



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

February 14, 2018

David H. Karceski, Esquire
Venable LLP
210 West Pennsylvania Avenue
Suite 500
Towson, Maryland 21204-5304

RE: **CORRECTED ORDER – Pages 6 and 7**
Development Plan and Zoning Hearing
HOH Case No. 14-0497 and Zoning Case No. 2018-0128-A
Project: **MARTIN FARMS**
Address: 7216, 4929 Ridge Road

Dear Mr. Karceski:

Attached hereto please find a **corrected** version of pages 6 and 7 of the January 30, 2018 order rendered in the above matter. Counsel brought to the attention of the undersigned that dashes were omitted between the lot numbers identified in the order granting variance relief. To eliminate any confusion on this point, the necessary corrections were made to pages 6 and 7, and all other terms and conditions of the January 30, 2018 order shall remain in full force and effect.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Attachment

c: Darryl Putty, Project Manager, Development Processing, PAI

Finally, I find that the variances can be granted in harmony with the spirit and intent of the BCZR, 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.

Though the zoning requests will be granted, the result could well be otherwise if this were a contested case requiring a strict application of the law governing variances. There are a substantial number of variance requests shown on the Plan, and the CMDP refers to these as "blanket variances." CMDP, p. 33. While it is not entirely clear state and/or county law permit blanket variances, the CMDP indicates they should be granted only in "unusual circumstances." In any event, all agency reviewers recommended approval of the Plan and as Ms. McArthur noted, the number of units proposed constitutes only about 60% of the available density. As such the petition will be granted.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 30th day of **January, 2018**, that the "**MARTIN FARMS**" 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 Variance pursuant to § 1B01.2.C.1.c of the Baltimore County Zoning Regulations ("BCZR") and the Comprehensive Manual of Development Policies ("CMDP"), Division II, Section A, Residential Standards, Table VII, as follows:

1. To allow a minimum front building face to property line and/or to public street right of way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16-17, 22, 43, 59, 66, and 71-72;
2. To allow a minimum rear building face to property line setback of 25 ft. in lieu of the required 30 ft. for Lot Nos. 1-7, 17, and 23-58;

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Date 1-30-18

6

Bv RSW

3. To allow a minimum rear building face to public arterial street right of way setback of 43 ft. in lieu of the required 65 ft. (45 ft. and 20 ft.)/CMDP 70 ft. setback (50 ft. and 20 ft.) for Lot Nos. **23-58**;
4. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the required 25 ft. for Lot Nos. **27-28, 32-33, 37-38, 47-48, 52-53, 62-63, and 71-72**;
5. To allow a minimum side building face to public street right of way setback of 12.7 ft. in lieu of the required 25 ft. for Lot Nos. 10, 22, 59, and 67;
6. To allow 7 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group for Lot Nos. 1-7, and
7. To allow a minimum rear yard setback for a deck of 15 ft. in lieu of the 18.75 ft. setback (requesting to have a minimum 10 ft. deep deck in rear yard) for Lot Nos. **1-77**,

be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Special Variance to remove one (1) specimen tree, as approved by DEPS on August 17, 2017, be and is hereby GRANTED.

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

1. Prior to issuance of permits Developer must submit for approval by Baltimore County a landscape plan for the site.
2. Any material change to the Pattern Book admitted herein as Developer's Exhibit 5 must be approved by the ALJ at a public hearing.
3. Developer shall construct and install at the site at its own expense a noise barrier ranging from approximately 6 to 21 ft. in height, as detailed in "Martin Farms Transportation Noise Analysis" study marked and admitted herein as Developer's Exhibit 20.
4. Prior to issuance of permits the Director of Permits, Approvals and Inspections shall confirm that the exterior construction materials selected for the dwellings will achieve interior sound levels that comply with PDM Policy X.

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Date 1-30-18

By HW

Debra Wiley

From: John E. Beverungen
Sent: Wednesday, February 14, 2018 12:01 PM
To: Debra Wiley
Subject: FW: MARTIN FARMS - H.O.H. Case No. 14-0497 & Zoning Case No. 2018-0128-A

From: Karceski, David H. [mailto:DKarceski@Venable.com]
Sent: Wednesday, February 14, 2018 12:00 PM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Sherry Nuffer <snuffer@baltimorecountymd.gov>
Subject: RE: MARTIN FARMS - H.O.H. Case No. 14-0497 & Zoning Case No. 2018-0128-A

Thank you, Judge Beverungen.

Again, we appreciate your consideration of our request.

David

Sent with BlackBerry Work (http://secure-web.cisco.com/1QFkVbtbMaq6tTqX7lEuI8JLhCZ-QLfJpEsSu82pLwcLjH1sRtPCzmfAAoWHL3o6HL3kweoPq6fwA285D9x6dRNzOpdU7OziMFPxEMzlYI6WYD1lqXPn15QAp7PIOvfchKmmJ0frcpmmq0oGMBFz8aQXY7-ZOOqa90OLhONKmmRE4u8bHphHHN-NbX4OXHmZTrwjPGFDOgXPTT5TxIpySgV_xjveyFnAGdp2D2U_T5aBj74HwbaxgX2GDYiRiYr4b4la2JU_VG-ormGCvywhvsOzuJ_j79QkwyfX63MsR5WBn5HYs3FssH7ZsZ6P_TDFMpxEZ3oSJStGANLvZ-tRCzEN0AGjS978UiFuNWMCN29gELahRa0Crv8ufleEnFz7cITO6NIyNYpBAjJuTOX3YCiJhZ44KtonV-NGyrzFqb5GO-mCiZJir1V9pOQ_-dNz_bPXlkUsHjuflaVILhxAn8LA/http%3A%2F%2Fwww.blackberry.com)

From: "John E. Beverungen" <jbeverungen@baltimorecountymd.gov>
Sent: Feb 14, 2018 11:11 AM
To: "Karceski, David H." <DKarceski@Venable.com>
Cc: Sherry Nuffer <snuffer@baltimorecountymd.gov>
Subject: RE: MARTIN FARMS - H.O.H. Case No. 14-0497 & Zoning Case No. 2018-0128-A

Mr. Karceski,

I apologize for failing to notice that mistake in the final order. Just so there is no confusion I will correct and send to you pages 6-7 of the order with the necessary clarification. The order will be reissued with the original January 30, 2018 date, along with a cover letter explaining the corrections.

John Beverungen
AU

From: Karceski, David H. [mailto:DKarceski@Venable.com]
Sent: Monday, February 12, 2018 9:39 AM

To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Rosenblatt, Adam M. <AMRosenblatt@Venable.com>
Subject: MARTIN FARMS - H.O.H. Case No. 14-0497 & Zoning Case No. 2018-0128-A

Judge Beverungen,

We are sorry to take up any more of your time on this case as we know that you are very busy with other matters. However, when reviewing your January 30, 2018 Order in this case, we noticed that the variances granted on pages 6-7 are missing some dashes between the list of lots for which the variances apply. For example, variance 2 was for a number of lots, including lots "1-7" and "23-58", and the portion of the Order granting these variances just reads "1 7" and "23 58". This same issue appears in the language of other variances that you granted.

We are simply seeking confirmation that you intended to grant the relief, as stated on page 2 of the Order, where all of the dashes are included between lot numbers for each of the variances.

Again, we apologize for taking more of your time, but want to make sure that the Order is clear so we do not run into any issues in the future during the permitting process.

Thank you for your time and consideration of this request.

David

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

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KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

January 30, 2018

David H. Karceski, Esquire
Adam Rosenblatt, Esquire
Venable LLP
210 West Pennsylvania Avenue
Suite 500
Towson, Maryland 21204-5304

RE: Development Plan and Zoning Hearing
HOH Case No. 14-0497 and Zoning Case No. 2018-0128-A
Project: MARTIN FARMS
Address: 7216, 4929 Ridge Road

Dear Counsel:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Darryl Putty, Project Manager, Development Processing, PAI

**IN RE: DEVELOPMENT PLAN HEARING & *
PETITION FOR VARIANCE**

(MARTIN FARMS)
14 Election District
6th Council District

(7216, 4929 Ridge Road)

MDK Martin Farms, LLC
Owner/Developer

BEFORE THE OFFICE OF
ADMINISTRATIVE HEARINGS

FOR

BALTIMORE COUNTY

**HOH Case No. 14-0497 and
Zoning Case No. 2018-0128-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 ("BCC"). MDK Martin Farms, LLC, the owner/developer of the subject property, (hereinafter "the Developer"), submitted for approval a two-sheet redlined Development Plan ("Plan") prepared by DS Thaler & Associates, Inc., known as "Martin Farms."

The Developer is proposing 77 single family attached dwelling units on 12.008 gross acres, more or less, of land primarily zoned OR-2 with a small portion zoned O-3. Twenty-five units will have 2-car garages and 52 will have a one-car garage. The site is currently being used as a farm and is improved with an existing dwelling and several ancillary structures, all of which would be razed. This property was the subject of a rezoning from O-3 to OR-2 during the 2016 Comprehensive Zoning Map Process ("CZMP").

The Developer also has filed a Petition for Variance pursuant to § 1B01.2.C.1.c of the Baltimore County Zoning Regulations ("BCZR") and the Comprehensive Manual of Development Policies ("CMDP"), Division II, Section A, Residential Standards, Table VII, as

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By DW

follows:

1. To allow a minimum front building face to property line and/or to public street right-of-way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16-17, 22, 43, 59, 66, and 71-72;
2. To allow a minimum rear building face to property line setback of 25 ft. in lieu of the required 30 ft. for Lot Nos. 1-7, 17, and 23-58;
3. To allow a minimum rear building face to public arterial street right-of-way setback of 43 ft. in lieu of the required 65 ft. (45 ft. and 20 ft.)/CMDP 70 ft. setback (50 ft. and 20 ft.) for Lot Nos. 23-58;
4. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the required 25 ft. for Lot Nos. 27-28, 32-33, 37-38, 47-48, 52-53, 62-63, and 71-72;
5. To allow a minimum side building face to public street right-of-way setback of 12.7 ft. in lieu of the required 25 ft. for Lot Nos. 10, 22, 59, and 67;
6. To allow 7 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group for Lot Nos. 1-7, and
7. To allow a minimum rear yard setback for a deck of 15 ft. in lieu of the 18.75 ft. setback (requesting to have a minimum 10 ft. deep deck in rear yard) for Lot Nos. 1-77.

The development and zoning cases were considered at a combined hearing as permitted by BCC § 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 Notice on December 18, 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 January 18, 2018, at 10:00 AM, Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland.

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By DW

In attendance at the Hearing Officer's Hearing (HOH) in support of the Plan on behalf of the Developer and property owner were Andy Freeman, David Thaler, Brian Childress, Scott Harvey, Jeff Ford, Mark Keeley, and Stacey A. McArthur, with DS Thaler & Associates, Inc., the consulting firm that prepared the site plan. David H. Karceski, Esquire and Adam Rosenblatt, Esq. with Venable, LLP, appeared and represented the Developer. There were no citizens in attendance at the hearing.

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, Michael Viscarra, Development Plans Review ("DPR")/Department of Public Works ("DPW"), Jim Hermann, DPR/Recreation and Parks ("R&P"), and Aaron Tsui (Office of Zoning Review). Also appearing on behalf of the County were Jeff Livingston from the Department of Environmental Protection and Sustainability ("DEPS"), and Brett M. Williams from the Department of Planning ("DOP").

All County agency representatives indicated the Plan addressed all comments submitted by their agency, and they each recommended approval of the Plan. Mr. Williams indicated the DOP approved a pattern book (Developer's Exhibit 5) for the project and he confirmed that although Shady Spring Elementary School is overcrowded as determined by state guidelines, sufficient capacity exists at five (5) other elementary schools in the district. Mr. Livingston noted a concept stormwater management plan was approved by DEPS on September 12, 2017. Mr. Hermann testified a schematic landscape plan was approved on January 17, 2018, and noted Developer would provide approximately 30,000 sq. ft. of recreational open space on site. The Developer was granted a waiver for the remaining 46,918 sq. ft. of open space, requiring a

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By DW

payment of \$164,682.18 in lieu of providing the open space. Baltimore County Exhibit 2.

In its case, the Developer presented three (3) witnesses: first was Stacey A. McArthur, with DS Thaler & Associates, Inc., a registered landscape architect who was accepted as an expert. The witness described the project in detail and also discussed the zoning requests, as detailed in a subsequent portion of this Order. Ms. McArthur explained that density would exist to construct 126 units although Developer is proposing only 77 units. In conclusion, Ms. McArthur opined Developer satisfied all Baltimore County development rules and regulations.

Mark Keeley, a transportation planner accepted as an expert, was the next witness in Developer's case. Mr. Keeley's firm prepared a traffic study (Developer's Exhibit 17) which concludes the project would not cause congestion in area roadways or have a negative impact on the community from a traffic standpoint.

The final witness was Scott Harvey, a professional engineer and noise consultant accepted as an expert. Mr. Harvey testified "PDM Policy X" (Developer's Exhibit 19) was applicable in this case, since the residential development is within 500 feet of a "designated highway"; i.e., I-95. The witness prepared a transportation noise analysis wherein he concluded that without mitigation all 77 homes would be subject to noise levels above 66 dBA. As such, under Policy X a waiver is required, and Mr. Vascarra confirmed DPW granted such a waiver in this case. Mr. Harvey explained a noise barrier should be constructed (ranging from 6 to 21 ft. in height) which will reduce noise impact at ground level to below 66 dBA. Mr. Harvey also explained (and this point is discussed at length in his report) construction materials and certain windows can be utilized on this project which would mitigate interior noise levels in all homes to below 55 dBA.

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By DW

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 as shown on the Development Plan.

VARIANCE REQUESTS

The zoning petition filed in this case contains seven (7) variance requests, as detailed hereinabove. There were no substantive Zoning Advisory Committee ("ZAC") comments received from any of the County reviewing agencies. However, a ZAC comment was received from the Bureau of Development Plans Review ("DPR") dated December 28, 2017. That agency did not oppose the requests but indicated that if zoning relief is granted, a landscape plan is required per the requirement of the Landscape Manual.

Variances

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).

Ms. McArthur testified the property is irregularly shaped (i.e., like a duck's head) and is therefore unique. If the regulations were strictly interpreted, Developer would experience a practical difficulty because it would be unable to build the dwelling units shown on the Plan.

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By RSW

Finally, I find that the variances can be granted in harmony with the spirit and intent of the BCZR, 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.

Though the zoning requests will be granted, the result could well be otherwise if this were a contested case requiring a strict application of the law governing variances. There are a substantial number of variance requests shown on the Plan, and the CMDP refers to these as "blanket variances." CMDP, p. 33. While it is not entirely clear state and/or county law permit blanket variances, the CMDP indicates they should be granted only in "unusual circumstances." In any event, all agency reviewers recommended approval of the Plan and as Ms. McArthur noted, the number of units proposed constitutes only about 60% of the available density. As such the petition will be granted.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 30th day of **January, 2018**, that the "**MARTIN FARMS**" 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 Variance pursuant to § 1B01.2.C.1.c of the Baltimore County Zoning Regulations ("BCZR") and the Comprehensive Manual of Development Policies ("CMDP"), Division II, Section A, Residential Standards, Table VII, as follows:

1. To allow a minimum front building face to property line and/or to public street right of way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16 17, 22, 43, 59, 66, and 71 72;
2. To allow a minimum rear building face to property line setback of 25 ft. in lieu of the required 30 ft. for Lot Nos. 1 7, 17, and 23 58;

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Date 1-30-18

By DS

3. To allow a minimum rear building face to public arterial street right of way setback of 43 ft. in lieu of the required 65 ft. (45 ft. and 20 ft.)/CMDP 70 ft. setback (50 ft. and 20 ft.) for Lot Nos. 23 58;
4. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the required 25 ft. for Lot Nos. 27 28, 32 33, 37 38, 47 48, 52 53, 62 63, and 71 72;
5. To allow a minimum side building face to public street right of way setback of 12.7 ft. in lieu of the required 25 ft. for Lot Nos. 10, 22, 59, and 67;
6. To allow 7 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group for Lot Nos. 1 7, and
7. To allow a minimum rear yard setback for a deck of 15 ft. in lieu of the 18.75 ft. setback (requesting to have a minimum 10 ft. deep deck in rear yard) for Lot Nos. 1 77,

be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Special Variance to remove one (1) specimen tree, as approved by DEPS on August 17, 2017, be and is hereby GRANTED.

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

1. Prior to issuance of permits Developer must submit for approval by Baltimore County a landscape plan for the site.
2. Any material change to the Pattern Book admitted herein as Developer's Exhibit 5 must be approved by the ALJ at a public hearing.
3. Developer shall construct and install at the site at its own expense a noise barrier ranging from approximately 6 to 21 ft. in height, as detailed in "Martin Farms Transportation Noise Analysis" study marked and admitted herein as Developer's Exhibit 20.
4. Prior to issuance of permits the Director of Permits, Approvals and Inspections shall confirm that the exterior construction materials selected for the dwellings will achieve interior sound levels that comply with PDM Policy X.

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Date 1-30-18

By ISW

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 1-30-18

By RW



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 7216, 4929 Ridge Road which is presently zoned OR2, 03

Deed References: SEE ATTACHMENT 1 10 Digit Tax Account # SEE ATTACHMENT 1

Property Owner(s) Printed Name(s) MDK Martin Farms LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a **Variance** from Section(s)

SEE ATTACHMENT 2

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 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:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER

298-0128-A

Filing Date

11/06/17

Legal Owners (Petitioners):

MDK Martin Farms LLC

Andy Freeman, Authorized Person

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

Signature #1

Signature #2

1777 Reisterstown Road, Ste. 245, Baltimore, Maryland

Mailing Address City State

21208 / 410-902-0290 /

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

Do Not Schedule Dates:

Reviewer

AT

REV. 10/4/11

ORDER RECEIVED FOR FILING

Date

1-30-18

D.

MDK MARTIN FARMS LLC

7216, 4929 RIDGE ROAD

ATTACHMENT 1 TO PETITION FOR VARIANCE

PARCEL 351
TAX ACCOUNT #1413021625
DEED REF. 37277/00115

PARCEL 352
TAX ACCOUNT #1419053150
DEED REF. 39487/137

PARCEL 353
TAX ACCOUNT #1410047720
DEED REF. 38862/00191

PARCEL 354
TAX ACCOUNT #1419053151
DEED REF. 39487/137

PARCEL 355
TAX ACCOUNT #1410047120
DEED REF. 37277/00095

PARCEL 458
TAX ACCOUNT #1413021626
DEED REF. 37277/00115

PARCEL 477
TAX ACCOUNT #1413027600
DEED REF. 37277/00115

PARCEL 690
TAX ACCOUNT #1418013940
DEED REF. 37277/00115

MDK MARTIN FARMS LLC

7216, 4929 RIDGE ROAD

ATTACHMENT 2 TO PETITION FOR VARIANCE

1. VARIANCE FROM BCZR SECTION 1B01.2.C.1.c. AND THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES CMDP, DIVISION II, SECTION A: RESIDENTIAL STANDARDS, TABLE VII TO ALLOW A MINIMUM FRONT BUILDING FACE TO PROPERTY LINE AND/OR TO PUBLIC STREET RIGHT-OF-WAY SETBACK OF 7 FEET IN LIEU OF THE REQUIRED 25 FEET FOR LOT NOS. 7, 16-17, 22, 43, 59, 66, 71-72.
2. VARIANCE FROM BCZR SECTION 1B01.2.C.1.c. AND THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES CMDP, DIVISION II, SECTION A: RESIDENTIAL STANDARDS, TABLE VII TO ALLOW A MINIMUM REAR BUILDING FACE TO PROPERTY LINE SETBACK OF 25 FEET IN LIEU OF THE REQUIRED 30 FEET FOR LOT NOS. 1-7, 17, 23-58.
3. VARIANCE FROM BCZR SECTION 1B01.2.C.1.c. AND THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES CMDP, DIVISION II, SECTION A: RESIDENTIAL STANDARDS, TABLE VII TO ALLOW A MINIMUM REAR BUILDING FACE TO PUBLIC ARTERIAL STREET RIGHT-OF-WAY SETBACK OF 43 FEET IN LIEU OF THE REQUIRED 65 FEET (45' + 20')/ CMDP 70' SETBACK (50'+20') FOR LOT NOS. 23-58.
4. VARIANCE FROM BCZR SECTION 1B01.2.C.1.c., AND THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES CMDP, DIVISION II, SECTION A: RESIDENTIAL STANDARDS, TABLE VII TO ALLOW A MINIMUM SIDE BUILDING FACE TO SIDE BUILDING FACE SETBACK OF 20 FEET IN LIEU OF THE REQUIRED 25 FEET FOR LOT NOS. 27-28, 32-33, 37-38, 47-48, 52-53, 62-63, 71-72.

5. VARIANCE FROM BCZR SECTION 1B01.2.C.1.c. AND THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES CMDP, DIVISION II, SECTION A: RESIDENTIAL STANDARDS, TABLE VII TO ALLOW A MINIMUM SIDE BUILDING FACE TO PUBLIC STREET RIGHT-OF-WAY SETBACK OF 12.7 FEET IN LIEU OF THE REQUIRED 25 FEET FOR LOT NOS. 10, 22, 59, 67.
6. VARIANCE (MODIFICATION OF STANDARD) FROM BCZR SECTION 504.2 AND COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES CMDP, DIVISION 11, SECTION A TO ALLOW 7 TOWNHOUSE UNITS IN A GROUP IN LIEU OF THE MAXIMUM PERMITTED 6 TOWNHOUSE UNITS IN A GROUP FOR LOT NOS. 1-7.
7. VARIANCE FROM BCZR SECTION 301.1.A. TO ALLOW A MINIMUM REAR YARD SETBACK FOR A DECK OF 15' IN LIEU OF THE 18.75 FOOT SETBACK (REQUESTING TO HAVE A MINIMUM 10 FOOT DEEP DECK IN REAR YARD) FOR LOT NOS. 1-77.

July 12, 2017

MARTIN FARMS
DESCRIPTION FOR ZONING PURPOSES ONLY

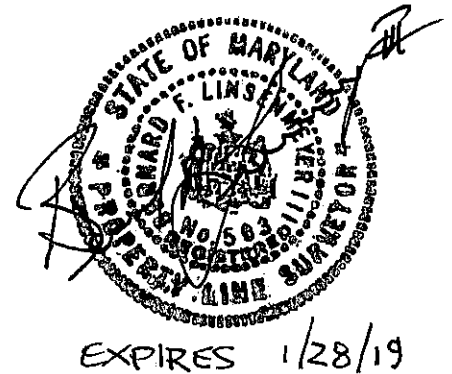
Beginning at a point located approximately 227 feet south of the intersection of Ridge Road and Rossville Boulevard thence running the following fifteenth (15) courses and distances;

- 1) North 84° 59' 27" West 381.89 feet to a point; thence
- 2) North 00° 45' 33" East 264.00 feet to a point; thence
- 3) North 84° 59' 27" West 388.16 feet to a point; thence
- 4) South 52° 24' 06" West 440.49 feet to a point; thence
- 5) North 56° 42' 15" West 103.49 feet to a point; thence
- 6) North 68° 07' 40" East 220.55 feet to a point; thence
- 7) North 29° 09' 30" East 427.91 feet to a point; thence
- 8) North 49° 11' 36" East 531.57 feet to a point; thence
- 9) South 67° 43' 26" East 244.53 feet to a point; thence
- 10) South 35° 11' 14" East 183.50 feet to a point; thence
- 11) Southeasterly 225.38 by a non-tangent curve to the right having a radius of 676.20 feet and a chord bearing of South 09° 26' 27" East 224.34 feet to a point; thence
- 12) South 00° 06' 27" West 200.28 feet to a point, thence

2018-0128-A

- 13) Southeasterly 30.75 feet by a non-tangent curve to the left having a radius of 40.00 feet and a chord bearing of South 03°28'11" East 30.00 feet to a point;
thence
- 14) Southeasterly 159.95 feet by a non-tangent curve to the right having a radius of 958.78 feet and a chord bearing of South 04°47'12" East 159.76 feet to a point;
thence
- 15) South 00°00'48" East 69.11 feet to the point of beginning.

Containing 11.805 acres more or less, located in the 14th Election District
and the 6th Councilman District of Baltimore County, Maryland.





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 5366891

Sold To:

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

Bill To:

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

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

Dec 28, 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: # 2018-0128-A
7216, 4929 Ridge Road
W/s Ridge Road, 227 ft. S/of centerline of Rossville Boulevard
14th Election District - 6th Councilmanic District
Legal Owner(s) MDK Martin Farms, LLC

Variance: 1. To allow a minimum front building face to property line and/or to public street right-of-way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16-17, 22, 43, 59, 66, 71-72. 2. To allow a minimum rear building face to property line setback of 25 ft. in lieu of the required 30 ft. for Lot Nos. 1-7, 17, 23-58. 3. To allow a minimum rear building face to public arterial street right-of-way setback of 43 ft. in lieu of the required 65 ft. (45 ft. and 20 ft.) / CMDP 70 ft. setback (50 ft. and 20 ft.) for Lot Nos. 23-58. 4. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the required 25 ft. for Lot Nos. 27-28, 32-33, 37-38, 47-48, 52-53, 62-63, 71-72. To allow a minimum side building face to public street right-of-way setback of 12.7 ft. in lieu of the required 25 ft. for Lot Nos. 10, 22, 59, 67. To allow 7 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group for Lot Nos. 1-7. To allow a minimum rear yard setback for a deck of 15 ft. in lieu of the 18.75 ft. setback (requesting to have a minimum 10 ft. deep deck in rear yard) for Lot Nos. 1-77.

Hearing: Thursday, January 18, 2018 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.

12/085 Dec 28 5366891

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

CERTIFICATE OF POSTING

2018-0128-A

RE: Case No.: _____

Petitioner/Developer: _____

MDK Martin Farms, LLC

January 18, 2018

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: _____

7216, 4929 Ridge Road

December 18, 2017

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



Sincerely,



(Signature of Sign Poster) December 18, 2017

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2018-0128-A

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Thursday, January 18, 2018 at 10:00 a.m.

REQUEST: Variance 1. To allow a minimum front building face to property line and/or to public street right-of-way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16-17, 22, 43, 59, 66, 71-72. 2. To allow a minimum rear building face to property line setback of 25 ft. in lieu of the required 30 ft. for Lot Nos. 1-7, 17, 23-58. 3. To allow a minimum rear building face to public arterial street right-of-way setback of 43 ft. in lieu of the required 65 ft. (45 ft. and 20 ft.)/CMDP 70 ft. setback (50 ft. and 20 ft.) for Lot Nos. 23-58. 4. To allow a minimum side building face to side building face

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2018-0128-A (Continued)

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Thursday, January 18, 2018 at 10:00 a.m.

REQUEST: setback of 20 ft. in lieu of the required 25 ft. for Lot Nos. 27-28, 32-33, 37-38, 47-48, 52-53, 62-63, 71-72. To allow a minimum side building face to public street right-of-way setback of 12.7 ft. in lieu of the required 25 ft. for Lot Nos. 10, 22, 59, 67. To allow 7 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group for Lot Nos. 1-7. To allow a minimum rear yard setback for a deck of 15 ft. in lieu of the 18.75 ft. setback (requesting to have a minim 10 ft. deep deck in rear yard) for Lot Nos. 1-77.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 28, 2017 Issue - Jeffersonian

Please forward billing to:
Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6271

CORRECTED NOTICE OF ZONING HEARING

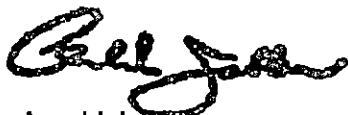
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0128-A

7216, 4929 Ridge Road
W/s Ridge Road, 227 ft. S/of centerline of Rossville Boulevard
14th Election District – 6th Councilmanic District
Legal Owners: MDK Martin Farms, LLC

Variance 1. To allow a minimum front building face to property line and/or to public street right-of-way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16-17, 22, 43, 59, 66, 71-72.
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Hearing: Thursday, January 18, 2018 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 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 14, 2018 Issue - Jeffersonian

Please forward billing to:
Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6271

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: 2018-0128-A

7216, 4929 Ridge Road
W/s Ridge Road, 227 ft. S/of centerline of Rossville Boulevard
14th Election District – 6th Councilmanic District
Legal Owners: MDK Martin Farms, LLC

Variance 1. To allow a minimum front building face to property line and/or to public street right-of-way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16-17, 22, 43, 59, 66, 71-72.
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Hearing: Thursday, January 4, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



November 28, 2017
County Executive

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

CORRECTED 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: 2018-0128-A

7216, 4929 Ridge Road

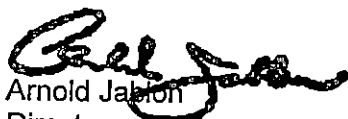
W/s Ridge Road, 227 ft. S/of centerline of Rossville Boulevard

14th Election District – 6th Councilmanic District

Legal Owners: MDK Martin Farms, LLC

Variance 1. To allow a minimum front building face to property line and/or to public street right-of-way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16-17, 22, 43, 59, 66, 71-72.
2. To allow a minimum rear building face to property line setback of 25 ft. in lieu of the required 30 ft. for Lot Nos. 1-7, 17, 23-58. 3. To allow a minimum rear building face to public arterial street right-of-way setback of 43 ft. in lieu of the required 65 ft. (45 ft. and 20 ft.)/ CMDP 70 ft. setback (50 ft. and 20 ft.) for Lot Nos. 23-58. 4. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the required 25 ft. for Lot Nos. 27-28, 32-33, 37-38, 47-48, 52-53, 62-63, 71-72. To allow a minimum side building face to public street right-of-way setback of 12.7 ft. in lieu of the required 25 ft. for Lot Nos. 10, 22, 59, 67. To allow 7 townhouse units in a group in lieu of the maximum permitted 6 townhouse units in a group for Lot Nos. 1-7. To allow a minimum rear yard setback for a deck of 15 ft. in lieu of the 18.75 ft. setback (requesting to have a minim 10 ft. deep deck in rear yard) for Lot Nos. 1-77.

Hearing: Thursday, January 18, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Andy Freeman, 1777 Reisterstown Road, Ste. 245, Baltimore 21208

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 29, 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.



KEVIN KAMENETZ
November 22, 2017

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

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: 2018-0128-A

7216, 4929 Ridge Road

W/s Ridge Road, 227 ft. S/of centerline of Rossville Boulevard

14th Election District – 6th Councilmanic District

Legal Owners: MDK Martin Farms, LLC

Variance 1. To allow a minimum front building face to property line and/or to public street right-of-way setback of 7 ft. in lieu of the required 25 ft. for Lot Nos. 7, 16-17, 22, 43, 59, 66, 71-72.
2. To allow a minimum rear building face to property line setback of 25 ft. in lieu of the required 30 ft. for Lot Nos. 1-7, 17, 23-58. 3. To allow a minimum rear building face to public arterial street right-of-way setback of 43 ft. in lieu of the required 65 ft. (45 ft. and 20 ft.) / CMDP 70 ft. setback (50 ft. and 20 ft.) for Lot Nos. 23-58. 4. To allow a minimum side building face to side building face setback of 20 ft. in lieu of the required 25 ft. for Lot Nos. 27-28, 32-33, 37-38, 47-48, 52-53, 62-63, 71-72.

Hearing: Thursday, January 4, 2018 at 11:00 a.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: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Andy Freeman, 1777 Reisterstown Road, Ste. 245, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 15, 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.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
7216 & 4929 Ridge Road; W/S Ridge Road, * OF ADMINISTRATIVE
227' S of c/line of Rossville Boulevard *
14th Election & 6th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): MDK Martin Farms LLC *
By Andy Freeman *
Petitioner(s) * BALTIMORE COUNTY
* 2018-128-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

NOV 17 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 17th day of November, 2017, a copy of the foregoing Entry of Appearance was mailed to David H. Karceski, 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

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: 2018-0128-A
Property Address: 7216, 4929 RIDGE ROAD
Property Description: _____
Legal Owners (Petitioners): _____
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA LUKASEVICH
Company/Firm (if applicable): Venable LLP
Address: 210 W. Penn Ave, Suite 500
Towson, MD 21204
Telephone Number: 410-494-6271

160526

Date:

PAGE THREE

BUSINESS	ACTUAL	TIME	IN
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
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53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
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97	98	99	100

11/04/2017 11/05/2017 10:12:35

REG. MAIL PERMIT NO. 1000

MEDEIR N 978927 11/06/2017 CFI

1-01 528 ZONING VERIFICATION

CR NO. 50524

Receipt Tot \$500.00

4500.00 CNY 1.00 CA

Baltimore County, Maryland

[illegible]

Total:

Rec

From:

För:

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

January 11, 2018

MDK Martin Farms LLC
Andy Freeman
1777 Reisterstown Road
Suite 245
Baltimore MD 21208

RE: Case Number: 2018-0128 A, Address: 7216, 4929 Ridge Road

Dear Mr. Freeman:

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

Date: 11/13/17

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. *2018-0128-A*

*Variance -
MDK Martin Farms LLC, Andy Freeman
7216, 4929 Ridge 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, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: *MC*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 11, 2017
Item No. 2018-0128-A (Corrected)

DATE: December 28, 2017

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

If Zoning Relief is granted, a Landscape Plan is required per the requirement of the Landscape Manual.

*

*

*

*

*

VKD: can
cc: file

1-18-18

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: December 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0128-A
Address 7216 & 4929 Ridge Road
(MDK Martin Farms, LLC Property)

Zoning Advisory Committee Meeting of **December 11, 2017**.

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

Reviewer: Steve Ford

1-18-18

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 15 2017

OFFICE OF
ADMINISTRATIVE HEARINGS

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: November 15, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0128-A
Address 7216, 4929 Ridge Road
(MDK Martin Farms, LLC Property)

Zoning Advisory Committee Meeting of **November 20, 2017**.

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

Reviewer: Steve Ford

Date: 11-15-2017

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: *VC2*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 20, 2017
Item No. 2018-0128-A

DATE: December 5, 2017

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

If Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual.

* * * * *

VKD: efc
cc: file

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: December 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0128-A
Address 7216 & 4929 Ridge Road
(MDK Martin Farms, LLC Property)

Zoning Advisory Committee Meeting of **December 11, 2017**.

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

Reviewer: Steve Ford

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: November 15, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0128-A
Address 7216, 4929 Ridge Road
(MDK Martin Farms, LLC Property)

Zoning Advisory Committee Meeting of **November 20, 2017**.

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

Reviewer: Steve Ford Date: 11-15-2017

Debra Wiley

From: Debra Wiley
Sent: Wednesday, February 14, 2018 1:08 PM
To: Karceski, David H.
Subject: CORRECTED ORDER - Pages 6 and 7 - MARTIN FARMS
Attachments: 20180214130408097.pdf

Good Afternoon,

Please find attached correspondence and Corrected Pages 6 and 7 of the January 30, 2018 Order; a copy of same has been placed in the US mail today for you.

Thank you.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Wednesday, February 14, 2018 1:04 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Admin Hearings Copier

This E-mail was sent from "RNP002673903BB1" (MP 3054).

Scan Date: 02.14.2018 13:04:07 (-0500)
Queries to: adminhearingscpr@baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Wednesday, February 14, 2018 1:02 PM
To: Janice M Kemp
Cc: Jan Cook; Darryl D Putty
Subject: Web Posting
Attachments: 20180214130408097.pdf

Hi Janice,

Please see attached and post to the web.

CORRECTED ORDER - Pages 6 and 7
Development Plan & Zoning
HOH Case No. 14-0497 AND Zoning Case No. 2018-0128-A
Project: MARTIN FARMS
Hearing: 1/18/18; Order 1/30/18

Thanks; it is appreciated.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Wednesday, February 14, 2018 1:04 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Admin Hearings Copier

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Scan Date: 02.14.2018 13:04:07 (-0500)
Queries to: adminhearingscpr@baltimorecountymd.gov

Case No.:

2018-0128-A

Exhibit Sheet

Original
exhibits are
contained in
H04 case
file

Petitioner/Developer

Protestant COUNTY

1-30-18

No. 1	1A > Development Plan 1B (red line)	Schematic Landscape Plan (also Dev. 7)
No. 2	McArthur CV	LOS Waiver
No. 3	3A > Aerial photos 3B	School Analysis
No. 4	4A > CZMP records 4B	DDP Report 1/18/2018
No. 5	Pattern Book	
No. 6	Photo Exhibit	
No. 7	Schematic Landscape Plan	
No. 8	"Neighborhood" Exhibit	
No. 9	Compatibility report 11-7-17	
No. 10	Rendered site plan	
No. 11	Nov. 7, 2017 letter re: sidewalk waiver	
No. 12	Steep Slope Report	

Case No.: _____

Exhibit Sheet - Continued

	Petitioner/Developer	Protestants
No. 13 13-A 13-B	Specimen Tree Analysis - Approval Letter	
No. 14	Plan showing location of variances.	
No. 15	Keeley CV	
No. 16	Aerial roadway exhibit	
No. 17	Traffic study	
No. 18	Harvey CV.	
No. 19	County Noise Mitigation policy	
No. 20	Noise Analysis	
No. 21	Waiver Request	
No. 22		
No. 23		
No. 24		

CASE NAME MARTIN FARMS
CASE NUMBER PA1 14-497/2018-128-A
DATE 1/18/18

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
David Karceski	210 W. Pennsylvania Ave, Suite 500	Towson, MD 21204	dkarceski@venable.com
Adam Rosenblatt	" "	" "	arosenblatt@venable.com
Audrey Freeman	1777 Reisterstown Rd, Ste 245	Baltimore, MD 21208	a.freeman@kleinenterprises.com
DAYD THALER	BOX 47428	BALTIMORE MD	dsthaller@dsthaller.com
BRIAN CHILDRESS	7115 AMBASSADOR RD	21244-7428	bchildress@dsthaller.com
STACY MCARTHUR			smcarthur@dsthaller.com
SCOTT HARVEY	5216 Chairmans Ct. Ste. 107	Frederick MD 21703	s.harvey@phoenixrv.com
Jeff Ford	Frederick MD 21703		j.ford@phoenixrv.com
Mack Keeley	7525 Connelley Dr. Hanover MD 21076		MKeeley@Traffic-Concepts.com
BRIAN CHILDRESS	7115 AMBASSADOR RD	BALTO. MD 21244	bchildress@dsthaller.com

PLEASE PRINT CLEARLY

CASE NAME _____

CASE NUMBER _____

DATE _____

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>12-28</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>12-11</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>11-13</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>12-28-17</u>	
SIGN POSTING	Date: <u>12-18-17</u> by <u>Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

