IN RE: PETITION FOR SPECIAL EXCEPTION N/W corner of Belair Road and Pinedale Drive 11th Election District 5th Councilmanic District (9414 Belair Road) Shannon Patrick Kennedy and David A. Smoley *Petitioner*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 02-551-XA

* * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception and Variance for property located at 9414 Belair Road. The special exception and variance requests were filed by the legal owners of the subject property, Shannon P. Kennedy and David A. Smoley, by and through their attorney, Howard L. Alderman, Jr. The Petitioners are requesting special exception relief for permission to construct a Class B office building on the subject site. In addition, the Petitioners are requesting variance relief from Section 204.4.C.9.c.(1) of the Baltimore County Zoning Regulations, to permit a 10 ft. wide landscape buffer (rear) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 ft. and a 5 ft. wide landscape buffer (side) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 ft.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 0.853 acres of land, more or less, zoned R-O. The subject property is located on the northwest corner of the intersection of Belair Road and Pinedale Drive in Perry Hall. The property is currently improved with an existing single-family dwelling. The property owner wishes to tear down the old house and construct a 9,555 sq. ft. office building in its place. The details of the proposed development are more particularly shown on Petitioners' Exhibit No. 1,

ORDER RECEIVED FOR FILING
Date 7/29/02
By

the site plan submitted into evidence. In order to proceed with the construction of this office building the special exception request is necessary.

Appearing as an interested citizen in the matter was William Libercci, representing the Perry Hall Improvement Association. Mr. Libercci testified that his association entered into a restrictive covenant and improvements agreement dated the 7th day of October, 2000. That agreement was entered into evidence as Petitioners' Exhibit No. 2. Furthermore, Mr. Libercci testified that his association is requesting that the exit onto Belair Road from the subject property be a right-turn only exit. This will prevent individuals from attempting to make a left turn onto Belair Road, which can be a very dangerous maneuver.

Also appearing at the hearing and testifying in opposition to the Petitioners' request were Daryl Carpenter and George Mojzisek. These residents are very much concerned over the additional traffic which will be generated by this office building. Testimony indicated that Pinedale Drive is currently used by motorists as a shortcut from Belair Road to Seven Courts Drive. The use of the road as a cut through, coupled with the additional traffic generated by this office building causes these citizens concern over the amount of traffic at this intersection. Ms. Carpenter also testified that Pinedale Drive does not have curb and gutter over its entire length, which causes residents to have to utilize the paved portion of the roadway for pedestrian travel. Ms. Carpenter asks that the special exception not be granted to allow this office building to be constructed.

In addition to the special exception request to construct this building, the Petitioners are also requesting variance relief to allow a 10 ft. wide landscape buffer to the rear of the property, adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 ft. and a 5 ft. wide landscape buffer on the side of the building adjacent to a predominantly

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Date 7/29/02
By R. Jamison

residentially zoned property in lieu of the minimum required 20 ft. Testimony and evidence offered by the Petitioner demonstrated that the areas set aside on the site plan submitted into evidence for landscaping are sufficient to provide an adequate screen to the surrounding properties. The 5 ft. wide buffer on the north side of the property abuts the Masonic Temple. The Masonic Temple property is zoned residential, however its use is institutional in nature. The property to the west, owned by John and Betty Pitcock, has a sufficient amount of screening. Accordingly, the variance shall be granted.

After considering the testimony and evidence offered in support, as well as the testimony in opposition to the Petitioners' request, I find that the special exception should be granted to allow the building to be constructed on this property. Furthermore, the variance relief should also be granted to allow a reduction in the landscape buffer areas as shown on the site plan submitted into evidence.

THEREFORE IT IS ORDERED, this 29th day July, 2002, by this Deputy Zoning Commissioner, that the Special Exception to construct a Class B office building in an R-O zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the variance relief to permit a 10 ft. wide landscape buffer (rear) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 ft. and a 5 ft. wide landscape buffer (side) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the relief granted herein is subject to the following conditions and restrictions:

1. The Petitioners shall be required to submit a landscape plan to Avery Harden, Landscape Architect for Baltimore County, for his full review and approval.

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Date 7/29/02
By J. Jenkins

2. The Restrictive Covenant and Improvements Agreement entered into with the Perry Hall Improvement Association dated October 7, 2000, a copy of which was submitted into evidence as Petitioners' Exhibit No. 2 shall be incorporated into this Order and enforceable as if part of this Order.

3. The Petitioners shall be required to designate the access to Belair Road as a right-turn exit only. Motorists leaving the subject site shall not be permitted to make left turns on Belair Road from that access point.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 7/29/02
By R. Jameson

Baltimore County
Zoning Commissioner

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

July 29, 2002

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

RE: Petitions for Special Exception & Variance
Case No. 02-551-XA
Property: 9414 Belair Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special exception and variance have been granted 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 Office of Permits and 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

Printed with Soybean Ink
on Recycled Paper

Copies to:

S. Patrick Kennedy
2613 Gunpowder Farms Road
Fallston, MD 21047

Cathy Werner
2613 Gunpowder Farms Road
Fallston, MD 21047

William Libercci
19 Shawn Court
Baltimore, MD 21236

Daryl Carpenter
4002 Pinedale Drive
Baltimore, MD 21236

George Mojzisek
4005 Pinedale Drive
Baltimore, MD 21236

Charles E. Lawrence, Jr.
2056 Rainier Avenue
Belair, MD 21015

Copies to:

S. Patrick Kennedy
2613 Gunpowder Farms Road
Fallston, MD 21047

Cathy Werner
2613 Gunpowder Farms Road
Fallston, MD 21047

William Libercci
19 Shawn Court
Baltimore, MD 21236

Daryl Carpenter
4002 Pinedale Drive
Baltimore, MD 21236

George Mojzisek
4005 Pinedale Drive
Baltimore, MD 21236

Charles E. Lawrence, Jr.
2056 Rainier Avenue
Belair, MD 21015

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 9414 Belair Road

which is presently zoned R-O

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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A Class "B" Office Building in an R-O Zone

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Exception, 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

Legal Owner(s):

Shannon Patrick Kennedy
Name - Type or Print

Signature

David A. Smoley
Name - Type or Print

x David A. Smoley
Signature

6067 Harford Road (410) 254-2100
Address Telephone No.

Baltimore, Maryland 21214
City State Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr.
Name - Type or Print

Signature

Levin and Gann, P.A.
Company

Nottingham Centre, 8th Floor
502 Washington Avenue (410) 321-0600
Address Telephone No.

Towson, Maryland 21204
City State Zip Code

Representative to be Contacted:

Geoffrey C. Schultz
McKee & Associates, Inc.
Name

5 Shawan Road, Suite 1 (410) 527-1555
Address Telephone No.

Cockeysville, Maryland 21030
City State Zip Code

ORDER RECEIVED FOR FILING
Date 7/22/02
By

Case No. 02-551-XA

REV 09/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date 6/5/02

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9414 Belair Road

which is presently zoned R-O

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)

204.4 C.9.c.(1) to permit a 10-foot wide landscape buffer (rear) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 feet and a 5-foot wide landscape buffer (side) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 feet.

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

The parcel is a small irregularly shaped lot with existing topographic constraints and for such other reasons which will be presented at the 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

Legal Owner(s):

Shannon Patrick Kennedy
Name - Type or Print

Signature

David A. Smoley
Name - Type or Print

David A. Smoley
Signature

6067 Harford Road (410) 254-2100
Address — Telephone No.

Baltimore, Maryland 21214
City — State — Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr.
Name - Type or Print

Howard L. Alderman
Signature

Levin and Gann, P.A.
Company

Nottingham Centre, 8th Floor
502 Washington Avenue (410) 321-0600
Address — Telephone No.

Towson, Maryland 21204
City — State — Zip Code

Representative to be Contacted:

Geoffrey C. Schultz
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 _____

UNAVAILABLE FOR HEARING _____

Case No. 02-551-XA

Reviewed By BK Date 6/5/02

REV 9/15/98

McKEE & ASSOCIATES, INC.
Engineering • Surveying • Environmental Planning
Real Estate Development

June 5, 2002

ZONING DESCRIPTION OF 9414 BELAIR ROAD
11TH ELECTION DISTRICT
5TH COUNCILMAN DISTRICT
BALTIMORE, MD

BEGINNING for the same at the intersection of the Northwest side of Belair Road (Right-of-Way width varies) and the Northeast side of Pinedale Drive (50 foot wide Right-of-way), thence running along the Northwest side of Belair Road N42-27-07E 187.52 feet, thence running N79-09-04W 210.32 feet and S22-27-27W 122.79 feet to the Northeast side of Pinedale Drive, thence running along the Northeast of Pinedale Drive the three following courses and distances. 1) by a curve to the right, having a radius of 205.00 feet and an arc length of 60.90 feet, 2) S47-34-50E 44.57 feet, and 3) S89-16-46E 43.64 feet to the place of beginning.

CONTAINING 26,586 SF or 0.610 acres of land as recorded in Deed Liber 14147 Folio 30.

STATE OF MARYLAND
JAMES WILLIAM MCKEE
NO. 9012
REGISTERED
PROFESSIONAL LAND SURVEYOR

6/5/02

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030
Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

#551

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 14305

DATE 6/5/02 ACCOUNT R001-006-6150

AMOUNT $ 550.00

RECEIVED FROM: Smolen Development, Inc.

FOR: Special Exception & Variance

DISTRIBUTION:
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item #651

PAID RECEIPT

BUSINESS	ACTUAL	TIME
6/06/2002	6/05/2002	11:08:34

REG USER WALKIN DBOL DAU DRAWER 2
>>RECEIPT # 184312 6/05/2002 OPLN
Dep 5 528 ZONING VERIFICATION
CR #0. 014305
Recpt Tot $550.00
550.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #02-551-XA
9414 Belair Road
N/west corner Belair and Pinedale Drive
11th Election District - 5th Councilmanic District
Legal Owner(s): Shannon P. Kennedy and David A. Smoley

Special Exception: for a Class "B" office building in a RO zone. **Variance:** to permit a 10-feet wide landscape buffer (rear) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 feet and a 5 foot wide landscape buffer (side adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 feet.

Hearing: Tuesday, July 23, 2002 at 9:00 a.m. in Room 106, Baltimore 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 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.

JT/7/691 July 9 C549277

CERTIFICATE OF PUBLICATION

7/11, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/9/, 2002.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-551-XA

Petitioner/Developer: SMOLEY, ETAL
McKEE / SCHULTZ

Date of Hearing/Closing: 7/23/02

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

Attention:

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 #9414 - BELAIR RD.

The sign(s) were posted on 7/7/02
(Month, Day, Year)

Sincerely,

7/12/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

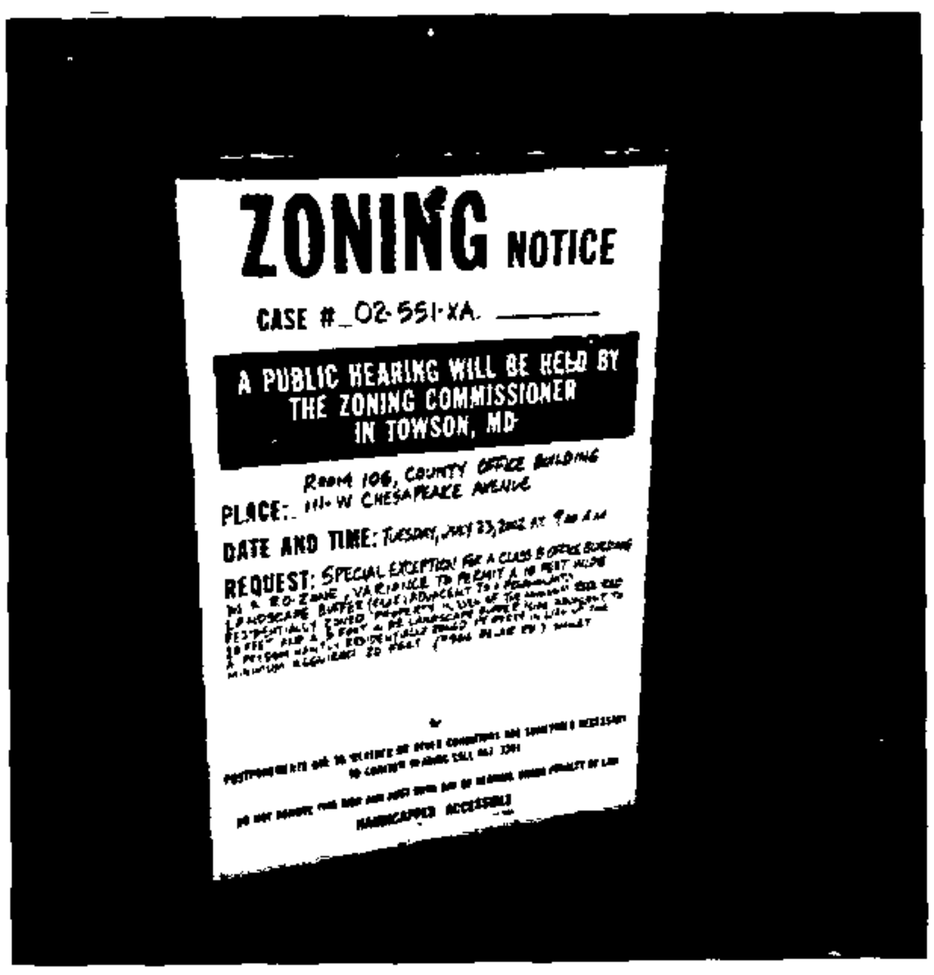
523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

Post-It® Fax Note 7671

Date	# of pages ▶
To	From
Dept.	Co.
Phone #	Phone #
Fax #	Fax #



02-551-XA
9414 - BELAIR RD.
SMOLEY/SULLIVAN etal 7/23/02
SMOLEY-SULLIVAN etal 7/23/02

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: 02-551-XA

Petitioner: SHANNON PATRICK KENNEDY

Address or Location: 9414 BELAR ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: SHANNON PATRICK KENNEDY

Address: 2613 GUNPOWDER FARMS ROAD
FALLSTON MD 21047-2205

Telephone Number: 410-527-1555

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 9, 2002 Issue – Jeffersonian

Please forward billing to:
Shannon P. Kennedy 410-527-1555
2613 Gunpowder Farms Road
Fallston, MD 21047-2205

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: 02-551-XA
9414 Belair Road
N/west corner Belair and Pinedale Drive
11th Election District – 5th Councilmanic District
Legal Owner: Shannon P. Kennedy and David A. Smoley

Special Exception for a Class "B" office building in a RO zone. Variance to permit a 10-feet wide landscape buffer (rear) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 feet and a 5 foot wide landscape buffer (side adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 feet.

HEARING: Tuesday, July 23, 2002 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Lawrence E. Schmidt
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.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 20, 2002

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: 02-551-XA
9414 Belair Road
N/west corner Belair and Pinedale Drive
11th Election District – 5th Councilmanic District
Legal Owner: Shannon P. Kennedy and David A. Smoley

Special Exception for a Class "B" office building in a RO zone. Variance to permit a 10-feet wide landscape buffer (rear) adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 feet and a 5 foot wide landscape buffer (side adjacent to a predominantly residentially zoned property in lieu of the minimum required 20 feet.

HEARING: Tuesday, July 23, 2002 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon
Director

C: Howard L. Alderman, Esquire, Nottingham Centre, 8th Fl., 502 Washington Avenue, Towson 21204
Shannon P. Kennedy and David A. Smoley, 6067 Harford Road, Baltimore 21214
Geoffrey C. Schultz, McKee & Associates, 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 MONDAY, JULY 8, 2002.**
(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.

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

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 19, 2002

Howard L Alderman Jr
Levin & Gann
Nottingham Centre, 8th Flr
502 Washington Avenue
Towson MD 21204

Dear Mr. Alderman:

RE: Case Number: 02-551-XA, 9414 Belair Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 05, 2002.

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 Shannon P Kennedy & David A Smoley, 6067 Harford Road, Baltimore 21214
Geoffrey C Schultz, McKee & Associates Inc, 5 Shawan Road, Suite 1, Cockeysville 21030
People's Counsel

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on Recycled Paper

Baltimore County
Fire Department

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

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

June 19,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 17, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

551

550-554, 556&557, 559-562

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

cc: File

JUN 21 2002

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 9, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 24, 2002
Item No. 551

The Bureau of Development Plans Review has reviewed the subject zoning item.

If the Special Exception is granted, the developer will dedicate an additional 5-foot-wide drainage and utility easement paralleling the existing 10-foot easement shown on the plan.

RWB:HJO:jrb

cc: File

Sign 7/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 20, 2002

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

SUBJECT: 9414 Belair Road

INFORMATION:

Item Number: 02-551

JUN 2 4

Petitioner: Shannon Patrick Kennedy

Zoning: RO

Requested Action: Special Exception & Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request, providing the following conditions are met:

1. The width of the landscape buffer between the residential used property and the proposed parking lot should be increased to a minimum of 15 feet. The minimum 15 foot wide landscape buffer shall be planted with a double row of mixed deciduous and evergreen tress.
2. A landscape plan, and building elevations of all facades should be submitted to this office for review and approval prior to the issuance of any building permits.

Prepared by: Mark A Cumpton

Section Chief: Lynn Lochner
AFK/LL:MAC:

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 6-19-02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 551 BR

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to ~~MD~~/US 1 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

for 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

RE: PETITION FOR SPECIAL EXCEPTION & VARIANCE N/WEST corner of Belair Road. & Pinedale Dr. 11th Election District 5th Councilmanic District Legal Owner: Shannon Patrick Kennedy Petitioner(s)	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY Case No.02-551-XA

* * * * * * * * * * * * * * *

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 of other proceedings in this matter and of the passage of any preliminary or final Order.

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 11th day of July, 2002 a copy of the foregoing Entry of Appearance was mailed to Howard R. Alderman, Jr. LEVIN & GANN P.A.,502 Washington Avenue, 8th Floor,Towson, Md. 21204 , Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

Parris N. Glendening
Governor
Kathleen Kennedy Townsend
Lt. Governor

MDP
Maryland Department of Planning

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

June 20, 2002

Mr. George Zahner
Baltimore County
Department of Permits and Development Management
111 West Chesapeake Avenue, Room 111
County Office Building (Mail Stop #1105)
Towson MD 21204

Re: **Zoning Advisory Committee meeting – June 24, 2002**
Case #'s 02-550-A, 02-551-XA, 02-552-X, 02-553-A, 02-554-SPH, 02-555-SPHXA, 02-556-A, 02-557-A, 02-558-SPHXA, 02-559-A, 02-560-A, 02-561-, and 02-562-SPHA

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 6/19/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

RECEIVED
JUN 27 2
02-1978
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

301 West Preston Street • Suite 1101 • Baltimore, Maryland 21201-2365
Telephone: 410.767.4500 • Fax: 410.767.4480 • Toll Free: 1.877.767.6272 • TTY Users: Maryland Relay
Internet: www.MDP.state.md.us

#02-551-XA
7/23/02

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME	ADDRESS
WILLIAM GIBERCCI	19 SHAWN CT
Daryl Carpenter	4002 Pinedale Dr 21236
GEORGE MOJZISEK	4005 PINEDALE 21236
CHARLES E. LAWRENCE JR	2056 RAINIER AVE 21015

KENNEDY - SMALEY
CASE NAME 9414 BELAIR ROAD
CASE NUMBER 02-551-XA
DATE 23 JULY 02

PLEASE PRINT CLEARLY

PETITIONER'S SIGN-IN SHEET

ROOM 106

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Howard L. Alderman, Jr.	LEVIN & GANN, PA, Nottingham Centre 8th Floor, 502 Washington Avenue	TOWSON, MD 21204	halderman@LevinGann.com
Cathy Werner	2613 Gunpowder Farms Rd	Fallston, MD 21047	CWERNER@remax.net
Patrick Kennedy	2613 Gunpowder Farms Road	Fallston, MD 21047	AMERICANDREAMS@JUNO.COM
Charles E. Lawrence Jr	2056 Rainier Ave	Baltimore MD 21015	MT NEBO MASONIC GR.

Pet Ex #2

RESTRICTIVE COVENANT AND IMPROVEMENTS AGREEMENT

THIS RESTRICTIVE COVENANTS AND IMPROVEMENTS AGREEMENT, is made this 7th day of ~~September,~~ October, 2000 by and between PERRY HALL IMPROVEMENT ASSOCIATION, INC., a Maryland not for profit Corporation ("PHIA") and SHANNON PATRICK KENNEDY and DAVID A. SMOLEY, owners of three parcels of property improved by a building known as 9414 Belair Road in the 11th election district of Baltimore County, (hereinafter known as "the Owners").

RECITALS

A. The Owners own three parcels of land located in the fifth (5th) councilmanic district (11th Election District) of Baltimore County described in a deed recorded among the land records of Baltimore County in Liber 14147, folio 030, containing approximately .69± acres, as more particularly described in Exhibit A (attached hereto and incorporated herein by reference).

B. The approximate .69 acre tract (hereinafter referred to as the "subject parcel") is improved by a building known as 9414 Belair Road, and currently is zoned D.R. 5.5 pursuant to the adopted 1996 Zoning Maps of Baltimore County.

C. The Owners desire to obtain R.O. zoning of the subject parcel as defined in the Baltimore County Zoning Regulations pursuant to Baltimore County's 2000 Comprehensive Zoning Map Process.

D. PHIA as a community association is concerned about the use and the development of the .69± acre subject parcel.

NOW, THEREFORE, in consideration of the mutual premises and the conditions and covenants hereinafter stated and of other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. RESTRICTIVE COVENANTS. In the event rezoning of the subject parcel is granted in the 2000 Comprehensive Zoning Map Process to R.O. and a special exception is granted, the Owners agree to use the subject parcel either for the use of an office building or as a single family dwelling.

2. BUILDING AGREEMENT. In the event rezoning of the subject tract is granted in the 2000 Comprehensive Zoning Map Process to R.O., in addition to any other requirements existing at the time of development under applicable state, county, and federal law, the Owners agree to submit for review and comment to PHIA, development and landscape plans for said subject parcel including building elevations containing a description of exterior materials to be used in the construction of said building and landscaping. The parties hereto agree that a special exception may be necessary

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to construct a new or expanded building on the site. The Owners hereby agree that the following are building and architectural guidelines to be followed:

a. SITE DESIGN. The site will be designed to accommodate a two story office building of no more than 10,000 square feet with parking for no more than thirty-three vehicles.

b. ARCHITECTURE. The exterior of the building will be designed to appear residential in character. It will be compatible with the neighborhood.

c. LANDSCAPING. A system of landscaping will be implemented which will seek to maintain the larger tree specimens along the perimeter of the property to the extent practicable. A ten foot landscaped buffer will be placed along the property line of the adjacent residential property to the west, again with an intent to preserve the mature specimens along the buffer area. Parking for the building shall be screened from Belair Road and be located in the side and rear of the building. No parking will be provided directly in front of the building.

d. SIGN. In addition to a sign on the building as permitted by zoning, a freestanding double-faced sign with no interior lighting of no more than fifteen square feet in dimension per face shall be permitted along Belair Road. If a variance is necessary to permit this sign under existing zoning regulations, then the parties hereto agree to support this variance.

3. COMPREHENSIVE ZONING MAP CONDITIONS. PHIA agrees to support the rezoning of the .69 acre subject tract to R.O. pursuant to this Agreement and the covenants contained herein in the 2000 Comprehensive Zoning Map Process and to support the special exception for the office building. The obligations of the Owners shall not become effective and binding upon the Owners unless and until the R.O. designation has been placed upon the property at the completion of the Comprehensive Zoning Map Process snd the special exception has been granted.

4. BINDING EFFECT; DURATION OF AGREEMENT. Immediately upon satisfaction of the conditions precedent stated in the preceding Section 3, the Owners shall cause these covenants, restrictions, and conditions to be recorded among the Land Records of Baltimore County, Maryland. The Owners shall then deliver to PHIA a copy of the covenants as recorded, along with evidence of their recordation. The covenants shall run with and be binding upon the Land, and upon all present and future owners thereof, and shall inure to the benefit of each of the parties respectively, and their successors and assigns for a period of twenty (20) years from the date of this Agreement.

Notwithstanding the preceding paragraph, this Agreement shall terminate and be of no further force or effect as to any portion of the property that is rezoned, in proceedings subsequent to the 2000 Comprehensive Zoning Map Process, to zoning other than R.O..

5. ENFORCEMENT. If any party to this Agreement, or any party's successor is required to institute legal action to enforce the terms of this Agreement, and is successful thereafter (whether by judgment or by settlement) in obtaining enforcement of the Agreement, that party or successor shall be entitled to recover reasonable attorneys' fees and other reasonable costs of the action from the person or entity against whom enforcement is obtained. However, as a prerequisite to the recovery of fees and costs under this paragraph, the person or entity seeking enforcement shall serve the alleged violator of the Agreement with written notice of the violation, and only if the alleged violator has failed to remedy or to make substantial progress toward remedying the violation within sixty (60) days after receipt of this notice may legal action be instituted.

6. CAPTIONS. All captions in this Agreement are for convenience only and do not in any way define, limit, amplify or describe the scope of the provisions hereof and shall not be utilized to interpret the provisions of this Agreement.

7. NO THIRD PARTY BENEFICIARIES. Nothing in this Agreement, express or implied, is intended or shall be construed to confer upon or give to any other person or entity any right, remedy or claim under this Agreement or by reason hereof.

8. GOVERNING LAWS. This Agreement shall be construed and governed in accordance with the laws of the State of Maryland applicable to contracts made and to be performed in the State of Maryland, without giving effect to the principles of conflicts of laws effective therein.

9. WAIVER. PHIA agrees to accept fully and without contest of any kind or nature the validity and legality of this rezoning of the D.R. 5.5 parcel to R.O. obtained by The Owners, and hereby waive the right to institute any future action, suit or legal proceeding involving this rezoning, excepting only any action, suit or other proceeding instituted for breach of this Agreement.

10. AMENDMENT. This Agreement may be amended or supplemented only by an instrument in writing duly executed by or on behalf of the Owners, or their successors and assigns, and PHIA, or its successors and assigns, and recorded among the Land Records of Baltimore County, Maryland.

11. BENEFIT TO PARTIES, SUCCESSORS AND ASSIGNS. This Agreement shall inure to the benefit of the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the Owners and PHIA have executed this Agreement on the day and year first above written.

ATTEST:

PERRY HALL IMPROVEMENT ASSOCIATION, INC.
By:

_____ (SEAL)
, President 10/7/00

_____ (SEAL)
SHANNON PATRICK KENNEDY

_____ (SEAL)
DAVID A. SMOLEY

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of OCTOBER, in the year Two Thousand, before me, the subscriber, a Notary Public of the State of the aforesaid, personally appeared David Marks, President of the Perry Hall Improvement Association, Inc., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing restrictive covenant and improvement agreement to be the act of the corporation and that he is empowered and authorized to sign same on its behalf, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

Charles Emanuel

Notary Public 10/7/06

My commission expires: November 1, 2021

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, in the year TWO THOUSAND, before me, the subscriber, a Notary Public of the State of the aforesaid, personally appeared SHANNON PATRICK KENNEDY AND DAVID A. SMOLEY known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and they acknowledged the foregoing restrictive covenant and improvement agreement to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

Karen Smoley

Notary Public

My commission expires: December 23, 2003

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned attorney, admitted to practice in the State of Maryland.

JOHN B. GONTRUM

AFTER RECORDING RETURN TO:

John B. Gontrum, Esq.
Romadka, Gontrum & McLaughlin, P.A.
814 Eastern Blvd.
Baltimore, Maryland 21221

EXHIBIT A

BEGINNING FOR THE FIRST at a point in the Belair Road and in the first or south 48 degrees 25 minutes west 965 foot 8 inch line of that tract of land which by Deed dated August 15, 1938 and recorded among the Land Records of Baltimore County in Liber CWB,Jr. No. 1038, folio 274, etc., was conveyed by Frederick J. Schlosstein and wife to Charles H. Koffenberger, said point of beginning being distant 726.93 feet north 48 degrees 25 minutes east from a crossmark heretofore cut in the bed of said Belair Road, at the end of the said first line (as shown on a plat dated May 18, 1948 and prepared by H. S. Morfoot, County Surveyor of Baltimore County from a survey for Charles H. Koffenberger) thence leaving the said first line, and the bed of said Belair Road, north 41 degrees 28 minutes west 23.75 feet to an iron pipe now planted and to the northwesternmost right-of-way line of said Belair Road as now constructed; thence running with and binding on the northeasternmost side of a road or right-of-way (50 feet wide) to be kept open for use in common with others entitled thereto, north 41 degrees 28 minutes west 150.00 feet to an iron pipe now planted; thence leaving the said northeasternmost side of said road or right-of-way and running for lines of division the two following courses and distance, viz: north 48 degrees 32 minutes east 100.00 feet to an iron pipe now planted, and south 41 degrees 28 minutes east 150.00 feet to an iron pipe now planted on the afore-described northwesternmost right-of-way line of Belair Road as now constructed, thence south 41 degrees 28 minutes east 23.55 feet to intersect the aforesaid first line; thence running with and binding on part of said first line south 48 degrees 25 minutes west 100.00 feet to the place of beginning. Containing 0.344 acres of land, more or less; the improvements thereon being known as 9414 Belair Road.

BEGINNING FOR THE SECOND AND THIRD PARCELS, AND BEING KNOWN AND DESIGNATED as Lot 1 in Block A and the triangular parcel of land bounding on the West side of Lot 1 in Block A, having dimensions of which are 122.69 feet by 141.24 feet by 50.0 feet, all as shown on the Plat entitled, "Pinedale", which Plat is recorded among the Land Records of Baltimore County in Plat Book GLB No. 18, folio 82.

SAVING AND EXCEPTING THEREFROM so much thereof as by Deed dated May 30, 1996 and recorded among the Land Records of Baltimore County in Liber SM No. 11614, folio 434, was granted and conveyed by Antoinete Brady Beall to the State of Maryland to the use of the State Highway Administration of the Department of Transportation.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS the hand and seal of said Grantor.

WITNESS:

(SEAL)
DONNA R. GOSNELL,
Personal Representative of the
Estate of Antoinette F. Beall

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

I HEREBY CERTIFY, that on this 4TH day of November, 1999, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Donna R. Gosnell, Personal Representative of the Estate of Antoinette F. Beall, known (or satisfactorily proven) to me to be the person whose name is subscribed to the within Deed and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, and further acknowledged that the consideration as stated above is true and correct.

AS WITNESS my hand and Notarial Seal.

Richard E. Lattanzi, Notary Public

RICHARD E. LATTANZI NOTARY PUBLIC BALTO CO., MD

My Commission Expires: August 1, 2001

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney.

Richard E. Lattanzi, Attorney

RECORD AND RETURN TO:

Shannon Patrick Kennedy/David A. Smoley
8846 Belair Road
Baltimore, MD 21236
File #12513

Baltimore County
Zoning Commissioner

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

July 29, 2002

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

RE: Petitions for Special Exception & Variance
Case No. 02-551-XA
Property: 9414 Belair Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special exception and variance have been granted 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 Office of Permits and 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

Printed with Soybean Ink
on Recycled Paper

Paul S. Walsky, Registered Landscape Architect No. 490
11089 Hidden Trail Drive
Owings Mills, Maryland 21117

Date: July 22, 2002

To: McKee & Associates
5 Shawan Road
Suite 1
Cockeysville, Maryland 21030

Re: 9414 Belair Road Parking Setback

I have reviewed the proposed change to the parking lot setback from the property line. You are proposing to reduce the required twenty-foot setback to ten foot. This change is sufficient to provide an adequate landscape screen between the adjacent residential property located on Pinedale Drive. The proposed ten foot wide parking lot setback is wide enough to provide a dense planting screen between the two properties. A double staggered evergreen hedge would be planted and provide a visual separation between the two properties.

The adjacent residential property located on Pinedale Drive has a vehicular driveway near the 9414 Belair Road property line. The driveway drops in elevation below the property line several feet. This provides an additional spatial separation between the two properties. See photograph below.

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PETITIONER'S EXHIBIT
3

I recommend a ten feet wide offset for the proposed parking lot because of the developer's commitment to provide an evergreen planting screen and the adjacent property's driveway location and existing topography.

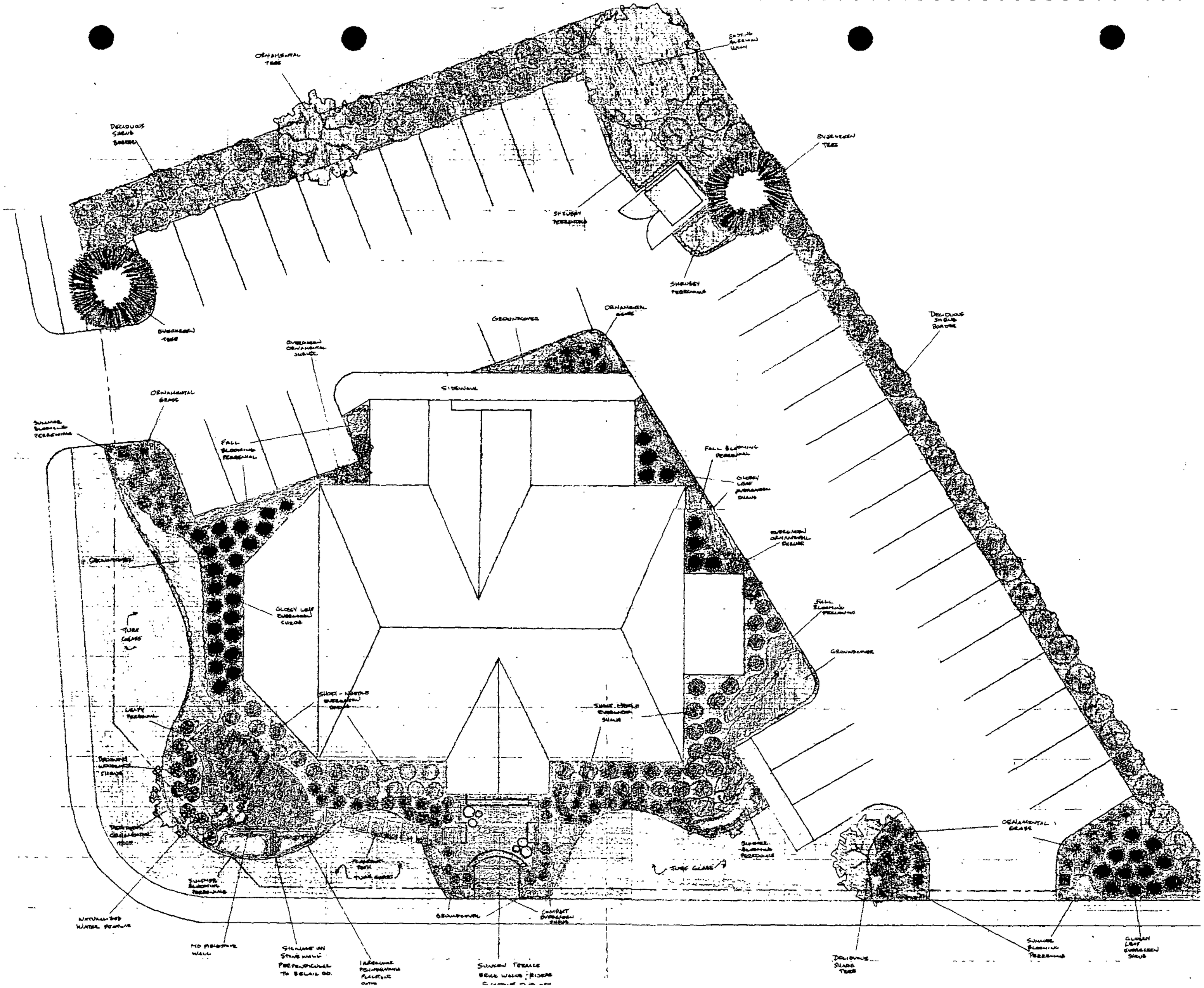
Sincerely,

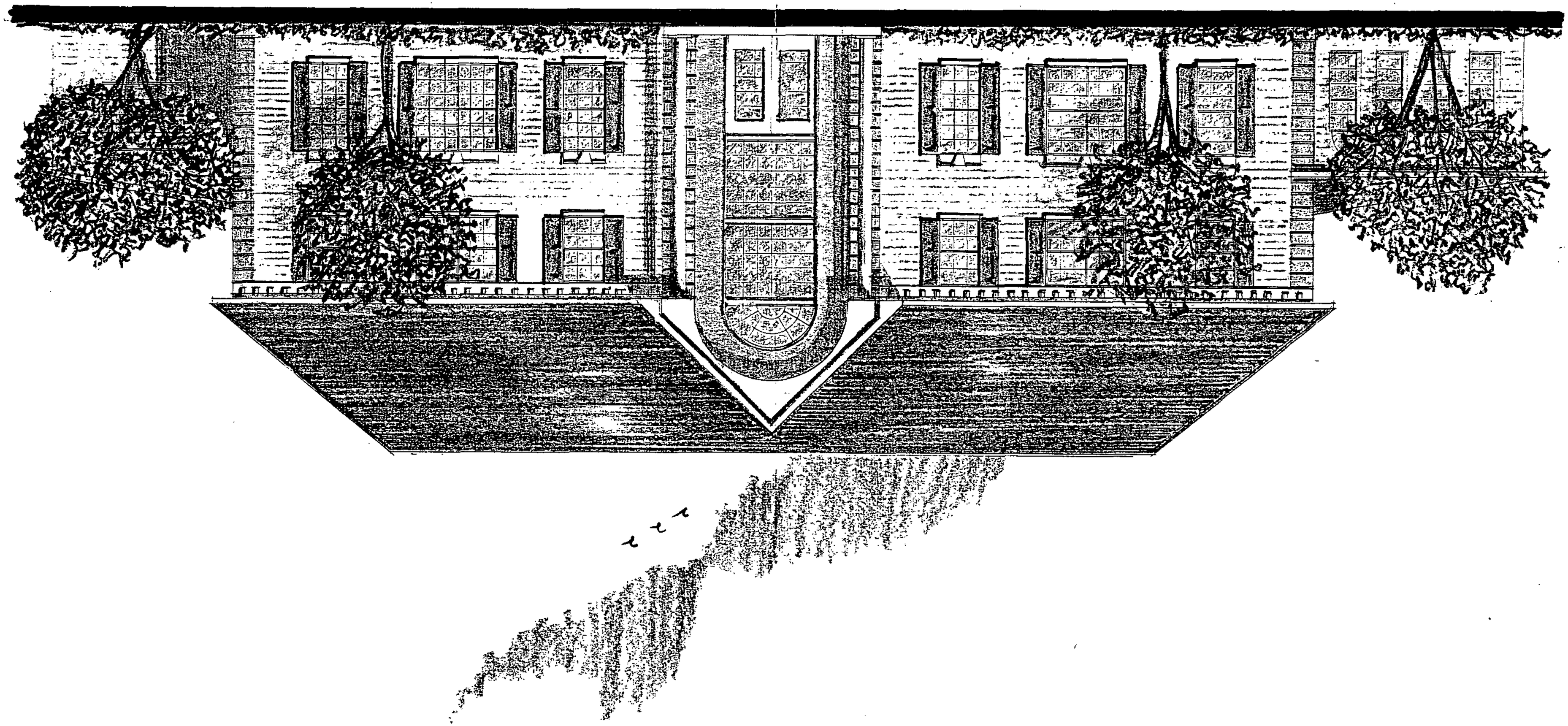
Paul Walsky, Registered Landscape Architect No. 490

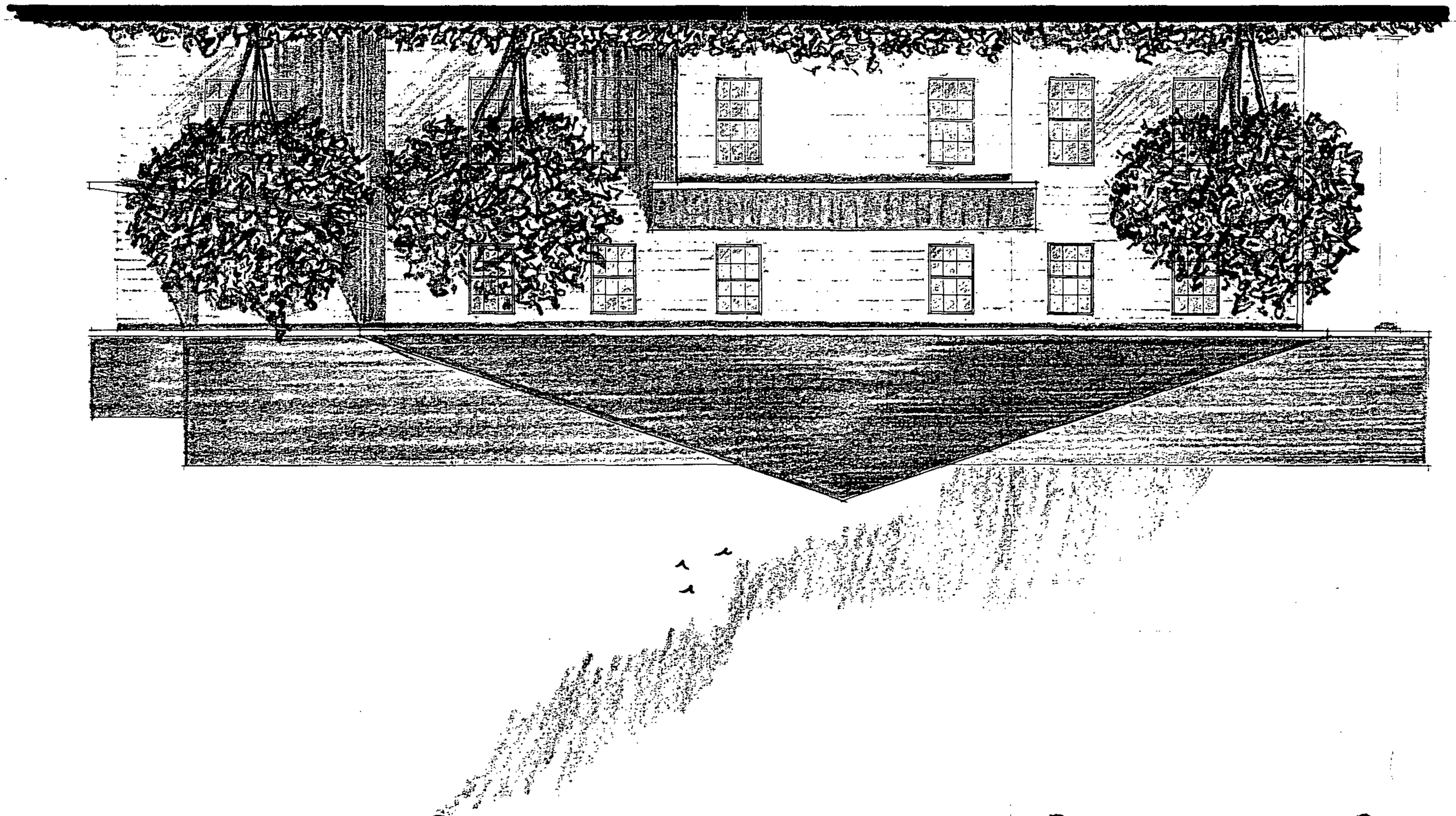
9414 Belair Road
Petitions for
Special Exception
and
Variances

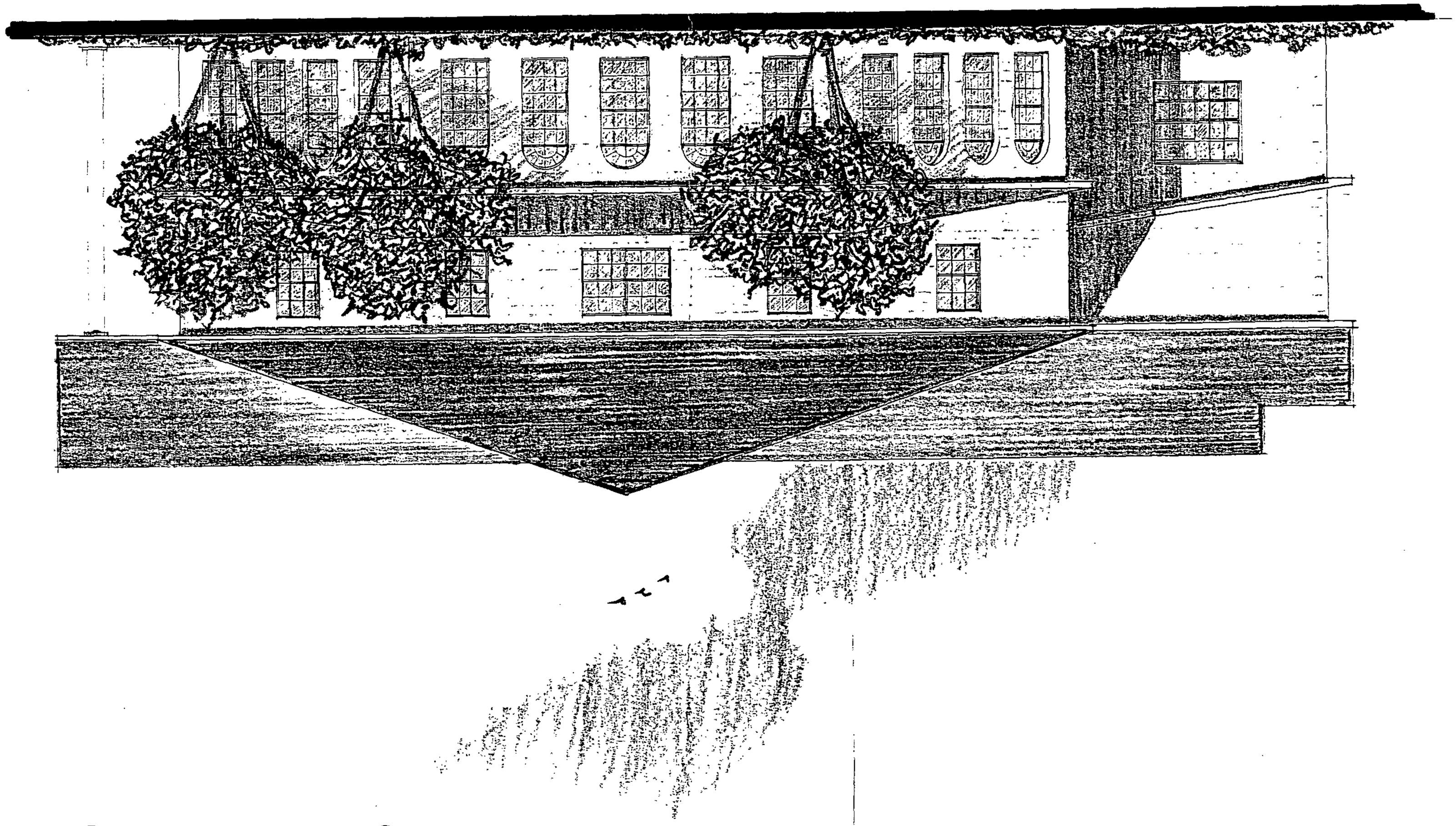
Schematic Landscape Plan
and
Conceptual Elevations

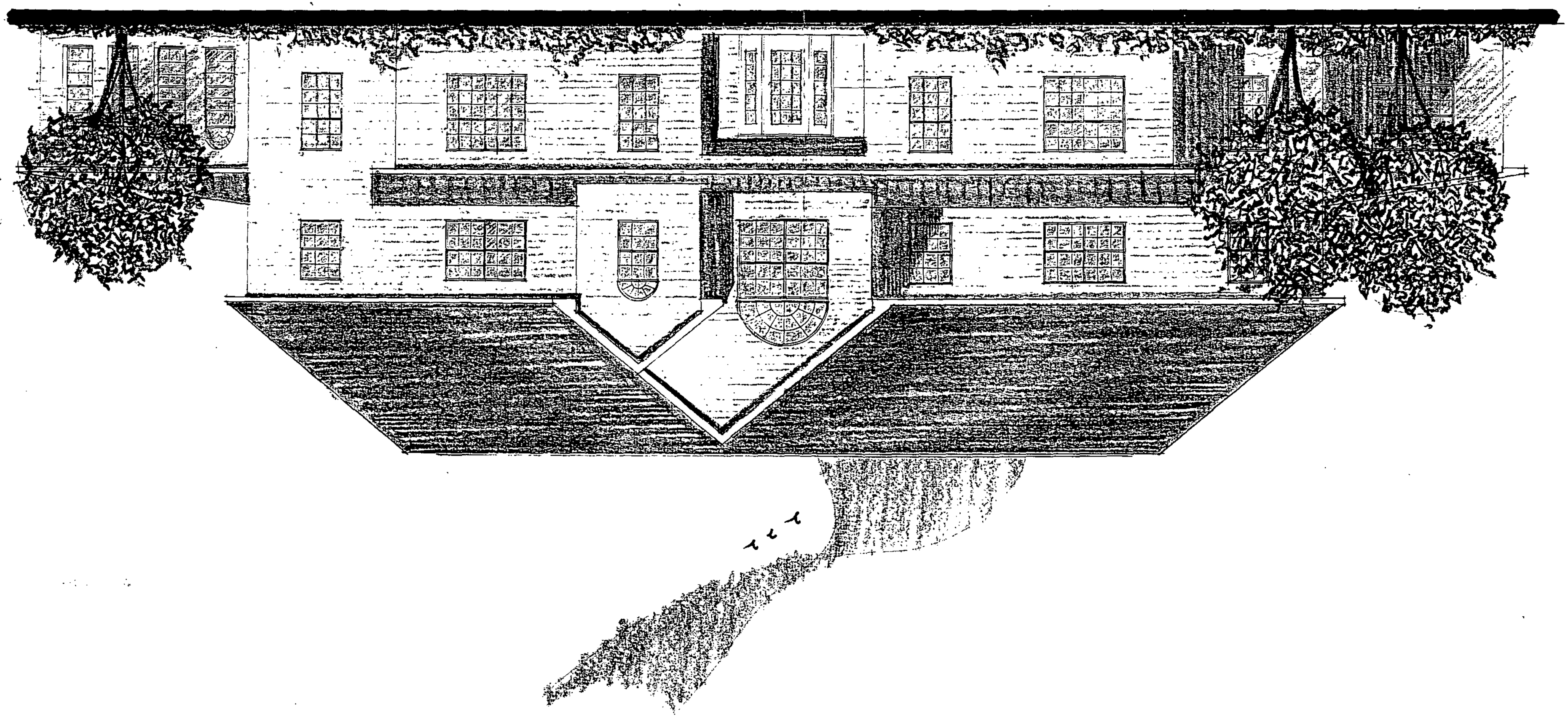
ALL-STATE LEGAL®
PETITIONER'S EXHIBIT
4 A→E


ORNAMENTAL TREE
DECIDUOUS SHRUB BORDER
EVERGREEN TREE
SHRUBBY PERENNIALS
EVERGREEN TREE
GROUNDCOVER
ORNAMENTAL GRASS
DECIDUOUS SHRUB BORDER
SIDEWALK
ORNAMENTAL GRASS
FALL BLOOMING PERENNIAL
FALL BLOOMING PERENNIAL
GLOSSY LEAF EVERGREEN SHRUB
EVERGREEN ORNAMENTAL SHRUB
GROUNDCOVER
GLOSSY LEAF EVERGREEN SHRUB
TURF GRASS
GROUNDCOVER
LATIN PERENNIAL
SUNNY BLOOMING PERENNIAL
TURF GRASS
ORNAMENTAL GRASS
NATURALIZED WATER FEATURE
NO PEDESTRIAN WALL
SIGNAGE ON STONE WALL PERPENDICULAR TO DETAIL DD.
GROUNDCOVER
COMPOST EVERGREEN SHRUB
SUNKEN TERRACE BRICK WALKS, BENCHES
DECIDUOUS SHADE TREE
SUNNY BLOOMING PERENNIAL
GLOSSY LEAF EVERGREEN SHRUB









9414 Belair Road

Petitions for Special Exception
And
Variances

ALL-STATE LEGAL®
PETITIONER'S EXHIBIT
5 A-P

A

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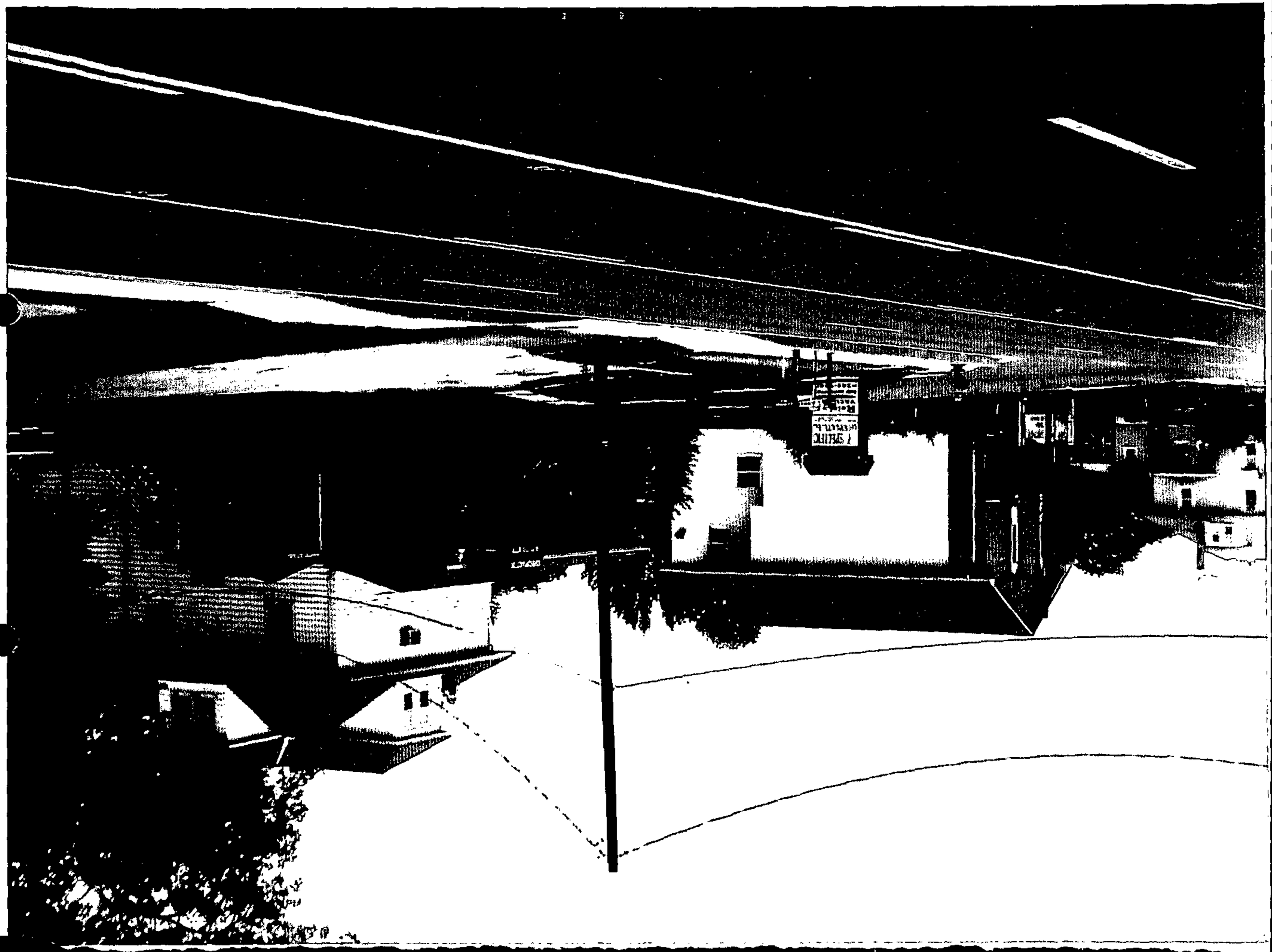

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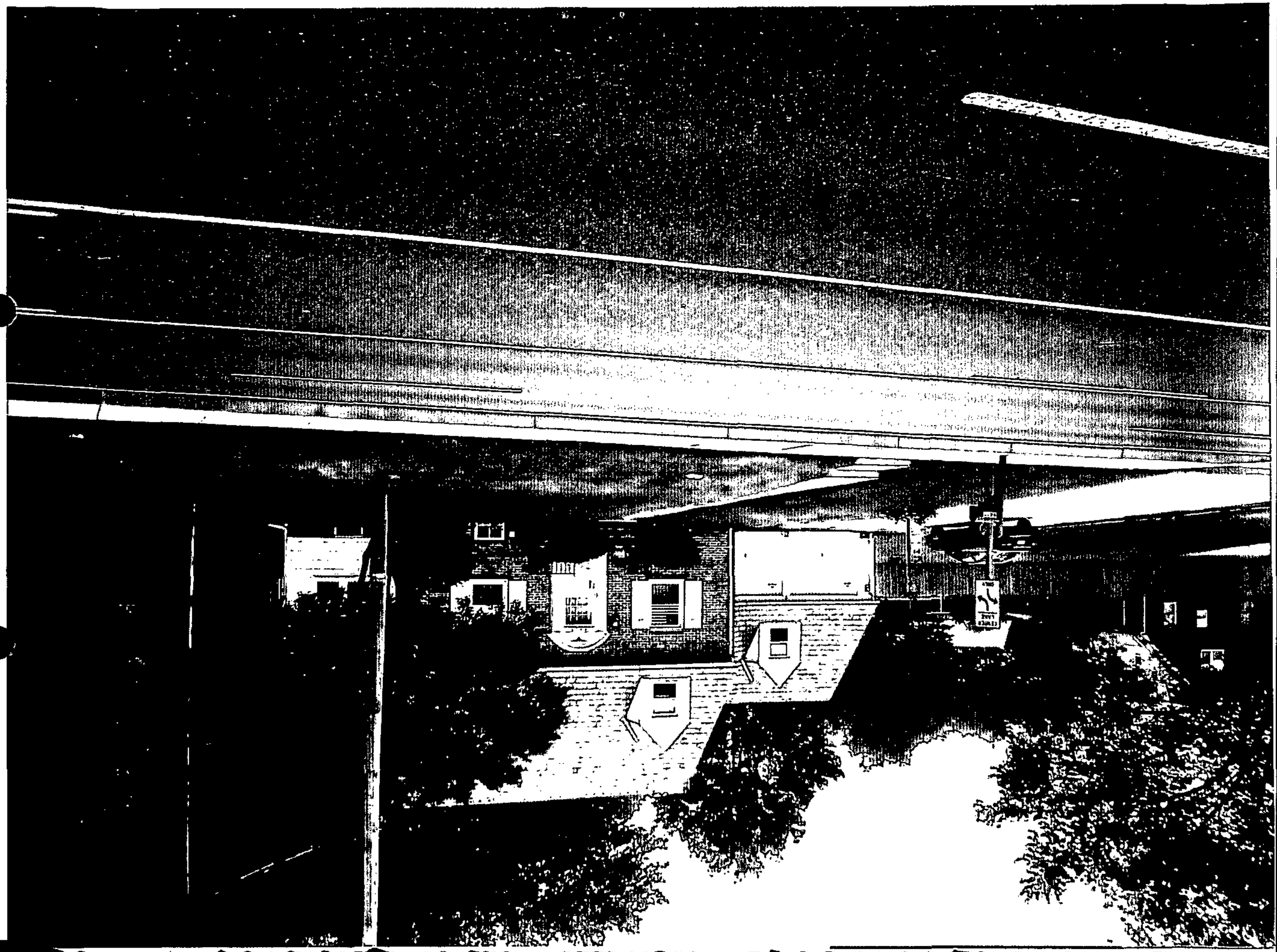

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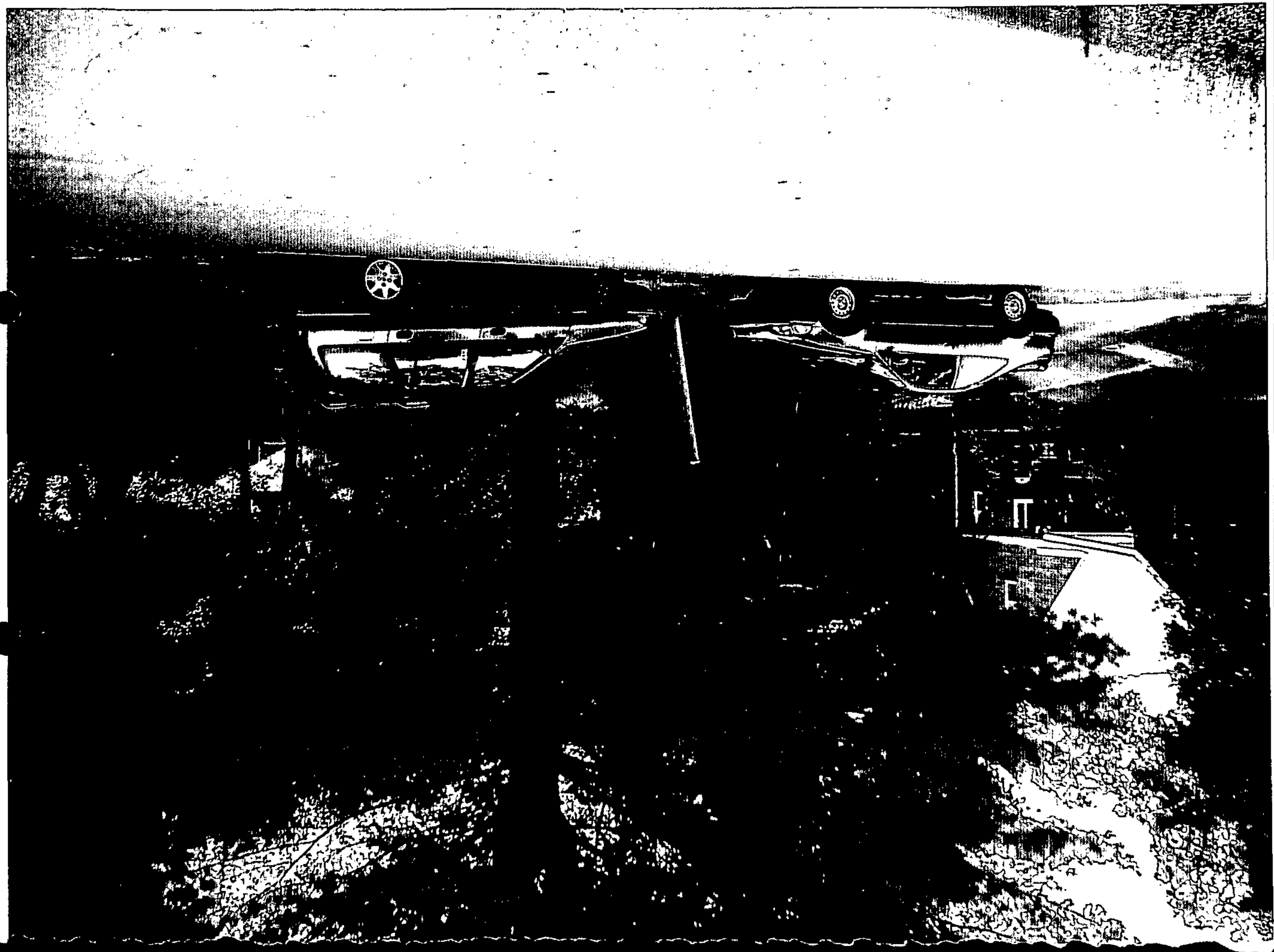

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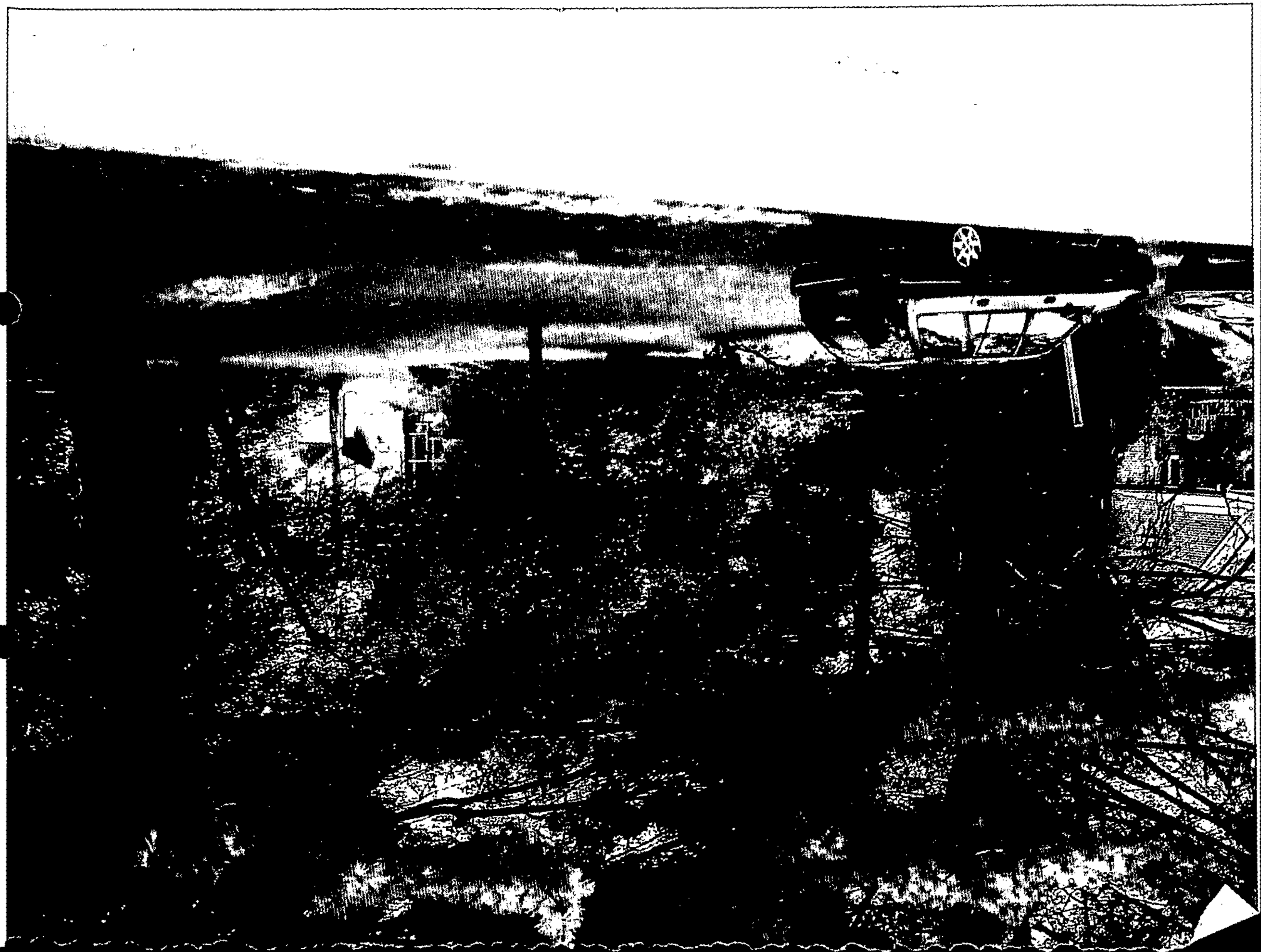

MOUNT NEBO
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HALL FOR
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410-529-7788

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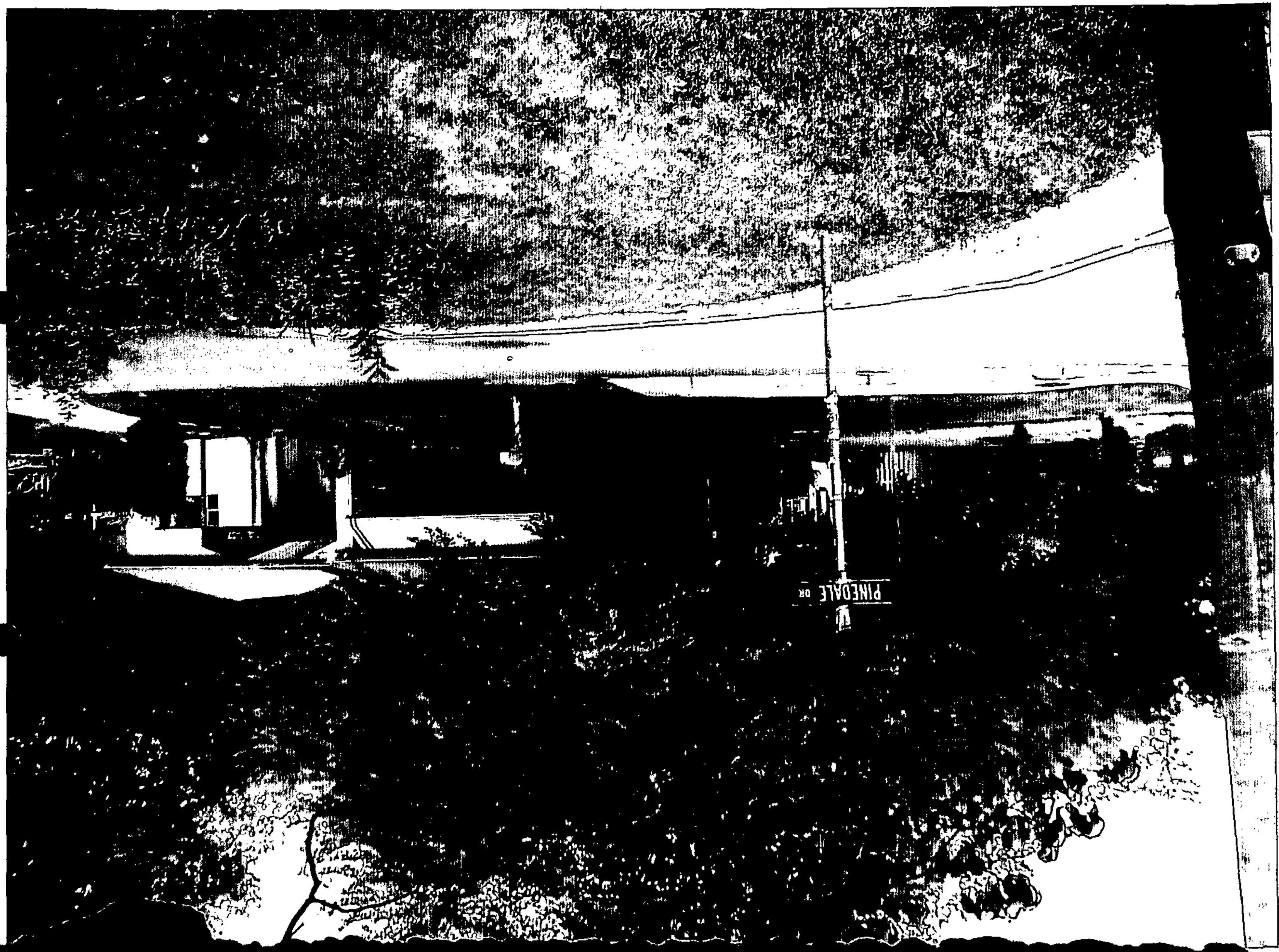

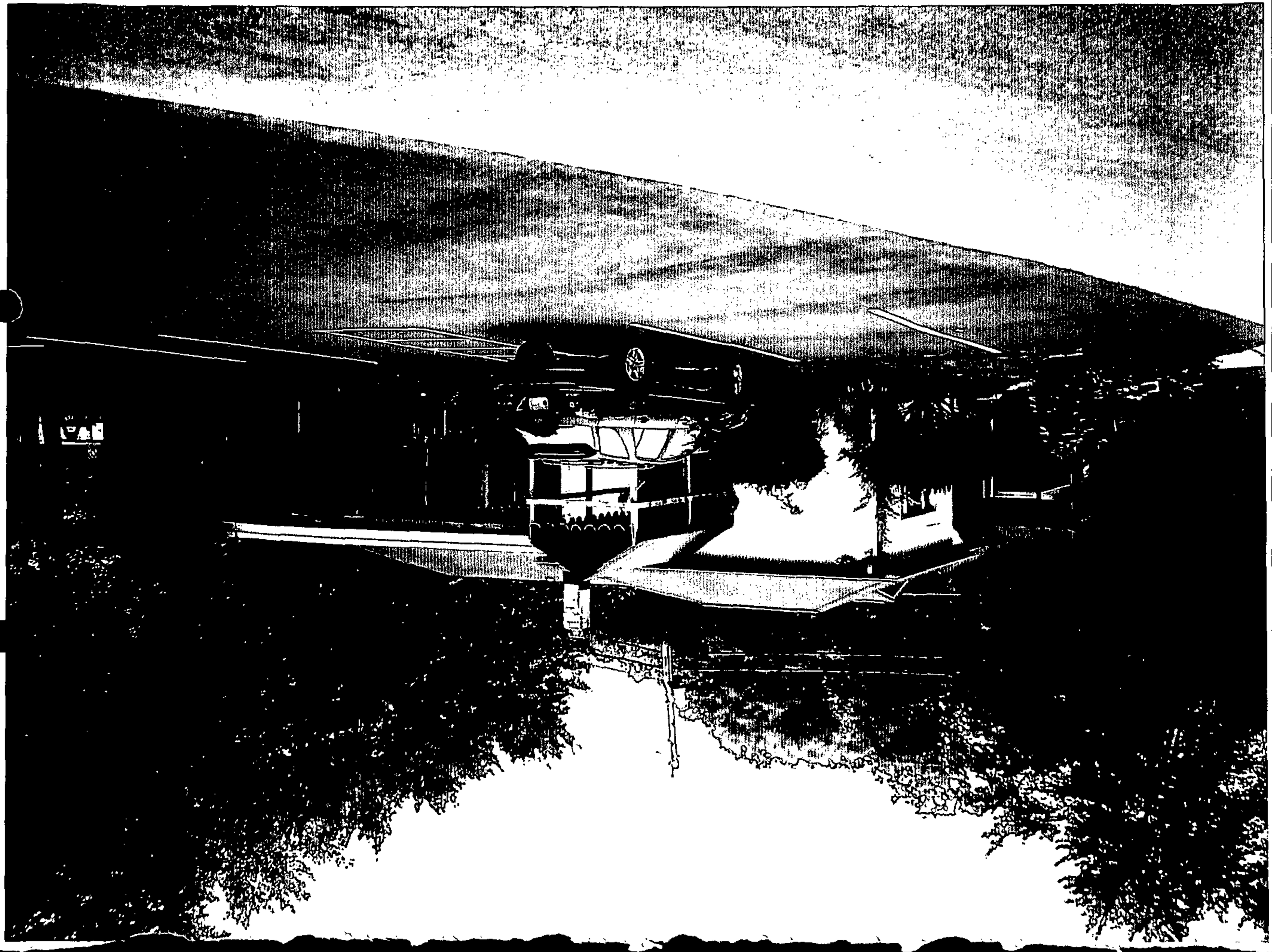

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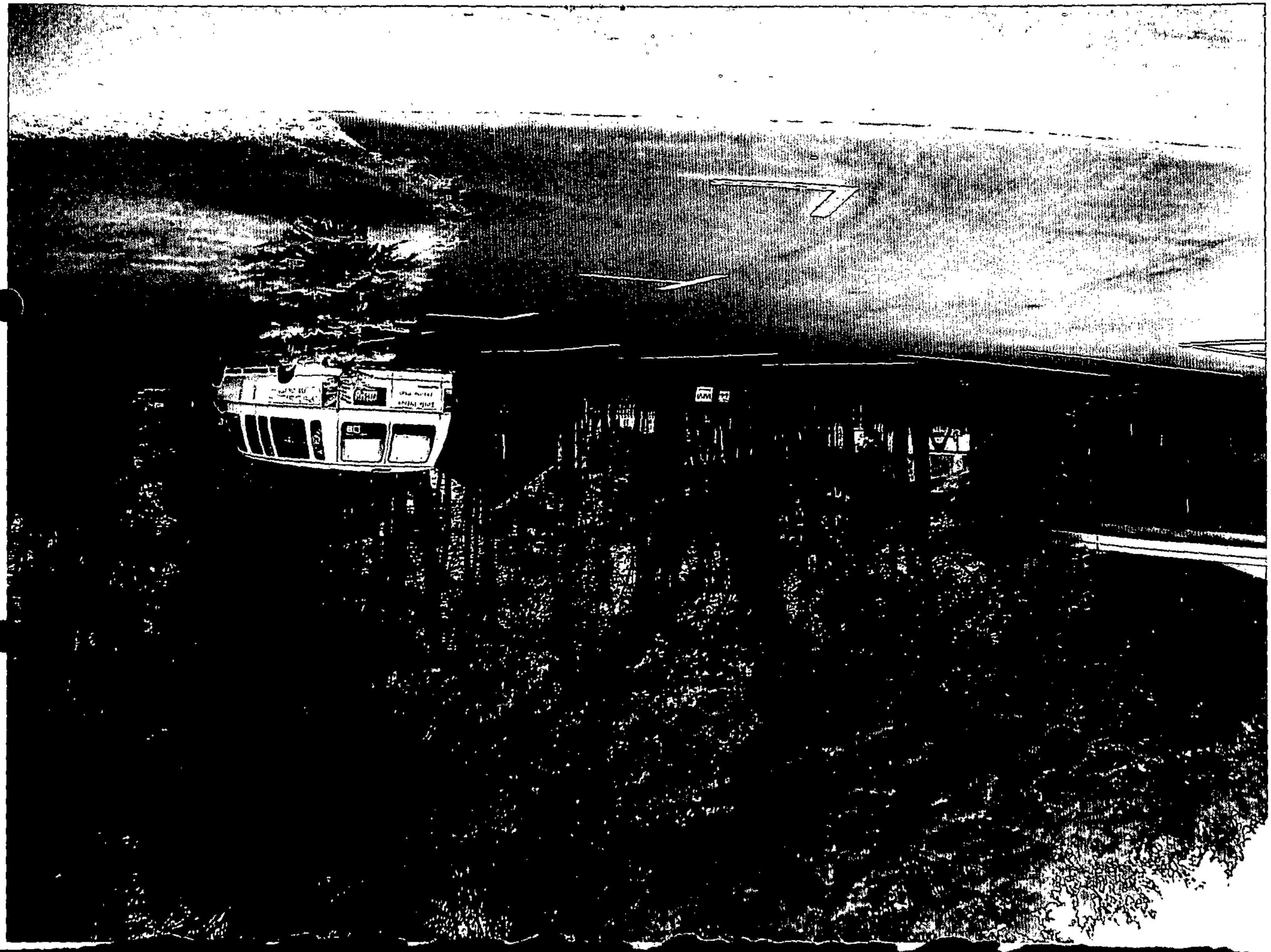
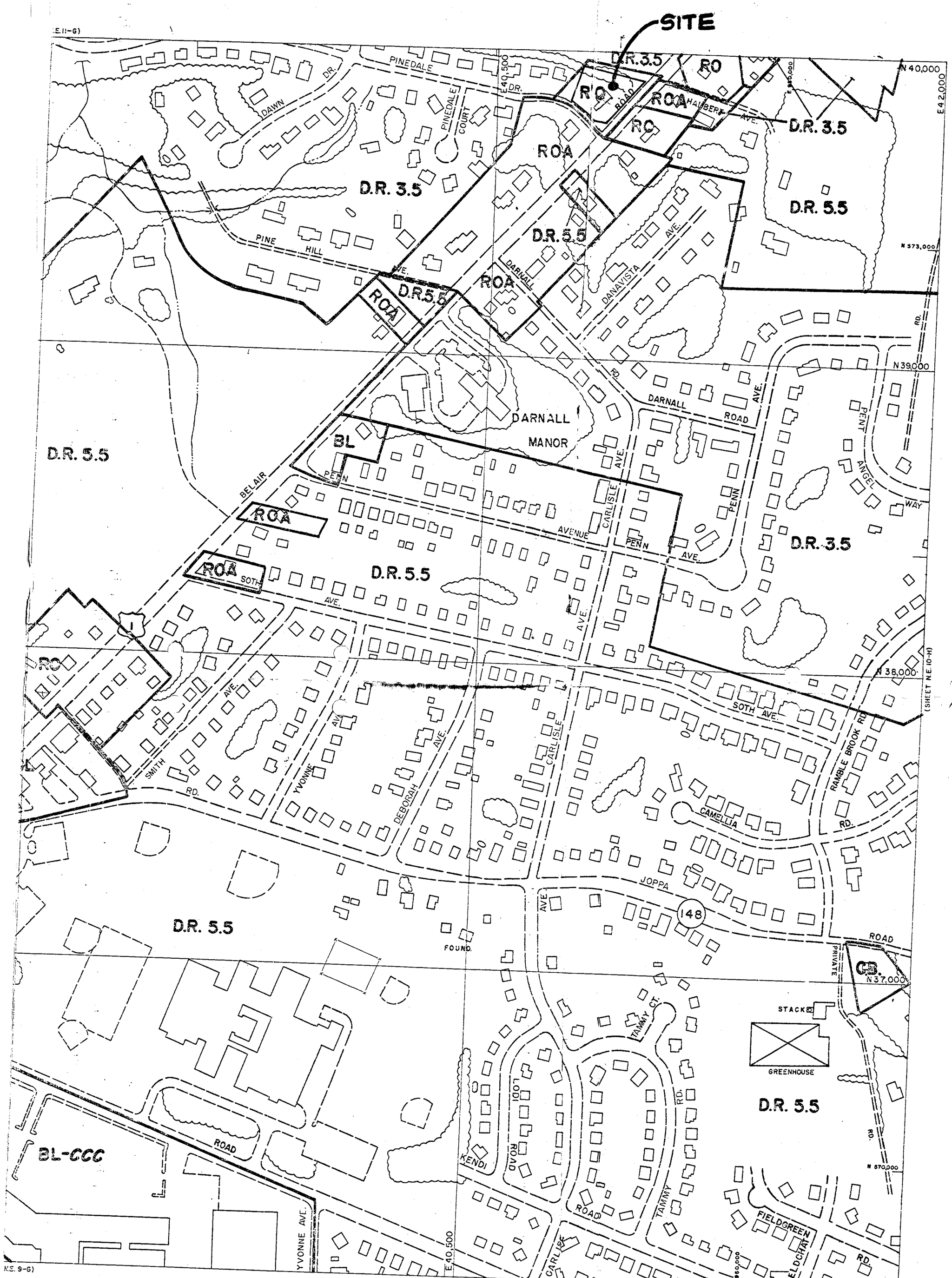




E COUNTY
NING AND ZONING
ONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	PERRY HALL	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	9414 BELAIR RD.	10-G

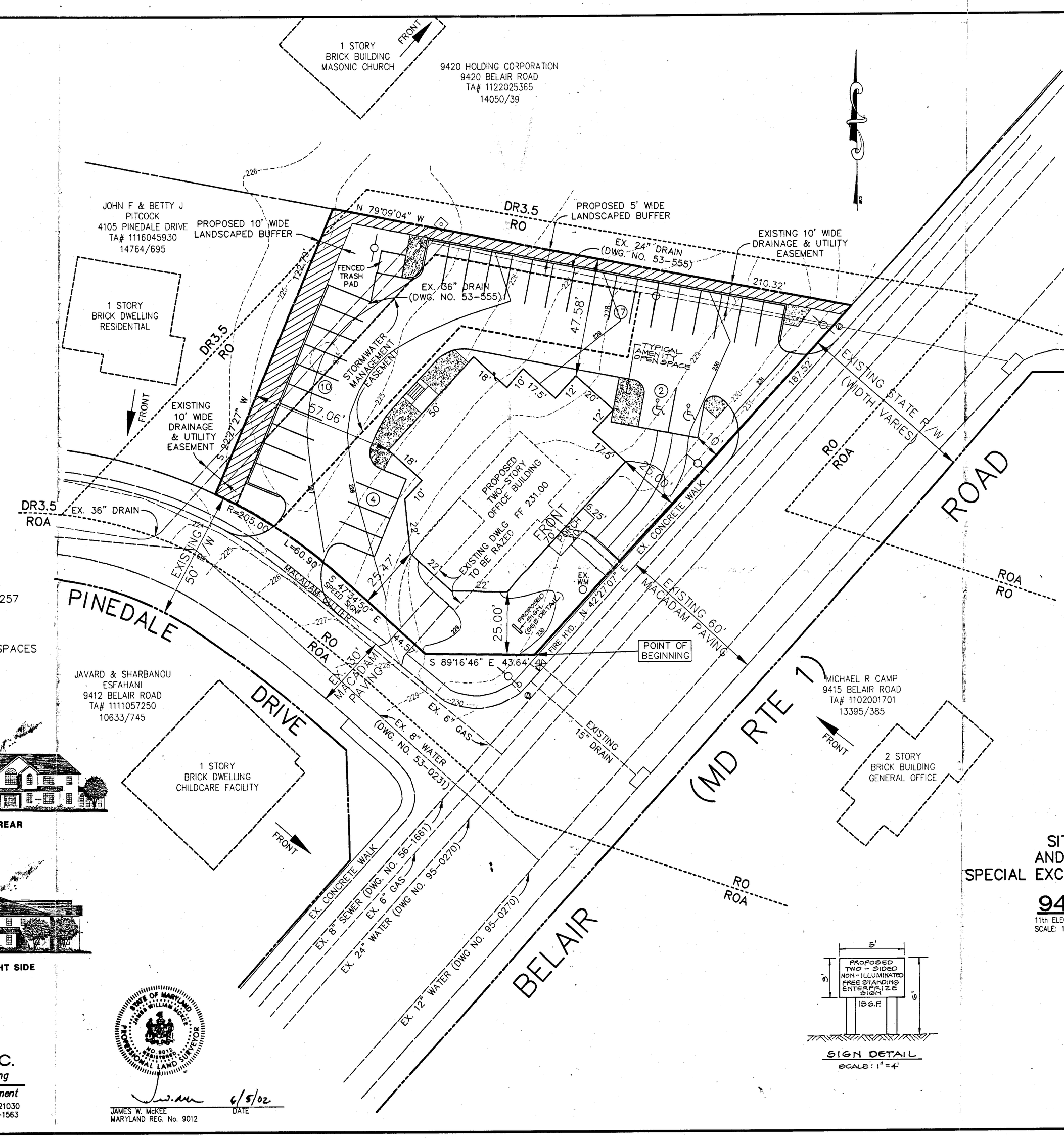
#551

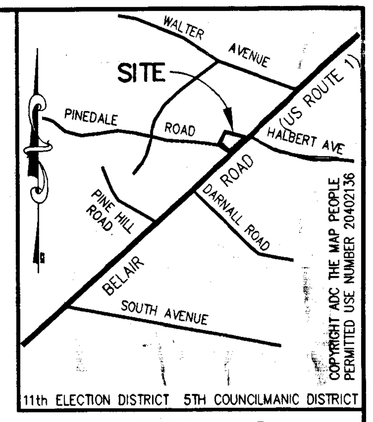
GENERAL NOTES

1. ELECTION DISTRICT NO. 11
2. COUNCILMANIC DISTRICT NO. 5
3. 200 CENSUS TRACT NO. 4114.06
4. 200 CENSUS BLOCK GROUP NO. 4114.06-3
5. LAND MANAGEMENT AREA- WHITE MARSH
6. REGIONAL PLANNING DISTRICT- 317
7. WATERSHED- LOWER GUNPOWDER
8. WATER SERVICE AREA- EASSTERN THIRD
9. SUBSEWERSHED- 22
10. TRANSPORTATION ZONE- 573
11. ZIP CODE 21236
12. 200 SCALE ZONING MAP NO. NE10-G
13. THERE HAVE BEEN NO PREVIOUS COMMERCIAL PERMITS FOR THIS SITE.
14. EXISTING USE OF SITE IS RESIDENTIAL.
15. THERE HAVE BEEN NO PREVIOUS ZONING HEARINGS FOR THIS SITE.
16. THIS SITE IS SERVED BY PUBLIC WATER AND PUBLIC SEWER.
17. EXISTING DWELLING ON SITE IS TO BE RAZED.
18. ALL SIGNS SHALL COMPLY WITH APPLICABLE ZONING REGULATIONS.
19. THERE ARE NO STREAMS, STORMWATER MANAGEMENT SYSTEMS, WITHIN 50 FEET OF THIS PROPERTY.
20. THIS SITE DOES NOT LIE IN A 100 YEAR FLOOD PLAIN.
21. THIS SITE IS NOT LOCATED WITHIN THE CBCA.
22. THIS SITE IS NOT SUBJECT TO REQUIREMENTS FOR FOREST CONSERVATION DUE TO A SITE AREA OF LESS THAN 40,000 SF.

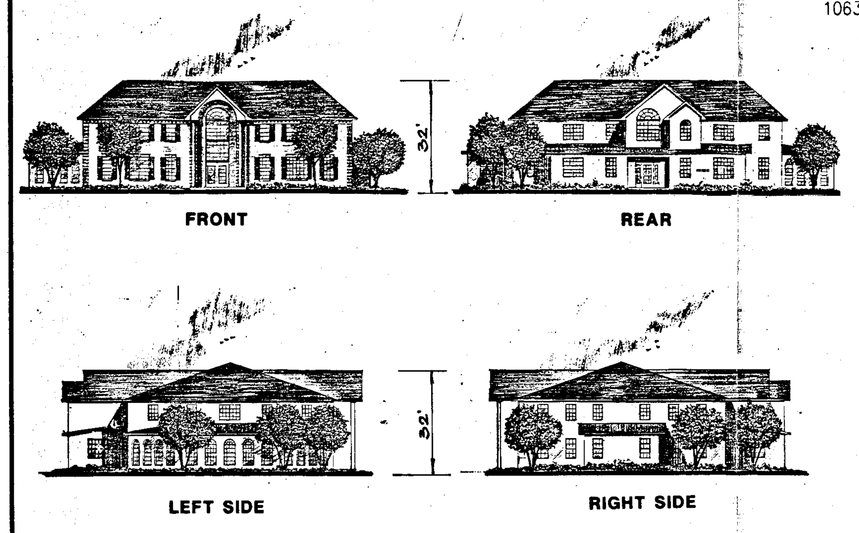
SITE DATA

1. EXISTING ZONING OF SITE- RO
2. GROSS AREA OF SITE- 37,161 SF = 0.853 AC±
3. NET AREA OF SITE- 26,586 = 0.610 AC±
4. PROPOSED USE- GENERAL OFFICE
5. PROPOSED FLOOR AREAS:
   FIRST FLOOR- 5560 SF
   SECOND FLOOR- 3995 SF
   9555 SF
6. MAXIMUM FLOOR AREA RATIO ALLOWED **0.33**
7. PROPOSED FLOOR AREA RATIO (9555/37,161)= 0.257
8. AMENITY OPEN SPACE REQUIRED: 7% OF PARKING LOT=(10684 SF x 0.7)= 747 SF
9. AMENITY OPEN SPACE PROVIDED: 841 SF= 7.9%
10. PARKING REQUIRED (9555 SF/1000 x 3.3)= 32 SPACES
11. PARKING PROPOSED 33 SPACES
12. PROPOSED BUILDING HEIGHT **32'**





VICINITY MAP
SCALE: 1" = 1000'



SCHEMATIC BUILDING ELEVATIONS
NO SCALE

SIGN DETAIL
SCALE: 1" = 4'

SITE DEVELOPMENT PLAN
AND PLAT TO ACCOMPANY
SPECIAL EXCEPTION AND VARIANCE PETITIONS

9414 BELAIR ROAD

11th ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20'
DATE: JUNE 4, 2002

OWNER
SHANNON PATRICK KENNEDY
DAVID A SMOLEY
2613 GUNPOWDER FARMS ROAD
FALLSTON MD 21047-2205
TA#1102066600
DEED REFERENCE: 14147/30
TAX MAP 72 GRID 2 PARCEL 406

Pet Ex #1

STATE OF MARYLAND
JAMES WILLIAM McKEE
No. 9012
REGISTERED PROFESSIONAL LAND SURVEYOR

6/5/02
JAMES W. McKEE
MARYLAND REG. No. 9012
DATE

McKEE & ASSOCIATES, INC.
Engineering – Land Planning – Land Surveying
Natural Resource Planning – Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

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