IN RE: DEVELOPMENT PLAN HEARING
S/S Windsor Mill Road, E Rolling Road
2nd Election District
1st Councilmanic District
(Shank Property)

7337 Windsor Mill LLC

Petitioner

- * BEFORE THE
- * HEARING OFFICER
- * OF BALTIMORE COUNTY
- * Case No. II-629 & 03-091-A

* * * * * * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Deputy Zoning Commissioner for Baltimore County as a requested approval of a Development Plan and variance relief filed for property located at 7337 Windsor Mill Road. The owner of the property proposes to develop the subject site with thirteen (13) residential lots. Ultimately, the property is proposed to be developed with three (3) single-family residential dwellings and ten (10) duplex dwellings as depicted on Developer's Exhibit No. 1, which was submitted into evidence at the hearing before me. Two of the single-family dwellings are existing and are proposed to remain on Lots #9 and #10. In furtherance of the development of the site, the Petitioner is also requesting variance relief as follows:

- 1. From Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), for a side yard of 10' in lieu of the required 15' for a length of 15' +/- relative to an existing dwelling to remain on Lot #10;
- 2. From Section 1B01.2.C.1.b of the B.C.Z.R., for a rear yard of 25' in lieu of the required 30' for a length of 15' +/- relative to an existing dwelling to remain on Lot #9; and
- 3. From Section 301.1.A of the B.C.Z.R., to permit a 20' open projection setback (10' deck) in lieu of the required 22.5' open projection setback (7.5 deck) for Lots #1, #2, #3, #4, #11 and #12.

Appearing at the hearing on behalf of the Development Plan approval request were Jim Patton, the professional engineer who prepared the Development Plan of the property, John Murphy and Maureen Murphy, attorneys at law, representing the Developer. There were no

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citizens or protestants in attendance. As is usual and customary, numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing; namely, Walt Smith, (Development Management), John Alexander (Zoning Review), Ron Goodwin (Land Acquisition) and Robert Bowling (Development Plans Review), all from the Office of Permits & Development Management; R. Bruce Seeley from the Department of Environmental Protection and Resource Management (DEPRM); Mark Cunningham from the Office of Planning; and Jan Cook from the Department of Recreation and Parks.

As to the history of this project, a Concept Plan Conference was held on February 25, 2002. As required, a Community Input Meeting was held on March 19, 2002 at the Hebbville Elementary School. Subsequently, a Development Plan Conference was held on October 23, 2002 and a Hearing Officer's Hearing was held before me on November 21, 2002.

At the public hearing on the Development Plan approval request, I attempt to determine what, if any, issues or comments remain unresolved as of the time of the hearing before me. The Developer indicated that they were not aware of any unresolved issues regarding the project. In addition, none of the Baltimore County representatives indicated any problems with the Development Plan as submitted. Inasmuch as no issues were raised concerning the development of the property, the Development Plan submitted into evidence as Developer's Exhibit No. 1 shall be approved.

As stated previously, the property owner is also requesting variance relief in conjunction with the Development Plan submittal. First, the Petitioner is requesting a variance involving the existing dwelling proposed to remain on Lot #10. The specific request is for a side yard of 10 ft. in lieu of the required 15 ft. for a distance from the dwelling to the road right-of-way to be constructed. As is shown on the plan, the road to be constructed will serve all of the homes located on this property. In order for the house to remain as shown on Lot #10, the variance request is necessary.

The second variance request involves the existing dwelling proposed to remain on Lot #9.

For whatever reason, that existing dwelling was constructed 25 ft. from the rear property line in lieu of the permitted 30 ft. This is an existing condition, which was discovered as a result of the development of this property. This house has remained in this location for many years and no new additions are proposed to be added. In order for the house to remain as constructed, variance request #2 is necessary.

The remaining variances involve Lots #1, #2, #3, #4, #11 and #12. These variances are to allow the Developer to construct decks on the rear of these proposed houses to be situated 20 ft. from the rear property line in lieu of the required 22.5 ft. This is a minor intrusion into the setback requirement for open projections for these houses. Again, this variance shall be granted to allow 10 ft. decks to be constructed on the rear of these homes.

Pursuant to the Zoning and Development Plan Regulations of Baltimore County as contained within the Baltimore County Zoning Regulations and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the Development Plan shall be approved consistent with the comments contained herein.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this Aday of December, 2002, that the Development Plan submitted into evidence for the project known as "The Shank Property" be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the Petition for Variance, as set forth below:

- 1. From Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), for a side yard of 10' in lieu of the required 15' for a length of 15' +/- relative to an existing dwelling to remain on Lot #10;
- 2. From Section 1B01.2.C.1.b of the B.C.Z.R., for a rear yard of 25' in lieu of the required 30' for a length of 15' +/- relative to an existing dwelling to remain on Lot #9; and
- 3. From Section 301.1.A of the B.C.Z.R., to permit a 20' open projection setback (10' deck) in lieu of the required 22.5' open projection setback (7.5 deck) for Lots #1, #2, #3, #4, #11 and #12.

be and is hereby APPROVED.

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

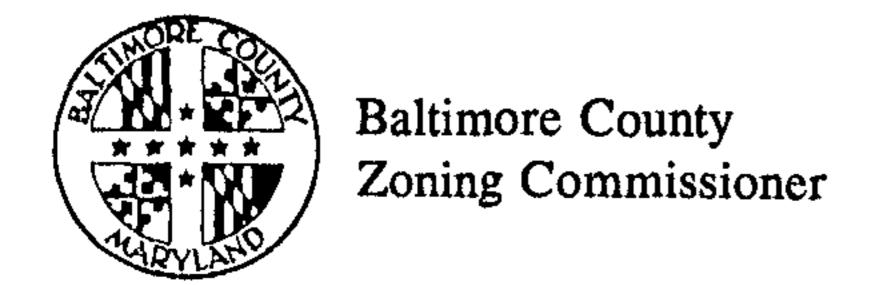
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER/

HEARING OFFICER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

December 2, 2002

John Murphy Esquire Maureen Murphy, Esquire 14 N. Rolling Road Catonsville, Maryland 21128

Re: Hearing Officer's Hearing No. II-629
Property: S/S Windsor Mill Road, E Rolling Road
2nd Election District, 1st Councilmanic District
Shank Property

Dear Mr. & Ms. Murphy:

Enclosed please find the decision rendered in the above-captioned case. The Development Plan has 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,

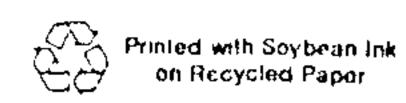
Mulky Hotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj

c: Mr. Jim Patton 305 W. Chesapeake Avenue, #100 Towson, MD 21204 Ms. Grace E. Shank 7337 Windsor Mill Road Baltimore, MD 21244





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7337 WINDSOR MILL ROAD which is presently zoned DR-5.5

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) 1801.25.15; 1801.25.15; 301.1A. (SES ATTRCHED).

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:

Legal Owner(s):

7337 WINDSOF	MILL, LL	L Name	Type or Print	ZORISES LLC	·
Signature CousuLT	PATE LID #12	70 - 796-2140 Telephone No.	Signature Signature Name - Type or Print	SHANK	······································
BALTIMORE	MD. State	21204			, - , , - , - , - , - , - , - , -
Attorney For Petition		Zip Code	Signature 7337 WINDSOR M Address	III Rd.	410-802-946 Telephone No.
Name - Type or Print	PHY	City	BALTIMORE	MD 2	ip Code
Signature .	VEPHUL LL	Aug.	Representative to b	e Contacted:	
Company IAN. Rolling		110.744.4967	Name 305W. CHESADEAN	· · · · · · · · · · · · · · · · · · ·	410-296-214
CATONSVILLE	MD	Telephone No. 21228-4848	Address PALT IMPER	MD	Telephone No. 21204
City	State	Zip Code	City	State	Zip Code
			OFFICE	USE ONLY	
$cas_{No} = 0.3$	-091-4	1	ESTIMATED LENGTH OF HE	ARING	
Caro No		Reviewed By	UNAVAILABLE FOR HEARIN	6 <u>8/33/05</u>	
	comb	ine with	HOH		

ATTACHMENT PETITION FOR VARIANCE

7337 WINDSOR MILL ROAD

ZONING VARIANCES

FROM SECTION 1B01.2C1b (BCZR)

A SIDEYARD OF 10' IN LIEU OF THE REQUIRED 15' FOR A LENGTH OF 15'+/-RELATIVE TO AN EXISTING DWELLING TO REMAIN ON LOT 10.

FROM SECTION 1B01, 2C1b (BCZR)

A REARYARD OF 25' IN LIEU OF THE REQUIRED 30' FOR A LENGTH OF 15' +/- RELATIVE TO AN EXISTING DWELLING TO REMAIN ON LOT 9.

FROM SECTION 301.1A (BCZR)

TO PERMIT A 20' OPEN PROJECTION SETBACK (10' DECK) IN LIEU OF THE REQUIRED 22.5' OPEN PROJECTION SETBACK (7.5' DECK) FOR LOTS 1,2,3,4,11,&12.

REASONS

THE SIDEYARD AND REAR YARD SETBACK VARIANCES PERTAIN TO <u>EXISTING</u>

<u>DWELLINGS</u> WHICH WILL REMAIN ON INDIVIDUAL LOTS UPON APPROVAL OF THE PROPOSED DEVELOPMENT.

THE REAR DWELLING (ONE STORY RANCHER) WAS CONSTRUCTED CLOSER TO THE "REAR PROPERTY LINE" THAN THE NOW REQUIRED 30'. FOR PURPOSES OF THE PLATTING AND ORIENTATION OF THIS EXISTING DWELLING FOR THE NEW DEVELOPMENT THIS SIDE OF THE DWELLING IS PROPOSED AS THE REAR. THERE IS PRACTICAL DIFFICULTY TO BRING THIS INTO COMPLIANCE WHEN THE DWELLING ALREADY EXISTS. (THERE IS NO RECORD OF HOW TWO DWELLINGS CAME TO BE CONSTRUCTED ON A SINGLE RECORDED LOT. THE PROPOSED DEVELOPMENT WILL CORRECT THAT ERROR.)

AS TO THE REQUESTED SIDE YARD VARIANCE, THIS PERTAINS TO THE EXISTING "MAIN HOUSE" WHICH WILL REMAIN. TO MAINTAIN CURVATURE OF THE PROPOSED ROAD AND SITE THE HOUSE TO REMAIN RELATIVE TO THE ROAD AND OTHER PROPOSED DWELLINGS, THIS MINIMUM SIDEYARD VARIANCE IS REQUESTED AS THE HOUSE PRESENTLY EXISTS AND THERE WOULD BE A PRACTICAL DIFFICULTY IN TEARING THIS MINIMAL PORTION OF THE HOUSE OFF AND RECONSTRUCTING IT.

TO PERMIT ECONOMIC AND PRACTICAL SIZED DECKS TO BE CONSTRUCTED ON THE REARS OF SOME OF THE PROPOSED DWELLINGS, A MINIMAL 2.5' VARIANCE TO THE OPEN PROJECTION SETBACK IS REQUESTED. THIS PROJECTION WILL NOT IMPACT THE REQUIRED OPEN AREAS.

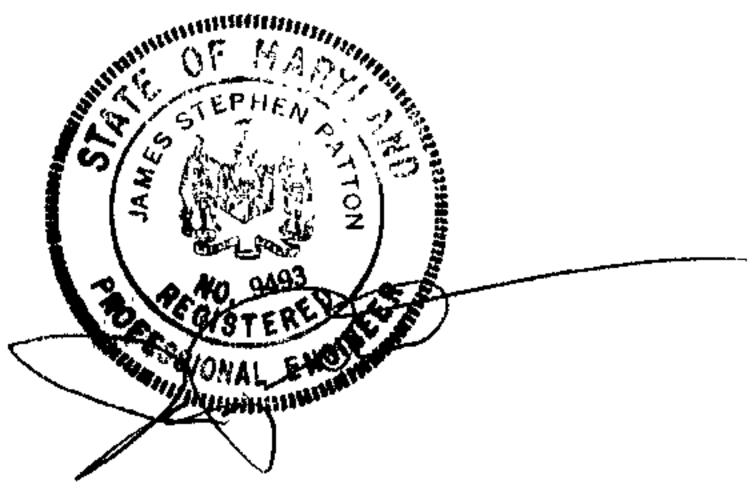
AND FOR SUCH OTHER REASONS AS MAY BE PRESENTED AT THE TIME OF THE HEARING.

ZONING DESCRIPTION

Beginning at a point on the south side of Windsor Mill Road which is 24 feet wide (proposed 50' wide right-of-way) at the distance of 160 feet more or less northwest of the centerline of the nearest improved intersecting street, Rollwin Road, which is 40 feet wide. Thence the following courses and distance:

1. South 24° 21'54" West	524.21';
2. North 34° 01' 32" West	149.76';
3. North 34° 08' 06" West	184.00';
4. North 42° 06' 54" East	368.20';
5. North 42°06' 54" East	15.32';
6. South 60° 17' 06" East	168.24

to the place of beginning. As recorded in Baltimore County Land Records Deed Liber 15706 Folio 74 containing 2.54 acres more or less. Also known as 7337 Windsor Mill Road and located in the 2nd Election District, 2nd Councilmanic District.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.16469

EUSINESS ACTUAL TIME 3/26/2002 8/23/2002 , 10:53:43 WALKIN ROOS LIKB DRAWER >>RECEIPT # 209112 8/26/2002 OFLN 5 528 ZONING VERIFICATION 016469 Recet Tot \$400.00 400.00 €K .00 CA Baltimore County, Waryland

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: #03-091-A

7337 Windsor Mill Road

S/S Windsor Mill Road, 160' NW centerline of Rollwin Fload 2nd Election District - 2nd Councilmanic District

2nd Election District - 2nd Councilmanic District
Legal Owner(s): Shank Enterprises LLC, George Shank
Contract Purchaser: 7337 Windsor Mill LLC
Variance: to permit a side yard of 10 feet in lieu of the required 15 feet for a length of 15 feet +/- relative to an existing dwelling to remain on Lot 10, to permit a rear yard of 25 feet in lieu of the required 30 feet for a length of 15 feet +/- relative to an existing dwelling to remain on Lot 10, and to permit a 20 feet open projection setback (10 feet deck) in lieu of the required 22.5 feet open projection setback (7.5 deck) for Lots 1, 2, 3, 4, 11 and 12.

Hearing: Thursday, November 21, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake Avenue.

Chesapeake Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Comspecial accommodations ricase outlined and special accommodations ricase outlined and special accommodations ricase outlined and special accommodations at (410) 887-4386

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

(572978) 11/018 Nov. 7

CERTIFICATE OF PUBLICATION

117,2002
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 11 7 ,20 <u>02 .</u>
The Jeffersonian
Arbutus Times
☐ Catonsville Times
Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings-

LEGAL ADVERTISING

RF Case No 03-091-A

Petitioner Developer SHANK, ETAL

PATTON

Date of Hearing/Closing 11/21/02

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

Ladies and Gentlemen

h.y

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12.1

" brand fax transmittal memo 7671 | # of pag

This letter is to certify mine, the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at ONSITE - SHANK SUBD.

W/S WINDSOR MILL RD.

The sign(s) were posted on

Sincerely,

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

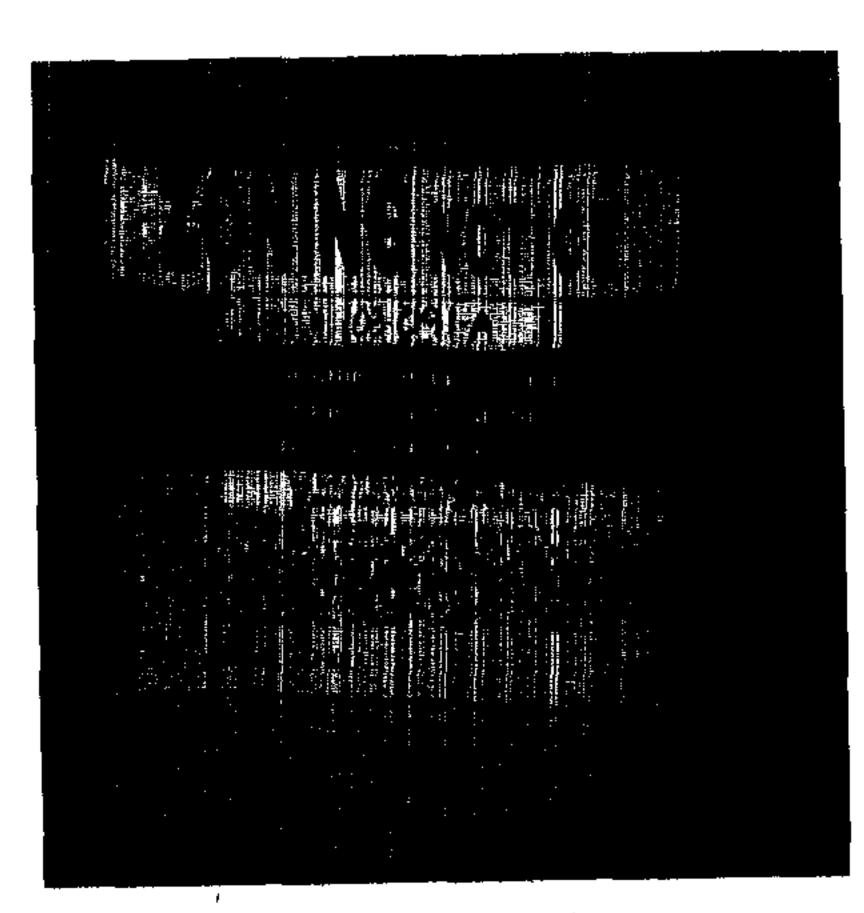
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



SHANK PATTON 11/01/02

TO: PATUXENT PUBLISHING COMPANY

Thursday, November 7, 2002 Issue - Jeffersonian

Please forward billing to:

Patton Consultants Ltd James S Patton 305 W Chesapeake Avenue Suite 100 Baltimore MD 21204 410 296-2140

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: 03-091-A 7337 Windsor Mill Road

S/S Windsor Mill Road, 160' NW centerline of Rollwin Road

2nd Election District – 2nd Councilmanic District

Legal Owner: Shank Enterprises LLC, George Shank

Contract Purchaser: 7337 Windsor Mill LLC

<u>Variance</u> to permit a side yard of 10 feet in lieu of the required 15 feet for a length of 15 feet +/- relative to an existing dwelling to remain on Lot 10, to permit a rear yard of 25 feet in lieu of the required 30 feet for a length of 15 feet +/- relative to n existing dwelling to remain on Lot 10, and to permit a 20 feet open projection setback (10 feet deck) in lieu of the required 22.5 feet open projection setback (7.5 deck) for Lots 1, 2,3, 4, 11 and 12.

HEARING: Thursday, November 21, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

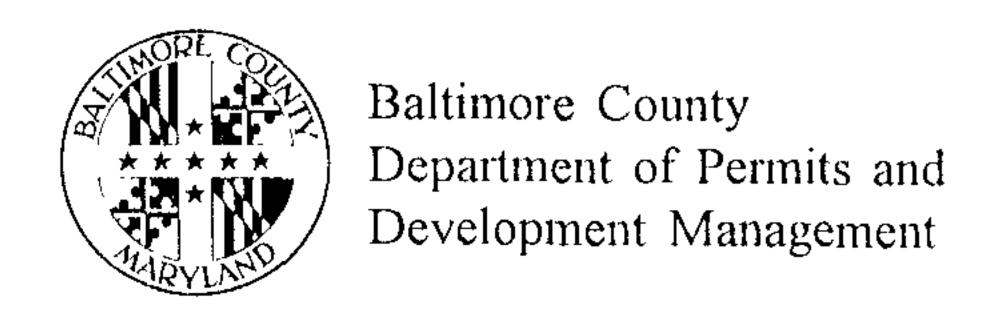
Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 302

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.



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

Fax: 410-887-5708

October 1, 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: 03-091-A 7337 Windsor Mill Road

S/S Windsor Mill Road, 160' NW centerline of Rollwin Road

2nd Election District – 2nd Councilmanic District

Legal Owner: Shank Enterprises LLC, George Shank

Contract Purchaser: 7337 Windsor Mill LLC

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HEARING:

Thursday, November 21, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

Arnold Jablon ভেচ্ছ

Director

C: John V Murphy, Murphy & Murphy, 14 N Rolling Road, Catonsville 21228-4848 Shank Enterprises LLC, Grace E Shank, 7337 Windsor Mill Road, Baltimore 21244 7337 Windsor Mill LLC, Patton Consultants LTD, 305 W Chesapeake Avenue, Suite 100, Baltimore 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 6, 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.

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	7337 Wind Roll ¹ 2 nd E Distr Lega Cont	7337 Winds Windsor Mi Rollwin Roa 2nd Election District Legal Owne Geor Contract Pu Petiti	7337 Windsor Mill Windsor Mill Rd. 1 Rollwin Road 2nd Election District District Legal Owner: Shan George Shan Contract Pur.: 7337 Petitioner(s)	7337 Windsor Mill LLC 3 Windsor Mill Rd. 160' NW Rollwin Road 2 nd Election District 2 nd Co District Legal Owner: Shank Enter George Shank Contract Pur.: 7337 Winds Petitioner(s)	2 nd Election District 2 nd Councilma District Legal Owner: Shank Enterprises, I George Shank Contract Pur.: 7337 Windsor Mill Petitioner(s)	7337 Windsor Mill LLC S/side Windsor Mill Rd. 160' NW ctrl of Rollwin Road 2nd Election District 2nd Councilmanic District Legal Owner: Shank Enterprises, LLC George Shank Contract Pur.: 7337 Windsor Mill LLC Petitioner(s)	7337 Windsor Mill LLC S/side Windsor Mill Rd. 160' NW ctrl of Rollwin Road 2 nd Election District 2 nd Councilmanic District Legal Owner: Shank Enterprises, LLC George Shank Contract Pur.: 7337 Windsor Mill LLC Petitioner(s)	7337 Windsor Mill LLC S/side Windsor Mill Rd. 160' NW ctrl of * ZON Rollwin Road 2nd Election District 2nd Councilmanic * FOR District Legal Owner: Shank Enterprises, LLC * BAI George Shank Contract Pur.: 7337 Windsor Mill LLC * 03-0 Petitioner(s)	7337 Windsor Mill LLC S/side Windsor Mill Rd. 160' NW ctrl of * ZONING Contract Pur.: 7337 Windsor Mill LLC * 03-091-A Petitioner(s)	7337 Windsor Mill LLC S/side Windsor Mill Rd. 160' NW ctrl of * ZONING COMMIS Rollwin Road 2nd Election District 2nd Councilmanic * FOR District Legal Owner: Shank Enterprises, LLC * BALTIMORE COU George Shank Contract Pur.: 7337 Windsor Mill LLC * 03-091-A Petitioner(s)

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/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 3rd day of September, 2002 a copy of the foregoing Entry of Appearance was mailed to John V. Murphy, Esq., MURPHY & MURPHY, LLC, 14 North Rolling Rd. Catonsville, MD 21228-4848 Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

DEPARTMENT F PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

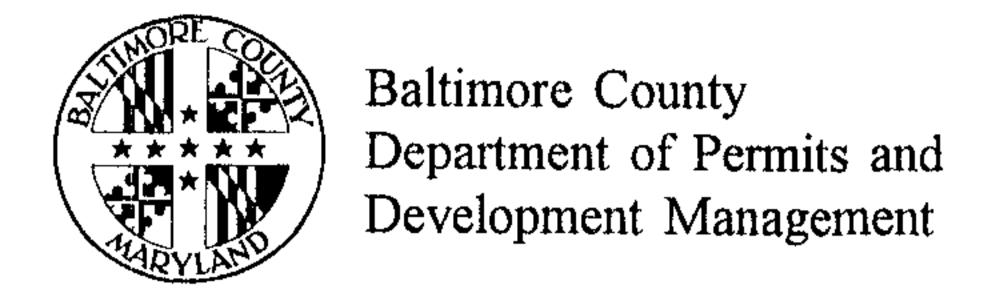
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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: 03-09/-A
Petitioner. SHANK-ENTERPRISES L2C
Address or Location: 7337 WINDSOR MILL ROAD 21244
PLEASE FORWARD ADVERTISING BILL TO:
Name: PATTON CONSULTANTS LTT.
Address: 305 W. CHUSAFOTAKO- ANT SOITE 100
BOLTIMORE, UD 21204
Teiephone Number: 410 - 296 - 2140

Revised 2/20/98 - SCJ



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

November 15, 2002

John V. Murphy Murphy & Murphy, LLC 14 N. Rolling Road Catonsville, MD 21228-4848

Dear Mr. Murphy:

RE: Case Number: 03-091-A, 7337 Windsor Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 23, 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.

Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel Shank Enterprises, LLC, 7337 Windsor Mill Road, Baltimore 21207 James S. Patton, 305 W. Chesapeake Ave., Suite 100, Baltimore 21204

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 21, 2002

Department of Permits & Development Management

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 3, 2002

Item Nos. 081, 082, 083, 084, 085, 086, 088, 089, 091, 092, and 093

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

RWB:CEN:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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

August 30, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's office has no comments at this time, in reference to the following items:

081-085, 088, 090-093

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 5, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SEP - 6 ---

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-083 & 03-091

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:

Section Chief:

AFK/LL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams
Administrator

Date: 8.29.02

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

RE:

Baltimore County
Item No.

1312/115

Dear. Mr. Zahner:

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).

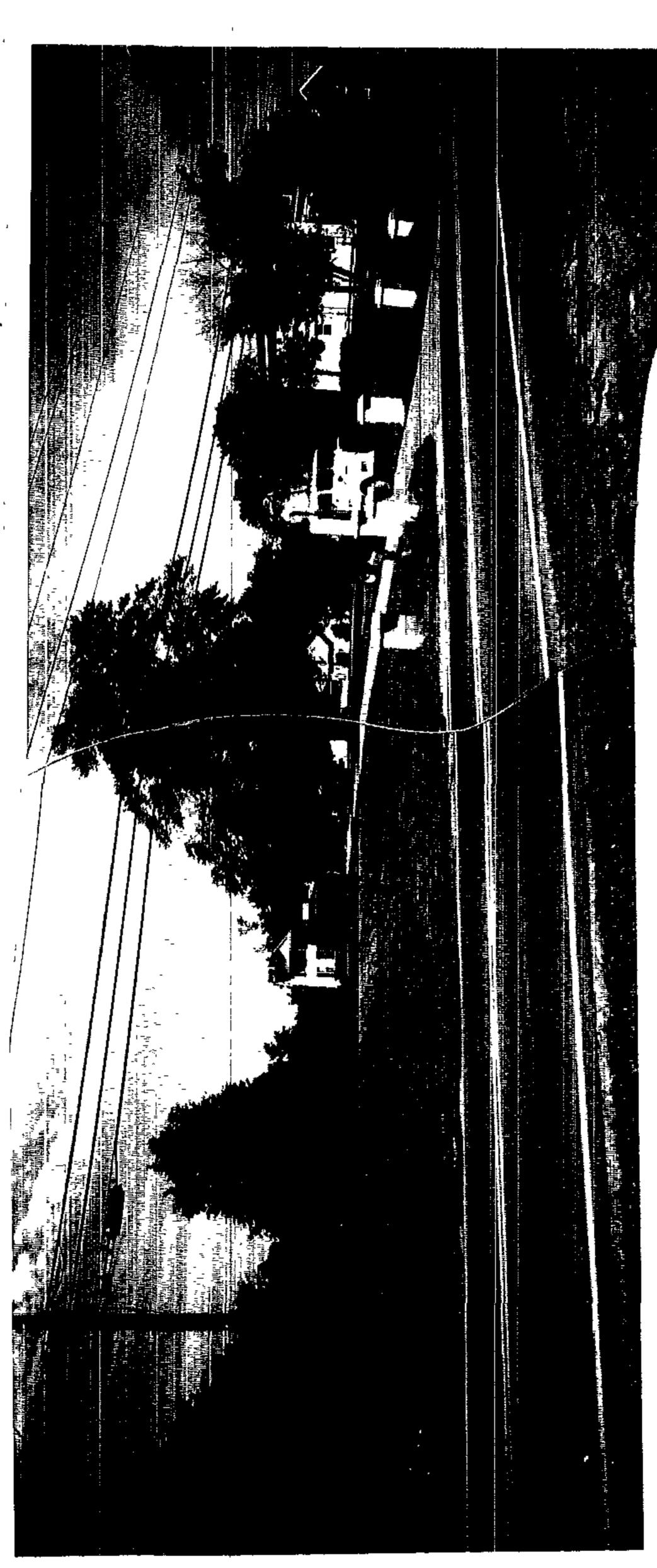
Very truly yours,

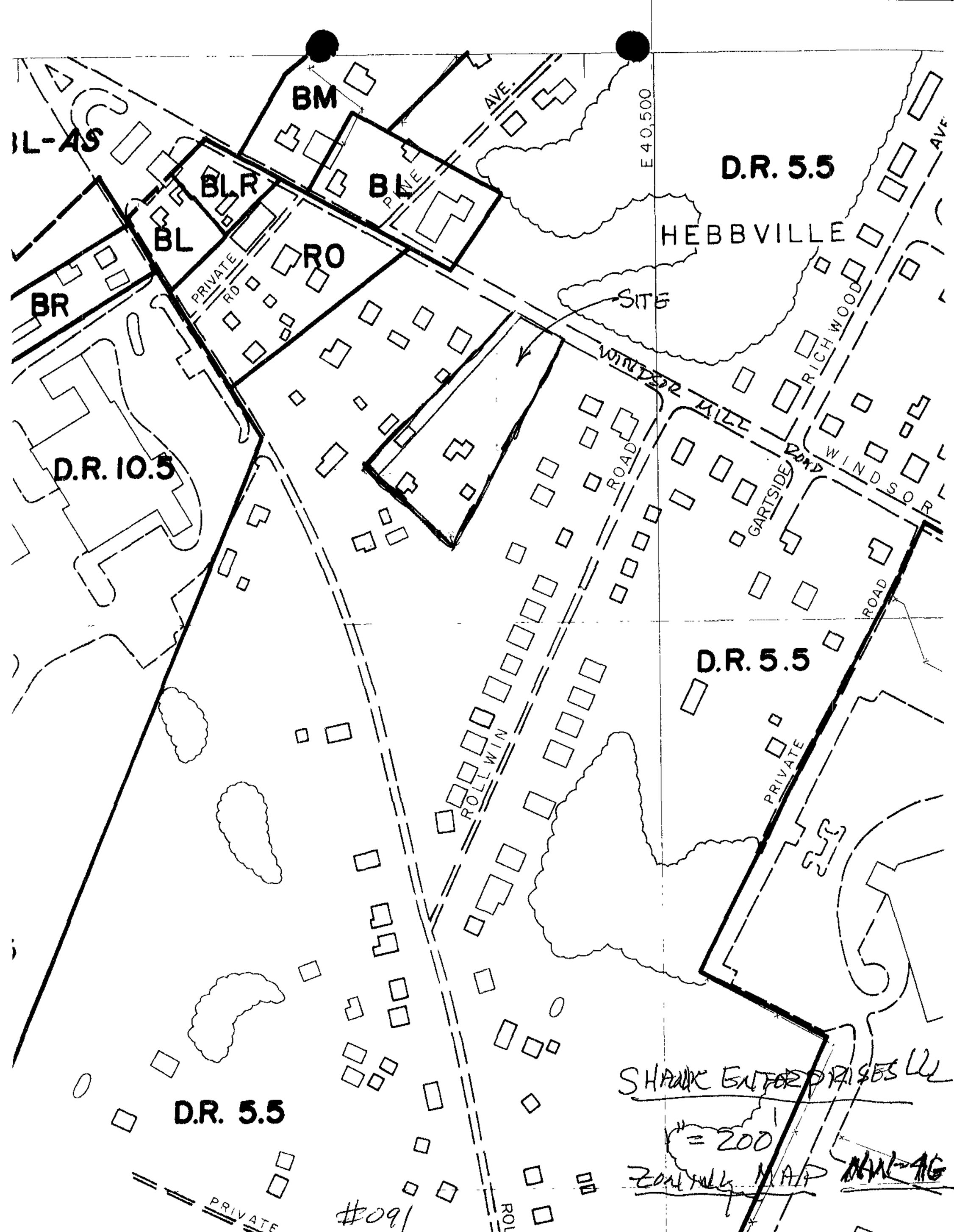
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
Kenneth A. McDonald Jr., Chief Engineering Access Permits Division


Pet Ex 2






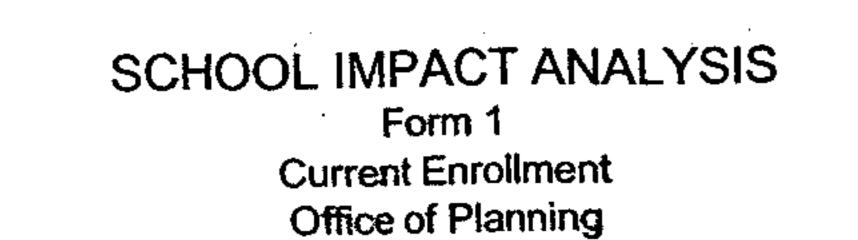








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Project Name SHANK ENTERPRISES, LLC PROPERTY PDM Project Number PDM #III-629

School District	State Rated Capacity (SRC)	Actual September 30th Enrollment*	# of Pupils Above or (Below) SRC	Actual Enrollment as a Percentage of SRC
HEBBVILLE	591	508	(83)	8600
Elementary School				
WOODLAWN Middle School	1,039	997	(42)	9600

SCHOOL IMPACT ANALYSIS Form 2 Projected Pupil Yield by Development Type

Office of Planning Project Name SHANK ENTER PRISES, LLC PROPERTY

PDM Project Number PDM *II-629 Filing Date FEBRUARU 2002

Election District 2+D

		Projecte	ed Number of	Pupils
: .	Number	Elementary	Middle	High
Dwelling Type	of Units	School	School	School
Single Family Detached	3	0.237 = Hel	0136 : AL=	allo=33-1
Townhouse (sale)				
Townhouse (rent) .				
Semi-Detached	10	0,235=235=3	0.088 - 95	0.235:7362
Condomimum	 			
Apartments				
1 Bedroom				
2 Bedroom				· · · · · · · · · · · · · · · · · · ·
3 Bedroom				· · · · · · · · · · · · · · · · · · ·
	Totals*	A	2_	4

*If the calculation of the number of pupils results in a number containing a fraction, the number of pupils shall be rounded to the next highest whole number

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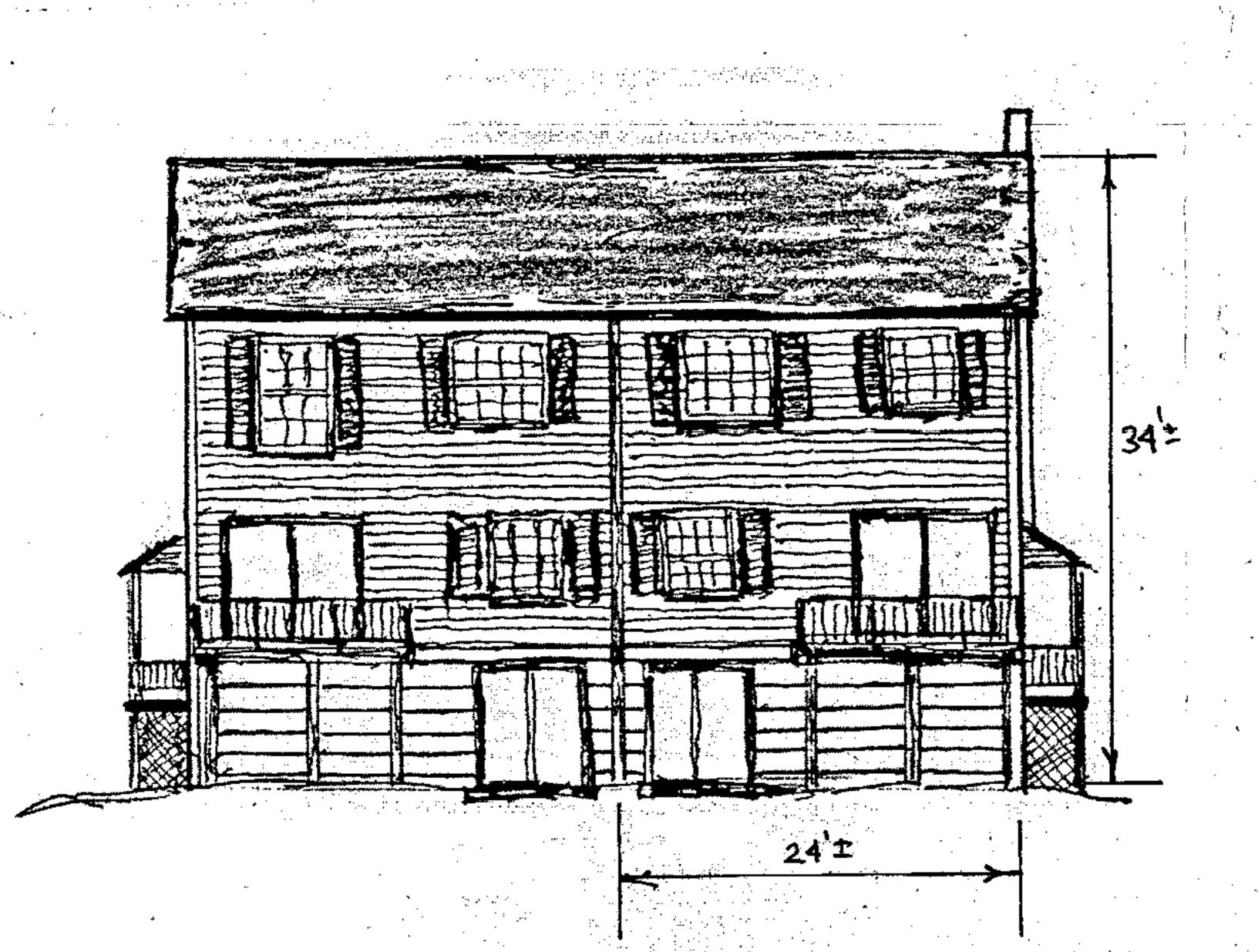
SCHOOL IMPACT ANALYSIS Form 3 Determination Table Office of Planning

Project Name SHANK ENTERPRISES, LLC PROPERTY PDM Project Number PDM #II-629 Filling Date FEBRUARY 2002

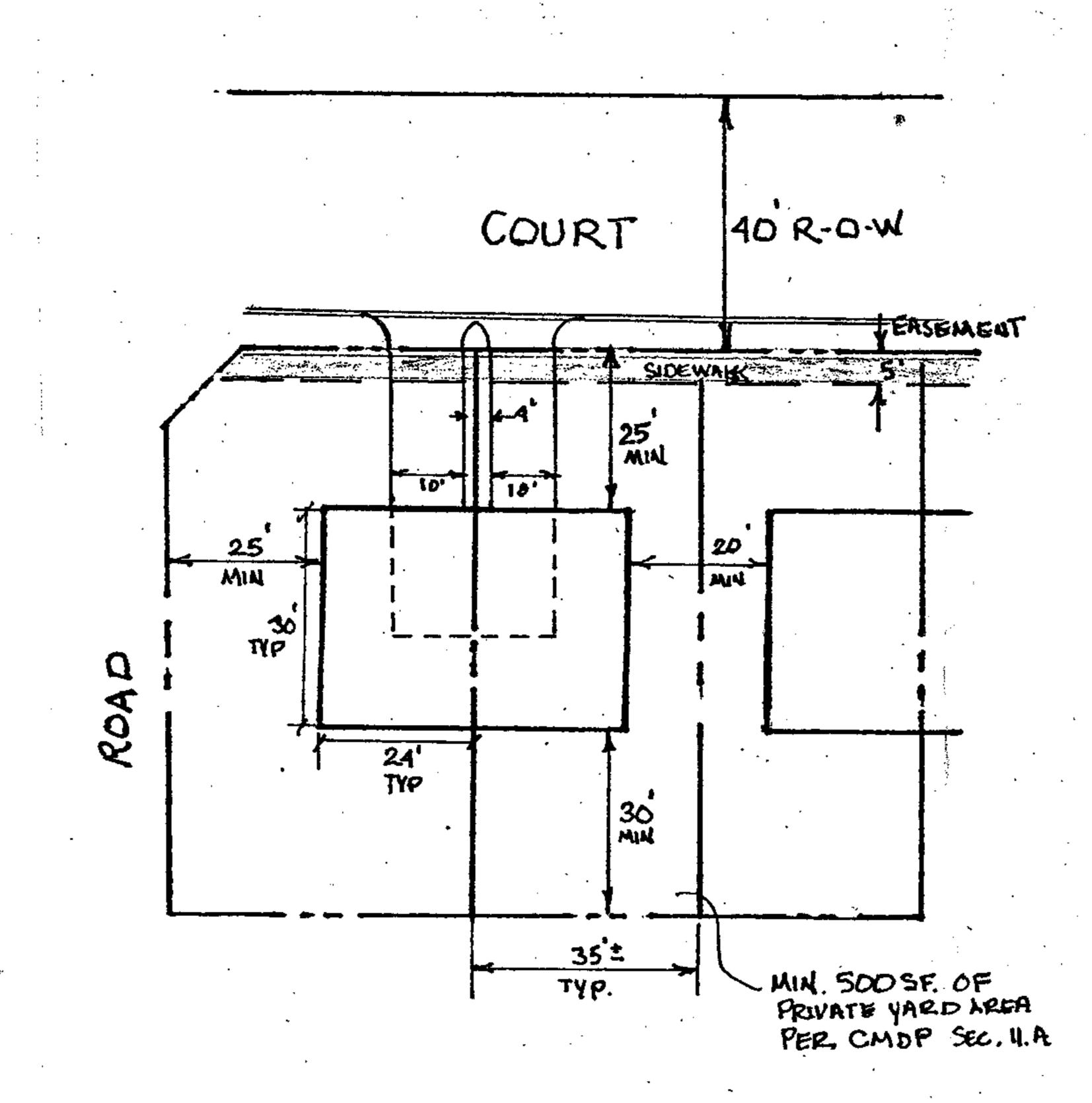
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School District	State Rated Capacity (SRC)	Actual September 30th Enrollment	Projected # of Pupils for Proposed Development	Total Projected Enrollment	# of Students Above or (Below) Capacity	Projected* # of Pupils as a Percentage of SRC
HEBBYILLE	591	508	. 4	512	(79)	0.690
Elementary School		<u> </u>	,			
WOODLAWN	1,039	997	2	999	(40)	0.170
Middle School						
WOODLAWN	1,580	1,835	4	1,839	259	0.200
High School					· ·	

*Projected Number of Pupils as a Percentage of State Rated Capacity must be shown as a number carried

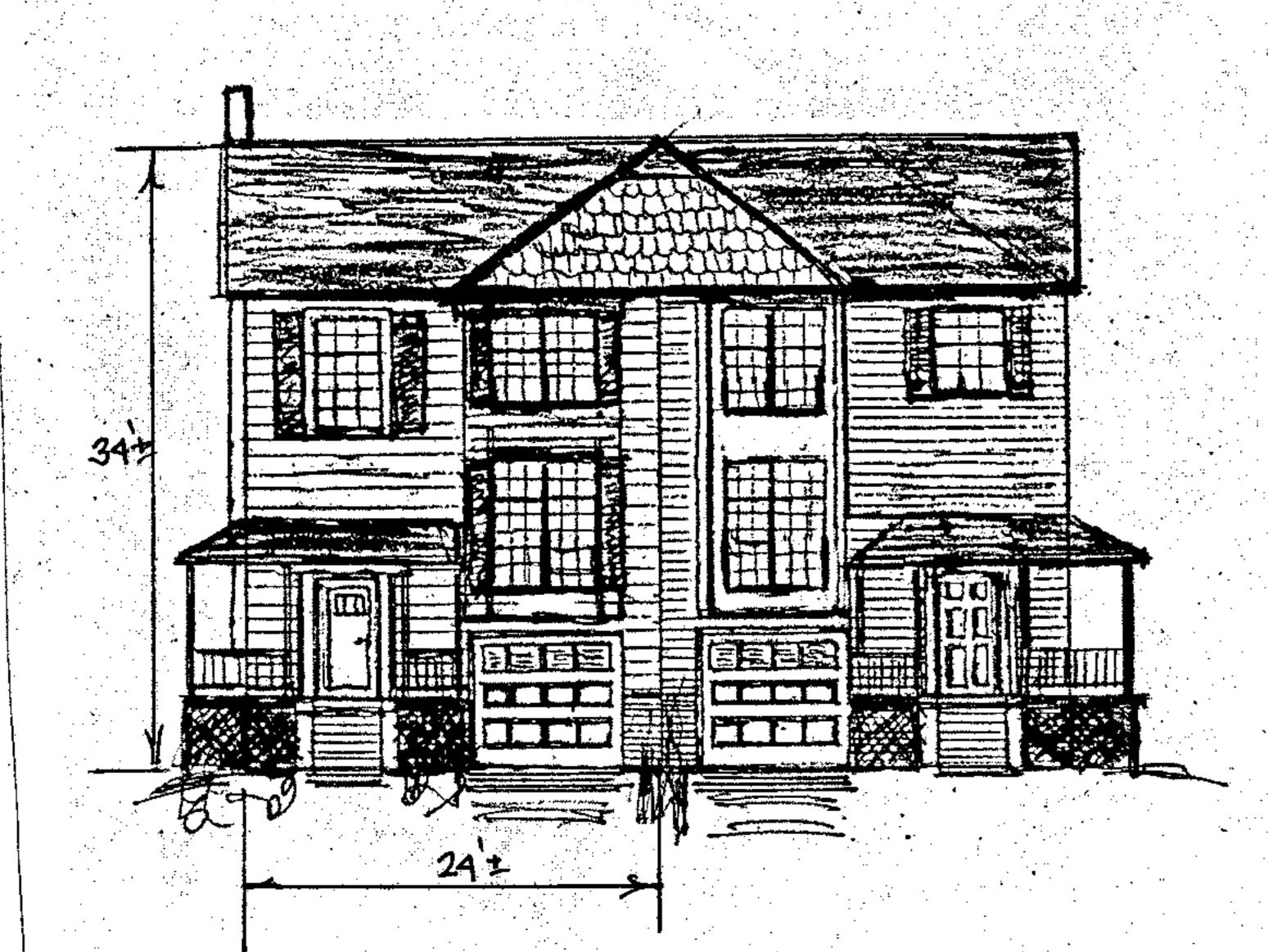


TYPICAL REAR ELEVATION



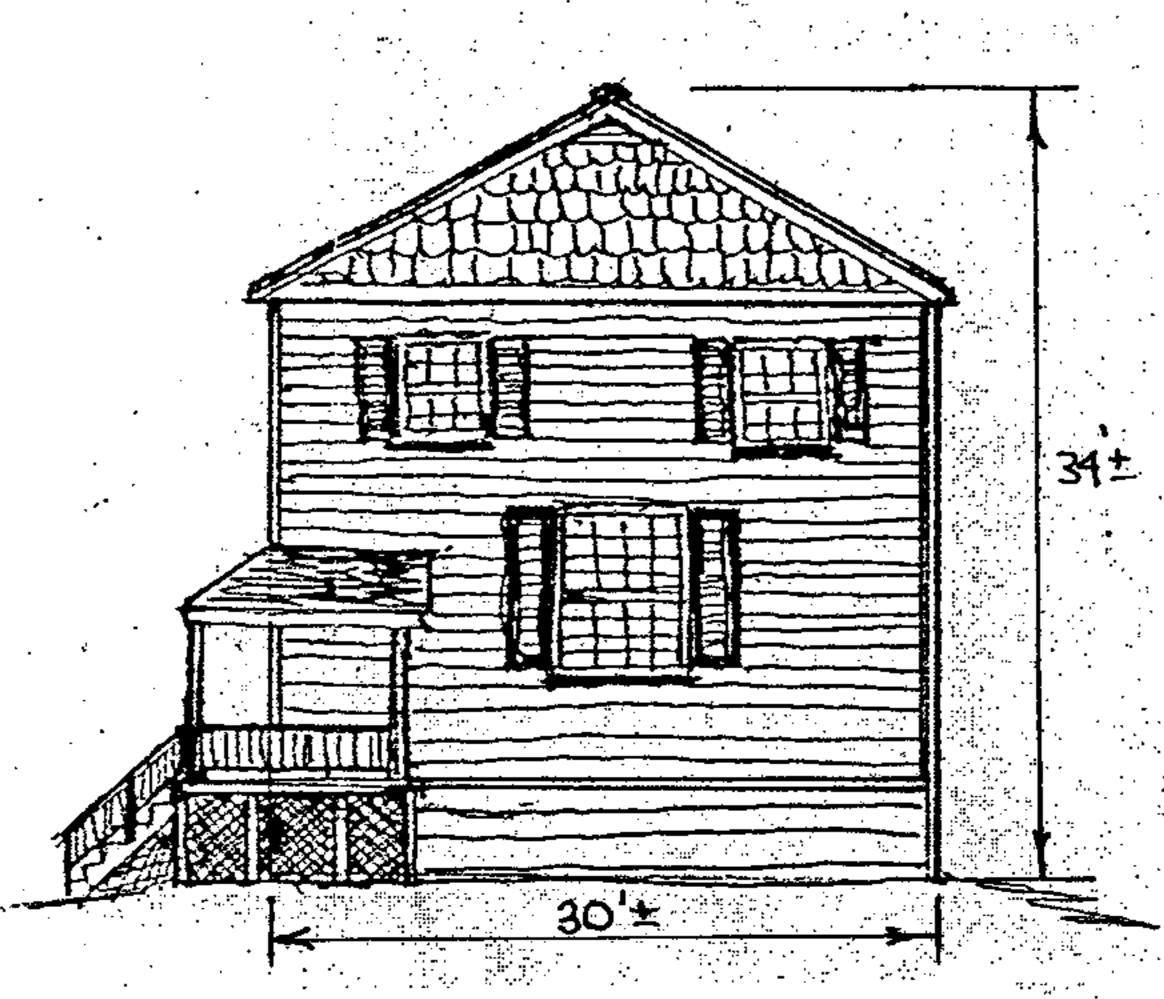
TYPICAL LOT AND PARKING DETAIL

Public Road Utility and Street Tree Locations



TYPICAL FRONT ELEVATION

the second second second second second



(Street	2'-0"	PEOPERTY	ER SEMENT
aro			
	water Meter Vouit		
<u> </u>	8" 4" A'-8" Street Tree Planting Are 5' PUBLIC R.O.W	4' Sidewalk	
-	5 MBUC R.O.W	5 EASEMENT	Ecsement -
)Joint trench for installation of gas, electric, communication 4 CATV in BG4 & Easement.	Reserve for street light position cables appring highway use.	purtenant to
2) Alternative location for com nication and/or CATV.	mu (4) Fire hydrants and traf	fic signs .

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GENERAL NOTES

3. OWNER:

1. DEVELOPMENT NAME: SHANK ENTERPRISES, LLC PROPERTY

7337 WINDSOR MILL LLC 2. APPLICANT: C/O PATTON CONSULTANTS, LTD. 305 WEST CHESAPEAKE AVENUE, SUITE 100

TEL: (410) 296-2140 SHANK ENTERPRISES LLC 7337 WINDSOR MILL ROAD

BALTIMORE, MD 21244 4. PLAN PREPARED BY: PATTON CONSULTANTS, LTD. 305 WEST CHESAPEAKE AVE., SUITE 100 TOWSON, MD 21204 TEL: (410)296-2140

5. PROPERTY REFERENCE: TAX MAP: 87, GRID:11, PARCEL 129 TAX ACCOUNT: #0205340000 DEED: LIBER 15706, FOLIO 74

ACREAGE: NET = 2.54 ACRES +/-; GROSS = 2.60 ACRES +/-ADC MAP: 33-A4 BOUNDARY: CENTURY ENGINEERING, INC. APRIL 2002 TOPOGRAPHY: CENTURY ENGINEERING, INC. APRIL 2002 UTILITIES: BALTIMORE COUNTY DESIGN DRAWINGS AS NOTED. ZONING: BALTIMORE COUNTY 200 SCALE ZONING MAP - NW4G

SOILS: U.S.D.A. BALTIMORE COUNTY SOILS SURVEY (MAP 39) WETLANDS: HUMAN & RHODE, INC. APRIL 2002. CONFIRMED BY DEPRM APRIL, 2002 FOREST STAND DELINEATION HUMAN & RHODE, INC. APRIL 2002 CONFIRMED BY DEPRM APRIL 2002 & WORKSHEET:

NO FOREST EXISTS ON SITE. FLOOD PLAIN: NONE ON SITE

SUBSEWERSHED: C3; REGIONAL PLANNING DISTRICT: 319A

STEEP SLOPES & ERODIBLE SOILS: NOT APPLICABLE TO SITE ELECTION DISTRICT: 2ND; COUNCILMANIC DISTRICT: 2ND 6. GENERAL DATA: CENSUS TRACT: 4024.01; WATERSHED: PIKESVILLE 4TH;

SCHOOL INFORMATION: SEE TABLE I. A. ACREAGE: GROSS = 2.60 AC. +/- (168.24 L.F. WINDSOR MILL X 15'ROW)

NET = 2.54 AC. +/- (2.60 AC+/- - 0.06 AC. WINDSOR MILL B. ZONING: DR - 5.5 @ 2.60 AC. (GROSS)

C. DENSITY CALCULATIONS:

ALLOWED: DR 5.5 X 2.60 ACRES = 14.3 DWELLINGS PROPOSED: 13 DWELLINGS (3 SINGLE FAMILY & 10 DOUBLES) THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1891 ACCORDING TO DEEDS. NO KNOWN PART OF THE GROSS AREA OF THIS PARCEL/LOT AS SHOWN ON THE PLAN HAS BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO

D. PARKING: REQUIRED - 2 SPACES / DWELLING = 26 PARKING SPACES PROPOSED - 26 PARKING SPACES INCLUDING GARAGES

8. OPEN SPACE: AGREED TO BETWEEN THE DEVELOPER AND THE DEPARTMENT OF

SUPPORT ANY OFF-SITE DWELLINGS.

RECREATION AND PARKS. REQUIRED: ACTIVE OPEN SPACE: 650 SF/UNIT OR

650SF X 13 UNITS = 8,450 SF = 0.1940 AC. PASSIVE OPEN SPACE: 350 SF/UNIT OR 350SF X 13 UNITS = 4,550 SF = 0.1044 AC.

PROVIDED: FEE - IN - LIEU WILL BE PAID AS NUMBER OF UNITS IS LESS

THAN TWENTY (20), WAIVER REQUESTED. LANDSCAPE REQUIREMENTS WILL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, ADOPTED AUGUST 7, 2000, AS AMENDED.

THE SCHEMATIC LANDSCAPE PLAN SHOWN HEREON IS PRELIMINARY TO SHOW COMPLIANCE WITH THE LANDSCAPE REQUIREMENTS. THIS PLAN IS SUBJECT TO SUBMITAL AND APPROVAL OF A FINAL LANDSCAPE PLAN.

2 MINOR DECIDUOUS TREES (1-1 1/2" CAL.) OR 2 EVERGREEN TREES (6' HT.), OR 5 SHRUBS, OR 500 S.F. OF GROUND COVER, OR 10 HERBACEOUS/PERENNIAL (1 GAL.)* OR 20 HERBACEOUS/PERENNIAL (1 QUART)

*TO MEET CLASS D SCREENING

STORMWATER MANAGEMENT
CLASS 'A' SCREEN 1 P.U./15 LF 280 LF / 15LF = 18.67 P.U.

CLASS 'A' SCREEN 1 P.U./15 LF 150 LF / 15LF = 10.00 P.U.

= 48.92 P.U. SINGLE FAMILY DWELLING UNIT AND TEN (10) TWO FAMILY ATTACHED

UNITS (FIVE (5) STRUCTURES). THERE ARE NO KNOWN CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES, OR HAZARDOUS MATERIALS ON SITE, AS KNOWN TO THE APPLICANT, THE OWNER, OR THE APPLICANT'S ENGINEER OSITIVE FINDINGS AS DEFINED BY SECTION 7-101 OF THE ENVIRONMENTAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS

12. AVERAGE DAILY TRIPS: ADTS CALCULATED FROM BALTIMORE COUNTY CMDP 13 DWELLING UNITS X 8.5 TRIPS PER DAY / UNIT = 111 ADTS 3. STORMWATER MANAGEMENT: STORMWATER MANAGEMENT WILL CONFORM TO BALTIMORE COUNTY STANDARDS, AS PROMULGATED AT THE TIME OF FILING.

> STORMWATER MANAGEMENT FACILITY WILL BE OWNED AND MAINTAINED BY BALTIMORE COUNTY. PRELIMINARY HYDROLOGY COMPUTATIONS HAVE BEEN PROVIDED TO BALTIMORE COUNTY DEPRM; THIS HYDROLOGY

REPORT VERIFIES THE OUTFALL IS ADEQUATE. THE STORMWATER MANAGEMENT FACILITY SHALL BE SCREENED FROM ADJACENT RESIDENTIAL PROPERTIES.

SCHEMATIC GRADING IS SHOWN ON THIS PLAN. 14. GRADING EXISTING VEGETATION WILL BE RETAINED IN AREAS NOT REQUIRED FOR 15. VEGETATION:

16. SIGHT LINES: THEY SHALL BE KEPT PERMENANTLY CLEAR TO ENSURE UNOBSTRUCTED

NO KNOWN UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST ON 17. STORAGE TANKS: PROPOSED STREET LIGHTING IS SCHEMATICALLY SHOWN ON THE PLAN.

SIDEWALKS SHALL BE PROVIDED ON THE PUBLIC ROADS. 19. SIDEWALKS: SIGNAGE SHALL CONFORM WITH BCZR SECTION 450 AND ALL APPLICABLE 20. SIGNAGE:

the second of th

BUILDING FOOTPRINTS SHOWN HEREON ARE FOR ILLUSTRATIVE

.... 20.200 ***********************

27.LIMITATIONS:

28. HISTORIC SITES:

29. **NOTES**:

PURPOSES ONLY. FOUNDATION PLANS MAY DEVIATE THEREFROM WHILE BEING MAINTAINED WITHIN THE BUILDING ENVELOPS.

PUBLIC WATER AND SANITARY SEWER EXIST ON SITE. 22. UTILITIES:

23. FOREST BUFFER/ FOREST CONSERVATION NO FOREST BUFFER OR FOREST CONSERVATION EASEMENT EXISTS

OR IS PROPOSED FOR THIS SITE. 24. LIMIT OF DISTURBANCE: THE LIMIT OF DISTURBANCE SHALL BE AS SHOWN HEREON AND AS MAY

BE MODIFIED ON THE FINAL APPROVED GRADING PLAN. BUILDING ENVELOPS SHOWN HEREON ARE FOR THE LOCATION OF

PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE TH ENVELOPE, AND MUST COMPLY WITH SECTIONS 259.9, 301, AND 400 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

MAXIMUM HEIGHT OF BUILDING IS 35'

NO KNOWN LIMITATIONS OF RECORD ESTABLISHED BY THE COURTS COUNTY BOARD OF APPEALS, PLANNING BOARD, ZONING COMMISSIONER

OR RESTRICTIVE COVENANTS RECORDED WITH OR BY INDIVIDUALS OR GROUPS WHICH WOULD LIMIT THE PROPOSED DEVELOPMENT OF THE SITE EXIST.

NO BUILDINGS, PROPERTIES, OR SITES EXIST WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT AS LISTED ON THE MARYLAND HISTORICAL TRUST INVENTORY OF HISTORIC PROPERTIES, BALTIMORE COUNTY PRELIMINARY OR FINAL LANDMARKS LIST, THE NATIONAL REGISTER OF HISTORIC PLACES, THE MARYLAND ARCHEOLOGICA SURVEY, NOR DOES THE SITE LIE WITHIN ANY BALTIMORE COUNTY HISTORIC DISTRICT OR A NATIONAL REGISTER DISTRICT.

A.) A HYDROGEOLOGICAL REPORT AND AN ENVIRONMENTAL EFFECTS REPORT WERE FILED CONCURRENTLY WITH THIS PLAN.

> B.) A PRELIMINARY AND FINAL FOREST CONSERVATION PLAN AND WORKSHEET WERE FILED WITH DEPRM IN ACCORDANCE WITH SECTION 14-408 OF THE BALTIMORE COUNTY CODE.

C.) THE SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREAS; NO FURTHER INFORMATION IS REQUIRED IN THIS REGARD.

D.) A FOREST CONSERVATION VARIANCE REQUEST HAS BEEN SUBMITTED TO DEPRM TO PROVIDE FOR THE PAYMENT INTO A FOREST CONSERVATION BANK IN LIEU OF PROVIDING AREA ON SITE.

E.) THE PROPOSED ROAD WILL BE PUBLIC.

F.) ALL ROADS AND EASEMENTS INDICATED WILL BE OFFERED FOR DEDICATION TO BALTIMORE COUNTY AT NO COST TO THE COUNTY. G.) NO AREAS OF CRITICAL STATE CONCERN EXIST ON SITE.

H.) NO RESIDENTIAL TRANSITIONAL AREAS (RTAs) ARE APPLICABLE TO

DEFICIENT AREA.

PUMP WASTEWATER WILL BE REQUESTED FROM THE DIRECTOR OF

PUBLIC WORKS. K.) NO PART OF THE SITE IS WITHIN A 100 YEAR FLOOD PLAIN DRAINAGE

L.) COVENANTS SHALL INCLUDE RESTRICTIONS AGAINST CONVERSION OF

GARAGES TO NON-GARAGE OR STORAGE USE.

M.) ALL UNITS SHALL HAVE A MINIMUM OF 500 SQUARE FEET OF PRIVATE SPACE AS REQUIRED BY CMDP I.E.27. and the second of the second of the second

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JUL \$1 2002 AUG 16 2002

PATTON CONSULTANTS, LTD.

PDM "II-629

410-296-2140 Fax 410-296-0419 PROJECT/DEVELOPMENT

DEVELOPMENT PLAN & FINAL DEVELOPMENT PLAN SCHEMATIC LANDSCAPE PLAN & PLAT TO ACCOMPANY ZONING PETITION

COUNTY: BATIMORE | ELECTION DIST. 2-C2 | PROJECT #: 20113 SCALE: AS SHOWN

DRAWN BY: DESIGN BY: CHECKED BY

