MEMORANDUM

DATE: October 25, 2016

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2016-0336-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 24, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(916 Oakfield Ct.)		
15th Election District	*	OF ADMINISTRATIVE
6th Council District		
Hawkins Manor Realty, LLC	*	HEARINGS FOR
Legal Owner		
Ryan Homes Balto. N. Div.	*	BALTIMORE COUNTY
Contract Purchaser		
Petitioners	*	**CASE NO. 2016-0336-A**

* * * * * * *

AMENDED OPINION AND ORDER

The original Order in the above case dated September 14, 2016 failed to include Lot 89 as one of the properties for which variance relief was granted.

THEREFORE, for the forgoing reasons, it is this **23rd** day of September, 2016 ordered by the Administrative Law Judge for Baltimore County that the first paragraph of page 3 of the Order dated September 14, 2016, wherein the petition for variance was granted, be and is hereby amended as follows:

> (1) to allow a minimum front yard setback from a public street right-of-way or property line of 12 ft. in lieu of the required 25 ft. for Lot Nos. 52, 66 and 91; and (2) to allow a minimum rear building face to rear property line setback of 10 ft. in lieu of 20 ft. for Lot Nos. 1-7, 11-37, 49-50, 52, 57-60, 73, 87, 89 and 90.

All other terms and conditions of the original Order shall remain in full force and effect.

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

JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING
Date 9-23-16
By SLN

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(916 Oakfield Ct.)		
15th Election District	*	OF ADMINISTRATIVE
6th Council District		
Hawkins Manor Realty, LLC	*	HEARINGS FOR
Legal Owner		
Ryan Homes Balto. N. Div.	*	BALTIMORE COUNTY
Contract Purchaser		
Petitioners	*	**CASE NO. 2016-0336-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Hawkins Manor Realty, LLC, owner of the subject property and Ryan Homes, contract purchaser ("Petitioners"). Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: (1) to allow a minimum front yard setback from a public street right-of-way or property line of 12 ft. in lieu of the required 25 ft. for Lot Nos. 52, 66 and 91; and (2) to allow a minimum rear building face to rear property line setback of 10 ft. in lieu of 20 ft. for Lot Nos. 1-7, 11-37, 49-50, 52, 57-60, 73, 87 and 90. A site plan was marked as Petitioners' Exhibit 1.

Aaron York of Ryan Homes and landscape architect Matthew Bishop appeared in support of the petition. David H. Karceski, Esq. represented the contract purchaser. No protestants or interested citizens attended the hearing. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) and the Department of Environmental Protection and Sustainability (DEPS). The DPR requested screening on certain lots and a condition to that effect will be included in the order below. DEPS expressed concern with the variance originally requested for Lot 94, but the petition was amended to strike the request for that lot. The petition

ORDER RECEIVED FOR FILING
Date 9-14-16
By DEN

was also amended, at the suggestion of the undersigned, to include a special hearing request for amendment of the Final Development Plan (FDP).

The subject property is approximately 41 acres and zoned DR 3.5 and CB. A development plan was approved in 2006 which permitted construction of 96 single-family dwellings on the property. The plan sat dormant during the economic downturn, but the project is now under construction. Mr. Bishop presented photos (Petitioners' Ex. No. 3) of the existing conditions at the site, and he explained that only the model home at the entrance to the community has been constructed at this time. Mr. York explained buyers in the current market prefer breakfast rooms or similar room additions to a basic single-family floorplan. The variances are sought to accommodate these add-on rooms, and no additional lots (beyond those shown on the approved development plan) are proposed or will result if the petition is granted.

A variance request involves a two-step process, summarized as follows:

(1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have met this test. The property is irregularly shaped and roughly 25% of the site (10 acres) contains environmental features. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the improvements requested by buyers in the current housing market. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition.

ORDER RECEIVED FOR FILING
Date 9-14-16
By DLH

THEREFORE, IT IS ORDERED, this **14th** day of September, 2016, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to allow a minimum front yard setback from a public street right-of-way or property line of 12 ft. in lieu of the required 25 ft. for Lot Nos. 52, 66 and 91; and (2) to allow a minimum rear building face to rear property line setback of 10 ft. in lieu of 20 ft. for Lot Nos. 1-7, 11-37, 49-50, 52, 57-60, 73, 87 and 90, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Final Development Plan (FDP) of Greenfields at White Marsh be and is hereby amended to reflect the variance relief granted herein.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. Petitioners must provide opaque fencing or screening at the rear of Lots 1 and 2, and the final landscape plan must be revised to reflect this change.

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

JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING
Date 9-14-16
By sln

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address See Attached Sheet 1 **which is presently zoned** DR 3.5, CB

Deed References: 33555-438 10 Digit Tax Account # See Attached Sheet 2

Property Owner(s) Printed Name(s) Hawkins Manor Realty, LLC

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ____ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X **a Variance** from Section(s)

See Attached Sheet 3

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)**

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), 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.
Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

See Attached Sheet 4
Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See Attached Sheet 5
Name #1 – Type or Print / Name #2 – Type or Print

Signature #1 / Signature # 2

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire
Name- Type or Print

Signature
Venable LLP
210 W. Pennsylvania Ave., Ste. 500 Towson MD
Mailing Address City State
21204 / 410-494-6285 / dhkarceski@venable.com
Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire
Name – Type or Print

Signature
Venable LLP
210 W. Pennsylvania Ave., Ste. 500 Towson MD
Mailing Address City State
21204 / 410-494-6285 / dhkarceski@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2016-0336-A **Filing Date** 6/29/16 **Do Not Schedule Dates:** _____ **Reviewer** RT

REV. 10/4/11

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HAWKINS MANOR REALTY. LLC

ATTACHMENT 1

TO PETITION FOR VARIANCE

VARIANCE # 1 (LOT NO. AND ADDRESS)	VARIANCE #2 (LOT NO. AND ADDRESS)
Lot No. 52 – 916 Oakfield Court	Lot No. 1 – 900 Long Manor Drive
Lot No. 66 – 918 Oakfield Court	Lot No. 2 – 902 Long Manor Drive
Lot No. 91 – 1007 Long Manor Drive	Lot No. 3 – 904 Long Manor Drive
	Lot No. 4 – 906 Long Manor Drive
	Lot No. 5 – 908 Long Manor Drive
	Lot No. 6 – 910 Long Manor Drive
	Lot No. 7 – 912 Long Manor Drive
	Lot No. 11 – 920 Long Manor Drive
	Lot No. 12 – 922 Long Manor Drive
	Lot No. 13 – 924 Long Manor Drive
	Lot No. 14 – 926 Long Manor Drive
	Lot No. 15 – 928 Long Manor Drive
	Lot No. 16 – 930 Long Manor Drive
	Lot No. 17 – 932 Long Manor Drive
	Lot No. 18 – 934 Long Manor Drive
	Lot No. 19 – 9708 White Pine Lane
	Lot No. 20 – 9706 White Pine Lane
	Lot No. 21 – 9704 White Pine Lane
	Lot No. 22 – 9702 White Pine Lane
	Lot No. 23 – 9700 White Pine Lane
	Lot No. 24 – 9701 Marsh Gate Lane
	Lot No. 25 – 9703 Marsh Gate Lane
	Lot No. 26 – 9705 Marsh Gate Lane
	Lot No. 27 – 9707 Marsh Gate Lane
	Lot No. 28 – 9709 Marsh Gate Lane
	Lot No. 29 – 9711 Marsh Gate Lane
	Lot No. 30 – 9710 Marsh Gate Lane
	Lot No. 31 – 9708 Marsh Gate Lane
	Lot No. 32 – 9706 Marsh Gate Lane
	Lot No. 33 – 9704 Marsh Gate Lane
	Lot No. 34 – 925 Long Manor Drive

	Lot No. 35 – 927 Long Manor Drive
	Lot No. 36 – 929 Long Manor Drive
	Lot No. 37 – 931 Long Manor Drive
	Lot No. 49 – 910 Oakfield Court
	Lot No. 50 – 912 Oakfield Court
	Lot No. 52 – 916 Oakfield Court
	Lot No. 57 – 900 Whitehawk Court
	Lot No. 58 – 902 Whitehawk Court
	Lot No. 59 – 904 Whitehawk Court
	Lot No. 60 – 906 Whitehawk Court
	Lot No. 73 – 9833 Marsh Haven Court
	Lot No. 87 – 1015 Long Manor Drive
	Lot No. 89 – 1011 Long Manor Drive
	Lot No. 90 – 1009 Long Manor Drive

HAWKINS MANOR REALTY. LLC

ATTACHMENT 2

TO PETITION FOR VARIANCE

VARIANCE # 1

LOT NO.	ADDRESS	TAX ACCOUNT NO.
52	916 Oakfield Court	1506200040
66	918 Oakfield Court	1506200040
91	1007 Long Manor Driver	2300001807

VARIANCE # 2

LOT NO.	ADDRESS	TAX ACCOUNT NO.
1	900 Long Manor Drive	2500011517
2	902 Long Manor Drive	2500011518
3	904 Long Manor Drive	2500011519
4	906 Long Manor Drive	2500011520
5	908 Long Manor Drive	2500011521
6	910 Long Manor Drive	2500011522
7	912 Long Manor Drive	2500011523
11	920 Long Manor Drive	2500011527
12	922 Long Manor Drive	2500011528
13	924 Long Manor Drive	2500011529
14	926 Long Manor Drive	2500011530
15	928 Long Manor Drive	2500011531
16	930 Long Manor Drive	2500011532
17	932 Long Manor Drive	2500011533
18	934 Long Manor Drive	2500011534
19	9708 White Pine Lane	2500011535
20	9706 White Pine Lane	2500011536
21	9704 White Pine Lane	2500011537
22	9702 White Pine Lane	2500011538
23	9700 White Pine Lane	2500011539
24	9701 Marsh Gate Lane	2500011540
25	9703 Marsh Gate Lane	2500011541

26	9705 Marsh Gate Lane	2500011542
27	9707 Marsh Gate Lane	2500011543
28	9709 Marsh Gate Lane	2500011544
29	9711 Marsh Gate Lane	2500011545
30	9710 Marsh Gate Lane	2500011546
31	9708 Marsh Gate Lane	2500011547
32	9706 Marsh Gate Lane	2500011548
33	9704 Marsh Gate Lane	2500011549
34	925 Long Manor Drive	2500011550
35	927 Long Manor Drive	2500011551
36	929 Long Manor Drive	2500011552
37	931 Long Manor Drive	2500011553
49	910 Oakfield Court	1506200040*
50	912 Oakfield Court	1506200040*
52	916 Oakfield Court	1506200040*
57	900 Whitehawk Court	1506200040*
58	902 Whitehawk Court	1506200040*
59	904 Whitehawk Court	1506200040*
60	906 Whitehawk Court	1506200040*
73	9833 Marsh Haven Court	1506200040*
87	1015 Long Manor Drive	1506200040*
89	1011 Long Manor Drive	2300001807*
90	1009 Long Manor Drive	2300001807*

*** Denotes Lot Not Yet Subdivided from Larger Parcel**

HAWKINS MANOR REALTY. LLC

ATTACHMENT 3

TO PETITION FOR VARIANCE

1. Variance from BCZR Section 1B01.2.C.1.b to allow a minimum front yard setback from a public street right-of-way or property line of 12 feet in lieu of the required 25 feet for Lot Nos. 52, 66 and 91.

2. Variance from BCZR Section 1B01.2.C.1.b to allow a minimum rear building face to rear property line setback of 10 feet in lieu of 20 feet for Lot Nos. 1-7, 11-37, 49-50, 52, 57-60, 73, 87, 89, and 90.

TO PETITION FOR SPECIAL HEARING

1. Special Hearing to approve the Second Amended Final Development Plan.

HAWKINS MANOR REALTY. LLC

ATTACHMENT 4

TO PETITION FOR VARIANCE

Contract Purchaser:

Ryan Homes Baltimore North Division
8019 Corporate Drive, Suite A
Baltimore MD 21236
Phone: 410.931.6833

By: _____
Aaron York

Title: Vice President | Division Manager

Item #0336

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address See Attached Sheet 1 **which is presently zoned** DR 3.5, CB

Deed References: 33555-438 10 Digit Tax Account # See Attached Sheet 2

Property Owner(s) Printed Name(s) Hawkins Manor Realty, LLC

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1.____ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2.____ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3.X **a Variance** from Section(s)

See Attached Sheet 3

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Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), 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.
Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

See Attached Sheet 4
Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See Attached Sheet 5 /
Name #1 – Type or Print Name #2 – Type or Print

Signature #1 / Signature # 2

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire
Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com
Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire
Name – Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD
Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2016-0336-A **Filing Date** 6/29/16 **Do Not Schedule Dates:** **Reviewer** RJ

ORDER RECEIVED FOR FILING

Date 9-14-16

By DLH

REV. 10/4/11

HAWKINS MANOR REALTY. LLC

ATTACHMENT 1

TO PETITION FOR VARIANCE

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	Lot No. 16 – 930 Long Manor Drive
	Lot No. 17 – 932 Long Manor Drive
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	Lot No. 29 – 9711 Marsh Gate Lane
	Lot No. 30 – 9710 Marsh Gate Lane
	Lot No. 31 – 9708 Marsh Gate Lane
	Lot No. 32 – 9706 Marsh Gate Lane
	Lot No. 33 – 9704 Marsh Gate Lane
	Lot No. 34 – 925 Long Manor Drive

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	Lot No. 35 – 927 Long Manor Drive
	Lot No. 36 – 929 Long Manor Drive
	Lot No. 37 – 931 Long Manor Drive
	Lot No. 49 – 910 Oakfield Court
	Lot No. 50 – 912 Oakfield Court
	Lot No. 52 – 916 Oakfield Court
	Lot No. 57 – 900 Whitehawk Court
	Lot No. 58 – 902 Whitehawk Court
	Lot No. 59 – 904 Whitehawk Court
	Lot No. 60 – 906 Whitehawk Court
	Lot No. 73 – 9833 Marsh Haven Court
	Lot No. 87 – 1015 Long Manor Drive
	Lot No. 89 – 1011 Long Manor Drive
	Lot No. 90 – 1009 Long Manor Drive
	~~Lot No. 94 – 1001 Long Manor Drive~~

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Item #0336

HAWKINS MANOR REALTY. LLC

ATTACHMENT 2

TO PETITION FOR VARIANCE

VARIANCE # 1

LOT NO.	ADDRESS	TAX ACCOUNT NO.
52	916 Oakfield Court	1506200040
66	918 Oakfield Court	1506200040
91	1007 Long Manor Driver	2300001807

VARIANCE # 2

LOT NO.	ADDRESS	TAX ACCOUNT NO.
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5	908 Long Manor Drive	2500011521
6	910 Long Manor Drive	2500011522
7	912 Long Manor Drive	2500011523
11	920 Long Manor Drive	2500011527
12	922 Long Manor Drive	2500011528
13	924 Long Manor Drive	2500011529
14	926 Long Manor Drive	2500011530
15	928 Long Manor Drive	2500011531
16	930 Long Manor Drive	2500011532
17	932 Long Manor Drive	2500011533
18	934 Long Manor Drive	2500011534
19	9708 White Pine Lane	2500011535
20	9706 White Pine Lane	2500011536
21	9704 White Pine Lane	2500011537
22	9702 White Pine Lane	2500011538
23	9700 White Pine Lane	2500011539
24	9701 Marsh Gate Lane	2500011540
25	9703 Marsh Gate Lane	2500011541

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26	9705 Marsh Gate Lane	2500011542
27	9707 Marsh Gate Lane	2500011543
28	9709 Marsh Gate Lane	2500011544
29	9711 Marsh Gate Lane	2500011545
30	9710 Marsh Gate Lane	2500011546
31	9708 Marsh Gate Lane	2500011547
32	9706 Marsh Gate Lane	2500011548
33	9704 Marsh Gate Lane	2500011549
34	925 Long Manor Drive	2500011550
35	927 Long Manor Drive	2500011551
36	929 Long Manor Drive	2500011552
37	931 Long Manor Drive	2500011553
49	910 Oakfield Court	1506200040*
50	912 Oakfield Court	1506200040*
52	916 Oakfield Court	1506200040*
57	900 Whitehawk Court	1506200040*
58	902 Whitehawk Court	1506200040*
59	904 Whitehawk Court	1506200040*
60	906 Whitehawk Court	1506200040*
73	9833 Marsh Haven Court	1506200040*
87	1015 Long Manor Drive	1506200040*
89	1011 Long Manor Drive	2300001807*
90	1009 Long Manor Drive	2300001807*
94	1001 Long Manor Drive	2300001807*

*** Denotes Lot Not Yet Subdivided from Larger Parcel**

Item #0336

HAWKINS MANOR REALTY. LLC

ATTACHMENT 3

TO PETITION FOR VARIANCE

1. Variance from BCZR Section 1B01.2.C.1.b to allow a minimum front yard setback from a public street right-of-way or property line of 12 feet in lieu of the required 25 feet for Lot Nos. 52, 66 and 91.

2. Variance from BCZR Section 1B01.2.C.1.b to allow a minimum rear building face to rear property line setback of 10 feet in lieu of 20 feet for Lot Nos. 1-7, 11-37, 49-50, 52, 57-60, 73, 87, 89, 90 and 94.

Item #0336

HAWKINS MANOR REALTY. LLC

ATTACHMENT 4

TO PETITION FOR VARIANCE

Contract Purchaser:

Ryan Homes Baltimore North Division
8019 Corporate Drive, Suite A
Baltimore MD 21236
Phone: 410.931.6833

By: _____
Aaron York

Title: Vice President | Division Manager

Item #0336

HAWKINS MANOR REALTY. LLC

ATTACHMENT 5

TO PETITION FOR VARIANCE

Legal Owners (Petitioners):

Hawkins Manor Realty, LLC
By: Fischer Development LLC, Member
Address: 10 Parks Avenue
Hunt Valley, MD 21030

Phone: (410) 628-1500

By: _____
Carl T. Julio

Title: Sole Member

Item #0336

John E. Beverungen

From: Karceski, David H. <DKarceski@Venable.com>
Sent: Tuesday, September 20, 2016 9:48 AM
To: John E. Beverungen
Subject: Zoning Case No. 2016-336-A

Dear Judge Beverungen

I am in receipt of your Opinion and Order ("the Order") in the above-referenced case, dated September 14, 2016. In the Order, you granted Petitions for Variance and Special Hearing for the following requests:

1. Variances for minimum front yard setback from a public street right-of-way or property line of 12 ft. in lieu of the required 25 ft. for Lot Nos. 52, 66 and 91;

2. Variances for minimum rear building face to rear property line setback of 10 ft. in lieu of 20 ft. for Lot Nos. 1-7, 11-37, 49-50, 57-60, 73, 87 and 90; and

3. An amendment to the approved Final Development Plan for the Greenfields at White Marsh.

As indicated in our Petition for Variance, we also requested relief from B.C.Z.R. Section 1B01.2.C.1.b to allow a minimum rear building face to rear property line setback of 10 feet in lieu of 20 feet for Lot No. 89. I am e-mailing to respectfully request that you consider issuing an amended order reflecting that our petition included Lot No. 89 among the lots for which rear building face to rear property line setback relief was requested and granting the variance for this lot.

My client's proposed language for an amended order is the following:

> THEREFORE, IT IS ORDERED, this ___ day of September, 2016, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: (1) to allow a minimum front yard setback from a public street right-of-way or property line of 12ft. in lieu of the required 25 ft. for Lot Nos. 52, 66 and 91; and (2) to allow a minimum rear building face to rear property line setback of 10 ft. in lieu of 20 ft. for Lot Nos. 1-7, 11-37, 49-50, 52, 57-60, 73, 87, 89 and 90, be and is hereby GRANTED.

Would you like me to send a letter requesting an amended order? Thank you for your time and consideration of this matter.

Thank you,

David

David Karceski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
Towson: 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204
Baltimore: 750 East Pratt Street, Ste. 900, Baltimore, MD 21201

Zoning Property Description for
The Greenfields @ Whitemarsh Residential Development

Beginning at a point located ±110' from the northeast corner of the intersection of Bird River Road and Lannerton Road. **Thence** the following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

From intersection corner running North 46 degrees 3 minutes 12.63 seconds West, 737.2' to a point from the Point of Beginning, continuing North 45 degrees 05 minutes 47.34 seconds East, 2473.068' to a point; South 47 degrees 56 minutes 12.61 seconds East, 751.436' to a point; South 59 degrees 11 minutes 33.03 seconds West, 780.912' to a point; South 31 degrees 01 minutes 11.07 seconds East, 57.001' to a point; South 59 degrees 40 minutes 35.73 seconds West, 134.153' to a point; South 31 degrees 39 minutes 27.27 seconds East, 401.194' to a point; South 33 degrees 41 minutes 06.58 seconds East, 254.752' to a point; South 75 degrees 17 minutes 21.42 seconds West, 22.261' to a point; North 31 degrees 53 minutes 05.02 seconds West, 243.840' to a point; South 84 degrees 31 minutes 17.10 seconds West, 106.251' to a point; North 87 degrees 19 minutes 08.78 seconds West, 88.259' to a point; South 80 degrees 28 minutes 52.17 seconds West, 46.4' to a point; South 89 degrees 36 minutes 45.64 seconds West, 40.001' to a point; South 86 degrees 28 minutes 52.13 seconds West, 23.6' to a point; South 57 degrees 09 minutes 28.90 seconds West, 66.12' to a point; South 30 degrees 35 minutes 32.39 seconds East, 78.48' to a point; South 68 degrees 08 minutes 37.99 seconds West, 103.83' to a point; South 21 degrees 41 minutes 08.30 seconds East, 229.601' to a point; South 73 degrees 25 minutes 55.86 seconds West, 10.340' to a point; South 74 degrees 25 minutes 26.94 seconds West, 195.671' to a point; North 17 degrees 59 minutes 28.13 seconds West, 313.124' to a point; South 39 degrees 05 minutes 47.77 seconds West, 271.064' to a point; North 17 degrees 06 minutes 09.21 seconds West, 35.972' to a point; South 38 degrees 51 minutes 50.79 seconds West, 263.65' to a point; South 39 degrees 52 minutes 41.77 seconds East, 59.255' to a point; South 55 degrees 35 minutes 50.79 seconds West, 4.5' to a point; South 47 degrees 05 minutes 50.79 seconds West, 59.4' to a point; South 47 degrees 05 minutes 50.79 seconds West, 17.847' to a point; South 39 degrees 42 minutes 47.37 seconds West, 357.452' to a point and place of beginning.

Containing an area of ±1,790,073 square feet or ±41.09 acres of land, more or less and being located in the 15th election district and the 6th councilmanic district of Baltimore County Maryland.



Item #0336



THE BALTIMORE SUN MEDIA GROUP

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4394945

Sold To:
VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON,MD 21204-5304

Bill To:
VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON,MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Aug 23, 2016

The Baltimore Sun Media Group
By S. Wilkinson
Legal Advertising



NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2016-0336-A
Greenfield at White Marsh
NW/s Bird River Road, 110 ft. NE of centerline of Lannerton Road
15th Election District - 6th Councilmanic District
Legal Owner(s) Hawkins Manor Realty, LLC
Contract Purchaser(s): Ryan Homes Baltimore North Division

Variance: to allow a minimum front yard setback from a public street right-of-way or property line of 12 feet in lieu of the required 25 ft. for Lot Nos. 52, 66 and 91. To allow a minimum rear building face to rear property line setback of 10 feet in lieu of 20 feet for Lot Nos. 1-7, 11-37, 49-50, 52, 57-60, 73, 87, 89, 90 and 94.

Hearing: Monday, September 12, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

JT 8/780 Aug. 23 4394945

CERTIFICATE OF POSTING

2016-0336-A

RE: Case No.: _____

Petitioner/Developer: _____

Hawkins Manor Reality, LLC

_____

September 12, 2016

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

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: _____

Bird River Road Near Lannerton Road

_____

_____

August 23, 2016

The sign(s) were posted on _____

(Month, Day, Year)



Sincerely,

August 23, 2016

(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)

KEVIN KAMENETZ
County Executive

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

August 4, 2016

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Greenfields at White Marsh
NW/s Bird River Road, 110 ft. NE of centerline of Lannerton Road
15th Election District – 6th Councilmanic District
Legal Owners: Hawkins Manor Realty, LLC
Contract Purchaser: Ryan Homes Baltimore North Division

Variance to allow a minimum front yard setback from a public street right-of-way or property line of 12 feet in lieu of the required 25 ft. for Lot Nos. 52, 66 and 91. To allow a minimum rear building face to rear property line setback of 10 feet in lieu of 20 feet for Lot Nos. 1-7, 11-37, 49-50,52, 57-60, 73,87, 89, 90 and 94.

Hearing: Monday, September 12, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Aaron York, 8019 Corporate Drive, Ste. A., Baltimore 21236
Carl Julio, 10 Parks Avenue, Hunt Valley 21030

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 23, 2016.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 23, 2016 Issue - Jeffersonian

Please forward billing to:
David Karceski 410-494-6285
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2016-0336-A
Greenfields at White Marsh
NW/s Bird River Road, 110 ft. NE of centerline of Lannerton Road
15th Election District – 6th Councilmanic District
Legal Owners: Hawkins Manor Realty, LLC
Contract Purchaser: Ryan Homes Baltimore North Division

Variance to allow a minimum front yard setback from a public street right-of-way or property line of 12 feet in lieu of the required 25 ft. for Lot Nos. 52, 66 and 91. To allow a minimum rear building face to rear property line setback of 10 feet in lieu of 20 feet for Lot Nos. 1-7, 11-37, 49-50,52, 57-60, 73,87, 89, 90 and 94.

Hearing: Monday, September 12, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE:	PETITION FOR VARIANCE Various Properties on Oakfield Ct, Long Manor Dr, White Pine Lane, Marsh Gate Lane & Whitehawk* Court; NW/S Bird River Road, 110' NE of c/line Lannerton Road 15th Election & 6th Councilmanic Districts Legal Owner(s): Hawkins Manor Realty LLC Contract Purchaser(s): Ryan Homes Balto N Div Petitioner(s)	*	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2016-336-A

* * * * * * * * * * * * *

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

Carole S Demilio

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

RECEIVED
JUL 19 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of July, 2016, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

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 legal owner/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 legal owner/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:

Case Number: 2016-0336A

Property Address: Greenfields at Whitemarsh

Property Description: ±110' from the northeast corner of the intersection of Bird River Rd and Lunnerston Rd.

Legal Owners (Petitioners): Hawkins Manor Realty LLC

Contract Purchaser/Lessee: Ryan Homes Baltimore North Division

PLEASE FORWARD ADVERTISING BILL TO:

Name: David H. Karceski, Esq.

Company/Firm (if applicable): Venable LLP

Address: 210 W. Pennsylvania Ave, Suite 500
Towson, MD 21204

Telephone Number: (410) 494-6200

Revised 5/20/2014

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

No. 141329

Date: 6/29/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				$500.00

Total: $500.00

Rec From:

For: Zoning hour - case # 2016-0336-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
6/30/2016	6/29/2016	10:10:34	5

WS05 WALKIN LRB
RECEIPT # 854483 6/29/2016 CFLN
Dept 5 528 ZONING VERIFICATION
R NO. 141329
Recpt Tot $500.00
$500.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

KEVIN KAMENETZ
County Executive

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

September 8, 2016

Hawkins Manor Realty LLC
Fischer Development LLC Member
Carl T Julio
10 Parks Avenue
Hunt Valley MD 21030

RE: Case Number: 2016-0336 A, Address: Bird River Road near Lannerton Road

Dear Mr. Julio:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 29, 2016. 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: jaw

Enclosures

c: People's Counsel
Ryan Homes Baltimore North Division, Aaron York, VP, 8019 Corporate Drive, Suite A
Baltimore MD 21236

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: July 18, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For July 18, 2016
Item No. 2016-0336

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

The petitioner will need to modify the approved Phase 1 Final Landscape Plan.
An opaque fence or screen should be provided behind lots #1 and #2.

* * * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0336-07182016.doc

9-12

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 29, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 16-336

RECEIVED
AUG 01 2016
OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:
Property Address: 916 Oakfield Court
Petitioner: Hawkins Manor Realty, LLC
Zoning: DR 3.5, CB
Requested Action: Variance

The Department of Planning has reviewed the petition for variances to permit a minimum front yard setback from a public street right-of-way or property line of 12 feet in lieu of the required 25 feet for Lot Nos. 52, 66 and 91 and to allow a minimum rear building face to rear property line setback of 10 feet in lieu of 20 feet for Lot Nos. 1-7, 11-37, 49-50, 52, 57-60, 73, 87, 89, 90 and 94.

The lots are a part of the Greenfields at White Marsh approved development plan, PAI# 15-841.

The Department has no objections to granting the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:

Lloyd T. Moxley

Division Chief:

Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

9-12

BALTIMORE COUNTY, MARYLAND

RECEIVED
JUL 12 2016
OFFICE OF ADMINISTRATIVE HEARINGS

Inter-Office Correspondence

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and Sustainability (EPS) - Development Coordination

DATE: July 12, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0336-A
Address 916 Oakfield Court
(Hawkins Manor Realty, LLC Property)

Zoning Advisory Committee Meeting of **July 18, 2016**.

__X__ The Department of Environmental Protection and Sustainability 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:

If the zoning variance were granted as requested, Lot 94 would be in violation of Section 33-3-111(d) as well as the Forest Conservation policy of having a 35-foot setback from the dwelling to the Forest Buffer and Forest Conservation Easement. Moreover, the Forest Conservation Easement is not shown on the petitioner's exhibit. EPS will not approve the building permit for the dwelling on lot 94 as proposed.

Reviewer: Glenn Shaffer Date: July 12, 2016

C:\Users\snuffer\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\WPHS9SSK\ZAC 16-0336-A 916 Oakfield Court.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED
AUG 08 2016
DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 29, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 16-336

INFORMATION:
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Petitioner: Hawkins Manor Realty, LLC
Zoning: DR 3.5, CB
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For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:
Lloyd T. Moxley

Division Chief:
Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

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Office of Administrative Hearings

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Reviewer: Glenn Shaffer Date: July 12, 2016

HAWKINS MANOR REALTY. LLC

ATTACHMENT 5

TO PETITION FOR VARIANCE

Legal Owners (Petitioners):

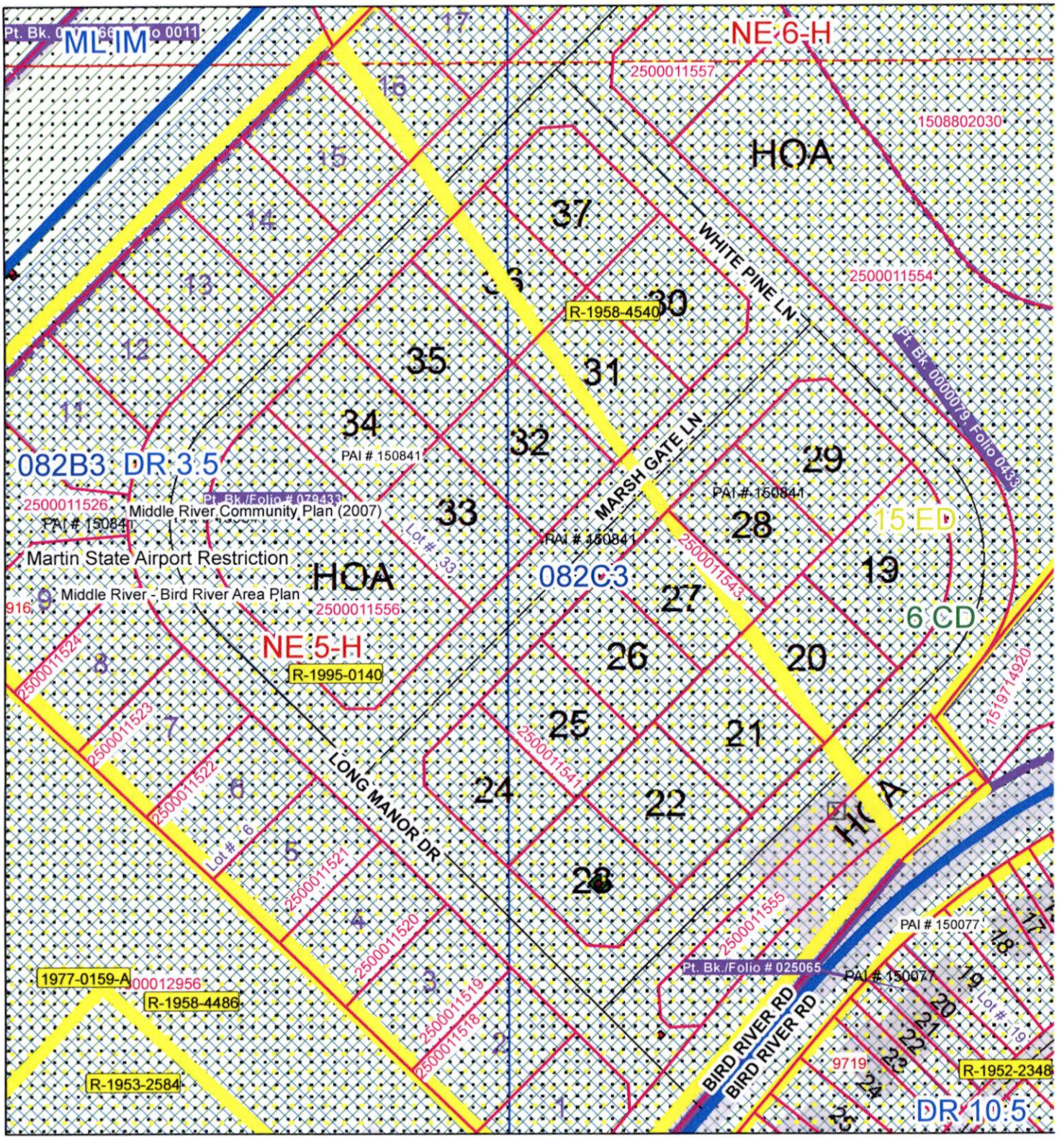
Hawkins Manor Realty, LLC
By: Fischer Development LLC, Member
Address: 10 Parks Avenue
Hunt Valley, MD 21030

Phone: (410) 628-1500

By: _____
Carl T. Julio
Title: Sole Member

Item #033.6

Greenfields at Whitemarsh



Publication Date: 6/29/2016

Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

N
W E
S

0 25 50 100 150 200 Feet

1 inch = 100 feet

Item # 0336

Case No.: 2016-0336-A

Exhibit Sheet

Petitioner/Developer

Protestant SLN 9-14-16

No. 1	Plan	
No. 2	Bishop CV	
No. 3	photos	
No. 4	context aerial photo	
No. 5	Map of envir. constraints	
No. 6	aerial photo - lots requesting variances	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

MATTHEW A. BISHOP, PLA, LEED AP

Associate

PROJECT ASSIGNMENT:
Expert Witness, Landscape Architect

YEARS OF EXPERIENCE:

MRA:	10
Other Firms:	5

EDUCATION:
B.S. Landscape Architecture / 2001 / University of Connecticut
M.S. Plant Science / 2005 / University of Connecticut

ACTIVE REGISTRATION:
Landscape Architect:
Maryland, 2006, #3365
North Dakota, 2013, #80

L.E.E.D. Accredited Professional (2008)

PROFESSIONAL AFFILIATIONS:
American Society of Landscape Architects (ASLA)
U.S. Green Building Council (USGBC), Maryland Chapter
Homebuilders Association of Maryland, Baltimore County Chapter

QUALIFICATIONS:

Mr. Bishop is an Associate with MRA's Towson office. His experience includes a variety of projects ranging in scale from site specific to regional planning including streetscapes, neighborhood parks, mixed-use and residential development. The scope of Mr. Bishop's project involvement includes site analysis through construction documents; applications and permitting; graphic renderings; grading; and cost estimating. His experience also includes working with various government agencies, private interest groups, and project related consultants including: architects; civil engineers; traffic engineers; and City, State, and County environmental and planning agencies.

Sample projects managed by Mr. Bishop include the following:

Firestone Auto Care Center, Baltimore County, Maryland - Located in Perry Hall on the east side of Belair Road, this commercial auto care facility included 5,000 sf of service and retail space with associated parking, signage, and landscape improvements. Served as project manager in the preparation of all Baltimore County required plans including a Special Exception Plan, Development Plan, Grading Plan, Site Plan, ESC Plan, Utility Plans, and Landscape Plans. Served as expert witness at the Special Exception hearing.

Gunpowder Overlook, Baltimore County, Maryland – Located in Perry Hall on the east side of Belair Road, this residential community includes 48 single family detached residential homes with associated open space, stormwater management facilities, environmental conservation areas, public roads and utilities. Served as project manager in the preparation of Concept Plans, a Development Plan, a Pattern Book, and coordination of a Community Input Meeting. Provided expert witness testimony at the Administrative Law Judge Hearing.

5737 Allender Road, Baltimore County, Maryland - Located on the east side of Baltimore County in White Marsh this development incorporates 121 homes situated around an extensive network of community open spaces. Served as project landscape architect in the design and preparation of planning related design products including Concept Plan, Development Plan, Pattern Book, and Final Development Plan. Also provided expert witness testimony for a Variance hearing to reduce side and rear yard building setbacks.

Red Lion Farm, Baltimore County, Maryland - Located on the east side of Baltimore County in White Marsh this development incorporates 61 homes. Provided expert witness testimony for a variance hearing to reduce rear yard building setbacks.

Windlass Run, Baltimore County, Maryland - Located on the east side of Baltimore County south of White Marsh Boulevard this Planned Unit Development incorporates 424 homes situated around an extensive network of community open spaces including a clubhouse, pool, and children's play equipment. Served as project landscape architect in the design and preparation of planning related design products including Concept Plan, Development Plan, Pattern Book, and Final Development Plan. Also designed and prepared detailed landscape architecture related design products including Active Open Space areas, Passive Open Space areas, Entry features, and Club house/pool area.

Towson Manor, Towson, Maryland - Located south of downtown Towson, on the east side of York Road, this Planned Unit Development incorporates 109 townhouses and an assisted living facility on ±8.22 acres. The project is a redevelopment of an existing single family residential community which had fallen into disrepair. Served as project

landscape architect in the design and preparation of Baltimore County required Concept Plan, Development Plan, Pattern Book, Final Development Plan, Grading Plan, Landscape Plan / Cost Estimates, and Stormwater Management Plan. Also designed and prepared landscape construction drawings for a highly visible centrally located Bio-Retention facility that will be used not only as a functional stormwater treatment facility but also as a visually appealing community open space. The design incorporated native plant species chosen for both functional and aesthetic qualities while also meeting the strict specifications of Baltimore County DEPS and the Maryland Stormwater Design Manual


PETITIONER'S
EXHIBIT NO. 3
A


B




Ryan Homes
Hawkins Manor
Single Family Homes
FROM THE $300s
443-960-3394
RyanHomes.com
COMING SOON!




Ryan Homes
Hawkins Manor
Single Family Homes
FROM THE $300s
443-960-3394
RyanHomes.com
COMING SOON!
Call for details
LONG MANOR DRIVE
WHITE PINE LANE

5




Florence Model
ZONING NOTICE
CASE # 2016-0336-A
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD
ROOM 205, JEFFERSON BUILDING
PLACE
DATE AND TIME



Sherry Nuffer

From: Sherry Nuffer
Sent: Wednesday, September 14, 2016 11:10 AM
To: 'dhkarceski@venable.com'
Subject: 2016-0336-A
Attachments: 20160914111430238.pdf

David,

Attached please find the Order rendered in the above mentioned case. A hard copy will follow via mail.

Thank you,

Sherry

PLEASE PRINT CLEARLY

CASE NAME Hawkins Manor Realty, LLC
CASE NUMBER 2016-336-A
DATE September 12, 2016

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
David Karceski, Esq.	210 W. Pennsylvania Ave., Suite 500	Towson, MD 21204	dhkarceski@venable.com
A. Neill Thupari, Esq.	"	"	anthupari@venable.com
Matthew Bishop	1220 E. Joppa Rd.	Towson, MD 21286	mbishop@mragtx.com
Aaron York	8019 Corporate Dr., Ste. A	Baltimore, MD 21236	ayork@nvrinc.us

CASE NO. 2016-0336-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
7/18	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
7/12	DEPS (if not received, date e-mail sent _____)	C
_____	FIRE DEPARTMENT	_____
7/29	PLANNING (if not received, date e-mail sent _____)	no Obj
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 8-23-16

SIGN POSTING Date: 8-23-16 by SSG Black

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w2) Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map View GroundRent Redemption View GroundRent Registration

Account Identifier: **District - 15 Account Number** - 1506200040

Owner Information

Owner Name:	HAWKINS MANOR REALTY LLC	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	10 PARK AVE COCKEYSVILLE MD 21030-4922	**Deed Reference:**	/33555/ 00438

Location & Structure Information

Premises Address:	9798 BIRD RIVER RD 0-0000	**Legal Description:**	16.49 AC NSR BIRD RIVER RD 2500FT NE MIDDLE RVR RD

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0082	0023	0179		0000				2015	Plat Ref:

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
			16.4900 AC	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation

Value Information

	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016	As of 07/01/2017
Land:	140,100	140,100		
Improvements	0	0		
Total:	140,100	140,100	140,100	140,100
Preferential Land:	0			0

Transfer Information

Seller: HAWKINS MANOR LLC	Date: 05/01/2013	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /33555/ 00438	Deed2:
Seller: FISCHER ADOLPH	Date: 10/30/2001	Price: $675,000
Type: ARMS LENGTH MULTIPLE	Deed1: /15706/ 00148	Deed2:
Seller: AG USE 83-84	Date:	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /00000/ 00000	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2016	07/01/2017
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

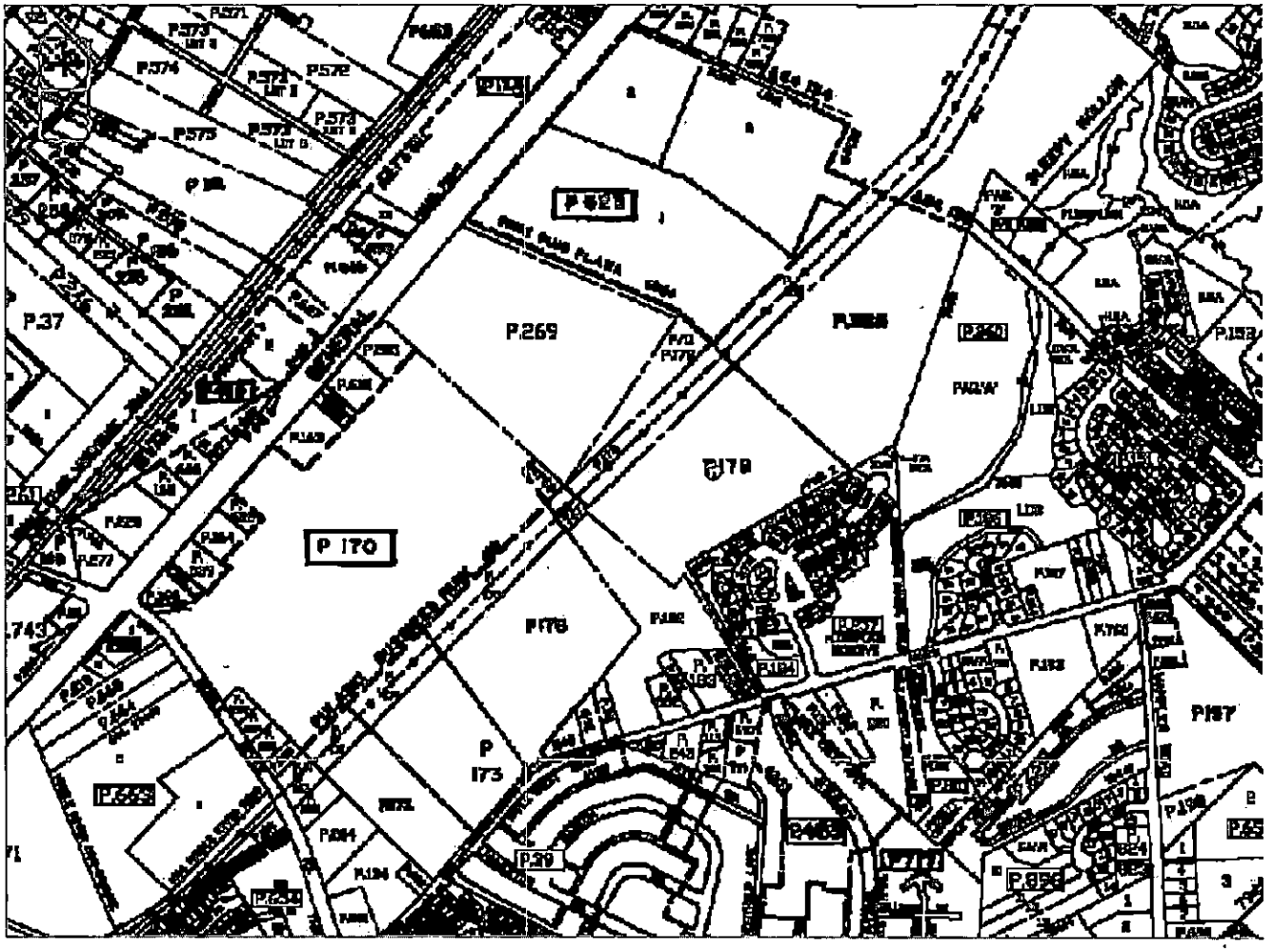
Homestead Application Information

Homestead Application Status: No Application

Baltimore County

New Search (http://sdat.dat.maryland.gov/RealProperty)

District: **15** Account Number: **1506200040**

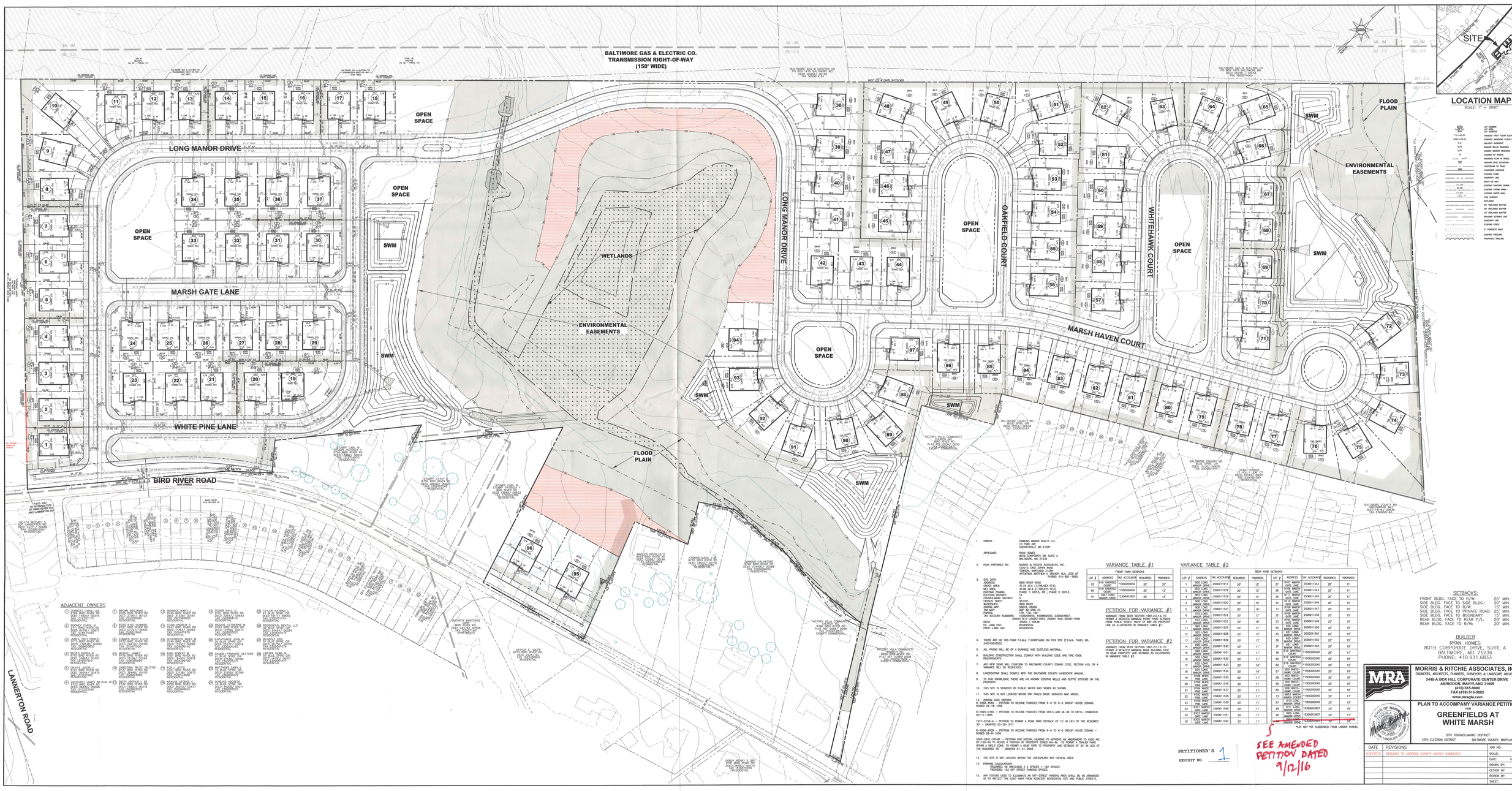


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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 (http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).



1. OWNER: HARKINS MANOR REALTY LLC
PO BOX 1
CHOCTAWVILLE MD 21531

APPLICANT: RYAN HOMES
8019 CORPORATE DR, SUITE A
BALTIMORE, MD 21236

2. PLAN PREPARED BY: MORRIS & RITCHIE ASSOCIATES, INC.
1220-C EAST JOPPA ROAD
TOWSON, MARYLAND 21286
ATTENTION: MATTHEW S. BISHOP, RLA, LEED AP
PHONE: 410-821-1690

3. SITE DATA:
ADDRESS: BIRD RIVER ROAD
GROSS AREA: 41.24 AC± (1,796,493 SF±)
NET AREA: 41.09 AC± (1,790,072 SF±)
EXISTING ZONING: PHASE 1: DR3.5, OS / PHASE 2: DR3.5
PROPOSED ZONING: RESIDENTIAL
COUNCILMANIC DISTRICT: 6
CENSUS TRACT: 401301
WATERSHED: BIRD RIVER
ZONING MAP: 067, 073, 077, 078
TAX MAP: MAP 83 GRID 13
PARCEL: P/O PARCEL 1
TAX ACCOUNT NUMBERS: 1506600040, 1506600030, 2300001807, 2500011577–2500011584, 2500011556–2500011558
DEED: L. 41246 F. 00436
EX. LAND USE: RESIDENTIAL
PROP. LAND USE: RESIDENTIAL

4. THERE ARE NO 100-YEAR F.E.M.A. FLOODPLAINS ON THIS SITE (F.E.M.A. PANEL NO. 24005100438G).

5. ALL PHASE WILL BE OF A DURABLE AND DUSTLESS MATERIAL.

6. BUILDING CONSTRUCTION SHALL COMPLY WITH BUILDING CODE AND FIRE CODE REQUIREMENTS.

7. ANY NEW SIGNS WILL CONFORM TO BALTIMORE COUNTY ZONING CODE, SECTION 450, OR A VARIANCE WILL BE REQUESTED.

8. LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.

9. TO OUR KNOWLEDGE THERE ARE NO KNOWN EXISTING WELLS AND SEPTIC SYSTEMS ON THE PROPERTY.

10. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER AS SHOWN.

11. THIS SITE IS NOT LOCATED WITHIN ANY FAILED BSDC SERVICES MAP AREAS.

12. ZONING CASE HISTORY:
III-1826-4345 – PETITION TO REZONE PARCELS FROM R-6 TO R-C GROUP HOUSE ZONING. DENIED 02-18-1959

III-1990-0195 – PETITION TO REZONE PARCELS FROM DR3.5 AND ML-IM TO DR16– DISMISSED 05-11-1990

1977-0139-A – PETITION TO PERMIT A REAR YARD SETBACK OF 15' IN LIEU OF THE REQUIRED 30' – GRANTED 02-28-1977

R-1956-4539 – PETITION TO REZONE PARCELS FROM R-6 TO R-C GROUP HOUSE ZONING – DENIED 09-6-1956

2003-0241-SPHXA – PETITION FOR SPECIAL HEARING TO APPROVE AN AMENDMENT TO CASE NO. 1977-139-A AND VARIANCE TO PERMIT A REAR YARD SETBACK OF 15' IN LIEU OF THE REQUIRED 30' WITHIN A DR3.5 ZONE; TO PERMIT A REAR YARD TO PROPERTY LINE SETBACK OF 25' IN LIEU OF THE REQUIRED 75' – GRANTED 01-31-2003

13. THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

14. PARKING CALCULATIONS:
REQUIRED: 66 DWELLINGS X 2 SPACES = 132 SPACES
PROVIDED: 192 OFF STREET PARKING SPACES

15. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.

VARIANCE TABLE #1

LOT #	ADDRESS	TAX ACCOUNT#	FRONT YARD SETBACKS REQUIRED:	PROVIDED:
52	1414 OAKFIELD COURT	*1506200040	25'	23'
66	1418 OAKFIELD COURT	*1506200040	25'	13'
91	1007 LONG MANOR DRIVE	*2300001807	25'	13'

PETITION FOR VARIANCE #1

VARIANCE FROM BCZR SECTION 1801.2.C.1.a TO PERMIT A REDUCED MINIMUM FRONT YARD SETBACK OF 13' IN LIEU OF THE REQUIRED 25' FROM PROPERTY LINE AS ILLUSTRATED IN VARIANCE TABLE #1.

PETITION FOR VARIANCE #2

VARIANCE FROM BCZR SECTION 1801.2.C.1.b TO PERMIT A REDUCED MINIMUM REAR BUILDING FACE TO REAR PROPERTY LINE SETBACK AS ILLUSTRATED IN VARIANCE TABLE #2.

VARIANCE TABLE #2

LOT #	ADDRESS	TAX ACCOUNT#	REAR YARD SETBACKS REQUIRED:	PROVIDED:
1	900 LONG MANOR DRIVE	2500011517	20'	12'
2	902 LONG MANOR DRIVE	2500011518	20'	13'
3	904 LONG MANOR DRIVE	2500011519	20'	14'
4	906 LONG MANOR DRIVE	2500011520	20'	15'
5	908 LONG MANOR DRIVE	2500011521	20'	16'
6	910 LONG MANOR DRIVE	2500011522	20'	17'
7	912 LONG MANOR DRIVE	2500011523	20'	18'
11	922 LONG MANOR DRIVE	2500011527	20'	17'
12	924 LONG MANOR DRIVE	2500011528	20'	16'
13	926 LONG MANOR DRIVE	2500011529	20'	12'
14	928 LONG MANOR DRIVE	2500011530	20'	11'
15	930 LONG MANOR DRIVE	2500011531	20'	11'
16	932 LONG MANOR DRIVE	2500011532	20'	11'
17	934 LONG MANOR DRIVE	2500011533	20'	10'
18	936 LONG MANOR DRIVE	2500011534	20'	10'
19	9704 WHITE PINE LANE	2500011535	20'	11'
20	9706 WHITE PINE LANE	2500011536	20'	11'
21	9708 WHITE PINE LANE	2500011537	20'	11'
22	9710 WHITE PINE LANE	2500011538	20'	11'
23	9712 WHITE PINE LANE	2500011539	20'	11'
24	9713 MARSH GATE LANE	2500011540	20'	11'
25	9711 MARSH GATE LANE	2500011541	20'	11'
26	9709 MARSH GATE LANE	2500011542	20'	11'
27	9707 MARSH GATE LANE	2500011543	20'	11'
28	9705 MARSH GATE LANE	2500011544	20'	11'
29	9703 MARSH GATE LANE	2500011545	20'	11'
30	9710 MARSH GATE LANE	2500011546	20'	15'
31	9712 MARSH GATE LANE	2500011547	20'	15'
32	9714 MARSH GATE LANE	2500011548	20'	15'
33	9704 MARSH GATE LANE	2500011549	20'	15'
34	9702 MARSH GATE LANE	2500011550	20'	15'
35	9700 MARSH GATE LANE	2500011551	20'	15'
36	9703 LONG MANOR DRIVE	2500011552	20'	15'
37	931 LONG MANOR DRIVE	2500011553	20'	15'
48	916 OAKFIELD COURT	*1506200040	20'	15'
49	914 OAKFIELD COURT	*1506200040	20'	15'
50	912 OAKFIELD COURT	*1506200040	20'	13'
51	910 OAKFIELD COURT	*1506200040	20'	19'
52	908 WHITEHAWK COURT	*1506200040	20'	19'
53	906 WHITEHAWK COURT	*1506200040	20'	19'
54	904 WHITEHAWK COURT	*1506200040	20'	19'
55	902 WHITEHAWK COURT	*1506200040	20'	19'
56	900 WHITEHAWK COURT	*1506200040	20'	19'
57	901 LONG MANOR DRIVE	*2300001807	20'	18'
58	903 LONG MANOR DRIVE	*2300001807	20'	17'
59	905 LONG MANOR DRIVE	*2300001807	20'	11'
60	907 LONG MANOR DRIVE	*2300001807	20'	18'

*LOT NOT YET SUBDIVIDED FROM LARGER PARCEL

ADJACENT OWNERS

① DORSEY CAROL LEE 9707 BIRD RIVER RD 21220 (15061-00224 & 15061-00210) RESIDENTIAL

② ROBINSON CAROL M 9707 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

③ JONES TONY ERNEST 9711 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

④ ROYES RONDA R 9715 BIRD RIVER RD 21220 (15061-01353) RESIDENTIAL

⑤ DWARE JASON A 9721 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑥ AKEHURST JAMES WILLIAM JR 9725 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑦ BROWN BENJAMIN 9727 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑧ FORD JAMES E 9727 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑨ FORD JOSEPH M 9727 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑩ DOWNER RUTH ELLEN 9731 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑪ MICHEL JAMES 9735 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑫ KING ROBERT B 9739 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑬ BARTOW MARY A 9741 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑭ EVERHEART MARY M 9745 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑮ PAPATHANOS JOHN W 9747 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑯ DIMON-PARMONE HEATHER 9749 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑰ MATHEWS SARA E 9753 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑱ KRAUSE GEORGE L 9757 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑲ DOWLING GEORGE 9761 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

⑳ TAYLOR KATRINA A 9763 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

㉑ RESIDENTIAL RENTAL LLC 9765 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

㉒ RESIDENTIAL RENTAL LLC 9767 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

㉓ CARTER FARMS M 9771 BIRD RIVER RD 21220 (15061-00224) RESIDENTIAL

DATE REVISIONS
9/12/2016 – RESPONSE TO ADDRESS COUNTY AGENCY COMMENTS

JOB NO: 15059
SCALE: 1"=40'
DATE: 10/20/15
DRAWN BY: JT
DESIGN BY: JT
REVIEW BY: ---
SHEET: 1 OF 1





LOCATION MAP
SCALE: 1" = 2000'

LOT NUMBER
LOT ADDRESS
FINISHED FIRST FLOOR ELEVATION
FINISHED BASEMENT FLOOR ELEVATION
HOUSE ORIENTATION
WINDOW WELLS REQUIRED
CHECK WINDOW SECURED
NUMBER OF RISERS
GARAGE FLOR IN SHALE
GROUND SHOT ELEVATION
CENTERLINE OF ROAD
PROPOSED CONTOUR
EXISTING CURB
PROPERTY LINE
BUILDING LINE
EXISTING SANITARY SEWER
EXISTING STORM DRAIN
EXISTING WATER MAIN
FIRE HYDRANT
INCLUDES
25' WETLANDS BUFFER
50' WETLANDS BUFFER
75' WETLANDS BUFFER
BUILDING SETBACK LINE
EASEMENT LINE
EXISTING FENCE
6' CONCRETE WALK
EXISTING TREELINE
PROPOSED TREELINE

ADJACENT OWNERS

1. ROBERT CAROL LEE 8707 MARSH GATE LN DEED: 23850/ 00244 TAX ACCOUNT#: RESIDENTIAL
2. RODNEY CAROL A 8709 MARSH GATE LN DEED: 24139/ 00262 TAX ACCOUNT#: RESIDENTIAL
3. DOMENECH, FRANCISCO 8711 MARSH GATE LN DEED: 23850/ 00344 TAX ACCOUNT#: RESIDENTIAL
4. RICE'S, RONALD & 8713 MARSH GATE RD DEED: 23850/ 00392 TAX ACCOUNT#: RESIDENTIAL
5. DIVIRS JR, RALPH E 8715 MARSH GATE RD DEED: 23850/ 00415 TAX ACCOUNT#: RESIDENTIAL
6. ANDREWS, JAMES WILLIAM JR 8717 MARSH GATE RD DEED: 23850/ 00398 TAX ACCOUNT#: RESIDENTIAL
7. BROWN, BENJAMIN 8719 MARSH GATE RD DEED: 23850/ 00424 TAX ACCOUNT#: RESIDENTIAL
8. 5222 61ST AVENUE, LLC 5222 61ST AVE DEED: 24139/ 00262 TAX ACCOUNT#: RESIDENTIAL
9. 5749 ANDREW R RD 5749 ANDREW R RD DEED: 23850/ 00262 TAX ACCOUNT#: RESIDENTIAL
10. CHAPPELL, RAY ALLEN 5748 ANDREW R RD DEED: 23850/ 00462 TAX ACCOUNT#: RESIDENTIAL
11. MICHAEL, JAMES 5746 ANDREW R RD DEED: 23850/ 00418 TAX ACCOUNT#: RESIDENTIAL
12. KING, ROBERT M 5744 ANDREW R RD DEED: 24350/ 00402 TAX ACCOUNT#: RESIDENTIAL
13. COX, JANICE 5742 ANDREW R RD DEED: 23850/ 00473 TAX ACCOUNT#: RESIDENTIAL
14. DOUGLAS, GEORGE S 5740 ANDREW R RD DEED: 23850/ 00418 TAX ACCOUNT#: RESIDENTIAL
15. WARNICK, MARY E 5738 ANDREW R RD DEED: 23850/ 00353 TAX ACCOUNT#: RESIDENTIAL
16. 5749 ANDREW R RD 5749 ANDREW R RD DEED: 23850/ 00262 TAX ACCOUNT#: RESIDENTIAL
17. MOORE, JR THOMAS W 5747 ANDREW R RD DEED: 23850/ 00479 TAX ACCOUNT#: RESIDENTIAL
18. CUFFLEY, MICHAEL H 5745 ANDREW R RD DEED: 23850/ 00418 TAX ACCOUNT#: RESIDENTIAL
19. DANDR--PARKING HEATHER 61 BLVD SPOR DR DEED: 23850/ 00262 TAX ACCOUNT#: RESIDENTIAL
20. MATHEWS, SARA B 5741 ANDREW R RD DEED: 23850/ 00359 TAX ACCOUNT#: RESIDENTIAL
21. DIETZ, MATTHEW A 5739 ANDREW R RD DEED: 24350/ 00211 TAX ACCOUNT#: RESIDENTIAL
22. FISHER, PAUL D 8707 MARSH GATE RD DEED: 23850/ 00353 TAX ACCOUNT#: RESIDENTIAL
23. MOORE, JR THOMAS W 5747 ANDREW R RD DEED: 23850/ 00479 TAX ACCOUNT#: RESIDENTIAL
24. RESIDENTIAL REHAB, LLC 5743 ANDREW R RD DEED: 24350/ 00134 TAX ACCOUNT#: RESIDENTIAL
25. WYATT, ERIC 5735 ANDREW R RD DEED: 23850/ 00705 TAX ACCOUNT#: RESIDENTIAL
26. LAWTER, CARRI M 5733 ANDREW R RD DEED: 23850/ 00351 TAX ACCOUNT#: RESIDENTIAL
27. TAYLOR, KATRINA L 5731 ANDREW R RD DEED: 23850/ 00249 TAX ACCOUNT#: RESIDENTIAL

1. OWNER: HAWKINS MANOR REALTY LLC
12 PARK AVE
COCKEYSVILLE MD 21031

APPLICANT: RYAN HOMES
8019 CORPORATE DR, SUITE A
BALTIMORE, MD 21236

2. PLAN PREPARED BY: MORRIS & RITCHIE ASSOCIATES, INC.
3445-A BOX HILL CORPORATE CENTER DR
ABINGDON, MARYLAND 21009
ATTENTION: MATTHEW A. BISHOP, RLA, LEED AP
PHONE: 410-821-1690

3. SITE DATA:
ADDRESS: BIRD RIVER ROAD
GROSS AREA: 41.24 AC± (1,796,493 SF±)
NET AREA: 41.08 AC± (1,790,073 SF±)
EXISTING ZONING: R-MH TO R-SA-3, SB / PHASE 2: DR3.5
ELECTION DISTRICT: 6TH
COUNCILMANIC DISTRICT: 5TH
TAX MAP: #0001 GRID: 0003
WATERSHED: BIRD RIVER
ZONING MAP: 060C3, 060B3
PARCEL: 1175, 1176, 1182
TAX ACCOUNT NUMBERS: 1500020040, 1500800300, 2300001807
1500020040 - RESIDENTIAL, 2300001556-2300001558 - OPEN SPACE
DEED: 13553 / 00429
EX. LAND USE: RESIDENTIAL
PROP. LAND USE: RESIDENTIAL

4. THERE ARE NO 100-YEAR F.E.M.A. FLOODPLAINS ON THIS SITE (F.E.M.A. PANEL NO. 24003I0043D).

5. ALL PAVING WILL BE OF A DURABLE AND DUSTLESS MATERIAL.

6. BUILDING CONSTRUCTION SHALL COMPLY WITH BUILDING CODE AND FIRE CODE REQUIREMENTS.

7. ANY NEW SIGNS WILL CONFORM TO BALTIMORE COUNTY ZONING CODE, SECTION 450, OR A VARIANCE WILL BE REQUESTED.

8. LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.

9. TO OUR KNOWLEDGE THERE ARE NO KNOWN EXISTING WELLS AND SEPTIC SYSTEMS ON THE PROPERTY.

10. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER AS SHOWN.

11. THIS SITE IS NOT LOCATED WITHIN ANY FAILED BASIC SERVICES MAP AREAS.

12. ZONING CASE HISTORY:
IV-1058-A94 – PETITION TO REZONE PARCELS FROM R-6 TO R-G GROUP HOUSE ZONING. DENIED 03-18-1993

II-1995-2140 – PETITION TO REZONE PARCELS FROM DR5.5 AND ML-IM TO DR16– DISMISSED 05-11-1995

1977-0138-A – PETITION TO PERMIT A REAR YARD SETBACK OF 15' IN LIEU OF THE REQUIRED 30' – GRANTED 03-28-1977

II-1998-4539 – PETITION TO REZONE PARCELS FROM R-6 TO R-G GROUP HOUSE ZONING – DENIED 09-9-1998

2003-0241-SPHXA – PETITION FOR SPECIAL HEARING TO APPROVE AN AMENDMENT TO CASE NO. 87-126-XA TO REVISE A PORTION OF PROPERTY ZONED MH-IM, TO PERMIT A TRAILER PARK WITHIN A DR3.5 ZONE; TO PERMIT A REAR YARD TO PROPERTY LINE SETBACK OF 25' IN LIEU OF THE REQUIRED 75' – GRANTED 01-31-2003

13. THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

14. PARKING CALCULATIONS:
REQUIRED: 99 DWELLINGS X 2 SPACES = 192 SPACES
PROVIDED: 193 OFF STREET PARKING SPACES

15. ANY FIXTURE USED TO ILLUMINATE AN OFF–STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.

VARIANCE TABLE #1

LOT #	ADDRESS	TAX ACCOUNT#	FRONT YARD SETBACKS REQUIRED:	PROVIDED:
52	916 OAKFIELD COURT	1500620040	25'	23'
66	918 OAKFIELD COURT	1500620040	25'	13'
91	10207 LONG MANOR DRIVE	2300001807	25'	13'

PETITION FOR VARIANCE #1

VARIANCE FROM BCZR SECTION 1B01.2.C.1.b TO PERMIT A REDUCED MINIMUM FRONT BUILDING FACE FROM PUBLIC STREET RIGHT OF WAY OR PROPERTY LINE AS ILLUSTRATED IN VARIANCE TABLE #1.

PETITION FOR VARIANCE #2

VARIANCE FROM BCZR SECTION 1B01.2.C.1.b TO PERMIT A REDUCED MINIMUM REAR BUILDING FACE TO REAR PROPERTY LINE SETBACK AS ILLUSTRATED IN VARIANCE TABLE #2.

VARIANCE TABLE #2

LOT #	ADDRESS	TAX ACCOUNT#	REAR YARD SETBACKS REQUIRED:	PROVIDED:
1	900 LONG MANOR DRIVE	2500011517	20'	12'
2	902 LONG MANOR DRIVE	2500011518	20'	13'
3	904 LONG MANOR DRIVE	2500011519	20'	14'
4	906 LONG MANOR DRIVE	2500011520	20'	15'
5	908 LONG MANOR DRIVE	2500011521	20'	18'
6	910 LONG MANOR DRIVE	2500011522	20'	17'
7	912 LONG MANOR DRIVE	2500011523	20'	16'
11	920 LONG MANOR DRIVE	2500011527	20'	17'
12	922 LONG MANOR DRIVE	2500011528	20'	13'
13	924 LONG MANOR DRIVE	2500011529	20'	13'
14	926 LONG MANOR DRIVE	2500011530	20'	11'
15	928 LONG MANOR DRIVE	2500011531	20'	11'
16	930 LONG MANOR DRIVE	2500011532	20'	11'
17	932 LONG MANOR DRIVE	2500011533	20'	10'
18	934 LONG MANOR DRIVE	2500011534	20'	11'
19	9708 MARSH GATE LANE	2500011535	20'	11'
20	9706 MARSH GATE LANE	2500011536	20'	11'
21	9704 MARSH GATE LANE	2500011537	20'	11'
22	9702 MARSH GATE LANE	2500011538	20'	11'
23	9700 MARSH GATE LANE	2500011539	20'	11'
24	9701 MARSH GATE LANE	2500011540	20'	11'
25	9703 MARSH GATE LANE	2500011541	20'	11'
26	9705 MARSH GATE LANE	2500011542	20'	11'
27	9707 MARSH GATE LANE	2500011543	20'	11'
28	9709 MARSH GATE LANE	2500011544	20'	11'
29	9711 MARSH GATE LANE	2500011545	20'	11'
30	9713 MARSH GATE LANE	2500011546	20'	15'
31	9708 MARSH GATE LANE	2500011547	20'	15'
32	9706 MARSH GATE LANE	2500011548	20'	15'
33	9704 MARSH GATE LANE	2500011549	20'	15'
34	9702 MARSH GATE LANE	2500011550	20'	15'
35	927 LONG MANOR DRIVE	2500011551	20'	15'
36	929 LONG MANOR DRIVE	2500011552	20'	15'
37	931 LONG MANOR DRIVE	2500011553	20'	15'
49	913 OAKFIELD COURT	*1506200040	20'	11'
50	912 OAKFIELD COURT	*1506200040	20'	11'
52	916 OAKFIELD COURT	*1506200040	20'	13'
53	9999 COUNTY	*1506200040	20'	19'
58	902 MARSH COURT	*1506200040	20'	19'
59	9999 COUNTY	*1506200040	20'	19'
60	9999 COUNTY	*1506200040	20'	19'
73	9999 COUNTY	*1506200040	20'	17'
87	1013 LONG MANOR DRIVE	*1506200040	20'	15'
89	1011 LONG MANOR DRIVE	*2300001807	20'	15'
90	1009 LONG MANOR DRIVE	*2300001807	20'	11'
94	1007 LONG MANOR DRIVE	*2300001807	20'	18'

*LOT NOT YET SUBDIVIDED FROM LARGER PARCEL

SETBACKS:

FRONT BLDG. FACE TO R/W:	25' MIN.
SIDE BLDG. FACE TO SIDE BLDG.:	20' MIN.
SIDE BLDG. FACE TO R/W:	15' MIN.
SIDE BLDG. FACE TO PRIVATE ROAD:	25' MIN.
SIDE BLDG. FACE TO BOUNDARY:	15' MIN.
REAR BLDG. FACE TO REAR P/L:	20' MIN.
REAR BLDG. FACE TO R/W:	20' MIN.

BUILDER
RYAN HOMES
8019 CORPORATE DRIVE, SUITE A
BALTIMORE, MD 21236
PHONE: 410.931.6833

CASE NUMBER -2016-0336A

#2016-0336-A

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS & LANDSCAPE ARCHITECTS
3445-A BOX HILL CORPORATE CENTER DRIVE
ABINGDON, MARYLAND 21009
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PLAN TO ACCOMPANY VARIANCE PETITION
FOR
GREENFIELDS AT WHITE MARSH
6TH COUNCILMANIC DISTRICT
15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	
		JOB NO: 18850
		SCALE: 1"=40'
	RECEIVED	DATE: 10/20/15
	JUL 2 2016	DRAWN BY: JT
	BALTIMORE COUNTY DEVELOPMENT MANAGEMENT	DESIGN BY: JT
		REVIEW BY: ----
		SHEET: 1 OF 1



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

PETITION FOR VARIANCE #1

VARIANCE FROM BCZR SECTION 1B01.2.C.1.b TO PERMIT A REDUCED MINIMUM FRONT YARD SETBACK FROM PUBLIC STREET RIGHT OF WAY OR PROPERTY LINE AS ILLUSTRATED IN VARIANCE TABLE #1.

PETITION FOR VARIANCE #2

VARIANCE FROM BCZR SECTION 1B01.2.C.1.b TO PERMIT A REDUCED MINIMUM REAR BUILDING FACE TO REAR PROPERTY LINE SETBACK AS ILLUSTRATED IN VARIANCE TABLE #2.

0 100 200 300

GREENFIELDS AT WHITE MARSH
LOTS REQUESTING VARIANCES / AERIAL PHOTOGRAPH
(SCALE 1"=100')

PETITIONER'S
EXHIBIT NO. 6

BALTIMORE GAS & ELECTRIC CO.
TRANSMISSION RIGHT-OF-WAY
(150' WIDE)

LONG MANOR DRIVE
MARSH GATE LANE
WHITE PINE LANE
BIRD RIVER ROAD
OPEN SPACE
WETLANDS
ENVIRONMENTAL EASEMENTS
FLOOD PLAIN
SWM
LONG MANOR DRIVE
OAKFIELD COURT
WHITEHAWK COURT
MARSH HAVEN COURT

PETITION FOR VARIANCE #1

VARIANCE FROM BCZR SECTION 1B01.2.C.1.b TO PERMIT A REDUCED MINIMUM FRONT YARD SETBACK FROM PUBLIC STREET RIGHT OF WAY OR PROPERTY LINE AS ILLUSTRATED IN VARIANCE TABLE #1.

PETITION FOR VARIANCE #2

VARIANCE FROM BCZR SECTION 1B01.2.C.1.b TO PERMIT A REDUCED MINIMUM REAR BUILDING FACE TO REAR PROPERTY LINE SETBACK AS ILLUSTRATED IN VARIANCE TABLE #2.

0 100 200 300

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

GREENFIELDS AT WHITE MARSH
LOTS REQUESTING VARIANCES / AERIAL PHOTOGRAPH
(SCALE 1"=100')

PETITIONER'S
EXHIBIT NO. 6



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

0 200 300 400

GREENFIELDS AT WHITE MARSH
CONTEXT AERIAL PHOTOGRAPH
(SCALE 1"=200')

PETITIONER'S
EXHIBIT NO. 4