

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID

(SEARCH ON THIS FIELD):

20080476

Case Type Prefix: Case Year: Case Number Case Type Suffix:

2008

0476

SPH

Existing Use:

Residential

Legal Owners/Petitioner

(SEARCH ON THIS FIELD):

MGA, LLC; Ron Baqui, Managing Member

House/St. Number:	House/Street Number Range:	House/St. No.	Prefix Dir.:	Pre. Type:	Street Name (SEARCH ON THIS FIELD):	Suf. Type:	Dir.:	Suffix Suite/Apt./Unit Number:
13215					DOVER	RD		

Property Description (SEARCH ON THIS FIELD):

East side Dover Road, 1800 feet north of Tufton Ridge Road.

Existing Zoning Classification	RC - 5, RC - 4, RC	Area:	7.20 acres +/-	Election District:	8th	Councilmanic District	2nd
Critical Area	No	Floodplain:	No	Historic Area:	No	Related (Prior and Future) Cases:	

Violation Cases:

Concurrent Cases:

Tax Account ID:

Deed Liber #:

Deed Folio #:

Miscellaneous Notes

1.)		1.)		
2.)		2.)		
3.)		3.)		

Drop-off petition. Closed by Carl Richards, Zoning Review Supervisor, due to inactivity. Zoning Commissioner's Order was never written, however, a related appeal of the PAI Development Review Committee (DRC) decision was made to the Board of Appeals. An Order of Remand for further review by the DRC was made on November 18, 2008 and is shown for convenience purposes only under this Zoning Case.

Contract Purchaser:

Attorney: Arnold Jablon

Petition Reviewer: DT

Petition Reviewer 2:

Petition Filing Date:

Day of Week:

Hearing Date:

Hearing Time:

Hearing Location:

Monday	06/16/2008	11:00 AM	County Office Building, 111 West Chesapeake Avenue, Room 106, Towson 21204
--------	------------	----------	--

Closing Date:

Commissioner Hearing Continued Fro

Commissioner Hearing Rescheduled From

Formal Request For Hearing

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID:		Case Type Prefix: Case Year: Case Number: Case Type Suffix:			Existing Use:	
20080476			2008	0476	SPH	Residential
Legal Owners/Petitioner: MGA, LLC; Ron Baqul, Managing Member						
Street/House Number: Street Number Range: Street Number Suffix: Street Prefix Direction: Street Prefix Type:						
13215						
Street Name:		Street Suffix Type: Street Suffix Direction:		Suite/Apt./Unit Number:		
DOVER		RD				
Property Description: East side Dover Road, 1800 feet north of Tufton Ridge Road.						
Existing Zoning Classification		Area:		Election District:	Councilmanic District	
RC - 5, RC - 4, RC		7.20 acres +/-		8th	2nd	
Critical Area:		Floodplain:	Historic Area:	Related (Prior and Future) Cases		
No		No	No			
Violation Cases:		Concurrent Cases:				
Tax Account ID:		Deed Liber #:	Deed Folio #:	Miscellaneous Notes		
1.)		1.)	/	Drop-off petition. Closed by Carl Richards, Zoning Review Supervisor, due to inactivity. Zoning Commissioner's Order was never written, however, a related appeal of the PAI Development Review Committee (DRC) decision was made to the Board of Appeals. An Order of Remand for further review by the DRC was made on November 12, 2008 and is shown for your reference purposes only under this Zoning		
2.)		2.)	/			
3.)		3.)	/			
Contract Purchaser:						
Attorney: Arnold Jablon						
Petition Reviewer:		Petition Reviewer 2:		Petition Filing Date:		
DT						
Day of Week:		Hearing Date:	Hearing Time:	Hearing Location:		
Monday		06/16/2008	11:00 AM	County Office Building, 111 West Chesapeake Avenue, Room 106, Towson 21204		
Closing Date:		Adm. Law Judge Hearing Continued From		Adm. Law Judge Hearing Rescheduled From:		Formal Request For Hearing

Case Number:

	2008	0476	SPH
--	------	------	-----

Petition Type # 1: SPECIAL HEARING

Petition Request # 1: To approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two" to permit the resubdivision of Lot 2, Plat 1, Section 2, into two (2) lots.

Petition Type # 2:

Petition Request # 2:

Petition Type # 3:

Petition Request # 3:

Petition Type # 4:

Petition Request # 4:

200 Foot
Scale Map
Reference:

Existing Use:

Proposed Use:

Existing Zoning Classification

Requested Zoning Classification:

Existing District:

Requested District:

Residential

Residential

RC - 5, RC - 4, RC

North/South Coordinate:

East/West Coordinate:

Census Tract:

1000 Foot
Scale Map
Reference:

--

Adm. Law Judge Case Number:

Administrative Law Judge's Name

Law Judge Order Date (or Withdrawl Date):

Law Judge Decision:

Law Judge Order Restrictions?

Board of Appeals Case Number

Appeal to Board of Appeals?:

Appellant:

Board of App. Description:

Board of Appeals Filing Date:

Date Case Sent to Board:

Board of Appeals Hearing Date:

Board of Appeals Decision Date:

Board of Appeals Decision:

Circuit Court Case Number

Circuit Court Filing Date:

Circuit Court Decision Date

Circuit Court Decision:

MD Court of Special Appeals Filing Date:

MD Court of Special Appeals Decision Date:

MD Court of Special Appeals Decision:

MD Court of Appeals Filing Date:

MD Court of Appeals Decision Date:

MD Court of Appeals Decision:

U.S. Supreme Court Filing Date

U.S. Supreme Court Decision Date:

U.S. Supreme Court Decision:

Add Record

Find Record

Next Record

Previous
Record

Preview ZAC
Agenda Report

Public
Hearings

Admin
Variances

Open
MS Word

Exit
Access

Scanned
Image



Petition for Special Hearing

cd / PMV

to the Zoning Commissioner of Baltimore County

for the property located at 13215 Dover Road

which is presently zoned RC 5, RC 4, RC 2

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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

(This box to be completed by planner)

an amendment to the Final Development Plan entitled "Tufton Farms, Section Two" to permit the resubdivision of Lot 2, Plat 1, Section 2, into two (2) lots, pursuant to section 1A00.4 and 1B01.3A7 of the BCZR

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Arnold Jablon

Name - Type or Print

Signature

Venable, LLP

Company

210 Allegheny Ave. 410 494 6298

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

MGA, LLC

Name - Type or Print

Signature

RON BRADY

Name - Type or Print

Signature

3002 Merrymons Mill Road

Address

Telephone No.

Phoenix, Maryland 21131

City

State

Zip Code

Representative to be Contacted:

Arnold Jablon

Name

210 Allegheny Ave., 410 494 6298

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No. 2008-0476-SPH

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By

P.T.

Date

4/11/08

DROP OFF

DESCRIPTION TO ACCOMPANY
PETITION FOR SPECIAL HEARING
EAST SIDE OF DOVER ROAD
NORTH OF TUFTON RIDGE ROAD
EIGHTH ELECTION DISTRICT
SECOND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at the end of the second following course and distance measured from the intersection of the centerline of Tufton Ridge Road (50 feet wide) and the centerline of Dover Road (70 feet wide), (1) Northerly 1830 feet, more or less and thence (2) Easterly 35 feet to the point of beginning, thence leaving said point of beginning and binding on the east side of said Dover Road (1) North 11 degrees 33 minutes 49 seconds West 453.48 feet, thence running for the outlines of the herein described lot, (2) North 80 degrees 49 minutes 40 seconds East 718.62 feet, thence (3) South 01 degree 03 minutes 17 seconds East 480.00 feet, and thence (4) South 82 degrees 49 minutes 51 seconds West 632.31 feet to the point of beginning; containing 7.201 acres of land, more or less.

BEING known and designated as Lot 2 as shown on the plat entitled "Plat 1 - Sec. 2 Tufton Farms", which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book E.H.K.Jr. 41, Folio 71.



2008-0476-SPH

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: 2008-0476-SPH

Petitioner: RON BARJOL

Address or Location: 13215 DOVER ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: RON BARJOL

Address: 3002 MERRYMA'S MILL ROAD
PHOENIX, MD 21131

Telephone Number: 410-667-8426

April 8, 2008

HAND DELIVERED

Mr. W. Carl Richards, Jr., Supervisor
Zoning Review Office
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Petition for Special Hearing
Petitioner: MGA, LLC
Location: 13215 Dover Road

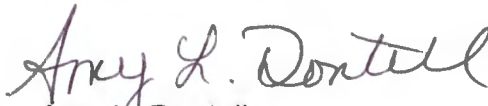
Dear Mr. Richards:

I am drop filing the enclosed Petition for Special Hearing for the above-referenced property. This property is not in violation of any zoning laws. With this letter, I have enclosed the following documents:

1. Petition for Special Hearing (3)
2. Zoning Descriptions (3)
3. Site Plans (12)
4. Newspaper advertising form (1)
5. 2004 Zoning Map No. 041A3 (1)
6. Check in the amount of \$325.00

If you have any questions or concerns regarding this filing, please give me a call.

Very truly yours,


Amy L. Dontell
Paralegal

Enclosures

TO1DOCS1/#257604

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **12087**

Date: **4/1/08**

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			0150				325.00

Total: **325.00**

Rec

From: **VENABLE LLP**

For: **2008-0476-SPH**

13215 DIVER RD.

D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE: 4/1/2008 4/1/2008 14:52:33

REG NO: 006 WALKIN JOHN KIR

RECEIPT # 022190 4/1/2008 001

Dept: 5. 528 ZONING VERIFICATION

012087

Rept Tot 325.00

325.00 12 1.00 06

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: # 2008-0476-SPH

13215 Dover Road

E/side of Dover Road, 1800 feet north of Tufton Ridge Road

8th Election District — 2nd Councilmanic District

Legal Owner(s): Ron Baquil, MGA, LLC

Special Hearing: to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two," to permit the resubdivision of Lot 2, Plat 1, Section 2, into two (2) lots.

Hearing: Monday, June 16, 2008 at 11:00 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 accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

5/362 May 29

174527

CERTIFICATE OF PUBLICATION

5/29/2008

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 5/29/2008.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 2008-0476-SPH

Petitioner/Developer: RON

BAQUL, MGA, LLC

Date of Hearing/Closing: JUNE 16, 2008

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

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

Ladies and Gentlemen:

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

13215 DOVER RD

The sign(s) were posted on MAY 31, 2008
(Month, Day, Year)

Sincerely,

Robert Black JUNE 2, 2008
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

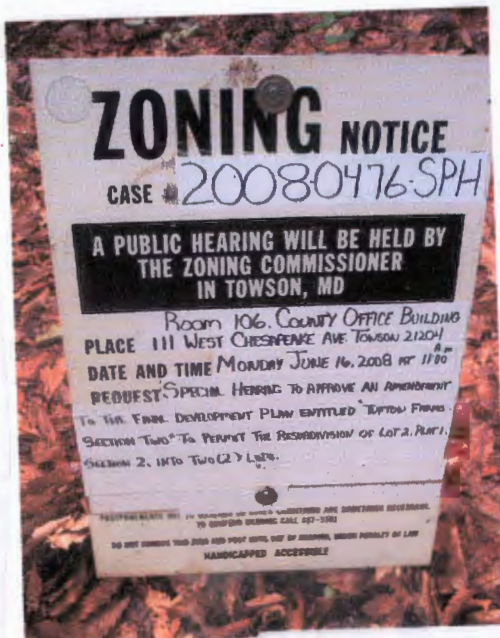
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Thursday, May 29, 2008 Issue - Jeffersonian

Please forward billing to:

Ron Baqul
3002 Merrymans Mill Road
Phoenix, MD 21131

410-667-8426

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: 2008-0476-SPH

13215 Dover Road

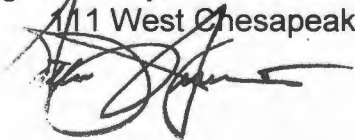
E/side of Dover Road, 1800 feet north of Tufton Ridge Road

8th Election District – 2nd Councilmanic District

Legal Owners: Ron Baqul, MGA, LLC

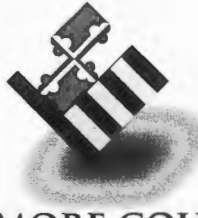
Special Hearing to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two," to permit the resubdivision of Lot 2, Plat 1, Section 2, into two (2) lots.

Hearing: Monday, June 16, 2008 at 11:00 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

April 24, 2008
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: 2008-0476-SPH

13215 Dover Road

E/side of Dover Road, 1800 feet north of Tufton Ridge Road

8th Election District – 2nd Councilmanic District

Legal Owners: Ron Baqul, MGA, LLC

Special Hearing to approve an amendment to the Final Development Plan entitled "Tufton Farms, Section Two," to permit the resubdivision of Lot 2, Plat 1, Section 2, into two (2) lots.

Hearing: Monday, June 16, 2008 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

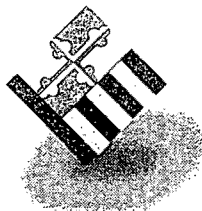
A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Arnold Jablon, Venable, LLP, 210 Allegheny Ave, Towson 21204
MGA, LLC, Ron Baqul, 3002 Merrymons Mill Road, Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 31, 2008.**
- (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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive
Arnold Jablon
Venable, LLP
210 Allegheny Ave.
Towson, MD 21204

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
June 11, 2008

Dear: Arnold Jablon

RE: Case Number 2008-0476-SPH, Address: 13215 Dover Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 11, 2008. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Ron Baquil, MGA, LLC, 3002 Merrymons Mill Rd, Phoenix, MD 21131



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: APRIL 21, 2008

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

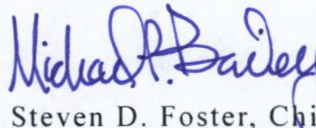
RE: Baltimore County
Item No. 8-476-SPH
13215 DOVER ROAD
MGA, LLC PROPERTY
SPECIAL HEARING

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. 8-476-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,



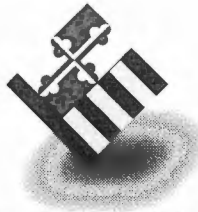
For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2276 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

April 24, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 21, 2008

Item Number: 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481,
482, 483, 484, 485, 486 and 488

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.

1The 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 28, 2008

FROM: ^{DAK}Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 28, 2008
Item No.: 08-470, 471, 472, 474, 475, 476,
477, 478, 479, 480, 481, 482, 483, 484,
485, 486, 487, and 488.

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

DAK:CEN:lrk
cc: File

ZAC-04282008-NO COMMENTS

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JWL*

DATE: June 17, 2008

SUBJECT: Zoning Item # 08-476-SPH
Address 13215 Dover Road
(Heller Property)

Zoning Advisory Committee Meeting of April 21, 2008

_____ 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:

 X 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:

Refer to attached comments from DEPRM's Ground Water Management section dated 4/9/08. – S. Farinetti; Ground Water Management

Reviewer: T. Krispin

Date: 5/14/08

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 13, 2008

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

SUBJECT: 13215 Dover Road

INFORMATION:

Item Number: 8-476

Petitioner: MGA LLC

Zoning: RC 5, RC 4 and RC 2

Requested Action: Special Hearing

RECEIVED
JUN 13 2008

BY:.....

The special hearing to amend the final development plan, Tufton Farms, Section 2, Lot 2 is based on a proposal to resubdivide the lot into two lots, 2A and 2B. A DRC item has also been submitted on this property, 042108B for a development refinement for a minor subdivision.

It is within a CZMP Issue 2-035 in which the Valleys Planning Council requested rezoning from RC5 to RC6. The Planning Board voted to retain the RC5 zoning on May 1, 2008. The County Council conducted a public hearing for all CZMP issues in the 2nd Councilmanic District on June 4, 2008. It is anticipated that the maps will be adopted late August 2008.

The Office of Planning has completed a second review of the minor subdivision through the minor subdivision process (07146 M).

The portion of Lot 2 that is zoned RC5 is subject to a finding of compliance with the RC5 zone.

In order to make the findings as to the amendment being in accord with the Comprehensive Manual of Development Policies as well as that necessary for conformance with the performance standards, detailed information such as a narrative report, architectural elevation drawings, photographs, significant site features to be retained, has been submitted to the Office of Planning.

RECOMMENDATION:

The following represents a finding on the part of the Baltimore County Office of Planning as to whether the above referenced property is in accord with the provisions of the Comprehensive Manual of Development Policies (CMDP) and Article 1B of the Baltimore County Zoning Regulations (BCZR).

Comprehensive Manual of Development Policies

Division II and Division III

The Office of Planning finds that the provisions of Division II and Division III of the CMDP do not apply to this R.C.5 (Rural Residential) zoned property located outside of the Urban Rural Demarcation Line (URDL). It is the opinion of this office that the application of the residential and or commercial standards found in said divisions of the CMDP would be in conflict with the performance standards found in Section 1A04.4 of the BCZR.

Division VI, Section A

The Office of Planning finds that the provisions of Division VI, Section A, CMDP applies in this case. Dover Road is a scenic route. As such the route is subject to the aforementioned provisions. At this location on Dover Road the view would be classified as "enclosed". The amended Final Development Plan will not change this status. There will be no additional entrances onto Dover Road as the amended plan proposes the utilization of the existing entrance into the property to serve the existing lot 2A and the proposed lot 2B. With the exception of the minor widening of the existing drive, there will be no disturbance of the scenic view by the proposed new construction on lot 2 B. There is also a sharp embankment along Dover Road that limits views into the site.

By scaling the plan, the limit of disturbance for the proposed development is approximately 200' to the septic reserve area and 300' to the new construction from the edge of paving for Dover Road at it's closest point thereby maintaining an adequate wooded buffer. Any new structure to be built will be subject to the performance standards found in Section 1A04.4 of the BCZR which compliments and reinforces the scenic view requirements of the CMDP.

Division VI, Sections B,C,D,E

Not applicable.

Division VI, Section H

It is the position of the Office of Planning that the relatively minor occurrence of crime within reporting area 303150 of Precinct # 3 does not justify the implementation of the requirements of Division VI, Section H, CMDP.

Finding:

The Baltimore County Office of Planning finds that the Lot 2, Section 2, Tufton Farms Final Development Plan Amendment is in accord with the provisions of the Comprehensive Manual of Development Policies.

The Baltimore County Office of Planning further finds the amendment to be in accord with the performance standards of Article 1A04.4 of the Baltimore County Zoning Regulations.

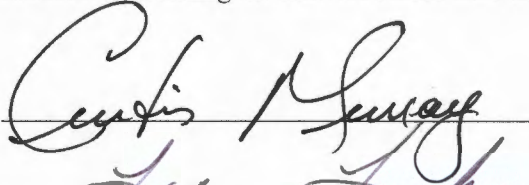
The Office of Planning recommends the following as a condition of approval:

1. Remove or modify note #13. There is no compliance certificate" from the Office of Planning. A positive finding on the part of this office, development plan approval and where required, building permit approval by the Office of Planning indicates certification of compliance.
2. Provide a final grading plan to verify that the limits of clearing are shown accurately and place the following note on the plan: "Clearing shall be limited to that necessary for the installation of septic, well, driveway widening and house construction as shown by the limits of disturbance".
3. The CRG Plan, final development plan and record plat must be updated to reflect two other minor subdivisions, which have obtained Zoning Commissioner approval as well as the two lots in the instant case. Density calculations must be revised accordingly.

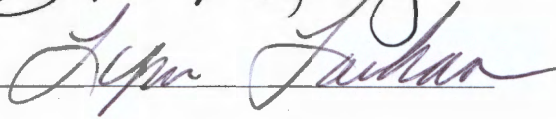
4. Provide a 30' landscape buffer easement along Dover Road in accordance with the guidelines of the CMDP for scenic routes.

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

Reviewed by:

A handwritten signature in black ink, appearing to read "Curtis M. Lewis", written over a horizontal line.

Division Chief:
AFK/LL: CM

A handwritten signature in purple ink, appearing to read "Lepor Lachar", written over a horizontal line.

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: April 9, 2008

TO: Jeffrey Perlow, Zoning Review
Department of Permits and Development Management

FROM: Daniel J. Esser, R.S., Ground Water Management
Department of Environmental Protection & Resource Management

SUBJECT: **Minor Subdivision 2nd. Review**
Project Name: Heller Property
Minor Sub No: 07-146M
District: 8C2
Engineer: Little & Associates, Inc.
Phone: 410-296-1636

The following comments must be addressed prior to plan approval:

Comments	Date Resolved	Reviewer
1. Switch the perc test labels "A" and "B" on Lot 2A. According to our old records, the "A" test was the lower one, and "B" was the upper test in the SRA.		
2. Show the <u>adjacent</u> existing SRA and (also) locate and then show the existing well for # 13201 Dover Road (Lot #3 of "Tufton Farms" Section 2).		
3. The existing septic system must be inspected and certified by a licensed sewage disposal contractor. Documentation verifying the inspection and condition must be submitted to DEPRM.		

Note: Please include a revision date on all revised plans submitted.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
13215 Dover Road; E/S Dover Road, 1,800' *
N Tufton Ridge Road * ZONING COMMISSIONER
8th Election & 2nd Councilmanic Districts *
Legal Owner(s): MGA, LLC * FOR
Petitioner(s) *
BALTIMORE COUNTY *
08-476-SPH *

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
APR 28 2008
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of April, 2008, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TB
6-16-08

RE: PETITION FOR SPECIAL HEARING

BEFORE THE

13215 Dover Road; E/S Dover Road, 1,800'
N. Tufton Ridge Rd.
8th Election & 2nd Councilmanic Districts
Legal Owner(s): MGA, LLC

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Petitioner

08-476-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the Oates-Fell team, adjoining property owners for 29 years of the above-captioned property. We respectfully request notice be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. We respectfully request all parties copy the Oates-Fell team on all correspondence sent and all documentation filed in the case.

Dennis H. Oates

Dennis Oates
13223 Dover Road
Reisterstown, MD 21136
(410) 584-2633

Alan T. Fell Carolyn G. Fell

Alan T. Fell / Carolyn G. Fell
13201 Dover Road
Reisterstown, MD 21136
(410) 584-2616

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on this 6th day of June, 2008, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD, 21204, Attorney for Petitioner(s).

Spencer Fell
Patrick Oates

[Signature]
Patrick R. Oates

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2008, Legislative Day No. 13

Bill No. 86-08

Mr. Kevin Kamenetz, Chairman

By the County Council, August 4, 2008

A BILL
ENTITLED

AN ACT concerning

The Comprehensive Zoning Maps - Second District

FOR the purpose of repealing certain existing zoning maps and to adopt an official zoning map for the Second Councilmanic District of Baltimore County, such map to be known as the 2008 Official Comprehensive Second District Councilmanic District Zoning Map for Baltimore County and to supersede any previous zoning maps approved by the County Council of Baltimore County for that particular district.

WHEREAS, under the provisions of Sections 32-3-221 through 32-3-223, Baltimore County Code, 2003, the County Council has received a final report of the Planning Board on the Board's proposed County-wide Comprehensive Zoning Map for Baltimore County and has held public hearings thereon after giving at least 10 working days' notice thereof in a newspaper of general circulation throughout the County, and during the period of such notice the final report of the Planning Board, with accompanying maps and supporting exhibits, were shown and exhibited in the Office of Planning, in each Councilmanic District, and at such other public places as designated by

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

~~Strike out~~ indicates matter stricken from bill.

Underlining indicates amendments to bill.

TB
6-16-08

RE: PETITION FOR SPECIAL HEARING

BEFORE THE

13215 Dover Road; E/S Dover Road, 1,800'
N. Tufton Ridge Rd.
8th Election & 2nd Councilmanic Districts
Legal Owner(s): MGA, LLC

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Petitioner

08-476-SPH

* * * * *

SUBPOENA REQUESTS

Under Section 500.8 of BCZR: The Oates-Fell team respectfully requests the following persons to testify in the above captioned case:

- (1) Ron Baquell: Owner-developer
- (2) A representative of the excellent Planning Department to bring all records of planning staff recommendations for 13215 Dover Road during the 2004 CZMP.
- (3) A representative of the competent Department of Public Works Road Maintenance and Repair Division to bring all records of road maintenance and repair from the driveway of 13204 Dover Road to Tufton Avenue from June 01, 1998 to present. This includes rock and stone dumping to control erosion on both sides of Dover Road and the installation of a guardrail and traffic device during that timeframe.

(4) Dennis Kennedy, Supervisor, BOPR with page 3 of his General Comments on "Heller Property" dated 12/31/07
Dennis Oates
13223 Dover Road
Reisterstown, MD 21136
(410) 584-2633
Dennis H. Oates
Alan T. Fell *Carolyn G. Fell*

Alan T. Fell / Carolyn G. Fell
13201 Dover Road
Reisterstown, MD 21136
(410) 584-2616

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on this 6th day of June, 2008, a copy of the foregoing ~~Entry of Appearance~~ ^{Subpoena Requests} was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD, 21204, Attorney for Petitioner(s).

Spencer Fell *[Signature]*
Patrick Oates *[Signature]*

Kristen Matthews - case # 08-476 sph

From: "Jablon, Arnold E." <AEJablon@Venable.com>
To: "Kristen Matthews" <kmatthews@baltimorecountymd.gov>
Date: 6/26/2008 11:59 AM
Subject: case # 08-476 sph

I would like to get this re-scheduled for September, the 23rd or 30th. It doesn't matter whether it is with Tom or Bill. Thanks. These 2 dates are good for both Carroll and myself.

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

J. Carroll Hoker
410-825-6961

Patricia Zook - Case 2008-0476-SPHA

From: Patricia Zook
To: Matthews, Kristen
Date: 6/16/2008 3:49 PM
Subject: Case 2008-0476-SPHA
CC: Wiley, Debra

Hello Kristen -

The above-referenced case was scheduled for Tom Bostwick's docket on 6/16/08 at 11 AM. There were two cases before it that ran over and the second case was still going at about 11:45 AM. At about that time, Arnold Jablon on behalf of Petitioner and Carroll Holzer for Protestants jointly requested a postponement of their case. They recognized that the 10:00 AM case was running long and felt it was appropriate to reschedule their case.

Tom did not open the case (2008-0476-SPHA) and granted the postponement request. Both Mr. Jablon and Mr. Holzer agreed that a new date can be obtained by them and that the case DOES NOT need to be republished or posted again.

Thank you.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
Jefferson Building, Suite 103
105 West Chesapeake Avenue
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

From: Thomas Bostwick
To: Zook, Patricia
Date: 6/16/2008 3:44:36 PM
Subject: Case No. 2008-0476-SPH

Patti,

The above-referenced case was scheduled for my docket on 6/16/08 at 11 AM. I had two cases before it that ran over and the second case was still going at about 11:45 AM. At about that time, Arnold Jablon on behalf of Petitioner and Carroll Holzer for Protestants jointly requested a postponement of their case. They recognized that the 10:00 AM case was running long and felt it was appropriate to reschedule their case.

I never opened the case and granted the postponement request. Both Mr. Jablon and Mr. Holzer agreed that a new date can be obtained by them and that the case DOES NOT need to be republished or posted again.

Thanks. Tom.

IN RE: PETITION FOR SPECIAL HEARING

NW side Tufton Ridge Road, 1800 feet
E of c/l Dover Road
8th Election District
2nd Councilmanic District
(2304 Tufton Ridge Road)

Adel K. and Arpi L. Sansur
Petitioners

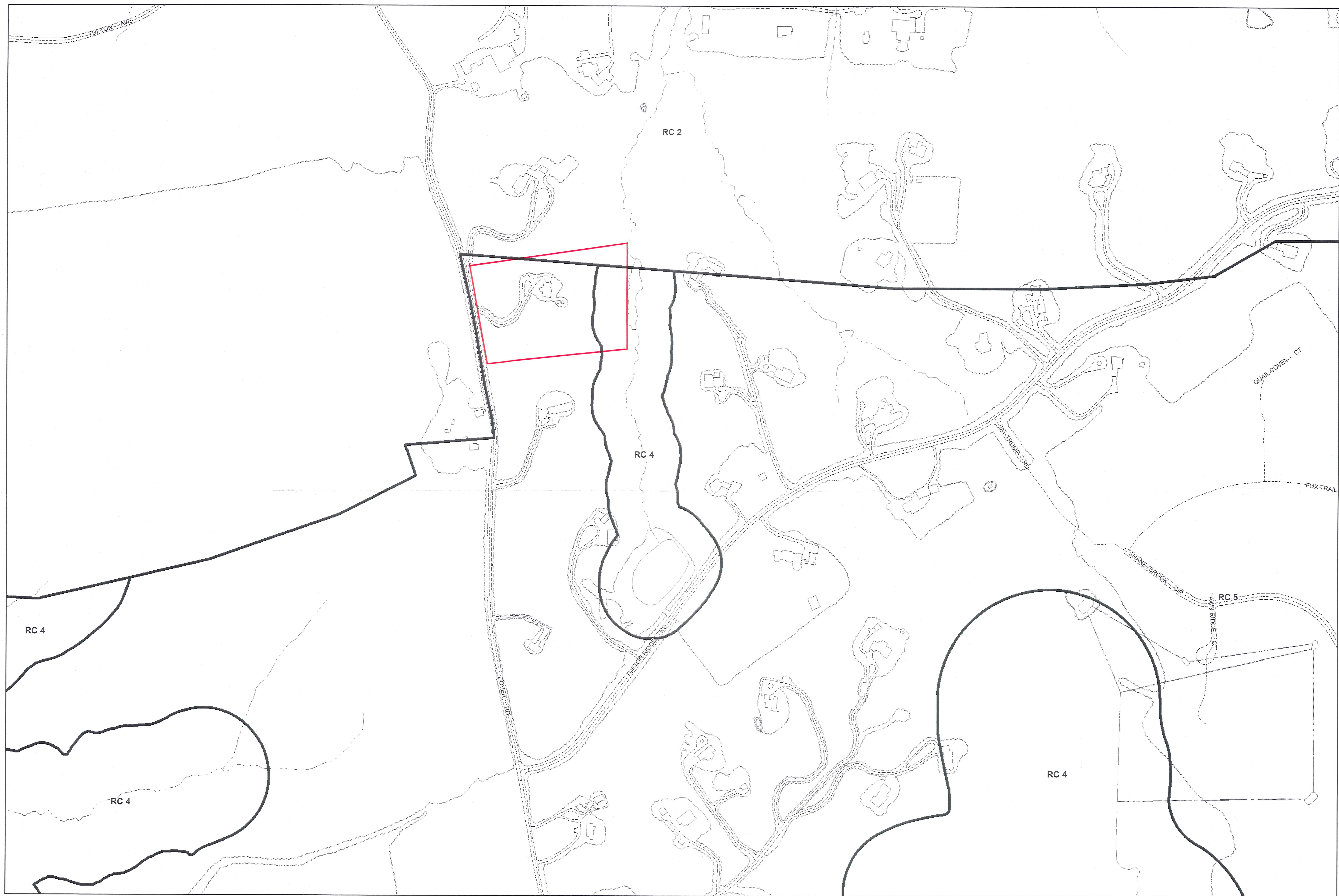
* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-140-SPH**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Adel K. and Arpi L. Sansur. *Similar* Special Hearing relief is requested pursuant to Section 500.7 of the *Case* regulations (B.C.Z.R.) to approve an amendment to the Final Development Ordinance in Farms, Section Two" to permit the re-subdivision of Lot 10, Plat 2 pursuant to Sections 1A00.4 and 1B01.3A.7 of the B.C.Z.R. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing was Petitioner Adel K. Sansur, his attorney, Arnold Jablon, Esquire, and Petitioners' engineering consultant, Thomas A. Church, with Development Engineering Consultants, Inc. Also appearing in support of the requested relief were Christine and John Ramming of 2219 Tufton Ridge Road, Cynthia and Thomas Hutson of 2205 Tufton Ridge Road, and Edward Jones of 2312 Tufton Ridge Road. Appearing as Protestants opposed to the requested relief were Mike O'Malley of 2322 Tufton Ridge Road, John Sophocles of 2226 Tufton Ridge Road, Don Schline of 2303 Tufton Ridge Road, Richard Yeazel of 2314 Tufton Ridge Road, Stephen Schloss of 2311 Tufton Ridge



Plan Sheet: 041A3

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

Legend

- Buildings
- Zoning
- Streams
- Roads
- Vegetation
- Rail Lines

Baltimore County Office of Planning and Zoning Official Zoning Map

040B2	040C2	041A2	041B2	041C2
040B3	040C3	041A3	041B3	041C3
049B1	049C1	050A1	050B1	050C1

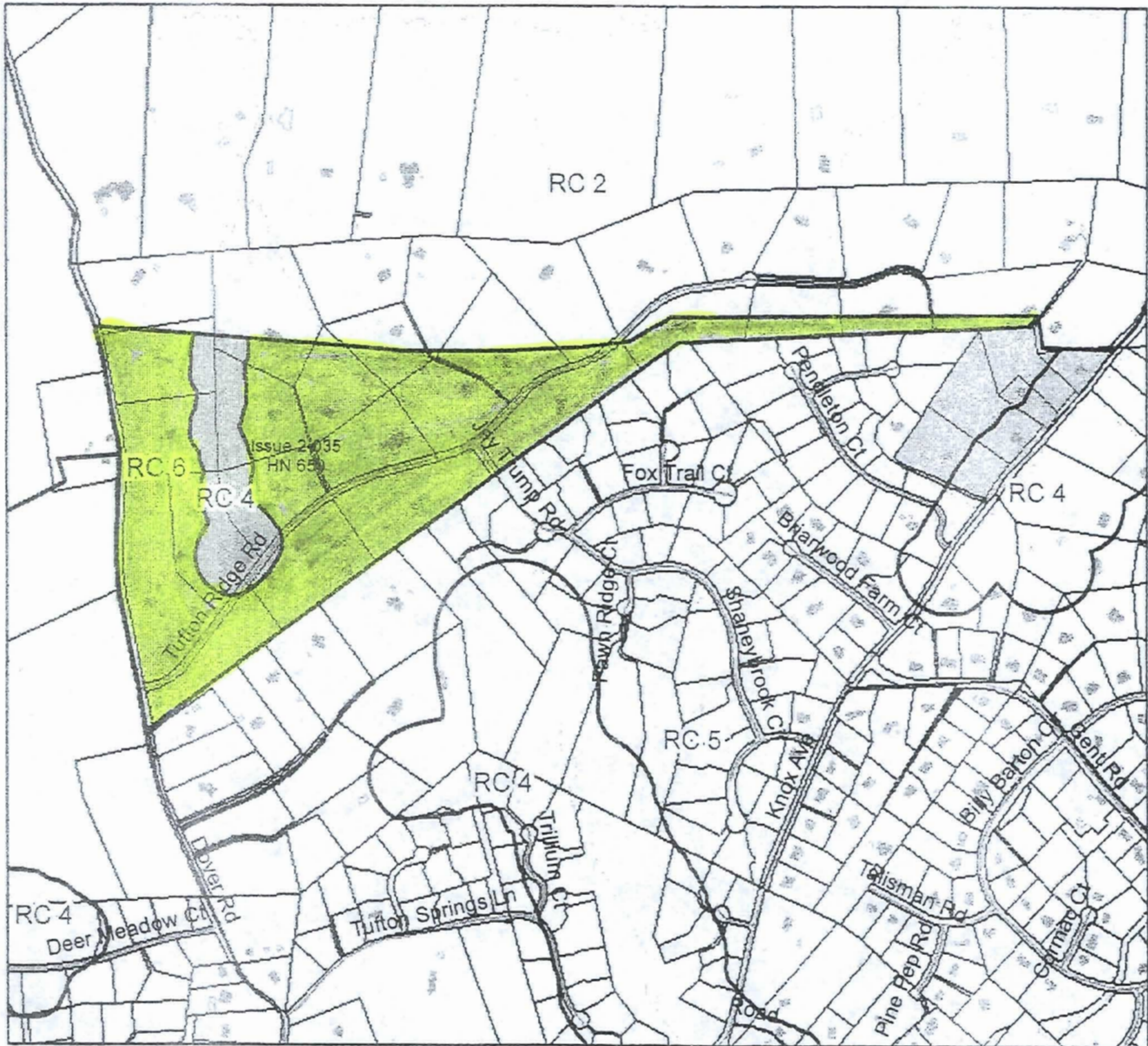
Scale
1" = 200'
0 100 200 400 Feet

1

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

CZMP 2008 - Issue Map

Holding Number: 659/Issue Number: 2-035



Iteration: COUNTY COUNCIL/1

ADC Reference Grid: 17F4

Zone	District	Acreage
RC 2		0.1
RC 4		21.3
RC 5		11.0
RC 6		97.8

Total Acreage: 130.2



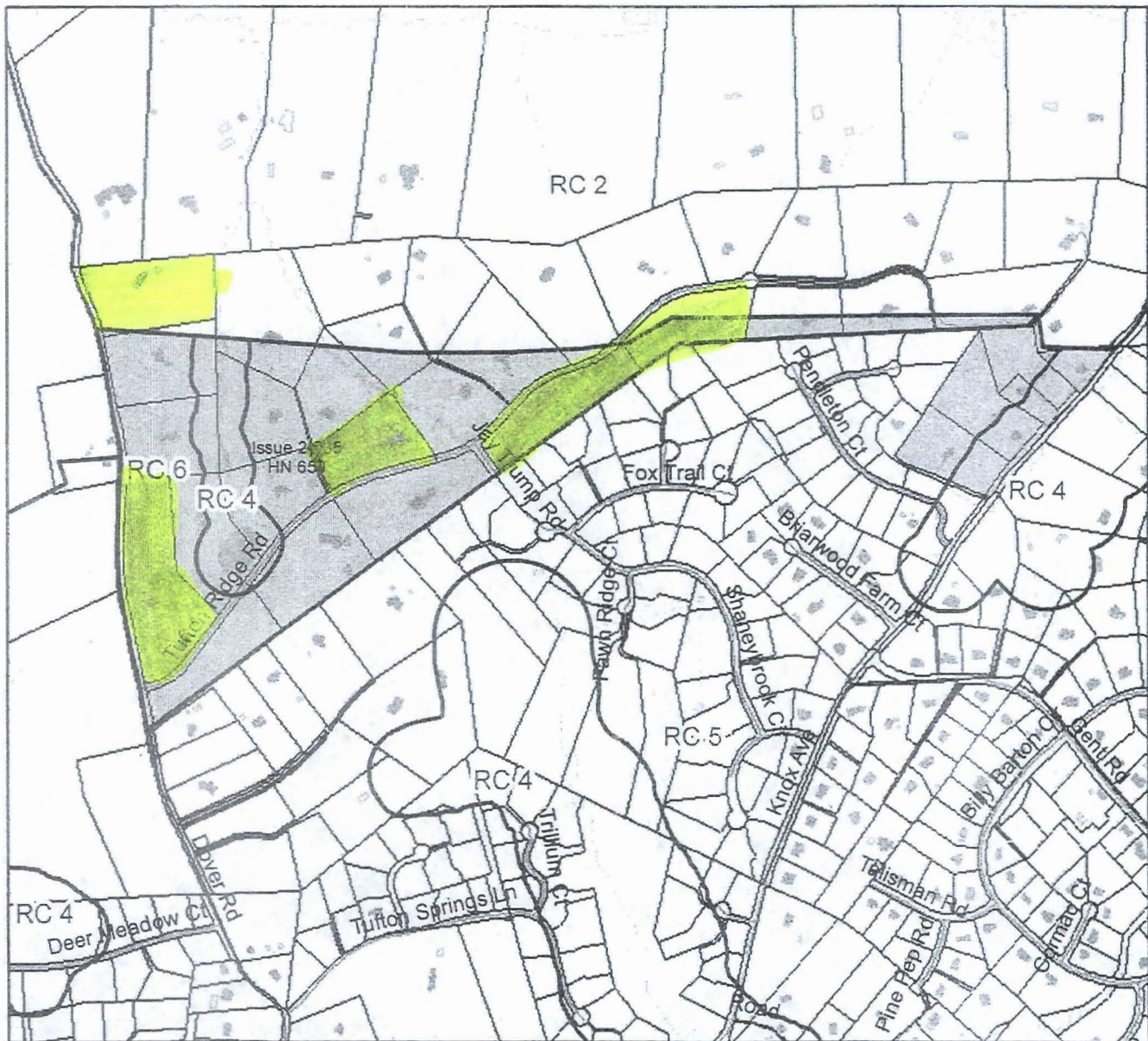
1,000 0 1,000
Feet
1 inch equals 1,000 feet



Publication Date: August 18, 2008
Publication Agency: Office of Planning
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

CZMP 2008 - Issue Map

Holding Number: 659/Issue Number: 2-035



Iteration: COUNTY COUNCIL/1

ADC Reference Grid: 17F4

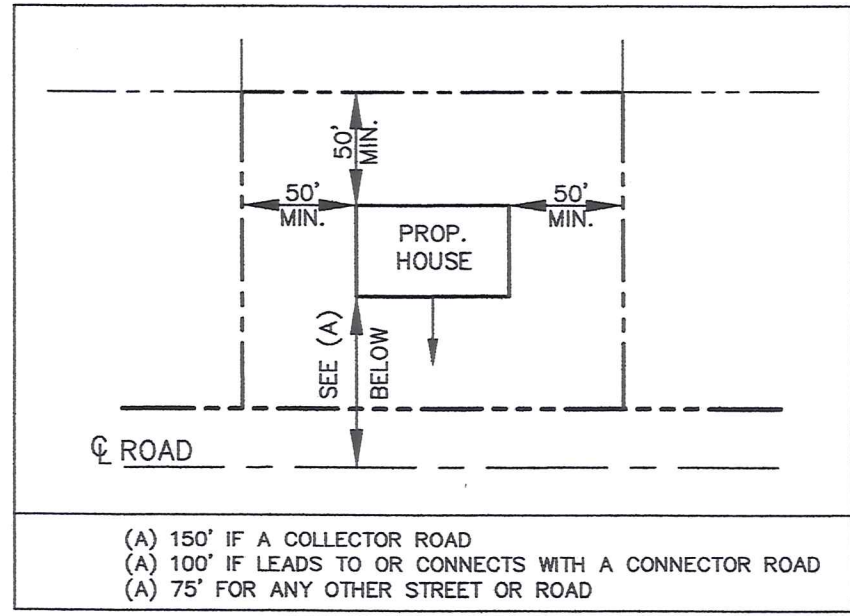
Zone	District	Acreage
RC 2		0.1
RC 4		21.3
RC 5		11.0
RC 6		97.8

Total Acreage: 130.2



Publication Date: August 18, 2008
 Publication Agency: Office of Planning
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

5 lots proposed for re-sub.



TYPICAL BUILDING SETBACKS DETAIL (RC-5)

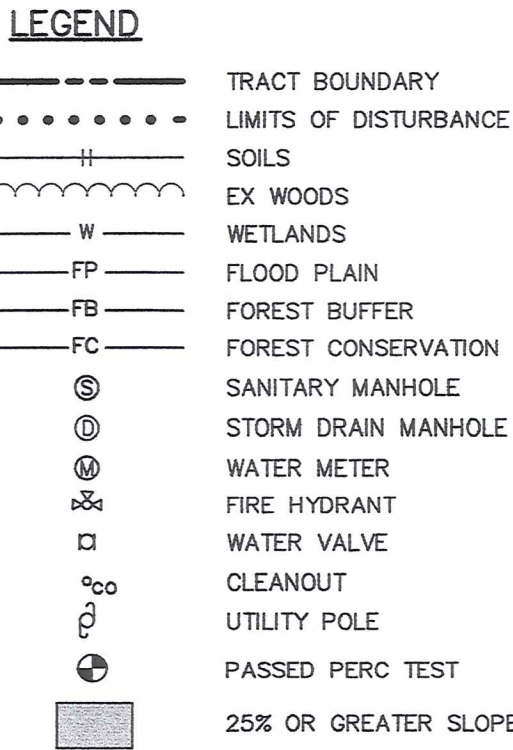
NOT TO SCALE
MAXIMUM HEIGHT FOR PRINCIPAL STRUCTURES = 35 FEET
NO MORE THAN 15% OF ANY LOT ON AN RC-5 ZONE MAY BE COVERED BY BUILDINGS.

LOT AREA TABLE

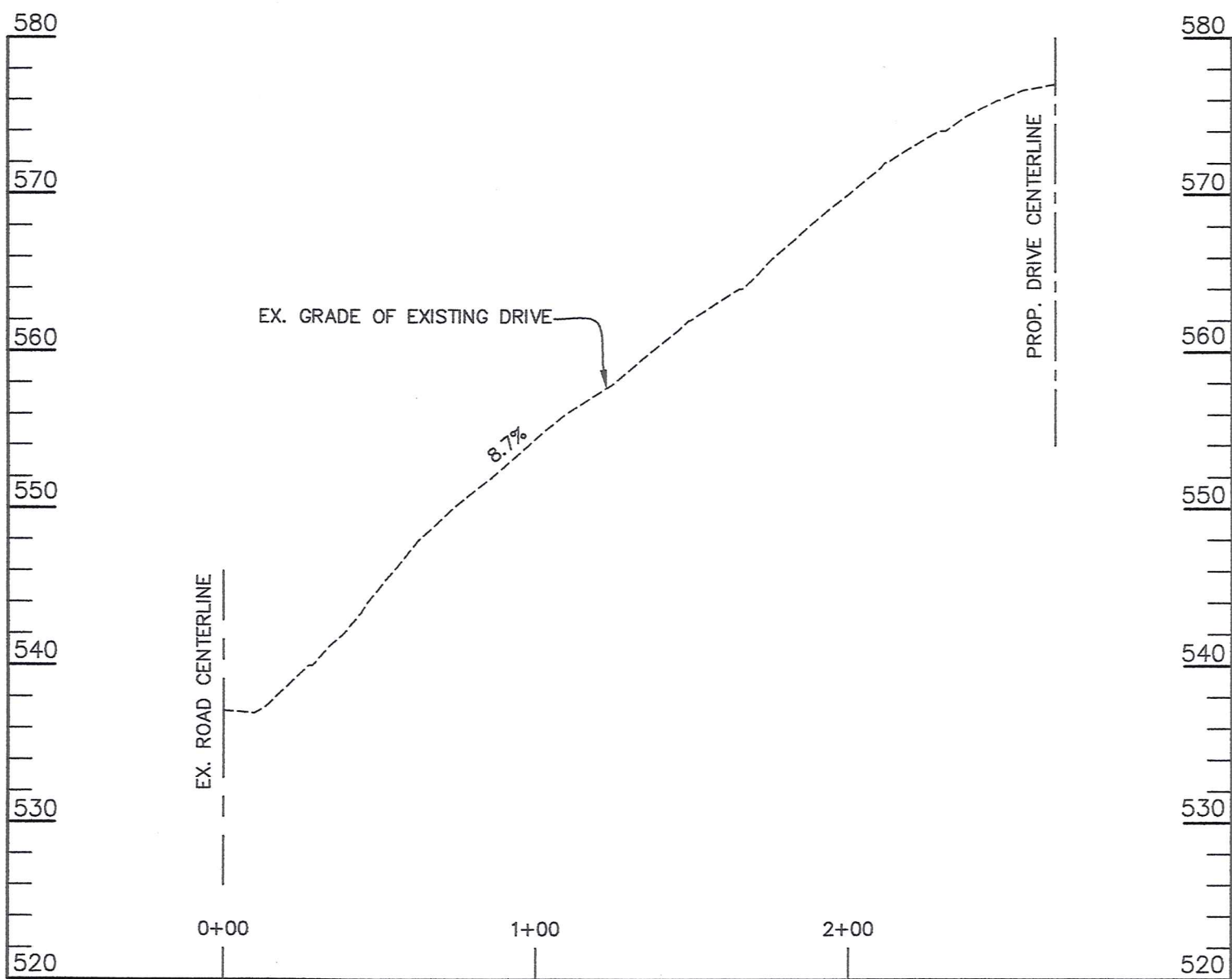
LOT NO.	AREA (AC.)	AREA (S.F.)
2A	3.75	163,546
2B	3.45	150,140

LINE TABLE

LINE	BEARING	LENGTH
FB-4	N46°13'08"W	18.33'
FB-5	N15°31'27"E	37.36'
FB-6	N34°02'45"W	44.65'
FB-7	N13°21'37"E	41.11'
FB-8	N16°39'28"W	68.28'
FB-9	N38°09'26"E	26.71'
FB-10	N51°00'32"W	27.02'
FB-11	N37°12'29"E	33.90'
FB-12	N37°20'00"W	111.30'
FB-13	N13°04'10"W	86.23'
FB-14	N10°28'54"E	31.61'
FB-15	N03°42'20"W	11.60'



N 663,850
(MCS)
E 1,386,450



PANHANDLE DRIVEWAY PROFILE

SCALE: 1"=50' HOR
1"=10' VERT



LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE AGENCY COMMENTS DATED 12/26/07 AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCIES COMMENTS.

LIMITS OF DISTURBANCE
21,461 S.F.± OR 0.49 AC.±

REVISION BLOCK		
DATE	COMMENTS	BY
03/11/08	AS PER 1ST REVIEW COMMENTS	LAI



SITE DATA

GROSS/NET AREA: 7.20 AC±
EXISTING ZONING: 200 SCALE MAP # 41a3
RC-5: 5.31 AC±
RC-4: 1.22 AC± (NON-DENSITY, NON-BUILDABLE)
RC-2: 0.67 AC± (NON-DENSITY, NON-BUILDABLE)

EXISTING USE: RESIDENTIAL

PROPOSED USE: RESIDENTIAL

DENSITY CALCULATIONS:

UNITS PERMITTED:

RC-5: 5.31 AC x 0.5 DU/AC = 2 UNITS
RC-4: 1.22 AC = 0 UNIT
RC-2: 0.67 AC = 0 UNIT

UNITS PROPOSED:

RC-5: 2 UNITS
RC-4: 0 UNITS
RC-2: 0 UNITS

OWNER:

MGA LLC
13215 DOVER ROAD
REISTERSTOWN, MD 21136-5526

PHONE: (410) 316-5128

TAX ACCOUNT NUMBER: 1700013337

TAX MAP NO. 41 GRID 19 PARCEL 119

DEED: 18901/57

CENSUS TRACT: 408301

SCHOOL DISTRICT: FRANKLIN ELEMENTARY SCHOOL

FRANKLIN MIDDLE SCHOOL

FRANKLIN HIGH SCHOOL

PARKING REQUIRED: 2 P.S./LOT x 2 LOTS= 4 P.S.

PARKING PROPOSED: 4 P.S. (9' x 18')

WATER & SEWER DESIGNATIONS: W-7, S-7

SUBWERSHED: NONE

LOCH RAVEN RESERVOIR WATERSHED

GENERAL NOTES

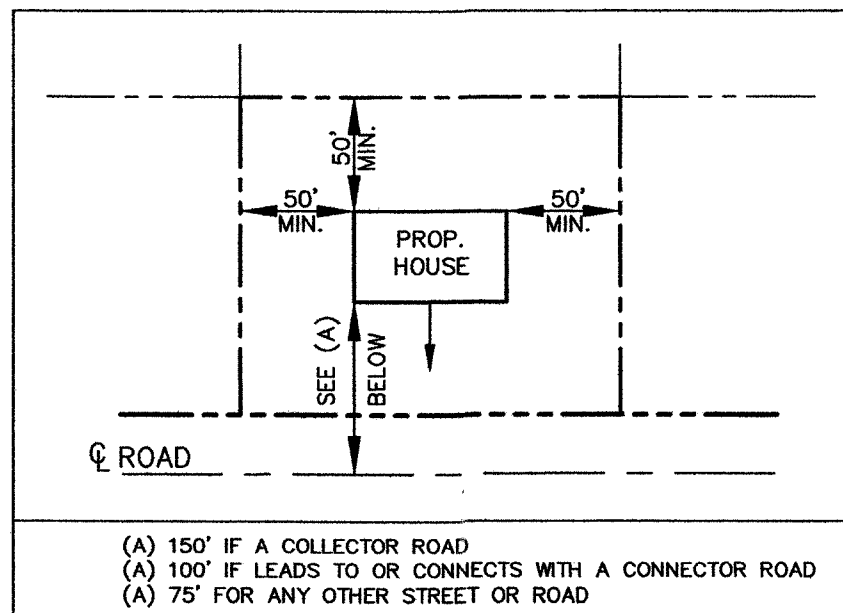
- TOPOGRAPHY SHOWN IS BASED ON BALTIMORE COUNTY GIS TILE 41a3.
- BOUNDARY SHOWN IS BASED ON RECORD PLAT 41/71, JUNE 15, 1977.
- THERE ARE NO KNOWN CRITICAL AREAS, HAZARDOUS WASTE SITES, ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES ON THIS PROPERTY.
- THIS PROPERTY HAS BEEN HELD INTACT SINCE 1977. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
- THIS PROPERTY HAS NO KNOWN PRIOR ZONING CASES.
- THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
- THE SOIL TYPES FOR THIS SITE WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 21.
- THE GRID SYSTEM SHOWN IS BASED ON THE MARYLAND COORDINATE SYSTEM-NAD83(1991).
- THE FOREST CONSERVATION REQUIREMENT WILL BE MET ON SITE.
- PRIVATE DRIVEWAY ENTRANCES SHALL CONFORM WITH BALTIMORE COUNTY STANDARD DETAIL PLATE R-15, FOR TYPICAL DRIVEWAY ENTRANCE FROM ROAD WITHOUT CURB AND GUTTER.
- DOVER ROAD IS DESIGNATED AS A SCENIC ROUTE IN THE BALTIMORE COUNTY MASTER PLAN 2010.
- THE PANHANDLE DRIVEWAY SHALL BE PAVED BY THE BUILDER WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT OR BEFORE THE ISSUANCE OF THE OCCUPANCY PERMIT OF LAST LOT SERVED, WHICHEVER COMES FIRST.
- THE OFFICE OF PLANNING HAS SUBMITTED WRITTEN FINDINGS TO ENSURE COMPLIANCE WITH THE PERFORMANCE STANDARDS LISTED IN SUBSECTION 1A04.4 OF THE BCZR (PER COUNTY COUNCIL BILL 55-2004, EFFECTIVE 6/11/2004). THIS DEVELOPMENT AND ALL PROPOSED DWELLINGS WILL COMPLY WITH SAID OFFICE OF PLANNING WRITTEN FINDINGS AND THE PERFORMANCE STANDARDS AS SHOWN ON THIS PLAN. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER, DEVELOPER, DEVELOPER'S ENGINEER, CONTRACT PURCHASER OR BUILDING PERMIT APPLICANT TO OBTAIN COMPLIANCE CERTIFICATION FROM THE OFFICE OF PLANNING PRIOR TO BUILDING PERMIT APPLICATION AND TO PRESENT THIS CERTIFICATION ON ANY BUILDING PERMIT SITE PLANS/PLOT PLANS.
- THE AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
- PUBLIC WATER AND SEWER ARE NOT AVAILABLE.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

FOREST BUFFER AND FOREST CONSERVATION NOTES

- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST BUFFER AND FOREST CONSERVATION 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.

PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING TO AMEND THE
FINAL DEVELOPMENT PLAN
OF SECTION 2, TUFTON FARMS
HELLER PROPERTY
#13215 DOVER ROAD
RESUBDIVISION OF LOT 2, PLAT 1,
SECTION 2, TUFTON FARMS
PLAT BOOK 41/FOLIO 71
DISTRICT 08c2 BALTIMORE COUNTY, MD
SCALE: 1"=50' APRIL 1, 2008

2008-0476-SPH



TYPICAL BUILDING SETBACKS DETAIL (RC-5)

NOT TO SCALE
MAXIMUM HEIGHT FOR PRINCIPAL STRUCTURES = 35 FEET
NO MORE THAN 15% OF ANY LOT ON AN RC-5 ZONE MAY BE COVERED BY BUILDINGS.

LOT AREA TABLE

LOT NO.	AREA (AC.)	AREA (S.F.)
2A	3.75	163,546
2B	3.45	150,140

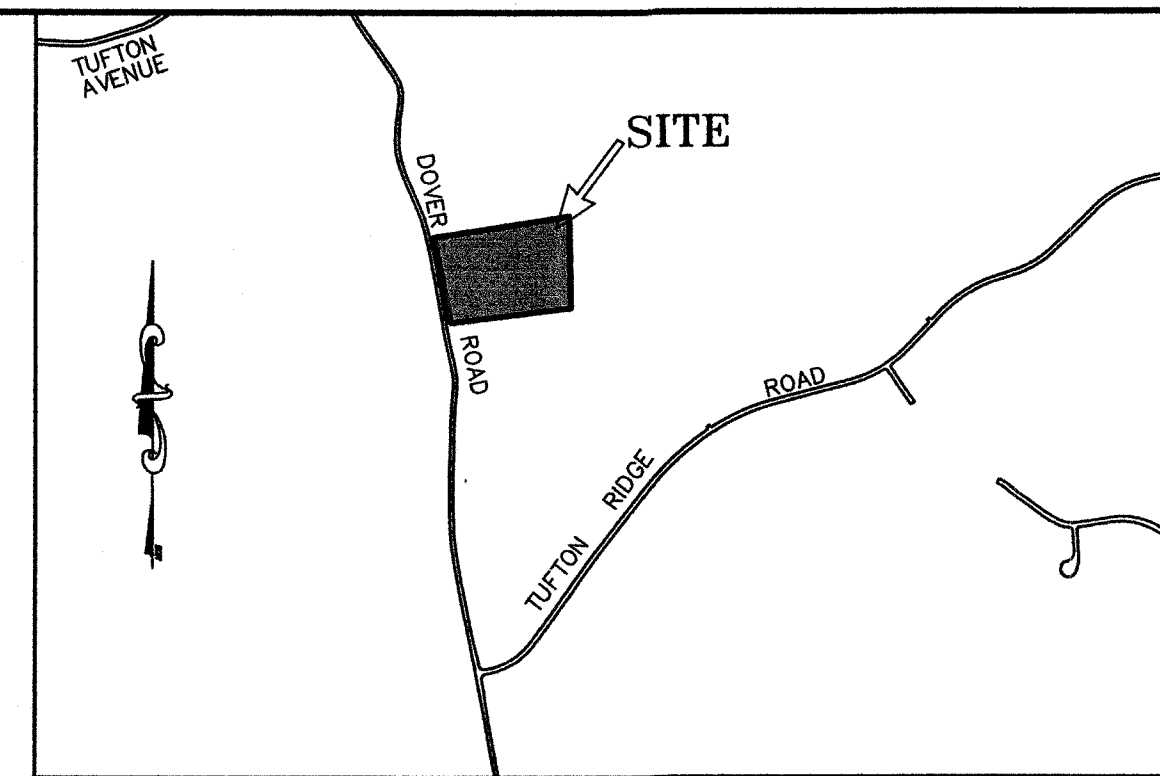
LINE TABLE

LINE	BEARING	LENGTH
FB-4	N46°13'08"W	18.33'
FB-5	N15°31'27"E	37.36'
FB-6	N34°02'45"W	44.65'
FB-7	N13°21'37"E	41.11'
FB-8	N16°39'28"W	66.28'
FB-9	N38°09'26"E	26.71'
FB-10	N51°00'32"W	27.02'
FB-11	N37°12'29"E	33.90'
FB-12	N37°20'00"W	111.30'
FB-13	N13°04'10"W	86.23'
FB-14	N10°28'54"E	31.61'
FB-15	N03°42'20"W	11.60'

LEGEND

- TRACT BOUNDARY
- LIMITS OF DISTURBANCE
- SOILS
- EX WOODS
- WETLANDS
- FLOOD PLAIN
- FOREST BUFFER
- FOREST CONSERVATION
- SANITARY MANHOLE
- STORM DRAIN MANHOLE
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- CLEANOUT
- UTILITY POLE
- PASSED PERC TEST
- 25% OR GREATER SLOPES

N 663.850
E 1.386.450
(MCS)



VICINITY MAP

SCALE: 1" = 1,000'

SITE DATA

GROSS/NET AREA: 7.20 AC±
EXISTING ZONING: 200 SCALE MAP # 4103
RC-5: 5.31 AC±
RC-4: 1.22 AC± (NON-DENSITY, NON-BUILDABLE)
RC-2: 0.67 AC± (NON-DENSITY, NON-BUILDABLE)

EXISTING USE: RESIDENTIAL

PROPOSED USE: RESIDENTIAL

DENSITY CALCULATIONS:

UNITS PERMITTED:

RC-5: 5.31 AC x 0.5 DU/AC = 2 UNITS

RC-4: 1.22 AC = 0 UNIT

RC-2: 0.67 AC = 0 UNIT

UNITS PROPOSED:

RC-5: 2 UNITS

RC-4: 0 UNITS

RC-2: 0 UNITS

OWNER: MGA LLC

13215 DOVER ROAD

REISTERSTOWN, MD 21136-5526

PHONE: (410) 316-5128

TAX ACCOUNT NUMBER: 1700013337

TAX MAP NO. 41 GRID 19 PARCEL 119

DEED: 18601/57

CENSUS TRACT: 408301 REGIONAL PLANNING DISTRICT: 307

SCHOOL DISTRICT: FRANKLIN ELEMENTARY SCHOOL

FRANKLIN MIDDLE SCHOOL

FRANKLIN HIGH SCHOOL

PARKING REQUIRED: 2 P.S./LOT x 2 LOTS = 4 P.S.

PARKING PROPOSED: 4 P.S. (9' x 18')

WATER & SEWER DESIGNATIONS: W-7, S-7

SUBSERVED: NONE

LOCH RAVEN RESERVOIR WATERSHED

GENERAL NOTES

- TOPOGRAPHY SHOWN IS BASED ON BALTIMORE COUNTY GIS TILE 4103.
- BOUNDARY SHOWN IS BASED ON RECORD PLAT 41/71, JUNE 15, 1977.
- THERE ARE NO KNOWN CRITICAL AREAS, HAZARDOUS WASTE SITES, ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES ON THIS PROPERTY.
- THIS PROPERTY HAS BEEN HELD INTACT SINCE 1977. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OF AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
- THIS PROPERTY HAS NO KNOWN PRIOR ZONING CASES.
- THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
- THE SOIL TYPES FOR THIS SITE WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 21.
- THE GRID SYSTEM SHOWN IS BASED ON THE MARYLAND COORDINATE SYSTEM-NAD83(1991).
- THE FOREST CONSERVATION REQUIREMENT WILL BE MET ON SITE.
- PRIVATE DRIVEWAY ENTRANCES SHALL CONFORM WITH BALTIMORE COUNTY STANDARD DETAIL PLATE R-15, FOR TYPICAL DRIVEWAY ENTRANCE FROM ROAD WITHOUT CURB AND GUTTER.
- DOVER ROAD IS DESIGNATED AS A SCENIC ROUTE IN THE BALTIMORE COUNTY MASTER PLAN 2010.
- THE PANHANDLE DRIVEWAY SHALL BE PAVED BY THE BUILDER WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT OR BEFORE THE ISSUANCE OF THE OCCUPANCY PERMIT OF LAST LOT SERVED, WHICHEVER COMES FIRST.
- THE OFFICE OF PLANNING HAS SUBMITTED WRITTEN FINDINGS TO ENSURE COMPLIANCE WITH THE PERFORMANCE STANDARDS LISTED IN SUBSECTION 1A04.4 OF THE BCZR (PER COUNTY COUNCIL BILL 55-2004, EFFECTIVE 6/11/2004). THIS DEVELOPMENT AND ALL PROPOSED DWELLINGS WILL COMPLY WITH SAID OFFICE OF PLANNING WRITTEN FINDINGS AND THE PERFORMANCE STANDARDS AS SHOWN ON THIS PLAN. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER, DEVELOPER'S ENGINEER, CONTRACT PURCHASER OR BUILDING PERMIT APPLICANT TO OBTAIN COMPLIANCE CERTIFICATION FROM THE OFFICE OF PLANNING PRIOR TO BUILDING PERMIT APPLICATION AND TO PRESENT THIS CERTIFICATION ON ANY BUILDING PERMIT SITE PLANS/PLOT PLANS.
- THE AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
- PUBLIC WATER AND SEWER ARE NOT AVAILABLE.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

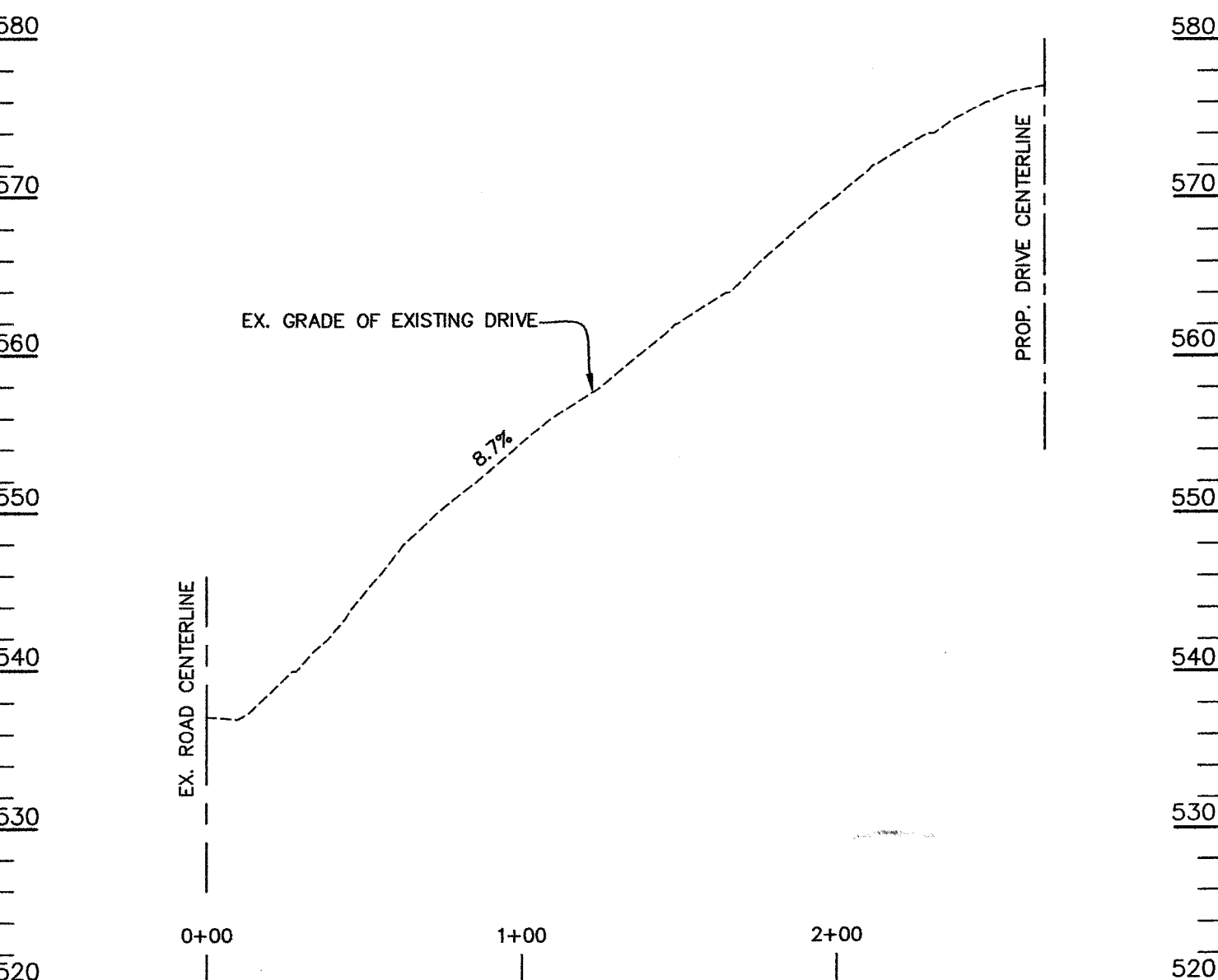
FOREST BUFFER AND FOREST CONSERVATION NOTES

- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST BUFFER AND FOREST CONSERVATION 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.

PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING TO AMEND THE
FINAL DEVELOPMENT PLAN
OF SECTION 2, TUFTON FARMS
HELLER PROPERTY
#13215 DOVER ROAD
RESUBDIVISION OF LOT 2, PLAT 1,
SECTION 2, TUFTON FARMS
PLAT BOOK 41/FOLIO 71

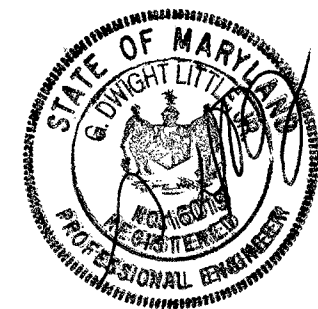
DISTRICT 08c2 BALTIMORE COUNTY, MD
SCALE: 1"=50' APRIL 1, 2008

REVISION BLOCK		
DATE	COMMENTS	BY
03/11/08	AS PER 1ST REVIEW COMMENTS	LA



PANHANDLE DRIVEWAY PROFILE

SCALE: 1"=50' HOR
1"=10' VERT



LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE
THE AGENCY COMMENTS DATED 12/26/07 AND HAVE PREPARED
THIS MINOR SUBDIVISION PLAN PURSUANT TO
THOSE AGENCIES COMMENTS.

LIMITS OF DISTURBANCE
21,461 S.F.± OR 0.49 AC.±

2008-0476-SPH

IN THE MATTER OF
HELLER PROPERTY /PDM 08-063
13215 DOVER ROAD
8TH ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

RE: DECISION OF DIRECTOR OF PDM -
DRC DETERMINATION - MEETS
DEFINITION OF REFINEMENT TO
DEVELOPMENT PLAN UNDER
§ 32-4-106(b)(5)

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. CBA-08-115
*

* * * * *

ORDER OF REMAND

This matter comes before the County Board of Appeals of Baltimore County on appeal filed by J. Carroll Holzer, Esquire, on behalf of Teresa Moore, Valleys Planning Council; Larry & Janice Bortner; Fran & Richard Yeazel; Martin Buckley; John Sophocles; and Don Schline from a decision of the Director of the Department of Permits & Development Management that, based upon the recommendations of the DRC, the Application for Development Plan Refinement met the requirements under § 32-4-106(b)(5) of the *Baltimore County Code*.

This Board convened for public hearing on the scheduled date of November 12, 2008. Arnold Jablon, Esquire, appeared on behalf of the Property Owners /Applicants, Ray and Jane Heller. J. Carroll Holzer, Esquire, appeared on behalf of Appellants. At that time, and for reasons as stated on the record, Counsel for Property Owners /Applicants requested that the matter be remanded to the Director of the Department of Permits & Development Management for further consideration of this matter by the DRC in light of the 2008 Comprehensive Zoning Maps as adopted by the Baltimore County Council. The

Case No. CBA-08-115 /PDM 08-063 /DRC #042108 B
Request for Remand to PDM /DRC

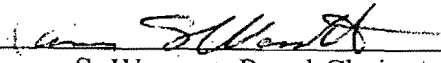
2

Board notes no objection to this request.

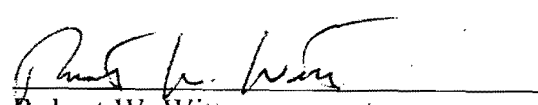
WHEREFORE, upon consideration of said request for remand submitted in open hearing and on the record, and there being no opposition thereto, it is this 17th day of November, 2008, by the County Board of Appeals of Baltimore County

ORDERED that the above captioned case is **REMANDED** to the Director of the Department of Permits & Development Management for further review by the DRC in light of the 2008 Comprehensive Zoning Maps.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, Panel Chairman


Andrew M. Belt

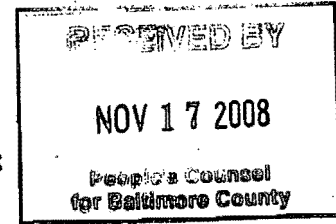

Robert W. Witt



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3160
FAX: 410-887-3182

November 17, 2008



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

Arnold Jablon, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: *In the Matter of: Heller Property* /PDM 08-863 /DRC 042108 B
Case No. CBA-08-115 /Unopposed Request for Remand

Dear Counsel:

Enclosed please find a copy of the Board's Remand Order issued this date in the subject matter.

Very truly yours,

Kathleen Bianco/sc

Kathleen C. Bianco
Administrator

Enclosure

c: Teresa Moore /Valleys Planning Council
Larry & Janice Bortner
Fran & Richard Yeazel
Martin Buckley John Sophocles Don Schline
Ray and Jane Heller
Dwight Little /Little & Associates, Inc.
Chris Hanson, Project Planner /Little & Associates
Office of People's Counsel
Pat Keller, Director /Planning
William J. Wiseman III /Zoning Commissioner
Walt Smith, Development Manager /PDM
Donald T. Rascoe, Deputy Director /PDM
Timothy M. Kotroco, Director /PDM
John E. Beverungen, County Attorney

VENABLE[®]
LLP

ARNOLD JABLON
(410) 494-6298

aejablon@venable.com

8 September 2008

Ms. Kathleen Bianco, Administrator
Board of Appeals
Jefferson Bldg
105 West Chesapeake Ave
2nd Floor, Suite 203
Towson, Maryland 21204

Re: Case No. CBA 08-115
In Re: Heller Property
D/O/H: 11/12/08

Dear Ms. Bianco:

I am in receipt of a copy of Mr. Holzer's letter, dated 2 September 2008, to you in which he requests cancellation of the above captioned hearing date.

Please be advised that I oppose his request. While the subject property was indeed downzoned, my client and I have every reason to believe that the current zoning (RC 5) will remain applicable. We will be prepared to so argue.

Thank you.

Sincerely,



Arnold Jablon

c: J. Carroll Holzer



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204

410-887-3180

FAX 410-887-3182

Hearing Room #2, Jefferson Building
105 W. Chesapeake Avenue, Second Floor
(adjacent to Suite 203)

July 20, 2007

NOTICE OF ASSIGNMENT

CASE #: CBA-08-115

IN THE MATTER OF: "HELLER PROPERTY" PDM 08-063 /DRC #
042108 B 13215 Dover Road 8th E; 2nd C

5/05/2008 – Approval by Director of PDM of Application for Development Plan Refinement under § 32-4-106(b)(5) ["The subdivision of land into three or fewer lots for residential single-family dwellings"] as recommended by the DRC.

ASSIGNED FOR:

WEDNESDAY, NOVEMBER 12, 2008, at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco, Administrator

c: Counsel for Appellants /Protestants
Appellants /Protestants

: J. Carroll Holzer, Esquire
: Teresa Moore /Valleys Planning Council
Larry & Janice Bortner
Fran & Richard Yeazel
Martin Buckley John Sophocles Don Schline

Property Owners
Applicant /Engineer

: Ray and Jane Heller
: Dwight Little /Little & Associates, Inc.
Chris Hanson, Project Planner /Little & Associates

Office of People's Counsel
Pat Keller, Director /Planning
William J. Wiseman III /Zoning Commissioner
Walt Smith, Development Manager /PDM
Donald T. Rascoe, Deputy Director /PDM
Timothy M. Kotroco, Director /PDM
John E. Beverungen, County Attorney

April 16, 2008

HAND DELIVERED

Hon. Timothy Kotroco and Members of the Development Review Committee
111 West Chesapeake Avenue
Towson, MD 21204

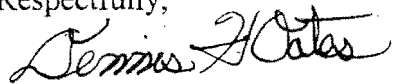
Re: DRC No: 042108B
DRC Meeting Date: April 21, 2008

Ladies and Gentlemen:

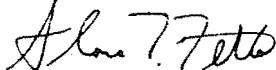
We are the adjoining property owners on both sides of the Heller property and respectfully request the DRC to table the above DRC request for a refinement for the following:

1. The Zoning Commissioner has not approved an Amendment to the Final Development Plan.
2. This issue should be processed as a major subdivision and not as a DRC issue.
3. We believe the October 22 Plan contains incorrect data that is material and that only a public hearing can reveal it.
4. Heller has already attempted to subdivide in the property in October 2007. A respected neighbor informed us that a family from Shaneybrook purchased the listed subdivided lot (13215B Dover Rd.) in October 2007. This was later confirmed.

Respectfully,



Dennis H. Oates
13223 Dover Road
410-584-2633



Alan T. Fell



Carolyn G. Fell
13201 Dover Road
410-584-2616

Engineers Land Planners Surveyors

1055 Taylor Avenue
Suite 307
Towson, MD 21286
Phone: (410) 296 - 1636
Fax: (410) 296 - 1639

March 18, 2008

Mr. Don Rascoe
Baltimore County – PDM
County Office Building - #123
111 West Chesapeake Ave.
Towson, MD 21204

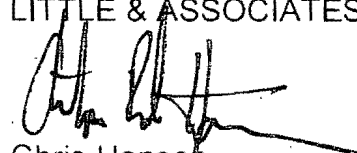
Re: Heller Property
PN 07136A

Dear Mr. Rascoe:

We hereby request approval for a refinement to the Approved Final Development Plan for 'Tufton Farms' Section Two as shown on the enclosed redline and to allow for a Minor Subdivision.

Thank you, in advance, for your consideration to this matter. If you have any questions, or if you require any further information, please do not hesitate to contact our office.

Sincerely,
LITTLE & ASSOCIATES, INC.



Chris Hanson
Project Planner