

IN RE: PETITION FOR VARIANCE
SW/S Pomona Drive, 1000' N of
Naylors Lane
(Pomona)
3rd Election District
2nd Council District

Pomona Associates
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-176-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Pomona Associates, through Susan Sugar Nathan, Vice President, and Richard Rubin, Esquire, attorney for the Petitioner. The Petitioner seeks variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) and the Comprehensive Manual of Development Policies (C.M.D.P., 1970), as follows: From Sections 102.2 and 1B01.2.C.6 of the B.C.Z.R. (Section V.B.3.b of the C.M.D.P.) to permit distances between buildings of 23 feet and 11 feet in lieu of the required 30 feet (for buildings 30 feet in height) and 35 feet; from Section 1B01.2.C.2.b of the B.C.Z.R. (Section V.B.6.C of the C.M.D.P., 1970) to permit distances of 11 feet and 23 feet between windows in lieu of the required 40 feet; from Section 504 of the B.C.Z.R. (Section V.B.6.b of the C.M.D.P., 1970) to permit a window to property line distance of as close as 5 feet in lieu of the require 15 feet; from Section 400.1 of the B.C.Z.R. to permit and existing accessory structure in the side and front yards in lieu of the required rear; and, from Section 409.4 of the B.C.Z.R. to permit, if necessary, the addition of parking spaces with access to a travel way in lieu of an aisle. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Susan Sugar Nathan, Vice President of Pomona Associates, property owner, Mitchell Kellman, a representative

ORDER RECEIVED FOR FILING

Date

By

12/15/10
[Signature]

of Daft-McCune-Walker, Inc., the engineering consultants who prepared the site plan for this property, and Richard Rubin, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 7.86 acres, more or less, split zoned D.R.10.5 and D.R.16, and is part of the overall tract, known as Pomona, which is located on both the north and south sides of Pomona Road in Reisterstown. The Pomona tract contains some 73 acres which feature a number of residential/apartment buildings, and related community buildings. The property at issue in the instant case is identified on the site plan as the Second Amended Area "F", and is improved with a 2½-story stone barn, which is a historic structure, a separate two-story building, and related accessory structures (garages), with a connecting, paved macadam driveway. The property is largely unimproved, but for these structures, which are to remain on the property.

The Petitioner is desirous of constructing a three-story apartment building between the barn building and existing apartment Building No. 6. The proposed building is shown on the plan as Building No. 10 and will be constructed similar to Building No. 6, which features two wings connected by a stairway, and 12 apartment units overall. The requested variances relate to the proposed location of Building No. 10, 11 feet from the historic barn structure, and 23 feet from existing Building No. 6. In addition, proposed Building No. 10 will be located 5 feet from an internal lot line, which separates the Second Amended Area "F" from another portion of the Pomona tract. Moreover, one of the garages will be located in the front/side yard of proposed Building No. 10. In addition, the parking variance is necessary due to the location of 21 parking spaces adjacent to Pomona Road. Due to the location of existing improvements on the property and the desire to maintain continuity in the development of Pomona, the requested variance relief is necessary. Moreover, the Petitioner wishes to retain a large portion of the Second Amended Area "F" in its natural and undisturbed state. Photographs submitted at the hearing show that the rear of the property contains a number of mature trees and the Petitioner wishes to retain this park-

12/15/00



like setting. Thus, proposed Building No. 10 was located in the corner of the site, immediately adjacent to Pomona Drive.

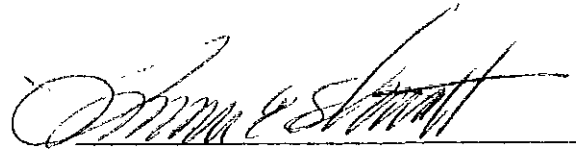
Based upon the testimony and evidence presented, I am persuaded that the Petition for Variance should be granted. The uniqueness of this property is its shape and the location and configuration of existing improvements thereon. I find that a practical difficulty would result if strict compliance with the zoning regulations were required. Moreover, it is clear that there will be no detrimental impacts due to the internal nature of the variance requests. There were no Protestants present at the hearing, and no adverse comments submitted by any Baltimore County reviewing agency. However, the Office of Planning did suggest the installation of an evergreen landscape screen in locations where privacy could be compromised, due to reduced setbacks between windows. Thus, I will require that the Petitioner submit a landscape plan for review and approval by the County's Landscape Architect, Mr. Avery Harden, to address those concerns, prior to the issuance of any building permits. The Office of Planning also suggested that the orientation of the building be altered. In that this is a matter of design criteria, I believe this issue should be addressed prior to the issuance of any building permit and that the Petitioner should consult with the Office of Planning as to the location and orientation of proposed Building No. 10.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of December, 2000 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., 1970), as follows: From Sections 102.2 and 1B01.2.C.6 of the B.C.Z.R. (Section V.B.3.b of the C.M.D.P.) to permit distances between buildings of 23 feet and 11 feet in lieu of the required 30 feet (for buildings 30 feet in height) and 35 feet; from Section 1B01.2.C.2.b of the B.C.Z.R. (Section V.B.6.C of the C.M.D.P., 1970) to permit distances of 11 feet and 23 feet between windows in lieu of the required 40 feet; from Section 504 of the B.C.Z.R. (Section V.B.6.b of the C.M.D.P., 1970) to permit a window to property line distance of as close as 5 feet in

lieu of the require 15 feet; from Section 400.1 of the B.C.Z.R. to permit and existing accessory structure in the side and front yards in lieu of the required rear; and, from Section 409.4 of the B.C.Z.R. to permit, if necessary, the addition of parking spaces with access to a travel way in lieu of an aisle, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any building permits, the Petitioner shall submit a landscape plan for review and approval by the County's Landscape Architect.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 12/15/00
By Bjs



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

December 14, 2000

Richard Rubin, Esquire
One South Street, 27th Floor
Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
SW/S Pomona Drive, 1,000' N of Naylors Lane
(Pomona)
3rd Election District – 2nd Council District
Pomona Associates - Petitioner
Case No. 01-176-A

Dear Mr. Rubin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Susan S. Nathan, Vice President, Pomona Associates
One Pomona Drive North, Pikesville, Md. 21208
Mr. Mitchell Kellman, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
Mr. Avery Harden, DPDM; Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at SW/S of Pomona Dr., 1,000 ft North
of Naylor's Lane

which is presently zoned DR-10.5 and DR-16

This Petition shall be filed with the Department of Permits and 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 Attachment

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

To Be Discussed At Hearing

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Pomona Associates

Name - Type or Print

Signature

Susan Sugar Nathan

Name - Type or Print

Signature

One Pomona Drive North (410) 486-6394

Address Telephone No.

Pikesville, MD 21208

City State Zip Code

Representative to be Contacted:

Mitchell J. Kellman, Daft-McCune-Walker, Inc.

Name

200 East Pennsylvania Ave. (410) 296-3333

Address Telephone No.

Towson MD 21286

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JNP Date 10/27/00

Case No. 01-176-A

220 9/15/98

ORDER RECEIVED FOR FILING

Date

By

ATTACHMENT FOR VARIANCE

1. 1B01.2.C.6 (V.B.3.b, CMAP, 1970) and 1B02.2.B (V.B.2, 1970), 102.2. to permit distances of 23 feet and 11 feet between buildings in lieu of 30 feet (for buildings 30 foot in height) and in lieu of 35 feet.
2. 1B01.2C.2.b (V.B.6.C., CMAP, 1970) to permit distances of 11 feet and 23 feet between windows in lieu of 40 feet.
3. 504 (V.B.6.b., CMAP, 1970) to permit a window to property line distance as close as 5 feet in lieu of 15 feet.
4. 400.1 to permit existing accessory structure in the side and front yards in lieu of the rear.
5. 409.4 to permit (if necessary) the addition of parking spaces with access to a travel way in lieu of an aisle.

Description to Accompany Plan to Accompany

Variance Hearing

7.86 Acre Parcel

Southwest of Reisterstown Road

Northwest of Naylor's Lane

Southeast side of the Baltimore Beltway

Third Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the end of the second of the two following courses and distances as measured from the intersection of the centerline of Naylor's Lane and the centerline of Reisterstown Road, (1) Northwesterly 1305 feet, more or less, and thence, at a right angle thereto, (2) Southwesterly 280 feet, more or less to the point of beginning, thence leaving said point of beginning and running for the thirty following courses and distances, viz: (1) South 34 degrees 34 minutes 40 seconds East 89.63 feet, thence (2) South 55 degrees 25 minutes 20 seconds West 104.02 feet to a point of non-tangency, thence (3) Northwesterly by a line curving to the left having a radius of 385.00 feet for a distance of 107.75 feet (the arc of said curve being subtended by a chord bearing North 87 degrees 48 minutes 00 seconds West 107.40 feet), to a point of curvature, thence (4) Southwesterly by a line curving to the left having a radius of 160.00 feet for a distance of 49.74 feet (the arc of said curve being subtended by a chord bearing South 75 degrees 16 minutes 34 seconds West 49.54 feet) thence (5) South 66 degrees 22 minutes 10 seconds West 305.18 feet to a point of non-tangency, thence (6) Northwesterly by a line curving to the right having a radius of 265.00 feet for a distance of 10.24 feet (the arc of said curve being

01-176-A

subtended by a chord bearing North 83 degrees 38 minutes 52 seconds West 10.24 feet), thence (7) North 82 degrees 32 minutes 25 seconds West 51.26 feet, thence (8) North 85 degrees 30 minutes 00 seconds West 9.13 feet to a point of curvature, thence (9) Southwesterly by a line curving to the left having a radius of 173.00 feet, for a distance of 203.43 feet (the arc of said curve being subtended by a chord bearing South 60 degrees 48 minutes 50 seconds West 191.91 feet), thence (10) South 27 degrees 07 minutes 40 seconds West 34.66 feet to a point of non-tangency, thence (11) Southeasterly by a line curving to the right having a radius of 1000.00 feet for a distance of 219.32 feet (the arc of said curve being subtended by a chord bearing South 58 degrees 46 minutes 02 seconds East 218.88 feet) to a point of reverse curvature, thence (12) Southeasterly by a line curving to the left having a radius of 800.00 feet for a distance of 221.22 feet (the arc of said curve being subtended by a chord bearing South 60 degrees 24 minutes 23 seconds East 220.51 feet) to a point of reverse curvature, thence, (13) Southeasterly by a line curving to the right having a radius of 300.00 feet for a distance of 47.79 feet (the arc of said curve being subtended by a chord bearing South 63 degrees 45 minutes 52 seconds East 47.74 feet) thence (14) South 34 degrees 30 minutes 00 seconds West 289.50 feet, thence (15) South 21 degrees 45 minutes 00 seconds East 38.00 feet, thence (16) South 68 degrees 15 minutes 00 seconds West 56.87 feet, thence (17) South 34 degrees 30 minutes 00 seconds West 61.64 feet, thence (18) North 55 degrees 30 minutes 00 seconds West 396.25 feet, thence (19) North 39 degrees 00 minutes 00 seconds East 85.37 feet to a point of curvature, thence (20) Northeasterly by a line curving to the right having a radius of 62.00 feet for a distance of 46.53 feet (the arc of said curve being subtended by a chord bearing North 60 degrees 30 minutes 00 seconds East

45.45 feet), thence (21) North 82 degrees 00 minutes 00 seconds East 24.18 feet, thence (22) North 08 degrees 00 minutes 00 seconds West 100.00 feet, thence (23) North 82 degrees 00 minutes 00 seconds East 14.25 feet, thence (24) North 08 degrees 00 minutes 00 seconds West 155.63 feet to a point of non-tangency, thence (25) Northwesterly by a line curving to the left having a radius of 167.00 feet for a distance of 37.26 feet (the arc of said curve being subtended by a chord bearing North 81 degrees 39 minutes 33 seconds West 37.18 feet), thence (26) North 01 degree 56 minutes 58 seconds East 66.00 feet to a point of non-tangency, thence (27) Southwesterly by a line curving to the left having a radius of 233.00 feet for a distance of 49.71 feet (the arc of said curve being subtended by a chord bearing South 85 degrees 50 minutes 16 seconds West 49.62 feet), to a point of reverse curvature, thence (28) Northwesterly by a line curving to the right, having a radius of 267.00 feet for a distance of 134.13 feet (the arc of said curve being subtended by a chord bearing North 85 degrees 52 minutes 56 seconds West 132.72 feet) to a point of reverse curvature, thence (29) Northwesterly by a line curving to the left, having a radius of 383.00 feet for a distance of 197.92 feet (the arc of said curve being subtended by a chord bearing North 86 degrees 17 minutes 40 seconds West 195.73 feet) and thence (30) North 28 degrees 33 minutes 20 seconds West 129.23 feet to the southeast side of the Baltimore Beltway, thence running with said Beltway (31) North 61 degrees 26 minutes 40 seconds East 396.07 feet, thence running for the seven following courses and distances, viz: (32) South 21 degrees 36 minutes 00 seconds East 307.48 feet, thence (33) North 68 degrees 24 minutes 00 seconds East 369.05 feet, thence (34) North 51 degrees 31 minutes 50 seconds West 17.96 feet, thence (35) North 66 degrees 22 minutes 10 seconds East 417.01 feet, thence (36)

South 45 degrees 18 minutes 19 seconds East 64.57 feet, thence (37) South 32 degrees 45 minutes 40 seconds East 3.27 feet, and thence (38) North 43 degrees 57 minutes 50 seconds East 33.69 feet to the point of beginning; containing 7.86 acres of land, more or less.

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

October 24, 2000

Project No. 95016.A (L95016.A)



BALTIMORE COUNTY, MD. AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 8673

DATE 12/37/00 ACCOUNT P-001-6150
AMOUNT \$ 250.00

RECEIVED FROM: DMW - Conf - McGraw-Hill, Inc.

FOR: 01-176-A

W/S of Pomona Dr, 1000' N of Noylors Lane

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAID BY 12/27/00 12/27/00 11:00 AM
CASHIER DOOL AND TAYLOR
DATE 12/27/00 11:00 AM
RECEIPT NO. 86739

PAID FOR 01-176-A
BALANCE 01
BALTIMORE COUNTY, MARYLAND

01-176-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.

01-176-A

Petitioner/Developer

Pomona Associates

Date of Hearing/Closing

Tues. December 5, 2000
at 2:00pm

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under penalties of perjury that the necessary sign(s) required by
law were posted conspicuously for the property known as

Pomona Drive (SW/S of Pomona Drive, 1000 feet
N of Naylor's Lane)

The signs were posted on

November 16, 2000.

(Month, Day, Year)

Sincerely,

Mitch Kellman 11/16/2000
(Signature of Sign Poster and Date)

Daft-McGraw-Walker Inc.
(Printed Name)

200 East Pennsylvania Avenue

Towson, MD 21286

(Address)

410-296-3333

(Telephone Number)

NOTICE OF ZONING 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:

SW/S Pomona Drive, 1000 feet N of Naylors Lane
(Pomona)

3rd Election District - 2nd Councilmanic District
Legal Owner(s): Pomona Associates

Variance: to permit distances of 23 feet and 11 feet between buildings in lieu of 30 feet and 35 feet; to permit distances of 11 feet and 23 feet between windows in lieu of 40 feet; to permit a window to property line distance as close as 5 feet in lieu of 15 feet; to permit existing accessory structure in the side and front yards in lieu of the rear; and to permit (if necessary) the addition of parking spaces with access to a travel way in lieu of an aisle.

Hearing: Tuesday, December 5, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391

11/16/7 Nov. 16

C434088

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11/16/, 2000

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 11/16/, 2000.

S. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

9 4:06

ING NOTICE

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

[illegible]

THE ABOVE ARE TRANSMISSION ACCESSIBLE

NOTICE

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

PLACE
TIME & DATE
The hearing will be held on the 1st day of
August, 1968, at 7:00 P.M. in the
Town of Towson, Maryland, at the
Towson Town Hall, 10000 York Road,
Towson, Maryland 21204. The hearing
will be held in the Town Hall, 10000
York Road, Towson, Maryland 21204.
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Hall, 10000 York Road, Towson, Maryland
21204. The hearing will be held in the
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Maryland 21204. The hearing will be
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Towson, Maryland 21204. The hearing
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York Road, Towson, Maryland 21204.

HEARINGS ARE HANDICAPPED ACCESSIBLE

RE: PETITION FOR VARIANCE
Pomona Drive, SW/S Pomona Dr,
1000' N of Naylor's Lane
3rd Election District, 2nd Councilmanic

Legal Owner: Pomona Associates
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-176-A

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of November, 2000 a copy of the foregoing Entry of Appearance was mailed to Mitch Kellman, Daft-McCune-Walker, Inc., 200 E. Pennsylvania Avenue, Towson, MD 21286, representative for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

NOV 09 2000

DMW

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

NOTICE OF ZONING 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: 01-176-A

Pomona Drive

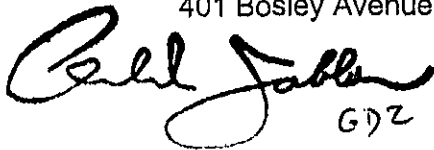
SW/S Pomona Drive, 1000 feet N of Naylor's Lane (Pomona)

3rd Election District – 2nd

Legal Owner: Pomona Associates

Variance to permit distances of 23 feet and 11 feet between buildings in lieu of 30 feet and 35 feet; to permit distances of 11 feet and 23 feet between windows in lieu of 40 feet; to permit a window to property line distance as close as 5 feet in lieu of 15 feet; to permit existing accessory structure in the side and front yards in lieu of the rear; and to permit (if necessary) the addition of parking spaces with access to a travel way in lieu of an aisle.

HEARING: Tuesday, December 5, 2000 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



GDZ

Arnold Jablon
Director

C: Mitchell J. Kellman, Daft-McCune-Walker, Inc., 200 E. Pennsylvania Avenue,
Towson 21286
Susan Sugar Nathan, Pomona Associates, One Pomona Drive North,
Pikesville 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 17, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

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Pomona Drive

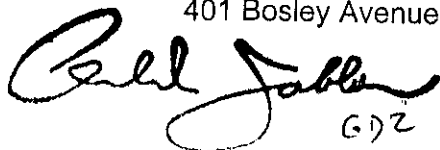
SW/S Pomona Drive, 1000 feet N of Naylor's Lane (Pomona)

3rd Election District – 2nd

Legal Owner: Pomona Associates

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GJZ

Arnold Jablon
Director

C: Mitchell J. Kellman, Daft-McCune-Walker, Inc., 200 E. Pennsylvania Avenue,
Towson 21286
Susan Sugar Nathan, Pomona Associates, One Pomona Drive North,
Pikesville 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 17, 2000.**
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TO: PATUXENT PUBLISHING COMPANY
Thursday, November 16, 2000 Issue – Jeffersonian

Please forward billing to:

Mitchell J. Kellman
Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue
Towson, MD 21286

410 296-3333

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3rd Election District – 2nd

Legal Owner: Pomona Associates

Variance to permit distances of 23 feet and 11 feet between buildings in lieu of 30 feet and 35 feet; to permit distances of 11 feet and 23 feet between windows in lieu of 40 feet; to permit a window to property line distance as close as 5 feet in lieu of 15 feet; to permit existing accessory structure in the side and front yards in lieu of the rear; and to permit (if necessary) the addition of parking spaces with access to a travel way in lieu of an aisle.

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401 Bosley Avenue


Lawrence E. Schmidt
GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 01-176-A
Petitioner: Pomona Associates
Address or Location: Southwest ^{side of} Pomona Drive, 1000 ft North of Naylor's Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mitchell J. Kellman
Address: Datt. McCune Walker, Inc ; 200 East Pennsylvania
Towson, Maryland 21286
Telephone Number: 410-296-3333

Revised 2/20/98 - SCJ

01-176-A



Baltimore County
Department of Permits and
Development Management

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

December 4, 2000

Pomona Associates
Susan S. Nathan
One Pomona Drive North
Pikesville, MD 21208

Dear Ms. Nathan:

RE: Case Number: 01-176-A, Pomona Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 27, 2000.

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

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Mitchell J. Kellman, Daft-McCune-Walker, Inc., 200 E. Pennsylvania Avenue
Towson 21286
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: November 24, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 13, 2000
Item Nos. 167, 168, 169, 170, 171, 172,
174, 176, and 177

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

November 3, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: PAMONA ASSOCIATES - 176

Location: DISTRIBUTION MEETING OF November 6, 2000

Item No.: 176

Dear Ms. Stephens:

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.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: November 30, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of November 6, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
168	109 Graystone Farm Road
169	2316 Carroll Mill Road
170	6116 Buckingham Drive
171	1203 Dairy Road
174	10601 York Road
176	Pomona Drive
177	18918 Middletown Road

des
12/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 13, 2000

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

SUBJECT: SW/S Pomona

1 4

INFORMATION:

Item Number: 01-176

Petitioner: Pomona Associates

Zoning: DR 10.5/DR 16

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit distances of 23 feet and 11 feet between buildings in lieu of 30 feet and 35 feet; to permit distances of 11 feet and 23 feet between windows in lieu of 40 feet; to permit a window to property line distance as close as 5 feet in lieu of 15 feet; and to permit existing accessory structures in the side and front yards in lieu of the rear yard, providing the following conditions are met:

1. Proposed buildings should be angled so they are not parallel with existing buildings.
2. Install evergreen landscaping in locations where privacy could be compromised due to reduced setback between windows.

Prepared by:

Mark A. Cumber

Section Chief:
AFK:MAC:

Jeffrey W. Z...



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 11.2.00

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

RE: Baltimore County
Item No. 176 JNP

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kr Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

RICHARD RUQIN, Esq.
Mitch Kellman DMW Inc
SUSAN SUGAN NoTran

One South St. 27th Floor Room 21202
200 E. Pennsylvania Ave ^{Township} 21246
1 Pomona North 21108





Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
410-296-3333
Fax 410-296-4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

To: Ms Guendolyn Stephens
Permits + Dev. Mgmt, Zoning Review
111 W. Chesapeake Avenue, Rm 111
Balto. MD 21204

Date: 11/30/2007
Job No.: 95016 AO
Attention: Pomona
Reference: Sign Postng Cert.

We are sending you
☐ Shop drawings
☐ Specifications

☐ attached
☐ Samples

☐ under separate cover:
☐ Plans

☐ via _____

Copies	Date	Number	Description
2	11/16/07	1	Sign Cert. w/ photos

These are transmitted as checked below:

☒ For approval

☒ For your use

☐ As requested

☐ For review and comment

☐ Approved as submitted

☐ Approved as noted

☐ Returned for corrections

☐ _____

☐ Resubmit

☐ Submit

☐ Return

_____ copies for approval

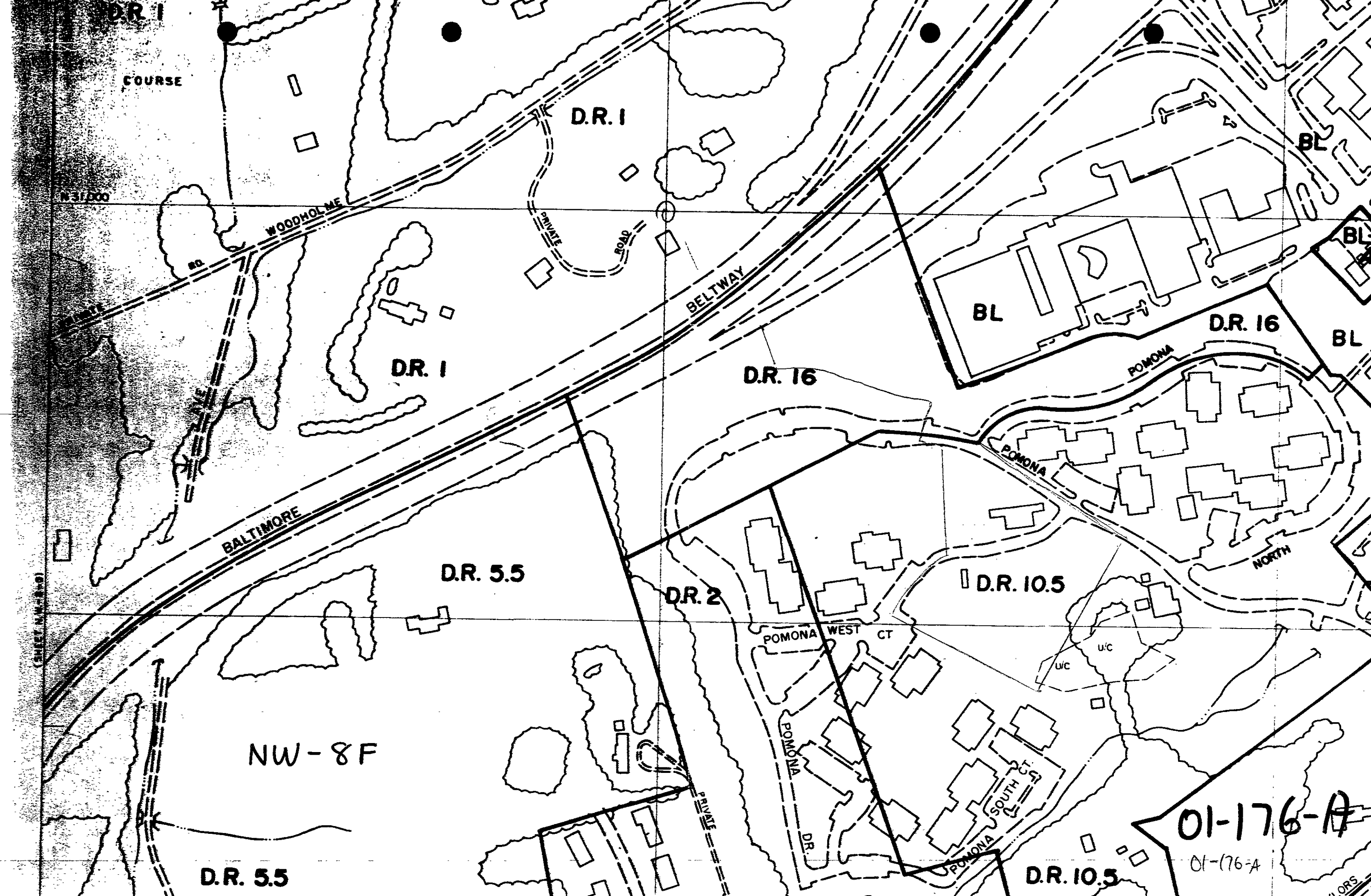
_____ copies for distribution

_____ corrected prints

Remarks _____

cc: _____

Signed



COURSE

D.R. 1

D.R. 1

D.R. 16

D.R. 16

D.R. 5.5

D.R. 2

D.R. 10.5

NW-8F

D.R. 5.5

D.R. 10.5

01-176-A

01-176-A

Ref No 2



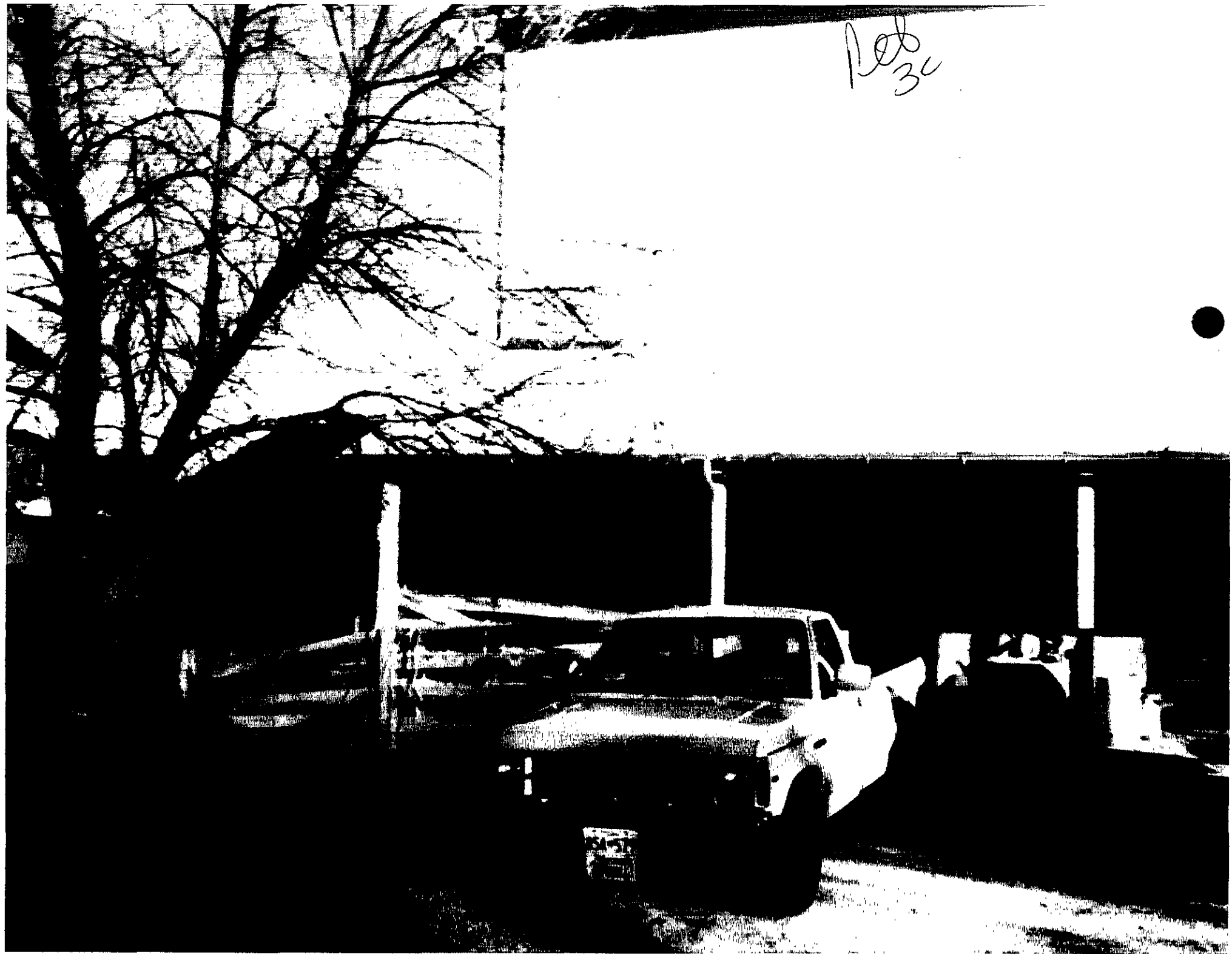
Ref No 3A



lot
3B



Feb
34



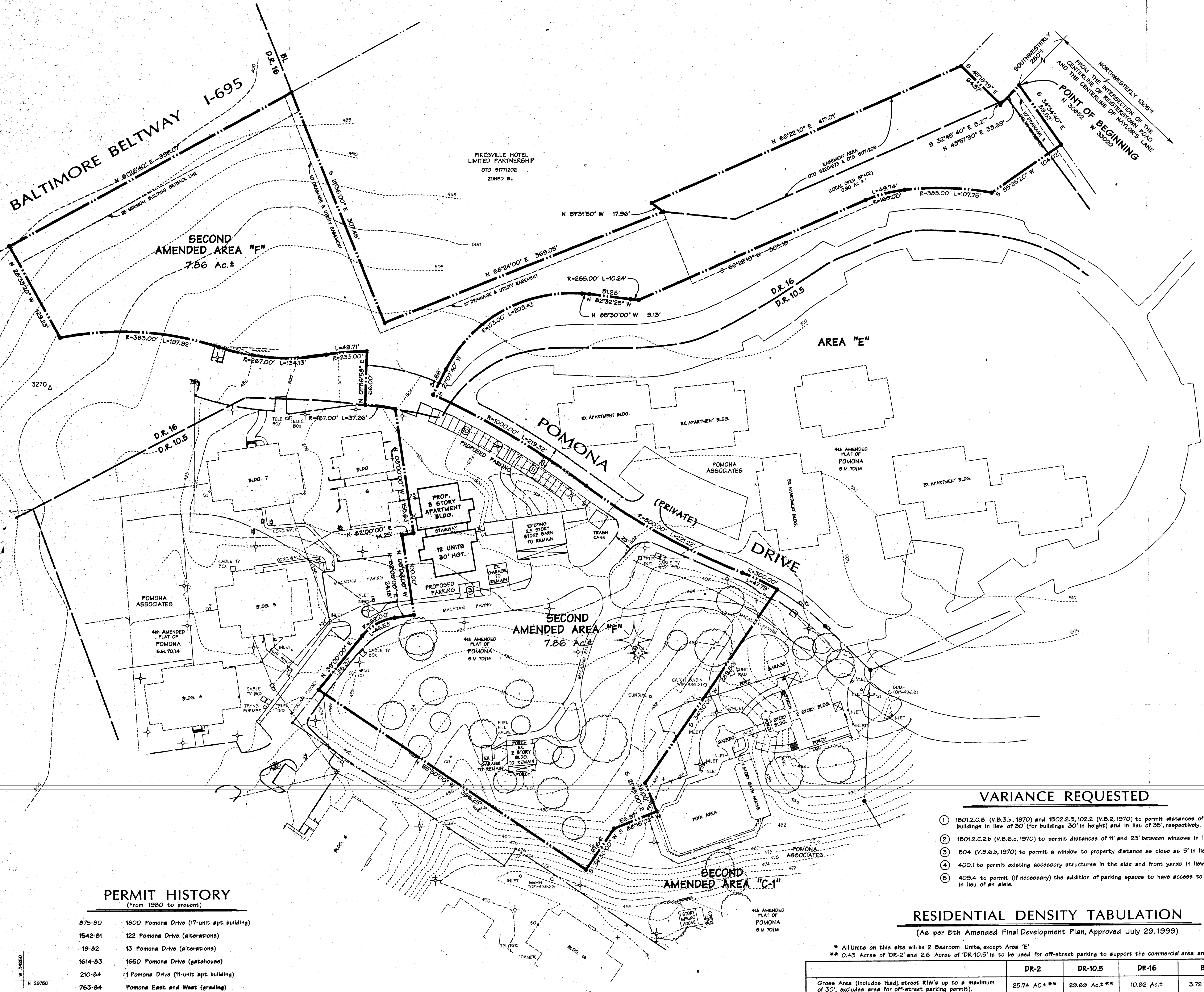
Ref 3D





N 3000
W 3000

N 3000
W 3000



N 3000
W 2970

PERMIT HISTORY

(From 1990 to present)

875-80	1800 Pomona Drive (17-unit apt. building)
1542-81	122 Pomona Drive (alterations)
19-82	13 Pomona Drive (alterations)
1614-83	1650 Pomona Drive (garagehouse)
210-84	1 Pomona Drive (11-unit apt. building)
763-84	Pomona East and West (grading)
536-85	1 Pomona East (mid-rise apt. building)
995-86	166 Pomona Drive (pool enclosure)
1496-86	1, 2 & 3 Pomona West (new apt. building)
1756-87	1 Pomona Drive East (alterations)
1837-88	1 Pomona West (new apt. building) 9 Pomona West (new apt. building)

Note: Permit history based on card files in the Baltimore County Zoning Office.

ZONING HISTORY

72-221-R Zoning Reclassification from DR2, 3.5, 10.5 to DR10.5, 16 and BL granted on May 16, 1974 by the Baltimore County Board of Appeals.
95-472-A Zoning Variance for a building height of 65' in lieu of 50' granted on August 7, 1995 by the Deputy Zoning Commissioner.

VARIANCE REQUESTED

- 1801.2.C.6 (V.B.3.b, 1970) and 1802.2.B.10.2.2 (V.B.2, 1970) to permit distances of 23' and 11' between buildings in lieu of 30' (for buildings 30' in height) and in lieu of 35', respectively.
- 1801.2.C.2.1 (V.B.6.c, 1970) to permit distances of 11' and 23' between windows in lieu of 40'.
- 504 (V.B.6.b, 1970) to permit a window to property distance as close as 5' in lieu of 15'.
- 400.1 to permit existing accessory structures in the side and front yards in lieu of the rear.
- 409.4 to permit (if necessary) the addition of parking spaces to have access to a travelway in lieu of an aisle.

RESIDENTIAL DENSITY TABULATION

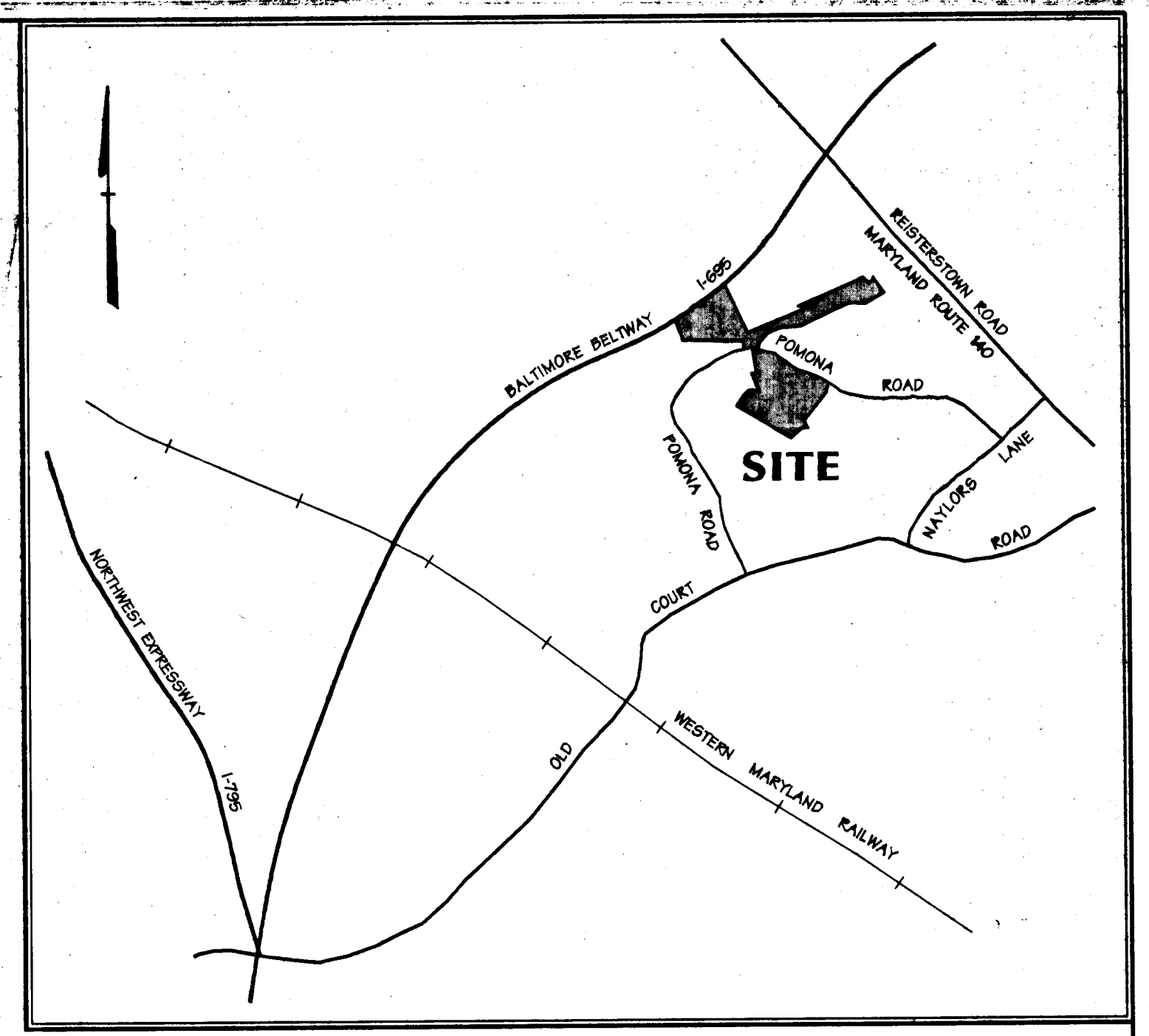
(As per 8th Amended Final Development Plan, Approved July 29, 1999)

	DR-2	DR-10.5	DR-16	BL	TOTAL
Gross Area (includes land, street R/W's up to a maximum of 30', includes area for off-street parking permits)	25.74 Ac.±**	29.69 Ac.±**	10.82 Ac.±	3.72 Ac.±	73.00 Ac.±
Number of Dwelling Units allowed	51.48	311.75	173.12 Density Units		536.35
Number of Dwelling Units proposed	59	422	85 Density Units		535.0
Required Open Space	0 Ac.	12% of 27.69 3.56 Ac.	15% of 10.82 1.62 Ac.		5.18 Ac.
Proposed Covered Open Space (Shaded Areas)	5.2 Ac.	0.90 Ac.	0		6.1 Ac.
Required Parking	116 P.S.	739 P.S.	85 P.S.		940
Proposed Parking (9' x 18')	208	816	149		1173

* All Units on this site will be 2 Bedroom Units, except Area "E"
** 0.43 Acres of "DR-2" and 2.6 Acres of "DR-10.5" is to be used for off-street parking to support the commercial area and has been excluded.

VICINITY MAP

SCALE: 1"=1000'



GENERAL NOTES

- Current Owner/Developer and Street Address: Pomona Associates, c/o Susan Sugar, Nathan One Pomona Drive North, Pikesville, Maryland 21093
- Site Area (Area "F"): 7.86 Ac.± (Gross), 7.30 (Net)
- Existing Zoning: D.R. 10.5 and D.R. 16
- Existing Use (Area "F"): Existing Stone Barn, 2 story Building and Accessory Structures
- Site Address and Site Location: Pomona Drive is on the west side of Reisterstown Road, south of the Baltimore Beltway, (I-695)
- Site Data: Tax Map 78 - Grid 1 - Parcel 4, Election District 03, County Council District No. 2, Zoned: D.R. 10.5 & D.R. 16 - Baltimore County Zoning Map: NW 8F, Dead References: EHK, JR. 74401566, 7491331, 7591328, 66261007, and 25910331, Tax Account Numbers: 20-00-014609, 19-00-008707, 20-00-014640, 19-00-008708, 03-02-021975
- Density Calculations:

Area "F" D.R. 16	Net	3.7056
	Dwelling Units	0.5418
	Gross	4.25 Ac. = 68.00 Density Units
D.R. 10.5	Net	3.5986
	Dwelling Units	0.0123
	Gross	3.62 Ac. = 36.00 Dwelling Units (see Density Chart below)

Units Proposed:

Dwelling Units	2
Bedroom Units	1
Apartment Units	1

(see Density Chart below)
- The property information and location shown herein have been compiled from deeds and other sources believed to be reliable, however their accuracy is not guaranteed and is subject to change.
- There are no existing wells or septic system within 100' of the adjacent property owner.
- Signs: All signs will comply with B.C.Z.R. section 450.
- Proposed use of property is for rental apartments.
- Maximum height in the DR 16 zone is 60' and in the DR 10.5 zone is 50'. The proposed building for this plan will not exceed those heights.
- Floor area ratio - N/A in the DR 10.5 and DR 16 zones.
- Amenity Open Space - N/A in the DR 10.5 and DR 16 zones.
- All parking areas are to be paved. The typical parking space shall be 8'1/2' x 18'.
- Proposed height of building: 30 feet.
- Proposed 23 units x 1.75 = 41 parking spaces.
- Based upon the notes on the approved 8th Amended Final Development Plan, there is no CRO associated with this property.
- The 9th Amended Final Development Plan will be submitted administratively as there are no lots sold within 300 feet of the variance or change. This subdivision is under one ownership and no individual lots and/or units are for sale.

DATA SOURCES:
TOPOGRAPHY FROM A SURVEY BY KCI TECHNOLOGIES, INC. DATED OCTOBER 16, 1998 AND LAST REVISED ON JANUARY 16, 2000.
BOUNDARY FROM A SURVEY BY DMW, INC. DATED JANUARY 3, 1997.

This Variance Plan will result in the 9th Amended Final Development Plan.

DMW
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners,
Landscape Architects,
Golf Course Architects,
Engineers, Surveyors &
Environmental Professionals

Plan to Accompany Variance Petition

POMONA

3rd Election District
Baltimore County, Maryland

		ISSUE DATES	REVIEW:
		CONSTRUCTION:	PERMIT:
DATE	BY	DESIGNED:	CHECKED BY:
		DATE CHECKED:	
		SCALE:	1"=50'
		PROJECT NO.:	95016A
		DRAWING:	1 of 1

01-176-A

01-176-A