### MEMORANDUM

DATE:

November 20, 2020

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2020-0052-SPH- and HOH 11-1133 (Strawbridge

(Commons)

Appeal Period Expired

The appeal period for the above-referenced cases expired on November 19, 2020. 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.'

/dlm

c: Case File

Office of Administrative Hearings

IN RE: DEVELOPMENT PLAN HEARING & PETITION FOR SPECIAL HEARING

11<sup>th</sup> Election District 5<sup>th</sup> Council District (9149 Rexis Avenue) BEFORE THE OFFICE OF

ADMINISTRATIVE HEARINGS

FOR

STRAWBRIDGE COMMONS (1st Material Amendment)

\* B

BALTIMORE COUNTY

Joppa-Chapel Investments, LLC Owner/Applicant CASE NOS. 11-1133 AND 2020-0052-SPH

# ADMINISTRATIVE LAW JUDGE'S ("ALJ") COMBINED DEVELOPMENT PLAN AND ZONING OPINION & ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for a public hearing on a development proposal submitted in accordance with Article 32, Title 4, of the Baltimore County Code ("BCC"). Joppa-Chapel Investments, LLC, *Owner/Applicant* (herein known as "Developer") submitted for approval a 3-sheet redlined Development Plan ("Plan") prepared by Matis Warfield, Inc., known as "Strawbridge Commons, 1st Material Amendment".

The Developer proposes as "Phase 2" of the development plan to subdivide "Parcel B" into two (2) additional lots, each with a single-family dwelling. The total lots proposed for the project will thereby increase from 58 to 60.

The Developer has also filed a Petition for Special Hearing from § 500.7 of the Baltimore County Zoning Regulations ("BCZR") for an amendment of the Final Development Plan ("FDP"), and for such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ").

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 3-sheet Development Plan that was marked and accepted into evidence as Developer's Exhibit 1A ORDER RECEIVED FOR FILING

Date	10-20-2020	
Ву	<b>D</b>	

thru 1C. The property was posted with the Notice of Hearing Officer's Hearing ("HOH") and Zoning Notice, both on September 9, 2020, in compliance with the regulations. Due to the COVID-19 pandemic, the undersigned conducted a public virtual WebEx hearing in lieu of an inperson public hearing on October 8, 2020.

This Hearing Officer Hearing concerned a material amendment (the addition of two single family lots) to the Strawbridge Commons Planned Unit Development ("PUD") which was approved on December 15, 2014 by the Baltimore County Council as Resolution 114-14, in accordance with § 32-4-242 pf the Baltimore County Code (BCC); and which was approved with conditions by ALJ John Beverungen on September 12, 2016.

The Developer, Stephen Ferrandi, attended the HOH in support of the Plan. Also in attendance was Salvatore C. Crupi, P.E., with Matis Warfield, Inc., the firm that prepared the site plan. His *curriculum vitae* was admitted as Developer's Exhibit 7. David K. Gildea and Jason Vettori, Esquire with Smith, Gildea & Schmidt, represented the Developer. Robert Raphel, an adjoining neighbor, attended the hearing and expressed concerns about stormwater run-off from the site. There were no other protestants in attendance.

### AGENCY WITNESSES

Numerous representatives of the various Baltimore County agencies who reviewed the Plan also attended the virtual hearing, including the following individuals from the Department of Permits, Approvals and Inspections ("PAI"): Patrick Williams, on behalf of Jerry Chen, the Project Manager, Jim Hermann and Michael Viscarra (Development Plans Review ("DPR"), and Department of Recreation and Parks ("DRP"). LaChelle Imwiko from Real Estate Compliance, and Jeff Perlow, Office of Zoning Review ("OZR") also testified. Also appearing on behalf of the County were Steve Ford from the Department of Environmental Protection and Sustainability ORDER RECEIVED FOR FILING

2

Date 10-30-3030

("DEPS"), and Brett M. Williams from the Department of Planning ("DOP").

Each County agency representative indicated the Plan addressed all comments submitted by their agency, and they each recommended approval of the Plan. Specifically, Mr. Herrman testified that an open space fee-in-lieu in the amount of \$7,020.00 had been approved (Developer's Exhibit 5) by Recreation and Parks, and that a final Concept Landscape Plan (Developer's Exhibit 4) had also been approved. Brett Williams testified that DOP had approved the Developer's School Impact Analysis (Developer's Exhibit 8), and had approved all aspects of the Development Plan subject to final approval of the Pattern Book to show conformance with the Honeygo Performance Standards. Steve Ford testified that the DEPS had completed its environmental impact analysis, and stormwater and groundwater management reviews and recommends approval.

### **DEVELOPER'S CASE**

The Developer's primary witness was Salvatore C. Crupi, P.E., the engineer who prepared and sealed the plan. Mr. Crupi was accepted as an expert in land use and development and in the BCZR. He explained the development proposal in detail, including modifications made in response to concerns raised at the Community Input Meeting ('CIM'') and the Development Plan Conference ("DPC"). Specifically, Mr. Crupi explained that the subject parcel is zoned DR 3.5. It is .8257 acres but only 2 single family homes are proposed. He further explained that Phase 1 of the project, involving construction of 58 single family homes and townhouses is nearing completion. He further explained that these two additional single family homes on Parcel B were considered by the Councilman and the DOP to be a material amendment to the PUD, which requires the subject HOH and Final Plan Amendment hearing. He opined that the proposed relief is within the spirit and intent of the BCZR and, specifically, that conforms with BCZR § 502.1. Mr. Crupi addressed the stormwater runoff concerns to the satisfaction of the adjoining property

Date 10-30-3030

ORDER RECEIVED FOR FILING

owner, Mr. Raphel.

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The BCC provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." BCC § 32-4-229. In *People's Counsel v. Elm Street Development, Inc.*, 172 Md. App. 690 (2007), the Court of Special Appeals held that if the county agencies recommend approval of a development plan, it is "then up to [protestants] to provide evidence rebutting the Director's recommendations." *Id.* at 703. It should also be noted that in Baltimore County "the development process is indeed an ongoing process, and the hearing officer's affirmation of the plan is just the first step." *Monkton Preservation Association, et al. v. Gaylord Brooks Realty Corp.*, 107 Md. App. 573, 585 (1996). Indeed, the County agencies will continue to review the Developer's evolving plans and construction activities through every phase of the development process to insure compliance with all County laws and regulations.

In the instant case the testimony of the County agency witnesses and the Developer's experts was unrebutted. I find that the agency witnesses provided satisfactory answers to any and all questions posed by the community.

After considering the testimony and evidence presented by the Developer, the exhibits offered at the hearing, and confirmation from the various County agencies that the Plan satisfies those agencies' requirements, I find that the Developer has satisfied its burden of proof and, therefore, is entitled to approval of the Plan. I further find that the Special Hearing relief should also be granted because the two single family lots proposed in the final development plan amendment are within the spirit and intent of the BCZR and will not harm the public health, safety, or welfare.

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Date	6-20-20
By	

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 20th day of October, 2020, that the "STRAWBRIDGE COMMONS, 1st MATERIAL AMENDMENT" Plan marked and accepted into evidence as Developer's Exhibit 1A-1C, be and hereby is APPROVED.

IT IS FURTHER ORDERED that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") for an amendment of the Final Development Plan ("FDP"), be and is hereby **GRANTED**.

The relief above is granted herein shall be subject to the following:

- 1. The open space waiver fee shall be paid prior to final plat approval.
- 2. A final development plan shall be submitted and approved by the Zoning Office.
- 3. A final pattern book shall be submitted and approved by the DOP.

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

PAUL M. MAYHEW Administrative Law Judge for Baltimore County

PMM:dlw

ORDER RECEIVED FOR FILING					
Date	10-20-20				
Bv					



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 Rexis Ave Perry Hall, MD 21128	which is presently zoned DR 3.5H
Deed References: Plat Ref: 079/0735	10 Digit Tax Account # 2500014677
Property Owner(s) Printed Name(s) Joppa-Chap	pel Investments, LLC
(SELECT THE HEARING(S) BY MARKING X AT THE APPI	ROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
The undersigned legal owner(s) of the property situat	te in Baltimore County and which is described in the description
	made a part hereof, hereby petition for:
<ol> <li>a Special Hearing under Section 500.7 of the Z or not the Zoning Commissioner should approve</li> </ol>	Zoning Regulations of Baltimore County, to determine whether
Please see attached.	
a Special Exception under the Zoning Regulati	ions of Baltimore County to use the herein described property for
2 a openial exception and of the 20ming Negalati	ions of Balamore Southly to use the Horom described property for
3. a Variance from Section(s)	
u u rununo nom ossion(e)	
of the zoning regulations of Baltimore County, to t	the zoning law of Baltimore County, for the following reasons:
	Ity or indicate below "TO BE PRESENTED AT HEARING". If
you need additional space, you may add an attach	hment to this petition)
TO BE PRESENTED AT HEARING	
TO BE TRESENTED AT TIEARING	
and restrictions of Baltimore County adopted pursuant to the zoning la	ting, etc. and further agree to and are to be bounded by the zoning regulations law for Baltimore County.  m, under the penalties of perjury, that I / We are the legal owner(s) of the property
Contract Purchaser/Lessee:	Legal Owners (Petitioners):
	Joppa-Chapel Investments, LLC
Name- Type or Print  Signature  Mailing Address Print  State	Name #2 – Type or Print Name #2 – Type or Print
2070 MAIL 2070	thurly authorized Signatory
Signature	Signature #1 Signature # 2
RECE	600 Washington Avenue, Ste 200 Towson, MD
Mailing Address City State	Mailing Address City State 21204
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
Co.	
Attorney for Petitioner:	Representative to be contacted:
Jason T. Vettori Smith, Gildea & Schmidt, LLC	Jason T. Vettori Smith, Gildea & Schmidt, LLC
Name- Type or Print	Name – Type or Print
Signature	Signature
600 Washington Ave, Ste 200 Towson MD	
Mailing Address City State	Mailing Address City State
21204 / (410) 821-0070 / jvettori@sgs-law.co	
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
CASE NUMBER 2020 -0052 - SPH Filing Date 2,19	7, 20 Do Not Schedule Dates: Reviewer_NO
	1.01.0461

Klaentina sox law com

NO LEVIN

REV. 10/4/11

### **Petition for Zoning Hearing**

<u>for</u>

### **Strawbridge Commons**

PAI No.: 11-1133

Tracking No.: MAJ-2019-00002-A

## Special Hearing to determine whether the Zoning Commissioner should approve:

- 1. An amendment of the Final Development Plan;
- 2. And for such other and further relief as may be deemed necessary by the Administrative Law Judge.



February 18, 2020

Description to Accompany Petition for Special Hearing Strawbridge Commons – Parcel B Cowenton Avenue (9149 Rexis Avenue) Election District 11 Baltimore County, Maryland



Beginning at a point located on the west side of Cowenton Avenue, which is 60-feet wide, and located at a distance of 80.92-feet South from the centerline of East Joppa Road, which is 70-feet wide, running thence and binding along the west side of said Cowenton Avenue,

- 1. Along a curve to the south having a radius of 104.98 feet for an arc length of 59.68 feet to a point, thence
- 2. **South 01°59'07" East 174.27 feet** to a point, thence leaving said west side of Cowenton Avenue and running the three following courses viz,
- 3. South 49°56'39"West 121.06 feet to a point, thence
- 4. North 45°05'21" West 164.84 feet to a point, thence
- North 44°54'39" East 263.01 feet to the point of beginning on the west side of Cowenton Avenue.

Being the same Parcel B as shown on the record plat entitled "Strawbridge Commons PUD – Plat 2 of 2" as recorded in Baltimore County Plat Book No. 79, Folio 735 Conntaining 0.8257 acres more or less or 35,907 square feet of land.

This description is intended for zoning purposes only and is not intended for use in conveyance of land. The metes and bounds recited herein are not based on a boundary survey.



2020-0052-SPH

Matis Warfield, Inc. 954 Ridgebrook Road Suite 120 Sparks, Md 21152 410-683-7004 www.matiswarfield.com



### SECOND CERTIFICATE OF POSTING

**ATTENTION: DONNA MINGON** 

DATE: 10/4/2020

Case Number: 2020-0052-SPH

Petitioner / Developer: JASON VETTORI, ESQ. ~ JOPPA CHAPEL

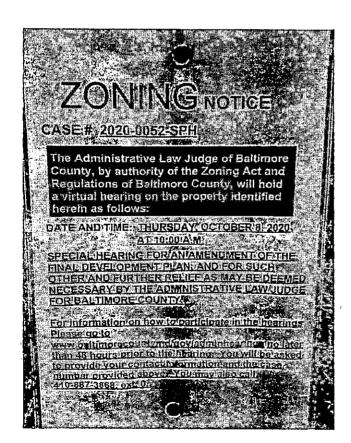
INVESTMENTS, LLC

Date of Hearing: OCTOBER 8, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: REXIS AVENUE (ON-SITE)

The sign(s) were posted on: SEPTEMBER 9, 2020

The sign(s) were re-photographed on: OCTOBER 4, 2020



Linda O Keefe
(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)



JOHN A. OLSZEWSKI, IR. . County Executive

MICHAEL D. MALLINOFF, Director Department of Permits, Approvals & Inspections

September 8, 2020

### **NEW 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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0052-SPH

Rexis Avenue

West side of Cowenton Avenue, south of centerline of East Joppa Road

11th Election District - 5th Councilmanic District

Legal Owners: Joppa-Chapel Investments, LLC

Special Hearing for an amendment of the Final Development Plan; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, October 8, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff
Director

MM:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 18. 2020.

## The Daily Record 200 St. Paul Place Suite 2480

Baltimore, Maryland 21202 1 (443) 524-8100 www.thedailyrecord.com

### **PUBLISHER'S AFFIDAVIT**

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

9/18/2020

Order #:

11918521

Case #:

2020-0052-SPH

Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0052-SPH

Darlene Miller, Public Notice Coordinator (Representative Signature)

#### 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 virtual hearing the property identified herein as follows:

CASE NUMBER: 2020-0052-SPH

Rexis Avenue
West side of Cowerton Avenue, south of centerline of East Joppa Road

11th Election District - 5th Councilmanic District

Legal Owners: Joppa-Chapel Investments, LLC Special Hearing for an amendment of the Final Development Plan; and for such other and further relief as may be deemed necessary by the Administrative

Law Judge for Baltimore County. Hearing: Thursday, October 8, 2020 at 10:00 a.m. For information on how to participate in the hearings please go to www.baltimorecountynd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3668, ext. 0.

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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### **CERTIFICATE OF POSTING**

**ATTENTION: KRISTEN LEWIS** 

**DATE:** 9/9/2020

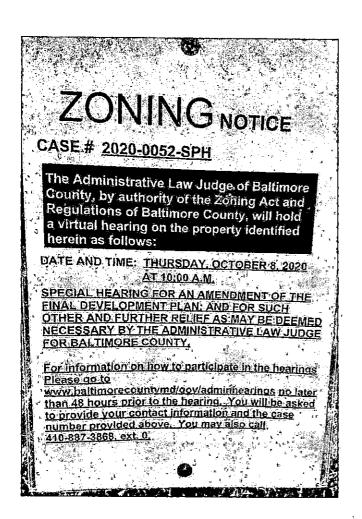
Case Number: 2020-0052-SPH

Petitioner / Developer: JASON VETTORI, ESQ.

Date of Hearing: OCTOBER 8, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: REXIS AVENUE (ON-SITE)

The sign(s) were posted on: <u>SEPTEMBER 9. 2020</u>



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign @ Rexis Avenue (On-Site) ~ 9/9/2020



Background Photo  $2^{nd}$  Sign @ Rexis Avenue (On-Site)  $\sim 9/9/2020$  CASE # 2020-0052-SPH



Copy scanned

48/20 to Kelly Bentin

JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director Department of Permits, Approvals & Inspections

September 8, 2020

### **NEW 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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0052-SPH

Rexis Avenue

West side of Cowenton Avenue, south of centerline of East Joppa Road

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Joppa-Chapel Investments, LLC

Special Hearing for an amendment of the Final Development Plan; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, October 8, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to <a href="https://www.baltimorecountymd/gov/adminhearings">www.baltimorecountymd/gov/adminhearings</a> no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff

Director

MM:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 18, 2020.

TO:

THE DAILY RECORD

Friday, September 18, 2020 - Issue

Please forward billing to:

Jason Vettori

Smith, Gildea & Schmidt

600 Washington Avenue, Ste. 200

Towson, MD 21204

410-821-0070

### 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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0052-SPH

Rexis Avenue

West side of Cowenton Avenue, south of centerline of East Joppa Road

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Joppa-Chapel Investments, LLC

Special Hearing for an amendment of the Final Development Plan; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, October 8, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to <a href="https://www.baltimorecountymd/gov/adminhearings">www.baltimorecountymd/gov/adminhearings</a> no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

### **Debra Wiley**

From:

Debra Wiley

Sent:

Tuesday, March 17, 2020 7:59 AM

To:

'Kelly Benton'; Jerry S Chen

Subject:

Postponement of Hearings Before the OAH

Good Morning Kelly and Jerry,

Please be advised that a voice mail was left for both of you this morning regarding hearings before our office.

Due to the coronavirus, we will not be conducting public hearings during the month of March. Therefore, the HOH/zoning matter regarding Strawbridge Commons (PAI Case Nos. 11-1133 & 2020-0052-SPH) for Thursday, March 19, 2020 @ 10:00 AM has been postponed. We would kindly ask if you could notify all interested parties of this postponement, and this information is reflected on the County's website. For your reference, please see the following link: https://www.baltimorecountymd.gov/Agencies/adminhearings/index.html

Please feel free to contact our office if you have any questions and/or concerns and thanks for your patience during this time.

Debra Wiley, Legal Administrative Secretary **Baltimore County Office of Administrative Hearings** 105 West Chesapeake Avenue, Suite 103 Towson, Maryland 21204 410-887-3868

3-17 7:34 Am Kory-Schmid Diesen J. Wing Jeger v.m. Jeng chan

J. 17:37 Am Jeng chan



JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director

Department of Permits,

Approvals & Inspections

February 26, 2020

### 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: 2020-0052-SPH

Rexis Avenue

West side of Cowenton Avenue, south of centerline of East Joppa Road

11th Election District – 5th Councilmanic District

Legal Owners: Joppa-Chapel Investments, LLC

Special Hearing for an amendment of the Final Development Plan; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, March 19, 2020 at 10:00 a.m. in Room 205, Jefferson Building,

105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director

MM:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 28, 2020.

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

TO: THE DAILY RECORD

Friday, March 28, 2020 - Issue

Please forward billing to:

Jason Vettori Smith, Gildea & Schmidt 600 Washington Avenue, Ste. 200

Towson, MD 21204

410-821-0070

### 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: 2020-0052-SPH

Rexis Avenue

West side of Cowenton Avenue, south of centerline of East Joppa Road 11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District Legal Owners: Joppa-Chapel Investments, LLC

Special Hearing for an amendment of the Final Development Plan; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, March 19, 2020 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

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.



### **CERTIFICATE OF POSTING**

ATTENTION: KRISTEN LEWIS

DATE: 2/28/2020

Case Number: 2020-0052-SPH

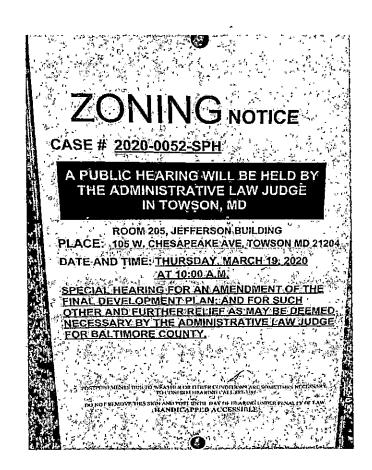
Petitioner / Developer: JASON VETTORI, ESQ.

Date of Hearing: MARCH 19, 2020

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

REXIS AVENUE (ON-SITE)

The sign(s) were posted on: FEBRUARY 28, 2020



Lynda O Keefe
(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

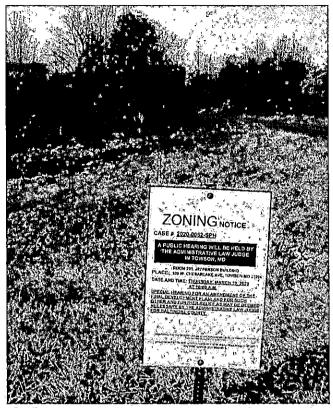
(Street Address of Sign Poster)

Hunt Valley, MD 21030

(City, State, Zip of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)



Background Photo 1st Sign @ Rexis Ave. (On-Site) ~ 2/28/2020



Background Photo 2<sup>nd</sup> Sign @ Rexis Ave. (On-Site) ~ 2/28/2020 CASE# 2020-0052-SPH

### The Daily Record

200 St. Paul Place Suite 2480 Baltimore, Maryland 21202 1 (443) 524-8100 www.thedailyrecord.com

### **PUBLISHER'S AFFIDAVIT**

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

2/28/2020

Order #:

11865515

Case #:

2020-0052-SPH

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:

2020-0052-SPH

Darlene Miller, Public Notice Coordinator (Representative Signature)

### **Baltimore County**

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#### 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: 2020-0052-SPH

Rexis Avenue

Rexis Avenue
West side of Cowenton Avenue, south of centerline of East Joppa Road
11th Election District - 5th Councilmanic District
Legal Owners: Joppa-Chapel Investments, LLC
Special Hearing for an amendment of the Final Development Plan; and for
such other and further relief as may be deemed necessary by the Administrative
Law Judge for Baltimore County.
Hearing: Thursday, March 19, 2020 at 10:00 a.m. in Room 205, Jefferson
Bullding, 105 West Chesapeake Avenue, Towson 21204
Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimere 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.

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# DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 2020-0052-5PH Property Address: Rexis Avenue Property Description: Plat Ref.: 079/0735 Tax ld: 2500014677					
Legal Owners (Petitioners): Joppa Chapel Investments, LLC					
Contract Purchaser/Lessee:					
PLEASE FORWARD ADVERTISING BILL TO:  Name: Jason T. Vettori					
Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC					
Address: 600 Washington Avenue, Suite 200					
Towson, MD 21204					
Telephone Number: 410-821-0070					

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE			٠.	No.	195	94	All Prince	TARLEICT S ACTUAL	TIME		
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JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director Department of Permits, Approvals & Inspections

March 09, 2020

Jason T. Vettori, 600 Washington Ave 200 Towson MD 21204

RE: Case Number: 2020-0052-SPH, Rexis Ave Perry Hall MD 21128

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 19, 2020. 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.

ميلسطريهما

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR/kI

Enclosures

c: People's Counsel Joppa-Chapel Investment LLC 600 Washington Ave Suite 200 Towson MD 21204

Larry Hogan Governor

Boyd K. Rutherford Lt. Governor

Gregory Slater Acting Secretary

Tim Smith, P.E. Acting Administrator

Date: 2/26/20

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
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. 2020-0052-5PH

Special Heaving Forper Chapel Investments, LLC 9149 Rexis Avenue

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@mdot.maryland.gov).

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 INTER-OFFICE MEMORANDUM

TO:

Michael D. Mallinoff

**DATE:** 6/9/2020

Director, Department of Permits, Approvals and Inspections

FROM:

C. Pete Gutwald

Director, Department of Planning

ZONING ADVISORY COMMITTEE COMMENTS SUBJECT:

Case Number: 20-052

INFORMATION:

Property Address: 9149 Rexis Avenue

Petitioner:

Joppa-Chapel Investments, LLC

Zoning:

DR 3.5H

Requested Action:

Special Hearing

The Department of Planning has reviewed the petition for a Special Hearing to determine whether the zoning commissioner should approve an amendment of the final development plan for Strawbridge Commons – PAI # X1-1133.

A site visit was conducted on 3/6/2020. The site is located across the street from the major PUD townhouse development, which is located on the north side of Rexis Avenue in the Honeygo Overlay District.

The amendment proposes two additional single-family dwellings to front on Rexis Avenue. The Department of Planning has no objection provided that the following recommendations are met:

- 1. Revise the pattern book to update all plans (site, landscape, etc).
- 2. Provide architectural elevations for the two proposed single-family dwellings. Architectural elevations should include colors, materials, and dimensions and be compatible with adjacent townhomes and neighboring dwellings.
- 3. Provide sidewalks along Cowenton Avenue to connect to the existing 8-foot multiuse concrete path; this should also clearly show on the site plan.

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

Prepared by:

Krystle Patchak

Date: 6/8/2020

Subject: ZAC # 20-052

Page 2

### CPG/JGN/kma/

c: Laurie Hay
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Jason T Vettori, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

### **BALTIMORE COUNTY, MARYLAND**

### **Inter-Office Correspondence**

RECEIVED

FEB 2 8 2020

OFFICE OF ADMINISTRATIVE HEARINGS



TO:

Hon. Paul M. Mayhew; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

February 28, 2020

SUBJECT:

DEPS Comment for Zoning Item

# 2020-0052-SPH

Address

Rexis Avenue

(Joppa-Chapel Investments, LLC

Property)

Zoning Advisory Committee Meeting of March 2, 2020.

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

Reviewer:

Steve Ford

# Baltimore County Government Department of Permits, Approvals, and Inspections Development Management



111 West Chesapeake Avenue Towson, MD 21204 410-887-3321 February 07, 2020

Salvatore C. Crupi, P.E. MATIS WARFIELD, INC. 954 Ridgebrook Avenue Suite 120 Sparks, MD 21152

Re: STRAWBRIDGE COMMONS FIRST MATERIAL AMENDMENT

PAI No.: 11-1133 Tracking No.: MAJ-2019-00002-A

Dear Salvatore C. Crupi:

The following meeting(s) have been scheduled for the above referenced project. Please arrange to attend these meetings with appropriate representation and notify your client.

#### **DEVELOPMENT PLAN CONFERENCE:**

Date: Wednesday, February 26, 2020 Time: 10:00AM

Location: County Office Building; Room 123; 111 W Chesapeake Ave; Towson, MD 21204

#### **DEVELOPMENT PLAN HEARING:**

Date: Thursday, March 19, 2020 Time: 10:00AM Location: Jefferson Building; Room 205; 105 W Chesapeake Ave; Towson, MD 21204

A copy of a public notification letter of the Development Plan Conference and Development Plan Hearing is attached for your convenience. Please note that it is the developer's responsibility to send a copy of the development plan, and notify all interested parties of the conference and hearing. Please provide this office (Room 123) evidence of the mailing list. Also, it is the developer's responsibility to post the property. Please note the property must be posted by <u>February 20, 2020</u>. A county authorized sign posting company must post the sign(s) and this list is available in Room 123 of the County Office Building or on-line. A certificate of posting and photograph of the sign, as posted on the property, must be forwarded to this office prior to the Development Plan Hearing.

Sincerely,

Jerry S. Chen Project Manager

# DEVELOPMENT PLAN CONFERENCE AND DEVELOPEMNT PLAN HEARING NOTIFICATION

Name of Development :	
Location:	
Dear Sir or Madam:	
we have filed with Baltimore County. The Develo	oferenced project, I am enclosing a copy of the development plan opement Plan Hearing (and combined Zoning Hearing, if s, Approvals, and Inspections of Baltimore County, is as follows:
Hearing Date:	Time:
Hearing Location:	of the
	Towson, MD 21204
compliance with applicable State and County regurepresentative at the Development Plan Conference Room 123 of the County Office Building (COB), purpose of this conference is to ensure a coordinate	111 West Chesapeake Avenue; Towson, MD 21204. The ted review among agencies for the development plan proposal. county staff and the developer; however, the public hearing
required by the County Code will be available in t	t agency comments, responses, and recommendations as the official file in Room 123 of the COB until five (5) days will be forwarded to the Administrative Law Judges in
	ling this matter, you are encouraged to attend the public hearing. velopment Management of Permits, Approvals, and Inspections
Respectfully yours.	

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

ŢO:

Michael Millanoff, Director

DATE: 05/22//2020

FROM:

Department of Permits, Approvals

EFC for VhD Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 02, 2020 Item No. 2020-0052-SPH

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

The County noticed that the outfall to the proposed stormwater management facility located on the south side of Rexis Avenue is located approximately 100 linear feet and 15 vertical feet from the East Branch of Honeygo Run. The design must be modified to extend the stormwater management outfall to directly discharge into the East Branch of Honeygo Run to prevent future erosion, slope failure, pipe failure etc...

VKD: cen cc: file

### SM H, GILDEA & SCHMI [

MICHAEL PAUL SMITH DAVID K. GILDEA LAWRENCE E. SCHMIDT JASON T. VETTORI MARIELA C. D'ALESSIO\* MELISSA L. ENGLISH\*\* \* Admitted in MD, PA, FL \* Admitted in MD, NC

ROBERT B. HAMILTON
NICOLE LAMBDIN
CARMELO D. MORABITO
ZACHARY J. WILKINS
of counsel;
EUGENE A. ARBAUGH, JR.
MARY G. LOKER
STEPHEN J. NOLAN

February 18, 2020

Via Hand Delivery

Michael D. Mallinoff
Director
Department of Permits, Approvals & Inspections
County Office Building
111 W. Chesapeake Avenue, Suite 105
Towson, MD 21204

RE: PAI No.: 11-1133; Tracking No.: MAJ-2019-00002-A Strawbridge Commons

Dear Mr. Mallinoff,

Enclosed please find three copies of a Petition for Zoning Hearing, accompanying filing materials, and check number 4709 in the amount of \$500.00 which represents the Filing Fee for the request for zoning relief for the above referenced project. A Hearing Officer's Hearing ("HOH") is presently scheduled for Thursday, March 19, 2010. I respectfully request that the Petition for Zoning Hearing be combined with the HOH pursuant to Section 32-4-230 of the Baltimore County Code ("BCC"). As you are aware, notice and publication of the zoning hearing will have to be made no later than February 28, 2020 so please issue a Notice of Zoning Hearing and/or combined hearing in sufficient time for notice to be posted and published in accordance with BCC § 32-3-302 and Section 500.7 of the Baltimore County Zoning Regulations.

Thank you for your assistance with this matter.

David K. Gildea

ery truly your

CC: W. Carl Richards, Jr., Chief, Zoning Review Bureau of PAI Lloyd Moxley, Chief, Development Management of PAI

Kristen Lewis

Barbara Bindon, Joppa Chapel Investments, LLC Stephen Ferrandi, Joppa Chapel Investments, LLC

Jason T. Vettori, Esquire

§ 1B01.3. - Plans and plats.

- A.
- Development plants.
  - 1. Purpose. This paragraph is intended:
    - a. To provide for the disclosure of development plans to prospective residents and to protect those who have made decisions based on such plans from inappropriate changes therein; and
    - b. To provide for review of residential development plans to determine whether they comply with these regulations and with standards and policies adopted pursuant to the authority of <u>Section 504</u>.
  - 2. Partial development plan. For the purposes of this article, a "partial development plan" is a portion of a final development plan, and a partial or final development plan is "applicable" to a given lot if it covers all property in the subdivision within 300 feet of the given lot, in addition to the lot itself.
  - 3. Subdivision lot sales, development and use subject to partial development plan. No interest in any lot which is in a D.R. Zone and is hereafter created by subdivision of a record lot existing on the effective date of this article or created by consolidation of such lots may be sold unless a final or partial development plan applicable to the lot has been approved as required under Paragraph 6, below; further, no use may be established and no construction may take place on any lot so created except in accordance with such a plan. The provisions of this paragraph shall not apply to Class A assisted living facilities.

[Bill No. 188-1993]

- 4. Notice in conveyance. Any party who sells an interest in real property within an area covered by an approved partial or final development plan shall attach to the instrument of sale a notice directing the buyer's attention to the plah (including any amendment) and listing the location of the various certified copies which may be publicly inspected (Paragraph 6), together with a listing of the recorded plats covering all portions of the subdivision as a whole. The notice shall also generally apprise the buyer of the rights, requirements and remedies provided under the development plan, those provided under this article and these zoning regulations in general, and those set forth in provisions adopted pursuant to the authority of Section 504, and, to this end, the notice shall be on a form issued by the county and approved by the Office of Law, the Zoning Commissioner, and the Planning Board as being clear and sufficient for the purpose.
- 5. Forms and content of plans.
  - a. Forms. Each partial development plan must be filed both as a separable document or set of documents and as part of a final development plan which includes all partial development plans as approved for other portions of the subdivision. Upon approval, each final development plan thus filed supersedes previous final development plans of the subdivision.
  - b. Content. Each partial and final development plan must show: the locations, types and exterior dimensions of all proposed structures and all existing structures to be retained; generalized floor plans to scale; layout of parking facilities; streets and drives giving access to and lying within the tract; existing topography and major vegetation; proposed grading; common amenity open space (including local open space); all additional information that may be required under procedures adopted pursuant to the authority of Section 504; and all additional information which is necessary, as determined by the Director of Permits, Approvals and Inspections, to ascertain whether the project will comply with the zoning and subdivision requirements of Baltimore County. The plan shall contain the note that landscaping and screening shall conform to the standards contained in the Baltimore County Landscape Manual adopted pursuant to § 32-4-404 of the Baltimore County Code.

[Bill Nos. 137-2004; 122-2010]

6. Initial review and approval procedure. Procedural steps and requirements in the submission and review of

various preliminary versions of partial and final development plans shall be as established provisions adopted pursuant to the authority of Section 504 or, in the absence of such provisions, as established by the Department of Planning. In formulating such steps and requirements, the Planning Board or the Department of Planning shall effect maximum coordination between the integration with similar and related steps and requirements in the submission and review of plans pursuant to the subdivision regulations. If the partial and final development plans for a subdivision are approved by the Zoning Commissioner as complying with the zoning regulations, approved by the Director of Planning as being consistent with the subdivision regulations and any subdivision plans filed pursuant thereto, and approved in such other manner as may be prescribed under provisions adopted pursuant to the authority of Section 504, copies of the plans, certified by the Zoning Commissioner and the Director of Planning as having been so approved, shall be filed with such county or state agencies as they may direct and as may otherwise be required, and shall be retained in the files of the Department of Planning, including the files of the Zoning Commissioner.

[Bill No. 55-2011]

- 7. Amendment of approved development plans. After partial or final development plans have been approved as provided under Paragraph 6, preceding, they may be amended only as provided below:
  - a. Amendment prior to sale of interest in nearby property. The development plans may be amended by simple resubmission, or by the submission of appropriate documents of revision, subject to the same requirements as are applied to original plans, if there is no change with respect to any lot, structure or use within 300 feet of a lot or structure which has been sold since the original plans were filed.
  - b. Amendment after sale of interest in nearby property or upon demand for hearing. In the case of an amendment not allowed under Subparagraph a, by reason of sale of property within the area, or in case of a demand for hearing by an eligible individual or group, the plans may be amended through special exception procedures, in the manner provided under <u>Section 502</u> and subject to the following provisions:
    - (1) The amendment must be in accord with the provisions of the Comprehensive Manual of Development Policies and with the specific standards and requirements of this article, as determined by the Department of Planning. The Director, on behalf of the Planning Board, shall notify the Zoning Commissioner accordingly.

[Bill Nos. 29-1995; 55-2011]

(2) Only an owner of a lot abutting or lying directly across a street or other right-of-way from the property in question, an owner of a structure on such a lot, or a homes association (as may be defined under the subdivision regulations or under provisions adopted pursuant to the authority of Section 504) having members who own or reside on property lying wholly or partially within 300 feet of the lot in question are eligible to file a demand for hearing.

[Bill No. 29-1995]

(3) It must be determined in the course of the hearing procedure that the amendment would be consistent with the spirit and intent of the original plan and of this article.

[Bill No. 29-1995]

- c. Amendment upon request by owner of lot within subdivision. The Zoning Commissioner may, without a public hearing but with the concurrence of the Director of Planning, amend the plans with respect to a structure on an individual lot created under the plans and used according to the purpose stated therein, or with respect to such lot, at the request of the lot owner, under the following requirements and conditions:
  - (1) Reasonable notification, by a standard method established pursuant to the authority of Section 504

- and approved by the County Attorney, must be given to the occupants and owners of all real property which is fully or partially situated within 300 feet of the lot in question.
- (2) It must be determined that a formal demand for hearing by an eligible individual or group, as described in Paragraph b, has not been filed.
- (3) It must be determined that standards adopted under the authority of <u>Section 504</u>, in addition to the specific requirements under these regulations, will not be violated by the amendment.
- (4) The Zoning Commissioner and the Director of Planning must certify that the amendment is in keeping with the spirit and intent of this article and other Baltimore County land use and development requirements administered by them, and both must certify that the amendment does not violate the spirit and intent of the original plan.
- d. Any amended development plan and any document of amendment of such a plan must be filed with all agencies or officials with whom copies of the original plan have been filed pursuant to paragraph above, and no amendment takes effect otherwise.

#### B. Final subdivision plat.

- 1. Purpose. Pursuant to the regulations for D.R. Zones, a portion of a tract of land may be subdivided for development at a higher residential density than the maximum average density permitted, lessening the permitted density of development on the remainder of the tract; or a portion of the tract may be subdivided for development at less than the maximum average density, thus increasing the density at which the remainder of the tract may be developed (Section 1801.2.A). It is the purpose of this paragraph to assure that these factors will be identified in the sale of any portion of a development tract in a D.R. Zone and, in particular, to prevent the unknowing purchase of a tract which, as a result of such prior subdivision, may not itself be developed at the average gross density specified in the regulations.
- 2. Effect. No subdivision of a tract or a portion of a tract may be created after the effective date of this article, except as otherwise provided under Section 1B02.3.A.2 unless the final subdivision plat therefore contains a summary showing the total number of dwelling or density units allowed for the entire tract under the applicable D.R. Zones. The summary shall indicate, as appropriate, the number of dwelling or density units utilized by previous final subdivision plats for portions of the same tract, the number of dwelling or density units contained in the current subdivision plat, and the balance of dwelling or density units allowed for the remainder of the tract under the applicable D.R. Zone(s). It is the intent of these zoning regulations to prohibit subdivision or resubdivision of portions of a tract in a D.R. Zone in a manner so as to exceed the total number of dwelling or density units allowed under the applicable D.R. Zone(s) for the entire tract.

# CHECKLIST

Comment Received	<u>Depart</u>	ment		Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT F (if not received, date			
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, , , , , , , , , , , , , , , , , , ,	FIRE DEPARTMEN	NT		
	PLANNING (if not received, date	e e-mail sent		
2-26.	STATE HIGHWAY	No objection		
	TRAFFIC ENGINE	ERING		*
-	COMMUNITY ASS	SOCIATION		
	ADJACENT PROP	ERTY OWNER	RS	
ZONING VIOLATIO	ON (Case	e No	* ,	)
PRIOR ZONING	(Case	e No	72 U	
NEWSPAPER ADV	ERTISEMENT	Date:	2-28-2020	The Daily Record
SIGN POSTING ( $1^s$	t)	Date:	2-28-2020	by O'Keefe
SIGN POSTING (2"	ad)	Date:		by
PEOPLE'S COUNSI	EL APPEARANCE EL COMMENT LET	Yes TER Yes	No D	
Comments, if any: _				

# Real Property Data Search

# Search Result for BALTIMORE COUNTY

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Special Tax Recapt	ture: None	No. 2							
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Homestead Applicat	ion Status								
January 17 -			lomeowners' T	ax Credit Appli		ation			
Homeowners' Tax C	redit Appli	cation Statı	is: No Applica	tion	Date:				

RE: PETITION FOR SPECIAL HEARING

Rexis Avenue; W/S of Cowenton Avenue,

80.92' S of the c/line of East Joppa Road

11th Election & 5th Councilmanic Districts

Legal Owners: Joppa-Chapel Investments LLC\*

Petitioner(s)

RECEIVED

FEB 27 2020

BEFORE THE OFFICE

OF ADMINSTRATIVE

**HEARINGS FOR** 

BALTIMORE COUNTY

\* 2020-052-SPH

**ENTRY OF APPEARANCE** 

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carle S Demlia

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 27<sup>th</sup> day of February, 2020, a copy of the foregoing Entry of Appearance was mailed to Jason T. Vettori, Esquire, 600 Washington Avenue, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

Peter Max Zummerman

People's Counsel for Baltimore County

# Developer's Exhibit List Case No.: 20-0052-SPH PAI No.: 11-1133 Original Exhibits are consumer the Development

	Care file .
Name of Document	Exhibit No.
Development Plan – Sheet 1	1A
Development Plan – Sheet 2	1B
Development Plan – Sheet 3	1C
Aerial – Depicting PUD Area vs. Development Plan Area	2
Aerial of Site	3
Approved Landscape Plan	4
Open Space Waiver	5
SWM Waiver/Approval	6
CV – Sal Crupi	7
School Impact Analysis	8
Development Plan Conference Comments	9
Revised Planning DPC Comment 3.19.2020	10
Planning ZAC Comment 6.9.2020	11
Pattern Book	12
Hearing Notice	13
Certificate of Posting – Zoning Hearing	14A

# Developer's Exhibit List Case No.: 20-0052-SPH PAI No.: 11-1133

Certificate of Posting – HOH	14B
Recertification of Posting - Combined Hearing Signs	15
Notice letters to Community	16
Building Elevations	17

Stra Bridge Cor nons Parcel 13

Zon: ng & Development CHECKLIST 11-1133

	11-1133
CHECKLIST	(0)
	Support/Oppose/ Conditions/ Comments/
<b>Department</b>	No Comment
DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	- LI -
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FIRE DEPARTMENT	
PLANNING (if not received, date e-mail sent)	Comments
STATE HIGHWAY ADMINISTRATION	Modblection
TRAFFIC ENGINEERING	
COMMUNITY ASSOCIATION	26
ADJACENT PROPERTY OWNERS	2-8
ION (Case No	
(Case No.	
VERTISEMENT Date:	
Date: 9920	bylinda O'Keoke
2nd) Date: 10/4/20	by U
SEL APPEARANCE Yes No	
SEL COMMENT LETTER Yes $\square$ No $\square$	
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From:

Linda Okeefe < luckylinda 1954@yahoo.com>

Sent:

Sunday, October 4, 2020 11:51 PM

To:

Administrative Hearings

Subject:

Certifications Combined Hearing Rexis Avenue

**Attachments:** 

Rexis Ave. Cert. #1 .jpeg; Rexis Ave. Cert. #2.jpeg; Rexis Ave. Photos.docx

Follow Up Flag:

Follow up

Flag Status:

Flagged

**CAUTION:** This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

# Hi Donna,

I am attaching the Second Certifications for the Combined Hearing for Case # 2020-0052-SPH & PAI # 11-1133 of Rexis Avenue along with background photos for your records, I will also be sending a copy to Jerry Chen for his records too. Have a nice day,

# Linda

Linda O'Keefe 523 Penny Lane Hunt Valley MD 21030 Phone # 410-666-5366 Cell# 443-604-6431 Fax# 410-666-0929 luckylinda1954@yahoo.com



From:

Sent: Thursday, October 1, 2020 2:16 PM

To: James Hermann; Vishnubhai K Desai; Jenifer G. Nugent; Jeffery Livingston; Stephen Ford;

Brett Williams; Jeffrey N Perlow; LaChelle N. Imwiko

Cc: Jerry S Chen; Lloyd Moxley; Patrick Williams; Darryl D Putty; Debra Wiley

Development and Zoning Case Scheduled for October 8th at 10:00 a.m. - Strawbridge

Commons - Parcel B - Zoning Case #: 2020-0052-SPH

# Good Afternoon,

Subject:

A Development and Zoning Hearing is scheduled for October 8, 2020 at 10:00 a.m.

Donna Mignon

If you are planning to present any exhibits at the web-ex hearing, it is required that those exhibits be emailed no later than **two business days** prior to the hearing date. Please email any exhibits

to: administrativehearings@baltimorecountymd.gov Please label/identify your exhibits.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant Baltimore County Office of Administrative Hearings 105 West Chesapeake Avenue, Suite 103 Towson, Maryland 21204 410-887-3868

From:

Donna Mignon

Sent:

Thursday, October 1, 2020 2:22 PM

To:

David Gildea; Jason Vettori

Subject:

Strawbridge Commons - Parcel B - 11-1133 and zoning case 2020-0052-SPH

#### Good Afternoon:

A Development and Zoning Hearing is scheduled for October 8, 2020 at 10:00 a.m.

Any exhibits you are going to present at the hearing, it is required that those exhibits be emailed no later than **two business days** prior to the hearing date. Please email any exhibits

to: administrativehearings@baltimorecountymd.gov Please label/identify your exhibits.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant Baltimore County Office of Administrative Hearings 105 West Chesapeake Avenue, Suite 103 Towson, Maryland 21204 410-887-3868

From:

Jerry S Chen

Sent:

Tuesday, September 8, 2020 3:15 PM

To:

Donna Mignon Jerry S Chen

Cc: Subject:

RE: HOH Developers and County Panelists: Strawbridge Commons - Parcel B - 11-1133

and 2020-0052-SPH

Sounds good.

Jerry Chen, Project Manager

Development Management

111 W. Chesapeake Ave, Rm 123

Towson, MD 21204

410-887-3321

jchen@baltimorecountymd.gov

# **CONFIDENTIALITY NOTICE:**

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From: Donna Mignon

Sent: Tuesday, September 08, 2020 2:28 PM

To: Jerry S Chen < jchen@baltimorecountymd.gov>

Subject: RE: HOH Developers and County Panelists: Strawbridge Commons - Parcel B - 11-1133 and 2020-0052-SPH

Hi Jerry,

I am waiting on Kristen to email me the notice for the zoning hearing and then I am going to set them both in together for a webex hearing.

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Jerry S Chen < ichen@baltimorecountymd.gov>

Sent: Tuesday, September 8, 2020 1:15 PM

To: Debra Wiley <a href="mailto:dwiley@baltimorecountymd.gov">dwiley@baltimorecountymd.gov</a> Donna Mignon <a href="mailto:dmignon@baltimorecountymd.gov">dwiley@baltimorecountymd.gov</a>

Cc: Lloyd Moxley <a href="mailto:lmoxley@baltimorecountymd.gov">!moxley@baltimorecountymd.gov</a>; Kristen L Lewis <a href="mailto:klewis@baltimorecountymd.gov">!klewis@baltimorecountymd.gov</a>; Darryi D Putty

<<u>DPutty@baltimorecountymd.gov</u>>; Patrick Williams <<u>pbwilliams@baltimorecountymd.gov</u>>; Paul Mayhew <<u>pmayhew@baltimorecountymd.gov</u>>; Jerry S Chen <<u>ichen@baltimorecountymd.gov</u>>
Subject: RE: HOH Developers and County Panelists: Strawbridge Commons - Parcel B - 11-1133 and 2020-0052-SPH

Donna,

I've brought Kristen up to speed and her calendar is updated.

The engineer and I have provided emails who will need to be panelists for this event. Once you've create the event, the engineer will automatically receive an email of the information he needs for the sign.

Any questions on how to create the event, reach out to John Morris/OIT to guide you through the event creation process.

Salvatore Crupi – Engineer sal@matiswarfield.com

David Gildea – Attorney dgildea@sgs-law.com

Jason Vettori - Attorney jvettori@sgs-law.com

Stephen Ferrandi – Owner/Developer stephen@earealtycompanies.com

Barb Bindon- Owner/Developer barb@earealtycompanies.com

**Baltimore County** 

Best,

Jerry Chen, Project Manager
Development Management
111 W. Chesapeake Ave, Rm 123
Towson, MD 21204
410-887-3321

# jchen@baltimorecountymd.gov

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From: Sal Crupi [mailto:Sal@matiswarfield.com]
Sent: Tuesday, September 08, 2020 12:46 PM
To: Jerry S Chen < ichen@baltimorecountymd.gov>

Subject: Strawbridge Commons - Parcel B - Hearing Panelists

CAUTION: This message from Sal@matiswarfield.com originated from a non Baltimore County Government or non BCPL email-system. Hover over any links before clicking and use caution opening attachments.

Salvatore Crupi – Engineer sal@matiswarfield.com

David Gildea – Attorney dgildea@sgs-law.com

Jason Vettori<sup>1</sup> - Attorney jvettori@sgs-law.com

Stephen Ferrandi – Owner/Developer stephen@earealtycompanies.com

Barb Bindon— Owner/Developer barb@earealtycompanies.com

Salvatore C. Crupi, P.E.

Principal / V.P.



Matis Warfield, Inc.

954 Ridgebrook Road – Ste. 120 Sparks, Maryland 21152 Phone: 410-683-7004

Direct: 410-472-5789 Cell: 443-415-7263

# Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

or account of the country of the cou		ess for	Select Contac	cts Import Co	otnoto "
Panelists to Invite			Selectionital	ria] [ illibolitean	ilacion.
Name	Email address	Phone number	Language	Time Zone	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
Barb Bindon	barb@earealtycompanies.com	1- *	English	New York Time	U.S.
☐ Brett Williams	bmwilliams@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Darryl Putty	dputty@baltimorecountymd.gov	1-	English	New York Time	U.S.
□ David Gildea	dgildea@sgs-law.com	1-	English	New York Time	U.S.
☐ <u>James Hermann</u>	jhermann@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Jason Vettori</u>	jvettori@sgs-law.com	1-	English	New York Time	U.S.
☐ Jeff Livingston	jlivingston@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Jeff:Perlow</u>	jperlow@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Jennifer Nugent</u>	jnugent@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Jerry Chen</u>	jchen@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Lachelle Imwiko</u>	limwiko@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Lloyd Moxley</u>	lmoxley@baltimorecountymd.gov	1-	English	New York Time	U.S.
Patrick Williams	pbwilliams@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Salvatore Crupi	sal@matiswarfield.com	1-	English	New York Time	U.S.
☐ <u>Stephen Ferrandi</u>	stephen@earealtycompanies.com	1-	English	New York Time	U.S.
☐ Stephen Ford	sford@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Vesnu Desai</u>	vdesai@baltimorecountymd.gov	1-	English	New York Time	U.S.
		_Invite/ Sel	ect All Cle	ar All Delete	Cancel

# **New Panelist**

Full name:			(required)	
Email address:			(required)	
Phone number:	Country/Region	Number (with area/city code)		
Time Zone:	New York (Eas	tern Daylight Time, GMT-0	4:00)	·
Language:	English	<b>~</b> ]		
Locale:	U.S.	<b>*</b>		
	☐ Add new pa	anelist in my address boo	k	
	☐ Invite as alt	ernate host		

Add to Invitation List

Subject:

Web seminar scheduled: Development and Zoning Hearing - Case No(s): 11-1133 and

2020--0052-SPH - Strawbridge Commons- Parcel B

**Location:** 

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?

MTID=e294c321c368c4e36e5110fae31b1fc6c

Start: End: Thu 10/8/2020 10:00 AM Thu 10/8/2020 11:00 AM

Recurrence:

(none)

**Meeting Status:** 

Accepted

Organizer:

webex

**CAUTION:** This message from messenger@webex.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

# When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 172 718 9583

Thursday, October 8, 2020 10:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e294c321c368c4e36e5110fae31b Event address for panelists:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef2f0e4a2f599ff0ef6c084ee4750e



#### Audio conference information

+1-415-655-0001 US Toll

# Global call-in numbers

### Join from a video system or application

Dial 1727189583@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 654379

If you are a host, click here to view host information:

https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e4ab1bee5392689b15378c72ec69745c2

Need help? Go to http://help.webex.com

From: Jerry S Chen

Sent: Tuesday, September 8, 2020 1:15 PM

To: Debra Wiley; Donna Mignon

Cc: Lloyd Moxley; Kristen L Lewis; Darryl D Putty; Patrick Williams; Paul Mayhew; Jerry S

Chen

Subject: RE: HOH Developers and County Panelists: Strawbridge Commons - Parcel B - 11-1133

and 2020-0052-SPH

Donna.

I've brought Kristen up to speed and her calendar is updated.

The engineer and I have provided emails who will need to be panelists for this event. Once you've create the event, the engineer will automatically receive an email of the information he needs for the sign.

Any questions on how to create the event, reach out to John Morris/OIT to guide you through the event creation process.

Salvatore Crupi – Engineer sal@matiswarfield.com

David Gildea – Attorney dgildea@sgs-law.com

Jason Vettori - Attorney <u>ivettori@sgs-law.com</u>

Stephen Ferrandi – Owner/Developer stephen@earealtycompanies.com

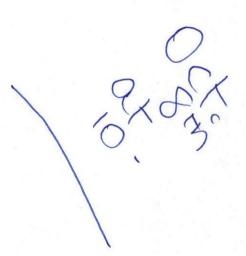
Barb Bindon – Owner/Developer barb@earealtycompanies.com

**Baltimore County** 

ichen@baltimorecountymd.gov
ihermann@baltimorecountymd.gov
vdesai@baltimorecountymd.gov
inugent@baltimorecountymd.gov
ilivingston@baltimorecountymd.gov
sford@baltimorecountymd.gov
bmwilliams@baltimorecountymd.gov
iperlow@baltimorecountymd.gov
limwiko@baltimorecountymd.gov
lmoxleylimwiko@baltimorecountymd.gov
pbwilliams@baltimorecountymd.gov

dputty@baltimorecountymd.gov

Dexix Naw



Best,

Jerry Chen, Project Manager
Development Management
111 W. Chesapeake Ave, Rm 123
Towson, MD 21204
410-887-3321
ichen@baltimorecountymd.gov

#### **CONFIDENTIALITY NOTICE:**

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Stephen Ferrandi – Owner/Developer stephen@earealtycompanies.com

Barb Bindon- Owner/Developer barb@earealtycompanies.com

Salvatore C. Crupi, P.E.

Principal / V.P.



Matis Warfield, Inc.

954 Ridgebrook Road - Ste. 120 Sparks, Maryland 21152 Phone: 410-683-7004

Direct: 410-472-5789 Cell: 443-415-7263 ZAC AGENDA

Case Number: 2020-0052-SPH Reviewer: Carl Richards Existng Use: RESIDENTIAL Proposed Use: RESIDENTIAL

Type: SPECIAL HEARING

Legal Owner: Joppa-Chapel Investments LLC

Contract Purchaser: No Contract Purchaser was set.

Election Dist: 11 Council Dist: 5 Critical Area: No Flood Plain: No Historic: No

Property Address: REXIS AVE

Location: West side of Cowenton Ave (60'), 80.92' South of the center line of East Joppa Road (70').

Existing Zoning: DR 3.5

Area: 0.8257 AC

Proposed Zoning: SPECIAL HEARING:

An amendment of the Final Development Plan. For such other further relief as , may be deemed necessary by the

Administrative Law Judge.

Attorney: Jason T. Vettori Smith, Gildea & Schmidt, LLC

Prior Zoning Cases: None Concurrent Cases: None Violation Cases: None

Closing Date:

Miscellaneous Notes:

Reviewer: Jason Seidelman Case Number: 2020-0052-SPH

Existing Use: RESIDENTIAL Proposed Use: RESIDENTIAL

Type: SPECIAL HEARING

Legal Owner: Joppa-Chapel Investments LLC

Contract Purchaser: No Contract Purchaser was set.

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Area: 0.8257 AC

Proposed Zoning: SPECIAL HEARING:

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Administrative Law Judge.

Attorney: Jason T. Vettori Smith, Gildea & Schmidt, LLC

Prior Zoning Cases: None Concurrent Cases: None Violation Cases: None

Closing Date:

Miscellaneous Notes:

From:

Stephen Ford

Sent:

Wednesday, September 9, 2020 10:12 AM

To:

Donna Mignon; Stephen Ford

Subject:

RE: Invitation to join Web seminar as a panelist: Development and Zoning Hearing -

Case No(s): 11-1133 and 2020--0052-SPH - Strawbridge Commons- Parcel B

#### Donna,

I pulled my copy of 2020-0052-SPH and the title is: "Rexis Avenue" Joppa-Chapel Investments, LLC Property. Is this the correct item? We had NO comments.

# Stephen A. Ford

Engineering Associate III

Department of Environmental Protection

And Sustainability

**Development Coordination** 

111 West Chesapeake Avenue, Room 319 Towson, Maryland 21204 sford@baltimorecountymd.gov 410-887-5859 410-887-4804 fax

-----Original Appointment-----

From: Donna Mignon [mailto:dmignon@baltimorecountymd.gov]

Sent: Tuesday, September 08, 2020 3:41 PM

To: Stephen Ford

Subject: Invitation to join Web seminar as a panelist: Development and Zoning Hearing - Case No(s): 11-1133 and 2020--

0052-SPH - Strawbridge Commons- Parcel B

When: Thursday, October 08, 2020 10:00 AM-11:00 AM Eastern Time.

Where:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e294c321c368c4e36e5110fae31b1fc 6c

CAUTION: This message from messenger@webex.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

#### 

You're a panelist for this Webex event. When it's time, join the Webex event here.

&nbsp:

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 172 718 9583

Event password: 1234

Panelist password: The Event has no Panelist Password

Thursday, October 8, 2020 10:00 am, Eastern Daylight Time (New York, GMT-04:00)

# 

&nbsp:



If you experience a problem joining the event as a panelist, you can join as an attendee.

Join as an attendee:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/q.php?MTID=e9f7bfe0efd414c11de43ecf2c3e7be4b

Join the audio conference only

+1-415-655-0001 US Toll Global call-in numbers

Join from a video system or application

Dial 1727189583@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 654379

Need help? Go to http://help.webex.com 

<< File: Development and Zoning Hearing - Case No(s) 11-1133 and 2020--0052-SPH - Strawbridge Commons- Parcel B .ics >>

PM

# **BALTIMORE COUNTY** DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS **DEVELOPMENT PLAN HEARING SCHEDULE**

PROJECT: STRAWBRIDGE COMMONS, 1ST MATERIAL AMENDMENT

DATE: 03/19/20 Pp- Cova-19

PROJECT LOCATION: 9149 Rexis Avenue, Perry Hall, MD. 21128

TIME: 10:00 AM

PROPOSAL: Proposed subdivision of Parcel B into two lots as phase 2. Total lots for project increased from 58 to 60 creating two single family dwellings.

PAI NUMBER: 11-1133

WEETING LOCATION: JEFFERSON BUILDING - ROOM 205

COUNCIL DISTRICT: 5 105 W CHESAPEAKE AVE TOWSON, MD

21204

DEVELOPER: JOPPA-CHAPEL INVESTMENTS, LLC.

ENGINEER: MATTIS WARFIELD, INC. 410-683-7004

FEB 1 1 2000 OFFICE OF ADMINISTRATIVE HEARINGS

RECEIVED

MANAGER: Jerry Chen, 410-887-3321

TRACKING NO: MAJ-2019-00002-A

15 days = April 3

