

IN RE: PETITION FOR SPECIAL HEARING

W/S Windy Hill Road, 1,500' S of c/line

Liberty Road (MD Rte. 26)

(Estates at Windy Hill -

aka 4301 Windy Hill Road)

2nd Election District

4th Council District

Namdi C. Iwuoha, et ux

Petitioners

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Case No. 2010-0227-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the property, Namdi Iwuoha and his wife, Gail Iwuoha. The Petitioners request a special hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a waiver from Section VIII.D.3 of the Baltimore County Department of Permits and Development Management, Bureau of Development Plans Review Policy Manual, (February 27, 2002) and the Development Regulations contained in Sections 32-4-107 and 32-4-409 of the Baltimore County Code (B.C.C.) to permit the existing 12 foot paving width of Windy Hill Road to remain in lieu of the required 16 feet.¹ The subject property and requested relief are more fully particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested waiver of standards was Namdi Iwuoha, property owner, and Thomas J. Hoff, the registered Landscape Architect and zoning consultant, with Thomas J. Hoff, Inc., who prepared the site plan for this property. Also

¹ As the Zoning Advisory Committee (ZAC) comment received from the Bureau of Development Plans Review (DPR) reveals, they determine under their General Standards contained in their Plans Review Policy Manual and the Life Safety Code that 16 feet is the required width for the driveway.

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Date

By

6-11-10

DNJ

attending in support of Petitioners request were many of the residents and owners of the eighteen (18) single-family dwellings in the 4300 and 4400 blocks of Windy Hill Road; namely: Janis and Dorothy L. Miller, Arnold D. and Mary C. Gries, Joseph E. Norman, Ryan L. Welkner, Tiye S. Mulazim, and Leona Garner Gibson, on behalf of her mother, Elizabeth E. Gardner, who has resided at the southwest corner of Liberty Road and Windy Hill Road for the past 59 years. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregularly shaped (long and narrow) parcel at the end of Windy Hill Road and contains approximately 18.87 acres of land zoned R.C.5. The property is predominantly wooded and located on the west side of Windy Hill Road some 1,500 feet southwest of Liberty Road in the Harrisonville/Randallstown area of the County. As the site plan demonstrates, the property is divided into five (5) lots; however, only three (3) new lots are proposed – Lots 2, 3 and 4. The home existing on Lot 5, known as 4300 Windy Hill Road and owned by James R. and Diane L. Marxen was subdivided out years ago and is being shown for density purposes only and is not part of the development to be known as the Estates of Windy Hill (PDM No. II-746). It is also to be noted that Lot 1 was the subject of a Landmarks Preservation Commission (LPC) hearing on October 16, 2008 wherein the LPC approved the request for demolition of the "Watters House" Final Landmarks List No. 334. The structure has since been razed. Petitioners are not requesting any variance relief for the proposed construction of new dwellings on Lots 1, 2, 3 and 4 but are solely seeking approval for the existing 12 foot paving width of Windy Hill Road to remain for ingress and egress in lieu of the required 16 feet. Windy Hill Road will primarily serve the properties designated on the site plan. The owners of these properties gave a detailed history concerning the use of the road and described their community as a friendly and peaceful

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place that benefits the "country serenity" and the convenience of "county services". The residents using Windy Hill Road yield to oncoming traffic on this one-lane 50+ year old road by pulling into bypasses and widened driveways as needed to keep traffic moving. Ms. Miller stated the Bureau of Solid Waste Management schedules trash pickups in the early morning hours to assure sanitation worker safety and to avoid blocking the roadway. Ms. Mulazim stated the road width was sufficient to allow emergency vehicles to pass other vehicles. She testified as to her personal experience having passed an ambulance responding to a neighbor's home on December 5th when a guest had become ill during an evening party. The neighbors would welcome new residents and a cul-de-sac at 4301 Windy Hill Road that would create a turn-a-bout and make it easier for County services such as trash removal, snow removal, etc. They do not feel that four (4) new homes at the end of this cul-de-sac would create any additional traffic problems. Photographs were submitted denoting various bypasses that allow pull offs. Each testified as to their opposition to street widening. They point out that while the County maintains the road, it does not own the right-of-way. Widening would take away the uniqueness of what they described as a secure quiet friendly neighborhood. The widening would create problems for homeowners with loss of parking pads, carports, mailboxes, fencing and nine (9) electric poles would need to be relocated. The Marxen's wrote to Darryl Putty, the project manager, and

stated:

"Not only would this forever damage the semi-rural, country lane look of the neighborhood, but it is quite unnecessary once the cul-de-sac is in place . . .".

In short, the residents do not want the road widened, as it would destroy years of carefully maintained lawns and landscaping.

In an effort to assist the undersigned, Mr. Hoff marked as Petitioners' Exhibit 3 a detail of existing driveways used as pull-over lanes at strategic locations. Leona Gibson, who has

Power of Attorney for her mother Elizabeth Gardner, indicated a willingness to provide land for road widening where Windy Hill Road meets Liberty Road. She indicated that a 5' wide strip x 125' long would provide for a safer ingress and egress from Liberty Road into Windy Hill as this would provide for two-way movement in this area for vehicles to pass each other and alleviate existing traffic safety concerns.

In view of Ms. Gibson's generous offer presented during the public hearing and the ZAC comments that were received by Mr. Hoff and the Petitioner on the morning of the hearing, the undersigned advised all parties present that the record of the case would be held open for a period of two (2) months to allow for further discussions and dialogue with the County's Bureau of Development Plans Review and the Fire Department to resolve some of the current concerns that had been put forward at the hearing. Subsequently, on June 10, 2010, Thomas Hoff presented a revised site plan and a set of photographs prepared to address the improvements suggested by Dennis Kennedy regarding street widening and/or pull-over lanes at strategic locations. The revised plan (and photographs) accepted as Petitioners' Exhibit 5 illustrate six (6) driveway entrances onto Windy Hill Road that are 16' x 28' wide and used to provide adequate "bypass areas" or pull-over lanes for vehicles traveling on Windy Hill Road. As illustrated, the spacing of these bypass areas are approximately 250 feet apart.

With respect to street widening, emergency vehicle access and trash pick-up, Mr. Hoff met with Steven L. Makowski (Solid Waste Management), Lt. Roland Bosley (Fire Marshal's Office) and Leona Gibson (Attorney-in-fact for her mother Elizabeth E. Gardner and property owner - 10201 Liberty Road). He presented the details of these discussions which I will briefly recap as follows:

- Steven Makowski of the Bureau of Solid Waste Management stated that the need for wider paving was not as important as having an adequate

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turnaround at the end of Windy Hill Road for trash trucks. He stated that leaving the paving width as it is and providing a standard cul-de-sac at the end of the road was satisfactory for solid waste management.

- Lt. Bosley, Fire Department, discussed the adequacy of Windy Hill Road for fire and other emergency vehicles. He reviewed the new plan with his superiors and the decision was that they had no comments on the width of Windy Hill Road. He was in favor of the proposed cul-de-sac.
- Mr. Hoff and Namdi Iwuoha met with Leona Gibson concerning the widening of Windy Hill Road along the frontage of the Elizabeth Gardner property at 10201 Liberty Road. She agreed to allow Petitioners to widen the paving (of Windy Hill Road) by five feet, more or less, on her mother's property along the frontage from the intersection with Liberty Road to the existing driveway, as shown on Exhibit 5.

Under the circumstances, I will grant the zoning relief necessary to allow the subdivision of the Estates of Windy Hill (PDM No. 11-746) to proceed with the proposed development of three (3) new lots – (Lots 2, 3 and 4), subject to conditions that will assure public safety. Based on the testimony and evidence presented at the hearing, the accommodations being made by neighboring residents along Windy Hill Road and the legitimate efforts to acquire property in order to meet the Development Plans Review Policy Manual requirements, I find the revised plan provides a practical solution. The request can be granted in the spirit and intent of the B.C.Z.R. and Development Regulations. There is sufficient justification as described above for the petition and pursuant to B.C.C. Section 32-4-107(a), the waiver is hereby allowed.

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

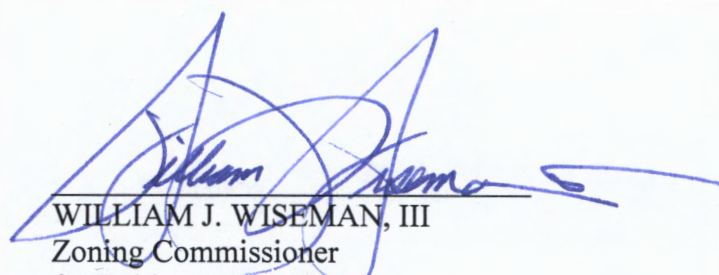
THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this 11th day of June 2010, that the Petition for Special Hearing seeking approval of a waiver pursuant to Sections 32-4-107 and 32-4-409 of the Baltimore County Code (B.C.C.) namely, the "General Design Standards and Requirements, specifically Section VIII.D.3 of the

Baltimore County Department of Permits and Development Management, Bureau of Development Plans Review Policy Manual, (February 27, 2002) to permit the existing paving width of 12 foot to remain in Windy Hill Road in lieu of the required 16 feet, in accordance with Petitioners' Exhibit 5, be and is hereby GRANTED, subject to the following conditions:

1. Petitioner shall pave that portion of the Gardner property (5' wide x 125' long) that will widen the ingress and egress of Windy Hill Road allowing for free flow of traffic in this area.
2. The proposed cul-de-sac shown on the north side of Lot 1 at the terminus of Windy Hill Road will be constructed and deeded to the County assuring the Bureau of Solid Waste Management, Fire Department and other users with a turnaround that meets the public works standards.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 6-11-10

By 103



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 11, 2010

Namdi C. Iwuoha
Gail Iwuoha
300 North Warwick Avenue
Baltimore, Maryland 21223

RE: **PETITION FOR SPECIAL HEARING**
W/S Windy Hill Road, 1,500' S of c/line Liberty Road (MD Rte. 26)
(Estates at Windy Hill - aka 4301 Windy Hill Road)
2nd Election District - 4th Council District
Namdi C. Iwuoha, et ux - Petitioners
Case No. 2010-0227-SPH

Dear Mr. and Mrs. Iwuoha:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Thomas J. Hoff, Thomas J. Hoff, Inc., 512 Virginia Avenue, Towson, MD 21286
Janis and Dorothy L. Miller, 4305 Windy Hill Road, Randallstown, MD 21133
Arnold D. and Mary C. Gries, 4408 Windy Hill Road, Randallstown, MD 21133
Joseph E. Norman, 4405 Windy Hill Road, Randallstown, MD 21133
Ryan L. Welkner, 4404 Windy Hill Road, Randallstown, MD 21133
Tiye S. Mulazim, 4315 Windy Hill Road, Randallstown, MD 21133
Leona Garner Gibson, 10201 Liberty Road, Randallstown, MD 21133
Steven D. Foster, Chief, Engineering Access Permits Division, State Highway Administration,
Md. Dept. of Transportation, 707 North Calvert Street, Baltimore, MD 21202
Steven Makowski, Solid Waste Management, DPW; Lt. Roland Bosley, Jr., Fire Department
People's Counsel; DPR; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4301 WINDY HILL RD

which is presently zoned RC-5

(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 EXHIBIT 'A'

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

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

Contract Purchaser/Lessee:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

N/A

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

NAMDI IWUOHA

Name - Type or Print

Signature

GAIL IWUOHA

Name - Type or Print

Signature

300 NORTH WARWICK AVE 410-945-9553

Address

Telephone No.

BALTIMORE, MD 21223

City

State

Zip Code

Representative to be Contacted:

THOMAS J. HOFF

Name

512 VIRGINIA AVE. 410-296-3668

Address

Telephone No.

TOWSON, MD 21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No. 2010-0227-SPH
ORDER RECEIVED FOR FILING

UNAVAILABLE FOR HEARING

Reviewed By

RSK

Date

3/1/10

Date

6-11-10

By

low

**Exhibit 'A' to Accompany Petition for Special Hearing for
Waiver of Public Works Standards, Windy Hill Road**

- A Waiver from Section VIII.D.3., of the Baltimore County Department of Permits and Development Management, Bureau of Development Plans Review, Policy Manual, dated February 27, 2002, to allow existing paving width to remain.

THOMAS J. HOFF, INC.
Landscape Architects and Land Development Consultants
512 VIRGINIA AVENUE
TOWSON, MD. 21286
410-296-3668
FAX 410-825-3887

February 26, 2010

Description of Windy Hill Road, to Accompany Petition for Special Hearing, Waiver of Public Works Standards, 2nd Election District, 4th Councilmanic District

BEGINNING FOR THE SAME at a point on the south side of Liberty Road (66' R/W), at the intersection of the centerline of Windy Hill Road with the south side of Liberty Road.

Thence binding on the south side of Liberty Road,

- 1) South 57 degrees 10 minutes 40 seconds East 8.09 feet, thence leaving the south side of Liberty Road,
- 2) South 24 degrees 11 minutes 30 seconds West 1095.30 feet, thence,
- 3) By a curve to the right with a radius of 64.00 feet and a length of 96.95 feet, subtended by the chord South 67 degrees 35 minutes 26 seconds West 87.95 feet, thence,
- 4) North 69 degrees 00 minutes 37 seconds West 206.22 feet, thence,
- 5) North 71 degrees 30 minutes 54 seconds West 180.27 feet, thence,
- 6) North 24 degrees 33 minutes 11 seconds East 16.09 feet, thence,
- 7) South 71 degrees 30 minutes 54 seconds East 178.91 feet, thence,
- 8) South 69 degrees 00 minutes 37 seconds East 206.57 feet, thence,
- 9) By a curve to the left with a radius of 48.00 feet and a length of 72.72 feet, subtended by the chord North 67 degrees 35 minutes 26 seconds East 65.96 feet, thence,
- 10) North 24 degrees 11 minutes 30 seconds East 1097.73 feet to the south side of Liberty Road, thence binding on the south side of Liberty Road,
- 11) South 57 degrees 10 minutes 40 seconds East 8.09 feet, thence, to the place of beginning.

Containing 0.58 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.



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: 2010-0227-SPH

Petitioner: NAMDI IWUOHA

Address or Location: 4301 WINDY HILL RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: NAMDI IWUOHA

Address: 90 JLN CONSTRUCTION SERVICES, LLC

300 ~~WEST~~ NORTH WARWICK AVE

PO BOX 20538, BALTIMORE, MD. 21223

Telephone Number: 410-945-9553

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

No. _____

Date: _____

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

Total: _____

Rec
From: _____

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: 2010-0227-SPH

4301 Windy Hill Road

W/side of Windy Hill Road, 1500 feet s/west of centerline of Liberty Road

2nd Election District — 4th Councilmanic District

Legal Owner(s): Namdi & Gail Iwuoha

Special Hearing: for a waiver from Section VIII.D.3 of the Baltimore County Department of Permits and Development Management, Bureau of Development Plans Review, Policy Manual, dated February 27, 2002 to allow existing paving width to remain.

Hearing: Friday, April 16, 2010 at 11 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

04/038 April 1

234527

CERTIFICATE OF PUBLICATION

4/11, 2010

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 4/11, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2010-0227-SPN

Petitioner/Developer THOMAS
Hoff

Date Of Hearing/Closing 4/16/10

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 4301 WINDY HILL ROAD

This sign(s) were posted on March 30, 2010

Month, Day, Year

Sincerely,

Martin Ogle 3/30/10
Signature of Sign Poster and Date
Martin Ogle

60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

CASE # 2010-0227-SPH

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

ROOM 106 COUNTY OFFICE BUILDING

PLACE: 111 WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: FRIDAY, APRIL 16, 2010
AT 11:00 A.M.

REQUEST: SPECIAL HEARING FOR A WAIVER FROM
SECTION VIII.D.3 OF THE BALTIMORE
COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT
MANAGEMENT, BUREAU OF DEVELOPMENT PLANS REVIEW,
POLICY MANUAL, DATED FEBRUARY 27, 2002 TO ALLOW
EXISTING PAVING WIDTH TO REMAIN.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 301-3301

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

(SIGN IN SHEETS – OPPORTUNITY TO SIGN) - (RECORDER)

Good Morning – My name is Bill Wiseman, I am the Zoning Commissioner for Baltimore County and I've been assigned to hear your case pursuant to Art. 32 of the Baltimore County Code. **THESE PROCEEDINGS ARE BEING RECORDED**

FOR THE RECORD, THIS IS A PUBLIC HEARING ON case number 10-227.

This is a Petition for Variance
☒ Special Hearing
Special Exception

filed by NAMDI IWUOHA for property located at
4301 Windy Hill Rd and zoned ACS.

"Read language from file"

The Code requires that notice of today's hearings be provided to neighbors and interested parties by the posting of a sign on the property for at least 15 days prior to the hearing. The sign was posted 3-30-10 by Martin Gile, an approved sign poster and shows the time, date, place and subject matter of the hearing.

The Code further ☒ requires that notice be placed in a newspaper of general circulation, in this case the Jeffersonian, and the file contains the requisite certification of publication.

I THEREFORE FIND THAT THE POSTING AND NOTICE REQUIREMENTS HAVE BEEN SATISFIED

IF ATTORNEYS PRESENT, HAVE THEM IDENTIFY THEMSELVES; ASK IF THERE ARE ANY PRELIMINARY MATTERS

LOOK AROUND ROOM – AND ASK – IS ANYONE HERE APPEARING IN OPPOSITION TO THE REQUEST?

NO PROTESTANTS: For the record, no one is here in opposition to the request. Mr./Ms. _____, since there is no opposition, if you want to make **AN INFORMAL PROFFER** of the *testimony* and *evidence*, you're welcome to do so.

IF PROTESTANTS: This is your opportunity to come forward and have a seat at the table. You will be able to see and hear better, so come forward and I have a sign-in sheet here for you to sign so that we can mail you a copy of the decision in this case.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
March 18, 2010

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: 2010-0227-SPH

4301 Windy Hill Road

W/side of Windy Hill Road, 1500 feet s/west of centerline of Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: Namdi & Gail Iwuoha

Special Hearing for a waiver from Section VIII.D.3 of the Baltimore County Department of Permits and Development Management, Bureau of Development Plans Review, Policy Manual, dated February 27, 2002 to allow existing paving width to remain.

Hearing: Friday, April 16, 2010 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204


Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Iwuoha, 300 North Warwick Avenue, Baltimore 21223
Thomas Hoff, 512 Virginia Avenue, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 1, 2010.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 1, 2010 Issue - Jeffersonian

Please forward billing to:

Namdi Iwuoha
c/o JLN Construction Services, LLC
300 North Warwick Avenue
P.O. Box 20538
Baltimore, MD 21223

410-945-9553

NOTICE OF ZONING HEARING

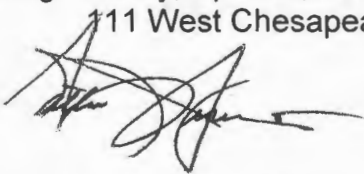
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2nd Election District – 4th Councilmanic District
Legal Owners: Namdi & Gail Iwuoha

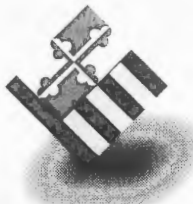
Special Hearing for a waiver from Section VIII.D.3 of the Baltimore County Department of Permits and Development Management, Bureau of Development Plans Review, Policy Manual, dated February 27, 2002 to allow existing paving width to remain.

Hearing: Friday, April 16, 2010 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

April 6, 2010

Namdi and Gail Iwuoha
300 North Warwick Ave,
Baltimore, MD 21223

Dear: Namdi and Gail Iwuoha

RE: Case Number 2010-0227-SPH, 4301 Windy Hill RD.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 01, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Thomas Hoff; 512 Virginia Ave.; Towson, MD 21286

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 10, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For March 22, 2010
Item No.: 2010-227

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The County comment requiring the pavement widening is based on the cited passage. Also set forth in that passage is the minimum of 16 feet of width. This comes from the Life Safety Code wherein 16 feet is considered wide enough to allow an emergency vehicle to pass another vehicle coming in the opposite direction. It is no secret that seconds lost on an emergency call waiting for a vehicle to get out of the way could mean loss of life.

The street is completely blocked during mail delivery and trash pick up. Our Bureau of Sanitation strongly supports widening to 16 feet, not only for the resident's safety but for the sanitation workers safety.

The Director of Public Works feels strongly that the street should be widened. He also knows that there is stiff community opposition. Should you find yourself leaning towards granting the waiver, the Director asks that it be conditioned on the Developer building pull-over lanes at strategic locations. The Developer would be responsible for meeting with the Fire Department, the Bureau of Sanitation and the Development Plan Review Supervisor to lay out the locations. If offsite right-of-way is needed, the Developer would be required to acquire it before he would be allowed to proceed with subdivision.

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 2010-0227-03222010.doc



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 9, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 8, 2010

Item Numbers: 0227

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Roland P. Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BW
4-16-10

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

DATE: April 12, 2010

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

RECEIVED

SUBJECT: Tim Kotroco,

APR 15

INFORMATION:

Item Number: 10-227

ZONING 11 5 2

Petitioner: Timothy Kotroco,

Zoning: RC 5

Requested Action:

Special Hearing to allow existing paving width to remain.

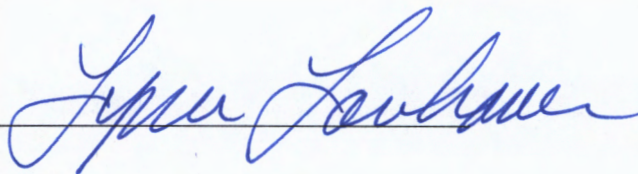
SUMMARY OF RECOMMENDATIONS:

This project is also being reviewed as a major subdivision named the Estates At Windy Hill, PDM# II-746.

The Office of Planning offers no objection to the requested waiver to this paving width provided all other requirements identified by the Baltimore County Bureau of Development Plans Review are met. Further, the Office of Planning supports the grant of a waiver to Section 32-4-409 (e) (2), if deemed necessary for panhandle length.

For further information concerning this matters stated here in, please contact Dave Green at 410-887-3480.

Division Chief:
AFK/LL: CM



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



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: MARCH 10, 2010

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

RE: Baltimore County
Item No. 2010-0227-SPH
4301 WINDY HILL RD
IN WOH A PROPERTY
SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2010-0227-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

A handwritten signature in black ink that reads "Michael P. Bailey". The signature is written in a cursive, flowing style.

For ¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

BW
4-16-10
ham

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 16 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: April 15, 2010
SUBJECT: Zoning Item # 10-227-SPH
Address 4301 Windy Hill Road
(Imwuoha Property)

Zoning Advisory Committee Meeting of March 8, 2010

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

Reviewer: JWL

Date: 4/15/2010

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 12, 2010

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

SUBJECT: Tim Kotroco,

INFORMATION:

Item Number: 10-227

Petitioner: Timothy Kotroco,

Zoning: RC 5

Requested Action:

Special Hearing to allow existing paving width to remain.

SUMMARY OF RECOMMENDATIONS:

This project is also being reviewed as a major subdivision named the Estates At Windy Hill, PDM# II-746.

The Office of Planning offers no objection to the requested waiver to this paving width provided all other requirements identified by the Baltimore County Bureau of Development Plans Review are met. Further, the Office of Planning supports the grant of a waiver to Section 32-4-409 (e) (2), if deemed necessary for panhandle length.

For further information concerning this matters stated here in, please contact Dave Green at 410-887-3480.

Division Chief: _____
AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

CONCEPT PLAN CONFERENCE

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

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

DATE: July 6, 2009

PROJECT NAME: Estates At Windy Hill

PROJECT NUMBER: II-746

PROJECT PLANNER: Lloyd Moxley

GENERAL INFORMATION:

Applicant Name: Namdi & Gail Iwuoha
c/o JLN Construction Services, LLC
300 North Warwick Avenue
PO Box 20538
Baltimore, MD 20538

Location: W/S Windy Hill Road; S Liberty Road

Councilmanic District: 4th

Land Management Area: Rural Residential

Zoning: R.C. 5

Acres: 18.59 acres ±

Surrounding Zoning and Land Use:

North:	R.C.5	Rural Residential
South:	R.C.5	Rural Residential
East:	R.C.5	Rural Residential
West:	R.C.5	Rural Residential

Project Proposal:

Four single family dwellings situated on 18.59 acres of R.C. 5 zoned property. Existing Lot 1 is shown for density purposes only and is not part of this development. The site is currently unimproved and is predominately wooded with some steep slopes and riparian features.

Project History:

The site was the subject of a Landmarks Preservation Commission (LPC) Hearing on October 16, 2008 wherein the LPC approved the request for demolition of the "Watters House" Final Landmarks List #334. The structure has since been razed.

Other Anticipated Actions and Additional Review Items:

- | | | |
|--|---|--|
| ☐ Special Exception | ☒ Special Hearing | ☐ PUD |
| ☐ Variance | ☐ Compatibility | ☐ Design Review Panel |
| ☐ Waiver | ☐ Scenic Route | ☐ Other |
| ☐ RTA Modification | ☐ Referral to Planning Board | |

PARTIES TO BE NOTIFIED BY APPLICANT:

1. All adjacent property owners.
2. The Community Associations listed below:

Architectural Committee of Plains of Paren
Michael Sterling
4224 Herrera Court
Baltimore, MD 21133

MEETINGS:

Concept Plan Conference	07/06/08	Community Input Meeting	
Development Plan Conference		Hearing Officer's Hearing	
Planning Board			

MASTER PLAN:

The Land Management Area as listed in the Master Plan 2010 is Single Family Detached Rural Standards.

SCHOOL IMPACT ANALYSIS:

This development is subject to section 32-6-103 of the Baltimore County Code, Adequate Public Facilities. A school impact analysis is required with development plan submittal. Information is available on the Baltimore County Office of Planning's Web Page:

http://www.baltimorecountymd.gov/Agencies/planning/public_facilities_planning/adequate_school_facilities.html

The proposal is within the boundaries of the following schools:

Hernwood	Elementary School
Deer Park	Middle School
New Town	High School

COMMENTS:

The receipt of additional information from the Community Input Meeting or other sources may generate further comments at the Development Plan Conference.

RC 5 FINDING:

In accordance with Section 1A04.4 of the Baltimore County Zoning Regulations (Bill 55-04), the Office of Planning must provide a finding before approval of the plan. In order to make that finding the following items must be addressed:

1. Provide photos of existing buildings and other significant features on the site of the proposed development.
2. Provide photos of existing housing in the surrounding neighborhood (to establish neighborhood architectural character).
3. Provide architectural elevations of the proposed dwellings to include building materials and colors. If architectural elevation drawings are not available at this time, a note must be placed on the site plan stating, *"Architectural elevation drawings must be submitted to the Office of Planning for review and approval in accordance with Section 1A04.4.G of the BCZR. prior to Building Permit approval."*
4. Proposed grading must be submitted that retains significant site features and plant materials.
5. **Provide a narrative** as to how the proposed development meets the requirements of Section 1A04.4 BCZR.

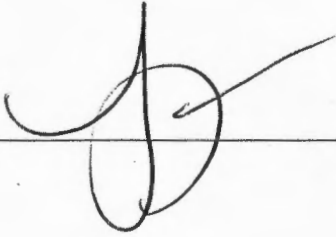
PLAN COMMENTS:

1. The Plan as proposed will require a Special Hearing to approve a Waiver to the Pan-handle length requirements found in Section 32-4-409(e)(2). Show the width of the in-fee strips and ensure the requirement of Section 32-4-409(b)(2) are being met or is addressed as part of the Special Hearing.
2. Revise the proposed heading in data chart to read 4 units proposed + 1 existing (Lot 1, shown for density purposes only). Add a reduced scale density plat to show the development history of the tract as it existed in 1975. Coordinate your response to this comment with the Office of Zoning Review.
3. Add bearings and distances to all new lines of division.
4. Add a typical diagram showing the setback requirements for the R.C.5 zone to the plan.
5. Show front building orientations for all existing and proposed structures. The Office of Planning will not support front to rear orientation proposal.
6. The proposed panhandle if approved will require a use-in-common easement for ingress and egress for all lots proposed to utilize said panhandle to be recorded, shown and noted on the plan.
7. Add the following note to the plan: "The panhandle shall be paved within one year of the issuance of the first occupancy permit and or prior to the issuance of the occupancy permit of the last lot to be served, whichever comes first."
8. Indicate if the property was the subject of any prior zoning cases and if so list said cases.
9. If widening is to be taken the gross and net areas of the plan cannot be the same.

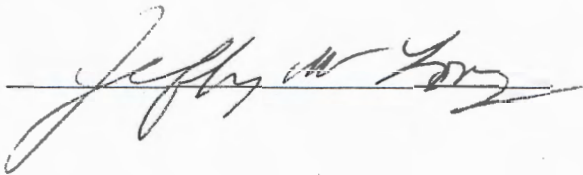
PROJECT NAME states At Windy Hill

PROJECT NUMBER: II-746

Prepared By:

A handwritten signature in black ink, consisting of a large, stylized 'J' or 'D' shape with a horizontal line extending to the right.

Deputy
Director:

A handwritten signature in black ink, appearing to read 'Jeffrey W. Gonz' with a horizontal line extending to the right.

LTM:kma

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
4301 Windy Hill Road; W/S Windy Hill Road *
15000' SW of c/line Liberty Road * ZONING COMMISSIONER
2nd Election & 4th Councilmanic Districts *
Legal Owner(s): Namdi & Gail Iwuoha * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 10-227-SPH

* * * * *

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.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

MAR 16 2010

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 16th day of March, 2010, a copy of the foregoing Entry of Appearance was mailed to Thomas Hoff, 512 Virginia Avenue, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MEMO TO THE FILE

Applicant was informed that a Public Works waiver is accompanied by a specific numerical request from the required standards. The applicant declined to provide such numbers based on his discussion with Development Plans Review and previous experiences with waiver requests.

From: Debra Wiley
To: Murray, Curtis
CC: Are, Kathy; Lanham, Lynn
Date: 4/15/2010 2:02 PM
Subject: Gentle Reminder - Comments Needed
Attachments: Comments Needed

Hi Curtis,

Please see attached email as Bill needs these for tomorrow's hearings. Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

11AM
2010-0227-
SPH

Missing
OP

From: Debra Wiley
To: Livingston, Jeffrey; Murray, Curtis
Date: 4/9/2010 3:32 PM
Subject: Comments Needed

Good Afternoon Gentlemen:

In reviewing case files for next week's hearings, it appears Bill needs comments for his hearing on Friday, April 16th at:

9 AM - 2010-0235-A - (need Planning & DEPRM)

10 AM - 2010-0224-A - (need Planning & DEPRM)

11 AM - 2010-0227-SPH - (need Planning & DEPRM)

As always, thanks for your usual cooperation and have a great weekend !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

From: "Lynn Lanham" <mlanham@baltimorecountymd.gov>
Subject: **Case # 10-227, Windy Hill**
Date: April 15, 2010 3:59:52 PM EDT
To: <bill_wiseman@comcast.net>
Cc: "Debra Wiley" <dwiley@baltimorecountymd.gov>, "Lloyd Moxley" <lmoxley@baltimorecountymd.gov>
▶ 1 Attachment, 34.5 KB

Bill,

Here is a revised signed comment. I think he should amend the petition to also include the SPH for panhandle length which he needs and we approve. No other issues that I see. Lloyd looked at it too and helped me with the comment since he reviewed the concept Plan. Sorry again for the delay in getting you comments.

Lynn

Lynn Lanham
Chief, Development Review
mlanham@baltimorecountymd.gov
Phone: 410-887-3480
Fax: 410-887-5862
Baltimore County
Office of Planning
Jefferson Building
105 W. Chesapeake Avenue
Suite 101
Towson, MD 21204



[10-227.doc \(34.5 KB\)](#)

From: Debra Wiley
To: Livingston, Jeffrey; Murray, Curtis
Date: 4/9/2010 3:32 PM
Subject: Comments Needed

*Hearing
of &
DEPRM*

Good Afternoon Gentlemen:

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11 AM - 2010-0227-SPH - (need Planning & DEPRM)

As always, thanks for your usual cooperation and have a great weekend !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Bill Wiseman - Windy Hill

From: Roland Bosley
To: Wiseman, Bill
Date: 5/11/2010 1:40 PM
Subject: Windy Hill

Bill,

The fire marshals office after reviewing the code and with our current policy we do not address roadways unless they are being newly constructed.

Thank You
Roland Bosley

tom@thomashoff.com

CHECKLIST**Comment
Received****Department****Support/
Oppose**✓

DEVELOPMENT PLANS REVIEW

CommentsMissing 4/9DEPRM email sent 4/9✓

FIRE DEPARTMENT

Comply w/CodeMissing 4/9, 4/15PLANNING email sent 4/9
email sent 4/15✓

STATE HIGHWAY ADMINISTRATION

No objection_____

TRAFFIC ENGINEERING

ZONING VIOLATION

✓

NEWSPAPER ADVERTISEMENT

✓

PEOPLE'S COUNSEL APPEARANCE

Done

PRIOR ZONING

✓

SIGN POSTING

Comments, if any:

See Memo to File re: DPW waiver

THOMAS J. HOFF, INC.
Landscape Architect and Land Development Consultant
512 VIRGINIA AVENUE
TOWSON, MD. 21286
410-296-3668
FAX 410-825-3887

LETTER OF TRANSMITTAL

TO ZONING COMMISSIONER'S OFFICE

DATE	6/11/10	JOB NO.	933-01
ATTENTION	BILL WISEMAN		
RE:	WINDY HILL RD		
	ESTATES @ WINDY HILL		

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
1			REVISED PLAT TO ACCOMPANY - PETITIONER'S EXHIBIT #9
			RECEIVED
			JUN 11 2010
			ZONING COMMISSIONER

THESE ARE TRANSMITTED as checked below:

- | | | |
|--|---|---|
| ☐ For approval | ☐ Approved as submitted | ☐ Resubmit _____ copies for approval |
| ☒ For your use | ☐ Approved as noted | ☐ Submit _____ copies for distribution |
| ☒ As requested | ☐ Returned for corrections | ☐ Return _____ corrected prints |
| ☐ For review and comment | ☐ _____ | |
| ☐ FOR BIDS DUE _____ | ☐ PRINTS RETURNED AFTER LOAN TO US | |

REMARKS _____

COPY TO _____

SIGNED: THOMAS J. HOFF

If enclosures are not as noted, kindly notify us at once.

THOMAS J. HOFF, INC.
Landscape Architects and Land Development Consultants
512 VIRGINIA AVENUE
TOWSON, MD. 21286
410-296-3668
FAX 410-825-3887

April 27, 2010

William J. Wiseman, III
Zoning Commissioner
000 West Chesapeake Avenue
Towson, MD 21204

Re: Estates at Windy Hill
Zoning Case No. 2010-0227-SPH

Dear Commissioner:

Attached please find a "Revised Plat to Accompany Petition for Special Hearing" and a set of Photographs showing the existing driveway entrances onto Windy Hill Road. This revised plat shows that there are six driveway entrances onto Windy Hill Road that are 16' to 28' wide that can easily provide an adequate pull-over lane for vehicles traveling on Windy Hill Road. The spacing of these entrances is approximately 250' apart.

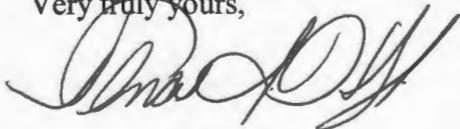
I met with Steven Makowski of the Bureau of Solid Waste Management, concerning the adequacy of Windy Hill Road for trash pickup. He stated to me that the need for wider paving was not as important as having an adequate turnaround at the end of Windy Hill Road for the trash trucks. He stated that leaving the paving width as it is and providing a standard cul-de-sac at the end of the road was satisfactory for him.

I met with Lt. Bosley, Fire Department, concerning the adequacy of Windy Hill Road for Fire and other emergency vehicles. He reviewed the issue with his superiors and the decision was that they had no comments on the width of Windy Hill Road. He was also in favor of the proposed cul-de-sac.

Namdi Iwuoha and I met with Leona Gibson concerning the widening of Windy Hill Road along the frontage of the Elisabeth Gardner Property at 10201 Liberty Road. She agreed to allow us to widen the paving by five feet more or less on her property along her frontage from the intersection with Liberty Road to their existing driveway, as shown on the attached "Revise Plat to Accompany Petition".

If you have any questions or require any additional information, please give me a call at 410-296-3669.

Very truly yours,



Thomas J. Hoff, RLA
President

Attachments: Revised Plat to Accompany and Photographs

11Am



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 02 Account Number - 0202851080

Owner Information

Owner Name: IWUOHA NAMDI C
 IWUOHA GAIL
Mailing Address: 4301 WINDY HILL RD
 RANDALLSTOWN MD 21133-1409
Use: RESIDENTIAL
Principal Residence: NO
Deed Reference: 1) /22840/ 528
 2)

Location & Structure Information

Premises Address
 4301 WINDY HILL RD
Legal Description
 18.8725 AC
 4301 WINDY HILL RD
 1500FT SW OF LIBERTY RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
66	22	187						1	Plat Ref:

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1779	1,280 SF	18.87 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2009	07/01/2010
Land	284,350	284,300		
Improvements:	0	0		
Total:	284,350	284,300	284,350	284,300
Preferential Land:	0	0	0	0

Transfer Information

Seller: BUSICK GEORGE L,SR	Date: 11/02/2005	Price: \$370,000
Type: NOT ARMS-LENGTH	Deed1: /22840/ 528	Deed2:
Seller: BUSICK GEORGE L	Date: 02/04/2002	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /16064/ 284	Deed2:
Seller: BUSICK GEORGE L ET AL	Date: 06/10/1963	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 4153/ 383	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

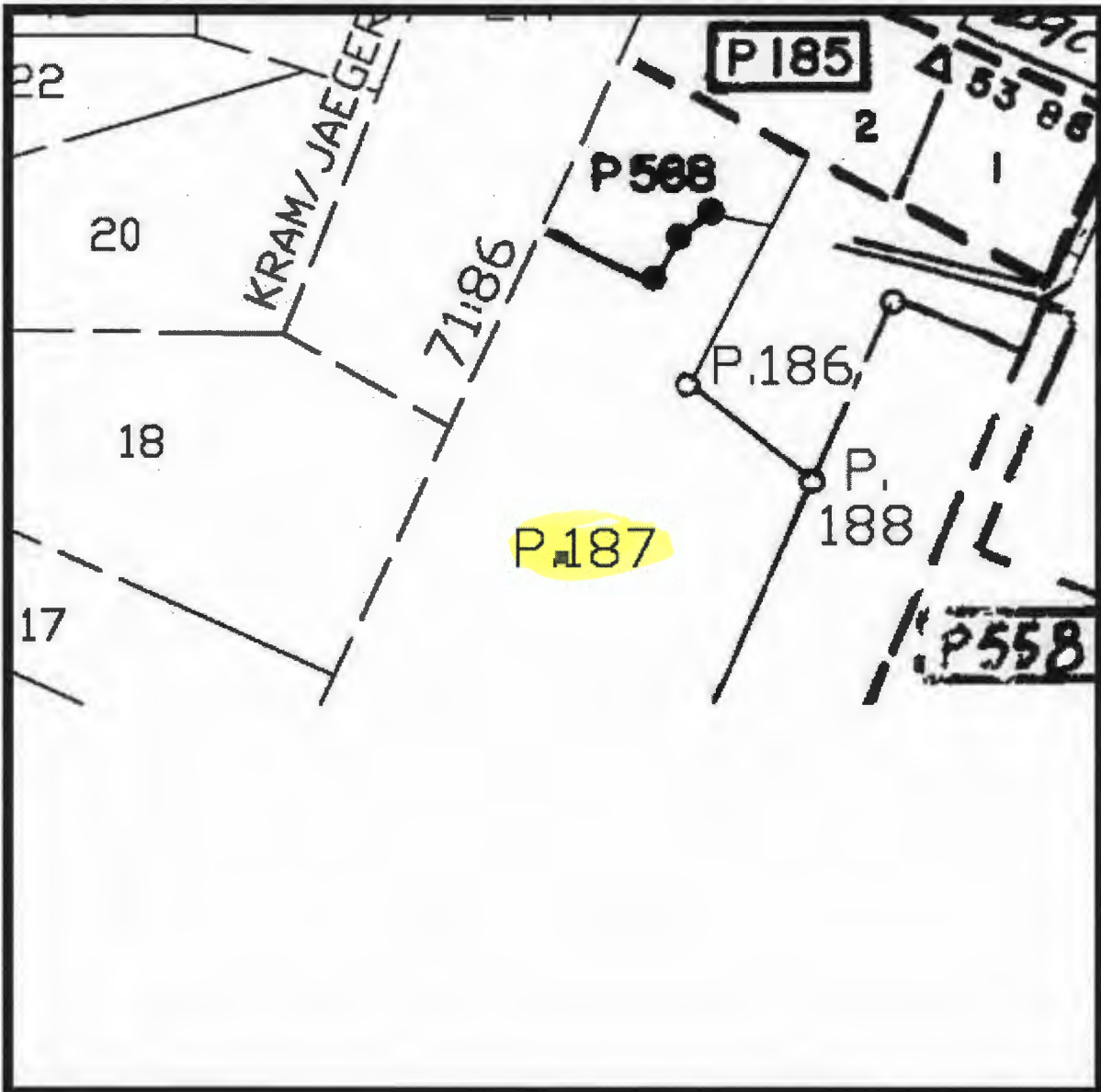
Special Tax Recapture:
 * NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 02 **Account Number - 0202851080**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

CASE NAME Twilio
CASE NUMBER 2010-0227-S1
DATE 4-16-10

[illegible]

CASE NAME Iwucha
CASE NUMBER 2010-0227-SPH
DATE 4-16-10

[illegible]

Case No.: 2010-0227-SPH 4301 Windy Hill Rd.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Concept Plan Comment -	
No. 3	Detail of Existing Driveways	
No. 4	Athun F Photo's 6 Photos Existing Pull off via Private Driveway	
No. 5	REVISED SITE PLAN NOTING DRIVEWAY ENTRANCES USED FOR PULL OFF Lanes and area of driveway widening (125')	(SEE PHOTO'S)
No. 6	FIRE DEPT COMMENT	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY, MARYLAND

SUBJECT: Concept Plan Review Comments
For July 6, 2009 CPC

DATE: June 30, 2009

FROM: Dennis A. Kennedy, ^{DM}Supervisor
Bureau of Development Plans Review
Dept. of Permits and Development Mgmt.

PROJECT NAME: *ESTATES AT WINDY HILL*

P.D.M. NO.: *II-746*

LOCATION: *WINDY HILL ROAD*

DISTRICT: *2 C 4*

We reviewed the subject plan dated June 15, 2009 and have the following comments:

1. Add three (3) MCS grid ticks to the plans.
2. Provide a minimum 16-foot-wide road from Liberty Road to the site. The ultimate road and R/W width is an 18-foot road width on a 40-foot R/W. Expand the plan to show all required road widening. If offsite R/W must be acquired for this work, no plat will be approved or building permit issued until it is acquired.
3. The proposed panhandle length is greater than 1000 feet. A waiver request is required.
4. Clarify the ultimate owner of the area immediately surrounding the cul-de-sac.
5. Revise the driveway location or provide an access easement for the proposed driveway that encroaches onto Lot 1 in various locations. Also, provide an access easement over the driveway that serves Lots 2 and 3.
6. Show the wetlands limits in the floodplain area.
7. Add the missing deed reference on Lot 5.
8. Show the existing R/W along Windy Hill Road, not just the ultimate R/W.
9. Show the plat reference for the existing highway widening along Windy Hill Road.

PETITIONER'S

EXHIBIT NO. #2

10. Lot 1 has a leader to an existing septic. Is this an existing septic tank? Please clarify.
11. Show the project identification sign location, if applicable.
12. Be advised that a site visit by Baltimore County DPR is required.
13. Add a LEGEND to Sheet 2 of 2.
14. There are no landscaping comments at this time. Landscape plan approval will be subject to the landscape plan submission and review process.
15. A tee-turnaround is required on the driveway serving Lot 2 since the driveway is greater than 300-feet long.
16. Drainage facilities may be needed for the widening of Windy Hill Road and the proposed cul-de-sac.
17. A road closing hearing is required for the portion of Windy Hill Road that is beyond the proposed cul-de-sac.

* * * * *

DAK/MLV
cc: file

PETITIONER'S EXHIBIT #4



A



PETITIONER'S
EXHIBIT NO. #4

B

NORMANUS
4405

PETITIONER'S EXHIBIT #18



C

Pav. to
4406



D

PETROWER'S EXHIBIT #2



E

4310 →

4402
and →

44



F



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PETITIONER'S

EXHIBIT NO. 5 A
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BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

To: Darryl Putty

June 30, 2009

From: Lt. Roland Bosley Jr.

Subject: CPC

Project: Estates at Windy Hill

PDM: 02-746

Location: Windy Hill

Comments:

Lot 2

9. Standard cul-de-sacs/**turnaround** designs and roadway radii shall be to the following minimum apparatus requirements:

Inside turning radius 35 ft.
Overall vehicle length 49 ft.
Overall vehicle width 9 ft. 8 in.

10. "Every **dead-end roadway** more than 300 ft (92 m) in length shall be provided at the closed end with a **turnaround** having not less than a 120-ft (37-m) outside diameter of traveled way". NFPA 1141: 4-2.2
The minimum inside turning radius shall be 35 feet.

PETITIONER' S

EXHIBIT NO.

#60



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

17. The proposed **panhandle driveway** shall be a minimum of 16 feet wide and of a hard surface capable of supporting emergency apparatus, weighing 70,000 lbs. on two axles. If in excess of 300 feet in length it shall terminate in a cul-de-sac or t-turnaround having an inside turning radius minimum of 35 feet wall to wall and a 120-ft (37-m) outside diameter. NFPA 1141: 4-2.2

Show Drive ways for Lots 1,2 and 5

Residents of the 4300 and 4400 blocks of Windy
Windy Hill Road and affected Liberty Road Residents
Harrisonville, MD 21133

November 9, 2009

Timothy M. Kotroco, Director
Baltimore County Dept. of Permits
and Development Management
111 W. Chesapeake Ave., Suite 105
Towson, MD 21204

Cc: Councilman Kenneth N. Oliver
400 Washington Avenue
Towson, MD 21204
Darryl D. Putty, Project Manager
Balto.Co. Dept. of Permits & Development Mngt.

Re: **Estates at Windy Hill**. Project Number:02-746 Zoning RC5 Location W/S Windy Hill Rd S Liberty Road
Districts: Elec.02 Counc.4

1. **Agreement with development plan for four (4) new homes and cul-de-sac**
2. **Opposition to widening 4400 – 4300 blocks Windy Hill Road beginning at Liberty Road**
Per Concept Plan Review Comments (July 6, 2009 CPC) Page 1 of 2, #2
Provide a minimum 16-foot-wide road from Liberty Road to the site. The ultimate road and R/W width is an 18-foot road width on a 40-foot R/W. Expand the plan to show all required road widening. If offsite R/w must be acquired for this work, no plat will be approved or building permit issued until it is acquired.

Dear Mr. Kotroco:

Thank you for the community input meeting held on August 10, 2009, 7:00 p.m. at the Randallstown Library to inform residents of the proposed **Estates at Windy Hill** PDM No. 02-746. Mr. Putty and Mr. Hoff, the Landscape Architect shared the development plan for four (4) new homes and cul-de-sac to be built at the location currently known as 4301 Windy Hill Road. Mr. Hoff explained road widening, in the 4400 and 4300 blocks of Windy Hill Road, may be necessary.

1. We welcome new residents to live in our community. It is a friendly and peaceful environment. We have the benefit of 'country serenity' and the convenience of 'county services'. Residents kindly yield to oncoming traffic since our street is one lane. We pull into bypass(es) and widened driveway(s) as needed to keep traffic moving. The cul-de-sac (at 4301 Windy Hill Road) is welcomed as it will create a turn-about and make it easier to access county services such as trash removal, snow removal, etc. **We unanimously agree with the development plan for four (4) new homes and cul-de-sac.**

Mr. Kotroco, you may be unaware that a historic home, needing major repair work, was demolished at 4301 Windy Hill Road. This lot is being counted in the four (4) lots for development, even though it represents replacement of an existing site. It is because a new home was not built, after the demolition, the development plan is cited to build four (4) new homes.

COMMUNITY

EXHIBIT NO. 1

November 9, 2009

On Monday, September 14, 2009, 6:30 p.m., at 4300 Windy Hill Road, across from the proposed development, neighbors met to discuss the plan. Mr. Hoff, the Landscape Architect, met with more than 80% of residents of the 4300 and 4400 blocks of Windy Hill and our neighbors at 10141, 10201 and 10227 Liberty Road as they too would be affected by road widening. He presented us a 'Bypass Exhibit Windy Hill Road' that is included for your review.

2. **We agree with the 'Bypass Exhibit Windy Hill Road' as it clearly shows there are sufficient bypass areas every 200 feet.** Some of our neighbors have either widened or extended their driveway(s) to allow pull offs. We are opposed to street widening. It will take away the uniqueness of our secure, quiet, friendly neighborhood. The widening will create problems for homeowners with loss of parking pads, carport(s), mailboxes, fencing, etc. Additionally nine (9) electric poles would need to be relocated. Mr. and Mrs. Marxen, (who reside at 4300 Windy Hill Road) in their letter to Mr. Putty, August 25, 2009 wrote: "not only would this forever damage the semi-rural, country lane look of the neighborhood, but it is quite unnecessary once the cul-de-sac is in place... The residents do not want the road widened, as it will bring the road practically to the doorsteps of homes! It would also destroy years of carefully maintained lawns and landscaping."

Kindly, send your response(s) to the undersigned. We remain cooperative and open to the Estates at Windy Hill Project. We moved into this community aware of the need to yield to our neighbors, county services, and others sharing our country road.

Enclosure: Bypass Exhibit Windy Hill Road

We, the undersigned are unanimously opposed to widening the 4400-4300 blocks of Windy Hill Road beginning at Liberty Road.

Sincerely,

Name: Joseph E. Norman
Address: 4405 Windy Hill Rd
JOSEPH E. A. NORMAN
Sincerely,

Name: Barbara Anne Carter
Address: 10141 Liberty Rd

Sincerely,

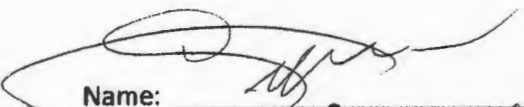
Name: John A. Hoff III
Address: 4412 Windy Hill Rd
John A Hoff III
Sincerely,

Name: Robert Bennett Carter Jr
Address: 10141 Liberty Rd.
Robert B. Carter

November 9, 2009

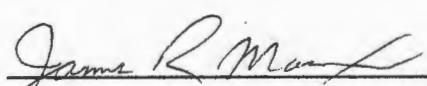
We, the undersigned are unanimously opposed to widening the 4400-4300 blocks of Windy Hill Road beginning at Liberty Road.

Sincerely,

Name: 

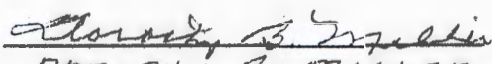
Address: JEFFREY S. PUGH
4309 TRAVANCORE CT

Sincerely,

Name: 

Address: 4300 WINDY HILL RD

Sincerely,

Name: 

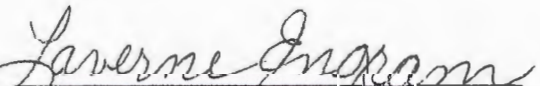
Address: DOROTHY B. MILLER
4305 Windy Hill Road

Sincerely,

Name: 

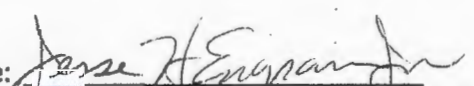
Address: JANIS MILLER
4305 WINDY HILL ROAD

Sincerely,

Name: 

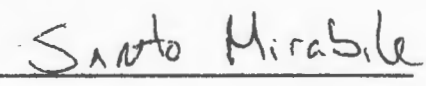
Address: 4402 Windy Hill Road

Sincerely,

Name: 

Address: JESSE H. INGRAM JR
4402 WINDY HILL RD

Sincerely,

Name: 

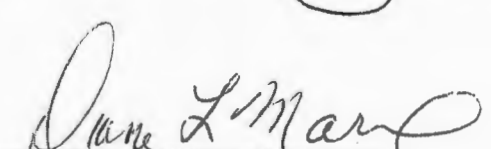
Address: Santo Mirabile
4312 Windy Hill Rd

Sincerely,

Name: 

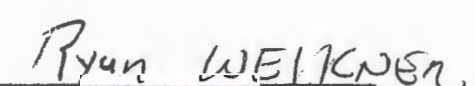
Address: Debora Mirabile
4312 Windy Hill Rd

Sincerely,

Name: 

Address: Diane L. Marxen
4300 Windy Hill Rd

Sincerely,

Name: 

Address: Ryan WEIKNER
4404 WINDY HILL RD

November 9, 2009

We, the undersigned are unanimously opposed to widening the 4400-4300 blocks of Windy Hill Road beginning at Liberty Road.

Sincerely,

Arnold D. Gries

Name: ARNOLD D. GRIES

Address: 4408 WINDY HILL RD. 21133

Sincerely,

John J. Jett

Name: FERN T. JETT

Address: 4412 WINDY HILL RD.

Sincerely, *Mutee A. Mulazim*

Name: Mutee A. Mulazim

Address: 4315 WINDY HILL RD.

Sincerely,

Name: _____

Address: _____

Sincerely,

Name: _____

Address: _____

Sincerely,

Mary C. Gries

Name: Mary C. Gries

Address: 4408 Windy Hill Rd. 21133

Sincerely,

Susan E. Kieft

Name: Susan E. Kieft

Address: 4416 Windy Hill Road

Sincerely,

Tiya S. Mulazim

Name: Tiya S. MULAZIM

Address: 4315 Windy Hill Road

Sincerely,

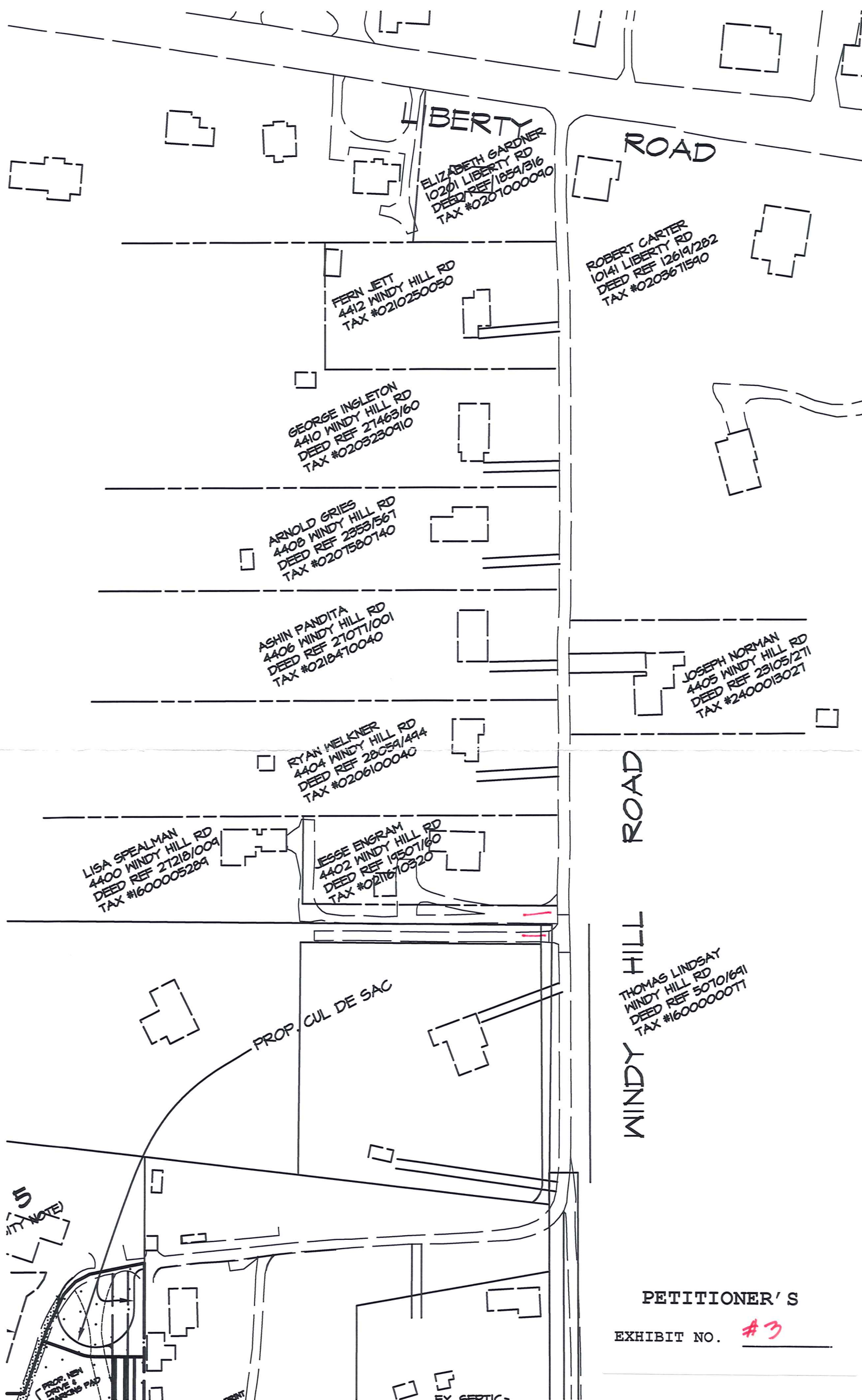
Name: _____

Address: _____

Sincerely,

Name: _____

Address: _____

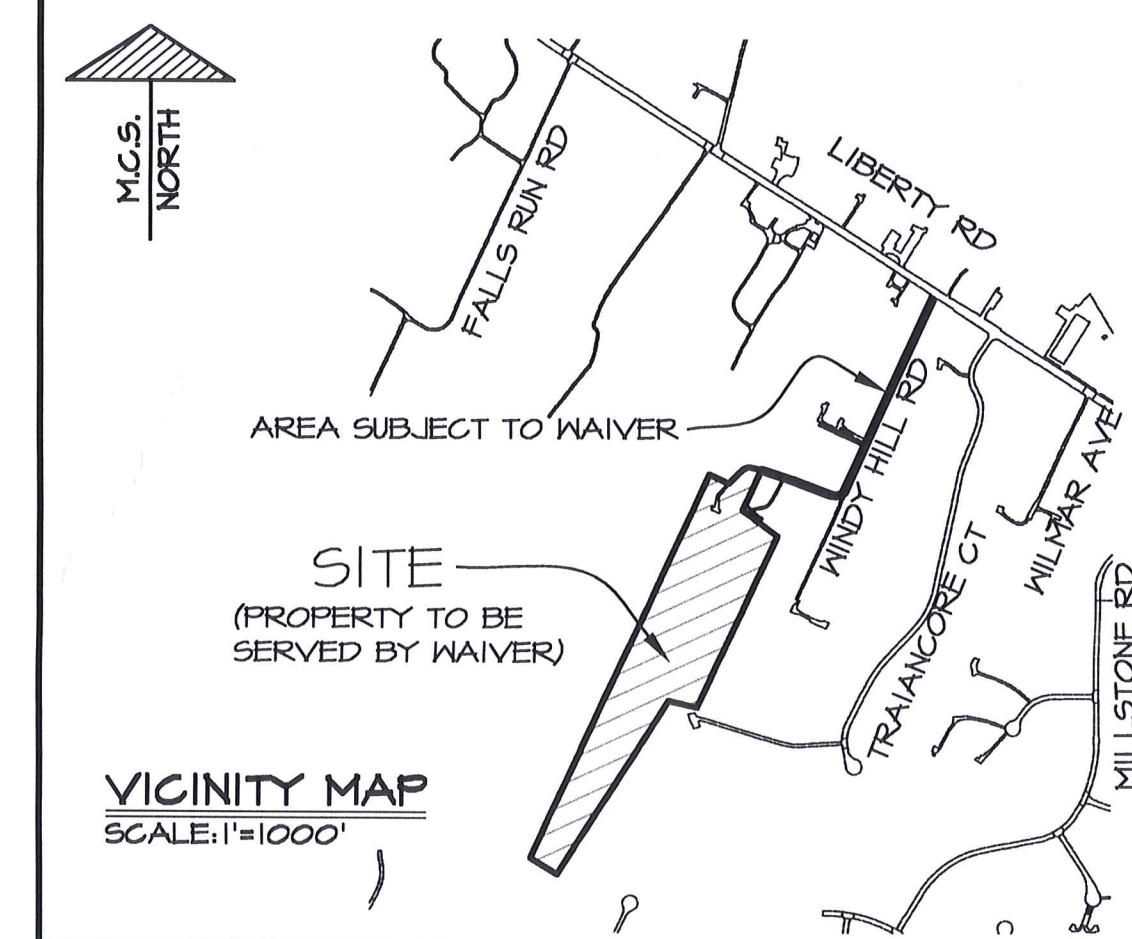
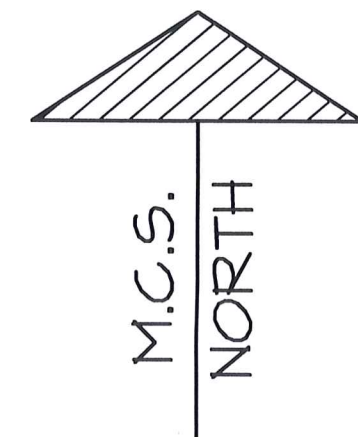


PETITIONER'S

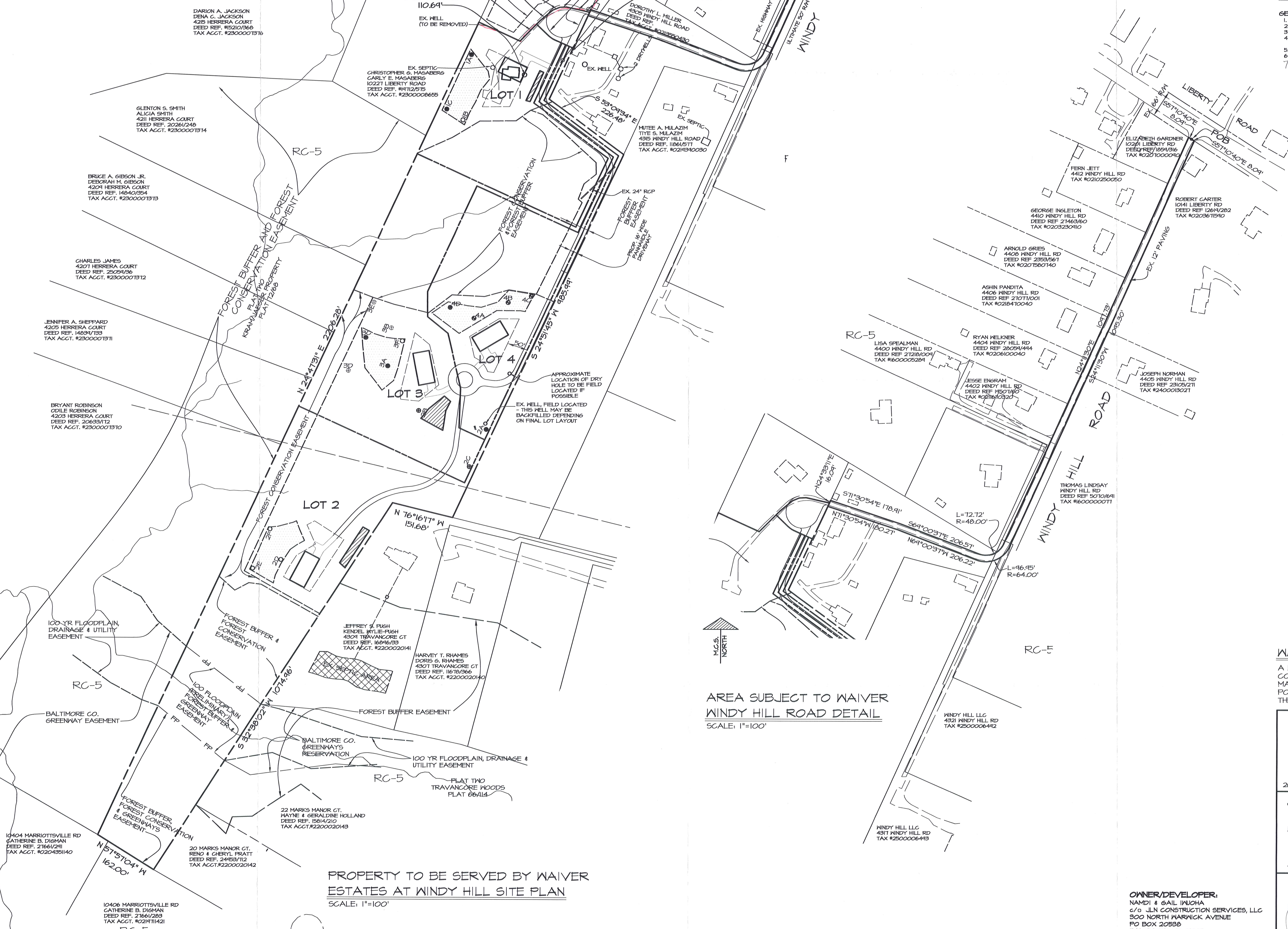
EXHIBIT NO. #3

EXISTING CONDITIONS
WINDY HILL ROAD
SCALE: 1"=100'
DATE: 10/21/09

PREPARED BY:
THOMAS J. HOFF, INC.
512 VIRGINIA AVENUE
TOWSON, MD 21286
410-296-3669



- GENERAL NOTES:
1. PROPERTY IS SERVED BY PRIVATE WELL & SEPTIC.
 2. SITE IS NOT IN GIBBS/PEACE DAY CRITICAL AREA.
 3. SITE IS NOT IN ANY MORATORIUM AREA.
 4. TOPOGRAPHIC INFORMATION SHOWN HEREON TAKEN FROM BALTIMORE COUNTY GIS.
 5. THERE ARE NO PRIOR ZONING CASES ON THIS PROPERTY.
 6. WINDY HILL ROAD IS MAINTAINED BY THE COUNTY.
 7. AREA OF WAIVER 0.58 AC.



AREA SUBJECT TO WAIVER
WINDY HILL ROAD DETAIL
SCALE: 1"=100'

PROPERTY TO BE SERVED BY WAIVER
ESTATES AT WINDY HILL SITE PLAN
SCALE: 1"=100'

WAIVER REQUEST:

A WAIVER FROM SECTION VII.D.3., OF THE BALTIMORE COUNTY, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, BUREAU OF DEVELOPMENT PLANS REVIEW, POLICY MANUAL, DATED FEBRUARY 27, 2002, TO ALLOW THE EXISTING PAVING WIDTH TO REMAIN.

PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING
WAIVER OF PUBLIC WORKS STANDARDS
ESTATES AT WINDY HILL
AKA 4301 WINDY HILL RD.
PDM #2-746
2nd ELECTION DISTRICT, 4th COUNCILMANIC, BALTIMORE COUNTY, MD

THOMAS J. HOFF, INC.

LAND DEVELOPMENT CONSULTANTS
LANDSCAPE ARCHITECTS

512 VIRGINIA AVENUE
TOWSON, MARYLAND 21206
410-296-5668 FAX 410-225-3827



REVISIONS:

PETITIONER'S
EXHIBIT NO. 1

SCALE: 1"=100'
DATE: 02/26/10
JOB NO.: 0533-01
DESIGNED: TJH
DRAWN: TJH
CHECKED:

DRAWING NUMBER:

ZON-1

1 OF 1

OWNER/DEVELOPER:
NANDI & GAIL INJOHA
c/o JLN CONSTRUCTION SERVICES, LLC
300 NORTH WARRICK AVENUE
PO BOX 20539
BALTIMORE, MD 21225
DEED REF: 22840/520
TAX: 02-02-851080