

IN RE: DEVELOPMENT PLAN HEARING	*	BEFORE THE
& PETITION FOR VARIANCE		
N/S Mt. Gilead Road,	*	HEARING OFFICER
W of Hanover Road		
4th Election District	*	OF BALTIMORE COUNTY
3rd Councilmanic District		
(Taylor's Glen)	*	Case No. IV-560 & 01-279-A
S. Glenn Elseroad	*	
Petitioner/Developer		

* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County as a requested approval of a Development Plan prepared by McKee & Associates, Inc., proposing the development of a 25.082 acre parcel of property into 6 single-family residential lots. The property to be developed is located on the north side of Mt. Gilead Road, in between Hanover Road and Emory Road in northwest Baltimore County. The subject property is split-zoned RC 2 and RC 4. In addition to the requested approval of the Development Plan, the Petitioner/Developer is also requesting a variance to allow a 50 ft. setback from an RC 2 zone line for Lots 3, 4, 5 and 6, in lieu of the 100 ft. required. This variance request results from the RC 4/RC 2 zone line which bisects this property.

Appearing at the hearing on behalf of the Variance and Development Plan approval request were, Guy Ward, appearing on behalf of McKee & Associates, Inc., the engineering firm who prepared the site plan of the property, Howard L. Alderman, Jr., attorney at law, representing the Petitioner/Developer and several others who appeared on behalf of the property owner. As is usual and customary, representatives of the various Baltimore County reviewing agencies also attended the hearing; namely, John Alexander (Zoning Review), Christine Rorke (Zoning) and Robert Bowling (Development Plans Review), all from the Office of Permits & Development Management; R. Bruce Seeley and Alli Cauthorn from the Department of Environmental Protection and Resource Management (DEPRM); Lynn Lanham from the Office of Planning; and Jan Cook from the Department of Recreation & Parks. No one appeared in

ORDER RECEIVED FOR FILING
 Date 3/27/01
 R. Emerson

opposition to the Developer's request to develop the subject property.

As to the history of the Development Plan approval request, a Concept Plan Conference was held on July 10, 2000 and thereafter a Community Input Meeting was held at the Boring Volunteer Fire Company on July 31, 2000. A Development Plan Conference followed on February 21, 2001 and the Hearing Officer's Hearing was held on March 14, 2001.

At the Hearing Officer's hearing held before me, I attempt to determine what, if any, issues or comments remain unresolved. At the time of the hearing before me, only one issue was brought to my attention as being unresolved. Mr. Robert Bowling, a representative of the Development Plans Review Section of Permits and Development Management, indicated that his office has requested that Mt. Gilead Road be widened to a width of 18 ft. from the area where the panhandle lots intersect Mt. Gilead Road and continuing eastward to the edge of the property line. In response to Mr. Bowling's comment, the Developer indicated that they would prefer not to widen Mt. Gilead Road in the area designated by Mr. Bowling, but would do so in the event I ordered it. Several citizens who attended the hearing asked that Mt. Gilead Road not be widened at all and that it remain in its present condition. This issue was unable to be resolved during the informal discussion of the case and, therefore, testimony and evidence was presented by both the Developer, Mr. Bowling and the citizens who attended the hearing.

Testifying on behalf of the Developer was Mr. Guy Ward, appearing on behalf of McKee & Associates, Inc., the engineers who prepared the Development Plan of the property. Mr. Ward testified as to the manner in which the property is proposed to be developed as is depicted on Developer's Exhibit No. 1, the Development Plan. Mr. Ward testified that the property is proposed to be subdivided into 6 single-family residential lots. The subject lots will take access from Mt. Gilead Road, as shown on the plan. The Developer proposes to install an acceleration/deceleration lane which is approximately 130 ft. in total length. This acceleration/deceleration lane will afford an opportunity for motorists to pull off the traveled portion of the roadway, in order to turn into and exit the property. Mr. Ward also testified

3/27/01
J. P. Jensen

regarding the RC 2/RC 4 zone line as that line bifurcates lots 3, 4, 5 and 6. As a result of the zoning line traversing these lots the variance, as requested, is necessary.

Also testifying on the issue of the road widening was Mr. Robert Bowling, appearing on behalf of Permits and Development Management. Mr. Bowling testified that his office originally requested that the entire length of Mt. Gilead Road be widened to a width of 18 ft. However, after inspecting the property, the Department of Public works determined that it would not be practical to attempt to widen certain portions of Mt. Gilead Road, given the curvilinear nature of the road itself and the steep slopes located along the Petitioner's property line. Therefore, the Department of Public Works readjusted their position and are now requesting that the widening occur on a straight-of-way portion of Mt. Gilead Road from the location of the panhandles down to the eastern property line.

As stated previously, several residents attended the hearing, all of whom requested that Mt. Gilead Road not be widened at all. The citizens did favor the installation of an acceleration/deceleration lane, but are adamantly opposed to any further widening of Mt. Gilead Road. They believe that the widening of the road will detract from the rural character of this area of Baltimore County and will cause motorists to speed along this stretch of roadway. Furthermore, they feel that further improvements to Mt. Gilead Road will take away from the scenic nature of the area.

At the close of the hearing, I performed a site inspection of the subject property and drove Mt. Gilead Road myself. Other than the installation of the acceleration/deceleration lane, I find little benefit in any further widening of Mt. Gilead Road above and beyond the installation of the acceleration/deceleration lane. Therefore, I shall not require that any further widening of Mt. Gilead Road take place outside of the installation of the acceleration/deceleration lane as shown on the site plan.

There were no other issues raised at the hearing that warranted the taking of testimony and evidence. Therefore, the Development Plan submitted into evidence as Developer's Exhibit No.

2/24/10
R. Jameson

1 shall be approved.

As stated previously, the Developer is also requesting a variance relating to the RC 2/RC 4 zone line which bifurcates Lots 3, 4, 5 and 6. After considering the testimony and evidence offered at the hearing, I find that the variance request should be granted.

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 27th day of March, 2001, that the Development Plan submitted into evidence at the hearing before me as Developer's Exhibit No. 1, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the Petition for Variance from Section 1A03.4.B.2(d) of the Baltimore County Zoning Regulations, requesting a variance to allow a 50 ft. setback from an RC 2 zone line for Lots 3, 4, 5 and 6, in lieu of the 100 ft. required, be and is hereby GRANTED, subject however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Developer may apply for his building permit and be granted same upon receipt of this Order; however, Developer is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Developer would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Developer shall be required to improve and install the acceleration/deceleration lane as shown on Developer's Exhibit No. 1, the Development Plan submitted into evidence. The Developer is not required to perform any further road widening along Mt. Gilead Road, other than the installation of the acceleration/deceleration lane.

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

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

March 27, 2001

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre, 8t Floor
502 Washington Avenue
Towson, Maryland 21204

RE: Hearing Officer's Hearing No. IV-560
Property: N/S Mt. Gilead Road, W of Hanover Road
4th Election District, 3rd Councilmanic District
Developer: S. Glenn Elseroad

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The Development Plan and Petition for Variance have been approved in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits & Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5700 Block Mount Gilead Road

which is presently zoned RC-2 and RC-4

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)

1A03.4.B.2 (d) - See Attached

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

See Attached

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:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr. Esq.

Name - Type or Print

City

Signature

Levin & Gann, P.A.

Company 502 Washington Avenue (410) 321-

Nottingham Centre, 8th Floor 0600

Address

Telephone No.

Towson, Maryland

21204-2801

City

State

Zip Code

Legal Owner(s):

Samuel Glenn Elseroad

Name - Type or Print

Signature

Ruth P. Elseroad

Name - Type or Print

Signature

5423 Mount Gilead Road

(410) 429-3990

Address

Telephone No.

Reisterstown, Maryland

21136

State

Zip Code

Representative to be Contacted:

McKee & Associates, Inc.

Name

5 Shawan Road, Suite 1

(410) 527-1555

Address

Telephone No.

Cockeysville, Maryland

21030

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 hr

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 1-16-01

Case No. 01-279-A

REV 9/15/98

Attachment 1

PETITION FOR VARIANCE

CASE NO: _____

Address: 5700 (block) Mount Gilead Road

Legal Owners: Samuel Glenn & Ruth P. Elseroad

Present Zoning: RC-2 & RC-4

REQUESTED RELIEF:

A variance from: BCZR §1A03.4.B.2(d) to permit a 50 foot setback from a RC-2 zone line, interior to the subject property [the subject property is split-zoned], for proposed lot Nos. 3, 4 5 & 6 in lieu of the 100 feet otherwise required.

JUSTIFICATION:

1. Irregularly shaped lot;
2. Existing topographic constraints;
3. Bifurcation of property by existing zoning line; and
4. For such further reasons that will be presented at the hearing on this Petition.

279-

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

January 15, 2001

**ZONING DESCRIPTION FOR
LOT 3 "TAYLOR'S GLEN"
5702 MT. GILEAD ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT.
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point located 30 feet, more or less, north of the centerline of Mt. Gilead Road, which is 16 feet wide at a distance of 4419 feet, more or less, East of the centerline of the nearest improved intersecting street Emory Road, which is 30 feet wide; thence running the following courses and distances, viz.:

- 1) North 04 degrees 16 minutes 49 seconds West, 75.50 feet,
- 2) North 56 degrees 10 minutes 47 seconds East, 37.36 feet,
- 3) North 35 degrees 44 minutes 33 seconds East, 104.00 feet,
- 4) North 57 degrees 13 minutes 51 seconds East, 160.00 feet,
- 5) North 22 degrees 24 minutes 29 seconds West, 211.83 feet,
- 6) North 66 degrees 41 minutes 47 seconds East, 154.34 feet,
- 7) South 40 degrees 56 minutes 50 seconds East, 131.63 feet,
- 8) South 05 degrees 52 minutes 57 seconds East, 102.08 feet,
- 9) South 23 degrees 21 minutes 57 seconds East, 140.94 feet,
- 10) South 19 degrees 09 minutes 49 seconds West, 42.91 feet,
- 11) South 75 degrees 43 minutes 10 seconds West, 65.97 feet,
- 12) North 65 degrees 48 minutes 01 seconds West, 72.50 feet,
- 13) North 30 degrees 49 minutes 24 seconds West, 102.22 feet,
- 14) South 57 degrees 13 minutes 51 seconds West, 163.67 feet,
- 15) South 35 degrees 44 minutes 33 seconds West, 103.81 feet,
- 16) South 56 degrees 10 minutes 47 seconds West, 38.51 feet,
- 17) South 04 degrees 16 minutes 49 seconds East, 61.00 feet,
- 18) By a curve to the left having a radius of 150.00 feet and an arc length of 12.12 feet being subtended by a chord bearing South 86 degrees 15 minutes 16 seconds East, and being a distance of 12.12 feet to the point and place of beginning, as now surveyed.

CONTAINING 1.593 acres of land, more or less.

BEING part of the land described in Deed Liber 14414, folio 615.

ALSO BEING known as Lot 3 of the proposed subdivision "Taylor's Glen" PDM #IV-560 and being located at 5702 Mt. Gilead Road and located in the 4th Election District, 3rd Councilmanic District.

01-279-A

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McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

January 15, 2001

**ZONING DESCRIPTION FOR
LOT 4 "TAYLOR'S GLEN"
5704 MT. GILEAD ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT.
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point located 30 feet, more or less, north of the centerline of Mt. Gilead Road, which is 16 feet wide at a distance of 4419 feet, more or less, East of the centerline of the nearest improved intersecting street Emory Road, which is 30 feet wide; thence running the following courses and distances, viz.:

- 1) By a curve to the left having a radius of 150.00 feet and an arc length of 12.02 feet being subtended by a chord bearing South 89 degrees 08 minutes 03 seconds East and having a distance of 12.02 feet,
- 2) North 04 degrees 16 minutes 49 seconds West, 79.48 feet,
- 3) North 26 degrees 56 minutes 12 seconds West, 137.67 feet,
- 4) North 53 degrees 07 minutes 47 seconds East, 132.41 feet,
- 5) North 02 degrees 14 minutes 59 seconds West, 130.33 feet,
- 6) North 66 degrees 41 minutes 47 seconds East, 130.07 feet,
- 7) South 22 degrees 24 minutes 29 seconds East, 211.83 feet,
- 8) South 57 degrees 13 minutes 51 seconds West, 160.00 feet,
- 9) South 35 degrees 44 minutes 33 seconds West, 104.00 feet,
- 10) South 56 degrees 10 minutes 47 seconds West, 37.36 feet,
- 11) South 04 degrees 16 minutes 49 seconds East, 75.50 feet, to the point and place of beginning, as now surveyed.

CONTAINING 1.016 acres of land, more or less.

BEING a part of the land described in Deed Liber 14414, folio 615.

ALSO BEING known as Lot 4 of the proposed subdivision "Taylor's Glen" PDM #IV-560 and being located at 5704 Mt. Gilead Road and located in the 4th Election District, 3rd Councilmanic District.

01-279-A

279

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

January 15, 2001

**ZONING DESCRIPTION FOR
LOT 5 "TAYLOR'S GLEN"
5706 MT. GILEAD ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT.
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point located 30 feet, more or less, north of the centerline of Mt. Gilead Road, which is 16 feet wide at a distance of 4199 feet, more or less, East of the centerline of the nearest improved intersecting street Emory Road, which is 30 feet wide; thence running the following courses and distances, viz.:

- 1) North 41 degrees 30 minutes 31 seconds West, 211.12 feet,
- 2) North 58 degrees 54 minutes 40 seconds East, 262.89 feet,
- 3) North 53 degrees 07 minutes 47 seconds West, 26.46 feet,
- 4) South 26 degrees 56 minutes 12 seconds East, 137.67 feet,
- 5) South 04 degrees 16 minutes 49 seconds East, 79.48 feet,
- 6) By a curve to the left having a radius of 150 feet and an arc length of 96.70 feet being subtended by a chord bearing South 68 degrees 22 minutes 10 seconds West, and having a distance of 95.03 feet,
- 7) South 49 degrees 54 minutes 05 seconds West, 112.87, to the point and place of beginning, as now surveyed.

CONTAINING 1.170 acres of land, more or less.

BEING a part of the land described in Deed Liber 14414, folio 615.

ALSO BEING known as Lot 5 of the proposed subdivision "Taylor's Glen" PDM #IV-560 and being located at 5706 Mt. Gilead Road and located in the 4th Election District, 3rd Councilmanic District.

01-279-A

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McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

January 15, 2001

ZONING DESCRIPTION FOR

"TAYLOR'S GLEN"

5708 MT. GILEAD ROAD

4TH ELECTION DISTRICT

3RD COUNCILMANIC DISTRICT.

BALTIMORE COUNTY, MARYLAND

BEGINNING at a point located 30 feet, more or less, north of the centerline of Mt. Gilead Road, which is 16 feet wide at a distance of 4199 feet, more or less, East of the centerline of the nearest improved intersecting street Emory Road, which is 30 feet wide; thence running the following courses and distances, viz.:

- 1) South 49 degrees 54 minutes 05 seconds West, 171.62 feet,
- 2) By a curve to the right having a radius of 240 feet and an arc length of 100.88 feet being subtended by a chord bearing South 61 degrees 56 minutes 37 seconds West, and having a distance of 100.14 feet,
- 3) North 28 degrees 09 minutes 54 seconds West, 65.11 feet,
- 4) North 02 degrees 34 minutes 05 seconds West, 159.23 feet,
- 5) North 49 degrees 49 minutes 51 seconds East, 153.90 feet,
- 6) South 41 degrees 30 minutes 31 seconds East, 211.12 feet, to the point and place of beginning, as now surveyed.

CONTAINING 1.088 acres of land, more or less.

BEING a part of the land described in Deed Liber 14414, folio 615.

ALSO BEING known as Lot 6 of the proposed subdivision "Taylor's Glen" PDM #IV-560 and being located at 5708 Mt. Gilead Road and located in the 4th Election District, 3rd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

90619

No.

01-279-9

DATE 1-16-01 ACCOUNT R-201-12150
AMOUNT \$ 200.00

RECEIVED FROM: McDermott Associates

FOR: Residential Variance Filing Fee
5700 West of AT School Rd (Lot 723 + 506)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT NO. TIME
1/16/2001 1/16/2001 10:20:33

REG. NO. 43 CASHIER. COLIND DRAKE
DATE 5 BSN 200105 IDENTIFICATION
Receipt # 107752
PR. NO. 290619

Receipt for 200.00
200.00 OK 200.00
Baltimore County, Maryland

CASHIER'S VALIDATION

ZONING NOTICE

CASE # 01-279-A

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

ROOM 407, COUNTY COURTS

PLACE: BLDG. - 401 BOSLEY AVENUE

DATE AND TIME: WEDNESDAY, MARCH 14, 2001
AT 2:00 P.M.

REQUEST: VARIANCE TO PERMIT 50 FOOT

SETBACK FROM A R.C. 2 ZONE LINE

INTERIOR TO THE SUBJECT PROPERTY

IN LIEU OF THE 100 FEET REQUIRED

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

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

ZONING NOTICE

CASE # 01-279-A

A PUBLIC HEARING WILL BE HELD BY
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HANDICAPPED ACCESSIBLE

Notice of

HEARING OFFICER'S
HEARING

For

TAYLORS GLEN, PDM# R-560

DATE AND TIME: WEDNESDAY, MARCH 14, 2001
AT 2:00 P.M.

ROOM 407, COUNTY BUILDING

PLACE: BLDG. - 401 BOSLEY AVENUE

DATE AND TIME: WEDNESDAY, MARCH 14, 2001
AT 2:00 P.M.

REQUEST: VARIANCE TO PERMIT 50 FOOT

SETBACK FROM A R.C. 2 ZONE LINE

INTERIOR TO THE SUBJECT PROPERTY

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TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

**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: #01-279-A
5702, 5704, 5706, 5708,
Mt. Gilead Road
NE/S Mt. Gilead Road,
4419 SE of Emory Road
4th Election District
3rd Councilmanic District
Legal Owner(s): Ruth P. &
Samuel Glenn Eisleroad
Variance: to permit a 50-
foot setback from a R.C.2
zone line, interior to the
subject property in lieu of
the 100 feet required.
Hearing: **Wednesday,
March 14, 2001 at 2:00
p.m. in Room 407, County
Courts Building, 401 Bos-
ley 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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/2/57 Feb: 27 C453136

CERTIFICATE OF PUBLICATION

TOWSON, MD, 3/11, 2001

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 2/27, 2001.


THE JEFFERSONIAN,
ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-279-A

Petitioner/Developer: _____

SAMUEL GLENN ELSE ROAD

Date of Hearing/Closing: MAR 14, 2001

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 the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

5702 - #5708 MT. GILEAD ROAD

The sign(s) were posted on FEBRUARY 12TH 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

RE: PETITION FOR VARIANCE
5702, 04, 06, 08 Mt. Gilead Road, NE/S Mt. Gilead Rd,
4419' SE of Emory Rd
4th Election District, 3rd Councilmanic

Legal Owner: Samuel G. & Ruth P. Elseroad
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-279-A

* * * * *

ENTRY OF APPEARANCE

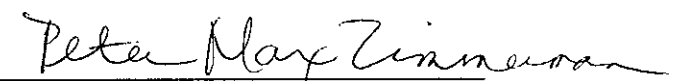
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 31st day of January, 2001 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



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

January 31, 2001

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: 01-279-A
5702, 5704, 5706, 5708 Mt Gilead Road
NE/S Mt Gilead Road, 4419' SE of Emory Road
4th Election District – 3rd Councilmanic District
Legal Owners: Ruth P & Samuel Glenn Elseroad

Variance to permit a 50-foot setback from a R.C.2 zone line, interior to the subject property in lieu of the 100 feet required.

HEARING: Thursday, March 1, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script that reads "Arnold Jablon". Below the signature, the initials "G.D.Z." are printed.

Arnold Jablon
Director

C: Howard L Alderman Jr Esquire, Levin & Gann PA, 502 Washington Avenue,
8th Floor, Towson 21204
Ruth P & Samuel Glenn Elseroad, 5423 Mt Gilead Road, Reisterstown 21136
McKee & Associates Inc, 5 Shawan Road Suite 1, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 14, 2001**
(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

February 2, 2001

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: 01-279-A
5702, 5704, 5706, 5708 Mt Gilead Road
NE/S Mt Gilead Road, 4419' SE of Emory Road
4th Election District – 3rd Councilmanic District
Legal Owners: Ruth P & Samuel Glenn Elseroad

Variance to permit a 50-foot setback from a R.C.2 zone line, interior to the subject property in lieu of the 100 feet required.

HEARING: Wednesday, March 14, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon
Director

C: Howard L Alderman Jr Esquire, Levin & Gann PA, 502 Washington Avenue,
8th Floor, Towson 21204
Ruth P & Samuel Glenn Elseroad, 5423 Mt Gilead Road, Reisterstown 21136
McKee & Associates Inc, 5 Shawan Road Suite 1, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 27, 2001**
- (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.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 13, 2001 Issue – Jeffersonian

Please forward billing to:
S Glenn Elseroad
5423 Mt Gilead Road
Reisterstown MD 21136

410 429-3990

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: 01-279-A
5702, 5704, 5706, 5708 Mt Gilead Road
NE/S Mt Gilead Road, 4419' SE of Emory Road
4th Election District – 3rd Councilmanic District
Legal Owners: Ruth P & Samuel Glenn Elseroad

Variance to permit a 50-foot setback from a R.C.2 zone line, interior to the subject property in lieu of the 100 feet required.

HEARING: Thursday, March 1, 2001 at 9:00 a.m. in Room 407, County Courts Building, 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.
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TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 27, 2001 Issue – Jeffersonian

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S Glenn Elseroad
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Reisterstown MD 21136

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**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/neighbor 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: 01-279-A

Petitioner: SAMUEL GLENN ELSERAD & RUTH P. ELSERAD

Address or Location: 5700 BLOCK MT. GILEAD ROAD, RESTON TOWN MD 21136
(A.K.A "TAYLORS GLEN". P.D.M.# 1V-560)

PLEASE FORWARD ADVERTISING BILL TO:

Name: S. GLENN ELSERAD

Address: 5423 MT. GILEAD ROAD
RESTON TOWN, MD 21136

Telephone Number: 410 429 3990

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

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

March 9, 2001

Howard L Alderman Jr
Levin & Gann
504 Washington Avenue 8th Floor
Towson MD 21204

Dear Mr. Alderman:

RE: Case Number: 01-279-A, 5700 Mount Gilead Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 16, 2001.

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: Ruth P & Samuel G Elseroad, 5423 Mt Gilead Rd, Reisterstown 21136
McKee & Associates Inc, 5 Shawan Road Suite 1, Cockeysville 21030
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 6, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For February 5, 2001
Item Nos. 279, 280, 281, 283, 285,
286, and 287

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

January 31, 2001

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: SEE BELOW

Location: DISTRIBUTION MEETING OF January 29, 2001

Item No.: See Below

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

279, 280, 283, AND 284

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: February 5, 2001

SUBJECT: Zoning Item #279
Taylor's Glen
5700 Block Mount Gilead Road

Zoning Advisory Committee Meeting of January 29, 2001

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X See the attached Development Plan Comments.

ATTACHMENT

Reviewer: John Russo

Date: February 1, 2001

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

DEVELOPMENT PLAN COMMENTS

Project Name: Taylor's Glen

Project Location: Mt. Gilead Road

Date of Meeting: February 21, 2001

Reviewer(s): John Russo, Rob Powell, Bruce Seeley, Wally Lippincott *MS*

ENVIRONMENTAL IMPACT REVIEW

The following requirements have not been provided and/or approved:

- X A Preliminary Forest Conservation Plan.
- X The following corrections must be made to the Development Plan prior to approval:
- X The Forest Buffer and/or Forest Conservation area must be labeled as an Easement or Reservation.
- X The Forest Buffer and/or Forest Conservation area must be recorded as an Easement or a Reservation.
- X An Environmental Agreement (EA) must be submitted prior to building or grading permits.
- X EIR needs to review the following plans during Phase II:
- X Final Forest Conservation Plan.
- X Additional Comments:
1. The 100 Year Floodplain is not accurately shown on the plan.
 2. In two places the stream is shown outside of the high water level.
 3. The Forest Buffer Easement is incorrectly shown. Comment #2 in the November 28, 2000 letter must be addressed. In addition, label the existing stream along Mt. Gilead Road.
 4. The Forest Conservation Easement is incorrectly shown and labeled on the plan. The Forest Conservation Easement leader lines do not connect to the floodplain.

DEVELOPMENT PLAN COMMENTS

Project Name: Taylor's Glen

Date of Meeting: February 21, 2001

GROUNDWATER MANAGEMENT

1. Add a note to the plan stating that sewage ejector pumps may be required for the septic system to serve the proposed dwelling for Lot 1.
2. The highest portion of the sewage disposal reserve areas for Lots 2 and 3 should be revised to be at least 50 feet in length, on contour.

AGRICULTURAL PRESERVATION

1. Prior to Record Plat approval, a signed Conservancy Area Easement Agreement must be submitted to Agricultural Preservation.

Jim
3/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 31, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-279, 01-286, & 01-287.

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.31.01

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

RE: Baltimore County
Item No. 279

JJS/JLL

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,

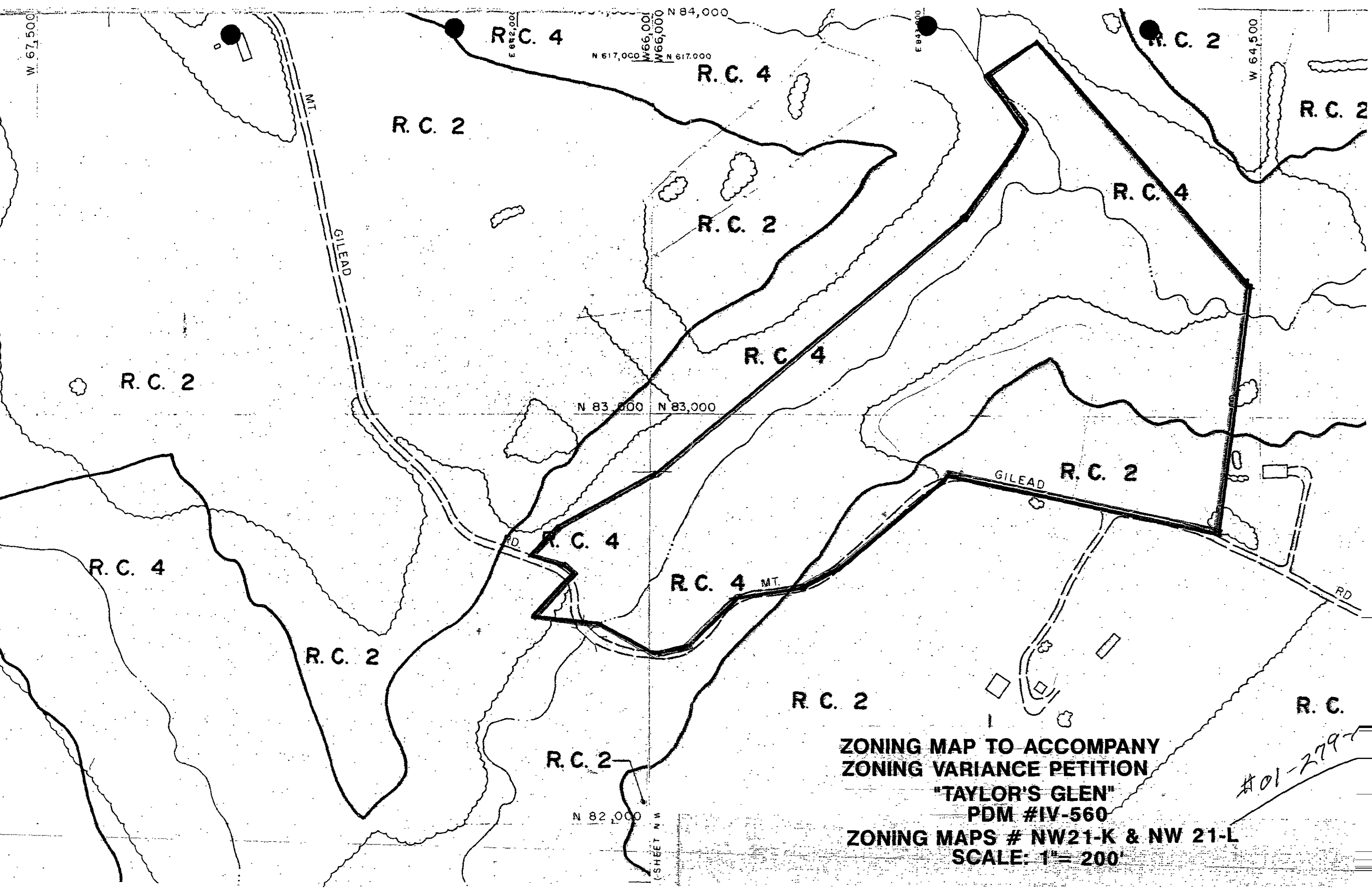
1r

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



ZONING MAP TO ACCOMPANY
ZONING VARIANCE PETITION
"TAYLOR'S GLEN"
PDM #IV-560

ZONING MAPS # NW21-K & NW 21-L
SCALE: 1"= 200'

A01-279-1

DELINQUENT ACCOUNT STATEMENT

GENERAL NOTES

- [illegible]

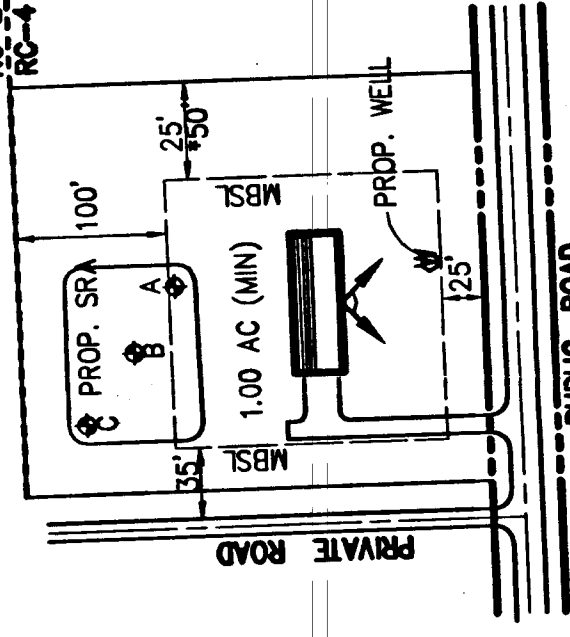
SITE DATA

SITE DATA

GROSS AREA OF SITE = 25,082 AC±
NET AREA OF SITE = 23,457 AC±
NET AREA OF OPENING AREA = 1,625 AC±
HIGHWAY FRONTAGE = 1,625 AC±
TAX MAP REFERENCE: 14414/615
TAX ACCOUNT NO.: 2300008285
TAX MAP 31, GRID 15, PARCEL NO. 357
CENSUS TRACT: 04046.01
REGIONAL PLANNING DISTRICT: 303
SCHOOL DISTRICT: FRANKLIN ELEMENTARY
WATERSHED: 351
SUB-DRAINAGE: RC-2 & RC-4
No. OF LOTS PERMITTED: (RC-2=2 LOTS)
No. OF LOTS PROPOSED: (RC-2=2)H
COUNCILMANIC DISTRICT: 307
TRANSPORTATION ZONE: 40D

RC-4 DATA

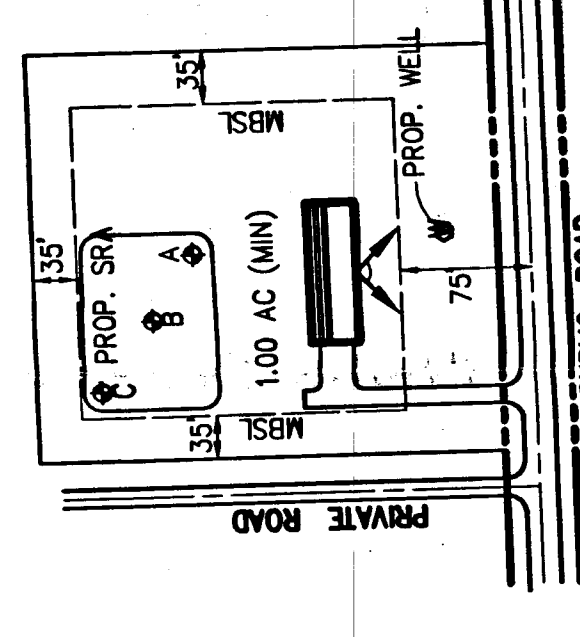
RC-4 DATA
 RC-4 ACREAGE = 21.0 AC±
 LOTS ALLOWED IN RC-4 (AC × 0.2) = 21.0 × 0.2 = 4.2 = 4
 EXISTING LOTS = 0
 PROPOSED LOTS = 0
 REMAINING DENSITY = 0
 MAXIMUM RC-4 BUILDING AREA (30% × ACREAGE) = 6.30 AC±
 PROPOSED RC-4 BUILDING AREA = 5.65 AC±
 MIN. REQUIRED CONSERVANCY AREA (AC × 0.7) = 14.70 AC±
 EXISTING CONSERVANCY AREA = 15.22 AC±



TYPICAL RC-4 LOT
NOT TO SCALE

NOTE: THE MAXIMUM BUILDING HEIGHT FOR PRINCIPLE BUILDINGS IN RC-4 IS 35'

*NOTE: 50' SETBACK IS REQUIRED WHEN ADJACENT TO AGRICULTURALLY USED CONSERVANCY AREA.



TYPICAL RC-2 LOT
NOT TO SCALE

NOTE: THE MAXIMUM BUILDING HEIGHT FOR PRINCIPAL BUILDINGS IN RC-2 IS 3

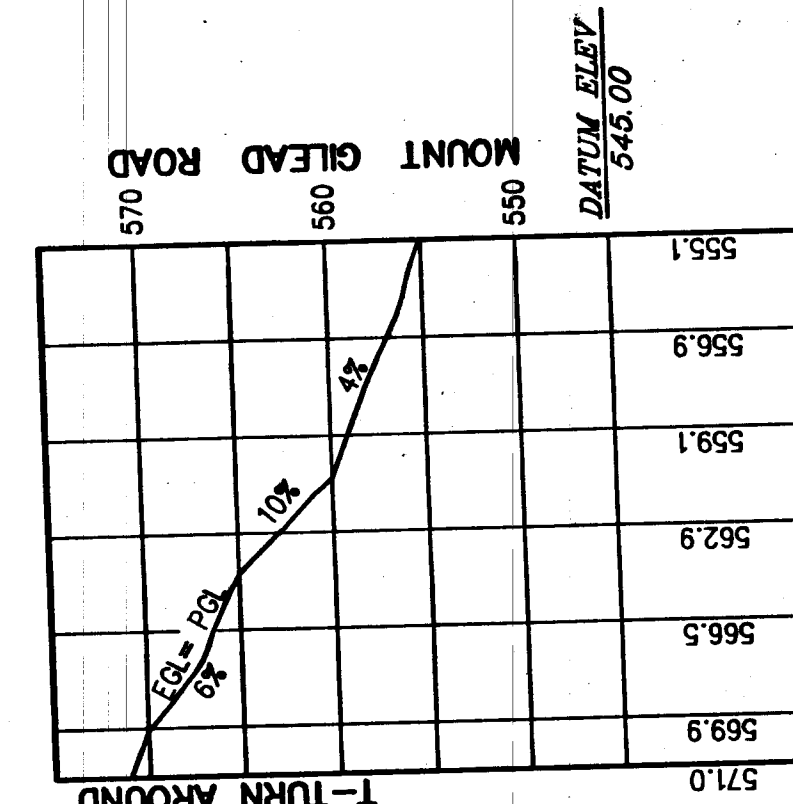
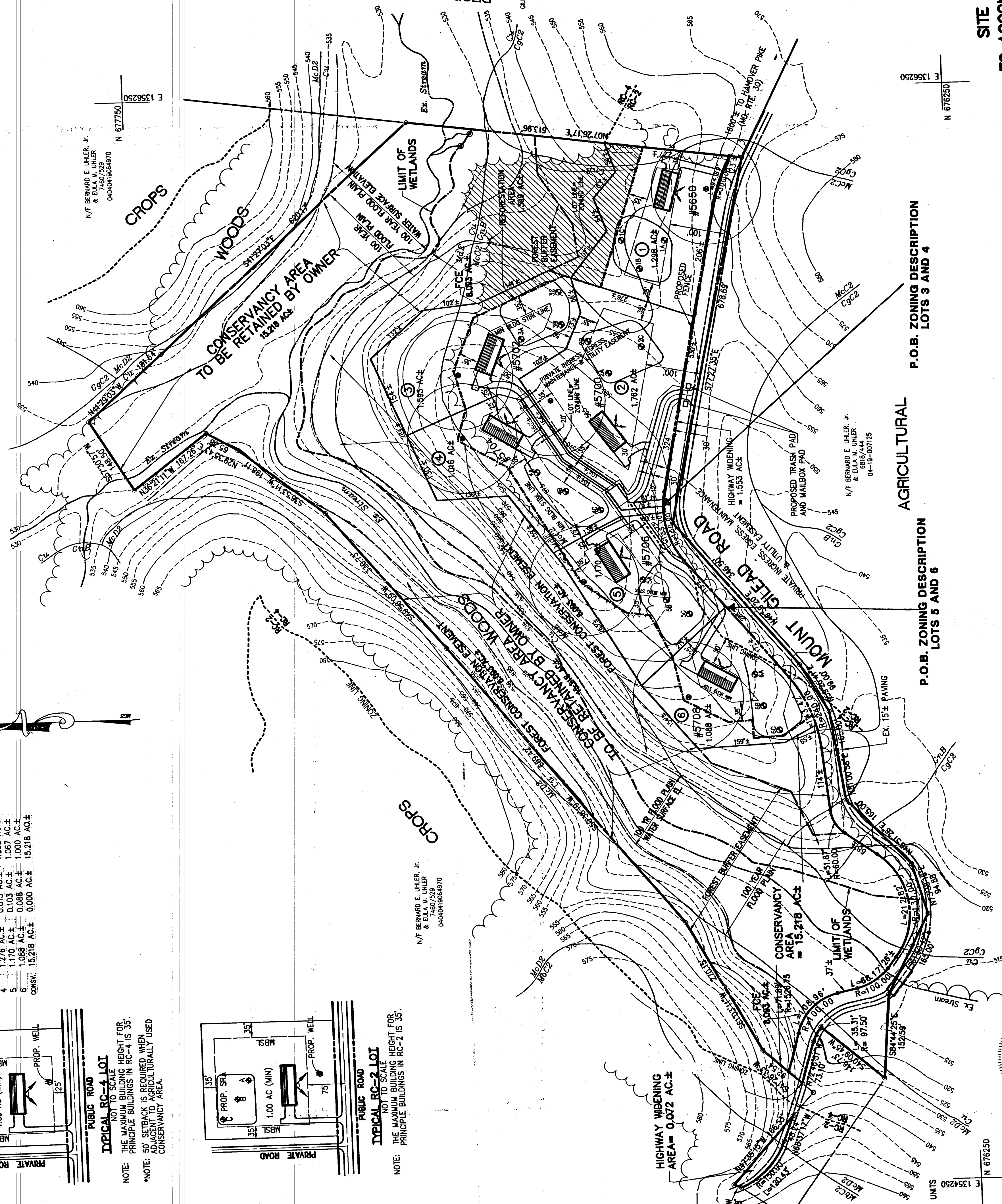
LOT	TOTAL AREA	RC-2 AREA	RC-4 AREA
1	1,298 AC.±	1,298 AC.±	0.000 AC.±
2	1,762 AC.±	1,762 AC.±	0.000 AC.±
3	1,593 AC.±	0.016 AC.±	1,577 AC.±
4	1,276 AC.±	0.013 AC.±	1,263 AC.±
5	1,170 AC.±	0.103 AC.±	1,067 AC.±
6	1,088 AC.±	0.088 AC.±	1,000 AC.±
CONV.	15,218 AC.±	0.000 AC.±	15,218 AC.±

PUBLIC ROAD
TYPICAL PC-A LOT

TYPICAL NOTES:
NOT TO SCALE
NOTE: THE MAXIMUM BUILDING HEIGHT FOR PRINCIPLE BUILDINGS IN RC-4 IS 35'
*NOTE: 50' SETBACK IS REQUIRED WHEN ADJACENT TO AGRICULTURALLY USED CONSERVANCY AREA.

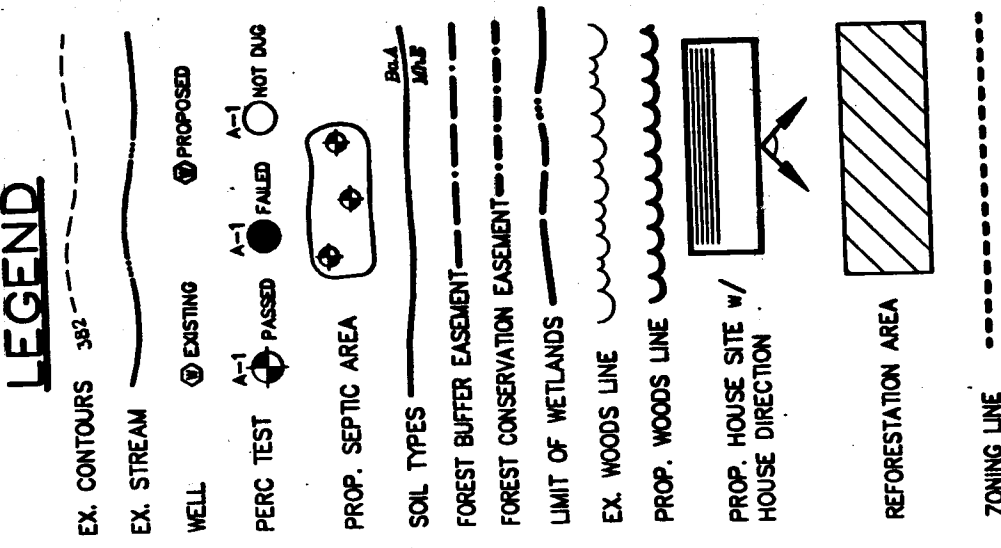
PUBLIC ROAD
SECTION BC-2 LOT 10

NOTE: THE MAXIMUM BUILDING HEIGHT FOR PRINCIPAL BUILDINGS IN RC-2 IS 3 NOT TO SCALE



0047

HOR. SCALE: 1"=100'



GILBERT H. GOODMAN &
PEGGY GOODMAN
5141/222
04-13-022827

**P.O.B. ZONING DESCRIPTION
LOTS 3 AND 4**

AGRICULTURAL

P.O.B. ZONING DESCRIPTION

**SITE DEVELOPMENT PLAN AND PLAN
TO ACCOMPANY ZONING VARIANCE PETITION
TAYLOR'S GLEN**

4th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 100'
TAX MAP: 39 GRID: 3 PARCEL: 86
3rd COUNCILMANIC DISTRICT
TAX ACCOUNT NO. 2300008285
P.O. # IV-560

OWNER/DEVELOPER
S. GLENN ELSEROD
5423 MT. GILEAD ROAD
REISTERSTOWN, MARYLAND 21133
(410) 429-3990

McKEE & ASSOCIATES, INC.

Engineering - Land Planning - Land Surveying
Natural Resource Planning - Real Estate Development
COCKEYSVILLE, MARYLAND 21030
5 SHAWAN ROAD, Suite 1
COLUMBIA, PA. 17103 527-1563

JAMES W. MCKEE
MARYLAND REG. No. 901

DATE 1/10/01