

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITION FOR VARIANCE for the
Emmer Property; NW/S Dolfeld, * DEPUTY ZONING COMMISSIONER
S/S Doorgate, & E/S Campbell Roads
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
* Case Nos. IV-391 & 98-84-A
Samuel Carroll, et al, Owners/
Sidney Emmer Builders, Inc., Developer

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for consideration of a development plan prepared by D. S. Thaler and Associates, Inc., for the proposed development of the subject property by Samuel B. Carroll, Frances L. Carroll, Hubert A. Damesyn, and Janet K. Damesyn, Owners, and Sidney Emmer Builders, Inc., Developer, with 159 apartment units which will be contained within eight (8) buildings, in accordance with the development plan submitted into evidence as Developer's Exhibit 1. In addition to the proposed apartment buildings, the Developer proposes a number of detached garage buildings and a community pool. In addition to development plan approval, variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) and the Comprehensive Manual of Development Policies (C.M.D.P.) is requested as follows: 1) From Section 1B01.1.1.B.1.e(5) of the B.C.Z.R. and Page 16, Section II.A of the C.M.D.P. (as amended) to permit a building height of 50 feet within the 100-foot Residential Transition Area (RTA) in lieu of the permitted 35-foot building height; 2) from Section 400.1 of the B.C.Z.R. to permit accessory buildings to be located in the front and side yards, and for any corner lots, to permit accessory buildings to be located outside the third of the rear yard farthest removed from the street and to permit the accessory building to occupy more than 50% of such third; 3) from Section 400.3

ORDER RECEIVED FOR FILING

Date 11/30/97

By [Signature]

of the B.C.Z.R. to permit an accessory building height of 18 feet in lieu of the maximum permitted 15 feet; 4) from Section 409.6.A.4 of the B.C.Z.R. to permit three (3) parking spaces (as amended) in lieu of the required 16 for a swimming pool; 5) from Section 413.1.D of the B.C.Z.R. to permit a double-faced identification sign of 64 sq.ft. total in lieu of the maximum permitted 15 sq.ft. sign; 6) from Section II.A, Page 25 of the C.M.D.P. (as amended) to permit building front elevation to building side elevation and building rear elevation to building side elevation setbacks of 40 feet in lieu of the required 45 feet; and to permit building face to be within 15 feet and 30 feet of the edge of a private road in lieu of the required distance of 35 feet. The subject property and proposed improvements are more particularly described on the site plan/development plan submitted into evidence and marked as Developer's/Petitioner's Exhibit 1.

The subject property consists of 12.68 acres, more or less, split zoned D.R. 3.5, D.R. 10.5 and D.R. 16. The property is located on the northwest side of Dolfield Road, south of Doorgate Road in Owings Mills.

As to the history of this project, a concept plan was prepared and a conference held thereon on June 23, 1997. As required, a community input meeting was held on July 15, 1997 at Owings Mills High School. Subsequently, a development plan was submitted and a conference held thereon on October 1, 1997. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on October 24, 1997.

Appearing at the public hearing required for this project were Sidney Emmer and Charles Ness, representatives of Sidney Emmer Builders, Inc., David S. Thaler, Alan Scoll, and David Hallil, representatives of D.

S. Thaler and Associates, Inc., who prepared the development plan/ site plan for this project, and Benjamin Bronstein, Esquire, attorney for the Owners/Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including Bob Bowling, Stephany Wright and Christine Rorke, Project Manager, all representatives of the Department of Permits and Development Management (DPDM), R. Bruce Seeley with the Department of Environmental Protection and Resource Management (DEPRM), and Ervin McDaniel with the Office of Planning. Appearing as interested citizens were John Schuster and Art Coppersmith, nearby residents of the area, Keeley Webster, with the Owings Mills Times, and Rick Chadsey, a professional engineer with George W. Stephens, Jr. and Associates, Inc., who appeared on behalf of one of his clients who is an adjacent property owner.

At the preliminary stage of the public hearing before me, I am required to determine what, if any, agency issues or comments remain unresolved at the time of the hearing. Testimony and evidence received was that all issues raised within the comments submitted by the various Baltimore County reviewing agencies have been resolved and incorporated into the revised development plan. Furthermore, none of the citizens who appeared at the hearing raised any issues or concerns with respect to the proposed development. However, Mr. John Schuster testified on behalf of himself and his neighbors, Mr. & Mrs. Kim, that they would like assurances from this Developer that the access to their properties from Campbell Road, as shown on the development plan, will not be affected in any manner by virtue of the proposed development. These citizens currently utilize Campbell Road for access to their properties. The Developer's witnesses indicated to Mr. Schuster that his access and that of his neighbors would

not be affected and that the proposed development would not interfere with that access. The Developer further agreed that an appropriate restriction could be imposed at the end of this Order to assure Mr. & Mrs. Schuster and Mr. & Mrs. Kim that the access provided by Campbell Road to their properties would not be affected by the proposed development. Given that there were no other issues or concerns raised with respect to the development plan, I shall approve same consistent with the comments contained herein.

As noted above, the Owner/Developer also requested certain variance relief in order to develop the subject property as proposed. Testimony was offered by Mr. Thaler as to the specific variances requested and the need for same. After considering all of the testimony and evidence offered, I am persuaded to grant the requested relief. The Developer has shown that the relief requested meets the spirit and intent of the B.C.Z.R. and will not result in any detriment to the health, safety and general welfare of the surrounding locale.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 30th day of October, 1997 that the development plan for the Emmer Property, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) and the Comprehensive Manual of Development Policies (C.M.D.P.) as follows: 1)

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Date 10/30/97
By [Signature]

From Section 1B01.1.1.B.1.e(5) of the B.C.Z.R. and Page 16, Section II.A of the C.M.D.P. (as amended) to permit a building height of 50 feet within the 100-foot Residential Transition Area (RTA) in lieu of the permitted 35-foot building height; 2) from Section 400.1 of the B.C.Z.R. to permit accessory buildings to be located in the front and side yards, and for any corner lots, to permit accessory buildings to be located outside the third of the rear yard farthest removed from the street and to permit the accessory building to occupy more than 50% of such third; 3) from Section 400.3 of the B.C.Z.R. to permit an accessory building height of 18 feet in lieu of the maximum permitted 15 feet; 4) from Section 409.6.A.4 of the B.C.Z.R. to permit three (3) parking spaces (as amended) in lieu of the required 16 for a swimming pool; 5) from Section 413.1.D of the B.C.Z.R. to permit a double-faced identification sign of 64 sq.ft. total in lieu of the maximum permitted 15 sq.ft. sign; 6) from Section II.A, Page 25 of the C.M.D.P. (as amended) to permit building front elevation to building side elevation and building rear elevation to building side elevation setbacks of 40 feet in lieu of the required 45 feet; and to permit building face to be within 15 feet and 30 feet of the edge of a private road in lieu of the required distance of 35 feet, in accordance with Developer's/Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Owners/Developer may apply for their building permit and be granted same upon receipt of this Order; however, the Owners/Developer are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Developer shall take appropriate steps to insure that access for the proposed development to Campbell Road will not infringe or interfere with the access provided to Mr. & Mrs. John Schuster and their neighbors, Mr. & Mrs. Kim. The Developer agreed that

the access enjoyed by these citizens "shall not be affected by virtue of this development."

3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

TMK:bjs

Timothy Kotroco
TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

ORDER RECEIVED FOR FILING

Date 10/30/97

By JBP



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

October 30, 1997

Benjamin Bronstein, Esquire
George & Bronstein
29 W. Susquehanna Avenue, Suite 215
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITION FOR VARIANCE
(Emmer Property)
S/S Doorgate Rd., E/S Campbell Rd.
4th Election District - 3rd Councilmanic District
Samuel Carroll, et al, Owners/Sidney Emmer Builders, Inc., Developer
Case Nos. IV-391 & 98-84-A

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Messrs. Sidney Emmer & Charles Ness, Sidney Emmer Builders, Inc.
1801 Falls Road, Baltimore, Md. 21201

Messrs. David S. Thaler, Alan Scoll, and David Hallil
D.S. Thaler & Assoc., 7115 Ambassador Road, Baltimore, Md. 21244

Mr. John Schuster, 112 Westminster Road, Reisterstown, Md. 21136
Mr. Art Coppersmith, 36 S. Tollgate Road, Owings Mills, Md. 21117
Mr. Rick Chadsey, G. W. Stephens, Jr. & Assoc., Inc.
658 Kenilworth Drive, Towson, Md. 21204
Chris Rorke, DPDM; DEPRM, DPW, R&P, People's Counsel; Case Files





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 23, 1997

Benjamin Bronstein, Esquire
Evans, George and Bronstein
29 West Susquehanna Avenue
Suite 205
Towson, MD 21204

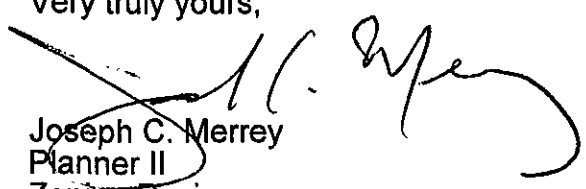
RE: Drop-Off Revision Review (Item #84)
Emmer Property
4th Election District

Dear Mr. Bronstein:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,


Joseph C. Merrey
Planner II
Zoning Review

JCM:scj

Enclosure (receipt)

c. Zoning Commissioner



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

98-84-A

Dolfield Road

which is presently zoned DR3.5, DR10.5,
DR16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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

see Schedule A attached

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Topography of the Property
2. Configuration of the Property
3. And such other and further reasons as may be alleged at the time of hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Sidney Emmer Builders, Inc.

(Type or Print Name)

Signature

1801 Falls Road

Address

Baltimore, Maryland 21201

City

State

Zipcode

Attorney for Petitioner: Benjamin Bronstein
George & Bronstein, LLP

(Type or Print Name)

Signature

29 W. Susquehanna Ave., Suite 205

Address (410)296-0200

Phone No.

Towson, Maryland 21204

City

State

Zipcode

I/We do 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 Petition.

Legal Owner(s):

see Schedule B attached

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Alan E. Scoll, RLA

D.S. Thaler & Associates, Inc.

Name

7115 Ambassador Road, Balto., MD 21244

Address (410)944-3647

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: gem DATE 9/4/97

ORDER RECEIVED FOR FILING

Date 9/30/97

By [Signature]



84

AMENDED SCHEDULE A
TO PETITION FOR VARIANCE

1. From §1B01.1.1.B.1.e.(5) BCZR and page 16 §II.A CMDP to allow a building height of 50 ft within the 100 ft R.T.A. in lieu of the allowed 35 ft building height.
2. From §400.1 BCZR to allow accessory buildings to be located in the front and side yards and for any corner lots, to permit accessory buildings to be located outside the third of the rear yard farthest removed from the street and to permit the accessory building to occupy more than 50% of such third.
3. From §400.3 BCZR to allow an accessory building height of 18 ft in lieu of the allowed 15 ft.
4. From §409.6.A.4 BCZR to allow 3 parking spaces in lieu of 16 required for a swimming pool.
5. From §413.1.D BCZR to allow 64 sf double face sign in lieu of the permitted 15 sf sign.
6. §II.A CMDP page 25 to allow building front elevation to building side elevation and building rear elevation to building side elevation setback of 40 ft in lieu of 45 ft required.
7. §II.A CMDP page 25 to allow building face to be within 15 ft and 30 ft of the edge of a private road in lieu of 35 ft required.

ORDER RECEIVED FOR FILING

Date

By

10/30/97

[Signature]

SCHEDULE A
TO PETITION FOR VARIANCE

98-84-A

1. From §1B01.1.1.B.1.e.(5) BCZR and §II.A CMDP to allow a building height of 50 ft within the 100 ft R.T.A. in lieu of the allowed 35 ft building height.
2. From §400.1 BCZR to allow accessory buildings to be located in the front and side yards and for any corner lots, to permit accessory buildings to be located outside the third of the rear yard farthest removed from the street and to permit the accessory building to occupy more than 50% of such third.
3. From §400.3 BCZR to allow an accessory building height of 18 ft in lieu of the allowed 15 ft.
4. From §409.6.A.4 BCZR to allow zero parking spaces in lieu of 16 required for a swimming pool.
5. From §413.1.D BCZR to allow 64 double face sign in lieu of the permitted 15 ft sf sign.
6. §II.A CMDP to allow building front elevation to building side elevation and building rear elevation to building side elevation setback of 40 ft in lieu of 45 ft required.
7. §II.A CMDP to allow building face to be within 15 ft and 30 ft of the edge of a private road in lieu of 35 ft required.

84

ORDER RECEIVED FOR FILING
Date 10/20/97
By [Signature]

SCHEDULE B
PETITION FOR VARIANCE

98-84-A

Legal Owner(s):

Signature

Samuel Carroll
Rt. #1, Box 72A
Jane Lew, West Virginia 26378

Signature

Frances Carroll
Rt. #1, Box 72A
Jane Lew, West Virginia 26378

Signature

Signature

Hubert A. Damesyn per
Signature *Janet K. Damesyn Agent*
Hubert A. Damesyn
1705 Redwood Lane
Davis, California 95616

Janet K. Damesyn per
Signature *Hubert A. Damesyn Agent*
Janet K. Damesyn
1705 Redwood Lane
Davis, California 95616

SIDNEY EMMER BUILDERS, INC.

BY: 

Sidney Emmer, President
1801 Falls Road
Baltimore, Maryland 21201

84

ORDER RECEIVED FOR FILING

Date

By

SIDNEY EMMER BUILDERS

410-685-1188

Sep 21 '97

21:31 No.001 P.04/04

SCHEDULE B
PETITION FOR VARIANCE

98-84-A

Legal Owner(s):

Samuel B. Carroll
Signature

Samuel Carroll
Rt. #1, Box 72A
Jane Lew, West Virginia 26378

Frances L. Carroll
Signature

Frances Carroll
Rt. #1, Box 72A
Jane Lew, West Virginia 26378

Signature

Signature

Signature

Signature

Hubert A. Damesyn
1705 Redwood Lane
Davis, California 95616

Janet K. Damesyn
1705 Redwood Lane
Davis, California 95616

SIDNEY EMMER BUILDERS, INC.

BY:

[Signature]
Sidney Emmer, President
1801 Falls Road
Baltimore, Maryland 21201

gt

ORDER RECEIVED FOR FILING

Date

By

98-84-A

August 11, 1997

84
Ren 9/10/97

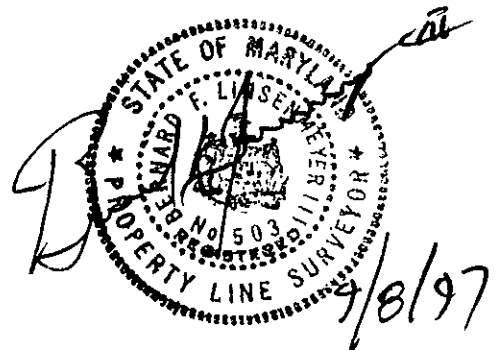
EMMER PROPERTY
(DESCRIPTION FOR ZONING PURPOSES ONLY)

Beginning at a point located 346 feet, more or less, south of the intersection of Allgate Road and Dorgate Road, thence approximately 24 feet, more or less, east of Dorgate Road easterly right-of-way line, thence running the following ten (10) courses and distances:

1. South 35°02'12" East 714.57 feet, more or less, to a point; thence,
2. North 53°12'48" East 274.50 feet, more or less, to a point; thence,
3. South 34°52'21" East 587.89 feet, more or less, to a point; thence,
4. South 71°21'09" West 284.16 feet, more or less, to a point; thence,
5. North 35°02'12" West 15.20 feet, more or less, to a point; thence,
6. South 69°21'33" West 216.35 feet, more or less, to a point; thence,
7. South 69°21'33" West 224.99 feet, more or less, to a point; thence,
8. North 21°34'36" West 390.87 feet, more or less, to a point; thence,
9. North 34°11'40" West 709.19 feet, more or less, to a point; thence,
10. North 55°00'40" East 326.00 feet, more or less, to the point of beginning.

Containing 12.68 acres of land, more or less.

SAM/gfl/Emmer/8/11/97





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 84

Petitioner: Sidney Emmer Builders, Inc.

Location: Dolfield Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Benjamin Bronstein, Esquire

ADDRESS: 29 W. Susquehanna Ave., Suite 205

Towson, Maryland 21204

PHONE NUMBER: (410) 296-0200

AJ:ggs

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

043340

DATE

87-9-4-97

ACCOUNT

R001-E150

AMOUNT \$

250.00

RECEIVED
FROM:

Emmer Properties, Inc. - New York Office

(020) U.A.2.

EMMER PROPERTY

FOR:

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PROCESS ACTUAL TIME
9/05/1997 9/04/1997 13:51:05

REG 4503 CASHIER UNIT ULM DRAWER

MISCELLANEOUS CASH RECEIPT

Receipt # 017533

CR NO. 043340

250.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

98-84-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

043306

DATE

9/10/97

ACCOUNT

001-6150

AMOUNT \$ 100.00 (WCR)

RECEIVED
FROM:

DS Thaler & Associates Inc

FOR:

#110 - REVISIONS

Emmer Property - Item #84

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
9/10/1997 9/10/1997 11:49:14

REG 4503 CASHIER UNIT ULM DRAWER

MISCELLANEOUS CASH RECEIPT

Receipt # 018595

CR NO. 043306

100.00 CHECK: FN
Baltimore County, Maryland

CASHIER'S VALIDATION

98-84-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 18, 19 97

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 18, 19 97.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner 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 #98-84-A
NW/S Doffield Road, 750' +/-
NE from Hillpant Lane
4th Election District
3rd Councilmanic
Legal Owner(s):

Samuel & Frances Carroll,
Hubert A. & Janet K. Damsyn,
and Sidney Emmer Builders, Inc

Variance: to allow a building height of 50 feet within the 100 foot RTA in lieu of the allowed 35 feet; to allow access-

sory buildings to be located in the front and side yards for any corner lots; located outside the third of the rear yard farthest removed from the street, and to occupy more than 50% of such third; to allow an accessory building height of 18 feet in lieu of the allowed 15 feet; to allow zero parking spaces in lieu of 16 required for a swimming pool; to allow a 64 foot double-face sign in lieu of the permitted 15 foot square foot sign; to allow building front elevation to building side elevation and building rear elevation to building side elevation setback of 40 feet in lieu of 45 feet required; and to allow building face within 15 feet and 30 feet of the edge of a private road in lieu of 35 feet required.

Hearing: Friday, October 24, 1997 at 9:00 a.m. in Room 186, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

9/258 Sept. 18 C174577

1 of 3
Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-84-A

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

PLACE: *

DATE AND TIME: *

REQUEST: VARIANCES TO PERMIT A BUILDING HEIGHT OF 50ft.
WITHIN THE RTA, IN LIEU OF THE PERMITTED 35ft.; ACCESSORY
BUILDINGS TO BE LOCATED IN THE FRONT AND SIDE YARDS, ACCESSORY
BUILDINGS TO BE LOCATED OUTSIDE THE THIRD THIRD OF THE
REAR YARD (FOR CORNER LOTS) FARTHEST REMOVED FROM THE STREET

(CONT. PG. 2)
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

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-84-A

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

PLACE: *

DATE AND TIME: *

REQUEST: AND TO PERMIT THE ACCESSORY BUILDING TO OCCUPY
OCCUPY MORE THAN 50% OF SUCH THING; ACCESSORY
BUILDINGS WITH A HEIGHT OF 18FT. IN LIEU OF THE
PERMITTED 15FT.; ZERO PARKING SPACES IN LIEU OF THE
REQUIRED 16 SPACES FOR A SWIMMING POOL; A 64 DOUBLE-

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. (CONT. PG. 3)
TO CONFIRM HEARING CALL 887-3391.

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

HANDICAPPED ACCESSIBLE

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-84-A

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

PLACE: *

DATE AND TIME: *

REQUEST: FACE SIGN IN LIEU of the permitted 15 sq. ft.;
A BUILDING FRONT ELEVATION TO BUILDING SIDE ELEVATION
AND BUILDING REAR ELEVATION TO BUILDING SIDE ELEVATION
SETBACK OF 40ft. IN LIEU of the required 45ft.; AND
A BUILDING FACE TO BE WITHIN 15ft. AND 30ft. of the EDGE
OF A PRIVATE ROAD IN LIEU of the required 35ft.

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

CERTIFICATE OF POSTING

RE: Case No.: 98-84-A

**Petitioner/Developer:
(Sidney Emmer Bldg.)
Date of Hearing/Closing:
(Oct. 24, 1997)**

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

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

**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 _____**

__No Address at this time Baltimore Maryland 21117__

**The sign(s) were posted on _____ Sept 19, 1997 _____
(Month, Day, Year)**

Sincerely,

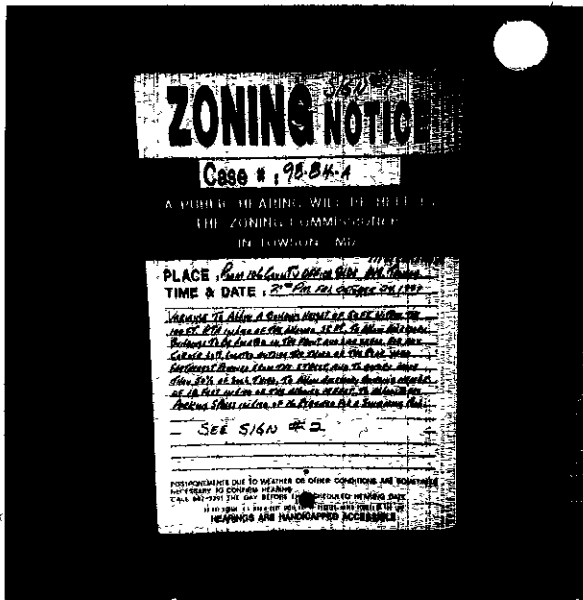

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

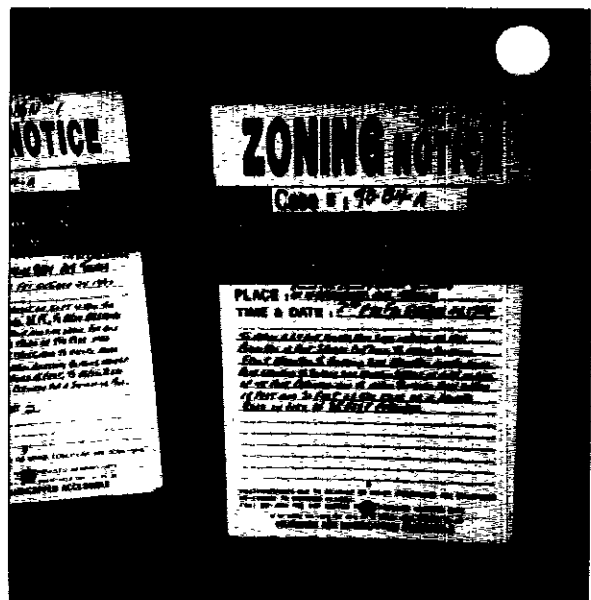
_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

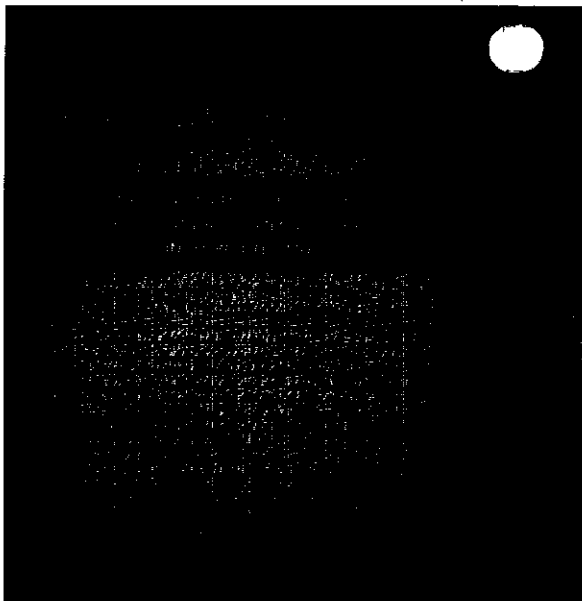
**_____ (410)-687-8405 _____
(Telephone Number)**



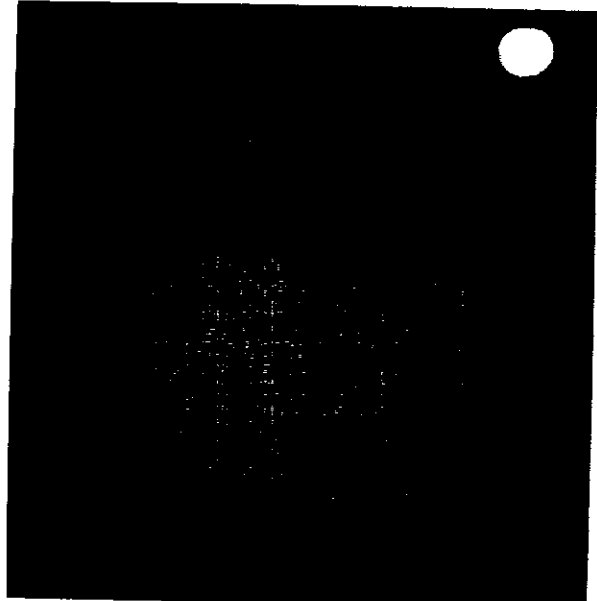
DOLFIELD RD
98-84-A



DOLFIELD RD



DOORGATE RD



DOORGATE RD

TO: PUTUXENT PUBLISHING COMPANY

September 18, 1997 Issue - Jeffersonian

Please forward billing to:

Benjamin Bronstein, Esq.
29 W. Susquehanna Avenue #205
Towson, MD 21204
410-296-0200

NOTICE OF HEARING

The Zoning Commissioner 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: 98-84-A

NW/S Dolfield Road, 750' +/- NE from Hillpant Lane

4th Election District -3rd Councilmanic

Legal Owner(s): Samuel & Frances Carroll, Hubert A. & Janet K. Damesyn, and Sidney Emmer Builders, Inc.

Contract Purchaser(s): Sidney Emmer Builders, Inc.

Variance to allow a building height of 50 feet within the 100 foot RTA in lieu of the allowed 35 feet; to allow accessory buildings to be located in the front and side yards for any corner lots, located outside the third of the rear yard farthest removed from the street, and to occupy more than 50% of such third; to allow accessory building height of 18 feet in lieu of the allowed 15 feet; to allow zero parking spaces in lieu of 16 required for a swimming pool; to allow a 64 foot double-face sign in lieu of the permitted 15 foot square foot sign; to allow building front elevation to building side elevation and building rear elevation to building side elevation setback of 40 feet in lieu of 45 feet required; and to allow building face within 15 feet and 30 feet of the edge of a private road in lieu of 35 feet required.

HEARING: FRIDAY, OCTOBER 24, 1997 at ^{2 PM}~~9:00 a.m.~~ in Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 12, 1997

NOTICE OF HEARING

The Zoning Commissioner 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:

DEVELOPMENT PLAN HEARING

Project Number: IV-391

Project Name: Emmer Property

Location: S/S of Doorgate Road, E/S of Campbell Road

Acres: 12.15

Developer: Sidney Emmer Builders, Inc.

Proposal: 159 Garden Apartments

AND

CASE NUMBER: 98-84-A

NW/S Dolfeld Road, 750' +/- NE from Hillpant Lane

4th Election District -3rd Councilmanic

Legal Owner(s): Samuel & Frances Carroll, Hubert A. & Janet K. Damesyn, and Sidney Emmer Builders, Inc.

Contract Purchaser(s): Sidney Emmer Builders, Inc.

Variance to allow a building height of 50 feet within the 100 foot RTA in lieu of the allowed 35 feet; to allow accessory buildings to be located in the front and side yards for any corner lots, located outside the third of the rear yard farthest removed from the street, and to occupy more than 50% of such third; to allow an accessory building height of 18 feet in lieu of the allowed 15 feet; to allow zero parking spaces in lieu of 16 required for a swimming pool; to allow a 64 foot double-face sign in lieu of the permitted 15 foot square foot sign; to allow building front elevation to building side elevation and building rear elevation to building side elevation setback of 40 feet in lieu of 45 feet required; and to allow building face within 15 feet and 30 feet of the edge of a private road in lieu of 35 feet required.

HEARING: FRIDAY, OCTOBER 24, 1997 at ^{2 PM}~~9:00 am~~ in Room 106, County Office Building, 111 W. Chesapeake Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Benjamin Bronstein, Esq.
Sidney Emmer Builders, Inc.
D. S. Thaler & Associates

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 25, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 2, 1997

Benjamin Bronstein, Esquire
George & Bronstein, LLP
29 W. Susquehanna Avenue, Ste. 205
Towson, MD 21204

RE: Item No.: 84
Case No.: 98-84-A
Petitioner: Samuel Carroll, et al

Dear Mr. Bronstein:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 4, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

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

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: September 19, 1997

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for September 22, 1997
 Item No. 084

The Bureau of Developer's Plans Review has reviewed the subject zoning item. See correspondence from Robert W. Bowling (Chief of the Bureau of Developer's Plans Review) to Donald Rascoe (Development Manager of the Division of Development Processing) dated September 17, 1997, addressing Dolfield Road reconstruction as a future 40-foot-wide cross-section on a 60-foot right-of-way and the water main issue. A copy of the letter is attached.

RWB:HJO:jrb

Attachment

cc: File

ZONE922.084

0416

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Donald Rascoe, Development Manager DATE: Sept. 17, 1997
Division of Development Processing

FROM: Robert W. Bowling, Chief ~~SECRET~~ ROBERT W. BOWLING
Bureau of Developer's Plans Review

SUBJECT: Emmer Property
Waiver of Public Works Requirements
DRC #09157F

Tom Hamer and I met to review the waiver of Public Works' improvements to Dolfield Road. We will not support a waiver to our requirements for this road.

Dolfield Road will be reconstructed as a future 40-foot-wide cross-section on a 60-foot right-of-way. The Developer is required to construct a 24-foot section of pavement with curb and gutter on one side in its previous location. The existing curb, gutter, storm drains, and road pavement should be removed except for a 12-foot paving section centered over the existing water line. The water line will not have to be relocated.

The reduction in our requirements as stated in the previous comment do not need a waiver.

If you have any questions, please contact me at extension 3751.

RWB:jrb

cc: Stacey McArthur, D. S. Thaler & Associates, Inc.
File

RWB160



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

September 23, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: Sidney Emmer Builders, Inc.

Location: DISTRIBUTION MEETING OF SEPTEMBER 15, 1997

Item No.: 084 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 9-16-97
Item No. 084 JCM

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: September 17, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petition (s):

Item Nos. 84 & 86

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey M. Long

Division Chief:

Gary L. Kerns

AFK/JL

19 1997

RE: DEVELOPMENT PLAN HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
<u>EMMER PROPERTY</u> , S/S of Doorgate Rd,	*	ZONING COMMISSIONER
E/S of Campbell Rd, Proposed 159 Garden		
Apartments on 12.15 acres;	*	OF BALTIMORE COUNTY
NW/S Dolfield Road, 750'+/- NE from		
Hillpant La, 4th Election District,	*	
3rd Councilmanic		
	*	PROJECT NO. IV-391
Legal Owners: Samuel & Frances Carroll,		
Hubert & Janet Damesyn,	*	CASE NO. 98-84-A
& Sidney Emmer Bldrs, Inc.		
Contract Purchaser/Developer:	*	
Sidney Emmer Builders, Inc.		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esq., George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Owners/Developer.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: September 4, 1997

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner II
Zoning Review, PDM

SUBJECT: Item #84
Dolfield Road

Mr. Bronstein requested that the petition be accepted with the understanding that signatures for legal owners will be forthcoming, as soon as possible.

JCM:scj

REQUEST FOR HOH

PROJECT MANAGER: CHRISTINE RORKE

NAME: EMMER PROPERTY

NUMBER: 04-391

LOCATION: S S OF DOORGATE RD E S OF
CAMPBELL RD

ACRES: 12.15

DEVELOPER: SIDNEY EMMER BUILDERS, INC.

ENGINEER: D.S. THALER & ASSOC., INC.

PROPOSAL: 159 GARDEN APARTMENTS

REVIEWER:

DOES THIS NEED A SPECIAL EXCEPTION OR A VARIANCE

YES ☒

NO ☐

ITEM NUMBER AND/OR DROP-OFF DATE 8/29/97 84 FOR
VARIANCE, ET AL.

ESTIMATED LENGTH OF HEARING: ~~2 hrs~~ 2 hrs

+ WAIVER OF
STANDARDS RE:
IMPVTS TO DOLFELD
RD

ALAN SCOLL

ATTORNEY: BEN BRONSTEIN (410) ²⁹⁶ ~~0200~~

OPPOSING ATTORNEY: _____

DATE (S) NOT TO SET: _____

10/15, 16, 17 look OK to Ben
Week of 10/20 is OK too.

2 PLANS
TO DEPRM 12/3/97

P D M TRANSMITTAL

(fka ZADM)

DATE: 12/1/97

887-3335

TO: // DPR

// PDM

// SCD

// PO

// DEPRM

FR: JNW (Please initial.)

Re: Project Name: EMMER PROPERTY // Project Not Managed

Project Manager: C. RORKE PDM No. 11.391

Type of Plan: FDP // Preliminary // Final // Signature

Team Leader: -

Engineer: D.S. THALER Phone # 944. ENGR.

PHASE II ROUTING SLIP: (Manager required)

Scheduled submission date: (see Project Chart) _____

Scheduled completion date: (see Project Chart) _____ WITH CASE #

INCLUDE THE ZONING CASE ORDER AND RESTRICTIONS VERBATIM ON THE PLAN. KEY ALL VARIANCE LOCATIONS TO THE ORDER. GIVE THE DATE OF THE DEVELOPMENT MANAGERS SIGNATURE APPROVAL

// Approved ON THE DEV. PLAN. SHOW THE MAXIMIZED BLDG. ENVELOPES AS APPVD ON PET. EXHIBIT 1 AND DIMENSION ALL SETBACKS AS ON PET. EX. 1

// Approved with comments REMOVE THE XTRA SIGNATURE BLOCK AND ALSO CERTIFY THAT THIS FDP AGREES WITH THE SCHEMATIC & ELEV DETAILS ON THE F.D.P. ACTION TAKEN THE APPROVED DEV. PLAN AND ALL COUNTY COMMENTS

// Returned for revision BY REVIEWER SEND 1 REVISED PLAN AND A COPY OF THESE COMMENTS TO RM 123 FOR PDM TRANSMITTAL FOR FURTHER ZONING REVIEW

IV Disapproved

Zoning Review
Agency

J. Lewis
Reviewer's Name

12/4/97
Date

RETURN TO: PDM - Room 123 COUNTY OFFICE BUILDING
PDMTRANS DOC/INW B. 10/20/96

LAW OFFICES
GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

CONSTANCE K PUTZEL
OF COUNSEL

September 3, 1997

Arnold Jablon, Director
Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

98-84-A

RE: Emmer Property
Dolfield Road

Dear Mr. Jablon:

In reference to the above entitled property, I am enclosing the following:

1. Petition for Variance in triplicate.
2. Twelve (12) copies of the Plat to Accompany the Petition for Variance.
3. Copy of the 200 scale zoning map.
4. A Description under seal in triplicate.
5. My check to cover costs.

Please note that the original signatures of all the property owners have not been supplied at this time. We are in the process of getting the original signatures; however, all of the owners are agreeable. Originals will be submitted prior to the time of hearing.

I would appreciate this matter being set in for an expedited hearing together with the Development Plan Hearing.

Thank you for your kind cooperation.

Very truly yours,

GEORGE AND BRONSTEIN, LLP

Benjamin Bronstein

BB/mlg
Enclosures

D. S. THALER & ASSOCIATES, INC.

7115 AMBASSADOR ROAD • BALTIMORE, MARYLAND 21244

(410) 944-ENGR • (410) 944-3647 • FAX: (410) 944-3684

84

Date 9.10.97

To: Baltimore County
ZONING OFFICE

Re: EMMER PROPERTY

VARIANCE - ITEM #84

Attention: _____

Gentlemen:

- ☒ We are submitting
- ☐ We are forwarding
- ☐ We are returning
- ☐ We request

☒ Herewith

☐ Under Separate Cover

No.	Description
12	REVISED PLATS
3	REVISED DESCRIPTIONS
1	"100" FILING FEE

REN
9/10/97

Remarks: AREA PER REVISED DESCRIPTION IS 12.68 AC*

JCM took in original

- ☐ In accordance with your request
- ☐ For your review
- ☒ For processing
- ☐ Plans reviewed and accepted
- ☐ Plans reviewed and accepted as not
- ☐ For revision by you

- ☐ For your use
- ☐ Please call when ready
- ☐ Please return to this office
- ☐ Approval requested
- ☐ Conference requested at your convenience

Dep. Off. Revisions
12
9/10/97

For further information, please contact the writer at this office

CC: file

Enclosure ☒

OK JCM
9/17

Sincerely yours,

Stacy A. Marler

Draws the 2010

PETITION
EXHIBIT NO. 2

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1997, Legislative Day No. 18

Resolution No. 90-97

Mr. T. Bryan McIntire, Councilman

By the County Council, October 6, 1997

A RESOLUTION approving the development of 159 units of housing in Baltimore County, Maryland to be financed either directly by the Maryland Department of Housing and Community Development (the "Department") of the State of Maryland or through the Department's Community Development Administration (the "Administration").

WHEREAS, Baltimore County recognizes that it is in the best interest of the people of Baltimore County to encourage and facilitate the development of affordable rental housing for persons of low to moderate income; and

WHEREAS, Sidney Emmer Builders, Inc. (the "Developer") proposes to develop a rental housing development for low and moderate income persons comprised of 159 units, known as Owings Mills Apartments and located at Dolfield Road in Owings Mills, Maryland; and

WHEREAS, the Owings Mills Growth Area is intended to become a model in Baltimore County for high quality, diversified growth; and

WHEREAS, in order to be financially feasible, the Project must utilize a combination of financing from different sources which will provide both market and below market terms; and

WHEREAS, the applicable law, regulations and Department requirements necessitate approval of the project and the project financing by the Baltimore County Council and by the

Post-It™ brand fax transmittal memo 7671		# of pages <u>3</u>
To <u>Sid Emmer</u>	From <u>Bob Barrett</u>	
Co.	Co.	
Dept.	Phone # <u>887-4469</u>	
Fax #		

County Executive of Baltimore County, Maryland.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Council hereby endorses the Project upon the proposed site and approves the Project Financing in the form of a CDA loan in the approximate amount of \$10,800,000, subject to the Project's compliance with all applicable County laws and regulations; and

BE IT FURTHER RESOLVED, that the Baltimore County Executive be and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and

BE IT FURTHER RESOLVED, that this Resolution be sent to the Secretary of Housing and Community Development of the State of Maryland; and

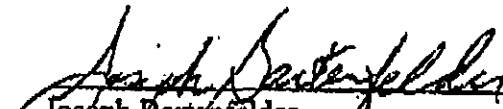
BE IT FURTHER RESOLVED, that this Resolution shall take effect upon its enactment.

R09097.WPD

10/13/1997 10:28 418 001 3701
READ AND PASSED this *10th* day of *October*, 1997.

BY ORDER


Thomas J. Peddicord, Jr.
Secretary

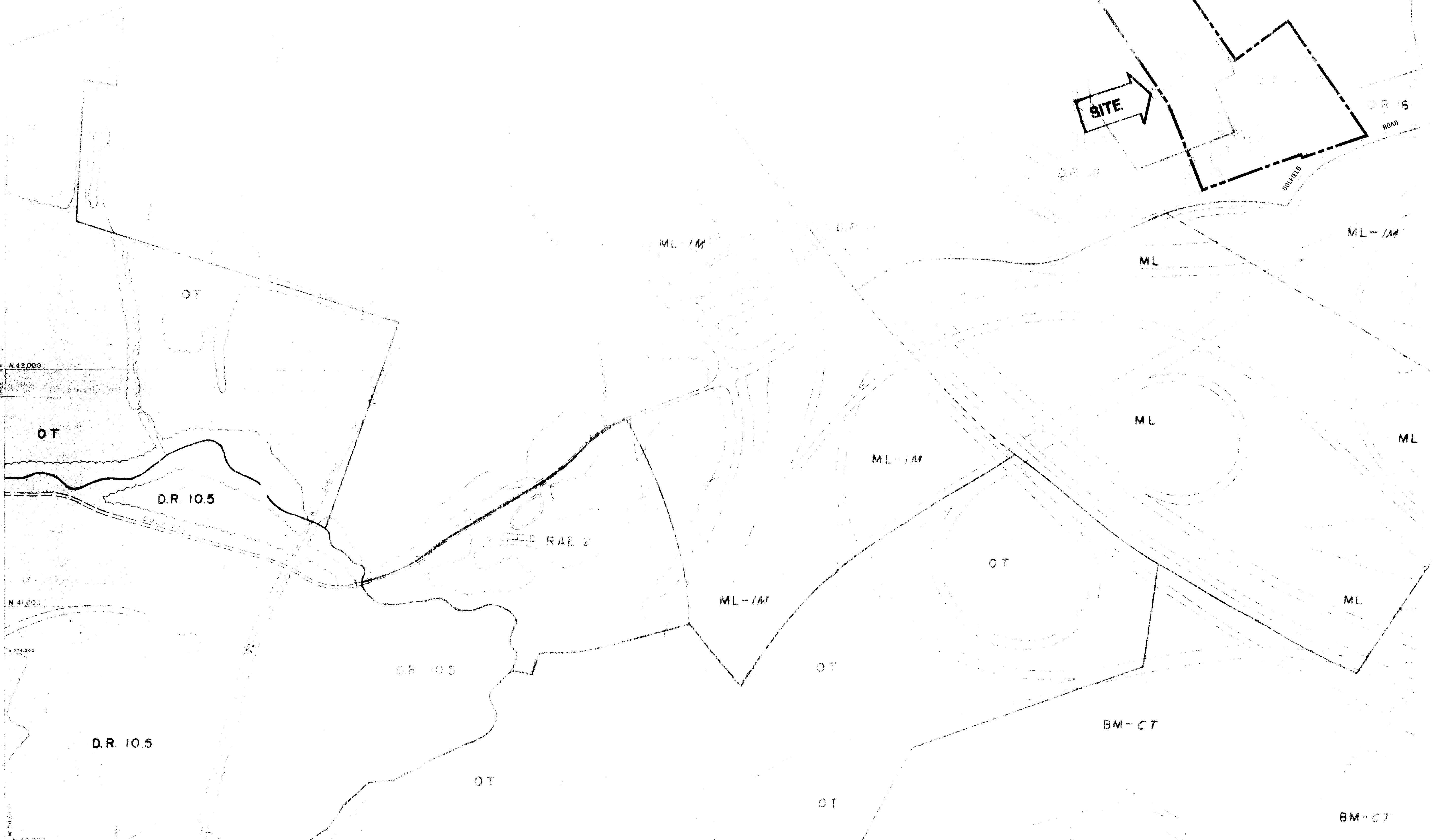

Joseph Bartenfelder
Chairman, County Council

APPROVED AND ENACTED:

10-8-97


C.A. Dutch Ruppensberger, III
County Executive

ITEM: Resolution 90-97



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1"=200'	OWINGS MILLS	11
DATE OF PHOTOGRAPHY		
JANUARY 1988		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 2 210

98-84-A



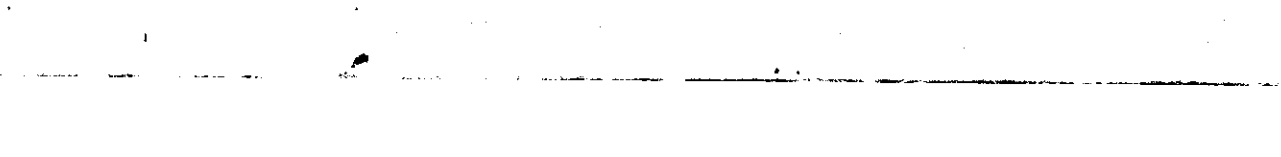
DJL & A

D.S. THALER & ASSOCIATES, INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21207
(410) 944-3647

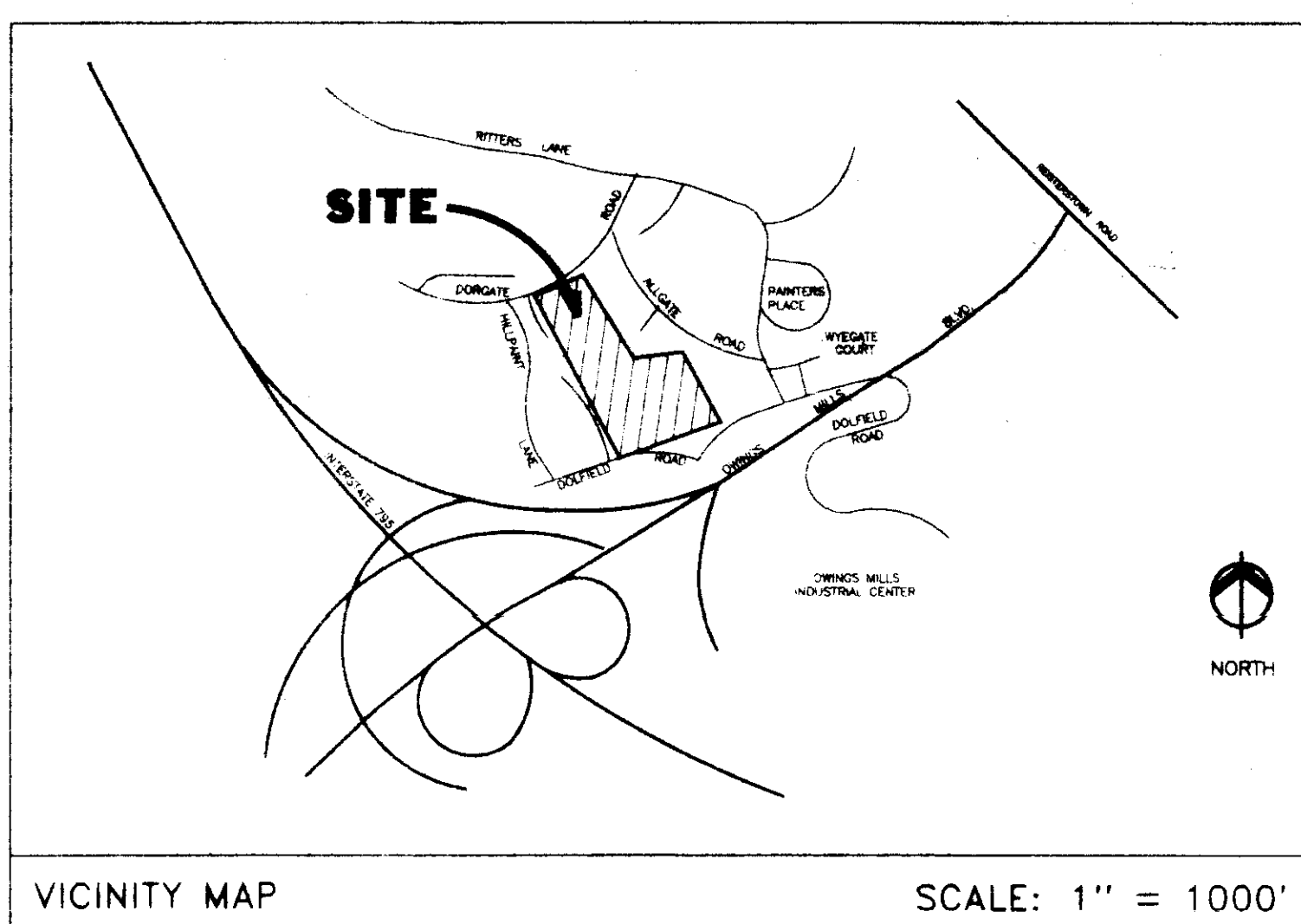
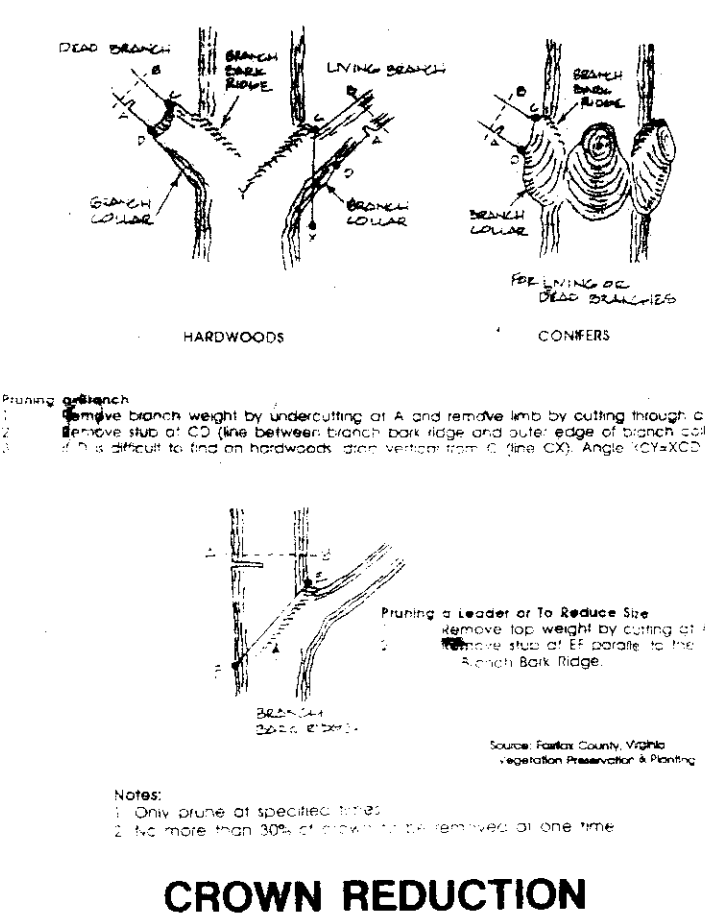
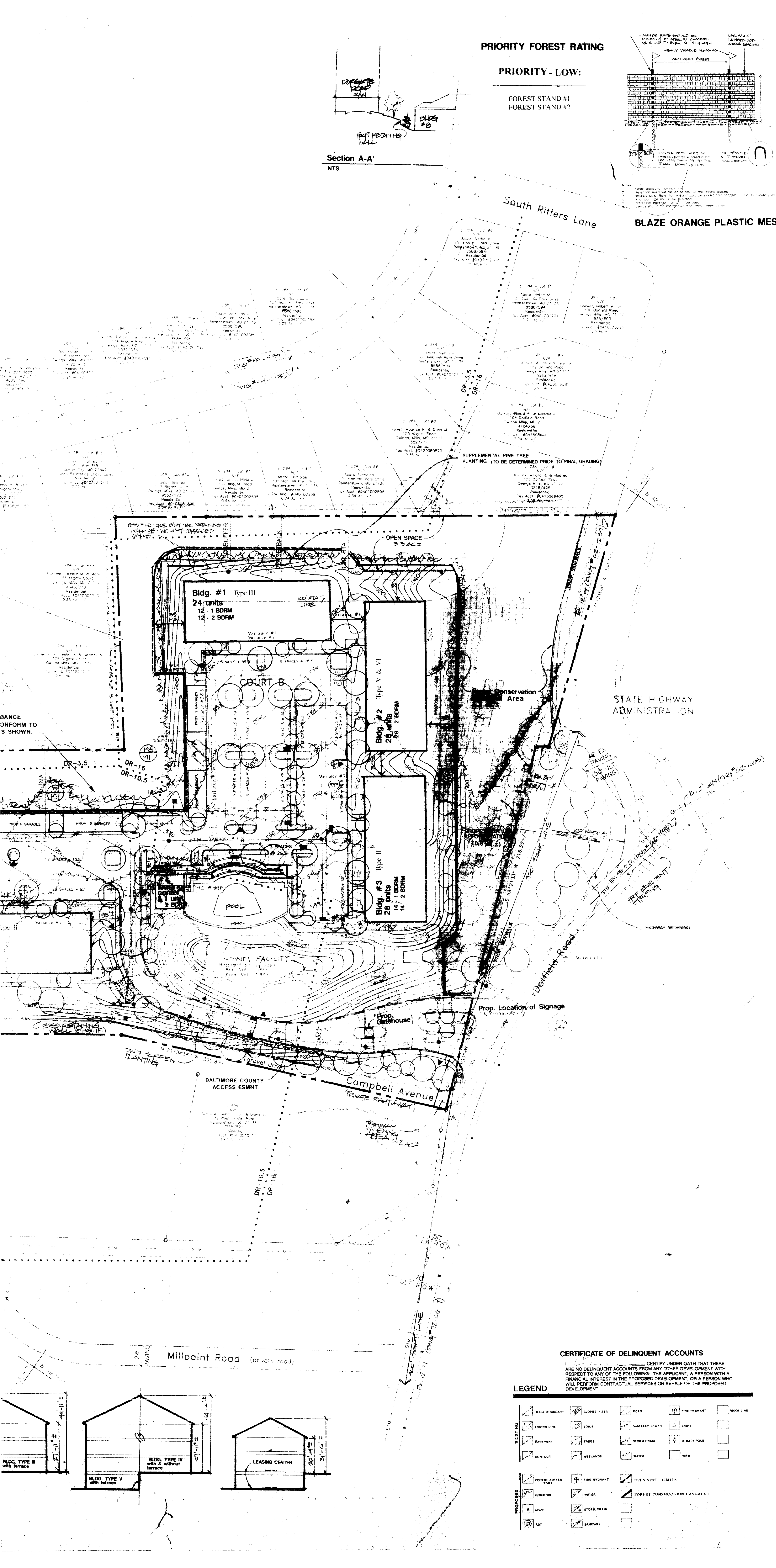
200 BALTIMORE COUNTY 200 SCALE ZONING MAPS (NW 11-1)
ACCOMPANY ZONING PETITION

EMMER PROPERTY

84



EMMER PROPERTY



FOREST/TREE PROTECTION & MANAGEMENT NOTES	FOREST CONSERVATION WORKSHEET																																																																		
1. All trees to be removed shall be marked with a red 'X' on the plan. 2. All trees to be preserved shall be marked with a green 'X' on the plan. 3. All trees to be preserved shall be marked with a green 'X' on the plan. 4. All trees to be preserved shall be marked with a green 'X' on the plan. 5. All trees to be preserved shall be marked with a green 'X' on the plan. 6. All trees to be preserved shall be marked with a green 'X' on the plan. 7. All trees to be preserved shall be marked with a green 'X' on the plan. 8. All trees to be preserved shall be marked with a green 'X' on the plan. 9. All trees to be preserved shall be marked with a green 'X' on the plan. 10. All trees to be preserved shall be marked with a green 'X' on the plan.	<table><tr><th>Tree ID</th><th>Species</th><th>DBH</th><th>Height</th><th>Condition</th><th>Notes</th></tr><tr><td>1</td><td>Red Oak</td><td>12"</td><td>25'</td><td>Good</td><td></td></tr><tr><td>2</td><td>White Oak</td><td>10"</td><td>20'</td><td>Good</td><td></td></tr><tr><td>3</td><td>Red Oak</td><td>8"</td><td>15'</td><td>Good</td><td></td></tr><tr><td>4</td><td>White Oak</td><td>6"</td><td>12'</td><td>Good</td><td></td></tr><tr><td>5</td><td>Red Oak</td><td>4"</td><td>10'</td><td>Good</td><td></td></tr><tr><td>6</td><td>White Oak</td><td>3"</td><td>8'</td><td>Good</td><td></td></tr><tr><td>7</td><td>Red Oak</td><td>2"</td><td>6'</td><td>Good</td><td></td></tr><tr><td>8</td><td>White Oak</td><td>1"</td><td>4'</td><td>Good</td><td></td></tr><tr><td>9</td><td>Red Oak</td><td>1"</td><td>4'</td><td>Good</td><td></td></tr><tr><td>10</td><td>White Oak</td><td>1"</td><td>4'</td><td>Good</td><td></td></tr></table>	Tree ID	Species	DBH	Height	Condition	Notes	1	Red Oak	12"	25'	Good		2	White Oak	10"	20'	Good		3	Red Oak	8"	15'	Good		4	White Oak	6"	12'	Good		5	Red Oak	4"	10'	Good		6	White Oak	3"	8'	Good		7	Red Oak	2"	6'	Good		8	White Oak	1"	4'	Good		9	Red Oak	1"	4'	Good		10	White Oak	1"	4'	Good	
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9	Red Oak	1"	4'	Good																																																															
10	White Oak	1"	4'	Good																																																															

POST CONSTRUCTION REFORESTATION MANAGEMENT NOTES

3. YEAR MANAGEMENT AGREEMENTS

The following items shall be implemented to ensure a successful reforestation project:

1. Meticulous:

During the first growing season plants may need watering once a week.

During the second and third growing season plants may need watering a few times a year, BUT NEVER during July and August.

Watering methods should consider any existing water table or drip irrigation.

Watering requirements may vary depending on rainfall and existing site characteristics.

Fertilizing:

Soil testing is recommended to determine if fertilization is necessary.

When after the second or third growing season, if the soil testing indicates that the soil is deficient in nutrients, fertilization should be considered to supplement deficiencies.

2. Ongoing Vegetation:

At least one year after the first year, a second year visit is required. This visit should be completed by the end of the first year, during the first or second year visit.

At 1 through 5 years, there may be a need to replant or adjust the plant spacing. There may be a need to replant or adjust the plant spacing. There may be a need to replant or adjust the plant spacing.

3. Monitoring trees from pests, diseases and mechanical injury:

At least one year after the first year, a second year visit is required. This visit should be completed by the end of the first year, during the first or second year visit.

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4. Weed management:

At least one year after the first year, a second year visit is required. This visit should be completed by the end of the first year, during the first or second year visit.

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11. WEED MANAGEMENT PROVISIONS AND INSPECTION

In order to avoid the penalty for violating the survival provisions, the applicant must follow the following provisions:

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12. AREA OF SPECIAL MAINTENANCE

Reforestation of areas of steep slopes shall be maintained in the plan. The plan shall be maintained in the plan.

13. RESPONSIBLE PARTY FOR THE AREA

Owner: Mr. John Doe
1001 Main Road
Baltimore, MD 21201

NOTES

1. If existing forest areas are at or above the reforestation threshold, the applicant shall be required to clear and clearing of forest areas is required. Reforestation shall be required.

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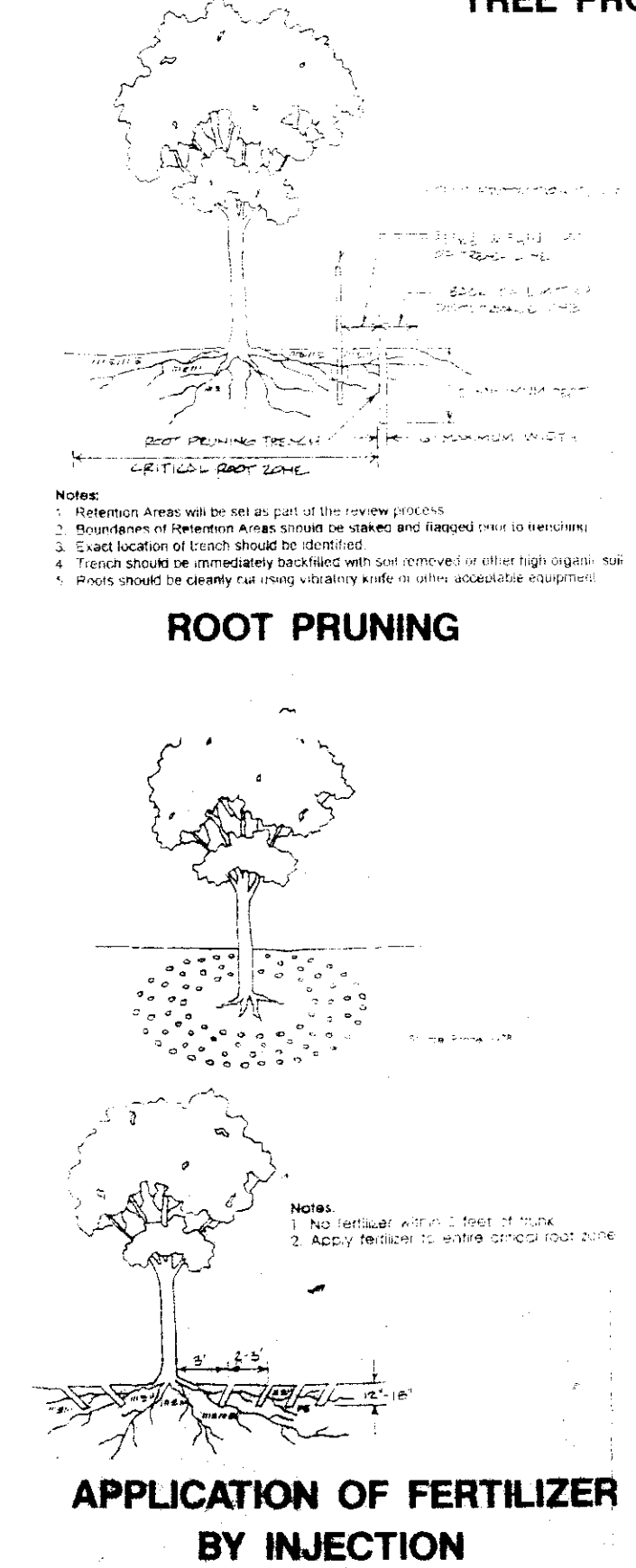
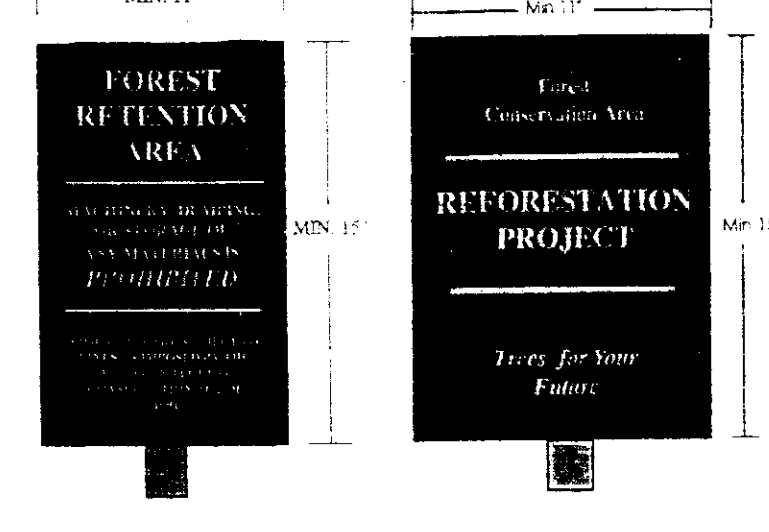
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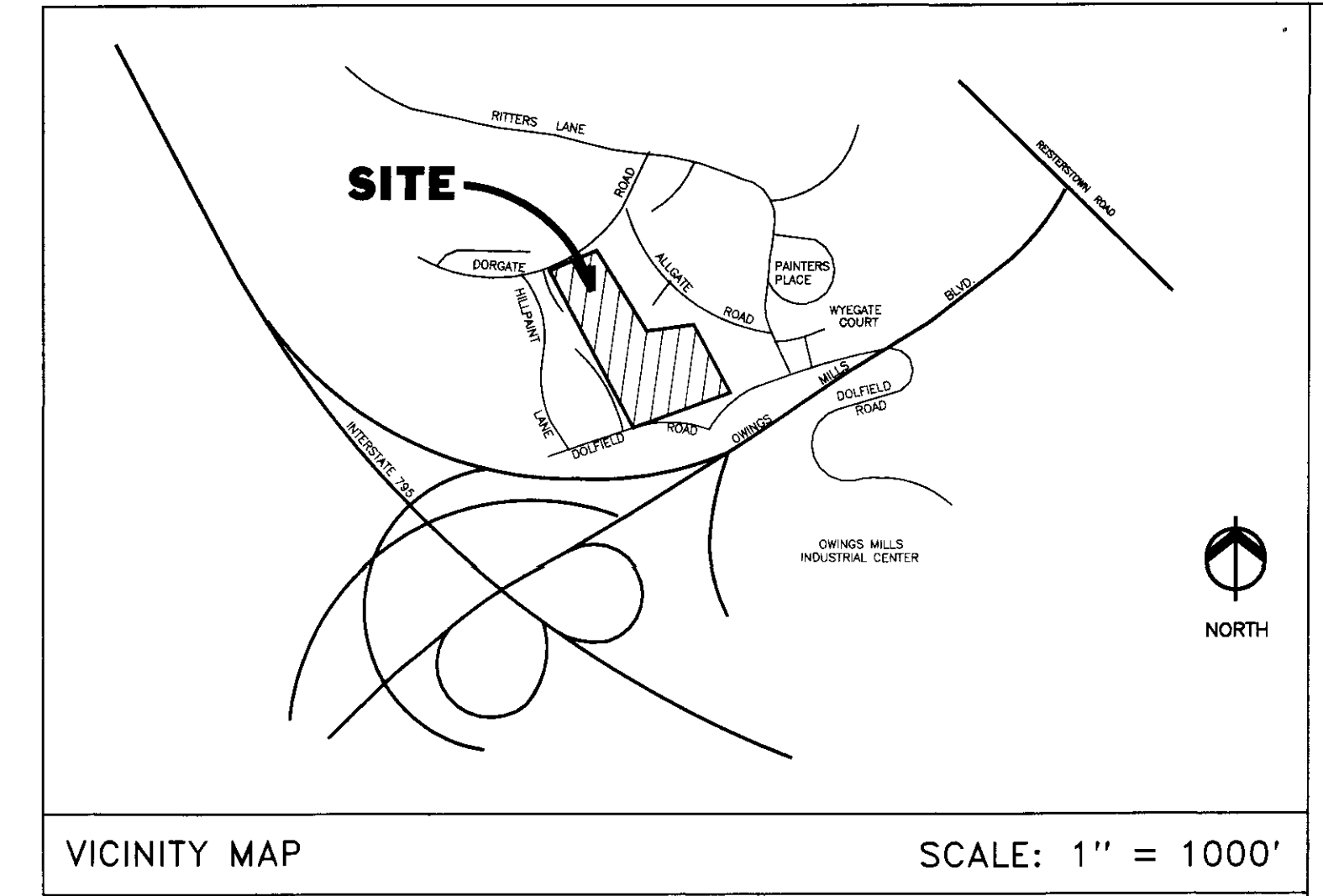
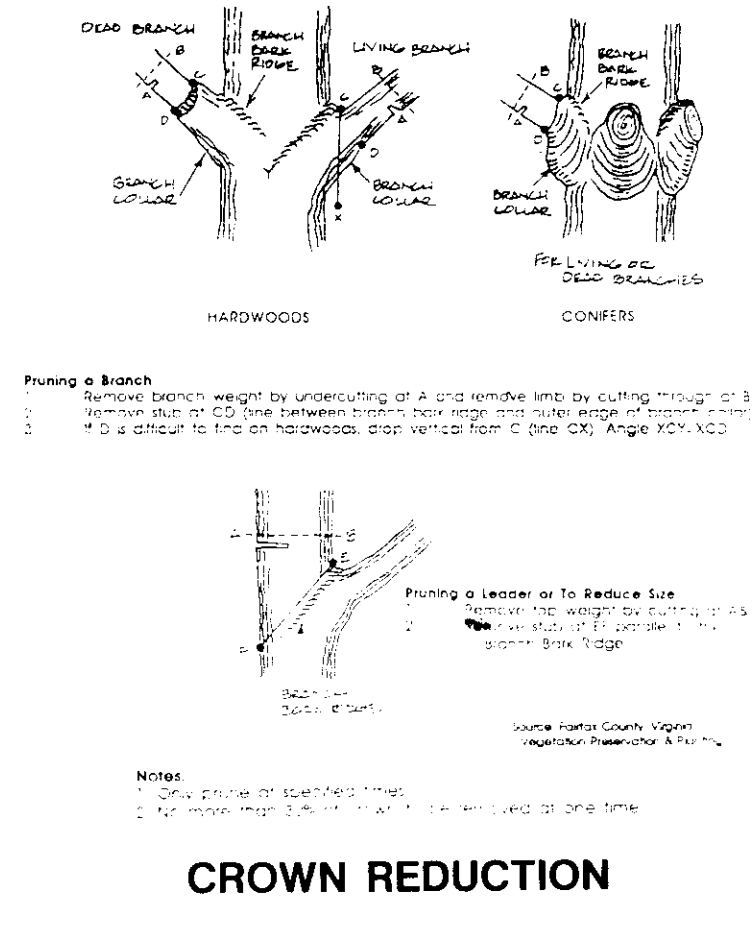
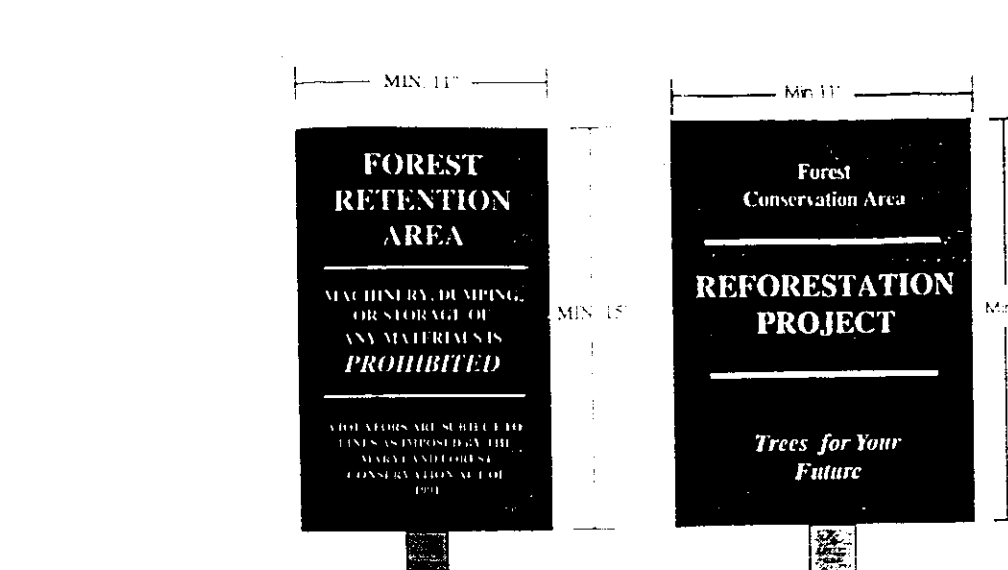
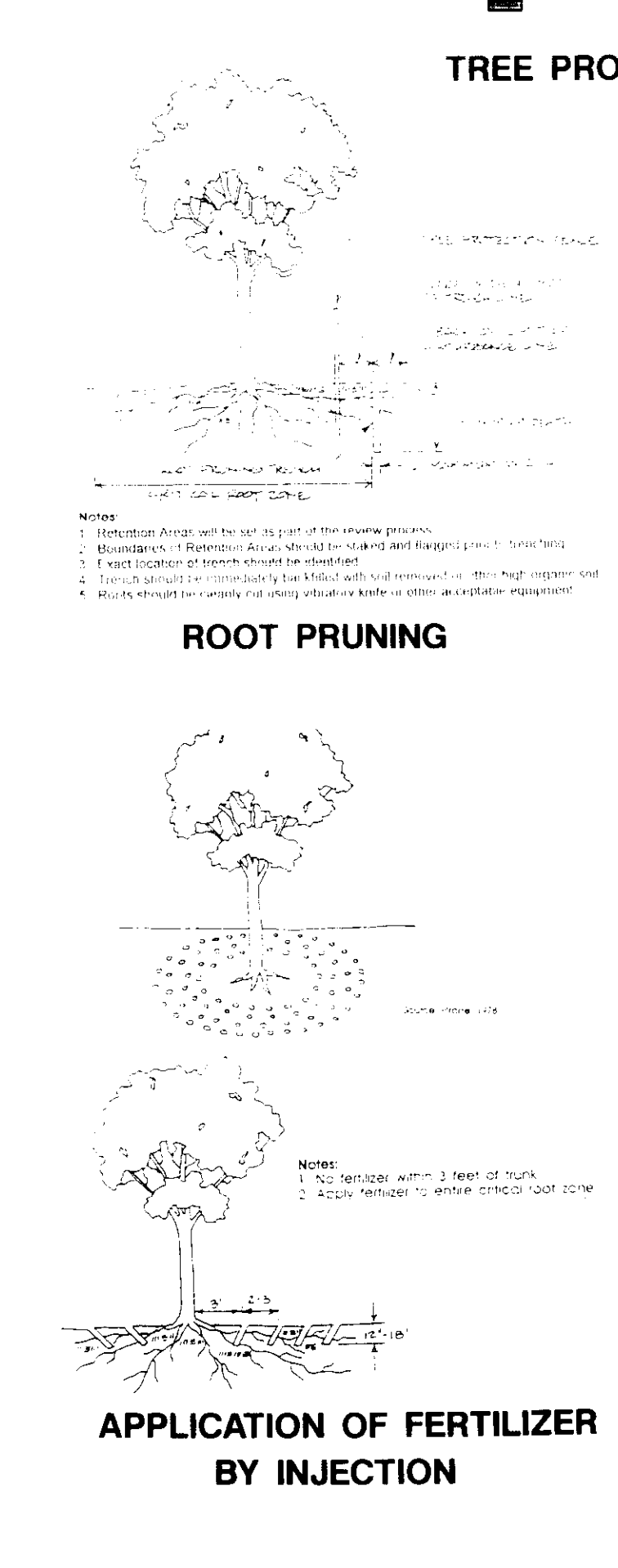
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LEGEND	
☒ TRACT BOUNDARY	☒ SLOPE - 2%
☒ DRAINAGE LINE	☒ STORM DRAIN
☒ EASEMENT	☒ WATER
☒ CONTOUR	☒ FIRE HYDRANT
☒ FOREST BUFFER	☒ OPEN SPACE LIMITS
☒ LIGHT	☒ FOREST CONSERVATION EASEMENT
☒ ADT	☒ SANITARY

(OFFICER'S HEARING AND ZONING HEARING TO BE HELD COINCIDENTALLY)

PROJECT NAME: EMMER PROPERTY	REVISIONS:
PLAN TITLE: SCHEMATIC LANDSCAPE PLAN & PRELIMINARY FOREST CONSERVATION PLAN & ZONING EXHIBIT	
COUNCILMANIC DIST.: 3	CIM: 7-15-97
ELECTION DIST.: 4	
PDM #1V-391	
PROJECT MANAGER: MS CHRIS RORKE	
APPROVAL:	
APPLICANT/DEVELOPER:	
SIDNEY EMMER BUILDERS, INC. 1801 FALLS ROAD BALTIMORE, MARYLAND 21201	
TEL: (410) 685-5200 FAX: (410) 685-1188	
D. S. THALER & ASSOC., INC. CIVIL ENGINEERS LANDSCAPE ARCHITECTS 7115 AMBASSADOR ROAD BALTIMORE, MARYLAND 21244 (410) 944-ENGR, (410) 944-3647	
SURVEYORS LAND PLANNERS	
STATE OF MARYLAND BALTIMORE COUNTY	
DATE: 08/22/97	
SCALE: 1" = 50'	
C.I.: 2'	
PROJ. NO.: 1986	
SHEET 1 OF 1	

[illegible][illegible][illegible]

PROJECT NAME: EMMER PROPERTY		REVISIONS: _____ _____ _____ _____ _____ _____
PLAN TITLE: DEVELOPMENT PLAN, SCHEMATIC LANDSCAPE PLAN & PRELIMINARY FOREST CONSERVATION PLAN & ZONING EXHIBIT		_____ _____ _____ _____ _____ _____
COUNCILMANIC DIST.: 3 CIM: 7-15-97 ELECTION DIST.: 4 PDM #: IV-391 PROJECT MANAGER: MS CHRIS BORKF APPROVAL: _____		_____ _____ _____ _____ _____ _____
APPLICANT/DEVELOPER: SIDNEY EMMER BUILDERS, INC. 1801 FALLS ROAD BALTIMORE, MARYLAND 21201 TEL: (410) 685-5200 FAX: (410) 685-1188		_____ _____ _____ _____ _____ _____
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		SURVEYORS LAND PLANNERS 

DEVELOPMENT PLAN, SCHEMATIC LANDSCAPE PLAN & PRELIMINARY FOREST CONSERVATION PLAN & ZONING EXHIBIT

THE IMMERSIVE PROPERTY

