ORDER RECEIVED FOR FILING
Date 3/20/14

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE

PETITION FOR VARIANCE - NW/S

Philadelphia Rd, 390' SW of Hilldale Ave. * ZONING COMMISSIONER

(Rosedale Gate)

15th Election District

* OF BALTIMORE COUNTY

6th Council District

* Case Nos. XV-806 & 04-357-A

Gamma Construction Company Owner/Developer

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a combined public hearing, pursuant to Section 26-206.1 of the Baltimore County Code (B.C.C.). That Section permits an applicant to request development plan approval and zoning relief through a single public hearing. Pursuant to Title 26 thereof, the Owners/Developers, Gamma Construction Company, requests approval of a redlined development plan for the proposed residential development of the subject property with 12 attached single-family dwelling units. In addition, variance relief is requested from Sections 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 303.c.1 of the Zoning Commissioner's Policy Manual, to permit a front yard average setback of 36 feet in lieu of the maximum required 40 feet. The proposed development and requested relief are more particularly described on the redlined development plan/site plan submitted into evidence and marked as Developer's Exhibit 1.

This proposal has been reviewed in accordance with the development review regulations codified in Title 26 of the Baltimore County Code. The process described therein is initiated by the filing of a concept plan, which is a schematic representation of the proposed development. The concept plan is submitted for review at a conference held by and between representatives of the Developer and the County at a Concept Plan Conference (CPC), which in this case was conducted on November 3, 2003. Thereafter, as required, a Community Input Meeting (CIM) is conducted during evening hours at a public facility in the vicinity of the proposed development. The CIM provides an opportunity for residents of the locale to review and offer comment on the proposal. The CIM for this project was held on December 1, 2003 at the Golden Ring Middle School.

Subsequently, a development plan is submitted for review and comment at a conference held again between the Developer and County agency representatives. Often the development plan has been revised to incorporate changes suggested at the CPC and/or CIM. The Development Plan Conference (DPC) in this case was held on February 25, 2004. Following the DPC, a public hearing on the proposal is conducted before the Zoning Commissioner/Deputy Zoning Commissioner. In this case, the Hearing Officer's Hearing was held before me on March 18, 2004.

Appearing at the public hearing required for this project were Uri Ben Or, on behalf of Gamma Construction Company, Owner/Developer; Vincent Moskunas, with Site Rite Surveying, Inc., the consultants who prepared the development plan, and Howard L. Alderman, Jr., Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Christine Rorke, Project Manager; Bob Bowling, Development Plans Review; Donald A. Gabriel, Land Acquisition; and, Lloyd Moxley, Zoning Review. Also appearing on behalf of the County were Jennifer German, Office of Planning (OP); R. Bruce Seeley, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). Nikki and Henry Kahler, adjacent property owners, appeared as interested citizens.

As noted above, the subject property is an irregularly shaped parcel located on the northwest side of Philadelphia Road, just south of its intersection with Hilldale Road in White Marsh. The property contains a gross area of 2.43 acres, more or less, zoned D.R.5.5 and was previously the site of the Rosedale Swim Club. However, the Developer recently acquired the property and will remove the existing pool and facility building to redevelop the site as proposed. As noted above, a residential subdivision of 12 single-family attached dwelling units (6 buildings with 2 attached houses) is proposed. A new road that will terminate as a cul-de-sac will be constructed to provide access from Old Philadelphia Road.

Pursuant to Section 26-206 of the Baltimore County Code, which regulates the conduct at the Hearing Officer's Hearing, I am required to first identify any unresolved agency comments or

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Pursuant to Section 26-206 of the Baltimore County Code, which regulates the conduct at the Hearing Officer's Hearing, I am required to first identify any unresolved agency comments or

issues. In this regard, Counsel for the Developer advised that there were no outstanding issues and that the project was in compliance with all development plan comments and the County's standards, rules and regulations for development. He indicated that one outstanding issue with the Office of Planning had been resolved insofar as the design of the proposed dwelling on Lot 1. This house will be located immediately adjacent to the corner of the new public road and Old Philadelphia Road, and will be oriented with the front facing the new road and the side facing Old Philadelphia Road. Its design will be consistent with the building elevation drawing shown on the plan as "Elevation B." Specifically, the house will be designed with windows on the side in lieu of a blank wall to provide a pleasing aesthetic appearance to traffic on Old Philadelphia Road. Mr. Alderman further indicated that all other issues had been resolved. He particularly noted the redlined changes to the plan, one of which shows that there will be a landscape buffer along the rear of Lots 5 through 12, adjacent to the Kahler house. This was designed to provide a visual buffer from their property into this development.

There were no outstanding issues raised by any County agency representatives. On behalf of the Department of Public Works, Bob Bowling indicated that an additional storm drain may be necessary based on further study during Phase II of the review process; however, the plan as submitted was appropriate. None of the other County agencies had any issues.

Mr. & Mrs. Kahler indicated that their primary concern was that there be screening along their property line. Initially, they asked for a fence; however, further discussion revealed that there is already a fence on their property and they were assured that the proposed screening would be dense enough to provide a reasonable visual buffer along their property line.

Turning to the Petition for Variance, relief is requested to allow a front yard average setback of 36 feet in lieu of the minimum required 40 feet. This request relates to the proposed house on Lot 1, which as noted above, is located immediately adjacent to the intersection of the new public road and Old Philadelphia Road. The Developer argued during the hearing that this variance was not necessary; however, was filed at the request of the Zoning Review Division of DPDM. An examination of the site plan shows that the house on Lot 1 will be oriented towards the new public

street. Therefore, the front yard will be that area between the house and the new public road and the yard area between the house and Old Philadelphia Road is the side yard. The Petitioner also referred to Page 1-1.3.a of the Zoning Commissioner's Policy Manual, entitled the Method of Measuring Setbacks. This Section is dispositive to the conclusion that the area between the house and Old Philadelphia Road is the "side" yard. Finally, the regulations require a street to side yard setback under Section 1B01.2.C.1 of the B.C.Z.R. In my judgment, the front yard average setback requirement only applies only when the front face of the house is oriented toward the road. By definition, the "side" of the house need not comply with the "front" averaging requirements. Based upon all of the above, it is clear that variance relief is not necessary in this case, and thus, shall be dismissed as moot.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the development plan shall be approved consistent with the comments contained herein and the Petition for Variance dismissed as moot.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this ______ day of March 2004 that the red-lined development plan for Rosedale Gate, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 303.c.1 of the Zoning Commissioner's Policy Manual, to permit a front yard average setback of 36 feet in lieu of the maximum required 40 feet, for proposed Lot 1 be and is hereby DISMISSED AS MOOT.

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

LES:bjs

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LAWRENCE E. SCHMIDT

Zoning Commissioner/Hearing Officer

for Baltimore County

LES:bjs

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Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

March 30, 2004

Howard L. Alderman, Jr., Esquire Levin & Gann 502 Washington Avenue, Suite 800 Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITION FOR VARIANCE NW/S Philadelphia Road, 390' SW of Hilldale Avenue (Rosedale Gate)

15th Election District – 6th Council District
Gamma Construction Company – Owner/Developer
Cases Nos. XV-806 and 04-357-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved and the Petition for Variance dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. Uri Ben Or, Gamma Construction Company P.O. Box 68, Reisterstown, Md. 21136

Mr. Vincent Moskunas, Site Rite Surveying, Inc.

200 E. Joppa Road, Suite 101, Towson, Md. 21286

Mr. & Mrs. Henry Kahler, 8340 Old Philadelphia Road, Baltimore, Md. 21237 Chris Rorke, DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case File



Visit the County's Website at www.baltimorecountyonline.info



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property local. ** ** #8330 Old Philadelpnia Road which is presently zoned D.R. 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) 303.1 B.C. 2. P. & 303. c. 1 Z. C. Policy Manual TI PWWA A FWINT YAWAY WWAY SURVEY OF 36' IN 11W OF THE MAXUMUM NAMED OF 40' IN D.P. S.S. ZOWNY.

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

- 1. Site is narrow and long, not enough to allow average setback.
- 2. Existing house at #8340 setback is 360 feet. The proposed building will not disrupt the visibility with the 360 foot setback proposed.
- 3. To hold a 40 foot setback would require that the house have a 80 foot driveway to back out of to access the road.

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):

Name - Type or Print		GAMMA CONSTRUCT Name - Type of Print	PILAT	Pros
Signature	, 	Signature Uri Ben-	or, President	
Address	Telephone No.	Name - Type or Print	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
City	te Zip Code	Signature		······································
Attorney For Petitioner:		P.O. Box 68	.,_,_,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(410) 935-2323
•		Address	, MT)	Telephone No.
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·	Reisterstown City	MD State	21136 Zip Code
		•		•
Signature		Representative t	o de Contacted	Ĭ.
		Site Rite Surve	ving. Inc.	
Company		Name	7 - 116 , 1110 ,	· · · · · · · · · · · · · · · · · · ·
<u>(% 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1</u>		200 E Joppa Roa	d, Suite 101	(410) 828-9060
dress	Telephone No.	Address		Telephone No.
		Towson	MD	21286
Sta	ie Zip Code	City	State	Zip Code
E		OFF	ICE USE ONLY	
72 No 04-357-A		ESTIMATED LENGTH O	F HEARING	#- g
3 1 1 1 1 1 1 1 1 1 1	,	UNAVAILABLE FOR HEA	ADI NG	
	Reviewed I	A STATE OF THE STA	te 2/4/00	
EEVOXIS298			1.11.4	

DESCRIPTION FOR SIDEYARD VARIANCE 8330 OLD PHILADELPHIA ROAD LOT 1 "ROSEDALE GATE" UNRECORDED RECORD PLAT PDM #XV-806

BEGINNING for the same on the northwest side of Old Philadelphia Road (50 foot right of way) at a distance of 390 feet +/- measured southwesterly from the centerline of Hilldale Avenue (40 foot right of way).

Thence by a curve to the right having a radius of 2475.00" arc length of 158.35'; thence N69° 27' 26"W 39.11', thence N30° 04' 00"W 27.64'; thence N59° 20' 00"E 291.12'; thence S17° 98' 30"E 89.77' to the place of beginning, containing 0.311 Ac +/-.

Being part of that tract or parcel of land recorded in Baltimore County Land Records in Liber 7763, Folio 91.



J. Tilghman Downey, Jr.

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MOTEL				
ABMOLSINO - MOTEL				
			No.	

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: #04-357-A
8330 Old Philadelphia Road
N/west side of Old Philadelphia Road at a distance of 370 feet +/-, S/west of centerline of Hilldale Avenue
15th Election District — 7th Councilmanic District Legal Owner(s): Gamma Construction Company, Uri Ben-or, President President

Variance: to permit a front yard average setback of 36 feet in lieu of the maximum required setback of 40 feet.
Hearing: Thursday, March 18, 2004 at 9:00 a.m. in Room 106, 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 3/630 Mar. 2

C652528

CERTIFICATE OF PUBLICATION

34,2004
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 32,2004.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LTCAL ADVERTISING

1 Willingar

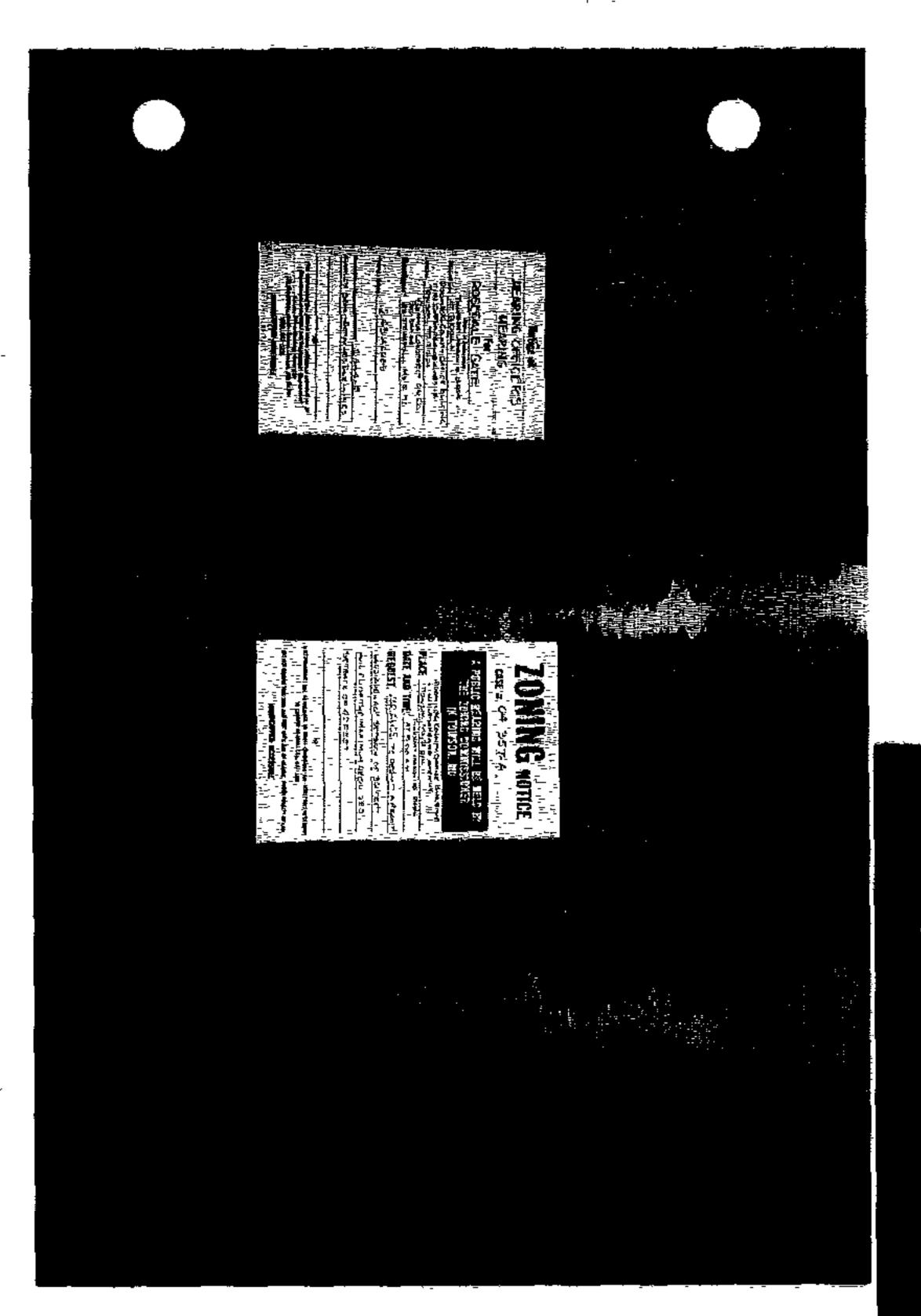
CERTIFICATE OF POSTING

Baltimore County Department of Permits and Development Management County Office Building, Room 111	
111 West Chesapeake Avenue Towson, MD 21204	
Attention: Becky Hart	
Ladies and Gentlemen: This letter is to certify under the penalt	ies of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at 93	•
The sign(s) were posted on MARCH 2, (Month, Day	
Since	rely,
	(Signature of Sign Poster and Date)
	ARLANDE, Woons (Printed Name)
<u>3</u> 3	225 RYERSON CIRCLE
	(City, State, Zip Code)
<u></u>	(Telephon Number) CEIVED
	WAR 3 2004
	DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

RE: Case No.: 04-357-A

Petitioner/Developer: GAMMA CONST. Co.

Date of Hearing/Closing: MAR, 18, 2004





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RE: PETITION FOR VARIANCE

8330 Old Philadelphia Rd; NW/side of Old

Philadelphia Rd, 370'SW c/line Hilldale Ave*

15th Election & 7th Councilmanic Districts

Legal Owner(s): Gamma Construction

Company, Uri Ben-or, President

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

04-357-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

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 24th day of February, 2004, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

F ... 7 4 2004

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Tuesday, March 2, 2004 Issue - Jeffersonian

Please forward billing to:

Uri Ben-or

Gamma Construction Co.

P.O. Box 68

Reisterstown, MD 21136

410-935-2323

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: 04-357-A

8330 Old Philadelphia Road

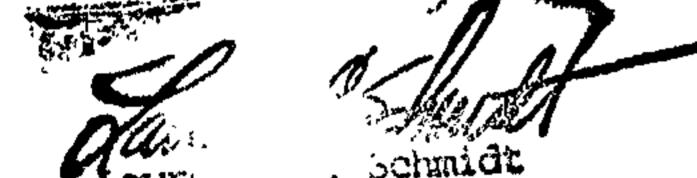
N/west side of Old Philadelphia Road at a distance of 370 feet +/-, S/west of centerline of centerline of Hilldale Avenue

15th Election District – 7th Councilmanic District

Legal Owner: Gamma Construction Company, Uri Ben-or, President

Variance to permit a front yard average setback of 36 feet in lieu of the maximum required setback of 40 feet.

Hearing: Thursday, March 18, 2004, at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue



LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

February 23, 2004

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: 04-357-A

8330 Old Philadelphia Road

N/west side of Old Philadelphia Road at a distance of 370 feet +/-, S/west of centerline of centerline of Hilldale Avenue

15th Election District – 7th Councilmanic District

Legal Owner: Gamma Construction Company, Uri Ben-or, President

Variance to permit a front yard average setback of 36 feet in lieu of the maximum required setback of 40 feet.

Hearing: Thursday, March 18, 2004, at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Director

TK:klm

C: Gamma Construction, Co., Uri Ben-Or, P.O. Box 68, Reisterstown MD 21136 Site Rite Surveying, Inc., 200 E. Joppa Rd., Ste. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 3, 2004.

- (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.



Visit the County's Website at www.baltimorecountyonline.info



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.

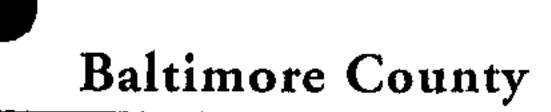
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Item Number or Case Number:	04-357-A	
Petitioner: <u>Gamma wn</u>		am
Address or Location: 8330	1	, .
PLEASE FORWARD ADVERTION Name: GAMMA CONSTN		% Un' Ban-OV
Address: P.O. BOX 68 Reistastown,		

Department of Permits a Development Management

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





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

March 9, 2004

Gamma Construction Company Uri Ben-or P.O. Box 68 Reisterstown, Maryland 21136

Dear Sir or Madam:

RE: Case Number: 04-357-A, 8330 Old Phildelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 4, 2004.

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: clb

Enclosures

c: People's Counsel Site Rite Surveying, Inc. 200 E. Joppa Road, Rm 101 Towson 21286

Fire Department



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



Baltimore County

James T Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 February 24, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: February 17, 2004

Item No.:

355-366

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File



Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: March 12, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

7 Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 23, 2004 Item Nos. 355, 356, 357, 359, 362,

and 366

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley MS

DATE:

March 22, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of February 17, 2004

The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-356

04-357

04-359

04-365

04-366

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 24, 2004

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

8330 Old Philadelphia Road

Development Plan

Rosedale Gates - PDM #: XV-806

INFORMATION:

Item Number:

4-357

Petitioner:

Gamma Construction Company

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit a front yard average setback of 36 feet in lieu of the minimum required 40 feet provided the proposed dwellings are rotated to front on Old Philadelphia Road.

Prepared by:

Section Chief:

AFK/LL:MAC:



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2.20.04

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

RE:

Baltimore County

Item No.

357

JRF

Dear. Ms. Hart:

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,

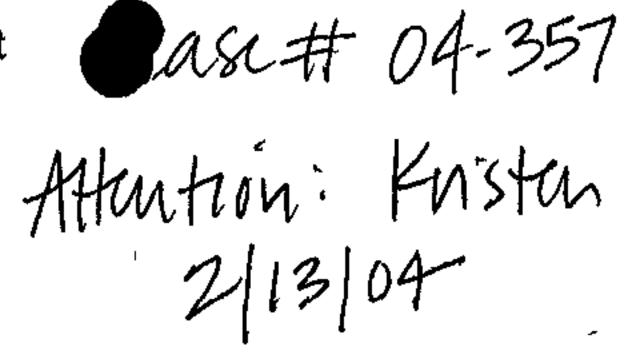
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Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

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Baltimore County Government Department of Permits and Development Management





111 West Chesapeake Avenue Towson, MD 21204

410-887-3321

February 6, 2004

Gamma Construction Company P.O. Box 68 Reisterstown, MD 21136

Re: Rosedale Gate

PDM Number XV-806

Dear Sir or Madam:

The Development Plan Conference, and the Hearing Officer's Hearing, have been scheduled on the above referenced project. Please arrange to attend these meetings with appropriate representation.

DEVELOPMENT PLAN CONFERENCE:

Date: Wednesday, February 25, 2004 Time: 9:00 AM

Location: Development Management Conference Room 123

County Office Building; 111 W. Chesapeake Avenue; Towson, MD 21204

HEARING OFFICER'S HEARING:

Date: Thursday, March 18, 2004 Time: 9:00 AM

Location: Rm. 106, County Office Bldg.; 111 W. Chesapeake Ave.; Towson, MD 21204

A copy of a public notification letter of the Development Plan Conference and Hearing Officer's Hearing, is attached for your convenience. Please note that it is the developer's responsibility to send a copy of the development plan, and notify all interested parties of the conference and hearing. Also, it is the developer's responsibility to post the property. Please note the property must be posted by February 19, 2004. A county authorized sign posting company must post the sign(s). A list of authorized sign posters is available in Room 123 of the County Office Building. A certificate of posting and photograph of the sign must be forwarded to this office prior to the Hearing Officer's Hearing.

Sincerely,

Christina K. Roke/dab

Christine K. Rorke Project Manager

CKR:dak

c: Site Rite Surveying, Inc.

Visit the County's Website at www.baltimorecountyonline.info

CASE NAME ROSEDALE GATE
CASE NUMBER 04-357-A /DMXILL
DATE 3-18-04

PETITIONER'S SIGN-IN SHEET

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DATE	CASE NU	CASE NA
3/18/04	NUMBER	NAME BOSEDA
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CITIZEN'S SIGN-IN SHEET

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DATE 3/18/04	CASE NUMBER	CASE NAME BOSEDI
		DALE GATE

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

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