

MEMORANDUM

DATE: October 17, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0318-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on October 16, 2017. 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: DEVELOPMENT PLAN HEARING & *
PETITION FOR SPECIAL HEARING**

(2515 Baublitz Road) *

4th Election District *

2nd Council District *

(THE FIELDS AT WORTHINGTON

FKA WORTHINGTON VALLEY *

RACQUET CLUB)

(1st Amended Development) *

Swim Club Baker, LLC, *Owner* *

Baker Development, *Developer* *

BEFORE THE OFFICE OF

ADMINISTRATIVE HEARINGS

FOR

BALTIMORE COUNTY

HOH Case No. 04-0749 and

Zoning Case No. 2017-0318-SPH

* * * * *

**ADMINISTRATIVE LAW JUDGE'S
DEVELOPMENT PLAN OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for a public hearing on a development proposal submitted in accordance with Article 32, Title 4, of the Baltimore County Code ("B.C.C."). Jennifer R. Busse, Esq., with Whiteford, Taylor & Preston, on behalf of Swim Club Baker, LLC, the *owner* of the subject property, and Baker Development, the *developer* of the subject property (hereinafter "the Developer"), submitted for approval a two-sheet redlined Development Plan ("Plan") prepared by Development Design Consultants, known as "The Fields at Worthington F.K.A. Worthington Valley Racquet Club".

This project was the subject of a development plan and petition for special hearing before the undersigned wherein on January 6, 2017 the relief was granted in part and denied in part. A subsequent Motion for Reconsideration was denied by the undersigned on February 8, 2017. Said plan was also the subject of a public hearing before the Baltimore County Planning Board for consideration within the context of Annotated Code of Maryland, Land Use Article, § 5-104

(c) through (f) addressing the Growth Tiers. The Planning Board recommended approval of the

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Date 9-15-17

By 19w

Plan to the Administrative Law Judge ("ALJ") on May 12, 2016.

This project proposes revising non-buildable Parcel B to create Lot Nos. 8 and 9 and to amend the approved development plan approved on March 20, 2017.

The Developer also has filed a Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) To permit septic reserve areas for Lot Nos. 5 and 9 in a different zone than the proposed principal dwelling in accordance with the Baltimore County Zoning Commissioner's Policy Manual ("Z.C.P.M.") § 1A00.5.b; (2) To permit non-density parcels in the RC 4 zone for Lot Nos. 5 and 7; (3) To permit non-density parcels in the RC 5 zone for Lot Nos. 8 and 9; and (4) For a Special Hearing pursuant to B.C.Z.R. § 1B01.3.A.7, if necessary.

The development and zoning cases were considered at a combined hearing as permitted by Baltimore County Code ("B.C.C.") § 32-4-230. Details of the proposed development are more fully depicted on the redlined two-sheet Development Plan that was marked and accepted into evidence as Developer's Exhibit 1A-1B. The property was posted with the Notice of Hearing Officer's Hearing and Zoning, both on August 15, 2017, in compliance with the regulations, in order to inform all interested citizens of the date and location of the hearing. The undersigned conducted the hearing on September 13, 2017, at 1:30 PM, Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland.

In attendance at the Hearing Officer's Hearing ("HOH") in support of the Plan on behalf of the Developer and property owner was Lou Baker (Chief Executive Officer) with Baker Development, John Pierce, Paul G. Cavanaugh, and registered landscape architect Andrew J. Stine (RLA, ASLA, LEED Green Associate) with Development Design Consultants, Inc., the firm that prepared the site plan. Jennifer R. Busse, Esq., with Whiteford, Taylor & Preston,

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By [Signature]

appeared and represented the Developer. Two (2) neighbors attended the hearing and were represented by Michael R. McCann, Esq.

Numerous representatives of the various Baltimore County agencies who reviewed the Plan also attended the hearing, including the following individuals from the Department of Permits and Development Management: Jerry S. Chen, Project Manager, Vishnu Desai and Jim Hermann (Development Plans Review ["DPR"]), Brad Knatz, Real Estate Compliance, and Aaron Tsui (Office of Zoning Review). Also appearing on behalf of the County were Stephen Ford from the Department of Environmental Protection and Sustainability ("DEPS"), and Brett M. Williams from the Department of Planning ("DOP").

Each County agency representative indicated the Plan addressed all comments submitted by their agency, and they each recommended approval of the Plan. Mr. Williams indicated the Developer satisfied the RC 5 performance standards and he also presented a School Impact Analysis (Baltimore County Exhibit 1) indicating that none of the area schools are overcrowded.

In its case, the Developer presented one (1) witness: Andrew J. Stine (RLA, ASLA, LEED Green Associate), a licensed landscape architect who was accepted as an expert. The witness described the project and specifically explained the changes made to the Plan following the earlier hearing, which resulted in an Opinion and Order dated January 6, 2017, which approved Lot Nos. 1 – 7 and denied Lot Nos. 8 and 9 as shown on the original plan. In sum, Mr. Stine redesigned Lot Nos. 8 and 9, each of which now contain at least three (3) acres of RC-4 zoned land. The witness opined Developer satisfied all Baltimore County development rules and regulations.

The Baltimore County Code provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies,

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By DS

rules and regulations.” B.C.C. § 32-4-229. After due consideration of the testimony and evidence presented by the Developer, the exhibits offered at the hearing, and confirmation from the various County agencies that the Plan satisfies those agencies’ requirements, I find that the Developer has satisfied its burden of proof and, therefore, is entitled to approval of the two-sheet redlined Development Plan marked as Developer’s Exhibit 1A-1B.

ZONING REQUEST

The special hearing request seeks zoning relief pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) as follows: (1) To permit the septic reserve area for Lot No. 9 in a different zone than the proposed principal dwelling in accordance with the Baltimore County Zoning Commissioner’s Policy Manual (“Z.C.P.M.”) § 1A00.5.b; (2) To permit non-density parcels in the RC 4 zone for Lot Nos. 5 and 7; (3) To permit non-density parcels in the RC 5 zone for Lot Nos. 8 and 9; and (4) For a Special Hearing pursuant to B.C.Z.R. § 1B01.3.A.7, if necessary.

A Zoning Advisory Committee (“ZAC”) comment was received from the DOP, dated July 6, 2017. That agency had no objection to granting the zoning relief but requested the septic reserve area for Lot No. 5 be reconfigured such that it is entirely within the RC 5 zone. This change was made, and as such the first zoning request now only concerns Lot No. 9. The DOP also requested a landscape buffer be provided to screen Lot No. 9 from the adjacent dwelling. This change was also made to the Plan.

The second and third zoning requests seek approval for non-density parcels in the RC 4 and RC 5 zones. A similar request was granted in the earlier zoning case (2017-0066-SPH) and will be granted in this matter as well. The final zoning request pertains to an amendment of a Final Development Plan (“FDP”). As Ms. Busse noted, an FDP has not yet been prepared for

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Date 9-15-17

By (signature)

this property. As such, I do not believe this request is necessary and it will be dismissed without prejudice.

Pursuant to the advertisement, posting of the property, and public hearing held thereon, the requirements of which are contained in Article 32, Title 4, of the Baltimore County Code, "The Fields at Worthington F.K.A. Worthington Valley Racquet Club" as shown on the Development Plan shall be approved.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 15th day of September, 2017, that "THE FIELDS AT WORTHINGTON FKA WORTHINGTON VALLEY RACQUET CLUB" redlined Development Plan, marked and accepted into evidence as Developer's Exhibit 1A-1B, be and is hereby **APPROVED**, subject to the conditions noted below.

IT IS FURTHER ORDERED that the Petition for Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) To permit a septic reserve area for Lot No. 9 in a different zone than the proposed principal dwelling in accordance with the Baltimore County Zoning Commissioner's Policy Manual ("Z.C.P.M.") § 1A00.5.b; (2) To permit non-density parcels in the RC 4 zone for Lot Nos. 5 and 7; and (3) To permit non-density parcels in the RC 5 zone for Lot Nos. 8 and 9; be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Special Hearing pursuant to B.C.Z.R. § 1B01.3.A.7, be and is hereby **DISMISSED WITHOUT PREJUDICE**.

The relief granted herein shall be subject to the following condition(s):

1. Developer shall ensure the Blanket Access Note for Stormwater Management contained on sheet 1 of the Development Plan is included on any record plat(s) for this project.

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Date 9-15-17

By AW

2. Developer shall not plant trees or other vegetation along an approximately 300 ft. section of the western boundary of Lot No. 9 which could, at maturity, interfere with the solar array panels located at 12500 Fellowship Court.

Any appeal of this Order shall be taken in accordance with Baltimore County Code, § 32-4-281.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 9-15-17

By lw



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 2515 Baublitz Road

which is presently zoned RC4 & RC5

Deed References: 36751/318

10 Digit Tax Account # 0 4 2 4 0 0 0 9 0 9

Property Owner(s) Printed Name(s) Swim Club Baker, 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

PLEASE SEE ATTACHED

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

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

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:

N/A

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address

City

State

21204 / 410-832-2077 / jbusse@wtplaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Lou Baker, Baker Land Development

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

16 Greenmeadow Drive, Suite G106, Lutherville, MD

Mailing Address

City

State

21093/ (410) 616-6280/ lou.baker@bakerld.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address

City

State

21204 / 410-832-2077 / jbusse@wtplaw.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2017-0318-204 Filing Date 5 / 31 / 17

Do Not Schedule Dates: _____

Reviewer JF

Attachment to Petition for Special Hearing
The Fields at Worthington
(AKA Worthington Valley Racquet Club)
2515 Baublitz Road

Petition for Special Hearing in accordance with the Baltimore County Zoning Commissioner's Policy Manual Section 1A00.5.b to permit septic reserve areas for lots 5 & 9 in a different zone than the proposed principal dwelling.

Petition for Special Hearing to permit non-density parcels in the RC4 zone for lots 5 & 7.

Petition for Special Hearing to permit non-density parcels in the RC5 zone for lots 8 & 9.

Petition for Special Hearing pursuant to BCZR §1B01.3.A.7 if necessary.

Description to Accompany
Petition for Combined Special Hearing and Development Plan
23.9 Acre Parcel
2515 Baublitz Road

South side of Baublitz Road opposite Worthington Ridge Road, West of Dover Road
Fourth Election District, Baltimore County, Maryland

Beginning at a point in the paved surface of Baublitz Road, a County Road of varying width, at a distance of 101 feet more or less measured in a northeasterly direction from the intersection of Baublitz Road with Worthington Ridge Road, said point also being 4 feet south of the concrete curb on the north side of Baublitz Road, thence leaving the point of beginning and said road and running for the ten following courses and distances, viz:

- 1) South 02 degrees 36 minutes 25 seconds West 1,455.37 feet, thence
- 2) South 89 degrees 17 minutes 45 seconds East 850.00 feet, thence
- 3) South 03 degrees 08 minutes 51 seconds West 249.76 feet, thence
- 4) North 89 degrees 17 minutes 45 seconds West 1,350.07 feet, thence
- 5) North 02 degrees 37 minutes 45 seconds East 584.98 feet, thence
- 6) North 87 degrees 33 minutes 35 seconds West 2.32 feet, thence
- 7) North 02 degrees 26 minutes 25 seconds East 986.29 feet to a point on the north side of Baublitz Road, thence running in and along the north side of Baublitz Road the three following courses and distances:
- 8) North 68 degrees 22 minutes 17 seconds East 36.02 feet, thence
- 9) North 73 degrees 17 minutes 12 seconds East 101.18 feet, thence
- 10) North 77 degrees 30 minutes 29 seconds East 392.34 feet to the point of beginning, containing 23.9 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE



I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed Professional Land Surveyor under the laws of the State of Maryland, License No. 11039, Expiration date September 16, 2018.

BALTIMORE COUNTY, MARYLAND

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: June 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0318
Address 2515 Baublitz Road
(Baker Property)

Zoning Advisory Committee Meeting of **June 12, 2017.**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford Date: 6-6-2017



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 5135765

Sold To:

Whiteford-Taylor & Preston LLP - CU00187154
1 W Pennsylvania Ave Ste 300
TOWSON, MD 21204

Bill To:

Whiteford-Taylor & Preston LLP - CU00187154
1 W Pennsylvania Ave Ste 300
TOWSON, MD 21204

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

Aug 24, 2017

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: # 2017-0318-SPH
2515 Baublitz Road
S/s Baublitz Road, 101 ft. +/- from NE intersection of Baublitz and Worthington Roads
4th Election District - 2nd Councilmanic District
Legal Owner(s) Lou Baker, Baker Land Development

Special Hearing to permit septic reserve areas for Lots 5 & 9 in a different zone than the proposed principal dwelling.
To permit non-density parcels in the RC 4 zone for Lots 5 & 7; to permit non-density parcels in the RC 5 zone for Lots 8 & 9; For a Special Hearing pursuant to BCZR section 1B01.3.A.7 if necessary.

Hearing: Wednesday, September 13, 2017 at 1:30 p.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.

8/094 Aug. 24 5135765

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/16/2017

Case Number: 2017-0318-SPH

Petitioner / Developer: JENNIFER BUSE, ESQ. ~ DEVELOPMENT
DESIGN CONSULTANTS ~ SWIM CLUB BAKER, LLC

Date of Hearing : SEPTEMBER 13, 2017

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
2515 BAUBLITZ ROAD

The sign(s) were posted on: AUGUST 15, 2017



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

THE UNITED STATES OF AMERICA
DO hereby certify that
[Name] is a citizen of the United States of America.

WITNESSED my hand and the seal of the Department of State at Washington, D.C., this [Date] day of [Month], 19[Year].

DEPARTMENT OF STATE, WASHINGTON, D.C.



BACKGROUND PHOTO 2515 BAUBLITZ ROAD



KEVIN KAMENETZ
County Executive

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

August 9, 2017

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: 2017-0318-SPH

2515 Baublitz Road

S/s Baublitz Road, 101 ft. +/- from NE intersection of Baublitz and Worthington Roads

4th Election District – 2nd Councilmanic District

Legal Owners: Lou Baker, Baker Land Development

Special Hearing to permit septic reserve areas for Lots 5 & 9 in a different zone than the proposed principle dwelling. To permit non-density parcels in the RC 4 zone for Lots 5 & 7; to permit non-density parcels in the RC 5 zone for Lots 8 & 9; For a Special Hearing pursuant to BCZR section 1B01.3.A.7 if necessary.

Hearing: Wednesday, September 13, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Jennifer Busse, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
Lou Baker, 16 Greenmeadow Drive, Ste. G106, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 24, 2017.**
- (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
Thursday, August 24, 2017 Issue - Jeffersonian

Please forward billing to:

Jennifer Busse
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2077

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: 2017-0318-SPH

2515 Baublitz Road

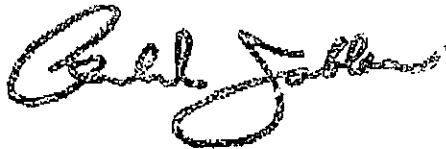
S/s Baublitz Road, 101 ft. +/- from NE intersection of Baublitz and Worthington Roads

4th Election District – 2nd Councilmanic District

Legal Owners: Lou Baker, Baker Land Development

Special Hearing to permit septic reserve areas for Lots 5 & 9 in a different zone than the proposed principle dwelling. To permit non-density parcels in the RC 4 zone for Lots 5 & 7; to permit non-density parcels in the RC 5 zone for Lots 8 & 9; For a Special Hearing pursuant to BCZR section 1B01.3.A.7 if necessary.

Hearing: Wednesday, September 13, 2017 at 1:30 p.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 SPECIAL HEARING * BEFORE THE OFFICE
2515 Baublitz Rd; S/S Baublitz Rd, 101' NE
of intersection with Baublitz & Worthington Rds* OF ADMINISTRATIVE
4th Election & 2nd Councilmanic Districts
Legal Owner(s): Baker Land Development * HEARINGS FOR
By Lou Baker
Petitioner(s) * BALTIMORE COUNTY
* 2017-318-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

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 6th day of June, 2017, a copy of the foregoing Entry of Appearance was mailed to Jennifer Busse, Esquire, 1 West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

JUN 06 2017

**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 twenty (20) 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: 2017-0318-SPH
Property Address: 2515 Banblitz Rd
Property Description: _____
Legal Owners (Petitioners): Baker Development LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gen Busse, Esq.
Company/Firm (if applicable): WTP
Address: One W. Pennsylvania Ave. Ste. 300
Towson MD 21204
Telephone Number: 410 832 2077

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

NO. 153080

Date: 5/31/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	802	0000		6150				500.00

Total: 500.00

Rec From: Lou Baker

For: Petition for Special Hearing
2515 Douglass St
Case # 2017-0318-JOH

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME TOW
5/31/2017 5/31/2017 10:14:00 5
REG 8505 BALTIM LRD
>>RECEIPT # 877316 5/31/2017 GFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 153080
Recpt Tot 500.00
500.00 CR 4.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

September 6, 2017

Lou Baker
Baker Land Development
16 Greenmeadow Drive
Suite G 106
Lutherville MD 21093

RE: Case Number: 2017-0318 SPH, Address: 2515 Baublitz Road

Dear Mr. Baker:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 3, 2017. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Jennifer R Busse, Esquire, 1 W Pennsylvania Avenue, Suite 300, Towson MD 21204

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory Slater, Administrator

STATE HIGHWAY
ADMINISTRATION

Date: 6/7/17

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2017-0318

Special Hearing
Baker Land Development, Lou Baker
2515 Bonblitz Road.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

Maryland Department of Transportation
State Highway Administration

320 West Warren Road, Hunt Valley, MD 21030

410.229.2300 | TTY 800.735.2258 | roads.maryland.gov

My telephone number/toll-free number is 866.998.0367

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/6/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-318

INFORMATION:

Property Address: 2515 Baublitz Road

Petitioner: Lou Baker, Baker Land Development

Zoning: RC 4, RC 5

Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) approve septic reserve areas for Lots 5 & 9 in a different zone than the proposed principal dwelling, permit non-density parcels in the RC 4 zone for Lots 5 & 7 and also to permit non-density parcels in the RC 5 zone for Lots 8 & 9.

The property was the subject of a development plan and petition for special hearing before the ALJ wherein on January 6, 2017 the ALJ granted in part and denied in part the petitioned relief. A subsequent Motion for Reconsideration was denied by the ALJ on February 8, 2017. Said plan was also the subject of a public hearing before the Baltimore County Planning Board for consideration within the context of MD. Code Ann., Land Use Article § 5-104 (c) addressing the Growth Tiers. The Planning Board recommended approval of the plan to the ALJ on May 12, 2016.

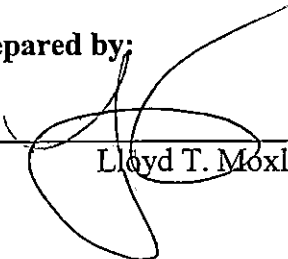
The Department recognizes amendments to the prior approved plan that result in those majority portions of Lots 8 & 9 situated in one zone will meet the minimum lot area requirements for that respective zone after discounting the minor portions (non-density parcels) of said lots situated in a different zone.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Petitioners should investigate reconfiguring the septic reserve area for Lot 5 so that it is entirely situated within the R.C. 5 zone.
- Provide naturalistic landscaping to buffer the proposed drive for Lot 9 from the adjacent Henneman residential property.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Wally Lippincott

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Jennifer R. Busse, Esquire

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

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: June 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0318
Address 2515 Baublitz Road
(Baker Property)

Zoning Advisory Committee Meeting of **June 12, 2017.**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford Date: 6-6-2017

RECEIVED
JAN 10 1964
U.S. AIR FORCE
WASHINGTON, D.C.

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**



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

DATE: 7/6/2017

FROM: Andrea Van Arsdale
Director, Department of Planning



SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-318

INFORMATION:

Property Address: 2515 Baublitz Road
Petitioner: Lou Baker, Baker Land Development
Zoning: RC 4, RC 5
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) approve septic reserve areas for Lots 5 & 9 in a different zone than the proposed principal dwelling, permit non-density parcels in the RC 4 zone for Lots 5 & 7 and also to permit non-density parcels in the RC 5 zone for Lots 8 & 9.

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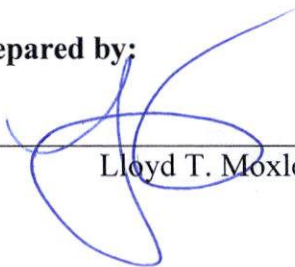
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- Petitioners should investigate reconfiguring the septic reserve area for Lot 5 so that it is entirely situated within the R.C. 5 zone.
- Provide naturalistic landscaping to buffer the proposed drive for Lot 9 from the adjacent Henneman residential property.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Wally Lippincott

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Jennifer R. Busse, Esquire

Office of the Administrative Hearings

People's Counsel for Baltimore County

WHITEFORD, TAYLOR & PRESTON L.L.P.

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(800) 987-8705

May 31, 2017

Via Email (klewis@baltimorecountymd.gov) and First Class Mail

Ms. Kristen Lewis and Mr. W. Carl Richards
Baltimore County Department of Permits, Approvals & Inspections
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204

Re: Request for Combined Hearing
Fields at Worthington -
1st Amended Development Plan and Petition for Special Hearing
2515 Baublitz Road
PAI # 04-0749
Zoning Item # 2017-318-SPH

Dear Ms. Lewis and Mr. Richards:

On behalf of my client, the owner of the above referenced property and petitioner for the subject zoning and development relief, please accept this letter as our request for a combined hearing.

The zoning petition was accepted for filing today and Checkprints for the 1st Amended Development Plan and Plan to Accompany Petition for Special Hearing were filed with Mr. Chumura last week. Thus the engineer is expecting to file the 1st Amended Development Plan and Plan to Accompany Petition for Special Hearing shortly.

As to hearing dates, my client has advised that he is out of town in the beginning of August. I expect you and Mr. Chen will look to schedule this combined hearing in the beginning of August so I wanted to let you know right away that, in the month of August, my client is unavailable until August 10th. My client is then expected to have to attend MACO in Ocean City from August 16th through August 18th. Thus, if possible, could this hearing be set in for August 10th, 11th, 14th or 15th?

Mr. Carl Richards³
May 31, 2017
Page 2

Thank you for your consideration of this request and please do not hesitate to contact me with any questions or concerns.

Sincerely,


Jennifer R. Busse

cc: *(all sent via email)*
Mr. Jerry Chen
Mr. Joe Chmura
Mr. Jun Fernando
Mr. Lou Baker
Mr. Andrew Stine
Mr. Rick Williams

444911v2

CASE NAME Washington
CASE NUMBER 04-0749, 2017-318-8
DATE 9/13/17

[illegible]

CASE NAME Fields AT Worthington
CASE NUMBER 04-0749
DATE 9/13/12

[illegible]

CASE NAME Fields AT Worthington
CASE NUMBER 04-0745
DATE 9-13-17

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
BRETT M. WILLIAMS	PLANNING	TOWSON	3480
STEPHEN FORD	EPS - D.C.	TOWSON	
Jim Hermann	DPR & REG & PARKS	TOWSON	3751
Aaron Tsai	ZONING	"	X3391
VISHNU DESAI	DPR - PAI	"	X3751
BRAD KNATZ	REAL ESTATE		3254
Jenny Chen	DM - PAI	-	X3321

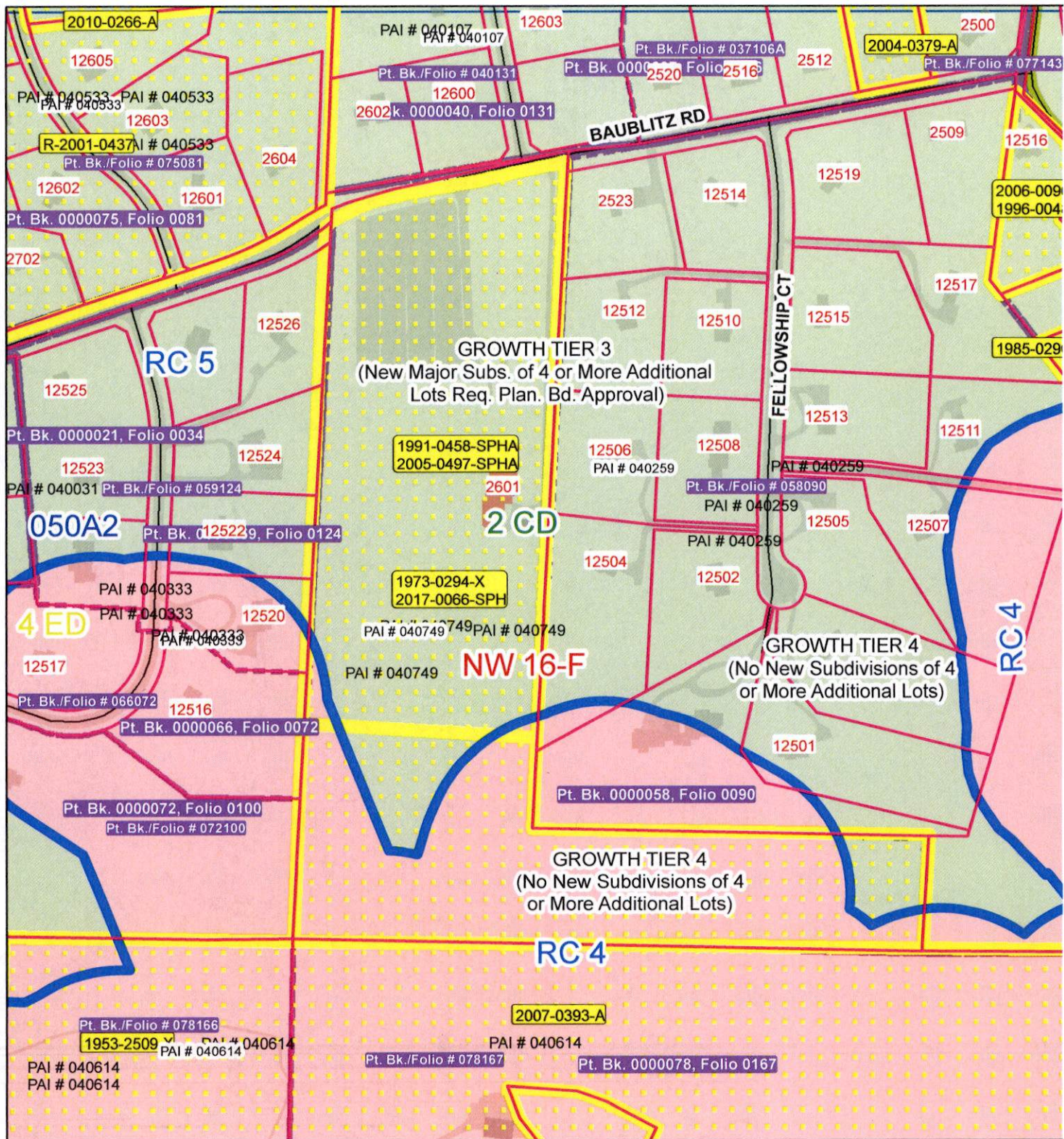
E-MAIL

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>6-6</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
<u>7-6</u>	PLANNING (if not received, date e-mail sent _____)	<u>No obj. w/Cond.</u>
<u>6-7</u>	STATE HIGHWAY ADMINISTRATION	<u>No obj.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>8-24-17</u>	
SIGN POSTING	Date: <u>8-15-17</u> by _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

2515 Baublitz Road



Publication Date: 5/31/2017



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

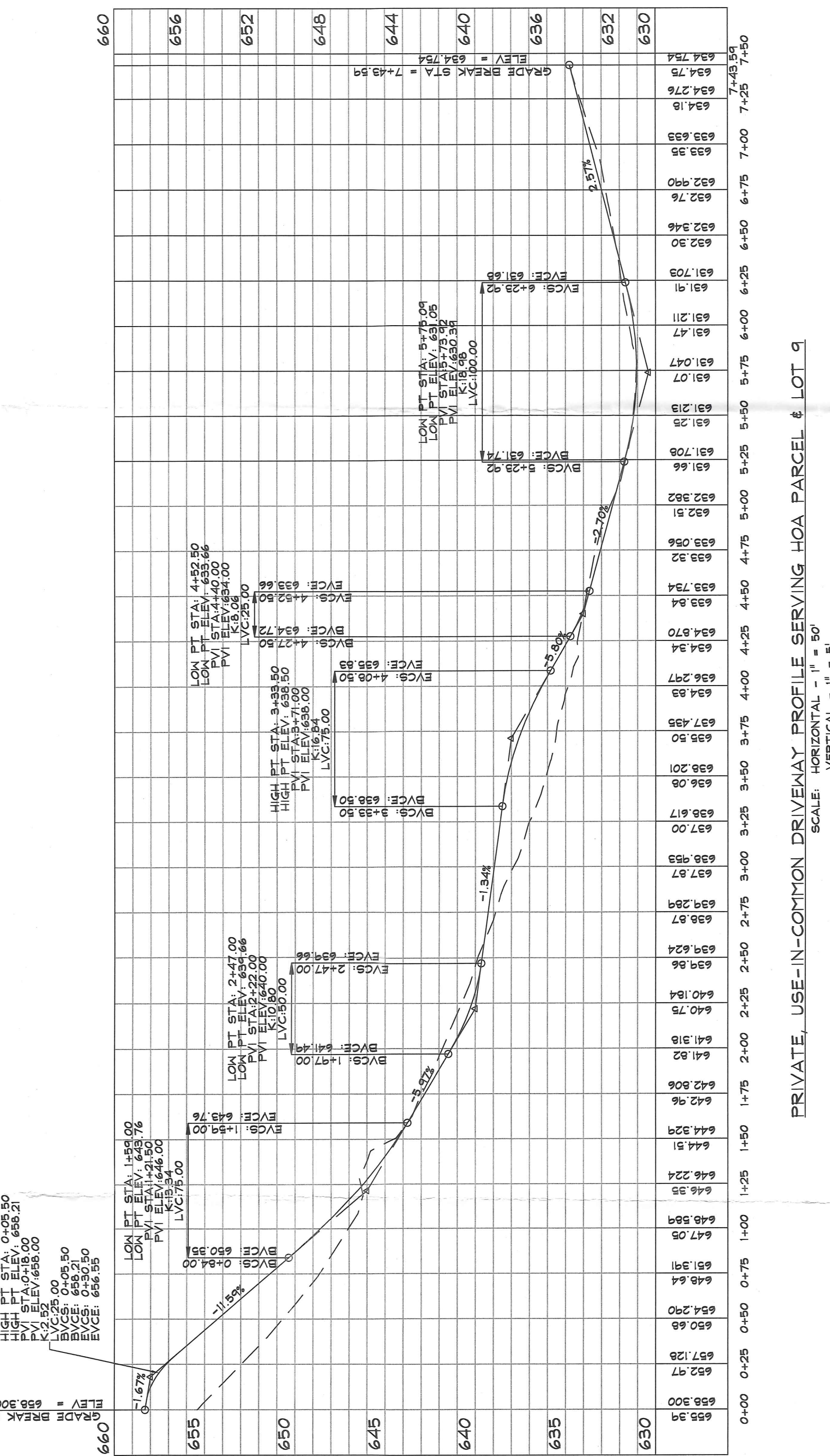


A horizontal scale bar with alternating black and white segments. Above the bar are numerical markings at 0, 80, 160, 320, 480, and 640. The word "Feet" is written at the right end of the bar.

1 inch = 300 feet



No.	North	East	Description
BM1: 15036	656.456.68	1,386,277.7	Spike
BM2: 15037	655.433.14	1,384,772.74	Spike
	Elevation		
	690.259		
	705.236		





Planners
Surveyors
Engineers
Landscape Architects

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410.560.0000
410.338.0554 (Fax)
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THE FIELDS AT WORTHINGTON
(F.K.A. WORTHINGTON VALLEY RACQUET CLUB)
1st AMENDED DEVELOPMENT
PLAN & PLAN TO ACCOMPANY
SPECIAL HEARING
PA# 04-0749

REVISIONS					
	NO.	DESCRIPTION OF CHANGES	DRAWN BY: AJS	REV.	DATE:
		CO. FILE # PAI04749	DES BY: AJS		
		TAX ACC. #: 240008688	DRN BY: AJS		
		ZON MAP. 50	CHK BY: AJS		
		BLOCK / GRID: 007	DATE: 05/30/2017		
		PARTCEL # 111	DOC JOB#: 150521		
		ZONE / USE: RC-SR-C-1	SHEET NUMBER:		
		DWG SCALE: 1" = 50'	2 of 2		

ANDREW J. STINE
LANDSCAPE ARCHITECT NO. 3222