	NO	0.32	IIIe-4
MbC2	MANOR	SLIGHT	SLIGHT	NO	0.37	IIIe-25
EhB2	ELIVAK	SLIGHT	SLIGHT	NO	0.32	IIe-4
CcB2	CHESTER	SLIGHT	SLIGHT	NO	0.32	IIe-4
CcA	CAPTINA	SLIGHT	SLIGHT	NO	0.43	I-4

LEGEND

PROP. STORM DRAIN
EX. DRAINAGE & UTILITY EASEMENT TO REMAIN
EX. DRAINAGE & UTILITY EASEMENT TO BE RELEASED
25% OR GREATER SLOPES
EX. CONTOURS
EX. STREAM
WELL — EXISTING / PROPOSED ENVELOPE
PERC TEST — A-4 PASSED / A-1 FAILED
PROP. SEPTIC AREA
SOIL TYPES — BsA MOLE
EX. WETLANDS
EX. WOODS LINE
HOUSE ORIENTATION
PROPOSED STREET LIGHT
PROPOSED PAVING



VICINITY MAP
SCALE: 1" = 2000'

SITE DATA

1.EXISTING ZONING	RC-4 AND RC-5
2. GROSS AREA	RC-4 3.026 AC. RC-5 32.002 AC. TOTAL 35.028 AC.
3.NO. OF LOTS ALLOWED:	RC-4 1 LOT RC-5 21 LOTS(32.002 X .667) TOTAL 22 LOTS
4.NO. OF LOTS PROPOSED:	RC-4 0 LOTS RC-5 19 LOTS TOTAL 19 LOTS
5.HIGHWAY WIDENING AREA:	0.361 AC.
6.NET AREA:	34.667 AC.
7.ROAD DEDICATION AREA:	2.292 AC.
8.SWM RESERVATION AREA:	
SWM RESERVATION #1	0.820 AC.
SWM RESERVATION #2	0.984 AC.
TOTAL	1.804 AC.
9.HOA AREA:	
HOA AREA#1	1.959 AC.
HOA AREA#2	0.025 AC.
TOTAL	1.984 AC.
10. PARCEL A AREA:	0.357 AC.
11. PARCEL B AREA:	0.041 AC.
12.NET AREA OF LOTS	28.189 AC.
13.AVERAGE LOT SIZE	1.484 AC.
14.PARKING REQUIRED	38 SPACES(2 PER LOT)
15.PARKING PROPOSED	38+ SPACES
16.COUNCILMANIC DISTRICT	2nd
17.ELECTION DISTRICT	8th
18.2000 CENSUS TRACT	1.083.01
19.2000 CENSUS BLOCK TRACT	4.083.012
20.ELEMENTARY SCHOOL DISTRICT	FRANKLIN
21.MIDDLE SCHOOL DISTRICT	FRANKLIN
22.HIGH SCHOOL DISTRICT	FRANKLIN
23.REGIONAL PLANNING DISTRICT	307A
24.WATERSHED	11
25.WATER SERVICES AREA	NON-SERVICE AREA
26.SEWERSHED	91
27.TRANSPORTATION ZONE	447
28.ZIP CODE	21136

HEARING OFFICER'S ORDER

RE: DEVELOPMENT PLAN HEARING
W/S Knox Avenue, S of Tufton Avenue
(Medford, fka Winchendon/Strain Property)
8th Election District – 3rd Council District
Toby Investments, LLC – Owner/Developer
Case No. VIII-765

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 25th day of September, 2003 that the red-lined development plan for, Medford, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, subject to the terms and conditions set forth in the Development Agreement reached by and between the Developer and those neighbors identified therein, a copy of which has been incorporated herein and made a part hereof.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

LAWRENCE E. SCHMIDT
Zoning Commissioner/Hearing Officer
for Baltimore County

PROPERTY MAP
TAX MAP 41

VARIANCES GRANTED

VARIANCE GRANTED TO ALLOW OFFSITE FOREST RETENTION IN-LIEU-OF ON-SITE PLANTING.

WAIVERS GRANTED

WAIVER GRANTED FOR 2:1 SIDE SLOPES AND THREE FOOT WIDE SHOULDERS ALONG PENDLETON COURT FROM STATION 0+30 TO STATION 4+00.

WAIVER GRANTED TO ALLOW A FIVE FOOT WIDE GRADED SHOULDER ALONG KNOX AVENUE FROM PENDLETON COURT NORTH TO A POINT FIFTY FEET SOUTH OF THE EXISTING WETLANDS IN-LIEU-OF THE FULL GRADING OF THE RIGHT-OF-WAY.

PROPERTY INFORMATION

P.33	P.35-2	P.35-3
OWNER– TOBY INVESTMENTS, LLC ACCT NO.– 08-06-020475 DEED REF– 17791/243 AREA– 24.1 ACRES	OWNER– TOBY INVESTMENTS, LLC ACCT NO.– 16-00-013324 DEED REF– 17791/238 AREA– 5.5 ACRES LOT 2 "ROGER G. MOORES PROPERTY" 37/79	OWNER– TOBY INVESTMENTS, LLC ACCT NO.– 16-00-013325 DEED REF– 18913/417 AREA– 5.4 ACRES LOT 3 " ROGER G. MOORES PROPERTY" 37/79

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE APPROVED DEVELOPMENT PLAN DATED 10/20/03, AS AMENDED 4/27/04, AND HAVE PREPARED WITH DUE DILIGENCE THIS FINAL DEVELOPMENT PLAN PURSUANT TO THAT APPROVED DEVELOPMENT PLAN.

STATE OF MARYLAND — GEOFFREY CRAIG SCHULTZ — No. 21154 — PROFESSIONAL LAND SURVEYOR

GEOFFREY C. SCHULTZ
MARYLAND REG. No. 21154
5/10/2004
DATE

McKEE & ASSOCIATES, INC.
Engineering – Land Planning – Land Surveying
Natural Resource Planning – Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

OFFICE OF PLANNING AND ZONING
APPROVED BY:
DIRECTOR OF PLANNING — DATE 5/24/04
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT — DATE

FINAL DEVELOPMENT PLAN
MEDFORD

F.K.A . WINCHENDON
F.K.A . STRAIN PROPERTY

8th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
2ND COUNCILMATIC DISTRICT
SCALE: 1" = 100' DATE: MAY 10, 2004

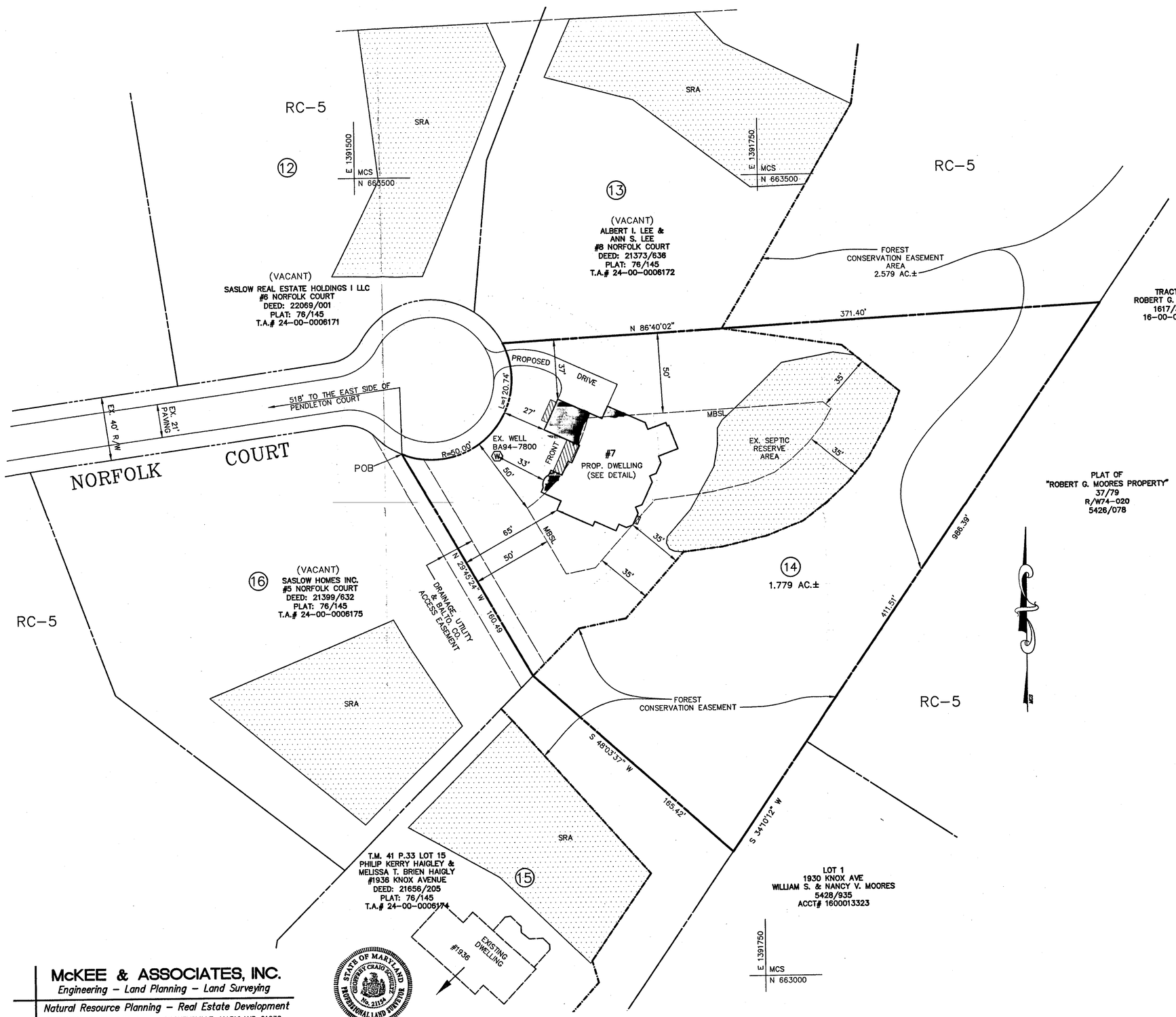
PDM NO. VIII-765

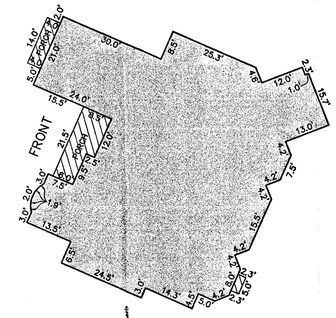
APPLICANT/DEVELOPER
TOBY INVESTMENTS, LLC
THOMAS L. PITTMAN, JR.,
MEMBER
15722 IRISH AVENUE
MONKTON, MARYLAND 21111

RECEIVED
MAY 24 2004
DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

PETITIONER'S
EXHIBIT NO. 2

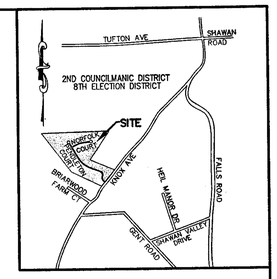
\\McKee-1\03\Docs\SDSK\Proj\01-035\dwg\FINAL DEVELOPMENT PLAN.dwg, 5/10/2004 2:37:50 PM, JWB





PROPOSED DWELLING DETAIL

SCALE: 1" = 20'



VICINITY MAP

SCALE: 1" = 2000'

LEGEND

- EX. WELL (W)
- SEPTIC RESERVE AREA
- BOUNDARY LINE
- EASEMENT LINE
- MINIMUM BUILDING SETBACK LINE — MBSL
- FOREST CONSERVATION EASEMENT

LOCATION INFORMATION

ELECTION DISTRICT: 8TH

COUNCILMANIC DISTRICT: 2ND

200 SCALE MAP No.: 041B3

PRESENT ZONING: RC-5

LOT SIZE: 1.779 ACRES +/-

	PUBLIC	PRIVATE
WATER	☐	☒
SEWER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA:	☐	☒
100-YEAR FLOOD PLAIN:	☐	☒
HISTORIC PROPERTY/ BUILDING:	☐	☒
PRIOR ZONING HEARINGS:	☐	☒

OWNER INFORMATION:

SITE ADDRESS: #7 NORFOLK COURT

DEED/MORTGAGE REFERENCE: 21345/395

PLAT REFERENCE: 76/145

TAX MAP 41, GRID 21, PARCEL 33

PROPERTY TAX ACCT. No.: 24-00-006173

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCES

#7 NORFOLK COURT

8TH ELECTION DISTRICT — 2ND COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30' — DATE: AUGUST 21, 2007

OWNER

RICHARD C. SCOTT &
MARCIA J. SCOTT
8 AVERS COURT
REISTERSTOWN, MD 21136

PETITIONER'S EXHIBIT NO. 1

amended 1/17/08 per Exhibit 4

McKEE & ASSOCIATES, INC.
Engineering – Land Planning – Land Surveying
Natural Resource Planning – Real Estate Development
5 SHAWAN ROAD, Suite 1 — COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 — FACSIMILE: (410) 527-1563

STATE OF MARYLAND — GEORGE CRAIG SCHULZE — No. 21134 — PROFESSIONAL LAND SURVEYOR

GCS 9/24/07

COMPUTED BY: RLJ	DRAWN BY: RLJ	CHECKED BY: GCS	JOB No.: 07-178

#148

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

State Highway Administration

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

Maryland Department of Transportation

Date: October 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. 8-148-A
7 Norfolk Court
Scott Property
Variance

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-148-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,

Michael P. Bailey

for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free