

M E M O R A N D U M

DATE: October 2, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0037-A – Appeal Period Expired

The appeal period for the above-referenced case expired on September 29, 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 VARIANCE

(CASTANEA PHASE 1 – LOT 40) *

8 Election District

2nd Council District *

(11700 Falls Road) *

CR Golf Club, LLC *

Owner/Developer *

BEFORE THE OFFICE OF

ADMINISTRATIVE HEARINGS

FOR

BALTIMORE COUNTY

HOH Case No. 08-0886 and

Zoning Case No. 2018-0037-A

* * * * *

ADMINISTRATIVE LAW JUDGE'S
DEVELOPMENT PLAN OPINION & 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."). CR Golf Club, LLC, the owner/developer of the subject property, (hereinafter "the Developer"), submitted for approval a five-sheet redlined Development Plan ("Plan") prepared by KCI Technologies, Inc., known as "Castanea Phase I – Lot 40."

This proceeding concerns just one lot shown on the Plan, identified as Lot 40. The proposed lot is 24.166 acres, more or less, and is zoned RC 5. The dwelling to be erected thereon would be known as 11526 Falls Road.

The Developer also has filed a Petition for Variance pursuant to §§ 307.1, 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit three (3) existing structures to remain on Lot 40 and to permit these to be located in the proposed front and/or side yard in lieu of the required rear yard and to exceed the maximum permitted height of 15 ft.

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

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Date 8-30-17

By ISW

more fully depicted on the redlined six-sheet Development Plan that was marked and accepted into evidence as Developer's Exhibit 1A-1F. The property was posted with the Notice of Hearing Officer's Hearing on July 26, 2017 and on August 4, 2017 with the Zoning Notice, 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 August 24, 2017, at 10:00 AM, Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland.

The property is located in a "Tier III" area as designated by the County pursuant to the requirements of § 1-501 et seq. of the Maryland Annotated Code Land Use Article. "A residential 'major subdivision' in a Tier III area may not be approved unless the planning board has reviewed and recommended approval ...". Maryland Annotated Code Land Use § 5-104(e). The proposed development was approved on July 20, 2017 by the Baltimore County Planning Board. Baltimore County Exhibit 3.

In attendance at the Hearing Officer's Hearing (HOH) in support of the Plan on behalf of the Developer and property owner were Mark Keeley, Ray Hopkins, John Canoles, Joe Maranto, Tom Faust, and Matthew S. Sichel, P.E., with KCI Technologies, the consulting firm that prepared the site plan. Patricia A. Malone, Esquire and Robert A. Hoffman, Esq., both with Venable, LLP, appeared and represented the Developer. Several citizens from the area also attended the hearing and their names are reflected on the sign-in sheets.

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: Darryl Putty, Project Manager, Vishnu Desai and Jim Hermann (Development Plans Review ["DPR"]), and Jun R. Fernando (Office of Zoning Review). Also appearing on behalf of the County were Steve Ford from the Department of

ORDER RECEIVED FOR FILING

Date 8-30-17

By JSW

Environmental Protection and Sustainability ("DEPS"), and Lloyd Moxley from the Department of Planning ("DOP").

With two exceptions (as noted below), all County agency representatives indicated the Plan addressed all comments submitted by their agency, and they each recommended approval of the Plan. Mr. Moxley indicated the Developer satisfied the RC 5 performance standards (Baltimore County Exhibit 2) and also presented a School Impact Analysis (Baltimore County Exhibit 1) indicating that the elementary and high schools in the district are not overcrowded. Mr. Moxley noted that while Ridgley Middle School was at 115.23% of State Rated Capacity, sufficient capacity exists at adjacent middle schools. Following the hearing, the County's landscape architect indicated his office has approved a schematic landscape plan for Lot 40. Mr. Hermann also submitted a copy of an approved waiver of Local Open Space ("LOS"), permitting Developer to pay a fee of \$1,100.00 in lieu of providing the required LOS. Baltimore County Exhibit 4. In addition, by memorandum dated August 28, 2017, Mr. Ford indicated the Plan has now been approved by all sections of DEPS.

In its case, the Developer presented one (1) witness: Matthew S. Sichel, P.E., a licensed professional engineer who was accepted as an expert. The witness described the proposed building lot and also discussed the zoning request, as detailed in a subsequent portion of this Order. Mr. Sichel explained Developer was at this time seeking approval of only one lot (i.e., Lot 40), and that Developer would seek approval for the other lots shown on the Plan in future phases, which would require additional public hearings. Mr. Sichel opined Developer satisfied all Baltimore County development rules and regulations.

The neighbors in attendance did not question the County agency representatives or Mr. Sichel. Ms. Schulman, an attorney, testified and also presented several exhibits concerning "Lot

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Date 8-30-17

By LSW

12" which is shown on the development plan. Protestants' Exhibit 1. Ms. Schulman testified Lot 12 as shown on the Plan encompasses within its boundaries a tract of land known as "Parcel 551." According to the witness, Parcel 551 was the subject of judicial and administrative proceedings wherein it was held the parcel was "not for residential use."

As explained at the hearing, the Developer is not at this time seeking approval of Lot 12, and the order below will not address the issue raised (and preserved) by Ms. Schulman. Sheet 3 of the Plan contains a note concerning a portion of proposed Lot 12 (shown with leader arrows): "Area Not for Residential Use Per 9049/279." Developer' Exhibit 1C. Should Developer in the future seek approval of Lot 12 as shown on the Development Plan submitted herein (Developer's Exhibit 1A-1F), the protestants will be able to renew their objections concerning the use and/or inclusion of Parcel 551.

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, 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 Lot 40 as shown on the Development Plan.

ZONING REQUEST

The variance request seeks to permit three (3) existing structures to remain on Lot 40 and to be located in the front and/or side yard of the proposed dwelling in lieu of the required rear yard and to exceed the maximum permitted height of 15 ft. A substantive Zoning Advisory Committee ("ZAC") comment was received from the DEPS, dated August 8, 2017. That agency

ORDER RECEIVED FOR FILING

Date 8-30-17

By lw

did not oppose the requests but indicated that development of the property must comply with Regulations for the Protection of Water Quality, Streams, Wetland and Floodplains (Sections 33-3-101 through 33-3-120 of the B.C.C.).

Variance

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).

The property is irregularly shaped and is therefore unique. If the regulations were strictly interpreted, Developer would experience a practical difficulty because it would be unable to retain the existing structures. 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.

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, "Castanea Phase I – Lot 40" as shown on the Development Plan shall be approved.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 30th day of **August, 2017**, that the "**CASTANEA PHASE I – LOT 40**" redlined Development Plan, marked and accepted into evidence as Developer's Exhibit 1, be and is hereby **APPROVED**, subject to the conditions noted below.

ORDER RECEIVED FOR FILING

Date 8-30-17

By DW

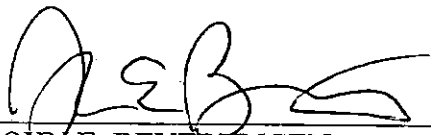
IT IS FURTHER ORDERED that the Petition for Variance pursuant to §§ 307.1, 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit three (3) existing structures to remain on Lot 40 and to permit these to be located in the front and/or side yard of the proposed dwelling in lieu of the required rear yard and to exceed the maximum permitted height of 15 ft., be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the decision of the Planning Board dated July 20, 2017 (a copy of which is attached hereto) be and is hereby incorporated as a part of this final order.

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

1. Only Lot 40 as shown on the Plan marked as Developer's Exhibit 1A-1F is approved at this time. None of the other proposed lots shown on the Plan are approved by virtue of this order.
2. Developer must comply with the DEPS ZAC comment, dated August 8, 2017; a copy of which is attached hereto and made a part hereof.
3. The three (3) existing detached structures on Lot 40 shall not contain any kitchens, bathroom facilities, and may not be used for commercial purposes.

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 8-30-17

By [Signature]



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 11700 Falls Road which is presently zoned RC5, RC2
Deed Reference 31677 / 267 10 Digit Tax Account # 2 5 0 0 0 1 3 4 2 5
Property Owner(s) Printed Name(s) CR Golf Club LLC 2 5 0 0 0 1 3 4 2 6
2 5 0 0 0 1 3 4 3 7

CASE NUMBER 2018-0037-A Filing Date 7/31/17 Estimated Posting Date / / Reviewer AT

(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 Attachment No. 1

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)

To be presented at the hearing.

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

I, or we, agree to pay expenses of above 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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Patricia A. Malone
Name- Type or Print

Signature

210 W. Pennsylvania Avenue, Towson MD
Mailing Address City State

21204 / 410-494-6206 / pamalone@venable.com
Zip Code Telephone # Email Address

Legal Owners:

See Attachment No. 2

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Patricia A. Malone
Name- Type or Print

Signature

210 W. Pennsylvania Avenue, Towson MD
Mailing Address City State

21204 / 410-494-6206 /
Zip Code Telephone # Email Address

2018-0037-A

CR GOLF CLUB, LLC

ATTACHMENT No. 1 TO PETITION FOR VARIANCE

Petition for Variance, pursuant to Sections 307.1, 400.1, and 400.3 of the Baltimore County Zoning Regulations, to permit three existing accessory structures to remain on Lot 40 and to permit these structures to be located in the proposed front and/or side yard in lieu of the required rear yard and to exceed the maximum permitted height of 15 feet; and any further relief deemed necessary by the Administrative Law Judge.

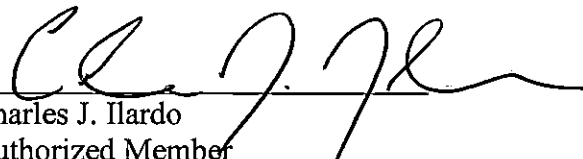
CR GOLF CLUB, LLC

ATTACHMENT No. 2 TO PETITION FOR VARIANCE

Legal Owner (Petitioner):

CR Golf Club, LLC
9475 Deereco Road
Suite 404
Timonium, Maryland 21093
(410) 308-1717

By:


Charles J. Ilardo

Title: Authorized Member



ISO 9001:2008 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

936 Ridgebrook Road • Sparks, MD 21152 • Phone 410-316-7800 • Fax 410-316-7817

ZONING PROPERTY DESCRIPTION FOR PARCEL A OF CASTANEA

Beginning at a point on the west side of St. David's Lane, which is 30 feet wide at a distance of 1575 feet± south of the centerline of the nearest improved intersecting street, Castanea Court, which is 50 feet wide.

Being Parcel A, in the subdivision Castanea as recorded in Baltimore County Plat Book #67, Folio 670, containing 27.1225 acres, located in the eight Election District and second Councilmanic District.

2018-0037-A

CERTIFICATE OF POSTING

2018-0037-A

RE: Case No.: _____

Petitioner/Developer: _____

CR Golf Club, LLC

August 24, 2017

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: _____

11700 Falls Road

August 4, 2017

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

August 4, 2017

(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)

CERTIFICATE OF POSTING

2018-0037-A

RE: Case No.: _____

Petitioner/Developer: _____

CR Golf Club, LLC

August 24, 2017

Date of Hearing/Closing: _____

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

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August 4, 2017

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(Month, Day, Year)

Sincerely,

August 4, 2017

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

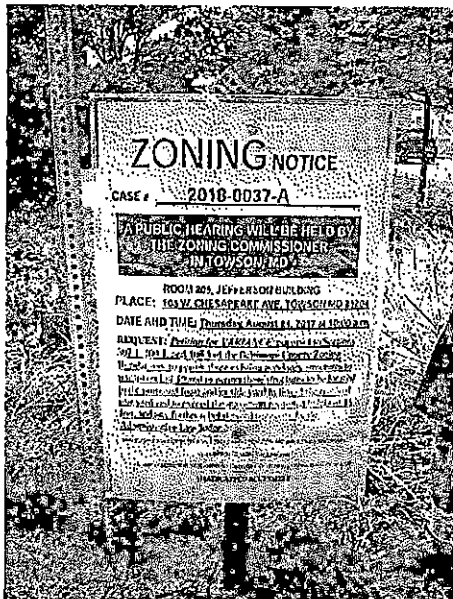
(Address)

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 17, 2017

CR Golf Club, LLC
Charles J Ilardo
9475 Deereco Road
Suite 404
Timonium MD 21093

RE: Case Number: 2018-0037 A, Address: 11700 Falls Road

Dear Mr. Ilardo:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 31, 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
Patricia A Malone, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

№ 154869

Date:

Date: 7/31/17

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
7/31/2017	7/31/2017	10:23:54	2

REG WSO2, WALKIN JEE 39

>>RECEIPT # 018866 7/31/2017 OFLN

Dept. 5 528 ZONING VERIFICATION

CR NO. 154869

Receipt Tot	\$500.00
-------------	----------

1500.00 CK 1.00 CA

Baltimore County, Maryland

Total:

For:

DISTRIBUTION

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

GOLD - ACCOUNTING

**CASHIER'S
VALIDATION**

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: 2018-0037-A
Property Address: 11700 Falls Road
Property Description: _____
Legal Owners (Petitioners): CR Golf Club, LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich
Company/Firm (if applicable): Venable LLP
Address: 210 W. Pennsylvania Ave.
Ste. 500
Towson, MD 21204
Telephone Number: (410) 494-6200

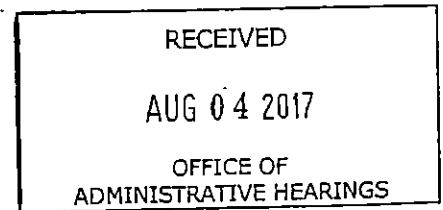
Revised 7/9/2015



KEVIN KAMENETZ
County Executive

ANDREA VAN ARSDALE, Director
Department of Planning

July 31, 2017



Mr. John Beverungen
Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Avenue
Towson, MD 21204

Re: Castanea Phase 1, 2, & 3 Major Subdivision Development Plan, PAI #: 8-886

Dear Judge Beverungen:

Pursuant to MD Code Ann. Environmental Art., § 9-206 (g) (1)(iv) and Land Use Art. § 5-104 (c) through (f), Castanea Phase 1, 2, & 3, a residential major subdivision served by on-site sewage disposal system in a Growth Tier III mapped area, was the subject of a public hearing before the Planning Board on July 20, 2017.

At its July 20, 2017 meeting, the Planning Board voted on a resolution to approve the development plan. The following motion was unanimously approved by the Planning Board:

Be it moved, that the Baltimore County Planning Board, upon conducting a public hearing on the matter on July 20, 2017, resolves that the residential development proposal does not present any undue environmental issues and is supportive of the Baltimore County Growth Tiers designation. This Board recommends the Castanea Phase 1, 2, & 3 Major Subdivision Development Plan be approved pursuant to the authority given it within the Annotated Code of Maryland, Land Use Article, Section 5-104 (c) through (f).

If you have any questions regarding the Castanea Phase 1, 2, & 3 development plan or the above motion please, contact Jessie Bialek or Lloyd Moxley at 410-887-3480.

Sincerely,

Andrea Van Arsdale
Secretary to the Board

AVA:JDD:JAB:rk

c: Patricia Malone, Esquire

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

ORDER RECEIVED FOR FILING

Date 8-30-17

C:\Users\katzmberger\Desktop\Castanea_Phase_1_2_3_Letter_A\dl.docx

105 West Chesapeake Avenue | Towson, Maryland 21204 | Phone: 410-887-3211 | Fax: 410-887-5862

planning@baltimorecountymd.gov | www.baltimorecountymd.gov/planning

By SW

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: August 8, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0037-A
Address 11700 Falls Road
(CR Golf Club, LLC Property)

Zoning Advisory Committee Meeting of August 14, 2017.

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).

Forest Buffer Easement area in close proximity to any of the buildings to remain must be left undisturbed regardless of prior long standing disturbances.

Reviewer: Glenn Shaffer Date: August 7, 2017

Comments 1-4 are from Miranda Livas, GWM.

1. The existing septic system must be pumped and back-filled or removed by a licensed sewage disposal contractor who must submit an abandonment report to DEPS.
2. The existing well must be back-filled by a licensed Master Well Driller who must submit a well abandonment report to DEPS.
3. Any buildings to remain may not have plumbing. Fixtures must be removed.
4. Indicate the future intentions for all buildings to remain.

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Files\Content.Outlook\XEGA1Q0V\ZAC 18-0037-A 11700 Falls Road.doc

Date 8-30-17
By LSW



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 8/9/17

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 8/9/17. A field inspection and internal review reveals that an entrance onto MD25 consistent with current State Highway

★ Administration guidelines is required. ~~As a condition of approval for~~, Case Number 2018-0037-A

Variance
CR Golf Club, LLC
11700 Falls Road,
MD25

The applicant must contact the State Highway Administration to obtain an entrance permit. Should you have any questions regarding this matter feel free to contact 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, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

cc: Mr. Michael Pasquariello, Utility Engineer, SHA

* See previous correspondence to Jan M. Cook and developer/engineer

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

July 26, 2017

Mr. Jan M. Cook
Development Manager
Development/Management/Permits
Inspections & Approvals
County Office Building-Room 123
111 West Chesapeake Avenue
Towson, MD 21204

28 JUL '17 PM 3:21

RECEIVED

JUL 28 2017

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

Dear Mr. Cook:

Thank you for the opportunity to review the Development Plan for the Castanea Phase 1, 2, & 3 fka 11700 Falls Road residential development proposing 32 additional single family lots on MD 25 in Baltimore County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the plan submission below and is pleased to respond.

**Castanea Phase 1, 2, & 3 fka 11700 Falls Road
Development Plan
PAI No. 08-0886
County Tracking No. MAJ-2017-00002
SHA Tracking No. 14APBA016XX
MD 25 (west side) opposite Chestnut Ridge Drive
Mile Post 5.80
Baltimore County**

In a letter dated May 3, 2017 the MDOT SHA granted approval of the traffic impact study (TIS). The letter noted a requirement for the construction of a northbound MD 25 left turn lane into Castanea Court. The development team has approached the MDOT SHA requesting a re-evaluation of this requirement for a left turn lane. The MDOT SHA has re-evaluated the intersection of MD 25 and Castanea Court/Chestnut Ridge Drive and determined that a modified bypass lane may be constructed as an alternative to the left turn lane.

To initiate the plan review cycle toward the issuance of the access permit the design engineer must submit nine (9) sets of plans reflecting the modified bypass lane and the re-construction of the Chestnut Ridge Drive approach to MD 25 replacing that entrance in kind. The plan submittal should include 1 set of hydraulic computations, and a CD containing plans and all supporting documentation to Wendy Wolcott at 320 West Warren Road, Hunt Valley, MD 21030 to the attention of Mr. Richard Zeller. Please utilize the SHA tracking number when making this submission.

Mr. Jan M. Cook
Castanea Phase 1, 2, & 3 fka 11700 Falls Road MD 25
SHA Tracking No. 14APBA016XX
Page 2
July 26, 2017

All SHA Policies, Standards and Specifications must be followed when preparing the above plan submittal including but not limited to the following documents:

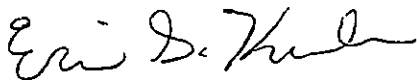
SHA Access Manual
SHA Business Standards and Specifications
SHA Bicycle Policy and Design Guidelines

The Access Management Plan Review Checklist must be utilized in drafting the SHA Improvement Plans. Please include a copy of the completed checklist when making this submittal. All of these documents along with additional guidance can be found on our web site at www.roads.maryland.gov under Business Center.

The MDOT SHA has no objection to Development Plan approval provided all MDOT SHA requirements for improvements along MD 25 at the Castanea Court/Chestnut Ridge Drive intersection are reflected on final plans.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (extension 2332) or by email at (rzeller@sha.state.md.us).

Sincerely,



for
Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

cc: KCI Technologies / 936 Ridgebrook Road, Sparks Road 21152
CR Golf Club, LLC Attn.: Mr. Daniel Hirschfeld / 9475 Deerco Road, Suite 404
Timonium, MD 21093
Mr. Vishnu Desai / 111 West Chesapeake Avenue, Towson, MD 21204
Ms. Dianna Hines, MDOT SHA District 4 Traffic
Mr. Mike Pasquariello, MDOT SHA District 4 Utilities
Andre Futrell, MDOT SHA District 4 - Maintenance

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: August 8, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0037-A
Address 11700 Falls Road
(CR Golf Club, LLC Property)

Zoning Advisory Committee Meeting of **August 14, 2017**.

 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).

Forest Buffer Easement area in close proximity to any of the buildings to remain must be left undisturbed regardless of prior long standing disturbances.

Reviewer: Glenn Shaffer Date: August 7, 2017

Comments 1-4 are from Miranda Livas, GWM.

1. The existing septic system must be pumped and back-filled or removed by a licensed sewage disposal contractor who must submit an abandonment report to DEPS.
2. The existing well must be back-filled by a licensed Master Well Driller who must submit a well abandonment report to DEPS.
3. Any buildings to remain may not have plumbing. Fixtures must be removed.
4. Indicate the future intentions for all buildings to remain.

like receiver the Ravens expected when they made him their top pick and No. 26 overall selection in the 2015 NFL draft. Those dreams aren't gone, but the Ravens are in limbo even though hope is still alive.

"He was having a good camp. I'm excited about him. Things happen for a reason, and maybe this is a blessing in disguise," coach John Harbaugh said after Thursday's practice. "We'll continue to work on all the things he needs to work on, in terms of his body, catching and things like that. I would say he's had a 'plus' camp, and hopefully, it'll lead to a really good season. I'll also follow with: I wish we had him out there practicing the rest of the time, obviously, but that's what we have right now."

If Perriman can play and stay healthy, he presents problems for defenses. Like Wallace a year ago, when he teamed with Steve Smith Sr., Perriman can work underneath

"I hope guys see what I see just in terms of his approach mentally — [it's] great," receivers coach Bobby Engram said. "You see the raw speed on the field, but the route-running and catching the football has greatly improved. I think he has been a lot more consistent."

We've seen only glimpses of Perriman's star potential. He was targeted 66 times last season and had 33 catches for 499 yards and three touchdowns. But for each tough catch he made there were several others that simply bounced off his hands or body.

It is sad watching Perriman with these recurring injuries because he appears to be a nice kid who works extremely hard.

He missed the entire 2015 season because of partially torn PCL in his right knee. He missed most of camp last season because of a partially torn ACL in his left knee.

It's hard to bounce back from any injury,

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SINGLE PLOT IN DRUID RIDGE CEMETERY Forest lawn 5 section, lot 22, grave A w/ vault & marker. Asking \$4500 OBO Call 410-258-2766 or 410-252-5791

LEGAL NOTICES

City of Baltimore
Department of Finance
Bureau of Purchases

Sealed proposals addressed to the Board of Estimates of Baltimore will be received until, but not later than 11:00a.m. local time on the following date(s) for the stated requirements:

- September 13, 2017
HVAC AIR DUCT CLEANING FOR VARIOUS CITY BUILDINGS B50005083
- September 27, 2017
QUALIFIED DEALERS FOR CARS AND TRUCKS B50005011

THE ENTIRE SOLICITATION DOCUMENT CAN BE VIEWED AND DOWN LOADED BY VISITING THE CITY'S WEB SITE:
www.baltimorecitybuy.org
7/28, 8/4/2017

LEGAL NOTICES

Baltimore City

Denotta Skeens, Proper Person
1819 W. Fayette Street
Baltimore, MD 21223

Notice of Appointment Notice to Creditors
Notice to Unknown Heirs to all Persons Interested in the Estate of (139646) CLINTON LAMONT WORRELL, JR.
Notice is given that DENOTTA SKEENS, 1819 W. Fayette Street, Baltimore, MD 21223 was on August 2, 2017 appointed personal representative(s) of the estate of CLINTON LAMONT WORRELL, JR. who died on December 17, 2016 without a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting the personal representative(s) or the attorney.

All persons having any objection to the appointment or to the probate of the decedent's will shall file their objections with the Register of Wills on or before the 2nd day of February, 2018.

Any person having a claim against the decedent must present the claim to the undersigned personal representative(s) or file it with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

- (1) Six months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine months from the date of the decedent's death, or
- (2) Two months after the personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice, notifying the creditor that the claim will be barred unless the creditor presents the claims within two months from the mailing or other delivery of the notice. A claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills.

DENOTTA SKEENS, Personal Representative.
True Test-Copy: BELINDA K. CONAWAY,
Register of Wills for Baltimore City,
111 N. Calvert Street, Baltimore, Maryland 21202

Aug. 4, 11, 18

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:
2018-0037-A
11700 Falls Road
West side of Falls Road, approximately 1,300 feet North of the centerline of Somerset Place.
8th Election District -
2nd Councilmanic District
Legal Owners:
CR Golf Club, LLC

Petition for VARIANCE, pursuant to Sections 307.1, 400.1, and 400.3 of the Baltimore County Zoning Regulations, to permit three existing accessory structures to remain on Lot 40 and to permit these structures to be located in the proposed front and/or side yard in lieu of the required rear yard and to exceed the maximum permitted height of 15 feet; and any further relief deemed necessary by the Administrative Law Judge.

Hearing: Thursday, August 24, 2017 at 10:00 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.

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Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5111962

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 "The Baltimore Sun", "Daily", a newspaper printed and published in Baltimore City on the following dates:

Aug 04, 2017

The Baltimore Sun Media Group

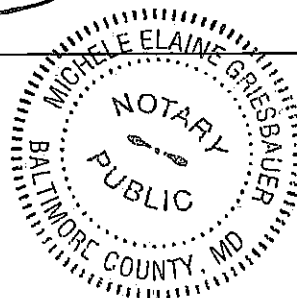
By S. Wickens

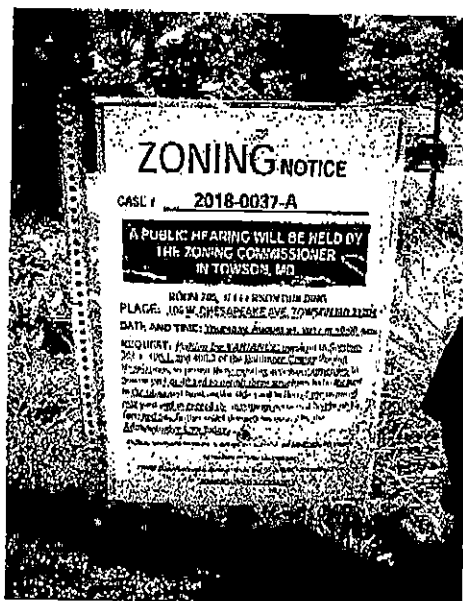
Subscribed and sworn to before me this 8 day of Aug 2017

By Michelle Elaine

Notary Public

My commission expires 10/5/19





RE: PETITION FOR VARIANCE
11700 Falls Road; W/S St. Davis Lane,
1575' S of c/line of Castenea Court
8th Election & 2nd Councilmanic Districts
Legal Owner(s): CR Golf Club, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2018-037-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.

RECEIVED
AUG 08 2017

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 8th day of August, 2017, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esquire, 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

PLEASE PRINT CLEARLY

Original exhibits are
in develop. case file
Developer's

CASE NAME Castanea-Lot 40
CASE NUMBER 08-08864 zoning 2018-
DATE 8-24-17 0377A

~~PETITIONER'S SIGN-IN SHEET~~

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NAME CASTANEA-LOT 40, P# 1
CASE NUMBER 08-0886 + Zoning
DATE August 24, 2017 2018-0037-
SHEET 1

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

PLEASE PRINT CLEARLY

CASE NAME CASTANEA-Lot 4, Pt. 1
CASE NUMBER 08-0886 & zoning
DATE August 24, 2017 2018-
0037-A

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

JUN FERNANDO

ZONING

STEVE FORD

DEPS

LYOYD MOXLEY

PLANNING

Jim Hermann

Rec. & Parks

Jesse Blalock

(observing) Planning

VISHNU DESAI

DPR

Darryl Putty

DEV. MAN. *0716

~~Bob [unclear]~~

~~4000 [unclear]~~

~~4000~~

~~Robert [unclear]~~

C H E C K L I S T

<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>8-8</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>8-9</u>	STATE HIGHWAY ADMINISTRATION	<u>Entrance permit req'd</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	<u>(copy in file)</u> <u>CR-2013-0199, 2002-0178-SPHA, 1990-0428-SH,</u> (Case No. <u>1990-0427-SPHXA, 1990-0042-SPHA,</u> <u>1989-0270-SPHXA</u>)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>8-4-17</u>	
SIGN POSTING	Date: <u>8-4-17</u>	by <u>Black</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒	No ☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐	No ☐
Comments, if any: _____		

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 2500013425			
Owner Information					
Owner Name:		CR GOLF CLUB LLC		Use:	RESIDENTIAL
Mailing Address:		9475 DEERECO RD STE 404 TIMONIUM MD 21093		Principal Residence:	NO
Deed Reference:					
Location & Structure Information					
Premises Address:		CASTANEA CT LUTHERVILLE MD 21093-1612		Legal Description:	207.8177 AC P/O PARCEL 'A' CASTANEA CT SS CASTANEA
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0059	0006	0005		9669	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	1-7
		2017		0079/0669	
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			207.8200 AC	19	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2017	07/01/2017	07/01/2018
Land:		4,875,000	4,875,000		
Improvements		0	0		
Total:		4,875,000	4,875,000	4,875,000	4,875,000
Preferential Land:		0			0
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class		07/01/2017	07/01/2018	
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					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 2500013426			
Owner Information					
Owner Name:		CR GOLF CLUB LLC		Use:	RESIDENTIAL
Mailing Address:		9475 DEERECO RD STE 404 TIMONIUM MD 21093		Principal Residence:	NO
		Deed Reference:			
Location & Structure Information					
Premises Address:		CASTANEA CT LUTHERVILLE MD 21093-1612		Legal Description:	3.922 AC P/O PARCEL 'A' CASTANEA CT NS CASTANEA
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0059	0006	0005		9669	2017 1 0079/0669
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			3.9200 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2017	As of 07/01/2017	As of 07/01/2018
Land:		260,500	355,300		
Improvements		0	0		
Total:		260,500	355,300	292,100	323,700
Preferential Land:		0			0
Transfer Information					
Seller:	Date:		Price:		
Type:	Deed1:		Deed2:		
Seller:	Date:		Price:		
Type:	Deed1:		Deed2:		
Seller:	Date:		Price:		
Type:	Deed1:		Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
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					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application			Date:		

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 2500013437			
Owner Information					
Owner Name:		CR GOLF CLUB LLC		Use:	RESIDENTIAL
Mailing Address:		9475 DEERECO RD STE 404 TIMONIUM MD 21093		Principal Residence:	NO
Deed Reference:					
Location & Structure Information					
Premises Address:		CASTANEA CT		Legal Description:	2.534 AC HOA COMMON AREA CASTANEA CT ESR CASTANEA
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0059	0006	0005		9669	
Assessment Year:				Plat No:	3
2017				Plat Ref:	0079/ 0671
Special Tax Areas:			Town:		
			NONE		
Ad Valorem:					
Tax Class:					
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			2.5300 AC	37	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2017		07/01/2017	
Land:	0	0		07/01/2018	
Improvements	0	0			
Total:	0	0		0	0
Preferential Land:	0				0
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
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					
Homeowners' Tax Credit Application Information					

Homeowners' Tax Credit Application Status: No
Application

Date:

Real Property Data Search

Search Result for BALTIMORE COUNTY

Printed w/ address only - did not use acct. #'s

View Map	View GroundRent Redemption	View GroundRent Registration
** DELETED **		
Account Identifier:	District - 08 Account Number - 0803024242	
Owner Information		
Owner Name:	CR GOLF CLUB LLC	Use: RESIDENTIAL
		Principal Residence: NO
Mailing Address:	9475 DEERECO RD STE 404 TIMONIUM MD 21093	Deed Reference: /31677/ 00267
Location & Structure Information		
Premises Address:	11700 FALLS RD LUTHERVILLE MD 21093-1612	Legal Description: 228.315 AC WS FALLS RD 651FT S BROADWAY RD
Map:	Grid:	Parcel:
0059	0006	0005
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
		2017
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Living Area	Finished Basement Area
	39806	
Property Land Area	County Use	
228.3200 AC	27	
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2017
Land:	5,137,200	5,137,200
Improvements	0	0
Total:	5,137,200	5,137,200
Preferential Land:	0	0
Phase-in Assessments		
	As of 07/01/2017	As of 07/01/2018
Transfer Information		
Seller: CHESTNUT RIDGE COUNTRY CLUB INC	Date: 02/02/2012	Price: \$5,300,000
Type: ARMS LENGTH MULTIPLE	Deed1: /31677/ 00267	Deed2:
Seller:	Date:	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /03318/ 00188	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2017
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	COUNTY CLUB AGREEMENT	
Homestead Application Information		

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No
Application

Date:

IN RE: PETITIONS FOR SPECIAL HEARING	* BEFORE THE
AND VARIANCE -- W/S Falls Road,	* ZONING COMMISSIONER
Across from Chestnut Ridge Drive	* OF BALTIMORE COUNTY
(11700 Falls Road)	* Case No. 02-178-SPHA
8 th Election District	
3 rd Council District	
Chestnut Ridge Country Club, Inc.	*
Petitioners	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Chestnut Ridge Country Club, Inc., by David Cohen, President, through their attorney, Stanley S. Fine, Esquire. The Petitioners request a special hearing to approve an amendment to the previously approved site plans in prior Cases Nos. 89-270-SPHXA, 90-42-SPHA, and 90-427-SPHXA to reflect the proposed modifications. In addition, variance relief is requested from Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between the proposed pool building and tennis courts of 80 feet in lieu of the previously approved 95 feet, and a distance between the proposed pool building and clubhouse of 15 feet in lieu of the previously approved 21 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were David S. Cohen, President of the Chestnut Ridge Country Club, Inc., property owners, Fred Thompson, Professional Engineer who prepared the site plan for this property, and Stanley S. Fine, Esquire, attorney for the Petitioners. Also appearing were Arnold Wallenstein and Michael Bayer, nearby property owners and members of the Chestnut Ridge Country Club. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the west side of Falls Road, across from its intersection with Chestnut Ridge Road in Lutherville. The property contains a gross area of 299.465 acres, more or less, zoned R.C.5, and is improved with a golf course/country club, which has existed on the site since the 1950s. The Club features an 18-hole golf course, driving range, clubhouse, swimming pool, tennis courts, and other similar amenities. Although the property has been used as a country club for nearly 50 years, the first zoning hearing was held in 1988 under Case No. 89-270-SPHXA. In that case, special hearing, special exception and variance relief were granted on January 31, 1989 to legitimize existing conditions on the site as well as proposed improvements. The second zoning case was Case No. 90-42-SPHA, in which relief was granted on August 31, 1989 to allow an amendment to the previously approved site plan to reduce parking and certain setback requirements for the addition of two tennis courts. Thereafter, in Case No. 90-427-SPHXA, relief was granted on May 15, 1990 to amend the previously approved site plan and special exception and variance relief to provide for further expansions.

The Petitioners now come before me seeking relief to allow certain additional improvements. Presently, there is extensive renovation of one of the buildings on the property to provide additional office space and amenity area, as shown on the site plan (Petitioner's Exhibit 1) and photographs submitted at the hearing (collectively marked as Petitioner's Exhibit 2). In addition to this renovation, the Petitioners propose improvements to the building located near the existing swimming pool. As shown on the site plan and the elevation drawing submitted into evidence as Petitioner's Exhibit 3, the existing pool building is to be razed and a new building constructed in its place. Due to the proposed configuration of the building, variance relief is requested to approve reduced setbacks between the pool building and the tennis courts and clubhouse. Testimony and evidence offered indicated that the variances are needed due to the configuration of the property and the location of the existing swimming pool and tennis courts. Obviously, the pool building must be located in close proximity to the swimming pool; thus, relief is warranted.

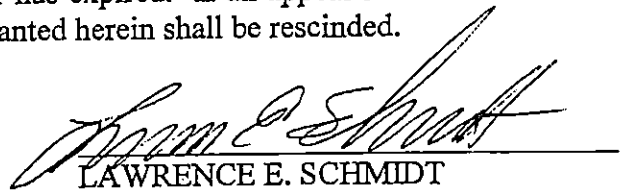
) Based upon the testimony and evidence offered, I am persuaded to grant the relief. There were no adverse Zoning Advisory Committee comments submitted by any County reviewing agency. Moreover, as noted above, no one appeared in opposition to the requests. Neither of the variances requested impact lot lines and both are for internal distances. Additionally, letters in support of the requests were submitted from the immediate neighbors. Thus, it appears that relief can be granted without detriment to the health, safety and general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

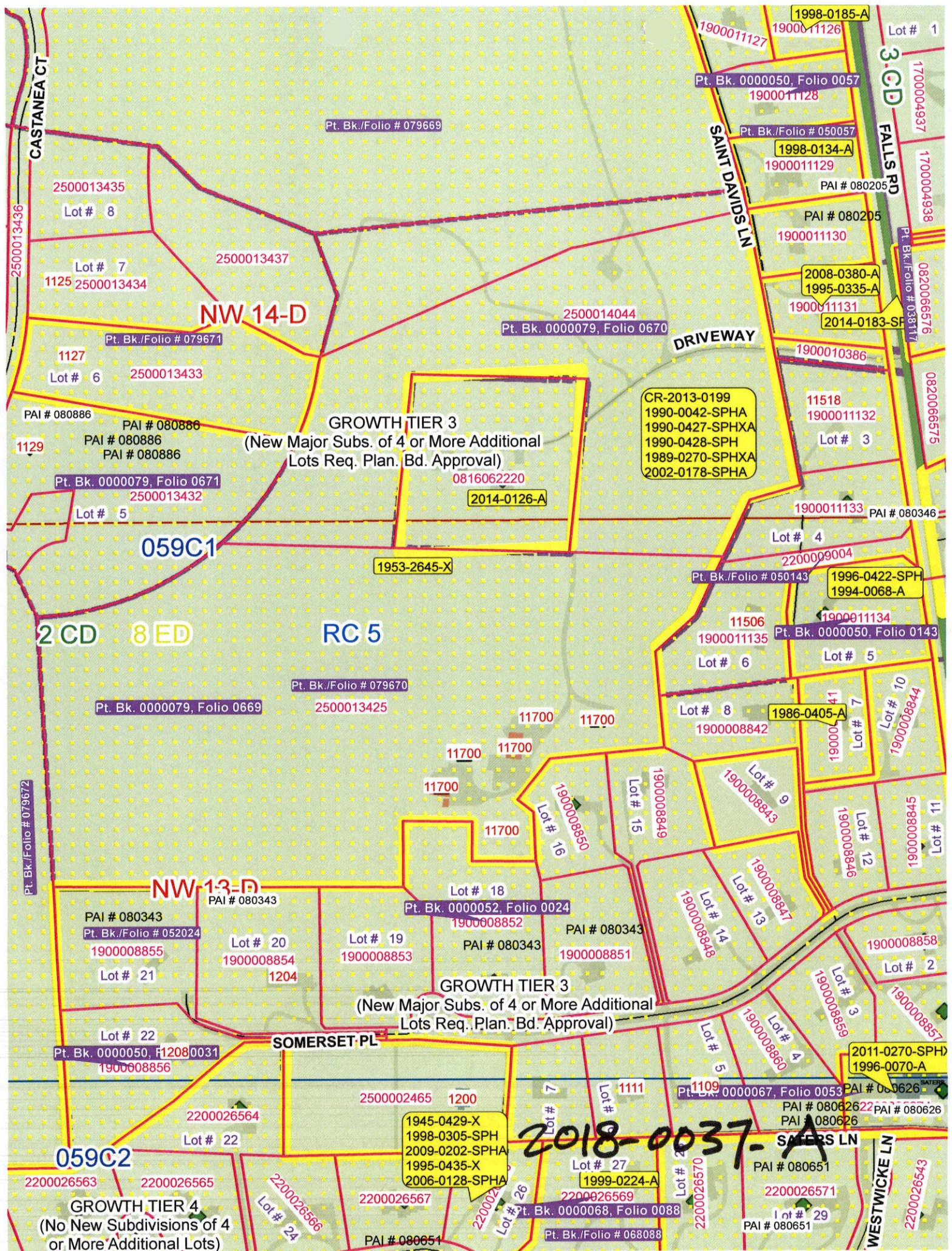
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of February, 2002 that the Petition for Special Hearing to approve an amendment to the site plans approved in prior Cases Nos. 89-270-SPHXA, 90-42-SPHA, and 90-427-SPHXA to reflect the proposed modifications, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between the proposed pool building and tennis courts of 80 feet in lieu of the previously approved 95 feet, and 15 feet between the proposed pool building and clubhouse in lieu of the previously approved 21 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



A. 7500-8125

Patricia A. Malone
Of Counsel

t 410.494.6206
f 410.821.0147
pamalone@venable.com

July 31, 2017

The Honorable John E. Beverungen
Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Request for Consolidated Hearing
Hearing Officer's Hearing for Castanea – Phase 1 (Lot 40) and Petition for Variance
PAI No. 08-0886 and Case No. 2018-0037-A

Dear Judge Beverungen:

I am writing on behalf of my client Developer/Petitioner CR Golf Club, LLC. to request consolidation of the Hearing Officer's Hearing on the Castanea – Phase 1 (Lot 40) Development Plan and the hearing on the associated Petition for Variance filed today with the Zoning Office.

The Hearing Officer's Hearing is currently scheduled for August 24, 2017. The property has already been posted with notice of the Hearing Officer's Hearing. We will make sure that the zoning hearing is posted and advertised in compliance with the County's requirements.

Thank you.

Very truly yours,



Patricia A. Malone

cc: Kristin Lewis ✓