



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

June 16, 2011

Venable LLP
Attn: Patricia A. Malone
210 W. Pennsylvania Avenue, Suite 500
Towson, MD 21204

RE: Spirit and Intent Confirmation - Run Crossing; PDM # IV-665; case #2010-0022-SPHA;
4th Election District

Dear Mrs. Malone:

Your letter to Arnold Jablon, Director of Permits, Approvals, and Inspections was forwarded to me for reply. Based on the information provided therein, my review of the available zoning files, and discussion with Carl Richards, Zoning Review Supervisor, it has been determined that your request is within the Spirit and Intent of the subject zoning case referenced above. Final approval of the development plan is subject to DRC approval, and compliance with the conditions set forth by the Deputy Zoning Commissioner in the subject case.

In addition, nine lots whose rear yards or portions thereof lie within the ML zone must be identified as "non-buildable", which means decks, sheds, garages, or any structure cannot be built within the ML zone. This restriction must be recorded in the respective lot deeds. The red-lined plan is missing some pertinent information (visitor parking data) which will have to be on the FDP.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely

A handwritten signature in dark ink, appearing to read "Bruno Rudaitis", is written over a horizontal line.

Bruno Rudaitis
Zoning Review Office

cc: Zoning Case File 2010-0022-SPHA
File-Spirit & Intent Letters
File-Verification Letters
File-Run Crossing

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
E side of Pleasant Hill Road; 5 feet E of	*	DEPUTY ZONING
the c/l of Run Crossing Road		
4 th Election District	*	COMMISSIONER
4 th Councilmanic District		
(Pleasant Hill Road)	*	FOR BALTIMORE COUNTY
Pleasant Hill Development	*	
Associates II, LLC		
<i>Petitioner</i>	*	Case No. 2010-0022-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Sidney Emmer, Authorized Agent, on behalf of the legal owner of the subject property, Pleasant Hill Development Associates II, LLC. Petitioner is requesting Special Hearing relief in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- To approve a 20 foot side building face to side building face setback for townhouses in lieu of the 25 feet required by Section 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Division II, Section A, pp. 27-30, of the Comprehensive Manual of Development Policies ("C.M.D.P."); and
- To approve 7 townhouse units in a row in lieu of the maximum 6 units in a row permitted by Section 504.2 of the B.C.Z.R. and Division II, Section A, pp. 27-30, of the C.M.D.P.

Petitioner is also requesting Variance relief from Section 307.1 of the B.C.Z.R. to allow residential uses (townhouses) in the O.T. Zone with a minimum height of 30 feet in lieu of the minimum height of 52 feet required by Section 209.4.E of the B.C.Z.R. The subject property

10-6-09
m

and requested relief are more fully described on the revised site plan¹ that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing as representatives of Petitioner Pleasant Hill Development Associates, II, LLC were Sidney Emmer and Charlie Nass with Sidney Emmer Builders, Inc. Robert A. Hoffman, Esquire and Patricia A. Malone, Esquire appeared as attorneys on behalf of Petitioner. Also appearing in support of the requested relief were David Thaler, professional engineer and land planner, and Stacey McArthur, landscape architect, both with D.S. Thaler & Associates, Inc. Area residents Alan McLeod and James and Kathy Thomas also appeared at the hearing and provided input. There were no Protestants or other interested citizens in attendance.

Testimony and evidence offered revealed that the subject property is located on the east side of Pleasant Hill Road, opposite its intersection with Run Crossing Drive, and is zoned predominantly O.T. (10.2± acres), with a small amount of M.L. zoning (0.06± acres). Petitioner is requesting the aforementioned zoning relief to allow for development of the property with 70 townhouse units as an alternate proposal to the prior approved Run Crossing Development Plan, which reflected development of the property with 110 multi-family units.

Testifying in support of the requested relief was David Thaler, Petitioner's consulting engineer. Mr. Thaler first provided a background of the prior development proposal and explained that in Case No. IV-665 and related zoning Case No. 2006-0571-SPH, the Hearing Officer/Zoning Commissioner, William J. Wiseman, III, approved a development plan to construct 10 multi-family buildings, housing a total of 110 dwelling units. At that time, Special Hearing relief was also granted, confirming that the O.T. Zone permits residential uses by right.

¹ Also identified as the "Alternate Plat to Accompany Zoning Petition."

without specific limitation on density. These approvals are more particularly described on the original Run Crossing Development Plan, which was marked and accepted into evidence as Petitioner's Exhibit 2. In order to respond to changing market conditions, Petitioner now seeks to have an alternate development proposal approved for the property to develop the site with 70 townhouse units instead of the 110 multi-family units previously approved. Petitioner desires the option to proceed either under the plan approved in Case Nos. IV-665 and 2006-0571-SPH or in accordance with this new development proposal.

As Mr. Thaler described, Petitioner is seeking a Modifications of Standards for reduced side building face to side building face setbacks between townhouse units of 20 feet in lieu of the required 25 feet; moreover, for two groupings of townhouses, Petitioner is requesting approval to have seven units in a row in lieu of the maximum permitted six units in row. As indicated in the C.M.D.P., the Zoning Commissioner has the ability to approve these two elements of relief by way of a Modification of Standards. As shown on the revised site plan, the property contains a significant area of environmentally constrained area and/or area reserved for Baltimore County's Recreational Greenway along the eastern side of the site. Additionally, the property is split-zoned, with M.L. zoning on the northwestern corner of the site, preventing placement of any townhouses within this area, as residential uses are not permitted in the M.L. Zone. Hence, the developable area, particularly for residential development, is effectively limited to the interior portion of the site, forcing the clustering of units. Mr. Thaler also explained that the requested relief is internal to the site, and all required setbacks to adjacent properties would be maintained. In his opinion, the unusual configuration of this site justifies the requested special hearing and the granting of the Modifications of Standards.

STAMP RECEIVED FOR FILE

10-16-09

Mr. Thaler next discussed the requested variance relief, which pertains to the height of the proposed townhouses. The O.T. Zone permits residential uses, but the zone contains an unusual requirement regarding the height of such residential uses. Section 209.4.E of the B.C.Z.R. requires that residential uses in the O.T. Zone have a "minimum" height of 52 feet. As Mr. Thaler testified, this height requirement can be explained by looking at the findings and legislative policy of the O.T. Zone, as outlined in Sections 209.1 and 209.2 of the B.C.Z.R. These sections demonstrate an intention by the Baltimore County Council to have properties within designated growth areas -- such as the Owings Mills Growth Area -- and located in close proximity to town centers, be developed with "office, high technology, and high density residential development." The minimum height requirement, therefore, was designed to ensure that residential development on O.T. zoned properties would be "high density."

As Mr. Thaler explained, however, these policies would not be served by requiring Petitioner's strict adherence to the Zone's minimum height requirements, particularly given the context of the site in relation to the surrounding area. To demonstrate this, Mr. Thaler introduced an aerial photograph that was marked and accepted into evidence as Petitioner's Exhibit 3. The subject property is physically removed from the Owings Mills Town Center, which is located nearly 3,000 feet to the southeast. Consequently, the property does not act as the high-density hub that was envisioned when the O.T. Zone was created. Rather, the property serves as a transition area between single-family homes to the north and the higher density commercial and residential development to the south. The aerial photograph illustrates this transition, showing a group of single-family homes just north of the site and uses of increasing intensity moving further south. The Compatibility Report marked and accepted into evidence as

STAMPED FOR FILING
10.6.09
pr

Petitioner's Exhibit 4 provides further insight into the actual development of the surrounding "neighborhood" and will be expounded on below.

As to the requested variances, Mr. Thaler testified that the aforementioned conditions present unique circumstances with regard to the development of the property and strict adherence to the requirements of the B.C.Z.R. would create a practical difficulty for Petitioner given its inability to market the property to date for higher intensity residential uses, such as the multi-family units approved on the Run Crossing Development Plan. Conventional townhouses, which are currently a more marketable option for this property, cannot be practically constructed at a height of 52 feet. Adherence to the B.C.Z.R. in this case would require Petitioner to either artificially increase the height of the proposed townhouses or to proceed with multi-family housing units, which are not as marketable, in order to meet the minimum height requirement. In either case, a strict interpretation of the B.C.Z.R. would lead to a practical hardship for Petitioner. Mr. Thaler also noted that the impacts from this alternate development proposal would be similar to or less than those impacts from the original Run Crossing Development Plan due to the reduced number of units.

Mr. Thaler also provided testimony on the issue of compatibility. In addition to the requirements for granting a special hearing and variance, Baltimore County Code ("B.C.C.") Section 32-4-402 requires that a finding of compatibility be made when approving development in the O.T. Zone. In the prior case, the Hearing Officer found that the original Run Crossing development satisfied these compatibility requirements. Petitioner now is seeking approval of an alternate plan of development, and, therefore, a showing of compatibility must be made for this alternate plan as well. A revised Compatibility Report (Petitioner's Exhibit 4) was prepared by Mr. Thaler's office. At the hearing, Mr. Thaler briefly summarized the report and explained that

16-6-09
m

the proposed development meets each of the compatibility objectives listed in B.C.C. 32-4-402(d). As he did in the prior case, Mr. Thaler testified that this proposed development is compatible with nearby residential developments and reinforces and complements the mixed-use nature of the area as a whole. In its Zoning Advisory Committee comment dated September 9, 2009, having reviewed the report, the Office of Planning made its compatibility recommendations and stated its finding that this alternate development proposal is, in fact, compatible with the surrounding neighborhood.

With the conclusion of the testimony of Mr. Thaler, the community members in attendance were then given the opportunity to voice any concerns they might have with the proposed zoning relief. All three citizens in attendance stated that they were residents of the neighboring community and had participated in the Hearing Officer's Hearing that resulted in the original Run Crossing Development Plan being approved. James and Kathy Thomas stated that they were not opposed to the relief being requested or the alternate development proposal, but instead, had attended the hearing in order to remain involved in the process and understand what was being proposed.

Allan McLeod also attended the hearing. As he explained, at the prior development and zoning hearing for this property, he had voiced concerns regarding traffic conditions in the area and sought answers at that time regarding the completion of the extension of Dolfield Boulevard. When given the opportunity to speak during the zoning hearing, Mr. McLeod repeated those concerns and expressed frustration at the amount of time it has taken for these improvements to be completed. He did acknowledge that the existing problems with traffic are not attributable to the proposed townhouses development, but he believed any traffic generated by this development would only exacerbate the problem. Certainly, these concerns were appropriately

10-6-09
10-6-09
10-6-09

raised by Mr. McLeod during the prior Hearing Officer's Hearing, and I can understand his frustration. However, my authority to address this issue is limited in this case given the nature of the relief being requested in this particular case, which pertains only to zoning requirements. Also, with fewer units being proposed, this development should not result in any greater impacts to traffic conditions than the prior project, which was approved by the County after careful consideration of these concerns as evidenced by the Hearing Officer/Zoning Commissioner's Order in the prior case.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated September 9, 2009 and indicates the Office has met with Petitioner on more than one occasion to work out specific issues regarding the proposed plan. While the plan may not be in its final state at the time of the hearing, the requested special hearing and variance relief do not appear to be impacted by the requested changes that the Planning Office has communicated to Petitioner. Petitioner has agreed to address issues that the Office of Planning has raised. The Office understands that the final revisions may not be made complete until the plan comes before the Development Review Committee (DRC). Nonetheless, Petitioner plans to address the issues. In addition, the Planning Office received a compatibility report on August 19, 2009. The C.M.D.P. and Baltimore County Development Regulations require the Planning Office to make a finding of compatibility. Based on the eight objective found in B.C.C. Section 32-4-402 and an inventory of the surrounding community, the Planning Office finds that this development is compatible with the surrounding area. Comments were also received from the Department of Environmental Protection and Resource Management (DEPRM) dated September 10, 2009 which indicates that the property must comply with the Regulations for the Protection of Water

COPIES RETURNED FOR FILING

10-6-09

Quality, Streams, Wetlands and Floodplains, and must comply with the Forest Conservation Regulations. DEPRM also indicates that the proposed plan is not consistent with the approved preliminary Forest Conservation Plan nor is it consistent with the approved Development Plan. A revised Forest Conservation Plan must be submitted to the Environmental Impact Review (EIR) Division of DEPRM for review and approval.

After due consideration of the testimony and evidence presented, I find that Petitioner has met its burden with regard to the special hearing request to modify the standards of the C.M.D.P. These minor modifications are necessary given the unusual configuration of the lot and the presence of environmentally constrained areas on the eastern side of the property. Based on this, I am persuaded that the Petition for Special Hearing and the associated Modifications of Standards should be granted.

On the issue of the Petition for Variance, having heard the testimony and evidence, I find sufficient justification for the grant of the requested variance as to minimum height. In my judgment, Petitioner has demonstrated that the requirements of Section 307.1 of the B.C.Z.R. are satisfied. Particularly, I find that special circumstances exist based on the property's O.T. zoning -- particularly within the context of the Owings Mills Growth Area, the development of the surrounding properties, and the distance to the Owings Mills Town Center. I also find that a practical difficulty would result if Petitioner were forced to strictly comply with the requirements applicable to the minimum height requirements pertaining to residential uses. For these reasons, the Petition for Variance should also be granted.

Finally, with regard to compatibility, based on my review of the Compatibility Report and consideration of the recommendation of the Office of Planning and Mr. Thaler's testimony on

COPIES RESERVED FOR FILING

10-6-09

the issue, I find that the requirements of B.C.C. Section 32-4-402 have been met, and I will approve the development as being "compatible."

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered, I find that Petitioner's special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of October, 2009 that Petitioner's Special Hearing request in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

- To approve a 20 foot side building face to side building face setback for townhouses in lieu of the 25 feet required by Section 504.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Division II, Section A, pp. 27-30 of the Comprehensive Manual of Development Policies ("C.M.D.P."); and
- To approve 7 townhouses units in a row in lieu of the maximum 6 units in a row permitted by Section 504.2 of the B.C.Z.R. and Division II, Section A, pp. 27-30 of the C.M.D.P.,

be and are hereby **GRANTED**; and

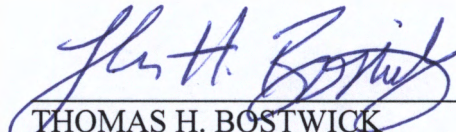
IT IS FURTHER ORDERED that Petitioner's Variance request from Section 307.1 of the B.C.Z.R. to allow residential uses (townhouses) in the O.T. Zone with a minimum height of 30 feet in lieu of the minimum height of 52 feet required by the B.C.Z.R., be and is hereby **GRANTED**.

The relief granted herein is subject to the following conditions:

COPIES RESERVED FOR FILING
10.6.09
M

1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. 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).
3. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
4. A revised Forest Conservation Plan must be submitted to the EIR Division of DEPRM for review and approval.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER REJECTED FOR FILING
10.6.09
[Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

October 6, 2009

ROBERT A. HOFFMAN, ESQUIRE
PATRICIA A. MALONE, ESQUIRE
VENABLE LLP
210 WEST PENNSYLVANIA AVENUE, SUITE 500
TOWSON MD 21204

Re: Petition for Special Hearing and Variance
Case No. 2010-0022-SPHA
Property:

Dear Mr. Hoffman and Ms. Malone:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Sidney Emmer, 1010 St. Georges Road, Baltimore MD 21210
David Thaler and Stacey McArthur, D.S. Thaler & Associates, Inc., 7115 Ambassador Road,
Baltimore MD 21244
Charlie Nass, 1507B Serpentine Drive, Baltimore MD 21209
Alan McLeod, 9683 Ashlyn Circle, Owings Mills MD 21117
James and Kathy Thomas, 11023 Mill Gentre Drive, Owings Mills MD 21117



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at E/S of Pleasant Hill Road, opposite Run Crossing Road
which is presently zoned OT and ML

(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)

See Attached.

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bound 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:

Robert A. Hoffman

Name - Type or Print

Signature

Venable LLP

Company

210 W. Pennsylvania Avenue, Suite 500

Address

Telephone No.

Towson

Maryland

21204

City

State

Zip Code

Legal Owner(s):

See Attached.

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 W. Pennsylvania Avenue, Suite 500

Address

Telephone No.

Towson

Maryland

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No. 2010-6022-SPHA

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By BH

Date 7/17/09

10.6.09

pm

PETITION FOR SPECIAL HEARING

Run Crossing - Pleasant Hill Road

1. Petition for Special Hearing, pursuant to BCZR Section 500.7, to allow a 20 foot side building face to side building face setback for townhouses in lieu of the 25 feet required by BCZR Section 504.2/Division II, Section A, p. 27-30 of the CMDP.

2. Petition for Special Hearing, pursuant to BCZR Section 500.7, to allow 7 townhouse units in a row in lieu of the maximum 6 units in a row permitted by BCZR Section 504.2/Division II, Section A, p. 27-30 of the CMDP.

PETITION FOR SPECIAL HEARING
Run Crossing - Pleasant Hill Road

LEGAL OWNER & PETITIONER:

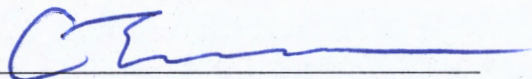
525 Pleasant Hill Road
Owings Mills, Maryland 21117
Tax Map 58, Parcel 355
04-04-16-001-920

609 Pleasant Hill Road
Owings Mills, Maryland 21117
Tax Map 58 Parcel 354
04-04-14-010-600

427 Pleasant Hill Road
Owings Mills, Maryland 21117
Tax Map 58 Parcel 416
04-04-03-002-190

Pleasant Hill Road
Owings Mills, Maryland 21117
Tax Map 58 Parcel 607
04-17-00-008-304

Pleasant Hill Development Associates II, LLC


By: Sidney Emmer, Authorized Agent
1010 St. Georges Road
Baltimore, Maryland 21210
(410) 339-7444



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at E/S of Pleasant Hill Road, opposite Run Crossing Road
which is presently zoned OT and ML

Deed Reference: _____ / _____ Tax Account # _____

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attached.

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

To be determined at the hearing.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print _____

Signature _____

Venable LLP

Company _____

210 W. Pennsylvania Avenue, Suite 500

Address _____ Telephone No. _____

Towson Maryland 21204

City _____ State _____ Zip Code _____

Legal Owner(s):

See Attached.

Name - Type or Print _____

Signature _____

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman

Name _____

210 W. Pennsylvania Avenue, Suite 500

Address _____ Telephone No. _____

Towson Maryland 21204

City _____ State _____ Zip Code _____

Case No. 2010-0022-SPHA

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by BH Date 7/17/09

REV 8/20/07

RECEIVED FOR FILING

10.6.09

PETITION FOR VARIANCE
Run Crossing - Pleasant Hill Road

1. Petition for Variance, pursuant to BCZR 307.1, to allow residential uses (townhouses) in the OT zone with a minimum height of 30 feet in lieu of the minimum height of 52 feet required by BCZR Section 209.4.E.

2010-0022-SPHA

#0022

PETITION FOR VARIANCE
Run Crossing - Pleasant Hill Road

LEGAL OWNER & PETITIONER:

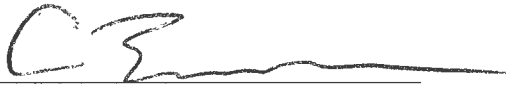
525 Pleasant Hill Road
Owings Mills, Maryland 21117
Tax Map 58, Parcel 355
04-04-16-001-920

609 Pleasant Hill Road
Owings Mills, Maryland 21117
Tax Map 58 Parcel 354
04-04-14-010-600

427 Pleasant Hill Road
Owings Mills, Maryland 21117
Tax Map 58 Parcel 416
04-04-03-002-190

Pleasant Hill Road
Owings Mills, Maryland 21117
Tax Map 58 Parcel 607
04-17-00-008-304

Pleasant Hill Development Associates II, LLC



By: Sidney Emmer, Authorized Agent
1010 St. Georges Road
Baltimore, Maryland 21210
(410) 339-7444

2010-0022-0004

0022

July 2, 2009

ZONING DESCRIPTION

RUN CROSSING

Beginning for the same on the easterly side of Pleasant Hill Road (a 50-foot wide right-of-way), at a point southwesterly approximately five-feet distant from the centerline of Run Crossing Road, (a 50-foot wide right-of-way), thence running the following eight (8) courses and distances:

1. South 79°28'44" East 200.00 feet to a point; thence,
2. North 10°31'16" East 300.00 feet to a point; thence,
3. South 79°28'44" East 391.98 feet to a point; thence,
4. South 34°28'44" East 75.21 feet to a point; thence,
5. South 79°28'44" East 284.97 feet to a point; thence,
6. South 02°34'21" West 569.48 feet to a point; thence,
7. North 73°05'54" West 1,015.16 feet to a point; thence,
8. North 10°31'16" East 204.38 feet to the point of beginning.

Containing 10.6 acres, more or less.

Located in the Fourth Election District and the Fourth Councilmanic District of Baltimore County, Maryland.



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: 2010 - 0022 - SPHA

Petitioner: Pleasant Hill Development Associates II, LLC

Address or Location: EIS of Pleasant Hill Road, opposite Run
Crossing Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore

Address: 210 W. Pennsylvania Avenue
Suite 500

Bowson MD 21204

Telephone Number: (410) 494-6200

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. _____

Date: _____

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
				Obj	Sub Obj				

Total: _____

Rec
rom: _____

For: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**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: # 2010-0022-SPHA

Pleasant Hill Road

E/side of Pleasant Hill Road, 5 ft. east of the centerline of Run Crossing Road

4th Election District — 4th Councilmanic District

Legal Owner(s): Pleasant Hill Development Associates, II, LLC

Special Hearing: to allow a 20-foot side building face to side building face setback for townhouses, in lieu of the 25 feet required by the BCZR. To allow 7 townhouse units in a row in lieu of the maximum 6 units in a row permitted by BCZR. **Variance:** to allow residential uses (townhouses) in the OT zone with a minimum height of 30 feet in lieu of the minimum height of 52 feet required by the BCZR.

Hearing: Monday, September 14, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 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.

8/392 August 27

209523

CERTIFICATE OF PUBLICATION

8/27/ 2009

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 8/27/ 2009.

- ☒ 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: 210-0022-SPHA.

Petitioner/Developer:_____

Pleasant Hill Development Associates, 111, LLC

Date of Hearing/closing: September 14, 2009

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

Attn; Kristin Matthews;

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, Pleasant Hill Road E/side of Pleasant Hill Road, 5ft east of the centerline of Run Crossing Road

The sign(s) were posted on August 29, 2019
(Month, Day, Year)

Sincerely,

Robert Wack August 31, 2009
(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)

ZONING NOTICE

CASE # 2010-0022-SPHA

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

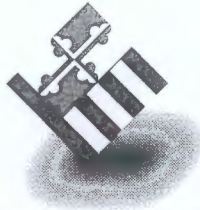
PLACE: Room 104 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE.
TOWSON, MD 21204

DATE AND TIME: MONDAY, SEPTEMBER 14, 2009 AT 9:00 A.M.

REQUEST: SPECIAL HEARING TO ALLOW A 20-FOOT SIDE BUILD-
ING FACE TO SIDE BUILDING FACE SETBACK FOR TOWNHOUSES IN
LIEU OF THE 25 FEET REQUIRED BY THE BCZR. TO ALLOW 7
TOWNHOUSE UNITS IN A ROW IN LIEU OF THE MAXIMUM 6 UNITS IN
A ROW PERMITTED BY BCZR. VARIANCE TO ALLOW RESIDENTIAL USES
(TOWNHOUSES) IN THE OT ZONE WITH A MINIMUM HEIGHT OF 30 FEET
IN LIEU OF THE MINIMUM HEIGHT OF 52 FEET REQUIRED BY THE
BCZR.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 887-3191

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



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development
August 18, 2009

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: 2010-0022-SPHA

Pleasant Hill Road

E/side of Pleasant Hill Road, 5 ft. east of the centerline of Run Crossing Road

4th Election District – 4th Councilmanic District

Legal Owners: Pleasant Hill Development Associates, II, LLC

Special Hearing to allow a 20-foot side building face to side building face setback for townhouses in lieu of the 25 feet required by the BCZR. To allow 7 townhouse units in a row in lieu of the maximum 6 units in a row permitted by BCZR. Variance to allow residential uses (townhouses) in the OT zone with a minimum height of 30 feet in lieu of the minimum height of 52 feet required by the BCZR.

Hearing: Monday, September 14, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, 210 W. Pennsylvania Ave., Ste. 500, Towson 21204
Sidney Emmer, 1010 St. Georges Road, Baltimore 21210

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 29, 2009.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 27, 2009 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

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: 2010-0022-SPHA

Pleasant Hill Road

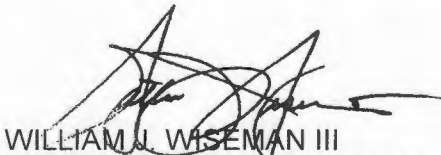
E/side of Pleasant Hill Road, 5 ft. east of the centerline of Run Crossing Road

4th Election District – 4th Councilmanic District

Legal Owners: Pleasant Hill Development Associates, II, LLC

Special Hearing to allow a 20-foot side building face to side building face setback for townhouses in lieu of the 25 feet required by the BCZR. To allow 7 townhouse units in a row in lieu of the maximum 6 units in a row permitted by BCZR. Variance to allow residential uses (townhouses) in the OT zone with a minimum height of 30 feet in lieu of the minimum height of 52 feet required by the BCZR.

Hearing: Monday, September 14, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 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

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

September 10, 2009

Robert A. Hoffman
Venable, LLP
210 W. Pennsylvania Ave. Ste. 500
Towson, MD 21204

Dear: Robert A. Hoffman

RE: Case Number 2010-0022-SPHA, E/S of Pleasant Hill, opposite Run Crossing Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 17, 2009. 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:lnw

Enclosures

c: People's Counsel
Sidney Emmer; 1010 St. Georges Rd.; Baltimore, MD 21210

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TB
9-14-09

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

DATE: September 9, 2009

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

SUBJECT: E/side of Pleasant Hill Road opposite Run Crossing Road

RECEIVED

INFORMATION:

Item Number: 10-022

SEP 10 2009

Petitioner: Pleasant Hill Development Associates II, LLC

Zoning: OT and ML

ZONING COMMISSIONER

Requested Action: Variance and Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Office has had the opportunity to meet with the petitioner on more than one occasion to work out specific issues regarding the proposed plan. While the plan may not be in its final state at the time of the subject hearing, the requested Special Hearing and Variance relief does not appear to be impacted by the requested changes that The Office of Planning has communicated to the petitioner. The petitioner has agreed to address the following issues that the Office of Planning has raised. This office understands that final revisions may not be made complete until the plan comes before the Development Review Committee (DRC); nonetheless the petitioner plans to address the issues. Should the Zoning Commissioner deem it is appropriate to make the resolution of the following outstanding issues a condition of approval, the Office of Planning would not oppose:

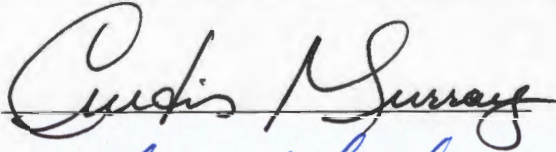
1. The proposed entrance to the site should be upgraded. A bifurcation is preferred, as was shown on the previously approved development plan.
2. Open space should be usable and centrally located within the site. Revise the plan to provide for such a condition.
3. Units 7-11 should be redesigned to allow for open space. The rear to side relationship between proposed units 10,11 and 12 is too close. Removal of those units should be considered.
4. The following units shall have up-graded side façade treatments: the end units of the group starting with unit 1 as well as units 12, 50, 57, 58, 65, and 70.
5. Provide a revised school impact analysis based on the reduced number of units.
6. Show lead walks that provide access to the individual units or show a typical of such.
7. Quantify the "up-graded" side façade treatments referenced on page 6 of the pattern book associated with the subject project.

8. Revise the note on page 8 of the pattern book associated with subject project to read, "The elevations contained herein are projections and guidelines and may be modified. It is intended that this development will be constructed in a manner consistent with the representations herein, while recognizing that slight modifications may be required as the project evolves to final design. The Office of Planning shall have discretion to administratively approve non-material modifications to the pattern book."
9. Label all exterior building materials and provide a ratio of brick vs. siding units. All end units shall have a full gable on the front façade. Additionally, label the building materials for any entrance signage.
10. Provide an unobstructed view of a proposed side elevation.
11. Provide a typical deck elevation for the rear of the proposed town homes.

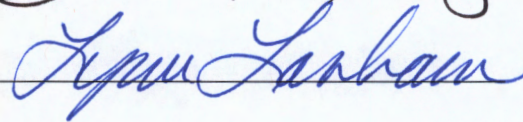
This office received a compatibility report on August 19, 2009. The CMDP and Baltimore County Development Regulations require the Office of Planning to make a finding of compatibility. Based on the eight objectives found in section 32-4-402 of the Baltimore County Code and an inventory of the surrounding community the Office of Planning finds that this development is compatible with surrounding area.

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

Prepared by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 7, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For August 3, 2009
Item Nos. 2010-015, 020, 022, 023, 024
and 025

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08032009-NO COMMENTS.doc

TB
9-14-09

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 10 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 10, 2009

SUBJECT: Zoning Item # 10-022-SPHA
Address Run Crossing
(Pleasant Hill Development Associates II, LLC)

Zoning Advisory Committee Meeting of July 27, 2009

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).

Additional Comments:

1. The proposed plan is not consistent with the approved preliminary Forest Conservation Plan nor is it consistent with the approved Development Plan. A revised Forest Conservation Plan must be submitted to EIR for review and approval.

Reviewer: J. Russo

Date: 8/17/09

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
Pleasant Hill Road; E/s of Pleasant Hill Rd, * ZONING COMMISSIONER
5' E of c/line of Run Crossing Road *
4th Election & 4th Councilmanic Districts * FOR
Legal Owner(s): Pleasant Hill Development *
Associates, II, LLC * BALTIMORE COUNTY
Petitioner(s) *
2010-022-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

AUG 05 2009

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 2009, a copy of the foregoing Entry of Appearance was mailed to Robert A Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TIMELINE OF APPROVALS

November, 2005	Run Crossing Concept Plan filed
December 19, 2005	Concept Plan Conference
January 24, 2006	Community Input Meeting
May, 2006	Development Plan filed (proposing 10 multi-family buildings containing 110 dwelling units)
May 9, 2006	Petition for Special Hearing filed requesting approval to allow residential uses in the OT zone (06-571-SPH)
May 31, 2006	Development Plan Conference
July 20, 2006	Hearing Officer's Hearing held
August 11, 2006	Hearing Officer's Order issued, approving Development Plan and Petition for Special Hearing
September 5, 2006	Development Plan signed by County
September 7, 2006	Letter filed appealing <u>zoning relief only</u>

May 8, 2007	DRC request filed requesting refinement to approved Development Plan (proposing 6 multi-family buildings with 216 dwelling units)
May 19, 2007	Petition for Special Hearing filed to request approval for residential uses in the OT zone (6 buildings with 216 dwelling units); Petition for Variance filed to approve reduced setbacks
May 30, 2007	DPC for revised plan
June 5, 2007	Letter filed appealing the initial Development Plan approval (in addition to the zoning relief) (In a June 6, 2007 email, Walt Smith explains that the County is permitting the late filing of the appeal because it was the intention of the community to appeal everything in September, 2006.)
June 7, 2007	DRC issues letter approving the proposed revisions as a <u>material change</u>
June 21, 2007	Hearing Officer's Hearing is scheduled to occur on this date for material amendment; it's apparent that the <u>hearing never took place</u>
July 11, 2007	Letter filed withdrawing the appeals of the original Development Plan and zoning relief
July 27, 2007	Board of Appeals issues order dismissing both of the community's appeals following the original Plan and zoning relief approvals.

CASE NAME _____
CASE NUMBER 2010-0022-SPNA
DATE 9-19-09

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]



GREENWAY RESERVATION

NOTE: THE GREENWAY LOCATIONS SHOWN ARE
AS PER THE BALTIMORE COUNTY 2005
TAX MAP #57, 58, 66, & 67

EXHIBIT 3 THE OWINGS MILLS GREENWAY SYSTEM RUN CROSSING

PREPARED BY:
D.S. THALER & ASSOC., INC.
7115 AMBASSADOR RD.
BALTIMORE, MD 21244 410-944-3647

D.S. THALER & ASSOCIATES, INC.

7115 AMBASSADOR ROAD, P.O. BOX 47428, BALTIMORE, MARYLAND 21244-7428
(410) 944-ENGR (410) 944-3647 FAX (410) 944-3684

TO: OFFICE OF PLANNING
BALTIMORE COUNTY, MARYLAND
105 W. CHESAPEAKE AVE, SUITE 101
TOWSON, MD 21204
ATTN: CURTIS MURRAY

DATE: 8.18.09
RE: RUN CROSSING
DST&A PN: 2912B
PDM #: IV-665

- | | |
|--|--|
| ☐ We are submitting | ☒ Herewith |
| ☐ We are forwarding | ☐ Regular U.S. Mail |
| ☐ We are returning | ☒ Hand Delivered |
| ☐ We request | ☐ Federal Express/Courier Service |

NO.	DESCRIPTION
1	PATTERN BOOK (AUGUST 2009)
1	REVISED COMPATIBILITY REPORT

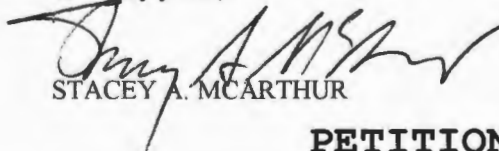
Remarks: THE SPECIAL HEARING IS SCHEDULED FOR 9.14.09 @ 9:00 AM
(CASE #2010-0022-SPHA)

- | | |
|---|---|
| ☒ Per your request | ☒ For your use |
| ☐ For your review | ☐ Please call when ready |
| ☐ For processing | ☐ Please return to this office |
| ☐ Plans reviewed and accepted | ☐ Approval requested |
| ☐ Plans reviewed and accepted as noted | ☐ Conference requested at your convenience |
| ☐ For revision by you | ☐ |

For further information, please contact the writer at this office

Enclosure ☒ C. NASS
cc: file ☒ PATSY MALONE, ESQ.
cc: Client ☒ DAVID A. HAMIL, PE
DAVID S. THALER, PE, LS

Sincerely yours,


STACEY A. MCARTHUR

PETITIONER'S

EXHIBIT NO. 4



**Division II
Section A**

RESIDENTIAL STANDARDS

Introduction	10
Permitted Densities in Density Residential	11
Single Family Detached, Semi-Detached and Duplexes	12
Panhandle Lots	15
Alternate Housing Lot Types	17
Zero/Zipper Housing	
Traditional Housing	
Reverse Frontage and Corner Lots	22
Residential Transition Areas (RTAs)	23
Single Family Attached	27
Multi-Family Buildings	31
Private Yard Areas	33
Residential Development in Non-Residential Zones	34
Non-Residential Principal Buildings in DR Zones	35
Summary of Setback and Height Requirements	36
Blanket Variances	38

IN RE: DEVELOPMENT PLAN HEARING and	*	BEFORE THE
PETITION FOR SPECIAL HEARING	*	ZONING COMMISSIONER
E/S Pleasant Hill Road,	*	FOR
Opposite Run Crossing Road	*	BALTIMORE COUNTY
(Run Crossing)	*	Case Nos. IV-665 &
4 th Election District	*	06-571-SPH
4 th Council District	*	
 Alexander Kromm, Klara Kromm,	*	
Daniel Schuster, Jean Schuster, Kenneth	*	
Mays, Mary Mays, <i>Legal Owners</i>	*	
 Sidney Emmer Builders, Inc.,	*	
<i>Contract Purchaser and Developer</i>	*	
 * * * * *		

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before the Hearing Officer/Zoning Commissioner of Baltimore County for a combined public hearing, pursuant to Section 32-4-230 of the Baltimore County Code (B.C.C.), for development plan approval and approval of a Petition for Special Hearing filed by Sidney Emmer Builders, Inc., Contract Purchaser and Developer ("Developer"). The subject property is located on the east side of Pleasant Hill Road, opposite its intersection with Run Crossing Drive, and is zoned predominantly OT (10.2± acres) with a small amount of ML zoning (.06± acres). On this site, Developer proposes to construct ten multi-family residential buildings with a total of 110 units.

In addition to development plan approval, Developer filed a Petition for Special Hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) requesting approval for the proposed residential buildings in the OT zone. The proposed development and requested zoning relief are more particularly described on the red-lined

Case No.: 2010-0027-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	revised site plan	
No. 2	previously approved HOA site plan + Order	
No. 3	aerial photo	
No. 4	completeness report	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



RUN CROSSING

NEIGHBORHOOD AERIAL PHOTO

D. S. THALER & ASSOC., INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD
P.O. BOX 41426
BALTIMORE, MARYLAND 21244-7426
(410) 444-ENGR (410) 444-3647

SURVEYORS
LAND PLANNERS

NORTH
SCALE: 1"=300'
DATE: APRIL, 2006
FILE NO.

PETITIONER'S
EXHIBIT NO. 3

SCALE: 1"=300'
DATE: APRIL, 2006
FILE NO.

Exhibit\Neighborhood-MAP.dwg Layout Layout1 Sep 11, 2009-2:34pm SAM



SCALE: 1"=300'
NORTH

RUN CROSSING

NEIGHBORHOOD AERIAL PHOTO

D. S. THALER & ASSOC., INC.

CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
1115 AMBASSADOR ROAD
P.O. BOX 41428
BALTIMORE, MARYLAND 21244-1428
(410) 944-ENGR (410) 944-3647

SURVEYORS
LAND PLANNERS

DT&A

DESIGNED BY: R.C.
CHECKED BY: J.C.
JOB NUMBER: 029129

SCALE: 1"=300'
DATE: August 2004
SHEET 1 OF 1
FILE NO.

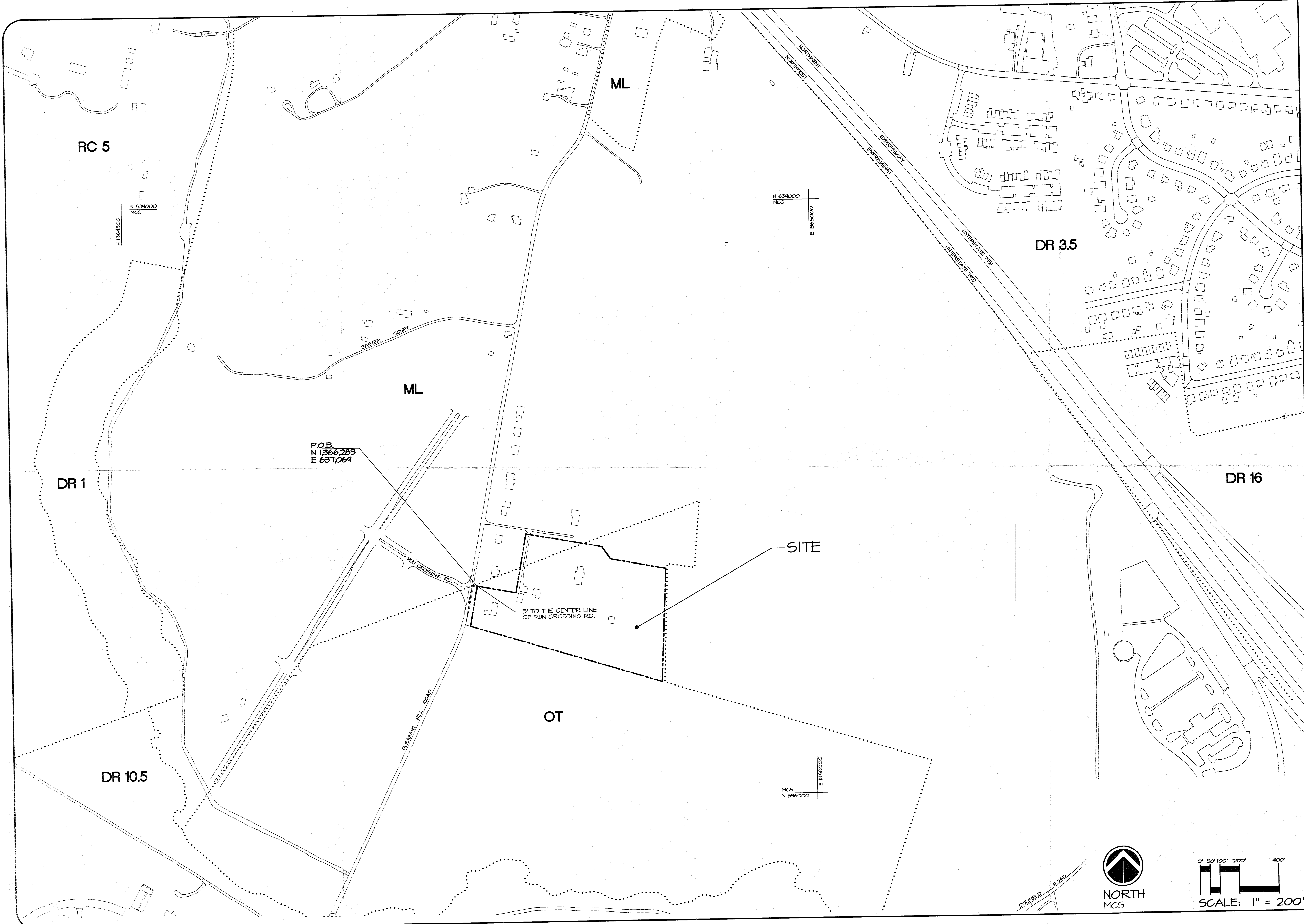
200 SCALE BALTIMORE COUNTY ZONING MAP
TO ACCOMPANY ZONING PETITION

GIS TILES: 05Tc3, 058d3, 066c1, 067a1

RUN CROSSING

DATE: JULY, 2009
SCALE: 1"=200'
C.I.:
PROJ. NO.: 029125
SHEET 1 OF 1

File Name: Run Crossing.dwg Planning [E:\Projects\200 Scale Zoning Map Layout\Layout1 Jul 07, 2009 - 10:58m LRD



#20022

GENERAL NOTES

1. DEVELOPMENT NAME: RUN CROSSING

2. DEVELOPER:
SIDNEY EMMER BUILDERS
1801 FALLS RD.
BALTIMORE, MD 21286
410-685-5200

3. OWNERS & PROPERTY REFERENCES:

OWNER	ADDRESS	TAX ACCOUNT #	TAX MAP, #GRID	PARCEL	LOT	DEED	HELD SINCE	ADC MAP
ALEXANDER & KLARA KROHM	604 PLEASANT HILL RD. OWINGS HILLS, MD 21111-3217	0414010600	58, 14	354	10, II	5394/45	1965	
DANIEL & JEAN SCHUSTER	16225 DARK HOLLOW RD. UPPERCO, MD 21085-4356	0416001920	58, 14	355	-	6562/784	1960	MAP 24 Grid C44D4
KENNETH & MARY MAYS	51 JOHN OWINGS RD. WESTMINSTER, MD 21158	0403002190	58, 14	416	-	1084/206	1960	
		1100008304	58, 14	607	-	5615/643	1958	

4. PLAN PREPARED BY:

D.S. Thaler & Associates, Inc.
1115 AMBASSADOR ROAD
P.O. Box 47428
BALTIMORE, MARYLAND 21244
ATTN: Sidney A. McArthur, P.L.A.
(410) 444-3647

5. PROPERTY INFORMATION:

Boundary: Little & Associates, Inc., September 2005.

Topography: D.S. Thaler & Associates, Inc., March 2006. (On-Site)

Utilities: Baltimore County Key Map (T-54) Baltimore County Design Drawings as noted.

Zoning: Baltimore County, 200 Scale 2004 Zoning Map, 615 Title Nos., C5T C5, C5B A5, C66 C1, C67 A1

Soils: Baltimore County - 615 Digital Soil data & U.S.D.A. Baltimore County Soil Survey Manual (Map 26)

Floodplain: There is no Riverine Floodplain on site. FEMA panel 12400002220B, FEMA map Flood Zone designation 'C'

Wetlands: Exploration Research, Inc., November 2005.

Delineation: Approved by DEPRM, January 23, 2006. There are no wetlands on site.

Slope Slopes & Erosion: Exploration Research, Inc., November 2005.

Analysis: Approved by DEPRM, June 4, 2006.

Forest Stand Delineation: Exploration Research, Inc., November 2005.

Forest Conservation: D.S. Thaler & Associates, Inc., November 2005.

Forest Buffer: D.S. Thaler & Associates, Inc., November 2005.

Variance & Alternative Analysis: Approved by DEPRM June 15, 2006.

6. GENERAL INFORMATION:

Election District: 4

Census Tract: 4041

Councilmatic District: 4th

Watershed: 64YNN5 FALLS

Regional Planning District: 306B

SCHOOL INFORMATION:

School Calendar: 2009-2006

State Rated Capacity (SBC)

Actual Enrollment (AE)

Projected # of pupils for 2009

Projected # of pupils for 2010

Total Projected Enrollment

Capacity (New)

Projected # of pupils as a percentage of SBC

New Town Elementary

New Park Magnet Middle

New Town High

* PER BALTIMORE COUNTY, MARYLAND, 2005-2006 ENROLLMENT DATA, DATED JULY 31, 2006

7. SITE DATA:

A. Acreage:

Gross = 10.8 Ac±

Net = 10.6 Ac±

B. Existing Zoning: OT & ML

C. Density Calculations

Zone

Total Ac±

Units Allowed

FAR Allowed

Units Proposed

ML

OT

TOTAL

110 CONDOMINIUM UNITS

D. Parking

Required: 2 spaces per unit (110 x 2) = 220 spaces

+ GUEST PARKING (220 x 30%) = 66 spaces

TOTAL = 286 spaces

Proposed: surface parking = 220 spaces

garage and driveway = 241 spaces

TOTAL = 241 spaces

E. Open Space:

"All Open Space shall be in compliance with the Local Open Space Manual, Latest Edition."

Open Space Required: 11,500 sq± Active and 38,500 sq± Passive

(or a combination thereof as specified in Section III.D.3.)

(The minimum area devoted to Amenity Open Space is calculated based on 25% of net lot area or 10.2 Ac± (OT) x 0.25 = 2.6 Acres±)

Open Space Provided: 0 sq±

Open Space requirement is satisfied by the provision of 148,751 sq± of C&A Amenity Open Space as allowed in Section III.D.4.

The design, construction and installation of all amenities as shown on the development plan shall be the responsibility of the developer. These amenities shall be constructed concurrently with the roads and sidewalks.

The open space shall be owned and maintained by the Condominium Association (COA). A declaration of covenants and restrictions governing the existence and maintenance of the open space is hereby submitted to and approved by this Office prior to the recordation of the plans, see Section V.I.2.2.

Red Run is a Master Plan designated Recreational Greenway. A Recreational Greenway Reservation to the limits of the 100 year Floodplain or the natural forest buffer, whichever is greater, shall be dedicated to Baltimore County.

Within the area shown as Baltimore County Recreational Greenway Reservation, permitted uses shall include public access for hiking, bicycling, fishing, nature/environmental studies, and Baltimore County supervised trail improvements and maintenance, subject to approval by the Department of Environmental Protection and Resource Management.

F. Landscape requirements as specified in the Baltimore County Landscape Manual, adopted August 1, 2000, and as amended.

Note: Schematic Landscape Plan shown is preliminary in nature and is to show compliance with the Baltimore County Landscape Manual.

The Schematic Landscape Plan is subject to a Final Landscape Plan.

The Final Landscape Plan shall be at 30 scale or greater.

1 Planting Unit (P.U.)

1 major deciduous tree (2-2 1/2" cal.) or

2 minor deciduous trees (1-1 1/2" cal.) or

2 evergreen trees (6" ht.) or

5 shrubs or

class A: 24-30" ht.

class B: 18" ht.

500 S.F. of ground cover or

10 herbaceous/perennial (1 gal./yr)

20 herbaceous/perennial (1 quart)

*To meet Class D screening requirements only.

LANDSCAPE REQUIREMENTS

REQUIRED

PROPOSED

STREET FRONTAGE (Condition A)

Interior Roads at PU20 LF.

Adjacent Roads at PU40 LF.

STORMWATER MANAGEMENT (Condition I)

1 PU15 LF

RETAINING WALL 15' (Condition J)

1 PU15 LF

TOTAL

208.9 PU±

208.9 PU±

*Credit may be applied for at time of Final Landscape plan submittal.

6. Special Hearing Case R06-571-SPH to allow residential units in an OT zone.

6. UTILITIES:

Utilities shall be private unless noted otherwise.

4. USE:

Existing use: Residential

Proposed use: Residential

10. AVERAGE DAILY TRIPS (ADTS):

Average daily trips as calculated from the Baltimore County Comprehensive Manual of Development Policy

110 Units @ 6.5 ADT/Unit-TIS ADTS

11. STORMWATER MANAGEMENT:

Stormwater management will conform to Baltimore County Standards and the 2000 Maryland Stormwater Management Design Manual

Stormwater management facilities will be privately owned and maintained.

Preliminary hydrology computations have been provided with the filing of the Development Plan.

The Hydrology Report verifies that the outfall is suitable based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

Grading shown is schematic only.

12. GRADINGS:

Existing vegetation will be retained in areas not needed for construction or grading. Existing vegetation consists of forest and lawn.

13. VEGETATION:

Proposed sight lines are shown on the plan and will be cleared and graded and kept permanently clear to ensure unobstructed sight at all times.

14. SIGHT LINES:

There are no known underground storage tank(s) on site.

15. STORAGE TANKS:

Existing septic areas shall be field located, pumped and backfilled by a licensed septic contractor prior to Record Plat approval. Existing wells must be properly backfilled by a licensed contractor prior to Record Plat approval.

16. LIGHTING:

Proposed lighting is shown as A.

Lighting is schematic and subject to change.

17. ENVIRONMENTAL:

There are no known critical areas, archaeological sites, endangered species, or hazardous materials on the site.

*As known to the applicant, location and description of hazardous materials as defined by Section 1-101 of the Environmental Article of the annotated Code of Maryland, as from time to time amended.

*Any 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.

*There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Conservation Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management.

*Any 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.

*There shall be no clearing, grading, construction or disturbances of vegetation in the Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Resource Management.

A Hydrogeological Report and an Environmental Effects Report has been filed concurrently with this Development Plan.

This site does not lie within the limits of the Chesapeake Bay Critical Area. No additional information is requested by the Department of Environmental Protection and Resource Management to determine compliance with the Critical Area Local Protection Program pursuant to Section 39-2-202(a).

20. ZONING HISTORY:

No zoning history was found on file.

This property as shown on the plan has been held intact since (see note #3) according to deed.

No known part of this property as shown on the plan has been utilized, recorded or represented as density or area to support any off site dwellings.

18. Future signs shall conform to BCZR Section 450 and all zoning policies.

20. Maximum building height allowed:

ML: Unlimited height, except abutting a residence or business zone, then 40' (or 3 stories), if any part of the building is within 100 feet of the boundary line of residence or business zone.

OT: 150' height located within 3000' of a town center;

60' height beyond 3000'

21. Soil and Slope Mitigation Measures:

The developer shall do the following in those areas where severe or moderate soil limitations are indicated and/or steep slopes occur:

a. In areas that grading plans consider protection of these areas from increase in run-off, this may include draining roof down spouts and drains into storm drains.

b. Stabilization of disturbed areas in accordance with approved sediment control practices.

c. Consider geotechnical assistance with on-site inspectors as appropriate.

22. According to the Maryland Transit Administration Regional Transportation System map (www.mta.com), the nearest MTA service to this site is located at the Owings Mills Town Center (M-Line M) and at the intersection of Red Run Blvd. & Painters Mill Road (M-Line M1)

The GIM was held on January 24, 2006. The minutes which identify all comments can be found in FPM File #C4-665, on file in Room 128 of the Baltimore County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204.

24. There are no known limitations established by the Courts, County Board of Appeals, Planning Board or Zoning Commissioner which would limit proposed development on site.

25. There are no buildings, properties or sites within or contiguous to the proposed development included on the Maryland State Historic Properties, Baltimore County Preliminary or Final Landmarks List, the National Register of Historic Places, the Maryland Archaeological Survey, or any Baltimore County Historic District or National Register Historic District covering the proposed development, per Mr. John McGowan, Baltimore County Planning Office 10/22/06.

26. "There are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated" per Mr. Lori Dyma, Environmental Review Coordinator, Wildlife Heritage Service, Maryland Department of Natural Resources, 02/16/06.

27. All drainage and utility easements shall be 20 ft. wide.

28. The "Recommended Areas of Critical State Concern" map included on this sheet indicates that there are no known areas of critical state concern on site.

29. There are no Residential Transition Areas (RTAs) on site.

30. All proposed roads are private. The proposed roads are neither arterial or collector roads.

31. Public roads and easements indicated for dedication to Baltimore County will be offered for dedication at no cost to the County.

32. The Bureau of Traffic Engineering and Planning has confirmed that the subject site is not within a traffic deficient area (per Mr. Steve Weber, 04/06/06).

33. Refuse collection will be provided by private contractor.

34. United States Postal Service will provide mail delivery.

35. "No obstructions of any kind may be placed in any Baltimore County right-of-way except by express written permission by an authorized signatory for Baltimore County."

36. Building envelopes and/or footprints are for illustrative purposes and may not represent the final location for any particular structure. Final building location will be subject to the various standards and limitations illustrated by the details and charts included on this plan.

37. Parcels designated as "C.O.A." will be dedicated to the Condominium Owners Association.

38. All existing structures, as noted on the plan, shall be razed by the developer prior to the record plat.

39. All units are for sale.

40. Driveways are shown for illustrative purposes only.

41. All parking aisles and maneuvering areas will be paved with macadam and permanently striped.

42. The site is not located within a deficient zone per the Baltimore County 2005 Basic Services Maps, Water Supply Area Map, Sewage Area Map and Transportation Map, Adopted 4/8/05, per Bill 35-05.

43. Blanket access Easement shall be placed on private roads for Baltimore County Access to Forest Conservation areas.

44. No plat or building permit shall be approved for this site before the offsite Right-Of-Way is acquired.

45. An Alternatives Analysis was approved and a Forest Buffer Variance was approved by the Baltimore County Department of Environmental Protection and Resource Management from the Baltimore County Code, Article 33, Title 3, Protection of Water Quality Streams, Wetlands and Floodplains, the locations of the seven line connection and stormwater management outfall within the Forest Buffer Easement are reflective of the fact that the Alternatives Analysis was approved. The location within the Forest Buffer Easement, of the required 20-foot minimum setback from a portion of the retaining wall is reflective of the fact that the Forest Buffer Variance was approved. Conditions were placed on the approved Alternatives Analysis and Forest Buffer Variance to reduce water quality impacts.

46. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

47. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

48. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

49. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

50. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

51. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

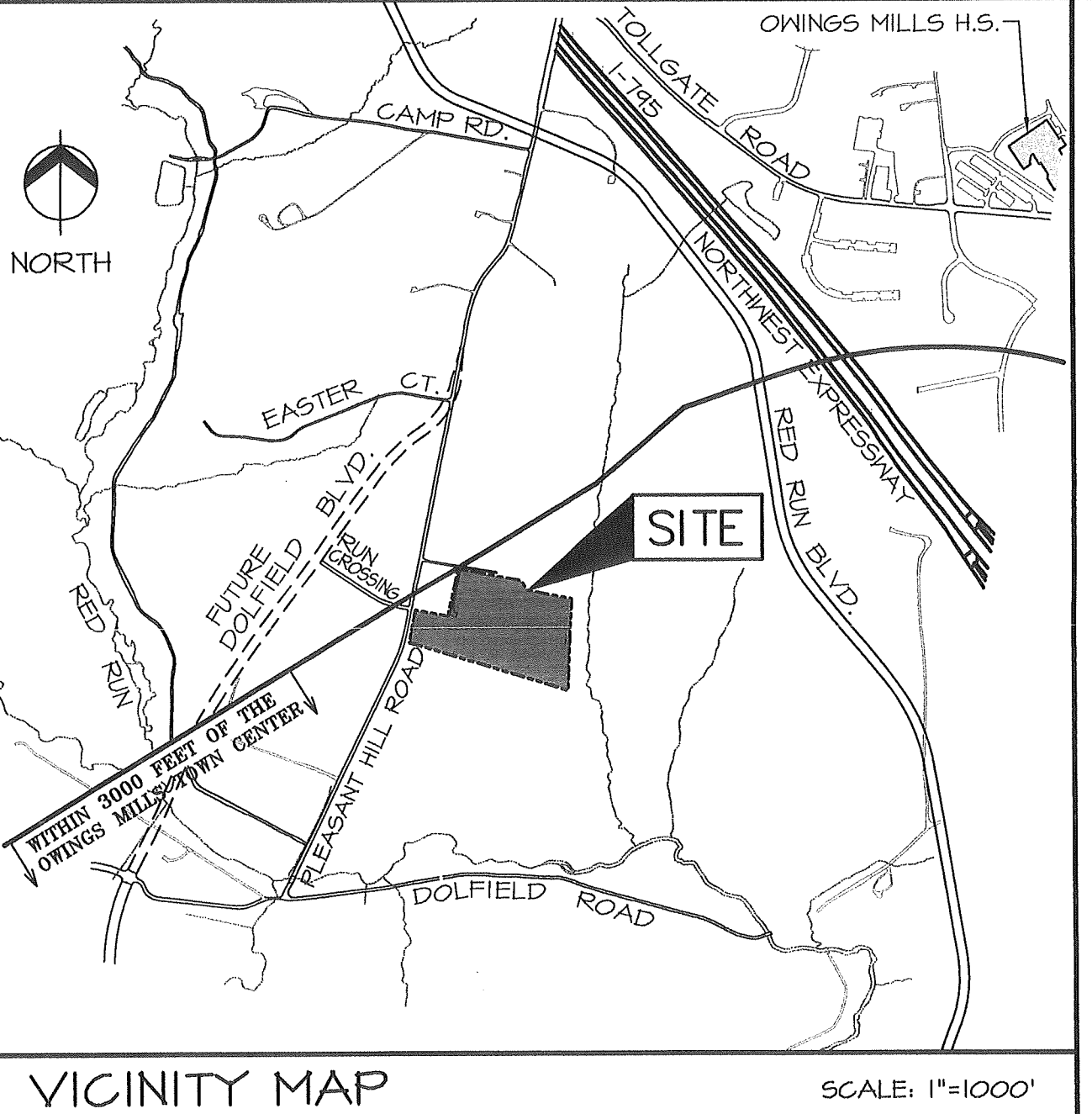
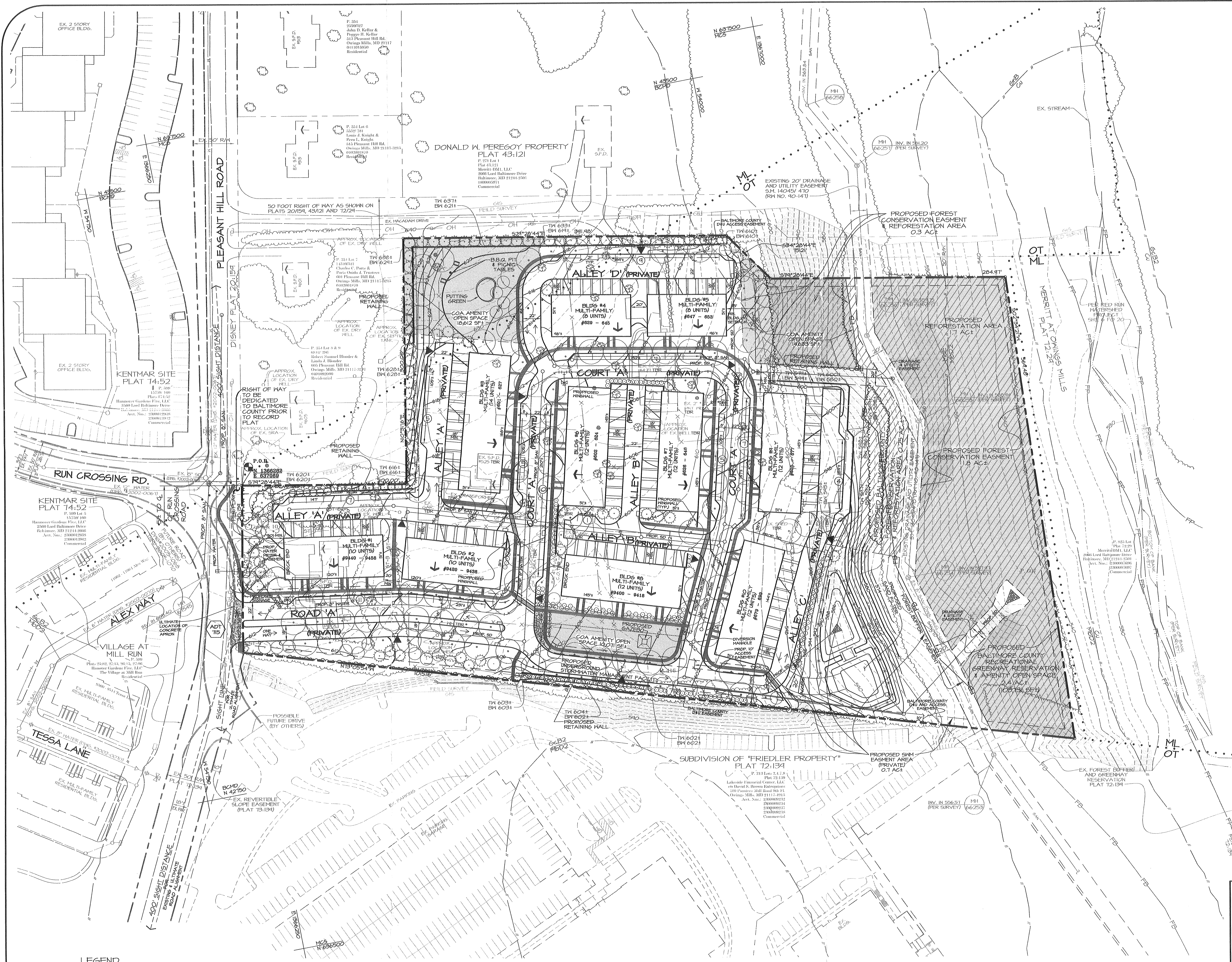
52. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

53. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

54. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

55. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10- and 100-year management, we anticipate no significant adverse change in the rate, velocity, or degree of concentration of the runoff after development. Therefore, we conclude that the proposed outfall constitutes a suitable outfall based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Resource Management.

56. Discharge from the proposed sand filter and underground stormwater management facility will be conveyed within a closed storm drain system to outfall along the eastern edge of the property in the forest buffer area. The storm drain will outfall onto an energy dissipator placed on moderately sloped existing ground that consists of dense grasses and scattered brush. From the proposed outfall, runoff will flow overland roughly 180 feet to the existing stream. Field investigation found the existing stream channel to be stable and well-defined. With the provision of onsite 1-, 10



ORDER
CASE NOS. IV-665 & 06-571-SPH

THEREFORE, IT IS ORDERED by the Hearing Officer/Zoning Commissioner of Baltimore County this 11th day of August, 2006, that the redlined Run Crossing Development Plan, entered into evidence as Developer's Exhibit 1A-1B, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED, that the Petition for Special Hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), requesting approval for the proposed residential buildings in the OT zone, is hereby GRANTED.

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

WILLIAM J. ROSEMAN, III
Zoning Commissioner/Hearing Officer
for Baltimore County

MODIFICATION OF STANDARDS:
PER SECTION II, PAGE 22 OF (CHDP) TO ALLOW 7 UNITS IN A ROW IN LIEU OF 6 UNITS.

WAIVER REQUEST:
1. TO ALLOW A 22 FOOT PAVING SECTION IN LIEU OF THE REQUIRED 24 FOOT ROAD FOR ROAD 'A' AND COURT 'A'.
2. TO ALLOW SIDEWALKS AS SHOWN IN LIEU OF REQUIREMENT OF BEING PROVIDED ON BOTH SIDES OF THE ROAD.

SPECIAL HEARING REQUEST:
TO ALLOW RESIDENTIAL UNITS IN AN 'OT' ZONING.

PLAN TO ACCOMPANY
HEARING OFFICERS ORDER
9.5.06
DATE PROJECT MANAGER

HEARING OFFICERS HEARING AND ZONING HEARING TO BE COMBINED.

PROJECT NAME: RUN CROSSING	07.20.2006
PLAN TITLE: DEVELOPMENT PLAN, SCHEMATIC LANDSCAPE PLAN AND PLAT TO ACCOMPANY ZONING PETITION.	DPR: ADD WATER METER & EASEMENT; ADD ULTIMATE APRON FOR ROAD 'A'; ADD TO NOTE 'F' - FINAL LANDSCAPE PLAN AT 30 SCALE; ADD NOTE 'H'; REVISE NOTE 'G' TO PRIVATE CONTRACTOR; EXTEND 8" SAN TO #601 PLEASANT HILL ROAD; ADD WAIVER REQUEST #2; ADD DETAILS.
COUNCILMANIC DIST.: 4 ELECTION DIST.: 4 REGIONAL PLANNING DISTRICT: 306B PROJECT MANAGER: CHRISTINE K. RORKE CIM: 124.06 PDH #04-665 HOH: 120.2006	DEPRM: NOTE #5; ADD NOTE #48. SKM: ADD DIVERSION MANHOLE LABEL; CLARIFY LOCATION OF SD FROM UNDERGROUND FACILITY.
DEVELOPER: SIDNEY EMMER BUILDERS 1801 FALLS ROAD BALTIMORE, MD. 21201 410-685-5200	LAND ACQUISITION: CLARIFY LIMIT OF FOREST CONSERVATION & SKM AREA; ADD R/W DEDICATION NOTE. RECREATION & PARKS: ADD "RECREATIONAL" TO GREENWAY CALLOUT; ADD DETAILS. ZONING: ADD NOTE #16; ADD 3 BALTIMORE COUNTY GRID TICKS; CLARIFY TOWN CENTER LIMIT. PLANNING: ADD MODIFICATION OF STANDARDS REQUEST; ADD SCHEMATIC DETAIL OF PLANTING BETWEEN DRIVEWAYS; ADD SIDEWALKS TO ADJOINING PARCEL; ADD ACCESS EASEMENT TO GREENWAY; REVISE NOTE #6.

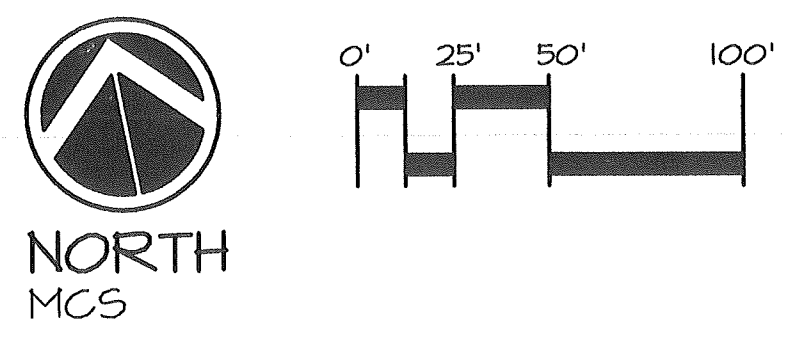
D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS

SURVEYORS
LAND PLANNERS

DATE: 5.02.06
SCALE: 1"=50'
C.I.: 2'
PROJ. NO.: 02412B
SHEET 1 OF 2

7115 AMBASSADOR ROAD
P.O. BOX 47426
BALTIMORE, MARYLAND 21244-7426
(410) 944-ENG, (410) 944-3647

DEVELOPMENT PLAN
I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE HEARING OFFICER'S ORDER DATED 08/11/2006 AND HAVE PREPARED WITH DUE DILIGENCE THIS DEVELOPMENT PLAN PURSUANT TO THAT ORDER.
[Signature]
(SIGNATURE OF PROFESSIONAL)



SOILS				
SYMBOL	NAME	HOMES W/ BASEMENT	HOMES W/O BASEMENT	STREETS & PARKING LOTS
MdE	Major soils, 25-50% slopes	Severe	Severe	Severe
GdE	Glenelg loam	Slight	Slight	Moderate
MdD	Major loam, 15 to 15% slopes, moderately eroded	Severe	Severe	Severe

(*) DENOTES PRIME AND PRODUCTIVE SOILS

LEGEND

EXISTING

- TRACT BOUNDARY
- EASEMENT
- INDEX CONTOUR
- INTER. CONTOUR
- ZONING LINE
- ADT
- REFORESTATION
- AMENITY OPEN SPACE
- PROPOSED FRONT ORIENTATION

PROPOSED

- ROAD
- SANITARY SEWER
- STORM DRAIN
- WATER
- TREES
- FIRE HYDRANT
- LIGHT
- UTILITY POLE
- 2-25% SLOPES
- FLOODPLAIN
- FOREST BUFFER

SOILS LINE

- EXISTING FRONT ORIENTATION

MAJOR DECIDUOUS TREE

MINOR DECIDUOUS TREE

EVERGREEN TREE

SHRUBS

TREELINE

GENERAL NOTES

1. DEVELOPMENT NAME: RUN CROSSING

2. DEVELOPER:
SIDNEY EMMER BUILDERS, INC.
1010 W. ST. GEORGE ROAD
BALTIMORE, MD 21210
410-334-1444

3. OWNERS & PROPERTY REFERENCES:

OWNER	ADDRESS	TAX ACCOUNT #	TAX MAP #GRID	PARCEL	LOT	DEED	HELD SINCE	ADG MAP
PLEASANT HILL DEVELOPMENT ASSOCIATES II LLC	1010 W. ST. GEORGE ROAD BALTIMORE, MD 21210	0414010600	58, 19	354	10, 11	3394/ 43	1965	MAP 24 Grid C4&D4
		0416001420	58, 19	355	-	6862/ 184	1960	
		0403002140	58, 19	416	-	1084/ 206	1960	
		11000008304	58, 19	607	-	5675/ 643	1950	

4. PLAN PREPARED BY:
D.S. Thaler & Associates, Inc.
1115 AMBASSADOR ROAD
P.O. Box 47428
BALTIMORE, MARYLAND 21244
ATTN: Stanley A. McArthur, R.L.A.
(410) 444-3641

5. PROPERTY INFORMATION:

Boundary: Little & Associates, Inc., September 2005.

Topography: D. S. Thaler & Associates, Inc., March 2006,
(On-Site) 615 Tiles 051c3, 058a3, 066c1, 061a1
(Off-Site)

Utilities: Baltimore County Key Map (11-5N) Baltimore
County Design Drawings as noted.

Zoning: Baltimore County 200 Scale 2004 Zoning Map,
615 Tile No., COT C3, C38 A3, C66 C1, C81 A1

Soils: Baltimore County - 615 Digital Soil data & U.S.D.A.
Baltimore County Soil Survey Manual (Map 26)

Floodplain: There is no Riverine Floodplain on site.
FEMA panel #24000C0222B, FEMA map #220
Flood Zone designation 'C'

6. GENERAL INFORMATION:

Election District: 4 Watershed: 6MYN5 FALLS
Census Tract: 4041 Regional Planning District: 306B
Councilloric District: 4th

7. SITE DATA:

A. Acreage:

Gross = 10.8 Ac±

Net = 10.6 Ac±

B. Existing Zoning: OT & ML

C. Density Calculations

Zone	Total Ac±	Units Allowed	FAR Allowed	Units Proposed
ML	0.6	-	-	0
OT	10.2	-	-	10
TOTAL:	10.8			10 CONDOMINIUM UNITS

D. Parking

Required: 2 spaces per unit (10 x 2) = 140 spaces
+ GUEST PARKING (140 x 15%) = 21 spaces
TOTAL = 161 spaces

Proposed: 165 spaces

8. UTILITIES: Utilities shall be private unless noted otherwise.

9. USE: Existing use: Residential
Proposed use: Residential

10. ZONING HISTORY: August 11, 2006

Case IV-665 and Special Hearing Case #06-511-SPH to allow residential units in an OT zone.

June 15, 2007
Appeal of Hearing Officer's Hearing and Development Plan Order Filled.

July 11, 2007
Order of Dismissal of Appeal (Case No. CBA-07-121) and (Case No. 06-511-SPH)

This property as shown on the plan has been held intact since (see note #3) according to deeds.

No known part of this property as shown on the plan has been utilized, recorded or represented as density or area to support any off site dwellings.

11. Future signs shall conform to BCZR Section 450 and all zoning policies.

12. Maximum building height allowed:

ML: Unlimited height, except abutting a residence or business zone, then 40' (or 3 stories).

If any part of the building is within 100 feet of the boundary line of residence or business zone.

OT: 150' height located within 3000' of a town center;
60' height beyond 3000'.

13. There are no known limitations established by the Courts, County Board of Appeals, Planning Board or Zoning Commissioner which would limit proposed development on site.

14. There are no buildings, properties or sites within or contiguous to the proposed development included on the Maryland Historical Trust Inventory of Historic Properties, Baltimore County Preliminary or Final Landmarks List, the National Register of Historic Places, the Maryland Archaeological Survey or any Baltimore County Historic District or National Register Historic District covering the proposed development, per M. John McGrain, Baltimore County Planning Office 10/20/06.

15. There are no Residential Transition Areas (RTAs) on site.

16. All proposed roads are private. The proposed roads are neither arterial or collector roads.

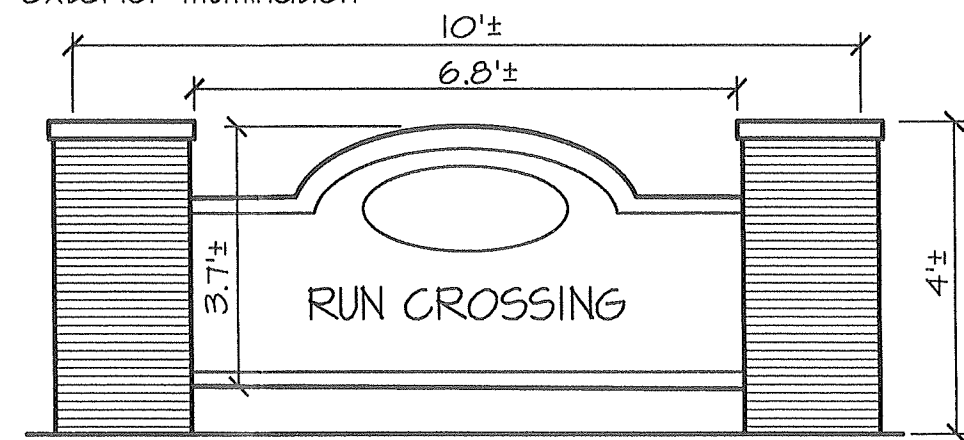
17. Building envelopes and/or footprints are for illustrative purposes and may not represent the final location for any particular structure. Final building location will be subject to the various standards and limitations illustrated by the details and charts included on this plan.

18. All existing structures, as noted on the plan, shall be razed by the developer prior to the record plat.

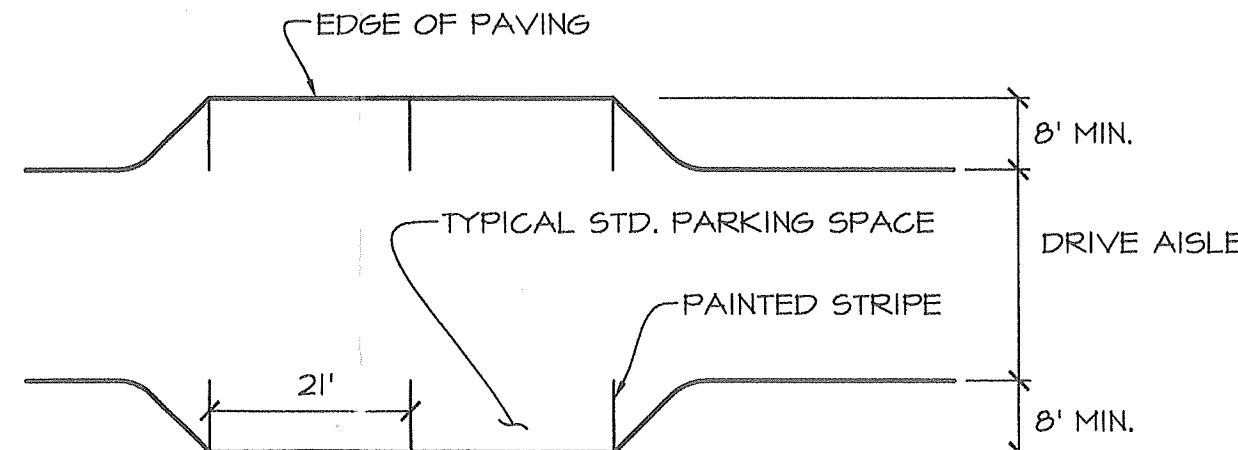
19. All parking aisles and maneuvering areas will be paved with macadam and permanently striped.

20. The site is not located within a deficient zone per the Baltimore County 2004 Basic Services Maps, Water Supply Area Map, Sewage Area Map and Transportation Map. Adopted 5/2/04, per Bill 30-04.

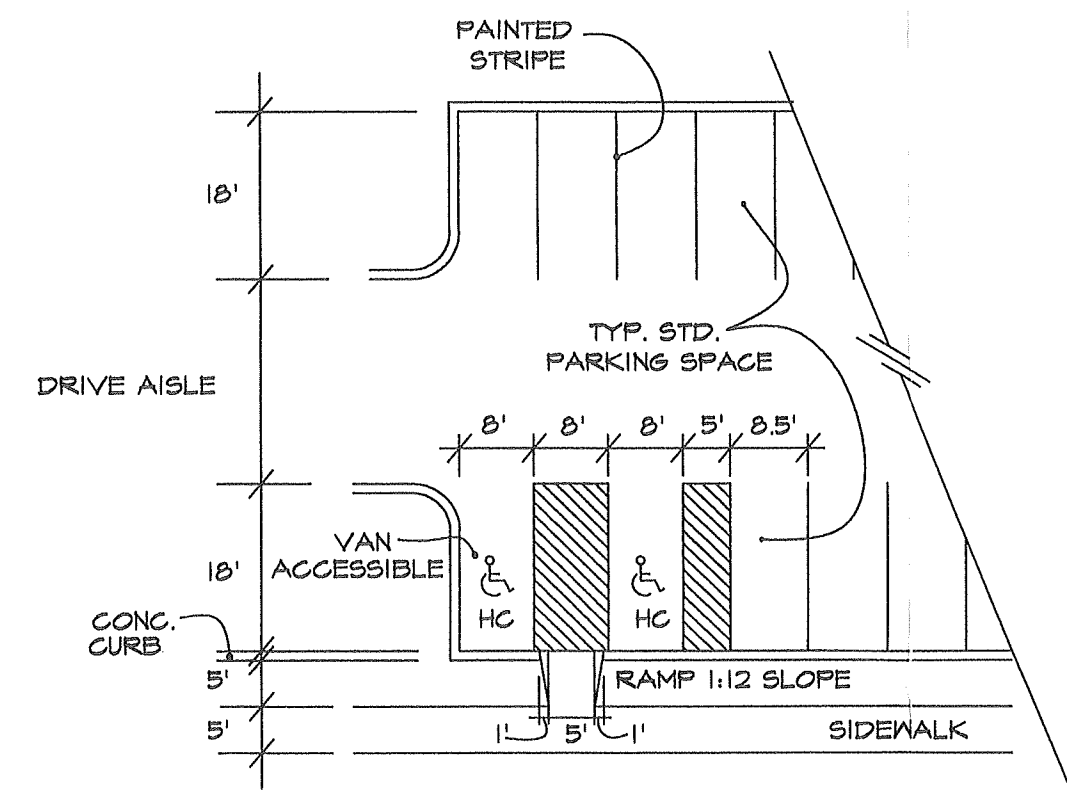
25 SQ. FT. MAX. AREA
exterior illumination



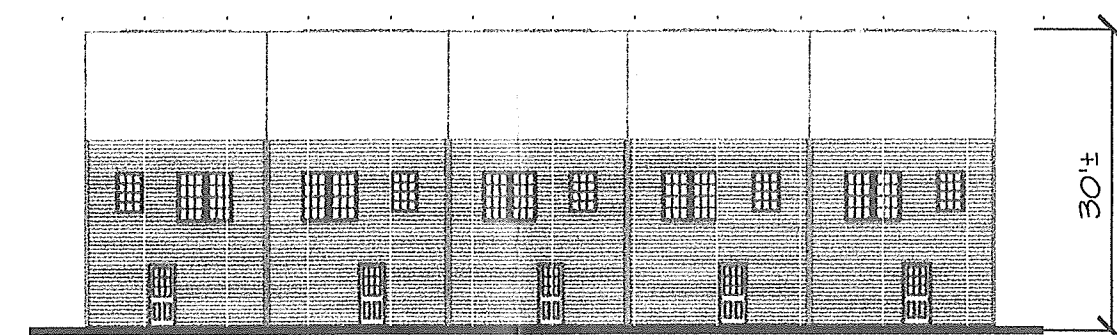
SCHEMATIC SIGN ELEVATION
N.T.S.



PARALLEL PARKING DETAIL
SCALE: 1"=20'



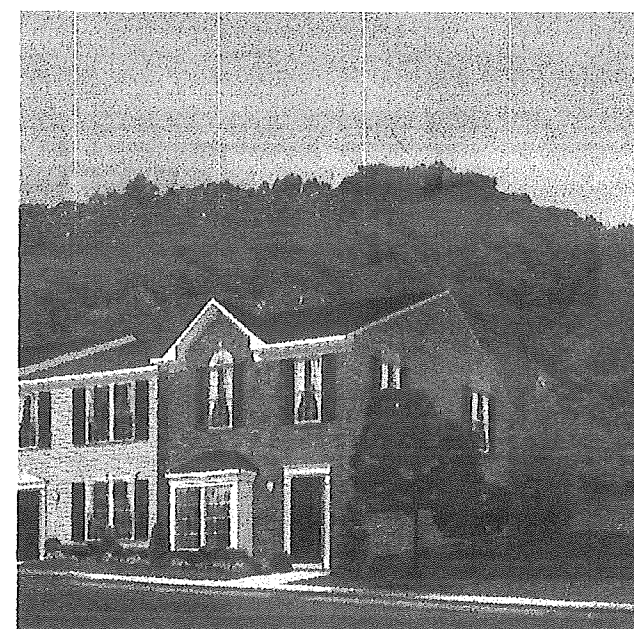
PARKING DETAIL
N.T.S.



REAR



FRONT



SIDE (FACING STREET)

SCHEMATIC BUILDING ELEVATIONS (2 STORY)

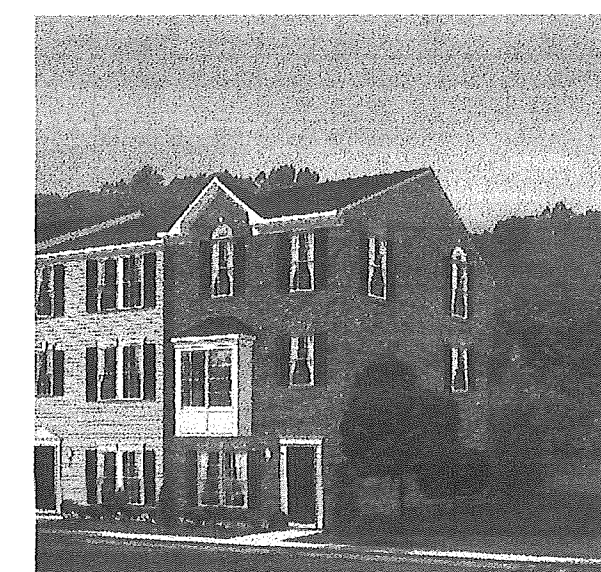
N.T.S.



REAR



FRONT



SIDE (FACING STREET)

SCHEMATIC BUILDING ELEVATIONS (3 STORY)

N.T.S.

APPLICABLE EXCERPTS FROM THE RESIDENTIAL PERFORMANCE STANDARDS:

BCZR: Residential Performance Standards

260.6 Buildings.

A. A development proposal shall:

1. Provide variety in housing type or design, while maintaining continuity in scale, rhythm, proportion and detail.
2. Orient the front of the dwelling toward the street and incorporate prominent entries and porches or stoops into front building facades.
3. Adhere to a consistent front building setback for all dwellings on the same street or square, so that the fronts of dwellings define a uniform street edge.
4. Design decks, balconies and porches as components of the building following dominant building lines, proportions and style, and in a scale appropriate to the available space on the site. Decks shall be screened to minimize visibility from a public street.
5. Design accessory structures at a scale appropriate to the dwelling and design storage buildings and garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
6. Extend the finish material of the exteriors of buildings to grade, or, if this is not possible, to within 12 inches of grade, on all sides of the building excluding foundation walls which shall use a finished quality material such as decorative concrete block, poured concrete with brick pattern, or stucco, and provide landscaping along the foundation.
7. Use similar materials and design elements on all building facades and articulate all building facades using coordinated architectural features such as porches, windows, doors, chimneys, gables, and dormers.

B. Garages may not become the dominant street feature. Garage doors shall use items such as windows, decorative patterns, and color to relieve the visual impact of the house from the street.

PROJECT NAME:

RUN CROSSING

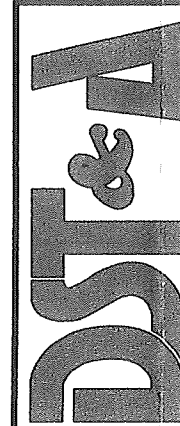
PLAN TITLE:

FLAT TO
ACCOMPANY
ZONING PETITION

COUNCILMANIC DIST.: 4
ELECTION DIST.: 4
REGIONAL PLANNING DISTRICT: 306B
PROJECT MANAGER:
CIM: 1/24/2006
PDM #04-665
HOH: 7.20.2006

DEVELOPER:

SIDNEY EMMER BUILDERS, INC.
1010 W. ST. GEORGE ROAD
BALTIMORE, MD. 21210
410-334-1444

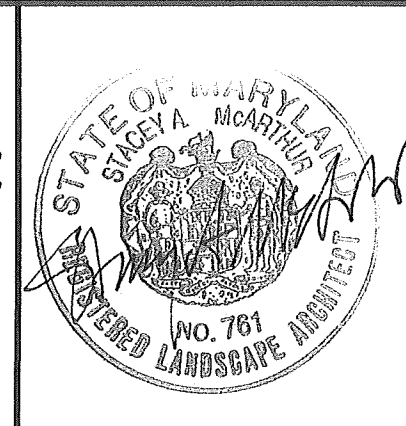


D.S. THALER & ASSOC., INC.

CIVIL ENGINEERS
LANDSCAPE ARCHITECTS

SURVEYORS
LAND PLANNERS

1115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
(410) 444-ENGR, (410) 444-3641



DATE: 07.17.04

SCALE: 1"=50'

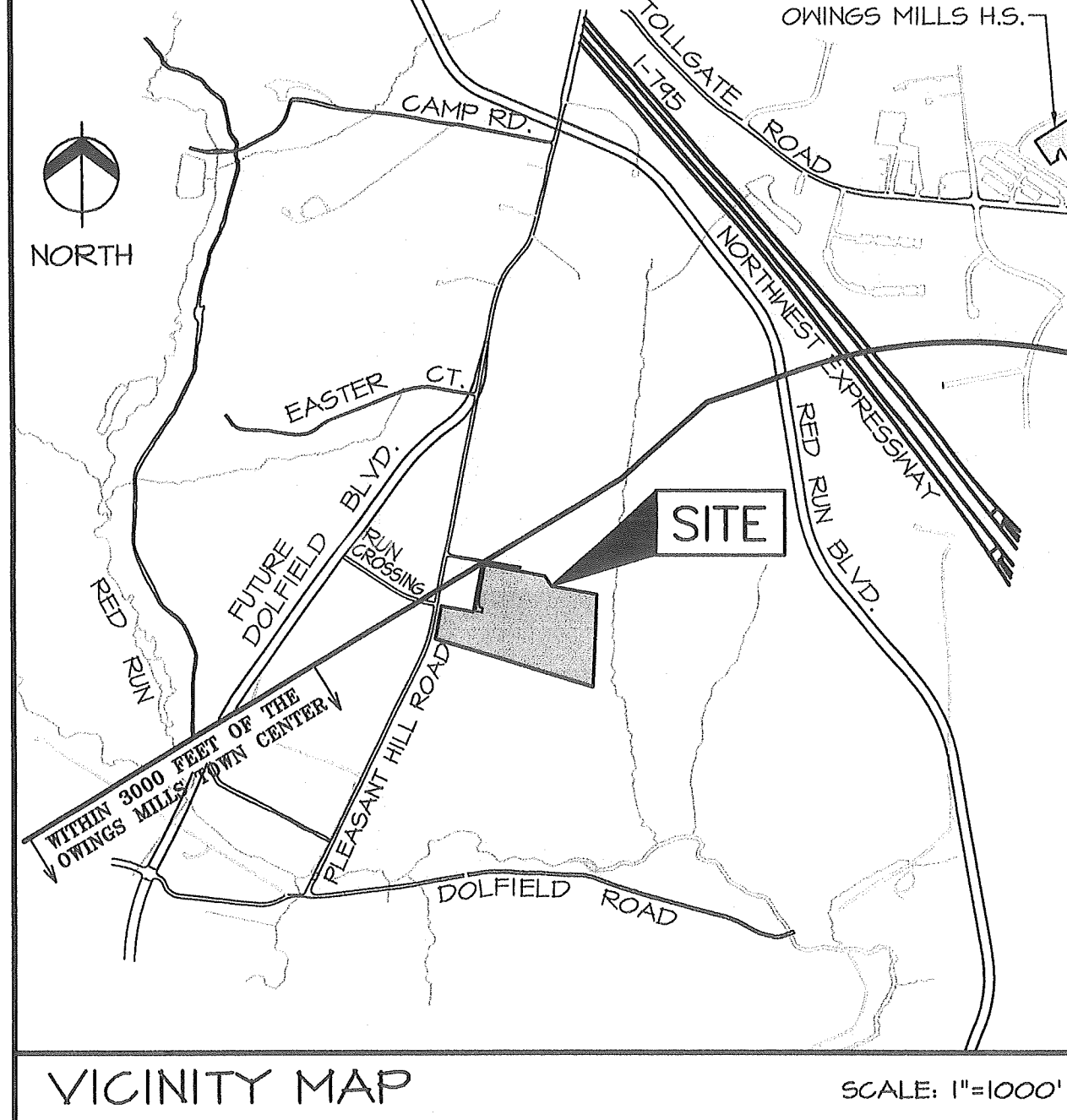
C.S.: 2'

PROJ. NO.: 024126

SHEET 2 OF 2

FLAT TO
ACCOMPANY
ZONING PETITION

RUN CROSSING



ORDER
CASE NOS. IV-665 & 06-571-SPH

THEREFORE, IT IS ORDERED by the Hearing Officer/Zoning Commissioner of Baltimore County this 11th day of August, 2006, that the redlined Run Crossing Development Plan, entered into evidence as Developer's Exhibit 1A-1B, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED, that the Petition for Special Hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), requesting approval for the proposed residential buildings in the OT zone, is hereby GRANTED.

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

WILLIAM J. MOSEMAN, III
Zoning Commissioner/Hearing Officer
for Baltimore County

- VARIANCE REQUEST
- Petition for Variance, pursuant to BCZR 307.1, to allow residential uses (townhouses) in the OT zone with a minimum height of 30 feet in lieu of the minimum height of 52 feet required by BCZR Section 209.4.E.
- SPECIAL HEARING REQUESTS:
- Petition for Special Hearing, pursuant to BCZR Section 500.7, to allow a 20 foot side building face to side building face setback for townhouses in lieu of the 25 feet required by BCZR Section 504.2/Division II, Section A, p. 21-30 of the CMDF.
 - Petition for Special Hearing, pursuant to BCZR Section 500.7, to allow 7 townhouse units in a row in lieu of the maximum 6 units in a row permitted by BCZR Section 504.2/Division II, Section A, p. 21-30 of the CMDF.

PLAT TO
ACCOMPANY
ZONING PETITION

RUN CROSSING

- LEGEND
- | | | | |
|----------------|----------------|--------------|----------------------------|
| TRACT BOUNDARY | ROAD | FIRE HYDRANT | SOILS LINE |
| EASEMENT | SANITARY SEWER | LIGHT | EXISTING FRONT ORIENTATION |
| INDEX CONTOUR | STORM DRAIN | UTILITY POLE | |
| INTER. CONTOUR | WATER | 2-25% SLOPES | |
| ZONING LINE | TREES | FLOODPLAIN | FOREST BUFFER |

SOILS			
SYMBOL	NAME	HOUSES W/ BASEMENT	HOUSES W/ BASEMENT
MdE	Major soils, 25-50% slopes	Severe	Severe
6cB2	Glennly loam	Slight	Slight
MdD2	Major loam, 15 to 15% slopes, moderately eroded	Severe	Severe

(*) DENOTES PRIME AND PRODUCTIVE SOILS

- PROPOSED
- | | |
|----------------------------|------------------------------|
| ADT | FOREST CONSERVATION EASEMENT |
| REFORESTATION | TREELINE |
| AMENITY OPEN SPACE | MAJOR DECIDUOUS TREE |
| PROPOSED FRONT ORIENTATION | MINOR DECIDUOUS TREE |
| | EVERGREEN TREE |
| | SHRUBS |

NORTH
MCS

SCALE: 1" = 50'

PROJECT NAME:
RUN CROSSING

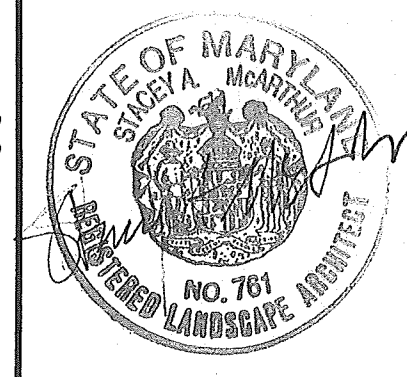
PLAN TITLE:
PLAT TO
ACCOMPANY
ZONING PETITION

COUNCILMANIC DIST.: 4
ELECTION DIST.: 4
REGIONAL PLANNING DISTRICT: 306B
PROJECT MANAGER:
CIM: 1.24.06
PDM: 004-665
HOB: 7.20.2006

DEVELOPER:
SIDNEY EMMER BUILDERS, INC.
1010 W. ST. GEORGE ROAD
BALTIMORE, MD. 21210
410-334-1444

PETITIONER'S
EXHIBIT NO. 1

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD
P.O. BOX 41428
BALTIMORE, MARYLAND 21244-7428
(410) 444-ENG, (410) 444-3647



DATE: 07/17/04
SCALE: 1"=50'
C.I.: 2'
PROJ. NO.: 024126
SHEET 1 OF 2