IN RE: PETITION FOR VARIANCE S/S Old Pimlico Road, 470' W centerline of Rockland Hills Drive 3rd Election District 2nd Councilmanic District (6923 Old Pimlico Road) Danielle C. & Donte L. Hickman *Petitioners*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-355-A

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Danielle and Donte Hickman. The Petitioners are requesting variance relief for property they own at 6923 Old Pimlico Road, which property is zoned D.R.16. The variance request is to permit a rear building setback of 25 ft. in lieu of the required 30 ft. and to amend the Final Development Plan for the "Needle Property".

Appearing at the hearing on behalf of the variance request were Donte Hickman, owner of the property, Richard Matz, the professional engineer who prepared the site plan of the property, and James L. Rouse, attorney at law, representing the Petitioners. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.314 acres, more or less, zoned D.R.16. The subject property is unimproved at this time. The owners of the property are interested in constructing a two-story dwelling on the site. A small portion of the rear of the Petitioners' house will extend beyond the 30 ft. rear yard setback for the house. This extension appears to be a breakfast nook, which extends a few feet beyond the 30 ft. setback line. In order to proceed with the construction of the house as shown on the site plan submitted into evidence as Petitioners' Exhibit No. 1, the variance request is necessary.

ORDER RECEIVED FOR FILING
Date 5/13/03
By

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 13th day of May, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B01.2.C.1.a of the Baltimore County Zoning Regulations, to permit a rear building setback of 25 ft. in lieu of the

ORDER RECEIVED FOR FILING
Date 5/13/03
By P. Jameson

required 30 ft. and to amend the Final Development Plan for the "Needle Property", be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

5/13/03
L. Jameson

Baltimore County
Zoning Commissioner

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

May 13, 2003

James L. Rouse, Esquire
2516 N. Charles Street
Baltimore, Maryland 21218

Re: Petition for Administrative Variance
Case No. 03-355-A
Property: 6923 Old Pimlico Road

Dear Mr. Rouse:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has 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 Department 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 Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. & Mrs. Donte L. Hickman
2015 Hillenwood Road
Baltimore, MD 21239

Richard Matz
Colbert, Matz, Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, MD 21209

Printed with Soybean Ink
on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6923 Old Pimlico Road
which is presently zoned D.R.-16

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part of thereof, hereby petition for a Variance from Section(s)

1B01.2.C.1.a, BCZR, to permit a rear building setback of 25 feet in lieu of the required 30 feet and to amend the most recently amended Final Development Plan. for the Needle Property.

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

The uniqueness and peculiarity of the property causes the zoning provisions to impact disproportionately upon the property. Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which Is the subject of this Petition.

Contract Purchaser/Lessee:

Name – Type or Print

Signature

Address. Telephone No.

City State Zip Code

Attorney For Petitioner:

Name – Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

5/13/03 R. Johnson

Case No. 03-355-A

Legal Owner(s):

Donte L. Hickman
Name – Type or Print

Donte L. Hickman
Signature

Danielle C. Hickman
Name – Type or Print

Danielle C. Hickman
Signature

2015 Hillenwood Road 410-426-6603
Address. Telephone No.

Baltimore MD 21239
City State Zip Code

Representative to be Contacted:

Richard E. Matz, P.E.
COLBERT MATZ ROSENFELT, INC
2835 Smith Avenue, Suite G (day) 410-653-3838
(eve) 410-484-8757
Address Telephone No.

Baltimore MD 21209
City State Zip Code

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING_____
UNAVAILABLE FOR HEARING_____
Reviewed By BM Date 1/30/03

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

ZONING DESCRIPTION FOR VARIANCE PETITION
6923 OLD PIMLICO ROAD

Beginning at a point on the south side of Old Pimlico Road, which is of varying width, at the distance of 470 feet west of the centerline of Rockland Hills Drive, which is 70 feet wide.

Being Lot # 5 in the subdivision of Needle Property, as recorded in Baltimore County Plat Book No. 74, Folio No. 3, and containing 13,690 square feet (0.314 acre). Also known as 6923 Old Pimlico Road and located in the 3rd Election District.

STATE OF MARYLAND
RICHARD EARL MATZ
No. 13203
PROFESSIONAL ENGINEER

1/22/03

2835 Smith Avenue, Suite G Baltimore, Maryland 21209
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

#355

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 21005

DATE 1/30/03 ACCOUNT [illegible]

AMOUNT $ 115.00

RECEIVED FROM: Colbert Matz Rosenfelt Inc.

FOR: Zoning Variance & ADP amendment

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 255

PAID RECEIPT
PAID RECEIPT
BUSINESS ACTUAL TIME
/31/2003 1/30/2003 15:17:17
REG WS02 WALKIN JEWA JEE DRAWER 2
RECEIPT # 250567 1/30/2003 OFLN
Dep 5 528 ZONING VERIFICATION
CR NO. 021005
Recpt Tot $115.00
115.00 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: #03-355-A
6923 Old Pimlico Road
S/side Old Pimlico Road, 470 feet west centerline Rockland Hills Drive
3rd Election District
2nd Councilmanic District
Legal Owner(s): Donte L. and Danielle Hickman
Variance: *to permit a rear* building setback of 25 feet in lieu of the required 30 feet and to amend the most recently amended Final Development Plan for the Needle Property.
Hearing: Monday, April 7, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391
3/255 March 20 C592939

CERTIFICATE OF PUBLICATION

3/21, 2003

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 3/20, 2003.

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

S. Wilkinson

LEGAL ADVERTISING

fes 4/25

CERTIFICATE OF POSTING

Date: 4/10/03

RE: Case Number 03-355-A

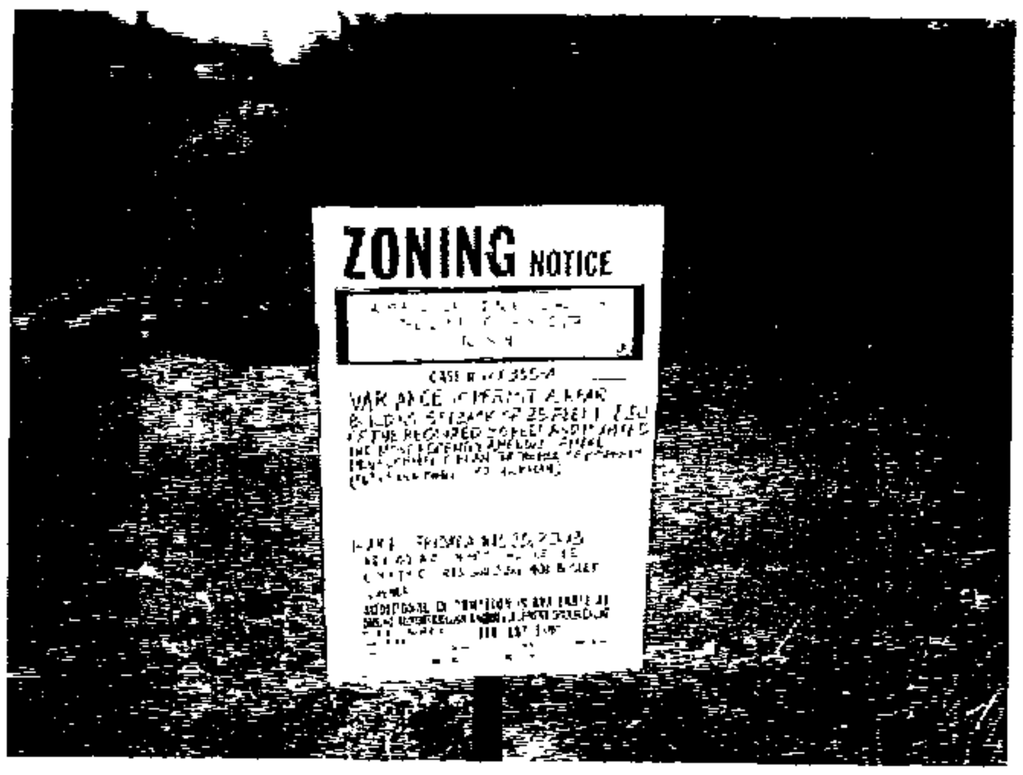
Petitioner/Developer: DONTE & DANIELLE HICKMAN

Date of Hearing/Closing: APRIL 25, 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 6923 OLD PIMLICO ROAD 470'± WEST of ROCKLAND HILLS DRIVE

The sign(s) were posted on APRIL 7, 2003
(Month, Day, Year)

(Signature of Sign Poster)



CHARLES MERRITT
(Printed Name of Sign Poster)

9831 MACLEDT ROAD
(Street Address of Sign Poster)

BALTO MD 21234
(City, State, Zip Code of Sign Poster)

410 665-5562
(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

RE:	PETITION FOR VARIANCE 6923 Old Pimlico Road; Sside Old Pimlico Rd; 470ft W ctrline Rockland Hills Drive 3rd Election & 2nd Councilmanic Districts Legal Owner(s): Donte & Danielle Hickman , Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 03-355-A

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

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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of February, 2003, a copy of the foregoing Entry of Appearance was mailed to, Richard E. Mat, PE, Colbert, Matz, Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209, Representative for Petitioner(s).

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 20, 2003 Issue - Jeffersonian

Please forward billing to:
Portrait Homes 301-570-6640
18104 Little Brook Drive
Olney, MD 20832

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: 03-355-A
6923 Old Pimlico Road
S/side Old Pimlico Road, 470 feet west centerline Rockland Hills Drive
3rd Election District – 2nd Councilmanic District
Legal Owner: Donte L. and Danielle Hickman

Variance to permit a rear building setback of 25 feet in lieu of the required 30 feet and to amend the most recently amended Final Development Plan for the Needle Property.

Hearings: Monday, April 7, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley 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

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

February 12, 2003

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: 03-355-A
6923 Old Pimlico Road
S/side Old Pimlico Road, 470 feet west centerline Rockland Hills Drive
3rd Election District – 2nd Councilmanic District
Legal Owner: Donte L. and Danielle Hickman

Variance to permit a rear building setback of 25 feet in lieu of the required 30 feet and to amend the most recently amended Final Development Plan for the Needle Property.

Hearings: Monday, April 7, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: Donte L. Hickman, 2015 Hillenwood Road, Baltimore 21239

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 22, 2003.**
(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.

Printed with Soybean Ink
on Recycled Paper

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: 03-355-A

Petitioner: Donde and Danielle Hickman

Address or Location: 6923 Old Pimlico Road

PLEASE FORWARD ADVERTISING BILL TO

Name: PORTRAIT HOMES

Address: 18104 LITTLE BROOK DRIVE

OLNEY, MD 20832

Telephone Number: ~~410~~ 301-570-6640 301-370-4780

Revised 2/20/98 - SCJ

Baltimore County
Department of Permits and
Development Management

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

April 4, 2003

Donte L. and Danielle C. Hickman
2015 Hillenwood Road
Baltimore, MD 21239

Dear Mr. and Mrs. Hickman:

RE: Case Number: 03-355-A, 6923 Old Pimlico Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 30, 2003.

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.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Richard E. Matz, Colbert, Matz, Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore 21209

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on Recycled Paper

Baltimore County
Fire Department

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: February 11, 2003

Item No.: 351-360 355

Dear Ms. Hart:

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.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 27, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For February 18, 2003
Item Nos. 351, 352, 353, 354, 355,
356, 357, 358, and 360

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

RWB:CEN:jrb

cc: File

4/7

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 14, 2003

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-353 & 03-355**
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A Cunningham

RECEIVED
FEB 20 2003
ZONING COMMISSIONER

Section Chief: Lynn Lanham

AFK/LL:MAC

State Highway Administration
Driven to Excel
Maryland Department of Transportation
Robert L. Ehrlich, Jr., *Governor* · Michael S. Steele, *Lt. Governor* · Trent M. Kittleman, *Acting Secretary*

Date: 2·7·03

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

RE: Baltimore County
Item No. 355 BR

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,

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

Baltimore County
Zoning Commissioner

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

April 7, 2003

Mr. Richard E. Matz
Colbert Matz Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209

RE: PETITION FOR VARIANCE
S/S Old Pimlico Road, 470' W of the c/l Rockland Hills Drive
(6923 Old Pimlico Road)
3rd Election District – 2nd Council District
Donte L. Hickman, et ux – Petitioners
Case No. 03-355-A

Dear Mr. Matz:

This letter is to confirm that the above-captioned matter was postponed in open hearing this date for failure to post the property. By agreement of all parties present, the matter has been rescheduled for Friday, April 25, 2003 at 11:00 AM in Room 407 of the County Courts Building. The property must be duly posted 15 days prior to that date to give public notice of the hearing; however, it will not be necessary to re-advertise the property.

In the meantime, should anyone have any questions on the subject, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Donte L. Hickman
2015 Hillenwood Road, Baltimore, Md. 21239
People's Counsel; Case File

PLEASE PRINT CLEARLY

CASE NAME 6923 Old Pimlico Rd
CASE NUMBER 03-355-A
DATE 4/25/03

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
RICHARD MATZ	2835 SMITH AVE., SUITE G	BALTIMORE, MD 21209.	
James L. Rouse	2516 N. Charles St	Balto. Md. 21218	
Donté L. Hickman	2015 Hillenwood Rd.	Balto., Md. 21213	

Pet Ex #1

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS: 6923 OLD PIMLICO ROAD

TAX ACCT. NO. 2300012081

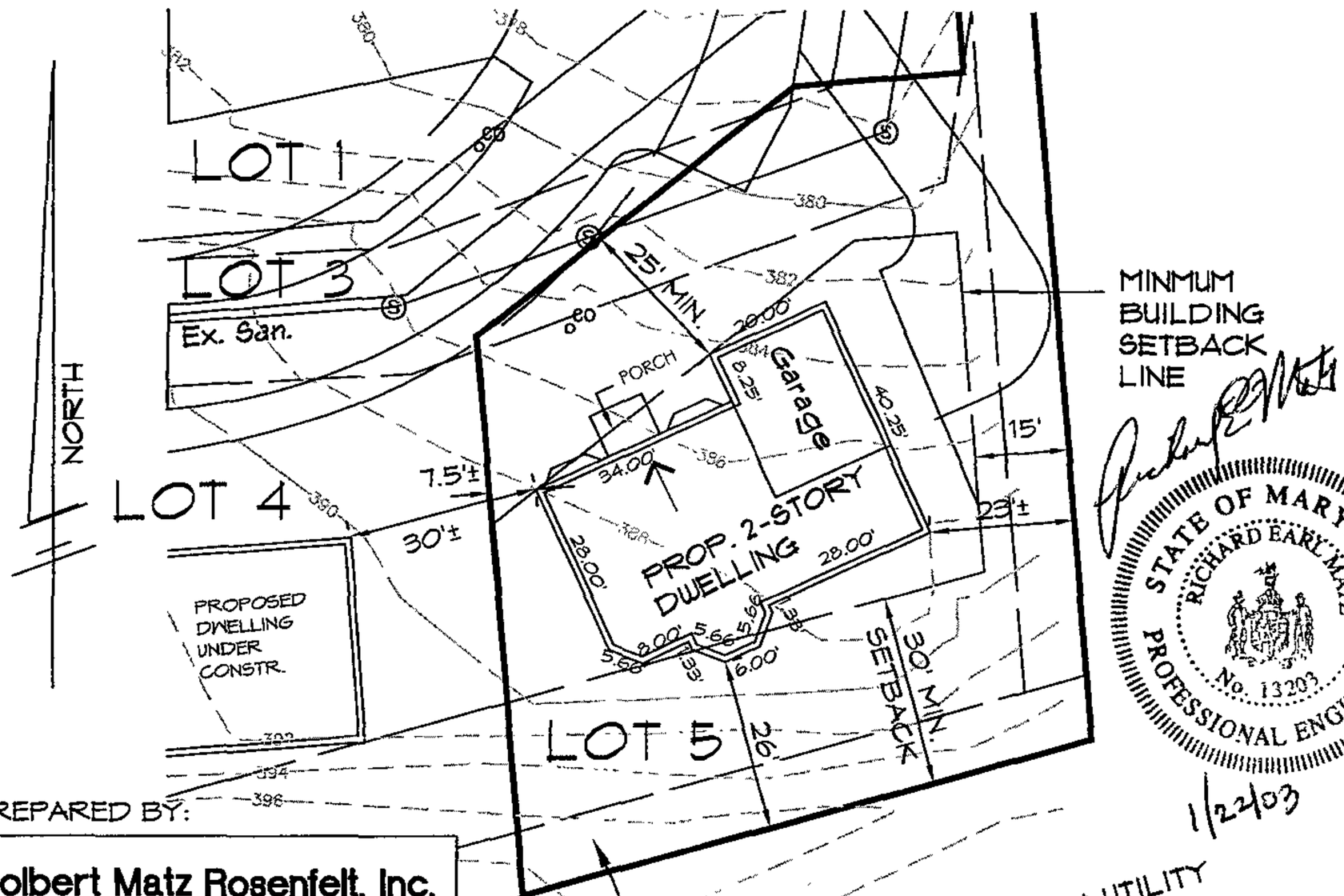
SUBDIVISION NAME: NEEDLE PROPERTY

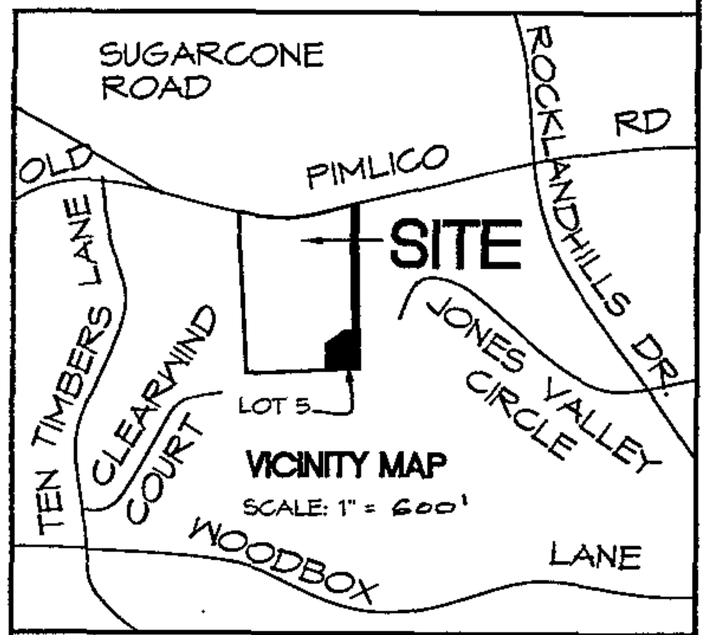
DEED REF.: 16916/249

PLAT BOOK #74, FOLIO #3, LOT #5, SECTION # --

OWNER: DONTE L. HICKMAN
DANIELLE C. HICKMAN

NOTE: SEE SHEET 2 FOR COMPLETE LOT & P.O.B.





LOCATION INFORMATION

COUNCILMANIC DISTRICT: 2

ELECTION DISTRICT: 3

1" = 200' SCALE MAP # NW 8-C

ZONING: DR-16

LOT SIZE: 0.314 ACRES 13690 SQ. FT.

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER:	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA:	☐	☒
100 YEAR FLOOD PLAIN:	☐	☒
HISTORIC PROPERTY/BUILDING:	☐	☒

PRIOR ZONING HEARINGS: 01-077-SPHXA

STATE OF MARYLAND
RICHARD EARL MATZ
No. 13203
PROFESSIONAL ENGINEER

1/22/03

PREPARED BY:

Colbert Matz Rosenfelt, Inc.

*Engineers * Surveyors * Planners*

2835 Smith Avenue, Suite G
Baltimore, Maryland 21209

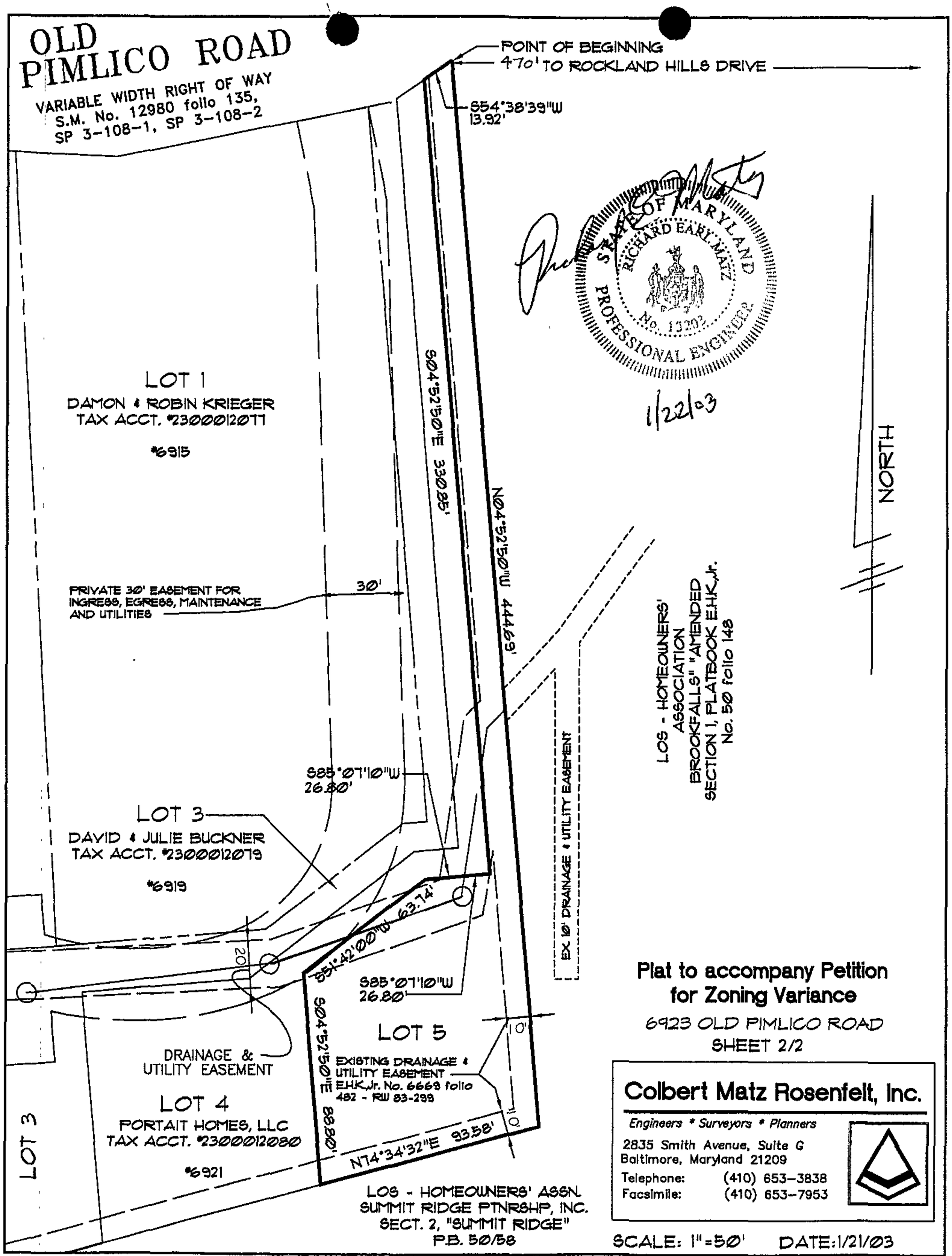
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

SCALE: 1"=30' DATE: 1/21/03

Zoning Office USE ONLY!

REVIEWED BY:	ITEM #:	CASE #:
BR	355	03-355-A

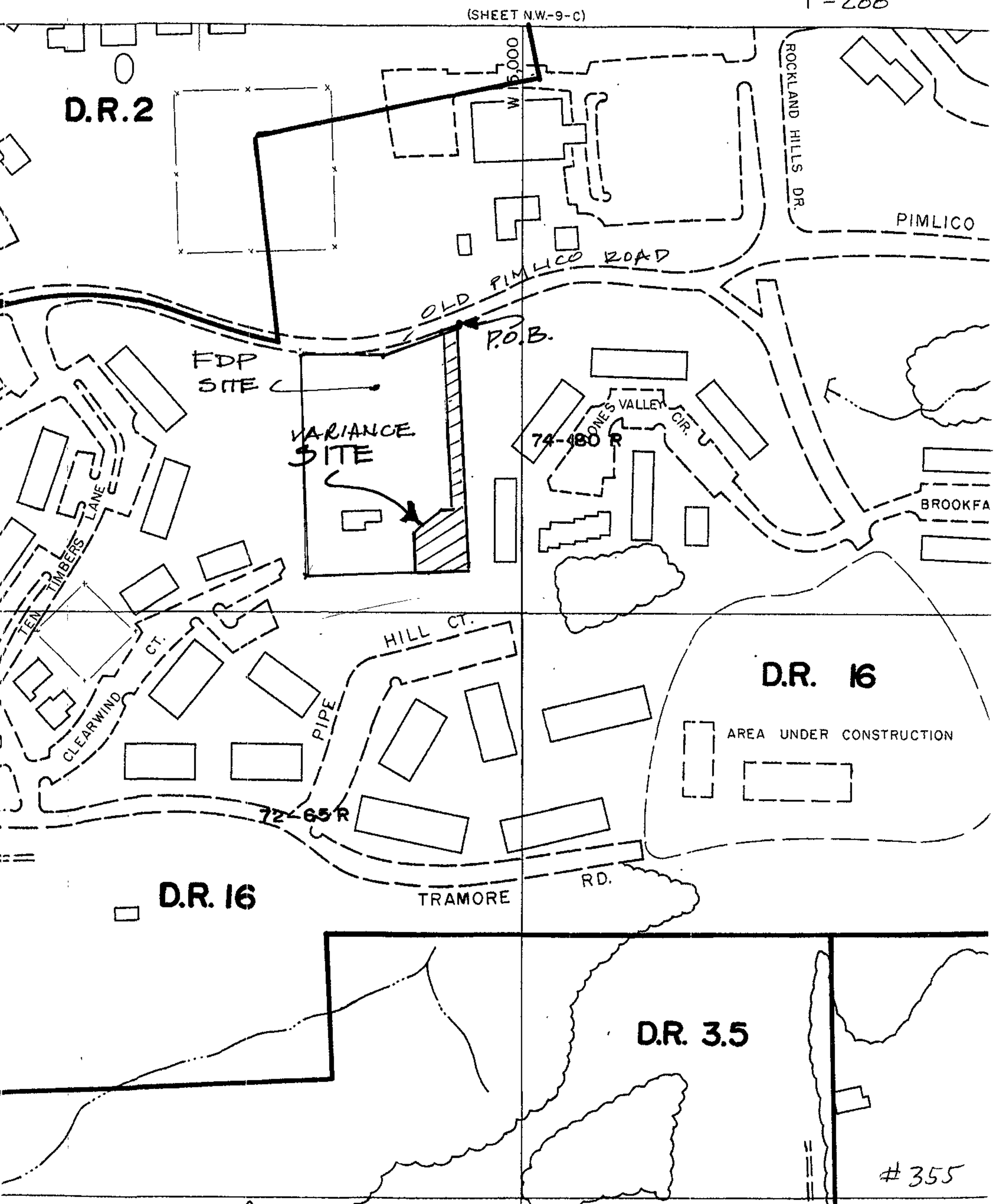
95154 2

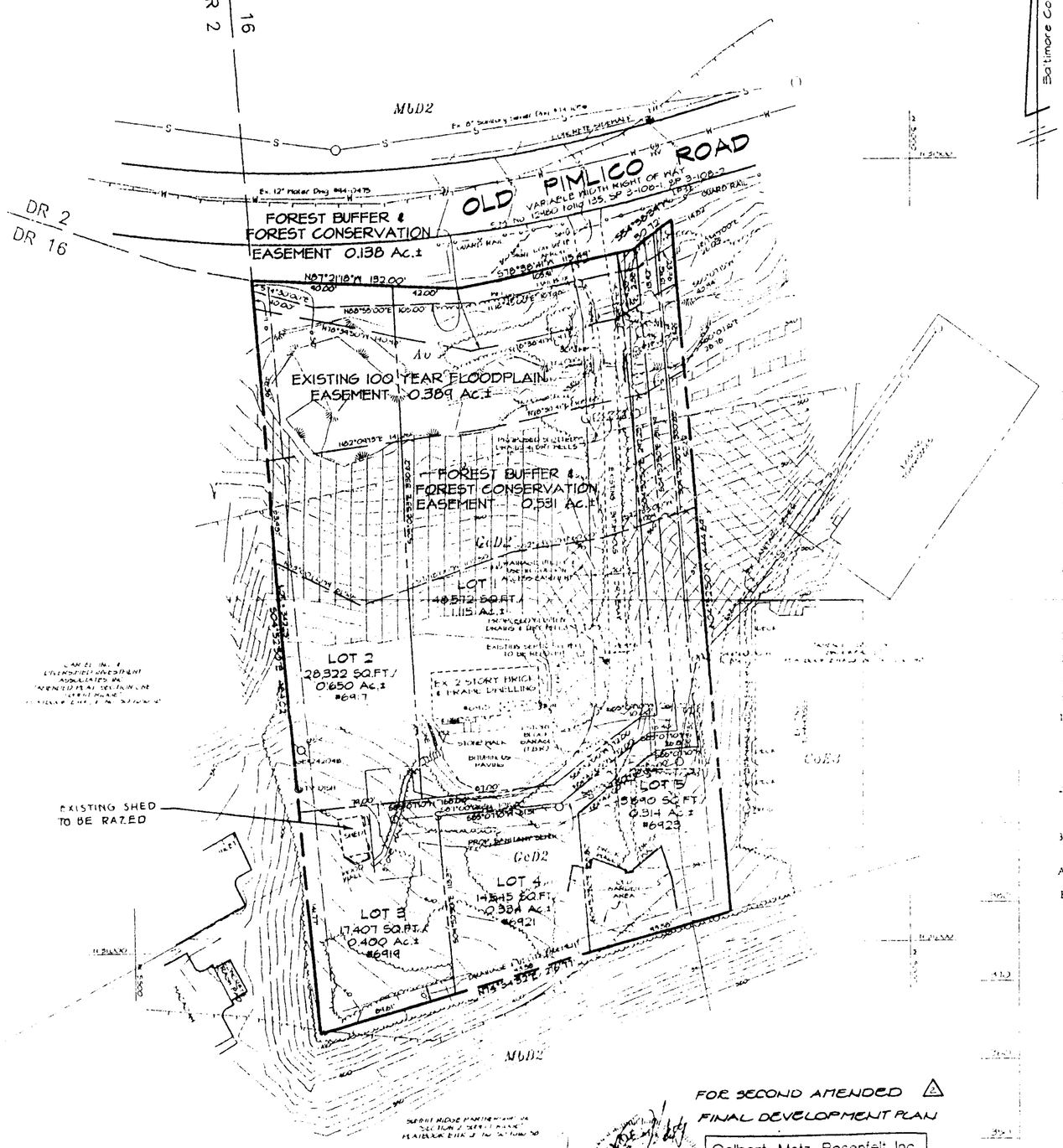

OLD PIMLICO ROAD
VARIABLE WIDTH RIGHT OF WAY
S.M. No. 12980 folio 135,
SP 3-108-1, SP 3-108-2
POINT OF BEGINNING
470' TO ROCKLAND HILLS DRIVE
S54°38'39"W
13.92'
STATE OF MARYLAND
RICHARD EARL MATZ
No. 13302
PROFESSIONAL ENGINEER
1/22/03
NORTH
LOT 1
DAMON & ROBIN KRIEGER
TAX ACCT. #2300012077
#6915
S04°52'50"E 330.85'
N04°52'50"W 444.65'
PRIVATE 30' EASEMENT FOR
INGRESS, EGRESS, MAINTENANCE
AND UTILITIES
30'
LOS - HOMEOWNERS'
ASSOCIATION
BROOKFALLS "AMENDED
SECTION 1, PLATBOOK E.H.K.,Jr.
No. 50 folio 148
S85°07'10"W
26.80'
LOT 3
DAVID & JULIE BUCKNER
TAX ACCT. #2300012079
#6919
EX. 10' DRAINAGE & UTILITY EASEMENT
S51°42'00"W 63.74'
20'
S85°07'10"W
26.80'
S04°52'50"E 88.80'
LOT 5
10'
10'
EXISTING DRAINAGE &
UTILITY EASEMENT
E.H.K.,Jr. No. 6669 folio
482 - RW 83-299
DRAINAGE &
UTILITY EASEMENT
LOT 4
PORTAIT HOMES, LLC
TAX ACCT. #2300012080
#6921
N74°34'32"E 93.58'
LOT 3
LOS - HOMEOWNERS' ASSN.
SUMMIT RIDGE PTNRSHP, INC.
SECT. 2, "SUMMIT RIDGE"
P.B. 50/58
Plat to accompany Petition
for Zoning Variance
6923 OLD PIMLICO ROAD
SHEET 2/2
Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953
SCALE: 1"=50'
DATE: 1/21/03
#355

95154.2

N.W. 8-C

1" = 200'


(SHEET N.W.-9-C)
W 6,000
D.R.2
ROCKLAND HILLS DR.
PIMLICO
OLD PIMLICO ROAD
P.O.B.
FDP SITE
VARIANCE SITE
JONES VALLEY CIR.
74-180 R
BROOKFA
TEN TIMBERS LANE
CLEARWIND CT.
HILL CT.
PIPE
D.R. 16
AREA UNDER CONSTRUCTION
72-65 R
TRAMORE RD.
D.R. 16
D.R. 3.5
#355



FOR SECOND AMENDED FINAL DEVELOPMENT PLAN

Colbert Matz Rosenfelt, Inc.
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2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
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FOREST BUFFER EASEMENT NOTES

1. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER & FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
2. ANY FOREST BUFFER & FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

SETBACK REQUIREMENTS

	DR 3.5, 5.5, 10.5 & 16 ZONES
From front building face to:	
Public street right of way, or property line	25'
Arterial or Collector	---
From side building face to:	
Side building face	16' + 20' high 20' + 20' high
Public street right of way	15'
Paving of a private road	25'
Tract boundary	15' △2
From rear building face to:	
Rear property line	30'
Public street right of way	30'
Additional Setbacks: Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 20 feet	

SYMBOLS LEGEND

- EXISTING WATER METER
- EXISTING WATER VALVE
- EXISTING CLEANOUT
- EXISTING UTILITY POLE
- SPIGOT
- LIGHT POLE
- EXISTING DWELLING
- SOIL LINE
- WOODS LINE
- LIMIT OF WETLANDS
- EXISTING PAVING
- ZONING LINE
- CONTOURS
- SLOPES ≥ 25%

ORDER III-388

Therefore, IT IS ORDERED by the Hearing Officer for Baltimore County this 18th day of February, 1993 that the development plan for the Needle Property, be and is hereby APPROVED.

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

TIMOTHY M. KOTROCO
Hearing Officer for Baltimore County

NOW, THEREFORE, IT IS ORDERED by the Zoning Commissioner/Deputy Zoning Commissioner for Baltimore County, this 10th day of February, 1998 that the request for extension to commence development of the Needle Property, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that said extension shall be for a period of five (5) years from the date of this Order.

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

CASE NO. 01-077SPHXA

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 19th day of January, 2001 that the development plan for the Needle Property, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval of an amendment to the 3rd Amended Partial Development Plan for Brookfalls, Section 1 and the Final Development Plan for the Needle Property (being Lot 46 of Brookfalls, Section 1), to reflect development of same with the proposed 56-bed assisted living facility, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to allow an assisted living facility on property zoned D.R.16, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2 C.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an interior side yard setback of 22 feet in lieu of the required 25 feet, and from Section 409.4.a of the B.C.Z.R. to permit a two-way driveway, 12 feet wide, in lieu of the required 20 feet, in accordance with Developer's Exhibit 1/Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

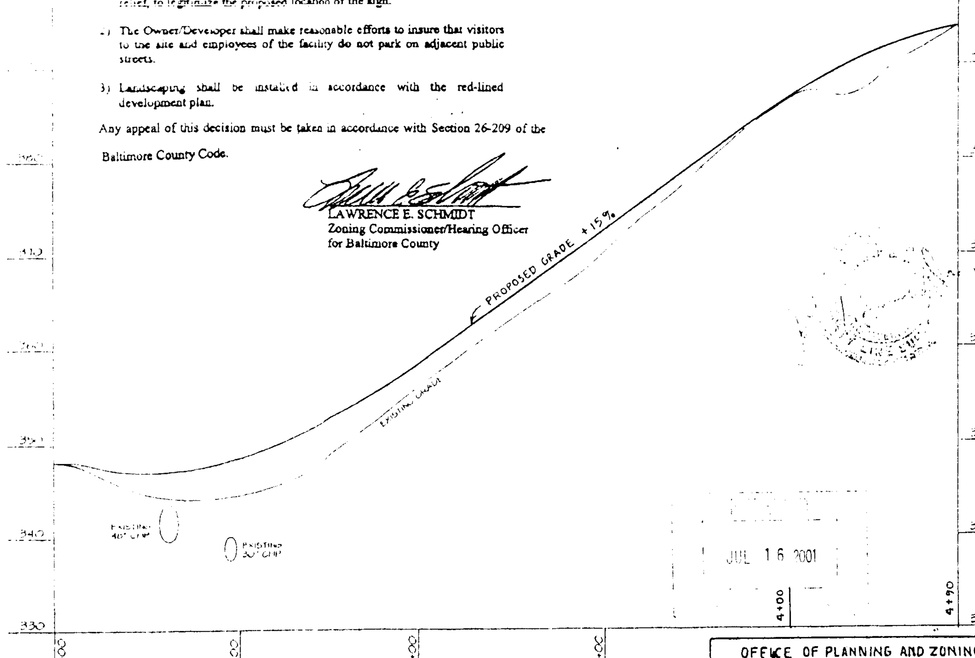
1) Within thirty (30) days of the date of this Order, the Owner/Developer shall submit a revised plan reflecting the removal of the proposed identification sign from the County's right-of-way. In the alternative, the Owner/Developer shall file a Petition for Variance, or other appropriate relief, to legitimate the proposed location of the sign.

2) The Owner/Developer shall make reasonable efforts to insure that visitors to the site and employees of the facility do not park on adjacent public streets.

3) Landscaping shall be installed in accordance with the red-lined development plan.

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

LAWRENCE E. SCHMIDT
Zoning Commissioner/Hearing Officer
for Baltimore County



PLAN PREPARED BY
SITE RITE SURVEYING, INC.
200 E. JOPPA ROAD
SHELL BUILDING, ROOM 101
TOWSON, MD. 21286
(410) 828-9060

DRIVEWAY PROFILE

H: 1" = 50' V: 1" = 10'

THIS PROFILE IS CONCEPTUAL ONLY. FOR FINAL PROFILE SEE GRADING AND SEDIMENT CONTROL PLAN.

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
Av	Severe: high water table, flooding hazard	Severe: high water table, flooding hazard	Severe: high water table, flooding hazard
GoE3	Severe: 120" to bedrock, slope.	Severe: 120" to bedrock, slope.	Severe: 120" to bedrock, slope
GcD2	Severe: slope	Severe: slope	Severe: slope
MbB2	Slight	Slight	Moderate: Slight

OFFICE OF PLANNING AND ZONING
APPROVED BY:
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT — DATE

JUL 16 2001

FOR SECOND AMENDED FINAL DEVELOPMENT PLAN

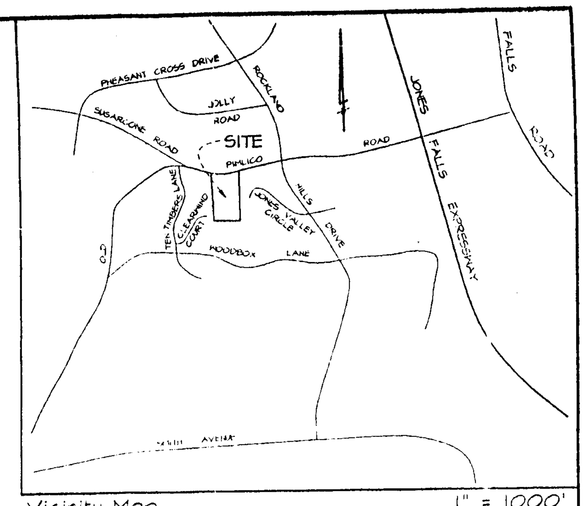
LOT 1, 6915 OLD PIMLICO ROAD
ROBIN TOLMAN — DATE
DAVID KRIEGER / DAMON KRIEGER — DATE 7/21/02

LOT 2, 6917 OLD PIMLICO ROAD
PORTRAIT HOMES, LLC
SCOTT ADASHEK, MANAGING MEMBER — DATE 7/19/02

LOT 3, 6919 OLD PIMLICO ROAD
DAVID BUCKNER — DATE 7/19/02
JANE BUCKNER — DATE

LOT 4, 6921 OLD PIMLICO ROAD
MONOCACY DIVERN, LLC
JAY WEISS, MANAGING MEMBER — DATE

LOT 5, 6925 OLD PIMLICO ROAD
MONOCACY DIVERN, LLC
JAY WEISS, MANAGING MEMBER — DATE



Vicinity Map 1" = 1000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS, & ETZEL, LTD.
2. THE TOPOGRAPHY SHOWN HEREON WAS FIELD RUN.
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 34.
4. CENSUS TRACT 4036.01 A.D.C. MAP & GRID 26 D-H
   WATERSHED 24 SUBWATERSHED 53
   SCHOOL DISTRICT 053 REGIONAL PLANNING DISTRICT 4036.02
5. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
7. ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
8. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PUBLIC WATER AND SEWER.
9. A.D.T.S. 5 x 10 = 50
10. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
11. HIGHWAY, SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND.
12. BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAT TO USE ALL OR ANY PART OF THAT LAND DESIGNATED AS PRIVATE RIGHT OF WAY FOR THE PURPOSE OF INGRESS, EGRESS, ON THE RIGHT TO OPEN OR EXCAVATE THE AFORESAID RIGHT OF WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS BUT NOT LIMITED TO WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE T.V.
13. THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE 1974 THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
14. THERE ARE NO KNOWN HISTORIC BUILDINGS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES OR HAZARDOUS MATERIALS ON THE SITE.
15. A WAIVER OF LOCAL OPEN SPACE WAS GRANTED NOVEMBER 12, 1992.
16. A VARIANCE OF STORM WATER MANAGEMENT QUANTITY CONTROL WAS GRANTED ON FEBRUARY 4, 1993. WATER QUALITY WILL BE ADDRESSED BY PLACING DRY WELLS ALONG THE DRIVEWAY (SHOWN AS CONCEPTUAL HEREON). FOR DETAIL AND FINAL DESIGN SEE GRADING AND SEDIMENT CONTROL PLAN.
17. THE DEVELOPER'S PLAN WAS ORIGINALLY APPROVED BY THE HEARING OFFICER ON FEBRUARY 18, 1993. A REVISED PLAN WAS RESUBMITTED TO THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT (DPDM) FOR REVIEW. THE DEVELOPER'S PLAN WAS ORIGINALLY PREPARED BY SITE RITE SURVEYING, INC. AND THE REVISED PLAN WAS PREPARED BY COLBERT MATZ ROSENFELT, INC. (CMR).
18. THE EXISTING DWELLING SHOWN HEREON WAS CONSTRUCTED PRIOR TO THE 1955 BALTIMORE COUNTY TAX RECORDS. IT IS AVAILABLE AND THE BUILDING CONTROL SHOULD PROVIDE AN INSPECTION AND REPORT ON EXISTING CONDITIONS AT THE DEVELOPER'S EXPENSE.
19. PER A MEETING ON 09 AUGUST DECEMBER 31, 1997 WITH AVERY HARDOY, DUE TO THE EXISTING VEGETATION ON THE SITE, A LANDSCAPE PLAN WILL NOT BE REQUIRED.
20. THE SETBACKS SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED CONTRARY TO THE SETBACKS BUT MUST COMPLY WITH SECTIONS 400 AND 301.1 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING REGULATIONS).
21. DRC # 062301F APPROVED 6 29 01 FOR REFINEMENT.

DENSITY CALCULATIONS

ALLOWABLE = DR-16 @ 2.8115 AC.± = 45 dwelling units
PROPOSED = 1 existing single family dwelling (1 x 1.5 dwelling units = 1.5 du's)
4 single family dwellings (4 x 1.5 dwelling units = 6 du's)
Total 5 single family dwellings (1.5 dwelling units)

OWNER

AS LISTED IN SECOND AMENDED FINAL DEVELOPMENT SIGNATURE CHART △3

REASON FOR SECOND AMENDMENT
TO CORRECT TYPOGRAPHICAL ERROR IN SETBACK REQUIREMENTS CHART (TRACT BOUNDARY 25 FT. CORRECTED TO 15 FT.)

REASON FOR 1ST AMENDMENT 6-29-01
TO REMOVE ZONING CASE ORDER FROM PLAN CASE NO. 98-1315-SPHA. EXIST. SHED IS NOW GOING TO BE RAZED
CHANGED PROPOSED GRADE OF DRIVEWAY TO 15% IN PROFILE.
NO LOTS SOLD WITHIN 300' OF CHANGE.

DEVELOPER
THE WEISS COMPANY
JAY WEISS
25 OLD BOXWOOD LANE
LUTHERVILLE, MD. 21093
(410) 627-6291

REVISION	DATE
2ND AMENDED FDP & DPDM	△3
1ST AMENDED FDP 6-29-01	
REVISION CONTINUED	DATE

SECOND AMENDED △3
PDM No. III-388
DPW No. 92291Z

FINAL DEVELOPMENT PLAN

NEEDLE PROPERTY

6915 OLD PIMLICO ROAD
Deed Ref: E.H.K., Jr. No. 6018 Folio 720
Tax Account No. 18-00-009687
Zoned D.R. 16
Tax Map 69; Grid 20; Parcel 1154; Section No. 1; Lot 46
3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
Scale: 1" = 50' Date: July 07, 1997

DIRECTOR'S NOTE

This Final Development Plan is approved by the Director of PDM based on his interpretation of the Zoning Regulations, that it complies with present policy, density and bulk controls as they are delineated in the regulations. Any part of this tract that has been utilized for density to support dwellings shown thereon shall not be further divided or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occured when a dwelling is constructed and transferred for the purpose of occupancy.

△3 FOR SECOND AMENDED FDP

OFFICE OF PLANNING AND ZONING
APPROVED BY:
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT — DATE 8/01/02

REVISION	DATE
ADDITION TO NOTE 18 & NOTES 19 & 20 ADDED	10/29/98
DEED REF. & PLAT NOS. FOR ROAD RUN & DEVELOPMENT PLAN EXTENSION UNDER ADDED	10/14/98
FOREST CONSERVATION EASEMENT ADDED TO FOREST BUFFER EASEMENT	1/22/98
NOTE 18 REVISED & ZONING ORDER ADDED	12/15/97
NOTE #19 ADDED, DENSITY CHART & SETBACK CHART REVISED ACCESS EASEMENT & SANITARY SEWER REVISED DIRECTOR'S NOTE ADDED	08/11/97

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

TO FILE.

95154.1 #355